

# EXHIBIT B

**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: **June 6, 2005**

APPLICATION TITLE: **LAFCO File No. EC8-04  
(Miller-Burson)**

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

LEGAL DESCRIPTION: **(see map and legal description  
attached hereto & on file by LAFCO)  
(APN 052-280-08-01 et al; see map and legal  
on file with LAFCO)**

GENERAL LOCATION: **PROJECT is located on the southeast corner of  
Austin Road and Ross Road.**

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 El Centro 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.

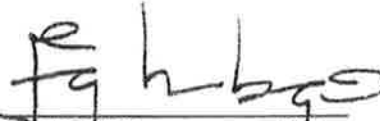
NOTICE TO READER & EACH SUBJECT AGENCY & RESPONSIBLE AGENCY

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 February 01, 2005. It was deemed incomplete due to the fact that the City of El Centro 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 El Centro 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 El Centro 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	[with copies]
Clerk of the Board of Supervisors	[with copies]
Clerk of IID Board of Directors	[with copies]
City of El Centro City Clerk	[with copies]
City of El Centro City Manager	
City of El Centro Planning Director	
City of El Centro 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. Tim Jones	
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 # EC8-04	
Applicant	

Jh/rs/S:/LAFCO/El Centro/EC8-04/EC8-04 COF

# NOTICE OF FILING AND TRACKING FORM

STEPS FOR LAFCO PROJECTS

## LAFCO ANNEXATION (S)

DEPARTMENTAL USE ONLY

DATE: June 6, 2005 CITY: El Centro ANNEXATION #: EC8-04

1.  Resolution of applicant by affected local agency  
or  
 Petition with acquired signatures of landowners or  
Registered voters.
  
2. APPLICATION RECEIVED BY LAFCO ON: 02/01/05
  
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 06/09/05
  
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: 03/27/05
  
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: 07/18/05
  
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: 08/19/05
  
7. Tentative Notice of LAFCO Hearing given by LAFCO EXECUTIVE OFFICER: 09/22/05
  
8. After the LAFCO public hearing is held the decision is final.

Copy to:  Assessor  Auditor  CEO  PW  County Counsel  Applicant  Other

# 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 Austin Rd and Ross Rd	Telephone Number 760-353-8110
City El Centro	State CA
	Zip Code 92243
Name of proposal Miller-Burson	
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>Miller Burson</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**  
 FEB 01 2005  
 IMPERIAL COUNTY  
 LAFCO

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.)  <u>To give the development planned for the project site access to City of El Centro services.</u></p>
7	<p>The proposed <u>Annexation</u> is requested to be made subject to the following terms and conditions:  <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?  <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>

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>1</u> List all Assessors' Parcel Numbers in subject territory. <u>052-280-08</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) [Net] _____ [Gross] <u>159.92 ac</u></p>
15	<p>What is the planned General Plan designation of the area by the affected city?  <u>Low Density Residential</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</u></p> <p>(Describe your project in detail) <u>SF residential on minimum 6600 square foot lots, and shared-use park/retention basin.</u></p>






**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>
WWS-Burson, LLC,	77682 County Club Drive #A3 Palm Desert, CA 92211	760-200-5989
DDE, Inc.,	1122 State Street, Suite D, El Centro, CA 92243	760-353-8110

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>
1/28/2005	Tom DuBose, DDE, Inc.		1122 'D' State Street, El Centro, CA 92243
1/28/2005	Steve Hyman, WWS-Burson, LLC		77682 County Club Drive #A3 Palm Desert, CA 92211

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

LEGAL DESCRIPTION:

EL CENTRO ANNEXATION NO. 08-04

TO

THE CITY OF EL CENTRO, COUNTY OF IMPERIAL,  
STATE OF CALIFORNIA.

THAT PORTION OF TRACT 74 AND TRACT 62 , TOWNSHIP 16 SOUTH, RANGE 13 EAST, S.B.M., IN THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT 74, SAID POINT ALSO BEING ON THE EAST LINE OF EXISTING CITY LIMITS PER ANNEXATION NO.1-99, THENCE SOUTH 00°00'42" EAST, ALONG THE EAST LINE OF SAID TRACT 74 AND EXISTING CITY LIMITS A DISTANCE OF 40.00 FEET TO THE SOUTHEAST CORNER OF ANNEXATION 1-99 **AND THE TRUE POINT OF BEGINNING**; THENCE NORTH 89°54'53" WEST ALONG THE EXISTING LIMITS LINE AND THE NORTH LINE OF TRACT 74 A DISTANCE OF 2638.98 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID TRACT 74; THENCE SOUTH 00° 00'10" WEST ALONG THE WEST LINE OF TRACT 74 , A DISTANCE OF 2600.00 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID TRACT 74; THENCE SOUTH 89°54'51" EAST ALONG THE SOUTH LINE OF SAID TRACT 74, A DISTANCE OF 2639.64 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 74: THENCE SOUTH 89°58'49" EAST ALONG THE SOUTH LINE OF TRACT 62, A DISTANCE OF 490.00 FEET TO THE SOUTHEAST CORNER OF LOTUS SUBDIVISION PER FM 12-54; THENCE SOUTH 89°58'43" EAST ALONG THE SOUTH LINE OF SAID TRACT 62 A DISTANCE OF 273.00 FEET TO THE SOUTHEAST CORNER OF LOTUS SUBDIVISION UNIT NO. 2 PER FM 14-9 AND THE SOUTHWEST CORNER OF ANNEXATION 4-86; THENCE NORTH 00°00'42" WEST ALONG THE EXISTING CITY LIMIT LINE PER ANNEXATION 4-86 AND EAST LINE OF LOTUS SUBDIVISION NO.2 PER FM 14-9; A DISTANCE OF 2431.94 FEET TO THE SOUTHEAST CORNER OF ANNEXATION 3-86, SAID POINT ALSO SHOWN AS THE NORTHEAST CORNER OF LOT 2 PER LOTUS SUBDIVISION UNIT NO.2 AS RECORDED IN BOOK 14 PAGE 9 OF FINAL MAPS; THENCE SOUTH 89°59'18" WEST ALONG THE SOUTH LINE OF SAID ANNEXATION AND WESTERLY PROLONGATION OF THE NORTH LINE OF LOT 2 A DISTANCE OF 313.00 FEET TO THE EASTERN RIGHT-OF-WAY LINE OF LOTUS AVE PER FM 12-54; THENCE NORTH 00°00'42" WEST ALONG THE WEST LINE OF ANNEXATION 3-86 AND SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 169.11 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF ROSS ROAD PER FM 14-9, AND AN ANGLE POINT IN EXISTING CITY LIMITS PER ANNEXATION 4-89; THENCE SOUTH 89°54'48" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF ROSS ROAD AND SAID CITY LIMIT LINE, A DISTANCE OF 450.00 FEET **TO THE TRUE POINT OF BEGINNING.**

SAID AREA CONTAINING 201.87 ACRES MORE OR LESS.

