

## LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

## RESOLUTION NO. 81-17

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION  
WITH WAIVER OF NOTICE, HEARING, AND ELECTION  
TO THE NOVATO SANITARY DISTRICTMcCLAY ROAD ANNEXATION 1981-2

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 in the form of Resolution No. 1953, a resolution of application adopted by the Board of Directors of the Novato Sanitary District, and requesting the 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, said resolution 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 56261, 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 determinations with respect to said annexation without notice and hearing.

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, the proposal made by Resolution No. 1953, adopted by the Board of Directors of the Novato Sanitary District, is 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 McClay Road Annexation 1981-2.

Section 3. Said territory is found to be uninhabited.

Section 4. Any resolution ordering the annexation approved by this resolution shall provide that such annexation is ordered subject to Novato Sanitary District's terms and conditions as set forth in Exhibit B, attached hereto and incorporated herein.

Section 5. Annexation waiving cross-conditioning policy is predicated on facts including: (A) The site is within 400 feet of a Novato Sanitary District sewer line; (B) The soil does not percolate according to engineers representing

the property owners; (C) LAFCo endorsement of use of the mound septic tank system sets a more serious precedent affecting all Marin County; (D) Only the one parcel is approved for annexation without connection to other district and excluding intervening property; (E) Personal hardship; (F) Property owner sign letter agreeing not to oppose city annexation; and (G) Such action protects the health, safety, and welfare of the applicant and city and county people.

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 in compliance with this resolution, and is authorized to proceed without notice, hearing, and election pursuant to Government Code Section 56261.

Section 7. The project is categorically exempt pursuant to provisions of the California Environmental Quality Act and the Commission's Environmental Quality Act and the Commission's Environmental Guidelines.


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 11th day of June 1981 by the following vote:

AYES: Commissioners Boessenecker, Haehl, Wilhelm and Boucke

NOES: None

ABSENT: Commissioner Giacomini

  
 BARBARA BOUCKE, Chairman  
 Marin Local Agency Formation Commission

ATTEST:

  
 WARREN K. NELSON, Executive Officer

DATE: June 12, 1981

81044223

March 16, 1981

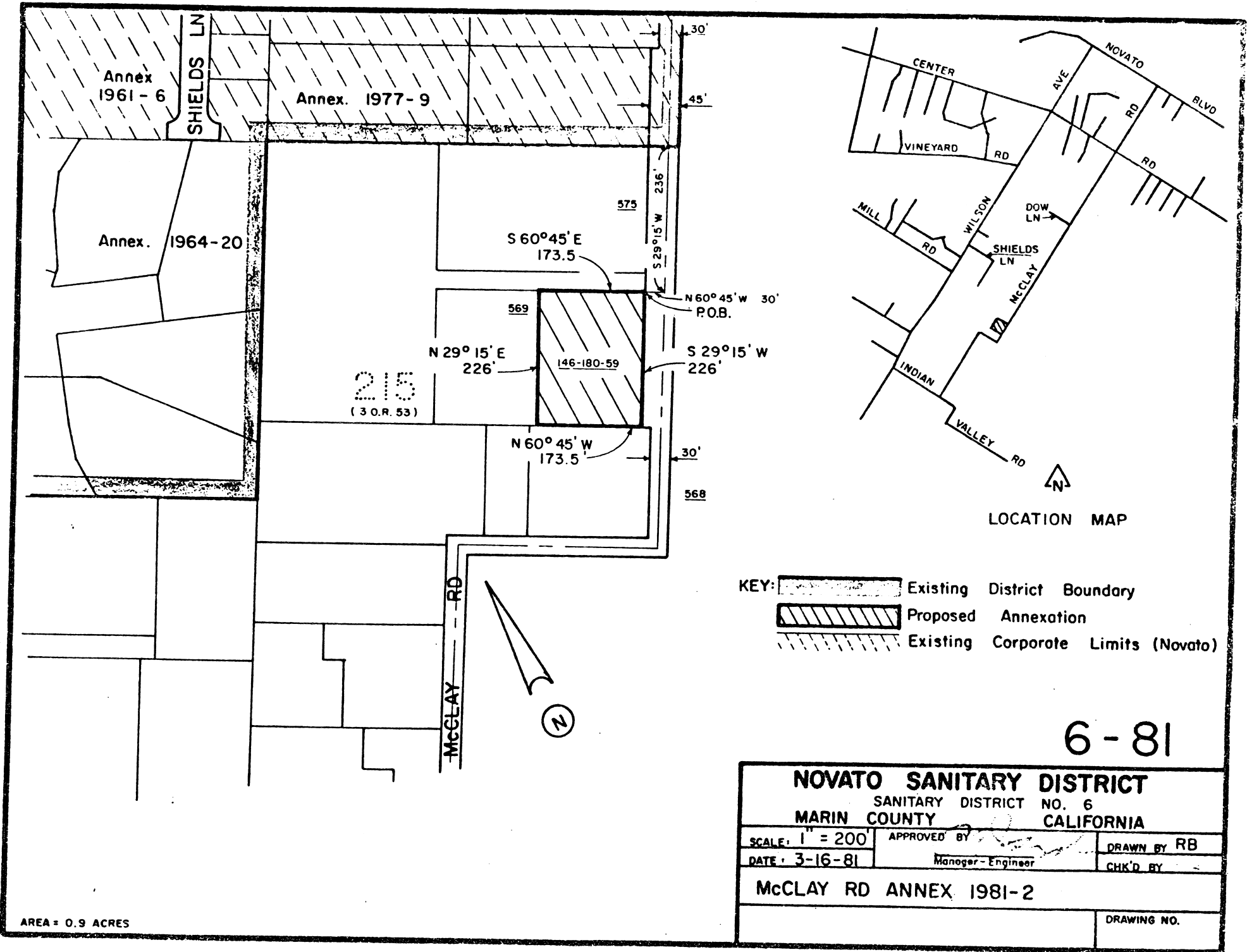
NOVATO SANITARY DISTRICT

McCLAY ROAD ANNEX 1981-2

EXHIBIT "A"

Beginning at a point distant South 29°15' West 236 feet and North 60°45' West 30 feet from the intersection of the Northerly line of Lot 215 with the centerline of McClay Road (formerly called Maclay Avenue), as said Lot and Road are shown upon that certain map entitled "Amended Map No. 1 of Subdivision C Of The Novato Ranch, Marin County, Calif." filed July 6, 1910 in Book 3 of Maps at Page 53, Marin County Records; running thence along the westerly line of McClay Road, as widened, South 29°15' West 226 feet; thence leaving said westerly line of McClay Road North 60°45' West 173.5 feet; thence North 29°15' East 226 feet; thence South 60°45' East 173.5 feet to the point of beginning.

Containing 0.9 ac, more or less.



KEY: Existing District Boundary  
 Proposed Annexation  
 Existing Corporate Limits (Novato)

6-81

<b>NOVATO SANITARY DISTRICT</b>		
SANITARY DISTRICT NO. 6		
MARIN COUNTY CALIFORNIA		
SCALE: 1" = 200'	APPROVED BY:	DRAWN BY RB
DATE: 3-16-81	Manager-Engineer	CHK'D BY
McCLAY RD ANNEX 1981-2		
		DRAWING NO.

81044223

AREA = 0.9 ACRES