

STANISLAUS LAFCO

Stanislaus Local Agency Formation Commission

1010 – 10 th Street, 3rd Floor ♦ Modesto, CA 95354

(209) 525-7660 ♦ FAX (209) 525-7643

www.stanislauslafco.org

OUT OF BOUNDARY SERVICE APPLICATION

AGENCY TO EXTEND SERVICE:

AGENCY NAME: City of Modesto

CONTACT PERSON: Alfredo Aguilera

MAILING ADDRESS: 1010 10th Street, 3rd Floor, Attn: Land Development Engineering

PHONE: (209) 571-5180 E-MAIL: alaguilera@modestogov.com

PROPERTY OWNER (PARTY RECEIVING SERVICE):

PROPERTY OWNER NAME: Benny Dhanda

SITE ADDRESS: 557 S 9th St, Modesto, CA 95351

PHONE: (209) 405-6159 E-MAIL: bennydhanda@gmail.com

ASSESSOR PARCEL NUMBER(S): 138-012-006

ACREAGE: 1.25 (If multiple properties, attach a list with names, addresses and APNs.)

REQUIRED ATTACHMENTS - Please provide the following:

- ☒ Completed application and fees. (See [Schedule of Fees and Deposits](#). Please consult with LAFCO staff to determine the appropriate fee.)
- ☒ Map showing existing facilities and proposed extensions. The map should include measurements detailing how services are to be extended to the property.
- ☒ Draft service agreement or contract between the service provider and property owner OR a will-serve letter from the service provider.

PROPOSAL-SPECIFIC ATTACHMENTS – The following may also be required:

- ☐ If the proposed extension will serve new development, a copy of the environmental determination made by the Lead Agency.
- ☐ If the proposed service extension is to remedy a health and safety situation, documentation of the health and safety issue.

The following application questions are intended to obtain enough data about the proposal to allow the Commission and staff to adequately assess the service extension. By taking the time to fully respond to the questions below, you can reduce the processing time for this application. You may include any additional information that you believe is pertinent. Use additional sheets where and if necessary.

1. List type of service(s) to be extended:

Existing Water and Sewer mains run along the project frontage. Project will connect to existing mains for connection.

2. Is the service extension for new development or an existing use? Provide a complete description of the project and/or use to be served.

Service is for new commercial development. Project will include a Gas Station w/ convenience store, quick Service Restaurant, and a Car Wash.

3. Is this request to address a health and safety situation? ☒ Yes ☐ No

If yes, please explain below.

Health reasons would be to connect to nearby available sewer and water instead of creating more on-site septic systems or on-site private wells.

4. Is the property to be served within the Agency's sphere of influence? ☐ Yes ☒ No

5. LAFCO policies generally prefer annexation rather than an extension of services outside the agency's boundary. Is annexation of the territory by your agency anticipated at a future time? ☐ Yes ☒ No

6. Please provide an explain of the Agency's preference for an out-of-boundary instead of annexation.

Annexation is not practical at this time as City of Modesto would need to implement ordinance, policy, and other improvements. Project is also within City of Ceres Influence.

7. Are there any land use entitlements involved in the project or contract? ☐ Yes ☒ No
If yes, please check the entitlements that were obtained and provide a copy of the approval:

☐ Tentative Map and Conditions

☐ Subdivision Map or Parcel Map

☐ Specific Plan

☐ General Plan Amendment

☐ Rezoning

☐ Other:

CERTIFICATION

I hereby certify that the statement furnished above and in the attached exhibits present the data and information required for this evaluation of service extension to the best of my ability, and that the facts, statement, and information presented herein are true and correct to the best of my knowledge and belief.

INDEMNITY AGREEMENT

As part of this application, the applicant agrees to defend, indemnify, hold harmless and release the Stanislaus Local Agency Formation Commission (LAFCO), its officers, employees, attorneys, or agents from any claim, action or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul, in whole or in part, LAFCO's action on a proposal or on the environmental documents submitted to support it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, and expert witness fees that may be asserted by any person or entity, including the applicant arising out of or in connection with the application.

SIGNED:

PRINTED NAME:

AGENCY:

DATE:



Alfredo Aguilera

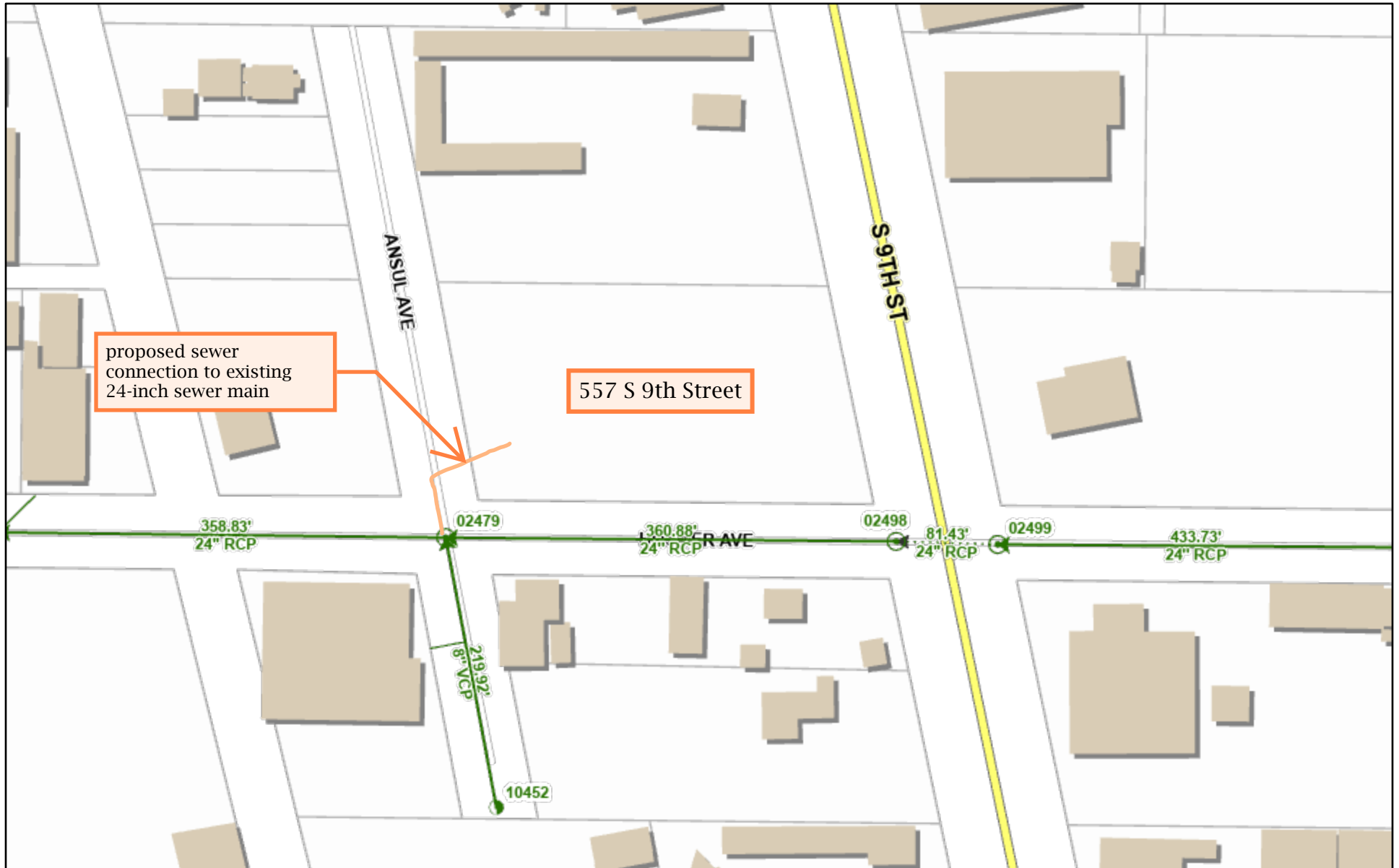
City of Modesto

12/3/25

Please forward the completed form, fees, and related information to:

Stanislaus Local Agency Formation Commission
1010 10th Street, 3rd Floor
Modesto, CA 95354

ArcGIS Web Map



December 3, 2025

Sewer Lines
Private
Sewer Laterals
Main
Sewer Manholes
Regular
Terminal

1:1,333
0 0.01 0.02 0.04 mi
0 0.02 0.04 0.07 km

Recording Requested By
City of Modesto
Return to / Mail to
City of Modesto City Clerk
P.O. Box 642
Modesto, CA 95353

OUTSIDE SERVICE AGREEMENT FOR SEWER SERVICE

This Agreement is made in the City of Modesto, County of Stanislaus, State of California, by and between the CITY OF MODESTO, a municipal corporation of the State of California, hereinafter called CITY, and DHANDA DEVELOPMENT GROUP, INC, a California corporation, hereinafter called OWNER, and entered into on the date the last party executes said agreement.

This Agreement is made with reference to the following recitals:

- A. OWNER desires to have sewer service from CITY to his property located outside the City limits of CITY;
- B. CITY is agreeable to providing said sewer service under the following terms and conditions,

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements herein contained, the parties hereto mutually agree as follows:

- 1. OWNER shall do any and all acts necessary to annex the following described property to CITY when requested to do so by CITY: Address: 557 S 9th ST
APN: 038-012-006 See EXHIBIT A for full description of property.
- 2. In the event OWNER, for whatever reason, fails to take whatever action is necessary to annex said property when requested to do so by City, City may at its election terminate this agreement by giving written notice thereof to OWNER. In the event this agreement is so terminated, OWNER acknowledges, understands, and agrees that City may thereafter, upon

30 days' written notice to OWNER, in the discretion of the Utilities Director, elect to do either of the following: (1) disconnect the sewer service connection to said property; or, (2) charge up to ten (10) times the inside-City sewer rates then in effect until OWNER'S property is annexed to the City.

3. OWNER shall pay sewer rates for service outside the CITY as provided by the Modesto Municipal Code until OWNER'S property is annexed to the CITY.

4. The remedy provided in paragraph #2, above, to City, in event the owners breach this agreement, is cumulative and is in addition to any other remedies in law or equity that may be available to City. The election of one or more remedies shall not bar the use of other remedies unless the circumstances make the remedies incompatible.

5. OWNER shall, where a sewer lateral exists to serve the property directly, obtain a permit from CITY to connect to the sewer lateral and pay all the required charges as set forth in Municipal Code Section 5-6.801 through 807, including all applicable subtrunk and perimeter sewer charges.

OWNER shall, where a sewer lateral does not exist to serve the property directly, construct the sewer lateral at his own expense. All work shall be in accordance with plans and specifications approved by CITY, and OWNER shall reimburse CITY for all costs of engineering and inspection incurred by CITY for the sewer lateral extension. In addition, OWNER shall obtain a permit from the CITY to connect to the sewer lateral and shall pay all applicable permit, subtrunk and/or perimeter sewer charges prior to beginning any on-site construction.

6. After the initial sewer connection is made for the above-described property, as set forth in paragraph 5 above, OWNER agrees to obtain a new sewer connection permit from the CITY for each additional unit or units added to the existing sewer service.

7. It is further agreed that upon execution of this agreement by both parties, OWNER shall install said sewer service within six (6) months from the date of execution of this agreement. Failure to do so renders this agreement void.

8. It is distinctly covenanted and agreed by the parties hereto that this agreement shall be recorded and that all the covenants and agreements above expressed shall be held to run with and bind the above-described land and all subsequent owners and occupants thereof.

9. OWNER agrees that sewer discharge requirements as to the property will not change significantly from the originally anticipated sewer discharge requirements.

IN WITNESS WHEREOF, the City of Modesto, a municipal corporation, has caused this agreement to be executed in duplicate by its City Manager pursuant to Modesto Municipal Code 5-6.309 (a) and City Ordinance No. 3612-C.S., adopted on the 9th day of December, 2014, and OWNER has caused this agreement to be duly executed.

CITY:

CITY OF MODESTO,
a California municipal corporation

By: _____
JOSEPH P. LOPEZ
City Manager

OWNER:

DHANDA DEVELOPMENT GROUP, INC, a
California corporation*

By: _____

Name: _____

Title: _____

Date: _____

ATTEST:

By: _____
DIANE NAYARES-PEREZ, CMC
City Clerk

By: _____

Name: _____

Title: _____

Date: _____

APPROVED AS TO FORM:

By: _____
JOSE M. SANCHEZ
City Attorney

(SEAL)

** Corporations - signature of two (2) officers required or one (1) officer plus corporate seal.*

APPROVED AS TO SUFFICIENCY:

By: _____
TOBY WELLS
Director of Engineering Services

Partnership - signature of a partner required

Sole Proprietorship - signature of proprietor required

LLC – signature of proprietor or partner required

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

Departmental Information:

LOCATION OF PROPERTY

557 S 9th ST
Street Address

MAILING ADDRESS OF OWNER:
(if different from location
of property)

1463 Moffat Blvd Ste 3
Street Address

Manteca, CA 95336
City

209.405.6159
Phone Number



**Engineering Services Dept.
Land Development Engineering**
P.O. Box 642
Modesto, California 95354
209.577.5200
Modestogov.com

December 4th, 2025

Benny Dhanda
1463 Moffat Blvd STE 3
Manteca, CA 95336

Subject: Sewer Will Serve Letter for a property located at 557 S. 9th Street (APN: 038-012-006)

Dear Mr. Dhanda:

As requested in your application dated August 28, 2025, the proposed commercial development consisting of a gas station, quick service restaurant, and car-wash located at 557 S 9th St (APN: 038-012-006), will be allowed to make a sewer service connection to the City's sewer system to accommodate normal usage as described below.

Sewer Service:

Pursuant to Modesto City Council Resolution No. 91-434 that establishes various conditions for the extension of sewer services into unincorporated areas, it has been determined that a connection to the City's sewer system will be allowed to accommodate normal usage by the proposed development.

In general, Resolution No. 91-434 provides that sewer service extensions may be approved by the City Manager, on a case-by-case basis, to properties located outside the Modesto Municipal Sewer District No. 1, but within the Ultimate Sewer Service Area, when all the following conditions are met:

1. The sewer system in which the service connection will be made has sufficient capacity to receive the amount and type of discharge expected from the proposed facility.
2. An appropriately sized sewer line or manhole exists relatively close to the subject property to serve as the connection point.
3. That all applicable water and sewer connection fees are paid, and associated permits be obtained prior to beginning any on-site construction. The property owner agrees to pay all associated monthly water and sewer service charges.

MODESTO

4. The property owner must execute an outside service agreement with the City of Modesto.

In addition to the above requirements, the following items are specific conditions on the proposed project:

5. That the project's proposed sewer demands will not change significantly from the above reference letter.

6. The property owner shall connect to the existing sanitary sewer manhole at the intersection of Hosmer Avenue and Ansul Avenue and extend the sanitary sewer main to be able to service the property. Design of the connecting sewer main shall be per City Standards and by a registered engineer authorized to perform such work. The proposed design shall be approved by the City and all costs associated with its design, installation, and permits shall be borne by the property owner.

7. That the property owner enters into a standard sewer service agreement with the City, as required for sewer service outside the City limits. For Starting the agreement process, you can contact Deborah Long at (209) 342- 4712 for more information.

On May 22, 2012, the City Council approved Resolution No. 2012-203 that amended City Council Policy 5.002 relating to sewer connection into unincorporated areas. On June 5, 2012, the City Council approved final adoption of Ordinance No. 3567-C.S. amending City of Modesto Municipal Code Section 11-1.05. Both amendments included language which required that the City Manager, upon the recommendation of the Director responsible for utility system planning, request City Council approval for all extensions of sewer services into unincorporated areas.

Construction of the sewer service connection identified to serve the above referenced property shall be completed prior to twelve (12) months from the City Council date of this letter, and if after such time the service connections have not been made, the City's approval of said connections will be revoked.

If you have any questions, please contact Alfredo Aguilera at (209) 571-5180.

Recommended By: _____
Jaspreet Mangat, Senior Civil Engineer

Sincerely,

Joseph P. Lopez
City Manager

cc: William S. Wong - Director of Utilities
Stanislaus County Building Dept.