

LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN

RESOLUTION NO. 80-21

RESOLUTION MAKING DETERMINATIONS AND APPROVING WITH WAIVER OF NOTICE
HEARING AND ELECTION THE REORGANIZATION INVOLVING ANNEXATION OF TERRITORY TO
THE CITY OF NOVATO AND NOVATO SANITARY DISTRICT

BLACK JOHN ROAD REORGANIZATION NO. 2

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

WHEREAS, said proposal was made in the form of a petition submitted by property owners requesting initiation of proceedings pursuant to the District Reorganization Act of 1965, Division 1, (commencing with Section 56000) of the Government Code; and

WHEREAS, pursuant to Government Code Section 56261 and 56261.1 when an application making a proposal for a reorganization is signed by owners of all affected properties, this Commission may make determinations with respect to said proposal 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 reorganization proposal is approved.

Section 2. The boundaries of the territory proposed for reorganization shall be those set forth in Exhibit A attached hereto and incorporated herein. The reorganization consists of the following changes of organization: annexation to the City of Novato and annexation to the Novato Sanitary District. The territory shall be designated as the "Black John Road Reorganization No. 2."

Section 3. Any resolution authorizing approval of reorganization shall subject said approval to the following standard terms and conditions imposed by the Novato Sanitary District:

(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.

Section 4. Said approval should not be misinterpreted by property owners of the North Novato Specific Area as identified in the Novato Community Urban Service Area/Sphere of Influence Draft Report as an endorsement of either extending sewer services north of the subject parcel or including the "area" within the Urban Service Area boundary.

Section 5. Said territory is found to be uninhabited.

Section 6. The City of Novato, pursuant to Section 56271.1 of the Government Code, is designated as the conducting agency for further proceedings, and is hereby directed to initiate such proceedings in compliance with this resolution and is authorized to take such proceedings upon said reorganization without notice or hearing pursuant to Government Code Section 56261.

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 this resolution in the manner prescribed in Section 56272 of the Government Code.

PASSED AND ADOPTED by the Local Agency Formation Commission of the County of Marin on this 20th day of August 1980 by the following vote:

AYES: Commissioners Boessenecker, Giacomini, Wilhelm and Haehl

NOES: Commissioner Violich

ABSENT: None


JANA HAEHL, CHAIRPERSON
MARIN LOCAL AGENCY FORMATION COMMISSION

ATTEST:


WARREN K. NELSON, Executive Officer

DATE:

August 21, 1980

EXHIBIT 'A'
LEGAL DESCRIPTION

BLACK JOHN ROAD REORGANIZATION NO. 2
TO THE CITY OF NOVATO & NOVATO SANITARY DISTRICT

Beginning at a point on the Novato City Limits Line and the Novato Sanitary District Boundary, said point being the easterly terminus of the course "North 76°44'47" East 199.61 feet" as per "Black John Road Reorganization No. 1, Exhibit 'A', Legal Description", thence along said Sanitary District Boundary and along the boundary of that certain parcel of land conveyed to William F. Raymond by Director's Deed recorded in Book 3448 at Page 363, Marin County Official Records the following courses and distances:

South 21°46'22" West 253.06 feet;
thence South 20°12'33" West 513.17 feet;
thence South 12°59'11" West 425.42 feet;
thence South 3°54'52" West 484.68 feet;
thence South 4°13'56" East 258.00 feet;
thence South 74°33'14" East 37.40 feet;
thence leaving said Sanitary District boundary

and continuing along said Raymond parcel boundary North 15°26'46" East 1905.76 feet to a point on the Novato City Limits line; thence leaving said City Limits line along the prolongation of the last course, North 15°26'46" East 247.62 feet; thence along the arc of a tangent curve to the left with a radius of 2829.84 feet through a central angle of 17°34'00" an arc distance of 867.62 feet;

thence North 2°07'14" West 185.76 feet;
thence South 7°10'37" West 355.94 feet;
thence South 13°51'20" West 509.74 feet;
thence South 21°46'22" West 419.58 feet to the point of beginning.

Containing 10.92 acres, more or less.
Adding 3.09 acres to the Novato City Limits, being a portion of the 10.92 acres added to the Novato Sanitary Boundary.