

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 00-20

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

"Annexation of the Lands of Horne to San Rafael Sanitation District (File 1188)"

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 owner; 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 resolution of application 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 56837(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.

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 and by this reference incorporated herein.

Section 2. The territory includes 0.492 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Horne to San Rafael Sanitation District (File #1188)".

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 Dory Adams

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

Section 4. Approval of the proposal is granted subject to the following terms and conditions:

Proceedings for the annexation shall not be completed until the applicant and the City of San Rafael execute and record an agreement wherein:

- A. 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
- B. 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 5. The Executive Officer is hereby authorized to complete annexation proceedings 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 Local Agency Formation Commission on this 14<sup>th</sup> day of December, 2000 by the following vote:


AYES: Commissioners Blanchfield, Chapman, Eklund, Heller, Kress, Murray, and Quesada

NOES: None

ABSENT: Commissioners Ware and Hennessy

  
 \_\_\_\_\_  
 JEFFRY BLANCHFIELD, Chairperson

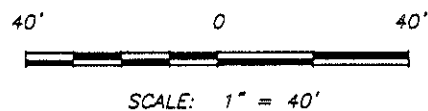
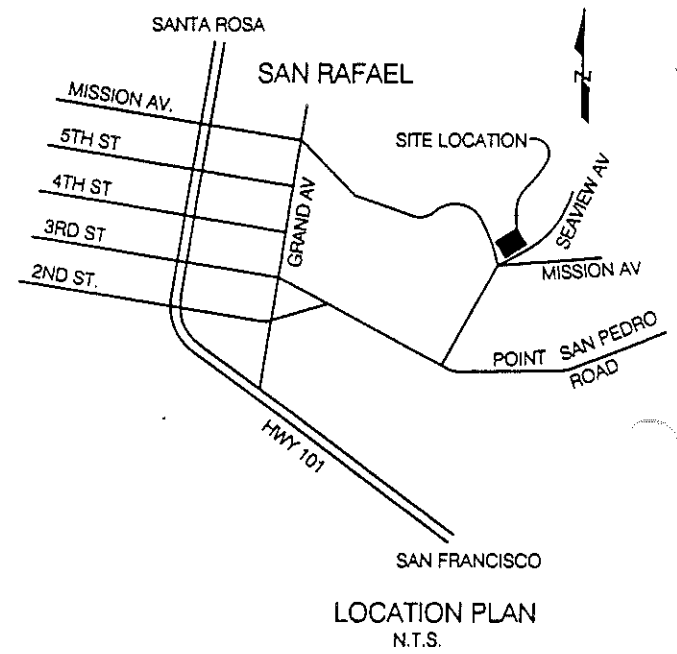
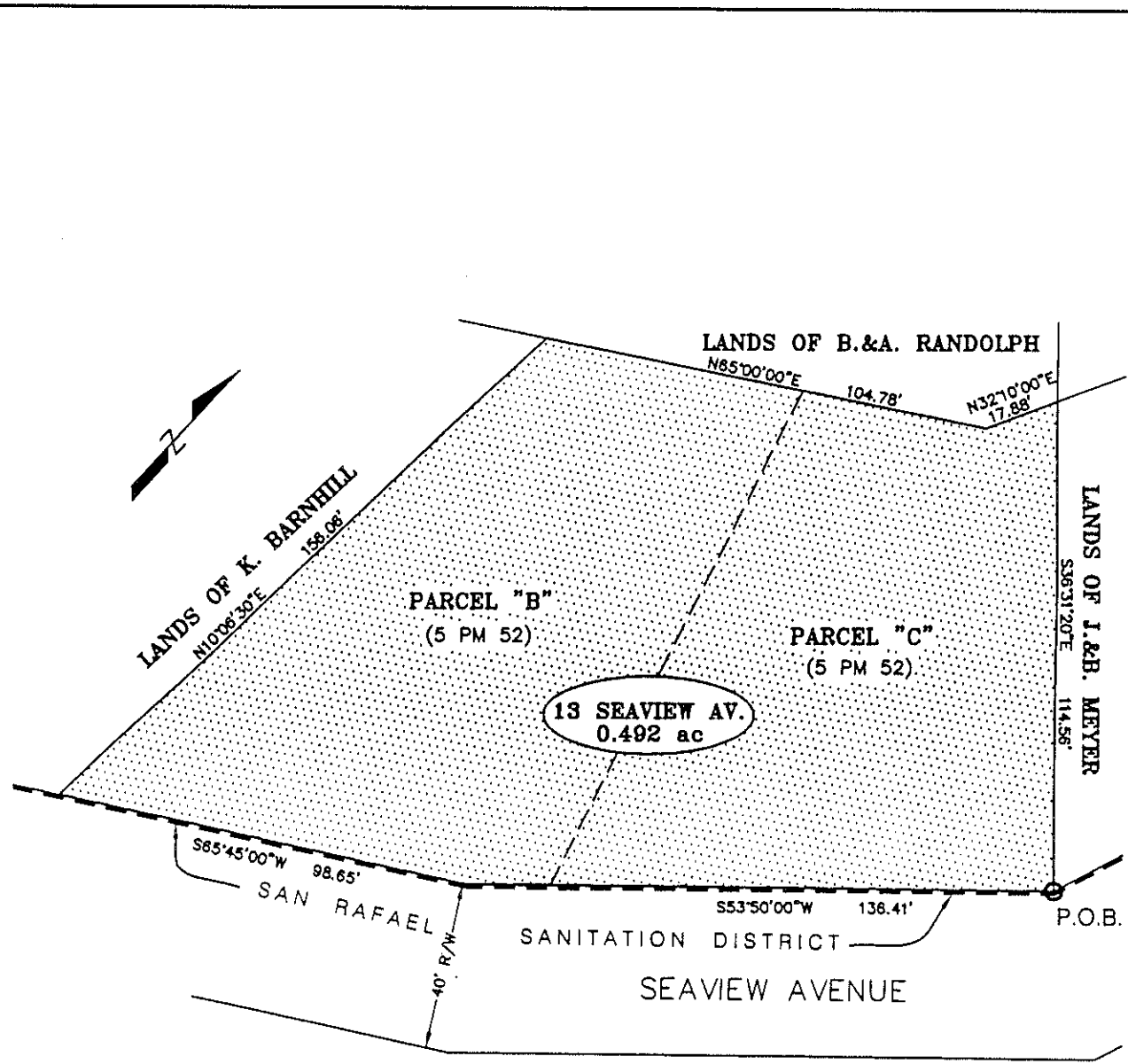
ATTEST:

  
 \_\_\_\_\_  
 PETER V. BANNING, Executive Officer

**EXHIBIT - A**  
**ANNEXATION OF THE LANDS OF HORNE**  
**TO**  
**SAN RAFAEL SANITATION DISTRICT**  
**Mapping No. 15/00**

BEGINNING at a point on the existing boundary of the San Rafael Sanitation District, said point being the intersection of the northerly R/W line of Seaview Avenue, and the easterly line of Parcel "C" as shown and delineated on that certain map titled "Parcel Map of Division of Lots 14, 15, 16, 17 & 33, and Portion of Lots 18 & 32 - Block R, Marina Highlands Unit Two, (5 Maps 49), Marin County - Calif." recorded December 7, 1970 in Book 5 Parcel Maps at page 52, Marin County Records; thence southwesterly along said boundary of the Sanitation District, said northerly R/W line of Seaview Avenue and the southerly boundary of said Parcel "C" and Parcel "B" as shown on said map, the following bearings and distances: South  $53^{\circ}50'$  West, 136.41 feet; and South  $65^{\circ}45'$  East, 98.65 feet to the most southerly corner of said Parcel "B"; thence leaving said Sanitation District boundary and continuing along the exterior boundary of said Parcel "B" and Parcel "C" the following bearings and distances: North  $10^{\circ}06'30''$  West, 156.06 feet; North  $65^{\circ}00'$  East, 104.78 feet; North  $32^{\circ}10'$  East, 17.88 feet; and South  $36^{\circ}31'20''$  East, 114.56 feet to the POINT OF BEGINNING.

Said annexation contains 21429 sq. ft. (0.492 ac) more or less.



A.P.N. 014-111-22 & 23

**ANNEXATION OF THE LANDS OF HORNE  
 TO  
 SAN RAFAEL SANITATION DISTRICT  
 MARIN COUNTY CALIFORNIA**

SCALE: 1"=40'	APPROVED BY _____	DRAWN BY: JAL
DATE: 08-11-2000	MANAGER ENGINEER	CHECKED BY: WZ
<b>MAPPING NO. 15/00</b>		DRAWING NUMBER