

RESOLUTION 8458

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA CONSENTING TO
ANNEXATION NO. 38
UPON CONCURRENT ANNEXATION
TO CALLEGUAS 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 Calleguas Municipal Water District, a municipal water district, situated in the County of Ventura, State of California, pursuant to Resolution No. 967 adopted August 3, 1994, 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 Ventura, particularly described in an attachment to the Ventura Local Agency Formation Commission resolution adopted July 20, 1994, concurrently with the annexation thereof to Calleguas, 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 July 20, 1994, the Ventura Local Agency Formation Commission approved the proposed annexation, by Resolution No. 94-5; and

C. WHEREAS, the Board of Directors of Metropolitan has considered the information contained in the Environmental Documentation in relation to proposed Annexation No. 38; and

D. WHEREAS, the Board of Directors of Metropolitan has made the finding that the changes or alterations to the project to avoid or substantially lessen the significant environmental effects are within the responsibility and jurisdiction of another public agency; and

E. 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 Environmental Documentation; and subject to the following terms and conditions, does hereby grant the application of the governing body of Calleguas for consent to annex Annexation No. 38 to Metropolitan and does hereby fix the terms and conditions of such annexation:

Section 1. The annexation of said area to Calleguas 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 Calleguas to effectuate the annexation shall be filed on or before December 31, 1995.

Section 2. Prior to filing a request for a certificate of completion of the annexation proceedings with the Ventura Local Agency Formation Commission, Calleguas shall pay to Metropolitan, in cash the sum of \$514,121.60 if the annexation will be completed by December 31, 1994. If the completion occurs during the 1995 calendar year, the then current 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.

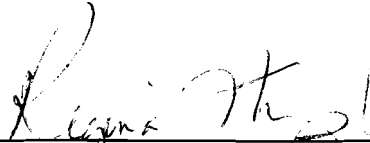
b. Calleguas shall not be entitled to demand that Metropolitan deliver water to Calleguas for use, directly or indirectly, within said area, any Metropolitan water, except for domestic or municipal use therein.

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 outside Metropolitan.

F. BE IT FURTHER RESOLVED that the Executive Secretary be, and she hereby is, directed to transmit forthwith to the governing body of Calleguas 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 October 11, 1994.



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