

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 95-03

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

"PARADISE DRIVE REORGANIZATION #6"

WHEREAS, a proposal for the proposed reorganization for annexation of certain territory to the Town of 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 petition, a filed by the property owners; and

WHEREAS, said petition of application 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 56837, when a petition is accompanied by written consent of all owners of land within the territory proposed to be annexed, this Commission may make determinations with respect to said annexation without notice and hearing.

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

Section 3. The territory includes .28 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Paradise Drive Reorganization #6" to the Town of Tiburon and Sanitary District #2.

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 Sanitary District #2 terms and conditions.

1. 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, as now or hereafter amended.
2. 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.

Section 6. The Marin County Board of Supervisors is designated as the conducting agency for further proceedings, and the Board is hereby directed to initiate proceedings in compliance with this resolution, and is authorized to take further proceedings upon said annexation in compliance with applicable provisions of State law.

Section 7. The Town of Tiburon, as lead agency, has conducted Environmental Review in conjunction with rezoning of this property. The Town has determined that the project is Categorically Exempt pursuant to the California Environmental Quality.

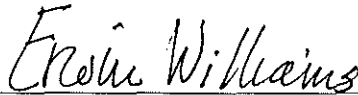
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 6th day of April 1995 by the following vote:

AYES: Commissioners Giacomini, Richardson, Rose, Thayer and Williams

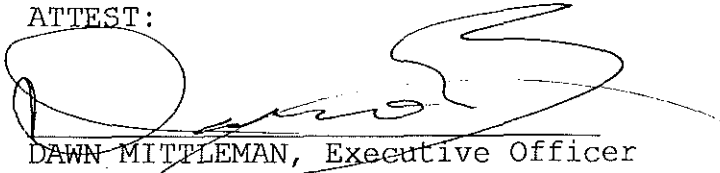
NOES: None

ABSENT: None



ERWIN WILLIAMS, Chairman
Marin Local Agency Formation Commission

ATTEST:



DAWN MITTLEMAN, Executive Officer

Dated: April 6, 1995

Exhibit "A"

FEB. 17, 1995

PARADISE DRIVE REORGANIZATION NO. 6

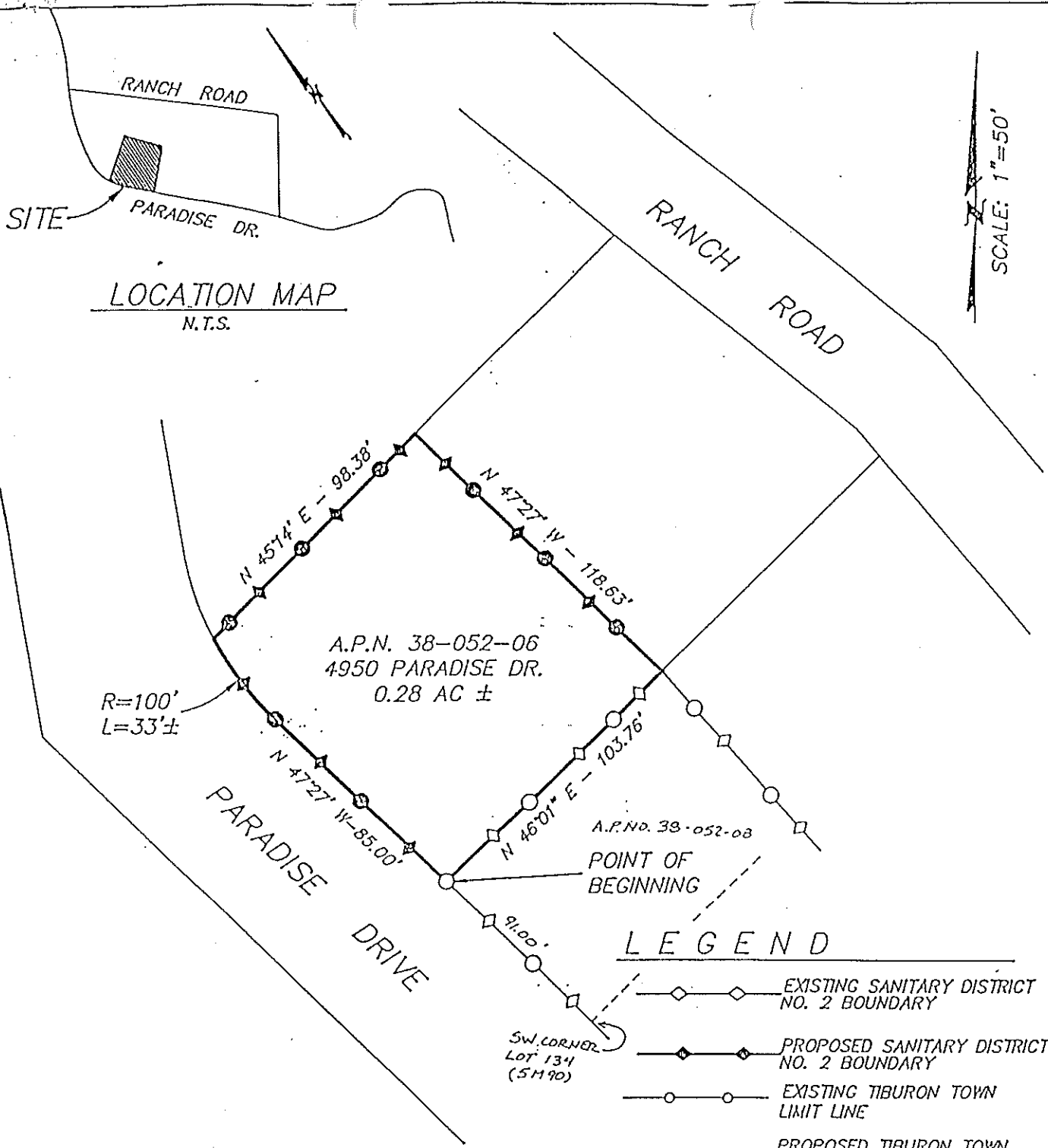
TO

TOWN OF TIBURON AND

SANITARY DISTRICT NO. 2

MAPPING NO. 1/95

BEGINNING AT a point on the northerly line of the Town of Tiburon and Sanitary District No. 2 said point also being on the northeasterly line of Paradise Drive, said point being distant thereon 91.00 feet northwesterly from the southwesterly corner of Lot 134 as said lot is shown on Record Map, Book 5, at Page 90, Marin County Records; thence along said northerly Town line and Sanitary District No. 2 North 46 01' East 103.76 feet; thence North 47 27' West 118.63 feet; thence South 45 14' East 98.38 feet to a point on the northeasterly right-of-way of Paradise Drive through a curve to the left with a radius of 100 feet an arc distance of 33 feet more or less; thence South 47 27' East 85.00 feet to the POINT OF BEGINNING. Containing 0.28 Ac, more or less.



PARADISE DRIVE REORGANIZATION NO. 6
TO
TOWN OF TIBURON
AND

SANITARY DISTRICT NO. 2 OF MARIN COUNTY

MAPPING NO. 1/95

JAN. 26, 1995
JOB 94-58
DWG. 94-58B

J. L. ENGINEERING
CIVIL ENGINEERING AND LAND PLANNING
1539 FOURTH ST., SAN RAFAEL, CA. 94901 (415) 457-6647