

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 78-15

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

VINEYARD ROAD ANNEXATION

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 by Resolution No. 1705, adopted by the District Board of Directors, containing full-written consent of all property owners and requesting 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, at the time and in the form and manner prescribed by law, the Executive Officer has given notice of public hearing by this Commission upon said proposal; and

WHEREAS, the public hearing on said proposal was held by this Commission upon the date and at the time and place specified in said notice of public hearing, and all interested persons present were afforded an opportunity to speak and be heard on the matter; and

WHEREAS, the public hearing was continued for one month to provide affected property owners a greater opportunity to respond to issues pertaining to the application identified by Commission staff.

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, said proposal for annexation is conditionally 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, and said territory shall be designated as the "Vineyard Road Annexation" and is found to be uninhabited.

Section 3. Any resolution authorizing the annexation approved by this resolution shall impose the following terms and conditions:

- 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 has 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.
- C. That the property owners shall enter into a binding contractual agreement which will run with the land to be recorded with the County Recorder's Office; wherein, property owners and subsequent owners of said property shall agree not to oppose annexation to the City of Novato at which time such annexation is legally permissible. Said agreement shall be implemented by and referred to as Exhibit B, attached hereupon.
- D. That the property owner shall accept as a condition of parcel map approval a stipulation whereby no further lot split of the parcel currently referred to as Assessor's Parcel Number 121-110-14 will be possible for the sixteen-acre site.

Section 4. Commission approval of this proposal and waiver of their policy guidelines represent "special exception" based upon the small scale of the future parcel split and residential construction project and also due to topographic limitations of the site making septic tank installation undesirable.

Section 5. The Commission hereby advises the Novato Sanitary District and the County of Marin that further extension of the sewer line west of the Lammer property should, under present circumstances, be discouraged.

Section 6. 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 with waiver of notice, hearing, and election requirements pursuant to Section 56261 of the Government Code.

Section 7. Pursuant to the Resource's Agency Guidelines and LAFCO's Adopted Environmental Guidelines, the County of Marin is lead agency and has appropriately issued a negative declaration.

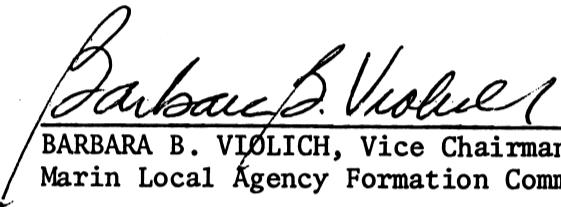
Section 8. The Executive Officer is hereby authorized to mail certified copies of this resolution in the manner and as prescribed by law.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 9th day of August 1978 by the following vote:

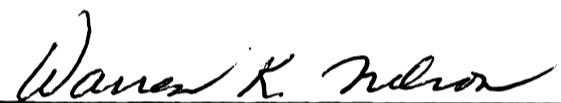
AYES: Commissioners Roumiguere, Violich and Haehl

NOES: None

ABSENT: Commissioners Rice and Mulryan


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

ATTEST:


WARREN K. NELSON, Executive Officer

DATE:

August 14, 1978

NOVATO SANITARY DISTRICT
VINEYARD ROAD ANNEXATION 1978-5
EXHIBIT "A"

Beginning at a point on the existing boundary of Novato Sanitary District, said point being the southwesterly corner of Lot 16 as said lot is shown upon that certain map entitled "Amended Map No. 1 of Subdivision 'E' of the Novato Ranch, Marin County, California", filed July 6, 1910 in Book 3 of Maps at Page 54, Marin County Records, said point also being the northwesterly corner of Lot 14 as said lot is shown upon that certain map entitled "Map of Wild Horse Valley, County of Marin, California", recorded in Book 12 of Maps at Page 97, Marin County Records; thence leaving said corner and running along said Sanitary District boundary northwesterly 739.92; thence leaving said Sanitary District boundary North $88^{\circ} 19' 46''$ West 395.91 feet; thence South $28^{\circ} 45' 54''$ East 1562.34 feet to a point on said Sanitary District boundary and on the westerly boundary of said Wild Horse Valley; thence running along said Sanitary District boundary and along said westerly boundary of Wild Horse Valley northeasterly, northwesterly and northeasterly to the point of beginning.

Annex. 1975-13

Annex. 1973-2

N 88°19'46" W
395.91'

NORTHWESTERLY (739.92')

RO.B (3 O.R. 54)

121-110-14

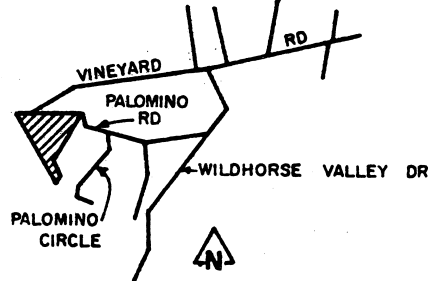
14
(12 O.R. 97)

PALOMINO RD.

PALOMINO CR.

NORTHEASTERLY

Annex. 1964-7



LOCATION MAP

- KEY:
- Existing District Boundary
 - Proposed Annexation

All property on this map is within the unincorporated area of the City Of Novato.



Marin
County Surveyor
MAPPING
15-78

AREA = 16 ac

*Adrian
747*

NOVATO SANITARY DISTRICT		
SANITARY DISTRICT NO. 6		
MARIN COUNTY		CALIFORNIA
SCALE: 1" = 200'	APPROVED BY	DRAWN BY RLB
DATE: 3-24-78	Manager-Engineer	CHK'D BY
VINEYARD RD ANNEX 1978-5		
		DRAWING NO.