

RESOLUTION NO. 71-92

MAY 7, 1992

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VANDENBERG VILLAGE COMMUNITY SERVICES DISTRICT APPROVING AND AUTHORIZING AGREEMENT FOR WATER AND SEWER SERVICE FOR TRACT NO. 14,198 (KELLY-GAUSMAN) AND ISSUANCE OF APPROVAL LETTER TO COUNTY OF SANTA BARBARA FOR SAID TRACT.

WHEREAS, Tract No. 14,198, located within the boundaries of the Vandenberg Village Community Services District (hereinafter referred to as "District") is currently in the final stages of the approval process of the County of Santa Barbara; and

WHEREAS, the proposed Tract has been commonly known as the Kelly-Gausman project but the owner-of-record and developer of the Tract is G. K. Vandenberg Patti, a California Limited Partnership (hereinafter referred to as Developer); and

WHEREAS, the District has previously issued a "Can and Will Serve" letter for water and sewer service to the Kelly-Gausman project, which was extended by Board action on July 9, 1992; and

WHEREAS, Developer has caused his consulting engineer to prepare improvement plans for Tract No. 14,198, including water system improvements and sanitary sewer improvements, said plans being titled "Improvement Plans for Tract 14,198, Vandenberg Village, CA", by Dennis Bethel & Associates, Inc. Civil Engineers, dated _____, 1992, a copy of which is presented to the District Board of Directors with this Resolution and which will be retained for reference in the District's official files, being considered Exhibit "D" hereto, and made a part hereof by reference; and

WHEREAS, Developer wishes to enter into an agreement for water and sewer service for Tract No. 14,198 with District, providing for District approval of improvement plans, Developer installation of water and sanitary sewer system improvements, Developer payment of prescribed fees and charges (including future lot buyers' responsibilities for payment of charges); and

WHEREAS, Developer desires the District to submit a tract approval letter to the County assuring provision of water and sanitary sewage service to the Tract and that satisfactory

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arrangements have been made between the District and Developer concerning the Tract; and

WHEREAS, an agreement has been prepared to deal with these matters, titled "Agreement for Water and Sewer Service Between Vandenberg Village Community Services District and G. K. Vandenberg Patti, a California Limited Partnership, Relating to Development of Tract 14,198, County of Santa Barbara", which agreement is attached hereto as Exhibit "A", and made a part hereof by reference; and

WHEREAS, an abstract of the agreement has been prepared for recording in the office of the Santa Barbara County Recorder, said abstract being attached hereto as Exhibit "B" and made a part hereof by reference; and

WHEREAS the District's Interim General Manager, who is a California Registered Civil Engineer, has reviewed Developer's improvement plans for the Tract, provided his requirements to the Developer's Consulting Engineer, who has conformed the improvement plans to said requirements, which improvement plans are now satisfactory and ready for Board approval, subject to Developer entering into and complying with the provisions of said Agreement for Water and Sewer Service; and

WHEREAS, a District tract approval letter has been prepared for submission to the County for Tract 14,198. It is attached hereto as Exhibit "C" and made a part hereof, by reference.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Vandenberg Village Community Services District as follows:

1. Said Exhibit "A", "Agreement for Water and Sewer Service Between Vandenberg Village Community Services District and G. K. Vandenberg Patti, a California Limited Partnership, Relating to Development of Tract 14,198, County of Santa Barbara", and its accompanying abstract are hereby approved and the General Manager is hereby authorized, after its execution by Developer, to sign said agreement and its abstract (Exhibit "B") and to cause the abstract to be recorded at the office of the Santa Barbara County Recorder.
2. Said tract approval letter for Tract No. 14,198 (Exhibit "C") is hereby approved and the General Manager is hereby authorized to sign it and submit it to the County of Santa Barbara, after Developer has signed said agreement and abstract (Exhibits "A" and "B") and complied with applicable initial conditions included therein, including the deposit with District of required initial fees or charges.
3. Said "Improvement Plans for Tract 14,198", dated _____, 1992 (Exhibit "D") are hereby approved and are authorized as the controlling plans and specifications for the water and sanitary sewer improvements for Tract No. 14,198.

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On the motion of Director Small

Second Director Picciuolo

Roll call vote, to wit:

AYES: Nosler, Picciuolo, Small

NOES: None

ABSENT: Nash, White

Resolution No. 71-92 is hereby adopted.

Stephen H. Nosler
Vice President, Board of Directors

ATTEST:

Deanna M. Bruegl
Secretary, Board of Directors

SECRETARY'S CERTIFICATE

I, Deanna M. Bruegl, Secretary of the Board of Directors of the Vandenberg Village Community Services District, hereby certify that the foregoing is a true and correct copy of Resolution No. 71-92, passed and adopted by the Board of Directors of the Vandenberg Village Community Services District at its regular meeting held on the 7th day of May, 1992.

Deanna M. Bruegl