

**RESOLUTION NO. 2012 - 04**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE LINNE COMMUNITY SERVICES DISTRICT ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE LINNE COMMUNITY SERVICES ROAD MAINTENANCE DISTRICT FOR FISCAL YEAR 2012-2013**

**WHEREAS**, the Board of Directors of the Linne Community Services District ("LCSD") has by previous Resolutions formed the LCSD Road Maintenance District pursuant to the provisions of the *Benefit Assessment Act of 1982* and Proposition 218 to pay the costs and expenses of operating, maintaining, and servicing the LCSD maintained roads within the Assessment District; and

**WHEREAS**, the Linne Community Services District Board of Directors desires to levy and collect assessments against benefiting parcels of land within the LCSD Road Maintenance District for the Fiscal Year commencing July 1, 2012 and ending June 30, 2013 to pay the costs and expenses of operating, maintaining, and servicing the District maintained roads as provided in the Engineer's Report previously approved on July 15, 2008, (Engineer's Report); and

**WHEREAS**, this Board and its legal counsel have reviewed Proposition 218 and found that these assessments comply with applicable provisions of the California State Constitution; and

**WHEREAS**, based upon the review, and amendments as applicable, to the Engineer's Report and the Staff Report and all oral and written statements, protests and communications made and filed by interested persons regarding these matters, the LCSD Board of Directors finds and determines that:

- A. The lands within the LCSD Road Maintenance District will receive special benefit by the operation, maintenance, and servicing of the LCSD maintained roads located within the boundaries of Road Maintenance District; and
- B. The LCSD Road Maintenance District includes all of the lands so benefited; and
- C. The net amount to be assessed upon the lands within the Road Maintenance District in accordance with the Engineer's Report for the Fiscal Year commencing July 1, 2012 and ending June 30, 2013 is apportioned by a formula and method established by the Engineer's Report, which fairly distributes the net amount among all eligible parcels in proportion to the estimated benefits to be received by each benefitting parcel from the maintenance and operation of the roads.
- D. The assessments ordered by this Resolution do not impose increased assessments on real property.

