

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 13-04

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

Annexation of the Lands of Chris Hodge to Novato Sanitary District
(File #1314)

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 owner; and

WHEREAS, pursuant to Government Code Section 56663, when a resolution is accompanied by written consent signed by 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; and

WHEREAS, pursuant to Government Code Section 56663(c), the affected territory is uninhabited; all the owners of land within the affected territory have given their written consent; and the affected local agency that will gain territory, Novato Sanitary District, has consented in writing to a waiver of protest proceedings, this Commission may make determinations with respect to said application with waiver of protest proceedings; and

WHEREAS, the Executive Officer has reviewed the application and prepared a report, including a recommendation thereon, the application 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 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 three (3) approved map and legal descriptions.

Section 2. The territory includes .66 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Chris Hodge to Novato Sanitary District (File #1314)".

Section 3. The proposal is consistent with the adopted sphere of influence for Novato Sanitary District.

Section 4. 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 14th day of March 2013 by the following vote:

AYES: Commissioners Adams, Arnold, Asbo, Blanchfield, Condon and Redoni

NOES: None.

ABSENT: Commissioner Heller



JEFFRY BLANCHFIELD, Chairperson

ATTEST:



PETER V. BANNING, Executive Officer

Exhibit A

**Annexation of the Lands of Hodge
To the
Novato Sanitary District**

**File No. 1314
Mapping No. 13-03**

Commencing at the northeasterly corner of Novato Sanitary District Annexation No. 2002-4;

Thence, along the southerly line of Atherton Avenue and the existing boundary of the Novato Sanitary District, North 55° 15' East 37.51 feet; thence North 75° 00' East 54.36 feet to a point on the westerly line of that certain parcel of land conveyed to Christopher Hodge et ux by deed recorded December 21, 2012 as Recorder's Document No. 2012-080302, Marin County Records, said point being the True Point of Beginning of this annexation;

- 1) Thence continuing along said avenue line and district boundary, North 75° 00' East 143.79 feet;
- 2) Thence, leaving said avenue line and district boundary, along the easterly line of said parcel, South 13° 21' 45" East 193.43 feet,
- 3) Thence, along the southerly line of said parcel, South 81° 09' West 160.00 feet;
- 4) Thence, along the westerly line of said parcel, North 12° 57' 11" West 46.51 feet;
- 5) Thence North 10° 11' 13" West 53.71 feet;
- 6) Thence North 08° 24' 06" West 51.07 feet;
- 7) Thence North 04° 00' 42" East 26.95 feet to the True Point of Beginning.

Containing approximately 28,801 square feet.

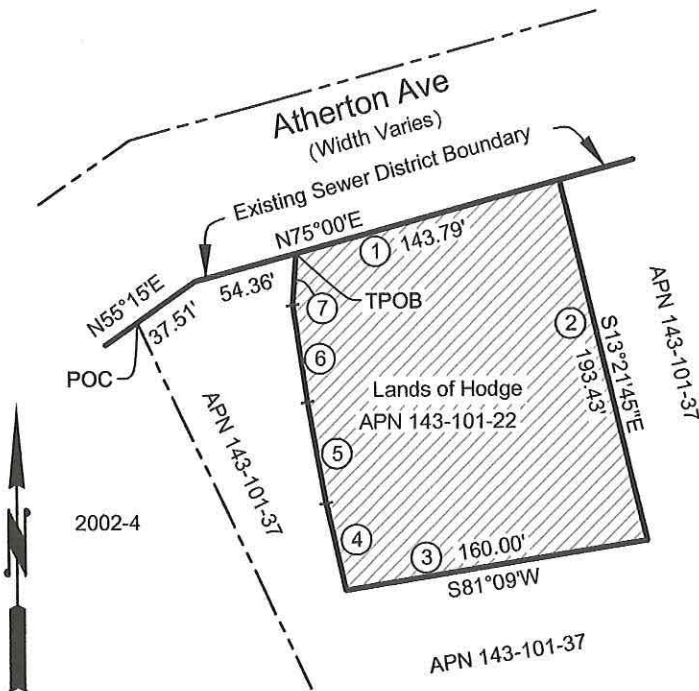
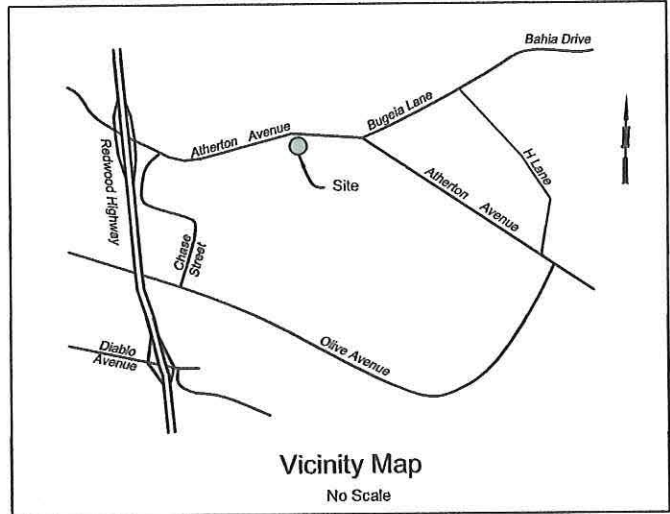
This parcel lies within the Rancho de Novato, Marin County, California.



Annexation Parcel Information

Legal Description: That certain parcel of land conveyed to Christopher Hodge et ux by RDN 2012-0080302, Marin County Records.




Said Parcel lies within the Rancho de Novata.
 Address: 773 Atherton Avenue, Novato, CA
 Assessor's Parcel No. 143-101-22.



Course Table

No.	Bearing	Distance
4	N 12°57'11" W	46.51'
5	N 10°11'13" W	53.71'
6	N 08°24'06" W	51.07'
7	N 04°00'42" E	26.95'

Legend

- 2002-4 Existing District Annexation
-  Proposed Annexation
-  Course Number
-  Property Boundary

3-18-13

Dale White

White & Prescott
 Engineering & Surveying
 1620 Grant Avenue
 Novato, CA 94945

Exhibit B
 Mapping No. 13-03
 LAFCO File No. 1314

Annexation of the Lands of Hodge
 To The
 Novato Sanitary District