

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 00-6

**RESOLUTION MAKING DETERMINATIONS AND APPROVING
REORGANIZATION TO THE TOWN OF TIBURON
AND SANITARY DISTRICT #2
INCLUDING NOTICE, HEARING AND ELECTION**

**“Paradise Drive Reorganization #10 Including Annexation to
the Town of Tiburon and Sanitary District #2 (File #1161)”**

WHEREAS, an application for the proposed reorganization of certain territory including annexation to the Town and Tiburon and Sanitary District #2, 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 property owners; 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 application and prepared a report, including a recommendation thereon, the application and report having been presented to and considered by this Commission.

**NOW THEREFORE, the Marin Local Agency Formation Commission DOES
HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. Subject to the terms and conditions hereinafter specified, the application is approved.

Section 2. The boundaries, as set forth in the application, are hereby approved as submitted and are as described in Exhibits “A-1”, “A-2”, “B-1” and “B-2” attached hereto and by this reference incorporated herein. The approved boundaries for annexation to the Town of Tiburon (Exhibits A-1 and B-1) include Assessor Parcel Nos. 038-053-01, 038-053-24, 038-052-05 and 038-052-08. The approved boundaries for annexation to Sanitary District #2 (Exhibits A-2 and B-2) include Assessor Parcel Nos. 038-053-01, 038-053-24, and 038-052-05.

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 to be annexed to the Town of Tiburon includes 1.88 acres and the territory to be annexed to Sanitary District #2 includes 1.61 acres. The reorganization area is found to be uninhabited, and is assigned the following distinctive short form designation: "Paradise Drive Reorganization #10 Including Annexation to the Town of Tiburon and Sanitary District #2 (File #1161)".

Section 4. The application is consistent with the adopted spheres of influence for the Town of Tiburon and Sanitary District #2.

Section 5. Any resolution authorizing the reorganization approved by this resolution shall impose the following terms and conditions pertaining to Sanitary District #2:

1. In the event that pursuant to the rules, regulations, resolutions or ordinances of the District, as now or hereafter amended, the District shall require any payment of a 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 any 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, resolutions or ordinances of the District, as now or hereafter amended.
2. Upon and after the effective date of said reorganization, 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 had been a part of the District upon its original formation; shall be liable for the payment of principal, 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, resolutions and ordinances of the District, as now or hereafter amended.

Section 6. The Town of Tiburon is designated as the conducting authority for further proceedings and the Town Council is hereby directed to initiate 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. The project is categorically exempt pursuant to §15319 of the Guidelines for Implementation of the California Environmental Quality Act.

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 Local Agency Formation Commission on this 10th day of February, 2000, by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller, Hennessy, Murray, Kress and Ware

NOES: None

ABSENT: None



JEFFRY BLANCHFIELD, Chairperson

ATTEST:


PETER V. BANNING, Executive Officer

Exhibit A-1

PARADISE DRIVE REORGANIZATION No. 10
TO
TOWN OF TIBURON
AND
SANITARY DISTRICT No. 2

Description for Town of Tiburon

Mapping No. 15/99

COMMENCING at a point on the southeasterly right of way line of Ranch Road and existing boundary of the Town of Tiburon said point being distant North $34^{\circ}49'$ East, 45.00 feet from the northwesterly corner of Lot 32 as said lot is shown upon that certain map entitled " Map of Paradise Cove, Sub'd. No. Two, Marin County, Cal." filed for record April 18, 1941 in Volume 5 of Maps, at Page 90, Marin County Records. Said point being common with the southwesterly corner of lot 30 as shown on said map.

Thence from the POINT OF COMMENCEMENT North $34^{\circ}49'$ East, 10.00 feet to the beginning of a curve; thence leaving said Town boundary and said right of way along said curve to the right, the center of which bears South $55^{\circ}11'$ East, with a radius of 40.00 feet, through a central angle of $55^{\circ}55'$, an arc length of 39.04 feet; thence South $89^{\circ}16'$ East, 45.63 feet; thence along a curve to the right, the center of which bears South $0^{\circ}44'$ West, with a radius of 40.00 feet, through a central angle of $54^{\circ}41'30''$, an arc length of 38.18 feet; thence South $34^{\circ}34'30''$ East, 50.00 feet to the northeasterly corner of Lot 30; thence South $55^{\circ}52'50''$ West, 70.00 feet; South $34^{\circ}34'30''$ East, 102.00 feet; South $13^{\circ}48'38''$ West, 67.42 feet, South $4^{\circ}24'13''$ East, 58.00 feet to a point on the northerly right of way line of Paradise Drive, thence along said right of way line South $72^{\circ}18'$ West, 29.21 feet; thence along a curve to the right, the center of which bears North $17^{\circ}42'$ West, with a radius of 112.00 feet, through a central angle of $86^{\circ}08'03''$, an arc length of 168.37 feet; thence North $21^{\circ}34'$ West, 55.94 feet, North $47^{\circ}27'$ West, 365.814 feet to a point on the existing boundary of the Town of Tiburon; thence leaving said right of way, along said Town boundary North $46^{\circ}01'$ East, 103.64 feet, South $42^{\circ}29'22''$ East, 119.93 feet, South $43^{\circ}58'50''$ East, 133.31 feet to a point on the northwesterly right of way line of Ranch Rd.; thence along said right of way line North $34^{\circ}49'$ East, 55.993 feet to a point on a curve to the left the center of which bears North $55^{\circ}11'$ West, with a radius of 58.083 feet, through a central angle of $16^{\circ}22'12''$, an arc length of 16.59 feet; thence leaving said right of way line South $55^{\circ}11'$ East, 42.35 feet to the POINT OF COMMENCEMENT.

Containing 1.88 acres, more or less.

PARADISE DRIVE REORGANIZATION No. 10
TO
TOWN OF TIBURON
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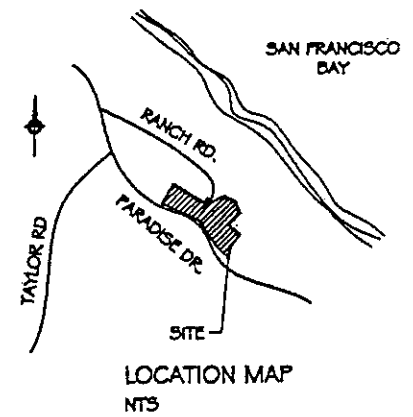
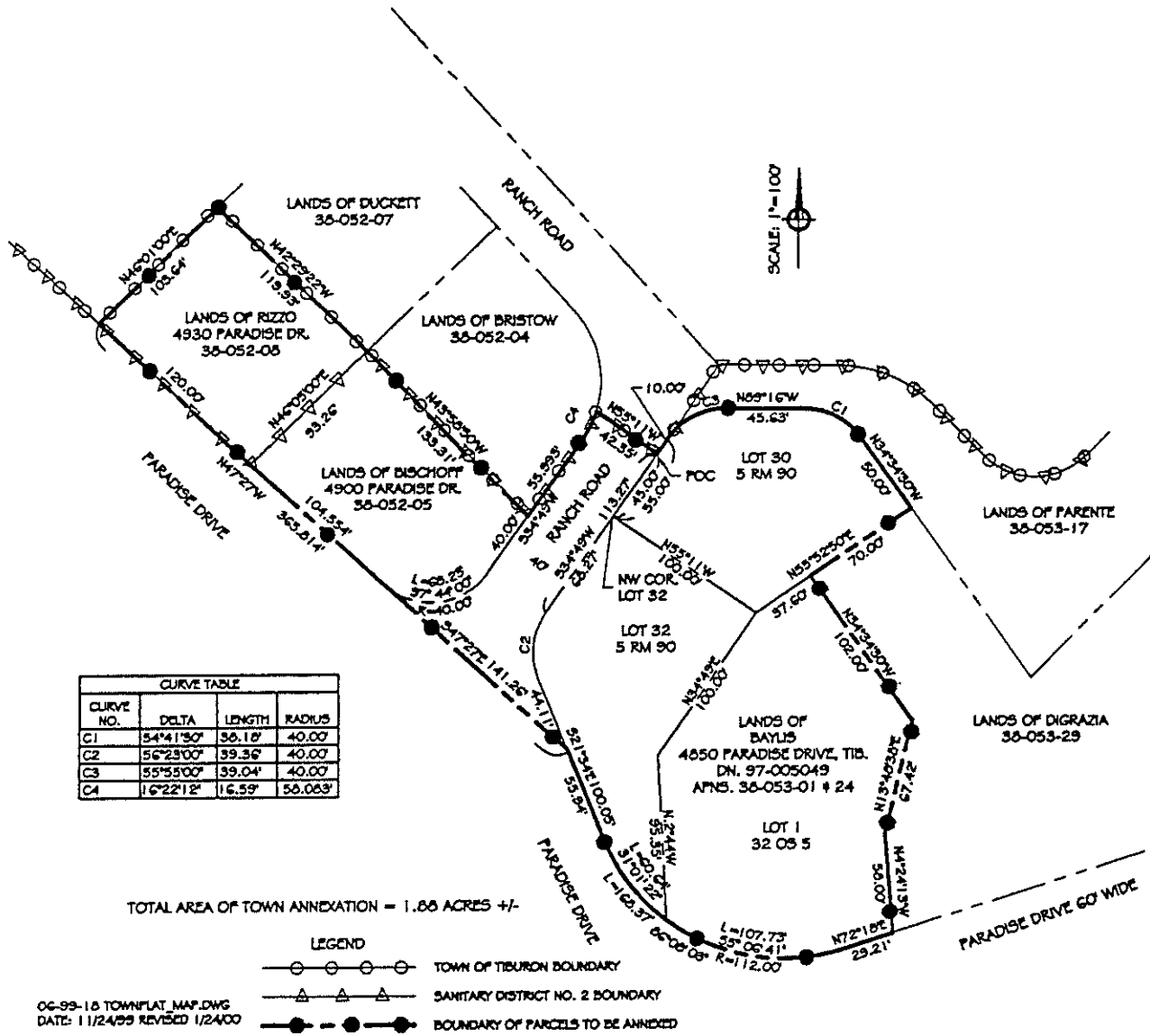
Description for Sanitary District No. 2

Mapping No. 15/99

COMMENCING at a point on the southeasterly right of way line of Ranch Road and existing boundary of the Sanitary District No. 2 said point being distant North 34°49' East, 45.00 feet from the northwesterly corner of Lot 32 as said lot is shown upon that certain map entitled " Map of Paradise Cove, Sub'd. No. Two, Marin County, Cal." filed for record April 18, 1941 in Volume 5 of Maps, at Page 90, Marin County Records. Said point being common with the southwesterly corner of lot 30 as shown on said map.

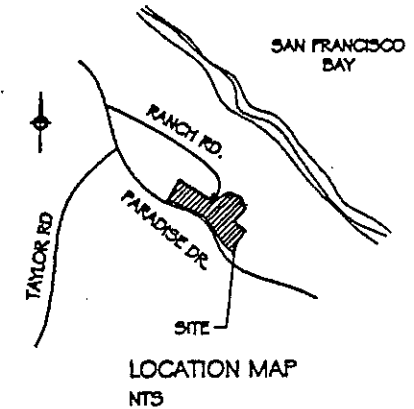
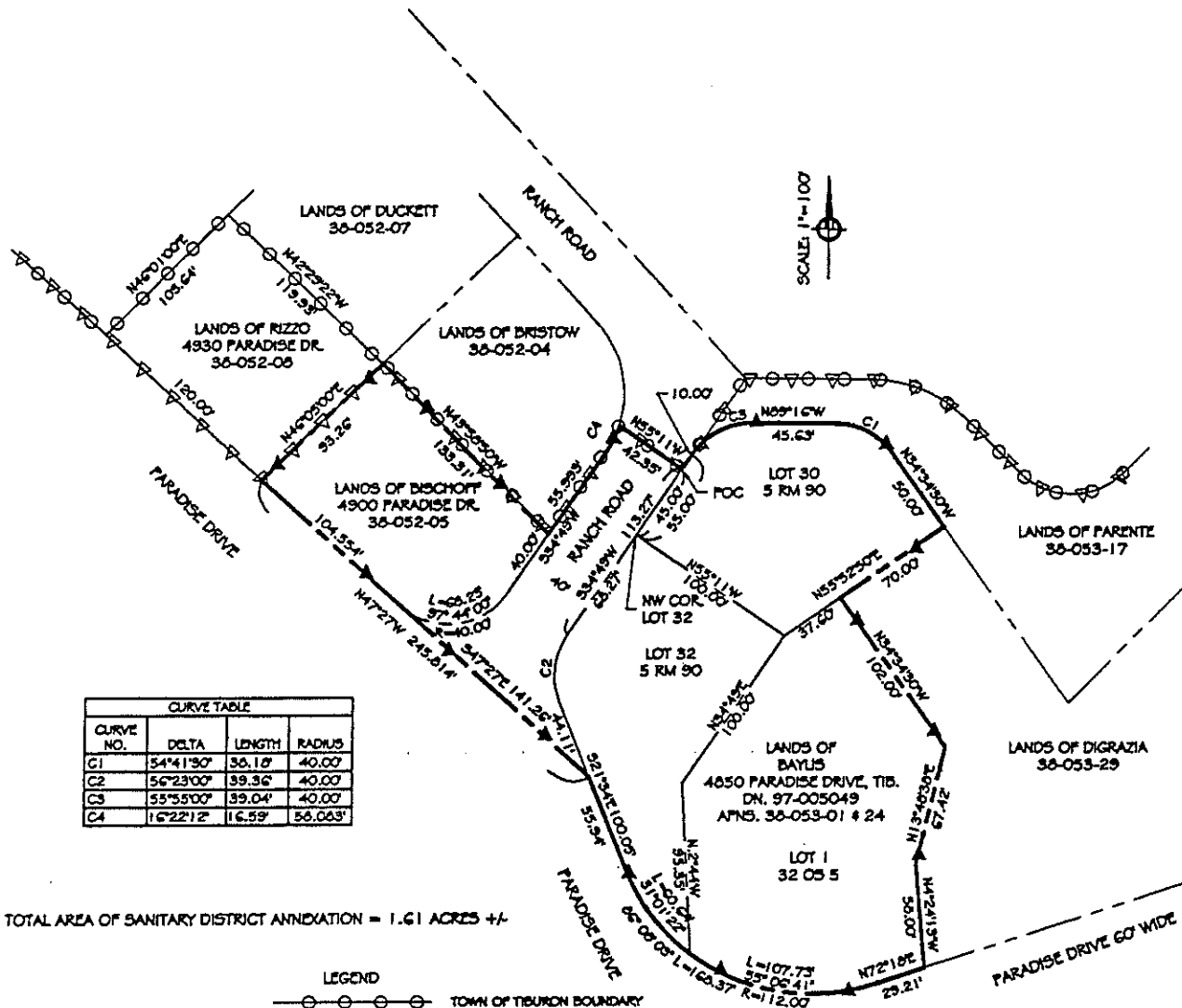
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PARADISE DRIVE REORGANIZATION
 NO. 10
 TO
 TOWN OF TIBURON
 AND
 SANITARY DISTRICT NO. 2
 MAP FOR TOWN OF TIBURON
 MAPPING NO. 15/99

BRACKEN & KEANE
 Civil Engineers & Land Surveyors
 5710 Paradise Drive, Ste. 8
 Corte Madera, CA 94925
 Tel: (415) 927-8801 fax: (415) 927-8803



CURVE TABLE			
CURVE NO.	DELTA	LENGTH	RADIUS
C1	54°41'30"	36.18'	40.00'
C2	56°23'00"	39.36'	40.00'
C3	55°55'00"	39.04'	40.00'
C4	16°22'12"	16.59'	56.063'

TOTAL AREA OF SANITARY DISTRICT ANNEXATION = 1.61 ACRES +/-

- LEGEND
- TOWN OF TIBURON BOUNDARY
 - △-△-△-△ SANITARY DISTRICT NO. 2 BOUNDARY
 - ▲-▲-▲-▲ BOUNDARY OF PARCELS TO BE ANNEXED

06-89-18 DISTPLOT_MAP.DWG
 DATED: 1/24/99 REVISED 1/24/00

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