ATTACHMENT C

ANNEXATION

COPY

26236 MAR 21 1973

Conrad-Vallenza

AFFIDAVIT OF COMPLETION

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) ss.

LAWRENCE J. KOWALSKI, being first duly sworn, deposes and says:

1. He is now and at all times mentioned was the City Clerk of the City of Martinez, a municipal corporation;

2. The City Council of the City of Martinez conducted proceedings relating to:

> The annexation of territory to City of Martinez under Government Code Sections 3500-35015, and further provided specifically by Section 54797.1 and 56261 of the Government Code, as amended.

3. All requirements of the law relating to the proceeding designated in paragraph 2 have been complied with.

4. The certificate of the Secretary of State describing the document in his office which is required to complete the proceedings is attached to this affidavit. The document referred to was filed with the Secretary of State on November 16, 1970

5. A certified copy of the boundary description as set forth in the proceedings is attached, together with a map delineating the boundary, and both are incorporated by this reference.

Dated this 20th day of March, 1973.

Lawrence J. Kowalski

Lawrence J. Kowalski, City Clerk
City of Martinez

Subscribed and sworn to before me this 20th day of March, 1973

OFFICIAL SEAL
RUTH A. STEINER
NOTARY PUBLIC - CALIFORNIA
Contra Costa County
My Commission Expires July 5, 1976

Ruth A. Steiner

Ruth A. Steiner
Notary Public in and for the County of Contra Costa, State of California.

STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION
1020 N STREET, SACRAMENTO, CALIFORNIA
(P.O. BOX 1799, SACRAMENTO, CALIFORNIA 95808)

RECEIVED
DEC 10 1970
CITY CLERK, CITY OF MARTINEZ
By_____Deputy

GEORGE R. REILLY
First District, San Francisco
JOHN W. LYNCH
Second District, Fresno
PAUL B. LEAKE
Third District, Woodland
RICHARD NEVINS
Fourth District, Pasadena
HOUSTON I. FLOURNOY
Controller, Sacramento
H. F. FREEMAN
Executive Secretary

Mr. Lawrence J. Kowalski
Martinez City Clerk
525 Henrietta Street
Martinez, California 94553

Dec. 8, 1970

Your letter of
Dec. 2, 1970

Dear Mr. Kowalski:

This is to acknowledge receipt of the statement(s), filed as required by Section 54900, et seq., of the Government Code by which **certain territory designated as Coward-Valerga Annexation was annexed to the City of Martinez by Resolution No. 153 (1970 Series) on November 16, 1970:**

x Legal description(s) of boundaries
3 Map(s) showing boundaries
x Resolution(s) No. 153 (1970 Series)
____ Ordinance(s) No.
____ Other

The 1971 Board roll will reflect the action evidenced by the above statement(s) unless it is found to be inadequate. If it is found to be inadequate or its validity for assessment or taxation purposes is questioned, we will bring such a situation to your attention.

A copy of this acknowledgment has been sent to the Department of Business Taxes. If they need additional information for local sales and use tax purposes they will notify you.

Very truly yours,

L. J. Eastman

L. J. EASTMAN, Chief
VALUATION DIVISION

eo
cc-Mr. E. F. Wanaka
Contra Costa County Assessor
cc-Local Tax Unit - Room A-253

CITY OF • MARTINEZ • CALIFORNIA

December 2, 1970

Office of the City Clerk

Dear Sir:

COWARD-VALERGA ANNEXATION

Uninhabited territory designated as "Coward-Valerga Annexation" became officially annexed to the City of Martinez as of November 16, 1970. This territory is undeveloped.

For your information, I enclose maps showing the boundary lines, and Resolution No. 153 (1970 Series) containing the legal description of the annexed property.

Very truly yours,

Lawrence J. Kowalski, City Clerk
City of Martinez

ras

encl. Ordinances -
Maps -

526 HENRIETTA STREET • MARTINEZ, CALIFORNIA 94553 • (415) 228-4400

State of California

Office of the
Secretary of State

SACRAMENTO

IT IS HEREBY CERTIFIED:

That on the 18th *day of* November *, 1970 , there was filed in this office a certified copy of Resolution No.* 153 (1970 Series) *adopted by the Council of the CITY OF* MARTINEZ *on* November 4, 1970 *, approving the annexation of certain contiguous, uninhabited territory, designated:*

"COWARD-VALLERGA ANNEXATION TO THE CITY OF MARTINEZ"

THE GREAT SEAL OF THE STATE OF CALIFORNIA
EUREKA

Dated: November 18, 1970

H. P. Sullivan

H. P. SULLIVAN, *Secretary of State*

SEC/STATE FORM CE-19

STATE OF CALIFORNIA

THE GREAT SEAL OF THE STATE OF CALIFORNIA
EUREKA

DEPARTMENT OF STATE

It is hereby certified:

That the annexed transcript has been compared with the RECORD on file in my office, of which it purports to be a copy, and that the same is full, true and correct.

THE GREAT SEAL OF THE STATE OF CALIFORNIA
EUREKA

Dated: NOV 16 1970

H. P. Sullivan

H. P. Sullivan, Secretary of State

By Ralph R. Martig

Deputy Secretary of State

SEC/STATE FORM CE-7

89028-882 1-70 60M △ OSP

CITY OF • MARTINEZ • CALIFORNIA

November 16, 1970

Office of the City Clerk

Mr. and Mrs. James Coward
2640 Yuba Street
El Cerrito, California

Dear Mr. and Mrs. Coward:

It is an extreme pleasure to inform you that the City Council of the City of Martinez, at their meeting held on Wednesday, November 4, 1970, adopted Resolution No. 153 (1970 Series). This resolution has for its purpose annexing your property, Assessor's Parcel No. 162-020-09, to the City of Martinez.

Steps have already been taken to provide services normally offered to property owners within the City. Also, the water rate for your property will be reduced from an "outside" City rate to an "inside" rate, effective immediately.

If you have any questions regarding the above, or any other City service, please do not hesitate to contact me.

Very truly yours,

Lawrence J. Kowalski, City Clerk
City of Martinez

525 HENRIETTA STREET • MARTINEZ, CALIFORNIA 94553 • (415) 228-4400

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF CONTRA COSTA MAKING DETERMINATIONS AND APPROVING PROPOSED COWARD-VALERGA ANNEXATION TO THE CITY OF MARTINEZ

The Local Agency Formation Commission finds:

Application for proposed Coward-Valerga Annexation to the City of Martinez was filed by the city with the Executive Officer of this Local Agency Formation Commission on October 7, 1970; and

At the time and in form and manner provided by law, said Executive Officer gave notice of public hearing by this Commission upon said application; and

The Executive Officer reviewed said application and prepared a report, including his recommendation therein, said application and report having been presented to and considered by this Commission; and

The public hearing by this Commission was held on November 4, 1970 at the time and place specified in said notice of public hearing; and

At this hearing this Commission heard and considered all oral and written protests, objections and evidence presented or filed, and all persons present were given an opportunity to be heard in respect to any matter relating to said application and report.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that:

Section 1. The proposal is assigned the designation of "Coward-Valerga Annexation to the City of Martinez", and the territory proposed to be annexed is declared uninhabited.

Section 2. Said application for Coward-Valerga Annexation to the City of Martinez is approved, subject to the condition that the boundary of the territory proposed to be annexed is to be as described in attached Exhibit "A".

Section 3. Pursuant to Government Code, Section 54797.1 the Commission authorized the city council to annex this territory without notice and hearing by said council.

PASSED AND ADOPTED on November 4, 1970 by the following vote:

AYES: Coll, Grote, Roberts, Welch, Dias

NOES: None

ABSENT: None

I hereby certify that the foregoing is a true and correct copy of a resolution passed and adopted by said Commission on the date aforesaid.

J. S. CONNERY
Executive Officer

JSC:bgg
encl.
cc. City Clerk, City of Martinez
City Manager, City of Martinez

LOCAL AGENCY FORMATION COMMISSION
Contra Costa County, California
Revised Description
DATE 11-4-70 BY

169-71

COWARD-VALERGA ANNEXATION TO THE CITY OF MARTINEZ

Portion of the Rancho Las Juntas described as follows:

Beginning at the southwestern corner of the Pereira Annexation to the City of Martinez Annexation Ordinance No. 578 C. S., being a point on the northern boundary of Vine Hill Way; thence, leaving said City boundary, South 15° 47' West to the center of said Vine Hill Way; thence Southeasterly along the center of said Vine Hill Way to the boundary of the City of Martinez, Coward Annexation, Ordinance No. 652 C. S.; thence, following the boundary of said City of Martinez, Northerly, Northeasterly, Westerly, Southerly and Northwesterly to the point of beginning.

Containing 54.8 acres, more or less.

EXHIBIT "A"

RESOLUTION NO. 153
(1970 Series)

WHEREAS, there has been filed with the City of Martinez, State of California, duly acknowledged and written petitions of all property owners requesting that certain territory therein and hereinafter described, be annexed to the City of Martinez under the authority of and in accordance with, "Annexation of Territory", Sections 35500-35015 of the Government Code of the State of California, and as further provided specifically by Section 54797.1 and 56261 of the Government Code, as amended; and

WHEREAS, the City of Martinez did, file with the Local Agency Formation Commission, its application for annexation of the said territory, COWARD-VALLEREGA PROPERTY, to be annexed to the said City of Martinez; and

WHEREAS, the Local Agency Formation Commission considered the application for annexation of the COWARD-VALLEREGA PROPERTY to the City of Martinez at its meeting held on November 4, 1970; and

WHEREAS, the Local Agency Formation Commission considered at their public hearing, all oral and written protests, objections, and evidence presented or filed, and all persons present were given an opportunity to be heard in respect to any matter relating to said application; and

WHEREAS, the Local Agency Formation Commission determined that the territory to be annexed is uninhabited; and

WHEREAS, the Local Agency Formation Commission approved the application for annexation to the City of Martinez; and

WHEREAS, it is deemed to be in the best interest of the City of Martinez that said proposed territory be annexed to and become part of the City of Martinez; and

WHEREAS, Section 35310.1 provides that annexation without due notice and hearing can be completed by adoption of a resolution, with the consent of property owner (s),

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARTINEZ:

1. That the City of Martinez does hereby approve the annexation to the City of Martinez, and to become a part thereof, the following described property to wit:

A portion of the Rancho Las Juntas:

Beginning at the point of intersection of the southwestern boundary of Subdivision 3579 with the westerly boundary of the property described in the deed to James F. and Julie Coward in Book 4738, page 704 of the Official records; thence northerly and easterly along the western and northerly boundaries of said property to its intersection with the westerly limits of Vine Hill Way, said westerly limits also being the existing limits of the City of Martinez; thence southwesterly along said city limits to its intersection with the centerline of Vine Hill Way; thence westerly along said centerline to its intersection with the projection of the westerly boundary of the Coward property; thence northerly along the western boundary of said Coward property to the point of beginning.

2. That said territory is hereby designated as "COWARD-VALLERGA ANNEXATION TO THE CITY OF MARTINEZ."

3. That immediately upon this resolution becoming effective, a certified copy thereof, giving the date of its passage under the seal of the said City of Martinez be transmitted by the City Clerk of the City of Martinez to and filed with the Secretary of the State of California, and after the date of such filing the annexation of said territory shall be to all intents and purposes part of the City of Martinez, and after such annexation said property shall be subject to taxation equally with the property in said municipal corporation to pay its portion according to assessed valuation of the outstanding indebtedness of said City of Martinez.

4. The City Clerk of the City of Martinez is hereby directed to cause this resolution to be published once in the Morning News Gazette, a legal newspaper of general circulation printed and published in the City of Martinez, and hereby designated for said purpose.

* * * * * * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a regular meeting of said Council held on the 4th day of November, 1970, by the following vote:

AYES:	Councilmen - LAIRD, LANCE, SPARAGINO, WIEMEN, KRAUSS
NOES:	Councilmen - None
ABSENT:	Councilmen - None
NOT VOTING:	Councilmen - None

Lawrence J. Kowalski

Lawrence J. Kowalski, City Clerk
City of Martinez

City Council

Planning Commission

July 27, 1970

Valerga-Coward Annexation

The Planning Commission considered the proposal to annex the Valerga-Coward properties located adjacent, northerly and westerly of Vine Hill Way adjacent and southerly of Pleasant View subdivisions, at its meeting of July 21, 1970.

The Commissioners voted to recommend to the City Council that these properties be annexed to the City of Martinez.

BEW

Barry E. Whittaker, Acting Secretary

mf

cc: P.W. Dept.
Bldg. Dept.

ITEM NO. 4 - ANNEXATION: GLENN E. VALERGA, JAMES F. & JULIE COWARD, owners

Location: Approximately 61 acres, located adjacent, northerly and westerly of Vine Hill Way adjacent and southerly of Pleasant View Subdivisions.

Zoning: County A-2 (General Agriculture)

Request: That the City annex the subject parcel, with the H (Holding) Zone designation.

Recommendation: Staff recommends that the Planning Commission favorably consider this item, and forward it to the City Council with a recommendation for its approval.

Discussion: This annexation has been proposed by the two property owners in a petition recently received by the City. The primary reason for this annexation is to obtain city water service. This is of particular importance, since the Coward property is currently occupied by a golf course; the Cowards have recently signed a 10-year lease with another party for the continued operation of this recreational facility. The Valerga property, which is surrounded on three sides by the golf course, has recently gone through Division of Land procedure with the County. It was at this time that the desirability of annexation was first discussed. After subsequent discussions on the part of the City with Mr. Valerga, application for annexation for this property was made. It should be noted that the Division of Land was secured primarily for the purpose of financing and that the applicant plans to retain the entire property. The proposed use of this site will be as a single family residence, together with a limited amount of agriculture (e.g., raising of animals as 4-H projects). The number of animals kept on the property is in conformance with County standards; since these standards are more permissive than those of the City, this activity is, in fact, a non-conforming use. Staff foresees no problems, however, arising from this endeavor. The issue of street improvements and right-of-way dedication has also been analyzed and discussed with the applicants, especially in regard to any further extension of Center Avenue through the subject properties. Since Staff does not foresee any imminent need for the construction of this link, no recommendation for dedication or improvements is being made. A map indicating the relationship with the subject properties with the surrounding area is attached. This item is slated to go before LAFCo on Friday, July 17.

AAP

WATER SERVICE AGREEMENT

This agreement, made and entered into this day of July, 1970, by and between James F. Coward and Julie Coward, his wife, hereinafter referred to as "Owners" and the City of Martinez, a municipal corporation, hereinafter referred to as "City".

W I T N E S S E T H :

Whereas, Owners desire to obtain water service to the parcel of land shown on the Contra Costa County Assessor's Rolls as Parcel No. 162-020-09; and

Whereas, the City encourages all properties receiving water service to be annexed to the City.

Now, therefore, the parties hereto agree as follows:

1. Owners agree to annex said property to the City of Martinez.

2. City agrees to waive the $500 per acre acreage connection fee for the portion of the property used as a golf course and for as long as the said property is used as a golf course.

The $500 per acre acreage connection fee on any portion of the aforementioned parcel not used as a golf course, or for expansion of the golf course, shall be due and payable at such time as development occurs requiring the installation of water service.

At such time as said property is used for any other purpose, other than a golf course, the acreage connection fee shall be paid at that time and without further action become due and payable by the Owner or Owners of the property. This specific provision shall be binding upon the heirs, successors, and assigns of the Owners.

3. Owners agree to pay all other water fees and rates as set forth in the City of Martinez Water System "Regulations Governing Water Service."

4. All the covenants herein contained are expressly for the use and benefit of the premises to which they relate, and, as such, shall be deemed to run with the land and to be binding upon the assigns of the City and upon the heirs, successors, and assigns of the Owners.

In witness whereof, the City of Martinez, a municipal corporation has caused this agreement to be executed by its Mayor and attested to by

the City Clerk, and James F. Coward and Julie Coward, his wife, have caused same to be executed on the day and year first above written.

James F Coward
James F. Coward

Julie Coward
Julie Coward, his wife

Owners

CITY OF MARTINEZ, a municipal corporation

By: James Krause
James Krause, Mayor of the City of Martinez

ATTEST:

Lawrence J. Kowalski
Lawrence J. Kowalski, City Clerk

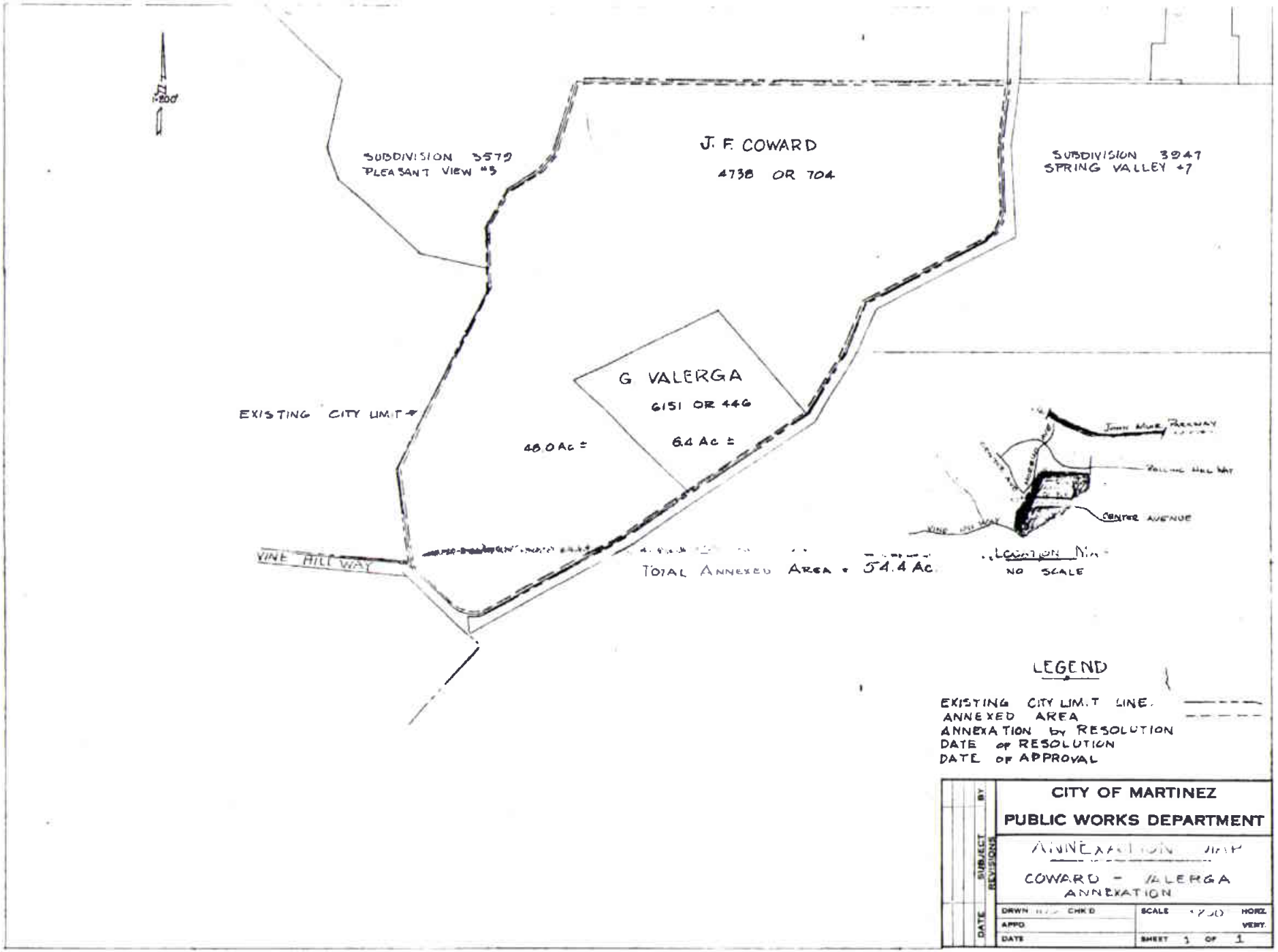
APPROVED AS TO FORM:

City Attorney

Appeared before me this 16th day of July, 1970, in the city of Concord, county of Contra Costa, state of California. They, who are personally known to me, and acknowledged the signature to this document before me, James F Coward and Julie Coward.

FLOYD WEST
NOTARY PUBLIC-CALIFORNIA
PRINCIPAL OFFICE IN
CONTRA COSTA COUNTY

FLOYD WEST Floyd West
My Commission Expires Feb. 27, 1971


SUBDIVISION 3572
PLEASANT VIEW #5
J. F. COWARD
4738 OR 704
SUBDIVISION 3947
SPRING VALLEY #7
G VALERGA
6151 OR 446
6.4 Ac ±
48.0 Ac ±
EXISTING CITY LIMIT
VINE HILL WAY
TOTAL ANNEXED AREA = 54.4 Ac.
LOCATION MAP
NO SCALE
CENTER AVENUE
LEGEND
EXISTING CITY LIMIT LINE
ANNEXED AREA
ANNEXATION by RESOLUTION
DATE of RESOLUTION
DATE of APPROVAL
CITY OF MARTINEZ
PUBLIC WORKS DEPARTMENT
ANNEXATION MAP
COWARD - VALERGA
ANNEXATION
DATE
SUBJECT REVISIONS
BY
DRWN
CHK'D
APPD
DATE
SCALE
HORZ.
VERT.
SHEET 1 OF 1

ORDINANCE NO. 692 C.S.

The City Council of the City of Martinez does ordain as follows:

That the Municipal Code be amended by deleting Section 10,196.10 ANNEXED TERRITORY and inserting the following in its place:

SECTION 10,196.10 ANNEXED TERRITORY. All territory annexed to the City shall be placed in the H (Holding) District, unless pre-zoned in accordance with the intent of the General Plan, until duly amended by the Planning Commission in conformance with Article 12 of this Chapter. The Planning Commission may, at any time deemed appropriate, make a study of the annexed territory and initiate a change of zone compatible with the General Plan and the objectives prescribed in Section 10,100 of this Chapter. The owner of annexed property, or the authorized agent of the owner, may initiate similar action at any time by filing an application for a change in district, as prescribed in Section 10,196.1.

This Ordinance shall take effect thirty (30) days after its adoption provided it has been duly published in the manner required by law for the adoption of Ordinances.

APPROVED: Charles Laird
Mayor

ATTEST:

Lawrence J. Kowalski
City Clerk

* * * * * * * * * * * *

I HEREBY CERTIFY that the foregoing Ordinance was duly and regularly introduced at a regular meeting of the City Council of the City of Martinez held on the 7th day of January, 1970, and duly passed and adopted at a regular meeting of said City Council held on the 4th day of February, 1970, by the following vote:

AYES: Councilmen - BENSON, KRAUSE, LANCE, SPARACINO, LAIRD

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

NOT VOTING: Councilmen- NONE

Lawrence J. Kowalski
Lawrence J. Kowalski, City Clerk
City of Martinez

CITY OF MARTINEZ

ORDINANCE NO. 694 C.S.

The City Council of the City of Martinez does ordain as follows:

That the Municipal Ordinance be amended by the addition of Section 10,122.13 H (Holding) District, as follows:

Section 10,122.13 H (Holding) District. The following regulations shall apply to the H District, subject to the general provisions and exceptions prescribed in Article 7 of this Chapter.

Section 10,122.13 (a) Permitted Uses:

1. Agriculture, including horticulture, vitriculture, and the raising of small crops and fruit or nut-bearing trees.

2. Single family dwellings on existing legal lots, and those appurtenant uses described in Section 10,109.1.

Section 10,122.13 (b) Conditional Uses:

Any legal use deemed appropriate by the Planning Commission, and in keeping with the intent of the General Plan and the objectives of Section 10,100 of this Chapter.

Section 10,122.13 (c) Site Development Regulations:

1. Single family dwellings shall conform with the site regulations required under Section 10,109 for the density specified on the General Plan for the subject area.

2. Regulations for all other uses shall be those specified under the provisions of the Use Permit.

This Ordinance shall take effect thirty (30) days after its adoption, provided it has been duly published in the manner required by law for the adoption of Ordinance.

APPROVED: Charles Laird
Mayor

ATTEST:
Lawrence J. Kowalski, City Clerk

I HEREBY CERTIFY that the foregoing Ordinance was duly and regularly introduced at a **regular** meeting of the City Council of the City of Martinez held on the **21st** day of **January** 1970, and duly passed and adopted at a **regular** meeting of said City Council held on the **4th** day of **February** 1970, by the following vote:

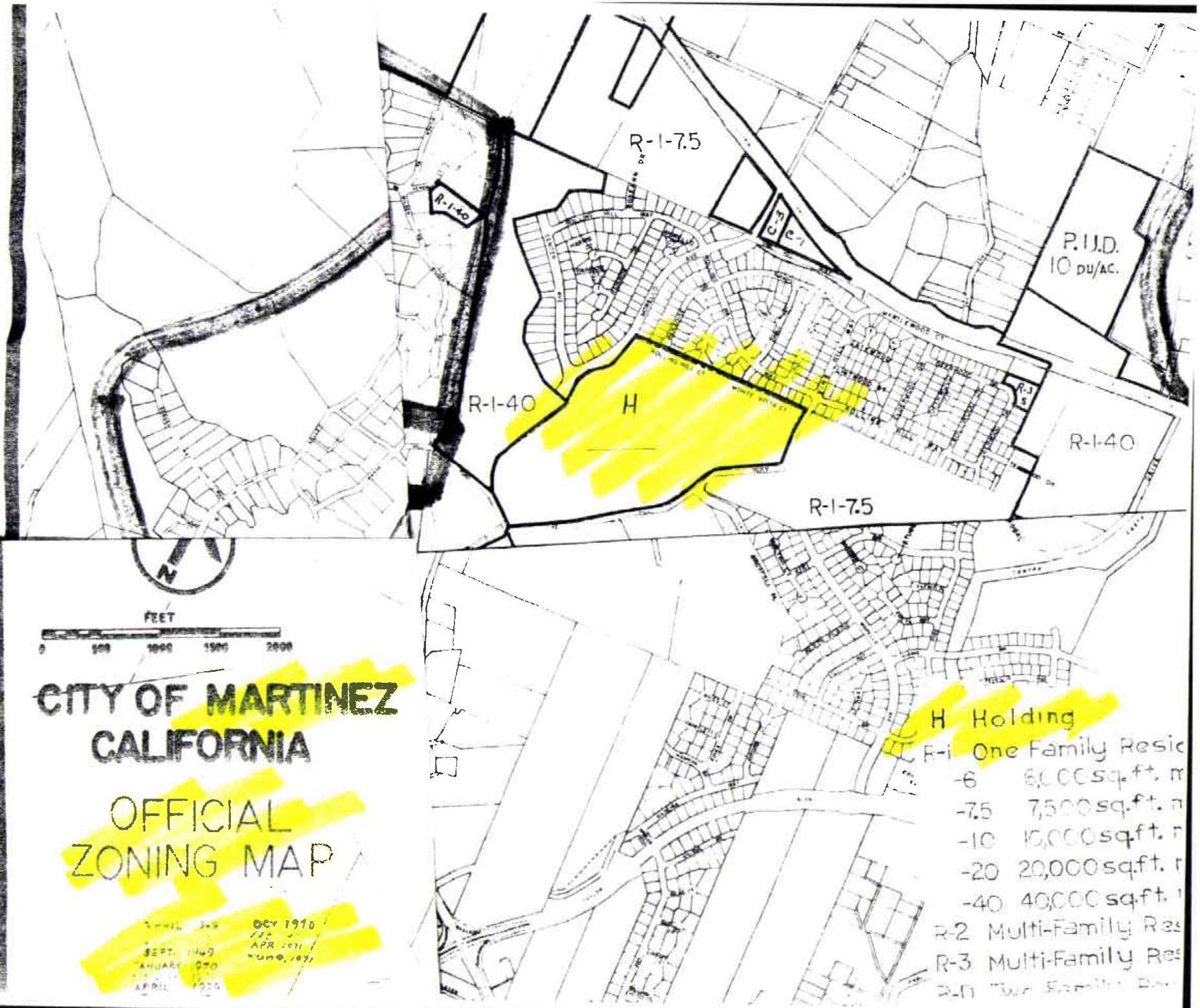
AYES: Councilmen - **BENSON, KRAUSE, LANCE, SPARACINO, LAIRD**

NOES: Councilmen - **NONE**

ABSENT: Councilmen - **NONE**

NOT VOTING: Councilmen - **NONE**

Lawrence J. Kowalski, City Clerk


R-1-7.5
R-1-40
C-3
C-1
P.U.D.
10 DU/AC.
R-1-40
H
R-3
R-1-40
R-1-7.5
N
FEET
0
500
1000
1500
2000
CITY OF MARTINEZ
CALIFORNIA
OFFICIAL
ZONING MAP
OCT 1970
APR 1971
H Holding
R-1 One Family Resic
-6 6,000 sq.ft. m
-7.5 7,500 sq.ft. m
-10 10,000 sq.ft. m
-20 20,000 sq.ft. m
-40 40,000 sq.ft.
R-2 Multi-Family Res
R-3 Multi-Family Res