

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 80-11

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
TO THE RICHARDSON BAY SANITARY DISTRICT

SEAFIRTH ANNEXATION NO. 1

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 submitted by the Seafirth Estate Company, 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, 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.

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 said petition 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 "Seafirth Annexation No. 1."

Section 3. Any resolution authorizing the annexation approved by this resolution shall provide that such annexation is ordered subject to the standard terms and conditions imposed by the Richardson Bay Sanitary District, as set forth and hereto attached as Exhibit B.

Section 4. 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 take further proceedings upon said annexation in compliance with applicable provisions of State law.

Section 5. In accordance with applicable provisions contained in the Marin Local Agency Formation Commission Environmental Guidelines and Procedures, the Marin Local Agency Formation Commission, as the appropriate lead agency, has conducted an Initial Study and has issued a Negative Declaration.

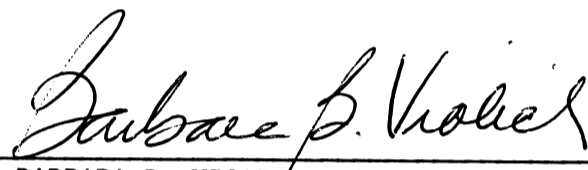
Section 6. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56272 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 29th day of May 1980 by the following vote:

AYES: Commissioners Boessenecker, Haehl, Wilhelm and Violich

NOES: None

ABSENT: Commissioner Giacomini



BARBARA B. VIOLICH, Vice Chairman

ATTEST:


WARREN K. NELSON, Executive Officer

DATE: May 30, 1980

RICHARDSON BAY SANITARY DISTRICT

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 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 of the District, as now or hereafter amended.

3. The Seafirth treatment plant, pump station and sewer system as it now exists shall remain a private system until such time as said sewerage system is connected to the District's Trestle Glen system.

4. The Seafirth Homeowners Association shall pay all costs of maintenance and operation of the existing Seafirth sewerage system until the connection is made to the District's Trestle Glen system.

5. The Seafirth Homeowners Association shall pay all costs of annexation and all costs of preparation of the facilities plan, environmental reports, design, construction, necessary easements and permits for an interceptor sewage system, for abandonment of the existing Seafirth treatment plant and for connection to the District's Trestle Glen sewer system.