

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 94-03

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
WITH WAIVER OF NOTICE, HEARING AND ELECTION
TO THE Richardson Bay Sanitary District

"Tanfield Road Annexation"

WHEREAS, a proposal for the proposed annexation of certain territory to the Richardson Bay Sanitary 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 of application was accompanied by written consent signed by all owners of land with the territory proposed to be annexed; and

WHEREAS, pursuant to Government Code Section 56837, 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 determination with respect to said annexation without notice and hearing.

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 Exhibit "A" attached hereto and by this reference incorporated herein.

Section 3. The territory includes 2.1 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Tanfield Road Annexation" to Richardson Bay Sanitary District.

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 following terms and conditions:

- A. In the event 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 shall be made to the District in a manner and at the time as provided by the rules, regulations or ordinances of the District as now or hereafter amended, pursuant to which such payment is required.
- B. Upon and after 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 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, the District, as now or hereafter amended; and shall be subject to the provisions of existing and subsequent orders of the California Regional Water Quality Control Board, which current orders place a restriction upon the number of sewer connections allowable to District's sewer systems.

- C. No right to capacity in any facilities or public improvements of the District, service, or priority of service, shall arise because of annexation. District shall, pursuant to contractual obligations, and pursuant to applicable orders, regulations, rules and limitations of the California Regional Water Quality Control Board, determine when and if sewer service can be provided, the priority of service and the conditions upon which service may be made.

Section 6. The Richardson Bay Sanitary District is designated as the conducting authority for further proceedings, and the Board of said Sanitary District 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 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 3rd day of March, 1994 by the following vote:

AYES: Commissioners Richardson, Rose, Thayer and Williams
NOES: None
ABSENT: Bevis


ERWIN WILLIAMS, CHAIRMAN

ATTEST:


DAWN MITTLEMAN, EXECUTIVE OFFICER

DATED: March 3, 1994

TANFIELD ROAD ANNEXATION
TO
RICHARDSON BAY SANITARY DISTRICT

Beginning at a point on the existing boundary of Richardson Bay Sanitary District and the intersection of Hacienda Drive and Tanfield Road (formerly Hacienda Court) as delineated on that certain map entitled "Record of Survey Tiburon Properties, Formerly Ptn. of Bostick Prop., Near Tiburon Marin Co., Calif." recorded Sept. 6, 1950 in Book 2 of Surveys at Page 158 in the office of the Marin County Recorder; thence along said boundary line and the centerline of said Hacienda Drive North 78°08'00" West 114.12 feet; thence along a curve to the left whose radius bears South 11°52'00" West 300.00 feet, through a center angle of 09°31'00" and an arc distance of 49.83 feet; thence North 87°39'00" West 216.57 feet; thence leaving said boundary and said centerline North 02°21'00" East 294.76 feet; thence South 87°37'30" East 119.68 feet to the westerly line of said Tanfield Road; thence North 65°59'14" East 45.00 feet to the centerline of Tanfield Road; thence along said centerline South 46°32'00" East 167.89 feet; thence along a curve to the right whose radius bears South 43°28'00" West 175.00 feet, through a center angle of 33°40'00" and an arc distance of 102.83 feet; thence South 12°52'00" East 146.51 feet to the point of beginning.

Containing approximately 2.135 acres
1/31/94

EXHIBIT "A"

