

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 79-4

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

McCLAY ROAD ANNEXATION 1978-18

WHEREAS, a proposal for the annexation of certain territory to the Novato Sanitary District, in the County of Marin, has been filed with the Executive Officer of this Commission; and,

WHEREAS, said proposal was made in the form of Resolution No. 1746, a resolution of application adopted by the Board of Directors of the Sanitary District, and requesting the initiation of annexation proceedings pursuant to the District Reorganization Act of 1965, Division 1 (commencing with Section 56000) of Title 6 of the Government Code; 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 56261, 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 determinations with respect to said annexation without notice and hearing.

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. 1746, adopted by the Board of Directors of the Novato Sanitary District, is approved.

Section 2. The boundaries of the territory proposed to be annexed shall be those set forth in Exhibit A, attached hereto and incorporated herein; said territory is uninhabited and shall be designated as the "McClay Road Annexation 1978-18".

Section 3. Any resolution ordering the annexation approved by this resolution shall provide that such annexation is ordered subject to the terms and conditions specified in the resolution of application.

Section 4. The Novato Sanitary District is designated as the conducting district for further proceedings, and the Board of Directors of said District is hereby directed to initiate proceedings in compliance with this resolution and is authorized to take further proceedings upon said annexation with waiver of notice, hearing, and election in compliance with applicable provisions of state law.

Section 5. The environmental documents relevant to the proposed annexation have been reviewed and considered by the Commission in making its final determination. Pursuant to the California Environmental Quality Act and the Commission's Environmental Guidelines, a Negative Declaration has been issued.

Section 6. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56272 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 14th day of February 1979 by the following vote:

AYES: Commissioners Haehl, Rice, U'Ren, Wilhelm and Violich

NOES: None

ABSENT: None


BARBARA B. VIOLICH, Vice Chairman
Marin Local Agency Formation Commission

ATTEST:


WARREN K. NELSON, Executive Officer

DATE: February 15, 1979

December 8, 1978

NOVATO SANITARY DISTRICT

McCLAY ROAD ANNEXATION 1978-18

EXHIBIT "A"

Beginning at a point on the existing boundary of Novato Sanitary District, said point being on the westerly line of McClay Road, called Maclay Road on hereinafter described map, distant thereon North 29° 15' East 150 feet from its intersection with the southerly line of Lot 51, as said Road and Lot are shown upon that certain map entitled "Map of Subdivisions 'A' and 'B' of the Novato Ranch, Marin County, California", filed November 18, 1909 in Volume 3 of Maps at Page 36, Marin County Records; thence from said point of beginning leaving said westerly line of McClay Road and continuing along said Sanitary District boundary Northwesterly; thence Southwesterly to a point on said southerly line of Lot 51; thence continuing along said Sanitary District boundary and running along said southerly line of Lot 51 Northwesterly to the southwesterly corner of said Lot; thence continuing along said Sanitary District boundary and running along the westerly line of said Lot Northeasterly 286.8 feet; thence leaving said westerly line and continuing along said Sanitary District boundary easterly to a point on said westerly line of McClay Road; running thence along said Sanitary District boundary and along said westerly line of McClay Road Southwesterly to the point of beginning.

CONTAINING 1.8 acres, more or less

RESOLUTION NO. 1752
A RESOLUTION MAKING DETERMINATIONS, DESCRIBING
EXTERIOR BOUNDARIES OF TERRITORY DESIGNATED
McCLAY ROAD ANNEXATION 1978-18
ESTABLISHING TERMS AND CONDITIONS, AND ORDERING
ANNEXATION OF TERRITORY

NOVATO SANITARY DISTRICT

RESOLVED, by the Sanitary Board of Novato Sanitary District,
Marin County, California, as follows:

WHEREAS, on December 28, 1978, this Board adopted its
Resolution No. 1746, A Resolution of Application by Novato Sanitary
District Requesting the Local Agency Formation Commission to Take
Preliminary Proceedings for Annexation of Territory to the District,
which resolution, together with a form of Written Consent of all of
the owners of all of the lands comprising the territory proposed to
be annexed, was filed with the Executive Officer of the Local Agency
Formation Commission of the County of Marin;

WHEREAS, on February 14, 1979, the Local Agency Formation
Commission of Marin County adopted its Resolution No. 79-4, A
Resolution Approving the Annexation of Territory to Novato Sanitary
District, wherein it designated said territory as "McClay Road
Annexation 1978-18";

WHEREAS, said Resolution No. 79-4 of the Local Agency
Formation Commission of Marin County approved the proposed
annexation and authorized this Sanitary Board to annex said
territory without notice and hearing and without an election;

WHEREAS, said resolution of the Local Agency Formation
Commission made certain findings and deteminations which were
summarized before the Sanitary Board of Novato Sanitary District;

WHEREAS, a form of Written Consent, signed by all of the
owners of all of the land within the territory proposed to be
annexed, has been filed with the District; and

WHEREAS, all of the proceedings for the annexation of territory are being had pursuant to the District reorganization Act of 1965, Division 1 of Title 6, comprising Government Code Section 56000 through 56550;

NOW, THEREFORE, IT IS FOUND, DETERMINED and ORDERED, that

1. The territory proposed to be annexed is uninhabited as such term is defined in Government Code Section 56074, and the description of the exterior boundaries of the territory is set forth in Exhibit "A" attached hereto and made a part hereof, and that no written protests were or have been filed.

2. Annexation is approved subject to the terms and conditions authorized in the Written Consent to the annexation in said Resolution No. 1746 of application adopted by Novato Sanitary District and approved by said Resolution No. 79-4 adopted by the Local Agency Formation Commission, as follows:

(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 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 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 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 and ordinances of the District, as now or hereafter amended.

3. The Executive Officer of the Local Agency Formation Commission of Marin County is hereby authorized and directed to

prepare and execute a certificate of completion of said annexation, which certificate shall have a certified copy of this resolution attached, together with a map indicating the boundaries of the area hereby ordered annexed, a certified copy of which certificate, resolution and map shall be filed by said Executive Officer with the County Recorder of Marin County, being the County in which all of Novato Sanitary District is located, and the Executive Officer shall make such filings as are required in the office of the State Board of Equalization with a certified copy of the certificate of completion attached in the office of the County Assessor, pursuant to Chapter 8 of Part 1, Division 2, Title 5 of the Government Code of the State of California (commencing at Section 54900), and pursuant to the District Reorganization Act of 1965 and particularly Sections 56457 and 54797.2 of the Government Code.

* * * * *

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of Novato Sanitary District, Marin County, California, at a regular meeting thereof duly held on the 12th day of March, 1979, by the following vote:

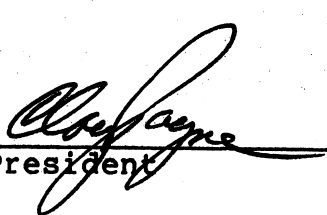
AYES, and in favor thereof, Members: Baker, Long, Medeiros,
Payne, Rivamonte

NOES, Members: None

ABSENT, Members: None


Secretary, Novato Sanitary District
of Marin

APPROVED:


President

NOVATO SANITARY DISTRICT

McCLAY ROAD ANNEXATION 1978-18

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CONTAINING 1.8 acres, more or less

