

RESOLUTION NO. 113

A RESOLUTION MAKING DETERMINATIONS, DESCRIBING EXTERIOR BOUNDARIES OF TERRITORY DESIGNATED "SUNNYSLOPE COUNTY WATER DISTRICT ANNEXATION NO. 6", 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 6, 1972, this Board adopted its Resolution No. 112, 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 10, 1972, the Local Agency Formation Commission of the County of San Benito adopted its Resolution No. 72-1, 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. 6";

WHEREAS, said Resolution No. 72-1 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. 112 of application adopted by the Sunnyslope County Water District and approved by said Resolution No. 72-1 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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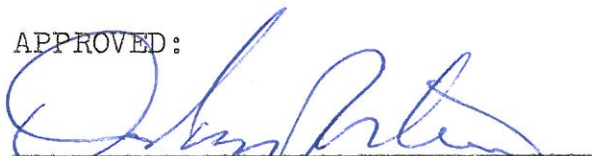
I hereby certify that the foregoing resolution was passed and adopted by the Board of Directors of the Sunnyslope County Water District, San Benito County, California, at a meeting thereof held on the 15th day of February, 1972, by the following vote of the members thereof:

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

NOES, Directors: None

ABSENT, Directors: ~~None~~ *Loofbourrow*

APPROVED:

  
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President

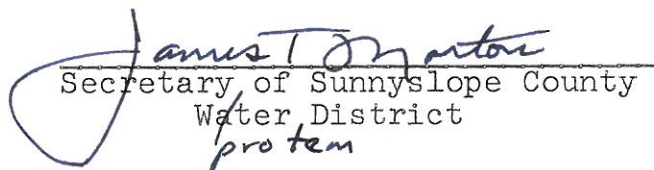
  
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Secretary of Sunnyslope County  
Water District  
*pro tem*

EXHIBIT A

SUNNYSLOPE COUNTY WATER DISTRICT - ANNEXATION NO. 6

BEING a portion of Section 7, T. 13 S., R. 6 E., Section 12 T. 13 S., R. 5 E., M.D.B.&M. and Homestead Lot 45 of the Rancho San Justo according to the Map thereof filed July 21, 1876 in Vol. 1 of Maps at page 64, San Benito County Records and being bound by a line particularly described as follows:

BEGINNING at a point on the line between Range 5 East and Range 6 East at the southwesterly corner of said Section 7 and running thence along said Range line

SOUTH 0° 01' West 206.54 feet to the easterly corner common to Sections 12 and 13 of T. 13 S., R. 5 E., thence along the line common to Sections 12 and 13

NORTH 89° 47' 20" West 2123.51 feet to the easterly boundary of Homestead Lot 45, thence along said easterly boundary

SOUTH 2° 10' 30" West 374.83 feet to the centerline of Southside Road (County Road No. 84) thence along the centerline of Southside Road

NORTH 76° 22' West 768.24 feet, thence

NORTH 62° 25' West 399.96 feet, thence leaving said Southside Road and running along the westerly line of that certain 144 acre tract of land conveyed to John A. Ojeda and Iola V. Ojeda, husband and wife, by Deed dated January 28, 1949 and recorded February 11, 1949 in Vol. 157 of Official Records at page 27, San Benito County Records the following courses and distances:

NORTH 22° 47' West 554.40 feet,

NORTH 41° 20' West 699.60 feet,

NORTH 25° 11' West 792.00 feet, and

NORTH 0° 58' East 915.60 feet to a point which is South 0° 58' West 15.00 feet from the corner common to Homestead Lots 43, 44 and 45 of the Rancho San Justo, thence leaving the westerly line of said Gomes property

SOUTH 66° 58' East 1182.29 feet, thence

SOUTH 89° 15' East 1183.87 feet to a point on the easterly line of Homestead Lot 45 which bears North 2° 10' 30" East 164.20 feet from the northwesterly corner of that certain 10.00 acre parcel conveyed to Clifton J. Mota and wife by Deed recorded December 2, 1969 in Vol. 351 of Official Records at page 167, San Benito County Records, thence along the easterly line of said Lot 45

SOUTH 2° 10' 30" West 592.60 feet to the southwesterly corner of said Mota property, thence along the southerly line of said Mota property

SOUTH 89° 47' 20" East 1024.75 feet to the southeasterly corner thereof, thence along the easterly line of the Mota property and the easterly line of that certain parcel of land conveyed to James Garland Dommert and others by Deed recorded December 2, 1969 in Volume 352 of Official Records at page 436

NORTH 0° 12' 40" East 606.95 feet to the beginning of a curve, thence

ALONG a curve to the right having a radius of 500.00 feet through a central angle of 31° 31' 07" for a distance of 275.05 feet, thence

NORTH 31° 43' 47" East 80.57 feet to a point on the southerly line of Airline Highway (State Route 180) thence

ALONG a curve to the left with a radius of 2915.00 feet from a tangent which bears South 62° 10' 48" East through a central angle of 14° 47' 12" for a distance of 752.29 feet, thence

SOUTH 76° 58' East 9.56 feet, thence

SOUTH 13° 33' 34" West 50.00 feet, thence

SOUTH 13° 30' 58" East 101.12 feet, thence

SOUTH 59° 32' 15" East 256.33 feet, thence

NORTH 31° 45' 45" East 159.13 feet, thence

NORTH 13° 02' East 59.00 feet, thence

SOUTH 75° 26' 21" East 450.10 feet, thence

SOUTH 78° 06' 45" East 500.00 feet, thence

SOUTH 76° 32' 06" East 1194.88 feet, thence

SOUTH 78° 22' 52" East 405.07 feet, thence

SOUTH 8° 11' 12" West 59.21 feet, thence

SOUTH 30° 18' East 20.00 feet, thence

SOUTH 80° 53' 31" East 66.44 feet, thence

NORTH 35° 35' 04" East 77.96 feet, thence



ALONG a curve to the right with a radius of 2924.24 feet, which bears South  $76^{\circ} 13' 02''$  East through a central angle of  $16^{\circ} 06' 52''$  for a distance of 822.44 feet, thence

ALONG a curve to the right with a radius of 5680.00 feet from a tangent which bears South  $55^{\circ} 32' 37''$  East through a central angle of  $6^{\circ} 23' 40''$  for a distance of 633.47 feet, thence leaving the southerly line of Airline Highway

SOUTH  $0^{\circ} 17' 16''$  East 705.13 feet to a point on the southerly line of the above mentioned Section 7, thence along said Section line

SOUTH  $89^{\circ} 30'$  West 3990.39 feet to the point of beginning, and

CONTAINING THEREIN 340.00 acres of land, more or less.

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