

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 00-2

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

"Margarita Drive Annexation #2"

**WHEREAS**, a proposal for the annexation of certain territory to 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 a petition of application was signed by all owners of land with the territory proposed to be annexed; and

**WHEREAS**, pursuant to Government Code Section 56837, when a resolution of 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**, 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.

**WHEREAS**, pursuant to Government Code Section 56837(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

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

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

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 5. The project is categorically exempt pursuant to §15303(a) and §15319(b) of the Guidelines for Implementation of the California Environmental Quality Act.

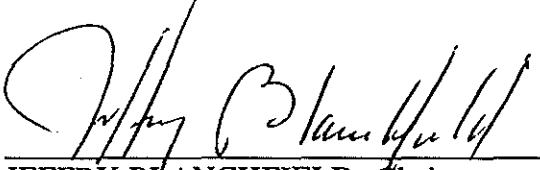
Section 6. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on this 13th day of January, 2000 by the following vote:

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

NOES: None

ABSENT: None

  
\_\_\_\_\_  
JEFFRY BLANCHFIELD, Chairperson

ATTEST:

  
\_\_\_\_\_  
PETER V. BANNING, Executive Officer

- A. 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.
- B. 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.
- C. 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 2. 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 3. The territory includes 1.13 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Margarita Drive Avenue Annexation #2 to San Rafael Sanitation District (File #1165)".

Section 4. The proposal is consistent with the adopted sphere of influence for San Rafael Sanitation District.

EXHIBIT "A"

Margarita Drive Annexation No. 2  
To  
San Rafael Sanitation District

Mapping No. 7/99

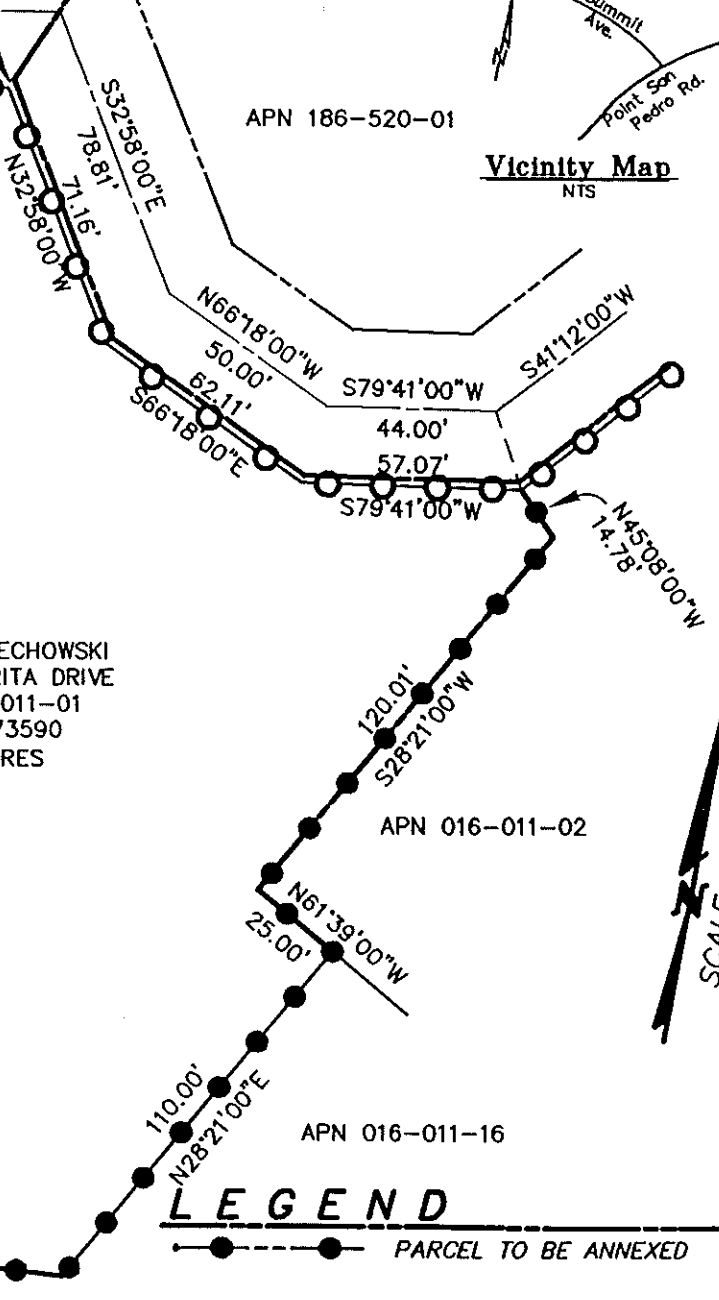
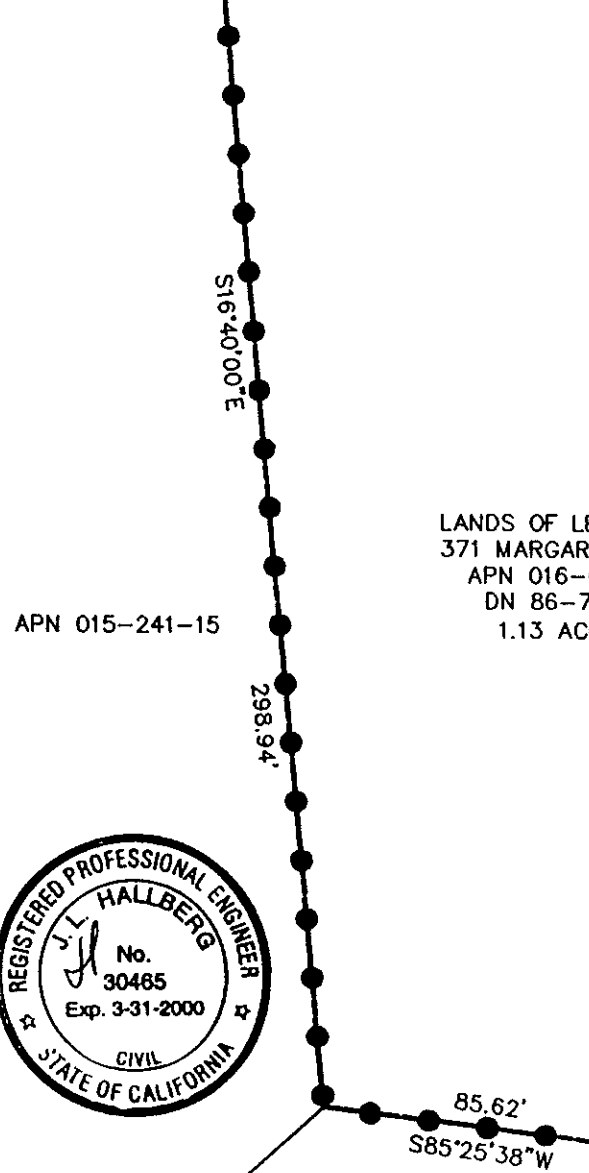
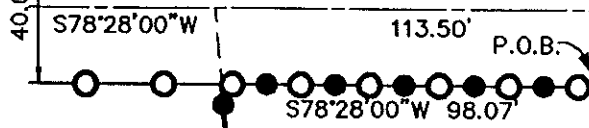
Beginning at a point on the San Rafael Sanitation District Boundary, said point also being on the southerly line of Margarita Drive, being a point of intersection of the courses, N 78°28'00" E and S 32°58'00" E, also being on the northerly property line of that certain parcel of land, being the Lands of Lechowski, filed for recordation on December 26, 1986, Document No. 86-73590, Marin County Records; thence along said southerly line of Margarita Drive, S 78°28'00" E, 98.07 feet; thence leaving said southerly line, along the property line of said Lands of Lechowski, S 16°40'00" E, 298.94 feet; thence N 85°25'38" E, 85.62 feet; thence N 28°21'00" E, 110.0 feet; thence N 61°39'00" W, 25.0 feet; thence, N 28°21'00" E, 120.01 feet; thence N 45°08'00" W, 14.78 feet to the San Rafael Sanitation District Boundary, also being the southerly line of Margarita Drive; thence along said southerly line of Margarita Drive, S 79°41'00" W, 57.07 feet; thence N 66°18'00" W, 62.11 feet; thence N 32°58'00" W, 71.16 feet to the Point of Beginning.

Containing approximately 1.13 acres.



APN 015-250-56

# Margarita Drive

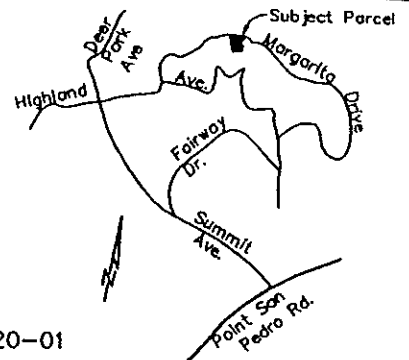


LANDS OF LECHOWSKI  
 371 MARGARITA DRIVE  
 APN 016-011-01  
 DN 86-73590  
 1.13 ACRES

APN 015-241-15

APN 016-011-02

APN 016-011-16



Vicinity Map  
NTS



## LEGEND

- PARCEL TO BE ANNEXED
- SAN RAFAEL CITY LIMITS
- EXISTING SAN RAFAEL SANITATION DISTRICT BOUNDARY

### MARGARITA DR. ANNEXATION No.2 TO SAN RAFAEL SANITATION DISTRICT

MAPPING NO. 7/99

APRIL 28, 1999  
 JOB 99-033  
 DWG. ANNEX

J. L. ENGINEERING  
 CIVIL ENGINEERING AND LAND PLANNING  
 1539 FOURTH ST., SAN RAFAEL, CA. 94901 (415) 457-6647