

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 23-02

RESOLUTION APPROVING AN ANNEXATION OF 255 MARGARITA DRIVE TO SAN RAFAEL SANITATION DISTRICT WITH WAIVER OF NOTICE, HEARING AND PROTEST PROCEEDINGS

“Annexation of 255 Margarita Drive (APN 016-011-29) to San Rafael Sanitation District (LAFCo File No. 1370)”

WHEREAS Paul Thompson, hereinafter referred to as “Property Owner,” has 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 1.60 acres of unincorporated land to San Rafael Sanitation District; and

WHEREAS the affected territory represents an entire lot developed with an existing single-family residence located at 255 Margarita Drive and identified by the County of Marin Assessor’s Office as APN 016-011-29 (“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.

Section 2. Approve the proposed annexation of 255 Margarita Drive (APN 016-011-29) to the San Rafael Sanitation District (File #1367) as shown and described on Exhibits “A” and “B”..

Section 3. The territory includes 1.60 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Annexation of 255 Margarita Drive (APN 016-011-29) to San Rafael Sanitation District (LAFCo File No. 1367)”.

Section 4. The proposal is consistent with the adopted spheres of influence of San Rafael Sanitation District.

Section 5. The Executive Officer is hereby authorized to waive notice and hearing, and protest proceedings and complete reorganization proceedings.

Section 6. As Lead Agency under CEQA for the proposed annexation of APN: 016-011-29 to San Rafael Sanitation District, LAFCo finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319 (a).

Section 7. As a condition of approval of the annexation, the property owner is required to perform the following per San Rafael Sanitation District standards: (1) Remove the portion of lateral that was installed improperly in 2015, which includes the portion across 265 Margarita Drive; (2) Disconnect the improperly installed lateral from the public sewer main; (3) Return all landscaping and grade on 265 Margarita Drive to its original condition, prior to the improper lateral installation; and (4) Written confirmation from the San Rafael Sanitation District that all required sewer work has been completed and accepted by April 28, 2023.

Section 8. As a condition of approval, that all third party fees association with this application and LAFCo File 1367 be paid to LAFCo no later than April 28, 2023.


PASSED AND ADOPTED by the Marin Local Agency Formation Commission on April 6, 2023 by the following vote:

AYES: Lew Kiouss, Barbara Coler, Craig Murray, Eric Zucan, Dennis Rodoni, Rick Savel

NOES: _____


ABSTAIN: _____

ABSENT: _____


Lew Kiouss, Chair

ATTEST:

Jason Fried, Executive Officer

APPROVED AS TO FORM:

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 23-02

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



EXHIBIT 'A'

Annexation of the Lands of Thompson
to the
San Rafael Sanitary District (File # 1370)

All that certain real property situate in the City of San Rafael, County of Marin, State of California and a portion of Rancho San Pedro, Santa Margarita, Y Las Gallinas, being the lands of Paul B. Thompson and Kathleen D. Thompson, Trustees of the Thompson Family Living Trust (1998), Parcel One as described in that Grant Deed recorded under Document Number 2015-0023860, Official Records of Marin County, described as follows:

Beginning at a point on the northerly right of way of Margarita Drive, said point being the common southerly corner of said lands of Thompson and the lands of G. Scott Jones and Janet S. Jones, Trustees of the Jones 2001 Trust as described in that Individual Grant Deed Trust Transfer recorded under Document Number 2001-0069475, Official Records of Marin County;

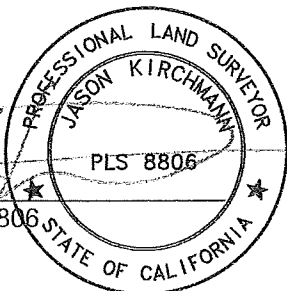
1. Thence leaving said northerly line of Margarita Drive, along the common line of Thompson and Jones, North 30°06'50" West, 47.74 feet;
2. Thence continuing along said common line, North 69°04'00" West, 72.96 feet;
3. Thence continuing along said common line, North 55°24'44" West, 103.00 feet;
4. Thence continuing along said common line, North 19°47'00" West, 127.75 feet to the southerly line of the lands of Ira Sandler as described in that Interspousal Transfer Grant Deed recorded under Document Number 2014-0012451, Official Records of Marin County;
5. Thence along said southerly line of Sandler, North 75°22'04" East, 120.32 feet;
6. Thence continuing along said southerly line, North 68°57'00" East, 159.89 feet to the westerly right of way of Margarita Drive;
7. Thence along said right of way, South 31°21'00" East, 3.46 feet;
8. Thence along said right of way, South 19°25'00" East, 153.13 feet;
9. Thence continuing along said right of way, South 09°16'00" East, 102.28 feet;
10. Thence continuing along said right of way, South 23°53'00" West, 59.86 feet;
11. Thence continuing along said right of way, South 71°11'15" West, 95.55 feet to the point of beginning.

Containing: 1.58 acres, more or less.

Prepared by:

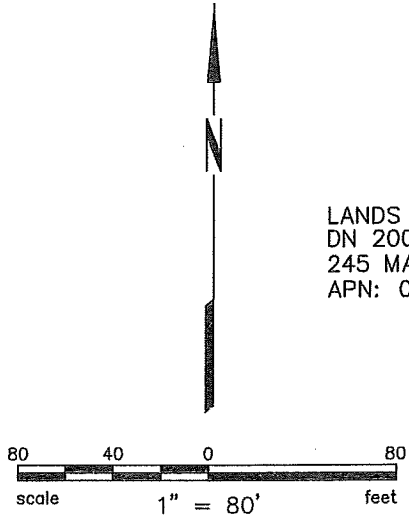
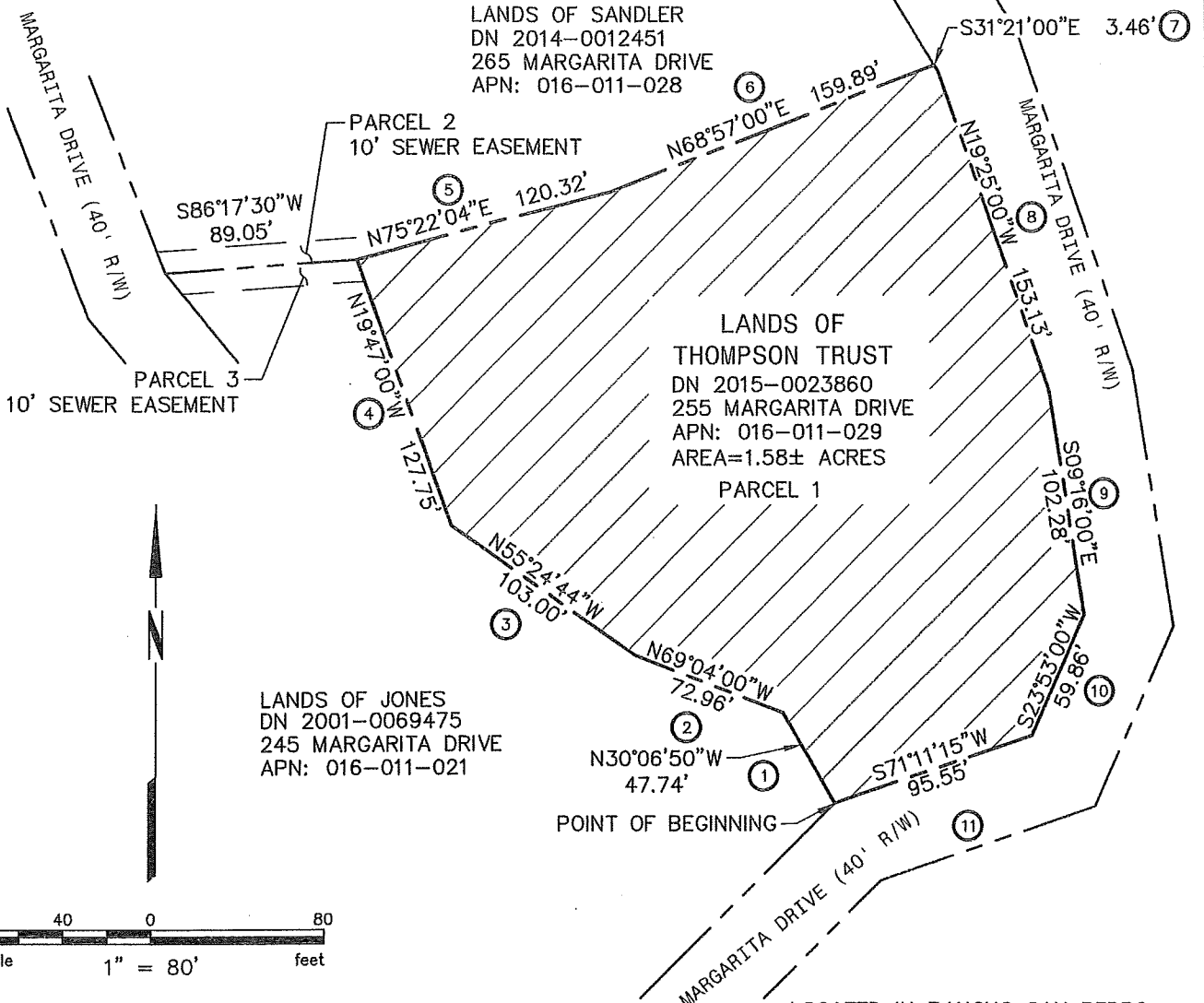
BKF ENGINEERS

Jason Kirchmann, P.L.S. 8806



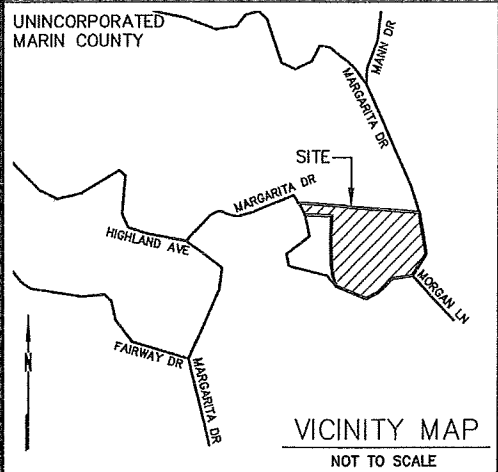
Dated: 02/08/2023

EXHIBIT "B"



NOTE:
 "FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY BOUNDARY AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OR TRANSFER OF THE LAND AS DESCRIBED".

LOCATED IN RANCHO SAN PEDRO SANTA MARCARITA Y LAS CALLINAS



LEGEND

- PROPOSED ANNEXATION
- BOUNDARY LINES
- SEWER AND UTILITY EASEMENT



4040 CIVIC CENTER DRIVE, STE. 530
 SAN RAFAEL, CA 94903
 PH: 415-930-7960

JOB NO.	20159062	DATE:	FEBRUARY 08, 2023
		SCALE:	1 INCH = 80 FEET
ANNEXATION OF THE LANDS OF THOMPSON TRUST TO THE SAN RAFAEL SANITARY DISTRICT			
MAPPING NO. FILING NO.			
SAN RAFAEL	MARIN COUNTY	CALIFORNIA	

Plot Feb 08, 2023 at 2:18pm