

EXHIBIT "I"

SUPPLEMENTAL AGREEMENT NO. 31

AGREEMENT FOR SEWAGE TRANSMISSION, TREATMENT AND DISPOSAL OF SANITARY SEWERAGE BY AND BETWEEN THE CITY OF REDWOOD CITY, THE COUNTY OF SAN MATEO AND THE EMERALD LAKE HEIGHTS SEWER MAINTENANCE DISTRICT

THIS AGREEMENT entered into this 4th day of June, 2002 by and between the **CITY OF REDWOOD CITY**, a charter city and municipal corporation of the State of California, the **COUNTY OF SAN MATEO**, a political subdivision of the State of California, and the **EMERALD LAKE HEIGHTS SEWER MAINTENANCE DISTRICT**, a public corporation.

WITNESSETH:

WHEREAS, the City of Redwood City, the County of San Mateo, and the Emerald Lake Heights Sewer Maintenance District entered into that certain agreement dated August 23, 1983 entitled "Agreement for Sewage Transmission, Treatment and Disposal of Sanitary Sewerage By and Between the City of Redwood City, the County of San Mateo and the Emerald Lake Heights Sewer Maintenance District" (the "Transmission Agreement") pursuant to which the City provides said District with sewage transmission, treatment and disposal services, subject to the terms and conditions thereof; and

WHEREAS, the City of Redwood City and the County of San Mateo entered into that certain agreement entitled "Agreement–Wastewater Treatment Capacity (Emerald

Lake Hills Area)" dated August 19, 1980 (the "Capacity Agreement"), pursuant to which the City has allocated to the County 0.5 mgd (millions of gallons per day) sanitary sewerage treatment capacity rights for the benefit of lands located within the area thereafter established as the Emerald Lake Heights Sewer Maintenance District; and

WHEREAS, application for annexation to the Emerald Lake Heights Sewer Maintenance District has been made by the owners of the land hereinafter described (the "Annexing Territory"); and

WHEREAS, the County and the City desire to confirm that treatment capacity rights allocated to the County pursuant to the Capacity Agreement shall not be used for treatment of sewage emanating from the Annexing Territory; and

WHEREAS, paragraph XI of the Transmission Agreement provides that said agreement may be revised, altered, amended or supplemented by written agreement; and

WHEREAS, the parties hereto desire to supplement the Transmission Agreement by providing for the inclusion of the Annexing Territory in the service area specified in said agreement;

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree as follows:

1. Exhibit "A" of the Transmission Agreement shall be, and is hereby, amended to include the Annexing Territory comprised of all that certain real property (A.P.N. 068-132-110) situate in the County of San Mateo, State of California, described

and depicted on Exhibit "A" hereof, attached hereto and by this reference incorporated herein.

2. The parties hereto confirm and agree that treatment capacity for sewage emanating from the Annexing Territory shall be furnished pursuant to sanitary sewerage treatment capacity rights allocated to the City of Redwood City by the South Bayside System Authority, owner of the treatment facilities serving the City of Redwood City and the area within which the Annexing Territory is located, and shall not be furnished pursuant to the Capacity Agreement.

3. The County of San Mateo hereby agrees to collect all applicable wastewater capacity and facility fees and charges of the City of Redwood City from the owner(s) of the Annexing Territory as a condition to the issuance of said County's permits, approvals or other entitlements pertaining to said Territory, and thereupon to remit said fees and charges to the City.

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

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



Mayor

ATTEST:



City Clerk

**COUNTY OF SAN MATEO, a political
subdivision of the State of California**

President, Board of Supervisors

ATTEST:

Clerk of the Board

**EMERALD LAKE HEIGHTS SEWER
MAINTENANCE DISTRICT, a public
Corporation**

President, Board of Supervisors

ATTEST:

Clerk of the Board

EXHIBIT "A"

**PROPOSED
ANNEXATION OF THE LANDS
OF BLACKMORE AND AMOROSO
TO THE EMERALD LAKE HEIGHTS
SEWER MAINTENANCE DISTRICT**

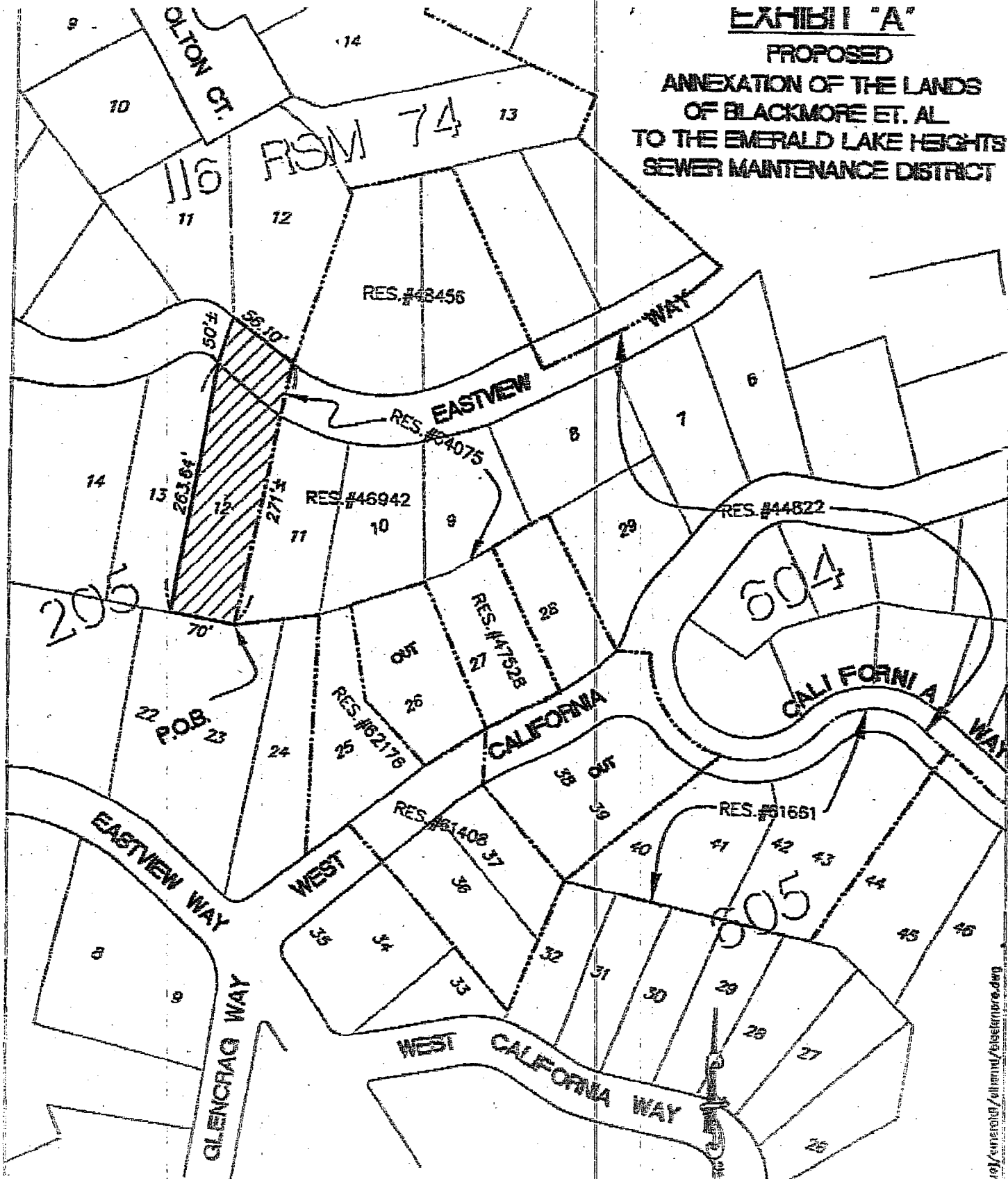
Lot 12 in Block 205 and a portion of Eastview Way as said Lot, Block and Way are shown on the map entitled "Estates of Emerald Lake, Subdivision Two filed in Volume 16 of Maps at Pages 18, 19, 20 and 21 and more particularly described as follows:

Beginning at the southerly corner of said Lot said point also being an angle point in the Emerald Lake Heights Sewer Maintenance District as established by Resolution No. 46942 passed and adopted on June 4, 1985; Thence from said Point of Beginning, northeasterly along the easterly line of said Lot 12 and continuing along said district boundary as established by Resolution No. 46942 and Resolution No. 64075 passed and adopted on November 14, 2000, 271 feet more or less to a point the northerly line of said Eastview Way, and an angle point in said district boundary of established by Resolution No. 48456, passed and adopted on September 23, 1986, said point also being the southerly corner of Lot 12 as shown on the map entitled "Parkwood Estates" filed in Volume 116 of Maps at Pages 74 and 75, San Mateo County Recorders Office; Thence leaving said district boundary northwesterly along said northerly line 56.10 feet to the southwest corner of said Lot; Thence, leaving said northerly line, southwestly in a direct line, 50 feet more or less to a point in said southerly line of Eastview Way, said point also being the northwest corner of said Lot 12, Block 205; Thence southwestly along westerly line of said Lot, 263.64 feet to the southwest corner thereof; Thence northeasterly along the southerly line of said Lot, 70 feet to the Point of Beginning.

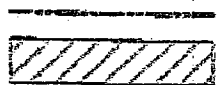
Containing .49 acres more or less.

EXHIBIT "A"

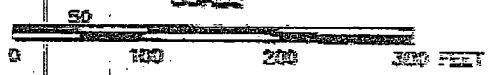
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LEGEND:



EXIST. DISTRICT BOUNDARIES
PROPOSED ANNEXATION



COPYRESOLUTION NO. 14444

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 31 TO AGREEMENT RELATING TO SEWAGE TRANSMISSION, TREATMENT AND DISPOSAL; AND CONSENTING TO ANNEXATION OF CERTAIN TERRITORY TO THE EMERALD LAKE HEIGHTS SEWER MAINTENANCE DISTRICT

WHEREAS, pursuant to that certain agreement entitled "Agreement for Sewage Transmission, Treatment, and Disposal of Sanitary Sewage By and Between the City of Redwood City, the County of San Mateo and the Emerald Lake Heights Sewer Maintenance District" dated August 23, 1983 (the "Transmission Agreement") said Sewer Maintenance District receives transmission, treatment and disposal services for sewage emanating from said District; and

WHEREAS, pursuant to that certain agreement entitled "Agreement - Wastewater Treatment Capacity (Emerald Lake Hills Area)" by and between the City of Redwood City (the "City") and the County of San Mateo (the "County") dated August 20, 1980 (the "Capacity Agreement"), the City allocated 0.5 mgd (millions of gallons per day) sanitary sewerage treatment capacity rights to the County for the benefit of lands located within the area thereafter established as the Emerald Lake Heights Sewer Maintenance District (the "District"); and

WHEREAS, application for annexation of the lands hereinafter described (the "Annexing Territory") to the District has been made by the owner thereof; and

CITY OF REDWOOD CITY
Silvia M. Penite, Sr. Deputy City Clerk of the City of Redwood City
does hereby certify that the above and foregoing is a full true and
correct copy of Resolution No. 14444

In Witness Whereof, I have hereunto set my hand and the seal of
said City this 11th day of June, 2002

WHEREAS, the parties to the Transmission Agreement desire to include the Annexing Territory within the service area of the Transmission Agreement; and

WHEREAS, paragraph XI of the Transmission Agreement provides that the parties thereto may revise, alter, amend or supplement said agreement in writing; and

WHEREAS, the parties to the Capacity Agreement desire to confirm that sanitary sewerage treatment capacity rights allocated thereunder shall not be utilized for treatment of sewage emanating from the Annexing Territory;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REDWOOD CITY, AS FOLLOWS:

1. Consent is hereby granted to the annexation of the Annexing Territory to the District, and consent is hereby granted to the discharge, transmission, treatment and disposal of sewage emanating from the Annexing Territory pursuant to the Transmission Agreement subject to all terms and conditions thereof and subject, further, to the condition that all applicable wastewater capacity and facility fees and charges shall be paid to the City.

2. This Council hereby finds and determines that sanitary sewerage treatment capacity rights allocated to the City by the South Bayside System Authority, owner of the sanitary sewerage treatment plant which provides treatment service for sewage emanating from the City and District, shall be the source of treatment capacity for sewage emanating from the Annexing Territory,

and treatment capacity rights allocated to the County pursuant to the Capacity Agreement shall not be the source of treatment capacity for the Annexing Territory.

3. The Annexing Territory is all that certain real property located in the County, more particularly described as follows:

All that certain real property as described in the deed recorded in San Mateo County Doc. 000-89149246314.

Lot 12 in Block 205 and a portion of Eastview Way as said Lot, Block and Way are shown on the map entitled, "Estates of Emerald Lake," Subdivision Two filed in Volume 16 of Maps at Pages 18, 19, 20 and 21, and more particularly described as follows:

Beginning at the southerly corner of said Lot said point also being an angle point in the Emerald Lake Heights Sewer Maintenance district as established by Resolution No. 46942 passed and adopted on June 4, 1985; thence from said Point of Beginning, northeasterly along the easterly line of said Lot 12 and continuing along said district boundary as established by Resolution No. 46942 and Resolution No. 64075 passed and adopted on November 14, 2000, 271 feet more or less to a point the northerly line of said Eastview Way, and an angle point in said district boundary of established by Resolution No. 48456, passed and adopted on September 23, 1986, said point also being the southerly corner of Lot 12 as shown on the map entitled "Parkwood Estates" filed in Volume 116 of Maps at Pages 74 and 75, San Mateo County Recorder Office; thence leaving said district boundary northwesterly along said northerly line 56.10 feet to the southwesterly corner of said Lot; thence, leaving said northerly line, southwesterly in a direct line, 50 feet more or less to a point in said southerly line of Eastview Way, said point also being the northwesterly corner of said Lot 12, Block 205; thence southwesterly along westerly line of said Lot, 263.64 feet to the southwesterly corner thereof; thence, northeasterly along the southerly line of said Lot, 70 feet to the Point of Beginning.

(Containing .49 acres more or less; aka A.P.N. 068-132-110)

4. The Mayor and City Clerk are hereby authorized and directed to execute, and to attest thereto respectively, that certain agreement by and

between the City, the County and the District entitled, "Supplemental Agreement No. 31 to Agreement for Sewage Transmission, Treatment and Disposal of Sanitary Sewerage By and Between the City of Redwood City, the County of San Mateo and the Emerald Lake Heights Sewer Maintenance District" in the form of Exhibit "1," attached hereto and by this reference incorporated herein.

5. The City Clerk is hereby authorized and directed to transmit a certified copy of this resolution to the County of San Mateo and to the owner of the Annexing Territory.

* * *

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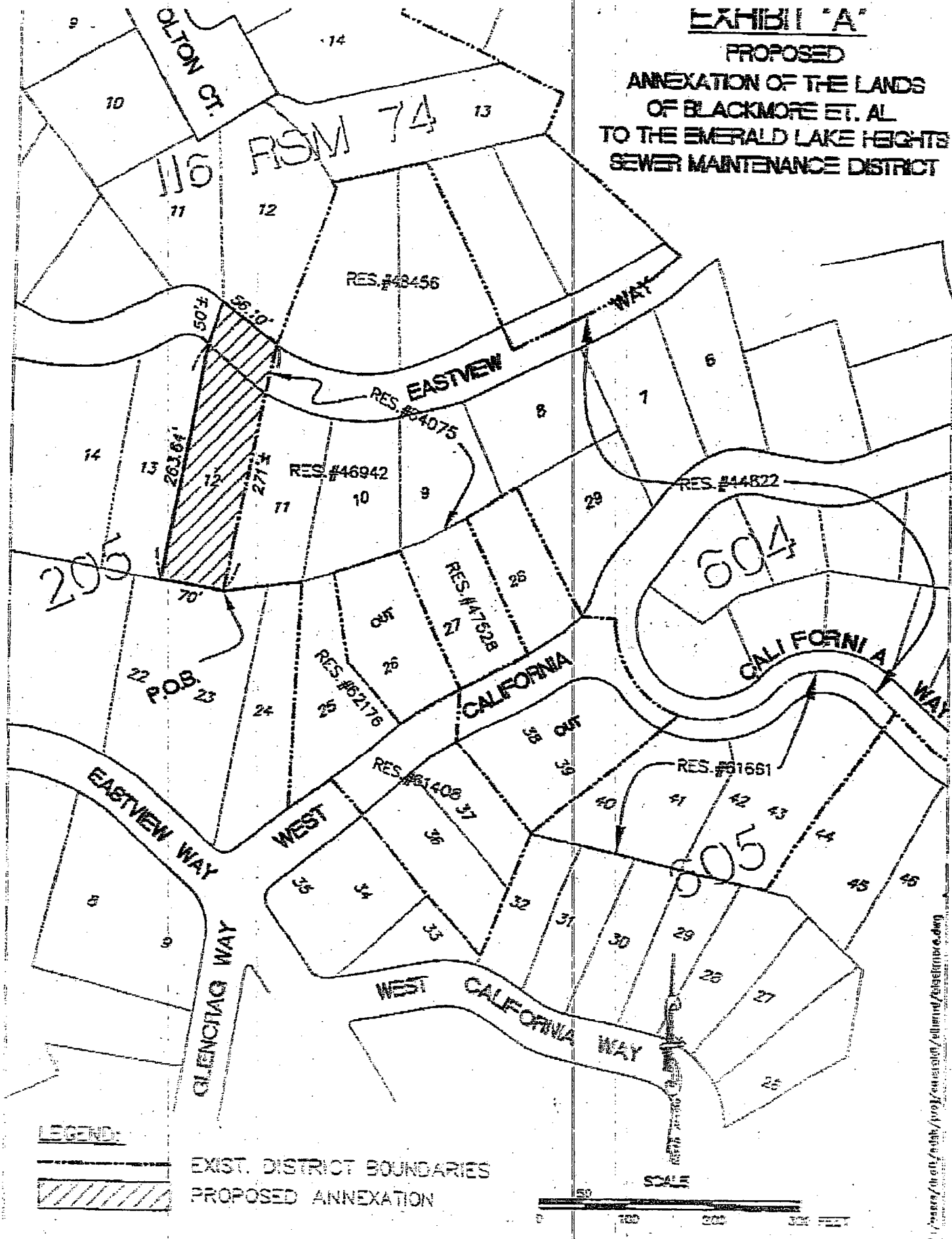
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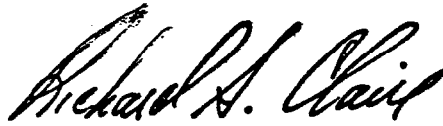
Passed and adopted by the Council of the City of Redwood City at a Regular Meeting thereof held on the 3rd day of June, 2002 by the following votes:

AYES, and in favor of the passage and adoption of the foregoing resolution,
Council members: Hartnett, Howard, Ira, Jordan, Pierce, Ruskin and Mayor Claire

NOES: None

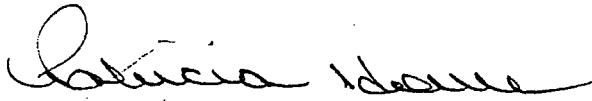
ABSTAIN: None

ABSENT: None



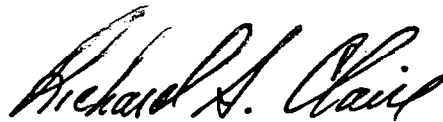
RICHARD S. CLAIRE
Mayor of the City of Redwood City

Attest:



Patricia Howe
City Clerk of Redwood City

I hereby approve the foregoing
resolution this 5th day of June, 2002.



RICHARD S. CLAIRE
Mayor of the City of Redwood City