

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 01-01

**RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION  
WITH WAIVER OF NOTICE, HEARING AND ELECTION  
TO SAN RAFAEL SANITATION DISTRICT**

"Annexation of the Lands of Lee to San Rafael Sanitation District (File 1186)"

**WHEREAS**, a proposal for the annexation of certain territory to the San Rafael Sanitation 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 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 56837, when a petition is accompanied by written consent signed by 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; and

**WHEREAS**, pursuant to Government Code Section 56837(c), the affected territory is uninhabited; all the owners of land within the affected territory have given their written consent; and the affected local agency that will gain territory, San Rafael Sanitation District, has consented in writing to a waiver of conducting authority proceedings, this Commission may make determination with respect to said application with waiver of conducting authority proceedings; and

**WHEREAS**, the Executive Officer has reviewed the proposal and prepared a report, including a recommendation thereon, the proposal and report having been presented to and considered by this Commission.

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.

By \_\_\_\_\_

*Doug Adams*

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

Section 1. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibit "A" and "B" attached hereto and by this reference incorporated herein.

Section 2. The territory includes 1.06 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Lee to San Rafael Sanitation District (File #1186)".

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

Section 4. Approval of the proposal is granted subject to the following terms and conditions:

- 1) The applicant will provide a revised map and legal description with the assigned short form title of "Annexation of the Lands of Lee to San Rafael Sanitation District (File #1186)" and meeting the technical requirements of the State Board of Equalization.
- 2) Proceedings for the annexation shall not be completed until the applicant and the City of San Rafael execute and record an agreement wherein:
  - A. The property owner agrees on behalf of himself, his heirs, successors and assigns that, in the event any future proceedings for the annexation of the property to the City of San Rafael shall be initiated by the City, the owner shall neither directly nor indirectly oppose or protest such annexation; and
  - B. That the owner agrees that his obligations under the agreement 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 the agreement and that the obligations undertaken by the owner shall be binding on all parties having or acquiring any right, title, or interest in the property.

Section 5. The Executive Officer is hereby authorized to complete annexation proceedings 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 Local Agency Formation Commission on this 8<sup>th</sup> day of February, 2001 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Eklund, Heller, Kress, Murray and Quesada

NOES: None

ABSENT: None



JEFFRY BLANCHFIELD, Chairperson

ATTEST:

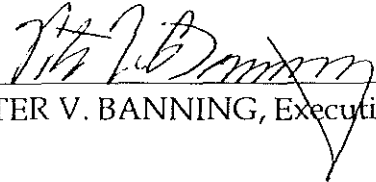
  
PETER V. BANNING, Executive Officer

Exhibit "A"

03-09-2001

Annexation of the  
Lands of Lee  
To  
San Rafael Sanitary District  
(File # 1186)  
MAPPING No. 02/01

Description

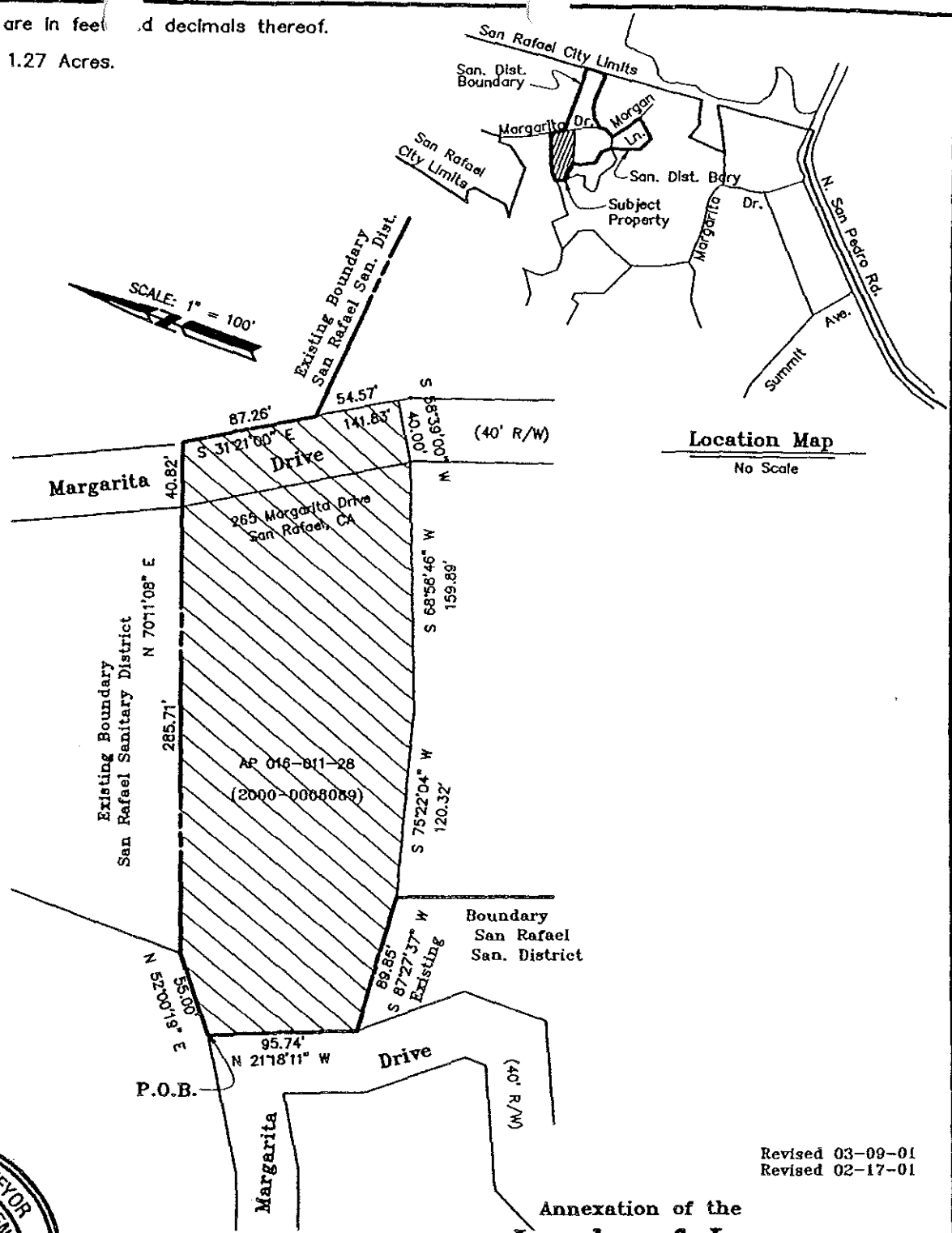
Beginning at the northwesterly corner of the parcel conveyed to James Lee by deed recorded February 15, 2000, in Document No. 2000-0008089, Marin County Records, said point also being on the existing boundary of San Rafael Sanitary District and the right of way of Margarita Drive (40' wide); thence along the northerly line of said parcel and the boundary of San Rafael Sanitary District N 52°00'19" E 55.00 feet; N 70°11'08" E 285.71 feet to the northeasterly corner of said parcel; thence along the projection of the above mentioned course N 70°11'08" E 40.82 feet to the easterly line of Margarita Drive; thence along the easterly line of Margarita Drive S 31°21'00" E 87.26 feet to the angle point of the boundary of San Rafael Sanitary District; thence continuing along the easterly line of Margarita Drive S 31°21' E 54.57 feet; thence S 58° 39' W 40.0 feet to the southeasterly corner said parcel; thence S 68°56'46" W 159.89 feet along the southerly line of said parcel; thence S 75°22'04" W 120.32 feet to the northeasterly corner of the parcel conveyed to Dohemann by deed recorded September 12, 1960, in Book 1397 of Official Records at Page 146 and to the existing boundary of San Rafael Sanitary District; thence along the northerly line of said last mentioned parcel and the boundary of San Rafael Sanitary District S 87°27'37" W 89.85 feet to the easterly line of Margarita Drive; thence N 21°18'11" W 95.74 feet along said easterly line to the Point of Beginning.

Said annexation contains 55,321 square feet, more or less.



All distances shown are in feet and decimals thereof.

Annexation Contains 1.27 Acres.



Location Map  
No Scale

Revised 03-09-01  
Revised 02-17-01

Annexation of the  
**Lands of Lee**  
 to  
**San Rafael Sanitation District**  
 (File # 1186)

San Rafael Marin County California  
 Scale: 1" = 100' October 26, 2000

**L.A. Stevens & Associates, Inc.**  
 Professional Land Surveyors \* (415) 382-8321  
 1132 Bel Marin Keys Blvd. \* Novato, CA 94947

MAPPING NO. 02/01

Job # 00-407

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*[Signature]*  
 Lawrence A. Stevens, PLS 6649  
 my license expires 12/31/03