

## **RESOLUTION NO. 6481**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS DECLARING THE RESULTS OF THE SPECIAL ELECTION FOR COMMUNITY FACILITIES DISTRICT NO. 2004-1 OF THE CITY OF REDLANDS ON THE PROPOSITION OF THE ANNUAL LEVY OF SPECIAL TAXES WITHIN THE TERRITORY PROPOSED TO BE ANNEXED TO SAID COMMUNITY FACILITIES DISTRICT TO PAY THE COSTS OF CERTAIN SERVICES TO BE PROVIDED BY THE COMMUNITY FACILITIES DISTRICT, DETERMINING THAT THE TERRITORY PROPOSED TO BE ANNEXED IS ADDED TO AND PART OF SAID COMMUNITY FACILITIES DISTRICT WITH FULL LEGAL EFFECT, AND ORDERING THE RECORDING OF A MAP OF THE BOUNDARIES OF SAID COMMUNITY FACILITIES DISTRICT INCLUDING THE TERRITORY ANNEXED THERETO (ANNEXATION NO. 1)**

**WHEREAS**, the City Council (the "City Council") of the City of Redlands (the "City") has heretofore conducted proceedings for the annexation of approximately 3.16 acres of land to Community Facilities District No. 2004-1 of the City of Redlands, County of San Bernardino, State of California (the "Community Facilities District"), including conducting a public hearing pursuant to Section 53339.5 of the Government Code; and

**WHEREAS**, at the conclusion of said public hearing, the City Council adopted a resolution calling a special election for April 18, 2006 and submitting to the qualified electors of the territory to be annexed to the Community Facilities District the question of levying special taxes within that territory to pay the costs of the maintenance of parks, parkways and open space including, but not limited to, the maintenance of street trees and landscape, within the Community Facilities District and in the surrounding area and the costs associated with the determination of the amount of and levy and collection of special taxes which will be levied to provide the services and costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District (the "Election Resolution"); and

**WHEREAS**, the City Council has received a statement from the City Clerk (the "City Clerk"), who pursuant to the Election Resolution was authorized to conduct such special election and act as the election official therefor, with respect to the canvass of the ballots returned in and the results of said special election, certifying that at least two-thirds of the votes cast upon the proposition submitted to the qualified electors in said special election were in favor of such proposition.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED  
BY THE CITY COUNCIL OF THE CITY OF REDLANDS AS FOLLOWS:**

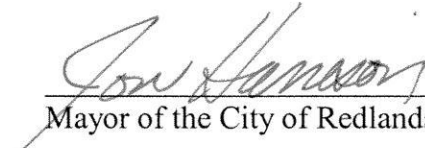
**Section 1. Findings.** The City Council finds that: (i) there are no registered voters residing within the territory proposed to be annexed to the Community Facilities District (the "Territory") at the time of the close of the public hearing on April 4, 2006, and pursuant to Section 53326 of the Government Code, the vote in said special election was, therefore, to be by the landowners owning land within the Territory, with each landowner having one vote for each acre or portion thereof of land that he or she owns within the Territory; (ii) pursuant to said Section 53326 and the Election Resolution, the City Clerk distributed the official ballot for the special election to the owners of all of the land within the Territory, with return postage prepaid; (iii) said landowners waived the time limits for holding the special election and the election dates specified in said Section 53326, and consented to the calling and holding of said special election at any time prior to May 31, 2006; (iv) said special election has been properly conducted in accordance with all statutory requirements and the provisions of the Election Resolution; (v) pursuant to said Section 53326, BNY, Inc., and Francis Mu Nam Hyong and Yeong Ran Hyong, the owners of all of the land within the Territory, were entitled to 4 votes; (vi) said landowners returned their ballot to the City Clerk prior to the time set by the City Clerk for the close of the election on April 18, 2006; (vii) the ballot returned to the City Clerk by said landowner voted all votes of said landowner in favor of the proposition set forth therein; (viii) at least two-thirds of the votes cast in such special election on said proposition were in favor thereof, and pursuant to Sections 53328 and 53329 of the Government Code, said proposition carried; (ix) pursuant to Section 53339.8 of the Government Code, the City Council is authorized to determine that the Territory to be annexed has been added to and become a part of the Community Facilities District with full legal effect; and (x) the City Council is also authorized, pursuant to said Section 53339.8, to annually levy special taxes within the Territory to pay the costs of the services to be provided by the Community Facilities District.

**Section 2. Declaration of Results.** All votes voted in the special election on the proposition of the annual levy of special taxes within the Territory to pay the costs of the services to be provided by the Community Facilities District were voted in favor thereof, and such proposition carried.

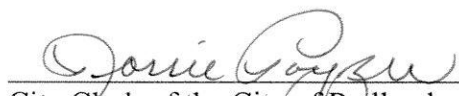
**Section 3. Annexation.** The Territory is annexed and added to and is a part of the Community Facilities District with full legal effect, and the City Council shall annually levy special taxes within the Territory, as specified in Resolution No. 6479 adopted by the City Council on February 21, 2006, to pay costs of certain services to be provided by the Community Facilities District. The boundaries of the Territory are shown on the map entitled, Annexation Map No. 1, Community Facilities District No. 2004-1, of the City of Redlands, County of San Bernardino, State of California, which was recorded on February 22, 2006 in the office of the County Recorder of the County of San Bernardino as Instrument No. 2006-0124242.

**Section 4.** Pursuant to Section 53339.8 of the Government Code and Section 3117.5 of the Streets and Highways Code, the City Clerk shall cause to be filed with the County Recorder of the County of San Bernardino an amendment of the notice of special tax lien and a map of the amended boundaries of the Community Facilities District including the Territory.

**ADOPTED** this 2nd day of May, 2006.

  
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Mayor of the City of Redlands

**ATTEST:**

  
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City Clerk of the City of Redlands

I, Lorrie Poyzer, City Clerk of the City of Redlands, do hereby certify that the foregoing resolution was regularly adopted by the City Council of said City at a regular meeting of said Council duly held on the 2nd day of May, 2006 by the following vote:

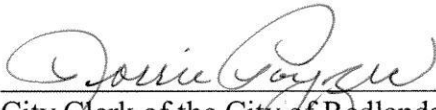
**AYES:** Councilmembers Gilbreath, Gil, Gallagher, Aguilar; Mayor Harrison

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Redlands this 2nd day of May, 2006.

  
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City Clerk of the City of Redlands