

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 77-48

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
WITH WAIVER OF NOTICE, HEARING, AND ELECTION
TO SANITARY DISTRICT NO. 5

"CROWLEY ANNEXATION"

WHEREAS, a proposal for the annexation of certain territory to the Sanitary District No. 5 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 Resolution No. 1976-1 a resolution of application adopted by the Board of Directors of Sanitary District No. 5, and 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 resolution of application 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 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;

WHEREAS, in conformance with applicable statutes, the Executive Officer prepared and presented a report to the Commission and recommended that said proposal be denied; and

WHEREAS, the Marin Local Agency Formation Commission has reviewed all factors and adopted LAFCo Policy Guidelines relevant to the said proposal which are mandated by law.

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 Resolution No. 1976-1 adopted by the Board of Directors of the Sanitary District No. 5 is hereby approved.

Section 2. Said proposal is approved based upon findings of fact which qualify the affected territory to be considered an exception to the strict application of LAFCo Policy Guidelines. Said findings of fact are as follows: (a) The property is a single parcel comprising less than one acre of land. (b) Future

development is limited to construction of one single family residence. (c) Application of LAFCo Policy Guidelines would produce an unreasonable hardship upon affected property owners. (d) Said action will protect the health, safety and welfare of the public.

Section 3. 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 "Crowley Annexation".

Section 4. Any resolution ordering the annexation approved by this resolution shall provide that such annexation is ordered subject to the terms and conditions specified in the resolution of application.

Section 5. The Sanitary District No. 5 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 hearing pursuant to Government Code Section 56261.

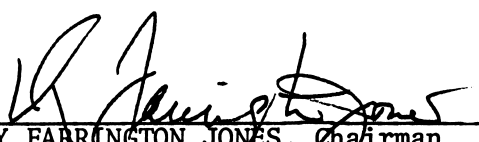
Section 6. The environmental documents relevant to the proposed annexation have been reviewed and considered by the Commission in making its final determination. Pursuant to the California Environmental Quality Act and the Commission's Environmental Guidelines, a Negative Declaration has been issued.

Section 7. The Executive Officer is hereby authorized to mail certified copies of this resolution in the manner and as prescribed by law.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 9th day of November, 1977, by the following vote:

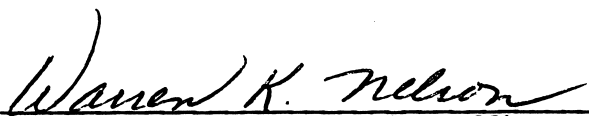
AYES: Commissioners Baptiste, Mulryan, Roumiguere, Violich and Jones

NOES: None



ROY FARRINGTON JONES, Chairman
Marin Local Agency Formation Commission

ATTEST:



WARREN K. NELSON, Executive Officer

DATE:

November 10, 1977

COTRELL-CROWLEY ANNEXATION
to
SANITARY DISTRICT NO. 5

Commencing at a point on the northeasterly right of way line of Playa Verde, said point being the southwesterly corner of Lot 5 as shown on the "Map of Paradise Acres" recorded April 24, 1961, said point also being on the existing Sanitary District No. 5 boundary; running thence along said existing district boundary northwesterly, northeasterly and southeasterly to the most easterly corner of said lot 5; thence leaving said district boundary S 72° 13' 17" W, 225.79 feet to a point on the northeasterly line of Playa Verde, said point also being on the existing district boundary; thence northwesterly along said right of way line and district boundary to the point of beginning.