

RESOLUTION NO. RO-20-8

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE KERMAN "EASTSIDE COMMUNITY PARK REORGANIZATION" WITH
CONDITIONS
(LAFCO FILE NO. RO-20-8)**

WHEREAS, reorganization proceedings were initiated by the City of Kerman to annex 17.8 acres to the City of Kerman and detach from the Kings River Conservation District for the territory located at the northeast corner of Goldenrod and California Avenues said territory being described by 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 Kerman 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 October 2020, 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 Kerman 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:

Action 1:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find 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 determine these documents to be adequate pursuant to CEQA Guidelines section 15096.

ADOPTED THIS 14th DAY OF OCTOBER 2020 BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS YEP, SANTOYO, MENDES, PACHECO, PARRA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Action 2:

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 "Eastside Community Park Reorganization" and approve the annexation and detachments subject to the following conditions 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. Submittal of corrected legal description and map.
- c. Satisfactory verification that the City has accepted a final map shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.

E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

ADOPTED THIS 14th DAY OF OCTOBER 2020 BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS YEP, SANTOYO, MENDES, PACHECO, PARRA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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 October 2020.

A handwritten signature in black ink, appearing to read 'D. Fey', is written over a horizontal line.

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

ATTACHMENT A

EASTSIDE COMMUNITY PARK REORGINIZATION

ANNEXATION TO THE CITY OF KERMAN AND DETACHING FROM THE KINGS RIVER CONSERVATION DISTRICT

GEOGRAPHIC DESCRIPTION

All that portion of the of Section 17 and Section 8, Township 14 South, Range 18 East, Mount Diablo Base and Meridian according to the Official United States Government Plat approved by the Surveyor General on November 30, 1854, described as follows:

Commencing at the Southwest corner of said Section 8;

Thence (1) South $89^{\circ}51'14''$ East, along the South line of said Section 8, a distance of 30.00 feet to a point on the South line of said Section 8, also on the existing City Limit Line and the TRUE POINT OF BEGINNING of this description;

Thence (2) North $0^{\circ}14'15''$ East along said City Limit Line parallel with and 30.0 feet east of the West line of said Section 8 a distance of 189.84 feet to a point on the Southerly Right of Way of the Union Pacific (formerly Southern Pacific) Railroad Company's main line from Kerman to Fresno, said point being at right angles to and 50 feet south of the centerline of said main line;

Thence (3) along said Right of Way on a non tangent curve concave northwesterly with a radial bearing of South $14^{\circ}44'22''$ East a radius of 11509.16 feet through a central angle of $4^{\circ}54'55''$ with an arc length of 987.35 feet;

Thence (4) continuing along said Right of Way North $70^{\circ}21'02''$ East, a distance of 753.51 feet;

Thence (5) leaving said Right of Way South $0^{\circ}27'40''$ West a distance of 759.27 feet, to a point on a line 20 feet south of the South line of said section 8;

Thence (6) North $89^{\circ}51'14''$ West parallel with and 20.0 feet south of the south line of said Section 8 a distance of 1647.30' feet;

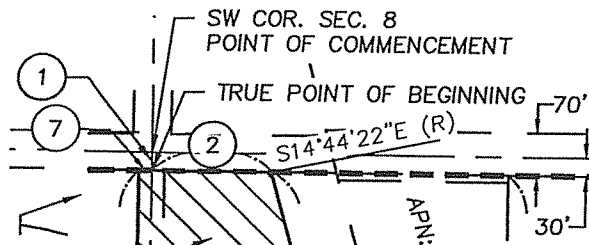
Thence (7) North $0^{\circ}41'45''$ East a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

Contains an area of 17.81 Acres, more or less
Dated: June 19, 2020

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

APPROVED
LAFCO RES. # 2020-08
October 14, 2020
DATE

ATTACHMENT A



TRACT NO. 5138
BK. 74 PGS. 1-2

S. GOLDENROD AVENUE

LEGEND



ANNEXATION TO THE CITY OF KERMAN AND
DETACHING FROM THE KINGS RIVER CONSERVATION
DISTRICT. AREA = 17.81 ACRES, MORE OR LESS.

— — — — — PROPERTY LINE

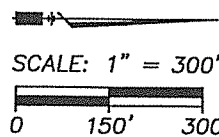
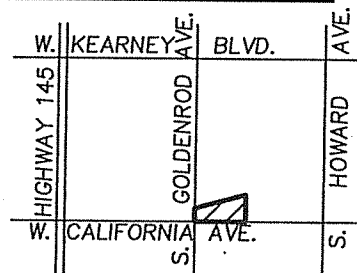
- - - - - SECTION LINE

- - - - - EXISTING CITY LIMIT LINE

COURSES:

- ① S89°51'14"E - 30.00'
- ② N0°14'05"E - 189.84'
- ③ R=11509.16' L=987.35' Δ=4°54'55"
- ④ N70°21'02"E - 753.51'
- ⑤ S0°27'40"W - 759.27'
- ⑥ N89°51'14"W - 1647.46'
- ⑦ N0°41'45"E - 20.00'

VICINITY MAP



REV. DATE 8/20/2020

APPROVED
LAFCO RES. # 10-20-08
October 14, 2020
DATE



**Yamabe & Horn
Engineering, Inc.**

CIVIL ENGINEERS • LAND SURVEYORS

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PROJECT TITLE

ANNEXATION EXHIBIT

SHEET DESCRIPTION

EASTSIDE COMMUNITY
PARK REORGANIZATION

Date: 6/19/2020

Scale: As Noted

YH Job No. 19-371

Sheet No. 1

of 1 Sheets