

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 00-6

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

“Annexation of the Lands of Armusewicz to Novato Sanitary District (File #1170)”

WHEREAS, an application for the annexation of certain territory to 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 a petition, filed by the property owners; and

WHEREAS, said a petition of application was signed by all owners of land with the territory proposed to be annexed; and

WHEREAS, pursuant to Government Code Section 56837, when a petition of application is accompanied by written consent signed by 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; and

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

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

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

Section 2. The territory includes 0.9 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Annexation of the Lands of Armusewicz to Novato Sanitary District (File #1170).”

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 Dory Adams

Section 3. The annexation is consistent with the adopted sphere of influence for Novato Sanitary District.

Section 4. The annexation approved by this resolution shall be subject to the following terms and conditions:

- A. The applicant will provide a revised map and legal description meeting the technical requirements of the State Board of Equalization.
- B. In the event that pursuant to the rules, regulations, resolutions or ordinances of the District, as now or hereafter amended, the District shall require any payment of a 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 any 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, resolutions or ordinances of the District, as now or hereafter amended.
- C. 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 had been a part of the District upon its original formation; shall be liable for the payment of principal, 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, resolutions and ordinances of the District, as now or hereafter amended.

Section 5. 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.

Section 6. The project is categorically exempt pursuant to §15319 of the Guidelines for Implementation of the California Environmental Quality Act.

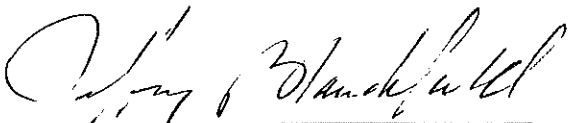
Section 7. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 9th day of March, 2000, by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller, Hennessy, Kress, Murray and Ware

NOES: None

ABSENT: None



JEFFRY BLANCHFIELD, Chairperson

ATTEST:



PETER V. BANNING, Executive Officer

EXHIBIT "A"

ARMUSEWICZ ANNEXATION TO NOVATO SANITARY DISTRICT

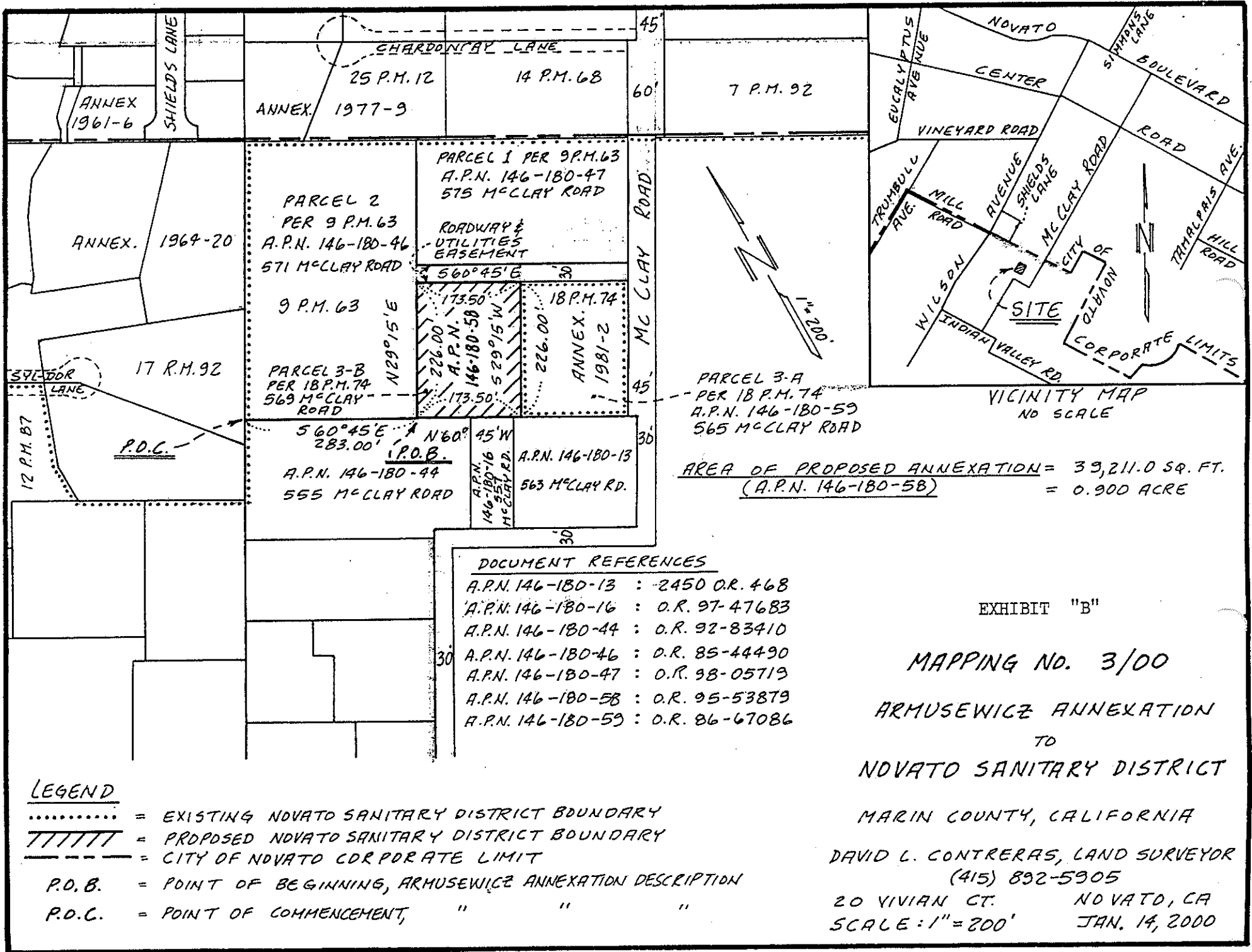
Mapping No. 3/00

Commencing at a point on the existing Novato Sanitary District Boundary, said point being also the most southwesterly corner of Parcel 2 as it is shown on that certain map entitled "Land Division of Lands of Burgi...and Lot Line Adjustment between Lands of Burgi...and Lands of Krohn...., a Portion of Lot 215, Map of Novato Ranch, Sub. C, Book 3 of Maps at Page 39" filed February 4, 1974 in Book 9 of Parcel Maps, at Page 63, Marin County Records; thence leaving said District boundary, and along the southerly line of said Parcel 2 (9 P.M. 63), South 60° 45' East, 283.00 feet to the most southerly corner of said Parcel 2 (9 P.M. 63), also being the most westerly corner of Parcel 3-B as it is shown on that certain map entitled "Parcel Map, Lands of Scotto and Summers, 3485 O.R. 488, Being Parcel 3, 9 R.M. 63, Vicinity of Novato, Marin County, California," filed December 12, 1980 in Book 18 of Parcel Maps, at Page 74, Marin County Records, also being the Point of Beginning of the lands herein described; thence along the northwesterly and northeasterly boundaries of said Parcel 3-B (18 P.M. 74), the following courses: North 29° 15' East, 226.00 feet, and South 60° 45' East, 173.50 feet to the most easterly corner of Parcel 3-B and the most northerly corner of Parcel 3-A (18 P.M. 74), said corner also being a corner of the existing Novato Sanitary District boundary; thence along said district boundary, and along the common line of said Parcels 3-A and 3-B (18 P.M. 74), South 29° 15' West, 226.00 feet to the most southerly corner of said Parcel 3-B, also being the most westerly corner of said Parcel 3-A (18 P.M. 74); thence leaving said district boundary, and running along the southwesterly boundary of said parcel 3-B (18 P.M. 74), North 60° 45' West , 173.50 feet to the Point of Beginning.

Containing 39,211.0 Square Feet, or 0.900 Acre

INCLUDING an easement for roadway and utility purposes, 30 feet in width, as shown on the above-cited Parcel Map.

Date: March 5, 2000



AREA OF PROPOSED ANNEXATION = 39,211.0 SQ. FT.
 (A.P.N. 146-180-58) = 0.900 ACRE

DOCUMENT REFERENCES

A.P.N. 146-180-13	: 2450 O.R. 468
A.P.N. 146-180-16	: O.R. 97-47683
A.P.N. 146-180-44	: O.R. 92-83410
A.P.N. 146-180-46	: O.R. 85-44490
A.P.N. 146-180-47	: O.R. 98-05719
A.P.N. 146-180-58	: O.R. 95-53879
A.P.N. 146-180-59	: O.R. 86-67086

EXHIBIT "B"

MAPPING NO. 3/00

ARMUSEWICZ ANNEXATION
 TO
 NOVATO SANITARY DISTRICT
 MARIN COUNTY, CALIFORNIA

DAVID L. CONTRERAS, LAND SURVEYOR
 (415) 892-5905
 20 VIVIAN CT. NOVATO, CA
 SCALE: 1" = 200' JAN. 14, 2000

- LEGEND**
- = EXISTING NOVATO SANITARY DISTRICT BOUNDARY
 - TTTTTTT = PROPOSED NOVATO SANITARY DISTRICT BOUNDARY
 - = CITY OF NOVATO CORPORATE LIMIT
 - P.O.B. = POINT OF BEGINNING, ARMUSEWICZ ANNEXATION DESCRIPTION
 - P.O.C. = POINT OF COMMENCEMENT, " " " "