

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 98-10

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
WITH WAIVER OF NOTICE, HEARING AND ELECTION
TO THE LAS GALLINAS VALLEY SANITARY DISTRICT

"Civic Center Drive Annexation"

WHEREAS, a proposal for the proposed annexation of certain territory to the Las Gallinas Valley 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 owners of the property; and

WHEREAS, at the time and in the form and manner prescribed by law, the Executive Officer has given notice of public hearing by this Commission upon said proposal; and

WHEREAS, the public hearing on said proposal was held by this Commission upon the date and at the time and place specified in said notice of public hearing, and all interested persons present were afforded an opportunity to speak and be heard on this matter.

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including her 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 Exhibits "A" and "B" attached hereto and by this reference incorporated herein.

Section 3. The territory includes 54 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Civic Center Drive Annexation" to the Las Gallinas Valley Sanitary District.

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

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

- A. In the event that pursuant to rules, regulations or ordinances of the District, as now or hereafter amended, the District shall require any payment of fixed or determinable amount of money, either as a lump sum or in installments, for the acquisition, transfer, use or right of use of all or part of the existing property, real or personal, of the District, such payment will be made to the District in the manner and at the time as provided by the rules, regulations or ordinances of the District, pursuant to which such payment is required.
- B. Upon and after the effective date of said annexation, the Territory, all inhabitants within such Territory, and all persons entitled to vote by reason of residing or owning land within the Territory, shall be subject to the jurisdiction of the District; shall have the same rights and duties as if the Territory has been a part of the District upon its original formation; shall be liable for the payment of principle, interest and any other amounts which shall become due on account of any outstanding or then authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and ordinances of the District, as now or hereafter amended.
- C. No right to capacity in any facilities or public improvements of District, service or priority of service shall arise because of annexation. District shall, in its sole discretion, determine when and if service can be provided, the priority of service and the conditions upon which service may be made if District determines service can be provided.

Section 6. The Las Gallinas Valley Sanitary District is designated as the conducting authority for further proceedings, and the Board of said District is hereby directed to initiate proceedings in compliance with this Resolution, and is authorized

to proceed without notice, or election, pursuant to Government Code, Section 56837.

Section 7. In accordance with applicable provisions contained in the adopted Marin Local Agency Formation Commission Environmental Guidelines and Procedures, the City of San Rafael is the appropriate lead agency, has conducted an initial study incorporating concerns of said Commission, a responsible agency, and has issued a Negative Declaration. The Marin Local Agency Formation Commission hereby certifies that the Commission has considered said documents.

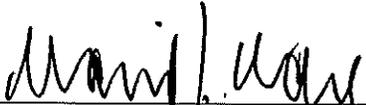
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 2nd day of April, 1998 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller, Hennessy, Kinsey, Moore, and Ware

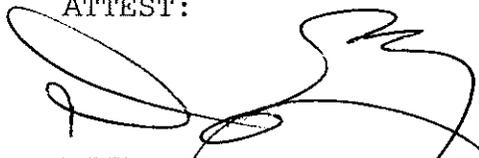
NOES:

ABSENT: Commissioner Kress



DAVID WARE, CHAIRMAN PRO TEM

ATTEST:



DAWN MITTLEMAN, EXECUTIVE OFFICER

DATED: April 3, 98

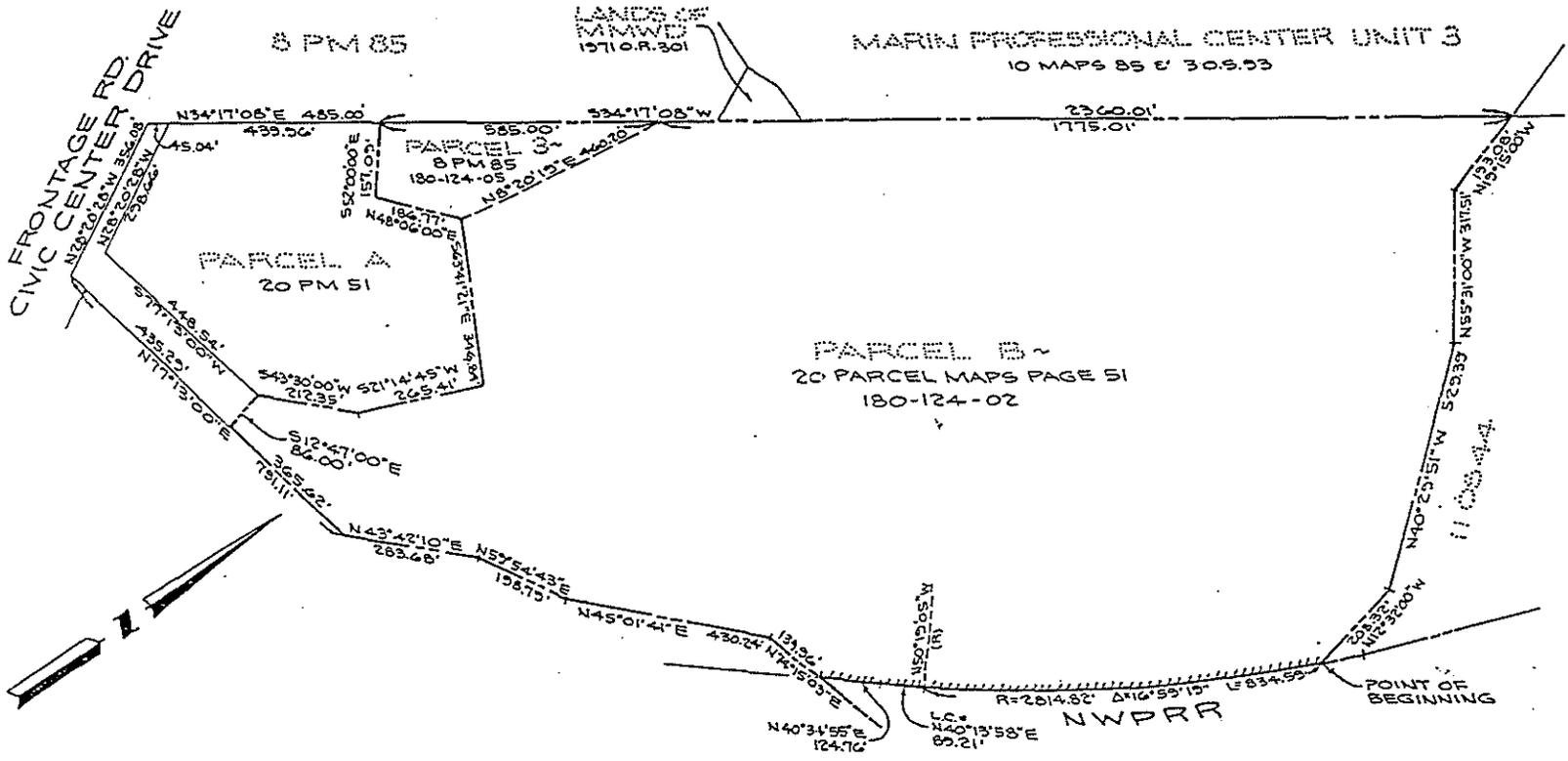
LEGAL DESCRIPTION

**CIVIC CENTER DRIVE ANNEXATION TO
LAS GALLINAS VALLEY SANITARY DISTRICT
Mapping No. 5/98**

All that certain real property situate in the City of San Rafael, County of Marin, State of California, more particularly described as follows:

BEGINNING at a point on the boundary of the Las Gallinas Valley Sanitary District, said point being the most easterly corner of Parcel B as shown on the Parcel Map recorded in Book 20 of Parcel Maps at Page 51, Marin County Records; thence along the boundary of said Sanitary District and said Parcel "B", North 12°32'00" West, 208.32 feet; thence North 40°29'51" West, 529.39 feet; thence North 55°31'00" West, 317.51 feet; thence North 19°15'00" West, 193.08 feet; thence South 34°17'08" West, 1775.01 feet to the most northerly corner of Parcel 3 as shown on the Parcel Map recorded in Book 8 of Parcel Maps at Page 85, Marin County Records; thence continuing along the boundary of said Sanitary District and said Parcel 3, South 34°17'08" West, 585.00 feet; thence South 52°00'00" East, 157.09 feet; thence North 48°06'00" East, 186.77 feet to a common corner of said Parcel 3 and said Parcel B; thence continuing along the boundary of said Sanitary District and said Parcel B, South 63°41'21" East, 346.84 feet; thence South 21°14'45" West, 265.41 feet; thence South 43°30'00" West, 212.35 feet to a corner of said Parcel B; thence leaving the boundary of said Parcel B and continuing along the boundary of said Sanitary District, South 12°47'00" East, 86.00 feet to a point on the boundary of said Parcel B; thence continuing along the boundary of said Sanitary District and said Parcel B, North 77°13'00" East, 365.62 feet; thence North 43°42'10" East, 283.68 feet; thence North 59°54'43" East, 198.79 feet; thence North 45°01'41" East, 430.24 feet; thence North 74°15'09" East, 139.96 feet to a corner of said Parcel B; thence leaving the boundary of said Sanitary District and continuing along the boundary of said Parcel B, North 40°34'55" East, 124.76 feet; thence along a spiral curve with a long chord, bearing North 40°13'58" East, 89.21 feet to a curve whose radius bears North 50°19'05" West; thence along said curve concave to the northwest having a radius of 2814.82 feet, through a central angle of 16°59'19", an arc distance of 834.59 feet to the Point of Beginning.

LEO:



MAPPING No. 5/98
CIVIC CENTER DRIVE ANNEXATION
TO LAS GALLINAS VALLEY SANITARY
DISTRICT ~ MARCH, 1998

OBERKAMPER & ASSOCIATES
CIVIL ENGINEERS INC.
SAN RAFAEL, CALIFORNIA

SHEET 1 OF 1 SHEETS

EXHIBIT "B"