

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 98-11

RESOLUTION MAKING DETERMINATIONS AND APPROVING  
A REORGANIZATION INCLUDING ANNEXATION  
TO THE TOWN OF TIBURON AND SANITARY DISTRICT #2  
WITH WAIVER OF NOTICE, HEARING AND ELECTION

**"Ranch Road Reorganization #2"**

WHEREAS, a proposal for the proposed annexation of certain territory to the Town of Tiburon and Sanitary District #2, 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 the subject property; and

WHEREAS, at the time and in the form and manner prescribed by law, the Executive Officer has given notice of public hearing by this Commission upon said proposal; and

WHEREAS, the public hearing on said proposal was held by this Commission upon the date and at the time and place specified in said notice of public hearing, and all interested persons present were afforded an opportunity to speak and be heard on this matter.

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 Exhibits "A" and "B" attached hereto and by this reference incorporated herein.

Section 3. The territory includes ±.413 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Ranch Road Reorganization #2" including Annexation to the Town of Tiburon and Sanitary District #2.

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

Section 5. Any resolution authorizing the reorganization approved by this resolution shall impose the following terms and conditions (Sanitary District #2):

- 1) In the event that pursuant to rules, 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.
- 2) 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 principal, 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.
- 3) Marin LAFCO has waived its rezoning requirement to expedite sewer connection due to health hazard.
- 4) The property owner shall provide a preliminary plan showing how the connection to the sewer main in Paradise Drive will be made.
- 5) The property owner shall provide proof of acquisition for any easements necessary to make the sewer connection.

Section 6. The Town of Tiburon is designated as the conducting authority for further proceedings, and the Council of said Town 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.

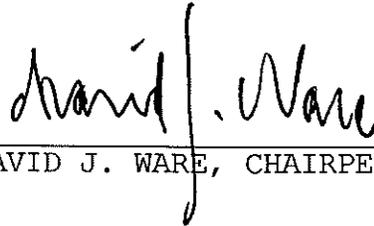
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 2nd day of July, 1998 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller, Hennessy, Kress, Moore, and Ware

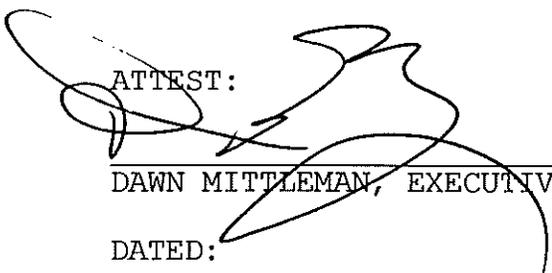
NOES: None

ABSENT: None



\_\_\_\_\_  
DAVID J. WARE, CHAIRPERSON

ATTEST:

  
\_\_\_\_\_  
DAWN MITTLEMAN, EXECUTIVE OFFICER

DATED:

RESOLUTION NO. 3294

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIBURON  
APPROVING REORGANIZATION WITH WAIVER OF NOTICE, HEARING AND  
ELECTION TO THE TOWN OF TIBURON AND TO SANITARY DISTRICT NO. 2  
"RANCH ROAD REORGANIZATION #2": 4905 RANCH ROAD**

The Town Council of the Town of Tiburon does hereby resolve as follows:

WHEREAS, the Local Agency Formation Commission has delivered Resolution No. 98-11 of said Commission to this Town Council, which resolution designates the Tiburon Town Council as the conducting authority for this project, and which resolution has been reviewed.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Town Council of the Town of Tiburon as follows:

Section I. This action involves the annexation of territory commonly known as 4905 Ranch Road to the Town of Tiburon and Sanitary District No. 2. This action is being taken pursuant to the Cortese-Knox Local Government Re-Organization Act of 1985. Notice of hearing is not required pursuant to Section 6 of the aforesaid LAFCO Resolution.

Section II. Pursuant to Section 7 of the aforesaid LAFCO Resolution, the project is categorically exempt from requirements of the California Environmental Quality Act. The reason for the reorganization is to effect connection to a public sewer system for the benefit of the public health.

Section III. The territory includes .41 acres, and is found to be uninhabited, the boundaries of which are described in Exhibits A and B attached hereto and by this reference incorporated herein. The short form designation is "Ranch Road Reorganization #2" to the Town of Tiburon and Sanitary District No. 2.

Section IV. The regular county assessment roll shall be utilized for the purposes of this reorganization.

Section V. The affected territory will be taxed for existing general bonded indebtedness of the Town of Tiburon and Sanitary District No. 2.

Section VI. The above-referenced project and proposal for reorganization is approved subject to the following terms and conditions relative to Sanitary District No. 2:

*Tiburon Town Council*

*Resolution No. 3294*

*8/5/98*  
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.

*Doris Adams*

1. In the event that pursuant to rules, 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.
2. 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 had been a part of the District upon its original formation; shall be liable for the amount of principal, 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 any and all of the rates, rules, regulations and ordinances of the District, as now or hereafter amended.
3. Marin LAFCO has waived its rezoning requirement to expedite sewer connection due to health hazard.
4. The property owner shall provide a preliminary plan showing how the connection to the sewer main in Paradise Drive will be made.
5. The property owner shall provide proof of acquisition for any easements necessary to make the sewer connection.

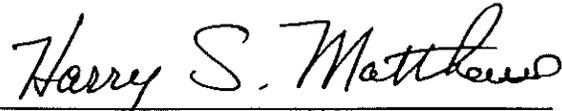
Section VII. The Town Clerk is hereby ordered to file certified copies of this Resolution with the executive officer of the Marin County Local Agency Formation Commission and do all other acts necessary in accordance with law to complete the reorganization.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Tiburon, State of California, held this 5th day August, 1998, by the following vote:

AYES: COUNCILMEMBERS: Bach, Gram, Hennessy, Matthews, & Thompson

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



HARRY S. MATTHEWS, MAYOR  
TOWN OF TIBURON

ATTEST:



DIANE L. CRANE, TOWN CLERK

April 22, 1998

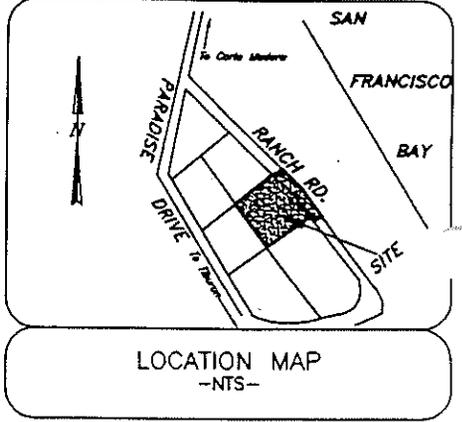
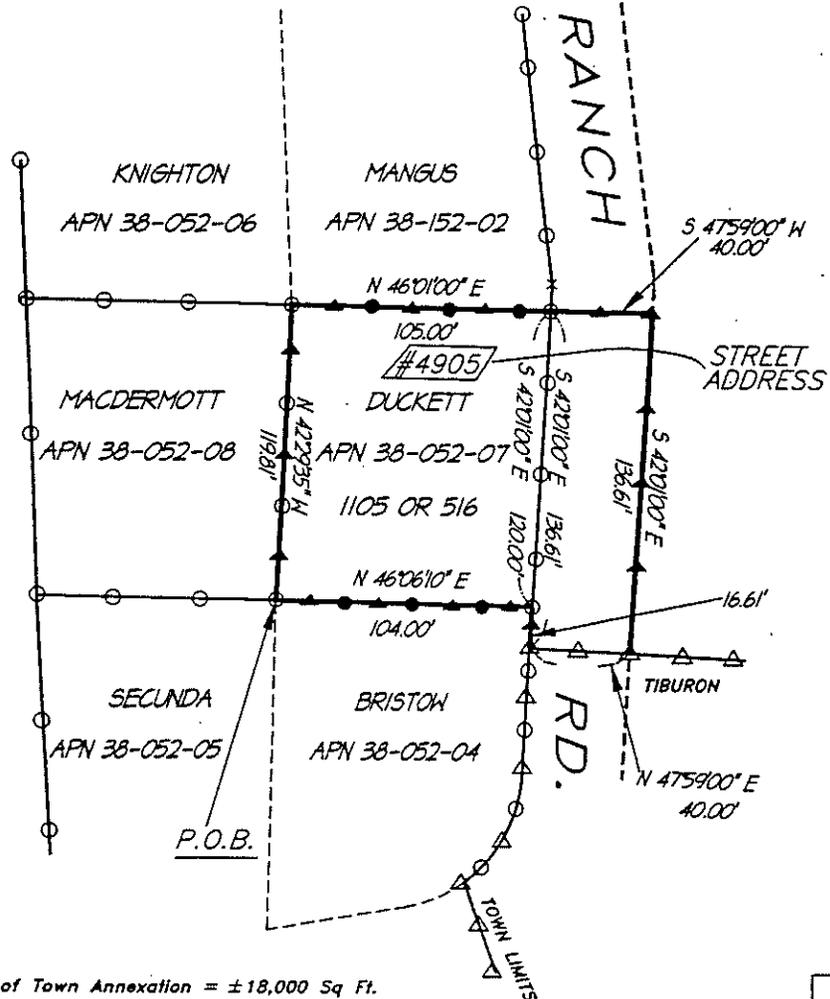
RANCH ROAD REORGANIZATION NO. 3  
TO  
SANITARY DISTRICT NO. 2 & TOWN OF TIBURON  
MAPPING NO. 7/98  
Description to Sanitary Dist. No. 2

**BEGINNING** at a point on the existing boundary of Sanitary District No.2 of Marin County, said point being the most southerly corner of the Lands of Duckett, as described in 1105 OR 516, also being the most westerly corner of the Lands of Bristow, as described in DN 96-066984; thence from said **POINT OF BEGINNING** along the Sanitary District boundary  $N42^{\circ}29'35''W$ , 119.81 feet; thence leaving said Sanitary District boundary,  $N46^{\circ}01'00''E$ , 105.00 feet to a point on the Sanitary District boundary, said point also being on the southwesterly right of way of Ranch Road; thence along said boundary and said right of way  $S42^{\circ}01'00''E$ , 120.00 feet; thence leaving said Sanitary District boundary and along the southerly boundary of the Lands of Duckett  $S46^{\circ}06'10''W$ , 104.00 feet to the **POINT OF BEGINNING**.

Containing 12,500 square feet, more or less.

SCALE: 1" = 60'

PARADISE DRIVE



- LEGEND
- ⊕ ⊕ EXISTING SANITARY DISTRICT BOUNDARY
  - PROPOSED SANITARY DISTRICT BOUNDARY & PROPOSED TOWN BOUNDARY
  - △— EXISTING TOWN BOUNDARY
  - ▲— PROPOSED TOWN BOUNDARY
  - ⊕ ⊕ EXISTING SANITARY DIST. BOUNDARY & PROPOSED TOWN BOUNDARY
  - - - - - PROPERTY LINES NOT PART OF THIS ANNEXATION

Total Area of Town Annexation = ±18,000 Sq. Ft.  
 Total Area of Sanitary District Annexation = ±12,500 Sq. Ft.

RANCH ROAD  
 REORGANIZATION NO. 2  
 TO TOWN OF TIBURON  
 AND  
 SANITARY DISTRICT NO. 2  
 MAPPING NO. 7/98

I. L. SCHWARTZ ASSOCIATES, INC.  
 CML ENGINEERING AND LAND SURVEYING  
 79 GALLI DRIVE, NOVATO, CA 94949 (415) 883-9200

DHS FILE: 6779ANK  
 DHS TRK. NO: 365  
 4/22/1998

EXHIBIT "B"