

HAYWARD CITY COUNCIL

RESOLUTION NO. 09-

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HAYWARD MAKING APPLICATION TO
ALAMEDA COUNTY LOCAL AGENCY FORMATION
COMMISSION REQUESTING INITIATION OF
PROCEEDINGS FOR A CHANGE OF ORGANIZATION
PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL
GOVERNMENT REORGANIZATION ACT OF 2000 -
MT. EDEN ANNEXATION PHASE II

WHEREAS, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code section 56000 et seq.), the City of Hayward, as an affected city, hereby submits a proposal for a change of organization and respectfully requests the Local Agency Formation Commission of Alameda County (LAFCO) to initiate proceedings thereon; and

WHEREAS, notice of intent to adopt this resolution of application has been given to each interested and each subject agency; and

WHEREAS, the territory proposed to be annexed is inhabited and a description of the boundaries of the territory is set forth in Attachment "III-a" attached hereto and incorporated herein by reference; and

WHEREAS, the proposal is consistent with the Sphere of Influence of the City of Hayward; and

WHEREAS, the City Council has approved a Plan for Providing Municipal Services to the area proposed for annexation which sets forth the improvements to be undertaken; and

WHEREAS, this annexation is being proposed to provide for the orderly development of the Mt. Eden Area; and

WHEREAS, the City Council has adopted a Mitigated Negative Declaration, which was prepared pursuant to the California Environmental Quality Act (CEQA) and the City's implementing guidelines.

NOW, THEREFORE, BE IT RESOLVED that this Resolution of Application is hereby adopted and approved by the City Council of the City of Hayward and the Local Agency Formation Commission of Alameda County is hereby requested to take proceedings for the annexation of the territory described in Attachment "III-a," according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2009

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____

_____ City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

Mt. Eden Reorganization (Phase 2)
Annexation to the City of Hayward
and Detachment from the Alameda County Library District
and the Alameda County Fire District

Description of

MT. EDEN REORGANIZATION (PHASE 2)

**Annexation to the City of Hayward
and
Detachment from the Alameda County Library District
and the Alameda County Fire District**

West-Mohr Island and Mohr-Depot Island

All that certain real property being located in parts of either the Southern portion of the De Soto Rancho (Rancho San Lorenzo-(Soto)) or the Rancho Arroyo de la Alameda, in the unincorporated territory of Eden Township, County of Alameda, State of California, described as follows:

WEST-MOHR ISLAND

(Partially located in the Southern portion of the De Soto Rancho, a plat of which was recorded October 27, 1866 in Book "X" of Deeds, Page 11, Official Records of Alameda County.)

(Partially located in the Rancho Arroyo de la Alameda, finally confirmed to Jose De Jesus Vallejo, a plat dated October 13, 1857 found in Patent Book "A", Page 70, Office of the United States Surveyors General, San Francisco, California.)

Bounded on the north by the following four (4) annexations:

1. West Street Annexation No. 3 - Boundary of territory annexed to the City of Hayward by Resolution No. 69-077 c.s. adopted by the Hayward City Council on March 18, 1969, a map of which was filed April 14, 1969 in Book 60 of Maps, Page 17 (Series No. 69-40910), Official Records of Alameda County.
2. Mohr Drive Annexation No. 1 - Boundary of territory annexed to the City of Hayward by Resolution No. 82-7 approved by LAFCo on March 18, 1982 and by Resolution No. 82-137 c.s. adopted by the Hayward City Council on April 27,

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1982, a map of which was filed June 23, 1982 in Book 124 of Maps, Page 41 (Series No. 82-093061), Official Records of Alameda County.

3. Surdez Annexation - Boundary of territory annexed to the City of Hayward by Ordinance No. 205 c.s. adopted by the Hayward City Council on February 10, 1959, a map of which was filed March 5, 1959 in Book 40 of Maps, Page 62A (Series No. AQ25836), Official Records of Alameda County;
4. Rousseau Annexation No. 3 - Boundary of territory annexed to the City of Hayward by Ordinance No. 585 N.S. adopted by the Hayward City Council on March 16, 1954, a map of which was filed April 20, 1954 in Book 32 of Maps, Page 23A (Series No. AJ32521), Official Records of Alameda County.

Bounded on the northeast by Branden Construction Company Annexation No. 1 - Boundary of territory annexed to the City of Hayward by Ordinance No. 55 c.s. adopted by the Hayward City Council on October 23, 1956, a map of which was filed November 5, 1956 in Book 40 of Maps, Page 78 (Series No. AL115679), Official Records of Alameda County.

Bounded on the south by the following three (3) annexations:

1. Chabot College Annexation - Boundary of territory annexed to the City of Hayward by Ordinance No. 65-041 c.s. adopted by the Hayward City Council on November 16, 1965, a map of which was filed December 21, 1965 in Book 51 of Maps, Page 12 (Series No. AX174364), Official Records of Alameda County.
2. Mohr Drive Annexation No. 2 - Boundary of territory annexed to the City of Hayward by Resolution No. 90-1 approved by LAFCo on January 18, 1990 and by Resolution No. 90-084 c.s. adopted by the Hayward City Council on April 24, 1990, a map of which was filed August 14, 1990 in Book 185 of Maps, Page 42 (Series No. 90-220032), Official Records of Alameda County.
3. Eden Avenue Annexation No. 2 - Boundary of territory annexed to the City of Hayward by Resolution No. 89-4 approved by LAFCo on March 16, 1989 and by Resolution No. 89-157 c.s. adopted by the Hayward City Council on June 6, 1989, a map of which was filed July 7, 1989 in Book 185 of Maps, Page 22 (Series No. 89-182412), Official Records of Alameda County.

Bounded on the west by Clawiter Annexation No. 16 - Boundary of territory annexed to the City of Hayward by Ordinance No. 64-042 c.s. adopted by the Hayward City Council

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on October 6, 1964, a map of which was filed November 6, 1964 in Book 43 of Maps, Page 75A (Series No. AW179388), Official Records of Alameda County.

Containing X.XXXX square miles or XXX.XX acres, more or less.

MOHR-DEPOT ISLAND

(Located in the Rancho Arroyo de la Alameda, finally confirmed to Jose De Jesus Vallejo, a plat dated October 13, 1857 found in Patent Book "A", Page 70, Office of the United States Surveyors General, San Francisco, California.)

Bounded on the north and northeast by the following two (2) annexations:

1. Eden Avenue Annexation No. 2 - Boundary of territory annexed to the City of Hayward by Resolution No. 89-4 approved by LAFCo on March 16, 1989 and by Resolution No. 89-157 c.s. adopted by the Hayward City Council on June 6, 1989, a map of which was filed July 7, 1989 in Book 185 of Maps, Page 22 (Series No. 89-182412), Official Records of Alameda County.
2. Mohr Drive Annexation No. 2 - Boundary of territory annexed to the City of Hayward by Resolution No. 90-1 approved by LAFCo on January 18, 1990 and by Resolution No. 90-084 c.s. adopted by the Hayward City Council on April 24, 1990, a map of which was filed August 14, 1990 in Book 185 of Maps, Page 42 (Series No. 90-220032), Official Records of Alameda County.

Bounded on the east by Depot Road Annexation No. 9 - Boundary of territory annexed to the City of Hayward by Resolution No. 77-36 approved by LAFCo on June 23, 1977 and by Resolution No. 77-376 c.s. adopted by the Hayward City Council on September 20, 1977, a map of which was filed December 28, 1977 in Book 90 of Maps, Page 25 (Series No. 77-255488), Official Records of Alameda County.

Bounded on the southeast, south and southwest by the following two (2) annexations:

1. Depot Road Annexation No. 11 - Boundary of territory annexed to the City of Hayward by Resolution No. 81-36 approved by LAFCo on September 17, 1981 and by Resolution No. 81-466 c.s. adopted by the Hayward City Council on December 15, 1981, a map of which was filed January 8, 1982 in Book 124 of Maps, Page 27 (Series No. 82-003667), Official Records of Alameda County.

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2. Depot Road Annexation No. 8 - Boundary of territory annexed to the City of Hayward by Resolution No. 77-27 approved by LAFCo on April 28, 1977 and by Resolution No. 77-182 c.s. adopted by the Hayward City Council on May 10, 1977, a map of which was filed August 22, 1977 in Book 90 of Maps, Page 19 (Series No. 77-167949), Official Records of Alameda County.

Bounded on the west by the following four (4) annexations:

1. Depot Road Annexation No. 2 - Boundary of territory annexed to the City of Hayward by Resolution No. 66-34 approved by LAFCo on December 1, 1966 and by Ordinance No. 67-003 c.s. adopted by the Hayward City Council on January 10, 1967, a map of which was filed January 24, 1967 in Book 51 of Maps, Page 53 (Series No. AZ6607), Official Records of Alameda County.
2. Clawiter Annexation No. 7 - Boundary of territory annexed to the City of Hayward by Ordinance No. 62-030 c.s. adopted by the Hayward City Council on April 24, 1962, a map of which was filed May 21, 1962 in Book 43 of Maps, Page 82 (Series No. AT68167), Official Records of Alameda County.
3. Industrial Boulevard Annexation No. 2 - Boundary of territory annexed to the City of Hayward by Resolution No. 83-10 approved by LAFCo on September 15, 1983 and by Resolution No. 83-375 c.s. adopted by the Hayward City Council on November 15, 1983, a map of which was filed December 6, 1983 in Book 124 of Maps, Page 81 (Series No. 83-228971), Official Records of Alameda County.
4. Clawiter Annexation No. 16 - Boundary of territory annexed to the City of Hayward by Ordinance No. 64-042 c.s. adopted by the Hayward City Council on October 6, 1964, a map of which was filed November 6, 1964 in Book 43 of Maps, Page 75A (Series No. AW179388), Official Records of Alameda County.

Containing 0.0669 square miles or 42.84 acres, more or less.

Total area: West-Mohr Island containing XX.XX acres and Mohr-Depot Island containing XX.XX: total computed acreage containing X.XXXX square miles or XXX.XX acres, more or less.

Prepared By:
F. Joanne Fetzer
P.L.S. 7236
Expires 12/31/10

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References to the existing boundary lines of the City of Hayward are primary calls. Any bearings or distances referred to herein should be considered secondary.

The boundary line of the territory is shown on the map of "Mt. Eden Reorganization (Phase 2), Annexation to the City of Hayward and Detachment from the Alameda County Library District and the Alameda County Fire District", approved by LAFCo Resolution No. 20XX-XX, on the XX day of _____; said map was certified by the County Surveyor on the _____ day of _____, 20XX.

This description conforms to the requirements of the Alameda County Local Agency Formation Commission.

**Daniel Woldesenbet, Ph.D., P.E.
Director of Public Works
County of Alameda**

By: _____
**Russell Reid Penland, Jr.
County Surveyor
P.L.S. 5726, Expires 12/31/09**