

Attachment 'A'

RESOLUTION NO. 25-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN, CALIFORNIA,
APPROVING FINAL MAP, SUBDIVISION AGREEMENT, RIGHT-TO-FARM COVENANT,
LANDSCAPE AND LIGHTING DISTRICT COVENANT, TEMPORARY STORM DRAINAGE BASIN
COVENANT AND ACCEPTING DEDICATION OF RIGHT-OF-WAY FOR PUBLIC STREET AND
UTILITY PURPOSES FOR TRACT NO. 6430**

WHEREAS, Tentative Subdivision Map No. 2023-01, was approved by the Planning Commission on July 15, 2024, and the City Council on September 25, 2024; and

WHEREAS, WFK Holdings, LLC ("Owner") has submitted an application for a Final Map for Tract No. 6430; and

WHEREAS, all the certificates which appear on the map (except the approval certificate of the City Council of the City of Kerman and the recording certificate of the Recorder of the County of Fresno) have been signed and acknowledged; and

WHEREAS, the City Council has considered the application for Final Map for Tract No. 6430 under the Subdivision Map Act, Subdivision Ordinance of the City of Kerman, and proofs and evidence offered including the recommendations of the City Engineer, the City Surveyor, the Community Development Director, and the City Planning Commission; and

WHEREAS, the City Council has found that the proposed subdivision together with provisions for its design and improvement, is consistent with the General Plan of the City of Kerman and that none of the grounds for denial set forth in subdivisions (a) through (g) of Section 66474 of the Government Code exist with respect to said subdivision; and

WHEREAS, Owner whose signatures appear on the map have offered for dedication certain streets and public utility easements as shown and delineated on said map; and

WHEREAS, a Subdivision Agreement is necessary for assurance of improvements construction completion and collection of applicable development impact fees; and

WHEREAS, a Right-to-Farm covenant is necessary for assurance development use and maintenance does not adversely affect adjoining properties and serving as disclosure to future buyers of inconveniences and discomforts resulting from normal farming activities affecting properties adjoining the development; and

WHEREAS, a landscaping and lighting district (LLD) covenant is necessary for annexing the development into LLD No. 1 and carrying with it requirements of the annexation process and serving as disclosure future buyers of said requirements; and

WHEREAS, a temporary storm drainage covenant is necessary for imposing requirements onto the covenantors for maintenance and future abandonment of said basin; and

WHEREAS, acceptance of Lum Family Enterprises right-of-way dedication over a portion of APN 020-160-18S is necessary for construction and future maintenance of California Avenue improvements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN RESOLVES AS FOLLOWS:

1. The Council finds that the map is in substantial compliance with said tentative map, any deviations therefrom being deemed to be approved by the Council.
2. The Final Map for Tract No. 6430, consisting of nine (9) sheets, a copy of which is on file with the City Clerk, is hereby approved and the City Clerk is authorized and directed to provide for the recording of said Final Map subject to requirements set forth in the Subdivision Agreement for Final Map of Tract 6430 ("Subdivision Agreement").
3. The offers of dedication of easements for public use made on the Final Map for Tract No. 6430 are hereby accepted on behalf of the public unless it is stated on the Final Map that said dedications are subject to acceptance of Owner installed public improvements, subject to complete compliance with Government Code Sections 66492 and 66493 of the Subdivision Map Act prior to release of the map for recordation.
4. The Subdivision Agreement between the City of Kerman and WFK Holdings, LLC , and The Boyd Trust dated December 23, 1999, a copy of which is attached hereto as **Exhibit '1'**, is hereby approved and the Mayor is authorized to sign said Agreement. As to the Impact Fees referenced in the Subdivision Agreement as **Exhibit 'B'** thereof, TSM 2023-01 was approved as a Tentative Subdivision Map and not as a Vesting Map. For that reason, the fees to be paid will be those in effect at the time of collection.
5. The Right-to-Farm covenant between the City of Kerman and WFK Holdings, LLC and The Boyd Trust dated December 23, 1999,, a copy of which is attached hereto as **Exhibit '2'**, is hereby approved and the City Manager is authorized to sign said Agreement.
6. The landscaping and lighting district covenant between the City of Kerman and WFK Holdings, LLC and The Boyd Trust dated December 23, 1999,, a copy of which is attached hereto as **Exhibit '3'**, is hereby approved and the City Manager is authorized to sign said Agreement.
7. The temporary storm drainage covenant between the City of Kerman and WFK Holdings, LLC , The Boyd Trust dated December 23, 1999,and Lum Family Enterprises, a copy of which is attached hereto as **Exhibit '4'**, is hereby approved and the Mayor is authorized to sign said Agreement.

8. The Lum Family Enterprises' offers of dedication of easements for public use, made by separate instrument, a copy of which is attached hereto as **Exhibit '5'**, is hereby accepted on behalf of the public.

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Kerman held on the 13th day of August, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk