

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION 15-09

**MAKING DETERMINATIONS AND APPROVING AN ANNEXATION TO  
THE NORTH MARIN WATER DISTRICT**

“Ocean View Avenue No. 1 Change of Organization – North Marin Water District”  
(LAFCO File No. 1327)

**WHEREAS**, Chris and Mary Pack have filed a validated landowner petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the proposal seeks approval to annex approximately 0.08 acres of unincorporated land to the North Marin Water District; and

**WHEREAS**, the affected territory represents two recorded lots under common ownership and use with an existing two-unit residence located at 35 Ocean View Avenue and identified by the County of Marin Assessor’s Office as 100-152-27; and

**WHEREAS**, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

**WHEREAS**, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public hearing along with a necessary concurrent amendment to expand the North Marin Water District’s sphere of influence to include the affected territory for consistency under Government Code Section 56375.5 initially scheduled for October 8, 2015 and re-calendared to November 12, 2015;

**WHEREAS**, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and procedures.

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER** as follows:

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report presented on November 12, 2015.

2. The Commission serves as lead agency under the California Environmental Quality Act (CEQA) in considering the impacts of the proposed annexation. The Commission independently finds the annexation of the affected territory to the North Marin Water District is a project under CEQA, but is exempt from further review under California Public Resources Code Section 15319. Specifically, the affected territory – as proposed or its recommended amendment – is already developed to the maximum extent allowed by the land use authority and no extension of public infrastructure is needed to accommodate service therein.
3. The proposal to annex the affected territory to the North Marin Water District is APPROVED with the following boundary amendment:
  - a) Modify the annexation boundary to include the entire public right-of-way adjacent to 35 Ocean View Avenue that extends to the far property lines between 37 and 31 Ocean View Avenue.
4. The proposal approval is CONDITIONED on the following terms being satisfied within one calendar year – or November 12, 2016 – unless a prior written request for a time extension is received and approved by the Commission.
  - a) Approval and completion of a concurrent sphere of influence amendment to the North Marin Water District to add the entire affected territory.
  - b) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
  - c) An indemnification agreement signed by the applicant in a form approved by Commission Counsel.
  - d) Submittal of a final map and geographic description of the affected territory as designated by the Commission conforming to the requirements of the State Board of Equalization as determined by the County Surveyor's Office.
5. The proposal is assigned the following distinctive short-term designation:

“Ocean View Avenue No. 1 Change of Organization – North Marin Water District”
6. The affected territory as designated by the Commission is shown in Exhibit “A” and further marked in the geographic description shown in Exhibit “B”.
7. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56046.
8. The Commission waives conducting authority proceedings under Government Code Section 56663.
9. The North Marin Water District utilizes the regular assessment roll of the County of Marin.

10. Upon effective date of the proposal, the affected territory as designated by the Commission will be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by the North Marin Water District. It will also be subject to all of the rates, rules, regulations, and ordinances of the North Marin Water District.

11. The effective date shall be the date of recordation of the Certificate of Completion.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on November 12, 2015 by the following vote:

AYES: ARNOLD, BAKER, BLANCHFIELD, CONNOLLY, and MURRAY

NOES: \_\_\_\_\_

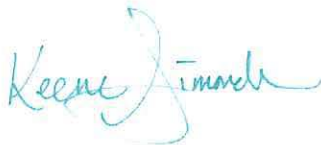
ABSTAIN: \_\_\_\_\_

ABSENT: CONDON AND PHILLIPS



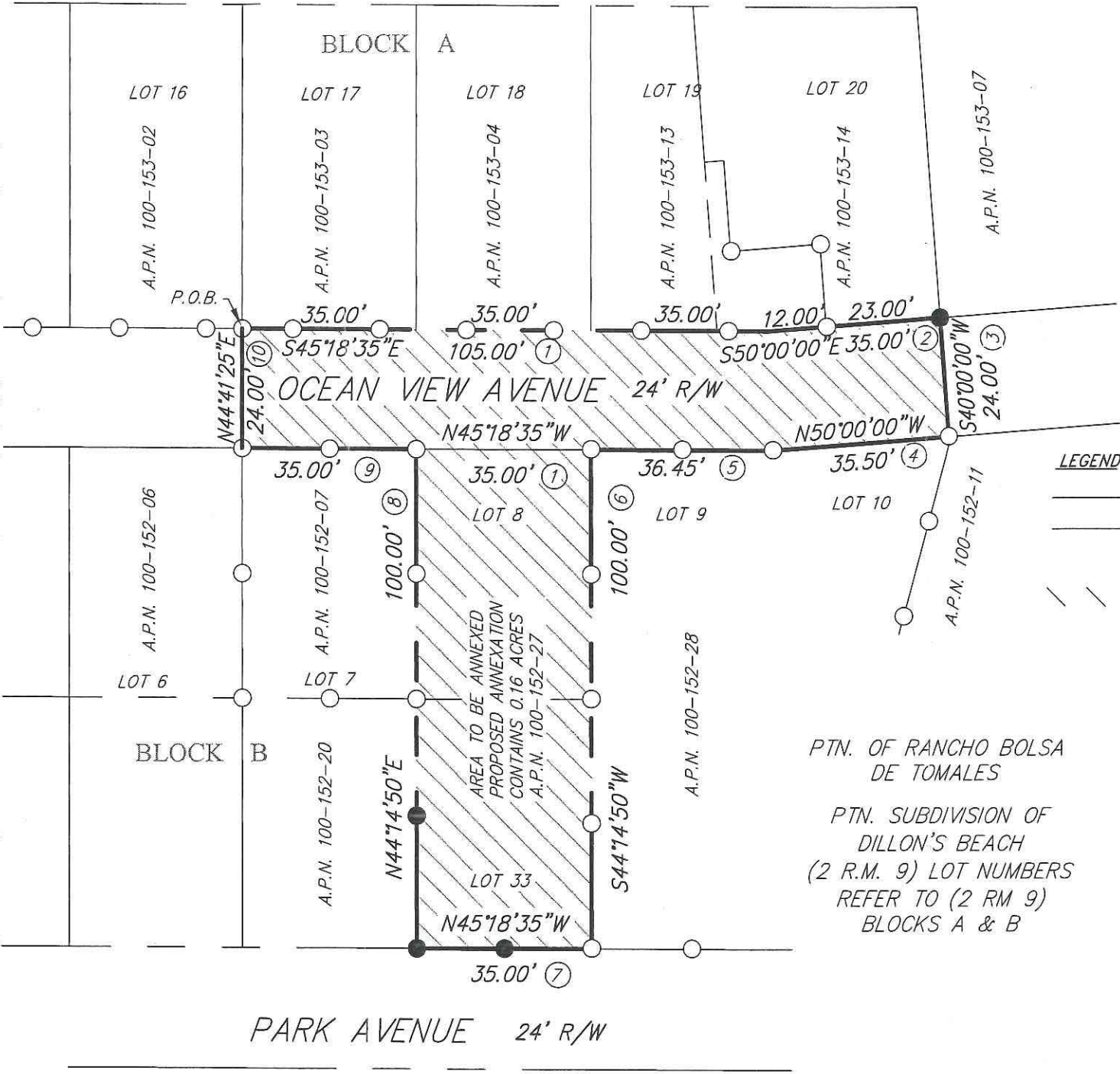
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JEFFRY BLANCHFIELD, Chairperson

ATTEST:

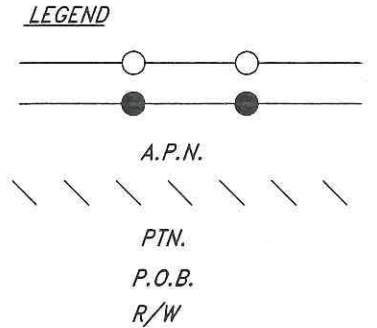
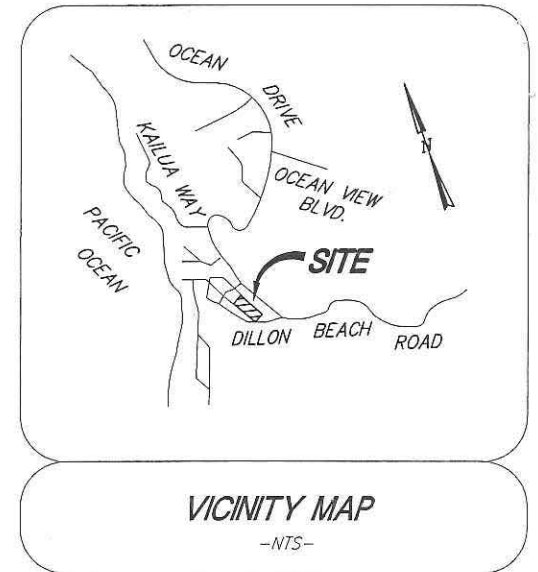


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KEENE SIMONDS, Executive Officer

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SCALE: 1" = 30'



EXISTING WATER DISTRICT BOUNDARY  
 NEW WATER DISTRICT BOUNDARY  
 ASSESSOR'S PARCEL NUMBER  
 AREA TO BE ANNEXED  
 PORTION  
 POINT OF BEGINNING  
 RIGHT OF WAY



Exhibit "A"  
 PACK

ANNEXATION TO THE  
 NORTH MARIN WATER DISTRICT  
 LAFCO FILE NO. 1327  
 MAPPING NO. 15-01

**ILS ASSOCIATES, INC.®**  
 CIVIL ENGINEERING AND LAND SURVEYING

## Exhibit "B"

PACK ANNEXATION TO THE  
NORTH MARIN WATER DISTRICT  
LAFCO FILE NO. 1327  
MAPPING NO. 15-01

All that certain real property situate in the County of Marin, State of California, being a portion of the lands of Christopher J. Pack and Mary Fisk Pack, Trustees of the Christopher J. Pack and Mary Fisk Pack Trust Agreement dated July 8, 2015 by quitclaim deed recorded on July 14, 2015 by Document No. 2015-0034260, Marin County Records, being lot 8 and lot 33 in Block B, as shown upon that certain map entitled, "Map of the Subdivision of Dillon's Beach" filed October 26, 1904 in Book 2 of Maps, Page 9, Marin County Records and also a portion of the right-of-way of Ocean View Avenue as also shown on said Map of Dillon's Beach and also being a portion of Rancho Nicasio described as follows:

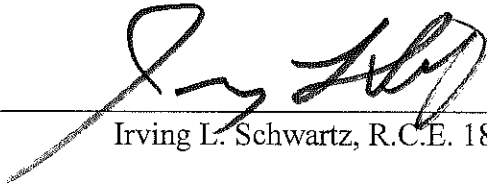
BEGINNING at the northwesterly corner of lot 17, in Block A, as said lot is shown upon said Map of Dillon's Beach;

1. Thence along the westerly line of said Lot 17 being the easterly right-of-way line of Ocean View Avenue, as shown on said map and its extension, South  $45^{\circ}18'35''$  East, 105.00 feet;
2. Thence continuing along the easterly line of Ocean View Avenue, as shown on said map, South  $50^{\circ}00'00''$  East, 35.00 feet to the southeasterly corner of Lot 20, in Block A, as shown upon said Map;
3. Thence leaving said easterly right-of-way line in a southwesterly direction South  $40^{\circ}00'00''$  West, 24.00 feet to the westerly right-of-way line of Ocean View Avenue, as shown on said map, at the southeasterly corner of Lot 10, in Block B, as said shown on said map;
4. Thence along the westerly line of Ocean View Avenue, as shown on said map, North  $50^{\circ}00'00''$  West, 35.50 feet;
5. Thence continuing along the westerly line of Ocean View Avenue, as shown on said map, North  $45^{\circ}18'35''$  West, 36.45 feet to the southeasterly corner of said Lot 8;
6. Thence leaving said right-of-way line along the southerly line of said Lot 8, and said Lot 33, South  $44^{\circ}14'50''$  West, 100.00 feet to the southeasterly corner of said Lot 33;
7. Thence along the westerly line of said Lot 33, North  $45^{\circ}18'35''$  West, 35.00 feet to the southwesterly corner of said Lot 33;

8. Thence along the northerly line of said Lot 33 and said Lot 8, North  $44^{\circ}14'50''$  East, 100.00 feet to the northeasterly corner of said Lot 8;
9. Thence along the westerly line of Ocean View Avenue, as shown on said map, being also the easterly line of Lot 7 in Block B as shown on said Map, North  $45^{\circ}18'35''$  West, 35.00 feet to the northeasterly corner of said Lot 7;
10. Thence leaving said line of Lot 7, North  $44^{\circ}41'25''$  East, 24.00 feet to the POINT OF BEGINNING.

Containing 0.16 acres.

Prepared by:  
ILS Associates, Inc.



Irving L. Schwartz, R.C.E. 18221

