

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 96-06

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
WITH WAIVER OF NOTICE, HEARING AND ELECTION
TO THE RICHARDSON BAY SANITARY DISTRICT

"Hacienda Drive Annexation #4"

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 a resolution of application filed by the property owners; and

WHEREAS, said a petition of application was accompanied by written consent signed by all owners of land with the territory proposed to be annexed; and

WHEREAS, pursuant to Government Code Section 56837, when a resolution of application is accompanied by written consent of 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.

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including her 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 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 1.07 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: Hacienda Drive Annexation #4 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 following standard terms and conditions:

- A. 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 a 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.
- B. Upon and after 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.
- C. 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.

Section 6. The Richardson Bay Sanitary 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 provisions 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 County Local Agency Formation Commission on this 11th day of July 1996 by the following vote:

AYES: Commissioners Blanchfield, Kress, Moore, Richardson, Steinmetz, Thayer

NOES: None

ABSENT:


NORMAN RICHARDSON, CHAIRMAN PRO TEM

ATTEST:

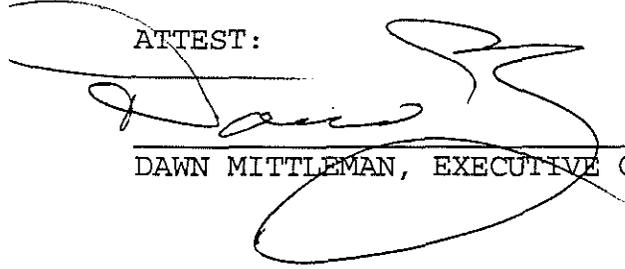

DAWN MITTLEMAN, EXECUTIVE OFFICER

EXHIBIT "B"

HACIENDA DRIVE ANNEXATION NO. 4
TO
RICHARDSON BAY SANITARY DISTRICT
MAPPING NO. 1/96

Beginning on the centerline of Hacienda Drive (60' wide), at a point on the existing boundary of the Richardson Bay Sanitary District, said point bears South 55 degrees 22 minutes 37 seconds West (shown as South 55 degrees 21 minutes 30 seconds West in deed) 30.00 feet from the most southerly corner of that certain parcel of land described as Lot 1 as shown upon the Record of Survey recorded September 6, 1950 in Book 2 of Surveys at Page 158, Marin County Records, said corner also being the Southwest corner of that certain parcel of land called "Lands of Duff" as shown upon the Record of Survey recorded September 21, 1976 in Book 13 of Surveys at Page 55, Marin County Records, and running thence North 55 degrees 22 minutes 37 seconds East (the bearings of 13 ROS 55 are used in this description) 30.00 feet along the existing district boundary to said Southwest corner; thence continuing along said boundary North 68 degrees 51 minutes 21 seconds East 259.66 feet; thence leaving said boundary South 2 degrees 24 minutes 21 seconds West 259.15 feet; thence North 87 degrees 35 minutes 39 seconds West 103.42 feet; thence South 45 degrees 14 minutes 48 seconds West 30.00 feet to the said boundary of the Richardson Bay Sanitary District; thence along the said boundary the following courses; along a curve to the left with a radius of 100.00 feet, whose center bears South 45 degrees 14 minutes 48 seconds West, through a central angle of 0 degrees 54 minutes 48 seconds 1.594 feet; thence North 45 degrees 40 minutes West 86.308 feet; thence along a curve to the right with a radius of 200.00 feet through a central angle of 16 degrees 16 minutes 56.781 feet; thence North 29 degrees 24 minutes West 49.612 feet; thence along a curve to the left with a radius of 200.00 feet through a central angle of 5 degrees 13 minutes 23 seconds 18.232 feet to the point of beginning.

Containing approximately 1.07 acres.

NOTE: Property shown hereon is per Record of Survey in Book 13 of Official Surveys at Page 55. Dimensions shown thusly (N1°E) are of record data from other sources

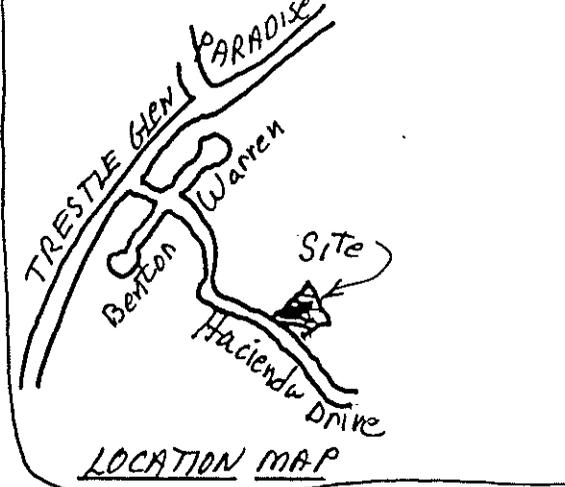
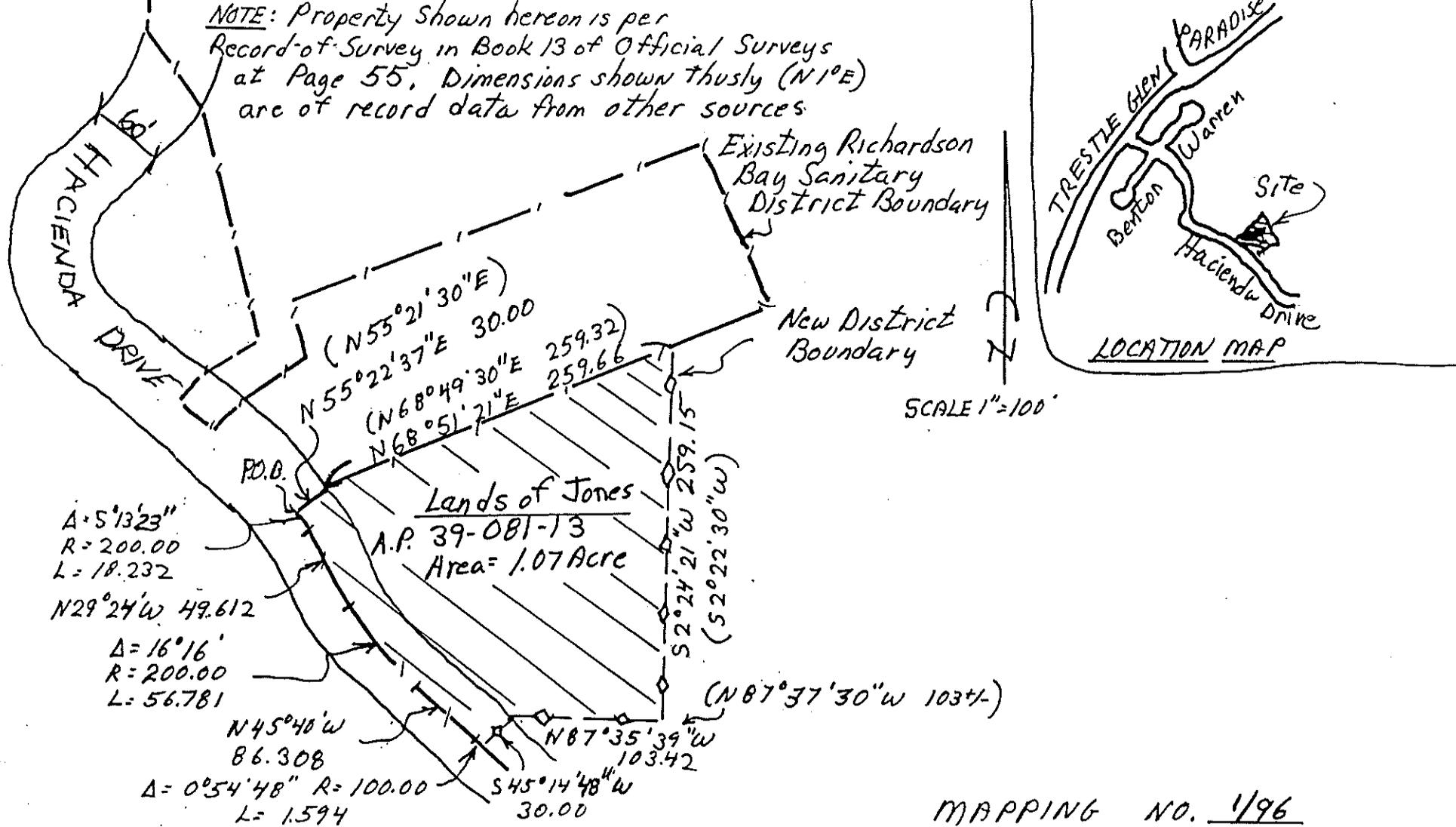


EXHIBIT "A"

Legend:
 - - - - - Existing District Boundary
 —◆—◆— New District Boundary

MAPPING NO. 196
HACIENDA DRIVE ANNEXATION NO. 4
TO RICHARDSON BAY SANITARY
DISTRICT
 TIBURON - MARIN COUNTY - CALIFORNIA

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