

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 04-10

**RESOLUTION MAKING DETERMINATIONS AND APPROVING
REORGANIZATION INCLUDING ANNEXATIONS TO
THE CITY OF SAN RAFAEL AND SAN RAFAEL SANITATION DISTRICT
WITH WAIVER OF NOTICE, HEARING AND ELECTION**

**"Reorganization of the Lands of 411 Margarita LP Including Annexations
to the City of San Rafael and San Rafael Sanitation District (File #1230)"**

WHEREAS, a proposal for the reorganization of certain territory including annexations to the City of San Rafael and San Rafael Sanitation District 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 property owner; and

WHEREAS, said petition 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 56663, when a petition is accompanied by written consent signed by all owners of land within the territory proposed to be annexed, this Commission may make determination with respect to said annexation without notice and hearing; and

WHEREAS, pursuant to Government Code Section 56663(c), the affected territory is uninhabited; all the owners of land within the affected territory have given their written consent; and the affected local agencies, the City of San Rafael and San Rafael Sanitation District, have consented in writing to a waiver of conducting authority proceedings, this Commission may make determination with respect to said application with waiver of conducting authority proceedings; and

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

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

Section 1. 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 2. The territory includes .5 acres excluding the Highland Avenue right-of-way, is found to be uninhabited, and is assigned the following distinctive short form designation: "Reorganization of the Lands of 411 Margarita LP Including Annexations to the City of San Rafael and San Rafael Sanitation District (File #1230)".

Section 3. The proposal is consistent with the adopted spheres of influence of the City of San Rafael and San Rafael Sanitation District.

Section 4. The proposed reorganization is approved subject to the following condition:

The applicant shall provide an approved map indicating:

- A. The proposal boundary defining the reorganization area shall be amended to include the full width of the Highland Avenue right-of-way fronting on APN 15-241-14.
- B. The proposal boundary defining the reorganization area shall be amended to delete APN Assessor's Parcel Number 15-241-01.

Section 5. The Executive Officer is hereby authorized to complete reorganization proceedings in the manner prescribed by Section 57000 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 12th day of August, 2004, by the following vote:

AYES:

NOES:

ABSENT:



JEFFRY BLANCHFIELD, Chairperson

ATTEST:



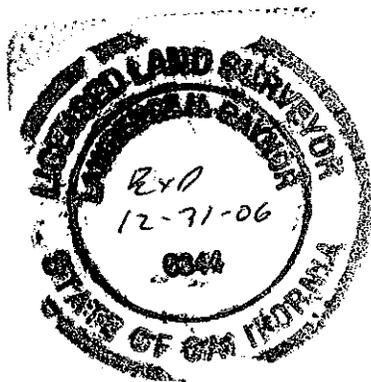
PETER V. BANNING, Executive Officer

EXHIBIT A

DESCRIPTION

Beginning at the intersection of the center lines of Highland Avenue and Margarita Drive as described in Parcel Four in that certain deed D.N. 2000-0048519 recorded September 21, 2000, Marin County Records, thence S 25°02'30" W 23.98 feet to the TRUE POINT OF BEGINNING of this description, thence along the southerly right of way of Margarita Drive (1.) N 31°29' W 53.75 +/- feet to the intersection of said right of way with the line of San Rafael Corp., thence leaving said right of way and along said line of San Rafael Corp. (2.) N 54°18'10" E 206.17 +/- feet to the line described in said deed as S 18°56' E 242.008 feet, thence leaving said San Rafael Corp line and along said deed line (3.) S 18° 56' E 42+- feet to the south end of said deed line, thence (4.) N 82°39' E 2.27 feet, thence on a (C1.) curve to the left with a radius of 135 feet through an angle of 28°22' for a distance of 66.837 feet, thence (5.) N 54°17' E 20.00 feet, thence (6.) S 35°43' E 24.96 feet, thence (7.) S 19°04' E 126.24 FEET to the southerly right of way of Highland Avenue, thence along said right of way (8.) S 70°56' W 105.13 feet, (9.) N 75°08' W 98.42 and (10.) S 81°34' W 95.37 to the TRUE POINT OF BEGINNING.

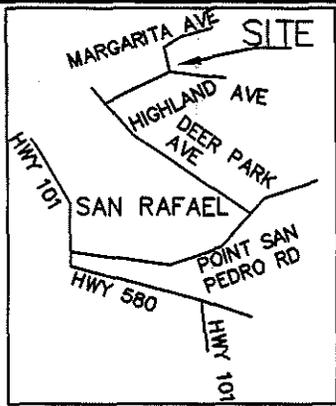
Containing 34,548 square feet (0.79 Acres) more or less.



A handwritten signature in black ink, appearing to be "A. Ryd".

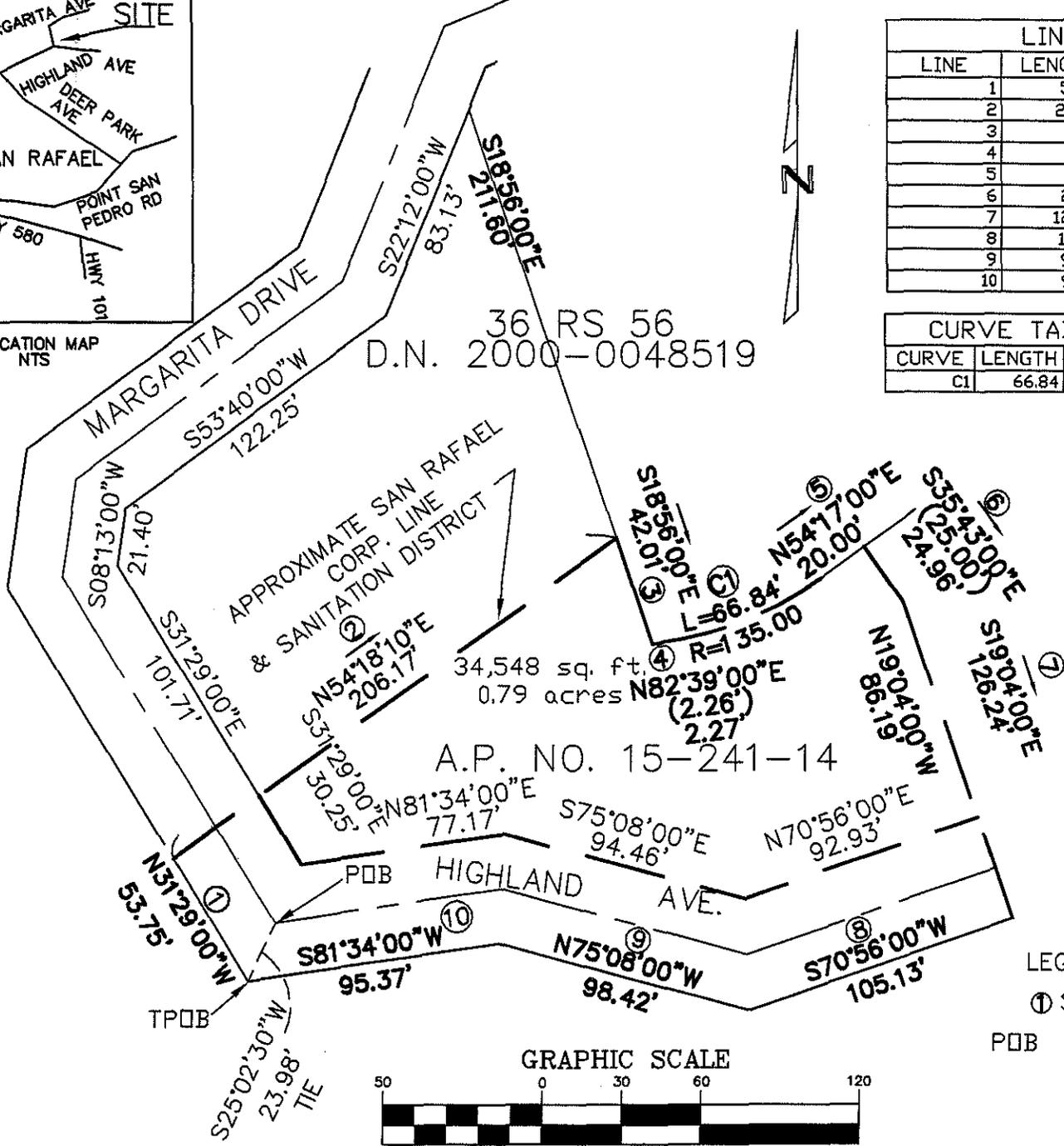
LINE TABLE		
LINE	LENGTH	BEARING
1	53.75'	N31°29'00"W
2	206.17'	N54°18'10"E
3	42.01'	S18°56'00"E
4	2.27'	N82°39'00"E
5	20.00'	N54°17'00"E
6	24.96'	S35°43'00"E
7	126.24'	S19°04'00"E
8	105.13'	S70°56'00"W
9	98.42'	N75°08'00"W
10	95.37'	S81°34'00"W

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	66.84	135.00	28°22'

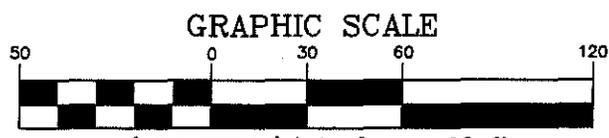


LOCATION MAP NTS

36 RS 56
D.N. 2000-0048519



LEGEND
 ① See Line Table
 POB Point of Beginning



MAPPING NO. 19/02

DATE 5-02
REVISED 11-04

Reorganization of the Lands of 411 MARGARITA, LP
 Including Annexation to the City of San Rafael
 and San Rafael Sanitation District.
 (File # 1230)

N.C.P.D.
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