

**MARIN LOCAL AGENCY FORMATION COMMISSION**

**RESOLUTION 22-30**

**RESOLUTION APPROVING AN ANNEXATION OF 255 MARGARITA DRIVE TO SAN RAFAEL SANITATION DISTRICT WITH WAIVER OF NOTICE, HEARING AND PROTEST PROCEEDINGS**

“Annexation of 255 Margarita Drive (APN 016-011-29) to San Rafael Sanitation District (LAFCo File No. 1367)”

**WHEREAS** Paul Thompson, hereinafter referred to as “Property Owner,” 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 1.60 acres of unincorporated land to San Rafael Sanitation District; and

**WHEREAS** the affected territory represents an entire lot developed with an existing single-family residence located at 255 Margarita Drive and identified by the County of Marin Assessor’s Office as APN 016-011-29 (“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.

Section 2. As a condition of approval of the annexation, one of the following must occur by no later than December 9, 2022: (1) Submittal of a notarized easement recorded between the owner of the Property and the property owner of 245 Margarita Drive allowing for the existing public sewer main and written confirmation from San Rafael Sanitation District (SRSD) has approved the new lateral plans and the current connection meets its standards; or (2) written confirmation from SRSD that the owner of the Property has installed the sewer lateral that complies with the original plans SRSD approved in 2015 for the temporary emergency order.

Section 3. As a condition of approval, that a compliant map and legal description are submitted to LAFCo staff no later than December 9, 2022.

Section 4. Approve the proposed annexation of 255 Margarita Drive (APN 016-011-29) to the San Rafael Sanitation District (File #1367) as shown and described on Exhibits "A" and "B" subject to the condition of approval as provided for in Section 2 being completed by no later than December 9, 2022.

Section 5. The territory includes 1.60 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of 255 Margarita Drive (APN 016-011-29) to San Rafael Sanitation District (LAFCo File No. 1367)".

Section 6. The proposal is consistent with the adopted spheres of influence of San Rafael Sanitation District.

Section 7. The Executive Officer is hereby authorized to waive notice and hearing, and protest proceedings and complete reorganization proceedings.

Section 8. As Lead Agency under CEQA for the proposed annexation of APN: 016-011-29 to San Rafael Sanitation District, LAFCo finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319 (a).

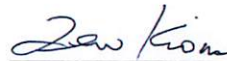
**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on October 13, 2022 by the following vote:

AYES: Kious, Coler, Rodoni, Moody, Campbell, Loder

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: Arnold



Lew Kious, Chair

ATTEST:

APPROVED AS TO FORM:



Jason Fried, Executive Officer



Malathy Subramanian (Oct 24, 2022 10:09 PDT)

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 22-30

- a) Exhibit 'A' – Legal Description
- b) Exhibit 'B' – Map



**EXHIBIT 'A'**

Annexation of the Lands of Thompson  
to the  
San Rafael Sanitary District (File #     )  
Mapping No.

All that certain real property situate in the City of San Rafael, County of Marin, State of California, being the lands of Paul B. Thompson and Kathleen D. Thompson, Trustees of the Thompson Family Living Trust (1998), Parcel One as described in that Grant Deed recorded under Document Number 2015-0023860, Official Records of Marin County, described as follows:

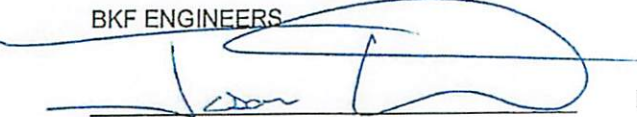
Beginning at a point on the northerly right of way of Margarita Drive, said point being the common southerly corner of said lands of Thompson and the lands of G. Scott Jones and Janet S. Jones, Trustees of the Jones 2001 Trust as described in that Individual Grant Deed Trust Transfer recorded under Document Number 2001-0069475, Official Records of Marin County;

1. Thence leaving said northerly line of Margarita Drive, along the common line of Thompson and Jones, North 30°06'50" West, 47.74 feet;
2. Thence continuing along said common line, North 69°04'00" West, 72.96 feet;
3. Thence continuing along said common line, North 55°24'44" West, 103.00 feet;
4. Thence continuing along said common line, North 19°47'00" West, 127.75 feet to the southerly line of the lands of Ira Sandler as described in that Interspousal Transfer Grant Deed recorded under Document Number 2014-0012451, Official Records of Marin County;
5. Thence along said southerly line of Sandler, North 75°22'04" East, 120.32 feet;
6. Thence continuing along said southerly line, North 68°57'00" East, 159.89 feet to the westerly right of way of Margarita Drive;
7. Thence along said right of way, South 31°21'00" East, 3.46 feet;
8. Thence along said right of way, South 19°25'00" East, 153.13 feet;
9. Thence continuing along said right of way, South 09°16'00" East, 102.28 feet;
10. Thence continuing along said right of way, South 23°53'00" West, 59.86 feet;
11. Thence continuing along said right of way, South 71°11'15" West, 95.55 feet to the point of beginning.

Containing: 1.58 acres, more or less.

Prepared by:

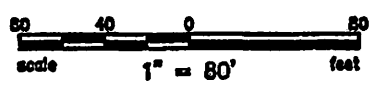
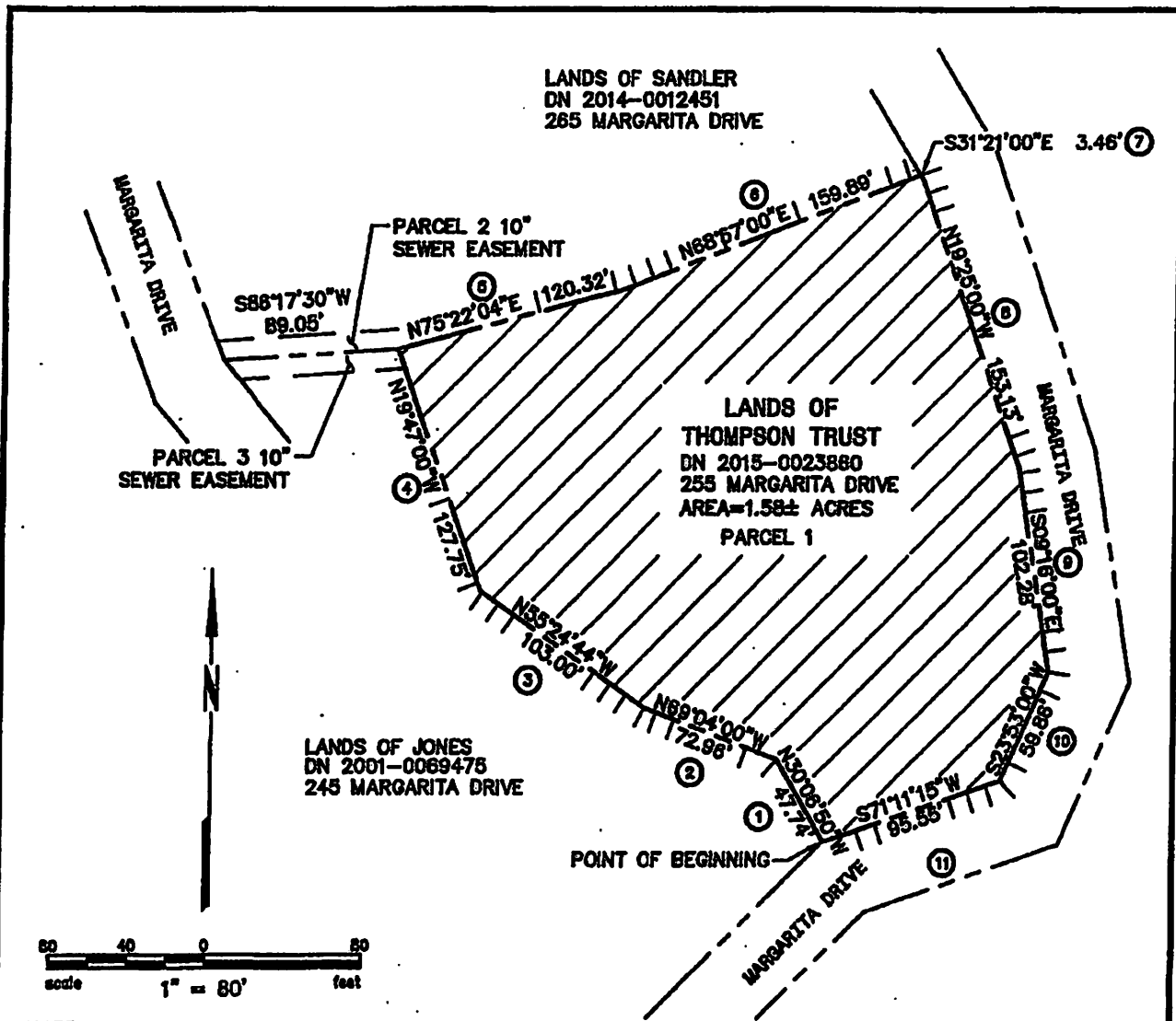
BKF ENGINEERS

  
Jason Kirchmann, P.L.S. 8806

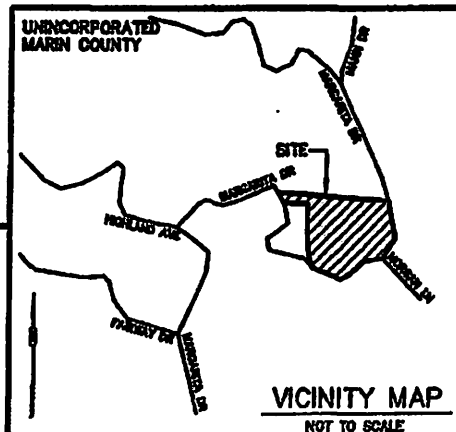
Dated: 8/25/15



EXHIBIT "B"



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



**LEGEND**

- ||||| SANITARY DISTRICT BOUNDARY
- PROPOSED ANNEXATION
- BOUNDARY LINES
- SEWER AND UTILITY EASEMENT



711 GRAND AVE, STE. 240  
 SAN RAFAEL, CA 94901  
 PH: 415-930-7960

JOB NO.	20158062	DATE:	AUGUST 25, 2015
ANNEXATION OF THE LANDS OF THOMPSON TRUST TO THE SAN RAFAEL SANITARY DISTRICT		SCALE:	1 INCH = 80 FEET
MAPPING NO.		FILING NO.	
SAN RAFAEL	MARIN COUNTY	CALIFORNIA	

Plot Aug 25, 2015 at 5:18pm












# Resolution 22-30 UPDATED - Unsigned

Final Audit Report

2022-10-26

Created:	2022-10-21
By:	Stephanie Pratt (spratt@marinlafco.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA86K51h0ltQ_J6PpS6w6_viVar3qbh3o

## "Resolution 22-30 UPDATED - Unsigned" History

-  Document created by Stephanie Pratt (spratt@marinlafco.org)  
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-  Document emailed to malathy.subramanian@bbklaw.com for signature  
2022-10-21 - 5:20:23 PM GMT
-  Email viewed by malathy.subramanian@bbklaw.com  
2022-10-24 - 5:07:10 PM GMT
-  Signer malathy.subramanian@bbklaw.com entered name at signing as Malathy Subramanian  
2022-10-24 - 5:09:08 PM GMT
-  Document e-signed by Malathy Subramanian (malathy.subramanian@bbklaw.com)  
Signature Date: 2022-10-24 - 5:09:10 PM GMT - Time Source: server
-  Document emailed to ldkious@sbcglobal.net for signature  
2022-10-24 - 5:09:12 PM GMT
-  Email viewed by ldkious@sbcglobal.net  
2022-10-26 - 6:04:04 PM GMT
-  Signer ldkious@sbcglobal.net entered name at signing as Lew Kious  
2022-10-26 - 9:23:55 PM GMT
-  Document e-signed by Lew Kious (ldkious@sbcglobal.net)  
Signature Date: 2022-10-26 - 9:23:56 PM GMT - Time Source: server
-  Document emailed to Jason Fried (jfried@marinlafco.org) for signature  
2022-10-26 - 9:23:58 PM GMT
-  Email viewed by Jason Fried (jfried@marinlafco.org)  
2022-10-26 - 9:24:54 PM GMT

 Document e-signed by Jason Fried (jfried@marinlafco.org)

Signature Date: 2022-10-26 - 9:25:04 PM GMT - Time Source: server

 Agreement completed.

2022-10-26 - 9:25:04 PM GMT