

RESOLUTION NO. RO-18-8

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE “NEES-ARMSTRONG NORTHEAST NO. 2 REORGANIZATION” WITH
CONDITIONS
(LAFCO FILE NO. RO-18-8)**

WHEREAS, reorganization proceedings were initiated by the City of Clovis to annex 3.11 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for the territory located 970 feet north of Nees Avenue and east of Armstrong Avenue, said territory being described within Attachment “A”, attached hereto and by this reference incorporated herein; and

WHEREAS, the application was submitted to the Fresno Local Agency Formation Commission (“LAFCo or Commission”) by the City of Clovis as required by state law, and the application for said proposed reorganization was accepted for filing by the Executive Officer and set for hearing on the 14th day of November, 2018, at the hour of 1:30 p.m.; and

WHEREAS, notice of the hearing to consider the Proposal was given as required by state law; and

WHEREAS, the Executive Officer reviewed the Proposal and prepared a report to the Commission, including a recommendation for approval upon certain conditions, said report having been mailed at least five days before said hearing and was duly considered by the Commission pursuant to state law; and

WHEREAS, acting as “Responsible Agency” under the California Environmental Quality Act (“CEQA”) the Commission considered the CEQA documents filed and adopted by the City of Clovis acting as the “Lead Agency” under CEQA for the Proposal and associated rezoning, which was included in the Executive Officer’s report to the Commission; and

WHEREAS, the Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on the Proposal.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does HEREBY RESOLVE AND DETERMINE, as follows:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, that prior to approving the proposed annexation, the environmental effects of the Proposal as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determined to be adequate pursuant to CEQA Guidelines Section 15096.

- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- C. Find pursuant to CKH and information in the record that:
 - a. The territory is uninhabited; and
 - b. All landowners and affected agencies have consented to the reorganization.
- D. Assign the distinctive short form designation "Nees-Armstrong Northeast No. 2 Reorganization" and approve the annexation and detachments subject to the following condition of approval:
 - a. Pursuant to Fresno LAFCo policy 103-05, the Executive Officer shall record the approved application if all conditions have been satisfied and once he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.
 - b. Ownership of land permitting, the annexation shall include the full-width right-of-way along Armstrong Avenue frontage.
- E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

ADOPTED THIS 14th DAY OF NOVEMBER 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS SILVA, PACHECO, SANTOYO

NOES: NONE

ABSENT: COMMISSIONER QUINTERO

ABSTAIN: COMMISSIONER PARRA

**STATE OF CALIFORNIA)
COUNTY OF FRESNO)**

CERTIFICATION

I, David E. Fey, Executive Officer, Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 14th day of November 2018.



David E. Fey, Executive Officer
Fresno Local Agency Formation Commission

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ATTACHMENT A

NEES-ARMSTRONG NORTHEAST NO. 2 REORGANIZATION

TO BE ANNEXED TO THE CITY OF CLOVIS AND DETACHED FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE KINGS COUNTY RIVER CONSERVATION DISTRICT

That portion of the Southwest quarter of Section 27, Township 12 South, Range 21 East, Mount Diablo Base and Meridian in the County of Fresno, State of California, described as follows:

All that portion of Parcel D as shown on that certain Parcel Map No. 1863, recorded January 28, 1974 in Book 11 of Parcel Maps, at Page 33, records of said County more particularly described as follows:

Commencing at the southwest corner of the southwest quarter of said Section 27; thence North along the West line of the southwest quarter of said Section, 970 feet to the **Point of Beginning** and southwest corner of said Parcel D, said point also being on the existing limits line of the City of Clovis;

- 1) THENCE from Said **Point of Beginning**, continuing along the West line of the southwest quarter of Section 27 and leaving the existing City limits line of the City of Clovis, North 175.00 feet to a point on the exiting City limits line of the City of Clovis and northwest corner of Parcel D;
- 2) THENCE, leaving said West line of the southwest quarter of said section, South 89°59'00" East, along the North line of Parcel D and existing City limits line of the City of Clovis, 885.17 feet to the northeast corner of Parcel D and Centerline of Enterprise Canal;
- 3) THENCE, continuing along said City limits line, South 8°00'35" East, along the East line of Parcel D and centerline of Enterprise Canal 127.89 feet to the southeast corner of Parcel D.
- 4) THENCE, continuing along said City limits line, South 89°12'00" West, along the South line of Parcel D, 127.88 feet;
- 5) THENCE, continuing along said City limits line and South line of Parcel D, South 77°52'00" West 164.00 feet;
- 6) THENCE, continuing along said City limits line and South line of Parcel D, North 89°40'00" West 239.00 feet;
- 7) THENCE, continuing along said City limits line and South line of Parcel D, South 87°59'00" West 376.02 feet to the southwest corner of Parcel D and **Point of Beginning**.

Containing 3.11± acres net, more or less.

Date: 04-23-18

Revised: 08-15-18



LEGEND

P.O.B. POINT OF BEGINNING



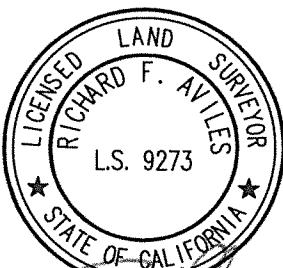
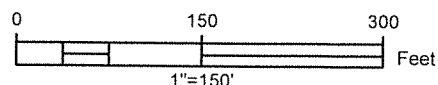
TO BE ANNEXED TO THE CITY OF CLOVIS AND
DETACHED FROM THE FRESNO COUNTY FIRE
PROTECTION DISTRICT AND KINGS RIVER
CONSERVATION DISTRICT.



CITY OF CLOVIS CITY LIMITS



COUNTY OF FRESNO LIMITS



DATE: 04/23/18
REVISED: 08/31/18

