

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 85-7

RESOLUTION MAKING DETERMINATIONS AND APPROVING WITH AMENDMENT  
ANNEXATION WITH WAIVER OF NOTICE, HEARING, AND ELECTION TO THE  
SAN RAFAEL SANITATION DISTRICT

"Margarita Drive Annexation"

WHEREAS, a proposal for the annexation of certain territory to the San Rafael Sanitation 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 signed by the property owners and requesting 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, a proposal for annexation to the San Rafael Sanitation District, "Watson Annexation" (AP # 016-031-10), was subsequently filed with the Marin Local Agency Formation Commission; and

WHEREAS, staff research determined that the subject proposals could be combined and that two other properties could be added thereby making available San Rafael Sanitation District services to the enlarged area and eliminating a District island; and

WHEREAS, written consent signed by all owners of land within the territory proposed to be annexed has been filed with the Executive Officer; and

WHEREAS, pursuant to Government Code Section 56261, when a proposal is accompanied by written consent of all owners of land within the territory proposed to be annexed, the 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 approved, as amended.

Section 2. Properties included in the amended proposal are described as follows:

<u>AP No.</u>	<u>Property Owner and Address</u>
016-031-24	Castellucci, Antonio and Rita 75 Margarita Drive San Rafael, California 94901
016-031-23	Lavender, Kathryn B. 5 Moncada Way San Rafael, California 94901

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<u>AP No.</u>	<u>Property Owner and Address</u>
016-031-21	Stanley, William and Marylee 25 Moncada Way San Rafael, California 94901
016-031-10	Watson, Paul M. and Gail M. 10 Moncada Way San Rafael, California 94901

Section 3. The boundaries of the territory to be annexed shall be those set forth in Exhibit A, attached hereto and incorporated herein; and said territory shall be designated as the "Margarita Drive Annexation."

Section 4. Said territory is found to be uninhabited.

Section 5. Any resolution ordering the annexation approved by this resolution shall provide that such annexation is ordered subject to San Rafael Sanitation District's terms and conditions as set forth in Exhibit B, attached hereto and incorporated herein.

Section 6. The San Rafael Sanitation 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 election, pursuant to Government Code Section 56261.

Section 7. In accordance with applicable provisions contained in the adopted Marin Local Agency Formation Commission Environmental Guidelines and Procedures, the project is Categorically Exempt (Class 19).

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 14th day of March 1985 by the following vote:

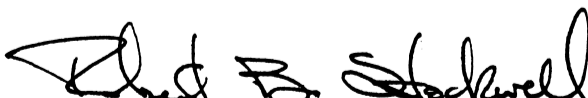
AYES: Commissioners Boessenecker, Bull, Willmann and Stockwell

NOES: None

ABSENT: Commissioner Giacomini

ATTEST:

  
WARREN K. NELSON, Executive Officer

  
ROBERT B. STOCKWELL, Chairman Pro Tem  
Marin Local Agency Formation Commission

DATE: March 15, 1985

## EXHIBIT "A"

MARGARITA DRIVE - MONCADA WAY ANNEXATION

To

SAN RAFAEL SANITATION DISTRICT

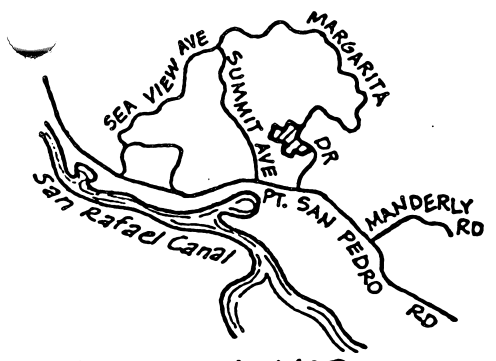
Beginning at a point on the existing boundary of the San Rafael Sanitation District, said point being the northwesterly corner of Lot 50 as said lot is shown on that certain map of the Country Club Tract recorded on June 23, 1948 in Book 6 of Record Maps, Page 62, Marin County Records, thence N 88° 01' 30" East 277.50 feet along the northerly boundary of said lot 50, thence continuing along the projection of said northerly line N 88° 01' 30" East 41.09 feet across Margarita Drive to the existing district boundary, thence southeasterly, easterly, generally southwesterly and northerly along said existing boundary to the point of beginning.

Contains 5.03 acres more or less.

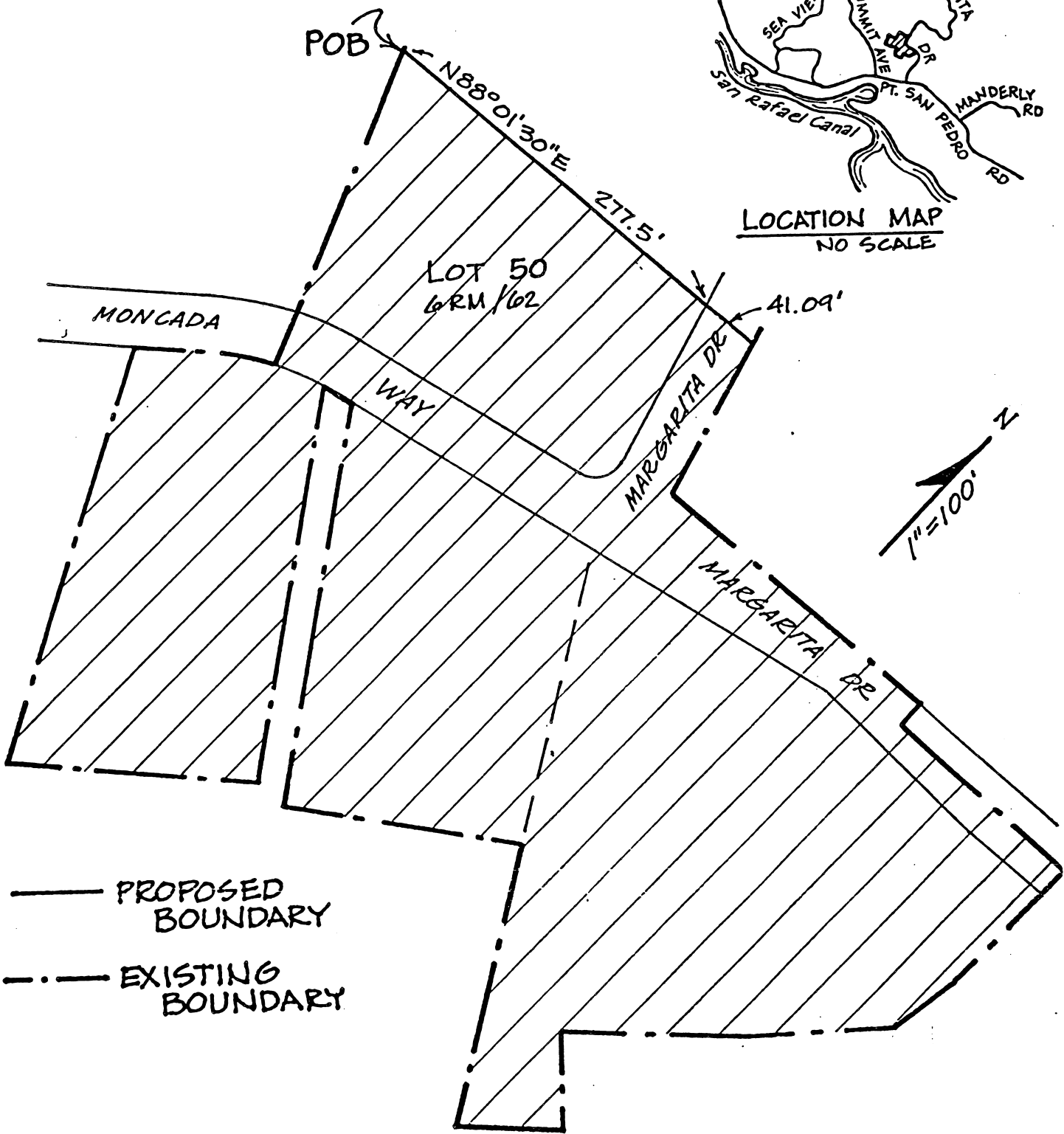
EXHIBIT BSAN RAFAEL SANITATION DISTRICT

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, 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 will 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.
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 has 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.



LOCATION MAP  
NO SCALE



MARGARITA DRIVE / MONCADA WAY  
ANNEXATION TO  
SAN RAFAEL SANITATION