



Local Agency Formation Commission  
2222 M Street  
Merced, CA 95340  
Phone (209) 385-7671 / Fax (209) 726-1710  
www.lafcomerced.org

## MEMORANDUM

DATE: July 15, 2021 (Agenda)  
TO: LAFCO Commissioners  
FROM: Tiffany Ho, LAFCO Planner  
RE: Completion of Proceedings for the Corner Street Annexation to the Delhi County Water District (LAFCO File No. 0691)  
**(Agenda Item IV.C)**

Attached is a copy of Resolution No. 0691A, which would complete the proceedings for the Corner Street Annexation to the Delhi County Water District. The Commission's approval was subject to a protest hearing because consent of all the landowners was not received on a petition. The protest hearing was conducted on June 14, 2021, where no additional written protests were filed by the landowners. No landowner protest was received by mail prior to the protest hearing.

In accordance with Section 57075(a)(3) of the Cortese-Knox-Hertzberg Local Government Reorganization Act, since no landowners submitted written objection in opposition to the annexation, the Commission is authorized to order the change of organization (annexation) without an election through adoption of the attached resolution which will complete Commission proceedings for this annexation. This item is administrative in nature, in accordance with Government Code section 57075(a)(3), and has been placed on the consent calendar for the July 15, 2021 meeting.

Enclosure – Resolution No. 0691A

**RESOLUTION NO. 0691A**  
**LOCAL AGENCY FORMATION COMMISSION OF MERCED COUNTY**  
**MAKING DETERMINATION AND ORDERS AND COMPLETING**  
**THE CORNER STREET ANNEXATION TO THE DELHI COUNTY WATER DISTRICT**  
**(LAFCO FILE No. 0691A)**

WHEREAS, a proposal for the Annexation Involving the Delhi County Water District was heretofore filed with the Executive Officer of the Local Agency Formation Commission and said Executive Officer has examined said proposal and determined its sufficiency; and,

WHEREAS, said Executive Officer has reviewed said proposal and prepared a report, including his recommendations thereof, and said report, having been presented to and, considered by the Commission; and

WHEREAS, a public hearing by this Commission was held on April 15, 2021, regarding said proposal and, at such hearing, this Commission heard and received all oral and written evidence, and all persons present were given an opportunity to hear and be heard in respect to any matter relating to said proposal.

WHEREAS, the Commission approved the annexation on April 15, 2021, subject to a protest hearing; and

WHEREAS, the Executive Officer of the Commission conducted a duly noticed protest hearing on June 14, 2021; and

WHEREAS, at said protest hearing, no written protests were submitted or received, and no protests were submitted in advance of the hearing; and

WHEREAS, there was no protest submitted to cause an election or to discontinue the reorganization proceedings.

NOW THEREFORE, BE IT RESOLVED, the Local Agency Formation Commission of Merced County, having considered the record of proceedings and the foregoing considerations, hereby makes the following determinations, findings and orders:

1. Determines that pursuant to Section 56663 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, a resolution was submitted by the Delhi County Water District requesting the submittal of this annexation application without the written consent of all property owners within the reorganization boundary, thereby requiring a protest hearing.
2. Determines that the Commission approved the reorganization on April 15, 2021, subject to a protest hearing.
3. Determines that a protest hearing was conducted by the Executive Officer of the Commission on June 14, 2021, with no landowners filing a written protest to the annexation prior to the hearing or by the close of the hearing.
4. Finds that based on these facts, there was no protest that would cause an election.
5. Determines that all the original determinations from Resolution No. 0691, adopted by the Commission on April 15, 2021, are still valid as to the annexation.

6. Orders that the territory identified in Exhibits A and B designated as the "Corner Street Annexation to the Delhi County Water District" be annexed to the District without an election in accordance with Government Code section 57075(a)(3).
7. Orders that this resolution shall take effect upon its adoption.

I, WILLIAM NICHOLSON, Executive Officer of the Local Agency Formation Commission of Merced County, California, do hereby certify that the foregoing resolution was duly and regularly adopted by said Commission at a regular meeting thereof held upon the 15th day of July, 2021, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of July, 2021.

WILLIAM NICHOLSON, EXECUTIVE OFFICER, LOCAL  
AGENCY FORMATION COMMISSION OF MERCED,  
CALIFORNIA

By: \_\_\_\_\_  
William Nicholson, LAFCO Executive Officer

APPROVED AS TO FORM:  
LEGAL COUNSEL  
LOCAL AGENCY FORMATION COMMISSION  
OF MERCED, CALIFORNIA

By: \_\_\_\_\_  
Malathy Subramanian, LAFCO Counsel

**EXHIBIT "A"**

Being all of Lots 5 through 40 as shown on the map of "EL MOLINO SUBDIVISION", recorded in Book 11, Official Plats, Page 9, Merced County Records, Lying in the Southwest quarter of Section 8, Township 6 South, Range 11 East, Mount Diablo Meridian, Situate in the County of Merced, State of California being more particularly described as follows:

**BEGINNING** at the South quarter corner of said Section 8, said beginning point also being the most Southerly Southwest corner of "Annexation 96-2, El Molino Sub. & Shanks Delhi Tract, Annexation to the Delhi County Water District:

1. Thence westerly along the South line of said Section 8, North 89°40'00" West, 1,318.98 feet to the intersection with the Southerly extension of the West line of Corner Street and Lot 16 of said map:
2. Thence Northerly along said West line, North 01°00'30" East, 660.00 feet to the Northwest corner of said Lot 16, said corner also being the most Westerly Southwest corner of said Annexation 96-2:
3. Thence Easterly along the Southerly line of said Annexation 96-2, said Southerly line also being the Northly lines of Lots 5 through 16 as shown on said map, South 89°40'00" East, 1,319.84 feet to a point on the centerline of Shanks Road shown as 40 feet wide on said map.
4. Thence Southerly along said centerline South 01°05'00" West, 660.01 feet to the **POINT OF BEGINNING**.

Containing 19.99 acres, more or less.

*See Exhibit "B", attached hereto and by this reference made a part hereof.*

**END OF DESCRIPTION**



Garth A. Pecchenino, PLS 7825

02/19/2021  
Date





SCALE: 1" = 200'

EL MOLINO SUB  
SHANKS DELHI TRACT  
ANNEXATION 88-2

MORTON COURT

EMERSON COURT

EXISTING DISTRICT BOUNDARY

- ① 010-053-001
- ② 010-053-002

S89°40'00"E 1319.84'

19.99 ACRES

010-051-001	010-051-002	010-051-003	010-051-004	010-051-005	010-051-006	010-051-007	010-051-008	010-051-009	010-051-010	010-051-011	010-051-012
16	15	14	13	12	11	10	9	8	7	6	5
CORNERS STREET (DONN-HENRY DRIVE)											
010-053-027	010-053-028	010-053-029	010-053-030	010-053-031	010-053-032	010-053-033	010-053-034	010-053-035	010-053-036	010-053-037	010-053-038
40	39	38	37	36	35	34	33	32	31	30	29
010-053-016	010-053-015	010-053-014	010-053-013	010-053-012	010-053-011	010-053-010	010-053-009	010-053-008	010-053-007	010-053-006	010-053-005
28	27	26	25	24	23	22	21	20	19	18	17

S01°05'00"W 660.01'



EXISTING DISTRICT BOUNDARY

POINT OF BEGINNING.  
S. 1/4 COR. SECTION 8,  
S.W. CORNER OF DELHI COUNTY  
WATER DISTRICT ANNEXATION 96-2.

N89°40'00"W 1318.98'

AUGUST AVENUE

SECTION 8  
SECTION 17

# EXHIBIT "B"

PROJECT NO.:	200027
DRAWN BY:	DEP
QA/QC BY:	GAP
SCALE:	AS SHOWN
SHEET NO.:	2 of 2



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LOTS 6 THROUGH 40, MAP OF 'EL MOLINO SUBDIVISION' 11-O.P.-9, M.C.R.  
S.W. 1/4 SECTION 8, T. 6 S., R. 11 E., M.D.M.