

RESOLUTION 84-5

RESOLUTION MAKING DETERMINATIONS AND APPROVING WITH WAIVER OF NOTICE, HEARING AND ELECTION THE REORGANIZATION INVOLVING ANNEXATION OF TERRITORY TO THE TOWN OF TIBURON, ALTO-RICHARDSON BAY FIRE PROTECTION DISTRICT, TIBURON FIRE PROTECTION DISTRICT, RICHARDSON BAY SANITARY DISTRICT, AND CORTE MADERA SANITARY DISTRICT NO. 2

"RING MOUNTAIN REORGANIZATION"

WHEREAS, an application for a reorganization involving the annexation of certain territory to the Town of Tiburon, Alto-Richardson Bay Fire Protection District, Tiburon Fire Protection District, Richardson Bay Sanitary District and Corte Madera Sanitary District No. 2 has been filed with the Executive Officer of this Commission; and

WHEREAS, said proposal was made in the form of a petition signed by Richard Coombs and Kenneth R. Frankel requesting initiation of proceedings pursuant to the District Reorganization Act of 1965, Division 1, (commencing with Section 56000) of the Government Code; and

WHEREAS, pursuant to Section 56260 of the California Government Code, said reorganization proposal was transmitted to the five affected agencies and agency comments were requested; 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.

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 reorganization proposal is approved.

Section 2. The boundaries of the territory proposed for reorganization shall be those set forth in Exhibit A attached hereto and incorporated herein. The reorganization consists of the following changes or organization:

- A. Annexation to the Town of Tiburon
- B. Annexation to the Alto-Richardson Bay Fire Protection District
- C. Annexation to the Tiburon Fire Protection District
- D. Annexation to the Richardson Bay Sanitary District
- E. Annexation to the Corte Madera Sanitary District No. 2

Section 3. Said reorganization proposal is found to be uninhabited.

Section 4. Any resolution ordering reorganization approved shall impose the standard terms and conditions of the water and two sanitary districts.

The standard terms and conditions of the sanitary district shall be those set forth in Exhibit B, attached hereto and incorporated herein. In addition, said approval is hereby conditioned as follows:

- A. A joint powers agreement involving the Tiburon and Alto-Richardson Bay Fire Protection Districts, Town of Corte Madera, and County of Marin should be developed whereby individual agency responsibilities for protecting the open space portion of the Ring Mountain residential development project, as approved by the Marin County Board of Supervisors by Ordinance No. 2711, shall be defined.
- B. The County of Marin should develop an analysis of current service arrangements and recommendation regarding annexation of the open space area to neighboring jurisdictions. Said analysis should be completed by 1990 or at such time that the Nature Conservancy ceases to be the open space land manager.
- C. The Certificate of Completion shall not be filed with the County Recorder of the County of Marin before March 5, 1984.

Section 5. The Marin County Board of Supervisors is hereby designated "conducting district," is directed to initiate proceedings in accordance with this resolution, and is authorized to take such proceedings with waiver of notice, hearing and election.

Section 6. In accordance with applicable provisions contained in the adopted Marin Local Agency Formation Commission's Guidelines and Procedures, the County of Marin is the appropriate lead agency, has completed an environmental impact report titled "Ring Mountain Final Environmental Impact Report." This document was certified by the County Board of Supervisors on May 25, 1982. The Marin Local Agency Formation Commission hereby affirms that LAFCo has considered said report and finds it to be adequate as to content.

Section 7. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner prescribed in Section 56272 of the Government Code.

PASSED AND ADOPTED by the Local Agency Formation Commission of the County of Marin on this 9th day of February 1984 by the following vote:

AYES: Commissioners Aramburu, Breiner, McCart, Stockwell and Boessenecker
 NOES: None
 ABSENT: Commissioner Giacomini

Joan Boessenecker

 JOAN BOESSENECKER, Chairman
 Marin Local Agency Formation Commission

ATTEST:
Warren K. Nelson

 WARREN K. NELSON, Executive Officer

RING MOUNTAIN ANNEXATION 1983-

SUB PARCEL "A"

CITY OF TIBURON,

ALTO-RICHARDSON BAY FIRE DISTRICT and
RICHARDSON BAY SANITARY DISTRICT

BEGINNING at a point on the northwestern right-of-way line of the road commonly known as "Via Los Altos", at the southeastern corner of the parcel of land shown as Parcel "B" on the Parcel Map entitled "Lands of Deffebach", filed June 28, 1982, in Book 20 of Parcel Maps at page 56, being also a point on the exterior boundary of the City of Tiburon, Alto-Richardson Bay Fire District and Richardson Bay Sanitary District, hereinafter referred to as "DISTRICTS", of Marin County, thence from said Point of Beginning northwesterly, along the exterior boundary of said Parcel "B" and said "DISTRICTS" boundary, North $49^{\circ}59'22''$ West, 270.61 feet; thence leaving said "DISTRICTS" boundary and said Parcel "B" boundary North $42^{\circ}45'00''$ East, 169.57 feet, to an angle point in the exterior boundary of said Parcel "B"; thence southerly and southeasterly along the boundary of said Parcel "B", South $5^{\circ}15'00''$ East, 156.82 feet; and South $50^{\circ}01'06''$ East, 136.25 feet. to a point on the exterior boundary of said "DISTRICTS" being also a point on the northern right-of-way line of said Via Los Altos; thence southwesterly along said "DISTRICTS" boundary and said Via Los Altos right-of-way

Containing an area of approximately 0.50 acres.

RING MOUNTAIN ANNEXATION 1983-

SUB PARCEL "B"

CITY OF TIBURON,
ALTO-RICHARDSON BAY FIRE DISTRICT and
RICHARDSON BAY SANITARY DISTRICT

BEGINNING at a point on the exterior boundary of the City of Tiburon, Alto-Richardson Bay Fire District and Richardson Bay Sanitary District, hereinafter referred to as "DISTRICTS", of Marin County, at the northwest corner of Lot 48 as said lot is shown on the subdivision Map of Reedland Woods, Unit 2, filed December 21, 1977 in Book 14 of Maps at page 22, being also a point on the northern right-of-way line of the road commonly known as "Via Elverano"; thence westerly along said "DISTRICTS" boundary, and said "Via Elverano" right-of-way line, along the arc of a non-tangent curve, concave to the south, the center of which bears South 52°36'11" West, having a radius of 45.00 feet, through a central angle of 59°22'57", an arc distance of 46.64 feet; thence leaving said "DISTRICTS" boundary, and said "Via Elverano" right-of-way line, North 1°30'00" East, 140.00 feet; thence North 29°00'00" East, 175.00 feet; thence North 46°00'00" East, 350.00 feet; thence South 87°00'00" East, 325.00 feet; thence South 14°00'00" East, 140.00 feet; thence South 46°00'00" West, 110.00 feet; thence South 11°00'00" East, 150.00 feet; thence South 21°40'00" West, 74.77 feet; thence easterly along the arc of a non-tangent curve concave to the south, the center of which bears South 1°46'36" East, having a radius of 220.00 feet; through a central angle of 5°00'00" an arc distance of 19.20 feet; thence southeasterly along the arc of a compound curve, concave to the southwest, the center of which bears South 3°13'24" West, having a radius of 145.00 feet, through a central angle of 88°00'00", an arc distance of 222.70 feet; thence southerly along the arc of a compound curve, concave to the west, the center of which bears North 88°46'36" West, having a radius of 595.00 feet, an arc distance of 104.68 feet; thence tangent to said curve, South 11°18'12" West, 79.96 feet, to a point on the exterior boundary of said "DISTRICTS" being also a point on the exterior right-of-way line of the road commonly known as "Paseo Mirasol" and being the northwestern corner of lot 38 as shown on the map of said Reedland Woods, Unit 2; thence northwesterly along the exterior boundary of said "DISTRICTS" to be the Point of Beginning.

Containing an area of approximately 10.38 acres.

The bearings in this description are based on the bearings as shown on the Subdivision Map of said Reedland Woods, Unit 2.

RING MOUNTAIN ANNEXATION 1983-

SUB PARCEL "C"

CITY OF TIBURON,
ALTO-RICHARDSON BAY FIRE DISTRICT and
RICHARDSON BAY SANITARY DISTRICT

BEGINNING at a point on the existing boundary of the City of Tiburon, Alto-Richardson Bay Fire District and Richardson Bay Sanitary District, hereinafter referred to as "DISTRICTS", of Marin County, said point being on the southerly boundary of Parcel "B", as said Parcel is shown on the Parcel Map entitled "Lands of Deffebach", recorded June 28, 1982, in Book 20 of Parcel Maps at Page 56, Marin County Records, said point also being common with the Northeastern corner of Lot 25 as said lot is shown on the Subdivision Map of Reedland Woods Unit 2, filed December 21, 1967, in Book 14 of Maps, at page 22, Marin County Records; thence from said Point of Beginning, leaving said "DISTRICTS" boundary, North $45^{\circ}01'11''$ East, 238.56 feet; thence North $64^{\circ}01'10''$ East, 348.09 feet; thence North $4^{\circ}33'49''$ East, 417.09 feet; thence North $65^{\circ}01'11''$ East, 280.00 feet; thence South $52^{\circ}58'49''$ East, 180.00 feet; thence South $1^{\circ}31'12''$ West, 230.00 feet; thence South $72^{\circ}58'49''$ East, 523.92 feet; thence South $10^{\circ}58'48''$ East, 145.00 feet; thence South $20^{\circ}02'52''$ West, 299.80 feet to a point on the southerly line of said Parcel "B" (20 PM 56), being also a point on the northern lot line of Lot 41 as shown on the Subdivision Map of Reedland Woods, Unit 1, filed June 27, 1965, in Book 13 of Maps at page 23, being also a point on the exterior boundary of said "DISTRICTS"; thence westerly along the exterior boundary of said "DISTRICTS" and the exterior line of said Reedland Woods, Unit 1 and Unit 2, to the Point of Beginning.

Containing an area of approximately 21.65 acres.

The bearings in this description are based on the bearings as shown on the Subdivision Map of said Reedland Woods, Unit 2.

RING MOUNTAIN ANNEXATION 1983-

SUB PARCEL "E"

CITY OF TIBURON,
TIBURON FIRE PROTECTION DISTRICT
and
SANITARY DISTRICT NO. 2

BEGINNING at a point on the existing boundary of the City of Tiburon, Tiburon Fire Protection District, and Sanitary District No. 2, hereinafter referred to as "DISTRICTS", of Marin County, said point being on the northeastern boundary of Parcel "B" as said parcel is shown on parcel map entitled, "Lands of Deffebach" filed June 28, 1982 in Book 20 of Parcel Maps at page 56, said Point of Beginning being South $49^{\circ}26'00''$ East, 250.00 feet from the intersection of said line with the southeastern line of Parcel "1", as said parcel is shown on the Parcel Map entitled "Lot Line Adjustment Between Lands of Ring Mountain, Ltd. and Frankel", filed March 24, 1983, in Book 21 of Parcel Maps at page 17; thence leaving said "DISTRICTS" boundary South, 394.92 feet; thence South $49^{\circ}26'00''$ East, 750.00 feet to a point on the eastern line of said Parcel "B" (20 PM 56) being also on said "DISTRICTS" boundary, thence northerly along the eastern line of said Parcel "B" (20 PM 56) and said "DISTRICTS" boundary to the Point of Beginning.

Containing approximately 5.16 acres.

The basis of bearings for this description is the same as that shown on said parcel map entitled "Lot line Adjustment between lands of Ring Mountain, Ltd. and Frankel" (20 PM 56).

RING MOUNTAIN ANNEXATION 1983-

SUB PARCEL "D"

CITY OF TIBURON,
TIBURON FIRE PROTECTION DISTRICT
and
SANITARY DISTRICT NO. 2

BEGINNING at a point on the existing boundary of the City of Tiburon, Tiburon Fire Protection District, and Sanitary District No. 2, hereinafter referred to as "DISTRICTS", of Marin County, said point being on the eastern boundary of Parcel "B" as said Parcel is shown on that certain parcel map entitled "Lands of Deffebach" recorded June 28, 1982, in Volume 20 of Parcel Maps at page 56, Marin County Records, said point being common with the southwest corner of Parcel 3, as shown on the parcel map entitled "Division of Madsen Property, near Paradise Cove", filed November 7, 1973, in Book 9 of Parcel Maps, at page 21; thence from said Point of Beginning, southerly, along said "DISTRICTS" boundary, the bearing of said boundary being taken as South for the purposes of making this description, South 675.00 feet; thence leaving said "DISTRICTS" boundary, North 60°00'00" West, 461.88 feet, to a point on a line parallel to and distant 400 feet westerly, measured at right angles, from the eastern boundary of said Parcel "B"; thence northerly along said parallel line, North, 294.06 feet; thence leaving said parallel line, North 45°00'00" East, 212.13 feet thence East, 250.00 feet to the Point of Beginning.

Containing approximately 4.87 acres.

RING MOUNTAIN ANNEXATION 1983-

SUB PARCEL "F"

CITY OF TIBURON,
TIBURON FIRE PROTECTION DISTRICT
and
SANITARY DISTRICT NO. 2

BEGINNING at a point on the existing boundary of the City of Tiburon, Tiburon Fire Protection District, and Sanitary District No. 2, hereinafter referred to as "DISTRICTS", of Marin County, said point being on the northeastern line of Parcel "B" as said Parcel is shown on the Parcel Map entitled "Lands of Deffebach", filed June 28, 1982, in Book 20 of Parcel Maps at page 56, at the southern corner of the parcel of land described in the Deed to Kenneth R. Frankel recorded April 17, 1980, in Book 3704 of Official Records, page 42; thence from said Point of Beginning, leaving said "DISTRICTS" boundary South 40°05'00" West, 405.01 feet; thence North 55°00'00" West, 120.00 feet; thence South 63°00'00" West, 300.00 feet; thence tangent along a curve to the right having a radius of 212.50 feet, through a central angle of 40°00'00", an arc distance of 148.35 feet; thence tangent to said curve North 77°00'00" West, 145.00 feet; thence North 10°00'00" East, 250.00 feet thence North 38°00'00" West, 115.00 feet; thence North 30°00'00" East, 165.00 feet; thence South 80°00'00" East, 272.28 feet; thence North 1°03'12" West, 106.34 feet; thence tangent along a curve to the right, having a radius of 175.00 feet, through a central angle of 81°35'12", an arc distance of 249.19 feet; thence tangent to said curve North 80°32'00" East, 28.00 feet to a point on the boundary of said "DISTRICTS", being also the northeastern line of said Parcel "B" (20 PM 56); thence southeasterly along said City of Tiburon boundary, South 49°26'00" East, 548.73 feet to the Point of Beginning.

Containing an area of 9.49 acres, more or less.

EXHIBIT "B"

TERMS AND CONDITIONS

RICHARDSON BAY SANITARY DISTRICT
CORTE MADERA SANITARY DISTRICT NO. 2

The annexation shall be subject to the following 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 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 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 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, rental 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.