

LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN

RESOLUTION NO. 75-19

RESOLUTION MAKING DETERMINATIONS AND APPROVING A REQUEST TO
AMEND RESOLUTION NO. 75-9 REGARDING THE ANNEXATION OF
TERRITORY DESIGNATED AS OLIVE AVENUE ANNEXATION 34-74
TO THE CITY OF NOVATO

WHEREAS, by application filed with this Commission on September 25, 1974, the City of Novato requested initiation of proceedings for the annexation of uninhabited territory designated as Olive Avenue Annexation 34-74 to said City; and

WHEREAS, on January 8, 1975, the City of Novato amended said Olive Avenue Annexation 34-74 proposal to delete therefrom certain properties the owners of which were opposed to said annexation; and

WHEREAS, by Resolution 75-9, adopted on April 16, 1975, this Commission approved the Olive Avenue Annexation 34-74, as amended; and

WHEREAS, in Resolution No. 75-9 this Commission did not give recognition to the fact that the Olive Avenue Annexation 34-74, as amended, had the consent of all affected landowners, and therefore, did not invoke the power vested in the Commission by Government Code Section 54797.1 to authorize the City of Novato to conduct further proceedings without notice or hearing; and

WHEREAS, pursuant to the provisions of Government Code 54799.1, the City of Novato has made application with this Commission for reconsideration of and amendment to Resolution No. 75-9 to provide authority for the City of Novato to conduct further proceedings on the Olive Avenue Annexation 34-74 without notice or hearing,

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

1. The request of the City of Novato for reconsideration of the determinations made by this Commission in Resolution No. 75-9 is granted.
2. The determinations made by this Commission in Resolution No. 75-9 are hereby amended as follows: Pursuant to the provisions of Government Code Section 54797.1, this Commission does hereby authorize the City of Novato to conduct further proceedings on the Olive Avenue Annexation 34-74 without notice or hearing, except that mailed notice of the City Council's final action to annex said territory shall be given to Mr. George Amaroli, c/o North Marin County Water District, 999 Rush Creek Place, Novato, California, 94947.

3. With exception of the amendment made by this Resolution, all other provisions of Resolution No. 75-9 shall remain in full force and effect.

PASSED AND ADOPTED by the Local Agency Formation Commission of the County of Marin on this 16th day of July, 1975, by the following vote:

AYES: Commissioners Giacomini, Baptiste, Jones, Mulryan and Marchant

NOES: None

ABSENT: None



HUGH G. MARCHANT, Chairman
Local Agency Formation Commission of the
County of Marin

ATTEST:



LARI SHEEHAN, Executive Officer

EXHIBIT "A"

LEGAL DESCRIPTION
OLIVE AVENUE ANNEXATION NO. 7
34-74

That certain parcel of land in the County of Marin, State of California described as follows:

Beginning at a point on the Corporate Limits Line of the City of Novato, said point being the northwest corner of Lot 16 in Division "B" as per the "Map of East Part Rancho De Novato" filed in Rack 2, pull 3, Marin County Records; thence along said corporate limits line and the westerly line of Lot 16 South 10° 46' East 458.4 feet; South 30° 45' West 547.1 feet; South 21° 30' East 375 feet; South 44° East 235 feet; and South 34° East 1150 feet more or less to the southerly line of Olive Avenue; thence along the easterly line of Lot 6, Division "A" (Rack 2, pull 3), South 10° 10' East 2542.75 feet; thence leaving said easterly lot line North 64° 40' West 487.50 feet; thence South 38° 54' West 397.005 feet; thence westerly along the former alignment of Novato Creek to the easterly boundary of the "Map of Popular Terrace" recorded in Volume 7 of Maps at Page 60, Marin County Records; thence along said subdivision boundary line South 80° 19' 20" West 119.52 feet; North 59° 14' 30" West 1058.64 feet and South 23° 49' 30" West 57.75 feet to the northeasterly line of the Northwestern Pacific Railroad right-of-way; thence southeasterly along said northeasterly right-of-way line South 31° 54' West 2350 feet more or less to the centerline of Novato Creek; thence easterly and southeasterly along said creek centerline 3600 feet more or less to the prolongation of the easterly line of the course "South 7° West (60.53 chains)" as described in the deed from Joseph DeBorba, et al, recorded October 7, 1960 in Book 1404 of Official Records at Page 478, Marin County Records; thence leaving said creek centerline along said easterly line and its prolongation (1404 O.R. 478) North 7° East 3995 feet more or less to the southerly line of Olive Avenue; thence easterly along said southerly line South 65° 48' East 454.08 feet; thence leaving said Avenue and also leaving the said corporate limits line North 5° 07' West 30 feet more or less to a point in the centerline of Olive Avenue, said point being the Southeast corner of Lot 14 as per "Subdivision of Lots 14-13 Division B Miller's Map Rancho de Novato" recorded in Book 1 of Maps at Page 73, Marin County Records; thence along the easterly and northerly boundary of said Lot 14 North 5° 07' West 1485 feet, South 60° West 404.56 feet, North 82° 30' West 198 feet, North 39° 45' West 258.3 feet South 85° 15' West 198 feet and North 37° 30' West 258.3 feet to the easterly line of Lot 16 (Rack 2, pull 3); thence along the easterly and northerly boundary of said Lot 16, North 5° 30' West 306 feet, North 24° West 450 feet, North 69° 15' West 360 feet, South 52° West 200 feet, and North 73° West 660 feet to the point of beginning.

Containing 259 acres more or less.