

RESOLUTION NO. 2010-03

**RESOLUTION OF THE UKIAH VALLEY SANITATION DISTRICT BOARD OF DIRECTORS
ORDERING THE FORMATION OF THE GARDENS GATE UNIT ONE SEWER ZONE WITHIN
THE UKIAH VALLEY SANITATION DISTRICT**

WHEREAS, the Ukiah Valley Sanitation District Board of Directors (District Board) adopted Resolution 2010-02 on the 21st day of January 21, 2010 declaring its intention to form a sewer zone within the Ukiah Valley Sanitation District (the District) to be known as the Garden's Gate Unit One Sewer Zone for the reasons and purposes stated in said resolution; and

WHEREAS, a Notice of Public Hearing to receive and pass upon all protests, objections and support whether written or verbal was published in the local newspaper of general circulation within the District and the County of Mendocino in accordance with the provisions of Section 4853 of the Health and Safety Code of the State of California and the District Manager/Clerk has provided adequate proof of said publication; and

WHEREAS, the District Board conducted the public hearing on February 10, 2010 beginning at 5:30 pm or soon thereafter as stated in said Notice of Public Hearing; and

WHEREAS, the District Board, after receiving and considering all written and verbal protests and objections against and support for the formation of the sewer zone to be known as the Gardens Gate Unit One Sewer Zone as it is shown in Exhibit "A" (Sewer Zone) attached hereto, declares that it finds (1) that the parcels within the proposed Sewer Zone will be exclusively benefitted by the operation, maintenance, and repair of a temporary sewer lift station, (2) the operation, maintenance, and repair of said lift station will create additional expenses beyond the normal expenses of the District associated with providing sewer service to its rate payers and (3) that the public interest and necessity demands its creation so as the said additional expenses will not be borne by District rate payers who do not benefit from the lift station.

NOW, THEREFORE, BE IT RESOLVED, that the District Board orders the formation of the Gardens Gate Unit One Sewer Zone as the zone is shown in Exhibit "A" and the District Manager is directed to file in the Office of the County Assessor a copy of this Resolution. The Boundaries of the Gardens Gate Unit One Sewer Zone are to encompass the four proposed parcels of Gardens Gate Subdivision Unit One and the parcel designated as Assessor's Parcel Number 184-033-014.

The foregoing Resolution was introduced by Chair Paulin followed by a motion to adopt the Resolution from Director Pallesen and seconded by Director Ronco; motion carried this 10th day of February, 2010, by the following roll call vote:

AYES: Directors

NOES: None

ABSTAIN: None

ABSENT: None

WHEREUPON, the Chair declared said Resolution **ADOPTED and SO ORDERED**.



CLIFFORD PAULIN, Chair
Ukiah Valley Sanitation District

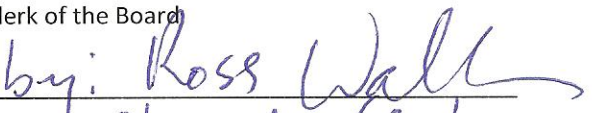
APPROVED AS TO FORM
ROSS WALKER
District Legal Counsel



ATTEST:

RICK KENNEDY

Clerk of the Board



Alternate Clerk