

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 95-08

RESOLUTION MAKING DETERMINATIONS AND APPROVING REORGANIZATION INCLUDING DETACHMENT OF THE UNINCORPORATED PARCELS FROM CSA 19, ANNEXATION TO THE SAN RAFAEL SANITATION DISTRICT AND ANNEXATION TO THE CITY OF SAN RAFAEL SUBJECT TO NOTICE, HEARING AND ELECTION REQUIREMENTS

"SEAVIEW AVENUE REORGANIZATION"

WHEREAS, a proposal for the proposed reorganization of certain territory which includes, Detachment from CSA 19, Annexation to the San Rafael Sanitation District and Annexation to the City of San Rafael, 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 owners of the property; 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 this matter.

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 of the property owners, is approved.

Section 2. The boundaries, as set forth in the proposal, are hereby amended and are as described in Exhibit "A," and "B" attached hereto and by this reference incorporated herein.

Section 3. The territory includes seven acres, is found to be inhabited, and is assigned the following distinctive short form designation: "Seaview Avenue Reorganization" Detachment from CSA 19 and Annexation to the San Rafael Sanitation District and the City of San Rafael.

Section 4. The proposal is consistent with the spheres of influence of affected local agencies.

Section 5. Any resolution authorizing the Reorganization approved by this resolution shall impose the following Commission terms and conditions:

1. that the proposal boundary be amended to include the unincorporated parcels on the west side of Seaview Avenue extending from Mission Avenue to Deer Park Avenue (map attached)
2. that all unincorporated parcels in the territory annex to the City of San Rafael
3. that the unincorporated parcels be detached from CSA 19
4. that rezoning be waived

As well as the following standard San Rafael Sanitation District terms and conditions:

1. Said District will be held harmless and will not be responsible for any backflow action or maintenance of sewer ejector or pump system required to serve the subject property. Further, the pipe between the ejector system and the District's sewer line shall be the maintenance obligation of the property owner. Said District cautions current and future property owners to the fact that mechanical ejector or pump systems do sometimes fail.
2. In the event that pursuant to rules and 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.
3. 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.

Section 6. The Marin County Board of Supervisors is designated as the conducting authority for further proceedings, and the Board 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 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 7th day of September, 1995 by the following vote:

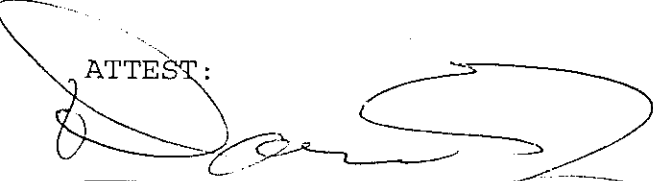
AYES: Commissioners Heller, Richardson and Williams

NOES: None

ABSENT: Commissioners Giacomini, Rose, Thayer


ERWIN WILLIAMS, CHAIRMAN

ATTEST:


DAWN MITTLEMAN, EXECUTIVE OFFICER

DATED: September 7, 1995

The foregoing instrument is a correct copy of the original on record in the office of the Local Agency Formation Commission of the County of Marin, State of California.



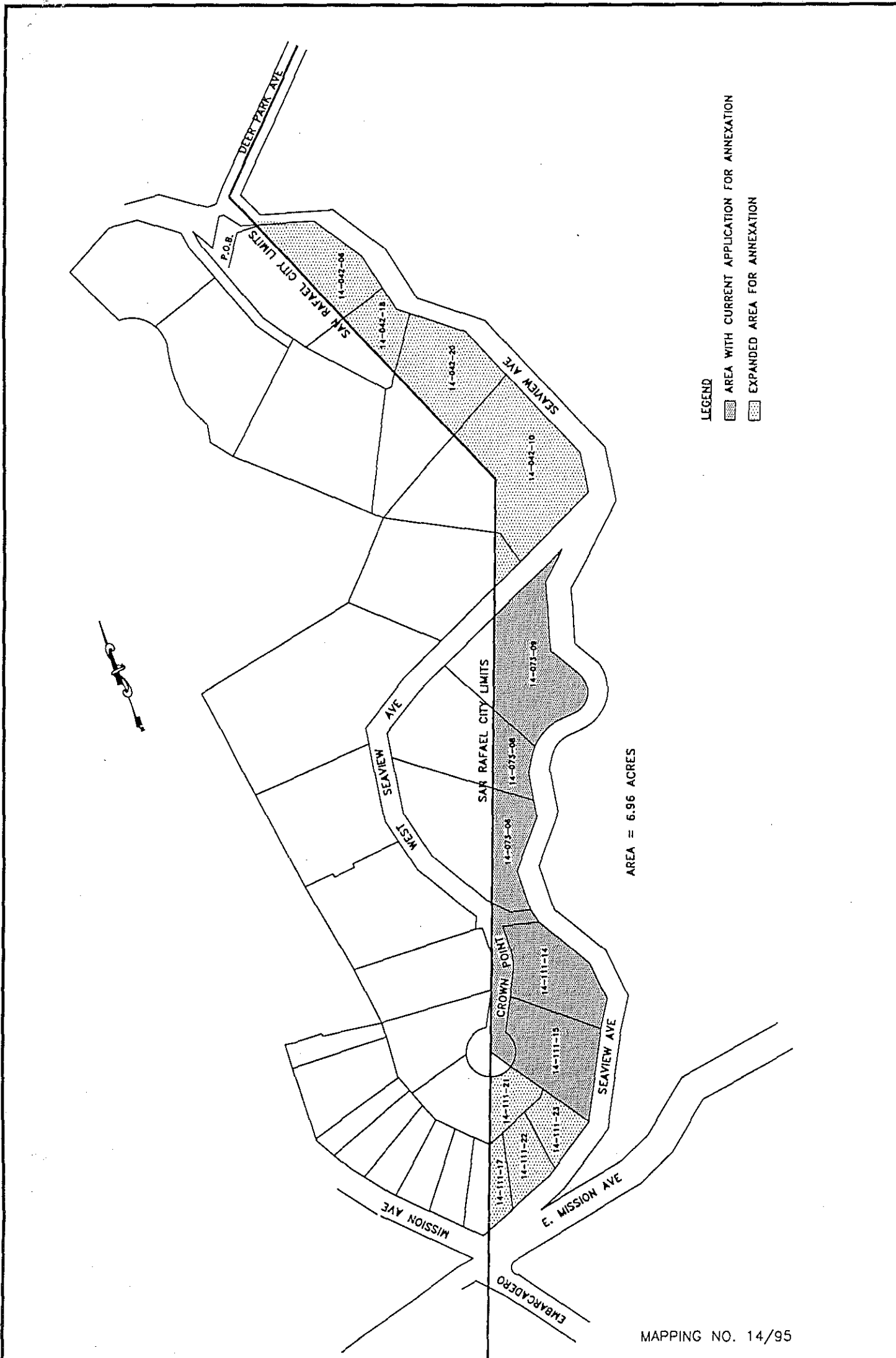
By 
Executive Officer 

EXHIBIT "A"

DESCRIPTION
SEAVIEW AVENUE REORGANIZATION NO. 4
TO
CITY OF SAN RAFAEL
AND
SAN RAFAEL SANITARY DISTRICT
MAPPING NO. 14/95

Beginning at a point on the existing San Rafael City Limits Line, said point also being on the Southwesterly Right of Way Line of Seaview Avenue and Assessor's Parcel Number 14-042-06; thence from said Point of Beginning along the Westerly Right of Way of Seaview Avenue the following courses; South 75°42" East 145.84 feet; South 38°08' East 119.72 feet; South 15°05' East 126.49 feet; thence South 53°45' East 146.84 feet; South 24°1.4' East 339.87 feet; South 06°20' West 81.05 feet; South 63°04' West 263.48 to the San Rafael City Limits on the Northwesterly Right of Way of West Seaview Avenue; thence Southerly along the San Rafael City Limits to the Southeasterly Right of Way of West Seaview Avenue; thence along the Southeasterly Right of Way of West Seaview Avenue North 63°04' West 140.46 feet; thence along the Westerly Right of Way of Seaview Avenue the following courses South 45°35' West 72.58 feet; South 14°04' West 141.19 feet; South 32°41' East 74.62 feet to a tangent curve to the right having a radius of 46.88 feet a central angle of 115°31'; thence 94.52 feet Southwesterly along said curve; thence South 82°50' West 32.54 to a tangent curve to the left having a radius of 100.26 feet a central angle of 53°28' thence along said curve Southwesterly 93.56 feet; thence South 29°22' West 37.05 feet; South 06°53' West 85.56 feet; South 37°42' West 119.53 feet; South 01°09' East 122.04 feet; South 32°55' East 134.59 feet; South 08°39' East 78.52 feet; South 29°49' West 61.5 feet; South 25°12' West 189.21 feet; South 53°50' West 136.41 feet; South 65°45' West 161.24 feet to the San Rafael City Limits Line on the Northerly Right of Way of Seaview Avenue; thence Northeasterly along the San Rafael City Limits Line to the **Point of Beginning**.

Said Reorganization contains 6.96 acres more or less.



COUNTY OF MARIN		SEAVIEW AVE. REORGANIZATION NO. 4 TO CITY OF SAN RAFAEL AND SAN RAFAEL SANITARY DISTRICT			
DEPARTMENT OF PUBLIC WORKS		DESIGNED	R.L.D. DRAWN	D.H. CHECKED	SHEET 1 OF 1
APPROVED _____ 19____		SEAVIEW2.DWG DRAWING NO.			