



RESOLUTION NO. 7 - 04

**A RESOLUTION APPROVING ENGINEER'S REPORT, CONFIRMING
DIAGRAM AND ASSESSMENT AND ORDERING LEVY OF ASSESSMENT
FOR FISCAL YEAR 2004-05
FOR THE GROVELAND COMMUNITY SERVICES DISTRICT**

RESOLVED, by the Board of Directors of the Groveland Community Services District (the "Board"), State of California, that

WHEREAS, by its Resolution No. 4-04, A Resolution Directing Preparation of the Engineer's Report for the Groveland Community Services District, Groveland Fire and Rescue Assessment District (the "Assessment District"), this Board designated Shilts Consultants, Inc. as Engineer of Work and ordered said Engineer to make and file a report in writing in accordance with and pursuant to the California Codes Government Code Sections 50078 et. seq. and Article XIID of the California Constitution; and

WHEREAS, the report was duly made and filed with the Clerk of the Board and duly considered by this Board and found to be sufficient in every particular, whereupon it was determined that the report should stand as the Engineer's Report for all subsequent proceedings under and pursuant to the aforesaid resolution, and that July 14, 2004 at the hour of 7:00 p.m. at the Tuolumne County Library-Groveland Branch Meeting Room located at 18990 Highway 120, Groveland, California, were appointed as the time and place for a hearing by this Board on the question of the levy of the proposed assessment, notice of which hearing was given as required by law; and

WHEREAS, at the appointed time and place the hearing was duly and regularly held, and all persons interested and desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy were fully heard and considered by this Board, and all oral statements and all written protests or communications were duly heard, considered and overruled, and this Board thereby acquired jurisdiction to order the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED, that:

1. The public interest, convenience and necessity require that the levy be made.

2. The Engineer's Report as a whole and each part thereof, to wit:
 - (a) the Engineer's estimate of the itemized and total costs and expenses of providing the services and improvements and of the incidental expenses in connection therewith;
 - (b) the diagram showing the assessment district, plans and specifications for the services and improvements to be provided and the boundaries and dimensions of the respective lots and parcels of land within the District; and
 - (c) the assessment of the total amount of the cost and expenses of the proposed services and improvements upon the several lots and parcels of land in the District in proportion to the estimated special benefits to be received by such lots and parcels, respectively, from the services and improvements, and of the expenses incidental thereto;

are finally approved and confirmed.

3. Final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the assessment, as contained in the report as hereinabove determined and ordered, is intended to and shall refer and apply to the report, or any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted or made by this Board.
4. The assessment to pay the costs and expenses of the services and improvements for fiscal year 2004-05 is hereby levied. For further particulars pursuant to the provisions of the California Codes Government Code Sections 50078 et. seq., reference is hereby made to the Resolution Directing Preparation of the Engineer's Report.
5. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Board expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the services and improvements at least in the

amount if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.

6. Funds collected from the Groveland Fire and Rescue Assessment District shall be expended only for the special benefit of parcels within the Groveland Community Services District Boundaries as defined by the assessment diagram included with the Engineer's Report. Any unexpended funds raised by the Assessment remaining at the end of any fiscal year shall be carried over to be utilized for the same purposes in the next fiscal year.
7. The Groveland Fire and Rescue Assessment District assessments shall be collected in the same manner, and subject to the same penalties as property taxes in Tuolumne County.

DULY AND REGULARLY ADOPTED by the Governing Board of the Groveland Community Services District this 14th day of July 2004 by the following roll call vote:

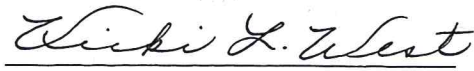
AYES: Directors Maxwell, Myers, Norris and Brizard

NOES:

ABSENT: Director Moore

ABSTAIN:


Craig S. Maxwell, President


Vicki L. West, Secretary