

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 21-05

RESOLUTION APPROVING AN ANNEXATION OF 345 HIGHLAND AVENUE TO SAN RAFAEL SANITARY DISTRICT WITH WAIVER OF NOTICE, HEARING AND PROTEST PROCEEDINGS

“Annexation of 345 Highland Avenue (APN 016-011-20) to San Rafael Sanitary District (LAFCo File No. 1354)”

WHEREAS Jennifer and Robert Andrews, hereinafter referred to as “Property Owners,” have filed a validated landowner petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS the proposal seeks Commission approval to annex approximately .940 acres of incorporated land to San Rafael Sanitary District; and

WHEREAS the affected territory represents an entire lot developed with an existing single-family residence located at 345 Highland Avenue and identified by the County of Marin Assessor’s Office as APN 016-011-20 (“Property”); and

WHEREAS the Commission’s staff has reviewed the proposal and prepared a report with recommendations; and

WHEREAS the staff’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS the Commission considered all the factors required by law under Government Code Section 56668 and 56668.3 and adopted local policies and procedures.

WHEREAS the proposal is for an annexation of territory that is uninhabited, and no affected local agency has submitted a written demand for notice and hearing as provided for in Government Code section 56662(a).

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

Section 1. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described and depicted in Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

1. Approve the proposed annexation of 345 Highland Avenue (APN 016-011-20) to the San Rafael Sanitary District (File #1354) as shown and described on Exhibits “A” and “B”.
2. Proceedings for the annexation shall not be completed until the Property Owners execute an agreement (Exhibit C) with the Marin Local Agency Formation Commission wherein:

a. The Property Owners agree on behalf of themselves, their heirs, successors and assigns that, in the event any future proceedings for the annexation of the property to the Town of Tiburon shall be initiated by the Town, the Property Owners shall neither directly nor indirectly oppose or protest such annexation; and

b. That the Property Owners agree that their obligations under the agreement shall run with the Property and that the Property shall be held, conveyed, hypothecated, encumbered, leased, rented, used and occupied subject to the provisions of the agreement and that the obligations undertaken by the Property Owners shall be binding on all parties having or acquiring any right, title, or interest in the Property.

Section 2. The territory includes .940 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of 345 Highland Avenue (APN 016-011-20) to San Rafael Sanitary District (LAFCo File No. 1354)".

Section 3. The proposal is consistent with the adopted spheres of influence of San Rafael Sanitary District.

Section 4. The Executive Officer is hereby authorized to waive notice and hearing, and protest proceedings and complete reorganization proceedings.

Section 5. As Responsible Agency under CEQA for the proposed annexation of APN: 016-011-20 to San Rafael Sanitary District, LAFCo finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319 (a).

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on June 10, 2021 by the following vote:

AYES: Arnold, Coler, Connolly, Kious, McEntee, Murray, Savel

NOES:

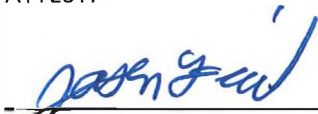
ABSTAIN:

ABSENT:



Sashi McEntee, Chair

ATTEST:



Jason Fried, Executive Officer

APPROVED AS TO FORM:



Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 21-05

- a) Exhibit A – Legal Description
- b) Exhibit B – Map