

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 14-04

**RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
TO THE TOWN OF TIBURON
WITH WAIVER OF NOTICE, HEARING, AND ELECTION**

"Paradise Drive/Paradise Cove No. 1 Annexation to the Town of Tiburon (File #1318)"

WHEREAS, the Town of Tiburon has filed a resolution of application proposal with the Marin Local Agency Formation Commission, hereinafter referred to as "Commission," pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the proposal seeks Commission approval to annex approximately 0.29 acres of unincorporated land to the Town of Tiburon that entirely comprises an unimproved public right-of-way in the 3700 block of Paradise Drive; and

WHEREAS, the Commission's Executive Officer has reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the Executive Officer's report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on June 12, 2014;

WHEREAS, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and procedures.

NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

1. The Commission's determinations on the proposal incorporate the information and analysis provided in the Executive Officer's written report presented on June 12, 2014.

2. The Commission serves as responsible agency under the California Environmental Quality Act and has reviewed the Town of Tiburon's determination as lead agency that the underlying project qualifies as an exemption under California Public Resources Code Section 15319. The Commission independently confirms this determination.
3. The proposal is APPROVED without amendment.
4. The proposal approval is CONDITIONED on the following terms being satisfied within one calendar year - or June 12, 2015 - unless a prior written request for a time extension is received and approved by the Commission.
 - a) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
 - b) An indemnification agreement signed by the applicants in a form approved by Commission Counsel.
 - c) Submittal of a final map and geographic description of the affected territory as amended by the Commission conforming to the requirements of the State Board of Equalization.
 - d) Payment of any outside fees tied to the processing of the proposals as provided under the Commission's adopted fee schedule.
 - e) Completion of a rezoning assignment for the affected territory by the Town of Tiburon consistent with the first-reading performed by the Town Council on June 4, 2014.
5. The proposal is assigned the following distinctive short-term designation:

"Paradise Drive/Paradise Cove No. 1 Annexation to the Town of Tiburon (File #1318)"
6. The affected territory is depicted in the draft map and legal description provided in Exhibits "A" and "B".
7. The affected territory is uninhabited as defined in Government Code Section 56046.
8. The Commission waives conducting authority proceedings under Government Code Section 56663.
9. The Town of Tiburon utilizes the regular assessment roll of the County of Marin.

10. Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by the Town of Tiburon. The affected territory will also be subject to all of the rates, rules, regulations, and ordinances of the Town of Tiburon.

11. The effective date shall be the date of recordation of the Certificate of Completion.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 12th day of June, 2014 by the following vote:

AYES: Adams, Arnold, Blanchfield, Condon, Phillips, Murray, Rodoni

NOES: None

ABSTAIN: None

ABSENT: None



JEFFRY BLANCHFIELD, Chairperson

ATTEST:



KEENE SIMONDS, Executive Officer

Exhibits:

A: Geographic Description of the Affected Territory

B: Map of the Affected Territory

EXHIBIT A

Paradise Drive / Paradise Cove #1 Annexation
to the Town of Tiburon (LAFCO File #1318)

County of Marin Mapping No. 14-03

Lands of Xanadu Property Holdings, LLC

All that certain real property situated in the Town of Tiburon, County of Marin, State of California, being a portion of the Rancho Corte Madera Del Presidio described as follows:

Beginning at a point on the southerly line of Paradise Drive at the intersection of the courses South 20°55'00" East 39.261 feet and North 58°40'20" West 133.627 feet in Parcel I, as described in that certain Grant Deed from Prime Area Development Company, A Limited Partnership, to the County of Marin, recorded on September 29, 1964, in Book 1880 at Page 215, Marin County Records, said point being the True Point of Beginning for this description.

1. Thence departing said southerly line of Paradise Drive, South 86°29'35" East 56.98 feet;
2. thence South 68°11'01" East 111.00 feet to angle point in the southerly line of Paradise Drive;
3. thence along said line of Paradise Drive, South 31°34'00" West 87.42 feet;
4. thence North 87°28'00" West 83.56 feet;
5. thence North 13°31'00" West 95.35 feet;
6. thence North 20°55'00" West 24.71 feet to the True Point of Beginning.

Containing 0.29 acres, more or less.

Meridian Surveying Engineering, Inc.
May 27, 20 15

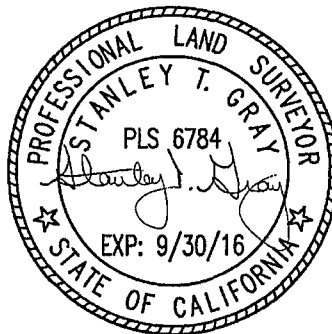


Exhibit "B"

"Paradise Drive/Paradise Cove No. 1 Annexation to the Town of Tiburon
(File #1318)""

Refer to:

RECORDED ON JUNE 12, 2015

AS BOOK 5015 OF MAPS,

PAGE 93;

MARIN COUNTY RECORDER