

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 19-05

RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF THE TOWN OF ROSS AND THE CITY OF SAN RAFAEL AND MAKING DETERMINATIONS AND APPROVING REORGANIZATION WITH WAIVER OF NOTICE, HEARING AND ELECTION

“Reorganization of 400 Upper Toyon Road, Including Detachment from the City of San Rafael and Annexation to the Town of Ross (File 1335)”

WHEREAS a proposal for the reorganization including detachment of certain territory from the City of San Rafael and annexation of the same territory to Town of Ross 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, Town of Ross, 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. As Lead Agency under CEQA for reorganization including detachment of Assessor’s Parcel 012-121-28, 012-121-04, 012-121-05, 012-121-22 from the City of San Rafael and annexation of the same territory to the Town of Ross, LAFCo finds the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(b).

Section 2. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibits "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 2.5 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Reorganization of 400 Upper Toyon Road, Including Detachment for the City of San Rafael and Annexation to the Town of Ross (File 1335)".

Section 4. The proposal is consistent with the adopted sphere of influence for the Town of Ross and City of San Rafael 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 August 8, 2019, by the following vote:

AYES: Commissioners McEntee, Murray, Kloos, Connolly, Loder, Arnold

NOES: None

ABSTAIN: None

ABSENT: Commissioner Bailey

Sashi McEntee

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

Jason Fried
Jason Fried, LAFCo Executive Officer

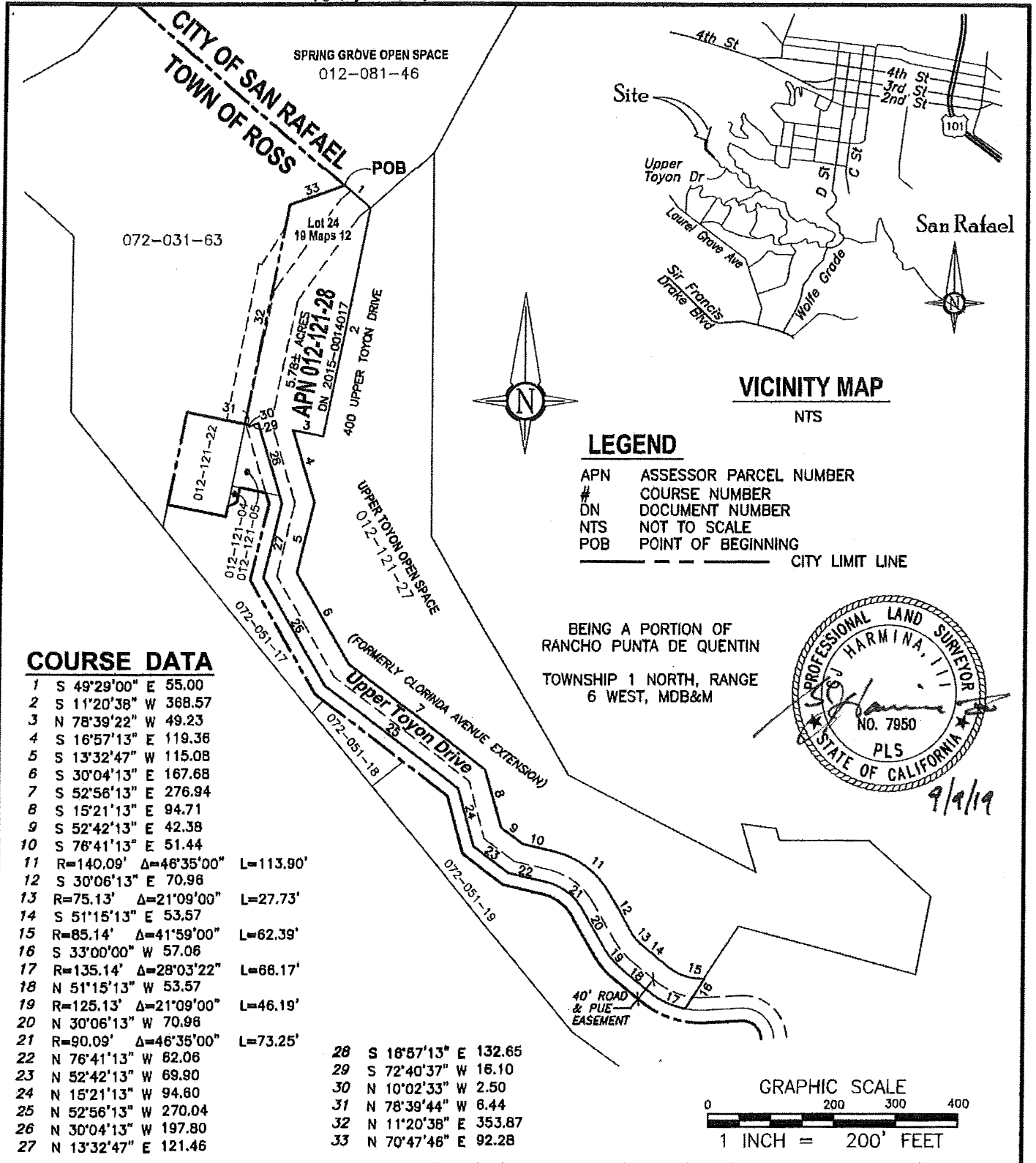
APPROVED AS TO FORM:

Malathy Subramanian
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution 19-05

1. Exhibit "A" – Legal Description
2. Exhibit "B" – Map

Exhibit A



1031Survey, Inc.
 HIGH DEFINITION SURVEYING
 1857 Rainier Circle, Petaluma, California 94954
 415-827-6370 www.1031survey.com

**REORGANIZATION OF
 400 UPPER TOYON DRIVE
 LAFCO#1335**

JOB #: 19166LAFCO-EX
 DATE: 2019.09.09
 CREATED BY:
 SHEET NO. 1 OF 1

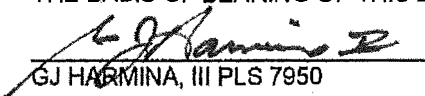
Exhibit B

Reorganization of 400 Upper Toyon Drive LAFCO # 1335 - Legal Description

BEING A PORTION OF THE RANCHO PUNTA DE QUENTIN AS DESCRIBED BY DEED RECORDED UNDER DOCUMENT NUMBER 2015-0014017, BEING LOT 24 AS SHOWN UPON THAT CERTAIN "MAP OF OAKWOOD UNIT NO. 3" FILED IN VOLUME 19 OF MAPS, AT PAGE 12, MARIN COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN ANGLE POINT IN THE SAN RAFAEL AND ROSS CITY LIMITS, DISTANT NORTH 49°29'00" WEST, 55.00 FEET FROM THE MOST SOUTHERLY CORNER OF THE SPRING GROVE OPEN SPACE, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF THE UPPER TOYON OPEN SPACE, THENCE,
COURSE 1 - SOUTH 49°29'00" EAST, 55.00 FEET; THENCE
COURSE 2 - SOUTH 11°20'38" WEST, 368.57 FEET; THENCE
COURSE 3 - NORTH 78°39'22." WEST, 49.23 FEET; THENCE
COURSE 4 - SOUTH 16°57'13" EAST, 119.36 FEET; THENCE
COURSE 5 - SOUTH 13°32'47" WEST, 115.08 FEET; THENCE
COURSE 6 - SOUTH 30°04'13" EAST, 167.68 FEET; THENCE
COURSE 7 - SOUTH 52°56'13" EAST, 276.94 FEET; THENCE
COURSE 8 - SOUTH 15°21'13" EAST, 94.71 FEET; THENCE
COURSE 9 - SOUTH 52°42'13" EAST, 42.38 FEET; THENCE
COURSE 10 - SOUTH 76°41'13" EAST, 51.44 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESERLY, HAVING A RADIUS OF 140.09 FEET; THENCE
COURSE 11 -ALONG SAID CURVE 113.90 FEET, THROUGH A CENTRAL ANGLE OF 46°35'00"; THENCE
COURSE 12 -SOUTH 30°06'13" EAST, 70.96 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 75.13 FEET; THENCE
COURSE 13 -ALONG SAID CURVE 27.73 FEET, THROUGH A CENTRAL ANGLE OF 21°09'00"; THENCE
COURSE 14 -SOUTH 51°15'13" EAST, 53.57 FEET TO THE BEINNING OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 85.14 FEET; THENCE
COURSE 15 -ALONG SAID CURVE 62.39 FEET, THROUGH A CENTRAL ANGLE OF 41°59'00"; THENCE
COURSE 16 -SOUTH 33°00'00" WEST, 57.06 FEET TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE CENTER BEARS NORTH 10°41'25" EAST, HAVING A RADIUS OF 135.14 FEET; THENCE
COURSE 17 -ALONG SAID CURVE 66.17 FEET, THROUGH A CENTRAL ANGLE OF 28°03'22"; THENCE
COURSE 18 -NORTH 51°15'13" WEST, 53.57 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVNG A RADIUS OF 125.13 FEET; THENCE
COURSE 19 -ALONG SAID CURVE 46.19 FEET, THROUGH A CENTRAL ANGLE OF 21°09'00"; THENCE
COURSE 20 -NORTH 30°06'13" WEST, 70.96 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 90.09 FEET; THENCE
COURSE 21 - ALONG SAID CURVE 73.25 FEET, THROUGH A CENTRAL ANGLE OF 46°35'00"; THENCE
COURSE 22 - NORTH 76°41'13" WEST, 62.06 FEET; THENCE
COURSE 23 - NORTH 52°42'13" WEST, 69.90 FEET; THENCE
COURSE 24 - NORTH 15°21'13" WEST, 94.60 FEET; THENCE
COURSE 25 - NORTH 52°56'13" WEST, 270.04 FEET; THENCE
COURSE 26 - NORTH 30°04'13" WEST, 197.80 FEET; THENCE
COURSE 27 - NORTH 13°32'47" EAST, 121.46 FEET; THENCE
COURSE 28 - SOUTH 16°57'13" EAST, 132.65 FEET; THENCE
COURSE 29 - SOUTH 72°40'37" WEST, 16.10 FEET; THENCE
COURSE 30 - NORTH 10°02'33" WEST, 2.50 FEET; THENCE
COURSE 31 - NORTH 78°39'44" WEST, 6.44 FEET; THENCE
COURSE 32 - NORTH 11°20'38" EAST, 353.87 FEET; THENCE
COURSE 33 - NORTH 70°47'46" EAST, 92.28 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 5.78 ACRES MORE OR LESS.
THE BASIS OF BEARING OF THIS DESCRIPTION IS THE ABOVEMENTIONED MAP.


GJ HARMINA, III PLS 7950

SEPT 9, 2019
DATE



1031Survey, Inc. High Definition Surveying 1857 Rainier Circle, Petaluma, California 94954 415-827-6370