



- Board of Directors  
*Finance and Insurance Committee*

9/10/2013 Board Meeting

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7-1

## Subject

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Adopt final resolutions for annexation and water standby charge levy for Meadowood Annexation to San Diego County Water Authority and to Metropolitan Water District

## Executive Summary

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This action grants final approval for Meadowood Annexation request and imposition of water standby charges for San Diego County Water Authority (SDCWA). There are no substantial changes from the conditional annexation request approved by Metropolitan's Board on May 14, 2013. The total area included in this annexation is 266.95 acres ([Attachment 1](#) – annexation map and legal description). The new water demand from Metropolitan is 329.2 acre-feet per year (AFY). SDCWA is in compliance and meets the Best Management Practices of the California Urban Water Conservation Council ([Attachment 2](#)). The charge for this annexation, if completed in 2013, is \$1,172,420, which includes the \$5,000 processing fee.

## Details

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This action authorizes a resolution granting final terms and conditions for Meadowood Annexation requested by SDCWA, along with a resolution for imposition of water standby charges. On May 14, 2013, Metropolitan's Board conditionally approved the current area of Meadowood Annexation and resolution of intent to collect the standby charge. On June 19, 2013, Resolution 9151 of the Board of Directors of SDCWA made application to Metropolitan for final terms and conditions and imposition of water standby charges. Metropolitan's Board conducted a public hearing on July 9, 2013, to propose water standby charge within compliance with Proposition 218. The levy was approved by the property owners. Metropolitan's Board has reviewed and approved the resolution for levying the standby charge and granted resolution for annexation.

The Meadowood development project is located on the north side of State Highway 76, just east of Interstate 15. The total project area is approximately 389.53 acres, of which 266.95 acres are proposed to annex to SDCWA and Metropolitan. The development plans for the area proposed for annexation are for single and multiple family housing along with common area landscaping, and existing agricultural groves. The remaining 122.58 acres of sensitive biological habitat will not be annexed. Significant habitat shall be preserved through dedication of open space easements to the county of San Diego.

The charge for this annexation is \$1,172,420, which includes the \$5,000 processing fee collected at the time of the initial request; the balance is received prior to completion. The annexation charge is calculated based on the 2013 per acre fee of \$4,374. If the annexation is completed later, the fee would be based on the then-current annexation rate pursuant to Section 3300 of Metropolitan's Administrative Code. After annexation, Valley Center MWD will provide service.

Metropolitan's Board also adopted a resolution of intention to impose a water standby charge within the proposed annexation area in support of Meadowood Annexation (Resolution 9151) on May 14, 2013. Pursuant to Resolution 9151, the Board held a public hearing on July 9, 2013. Interested parties were given the opportunity to present their views regarding the proposed charge and the Engineer's Report. In addition, pursuant to

Resolution 9151 and in accordance with the requirements of Article XIII D, Section 4, of the California Constitution, the Board Executive Secretary provided written notice by mail of the hearing to the owners of record of the parcels identified in the Engineer's Report. Enclosed in the mailed notices are assessment ballots on which the owners could indicate support or oppose the proposed water standby charge. No majority protest (as defined in Article XIII D, Section 4 of the California Constitution) was found to exist upon conclusion of the hearing; therefore, it will be requested that Metropolitan's Board consider and act upon the recommendation to adopt a second resolution (**Attachment 3**), Resolution Fixing and Adopting Water Standby Charge, which imposes a Metropolitan water standby charge in the amount of \$11.51 per acre, or per parcel of less than one acre, within the territory of Meadowood Annexation, contingent upon completion of the annexation.

Approval of this action adopts a resolution consenting to SDCWA's request for annexation (**Attachment 2**); and Resolution Fixing and Adopting Water Standby Charge (**Attachment 3**) in the amount noted above, which is equal to the amount of Metropolitan's water standby charge imposed elsewhere within SDCWA's territory, is a condition to complete this annexation. Pursuant to the terms of the attached resolution (**Attachment 3**), Metropolitan may levy a standby charge at the rate stated in this resolution beginning in a subsequent fiscal year.

## Policy

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Territory may be annexed to Metropolitan upon terms and conditions fixed by the Board and in accordance with Chapter 1, Article 1, Section 350 through Section 356 of Metropolitan's Act and Division III, Section 3100(b) of its Administrative Code.

## California Environmental Quality Act (CEQA)

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CEQA determination for Option #1:

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the county of San Diego, acting as the Lead Agency to San Diego County Water Authority, certified the Meadowood Specific Plan Environmental Impact Report (EIR) and a Mitigation Monitoring and Reporting Program (MMRP) on January 11, 2012 for the annexation process. Metropolitan, as Responsible Agency under CEQA, is required to certify that it has reviewed and considered the information in the EIR and MMRP and adopt the Lead Agency's findings prior to approval of the formal terms and conditions for the annexation. The environmental documentation is in **Attachment 4** and is available in the Board Executive Secretary's Office for review.

The CEQA determination is: Review and consider information provided in the certified January 2012 EIR and MMRP and adopt the Lead Agency's findings related to the proposed actions.

CEQA determination for Option #2:

None required

## Board Options

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### Option #1

Review and consider information provided in the certified EIR and adopt the Lead Agency's findings related to the proposed actions and

- a. Adopt resolution granting SDCWA's request for approval of Meadowood Annexation concurrently to SDCWA and Metropolitan and establish Metropolitan's terms and conditions for the annexation (**Attachment 2**), conditioned upon approval by San Diego Local Agency Formation Commission, and upon receipt of annexation fee of \$1,172,420; and
- b. Adopt resolution to impose water standby charge at a rate of \$11.51 per acre, or per parcel of less than one acre, within the proposed annexation area (**Attachment 3**).

**Fiscal Impact:** Receipt of annexation fees of \$1,172,420 for the annexation area and water sales revenue from newly annexed territory

**Business Analysis:** The annexation will provide the ability for water service and associated benefits to the property owners. This annexation helps to meet Metropolitan's member agency request.

**Option #2**

Decline the request for annexation of Meadowood Annexation.

**Fiscal Impact:** Unrealized annexation fee and water sales revenue from non-annexed areas

**Business Analysis:** The subject area will not receive the direct benefits of water supplied through Metropolitan and SDCWA.

**Staff Recommendation**

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Option #1

  
\_\_\_\_\_  
Roy L. Wolfe  
Manager, Business Technology

8/19/2013  
Date

  
\_\_\_\_\_  
Jeffrey Kichtlinger  
General Manager

8/22/2013  
Date

**Attachment 1 – Meadowood Legal Description and Map**

**Attachment 2 – Meadowood Resolution Fixing Terms and Conditions of Annexation**

**Attachment 3 – Meadowood Resolution of Intention to Levy Standby Charge**

**Attachment 4 – Meadowood Annexation Environmental Documents (available for review in the Board Executive Secretary's Office)**

Ref# bt12625953

J15956-A

**EXHIBIT A****PROPOSED MEADOWOOD ANNEXATION**

THAT PORTION OF FRACTIONAL SECTION 36, TOWNSHIP 9 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, TOGETHER WITH A PORTION OF RANCHO MONSERATE, ACCORDING TO MAP NO. 827 ON FILE IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, CALIFORNIA BEING DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 1 AS SHOWN ON MAP OF A PORTION OF RANCHO MONSERATE, ACCORDING TO SAID MAP NO. 827, THE EAST ¼ CORNER OF FRACTIONAL SECTION 36 BEARS NORTH 02°12'43" EAST A DISTANCE OF 2612.27 FEET; THENCE ALONG THE EASTERLY LINE OF SAID SECTION 36, NORTH 02°12'43" EAST 1120.10 FEET TO THE **TRUE POINT OF BEGINNING**;

1. THENCE LEAVING SAID EASTERLY LINE NORTH 72°47'22" WEST 369.00 FEET;
2. THENCE NORTH 47°47'22" WEST 536.00 FEET;
3. THENCE SOUTH 44°12'00" WEST 703.00 FEET;
4. THENCE SOUTH 15°13'42" EAST 228.00 FEET;
5. THENCE SOUTH 81°12'38" WEST 93.00 FEET;
6. THENCE SOUTH 55°42'38" WEST 93.00 FEET;
7. THENCE NORTH 67°47'22" WEST 760.00 FEET;
8. THENCE SOUTH 64°12'38" WEST 823.59 FEET TO THE WESTERLY SIDELINE OF THE 60.00 FOOT WIDE EASEMENT DESCRIBED IN DEED RECORDED APRIL 13, 1981 AS FILE NO. 81-112046 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY;
9. THENCE ALONG SAID WESTERLY SIDELINE THE FOLLOWING COURSES: SOUTH 25°20'32" EAST 208.85 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 170.00 FEET;
10. THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 37°23'00" A DISTANCE OF 110.92 FEET;
11. THENCE SOUTH 12°02'28" WEST 248.63 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 230.00 FEET;
12. THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°02'00" A DISTANCE OF 32.25 FEET;
13. THENCE SOUTH 04°00'28" WEST 665.08 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 230.00 FEET;
14. THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 24°46'00" A DISTANCE OF 99.42 FEET;
15. THENCE SOUTH 20°45'32" EAST 174.56 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 170.00 FEET;
16. THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°19'48" A DISTANCE OF 30.65 FEET;

17. THENCE SOUTH 10°25'44" EAST 301.07 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 230.00 FEET;
18. THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°09'59" A DISTANCE OF 44.82 FEET;
19. THENCE SOUTH 21°35'43" EAST 1098.52 FEET TO THE NORTHERLY SIDELINE OF COUNTY HIGHWAY COMMISSION ROUTE 18, DIVISION 1 (PALA ROAD) BEING THE NORTHERLY TERMINUS OF THE LINE DESCRIBED AS SOUTH 21°35'43" EAST 338.95 FEET ON THE EASTERLY BOUNDARY OF LAND DESCRIBED IN PARCEL 2A OF GRANT DEED RECORDED OCTOBER 19, 2007 AS DOCUMENT NO. 2007-0673087 OF OFFICIAL RECORDS;
20. THENCE LEAVING THE WESTERLY SIDELINE OF SAID 60.00 FOOT WIDE EASEMENT ALONG SAID EASTERLY BOUNDARY CONTINUING SOUTH 21°35'43" EAST 329.97 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAND DESCRIBED AS DONATION PARCEL 33246-1 IN DEED RECORDED JULY 29, 2008 AS DOCUMENT NO. 2008-0403484 OF OFFICIAL RECORDS, SAID NORTHERLY RIGHT-OF-WAY LINE BEING DESCRIBED IN SAID DEED AS COURSE NO. 26 HAVING A RADIUS OF 525.000 METERS A CENTRAL ANGLE OF 34°39'40" A DISTANCE OF 317.600 METERS, SAID POINT BEING THE BEGINNING OF A NON-TANGENT 1722.44 FOOT RADIUS CURVE (525.000 METERS RECORD) CONCAVE NORTHWESTERLY TO WHICH A RADIAL LINE BEARS SOUTH 21°24'34" EAST;
21. THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°45'45" A DISTANCE OF 323.55 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID PARCEL 2A;
22. THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE ALONG SAID SOUTHERLY BOUNDARY NON-TANGENT TO SAID CURVE NORTH 15°00'00" WEST (NORTH 15°00'00" WEST RECORD) 21.19 FEET;
23. THENCE SOUTH 83°00'00" WEST 51.00 FEET (SOUTH 83°00'00" WEST 51.00 FEET RECORD);
24. THENCE SOUTH 05°00'00" EAST 21.00 FEET (SOUTH 05°00'00" EAST 21.00 FEET RECORD);
25. THENCE SOUTH 40°00'00" WEST (SOUTH 40°00'00" WEST RECORD) 3.96 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID DONATION PARCEL 33246-1, BEING THE BEGINNING OF A NON-TANGENT 1722.44 FOOT RADIUS CURVE (525.000 METERS RECORD) CONCAVE NORTHERLY TO WHICH A RADIAL LINE BEARS SOUTH 08°43'46" EAST;
26. THENCE LEAVING SAID SOUTHERLY BOUNDARY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°09'14" A DISTANCE OF 124.88 FEET;
27. THENCE NON-TANGENT TO SAID CURVE NORTH 04°34'32" WEST 6.57 FEET (NORTH 4°34'32" WEST 2.000 METERS RECORD);
28. THENCE SOUTH 85°25'28" (WEST SOUTH 85°25'28" WEST RECORD) 143.14 FEET TO THE SOUTHERLY BOUNDARY OF SAID PARCEL 2A;

- 29. THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE ALONG SAID SOUTHERLY BOUNDARY SOUTH 89°37'04" WEST (SOUTH 89°37'04" WEST RECORD) 314.40 FEET TO THE WESTERLY BOUNDARY OF LAND DESCRIBED IN DEED RECORDED APRIL 14, 1978 AS FILE NO. 78-149646 OF OFFICIAL RECORDS, BEING THE SOUTHERLY TERMINUS OF THE LINE DESCRIBED AS NORTH 03°49'46" WEST 2479.80 FEET IN SAID DEED;
- 30. THENCE ALONG SAID WESTERLY BOUNDARY NORTH 03°49'38" WEST 2480.11 FEET;
- 31. THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY NORTH 26°41'47" WEST 1561.66 FEET TO THE SOUTHERLY BOUNDARY OF LAND DESCRIBED AS PARCEL 1A OF CERTIFICATE OF COMPLIANCE, RECORDED MARCH 25, 1983 AS FILE NO. 83-095254 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY;
- 32. THENCE ALONG THE BOUNDARY OF SAID PARCEL 1A NORTH 26°41'47" WEST 32.19 FEET;
- 33. THENCE NORTH 00°02'58" EAST 1328.09 FEET;
- 34. THENCE NORTH 65°22'42" EAST 681.59 FEET TO THE SOUTHERLY TERMINUS OF A LINE DESCRIBED AS NORTH 06°09'01" WEST 239.79 FEET ACCORDING TO DEED TO DAON CORPORATION, RECORDED MARCH 27, 1981 AS FILE NO. 81-092782 OF OFFICIAL RECORDS;
- 35. THENCE ALONG THE EASTERLY BOUNDARY OF DAON CORPORATION PROPERTY THE FOLLOWING COURSES: NORTH 06°12'08" WEST 239.82 FEET;
- 36. THENCE NORTH 14°06'59" EAST 123.37 FEET;
- 37. THENCE NORTH 49°12'04" EAST 664.01 FEET
- 38. THENCE NORTH 47°46'04" EAST 221.11 FEET;
- 39. THENCE NORTH 24°37'43" WEST 1588.78 FEET TO THE NORTHERLY BOUNDARY OF RANCHO MONSERATE;
- 40. THENCE LEAVING SAID BOUNDARY OF DAON CORPORATION PROPERTY, AND ALONG THE NORTHERLY BOUNDARY OF SAID RANCHO MONSERATE SOUTH 87°28'07" EAST 676.24 FEET TO CORNER NO. 21 OF SAID RANCHO MONSERATE;
- 41. THENCE LEAVING SAID NORTHERLY BOUNDARY ALONG THE NORTHERLY LINE OF SAID FRACTIONAL SECTION 36 NORTH 87°38'24" EAST 2592.01 FEET TO THE NORTHEAST CORNER OF SAID FRACTIONAL SECTION 36;
- 42. THENCE LEAVING SAID NORTHERLY LINE ALONG THE EASTERLY LINE OF SAID FRACTIONAL SECTION 36 SOUTH 02°17'19" EAST 2777.60 FEET TO THE EAST QUARTER CORNER OF SAID FRACTIONAL SECTION 36;
- 43. THENCE CONTINUING ALONG SAID EASTERLY LINE SOUTH 02°12'43" WEST 1492.17 FEET TO THE **TRUE POINT OF BEGINNING.**

CONTAINING 389.525 ACRES, MORE OR LESS.

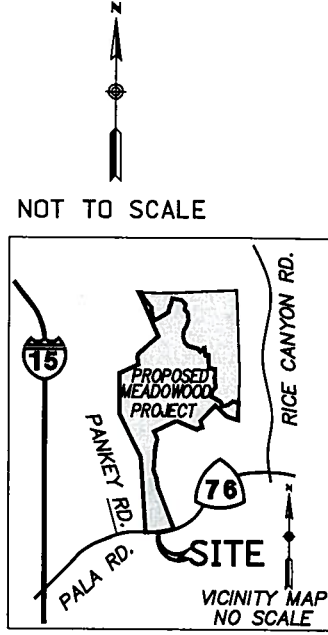
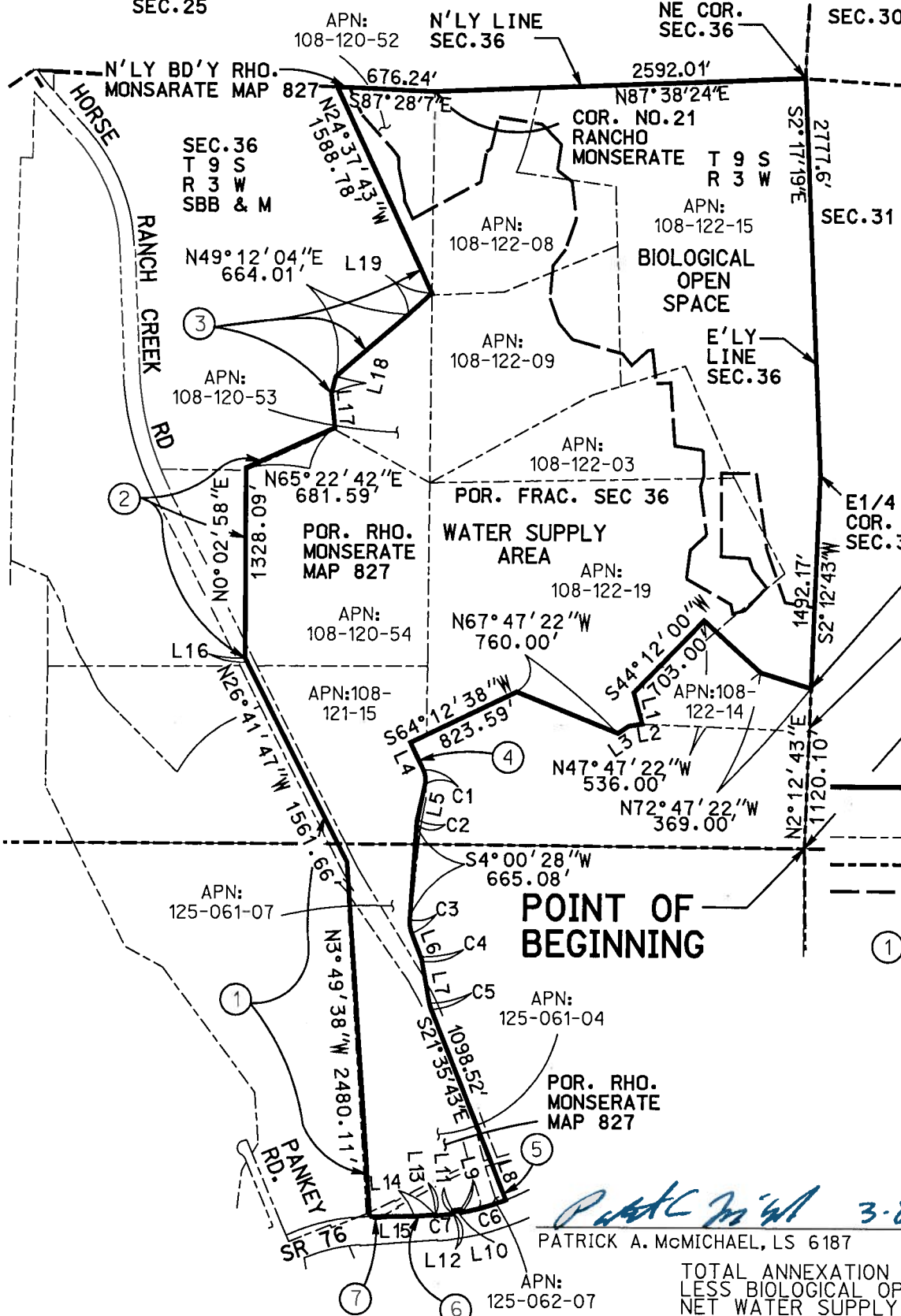
Patrick A. McMichael 3-8-2013  
 Patrick A. McMichael, L.S. 6187 Date



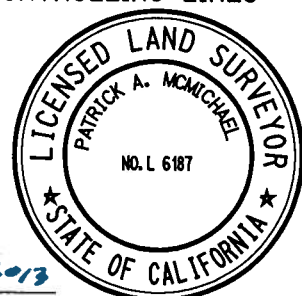
ANNEXATION - CONDITIONAL REVIEW  
 The Metropolitan Water District of Southern California  
 Right-of-Way Engineering Team  
 Date: 3/18/13 Reviewer: [Signature]



# EXHIBIT B PROPOSED MEADOWOOD ANNEXATION



- TRUE POINT OF BEGINNING**
- LEGEND**
- PROPOSED ANNEXATION AREA
  - - - ASSESSOR'S PARCELS
  - - - SECTION LINES
  - - - BIOLOGICAL OPEN SPACE BOUNDARY
  - ① SEE SHEET 2 FOR TABLE OF CONTROLLING LINES



*Patrick McMichael* 3-8-2013  
 PATRICK A. McMICHAEL, LS 6187 DATE

TOTAL ANNEXATION AREA: 389.525 AC  
 LESS BIOLOGICAL OPEN SPACE - 122.580 AC  
 NET WATER SUPPLY AREA - 266.945 AC

**ANNEXATION - CONDITIONAL REVIEW**  
 The Metropolitan Water District of Southern California  
 Right-of-Way Engineering Team  
 Date: 3/18/13 Reviewer: [Signature]

DATE: 3/08/13	SCALE: NTS	LAFCO RESOLUTION NO.
ACREAGE: 389.525		
5620 FRIARS ROAD SAN DIEGO, CA 92110 619.291.0707 (FAX) 619.291.4165		

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## EXHIBIT B PROPOSED MEADOWOOD ANNEXATION

LINE TABLE			CURVE TABLE			
NAME	DIRECTION	LENGTH	NAME	DELTA	RADIUS	ARC
L1	S15° 13' 42"E	228.00'	C1	37° 23' 00"	170.00'	110.92'
L2	S81° 12' 38"W	93.00'	C2	08° 02' 00"	230.00'	32.25'
L3	S55° 42' 38"W	93.00'	C3	24° 46' 00"	230.00'	99.42'
L4	S25° 20' 32"E	208.85'	C4	10° 19' 48"	170.00'	30.65'
L5	S12° 02' 28"W	248.63'	C5	11° 09' 59"	230.00'	44.82'
L6	S20° 45' 32"E	174.56'	C6	10° 45' 45"	1722.44'	323.55'
L7	S10° 25' 44"E	301.07'	C7	04° 09' 14"	1722.44'	124.88'
L8	S21° 35' 43"E	329.97'				
L9	N15° 00' 00"W	21.19'				
L10	S83° 00' 00"W	51.00'				
L11	S05° 00' 00"E	21.00'				
L12	S40° 00' 00"W	3.96'				
L13	N04° 34' 32"W	6.57'				
L14	S85° 25' 28"W	143.14'				
L15	S89° 37' 04"W	314.40'				
L16	N26° 41' 47"W	32.19'				
L17	N06° 12' 08"W	239.82'				
L18	N14° 06' 59"E	123.37'				
L19	N47° 46' 04"E	221.11'				

### CONTROLLING LINES

- ① W'LY B'DY OF DEED REC 4-14-1978 AS FILE NO.78-149646 O.R.
- ② W'LY B'DY OF PCL 1A OF CERT. OF COMP REC 3-25-1983 FILE NO. 83-095254
- ③ E'LY B'DY OF DEED REC. 3-27-1981 FILE NO. 81-092782
- ④ W'LY SIDELINE 60' ESMT REC 4-13-1981 FILE NO. 81-112046 O.R.
- ⑤ E'LY BOUNDARY OF PCL 2A OF DEED REC. 10-19-2007 DOC. NO. 2007-0673087 O.R.
- ⑥ N'LY R/W DEED REC 7-29-2008 AS DOC NO. 2008-0403484 O.R.
- ⑦ S'LY B'DY PCL 2A OF DEED REC. 10-19-2007 DOC NO. 2007-0673087 O.R.





J15956-A

**EXHIBIT A****PROPOSED MEADOWOOD ANNEXATION – WATER SERVICE AREA**

THAT PORTION OF FRACTIONAL SECTION 36, TOWNSHIP 9 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, TOGETHER WITH A PORTION OF RANCHO MONSERATE, ACCORDING TO MAP NO. 827 ON FILE IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, CALIFORNIA BEING DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER NO. 1 AS SHOWN ON MAP OF A PORTION OF RANCHO MONSERATE, ACCORDING TO SAID MAP NO. 827, THE EAST ¼ CORNER OF FRACTIONAL SECTION 36 BEARS NORTH 02°12'43" EAST A DISTANCE OF 2612.27 FEET; THENCE ALONG THE EASTERLY LINE OF SAID SECTION 36, NORTH 02°12'43" EAST 1120.10 FEET TO **THE POINT OF BEGINNING**;

1. THENCE LEAVING SAID EASTERLY LINE NORTH 72°47'22" WEST 369.00 FEET;
2. THENCE NORTH 47°47'22" WEST 536.00 FEET;
3. THENCE SOUTH 44°12'00" WEST 703.00 FEET;
4. THENCE SOUTH 15°13'42" EAST 228.00 FEET;
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7. THENCE NORTH 67°47'22" WEST 760.00 FEET;
8. THENCE SOUTH 64°12'38" WEST 823.59 FEET TO THE WESTERLY SIDELINE OF THE 60.00 FOOT WIDE EASEMENT DESCRIBED IN DEED RECORDED APRIL 13, 1981 AS FILE NO. 81-112046 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY;
9. THENCE ALONG SAID WESTERLY SIDELINE THE FOLLOWING COURSES: SOUTH 25°20'32" EAST 208.85 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 170.00 FEET;
10. THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 37°23'00" A DISTANCE OF 110.92 FEET;
11. THENCE SOUTH 12°02'28" WEST 248.63 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 230.00 FEET;
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14. THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 24°46'00" A DISTANCE OF 99.42 FEET;
15. THENCE SOUTH 20°45'32" EAST 174.56 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 170.00 FEET;

16. THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $10^{\circ}19'48''$  A DISTANCE OF 30.65 FEET;
17. THENCE SOUTH  $10^{\circ}25'44''$  EAST 301.07 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 230.00 FEET;
18. THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $11^{\circ}09'59''$  A DISTANCE OF 44.82 FEET;
19. THENCE SOUTH  $21^{\circ}35'43''$  EAST 1098.52 FEET TO THE NORTHERLY SIDELINE OF COUNTY HIGHWAY COMMISSION ROUTE 18, DIVISION 1 (PALA ROAD) BEING THE NORTHERLY TERMINUS OF THE LINE DESCRIBED AS SOUTH  $21^{\circ}35'43''$  EAST 338.95 FEET ON THE EASTERLY BOUNDARY OF LAND DESCRIBED IN PARCEL 2A OF GRANT DEED RECORDED OCTOBER 19, 2007 AS DOCUMENT NO. 2007-0673087 OF OFFICIAL RECORDS;
20. THENCE LEAVING THE WESTERLY SIDELINE OF SAID 60.00 FOOT WIDE EASEMENT ALONG SAID EASTERLY BOUNDARY CONTINUING SOUTH  $21^{\circ}35'43''$  EAST 329.97 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAND DESCRIBED AS DONATION PARCEL 33246-1 IN DEED RECORDED JULY 29, 2008 AS DOCUMENT NO. 2008-0403484 OF OFFICIAL RECORDS, SAID NORTHERLY RIGHT-OF-WAY LINE BEING DESCRIBED IN SAID DEED AS COURSE NO. 26 HAVING A RADIUS OF 525.000 METERS A CENTRAL ANGLE OF  $34^{\circ}39'40''$  A DISTANCE OF 317.600 METERS, SAID POINT BEING THE BEGINNING OF A NON-TANGENT 1722.44 FOOT RADIUS CURVE (525.000 METERS RECORD) CONCAVE NORTHWESTERLY TO WHICH A RADIAL LINE BEARS SOUTH  $21^{\circ}24'34''$  EAST;
21. THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF  $10^{\circ}45'45''$  A DISTANCE OF 323.55 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID PARCEL 2A;
22. THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE ALONG SAID SOUTHERLY BOUNDARY NON-TANGENT TO SAID CURVE NORTH  $15^{\circ}00'00''$  WEST (NORTH  $15^{\circ}00'00''$  WEST RECORD) 21.19 FEET;
23. THENCE SOUTH  $83^{\circ}00'00''$  WEST 51.00 FEET (SOUTH  $83^{\circ}00'00''$  WEST 51.00 FEET RECORD);
24. THENCE SOUTH  $05^{\circ}00'00''$  EAST 21.00 FEET (SOUTH  $05^{\circ}00'00''$  EAST 21.00 FEET RECORD);
25. THENCE SOUTH  $40^{\circ}00'00''$  WEST (SOUTH  $40^{\circ}00'00''$  WEST RECORD) 3.96 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID DONATION PARCEL 33246-1, BEING THE BEGINNING OF A NON-TANGENT 1722.44 FOOT RADIUS CURVE (525.000 METERS RECORD) CONCAVE NORTHERLY TO WHICH A RADIAL LINE BEARS SOUTH  $08^{\circ}43'46''$  EAST;
26. THENCE LEAVING SAID SOUTHERLY BOUNDARY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF  $04^{\circ}09'14''$  A DISTANCE OF 124.88 FEET;
27. THENCE NON-TANGENT TO SAID CURVE NORTH  $04^{\circ}34'32''$  WEST 6.57 FEET (NORTH  $4^{\circ}34'32''$  WEST 2.000 METERS RECORD);

28. THENCE SOUTH 85°25'28" (WEST SOUTH 85°25'28" WEST RECORD) 143.14 FEET TO THE SOUTHERLY BOUNDARY OF SAID PARCEL 2A;
29. THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE ALONG SAID SOUTHERLY BOUNDARY SOUTH 89°37'04" WEST (SOUTH 89°37'04" WEST RECORD) 314.40 FEET TO THE WESTERLY BOUNDARY OF LAND DESCRIBED IN DEED RECORDED APRIL 14, 1978 AS FILE NO. 78-149646 OF OFFICIAL RECORDS, BEING THE SOUTHERLY TERMINUS OF THE LINE DESCRIBED AS NORTH 03°49'46" WEST 2479.80 FEET IN SAID DEED;
30. THENCE ALONG SAID WESTERLY BOUNDARY NORTH 03°49'38" WEST 2480.11 FEET;
31. THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY NORTH 26°41'47" WEST 1561.66 FEET TO THE SOUTHERLY BOUNDARY OF LAND DESCRIBED AS PARCEL 1A OF CERTIFICATE OF COMPLIANCE, RECORDED MARCH 25, 1983 AS FILE NO. 83-095254 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY;
32. THENCE ALONG THE BOUNDARY OF SAID PARCEL 1A NORTH 26°41'47" WEST 32.19 FEET;
33. THENCE NORTH 00°02'58" EAST 1328.09 FEET;
34. THENCE NORTH 65°22'42" EAST 681.59 FEET TO THE SOUTHERLY TERMINUS OF A LINE DESCRIBED AS NORTH 06°09'01" WEST 239.79 FEET ACCORDING TO DEED TO DAON CORPORATION, RECORDED MARCH 27, 1981 AS FILE NO. 81-092782 OF OFFICIAL RECORDS;
35. THENCE ALONG THE EASTERLY BOUNDARY OF DAON CORPORATION PROPERTY THE FOLLOWING COURSES: NORTH 06°12'08" WEST 239.82 FEET;
36. THENCE NORTH 14°06'59" EAST 123.37 FEET;
37. THENCE NORTH 49°12'04" EAST 664.01 FEET
38. THENCE NORTH 47°46'04" EAST 221.11 FEET;
39. THENCE NORTH 24°37'43" WEST 1588.78 FEET TO THE NORTHERLY BOUNDARY OF RANCHO MONSERATE;
40. THENCE LEAVING SAID BOUNDARY OF DAON CORPORATION PROPERTY, AND ALONG THE NORTHERLY BOUNDARY OF RANCHO MONSERATE SOUTH 87°28'07" EAST 83.69;
41. THENCE LEAVING SAID NORTHERLY BOUNDARY SOUTH 24°50'26" EAST 211.82 FEET;
42. THENCE SOUTH 41°21'02" EAST 325.65 FEET;
43. THENCE SOUTH 36°24'13" EAST 65.36 FEET;
44. THENCE SOUTH 01°11'40" EAST 74.70 FEET;
45. THENCE SOUTH 12°08'24" EAST 184.62 FEET;
46. THENCE SOUTH 02°57'41" EAST 52.62 FEET;
47. THENCE SOUTH 24°42'16" EAST 135.96 FEET;
48. THENCE NORTH 60°55'02" EAST 543.16 FEET;
49. THENCE NORTH 10°05'56" EAST 213.68 FEET;
50. THENCE NORTH 54°29'09" EAST 39.24 FEET;
51. THENCE NORTH 13°57'35" EAST 227.25 FEET;
52. THENCE SOUTH 81°00'42" EAST 306.31 FEET;
53. THENCE SOUTH 43°25'25" EAST 195.38 FEET;
54. THENCE SOUTH 08°45'22" WEST 181.25 FEET;
55. THENCE SOUTH 51°37'59" EAST 130.66 FEET;

56. THENCE SOUTH 06°33'25" EAST 263.91 FEET
57. THENCE SOUTH 18°50'50" WEST 225.70 FEET;
58. THENCE SOUTH 37°43'08" WEST 144.16 FEET;
59. THENCE SOUTH 04°58'13" WEST 229.66 FEET;
60. THENCE SOUTH 19°37'26" EAST 181.55 FEET;
61. THENCE SOUTH 39°57'08" EAST 149.31 FEET;
62. THENCE SOUTH 74°23'30" EAST 360.80 FEET;
63. THENCE SOUTH 39°27'16" EAST 104.27 FEET;
64. THENCE NORTH 47°44'11" EAST 154.49 FEET;
65. THENCE NORTH 81°11'35" EAST 30.32 FEET;
66. THENCE SOUTH 06°43'27" EAST 235.00 FEET;
67. THENCE NORTH 87°10'13" EAST 101.01 FEET;
68. THENCE SOUTH 03°53'00" EAST 442.76 FEET;
69. THENCE SOUTH 81°23'41" EAST 200.27 FEET;
70. THENCE SOUTH 01°42'24" EAST 178.15 FEET;
71. THENCE SOUTH 16°27'33" WEST 81.56 FEET;
72. THENCE SOUTH 04°24'51" WEST 7.93 FEET;
73. THENCE SOUTH 07°38'10" EAST 331.12 FEET;
74. THENCE SOUTH 47°14'35" WEST 156.53 FEET;
75. THENCE SOUTH 06°57'11" WEST 201.93 FEET;
76. THENCE SOUTH 60°30'31" EAST 358.64 FEET;
77. THENCE SOUTH 11°43'16" EAST 65.63 FEET;
78. THENCE NORTH 75°17'30" EAST 89.34 FEET;
79. THENCE NORTH 43°06'44" EAST 217.42 FEET;
80. THENCE NORTH 38°04'39" WEST 153.54 FEET;
81. THENCE NORTH 19°20'33" WEST 87.97 FEET;
82. THENCE NORTH 86°24'00" WEST 194.59 FEET;
83. THENCE NORTH 00°00'06" WEST 583.43 FEET;
84. THENCE NORTH 89°59'54" EAST 243.50 FEET;
85. THENCE SOUTH 08°06'39" EAST 541.42 FEET;
86. THENCE SOUTH 19°24'11" EAST 388.03 FEET;
87. THENCE SOUTH 80°23'38" EAST 208.46 FEET TO THE EASTERLY LINE OF FRACTIONAL SECTION 36;
88. THENCE ALONG SAID EASTERLY LINE, SOUTH 02°12'43" WEST 564.52 FEET TO **THE POINT OF BEGINNING.**

CONTAINING 266.945 ACRES, MORE OR LESS.

*Patrick A. McMichael*

Patrick A. McMichael, L.S. 6187

*3-12-2013*

Date



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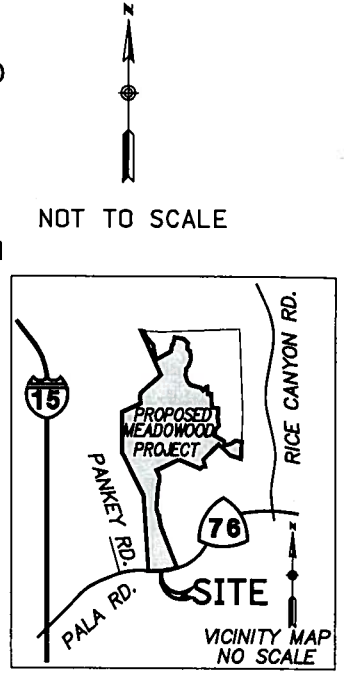
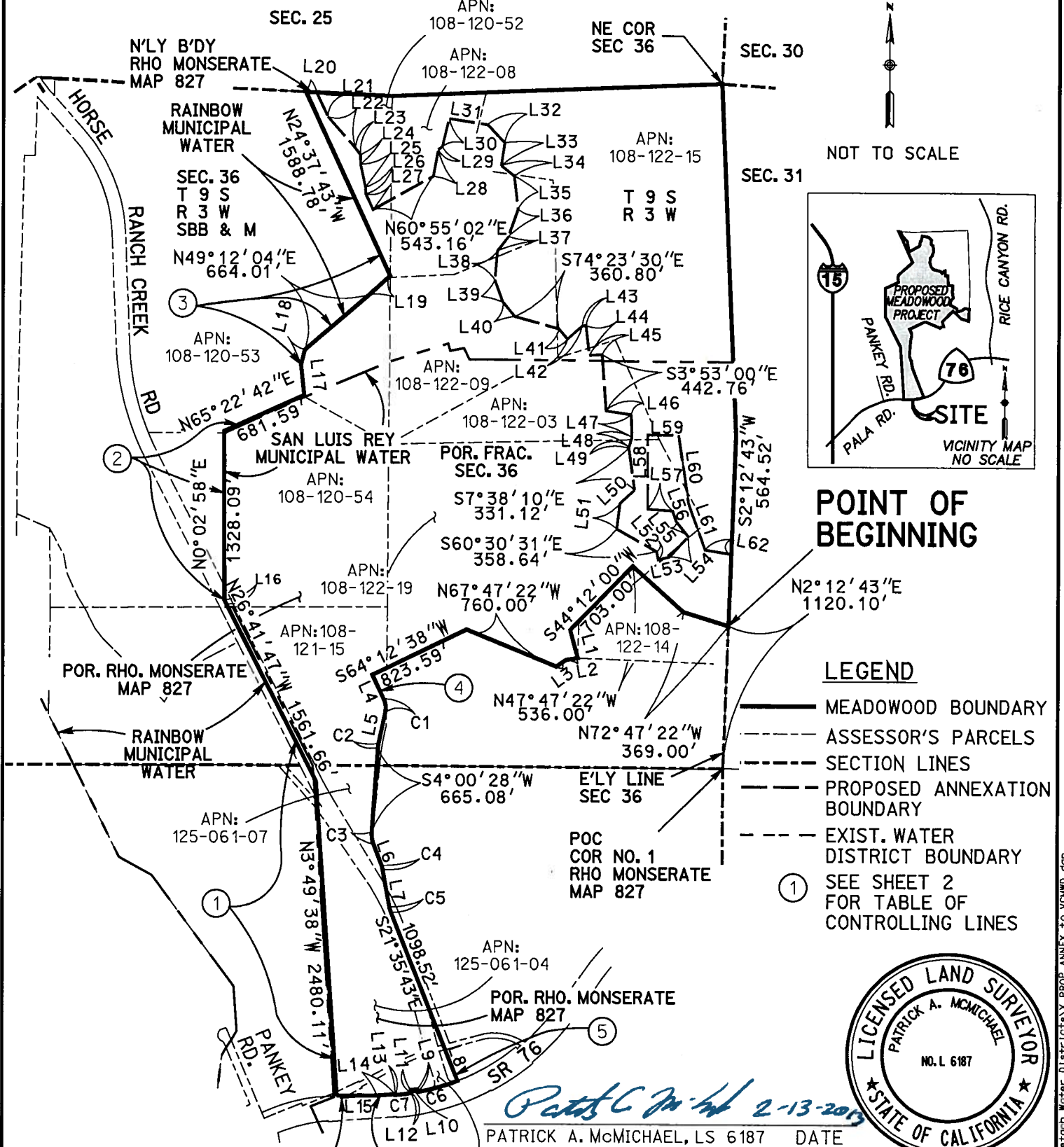
**ANNEXATION - CONDITIONAL REVIEW**

The Metropolitan Water District of Southern California

Right-of-Way Engineering Team

Date: 3/18/13 Reviewer: *[Signature]*

# EXHIBIT B PROPOSED MEADOWOOD ANNEXATION - WATER SERVICE AREA



### POINT OF BEGINNING

### LEGEND

- MEADOWOOD BOUNDARY
- ASSESSOR'S PARCELS
- SECTION LINES
- PROPOSED ANNEXATION BOUNDARY
- EXIST. WATER DISTRICT BOUNDARY
- ① SEE SHEET 2 FOR TABLE OF CONTROLLING LINES



*Patrick A. McMichael* 2-13-2013  
 PATRICK A. McMICHAE, LS 6187 DATE

**ANNEXATION - CONDITIONAL REVIEW**  
 The Metropolitan Water District of Southern California  
 Right-of-Way Engineering Team  
 Date: 3/18/13 Reviewer: [Signature]

SHEET 1 OF 2

DATE: 03/12/13	SCALE: NTS	LAFCO RESOLUTION NO.
ACREAGE: 266.945	<b>RICK</b> ENGINEERING COMPANY	5620 FRIARS ROAD SAN DIEGO, CA 92110 619.291.0707 (FAX)619.291.4165

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## EXHIBIT B PROPOSED MEADOWOOD ANNEXATION - WATER SERVICE AREA

NAME	LINE TABLE DIRECTION	LENGTH
L1	S 15° 13' 42" E	228.00
L2	S 81° 12' 38" W	93.00
L3	S 55° 42' 38" W	93.00
L4	S 25° 20' 32" E	208.85
L5	S 12° 02' 28" W	248.63
L6	S 20° 45' 32" E	174.56
L7	S 10° 25' 44" E	301.07
L8	S 21° 35' 43" E	329.97
L9	N 15° 00' 00" W	21.19
L10	S 83° 00' 00" W	51.00
L11	S 5° 00' 00" E	21.00
L12	S 40° 00' 00" W	3.96
L13	N 4° 34' 32" W	6.57
L14	S 85° 25' 28" W	143.14
L15	S 89° 37' 04" W	314.40
L16	N 26° 41' 47" W	32.19
L17	N 6° 12' 08" W	239.82
L18	N 14° 06' 59" E	123.37
L19	N 47° 46' 04" E	221.11
L20	S 87° 28' 07" E	83.69
L21	S 24° 50' 26" E	211.82
L22	S 41° 21' 02" E	325.65
L23	S 36° 24' 13" E	65.36
L24	S 1° 11' 40" E	74.70
L25	S 12° 08' 24" E	184.62
L26	S 2° 57' 41" E	52.62
L27	S 24° 42' 16" E	135.96
L28	N 10° 05' 56" E	213.68
L29	N 54° 29' 09" E	39.24
L30	N 13° 57' 35" E	227.25
L31	S 81° 00' 42" E	306.31
L32	S 43° 25' 25" E	195.38
L33	S 8° 45' 22" W	181.25
L34	S 51° 37' 59" E	130.66
L35	S 6° 33' 25" E	263.91
L36	S 18° 50' 50" W	225.70
L37	S 37° 43' 08" W	144.16
L38	S 4° 58' 13" W	229.66
L39	S 19° 37' 26" E	181.55
L40	S 39° 57' 08" E	149.31
L41	S 39° 27' 16" E	104.27
L42	N 47° 44' 11" E	154.49
L43	N 81° 11' 35" E	30.32
L44	S 6° 43' 27" E	235.00
L45	N 87° 10' 13" E	101.01
L46	S 81° 23' 41" E	200.27
L47	S 1° 42' 24" E	178.15
L48	S 16° 27' 33" W	81.56
L49	S 4° 24' 51" W	7.93

NAME	LINE TABLE DIRECTION	LENGTH
L50	S 47° 14' 35" W	156.53
L51	S 6° 57' 11" W	201.93
L52	S 11° 43' 16" E	65.63
L53	N 75° 17' 30" E	89.34
L54	N 43° 06' 44" E	217.42
L55	N 38° 04' 39" W	153.54
L56	N 19° 20' 33" W	87.97
L57	N 86° 24' 00" W	194.59
L58	N 0° 00' 06" W	583.43
L59	N 89° 59' 54" E	243.50
L60	S 8° 06' 39" E	541.42
L61	S 19° 24' 11" E	388.03
L62	S 80° 23' 38" E	208.46

NAME	CURVE TABLE		ARC
	DELTA	RADIUS	
C1	37° 23' 00"	170.00	110.92
C2	8° 02' 00"	230.00	32.25
C3	24° 46' 00"	230.00	99.42
C4	10° 19' 48"	170.00	30.65
C5	11° 09' 59"	230.00	44.82
C6	10° 45' 45"	1722.44	323.55
C7	4° 09' 14"	1722.44	124.88

### CONTROLLING LINES

- ① W'LY B'DY OF DEED REC 4-14-1978 AS FILE NO.78-149646 O.R.
- ② W'LY B'DY OF PCL 1A OF CERT. OF COMP REC 3-25-1983 FILE NO. 83-095254
- ③ E'LY B'DY OF DEED REC. 3-27-1981 FILE NO. 81-092782
- ④ W'LY SIDELINE 60' ESMT REC 4-13-1981 FILE NO. 81-112046 O.R.
- ⑤ E'LY BOUNDARY OF PCL 2A OF DEED REC. 10-19-2007 DOC. NO. 2007-0673087 O.R.
- ⑥ N'LY R/W DEED REC 7-29-2008 AS DOC NO. 2008-0403484 O.R.
- ⑦ S'LY B'DY PCL 2A OF DEED REC.10-19-2007 DOC NO. 2007-0673087 O.R.



5620 FRIARS ROAD  
SAN DIEGO, CA 92110  
619.291.0707  
(FAX)619.291.4165

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**RESOLUTION****RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
CONSENTING TO SAN DIEGO COUNTY WATER AUTHORITY'S  
MEADOWOOD ANNEXATION  
AND FIXING THE TERMS AND CONDITIONS OF SAID ANNEXATION TO  
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

A. WHEREAS, the Board of Directors of the San Diego County Water Authority (SDCWA), a municipal water district, situated in the county of San Diego, state of California, pursuant to Resolution No. 2013-15, 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 San Diego referred to as Meadowood Annexation, more particularly described in an application to the San Diego County Local Agency Formation Commission (LAFCO), concurrently with the annexation thereof to SDCWA, 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, completion of said annexation shall be conditioned upon approval by LAFCO; and

C. WHEREAS, pursuant to the provisions of the California Environmental Quality Act (CEQA) county of San Diego, acting as the Lead Agency, certified an Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program (MMRP) on January 11, 2012 for the proposed annexation process (also known as Meadowood Master Planned Community Project). Also pursuant to CEQA, Metropolitan, as Responsible Agency, is required to certify that it has reviewed and considered the information in the EIR and MMRP and adopt the Lead Agency's findings prior to approval of the formal terms and conditions for the Meadowood Specific Plan; 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; and

E. NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Metropolitan, acting as Responsible Agency, has reviewed and considered the information in the EIR and MMRP and adopts the Lead Agency's findings prior to approval of the formal terms and conditions for the Meadowood Specific Plan; and subject to the following terms and conditions, does hereby grant the application of the governing body of county of San Diego for consent to annex the Meadowood Specific Plan to Metropolitan and does hereby fix the terms and conditions of such annexation:

F. BE IT FURTHER RESOLVED that the Board of Directors of Metropolitan, subject to the following terms and conditions, does hereby grant the application of the governing body of SDCWA for consent of Meadowood Annexation to Metropolitan and does hereby fix the terms and conditions of such annexation:



**Section 1.** The annexation of said area to SDCWA 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 SDCWA to effectuate the annexation shall be filed on or before December 31, 2015.

**Section 2.** Prior to filing a request for a Certificate of Completion of the annexation proceedings with LAFCO, SDCWA shall submit a certified copy of LAFCO's resolution approving the annexation to the member agency, and shall pay to Metropolitan in cash approximately \$1,172,420, if the annexation is completed by December 31, 2013. The annexation fee of \$5,000 for processing this annexation was received prior to approval. The annexation charge is calculated by the per-acre method based on the net acreage. If the annexation is completed during the 2014 calendar year, the annexation charge was calculated based on the then-current rate, in accordance with Metropolitan's Administrative Code Section 3300.

**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. SDCWA shall not be entitled to demand that Metropolitan deliver water to SDCWA 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 the water service regulations, including rates 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.

G. BE IT FURTHER RESOLVED that the Board Executive Secretary is directed to transmit forthwith to the governing body of SDCWA 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 September 10, 2013.

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

**RESOLUTION****RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE METROPOLITAN WATER DISTRICT OF  
SOUTHERN CALIFORNIA  
FIXING AND ADOPTING WATER STANDBY CHARGE  
CONTINGENT UPON SAN DIEGO COUNTY WATER AUTHORITY'S  
MEADOWOOD ANNEXATION**

WHEREAS, pursuant to Resolution 9151, The Metropolitan Water District of Southern California's (Metropolitan) Resolution of Intention to Impose Water Standby Charge, adopted by the Board of Directors (the Board) of Metropolitan at its meeting held May 14, 2013, the Board gave notice to the public and to each member public agency of Metropolitan of the intention of the Board to consider and take action on the General Manager's recommendation to impose a water charge for fiscal year 2013/14 on the property described in the Engineer's Report, dated April 2013 which was prepared by a registered professional engineer certified by the state of California and was attached to Resolution 9151;

WHEREAS, the owner of the parcel identified in the Engineer's Report has applied for annexation into the San Diego County Water Authority (SDCWA) and Metropolitan;

WHEREAS, upon annexation, Metropolitan water was available to such property and such parcels will receive the benefit of the projects provided in part with proceeds of Metropolitan water standby charges, as described in the Engineer's Report;

WHEREAS, SDCWA has requested that Metropolitan impose water standby charges on such property at the rate specified in the Engineer's Report and provided herein, following annexation of such property into Metropolitan;

WHEREAS, Resolution 9151 provided that the Board would meet in regular session to hold a public protest hearing at which interested parties could present their views regarding the proposed water standby charges and the Engineer's Report;

WHEREAS, pursuant to the terms of Resolution 9151, the Board Executive Secretary provided written notice in accordance with the requirements of Article XIII D, Section 4 of the California Constitution of the proposed water standby charge by mail to the record owner of the property identified in the Engineer's Report of such public hearing, and the notice included an assessment ballot whereby the owner could indicate his or her name, reasonable identification of his or her parcel, and his or her support for or opposition to the proposed water standby charge;

WHEREAS, the Board conducted in conformance with Resolution 9151 a public hearing. The hearing was held July 9, 2013 at which interested parties were given the opportunity to present their views regarding the proposed water standby charge and the Engineer's Report and to protest the charges, if they so desired, and the Board duly considered any such protests and other views presented to it at the public hearing; and

WHEREAS, prior to the conclusion of the public hearing the Board Executive Secretary reviewed the assessment ballots submitted, and it was found that no majority protest (as defined in Article XIII D, Section 4 of the California Constitution) exists;

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 Metropolitan, pursuant to the Engineer's Report, finds that the land described in said Engineer's Report upon annexation to Metropolitan was benefited as described in such report and on that basis, hereby fixes and adopts a water standby charge for fiscal year 2013/14 on such lands to which Metropolitan water is made available for any purpose, whether water is actually used or not.

**Section 2.** That the water standby charge per acre of land, or per parcel of land less than an acre, as shown in the Engineer's Report, shall be \$11.51 which is equal to the amount of Metropolitan's existing water standby charge on other properties located within the territory of SDCWA.

**Section 3.** That no water standby charge on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel, as shown in the Engineer's Report. The Engineer's Report separates the special benefits from the general benefits and identifies each of the parcels on which a special benefit is conferred.

**Section 4.** That the water standby charge shall be collected on the tax rolls, together with the ad valorem property taxes, which are levied by Metropolitan for the payment of pre-1978 voter-approved indebtedness. Any amounts so collected shall be applied as a credit against SDCWA's obligation to pay its readiness-to-serve charge for fiscal year 2013/14. After such member agency's readiness-to-serve charge allocation is fully satisfied, any additional collections shall be credited to other outstanding obligations of such member agency to Metropolitan or future readiness-to-serve obligations of such agency.

**Section 5.** That the water standby charge is fixed and adopted contingent upon completion of annexation of the land described in the Engineer's Report. If such annexation is not completed in time to permit imposition of standby charges for fiscal year 2013/14, Metropolitan may levy standby charges at the rate stated in this resolution beginning in a subsequent fiscal year.

**Section 6.** That in the event that the water standby charge, or any portion thereof, is determined to be an unauthorized or invalid fee, charge or assessment by a final judgment in any proceeding at law or in equity, which judgment is not subject to appeal, or if the collection of the water standby charge shall be permanently enjoined and appeals of such injunction have been declined or exhausted, or if Metropolitan shall determine to rescind or revoke the water standby charge, then no further water standby charge shall be collected within the territory described in the Engineer's Report and SDCWA shall pay its readiness-to-serve charge obligation to Metropolitan in full, as if imposition of such water standby charges had never been sought.

**Section 7.** That pursuant to the provisions of the California Environmental Quality Act (CEQA), County of San Diego, acting as the Lead Agency, certified an Environmental Impact

Report (EIR) and Mitigation Monitoring and Reporting Program (MMRP) on January 11, 2012 for the proposed annexation process (also known as Meadowood Master Planned Community Project). Also pursuant to CEQA, Metropolitan, as Responsible Agency, is required to certify that it has reviewed and considered the information in the EIR and MMRP and adopts the Lead Agency's findings prior to approval of fixing and adopting water standby charges for the Meadowood Specific Plan.

**Section 8.** That the General Manager is hereby authorized and directed to take all necessary action to secure the collection of the water standby charges by the appropriate county officials, including payment of the reasonable cost of collection.

**Section 9.** That the General Manager and General Counsel are hereby authorized to do all things necessary and desirable to accomplish the purposes of this resolution, including, without limitation, the commencement or defense of litigation.

**Section 10.** That if any provision of this resolution or the application to any member agency, property or person whatsoever is held invalid, that invalidity shall not affect the other provisions or applications of this resolution which can be given effect without the invalid portion or application, and to that end the provisions of this resolution are severable.

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 September 10, 2013.

---

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