

## ORIGINAL

## RESOLUTION NO. 14681

**RESOLUTION CONDITIONALLY CONSENTING TO ANNEXATION OF TERRITORY TO OAK KNOLL SEWER MAINTENANCE DISTRICT AND APPROVING AND AUTHORIZING EXECUTION OF ANNEXATION AGREEMENT IN CONNECTION THEREWITH**

**WHEREAS**, pursuant to that certain agreement entitled "Agreement Between Oak Knoll Sewer Maintenance District and City of Redwood City for Sewage Treatment and Disposal," dated March 18, 1958 (the "Services Agreement"), by and between the City of Redwood City ("City"), and the Oak Knoll Sewer Maintenance District ("District"), City provides sanitary sewerage transmission and treatment services to District; and

**WHEREAS**, pursuant to that certain agreement entitled "Agreement – Wastewater Treatment Capacity (Emerald Lake Hills Area)," dated August 19, 1980 (the "Capacity Agreement"), by and between City and the County of San Mateo, sanitary sewerage treatment capacity rights are allocated by City for the benefit of areas within County, including lands within District's boundaries; and

**WHEREAS**, the District Services Agreement provides that no sewage emanating from territory annexed to District shall be deposited in City's sanitary sewerage system without the prior consent of City evidenced by Resolution of the Council of the City of Redwood City; and

**WHEREAS**, City is in receipt of a request for consent to annexation to District of the real property hereinafter described (the "Annexing Property") and also designated by Assessor's Parcel Number 058-271-040 (Address: 750 Hillcrest Drive, Owners: George and Kay Kartsioukas); and

**WHEREAS**, the Annexing Property is located within City's Sphere of Influence as determined by the San Mateo County Local Agency Formation Commission pursuant to Government Code Section 54774; and

**WHEREAS**, as one of the conditions of consenting to annexation of the Annexing Property to District, City requires that the owners of said Property consent to annexation thereof to City in the event a proposal for such annexation to City may occur; and

**WHEREAS**, this Council has reviewed said request and is willing to consent to said annexation in accordance with the terms and conditions hereof.

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

1. This Council hereby consents to the annexation of the Annexing Property to the Oak Knoll Sewer Maintenance District subject to all terms and conditions of the Services Agreement and to payment of all appropriate sewer connection fees and other charges.

2. This Council hereby determines and declares that, and as a further condition to the consent to annexation herein granted, treatment of sewage emanating from the Annexing Property shall be provided under sanitary sewerage treatment capacity rights allocated to the County of San Mateo pursuant to the Capacity Agreement.

3. The Annexing Property is all that certain real property situate in the County of San Mateo, State of California, more particularly described in an exhibit attached to Exhibit "A" hereof, (with plat attached to said included exhibit), which Exhibit "A" is attached hereto and by this reference incorporated herein.

4. This Council hereby determines and declares that, and as a further condition to the consent to annexation to District herein granted, the owner(s) of the Annexing Property shall evidence his/her consent to annexation to City and waiver of protest thereto by executing an agreement substantially in the form of Exhibit A, the form of which agreement is hereby approved, and the City Manager is hereby authorized and directed to execute said agreement, and the City Clerk is hereby directed to attest thereto, for and on behalf of City.

5. The City Clerk is hereby authorized and directed to file for recordation with the Recorder of the County of San Mateo, California, a certified copy of this Resolution together with the fully executed original annexation agreement (in the form of Exhibit "A") entered into with the owners of the Annexing Property.

\* \* \*

**EXHIBIT "A"**

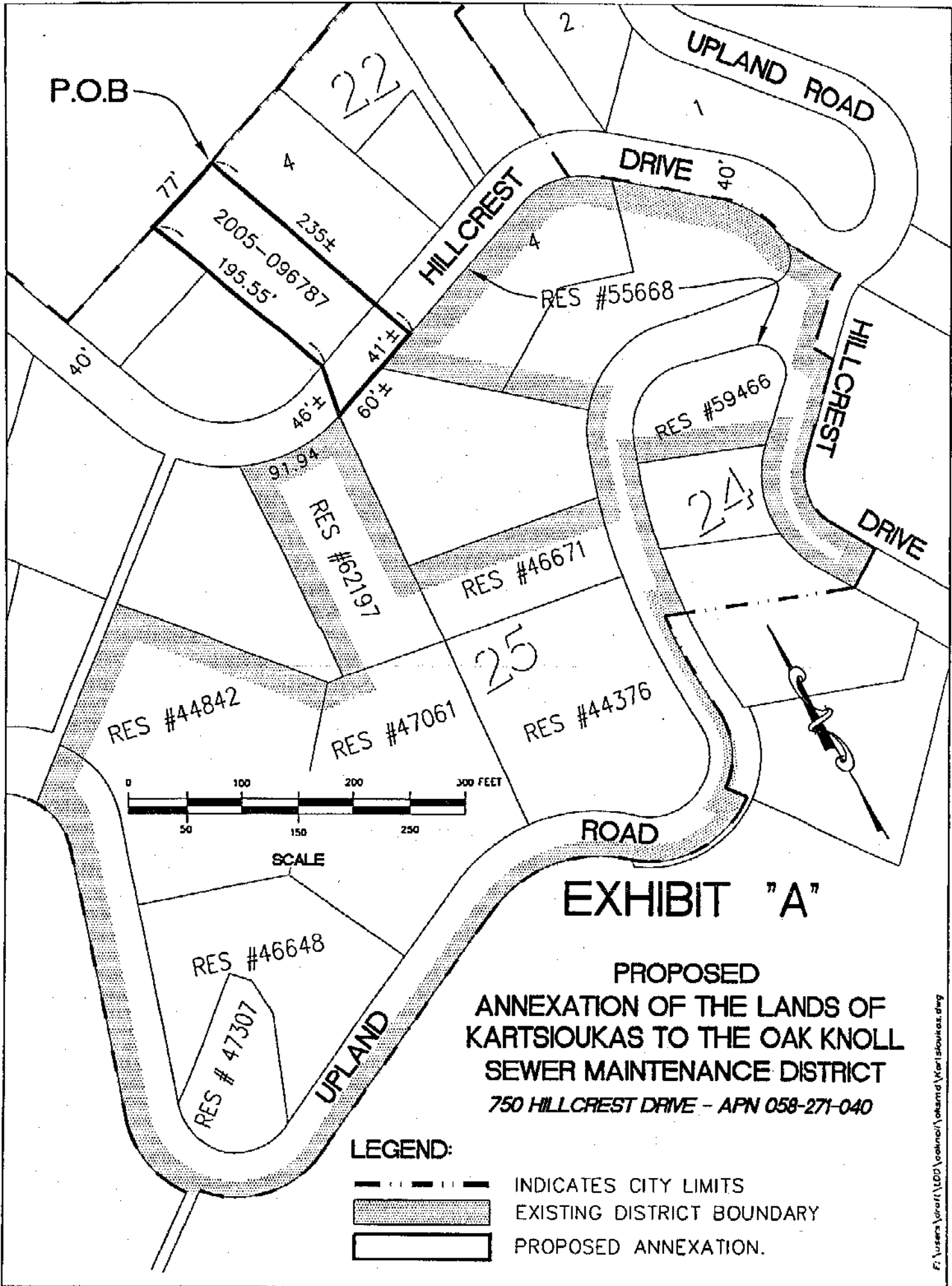
**PROPOSED  
ANNEXATION OF THE LANDS OF  
KARTSIUKAS TO THE OAK KNOLL  
SEWER MAINTENANCE DISTRICT**

**750 HILLCREST DRIVE – APN 058-271-040**

Being a portion of Lot 4 in Block 22 as shown on that certain map entitled, "Oak Knoll Manor – Redwood City, San Mateo Co. Cal." filed in the office of the Recorder of the County of San Mateo, State of California on May 10, 1916, in Book 10 of maps at pages 4 through 11 inclusive, and more particularly described as follows:

Beginning at the northerly corner of that certain parcel of land described in the deed recorded in San Mateo County Recorder's File No. 2005-096787, Thence from said Point of Beginning, southeasterly along the northeasterly line of said parcel and its southeasterly prolongation 235 feet more or less to a point in the southerly line of Hillcrest Drive (40 feet in width) as shown on said map; said point also being a point in the Oak Knoll Sewer Maintenance District as established by Resolution No. 55668 passed and adopted on December 3, 1991; Thence southwesterly along said line and district boundaries 41 feet more or less to an angle point in said District; Thence leaving said District and continuing southwesterly along said southerly line of Hillcrest Drive, 60 feet more or less to an angle point in said District as established by Resolution No. 62197 passed and adopted August 18, 1998; Thence leaving said District boundary northeasterly in a direct line across Hillcrest Drive 46 feet more or less to the southerly corner of said parcel; Thence northwesterly along the southwesterly line of said parcel 195.55 feet to the westerly corner thereof; Thence northeasterly along the northwesterly line of said parcel 77 feet to the Point of Beginning

Containing .42 acres more or less.



P.O.B

22

UPLAND ROAD

HILLCREST DRIVE

2005-096787  
195.55'

RES #55668

RES #59466

HILLCREST DRIVE

RES #46671

RES #62197

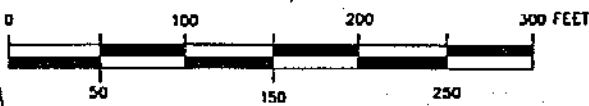
24

RES #44842

RES #47061

RES #44376

25



SCALE

ROAD

# EXHIBIT "A"

PROPOSED  
ANNEXATION OF THE LANDS OF  
KARTSIOUKAS TO THE OAK KNOLL  
SEWER MAINTENANCE DISTRICT  
750 HILLCREST DRIVE - APN 058-271-040

RES #46648

RES # 47307

UPLAND

Passed and adopted by the Council of the City of Redwood City at a Regular Meeting thereof held on the 19<sup>th</sup> day of December, 2005 by the following votes:

A YES, and in favor of the passage and adoption of the foregoing resolution,

Council members: Aguirre, Bain, Foust, Hartnett, Howard, Ira, and Mayor Pierce

NOES: None

ABSTAIN: None

ABSENT: None



BARBARA PIERCE  
Mayor of the City of Redwood City

Attest:



Patricia Howe  
City Clerk of Redwood City

I hereby approve the foregoing resolution this 19<sup>th</sup> day of December, 2005.



BARBARA PIERCE  
Mayor of the City of Redwood City

CITY OF REDWOOD CITY  
Patricia S. Howe, 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. 14681

In Witness Whereof, I have hereunto set my hand and the seal of said City this 20th day of June 2006

PATRICIA S. HOWE  
City Clerk  
