

**RESOLUTION NO. 2009.09
OF THE BOARD OF DIRECTORS OF THE
DIAMOND SPRINGS / EL DORADO FIRE PROTECTION DISTRICT**

**RESOLUTION DECLARING ELECTION RESULTS OF
COMMUNITY FACILITIES DISTRICT No. 2006-01, ANNEXATION No. 2**

WHEREAS, on April 8, 2009, pursuant to Section 53325.1 of the California Government Code the Board of Directors (the "Board of Directors") of the Diamond Springs/El Dorado Fire Protection District (the "District") adopted the resolution of intention for the Diamond Springs/El Dorado Fire Protection District Community Facilities District No. 2006-01, Annexation No. 2, County of El Dorado, State of California (the "CFD Annexation"), initiating proceedings for the annexation of territory into CFD No. 2006-01 and to set forth the boundaries thereof (the "Resolution of Intention"); and

WHEREAS, on May 27, 2009, the public hearing was conducted, and at the close of the public hearing, this Board determined that a majority protest under Section 53324 of the Government Code was not made at the hearing; and

WHEREAS, at the conclusion of the public hearing, this Board adopted its resolution of formation pursuant to Section 53325.1 of the Government Code, thereby completing its proceedings for formation of the CFD Annexation; and

WHEREAS, in order to proceed with the levy of the special tax, this matter must be submitted to an election of the qualified electors of the Annexation; and

WHEREAS, by separate resolution adopted by this Board on this same date, the special election has been called for this date of July 8, 2009; and

WHEREAS, the Board has received a statement from the Secretary of the Board of Directors (the "Secretary"), who pursuant to the Election Resolution was authorized to conduct the special elections and act as the election official therefore, with respect to the canvass of the ballots returned in and the results of the special elections, certifying that more than two-thirds of the votes cast upon each proposition submitted to the voters in the special elections were cast in favor of approving each such proposition; and

WHEREAS, this Board has received, reviewed and hereby accepts the Secretary's Certificate of the Results of the Canvass of Election Returns and wished by this resolution to declare the results of the special election;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE DIAMOND SPRINGS/EL DORADO FIRE PROTECTION DISTRICT AS FOLLOWS:

SECTION 1. Findings. This Board hereby finds and determines that: (i) the foregoing recitals are true and correct,

SECTION 2. Declaration of Results. All votes voted in the special elections on the proposition with respect to the annual levy of special taxes on taxable property within the CFD Annexation to finance fire suppression services, emergency medical services, and fire prevention activities within the Annexation was voted in favor thereof, and such proposition carried.

SECTION 3. Effect of Elections. The effect of the results of the special elections, as specified in Section 2 hereof, is that the Board of Directors, as the legislative body of the CFD Annexation, is authorized to have the CFD Annexation to annually levy special taxes on taxable property within the CFD Annexation in an amount sufficient to finance fire suppression services, emergency medical services, and fire prevention activities within the CFD Annexation, at the special tax rates and pursuant to the methodology for determining and apportioning such special taxes which are set forth in Exhibit "B", the Rate and Method of Apportionment, to the Resolution of Intention adopted by the Board of Directors on April 8, 2009.

SECTION 4. Notice of Special Tax Lien. The Secretary of the Board shall record a notice of special tax lien pursuant to Section 53328.3 of the California Government Code and Section 3114.5 of the California Streets and Highways Code.

APPROVED AS TO FORM BY:

William Ross, Esquire
District Counsel

PASSED AND ADOPTED by the Board of Directors of the Diamond Springs/El Dorado Fire Protection District on the 8th day of July, 2009.

AYES: Board members: _____

NOES: Board members: _____

ABSENT: Board members: _____

ABSTAIN: Board members: _____

Robert Larsen, Sr.
Chairman of the Board of Directors

Attest:

Caroline Falconer
Secretary of the Board of Directors

EXHIBIT A
OFFICIAL BALLOT
SPECIAL ELECTION
DIAMOND SPRINGS/EL DORADO FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT No. 2006-01, ANNEXATION No. 2

This ballot is for a special landowner election. You must return this ballot to the office of the Secretary of the Board of Directors of the Diamond Springs/El Dorado Fire Protection District no later than 7:00 p.m. on July 8, 2009, either by mail or in person, to 501 Main Street, Diamond Springs, California 95619.

If you wrongly mark, tear, or deface this ballot, return it to the Secretary of the Board of Directors of the Diamond Springs/El Dorado Fire Protection District and obtain another.

<p>Proposition A: Shall special taxes be levied annually on taxable property within the Diamond Springs/El Dorado Fire Protection District Community Facilities District No. 2006-01, Annexation No. 2, County of El Dorado, State of California, so long as the special taxes are needed to pay for fire suppression services, emergency medical services, and fire prevention activities, at the special tax rates and pursuant to the method of apportioning the special taxes set forth in Exhibit "B", Rate and Method of Apportionment, to the Resolution of Intention adopted by the Board of Directors of the Diamond Springs/El Dorado Fire Protection District on April 8, 2009?</p>

Mark "YES" or "NO" with an "X":

YES

NO

Certification for Special Election Ballot

The undersigned is the authorized representative of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on July 8, 2009.

Signed: _____

Print Name: _____

Number of Votes: _____