APPROVED

By the Board of Directors of The Metropolitan Water District of Southern California at its meeting held

8-8



APR 1 1 1995

March 15, 1995

EXECUTIVE SECRETAR

To:

Board of Directors (Water Problems Committee -- Action)

From:

General Manager

Subject:

Formal Approval of Concurrent Annexation of the Thirty-Fifth Fringe Area to Western Municipal Water District and The Metropolitan Water District of Southern California

Report

The Western Municipal Water District (Western) Board of Directors has requested consent to annex certain territory designated as the Thirty-Fifth Fringe Area to The Metropolitan Water District of Southern California (Metropolitan) concurrently with the annexation of said area to Western. The subject annexation area is shown tinted red on the attached map. The annexation area comprises a gross area of 53.59 acres of which 1.06 acres are located within public streets leaving a net area of 52.53 acres. The request to annex the uninhabited territory was made to Metropolitan by Western's Resolution No. 1904 (copy attached) which was adopted by Western's Board on January 18, 1995.

Metropolitan's Board at its October 12, 1993 meeting, granted informal approval to this annexation. The property owner, land use and other information pertaining to the proposed annexation area is shown on "Attachment A".

On October 27, 1994, the Riverside Local Agency Formation Commission (LAFCO) approved this annexation by their Resolution No. 36-94, a copy of which is attached.

The annexation charge has been calculated pursuant to Section 3300 of Metropolitan's Administrative Code. Utilizing the \$2,349 per acre rate and the sum of \$3,000.00 for processing costs, the annexation charge amount is \$126,392.97, if completed by December 31, 1995. The \$3,000 processing charge which was already paid, was utilized because this annexation request was made prior to the increase of the processing charge to \$5,000. If the annexation is completed after December 31, 1995, the annexation charge will be based on the then current rate.

Pursuant to the provisions of the California Environmental Quality Act (CEQA), Western, acting as Lead Agency, has prepared and certified a Negative Declaration for the project. Your Board and its advisory committees are required to consider the information contained in the attached Negative Declaration and Notice of Determination prior to reaching a decision on the proposed action. Your Board is required to find that changes or alterations to the project, to avoid or minimize environmental effects, are within the responsibility and jurisdiction of another public agency. Such changes have been adopted by such other agency or can and should be adopted by such other agency. No further environmental documentation is necessary for your Board to act on this project.

Transmitted herewith is a form of resolution fixing the terms and conditions for the annexation, including payment in cash of \$126,392.97 if completed by December 31, 1995, or the then current rate if completed during the 1996 calendar year. The resolution includes Metropolitan's standard provisions.

Recommendation

It is recommended that your Board and any committees acting upon this request: (1) certify that they have considered the information contained in the Negative Declaration and Notice of Determination prior to reaching a decision on the project; (2) find 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 (3) adopt the transmitted resolution granting Western's request for consent to the concurrent annexation of the Thirty-Fifth Fringe Area to

Western and Metropolitan, and fixing Metropolitan's terms and conditions for the annexation, including a cash payment of \$126,392.97 if completed by December 31, 1995, or at the then current rate if completed during the 1996 calendar year.

John R. Wodraska General Manager

Submitted by:

Gary M. Snyder Chief Engineer

Concur:

John R. Wodraska General Manager

GWW\W35Form\wmelB35

RESOLUTION 8471

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA CONSENTING TO
THE ANNEXATION OF THIRTY-FIFTH FRINGE AREA
UPON CONCURRENT ANNEXATION
TO WESTERN 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 Western Municipal Water District, a municipal water district, situated in the County of Riverside, State of California, pursuant to Resolution No. 1904 adopted January 18, 1995, 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 the Riverside Local Agency Formation Commission resolution adopted October 27, 1994, concurrently with the annexation thereof to Western, 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 October 27, 1994, the Riverside Local Agency Formation Commission approved the proposed annexation, by Resolution No. 36-94; and
- C. WHEREAS, the Board of Directors of Metropolitan has considered the information contained in the Negative Declaration and Notice of Determination in relation to the proposed Thirty-Fifth Fringe Area Annexation; and
- D. WHEREAS, the Board of Directors of Metropolitan has made the finding that the changes or alternations to the project to avoid or substantially lessen the significant enviornmental 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 Negative Declaration and Notice of Determination; and subject to the following terms and conditions, does hereby grant the

application of the governing body of Western for consent to annex the Thirty-Fifth Fringe Area to Metropolitan and does hereby fix the terms and conditions of such annexation:

- Section 1. The annexation of said area to Western 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 Western to effectuate the annexation shall be filed on or before December 31, 1996.
- Section 2. Prior to filing a request for a Certificate of Completion of the annexation proceedings with the Riverside Local Agency Formation Commission, Western shall pay to Metropolitan, in cash the sum of \$126,392.97 if the annexation will be completed by December 31, 1995. If the completion occurs during the 1996 calendar year, the then current rate shall be utilized in the annexation charge calculation.

Section 3.

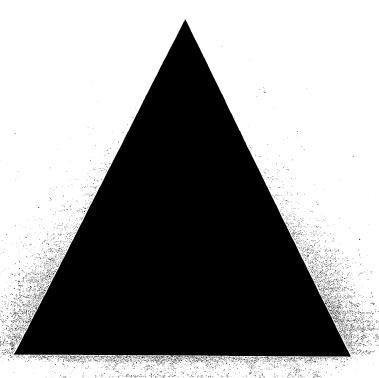
- a. Metropolitan shall be under no obligation to provide, construct, operate, or maintain feeder pipelines, structures, connections, and other facilities required for the delivery of water to said area from works owned or operated by Metropolitan.
- b. Western shall not be entitled to demand that Metropolitan deliver water to Western for use, directly or indirectly, within said area, 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 Western a certified copy of this resolution.

I HEREBY CERTIFY, that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California at its meeting held April 11, 1995.

Executive Secretary
The Metropolitan Water District
of Southern California

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Local Agency Formation Commission

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RIVERSIDE
LOCAL AGENCY
FORMATION
COMMISSION
3403 TENTH STREET
SUITE 620
EVERSIDE CALIFORNIA

92501-3676

RESOLUTION NO. 36-94

APPROVING THE PROPOSED REORGANIZATION TO INCLUDE CONCURRENT
ANNEXATIONS TO ELSINORE VALLEY MUNICIPAL WATER DISTRICT,
WESTERN MUNICIPAL WATER DISTRICT AND THE
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

LAFCO NO. 94-12-1

BE IT RESOLVED AND DETERMINED by the Local Agency Formation Commission in regular session assembled on October 27, 1994, that the Reorganization to Include Concurrent Annexations to Elsinore Valley Municipal Water District, Western Municipal Water District and The Metropolitan Water District of Southern California, consisting of approximately 54 acres, generally located within the City of Murrieta, being northeasterly of Interstate 15, northwest of Nutmeg Street and southwest of Jackson Avenue, as more particularly described in Exhibit "A", attached hereto and made a part hereof, is approved.

BE IT FURTHER RESOLVED, DETERMINED AND FOUND that:

- 1. Commission proceedings were commenced by petition of Sunset Homes Loans.
- 2. This reorganization is proposed to revise and amend the boundaries of the Elsinore Valley and Western Municipal Water Districts and The Metropolitan Water District of Southern California, to provide domestic water, sewer and reclaimed water services.
 - 3. The distinctive short form designation of the

proposed reorganization is LAFCO No. 94-12-1, Reorganization to Include Concurrent Annexations to Elsinore Valley Municipal Water District, Western Municipal Water District and The Metropolitan Water District of Southern California.

- 4. Western Municipal Water District, as lead agency, filed a negative declaration and complied with the California Environmental Quality Act and all appropriate State Guidelines, and the Commission has reviewed and considered the environmental documentation.
- 5. The boundaries of the territory as set forth in Exhibit "A", attached hereto and incorporated herein by this reference, have been approved by the County Surveyor, and are approved.
- 6. The territory to be annexed is uninhabited, there being fewer than 12 registered voters residing therein.
- 7. The proposed reorganization is consistent with the sphere of influence of Western Municipal Water District and the spheres of influence of all other affected local agencies.
- 8. The Western Municipal Water District is designated conducting authority and authorized to proceed without notice, hearing or election.
- 9. The Executive Officer is directed to transmit a certified copy of this Resolution to the above-designated

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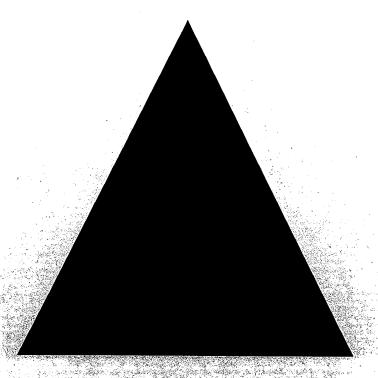
conducting authority, to the chief petitioners, if different from the conducting authority and to each subject agency.

PATRICIA A. LARSON, Chair

I certify the above resolution was passed and adopted by the Local Agency Formation Commission of Riverside County on October 27, 1994.

EXECUTIVE Officer

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RESOLUTION 1904

RESOLUTION OF THE BOARD OF DIRECTORS OF WESTERN MUNICIPAL WATER DISTRICT OF RIVERSIDE COUNTY MAKING APPLICATION TO THE BOARD OF DIRECTORS OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA FOR IMPOSITION OF FORMAL TERMS AND CONDITIONS FOR THE ANNEXATION OF CERTAIN TERRITORY TO WESTERN MUNICIPAL WATER DISTRICT OF RIVERSIDE COUNTY AND TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

WHEREAS, Western Municipal Water District of Riverside County (sometimes referred to herein as "Western") is duly organized and exists under and pursuant to the provisions of the Municipal Water District Law of 1911; and

WHEREAS, this Board of Directors by its Resolution 1861 enacted January 12, 1994, pursuant to Section 57000 of the Government Code of the State of California, initiated application for the annexation of certain territory to Western, said area being hereinafter designated as "Thirty-fifth Fringe Area"; and

WHEREAS, said territory, consisting of 54 acres, is now uninhabited in that less than 12 voters reside therein, is generally located within the city of Murrieta, being Northeasterly of Interstate 15, Northwest of Nutmeg Street and Southwest of Jackson Avenue, and,

WHEREAS, said territory lies contiguous to the boundaries of Western, Metropolitan Water District of Southern California, and Elsinore Valley Municipal Water District; and

WHEREAS, after consideration by the Local Agency Formation Commission of the County of Riverside of said application initiated by Western, said Commission on October 27, 1994 adopted its resolution approving said annexation without notice and hearing by Western, and transmitted to this District a certified copy of said resolution, a copy of which marked Exhibit "A" is attached hereto and incorporated herein by reference; and

WHEREAS, it is the desire of the Board of Directors of this District, in keeping with the Proceedings referred to above, to accomplish the annexation to Western of that territory designated as Thirty-fifth Fringe Area; NOW, THEREFORE, BE IT RESOLVED that this Board of Directors in the name of and on behalf of Western Municipal Water District of Riverside County apply, and it does hereby apply, to the Board of Directors of Metropolitan for consent to concurrently annex to Western and Metropolitan the said Thirty-fifth Fringe Area, pursuant to Section 372 of the Metropolitan Water District Act of 1969.

BE IT FURTHER RESOLVED that this Board request, and it does hereby request, the Board of Directors of Metropolitan to fix the terms and conditions upon which said annexation may be accomplished.

The territory herein referred to as Thirty-fifth Fringe Area is situated entirely within the County of Riverside, State of California; is uninhabited; and its exterior boundaries are described in Exhibit "A" attached hereto.

BE IT FURTHER RESOLVED that the Deputy Secretary of this District be hereby authorized and directed to transmit to the Board of Directors of Metropolitan a duly certified copy of this resolution.

ADOPTED this 18th day of January 1995.

ELITABETH L. CUNNISON
Secretary-Treasurer

January 18, 1995

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of Resolution 1904 adopted by the Board of Directors of Western Municipal Water District of Riverside County at its Regular Meeting held January 18, 1995.

DONALD L. HARRIGER
Deputy Secretary-Treasurer

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RIVERSIDE OCAL AGENCY FORMATION COMMISSION

County of Riverside

Local Agency Formation Commission

RESOLUTION NO. 36-94

APPROVING THE PROPOSED REORGANIZATION TO INCLUDE CONCURRENT ANNEXATIONS TO ELSINORE VALLEY MUNICIPAL WATER DISTRICT, WESTERN MUNICIPAL WATER DISTRICT AND THE THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

LAFCO NO. 94-12-1

BE IT RESOLVED AND DETERMINED by the Local Agency Formation Commission in regular session assembled on October 27, 1994, that the Reorganization to Include Concurrent Annexations to Elsinore Valley Municipal Water District, Western Municipal Water District and The Metropolitan Water District of Southern California, consisting of approximately 54 acres, generally located within the City of Murrieta, being northeasterly of Interstate 15, northwest of Nutmeg Street and southwest of Jackson Avenue, as more particularly described in Exhibit "A", attached hereto and made a part hereof, is approved.

BE IT FURTHER RESOLVED, DETERMINED AND FOUND that:

- Commission proceedings were commenced by petition 1. of Sunset Homes Loans.
- This reorganization is proposed to revise and amend the boundaries of the Elsinore Valley and Western Municipal Water Districts and The Metropolitan Water District of Southern California, to provide domestic water, sewer and reclaimed water services.
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- 4. Western Municipal Water District, as lead agency, filed a negative declaration and complied with the California Environmental Quality Act and all appropriate State Guidelines, and the Commission has reviewed and considered the environmental documentation.
- 5. The boundaries of the territory as set forth in Exhibit "A", attached hereto and incorporated herein by this reference, have been approved by the County Surveyor, and are approved.
- 6. The territory to be annexed is uninhabited, there being fewer than 12 registered voters residing therein.
- 7. The proposed reorganization is consistent with the sphere of influence of Western Municipal Water District and the spheres of influence of all other affected local agencies.
- 8. The Western Municipal Water District is designated conducting authority and authorized to proceed without notice, hearing or election.
- 9. The Executive Officer is directed to transmit a certified copy of this Resolution to the above-designated

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PATRICIA A. LARSON, Chair

I certify the above resolution was passed and adopted by the Local Agency Formation Commission of Riverside County on October 27, 1994.

GEORGE J SPILIOTIS Executive Officer

R94-005.001

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EXHIBIT "A"

REORGANIZATION TO INCLUDE CONCURRENT ANNEXATIONS TO ELSINORE VALLEY MUNICIPAL WATER DISTRICT, WESTERN MUNICIPAL WATER DISTRICT, AND THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA.

LAFCO NO. 94-12-1

THAT PORTION OF THE MURRIETA PORTION OF THE TEMECULA RANCHO, IN THE CITY OF MURRIETA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP OF TEMECULA LAND AND WATER COMPANY, AS PER MAP RECORDED IN BOOK 8, PAGE 359 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF JACKSON AVENUE AND ROBARDS WAY AS SHOWN BY TRACT NO. 23051 ON FILE IN BOOK 233, AT PAGES 3 THROUGH 7 OF MAPS, RECORDS OF RIVERSIDE COUNTY:

THENCE SOUTH 44° 23' 09" EAST ALONG THE CENTERLINE OF SAID JACKSON AVENUE, 10.00 FEET TO THE SOUTHEAST CORNER OF SAID TRACT NO. 23051, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 46° 00' 54" WEST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT NO 23051, A DISTANCE OF 2821.77 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LIE OF INTERSTATE ROUTE 15, AS SHOWN ON STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION MONUMENTATION MAP, ON FILE IN THE OFFICE OF THE RIVERSIDE COUNTY DEPARTMENT OF TRANSPORTATION AS MAP NO 204-998;

THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING ELEVEN (11) COURSES:

SOUTH 47° 13' 34" EAST, 776.21 FEET; SOUTH 73° 00' 12" EAST, 78.99 FEET; SOUTH 48° 33' 14" EAST, 37.77 FEET; NORTH 77° 42' 38" EAST, 33.41 FEET; SOUTH 49° 07' 46" EAST, 19.99 FEET; SOUTH 7° 35' 15" EAST, 42.74 FEET; SOUTH 47° 48' 23" EAST, 268.29 FEET; SOUTH 84° 21' 56" EAST, 45.26 FEET; SOUTH 19° 54' 45" EAST, 80.28 FEET; SOUTH 44° 01' 42" EAST, 143.59 FEET; SOUTH 53° 47' 12" EAST, 92.74 FEET,

THENCE LEAVING SAID RIGHT-OF-WAY, NORTH 46° 00' 54" EAST, ALONG A PROLONGATION OF THE CENTERLINE OF NUTMEG STREET, AS SHOWN BY PARCEL MAP 20839 ON FILE IN BOOK 136, PAGES 57 THROUGH 75 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, A DISTANCE OF 42.10 FEET TO AN ANGLE POINT ON THE SOUTH-WESTERLY LINE OF LOT 7 OF TRACT NO. 20841-4 AS SHOWN BY MAP ON FILE IN BOOK 194, PAGES 84 THROUGH 86, OF MAPS, RECORDS OF RIVERSIDE COUNTY.

THENCE NORTH 44° 23' 09" WEST ALONG THE SOUTHWESTERLY LINE OF SAID TRACT NO. 20841-4 AND TRACT NO. 20841 AS SHOWN BY MAP ON FILE IN BOOK 218, PAGES 28 THROUGH 30, OF MAPS, RECORDS OF RIVERSIDE COUNTY, A DISTANCE OF 990.14 FEET TO THE NORTHWEST CORNER OF SAID TRACT NO. 20841:

THENCE NORTH 46° 00' 54" EAST ALONG THE NORTHEASTERLY LINE OF SAID TRACT NO 20841 AND THE NORTHEASTERLY LINE OF TRACT NO. 21987, AS SHOWN BY MAP ON FILE IN BOOK 194, PAGES 72 THROUGH 74 OF MAPS, RECORDS OF RIVERSIDE COUNTY A DISTANCE OF 1350.04 FEET, TO THE NORTHEAST CORNER OF SAID TRACT NO.

THENCE SOUTH 44° 23' 09' EAST ALONG THE NORTHEASTERLY LINE OF SAID TRACT NO. 21987 AND TRACT NO. 21987-1 AS SHOWN BY MAP ON FILE IN BOOK 194. PAGES 18 THROUGH 20 OF MAPS, RECORDS OF RIVERSIDE COUNTY, A DISTANCE OF 990.14 FEET TO THE SOUTHEASTERLY CORNER OF SAID TRACT NO. 21987-1, ALSO BEING A POINT ON THE PROLONGATION OF THE CENTERLINE OF NUTMEG STREET PER SAID PARCEL MAP 20839;

THENCE NORTH 46° 00' 54" EAST ALONG THE PROLONGATION, AND THE CENTERLINE OF SAID NUTMEG STREET, A DISTANCE OF 660.07 FEET;

THENCE LEAVING SAID CENTERLINE OF NUTMEG STREET, NORTH 44° 23' 09" WEST, PARALLEL WITH THE CENTERLINE OF SAID JACKSON AVENUE, A DISTANCE OF 990.14 FEET:

THENCE NORTH 46° 00" 54" EAST, 660,07 FEET TO A POINT ON THE CENTERLINE OF SAID JACKSON AVENUE,

THENCE NORTH 44° 23' 09" WEST, ALONG THE CENTERLINE OF SAID JACKSON AVENUE, 573.90 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 53.59 ACRES, MORE OR LESS.

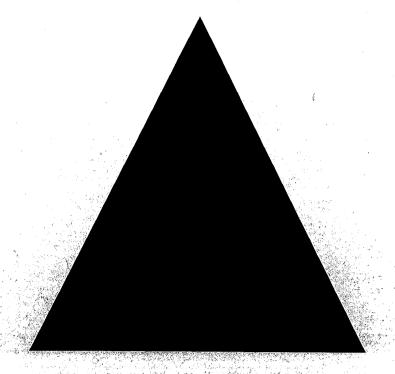
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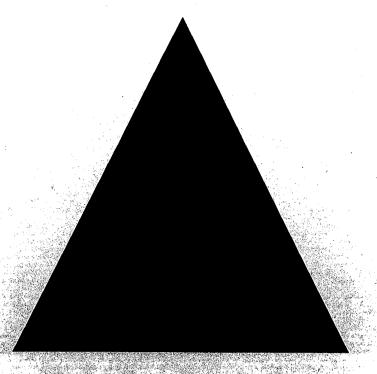


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