

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 99-6

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

"Deer Island Lane Annexation 1998-8"

WHEREAS, a proposal for the proposed annexation of certain territory to the Novato Sanitary District, in the City of Novato, has been filed with the Acting 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. 2632, a resolution of application adopted by the Board of the Novato Sanitary District; and

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

WHEREAS, pursuant to Government Code Section 56837, when a resolution 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 Acting Executive Officer has reviewed the proposal and prepared a report, including a recommendation thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, the Novato Sanitary District, as lead agency, has determined that the project is categorically exempt under CEQA Guidelines Sections 15303(d) (Class 3 New Construction or Conversion of Small Structures) and 15319(b) (Class 19, Annexation of Existing Facilities).

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

Section 1. Subject to the terms and conditions hereinafter specified, the proposal made by Resolution No. 2632, adopted by the Novato Sanitary District is approved.

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 Dony Adams

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.

Section 3. The territory includes 5.37 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Deer Island Lane Annexation 1998-8" to the Novato Sanitary District.

Section 4. The proposal is consistent with the adopted sphere of influence for the Novato Sanitary District.

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

1. 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.
2. 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 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.

Section 7. The Novato Sanitary District, as lead agency, has determined that the project is categorically exempt pursuant to §15303(d) and §15319(b) of the Guidelines for Implementation of the California Environmental Quality Act, and Marin LAFCO, as a responsible agency, also determines that the project is categorically exempt under the same sections of the Guidelines.

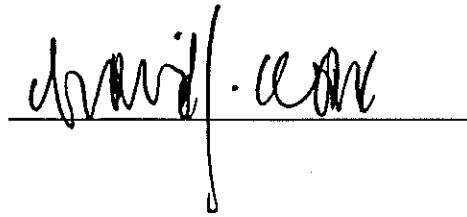
Section 8. The Acting Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 13th day of May, 1999 by the following vote:

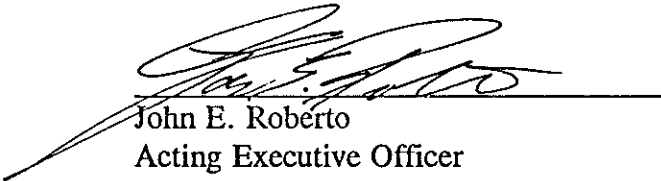
AYES: Commissioners Blanchfield, Chapman, Heller, Hennessey, Kress, Murray and Ware

NOES: None

ABSENT: None

A handwritten signature in black ink, appearing to read "David A. Ware", is written over a horizontal line. A vertical line extends downwards from the end of the signature.

ATTEST:

A handwritten signature in black ink, appearing to read "John E. Roberto", is written over a horizontal line. The signature is stylized and cursive.

John E. Roberto
Acting Executive Officer

9/1/98

NOVATO SANITARY DISTRICT
DEER ISLAND LANE ANNEXATION 1998-8

Exhibit "A"

COMMENCING AT A POINT on the existing boundary of Novato Sanitary District, said point being on the southerly line of Lot 11 as said Lot is shown upon that certain map entitled "Map of East Part Rancho De Novato, Marin County, California", filed March 22, 1889, in Rack 2 Pull 3, Marin County Records, said point also being on the southeasterly line of Olive Avenue at its intersection with the centerline of Deer Island Lane as said Avenue and Lane are shown upon that certain "Record of Survey, Portion Lot 11, Division B, Rancho De Novato, R.M. - Rack 2, Pull 3", filed October 14, 1971 in Book 10 of Surveys at Page 63, Marin County Records; thence leaving said Sanitary District boundary and running along said centerline of Deer Island Lane and along the boundary of 10 O.S. 63 South $80^{\circ} 00'$ East 906.88 feet, more or less, (measured) to the most southerly corner common to 10 O.S. 63 and 15 O.S. 67 and to a point on said Sanitary District boundary and to the point of beginning; thence continuing along said boundary between 10 O.S. 63 and 15 O.S. 67 and along said Sanitary District boundary northeasterly 207.88 feet (deeded); thence northeasterly 422.07 feet to the most northerly corner common to 10 O.S. 63 and 15 O.S. 67; thence leaving said Sanitary District boundary and continuing along the boundary of 10 O.S. 63 North $64^{\circ} 33' 56''$ West 285.8 feet, more or less (calculated); thence leaving said boundary of 10 O.S. 63 South $39^{\circ} 52' 11''$ West 734.98 feet, more or less (calculated), to a point on said centerline of Deer Island Lane and the southerly boundary of 10 O.S. 63; thence along said southerly line 10 O.S. 63 and said centerline of Deer Island Lane South $80^{\circ} 00'$ East 485.14 feet, more or less (calculated), to the point of beginning.

Containing 5.37 acres, more or less.

