

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 89-13

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
WITH WAIVER OF NOTICE, HEARING AND ELECTION
TO SANITARY DISTRICT #2

"ELM AVENUE ANNEXATION #2"

WHEREAS, a proposal for the proposed annexation of certain territory to 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 property owner, Henry N. Battjes; 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 the matter; and

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

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

Section 3. The territory includes .593 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Elm Avenue Annexation #2" to Sanitary District #2.

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

Section 5. Any resolution authorizing the annexation approved by this resolution shall impose the terms and conditions of Sanitary District #2, as set forth in Exhibit "B," attached hereto and incorporated herein.

Section 6. The Sanitary District #2 is designated as the conducting agency for further proceedings; and the Board of said District is hereby directed to initiate proceedings in compliance with this resolution, and is authorized to take further proceedings upon said annexation in compliance with applicable provisions of State law.

Section 7. The project is categorically exempt pursuant to provisions of the California Environmental Quality Act and the Commission's Environmental Guidelines.


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 13th day of July 1989 by the following vote:


AYES: Commissioners Aramburu, Breiner, Stockwell and Foote

NOES: None

ABSENT: Commissioner Williams


KATHLEEN E. FOOTE, Acting Chairman

ATTEST:


WALTER J. MONASCH, Executive Officer

Dated: July 14, 1989