

Resolution 21-01
of the
Local Agency Formation Commission
of Nevada County, California

Making Determinations and Approving
Nevada Irrigation District—Annexation: Alta Hill and Idaho Maryland Road Properties

WHEREAS, an application proposing annexation of 76 parcels, comprising nearly 44 acres was filed by the Nevada Irrigation District with the Executive Officer of the Local Agency Formation Commission of Nevada County, California, and said application complied with all the requirements of law and the Commission; and

WHEREAS, the proceedings for this change of organization are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Section 56000 *et seq.* of the Government Code; and

WHEREAS, at least sixty-eight of the subject properties are already connected to the District's treated water system as "Outside-District" contract customers. The District, in accordance with its Sphere of Influence Plan, has proposed to initiate annexation of these properties in order to avoid piecemeal annexations of these parcels; and,

WHEREAS, the Nevada Irrigation District, as the Lead Agency for the annexation, has reviewed the annexation proposal and has found that it qualifies for categorical exemption from the provisions of the California Environmental Quality Act of 1970 under Class 19 (Annexation of Existing Facilities and Lots for Exempt Facilities). The District's Resolution of Application No. 2020-23, adopted October 14, 2020, includes this finding; and,

WHEREAS, portions of the subject territory are located within the City of Grass Valley, with the remaining properties being located in the City's sphere of influence. The City has not objected to the annexation of the subject territory to Nevada Irrigation District; and,

WHEREAS, the Executive Officer has reviewed the application and prepared a report including staff recommendations thereon within the time required by law and has furnished copies of said report to the Commission and to all other persons required by law to receive it; and

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave mailed notice of the date, time, and place of the Commission's consideration of said application; and

WHEREAS, at a public hearing on February 18, 2021, the Commission considered the District's proposal and the report of the Executive Officer; the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56668; and all other relevant evidence and information presented at said hearing, including the comments of all interested parties desiring to be heard;

NOW, THEREFORE, the Local Agency Formation Commission of Nevada County hereby determines the following:

1. The subject territories comprise approximately 46.17 acres and are found to be inhabited in that more than 12 registered voters reside therein.
2. The Commission adopts the determinations regarding consistency with LAFCo Policies contained in the staff report for this proposal and incorporates them by reference herein.

3. The Commission finds that the proposal is consistent with the Sphere of Influence of the Nevada Irrigation District, as updated by the Commission in 2006, and with the Spheres of Influence of other service providers in the area.
4. The District, as the Lead Agency for the annexation project, has determined it qualifies for exemption from the California Environmental Quality Act under the provisions of Section 15319 (Annexation of Existing Facilities and Lots for Exempt Facilities) of the State CEQA Guidelines. The Commission, as a Responsible Agency under CEQA, has reviewed and concurs with the District's findings
5. The Commission has provided written mailed notice of its proceedings to registered voters and landowners within the affected territory, and the notice has disclosed that the Commission intends to waive protest proceedings unless written opposition to the proposal is received prior to the close of the Commission hearing. The notice also disclosed that taxes, assessments and charges previously authorized by the District will be extended to the subject territory. During the Commission's hearing, no written opposition or voiced objections from landowners or registered voters within the subject territory was presented to the Commission.

NOW, THEREFORE, the Commission resolves and orders the following:

1. The proposal is approved, subject to terms and conditions as stated herein and in Resolution 2020-23 of the Nevada Irrigation District.
2. The change of organization is assigned the following distinctive short-form designation:
Nevada Irrigation District—Annexation: Alta Hill and Idaho Maryland Road Properties
3. The change of organization consists of the following jurisdictional changes:
 - Nevada Irrigation District – Annexation
4. The boundaries, as set forth in the proposal, are hereby approved as depicted and described in *Exhibit A* attached hereto and by this reference incorporated herein.
5. The regular county assessment roll will be utilized.
6. No existing bonded indebtedness shall be affected by this reorganization.
7. As authorized by Section 56886(q) of the Government Code, the subject territory is assigned to the District's electoral divisions as set forth in the District's Resolution of Application: the properties that are located generally west of the City of Grass Valley which are surrounded by Division 5 will be assigned to Division 5, and the properties that are located generally east of the City of Grass Valley which are surrounded by Division 1 will be assigned to Division 1; and
8. As authorized by Section 56886(t) of the Government Code, all previously authorized charges, fees, assessments, or taxes currently levied by the District shall be extended to the subject territory upon completion of this annexation.
9. The exchange of tax revenues shall be performed in accordance with the Master Tax Sharing Agreement between Nevada County, City of Grass Valley, and Nevada Irrigation District, as set forth in Nevada County Board of Supervisors Resolution 90-72, adopted February 13, 1990.
10. In accordance with the provisions of Section 56663 of the Government Code, and with Nevada LAFCo Policies, the Commission hereby waives the protest hearing for this matter and directs the Executive Officer to take action as appropriate in accordance with LAFCo Policies and the requirements of Chapter 3, Part 4 of Division 3 of the California Government Code.

11. The Executive Officer is hereby authorized and directed, upon satisfaction that all applicable fees have been paid and conditions for completion fulfilled, to prepare and file a Certificate of Completion as provided by Section 57200 of the California Government Code and to mail copies of this resolution to each affected local agency as provided in Section 56882. The date of issuance of the Certificate of Completion shall constitute the Effective Date of this change of organization

The foregoing resolution was duly passed by the Local Agency Formation Commission of Nevada County at a regular meeting held on February 18, 2021 by the following roll call vote:

Ayes: Aguilar, Bullock, Miller, Susman, Zabriskie, Grundel

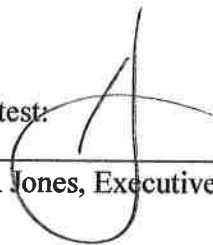
Noes: none

Abstentions: none


Absent: none

Signed and approved by me after its passage this 18th day of February, 2021.

Attest:



SR Jones, Executive Officer

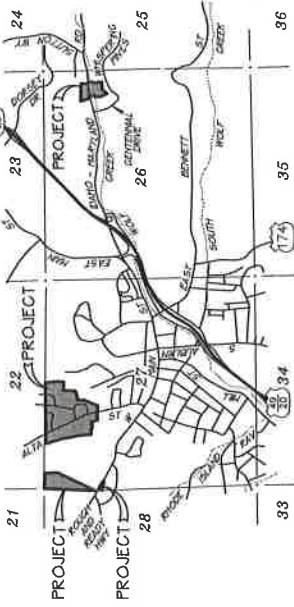


Kurt Grundel, Chair
Nevada LAFCo

Exhibit A -- ^{Map 7} Map and Legal Description 5

Exhibit A
Maps & Descriptions

T. 16 N., R. 8 E., M.D.M.



SURVEYOR'S STATEMENT
THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT AT THE REQUEST OF NEVADA IRRIGATION DISTRICT IN OCTOBER 2020.



12/24/20
Andrew Cassano
ANDREW CASSANO
L.S. 4370
REGISTRATION EXPIRES 9-30-21

LAFCO EXECUTIVE OFFICER'S STATEMENT
APPROVED BY NEVADA COUNTY LOCAL AGENCY FORMATION COMMISSION.

RESOLUTION NO. _____
DATE: _____
THIS MAP, WHEN RECORDED, WAS ACCOMPANIED BY A CERTIFICATE OF COMPLETION WHICH WAS ATTACHED TO SECTIONS 27+28 OF THE GOVERNMENT CODE TO THE TERRITORY SHOWN ON SAID MAP. THE CERTIFICATE OF COMPLETION IS RECORDED AS DOCUMENT NO. _____, NEVADA COUNTY RECORDS.

S.R. JONES LAFCO EXECUTIVE OFFICER

COUNTY RECORDER'S STATEMENT

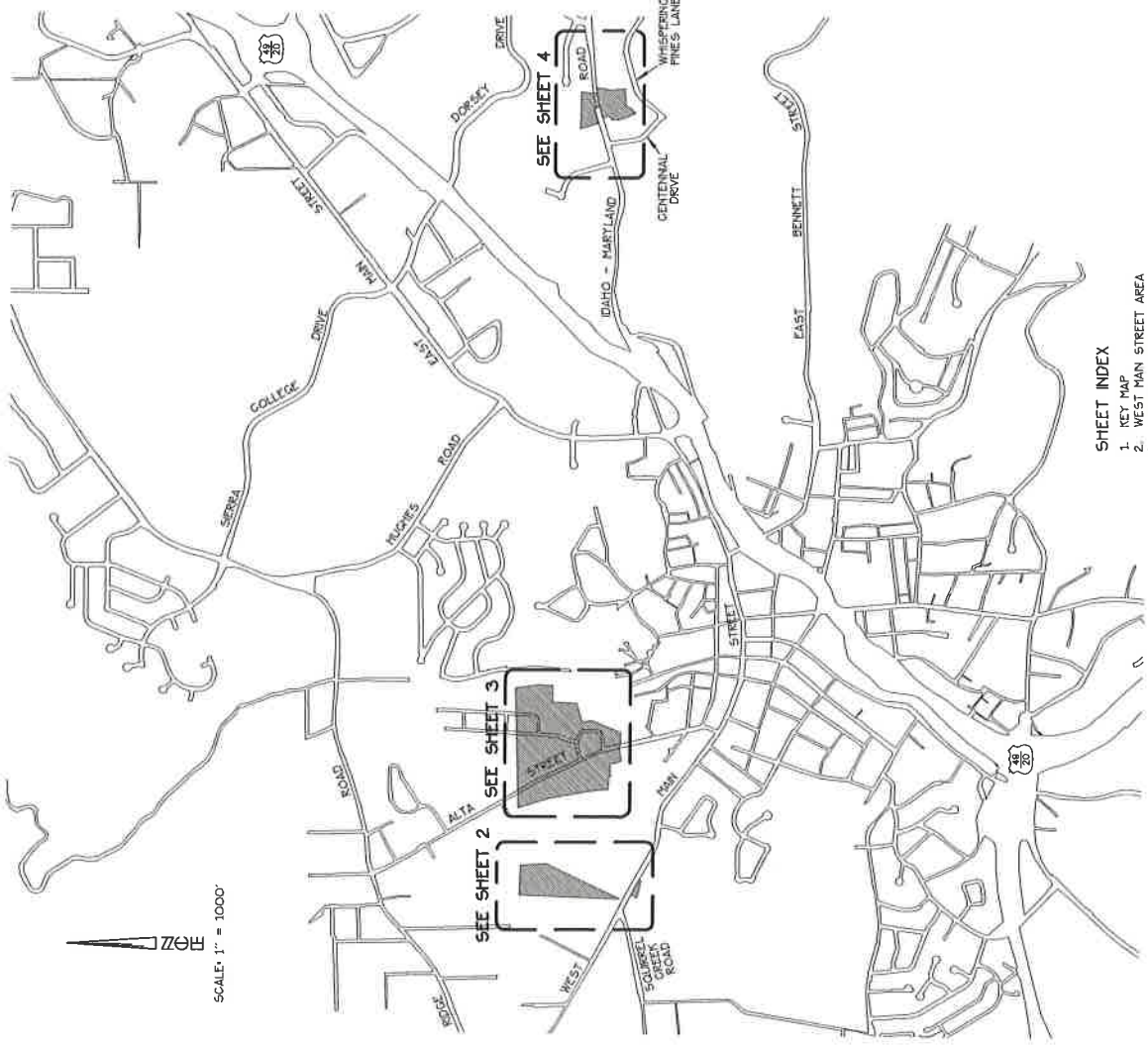
FILED THIS _____ DAY OF _____ 2020 AT _____ M. IN BOOK _____ OF SURVEYS AT PAGE _____ AT THE REQUEST OF S.R. JONES

DOCUMENT NO.: _____ BY: _____
FEE PAID: _____ CLERK RECORDER: GREGORY J. DIAZ DEPUTY

**ALTA HILL AREA ANNEXATIONS
ANNEXATION TO
NEVADA IRRIGATION DISTRICT**

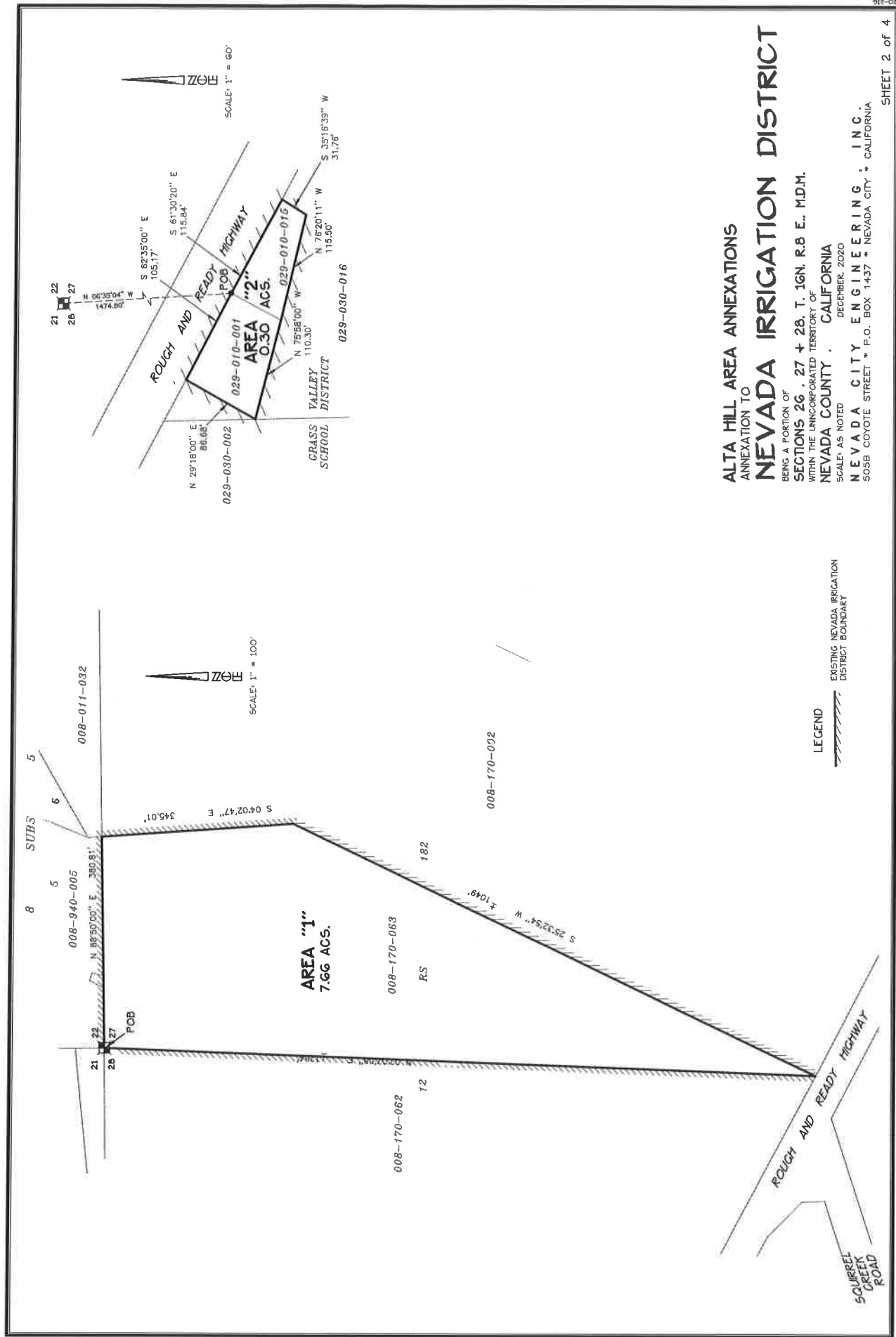
BEING A PORTION OF SECTIONS 26, 27 + 28, T. 16N, R. 8 E., M.D.M. WITHIN THE UNINCORPORATED TERRITORY OF NEVADA COUNTY, CALIFORNIA
SCALE: AS NOTED
DECEMBER, 2020

NEVADA CITY ENGINEERING, INC.
505B COYOTE STREET • P.O. BOX 1437 • NEVADA CITY, CALIFORNIA



SHEET INDEX

- 1. KEY MAP
- 2. WEST MAIN STREET AREA
- 3. ALTA HILL AREA
- 4. IDAHO-MARYLAND STREET AREA



21
22
26
27
N 98°50'00" E 380.81'
N 06°35'04" W 1474.89'
S 62°35'00" E 105.17'
S 61°30'20" E 115.84'
N 29°18'00" E 86.68'
N 75°58'00" W 110.30'
N 76°20'11" W 115.50'
S 35°16'38" W 31.76'
029-010-001
029-010-015
029-030-002
029-030-016
008-011-032
008-940-005
N 88°50'00" E 380.81'
S 04°02'47" E 345.01'
S 25°32'54" W 410.48'
008-170-062
008-170-063
008-170-002

SCALE: 1" = 100'

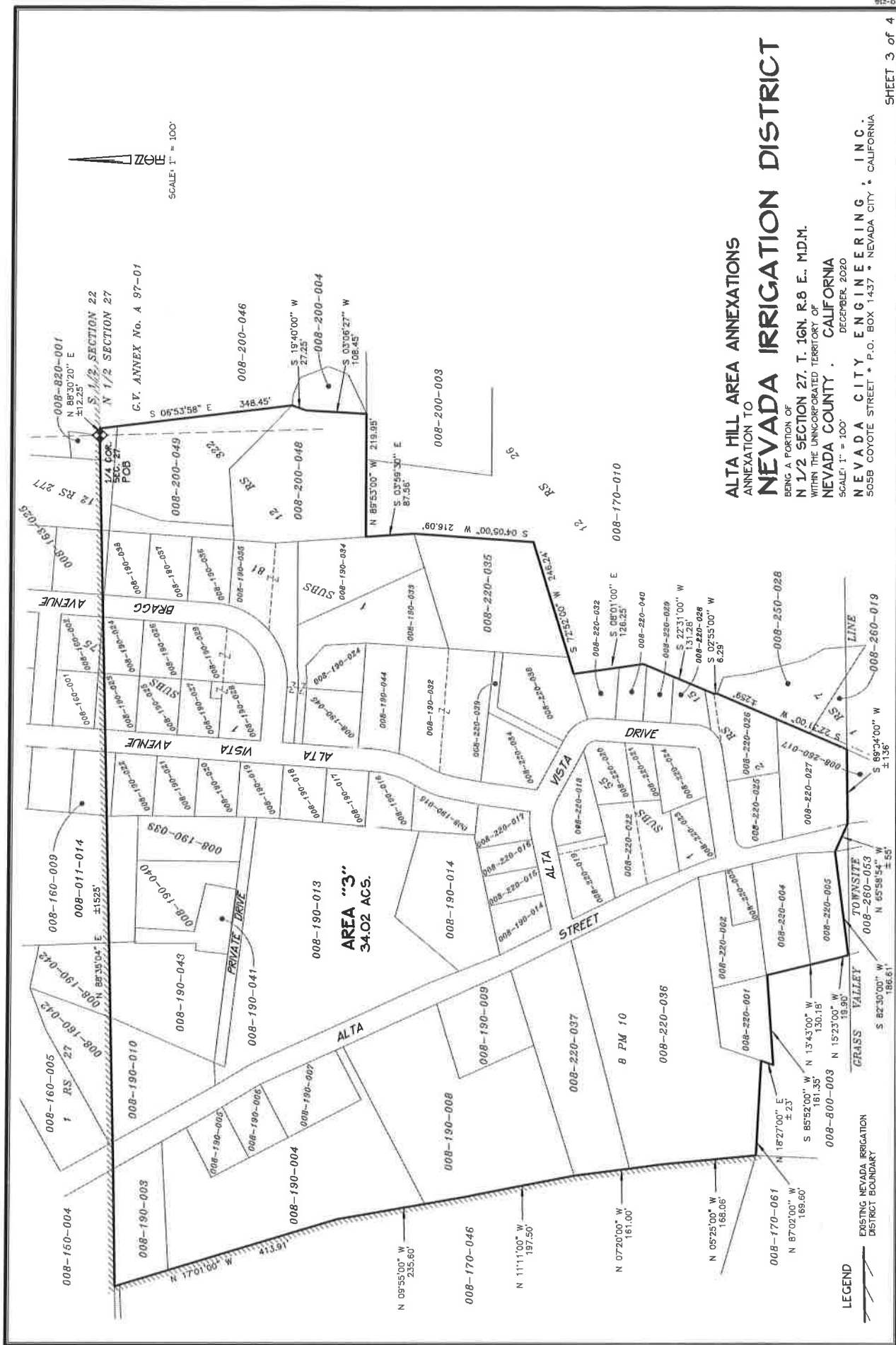
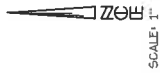


AREA "1"
7.66 ACS.

ROUGH AND READY HIGHWAY
GRASS VALLEY SCHOOL DISTRICT
AREA "2"
0.30 ACS.

LEGEND
--- EXISTING NEVADA IRRIGATION DISTRICT BOUNDARY

ALTA HILL AREA ANNEXATIONS
ANNEXATION TO
NEVADA IRRIGATION DISTRICT
BEING A PORTION OF
SECTIONS 26, 27 + 28, T. 16N, R. 8 E., M.D.M.
WITHIN THE UNINCORPORATED TERRITORY OF
NEVADA COUNTY, CALIFORNIA
SCALE: AS NOTED
DECEMBER, 2020
NEVADA CITY ENGINEERING, INC.
505B COYOTE STREET * P.O. BOX 1437 * NEVADA CITY, CALIFORNIA



ALTA HILL AREA ANNEXATIONS ANNEXATION TO NEVADA IRRIGATION DISTRICT

BEING A PORTION OF
N 1/2 SECTION 27, T. 16N. R. 8 E. M.D.M.
WITHIN THE UNINCORPORATED TERRITORY OF
NEVADA COUNTY, CALIFORNIA
SCALE: 1" = 100'
DECEMBER, 2020

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008-190-013
AREA "3"
34.02 ACS.

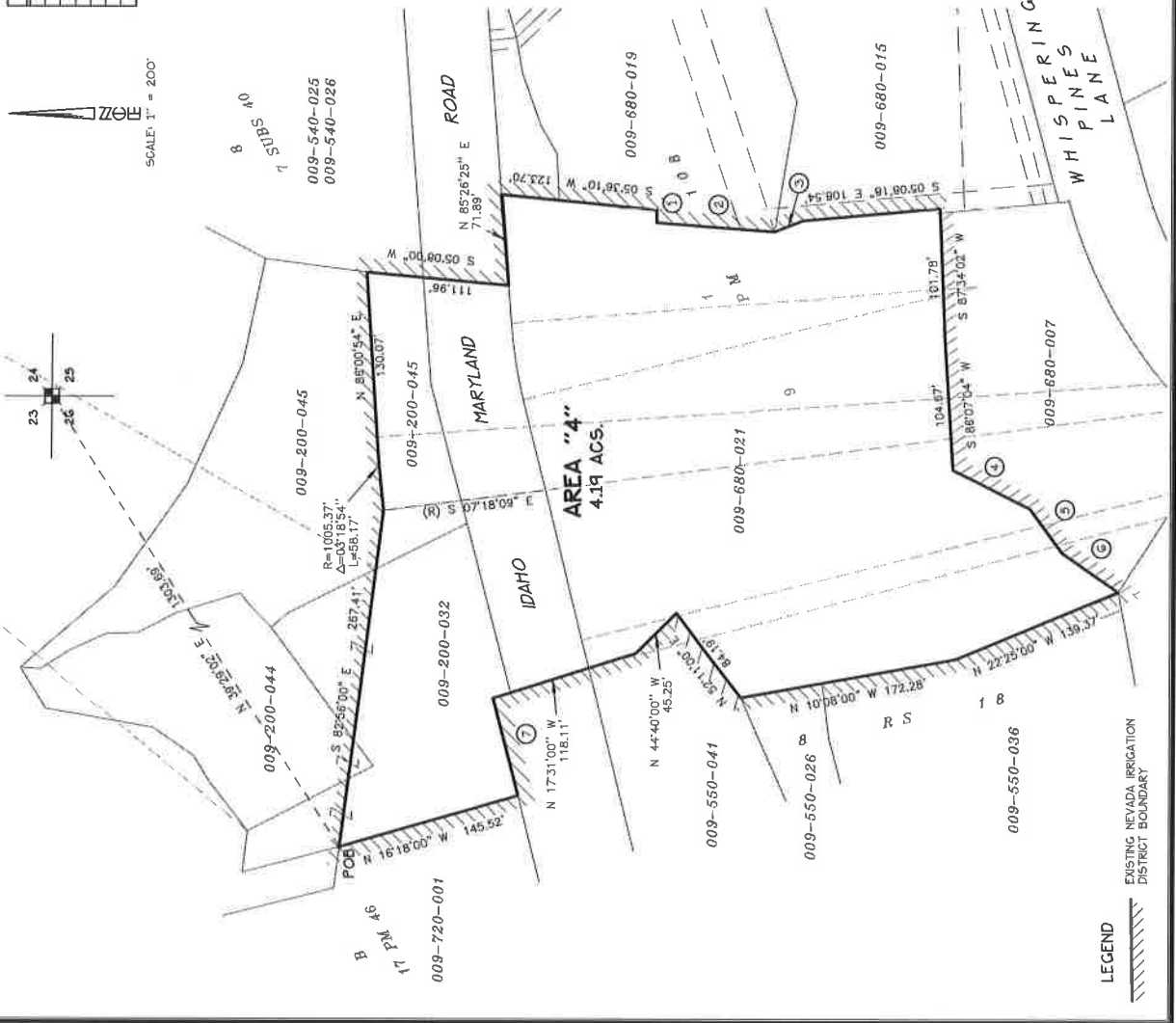
LEGEND



EXISTING NEVADA IRRIGATION DISTRICT BOUNDARY

COURSE SUMMARY

NO	BEARING	DISTANCE
1	N 88°43'17" W	10.00'
2	S 04°14'39" W	94.20'
3	S 21°35'38" E	23.83'
4	S 26°26'38" W	66.47'
5	S 53°17'53" W	43.87'
6	S 34°25'12" W	53.98'
7	S 75°17'52" W	79.31'



ALTA HILL AREA ANNEXATIONS COFF-SITE
ANNEXATION TO
NEVADA IRRIGATION DISTRICT
BEING A PORTION OF
NE 1/4 SECTION 26, T. 16N, R. 8E., MDM.
WITHIN THE UNINCORPORATED TERRITORY OF
NEVADA COUNTY, CALIFORNIA

SCALE: 1" = 100'
NEVADA CITY ENGINEERING, INC.
505B COYOTE STREET * P.O. BOX 1437 * NEVADA CITY * CALIFORNIA
DECEMBER, 2020

LEGEND
EXISTING NEVADA IRRIGATION DISTRICT BOUNDARY


**EXHIBIT A
NEVADA IRRIGATION DISTRICT
ALTA HILL AREA ANNEXATIONS
AREA 1
LEGAL DESCRIPTION**

ALL THAT PORTION of the Northwest quarter of Section 27, Township 16 North, Range 8 East, M.D.B& M., Nevada County, California, being more particularly described as follows:

BEGINNING AT A POINT on the Nevada Irrigation District Boundary being the Northwest corner of said Section 27; **THENCE FROM SAID POINT OF BEGINNING** along said District Boundary North $88^{\circ} 50'$ East 380.81 feet along the North line of said Section 27; **THENCE** leaving said Section line South $04^{\circ} 02' 47''$ East 345.01 feet; **THENCE** South $25^{\circ} 32' 54''$ West 874 feet more or less to the point of intersection with the West line of said Section 27; **THENCE** Northerly along said section line 1125 feet more or less to the said **POINT OF BEGINNING**.

Containing approximately 6.63 acres more or less.

THIS LEGAL DESCRIPTION was prepared by me or under my direction in December 2020, based on record data.


Andrew R. Cassano, PLS 4370
Professional Land Surveyor



**EXHIBIT A
NEVADA IRRIGATION DISTRICT
ALTA HILL AREA ANNEXATIONS
AREA 2
LEGAL DESCRIPTION**

ALL THAT PORTION OF the Northeast quarter of Section 28 and of the Northwest quarter of Section 27, Township 16 North, Range 8 East, M.D.M., **BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:**

BEGINNING at a point on the existing Nevada Irrigation District Boundary from which the northwest corner of said Section 27 bears North 06°35'04" West 1474.80 feet; **THENCE FROM SAID POINT OF BEGINNING** along said District Boundary South 61°30'20" East 115.84 feet; **THENCE** South 35°16'39" West 31.76 feet; **THENCE** North 76°20'11" West 115.50 feet; **THENCE** North 75°58'00" West 110.30 feet; **THENCE** North 29°18'00" East 86.68 feet; **THENCE** South 62°35'00" East 105.17 feet to the **POINT OF BEGINNING.**

Containing approximately 0.30 acres more or less.

THIS LEGAL DESCRIPTION was prepared by me or under my direction in December 2020, based on record data.

Andrew R. Cassano 3-16-21

Andrew R. Cassano, PLS 4370
Professional Land Surveyor



EXHIBIT A
NEVADA IRRIGATION DISTRICT
ALTA HILL AREA ANNEXATIONS
AREA 3
LEGAL DESCRIPTION

A PORTION OF the North half of Section 27, Township 16 North, Range 8 East, M.D.M., **BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEGINNING at the North quarter corner of said Section 27 a point on the Nevada Irrigation District Boundary; **THENCE FROM SAID POINT OF BEGINNING** along the section line and District Boundary North 88°30'20" East 12.25 feet more or less; **THENCE** leaving said section and District Boundary line South 06°55'50" East 348.45 feet; **THENCE** South 19°40'00" West 27.25 feet; **THENCE** South 03°19'00" West 107.71 feet; **THENCE** North 89°53'00" West 219.95 feet; **THENCE** South 03°59'30" East 88.35 feet; **THENCE** South 04°05'00" West 216.09 feet; **THENCE** South 72°52'00" West 246.24 feet; **THENCE** South 08°01'00" East 121.02 feet; **THENCE** South 22°31'00" West 138.01 feet; **THENCE** South 02°55'00" West 6.29 feet; **THENCE** South 22°31'00" West 258 feet more or less; **THENCE** South 89°04'00" West 133 feet more or less; **THENCE** North 65°58'54" West 55 feet more or less; **THENCE** South 82°30'00" West 186.61 feet; **THENCE** North 15°23'00" West 19.90 feet; **THENCE** North 13°43'00" West 130.18 feet; **THENCE** South 85°52'00" West 161.35 feet; **THENCE** North 18°27'00" East 23 feet more or less; **THENCE** North 87°02'00" West 169.60 feet more or less to a point on the existing Nevada Irrigation District Boundary; **THENCE** along said District Boundary North 05°25'00" West 168.06 feet; **THENCE** North 07°20'00" West 161.00 feet; **THENCE** North 11°11'00" West 197.50 feet; **THENCE** North 09°55'00" West 235.60 feet; **THENCE** North 17°01'00" West 413.91 feet to a point on the north line of said Section 27; **THENCE** along said section line in an Easterly direction 1525 feet more or less to the **POINT OF BEGINNING**.

Containing approximately 34.02 acres more or less.

THIS LEGAL DESCRIPTION was prepared by me or under my direction in December 2020, based on record data.

 3-16-21

Andrew R. Cassano, PLS 4370
Professional Land Surveyor

