

**RESOLUTION NO. 1280**

**SAN JOAQUIN LAFCO  
CONDUCTING AUTHORITY**

**RESOLUTION ORDERING THE LATHROP GATEWAY BUSINESS PARK REORGANIZATION  
TO THE CITY OF LATHROP (LAFc 16-12)**

WHEREAS, the San Joaquin Local Agency Formation Commission (LAFCo) on April 20, 2012 approved LAFCo Resolution No. 1278, approving the Lathrop Gateway Business Park Reorganization to the City of Lathrop.

WHEREAS, the change of organization consists of the annexation of 213.5 acres to the City of Lathrop with concurrent detachments from the San Joaquin County Resource Conservation District and County Service Area 4.

WHEREAS, the Commission did set forth the reasons for approval of the annexation, made determinations, including those required by the California Environmental Quality Act (CEQA), and approved terms and conditions for the annexation described in LAFCo Resolution No. 1278, attached hereto and by this reference incorporated herein;

WHEREAS, the affected boundaries of the annexation are described in Exhibit A of LAFCo Resolution No. 1278;

WHEREAS, the territory was determined to be an "inhabited" annexation;

WHEREAS, Government Code Section 56029 designates the Commission as the Conducting Authority to conduct proceedings for the annexation pursuant to Part 4 of Division 3 of Government Code commencing with Section 57000;

WHEREAS, the Commission directed the Executive Officer, pursuant to Government Code Section 56881(d), to initiate protest proceedings pursuant to Part 4, commencing with Section 57000;

WHEREAS, the Executive Officer set the proposal for a hearing on June 5, 2012, at the hour of 10:00 a.m., in the City Council Chambers at City Hall, 390 Towne Center Drive, Lathrop, California;

WHEREAS, notice, in the form and manner required by law, has been given for the conducting authority proceedings by the Executive Officer, pursuant to Government Code Section 57025;

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer has conducted the public hearing for the purposes of receiving written protests;

WHEREAS, the conducting authority proceeding hearing was concluded on June 5, 2012;

WHEREAS, written protests were received either prior to, or upon conclusion of the hearing;

WHEREAS, the Commission has determined that the value of written protests received is insufficient to cause an election or terminate the proceedings;

NOW, THEREFORE, THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION HEREBY RESOLVES, DETERMINES, AND ORDERS as follows:

1. The subject annexation is hereby ordered pursuant to Government Code Section 57075(a);
2. Directs the Executive Officer to file a Certificate of Completion and record this annexation in the manner stated in Government Code Section 57000 et seq;
3. The change in organization is subject to the terms and conditions contained in LAFCo Resolution No. 1278, and the boundaries further described on the map and legal description, Exhibit A hereto and by this reference incorporated herein.

PASSED AND ADOPTED this 15<sup>th</sup> day of June 2012 by the following vote:

AYES: Commissioners Dhaliwal, Nilssen, Ruhstaller, Vogel and Nutt

NOES: None

  
ELDEN R. NUTT, CHAIRMAN  
San Joaquin Local Agency  
Formation Commission

## RESOLUTION NO. 1278

BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION APPROVING THE LATHROP GATEWAY BUSINESS PARK REORGANIZATION TO THE CITY OF LATHROP WITH CONCURRENT DETACHMENTS FROM THE SAN JOAQUIN COUNTY RESOURCE CONSERVATION DISTRICT AND COUNTY SERVICE AREA 4 (L AFC 16-12)

WHEREAS, the above entitled proposal was initiated by resolution by the City of Lathrop and on February 28, 2012 the Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act; and

WHEREAS, the Commission held a public hearing on the proposed reorganization on April 20, 2012, in the Board of Supervisors Chambers, 44 North San Joaquin Street, 6<sup>th</sup> Floor, Stockton, CA, pursuant to notice of hearing which was published, posted and mailed in accordance with State law; and

WHEREAS, at said hearing the Commission heard and received evidence, both oral and written regarding the proposal, and all persons present were given an opportunity to be heard; and

WHEREAS, the City of Lathrop certified and adopted an Environmental Impact Report and approved the Findings of Fact and Statement of Overriding Considerations for the project on May 16, 2011, pursuant to the California Environmental Quality Act (CEQA) Guidelines;

WHEREAS, the subject territory is inhabited;

WHEREAS, the Commission has, in evaluating the proposal considered the report submitted by the Executive Officer, the factors set forth in Section 56668 of the California Government Code and testimony and evidence presented at the public hearing held on April 20, 2012,

NOW, THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. Certifies that, as a Responsible Agency, the Commission has independently reviewed and considered the City of Lathrop's Environmental Impact Report (State Clearinghouse No. 2009062106) and adopts the CEQA Findings of Fact and Statement of Overriding Considerations as certified by the City of Lathrop.

Section 2. Finds that the proposal is inhabited.

Section 3. Approves the proposal as submitted to annex 213.5 acres to the City of Lathrop with concurrent detachments from the San Joaquin County Resource Conservation District and County Service Area 4, with the boundary description as approved by the County Surveyor, attached hereto as Exhibit A.

Section 3. Finds, pursuant to Government Code Section 56856.5, the reorganization is necessary to provide services to planned, well-ordered, and efficient urban development patterns that include appropriate consideration of the reservation of open-space lands within those urban development patterns.

Section 4. Directs the Executive Officer to withhold the Certificate of Completion until the applicant enters into an agreement with the City of Lathrop which would provide that fees would be paid by the project applicant on a per-acre basis for lost agricultural land during development of the proposed Lathrop Gateway Business Park.

Section 5. Designates the Commission as conducting authority pursuant to Government Code Section 56029.


Section 6. Directs the Executive Officer, pursuant to government Code Section 56881(d), to initiate protest proceedings pursuant to Part 4, commencing with Section 5700, in compliance with this Resolution.

PASSED AND ADOPTED this 20<sup>TH</sup> day of April 2012 by the following roll call vote:

AYES: Commissioners Dhaliwal, Nilssen, Ruhstaller, Vogel and Nutt

None

NOES:

  
\_\_\_\_\_  
ELDEN R. NUTT, CHAIRMAN  
San Joaquin Local Agency  
Formation Commission

DESCRIPTION OF PROPOSED  
LATHROP GATEWAY  
ANNEXATION TO THE CITY OF LATHROP,  
SAN JOAQUIN COUNTY, CALIFORNIA

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, BEING A PORTION OF SECTIONS 1 AND 2, OF TOWNSHIP 2 SOUTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON A POINT ON THE LATHROP CITY LIMIT LINE ESTABLISHED BY LATHROP INCORPORATION/REORGANIZATION, L AFC 19-88, RECORDED IN INSTRUMENT NO. 89055167, SAN JOAQUIN COUNTY RECORDS, SAID POINT BEING THE INTERSECTION OF THE SOUTHEASTERLY LINE OF THE 400 FOOT WIDE CONGRESSIONAL GRANT TO UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD) AND THE SOUTHERLY RIGHT OF WAY OF VIERRA ROAD AS SHOWN ON PARCEL MAP FILED IN BOOK 10 OF PARCEL MAPS PAGE 139 SAN JOAQUIN COUNTY RECORDS,

THENCE ALONG SAID CITY LIMIT LINE THE FOLLOWING THREE (3) COURSES (BEING COURSES 1 THROUGH 3):

COURSE #1. ALONG SAID SOUTHERLY LINE OF VIERRA ROAD, SOUTH 89°49'23" EAST 2429.62 FEET,

COURSE #2. LEAVING SAID SOUTHERLY LINE, SOUTH 31°05'04" EAST 103.67 FEET, TO THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF YOSEMITE AVENUE WITH THE WESTERLY LINE OF MCKINLEY AVENUE,

COURSE #3. ALONG SAID SOUTHERLY LINE, ALONG A NON-TANGENT CURVE TO THE RIGHT, FROM WHICH THE RADIUS POINT BEARS SOUTH 15°28'39" EAST, HAVING A RADIUS OF 1950.00 FEET, THROUGH A CENTRAL ANGLE OF 01°12'53", AND AN ARC LENGTH OF 41.35 FEET, TO THE EASTERLY LINE OF MCKINLEY AVENUE,

COURSE#4. THENCE LEAVING SAID CITY LIMIT LINE AND GOING ALONG SAID EASTERLY LINE, SOUTH 00°09'45" WEST 2266.44 FEET, TO A POINT ON THE NORTHWESTERLY LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY (FORMERLY WESTERN PACIFIC RAILROAD),

COURSE #5. THENCE CONTINUE ALONG SAID EASTERLY LINE SOUTH 00°11'22" WEST 128.36 FEET TO THE SOUTHEASTERLY LINE OF SAID UNION PACIFIC RAILROAD RIGHT OF WAY, SAID POINT BEING ON THE WESTERLY MANTECA CITY LIMIT LINE AS ESTABLISHED BY CITY OF MANTECA ANNEXATION 1990-2,

THENCE LEAVING SAID CITY LIMIT LINE AND GOING ALONG SAID SOUTHEASTERLY UNION PACIFIC RAILROAD RIGHT OF WAY LINE, THE FOLLOWING TWO (2) COURSES (BEING COURSES 6 AND 7):

COURSE #6. ALONG A NON-TANGENT CURVE TO THE RIGHT, FROM WHICH THE RADIUS POINT BEARS NORTH 38°18'13" WEST, HAVING A RADIUS OF 6925.55 FEET, THROUGH A CENTRAL ANGLE OF 15°46'10", AND AN ARC LENGTH OF 1906.12 FEET,

COURSE #7. SOUTH 67°27'58" WEST 404.99 FEET TO A POINT ON THE MANTECA CITY LIMIT LINE AS ESTABLISHED BY CITY OF MANTECA ANNEXATION 1997-1, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF STATE ROUTE 120 AS SHOWN ON RECORD OF SURVEY FILED IN BOOK 36 OF SURVEYS PAGE 139, SAN JOAQUIN COUNTY RECORDS,

APRIL 17, 2012

THENCE LEAVING SAID CITY LIMIT LINE AND CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES (BEING COURSES 8 THROUGH 10):

COURSE #8. NORTH 70°44'23" WEST 150.05 FEET, TO A POINT ON THE NORTHWESTERLY LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY,

COURSE #9. NORTH 71°08'26" WEST 761.50 FEET,

COURSE #10. NORTH 73°02'59" WEST 183.61 FEET, TO THE SOUTHWEST CORNER OF PARCEL B FILED IN BOOK 11 OF PARCEL MAPS, AT PAGE 21, SAN JOAQUIN COUNTY RECORDS,

COURSE #11. THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE AND GOING ALONG THE WESTERLY LINE OF PARCELS B AND A OF SAID PARCEL MAP, NORTH 00°18'29" EAST 1760.28 FEET, TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID PARCEL A, THENCE ALONG SAID WESTERLY LINE, THE FOLLOWING TWO (2) COURSES (BEING COURSES 12 AND 13):

COURSE #12. SOUTH 89°40'35" EAST 150.24 FEET,

COURSE #13. NORTH 00°18'29" EAST, 461.11 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF YOSEMITE AVENUE, AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 36 OF SURVEYS, AT PAGE 139, SAN JOAQUIN COUNTY RECORDS,

COURSE #14. THENCE CONTINUE, NORTH 00°18'29" EAST 105.31 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID YOSEMITE AVENUE, AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 35 OF SURVEYS, AT PAGE 168, SAN JOAQUIN COUNTY RECORDS,

COURSE #15. THENCE ALONG SAID NORTHERLY LINE, NORTH 71°53'59" EAST 288.64 FEET, TO THE SOUTHWEST CORNER OF PARCEL B, AS SHOWN ON THE PARCEL MAP FILED IN BOOK 10 OF PARCEL MAPS, AT PAGE 139, SAN JOAQUIN COUNTY RECORDS,

COURSE #16. THENCE LEAVING SAID NORTHERLY LINE, AND CONTINUING ALONG THE WESTERLY LINE OF SAID PARCEL B, NORTH 00°19'13" EAST 716.67 FEET, TO THE MOST WESTERLY CORNER OF SAID PARCEL B, SAID POINT BEING ON THE WESTERLY LINE OF D'ARCY PARKWAY,

THENCE LEAVING SAID MOST WESTERLY CORNER AND CONTINUING ALONG SAID WESTERLY LINE THE FOLLOWING TWO (2) COURSES (BEING COURSES 17 AND 18):

COURSE #17. SOUTH 43°09'29" WEST 17.00 FEET

COURSE #18. ALONG A NON-TANGENT CURVE TO THE LEFT, FROM WHICH THE RADIUS POINT BEARS SOUTH 39°36'28" WEST, HAVING A RADIUS OF 698.73 FEET, THROUGH A CENTRAL ANGLE OF 00°32'28", AND AN ARC LENGTH OF 6.60 FEET, TO A POINT ON THE LATHROP CITY LIMIT LINE ESTABLISHED BY LATHROP INCORPORATION/REORGANIZATION, LAFC 19-88, RECORDED IN INSTRUMENT NO. 89055167, SAN JOAQUIN COUNTY RECORDS, SAID POINT BEING ON THE SOUTHEASTERLY LINE OF THE 400 FOOT WIDE CONGRESSIONAL GRANT TO UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD),

COURSE #19., THENCE ALONG SAID CITY LIMIT LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, FROM WHICH THE RADIUS POINT BEARS NORTH 47°47'01" WEST, HAVING A RADIUS OF 5929.65 FEET, THROUGH A CENTRAL ANGLE OF 01°36'20", AND AN ARC LENGTH OF 166.16 FEET, TO THE TRUE POINT OF BEGINNING.

CONTAINING 213.5 ACRES MORE OR LESS

END OF DESCRIPTION

PREPARED BY:



*[Handwritten signature of Mark H. Wehber]*

*4/30/12*

MARK WEHBER  
LICENSED PROFESSIONAL LAND SURVEYOR No. 7960  
(EXP. 3/31/2014)  
STATE OF CALIFORNIA

DATE

APPROVED AS TO DESCRIPTION:  
COUNTY SURVEYOR

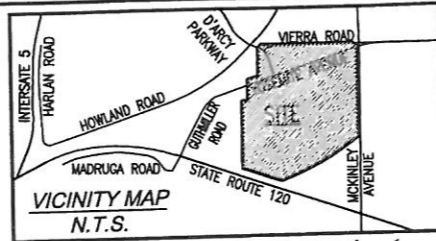


*[Handwritten signature of Thomas M. Gau]*  
ASSISTANT  
COUNTY SURVEYOR

*FOR* THOMAS M. GAU, R.C.E. 26994 *5-31-12*

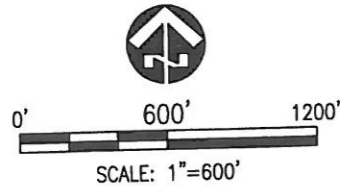
**MACKAY & SOMPS**  
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING  
5142 Franklin Drive Suite B, Pleasanton, CA. 94588-3355  
(925) 225-0690

MAP OF  
LATHROP GATEWAY  
ANNEXATION TO THE CITY OF LATHROP  
SAN JOAQUIN COUNTY, CALIFORNIA  
PORTIONS OF SECTIONS 1, 2, & 3  
OF TOWNSHIP 2 SOUTH, RANGE 6 EAST  
MOUNT DIABLO BASE AND MERIDIAN  
SHEET 1 OF 2



**LEGEND**  
 EXISTING CITY OF LATHROP  
 LIMIT LINE SHOWN THUS:   
 EXISTING CITY OF MANTECA  
 LIMIT LINE SHOWN THUS:   
 PROPOSED ANNEXATION  
 SHOWN THUS:   
 P.O.B.: POINT OF BEGINNING  
 #1 - INDICATES COURSE NUMBER

STATE ROUTE 120  
SEGMENT ANNEXATION  
RESOLUTION  
NO. 1165



LINE TABLE		
COURSE	BEARING	DISTANCE
#1	S89°49'23"E	2429.62'
#2	S31°05'04"E	103.67'
#4	S0°09'45"W	2266.44'
#5	S0°11'22"W	128.36'
#7	S67°27'58"W	404.99'

LINE TABLE		
COURSE	BEARING	DISTANCE
#8	N70°44'23"W	150.05'
#9	N71°08'26"W	761.50'
#10	N73°02'59"W	183.61'
#11	N0°18'29"E	1760.28'
#12	S89°40'35"E	150.24'

LINE TABLE		
COURSE	BEARING	DISTANCE
#13	N0°18'29"E	461.11'
#14	N0°18'29"E	105.31'
#15	N71°53'59"E	288.64'
#16	N0°19'13"E	716.67'
#17	S43°09'29"W	17.00'

CURVE TABLE			
COURSE	RADIUS	DELTA	LENGTH
#3	1950.00'	1°12'53"	41.35'
#6	6925.55'	15°46'10"	1906.12'
#18	698.73'	0°32'28"	6.60'
#19	5929.65'	1°36'20"	166.16'



PLAT TO ACCOMPANY DESCRIPTION

**MACKAY & SOMPS**  
 ENGINEERS PLANNERS SURVEYORS  
 5142B FRANKLIN DR, PLEASANTON, CA 94588 (925)225-0690

DRAWN	DATE	SCALE	JOB NO.
IBM	04/17/2012	1"=600'	25175