

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 96-10

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
WITH WAIVER OF NOTICE, HEARING AND ELECTION
TO THE TOWN OF TIBURON AND TO SANITARY DISTRICT #2

"Paradise Drive Reorganization #7"

WHEREAS, a proposal for the proposed annexation of certain territory to the Town of Tiburon and 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, a resolution of application filed by the property owners of the; and

WHEREAS, said petition of application was accompanied by written consent signed by all owners of land with the territory proposed to be annexed; 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, is approved.

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

Section 3. The territory includes 2.43 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Paradise Drive Reorganization #7" to the Town of Tiburon and Sanitary District #2.

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

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

- A. That Marin LAFCO waive the rezoning requirement to expedite sewer connection due to health hazard; and
- B. That Marin LAFCO delay action regarding annexation to the Town until June 1, 1997, to be decided upon concurrently with the Old Landing Road Reorganization.

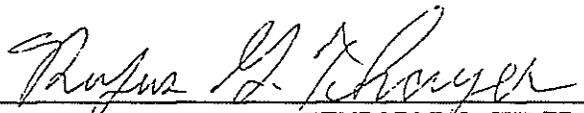
Section 6. The Marin County Board of Supervisors is designated as the conducting authority for further proceedings, and the Board is hereby directed to initiate proceedings in compliance with this resolution and is authorized to proceed without notice, or election, pursuant to Government Code, Section 56837.

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.

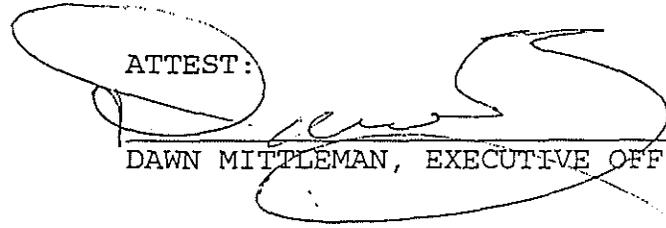
PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 7th day of November, 1996 by the following vote:

AYES: Commissioners Barner, Blanchfield, Kress, Moore and Ware
NOES: None
ABSTAIN: Commissioner Thayer



Rufus G. Thayer, TEMPORARY CHAIR

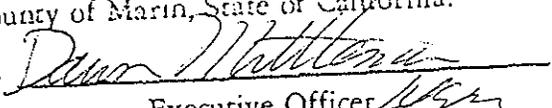
ATTEST:



DAWN MITTLEMAN, EXECUTIVE OFFICER

(FORMS\RES9610.96)

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

Date: September 23, 1996
File: 5.691.00

EXHIBIT "B"
LEGAL DESCRIPTION

PARADISE DRIVE REORGANIZATION NO. 7
ANNEXATION TO SANITARY SEWER DISTRICT NO. 2
AND THE TOWN OF TIBURON
MAPPING NO. 3/96

All that real property situate in the County of Marin, State of California, described as follows:

BEGINNING at a point on the easterly line of Paradise Drive (60 feet wide), said point being at the northerly terminus of a course shown as North 06°13'00" East, 173.27 feet on that certain annexation map entitled, "Old Landing Road Reorganization", dated November 9, 1994 and assigned Mapping No. 42/94, said point also being on the westerly boundary line of Sanitary Sewer District No. 2;

thence from said point of beginning, leaving said easterly line, South 79°40'19" West, 62.59 feet, to the northeasterly corner of that certain map entitled, "Parcel Map, Lands of Mitchell", filed for record in Book 8 of Parcel Maps at Page 38, Marin County Records;

thence along the northerly line of Parcel 3 as shown on said parcel map, North 82°00'00" West, 118.19 feet to the northwesterly corner of said Parcel 3 (APN 38-291-031);

thence along the westerly line of said Parcel 3, South 8°00'00" West, 89.34 feet to the westerly line of Parcel 2 (APN 38-291-033), as shown on said Parcel Map; thence along the westerly line of said Parcel 2, the following courses:

South 52°00'00" West, 116.80 feet;

South 2°30'00" West, 29.00 feet;

South 40°26'45" East, 27.73 feet;

South 21°32'28" East, 124.02 feet to the northerly line of Hillcrest Road as described in that certain deed filed for record in Book 1997 of Official Records at Page 8, Marin County Records;

thence leaving said northerly line, South 13°25'00" West, 45.92 feet, to the southerly line of said Hillcrest Road, said point being on the northerly boundary of the lands of Sutton (APN 38-291-014), as described in that certain deed filed for record in Book 3631 of Official Records at Page 463, Marin County Records;

thence along the northerly and westerly boundary of said Lands of Sutton following courses:

from a tangent that bears North 37°48'00" West, along a curve to the left, having a radius of 20.00 feet, through a central angle of 136°56'00", for an arc length of 47.80 feet;

South 5°16'00" West, 83.70 feet;

along a tangent curve to the right, having a radius of 65.00 feet, through a central angle of 84°44'00", for an arc length of 96.13 feet;

South 78.00 feet to the northerly line of APN 38-291-28, said point being on the northerly line of the Town Limits of the Town of Tiburon, and the southerly line of said lands of Sutton;

thence along said southerly line, East, 68.00 feet to the westerly line of Paradise Drive (60 feet wide);

thence leaving said westerly line, South 72°39'22" East, 60.60 feet to the easterly line of Paradise Drive, said point being on the westerly boundary of said Old Landing Road Reorganization and the westerly boundary line of said Sanitary Sewer District No. 2;

thence along the westerly boundary of said Reorganization, the following courses:

North 25°25'00" East, 186.83 feet;

North 22°48'00" East, 296.25 feet;

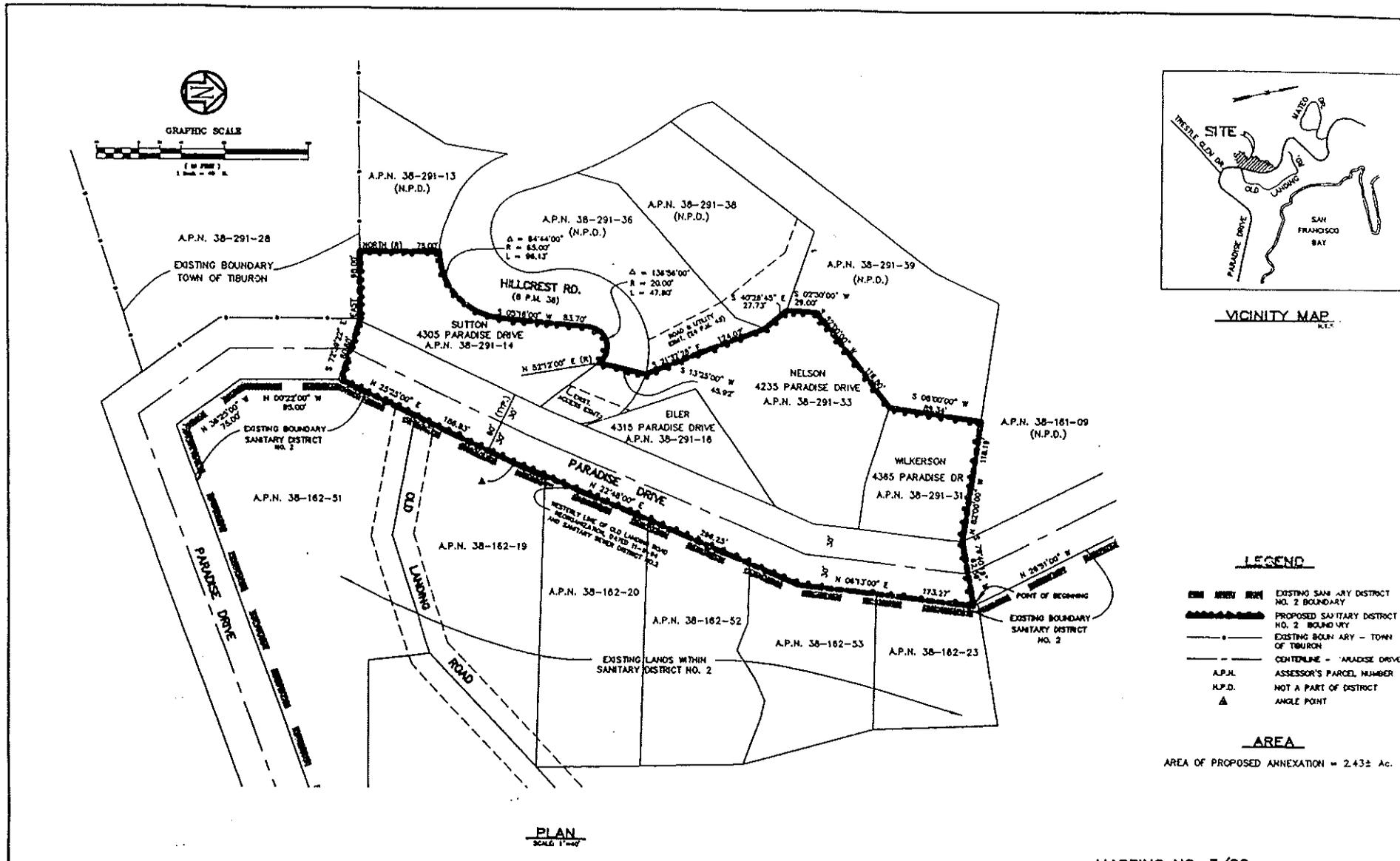
North 6°13'00" East, 173.27 feet; to the point of beginning.

Containing 2.43 ± acres.

Prepared by: CSW/Stuber-Stroeh Engineering Group, Inc.
Dennis D. Rinehart, RCE 32110
License Expires December 31, 1996



EXHIBIT "A"



MAPPING NO. 3/96

<table border="1"> <tr><td>DESIGNED BY</td><td>DOB</td></tr> <tr><td>DRAWN BY</td><td>DOB</td></tr> <tr><td>CHECKED BY</td><td>DOB</td></tr> <tr><td>SCALE</td><td>1" = 40'</td></tr> <tr><td>DATE</td><td>09/23/94 17:22</td></tr> </table>	DESIGNED BY	DOB	DRAWN BY	DOB	CHECKED BY	DOB	SCALE	1" = 40'	DATE	09/23/94 17:22	<p>CSW [St]² CSW/STUBER-STROEF ENGINEERING GROUP, INC. CONSULTING ENGINEERS 790 DeLong Ave., Novato, CA 94945-3244 (415) 892-4743</p>	<p>PREPARED UNDER THE DIRECTION OF</p> <p>DOUGLAS D. HENNING</p> <p>REG. 2119</p>	<p>PARADISE DRIVE REORGANIZATION No. 7 ANNEXATION TO SANITARY SEWER DISTRICT No.2 AND THE TOWN OF TIBURON</p>	<p>SHEET</p> <p>1 of 1</p>
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