

RESOLUTION NO. 45

A RESOLUTION OF APPLICATION BY THE 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

FAIRVIEW - SANTA ANA ROAD
ANNEXATION 1965-1

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 reference incorporated herein, to said District, (hereinafter sometimes referred to as the "Territory");

WHEREAS, the proposed annexation of the Territory to the Sunnyslope County Water District will affect the City of Hollister, a municipal corporation, inasmuch as part of the existing boundaries of the District lie within the corporate limits of said City, although no part of the Territory proposed to be annexed lies within the corporate limits of said City, and the County of San Benito, State of California;

WHEREAS, the Territory proposed to be annexed is inhabited, as such term is defined in Section 56045 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. 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;

WHEREAS, due to the geographical location of the Territory to be annexed, the District can adequately and economically furnish services and facilities which are urgently needed within said Territory; and

WHEREAS, many of the owners of property and resident voters within the Territory proposed to be annexed have signed a petition requesting the Local Agency Formation Commission to undertake preliminary proceedings for the annexation of said Territory to the 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 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 the Sunnyslope County Water District, on the terms and conditions above stated and in the manner provided by the District Reorganization Act of 1965.

2. That the Territory proposed to be annexed to the Sunnyslope County Water District is inhabited. 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) The Sunnyslope County Water District is authorized and empowered to, and is presently engaged in, the supply, storage and distribution of water for domestic and fire protection use, and has a system and works for the providing of distribution facilities which may be expanded so as to provide a means of water service to the Territory proposed to be annexed.

(b) The Territory proposed to be annexed to the Sunnyslope County Water District is presently in agricultural and rural residential use and is presently without a regular system for the supply of water for domestic and fire protection purposes, which area is in the process of growth and development which will necessitate greater use of a reliable source of water supply and distribution facilities. The provision of a regular water system is essential to the continued use of the property and to the future growth and development of properties within the area proposed to be annexed.

(c) The lands within the Territory proposed to be annexed are susceptible of service by water from facilities of the Sunnyslope County Water District, or practicable works in connection therewith, and will be benefited by such service.

4. That the Local Agency Formation Commission is hereby requested to approve the proposed annexation and authorize the Board of Directors of the District to annex the Territory to the District in accordance with the requirements of said District Reorganization Act.

5. That the Board of Directors of the Sunnyslope County Water District hereby waives the right to mail notice, pursuant to authorization contained in Section 56261 of the Government Code.

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 San Benito County Local Agency Formation Commission, State of California.

* * * * *

I hereby certify the foregoing resolution to be a full, true and correct copy of a resolution duly passed by the Board of Directors of the Sunnyslope County Water District at a regular meeting thereof duly held on the 14th day of October, 1965, by the following vote:

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

NOES, Directors: None

ABSENT, Directors: ~~None~~ *Churchill*

Robert Bengard
Secretary, Sunnyslope County Water
District

APPROVED:

Robert L. Renz
President

EXHIBIT "A"

PROPOSED ANNEXATION TO SUNNYSLOPE COUNTY WATER DISTRICT
FAIRVIEW - SANTA ANA ROAD

ANNEXATION 1965-1

BEING a portion of Homestead Lots 23, 24, 25, 26, and 27 of the San Justo Rancho as shown on the Map thereof recorded in Book 1 of Maps at page 64, Records of San Benito County, California, a portion of Section 25 and 36 in Township 12 South, Range 5 East, M. D. B. & M. and Sections 30 and 31 in Township 12 South, Range 6 East, M. D. B. & M., as patented, and being more particularly described as follows:

"BEGINNING at the northeasterly corner of the lands of Kenneth Churchill, et ux, in the centerline of the Fairview Road, as described in deed of record in Volume 184 of Official Records at page 371, San Benito County Records, and running thence westerly along the northerly line of said lands of Churchill and the projection thereof to the easterly line of the San Justo Rancho; thence northerly along the easterly line of said Rancho to the southeasterly corner of County Assessor's Parcel 19-31-9; thence along the northerly line of the present lands of the Sunnyslope County Water District to the northwesterly corner thereof in the westerly line of Homestead Lot 26, being also the northwesterly corner of Assessor's Parcel 20-04-23; thence westerly along the southerly line of County Assessor's Parcels 19-26-8 & 7 to the southwest corner of Parcel 19-26-6; thence northerly along the westerly line of Parcel 19-26-6 to the Northwesterly corner of Parcel 19-26-6; being also the centerline of Santa Ana Road; thence easterly along the centerline of Santa Ana Road to the southwest corner of Assessor's Parcel 19-210-04; thence northerly along the westerly line of 19-210-04 to the most northwesterly corner of 19-210-04 thence easterly along the northerly line of Parcel 19-210-04 to the northerly line of Santa Ana Road; thence easterly along the northerly line of Santa Ana Road to the intersection thereof with the westerly line of Homestead Lot 23; thence northerly along the westerly line of Homestead Lot 23 to the northwesterly corner thereof; thence easterly along the northerly line of Homestead Lots 23 & 24 to the northeasterly corner of Homestead Lot 24 in the easterly line of the San Justo Rancho; thence southerly along the easterly line of the San Justo Rancho to the northwesterly corner of Assessor's Parcel 25-093-1; thence easterly along the northerly line of Assessor's Parcel 25-093-1 to the northeasterly corner thereof in the centerline of the Fairview Road; thence northerly along the centerline of the Fairview Road to the intersection thereof with the centerline of the Santa Anita Road (County Road No. 74); thence easterly along the centerline of Santa Anita Road to the northeasterly corner of Assessor's Parcel 25-092-1; thence southerly along the easterly line of Parcel 25-092-1 to the southwest corner of Parcel 25-92-2; thence easterly along the southerly line of Parcels 25-092-2 and 25-092-3 to the southeasterly corner of Parcel 25-092-3 in the Quarter Section line running north and south through Section 30, Township 12 South, Range 6 East; thence southerly along said Quarter Section line to the Quarter Section Corner in the southerly line of Section 30; thence southerly along the Quarter Section line running north and south through Section 31, Township 12 South, Range 6 East to the southeasterly corner of the lands of Fred J. Hawkins as described in the Deed recorded in Volume 90 at page 218, Official Records of San Benito County; thence westerly along the southerly line of said lands of Hawkins and the projection thereof to the centerline of the Fairview Road; thence northerly along the centerline of the Fairview Road to the Point of beginning."