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 15th day of August 2013.

OLIVEHURST PUBLIC UTILITY DISTRICT

lent, 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 15th 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

SUPERVISORS STATEVENT CLERK OF THE BOARD Q

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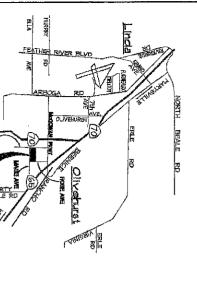
CLERK OF THE BOARD OF SUPERVISORS COUNTY OF YUBA

Ciration Stombton, Deputy Clock

NOTES

A STATEMENT OF TAX STATUS AND ADDITIONAL INFORMATION DOCUMENTS, FOR TRACT MAP NO. 2003-10 FOR BEAZER HOYES IS BEING COMMERCENTLY FULD IN THE OFFICE OF THE RECORDER OF TUBA COUNTY,

AT DOCUMENT NO. JOON S. COLONOS.



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STATE OF <u>California</u> ss

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LOCATION MAP

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OWNER'S STATEMENT

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T. CEPINCOTT PLS 3634

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COUNTY SURVEYOR'S STATEMENT

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RECORDER'S CERTIFICATE

BOOK 79 OF MAPS AT PAGE (7-20) AT THE REQUEST OF MICHAEL P, MEDLEY. FILED Ath DAY OF OCTO bec 2004 LI STAT 2

SOCUMENT NO.: 20048.-020505 TERRY A. HANSEN TUBA COUNTY RECORDER

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SUBDIVISION MAP NO. SUPPLIED HOTATES 2003-10

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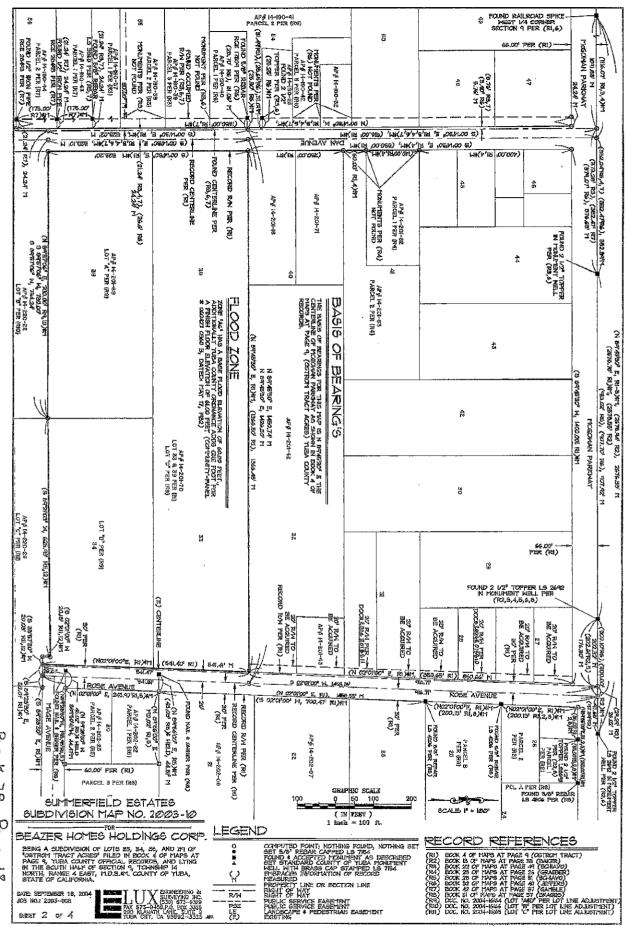
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SURVEYING INC. Senice a suspinision of lotts 38, 34, 35, and 39 of "Ostroon Transl Acres" filed in Book 4 of thats at page 6, that county official Records, and Innig in the south Half of Section 9, township is North, Pange 4 East, M.D.B.#H, County of Yuba, State of California,

DATE: SEPTEMBER 16, 2004 JOB NO.: 2003-008 SKEET | OF 4

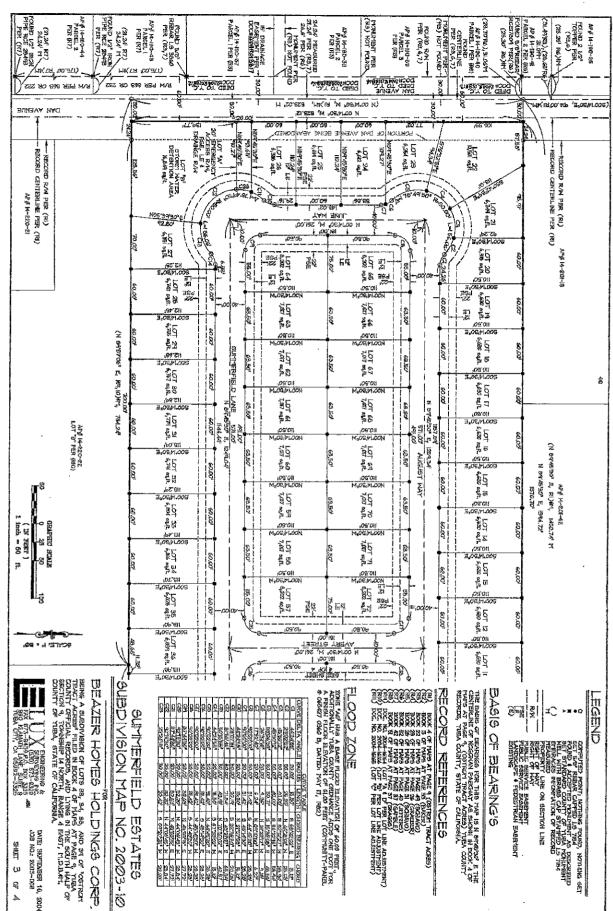
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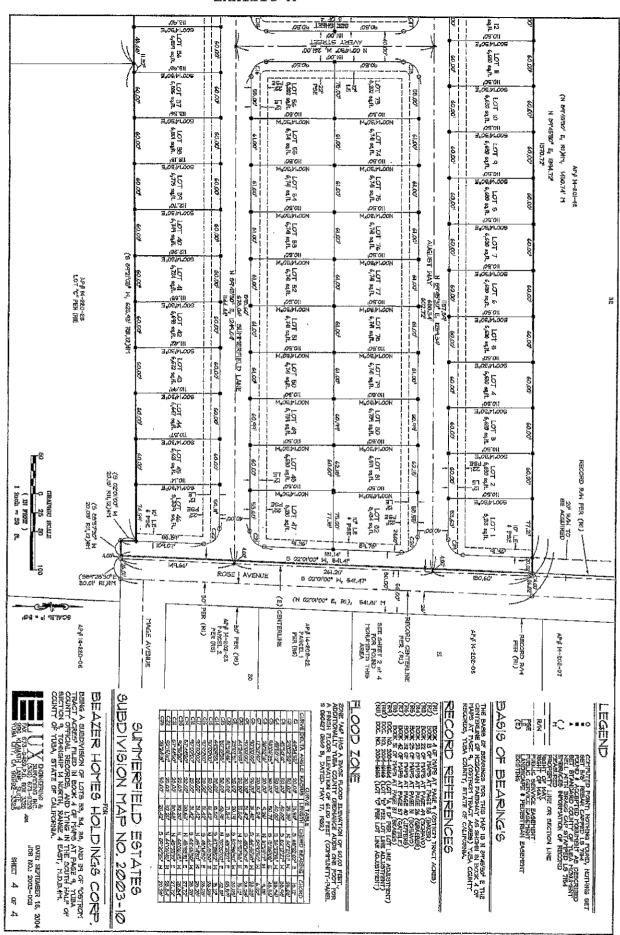


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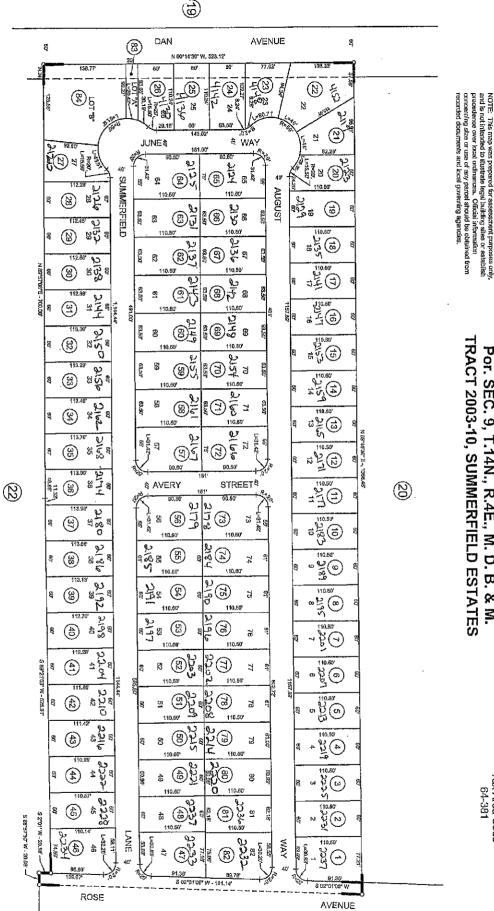
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BK 79 Rage 19



BK 79 B 20



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

Por. OSTROM TRACT ACRES Index - 2 Formerly Ptn. 014-201-074/075/076

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

MAGE AVENUE

(8)

(06/06)

(1/2005)

NOTE - Assessor's Block Numbers Shown in Ellipses Assessor's Parcel Numbers Shown in Circles

14-65

Tax Area Code 64-381

Por. SEC. 9, T.14N., R.4E., M. D. B. & M.

EXHIBIT B

PROPERTY DESCRIPTION

FOR

ANNEXATION TO THE OLIVEHURST PUBLIC UTILITY DISTRICT

Page 1 of 2

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 & corner of said Section 9, thence along the centerline of McGowan Parkway North 89° 45′ 30″ East a distance of 1,091.83 feet to the existing centerline of Dan Avenue, thence along said centerline South 00° 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° 45′ 30" East a distance of 404.24 feet, thence
- 2. South 00° 14' 30" East a distance of 250.00 feet, thence
- 3. North 89° 45' 30" West a distance of 1,020.48 feet to the existing centerline of Rose Avenue, thence along said centerline;
- 4. South 02° 01' 00" East a distance of 521.34 feet, thence leaving said centerline
- 5. South 89° 21' 03" West a distance of 649.96 feet, thence
- 6. South 00° 14' 30" East a distance of 470.64 feet, thence
- 7. South 89° 45' 30" West a distance of 754.24 feet to the existing centerline of Dan Avenue, thence along said centerline.
- 8. North 00° 14' 30" West a distance of 546.20 feet, thence leaving said centerline
- 9. South 89° 45' 30" West a distance of 529.94 feet, thence

PROPERTY DESCRIPTION FOR ANNEXATION TO THE OLIVEHURST PUBLIC UTILITY DISTRICT

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

R.C.E. 17809

State of California

Date

12 No. 17

1915, 11 (101) 15, 2

of called