LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 98-3

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION WITH NOTICE, HEARING AND ELECTION REQUIREMENTS TO THE MARIN COUNTY FLOOD CONTROL ZONE 9 AND HIGHWAY LIGHTING DISTRICT

"Upper Toyon Drive Reorganization #3"

WHEREAS, a proposal for the proposed annexation of certain territory to the Marin County Flood Control Zone 9 and Highway Lighting District, 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, 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 said 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 this matter.

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including her recommendation thereon, the proposal and report having been presented to and considered by this Commission.

NOW, THEREFORE, the Local Agency Formation Commission of the County of Marin DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. Subject to 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 are as described in Exhibit "A," and "B" attached hereto and by this reference incorporated herein.

Section 3. The territory includes 2.5 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Upper Toyon Drive Reorganization #3" including annexation to the Marin County Flood Control Zone 9 and Highway Lighting District of Marin County.

Section 4. The proposal is consistent with the spheres of influence of affected local agencies.

Section 5. Any resolution authorizing the reorganization approved by this resolution shall impose the standard terms and conditions of the District.

Section 6. The Marin County Board of Supervisors is designated as the conducting authority for further proceedings, and the Board is hereby directed to initiate proceedings in compliance with this Resolution, and is authorized to take further proceedings upon said reorganization in compliance with applicable provisions of State law.

Section 7. The project is categorically exempt pursuant to provisions of the California Environmental Quality Act.

Section 8. 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 County Local Agency Formation Commission on this 8th day of January, 1998 by the following vote:

AYES: Comissioners Blanchfield, Kress, Moore, Chapman and Ware

NOES: None

ABSENT: None

DAVID WARE, CHAIRPERSON PRO TEM

ATTEST:

DAWN MITTLEMAN, EXECUTIVE OFFICER

DATED: January 8, 1998

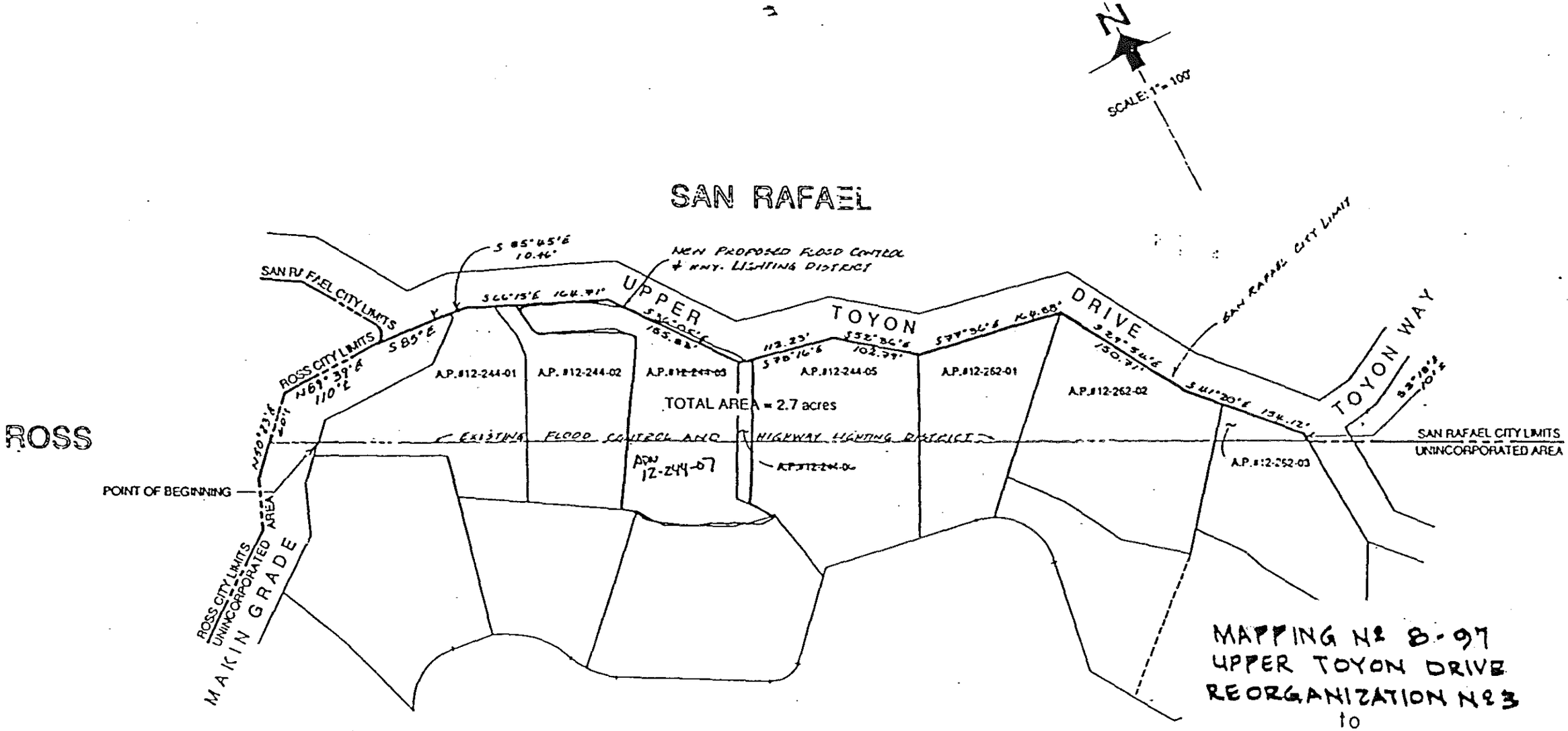
Exhibit "A"

Upper Toyon Drive Reorganization No. 3
to
Marin County Flood Control District No. 9
and
Highway Lighting District

Mapping No. 8-97

Beginning at a point on the existing Marin County Flood Control District No. 9 and Highway Lighting District Line, said point being on the southerly line of Makin Grade bearing S 50°23' W, distant 20 ft. more or less from the intersection point of the two Makin Grade southerly line courses S 50°23' W and N 89°39' E as they are shown on the Amended Map of Del Mesa in Book 5 of Maps at page 69, Marin County Records; thence to the northwest along the Marin County Flood Control District No. 9 and Highway Lighting District line, to the northwesterly line of Makin Grade, also being a point on the Ross City Limit Line; thence northerly along the Marin County Flood Control District No. 9 and Highway Lighting District line, also being the Ross City Limit Line, N 50°23' E, 60 ft. more or less; thence continuing along said northerly line of Makin Grade, N 89°39' E, 110 ft. more or less to a point on a curve to the left, said point being on the San Rafael City Limit Line; thence along said San Rafael City Limit Line, S 85° E to the intersection point of the southerly line of Upper Toyon Drive with the easterly line of Makin Grade; thence along the southerly line of Upper Toyon Drive, S 85° 45' E, 10.46 ft.; thence S 66° 15' E, 164.71 ft.; thence S 36°05' E, 155.83 ft.; thence S 78°16' E, 112.23 ft.; thence S 52°36' E, 102.79 ft.; thence S 77°36' E, 164.88 ft.; thence S 29°54' E, 150.71 ft.; thence S 41° 20' E, 154.12 ft.; thence S 2°18' E, 10 ft. more or less to a point on the existing Marin County Flood Control District No. 9 and Highway Lighting District line; thence northwesterly along the existing Marin County Flood Control District No. 9 and Highway Lighting District line to the point of beginning.

Containing approximately 2.7 acres



MAPPING Nº 8-97
UPPER TOYON DRIVE
REORGANIZATION Nº 3
to
MARIN COUNTY FLOOD
CONTROL DISTRICT Nº 9
and
HIGHWAY LIGHTING
DISTRICT

EXHIBIT "B"

SCALE: 1" = 100'

J.L. ENGINEERING
1539 FOURTH STREET • SAN RAFAEL • CA 94901
(415) 453-4497

DECEMBER, 1990.