

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 96-08

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
WITH WAIVER OF NOTICE, HEARING AND ELECTION
TO THE LAS GALLINAS VALLEY SANITARY DISTRICT

"Lucas Valley Road Annexation #1"

WHEREAS, a proposal for the annexation of certain territory to the Las Gallinas Valley Sanitary 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 petition filed by the property owner;

WHEREAS, said petition of application 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 56837, when a resolution of application is accompanied by written consent of 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.

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including her recommendation thereon, the proposal and report having been presented to and considered by this Commission.

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

Section 1. Subject to terms and conditions hereinafter specified, the proposal made by petition by the property owner, is approved.

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 8.9 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Lucas Valley Road Annexation #1" to the Las Gallinas Valley Sanitary District.

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 following standard 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 fixed or determinable amount of money, either as a lump sum or in installments, or the acquisition, transfer, use or right of use of all or 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, 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 has been a part of the District upon its original formation; shall be liable for the payment of principle, 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.
3. No right to capacity in any facilities or public improvements of District, service, or priority of service shall arise because of annexation. District shall, in its sole discretion, determine when and if service can be provided, the priority of service and the conditions upon which service may be made if District determines service can be provided.

Section 6. The Las Gallinas Valley Sanitary District is designated as the conducting authority for further proceedings, and the board 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 56837.

Section 7. The project is categorically exempt pursuant to provisions of the California Environmental Quality Act.

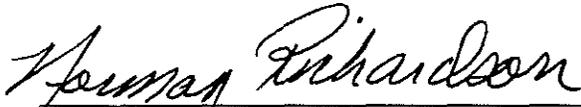
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 1st day of August 1996 by the following vote:

AYES: Commissioners

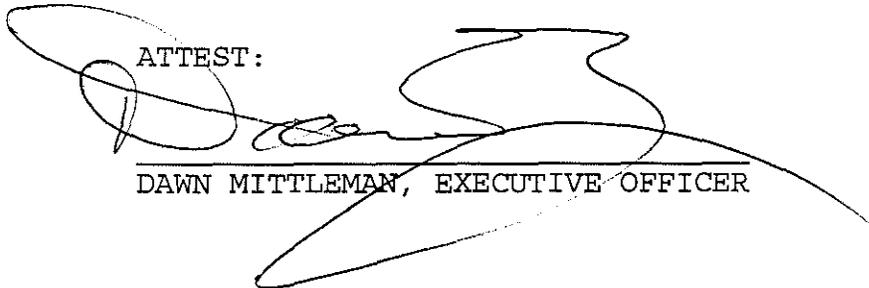
NOES:

ABSENT:



NORMAN RICHARDSON, CHAIRMAN PRO TEM

ATTEST:



DAWN MITTLEMAN, EXECUTIVE OFFICER

EXHIBIT "A"

"LUCAS VALLEY ROAD ANNEXATION NO. 1"

TO

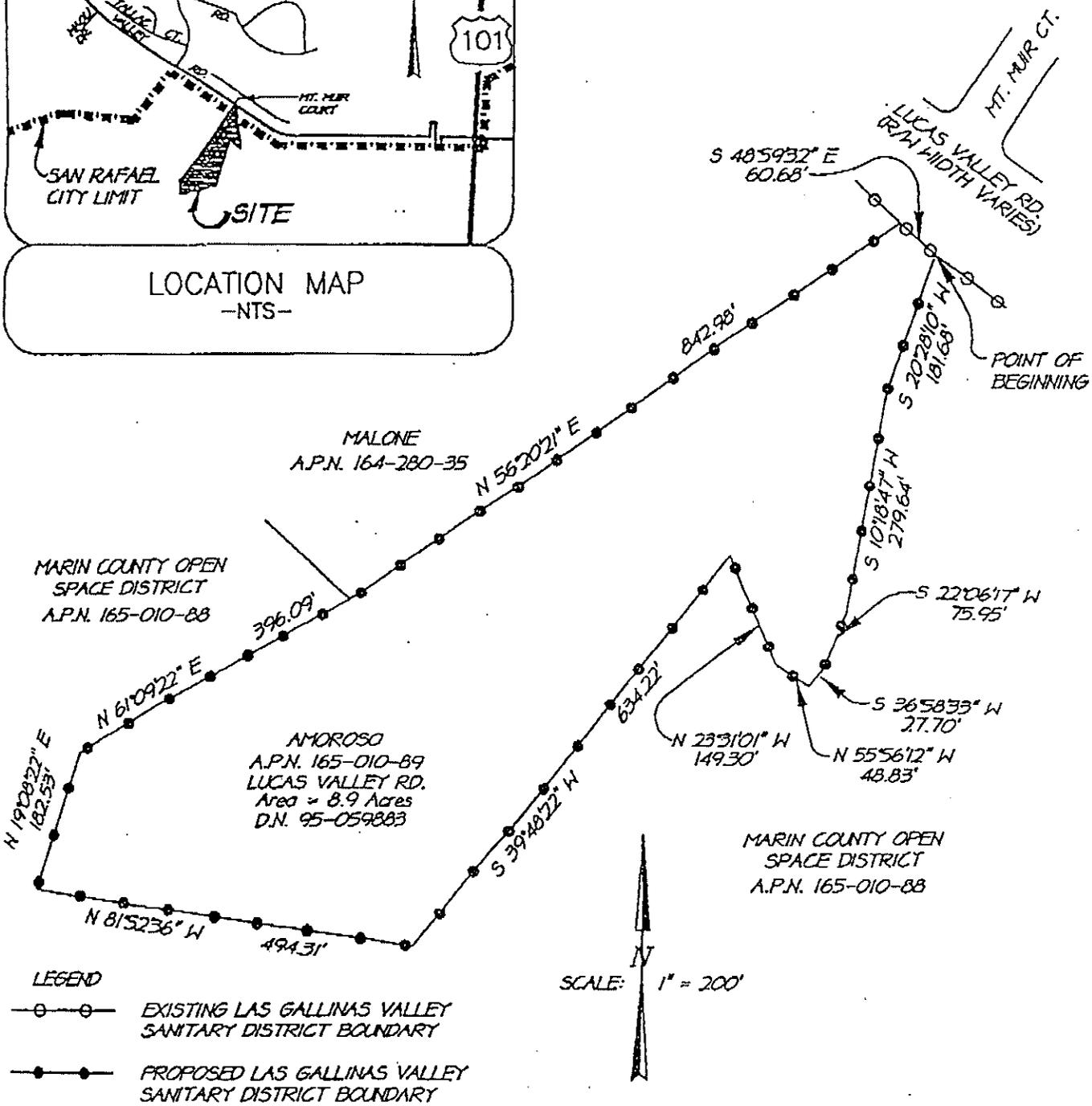
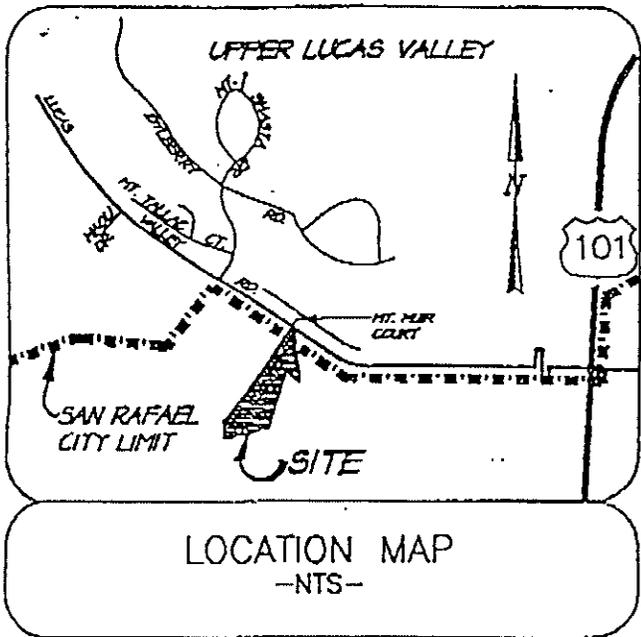
LAS GALLINAS VALLEY SANITARY DISTRICT

MAPPING NO. 2/96

BEGINNING at a point on the existing boundary of the Las Gallinas Valley Sanitary District, said point also being on the southerly boundary line of Lucas Valley Road and being the most northeasterly corner of that parcel as described in deed to Dennis and Gerry Amoroso, recorded as document number 95-059883, Marin County Records; thence leaving said existing District Boundary and the southerly line of Lucas Valley Road, along the boundary line of said Amoroso the following courses:

Said courses also being along the lines common to the Lands of Marin County Open Space District, as described in deed recorded as document number 93-0104953, Marin County Records, the following ten courses: 1) South 20°28'10" West 181.68 feet, 2) South 10°18'47" West 279.64 feet, 3) South 22°06'17" West 75.95 feet, 4) South 36°58'33" West 27.70 feet, 5) North 55°56'12" West 48.83 feet, 6) North 23°31'01" West 149.30', 7) South 39°48'22" West 634.22 feet, 8) North 81°52'35" West 494.31 feet, 9) North 19°08'22" East 182.53 feet, and 10) North 61°09'22" East 396.09 feet; thence continuing along the boundary line of said Amoroso and along the line of the Lands of Molone as described in deed recorded as document number 94-01970, Marin County Records, North 56°20'21" East 842.98 feet to the said southerly line of the Lucas Valley Road and said existing District Boundary; thence southeasterly along the southerly line of Lucas Valley Road and existing District Boundary South 48°59'32" East 60.68 feet to the POINT OF BEGINNING.

Containing 8.9 acres, more or less.



LUCAS VALLEY ANNEXATION NO. 1
TO
LAS GALLINAS VALLEY SANITARY DISTRICT
MAPPING NO. 2/96

MARCH 28, 1996
JOB NO: 6570
DWG. FILE: 6570EX
DWG. DISK NO: 226A

I. L. SCHWARTZ ASSOCIATES, INC.
CIVIL ENGINEERING AND LAND SURVEYING
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