

RESOLUTION NO. RO-18-10

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE "SHEPHERD-SUNNYSIDE NORTHWEST REORGANIZATION" WITH
CONDITIONS
(LAFCO FILE NO. RO-18-10)**

WHEREAS, reorganization proceedings were initiated by the City of Clovis to annex 162.39 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 on the northwest corner of East Shepherd and North Sunnyside Avenues, 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 "Shepherd-Sunnyside Northwest 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. Ownership of land permitting, the annexation shall include the full-width right-of-way along Shepherd and Sunnyside Avenues.
 - c. Submittal of corrected legal description and map.
 - d. 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 NOVEMBER 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS SILVA, PACHECO, SANTOYO

NOES: NONE

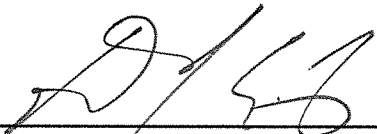
ABSENT: COMMISSIONER QUINTERO

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

ATTACHMENT A

SHEPHERD-SUNNYSIDE NORTHWEST REORGANIZATION

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Area to be detached from the Fresno County Fire Protection District and the Kings River Conservation District and Annexed to the City of Clovis.

All that portion of the South half of Section 20 and a portion of the Southwest quarter of Section 21, Township 12 South, Range 21 East, Mount Diablo Base and Meridian, according to the Official United States Government Township Plat thereof, in the County of Fresno, State of California, described as follows:

BEGINNING at a point on the existing City Limits line of the City of Clovis, said point being a point 30.00 feet North of and 20.00 feet East of the Southeast corner of said Section 20, said point being the Northeast corner of the Shepherd-Sunnyside Southwest Reorganization, recorded December 11, 2013 as Document No. 2013-0167340, Official Records Fresno County; thence

- 1) continuing along the existing City Limits line of the City of Clovis and the Northerly line of said Shepherd-Sunnyside Southwest Reorganization, North $89^{\circ}17'21''$ West, 599.89 feet along a line 30.00 feet North of and parallel with the South line of the Southeast quarter of said Section 20; thence
- 2) continuing along the existing City Limits line of the City of Clovis of said Shepherd-Sunnyside Southwest Reorganization, South $0^{\circ}42'39''$ West, 30.00 feet to the Northeast corner of the Pruess-Shepherd Southeast Reorganization recorded August 10, 2004 as Document No. 2004-0175434, Official Records Fresno County, said Northeast corner being a point on the South line of the Southeast quarter of said Section 20; thence
- 3) continuing along the existing City Limits line of the City of Clovis and the Northerly line of said Pruess-Shepherd Southeast Reorganization, North $89^{\circ}17'21''$ West, 1403.29 feet along the South line of the Southeast quarter of said Section 20, to a point on the East line of the Minnewawa-Shepherd Southeast Reorganization recorded April 8, 2005 as Document No. 2005-0078516, Official Records Fresno County; thence
- 4) continuing along the existing City Limits line of the City of Clovis of said Minnewawa-Shepherd Southeast Reorganization, North $0^{\circ}32'53''$ East, 30.00 feet to the Northeast corner of said Minnewawa-Shepherd Southeast Reorganization; thence
- 5) continuing along the existing City Limits line of the City of Clovis and the Northerly line of said Minnewawa-Shepherd Southeast Reorganization, North $89^{\circ}17'21''$ West, 661.17 feet along a line 30.00 feet North of and parallel with the South line of the Southeast quarter of said Section 20, to a point on the East line of the Southeast quarter of said Section 20; thence

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- 6) leaving the existing line of the Limits of the City of Clovis, North $0^{\circ}24'56''$ East, 1032.08 feet along the East line of the Southeast quarter of said Section 20, to the beginning of a non-tangent curve concave to the Southwest having a radius of 1308.00 feet and to which beginning a radial line bears North $73^{\circ}17'21''$ East; thence
- 7) Northwesterly, 286.12 feet along said non-tangent curve through a central angle of $12^{\circ}32'00''$, to a point on the South line of the North half of the Southwest quarter of said Section 20; thence
- 8) North $89^{\circ}16'35''$ West, 67.48 feet along the South line of the North half of the Southwest quarter of said Section 20, to the beginning of a non-tangent curve concave to the Southwest having a radius of 1250.00 feet and to which beginning a radial line bears North $59^{\circ}12'38''$ East; thence
- 9) Northwesterly, 8.13 feet along said non-tangent curve through a central angle of $0^{\circ}22'22''$; thence
- 10) North $56^{\circ}19'26''$ East, 223.50 feet along a non-tangent line to last said curve to a point on the East line of the Southwest quarter of said Section 28; thence
- 11) North $0^{\circ}24'56''$ East, 1190.37 feet along said East line to the Northwest corner of the Southeast quarter of said Section 20; thence
- 12) South $89^{\circ}17'41''$ East, 2648.58 feet along the North line of the Southeast quarter of said Section 20, to the Northeast corner of said Southeast quarter; thence
- 13) South $89^{\circ}14'42''$ East, 55.07 feet along the North line of the Southwest quarter of said Section 21, to a point of cusp of a curve tangent to said North line, concave to the Southeast having a radius of 15.00 feet; thence
- 14) Southwesterly, 23.63 feet along said curve to a point of tangency with a line 40.00 feet East of and parallel with the West line of the Southwest quarter of said Section 21, said parallel line also being the East line of the right of way for Sunnyside Avenue dedicated for public street purposes by the map of Tract No. 3286, according to the map thereof recorded in Volume 37 of Plats at Page 88, Fresno County Records; thence
- 15) South $0^{\circ}30'22''$ West, 1308.60 feet along said parallel line to the Southwest corner of said Tract No. 3286; thence

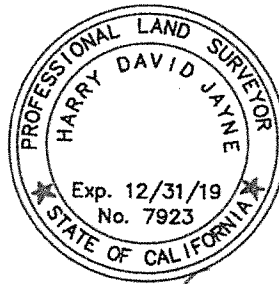
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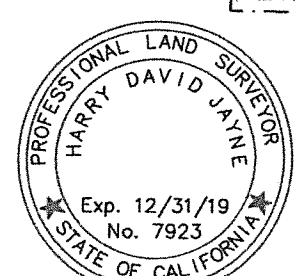
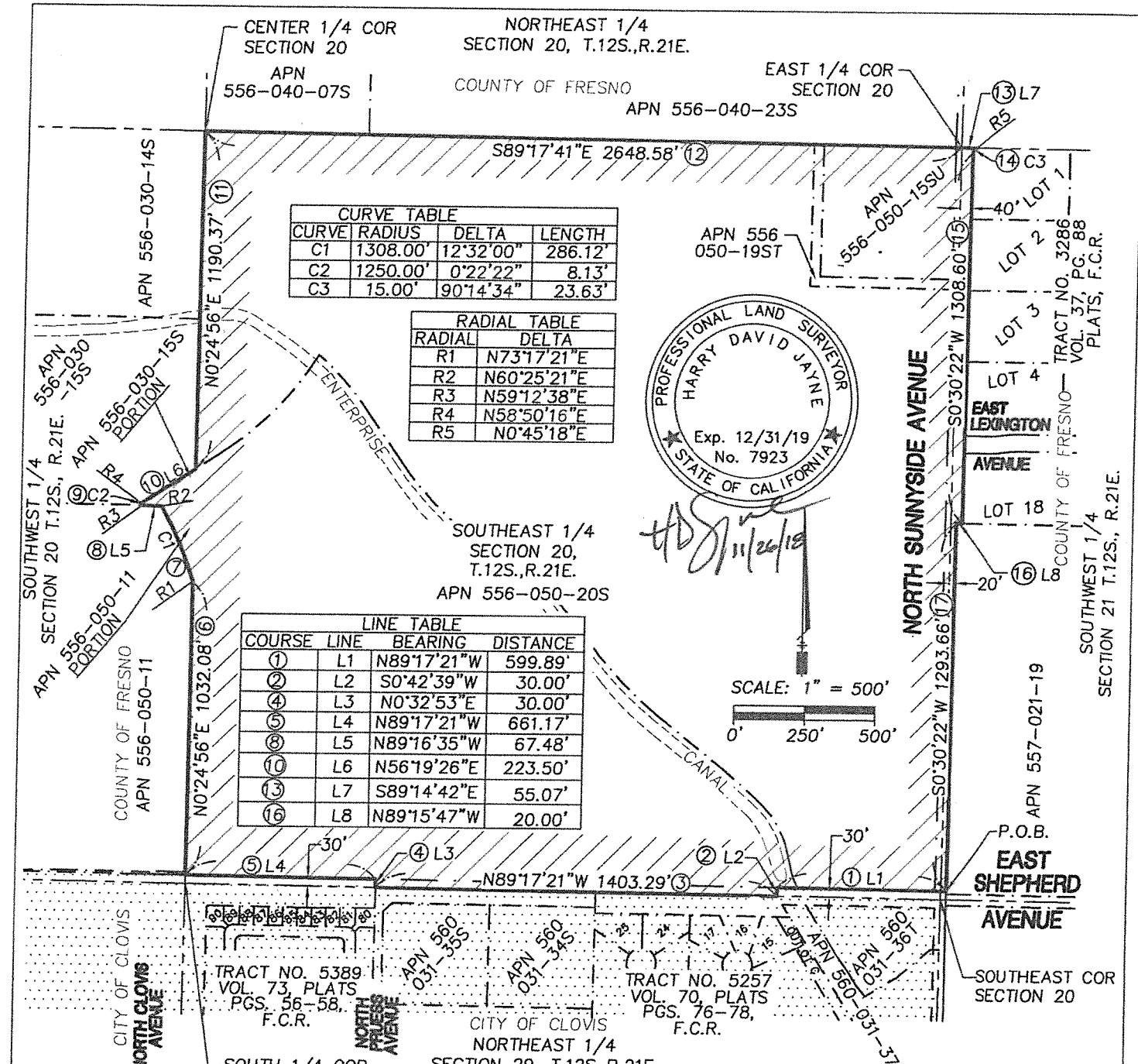
16) North $89^{\circ}15'47''$ West, 20.00 feet along the Westerly prolongation of the South line of said Tract No. 3286, to a point on a line 20.00 feet East of and parallel with the West line of the Southwest quarter of said Section 21, said parallel line also being the East line of the right of way for Sunnyside Avenue granted for public street purposes by the deed recorded December 3, 1908 in Book 413 of Deeds at Page 318, Fresno County Records; thence

17) South $0^{\circ}30'22''$ West, 1293.66 feet along said parallel line to the **POINT of BEGINNING**.

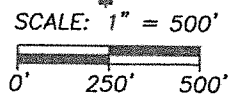
Containing an area of 162.39 acres, more or less.



Handwritten signature and date: H.D. Jayne 11/26/18



Handwritten signature and date: 11/26/18



RES. NO. _____ ADOPTED: _____ SHEPHERD-SUNNYSIDE NORTHWEST REORGANIZATION A PORTION OF THE SOUTH 1/2 OF SECTION 20, AND A PORTION OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, M.D.B. & M. TO BE ANNEXED TO THE CITY OF CLOVIS AND DETACHED FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT		REF. & REV. 11/28/2018	PREPARED FOR: LENNAR FRESNO, INC. 8080 N. PALM SUITE 101 FRESNO, CA 93711 PREPARED BY: YAMABE & HORN ENGINEERING, INC. 2985 N. BURL AVE., STE. 101 FRESNO, CA 93727 PH: (559) 244-3123
FILE NO. _____ ANNEX. NO. _____ ACRES 162.39 COUNCIL DISTRICT NO. 1 DRAWN BY: HDJ DATE: 7/30/2018 CHECKED BY: HDJ			