

RESOLUTION NO. 336

A RESOLUTION INITIATING PROCEEDINGS FOR ANNEXATION,
ESTABLISHING TIME AND PLACE FOR HEARING THEREON
AND PROVIDING FOR NOTICE THEREOF

SUNNYSLOPE COUNTY WATER DISTRICT

VALDEZ TRACT ANNEXATION NO. 83-1

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

WHEREAS, preliminary proceedings for the annexation of certain territory were conducted by the Local Agency Formation Commission of San Benito County pursuant to an application proposing the annexation of territory to the Sunnyslope County Water District filed with the Executive Officer of the Local Agency Formation Commission;

WHEREAS, subsequent to the filing of said application with the Local Agency Formation Commission of San Benito County and subsequent to the giving of notice of filing of said application for annexation of territory to Sunnyslope County Water District by the Executive Officer of said Commission by mailing, posting and publication, said Commission met at the time appointed therefor in said notice, June 28, 1984, to consider all matters relevant to the proposed annexation and to hear all persons interested therein;

WHEREAS, at the time and place fixed for hearing before the Local Agency Formation Commission, said Commission opened the public hearing and, following said hearing, said Commission adopted its Resolution No. 84-08 approving the annexation of territory, designated as "Valdez Annexation No. 83-1" to Sunnyslope County Water District, notice of the adoption of which resolution has been given to all interested parties; and

WHEREAS, said application was not signed by all of the owners of all of the lands within the territory proposed to be annexed;

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

1. That proceedings be, and they are hereby, initiated for the annexation of that certain territory hereinafter described, the distinctive short form designation assigned by the Local Agency Formation Commission of San Benito County being "Valdez Annexation No. 83-1."

2. That the annexation designated Valdez Annexation No. 83-1 was commenced pursuant to a written application proposing said annexation without the written consent of all of the owners of the land in the area proposed to be annexed as said territory is more particularly described in Exhibit "A" hereto attached and by reference incorporated herein, and that said territory is uninhabited.

3. That the reasons for the proposed annexation, as set forth in said application are:

(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.

(c) The lands within the Territory proposed to be annexed require a water system.

4. That the proposed annexation shall be subject to the terms and conditions contained in Resolution No. 84-08 of the Local Agency Formation Commission and in Exhibit "B" hereto attached and by reference incorporated herein.

5. That Thursday, September 13, 1984, at the hour of 7:30 p.m. at the regular meeting place of the District, at the Bank of America

Conference Room, 320 San Benito Street, Hollister, California, which date is not less than fifteen days nor more than sixty days after the date of adoption of this resolution, be, and they are hereby, fixed as the time and place of hearing on the proposed annexation, at which time and place any interested person desiring to make written protest against said annexation shall do so by written communication filed with the Secretary of the District not later than the hour set for hearing. A written protest by a landowner shall contain a description sufficient to identify the land owned by him. A protest by a voter shall contain the residential address of such voter.

6. The District Secretary shall give notice of such hearing once a week for two successive weeks in the Evening Free Lance, a newspaper of general circulation within the affected District and County, said publication to be commenced at least fifteen days prior to the date specified herein for hearing, with at least five days intervening between the respective publication dates, not counting such publication dates.

7. The District Secretary shall, further, cause a copy of a notice of hearing to be posted on or near the door of the meeting place of this Board, said posting to be commenced at least fifteen days prior to the date specified herein for hearing and continue to the time of said hearing.

8. The District Secretary shall, further, cause a copy of a notice of hearing to be mailed to each person to whom land is to be assessed as shown upon the last equalized assessment roll of the County, at the address shown upon such assessment roll, and owning land within the territory proposed to be annexed, and to all persons and counties, cities, or districts which have filed a written request for such notice, said mailing to be by first class mail, postage prepaid, at least fifteen days prior to the day specified herein for hearing.

9. That the Secretary be, and he is hereby, instructed to forward a copy of this resolution and a copy of said notice of hearing to the Executive Officer of the Local Agency Formation Commission of the County of San Benito.

* * * * *

I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted and passed by the Board of Directors of the Sunnyslope County Water District, San Benito County, California, on the 9th day of August, 1984, by the following vote:

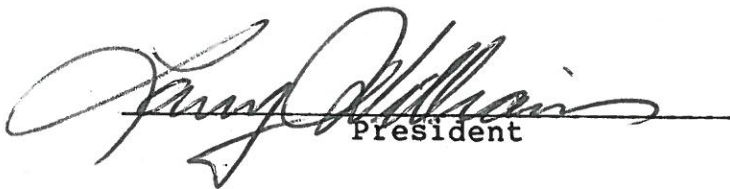
AYES, and in favor thereof, Directors: Churchill, Hailstone,
Renz, Williams

NOES, Directors: None

ABSENT, Directors: Blaettler


Secretary, Sunnyslope County Water District

APPROVED:


President

ANNEXATION 83-1

EXHIBIT A

BEING a portion of Lots 44 and 45 of the Rancho San Justo according to the Map thereof filed July 21, 1876 in Volume 1 of Maps, at page 64, San Benito County Records, and being bounded by a line particularly described as follows:

BEGINNING at a point on the easterly line of said Lot 45 at the point of intersection thereof with the northeasterly line of Airline Highway, being also an angle point in the boundary of the Sunnyslope County Water district, and running thence along the boundary of the Sunnyslope County Water District and said lot line South $1^{\circ}22'$ West 119.75 feet to the centerline of Enterprise Road; thence continuing along said Water District boundary and along the centerline of Enterprise Road North $69^{\circ}22'$ West 562.35 feet; thence leaving said centerline and continuing along said Water District boundary South $63^{\circ}51'$ West 41.16 feet to the southerly line of Enterprise Road; thence along said southerly line and the Water District boundary North $69^{\circ}22'$ West 549.95 feet and North $60^{\circ}33'$ West 1279.36 feet to the westerly line of said Lot 44 of the Rancho San Justo, thence leaving said Sunnyslope County Water District boundary and running along the westerly line of said Lot 44 North $0^{\circ}25'$ East 650.54 feet to the northerly line of Airline Highway and a point on the Sunnyslope County Water District boundary; thence along the northerly line of Airline Highway and the boundary of the Sunnyslope County Water District South $55^{\circ}02'$ East 2691.48 feet to the point of beginning, and

CONTAINING THEREIN 22.622 acres of land, more or less.

EXHIBIT "B"

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 hereafter 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.