

ORIGINAL

RESOLUTION NO. 14812

**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 the following Assessor's Parcel Number:

APN 058-040-190 (Address: 19 Don Court, Owner: Peter Withrington); 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 to District 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 to District 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 the legal description and map identified as Exhibit "A," attached hereto and 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 (Annexation Agreement) substantially in the form of Exhibit "B," 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 of the Annexation Agreement entered into with the owners of the Annexing Property.

* * *

EXHIBIT "A"

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

**19 DON COURT
APN 058-040-190**

Lot 10 as shown on that certain map entitled "Tract No. 549, Pinecrest Manor, San Mateo, California" filed in the office of the County Recorder of San Mateo County on May 23, 1946 in Book 25 of Maps at Page 55, being a portion of the Rancho De Las Pulgas and more particularly described as follows:

- 1.) Beginning at the northerly corner of said Lot 10, Thence from said Point of Beginning, South 50° 12' 02" West 216.84 feet along the northwesterly line of said Lot to a point in the easterly line of Don Court as shown on said map and a point in the Oak Knoll Sewer Maintenance District boundary as established by Resolution No. 47739 passed and adopted on February 4, 1986;
- 2.) Thence southeasterly along said line and said District boundary 105 feet to the southwesterly corner of said Lot;
- 3.) Thence leaving said line and District boundary North 61° 54' 26" East 66.55 feet along the southerly line of said Lot;
- 4.) Thence North 77° 29' 16" East 89.16 feet;
- 5.) Thence North 66° 01' 16" East 39.50 feet;
- 6.) Thence North 45° 12' 16" East 84.33 feet to the easterly corner of said Lot;
- 7.) Thence North 44° 44' 31" West 154.80 feet to the Point of Beginning.

Containing 0.80 acres more or less.

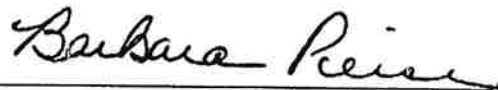
Passed and adopted by the Council of the City of Redwood City at a Regular Meeting thereof held on the 8th day of October, 2007 by the following votes:

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

ABSENT: None



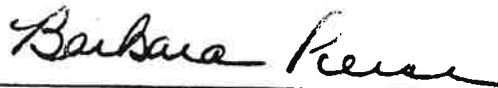
BARBARA PIERCE
Mayor of the City of Redwood City

Attest:



Patricia Howe
City Clerk of Redwood City

I hereby approve the foregoing
resolution this 9th day of October, 2007.



BARBARA PIERCE
Mayor of the City of Redwood City

CITY OF REDWOOD CITY
Dora Wong, Office of the 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 14812

In Witness Whereof, I have hereunto set my hand and the seal of
said City this 11 day of October, 2007

Dora Wong
Deputy City Clerk

