

ORDINANCE NO. 4

AN ORDINANCE GRANTING THE PETITION FOR ANNEXATION TO CHINO BASIN MUNICIPAL WATER DISTRICT AND TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA OF CERTAIN TERRITORY DESIGNATED AS THE "MID-VALLEY AREA" AND FIXING THE TERMS AND CONDITIONS UPON WHICH SUCH ANNEXATION MAY OCCUR.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF CHINO BASIN MUNICIPAL WATER DISTRICT, AS FOLLOWS:

WHEREAS, on the 25th day of November, 1953, there was filed with the Secretary of this District a Petition signed by certain qualified electors residing within certain territory described and referred to therein as the Mid-Valley Area and hereinafter more particularly described, which Mid-Valley Area lies wholly within the County of San Bernardino, State of California, being the County in which this District is situated, praying that all the territory comprising said Mid-Valley Area be annexed to Chino Basin Municipal Water District and to The Metropolitan Water District of Southern California; and

WHEREAS, the Secretary of this District has completed his examination of said Petition and has attached his Certificate thereto, properly dated, showing the result of said examination and certifying said Petition to be sufficient, and duly and regularly set said Petition for hearing before the Board of Directors of this District at a meeting of said Board to be held at the offices of this District at 121 N. Plum Avenue, in the City of Ontario, County of San Bernardino, State of California, at two o'clock P.M. on Friday the 18th day of December, 1953; and

WHEREAS, the said Secretary of this District caused publication to be made in the manner required by law of the text of said Petition, together with five of the names attached thereto and a statement of the number of signers and together with a notice stating the time and place of the meeting at which said petition would be presented to this Board, which said publication of said text, names, number of signers and notice was made in three newspapers printed and published in the County of San Bernardino, State of California, once a week for at least two weeks before the time at which said Petition was so set by said Secretary to be presented to this Board, the last publication being made not less than one week nor more than four weeks prior to the time so set, and the said Secretary having presented to this Board and filed in the records of this Board the affidavits showing said publication of said text, names, number of signers and notice to have been made in accordance with law; and

WHEREAS, after said filing of said petition, this Board, by Resolution No. 203 made application to the Board of Directors of The Metropolitan Water District of Southern California for consent to annex to The Metropolitan Water District of Southern California said Mid-Valley Area and which it is sought to annex to Chino Basin Municipal Water District; and

WHEREAS, the corporate area of Chino Basin Municipal Water District has heretofore been added to and annexed to and is now included in and is a part of The Metropolitan Water District of Southern California, and the annexation and addition of the Mid-Valley Area to the corporate area of Chino Basin Municipal Water District and to the corporate area of The Metropolitan Water District of Southern California will thereby annex and add all of said Mid-Valley Area to both the Chino Basin Municipal Water District and The Metropolitan Water District of Southern California; and

WHEREAS, pursuant to said application of this Board, the Board of Directors of The Metropolitan Water District of Southern California by Resolution No. 4338 duly passed and adopted on the 15th day of December, 1953, a certified copy thereof having been filed with the Board of Directors of Chino Basin Municipal Water District, has consented to said annexation and has fixed, set forth, and determined the terms and conditions upon which said Mid-Valley Area may be included in and annexed and added to The Metropolitan Water District of Southern California; and

WHEREAS, said Petition was duly presented to this Board and hearing thereon was duly held at a regular adjourned meeting of this Board held at two o'clock P.M. on Friday, the 18th day of December, 1953, at the offices of this District at 121 N. Plum Avenue, in the City of Ontario, County of San Bernardino, State of California; and this Board being now duly and regularly convened and regularly in session at said time and place;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF CHINO BASIN MUNICIPAL WATER DISTRICT AS FOLLOWS:

Section 1. That said Petition filed on the 25th day of November, 1953, with the Secretary of this District duly and regularly prays that said Mid-Valley Area be annexed to Chino Basin Municipal Water District and to The Metropolitan Water District of Southern California; that no portion of said Mid-Valley Area is now included within or is a part of the corporate area of Chino Basin Municipal Water District or of The Metropolitan Water District of Southern California; that said Petition and all matters in connection with the circulating, signing, filing, certifying and presenting of said Petition and the giving of notice in connection with its presentation to this Board are regular and valid and are sufficient in law; and this Board of Directors of Chino Basin Municipal Water District has jurisdiction of the subject matter and has jurisdiction to entertain and to grant said Petition.

Section 2. That said Petition so filed on the 25th day of November, 1953, with the Secretary of this District, praying that all the territory referred to and described therein and hereinafter more particularly described, be annexed to and become a part of Chino Basin Municipal Water District, be and the same is hereby granted.

Section 3. That the terms and conditions upon which said annexation of said Mid-Valley Area to Chino Basin Municipal Water District and to The Metropolitan Water District of Southern California may occur, and which terms and conditions are as prescribed by the Board of Directors of The Metropolitan Water District of Southern California by its said Resolution No. 4338 adopted on the 15th day of December, 1953, are hereby ordered and fixed by this Board of Directors as follows:

(1) That said Mid-Valley Area shall be annexed to Chino Basin Municipal Water District concurrently with the annexation of said Mid-Valley Area to The Metropolitan Water District of Southern California, and such annexation shall be completed and all necessary certificates, statements, maps, and other documents required to be filed by or on behalf of Chino Basin Municipal Water District to effectuate such annexation shall be filed in the respective offices required by law, on or before Dec 1, 1954; and

(2) That the terms and conditions so prescribed by the Board of Directors of The Metropolitan Water District of Southern California upon which said Mid-Valley Area may be annexed to The Metropolitan Water District of Southern California shall be and constitute the terms and conditions upon which said Mid-Valley Area may be annexed concurrently to Chino Basin Municipal Water District and to The Metropolitan Water District of Southern California, and the Board of Directors of Chino Basin Municipal Water District shall not fix any other or further terms or conditions for the annexation of said Mid-Valley Area to Chino Basin Municipal Water District; if any other or further terms or conditions for such annexation of the said Mid-Valley Area to Chino Basin Municipal Water District shall be fixed by the Board of Directors of Chino Basin Municipal Water District, annexation of said Mid-Valley Area to The Metropolitan Water District of Southern California shall not be authorized and The Metropolitan Water District of Southern California's consent thereto shall be void and of no force or effect.

(3) That in the event of such annexation, there shall be levied by The Metropolitan Water District of Southern California special taxes upon taxable property within said Mid-Valley Area, in addition to the taxes elsewhere in The Metropolitan Water District Act (Stats. 1927, page 694, as amended) authorized to be levied by The Metropolitan Water District of Southern California as follows:

(a) The aggregate amount to be raised by such special taxes shall be \$2,254,830.00;

(b) The number of years prescribed for raising such aggregate sum shall be thirty years, commencing with the fiscal year 1955-56.

(c) Substantially equal annual levies will be made for the purpose of raising said sum over the period so prescribed.

(4) That in the event of such annexation, all feeder pipe lines, structures, connections, and other facilities required for the delivery of water to said Mid-Valley Area, from works owned or operated by The Metropolitan Water District of Southern California, shall be constructed, provided, and installed without cost or expense to The Metropolitan Water District of Southern California, and The Metropolitan Water District of Southern California shall be under no obligation to provide, construct, operate, or maintain such works.

Section 4. That the boundaries of the territory herein and in said Petition described and referred to as the Mid-Valley Area, and sought to be annexed to Chino Basin Municipal Water District as prayed for in said Petition and which Mid-Valley Area, upon completion of such annexation to Chino Basin Municipal Water District thereby will be annexed to and become and be a part of The Metropolitan Water District of Southern California, are as follows:

The Mid-Valley Area proposed to be annexed to said Chino Basin Municipal Water District and to The Metropolitan Water District of Southern California, is situated in the County of San Bernardino, State of California, and is more particularly described as follows (under the two separate parcel designations of Parcels "A" and "B"), to-wit:

The boundary line of cities and the boundary line of Chino Basin Municipal Water District, referred to herein, except as otherwise designated herein, are such boundary lines as the same existed at 12:00 noon on October 20, 1953.

Section 5. That an election shall be called by this Board of Directors of Chino Basin Municipal Water District and shall be held within said Mid-Valley Area, described as aforesaid, which said election shall be held within seventy days after the effective date of this ordinance. At said election the proposition of the annexation of said Mid-Valley Area to Chino Basin Municipal Water District and to The Metropolitan Water District of Southern California, subject to the terms and conditions herein fixed by said Board of Directors of Chino Basin Municipal Water District and subject to the terms and conditions fixed by the Board of Directors of The Metropolitan Water District of Southern California, as hereinabove set forth, shall be submitted to the vote of the electors in said Mid-Valley Area.

Section 6. This is an ordinance calling an election and shall go into effect immediately.

(O. S. Roen) President
CHINO BASIN MUNICIPAL WATER DISTRICT

(SEAL)

Attest:

/s/ R. C. Wolf
R. C. Wolf, Secretary