

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 87-7

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
TO THE SANITARY DISTRICT #2 AND THE TOWN OF TIBURON

"KOLTHOFF/TANNER REORGANIZATION"

WHEREAS, a proposal for the proposed annexation of certain territory to the Sanitary District #2, 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 William Kolthoff, Lorne Tanner and Dora Tanner Smith, the owners of the subject 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 the matter; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including his recommendation thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, the Executive Officer has recommended that consistent with LAFCO's Dual Annexation Policy, this proposal be conditionally approved to require annexation of the property into the Town of Tiburon concurrently with the annexation to Sanitary District #2.

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 petition is approved.

Section 2. Pursuant to LAFCO's Dual Annexation Policy, this proposal is approved subject to the condition that the property annexing to Sanitary District #2 shall also annex to the Town of Tiburon.

Section 3. The boundaries, as set forth in the proposal, are hereby approved as amended and are as described in Exhibit "A" attached hereto and by this reference incorporated herein.

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Section 4. The territory includes 7.54 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Kolthoff/Tanner Reorganization" to the Town of Tiburon and Sanitary District #2.

Section 5. The proposal is consistent with the spheres of influence of affected local agencies.

Section 6. Any resolution authorizing the annexation approved by this resolution shall impose the terms and conditions of Sanitary District #2, as set forth in Exhibit "B" attached hereto and incorporated herein.

Section 7. The Town of Tiburon is designated as the conducting agency for further proceedings, and the Town Council of said Town 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. Prior to action by the Town of Tiburon, the property shall be rezoned consistent with LAFCO policy.

Section 8. The project is categorically exempt pursuant to provisions of the California Environmental Quality Act and the Commission's Environmental Guidelines.

Section 9. 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 12th day of February 1987 by the following vote:

AYES: Commissioners Foote, Kunze and McCart

NOES: Commissioner Stockwell

ABSTAIN: None

ABSENT: Commissioner Giacomini



ROBERT B. STOCKWELL, Chairman
Marin Local Agency Formation Commission

ATTEST:


NEIL SORENSEN, Executive Officer

DATED: FEB 19, 1987

EXHIBIT "A"

Kolthoff and Tanner Annexation 1986-37

to

Sanitary District No. 2

and the

Town of Tiburon

BEGINNING at a point on the existing boundary of Sanitary District No. 2, said point being the most easterly corner of the Lands of Richard and Vinsetta Coe as said property is recorded in book 3194 of Official Records at page 321, Marin County Records; thence leaving said boundary N 90° 00' 00" E 99.345 feet, S 0° 00' 00" E 346.132 feet to the southeasterly corner of Lot 28 as said lot is shown on the Map of Paradise Cove, Subdivision No. 2, recorded in book 5 of Record Maps at page 90, Marin County Records; thence along the southeasterly boundary of said Lot 28 S 45° 00' 00" W 926.077 feet; thence leaving said line on a tangent curve to the right with a radius of 40 feet and an arc length of 62.832 feet; thence N 45° 00' 00" W 43.74 feet; thence on a tangent curve left with a radius of 75 feet and an arc length of 57.845 feet; thence N 89° 16' 00" W 70.631 feet to the easterly line of Ranch Road; thence along the easterly line of Ranch Road S 34° 49' 00" W 78 feet, more or less; thence crossing Ranch Road N 55° 11' 00" W 40.00 feet to the westerly line of Ranch Road; thence along the westerly and southerly line of Ranch Road on a curve to the left whose center bears N 55° 11' 00" W with a radius of 58.083 feet and an arc length of 77.889 feet; thence continuing along the southerly line of Ranch Road N 42° 01' 00" W 52 feet, more or less, to said Sanitary District boundary; thence along said Sanitary District boundary to the POINT OF BEGINNING.

Containing approximately 7.7 acres.

3/2/87

JOB #5616

EXHIBIT "B"SANITARY DISTRICT NO. 2 (CORTE MADERA)

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 has 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.