

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 1134

A RESOLUTION INITIATING PROCEEDINGS FOR
THE FORMATION OF A LANDSCAPING AND LIGHTING ASSESSMENT
DISTRICT TO BE KNOWN AS THE RIVER OAKS
LANDSCAPING AND LIGHTING DISTRICT

WHEREAS, one of the conditions of approval by the Olivehurst Public Utility District for the annexation of the project known as River Oaks requires the establishment of a Landscaping and Lighting Assessment District ("District") pursuant to the Landscaping and Lighting Act of 1972 (the "Act"), Division 15, Part 2 of the California Streets and Highways Code, for the maintenance of public areas, including alleys, but not limited to landscaped areas, the community center, street corridors, project entryways, parks, parkways, medians, statuary, residential village entryways, street medians, soundwalls, project signage, streetscapes, landscape, lighting maintenance and lighting utility bills; and

WHEREAS, all owners of real property within the territory herein described have filed a petition with this Board requesting that a landscaping and lighting maintenance assessment district be formed pursuant to the Act; and

WHEREAS, an Environmental Impact Report for the River Oaks project has been certified as of September 21, 1993; and

WHEREAS, Section 22585 of the Act provides that the formation of a Landscaping and Lighting Assessment District shall be initiated by Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Olivehurst Public Utility District (the "District"), State of California, as follows:

1. The District does hereby declare its intent to form an assessment district pursuant to the Landscaping and Lighting Act of 1972 (Section 22500 and following, Streets and Highways Code) for the purpose of the following improvements:
 - a) (a) The installation or planting of landscaping; (b) the installation or construction of a community center, parks, parkways, medians, soundwalls, retaining walls, statuary, signage, fountains and other ornamental structures and facilities; (c) the installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including grading, clearing, removal of debris, the installation of construction of curbs, gutters, walls, sidewalks, or paving or water irrigation, drainage or electrical facilities; (d) land preparation such as grading, leveling, cutting and filling, sod landscaping, irrigation

systems, sidewalks and drainage; and (e) the maintenance or servicing, for park, recreational, or open-space purposes, together with any and all expenses incidental to any of the above.

b) The maintenance or servicing, or both, of any of the foregoing, including (f) repair, removal, or replacement of all or part of any improvement; (g) the provision for the life, growth, health and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; (h) the removal of trimmings, rubbish, debris and other solid waste; and (i) the furnishing of water for the irrigation of any landscaping, or the maintenance of any other improvements.

2. The proposed assessment district shall be designated as River Oaks Landscaping and Lighting District, Olivehurst, California, and shall include the land shown on the map designated "River Oaks Landscaping and Lighting District", which map is attached hereto and is hereby approved.

3. Murray Smith and Associates is hereby designated engineer for the purpose of these formation proceedings. The District hereby directs the engineer to prepare and file with the District a report in accordance with Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972.

PASSED AND ADOPTED this 16th day of February, 1995.

OLIVEHURST PUBLIC UTILITY DISTRICT

Mike Morrison
President, Board of Directors

ATTEST:

Catherine Sharp
Deputy Clerk & ex-officio Secretary

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Jeffrey A. Meith
Jeffrey A. Meith, Legal Counsel

* * * * *

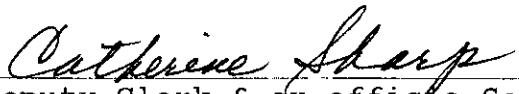
I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted and passed by the Board of Directors of the Olivehurst Public Utility District, Yuba County, California, at a meeting thereof held on the 16th day of February, 1995, by the following vote:

AYES, AND IN FAVOR THEREOF: DIRECTORS BLUETT, JONES, MILLER, AND MORRISON

NOES, : DIRECTOR SKINNER

ABSTAIN, : NONE

ABSENT, : NONE


Deputy Clerk & ex-officio Secretary

RIVER OAKS

YUBA COUNTY,
CALIFORNIA

LANDSCAPING AND LIGHTING
DISTRICT

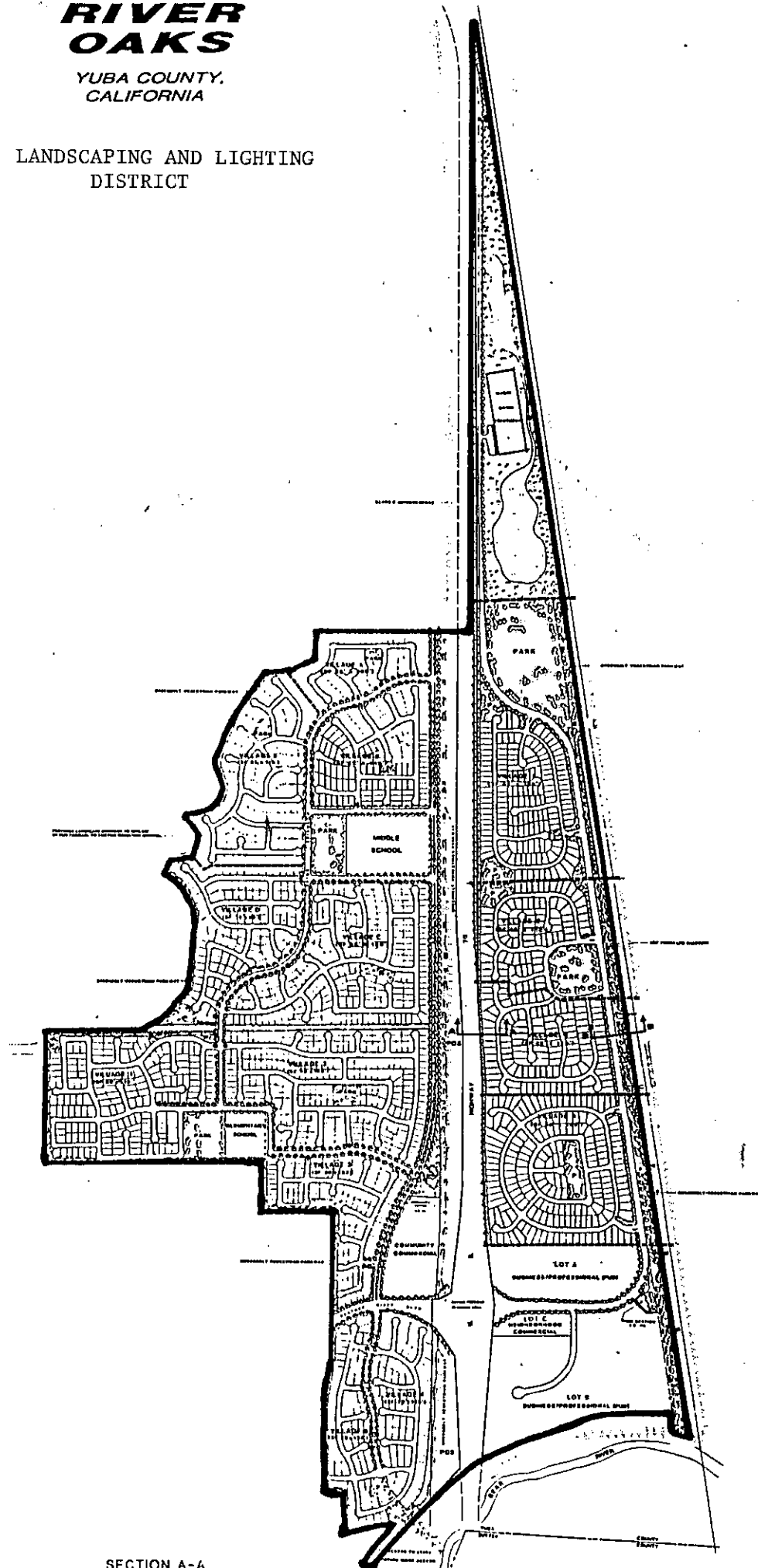


EXHIBIT A

SECTION A-A