

RESOLUTION NO. 88

A RESOLUTION MAKING DETERMINATIONS, DESCRIBING EXTERIOR BOUNDARIES OF TERRITORY DESIGNATED "SUNNYSLOPE COUNTY WATER DISTRICT ANNEXATION NO. 3", ESTABLISHING TERMS AND CONDITIONS, AND ORDERING ANNEXATION OF TERRITORY

SUNNYSLOPE COUNTY WATER DISTRICT

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

WHEREAS, on January 9, 1969, this Board adopted its Resolution No. 87, 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, which resolution, together with a form of Written Consent of all of the owners of all of the lands comprising the territory proposed to be annexed, was filed with the Executive Officer of the Local Agency Formation Commission of the County of San Benito;

WHEREAS, on February 6, 1969, the Local Agency Formation Commission of San Benito County adopted its Resolution No. 69-1, A Resolution Approving the Annexation of Territory to Sunnyslope County Water District, wherein it designated said territory as "Sunnyslope County Water District Annexation No. 3";

WHEREAS, said Resolution No. 69-1 of the Local Agency Formation Commission of San Benito County approved the proposed annexation and authorized this Board to annex said territory without notice and hearing and without an election;

WHEREAS, said resolution of the Local Agency Formation Commission made certain findings and determinations which were summarized before the Board of Directors of the Sunnyslope County Water District;

WHEREAS, a form of Written Consent, signed by all of the owners of all of the land within the territory proposed to be annexed, has been filed with the District; and

WHEREAS, all of the proceedings for the annexation of territory are being had pursuant to the District Reorganization Act of 1965, Division 1 of Title 6, comprising Government Code Sections 56000 through 56550;

NOW, THEREFORE, IT IS FOUND, DETERMINED and ORDERED, that

1. The territory proposed to be annexed is uninhabited as such term is defined in Government Code Section 56074, and the description of the exterior boundaries of the territory is set forth in Exhibit "A" attached hereto and made a part hereof, and that no written protests were or have been filed.

2. Annexation is approved subject to the terms and conditions authorized in the Written Consent to the annexation, in said Resolution No. 87 of application adopted by the Sunnyslope County Water District and approved by said Resolution No. 69-1 adopted by the Local Agency Formation Commission, as follows:

a) 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;

b) 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.

3. The Secretary of the District is hereby authorized and directed to prepare and execute a certificate of completion of

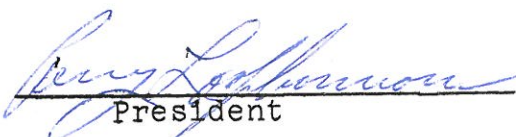
said annexation, which certificate shall have a certified copy of this resolution attached, together with a map indicating the boundaries of the area hereby ordered annexed, which certificate, resolution and map shall be filed by the Secretary of the District with the Secretary of State of the State of California. The District Secretary shall, upon receipt of a Certificate of Filing from the Secretary of State, record a counterpart original of the District Secretary's Certificate, and the original or a counterpart original of the Secretary of State's Certificate of Filing in the office of the County Recorder of San Benito County, being the County in which all of the Sunnyslope County Water District is located, and the Secretary of said District shall make such filings as are required in the office of the State Board of Equalization and in the office of the County Assessor, pursuant to Chapter 8 of Part 1, Division 2, Title 5 of the Government Code of the State of California (commencing at Section 54900), and pursuant to the District Reorganization Act of 1965 and particularly Section 56457 of the Government Code, a part of said District Reorganization Act.

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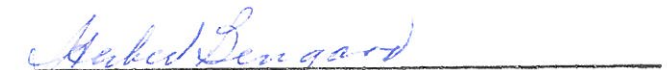
I hereby certify that the foregoing resolution was passed and adopted by the Board of Directors of the Sunnyslope County Water District, San Benito County, California, at a meeting thereof held on the 13th day of February, 1969, by the following vote of the members thereof:

AYES, and in favor thereof, Directors: Churchill, Greer,
Loofbourrow, Porteur, Renz
NOES, Directors: None
ABSENT, Directors: None

APPROVED:



President



Secretary of Sunnyslope County
Water District

EXHIBIT "A"

DESCRIPTION OF 20 ACRE PARCEL FOR
ANNEXATION TO SUNNYSLOPE COUNTY WATER DISTRICT

ALL the certain real property situate in the County of San Benito, State of California, described as follows:

A PORTION of Homestead Lot 37 of the San Justo Rancho, according to the map thereof filed July 21, 1876, in Vol. 1 of Maps, at page 64, San Benito County Records, and being also a portion of the certain parcel of land conveyed by Anna Dora Haburt to Ralph J. Brigantino, et al by deed dated July 1, 1963, and recorded July 24, 1963, in Vol. 290 of Official Records, at page 194, San Benito County Records, bounded and more particularly described as follows:

BEGINNING at a point in the westerly line of said Homestead Lot 37 at the intersection thereof with the southerly line of Lot 15 of SUNNYSIDE ACRES, according to the Map thereof filed February 21, 1962 in Vol. 6 of Maps, at page 62, San Benito County Records; said westerly line of Homestead Lot 37 being also the westerly line of the aforesaid parcel of land conveyed by Haburt to Brigantino, et al; and running thence from said point of beginning easterly along the present line of Sunnyslope County Water District, South 89° 48' East 1150 feet, more or less, to the easterly line of said parcel conveyed by Haburt to Brigantino, et al; thence southerly along said easterly line South 2° 27' 20" West 795 feet, more or less, to the southeasterly corner thereof; thence along the southerly line of said parcel conveyed by Haburt to Brigantino, et al, North 87° 01' West 1148.81 feet to the westerly line thereof said westerly line being also the limit line of Sunnyslope County Water District; and thence North 2° 24' East 739.93 feet along said limit line and westerly line of said parcel conveyed by Haburt to Brigantino to the point of beginning.