

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 02-30

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

*"Annexation of the Lands of Jonsen to Novato Sanitary District (File #1232)"*

**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**, said petition 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 56663, when a petition is accompanied by written consent signed by 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; 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 conducting authority proceedings, this Commission may make determination with respect to said application with waiver of conducting authority proceedings; and

**WHEREAS**, the Executive Officer has reviewed the proposal and prepared a report, including a recommendation thereon, the proposal 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 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.

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 Day Adam Miller

Section 2. The territory includes 5.66 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Jonsen to Novato Sanitary District (File #1232)".

Section 3. The proposed annexation is approved subject to the following conditions:

Proceedings for the annexation shall not be completed until the applicant executes and the City of Novato has had ample opportunity to execute an agreement wherein:

- a. The property owner agrees on behalf of himself, his heirs, successors and assigns that, in the event any future proceedings for the annexation of the property to the City of Novato shall be initiated by the City, the owner shall neither directly nor indirectly oppose or protest such annexation; and
- b. That the owner agrees that his obligations under the agreement shall run with the property and that the property shall be held, conveyed, hypothecated, encumbered, leased, rented, used and occupied subject to the provisions of the agreement and that the obligations undertaken by the owner shall be binding on all parties having or acquiring any right, title, or interest in the property.

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

Section 5. 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 7<sup>th</sup> day of November, 2002 by the following vote:

AYES: Commissioners Chapman, Heller, Kress, Quesada and Slavitz

NOES: None

ABSENT: Commissioners Blanchfield, Murray and Rodoni



BARBARA HELLER, Acting Chairperson

ATTEST:



PETER V. BANNING, Executive Officer

**Annexation of the Lands of Jonsen  
to  
Novato Sanitary District  
(File # 1232)**

**Exhibit A**

**Mapping No. 20/02**

Beginning at a point on the existing Novato Sanitary District (NSD) boundary, identified as Atherton Avenue Annexation 1993-6, said point of beginning being North 00°39'00" West 20.03 feet from the northwest corner of Parcel 2 as shown on the "Parcel Map Portion of Lot 8, Division B" filed July 13, 1972 in Book 7 of Parcel Maps, Page 51, Marin County Records;

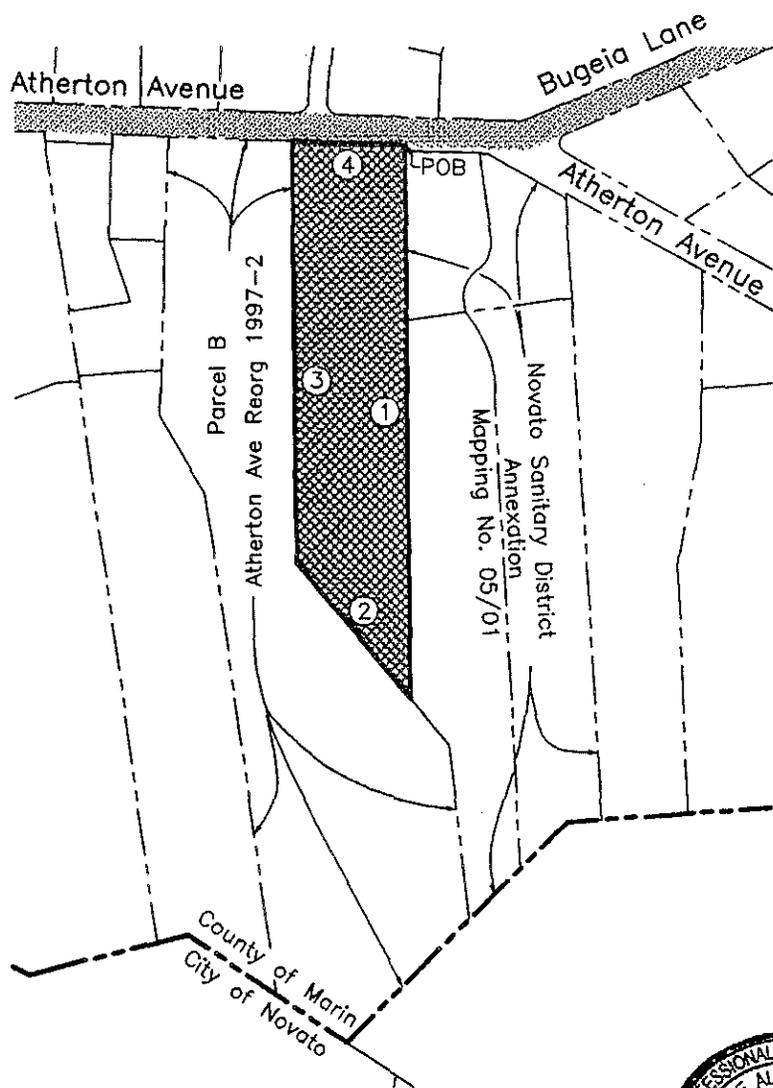
1. thence along the westerly line of the Annexation of the Lands of Adams to NSD Mapping No. 05/01 South 00° 39' East 1176.5 feet (called North 00°39' West 1167.41 feet in said annexation) to a point on the easterly boundary of Parcel B, NSD Atherton Avenue Reorganization 1997-2;
2. thence along said easterly boundary North 40°14' West 372.5 feet (called N 57° W (Mag.) 372.5 feet in said Reorganization);
3. thence, continuing along said easterly boundary North 00°39' West 900.0 feet (called N 10°06' W (Mag.) 930.05 feet in said Reorganization) to the southerly line of NSD Annexation 1993-6;
4. thence along said southerly line South 88°02' East 237.5 feet to the point of beginning.

Containing approximately 5.66 acres.

jonsanx.des 3



*Dale White*



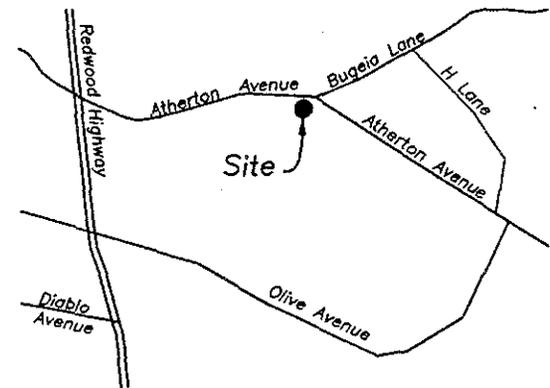
Scale: 1" = 400'

White & Prescott  
Engineering and Surveying  
1820 Grant Avenue  
Novato, CA 94945

e:\jonsen\LAFCO.dwg



*Dale White*



Vicinity Map  
No Scale

Course Table

No.	Bearing	Distance
1	S00°39'E	1176.5'
2	N40°14'W	372.5'
3	N00°39'W	900.0'
4	S88°02'E	237.5'

Legend

-  Novato Sanitary District (NSD) Annexation - This Map
-  Novato Sanitary District (NSD) Annexation 1993-6

Exhibit B  
Mapping No. 20/02

Annexation of the Lands of Jonsen to  
Novato Sanitary District (File No. 1232)

Sanitary District No. 6,  
Marin County, California

Date  
August 27, 2002

Assessor's Parcel No.  
143-100-21