

RESOLUTION NO. 2005 - 2

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA DECLARING A MORATORIUM ON THE EXTENSION OF MUNICIPAL WATER AND SEWER SERVICES TO APPLICANTS DESIRING THE SAME SITUATE WITHOUT THE INCORPORATED LIMITS OF THE TOWN OF LA JARA WHO DO NOT, CONCURRENTLY, REQUEST ANNEXATION INTO THE TOWN OF LA JARA.**

**WHEREAS**, in previous years, the Board of Trustees was amenable to the extension of water and sewer services to applicants desiring the same notwithstanding that such applicants did not then have their respective residences or places of business located within the incorporated limits of the Town of La Jara, nor did they then desire or apply for the the annexation of their respective properties into the Town of La Jara, and

**WHEREAS**, the Board of Trustees, after considering the same, found and determined that it was in the best interests of the Town to consent to and did, in fact, cause the extension of water and/or sewer services to residents and business situate without the incorporated limits of the Town of La Jara, such, however, being furnished at rates higher than those assessed against in-town water and/or sewer users, and

**WHEREAS**, for the last two calendar years, the area has experienced a severe drought that has resulted in a greater reliance on underground water not only for agricultural uses by neighboring farmers and ranchers but by the La Jara Municipal water system, its water being derived from two deep municipal wells located within the incorporated limits of the town, and

**WHEREAS**, it has been found and determined by the Board of Trustees of the Town of La Jara that portions of the Town's sewer system is in a very dilapidated and deteriorated condition in need of replacement, the failure of which could occur at any given moment, necessitating the expenditure of funds on an emergency-type basis to continue to provide such services, and

**WHEREAS**, it is in the best interests of the residents of the Town of La Jara to minimize immediately as much as possible any more demands over and above present-day requirements to its water and/or sewer systems until such time as the Board of Trustees determines otherwise.

**NOW, THEREFOR, BE IT RESOLVED** by the Board of Trustees as follows:

1. That, until further ordinances and/or resolution to the contrary duly adopted by the Board of Trustees in the future in conformity with applicable federal, state, or local law, there shall be no further extension of water and/or sewer services to any residences and/or places of business situate without the incorporated limits of the Town of La Jara.

2. That, nothing contained herein shall prohibit the Board of Trustees from considering favorably petitions for the annexation of adjoining lands into the incorporated limits of the Town and upon such annexation, extending water and/or sewer services to such annexed properties upon such terms and conditions as the Board of Trustees deems necessary and appropriate under the circumstances then prevailing, provided, however, that such terms and conditions be incorporated into and form a part of an Annexation Agreement to entered into and executed by all parties thereto.

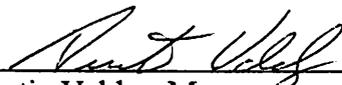
**INTRODUCED, READ, AND PASSED AS A RESOLUTION** at a regular meeting of the Board of Trustees held on the 14<sup>th</sup> day of April, 2005, at which a quorum was present

THE BOARD OF TRUSTEES OF THE  
TOWN OF LA JARA

ATTEST:

(S E A L)

  
\_\_\_\_\_  
Janice Coombs, La Jara Town Clerk

  
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Austin Valdez, Mayor