# **EXHIBIT B**

# NOTICE OF FILING AND TRACKING FORM STEPS FOR LAFCO PROJECTS

## LAFCO ANNEXATION (S)

DEPARTMENTAL USE ONLY

Date	Septe	mber 21, 2016 City	Imperial	Annexation #: IM 3-15	Justo Felix
1.		Resolution of Applicar	nt by affected local age	ncy	
	×	Petition with acquired	I signatures of landown	ers or registered voters	
2.	APPLI	CATION RECEIVED BY	LAFCO ON		10/13/15
3.	THE AUDIT dated				Filing" to ASSESSO ad other parties of intere 09/21/16
4.	ASSES	SOR			
				g date. (step 3), providual changes an	des report to Auditor with distance to tax rate area(s).
	DUE '	O AUDITORS OFFIC	E BY:		10/11/16
5.	AUDIT	OR:			
	A:	Estimates amounts is changes during the cu		e generated in territor	y subject to jurisdiction
	В:	Estimates proportion	of Property tax revenue		
	C.	each service area is	altered, of the amo		notifies governing body venue estimated, and t ed exchange.
	DUE 1	O SUPERVISOR & C	ITY BY:		10/31/16
6.				rys of receipt of notifical rry tax revenue to the LA	tion from Auditor, (step AFCO Executive officer.
	DUE T	O LAFCO EXECUTIVE	FOFFICER BY:		11/30/16
7	Tentat	ye Notice of LAFCO He	earing given by LAFCO	EXECUTIVE OFFICER:	12/22/16
8	After t	ne LAFCO public hearin	g is held the decision is	s final.	
Cook tri	☑ Acc	ISSUE M Auditor M CEO M	DW N County Counce N	Applicant [7] Other	

## 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:

September 21, 2016

APPLICATION TITLE:

LAFCO File No. IM 3-15 (Justo Felix)

APPLICANT(S):

Justo Felix

LEGAL DESCRIPTION:

(See map and legal description attached hereto) (APN 044-200-077, 044-200-079, 044-200-081)

GENERAL LOCATION:

Project is located west of Clark Road ("P" Street) north of Aten

Road

DATE OF HEARING:

Tentative date is December 22, 2016

[NOTE: Hearing date is tentative and may vary.]

AFFECTED AGENCIES:

(See listing at the end of notice)

CEQA LEAD AGENCY:

The City of Imperial 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 October 12, 2015. It was deemed incomplete due to the fact that the City of Imperial 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 Imperial. 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 Imperial 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. # 05785 Executive Officer to LAFCO

#### **Notification listing:**

County Planning Commission Clerk of the Board of Supervisors (with copies) Clerk of IID Board of Directors with copies City of Imperial City Clerk **[with copies**] Auditor's Office, Daug Newland (with copies) Assessor's Office, Mr. Robert Menvielelwith copies! City of Imperial City Manager City of Imperial Planning Director City of Imperial Public Works Director ID General Manager California Highway Patrol Office Calif Dept of Transportation (CALTRANS) Superintendent of ICOE Southern California Gas Company County Sheriff Department, Ray Loera County Executive Officer, Ralph Cordova County Counsel, Katherine Tumer County Public Works, Bir Brunet County Planning Director J. Minnick LAFCO file IM 3-15 Applicant, Justo Felix

SILAFCONMPERIALNM 3-15 Justo Felix ANNEXATIONNIN 3-15 Justo Felix COF doc



## RECEIVED

OCT 13 2015

# APPLICATION

Imperial County
LOCALAGENCY FORMATION COMMISSION

### 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, and stipulate(s) as follows:

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3	THE PROPOSED EXHIBIT(S) A (T)	N DEBOUNDARIES OF THE NOTICE HERETO AND BY T	TERRITOR TIS REFERI	LY(IIS) INCI ENCE INCO	LIDED IN THE PRO RPORAL D FUREIN	OPŌSA! ARE	AS DESCRIBED IN THE	
	8	YES, BOUNDARY EXHIB	TTS ARE AT	TPACHED				

4	PLEASE LIST ANY OTHER DOCTIMENTS BEING SUBMITTED WITH THE APPLICATION (EXCEPT THOSE ALREADY REQUIRED BY LAPCO)
5	THE TERRITORY(IES) INCLUIDED IN THE PROPOSAL IS/ARE.  UNINHABITED INHABITED IIZ OR VORE REGISTERED VOTERS
6	CURRENTLY, THE TERRITORYCES INC. LIDED IN THE PROPOSAL IS/ARE.  DEVELOPED UNDEVELOPED
7	IS THIS PROPOSAL CONSISTENT WITH THE SPHERE OF INFLUENCE YES NO NO
8	PLEASE DESCRIBE IN DETAIL, THE REASONS FOR THE PROPOSED CHANGE OF ORGANIZATION LANNEXATION.  DETACHMENT, ETC., USE ATTACHED SHEET IF NECESSARY.  City of Imperial RAZYIER for promits  A do velope New Jewels.
9	THE PROPOSED CHANGE OF ORGANIZATION IS REQUESTED SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:
10	WOULD THIS PROPOSAL CREATE AN ISLAND OF UNINCORPORATED TERRITORY?  IN YES, PHASE EXPLAIN.
H)	IS THERE A GOOD LIKEUHOOD OF A SIGNIFICANT INCREASE IN POPULATION IN THE SUBJECT AREA WITHIN THE NEXT THN YEARS?  IN UNINCORPORATED AREAS?  FST:MATED ADDITIONAL POPULATION:
12	WHAT IS THE EXISTING ZONINGS JUST SHAME!
เ	HAS OR IS THE AREA REEN/BEING PREZONED?  WHAT IS THE PREZONED CLASSIFICATION?  WHAT DATE WAS THIS PREZONED?

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AI		SIGNATURE			16-13-15 DATE
List Ex	ted at the b	eginning of the	application) who are req	uesting to have t	ding the owner/applicant previously furnished copies of the agenda and sal. Please attach additional pages if
PERSO	NI	REQUESTS:	ET AGENDA CORES ET HEARING PACKAGE H		<ul> <li>□ PUBLIC NOTICE OF HEARING</li> <li>□ HEARING PACKAGE ON CD</li> </ul>
NAME	C ADDRESS			COMPANY	NT (MBT)
CTTY, S	TATE, ZIP			EMAIL ADDRÍ	rss
PERSON	N 2	r Qalstš	□ AGENDA COMES □ MARING VACRAGE H	ARD COPY	D PUBLIC NOTICE OF HEARING D THARING PACKAGLON (D)
MATEN	G ADDRESS			THEPHONE	NUMBÍR
CHY, S	TATE, ZIP			TMAII ASSIRI	PSS

#### 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, <u>BY RESOLUTION</u>, to accept the negotiated exchange of property tax revenues.

#### 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 (COC) until such resolution is filed with LAFCO.

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:

Tusto fedix

PRINT NAME

SIGNATURE

Consider Fedix

DATE

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PRINT NAME

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## INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the Imperial County Local Agency Formation Commission, its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the Imperial County Local Agency Formation Commission, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against Imperial County Local Agency Formation Commission, its agents, officers, attorneys, or employees, to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

- The Executive Officer shall promptly notify the Commission of any claim, action or proceeding brought by an applicant challenging the Commission's action. The Commission, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
- The Commission shall have final determination on how to best defend the case and may defend it with inhouse counsel, or by retaining outside counsel. In either case applicant shall be fully responsible for all costs incurred. Applicant may request to provide his or her own counsel to defend the case, however prior written approval of the Commission shall be obtained. Said independent counsel shall work with LAFCO counsel to provide a joint defense and shall include a complete defense of LAFCO to the satisfaction of the Commission.

APPLICANT CA	REAL PARTY IN INTEREST / PROPERTY OWNER
NAME (PRINT): Juston & Felia	NAME (PRINT): poto & Folia
TITLE Out	TITLE:
SIGNATURE:	SIGNATURE:  MAILING ADDRESS:
253 west Horne ad	253 west Hornerd
el centro car 92043	el centro ea.
FOR LAF	CO USE ONLY
PROJECT NO. TM 3.15 D	DATE RECEIVED: 10.13.15

## ANNEXATION NO. LEGAL DESCRIPTION

THAT PORTION OF THE NORTH HALF OF THE WEST HALF OF TRACT 100, TOWNSHIP 15 SOUTH, RANGE 14 EAST, SAN BERNARDINO MERIDIAN, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING EAST OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTH HALF OF THE WEST HALF OF SAID TRACT 100, SAID POINT BEING THE NORTHWEST CORNER OF BRATTON SUBDIVISON UNION NO. 1 ACCORDING TO MAP ON FILE IN BOOK 24, PAGE 1 OF FINAL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING (TPOB);

THENCE SOUTHERLY ALONG THE EAST LINE OF THE NORTH HALF OF THE WEST HALF OF TRACT 100, SOUTH 00'09'47" EAST, A DISTANCE OF 1319.16 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE WEST HALF OF SAID TRACT 100;

THENCE WESTERLY ALONG THE SOUTH LINE OF THE NORTH HALF OF THE WEST HALF OF TRACT 100, NORTH 89'58'54" EAST, A DISTANCE OF 892.91 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY;

THENCE NORTHERLY ALONG THE SAID EAST LINE OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY, NORTH 00'03'43" WEST, A DISTANCE OF 1319.56 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 100;

THENCE EASTERLY ALONG SAID NORTH LINE OF TRACT 100, SOUTH 89'59'17" EAST, A DISTANCE OF 890.58 FEET TO THE TRUE POINT OF BEGINNING (TPOB).

SAID AREA CONTAINING 27.01 ACRES, MORE OR LESS.

