

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 05-02

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

"Annexation of the Lands of Daphne-Bacciocco to Las Gallinas Valley Sanitary District  
(File #1265)"

**WHEREAS**, a proposal for the annexation of certain territory to the Las Gallinas Valley 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**, pursuant to Government Code Section 56663, when a resolution 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, Las Gallinas Valley Sanitary District, has consented in writing to a waiver of protest proceedings, this Commission may make determinations with respect to said application with waiver of protest proceedings; and

**WHEREAS**, the Executive Officer has reviewed the application and prepared a report, including a recommendation thereon, the application 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 Commission certifies that it has reviewed and considered the Environmental Impact Report prepared for this project by the County of Marin.

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

*Candice A. [Signature]*

Section 2. The Commission finds that changes or alterations to the project and mitigation measures to lessen environmental effects to less than significant levels as identified in the *Oakview Final Environmental Impact Report* are within the responsibility of the County of Marin and not LAFCO. The County of Marin, acting as lead agency, has adopted a mitigation monitoring and reporting plan in which the County staff is responsible for compliance and is empowered to sanction non-compliance.

Section 3. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibit "A" and "B" attached hereto subject to the following condition:

- A. Proceedings for the annexation shall not be completed until the property owner 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 4. The territory includes 28.5 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Daphne-Bacciocco to Las Gallinas Valley Sanitary District (File 1265)".

Section 5. The proposal is consistent with the adopted sphere of influence for Las Gallinas Valley Sanitary District.

Section 6. 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 12<sup>th</sup> day of May 2005 by the following vote:

**AYES:** Commissioners Adams, Asbo, Blanchfield, Rodoni, McGlashan and Slavitz

**NOES:** None

**ABSENT:** Commissioner Heller

  
\_\_\_\_\_  
JEFFRY BLANCHFIELD, Chairperson

**ATTEST:**

  
\_\_\_\_\_  
PETER V. BANNING, Executive Officer

EXHIBIT "A"

ANNEXATION OF THE  
LANDS OF DAPHNE/BACCIOCCO  
TO  
LAS GALLINAS VALLEY SANITARY DISTRICT  
LAFCO FILE NO. 1265  
MAPPING NO. 05-05

PARCEL 1

**BEGINNING** at the Southwest corner of Lot 10 as same is laid down and delineated on that certain map entitled, "Map of Marinwood – Unit 6 in the County of Marin – California", filed March 26, 1959 in Volume 10 of Maps at Page 17, Marin County Records; said point also being a point on the Las Gallinas Valley Sanitary District Boundary;

- 1) Thence easterly along said District boundary North 84°26'00" East 95.00 feet;
- 2) Thence leaving said District boundary, South 05°34'00" East 33.06 feet;
- 3) Thence North 84°38'07" East 124.35 feet;
- 4) Thence South 20°05'22" East 801.65 feet;
- 5) Thence North 69°54'38" East 400.00 feet;
- 6) Thence South 79°50'04" East 138.92 feet;
- 7) Thence South 20°05'22" East 536.39 feet;
- 8) Thence South 61°33'45" West 305.30 feet;
- 9) Thence South 77°26'44" West 276.03 feet;
- 10) Thence South 47°39'36" West 125.00 feet to a point on the District boundary;
- 11) Thence continuing along said boundary, North 39°31'39" West 24.62 feet;
- 12) Thence along said boundary, North 62°49'43" West 105.14 feet;
- 13) Thence along said boundary, along a tangent curve to the right with a radius of 4057.00 feet and a central angle of 02°52'50" whose arc length is 203.97 feet;
- 14) Thence along said boundary, North 20°17'29" West 595.39 feet;
- 15) Thence along said boundary, North 20°09'57" West 287.79 feet;
- 16) Thence along said boundary, North 02°23'15" East 432.24 feet to the point of beginning.

Containing 18.87 acres, more or less.

Prepared by:  
ILS Associates, Inc.

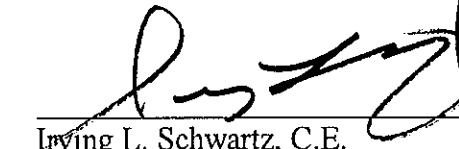
  
Irving L. Schwartz, C.E.



EXHIBIT "A"

ANNEXATION OF THE  
LANDS OF DAPHNE/BACCIOTTO  
TO  
LAS GALLINAS VALLEY SANITARY DISTRICT  
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PARCEL 2

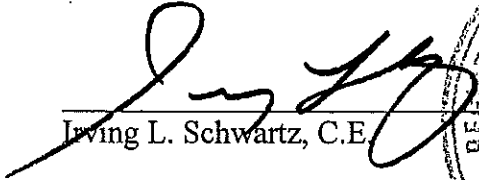
**BEGINNING** at the Southeast corner of "Parcel A" as same is laid down and delineated on that certain map entitled, "Map of CASA Marinwood – in the County of Marin, California", filed May 9, 1966 in Volume 13 of Maps at Page 67, Marin County Records; said point also being a point on the Las Gallinas Valley Sanitary District Boundary;

- 1) Thence easterly along said District boundary East 50.21 feet;
- 2) Thence along said boundary, South  $05^{\circ}12'37''$  West 3.22 feet;
- 3) Thence along said boundary, South  $69^{\circ}15'20''$  East 27.00 feet;
- 4) Thence along said boundary, South  $31^{\circ}09'53''$  East 90.66 feet;
- 5) Thence along said boundary, South  $34^{\circ}54'08''$  East 84.34 feet to an angle point in said boundary;
- 6) Thence leaving said point, South  $01^{\circ}47'27''$  West 201.30 feet;
- 7) Thence South  $14^{\circ}21'14''$  West 405.24 feet;
- 8) Thence South  $05^{\circ}07'27''$  West 210.00 feet;
- 9) Thence South  $00^{\circ}49'02''$  West 470.08 feet;
- 10) Thence South  $09^{\circ}09'55''$  West 413.72 feet;
- 11) Thence South  $27^{\circ}01'31''$  West 245.29 feet;
- 12) Thence South  $41^{\circ}49'29''$  West 46.26 feet;
- 13) Thence North  $44^{\circ}08'26''$  West 329.26 feet;
- 14) Thence North  $08^{\circ}25'07''$  East 190.35 feet;
- 15) Thence North  $47^{\circ}46'10''$  West 87.04 feet;
- 16) Thence North  $07^{\circ}07'06''$  East 337.72 feet;
- 17) Thence North  $69^{\circ}54'25''$  East 312.50 feet;
- 18) Thence along a tangent curve to the left with a radius of 130.00 feet and a central angle of  $71^{\circ}14'07''$  whose arc length is 161.63 feet;
- 19) Thence leaving said curve, North  $01^{\circ}19'42''$  West 120.81 feet;
- 20) Thence along a tangent curve to the right with a radius of 1160.00 feet and a central angle of  $17^{\circ}38'38''$  whose arc length is 357.22 feet;
- 21) Thence leaving said curve, North  $16^{\circ}18'56''$  East 240.13 feet;
- 22) Thence along a tangent curve to the left with a radius of 90.00 feet and a central angle of  $54^{\circ}33'54''$  whose arc length is 85.71 feet;
- 23) Thence leaving said curve, North  $38^{\circ}14'58''$  West 94.73 feet;
- 24) Thence along a tangent curve to the right with a radius of 100.00 feet and a central angle of  $38^{\circ}17'05''$  whose arc length is 66.82 feet;
- 25) Thence leaving said curve, North  $00^{\circ}02'07''$  East 121.88 feet to the point of beginning.

Containing 9.58 acres, more or less.

Total acreage for annexation is 28.45 acres, more or less.

Prepared by:  
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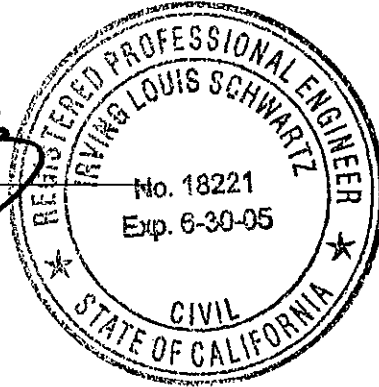
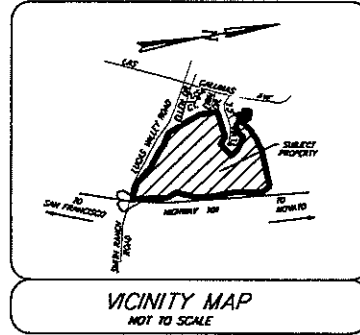
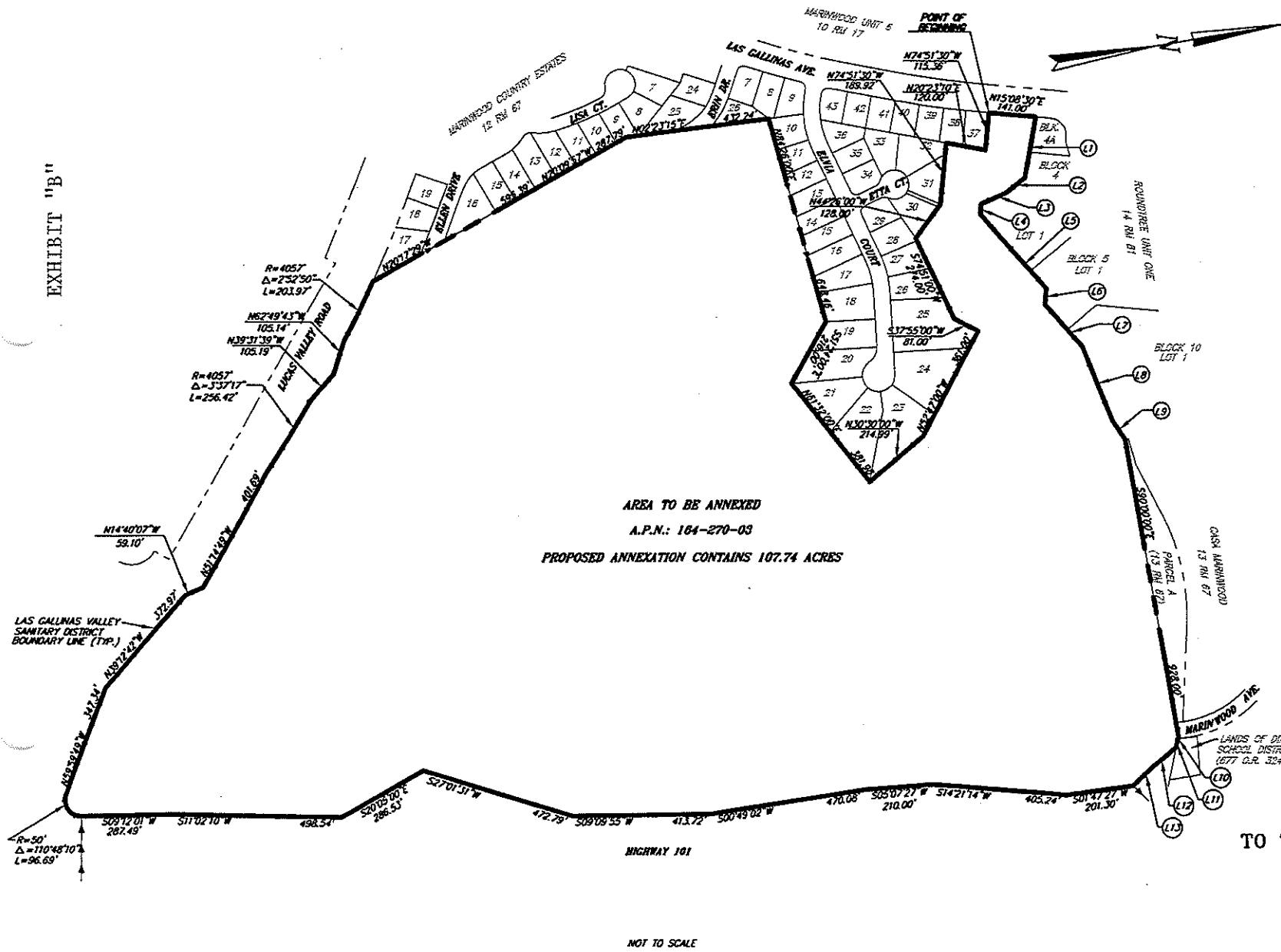


EXHIBIT "B"



LINE	DIRECTION	DISTANCE
L1	S70°16'48"E	190.01'
L2	S25°57'33"E	72.50'
L3	S13°57'33"E	83.51'
L4	S75°57'33"E	32.00'
L5	N59°02'07"E	303.01'
L6	S75°57'33"E	49.63'
L7	N59°02'07"E	171.00'
L8	N70°07'07"E	242.00'
L9	N66°32'07"E	68.18'
L10	S05°12'37"W	3.22'
L11	S69°15'20"E	27.00'
L12	S31°09'33"E	90.66'
L13	S34°54'08"E	84.34'

**ANNEXATION  
OF THE LANDS OF  
DAPHNE/BACCIOCCO  
TO THE LAS GALLINAS VALLEY  
SANITARY DISTRICT**  
(LAPCO FILE NO. 1265)  
MAPPING NO. 05-05  
A.P.N.: 164-270-03

PREPARED BY:  
**ILS ASSOCIATES, INC.**  
SCALE AS SHOWN  
CIVIL ENGINEERING AND LAND SURVEYING

79 GALLI DRIVE, SUITE A NOVATO, CA 94949-5717 (415)883-9200 FAX (415)883-2761  
JANUARY 2005  
JOB NO. 5140 SHEET 1 OF 1 SHEETS

NOT TO SCALE