

**A G R E E M E N T**

**THIRD SUPPLEMENTAL AGREEMENT  
SANITARY SEWERAGE TREATMENT CAPACITY  
RIGHTS AND SERVICES**

**THIS AGREEMENT** entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2001, by and between the **CITY OF REDWOOD CITY**, a municipal corporation of the State of California ("City"), and the **FAIR OAKS SEWER MAINTENANCE DISTRICT**, a sewer maintenance district of the County of San Mateo, State of California ("District");

**W I T N E S S E T H :**

**WHEREAS**, City and District entered into that certain agreement dated August 27, 1985 entitled, "Agreement - Sanitary Sewerage Capacity Rights and Services" ("Basic Agreement"), providing for transmission, treatment and disposal of sewage emanating from District's service area; and

**WHEREAS**, pursuant to paragraph nine of the Basic Agreement, services furnished to District and the Capacity Rights (as defined in the Basic Agreement) reserved and conveyed to District hereunder are expressly limited to sewage emanating from property situated within the service area of District described in Exhibit "C" thereof; and

WHEREAS, owners of land outside the boundaries of said service area have applied to District for sanitary sewerage service, and District, in turn, has requested that City consent to annexation of said lands to District; and

WHEREAS, City is willing to consent to said annexation, provided that such annexation shall not increase or decrease the allocation of Capacity Rights reserved and conveyed to District under the Basic Agreement;

NOW, THEREFORE, the parties hereto agree as follows:

1. **DEFINITIONS.** Words or phrases defined in the Basic Agreement and used herein (the first letters of which are capitalized) shall have the meanings respectively ascribed thereto in the Basic Agreement. In addition to the foregoing definitions, the following term shall have the meaning hereinafter ascribed thereto:

**Annexing Territory.** All that certain real property situated in the County of San Mateo, State of California, more particularly described in Exhibit "A" hereof, attached hereto, and by this reference incorporated herein, and depicted upon that plat attached hereto, marked Exhibit "B", and likewise incorporated herein.

2. **AMENDED SERVICE AREA.** Subject to the hereinafter stated condition, City hereby consents to the annexation of the Annexing Territory to District, and the parties hereby agree that the service area of District referenced in paragraph nine of the Basic Agreement shall be, and hereby is, amended to include the Annexing Territory. Exhibit "C" of the Basic Agreement is hereby also amended

to include the Annexing Territory described in Exhibit "A" hereof. It is expressly understood and agreed that City's foregoing consent and agreement are given and made on the condition that annexation of the Annexing Territory to District shall not increase or decrease the allocation of Capacity Rights reserved and conveyed to District pursuant to the Basic Agreement.

3. **AUTHORITY; EFFECT.** This agreement is entered pursuant to the provisions of paragraph eighteen of the Basic Agreement. Except as amended and supplemented hereby, all other terms and conditions of the Basic Agreement shall be, and are, in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first hereinabove written.

**CITY OF REDWOOD CITY, a municipal  
corporation in the State of California**

\_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

**FAIR OAKS SEWER MAINTENANCE DISTRICT,  
a sewer maintenance district of the County of  
San Mateo**

By: \_\_\_\_\_ Title

ATTEST:

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County Clerk

**EXHIBIT "A"**

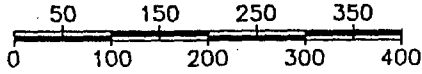
**PROPOSED ANNEXATION OF THE LANDS OF BRETT  
TO THE FAIR OAKS SEWER MAINTENANCE DISTRICT  
(APN #'s 054-030-190, 054-030-230 and 054-030-250)**

Parcel "B", as shown on the map entitled "Parcel Map 2000-4" filed in Volume 72 of Parcel Maps at Pages 97, 98 and 99, Records of San Mateo County and more particularly described as follows:

Beginning at the most easterly corner of Parcel "A" as shown on the Parcel Map entitled "Parcel Map No. 85-1" filed in Volume 56 of Parcel Maps at Page 33, Records of San Mateo County said point also being an angle point in the Fair Oaks Sewer Maintenance District as established by Board of Supervisors' Resolution Ordering the Formation of Fair Oaks Sewer Maintenance District, in Volume 28 Board Supervisor Minutes at Page 410, adopted June 2, 1930 and shown on the map entitled "Map Showing Boundary of Assessment and Maintenance Districts for Construction of Sewers in Atherton and Unincorporated Territory, San Mateo County, California, May 1929"; Thence from said Point of Beginning, Northwesterly along the northeasterly line of said Parcel "A" and said district boundaries North 62° 33' 05" West 468.48 feet; Thence leaving said district boundaries and continuing along the boundaries of said Parcel "B" following courses and distances: North 22° 19' 08" West 177.42 feet; South 64° 45' 00" East 90.00 feet; South 39° 12' 39" East 157.10 feet; South 64° 45' 00" East 370.02 feet; South 27° 26' 55" West 18.00 feet; South 64° 33' 11" East 1,256.85 feet; South 80° 37' 00" East 32.49 feet; South 10° 37' 17" West 90.22 feet; North 80° 12' 20" West 66.80 feet; North 66° 20' 00" West 1,141.69 feet; South 74° 59' 40" West 149.40 feet to a point in the boundary of said Fair Oaks Sewer Maintenance District; Thence along said district boundaries, North 27° 26' 55" East 176.79 feet to the Point of Beginning.

Containing 4.43 acres more or less

SCALE: 1"=200'

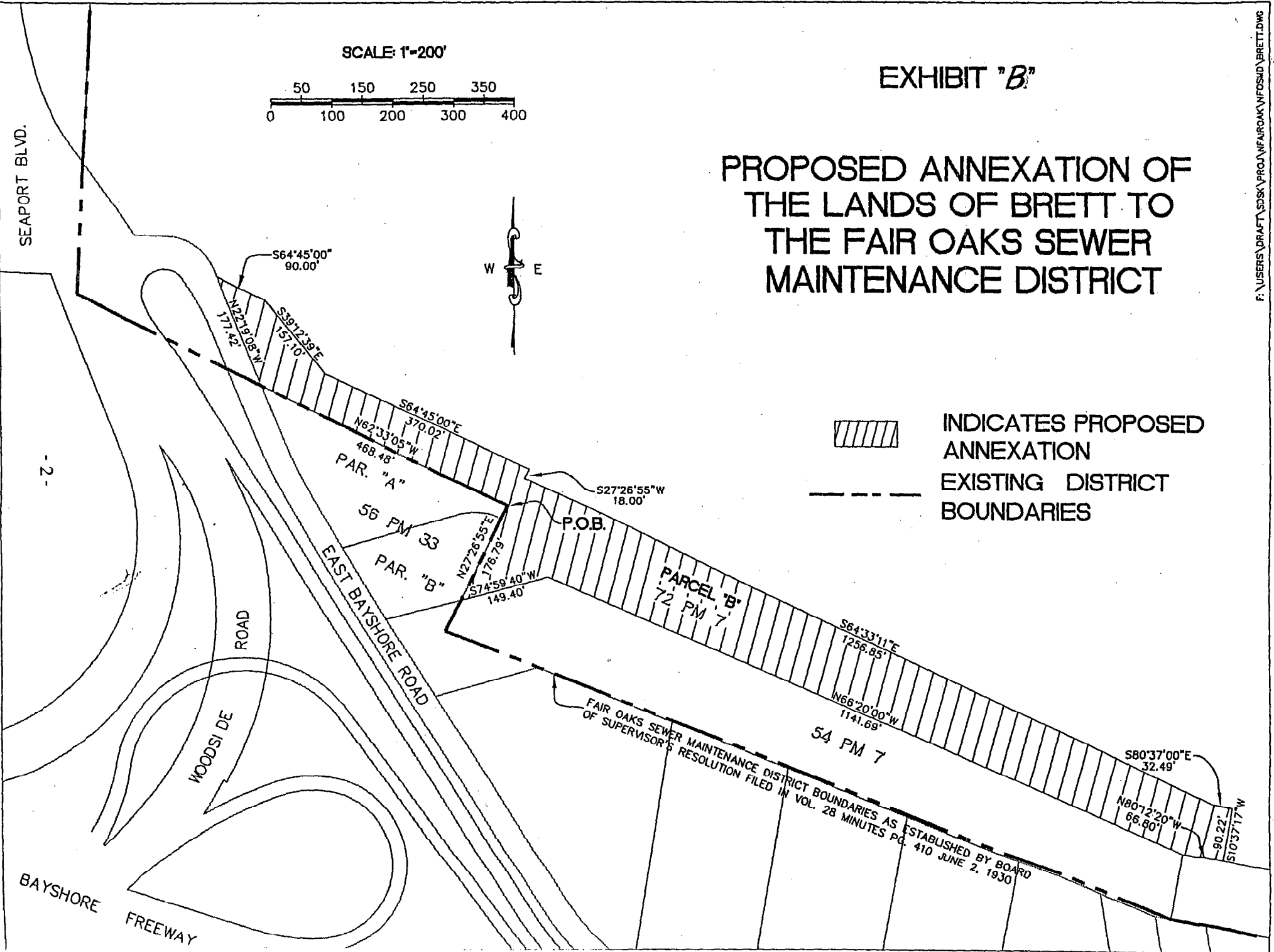


# EXHIBIT "B"

## PROPOSED ANNEXATION OF THE LANDS OF BRETT TO THE FAIR OAKS SEWER MAINTENANCE DISTRICT



INDICATES PROPOSED ANNEXATION  
 EXISTING DISTRICT BOUNDARIES



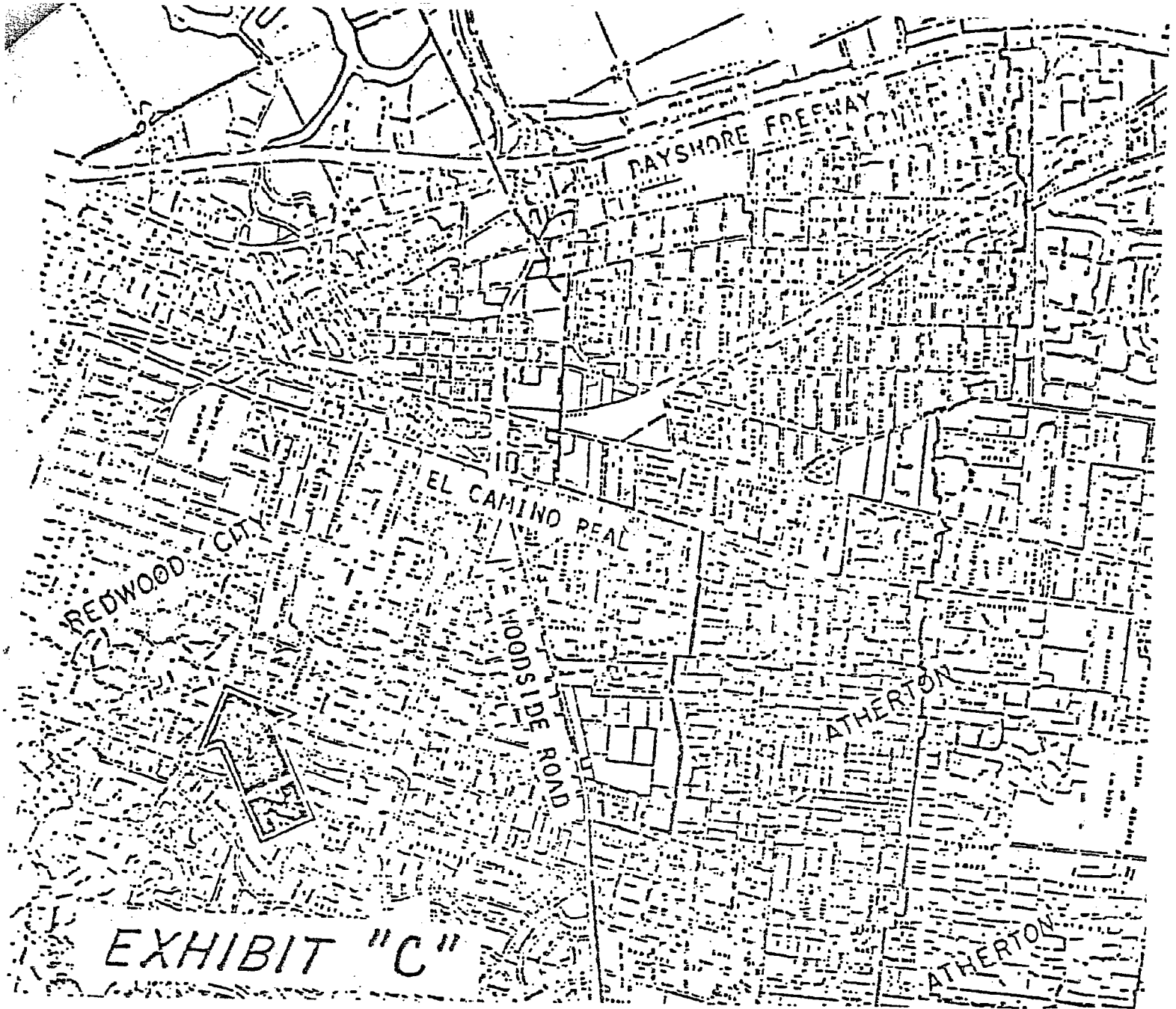


EXHIBIT "C"