

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 07-08

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION  
TO SANITARY DISTRICT #5 (TIBURON)  
WITH WAIVER OF NOTICE, HEARING AND ELECTION

Annexation of the Lands of Jansheski et al to Sanitary District #5 (Tiburon)  
(File #1281)

WHEREAS, a proposal for the annexation of certain territory to the Sanitary District #5 (Tiburon) 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 owners; 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 determinations with respect to said annexation without notice and hearing; and

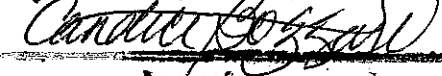
WHEREAS, pursuant to Government Code Section 56663(c), the affected territory is uninhabited; all the owners of land within the affected territory have given their written consent; and the affected local agency that will gain territory, Sanitary District #5 (Tiburon), has consented in writing to a waiver of protest proceedings, this Commission may make determinations with respect to said application with waiver of protest proceedings; and

WHEREAS, as Lead Agency, the Commission certifies that an initial study and proposed mitigated Negative Declaration of Environmental Impact was prepared for this project and distributed on February 16, 2007; was reviewed and considered by the Commission; and was adopted by Resolution No. 07-07 dated May 10, 2007; 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:

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 

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 approximately 118.5 acres, is found to be inhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Jansheski et al to Sanitary District #5 (File #1281)".

Section 3. The proposed annexation is approved subject to the following conditions:

The applicant shall provide a map and legal description of the approved annexation area meeting the standards of the State Board of Equalization as approved by the County Surveyor.

Section 4. The proposal is consistent with the adopted sphere of influence for Sanitary District #5 (Tiburon).

Section 5. The Executive Officer is hereby authorized to complete annexation proceedings in the manner prescribed by Section 57000 of the Government Code.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on this 10<sup>th</sup> day of May 2007 by the following vote:

AYES: Commissioners Adams, Asbo, Burdick, Heller, McGlashan, Rodoni, Slavitz

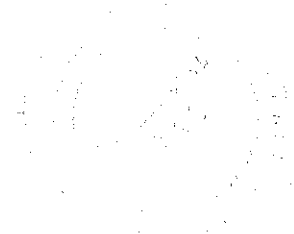
NOES: None

ABSENT: Commissioner Blanchfield

Barbara Heller  
BARBARA HELLER, Vice-Chairperson

ATTEST:

Peter V. Banning  
PETER V. BANNING, Executive Officer



ANNEXATION OF THE LANDS OF JANSHESKI ET AL  
TO  
SANITARY DISTRICT No. 5  
MAPPING No. 02-07

Those Parcels of land in the County of Marin, portions of which are also in the Town of Tiburon, more particularly described as follows:

**PARCEL ONE**

Commencing at the standard street monument at the Center of Acacia Drive cul de sac, as delineated on the Map of Acacia Court Subdivision, recorded in Volume 20 of Maps at page 41, Marin County records;

1. thence South  $89^{\circ}35'23''$  East, 40.00 feet to easterly line of Acacia Drive cul de sac at the southwesterly corner of Lot 4 (20 M 41);
2. thence South  $74^{\circ}47'17''$  East, 289.826 feet to the southerly corner of Lot 4;
3. thence North  $22^{\circ}47'23''$  East, 109 feet to easterly corner of Lot 4;
4. thence South  $45^{\circ}24'00''$  East, 196.00 feet;
5. thence South  $45^{\circ}24'00''$  East, 91.00 feet to the True Point of Beginning of Parcel One, said

- point being the westerly corner of lands shown on the Record of Survey recorded in Book 30 of Surveys at page 52, Marin County Records;
6. thence North  $44^{\circ}59'33''$  East, 1,078.26 feet along the northwesterly line of said Record of Survey (30 OS 52), to northerly line of Paradise Drive;
  7. thence North  $55^{\circ}38'19''$  West, 10.295 feet along the northerly line of Paradise Drive;
  8. thence South  $71^{\circ}52'41''$  West, 351.07 feet along the northerly line of Paradise Drive;
  9. thence South  $48^{\circ}19'41''$  West, 105.85 feet along the northerly line of Paradise Drive;
  10. thence South  $36^{\circ}55'41''$  West, 31.243 feet along the northerly line of Paradise Drive;
  11. thence southwesterly along a tangent curve concave to the right, with a radius of 260 feet, through a central angle of  $32^{\circ}39'$ , for an arc length of 148.16 feet along the northerly line of Paradise Drive;
  12. thence South  $69^{\circ}34'41''$  West, 33.36 feet along the northerly line of Paradise Drive;
  13. thence westerly along a tangent curve concave to the right, with a radius of 120 feet, through a central angle of  $25^{\circ}02'$ , for an arc length of 52.430 feet along the northerly line of Paradise Drive;
  14. thence North  $85^{\circ}23'19''$  West, 56.847 feet along the northerly line of Paradise Drive;
  15. thence northwesterly along a tangent curve concave to the right, with a radius of 151.97 feet, through a central angle of  $32^{\circ}19'$ , for an arc length of 85.716 feet along the northerly line of Paradise Drive;
  16. thence North  $51^{\circ}04'19''$  West, 83.857 feet along the northeasterly line of Paradise Drive;
  17. thence North  $25^{\circ}16'19''$  West, 66.45 feet along the northeasterly line of Paradise Drive;
  18. thence North  $62^{\circ}51'49''$  West, 36.617 feet along the northeasterly line of Paradise Drive;

19. thence North  $18^{\circ}30'19''$  West, 40.734 feet along the northeasterly line of Paradise Drive;
20. thence northerly along a tangent curve concave to the right, with a radius of 260. feet, through a central angle of  $51^{\circ}40'$ , for an arc length of 234.456 feet along the easterly line of Paradise Drive;
21. thence North  $33^{\circ}09'41''$  East, 196.22 feet along the easterly line of Paradise Drive;
22. Thence North  $54^{\circ}15'12''$  West, 67.47 feet to a point on the westerly line of Paradise Drive;
23. thence North  $72^{\circ}06'15''$  West, 200 feet;
24. thence North  $17^{\circ}53'45''$  East, 101.54 feet;
25. thence North  $89^{\circ}16'56''$  West, 254 feet;
26. thence North  $00^{\circ}33'45''$  East, 195 feet;
27. thence North  $57^{\circ}36'15''$  West, 52.28 feet;
28. thence North  $89^{\circ}26'15''$  West, 11 feet;
29. thence North  $57^{\circ}36'15''$  West, 49.26 feet;
30. thence North  $00^{\circ}33'45''$  East, 231 feet to a point on the southwesterly line of Paradise Drive;
31. Thence North  $14^{\circ}07'09''$  West, 147.95 feet to a point on the northeasterly line of Paradise Drive;
32. thence North  $16^{\circ}52'45''$  East, 32.69 feet;
33. thence North  $80^{\circ}02'45''$  East, 255.97 feet;
34. thence North  $30^{\circ}47'19''$  West, 12.89 feet;
35. thence North  $80^{\circ}02'45''$  East, 31.55 feet;
36. thence North  $28^{\circ}28'45''$  East, 164.36 feet;
37. thence North  $54^{\circ}26'15''$  West, 25.19 feet;

38. thence South  $83^{\circ}03'15''$  East, 92.69 feet;
39. thence South  $89^{\circ}26'15''$  East, 1225.42 feet;
40. thence South  $25^{\circ}11'15''$  East, 33.31 feet;
41. Thence North  $89^{\circ}26'15''$  West, 1239.89 feet;
42. thence South  $33^{\circ}12'45''$  West, 24.371 feet;
43. thence South  $40^{\circ}41'15''$  East, 42.933 feet;
44. thence South  $89^{\circ}26'15''$  East, 397.520 feet;
45. thence South  $47^{\circ}22'45''$  West, 467.67 feet to a point on the southwesterly line of Mira Mar Road;
46. thence South  $39^{\circ}15'15''$  East, 56.5 feet along the southwesterly line of Mira Mar Road;
47. thence easterly along a non-tangent curve concave to the left, whose center bears North  $66^{\circ}54'53''$  East , with a radius of 30 feet, through a central angle of  $121^{\circ}52'39''$ , for an arc length of 63.815 feet along the southwesterly line of Mira Mar Road;
48. thence North  $89^{\circ}56'45''$  East, 117.80 feet along the southwesterly line of Mira Mar Road;
49. thence North  $01^{\circ}10'45''$  East, 30.00 feet to a point on the northeasterly line of Mira Mar Road;
50. thence North  $40^{\circ}32'35''$  East, 200.41 feet to a point on the northerly line of the Map of Recreo Del Mar, recorded in Book 5 of Maps at page59, Marin County Records;
51. thence South  $85^{\circ}06'15''$  East, 54.65 feet along the northerly line of said map (5 M 59);
52. thence South  $76^{\circ}26'15''$  East, 79.2 feet along the northerly line of said map (5 M 59);
53. thence South  $35^{\circ}26'15''$  East, 42.6 feet along the northerly line of said map (5 M 59);
54. thence South  $56^{\circ}00'45''$  West, 60 feet;

55. thence South  $24^{\circ}56'54''$  East, 97.22 Feet;
56. thence North  $60^{\circ}55'45''$  East, 49 feet;
57. thence North  $68^{\circ}30'52''$  East, 786.94 feet;
58. thence South  $35^{\circ}14'30''$  East, 593.62 feet (calc.) to the northerly corner of said Record of Survey (30 OS 52);
59. thence South  $40^{\circ}15'22''$  East, 1298.22 feet along the northeasterly line of said Record of Survey (30 OS 52);
60. thence South  $27^{\circ}38'34''$  West, 597.83 feet along the southeasterly line of said Record of Survey (30 OS 52);
61. thence South  $44^{\circ}55'08''$  West, 1386.07 feet along the southeasterly line of said Record of Survey (30 OS 52);
62. thence North  $46^{\circ}46'38''$  West, 1475.86 feet along the southwesterly line of said Record of Survey (30 OS 52) to the True Point of Beginning of Parcel One.

**PARCEL TWO**

Commencing at the standard street monument at the Center of Acacia Drive cul de sac, as delineated on the Map of Acacia Court Subdivision, recorded in Volume 20 of Maps at page 41, Marin County records;

63. thence South  $18^{\circ}18'50''$  West, 40.00 feet to southerly line of Acacia Drive;
64. thence South  $17^{\circ}05'46''$  West, 360.86 feet;
65. thence South  $23^{\circ}34'30''$  East, 128.26 feet;
66. thence North  $34^{\circ}40'$  East, 182.695 feet;
67. thence South  $45^{\circ}24'00''$  East, 130.29 feet to the True Point of Beginning of Parcel Two;
68. thence South  $45^{\circ}24'$  East, 126 feet;
69. thence South  $44^{\circ}36'00''$  West, 407 feet;
70. thence northwesterly along a non-tangent curve concave to the right, whose center bears North  $44^{\circ}36'00''$  East, with a radius of 389.830 feet, through a central angle of  $12^{\circ}24'00''$ , for an arc length of 84.367 feet;
71. thence North  $33^{\circ}00'00''$  West, 9.572 feet;
72. thence North  $39^{\circ}50'37''$  East, 397.215 feet to the True Point of Beginning of Parcel Two.

**PARCEL THREE**

Commencing at the standard street monument at the Center of Acacia Drive cul de sac, as delineated on the Map of Acacia Court Subdivision, recorded in Volume 20 of Maps at page 41, Marin County records;

73. thence North 29°48'00" West, 119.419 feet;

74. thence South 60°12' West, 25 feet to the True Point of Beginning of Parcel Three;

75. thence South 29°50'40" West, 279.19 feet;

76. thence North 23°34'30" West, 225.00 feet;

77. thence North 30°30' East, 163.181 feet;

78. thence easterly and southerly along a tangent curve concave to the right, with a radius of 50 feet, through a central angle of 40°50'05", for an arc length of 35.635 feet;

79. thence North 18°39'55" West, 50 feet;

80. thence North 35°55'20" West, 446.792 feet;

81. thence North 44°24'05" East, 160.602 feet;

82. thence South 45°24' East, 276.00 feet;

83. thence South 15°20'12" West, 150.00 feet;

84. thence South 13°39'42" East, 137.00 feet;

85. thence South 4°16'05" West, 50 feet;

86. thence easterly along a non-tangent curve concave to the right, with a radius of 50 feet, through a central angle of 55°55'55", for an arc length of 48.810 feet;

87. thence South 29°48' East, 120 feet to the True Point of Beginning of Parcel Three.

**PARCEL FOUR**

Commencing at the standard street monument at the Center of Acacia Drive cul de sac, as delineated on the Map of Acacia Court Subdivision, recorded in Volume 20 of Maps at page 41, Marin County records;

88. thence South  $89^{\circ}35'23''$  East, 40.00 feet to easterly line of Acacia Drive, the True Point of Beginning of Parcel Four;

89. thence northerly along a non-tangent curve concave to the left, whose center bears North  $89^{\circ}35'23''$  West, with a radius of 40 feet, through a central angle of  $71^{\circ}37'11''$ , for an arc length of 50.000 feet;

90. thence northerly along a tangent reversed curve concave to the right, with a radius of 20 feet, through a central angle of  $41^{\circ}24'34''$ , for an arc length of 14.455 feet;

91. thence North  $29^{\circ}48'$  West, 48.733 feet;

92. thence North  $72^{\circ}40'08''$  East, 253.23 feet;

93. thence South  $45^{\circ}24'$  East, 200.00 feet;

94. thence South  $22^{\circ}47'23''$  West, 109 feet;

95. thence North  $74^{\circ}47'17''$  West, 289.826 feet to True Point of Beginning of Parcel Four

**PARCEL FIVE**

Commencing at the standard street monument at the Center of Acacia Drive cul de sac, as delineated on the Map of Acacia Court Subdivision, recorded in Volume 20 of Maps at page 41, Marin County records;

96. thence South  $62^{\circ}22'27''$  East, 40 feet to the True Point of beginning of Parcel Five;
97. thence South  $73^{\circ}13'33''$  East, 286.00 feet;
98. thence South  $33^{\circ}25'49''$  West, 207 feet;
99. thence South  $77^{\circ}47'37''$  West, 307.442 feet;
100. thence North  $17^{\circ}05'46''$  East, 314.83 feet;
101. thence easterly along a non-tangent curve concave to the left, whose center bears North  $18^{\circ}31'50''$  East, with a radius of 40 feet, through a central angle of  $80^{\circ}54'17''$ , for an arc length of 56.482 feet to the True Point of Beginning of Parcel Five.

End of Description

For information purposes only, the basis of bearings for the above description is Acacia Court Subdivision (20 M 41). Record bearings beyond Acacia Court Subdivision have different basis of bearings. Those record bearings have been rotated as follows:

Course numbers 6, and 59 - 62, record bearings have been rotated counterclockwise  $0^{\circ}51'19''$ .

Course numbers 7 -21, record bearings have been rotated counterclockwise  $0^{\circ}20'11''$ .

Course numbers 23 - 57, record bearings have been rotated counterclockwise  $0^{\circ}33'45''$ .

Prepared by CSW/Stuber-Stroeh Engineering Group, Inc.

Ronald B. Simpkins, L.S. No. 3201,

Exp. 6/30/08

Date: 06/25/07

File:666.748A

Checked by:

Ron S. - 666748-A 07-11-07.wpd



Exhibit "B"

"Annexation of the Lands of Jansheski et al  
to Sanitary District #5 (File #1281)"

Refer to:

RECORDED ON AUGUST 14, 2007

AS BOOK 2007 OF MAPS,

PAGE 162 ;

MARIN COUNTY RECORDER