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Siskiyou County Recorder

RESOLUTION NO. 286, BOOK 8

A RESOLUTION MAKING FINDINGS, FIXING BOUNDARIES,
OVERRULING PROTESTS, DISPENSING WITH ELECTION AND
DECLARING LAKE SHASTINA COMMUNITY SERVICES DISTRICT
DULY ORGANIZED

RESOLVED, by the Board of Supervisors of the County of
Siskiyou, California, that

WHEREAS, a petition for formation of Lake Shastina Community
Services District within this County was filed with the Clerk of
this Board on September 6, 1978;

WHEREAS, the Clerk of this Board has certified that the
petition has been duly signed and that the signatures thereon are
equal in number to at least eighty percent (80%) of the registered
voters within the boundaries of the proposed District and is
sufficient according to law;

WHEREAS, on the 24th day of October, 1978, this Board adopted
Resolution No. 250, A Resolution Fixing Time and Place of Hearing
Upon Petition for Formation of Lake Shastina Community Services
District and Directing Giving Notice of Hearing, which fixed
Wednesday, November 29, 1978, at the hour of 2:30 o'clock p.m., in
the Supervisors Chambers, Courthouse, Yreka, California, as the time
and place when and where said Board would hear said petition and all
persons interested therein;

WHEREAS, the Clerk has caused notice of said hearing to be
published and mailed as directed by said Resolution No. 250, as
shown by proof and certificate thereof on file with the Clerk;

WHEREAS, at the aforementioned time and place, it being a
regular meeting of said Board, oral and documentary evidence was
presented in support of the petition, that said proposed district

includes all of the lands that would be benefited by being so formed, and that all of the lands within the proposed district will be benefited by being so formed;

WHEREAS, three persons appeared, orally or in writing, in opposition to the formation of the proposed district;

WHEREAS, no request in writing for the inclusion of their lands were presented by persons whose lands are outside the proposed district;

WHEREAS, one request in writing for the exclusion of lands was presented by persons whose lands are within the proposed district;

WHEREAS, said evidence, oral and documentary, in support and opposition to the petition offered and presented in connection therewith, has been heard and fully considered and being fully advised of the premises;

WHEREAS, Section 61114 of the Government Code provides that if the Board of Supervisors determines and finds from the evidence taken at the hearings, that eighty percent (80%) of the registered voters within the proposed district have signed the petition, and one or more written or oral protests have been received or offered at the hearing, the Board may, following review of the protest or protests, determine to dispense with an election and shall declare the District duly organized.

NOW, THEREFORE, IT IS FOUND, RESOLVED and DETERMINED, as follows:

1. Each and all of the recitals set forth and contained in said petition and said notice are true and correct, said petition has been duly signed by a sufficient number of the registered voters residing within the boundaries of said proposed district, notice has been duly and legally published and mailed in the manner and form and for the time required by law.

2. The petition and all persons interested therein have been fully heard, all evidence presented has been duly considered, and

the Board has been fully informed and has duly considered relevant testimony in support of or in opposition to said petition and that said petition and notice are genuine and sufficient.

3. All lands included in the proposed district, as described in the petition, will be benefited and no lands not included therein will be benefited by being included within the proposed district.

4. All requests for the inclusion or exclusion of lands, if any, are denied.

5. The proposed district is in the public interest and is economically feasible.

6. The petition has been signed by eighty percent (80%) or more of the registered voters within the proposed district.

7. All written or oral protests received or offered at the hearing have been fully reviewed, and all protests be, and each of them are hereby, overruled and the proposed district is ordered organized pursuant to the Community Services District Law, without an election.

8. The name of the district shall be "Lake Shastina Community Services District."

9. The purposes for which the district is formed are:

a) To supply the inhabitants of the district with water for domestic use, irrigation, sanitation, industrial use, fire protection, and recreation.

b) The collection, treatment or disposal of sewage waste and storm water of the district and its inhabitants.

c) The collection or disposal of garbage or refuse matter.

d) Protection against fire.

e) Public recreation by means of parks, including but not limited to aquatic parks and recreational harbors, playgrounds, golf courses, swimming pools or recreation buildings.

f) Street lighting.

g) Mosquito abatement.

h) The equipment and maintenance of a police department or other police protection to protect and safeguard life and property.

i) To acquire sites for, construct, and maintain library buildings, and to cooperate with other governmental agencies for library service.

j) The opening, widening, extending, straightening, and surfacing, in whole or part of any street in such district, subject to the consent of the governing body of the county or city in which said improvement is to be made.

k) The construction and improvement of bridges, culverts, curbs, gutters, drains, and works incidental to the purposes specified in subdivision (j), subject to the consent of the governing body of the county or city in which said improvement is to be made.

l) The conversion of existing overhead electric and communication facilities to underground locations, which facilities are owned and operated by either a "public agency" or a "public utility" as defined in Section 5896.2 of the Streets and Highways Code, and to take proceedings for and to finance the cost of such conversion in accordance with the provisions of Chapter 28 (commencing with Section 5896.1) of Part 3 of Division 7 of the Streets and Highways Code, subject to the consent of the public agency or public utility responsible for the owning, operation and maintenance of such facilities. Nothing herein contained shall be construed as giving a district formed under this law the power to install, own or operate such facilities as are described in this subdivision.

m) To contract for ambulance service to serve the residents of the district as convenience requires, if a majority of the voters in the district, voting in an election thereon, approve.

n) To provide and maintain public airports and landing places for aerial traffic.

10. The boundaries of the district are as described in Exhibit "A" hereto attached and by this reference incorporated herein.

11. The number of directors of said district shall be five and the names of the members of the first board are:

Robert J. Applegate

Thomas J. Carter

Paul A. Erickson

Nelson W. Richardson

James W. Storey

12. The Clerk shall issue certificates of appointment to each of the members of the board of directors designated herein.

13. The Clerk is hereby directed to transmit certified copies of this resolution together with such other materials and

information as may be required, to the Executive Officer of the Local Agency Formation Commission of the County of Siskiyou.

14. The Executive Officer of the Local Agency Formation Commission of Siskiyou County is hereby authorized and directed to prepare and execute all necessary documents and make such filings with appropriate State and County officials so as to properly effectuate and finalize the organization of the said district all as required by Section 54797.2 of the Government Code.

15. The Clerk shall enter this resolution in the minutes of this Board.

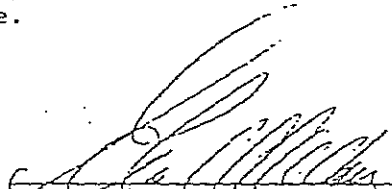
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Passed and adopted by the Board of Supervisors of the County of Siskiyou, California, at a meeting thereof held on the 29th day of November, 1978, by the following vote of the members thereof:

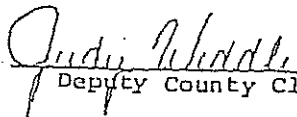
AYES, and in favor thereof, Supervisors: Hayden, Wacker, Torrey and Belcastro.

NOES, Supervisors: None.

ABSENT, Supervisors: McArdle.

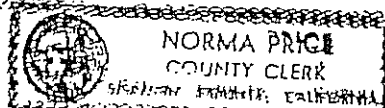

Chairman of the Board

ATTEST: NORMA PRICE, County Clerk


Deputy County Clerk

This instrument is a correct copy of the original on file in this office.

ATTEST: Norma Price 5/17/78
NORMA PRICE
County Clerk and ex-officio Clerk of the Board of Supervisors in and for the County of Siskiyou.



RESOLUTIONS
NO. <u>286</u>