

SCWA-13



2006-08647
Pg: 1/13

FILING REQUESTED BY:
LAFCO of Mendocino County
200 S. School St.
Ukiah, CA 95482

2006-08647
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LAFCO
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OFFICIAL RECORDS
Marsha A Wharff, Clerk-Recorder
Mendocino County, CA

AND WHEN FILED MAIL TO:
LAFCO of Mendocino County
200 S. School St.
Ukiah, CA 95482

CERTIFICATE OF COMPLETION

Subject: Filing of Certificate of Completion in compliance with Section 57200 and 57201 of the Government Code

Project Title: Westfork Subdivision annexation to the Millview County Water District and Ukiah Valley Sanitation District

Project Location: One half mile east of the intersection of North State Street (CR 104) and Lake Mendocino Drive (CR227B)

Project Description: Major subdivision to create 125 single family residential lots ranging in size from 6,000 to 13,000 sq. ft. as well as a 17,500 sq. ft. remainder parcel, and three other parcels; said approval by the County of Mendocino subject to approval by LAFCO of the annexation to the Ukiah Valley Sanitation District (UVSD) and the Millview County Water District (MCWD). A legal description of the annexation, labeled Exhibit "A" and a map labeled Exhibit "B" is attached hereto and by reference incorporated within the Certificate of Completion.

Terms and Conditions: See LAFCO Resolution of Approval No. L98-01 with included Conditions labeled as Exhibit "C" attached hereto and by reference incorporated into this Certificate of Completion.

Certification: This is to certify that LAFCO of Mendocino County has approved the above-described project on March 2nd, 1998 and has made determinations as described in the attached Resolution L98-01. This is to certify that on July 12, 2000 LAFCO by minute order extended the time for completion of the conducting authority proceedings by Millview County Water District; said proceedings being properly completed on September 13th, 2000 as provided by Millview County Water District Resolution No. 2000-09, attached hereto as Exhibit "D". This is to further certify that the Commission reaffirmed its approval of the Westfork Subdivision as provided by Resolution 2006-01 attached hereto as Exhibit "E" and that the Ukiah Valley Sanitation District reauthorized this annexation as provided in Resolution 06-02, attached hereto as Exhibit "F" such resolutions by reference are incorporated within this Certificate of Completion. This is to advise that a record of the project is available to the general public at LAFCO offices, 200 S. School St. Ukiah, CA 95482.

Date of Filing 5-3-06

Frank McMichael
Frank McMichael, Executive Officer

FEB 19 1988
Revised -

EXHIBIT A

Boundary Description for the
West Fork Annexation to the
Millview County Water District

All that certain real property situated in the County of Mendocino, State of California more particularly described as follows:

Commencing at point "Y-3" being the Southwest corner of Lot 103 of Yokayo Rancho as shown on a Record of Survey filed June 29, 1984 in Map Case 2, Drawer 41, Page 92, Mendocino County Records; thence along the South line of said Lot 103 South 89°21'07" East, 2688.11 feet to a point marked "B-8" as shown on said map and the POINT OF BEGINNING of this description; thence along the existing boundary of the Millview County Water District and said South line North 89°21'07" West, 1022.97 feet; thence leaving said District boundary North 89°21'07" West, 210 feet; thence leaving said South line and along said District boundary North 1°14'16" East, 666.41 feet to the Southerly right-of-way of Lake Mendocino Drive; thence along said Southerly right-of-way North 70°22'51" East, 915.83 feet; thence North 70°24'33" East, 107.05 feet; thence South 89°18'47" East, 192.84 feet; thence South 85°16'55" East, 513.42 feet; thence North 85°32'37" East, 139.24 feet; thence leaving said Southerly right-of-way and along the centerline of the channel of the West Fork of the Russian River South 15°34'57" West, 222.17 feet; thence South 27°41'38" West, 480.03 feet; thence South 44°42'14" West, 187.44 feet; thence leaving said District boundary South 44°42'14" West, 171.86 feet; thence South 28°57'33" West, 109.11 feet to the point of beginning and containing 32.73 acres more or less.

The LAFCO file number for this description of the West Fork Annexation to the Millview County Water District is file 95-2.

Thomas M. Herman
Thomas M. Herman, P.L.S. 4805
License Expires 9-30-00



2006-08647
Pg: 2/13

EXHIBIT "C"

RESOLUTION NO. L98-01

RESOLUTION OF THE MENDOCINO COUNTY LOCAL AGENCY FORMATION COMMISSION APPROVING (1) THE MASTER SERVICE ELEMENT PLANS AND SPHERE OF INFLUENCE ASSIGNMENTS FOR THE MILLVIEW COUNTY WATER DISTRICT AND THE UKIAH VALLEY SANITATION DISTRICT AND ADOPTION OF A NEGATIVE DECLARATION FOR BOTH PROPOSALS AND (2) APPROVAL OF THE WESTFORK ANNEXATION INTO THE MILLVIEW COUNTY WATER DISTRICT AND THE UKIAH VALLEY SANITATION DISTRICT - FILE #L95-2

WHEREAS, application (s) for assignment of a sphere of influence and approval of a master service element plan were submitted by both the Millview County Water District (MCWD) and the Ukiah Valley Sanitation District (UVSD) in conjunction with an application for annexation of the Westfork Subdivision - File #L95-2 into both districts for sewer services from the UVSD and water services from MCWD; and

WHEREAS, the application (s) were filed by each of the above named districts by separate resolutions, each as lead agencies, with their pre-notice requirements being met, including the approvals of negative declarations by each district for the annexation application (s), which were received by the Mendocino County Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code, which will result in two separate conducting authority actions; and

WHEREAS, LAFCO was determined to be the lead agency for the sphere of influence and master service element plan adoptions for both districts and CEQA finding; and

WHEREAS, this application includes a "project" and LAFCO requires all discretionary approvals be obtained prior to action by the Commission; and

WHEREAS, the project is located 1/2 mile east of the intersection of North State Street and Lake Mendocino Drive and commonly known as "The Forks" and includes a subdivision on AP(s) #169-130-16 & 17 on 32.73 acres, for a 125 unit residential subdivision, which required a general plan amendment and rezoning, creation of a tentative map, and various environmental documents which were approved by the Mendocino County Board of Supervisors in September 1987; and

WHEREAS, this territory is a 100% landowner consent and has been certified by both districts and is considered uninhabited and a Zero Tax Exchange Agreement is on file for both districts; and

WHEREAS, the Executive Officer has received the proposal (s) and prepared a report,

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2006-08647
Pg: 4/13

WHEREAS, the public hearing was held by this Commission on March 2, 1998 as specified in said Notice of Public Hearing; and,

WHEREAS, at such hearing this Commission heard and received all oral and written protest, objections and evidence which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said application and report.

NOW THEREFORE, BE IT RESOLVED, that the Local Agency Formation Commission of the County of Mendocino **DOES HEREBY RESOLVE, DETERMINE AND ORDER AND CONDITIONALLY APPROVE** as follows:

1. The proposal, identified in the files of the County of Mendocino Local Agency Formation Commission as File No. L95-2 is hereby approved once all conditions have been met as noted in Exhibit C attached hereto as part of this resolution.
2. The Commission hereby adopts a negative declaration for the sphere of influence for the Millview County Water District and so assigns the sphere territory by map and are as described as Exhibit A.1 and by this reference incorporated herein.
3. The Commission hereby adopts a negative declaration for the sphere of influence for the Ukiah Valley Sanitation District and so assigns the sphere territory by map and are as described as Exhibit A.2 and by this reference incorporated herein.
4. The Commission hereby approves the master service element plans for both the Millview County Water District and the Ukiah Valley Sanitation District subject to the conditions being met as noted in Exhibit C attached hereto as a part of this resolution.
5. The Commission hereby accepts the negative declaration findings of the Millview County Water District and the Ukiah Valley Sanitation District for the Westfork Annexation.
6. The Commission hereby approves the annexation of the Westfork Annexation into the Millview County Water District for water services and the Ukiah Valley Sanitation District for sewer services subject to the conditions being met as noted in Exhibit C attached hereto as a part of this resolution.



- 7. The boundaries, as set forth in the proposal for the annexation are hereby approved and are described in Exhibit A attached hereto and by this reference incorporated herein. The map of these boundaries shall be hereby approved and are described in Exhibit B and by this reference incorporated herein.
- 8. The Commission hereby designates the Millview County Water District as the conducting authority for further proceedings pursuant to Local Government Code Section 56837 without a public hearing.
- 9. The Commission further hereby designates the Ukiah Valley Sanitation District as the conducting authority for further proceedings pursuant to Local Government Code Section 56837 without a public hearing.

BE IT FURTHER RESOLVED AND ORDERED that the Executive Officer of said Commission is hereby authorized and directed to mail copies of this Resolution in the manner as provided by law.

ADOPTION of this Resolution was moved by Commissioner Delbar, seconded by Commissioner Melo and carried on this 2nd day of March, 1998 by the following roll call vote:

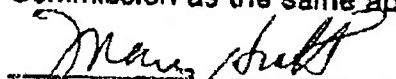
AYES: Delbar, Melo, Ranker, Kummert, Shoemaker, and McMichael
 NOES: None
 ABSTAIN: None
 ABSENT: Alfano

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED.


 Chairman

ATTEST:
 Executive Officer
 STATE OF CALIFORNIA, County of Mendocino

By MARY HIATT Executive Officer, Local Agency Formation Commission in and for the County of Mendocino, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Local Agency Formation Commission as the same appears spread upon their minute book.


 Executive Officer

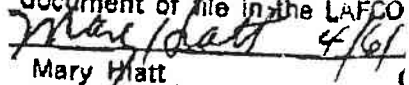
CERTIFIED COPY
 This document is hereby certified to be an accurate copy of document of file in the LAFCO

 Mary Hiatt
 Executive Officer

EXHIBIT 'C' CONDITIONS

1. All conditions noted in Resolution #L98-01 and incorporated hereto shall be deemed as part of these remaining conditions.
2. The staff report intitled Westfork File L95-2, dated February 20 - 24, 1998 shall be referenced for condition compliance by all parties.
3. The assessor parcel numbers for the annexation are to be confirmed by the applicant and all documents are to reflect the 'correct' numbers.
4. The Millview County Water District (MCWD) master service element and sphere of influence plan is to be reworked to include the total buildout of the Westfork annexation, the 1/2 acre upcoming annexation, (both to be noted as Phase I), and delete those developments/projects that are currently in the plan that no longer apply, with the plan to be structured in phases of annexation that reflect 5 - 10 - 15 and 20 year increments of growth. Phase I shall include those areas the district anticipates serving in the next 5 years. The plan is to clearly define system capacity, current use and balance of available capacity, taking into consideration the Westfork Annexation. The sphere boundary is to not overlay with Calpella County Water District. The plan's narrative and the map shall be denoted by phases and the map shall become Exhibit A to their plan as referenced as Exhibit A.1 in this resolution.
5. The MCWD shall not act on conducting authority requirements until the plans noted in 4 above have been submitted to the LAFCO office and deemed satisfactory by the Executive Officer.
6. The Ukiah Valley Sanitation District (UVSD) shall final their master service and sphere plan by the narrative being consistent with the phased sphere planning map denoting the areas by name/territories or by phases of planned annexation in 5 - 10 - 15 and 20 year increments of growth. It is suggested that the plan cover the mileage area of the district current boundary - sphere service area (extended area) for continuity. The map shall become Exhibit A to their plan as referenced as Exhibit A.2 in this resolution.
7. The UVSD shall not act on conducting authority requirements until the plans noted in 6 above have been submitted to the LAFCO office deemed satisfactory by the Executive Officer.
8. State Board of Equalization filing fees shall be required for both district conducting authorities.
9. Sheriff Department conditions shall apply to this approval.
10. Certificate of Completion shall not be executed until all conditions have been met.

EXHIBIT "D"

Resolution No. 2000-09

Board of Directors of the Millview County Water District
County of Mendocino, California

RESOLUTION ORDERING TERRITORY DESIGNATED AS THE WESTFORK
ANNEXATION TO THE MILLVIEW COUNTY WATER DISTRICT

WHEREAS in accordance with Cortese-Knox Local Government Reorganization Act Government Code Section 56000, and

WHEREAS the Local Agency Formation Commission of the County of Mendocino adopted its Resolution No. L 98-01 on March 2, 1998, and reaffirmed said resolution on July 12, 2000, making determinations and conditionally approving the proposed annexation to the Millview County Water District of territory described in Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, the terms and conditions of annexation as approved by the Local Agency Formation Commission are described in the attached Exhibit C; and

WHEREAS, the reasons for this proposed annexation are to provide Millview County Water District water services to parcels designated in Exhibit A; and

WHEREAS, the regular county assessment roll is utilized by this district; and

WHEREAS, the affected territory will not be taxed for existing general bonded indebtedness of this district, and

WHEREAS, the Board of Directors certifies that the District's Notice of Determination as filed with the Mendocino County Clerk on August 16, 1995, was accepted by the Local Agency Formation Commission of Mendocino County, and

WHEREAS, the LAFCO Commission set forth the Conducting Authority proceedings be pursuant to Government Code Section 56837, without public hearing.

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Millview County Water District hereby orders the territory described in Exhibit A annexed, and directs the Clerk of the Millview County Water District to transmit three (3) certified copies of this resolution with applicable fees to the State Board of Equalization as required by Section 54902.5 of the Government Code to the executive officer of the Local Agency Formation Commission of Mendocino County for further processing.

Passed and adopted by the Board of Directors of the Millview County Water District, this 13th day of September, 2000, by the following vote:

AYES: Directors Harmon, Budrow, Cardoza, and Jones

NOES: Director Vietor

ABSENT: None

WHEREUPON, the President, declared said resolution passed and adopted and so ORDERED.

Jean Harmon

PRESIDENT, MILLVIEW COUNTY WATER DISTRICT

ATTEST: *Jean Roberts*

SECRETARY OF THE BOARD

CERTIFICATION AREA



Resolution Number 2006-01

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSON OF
MENDOCINO COUNTY
MAKING DETERMINATIONS REAFFIRMING THE APPROVAL OF THE
WESTFORK SUBDIVISION ANNEXATION TO THE MILLVIEW COUNTY
WATER DISTRICT AND UKIAH VALLEY SANITATION DISTRICT AND
APPROVING THE LATE RECORDING OF THE CERTIFICATE OF
COMPLETION AND FILING OF THE CERTIFICATE OF COMPLETION,
MAPS AND LEGAL DESCRIPTION WITH THE APPROPRIATE AGENCIES**

February 6, 2006

WHEREAS, on March 2, 1998 LAFCO of Mendocino County passed Resolution L98-01, attached hereto as Exhibit "C" approving the annexation of the Westfork Subdivision to the Millview County Water District and the Ukiah Valley Sanitation District; and

WHEREAS, said Resolution L98-01 adopted a negative declaration for both of the above proposals; and

WHEREAS, said Resolution L98-01 approved the master service element plans and spheres of influence for the Millview County Water District and the Ukiah Valley Sanitation District; and

WHEREAS, on July 12, 2000 LAFCO of Mendocino County reaffirmed its approval of said Resolution L98-01 and extended the time period for authorized Conducting Authority proceedings for Millview CWD one year from July 12, 2000; and

WHEREAS, on September 13, 2000 all Conducting Authority Proceedings were completed as evidenced by Millview County Water District Resolution 2000-09; and

WHEREAS, since that time, no Final Map was signed by the Chairpersons of the Districts or the Chairperson of LAFCO; and

WHEREAS, since that time no Certificate of Completion was recorded, along with map and legal description as required by law; and

WHEREAS, the current LAFCO Executive Officer, Frank McMichael, has exercised due diligence by communicating with the former LAFCO of Mendocino County Executive Officer; by searching LAFCO of Mendocino's documents and record; by searching the County Recorder's records; by searching the appropriate files of Millview County Water District; and by interviewing officials and engineers of the affected district; and

WHEREAS, despite the above cited efforts, the original application documents, including the Final Map on Mylar and legal description necessary to record the Certificate of Completion cannot be located; and

WHEREAS, a duplicate legal description (Exhibit "A") and Final Map (Exhibit "B") necessary to record the Certificate of Completion was obtained from the records of the engineer for the annexation; and

WHEREAS, the Executive Officer set February 6, 2006 as the hearing date for the Commission to review and consider the circumstances of this matter; and

WHEREAS, the Executive Officer has reviewed the circumstance of the record for this matter and prepared a written report including his recommendation thereon, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, the Commission on February 6, 2006 considered the report of the Executive Officer, considered the circumstances of the lack of recordation of a Certificate of Completion and heard and received all oral and written information, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer;

NOW THEREFORE, for good cause shown, the Local Agency Formation Commission of Mendocino County based on the findings, discussions and conclusions set forth in the Executive Officer's report which is incorporated herein by this reference and information received at the hearing for this item on February 6, 2006 **DOES HEREBY RESOLVE, DETERMINE and ORDER** as follows:

1. The Commission reaffirms its approval of Resolution L98-01 and the annexation proposal as described by the boundaries noted in Exhibit "A" and depicted on Exhibit "B" attached hereto and by reference incorporated herein.
2. The Commission reaffirms its decision of July 12, 2000 reauthorizing the Conducting Authority Proceedings for Millview County Water District.
3. The Commission acknowledges that Millview CWD has completed the Conducting Authority Proceedings as indicated by their Resolution No. 2000-09.
4. The Commission authorizes the present Chairpersons of the Districts to sign the duplicate Final Map and requests the necessary fees from the Districts for filing the map and legal description with the State Board of Equalization.
5. The Commission authorizes the present Chairperson of LAFCO to sign the duplicate Final Map once the signatures and fees are obtained from the Chairs of the Districts.
6. The Commission authorizes the Executive Officer to record a Certificate of Completion, along with maps and legal description with the Mendocino County Recorder upon receipt of the signed map and appropriate fees.

7. The Commission Directs the Executive Officer file these document with the appropriate agencies including the State Board of Equalization once the appropriate fees are received from Millview CWD and Ukiah Valley Sanitation District.

On a motion of Commissioner Delbar, duly seconded by Commissioner Simon this Resolution was passed and adopted by the following roll call vote, to wit:

Ayes: Delbar, Simon, Smith, Oslund, Ashiku, Orth and Ranker

Nays: None

Abstains: None

Absent: Melo and O'Brien

Dated: February 6, 2006



F. Camille Ranker, Chairperson

Attest:

I, Frank McMichael, Executive Officer of the Local Agency Formation Commission of Mendocino County, hereby certify that the above and foregoing resolution was duly and regularly adopted by said Commission at regular meeting thereof, held on 6th of February 2006.

In witness whereof, I have hereunto set my hand on this 6th day February 2006.



Frank McMichael, Executive Officer



RESOLUTION NO. 06-02

RESOLUTION OF THE BOARD OF DIRECTORS OF THE UKIAH VALLEY SANITATION DISTRICT AUTHORIZING WESTFORK ANNEXATION INTO THE UKIAH VALLEY SANITATION DISTRICT PURSUANT TO RESOLUTION NO. 99-1

WHEREAS, on August 11, 1999, the Ukiah Valley Sanitation District adopted Resolution No. 99-1 Ordering Territory Designated as the Westfork Annexation to the Ukiah Valley Sanitation District; and

WHEREAS, subsequent to authorization by the District, the Local Area Formation Commission (LAFCO) experienced a change in Executive Directorship resulting in the subject transaction not being completed in a timely manner; and

WHEREAS, on February 6, 2006, LAFCO considered the report of the Executive Officer, considered the circumstances of the lack of recordation of a Certificate of Completion and heard and received all oral and written information, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer;

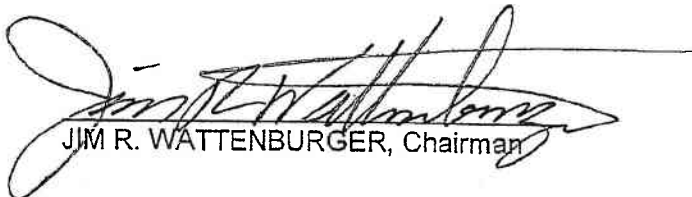
WHEREAS, the Executive Director of the Local Area Formation Commission (LAFCO) has presented a request to the District for a "reauthorization" of the subject transaction; and

WHEREAS, this matter was scheduled before the Ukiah Valley Sanitation District at a duly noticed meeting on February 22, 2006, pursuant to the request.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Ukiah Valley Sanitation District that the above-mentioned annexation is hereby reauthorized and staff is hereby directed to execute the subject map for recordation by the LAFCO Executive Director; and further, staff is hereby directed to issue a check in the amount of \$1,200 payable to the State Board of Equalization, forwarding said information to the LAFCO Executive Director for completion of said project annexation.

PASSED AND ADOPTED on February 22, 2006, by the following roll call vote:

- AYES: Directors Crane, Wagenet, and Wattenburger
- NOES: None
- ABSTAIN: None
- ABSENT: None


 JIM R. WATTENBURGER, Chairman

ATTEST: KRISTI FURMAN
Clerk of the Board


 Secretary, Ukiah Valley Sanitation District