

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 94-10

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

"DIABLO AVENUE ANNEXATION 1994-1"

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 Resolution No. 2516, a Resolution of Application adopted by the Board of Directors of the Novato Sanitary District; 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 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 determinations with respect to said annexation without notice and hearing; and

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 the terms and conditions hereinafter specified, the proposal made by Resolution No. 2516, adopted by the Board of Directors of 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 .21 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Diablo Avenue Annexation 1994-1" 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 standard Novato Sanitary District terms and conditions:

1. In the event that pursuant to rules, regulations or ordinances of the District, as now or hereafter amended, the District shall require any payment of 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 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 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 has been a part of the District upon its original formation; shall be liable for the payment of principle, 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 and ordinances of the District, as now or hereafter amended.

Section 6. The Novato Sanitary District is designated as the conducting district 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, hearing, or election, pursuant to Government Code Section 56837.

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

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 the 7th day of July 1994 by the following vote:

AYES: Commissioners Giacomini, Richardson, Rose and Williams

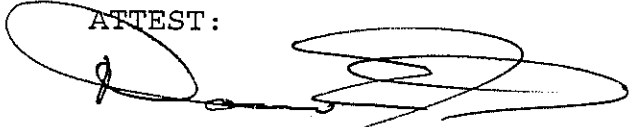
NOES: None

ABSENT: Commissioners Bevis and Thayer



ERWIN WILLIAMS, Chairman  
Marin Local Agency Formation  
Commission

ATTEST:

  
DAWN MITTLEMAN, Executive Officer

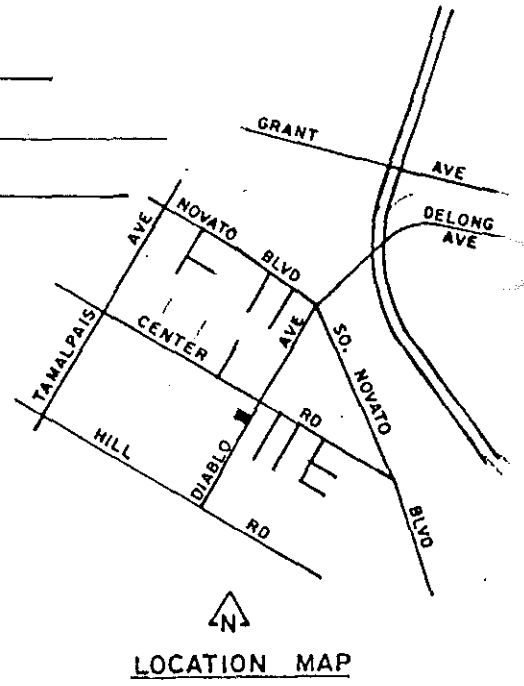
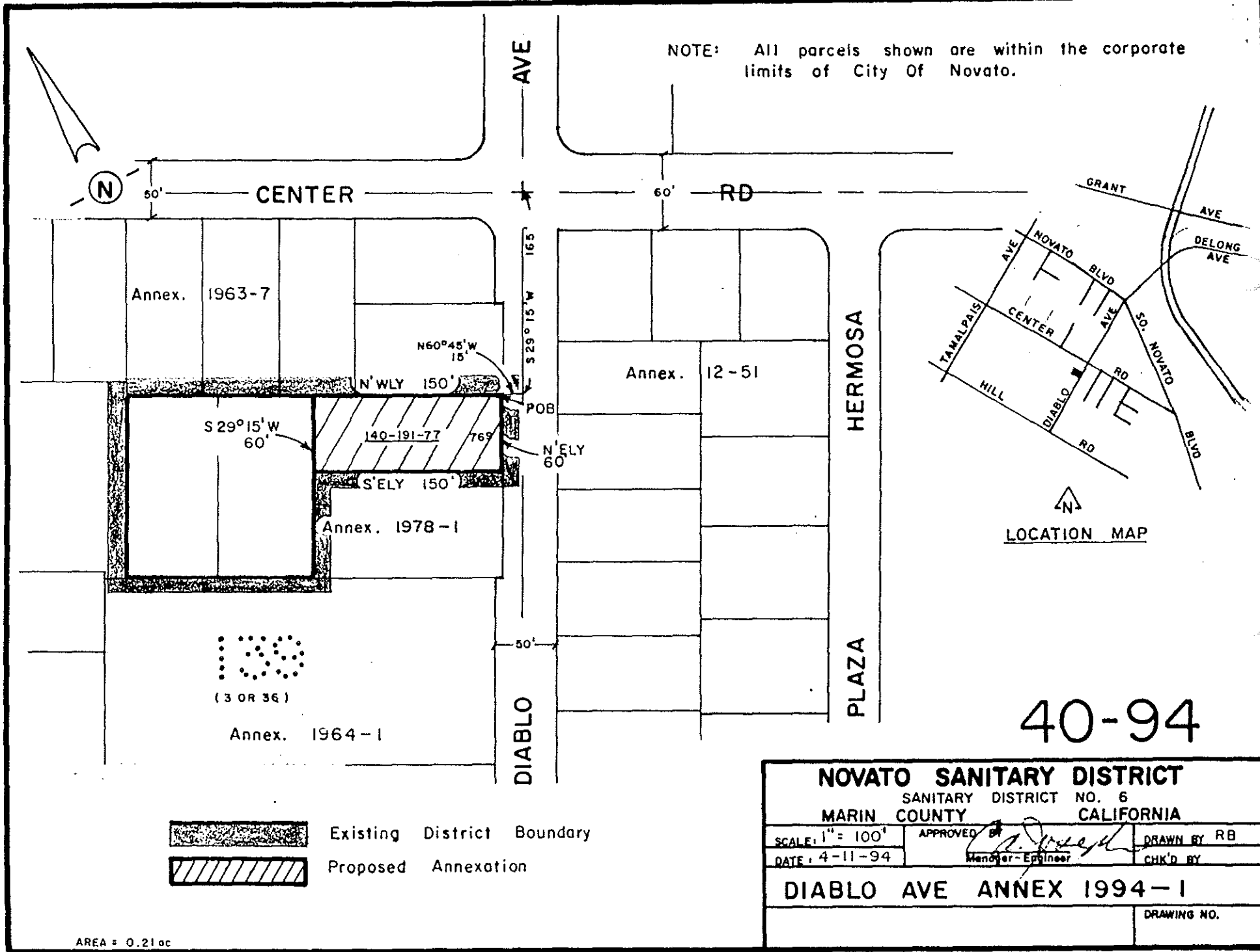
Dated: July 7, 1994

April 11, 1994



NOVATO SANITARY DISTRICT  
Diablo Avenue Annex 1994-1  
Exhibit "A"

BEGINNING AT A POINT on the existing boundary of Novato Sanitary District, said point being on the westerly line of Diablo Avenue, distant thereon South 29°15' West 165 feet and North 60°45' West 15 feet from the northeasterly corner of Lot 139, as said Lot and Avenue are shown upon that certain map entitled "Map of Subdivisions 'A' and 'B' of the Novato Ranch, Marin County, California", filed November 18, 1909 in Book 3 of Maps at Page 36, Marin County Records; thence leaving said westerly line of Diablo Avenue and running along said Sanitary District boundary northwesterly 150 feet; thence leaving said Sanitary District boundary South 29°15' West 60 feet to a point on said Sanitary District boundary; running thence along said Sanitary District boundary South 60°45' East 150 feet to a point on said westerly line of Diablo Avenue; running thence along said westerly line of Diablo Avenue and continuing along said Sanitary District boundary northeasterly 60 feet to the point of beginning.  
Containing 0.21 acres, more or less.

NOTE: All parcels shown are within the corporate limits of City of Novato.

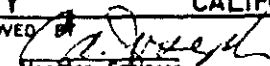


(3 OR 36)

 Existing District Boundary  
 Proposed Annexation

AREA = 0.21 ac

40-94

<b>NOVATO SANITARY DISTRICT</b>		
SANITARY DISTRICT NO. 6		
MARIN COUNTY CALIFORNIA		
SCALE: 1" = 100'	APPROVED 	DRAWN BY RB
DATE: 4-11-94	Manager-Engineer	CHK'D BY
<b>DIABLO AVE ANNEX 1994-1</b>		
		DRAWING NO.

PARTIAL A