

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 99-2

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
WITH WAIVER OF NOTICE, HEARING AND ELECTION
TO SANITARY DISTRICT NO. 5

"Paradise Drive Annexation #3"

WHEREAS, a proposal for the proposed annexation of certain territory to Sanitary District No. 5, 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 owners; and

WHEREAS, said petition 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 56837, when a resolution of application 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, 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. Subject to the 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 amended, and are as described in Exhibit "A" and "B" attached hereto and by this reference incorporated herein.

Section 3. The territory includes 0.7 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Paradise Drive Annexation 3" to Sanitary District No. 5.

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 Dory Adams

Section 4. The proposal is consistent with the adopted sphere of influence for Sanitary District No. 5.

Section 5. The proposal is consistent with Marin Local Agency Formation Commission's dual annexation policy based on the following findings:

1. The Town of Tiburon and the property owner have entered into a binding agreement to annex the property at 3636 Paradise Drive into the Town at a time deemed appropriate by the Town. The signing and recordation of this annexation agreement implements Marin Local Agency Formation Commission's dual annexation policy.
2. LAFCO concurs that piecemeal annexation of smaller parcels in some cases may not be timely given the geographical setting of the subject territory and the local agencies ability to provide services efficiently.

Section 6. Any resolution authorizing the annexation approved by this resolution shall impose the standard terms and conditions imposed by Sanitary District No. 5.

Section 7. Sanitary District No. 5 is designated as the conducting authority for further proceedings, and the Board of said District 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 8. The project is categorically exempt pursuant to §15303(a) and §15319(b) of the Guidelines for Implementation of the California Environmental Quality Act.

Section 9. 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 Local Agency Formation Commission on this 11th day of March, 1999 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller, Hennessy, Kinsey, and Ware

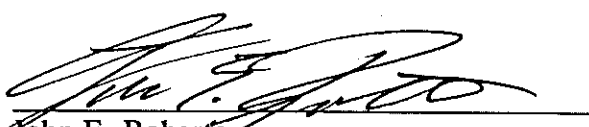
NOES: None

ABSENT: Commissioner Kress



David J. Ware, Chairperson

ATTEST:



John E. Roberto
Acting Executive Officer

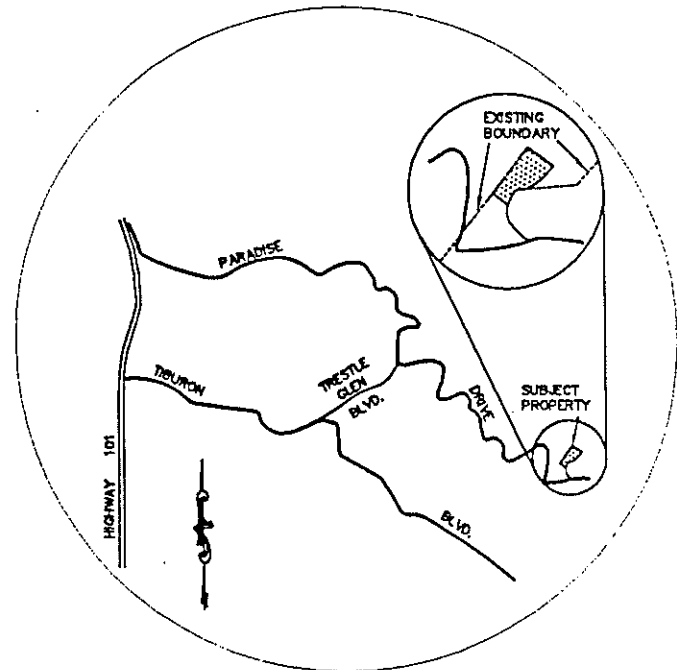
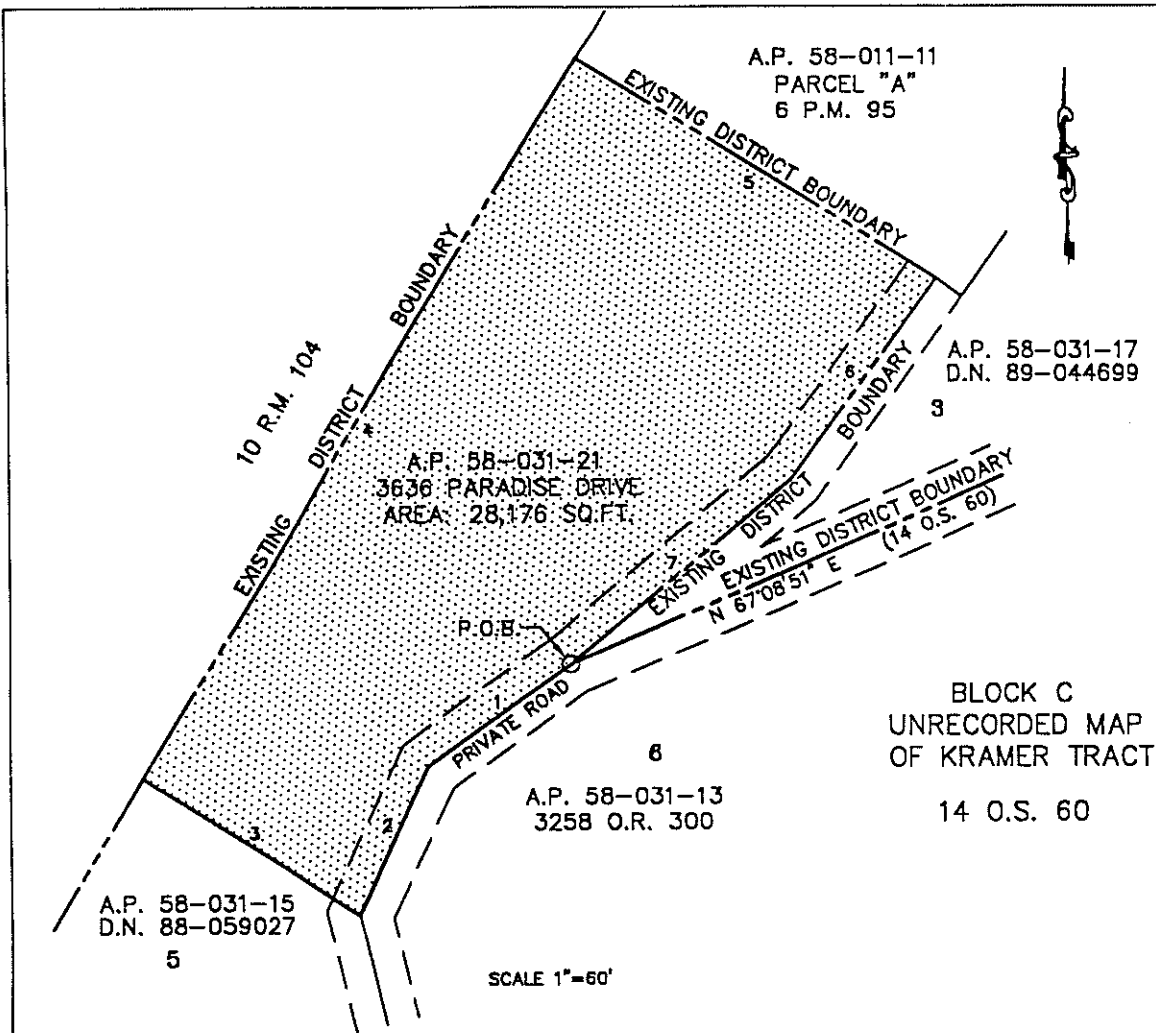
EXHIBIT "A"

August 21, 1998

PARADISE DRIVE ANNEXATION #3
TO
SANITARY DISTRICT 5
MAPPING No. 22-98

Beginning at a point on the existing boundary of Sanitary District 5 of Marin County, said point being the Southwesterly corner of Lot 3, Block C, as delineated on that certain unrecorded map entailed "Map of Kramer Tract" and delineated on that certain Record of Survey entitled "Record of Survey of Lands of Harper 3258 O.R. 300 in the County of Marin, California" recorded December 15 1977 in Book 14 of Surveys, Page 60, Marin County Records; thence South 53°09'00" West 54.32 feet; thence South 26°07'00" West 51.05 feet; thence North 56°33'00" West 82.72 feet to a point on the boundary of Sanitary District 5; thence along said Sanitary District 5 boundary North 33°27'00" East 270.49 feet; thence South 56°33'00" East 126.96 feet to the westerly line of said Lot 3; thence along said westerly line South 36°38'00" West 84.22 feet; thence South 50°24'00" West 89.16 feet to the point of beginning.

Containing approximately 28,176 sq.ft. or 0.6468 acres.



LOCATION MAP
NO SCALE

LEGEND

- EXISTING DISTRICT BOUNDARY
- NEW ANNEXATION
- NEW DISTRICT BOUNDARY

PROPOSED ANNEXATION CONTAINS 28,176 SQ.FT.

LINE	DIRECTION	DISTANCE
1	S 53°09'00" W	54.32'
2	S 26°07'00" W	51.05'
3	N 56°33'00" W	82.72'
4	N 33°27'00" E	270.49'
5	S 56°33'00" E	126.96'
6	S 36°38'00" W	84.22'
7	S 50°24'00" W	89.16'

REVISED: 8/21/98

MAPPING NO. 22-98

PARADISE DRIVE ANNEXATION #3 TO SANITARY DISTRICT 5		
TIBURON	MARIN COUNTY	CALIFORNIA
SCALE: 1"=60'	LAWRENCE P. DOYLE	DRAWN BY:
DATE: 8/8/98		SHEET 1 OF 1
LAND SURVEYOR/CIVIL ENGINEER		
P.O. BOX 1609 MILL VALLEY CA 94942 (415-388-9585)		
		DRAWING NO. 545-98

EXHIBIT "B"