

WCSD RESOLUTION 99-3

TRANSFER OF WATER SERVICE ENTITLEMENTS

WHEREAS, the Westhaven Community Services District is obligated by District ordinances to provide water service on demand to certain parcels within the District; and

WHEREAS, limited water source capacity precludes provision of service to parcels other than those with an existing water service entitlement; and

WHEREAS, the Board of Directors of the District recognizes that changing land use preferences or requirements may cause a parcel owner to desire to transfer a water service entitlement from one assessor's parcel to another; and

WHEREAS, the Board also recognizes that transfer of water service entitlements must not adversely affect the District's ability to achieve its stated purpose "to supply the inhabitants of the District with safe water" and further recognizes that provision of safe water includes provision of an uninterrupted supply of water to the users; and

WHEREAS, the Board wishes to establish an equitable policy and accompanying procedures for implementing the transfer of water service entitlements where such transfer will not threaten the District's ability to provide an uninterrupted supply of water to the users; therefore

BE IT RESOLVED, the Board of Directors of the Westhaven Community Services District establishes the following conditions governing the transfer of water service entitlements:

1. Requests to transfer water service entitlements will be considered for approval by the Board upon completion of an application form provided by the District and payment of a non-refundable application fee.
2. The application will be forwarded to the Board by the Manager and will contain a checklist designed to provide verification of the following conditions:
 - A. At the time of application and throughout the entire transfer process both parcels must be owned by the same person(s) requesting the transfer.
 - B. The transfer must not increase the total number of water service entitlements in the District.
 - C. The transfer must not result in an increase in the total number of dwellings within the District not connected to the WCSD water system.
 - I. A service that is to be transferred may not be disconnected from an existing dwelling unless the dwelling is to be removed and not replaced.
 - II. The applicant must agree to convey development rights via deed restriction on the parcel from which the service is transferred so that no development of dwellings not connected to the WCSD water system can occur on that parcel. A copy of the deed restriction, as filed with the County Recorder's Office must be deposited with the WCSD.
 - D. The applicant must agree to pay to the District all costs associated with the transfer including administrative costs and costs associated with the physical transfer and/or extension of District facilities.

PASSED, APPROVED AND ADOPTED this Twenty-first Day of October, 1999 by the following roll call vote:

AYES: Oliphant, Schulz, Cline, Smith

NOES: None

ABSTAIN: None

ABSENT: Christian

ATTEST:

Alfred Oliphant, President
Westhaven Community Services District

Annette Leshner, Secretary
Westhaven Community Services District