

EXHIBIT B

NOTICE OF FILING AND TRACKING FORM

STEPS FOR LAFCO PROJECTS

LAFCO ANNEXATION (S)

DEPARTMENTAL USE ONLY

Date: March 31, 2017 City: Imperial Annexation #: IM 5-15

1. ☐ Resolution of Applicant by affected local agency
☒ Petition with acquired signatures of landowners or registered voters

2. APPLICATION RECEIVED BY LAFCO ON: **04/18/16**

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; **03/31/17**

4. ASSESSOR:

Within twenty **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: **04/20/17**

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 forty **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: **05/10/17**

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: **06/09/17**

7. Tentative Notice of LAFCO Hearing given by LAFCO EXECUTIVE OFFICER: **07/27/17**

8. After the LAFCO public hearing is held the decision is final.

Copy to: ☒ Assessor ☒ Auditor ☒ CEO ☒ PW ☒ County Counsel ☒ Applicant ☐ Other _____

CERTIFICATE OF FILING

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

I, JURG HEUBERGER, AICP, CEP, 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: **March 31, 2017**

APPLICATION TITLE: Russell Court Subdivision
LAFCO File No. IM 5-15

APPLICANT(S): Shine Real Estate, Roben LLC, Stephen & Vicki Uhri
(by Petition)

LEGAL DESCRIPTION: APN: 064-254-084, 064-254-085, 064-254-086, 064-254-087, 064-254-088, 064-013-003, 064-013-004, 064-020-043 (See map and legal description)

GENERAL LOCATION: Southwest Corner of Brewer Road & Nance Road
Imperial, CA 92251

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 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.

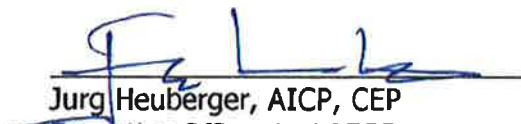
NOTICE TO READER & EACH SUBJECT AGENCY & RESPONSIBLE AGENCY:

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 April 18, 2016. 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, AICP, CEP
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 Imperial City Clerk	[with copies]
City of Imperial City Manager	
City of Imperial Planning Director	
City of Imperial Public Works Director	
IID 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 Turner	
County Planning, Jim Minnick	
County Public Works, John Gay	
Assessor's Office, Robert Menvielle	
Auditor's Office, Doug Newland	
LAFCO File: Project File, 50 006, 50 018	
Applicant	

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, and stipulate(s) as follows:

OWNER INFORMATION	
NAME Ray D. Roben Sr. + Russell Roben // and Stephen & Vicki Uhri	COMPANY Shine Real Estate + Roben LLC + Private Owners
MAILING ADDRESS 341 W. Crown Court // and 647 W. Neckel Road	TELEPHONE NUMBER 760-427-6426 Russell Roben/760 996 3469 Ray Roben
CITY, STATE, ZIP IMPERIAL, CA 92251	EMAIL ADDRESS shinerealestate@yahoo.com/russell@dugginsconstruct
APPLICANT INFORMATION (IF DIFFERENT FROM THE OWNER)	
NAME	COMPANY
MAILING ADDRESS	TELEPHONE NUMBER
CITY, STATE, ZIP	EMAIL ADDRESS
PROJECT INFORMATION	
NAME OF PROPOSAL RUSSELL COURT ANNEXATION	DATE 04/14/15
PROJECT ADDRESS 604W. BREWER WAY	APN(S) See list of APN's for Areas 1 - 3 on Exhibit A attached
CITY, STATE, ZIP IMPERIAL, CA 92251	TOTAL LAND AREA (ACRES) A1= 26 Acres + A2=0.68 Acres + A3=3.30 Acres
THIS PROPOSAL IS MADE PURSUANT TO CALIFORNIA GOVERNMENT CODE (COMMENCING WITH SECTION 56000, CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000).	
1	PROPOSED CHANGE(S) OF ORGANIZATION: <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"/> EXTENSION OF SERVICES <input type="checkbox"/> INCORPORATION <input type="checkbox"/> FORMATION OF _____
2	NAME OF THE CITY/SPECIAL DISTRICT BEING AFFECTED City of Imperial
3	THE PROPOSED BOUNDARIES OF THE TERRITORY(IES) INCLUDED IN THE PROPOSAL ARE AS DESCRIBED IN THE EXHIBIT(S) ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN. <input checked="" type="checkbox"/> YES, BOUNDARY EXHIBITS ARE ATTACHED

4	PLEASE LIST ANY OTHER DOCUMENTS BEING SUBMITTED WITH THE APPLICATION (<i>EXCEPT THOSE ALREADY REQUIRED BY LAFCO</i>). Russell Court Subdivision Tentative Map, Apartments Complex Layout, Assessor's Plats, and, Technical Studies: Air Quality, Noise, Cultural, Biological, and, Traffic	
5	THE TERRITORY(IES) INCLUDED IN THE PROPOSAL IS/ARE: <input checked="" type="checkbox"/> UNINHABITED <input type="checkbox"/> INHABITED (12 OR MORE REGISTERED VOTERS)	
6	CURRENTLY, THE TERRITORY(IES) INCLUDED IN THE PROPOSAL IS/ARE: <input type="checkbox"/> DEVELOPED <input checked="" type="checkbox"/> UNDEVELOPED	
7	IS THIS PROPOSAL CONSISTENT WITH THE SPHERE OF INFLUENCE OF THE AFFECTED CITY AND/OR DISTRICT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
8	PLEASE DESCRIBE IN DETAIL, THE REASONS FOR THE PROPOSED CHANGE OF ORGANIZATION (ANNEXATION, DETACHMENT, ETC.). USE ATTACHED SHEET IF NECESSARY. The annexation will consist of 3 areas: Area 1 = 26 acres with (130) R1 units, Area 2 = 0.68 acre with (1) R1 unit, and Area 3 = 3.30 acres with (66) apartments/condominium units (see exhibit attached)	
9	THE PROPOSED CHANGE OF ORGANIZATION IS REQUESTED, SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS: N/A	
10	WOULD THIS PROPOSAL CREATE AN ISLAND OF UNINCORPORATED TERRITORY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE EXPLAIN.	
11	IS THERE A GOOD LIKELIHOOD OF A SIGNIFICANT INCREASE IN POPULATION IN THE SUBJECT AREA WITHIN THE NEXT TEN YEARS? IN UNINCORPORATED AREAS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IN INCORPORATED AREAS? <input type="checkbox"/> YES <input type="checkbox"/> NO ESTIMATED ADDITIONAL POPULATION: 585 R1 + 297 RA	
12	WHAT IS THE EXISTING ZONING? County Zoning: A1-L1U Limited Agricultural WHAT IS THE PROPOSED ZONING? City Zoning: R-1 Single Family Residential and R-A Residential Apartments	
13	HAS OR IS THE AREA BEEN/BEING PRE-ZONED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO WHAT IS THE PRE-ZONING CLASSIFICATION? The area is currently zoned in the County as A1-LU1 Agricultural WHAT DATE WAS THIS PRE-ZONED? To be Determined	

14	WHAT IS THE PLANNED GENERAL PLAN DESIGNATION OF THE AREA BY THE AFFECTED CITY? Residential: Single Family			
15	DESCRIBE ANY SPECIAL LAND USE CONCERNS EXPRESSED IN THE ABOVE PLANS. None			
16	SPECIFY ANY AND ALL EXISTING LAND USES: N/A WHAT ARE THE PROPOSED LAND USES? Single Family Residential and Residential Apartments DESCRIBE YOUR PROJECT IN DETAIL: The project will consists of the development of 3 Areas: Area 1 with(130) units single family residential lots within 26 acres. Area 2 with (1) single family residence within 0.68 acres, and, Area 3 with (66) Apartments/condominiums units within 3.30 acres.			
17	DOES THE APPLICATION CONTAIN 100% WRITTEN CONSENT OF EACH PROPERTY OWNER IN THE SUBJECT TERRITORY?	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO
18	WILL THE ANNEXED TERRITORY BE LIABLE FOR ITS SHARE OF EXISTING BONDED INDEBTEDNESS?	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO
19	WILL THE ANNEXED TERRITORY BE INCLUDED WITHIN ANY PARTICULAR TAX DIVISION OR ZONE OF THE ANNEXING TERRITORY? PLEASE SPECIFY. N/A			
20	IF THE PROPOSAL INCLUDES THE CONSOLIDATION OF SPECIAL DISTRICTS, THE PROPOSED NAME OF THE CONSOLIDATED DISTRICT IS: NO			
21	IF AN INCORPORATION IS INCLUDED IN THE PROPOSAL: (A) THE NAME PROPOSED FOR THE NEW CITY IS: N/A (B) PROVISIONS ARE REQUESTED FOR APPOINTMENT OF: (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			

22	IF THE FORMATION OF A NEW DISTRICT(S) IS INCLUDED IN THE PROPOSAL: (A) THE PRINCIPAL ACT(S) UNDER WHICH SAID DISTRICT(S) IS/ARE PROPOSED TO BE FORMED IS/ARE: <u>N/A</u> (B) THE PROPOSED NAME(S) OF THE NEW DISTRICT(S) IS/ARE: _____ _____ (C) THE BOUNDARIES OF THE PROPOSED NEW DISTRICT(S) ARE AS DESCRIBED IN EXHIBITS _____, INCORPORATED HEREIN.	
23	THE PERSON(S) SIGNING THIS PETITION HAVE SIGNED AS: (CHECK ONLY ONE) <input type="checkbox"/> REGISTERED VOTERS <input checked="" type="checkbox"/> OWNERS OF LAND	
24	AS REQUIRED, THE FOLLOWING ITEMS ARE ENCLOSED WITH THIS APPLICATION: <input checked="" type="checkbox"/> DEPOSIT <input checked="" type="checkbox"/> LEGAL DESCRIPTION <input checked="" type="checkbox"/> INDEMNIFICATION AGREEMENT <input checked="" type="checkbox"/> ANNEXATION MAP (10 COPIES)	

APPLICANT SIGNATURE

DATE

*Please complete the names and addresses of **additional** persons (not including the owner/applicant previously listed at the beginning of the application) who are requesting to have furnished copies of the agenda and Executive Officer's Report and/or mailed notices of the hearing of this proposal. Please attach additional pages if necessary.*

PERSON 1	REQUESTS: <input type="checkbox"/> AGENDA COPIES <input type="checkbox"/> PUBLIC NOTICE OF HEARING <input type="checkbox"/> HEARING PACKAGE HARD COPY <input type="checkbox"/> HEARING PACKAGE ON CD	
NAME	COMPANY	
J. Carlos Romero / Project Engineer	ProTerra, Engineering & Surveying	
MAILING ADDRESS	TELEPHONE NUMBER	
444 South 8th Street, Suite "D"	760-352-6968	
CITY, STATE, ZIP	EMAIL ADDRESS	
El Centro, CA 92243	jcrproterraus@gmail.com	

PERSON 2	REQUESTS: <input type="checkbox"/> AGENDA COPIES <input type="checkbox"/> PUBLIC NOTICE OF HEARING <input type="checkbox"/> HEARING PACKAGE HARD COPY <input type="checkbox"/> HEARING PACKAGE ON CD	
NAME	COMPANY	
MAILING ADDRESS	TELEPHONE NUMBER	
CITY, STATE, ZIP	EMAIL ADDRESS	

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.*

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:

Chief Petitioners (not to exceed three):

Ray D. Roben Sr.

PRINT NAME

SIGNATURE

4-15-16

DATE

341 W. Crown Court, Imperial CA 92251

RESIDENCE ADDRESS

Russell Roben

PRINT NAME

SIGNATURE

4-15-16

DATE

341 W. Crown Court, Imperial CA 92251

RESIDENCE ADDRESS

Stephen & Vicki, Uhri

PRINT NAME

SIGNATURE

April 15-16

DATE

647 West Neckel Road, Imperial CA 92251

RESIDENCE ADDRESS

RECEIVED

APR 18 2016



Imperial County
Local Agency Formation Commission

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:

1. 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.
2. The Commission shall have final determination on how to best defend the case and may defend it with in-house 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.

EXECUTED IN Imperial CALIFORNIA ON April 15th 2016
(CITY) (MONTH) (DAY) (YEAR)

APPLICANT

Ray D. Roben Sr.: Shine Real Estate

NAME (PRINT): Russell Roben: Roben LLC

TITLE: Property Owners

SIGNATURE: [Signature]

MAILING ADDRESS:

341 W. Crown Court, Imperial, CA 92251

REAL PARTY IN INTEREST / PROPERTY OWNER (IF DIFFERENT FROM APPLICANT)

NAME (PRINT): Stephen & Vicki, Uhri

TITLE: Property Owners

SIGNATURE: [Signature]

MAILING ADDRESS:

647 W. Neckel Road, Imperial, CA 92251

FOR LAFCO USE ONLY

RECEIVED BY: Paula D. [Signature]

DATE RECEIVED: 4-18-16

PROJECT NO. IM 5.15

JH\DEBIS\LAFCO\Forms\2014 Forms\Indemnification Agreement.doc Updated 06/30/2014

