

BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA

IN THE MATTER OF:

RESOLUTION DECLARING THE RESULTS)
OF THE SPECIAL ELECTION TO ANNEX) RESOLUTION NO. 10-115
CERTAIN TERRITORY TO COMMUNITY)
FACILITIES DISTRICT NO. 2006-1 (FIRE)
PROTECTION SERVICES), COUNTY OF)
AMADOR, STATE OF CALIFORNIA)
(ANNEXATION #5))

WHEREAS, the Board of Supervisors (the “Board”) of the County of Amador (the “County”) has conducted proceedings under the Mello-Roos Community Facilities Act of 1982 (the “Act”) to establish Community Facilities District No. 2006-1 (Fire Protection Services), County of Amador, State of California (the “Community Facilities District”), to authorize the levy of special taxes (the “Special Taxes”) upon the land within the Community Facilities District, the proceeds of which are to be used to finance certain public fire protection services; and

WHEREAS, the Board, by Resolution No. 10-091 (the “Resolution of Intention to Annex Territory”) adopted on June 22, 2010, determined that the public convenience and necessity required the annexation of the territory (the “Additional Territory”) described on the map entitled “Annexation Map No. 5 of Community Facilities District No. 2006-1 (Fire Protection Services), County of Amador, State of California” (the “Annexation Map”) attached to the Resolution of Intention to Annex Territory, which Annexation Map was recorded on June 30, 2010, in Book 1 of Maps of Assessment and Community Facilities Districts of the County of Amador at Page 354, and further referenced as instrument number 2010-0004733, and the Board further determined that such annexation would be advantageous to the Community Facilities District and the owners of the property in the Community Facilities District; and

WHEREAS, the Resolution of Intention to Annex Territory fixed Tuesday, the 27th day of July, 2010, at the hour of 10:30 o’clock A.M., or as soon thereafter as the Board could consider the matter, in the Board of Supervisors’ Chambers in the Amador County Administration Center at 810 Court Street, Jackson, California as the time and place for a public hearing to be held by the Board to consider the proposed annexation of the Additional Territory to the Community Facilities District and all other matters set forth in the Resolution of Intention to Annex Territory, and notice of the public hearing was duly given as provided in the Resolution of Intention to Annex Territory; and

WHEREAS, on July 27, 2010, the Board opened the public hearing at the time and place scheduled and at the public hearing all persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District and within the

Additional Territory were given an opportunity to appear and to be heard, and the testimony of all interested persons or taxpayers for or against the proposed annexation or any other matters set forth in the Resolution of Intention to Annex Territory was heard and considered, and the Board then closed the public hearing; and

WHEREAS, on July 27, 2010, the Board adopted its “Resolution Determining to Submit the Question of Annexing Territory to Community Facilities District No. 2006-1 (Fire Protection Service), County of Amador, State of California to the Landowners in the Territory Proposed for Annexation (Annexation No. 5)” (the “Resolution Calling Election”), calling for a special election of the qualified electors within the Additional Territory; and

WHEREAS, pursuant to the terms of the Resolution Calling Election and the provisions of the Act, the special election was held on July 27, 2010; and

WHEREAS, the Clerk of the Board has duly canvassed the votes cast at the special election upon the question of annexation, and has certified the canvass of the returns of the election and has filed a Certificate of Election Results (the “Canvass”); and

WHEREAS, the Board is fully advised in this matter;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Declaration of the Board. The Board hereby specifically finds and declares that the actions authorized hereby constitute and are with respect to public affairs of the County and that the statements, findings and determinations of the County set forth above and in the preambles of the documents approved herein are true and correct.

SECTION 2. Acceptance of Canvass. The Board has received, reviewed and hereby accepts the Canvass.

SECTION 3. Declaration of Election Results. The Board hereby finds and declares, based upon the Canvass, that the ballot proposition submitted to the qualified electors of the Additional Territory pursuant to the Resolution Calling Election has been passed and approved by two-thirds or more of the votes cast by such electors in accordance with Section 53339.8 of the Act.

SECTION 4. Annexation and Authorization to Levy Special Taxes. The Board hereby determines that the Additional Territory is added to and made a part of the Community Facilities District with full legal effect and that the Board is now authorized to levy the Special Taxes within the Additional Territory.

SECTION 5. Direction to Clerk to Record Notice of Lien. The Clerk is hereby directed to execute and cause to be recorded in the office of the Amador County Recorder a Notice of Special Tax Lien (Annexation) as to the Additional Territory pursuant to Section 53339.8 of the Act, the recording to occur no later than fifteen days following the adoption of this Resolution.


SECTION 6. This Resolution shall take effect immediately upon its adoption.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 27th day of July 2010 by the following vote:

AYES: Theodore F. Novelli, Richard M. Forster, Louis D. Boitano, Brian Oneto and John Plasse

NOES: None


ABSENT: None



Chairman, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California



Deputy