

RESOLUTION NO. 25-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN,
CALIFORNIA CONFIRMING AND ORDERING TRACT 6430 ANNEXATION INTO LANDSCAPING
AND LIGHTING DISTRICT NO. 1, AREA 16, AND ESTABLISHING A LEVY OF ASSESSMENTS FOR
THE ANNEXED TERRITORY**

WHEREAS, the Landscaping and Lighting Act of 1972 ("Act") provides and establishes procedures for annexing properties to an existing Landscaping and Lighting Assessment District; and

WHEREAS, on September 7, 1993 the Kerman City Council established the "Kerman Landscape and Lighting District No. 1" ("LLD No. 1") to levy and collect assessments to cover the cost of maintaining landscaping, irrigation systems and streetlights within the LLD No. 1 public right-of-way; and

WHEREAS, the City Council has determined that, to finance the installation, operation of landscaping, irrigation and lighting improvements which benefit the aforementioned tract and public lands, it should be annexed into the District; and

WHEREAS, not only will annexing this new development into the existing district ensure that all benefitting parcels share equally in the costs to maintain the improvements, but consolidating the benefitting developments into a single assessment district will facilitate their management by the City; and

WHEREAS, the proceedings for the annexation of the aforementioned tract and public lands to the District are authorized by and are conducted pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the California Streets and Highways Code; and

WHEREAS, pursuant to Streets and Highways Code section 22608, resolutions, reports, notices of hearing, and the right of majority protest may be waived with the written consent of all landowners of the territory to be annexed; and

WHEREAS, WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999, are the landowners of the property proposed for annexation and generally located at the southeast corner of the California and Modoc Avenues alignments intersection, and which is also known as Tract 6430 whose final map will be considered by the City Council as future separate item, as further described or depicted on **Exhibit 'A'** ("Subject Property"); and

WHEREAS, WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999, have provided a petition for annexation and written consent to waiver of resolutions, reports, notices of hearing, and the right of majority protest regarding the Subject Property, as well as consenting to the amount of the proposed levy for the fiscal year; and

WHEREAS, as a result, no report by the City Engineer is required to be prepared and filed with the City Clerk which outlines the land to be annexed, etc.; and

WHEREAS, on July 9, 2025, the City Council initiated the process for annexation of the Subject Property in Area 16 of LLD No. 1, and set a public hearing for consideration of the same for August 13, 2025; and

WHEREAS, after holding a public hearing, the City Council now desires to annex the territory of the landowner to existing LLD No. 1; designate the portion of the annexed territory into Area 16 of LLD No. 1 for the property, and set the levy and collection of assessments against the assessable lots and parcels of land for that portion of territory.

NOW, THEREFORE, the City Council of the City of Kerman resolves as follows:

1. The above recitals are true and correct, and are hereby incorporated herein by this reference.
2. The City Council finds that the hearing on said annexation of territory and levy of assessment was held in accordance with law and all persons desiring to speak were heard, and that there was no majority protest by the property owners of the same.
3. The City Council orders the territory identified in **Exhibit 'A'** annexed into existing assessment district Kerman Landscaping and Lighting District No. 1, Area 16.
4. The hearing on said annual levy of assessment for the District was also held in accordance with law and all persons desiring to speak were heard.
5. The City Council hereby (1) finds that the public interest and convenience requires and (2) declares its intention to order the levy of and to collect assessments against the assessable lots and parcels of property identified on **Exhibit 'A'** within Area 16 of the existing assessment district designated "Kerman Landscaping and Lighting District No. 1" pursuant to the provisions of the Act, for the fiscal year commencing July 1, 2026 and ending June 30, 2027, to pay for the costs and expenses of the improvements for at the assessment rate(s) set forth in **Exhibit 'B'**. Levies may be adjusted annually for inflation by the City Council consistent with the formation documents for Kerman Landscaping and Lighting District No. 1 and the Act.

6. The City Council hereby determines that the territory within Area 16 of the District, whose boundaries are set forth in **Exhibit 'A'**, will be the territory benefited by the and servicing of the improvements.
7. The City Council hereby orders the levy of the assessments described in said **Exhibit 'B'**.
8. The City Council finds that the assessment diagram showing the property annexed into the District, be and it is hereby finally approved and confirmed as the diagram of the properties to be assessed to pay the costs of the improvements for that portion of the District, which are identified in **Exhibit 'C'**.
9. The City Clerk shall file the diagram and assessment, as confirmed or certified copy thereof, with the Fresno County Auditor-Controller as required by law.
10. This Resolution shall be effective on August 13, 2025.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Exhibit 'A'

Boundaries to Kerman Landscaping & Lighting District No. 1, Area 16, City of Kerman, Fresno County, California

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF KERMAN, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

TRACT ONE:

Lot 17 of Block 11 of Fresno Irrigated Farms Co. Tract, in the unincorporated area of the County of Fresno, State of California according to the map thereof recorded June 24, 1912, in Book 8, Page 1 of Record of Surveys, in the office of the County Recorder of said County.

TOGETHER WITH, the Northerly 25.00 feet of that parcel of land granted to the Southern Pacific Railroad Company in the Deed recorded November 16, 1888, in Book 87, Page 157 of Deeds of Fresno County, lying between the West line of the Northeast quarter of Section 14, Township 14 South, Range 17 East, Mount Diablo Base and Meridian according to the Official Plat thereof, and the Southerly extension of the West line of Lot 16 of said Fresno Irrigated Farms Co. Tract, being Parcel 2, in the Deed executed by Union Pacific Railroad Company, a Delaware corporation formerly known as Southern Pacific Transportation Company, a Delaware corporation, to Kenneth R. Boyd and Susan K. Boyd, as Trustees of the Boyd Trust dated December 23, 1999, said Deed recorded November 29, 2004, as Document No. 2004-0265622, of Official Records.

TOGETHER WITH, that portion of West California Avenue, as abandoned by Resolution No. 04-76, recorded July 11, 2006, as Document No. 2006-0144355, of Official Records, which would pass by operation of Law.

ALSO TOGETHER WITH, all that portion of said land conveyed in the Grant Deed recorded June 7, 2024, as Document No. 2024-0050304, of Official Records, the land therein being described as follows:

Being a portion of the Northeast quarter of Section 14, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, in the unincorporated area of the County of Fresno, State of California according to the Official Plat thereof, lying Northerly of the North Right-of-Way line of that certain parcel of land granted to the Southern Pacific Railroad Company by deed recorded November 16, 1888 in Book 87 at Page 157 of Official Records of Fresno County, and being more particularly described as follows:

BEGINNING, at the North quarter corner of said Section 14; Thence, along the North line of the Northeast quarter of said Section 14, North 89°49'20" East, 1319.72 feet to the Southerly extension of the West line of Lot 16 of the Fresno Irrigated Farms Company Tract recorded in Book 8 of Record of Surveys at Page 1, Fresno County Records;

Thence, along said Southerly extension, South 00°45'28" West, 29.70 feet to the North line of said Southern Pacific Railroad Company Right-of-Way, also being the North line of that certain Quitclaim Deed between the Union Pacific Railroad Company and Kenneth R. Boyd as recorded November 29, 2004 as Document No. 2004-0265622 of Official Records of Fresno County; Thence, along the North line of said Southern Pacific Railroad Company Right-of-Way, North 89°59'57" West, 1319.62 feet to the West line of the Northeast quarter of said Section 14; Thence, along said West line of the Northeast quarter of Section 14, North 00°38'13" East, 21.57 to the POINT OF BEGINNING.

EXCEPTING FROM, that portion lying within said Lot 17, all oil, gas and other hydrocarbon substances in and under said premise, TOGETHER WITH, the full right and privilege to the grantor, its successors and assigns, to develop and remove the same, as more particularly described therein and also subject to the terms and conditions set forth therein, all as reserved by G. Kerckhoff Company, a California corporation, in the Deed recorded June 13, 1947, in Volume 2533, Pages 185, 286 & 287 of Official Records, as Document No. 31682.

EXCEPTING FROM, that portion lying within the land conveyed by Union Pacific Railroad Company, a Delaware corporation formerly known as Southern Pacific Transportation Company, a Delaware corporation, in the Deed recorded November 29, 2004, as Document No. 2004-0265622, of Official Records, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered underlying the Property, including, without limiting the generality of the foregoing, oil and gas and rights thereto, TOGETHER WITH, the sole, exclusive and perpetual right to explore for, remove and dispose of said minerals by any means or methods suitable to Grantor, its successors and assigns, but without entering upon or using the surface of the Property, and in such manner as not to damage the surface of the Property, or to interfere with the use thereof by Grantees the heirs, successors or assigns of said Trust. Except as may be otherwise provided in a written assignment or other written agreement between Grantor and Grantees, Grantor reserves all income (including, without limitation, rentals, license fees and royalties from any existing license and other existing rights to use the Property and renewals thereof) granted by Grantor or Grantor's predecessors in interest. Grantees agree that if Grantees receive any such income, Grantees will promptly forward the income to Grantor.

EXCEPTING FROM, those portions lying within the Northeast quarter of said Section 14, less the Southern Pacific Railroad right-of-way, all oil, gas and other hydrocarbon substances in and under said premises, TOGETHER WITH, the full right and privilege to the grantor, its successors and assigns, to develop and remove the same, as set forth in paragraphs (a), (b), (c) and (d), in said Deed, all as reserved by G. Kerckhoff Company, a California corporation, in the Deed recorded January 15, 1945, in Volume 2224, Page 109 of Official Records, as Document No. 2064.

APN: 020-041-45s and 020-041-47s and Portion of APN: 020-160-36s

TRACT TWO:

Lot 18 of Block 11 of Fresno Irrigated Farms Co. Tract, in the unincorporated area of the County of Fresno, State of California according to the map thereof recorded June 24, 1912, in Book 8, Page 1 of Record of Surveys, in the office of the County Recorder of said County.

EXCEPTING THEREFROM, the South 75 feet of the West 100 feet thereof, as described in the Deed recorded November 21, 1951, in Book 3091, Page 43 of Official Records, as Document No. 61176.

ALSO EXCEPTING THEREFROM, all oil, gas and other hydrocarbon substances in and under said premise, TOGETHER WITH, the full right and privilege to the grantor, its successors and assigns, to develop and remove the same, as more particularly described therein and also subject to the terms and conditions set forth therein, all as reserved by G. Kerckhoff Company, a California corporation, in the Deed recorded April 2, 1945, in Volume 2245, Pages 1 & 2 of Official Records, as Document No. 13312

APN: 020-160-36s (portion)

TRACT THREE:

The South 75 feet of the West 100 feet of Lot 18 of Block 11 of Fresno Irrigated Farms Co. Tract, in the unincorporated area of the County of Fresno, State of California according to the map thereof recorded June 24, 1912, in Book 8, Page 1 of Record of Surveys, in the office of the County Recorder of said County, as described in the Deed recorded November 21, 1951, in Book 3091, Page 43 of Official Records, as Document No. 61176.

EXCEPTING THEREFROM, all oil, gas and other hydrocarbon substances in and under said premise, TOGETHER WITH, the full right and privilege to the grantor, its successors and assigns, to develop and remove the same, as more particularly described therein and also subject to the terms and conditions set forth therein, all as reserved by G. Kerckhoff Company, a California corporation, in the Deed recorded April 2, 1945, in Volume 2245, Pages 1 & 2 of Official Records, as Document No. 13312

APN: 020-160-36s (Portion)

The property is subject to a pending map for Tract 6430, whose final map is being considered by the City Council. The boundaries of the annexation shall be comprised of lots 1-119, of the Tract 6430. The boundaries of Tract 6430 are depicted as set forth in Exhibit C.

Exhibit 'B'

<u>Lot</u>	<u>Landowner</u>	<u>Proposed Assessment</u>
1	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
2	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
3	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
4	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
5	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
6	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
7	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
8	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
9	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
10	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
11	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
12	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
13	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
14	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14

<u>Lot</u>	<u>Landowner</u>	<u>Proposed Assessment</u>
15	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
16	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
17	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
18	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
19	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
20	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
21	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
22	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
23	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
24	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
25	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
26	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
27	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
28	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
29	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14

<u>Lot</u>	<u>Landowner</u>	<u>Proposed Assessment</u>
30	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
31	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
32	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
33	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
34	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
35	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
36	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
37	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
38	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
39	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
40	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
41	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
42	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
43	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
44	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14

<u>Lot</u>	<u>Landowner</u>	<u>Proposed Assessment</u>
45	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
46	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
47	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
48	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
49	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
50	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
51	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
52	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
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54	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
55	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
56	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
57	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
58	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
59	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14

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60	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
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89	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14

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90	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
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93	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
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118	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$187.14
119	WFK Holdings, LLC, a California limited liability company and The Boyd Trust dated December 23, 1999	\$5,729.39

