

RESOLUTION NO. 94

A RESOLUTION OF APPLICATION BY SUNNYSLOPE COUNTY  
WATER DISTRICT REQUESTING THE LOCAL AGENCY  
FORMATION COMMISSION TO TAKE PRELIMINARY PRO-  
CEEDINGS FOR ANNEXATION OF TERRITORY TO THE  
DISTRICT

SUNNYSLOPE COUNTY WATER DISTRICT

ANNEXATION NO. 4 (1970-1)

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 Reorgani-  
zation 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 par-  
ticularly 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 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 56074 of the Government Code,  
a part of the District Reorganization Act of 1965, and a descrip-  
tion of the exterior boundaries of the Territory is set forth in  
said Exhibit "A";

WHEREAS, it is desired to provide that the proposed annexa-  
tion be subject to certain terms and conditions, as follows:

1. 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 deter-  
minable amount of money, either as a lump sum or in install-  
ments, 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.

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 it is hereby, adopted and approved by the Board of Directors of the 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 District Reorganization Act of 1965.

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 particularly described in said 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 furnishing and distribution of water, and has a system and works for the providing of 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 water services and there is no immediate prospect that any other agency will be able to furnish such services within the reasonably foreseeable future.

4. That the Local Agency Formation Commission is hereby requested to approve the proposed 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 said District Reorganization Act.

5. That all of the owners of lands within the Territory pro-

posed to be annexed have filed a written consent to the annexation of said Territory without notice or 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 56261 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 of the owners of all of the lands 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 11th day of June, 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

  
Secretary of Sunnyslope County  
Water District

APPROVED:

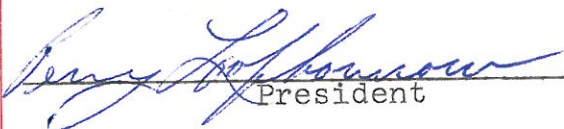
  
President

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  $88^{\circ} 46' 50''$  East 1155.00 feet to the intersection thereof with the easterly line of said Homestead Lot 43 at a point distant thereon South  $1^{\circ} 15'$  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  $1^{\circ} 15'$  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-119 E), thence along said northeasterly line

NORTH  $54^{\circ} 18'$  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  $54^{\circ} 18'$  West, having a radius of 4250.00 feet, and a central angle of  $19^{\circ} 04' 25''$  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  $54^{\circ} 45' 40''$  East 38.31 feet, thence

ALONG a tangent curve to the left having a radius of 500.00 feet and a central angle of  $52^{\circ} 30'$  for a distance of 458.15 feet, thence

NORTH  $2^{\circ} 15' 40''$  East 21.47 feet to the point of beginning, and

CONTAINING THEREIN 34.8 acres of land, more or less.