

**CERTIFICATE OF FILING**

(Government Code 56658 (g)) (Cortese-Knox-Hertzberg Reorganization Act of 2000)

I, JURG HEUBERGER, C.E.P., as the Executive Officer to the Local Agency Formation Commission of the County of Imperial (LAFCO), do hereby certify that:

1. The APPLICATION referenced and described below has been submitted to me and has been found to be in the form prescribed by the Local Agency Formation Commission of Imperial County, and in substantial conformity with the Act.
2. The APPLICATION contains the information and the data and signatures as required by this Commission and applicable provisions of State law and has been accepted for filing.

EFFECTIVE DATE: **January 15, 2008**

APPLICATION TITLE: **LAFCO File No. BR 1-08  
(Rancho-Porter)**

APPLICANT(S): **Development Design & Engineering  
(by Petition)**

LEGAL DESCRIPTION: **(see map and legal description  
attached hereto & on file by LAFCO)  
(APN 049-270-51-000, 049-270-052-000, 049-270-  
050-000, 047-100-003-000, 047-100-004-000, 049-  
270-005-000 et al; see map and legal on file with  
LAFCO)**

GENERAL LOCATION: **PROJECT is located on the Southeast Corner of  
Best Road and Main Street.**

DATE OF HEARING **Tentative date is unknown-dependant on City land  
use time**  
[NOTE: Hearing date is tentative and may vary!]

AFFECTED AGENCIES: **(see listing at the end of notice)**

CEQA LEAD AGENCY: **The City of Brawley and LAFCO are Co-Lead  
agency for CEQA!**

This certificate of filing is issued pursuant to Section 56658 of the Government Code, State of California. All time requirements and limitations for processing and consideration of this application specified by State law and/or rules and the regulations of the Imperial County Local Agency Formation Commission shall become effective on the date of issuance of this certificate.

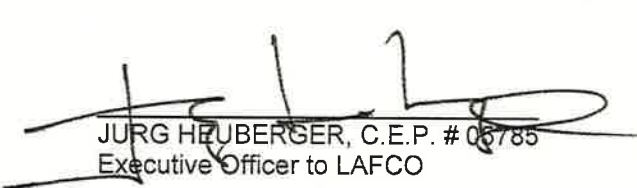
NOTICE TO READER & EACH SUBJECT AGENCY & RESPONSIBLE AGENCY

Under the provisions of the CORTESE-KNOX-HERTZBERG REORGANIZATION ACT OF 2000 (Gov. Code 56000 et. seq.) you have certain responsibilities as well as opportunities to respond to this application. You must respond to the Executive Officer in a timely manner in order for your concerns or comments to be addressed!

**SPECIAL NOTE:**

*This application was received by LAFCO on January 11, 2008. It was deemed incomplete due to the fact that the City of Brawley had not yet prepared the Land Use and Environmental reviews. The LAFCO according to policy and in an effort to allow for a project to be on "parallel" track "conditionally" accepted the application.*

*LAFCO has now been informed that the project is being reviewed by the City of Brawley with the first hearing is unknown dependant on City land use time for a determination on the CEQA issues. Therefore to commence the completion of the LAFCO process, this certificate of filing is issued pursuant to the express understanding that if the City of Brawley does not complete the processing on the Land Use and Environmental side of the project, the tentative hearing may be continued.*

  
JURG HEUBERGER, C.E.P. # 06785  
Executive Officer to LAFCO

**Notification listing!**

County Planning Commission	[with copies]
Clerk of the Board of Supervisors	[with copies]
Clerk of IID Board of Directors	[with copies]
City of Brawley City Clerk	[with copies]
City of Brawley City Manager	
City of Brawley Planning Director	
City of Brawley Public Works Director	
County Sheriff Department	
County Administrative Officer, Robertta Burns	
County Counsel, Mr. Ralph Cordova	
County Counsel Assistant, Ms. Joanne L. Yeager	
County Public Works, Mr. Bill Brunett	
Assessor's Office, Mr. Jose Rodriguez	
Auditor's Office, Mr. Doug Newland	
IID General Manager, Jesse Silva	
California Highway Patrol Office	
Calif. Dept. of Transportation (CALTRANS)	
Superintendent of Schools, County (ICOE)	
Pacific Bell Co.	
Southern California Gas Company	
Assistant County Planning Development Services Director, Mr. Darrell Gardner	
LAFCO FILE # BR1-08	
Applicant	

Jh/ca/G:/LAFCO/Brawley/BR1-08/BR1-08 COF

# NOTICE OF FILING AND TRACKING FORM

## STEPS FOR LAFCO PROJECTS

### LAFCO ANNEXATION (S)

DEPARTMENTAL USE ONLY

DATE: January 15, 2008 CITY: Brawley ANNEXATION #: BR1-08

1.        Resolution of applicant by affected local agency  
or  
  X   Petition with acquired signatures of landowners or  
Registered voters.
2. APPLICATION RECEIVED BY LAFCO ON: 01/11/08
3. THE LAFCO EXECUTIVE OFFICER herewith provides "Notice of Filing" to ASSESSOR, AUDITOR, CEO, and issues a "CERTIFICATE OF FILING" to APPLICANT and other parties of interest, dated 01/15/08
4. ASSESSOR:
- Within 20 days of the above notice of filing date, (step 3), provides report to Auditor which identifies assessed valuation for territory subject to jurisdictional changes and tax rate area(s).
- DUE TO AUDITORS OFFICE BY: 02/04/08
5. AUDITOR:
- A: Estimates amounts if property tax revenue generated in territory subject to jurisdictional changes during the current fiscal year.
- B: Estimates proportion of Property tax revenue.
- C: Within 40 days of the above notice filing (step 3), Auditor notifies governing body of each service area is altered, of the amount of property tax revenue estimated, and the exchange pursuant to the master agreement of subject to a negotiated exchange.
- DUE TO SUPERVISOR & CITY BY: 03/14/08
6. Each governing body transmits within thirty (30) days of receipt of notification from Auditor, (step 5) a resolution of acceptance of the exchange of property tax revenue to the LAFCO Executive officer.
- DUE TO LAFCO EXECUTIVE OFFICER BY: 04/14/08
7. Tentative Notice of LAFCO Hearing given by LAFCO EXECUTIVE OFFICER: 05/22/08
8. After the LAFCO public hearing is held the decision is final.

Copy to:   X   Assessor   X   Auditor   X   CEO   X   PW   X   County Counsel   X   Applicant   X   Other   X

# LAFCO APPLICATION

Petition for proceedings pursuant to  
"The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000"

*The undersigned hereby petition(s) the Local Agency Formation Commission of Imperial County  
for approval of a proposed change of organization or reorganization, and stipulate(s) as follows:*

Applicant's Name Development Design and Engineering, Inc.		
Site Address SE Corner Best Road and Main Street	Telephone Number 760-353-8110	
City Brawley	State CA	Zip Code 92227
Name of proposal Rancho-Porter		
1	This proposal is made pursuant to California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).	
2	The specific change(s) of organization proposed is/are:  <input checked="" type="checkbox"/> Annexation <input type="checkbox"/> Sphere of Influence <input type="checkbox"/> Other  <input type="checkbox"/> Detachment <input type="checkbox"/> Consolidation  <input type="checkbox"/> Incorporation <input type="checkbox"/> Formation of _____	
3	The boundaries of the territory(ies) included in the proposal are as described in Exhibit(s) attached hereto and by this reference incorporated herein, <u>Rancho-Porter</u> .	
4	The territory(ies) included in the proposal is/are:  <input type="checkbox"/> inhabited (12 or more registered voters reside) <input checked="" type="checkbox"/> uninhabited.	
5	Is this proposal consistent with the sphere of influence of the affected city and/or district(s)  <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

RECEIVED

JAN 11 2008

IMPERIAL COUNTY  
LOCAL AGENCY FORMATION COMMISSION

LOCAL AGENCY FORMATION COMMISSION  
509 SOUTH 8<sup>TH</sup> STREET EL CENTRO-CA.-92243  
EXECUTIVE OFFICER -JURG HEUBERGER

(IMPERIAL COUNTY)  
(760) 353-4115 Phone

(LAFCO)  
(760) 353-4132 Fax

6	<p>The reason(s) for the proposed <u>Annexation</u> (annexation, detachment, reorganization, etc.) is/are: (Describe in detail - use attached sheet if necessary.)</p> <p><u>To give the development planned for the project site access to City of Brawley services.</u></p>
7	<p>The proposed <u>Annexation</u> is requested to be made subject to the following terms and conditions:</p> <p><u>None</u></p>
8	<p>The person(s) signing this petition have signed as <input type="checkbox"/> registered voters or <input checked="" type="checkbox"/> owners of land (check only one).</p>
9	<p>Would this proposal create an island of unincorporated territory?</p> <p><input type="checkbox"/> YES      <input checked="" type="checkbox"/> NO</p> <p>If YES, please explain.</p>
10	<p>If the formation of a new district(s) is included in the proposal:</p> <p>(a) The principal act(s) under which said district(s) is/are proposed to be formed is/are:  <u>New districts are not proposed for this project at this time.</u></p> <p>(b) The proposed name(s) of the new district(s) is/are:  <u>New districts are not proposed for this project at this time.</u></p> <p>(c) The boundaries of the proposed new district(s) are as described in Exhibits _____, heretofore incorporated herein.</p>

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11	<p>Is there a good likelihood of a significant increase in population in the subject area within the next ten years?</p> <p> <input type="checkbox"/> YES    <input checked="" type="checkbox"/> NO    In unincorporated areas?  <input checked="" type="checkbox"/> YES    <input type="checkbox"/> NO    In incorporated areas? </p>
12	<p>How many parcels are included in the proposal? <u>4</u> List all Assessors' Parcel Numbers in subject territory. <u>049-270-051, 049-270-052, 049-270-050, 047-100-003, 047-100-004, 049-270-005</u></p>
13	<p>Does the application contain 100% written consent of each property owner in the subject territory?    <input checked="" type="checkbox"/> YES    <input type="checkbox"/> NO</p>
14	<p>Total land area:                      (Acres) <u>[Net] 210.43 acres</u>                      <u>[Gross] 202 acres</u></p>
15	<p>What is the planned General Plan designation of the area by the affected city?  <u>Low Density Residential, Medium Density Residential Commercial and Open Space</u>  _____  _____  _____</p>
16	<p>Describe any special land use concerns expressed in the above plans.  <u>No special concerns known.</u>  _____  _____  _____</p>
17	<p>Specify any and all existing land use(s). <u>Agriculture</u>  _____</p> <p>What is the proposed land use(s)? <u>Low Density Residential, Commercial, Mixed Use, Medium Density Residential &amp; Open Space</u>  (Describe your project in detail) _____  <u>The project area will be subdivided and developed into single family residential, multi-family residential, open space/parks, commercial and mixed use. See attached project profile for additional information.</u>  _____</p>

**LOCAL AGENCY FORMATION COMMISSION**  
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18	<p>What is the existing County zoning? <u>A2U</u></p> <p>What is the proposed County zoning? <u>Property will be annexed - no proposed County zoning.</u></p>										
19	<p>Has or is the area been/being pre-zoned? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>What is the pre-zoning classification? _____</p> <p>What date was this pre-zoned? _____</p>										
20	<p>Will the annexed territory be liable for its share of existing bonded indebtedness?</p> <p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>										
21	<p>Will the annexed territory be included within any particular Tax Division or Zone of the annexing territory? Please specify.</p> <p><u>No</u></p> <p>_____</p>										
22	<p>If an incorporation is included in the proposal:</p> <p>(a) The name proposed for the new city is: _____</p> <p>(b) Provisions are requested for appointment of:</p> <table border="0"> <tr> <td>(i) city manager</td> <td><input type="checkbox"/></td> <td>YES</td> <td><input type="checkbox"/></td> <td>NO</td> </tr> <tr> <td>(ii) the city clerk and city treasurer</td> <td><input type="checkbox"/></td> <td>YES</td> <td><input type="checkbox"/></td> <td>NO</td> </tr> </table>	(i) city manager	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	(ii) the city clerk and city treasurer	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
(i) city manager	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO							
(ii) the city clerk and city treasurer	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO							
23	<p>If the proposal includes the consolidation of special districts, the proposed name of the consolidated district is <u>None</u></p> <p>_____</p> <p>_____</p>										

**NOTICE:**

Prior to the effective date of any jurisdictional change (i.e. annexation, detachment, etc.) the governing bodies of all agencies whose service areas or service responsibilities would be altered by such change shall meet to determine the amount of property tax revenues to be exchanged between and among such affected agencies. Notwithstanding any other provisions of law, no such jurisdictional change shall become effective until each county and city included in such negotiation agrees, BY RESOLUTION, to accept the negotiated exchange of property tax revenues.

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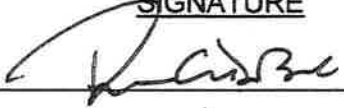
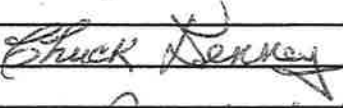
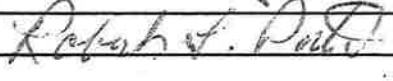
**NOTE:** The resolutions referred to above shall be attached to this application prior to filing with the Local Agency Formation Commission. The Executive Officer of the Local Agency Formation Commission shall not issue a Certificate of Completion of Filing (COF) until such resolution is filed with LAFCO.

Please complete the names and addresses of persons who are furnished copies of the Agenda and Executive Officer's Report and who are to be given mailed notices of the hearing of this proposal.

<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
Development Design and Eng.	State Street, Suite D, El Centro, CA 92243	760-353-8110
Chuck Denney, DCD	2460 Viejo Lane, Lake Havasu, AZ 86406	928-486-7778
Porter Farms C/o Professional HOA Consultants	8181 Mission Gorge Rd Ste. E San Diego, CA 92120	

Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq. of the Government Code and herewith affix signature(s) as follows:

Chief Petitioners (not to exceed three):

<u>DATE</u>	<u>PRINTED NAME</u>	<u>SIGNATURE</u>	<u>RESIDENCE ADDRESS</u>
03/20/07	Tom DuBose, DDE, Inc.		1122 State Street Ste. D, El Centro, CA
03/20/07	Chuck Denny, DCD		2460 Viejo LN Lake Havasu, AZ 86406
03/20/07	Robert Porter, Porter Farms		Brawley, CA

JH/rs/G:/LAFCO/LAFCO PETITION AND FORMS/LAFCO APPLICATION

ANNEXATION NO. BR1-08  
TO  
THE CITY OF BRAWLEY, CALIFORNIA

**LEGAL DESCRIPTION:**

THAT PORTION OF TRACT 44, T.13 S., R.14 E., S.B.M., AND PORTION OF TRACT 122, T.14 S., R. 14 E., S.B.M., IN THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT 122, SAID NORTHWEST CORNER ALSO BEING THE POINT ON THE EAST LINE OF THE EXISTING CITY LIMITS TO THE CITY OF BRAWLEY AS PER ANNEXATION NO. 67 TO THE CITY OF BRAWLEY, THIS POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 00°21'40" WEST, ALONG SAID CITY LIMITS AS PER ANNEXATION NO. 67, A DISTANCE OF 2815.87 FEET TO A POINT ON A LINE LYING PARALLEL WITH AND 50 FEET SOUTH OF SOUTH LINE OF NORTH HALF OF TRACT 44, LAST SAID POINT ALSO BEING A POINT ON THE SOUTH LINE OF THE EXISTING CITY LIMITS TO THE CITY OF BRAWLEY AS PER ANNEXATION NO. 2-95; THENCE NORTH 89°34'16" EAST, ALONG LAST SAID PARALLEL LINE AND SAID CITY LIMITS AS PER ANNEXATION NO. 2-95, A DISTANCE OF 2638.01 FEET TO A POINT ON THE EAST LINE OF SAID TRACT 44 AND THE SOUTHEAST CORNER OF ANNEXATION NO. 2-95 BOUNDARY; THENCE SOUTH 00°16'50" EAST, ALONG THE EAST LINE OF TRACT 44, A DISTANCE OF 2819.07 FEET TO THE NORTHEAST CORNER OF TRACT 122; THENCE SOUTH 00°31'57" EAST, ALONG THE EAST LINE OF TRACT 122, A DISTANCE OF 2649.72 FEET TO THE SOUTHEAST CORNER OF NORTH HALF OF TRACT 122; THENCE SOUTH 00°31'57" EAST, ALONG THE EAST LINE OF TRACT 122, A DISTANCE OF 1324.86 FEET TO THE SOUTHEAST CORNER OF NORTH HALF OF SOUTH HALF OF TRACT 122; THENCE SOUTH 89°36'48" WEST, ALONG THE SOUTH LINE OF NORTH HALF OF SOUTH HALF OF TRACT 122, A DISTANCE OF 2641.97 FEET TO THE SOUTHWEST CORNER OF NORTH HALF OF SOUTH HALF OF TRACT 122, LAST SAID SOUTHWEST CORNER ALSO BEING A POINT ON THE EAST LINE OF THE EXISTING CITY LIMITS TO THE CITY OF BRAWLEY AS PER ANNEXATION NO. BR 1-05 TO THE CITY OF BRAWLEY; THENCE NORTH 00°25'06" WEST, ALONG THE EAST LINE OF THE EXISTING CITY LIMITS AS PER ANNEXATION NO. BR 1-05, A DISTANCE OF 1325.34 FEET TO THE SOUTHWEST CORNER OF NORTH HALF OF TRACT 122, LAST SAID SOUTHWEST CORNER ALSO BEING A POINT ON THE EAST LINE OF THE EXISTING CITY LIMITS TO THE CITY OF BRAWLEY AS PER ANNEXATION NO. 1-03; THENCE NORTH 89°37'26" EAST, ALONG THE SOUTH LINE OF NORTH HALF OF TRACT 122, A DISTANCE OF 60 FEET TO A POINT ON A LINE LYING PARALLEL WITH AND 60 FEET EAST OF THE EAST LINE OF SAID NORTH HALF OF TRACT 122; THENCE NORTH 00°25'06" WEST, ALONG SAID CITY LIMITS AS PER ANNEXATION NO. 1-03, A DISTANCE OF 2650.66 FEET TO A POINT ON THE SOUTH LINE OF SOUTH HALF OF TRACT 44; THENCE SOUTH 89°38'42" WEST, ALONG THE SOUTH LINE OF SOUTH HALF OF TRACT 44, A DISTANCE OF 60 FEET TO THE TRUE POINT OF BEGINNING.

SAID AREA CONTAINING 407.59 ACRES MORE OR LESS.



11-07-2007