

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 81-8

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

RANCH ROAD 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 a petition submitted by property owner, Richard H. Owens, 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 petition was 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 made by petition 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 Ranch Road Annexation.

Section 3. Said territory is found to be inhabited.

Section 4. Any resolution ordering the annexation approved by this resolution shall provide that such annexation is ordered subject to the following terms and conditions:

- A. Las Gallinas Valley Sanitary District's terms and conditions as set forth in Exhibit B, attached hereto and incorporated herein.
- B. That all affected property owners shall enter into a binding agreement with the City of San Rafael and the Marin Local Agency Formation Commission wherein annexation to the City will not be opposed by said property owners when initiated by the City Council. Terms of said agreement are specified in Exhibit C, attached hereto and incorporated herein.

Section 5. Waiver of certain Commission policies has been granted by LAFCo in approving the Ranch Road Annexation proposal. Said waiver is given in order to facilitate the correction of an emergency condition posing serious health hazards to local residents. Said waiver further takes into account support for such approval provided by the City of San Rafael planning staff. Following preparation of a specific area plan for Los Ranchitos, the City of San Rafael could initiate annexation of this unincorporated island area in a comprehensive, rather than piecemeal, manner. Waiver of the dual annexation policy is also based upon the fact that the site is not contiguous, and, therefore, not legally annexable to the City.

Section 6. The Las Gallinas Valley Sanitary District is designated as the 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. In accordance with applicable provisions contained in the Marin Local Agency Formation Commission Environmental Guidelines and Procedures, the Marin Local Agency Formation Commission, as the appropriate lead agency, has conducted an initial study and has issued a Negative Declaration.


Section 8. 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 12th day of February 1981 by the following vote:


AYES: Commissioners Boessenecker, Giacomini, Violich, Wilhelm and Haehl

NOES: None

ABSENT: None


JANA HAEHL, Chairperson
Marin Local Agency Formation Commission

ATTEST:


WARREN K. NELSON, Executive Officer

DATE: February 13, 1981

LAS GALLINAS VALLEY SANITARY DISTRICT
Annexation 1981-1 RANCH ROAD ANNEXATION
Lands Adjacent to Ranch Road, Baytree Road, etc.

December 1980

BEGINNING at the most southerly corner of Lot 6, as said lot is shown on the "Map of Los Ranchitos Estates" recorded in Book 18 of Maps, at Page 29, Official Records of Marin County, State of California, said corner also being common to the parcel of land conveyed to Leroy I. Peterson, et ux, by deed recorded in Book 1307, at Page 565, of said Official Records, said point also being on the existing boundary of Las Gallinas Valley Sanitary District; thence from said Point of Beginning, leaving said district boundary along the easterly lines of the lands of Peterson (1307 O.R. 565), John B. Sorensen (described in the deed recorded in Book 2408, at Page 479, of said Official Records) and Phillip A. Bernauer (described in deed recorded in Book 1186, at Page 540, of said Official Records) South $00^{\circ} 45' 10''$ West 265.535 feet to the center line of a road, 50 feet wide, known as Glenside Way; thence along said center line of Glenside Way, as described in the deeds to Bernauer (1186 O.R. 540) and William H. Held, et ux (recorded in Book 2537, at Page 374, of said Official Records), along a curve to the left, the center of which bears South $38^{\circ} 53' 30''$ East, with a radius of 60 feet through an angle of $54^{\circ} 08' 10''$, an arc length of 56.69 feet; thence South $3^{\circ} 01' 40''$ East 174.28 feet; thence along a tangent curve to the right with a radius of 40 feet through an angle of $123^{\circ} 09' 40''$, an arc length of 85.983 feet; thence along a reverse curve to the left with a radius of 100 feet through an angle of $30^{\circ} 23' 30''$, an arc length of 53.043 feet; thence South $89^{\circ} 44' 30''$ West 40 feet to the center of a 40 foot radius cul-de-sac; thence, leaving said center line, South $89^{\circ} 44' 30''$ West 40 feet to the cul-de-sac right-of-way

line; thence along the southerly boundary of the lands of Held (2537 O.R. 374) South 89° 44' 30" West 9.475 feet, North 87° West 85.86 feet and North 81° 33' West 103.33 feet to the easterly line of the parcel of land conveyed to John F. Bowman, et ux, by deed recorded in Book 2481, at Page 510, of said Official Records; thence along last said line South 6° 17' West 45.75 feet to the northeast corner of the parcel of land conveyed to Douglas E. Dickie, et ux, by deed recorded in Book 777, at Page 505, of said Official Records; thence along the easterly line of the lands of Dickie (777 O.R. 505) and the easterly line of the parcel of land conveyed to Douglas E. Dickie, et ux, by deed recorded in Book 1132, at Page 142, of said Official Records, South 20° 35' East 445.34 feet, more or less; thence along the southerly line of the lands of Dickie (1132 O.R. 142) North 83° 42' 30" West 151.77 feet, more or less, to the easterly line of the parcel of land conveyed to Diane L. Litchfield by deed recorded in Book 1443, at Page 174, of said Official Records; thence along the easterly, southerly and westerly lines of the land of Litchfield (1443 O.R. 174) South 8° 47' East 142.03 feet, South 8° 05' East 129.73 feet, North 80° 59' West 172.40 feet, North 85° 27' West 71.556 feet and North 8° 34' East 42.17 feet to the southerly line of the parcel of land conveyed to Edward W. Brandt, et ux, by deed recorded in Book 772, at Page 53, of said Official Records; thence along the southerly and westerly lines of the lands of Brandt (777 O.R. 53) North 86° 48' 30" West 137.28 feet, South 85° 19' 50" West 13.13 feet and North 24° 42' West 262.62 feet to the southerly line of the parcel of land conveyed to Robert D. Moore, Jr., by deed recorded in Book 1561,

at Page 124, of said Official Records; thence along the southerly and westerly lines of the lands of Moore (1561 O.R. 124) North 83° 42' 30" West 59.71 feet and North 20° 24' 30" West 320 feet to the most southerly corner of the parcel of land conveyed to Charles B. Emery, Jr., et ux, by deed recorded in Book 996, at Page 224, of said Official Records; thence along the southwesterly and northwesterly lines of the lands of Emery (996 O.R. 224) North 17° 30' West 295.17 feet and North 63° 30' East 109.711 feet to the most westerly corner of the parcel of land conveyed to Stewart Emery by deed recorded in Book 3635, at Page 410, of said Official Records; thence along the northerly boundary of the lands of Emery (3635 O.R. 410) North 63° 30' East 139.43 feet and North 89° 45' East 228.92 feet to the southerly terminus of the line that bears North 4° 57' East 90.39 feet as said line is described in the deed to Richard H. Owens, et ux, recorded in Book 2578, at Page 408, of said Official Records; thence along the westerly and northerly boundary of the lands of Owens (2578 O.R. 408) North 4° 57' East 90.39 feet, North 40° 29' West 126.013 feet, North 13° 58' East 127.297 feet, North 34° 34' East 91.31 feet and South 77° 23' 28" East 80.07 feet to the westerly line of the land conveyed to Robert J. Young, et ux, by deed recorded in Book 2584, at Page 496, of said Official Records; thence along last said line North 14° 30' East 214.088 feet to the southwesterly corner of the parcel of land conveyed to Ricardo A. Urrea, et ux, by deed recorded in Book 3477, at Page 449, of said Official Records; thence along the westerly and northerly boundary of the lands of Urrea

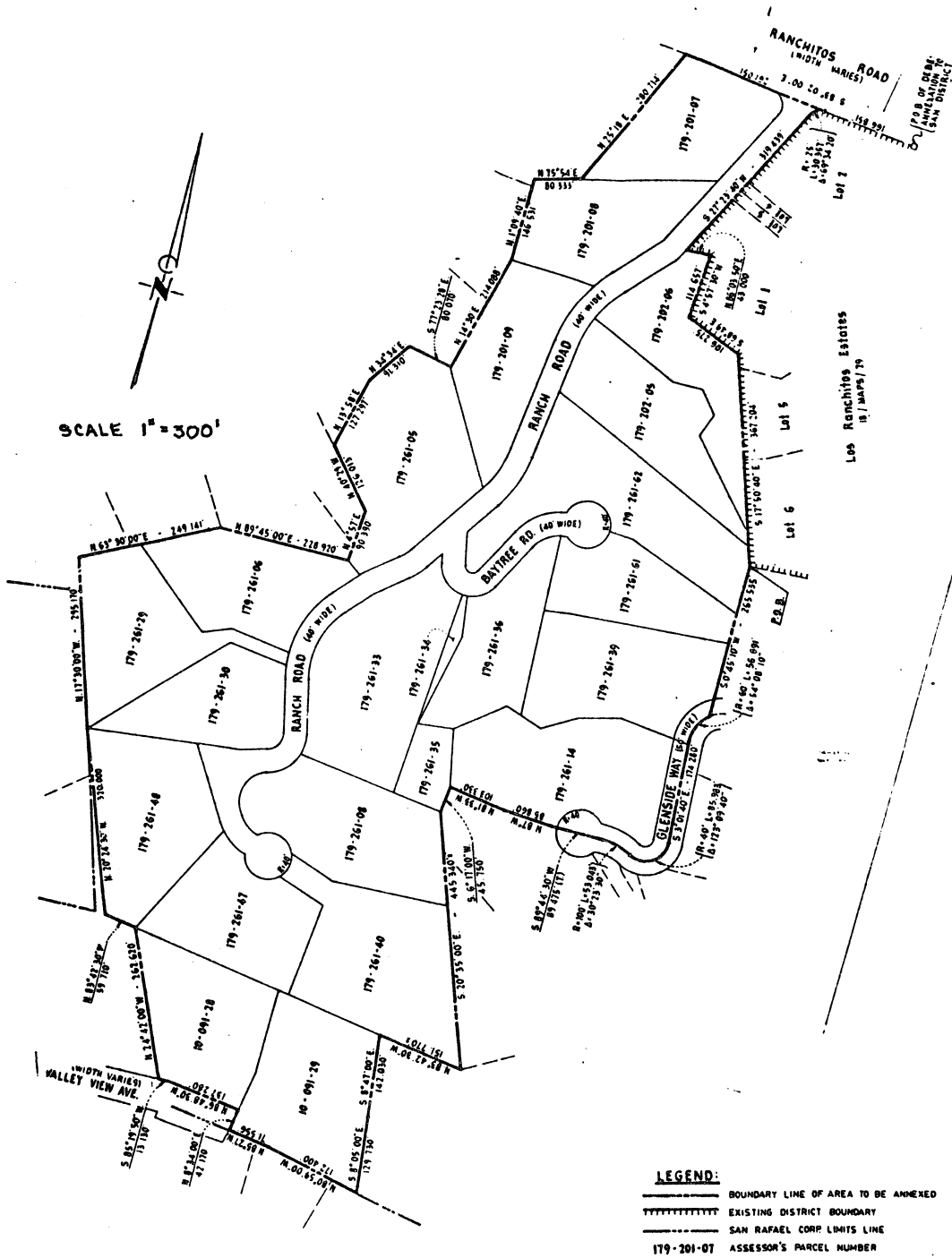
(3477 O.R. 449) North $1^{\circ} 09' 40''$ East 146.531 feet and North $75^{\circ} 54'$ East 80.333 feet to the most southerly corner of the parcel of land conveyed to Robert N. Nave, et ux, by deed recorded in Book 791, at Page 299, of said Official Records; thence along the westerly line of the lands of Nave (791 O.R. 299) North $25^{\circ} 18'$ East 280.714 feet to the southerly line of the Old State Highway from San Rafael to Petaluma, now a County road known as Ranchitos Road; thence along last said line South $83^{\circ} 02'$ East 261.051 feet to a point of cusp, distant thereon North $83^{\circ} 02'$ West 166.851 feet from a concrete monument at Engineer's Station 865 + 17.56, said point being on the existing district boundary; thence southerly along said boundary to the Point of Beginning.

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.



PROPOSED ANNEXATION CONTAINS
APPROXIMATELY 27 AC.

RANCH ROAD ANNEXATION TO THE LAS GALLINAS VALLEY SANITATION DISTRICT