

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2089

**RESOLUTION OF THE BOARD OF DIRECTORS OF
OLIVEHURST PUBLIC UTILITY DISTRICT
ESTABLISHING A SPECIAL OPERATION AND MAINTENANCE
ASSESSMENT APPLICABLE TO PROPERTY WITHIN THE DISTRICT**

WHEREAS, the Board of Directors of Olivehurst Public Utility District has duly initiated procedures for the evaluation and confirmation of a special assessment applicable to all real property within the District (except for properties that are covered under County Service Areas which fund this service) to fund designated portions of the District's street light operation and maintenance expense; and

WHEREAS, the Board of Directors caused in a report of an Engineer Registered within the State of California to be prepared evaluating and explaining the underlying basis and need for said special assessment; and

WHEREAS, said Engineer's Report, official ballots, and instructions to voters were duly distributed more than 45 days prior to the date hereof to landowners affected by said special assessment voting in the District; and

WHEREAS, the Board convened a duly noticed meeting of the Board of Directors to hear any protests, objections, and/or questions regarding said special assessment and to open and tabulate the ballots received thereon; and

WHEREAS, the Board has, on conclusion of said hearing, tabulated the ballots received; and

WHEREAS, the count on said balloting is as follows:

AYES: 10,940.58

NOES: 7,856.55

NOW, THEREFORE, BE IT RESOLVED that the Board does find a special assessment, effective June 16th, 2005 will be established within Olivehurst Public Utility District in order to generate the sum of \$55,000.00 per year to be used to maintain District street lights.

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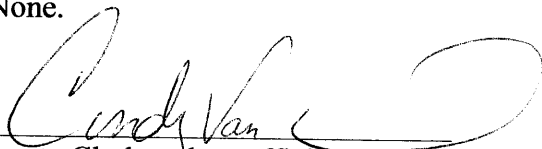
I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly adopted and passed by the Board of Directors of the Olivehurst Public Utility District, Yuba County, California, at a meeting thereof held on the 16th day of June, 2005, by the following vote:

AYES, AND IN FAVOR THEREOF : Director Morrison, Patty, Hollis,
Carpenter, and Miller.

NOES : None.

ABSTAIN : None.

ABSENT : None.


Deputy Clerk and ex-officio Secretary

BE IT FURTHER RESOLVED that said special assessment is to be effective for two (2) years without increase.

BE IT FURTHER RESOLVED that said special assessment is levied without regard to assessed property valuation, but is levied on the basis of, and in proportion to, the benefit conferred by the Street Lighting services provided within the District.

BE IT FURTHER RESOLVED that said special assessment shall be established at the rate of \$17.13 per year for all parcels with three dwelling units or less within the District, and at the rate of \$11.22 per dwelling unit per year for all parcels with four or more dwelling units, for a period of two years, as determined by the District, payable in a single annual installment. Properties that are covered under County Service Area's (CSA), for example CSA 66, with the District to fund street lighting services, are specifically exempted from this special assessment.

BE IT FURTHER RESOLVED that the Board does hereby find that all requirements of law, particularly Article XIII(D) of the California Constitution, and California Government Code Section 53750 et. seq., have been complied with as required for the adoption or modification of said special assessment.

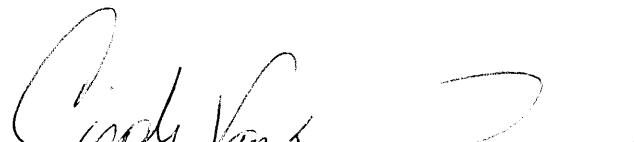
PASSED AND ADOPTED this 16th day of June, 2005, the following Directors voting thereon:

OLIVEHURST PUBLIC UTILITY DISTRICT



President, Board of Directors

ATTEST:



Deputy Clerk & ex-officio Secretary

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY



Jeffrey A. Meith, Legal Counsel