

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 1092

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
OLIVEHURST PUBLIC UTILITY DISTRICT ESTABLISHING A BENEFIT
ASSESSMENT FOR FIRE SUPPRESSION SERVICES AND EQUIPMENT
WITHIN THE CALIFORNIA HEARTLANDS SERVICE ZONE**

WHEREAS, a portion of the property known as California Heartlands Subdivision (the subdivision) will be annexed to the District, and

WHEREAS, the subdivision will require fire suppression services:

NOW, THEREFORE, BE IT RESOLVED that:

1. Pursuant to Article 3.6 (commencing with section 50078) of Chapter 1 of Division 1 of Title 5 of the Government Code, a benefit assessment for fire suppression services and equipment (the assessment) is hereby established within the boundaries of the California Heartlands Subdivision (the subdivision). For purposes of this assessment, the area subject to the benefit assessment shall be known as the California Heartlands Service Zone (the service zone), and is further described in Exhibit "A" attached hereto.

2. The Board of Directors finds and declares that each parcel within the service zone will be occupied by a single-family residence, each residence will be of comparable construction to the other residences within the service zone, the potential fire and panic hazards posed by any one residence will be equivalent to the same hazards posed by any other residence within the service zone, and the cost of providing fire suppression services within the service zone will not vary materially among the residences. It is the intent of this Board that the amount assessed against each parcel within the service zone not exceed the parcel's ratable share of the costs to the District of providing fire suppression services and equipment. Therefore, the assessment established by Section 1 of

this Resolution shall be levied pursuant to the schedule attached to this Resolution as Exhibit "B" and incorporated in this Resolution as though set forth in full. The amount of the assessment may be decreased or increased by the Board of Directors prior to July 1 of any year, following a public hearing before the Board. Notice of the hearing shall be posted in at least three places within the District at least seven days prior to the date of the hearing. For any year in which the assessment is neither increased nor decreased from the prior year, the assessment shall be levied at the same rate as that applied in the prior year.

3. The assessment established by Section 1 of this Resolution and levied pursuant to Section 2 of this Resolution shall be collected in the same manner and be subject to the same penalties for delinquency as apply to real property taxes collected by Yuba County on behalf of this District.

4. The assessment established by Section 1 of this Resolution and levied pursuant to Section 2 of this Resolution shall take effect on July 1, 1991, and remain in effect unless and until a later enacted Resolution repeals or otherwise supersedes this Resolution.

5. If any provisions of this Resolution, or the application of any such provision to any person or in any circumstances, is held to be invalid, the remainder of this Resolution or its application to other persons or circumstances shall not be affected by the holding, and to this end the provisions of this Resolution are severable.

6. This Resolution shall take effect on the effective date of the annexation of the subdivision property to this District.

7. This Resolution shall become operative on the date of recordation of the final map for the subdivision. If the subdivision is developed in phases with more than one (1) final map, then this

Resolution shall be come effective as to each phase on the date of recordation of the final map for that phase.

8. For every final map recorded on or before July 1, 1991, the secretary shall cause a certified copy of this map to be filed with the Yuba County Auditor/Controller not later than July 15, 1991. If a final map is recorded for a phase of the subdivision, the secretary's certification shall advise the auditor/controller that this resolution is operative as to that phase only. As to any final map for which the certification is delivered to the Yuba County Auditor/Controller after July 15, 1991, the assessment for that fiscal year applicable to that portion of the subdivision subject to the final map shall immediately become due and payable upon notice given by the District secretary to Ron Ward or its successors, if any, unless by agreement between the District and Ron Ward or his successors, if any, a different date of payment is established.


PASSED AND ADOPTED this 16th day of May, 1991.

OLIVEHURST PUBLIC UTILITY DISTRICT



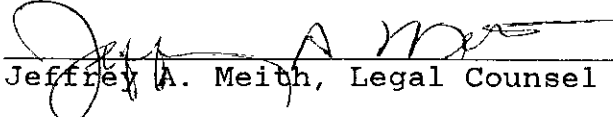
President, Board of Directors

ATTEST:



Deputy Clerk & ex-officio Secretary

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jeffrey A. Meith, Legal Counsel

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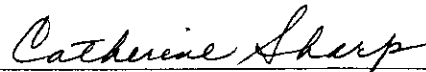
I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted and passed by the Board of Directors of the Olivehurst Public Utility District, Yuba County, California, at a meeting thereof held on the 16th day of May, 1991, by the following vote:

AYES, AND IN FAVOR THEREOF: DIRECTORS BROWN, DOWNS, SOUZA AND PATTY

NOES, : NONE

ABSTAIN, : NONE

ABSENT, : DIRECTOR MAZON



Deputy Clerk & ex-officio Secretary

DESCRIPTION
FOR
OLIVEHURST PUBLIC UTILITY DISTRICT
ANNEXATION

89179/78

A parcel of land being a portion of Section 8, T14N, R4E,
M.D.B & M. being more particularly described as follows:

Beginning at a point which bears S 00°26'14" W - 2648.3 feet more
or less along the North-South centerline of said Section 8 from
the north quarter corner of said Section 8; thence from said
point of beginning S 88°28'57" W - 748.16 feet to the easterly
line of the Western Pacific Railroad property; thence along said
easterly property line S 08°51'41" E - 2587.12 feet; thence
leaving said easterly railroad property line N 88°29'19" E -
366.01 feet; thence N 00°26'04" E - 2567.42 feet to the point of
beginning, containing 33.9 acres.

FIRE SUPPRESSION BENEFIT ASSESSMENTS

1990-91 Adopted Budget	\$194,241.00
5% Projected Increase	9,712.05
Required Increased Personnel (One FFI)	<u>25,499.00</u>
	\$229,452.05

\$229,452.05 divided by 2,802* service units = \$ 81.89

Capital Outlay:

15% of \$229,452.05 divided by 2,802 service units = \$ 12.28
\$ 94.17

5% County Administrative Fee (of \$94.17) \$ 4.71
12-1/2 District Administrative Fee (of \$94.17) 11.77

Annual Assessment Per Unit for Fiscal Year 1991-92\$110.65

*2751 present service units plus 51 California Heartlands Subdivision service units

EXHIBIT "B"