

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 1137

A RESOLUTION OF INTENTION TO ORDER FORMATION
AND TO LEVY AND COLLECT ASSESSMENTS WITHIN
THE RIVER OAKS LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT
FOR FISCAL YEAR 1995/96

WHEREAS, the District Engineer has filed his report entitled "Report for River Oaks Landscaping and Lighting Assessment District for Fiscal Year 1995/96", with the Board Clerk; and

WHEREAS, this Board has approved said report by Resolution No. 1136 adopted April 20, 1995.

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

1. That it is the intention of the District to order the formation and to levy and collect assessments within the River Oaks Landscaping and Lighting Assessment District pursuant to the provisions of Part 2 of Division 15 of the Streets and Highways Code of the State of California (The Landscaping and Lighting Act of 1972).
2. That the improvements in this assessment district are generally as follows:
 - a) (1) The installation or planting of landscaping; (2) the installation or construction of a community center, parks, parkways, medians, soundwalls, retaining walls, statuary, signage, fountains and other ornamental structures and facilities; (3) 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 or construction of curbs, gutters, walls, sidewalks, or paving, or water irrigation, drainage or electrical facilities; (4) land preparation such as grading, leveling, cutting and filling, sod landscaping, irrigation systems, sidewalks and drainage; and (5) 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 (6) repair, removal, or replacement of all

or part of any improvement; (7) the provision for the life, growth, health and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; (8) the removal of trimmings, rubbish, debris and other solid waste; and (9) the furnishing of water for the irrigation of any landscaping, or the maintenance of any other improvements.

3. That the lands within said District proposed to be assessed are generally located within the territory described in Exhibit A, attached hereto.
4. That a public meeting be held on May 18, 1995, and a public hearing be held on June 15, 1995, at 4979 Olivehurst Avenue, Olivehurst, California, at 7:00 p.m., concerning the levy of the proposed assessment, to accept protests and/or testimony from interested parties.
5. That any owner of property within the proposed assessment district may submit a written protest of the proposed assessment to the Olivehurst Public Utility District, P. O. Box 670, Olivehurst, CA 95961. If written protests are received from owners owning a majority of the land within the proposed River Oaks Landscaping and Lighting Assessment District, the proposal will be abandoned. All written protests must be submitted prior to the conclusion of the June 15, 1995 public meeting to be held at 7:00 p.m.
6. That additional information may be obtained by contacting the office of the General Manager of the Olivehurst Public Utility District at (916) 743-0317.
7. That the estimated amount of the initial assessment is "zero" dollars for Fiscal Year 1995/96. A copy of the Engineer's Report is on file in the District office, and that report gives a full and detailed description of the improvements, the boundaries of the assessment district, and the proposed assessments upon the assessable lots and parcels of land within the assessment district.
8. That the District Secretary shall cause a notice of a protest hearing to be mailed by first-class mail not less than 45 days before the hearing to all property owners in the proposed district pursuant to Section 54954.6 of the Government Code of the State of California, cause a copy of this Resolution to be published once in the Appeal Democrat newspaper, and post copies in the designated posting places in the District.

PASSED AND ADOPTED this 20th day of April, 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

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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 20th day of April, 1995, by the following vote:

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

NOES, : DIRECTOR SKINNER

ABSTAIN, : NONE

ABSENT, : NONE

Catherine Sharp
Deputy Clerk & ex-officio Secretary

