

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 24-10

Resolution Approving the Annexation of 335 Highland Ave. into San Rafael Sanitary District with Waiver of Notice, Hearing, and Protest Proceedings and finding it Exempt from CEQA pursuant to state CEQA guideline Section 15319

*“Annexation of 335 Highland Ave. (APN 015-241-12) into San Rafael Sanitary District.
(LAFCo File #1386)”*

WHEREAS Ronald K. and Diana D. Lamson, hereinafter referred to as “Property Owner,” has filed a validated landowner petition with the Marin Local Agency Formation Commission, a petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS the reorganization proposal seeks Commission approval to annex approximately 1.52 acres of land in unincorporated Marin County into the San Rafael Sanitary District; and

WHEREAS the affected territory represents developed land located 335 Highland Ave, San Rafael identified by the County of Marin Assessor’s Office as APN: 015-241-12; and

WHEREAS the Commission’s staff has reviewed the proposal and prepared a report with recommendations; and

WHEREAS the staff’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS the Commission considered all the factors required by law under Government Code Section 56668 and 56668.3 and adopted local policies and procedures as provided for in the staff report and oral and written testimony.

WHEREAS the proposal is for a reorganization of territory that is uninhabited, and no affected local agency has submitted a written demand for notice and hearing as provided for in Government Code section 56662(a).

NOW THEREFORE, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. Approve the proposed annexation of APN: 015-241-12 to San Rafael Sanitary District (File #1386) as shown and with the boundaries as depicted and described in Exhibits “A” and “B” attached hereto and incorporated herein by reference.

Section 2. The territory includes 1.52 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Annexation of 335 Highland Ave. (APN 015-241-12) into San Rafael Sanitary District. (LAFCo File #1386)”

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

Section 4. The Executive Officer is hereby authorized to waive notice and hearing, and protest proceedings and complete organization proceedings.

Section 5. As Lead Agency under CEQA for the proposed annexation into San Rafael Sanitary District, LAFCo finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(a).

Section 6. As a condition of final approval, the applicant must submit the Agreement Regarding Annexation of Real Property to LAFCo attached here to as Exhibit “C” and incorporated herein by reference, clearly stating that they shall not protest any future application to LAFCo to annex their property to the City of San Rafael, as part of an island annexation.


PASSED AND ADOPTED by the Marin Local Agency Formation Commission on December 12, 2024, by the following vote:

AYES: Commissioners Coler, Chu, Kious, Rodoni, Murray Burdo

NOES: _____

ABSTAIN: _____

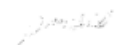
ABSENT: Commissioner Lucan


Barbara Coler (Dec 12, 2024 09:24 PST)

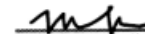
Barbara Coler, Chair

ATTEST:

APPROVED AS TO FORM:



Jason Fried, Executive Officer


Malathy Subramanian (Dec 12, 2024 09:19 PST)

Malathy Subramanian, LAFCo Counsel





Attachments to Resolution No. 23-10

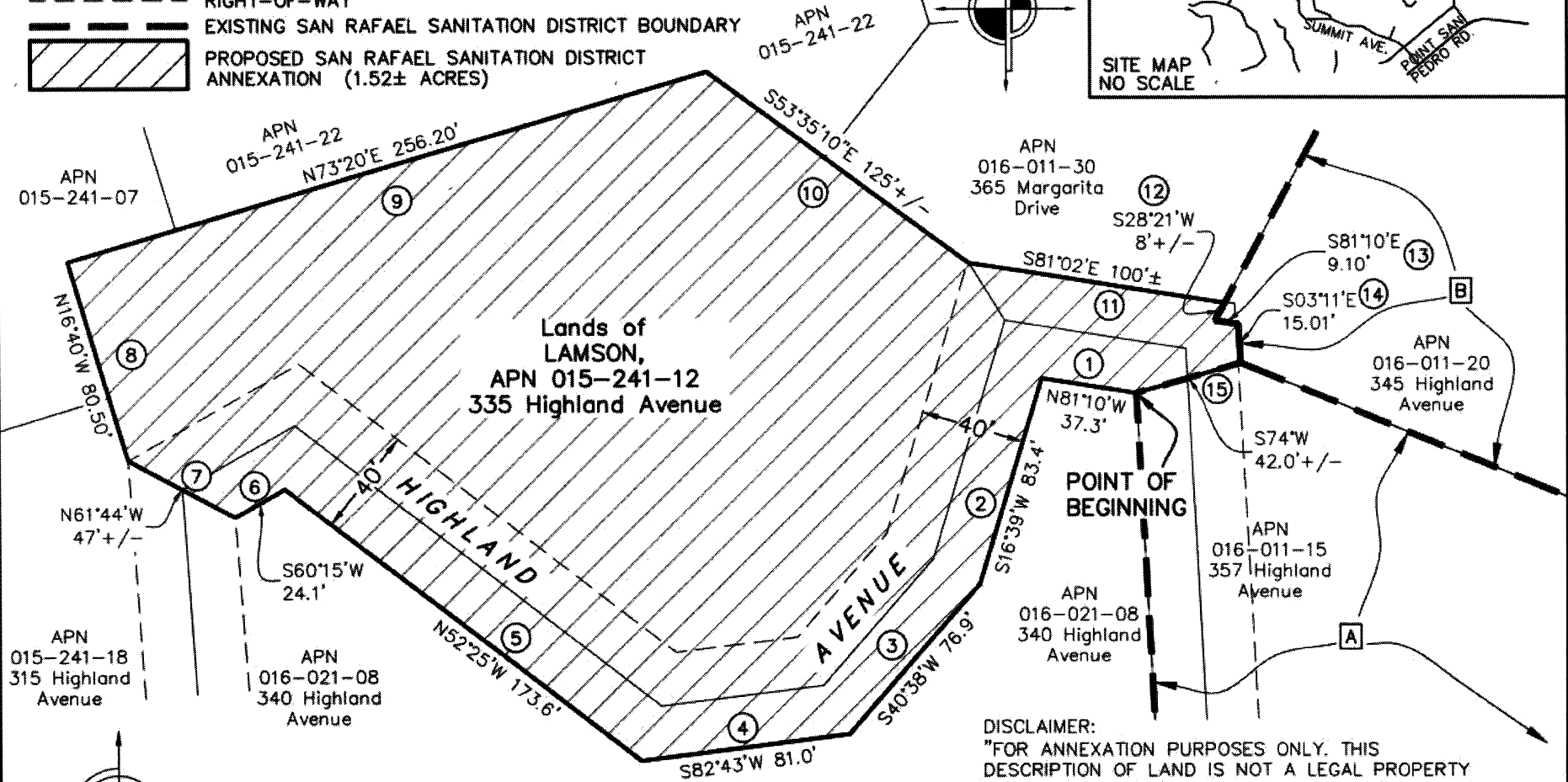
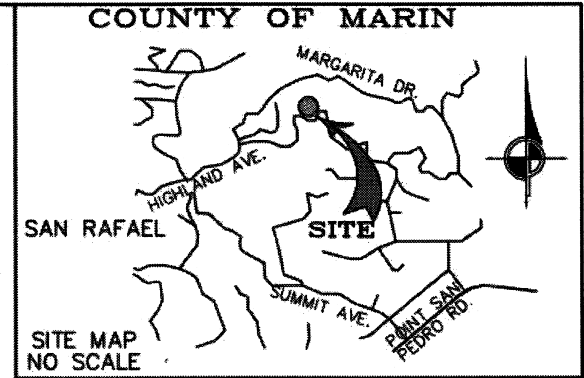
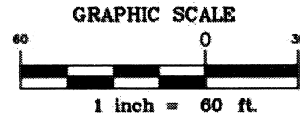
- a) Exhibit A – Legal Description
- b) Exhibit B – Map
- c) Exhibit C – Delayed Dual Annexation

ANNEXATION DISTRICTS

- A** WISKEMANN AND BRUSCHERA ANNEXATION TO SAN RAFAEL SANITATION DISTRICT, RESOLUTION NO. 87-14.
- B** ANNEXATION OF 345 HIGHLAND AVENUE TO SAN RAFAEL SANITARY DISTRICT, RESOLUTION NO. 21-05.

LEGEND

-  EXISTING PARCEL BOUNDARY
-  RIGHT-OF-WAY
-  EXISTING SAN RAFAEL SANITATION DISTRICT BOUNDARY
-  PROPOSED SAN RAFAEL SANITATION DISTRICT ANNEXATION (1.52± ACRES)



DISCLAIMER:
 "FOR ANNEXATION PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE AREA DESCRIBED."

CINQUINI & PASSARINO, INC.
LAND SURVEYING

- ▲ BOUNDARY
- ▲ TOPOGRAPHIC
- ▲ CONSTRUCTION
- ▲ SUBDIVISIONS

1804 Soscol Avenue, Suite 202
 Napa, CA. 94559
 Phone: (707) 690-9025
 Fax: (707) 542-2106
WWW.CINQUINIPASSARINO.COM

| | | |
|---|-----------------|------------------|
| APN 015-241-12 & PORTION OF HIGHLAND AVE. | DRAWN BY: DCS | CHECKED BY: MD |
| HIGHLAND AVENUE NO.1386 DISTRICT ANNEXATION TO SAN RAFAEL SANITATION DISTRICT | SCALE: 1" = 60' | DATE: 10/31/2024 |
| | JOB #: 10643-24 | PAGE: 3 of 3 |

CINQUINI & PASSARINO, INC.
Professional Land Surveyors
1360 No. Dutton Avenue, Suite 150
Santa Rosa, CA 95401
(707) 542-6268
Job #10643-24

Exhibit "B"

**Lamson Annexation
San Rafael Sanitation District
LAFCo File No. 1386**

All that certain real property, situated in portion of Section 34, Township 2 North, Range 6 West, Mount Diablo Base and Meridian, in the County of Marin, State of California, being more particularly described as a whole as follows:

BEGINNING at the westernmost corner of "Wiskemann and Bruscheria Annexation to San Rafael Sanitary District Resolution Number 87-14, dated June 12, 1987", said corner also being an angle point on the southerly right-of-way of a 40-foot road herein called Highland Avenue;

thence leaving said Annexation boundary and along said southerly right-of-way the following 6 (six) courses and distances:

- (1) North 81°10' West 37.3 feet;
- (2) South 16°39' West 83.4 feet;
- (3) South 40°38' West 76.9 feet;
- (4) South 82°43' West 81.0 feet;
- (5) North 52°25' West 173.6 feet;
- (6) South 60°15' West 24.1 feet to an angle point;

thence leaving said southerly right-of-way,

- (7) North 61°44' West 47 feet more or less to an angle point on the northerly right-of-way of Highland Avenue;

thence leaving said northerly right-of-way and along the northerly lines of said lands of Lamson the following 3 (three) courses and distances:

- (8) North 16°40' West 80.50 feet;

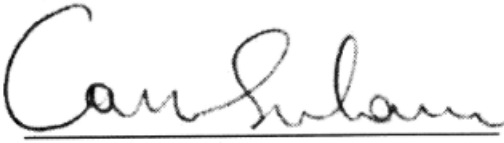
- (9) North 73°20' East 256.20 feet;
 - (10) South 53°35'10" East 125 feet more or less to an angle point on said northerly right-of-way of Highland Avenue;
 - (11) thence leaving said northerly lines of Lamson and along said northerly right-of-way South 81°02' East 100 feet more or less to a point on westerly boundary of the "Annexation of 345 Highland Avenue to San Rafael Sanitary District Resolution Number 21-05, dated June 10, 2021";
 - (12) thence along said westerly boundary South 28° 21' West 8 feet more or less to an angle point on said westerly boundary;
- thence continue along said westerly boundary of said Annexation boundary the following 2 (two) courses and distances:
- (13) South 81° 10' East 9.10 feet;
 - (14) South 3° 11' East 15.01 feet to an angle point common to said Annexation boundaries of said Resolution No. 87-14 and said Resolution No. 21-05;
 - (15) thence leaving said Annexation boundary of said Resolution 21-05 and along the northwest line of said Resolution 87-14 Annexation boundary South 74° West 42.0 feet more or less to the **POINT OF BEGINNING**.

Containing 1.52 acres of land more or less.

APN 015-241-12 and a portion of Highland Avenue

For annexation purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

Prepared by Cinquini & Passarino, Inc.


 Davit Can Sulam, PLS 8224



11/04/2024
 Date

AGREEMENT REGARDING ANNEXATION OF REAL PROPERTY
TO MARIN LOCAL AGENCY FORMATION COMMISSION

This agreement is made and entered into on this 24 day of September 2024, by and between the Marin Local Agency Formation Commission, ("LAFCo" hereafter), and Ronald Lamson ("Owner" hereafter) and is based upon the following facts:

- (a) Owner holds title to that certain real property ("the Property" hereafter) described in Exhibit "A" attached hereto and shown for illustrative purposes only on the attached Exhibit "B"; and
- (b) Owner desires annexation to the San Rafael Sanitation District provided by the San Rafael Sanitary District. LAFCo recognizes that at this time, annexation of this property would result in inefficient provision of services to the property, but that at some point in the future, the LAFCo may desire annexation.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

- 1. Owner agrees on behalf of himself, his heirs, successors and assigns that, in the event any future proceedings for annexation of the property to the City of San Rafael shall be initiated by LAFCo, Owner shall neither directly nor indirectly oppose or protest such annexation.
- 2. Owner agrees that his obligations hereunder 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 this Agreement and that the obligations undertaken by Owner hereunder shall be binding on all parties having or acquiring any right, title, or interest in the Property.

OWNER:

By: Ronald Lamson
Property Owner, Print Name

Date: 9.24.24

Ronald Lamson
Property Owner, Signature

MARIN LOCAL AGENCY FORMATION COMMISSION:

By: Jason Fried
Jason Fried, Executive Officer, Print Name

Date: 9/24/24












Resolution 24-10

Final Audit Report

2024-12-16

| | |
|-----------------|--|
| Created: | 2024-12-16 |
| By: | claire devereux (cdevereux@marinlafco.org) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAksg1BU7IX2I3j3PJ0Z13npQJrsUZLJ |

"Resolution 24-10" History

-  Document created by claire devereux (cdevereux@marinlafco.org)
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-  Document emailed to Malathy Subramanian (malathy.subramanian@bbklaw.com) for signature
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-  Document emailed to Jason Fried (jfried@marinlafco.org) for signature
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-  Document e-signed by Malathy Subramanian (malathy.subramanian@bbklaw.com)
Signature Date: 2024-12-16 - 5:59:17 PM GMT - Time Source: server
-  Agreement completed.
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