

Resolution No. L96-1

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF THE COUNTY OF MENDOCINO  
MAKING DETERMINATIONS AND APPROVING THE MATTHEWS/MILLER  
ANNEXATION TO THE DISTRICT, AND ACCEPTANCE OF A  
NEGATIVE DECLARATION AS ADOPTED BY THE DISTRICT

WHEREAS, a proposal for the annexation of certain territory referred to as "Matthews/Miller" to the Potter Valley Irrigation District in the County of Mendocino has been filed with the Executive Officer of this Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including her recommendations thereon, the proposal and report having been presented to and considered by the Commission; and

WHEREAS, 100% landowner consent has been given and certified by the District, as three property owners are involved; and

WHEREAS, this Commission called for and held a public hearing on the proposal on March 4, 1996 and at the hearing this Commission heard and received all oral and written protests, 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 reports of the Executive Officer; and

WHEREAS, the Commission certifies that:

1. The Commission accepts the Negative Declaration adopted by the Potter Valley Irrigation District for the Matthews/Miller annexation application through confirmation of passage of resolution #96-1A dated January 17, 1996.

NOW, THEREFORE, the Local Agency Formation Commission of the County of Mendocino DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The proposal being identified in the files of the Mendocino County Local Agency Formation Commission as File No. 94-5 annexation of Matthews/Miller into the Potter Valley Irrigation District and the same is hereby approved subject to the following conditions and terms:

- a. The Negative Declaration as adopted by the Potter Valley Irrigation District, for the annexation of the Matthews/Miller territory to the Potter Valley Irrigation District be accepted; and

b. The 80+/- acres identified by AP#s 177-010-04, 177-010-05, and 177-020-19 are approved for annexation into the Potter Valley Irrigation District for water irrigation services.

2. The Potter Valley Irrigation District in the County of Mendocino is designated the Conducting Authority, and the Board of Directors of the Potter Valley Irrigation District are hereby authorized to conduct subsequent proceedings without a public hearing pursuant to Government Code Section 56837.

3. The map and legal description, as set forth in the annexation proposal, are hereby approved as submitted and are described in Exhibits A and B attached hereto and by this reference incorporated herein.

4. The territory includes 80+/- acres, and is found to be uninhabited, and is assigned the distinctive short form designated; Irrigated pasture at the lower end of Potter Valley, west of East Road, running along the Russian River.

5. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Section 56853 of the Government Code.

ADOPTION of this Resolution was moved by Commissioner McMichael seconded by Commissioner Pinches, and carried on this 4th day of March 1996 by the following roll call vote:

AYES: Commissioner Pinches, Alfano, McMichael, and Clark  
NOES: None  
ABSENT: Commissioner Watenburger  
ABSTAIN: None

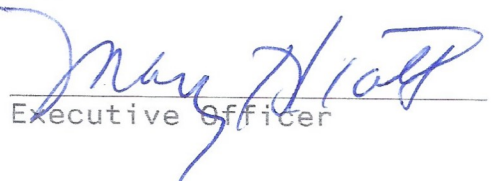
WHEREUPON, the Chairman declared the Resolution adopted, AND SO ORDERED.

ATTEST:

Executive Officer  
STATE OF CALIFORNIA, County of Mendocino

  
Chairman

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

February 22, 1996  
Matthews/Miller  
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**CERTIFIED COPY**

This document is hereby certified  
to be an accurate copy of a  
document of file in the LAFCO office

*Mary Hiatt*  
Mary Hiatt  
Executive Officer

(Date)

*4/3/96*

**RECOMMENDATION:**

1. Find that proper notice was given for the hearing.
2. Accept the Negative Declaration finding of the District.
3. Approve the annexation of the Matthews/Miller Property herein identified as File No. 94-5 into the Potter Valley Irrigation District for the purpose of receiving irrigation water.
4. Appoint the Potter Valley Irrigation District as the Conducting Authority to proceed without public hearing in accordance with section 56837.
5. Formalize findings by LAFCO Resolution with the legal description as Exhibit A, Map as Exhibit B.
6. No filing with the State Board of Equalization is required as the District is a non-county assessment district.