

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 78-28

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

NOVATO BOULEVARD ANNEXATION (1978-8)

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 Commission; and,

WHEREAS, said proposal was made in the form of Resolution No. 1726, a resolution of application adopted by the Board of Directors of the Novato Sanitary District, and requesting the initiation of annexation proceedings pursuant to the District Reorganization Act of 1965, Division 1, (commencing with Section 56000) of Title 6 of the Government Code; 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 56261, 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;

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. 1726, adopted by the Board of Directors of the Novato Sanitary District, is approved.

Section 2. 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 the "Novato Boulevard Annexation (1978-8)".

Section 3. Any resolution ordering the annexation approved by this resolution shall provide that such annexation is ordered subject to 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

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

Section 4. The Novato Sanitary District is designated as the conducting district for further proceedings; and, the Board of Directors of said District is hereby directed to initiate proceedings in compliance with this resolution, and is authorized to proceed without notice or hearing pursuant to Government Code Section 56261.

Section 5. The project is Categorically Exempt from the California Environmental Quality Act review pursuant to provisions contained in Section 15119(b) of the Public Resources Code.

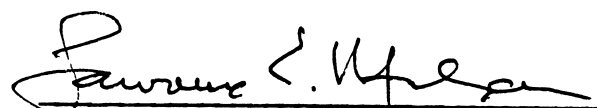
Section 6. The Executive Officer is hereby authorized to mail certified copies of this resolution in the manner and as prescribed by law.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 8th day of November 1978 by the following vote:

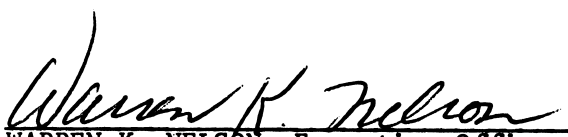
AYES: Commissioners Haehl, Roumiguiere, Violich and Mulryan

NOES: None

ABSENT: Commissioner Rice


LAWRENCE E. MULRYAN, Chairman
Marin Local Agency Formation Commission

ATTEST:


WARREN K. NELSON, Executive Officer

DATE: November 9, 1978

RESOLUTION NO. 1739
A RESOLUTION MAKING DETERMINATIONS, DESCRIBING
EXTERIOR BOUNDARIES OF TERRITORY DESIGNATED
"NOVATO BOULEVARD ANNEXATION 1978-8"
ESTABLISHING TERMS AND CONDITIONS, AND ORDERING
ANNEXATION OF TERRITORY

NOVATO SANITARY DISTRICT

RESOLVED, by the Sanitary Board of Novato Sanitary District,
Marin County, California, as follows:

WHEREAS, on August 28, 1978, this Board adopted its Resolution
No. 1726, A Resolution of Application by Novato Sanitary District
Requesting the Local Agency Formation Commission to Take Preliminary
Proceedings for Annexation of Territory to the District, which
resolution, together with a form of Written Consent of all of the
owners of all of the lands comprising the territory proposed to be
annexed, was filed with the Executive Officer of the Local Agency
Formation Commission of the County of Marin;

WHEREAS, on November 8, 1978, the Local Agency Formation
Commission of Marin County adopted its Resolution No. 78-28, A
Resolution Approving the Annexation of Territory to Novato Sanitary
District, wherein it designated said territory as "Novato Boulevard
Annexation 1978-8;"

WHEREAS, said Resolution No. 78-28 of the Local Agency
Formation Commission of Marin County approved the proposed
annexation and authorized this Sanitary Board to annex said
territory without notice and hearing and without an election;

WHEREAS, said resolution of the Local Agency Formation
Commission made certain findings and deteminations which were
summarized before the Sanitary Board of Novato Sanitary District;

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WHEREAS, a form of Written Consent, signed by all of the owners of all of the land within the territory proposed to be annexed, has been filed with the District; and

WHEREAS, all of the proceedings for the annexation of territory are being had pursuant to the District reorganization Act of 1965, Division 1 of Title 6, comprising Government Code Section 56000 through 56550;

NOW, THEREFORE, IT IS FOUND, DETERMINED and ORDERED, that

1. The territory proposed to be annexed is uninhabited as such term is defined in Government Code Section 56074, and the description of the exterior boundaries of the territory is set forth in Exhibit "A" attached hereto and made a part hereof, and that no written protests were or have been filed.

2. Annexation is approved subject to the terms and conditions authorized in the Written Consent to the annexation in said Resolution No. 1726 of application adopted by Novato Sanitary District and approved by said Resolution No. 78-28 adopted by the Local Agency Formation Commission, as follows:

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

3. The Executive Officer of the Local Agency Formation Commission of Marin County is hereby authorized and directed to prepare and execute a certificate of completion of said annexation, which certificate shall have a certified copy of this resolution attached, together with a map indicating the boundaries of the area hereby ordered annexed, a certified copy of which certificate, resolution and map shall be filed by said Executive Officer with the County Recorder of Marin County, being the County in which all of Novato Sanitary District is located, and the Executive Officer shall make such filings as are required in the office of the State Board of Equalization with a certified copy of the certificate of completion attached in the office of the County Assessor, pursuant to Chapter 8 of Part 1, Division 2, Title 5 of the Government Code of the State of California (commencing at Section 54900), and pursuant to the District Reorganization Act of 1965 and particularly Sections 56457 and 54797.2 of the Government Code.

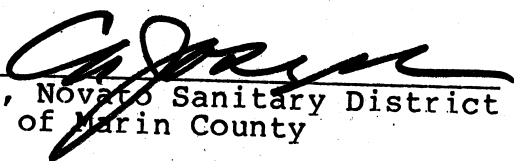
* * * * *

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of Novato Sanitary District, Marin County, California, at a regular meeting thereof duly held on the 27th day of November, 1978, by the following vote:

AYES, and in favor thereof, Members: Baker, Long, Medeiros,
Payne, Rivamonte

NOES, Members: None

ABSENT, Members: None


Secretary, Novato Sanitary District
of Marin County

APPROVED:


President

June 28, 1978

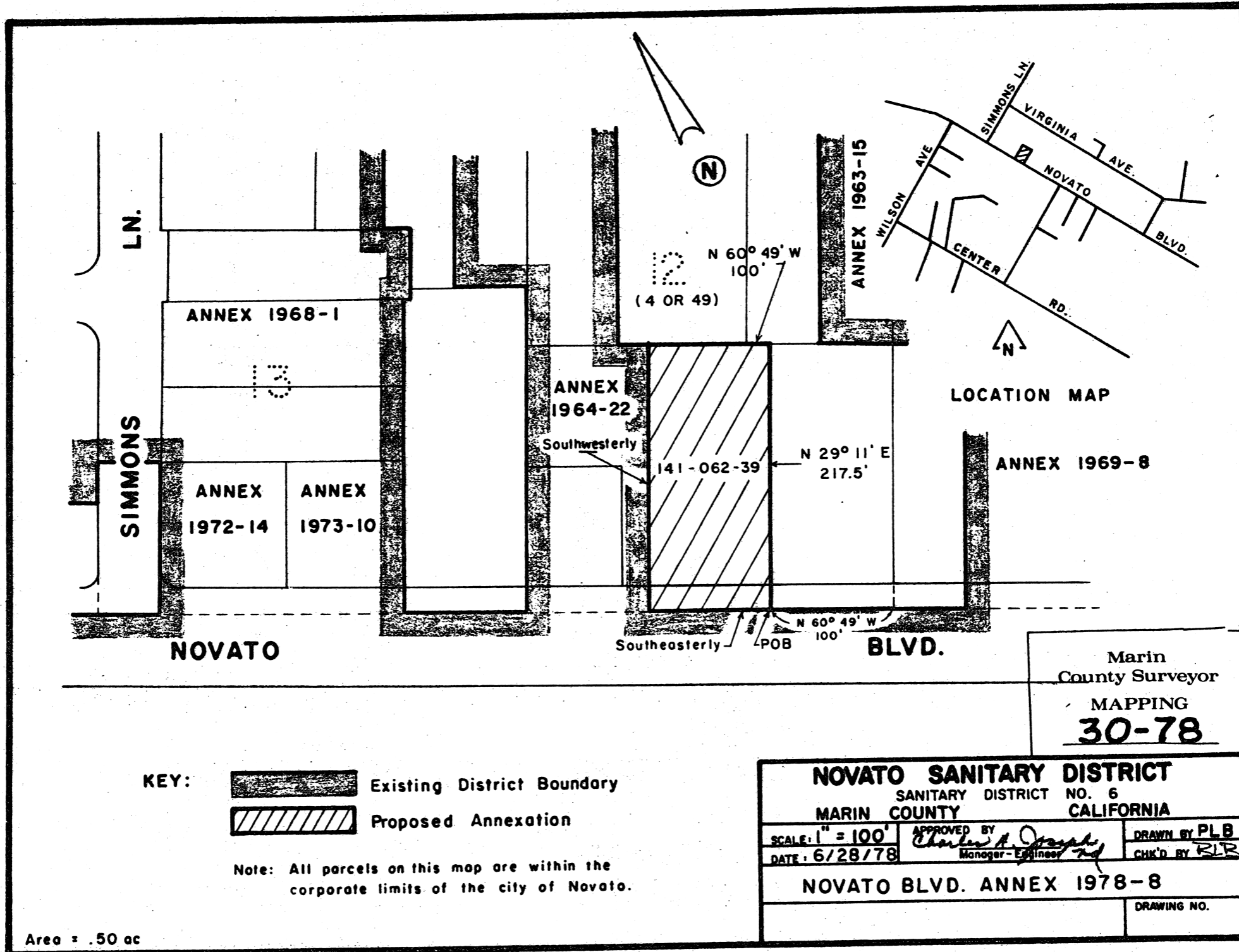
NOVATO SANITARY DISTRICT



NOVATO BOULEVARD ANNEXATION 1978-8

EXHIBIT "A"

Beginning at a point on the existing boundary of Novato Sanitary District, Marin County, California, said point being on the northeasterly line of Novato Boulevard (formerly DeLong Avenue) distant there on North $60^{\circ}49'$ West 100 feet from it's intersection with the southeasterly line of Lot 12, as said Boulevard and Lot are shown upon that certain map entitled "Subdivision One, Sweetser Ranch, Novato, California.", filed July 15, 1913 in Liber 4 of Maps at Page 49, Marin County Records; thence leaving said northeasterly line and said Sanitary District boundary North $29^{\circ}11'$ East 217.5 feet; thence North $60^{\circ}49'$ West 100 feet to a point on said Sanitary District boundary; thence running along said Sanitary District boundary southwesterly to said northeasterly line of Novato Boulevard; thence continuing along said Sanitary District boundary and running southeasterly along said northeasterly line of Novato Boulevard to the point of beginning.

CONTAINS 0.50 ACRES



KEY:  Existing District Boundary
 Proposed Annexation

Note: All parcels on this map are within the corporate limits of the city of Novato.

Area = .50 ac

Marin
County Surveyor
MAPPING
30-78

NOVATO SANITARY DISTRICT		
SANITARY DISTRICT NO. 6		
MARIN COUNTY		CALIFORNIA
SCALE: 1" = 100'	APPROVED BY <i>Charles A. Joseph</i> Manager-Engineer	DRAWN BY PLB
DATE: 6/28/78		CHK'D BY RLB
NOVATO BLVD. ANNEX 1978-8		
		DRAWING NO.

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