

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 07-40

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

Annexation of the Lands of Ten Eyck & Keegan to Novato Sanitary District
(File #1275)

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 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 owner; and

WHEREAS, pursuant to Government Code Section 56663, when a resolution is accompanied by written consent signed by all owners of land within the territory proposed to be annexed, this Commission may make determinations with respect to said annexation without notice and hearing; and

WHEREAS, pursuant to Government Code Section 56663(c), the affected territory is uninhabited; all the owners of land within the affected territory have given their written consent; and the affected local agency that will gain territory, Novato Sanitary District, has consented in writing to a waiver of protest proceedings, this Commission may make determinations with respect to said application with waiver of protest proceedings; and

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

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

Section 1. 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.

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 2. 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. The City of Novato, acting as lead agency, has adopted a mitigation monitoring and reporting plan in which staff of the City of Novato are responsible for compliance and are empowered to sanction non-compliance.

Section 3. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibits "A" and "B" attached hereto and by this reference incorporated herein subject to the following condition:

A. Approved map and legal description to be provided by the applicant.

Section 4. The territory includes 7.4 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Ten Eyck & Keegan to Novato Sanitary District (File #1275)".

Section 5. The proposal is consistent with the adopted sphere of influence for Novato Sanitary District.

Section 6. The Executive Officer is hereby authorized to complete reorganization proceedings in the manner prescribed by Section 57000 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 13th day of December 2007 by the following vote:

AYES: Commissioners Adams, Asbo, Blanchfield, Heller, McGlashan, Rodoni, Slavitz.

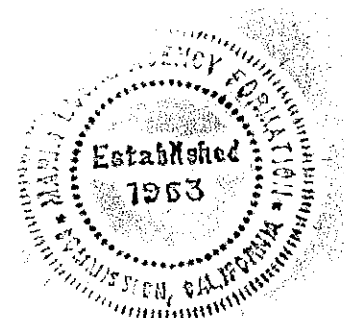
NOES: None

ABSENT: None

JEFFRY BLANCHFIELD, Chairperson

ATTEST:

PETER V. BANNING, Executive Officer



Rev.: April 24, 2008
Rev.: November 3, 2006
Rev.: May 26, 2006
Date: May 17, 2006
File: 1.784.00

EXHIBIT 'A'
ANNEXATION OF THE LANDS OF TEN EYCK & KEEGAN
TO NOVATO SANITARY DISTRICT
FILE NUMBER 1275, MAPPING NUMBER 06-06

All that certain real property situate in the City of Novato, County of Marin, State of California, described as follows:

BEGINNING at the northwest corner of Lot 80, as shown on that certain map entitled "Subdivision Three, Sweetser Ranch, Novato Cal.", as recorded in Book 4 of Record maps, at Page 60, Marin County Records, said point also being a point on the existing boundary of Novato Sanitary District;

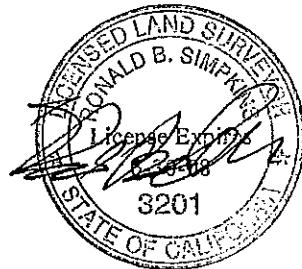
1. thence leaving said boundary of Novato Sanitary District, and along the north line of said Lot 80, South $86^{\circ}12'$ East, a distance of 506.5 feet to a point on the boundary of said Novato Sanitary District;
2. thence leaving said north line of Lot 80, and along said boundary of Novato Sanitary District, along a non-tangent curve to the right, whose radius point bears South $85^{\circ}10'57''$ West, 205.00 feet, through a central angle of $30^{\circ}16'02''$, an arc distance of 108.29 feet;
3. thence continuing along said boundary of Novato Sanitary District South $25^{\circ}27'$ West, a distance of 254.9 feet;
4. thence continuing along said boundary of Novato Sanitary District, South $13^{\circ}16'$ East, a distance of 184.3 feet;
5. thence continuing along said boundary of Novato Sanitary District, North $82^{\circ}44'$ West, a distance of 842.5 feet;
6. thence continuing along said boundary of Novato Sanitary District, North $43^{\circ}20'$ East, a distance of 607.6 feet to the Point of Beginning.

Said property contains 7.43 acres, more or less.

END OF DESCRIPTION

Prepared by:
CSW/Stuber-Stroeh Engineering Group, Inc.

Ronald B. Simpkins
R.L.S. #3201, Expires 6/30/08



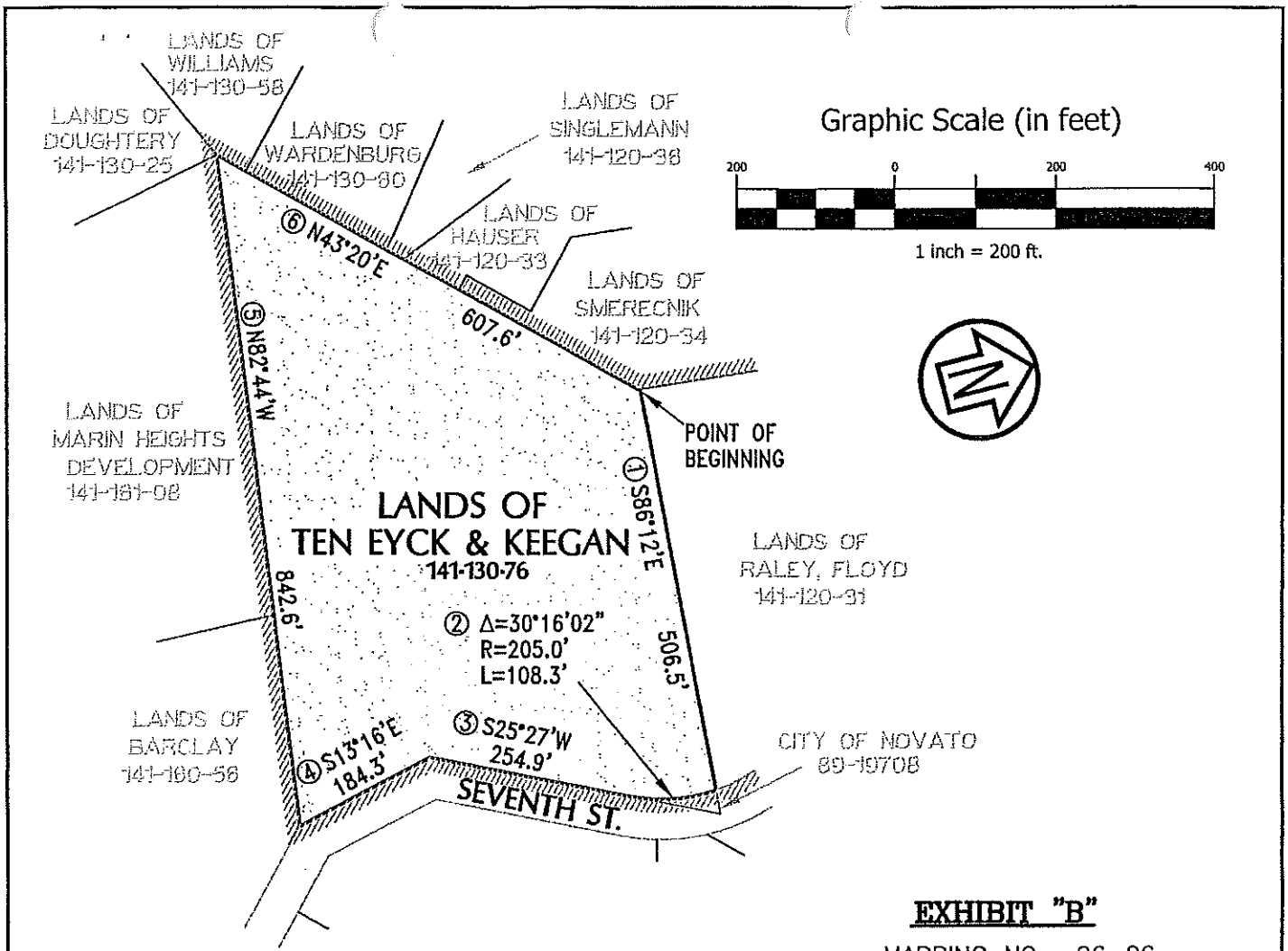
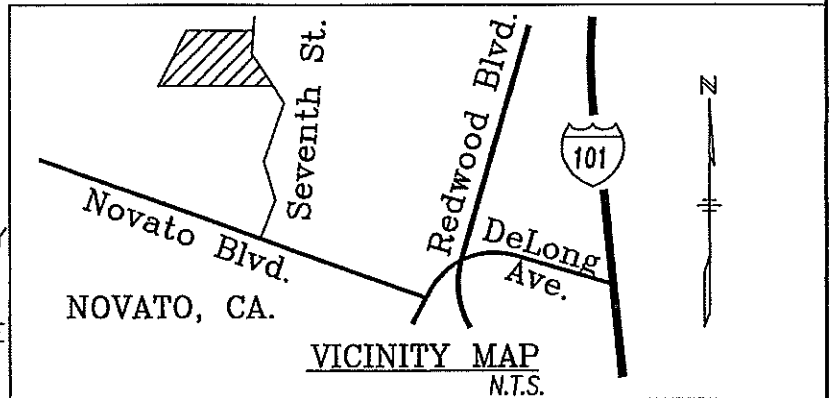


EXHIBIT "B"

MAPPING NO. 06-06

LEGEND:

- EXISTING NSD BOUNDARY
- RIGHT OF WAY
- PROPOSED ANNEXATION
- EXISTING PROPERTY LINE



CSW
[St]² CSW/STUBER-STROEH
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REV.	05/25/06
	SCALE: 1"=200'

**ANNEXATION OF THE LANDS OF
TEN EYCK & KEEGAN
TO NOVATO SANITARY DISTRICT (FILE #1275)**
NOVATO MARIN COUNTY CALIFORNIA

JOB# 178400

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