

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 89-3

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
WITH WAIVER OF NOTICE, HEARING AND ELECTION
TO THE HOMESTEAD VALLEY SANITARY DISTRICT"SEQUOIA VALLEY ROAD ANNEXATION #2"

WHEREAS, a proposal for the proposed annexation of certain territory to the Homestead 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 owners of the properties (AP Nos. 46-192-05 and 46-231-01,02,14,15 and 16); 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 56837, when a petition is accompanied by written consent of 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, the Executive Officer has reviewed the proposal and prepared a report, including his recommendation thereon, the proposal and report having been presented to and considered by this Commission.

NOW, THEREFORE, the Local Agency Formation Commission of the County of Marin DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. Subject to the terms and conditions hereinafter specified, the proposal made by petition is approved.

Section 2. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 3. The territory includes 2.90 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Sequoia Valley Road

Annexation #2" to the Homestead Valley Sanitary District.

Section 4. The proposal is consistent with the spheres of influence of affected local agencies.

Section 5. Any resolution authorizing the annexation approved by this resolution shall impose the standard terms and conditions of the Homestead Valley Sanitary District, as set forth in Exhibit "B," attached hereto and incorporated herein.

Section 6. The Homestead Valley Sanitary District is designated as the conducting district for further proceedings, and the Board of Directors of said District is hereby directed to initiate proceedings in compliance with this resolution and is authorized to proceed without notice, or election, pursuant to Government Code Section 56837.

Section 7. The project is categorically exempt pursuant to provisions of the California Environmental Quality Act and the Commission's Environmental Guidelines.


Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 9th day of February 1989 by the following vote:

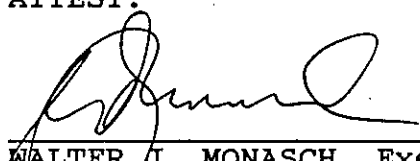
AYES: Commissioners Mayberry, Williams and Foote

NOES: None

ABSENT: Commissioners Giacomini and Stockwell


 KATHLEEN E. FOOTE, Chairman
 Marin Local Agency Formation
 Commission

ATTEST:


 WALTER J. MONASCH, Executive Officer

Dated: February 10, 1989



DJ. SCRANTON SURVEYING

89 15234

845 Olive Ave., Suite 208
Novato, California 94947
(415) 897-2663

EXHIBIT "A"

SEQUOIA VALLEY ROAD ANNEX # 2
TO
HOMESTEAD VALLEY SANITARY DISTRICT

Commencing at a point situated on the Westerly Right of Way of Sequoia Valley Road, said point being the SouthEasterly corner of Parcel 2 as said parcel is depicted upon that certain Parcel Map entitled "Parcel Map Lot Line Adjustment of Portion of Lot 46 Marin View Acres, 3 RM 49", recorded in Parcel Map Book 8 at Page 31, Marin County Records, thence go S 88° 26' W, 213.70 feet; thence S 02° 29' 50" E, 110.65 feet; thence S 21° 40' W, 201.04 feet; thence S 68° 20' E, 132.03 feet; thence N 46° 40' E, 25.87 feet; thence S 43° 20' E, 169.76 feet; thence N 40° 36' E, 123.69 feet to a point situated on the Westerly Right of Way of said Sequoia Valley Road; thence N 85° 26' E, 50.67 feet to a point situated on the Easterly Right of Way of said Sequoia Valley Road, said Easterly Right of Way being the existing boundary of the Homestead Valley Sanitary District; thence in a Northerly direction along said Easterly Right of Way and said existing boundary to a point which bears N 88° 26' E, 52.88 feet from the point of beginning; thence leaving said Easterly Right of Way and said existing boundary go S 88° 26' W, 52.88 feet to the point of beginning, containing 2.90 acres, more or less.



Exp. 6/30/92

This description was prepared by Douglas J. Scranton LS 5379

Boundary • Parcel Maps • Subdivisions • Construction Layout • Topography

EXHIBIT "B"

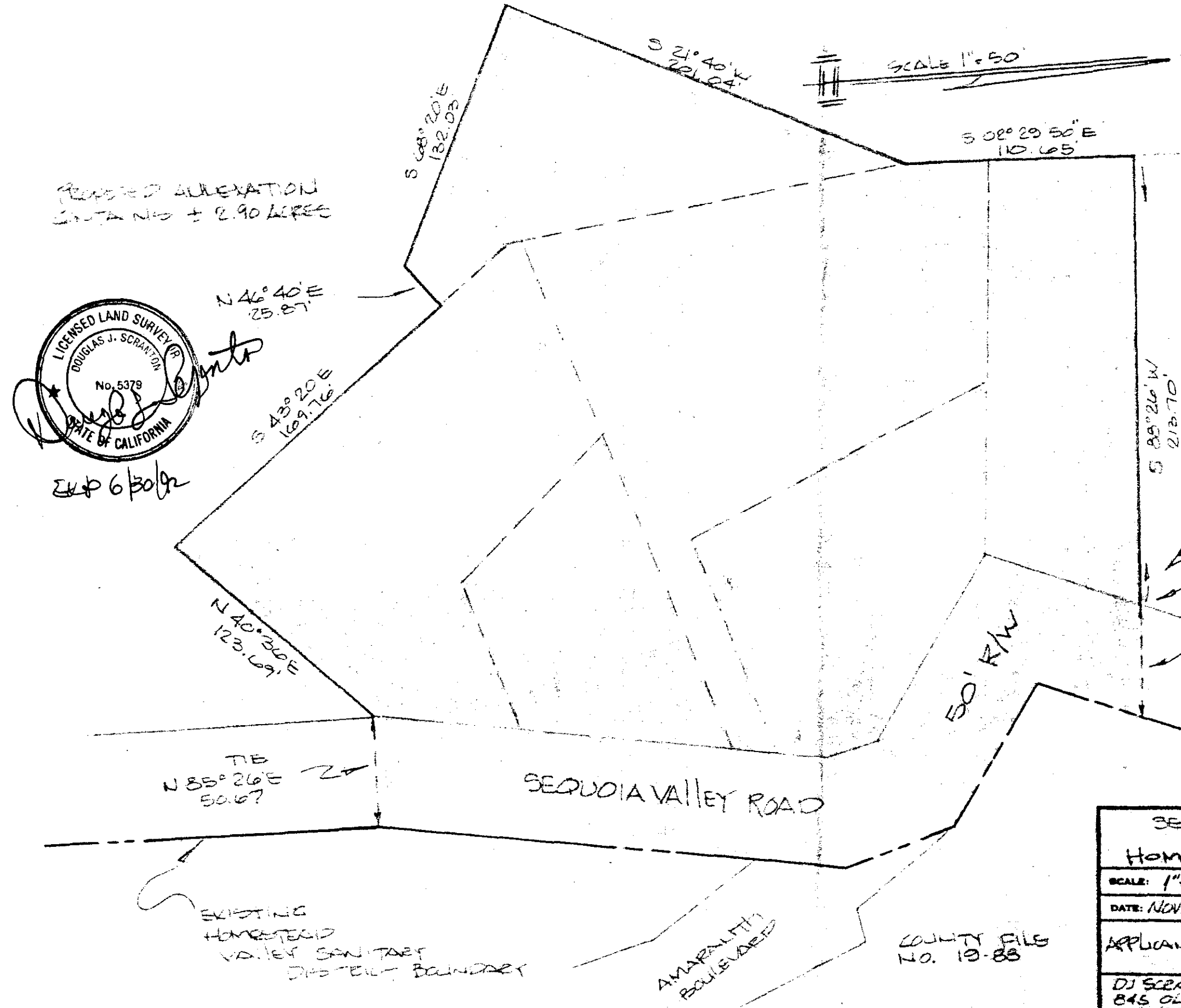
HOMESTEAD VALLEY SANITARY DISTRICT

The annexation shall be subject to the following terms and conditions:

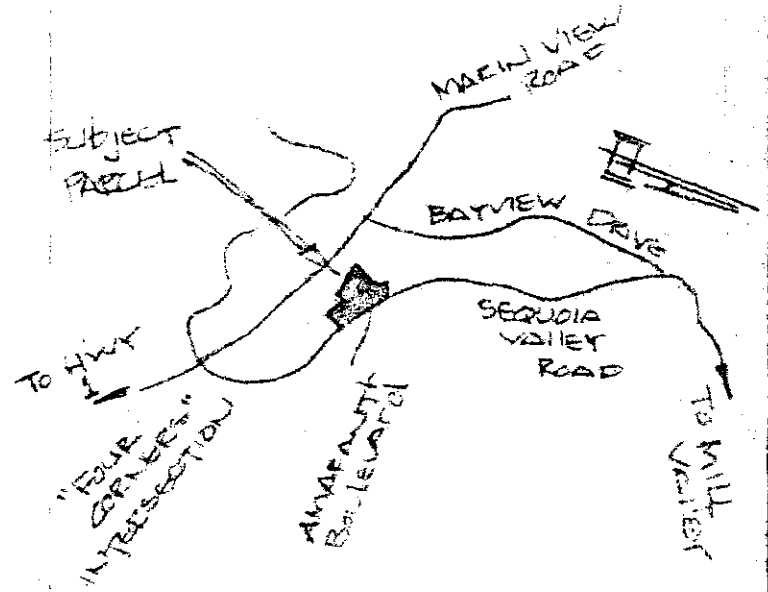
1. In the event that pursuant to rules, regulations or ordinances of the District, as now or hereafter amended, the District shall require any payment of a fixed or determinable amount of money, either as a lump sum or in installments, or the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of the District; such payment shall be made to the District in the manner and at the time as provided by the rules, regulations or ordinances of the District, as now or hereafter amended, pursuant to which such payment is required.

2. Upon and after the effective date of said annexation, the territory, all inhabitants within such territory, and all persons entitled to vote by reason of residing or owning land within the territory shall be subject to the jurisdiction of the District; shall have the same rights and duties as if the territory had been a part of the District upon its original formation; shall be liable for the payment of principal, interest and any other amounts which shall become due on account of any outstanding or then authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and ordinances of the District, as now or hereafter amended.

3. No right to capacity in any facilities or public improvements of District, service, or priority of service shall arise because of annexation. District shall, in its sole discretion, determine when and if service can be provided, the priority of service and the conditions upon which service may be made if District determines service can be provided.



PROPOSED ALLEXATION
CONTAINS ± 2.90 ACRES



LOCATION MAP
(NO SCALE)

P.O.B. OF LEGAL DESCRIPTION
THE SE CORNER OF PARCEL 2
AS DEPOSITED JAN 3 PM 31
MARIN COUNTY RECORDS

TIE
S 88° 26' W
52.88'

THE EASTERLY R/W
OF SEQUOIA VALLEY ROAD
EXISTING DISTRICT
BOUNDARY

TIE
N 85° 26' E
50.67'

EXISTING
HOMESTEAD
VALLEY SANITARY
DISTRICT BOUNDARY

COUNTY FILE
NO. 19-88

SEQUOIA VALLEY ROAD ANNEX # 2 TO HOMESTEAD VALLEY SANITARY DISTRICT		
SCALE: 1" = 50'	APPROVED BY:	DRAWN BY DJ3
DATE: NOV. 3, 1988		REVISED
APPLICANT: JANE COLTON 690 SEQUOIA VALLEY ROAD MILL VALLEY, CA 94541		
DJ SCRANTON SURVEYING 845 OLIVE AVENUE SUITE 208 NOVATO CA 94945 8972663		DRAWING NUMBER 88-602