

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 02-21

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

"Annexation of the Lands of Hoffman to the San Rafael Sanitation District (File 1212)"

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 owner; and

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

WHEREAS, pursuant to Government Code Section 56663, when a petition 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 subject to the following condition:

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

- a. 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
- b. 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 2. The territory includes 1.26 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Hoffman to San Rafael Sanitation District (File 1212)".

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

Section 4. The Executive Officer is hereby authorized to complete reorganization proceedings in the manner prescribed by Section 57000 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 11th day of July, 2002 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller, Murray, Rodoni, Rose and Slavitz

NOES: None

ABSENT: Commissioner Kress



JEFFRY BLANCHFIELD, Chairperson

ATTEST:


PETER V. BANNING, Executive Officer

**ANNEXATION OF THE LANDS OF HOFFMANN
TO
SAN RAFAEL SANITATION DISTRICT
(FILE #1212)**

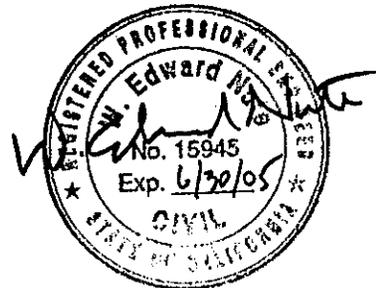
BEGINNING at the most easterly corner of the lands of Hoffmann in that certain deed recorded December 14, 1990 recorded as Document No. 90-71189 Official Records of Marin County, said POINT OF BEGINNING being also on the boundary of the San Rafael Sanitation District;

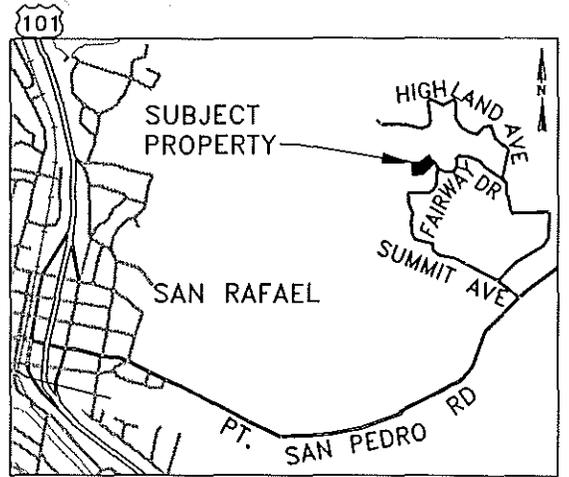
1. Thence leaving the boundary of the San Rafael Sanitation District and running along the boundary of said Lands of Hoffmann (DN 90-71189) and along Fairway Drive North 62° 49' West 41.00 feet;
2. Thence leaving Fairway Drive and running North 33° 37' West 59.00 feet;
3. Thence South 44° 10' West 209.40 feet;
4. Thence South 82° 19' West 165.27 feet;
5. Thence North 2° 57' West 185.86 feet;
6. Thence South 85° 46' East 100.00 feet;
7. Thence North 51° 32' East 180.13 feet to the boundary of the San Rafael Sanitation District;
8. Thence running along the boundary of the San Rafael Sanitation District South 33° 37' East 91.66 feet;
9. Thence North 56° 23' East 20.00 feet; thence South 33° 37' East 144.79 feet to the POINT OF BEGINNING.

CONTAINING an area of 1.26 acres, more or less.

Date: June 24, 2002

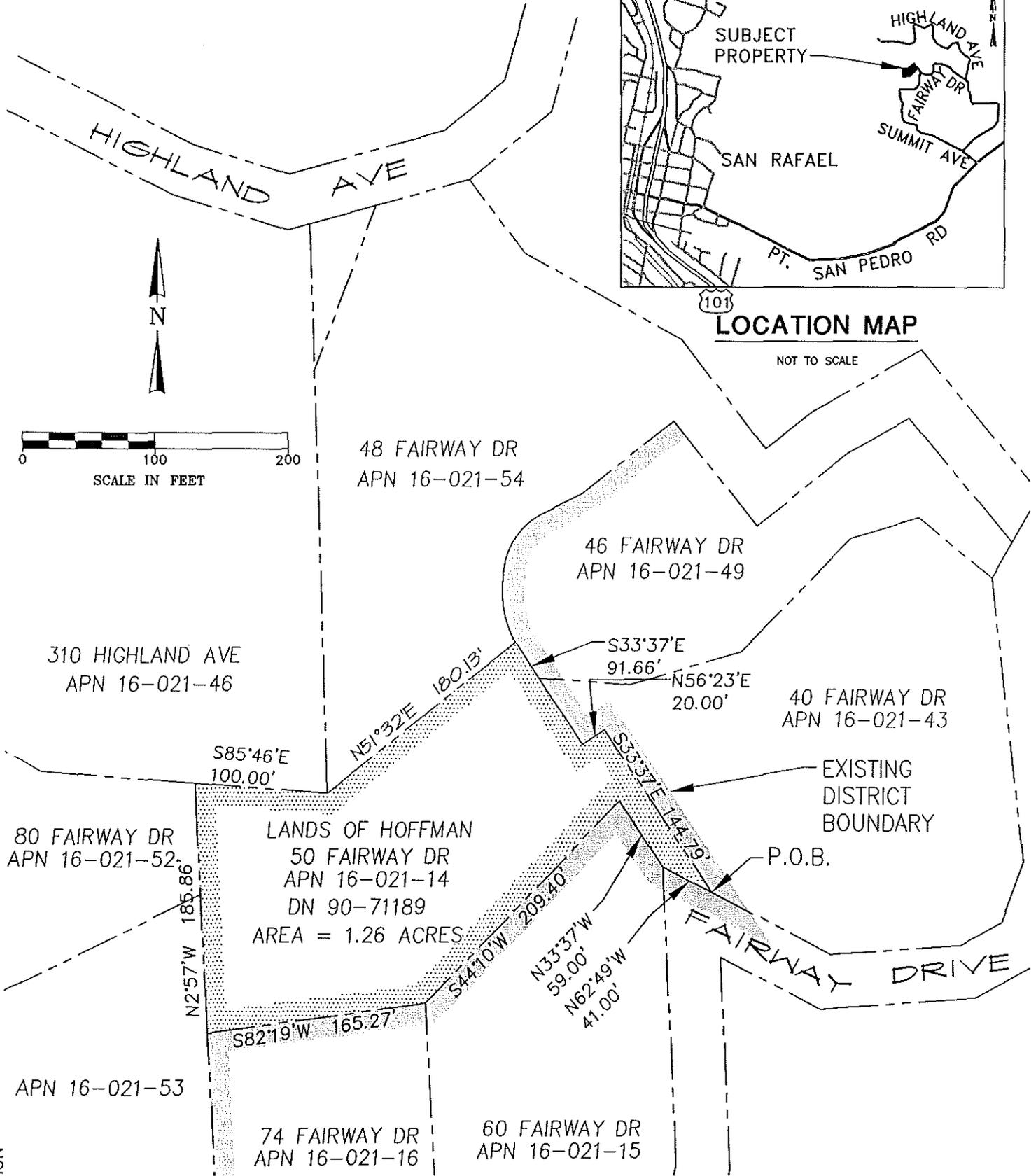
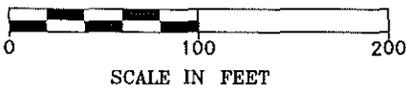
DPW Mapping No. 22/01





LOCATION MAP

NOT TO SCALE



**ANNEXATION OF THE LANDS OF HOFFMAN TO
SAN RAFAEL SANITATION DISTRICT
FILE #1212**

DPW MAPPING NO. 22/01