

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 97-06

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION  
WITH WAIVER OF NOTICE, HEARING AND ELECTION  
TO THE NOVATO SANITARY DISTRICT

"Mill Road Annexation 1997-3"

WHEREAS, a proposal for the proposed annexation of certain territory to the Novato Sanitary District, 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 Resolution No. 2586, a resolution of application adopted by the Board of Directors of the Novato Sanitary District; and

WHEREAS, said resolution of application was accompanied by written consent signed by all owners of land with the territory proposed to be annexed; and

WHEREAS, pursuant to Government Code Section 56837, when a resolution of application is accompanied by written consent of 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.

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including her recommendation thereon, the proposal and report having been presented to and considered by this Commission.

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

Section 1. Subject to terms and conditions hereinafter specified, the proposal made by Resolution No. 2586, adopted by the Board of Directors of the Novato Sanitary District, is approved.

Section 2. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibit "A," and "B" attached hereto and by this reference incorporated herein.

(OTHER\RES9706.97)

Section 3. The territory includes 0.48 acres, is found to be uninhabited and is assigned the following distinctive short form designation: "Mill Road Annexation 1997-3" to the Novato Sanitary District.

Section 4. The proposal is consistent with the spheres of influence of affected local agencies.

Section 5. Any resolution authorizing the annexation approved by this resolution shall impose the following standard terms and conditions:

- A. In the event that pursuant to rules, regulations or ordinances of the District, as now or hereafter amended, the District shall require any payment of fixed or determinable amount of money, either as a lump sum or in installments, for the acquisition, transfer, use or right of use of all or part of the existing property, real or personal, of the District, such payment will be made to the District in the manner and at the time as provided by the rules, regulations or ordinances of the District, as now or hereafter amended.
- B. Upon and after the effective date of said annexation, the Territory, all inhabitants within such Territory, and all persons entitled to vote by reason of residing or owning land within the Territory, shall be subject to the jurisdiction of the District; shall have the same rights and duties as if the Territory has been a part of the District upon its original formation; shall be liable for the payment of principle, interest and any other amounts which shall become due on account of any outstanding or then authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and ordinances of the District, as now or hereafter amended.

Section 6. The Novato Sanitary District is designated as the conducting authority for further proceedings, and the Board of said District is hereby directed to initiate proceedings in compliance with this resolution and is authorized to proceed without notice, or election, pursuant to Government Code, Section 56837.

(OTHER\RES9706.97)

Section 7. The project is categorically exempt pursuant to provisions of the California Environmental Quality Act.

Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 3rd day of July, 1997 by the following vote:

AYES: Commissioners Barner, Blanchfield, Kress, Moore, Richardson,  
Thayer and Ware  
NOES: None  
ABSENT: None

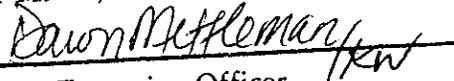
  
NORMAN RICHARDSON, CHAIRPERSON

ATTEST:

  
DAWN MITTLEMAN, EXECUTIVE OFFICER

DATED: July 3, 1997

The foregoing instrument is a correct copy of the original on record in the office of the Local Agency Formation Commission of the County of Marin, State of California.

By   
Executive Officer *kw*

2/21/97

NOVATO SANITARY DISTRICT

MILL ROAD ANNEXATION 1997-3 (Revised)

Exhibit "B"

Mapping No. 3/97

Beginning at a point on the existing boundary of Novato Sanitary District, said point being on the northerly line of Mill Road, distant thereon North  $60^{\circ}45'$  West 242.67 feet from its intersection with the easterly line of Lot 205 as said Road and Lot are shown upon that certain map entitled "Amended Map No. 1 of Subdivision 'C' of the Novato Ranch, Marin County, California", filed July 6, 1910 in Book 3 of Maps at Page 53, Marin County Records; thence leaving said northerly line of Mill Road and continuing along said Sanitary District boundary northeasterly 84.39 feet; thence northeasterly 65.58 feet; thence northwesterly 17.41 feet; thence northeasterly 111.53 feet; thence northwesterly 60.89 feet; thence southwesterly 130.55 feet; thence leaving said Sanitary District boundary South  $29^{\circ}15'$ ; West 138 feet to a point on said northerly line of Mill Road; running thence along said northerly line of Mill Road South  $60^{\circ}45'$  East 87.38 feet to the point of beginning.

Containing 0.48 acres, more or less.

ANNEX973.MIS

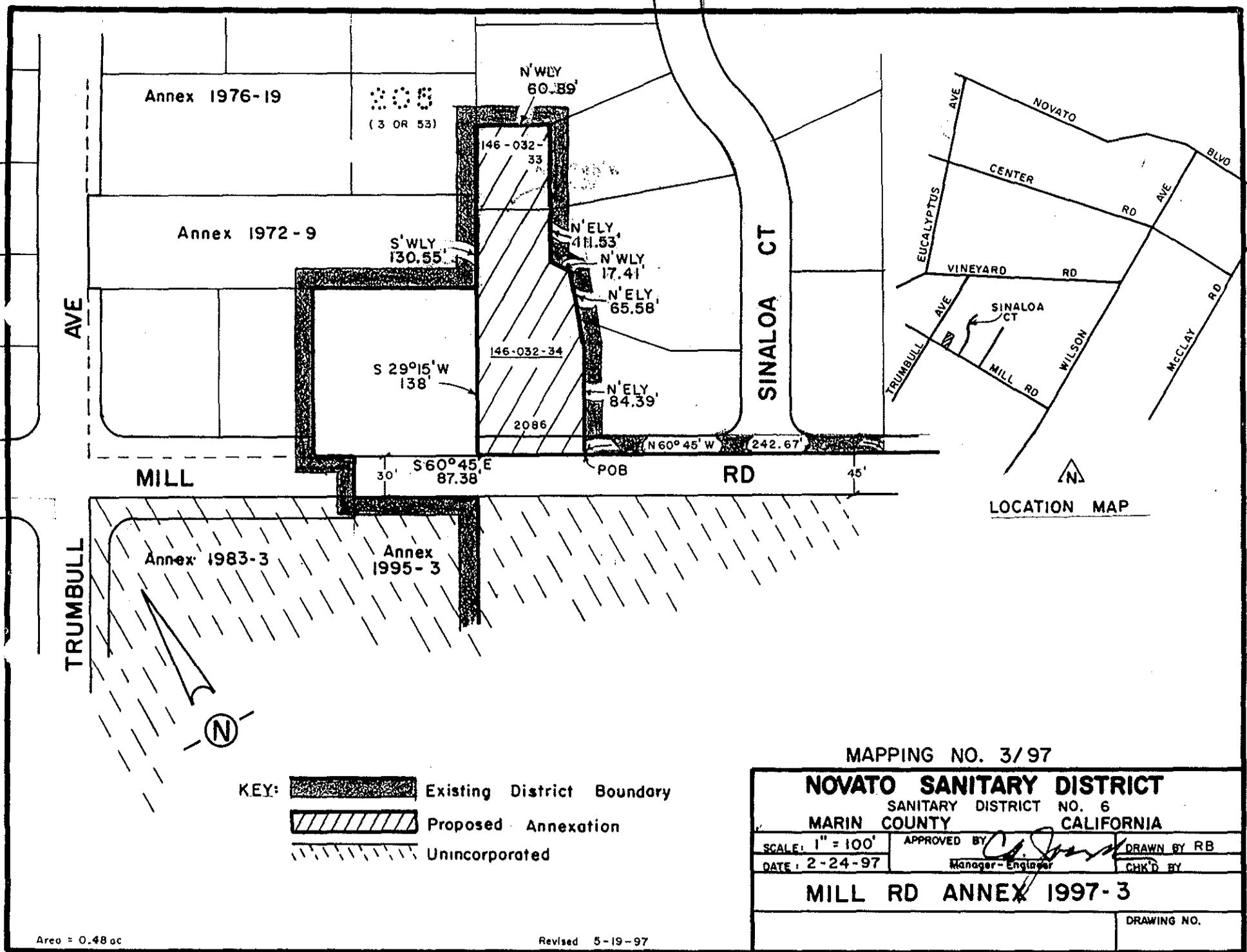


EXHIBIT "A"

KEY: Existing District Boundary  
 Proposed Annexation  
 Unincorporated

Area = 0.48 ac

Revised 5-19-97

MAPPING NO. 3/97

<b>NOVATO SANITARY DISTRICT</b>		
SANITARY DISTRICT NO. 6		
MARIN COUNTY		CALIFORNIA
SCALE: 1" = 100'	APPROVED BY	DRAWN BY RB
DATE: 2-24-97	Manager-Engineer	CHK'D BY
MILL RD ANNEX 1997-3		
		DRAWING NO.