

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 81-10

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION  
WITH WAIVER OF NOTICE, HEARING, AND ELECTION  
TO THE RICHARDSON BAY SANITARY DISTRICT

GILMARTIN DRIVE ANNEXATION 1981-1

WHEREAS, a proposal for the annexation of certain territory to the Richardson Bay Sanitary District in the County of Marin has been filed with the Executive Officer of this Commission; and

WHEREAS, said proposal was made in the form of a petition submitted by property owner, Albert von der Werth III, requesting the initiation of annexation proceedings pursuant to the District Reorganization Act of 1965, Division 1 (commencing with Section 56000) of Title 6 of the Government Code; and

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

WHEREAS, pursuant to Government Code Section 56261, when a resolution of application 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.

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 is approved.

Section 2. The boundaries of the territory proposed to be annexed shall be those set forth in Exhibit A, attached hereto and incorporated herein; and said territory shall be designated as the Gilmartin Drive Annexation 1981-1.

Section 3. Said territory is found to be uninhabited.

Section 4. Any resolution ordering the annexation approved by this resolution shall provide that such annexation is ordered subject to the Richardson Bay Sanitary District's terms and conditions as set forth in Exhibit B, attached hereto and incorporated herein.

Section 5. The Richardson Bay Sanitary 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, hearing, or election pursuant to Government Code Section 56261.

Section 6. In accordance with applicable provisions contained in the Marin Local Agency Formation Commission Environmental Guidelines and Procedures, the Town of Tiburon is the appropriate lead agency and has completed an Environmental Impact Report titled "Final Focused Environmental Impact Report On Two Proposed Subdivisions Located Off Gilmartin Drive." This document was certified by the Tiburon Town Council on August 14, 1980. The Marin LAFCo hereby certifies that the Commission has considered said document and finds the report to be adequate as to content.

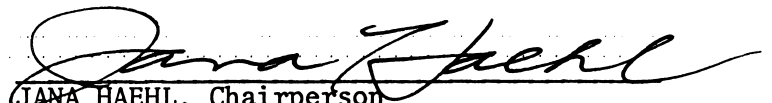
Section 7. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56272 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 12th day of March 1981 by the following vote:


AYES: Commissioners Aramburu, Boessenecker, Violich and Haehl

NOES: None

ABSENT: Commissioner Wilhelm

  
JANA HAEHL, Chairperson  
Marin Local Agency Formation Commission

ATTEST:

  
WARREN K. NELSON, Executive Officer

DATE: March 13, 1981

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"GILMARTIN DRIVE ANNEXATION 1981-1"

TO

RICHARDSON BAY SANITARY DISTRICT

All that certain real property situate in the Town of Tiburon, County of Marin, State of California, lying adjacent to the existing boundaries of the Richardson Bay Sanitary District and northerly of the following described line.

Beginning at a point on the existing boundary of the Richardson Bay Sanitary District of Marin County, said point lying North  $49^{\circ} 32'$  East 247.80 feet, South  $40^{\circ} 28'$  East 190.00 feet and North  $49^{\circ} 32'$  East 250.00 feet from the center line of California State Highway Route 52, Division of Marin County, at Engineer's Station 201 + 72.65; thence from this true point of beginning proceeding South  $40^{\circ} 28'$  East 258.40 feet and North  $49^{\circ} 32'$  East 250.00 feet to a point on the existing boundary of the Richardson Bay Sanitary District, said point also being the most easterly corner of the parcel conveyed in the deed executed by Marin Title Guaranty Company to Alden D. White et al, recorded August 25, 1952 in Book 760 at Page 110, Official Records of the County of Marin.

Containing approximately 2.5735 acres.

EXHIBIT A