

**OLIVEHURST PUBLIC UTILITY DISTRICT**

**RESOLUTION NO. 2271**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
OLIVEHURST PUBLIC UTILITY DISTRICT REQUESTING  
YUBA LOCAL AGENCY FORMATION COMMISSION (LAFCo) TO TAKE  
PROCEEDINGS FOR DETACHMENT OF SUMMERFIELD ESTATES  
CONSISTING OF APPROXIMATELY 35.69 ACRES FROM  
PLUMAS BROPHY FIRE PROTECTION DISTRICT (PBFPD)**

**WHEREAS**, the Olivehurst Public District (OPUD) desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the detachment of the Summerfield Estates territory from the PBFPD consisting of approximately 35.69 acres; and

**WHEREAS**, at the time and in the manner provided by law, the General Manager gave notice of the date, time, and place of a public meeting by the OPUD Board of Directors to initiate these proceedings; and

**WHEREAS**, a notice of intent to adopt this resolution of application has been given to each interested and affected agency; and

**WHEREAS**, the territory proposed to be detached is inhabited and a map and description of the boundaries of the property are set forth in Exhibits A and B attached hereto and by this reference incorporated herein; and

**WHEREAS**, this proposal is consistent with the sphere of influence of OPUD and does not conflict with the Sphere of Influence for the PBFPD; and

**WHEREAS**, PBFPD has consented to the proposed detachment and there are no other affected cities or agencies within the meaning of Subdivision (2) of Section 56700 of the Government Code; and

**WHEREAS**, it is desired to provide that the proposed detachment be subject to the following terms and conditions:

1. All costs incurred to complete the annexation including but not limited to Yuba LAFCo and the State Board of Equalization will be borne by OPUD.
2. The PBFPD will no longer be responsible to provide Fire and Emergency Medical Services (EMS) as a first responder and OPUD will be the sole agency.
3. That any special tax, assessment, or fee within OPUD for Fire and EMS services be applied to this territory.

**WHEREAS**, the reasons for the proposed detachment are as follows;

1. The territory lies within the overlapping boundaries of both PBFPD and OPUD. Due to the distance of the territory from the facilities of PBFPD, OPUD has primarily provided Fire and EMS services as a first responder since the development was completed. The detachment of Summerfield Estates from PBFPD will not result in any change to the provision of services and will allow OPUD to continue to provide Fire and EMS services to an inhabited area.

**WHEREAS**, the Board of OPUD has made an environmental determination for this project and finds that this project is exempt from CEQA ; and

**WHEREAS**, the Board of OPUD requests the property tax share allocated to PBFPD for Fire and EMS services provided to the territory, and any special assessments received by PBFPD from the territory through County Service Area 69, be transferred to OPUD; and

**WHEREAS**, Since Fire and EMS services as first responder have been and are being provided primarily by OPUD, and such services solely by OPUD will continue, the Board of OPUD respectfully requests that the submittal of a Plan for Services as provided for under Government Code Section 56653, be waived; and

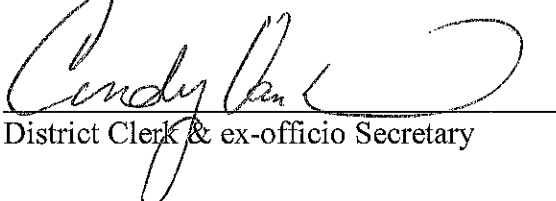
**NOW, THEREFORE**, this Resolution of Application hereby adopted and approved by the Board of Directors of OPUD and the Yuba LAFCo is hereby requested to take proceedings for the detachment of the Summerfield Estates territory as shown in Exhibits A and B, from the PBFPD according to the terms and conditions stated above and in the manner provided by the Cortese-Knox Local Government Reorganization Act of 2000.

**PASSED AND ADOPTED** this 15<sup>th</sup> day of August 2013.

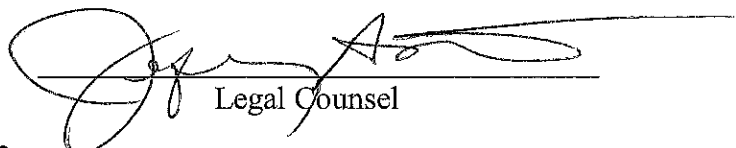
**OLIVEHURST PUBLIC UTILITY DISTRICT**

  
\_\_\_\_\_  
President, Board of Directors

**ATTEST:**

  
\_\_\_\_\_  
District Clerk & ex-officio Secretary

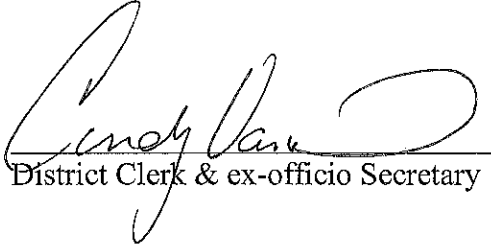
**APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY**

  
\_\_\_\_\_  
Legal Counsel

\* \* \* \* \*

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 15<sup>th</sup> day of August 2013, by the following vote:

AYES, AND IN FAVOR THEREOF:	Director Carpenter, Burbank, Bradford, Dougherty, and Phinney.
NOES :	None.
ABSTAIN :	None.
ABSENT :	None.

  
District Clerk & ex-officio Secretary

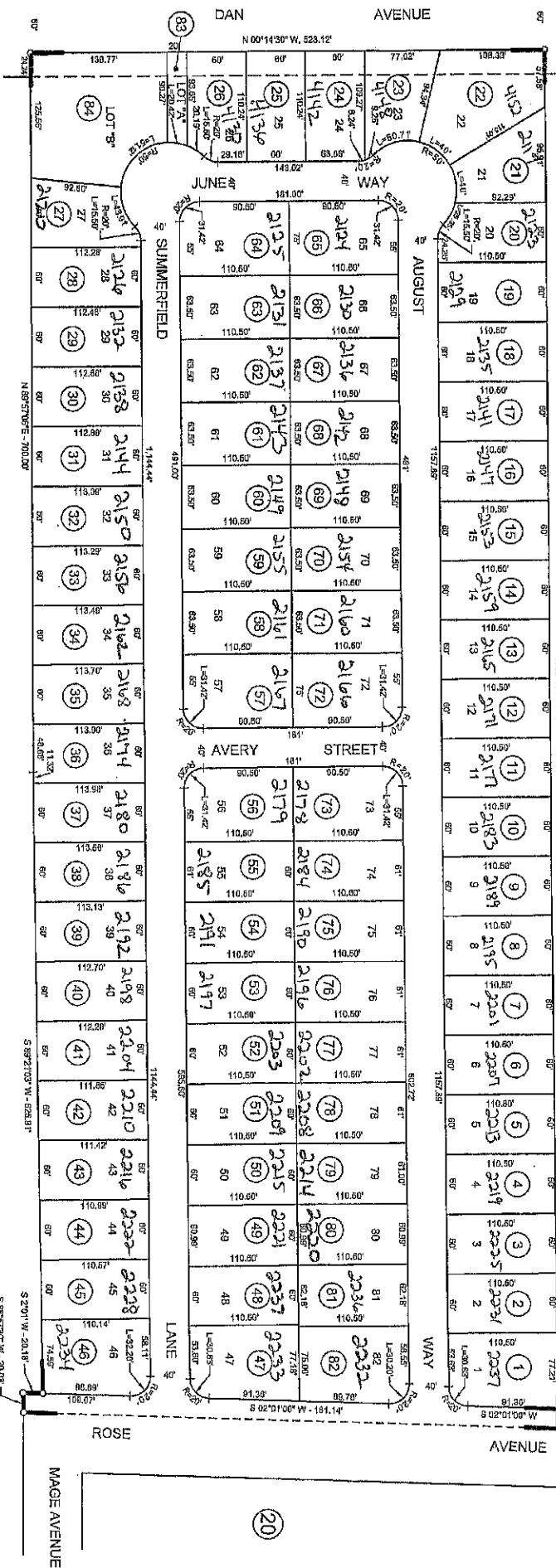








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NOTE: This map was prepared for assessment purposes only, and is not intended to illustrate legal building lines or establish precedence over local ordinances. Official information concerning size or use of any parcel should be obtained from recorded documents and local governing agencies.

Por. SEC. 9, T.14N., R.4E., M. D. B. & M.  
TRACT 2003-10, SUMMERFIELD ESTATES

Tax Area Code  
64-381

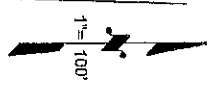
14-65

R.S. - Bk. 79, Pg. 17-20 (Tract Map 2003-10)

Assessor's Map Bk. 14, Pg. 65  
County of Yuba, Calif.

06/06 1/2005

Por. OSTROM TRACT ACRES  
Index - 2 Formerly Ptn. 014-201-074/075/076  
NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles





**EXHIBIT B**  
PROPERTY DESCRIPTION  
FOR  
ANNEXATION TO THE  
OLIVEHURST PUBLIC UTILITY DISTRICT

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All that real property situate in the South half of Section 9, Township 14 North, Range 4 East, M.D.B. & M., County of Yuba, State of California and described as follows;

Beginning at the West  $\frac{1}{4}$  corner of said Section 9, thence along the centerline of McGowan Parkway North  $89^{\circ} 45' 30''$  East a distance of 1,091.83 feet to the existing centerline of Dan Avenue, thence along said centerline South  $00^{\circ} 14' 30''$  East a distance of 666.00 feet to the true point of beginning of the property to be annexed, thence

1. North  $89^{\circ} 45' 30''$  East a distance of 404.24 feet, thence
2. South  $00^{\circ} 14' 30''$  East a distance of 250.00 feet, thence
3. North  $89^{\circ} 45' 30''$  West a distance of 1,020.48 feet to the existing centerline of Rose Avenue, thence along said centerline,
4. South  $02^{\circ} 01' 00''$  East a distance of 521.34 feet, thence leaving said centerline
5. South  $89^{\circ} 21' 03''$  West a distance of 649.96 feet, thence
6. South  $00^{\circ} 14' 30''$  East a distance of 470.64 feet, thence
7. South  $89^{\circ} 45' 30''$  West a distance of 754.24 feet to the existing centerline of Dan Avenue, thence along said centerline.
8. North  $00^{\circ} 14' 30''$  West a distance of 546.20 feet, thence leaving said centerline
9. South  $89^{\circ} 45' 30''$  West a distance of 529.94 feet, thence

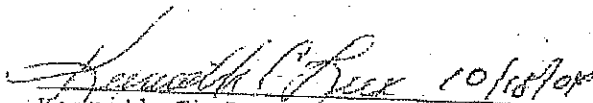
PROPERTY DESCRIPTION  
FOR  
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Page 2 of 2

10. North 02° 24' 42" East, a distance of 312.09 feet, thence
11. North 04° 31' 00" East a distance of 389.59 feet, thence
12. North 89° 45' 30" East a distance of 483.18 feet to the true point of beginning and containing 35.69 acres of land more or less.

Subject to any mineral rights, conditions, easements and right-of-ways of record.

End of Description

  
Kenneth C. Lux                      Date  
R.C.E. 17809  
State of California

