

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 95-06

RESOLUTION MAKING DETERMINATIONS AND APPROVING
REORGANIZATION INCLUDING DETACHMENT FROM LAS
GALLINAS VALLEY SANITARY DISTRICT AND ANNEXATION TO
THE SAN RAFAEL SANITATION DISTRICT WITH WAIVER
OF NOTICE, HEARING AND ELECTION REQUIREMENTS

"GLENSIDE WAY REORGANIZATION"

WHEREAS, a proposal for the proposed reorganization including detachment from Las Gallinas Valley Sanitary District and annexation of certain territory to 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 owners of subject property; and

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

WHEREAS, pursuant to Government Code Section 56837, 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 determination with respect to said annexation without notice and hearing.

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including her 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 terms and conditions hereinafter specified, the proposal made by petition, is approved.

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

Section 3. The territory includes 1.05 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Glenside Way Reorganization" detachment from Las Gallinas Valley Sanitary District and annexation to San Rafael Sanitation District.

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

Section 5. The dual annexation policy will be waived due to the public health hazard of a failed septic system on the condition that the property owner enter into an agreement not to oppose future annexation to the City of San Rafael. This agreement shall be recorded and run with the property.

Section 6. Any resolution authorizing the annexation approved by this resolution shall impose the following standard San Rafael Sanitation District terms and conditions:

1. Said District will be held harmless and will not be responsible for any backflow action or maintenance of sewer ejector or pump system required to serve the subject property. Further, the pipe between the ejector system and the District's sewer line shall be the maintenance obligation of the property owner. Said District cautions current and future property owners to the fact that mechanical ejector or pump systems do sometimes fail.
2. In the event that pursuant to rules and regulations or ordinances of the District, as now or hereafter amended, the District shall require any payment of a fixed or determinable amount of money, either as a lump sum or in installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of the District; such payment will be made to the District in the manner and at the time as provided by the rules, regulations or ordinances of the District, as now or hereafter amended.
3. Upon and after the effective date of said annexation, the territory, all inhabitants within such territory, and all persons entitled to vote by reason of residing or owning land within the territory, shall be subject to the jurisdiction of the District; shall have the same rights and duties as if the territory has been a part of the District upon its original formation; shall be liable for the payment of principle, interest and any other

amounts which shall become due on account of any outstanding or then authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and ordinances of the District, as now or hereafter amended.

Section 7. The Marin County Board of Supervisors is designated as the conducting authority for further proceedings, and the Board 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 56837.

Section 8. The project, is categorically exempt pursuant to provisions of the California Environmental Quality Act.

Section 9. 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 this 6th day of July, 1995 by the following vote:

AYES: Commissioners Kress, Richardson, Rose, Thayer, and Williams

NOES: None

ABSENT: Commissioner Giacomini


ERWIN WILLIAMS, CHAIRMAN

ATTEST:


DAWN MITTLEMAN, EXECUTIVE OFFICER

DATED: July 6, 1995

LEGAL DESCRIPTION
GLENSIDE WAY REORGANIZATION

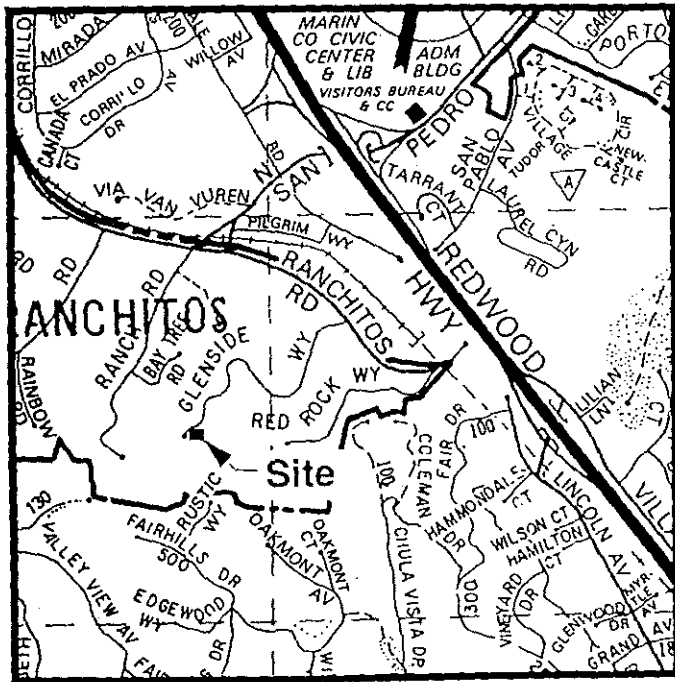
DETACHMENT FROM THE
LAS GALLINAS VALLEY SANITARY DISTRICT
AND
ANNEXATION TO THE
SAN RAFAEL SANITATION DISTRICT
MAPPING NO. 4/95

All that certain real property situate the County of Marin, State of California, and being more particularly described as follows:

Beginning at a point on the existing boundary line of the San Rafael Sanitation District and the Las Gallinas Valley Sanitary District, said Point also being the most Easterly corner of the Lands of Yturralde as said Lands are described in Deed to Yturralde in Book 3163 at Page 10, Marin County Records; said Point also is on the Southerly line of Glenside Way as said Southerly line is shown on "Amended Record of Survey of Los Ranchitos", filed September 26, 1947 in Book 2 of Official Surveys at Page 116, Marin County Records; thence from said Point of Beginning, along said Southerly line of Glenside Way, on a curve to the left with a radius of 65 feet, an arc length of 60 feet, more or less; thence leaving said Southerly line of Glenside Way, along the Northerly line of said Lands of Yturralde, North 87° 24' 30" East, 219.04 feet; thence South 42° 55' 30" East, 111.07 feet, to the existing mutual boundary of said San Rafael Sanitation District County and Las Gallinas Valley Sanitary District; thence along said District boundary line southwesterly and northwesterly to the Point of Beginning.

Containing 1.05 acres, more or less, in area. .



Date: April 1995

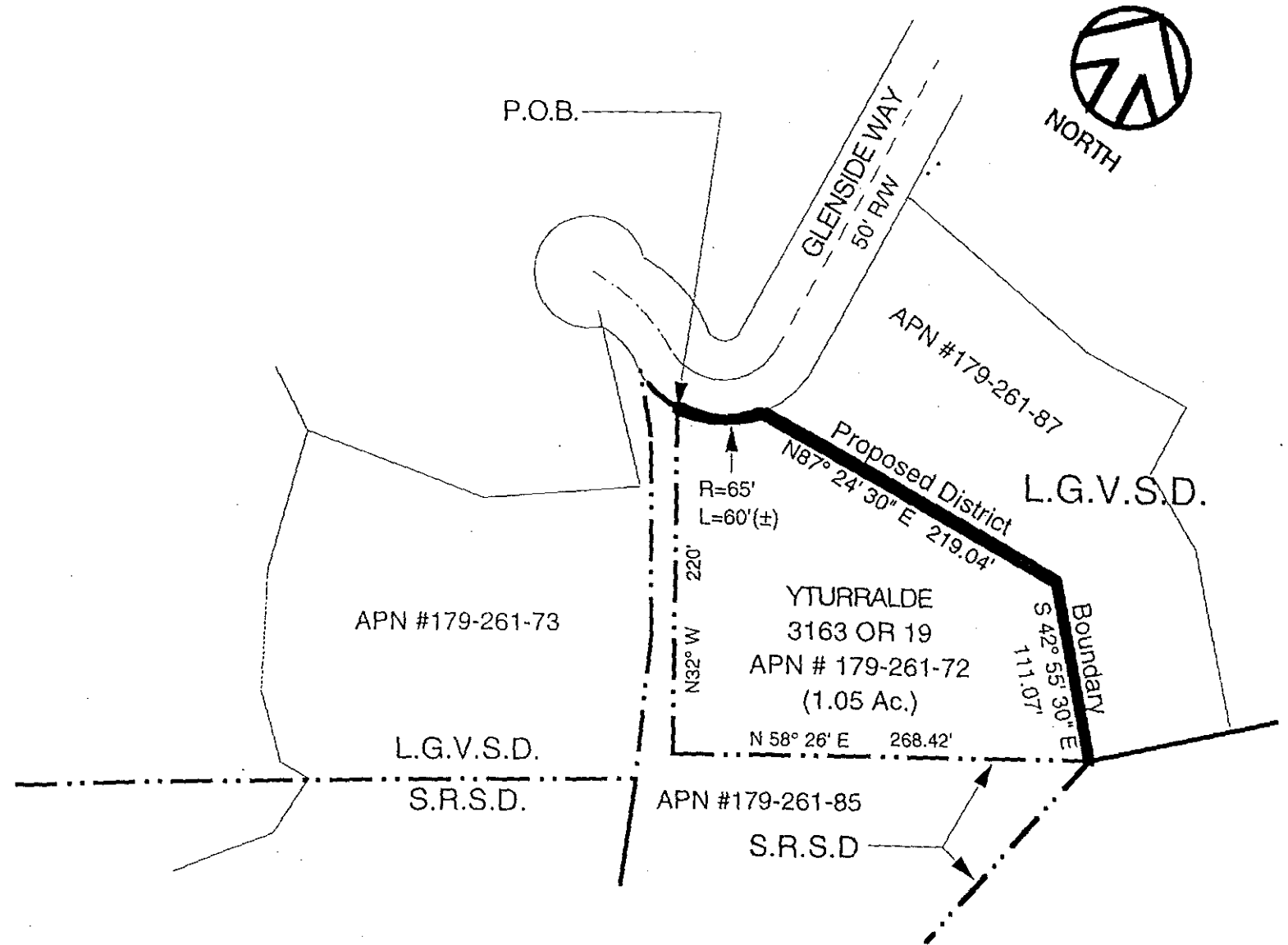


Location Map

Not to Scale

LEGEND

-  EXISTING DISTRICT BOUNDARY
-  PROPOSED DISTRICT BOUNDARY
- L.G.V.S.D. LAS GALLINAS VALLEY SANITARY DISTRICT
- S.R.S.D. SAN RAFAEL SANITATION DISTRICT



Mapping No. 4/95

Date: 4/15/95
 Scale: 1"=100'
 CMF File No. 93-006
 Drawn LM/GLC

CMF Consultants
 335 West I St
 Benicia, CA 94510

Glenside Way Reorganization
 Detachment from Las Gallinas Valley Sanitary District
 Annexation to San Rafael Sanitation District