

RESOLUTION NO. 432

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 1988- 2

SUNNYSLOPE COUNTY WATER DISTRICT

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 Cortese/Knox Local Government Reorganization Act of 1985, Title 5, Division 3 of the Government Code of the State of California, comprising Sections 56000 through 57550 of said Code, for the annexation of certain territory more particularly described in Exhibit "A", attached hereto and by reference 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 56046 of the Government Code, a part of the Cortese/Knox Local Government Reorganization Act of 1985, 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 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, 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; 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 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 Corteze/Knox Local Government Reorganization Act of 1985.

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 specifically described in 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 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 sewerage services and there is no immediate prospect that any other agency will be able to furnish water services within the reasonably foreseeable future.

4. That the local agency formation commission is hereby requested to approve the 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 the Cortese/Knox Local Government Reorganization Act.

5. That all of the owners of land within the territory

proposed to be annexed have filed a written consent to the annexation of said territory without notice of 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 56837 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 the owners of all the land within the territory proposed to be annexed.

* * * * *

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 8 day of December 1988 by the following vote of the members thereof:

AYES, and in favor thereof, Members: Blaettler, Churchill, Hailstone, Nelson, Williams

NOES, members: None

ABSENT, members: None

SUNNYSLOPE COUNTY WATER DISTRICT

Bryan Johnson
Secretary

APPROVED:

Joseph P. Blaettler
President

