

RESOLUTION NO. RO-17-5(Revised)

A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE "SHAW-HIGHLAND NORTHWEST REORGANIZATION" WITH CONDITIONS

WHEREAS, reorganization proceedings were initiated by the City of Clovis to annex 40 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 Shaw and Highland Avenues; 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 12th day of July, 2017, at the hour of 1:30 p.m.; and

WHEREAS, notice of the hearing of said application was given as required by State Law; and

WHEREAS, the Executive Officer reviewed said application 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, the Commission acting as "Responsible Agency" reviewed and considered the information in the Finding of Conformity adopted for this project filed and adopted by the City of Clovis acting as the "Lead Agency" under the California Environmental Quality Act ("CEQA") for the Shaw-Highland Northwest Reorganization" and associated with rezoning under the requirements of the CEQA, 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 said application.

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

Section No. 1. Acting as Lead Agency under CEQA Guidelines, find that prior to approving the proposed reorganization, the environmental effects of the Proposal as shown in the CEQA document prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15050.

Section No. 2. The Commission finds that the proposed reorganization is consistent with LAFCo policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

Section No. 3. The Commission finds pursuant to the CKH and information in the record that:

- A. The territory is uninhabited; and
- B. All landowners and affected agencies have consented to the reorganization.

Section No. 4. The Commission assigns the distinctive short form designation "Shaw-Highland N.W. Reorganization" and approves the annexation as generally depicted in Exhibit "A" 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 in 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 Shaw Avenue.

Section No. 5. The Commission waives further Conducting Authority proceedings and orders the reorganization subject to the requirements of the CKH.

Section No. 6. The Commission action approving the Proposal shall expire one year from the date of this resolution unless all proceedings are complete, including condition compliance, and Certificate of Completion issued by the Executive Officer.

Section No. 7. The Executive Officer is hereby authorized and directed to mail copies of this Resolution as provided in Government Code Section 56882 and to file, as appropriate, in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of the Proposal, as required by State law.

ADOPTED THIS 12th DAY OF JULY 2017, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS SANTOYO, QUINTERO, SILVA

NOES: NONE

ABSENT: COMMISSIONERS PARRA

ABSTAIN: COMMISSIONER MAGSIG

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 12th day of July 2017.



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

EXHIBIT "B"

SHAW – HIGHLAND NORTHWEST REORGANIZATION

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 Southeast quarter of the Southeast quarter of Section 12, Township 13 South, Range 21 East, Mount Diablo Base and Meridian, according to the Official Government Plats, in the County of Fresno, State of California, described as follows:

BEGINNING at the Southeast Corner of said Section 12, being on the existing City of Clovis limits;

Thence, (1) North $89^{\circ}46'37''$ West, along the South line of said Section 12, and along the existing City of Clovis limits, a distance of 1320.22 feet to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 12;

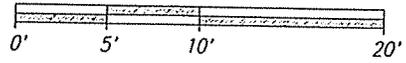
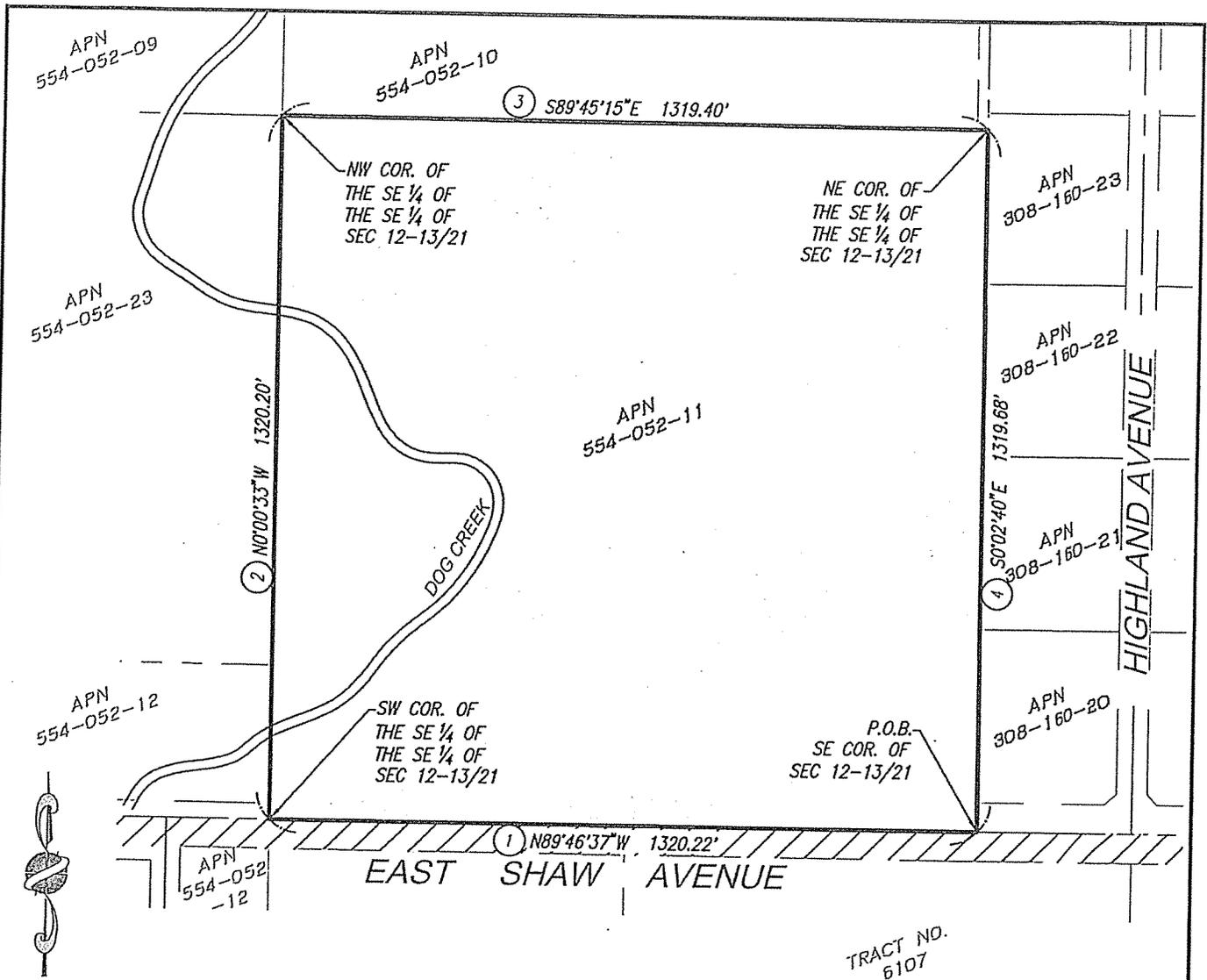
Thence, (2) leaving the existing City of Clovis limits, North $00^{\circ}00'33''$ West, along the West line of the Southeast quarter of the Southeast quarter of said Section 12, a distance of 1320.20 feet to the Northwest corner thereof;

Thence, (3) South $89^{\circ}45'15''$ East, along the North line of the Southeast quarter of the Southeast quarter of said Section 12, a distance of 1319.40 feet to the Northeast corner thereof;

Thence, (4) South $00^{\circ}02'40''$ East, along the East line of the Southeast quarter of the Southeast quarter of said Section 12, a distance of 1319.68 feet to the POINT OF BEGINNING.

Contains an area of: 39.99 Acres, more or less.

Revised: May 10, 2017



LEGEND

P.O.B. POINT OF BEGINNING

① COURSE REFERENCE NUMBER IN LEGAL DESCRIPTION

EXISTING CITY LIMITS

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

AREA: 39.99 ACRES

PREPARED BY

PRECISION CIVIL ENGINEERING, INC.
 1234 "O" STREET
 FRESNO, CA 93721
 PH: (559) 449-4500
 FAX: (559) 449-4515

Revised: May 11, 2017

RES. NO. _____ ADOPTED _____

FILE NO. _____

ANNEX NO. _____

ACRES _____

COUNCIL DISTRICT NO. _____

SHAW - HIGHLAND NORTHWEST REORGANIZATION

PORTION OF SE ¼ OF SECTION 12, T. 13 S., R. 21 E., 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

ALLOCATED TO COUNCIL DISTRICT NO. _____ AS PER
 COUNCIL DISTRICT MAP _____

DATE/STAMP

**CERTIFICATE OF COMPLETION
FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION**

The Fresno Local Agency Formation Commission waived the Conducting Authority proceedings.

The names of the agencies whose territory is changed and the type of change for each are:

Annexation to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.

The County in which the entire boundary change occurred is Fresno County.

The short title of the reorganization proceeding is "Shaw-Highland Northwest Reorganization", LAFCo File No. RO-17-5.

The affected territory is uninhabited.

The Reorganization was ordered without an election, and Resolution No. RO-17-5 ordering the reorganization was approved by the Fresno Local Agency Formation Commission on July 12, 2017.

Maps and legal descriptions of the territory affected by the reorganization are set forth in Exhibit "A", attached.

The condition of approval was as follows and has been complied with:

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

Ownership of land permitting, the annexation shall include the full-width right-of-way along Shaw Avenue.

I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission, do hereby certify that the attached maps and legal descriptions for the change of organization do comply with the Commission's resolution of approval.



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

Dated: August 16, 2017