

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 78-23

RESOLUTION MAKING DETERMINATIONS APPROVING ANNEXATION OF THE
TERRITORY TO THE CITY OF NOVATO

CENTER ROAD - RICA VISTA ISLAND ANNEXATION NO. 1

WHEREAS, the City Council representing the City of Novato adopted a Resolution initiating proceedings No. 101-78 on the 18th day of July 1978 and submitted same to the Executive Officer of this Commission; and,

WHEREAS, said Resolution proposed annexation of unincorporated island territory to the City of Novato is in compliance with state law; and,

WHEREAS, the Executive Officer of this Commission has issued a certificate of filing, accepting said legal documents; and,

WHEREAS, legal notice of hearing was published and mailed notice of hearing was forwarded in accordance with state requirements; and,

WHEREAS, the Marin Local Agency Formation Commission conducted a public hearing, at which time all persons present were given an opportunity to speak and be heard regarding this annexation proposal; and,

WHEREAS, the Commission considered the Executive Officer's report and recommendations.

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

Section 1. 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 "Center Road - Rica Vista Island Annexation No. 1".

Section 2. The Marin Local Agency Formation Commission hereby adopts the following findings of fact: the subject territory contained in this proposal (a) does not exceed 100 acres in area, which area constitutes the entire island; (b) is totally surrounded by the city; (c) is developed; (d) is not prime agricultural land; and (e) will benefit from municipal annexation.

Section 3. The subject proposal is hereby approved, subject to the condition that the property is hereby withdrawn from the Marin Highway Lighting District.

Section 4. In accordance with applicable provisions contained in the adopted Marin LAFCO environmental guidelines and procedures, LAFCO is the appropriate lead agency, has conducted an initial study, and has issued a Negative Declaration.

Section 5. The Marin County Board of Supervisors is hereby determined to be the appropriate conducting authority to complete annexation proceedings and is authorized to proceed in conformance with applicable mandates of law.

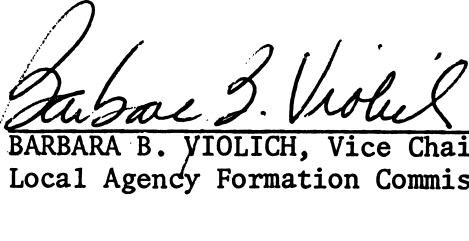
Section 6. The Executive Officer is hereby authorized to mail certified copies of this resolution in the manner and as prescribed by law.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 13th day of September 1978 by the following vote:

AYES: Commissioners Haehl, Rice and Violich

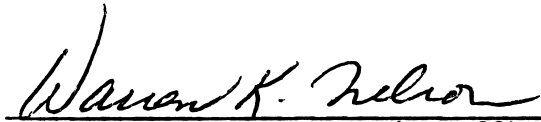
NOES: None

ABSENT: Commissioners Mulryan and Rouniguiere



BARBARA B. VIOLICH, Vice Chairman
Local Agency Formation Commission

ATTEST:



WARREN K. NELSON, Executive Officer

DATE: September 14, 1978

EXHIBIT A

Legal Description

Center Road Island Annexation No. 1

Beginning at the northwest corner of that certain parcel of land granted to James J. Eilers and Dorothy V. Eilers by deed recorded in Book 2229 at Page 367, Marin County Records, said corner being on the Novato City Limits Line and the southerly right-of-way line of Center Road; thence along said City Limits Line and said right-of-way line, South 75°45'00" East 494.00 feet; thence leaving said right-of-way line and along the westerly line of a private roadway easement known as Gregor Lane, South 14°15'00" West 244.00 feet; thence leaving said private roadway easement South 59°15'00" West 28.28 feet; thence South 14°15'00" West 40.86 feet; thence North 75°45'00" West 84.00 feet; thence North 14°15'00" East 97.90 feet more or less to the northeast corner of Lot 8 per "Map of Vineyard Terrace" recorded in Book 11 of Maps at Page 29, Marin County Records; thence North 86°38'29" West 397.15 feet to the northeast corner of Lot 4 of the last mentioned Vineyard Terrace; thence North 14°15'00" East 282.00 feet to the point of beginning.

Said parcels containing 2.89 acres more or less.

"EXHIBIT B"

BOARD OF SUPERVISORS OF THE COUNTY OF MARIN

RESOLUTION NO. 78-408

RESOLUTION ORDERING ANNEXATION OF TERRITORY
TO THE CITY OF NOVATO

CENTER ROAD - RICA VISTA ISLAND ANNEXATION - CITY OF NOVATO

WHEREAS, the City Council of Novato has heretofore adopted a Resolution Initiating Proceedings on the 18th day of July, 1978, for annexation of certain territory to that City; and

WHEREAS, the Marin Local Agency Formation Commission adopted Resolution No. 78-23 on the 13th day of September, 1978, a resolution making determinations approving said annexation of territory to the City of San Rafael; and

WHEREAS, by Resolution No. 78-23, the Local Agency Formation Commission of the County of Marin has assigned the short form "Center Road - Vica Vista Island Annexation" to the territory proposed to be annexed by the City of Novato, which is described in Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, said Commission by Resolution No. 78-23 has found said territory to be uninhabited; and

WHEREAS, said Commission further found that the reason for the proposed annexation is that said territory will benefit from being a part of the City of Novato and adopted appropriate findings of fact specified by law; and

WHEREAS, said Commission approved said proposal subject to the condition that the territory be simultaneously withdrawn from the Marin Highway Lighting District; and

WHEREAS, said Commission has determined that the Marin County Board of Supervisors is the appropriate conducting authority to complete proceedings as prescribed by law and has authorized said Board to adopt a resolution ordering the annexation without an election; and

WHEREAS, proper notice of the public hearing has been provided by the Clerk of this Board as prescribed by law,

NOW, THEREFORE, BE IT RESOLVED that annexation of territory contained in the Center Road - Rica Vista Island Annexation proposal is hereby ordered.

BE IT FURTHER RESOLVED that this Board has determined that the subject proposal is in compliance with legal criteria specified by law.

BE IT FURTHER RESOLVED that said proposal shall be subject to the condition that said territory be withdrawn from the Marin Highway Lighting District.

BE IT FURTHER RESOLVED that the Clerk of this Board be and is hereby ordered to file signed copies of this Resolution with the Executive Director of the Marin Local Agency Formation Commission to complete filing proceedings in accordance with applicable provisions of law.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin, State of California, held on the 31st day of October, 1978, by the following vote, to-wit:

AYES: SUPERVISORS Arnold M. Baptiste, Denis T. Rice, Barbara Boxer,
Bob Roumiguere

NOES: -

ABSENT: SUPERVISOR Gary Giacomini

Bob Roumiguere

Chairman of the Board of Supervisors

ATTEST:

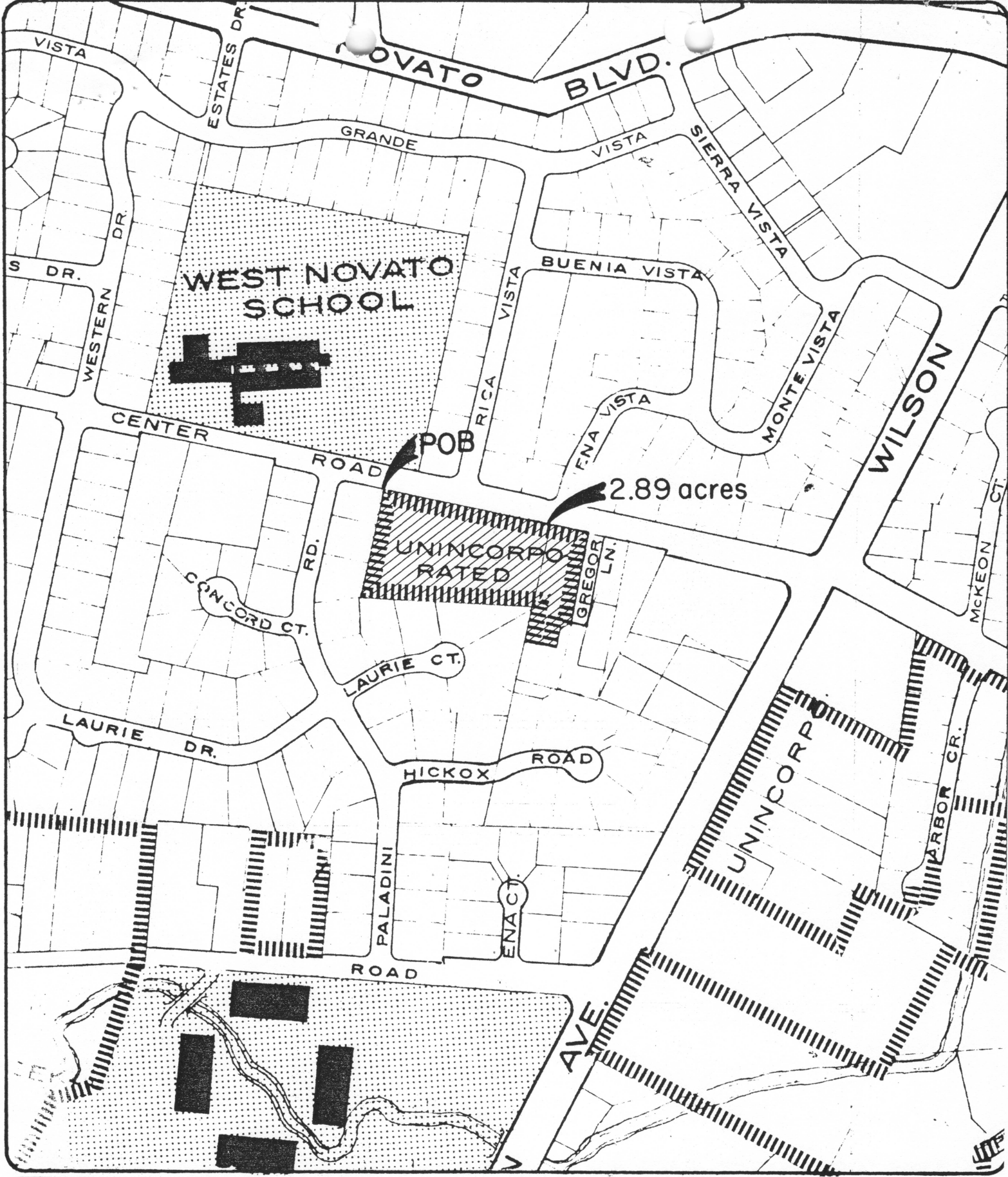
Peter Meyer

Clerk

The foregoing instrument is a correct copy of the original on record in this office.
PETER MEYER, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Marin, State of California

By *V. Phillips*

DEPUTY CLERK



NOVATO **PLANNING** DEPARTMENT

CENTER ROAD
ISLAND ANNEXATION NO. 1

scale: 1" = 300 FT.

date: JUNE 1978


NORTH

no. 103A