

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

432



FROM: Successor Agency to the Redevelopment Agency

SUBMITTAL DATE:
June 21, 2012

SUBJECT: Mead Valley Community Center – Eastern Municipal Water District Petition for Annexation

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and authorize the Chairman of the Board to execute the attached petition for annexation of land to Eastern Municipal Water Improvement District (EMWD) U-33 and U-34 for the purpose of providing and operating water and sewer system facilities; and
2. Direct the Successor Agency to submit this item for approval at the next Oversight Board meeting.

BACKGROUND: (Commences on Page 2)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$1,872	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/13

COMPANION ITEM ON BOARD AGENDA: No

SOURCE OF FUNDS: Former I-215 Corridor Redevelopment Project Area Capital Improvement Funds – Mead Valley Sub-Area	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:
Jennifer L. Sargent

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS OF THE SUCCESSOR AGENCY TO
THE REDEVELOPMENT AGENCY**

On motion of Supervisor Buster, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone and Benoit
Nays: None
Absent: Ashley
Date: July 3, 2012
xc: RDA, EDA, Auditor

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.: 4.1 of 12/13/11; 4.17 of 6/28/11 | **District:** 1/1 | **Agenda Number** 4.3

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY: Samuel Wong & Co. Inc.
 DATE: 6/4/12
 Departmental Contribution
 SAMUEL WONG
 MARSHAL VICTOR
 FORM APPROVED COUNTY COUNSEL
 DATE: 6/4/12

Policy Policy
 Consent Consent
 Dept's Recomm.:
 Per Exec. Ofc.:

BACKGROUND:

On June 28, 2011, the Board of Directors awarded construction of the Mead Valley Community Center Project to AWI Builders, Inc. Part of AWI Builders, Inc. contract is to install the water and sewer infrastructure as approved by Eastern Municipal Water District (EMWD) under the civil improvements. On December 13, 2011, the Board approved the agreement and MOU with EMWD to operate and maintain the infrastructure installed by the contractor. As part of the approval process, the Agency included a request to EMWD to be annexed into improvement districts U-33 and U-34. In response to that request, a formal annexation petition is required by EMWD before the proposed development can be annexed. The petition includes EMWD Resolution No. 2063.7, which sets the standard and terms and conditions for the annexation of land to EMWD improvement districts. A deposit in the amount of \$200 was previously paid under the request and the remaining balance due is \$1,672.

This fee is reflected on the Initial Recognized Obligation Payment Schedule prepared by the Successor Agency staff and is not an additional cost.

Staff recommends that the Board approve and authorize the Chairman of the Board to execute the attached formal petition for annexation of land to EMWD U-33 and U-34 for the purpose of providing and operating sewer and water system facilities respectively.

Attached:

- Petition for Annexation of Land to Improvement District U-33 and U-34

P E T I T I O N

FOR ANNEXATION OF LAND(S) TO AN IMPROVEMENT
DISTRICT OR IMPROVEMENT DISTRICTS OF THE
EASTERN MUNICIPAL WATER DISTRICT

TO THE BOARD OF DIRECTORS OF THE EASTERN MUNICIPAL WATER DISTRICT:

WHEREAS, I (we) the owner(s) of record of the parcel(s) of land described in the enclosed legal description and map, wish to have said parcel(s) of land annexed to Improvement District Nos. U-33 and U-34 of Eastern Municipal Water District; and

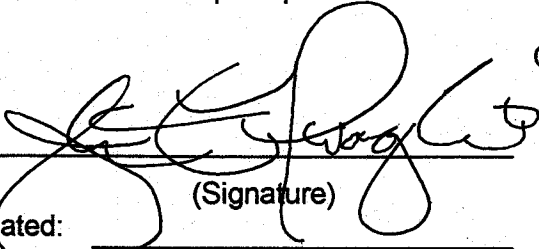
WHEREAS, by Resolution No. 2063.7 adopted November 13, 2002, a copy of which is enclosed, the Board established standard terms and conditions for the annexation of land(s) to an improvement district or improvement districts of Eastern Municipal Water District; and

WHEREAS, the total aggregate cash payment(s) to be associated with the requested annexation(s) covered by this Petition has been determined to be \$1,872.00; and

WHEREAS, the standard terms and conditions contained in Resolution No. 2063.7, including the above-specified amount of cash payment, are acceptable and agreed to.

NOW, THEREFORE, I (we), the undersigned Petitioners, as the owner(s) of record of the parcel(s) of land described in the enclosed legal description and map, do hereby petition that the Board annex said parcel(s) of land to Improvement District Nos. U-33 and U-34 Eastern Municipal Water District under the terms and conditions set forth in Resolution No. 2063.7, including, but not limited to, the requirements for the herewith cash payment of \$1,672.00* and the furnishing of proof of ownership.

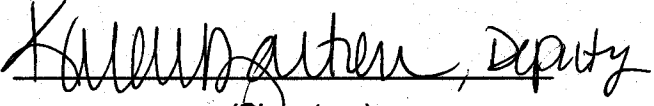
* Less \$200.00 deposit paid



(Signature)
Dated: _____
JOHN TAVAGLIONE
CHAIRMAN, BOARD OF SUPERVISOR

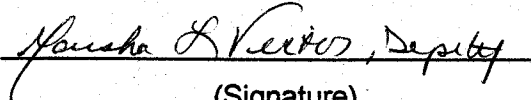
(Print Name & Title)

OWNERS



(Signature)
Dated: JUL 03 2012
Kecia Harper-Ihem
CLERK OF THE BOARD

(Print Name & Title)



(Signature)
Dated: 6/4/12
PAMELA J. WALLS
COUNTY COUNSEL

(Print Name & Title)

JUL 03 2012 4.3

ANNEXATION FEE SUMMARY

APN 318-210-050 and 318-210-070

IMPROVEMENT DISTRICT NOS. U-33 and U-34

State Board of Equalization Processing Fees	500.00
EMWD Annexation Charge (\$200/acre)	<u>1,372.00</u>
	Subtotal
	\$1,872.00
Less Deposit Paid	<u>(200.00)</u>
	TOTAL
	\$ 1,672.00

LEGAL DESCRIPTION OF PARCEL
U-33-12-
OF IMPROVEMENT DISTRICT NO. U-33
OF EASTERN MUNICIPAL WATER DISTRICT

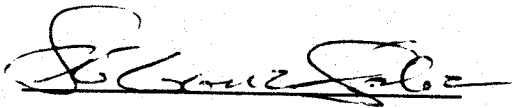
In the County of Riverside, State of California, being a portion of the Northwest Quarter of Section 15, Township 4 South, Range 4 West, San Bernardino Meridian, AND Lot 71 of Record of Survey on file in Book 31 at Pages 2 and 3 of Records of Survey, in office of the County Recorder of said Riverside County, TOGETHER WITH those portions of right of way lying within Rider Street and Lee Road, more particularly described as follows:

BEGINNING at the Northwest Corner of said Section 15, being the centerline intersection of Rider Street and Brown Street as shown on said Record of Survey;

1. Thence along the North Line of said Section and centerline of Rider Street, South $89^{\circ}47'15''$ East a distance of 800.37 feet to the northwest corner of said Lot 71 as shown by said Record of Survey and the TRUE POINT OF BEGINNING;
2. Thence continuing along said North Line and centerline, South $89^{\circ}47'15''$ East a distance of 190.00 feet to the centerline of said Lee Lane;
3. Thence leaving said North Line and along said centerline of Lee Lane, South $00^{\circ}18'30''$ West a distance of 436.66 feet to the southeast corner of said Lot 71;
4. Thence leaving said centerline and along said south line of Lot 71 and the westerly prolongation thereof, North $89^{\circ}41'30''$ West a distance of 800.00 feet to the southeast corner of Lot 1 of said Record of Survey;
5. Thence along the east line of said Lot 1, North $00^{\circ}18'30''$ East a distance of 385.33 feet to the southerly right of way of Rider Street (50 foot half width);
6. Thence along said southerly right of way, South $89^{\circ}47'15''$ East a distance of 610.00 feet to the west line of said Lot 71;
7. Thence along said west line of Lot 71, North $00^{\circ}18'30''$ East a distance of 50.00 feet to the TRUE POINT OF BEGINNING.

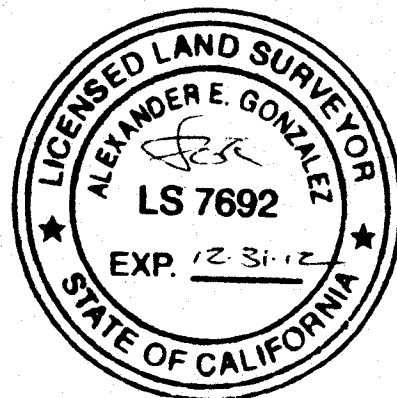
The above described parcel contains 6.86 net acres more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.



Alexander E. Gonzalez
P.L.S. 7692

Date 04-05-2012
Author: Nicole Fedor



LEGAL DESCRIPTION OF PARCEL
U-34-12-
OF IMPROVEMENT DISTRICT NO. U-34
OF EASTERN MUNICIPAL WATER DISTRICT

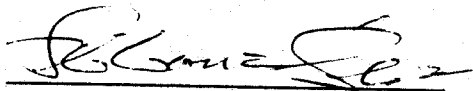
In the County of Riverside, State of California, being a portion of the Northwest Quarter of Section 15, Township 4 South, Range 4 West, San Bernardino Meridian, AND Lot 71 of Record of Survey on file in Book 31 at Pages 2 and 3 of Records of Survey, in office of the County Recorder of said Riverside County, TOGETHER WITH those portions of right of way lying within Rider Street and Lee Road, more particularly described as follows:

BEGINNING at the Northwest Corner of said Section 15, being the centerline intersection of Rider Street and Brown Street as shown on said Record of Survey;

1. Thence along the North Line of said Section and centerline of Rider Street, South $89^{\circ}47'15''$ East a distance of 800.37 feet to the northwest corner of said Lot 71 as shown by said Record of Survey and the TRUE POINT OF BEGINNING;
2. Thence continuing along said North Line and centerline, South $89^{\circ}47'15''$ East a distance of 190.00 feet to the centerline of said Lee Lane;
3. Thence leaving said North Line and along said centerline of Lee Lane, South $00^{\circ}18'30''$ West a distance of 436.66 feet to the southeast corner of said Lot 71;
4. Thence leaving said centerline and along said south line of Lot 71 and the westerly prolongation thereof, North $89^{\circ}41'30''$ West a distance of 800.00 feet to the southeast corner of Lot 1 of said Record of Survey;
5. Thence along the east line of said Lot 1, North $00^{\circ}18'30''$ East a distance of 385.33 feet to the southerly right of way of Rider Street (50 foot half width);
6. Thence along said southerly right of way, South $89^{\circ}47'15''$ East a distance of 610.00 feet to the west line of said Lot 71;
7. Thence along said west line of Lot 71, North $00^{\circ}18'30''$ East a distance of 50.00 feet to the TRUE POINT OF BEGINNING.

The above described parcel contains 6.86 net acres more or less.

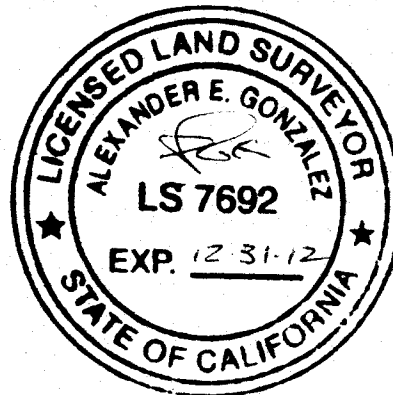
This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.



Alexander E. Gonzalez
P.L.S. 7692

Date 04-05-2012

Author: Nicole Fedor



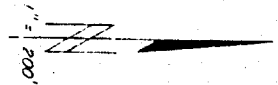
318-21

16-31-5

T.R.A. 056-044

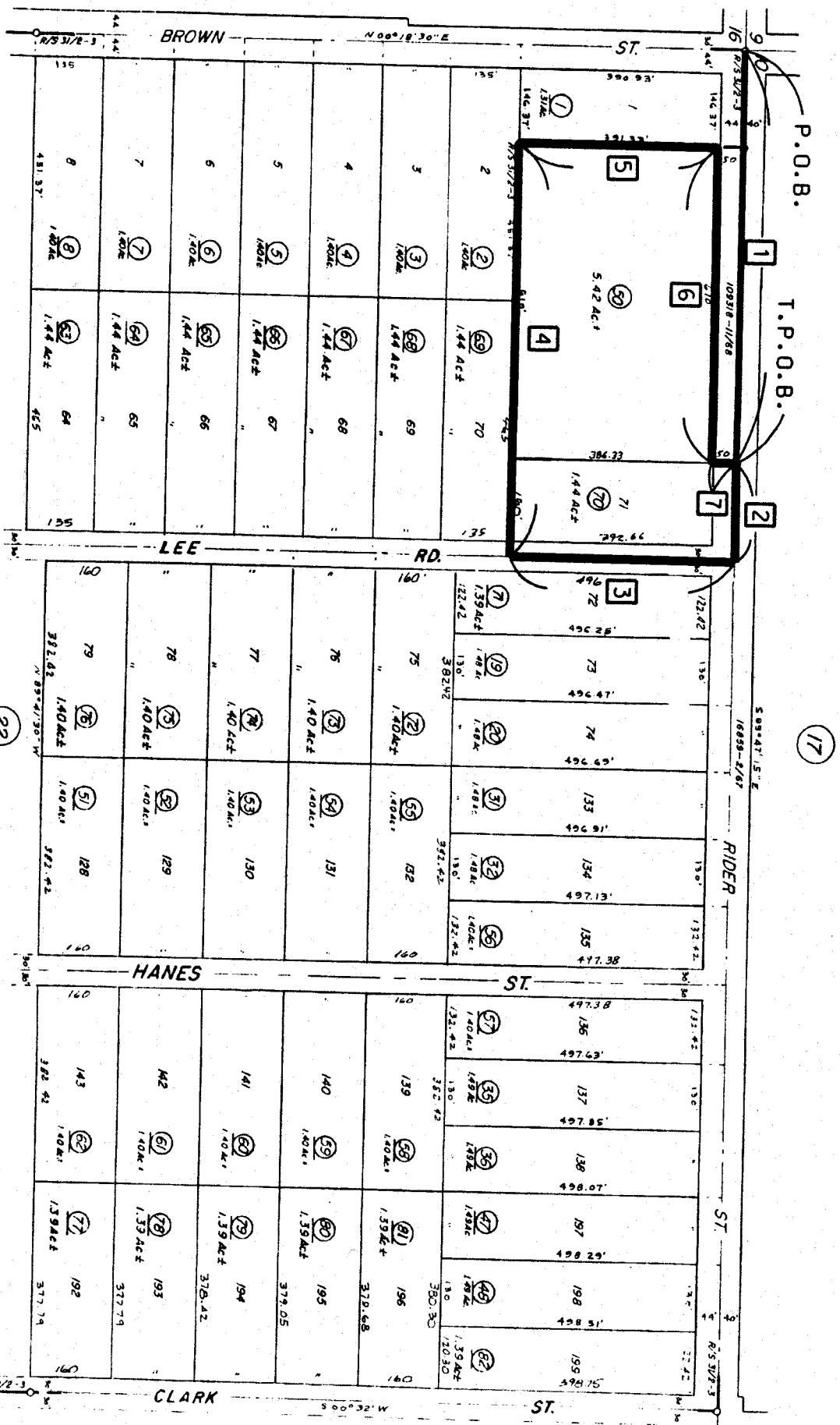
POR. NW 1/4 SEC. 15, T.4S, R.4W.

THIS MAP IS FOR ASSESSMENT PURPOSES ONLY



319
19

1	16	50.57
2	26-30	5154.57
3	33-34	5561.57
4	35-41	5561.57
5	3-15	65-65
6	17-18	7071.57
7	21-22	72-72
8	42-46	77-81.57
9	87-87	87-87



R/S 31/2-3
JUNE 1971

APN3177110057_58_59_60.dgn 3/29/2012 5:47:43 PM

ASSESSOR'S MAP BK 318 PG 21
RIVERSIDE COUNTY, CALIF

20

RESOLUTION NO. 2063.7

**A RESOLUTION AMENDING STANDARD
TERMS AND CONDITIONS FOR THE ANNEXATION
OF LANDS TO AN IMPROVEMENT DISTRICT
OF EASTERN MUNICIPAL WATER DISTRICT**

WHEREAS, District has established Improvement District Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 21, 23, 24, U-3, U-5, U-17, U-20, U-24, U-26, U-28, U-30, U-32, U-34, U-36 and Improvement Districts A, D and I for the purpose of financing, providing and operating water system facilities and providing water service therethrough for the lands, inhabitants and developments within their respective boundaries; and

WHEREAS, District has established Improvement District Nos. 17, 19, 20, 22, U-1, U-8, U-9, U-12, U-13, U-14, U-16, U-18, U-19, U-21, U-22, U-23, U-25, U-27, U-29, U-31, U-33, U-35 and Improvement District E, F and G for the purpose of financing, providing and operating sewer system facilities and providing sewer service therethrough for the lands, inhabitants and development within their respective boundaries; and

WHEREAS, District has established Improvement District Nos. 25, U-2, U-4, U-6, U-7, U-10, U-15 and Improvement District C for the purpose of financing, providing and operating water and sewer facilities and providing service therethrough for the land, inhabitants and development within their respective boundaries; and

WHEREAS, District has established Improvement District H for the purpose of financing, providing and operating the recycled water system and providing service therethrough for the lands, inhabitants and development within its boundary; and

WHEREAS, under District policy, lands located outside of the boundaries of an improvement district must be annexed to the applicable District improvement district(s), as determined by the District, as a prerequisite to receiving water and/or sewer service from or through the facilities financed, provided and operated by the involved improvement district(s); and

WHEREAS, it is desirable that the standard terms and conditions to be associated with such future annexation of land(s) to said District improvement district(s) be now amended to permit their incorporation in the standard form petition for annexation. Each applicant for annexation of land(s) to a District improvement district(s) must sign to initiate legal proceedings for an annexation pursuant to Section 72671 of the Water Code of the State of California.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Eastern Municipal Water District that said Board of Directors does hereby, effective immediately:

Resolution No. 2063.7

1. Fix the following terms and conditions for the annexation of land(s) to District improvement district(s):
 - a) That the taxable property in the area so annexed, be subject to taxation after the annexation therefor for the purposes of the involved improvement district(s), including the payment of the principal of and interest on bonds and other obligations of said involved improvement district(s) authorized and outstanding at the time of the annexation;
 - b) The land and improvements in the area so annexed may also be subject to participation in annual Water and/or Sewage Standby Assessment programs as well as such additional charges, rates or costs as necessary to equalize the proportionately to the total costs paid within the areas of the subject existing improvement district(s);
 - c) That the owner(s) of land(s) for which annexation to the involved improvement district(s) shall make a cash payment, concurrently with the execution of the standard form Petition, in the amount specified in said Petition, for the purposes of the involved improvement district(s), which amount of cash payment shall be determined by District for each involved annexation based upon the aggregate total of the following amounts:
 - (1) An amount equivalent to the State Board of Equalization's filing fee for the involved annexation, as determined by the District; and
 - (2) The District's standard per acre annexation charge as it may be adjusted by the District's Board of Directors from time to time and adopted under Resolution No. 2963;
 - d) That all water system facilities required to serve the land(s) proposed to be annexed to the involved improvement district(s), shall be financed and provided in accordance with District's Rules and Regulations Governing the Provision of Water System Facilities and Service applicable at the time financial and other arrangements for such facilities are made with the District; and
 - e) The all sewer system facilities, including but not limited to, gravity sewage collection mains, manholes, sewer service laterals, transmission sewer mains, pump stations, treatment plant and disposal facilities, required to provide service for the land(s) proposed to be annexed to the involved

Resolution No. 2063.7

improvement district(s), shall be financed and provided in accordance with District's Rules and Regulations Governing the Provision of Sewer System Facilities and Service applicable at the time financial and other arrangements for such facilities are made with the District; the applicable provisions of the District's Interagency Agreements with the City of Hemet (dated June 14, 1963 and September 1, 2001), the City of San Jacinto (dated August 17, 1965, July 23, 1974 and October 4, 1982) and Lake Hemet Municipal Water District (dated May 15, 1963 and November 7, 1967), where annexation(s) of land(s) to District's Improvement District No. 17 are involved; and the District's Interagency Agreement with the City of Perris (dated February 6, 1980), where annexation of land(s) outside of District's Assessment District No. 3 to Improvement District E are involved.

2. The foregoing standard terms and conditions shall not be applicable for proposed annexation of land(s) within Assessment District No. 3 to Improvement District E of the District.

ADOPTED, SIGNED AND APPROVED this 13th day of November, 2002.

Rodger D. Siems, President

ATTEST:

Mary C. White, Secretary

(SEAL)



PROJECT MGMT OFFICE
012 APR 16 AM 11:45

Board of Directors

President and Treasurer
Joseph J. Kuebler, CPA

Vice President
Philip E. Paule

Ronald W. Sullivan
Randy A. Record
David J. Slawson

General Manager
Paul D. Jones II, P.E.

Director of The Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

April 11, 2012

Tony Resendez
County of Riverside Economic Development Agency
PO Box 1180
Riverside, CA 92502

RE: Annexation of APN 318-210-050 and 318-210-070 (6.86 Acres) to Improvement District Nos. U-33 and U-34

In response to your request for annexation of certain lands to Improvement District Nos. U-33 and U-34 of Eastern Municipal Water District, enclosed is a formal annexation Petition, together with a legal description and map of the property proposed to be annexed.


Also attached to said Petition is a copy of Resolution No. 2063.7 which sets forth the standard terms and conditions for the annexation of land(s) to an improvement district of Eastern Municipal Water District. Among said terms and conditions is a requirement for payment of an annexation charge covering State Board of Equalization filing fees and this District's annexation charge. A summary of said charges for the parcel proposed to be annexed is attached.

In order to move forward with the legal proceedings for this annexation, please return one (1) fully executed (by the owners of record) copy of the enclosed Petition, along with payment of the \$1,672.00 annexation fee to the District prior to water and/or sewer service being rendered. It is our intention to annex the property delineated on the enclosed plat map and legal description. It is your responsibility to examine these documents to ensure that all the property which is to receive services from Eastern Municipal Water District is included in these annexation proceedings and that no additional areas are included.

Upon receipt of the executed Petition and payment of fees, the Board of Directors can move forward with completion of the legal proceedings necessary to conclude the annexation.

Should you have any questions, please contact me at (951) 928-3777, extension 4243.

Sincerely,


Chris Teague
Contract Administration

Mailing Address: ^{encl} Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org