

RESOLUTION NO. 97-1

A RESOLUTION OF APPLICATION
BY THE UKIAH VALLEY SANITATION DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO
TAKE PROCEEDINGS FOR THE
ANNEXATION OF THE AGWOOD PROPERTY
AND ADOPTION OF A NEGATIVE DECLARATION

RESOLVED, by the Board of Directors of the Ukiah Valley Sanitation District, that

WHEREAS, the Ukiah Valley Sanitation District desires to initiate proceedings pursuant to the Local Government Reorganization Act of 1985, commencing with Section 56000 of the California Government Code, for the Agwood Annexation; and

WHEREAS, notice of intent to adopt this resolution of application has been given to each interested and each subject agency; and

WHEREAS, the territory proposed to be annexed is largely uninhabited and a description of the boundaries of the territory is set forth in the legal description as shown in Exhibit "A" and map as shown in Exhibit "B" attached hereto and by this reference incorporated herein; and

WHEREAS, this proposal will be consistent with the sphere of influence of the affected district as proposed by LAFCO; and

WHEREAS, a Plan for Services is established as set forth in Exhibit "C" attached hereto and by this reference incorporated herein.

WHEREAS, the reason for the proposed annexation is to provide sewer service to a property which is a logical service area for the Ukiah Valley Sanitation District; and

WHEREAS, the Board certifies that full consideration has been given to potential environmental impacts and that a Negative Declaration has been adopted and included as part of Lafco File # _____ and hereby referenced as part of this resolution. See Notice of Determination as shown in Exhibit "D" attached hereto and by this reference incorporated herein.

NOW, THEREFORE, this Resolution of Application is hereby adopted and approved by the Board of Directors of the Ukiah Valley Sanitation District, and the Local Agency Formation Commission of Mendocino County is hereby requested to take proceedings for the Agwood Annexation as described in Exhibit "A" and Exhibit "B", according to the terms and conditions stated above and in the manner provided by the Local Government Reorganization Act of 1985.

FURTHER BE IT RESOLVED that after hearing and considering all written and oral testimony on the issue of the environmental impact of the Agwood Annexation, the Board of Directors of the Ukiah Valley Sanitation District adopt a Negative Declaration on said project based upon the following findings of fact:

1. Said project DOES NOT have the potential to substantially degrade the quality of the environment.

2. Said project WILL NOT promote short term environmental goals to the disadvantage of long term environmental goals.
3. Said project DOES NOT have possible environmental effects which are individually limited but cumulatively considered.
4. The environmental effects of said project WILL NOT cause substantial adverse effects on human beings, either directly or indirectly.

The above and foregoing resolution was introduced by Board Member Shoemaker who moved for its adoption, seconded by Board Member Malone, and PASSED AND ADOPTED this April 16, 1997 by the following roll call vote:

AYES: Directors Shoemaker, Malone, and Delbar

NOTES: None

ABSENT: None

WHEREUPON, the Chairman declared said resolution passed and adopted and SO ORDERED.



CHAIRMAN URIAH VALLEY SANITATION

DISTRICT

ATTEST:

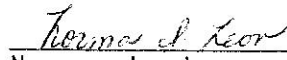

Norma I. Leon, Secretary

EXHIBIT "A"

The land herein referred to is situated in the State of California, County of Mendocino, more particularly described as follows:

TRACT ONE:

COMMENCING at an iron pin in the West side of the Northwestern Pacific Railroad right of way and marking the Northeast corner of the property now or formerly owned by the Mendocino Grape Growers, Inc., running thence South 87°44' East, 100 feet to the Easterly side of the said Northwestern Pacific Railroad right of way; thence South 2°16' West and along the Easterly side of the said right of way 440.00 feet; thence North 87°08' East, 48 feet to the POINT OF BEGINNING; thence North 87°08' East, 1368.89 feet; thence South 2°16' West, 370 feet; thence South 88°45' East to the lands now or formerly owned by Edward V. Prati, as described in that certain deed recorded in Liber 176, at page 298, of Official Records of the County of Mendocino, State of California; thence Southeasterly and along the Westerly boundary of said Prati lands to the Southerly boundary of the lands of E. P. Sailor, as described in the deed recorded in Liber 240 of Official Records, page 220, Mendocino County Records; thence North 88°45' West and along the Southerly boundary of the lands of Sailor to a point from which the point of beginning bears North 2°16' East; thence North 2°16' East to the point of beginning.

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EXCEPTING therefrom the following:

1st: That portion conveyed by deed executed by John Drivell, et ux, to George P. Nicolos, et ux, dated August 23, 1954, recorded August 23, 1954 in Volume 378 of Official Records, Page 26, Mendocino County Records.

2nd: All that certain real property contained in the deed from Rita Drivell to Kunzler Ranch, a partnership dated April 18, 1985 in Book 1506 of Official Records, Page 414, Mendocino County Records.

TRACT TWO:

That certain real property contained in the deed from Kunzler Ranch, a partnership to Rita Drivell dated May 15, 1985 in Book 1506 of Official Records, Page 416, Mendocino County Records.

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This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Walter M. Haydon
Walter M. Haydon L.S. 4873
My License Expires 9-30-96

11/22/96
Date



EXHIBIT C

PLAN FOR SERVICES

Sewer Service: Providing sanitary sewer service to the Agwood Annexation will require the construction of a sanitary sewer connection to an existing main. The new service will connect to the existing 6" main approximately 600 feet north of the property. The developer shall pay all costs including, but not limited to, design, installation and inspection costs required to construct the connection to the specifications and approval of the Ukiah Valley Sanitation District. Sewer connection fees shall be paid to the district at such time as required by County or the District. Sewer service fees will be collected on a monthly basis upon connection.

Availability of Service:

Sewer: The district has excess sewer capacity that it wishes to use to generate additional revenue at this time and will therefore provide sewer service to the annexed property after annexation is approved and applicant constructs the additional sewer lines required to service the property. The annexation of the Agwood property on Hollow Tree Road was approved by the Ukiah Valley Sanitation District Board of Directors on April 16, 1997.

Current status of Ukiah Valley Sanitation District: The Ukiah Valley Sanitation District has adequate reserve capacity to service this project.

Benefits to District of Annexation: Annexation at this time will:

- 1) allow the district to increase the income from its sewer operations,
- 2) provide an additional tax basis for the generation of income,
- 3) allow the district to serve an area not now served by another district, and which is surrounded by properties within the district and which is a natural extension of Ukiah Valley Sanitation District service area.

Benefits to Applicant: Annexation at this time will:

- 1) allow applicants' parcel to be served with sewer, rather than less efficient or environmentally compatible systems,
- 2) bring the subject property into a district which is adjacent to the subject parcel,
- 3) provide sewer service to a parcel that would not otherwise be serviced by another district or agency.

EXHIBIT D

NOTICE OF DETERMINATION

TO: Mendocino County Clerk

FROM: Ukiah Valley Sanitation District

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: Agwood Annexation

Project Location: 1/2 mile east of the intersection of North State Street (CR 104) and Orr Springs Road (CR 223).

Project Description: Annexation of 13.66 acres of property for the purpose of providing sewer service.

This is to advise that the UKIAH VALLEY SANITATION DISTRICT has approved the above described project on 4/16/97 and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were not made a condition of this project approval.
4. No statement of Overriding Consideration was required for this project.

This is to certify that an Environmental Analysis and record of this project approval is available to the General Public at the Ukiah Valley Sanitation District Office - 300 Seminary Drive, Ukiah, California.

Date: 4/17/97

Thomas J. Leon

Clerk, Ukiah Valley Sanitation District