

RESOLUTION NO. 2009-79

RESOLUTION ABANDONING PROCEEDINGS

**CITY OF GRASS VALLEY
RESIDENTIAL LANDSCAPING AND LIGHTING DISTRICT NO. 1988-2
(ZONE IV – MORGAN RANCH WEST ANNEXATION NO. 2009-1)**

WHEREAS, at the close of the public hearing conducted on August 11, 2009, the City Clerk opened, declared and tallied the assessment ballots which were received prior to the close of the hearing, and the City Clerk has reported to this City Council that the assessment ballots received in opposition to proceeding with the proposed annexation of the 25 lots of Morgan Ranch West to the City's existing Residential Landscaping and Lighting District No. 1988-2 (the "Proposed Annexation") exceed the assessment ballots received in support of proceeding, as determined in accordance with Section 53753 of the California Government Code ("Section 53753"), this City Council hereby finds and determines that there is a majority protest respecting the Proposed Annexation; and

WHEREAS, in accordance with Section 53753, this City Council is precluded with proceeding with the Proposed Annexation and, by this resolution wishes to abandon the proceedings for the Proposed Annexation;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRASS VALLEY hereby finds, determines and resolves as follows:

1. The foregoing recitals are true and correct, and this City Council hereby expressly so finds and determines.
2. The proceedings for the Proposed Annexation are hereby abandoned.
3. This resolution shall take effect immediately upon adoption.

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I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Grass Valley at a regular meeting thereof held on August 25, 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Swarthout, Mayor

ATTEST:

By: _____
Kristi K. Bashor, City Clerk

APPROVED AS TO FORM:

By: _____
Ruthann G. Ziegler, City Attorney