

ORDINANCE NO. 4

SETTING FORTH THE TERMS AND CONDITIONS OF AN AGREEMENT FOR THE ANNEXATION OF THE CITY OF SAN PABLO TO ALAMEDA-CONTRA COSTA TRANSIT DISTRICT, DECLARING THE INTENTION OF THE BOARD OF DIRECTORS OF CAUSING SAID AGREEMENT TO BE EXECUTED BY THE DISTRICT, FIXING THE TIME AND PLACE OF HEARING THEREON AND DIRECTING NOTICE OF SAID HEARING TO BE GIVEN.

WHEREAS, the City Council of the City of San Pablo has agreed in writing with the Board of Directors of Alameda-Contra Costa Transit District upon the terms and conditions for the annexation of said City to said District,

NOW, THEREFORE, BE IT ENACTED by the Board of Directors of Alameda-Contra Costa Transit District:

Section 1. The terms and conditions of the agreement for the annexation of the City of San Pablo hereinafter set forth are satisfactory and agreeable to this Board of Directors and said Board of Directors does hereby declare its intention of causing said agreement to be executed by the District.

Section 2. Said Agreement is set forth at length as follows:

AGREEMENT FOR ANNEXATION
of
CITY OF SAN PABLO, COUNTY OF CONTRA COSTA
to
ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

THIS AGREEMENT made and entered into by and between ALAMEDA-CONTRA COSTA TRANSIT DISTRICT, a body corporate and politic organized and existing under and by virtue of the laws of the State of California and hereinafter referred to as "District", and CITY OF SAN PABLO, a municipal corporation organized and existing under and by virtue of the laws of the State of California and hereinafter referred to as "City"

W I T N E S S E T H

WHEREAS, City annexed certain unincorporated territory by Ordinance No. 206, entitled "Annexation No. 8", adopted December 3, 1956, and by Ordinance No. 212, entitled "Annexation No. 9", adopted March 18, 1957, said unincorporated territory being a part of District at the time of said annexation,

NOW, THEREFORE, City seeks to annex to District all territory contained within its incorporated limits, with the exception of the territory contained in Ordinance No. 206 and Ordinance No. 212, referred to above, and District is agreeable to such annexation in accordance with the provisions of law authorizing the annexation of cities to District, upon the following terms and conditions:

1. After annexation all property now or hereafter situate within City shall be subject to such taxes as may be levied by District pursuant to Article 8, Chapter 6, of the Transit District Law of the State of California.
2. This agreement shall not take effect unless and until a proposition for the annexation of City is approved by a majority of the voters within City voting at a special election called by City to be held June 7, 1960 in the manner provided by law. City agrees to bear all expenses of such election.
3. Each party agrees to proceed diligently to complete its portion of the annexation proceedings provided by law. If a majority of all voters voting on the proposition at the election required by law for approval of this agreement favor the annexation of City to District, such annexation shall become effective upon completion of the requirements of law and the execution of this agreement by the parties hereto.
4. Upon receipt by District of a copy of this agreement for annexation properly executed by District and City, the Board of Directors shall pass a

resolution declaring City annexed to District and shall cause a certified copy of the resolution to be filed with the Secretary of State. From and after the filing of the resolution with the Secretary of State, the annexation of City to District is complete.

DATED:

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

By _____
Robert K. Barber, President

By _____
George M. Taylor, Secretary

CITY OF SAN PABLO

By _____
Mayor

The City of San Pablo approves the foregoing form of agreement and requests the Alameda-Contra Costa Transit District to institute proceedings for the annexation of the City to the District.

Dated: March 14, 1960.

CITY OF SAN PABLO

By s/ C. L. Blanton

Mayor

Section 3. Wednesday, April 20, 1960, at 4:30 o'clock p.m. (P.S.T.), in the meeting room of the Board of Directors, 700 Plaza Building, 506 Fifteenth Street, Oakland, California, is hereby fixed as the time and place for hearing written objections to the execution of the agreement hereinabove set forth at length in Section 2. The Secretary of the District is hereby authorized and directed to publish this Ordinance, which contains the notice fixing the time and place of said hearing, once in the Oakland Tribune, a newspaper of general circulation published in said District, and such publication shall constitute due notice of said hearing. Notice of said hearing is hereby given as follows:

NOTICE FIXING TIME AND PLACE FOR HEARING ON THE QUESTION OF THE EXECUTION BY ALAMEDA-CONTRA COSTA TRANSIT DISTRICT OF THE AGREEMENT FOR THE ANNEXATION OF THE CITY OF SAN PABLO TO SAID DISTRICT.

NOTICE IS HEREBY GIVEN that the Board of Directors of Alameda-Contra Costa Transit District has fixed Wednesday, the 20th day of April, 1960 at the hour of 4:30 o'clock p.m. of said day in the meeting room of the Board of Directors, 700 Plaza Building, 506 Fifteenth Street, Oakland, California, as the time and place for the hearing on the question of the execution by Alameda-Contra Costa Transit District of the agreement for the annexation of the City of San Pablo to said District set forth in full in Section 2 of this Ordinance.

NOTICE IS FURTHER GIVEN that at the time and place fixed herein, or at such time and place to which such hearing may be adjourned, any person interested may file written objections to the execution of said Agreement with the Board of Directors of said District. Failure of any person interested in said District or in the matter of the proposed execution of said Agreement to show cause in writing as aforesaid, shall constitute an assent on his part to a change in the boundaries of the District, and to the execution of the Agreement. Upon the hearing the Board of Directors of said District shall determine whether or not said Agreement shall be carried into execution and shall hear and determine all objections thereto.

Section 4. This Ordinance shall take effect immediately upon its passage and approval.

Attest,

George M. Taylor
Secretary

Robert K. Parke
President, Board of Directors of
Alameda-Contra Costa Transit District

SECRETARY'S CERTIFICATE

L. George M. Taylor, Secretary of the Board of Directors of Alameda-Contra Costa Transit District, do hereby certify that the foregoing ordinance is a full, true and correct copy of an ordinance introduced and read at an adjourned regular meeting of the Board of Directors of said District duly and regularly held on the 15th day of March, 1960, and said ordinance was thereafter duly passed and adopted by vote of the Board of Directors at an adjourned regular meeting of said Board of Directors duly and regularly held at the office of the District, 700 Plaza Building, 506 Fifteenth Street, Oakland, California, on the 19th day of March, 1960, of which meeting all of the members of said Board of Directors had due notice, as follows:


Ayes: Directors Arnold, Coburn, Copeland, Deadrich and McDonnell;
Vice President Bettencourt; President Barber

Noes: None

Absent: None

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said ordinance is duly entered of record in said minutes, and said ordinance is a full, true and correct copy of the original ordinance adopted at said meeting and entered in said minutes. That said ordinance has not been amended, modified or rescinded since the date of its adoption and that the same is now in full force and effect.

WITNESS my hand and the seal of the Alameda-Contra Costa Transit District this 21st day of March, 1960.



Secretary of the Board of Directors of
Alameda-Contra Costa Transit District