

RESOLUTION NO. 96

A RESOLUTION MAKING DETERMINATIONS, DESCRIBING EXTERIOR BOUNDARIES OF TERRITORY DESIGNATED "SUNNYSLOPE COUNTY WATER DISTRICT ANNEXATION NO. 4 (1970-1)", 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 June 11, 1970, this Board adopted its Resolution No. 94, 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 July 23, 1970, the Local Agency Formation Commission of the County of San Benito adopted its Resolution No. 70-6, A Resolution Approving the Annexation of Territory to the Sunnyslope County Water District, wherein it designated said territory as "Sunnyslope County Water District Annexation No. 4";

WHEREAS, said Resolution No. 70-6 of the Local Agency Formation Commission of the County of San Benito approved the proposed annexation and authorized this Sanitary 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. 94 of application adopted by the Sunnyslope County Water District and approved by said Resolution No. 70-6 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.

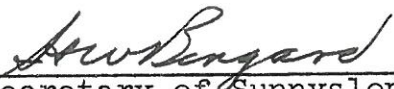
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I hereby certify that the foregoing resolution was passed and adopted by the Board of Directors of the Sunnyslope County Water District, San Benito County, California, at a meeting thereof held on the 10th day of September, 1970, by the following vote of the members thereof:

AYES, and in favor thereof, Directors: Churchill, Greer,
Loofbourrow, Porteur, ~~Renz~~

NOES, Directors: None

ABSENT, Directors: ~~None~~ *Renz*


Secretary of Sunnyslope County
Water District

APPROVED:

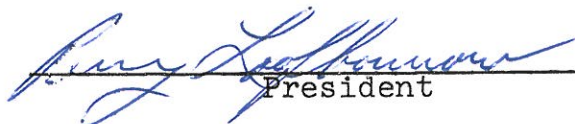

President

EXHIBIT "A"

DESCRIPTION OF SUNNYSLOPE ANNEXATION NO. 4

BEING a portion of Homestead Lot 43 of the San Justo Rancho according to the Map thereof recorded in Book 1 of Maps at page 64, Records of San Benito County, California, and being more particularly described as follows:

BEGINNING at a point on the centerline of Valley View Road (County Road No. 96) at the point of intersection thereof with the southerly line of that certain 7.718 acre parcel of land conveyed to Eugene R. Carbone and Raphaela Carbone, husband and wife, by deed dated July 24, 1951 and recorded July 26, 1951, in Volume 179 of Official Records, at page 220, San Benito County Records, said point of beginning being also a point in the boundary of the Sunnyslope County Water District, and running thence from said point of beginning easterly along the southerly line of said 7.718 acre parcel and Sunnyslope County Water District

SOUTH 88° 46' 50" East 1155.00 feet to the intersection thereof with the easterly line of said Homestead Lot 43 at a point distant thereon South 1° 15' West 527.74 feet from the corner common to Lots 37, 38, 43 and 44 of said San Justo Rancho, thence leaving said boundary of Sunnyslope County Water District

SOUTH 1° 15' West 1673.15 feet along said easterly line of Lot 43 to the point of intersection thereof with the northeasterly line of the State Highway (V-SBT-180 E), thence along said northeasterly line

NORTH 54° 18' West 466.97 feet to a point at the beginning of a curve, thence

ALONG a curve to the right from a tangent bearing of North 54° 18' West, having a radius of 4250.00 feet, and a central angle of 19° 04' 23" for a distance of 1414.77 feet to the intersection thereof with the centerline of Valley View Road, thence along the centerline of Valley View Road

NORTH 54° 45' 40" East 38.31 feet, thence

ALONG a tangent curve to the left having a radius of 500.00 feet and a central angle of 52° 30' for a distance of 458.15 feet, thence

NORTH 2° 15' 40" East 21.47 feet to the point of beginning, and

CONTAINING THEREIN 34.8 acres of land, more or less.