

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO.97-01

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

"Vineyard Rd. Annexation 1996-2"

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 Resolution No. 2574, 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 with 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 determination 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 terms and conditions hereinafter specified, the proposal made by Resolution No. 2574, 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 2 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Vineyard Road Annexation 1996-2" 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 standard 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 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.
- 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 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 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. 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 conducted an initial study incorporating concerns of said Commission, a responsible agency, and has issued a Negative Declaration. The Marin Local Agency Formation Commission hereby certifies that the Commission has considered said documents.

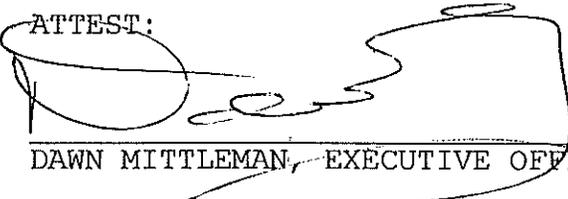
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 6th day of March, 1997 by the following vote:

AYES: Commissioners Barner, Blanchfield, Kress, Moore, Richardson, Ware and Thayer
NOES: None
ABSENT: None


NORMAN RICHARDSON, CHAIRPERSON PRO TEM
Marin Local Agency Formation Commission

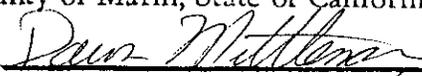
ATTEST:


DAWN MITTLEMAN, EXECUTIVE OFFICER

DATED: March 6, 1997

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


Executive Officer 

August 22, 1996

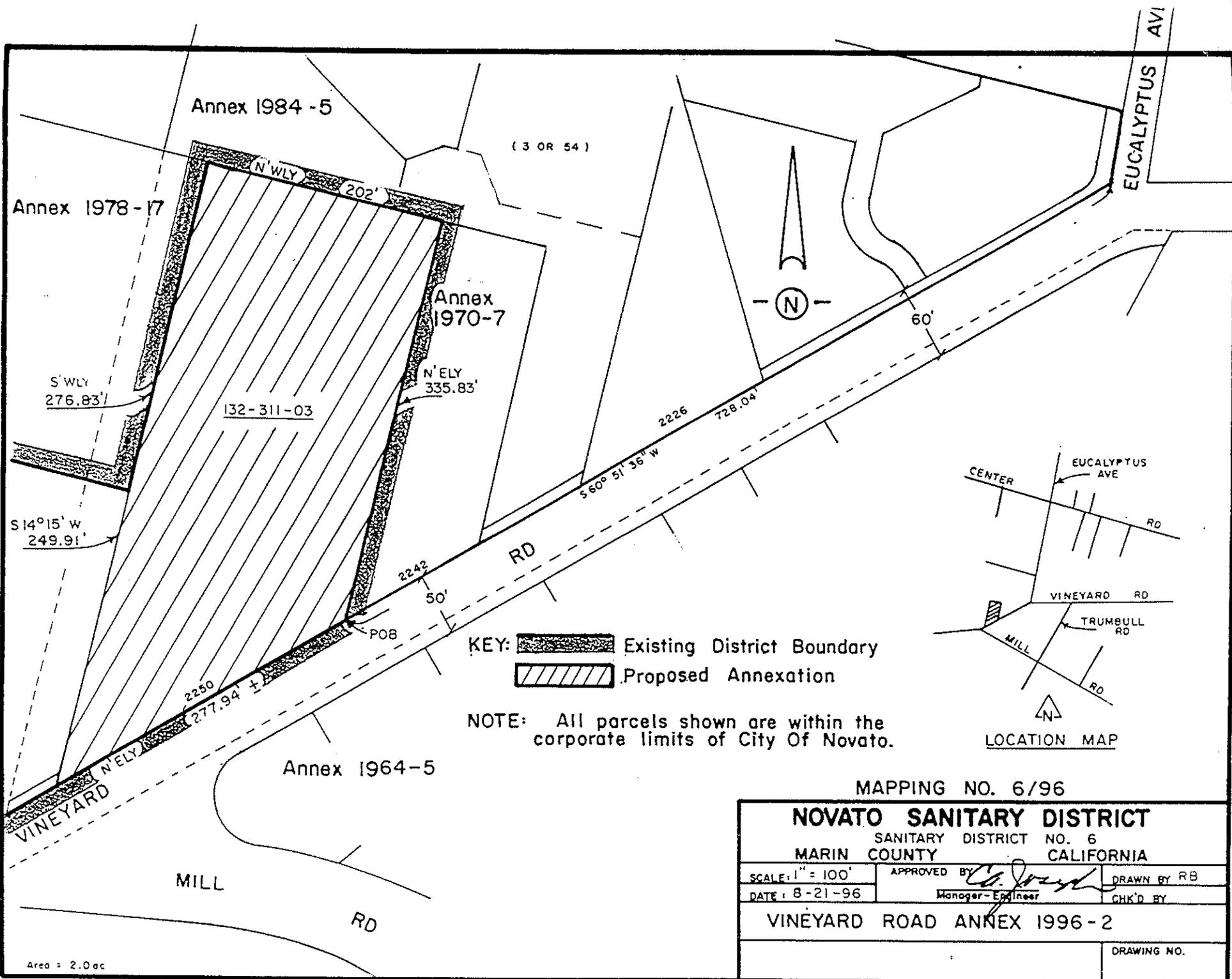
NOVATO SANITARY DISTRICT

Vineyard Road Annex 1996-2
Exhibit "A"

Mapping No. 6/96

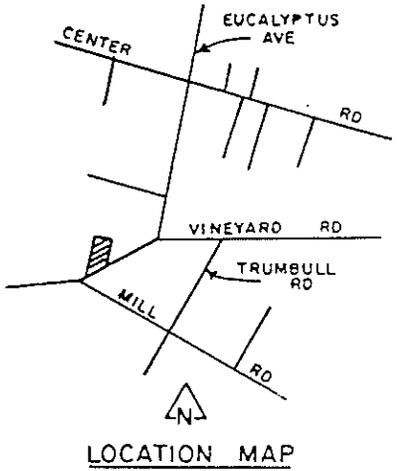
BEGINNING at a point on the existing boundary of Novato Sanitary District, said point being on the northerly line of Vineyard Road (40 feet wide), distant thereon South $60^{\circ}51'36''$ West 728.04 feet from its intersection with the westerly line of Eucalyptus Avenue, as said Road and Avenue are shown upon that certain map entitled "Amended Map No. 1 of Subdivision 'E' of the Novato Ranch, Marin County, California" filed July 6, 1910 in Book 3 of Maps at Page 54, Marin County Records; thence leaving said northerly line of Vineyard Road and continuing along said Sanitary District Boundary Northeasterly 335.83 feet; thence Northwesterly 202 feet; thence Southwesterly 276.83 feet; thence leaving said Sanitary District boundary and continuing along said southwesterly line South $14^{\circ}15'$ West 249.91 feet to a point on said northerly line of Vineyard Road on said Sanitary District boundary; running thence along said northerly line of Vineyard Road and along said Sanitary District boundary Northeasterly 277.94 feet, more or less to the point of beginning.

Containing 2 acres, more or less.

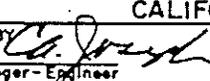


KEY:  Existing District Boundary
 Proposed Annexation

NOTE: All parcels shown are within the corporate limits of City Of Novato.



MAPPING NO. 6/96

NOVATO SANITARY DISTRICT		
SANITARY DISTRICT NO. 6		
MARIN COUNTY		CALIFORNIA
SCALE: 1" = 100'	APPROVED BY 	DRAWN BY RB
DATE: 8-21-96	Manager-Engineer	CHK'D BY
VINEYARD ROAD ANNEX 1996-2		
		DRAWING NO.

Area = 2.0 ac

EXHIBIT "B"