

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 07-26

**RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION  
TO SANITARY DISTRICT #5 (TIBURON)  
WITH WAIVER OF NOTICE, HEARING AND ELECTION**

"Annexation of the Lands of Hill to Sanitary District #5 (Tiburon) (File 1286)"

**WHEREAS**, a proposal for the annexation of certain territory to Sanitary District #5 (Tiburon) 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 determinations with respect to said annexation without notice and hearing; and

**WHEREAS**, pursuant to Government Code Section 56663(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, Sanitary District #5 (Tiburon), 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:**

1. Adopt a resolution making determinations approving the proposed Annexation of the Lands of Hill to the Sanitary District #5 (Tiburon) (File #1286) subject to the following condition:
  - A. Approved map and legal description to be provided by the applicant.
  - B. Proceedings for the annexation shall not be completed until the property owner and the Town of Tiburon execute and record an agreement wherein:
    1. 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 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 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.
2. Authorize staff to initiate subsequent proceedings pursuant to Government Code §57000 without notice and hearing.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on this 11<sup>th</sup> day of October 2007 by the following vote:

AYES: Adams, Asbo, Blanchfield, McGlashan, Rodoni and Slavitz

NOES: None

ABSENT: Heller



JEFFRY BLANCHFIELD, Chairperson

ATTEST:

  
PETER V. BANNING, Executive Officer



## Exhibit A

### Annexation of the Lands of Hill to Sanitary District # 5

Mapping No. 06-07

LAFCO File # 1286

That certain parcel of land in the County of Marin, State of California, described as follows.

Beginning at the most southerly corner of those certain parcels of land annexed to the Tiburon Sanitary District (TSD) as Annexation Mapping No. 18/20 and LAFCO File 1231:

- 1 thence along the southeasterly line of said TSD Annexation, North 07° 15' East 266.60 feet to the centerline of Teaberry Lane;
- 2 thence, along said centerline and annexation line, South 58° 41' East 13.86 feet;
- 3 thence along the arc of a curve to the left, tangent to the preceding course, with a radius of 200 feet, through a central angle of 24° 22', an arc length of 85.06 feet;
- 4 thence, tangent to the preceding curve, South 83° 03' East 84.00 feet to a point on the boundary of that certain annexation to said District described as Annexation Mapping No. 12/02 and Lafco File No. 1224;
- 5 thence, leaving said lane centerline, along said annexation line, South 34° 22' West 40.67 feet;
- 6 thence South 10° 12' 30" West 45.11 feet;
- 7 thence South 33° 34' West 62.03 feet;
- 8 thence South 03° 10' West 107.89 feet; to an angle point in said annexation line;
- 9 thence, leaving said annexation line, North 82° 45' West 138.54 feet to the point of beginning.



This parcel being annexed is the parcel conveyed to J. Donald Hill, Trustee of the J. Donald Hill Separate Property Living Trust, Dated July 23, 2004, by Grant Deed recorded August 6, 2004 as Document No. 2004-0069493, Marin County Records. Bearings for this annexation are based on this deed.

This parcel lies within the Rancho Corte Madera del Presidio.

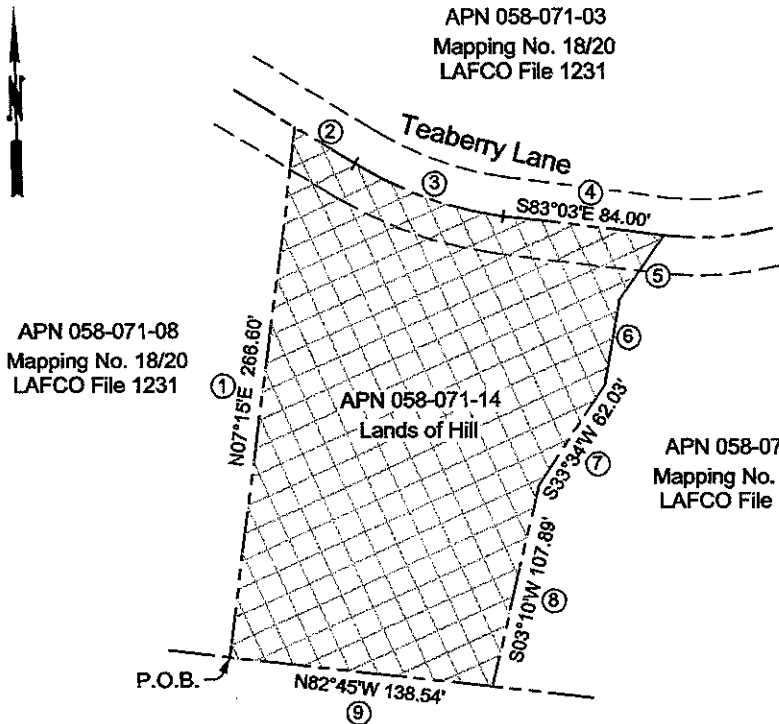
This parcel contains approximately 0.84 acres.

Date: June 15, 2007

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D:\deeds and descriptions\  
Hill-LAFCO





APN 058-071-08  
Mapping No. 18/20  
LAFCO File 1231

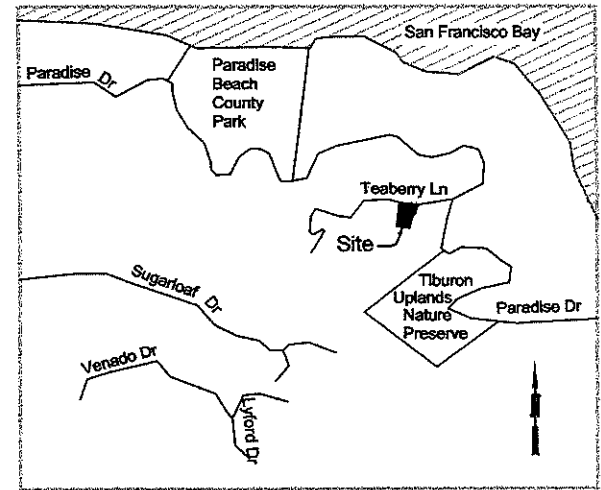
APN 058-071-03  
Mapping No. 18/20  
LAFCO File 1231

APN 058-071-14  
Lands of Hill

APN 058-071-15  
Mapping No. 12/02  
LAFCO File 1224

APN 058-100-09





Scale: 1" = 100'



Vicinity Map

No Scale

Legend

-  Existing District Boundary
-  Existing District Annexation Sanitary District No. 5 Marin County, California
-  Proposed Annexation
-  See Course Table

Annexation Parcel Information

Legal Description: That certain parcel of land conveyed to J. Donald Hill, Trustee, by Grant Deed - Recorder's Document No. 2004-0069493, Marin County Records.

Address: 23 Teaberry Lane, Tiburon, CA  
Assessor's Parcel No. 58-071-14

This parcel lies within the Rancho Corte Madera del Presidio.

Course Table

No.	Bearing or Curve Delta	Distance or Arc Length	Curve Radius
2	S58°41'E	13.86'	
3	24°22'	85.06'	200'
5	S34°22'W	40.67'	
6	S10°12'30"W	45.11'	

Mapping No. 06-07  
Annexation of the Lands of Hill to  
Sanitary District # 5 (LAFCO File No. 1286)

Exhibit B

White & Prescott  
Engineering & Surveying  
1620 Grant Avenue  
Novato, CA 94945

DATE: 06-15-2007	DRAWN BY: D.W.	CHECKED BY: B.R.D.	DRAWING NO. 07-602
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