

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 90-10

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

"FAIRWAY DRIVE ANNEXATION #2"

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 Kelly Pacific Construction Company on behalf of Gus and Mary Constantin, owners of the subject property; 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 56837, when a petition is accompanied by written consent of all owners of land within the territory proposed to be annexed, this Commission may make determinations with respect to said annexation without notice and hearing; and

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

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

Section 1. Subject to the terms and conditions hereinafter specified, the proposal made by petition of Kelly Pacific Construction Company is approved.

Section 2. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibit "A," attached hereto and by this reference incorporated herein.

Section 3. The territory includes 1.4 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Fairway Drive Annexation #2" to the San Rafael Sanitation District.

Section 4. The proposal is consistent with the spheres of influence of affected local agencies.

Section 5. Any resolution authorizing the annexation approved by this resolution shall impose the standard terms and conditions of the District, as set forth in Exhibit "B" attached hereto and incorporated herein.

Section 6. The San Rafael Sanitation District is designated as the conducting district for further proceedings, and the Board of Directors of said District is hereby directed to initiate proceedings in compliance with this resolution and is authorized to proceed without notice, or election, pursuant to Government Code Section 56837.

Section 7. The project is Categorically Exempt pursuant to provisions of the California Environmental Quality Act and the Commission's Environmental Guidelines.

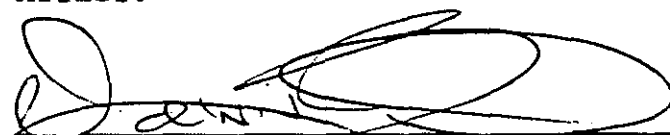
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on the 12th day of April 1990 by the following vote:

- AYES: Commissioners Aramburu, Breiner, Foote, Stockwell and Williams
- NOES: None
- ABSENT: None

*Erwin L. Williams*  
 \_\_\_\_\_  
 ERWIN L. WILLIAMS, Chairman  
 Marin Local Agency Formation  
 Commission

ATTEST:

  
 \_\_\_\_\_  
 DAWN MITTLEMAN, Executive Officer

Dated: April 13, 1990

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 *Dawn Mittleman*  
 Executive Officer