

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 99-10

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

"Highland Avenue Annexation"

WHEREAS, a proposal for the proposed annexation of certain territory to 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 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 resolution of application 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, 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.

NOW THEREFORE, the Marin Local Agency Formation **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 1.55 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Highland Avenue Annexation" to San Rafael Sanitation District.

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 Dary Adams

Section 4. The proposal is consistent with the adopted sphere of influence for San Rafael Sanitation District.

Section 5. Approval of the proposal is granted subject to the following terms and conditions:

Proceedings for the annexation shall not be completed until the applicant 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 6. San Rafael Sanitation District is designated as the conducting authority for further proceedings, and the Board of said District is hereby directed to initiate proceedings in compliance with this resolution and is authorized to proceed without notice, or election, pursuant to Government Code Section 56837.

Section 7. The project is categorically exempt pursuant to §15303(a) and §15319(b) of the Guidelines for Implementation of the California Environmental Quality Act.

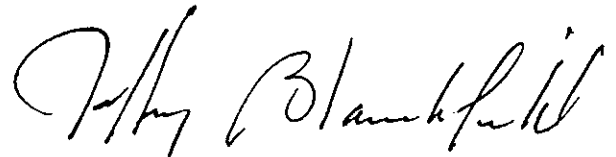
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 9th day of September, 1999 by the following vote:

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

NOES: None

ABSENT: Commissioner Murray



Jeffry Blanchfield, Chairperson

ATTEST:

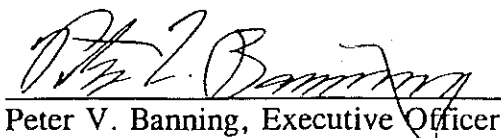

Peter V. Banning, Executive Officer

EXHIBIT "A"

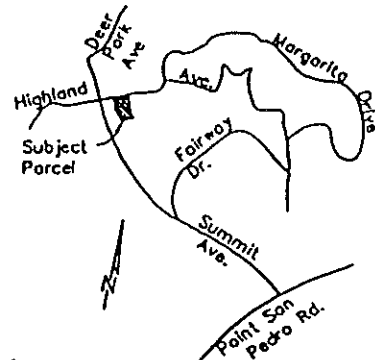
Highland Avenue Annexation
To
San Rafael Sanitation District

Mapping No. 8/99

Commencing at a point on the San Rafael Corporate Limit Line, said point also being on the San Rafael Sanitary District Line, said point also being the southwesterly corner of the Lands of Harper, as described by deed in Document No. 89-015538 of Official Records, Marin County Records, also being a point along the easterly line of Summit Avenue; thence leaving said Corporate and District Lines, along said easterly line, along a curve to the left having a radius of 420 feet, 111.17 feet; thence N 26°58'00" W, 70 feet; to the intersection of said easterly line with the southerly line of Highland Avenue; thence leaving said easterly line, and continuing along said southerly line, N 54°21'00" E, 204.68 feet; thence N 78°48'00" E, 15.00 feet to the True Point of Beginning, also being the northwesterly corner of the Lands of Ford, as described by deed in Document No. 97-073111 of Official Records, Marin County Records; thence leaving said southerly line, and along said Document No. 97-073111, S 18°38'30" E, 211.08 feet; thence S 45°43'10" E, 183.366 feet; thence N 68°06'10" E, 150.00 feet; thence N 21°53'50" W, 351.96 feet to the said southerly line of Highland Avenue; thence along said southerly line, S 63°39'00" W, 50.74 feet; thence S 78°48' W 164.03 feet to the Point of Beginning.

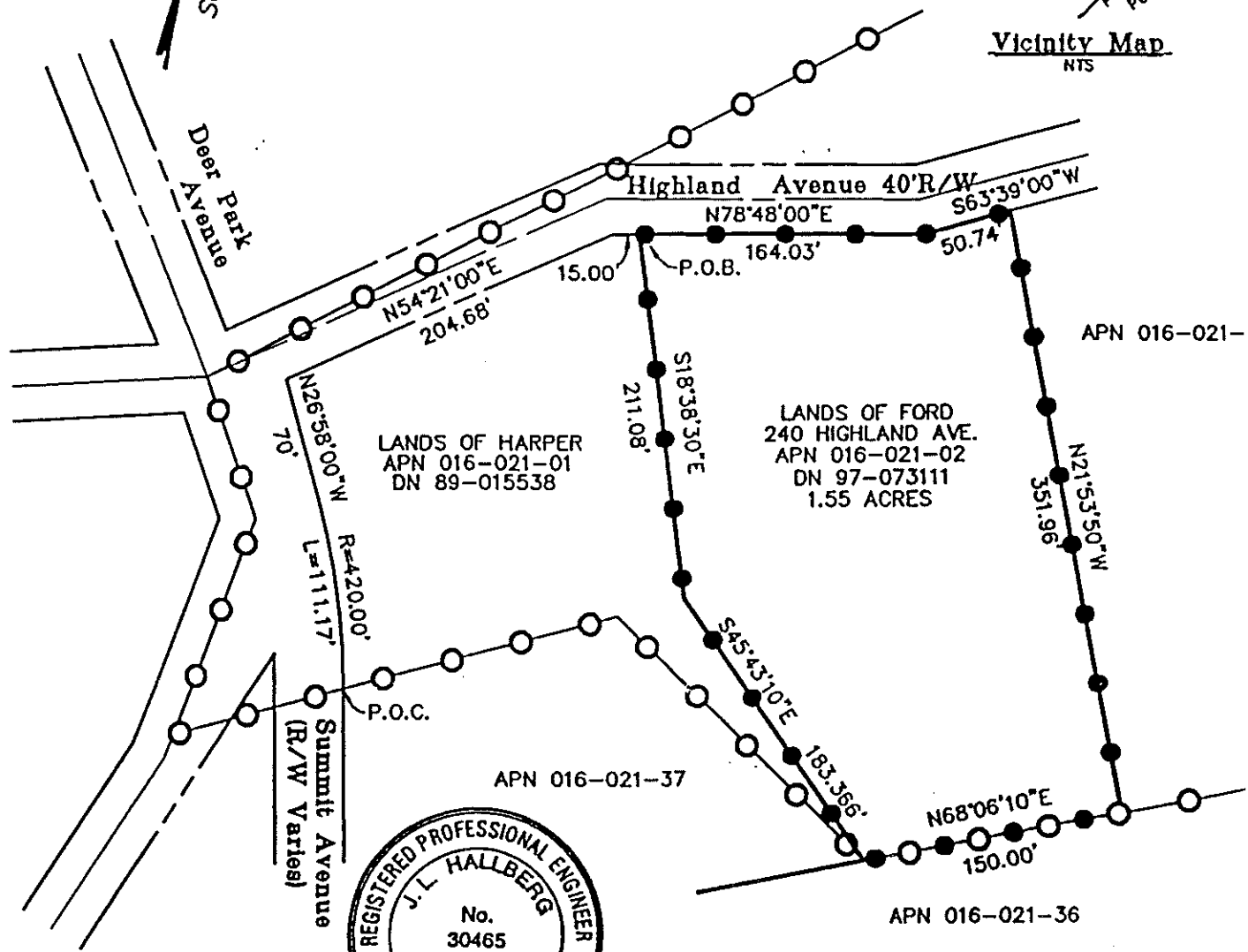
Containing approximately 1.55 acres.





Vicinity Map
NTS

SCALE: 1"=100'



LEGEND

- PARCEL TO BE ANNEXED
- SAN RAFAEL CITY LIMITS & EXISTING SAN RAFAEL SANITATION DISTRICT BOUNDARY

**HIGHLAND AVE. ANNEXATION
TO
SAN RAFAEL SANITATION DISTRICT**

MAPPING NO. 8/99

JUNE 1, 1999
JOB 98-129
DWG. ANNEX

J. L. ENGINEERING
CIVIL ENGINEERING AND LAND PLANNING
1539 FOURTH ST., SAN RAFAEL, CA. 94901 (415) 457-66