

LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN

RESOLUTION NO. 78-19

RESOLUTION MAKING DETERMINATIONS AND APPROVING WITH WAIVER OF NOTICE,
HEARING AND ELECTION THE REORGANIZATION INVOLVING ANNEXATION OF TERRITORY TO
THE CITY OF NOVATO AND NOVATO SANITARY DISTRICT NO. 6

EUCALYPTUS AVENUE REORGANIZATION NO. 1

WHEREAS, a proposal for a reorganization involving the annexation of certain territory to the City of Novato and the Novato Sanitary District No. 6 has been filed with the Executive Officer of this Commission; and

WHEREAS, said proposal was made in the form of a petition of application, submitted by James G. and Catherine C. Warner, requesting initiation of proceedings pursuant to the District Reorganization Act of 1965, Division 1 (commencing with Section 56000) of the Government Code; and

WHEREAS, pursuant to Government Code Section 56261, when an application making a proposal for a reorganization is signed by owners of all affected properties, this Commission may make determinations with respect to said proposal 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 reorganization proposal is approved.

Section 2. The boundaries of the territory proposed for reorganization shall be those set forth in Exhibit A, attached hereto and incorporated herein. The reorganization consists of the following changes of organization: annexation to the City of Novato and annexation to the Novato Sanitary District. The territory shall be designated as the Eucalyptus Avenue Reorganization No. 1.

Section 3. Any resolution authorizing the reorganization approved shall impose the following terms and conditions:

- A. 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 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 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 has 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 and ordinances of the District, as now or hereafter amended.

Section 4. The City of Novato, pursuant to Section 56271.1 of the Government Code, is designated as the conducting agency for further proceedings, and is hereby directed to initiate such proceedings in compliance with this resolution and provisions of law; and is authorized to take such proceedings without notice and hearing.

Section 5. The environmental documents relevant to the proposed annexation have been reviewed and considered by the Commission in making its final determination. Pursuant to the California Environmental Quality Act and the Commission's Environmental Guidelines, the City of Novato is Lead Agency and has thereby issued a Negative Declaration of environmental impact.

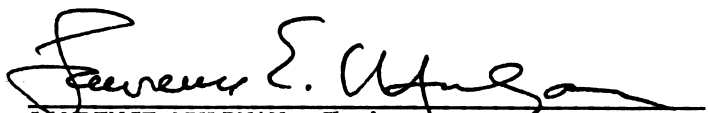
Section 6. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner prescribed in Section 56272 of the Government Code.

PASSED AND ADOPTED by the Local Agency Formation Commission of the County of Marin on this 12th day of July, 1978, by the following vote:

AYES: Mulryan, Haehl, Rice, and Violich

NOES: None

ABSENT: Roumiguere


LAWRENCE MULRYAN, Chairman
Marin Local Agency Formation Commission

ATTEST:


WARREN K. NELSON, Executive Officer

DATE:

July 13, 1978

EXHIBIT "A"

Legal Description

EUCALYPTUS AVENUE REORGANIZATION NO. 1

Beginning at the northwest corner of Lot 154 per "Amended Map No. 1 of Subdivision E of the Novato Ranch" recorded in Book 3 of Maps at Page 54, Marin County Records, said corner being on the Novato City Limits Line; thence along said City Limits Line South $75^{\circ}45'00''$ East 220.00 feet; thence South $10^{\circ}22'00''$ West 301.52 feet; thence leaving said City Limits Line on a prolongation of the last mentioned course South $10^{\circ}22'00''$ West 20.05 feet; thence North $75^{\circ}45'00''$ West 241.88 feet to a point on the Novato City Limits Line; thence along said City Limits Line North $14^{\circ}15'00''$ East 320.83 feet to the point of beginning.

Said parcel containing 1.7 acres more or less.