

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 12-03

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

"Annexation of the Lands of Koblick to the San Rafael Sanitation District (File 1306)"

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.

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 

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:

- 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 City of San Rafael 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 City of San Rafael shall be initiated by the City, 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 1.47 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Koblick to San Rafael Sanitation District (File 1306)".

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 annexation proceedings in the manner prescribed by Section 57000 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 8th day of March, 2012 by the following vote:

AYES: Commissioners Arnold, Asbo, Heller, Rodoni, Sears, Blanchfield and Weiner

NOES: None

ABSENT: Commissioner Condon



JEFFRY BLANCHFIELD, Chairperson

ATTEST:



PETER V. BANNING, Executive Officer

EXHIBIT A

Annexation of the Lands of Koblick /TR
to the
San Rafael Sanitation District
File # 1306
Mapping # 12-01

All that certain property, situate in the City of San Rafael, County of Marin, State of California, as described in the from Jane W. Koblick, an unmarried woman, to James L. Koblick and Andrew Koblick, Trustees of the Jane W. Koblic Revocable Living Trust dated 05 Nov 2003, recorded 04 Jun 2010 as Instrument Number 2010-027088, Marin County Records, And adjacent portions of those certain Right of Ways known as Summit Avenue and Fairway Drive, more particularly described as:

Beginning at a point on the Northeasterly line of a 40 foot Right of Way called "Summit Avenue" in said Deed from Jane W. Koblick, said line being the Northeasterly line of a Right of Way known as "Fairway Drive" as shown upon that certain Map entitled "Map of Country Club Tract, Marin County Calif.", dated Apr 1948 and recorded on 23 Jun 1948 in Vol. 6 of Official Maps at Page 62, Marin County Records, said point also being the most Westerly Corner of Lot 42 of said Record Map, and said point also being the most Northerly Corner of "Parcel 2" of the aforesaid deed from Jane W. Koblick, said point also being on the Existing San Rafael Sanitation District line;

thence Along said Existing District line, in a straight line

- 1) South 68°41'20" West 50.71 feet;

to the opposing angle point in the Westerly Line of the aforesaid Fairway Drive;

thence Southerly and Easterly Along said Westerly Line of said Fairway Drive, said line also being said Existing District line,

- 2) South 26°48'00" East 97.64 feet, and
- 3) South 01°17'00" West 106.26 feet, and
- 4) South 36°02'00" East 111.72 feet, and
- 5) South 65°03'00" East 195.13 feet,

to a point on the Southwesterly line of Fairway Drive at the Point of Intersection of said line with the Northerly line of a Right of Way of varying width known as "Summit Avenue", as shown upon that certain Map entitled "Map of Country Club Highlands near San Rafael", dated Mar 1955 and recorded on 27 May 1955 in Vol. 8 of Maps at Page 64, Marin County Records;

thence leaving said Existing District line, in a straight line

- 6) North 39°54'21" East 41.37 feet;

to a point on the Northeasterly line of said Fairway Drive, said point being the Southwesterly corner of that certain parcel of land described in a Deed from the San Rafael Development Company to William L. Reed, et ux, recorded 24 Aug 1936 in Book 322 of Official Records at Page 435, Marin County Records, said point also being the most Southerly corner of "Parcel 1" of the aforesaid deed from Jane W. Koblick;

thence Along the Westerly line of the aforesaid parcel to William L. Reed, said line being the Easterly line of said Parcel 1 of the deed from Jane W. Koblick;

7) North 26°28'00" East 218.84 feet,

to a point on the Southerly line of the tract of land described in the aforesaid deed to William L. Reed, said line also being the Southerly line of Lot 41 of the aforesaid Country Club Tract, said line also being said Existing District line;

thence Along said Lines,

8) North 66°08'00" West 391.01 feet,

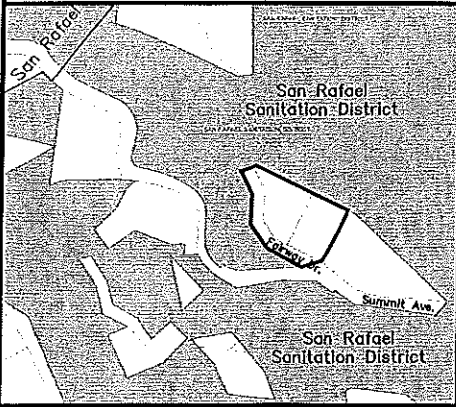
to the **Point of Beginning.**

Containing approximately **2.00** acres.



AREA MAP

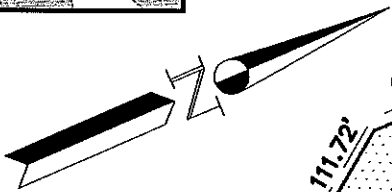
NOT TO SCALE



LEGEND

- PARCEL TO BE ANNEXED
- EXISTING LAFCO/SANITARY DISTRICT LIMITS
- NEW LAFCO/SANITARY DISTRICT LIMITS

SCALE: 1" = 60'



(E) Sanitation District

SUMMIT AVE.

5 RM 64

(E) Sanitation District

FAIRWAY DR. (40' R/W)

(E) Sanitation District

(N) Sanitation District

Parcel to be Annexed

Area to be Annexed

(6) S33°21'E 41.37'

(E) Sanitation District
Area to be Annexed
(3) S01°17'00"W 106.26'

Parcel to be Annexed

Area to be Annexed

Lands of Koblick /TR
195 Fairway DR.
DN-2010-027088
AP#016-031-37

Existing Lot Line
to be Eliminated

Lands of Koblick /TR
195 Fairway DR.
DN-2010-027088
AP#016-031-36

Area to be Annexed

23 RS 7

Area to be Annexed
(7) N26°28'00"E 218.84'

(N) Sanitation District

Area to be Annexed

Parcel to be Annexed

(8) N66°08'00"W 391.01'

(E) Sanitation District

2005 RS 370

(E) Sanitation District



Note: All distances are in feet and decimals thereof.

SHEET	1	OF	1
SCALE:	1" = 60'	DESIGN:	PR
DATE:	Jan 2012	DRAWN:	PR
FILE:	2012-006	CHECKED:	J.L.H
2012-006\DWG\12-006-TMANXEX,SANANNEX			

J.L. ENGINEERING
CIVIL ENGINEERS-LAND SURVEYORS
 1539 4th ST., SAN RAFAEL, CA. 94901 (415) 457-6647

Annexation-Lands of Koblick /TR to the San Rafael Sanitation District
 (File #1306, Mapping # 12-01)
 AP# 016-031-36&37, San Rafael, Marin County, CA