

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 89-14

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

"INDIAN VALLEY ROAD ANNEXATION 1989-5"

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 a petition, filed by the I & F Partnership of Tiburon; and

WHEREAS, said petition 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 petition is accompanied by written consent of all owners of land within the territory proposed to be annexed, this Commission may make determinations with respect to said annexation without notice and hearing; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including his 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 the terms and conditions hereinafter specified, the proposal made by petition of the property owner is approved.

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

Section 3. The territory includes 13.79 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Indian Valley Road Annexation 1989-5 (Windemere Subdivision)" 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 terms and conditions of the Novato Sanitary District, as set forth in Exhibit "B," attached hereto and incorporated herein.

Section 6. The Novato Sanitary District is designated as the conducting district 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. In accordance with applicable provisions contained in the adopted Marin Local Agency Formation Commission Environmental Guidelines and Procedures, the City of Novato is the appropriate lead agency, has conducted an Initial Study incorporating concerns of said Commission, a responsible agency, and has issued a Negative Declaration. The Marin Local Agency Formation Commission hereby certifies that the Commission has considered said documents.


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 the 5th day of October 1989 by the following vote:

AYES: Commissioners Breiner, Foote, Giacomini and Williams

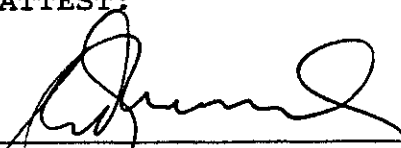
NOES: None

ABSENT: Commissioner Stockwell



ERWIN L. WILLIAMS, Chairman
Local Agency Formation Commission

ATTEST:



WALTER J. MONASCH, Executive Officer

Dated: October 6, 1989