

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 02-18

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

"Annexation of the Lands of Radu et al to Tiburon Sanitary District (File 1224)"

WHEREAS, a proposal for the annexation of certain territory to the Tiburon 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 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 56663, 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 56663(c), all the owners of land within the affected territory have given their written consent; and the affected local agency that will gain territory, Tiburon Sanitary 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.

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 subject to the following condition:

Proceedings for the annexation shall not be completed until the applicant and the Town of Tiburon execute and record an agreement wherein:

1. Each 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 Town of Tiburon shall be initiated by the Town, the owner shall neither directly nor indirectly oppose or protest such annexation; and
2. That the owners agree that their 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 owners shall be binding on all parties having or acquiring any right, title, or interest in the property.

Section 2. The territory includes 1.6 acres, is found to be inhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Radu et al to Tiburon Sanitary District (File 1224)".

Section 3. The proposal is consistent with the adopted sphere of influence for Tiburon Sanitary District.

Section 4. The Executive Officer is hereby authorized to complete reorganization proceedings in the manner prescribed by Section 57000 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 11th day of July, 2002 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller, Murray, Rodoni, Rose and Slavitz

NOES: None

ABSENT: Commissioner Kress



JEFFRY BLANCHFIELD, Chairperson

ATTEST:



PETER V. BANNING, Executive Officer

EXHIBIT A

ANNEXATION OF THE LANDS OF RADU ET AL.
TO TIBURON SANITARY DISTRICTMAPPING NO 12-02

LAFCO File #1224

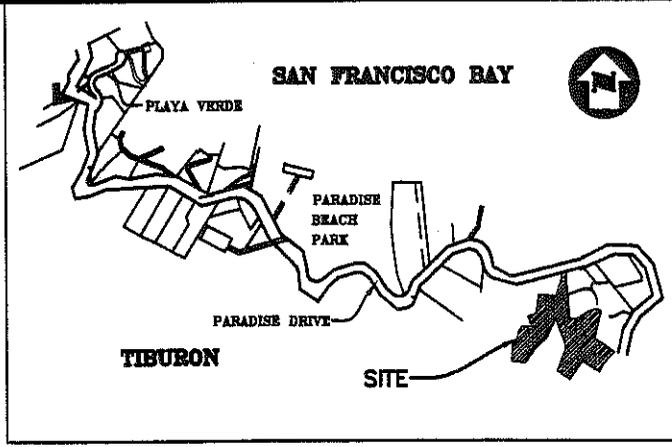
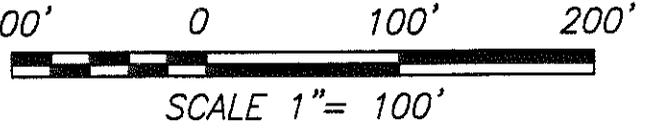
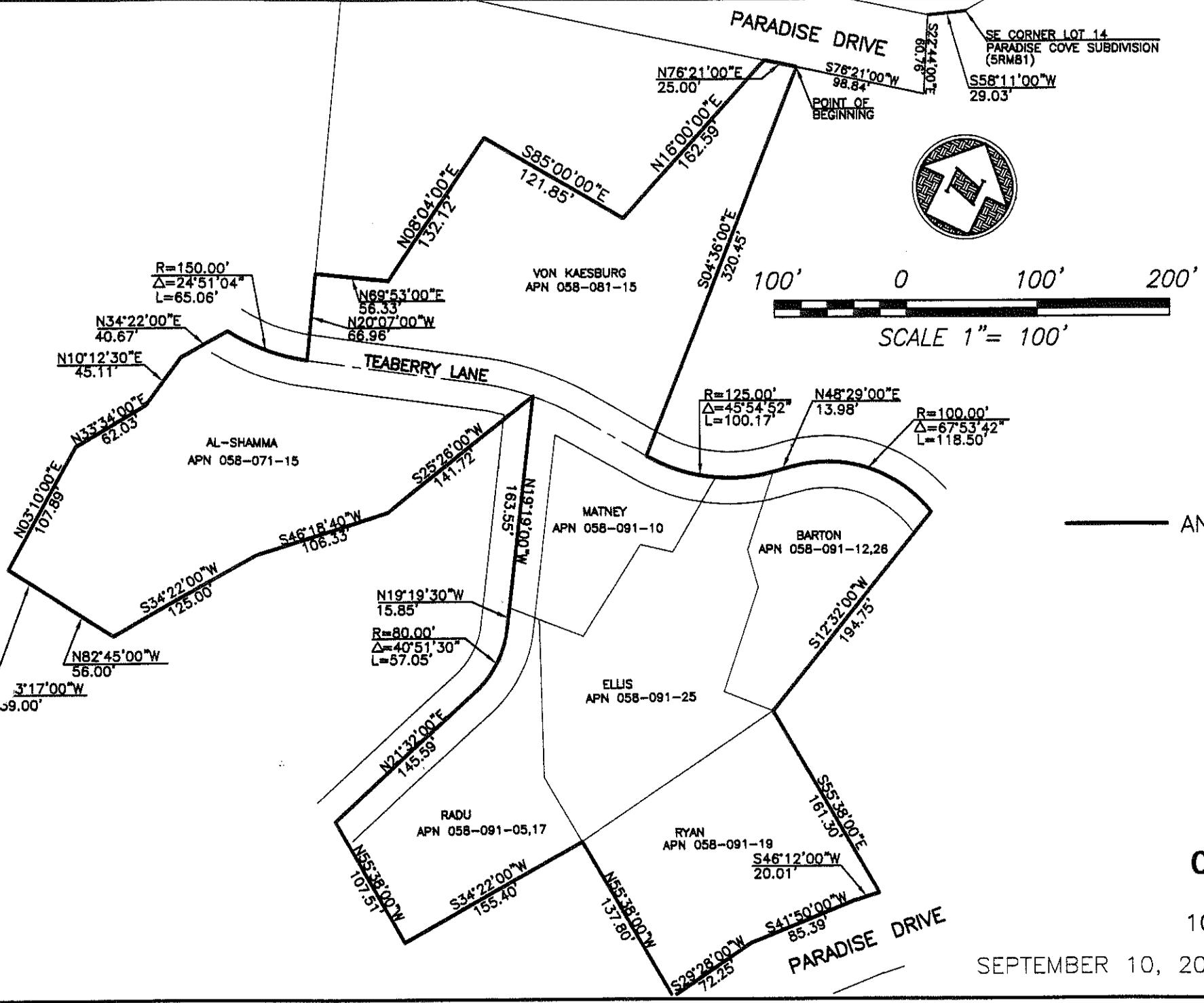
All that certain real property situate in the County of Marin, State of California described as follows:

Beginning at a point which is South 58°11'00"West, 29.03 feet, South 22°44'00"East, 60.76 feet, and South 76°21'00"West, 98.84 feet from the most Southeasterly corner of Lot 14 of that certain map entitled "Map of Paradise Cove Subdivision", recorded in Book 5 of Record Maps at Page 81, Marin County Records, said point being the northeasterly corner of the Parcel Map recorded in Book 1 of Parcel Maps at page 43, Marin County Records; 1) thence along the boundary of said parcel map, South 04°36'00" East, 320.45 feet to the centerline of a 40 foot road right of way known as Teaberry Lane (formerly Tredogo Lane) as shown on that certain map entitled Record of Survey, Lot line Adjustment Between Al-Shamma(2379 O.R. 226), Derby(3702 O.R. 581), and Shaw (2223 O.R. 515) as filed in Book 20 of Official Surveys at Page 69, Marin County Records; 2) thence along the centerline of said road right of way, on a curve concave to the northeast, whose center bears North 4°24'00"East, having a radius of 125.00 feet, through a central angle of 45°54'52", an arc length of 100.17 feet; 3) thence North 48°29'00"East, 13.98 feet; 4) thence along a curve concave to the southeast having a radius of 100.00 feet, through a central angle of 67°53'42", an arc length of 118.50 feet, 5) thence leaving said 40 foot road right of way centerline, South 12°32'00"West, 194.75 feet; 6) thence South 55°38'00"East 161.30 feet; to the northerly line of Paradise Drive as shown on said Map of Paradise Cove Subdivision (5RM81); 7) thence along said northerly boundary of Paradise Drive, South 46°12'00"West, 20.01 feet; 8) thence continuing along said northerly boundary of Paradise Drive, South 41°50'00"West, 85.39 feet and 9) South 29°28'00"West 72.25 feet; 10) thence leaving said northerly boundary(5RM81), North 55°38'00"West, 137.80 feet, 11) thence South 34°22'00"West, 155.40 feet; 12) thence North 55°38'00"West, 107.508 feet to a point on the centerline of a 40 foot road right of way; 13) thence along the centerline of said road right of way, North 21°32'00"East, 145.59 feet; 14) thence continuing along said road centerline, along a tangent curve concave to the northwest, having a radius of 80.00 feet, through a central angle of 40°51'30", an arc length of 57.05 feet; 15) thence North 19°19'30"West, 15.85 feet; 16) thence North 19°19'00"West, 163.55 feet to the centerline of said 40 foot road right of way(Teaberry Lane); 17) thence leaving said 40 foot right of way, South 25°26'00"West 141.72 feet; 18) thence South 46°18'40"West, 106.33 feet; 19) thence South 34°22'00"West, 125.00 feet; 20) thence North 82°45'00"West, 56.00 feet; 21) thence North 83°17'00"West, 39.00 feet, 22) thence North 03°10'00"East, 107.89 feet; 23) thence North 33°34'00"East, 62.03 feet; 24) thence North 10°12'30"East, 45.11 feet 25) thence North 34°22'00"East, 40.67 feet

to a point on the centerline of said 40 foot right of way, (Teaberry Lane); 26) thence along a non-tangent curve concave to the North whose center bears North $06^{\circ}57'04''$ East, having a radius of 150.00 feet, through a central angle of $24^{\circ}51'04''$, an arc length of 65.06 feet; 27) thence leaving said 40 foot road right of way, North $20^{\circ}07'00''$ West, 66.96 feet; 28) thence North $69^{\circ}53'00''$ East, 56.33 feet; 29) thence North $08^{\circ}04'00''$ East, 132.12 feet; 30) thence South $85^{\circ}00'00''$ East, 121.85 feet; 31) thence North $16^{\circ}00'00''$ East, 162.59 feet to a point on the southerly boundary of said Paradise Drive; 32) thence along the southerly boundary of said Paradise Drive (5RM81), North $76^{\circ}21'00''$ East, 25.00 feet to the point of beginning.

Contains 4.643 Acres





VICINITY MAP
NTS

———— ANNEXATION BOUNDARY LINE

EXHIBIT B
ANNEXATION OF
THE LANDS OF RADU ET AL.
TO TIBURON SANITARY DISTRICT
MAPPING NO 12/02
LAFCO FILE #1224

**OBERKAMPER & ASSOCIATES
CIVIL ENGINEERS INC.**
10 PAUL DRIVE, SAN RAFAEL, CALIFORNIA
(415)479-8662
SHEET 1 OF 1 SHEETS

SEPTEMBER 10, 2002