

# PROJECT REPORT

TO: Planning Commission

AGENDA DATE: May 24, 2023

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME: 9:00 a.m. / No. 5

PROJECT TYPE: MFC IMPERIAL I, LLC (LLA #00329) SUPERVISOR DIST #4

LOCATION: 2301 E. Chalupnik Road APN: 039-060-004 & 039-030-016-000

Brawley, CA 92227 PARCEL SIZE: 160 Acres +/-

GENERAL PLAN (existing) Agriculture GENERAL PLAN (proposed) N/A

ZONE (existing) A-2-R (General Agricultural/Rural Zone) ZONE (proposed) N/A

GENERAL PLAN FINDINGS

CONSISTENT     INCONSISTENT     MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: 5/24/2023

APPROVED     DENIED     OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: \_\_\_\_\_

APPROVED     DENIED     OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION:

HEARING DATE: N/A

INITIAL STUDY: N/A

NEGATIVE DECLARATION     MITIGATED NEG. DECLARATION     EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
AG	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
APCD	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
E.H.S.	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
FIRE / OES	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
SHERIFF	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER				

IID

REQUESTED ACTION:

IT IS RECOMMENDED THAT YOU CONDUCT A PUBLIC HEARING, THAT YOU HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF WOULD THEN RECOMMEND THAT YOU APPROVE LOT LINE ADJUSTMENT #00329 BY TAKING THE FOLLOWING ACTIONS:

1. MAKE THE FINDING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM CEQA UNDER GOVERNMENT CODE 15305 AND THAT NO FURTHER ENVIRONMENTAL DOCUMENTATION IS NECESSARY; AND,
2. FIND THAT LOT LINE ADJUSTMENT #00329 IS CONSISTENT WITH APPLICABLE ZONING, STATE LAWS, AND COUNTYBUILDING ORDINANCES; AND,
3. MAKE THE FINDINGS AND APPROVE LOT LINE ADJUSTMENT #00329, SUBJECT TO THE CONDITIONS.

**STAFF REPORT**  
**Planning Commission Meeting**  
**May 24, 2023**

**Project Name:**      **Lot Line Adjustment #00329**

**Applicant:**            **MFC IMPERIAL I, LLC**  
                                 **2301 E. Chalupnik Road**  
                                 **Brawley, CA 92227**

**Project Location:**

The proposed project site consists of two (2) parcels located at 2301 E. Chalupnik Road, in Brawley, California 92227, and can be further identified as Assessor Parcel Numbers 039-060-004, legally described as the East half of the Northeast quarter and the East half of the Southeast quarter of Sec 17, T13S, R16E, SBBM; and 039-030-016, legally described as the South half of the Southeast quarter of the Southeast quarter of Sec 8, T13S R16E SBBM.

**Project Summary:**

The applicant (MFC Imperial I, LLC) is proposing to adjust the boundary between Parcel A (039-060-004) and Parcel B (039-030-016) to the South approximately to the center of Dickerman Road. The purpose is to make the legal description of the boundary line easier to reference, identify and locate by having Dickerman Road as the dividing boundary line. Adjusting the boundary line will reconfigure and distinguish proposed Parcel A (+/-78.77ac) to the South and proposed Parcel B (+/- 81.73ac) to the North of Dickerman Road. The current boundary line runs through farmed area, where both parcels meet, in the northern side of Parcel B. Access for proposed Parcel A will be Dickerman Road, and access for proposed Parcel B will be Chalupnik Road along the north boundary and Dickerman Road along the south boundary. Water delivery for proposed Parcel B is via the Myrtle Lateral, Gate 1, and via the Mullen Lateral, Gate 1 for proposed Parcel A. Water drainage for both proposed Parcel A and B is via the Mullen Drain.

**Existing Parcels Size:**

Parcel A (039-060-004): +/- 140 acres

Parcel B (039-030-016): +/- 20 acres

**Proposed Parcels:**

Parcel A – +/- 78.774 acres

Parcel B – +/- 81.730 acres

**County Ordinance:**

Lot Line Adjustment #00329 is consistent with the Imperial County Land Use Ordinance (Title 9, Division 8), Subdivision Ordinance, Section 90807.00 Lot Line Adjustments since no new parcels will be created or eliminated. The proposed project is also consistent with the Subdivision Map Act Section 66412 (d) since the land is taken from one parcel and added to an adjoining parcel.

**Land Use Analysis:**

According to the Imperial County General Plan, the land use designation for all parcels is "Agriculture" and the zoning is A-2 (General Agriculture) pursuant to Zone Map #38.

**Surrounding Land Use Ordinance:**

<b>DIRECTION</b>	<b>CURRENT LAND USE</b>	<b>ZONING</b>	<b>GENERAL PLAN</b>
<b>Project Site</b>	Agriculture	A-2-R (General Ag/Rural)	Agriculture
<b>North</b>	Agriculture	A-2 (General Ag)	Agriculture
<b>South</b>	Agriculture	A-3 (Heavy Ag)	Agriculture
<b>East</b>	Agriculture	A-2-R (General Ag/Rural)	Agriculture
<b>West</b>	Agriculture	A-2-R (General Ag/Rural)	Agriculture

**Environmental Review:**

After review of the CEQA Guidelines, it has been determined that Lot Line Adjustment #00329 is categorically exempt from CEQA per Article 19, Section 15305 (a), Class 5 (minor alterations to land use limitations); therefore, no further environmental documentation is required by State law.

**Staff Recommendation:**

Staff recommends that the Planning Commission hold a public hearing, hear all the proponents and opponents of the proposed project. Staff would then recommend that you take the following actions:

1. Make the Finding that Lot Line Adjustment #00329 is categorically exempt from CEQA per Article 19, Section 15305 (a) (Minor Alterations in Land Use

Limitations) and that no further environmental documentation is necessary; and,

2. Find that Lot Line Adjustment #00329 is consistent with applicable Zoning, State Laws and Building Ordinances; and
3. Make the Findings and approve Lot Line Adjustment #00329, subject to the attached conditions.

**Prepared By:** Evelia Jimenez, Planner II  
Planning & Development Services

for 

---

**Reviewed By:** Michael Abraham, AICP, Assistant Director  
Planning & Development Services



---

**Approved By:** Jim Minnick, Director  
Planning & Development Services

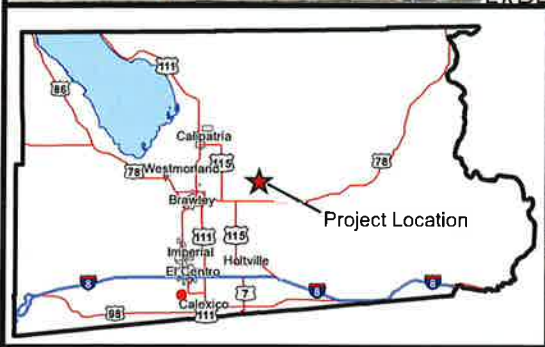
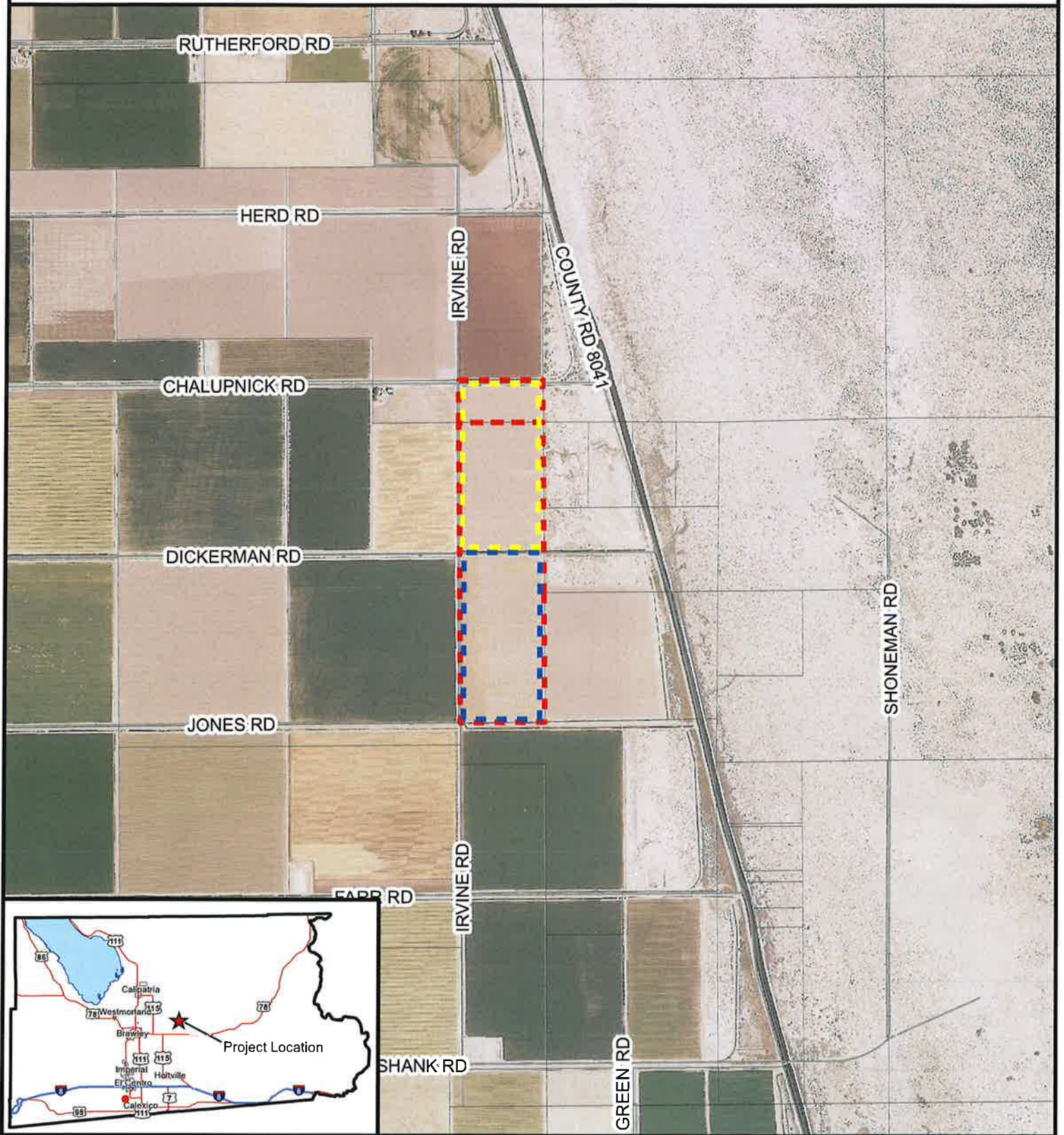
for 

---

- Attachments:
- A. Vicinity Map
  - B. Site Plan
  - C. Planning Commission Resolutions
  - D. Conditions of Approval
  - E. Application
  - F. Comment Letters

**Attachment A  
Vicinity Map**

# PROJECT LOCATION MAP



**MFC IMPERIAL I LLC**  
**LLA #00329**  
**APN 039-030-016, 039-060-004-000**

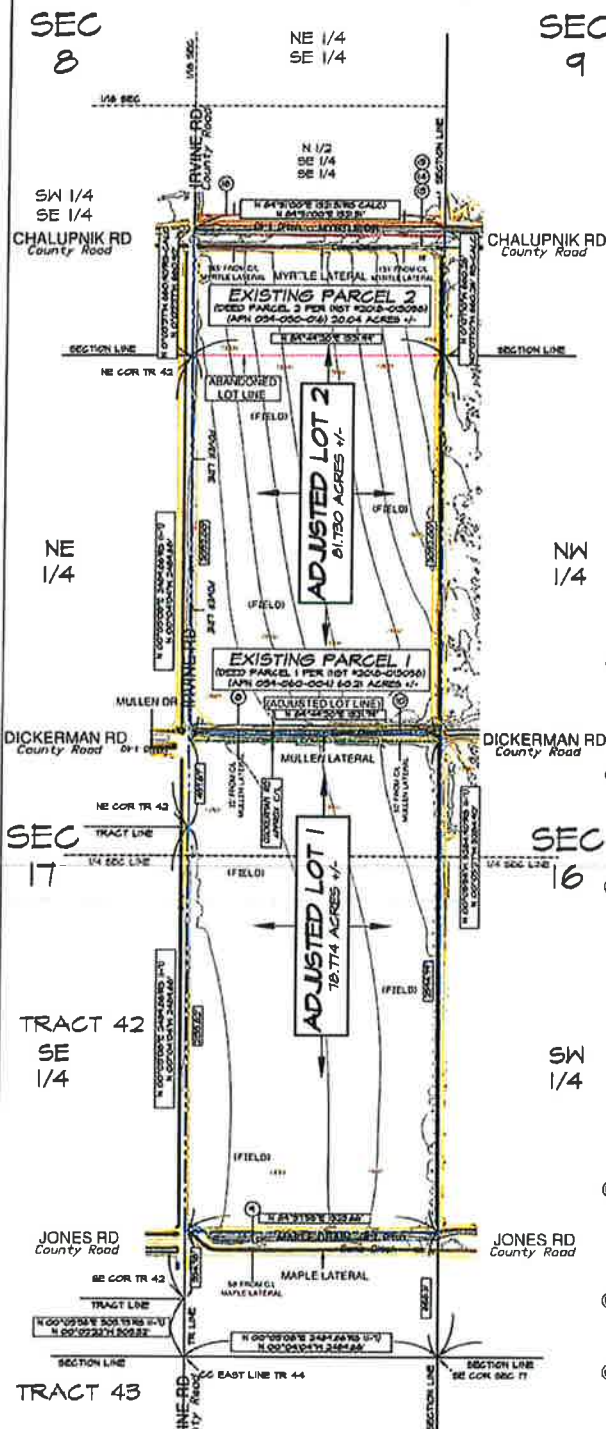
-  Project Location
-  Parcels
-  Centerline
-  Proposed Parcel 1
-  Proposed Parcel 2



**Attachment B**  
**Site Plan**

# LOT LINE ADJUSTMENT NO.

PORTIONS OF SECTION 8 AND SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M.,  
IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.



## LEGAL DESCRIPTION: (EXISTING LOTS)

PARCEL 1: (APN 039-060-004)  
(DEED PARCEL 1 PER GRANT DEED RECORDED AS INSTRUMENT #2018-03058 OF OFFICIAL RECORDS)  
THE EAST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.  
EXCEPTING THEREFROM THE SOUTH 20 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER.  
PARCEL 2: (APN 039-060-005)  
(DEED PARCEL 2 PER GRANT DEED RECORDED AS INSTRUMENT #2018-03058 OF OFFICIAL RECORDS)  
THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

## LEGAL DESCRIPTIONS: (ADJUSTED LOTS)

PARCEL 1:  
THE EAST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.  
EXCEPTING THEREFROM THE SOUTH 20 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER.  
ALSO EXCEPTING THEREFROM THAT PORTION LYING NORTH OF A LINE LYING 8032.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 17.  
SAID AREA CONTAINING 78774 ACRES +/-

PARCEL 2:  
THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

TOGETHER WITH THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING NORTH OF A LINE LYING 8032.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 17.  
SAID AREA CONTAINING 81730 ACRES +/-

## EASEMENTS:

5. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS (THE EXACT EXTENT AND LOCATION OF SAID RIGHTS, CLAIMS OR TITLE TO WATER IS NOT DISCLOSED, NOT PLOTTED)
6. RIGHTS OR CLAIMS OF EASEMENTS FOR CANALS, DRAINS, LATERALS, IRRIGATION PIPELINES AND DATES NOT RECORDED IN THE PUBLIC RECORDS (THE EXACT EXTENT AND LOCATION OF SAID RIGHTS, CLAIMS OR TITLE TO WATER IS NOT DISCLOSED, NOT PLOTTED)
7. TITLE TO, AND EASEMENTS IN, ANY PORTION OF THE LAND LYING WITHIN ANY HIGHWAYS, ROADS, STREETS, OR OTHER WAYS (THE EXACT EXTENT AND LOCATION OF SAID RIGHTS IN TITLE TO ROADS, STREET OR OTHER WAYS ARE NOT DISCLOSED, NOT PLOTTED)
8. EASEMENTS FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT; GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: FOR CANAL, TELEPHONE AND/OR ELECTRIC POWER LINE OR LINES.  
RECORDING NO: IN BOOK 585, PAGE 380 OF OFFICIAL RECORDS  
AFFECTS: THE ROUTE OF SAID RIGHT OF WAY IS AS FOLLOWS: A STRIP OF LAND 30 FEET WIDE LYING PARALLEL WITH, ADJACENT TO, ON THE NORTH SIDE OF AND IN ADDITION TO EXISTING RIGHT OF WAY FOR MULLEN LATERAL CANAL AS NOW CONSTRUCTED ACROSS THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST. THE NORTH BOUNDARY OF SAID RIGHT OF WAY SHALL BE 35 FEET NORTH OF THE CENTER LINE OF MULLEN LATERAL CANAL NOW CONSTRUCTED ACROSS SAID PROPERTY. AFFECTS PARCEL 1 (PLOTTED HEREON)
9. EASEMENTS FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT; GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: FOR CANAL, TELEPHONE AND/OR ELECTRIC POWER LINE OR LINES.  
RECORDING NO: IN BOOK 585, PAGE 381 OF OFFICIAL RECORDS  
AFFECTS: THE ROUTE OF SAID RIGHT OF WAY IS AS FOLLOWS: A STRIP OF LAND 25 FEET IN WIDTH LYING PARALLEL WITH, ADJACENT TO, ON THE NORTH SIDE OF AND IN ADDITION TO EXISTING RIGHT OF WAY FOR MAPLE LATERAL DRAIN AS NOW CONSTRUCTED ACROSS THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST. THE NORTH BOUNDARY OF SAID RIGHT OF WAY SHALL BE 30 FEET NORTH OF THE CENTER LINE OF MAPLE LATERAL DRAIN AS NOW CONSTRUCTED ACROSS SAID PROPERTY. AFFECTS PARCEL 1 (PLOTTED HEREON)
10. EASEMENTS FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT; GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: FOR CANAL, TELEPHONE AND/OR ELECTRIC POWER LINE OR LINES.  
RECORDING NO: IN BOOK 585, PAGE 382 OF OFFICIAL RECORDS  
AFFECTS: THE ROUTE OF SAID RIGHT OF WAY IS AS FOLLOWS: A STRIP OF LAND 10 FEET IN WIDTH LYING PARALLEL WITH, ADJACENT TO, ON THE SOUTH SIDE OF AND IN ADDITION TO EXISTING RIGHT OF WAY FOR MULLEN LATERAL DRAIN AS NOW CONSTRUCTED ACROSS THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST. THE SOUTH BOUNDARY OF SAID RIGHT OF WAY SHALL BE 30 FEET SOUTH OF THE CENTER LINE OF MULLEN LATERAL DRAIN NOW CONSTRUCTED ACROSS SAID PROPERTY. AFFECTS PARCEL 1 (PLOTTED HEREON)
11. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS RESERVED IN A DOCUMENT; PURPOSE: FOR IRRIGATION, WASTE OR DRAINAGE CANALS, OR POWER OR TELEPHONE LINES.  
RECORDING DATE: DECEMBER 8, 1943  
RECORDING NO: 25 IN BOOK 511, PAGE 315 OF OFFICIAL RECORDS  
AFFECTS PARCEL 1  
(THE EXACT EXTENT AND LOCATION OF SAID EASEMENT IS NOT DISCLOSED OF RECORD NOT PLOTTED)
12. EASEMENT FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT; GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: POWER LINE  
RECORDING DATE: APRIL 8, 1938  
RECORDING NO: 72 IN BOOK 485, PAGE 512 OF OFFICIAL RECORDS  
AFFECTS: THE POWER LINE IS TO BE LOCATED AS FOLLOWS: OVER THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER, SECTION 8, TOWNSHIP 13 SOUTH, RANGE 16 EAST, ALONG THE SOUTH SIDE OF THE PUBLIC-TRAVELLED WAY, EXTENDING IN AN EASTERLY DIRECTION THRU THE CENTER OF SAID PROPERTY; ALSO ALONG THE EASTERLY SIDE OF THE PRIVATE ROAD RUNNING NORTH AND SOUTH THRU THE SOUTHERLY PORTION OF SAID PROPERTY.  
AFFECTS PARCEL 2  
(THE EXACT EXTENT AND LOCATION OF SAID EASEMENT IS NOT DISCLOSED OF RECORD NOT PLOTTED)
13. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT; GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: FOR CANAL, TELEPHONE AND/OR ELECTRIC POWER LINES.  
RECORDING DATE: OCTOBER 8, 1941  
RECORDING NO: 31 IN BOOK 576, PAGE 410 OF OFFICIAL RECORDS  
AFFECTS: A STRIP OF LAND 66 FEET IN WIDTH LYING NORTH OF, ADJACENT TO, PARALLEL WITH AND IN ADDITION TO EXISTING RIGHT OF WAY FOR COUNTY ROAD AS NOW CONSTRUCTED ACROSS THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 16 EAST. THE NORTH BOUNDARY OF SAID RIGHT OF WAY SHALL BE 131 FEET NORTH OF THE CENTER LINE OF MYRTLE CANAL. AFFECTS PARCEL 2 (PLOTTED HEREON)
14. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS REVEALED IN A DOCUMENT; PURPOSE: A RIGHT OF WAY FOR COUNTY ROAD  
RECORDING DATE: OCTOBER 8, 1941  
RECORDING NO: 31 IN BOOK 576, PAGE 410 OF OFFICIAL RECORDS  
AFFECTS: ALONG THE NORTH SIDE OF SAID PARCEL 2 (PLOTTED HEREON)
15. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS REVEALED IN A DOCUMENT; PURPOSE: A RIGHT OF WAY FOR COUNTY ROAD  
RECORDING DATE: OCTOBER 8, 1941  
RECORDING NO: 31 IN BOOK 576, PAGE 410 OF OFFICIAL RECORDS  
AFFECTS: ALONG THE NORTH SIDE OF PARCEL 2 (PLOTTED HEREON)
16. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT; GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: A CANAL, TELEPHONE AND/OR ELECTRIC POWER LINE OR LINES.  
RECORDING DATE: AUGUST 10, 1942  
RECORDING NO: 10 IN BOOK 625, PAGE 426 OF OFFICIAL RECORDS  
AFFECTS: THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 16 EAST, LYING NORTH OF THE MYRTLE CANAL AND SOUTH OF A LINE WHICH IS PARALLEL WITH AND 165 FEET NORTH OF THE CENTER LINE OF MYRTLE CANAL. AFFECTS PARCEL 2 (PLOTTED HEREON)

OWNERS:

MFC IMPERIAL 1, LLC A CALIFORNIA LIMITED LIABILITY CO AS TO PARCELS 1 AND 2	LLA PARCEL NO.2 81.730 ACRES
	LLA PARCEL NO.1 78.774 ACRES
TOTAL AREA = 160 ACRES +/-	TOTAL AREA = 160.504 ACRES

LAND DATA:

EXISTING PARCEL 2: (APN 039-060-005) 20 ACRES +/-	EXISTING PARCEL 1: (APN 039-060-004) 140 ACRES +/-
TOTAL AREA = 160 ACRES +/-	

LEGEND:

POWER LINE	POWER POLES WITH OVERHEAD POWER LINES
CONCRETE	EXISTING CONCRETE LINED DITCH/CANAL
Ditch	EXISTING DITCH
TRACT LINE	EXISTING TRACT LINE
SECTION LINE	EXISTING SECTION LINE
Ditch Road	COUNTY MAINTAINED ROAD
	PROPOSED LOT LINE
	EXISTING PROPERTY LINE TO BE ADJUSTED
	EXISTING PROPERTY LINE TO REMAIN

**SURVEYOR'S STATEMENT:**  
THIS SURVEY WAS MADE BY ME, OR UNDER MY DIRECTION, AT THE REQUEST OF MFC IMPERIAL 1, LLC, IN FEBRUARY 2023, AND IS BASED IN PART ON RECORD DATA.

*Gordon O. Clifton, P.S., P.L.S.*  
DATE: 2-22-2023

STATE OF CALIFORNIA  
No. 7107  
Exp. 12-31-24  
GORDON O. CLIFTON, P.S., P.L.S.

Arizona, California and New Mexico  
Land Surveyors and Civil Engineers

10101 East McDowell Street, Suite 200, Phoenix, AZ 85028  
Tel: 602-955-1100 Fax: 602-955-1101  
www.goclient.com

LOT LINE ADJUSTMENT  
PORTIONS OF SECTION 8 & SECTION 17, T13 S, R16 E, S.B.M.,  
IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL,  
STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

DATE: 02-22-2023  
BY: GORDON O. CLIFTON, P.S., P.L.S.  
MFC IMPERIAL 1, LLC | 23068 IN MFC IMPERIAL 1, LLA 102-31-201.000 | 23068.00



**Attachment C  
Resolutions & Findings**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF PLANNING COMMISSION OF THE COUNTY OF IMPERIAL CALIFORNIA APPROVING "LOT LINE ADJUSTMENT 00329" FOR MFC IMPERIAL I, LLC.**

**WHEREAS**, MFC IMPERIAL I, LLC. submitted an application for Lot Line Adjustment #00329 to adjust the boundary between Parcel A (039-060-004-000) and Parcel B (039-030-016-000); and,

**WHEREAS**, the project is exempt from the California Environmental Quality Act (CEQA), per Government Code Section 15305 (a); and,

**WHEREAS**, public notice of the public hearing for said application has been given, and the Planning Commission has heard, received and considered all oral and written protest, objections and evidence presented by interested parties at a public hearing held with respect this item on May 24, 2023; and,

**NOW THEREFORE**, the Planning Commission of the County of Imperial **DOES HEREBY RESOLVE** as follows:

**SECTION 1.** The Planning Commission has considered the proposed Lot Line Adjustment prior to approval. The Planning Commission finds and determines that the Lot Line Adjustment is adequate and prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance, Subdivision Map Act and California Environmental Quality Act (CEQA), which assesses environmental effects, based upon the following findings and determinations.

**SECTION 2.** That in accordance with State Planning and Zoning law and the County of Imperial regulations, the following findings for approving the Lot Line Adjustment #00329 have been made as follows:

**A. Whether the lot line adjustment conforms to State law and County Ordinances.**

Lot Line Adjustment (LLA) #00329 conforms to California State law through Section 66412(d) (Map Act Exclusions) of the Subdivision Map Act (Map Act) and Section 15305(a) (Minor Alterations in Land Use Limitations) of the California Environmental Quality Act (CEQA); additionally, the LLA conforms to the Imperial County Land Use Ordinance's (Title 9) Subdivision Ordinance, particularly section 90807.00 et. seq. (Lot Line Adjustments).

**B. The lot line adjustment is consistent with County Zoning and Building law.**

LLA #00329 is zoned A-2-R (General Agricultural/Rural Zone) and it is consistent with the Title 9, Land Use Ordinance Section 90508.00 et. seq. In addition, LLA #00329 is consistent with Building laws because no improvements to the land are being proposed.

**C. That the lot line adjustment is not a re-subdivision pursuant to Government Code 66499.20 et. seq.**

LLA #00329 is not a re-subdivision pursuant to Government Code 66499.20 et. seq.

**D. That the lot line adjustment does not create any new lots or parcels or delete any lots or parcels.**

LLA #00329 will not create or delete any new lots or parcels. The proposed project will transfer +/- 61 acres from Parcel A (APN 039-030-016) to Parcel B (APN 039-060-004) adjust approximately to the following:

	Existing:	Adjusted:
Parcel A (039-050-004)	140 acres	79. Acres
Parcel B (039-030-016)	20 acres	81 acres
Total:	160 acres	160 acres

**E. Determine what CEQA documentation is necessary to be filed for the applicants.**

LLA #00329 is exempt from CEQA pursuant to Article 19, Section 15305 (a), Minor Alterations to Land Use Limitations. Therefore, no further CEQA documentation is required. Nevertheless, a Notice of Exemption will be filed with Imperial County Recorder's Office for thirty (30) days.

**F. Determine what conditions are necessary for compliance with Zoning and Building Ordinances, and to facilitate the relocation of existing utilities, infrastructure, easements or improvements.**

In approving LLA #00329, planning staff shall adopt conditions only as necessary to bring the LLA's affected parcels into compliance with the requirement of the County's Zoning and Building Ordinances or facilitate the relocation of existing

utilities, infrastructure, easements or improvements, as allowed by the County's Subdivision Ordinance.

The planning staff has established conditions for LLA #00329 to assure that the affected parcels comply with the County's Zoning and Building Ordinances and to facilitate existing improvements (see attachment D).

**NOW, THEREFORE**, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Lot Line Adjustment #00329, subject to the attached Conditions of Approval.

---

Rudy Schaffner, Chairman  
Planning Commission

I hereby certify that the preceding resolution was taken by the Planning Commission at a meeting conducted on **May 24, 2023** by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

---

Jim Minnick, **Director of Planning & Development Services**  
Secretary to the Planning Commission

**Attachment D**  
**Conditions of Approval**

# CONDITIONS OF APPROVAL

---

## Lot Line Adjustment LLA #00329

(MFC IMPERIAL I, LLC)  
[APNs 039-060-004-000 and 039-030-016-000]

---

---

### **NOTICE TO APPLICANT!**

*The above-referenced Lot Line Adjustment, upon approval by the County shall be subject to all of the following conditions, which may include modification or rescission in whole or in part, by the PLANNING COMMISSION and/or BOARD OF SUPERVISORS from the conditions recommended by staff. In the event any conditions are deferred the APPLICANT or any subsequent owner(s), shall comply with all of the CONDITIONS specified herein, whether at the time of recordation of the lot line adjustment or prior to any development permits. It is the obligation of the property owner (current or future) to comply with these conditions; hereinafter the term "applicant" shall mean the current and future owners. If approved, this project having been reviewed for compliance with the General Plan, the Subdivision Map Act and County Land Use Ordinance, the applicant shall comply with all of the requirements of said documents whether specified herein or not.*

---

---

### **GENERAL CONDITIONS:**

[General Conditions may be either advisory or mandatory depending on the condition. These conditions appear on all lot line adjustments as generic conditions; however they are as important as the Site Specific Conditions. The Planning Commission established these conditions to be consistent, to be informative, and to cover a broad range of generic requirements and notices. The term applicant(s) shall mean the current and future owner(s) of record.]

**Unless expressly deferred in these conditions all conditions are to be satisfied prior to recordation of the lot line adjustment.**

1. The applicant shall pay any and all amounts as determined by the County to defray all costs for the review of reports, field investigations, or other activities related to compliance with this permit/approval, County Ordinances, and/or any other laws that apply to this lot line adjustment.
2. The applicant shall comply with all local, state and/or federal laws, rules, regulations and/or standards as they may pertain to this project, whether specified herein or not.
3. As a condition of this lot line adjustment, applicant agrees to defend, indemnify, hold harmless, and release the County, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the lot line adjustment or adoption of the

environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys 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 lot line adjustment, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, or employees.

4. Each parcel created or affected by this lot line adjustment shall abut a maintained road and/or have legal and physical access to a public road before this lot line adjustment is recorded.
5. Applicant shall provide water and sewer to Federal, State and County standards. Water and sewer systems shall be approved by the Environmental Health Services and the Planning & Development Services Department upon further development.
6. The applicant shall comply with all County Fire Department regulations, rules and standards and shall meet all Fire Department requirements necessary to attain compliance upon further development. Any physical improvements required by the Fire Department shall be inspected and approved prior to a building permit being issued by the Planning & Development Services Building Department.
7. All applicable plans, reports, and studies shall be reviewed and approved by the respective responsible agencies when further development occurs for constructing or installing any site improvements and the installation of future improvements shall be reviewed, inspected, and approved by the respective responsible agency. Unless expressly deferred in these conditions, all conditions are to be satisfied prior to recordation of the Certificate of Compliance.
8. Provide full legal description acceptable to the Planning Department for review by the Department of Public Works, prepared, signed and stamped along with any closure sheets by a California Licensed Land Surveyor or a California Registered Civil Engineer (licensed to practice in the category of work to be performed), typed on plain 8 ½" x 11" paper without letterhead.
9. Secure Tax Certificate(s) from the Tax Collector's Office.
10. Provide recorded fees as required for the recordation of the Certificate of Compliance, Legal Description(s) and Tax Certificate(s).
11. The lot line adjustment becomes effective only after compliance with all conditions and the recordation of the Certificate of Compliance, Tax Certificate(s) and the recordation of the Deed(s) reflecting the new legal descriptions.
12. Owners shall provide applicable Grant Deed / Deed Transfer to the County Recorder's office within 60 days after the recordation of the lot line adjustment reflecting the

reconfigured lots. Owner shall also provide copy of such paperwork to the Imperial County Planning & Development Services Department.

#### **SITE SPECIFIC CONDITIONS:**

---

1. The applicant should be advised to establish a point of water delivery and drainage discharge for each parcel. For additional information on water service, the applicant may call and coordinate with IID's North End Division Office at (760) 482-9900.<sup>1</sup>
  2. Lot Line Adjustment No. 00329 does not impact existing IID facilities or rights of way. However, if in the future, further modifications to the parcels are considered, that can potentially impact IID facilities or rights of way, the proposed modifications should be submitted to IID for review prior to finalization.<sup>1</sup>
  3. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <https://www.iid.com/about-iid/departments-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.<sup>1</sup>
  4. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, water deliveries, canals, drains, etc.) need to be included as part of the project's California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.<sup>1</sup>
  5. The proposed lot line adjustment in Dickerman Road shall allow both proposed parcels legal and physical access to County Road.<sup>2</sup>
-



6. The landowner shall state\document that the irrigation and/or drainage will not impact the farmland after the lot line adjustment.<sup>2</sup>
7. A record of survey that monuments the new property lines shall be recorded. It is noted there are recorded maps in the area.<sup>2</sup>

1 – Imperial Irrigation District comment letter dated April 3, 2023

2 – Imperial County Public Works Department dated May 12, 2023

**Attachment E**  
**Application**

# LOT LINE ADJUSTMENT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT  
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S "A" NAME MFC Imperial I LLC	EMAIL ADDRESS brent@materra.com	
2. MAILING ADDRESS Rancho Santa Fe, CA PO Box 9731	ZIP CODE 92067	PHONE NUMBER 661 843 7886

3. PROPERTY OWNER'S "B" NAME MFC Imperial LLC	EMAIL ADDRESS brent@materra.com	
4. MAILING ADDRESS Rancho Santa Fe, CA PO Box 9731	ZIP CODE 92067	PHONE NUMBER 661 843 7886

5. PROPERTY "A" (site) ADDRESS Corner of Irvine Rd & Dickerman Rd	LOCATION Imperial County
6. PROPERTY "A" ASSESSOR'S PARCEL NO.(s) 039-060-004-000	SIZE OF PROPERTY (in acres or square foot) 140 Acres +/-
7. PROPERTY "A" LEGAL DESCRIPTION (attach separate sheet if necessary) See Attachment (Exhibit A)	

8. PROPERTY "B" (site) ADDRESS Corner of Irvine Rd & Dickerman Rd	LOCATION Imperial County
9. PROPERTY "B" ASSESSOR'S PARCEL NO.(s) 039-030-016-000	SIZE OF PROPERTY (in acres or square foot) 20 Acres +/-
10. PROPERTY "B" LEGAL DESCRIPTION (attach separate sheet if necessary) See Attachment (Exhibit B)	

11.	PARCEL	PROPOSED SIZE	EXISTING USE	PROPOSED USE
	A	78.774 Acres +/-		
	B	81.730 Acres +/-		

12. EXPLAIN PROPOSED ADJUSTEMENT  
To move the existing property line to approximately the center of Dickerman Road.

13. EXPLAIN REASON FOR REQUEST The north parcel ( parcel 1 ) has the property boundary between the Parcel 1 and parcel 2 in the center of the northern farm field. We want that dividing line to be in Dickerman Road.

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Print Name (owner "A") \_\_\_\_\_ Date \_\_\_\_\_  
Signature (owner "A") \_\_\_\_\_  
Print Name (owner "B") \_\_\_\_\_ Date \_\_\_\_\_  
Signature (owner "B") \_\_\_\_\_

### REQUIRED SUPPORT DOCUMENTS

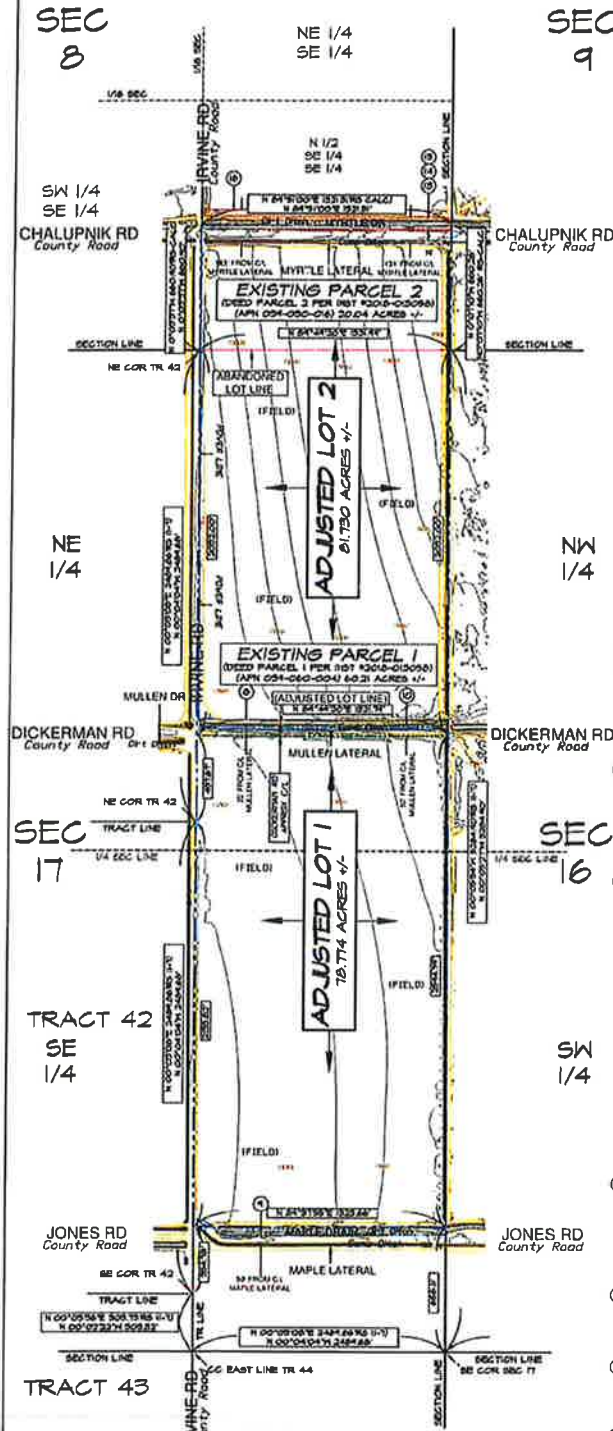
- A. MAP (20 copies - see instructions on back)
- B. PRELIMINARY TITLE REPORT (6 months or newer)
- C. NEW LEGAL DESCRIPTIONS - ONE TO DESCRIBE PARCEL "A" AND ONE FOR PARCEL "B"
- D. FEE \_\_\_\_\_
- E. OTHER \_\_\_\_\_

APPLICATION RECEIVED BY: _____	DATE: 03/07/23	REVIEW / APPROVAL BY OTHER DEPT'S required.
APPLICATION DEEMED COMPLETE BY: _____	DATE: _____	<input type="checkbox"/> P. W.
APPLICATION REJECTED BY: _____	DATE: _____	<input type="checkbox"/> E. H. S.
TENTATIVE HEARING BY: _____	DATE: _____	<input type="checkbox"/> A. P. C. D.
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE: _____	<input type="checkbox"/> O. E. S.
	DATE: _____	<input type="checkbox"/> _____

LLA#  
00329

# LOT LINE ADJUSTMENT NO.

PORTIONS OF SECTION 8 AND SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M.,  
IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.



## LEGAL DESCRIPTION: (EXISTING LOTS)

**PARCEL 1:** (APN 039-050-004)  
(DEED PARCEL 1 PER GRANT DEED RECORDED AS INSTRUMENT #2009-03059 OF OFFICIAL RECORDS)  
THE EAST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.  
EXCEPTING THEREFROM THE SOUTH 20 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER.

**PARCEL 2:** (APN 039-050-005)  
(DEED PARCEL 2 PER GRANT DEED RECORDED AS INSTRUMENT #2009-03059 OF OFFICIAL RECORDS)  
THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

## LEGAL DESCRIPTIONS: (ADJUSTED LOTS)

**PARCEL 1:**  
THE EAST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.  
EXCEPTING THEREFROM THE SOUTH 20 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER.  
ALSO EXCEPTING THEREFROM THAT PORTION LYING NORTH OF A LINE LYING 20320 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 17.  
SAID AREA CONTAINING 78774 ACRES +/-

**PARCEL 2:**  
THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

TOGETHER WITH THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING NORTH OF A LINE LYING 20320 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 17.  
SAID AREA CONTAINING 81730 ACRES +/-

## EASEMENTS:

5. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS (THE EXACT EXTENT AND LOCATION OF SAID RIGHTS, CLAIMS OR TITLE TO WATER IS NOT DISCLOSED, NOT PLOTTED)
6. RIGHTS OR CLAIMS OF EASEMENTS FOR CANALS, DRAINS, LATERALS, IRRIGATION PIPELINES AND GATES NOT RECORDED IN THE PUBLIC RECORDS. (THE EXACT EXTENT AND LOCATION OF SAID RIGHTS, CLAIMS OR TITLE TO WATER IS NOT DISCLOSED, NOT PLOTTED)
7. TITLE TO, AND EASEMENTS IN, ANY PORTION OF THE LAND LYING WITHIN ANY HIGHWAYS, ROADS, STREETS, OR OTHER WAYS. (THE EXACT EXTENT AND LOCATION OF SAID RIGHTS IN TITLE TO ROADS, STREET OR OTHER WAYS ARE NOT DISCLOSED, NOT PLOTTED)
8. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: FOR CANAL, TELEPHONE AND/OR ELECTRIC POWER LINE OR LINES.  
RECORDING NO: IN BOOK 595, PAGE 380 OF OFFICIAL RECORDS  
AFFECTS: THE ROUTE OF SAID RIGHT OF WAY IS AS FOLLOWS: A STRIP OF LAND 10 FEET WIDE LYING PARALLEL WITH, ADJACENT TO, ON THE NORTH SIDE OF AND IN ADDITION TO THE EXISTING RIGHT OF WAY FOR MULLEN LATERAL CANAL AS NOW CONSTRUCTED ACROSS THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, THE NORTH BOUNDARY OF SAID RIGHT OF WAY SHALL BE 50 FEET NORTH OF THE CENTER LINE OF MULLEN LATERAL CANAL NOW CONSTRUCTED ACROSS SAID PROPERTY. AFFECTS PARCEL 1 (PLOTTED HEREON)
9. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: FOR CANAL, TELEPHONE AND/OR ELECTRIC POWER LINE OR LINES  
RECORDING NO: IN BOOK 595, PAGE 381 OF OFFICIAL RECORDS  
AFFECTS: THE ROUTE OF SAID RIGHT OF WAY IS AS FOLLOWS: A STRIP OF LAND 25 FEET IN WIDTH LYING PARALLEL WITH, ADJACENT TO, ON THE NORTH SIDE OF AND IN ADDITION TO EXISTING RIGHT OF WAY FOR MULLEN LATERAL CANAL AS NOW CONSTRUCTED ACROSS THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, THE NORTH BOUNDARY OF SAID RIGHT OF WAY SHALL BE 50 FEET NORTH OF THE CENTER LINE OF MULLEN LATERAL CANAL NOW CONSTRUCTED ACROSS SAID PROPERTY. AFFECTS PARCEL 1 (PLOTTED HEREON)
10. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: FOR CANAL, TELEPHONE AND/OR ELECTRIC POWER LINE OR LINES  
RECORDING NO: IN BOOK 595, PAGE 382 OF OFFICIAL RECORDS  
AFFECTS: THE ROUTE OF SAID RIGHT OF WAY IS AS FOLLOWS: A STRIP OF LAND 10 FEET WIDE LYING PARALLEL WITH, ADJACENT TO, ON THE SOUTH SIDE OF AND IN ADDITION TO EXISTING RIGHT OF WAY FOR THE MULLEN LATERAL DRAIN AS NOW CONSTRUCTED ACROSS THE EAST HALF OF NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, THE SOUTH BOUNDARY OF SAID RIGHT OF WAY SHALL BE 50 FEET SOUTH OF THE CENTER LINE OF MULLEN LATERAL DRAIN NOW CONSTRUCTED ACROSS SAID PROPERTY. AFFECTS PARCEL 1 (PLOTTED HEREON)
11. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS RESERVED IN A DOCUMENT: PURPOSE: FOR IRRIGATION, WASTE OR DRAINAGE CANAL, OR POWER OR TELEPHONE LINES  
RECORDING DATE: DECEMBER 6, 1943  
RECORDING NO: 26 IN BOOK 611, PAGE 315 OF OFFICIAL RECORDS  
AFFECTS PARCEL 1 (THE EXACT EXTENT AND LOCATION OF SAID EASEMENT IS NOT DISCLOSED OF RECORD NOT PLOTTED)
12. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: POWER LINE  
RECORDING DATE: APRIL 8, 1938  
RECORDING NO: 72 IN BOOK 486, PAGE 513 OF OFFICIAL RECORDS  
AFFECTS: THE ROUTE OF SAID RIGHT OF WAY IS AS FOLLOWS: OVER THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER, SECTION 8, TOWNSHIP 13 SOUTH, RANGE 16 EAST, ALONG THE SOUTH SIDE OF THE PUBLIC-TRAVELLED WAY, EXTENDING IN AN EASTERLY AND WESTERLY DIRECTION THRU THE CENTER OF SAID PROPERTY, ALSO ALONG THE EASTERLY SIDE OF THE PRIVATE ROAD RUNNING NORTH AND SOUTH THRU THE SOUTHERLY PORTION OF SAID PROPERTY. AFFECTS PARCEL 2 (THE EXACT EXTENT AND LOCATION OF SAID EASEMENT IS NOT DISCLOSED OF RECORD NOT PLOTTED)
13. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: FOR CANAL, TELEPHONE AND/OR ELECTRIC POWER LINES  
RECORDING DATE: OCTOBER 6, 1941  
RECORDING NO: 31 IN BOOK 576, PAGE 410 OF OFFICIAL RECORDS  
AFFECTS: A STRIP OF LAND 56 FEET IN WIDTH LYING NORTH OF, ADJACENT TO, PARALLEL WITH AND IN ADDITION TO EXISTING RIGHT OF WAY FOR MYRTLE LATERAL CANAL AND SOUTH OF A LINE WHICH IS PARALLEL WITH AND 305 FEET NORTH OF THE CENTER LINE OF MYRTLE LATERAL CANAL. AFFECTS PARCEL 2
14. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS REVEALED IN A DOCUMENT: PURPOSE: A RIGHT OF WAY FOR MYRTLE CANAL  
RECORDING DATE: OCTOBER 6, 1941  
RECORDING NO: 31 IN BOOK 576, PAGE 410 OF OFFICIAL RECORDS  
AFFECTS: ALONG THE NORTH SIDE OF SAID PARCEL 2 (PLOTTED HEREON)
15. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS REVEALED IN A DOCUMENT: PURPOSE: A RIGHT OF WAY FOR COUNTY ROAD  
RECORDING DATE: OCTOBER 6, 1941  
RECORDING NO: 31 IN BOOK 576, PAGE 410 OF OFFICIAL RECORDS  
AFFECTS: ALONG THE NORTH SIDE OF PARCEL 2 (PLOTTED HEREON)
16. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO IMPERIAL IRRIGATION DISTRICT  
PURPOSE: A CANAL, TELEPHONE AND/OR ELECTRIC POWER LINE OR LINES  
RECORDING DATE: AUGUST 10, 1943  
RECORDING NO: 10 IN BOOK 605, PAGE 426 OF OFFICIAL RECORDS  
AFFECTS: THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 16 EAST, LYING NORTH OF THE MYRTLE LATERAL CANAL AND SOUTH OF A LINE WHICH IS PARALLEL WITH AND 305 FEET NORTH OF THE CENTER LINE OF MYRTLE LATERAL CANAL. AFFECTS PARCEL 2 (PLOTTED HEREON)

**OWNERS:**  
MFC IMPERIAL 1, LLC  
& CALIFORNIA LIMITED LIABILITY CO  
AS TO PARCELS 1 AND 2

LAND DATA:	
EXISTING PARCEL 2: (APN 039-050-005) 20 ACRES +/-	LLA PARCEL NO.2 81730 ACRES
EXISTING PARCEL 1: (APN 039-050-004) 143 ACRES +/-	LLA PARCEL NO.1 78774 ACRES
TOTAL AREA = 160 ACRES +/-	TOTAL AREA = 160504 ACRES

**LEGEND:**

	POWER POLES WITH OVERHEAD POWER LINES		PROPOSED LOT LINE
	EXISTING CONCRETE LINED DITCH/CANAL		EXISTING PROPERTY LINE TO BE ADJUSTED
	EXISTING DITCH DRAIN		EXISTING PROPERTY LINE TO REMAIN
	EXISTING TRACT LINE		
	EXISTING SECTION LINE		
	COUNTY MAINTAINED ROAD		



## SURVEYOR'S STATEMENT:

THIS SURVEY WAS MADE BY ME, OR UNDER MY DIRECTION, AT THE REQUEST OF MFC IMPERIAL 1, LLC, IN FEBRUARY 2023, AND IS BASED IN PART ON RECORD DATA.

*Gordon G. Olson* 2-22-2023  
GORDON G. OLSON, P.E., PLS DATE

 Arizona, California and New Mexico Land Surveyors and Civil Engineers 1000 N. 10th Street, Suite 100, Phoenix, AZ 85006 Email: info@azncsls.com Phone: 602.442.1000	<b>LOT LINE ADJUSTMENT</b> PORTIONS OF SECTION 8 & SECTION 17, T13 S, R16 E, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.
	PROJECT NO: 23000-01 CLIENT: MFC IMPERIAL, LLC DATE: 02-22-2023 SHEET NO: 1 OF 2

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**LOT LINE ADJUSTMENT**

**APN:039-060-004**

**PARCEL 1:**

THE EAST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THE SOUTH 20 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER.

ALSO EXCEPTING THEREFROM THAT PORTION LYING NORTH OF A LINE LYING 2032.00 FEET SOUTH OF AND PARALELL WITH THE NORTH LINE OF SAID SECTION 17.

SAID AREA CONTAINING 78.774 ACRES+/-

**APN:039-030-016**

**PARCEL 2:**

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

TOGETHER WITH THAT PORTON OF THE EAST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 13 SOUTH, RANGE 16 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING NORTH OF A LINE LYING 2032.00 FEET SOUTH OF AND PARALELL WITH THE NORTH LINE OF SAID SECTION 17.

SAID AREA CONTAINING 81.730 ACRES+/-



2-22-2023



**Attachment F  
Comment Letters**



# IID

*A century of service.*

www.iid.com

*Since 1911*

April 3, 2023

## RECEIVED

APR 03 2023

**IMPERIAL COUNTY  
PLANNING & DEVELOPMENT SERVICES**

Ms. Evelia Jimenez  
Planner II  
Planning Department  
City of Brawley  
205. S. Imperial Avenue  
Brawley, CA 92227

**SUBJECT:** MFC Imperial I Lot Line Adjustment No. 00329

Dear Ms. Jimenez:

On March 20, 2023, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Lot Line Adjustment No. 00329. The applicant, MFC Imperial I, LLC; proposes to move the boundary between parcels APN 039-060-004 and APN 039-030-016 to the south and have the dividing property line be Dickerman Road. The parcels are located south of Chalupnik Road, Brawley, CA.

The IID has reviewed the application and has the following comments:

1. The applicant should be advised to establish a point of water delivery and drainage discharge for each parcel. For additional information on water service the applicant may call and coordinate with IID's North End Division Office at (760) 482-9900.
2. Lot Line Adjustment No. 00329 does not impact existing IID facilities or rights of way. However, if in the future, further modifications to the parcels are considered, that can potentially impact IID facilities or rights of way, the proposed modifications should be submitted to IID for review prior to finalization.
3. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <https://www.iid.com/about-iid/department-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.





April 3, 2023

Jim Minnick  
Planning & Development Services Director  
801 Main Street  
El Centro, CA 92243

**RECEIVED**

APR 05 2023

**IMPERIAL COUNTY  
PLANNING & DEVELOPMENT SERVICES**

SUBJECT: Lot Line Adjustment 00329 – MFC Imperial I LLC

Dear Mr. Minnick,

The Imperial County Air Pollution Control District ("Air District") appreciates the opportunity to review and comment on Lot Line Adjustment ("LLA") 00329 ("Project"). The project proposes moving the existing property line between two (2) existing parcels identified with Assessor's Parcel Numbers ("APN") 039-060-004 and 039-030-016 south to approximately the center of Dickerman Rd. The existing lots are approximately 140 acres and 20 acres respectively and the proposed parcels would be approximately 78.774 acres and 81.730 acres.

The Air District requests a copy of the finalized map for its records.

The Air District also reminds the applicant that the project must comply with all Air District rules and regulations and emphasizes Regulation VIII, a collection of rules designed to maintain fugitive dust emissions below 20% visual opacity.

For your convenience, the Air District's rules and regulations are available via the web at <https://apcd.imperialcounty.org/rules-and-regulations/>. Please feel free to call should you have questions at (442) 265-1800.

Respectfully,

A handwritten signature in blue ink, appearing to read "Ismael Garcia".

Ismael Garcia  
Environmental Coordinator I

A handwritten signature in blue ink, appearing to read "Monica N. Soucier".

Reviewed by,  
Monica N. Soucier  
APC Division Manager



Public Works works for the Public

COUNTY OF IMPERIAL

DEPARTMENT OF PUBLIC WORKS

155 S. 11th Street  
El Centro, CA  
92243

Tel: (442) 265-1818  
Fax: (442) 265-1858

Follow Us:



[www.facebook.com/ImperialCountyDPW/](http://www.facebook.com/ImperialCountyDPW/)



<https://twitter.com/CountyDpw/>

May 12, 2023

Mr. Jim Minnick, Director  
Planning & Development Services Department  
801 Main Street  
El Centro, CA 92243

Attention: Evelia Jimenez, Planner II

**SUBJECT: LLA 329;**  
**MFC Imperial I LLC;**  
located on 2301 E Chalupnik Rd, Brawley, CA 92227.  
APN 039-030-016 & 039-060-004.

Dear Mr. Minnick:

This letter is in response to your submittal received by this department on March 20, 2023 for the above-mentioned project. Applicant proposes to move the existing property line, that is between Parcel A (039-060-004) and Parcel B (039-030-016), to the south approximately to the center of Dickerman Road.

Department staff has reviewed the package information and the following comments shall be Conditions of Approval:

Exhibit "B":

1. The proposed adjustment lot line in Dickerman Road shall allow both Parcels 1 and 2 legal and physical access to the county road.
2. It is recommended the landowner states or documents that the irrigation and/or drainage will not impact the farmland after the lot line adjustment.
3. It is recommended a record of survey that monuments the new property line be recorded. It is noted there are recorded maps in this area.

Should you have any questions, please do not hesitate to contact this office. Thank you for the opportunity to review and comment on this project.

Respectfully,

John A. Gay, PE  
Director of Public Works

GM/