

RECORDING SENT TO:
Riverside County
Assessor-County Clerk-Recorder

2023-0386422

12/29/2023 12:07 PM Fee: \$ 0.00

Page 1 of 29

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



RECORDING REQUESTED BY:
San Diego County
Local Agency Formation Commission (LAFCO)

400

AND WHEN RECORDED MAIL TO:
San Diego LAFCO
2250 Fifth Avenue, Suite 725
San Diego, California 92103

CERTIFICATE OF COMPLETION

**“Fallbrook Public Utility District Reorganization: Wholesale Water Services”
Concurrent Annexation to Eastern Municipal Water District and Detachment from
San Diego County Water Authority with Related Actions
LAFCO File No. RO20-05**

CERTIFICATE OF COMPLETION

SAN DIEGO COUNTY
Local Agency Formation Commission
2550 Fifth Avenue, Suite 725
San Diego, California 92103

“Fallbrook Public Utility District Reorganization: Wholesale Water Services”
LAFCO File No. RO20-05

Pursuant to Government Code Sections 57200 and 57201, this Certificate is hereby issued for recordation with the County of Riverside’s Assessor-County Clerk-Recorder Office.

The name of each subject agency included in this reorganization and associated action follows:

<u>Subject Agency</u>	<u>Jurisdictional Change</u>
Eastern Municipal Water District	Annexation
San Diego County Water Authority	Detachment

Certified copies of the resolutions approving and ordering this reorganization without an election are attached and by reference incorporated herein. This includes a map and geographic description of the affected territory. All terms and conditions referenced in the ordering resolution have been satisfied.

I hereby certify I have examined the above-cited resolution order for the reorganization and have found the document be fully in compliance with the Commission’s actions taken on July 10, 2023.

I further certify a master property tax exchange agreement pertinent to the jurisdictional changes is on file.

Attest,



Keene Simonds
Executive Officer

Date: December 22, 2023

RESOLUTION NO. 2023-11

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MAKING DETERMINATIONS AND APPROVING A REORGANIZATION

“FALLBROOK PUBLIC UTILITY DISTRICT REORGANIZATION: WHOLESALE WATER SERVICES”

**CONCURRENT ANNEXATION TO EASTERN MUNICIPAL WATER DISTRICT AND DETACHMENT FROM SAN DIEGO COUNTY WATER AUTHORITY WITH RELATED ACTIONS
LAFCO FILE NO. RO20-05**

WHEREAS, on March 18, 2020 and March 19, 2020, the Rainbow Municipal Water District (MWD) and Fallbrook Public Utility District (PUD), respectively, filed a resolution of application to initiate proceedings with the San Diego County Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, on April 28, 2020 the Executive Officer administratively combined the proposals for hearing purposes (Combined Proposals); and

WHEREAS, each application seeks approval to reorganize and transfer wholesale water service responsibilities within each applicant’s jurisdictional boundaries – totaling approximately 79,050 acres – from the San Diego County Water Authority (CWA) to Eastern Municipal Water District (MWD); and

WHEREAS, of that total acreage, the jurisdictional boundaries of Fallbrook PUD totals approximately 28,193 acres, hereafter the “affected territory”; and

WHEREAS, the Combined Proposals necessitate concurrent annexations to Eastern MWD and detachments from San Diego CWA with conforming sphere of influence amendments to accommodate the jurisdictional changes; and

WHEREAS, on October 24, 2019, pursuant to Government Code Section 56124, San Diego LAFCO entered into a memorandum of understanding (MOU) with Riverside LAFCO. The MOU delegates to San Diego LAFCO the responsibility to process the Combined Proposals and prepare related analyses – including, but not limited to – a municipal service review on Eastern MWD to inform a conforming sphere of influence action; and

WHEREAS, on April 2, 2020, pursuant to Government Code Section 56127, CWA applied for “non-district” status for purposes of Part 4 (conducting authority proceedings) of CKH as it relates to the Combined Proposals; and

WHEREAS, on May 4, 2020, pursuant to Government Code Section 56128, San Diego LAFCO determined CWA is not a district or special district for purposes of Part 4 (conducting authority proceedings) of CKH as it relates to the Combined Proposals, resulting in protest and election proceedings taking place under CWA's principal act should the Commission approve Fallbrook PUD and/or Rainbow MWD's reorganization proposals; and

WHEREAS, on June 1, 2020, San Diego LAFCO approved the establishment of an advisory committee to directly assist the Executive Officer in the administrative review of the Combined Proposals; and

WHEREAS, on February 7 & March 7, 2022, San Diego LAFCO received and approved a final report on a scheduled municipal service review on the Fallbrook region and the local agencies operating therein subject to the Commission's oversight – including Fallbrook PUD and Rainbow MWD; and

WHEREAS, an applicable master property tax transfer agreement, dated December 2, 1982, applies to the Combined Proposals; and

WHEREAS, the Commission's Executive Officer has reviewed the proposed reorganization and prepared a report with recommendations; and

WHEREAS, the Executive Officer's report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS, staff published an advertisement notice of public hearing regarding this proposal in the San Diego Tribune and Village News on April 24th and May 4th, respectively; and

WHEREAS, the Commission heard and fully considered all the evidence presented at noticed public meetings on the proposal on June 5, 2023 and July 10, 2023; and

WHEREAS, the Commission considered all the factors required by law under Government Code Sections 56425, subdivision (a), and 56668 and adopted local policies and procedures.

NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE and DETERMINE as follows:

1. The Recitals above are incorporated herein by reference.
2. At the hearing – commencing on June 5, 2023 and concluding on July 10, 2023 – the Commission called for, heard, and considered all public comments by interested parties and read and considered the Executive Officer's report.
3. The Commission serves as responsible and lead agency under the California Environmental Quality Act (CEQA) in considering the two distinct "projects" associated with the proposed reorganization and as detailed in the Executive Officer's

report: (a) reorganization and (b) the related conforming sphere of influence action. The Commission's findings follow.

- a) Fallbrook PUD's initiating actions involving the reorganization proposal positions it to serve as lead agency in assessing the potential impacts - and specifically the annexation of the affected territory to Eastern MWD and detachment from County Water Authority - under CEQA. In its role as lead agency, Fallbrook PUD has made findings that the proposal qualifies as a project but is exempt from further review under State CEQA Guidelines Section 15320. The Commission - and in its role as responsible agency for the reorganization - independently concurs this exemption appropriately applies given the underlying action involves the transfer of existing municipal service functions within the same area with no additional powers or expansions therein.
 - b) San Diego County LAFCO serves as lead agency under CEQA for the conforming sphere of influence actions associated with accommodating the reorganization and specifically the concurrent detachment of the affected territory from County Water Authority and annexation to Eastern MWD. The Commission finds the conforming actions to (a) establish a sphere for Eastern MWD covering its wholesale function to include the affected territory and (b) concurrently removing these lands from the County Water Authority sphere qualifies as a project under CEQA but exempt from further review under State Guidelines 15061(b)(3). This exemption appropriately applies given it can be seen with certainty that spheres are planning policies and any associated actions (establishment, update, or amendment) in and of itself does not change the environment or authorize any new uses or services.
4. The Commission CONDITIONALLY APPROVES concurrent actions to establish a sphere of influence for Eastern MWD to include all of the affected territory and amend the sphere of influence for County Water Authority to remove all of the affected territory and does so by making the determinative statements covering the factors under Government Code Section 56425 provided in the Executive Officer's written report.
- a) Approval of the sphere of influence actions as described are contingent upon the approval and related issuance of a Certificate of Completion.
5. The Commission CONDITIONALLY APPROVES the reorganization without modifications and subject to terms as provided. Approval involves all of the following:
- a) Annexation of the affected territory to the Eastern MWD as shown in "Exhibit A-1" and described in "Exhibit A-2" and specific and limited to providing wholesale water class.

- b) Detachment of the affected territory from the San Diego CWA as shown in “Exhibit A-1” and described in “Exhibit A-2.”
6. The Commission CONDITIONS all approvals on the following terms being satisfied by July 10, 2024 unless an extension is requested in writing and approved by the Executive Officer:
- a) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
 - b) Completion of applicable conducting authority proceedings specific to the portion of the reorganization involving annexation of the affected territory to Eastern MWD.
 - c) Submittal to the Commission of final map and geographic description of the affected territory as approved by the Commission conforming to the requirements of the State Board of Equalization – Tax Services Division.
 - d) Submittal to the Commission of the following payments:
 - A check made payable to LAFCO in the amount of \$100.00 for the County of San Diego-Clerk Recorder to reimburse for filing a CEQA Notices of Determination for the Sphere of Influence update and the reorganization consistent with the findings in the resolution.
 - A check made payable to the State Board of Equalization for processing fees in the amount of \$300.00.
 - A check made payable to San Diego LAFCO in the amount of \$1,439.96 to reimburse one-half of the cost of the public hearing notice published in the San Diego Union Tribune.
 - A check made payable to San Diego LAFCO in the amount of \$400.00 to reimburse one-half of the cost of the public hearing notice published in the Village News.
 - e) Within 30 days of the adoption of this Resolution, the execution of an obligation to indemnify and hold harmless, to the fullest extent permitted by law, the Commission, including its officers, agents, employees and volunteers, from and against any and all claims, losses, costs and expenses for any damage or injury arising out of or in connection with the Combined Proposals, and, upon the Commission’s request, the deposit of funds for the defense of the Commission. Such costs and expenses shall include reasonable attorneys’ fees due to counsel of Commission’s choice, expert fees and all other expenses of litigation.

- f) Pursuant to Government Code Section 56886, subdivision (v), the Commission imposes an exit fee of \$8,506,750.00 to be paid by Fallbrook PUD to CWA in five annual installments of \$1,701,350.00. The first payment shall be made to CWA within 30 days of the certification of the election results described below, if a majority of the electorate votes in support of Fallbrook's proposal.
7. The four remaining annual installments of \$1,701,350.00 for the exit fee described in 6.e above shall each be paid to CWA on the successive yearly anniversaries of the initial payment until completed.
 8. The Commission assigns the proposal the following short-term designation:

"Fallbrook PUD Reorganization: Wholesale Water Services"
 9. The affected territory as designated by the Commission is inhabited as defined in Government Code Section 56046.
 10. The Commission delegates to the Executive Officer the performance of all conducting authority proceeding requirements under Government Code Section 57000 for purposes of the Eastern MWD annexation.
 11. Pursuant to Water Code Appendix Section 45-11, subdivision (a)(2), the Board of Directors of Fallbrook PUD shall submit to its electors at the next available general or special election the proposition of detaching from CWA. The provisions of the County Water Authority Act regarding such elections in effect at the time the Executive Officer issued the Certificate of Filing for the proposal shall govern such election.
 12. In the above-referenced election, the voters shall approve the proposition of detaching from CWA.
 13. The Eastern MWD is a registered-voter district.
 14. The Eastern MWD utilizes the County of Riverside assessment roll.
 15. The affected territory will be liable for any existing bonds, contracts, and/or obligations of the Eastern MWD as provided under Government Section 57328, and will be subject to any previously authorized taxes, benefit assessments, fees, or charges of Eastern MWD provided under Government Code Section 57330, which Eastern MWD shall be authorized to assess, levy, and/or collect within its boundaries.
 16. Pursuant to Government Code section 57202, the effective date of the approval shall be the date of recordation of the certificate of completion, but only after all terms set forth in Number 6 above have been completed as attested by the Executive Officer.

17. As allowed under Government Code Section 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defects, errors, irregularities, or omissions.
18. Under Government Code Sections 56880-56882, the Executive Officer is hereby authorized and directed to mail copies of this Resolution.
19. The Executive Officer is further authorized and directed to prepare, execute, and record a Certificate of Completion, make the required filings with the County Assessor, County Auditor, and the State Board of Equalization as required by Section 57200, et seq., of the Government Code.

**

PASSED AND ADOPTED by the Commission on the 10th of July 2023 by the following vote:

AYES: Desmond, Drake (voting), Willis, White, and Vanderlaan

NOES: Anderson, Becker, and Whitburn

ABSENT: MacKenzie

ABSTAIN: None

**

STATE OF CALIFORNIA |
COUNTY OF SAN DIEGO

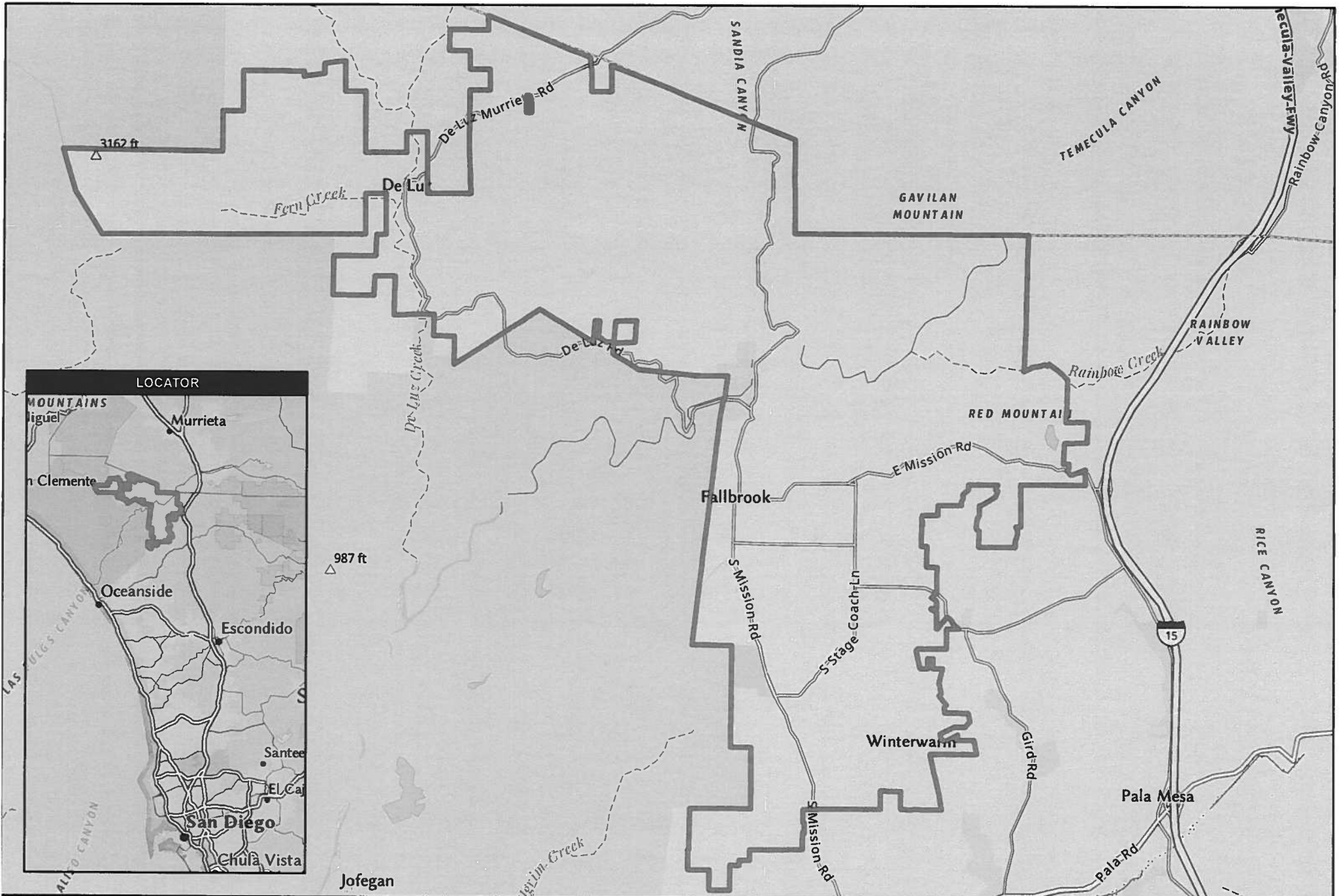
I, KEENE SIMONDS, Executive Officer of the Local Agency Formation Commission of the County of San Diego, State of California, hereby certify that I have compared the foregoing copy with the original resolution adopted by said Commission at its regular meeting on July 10, 2023, which original resolution is now on file in my office; and that same contains a full, true, and correct transcript therefrom and of the whole thereof.

Witnessed my hand this 8th day of August 2023.



Keene Simonds, Executive Officer
San Diego Local Agency Formation Commission

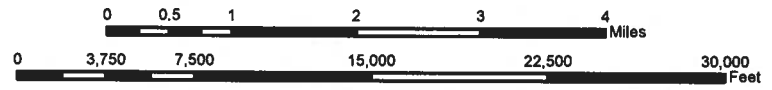
EXHIBIT A-1
MAP OF THE AFFECTED TERRITORY



DISCLAIMER: By accepting this map, you agree that the Fallbrook Public Utility District assumes no liability or responsibility of any kind arising from use of this map. This map, its Data, and any calculations associated with this map is provided without warranty of any kind.

 **FPUD BOUNDARY**

FALLBROOK PUBLIC UTILITY DISTRICT BOUNDARY



Map Created by Todd Jester (12-16-19). X:\GIS\Data - Inside\Project Specific\Director Division Map\Director Division Map\DIST_BOUNDARY.mxd
 Projection: California State Plane NAD 83, Feet, Zone 6, Epoch 1991.35 Source: FPUD, ESRI

EXHIBIT A-2
GEOGRAPHIC DESCRIPTION OF THE AFFECTED TERRITORY

FALLBROOK PUBLIC UTILITY DISTRICT BOUNDARY DESCRIPTION

All that certain real property situated in the County of San Diego, State of California, the boundaries more particularly described as follows:

1. Beginning at the common Northerly corner of Section 3 and 4, T 9 S, R 3 W, S.B.B.&M.; thence Southerly along the East line of said Section 4 and along the East line of Section 9, T 9 S, R 3 W, S.B.B.&M. and the West line of Section 10, T 9 S, R 3 W, S.B.B.&M. to a point on said West line that is North $5^{\circ}02'09''$ East 2080.00 feet from the Southwest corner of said Section 10, T 9 S, R 3 W.
2. Thence North $64^{\circ}26'59''$ East 609.48 feet to the beginning of a curve concave Southeasterly having a radius of 700 feet;
3. Thence Easterly 212.69 feet along said curve through a central angle of $17^{\circ}24'32''$;
4. Thence North $81^{\circ}51'31''$ East 16.76 feet to the beginning of a curve concave Southerly having a radius of 450 feet;
5. Thence Easterly 103.82 feet along said curve through a central angle of $13^{\circ}13'09''$;
6. Thence South $84^{\circ}55'20''$ East 22.73 feet to the beginning of a curve concave Northerly having a radius of 150 feet;
7. Thence Easterly 51.97 feet along said curve through a central angle of $19^{\circ}51'02''$;
8. Thence North $75^{\circ}13'39''$ East 247.35 feet;
9. Thence North $73^{\circ}41'15''$ East 211.53 feet;
10. Thence South $68^{\circ}56'22''$ East 209.22 feet;
11. Thence North $43^{\circ}04'26''$ East 144.10 feet;
12. Thence South $52^{\circ}21'29''$ East 992.60 feet;
13. Thence South $40^{\circ}01'12''$ East 588.02 feet more or less to the East line of the Southwest Quarter of said Section 10;
14. Thence Southerly along said East line to the Southeast corner of said Quarter Section;
15. Thence Southerly along the East line of the Northeast

Quarter of the Northwest Quarter of Section 15, T 9 S, R 3 W, South 2°50'40" West to the Southeast corner thereof;

16. Thence Easterly along the Northerly line of the Southwest Quarter of the Northeast Quarter of said Section 15 to the Northeast corner thereof;

17. Thence Southerly along the Easterly line of said Southwest Quarter of the Northeast Quarter of Section 15 South 2°11'00" West 1354.51 feet to the Southeast corner thereof;

18. Thence Westerly along the Southerly line of said Southwest Quarter of the Northeast Quarter South 89°01'00" West 1463.18 feet to the Southwest corner thereof;

19. Thence Southerly along the North and South center line of said Section 15 to the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 15;

20. Thence North 89°30'50" East 398.21 feet to a point as described in a deed to Max W. Anderson recorded in Book 5012, Page 470 of San Diego County Official Records October 9, 1953;

21. Thence South 8°15'40" West 307.26 feet to a point as described in said deed;

22. Thence South 47°47'40" West 160.06 feet, as described in said deed, to the intersection with the survey line for Route 3, Mission Road, 1-C as located by the San Diego County Highway Commission, on file in the office of the County Recorder of San Diego County as File No. 115928, Map No. 356, of Miscellaneous Maps;

23. Thence Easterly along said survey line to the intersection with the East line of said Southwest Quarter of the Southeast Quarter of Section 15;

24. Thence along said East line Southerly to the Southeast corner of said Southwest Quarter of the Southeast Quarter of Section 15;

25. Thence West along the South line of Section 15 to the Southwest corner thereof;

26. Thence Southerly along the East line of Section 16, and along the East line of Section 21, T 9 S, R 3 W, S.B.B.&M. to the Southeast corner of the Northeast Quarter of said Section 21;

27. Thence along the Southerly line of said Northeast Quarter South 89°44'39" West 340.27 feet;

28. Thence South $23^{\circ}52'34''$ East 298.45 feet;
29. Thence South $5^{\circ}28'39''$ West 298.93 feet;
30. Thence South $15^{\circ}31'27''$ West 373.63 feet;
31. Thence South $2^{\circ}26'08''$ West 430.64 feet to a point on the South line of the North Half of the Southeast Quarter of said Section 21 that is South $89^{\circ}58'10''$ West 384.00 feet from the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Section 21;
32. Thence Westerly along said South line to the North and South center line of said Section 21;
33. Thence North along said North and South center line to the center of a road known as Ridge Drive and a 224.77 foot radius curve concave Northeasterly, and a radial line bearing North $12^{\circ}50'51''$ East;
34. Thence Northerly along said curve through a central angle of $84^{\circ}01'25''$ a distance of 329.62 feet;
35. Thence North $6^{\circ}52'16''$ East 42.28 feet to a point on the Southerly line of the Southeast Quarter of the Northwest Quarter of said Section 21 that is South $89^{\circ}39'59''$ West 167.81 feet from the center of said Section 21, T 9 S, R 3 W;
36. Thence along said Southerly line South $89^{\circ}39'59''$ West 30.24 feet to the Westerly line of said road known as Ridge Drive;
37. Thence along said Westerly line North $6^{\circ}52'16''$ East 398.50 feet to the beginning of a tangent 530 foot radius curve concave Easterly;
38. Thence along the radial of said 530 foot radius curve South $83^{\circ}07'44''$ East 30.00 feet to the center of that road known as Ridge Drive and the beginning of a 500 foot radius curve concave Easterly;
39. Thence Northerly along said curve through a central angle of $23^{\circ}53'34''$ a distance of 208.50 feet to a tangent line;
40. Thence North $30^{\circ}45'50''$ East 103.77 feet to a point on the North South center line of said Section 21 that is North $0^{\circ}03'44''$ West 676.01 feet from the center of said Section 21;
- 40.1 Thence along the North South center line of Section 21 North $0^{\circ}03'44''$ West 676.01 feet to the center of said Section 21;

41. Thence along the South line of the Northwest Quarter of the Northeast Quarter $89^{\circ}24'26''$ East 143.56 feet;
42. Thence North $55^{\circ}52'30''$ East 272.51 feet;
43. Thence North $60^{\circ}17'00''$ East 486.22 feet;
44. Thence North $53^{\circ}09'54''$ East 241.28 feet to the beginning of a tangent 300 foot radius curve concave Northwesterly;
45. Thence Northeasterly along said curve through a central angle of $31^{\circ}13'00''$ a distance of 163.76 feet to a tangent line;
46. Thence North $21^{\circ}57'00''$ East 367.21 feet to the beginning of a tangent 300 foot radius curve concave Southeasterly;
47. Thence North $73^{\circ}09'20''$ West 126.49 feet;
48. Thence North $21^{\circ}01'50''$ West 72.11 feet;
- 48.1 Thence North $21^{\circ}12'48''$ East 334.62 feet to the North line of the Northwest Quarter of the Northeast Quarter of Section 21;
49. Thence continuing South $89^{\circ}05'$ West along the North line of said Section 21 to a point on said line distant Easterly 647.3 feet from the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 21;
50. Thence South $0^{\circ}01'10''$ East, 316.82 feet;
51. Thence South $51^{\circ}44'40''$ West, 461.45 feet;
52. Thence South $0^{\circ}01'10''$ East, 335.26 feet to the North line of the South 413 feet of said Northeast Quarter of the Northwest Quarter;
53. Thence South $32^{\circ}29'45''$ West 176.29 feet;
54. Thence South $0^{\circ}01'10''$ East 265.00 feet to the South line of the North Half of said Northwest Quarter;
55. Thence West along said South line to the West line of said Section 21;
56. Thence South along said West line to the South line of the North Half of the Southeast Quarter of the Northeast Quarter of Section 20, T 9 S, R 3 W, S.B.B.&M.;
57. Thence West along said South line to a point that is 423.63

- feet Easterly of the Northwest corner of the South Half of the Southeast Quarter of the Northeast Quarter of said Section 20;
58. Thence South $13^{\circ}33'40''$ West 369.96 feet;
 59. Thence South $78^{\circ}58'30''$ East 114.68 feet;
 60. Thence South $0^{\circ}10'$ West 291.58 feet to the South line of the Southeast Quarter of the Northeast Quarter of Section 20, T 9 S, R 3 W, S.B.B.&M.;
 61. Thence along said South line North $89^{\circ}48'06''$ West 57.13 feet;
 62. Thence North $58^{\circ}14'30''$ West to the East line of the West Quarter of the East Half of the East Half of said Section 20;
 63. Thence South along said East line to the North line of the Southeast Quarter of the Southeast Quarter of said Section 20;
 64. Thence East along said North line to the East line of the West Half of said Southeast Quarter of the Southeast Quarter;
 65. Thence South along said East line to the South line of said Section 20;
 66. Thence East along said South line to the Northeast corner of Section 29, T 9 S, R 3 W, S.B.B.&M.;
 67. Thence along the East line of said Section 29, South $0^{\circ}05'30''$ West, 1708.15 feet;
 68. Thence North $69^{\circ}09'30''$ West, 123.90 feet to the beginning of a tangent curve concave Northerly having a radius of 500 feet;
 69. Thence Westerly along said curve 59.27 feet;
 70. Thence South $7^{\circ}27'40''$ West, 187.20 feet;
 - 70.1 Thence South $50^{\circ}27'20''$ West 201.40 feet;
 71. Thence South $58^{\circ}48'$ East, 333.50 feet;
 72. Thence South $25^{\circ}01'30''$ East, 149.44 feet to said East line of Section 29;
 73. Thence along said East line, South $0^{\circ}05'30''$ West, 401.00 feet to the Northeast corner of the Northeast Quarter of the Southeast Quarter of said Section 29;

- 73.1 Thence Westerly along the Northerly line of said Northeast Quarter of the Southeast Quarter North $89^{\circ}34'00''$ West 369.55 feet;
- 73.2 Thence leaving said Northerly line South $24^{\circ}56'23''$ West 41.65 feet;
- 73.3. Thence South $55^{\circ}32'55''$ East 108.45 feet;
- 73.4 Thence South $64^{\circ}37'22''$ East 329.88 feet to the East line of the Southeast Quarter of said Section 29;
74. Thence Southerly along the East line of the Southeast Quarter of said Section 29 to the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 28, T 9 S, R 3 W, S.B.B.&M.;
75. Thence South $89^{\circ}59'55''$ East, 86.65 feet;
76. Thence North $34^{\circ}03'40''$ East, 450.02 feet;
77. Thence North $42^{\circ}25'$ East, 326.59 feet;
78. Thence North $41^{\circ}53'40''$ East, 204.45 feet;
79. Thence South $57^{\circ}34'$ East to the center line of County Road Survey No. 820;
80. Thence Southeasterly along said center line to the Westerly boundary of Live Oak Park, as per Book 1088, Page 15 of Deeds;
81. Thence Southerly along said Westerly line to the South line of the North Half of the Southwest Quarter of said Section 28, T 9 S, R 3 W, S.B.B.&M.;
82. Thence Westerly along said South line to the East line of the West Half of the Southwest Quarter of the Southwest Quarter of said Section 28;
83. Thence Southerly along the East line of said West Half of the Southwest Quarter of the Southwest Quarter to the South line of said Section 28;
84. Thence Westerly along said South line to the Southwest corner of said Section 28 and continuing Westerly along the South line of Section 29; T 9 S, R 3 W, S.B.B.&M. to a point 100 feet East of the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 29;
85. Thence in a Southwesterly direction to a point 100 feet

Southerly from said Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 29, and said point being on a line running parallel to the East line of the Subdivision of Tract "D" of the partition of the Monserate Rancho, according to Map thereof, No. 821, filed in the office of County Recorder of the County of San Diego on September 25, 1896;

86. Thence in a Southerly direction along said line East of and parallel to said East line of the Subdivision of Tract "D" of the partition of Monserate Rancho, said line to have as a point of beginning said Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 29 to a line which is parallel with and South $12^{\circ}33'06''$ East, 1320 feet from the North line of Tract "B", said partition of Monserate Rancho;

87. Thence Easterly along said parallel line South $89^{\circ}49'16''$ East, to a point that is 954.97 feet from the Northeasterly corner of Record of Survey 3832;

87.1 Thence North $0^{\circ}10'44''$ East, 644.39 feet;

87.2 Thence South $89^{\circ}47'45''$ East, 310.70 feet;

87.3 Thence South $0^{\circ}10'44''$ West, 644.26 feet;

87.4 Thence South $89^{\circ}47'45''$ East to the Northeast corner of R.O.S. 3832;

87.5 Thence along the Easterly line thereof South $13^{\circ}10'22''$ West 955.78 feet to a line which is distant 1500 feet Easterly at right angles from said Easterly line of Subdivision of Tract D;

88. Thence Southerly and parallel with said Easterly line of the Subdivision of Tract "D" to the North line of Parcel 3 as shown on a parcel map filed in Book of parcel maps at Page 7314 in the office of the County Recorder of San Diego County on May 25, 1978;

89. Thence along the Northwesterly line thereof South $48^{\circ}28'37''$ West 200.00 feet;

90. Thence South $40^{\circ}40'14''$ East 776.33 feet to the Northerly line of Parcel 4 of said Parcel Map 7314;

91. Thence along the Northerly and Westerly line thereof South $48^{\circ}28'37''$ West 100.00 feet to the beginning of a tangent 200 foot radius curve concave Southeasterly;

92. Thence along said curve through a central angle of $61^{\circ}02'44''$ a distance of 213.09 feet to a tangent line;

93. Thence Southerly and parallel with said Easterly line of the Subdivision of Tract "D" South $12^{\circ}34'07''$ East 248.83 feet to the North line of Ray Gird Peters land as per Book 1019, Page 261 of Deeds;
94. Thence Easterly along said North line to a line which is distant 3,000 feet Easterly at right angles from said Easterly line of Subdivision Tract "D";
95. Thence along said parallel line South $12^{\circ}33'06''$ East, 554.10 feet;
96. Thence South $42^{\circ}10'$ West, 469.66 feet;
97. Thence South $89^{\circ}50'11''$ West, 783.66 feet;
98. Thence South $61^{\circ}35'40''$ West, 884.64 feet to a line which is distant 1,000 feet Easterly at right angles from said Easterly line of Subdivision of Tract "D";
99. Thence thereon South $12^{\circ}33'06''$ East 484.64 feet;
100. Thence North $89^{\circ}34'34''$ East 204.77 feet;
101. Thence North $62^{\circ}01'$ East 889.50 feet to a point in a curve concave Westerly having a radius of 360 feet, the radial line through said point bears South $81^{\circ}49'19''$ East;
102. Thence Southerly along said curve 46.32 feet to the end thereof;
103. Thence on a tangent to said curve South $15^{\circ}33'$ West, 212.86 feet to the beginning of a curve concave Easterly having a radius of 150 feet;
104. Thence Southerly along said curve 80.85 feet to the end thereof;
105. Thence on a tangent to said curve South $15^{\circ}20'$ East, 84.61 feet;
106. Thence North $89^{\circ}34'34''$ East 1123.93 feet to a line which is distant 3,000 feet Easterly at right angles from said Easterly line of Subdivision of Tract "D";
107. Thence thereon South $12^{\circ}33'06''$ East, 902.02 feet to the South line of said Ray Gird Peters' land;
108. Thence Westerly along said South line to the Easterly line

of said Subdivision of Tract "D" of the Partition of Monserate Rancho;

109. Thence Southeasterly along the Easterly line of said Subdivision of Tract "D" to the South line of Lot 60 of said Subdivision of Tract "D";

110. Thence Westerly along the South lines of Lots 60 and 59 of said Subdivision of tract "D" to the West line of said Lot 59;

111. Thence Northerly along said West line to the South line of Lot 47 of said Subdivision of Tract "D";

112. Thence Westerly along said South line to the East line of Lot 57 of said Subdivision of Tract "D";

113. Thence Southerly along said East line to the South line of said Lot 57;

114. Thence Westerly along the South line of Lots 57, 56, and 55 of said Subdivision of Tract "D" to the North and South center line of Section 7, T 10 S, R 3 W, S.B.B.&M.;

115. Thence South along said North and South center line of said Section 7 a distance of 10 feet;

116. Thence Westerly on a line South of and parallel to the North section line of said Section 7 to the East line of the Westerly 20 acres of the East Half of the Northwest Quarter of said Section 7;

117. Thence Southerly along said East line to the North line of Parcel 1 of Parcel Map No. 7797;

118. Thence Easterly along said North line North $88^{\circ}38'20''$ East 113.78 feet to the Northeast corner of said Parcel 1 of Parcel Map No. 7797;

119. Thence Southerly along the Easterly line thereof South $0^{\circ}12'10''$ East a distance of 711.61 feet to the Southeast corner thereof;

119.1 Thence Northwesterly along the Southerly line thereof North $50^{\circ}11'10''$ West a distance of 148.54 feet to the East line of the

Westerly 20 acres of the East Half of the Northwest Quarter of said Section 7;

119.2 Thence Southerly along said east line to the East and West center line of said Section 7;

120. Thence Westerly along said East and West center line of said Section 7 to the East line of Section 12, T 10 S, R 4 W, S.B.B.&M.;

121. Thence Westerly along the center line of said Section 12 to the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 12;

122. Thence along the East line thereof South $0^{\circ}09'02''$ West 663.89 feet;

123. Thence North $89^{\circ}53'40''$ West 679.66 feet;

124. Thence South $0^{\circ}09'02''$ West 298.00 feet;

125. Thence North $89^{\circ}53'40''$ West 640.19 feet to the North and South center line of said Section 12;

126. Thence Southerly along the North and South center line of said Section 12 to the South line thereof;

127. Thence Westerly along the South line of said Section 12 to the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 12;

128. Thence Northerly along the East line of said Southwest Quarter of the Southwest Quarter of said Section 12 to the Southeast corner of the Northwest Quarter of the Southwest Quarter of said Section 12;

129. Thence Westerly along the Southerly line of the Northwest Quarter of the Southwest Quarter of said Section 12 to the West line of said Section 12;

130. Thence Northerly along the West line of said Section 12 to the Northwest corner of said Section 12;

131. Thence East along the North line of said Section 12 to the West line of the East Half of the East half of Section 1, T 10 S, R 4 W, S.B.B.&M.;

132. Thence North along said West line to the East and West center line of the Northeast Quarter of said Section 1;

133. Thence Westerly along said East and West center line to the West line of the Northeast Quarter of said Section 1;
134. Thence Northerly along said West line to the North line of Section 1; and the South Quarter corner of Section 36, T 9 S, R 4 W, S.B.B.&M.;
135. Thence Northerly along the North and South center line of said Section 36 to the North Quarter corner of said Section 36, and the South line of Section 25, T 9 S, R 4 W, S.B.B.&M.;
136. Thence Westerly along said South line and its Westerly prolongation to the "Fence Line" as shown on Record of Survey Map No.831, on file in the Office of the County Recorder;
137. Thence Northerly along said "Fence Line" as shown on said Map 831, to the Westerly prolongation of the North line of Fractional Section 13, T 9 S, R 4 W, S.B.B.&M.;
138. Thence South $89^{\circ}02'13.5''$ East 91.28 feet along said Westerly prolongation to the Easterly line of Rancho Santa Margarita y Las Floras as shown on said Map 831;
139. Thence Northerly along said Easterly line of said Rancho to the most Northeasterly corner thereof;
140. Thence Westerly and Northwesterly along said boundary to the West line of Section 11, T 9 S, R 3 W;
141. Thence Northerly along the West line of said Section 11 to the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 10, T 9 S, R 4 W;
142. Thence North $87^{\circ}55'19''$ West 484.81 feet;
143. Thence North $50^{\circ}33'10''$ West 65.75 feet to the beginning of a tangent 300.00 foot radius curve concave Southwesterly;
144. Thence Northwesterly along said curve 83.43 feet; to a tangent line;
145. Thence North $66^{\circ}29'10''$ West 88.08 feet to the beginning of a tangent 150 foot radius curve concave Northeasterly;
146. Thence Northwesterly along said curve 76.67 feet to a tangent line;
147. Thence North $39^{\circ}29'40''$ West 80.91 feet to the beginning of a tangent 200 foot radius curve concave Southwesterly;

148. Thence Northwesterly along said curve 176.22 feet to a tangent line;
149. Thence North 89°59'40" West 31.31 feet;
150. Thence North 5°21'10" East 1114.78 feet to the North line of the East Half of the Northeast Quarter of Section 10, T 9 S, R 4 W, S.B.B.&M;
151. Thence along said North line South 87°55'19" West 316 feet to the Northeast corner of the West Half of the Northeast Quarter of Section 10;
152. Thence Southerly along the East line of the West Half of the Northeast Quarter (Lot 2) of said Section 10 to an intersection with the boundary of the Rancho Santa Margarita y Las Flores as shown on Map 831;
153. Thence Northwesterly and Southwesterly along said boundary to an intersection with the West line of Section 9, T 9 S, R 4 W, S.B.B.&M;
154. Thence Northerly along the West line of said Section 9 to the South line of the Northeast Quarter of the Northeast Quarter of Section 8, T 9 S, R 4 W, S.B.B.&M.;
155. Thence Westerly along said Southerly line to the West line of the Northeast Quarter of the Northeast Quarter of said Section 8;
156. Thence Northerly along said West line to the South line of Section 5, T 9 S, R 4 W, S.B.B.&M.;
157. Thence Westerly along said South line to the East line of the Southwest Quarter of the Southwest Quarter of Section 5, T 9 S, R 4 W, S.B.B.&M.;
158. Thence Northerly along said East line of the Southwest Quarter of the Southwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 5 to the North line of the Northwest Quarter of the Southwest Quarter;
159. Thence Westerly along said North line to the East line of Section 6, T 9 S, R 4 W, S.B.B.&M.;
160. Thence Southerly along said East line to the South line of the Northeast Quarter of the Southeast Quarter of said Section 6;
161. Thence Westerly along the South line of the Northeast Quarter of the Southeast Quarter and the Northwest Quarter of the

Southeast Quarter of Section 6 to the West line of the Southwest Quarter of said Section 6;

162. Thence Northerly along said West line of the Southwest Quarter and the West line of the Northeast Quarter of Section 6 to the North line of the South Half of the Northeast Quarter of Section 6;

163. Thence Easterly along said North line to the East line of Section 6;

164. Thence Northerly along said East line to the South line of Section 31, T 8 S, R 4 W, S.B.B.&M.;

165. Thence Easterly along the South line to the East line of said Section 31;

166. Thence Northerly along said East line to the North line of the Southeast Quarter of Section 31;

167. Thence Westerly along the North line of the Southeast Quarter to the East line of the West Half of the Southeast Quarter of Section 31;

168. Thence Southerly along said East line to the South line of said Section 31;

169. Thence Westerly along the South line of said Section 31 and the South line of Sections 36, 35 and 34, T 8 S, R 5 W, S.B.B.&M., to the Southwest corner of partial Section 34;

170. Thence Northwesterly and Northerly along the West boundary of partial Section 34 to the Northwest corner of said Section 34;

171. Thence along the North line of said Section 34 and 35 to the Southwest corner of Section 25, T 8 S, R 5 W, S.B.B.&M.;

172. Thence Northerly along the West line of said Section 25 to the South line of the Northwest Quarter of Section 25;

173. Thence Easterly along said South line of the Northwest Quarter to the East line of the West Half of the Northwest Quarter of said Section 25;

174. Thence Northerly along said East line of the West Half of the Northwest Quarter of Section 25 to the North line of said Section 25;

175. Thence Easterly along said North line to the Range line between R 4 W, and R 5 W, S.B.B.&M.;

176. Thence Southerly along said Range line between R 4 W and R 5 W, S.B.B.&M to the North line of Section 30, T 8 S, R 4 W, S.B.B.&M.;
177. Thence Easterly along the North line of Section 30 to the East line of the Southwest Quarter of the Southwest Quarter of Section 19, T 8 S, R 4 W, S.B.B.&M.;
178. Thence Northerly along the East line of the Southwest Quarter of the Southwest Quarter of Section 19 to the North line of the South Half of the Southeast Quarter of the Southwest Quarter of Section 19;
179. Thence Easterly along said South line to the East line of the Southwest Quarter of Section 19;
180. Thence Southerly along the East line of the Southwest Quarter of Section 19 and the East line of the Northwest Quarter of Section 30, to the North line of the Southwest Quarter of the Northeast Quarter of Section 30, T 8 S, R 4 W, S.B.B.&M.;
181. Thence Easterly along said North line to the West line of the East Half of the Northeast Quarter of Section 30;
182. Thence Southerly along the West line of said East Half of the Northeast Quarter and the Southeast Quarter of Section 30 to the South line of Section 30;
183. Thence Easterly along the South line of Section 30 and 29, T 8 S, R 4 W, S.B.B.&M. to the West line of the Southeast Quarter of the Southwest Quarter of Section 29;
184. Thence Northerly along the West line of said Southeast Quarter of the Southwest Quarter of Section 29 to the North line of the Southeast Quarter of the Southwest Quarter of Section 29;
185. Thence Easterly along the North line to the East line of the Southwest Quarter of Section 29;
186. Thence Southerly along the East line of the Southwest Quarter of Section 29 and continuing along the West line of the Northeast Quarter of Section 32, T 8 S, R 4 W, to the South line thereof;
187. Thence Easterly along said South line to the West line of Section 33, T 8 S, R 4 W, S.B.B.&M.;
188. Thence Northerly along the West line of Section 33 and continuing along the West line of Section 28, T 8 S, R 4 W,

S.B.B.&M., to the South line of the Northwest Quarter of the Northwest Quarter of Section 28;

189. Thence Easterly along said South line to the East line of the Northwest Quarter of the Northwest Quarter of Section 28;

190. Thence Northerly along the East line of said Northwest Quarter of the Northwest Quarter of Section 28 to the North line of Section 28;

191. Thence Westerly along the North line of Section 28 to the East line of Section 20, T 8 S, R 4 W, S.B.B.&M.;

192. Thence Northerly along said East line to the North line of the Southeast Quarter of the Southeast Quarter of Section 20;

193. Thence Westerly along said North line to the West line of the Northeast Quarter of the Southeast Quarter of Section 20;

194. Thence Northerly along said West line to the North line of the Southeast Quarter of Section 20;

195. Thence Easterly along said North line of the Southeast Quarter of Section 20 and the North line of the Southwest Quarter of Section 21 to the East line of Lot 5 (Southwest Quarter of the Northwest Quarter) of fractional Section 21, T 8 S, R 4 W, S.B.B.&M.;

196. Thence Northerly along said East line of Lot 5 (Southwest Quarter of the Northwest Quarter) of fractional section 21 to its intersection with the Riverside - San Diego County boundary line;

197. Thence Southeasterly along said San Diego - Riverside County boundary line to the West line of Lot 2 (Southwest Quarter of the Southeast Quarter) of Section 22, T 8 S, R 4 W, S.B.B.&M.;

198. Thence Southerly along the West line of Lot 2 (Southwest Quarter of the Southeast Quarter) Section 22 and the West line of the Northwest Quarter of the Northeast Quarter of Section 27, T 8 S, R 4 W, S.B.B.&M. to the South line of the Northwest Quarter of the Northeast Quarter of Section 27;

199. Thence Easterly along the South line of said Northwest Quarter of the Northeast Quarter of Section 27 to the East line of said Lot 2.

200. Thence Northerly along said East line of Lot 2 to its intersection with the San Diego - Riverside County boundary line.

201. Thence Southeasterly along the San Diego - Riverside County

boundary line to the intersection of the East line of fractional Section 25, T 9 S, R 4 W, S.B.B.&M.;

202. Thence Southerly along said East line and the East line of Section 36, T 9 S, R 4 W, S.B.B.&M. to the North line of Section 6, T 9 S, R 3 W, S.B.B.&M.;

203. Thence Easterly along the North line of Section 6, 5 and 4, T 9 S, R 3 W, S.B.B.&M. to the common Northerly corner of Section 3 and 4, T 9 S, R 3 W, S.B.B.&M. and the TRUE POINT OF BEGINNING.

EXCEPTING and excluding from the foregoing territory the following described territory:

The Northwest Quarter of the Northwest Quarter of Section 11, T 9 S, R 4 W, S.B.B.&M.

EXCEPTING the Easterly 330.00 feet of the Southwest Quarter of the Northeast Quarter of Section 28, T 8 S, R 4 W, S.B.B.&M. in the County of San Diego, State of California according to United States Government Survey approved April 28, 1885.

EXCEPTING therefrom the Northerly 330.00 feet.

Also excepting therefrom that portion lying Easterly and Northerly of the following described boundary lines.

Commencing at the Northwest Corner of the Southwest Quarter of the Northeast Quarter of said Section 28; thence along the Easterly line of said Southwest Quarter of the Northeast Quarter, South $01^{\circ}30'24''$ West 330.07 feet to the Southeast corner of the Northerly 330.00 feet of said Southwest Quarter of the Northeast Quarter; thence along the Southerly line of said Northerly 330.00 feet North $87^{\circ}20'12''$ West 174.28 feet to the most Westerly corner of land described in deed to Bernard H. Fry, Jr., et ux, recorded August 24, 1966 as File No. 138233 and the TRUE POINT OF BEGINNING. Thence along the Easterly and Southerly boundary lines of said Fry's land as follows: South $17^{\circ}01'55''$ East 121.40 feet to an angle point therein: South $00^{\circ}44'38''$ West 58.03 feet; South $02^{\circ}29'13''$ West 35.00 feet; and South $87^{\circ}30'41''$ East 55.49 feet to the Southeast corner of said Fry's land, being a point on the Westerly line of the Easterly 80.00 feet of said Southwest Quarter of the Northeast Quarter and being also the Northwest corner of land described in deed to Lawrence T. Southern, et ux, recorded August 24, 1966 as File No. 138232; thence along the Northerly and Westerly boundary line of said Southern's land as follows: South $87^{\circ}30'41''$ East 10.47 feet; South $02^{\circ}29'19''$ West 222.10 feet; and South $87^{\circ}29'28''$ East 73.33 feet to the Easterly line of said Southwest Quarter of the Northeast Quarter of Section 28.

RESOLUTION NO. 2023-16

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

**ORDERING “FALLBROOK PUBLIC UTILITY DISTRICT REORGANIZATION:
WHOLESALE WATER SERVICES” TO PROCEED SUBJECT TO REMAINING TERMS**

**CONCURRENT ANNEXATION TO EASTERN MUNICIPAL WATER DISTRICT AND DETACHMENT
FROM SAN DIEGO COUNTY WATER AUTHORITY WITH RELATED ACTIONS
LAFCO FILE NO. RO20-05**

WHEREAS, the Fallbrook Public Utility District (PUD) filed a resolution of application on March 19, 2020 with the San Diego County Local Agency Formation Commission (Commission) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the reorganization proposal filed by the Fallbrook PUD was assigned a file number of RO20-05; and

WHEREAS, application seeks approval to reorganize and transfer wholesale water service responsibilities within Fallbrook PUD’s jurisdictional boundary – totaling approximately 79,050 acres – from the San Diego County Water Authority (CWA) to Eastern Municipal Water District (MWD); and

WHEREAS, the Commission adopted a resolution to conditionally approve the reorganization without modifications at a noticed public hearing held on July 10, 2023 in a manner provided under law; and

WHEREAS, the Commission’s conditional approval of the reorganization on July 10, 2023 included conforming sphere of influence amendments to the San Diego CWA and Eastern MWD and - subject to the outcome of a protest hearing specific to the annexation of the affected territory to Eastern MWD;

WHEREAS, the Commission provided landowners and registered voters with notice of the protest hearing specific to the annexation of the affected territory to Eastern MWD in a manner provided under law;

WHEREAS, the Commission through the delegation to its Executive Officer opened the submittal period for the protest hearing on July 28, 2023;

WHEREAS, the protest hearing submittal period remained open through the close of the noticed protest hearing date held on August 18, 2023; and

WHEREAS, at the close of the protest hearing held on August 18, 2023, no written objections were filed by either landowners and/or registered voters.

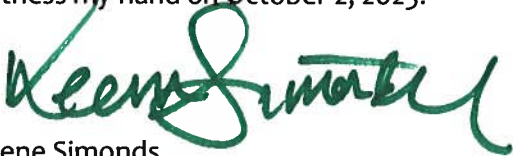
NOW THEREFORE, BE IT RESOLVED, the Commission hereby finds, determines, and orders the following:

1. The August 18, 2023 protest hearing held on the reorganization specific to the annexation of the affected territory to Eastern MWD yielded no written objections or protest from landowners or registered voters.
2. The Commission certifies the results of the protest proceedings as detailed in Paragraph 1 above, and under Government Code Section 57077.4(a), the Commission orders the reorganization without an election specific to the annexation of the affected territory to Eastern MWD subject to the completion of all remaining approval terms.
3. As allowed under Government Code 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.

**STATE OF CALIFORNIA |
COUNTY OF SAN DIEGO**

I, KEENE SIMONDS, Executive Officer of the Local Agency Formation Commission of the County of San Diego do hereby certify the foregoing ordering resolution is true and correct, and as provided under Government Code 57000(c) is approved with my signature.

Witness my hand on October 2, 2023.



Keene Simonds
Executive Officer
San Diego County Local Agency Formation Commission