

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 94-12

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

"MCCLAY ROAD ANNEXATION 1992-8"

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 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 Resolution No. 2477, a Resolution of Application adopted by the Board of Directors of the Novato Sanitary District; 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 56837, 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; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including her recommendation thereon, the proposal and report having been presented to and considered by this Commission.

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. 2477, adopted by the Board of Directors of the Novato Sanitary District, is approved.

Section 2. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibit "A," and "B," attached hereto and by this reference incorporated herein.

Section 3. The territory includes 12.8 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "McClay Road Annexation 1992-8" to the Novato Sanitary District.

Section 4. The proposal is consistent with the spheres of influence of affected local agencies.

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

1. 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 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 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.
2. 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 principle, 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 6. The Novato Sanitary District is designated as the conducting district 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 City of Novato, as lead agency, has conducted an environmental review and has issued a Mitigated Negative Declaration of Environmental Impact (April 2, 1991).

Section 8. 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 the 3rd day of November 1994 by the following vote:

AYES: Commissioners Bevis, Giacomini, Richardson, Thayer and Williams

NOES: None

ABSENT: None

Erwin Williams

ERWIN WILLIAMS, Chairman
Marin Local Agency Formation
Commission

ATTEST:


DAWN MITTLEMAN, Executive Officer

Dated: November 3, 1994

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.

By 
(Sm) Executive Officer

3/3/93

NOVATO SANITARY DISTRICT

McClay Road Annex 1992-8
Exhibit "A"
Revised

Beginning at a point on the existing boundary of Novato Sanitary District, said point being on the centerline of McClay Road, 30 feet wide, at its intersection with the southerly line of Lot 178, as said Road and Lot are shown upon that certain map entitled "Map of Subdivisions 'A' and 'B' of the Novato Ranch, Marin County, California", filed November 18, 1909 in Book 3 of Maps at Page 36, Marin County Records; running thence along said centerline of McClay Road and along said Sanitary District boundary Northeasterly 210 feet; thence leaving said centerline of McClay Road and said Sanitary District boundary, South 60°45' East 620 feet; thence North 29° 15' East 190 feet to a point on the Sanitary District boundary; thence running along Sanitary District boundary southeasterly 167.65 feet; thence Northeasterly 260 feet, more or less, to a point on the northerly line of Lot 179 (3 O.R. 36); running thence along said northerly line of Lot 179 and continuing along said Sanitary District boundary southeasterly to the most easterly corner of said Lot 179; thence continuing along said Sanitary District boundary and running along the easterly line of said Lot 179 southwesterly to the most southerly corner of said Lot; thence leaving said Sanitary District boundary and running along the southerly line of said Lot 179 North 60° 45' West, 1365 feet more or less to the point of beginning.
Containing 12.82 acres, more or less.

MCCLAY8.MIS

