

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 24-11

Resolution Approving Annexation of 260 Highland Ave., San Rafael into San Rafael Sanitary District with Waiver of Notice, Hearing, and Protest Proceedings and finding it Exempt from CEQA pursuant to state CEQA guideline Section 15319

“Annexation of 260 Highland Ave., San Rafael (016- 021-64) into San Rafael Sanitary District.
(LAFCo File #1387)

WHEREAS John M. and Margreat M Piersol, hereinafter referred to as “Property Owner,” has filed a validated landowner petition with the Marin Local Agency Formation Commission, a 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 reorganization proposal seeks Commission approval to annex approximately 1.49 acres of land in unincorporated Marin County into the San Rafael Sanitary District; and

WHEREAS the affected territory represents developed land located 260 Highland Ave, San Rafael identified by the County of Marin Assessor’s Office as APN: 016-012-64; 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 as provided for in the staff report and oral and written testimony.

WHEREAS the proposal is for a reorganization 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 Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. Approve the proposed annexation of APN: 016- 021-64 to San Rafael Sanitary District (File #1387) as shown and with the boundaries as depicted and described in Exhibits “A” and “B” attached hereto and incorporated herein by reference.

Section 2. The territory includes 1.49 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Annexation of 260 Highland Ave., San Rafael (016- 021-64) into San Rafael Sanitary District. (LAFCo File #1387)”

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

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

Section 5. As Lead Agency under CEQA for the proposed annexation into 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).

Section 6. As a condition of final approval, the applicant must submit the Agreement Regarding Annexation of Real Property to LAFCo attached here to as Exhibit “C” and incorporated herein by reference, clearly stating that they shall not protest any future application to LAFCo to annex their property to the City of San Rafael, as part of an island annexation.


PASSED AND ADOPTED by the Marin Local Agency Formation Commission on December 12, 2024, by the following vote:

AYES: Commissioners Coler, Chu, Kious, Rodoni, Burdo and Murray

NOES: _____

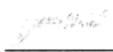
ABSTAIN: _____


ABSENT: Commissioner Lucan


Barbara Coler, Chair

ATTEST:

APPROVED AS TO FORM:


Jason Fried, Executive Officer


Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 23-11

- a) Exhibit A – Legal Description
- b) Exhibit B – Map
- c) Exhibit C – Delayed Dual Annexation

GEOGRAPHIC DESCRIPTION

260 HIGHLAND AVENUE ANNEXATION
TO SAN RAFAEL SANITATION DISTRICT (FILE 1387)

Lands of Peirsol, APN 016-021-64 and a portion of Highland Avenue

All that certain real property, situate in a portion of Section 34, Township 2 North, Range 6 West, Mount Diablo Base and Meridian, in the County of Marin, State of California, being more particularly described as a whole as follows:

BEGINNING at the northwesterly corner of "Annexation of the Lands of Capon to San Rafael Sanitation District (File 1182)" per Marin Local Agency Formation Commission Resolution Number 00-18 dated September 14, 2000, said corner also being on the southerly right-of-way line of a 40 foot road herein called Highland Avenue;

thence leaving said southerly right-of-way and along the westerly boundary of said Annexation,

(1) South 3°36'53" West 487.49 feet to the southwesterly corner of said Annexation boundary, said corner also being the southeasterly corner of Parcel 2 as shown on the Parcel Map filed in Book 15 of Parcel Maps at Page 35, Marin County Records;

(2) thence leaving said Annexation boundary and along the southerly line of said Parcel 2, South 68°54'39" West 70.00 feet to the southwesterly corner of said Parcel 2;

(3) thence along the westerly line of said Parcel 2 and its northwesterly prolongation thereof, North 10°57'06" West 422.32 feet, more or less, to the northwesterly right of way line of said Highland Avenue and the southeasterly boundary of the "Reorganization of the Lands of Dominican Sisters Including Annexations to the City of San Rafael and San Rafael Sanitation District (File 1196)" per Marin Local Agency Formation Commission Resolution Number 01-09 dated May 10, 2001;

thence along said Annexation (File 1196) boundary the following 3 (three) courses and distances:

(4) North 48°36'00" East 2.08 feet, more or less, to an angle point in said Annexation (File 1196) boundary,

(5) North 19°46'00" East 61.51 feet, and

(6) North 11°48'00" West 54.98 feet, more or less, to the southwesterly boundary of "Reorganization of the Lands of 411 Margarita LP Including Annexations to the City of San Rafael and San Rafael Sanitation District (File #1230)" per Marin Local Agency Formation Commission Resolution Number 04-10 dated August 12, 2004;

thence along said Annexation (File #1230) boundary the following three courses and distances:

- (7) South 31°29'00" East 16.69 feet, more or less, to an angle point in said Annexation (File #1230) boundary,
- (8) North 81°34'00 East 95.37 feet, and
- (9) South 75°08'00" East 66.20 feet, more or less, to the **POINT OF BEGINNING**;

Containing 1.49 acres of land, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

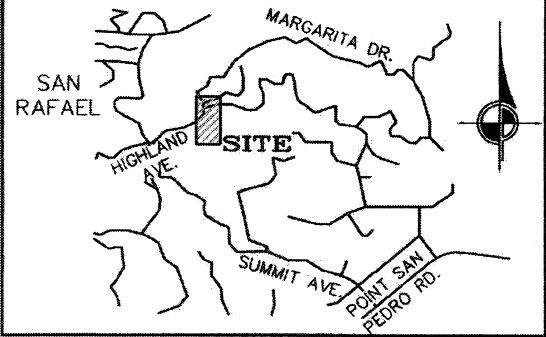
Prepared by Cinquini & Passarino, Inc.


Mark P. Andrilla, PLS 8985

11.20.'24
Date



COUNTY OF MARIN



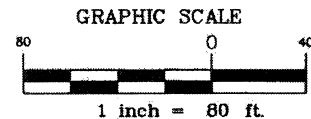
SITE MAP
NO SCALE

ANNEXATION DISTRICTS

- A** ANNEXATION OF THE LANDS OF CAPON TO SAN RAFAEL SANITATION DISTRICT, RESOLUTION NO. 00-18
- B** LANDS OF DOMINICAN SISTERS INCLUDING ANNEXATIONS TO THE CITY OF SAN RAFAEL AND SAN RAFAEL SANITATION DISTRICT, RESOLUTION NO. 01-09
- C** LANDS OF 411 MARGARITA LP INCLUDING ANNEXATIONS TO THE CITY OF SAN RAFAEL AND SAN RAFAEL SANITATION DISTRICT, RESOLUTION NO. 04-10

LEGEND

- EXISTING PARCEL BOUNDARY
- RIGHT-OF-WAY
- EXISTING SAN RAFAEL SANITATION DISTRICT BOUNDARY
- PROPOSED SAN RAFAEL SANITATION DISTRICT ANNEXATION (±1.49 ACRES)

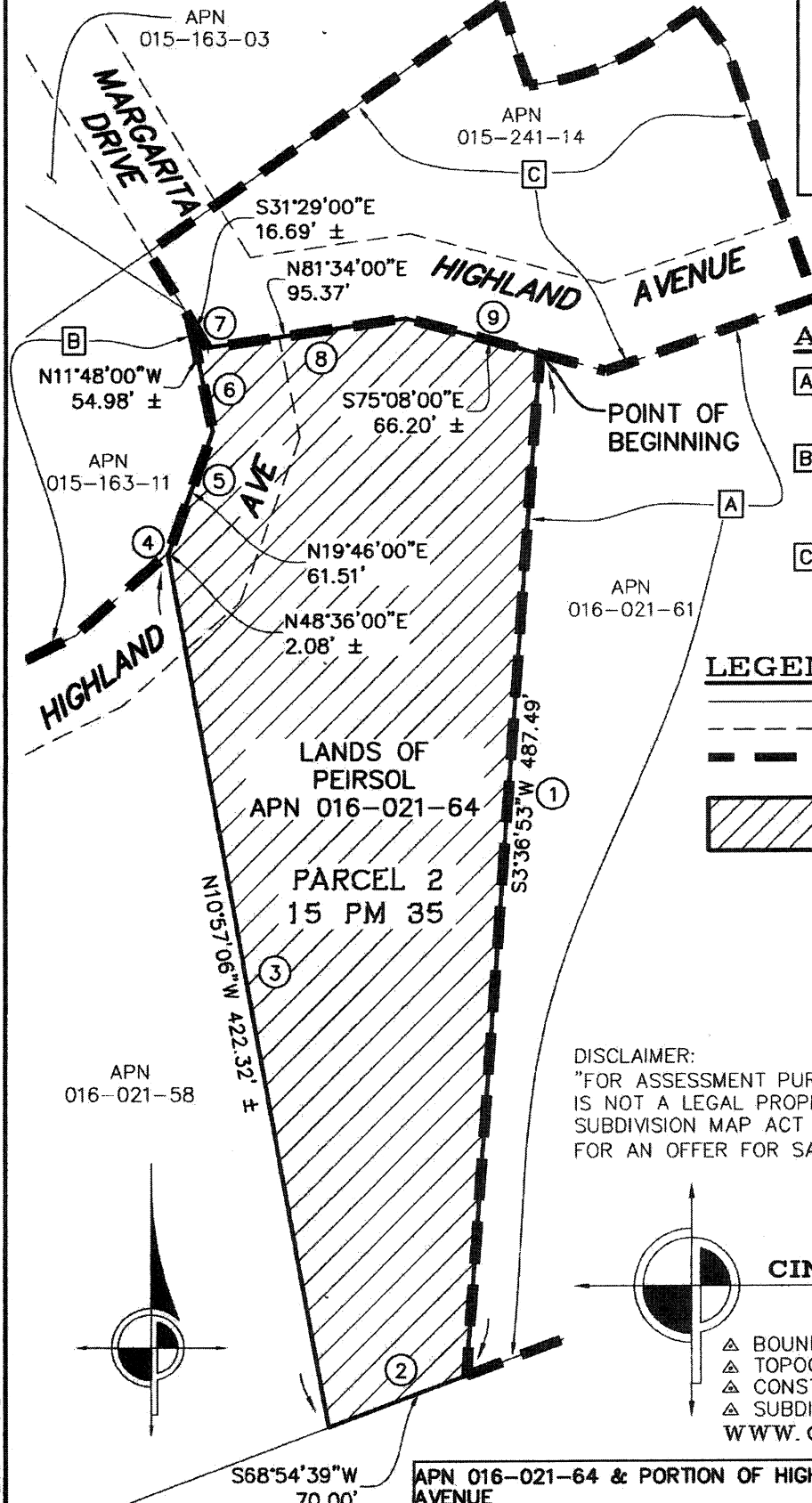


DISCLAIMER:

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

**CINQUINI & PASSARINO, INC.
LAND SURVEYING**

△ BOUNDARY 1804 Soscol Avenue, STE 202
 △ TOPOGRAPHIC Napa, CA, 94559
 △ CONSTRUCTION Phone: (707) 690-9025
 △ SUBDIVISIONS Fax: (707) 542-2106
 WWW.CINQUINIPASSARINO.COM



APN 016-021-64 & PORTION OF HIGHLAND AVENUE	DRAWN BY: SMF	CHECKED BY: MPA
260 HIGHLAND AVENUE ANNEXATION TO SAN RAFAEL SANITATION DISTRICT (FILE 1387)	SCALE: 1"=80'	DATE: 11/20/2024
	JOB #: 10663-24	PAGE: 3 OF 3

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Nov 20, 2024 - 9:20am

**AGREEMENT REGARDING ANNEXATION OF REAL PROPERTY
TO MARIN LOCAL AGENCY FORMATION COMMISSION**

This agreement is made and entered into on this 10 day of October 2024, by and between the Marin Local Agency Formation Commission, ("LAFCo" hereafter), and Margaret M. Peirsol ("Owner" hereafter) and is based upon the following facts:

- (a) Owner holds title to that certain real property ("the Property" hereafter) described in Exhibit "A" attached hereto and shown for illustrative purposes only on the attached Exhibit "B;" and
- (b) Owner desires annexation to the San Rafael Sanitation District provided by San Rafael Sanitary District. LAFCo recognizes that at this time, annexation of this property to The City of San Rafael would result in inefficient provision of services to the property, but that at some point in the future, the LAFCo may desire annexation.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

- 1. Owner agrees on behalf of their heirs, successors and assigns that, in the event any future proceedings for annexation of the property to The City of San Rafael shall be initiated by LAFCo, Owner shall neither directly nor indirectly oppose or protest such annexation.
- 2. Owner agrees that their obligations hereunder 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 this Agreement and that the obligations undertaken by Owner hereunder shall be binding on all parties having or acquiring any right, title, or interest in the Property.

OWNER:

By: MARGARET PEIRSOL
Property Owner, Print Name

Date: 10-10-24

Margaret Peirsol
Property Owner, Signature

MARIN LOCAL AGENCY FORMATION COMMISSION:

By: Jason Fried
Jason Fried, Executive Officer, Print Name

Date: 12/12/24

Jason Fried
Jason Fried, Executive Officer, Signature












Resolution 24-11


Final Audit Report

2024-12-16

Created:	2024-12-16
By:	claire devereux (cdevereux@marinlafco.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAALPIGD_UWyxxK_IBTJNjrDNx_1Y12zz-l

"Resolution 24-11" History

-  Document created by claire devereux (cdevereux@marinlafco.org)
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-  Document emailed to malathy.subramanian@bbklaw.com for signature
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-  Document emailed to Jason Fried (jfried@marinlafco.org) for signature
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-  Document emailed to bcoler@townoffairfax.org for signature
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-  Signer bcoler@townoffairfax.org entered name at signing as Barbara Coler
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-  Document e-signed by Barbara Coler (bcoler@townoffairfax.org)
Signature Date: 2024-12-16 - 5:36:01 PM GMT - Time Source: server
-  Email viewed by Jason Fried (jfried@marinlafco.org)
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-  Document e-signed by Jason Fried (jfried@marinlafco.org)
Signature Date: 2024-12-16 - 5:39:41 PM GMT - Time Source: server
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-  Signer malathy.subramanian@bbklaw.com entered name at signing as Malathy Subramanian
2024-12-16 - 6:00:31 PM GMT

 Document e-signed by Malathy Subramanian (malathy.subramanian@bbklaw.com)

Signature Date: 2024-12-16 - 6:00:33 PM GMT - Time Source: server

 Agreement completed.

2024-12-16 - 6:00:33 PM GMT