

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 03-21

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

"Annexation of the Lands of Patton to the San Rafael Sanitation District (File 1248)"

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 owners; 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

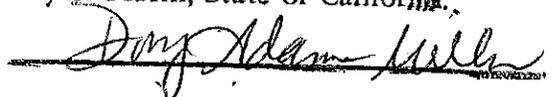
WHEREAS, pursuant to Government Code Section 56663(c), the affected territory is uninhabited; all the owners of land within the affected territory have given their written consent; and the affected local agency that will gain territory, San Rafael Sanitation District, has consented in writing to a waiver 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.

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:

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 

Proceedings for the annexation shall not be completed until the applicant and the City of San Rafael execute 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 2. The territory includes 1.12 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Patton to San Rafael Sanitation District (File 1248)".

Section 3. The proposal is consistent with the adopted sphere of influence for San Rafael Sanitation 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 13<sup>th</sup> day of November, 2003 by the following vote:

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

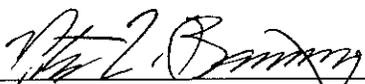
NOES: None

ABSENT: None



JEFFRY BLANCHFIELD, Chairperson

ATTEST:

  
\_\_\_\_\_  
PETER V. BANNING, Executive Officer

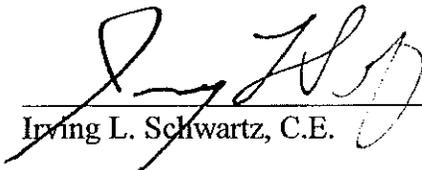
**ANNEXATION OF THE  
LANDS OF PATTON  
TO  
SAN RAFAEL SANITATION DISTRICT  
LAFCO FILE NO. 1248  
MAPPING NO. 8/03**

**BEGINNING AT** a point being the most southerly corner of the land described in deed to E. Scott Patton and Barbara F. Patton recorded as Document No. 2002-0060199, Marin County Records and also being an angle point on the northerly right-of-way line of Highland Avenue;

1. Thence, westerly along the northerly right-of-way line of Highland Avenue North  $76^{\circ}37'16''$  West, 95.71 feet;
2. Thence, leaving said northerly right-of-way line of Highland Avenue, North  $53^{\circ}55'00''$  West, 65.19 feet;
3. Thence, North  $38^{\circ}3'30''$  East, 60.38 feet to the existing boundary of the San Rafael Sanitation District;
4. Thence, along the boundary of the Sanitation District North  $85^{\circ}25'38''$  East, 85.62 feet;
5. Thence, North  $28^{\circ}21'00''$  East, 110.00 feet;
6. Thence, North  $61^{\circ}39'00''$  West, 25.00 feet;
7. Thence, North  $28^{\circ}21'00''$  East, 120.00 feet;
8. Thence, North  $45^{\circ}08'00''$  West, 14.78 feet; to the southerly right-of-way line of Margarita Drive;
9. Thence, along the southerly right-of-way line of Margarita Drive North  $41^{\circ}20'00''$  East, 63.20 feet;
10. Thence, South  $69^{\circ}38'00''$  East, 98.88 feet;
11. Thence, South  $42^{\circ}21'00''$  East, 26.54 feet;
12. Thence, leaving said Sanitation District boundary and the southerly right-of-way line of Margarita Drive South  $28^{\circ}21'00''$  West, 283.85 feet;
13. Thence, North  $81^{\circ}2'00''$  West, 24.38 feet;
14. Thence, South  $28^{\circ}21'05''$  West, 98.91 feet to the **POINT OF BEGINNING**, containing 1.12 acres, more or less.

Prepared by:

ILS ASSOCIATES, INC.

  
Irving L. Schwartz, C.E.



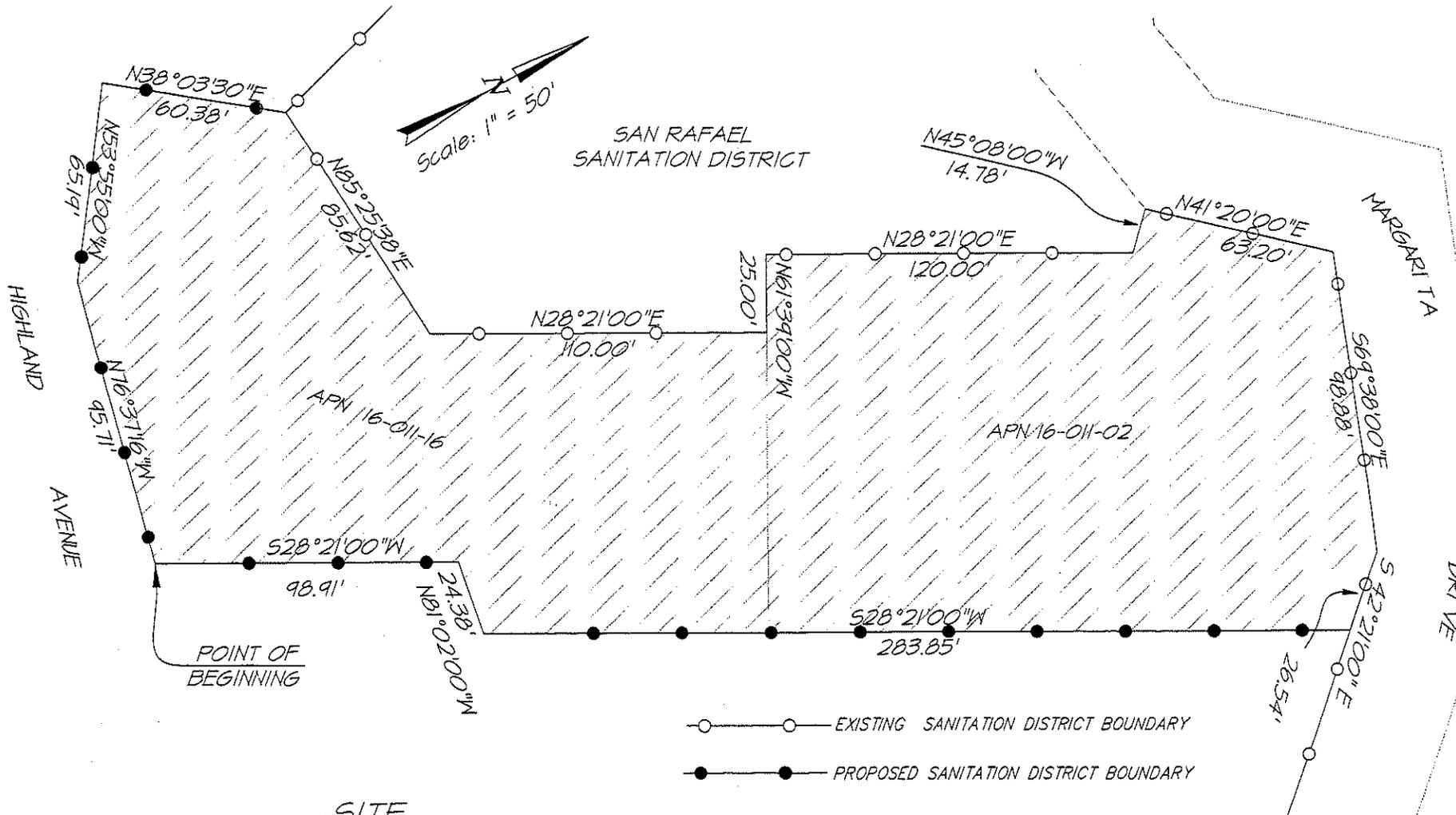
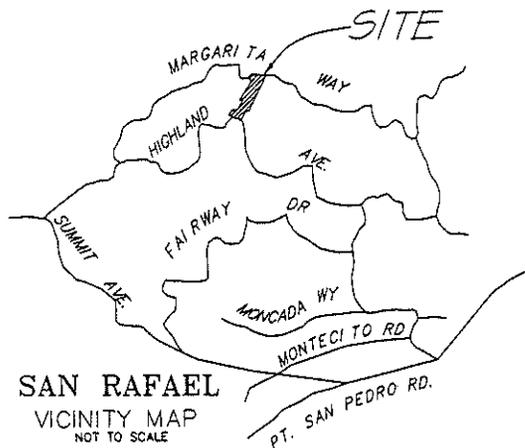


EXHIBIT "B"



ANNEXATION OF THE  
LANDS OF PATTON  
TO  
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LAFCO FILE NO. 1248  
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