

RESOLUTION 8426

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA CONSENTING TO THE
ANNEXATION OF SIXTIETH FRINGE AREA
UPON CONCURRENT ANNEXATION TO EASTERN
MUNICIPAL WATER DISTRICT
AND FIXING THE TERMS AND CONDITIONS OF SAID
ANNEXATION TO THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA

A. WHEREAS, the Board of Directors of Eastern Municipal Water District (Eastern), a municipal water district, situated in the County of Riverside, State of California, pursuant to Resolution No. 3045 adopted September 15, 1993, in accordance with the provisions of the Metropolitan Water District Act, has applied to the Board of Directors of The Metropolitan Water District of Southern California (Metropolitan) for consent to annex thereto certain uninhabited territory situated in the County of Riverside, particularly described in an attachment to Riverside Local Agency Formation Commission resolution adopted August 26, 1993, (hereinafter referred to as Sixtieth Fringe Area), concurrently with the annexation thereof to Eastern, such annexation to Metropolitan to be upon such terms and conditions as may be fixed by the Board of Directors of Metropolitan; and

B. WHEREAS, on August 26, 1993, the Riverside Local Agency Formation Commission approved the proposed annexation; and

C. WHEREAS, the Board of Directors of Metropolitan has considered the information contained in the Negative Declaration in relation to the proposed Sixtieth Fringe Area Annexation; and

D. WHEREAS, it appears to this Board of Directors that such application should be granted, subject to the terms and conditions hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Metropolitan considered the information in the Negative Declaration; and subject to the following terms and conditions, does hereby grant the application of the governing body of Eastern for consent to annex Sixtieth Fringe Area to Metropolitan and does hereby fix the terms and conditions of such annexation:

Section 1. The annexation of said area to Eastern shall be made concurrently with the annexation thereof to Metropolitan, and all necessary certificates, statements, maps, and other documents required to be filed by or on behalf of Eastern to effectuate the annexation shall be filed as required by law, on or before December 31, 1994.

Section 2. Prior to filing a request for a certificate of completion of the annexation proceedings with the Riverside Local Agency Formation Commission, Eastern shall pay to Metropolitan, in cash, the sum of \$730,951.84 if the annexation will be completed by December 31, 1993. If the completion occurs during the 1994 calendar year, the then current per-acre rate shall be utilized in the annexation charge calculation.

Section 3.

a. Metropolitan shall be under no obligation to provide, construct, operate, or maintain feeder pipelines structures, connections, and other facilities required for the delivery of water to said area from works owned or operated by Metropolitan.

b. Eastern shall not be entitled to demand that Metropolitan deliver water to Eastern for use, directly or indirectly, within said area, any Metropolitan water, except for domestic or municipal use therein.

c. The delivery of all water by Metropolitan, regardless of the nature and time of use of such water, shall be subject to regulations promulgated from time to time by Metropolitan.

d. Except upon the terms and conditions specifically approved by the Board of Directors of Metropolitan, water sold and delivered by Metropolitan shall not be used in any manner which intentionally or avoidably results in the direct or indirect benefit of areas outside Metropolitan, including use of such water outside Metropolitan or use thereof within Metropolitan in substitution for other water used outside Metropolitan.

E. BE IT FURTHER RESOLVED that the Executive Secretary be, and she hereby is, directed to transmit forthwith to the governing body of Eastern a certified copy of this resolution.

I HEREBY CERTIFY, that the foregoing resolution was adopted by the Board of Directors of The Metropolitan Water District of Southern California on November 9, 1993.

Secretary Pro Tem
of the Board of Directors
of The Metropolitan Water District
of Southern California