

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 77-46

RESOLUTION MAKING DETERMINATIONS AND DENYING WITHOUT PREJUDICE FOR REFILEING
THE ANNEXATION OF TERRITORY DESIGNATED AS THE "YOUNG ANNEXATION"
TO THE TOWN OF FAIRFAX

WHEREAS, a proposal for the annexation of certain territory to the Town of Fairfax 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 Resolution No. 1076 submitted by the Town of Fairfax which was submitted in accordance with the provisions of the Knox-Nisbet Act, Chapter 6.6 (commencing with Section 54773) of Division 2, Title 5 of the Government Code; and

WHEREAS, pursuant to Government Code Section 54797.1, when an application for annexation to a city is signed by all owners of land within the territory proposed to be annexed, this Commission may make determinations with respect to said application without notice and hearing,

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

Section 1. Based upon the findings of the Executive Officer in the initial environmental assessment, the Negative Declaration issued by the Executive Officer pursuant to the California Environmental Quality Act is affirmed.

Section 2. The proposal to annex to the Town of Fairfax the territory designated as "Young Annexation" is hereby denied without prejudice for refiling.

Section 3. The denial is made without prejudice for refiling at any time of a new proposal for annexation to the Town of Fairfax of all or any part of the territory included in the subject proposal; and to that extent the Commission hereby waives the provisions of Government Code 56273 on the basis that prior to one year from this date it may be found that annexation of all or a portion of the subject territory to the Town of Fairfax is in the public's best interest.

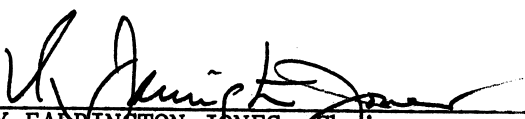
Section 4. The denial without prejudice for refiling is based upon the finding that the annexation is in conflict with policies of this Commission in that rezoning of the subject territory was not completed prior to LAFCo's consideration of the request.

Section 5. The Executive Officer is hereby authorized to mail certified copies of this resolution in the manner and as described in Section 56272 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 9th day of November, 1977, by the following vote:


AYES: Commissioners Baptiste, Mulryan, Roumiguere, Violich and Jones

NOES: NONE



ROY FARRINGTON JONES, Chairman
Marin Local Agency Formation Commission

ATTEST:



WARREN K. NELSON, Executive Officer

DATE:

November 14, 1977

Young Annexation to the City of Fairfax 23-77

Beginning at a point which is common to the Southwest corner of Lot 28 and the Southeast corner of Lot 29, Block 7, as said lots are shown on the amended map No. 2 of the Cascade Tract, recorded October 11, 1921 in Book 5 of Maps at Page 14, Marin County Records, said point also being on the existing Fairfax City Limit line; thence leaving said City Limit line S 6°19' E 150.00 feet; thence S 83°41' W 122.00 feet; thence S 6°19' E 475.00 feet to the Northerly line of the Fairfax-Bolinas County Road; thence Easterly following the courses and distances of said County Road right-of-way approximately 272 feet to a point on the Northerly line of said right-of-way; thence leaving said right-of-way N 6°19' W 625.00 feet to the Southerly line of Lot 28, Block 7, as per amended map No. 2 of the Cascade Tract, also being on the existing Fairfax City Limit line; thence along said City Limit line Westerly to the point of beginning.