

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ANNEXATION LANDOWNER ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING THE RECORDING OF THE FIFTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 5

WHEREAS, under the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”), the Town Council of the Town of Mammoth Lakes (the “Town”) previously conducted proceedings to establish the Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services) (the “District”), and

WHEREAS, in proceedings conducted by this Town Council pursuant to the Act, this Town Council has adopted a Resolution entitled “A Resolution of the Town Council of the Town of Mammoth Lakes, State of California, Authorizing the Annexation of Territory into a Community Facilities District, Authorizing the Levy of a Special Tax, and Submitting the Levy of Special Tax to Qualified Electors” (the “Resolution of Annexation”), which called for a special election of the qualified landowner electors in the territory of land proposed to be annexed to the District; and

WHEREAS, pursuant to the terms of the Resolution of Annexation, which is by this reference incorporated herein, the special election has been held and the Town Clerk has on file a Canvass and Statement of Results of Election, (the “Canvass”) a copy of which is attached hereto as Exhibit A; and

WHEREAS, this Town Council has been informed of the Canvass, finds it appropriate, and wishes to complete its proceedings for the annexation of territory into the District.

NOW, THEREFORE, the Town Council of the Town of Mammoth Lakes, DOES HEREBY RESOLVE as follows:

1. The foregoing recitals are true and correct.
2. The issue presented at the special election was the levy of a special tax within the territory annexed to the District, to be levied in accordance with the formula heretofore approved by this Town Council, all as described in Resolution No. 22-60, entitled “A Resolution of the Town Council of the Town of Mammoth Lakes, State of California, Declaring its Intention to Annex Territory into a Community Facilities District and to Authorize the Levy of Special Taxes” adopted by this Town Council on July 20, 2022.
3. Pursuant to the Canvass on file with the Town Clerk, the issue presented at the special election was approved by the landowners of the territory annexed to the District by more than two-thirds (2/3) of the votes cast at the special election.

4. Pursuant to the voter approval, the annexed territory is hereby declared to be fully annexed to and part of the District and this Town Council may levy special taxes therein as heretofore provided in these proceedings.

5. It is hereby found that all prior proceedings and actions taken by this Town Council with respect to the District, the prior annexations, and the territory annexed thereto were valid and in conformity with the Act.

6. Within 15 days of the date of adoption hereof, the Town Clerk shall execute and cause to be recorded in the office of the County Recorder of the County of Mono, a Fifth Amendment to Notice of Special Tax Lien, as required by Section 3117.5 of the California Streets and Highways Code.

7. This Resolution shall take effect upon its adoption.

APPROVED AND ADOPTED this 7th day of September, 2022.

LYNDA SALCIDO, Mayor

ATTEST:

JAMIE GRAY, Town Clerk

EXHIBIT A
TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 5

CANVASS AND STATEMENT OF RESULT OF ELECTION

I hereby certify that on September 7, 2022, I canvassed the returns of the election held on September 7, 2022, in the Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services), Annexation No. 5 of the Town of Mammoth Lakes and the total number of ballots cast in such election and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

	Qualified Landowner Votes	Votes Cast	Votes YES	Votes NO
Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services), Annexation No. 5 Special Tax Election, September 7, 2022	_____	_____	_____	_____

BALLOT MEASURE: Shall the Town of Mammoth Lakes, by and for its Community Facilities District No. 2013-3 (Transit Services) (the "District"), be authorized to levy special taxes within the territory annexed to the District pursuant to and as described in the Resolution of Intention to Annex Territory, adopted by the Town Council of the Town of Mammoth Lakes on July 20, 2022, and shall the annual appropriations limit of the District be increased by the amount of \$40,743?

Yes: _____

No: _____

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND on September 7, 2022.

By: _____

Town Clerk
Town of Mammoth Lakes