

RESOLUTION NO. RO-18-1

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE "SHAW-LEONARD NORTHEAST REORGANIZATION" WITH
CONDITIONS
LAFCO FILE NO. RO-18-1**

WHEREAS, reorganization proceedings were initiated by the City of Clovis to annex approximately 77.84 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located east of Leonard Avenue between Barstow and Shaw 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 February, 2018, 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 notice of public hearing also gave notice that the commission intended to waive the conducting authority proceedings in accordance with Government Code Section 56663(b)(c), if no registered voters or landowners submitted written opposition to the reorganization before the conclusion of the public hearing; 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 Negative Declaration and the finding of substantial conformance with the environmental analysis performed for the 2014 General Plan update and the Loma Vista Specific Plan EIR filed and adopted by the City of Clovis acting as the "Lead Agency" under the California Environmental Quality Act ("CEQA") for the "Shaw- Leonard Northeast 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; and

WHEREAS, no registered voters or landowners submitted written opposition to the reorganization prior to the conclusion of the public hearing.

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 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 15096.

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

AYES: COMMISSIONERS PARRA, SANTOYO, QUINTERO, SILVA

NOES: NONE

ABSENT: NONE

ABSTAIN: COMMISSIONER MAGSIG

Action 2.

- B. 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).
- C. The commission finds pursuant to the CKH and information in the record that:
- a. The territory is inhabited; and
 - b. Not all landowners, registered voters and affected agencies have consented to the reorganization.
- D. The commission assigns the distinctive short form designation "Shaw-Leonard Northeast Reorganization" and approves 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 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 Leonard and Shaw Avenues.
 - c. Submittal of corrected legal description and map.

- E. The commission finds that pursuant to CKH the territory is inhabited and not all landowners have consented to the annexation.
- F. The commission waives further conducting authority proceedings and orders the reorganization subject to the requirements of the CKH.
- G. 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.
- H. 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.
- I. The commission finds that no written opposition to the proposal was received prior to the conclusion of the hearing and approves the proposal subject to the requirements of the CKH, the 30-day reconsideration period, compliance with all of the above conditions, and waive further conducting authority proceedings.

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

AYES: COMMISSIONERS SANTOYO, PARRA, QUINTERO, SILVA

NOES: NONE

ABSENT: NONE

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 14th day of February 2018.



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

**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-Leonard Northeast Reorganization", LAFCo File No. RO-18-1.

The affected territory is inhabited.

The Reorganization was ordered without an election, and Resolution No. RO-18-1 ordering the reorganization was approved by the Fresno Local Agency Formation Commission on February 14, 2018.

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


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 and Leonard Avenues.

Submittal of corrected legal description and map.

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: March 19, 2018

ATTACHMENT A

SHAW – LEONARD NORTHEAST REORGANIZATION
TO BE ANNEXED TO THE CITY OF CLOVIS AND DETACHMENT
FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE
KINGS RIVER CONSERVATION DISTRICT

That portion of the Southeast quarter of Section 12, Township 13 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

COMMENCING at the Center quarter corner of said Section 12; thence South $00^{\circ}03'13''$ East, along the West line of said Southeast quarter, a distance of 20.00 feet to a point on a line that is parallel with and 20.00 feet South of the North line of said Southeast quarter; thence South $89^{\circ}42'19''$ East, along said parallel line, a distance of 30.00 feet to the TRUE POINT OF BEGINNING, said point being on the existing limits line of the City of Clovis;

- 1) THENCE, South $89^{\circ}42'19''$ East, continuing along the existing limits line and along said parallel line, 20.00 feet South of the North line of said Southeast quarter, a distance of 1288.08 feet to a point on the East line of the Northwest quarter of said Southeast quarter;
- 2) THENCE, leaving the existing limits line of the City of Clovis, South $00^{\circ}00'50''$ West, along said East line, a distance of 1300.73 feet to the Southeast corner of the Northwest quarter of said Southeast quarter, being on the existing limits line of the City of Clovis;
- 3) THENCE, South $00^{\circ}00'33''$ East, along the existing limits line of the City of Clovis and along the East line of the Southwest quarter of said Southeast quarter, a distance of 1290.20 feet to a point on a line that is parallel with and 30.00 feet North of the South line of said Southeast quarter;
- 4) THENCE, North $89^{\circ}46'37''$ West, along the existing limits line of the City of Clovis and along last said parallel line, a distance of 1320.39 feet to a point on the West line of said Southeast quarter;
- 5) THENCE, North $00^{\circ}03'13''$ East, along the existing limits line of the City of Clovis and along said West line, a distance of 1291.50 feet to the Northeast corner of the South half of the Southwest quarter of said Section 12;
- 6) THENCE, South $89^{\circ}28'35''$ East, along the easterly prolongation of the North line of said South half and along the existing limits line of the City of Clovis, a distance of 20.00 feet;
- 7) THENCE, North $00^{\circ}03'13''$ East, along a line that is parallel with and 20.00 East of the West line of said Southeast quarter, and along the existing limits line of the City of

APPROVED RO-18-1
LAFCO RES. # February 14, 2018
DATE

BOUNDARY CHANGE RECORDED
TIME 1:11pm DATE 3-19-2018
DOCUMENT # 20180031863
EFFECTIVE 3-19-2018

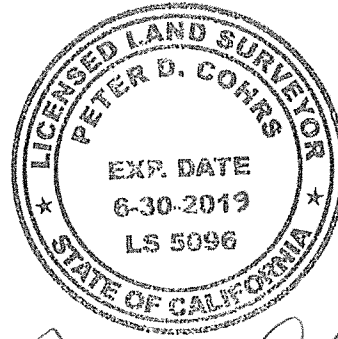
Clovis, a distance of 1061.15 feet to a point on the north line of Parcel 3 of Parcel Map No. 3012 recorded in Book 22 of Parcel Maps at Page 43, Fresno County Records, said point being 260.00 feet South of the North line of said Southeast quarter;

- 8) THENCE, South 89°42'19" East, along last said North line and along the existing limits line of the City of Clovis, a distance of 10.00 feet to a point on a line that is parallel with and 30.00 feet East of said West line;
- 9) THENCE, North 00°03'13" East, along last said parallel line and along the existing limits line of the City of Clovis, a distance of 240.00 feet to the TRUE POINT OF BEGINNING.

Contains an area of: 77.84 Acres, more or less

Date: 1-11-18

Revised: 2-16-18

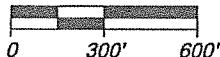


Peter D. Cohrs

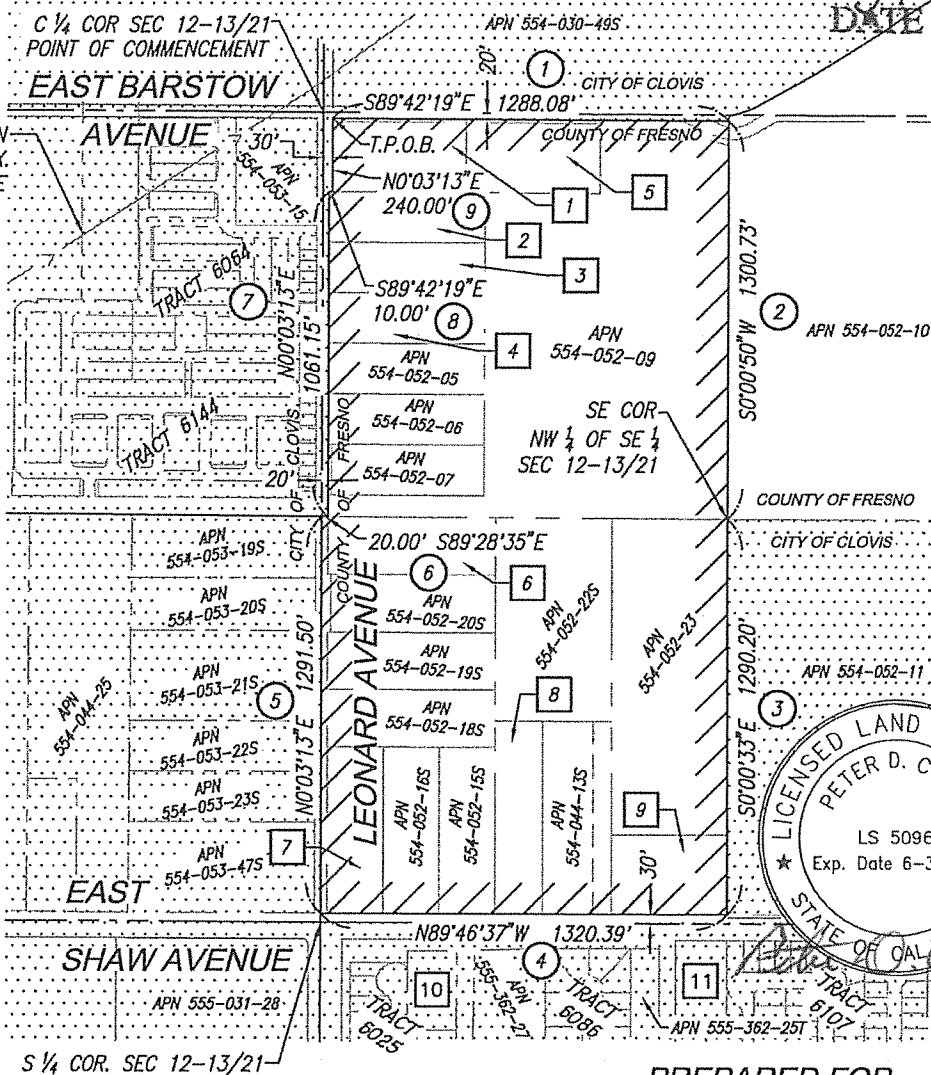
February 14, 2018
DATE



SCALE 1" = 600'



APN LIST	
1	554-052-01
2	554-052-02
3	554-052-03
4	554-052-04
5	554-052-08
6	554-052-21S
7	554-052-17S
8	554-052-14S
9	554-052-12S
10	555-362-26
11	555-364-07

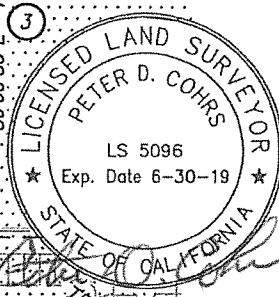


BOUNDARY CHANGE RECORDED

TIME 1:11 pm DATE 3-19-2018

DOCUMENT # 20180031863

EFFECTIVE 3-19-2018



LEGEND

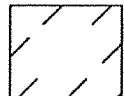
T.P.O.B. TRUE POINT OF BEGINNING

① COURSE CALL OF LEGAL DESCRIPTION

EXISTING CITY LIMITS

PARCEL LINE

SECTION LINE



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: 77.84 ACRES, MORE OR LESS

PREPARED FOR

BENCHMARK COMMUNITIES
7815 N. PALM AVE., SUITE 101
FRESNO, CA 93711

PREPARED BY

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

DATE: 1-11-18

REVISED: 2-16-18

RES. NO. _____ ADOPTED _____

SHAW - LEONARD NORTHEAST
REORGANIZATION

PORTIONS OF SW 1/4 AND SE 1/4 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

FILE NO. _____
ANNEX NO. _____
ACRES _____
COUNCIL DISTRICT NO. _____

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