

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 02-16

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

“Annexation of the Lands of Sandell et al. to Tiburon Sanitary District (File 1219)”

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), 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, 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. 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.

Section 2. The territory includes 3.1 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Sandell et al. to Tiburon Sanitary District (File 1219)".

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

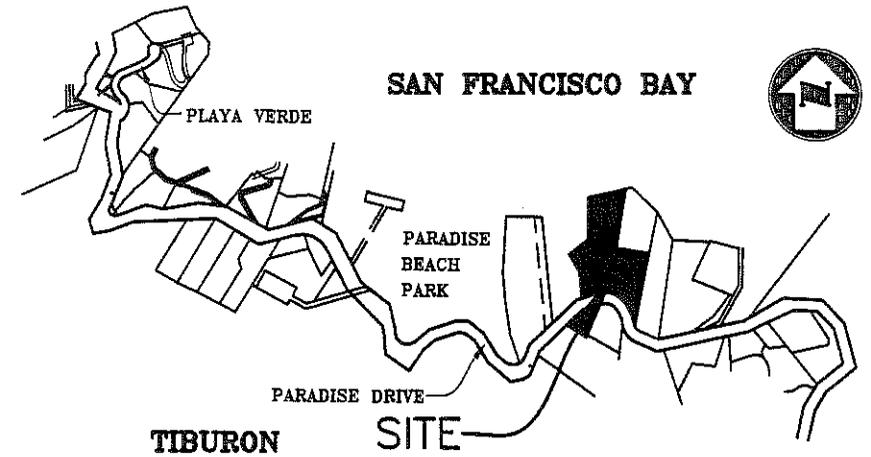
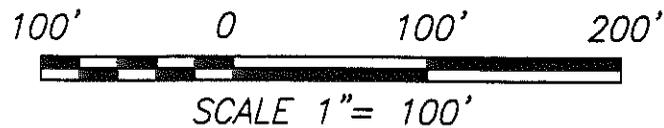
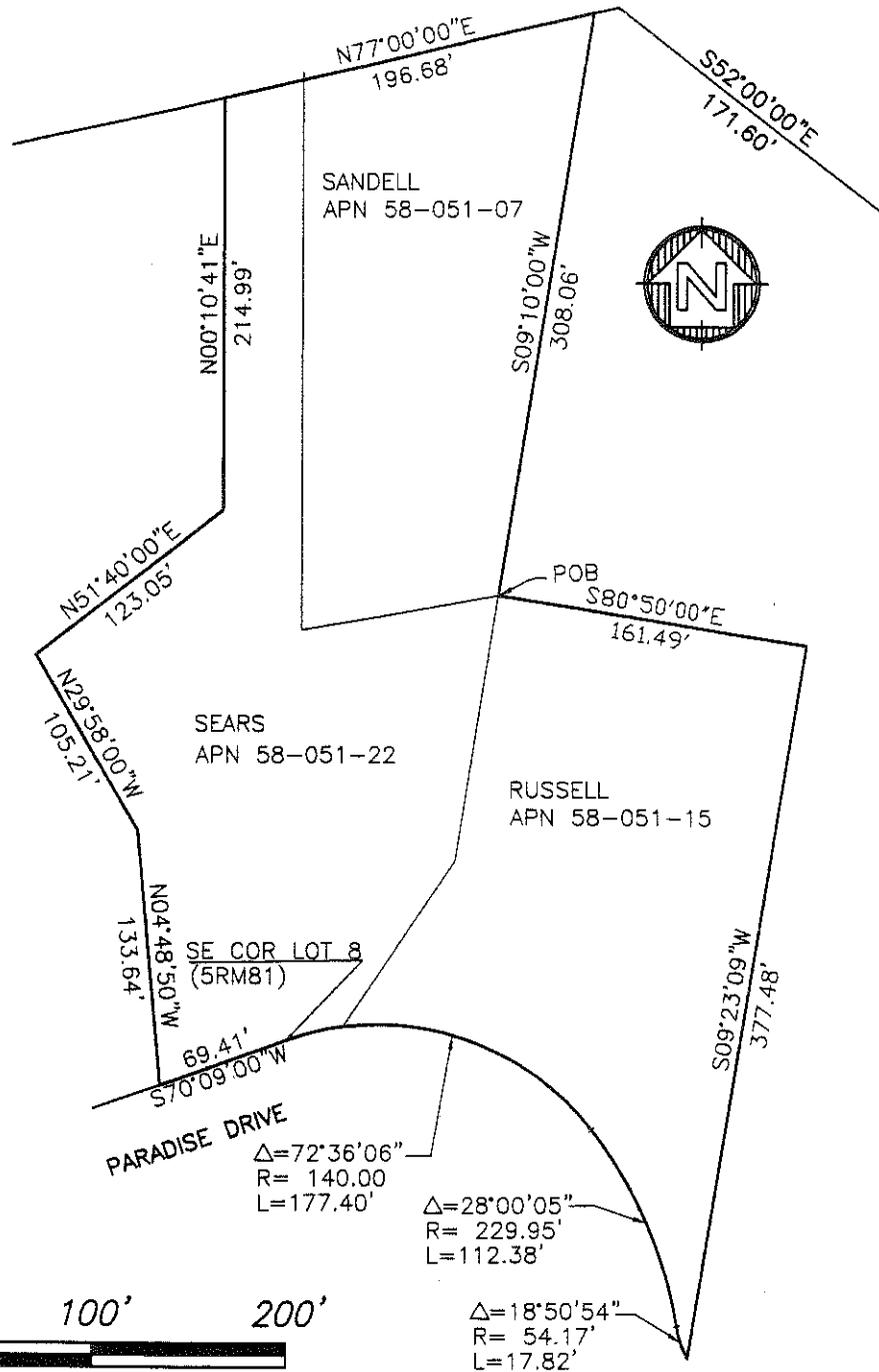
ABSENT: Commissioner Kress



JEFFRY BLANCHFIELD, Chairperson

ATTEST:


PETER V. BANNING, Executive Officer



VICINITY MAP
NTS

EXHIBIT "B"
ANNEXATION OF THE LANDS OF
SEARS, SANDELL & RUSSELL
TO TIBURON SANITARY DISTRICT

MAPPING NO. 03/02

LAFCO FILE # 1219

**OBERKAMPER & ASSOCIATES
CIVIL ENGINEERS INC.**

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SHEET 1 OF 1 SHEETS

MAY 3, 2002