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AVILA BEACH COUNTY WATER DISTRICT
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Present: Directors

Dated: June 5, 1973

Absent:

RESOLUTION NO. 73-5

RESOLUTION OF THE BOARD OF DIRECTORS OF AVILA BEACH
COUNTY WATER DISTRICT CONFIRMING REPORT OF SUPERINTENDENT
OF STREETS RE CONSTRUCTION OF SANITARY DRAINAGE FACILITY
AND COST ASSESSMENT, AND ORDERING AND CONFIRMING
ASSESSMENT OF PROPERTY

The following Resolution is hereby offered and read:

WHEREAS, by Resolution duly adopted on November 16, 1972 the Board of Directors of Avila Sanitary District, the predecessor in interest of Avila Beach County Water District, found and declared it to be necessary and in the public interest that sanitary drainage facilities, to-wit: sewage collection facilities, be installed and constructed in front of certain properties, more particularly designated in said Resolution, in accordance with the provisions of the Improvement Act of 1911; and

WHEREAS, in accordance with said determination the Superintendent of Streets was instructed to give, and did give pursuant to law, notice to all owners or persons in possession of the property fronting on those streets where construction was to take place of a public hearing on said proposed construction; and

WHEREAS, a public hearing was duly held by and before this Board on January 9, 1973; and

WHEREAS, at the conclusion of said hearing this Board adopted Resolution No. 73-2 finding and determining that the District had acquired jurisdiction to proceed with said construction, directing the Superintendent of Streets to construct the improvements unless the same were constructed by the property owners designated therein, and directing the said Superintendent of Streets upon completion of said work to prepare and submit the report of work to the Board of Directors as required under Streets and Highways Code Section 5882; and

WHEREAS, on April 25, 1973 the Superintendent of Streets did present to this Board his report in writing in the form required by law setting forth a description of the work performed, the total costs of construction including miscellaneous costs, and the proposed assessment against each parcel proposed to be levied to pay the costs thereof, at which time this Board set a public hearing on said report for June 5, 1973; and

WHEREAS, the Superintendent of Streets gave notice of said hearing as required by Streets and Highways Code Section 5881; and

WHEREAS, said hearing was held on June 5, 1973 on confirmation of said report of the Superintendent of Streets, at which time all interested persons were given the opportunity to make statements for or against said report; and

WHEREAS, no testimony for or against said report was offered; and

WHEREAS, this Board finds that all prior proceedings in connection with this matter were had in strict compliance with the law, that the proposed assessment of property to bear the cost of the construction is fair and equitable, and that it is in the public interest that said assessments be confirmed and made special assessments against the property