

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 08-09

RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF THE ROSS VALLEY
SANITARY DISTRICT AND THE SAN RAFAEL SANITATION DISTRICT AND
MAKING DETERMINATIONS AND APPROVING REORGANIZATION
WITH WAIVER OF NOTICE, HEARING AND ELECTION

"Reorganization of the Lands of Clements and Banfield Including Detachment from Ross Valley Sanitary District and Annexation to the San Rafael Sanitation District (File 1294)"

WHEREAS, a proposal for the reorganization including detachment of certain territory from the Ross Valley Sanitary District and annexation of that same territory to San Rafael Sanitation 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, pursuant to Government Code Section 56663, when a petition 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, pursuant to Government Code Section 56663(c), the affected territory is uninhabited; all the owners of land within the affected territory have given their written consent; and the affected local agency that will gain territory, San Rafael Sanitation District, has consented in writing to a waiver of conducting authority proceedings, this Commission may make determination with respect to said application with waiver of conducting authority proceedings; 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. The Commission does hereby amend the San Rafael Sanitation District's sphere of influence to include Assessor's Parcel #013-263-15 and amend the Ross Valley Sanitary District's sphere of influence to exclude the same.

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 Candice Rossato

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 are subject to the following condition:

A. Approved map and legal description to be provided by the applicant.

Section 3. The territory includes 1.12 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Reorganization of the Lands of Clements and Banfield Including Detachment from Ross Valley Sanitary District and Annexation to San Rafael Sanitation District (File 1294)".

Section 4. The proposal is consistent with the adopted sphere of influence for San Rafael Sanitation District and Ross Valley Sanitary District as amended.

Section 5. The Executive Officer is hereby authorized to complete the reorganization proceedings in the manner prescribed by Section 57000 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 10th day of July 2008 by the following vote:

AYES: Commissioners Arnold, Asbo, Burdick, Heller, Condon and Rodoni

NOES: None

ABSENT: Commissioners Adams, McGlashan and Slavitz

Barbara Heller

~~JERRY BLANCHFIELD, Chairperson~~
Vice Chair

ATTEST:

Peter V. Banning

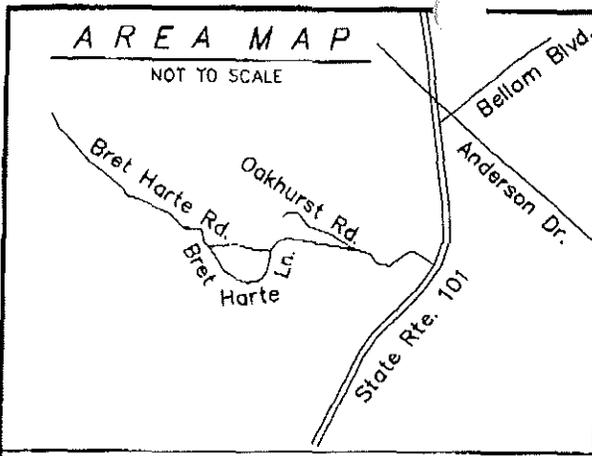
PETER V. BANNING, Executive Officer

Annexation of the Lands of Clements & Banfield
to the
San Rafael Sanitation District
Portion of Rancho Punta De Quentin
File # 1294
Mapping # 03-08

All that certain property, situate in the City of San Rafael, County of Marin, State of California, being Lot 18 and a portion of Lot 17, as shown upon that certain map entitled "Bret Harte Heights, Subdivision No.1", recorded June 25, 1937 in book 5, page 72 of Maps, Records of said Marin County, hereinafter referred to as the "Record Map", more specifically described as:

Beginning at a point on the Southerly line of a 30 foot Right of Way known as "Bret Harte Lane" as shown upon said Record Map, said point also being the most Northerly Corner of Lot 18 of said Record Map; thence along, and coincident with, the Easterly and Southerly lines of said Lot 18, 1) S18°16'30"E 265.85' and 2) S56°15'00"W 80.00' and 3) N79°45'00"W 169.19' to a point distant N79°45'00"W 30.19 from the South-westerly Corner of said Lot 18, said point being the most Westerly Corner of Parcel Two of the Lands of Clements & Banfield as described in Instrument No. 2006-077513, recorded December 14, 2006 in the Marin County Official Records; thence along, and coincident with, the westerly Line of said Lands, 4) N00°55'10"E 212.31' to the most North-westerly corner of said Lands, said Corner also being on the Southerly Line of said Bret Harte Lane; thence along, and coincident with the Southerly Line of said Bret Harte Lane 5) on a curve to the left having a radius of 265.0', through a central angle of 34°15' for a distance of 158.41' to the **Point of Beginning**.

Containing approximately **1.12** acres.

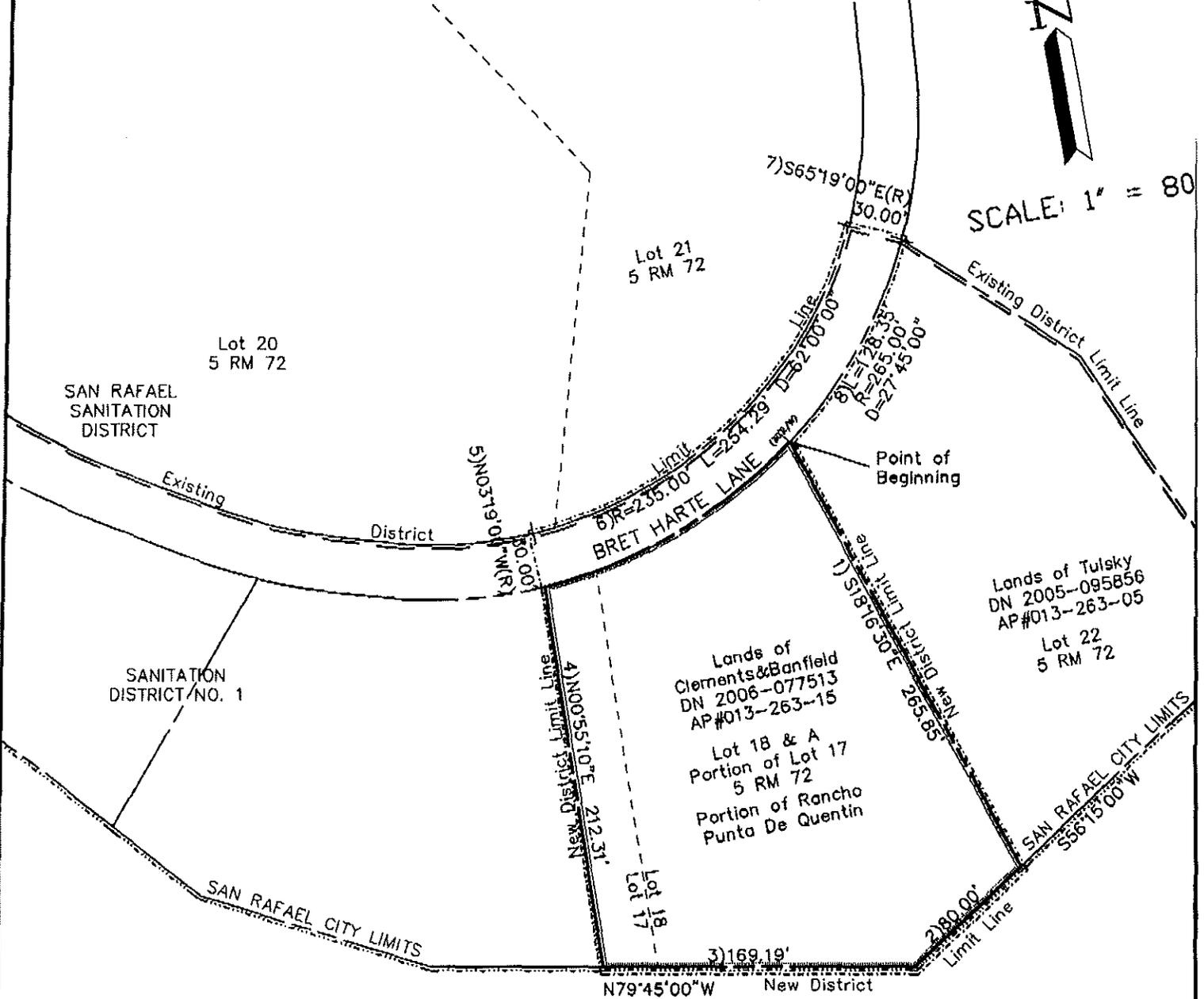


LEGEND

- PARCEL TO BE ANNEXED
- OLD LAFCO/SANITARY DISTRICT LIMITS
- NEW LAFCO/SANITARY DISTRICT LIMITS
- SAN RAFAEL CITY LIMITS LINE



SCALE: 1" = 80'



Note: All distances are in feet and decimals thereof.

SHEET	1	OF	1
SCALE:	1" = 80'	DESIGN:	PR
DATE:	Jun. 2008	DRAWN:	PR
FILE:	2008-016	CHECKED:	J.L.H
2008-018\DMC\08-016_BASE,SAN-ANNEX (1)			

J.L. ENGINEERING
CIVIL ENGINEERS-LAND SURVEYORS
 1539 4th St., SAN RAFAEL, CA. 94901 (415) 457-6647

Annexation—Lands of Clements & Banfield to the San Rafael Sanitation District (File #1294, Mapping #03-08)
 Lands of CLEMENTS & BANFIELD—37 Bret Harte Lane AP# 013-263-15, San Rafael, Marin County, CA