

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 87-17

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
TO SANITARY DISTRICT #2

"ELM AVENUE ANNEXATION"

WHEREAS, a proposal for the proposed annexation of certain territory to Sanitary District #2, 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 Charles McLeran, the owner of property in the area to be annexed; and

WHEREAS, at the time and in the form and manner prescribed by law, the Executive Officer has given notice of public hearing by this Commission upon said proposal; and

WHEREAS, the public hearing on said proposal was held by this Commission upon the date and at the time and place specified in said notice of public hearing, and all interested persons present were afforded an opportunity to speak and be heard on the matter; 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; and

WHEREAS, the Executive Officer has recommended that consistent with LAFCO policy regarding "islands," A.P. # 21-221-01, owned by Tom E. Nowell, be included in the annexation area.

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 the petition of Charles McLeran, is approved.

Section 2. The boundaries, as set forth in the proposal, are hereby amended to include A.P. # 21-221-01, and are as described in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 3. The territory includes 9.5 acres, is found to be uninhabited, and is assigned the following distinctive short form designation:

"Elm Avenue Annexation" to Sanitary District #2.

"Elm Avenue Annexation" Resolution No. 87-17

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 Sanitary District #2, as set forth in Exhibit "B" attached hereto and incorporated herein.

Section 6. The Sanitary District #2 is designated as the conducting agency 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 take further proceedings upon said annexation in compliance with applicable provisions of State law.

Section 7. The environmental documents relevant to the proposed annexation have been reviewed and considered by the Commission in making its final determination. Pursuant to the California Environmental Quality Act and the Commission's Environmental Guidelines, a Negative Declaration has been issued.

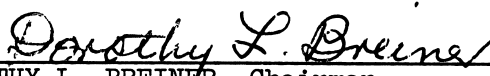
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 9th day of July 1987 by the following vote:

AYES: Commissioners Foote, Giacomini, Williams and Breiner

NOES: None

ABSENT: Commissioner Stockwell



DOROTHY L. BREINER, Chairman
Marin Local Agency Formation Commission

ATTEST:



NEIL SORENSEN, Executive Officer

DATED: July 10, 1987

WILLIAM O. LOCKETT, JR.

LICENSED LAND SURVEYOR AND LAND PLANNER

2804 TOPAZ DRIVE
NOVATO, CALIFORNIA 94947

(415) 897-8512

EXHIBIT A

ELM AVE. ANNEXATION

Property to be annexed to Sanitary District No. 2 of Marin County

DESCRIPTION

That certain real property situate in the City of Larkspur, County of Marin, State of California, described as follows:

BEGINNING at a point in the existing boundary line of Sanitary District No. 2 of Marin County, which point is the northwest corner of the lands conveyed by Ralph E. Tobenor et ux to Charles E. McLeran et ux by deed recorded February 6, 1968 in Book 2189 of Official Records at page 499, Marin County Records; running thence from said point of beginning along said Sanitary District boundary line and its extension, South 819.78 ft. to a point in the northeasterly line of Elm Ave. as shown on that certain map entitled "Map of Palm Hill Sub. A of Baltimore Park", recorded June 2, 1913 in Book 4 of Maps at page 43, Marin County Records; thence along said road line North 61°47' West 22.25 ft.; thence North 32°57' West 114.0 ft.; thence North 89°09' West 143.8 ft.; thence North 60°52' West 283.2 ft.; thence North 24°06' West 216.8 ft. and North 88°40' West 201.7 ft.; thence leaving said road line North 13°05' West 229.19 ft. and North 7°16' West 43.5 ft. to a point in the southerly right of way line of the Northwestern Pacific Railroad; thence along said right of way line North 82°44' East 826.96 ft. to the point of beginning.

Containing 9.48 acres

October 26, 1987

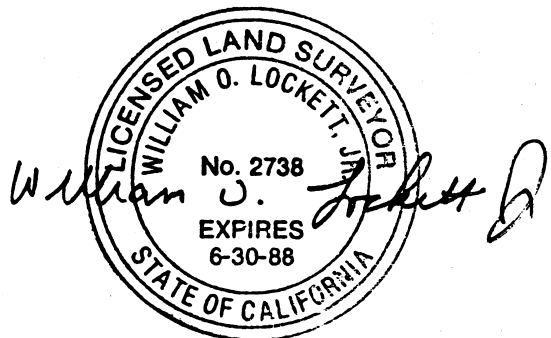


EXHIBIT "B"

SANITARY DISTRICT NO. 2 (CORTE MADERA)

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, 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 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 has 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.