

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 01-12

**RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION WITH
WAIVER OF NOTICE, HEARING AND ELECTION
TO SAN RAFAEL SANITATION DISTRICT**

"Annexation of the Lands of Burns to San Rafael Sanitation District (File 1195)"

WHEREAS, a proposal for the annexation of certain territory to the San Rafael Sanitation 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 property owners; and

WHEREAS, said petition was signed by all owners of land within the territory proposed to be annexed; and

WHEREAS, pursuant to Government Code Section 56663, when an application is accompanied by written consent signed by all owners of land within the territory proposed to be annexed, this Commission may make determination 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, San Rafael Sanitation District, has consented in writing to a waiver of conducting authority proceedings, this Commission may make determination with respect to said application with waiver of conducting authority proceedings; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including a recommendation thereon, the proposal 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:

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 1.52 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Burns to San Rafael Sanitation District (File #1195)".

Section 3. The proposal is consistent with the adopted sphere of influence for San Rafael Sanitation District.

Section 4. Approval of the proposal is granted subject to the following conditions:

Proceedings for the annexation shall not be completed until the applicant and the City of San Rafael execute and record an agreement wherein:

- 1) The property owner agrees on behalf of himself, his heirs, successors and assigns that, in the event any future proceedings for the annexation of the property to the City of San Rafael shall be initiated by the City, the owner shall neither directly nor indirectly oppose or protest such annexation; and
- 2) That the owner agrees that his obligations under the agreement 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 the agreement and that the obligations undertaken by the owner shall be binding on all parties having or acquiring any right, title, or interest in the property.

Section 5. The Executive Officer is hereby authorized to complete annexation proceedings and directed to mail certified copies of the resolution in the manner prescribed by Section 57000 et seq. of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 14th day of June, 2001 by the following vote:

AYES: Commissioners Bach, Blanchfield, Chapman, Heller and Rodoni

NOES: None

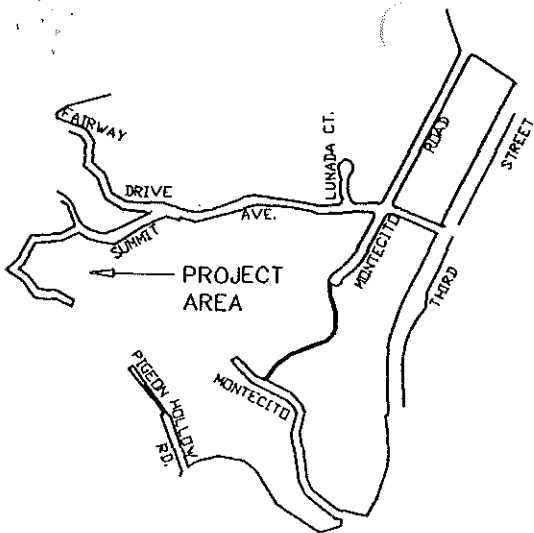
ABSENT: Commissioners Kress and Murray



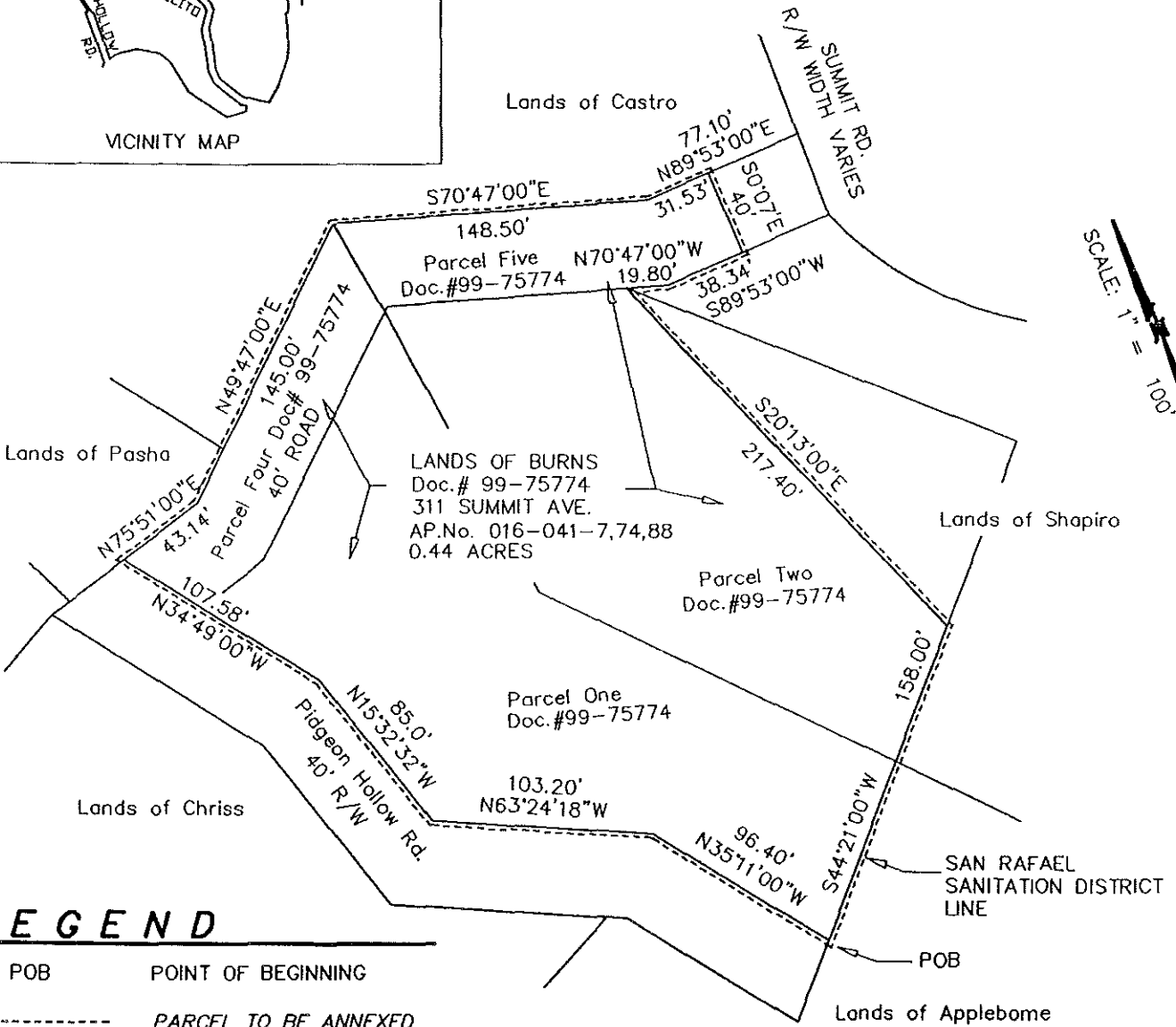
JEFFRY BLANCHFIELD, Chairperson

ATTEST:


PETER V. BANNING, Executive Officer



VICINITY MAP



LEGEND

- POB POINT OF BEGINNING
- PARCEL TO BE ANNEXED

Annexation of the Lands of Burns
to the
San Rafael Sanitation District

Scale: 1" = 100'	Approved by:	Drawn by:
Date: 1/25/01	Manager Engineer	Checked by:
Mapping No. 04/01		Drawing No.

AP.No. 016-041-7,74,88

January 25, 2001

**EXHIBIT "A"
ANNEXATION
of the
LANDS of BURNS to the
San Rafael Sanitation District
Mapping No. 04/01**

Beginning at a point on the San Rafael Sanitation District boundary line, said point also being the southerly property corner of the Lands of Burns as described per Grant Deed Doc. # 1999-0075774, Marin County Records, State of California; thence along the property line of said Lands of Burns N 35°11'00" W, 96.40 ft.; thence N 63°24'18" W, 103.20 ft.; thence N 15°32'32" W, 85.0 ft.; thence N 34°49'00" W, 107.58 ft. to a point on the northwesterly line of a 40 ft. roadway; thence N 75°51'00" E, 43.14 ft.; thence N 49°47'00" E, 145.00 ft.; thence S 70°47'00" E, 148.50 ft.; thence N 89°53'00" E, 31.53 ft.; thence S 00°07'00" E, 40.0 ft.; thence S 89°53'00" W, 38.34 ft.; thence N 70°47'00" W, 19.80 ft.; thence S 20°13'00" E, 217.40 ft.; thence S 44°21'00" W, 158.00 ft. to the point of beginning.

Said Annexation contains 1.52 acres more or less.

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