

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 87-10

RESOLUTION AMENDING THE
"BAY VISTA - RANCHO DRIVE ANNEXATION" PROPOSAL

WHEREAS, a proposal for the proposed annexation of certain territory to the Town of Tiburon, 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 ("Act"); and

WHEREAS, said proposal was made in the form of a petition filed by Katherine Ferguson of 19 Bay Vista Drive ("Chief Petitioner"); and

WHEREAS, when the Chief Petitioner drew the boundary line for the map submitted with the proposal, a parcel was inadvertently omitted; and

WHEREAS, the Chief Petitioner has submitted a written request to this Commission to amend the "Bay Vista - Rancho Drive Annexation" proposal to include Assessor's Parcel 34-012-51, owned by Thomas Deffebach, and consisting of approximately 3.7 acres; and

WHEREAS, Government Code Sections 56845 and 56857 permit this Commission to amend a proposal; 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 the request to amend this 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 the manner.

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 the Petition of Katherine Ferguson and the landowners and registered voters in the Bay Vista - Rancho Drive area is amended to include Assessor's Parcel 34-012-51.

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

Resolution Amending the "Bay Vista - Rancho Drive Annexation" Proposal

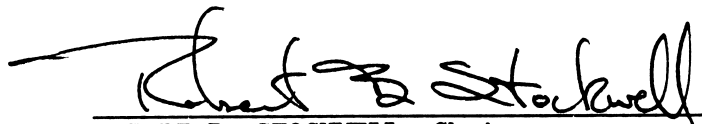
Section 3. Further proceedings on the amended Proposal shall be conducted in conformance with the "Act."

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 9th day of April 1987 by the following vote:

AYES: Commissioners Breiner, Bull, Foote, Giacomini and Stockwell

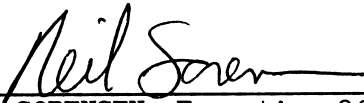
NOES: None

ABSENT: None



ROBERT B. STOCKWELL, Chairman
Marin Local Agency Formation Commission

ATTEST:



NEIL SORENSEN, Executive Officer

DATED: April 10, 1987

DEFFEBACH ANNEXATION

RICHARDSON BAY SANITARY DISTRICT

MARIN COUNTY, CALIFORNIA

MAY 1, 1986

Beginning at a point on the exterior boundary of Richardson Bay Sanitary District, said point also being the northwest corner of Lot 90, as said Lot is shown on that certain Map entitled "Map of Bel Aire Estates" recorded in Volume 7 of Maps at Page 82, Marin County Records, and running thence along the exterior boundary of Richardson Bay Sanitary District South $2^{\circ}15'59''$ West 371.186 feet, thence South $5^{\circ}02'18''$ West 611.247 feet, thence on a curve to the right having a radius of 610.00 feet through a central angle of $9^{\circ}47'07''$ an arc distance of 104.179 feet to the northerly line of Cecilia Way, thence North $76^{\circ}20'15''$ West 100.025 feet to the easterly line of Rancho Drive, thence on a curve to the left whose center bears North $74^{\circ}56'56''$ West having a radius of 510.00 feet through a central angle of $1^{\circ}32'39''$ an arc distance of 13.745 feet, thence North $13^{\circ}32'$ East 10.00 feet, thence North $76^{\circ}28'$ West 270.00 feet, thence North $13^{\circ}32'$ East 120.00 feet, thence North $76^{\circ}28'$ West 160.00 feet, thence South $13^{\circ}32'$ West 180.00 feet, thence South $76^{\circ}28'$ East 160.00 feet, thence North $13^{\circ}32'$ East 50.00 feet, thence South $76^{\circ}28'$ East 110.00 feet, thence on a curve to the right whose center bears North $76^{\circ}28'$ West having a radius of 350.00 feet through a central angle of $36^{\circ}28'$ an arc distance of 222.762 feet, thence North $40^{\circ}00'$ West 140.00 feet, thence on a curve to the right whose center bears North $40^{\circ}00'$ West having a radius of 210.00 feet through a central angle of $29^{\circ}36'$ an arc distance of 108.49 feet to the northeasterly line of Barn Road, thence North $10^{\circ}24'$ West 10.00 feet, thence on a curve to the right whose center bears North $10^{\circ}24'$ West having a radius of 200.00 feet through a central angle of $15^{\circ}18'07''$ an arc distance of 53.414 feet, thence North $85^{\circ}05'53''$ West 13.277 feet, thence North $8^{\circ}42'$ East 100.44 feet, thence North $79^{\circ}51'14''$ West 105.269 feet, thence South $82^{\circ}05'$ West 110.00 to the easterly line of Bay Vista Drive, thence on a curve to the left whose center bears South $82^{\circ}05'$ West having a radius of 145.00 feet through a central angle of $31^{\circ}05'25''$ an arc distance of 78.681 feet, thence on a curve to the left whose center bears North $50^{\circ}59'35''$ East having a radius of 20.00 feet through a central angle of $94^{\circ}06'35''$ an arc distance of 32.851 feet, thence North $46^{\circ}53'$ East 85.99 feet, thence North $24^{\circ}55'$ East 68.50 feet, thence North $37^{\circ}37'$ West 119.20 feet, thence North $26^{\circ}27'53''$ West 175.966 feet, thence leaving the boundary of Richardson Bay Sanitary District North $33^{\circ}53'32''$ West 353.398 feet to a point on the boundary of Richardson Bay Sanitary District, thence along the boundary of Richardson Bay Sanitary District North $89^{\circ}30'26''$ East 399.807 feet, thence North $44^{\circ}29'16''$ East 337.332 feet, thence North $26^{\circ}58'48''$ West 191.057 feet, thence North $60^{\circ}31'13''$ East 71.35 feet, thence North $43^{\circ}38'$ East 50.36 feet to the southerly line of Via Los Altos, thence on a curve to the left whose center bears North $37^{\circ}54'06''$ East having a radius of 150.00 feet through a central angle of 16°

04'10" an arc distance of 42.07 feet, thence on a reverse curve to the right having a radius of 200.00 feet through a central angle of 35°35' an arc distance of 124.209 feet, thence on a reverse curve to the left having a radius of 200.00 feet through a central angle of 55°09'22" an arc distance of 192.53 feet, thence South 87°44'26" East 224.937 feet to the Point of Beginning.

Having an area of 20.76 acres.

17-43309

RICHARDSON BAY SANITARY DISTRICT
TERMS AND CONDITIONS

The annexation shall be subject to the following terms and conditions:

(1) In the event the District shall require any payment of a fixed or determinable amount of money, either as a lump sum or in installments, for 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, the District, as now or hereafter amended; and shall be subject to the provisions of existing and subsequent orders of the California Regional Water Quality Control Board, which current orders place a restriction upon the number of sewer connections allowable to District's sewer systems.

(3) No right to capacity in any facilities or public improvements of the District, service, or priority of service, shall arise because of annexation. District shall, pursuant to contractual obligations, and pursuant to applicable orders, regulations, rules and limitations of the California Regional Water Quality Control Board, determine when and if sewer service can be provided, the priority of service and the conditions upon which service may be made.

Exhibit "B"