

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 99-14

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

"Novato Blvd. Annexation 1999-5"

WHEREAS, an application for the annexation of certain territory to 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 property owners; and

WHEREAS, said petition 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 56837, when a petition of application is signed by all owners of land within the affected territory, this Commission may make determination with respect to said annexation without notice and hearing; and

WHEREAS, the Executive Officer has reviewed the annexation and prepared a report, including a recommendation thereon, the annexation and report having been presented to and considered by this Commission.

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

Section 1. Subject to the terms and conditions hereinafter specified, the annexation made by petition is approved.

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

Section 3. The territory includes 3.71 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Novato Blvd. Annexation 1999-5" to Novato Sanitary District.

The foregoing instrument is a correct copy of the original on record in the office of the Local Agency Formation Commission of the County of Marin, State of California.

By



Section 4. The annexation is consistent with the adopted sphere of influence for Novato Sanitary District.

Section 5. The annexation approved by this resolution shall be subject to the following terms and conditions:

1. In the event that pursuant to the rules, regulations, resolutions 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, resolutions or ordinances of the District, as now or hereafter amended.
2. 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, resolutions and ordinances of the District, as now or hereafter amended.

Section 6. Novato Sanitary District is designated as the conducting authority 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. The Commission certifies that it has reviewed and considered the initial study and mitigated Negative Declaration of Environmental Impact prepared for this project by the City of Novato in connection with the development of the Thorsson Subdivision including the proposed annexation of the project area to the Novato Sanitary District. The Commission finds that changes or alterations to the project and mitigation measures to lessen environmental effects to less than significant levels as identified in the Mitigated Negative Declaration are

within the responsibility of the City of Novato and not LAFCO, because land use and zoning are within the jurisdiction of the city and not within the jurisdiction of this Commission.

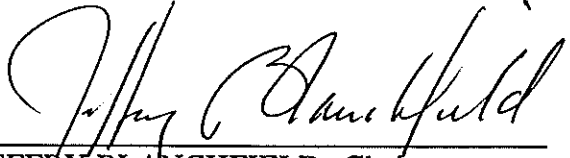
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 9th day of December, 1999 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller, Hennessy, Kress, Murray and Quesada

NOES: None

ABSENT: Commissioner Ware



JEFFRY BLANCHFIELD, Chairperson

ATTEST:



PETER V. BANNING, Executive Officer

EXHIBIT "A"
NOVATO BOULEVARD ANNEXATION 1999-5
TO
NOVATO SANITARY DISTRICT

Mapping No. 14/99

Beginning at a point on the existing boundary of Novato Sanitary District, said point being the intersection of the southwesterly R/W line of Novato Boulevard, and the boundary line common to Lot 45 and 46 as shown on that certain Map entitled "Amended Map No. 1 of Subdivision E of the Novato Ranch, Marin County, California, Owned by the Novato Land Co., surveyed by J. V. Massie, surveyor" recorded July 6, 1910 in Book 3 of Maps, at page 54 Marin County Records; thence along said boundary of said Sanitary District and said southwesterly R/W line, North $47^{\circ}21'30''$ West 305.17 feet; thence North $62^{\circ}29'00''$ West 63.23 feet to the westerly line of Lot 45 shown upon said Map; thence leaving said boundary of said Sanitary District and said southwesterly R/W line, along said westerly line of Lot 45, South $14^{\circ}15'00''$ West 555.06 feet to the southerly line of said Lot 45, said line also being a boundary of said Sanitary District; thence along said southerly line and said boundary of said Sanitary District, South $75^{\circ}45'00''$ East 330.00 feet to the easterly line of said Lot 45; thence along said easterly line North $14^{\circ}15'00''$ East 395.45 feet to the Point of Beginning.

Said annexation contains 3.71 acres more or less.



EXISTING NOVATO SANITARY DISTRICT

LOT 44
3RM54

S14°15'00"W 555.06'

ANNEX.
1971-2

S75°45'00"E 330.00'

APN.132-031-06

AREA: 3.71 ACRES

LOT 45
3RM54

2285 NOVATO BLVD.

ANNEX.
1976-9

N14°15'00"E 395.45'

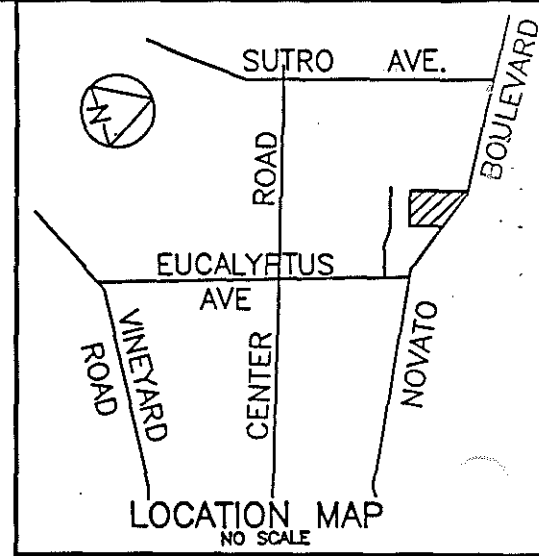
ANNEX. 1970-8 LOT 46
3RM54

P.O.B.

NOVATO 60'R/W BOULEVARD
COUNTY ROAD
3RM54 ROAD

63.23'
N62°29'00"W

N47°21'30"W 305.17'



LOCATION MAP
NO SCALE

--- EXISTING DISTRICT BOUNDARY

AREA ANNEXATION

ANNEX. ####-# _PREVIOUS ANNEXATION TO DISTRICT

EXHIBIT "B"

NOVATO BOULEVARD ANNEXATION 1999-5
TO
NOVATO SANITARY DISTRICT
MARIN COUNTY CALIFORNIA

SCALE: 1"=100'	APPROVED BY	DRAWN BY: JAL
DATE: 9-30-99	MANAGER ENGINEER	CHECKED BY: WZ
MAPPING NO. 14/99		DRAWING NUMBER