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RESOLUTION NO. 152

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

SUNNYSLOPE COUNTY WATER DISTRICT

ANNEXATION NO. 76-1

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 the District Reorganization Act of 1965, Title 6, Division 1 of the Government Code of the State of California, comprising Sections 56000 through 56550 of said Code, for the annexation of certain territory more particularly described in Exhibit "A", hereto attached and by referenced incorporated herein, to said District (hereinafter sometimes referred to as the "Territory");

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;

WHEREAS, the Territory proposed to be annexed is uninhabited, as such term is defined in Section 56074 of the Government Code, a part of the District Reorganization Act of 1965, and a description of the exterior boundaries of the Territory is set forth in said Exhibit "A";

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

1. In the event that pursuant to rules, regulations or ordinances 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 in 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 ordinances of the District, as now or hereinafter amended.

2. Upon and after the effective date of said annexation, 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 of the rates, rules, regulations and ordinances of the District, as now or hereafter amended; and

WHEREAS, all of the owners of land within the Territory proposed to be annexed have signed a written consent to the annexation of said Territory to Sunnyslope County Water District;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED and ORDERED, as follows:

1. That this resolution of application be, and it is hereby, adopted and approved by the Board of Directors of the 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 District Reorganization Act of 1965.

This copy of page 3 should be substituted for page 3 of the resolution that we left with the District at the meeting of February 12, 1976.

2. That the Territory proposed to be annexed to Sunnyslope County Water District is uninhabited. The exterior boundaries of the Territory proposed to be annexed are more particularly described in said Exhibit "A".

3. That 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 furnishing and distribution of water, and has a system and works for the providing of water facilities, which system 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 services and there is no immediate prospect that any other agency will be able to furnish such services within the reasonably foreseeable future.

4. That the Local Agency Formation Commission is hereby requested to approve the proposed annexation without notice and hearing by the Commission, and to transmit its approval to and authorize the Board of Directors of the District to annex the Territory to the District without notice and hearing by the Board of Directors of the District and without an election, in accordance with the authorizations and requirements of said District Reorganization Act.

5. That all of the owners of lands within the Territory proposed to be annexed have filed a written consent to the annexation of said Territory without notice or hearing, and the Board of Directors of the Sunnyslope County Water District hereby waives the right to mailed notice of hearing pursuant to authorization

contained in Section 56261 of the Government Code, unless the Local Agency Formation Commission intends to impose conditions on said proposed annexation other than those stated herein.

6. That the Secretary of the District be, and he is hereby, authorized and directed to file a certified copy of this resolution with the executive officer of the Local Agency Formation Commission of the County of San Benito, State of California, and to attach thereto a copy of the written consent to such annexation of all of the owners of all of the lands within the Territory proposed to be annexed to the District.

\* \* \* \* \*

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 12th day of February, 1976, by the following vote of the members thereof:

AYES, and in favor thereof, Directors: Arzie, Churchill,  
Loofbourrow, Renz, Williams

NOES, Directors: None

ABSENT, Directors: None

\_\_\_\_\_  
Secretary of Sunnyslope County  
Water District

APPROVED:

\_\_\_\_\_  
President

EXHIBIT "A"

PROPOSED SUNNYSLOPE ANNEXATION NO. 76-1

BEING a portion of Section 1, Township 13 South, Range 5 East, Mount Diablo Base and Meridian, bounded by a line particularly described as follows:

BEGINNING at a point on the easterly line of said Section 1, said point being a point in the centerline of Fairview Road from which the northeasterly corner of Section 1 bears North  $0^{\circ}20'$  West 1756.79 feet, said point of beginning being also the northeasterly corner of that certain 35.059 acre parcel conveyed by Anthony G. Silva, et ux, to Charles W. Britton, et ux, by Deed recorded March 3, 1964 in Volume 296 of Official Records at page 33, San Benito County Records and running thence along the centerline of Fairview Road and easterly line of Section 1,

SOUTH  $0^{\circ}20'$  East 3631.56 feet, to the southeasterly corner of said Section 1, thence along the southerly line of said Section 1

NORTH  $89^{\circ}44'40''$  West 1920.29 feet to the intersection thereof with the easterly line of the Rancho San Justo, thence along the easterly line of the Rancho San Justo

NORTH  $2^{\circ}11'$  East 2668.35 feet to intersection thereof with the westerly prolongation of the southerly line of the above mentioned 35.059 acre parcel conveyed to Britton; thence easterly along said westerly prolongation

SOUTH  $89^{\circ}48'$  East 160.26 feet to the southwesterly corner of said 35.059 acre parcel; thence along the westerly line of said 35.059 acre parcel

NORTH  $0^{\circ}20'$  West 969.14 feet to the northwesterly corner thereof, being also a point on the boundary of the Sunnyslope County Water District, thence along said District Boundary and northerly line of said 35.059 acre parcel

SOUTH  $89^{\circ}48'$  East 1678 feet, more or less, to the point of beginning, and

CONTAINING THEREIN 151.4 acres of land, more or less.