

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 99-13

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

"Black Point Area Annexation"

WHEREAS, a proposal for the proposed 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 a petition of application was signed by all owners of land with the territory proposed to be annexed; and

WHEREAS, pursuant to Government Code Section 56837, when a petition is accompanied by written consent of all owners of land within the affected territory, 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 his recommendation thereon, the proposal and report having been presented to and considered by this Commission.

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

Section 1. In accordance with applicable provisions contained in the adopted Marin Local Agency Formation Commission Environmental Guidelines and Procedures, the City of Novato is the appropriate lead agency, has completed an Environmental Impact Report titled "Black Point Golf Links Residential and Golf Community".

This document was certified by the City of Novato in August 1997. The Marin Local Agency Formation Commission hereby certifies that the Commission has considered said document and finds the report to be adequate as to content.

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.

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By Dory Adams

- A. The Commission certifies that it has reviewed and considered the Final Environmental Impact Report (FEIR) prepared for this project by the City of Novato in connection with the development of the Black Point Golf Links including the proposed annexation of the project area to the Novato Sanitary District.
- B. The Commission finds, pursuant to State CEQA Guidelines Section 15096 (h), that the FEIR prepared by the City of Novato as lead agency has identified no significant project-related environmental impacts within the discretion of this Commission. The Commission finds that changes or alterations to the project to substantially lessen other significant environmental effects as identified in the FEIR are within the responsibility of the City of Novato and not LAFCO, because land use and zoning are within the jurisdiction of the city and not within the jurisdiction of this Commission (pursuant to Government Code Section 56375, LAFCO is prohibited from specifying how territory shall be zoned and regulate land use density or development).

Section 2. Subject to the terms and conditions hereinafter specified, the proposal made by petition is approved.

Section 3. The territory includes 174.8 acres, is found to be uninhabited and is assigned the following distinctive short form designation: "Black Point Area Annexation to Novato Sanitary District (File #1162)".

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

Section 5. Any resolution authorizing the annexation approved by this resolution shall impose the following standard terms and conditions:

- A. In the event that pursuant to the rules, regulations, resolutions or ordinances of the District, as now or hereafter amended, the District shall require any payment of a 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 any 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, resolutions or ordinances of the District, as now or hereafter amended.
- B. 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 had been a part of the District upon its original formation; shall be liable for the payment

of principal, 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, resolutions and ordinances of the District, as now or hereafter amended.

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

Section 7. 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 this 13<sup>th</sup> day of January, 2000 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller, Hennessy, Kress, Murray and Ware

NOES: None

ABSENT: None



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JEFFRY BLANCHFIELD, Chairperson

ATTEST:



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PETER V. BANNING, Executive Officer

Date: December 17, 1999

File: 1.215.93

EXHIBIT "A"  
**BLACK POINT ANNEXATION  
TO  
NOVATO SANITARY DISTRICT  
MAPPING NO. 13/99**

COMMENCING at the most westerly corner of that certain parcel conveyed to Alameda Homes Corporation by Deed recorded May 1, 1964 in Book 1809 of Official Records at Page 165, Marin County Records; thence North 44°35' East, 1,821.06 feet to the TRUE POINT OF BEGINNING, said point also being on the existing Novato Sanitary District boundary;

Thence North 44°35' East, 1,988.94 feet;

Thence South 20°05' East, 306.07 feet;

Thence North 53°00' East, 202.70 feet;

Thence North 27°00' East, 121.00 feet;

Thence North 17°00' East, 305.00 feet;

Thence North 42°30' East, 97.00 feet;

Thence North 45°25' West, 50.00 feet;

Thence North 44°35' East, 473.20 feet;

Thence due East, 2,119.64 feet;

Thence South 03°19'45" West 132.66 feet;

Thence South 18°51'09" West 156.20 feet;

Thence South 05°00'00" East 50.00 feet;

Thence South 14°00'00" West 82.00 feet;

Thence South 25°00'00" West 90.00 feet;

Thence South 17°00'00" West 70.00 feet;

Thence South 10°00'00" East 60.00 feet;

Thence South 14°00'00" West 270.00 feet;  
Thence South 40°00'00" West 140.00 feet;  
Thence South 26°00'00" West 50.00 feet;  
Thence South 18°00'00" West 120.00 feet;  
Thence South 35°00'00" West 185.00 feet;  
Thence South 60°00'00" West 180.00 feet;  
Thence North 80°00'00" West 60.00 feet;  
Thence North 25°30'00" West 106.25 feet;  
Thence North 75°00'00" West 165.00 feet;  
Thence South 44°00'00" West 40.00 feet;  
Thence South 08°00'00" West 162.00 feet;  
Thence South 37°00'00" West 82.00 feet;  
Thence South 15°00'00" West 60.00 feet;  
Thence South 30°00'00" West 80.00 feet;  
Thence South 64°00'00" West 72.00 feet;  
Thence South 38°00'00" West 50.00 feet;  
Thence South 80°00'00" West 105.00 feet;  
Thence South 53°00'00" West 40.00 feet;  
Thence South 41°00'00" West 80.00 feet;  
Thence South 36°00'00" West 160.00 feet;  
Thence South 40°00'00" West 95.00 feet;  
Thence South 13°00'00" West 100.00 feet;  
Thence South 45°00'00" West 150.00 feet;

Thence South 73°00'00" West 95.00 feet;

Thence South 40°00'00" West 95.00 feet;

Thence South 29°00'00" West 130.00 feet;

Thence South 39°00'00" West 80.00 feet;

Thence South 59°00'00" West 150.00 feet;

Thence South 50°00'00" West 150.00 feet;

Thence South 40°00'00" West 100.00 feet;

Thence South 72°00'00" West 65.00 feet;

Thence South 85°00'00" West 50.00 feet;

Thence South 10°00'00" East 127.00 feet;

Thence South 54°00'00" East 60.00 feet;

Thence South 31°00'00" East 122.00 feet;

Thence South 33°00'00" East 60.00 feet;

Thence South 08°00'00" West 100.00 feet;

Thence South 40°00'00" West 85.00 feet;

Thence West, 61.00 feet;

Thence South 10°00'00" West 40.00 feet to the existing Novato Sanitary District Boundary, also being a point in the general northerly line of the parcel of land conveyed to Marin County Flood Control and Water Conservation District by Deed recorded April 8, 1976 in Book 3015 of Deeds at Page 495;

Thence along said Novato Sanitary District Boundary North 83°50'40" West 713.06 feet;

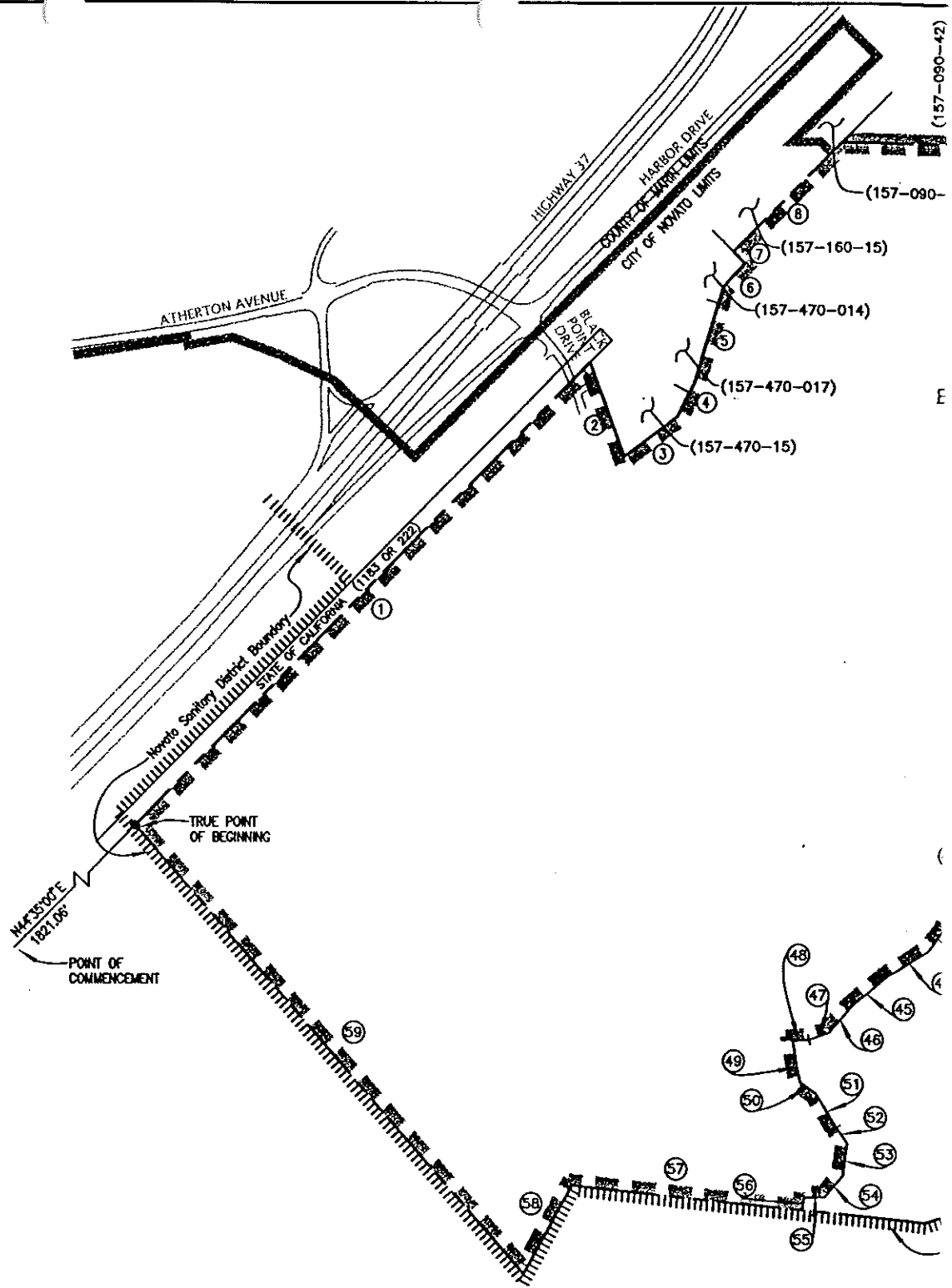
Thence South 28°52'30" West, 310.62 feet;

Thence North 40°58'40" West, 1815.37 feet to the TRUE POINT OF BEGINNING.

Containing 174.8 acres more or less.



LINE TABLE		
LINE	LENGTH	BEARING
1	1988.94'	N44°35'00" E
2	306.07'	S20°05'00" E
3	202.70'	N53°00'00" E
4	121.00'	N27°00'00" E
5	305.00'	N17°00'00" E
6	97.00'	N42°30'00" E
7	50.00'	N45°25'00" W
8	473.20'	N44°35'00" E
9	2119.64'	EAST
10	132.66'	S03°19'45" W
11	156.20'	S18°51'09" W
12	50.00'	S05°00'00" E
13	82.00'	S14°00'00" W
14	90.00'	S25°00'00" W
15	70.00'	S17°00'00" W
16	60.00'	S10°00'00" E
17	270.00'	S14°00'00" W
18	140.00'	S40°00'00" W
19	50.00'	S26°00'00" W
20	120.00'	S18°00'00" W
21	185.00'	S35°00'00" W
22	180.00'	S60°00'00" W
23	60.00'	N80°00'00" W
24	106.25'	N25°30'00" W
25	165.00'	N75°00'00" W
26	40.00'	S44°00'00" W
27	162.00'	S08°00'00" W
28	82.00'	S37°00'00" W
29	60.00'	S15°00'00" W
30	80.00'	S30°00'00" W
31	72.00'	S64°00'00" W
32	50.00'	S38°00'00" W
33	105.00'	S80°00'00" W
34	40.00'	S53°00'00" W
35	80.00'	S41°00'00" W
36	160.00'	S36°00'00" W
37	95.00'	S40°00'00" W
38	100.00'	S13°00'00" W
39	150.00'	S45°00'00" W
40	95.00'	S73°00'00" W
41	95.00'	S40°00'00" W
42	130.00'	S29°00'00" W
43	80.00'	S39°00'00" W
44	150.00'	S59°00'00" W
45	150.00'	S50°00'00" W
46	100.00'	S40°00'00" W
47	65.00'	S72°00'00" W
48	50.00'	S85°00'00" W
49	127.00'	S10°00'00" E
50	60.00'	S54°00'00" E
51	122.00'	S31°00'00" E
52	60.00'	S33°00'00" E
53	100.00'	S08°00'00" W
54	85.00'	S40°00'00" W
55	61.00'	WEST
56	40.00'	S10°00'00" W
57	713.06'	N83°50'40" W
58	310.62'	S28°52'30" W
59	1815.37'	N40°58'40" W



**LEGEND**

- EXISTING CITY OF NOVATO LIMITS & URBAN GROWTH BOUNDARY
- NEW NOVATO SANITARY DISTRICT ANNEXED AREA
- EXIST. NOVATO SANITARY DISTRICT LIMITS

① REFER TO LINE TABLE FOR DIRECTION AND DISTANCE

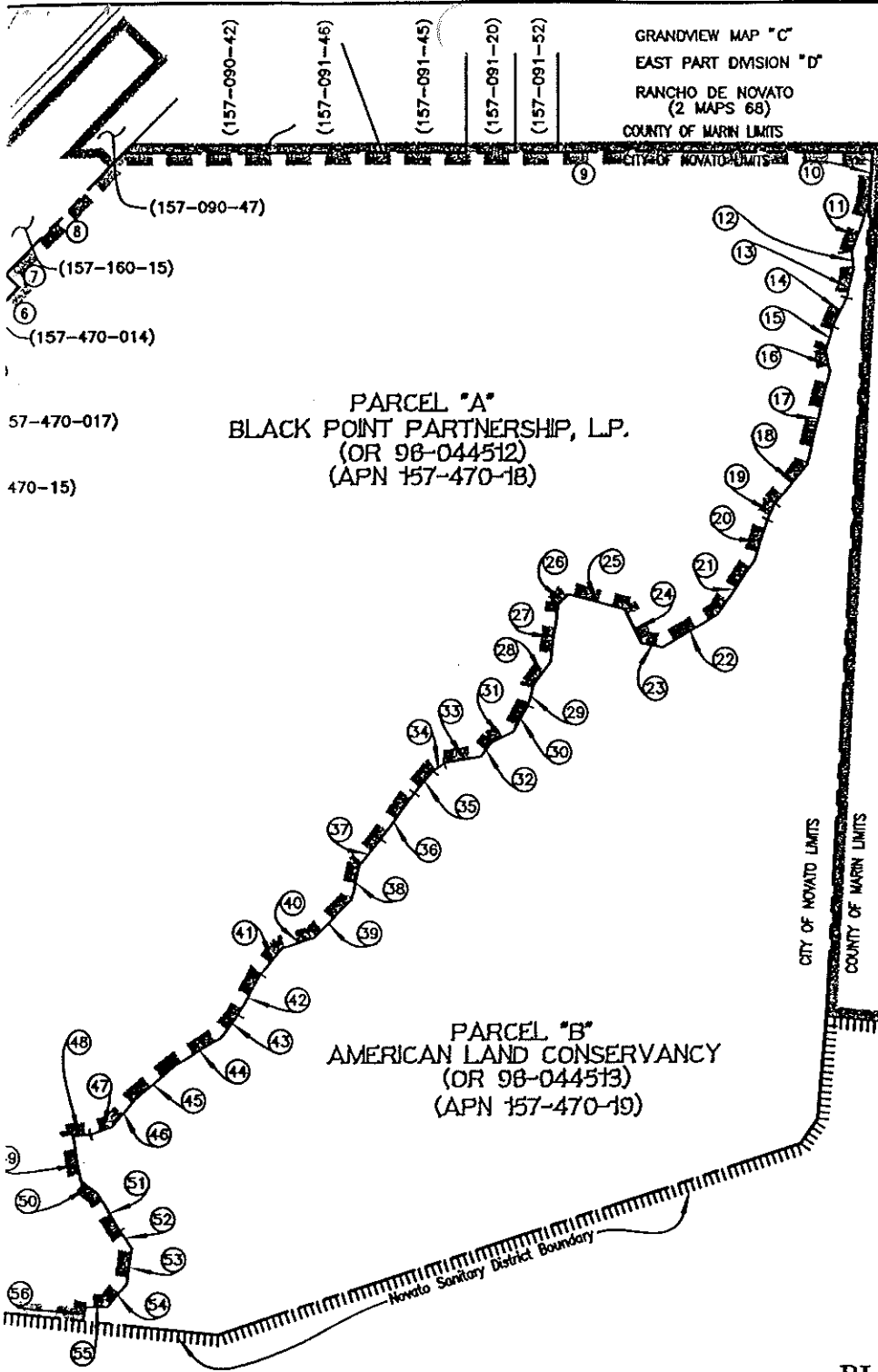
MARIN COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT (LOT 2, 12 PM 41)

AREA OF ANNEXATION

EXHIBIT "B"

Page 1 of 2

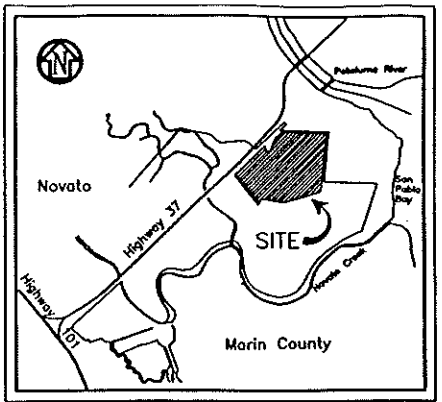
12/22/99 13:28



GRANDVIEW MAP "C"  
 EAST PART DIVISION "D"  
 RANCHO DE NOVATO  
 (2 MAPS 68)  
 COUNTY OF MARIN LIMITS

PARCEL "A"  
 BLACK POINT PARTNERSHIP, LP.  
 (OR 98-044512)  
 (APN 157-470-18)

PARCEL "B"  
 AMERICAN LAND CONSERVANCY  
 (OR 98-044513)  
 (APN 157-470-19)



VICINITY MAP  
 N.T.S.

GRANDVIEW MAP "B"  
 EAST PART DIVISION "D"  
 RANCHO DE NOVATO  
 (2 MAPS 41)



GRAPHIC SCALE



( IN FEET )  
 1 inch = 300 ft.

**BLACK POINT ANNEXATION  
 TO NOVATO SANITARY DISTRICT  
 MAPPING NO. 13/99**

AREA OF ANNEXATION: 174.8 Ac.

ASSESSOR'S PARCEL Nos. 157-470-18

CITY OF NOVATO COUNTY OF MARIN CALIFORNIA  
 DECEMBER 1999

**CSW**  
**[St]²** CSW/STUBER-STROEH  
 ENGINEERING GROUP, INC.  
 CONSULTING ENGINEERS  
 790 DeLong Ave., Novato, CA. 94945-3246  
 (415) 892-4763 FAX (415) 892-4502  
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EXHIBIT "B"  
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