

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

TUES day 23RD MAY 19 89

PRESENT: Supervisors Harry Ovitt, William B. Coy, David Blakely
Vice-Chairperson Evelyn Delany

ABSENT: Chairperson James Johnson

RESOLUTION NO. 89-274

RESOLUTION ORDERING REORGANIZATION OF THE
HERITAGE RANCH AREA INVOLVING THE DISSOLUTION
OF SAN LUIS OBISPO COUNTY SERVICE AREA NO. 19
AND THE FORMATION OF HERITAGE RANCH COMMUNITY
SERVICES DISTRICT, SUBJECT TO A CONFIRMATION ELECTION

The following resolution is now offered and read:

WHEREAS, on March 16, 1989, the Local Agency Formation Commission of the County of San Luis Obispo (hereinafter referred to as the "Commission") duly adopt Resolution No. 89-6 approving, subject to a number terms and of conditions, a proposed reorganization of the Heritage Ranch area involving the dissolution of San Luis Obispo County Service Area No. 19 and the formation of Heritage Ranch Community Services District, a copy of which is on file in the office of the Executive Officer of the Commission and is incorporated by reference herein as though set forth in full; and

WHEREAS, the reorganization was initiated by petition signed by registered voters, with the chief petitioners being listed as Jim McWilliams, Thomas Chrones and Rollin Lemm; and

WHEREAS, the reason for the reorganization as set forth in the petition is to provide more local control through an independent district with a locally elected governing board and to control water and sewer rates; and

WHEREAS, the Board of Supervisors is taking action on this reorganization pursuant to the provisions of the Cortese-Knox Local Government Reorganization Act of 1985 (Government Code Section 56000 et seq.); and



Handwritten initials and number: 4-17/38

WHEREAS, the County Clerk has given the notices required by law and has forwarded copies of the Executive Officer's report to officers, persons and public agencies prescribed by law; and

WHEREAS, the matter was duly set for public hearing at 9:00 a.m. on May 23, 1989, and the public hearing was duly conducted and determination and decision made on May 23, 1989; and

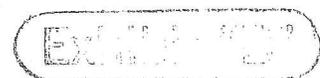
WHEREAS, at said hearing, the Board of Supervisors heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said proposal and report; and

WHEREAS, the Board of Supervisors has duly considered the negative declaration approved for this project, and has reviewed and considered the information contained therein and all comments received during the public hearing process; and

WHEREAS, it is in the public interest that, upon approval by the electorate, the Heritage Ranch Community Services District should be formed and San Luis Obispo County Service Area No. 19 should be dissolved in one single action as provided for under reorganization proceedings pursuant to the Cortese-Knox Local Government Reorganization Act of 1985.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct and valid.
2. That the name for the proposed new community services district shall be the "Heritage Ranch Community Services District."
3. That the distinctive short form designation approved by the Commission for the territory proposed to be reorganized is "Reorganization to Dissolve San Luis Obispo Service Area No. 19 and to Form Heritage Ranch Community Services District."



4. That the Heritage Ranch area reorganization involving the dissolution of San Luis Obispo County Service Area No. 19 and the formation of Heritage Ranch Community Services District is hereby ordered subject to confirmation by the voters and subject to the following terms and conditions:

(a) That all property, real and personal, of County Service Area No. 19 be transferred to the Heritage Ranch Community Services District upon the effective date of the reorganization; and

(b) That all funds of County Service Area No. 19, including cash on hand and money due but uncollected, together with all obligations due to the district (County Service Area No. 19) be transferred to the new Community Services District; and

(c) That the Heritage Ranch Community Services District succeed to all rights, duties and obligations of the predecessor district with respect to the enforcement of performance or payment of any outstanding contracts and obligations of County Service Area No. 19; and

(d) That the Heritage Ranch Community Services District be authorized to impose upon the entire territory of the district, liability for payment of all principal and interest and other amounts which will become due on account of any outstanding contract or obligations of County Service Area No. 19; and

(e) That the Heritage Ranch Community Services District be authorized to continue to levy, fix and collect any special, extraordinary or additional taxes, assessments, service charges and rates which were levied, fixed and/or collected by County Service Area No. 19; and

(f) That the County retain ownership of that portion of what is currently APN 012-181-057, but will be the subject of a future public lot split, that is designated as the site of a new County Fire Station; and

EXHIBIT 107

(g) That the Board of Directors of the Heritage Ranch Community Services District be composed of five (5) members elected as provided for in the Community Services District Law, Government Code section 61200; and

(h) That the Heritage Ranch Community Services District be authorized to exercise all of the water and sewer services that such districts may legally provide as set forth in Government Code section 61600(a) and (b), respectively; and

(i) That approval of this reorganization shall be subject to an election and the effective date of the reorganization shall be 90 days following certification of election results; and

(j) That during the transition period between certification of the election results and the effective date of the Community Services District, the County of San Luis Obispo and the Heritage Ranch Community Services District shall enter into a joint powers agreement whereby the County would continue to operate the water and sewer system and aid in the transfer of service responsibility. The term of the joint powers agreement may be extended by mutual agreement of both parties.

5. That a legal description of the exterior boundaries of the Heritage Ranch Community Services District approved by the Commission is attached hereto, marked Exhibit "A", and incorporated by reference herein as though set forth in full.

6. That the regular county assessment roll will be utilized for purposes of this reorganization.

7. That the affected territory will be taxed for existing general bonded indebtedness, if any, of any agency whose boundaries will be changed.

8. That the amount of appropriations subject to limitation in accordance with Article XIII B of the California Constitution for the new Heritage Ranch Community Services District, shall be

Exhibit "B"

established as one hundred eight thousand five hundred twenty-five dollars (\$108,525.00) and shall be voted upon at the confirmation election for the reorganization.

9. That, pursuant to Government Code section 57077, the Board of Supervisors has accepted any written protests filed and not withdrawn prior to the conclusion of the hearing from voters or landowners in the area of reorganization. The Board has determined that the value of written protests is insufficient to terminate the proceedings, and calls for and directs that any required notice of election be given on the question of the reorganization to dissolve San Luis Obispo County Service Area No. 19 and form Heritage Ranch Community Services District.

10. That the confirmation election be held within the boundaries of the area proposed for reorganization, including all of San Luis Obispo County Service Area No. 19, as set forth in LAFCO Resolution No. 89-6, and that the election date be set as the November 7, 1989 General Election.

11. That the questions to be submitted to the voters shall be as follows:

(a) Shall the reorganization involving dissolution of San Luis Obispo County Service Area No. 19 and the formation of Heritage Ranch Community Services District be approved?

(b) Which five persons shall serve as the Board of Directors of the Heritage Ranch Community Services District?

(c) Shall the amount of appropriations subject to limitation in accordance with Article XIII B of the California Constitution be established as one hundred eight thousand five hundred twenty-five dollars (\$108,525.00)?

12. That the "Lynch Precinct" be designated for the election and that the Heritage Ranch Recreation Hall be designated as the polling place.

13. That a majority vote be required for all of the questions concerning the reorganization.

Exhibit "B"

Upon motion of Supervisor OVITT, seconded by Supervisor BLAKELY, and on the following roll call vote, to wit:

AYES: SUPERVISORS Ovitt, Blakely, Coy, Vice-Chairperson Delany
NOES: None
ABSENT: SUPERVISORS Chairman James Johnson
ABSTAINING: None

the foregoing resolution is hereby adopted.

Evelyn Delany
Chairman of the Board of Supervisors

ATTEST:

FRANCIS M. COONEY
Clerk of the Board of Supervisors
[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: James B. Lindholm
Deputy County Counsel

Dated: MAY 18, 1989

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STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO) SS
I, FRANCIS M. COONEY, County Clerk of the above
County, and Ex-Officio Clerk of the Board
of Supervisors thereof, do hereby certify the fore-
going to be a full, true and correct copy of an order
entered in the minutes of said Board of Super-
visors, and now remaining of record in my office.
Witness, my hand and seal of said Board of
Supervisors this _____ day of _____
1989
JUN 02 1989
FRANCIS M. COONEY
County Clerk and Ex-Officio Clerk of the
Board of Supervisors
S. REINER
SONDRA REINER Deputy Clerk



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4

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

TUES day 13TH FEBRUARY, 19 90

PRESENT: Supervisors Harry Ovitt, William B. Coy, James Johnson, David Blakely
Chairperson Evelyn Delany

ABSENT: None

RESOLUTION NO. 90-65

RESOLUTION DECLARING THE DISSOLUTION OF
COUNTY SERVICE AREA NO. 19 AND
THE FORMATION OF THE HERITAGE RANCH COMMUNITY SERVICES DISTRICT

The following resolution is now offered and read:

WHEREAS on May 23, 1989, the San Luis Obispo County Board of Supervisors duly adopted Resolution No. 89-274, a copy of which is on file with the Clerk of the Board of Supervisors and is incorporated by reference herein as though set forth in full, ordering the reorganization of the Heritage Ranch area involving dissolution of County Service Area No. 19 and the formation of the Heritage Ranch Community Services District, subject to an election; and

WHEREAS on November 7, 1989, such election was held to decide on the reorganization; and

WHEREAS subsequent to such election on November 20, 1989, the County Clerk did issue a certificate certifying that he did canvass the results of such election; and

WHEREAS a majority of the votes cast within the boundaries of the reorganization area did vote in favor of the dissolution of County Service Area No. 19 and the formation of the Heritage Ranch Community Services District, as well as the amount of appropriations subject to limitation according to Article XIII B of the California Constitution.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct and valid.
2. That the order of reorganization referred to above is hereby confirmed.
3. That the Heritage Ranch Community Services District is duly organized under the Community Services District Law, Government Code Sections 61000 et.seq.
4. That the official name of the district shall be the Heritage Ranch Community Services District.
5. That the purposes for which the district is formed shall be limited to water and sewer services.

A 3
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6. That the boundaries of said district are described in the legal description attached hereto, marked Exhibit "A", and incorporated herein as through set forth in full.

Upon motion of Supervisor Blakely, seconded by Supervisor Ovitt, and on the following roll call vote, to wit:

AYES: SUPERIVOSRS Blakely, Ovitt, Coy, Johnson, Chairperson Delany

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted.

Evelyn Delany

Chairman of the Board of Supervisors

ATTEST

FRANCIS M. COONEY

Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: [Signature]
Deputy County Counsel

Dated: FEBRUARY 1, 1990

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO) SS

FRANCIS M. COONEY, County Clerk of the above
entitled County, and Ex-Officio Clerk of the Board
of Supervisors thereof, do hereby certify the fore-
going to be a full, true and correct copy of an order
entered in the minutes of said Board of Super-
visors, and now remaining of record in my office.

Witness, my hand and seal of said Board of
Supervisors this 14th day of Feb
19 90

FRANCIS M. COONEY
County Clerk and Ex-Officio Clerk of the
Board of Supervisors

By: [Signature]
Deputy Clerk

Exhibit "B"

A-3
3

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

---Tues--- day ----- May 7 -----, 19_91_

PRESENT: Supervisors

Harry Ovitt, Laurence L. Laurent, Evelyn Delany,
Ruth Brackett and Chairperson David Blakely

ABSENT:

None

RESOLUTION NO. 91-250

RESOLUTION CONVEYING CERTAIN REAL PROPERTY
OF THE SAN LUIS OBISPO COUNTY SERVICE AREA NO. 19
TO THE HERITAGE RANCH COMMUNITY SERVICES DISTRICT

The following resolution is now offered and read:

WHEREAS, the County Board of Supervisors ordered the reorganization of the Heritage Ranch area involving the dissolution of San Luis Obispo County Service Area No. 19 and the formation of the Heritage Ranch Community Services District by Resolution No. 89-274; and

WHEREAS, said reorganization requires the transfer of real property of the County Service Area No. 19 to the Heritage Ranch Community Services District; and

WHEREAS, the terms and conditions of said resolution provide the County retain certain ownership of that portion of real property designated as APN 012-181-057, subject to a future public lot split, that is designated as the site of a County Fire Station; and

WHEREAS, it is in the public interest that conveyance of certain real property subject to the terms and conditions of the said resolution take place.

NOW, THEREFORE, BE IT RESOLVED and ordered by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth here and above are true, correct and valid.
2. That certain real properties as described in the attached Exhibit A, made a part hereof, are to be transferred to the District by Quitclaim Deed.
3. That the Chairman is hereby authorized and directed to execute said Quitclaim Deed on behalf of the County of San Luis Obispo.
4. That the County Engineer of this County is hereby authorized and directed to present said executed deed for recordation and, after recordation, to deliver the same to the Heritage Ranch Community Services District.

LEGAL DESCRIPTION FOR REAL PROPERTY
TO BE TRANSFERRED TO HERITAGE RANCH COMMUNITY SERVICES DISTRICT
SUPERVISORIAL DISTRICT NO. 1

All that real property interests situate in the County of San Luis Obispo, State of California, described as follows:

Easements:

Water tank easement recorded July 27, 1972 in Book 1680, Page 529; Off-site water well easement recorded July 27, 1972 in Book 1680, Page 538; access road and water line easement recorded July 27, 1972 in Book 1680, Page 547; off-site water main pipeline easement recorded July 27, 1972 in Book 1680, Page 556; water main pipeline easement recorded July 27, 1972 in Book 1680, Page 565; road access to storage tank easement recorded July 27, 1972 in Book 1680, Page 572; sewer line and lift station to collection system recorded July 27, 1972 in Book 1680, Page 601; sewage effluent pond easement recorded July 27, 1972 in Book 1680, Page 610; sewage effluent disposal site easement recorded July 27, 1972 in Book 1680, Page 619; temporary sewage treatment plant easement recorded July 27, 1972 in Book 1680, Page 628; water tank easement recorded July 27, 1972 in Book 1680, Page 530; off-site water well easement recorded July 27, 1972 in Book 1680, Page 538; sewage treatment plant easement recorded October 3, 1974 in Book 1800, Page 189; access road and waterline easement recorded October 29, 1975 in Book 1860, Page 935; and also an access road and waterline easement recorded October 29, 1975 in Book 1860, Page 941; waterline or lines, pumphouse, and appurtenances easement recorded April 28, 1981 in Book 2337, Page 613; an access easement for ingress and egress to a water tank site recorded April 28, 1981 in Book 2337, Page 615; a water tank site easement recorded April 28, 1981 in Book 2337, Page 618; said easement records being Official Records in the County Recorder's Office of said County.

Fee:

Parcel One - that real property described in a deed to the County of San Luis Obispo recorded July 27, 1972 in Book 1680, Page 683 of Official Records of the County Recorder's Office of said County, RESERVING from said fee unto the County of San Luis Obispo, and its permittees and/or assigns, an easement to, at any time, and from time to time, construct, maintain, operate, replace, remove, renew, add to and/or enlarge public utility facilities, including ground wire, poles and communication facilities, and facilities incidental thereto, on, over, in and under said Parcel One; this reservation shall also include all rights of entry upon and over the said property for any and all purposes related to the installation, construction, repair, maintenance, operation, monitoring, removal, renewal, adding to and/or enlargement of the foregoing.

Parcel Two - that real property described in deed to the County of San Luis Obispo recorded October 29, 1975 in Book 1860, Page 924 (described as a Booster Station), in the Official Records of the County Recorder's Office of said County.

Parcel Three - that real property described in a deed to the County of San Luis Obispo recorded October 29, 1975 in Book 1860, Page 930 (described as an Off-site Water Well), in the Official Records of the County Recorder's Office of said County.

Parcel Four - that real property dedicated to the County of San Luis Obispo by Tract Map in Book 13, Page 37 of Maps in County of San Luis Obispo Recorder's Office, described as Lot 27 (sewage disposal) of Tract 1063, in fee simple, for purpose of community sewer system, and accepted by said County by resolution recorded October 9, 1987, in Book 3058, Page 169, of Official Records of said County Recorder's office.

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EXHIBIT A

Upon motion of Supervisor Delany, seconded by Supervisor Ovitt, and on the following roll call vote, to wit:

AYES: Supervisors Delany, Ovitt, Laurent, Brackett, Chairperson Blakely

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted.

DAVID BLAKELY
Chairperson of the Board of Supervisors

ATTEST:

FRANCIS M. COONEY
Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: [Signature]
Deputy County Counsel

Dated: March 12, 1991

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STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.

I, FRANCIS M. COONEY, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this 13th day of May, 19 91.

(SEAL)

FRANCIS M. COONEY
County Clerk and Ex-Officio Clerk of the Board of Supervisors
By Karen R. Fusco
Deputy Clerk.