

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2222

**RESOLUTION OF THE BOARD OF DIRECTORS OF
OLIVEHURST PUBLIC UTILITY DISTRICT
AUTHORIZING ADDITION OF BENEFIT ASSESSMENTS
TO COUNTY TAX ROLLS**

WHEREAS, Olivehurst Public Utility District has established and levied, in accordance with Article XIII D of the California Constitution and the provisions of Section 53750 et seq. of the Government Code of the State of California, a special benefit assessment to fund fire suppression activities in the area generally known as Olivehurst Public Utility District Fire Department Fire Protection Zone; and

WHEREAS, in accordance with Article XIII D of the California Constitution, an Engineer's Report was duly prepared and filed with the District to properly apportion the costs of the benefits to each parcel of land subject to the assessment in proportion to the benefits to be received; and

WHEREAS, notice was duly given, ballots distributed, hearings held and ballots counted confirming that of those ballots received a majority voted in favor of the assessment and the assessment was duly established and levied; and

WHEREAS, Olivehurst Public Utility District has requested that the County of Yuba include the per parcel benefit assessment for fire suppression purposes on the County Tax rolls; and

WHEREAS, the Board of Directors of the District has authorized an agreement between the District and the County permitting such collection; and

WHEREAS, the benefit assessment attached hereto as Exhibit "A" is in compliance with all laws pertaining to the levy of such assessments as set forth in Article XIII D of the California Constitution and Section 53750 et seq. of the Government Code of the State of California.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Olivehurst Public Utility District as follows:

1. A Fire Suppression Assessment of the Olivehurst Public Utility District has been validly established, approved by the voters, and is existing in accordance with

Article XIII D of the California Constitution and with Government Code Section 53750 et seq, and the District is authorized to levy benefit assessments on a per parcel basis.

2. The duly authorized and adopted assessment on a per parcel basis is set forth in Exhibit "A" attached hereto.


3. The purpose of the assessment is to provide for the retention, maintenance and operation of fire suppression personnel for 24/7 coverage, vehicle replacement, and safety equipment necessary to provide fire suppression services for the area of benefit-Olivehurst Public Utility District Fire Department Fire Protection Zone.

BE IT FURTHER RESOLVED that the President and Secretary of the Board are authorized to execute an agreement with the County of Yuba providing for the collection of said assessments by the Yuba County Tax Collector.

BE IT FURTHER RESOLVED that the assessments levied in connection with the Fire Suppression District are benefit assessments and are not based on the assessed value of the parcels of real property receiving such benefits.

PASSED AND ADOPTED this 17th day of June 2010.

OLIVEHURST PUBLIC UTILITY DISTRICT

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President, Board of Directors

ATTEST:

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District Clerk & ex-officio Secretary

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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Jeffrey A. Meith, Legal Counsel

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I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted and passed by the Board of Directors of the Olivehurst Public Utility District, Yuba County, California, at a meeting thereof held on the 17th day of June 2010, by the following vote:

AYES, AND IN FAVOR THEREOF:	Director Patty, King, Hollis and Morrison.
NOES	: None.
ABSTAIN	: None.
ABSENT	: Director Dougherty.

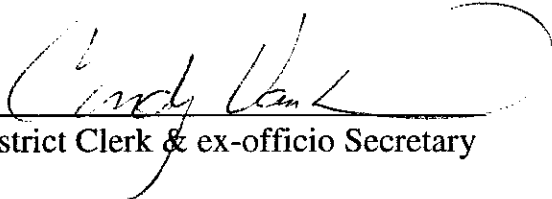

District Clerk & ex-officio Secretary

EXHIBIT "A"

1. The rate of \$39.00 per year shall be assessed on each residential unit (single family dwelling) within the District, payable in a single annual installment
2. Commercial/Industrial/Others within the District shall be assessed at the rate of \$0.24 per year for each \$1,000 of the net value of improvements receiving such fire and emergency services, as determined by the District, payable in a single annual installment.
3. Properties that are covered under Development agreements with the District to fund fire and emergency services, for example California Heartlands subdivision, are specifically exempted from this special assessment.