



Local Agency Formation Commission
2222 M Street
Merced, CA 95340
Phone (209) 385-7671 / Fax (209) 726-1710
www.lafcomerced.org

MEMORANDUM

DATE: January 17, 2019 (Agenda)
TO: LAFCO Commissioners
FROM: ^{BH} Bill Nicholson, Executive Officer
RE: Completion of Proceedings for the Southeast Gustine Reorganization
(LAFCO File No. 0682)
(Agenda Item IV.B)

Attached is a draft of Resolution No. 0682A which would complete the proceedings for the Southeast Gustine Reorganization. The Commission's approval was subject to a protest hearing because consent of all the landowners was not received on a petition. The protest hearing was conducted on January 8, 2019, where no additional written protests were filed by the landowners. Three landowner protests were received by mail prior to the protest hearing, representing two parcels on Grove Avenue.

In accordance with Section 57075(a)(3) of the Cortese-Knox-Hertzberg Local Government Reorganization Act, the value of written landowner protests received did not exceed 25% of the value of the lands within the annexation boundary. Therefore, the Commission is authorized to order the change of organization (annexation to the City of Gustine and detachment from the Central California Irrigation District) without an election through adoption of the attached resolution which will complete Commission proceedings for this reorganization. This item is administrative in nature, in accordance with Government Code section 57075(a)(3), and has been placed on the consent calendar for the January 17, 2019 meeting.

Enclosure – Resolution No. 0682A

RESOLUTION NO. 0682A
LOCAL AGENCY FORMATION COMMISSION OF MERCED COUNTY
MAKING DETERMINATION AND ORDERS AND APPROVING THE
SOUTHEAST GUSTINE REORGANIZATION

WHEREAS, a proposal to annex approximately 153.3 acres to the City of Gustine, and to detach this same area from the Central California Irrigation District bounded by Hunt Road on the east, Noble Road on the south, Mills Road on the west, and including property along Grove Road, north to Meredith Avenue, was heretofore filed with the Executive Officer of the Local Agency Formation Commission and said Executive Officer has examined said proposal and determined its sufficiency; and

WHEREAS, said Executive Officer has reviewed said proposal and prepared a report, including his recommendations thereof, and said report, having been presented to and, considered by the Commission; and

WHEREAS, the public hearing by this Commission was held on said proposal and, at such hearing, this Commission heard and received all oral and written evidence, and all persons present were given an opportunity to hear and be heard in respect to any matter relating to said proposal.

WHEREAS, the Commission approved the reorganization on November 1, 2018, subject to a protest hearing; and

WHEREAS, the Executive Officer of the Commission conducted a duly noticed protest hearing on January 8, 2019; and

WHEREAS, at said protest hearing, no written protests were submitted or received, although three landowner protests were submitted in advance of the hearing; and

WHEREAS, there was not a sufficient protest submitted to cause an election or to discontinue the reorganization proceedings.

NOW THEREFORE, BE IT RESOLVED, the Local Agency Formation Commission of Merced County, having considered the record of proceedings and the foregoing considerations, hereby makes the following determinations, findings and orders:

1. Determines that pursuant to Section 56663 of the Act, a resolution was submitted by the Gustine City Council to initiate the reorganization application, and without the written consent of other property owners within the reorganization boundary, thereby requiring a protest hearing.
2. Determines that the Commission approved the reorganization on November 1, 2018, subject to a protest hearing.
3. Determines that a protest hearing was conducted by the Executive Officer of the Commission on January 8, 2019, with three landowners filing written protests to the reorganization prior to the hearing, representing two parcels, and no additional protests filed by the close of the hearing, and that the assessed value of the written protests was much less than the 25% valuation to require an election.
4. Finds that based on these facts, there is not sufficient protest to cause an election.

5. Determines that all the original determinations from Resolution No. 0682, adopted by the Commission on November 1, 2018, are still valid as to the annexation.
6. Determines that there are no zones of benefit or other services provided by County Service Area No. 1 and the territory can be detached from this CSA upon annexation into the City.
7. Orders that the territory identified in Exhibits A and B designated as the "Southeast Gustine Reorganization" be annexed to the City of Gustine, and detached from the Central California Irrigation District without an election in accordance with Government Code section 57075(a)(3).
8. Orders that this resolution shall take effect upon its adoption.

I, WILLIAM NICHOLSON, Executive Officer of the Local Agency Formation Commission of Merced County, California, do hereby certify that the foregoing resolution was duly and regularly adopted by said Commission at a regular meeting thereof held upon the 17th day of January, 2019, by the following vote:

AYES:

NOES:

ABSENT:

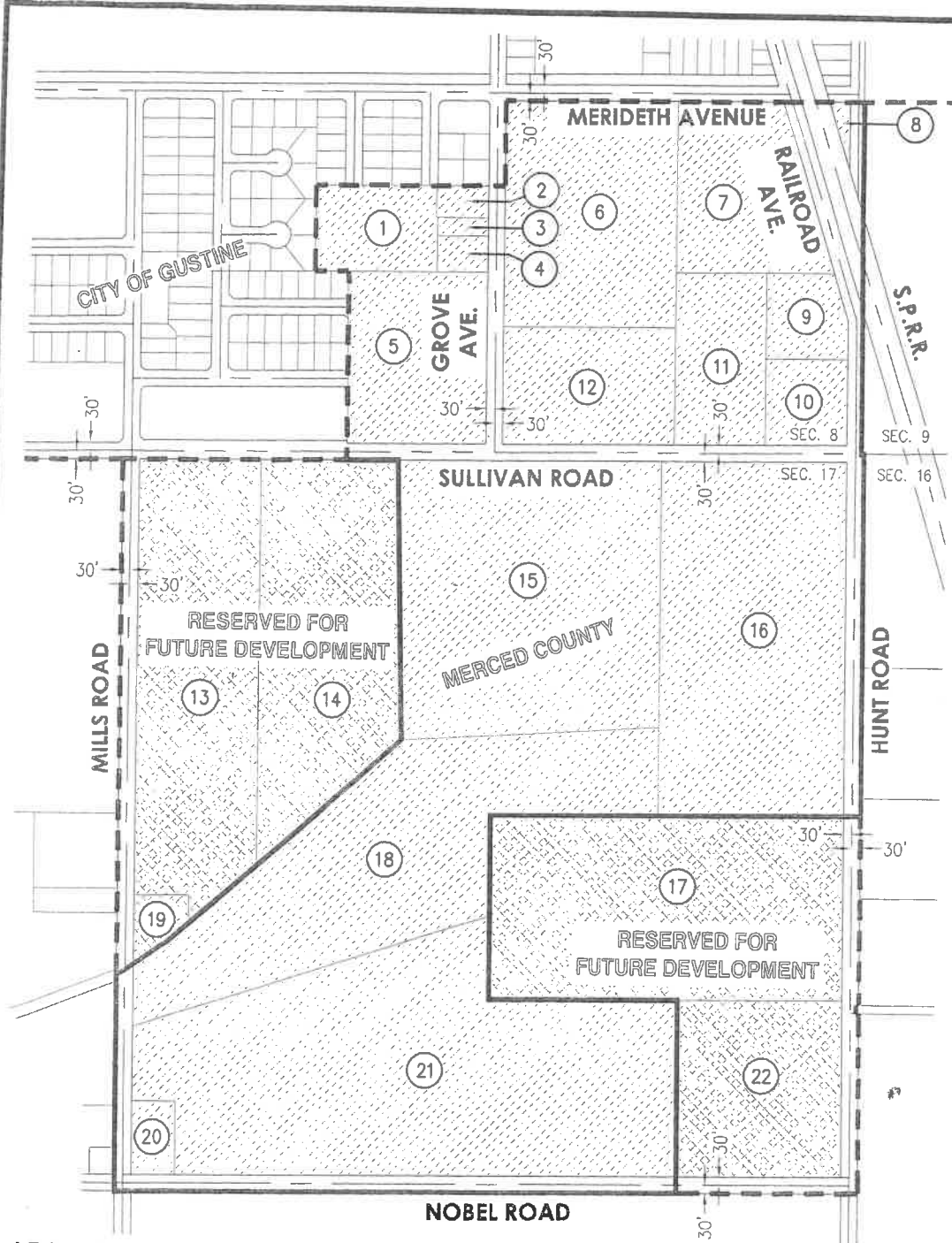
IN WITNESS WHEREOF, I have hereunto set my hand this ____th day of January, 2019.

WILLIAM NICHOLSON, EXECUTIVE OFFICER, LOCAL
AGENCY FORMATION COMMISSION OF MERCED,
CALIFORNIA

By: _____
William Nicholson, LAFCO Executive Officer

APPROVED AS TO FORM:
LEGAL COUNSEL
LOCAL AGENCY FORMATION COMMISSION
OF MERCED, CALIFORNIA

By: _____
Malathy Subramanian, LAFCO Counsel



#	A.P.N.
1	021-082-009
2	021-082-006
3	021-082-007
4	021-082-008
5	021-110-019
6	021-062-006
7	021-062-001
8	021-063-001
9	021-062-003
10	021-062-004
11	021-062-002
12	021-062-005
13	063-180-018
14	063-180-015
15	063-180-030
16	063-180-031
17	063-180-010
18	063-180-029
19	063-180-019
20	063-180-022
21	063-180-023
22	063-180-011



SCALE: 1" = 600'

LEGEND

- ASSESSORS PARCELS (A.P.N.)
- EXISTING CENTERLINE
- EXISTING SECTION LINE
- EXISTING CITY LIMIT LINE
- PHASE 1 - ANNEXATION BOUNDARY
- PHASE 1 - ANNEXATION AREA
- PHASE 2 - ANNEXATION BOUNDARY
- PHASE 2 - ANNEXATION AREA

PHASE 1 - ANNEXATION AREA: ±153.3 ACRES
PHASE 2 - ANNEXATION AREA: ±65.9 ACRES
TOTAL ANNEXATION AREA: ±219.2 ACRES

**KATAKIS - SOUTHEAST GUSTINE
REORGANIZATION TO THE
CITY OF GUSTINE**

BEING A PORTION OF THE SOUTHEAST 1/4 OF SECTION 8 AND THE NORTHEAST CORNER OF SECTION 17, TOWNSHIP 8 SOUTH, RANGE 9 EAST, MOUNT DIABLO MERIDIAN

December, 2017 Sheet 1 of 1

GDR ENGINEERING, Inc.
 ENGINEERING/SURVEYING/PLANNING
 3525 MITCHELL ROAD, SUITE G CERES, CA 95307
 TELEPHONE: (209) 538-3360 FAX: (209) 538-7370
 E-MAIL: gdr@gdrinc.com

Katakis – Southeast Gustine Reorganization to the City of Gustine

A portion of Sections 8, 9, 16, 24 and 17, Township 8, South, Range 9 East, Mount Diablo Meridian, situate in the County of Merced, State of California, more particularly described as follows:

Beginning at the southeast corner of the “Voris Annexation No. 2 to the City of Gustine”, said point lying on the south line of Sullivan Road (60 feet wide);

- 1) thence along the existing city limits line as described said Voris Annexation No. 2, North $00^{\circ}48'29''$ West, 690.28 feet to the northeast corner of said Voris Annexation No. 2;
- 2) thence continuing along said city limits line and the north line of said Voris Annexation No. 2, South $89^{\circ}12'10''$ West, 124.88 feet to the southeast corner of the “Meredith Annexation to the City of Gustine”;
- 3) thence continuing along said city limits line and the east line of said Meredith Annexation, North $00^{\circ}47'52''$ West, 315.14 feet to the southwest corner of the “Voris Annexation”;
- 4) thence continuing along said city limits line and the south line of said Voris Annexation, North $89^{\circ}12'15''$ East, 690.00 feet to the east line of Grove Avenue (60 feet wide) and the southeast corner of said Voris Annexation;
- 5) thence continuing along said city limits line and said east line of Grove Avenue, North $00^{\circ}48'16''$ West, 315.13 feet to its intersection with the south line of Meredith Avenue (60 feet wide);
- 6) thence continuing along said city limits line and said south line of Meredith Avenue, North $89^{\circ}12'20''$ East, 1310.04 feet to its intersection with the east line of Hunt Road (50 feet wide), said east line being 20.00 feet east of and parallel with the west line of said Section 9;
- 7) thence leaving said city limits line and running along the east line of said Hunt Road, South $00^{\circ}48'31''$ East, 1290.38 feet to the north line of said Section 16;
- 8) thence along said north line of Section 16, North $89^{\circ}12'00''$ East, 10.00 feet;
- 9) thence continuing along the east line of said Hunt Road (60 feet wide), said east line being 30.00 feet east of and parallel with the west line of said Section 16, South $00^{\circ}48'31''$ East, 1320.34 feet to the easterly prolongation of the south line of Lot 1 of the Map of Miller & Lux Subdivision of Section 17, T. 8 S. R. 9 E. M.D.M. filed in Volume 4 of Official Plats, Page 3, Merced County Records;
- 10) thence along said easterly prolongation and said south line of Lot 1, South $89^{\circ}12'00''$ West, 1350.00 feet to the southwest corner of said Lot 1;

EXHIBIT B

- 11) thence long the east line of Lots 20 and 21, South $00^{\circ}48'31''$ East, 675.63 feet to an angle point in the northerly line of Parcel 2 as shown on the Parcel Map for C. G. Randall filed in Volume 2 of Parcel Maps, Page 4, Merced County Records;
- 12) thence along the northerly line of said Parcel B, North $89^{\circ}11'17''$ East, 691.22 feet to the northeast corner of said Parcel B;
- 13) thence along the east line of said Parcel B and the its southerly prolongation, South $00^{\circ}48'31''$ East, 704.65 feet to the south line of Nobel Road (60 feet wide);
- 14) thence along said south line of Nobel Road, South $89^{\circ}11'17''$ West, 2041.54 feet to the its intersection with the west line of Mills Road (60 feet wide);
- 15) thence along the westerly line of said Mills Road, North $00^{\circ}48'32''$ West, 788.03 feet to the southwesterly prolongation of the northwesterly line of Parcel Two as conveyed to Ronald B. Katakis by Grant Deed recorded as Document No. 2011-015257, Merced County Records;
- 16) thence along said southwesterly prolongation and said northwesterly line of Parcel Two, North $55^{\circ}40'00''$ East, 220.60 feet;
- 17) thence continuing along the northwesterly line of said Katakis property, North $47^{\circ}50'00''$ East, 1122.80 feet to the southwest corner of Parcel One as described in said Grant Deed;
- 18) thence along the west line of said Parcel One, North $02^{\circ}08'00''$ West, 1019.25 feet to south line of said Sullivan Road (60 feet wide);
- 19) thence along said south line, South $89^{\circ}12'00''$ West, 188.03 feet to the point of beginning.

Contains 153.3 acres, more or less.

The real land described has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

DRAFT

Sean Harp, L.S. 7823

Date