

● **Board of Directors**
Executive Committee

December 14, 1999 Board Meeting

8-2

Subject

Cash Payment of Portion of Outstanding Annexation Fees for Fourteenth Fringe Area Annexation to Eastern Municipal Water District

Description

Resolution 7013, consenting to annexation of the Fourteenth Fringe Area upon concurrent annexation of such area to Eastern Municipal Water District (Eastern) and fixing the terms and conditions of annexation, was adopted by the Board on September 12, 1967. The Fourteenth Fringe Area, consisting of a net area of 26,540 acres charged the then-current annexation rate (plus 6049.77 acres for Metropolitan's Lake Skinner reservoir site totaling a gross area of 32,589.77 acres), was concurrently annexed to Metropolitan and to Eastern on October 23, 1967. Resolution 7013 fixes the annexation charge at \$5,310,000 (with interest on the unpaid balance at 4 percent per annum) and provides that this charge shall be raised through the levy of special taxes.

Metropolitan's annexation fees for the Fourteenth Fringe Area have been collected through the levy of special taxes annually since fiscal year 1968-69. The tax rate approved by the Board to be levied in this tax rate area for fiscal year 1999-2000 is the maximum tax rate of .1964 percent, consisting of the basic tax levy of .0089 percent plus .1875 percent to provide for the payment of annexation fees. To date, special taxes levied in the Fourteenth Fringe Area have provided \$12.9 million toward the payment of annexation fees and interest thereon, and approximately \$1.1 million remains to be collected. At current assessed valuation, Metropolitan expects to collect approximately \$1,166,933 in annexation levies in 1999-2000. Staff calculates that, assuming no changes in assessed valuation or tax rate, the annexation fees should be paid in full in about one year.

Metropolitan has received a request from Development Planning & Financing Group, on behalf of a developer, to pay in cash the outstanding annexation fees on 107.1 acres within the Fourteenth Fringe Area. These 107.1 acres are identified on Schedule 1 to the attached resolution. This payment by the developer would remove Metropolitan's special taxes for annexation fees from the tax rolls after this fiscal year, reducing the future tax burden on this property. Prorating the outstanding annexation fees according to the assessed valuation, the amount attributable to the 107.1 acres is \$12,897.13 prior to June 30, 2000.

Staff recommends that the board agree to accept \$12,897.13 prior to June 30, 2000, as payment in full of outstanding annexation fees on the 107.1 acres identified in **Attachment 2**. This requires approval of the resolution attached as **Attachment 1** to (1) revise the payment provisions established under Resolution 7013, which states that annexation fees will be raised through the levy of special taxes, to permit a one-time cash payment of the outstanding balance of annexation charges allocable to the 107.1 acres, and (2) authorize the creation of a separate tax rate area for this property, so that Metropolitan may levy property taxes at a rate different from the property tax rate for the remainder of the Fourteenth Fringe Area (which will still be responsible for amortization of annexation fees).

Policy

Resolution 7013, consenting to annexation of the Fourteenth Fringe Area upon concurrent annexation of such area to Eastern and fixing the terms and conditions of annexation, was adopted by the Board on September 12, 1967. Resolution 7013 provides that the annexation charge shall be raised through the levy by Metropolitan of special taxes.

Board Options/Fiscal Impacts

Option #1

Adopt resolution to accept \$12,897.13 prior to June 30, 2000, as payment in full of outstanding annexation fees on the 107.1 acres identified in [Attachment 2](#).

Fiscal Impact: Cash payment of annexation fees

Option #2

Decline and continue the collection of the fees over the remainder of the agreement - will affect the development plans for the annexation area.

Fiscal Impact: Revenue from water sales deferred on future development until full annexation payment to Metropolitan.

Staff Recommendation

Option #1


General Counsel

11/19/99
Date

[Attachment 1-Resolution](#)

[Attachment 2-Schedule 1 to Resolution](#)

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

RESOLUTION _____

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA
AMENDING RESOLUTION 7013 AND
AUTHORIZING THE CREATION OF SEPARATE
TAX RATE AREAS**

WHEREAS, by Resolution 7013, adopted at its meeting held September 12, 1967, the Board of Directors (Board) of The Metropolitan Water District of Southern California (Metropolitan) consented to the annexation to Metropolitan of the Fourteenth Fringe Area, upon the concurrent annexation of such area to Eastern Municipal Water District, and fixed the terms and conditions of such annexation to Metropolitan;

WHEREAS, annexation of the Fourteenth Fringe Area to Metropolitan was completed effective October 23, 1967;

WHEREAS, Resolution 7013 establishes the charge for annexation of the Fourteenth Fringe Area into Metropolitan at \$5,310,000, and provides that such charge (together with interest on the unpaid balance thereof) shall be raised by special taxes levied by Metropolitan, commencing with fiscal year 1968-69;

WHEREAS, Metropolitan has levied special taxes for the payment of annexation charges (and interest thereon) annually since fiscal year 1968-69, and a portion of such charges in the amount of \$1.1 million is still outstanding;

WHEREAS, the owners of the properties within the Fourteenth Fringe Area identified in Schedule 1, consisting of 107.1 acres, have offered to pay the portion of the remaining annexation charges attributable to such 107.1 acres in cash;

WHEREAS, the portion of outstanding annexation fees for the Fourteenth Fringe Area which is allocable to the 107.1 acres, determined according to the 1999-2000 assessed valuation of the 107.1 acres over the 1999-2000 assessed valuation of the entire Fourteenth Fringe Area, is \$12,897.13.

NOW THEREFORE, the Board of Directors of The Metropolitan Water District of Southern California does hereby resolve, determine and order as follows:

Section 1. That the Board of Directors of Metropolitan finds that it is in the best interests of Metropolitan to permit an option for the cash payment of certain annexation charges previously designated by this Board to be raised through the levying by Metropolitan of special taxes.

Section 2. That notwithstanding the provisions of Section 2 of Resolution 7013, such portion of annexation charges established by Section 2(a) of said Resolution 7013 still outstanding which are allocable to the property identified on Schedule 1 attached hereto, consisting of 107.1 acres, may be paid by the owner thereof, in cash.

Section 3. That the amount allocable to such property shall be determined by dividing the 1999-2000 assessed valuation of the Fourteenth Fringe Area by the 1999-2000 assessed valuation of the property identified on Schedule 1, both as determined by the County Assessor of the County of Riverside, and applying such percentage to the outstanding balance of annexation charges for the Fourteenth Fringe Area.

Section 4. That the amount of annexation charges allocable to the property identified on Schedule 1, determined as provided in Section 3 above, is \$12,897.13.

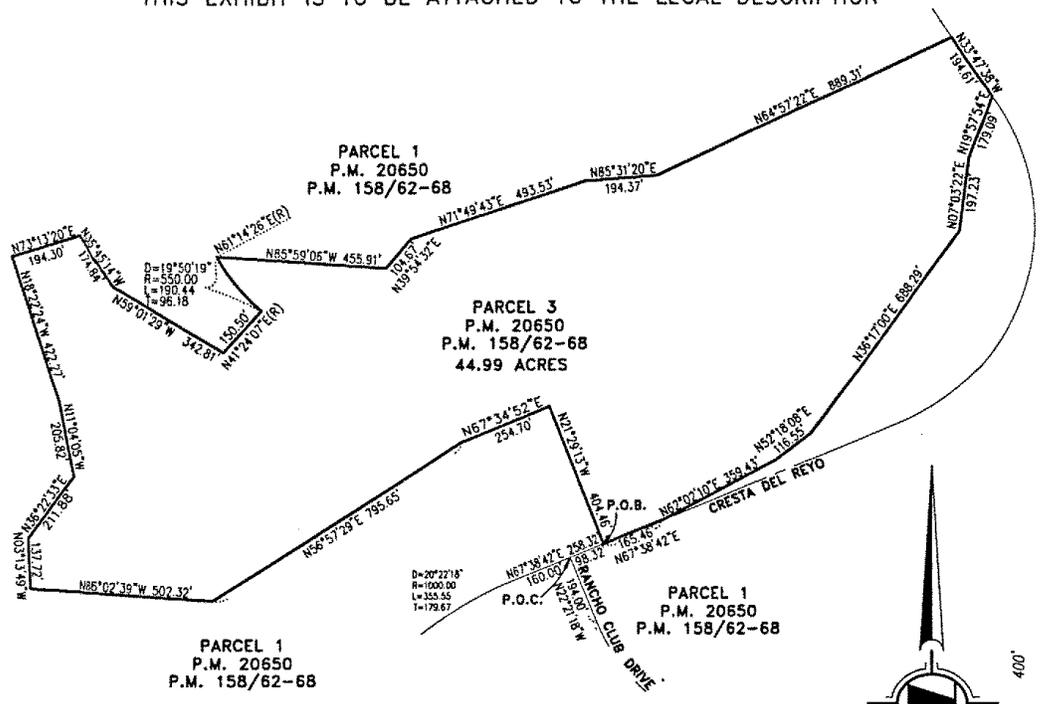
Section 5. That upon payment to Metropolitan of \$12,897.13 by or on behalf of the owner of the property identified in Schedule 1, such property shall, for fiscal year 2000-2001 and all subsequent fiscal years, no longer be levied Metropolitan special taxes for the purpose of paying the annexation charges fixed in Resolution 7013.

Section 6. That this Board hereby authorizes the filing with the California State Board of Equalization a statement of boundary change and any necessary supporting documents required for the establishment of a new tax rate area within the Fourteenth Fringe Area, following the payment authorized pursuant to this Resolution, to effect the provisions of Section 5 above.

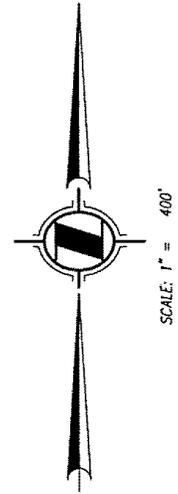
I HEREBY CERTIFY that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California, at its meeting held on December 14, 1999.

Executive Secretary
The Metropolitan Water District
of Southern California

SEC.13, T7S, R3W, SBB&M **EXHIBIT "B"** SHEET 1 OF 1
 THIS EXHIBIT IS TO BE ATTACHED TO THE LEGAL DESCRIPTION



REVIEWED BY THE
 METROPOLITAN WATER DISTRICT
 OF SOUTHERN CALIFORNIA
 R/W & TITLE ENGINEERING
 DATE: 10-28-1999



Matthew W. Busch 10/20/99
 MATTHEW W. BUSCH, PLS 7229 DATE

PREPARED BY:

 HUNSAKER & ASSOCIATES
 IRVINE, INC
 INLAND EMPIRE REGION
 2900 ADAMS STREET
 SUITE A-15
 RIVERSIDE CA 92504
 (909)352-7200

COUNTY OF RIVERSIDE
 STATE OF CALIFORNIA
 METROPOLITAN WATER DISTRICT
 OF SOUTHERN CALIFORNIA
 PORTION OF
 PARCEL 3
 PARCEL MAP 20650
 CFD ---

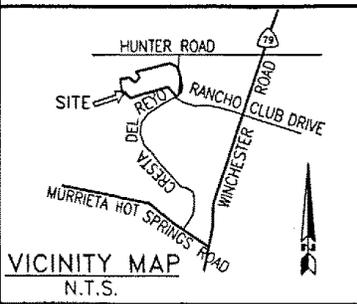


EXHIBIT A

**PORTION OF PARCELS 1 AND 3
OF PARCEL MAP 20650
RIVERSIDE COUNTY, CALIFORNIA**

That portion of Parcels 1 and 3 of Parcel Map 20650, in the County of Riverside, State of California, as shown by map on file in Book 158 pages 62 through 68 of Parcel Maps, records of Riverside County, State of California, described as follows

Commencing at the intersection of Cresta Del Rey and Rancho Club Drive as shown on the above said Parcel Map 20650; thence North 67°38'42" East along the Centerline of Cresta Del Rey, a distance of 98.32' feet to the **True Point of Beginning**;

Thence continuing along said centerline North 67°38'42" East, a distance of 165.46 feet; thence leaving said centerline of Cresta Del Rey North 62°02'10" East, a distance of 359.43 feet; thence North 52°18'08" East, a distance of 116.55 feet; thence North 36°17'00" East, a distance of 688.29 feet; thence North 7°03'22" East, a distance of 197.23 feet; thence North 19°57'54" East, a distance of 179.09 feet to a point on the centerline of Cresta Del Rey; thence North 33°47'38" West along said centerline, a distance of 194.61 feet; thence leaving said centerline, South 64°57'22" West, a distance of 889.31 feet; thence South 85°31'20" West, a distance of 194.37 feet; thence South 71°49'43" West, a distance of 493.53 feet; thence South 39°54'32" West, a distance of 104.67 feet; thence North 85°59'06" West, a distance of 455.91 feet to a non-tangent curve concave northeasterly having a radius of 550.00 feet, a radial line to said point bears South 61°14'26" West; thence southerly 190.44 feet along said curve through a central angle of 19°50'19"; thence non-tangent from said curve South 41°24'07" West, a distance of 150.50 feet; thence North 59°01'29" West, a distance of 342.81 feet; thence North 35°45'14" West, a distance of 174.84 feet; thence South 73°13'20" West, a distance of 194.30 feet; thence South 18°22'24" East, a distance of 422.27 feet; thence South 11°04'05" East, a distance of 205.82 feet; thence South 36°22'33" West, a distance of 211.88 feet; thence South 3°13'49" East, a distance of 137.72 feet; thence South 86°02'39" East, a distance of 502.32 feet; thence North 56°57'29" East, a distance of 795.65 feet; thence North 67°34'52" East, a distance of 254.70 feet; thence South 21°29'13" East, a distance of 404.46 feet to the **True Point of Beginning**.

Said Parcel encompasses an area of 1,959,617 square feet (44.99 acres), more or less.

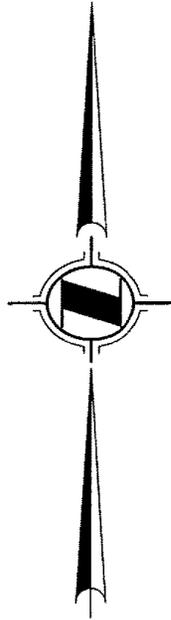
REVIEWED BY THE
METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
R/W & TITLE ENGINEERING
DATE: 10-28-1999

Matthew W. Busch
10/29/99



SEC.13, T7S, R3W, SBB&M EXHIBIT "B" SHEET 1 OF 1

THIS EXHIBIT IS TO BE ATTACHED TO THE LEGAL DESCRIPTION



PARCEL 1
P.M. 20650
P.M. 158/62-68

D=09°58'07"
R=700.00
L=121.79
T=61.05
P.O.B.

D=38°09'32"
R=550.00
L=366.30
T=190.23

D=20°22'18"
R=1000.00
L=355.55
T=179.67

N67°38'42"E
160.00
P.O.C.
N22°21'18"W

RANCHO CLUB DRIVE

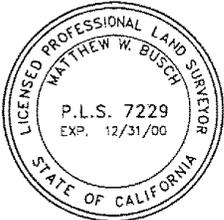
PARCEL 4
P.M. 20650
P.M. 158/62-68
11.19 ACRES

D=09°47'24"
L=119.61

CRESTA DEL REYO
L=106.34
L=183.25
R=700.00

VIA DE CRISTO
N89°57'17"W
73.47

REVIEWED BY THE
METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
R/W & TITLE ENGINEERING
DATE: 10-28-1999



Matthew W. Busch 10/28/99
MATTHEW W. BUSCH, PLS 7229 DATE

COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

PREPARED BY:
H & A
HUNSAKER & ASSOCIATES
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METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
PORTION OF
PARCEL 4
PARCEL MAP 20650
CFD _____

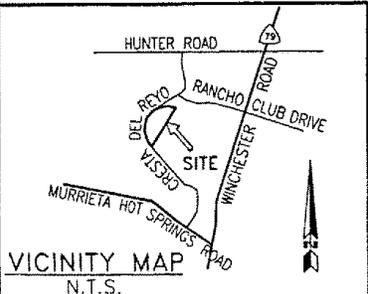


EXHIBIT A

**PORTION OF PARCELS 1 AND 4
OF PARCEL MAP 20650
RIVERSIDE COUNTY, CALIFORNIA**

That portion of Parcels 1 and 4 of Parcel Map 20650, in the County of Riverside, State of California, as shown by map on file in Book 158 pages 62 through 68 of Parcel Maps, records of Riverside County, State of California, described as follows

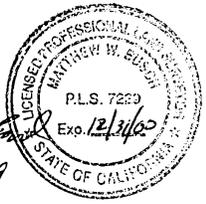
Commencing at the intersection of Cresta Del Rey and Rancho Club Drive as shown on the above said Parcel Map 20650; thence South 67°38'42" West along the Centerline of Cresta Del Rey, a distance of 160.00 feet to a tangent curve concave Southeasterly having a radius of 1000.00 feet; thence southwesterly 355.55 feet along said curve and said centerline of Cresta Del Rey through a central angle of 20°22'18"; thence tangent from said curve, continuing along said centerline of Cresta Del Rey South 47°16'24" West, a distance of 482.50 feet to a tangent curve concave Easterly having a radius of 700.00 feet; thence southerly 121.79 feet along said curve and said centerline of Cresta Del Rey through a central angle of 09°58'07"; thence radial from said curve and leaving said centerline, South 52°43'40" East, a distance of 29.78 feet to the beginning of a non tangent curve concave Easterly having a radius of 700.00 feet, a radial line to said point bears North 52°43'40" West and the **True Point of Beginning**;

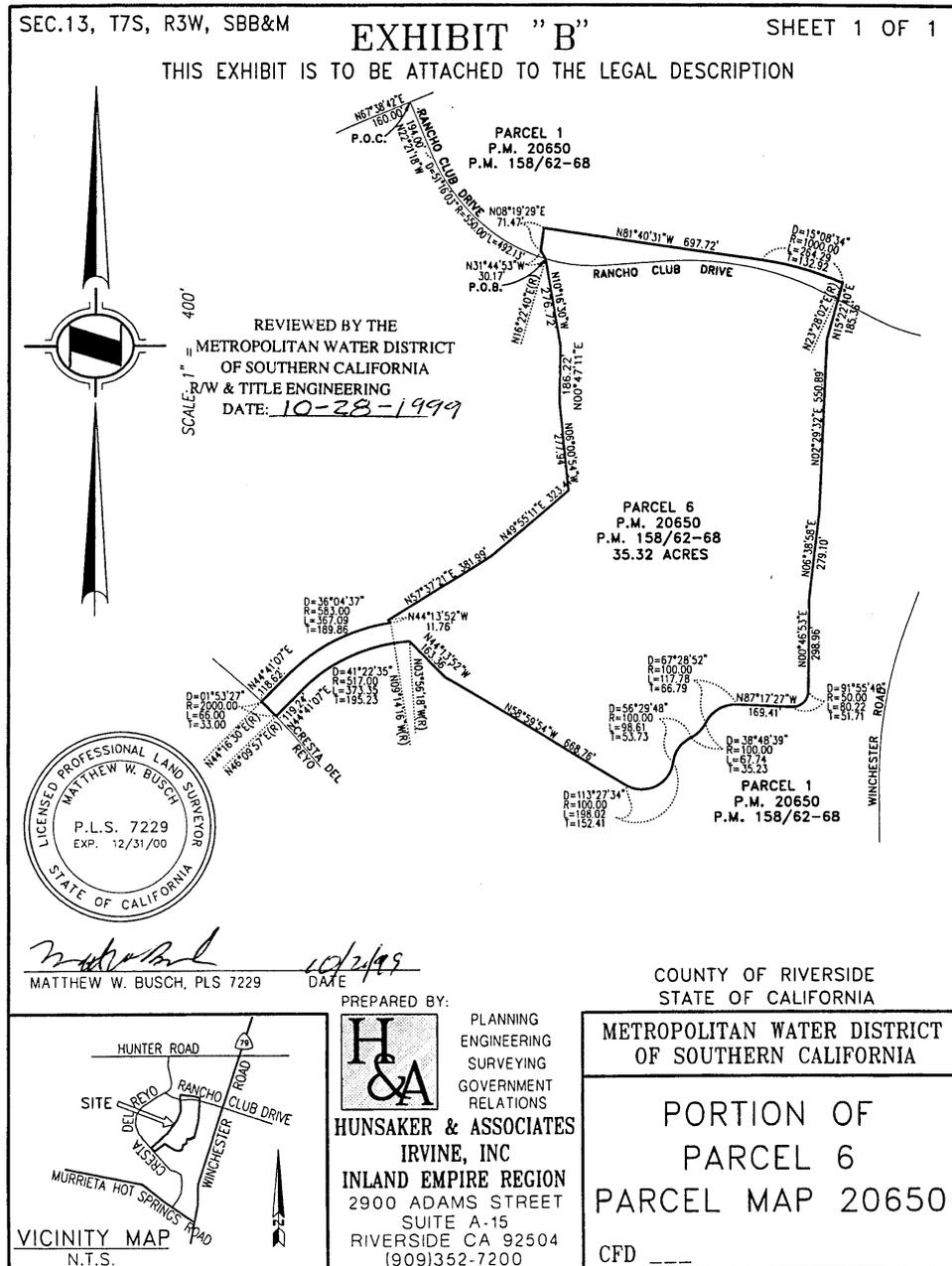
Thence southerly 1063.64 feet along said curve through a central angle of 87°03'37"; thence tangent from said curve South 49°47'17" East, a distance of 73.47 feet; thence North 13°15'05" East, a distance of 325.63 feet; thence North 18°13'40" East, a distance of 420.07 feet; thence North 16°15'23" East , a distance of 693.40 feet to a non-tangent curve concave southeasterly having a radius of 550.00 feet, a radial line to said point bears North 4°46'44" West; thence southwesterly 366.30 feet along said curve through a central angle of 38°09'32"; thence tangent from said curve South 47°03'44" West , a distance of 208.06 feet to a tangent curve concave easterly having a radius of 700.00 feet; thence southwesterly 119.61 feet along said curve through a central angle of 9°47'24" to the **True Point of Beginning**.

Said Parcel encompasses an area of 487,276 square feet (11.19 acres), more or less.

REVIEWED BY THE
METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
R/W & TITLE ENGINEERING
DATE: 10-28-1999

Matthew W. Blum
10/21/99





REVIEWED BY THE
METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
R/W & TITLE ENGINEERING
DATE: 10-28-1999

EXHIBIT A

**PORTION OF PARCELS 1 AND 6
OF PARCEL MAP 20650
RIVERSIDE COUNTY, CALIFORNIA**

That portion of Parcels 1 and 6 of Parcel Map 20650, in the County of Riverside, State of California, as shown by map on file in Book 158 pages 62 through 68 of Parcel Maps, records of Riverside County, State of California, described as follows

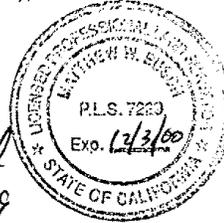
Commencing at the intersection of Cresta Del Rey and Rancho Club Drive as shown on the above said Parcel Map 20650; thence South 22° 21' 18" East along the Centerline of Rancho Club Drive, a distance of 194.00' feet to a tangent curve concave northeasterly having a radius of 550.00 feet; thence southeasterly 492.13 feet along said curve and said centerline of Rancho Club Drive through a central angle of 51° 16' 03" to the **True Point of Beginning**;

Thence non-tangent from said curve and said centerline of Rancho Club Drive South 10°16'30" East, a distance of 276.72 feet; thence South 0°47'11" West , a distance of 186.22 feet; thence South 6°00'54" East , a distance of 277.94 feet; thence South 49°55'11" West , a distance of 323.41 feet; thence South 57°37'21" West , a distance of 381.99 feet; thence South 44°13'52" East , a distance of 11.76 feet to a non-tangent curve concave southeasterly having a radius of 583.00 feet, a radial line to said point bears North 9°14'16" West; thence southwesterly 367.09 feet along said curve through a central angle of 36°04'37"; thence tangent from said curve South 44°41'07" West , a distance of 118.62 feet to a non-tangent curve concave southwesterly having a radius of 2000.00 feet, a radial line to said point bears North 44°16'30" East; thence southeasterly 66.00 feet along said curve through a central angle of 1°53'27"; thence non-tangent from said curve North 44°41'07" East 119.24 feet to a tangent curve concave southeasterly having a radius of 517.00 feet; thence northeasterly 373.35 feet along said curve through a central angle of 41°22'35"; thence non-tangent from said curve South 44°13'52" East, a distance of 163.36 feet; thence South 58°59'54" East, a distance of 668.76 feet to a tangent curve concave northwesterly having a radius of 100.00 feet; thence northeasterly 198.02 feet along said curve through a central angle of 113°27'34" to a reverse curve concave southeasterly having a radius of 100.00 feet; thence northeasterly 98.61 feet along said curve through a central angle of 56°29'48" to a reverse curve concave northwesterly having a radius of 100.00 feet; thence northeasterly 67.74 feet along said curve through a central angle of 38°48'39" to a reverse curve concave southeasterly having a radius of 100.00 feet; thence northeasterly 117.78 feet along said curve through a central angle of 67°28'52"; thence tangent from said curve South 87°17'27" East , a distance of 169.41 feet to a tangent curve concave northwesterly having a radius of 50.00 feet; thence northeasterly 80.22 feet along said curve through a central angle of 91°55'40"; thence tangent from said curve North 0°46'53" East , a distance of 298.96 feet; thence North 6°38'58" East , a distance of 279.10 feet; thence North 2°29'32" East , a distance of 550.89 feet; thence North 15°22'40" East , a distance of 185.36 feet to a non-tangent curve concave southerly having a radius of 1000.00 feet, a radial line to said point bears North 23°28'03" East; thence westerly 264.29 feet along said curve through a central angle of 15°08'34"; thence tangent from said curve North 81°40'31" West , a distance of 697.72

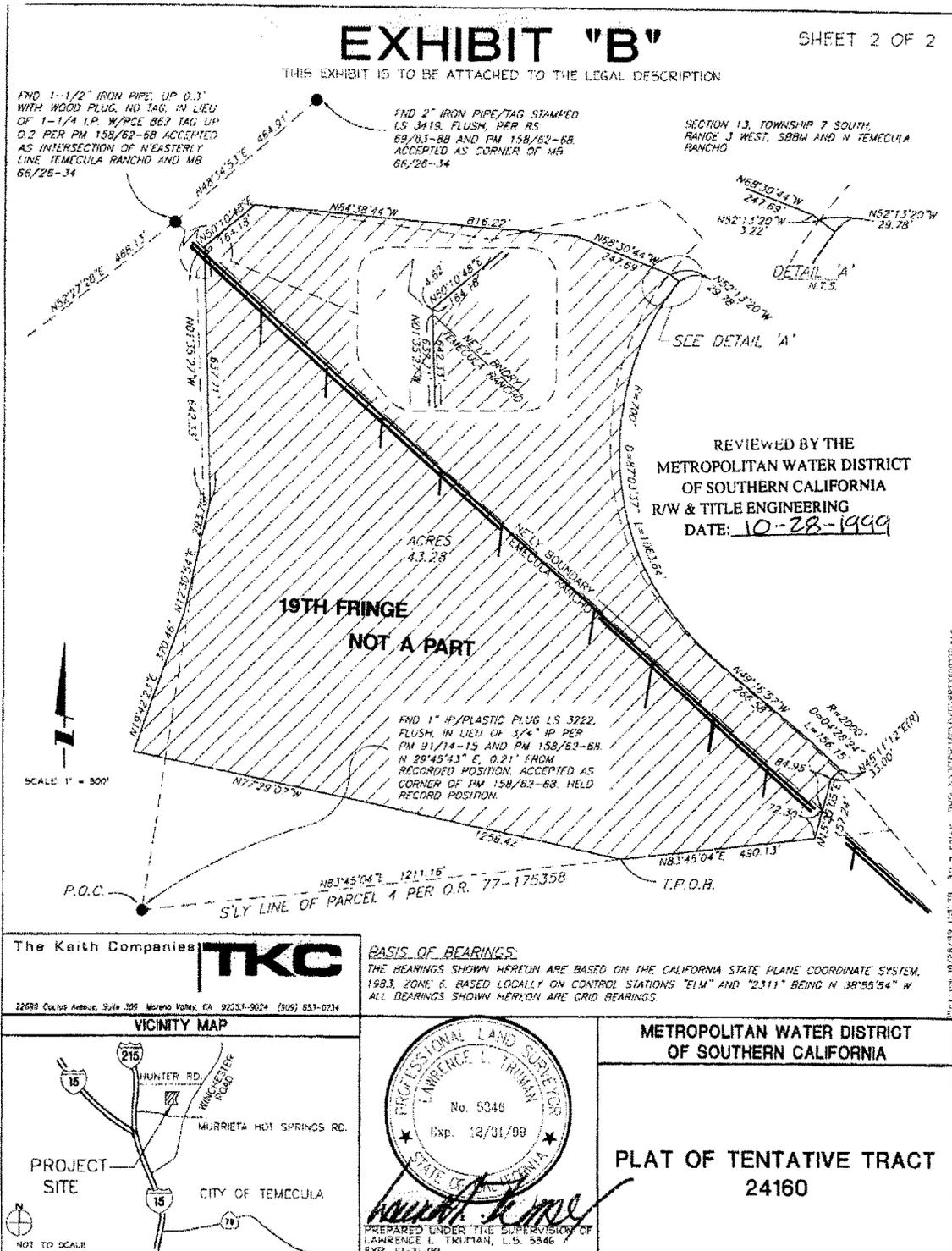
feet; thence South 8°19'29" West , a distance of 71.47 feet; thence South 31°44'53" East , a distance of 30.17 feet to the **Point of Beginning**.

Said Parcel encompasses an area of 1,538,362 square feet (35.32 acres), more or less.

Matthew Paul
10/21/99



REVIEWED BY THE
METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
R/W & TITLE ENGINEERING
DATE: 10-28-1999



REVIEWED BY THE
METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
R/W & TITLE ENGINEERING
DATE: 10-28-1999

Prepared under the supervision of:

Lawrence L. Truman
Lawrence L. Truman, L.S. #5346
Expires 12/31/99
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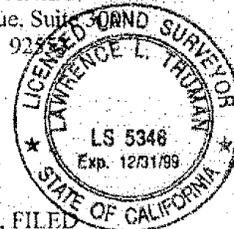


EXHIBIT "A"
LEGAL DESCRIPTION

THAT PORTION OF PARCELS 1, 4, 5 AND 6 OF PARCEL MAP NO. 20650, FILED IN BOOK 158, PAGES 62 THROUGH 68 INCLUSIVE, OF PARCEL MAPS, TOGETHER WITH A PORTION OF PARCEL 4 AS DESCRIBED IN A DEED RECORDED AUGUST 26, 1977 AS INSTRUMENT NO. 175358, BOTH IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, LOCATED IN SECTION 13, TOWNSHIP 7 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ALSO BEING IN TEMECULA RANCHO.

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL 4 OF SAID DEED;

THENCE, ALONG THE SOUTHERLY LINE OF SAID PARCEL 4 NORTH 83°45'04" EAST, A DISTANCE OF 1211.16 FEET TO AN ANGLE POINT IN THE SOUTHERLY LINE OF THAT CERTAIN LOT LINE ADJUSTMENT NO. 3584 RECORDED FEBRUARY 3 1994 AS INSTRUMENT NO. 047697 AND THE TRUE POINT OF BEGINNING;

THENCE ALONG THE LINES OF SAID LOT LINE ADJUSTMENT THE FOLLOWING COURSES:

DEPARTING SAID SOUTHERLY LINE OF SAID PARCEL 4 NORTH 77°29'07" WEST, A DISTANCE OF 1256.42 FEET;

NORTH 19°42'23" EAST, A DISTANCE OF 370.46 FEET;

NORTH 12°30'54" EAST, A DISTANCE OF 293.70 FEET;

NORTH 01°35'27" WEST, A DISTANCE OF 637.71 FEET TO THE NORTHEASTERLY LINE OF THE TEMECULA RANCHO;

CONTINUING NORTH 01°35'27" WEST, A DISTANCE OF 4.62 FEET;

NORTH 50°10'48" EAST, A DISTANCE OF 164.18 FEET;

SOUTH 84°38'44" EAST, A DISTANCE OF 816.22 FEET;

SOUTH 68°30'44" EAST, A DISTANCE OF 247.69 FEET;

SOUTH 52°13'20" EAST, A DISTANCE OF 3.22 FEET

SOUTH 52°13'20" EAST, A DISTANCE OF 29.78 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 700.00 FEET, A LINE RADIAL TO SAID CURVE AT SAID POINT BEARS NORTH 52°13'20" WEST;

THENCE ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 1063.64 FEET THROUGH A CENTRAL ANGLE OF 87°03'37";

THENCE, TANGENT TO SAID CURVE SOUTH 49°16'57" EAST, A DISTANCE OF 266.58 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 2000.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 156.15 FEET THROUGH A CENTRAL ANGLE OF 04°28'24", A LINE RADIAL TO SAID CURVE AT SAID POINT BEARS NORTH 45°11'27" EAST;

SOUTH 45°11'12" WEST, A DISTANCE OF 33.00 FEET;

SOUTH 15°25'05" WEST, A DISTANCE OF 84.95 FEET TO THE NORTHEASTERLY LINE OF THE TEMECULA RANCHO;

CONTINUING SOUTH 15°25'05" WEST, A DISTANCE OF 72.30 FEET TO THE SOUTHERLY LINE OF SAID PARCEL 4 OF DEED;

THENCE, ALONG SAID SOUTHERLY LINE SOUTH 83°45'04" WEST, A DISTANCE OF 490.13 FEET TO THE **TRUE POINT OF BEGINNING**;

DESCRIBED PARCEL CONTAINING: 43.28 ACRES AND AS SHOWN ON ATTACHED EXHIBIT "B".

REVIEWED BY THE
METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
R/W & TITLE ENGINEERING
DATE: 10-28-1999