

**RESOLUTION NO. 81-2009**

*Adopted July 21, 2009*

**DECLARING RESULTS OF SPECIAL ANNEXATION ELECTION  
(BLOCK X-4), DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND  
DIRECTING RECORDING OF AMENDED NOTICE OF SPECIAL TAX LIEN;  
MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA**

**BASIS FOR RESOLUTION**

1. On July 21, 2009, the Commission adopted Resolution No. 79-2009 calling a special election of the qualified elector for the territory of land (Block X-4) proposed to be annexed to the Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 5 (Mission Bay Maintenance District) (the "District") under Article 3.5 of Chapter 2.5 of Part 1 of Division 2 of Title 5 of the California Government Code (the "Act").
2. The issue presented at the special election was the levy of a special tax within the territory proposed to be annexed to the District.
3. The special election has been held and the Secretary has filed a Canvass and Statement of Result of Election with the Commission, the form of which is attached hereto as Exhibit A.
4. Declaring the results of the special election is an Agency administrative activity that does not constitute a project as defined by the California Environmental Quality Act ("CEQA") Guidelines Section 15378(b)(5), will not independently result in a physical change in the environment, and is not subject to environmental review under CEQA.

**FINDINGS**

1. The issue presented at the special election was approved by the qualified elector of the territory proposed to be annexed to the District.
2. All prior proceedings and actions taken by the Commission with respect to the District and the territory annexed thereto were valid and in conformity with the provisions of Chapter 2.5 of Part 1 of Division 2 of Title 5 of the California Government Code, including the Act.

## RESOLUTION

**ACCORDINGLY, IT IS RESOLVED** by the Redevelopment Agency of the City and County of San Francisco that:

1. The Commission hereby declares that the territory proposed to be annexed to the District is fully annexed to and part of the District, and the special taxes may be levied therein pursuant to the proceedings of the Commission with respect to the District.
2. Within 15 days of the date of adoption of this Resolution, the Secretary shall execute and cause to be recorded an amendment to the Notice of Special Tax Lien for the District in the Office of the County Recorder of the City and County of San Francisco, with the amendment to be in the form and otherwise as required by Section 3117.5 of the California Streets and Highways Code.

**APPROVED AS TO FORM:**

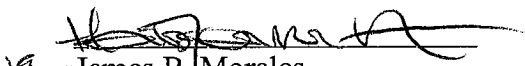
  
James B. Morales  
Agency General Counsel

EXHIBIT A

REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO  
 COMMUNITY FACILITIES DISTRICT NO. 5  
 (MISSION BAY MAINTENANCE DISTRICT)

ANNEXATION NO. 1 ELECTION  
 CANVASS AND STATEMENT OF RESULT OF ELECTION

I hereby certify that on this date, I canvassed the returns of the election held on this date in the territory annexed to the Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 5 (Mission Bay Maintenance District), and the total number of ballots cast in the territory to be annexed 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	YES	NO
Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 5 (Mission Bay Maintenance District) Annexation No. 1 Election, July 21, 2009	4	4		

BALLOT MEASURE: Shall the Redevelopment Agency of the City and County of San Francisco, by and for its Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 5 (Mission Bay Maintenance District) (the "CFD"), be authorized to levy special taxes within the territory annexed to the District pursuant to and as described in Resolution No. 62-2009, adopted by the Commission of the Redevelopment Agency of the City and County of San Francisco on June 16, 2009?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this 21<sup>st</sup> day of July, 2009.

REDEVELOPMENT AGENCY OF THE  
 CITY AND COUNTY OF SAN  
 FRANCISCO

By: \_\_\_\_\_  
 Secretary