

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 98-19

RESOLUTION MAKING DETERMINATIONS AND APPROVING REORGANIZATION
INCLUDING DETACHMENT OF TERRITORY
FROM THE NORTH MARIN WATER DISTRICT AND
FORMATION OF THE TOMALES COMMUNITY SERVICE DISTRICT

"Tomales Community Service District Reorganization"

WHEREAS, a proposal for the proposed reorganization of certain territory including detachment from the North Marin Water District and formation of the Tomales Community Service 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 more than 80% of the registered voters in the affected territory; and

WHEREAS, pursuant to Government Code Section 61111(a), when a petition of application has been signed by more than 80% of the registered voters within the territory proposed to be reorganized, this Commission may make determination with respect to said annexation without ordering an election; 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 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" and "B" attached hereto and by this reference incorporated herein.

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

Dory Adams

Section 3. The territory includes 173.939 acres, is found to be inhabited, and is assigned the following distinctive short form designation: "Tomales Community Service District Reorganization" including detachment from the North Marin Water District and formation of the Tomales Community Service District.

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

Section 5. Any resolution authorizing the reorganization approved by this resolution shall impose the following standard terms and conditions:

1. That the Tomales Community Service District and the North Marin Water District enter into a mutually agreeable Memorandum of Understanding which provides for the transfer of all the assets and liabilities of the Tomales Sewer Improvement District from the North Marin Water District to the Tomales Community Service District.
2. That the Tomales Community Service District obtain an order of waste discharge requirements (discharge permit) for the operation of the Tomales sewer system from the San Francisco Regional Water Quality Control Board.
3. That the Tomales Community Service District obtain a line of credit from a State or federally chartered financial institution which is large enough to cover unbudgeted or unforeseen repairs and maintenance required to operate the sewage collection, treatment and disposal as required by the provisions of the Regional Water Quality Control Board's permit(s). It is recommended that the Tomales Community Service District have a line of credit equal to one year of operating and capital expenditures.
4. That the map and legal description for the Tomales Community Service District be amended to remove a portion of APN 102-052-19 (Lot 19) which is currently included in the District's service area and Sphere of Influence.

Section 6. The Marin County Board of Supervisors is designated as the conducting authority for further proceedings and is hereby authorized to conduct subsequent proceedings in compliance with this resolution and is authorized to take further proceedings upon said reorganization in compliance with applicable provisions of State law.

Section 7. Pursuant to Government Code Section 61111(a), the Marin County Board of Supervisors may dispense with an election, adopt a resolution required pursuant to Section 61117 of the Government Code, and designate members of the Board of Directors of the Tomales Community Service District pursuant to Chapter 3 (commencing with Section 61120 of the Government Code).

Section 8. The project is categorically exempt pursuant to provisions of Section 15320 of the California Environmental Quality Act Guidelines.

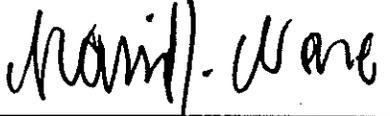
Section 9. The Acting Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 12th day of November, 1998, by the following votes:

AYES: Commissioners Blanchfield, Chapman, Hennessy, Kress, Moore and Ware

NOES: Commissioner Heller

ABSENT: None



DAVID J. WARE, Chairperson

ATTEST:



JOHN E. ROBERTO
Acting Executive Officer

TOMALES COMMUNITY SERVICES DISTRICT REORGANIZATION
DETACHMENT FROM
NORTH MARIN COUNTY WATER DISTRICT
TO
TOMALES VILLAGE SERVICE DISTRICT

MAPPING NO. 18-98

All that real property situated in the County of Marin, State of California consisting of North Marin Water District Sewer Improvement District No. TS-1 including Annexation Nos. 10, 12, 14, 15, 16 and Parcel No. 2 being Annexation No. 13 to North Marin County Water District being Parcels Four and Five of 3230 OR 419 filed in Marin County. The boundaries of said North Marin District Sewer Improvement District No. TS-1 and Parcel No. 2 are described below.

Beginning @ a point on the boundary of Tomales Sewer Improvement District No. TS-1 said point also being a point on the northerly line of the Tomales-Petaluma Road at the southeasterly corner of the lands of Dwayne E. Meredith and Jennifer G., his wife, as said lands are described in the deed recorded 95-044875, Official Records of Marin County, also as shown on that certain Official Survey entitled, "Record of Surveys, Tomales-Petaluma Road at Highway 1", filed September 12, 1973, in Book 11 of Surveys at Page 96, Marin County Records, and running thence along the easterly line of said lands of Cerini et ux, as shown on said Survey North $0^{\circ}16'36''$ East (Deed North) 130 feet, more or less, to the north-easterly corner of the lands of Romeo E. Cerini as said lands are describe in the deed 83-64504, Marin County Records, thence running along the same course North $0^{\circ}16'36''$ East 55 feet and thence North $89^{\circ}43'24''$ West (WEST) 54 feet, more or less, to the northeasterly corner of the lands conveyed to James E. McBurney and Muriel McBurney TR as described in Deed 87-18328, Marin County Records; thence along the northerly and easterly line of last said lands as shown on the after mentioned Record of Survey North $89^{\circ}43'24''$ West 94.75 feet, North $05^{\circ}33'$ East 130.8 feet and thence North $84^{\circ}21'$ West 7 feet to the southeast corner of the lands Romeo E. Cerini as described in deed 83-64504, Marin County Records; thence along the easterly and northerly lines of said lands (NORTH) 50 feet and thence North $89^{\circ}43'24''$ West (11 O.S.96) 170 feet, more or less, to the easterly

line of State Highway 1; thence along the easterly line of State Highway 1 as shown on Sheet 1 of the aforementioned Record of Survey (11 O.S.96) North 0°16'36" East 666.08 feet to the southwest corner of the lands of Tomales Joint Union High School District of Marin County, California, described in deed NOREF 11796, Official Records of Marin County; thence along the southerly boundary of last said lands North 89°22' East 65 feet; continuing thence along the southerly line to the southwest corner of the lands of James E. McBurney and Muriel McBurney TR as described in deed 97-042013, Marin County Records; thence along the same course 50 feet, more or less, to the southeast corner of the lands of Evelyn E. Koerning as described in deed 97-052103, Marin County Records; thence along the same course 115.5 feet to the westerly line of John Street as shown on certain map entitled "Tomales Marin CO., Cal." filed October 23, 1900, in Book 1 of maps at page 114, Marin County Records; thence crossing John Street North 89°22' East 60 feet, more or less, to the southwest corner of that certain parcel shown on the Record of Survey of Lands to be conveyed to Tomales School District as described in deed NOREF11797; thence continuing along the same course 406 feet, more or less, to the southwesterly corner of the lands of Tomales Bay Union School District as described in deed 1477314-61, Marin County Records; continuing thence North 89°22' East along the southerly line of last said lands 326.7 feet to the southeasterly corner thereof and a point on the westerly line of that certain parcel to lands to be conveyed to Shoreline Unified School District as described in deed 2630582-72, Marin County Records; thence along the westerly line of said parcel South 0°17'46" West 305.5 feet to the southwest corner thereof; thence continuing along the southerly line of said parcel North 89°58'40" East 476.51 feet to a point, said point being the northwest corner of the lands of North Marin County Water District as described in deed 3058308-76, Marin County Records; thence leaving the boundary of North Marin Water District Sewer Improvement District No. TS-1 along the boundary of said parcel South 0°01' East 420 feet and thence North 79°06' East 270 feet and thence North 54°35' East 235 feet and thence North 24°30' East 256.04 feet to the southerly line of the lands of Shoreline Unified School District as described in deed 2630582-72, Marin County Records, and the boundary of North Marin Water District Sewer Improvement District No. TS-1; thence continuing along southerly and easterly lines of said parcel, and the boundary of North Marin Water District Sewer Improvement District No. 1 TS-1 North 89°58'40" 93.25 feet and thence North 1°19'00"

East 295.70 feet to the southwest corner of that certain parcel to the lands to conveyed to Tomales High School District as described in deed NOREF11791, Marin County Records; thence along the boundaries of last said parcel South 88 41' East 1086.00 feet, North 1°19' East 1421.17 feet, North 89°48' West 1086.21 feet and thence South 1° 19' West 1158.22 feet to the northeast corner of the parcel of the lands of Shoreline Unified School District as described in deed 2630582-72, Marin County Records; thence along the northerly line of last parcel North 86°00'15" West 1144.70 feet to the southeast corner of the lands of Edmund J. Brunswick TR as described in deed 96-036545, Marin County Records; thence continuing along easterly and northerly boundaries of said parcel Northerly along the line between Range 9 West and Range 10 West M.D.8.M. 365 feet, more or less, to the northeasterly corner of said deed, and thence Westerly 520.08 feet to the east line (Lot 4, Block 18) of the lands of Michael A. Etemad and Jagueline G. (his wife) as described in deed 2947575E75, Marin County Records; thence continuing along boundaries of last said parcel North 03°40' East 12.00 feet, North 86°20' West 173.25 feet and thence South 3°40' West 10 feet to a point on the easterly line of John Street. Thence crossing John Street Westerly (N86° 17'W) 60 feet to the southeast corner of the lands (Lot 7, 8, and 9 Block 17) of Nancy B. North as described in deed 2699662-73, Marin County Records; thence along the easterly boundary of said parcel North 3°40' East 150 feet to the southeast corner of the lands (of 10, 11, and 12, Block 17) of Anna J. Jensen TR as described in deed 84-45560, Marin County Records; thence along same course North 3°40' West 150 feet to the southeast corner of the lands of Michael A. Etemad and Jacqueline G. (his wife) as described in deed 2947575, Marin County Records; thence continuing along boundaries of said parcel North 3°53'19" East 570.51 feet, North 86°06'41" West 229.07 feet, and South 03°53'19"West 10 feet to a point on the easterly line of Maine Street; thence crossing Maine Street Westerly (N86°20"W) 80 feet to the northeast corner of said lands (Lot 10 and 22, Block 24) of Robert M. Warner as described in deed 97-007610, Marin County Records; thence along the northerly boundaries of said parcel North 86°20' West 240 feet to a point on the easterly line of Valley Avenue; thence crossing Valley Avenue Westerly (N86°20'W) 80 feet to the northeast corner of the lands (Lot 6 and 7, Block 25) of Anna Gallo and Cheyenne Carpenter ETAL as described in deed 93-099260, Marin County Records; thence continuing along the northerly boundary North 86°20' West 178 feet to a easterly line of the lands of Julie D.

Johnson as described in deed 91-26964, Marin County Records; thence continuing along boundaries of said parcel North $16^{\circ}50'$ East 400 feet, more or less, and North $89^{\circ}45'$ West 317.32 feet to the northeast corner of the lands of Leo Bonari and Contance A. (his wife) as described in deed 87-10661, Marin County Records; thence continuing along the same course northerly boundary of said parcel North $89^{\circ}45'$ West 311.72 feet to the northeast corner of the lands of Roger A. Stevens and Hann C. Hammerli as described in deed 94-086608, Marin County Records; thence continuing along boundaries of said parcel North $89^{\circ}45'$ West 298.07 feet South $5^{\circ}36'$ West 728 feet, more or less, South $86^{\circ}17'$ East 3.9 feet more or less to the corner of the lands of John Ward as described in deed 89-23691, Marin County Records said point being the northwesterly corner of Annexation No. 16 to North Marin Water District Sewer Improvement District No. TS-1; thence continuing along boundaries of said parcel South $4^{\circ}43'$ West 163.62 feet and South $86^{\circ}17'$ East 230.99 feet to the southwest corner of the lands of Charles I. Jones and Kathleen H. (his wife) as described in deed 97-054855, Marin County Records; thence continuing along southerly boundary of said parcel South $86^{\circ}17'$ East 45.89 feet and North $75^{\circ}27'$ East 32.61 feet to the northwest corner of the lands of Joseph F. Hodges and Madelyar (his wife) as described in deed 2873105-75, Marin County Records; thence continuing along boundaries of said deed South $01^{\circ}13'30''$ West 143 feet, more or less, South $85^{\circ}42'30''$ East 186.24 feet; thence along the easterly line of said parcel along a curve to the left having a radius of 442 feet and whose center bears North $29^{\circ}58'21''$ West, a distance of 170 feet to the northeasterly corner of lands of Maxine Thompson and Norman Hulbert ETAL as described in deed 97-057345, Marin County Records and thence along the northerly and easterly lines of said parcel Easterly 75 feet thence along a curve to the right having a radius of 508 feet approximately to the most northerly corner of parcel Two as said is shown on Parcel Map (4 PM 3) and thence along the northwesterly lines of said parcel along a curve to the right having a radius of 508.00 feet, through a central angle of $14^{\circ}12'40''$ for an arc distance of 126.00 feet and thence South $04^{\circ}01'$ West 237.36 feet; thence along the southerly line of said parcel South $75^{\circ}39'$ East 121.98 feet to the easterly line of Carrie Street; thence along said easterly line South $04^{\circ}01'$ West 75 feet to the most southeasterly corner of said parcel and thence along the southerly line of said parcel North $75^{\circ}39'40''$ West 526.92 feet to the northeast corner of the lands of John Gotovac and Florence Cervery as described in

deed 83-37641, Marin County Records; thence along the easterly line of said parcel South $09^{\circ}53'30''$ West 252.86 feet to the northerly line of an existing road known as the Tomales-Dillon Beach Road; thence crossing said road South $3^{\circ}26'$ West 66 feet to the southerly line thereof; thence along said southerly line South $86^{\circ}17'$ east 240 feet, more or less, to the northwest corner of the lands of Norman McGaffey as described in deed 92-72819, Marin County Records; thence continuing along westerly boundary of said parcel South $03^{\circ}43'$ West 163 feet and thence crossing an existing unnamed road on same course South $03^{\circ}43'$ West 30 feet to the southwest corner of said unnamed road continuing along a southerly line South $86^{\circ}17'$ East 240 feet, more or less, to the northwest corner of the lands of Tomales Presbyterian as described in deed 0469042-46, Marin County Records; thence continuing along a westerly line Southerly 215 feet, more or less, to the southwest corner of said parcel and thence South $00^{\circ}38'$ East 30 feet to the northerly line of the lands of Barbara A. Markel as described in deed 96-056416, Marin County Records; thence along the boundaries of said parcel North $89^{\circ}22'$ East 490 feet, more or less, to the northeast corner thereof, thence South 154 feet, West 54.0 feet South 200 feet to the northeast corner of the lands to Tomales Joint Union High School District as described in deed 0738323-00, Marin county Records; thence along northerly and westerly lines of last said lands North $89^{\circ}37'$ West 325.7 feet and South $00^{\circ}23'$ West 100 feet and continuing along westerly line of said lands Southerly 264.4 feet, more or less, to the southwest corner of said land and the northwest corner of the lands of Tomales Joint Union High School District as described in deed 0182078-29, Marin County Records; thence continuing along the same westerly line Southerly 75 feet to the southwest corner of said land and thence continuing along the southerly boundary of last said land Easterly 562 feet, more or less, to the westerly line of State Route No. 1 as said presently exists; thence southerly along the westerly line of State Route No. 1 and the westerly line of North Marin Water District Sewer Improvement District No. TS-1 to a point which bears South $88^{\circ}13'$ West 60 feet from the westerly terminus of the course (North $72^{\circ}57'50''$ East 97.21 feet) set forth in the conveyance to Keyes Creek Venture Corp as described in deed 84-47360, Marin County Records; thence North $88^{\circ}13'$ East 60 feet to said westerly terminus of said course. Thence along southerly and easterly lines of said lands of last said deed North $72^{\circ}57'50''$ East 97.21 feet, South $21^{\circ}21'30''$ East 91.02 feet, South $86^{\circ}01'20''$ East 74.58 feet North $22^{\circ}36'30''$ West 250.98 feet, North 66°

52'20" East 11.67 feet and thence North 23°07'40" West 23.12 feet to the southerly line of Tomales-Petaluma Road as shown on the after most Record of Survey (11 O.S. 96); thence along said southerly line as shown on said Record of Survey North 18°55'24" West 2.24 feet, thence North 71°04'36" East 209.72 feet; thence along a curve to the right tangent to the preceding course and having a radius of 470 feet to a point which bears South 0°16'36" West from the point of beginning of this description; thence North 0°16' 36" East, and along the boundary of the North Marin Water District Sewer Improvement District No. TS-1 (70 feet more or less) to the Point of Beginning.

The above described boundaries encompass 139.749 acres, including roadways.

Parcel No. 2

Commencing at a point on the boundary of North Marin Water District Sewer Improvement District TS-1 said point also being the most southerly corner of the lands conveyed to Tomales High School District as described in deed NOREF 11791, Marin County records at the easterly terminus the course south 88°41' East 1086.00 feet; thence from said point South 1°19' west 3070 feet, more or less, and South 88°51' 33" 285 feet, more or less, to a point on the easterly boundary line of APN No. 104-05-17 the lands of DMF, Limited, Partners Serial No. 97-017409; said point also being the northeast corner of Parcel No. 2 and the Point of Beginning; thence along said easterly line South 00°06'16" West 280.25 feet; thence South 01°00'00" West 1213.64 feet; thence South 08°45'00" West 108.02 feet; thence South 87°53'02" West 884.08 feet; thence North 00°25'00" East 1170 00 feet; thence North 08°53'58" West 204.36 feet; North 01°08'27" East 280.00 feet; thence South 88°51'33" East 939.33 feet to the Point of Beginning.

Said Parcel No. 2 contains 34.06 acres, more or less.

