

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 01-10

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

"Annexation of the Lands of Arendell to Novato Sanitary District (File 1198)"

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 owners; 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, 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.

Section 2. The territory includes 0.22 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Arendell to Novato Sanitary District (File 1198)".

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

- A. 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:
 - 1) 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
 - 2) 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.
- B. The applicant shall provide a corrected map and legal description including the designated short form title of the proposal and other specifications of the County Surveyor.

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 10th day of May, 2001 by the following vote:

AYES: Commissioners Bach, Blanchfield, Heller, Kress, Murray and Quesada

NOES: None

ABSENT: Commissioner Chapman



 JEFFRY BLANCHFIELD, Chairperson

ATTEST:



 PETER V. BANNING, Executive Officer

Date: January 30, 2001

File: 5.994.00

Exhibit "A"

ANNEXATION OF THE LANDS OF ARENDELL
TO NOVATO SANITARY DISTRICT
MAPPING NO. 12/01

Beginning at the intersection of the southerly line of Atherton Avenue with the easterly line of Lot 6, as shown on the Map of "East Part Rancho de Novato" filed March 22, 1889, in Rack 2 Pull 3, at the Office of the Recorder, Marin County, California, said point being on the existing boundary of the Novato Sanitary District.

Thence leaving said easterly line of Lot 6, and along said southerly line of Atherton Avenue, and the boundary of Novato Sanitary District, South 73°23'48" West 75.00 feet;

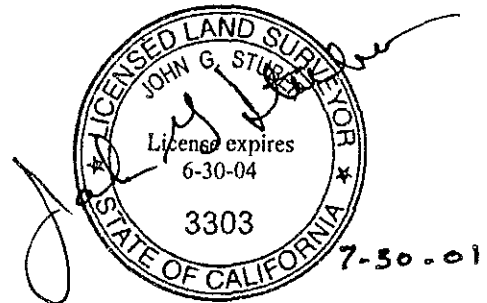
Thence leaving said southerly line of Atherton Avenue and Novato Sanitary District, South 17°41'12" East 125.00 feet;

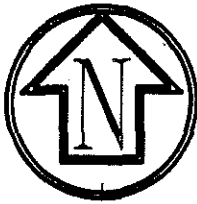
Thence North 73°23'48" East 75.00 feet to said easterly line of Lot 6.

Thence along said easterly line of Lot 6, North 17°41'12" West 125.00 feet to the point of beginning.

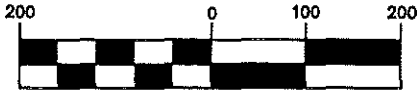
Containing 0.22 acres more or less.

The basis of bearing for this description is taken as North 73°23'48" East between the Atherton Avenue monuments shown on the map of Rush Creek Phase 1 (Book 21 Maps, Page 41).







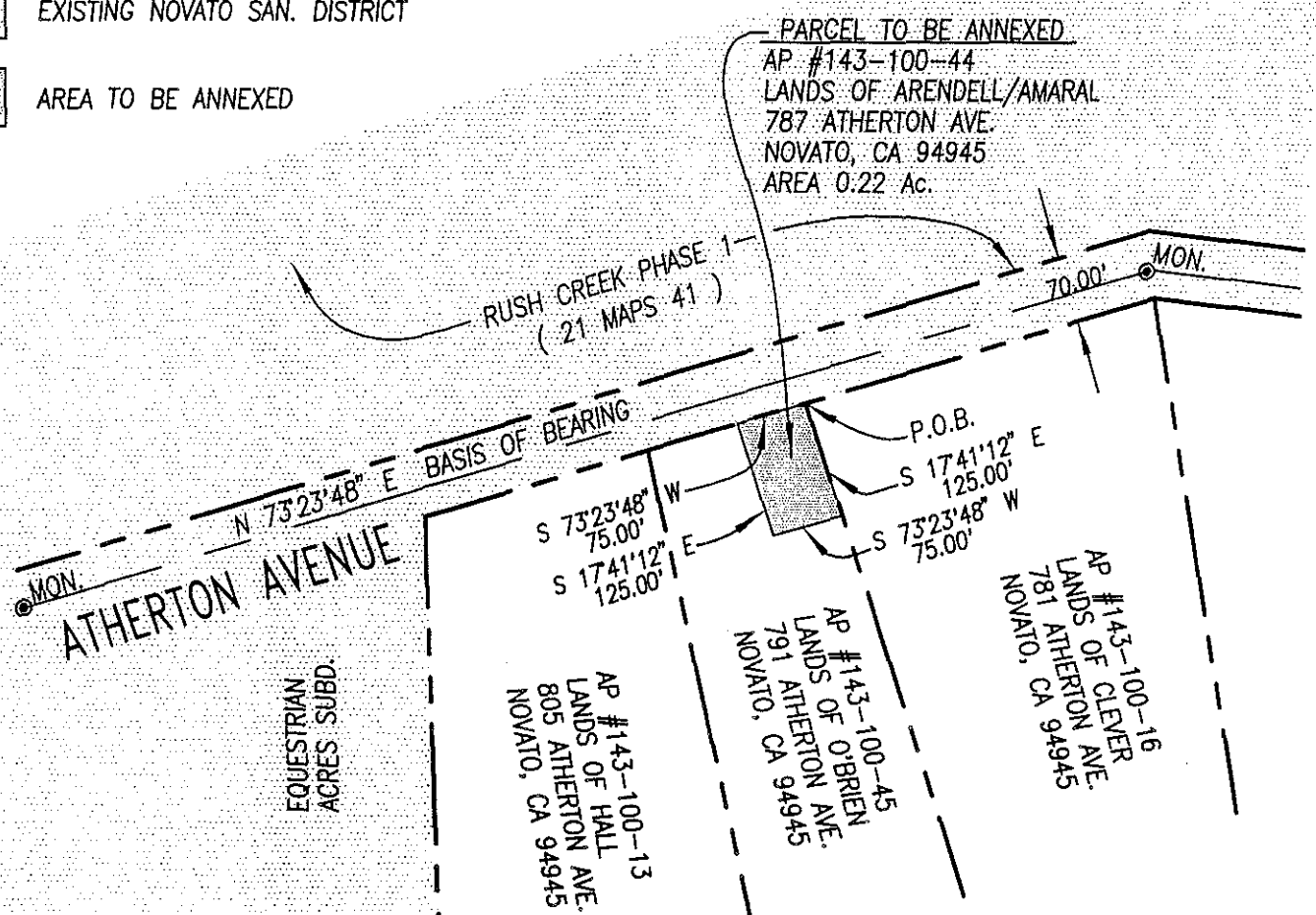
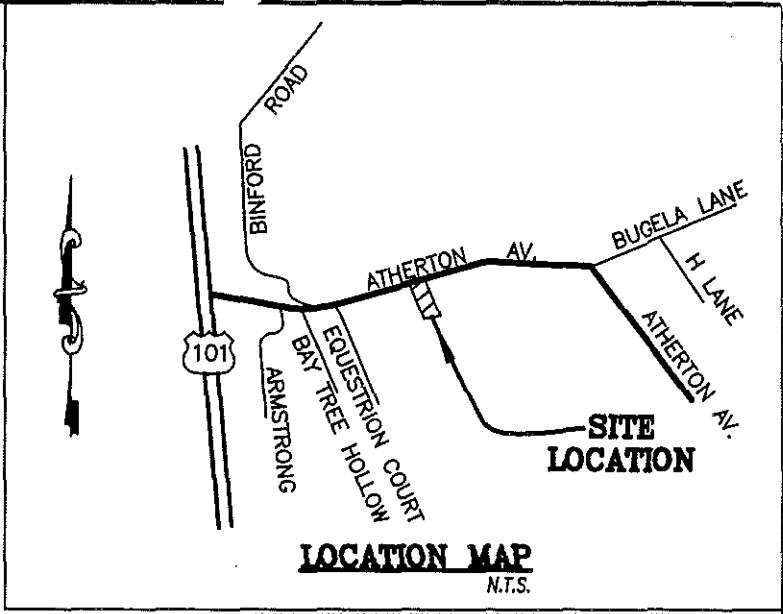
GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

LEGEND

-  EXISTING NOVATO SAN. DISTRICT
-  AREA TO BE ANNEXED



**ANNEXATION OF THE
LANDS OF ARENDELL
TO NOVATO SANITARY DISTRICT**

COUNTY OF MARIN CALIFORNIA
JANUARY 2001

CSW

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CSW/STUBER-STROEH
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CONSULTING ENGINEERS

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APPROVED BY; MARIN LOCAL AGENCY
FORMATION COMMISSION

RESOLUTION NO. _____

EXECUTIVE OFFICER _____ DATE _____

MAPPING NO. 12/01