

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 06-03

**RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
TO SAN RAFAEL SANITATION DISTRICT
WITH WAIVER OF NOTICE, HEARING AND ELECTION**

"Annexation of the Lands of Forgan to the San Rafael Sanitation District (File 1272)"

WHEREAS, a proposal for the annexation of certain territory to the San Rafael Sanitation District in the County of Marin has been filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, said proposal was made in the form of a petition filed by the property owners; and

WHEREAS, said petition was accompanied by written consent signed by all owners of land within the territory proposed to be annexed; and

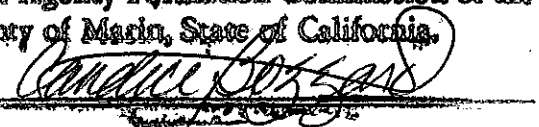
WHEREAS, pursuant to Government Code Section 56663, when a petition is accompanied by written consent signed by all owners of land within the territory proposed to be annexed, this Commission may make determination with respect to said annexation without notice and hearing; and

WHEREAS, pursuant to Government Code Section 56663(c), the affected territory is uninhabited; all the owners of land within the affected territory have given their written consent; and the affected local agency that will gain territory, San Rafael Sanitation District, has consented in writing to a waiver of conducting authority proceedings, this Commission may make determination with respect to said application with waiver of conducting authority proceedings; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including a recommendation thereon, the proposal and report having been presented to and considered by this Commission.

The foregoing instrument is a correct copy
of the original on record in the office of the
Local Agency Formation Commission of the
County of Marin, State of California.

By



NOW THEREFORE, the Marin Local Agency Formation **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibit "A" and "B" attached hereto subject to the following condition:

- A. Approved map and legal description to be provided by the applicant.
- B. Proceedings for the annexation shall not be completed until the property owner and the City of San Rafael execute and record an agreement wherein:
 1. The property owner agrees on behalf of himself, his heirs, successors and assigns that, in the event any future proceedings for the annexation of the property to the City of San Rafael shall be initiated by the City, the owner shall neither directly nor indirectly oppose or protest such annexation; and
 2. That the owner agrees that his obligations under the agreement shall run with the property and that the property shall be held, conveyed, hypothecated, encumbered, leased, rented, used and occupied subject to the provisions of the agreement and that the obligations undertaken by the owner shall be binding on all parties having or acquiring any right, title, or interest in the property.

Section 2. The territory includes 1.0 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Forgan to San Rafael Sanitation District (File 1272)".

Section 3. The proposal is consistent with the adopted sphere of influence for San Rafael Sanitation District.

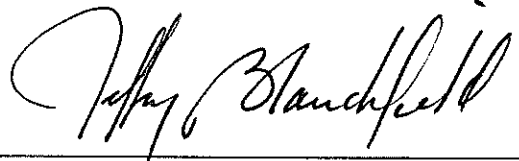
Section 4. The Executive Officer is hereby authorized to complete annexation proceedings in the manner prescribed by Section 57000 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 9th day of March, 2006 by the following vote:

AYES: Commissioners Adams, Blanchfield, Heller, Rodoni and Slavitz

NOES: None

ABSENT: Commissioners Asbo and McGlashan



JEFFRY BLANCHFIELD, Chairperson

ATTEST:



PETER V. BANNING, Executive Officer

EXHIBIT "A"

FORGAN ANNEXATION
TO
SAN RAFAEL SANITATION DISTRICT

Mapping No. 01-06

BEGINNING at a point on the boundary of the San Rafael Sanitation District, said point being also the most southeasterly corner of the lands granted to Jeffrey Forgan and Nathalie Forgan in that certain Grant Deed recorded May 21, 1999 as Document Number 1999-0039345;

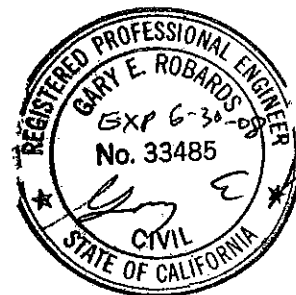
1. running thence from said POINT OF BEGINNING along said boundary of Forgan North $78^{\circ} 40'$ West 255.9 feet to the easterly line of Deer Park Avenue;
2. thence along the easterly line of Deer Park Avenue North $1^{\circ} 41'$ East 100.0 feet;
3. thence leaving Deer Park Avenue North $57^{\circ} 49'$ East 230.4 feet, more or less, to the southerly line of Summit Avenue;
4. thence southeasterly along the southerly line of Summit Avenue on a curve with a radius of 333.0 feet the center of which bears North $44^{\circ} 22'$ East through an angle of $9^{\circ} 32'$ an arc length of 54.91 feet;
5. thence running South $55^{\circ} 10'$ East 37.17' to the most northeasterly corner of Forgan;
6. thence leaving said line of Summit Avenue and running South $5^{\circ} 13' 03''$ West 217.7 feet, more or less, to the POINT OF BEGINNING.

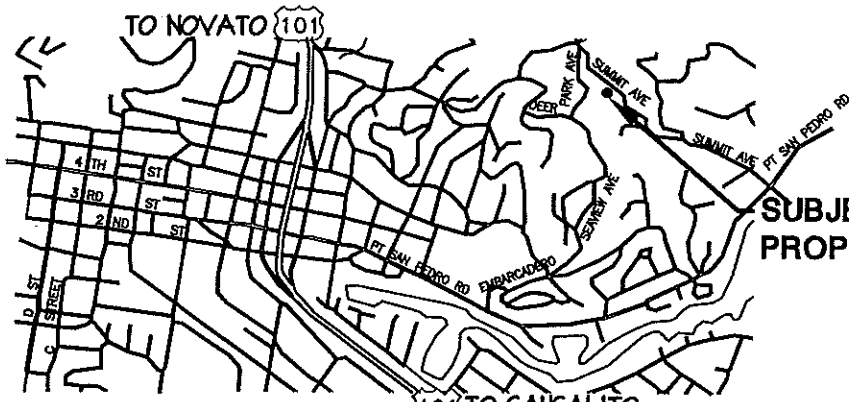
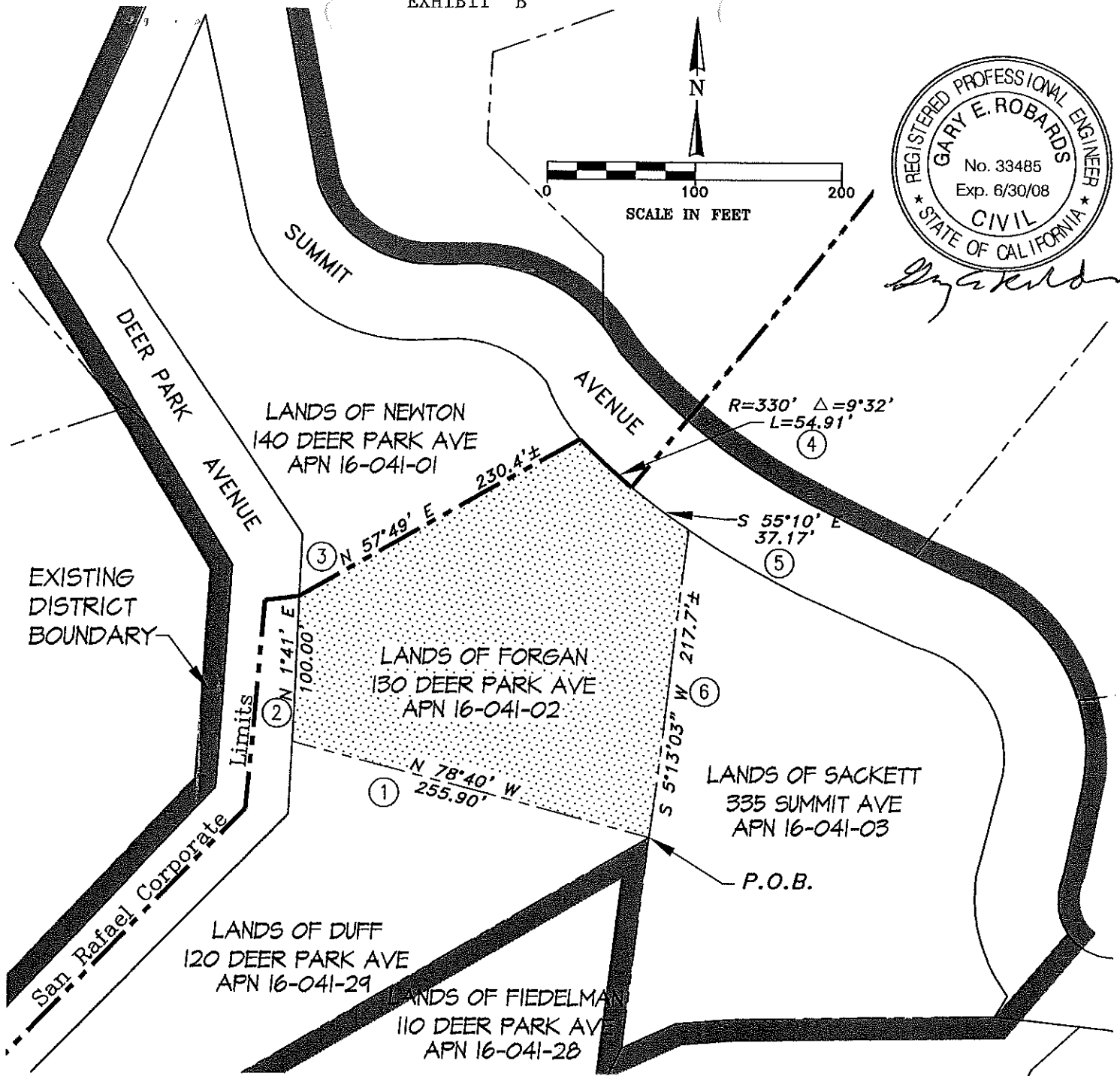
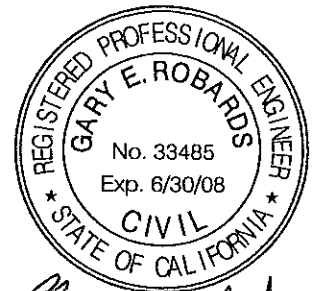
Containing approximately 1 acre.

Date: December 21, 2007

Prepared by:
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RCE 33485

Nute Engineering
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San Rafael, CA 94901
415-453-4480 x 205





LOCATION MAP
NOT TO SCALE

10/24/07
7315 Forgan Annexation

LEGEND

	ANNEXATION AREA
	SAN RAFAEL CORPORATE LIMITS
	SAN RAFAEL SANITATION DISTRICT

DPW MAPPING NO. 01-06

SUBJECT PROPERTY

**ANNEXATION OF
THE LANDS OF FORGAN
TO
SAN RAFAEL SANITATION DISTRICT**

FILE # _____