

**MARIN LOCAL AGENCY FORMATION COMMISSION**

**RESOLUTION 22-32**

**RESOLUTION APPROVING AN ANNEXATION OF 5030 PARADISE DRIVE TO CORTE MADERA  
SANITARY DISTRICT 2 WITH WAIVER OF NOTICE, HEARING AND PROTEST PROCEEDINGS**

"Annexation of 5030 Paradise Drive (APN 038-032-22) to Corte Madera Sanitary District No. 2 (LAFCo File #1368)

**WHEREAS** Jun Shi, hereinafter referred to as applicant, has filed a validated Landowner Petition with the Marin Local Agency Formation Commission, hereinafter referred to as "Commission," pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS** the proposal seeks Commission approval to annex approximately .87 acres of unincorporated land to Corte Madera Sanitary District No.2.

**WHEREAS** the affected territory represents an entire lot developed with the existing single-family residence located at 5030 Paradise Drive and identified by the County of Marin Assessor's Office as APN APN 038-032-22 ("Property"); and

**WHEREAS** the Commission's staff has reviewed the proposal and prepared a report with recommendations; and

**WHEREAS** the staff's report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

**WHEREAS** the Commission considered all the factors required by law under Government Code Section 56668 and 56668.3 and adopted local policies and procedures.

**WHEREAS** the proposal is for an annexation of territory that is uninhabited, and no affected local agency has submitted a written demand for notice and hearing as provided for in Government Code section 56662(a).

**NOW THEREFORE**, the Marin Local Agency Formation Commission **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 and depicted in Exhibits "A" and "B" attached hereto and by this reference incorporated herein.

- a. Approve the proposed annexation of 5030 Paradise Drive (APN 038-032-22) to Corte Madera Sanitary District No. 2 (LAFCo File #1368) as shown and described on Exhibits "A" and "B".

Section 2. The territory includes .87 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of 5030 Paradise Drive (APN 038-032-22) to Corte Madera Sanitary District No. 2 (LAFCo File #1368)"

Section 3. The proposal is consistent with the adopted sphere of influence of Corte Madera Sanitary District No. 2

Section 4. The Executive Officer is hereby authorized to waive notice and hearing, and protest proceedings and complete reorganization proceedings.

**EXHIBIT "A"**  
**ANNEXATION OF ASSESSOR PARCEL NUMBER 038-032-22**  
**TO THE CORTE MADERA SANITATION DISTRICT NO. 2**  
**LAFCO FILE# 1368**

ALL THAT CERTAIN REAL PROPERTY, SITUATED IN THE UNINCORPORATED RANCHO CORTE MADERA DEL PRESIDIO AREA OF THE COUNTY OF MARIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE LINE OF PARADISE DRIVE, DISTANT THEREON SOUTH 38°07'00" EAST, 10.07 FEET FROM THE ANGLE POINT THAT LIES BETWEEN THE TWO BEARINGS SOUTH 56°34'00" EAST AND SOUTH 38°07'00" EAST, SAID POINT BEING ON THE CORTE MADERA SANITARY DISTRICT NO. 2 AND ALSO BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE FOLLOWING SIX COURSES:

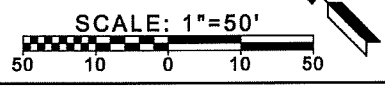
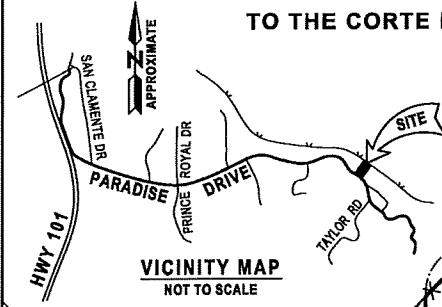
- ① NORTH 45°00'00" EAST, 240.62 FEET; THENCE
- ② SOUTH 51°45'00" EAST, 10.07 FEET; THENCE
- ③ NORTH 45°00'00" EAST, 224.71 FEET; THENCE
- ④ NORTH 90°00'00" EAST, 99.53 FEET; THENCE
- ⑤ SOUTH 45°00'00" WEST, 546.59 FEET TO A POINT ON THE CENTERLINE OF SAID PARADISE DRIVE; THENCE
- ⑥ NORTH 38°07'00" WEST, 80.96 FEET ALONG SAID LINE TO THE TRUE POINT OF BEGINNING AND CONTAINING 0.87 ACRES OF LAND MORE OR LESS.

*NOTE: THIS PLAT WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.*



*Jozeff Elemen*

**EXHIBIT "B"**  
**ANNEXATION OF ASSESSOR PARCEL NUMBER 038-032-22**  
**TO THE CORTE MADERA SANITATION DISTRICT NO. 2**  
**LAFCO FILE# 1368**



<b>CORTE MADERA SANITATION DISTRICT NO. 2</b>		
PART OF RANCHO CORTE MADERA DEL PRESIDIO		
ASSESSOR PARCEL NUMBER: <b>038-032-22</b>		
LAFCO RESOLUTION NUMBER: <b>1368</b>		
AREA= 38,112 SQ. FT. (0.87 ACRES)		
<b>LEGEND:</b>		
	SUBJECT PROPERTY BOUNDARY LINES	
	OTHER PROPERTY BOUNDARY LINES	
	EXISTING SANITATION DISTRICT	
	NEW SANITATION DISTRICT	
	TPOB TRUE POINT OF BEGINNING	
	CENTERLINE	
AMERICAN LAND SURVEYING Phone:(415) 999-9434 Email: office@alspls.com		
DATE:11/3/2022	SHEET 2 OF 2	FILE#:ALS21080

NOTE: THIS PLAT WAS PREPARED FOR ANNEXATION PURPOSES ONLY AND THE DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

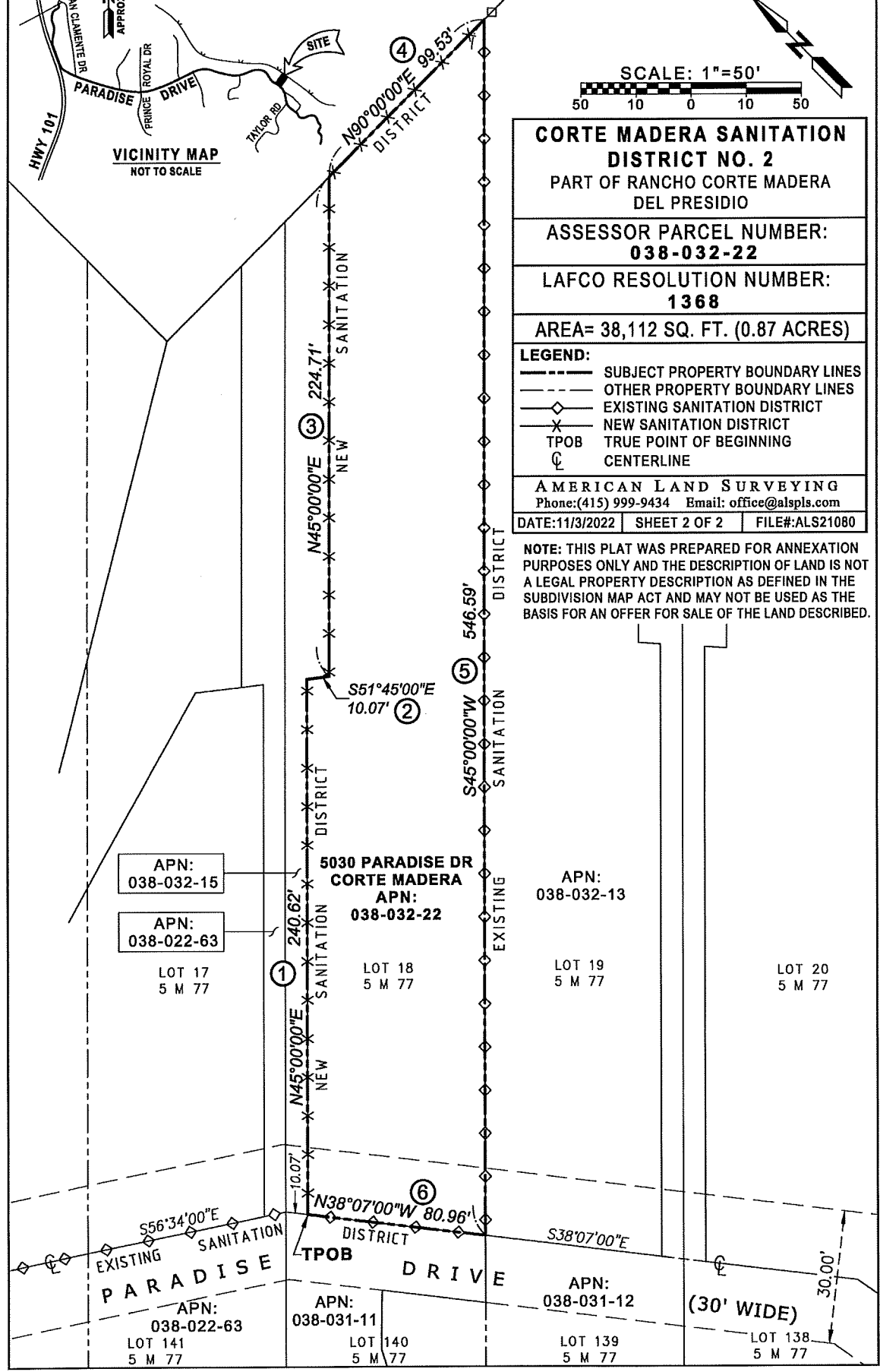


Exhibit "C"

AGREEMENT REGARDING ANNEXATION OF REAL PROPERTY  
TO MARIN LOCAL AGENCY FORMATION COMMISSION

This agreement is made and entered into on this 8 day of December, 2022, by and between the Marin Local Agency Formation Commission, ("LAFCo" hereafter), and Jun Shi ("Owner" hereafter) and is based upon the following facts:

- (a) Owner holds title to that certain real property ("the Property" hereafter) described in Exhibit "A" attached hereto and shown for illustrative purposes only on the attached Exhibit "B"; and
- (b) Owner desires annexation to the Corte Madera Sanitary District provided by Sanitary District 2. LAFCo recognizes that at this time, annexation of this property would result in inefficient provision of services to the property, but that at some point in the future, the LAFCo may desire annexation.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

- 1. Owner agrees on behalf of himself, his heirs, successors and assigns that, in the event any future proceedings for annexation of the property to the Town of Tiburon shall be initiated by LAFCo, Owner shall neither directly nor indirectly oppose or protest such annexation.
- 2. Owner agrees that his obligations hereunder 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 this Agreement and that the obligations undertaken by Owner hereunder shall be binding on all parties having or acquiring any right, title, or interest in the Property.

OWNER:

By: Jun Shi  
Jun Shi, Property Owner, Print Name

Date: 10/03/22

Jun Shi  
Jun Shi, Property Owner, Signature

MARIN LOCAL AGENCY FORMATION COMMISSION:

By: Jason Fried  
Jason Fried, Executive Officer, Print Name

Date: 10/3/22

Jason Fried  
Jason Fried, Executive Officer, Signature

Section 5. As responsible agency under CEQA for the proposed annexation of APN 038-032-22 to Corte Madera Sanitary District No. 2, Marin County Planning Division finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section §15319 Class 19.

Section 6. As a condition of final approval, the applicant must submit the Agreement Regarding Annexation of Real Property to LAFCo attached here to as Exhibit "C" and incorporated herein by reference, clearly stating that they shall not protest any future application to LAFCo to annex their property to the Town of Tiburon, as part of an island annexation.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on December 8, 2022 by the following vote:

AYES: Kious, Coler, Arnold, Rodoni, Murray, Savel, Burdo

NOES: None


ABSTAIN: None

ABSENT: None



Lew Kious, Chair

ATTEST:



Jason Fried, Executive Officer

APPROVED AS TO FORM:



Malathy Subramanian (Dec 12, 2022 09:48 PST)

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 22-32

- a) Exhibit A – Legal Description
- b) Exhibit B – Map
- c) Exhibit C – Agreement Regarding Annexation of Real Property to Marin LAFCo











# Resolution 22-32 Annexation-Unsigned ALL VOTES ON TALLY


Final Audit Report

2022-12-12


Created:	2022-12-10
By:	Stephanie Pratt (spratt@marinlafco.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAHHYHjC4zZ1UDgDRjrqmQI3bHMZZayUqyZ

## "Resolution 22-32 Annexation-Unsigned ALL VOTES ON TALLY" History

-  Document created by Stephanie Pratt (spratt@marinlafco.org)  
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-  Document emailed to malathy.subramanian@bbklaw.com for signature  
2022-12-10 - 0:50:25 AM GMT
-  Email viewed by malathy.subramanian@bbklaw.com  
2022-12-12 - 5:47:33 PM GMT
-  Signer malathy.subramanian@bbklaw.com entered name at signing as Malathy Subramanian  
2022-12-12 - 5:48:19 PM GMT
-  Document e-signed by Malathy Subramanian (malathy.subramanian@bbklaw.com)  
Signature Date: 2022-12-12 - 5:48:21 PM GMT - Time Source: server
-  Document emailed to ldkious@sbcglobal.net for signature  
2022-12-12 - 5:48:22 PM GMT
-  Email viewed by ldkious@sbcglobal.net  
2022-12-12 - 9:53:57 PM GMT
-  Signer ldkious@sbcglobal.net entered name at signing as Lew Kious  
2022-12-12 - 9:57:00 PM GMT
-  Document e-signed by Lew Kious (ldkious@sbcglobal.net)  
Signature Date: 2022-12-12 - 9:57:02 PM GMT - Time Source: server
-  Document emailed to Jason Fried (jfried@marinlafco.org) for signature  
2022-12-12 - 9:57:03 PM GMT

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2022-12-12 - 9:57:53 PM GMT

 Document e-signed by Jason Fried (jfried@marinlafco.org)  
Signature Date: 2022-12-12 - 9:58:14 PM GMT - Time Source: server

 Agreement completed.  
2022-12-12 - 9:58:14 PM GMT