

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 98-9

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

"Indian Valley Annexation 1997-5"

WHEREAS, a proposal for the proposed annexation of certain territory to the City of Novato and to the 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 Resolution No. 2599, a resolution of application adopted by the Board of the Novato Sanitary District; and

WHEREAS, said resolution of application was accompanied by written consent signed by all owners of land with the territory proposed to be annexed; and

WHEREAS, pursuant to Government Code Section 56837, 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 determination with respect to said annexation without notice and hearing.

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

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

Section 1. Subject to terms and conditions hereinafter specified, the proposal made by Resolution No. 2599, adopted by the Novato Sanitary District, is approved.

Section 2. The boundaries, as set forth in the proposal, 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 1.97 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Indian Valley Annexation 1997-5" to the Novato Sanitary District.

Section 4. The proposal is consistent with the spheres of influence of affected local agencies.

Section 5. Any resolution authorizing the annexation approved by this resolution shall impose the following terms and conditions:

1. In the event that pursuant to 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. The 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 project is categorically exempt pursuant to provisions of the California Environmental Quality Act.

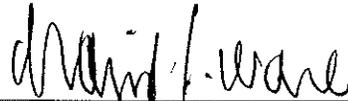
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 2nd day of April, 1998 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller,
Hennessy, Kinsey, Moore and Ware

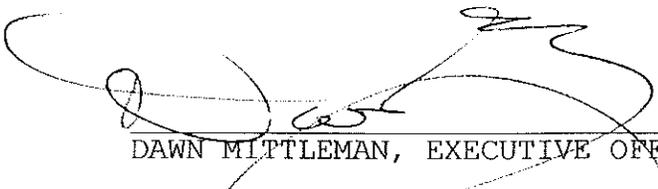
NOES:

ABSENT: Commissioner Kress



DAVID WARE, CHAIRMAN PRO TEM

ATTEST:



DAWN MITTLEMAN, EXECUTIVE OFFICER

DATED:

9/19/97

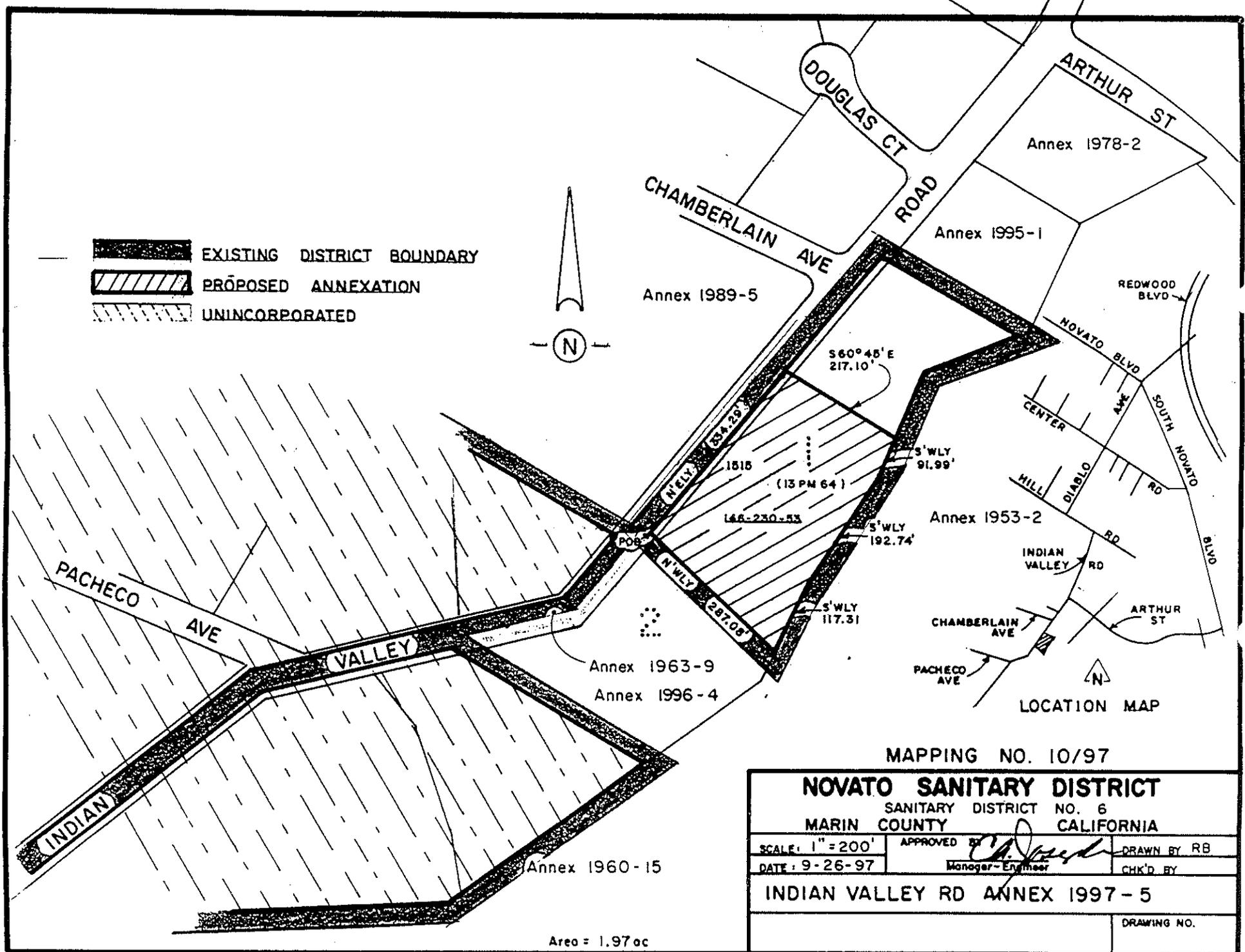
NOVATO SANITARY DISTRICT
INDIAN VALLEY ROAD ANNEXATION 1997-5

Exhibit "A"

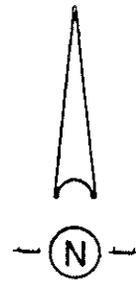
Mapping No. 10/97

BEGINNING AT A POINT on the existing boundary of Novato Sanitary District, said point being on the southeasterly line of Indian Valley Road (formerly Arroyo Aviche Road, 40 feet wide) at its intersection with the southerly line of Parcel 1 OF 13 PM 64; running thence along said Sanitary District boundary and along said southeasterly line of Indian Valley Road (40 feet wide) Northeasterly 334.29 feet to the northwesterly corner of said Parcel 1, (13 PM 64); thence leaving said Sanitary District Boundary and said southeasterly line of Indian Valley Road (40 feet wide) South $60^{\circ}45'00''$ East 217.10 feet to a point on said Sanitary District boundary and to the northeasterly corner of said Parcel 1; running thence along said Sanitary District boundary and along said Easterly line of Parcel 1 Southwesterly 91.99 feet; thence continuing along said Sanitary District boundary and along said easterly line of Parcel 1 Southwesterly 192.74 feet; thence southwesterly 117.31 feet, more or less, to the southeasterly corner of said Parcel 1; thence leaving said easterly line of Parcel 1 and running along said southerly line of said Parcel 1 Northwesterly 287.08 feet, more or less, to the point of beginning.

Containing 1.97 acres, more or less.



 EXISTING DISTRICT BOUNDARY
 PROPOSED ANNEXATION
 UNINCORPORATED



LOCATION MAP

MAPPING NO. 10/97

NOVATO SANITARY DISTRICT		
SANITARY DISTRICT NO. 6		
MARIN COUNTY CALIFORNIA		
SCALE: 1" = 200'	APPROVED BY 	DRAWN BY RB
DATE: 9-26-97	Manager-Engineer	CHK'D BY
INDIAN VALLEY RD ANNEX 1997-5		
		DRAWING NO.

Area = 1.97 ac