

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 88-6

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
TO THE RICHARDSON BAY SANITARY DISTRICT

"EAGLE ROCK ANNEXATION"

WHEREAS, a proposal for the proposed annexation of certain territory to the Richardson Bay 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 Dr. Abolfath Hosseinioun, property owner; 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 the matter; and

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

Section 3. The territory includes .75 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Eagle Rock Annexation" to the Richardson Bay 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 terms and conditions of the District, as set forth in Exhibit "B" attached hereto and incorporated herein. In addition, said approval is hereby conditioned as follows:

"Eagle Rock Annexation" Resolution No. 88-6

- A. If the property is found to be contiguous to the Town of Tiburon, it shall be concurrently annexed to the Town of Tiburon.
- B. There shall be no cost to the adjacent property owners.

Section 6. The Richardson Bay Sanitary District is designated as the conducting agency for further proceedings, and the Board of Directors of said District 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 project is categorically exempt pursuant to provisions of the California Environmental Quality Act and the Commission's Environmental Guidelines.

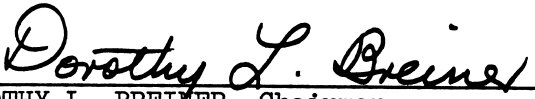
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 12th day of May 1988 by the following vote:

AYES: Commissioners Giacomini, Stockwell, Williams and Breiner

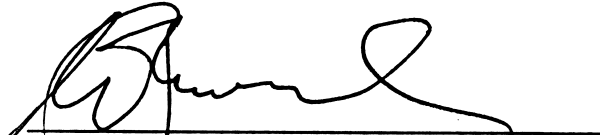
NOES: None

ABSENT: Commissioner Foote



DOROTHY L. BREINER, Chairman
Marin Local Agency Formation Commission

ATTEST:



WALTER J. MONASCH, Executive Officer

DATED: May 18, 1988

Exhibit "A"

Proposed Eagle Rock Annexation
Lands of Abolfath Hosseinioun
Assessor's Parcel 34-082-31

COMMENCING at a point on the boundary of the Richardson Bay Sanitary District, said POINT OF COMMENCEMENT being the most northeasterly corner of Lot 13, as shown upon that certain map entitled "Map of Eagle Rock Estates", recorded October 11, 1960 in Volume 10 of Maps at page 81, Official Records of Marin County, running thence along the easterly line of Jouvre (2010 OR 334) North 2° 06' 50" West 23.50 feet to the TRUE POINT OF BEGINNING, said point being the most southwesterly corner of Parcel Two of the lands granted by Michael Edward Hudec to Abolfath Hosseinioun in that certain deed recorded October 22, 1985 as Recorder's Serial 85-046421, Official Records of Marin County, running thence along said line of Hosseinioun South 88' 28' 40" East 119.333 feet; South 2° 06' 50" East 103.261 feet; North 64° 59' 08" East 200.08 feet; thence northeasterly on a curve to the left with a radius of 200 feet, the center of which bears North 5° 17' 16" East, through a central angle of 2° 43' 33", for an arc distance of 9.515 feet; thence North 45° 00' West 134.933 feet; North 84° 42' 44" West 181.46 feet; South 2° 06' 50" East 60.00 feet; South 88° 28' 40" West 40.001 feet; thence South 2° 06' 50" East 40.00 feet to the POINT OF BEGINNING.

Containing an area of 0.78 acres, more or less.

EXHIBIT "A"

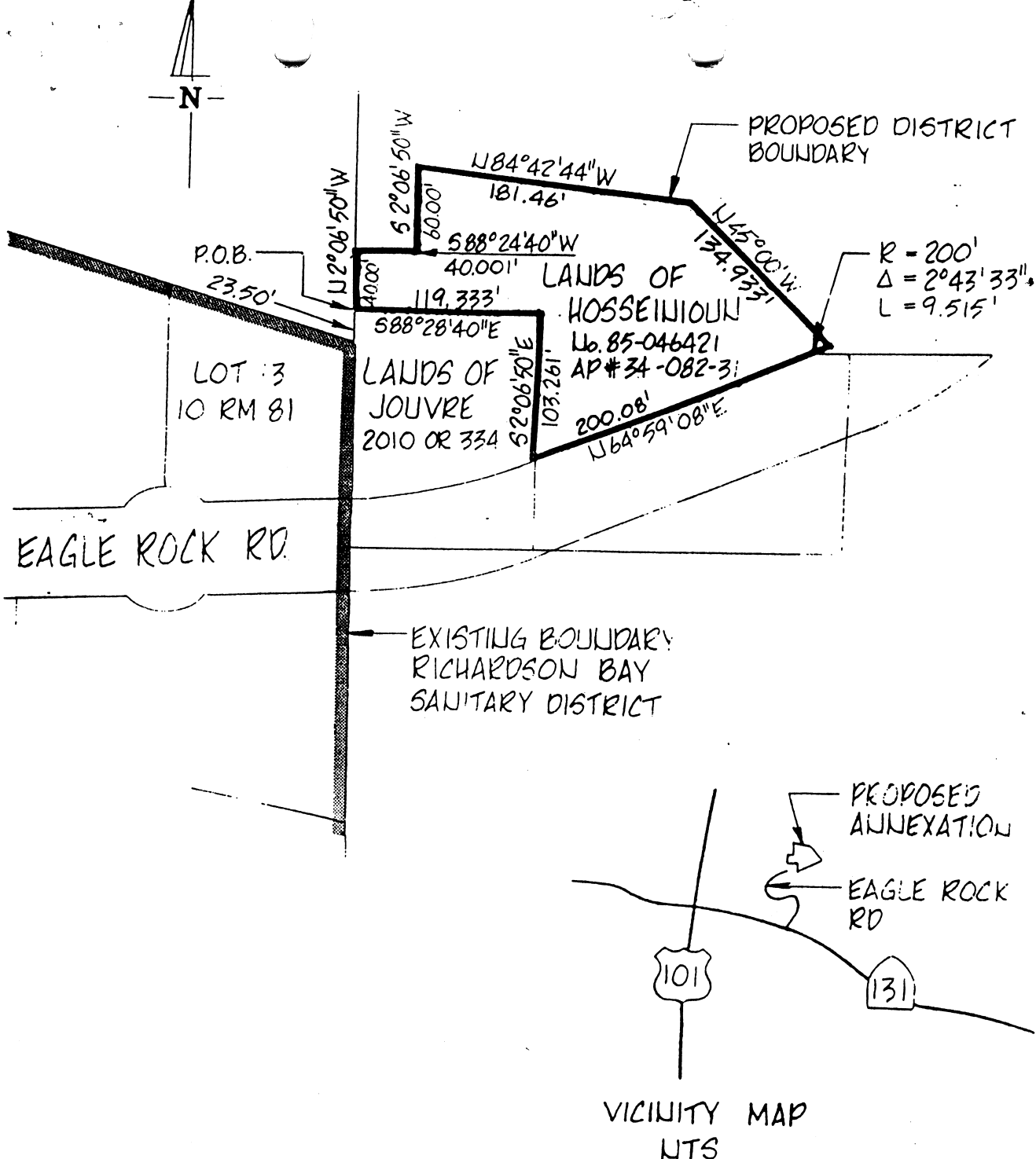
RICHARDSON BAY SANITARY DISTRICT
TERMS AND CONDITIONS

The annexation shall be subject to the following terms and conditions:

(1) In the event 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 shall 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, pursuant to which such payment is required.

(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 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 and ordinances, the District, as now or hereafter amended; and shall be subject to the provisions of existing and subsequent orders of the California Regional Water Quality Control Board, which current orders place a restriction upon the number of sewer connections allowable to District's sewer systems.

(3) No right to capacity in any facilities or public improvements of the District, service, or priority of service, shall arise because of annexation. District shall, pursuant to contractual obligations, and pursuant to applicable orders, regulations, rules and limitations of the California Regional Water Quality Control Board, determine when and if sewer service can be provided, the priority of service and the conditions upon which service may be made.



COUNTY SURVEYOR
 FIELE HC.
 88-5

RICHARDSON BAY SANITARY DISTRICT		
Marin County, California		
SCALE: 1" = 100'	APPROVED BY: <i>GER</i>	DRAWN BY AJM
DATE: JULY '86		REVISED
EAGLE ROCK ANNEXATION		
NUTE ENGINEERING SAN RAFAEL, CALIFORNIA		DRAWING NUMBER 5151