

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 83-12

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
WITH WAIVER OF NOTICE, HEARING AND ELECTION
TO THE LAS GALLINAS VALLEY SANITARY DISTRICT

"SMITH RANCH ANNEXATION"

WHEREAS, a proposal for the annexation of certain territory to the Las Gallinas Valley Sanitary District 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 Resolution No. 1192, a resolution of application adopted by the Board of Directors of the Las Gallinas Valley Sanitary District, requesting the initiation of annexation proceedings pursuant to the District Reorganization Act of 1965, Division I (commencing with Section 56000) of Title 6 of the Government Code; and

WHEREAS, said resolution of application was accompanied by written consent signed by all owners of land within the territory proposed to be annexed; and

WHEREAS, pursuant to Government Code Section 56261, when a resolution of application is accompanied by written consent of all owners of land within the territory proposed to be annexed, this Commission may make determinations with respect to said annexation 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. Subject to the terms and conditions hereinafter specified, the proposal initiated by the Board of Directors of the Las Gallinas Valley Sanitary District is approved.

Section 2. The boundaries of the territory proposed to be annexed shall be those set forth in Exhibit "A", attached hereto and incorporated herein; and said territory shall be designated as the "Smith Ranch Annexation."

Section 3. Said territory is found to be uninhabited.

Section 4. Any resolution ordering the annexation approved by this resolution shall provide that such annexation is ordered

subject to Las Gallinas Valley Sanitary District's terms and conditions as set forth in Exhibit "B", attached hereto and incorporated herein.

Section 5. The Las Gallinas Valley Sanitary District is designated as the conducting district for further proceedings, and the Board of Directors is hereby directed to initiate proceedings in compliance with this resolution and authorized to proceed without notice, or election, pursuant to Government Code Section 56261.

Section 6. The City of San Rafael, project lead agency, completed the Smith Ranch FEIR (1976) and Northgate Activity Center Plan FEIR (1982) which have adequately studied environmental impacts resulting from the annexation and development projects.

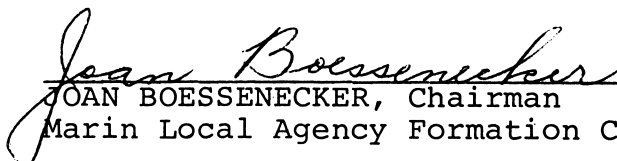
Section 7. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56272 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 14th day of July 1983 by the following vote:

AYES: Commissioners McCart, Stockwell, Willmann and Boessenecker

NOES: None

ABSENT: Commissioner Giacomini


JOAN BOESSENECKER, Chairman
Marin Local Agency Formation Commission

ATTEST:


WARREN K. NELSON, Executive Officer

DATE: July 15, 1983

EXHIBIT "A"

LAS GALLINAS VALLEY SANITARY DISTRICT
SMITH RANCH ANNEX

Real property situate in the City of San Rafael, County of Marin, State of California, described as follows:

Beginning at an angle point in the existing boundary of Las Gallinas Valley Sanitary District, Marin County, California, said point being the most north-westerly corner of Lot 12, the same as shown and delineated on that certain map entitled "Map of Smith Ranch - Northerly Portion" filed in Book 17 of Maps at Page 39, Marin County Records; thence leaving said boundary of Las Gallinas Valley Sanitary District and running thence along the boundary of Smith Ranch - Northerly Portion (17 Maps 39) the following courses and distances: North $73^{\circ}58'52''$ East, 1088.08 feet; North $85^{\circ}22'52''$ East, 572.07 feet; South $58^{\circ}55'36''$ East, 277.82 feet; South $48^{\circ}04'36''$ East, 719.93 feet; South $51^{\circ}28'36''$ East, 1207.39 feet; South $3^{\circ}24'24''$ West, 40.93 feet; South $7^{\circ}36'24''$ West, 299.03 feet; along a tangent curve to the right, having a radius of 2777.776 feet, through a central angle of $2^{\circ}15'02''$ an arc length of 109.11 feet; along a curve to the right whose center bears North $80^{\circ}08'34''$ West, having a radius of 1265.451 feet, through a central angle of $5^{\circ}51'21''$, an arc length of 129.33 feet to the boundary of said Las Gallinas Valley Sanitary District; thence leaving the boundary of said Smith Ranch - Northerly Portion (17 Maps 39) and running westerly along said Las Gallinas Valley Sanitary District boundary to the point of beginning.

Containing 61.9 acres, more or less.

ATC:BFL

EXHIBIT "B"

LAS GALLINAS VALLEY SANITARY DISTRICT

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, or 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 shall 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, pursuant to which such payment is required.
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.
3. No right to capacity in any facilities or public improvements of District, service, or priority of service shall arise because of annexation. District shall, in its sole discretion, determine when and if service can be provided, the priority of service and the conditions upon which service may be made if District determines service can be provided.