

RESOLUTION NO. 070384

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA  
ACTING AS THE GOVERNING BOARD OF THE EMERALD LAKE HEIGHTS SEWER  
MAINTENANCE DISTRICT

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RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH  
CLAUS J. AND KIMBERLY A. BERLIN FOR REIMBURSEMENT OF CERTAIN  
ENGINEERING AND CONSTRUCTION COSTS INCURRED FOR THE  
INSTALLATION OF SANITARY SEWER FACILITIES ACCEPTED FOR  
MAINTENANCE BY THE  
EMERALD LAKE HEIGHTS SEWER MAINTENANCE DISTRICT

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, acting as the Governing Board of the Emerald Lake Heights Sewer Maintenance District (District), that

**WHEREAS**, Claus J. and Kimberly A. Berlin did incur engineering and construction costs to install a sanitary sewer main extension to serve their property at 589 California Way (APN 068-173-330) and their former property at 593 California Way (APN 068-131-230), which can also serve additional properties on California Way in the District in the future; and

**WHEREAS**, your Board adopted Resolution No. 63402 on February 8, 2000, accepting offer of dedication for construction of a sewer main extension located at 593 California Way to the Emerald Lake Heights Sewer Maintenance District; and

**WHEREAS**, the Berlins have requested that an agreement be executed that will provide for property owners wishing to connect into the sanitary sewer constructed by the Berlins, to reimburse them for a proportionate share of the costs of constructing

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said sanitary sewer main extension; and

**WHEREAS**, a form of agreement has been presented to this Board, which provides for the Berlins to recover a portion of their costs of construction as a condition of subsequent users of the system they constructed being permitted to connect to the system, with said reimbursement of costs to be in addition to all normal District fees collected for sewer service, and this Board has reviewed and considered said agreement; and

**WHEREAS**, the Director of Public Works of the County of San Mateo has recommended that said Agreement for Construction and Use of Sewer Facilities be executed by the District; and

**WHEREAS**, this Board has considered and concurs with the recommendation of the Director of Public Works.

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of this Board of Supervisors is authorized and directed to execute said Agreement for Construction and Use of Sewer Facilities on behalf of the Emerald Lake Heights Sewer Maintenance District and the Clerk of the Board shall attest to the signature of the President thereto.

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Regularly passed and adopted this 22<sup>nd</sup> day of September, 2009.

*AYES and in favor of said resolution:*

Supervisors: MARK CHURCH  
CAROLE GROOM  
RICHARD S. GORDON  
ROSE JACOBS GIBSON  
ADRIENNE J. TISSIER

*NOES and against said resolution:*

Supervisors: NONE

Absent Supervisors: NONE



President, Board of Supervisors  
County of San Mateo  
State of California

Certificate of Delivery

*I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.*



Marie L. Peterson, Deputy  
Clerk of the Board of Supervisors

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