

BE IT FURTHER RESOLVED that upon said day of election the polls shall be open between the hours of 6.00 o'clock A.M. and 7.00 o'clock P.M. and the City Clerk is hereby authorized to cause notice of said election to be published as required by law."

A letter of thanks was received from A. H. Siemer for a floral piece sent by the Council during his recent bereavement.

There being no further business, the meeting was adjourned to March 12th, 1940 at 8 o'clock P.M.

Read and approved March 12<sup>th</sup> 1940.

*J. B. Brown* Clerk.  
*RC*

MINUTES OF MARCH 12, 1940.

A regular meeting of the Council was held on March 12th, 1940, at 8 o'clock P.M. Present: Councilmen White, Franchini, Millard, Carroll and Linch. Absent: None. Mayor Linch presiding.

Minutes of the past several meetings were approved as read.

CANVASS OF SPECIAL EXCLUSION ELECTION:

Returns of the Special Exclusion Election held on February 20th, 1940 were canvassed with the following results:

<u>For Exclusion</u>	150 votes
<u>Against Exclusion</u>	23 "
	<u>173 "</u>

RESOLUTION NO. <sup>220</sup>219 (CANVASS SPECIAL EXCLUSION ELECTION):

On motion of Councilman Carroll, seconded by Councilman Franchini, and unanimously passing, Resolution No. 220, showing results of canvassing of Special Exclusion Election returns, was adopted. (See Pg. 128 for true copy of this Resolution.)

RESOLUTION NO. <sup>219</sup>220 (PROVIDING FOR EXCLUSION PAPERS, ETC.):

On motion of Councilman White, seconded by Councilman Franchini and unanimously passing, Resolution No. 219, instructing the City Clerk and Engineer to file the necessary papers/in connection with the Special Exclusion Election, of February 20th, 1940, was adopted. (XXXXXXXXXXXXXXXXXXXX)

RESOLUTION NO. 221 - (CIVIL SERVICE EXAMINATIONS):

On motion of Councilman White, seconded by Councilman Franchini and unanimously passing, Resolution No. 221, authorizing Civil Service examinations to be held on Saturday, March 30th, 1940, was adopted.

A card of acknowledgment and thanks was received from Mrs. Nicholas McMahon, following her recent bereavement.

On motion of Councilman Franchini, seconded by Councilman White, and unanimously passing, Mr. Thomas Butler was granted permission to remove a tree fronting on Lot 43, Ross Valley Park, with the proviso that he plant a new one in its stead.

A letter of thanks was received from the "Beautification Com-

mittee" for the co-operation of the Police Department in cleaning unsightly spots in the Town.

Permission was granted Henry McLaren to install three 1500 gallon gasoline storage tanks in place of the 280 gallon tanks now being used in connection with his service station at 305 San Anselmo Avenue.

Permission was granted Mr. Geo. R. Tuttle to cut an overhanging limb obstructing his new driveway at 150 Prospect Ave. and his request for the removal of a small tree in the immediate vicinity was referred to the Superintendent of Streets for recommendation.

Reports of the Building and Plumbing Inspectors for the month of February were received and placed on file.

A communication was received from Mrs. Stenzel requesting that certain street work be done on a strip of unimproved roadway known as Cedar Street. The writer was advised by letter of Council's views in the matter.

WARRANTS: On motion of Councilman Millard, Warrants Nos. 5727 to 5781, inclusive, were ordered paid. Motion was seconded by Councilman Carroll and carried by the following votes:

Ayes: Councilmen White, Franchini, Millard, Carroll and Linch.  
Noes: None.

The Engineer reported on a proposed street improvement on Rose Lane, in the Ross Valley Tract, stating that he had contacted Mr. Walsh and advised him that such work should be done under private contract, which he estimates will cost about \$220. and that such work will be supervised by the City Engineer.

Mr. Otto Wisher addressed the Council in connection with a movement towards the installation of adequate lighting for the holding of night soft ball games. After some discussion the matter was taken under advisement by the Council.

RESOLUTION NO. 220: "BEFORE THE CITY COUNCIL OF THE TOWN OF SAN ANSELMO  
In the Matter of the Proposed Exclusion of  
Uninhabited Territory from the  
Town of San Anselmo

CERTIFICATE OF RESULT OF  
SPECIAL ELECTION FOR EXCLUSION OF UNINHABITED TERRITORY  
FROM THE TOWN OF SAN ANSELMO  
Held February 20, 1940.

RESOLUTION NO. 220.  
DECLARING RESULT OF SPECIAL EXCLUSION ELECTION  
Held February 20th, 1940.

WHEREAS, at a regular meeting of the City Council of the Town of San Anselmo, held on the 15th day of September, 1939, there was presented to and received by said City Council a written petition signed by not less than one-tenth in number of the qualified electors of said Town of San Anselmo, computed upon the number of votes cast at the last general municipal election held therein, which said petition asked that uninhabited territory in said petition and hereinafter described, be excluded from such municipal corporation, and that the boundaries of said Town of San Anselmo be altered accordingly; and,

WHEREAS, said petition was duly presented to this Council and was thereupon duly read, received and filed, and considered by this Council, and said Council thereupon ordered and directed the Clerk of said Council, without delay, to notify the Board of Supervisors of the County of Marin, of the fact of the filing of such petition; and,

WHEREAS, thereafter, to wit: on the 9th day of October, 1939, (the same being the next ensuing meeting date of the said Board of Supervisors), said Clerk notified said Board of Supervisors in regular session assembled at their Chambers in San Rafael, California, of the fact of the filing of such petition; and,

WHEREAS, said Board of Supervisors thereupon duly and regularly passed and adopted its resolution and order, fixing and setting Monday, the 13th day of November, 1939, at the hour of 11 o'clock A.M. of said day, at the chambers of said Board of Supervisors in the Court House in San Rafael, California, as the time and place when and where objections to said exclusion would be heard; and,

WHEREAS, said Board of Supervisors did then and there, and at its meeting aforesaid, order that notice of said hearing, setting forth by general description the land sought to be excluded from the said municipality, and announcing the time and place when and where objections to said exclusion would be heard; as so fixed and set, be published and given for the time and in the manner required by law; and,

WHEREAS, said notice was thereafter duly published and given for the time and in the manner required by law and the said order of said Board of Supervisors; and,

WHEREAS, thereafter, to wit: on the 13th day of November, 1939, and at the hour of 11 o'clock A.M. of said day, at the chambers of said Board of Supervisors in the Court House in San Rafael, California, (the same being the time and place by said Board of Supervisors designated when and where objections to said exclusion would be heard), the said Board of Supervisors duly and regularly met, and the matter of hearing objections to said exclusion then and there duly and regularly came before said Board for hearing and consideration; and,

WHEREAS, no person then or at any other time appeared before said Board of Supervisors to object to said exclusion, and no objection to said exclusion was then, or ever made, and no written or other remonstrance or protestation to the exclusion of the said territory, or to any part thereof, was then or ever filed with said Board of Supervisors; and,

WHEREAS, said Board of Supervisors did thereupon then and there resolve, declare, ascertain and determine that no person owning any of said land so sought to be excluded had or has objected, or did or does object, to said exclusion, and that no remonstrance or protestation, written or otherwise, had or has been filed with, or made to, said Board of Supervisors; and,

WHEREAS, said Board of Supervisors did then and there further adopt its certain resolution whereby it did consent to the exclusion by the said Town of San Anselmo of the said uninhabited territory above referred to, and directed its clerk to give notice thereof to this City Council; and,

WHEREAS, thereafter, to wit: on the 9th day of January, 1940, said City Council met in regular session at its place of meeting in the Town of San Anselmo, to wit, in the City Hall of said Town of San Anselmo, and then and there received from the clerk of said Board of Supervisors notification of the adoption of the said Board of Supervisors of said resolution of consent to said exclusion, and said City Council did then and there proceed to further consider said petition, and competent evidence,

both oral and documentary, was thereupon heard in support both of the allegations and matters in said petition contained and set out, and also concerning the matters pertaining to the election proposed to be held upon the proposition of the exclusion of said territory and the method of giving notice thereof, and of other matters pertaining thereto, from which it appeared and was found by this Council that all of the statements, facts and allegations set forth and contained in said petition were true, that the signatures to said petition were the genuine signatures of said petitioners, severally and respectively, and that said petitioners comprised and constituted not less than one-tenth in number of the qualified electors of said Town of San Anselmo, computed upon the number of votes cast at the last general municipal election held therein; that said territory described in said petition was wholly uninhabited; that said petition contained a sufficient description of said territory, and that all of said territory lies within said Town of San Anselmo and is contiguous and adjacent to the southeasterly boundary of said Town; that said petition was in proper form, and sufficient in all respects, and in the opinion of said City Council the same should be granted as prayed for; and,

WHEREAS, the said City Council, at said meeting last above referred to, after due deliberation, by resolution duly and regularly adopted, ordered and called a special election to be held in said Town of San Anselmo on Tuesday, the 20th day of February, 1940, for the purpose of submitting to and at which election would be submitted to, the electors of said municipal corporation Town of San Anselmo, the proposition whether or not said territory shall be excluded from such municipal corporation; and,

WHEREAS, said City Council did by and under said resolution appoint qualified officers of election, as prescribed by law, and did order due notice of such election to be published, and given for the time and in the manner provided by law, and did establish, and in such notice of election designate, the voting precinct and the place at which the polls would be opened in such municipal corporation, which notice distinctly and in due form stated the proposition to be submitted, and specifically described the boundaries of the territory proposed to be excluded, thereby describing the same in such manner as to apprise the voters of the particular land sought to be excluded, and invited the qualified electors of said Town of San Anselmo to vote upon such proposition by marking their ballots "For Exclusion", or "Against Exclusion"; and,

WHEREAS, notice of such special election was duly published, and given as required by law and the order of this City Council, and said special election was held, in accordance with law, on Tuesday, the 20th day of February, 1940, the same being the date for which said election was by this City Council called; and the judges, inspector and clerks of such election, immediately upon the closing of the polls counted the ballots, made up and certified the returns of the ballots cast at the polling place aforesaid as quickly as practicable, in the manner provided in the laws of this State, and deposited all said returns with the clerk of said Town of San Anselmo; and,

WHEREAS, this is the time provided for the regular meeting of the City Council of said Town of San Anselmo next after the said returns were filed with the said Clerk of said Town, as hereinabove recited, and said City Council is now in open and regular session, and has proceeded to open and canvass, and has opened and canvassed, said returns, and has examined all of the matters and things in regard to the calling, notice, holding and conduct of said election;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That this City Council finds and hereby determines that due and regular notice of said election was published, and given as required by law and the order of this City Council, and that said election was duly and regularly held and conducted on the 20th day of February, 1940, in accordance with law and with the resolution calling said election; and that the judges, inspector and clerks of such special election did immediately on the closing of the polls, count the ballots, make up and certify the returns of the ballots cast at the designated polling place, and deposited all said returns, in the manner provided in the election laws of the State of California, with the Clerk of this City Council; that this, the 12th day of March, 1940, is the time fixed by law for this City Council to meet and to open and canvass said returns.

Section 2. That the City Council of the Town of San Anselmo upon full examination of the returns of the votes cast in said Town of San Anselmo, does hereby estimate, certify and declare that the votes cast in said Town of San Anselmo, at said special election, for and against said proposition voted upon at said special election, was and is the following, to wit:

For exclusion: One Hundred and Fifty (150)  
Against exclusion: Twenty-Three (23)

and that the whole number of votes cast at said special election in said Town of San Anselmo was one hundred and seventy-three (173) and that a majority of all the votes cast within said Town of San Anselmo are in favor of exclusion.

Section 3. That at said special election it was duly and regularly determined to exclude from said Town of San Anselmo, the following described territory, to wit:

All that certain tract or parcel of land situate, lying and being in the Town of San Anselmo, County of Marin, State of California, and bounded and particularly described as follows, to-wit:

BEGINNING at the point of intersection of the easterly line of Sir Francis Drake Boulevard (formerly Red Hill and Ross Landing Road) with the southerly boundary line of the corporate limits of the Town of San Anselmo, being also the northerly boundary line of the corporate limits of the Town of Ross, as said easterly line and said corporate limits line are shown upon that certain map entitled, "Official Map of the Town of San Anselmo, Marin County, California", recorded August 10, 1928, in the office of the County Recorder, County of Marin, State of California; running thence westerly from said point of beginning along the westerly production of said corporate limits line 60 feet, more or less, to the easterly line of the right-of-way of the Northwestern Pacific Railroad Company; thence southerly along said right-of-way line 250 feet more or less, to its intersection with the center line of Bolinas Avenue, said center line being part of the corporate limits line dividing the Town of San Anselmo and the Town of Ross; thence easterly along said last named corporate limits line 60 feet; more, or less, to the said easterly line of Sir Francis Drake Boulevard; thence northerly along said easterly line 240 feet, more or less, to the point of beginning.

and the City Council of the Town of San Anselmo does hereby declare that said territory hereinabove described is so excluded from the Town of San Anselmo, and that the boundaries of said Town of San Anselmo be, and the same are, altered accordingly.

Section 4. That these preambles and resolutions be entered upon the minutes of this City Council as the record of the result of the canvass of the returns of said election, and that two copies thereof be made and certified by the Clerk of this City Council, under the seal of said Town of San Anselmo, together with a statement showing the date of said election and the time and result of the canvass of the returns thereof, and that one of said copies, together with said statement, be transmitted by him to the Secretary of State of the State of California, for filing in his office, and the other of said copies, together with said statement, be transmitted by him to the Board of Supervisors of the County of Marin, State of California, for filing by the Clerk of said Board of Supervisors.

PASSED AND ADOPTED this 12th day of March, 1940, by the following vote: AYES: Councilmen White, Franchini, Millard, Carroll and Linch.

(SEAL) NOES: Councilmen none  
ABSENT: Councilmen none GEO. W. LINCH  
Mayor of the Town of San Anselmo.

ATTEST:  
F.D. BURROWS  
City Clerk of the Town of San Anselmo.

STATE OF CALIFORNIA, } ss:  
COUNTY OF MARIN

I. F. D. BURROWS, City Clerk of the Town of San Anselmo, in the County of Marin, State of California, and ex-officio Clerk of the City Council of said Town, do hereby certify and declare the foregoing to be a full, true and correct copy of the original preamble and resolution adopted by the City Council of the Town of San Anselmo, declaring the territory therein described, to be excluded from said Town of San Anselmo, and containing and constituting the record of the canvass of the returns of the special election called for the purpose of submitting the question of said exclusion; that said preambles and resolution were duly passed and adopted at a regular meeting of said City Council, duly and regularly convened and held, on Tuesday, the 12th day of March, 1940, being the time provided for the regular meeting of the City Council of the said Town of San Anselmo, next after the returns of the ballots cast at said election were filed with the City Clerk of said Town of San Anselmo; that at said meeting a majority of the members of said City Council were present, and said order was duly passed by the affirmative votes of all of said members of said City Council then and there present, and that no member of said City Council voted against the passage and adoption of said preambles and resolution; that said preambles and resolution have been duly entered upon the minutes of said City Council, and are in full force and effect, and have never been vacated, repealed or amended, as will more fully appear by the official records and files in this office;

That the date of the election referred to in said resolution was the 20th day of February, 1940, and the time of the canvass of the returns of said election was March 12, 1940, and that the result of said canvass is and was as follows, to wit:

The total number of votes cast at said election in said municipal corporation, Town of San Anselmo, was one hundred and seventy-three (173), that 150 votes were cast in favor of exclusion; that 23 votes were cast against exclusion; and that a majority of all the votes cast at said election were and are in favor of such exclusion.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Town of San Anselmo, this 12th day of March, 1940.

(SEAL)

F. D. BURROWS,  
City Clerk of the Town of San Anselmo  
and ex-officio clerk of the City  
Council of said Town."

There being no further business, the meeting was adjourned to March 20th, 1940, at 8 o'clock P.M.

Read and approved May 31st 1940

F. D. Burrows  
Clerk.

MINUTES OF MARCH 20th, 1940.

The meeting called for March 20th, 1940, was postponed by the Clerk to March 27th, 1940, for the reason that a quorum was not present.

Read and approved May 31st 1940

F. D. Burrows  
Clerk.

MINUTES OF MARCH 27th, 1940.

The meeting called for March 27th, 1940 was postponed by the Clerk to March 28th, 1940 for the reason that a quorum was not present.

Read and approved May 31st 1940

F. D. Burrows  
Clerk.

MINUTES OF MARCH 28, 1940.

An adjourned meeting of the Council was held on Thursday, March 28, 1940, at 8 o'clock P.M.