

LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN

RESOLUTION NO. 69-23

RESOLUTION DISAPPROVING THE ANNEXATION OF TERRITORY TO
BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

LETTER ANNEXATION

WHEREAS, Bolinas Community Public Utility District of Marin County Resolution No. 30 has been filed with the Executive Officer of this Commission; and

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

WHEREAS, the public hearing by this Commission was held upon the date and at the time specified in said notice of public hearing.

NOW, THEREFORE, the Local Agency Formation Commission of the County of Marin does hereby resolve, determine, and order as follows:

1. Bolinas Community Public Utility District of Marin County Resolution No. 30 is disapproved.
2. The territory proposed for annexation shall be designated as Letter Annexation and is uninhabited.
3. Further proceedings by the Bolinas Community Public Utility District for annexation of this property shall be subject to the provisions of Government Code Section 56273.
4. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner and as provided in Section 56272 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 12th day of June, 1969, by the following vote:

AYES: Commissioners Wornum, Arrigoni, Dyk

NOES: Commissioner Marchant

ABSENT: Commissioner Womack

ATTEST:

John F. Baran
Executive Officer

Hugh B. Marchant
Chairman of the Local Agency Formation
Commission of the County of Marin

RESOLUTION NO. 30

A RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS OF THE BOLINAS COMMUNITY PUBLIC UTILITIES DISTRICT REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO TAKE PRELIMINARY PROCEEDINGS FOR ANNEXATION OF TERRITORY INTO THE DISTRICT

LETTER ANNEXATION 1969-

RESOLVED, by the Board of Directors of the Bolinas Community Public Utilities District, Marin County, California, that:

WHEREAS, the Board of the District desires to initiate preliminary proceedings pursuant to the District Reorganization Act of 1965, Title 6, Division 1 of the Government Code of the State of California, comprising Sections 56000 through 56550 of said Code, for the annexation of certain territory more particularly described in Exhibit "A", hereto attached and by reference incorporated herein, to said District, (hereinafter sometimes referred to as the "Territory");

WHEREAS, The proposed annexation of the Territory to the District will affect the County of Marin, State of California, and the Bolinas Harbor District;

WHEREAS, the Territory proposed to be annexed is uninhabited, as such term is defined in Section 56074 of the Government Code, a part of the District Reorganization Act of 1965, and a description of the exterior boundaries of the Territory is set forth in said Exhibit "A";

WHEREAS, it is desired to provide that the proposed annexation be subject to certain terms and conditions, as follows:

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 existing or hereafter enacted or

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; and WHEREAS, all of the owners of land within the Territory proposed to be annexed have signed a written consent to the annexation of said Territory to District;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED, as follows:

1. That this resolution of application be, and it is hereby, adopted and approved by the District, and the Local Agency Formation Commission of Marin County be, and it is hereby, requested to undertake preliminary proceedings for the annexation of the Territory described in Exhibit "A" hereto attached to District, on the terms and conditions above stated and in the manner provided by the District Reorganization Act of 1965.

2. That the Territory proposed to be annexed to District is uninhabited. The exterior boundaries of the Territory proposed to be annexed are more particularly described in said Exhibit "A".

3. That the reasons for this proposed change of organization are as follows:

(a) District is authorized and empowered to, and is presently engaged in supplying water, disposing of sewage, and has a system and works for the providing of water which can adequately and economically furnish services which are urgently needed within the Territory proposed to be annexed.

(b) There is no other Governmental agency which is presently able to furnish water or sewerage services and there is no immediate prospect that any other agency will be able to furnish such services within the reasonable foreseeable future.

4. That the Local Agency Formation Commission is hereby requested to approve the proposed annexation without notice and hearing by the Commission, and to transmit its approval to and authorize the Board to annex the Territory to the District without notice and hearing by the Board of Directors of the District and without an election, in accordance with the authorizations and requirements of said District Reorganization Act.

5. That all of the owners of lands within the Territory proposed to be annexed have filed a written consent to the annexation of said Territory without notice or hearing, and the Board of the District hereby waives the right to mailed notice of hearing pursuant to authorization contained in Section 56261 of the Government Code, unless the Local Agency Formation Commission intends to impose conditions on said proposed annexation other than those stated herein.

6. That the Secretary of the District be, and she is hereby, authorized and directed to file a certified copy of this resolution with the executive officer of the Local Agency Formation Commission of the County of Marin, State of California, and to attach thereto a copy of the written consent to such annexation of all of the owners of all of the land within the Territory proposed to be annexed.

I hereby certify that the foregoing resolution was passed and adopted by the Board of Directors of Bolinas Community Public Utilities District at a regular meeting thereof held on the 11th day of April, 1969, by the following vote of the members thereof:
DIRECTORS:

AYES, 5 J. Silva, G. West, M. Peters, F. Davis, O. Drew

NOES, 0 NONE

ABSENT, 0 NONE

Catherine Jane Phillips
Asst. Secretary of Bolinas Community
Public Utilities District

APPROVED:

Jose A. Silva

President

Description of that property in Bolinas, Marin County, California of EDWARD G. LETTER AND LILLIAN J. LETTER, his wife, as Joint Tenants:

PARCEL ONE:

SURVEY NO. 83, State Tide Lands in Section 13, Township 1 North, Range 8 West, Mount Diablo Base and Meridian, Described as follows: BEGINNING at the Southwest corner of Tideland Survey No. 11 on the West side of Bolinas Bay: thence along the high water mark, it being the boundary of the Bolinas Rancho, South 28° East 320.0 feet and South 42° East 174.0 feet; thence North $63^{\circ} 45'$ East 264.0 feet, thence North 33° West 492.0 feet to the Southern line of Tideland Survey No. 11 thence along last mentioned line, South $63^{\circ} 45'$ West 264.0 feet to the Point of Beginning.

PARCEL TWO:

SURVEY NO. 82, State Tide Lands, in Section 13, Township 1, North Range 8 West, Mount Diablo Base & Meridian, Described as follows: BEGINNING at the Southwest corner of Tideland Survey No. 83, thence along the high water mark, it being the boundary of the Bolinas Rancho, South $41^{\circ} 30'$ East 217.80 feet; thence North $63^{\circ} 45'$ East 264 feet, thence North $41^{\circ} 30'$ West 217.80 feet to the Southeast corner of Tideland Survey No. 83: thence along the Southern line thereof, South $63^{\circ} 45'$ West 264 feet to the Point of Beginning.

PARCEL THREE:

LOCATION NO. 167, State Tide Lands, in Section 13, Township 1, North, Range 8 West, Mount Diablo Base & Meridian, Described as follows: BEGINNING at the Southwest corner of Tideland Survey No. 82; thence along the highwater mark, it being the boundary of the Bolinas Rancho, as follows; South $26^{\circ} 45'$ East 213.18 feet, South $22^{\circ} 45'$ East 256.08 feet, South 11° East 305.58 feet, and South $5^{\circ} 30'$ East 224.4 feet to a point which is distant North 59° West 3255.12 feet from the Southeast corner of said Section 13, thence East 330.0 feet, thence North 19° West 1127.94 feet to the Southeast corner of Tideland Survey 82; thence along the Southern line thereof, South $63^{\circ} 45'$ West 264 feet to the Point of Beginning.

EXCEPTING THEREFROM: that portion of the Parcel of land described in the deed from James Steele to Sanitary District No. 3 of Marin County, California, a Political corporation, recorded March 31, 1937 in Liber 338 of Official Records, at page 157, lying withing Parcel Three above.

PARCEL FOUR:

Portion of the Rancho Las Baulinas, also known as Bolinas Rancho, described as follows: BEGINNING at the Northwestern corner of parcel One above, thence along the Western line thereof, South 28° East 320.0 feet and South 42° East 174.0 feet; thence leaving said Western line, South $56^{\circ} 15'$ West to the Eastern line of the County Road known as Olema Bolinas lower road, thence Northerly along the Eastern line of said road to a point which bears South $63^{\circ} 45'$ West from the point of beginning; thence North $63^{\circ} 45'$ East to the point of beginning.

PARCEL FIVE:

Portion of the Rancho Las Baulines, also known as the Bolinas Rancho, described as follows: BEGINNING at the Northwestern corner of Parcel Two, above, thence along the Western lines of Parcel Two and Three, above, as follows: South $41^{\circ} 30'$ East 217.80 feet, South $26^{\circ} 45'$ East 213.18 feet, South $22^{\circ} 45'$ East 256.08 feet, South 11° East 305.58 feet and South $5^{\circ} 30'$ East 224.4 feet to the Northwestern line of the parcel of land described in the Deed from Newman L. Fitzhenry, et ux to Mary B. Goddard, recorded in 339 of Official Records at page 85; thence along the Northwestern line of the Goddard parcel (339 OR 85), South $34^{\circ} 49'$ West 51.60 feet to the Eastern line of the County Road known as Olema Bolinas Lower Road, thence Northerly along the Eastern line of said road, to the Southern line of Parcel Four above, thence along last mentioned line, North $56^{\circ} 15'$ East to the point of beginning. EXCEPTING therefrom that portion of the parcel of land described in deed from James Steele, to Sanitary District No. 3 of Marin County, Cal., a Political Corporation, recorded March 31, 1937 in Liber 338 of Official Records at page 157, lying within the parcel Five above.