

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 78-35

RESOLUTION MAKING DETERMINATIONS AND CONDITIONALLY APPROVING
ANNEXATION TO SANITARY DISTRICT NO. 5

NORMAN ANNEXATION

WHEREAS, a proposal for the annexation of certain territory to Sanitary District No. 5, 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 petition, requesting the initiation of annexation proceedings pursuant to the District Reorganization Act of 1965, Division 1 (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 is conditionally 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 is uninhabited and shall be designated as the "Norman Annexation".

Section 3. Any resolution ordering the annexation approved by this resolution shall provide that such annexation is ordered subject to the following terms and conditions:

- A. The applicant, Mrs. Anne Norman, shall submit a petition to the Executive Officer of the Marin Local Agency Formation Commission, requesting that preliminary proceedings be initiated to annex her property (AP # 39-241-02) to the City of Tiburon, and also adjacent properties which are contiguous to the existing Tiburon city boundary. Said application shall be filed prior to filing of the Sanitary District No. 5 resolution, ordering annexation of said parcel with the County Recorder and State Board of Equalization.
- B. That the City of Tiburon shall prepare necessary documents to initiate and complete annexation of said property and bear reasonable expenses for preparation of said documents pursuant to Section 35402(a) of the California Government Code. Board of Equalization filing fees, imposed pursuant to Section 54902.5 of the California Government Code, shall also be the responsibility of said city.

C. That, should the City Council of the City of Tiburon elect not to comply with condition B above, said proposal to annex parcel # 39-241-02 to Sanitary District No. 5 shall be approved subject to the condition that an agreement, entered into between the Marin Local Agency Formation Commission and the property owner to annex to said city and not to oppose annexation when proposed, shall be signed, certified, and filed with the Marin County Recorder. Said agreement shall run with the land and binding upon all future property owners.

Section 4. That rezoning action by the city is hereby waived by the Marin Local Agency Formation Commission.

Section 5. Lafco's application fee for the city annexation proposal is hereby waived.

Section 6. The Sanitary District No. 5 is designated conducting district for further proceedings; and, the Board of Directors of said District is hereby directed to initiate proceedings in compliance with this resolution, and is authorized to proceed without notice or hearing pursuant to Government Code Section 56261.

Section 7. The environmental documents relevant to the proposed annexation have been reviewed and considered by the Commission in making its final determination.

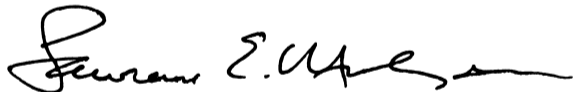
Section 8. The Executive Officer is hereby authorized to mail certified copies of this resolution in the manner and as prescribed by law.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 13th day of December 1978 by the following vote:

AYES: Commissioners Baptiste, Haehl, Rice, Violich and Mulryan


NOES: None

ABSENT: None



LAWRENCE E. MULRYAN, Chairman
Marin Local Agency Formation Commission

ATTEST:



WARREN K. NELSON, Executive Officer

DATE: December 14, 1978

EXHIBIT "A"

ANNEXATION TO SANITARY DISTRICT NO. 5

PROPERTY OF OLAV AND ANNE NORMAN

DESCRIPTION

BEGINNING AT A POINT ON THE EXISTING BOUNDARY OF SANITARY DISTRICT NO. 5, SAID POINT BEING AT THE INTERSECTION OF THE COURSE BEARING SOUTH 17°-07' WEST (SOUTH 17°-07' WEST OF PREVIOUS RECORD) WITH THE SOUTHERLY LINE OF PARADISE DRIVE, AND BEARING NORTH 17°-07' EAST 345.587 FEET FROM A 6 INCH CONCRETE MONUMENT TAGGED LS 2535 AT THE INTERSECTIONS OF THE COURSES BEARING NORTH 64°-25' EAST 311.50 FEET AND NORTH 17°-18' EAST 375.0 FEET AS DESCRIBED IN THE GRANT DEED FROM HARRY L. DENISON TO OLAV N. NORMAN AND ANNE NORMAN, HIS WIFE, DATED OCTOBER 7, 1968 AND RECORDED IN BOOK 2248 OF OFFICIAL RECORDS AT PAGE 8, MARIN COUNTY RECORDS THENCE ALONG SAID SANITARY DISTRICT BOUNDARY,

1. SOUTH 17°-07' WEST 345.587 FEET, THENCE
2. SOUTH 64°-14' WEST 311.473 FEET, THENCE
3. SOUTH 04°-57' WEST 164.00 FEET, THENCE
4. SOUTH 63°-36'-01" WEST 359.170 FEET, THENCE
5. NORTH 24°-08' WEST 418.333 FEET, THENCE
6. NORTH 45°-59' EAST 274.00 FEET, THENCE
7. NORTH 11°-59' WEST 275.00 FEET, THENCE
8. NORTH 53°-38'-31" WEST 95.049 FEET, TO A POINT ON THE SOUTHERLY LINE OF PARADISE DRIVE, AND CONTINUING ON SAID LINE,
9. NORTH 52°-20'-30" EAST 3.841 FEET, THENCE
10. NORTH 55°-11'-20" EAST 411.332 FEET, THENCE
11. SOUTH 42°-42'-40" EAST 59.468 FEET, THENCE
12. NORTH 73°-20'-20" EAST 127.783 FEET, THENCE
13. NORTH 25°-13'-20" EAST 119.309 FEET, THENCE
14. NORTH 59°-44'-20" EAST 47.90 FEET, THENCE
15. SOUTH 58°-57'-40" EAST 138.483 FEET, THENCE
16. NORTH 89°-32'-20" EAST 76.217 FEET, THENCE
17. SOUTH 46°-03'-40" EAST 59.157 FEET, THENCE
18. SOUTH 14°-03'-40" EAST 61.039 FEET, THENCE

19. SOUTH 48°-04'-20" WEST 58.430 FEET, THENCE
20. SOUTH 29°-58'-50" WEST 98.050 FEET, THENCE
21. SOUTH 03°-29'-10" EAST 51.252 FEET, THENCE
22. SOUTH 29°-01'-20" WEST 95.325 FEET, THENCE
23. SOUTH 69°-55'-40" EAST 120.617 FEET TO THE POINT OF BEGINNING.

BEING ENTIRELY SURROUNDED BY THE PRESENT BOUNDARY OF SANITARY DISTRICT No. 5
AND CONTAINING 14.96 ACRES, MORE OR LESS.

PREPARED BY:

EDWARD B. BEATTIE RCE 11181

P O Box 328

SAUSALITO, CA. 94965