

**MARIN LOCAL AGENCY FORMATION COMMISSION**

**RESOLUTION NO. 99-15**

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

**"Paradise Drive Annexation #4"**

**WHEREAS**, an application for the proposed annexation of certain territory to Sanitary District #5, 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**, signatures on said petition constitutes written consent of all owners of land within the territory proposed to be annexed; and

**WHEREAS**, pursuant to Government Code Section 56837, when a resolution of application is signed by all owners of land within the affected territory, this Commission may make determination with respect to said annexation without notice and hearing; 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 Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. Subject to the terms and conditions hereinafter specified, the application is approved.

Section 2. The boundaries, as set forth in the application, are hereby approved as submitted and are as described in Exhibit "A" and "B" attached hereto and by this reference incorporated herein. The approved boundaries include Assessor Parcel Nos. 058-031-03, 058-031-04, 058-031-05 and 058-031-12.

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 Dory Adams

Section 3. The territory includes 2.4 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Paradise Drive Annexation #4" to Sanitary District #5.

Section 4. The application is consistent with the adopted sphere of influence for Sanitary District #5.

Section 5. Any resolution authorizing the annexation approved by this resolution shall impose the following terms and conditions:

1. In the event that pursuant to the rules, regulations, resolutions 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, for 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 will be made to the district in the manner and at the time as provided by the rules, regulations, resolutions or ordinances of the District, as now or hereafter amended.
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, resolutions and ordinances of the District, as now or hereafter amended.

Section 6. Sanitary District #5 is designated as the conducting authority for further proceedings, and the Board 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 §15303(a) and §15319 of the Guidelines for Implementation of the California Environmental Quality Act.

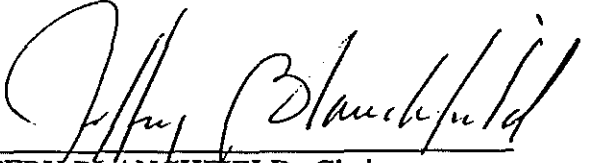
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 9th day of December, 1999 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller, Hennessy, Kress, Murray and Quesada

NOES: None

ABSENT: Commissioner Ware

  
JEFFRY BLANCHFIELD, Chairperson

ATTEST:

  
PETER V. BANNING, Executive Officer

August 17, 1999

EXHIBIT "A"  
PARADISE DRIVE ANNEXATION NO. 4  
TO  
SANITARY DISTRICT NO. 5  
MAPPING NO. 12/99

Commencing at the northern corner of the parcel conveyed to John J. Wolfersperger, Jr., and Edith Ballantine Wolfersperger, as Trustees of the 1995 John Jacob Wolfersperger, Jr. and Edith Ballantine Wolfersperger Revocable Trust, by Grant Deed recorded on March 29, 1995, in Document No. 95-014257, Marin County Records, said corner also being on the centerline of a 20 foot wide private road as shown on the Record of Survey of Lands of Harper, recorded on December 15, 1977, in Book 14 of Surveys at Page 60, Marin County Records, and on the boundary line of Sanitary District No. 5;

thence leaving the boundary line of Sanitary District No. 5 along the northerly line of said parcel and said centerline, South 48°31'00" East, 74.00 feet;

thence continuing along said centerline, South 70°51'00" East, 60.00 feet to the True Point of Beginning and common corner of said parcel and the parcel conveyed to Ruth B. Goldstein, by deed recorded, April 28, 1992, in Doc. Number 92-030735, Marin County Records, and Parcel One conveyed to Lawrence Y. Goldberg and Nancy R.. Goldberg, by deed recorded June 1, 1995, in Doc. Number 95-025001, Marin County Records;

thence leaving said Goldstein parcel continuing along said centerline and along said Goldberg parcel, North 62°46'05" East, 180.75 feet, more or less, to the western corner of the Parcel One conveyed to Marion K. Hill, as Trustee or Successor Trustee(s) of the Marion K. Hill Loving Trust, by Grant Deed recorded on September 8, 1998, in Document No. 1998-0064031, Marin County Records;

thence leaving said Goldberg parcel continuing along said centerline and along the southwesterly line of said Hill parcel, North 62°46'05" East, 107.00 feet;

thence North 61°25'00" West, 34.82 feet;

thence leaving said centerline, North 36°34'00" East, 258.10 feet;

thence South 57°30'00" East, 175.00 feet;

thence South 36°34'00" West, 301.30 feet to Parcel Two conveyed to Lawrence Y. Goldberg and Nancy R.. Goldberg, by deed recorded June 1, 1995, in Doc. Number 95-025001, Marin County Records;

thence leaving said Hill parcel along the southeasterly line of said Parcel Two, South 36°34'00" West, 154.15 feet, more or less, to the northerly line of Tiburon Boulevard (currently known as Paradise Drive) as set forth in Liber 51 of Deeds Page 363 recorded August 2, 1898, Marin County Records;

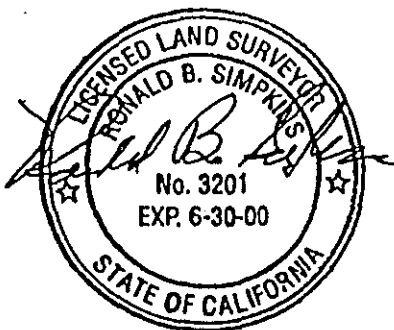
thence along said northerly line, North 84°05'00" West, 21.05 feet, more or less, to the eastern corner of said Goldstein parcel and intersection of said 20 foot wide private road;

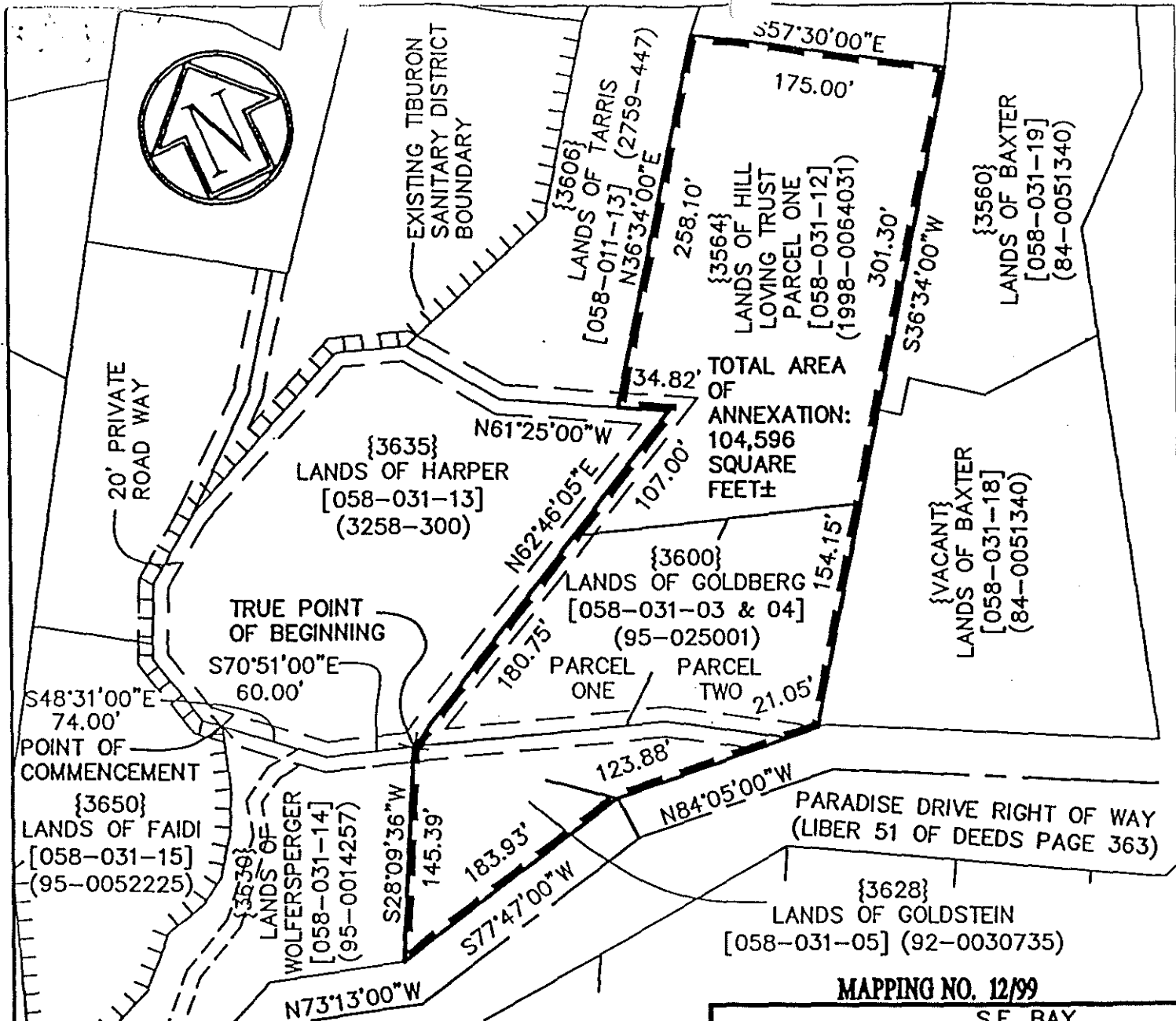
thence leaving said Goldberg parcel continuing along the northerly line of Tiburon Boulevard (currently known as Paradise Drive) and along the southerly line of said Goldstein parcel, North 84°05'00" West, 123.88 feet;

and thence South 77°47'00" West, 183.93 feet;

thence leaving the northerly line of said Boulevard in a northeasterly direction, North 28°09'36" East, 145.39 feet, more or less, to the True Point of Beginning.

Said description containing 104,596 square feet or 2.4 acres, more or less.

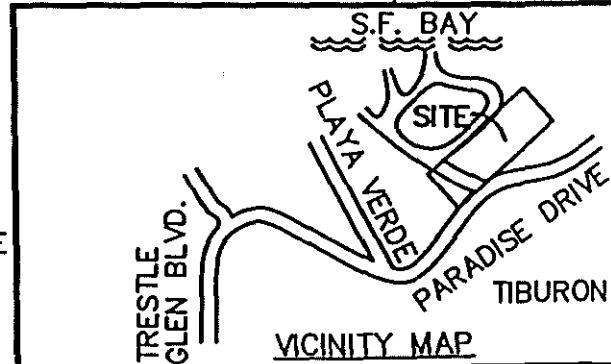




AREA OF ANNEXATION  
= 104,596 SQUARE FEET ±  
OR 2.4 ACRES ±

**LEGEND:**

- DEED
- ADDRESS ON PARADISE DRIVE
- ASSESSOR'S PARCEL NO.
- EXISTING BOUNDARY
- PROPOSED ANNEXATION



**CSW**

**[St]<sup>2</sup>**

CSW/STUBER-STROEH  
ENGINEERING GROUP, INC.  
CONSULTING ENGINEERS

790 DeLong Ave., Novato, CA. 94945-3246  
(415) 892-4763 FAX (415) 892-4502

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SCALE: 1" = 100'  
6/15/99

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**PARADISE DRIVE  
ANNEXATION NO. 4 TO  
SANITARY DISTRICT NO. 5**

TIBURON

COUNTY OF MARIN

CA

EXHIBIT "B"