

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 86-1

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION  
WITH WAIVER OF NOTICE, HEARING, AND ELECTION  
TO THE RICHARDSON BAY SANITARY DISTRICT

"De SILVA ISLAND ANNEXATION"

WHEREAS, a proposal for the annexation of certain territory to the Richardson Bay Sanitary District, in the County of Marin, has been filed with the Executive Officer of this Commission; and

WHEREAS, said proposal was made in the form of a petition, filed by Philip A. Richardson, dated November 20, 1985, requesting the initiation of annexation proceedings pursuant to the District Reorganization Act of 1965, Division 1 (commencing with Section 56000) of Title 6 of the Government Code; and

WHEREAS, application contained written consent signed by all owners of land within the territory proposed to be annexed; and

WHEREAS, pursuant to Government Code Section 56261, when an application is accompanied by written consent of all owners of land within the territory proposed to be annexed, this Commission may make determinations with respect to said annexation without notice and hearing.

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 is approved.

Section 2. The boundaries of the territory proposed to be annexed shall be those set forth in Exhibit A, attached hereto and incorporated herein; and said territory shall be designated as the "De Silva Island Annexation."

Section 3. Said territory is found to be uninhabited.

Section 4. Any resolution ordering the annexation approved by this resolution shall provide that such annexation is ordered subject to Richardson Bay Sanitary District's terms and conditions as set forth in Exhibit B, attached hereto and incorporated herein.

Section 5. The Richardson Bay Sanitary District is designated as the conducting district 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 proceed without notice, or election, pursuant to Government Code Section 56261.

"De Silva Island Annexation" Resolution No. 86-1

Section 6. The County of Marin is Lead Agency for the project and certified the De Silva Island Residential Development Environmental Impact Report (EIR). LAFCo is a Responsible Agency and has reviewed the EIR in consideration of the annexation proposal.

Section 7. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56272 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 13th day of February 1986 by the following vote:

AYES: Commissioners Boessenecker, Breiner, Giacomini, Stockwell and  
McCart


NOES: None

ABSENT: None



MARTHA McCART, Chairman  
Marin Local Agency Formation Commission

ATTEST:



WARREN K. NELSON, Executive Officer

DATE: March 17, 1986

## EXHIBIT "A"

DE SILVA ISLAND ANNEXATION

TO

RICHARDSON BAY SANITARY DISTRICT

Beginning at a point on the existing boundary of Richardson Bay Sanitary District, said point being the most Easterly corner of Parcel 3 as said parcel is shown on that certain map entitled "Parcel map - Lands of Wells Fargo Bank National Association" recorded December 22, 1978, in Book 15 of Parcel Maps at page 95, Marin County Records; thence leaving said Sanitary District boundary S 33° 03' 40" W 1320 feet; N 56° 56' 20" W 1180.74 feet; N 0° 40' 34" E 92.27 feet; N 39° 31' 43" E 160.51 feet; N 10° 52' 48" E 254.02 feet; N 01° 07' 59" W 423.865 feet to the intersection of the existing boundary of Richardson Bay Sanitary District thence along said boundary to the point of beginning.

Containing approximately 41.95 acres

November, 1985

RICHARDSON BAY SANITARY DISTRICT  
TERMS AND CONDITIONS

The annexation shall be subject to the following terms and conditions:

(1) In the event 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 shall 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, pursuant to which such payment is required.

(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 and ordinances, the District, as now or hereafter amended; and shall be subject to the provisions of existing and subsequent orders of the California Regional Water Quality Control Board, which current orders place a restriction upon the number of sewer connections allowable to District's sewer systems.

(3) No right to capacity in any facilities or public improvements of the District, service, or priority of service, shall arise because of annexation. District shall, pursuant to contractual obligations, and pursuant to applicable orders, regulations, rules and limitations of the California Regional Water Quality Control Board, determine when and if sewer service can be provided, the priority of service and the conditions upon which service may be made.

CP

to copy

Map for bag

9/19/03