

Sunnyslope County Water District

RESOLUTION NO. 499

A RESOLUTION OF APPLICATION BY SUNNYSLOPE COUNTY WATER DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TAKE
PRELIMINARY PROCEEDINGS FOR ANNEXATION OF TERRITORY TO THE DISTRICT

ANNEXATION 2008-2

RESOLVED, by the Board of Directors of the Sunnyslope County Water District, San Benito County, California that

WHEREAS, the Board of Directors of the District desires to initiate preliminary proceedings pursuant to Government Code Section 56000 through 57550 (Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000) for the annexation of certain territory more particularly described in Exhibit A, and shown in Exhibit B, attached hereto and incorporated herein by this reference, to said District; and

WHEREAS, the proposed annexation of the territory to Sunnyslope County Water District will affect the County of San Benito, State of California and the City of Hollister; and

WHEREAS, the territory proposed to be annexed is to be resolution of application in accordance with Section 56650 and subsequent sections of that chapter of the government Code; and

WHEREAS, it is desired to provide that the proposed annexation be subject to certain term and conditions as follows:

1. In the event that pursuant to the rules, regulations or ordinance of the District as now or hereafter amended the District shall require any payment of a fixed or determinable amount of money, either as a lump sum or installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of the District, such payment will be made to the District in the manner and at the time as provided by the rules, regulations or ordinance of the District.
2. Upon and after the effective date of said annexations, the territory, all inhabitants within such territory and all persons entitled to vote by reason of residing or owning land within the territory shall be subject to the jurisdiction of the District; shall have the same rights and duties as if the territory had been a part of the District upon its original formation; shall be liable for the payment of principal, interest and any other amounts which shall become due on account of any outstanding or then authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all the rates, rules, regulations and ordinances of the District as now or hereafter amended; and

WHEREAS, in accordance with section 56653 of the government code, Sunnyslope County Water District shall submit with the resolution of application a plan for providing services within the affected area. Sunnyslope County Water District, in accordance with item (1) of section 56653 of the government code, will provide potable drinking water for the purposes of domestic and landscape irrigation use, and will provide reclaimed wastewater for landscape irrigation use. In accordance with item (2) of section 56653 of the government code, Sunnyslope shall supply the range and level of water for domestic use and irrigation use as detailed the Water Supply Assessment for Santana Ranch, dated February 2008, prepared by Sunnyslope County Water District. This Water Supply Assessment was based upon the initial plan for providing these services entitled "Engineering Report for Development of Santana Ranch", sated June 2007, prepared by Ruggeri, Jensen, Azar & Associates. In accordance with items (3) & (4) of section 56653 of the government code, Sunnyslope will provide these services to the affected area, as

detailed in the Water Supply Assessment for Santana Ranch. More specifically, water supply will be supplied upon the completion of well #11 and another additional well. Well #11 will be completed in 2008, and the second well will be completed in 2009. A mainline extension will be constructed to connect Santana Ranch to the Ridgemark pressure zone. This mainline will begin at the intersection of Fairview Road and John Smith Road and end at the Santana Ranch subdivision. An additional pump station will also be needed to pump water from the Fairview pressure zone into the Ridgemark pressure zone as an additional precaution for the purposes of redundancy. This mainline extension and pump station will be completed by Santana Ranch in conjunction with the beginning of the construction of their project. In accordance with item. Initially, all irrigation water will be supplied by the potable water system. After the construction of the Ridgemark wastewater treatment plant expansion at the end of 2010, and the subsequent wastewater reclamation facility in approximately 2012 reclaimed water will become available at the Ridgemark Golf Course at end of 2012. After the construction of the reclaimed water distribution facilities for Gavilan College and Award Homes, a reclaimed water distribution system will connect the Ridgemark reclaimed wastewater treatment plant to Santana Ranch in approximately 2018. After the connection of the reclaimed distribution system to Santana Ranch, a portion of landscape irrigation will be met by utilizing reclaimed water. In accordance with item (5) of section 56653 of the government code the mainline extension, and pump station, to connect the Ridgemark pressure zone to Santana Ranch shall be designed, built, and paid for by Santana Ranch. All water and reclaimed water mainline improvements within the affected area will be designed, built and paid for by Santana Ranch. All wells, storage facilities, and potable water and reclaimed water treatment facilities will be built by Sunnyslope County Water District and will be financed by connection fees. Sunnyslope County Water District will sell bonds and/or obtain long term loans to finance all wells, storage, and treatment facilities.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. That this Resolution of Application be and is hereby adopted and approved by the Board of Directors of Sunnyslope County Water District, and the Local Agency Formation Commission of San Benito County be and it is hereby requested to undertake preliminary proceedings for the annexation of the territory described in Exhibit A hereto attached and by reference incorporated herein to Sunnyslope County Water District on the terms and conditions above stated and in the manner provided by the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000.
2. The exterior boundaries of the territory proposed to be annexed are more specifically described in Exhibit A and shown in Exhibit B.
3. The reasons for this proposed change of organization are as follows:
 - a) Sunnyslope County Water District is authorized and empowered to and is presently engaged in the supply, storage, transmission and distribution of water for domestic and fire protection purposes and has a system and works for the providing of water and water facilities, which can adequately and economically furnish services which are urgently needed within the territory proposed to be annexed.
 - b) There is no other governmental agency which is presently able to furnish water supply services and there is no immediate prospect that any other agency will be able to furnish water services within the reasonably foreseeable future.
 - c) That the Local Agency Formation Commission is hereby requested to approve the annexation by the Commission and transmit its approval to and authorize the Board of Directors of the District to annex this territory to the District, in accordance with the authorizations and requirements of the Cortese/Knox Local Government Reorganization Act.
 - d) That the Secretary of the District be hereby authorized and directed to file a certified copy of this Resolution with the Executive Office of the Local Agency Formation Commission.


I hereby certify that the foregoing Resolution was passed and adopted by the Board of Directors of the Sunnyslope County Water District, San Benito County, California, at a meeting thereof held on the 10th day of April 2008 by the following vote of the members thereof:

AYES: Directors: Anderson, Hailstone, Nelson, Keck, and Meraz.

NOES: None.

ABSENT: None.

SUNNYSLOPE COUNTY WATER DISTRICT



Dawn V. Anderson, President

Attest:



Bryan M. Yamaoka, Secretary

EXHIBIT "A"

LEGAL DESCRIPTION
FOR ANNEXATION TO THE SUNNYSLOPE
WATER DISTRICT SERVICE AREA

All that certain real property situate in the County of San Benito, State of California, being a portion of Section 31, Township 12 South, Range 5 East, and a portion of Section 6, Township 13 South, Range 5 East, Mount Diablo Base and Meridian, described as follows:

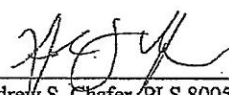
Commencing at the southwest corner of said Section 31, thence along the centerline of Fairview Road, South 00°03'42" East, 20.00 feet; thence North 89°46'19" East, 30.00 feet to the easterly right-of-way of Fairview Road and the **True Point of Beginning**; thence along said easterly right-of-way, North 00°03'42" West, 989.79 feet; thence South 89°36'22" East, 12.00 feet; thence North 00°03'42" West, 579.96 feet; thence South 89°36'40" East, 2,626.01 feet to the easterly line of the southwest quarter of Section 31; thence South 00°03'42" East, 2,542.92 feet; thence North 89°33'10" West, 2,638.03 feet to said easterly right-of-way of Fairview Road; thence along the easterly right-of-way of Fairview Road, North 00°03'42" West, 970.48 feet to the **True Point of Beginning**.

As shown on Exhibit "B" made a part hereof

END OF DESCRIPTION

This legal description was prepared by me or under my direction pursuant to the requirements of the Professional Land Surveyor's Act.




Andrew S. Chafer, PLS 8005
Expires 12/31/2008

3/3/08
Date

Exhibit B

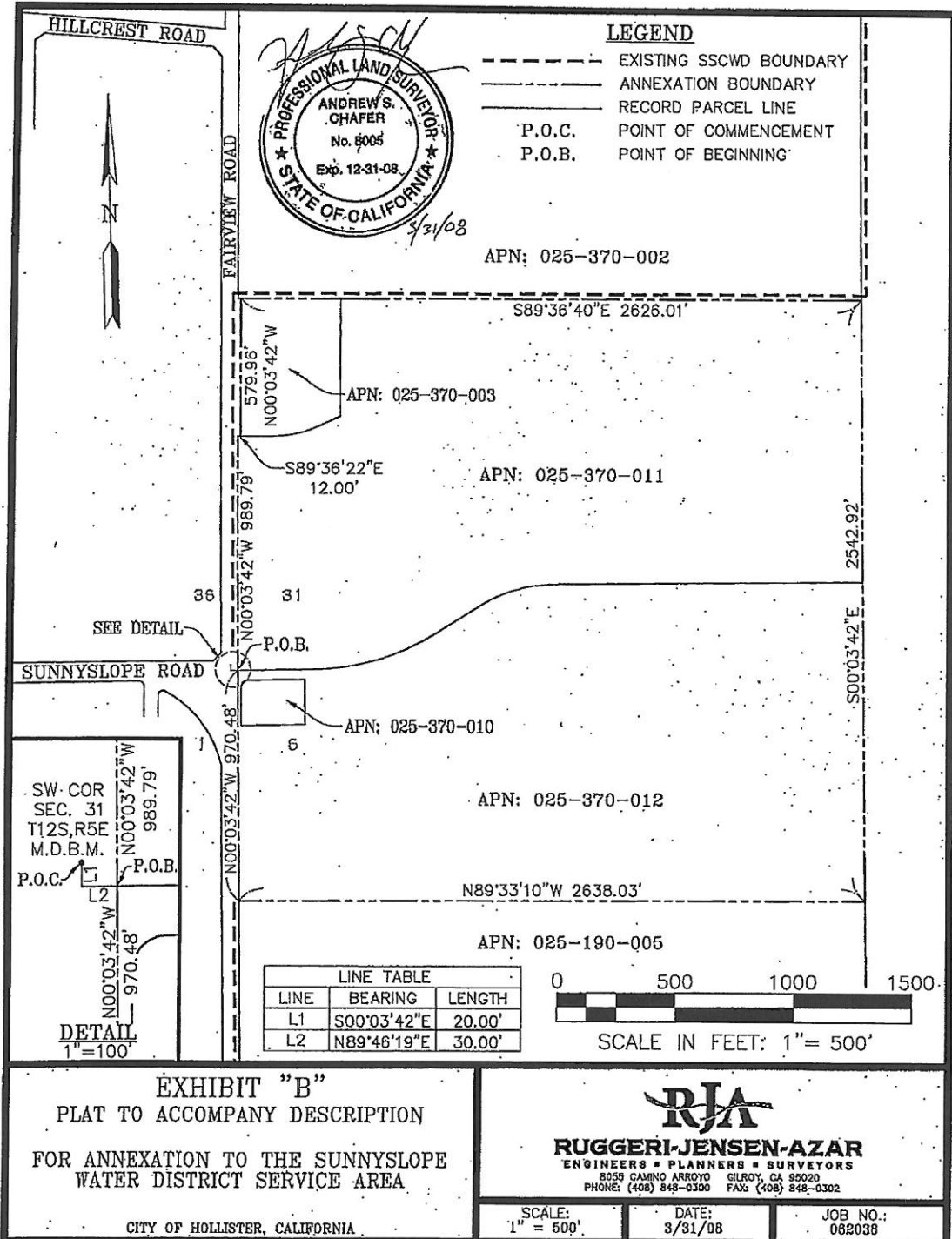


EXHIBIT "B"
PLAT TO ACCOMPANY DESCRIPTION
FOR ANNEXATION TO THE SUNNYSLOPE
WATER DISTRICT SERVICE AREA
CITY OF HOLLISTER, CALIFORNIA

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8059 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0300 FAX: (408) 848-0302

SCALE: 1" = 500'	DATE: 3/31/08	JOB NO.: 082038
---------------------	------------------	--------------------