

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 02-02

**RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
TO TIBURON SANITARY DISTRICT
WITH WAIVER OF NOTICE, HEARING AND ELECTION**

"Annexation of the Lands of Indelicato to Tiburon Sanitary District (File 1205)"

WHEREAS, a proposal for the annexation of certain territory to the Tiburon 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 the property owner; and

WHEREAS, said petition 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 56663, when a petition 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, pursuant to Government Code Section 56663(c), the affected territory is uninhabited; all the owners of land within the affected territory have given their written consent; and the affected local agency that will gain territory, Tiburon Sanitary District, has consented in writing to a waiver of conducting authority proceedings, this Commission may make determination with respect to said application with waiver of conducting authority proceedings; and

WHEREAS, the owner of the land, Michael James Indelicato, and the Town of Tiburon have entered into an agreement to defer annexation of the property with a condition that the landowner will not oppose future annexation when initiated the Town; and the Commission has determined that this agreement meets the Commission's requirements for dual annexation; and

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 *Dory Adams*

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. 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 2. The territory includes 1.1 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Indelicato to Tiburon Sanitary District (File 1205)".

Section 3. The proposal is consistent with the adopted sphere of influence for Tiburon Sanitary District.

Section 4. The Executive Officer is hereby authorized to complete reorganization proceedings in the manner prescribed by Section 57000 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 11th day of April, 2002 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Eklund, Heller, Murray, Rodoni and Rose

NOES: None

ABSENT: Commissioners Kress and Slavitz



JEFFRY BLANCHFIELD, Chairperson

ATTEST:



PETER V. BANNING, Executive Officer

March 25, 2002

EXHIBIT "A"

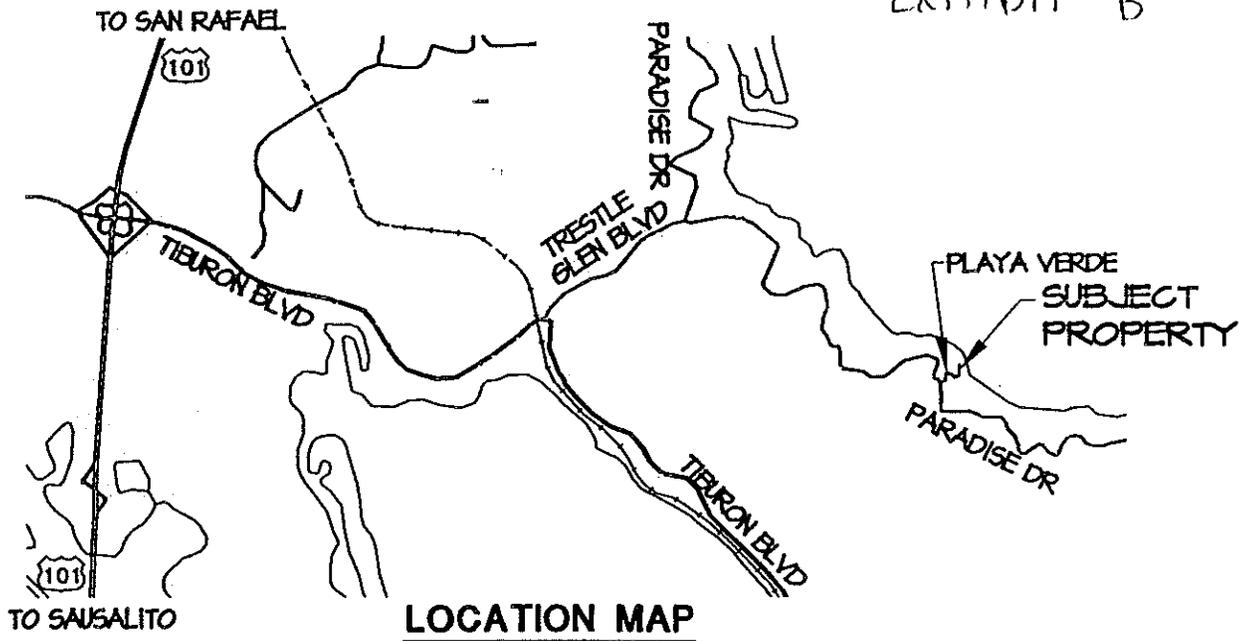
ANNEXATION OF THE LANDS OF INDELICATO
TO
SANITARY DISTRICT NO. 5 (TIBURON)
FILE #1205

BEGINNING at the most easterly corner of the lands granted to Michael Indelicato in that certain Grant Deed recorded April 2, 2000 recorded as Document No. 2000-0021834 Official Records of Marin County, said lands also being Lot 4 as shown upon that certain map entitled *Map of Paradise Acres in the County of Marin, California*, recorded April 24, 1961 in Book 10 of Maps at page 104, Official Records of Marin County, said POINT OF BEGINNING being also on the boundary of Sanitary District No. 5 and the corporate limits of Tiburon; running thence from said POINT OF BEGINNING along the corporate limits of Tiburon, the boundary of Sanitary District No. 5 and the boundary of said Lot 4 (10 RM 104) South 63° 00' West 322.000 feet; thence South 33° 22' 10" West 164.058 feet; thence leaving said corporate boundary of Tiburon and running North 51° 29' 47" West 27.290 feet; thence northerly 78.54 feet along a non-tangent curve having a radius of 150 feet with a delta of 30° 00' 00" concave to the east, a radial to said beginning of curve bears North 30° 00' East; thence North 108.40 feet; thence South 72° 13' 17" West 119.71 feet, said course being radial to the following curve; thence 21.29 feet along a curve having a radius of 35 feet concave to the West said curve being the Playa Verde right-of-way line; thence North 72° 13' 17" East 225.79 feet; thence North 63° 00' East 269.275 feet to the northerly corner of said Lot 4 (10 RM 104); thence leaving the boundary of Sanitary District No. 5 and running along the corporate limits of Tiburon South 45° 15' East 126.356 feet to the POINT OF BEGINNING.

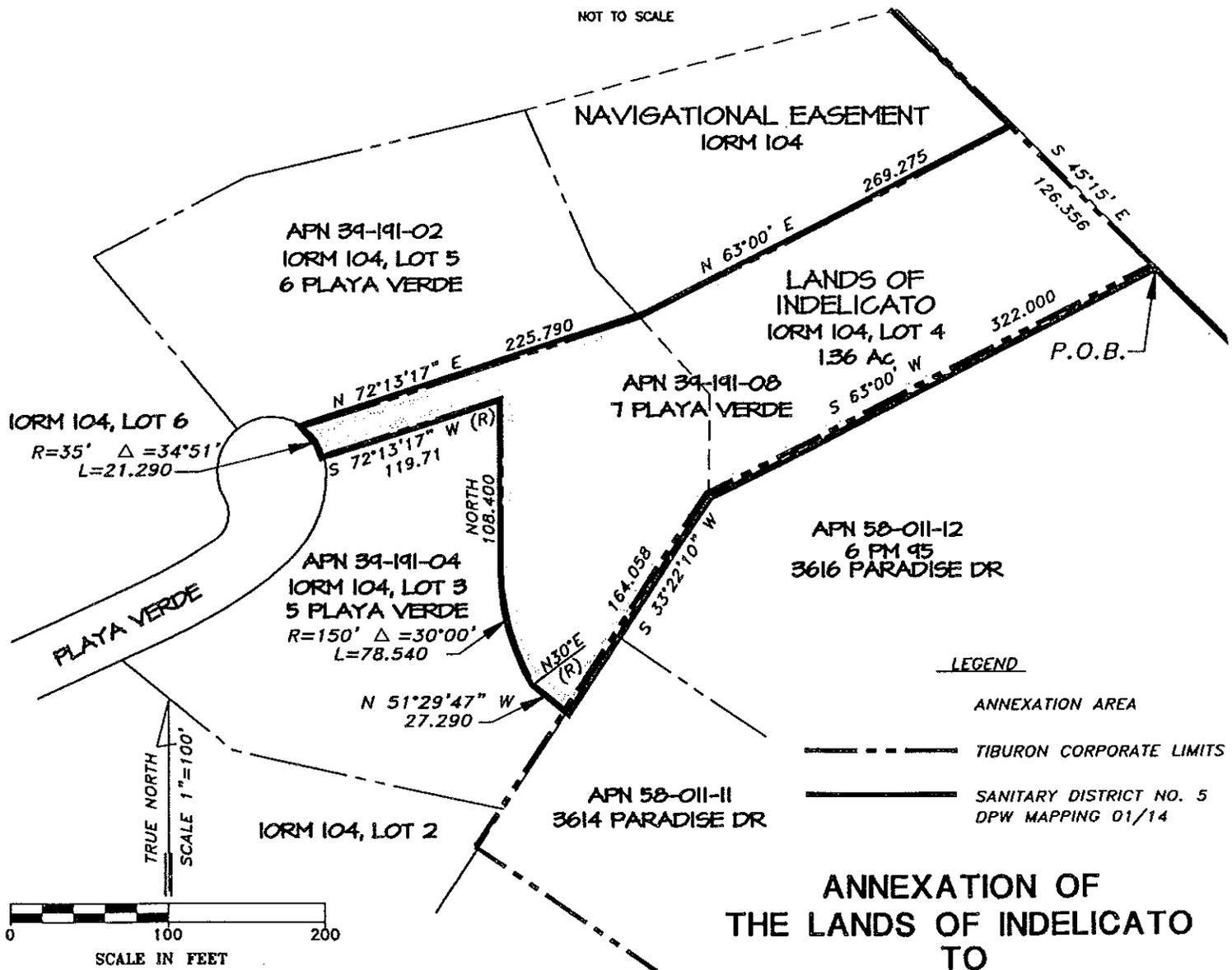
CONTAINING an area of 1.36 acres, more or less.

DPW MAPPING NO. 01/14





NOT TO SCALE



**ANNEXATION OF
THE LANDS OF INDELICATO
TO
SANITARY DISTRICT NO. 5
FILE #1205**