

Nevada County  
Local  
Agency  
Formation  
Commission

**LAFCo**  
**950 Maidu Avenue**  
**Nevada City, CA 95959-8617**

Phone 530-265-7180

E mail [laftco@co.nevada.ca.us](mailto:laftco@co.nevada.ca.us)

On the web at: [www.mynevadacounty.com/nc/laftco](http://www.mynevadacounty.com/nc/laftco)

Richard Anderson  
*County*

Robert Bergman  
*Cities*

Patrick Flora  
*Cities*

Kurt Grundel, Vice-Chair  
*Districts*

Josh Susman  
*Public*

Hank Weston, Chair  
*County*

Nick Wilcox  
*Districts*

Nate Beason  
*County Alternate*

Ed Beckenbach  
*Districts Alternate*

Gloria Glenn  
*Public Alternate*

Howard Levine  
*Cities Alternate*

SR Jones  
*Executive Officer*

P. Scott Browne  
*Legal Counsel*

Deborah Gilcrest  
*Clerk/Analyst*

Kate Duroux  
*Assistant Clerk*

July 26, 2016

Brad Torres  
Nevada County Sanitation District  
950 Maidu Avenue  
Nevada City, CA 95959

**SUBJECT: County Sanitation District (Wildwood Zone): Ellert Property Annexation**

Dear Mr. Torres:

Enclosed are copies of the Statement of Boundary Change, Certificate of Completion and a conformed copy of the mylar officially recording the action identified above. The property is located at 18159 Wildflower Drive in Penn Valley.

When the State Board of Equalization has completed their process, you will receive notification from their office.

Please let me know if you require any other documentation for your files.

Sincerely,

  
Deborah Gilcrest, Clerk/Analyst  
Nevada LAFCo

**COPY**

Nevada County Recorder  
Gregory J. Diaz  
Document#: 20160015996  
Friday July 22 2016, at 09:28:52 AM

Recording Requested By:  
Nevada County LAFCo  
950 Maidu Ave.  
Nevada City, CA 95959

Paid: KP

When Recorded Return To:  
Nevada County LAFCo  
950 Maidu Ave.  
Nevada City, CA 95959


## Certificate of Completion

Pursuant to Government Code Sections 57200 and 57201, this Certificate of Completion is issued by the Executive Officer of the Local Agency Formation Commission of the County of Nevada, State of California.

1. The short form designation, as determined by LAFCo, is:  
*Nevada County Sanitation District—Annexation: Ellert Property*
2. The name of each district or city involved in this change of organization or reorganization and the kind or type of change of organization or reorganization ordered for each city or district are:  

<i>County Sanitation District</i>	<i>Annexation</i>
3. The cities and/or special districts listed are located within the **County of Nevada**.
4. The boundaries of the change of organization or reorganization cited above are described in the legal description attached as **Exhibit A** to **Nevada LAFCo Resolution No. 16-05** attached hereto and by this reference incorporated herein and are depicted on the map recorded in Book 10 of Surveys, at Page 31, Nevada County Records.
5. The territory involved in this change of organization or reorganization is deemed **inhabited** pursuant to Government Code Section 56046; fewer than 12 registered voters reside within the territory.
6. This change of organization or reorganization has been approved subject to the terms and conditions set forth in **Nevada LAFCo Resolution No. 16-05** attached hereto.
7. This change of organization or reorganization was ordered by the **Local Agency Formation Commission** after a hearing to receive protest called for and held in Nevada City, California, on **June 16, 2016**, after which the **Order for Change of Organization** also attached hereto was issued.

I hereby certify that I have examined the resolution cited above, including any terms and conditions, as well as the map and legal description and have found these documents to be in compliance with the attached LAFCo Resolution No. 16-05.

  
\_\_\_\_\_  
SR Jones, Executive Officer  
Local Agency Formation Commission  
County of Nevada, State of California

7.15.16

\_\_\_\_\_  
Date

**Resolution 16-05**  
**of the**  
**Local Agency Formation Commission**  
**of Nevada County, California**

*Making Determinations and Approving*  
*County Sanitation District—Annexation: Ellert Family Property*

WHEREAS, an application for the annexation of a single parcel comprised of 3.29 acres to the County Sanitation District, Zone 1 (Lake Wildwood), in order to secure District wastewater services to support the construction of a single-family residence was filed by the landowner 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, the owner of the subject territory has applied for annexation to the County Sanitation District in order to obtain public sewer service to support the construction of a second single family residence at the site, consistent with the County's General Plan and zoning designation for the ; 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 hearing on June 16, 2016, the Commission considered the 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 territory comprises approximately 3.29 acres and, having fewer than 12 registered voters, is found to be uninhabited.
2. The determinations regarding consistency with Commission policy contained in the staff report for this proposal are hereby adopted and incorporated by reference herein.
3. The proposal is consistent with the sphere of influence of the County Sanitation District, as amended by Resolution 16-04, as well as the spheres of influence of other service providers in the area.
4. The Commission, acting as Lead Agency, has found that annexation of the subject parcel in order to provide wastewater service qualifies for exemption from CEQA review under Class 19 of the state CEQA Guidelines (Annexation of Existing Facilities and Lots for Exempt Facilities).

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

1. The boundaries, as set forth in the proposal, are hereby approved as described in *Exhibit A* attached hereto and by this reference incorporated herein.

2. The proposal is approved, subject to terms and conditions as stated herein and as required by the County Sanitation District as provided in the Will Serve letter provided by the District.
3. The change of organization is assigned the following distinctive short-form designation:  
**County Sanitation District, Zone 1 (Lake Wildwood)—Annexation: Ellert Family Property**
4. The change of organization consists of the following jurisdictional changes:
  - County Sanitation District – Annexation
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 (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.
8. The exchange of tax revenues shall be performed in accordance with the Nevada County Board of Supervisors Resolution 06-162, which establishes apportionment of property tax revenues upon annexation by special districts.
9. 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.
10. Staff is directed to file a Notice of Exemption citing Class 19, Section 21083 of the Public Resources 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 foregoing resolution was duly passed by the Local Agency Formation Commission of Nevada County at a regular meeting held on June 16, 2016, by the following roll call vote:

Ayes: Anderson, Bergman, Flora, Glenn, Grundel, Weston, Wilcox

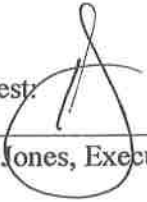
Noes: none

Abstentions: none

Absent: Susman

Signed and approved by me after its passage this 16<sup>th</sup> day of June 2016

Attest:

  
\_\_\_\_\_  
SR Jones, Executive Officer

  
\_\_\_\_\_  
Hank Weston, Chair  
Nevada LAFCo

## EXHIBIT A

All that real property situated within the Southwest Quarter of Section 16, Township 16 North, Range 7 East, M.D.B. & M., within the unincorporated territory of the County of Nevada and Parcel 3 of that certain Parcel Map for The Vogt Family Trust recorded April 17, 2007 in Book 20 of Parcel Maps at Page 28, Official Records of Nevada County, and being more particularly described as follows:

Beginning at the most westerly corner of said Parcel 3 and also being the northeast corner of Lot 2673 of the Lake Wildwood Unit No. 6A map recorded July 5, 1973 in Book 4 of Subdivision Maps at Page 51: thence from said Point of Beginning along the southerly right-of-way line of Wildflower Drive, along a curve concave northwesterly and having a radius of 530.00 feet, with a chord bearing North 47° 56' 31" East and chord length of 317.42 feet through a central angle of 34° 50' 57"; thence North 30° 31' 02" East, 42.60 feet to the beginning of a curve to the left and having a radius of 1,330.00 feet; thence along said curve through a central angle of 1° 27' 50" and an arc length of 33.98 feet to a corner common to Parcel 2 of said Parcel Map; thence along the common property line of said Parcels 2 and 3 the following three (3) consecutive courses: 1) South 70° 03' 38" East, 85.72 feet, 2) South 3° 15' 59" East, 47.88 feet, 3) South 36° 54' 54" East, 273.97 feet to the northerly line of Parcel "G" of the Lake Wildwood Unit No. 1 subdivision recorded September 11, 1969 in Book 3 of Subdivision Maps at Page 38; thence along the common property line of said Parcel 3 and Parcel "G", South 55° 37' 31" West, 397.29 feet; thence continuing along the northerly line of said Parcel 3 the following nine (9) consecutive courses: 1) North 29° 44' 47" East, 10.14 feet, 2) South 73° 56' 22" West, 10.66 feet, 3) South 88° 30' 41" West, 11.83 feet, 4) South 85° 38' 25" West, 8.21 feet, 5) South 57° 28' 34" West, 12.81 feet, 6) South 78° 40' 37" East, 10.21 feet, 7) South 76° 03' 12" West, 10.29 feet, 8) South 78° 02' 24" West, 10.39 feet, 9) South 77° 56' 47" West, 10.14 feet to the southeast corner of said Parcel 3 and Lot 2673; thence along the common line for said Parcel 3 and Lot 2673, North 23° 10' 10" East, 274.42 feet to the Point of Beginning.

The herein described property contains an area of 3.29 acres, more or less.

The herein described property is shown on Exhibit "B" attached hereto and made a part hereof.

This description has been prepared by me, or under my direct supervision, in conformance with the Professional Land Surveyors Act, on February 22, 2016.

*Kevin J. Nelson*

Kevin J. Nelson, P.L.S. 8423  
Expires 12-31-16





BOE-400-TA REV. 3 (7-15)  
**STATEMENT OF BOUNDARY CHANGE**

STATE OF CALIFORNIA  
 BOARD OF EQUALIZATION

BOE File No.: \_\_\_\_\_

COUNTY Nevada	COUNTY NUMBER 29	ACREAGE 3.29	FEE \$350.00	RES./ORD. NUMBER
CONDUCTING AUTHORITY Nevada Local Agency Formation Commission				LAFCO. RES. 16-05
SHORT FORM DESIGNATION County Sanitation District: Annexation - Ellert Property				EFFECTIVE DATE 06-16-16

**1. TYPE OF ACTION**

- |  |  |   |  |
|--|--|---|--|
| <input type="checkbox"/> City - Annexation (02)      | <input type="checkbox"/> District - Formation (09)                           | <input type="checkbox"/> District - Name Change (11)                  | <input type="checkbox"/> School District - Unification (18)      |
| <input type="checkbox"/> City - Detachment (14)      | <input checked="" type="checkbox"/> District - Annexation (01)               | <input type="checkbox"/> Reorganization (12)                          | <input type="checkbox"/> School District - Thompson Unified (19) |
| <input type="checkbox"/> City - Incorporation (04)   | <input type="checkbox"/> District - Detachment (07)                          | <input type="checkbox"/> School District - Transfer of Territory (13) |  |
| <input type="checkbox"/> Consolidation of TRA's (06) | <input type="checkbox"/> District - Consolidation (05)                       | <input type="checkbox"/> School District - Merger (17)                |  |
| <input type="checkbox"/> County Boundary Change (16) | <input type="checkbox"/> District - Dissolution/Removal from Board Roll (08) |   |  |

**2. PRINCIPAL CITY/DISTRICT(S) AFFECTED BY ACTION [ENTER DISTRICT NAME(S)]**

County Sanitation District

**3. AFFECTED TERRITORY**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Inhabited              | <input checked="" type="checkbox"/> Developed  | <input type="checkbox"/> Will be taxed for existing bonded indebtedness or contractual obligations as set forth by the terms and conditions as stated in the resolution. |
| <input checked="" type="checkbox"/> Uninhabited | <input type="checkbox"/> Undeveloped   |  |
| Number of Areas: _____                          | <input checked="" type="checkbox"/> Will not be taxed for existing bonded indebtedness or contractual obligations. |  |

**4. ELECTION**

- An election authorizing this action was held on \_\_\_\_\_ (mm/dd/yyyy).  
 This action is exempt from election.

**5. ENCLOSED ARE THE FOLLOWING ITEMS REQUIRED AT THE TIME OF FILING**


- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fees                               | <input checked="" type="checkbox"/> Certificate of Completion (LAFCo. Only)         | <input checked="" type="checkbox"/> County auditor's letter of TRA assignment (consolidated counties only) |
| <input checked="" type="checkbox"/> Legal description                  | <input checked="" type="checkbox"/> Map(s) and supporting documents                 |  |
| <input checked="" type="checkbox"/> Resolution of conducting authority | <input checked="" type="checkbox"/> Assessor parcel number(s) of affected territory |  |

**6. CITY BOUNDARY CHANGES ONLY**

- Map of limited addresses  Alphabetical list of all streets within the affected area to include beginning and ending street numbers  
 Vicinity map

Estimated Population: \_\_\_\_\_ Total assessed value of all property in subject territory: \_\_\_\_\_

**REQUIRED: According to section 54902 of the Government Code, copies of these documents must be filed with the county auditor and county assessor.**

The California State Board of Equalization will acknowledge receipt of filing to:		BOE USE ONLY	
NAME SR Jones		CHK #:	
TITLE Executive Officer			
AGENCY Nevada LAFCo		AMT:	
ADDRESS (street, city, state, zip code) 950 Maidu Avenue, Nevada City, CA 95959			
TELEPHONE NUMBER (include area code) 265-7180	FAX NUMBER (include area code)	LTR #:	
EMAIL ADDRESS SR.Jones@co.nevada.ca.us			
SIGNATURE OF AGENCY OFFICER 	DATE 7.15.16		