

RESOLUTION NO. 2412

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE OLIVEHURST PUBLIC UTILITY DISTRICT
DECLARING THE RESULTS OF THE SPECIAL ELECTION
HELD ON THURSDAY, DECEMBER 15, 2022, AND ORDERING THE
ANNEXATION OF TERRITORY TO
COMMUNITY FACILITIES DISTRICT NO. 2005-2 (PARK MAINTENANCE)
(ANNEXATION NO. 10)**

WHEREAS, in proceedings heretofore conducted by the Board of Directors (the “Board”) of the Olivehurst Public Utility District (the “District”), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”), the Board on December 15, 2022, adopted Resolution No. 2411, which resolution called a special election within the territory proposed to be annexed to the District’s Community Facilities District No. 2005-2 (Park Maintenance) (the “CFD”);

WHEREAS, pursuant to the terms of the resolution, the special election was held on December 15, 2022, and the District Clerk has duly canvassed the returns of the election and has filed with the Board a statement of all votes cast at the election showing the whole number of votes cast within such territory and the whole number of votes cast for and against the measure in such territory and also filed, attached to the statement, her certificate as to the correctness of the statement (the “Statement of Election Results”), a copy of which is attached hereto as Exhibit A;

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

Section 1. Approval of Canvass. The canvass by the District Clerk, as shown by the Statement of Election Results is hereby ratified, confirmed, approved, and entered upon the minutes of this meeting.

Section 2. Statement of the Measure. At the election, the following measure was submitted to the qualified electors of the territory proposed to be annexed to the CFD and the number of votes cast for and against the measure was as follows:

BALLOT MEASURE	Total Votes
“Shall the Olivehurst Public Utility District Community Facilities District No. 2005-2 (Park Maintenance) be authorized to levy a special tax for the purpose and at the rate and apportioned as described in Exhibits A and B to Resolution No. 2407 adopted by the Board of Directors of the Olivehurst Public Utility District on October 20, 2022, which resolution is incorporated herein by reference, within the territory identified on a map entitled “Annexation No. 10 to Community Facilities District No. 2005-2 (Park Maintenance)?”	YES: NO: _____

Section 3. Votes Cast. The total number of votes cast in the territory proposed to be annexed to the CFD at the election was 227.

Section 4. Measure Passed. More than two-thirds of all the votes cast at the election on the measure were in favor of the measure and the measure passed.

Section 5. Validity of Procedures. The Board hereby finds and determines that all prior proceedings and actions taken by the Board pursuant to the Act were and are valid and in conformity with the Act.

Section 6. Order of Annexation. The Board hereby determines and orders that the territory proposed to be annexed to the CFD is added to and part of the CFD with full legal effect.

Section 7. Amendment to Notice of Special Tax Lien. The District Clerk is hereby directed to record an amendment to the Notice of Special Tax Lien with the Yuba County Recorder, in accordance with the provisions of Sections 3114.5 and 3117.5 of the California Streets and Highways Code within fifteen (15) days of the adoption of this resolution.

PASSED AND ADOPTED by the Board of Directors of the Olivehurst Public Utility District this 15th day of December 2022.

OLIVEHURST PUBLIC UTILITY DISTRICT

President, Board of Directors
Olivehurst Public Utility District

ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

District Clerk and Ex-Officio Secretary

Constantine C. Baranoff, Bond 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 15th day of December 2022, by the following vote:

AYES, AND IN FAVOR THEREOF:

NOES:

ABSTAIN:

ABSENT:

District Clerk and ex-officio Secretary

EXHIBIT A

STATEMENT OF ELECTION RESULTS

I, BriAnne Ritchie, District Clerk of the Olivehurst Public Utility District (the “District”), hereby certify that:

1. On December 15, 2022, at 1970 9th Avenue, Olivehurst, California, I canvassed the returns of the election called for December 15, 2022, in the territory proposed to be annexed to Community Facilities District No. 2005-2 (Park Maintenance) on the following measure:

“Shall the Olivehurst Public Utility District Community Facilities District No. 2005-2 (Park Maintenance) be authorized to levy a special tax for the purpose and at the rate and apportioned as described in Exhibits A and B to Resolution No. 2407 adopted by the Board of Directors of the Olivehurst Public Utility District on October 20, 2022, which resolution is incorporated herein by reference, within the territory identified on a map entitled “Annexation No. 10 to Community Facilities District No. 2005-2 (Park Maintenance)?”

2. The total number of qualified landowner votes eligible to be cast, the total number of votes actually cast at the election, and the total number of votes cast for and against the measure are set forth below. The totals as shown for and against the measure are full, true, and correct. More than two-thirds of all the votes cast at the election on the measure were in favor of the measure and the measure passed.

Qualified Landowner Votes	Votes Cast	YES	NO
227			

Dated: December 15, 2022

District Clerk and ex-officio Secretary