

RESOLUTION NO. RO-17-7

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE "JENSEN-MARTIN LUTHER KING NO. 4 REORGANIZATION" WITH
CONDITIONS**

WHEREAS, reorganization proceedings were initiated by the City of Fresno to annex 115 acres to the City of Fresno and detach from the Fresno County Fire Protection District and the Kings River Conservation District for the territory located on the southwest corner of East Church Avenue and South Martin Luther King Boulevard; and

WHEREAS, the application was submitted to the Fresno Local Agency Formation Commission (LAFCo) by the City of Fresno as required by State Law, and the application for said proposed reorganization (Proposal) was accepted for filing by the Executive Officer and set for hearing on the 13th day of September, 2017, at the hour of 1:30 p.m.; and

WHEREAS, notice of the hearing of 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, the Commission acting as "Responsible Agency" reviewed and considered the information in the Mitigated Negative Declaration adopted for this project filed and adopted by the City of Fresno acting as the "Lead Agency" under the California Environmental Quality Act ("CEQA") for the Jensen-Martin Luther King No.4 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 the Proposal.

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

Section No. 1. 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 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 "Jensen-Martin Luther King No. 4 Reorganization" and approves the annexation as generally depicted in Exhibit "A" 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 Jensen Avenue.
- C. Submittal of corrected legal description and map.

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 13th DAY OF SEPTEMBER 2017, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS QUINTERO, MAGSIG, SANTOYO, SILVA

NOES: NONE

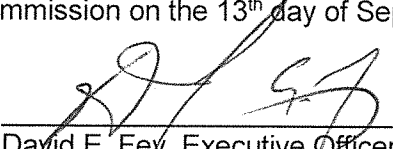
ABSENT: COMMISSIONER PARRA

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 13th day of September 2017.



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

Jensen-Martin Luther King No. 4 Reorganization.

Annex to the City of Fresno and Detach from Fresno Co Fire Protection Dist. And
Kings River Conservation Dist.

EXHIBIT A Pg. 1 of 2

All that certain real property, situate in portion of Section 16, Township 14 South, Range 20 East, Mount Diablo Base & Meridian, in the County of Fresno, State of California, described as follows:

Beginning at the intersection of the Northerly right of way of East Church Avenue and The Easterly right of way of South M.L.K. Boulevard;

Thence, (1) South $00^{\circ}28'52''$ West along the Easterly right of way of South M.L.K. Boulevard a distance of 2,724.81 feet more or less to the intersection of the Easterly right of way of South M.L.K. Boulevard and the Southerly right of way of East Jensen Avenue;

Thence, (2) North $89^{\circ}46'34''$ West along the Southerly right of way of South M.L.K. Boulevard a distance of 2,035.67 feet more or less to the intersection of the Southerly right of way of South M.L.K. Boulevard and the prolongation of the Easterly right of way of South Knight Avenue;

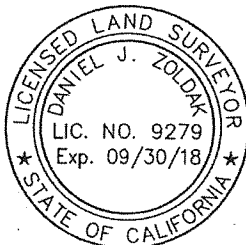
Thence, (3) North $00^{\circ}15'05''$ West along the prolongation of the Easterly right of way of South Knight Avenue a distance of 90.00 feet more or less to the intersection of the Easterly right of way of South Knight Avenue and the Northerly right of way of East Jensen Avenue;

Thence, (4) North $00^{\circ}15'05''$ West along the Easterly right of way of South Knight Avenue a distance of 1,276.28 feet more or less to the intersection of the Easterly right of way of South Knight Avenue and the Northerly right of way of East Grove Avenue;

Thence, (5) North $00^{\circ}12'13''$ East a distance of 1,357.82 feet more or less to a point on the Northerly right of way of East Church Avenue;

Thence, (6) South $89^{\circ}47'47''$ East along the Northerly right of way of East Church Avenue a distance of 2,059.72 feet more or less to the **Point of beginning** and containing 128 acres of land more or less.

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

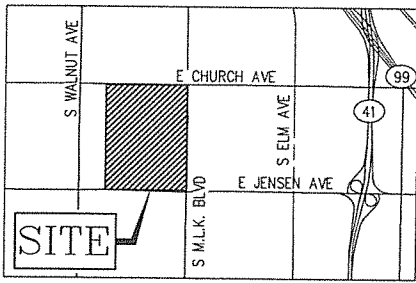


DANIEL J. ZOLDAK

DATE

Jensen-Martin Luther King No. 4 Reorganization.
 Annex to the City of Fresno and Detach from Fresno Co Fire Protection District And Kings River Conservation District
 A portion of Section 16, Township 14 South, Range 20 East, M.D.B.&M.

EXHIBIT B Pg. 2 of 2



VICINITY MAP
NOT TO SCALE



Tax Map
Bk. 477 - Pg. 03

S WALNUT AVE

479-050-001

479-050-003

479-050-006

479-050-005

479-050-004

Tax Map
Bk. 479 - Pg. 15

Tax Map
Bk. 479 - Pg. 19

(5) N0°12'13"E 1357.82'

(4) N0°15'05"W 1276.28'

S KNIGHT AVE

479-050-002

479-050-003

479-060-02

479-060-03

479-060-11

479-060-10

479-060-09

479-060-08

Tax Map
Bk. 478 - Pg. 03

E CHURCH AVE

(6) S89°47'47"E 2059.72'

Point of
Beginning

Tax Map
Bk. 479 - Pg. 08

Tax Map
Bk. 479 - Pg. 02

S M.L.K. JR BLVD

(1) S0°28'52"W 2724.81'

Tax Map
Bk. 479 - Pg. 15

Tax Map
Bk. 479 - Pg. 20

County of Fresno
City of Fresno

(2) N89°46'34"W 2035.67'

E JENSEN AVE

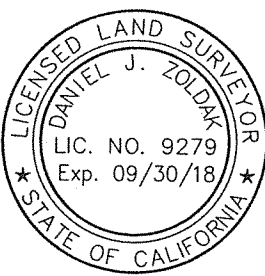
Tax Map
Bk. 479 - Pg. 04

LEGEND

--- AFFECTED TERRITORY (±128 ACRES)

--- CITY OF FRESNO LIMITS

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DANIEL J. ZOLDAK

DATE

