

Ordinance 2023-04

ORDINANCE ACCEPTING THE ANNEXATION PETITION OF OAK CAPITAL LANDS IN Parcels I, II, III and V of COS 3112 in SECTION 24, TOWNSHIP 2 SOUTH, RANGE 4 EAST. ANNEXATION INTO THE FOUR CORNERS WATER & SEWER DISTRICT

WHEREAS, Oak Capital VI, LLC a California limited liability company with address of 555 Capital Mall, Ste 995, Sacramento CA and Pac West Diversified LP, a Delaware limited partnership with address of 555 Capitol Mall, Ste. 900, Sacramento CA as owners of submitted a petition for annexation of Parcels I, II, III and V of Certificate of Survey 3112 (total of 298.5 acres) with full legal description attached hereto as Exhibit A, being located in Section 24, Township 2 South, Range 4 East, Gallatin County, Montana ("Properties") requesting that the Properties be annexed into the Four Corners County Water and Sewer District to connect to water and wastewater services; and

WHEREAS, the Properties is contiguous to the District boundary; and

WHEREAS, on June 20, 2023 at a duly noticed meeting of the Board of Directors, the Board considered the Petition to annex the Property as contiguous property and determined that the systems has capacity to provide service to the new proposed residence to be located on the Property; and

WHEREAS, the Property will need to provide its own irrigation water.

WHEREAS, Oak Capital and PAC West will provide evidence of purchased of water rights to serve the Property need to be provided for 120 EDU (19,200 gpd total) and have agreed to pay the water and wastewater fee per EDU to the District.

NOW THEREFORE, be it ordained by the board of directors of the Four Corners County Water and Sewer District Board, by passage of this ordinance, the District does agree to annex the Properties, described above, into the District after transfer of water rights & payment of fees water and sewer service for 120 EDUs (19,200 gpd total).

Landowners/petitioners acknowledge prior to the second reading that should additional structures which utilized water or sewer on the property, the District makes no representation that the District will have sufficient water or sewer capacity to service future structures.

ADOPTED by the Board of Directors of the Four Corners County Water and Sewer District after first reading on June 20, 2023 with a vote of 3 in favor and 0 against and second reading on Aug 15, 2023 with

a vote of 4 in favor and 0 against.

This Ordinance shall be in effect 30 days after the date of the second reading.

1st Read and approved: Four Corner's County Water and Sewer District

Dated: June 20, 2023

Its: *Bradley W. Early*
Treasurer

Attested: *Mikky Knechke*
Secretary

2nd Read and approved: Four Corner's County Water and Sewer District

Dated: Aug 15, 2023

Its: *Nancy A. F. Williams*
President

Attested: *Mikky Knechke*
Secretary