

RESOLUTION NO. 72-8-10

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CHINO BASIN MUNICIPAL WATER
DISTRICT MAKING DETERMINATIONS AND
DECLARING FORMATION OF IMPROVEMENT
DISTRICT "C"

WHEREAS, on June 21, 1972, this Board of Directors adopted a resolution of intention to form an improvement district, pursuant to Sections 72000 et seq. of the Water Code, for the purpose of undertaking and implementing a regional sewerage system; and

WHEREAS, in said resolution of intention, this Board of Directors fixed Wednesday, August 16, 1972, at 10:00 o'clock a.m., at the Central School, 7955 Archibald Avenue, Cucamonga, California, as the time and place for a hearing by this Board of Directors on the questions of the formation and extent of said proposed improvement district, the purpose for which it is to be formed and the estimated expense of carrying out such purpose; and

WHEREAS, notice of hearing, accompanied by copies of said resolution of intention, was duly given as provided by law; and

WHEREAS, said hearing was duly held at the time and place fixed in said notice; and

WHEREAS, at said hearing, all persons interested, including all persons owning property in the district or in said proposed improvement district, were given the opportunity to appear and present any matters material to the questions set forth in said resolution of intention and a full and fair hearing has been held; and

WHEREAS, at said hearing, evidence was presented to this Board of Directors on the questions before it and this Board of Directors is fully advised in the premises:

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Chino Basin Municipal Water District as follows:

Section 1. That this Board of Directors does hereby declare that the purpose for said proposed improvement district is to undertake and implement a regional sewerage system.

Section 2. That, as a result of said hearing and upon the evidence presented, this Board of Directors does hereby find and determine as follows:

- (a) That the whole of the district will not be benefited by the accomplishment of said purpose.
- (b) That only a portion of the district will be benefited by the accomplishment of said purpose.
- (c) That said portion so benefited is determined to be said portion of the district lying within the exterior boundary line described on Exhibit "A" attached hereto and made a part hereof.

Section 3. That this Board of Directors does hereby declare that said portion of the district described in Section 2(c) hereof shall hereupon constitute and be known as "IMPROVEMENT DISTRICT "C" OF THE CHINO BASIN MUNICIPAL WATER DISTRICT."

Section 4. That this Board of Directors does hereby find and determine that, in order to accomplish the purpose described in Section 1 hereof, it shall hereupon be authorized and empowered to investigate, study, analyze, appraise, finance, acquire, construct, operate, maintain, extend, repair or improve works and facilities for the transmission, treatment, and disposal of sewage, waste and storm waters including equipment for operation and maintenance of said works and facilities and for the foregoing appurtenances and appurtenant works, and including acquisition of all lands, easements, machinery, equipment, materials, apparatus and other property necessary therefor, and including all engineering, inspection, appraisal, accounting, legal, fiscal agent and financial consultant fees and costs, cost of special elections, cost of issuing bonds, notes, warrants and any other evidence of indebtedness, interest on any indebtedness, and all other costs and expenses incidental to or connected with undertaking and implementing said regional sewerage system.

Section 5. That this Board of Directors does hereby find and determine that, based upon 1972 prices, the average annual expenditures to undertake and implement said regional sewerage system are estimated to be \$1,500,000 per year.

Section 6. That this Board of Directors does hereby find and determine that said regional sewerage system shall be financed by any or all of the following means: ad valorem taxes levied exclusively upon taxable property within Improvement District "C"; sewage standby or availability charges levied exclusively

on acreage within Improvement District "C"; fees and charges for annexation to Improvement District "C"; extraordinary capital outlay charges and annual capital outlay charges levied on territory outside of Improvement District "C" as compensation for receiving services of the regional sewerage system; service charges collected for sewage delivered into the regional sewerage system; charges for delivery or sale of sewage treated and reclaimed in the regional sewerage system; and such additional amount of ad valorem taxes as may be necessary to pay principal of and interest on bonds issued in connection with said regional sewerage system.

Section 7. That a map showing the exterior boundaries of Improvement District "C" shall be on file with the Secretary of the district and shall be available for inspection by any person or persons interested at the Offices of the Chino Basin Municipal Water District, located at 8555 Archibald Avenue, Cucamonga, California.

Section 8. That the Secretary shall cause a copy of this resolution to be published in the DAILY REPORT, a newspaper of general circulation printed and published in Improvement District "C", pursuant to Section 6066 of the Government Code.

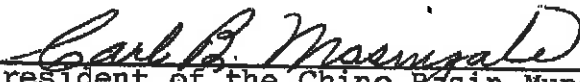
Section 9. That the Secretary shall cause a copy of this resolution to be posted in three (3) public places within Improvement District "C".

Section 10. That, if a petition signed by not less than ten percent (10%) of the voters of Improvement District "C" requesting that an election be held on the formation thereof is presented to this Board of Directors before the effective date of this resolution as provided in Section 11 hereof, this Board of Directors shall by resolution call a special election in Improvement District "C" for the purpose of submitting the question of the formation of Improvement District "C" to the voters therein.

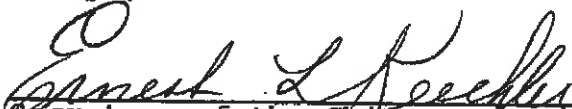
Section 11. That this resolution shall not be effective until the 31st day after completion of said publication and posting.

Section 12. That the determinations made in this resolution shall be final and conclusive.

ADOPTED this 23rd day of August, 1972.


President of the Chino Basin Municipal
Water District and of the Board of
Directors thereof.

ATTEST:


Secretary of the Chino Basin Municipal
Water District and of the Board of
Directors thereof.

(SEAL)

STATE OF CALIFORNIA)
)
COUNTY OF SAN BERNARDINO) ss.

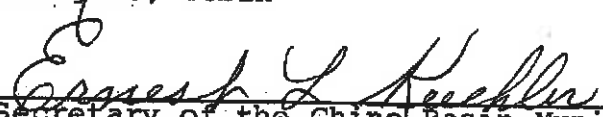
I, ERNEST KEECHLER, Secretary of the Board of Directors of the Chino Basin Municipal Water District, DO HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Directors of said district at a regular meeting of said Board held on the 23rd day of August, 1972, and that it was so adopted by the following vote:

AYES: Directors Comstock, Ferguson,
Keechler

NOES: None

ABSENT: Directors Masingale, Tobin

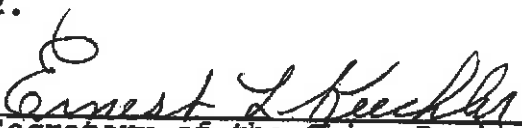
(SEAL)


Secretary of the Chino Basin Municipal
Water District and of the Board of
Directors thereof.

STATE OF CALIFORNIA)
)
COUNTY OF SAN BERNARDINO) ss.

I, ERNEST KEECHLER, Secretary of the Board of Directors of the Chino Basin Municipal Water District, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolution No. 72-8-10 of said Board, and that the same has not been amended or repealed.

DATED: August 23, 1972.


Secretary of the Chino Basin Municipal
Water District and of the Board of
Directors thereof.

(SEAL)