

RESOLUTION NO. 25-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN,
CALIFORNIA INITIATING PROCEEDINGS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT
OF 1972 FOR THE ANNEXATION OF TRACT 6447 INTO LANDSCAPING AND LIGHTING DISTRICT
NO. 1, AREA 15, TO REVIEW THE IMPROVEMENTS AND ESTABLISH ASSESSMENTS AND TO SET
A PUBLIC HEARING.**

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, and maintenance 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 will be 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, Joseph Crown Construction and Development, Inc., is the landowner of the property proposed for annexation and generally located on the northside of Kearney Boulevard approximately 1,000 west of Siskiyou Avenue, and which is also known as Tract 6447 whose final map is being concurrently considered by the City Council, as further described or depicted on **Exhibit 'A'** ("Subject Property"); and

WHEREAS, Joseph Crown Construction and Development, Inc., has 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 2025-26 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, this City Council now desires to proceed to adopt this Resolution of Intention to declare its intent to annex the Subject Property into LLD No. 1, and to set and specify the levy and collection of assessments, and to set a time and place for a public hearing relating to the annexation of the subject property into LLD No. 1, Area 15.

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

1. The City Council proposes to annex the property into Area 15 of Kerman Landscaping And Lighting District No. 1 pursuant to the Landscaping and Lighting Act of 1972 (Section 22500 and following, Streets and Highways Code). The property proposed to be annexed is identified on **Exhibit 'A'**.
2. The property proposed to be annexed and to be specifically charged for the improvements shall include all of the land identified on **Exhibits 'A' and 'B'** (excluding Outlot "A" of Tract 6447) and shall be designated "Kerman Landscaping & Lighting District No. 1, Area 15."
3. The improvements which are provided for the properties within Kerman Landscaping & Lighting District No. 1, and which shall be provided for the property within Kerman Landscaping & Lighting District No. 1, Area 15, and through the assessments levied annually thereon shall include the following:
 - (a) The installation or planting of landscaping, including, but not limited to, street trees, parkways, and median islands;
 - (b) The installation or construction of irrigation systems;
 - (c) The installation or construction of public lighting, facilities, including, but not limited to, street lights;
 - (d) The maintenance and servicing of any of the foregoing.
4. The City Engineer of the City of Kerman is hereby designated the engineer for the annexation proceedings. The City Council finds that the landowner has presented a written consent, and that the engineer is not required to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972 for the annexation proceedings, consistent with the Landscaping and Lighting Act of 1972.
5. NOTICE IS HEREBY GIVEN that a public hearing is set for the regular meeting of the City Council on June 25, 2025, at 6:00 p.m., in the Council Chamber of City Hall, 850

S. Madera Avenue, Kerman, California 93630, All interested persons shall be heard on the question of the levy and collection of the proposed assessments. Written protests may be filed with the City Clerk at any time prior to the conclusion of the hearing. A written protest shall state all grounds of objection and shall contain a description sufficient to identify the property owned by the protesting person or persons.

6. This resolution shall be effective upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on June 11, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Exhibit 'A'

Proposed Boundaries to Kerman Landscaping & Lighting District No. 1, Area 15, 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:

Lots 5, 6, 7, 8, and the East Quarter of Lots 25, 26, 27, and 28 of the Fresno Irrigated Farms Company Tract, recorded in Book 8, Page 1 of Record of Surveys, Fresno County Records, also being within the Northeast Quarter of Section 11, Township 14 South, Range 17 East, Mount Diablo Base and Meridian:

Excepting therefrom that portion lying east of the following described line:

COMMENCING at the East Quarter corner of said Section 11; thence South $89^{\circ}52'32''$ West, along the South line of said Northeast Quarter, a distance of 660.73 feet; thence North $0^{\circ}07'28''$ West, a distance of 20.00 feet to the South line of said Lot 8 and the Point of Beginning; thence continuing North $0^{\circ}07'28''$ West, a distance of 1299.53 feet to a point on the North line of said Lot 5 said point being 680.22 feet westerly along said North line and prolongation thereof from the East line of said Northeast Quarter of Section 11, and also being the Point of Termination.

The property is subject to a pending map for Tract 6447, whose final map is being considered by the City Council. The boundaries of the annexation shall be comprised of lots 1-163, of the Tract 6447, and shall not include Outlot A. The boundaries of Tract 6447 are depicted as follows:

FINAL MAP OF
TRACT NO. 6447

IN THE CITY OF Kerman, COUNTY OF FRESNO, STATE OF CALIFORNIA
SURVEYED AND PLATTED IN JANUARY 2023, BY LANDDESIGN CONSULTING
CONSISTING OF FOUR SHEETS
SHEET TWO OF FOUR SHEETS

PARCELS SHOWN AS PER MAP OF THE SURROUNDING OF SECTION 22 AND 11 AND PARTS OF SECTION 14 AND 11, T.14N., R.17E., N.W.1/4, MAP OF TOWNSHIP 14 NORTH AND RANGE 17 EAST, COUNTY OF SURETTE, S.D. OF RECORDS OF SURVEYS NO. 1 P.F.A.

TOWNSHIP 14 NORTH AND RANGE 17 EAST, COUNTY OF SURETTE, S.D. OF RECORDS OF SURVEYS NO. 1 P.F.A.

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