

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 00-4

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

**“Annexation of the Lands of Lockhart to Novato Sanitary District (File #1169)”**

WHEREAS, an application for the annexation of certain territory to 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. 2670, a resolution of application adopted by the Board 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 signed by 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 annexation and prepared a report, including a recommendation thereon, the annexation and report having been presented to and considered by this Commission.

**NOW THEREFORE, the Marin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:**

Section 1. Subject to the terms and conditions hereinafter specified, the annexation made by resolution is approved.

Section 2. The boundaries, as set forth in the annexation, 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 1.44 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Annexation of the Lands of Lockhart to Novato Sanitary District (File #1169).” 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



Section 4. The annexation is consistent with the adopted sphere of influence for Novato Sanitary District.

Section 5. The annexation approved by this resolution shall be subject to the following terms and conditions:

1. In the event that pursuant to the rules, regulations, resolutions 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, resolutions 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 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, resolutions and ordinances of the District, as now or hereafter amended.

Section 6. 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. The Novato Sanitary District, as lead agency, has determined that the project is categorically exempt pursuant to §15303(d) (Class 3 New Construction or Conversion of Small Structures) and §15319(b) (Class 19, Annexation of Existing Facilities) of the Guidelines for Implementation of the California Environmental Quality Act, and Marin LAFCO, as a responsible agency, also determines that the project is categorically exempt under the same sections of the Guidelines.

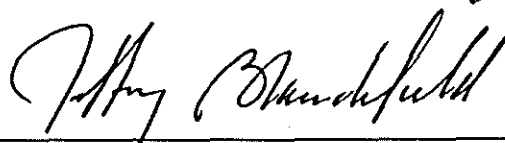
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on this 10<sup>th</sup> day of February, 2000, by the following vote:

**AYES:** Commissioners Blanchfield, Chapman, Heller, Hennessy, Kress, Murray and Ware

**NOES:** None

**ABSENT:** None



JEFFRY BLANCHFIELD, Chairperson

**ATTEST:**

  
PETER V. BANNING, Executive Officer

December 7, 1999

Novato Sanitary District

Wilson Avenue Annexation 1999 - 4

Exhibit "A"

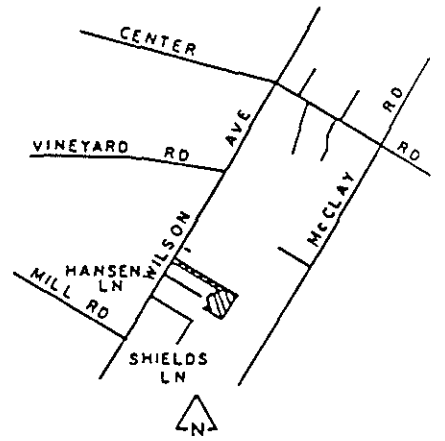
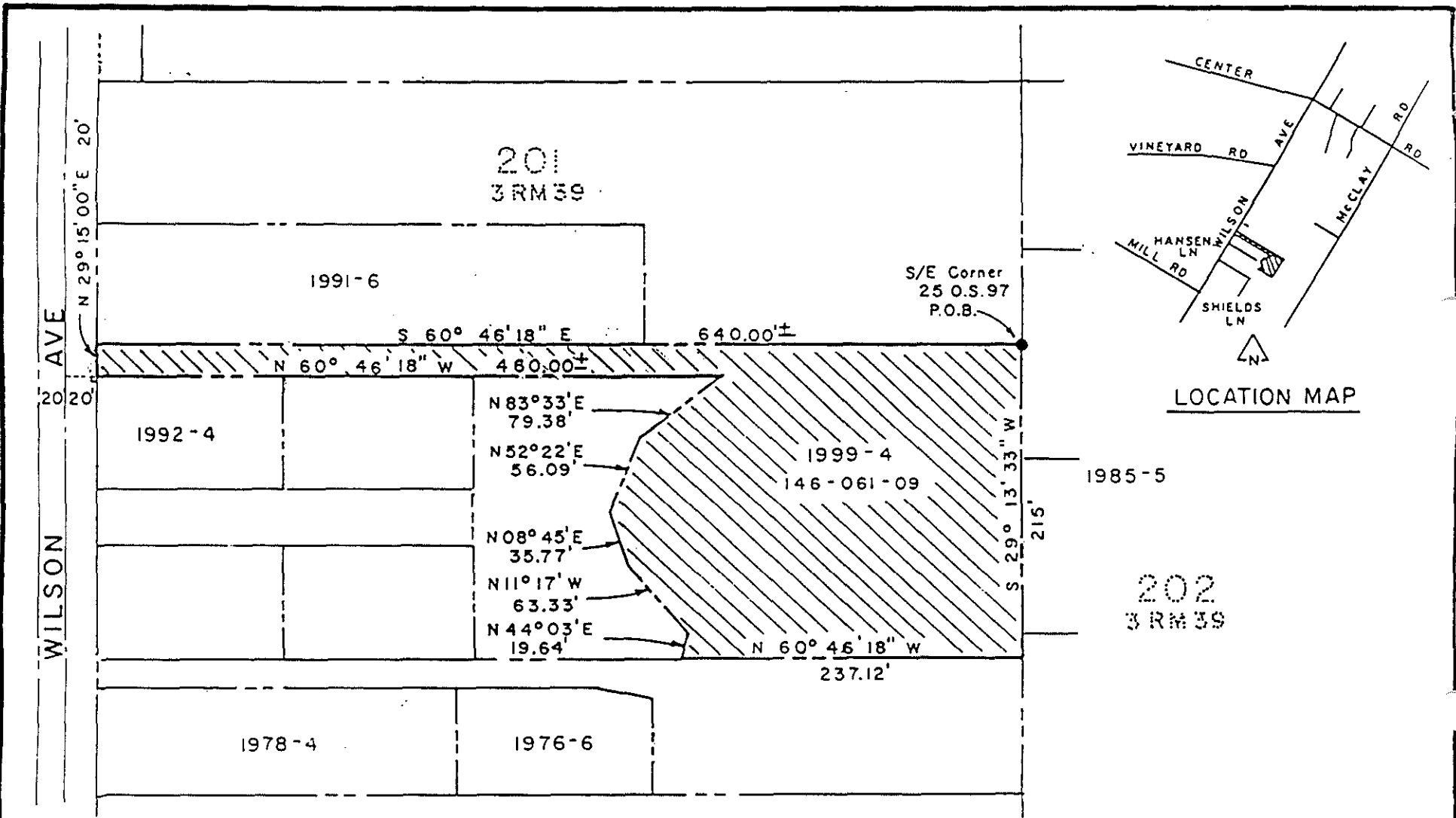
Mapping No. 16 / 99

Being a portion of lot 201 as shown on that certain map entitled "Amended Map No 1 of Subdivision "C" of the Novato Ranch, Marin County, California. Filed July 6, 1910 in Book 3 of maps Page 56, Marin County Records. More particularly described as follows.

Beginning at a point on the existing boundary of the Novato Sanitary District, said point being on the boundary of lots 201 and 202 as shown on the aforementioned map of Novato Ranch, said point also being shown as a ¾" iron pipe monument tagged LS 4397, said monument being set at the Southeasterly corner of the parcel D.N. 87-76382 as shown upon the Record of Survey Map Book 25 @ page 97 ( 25-O.S.-97), Land of Elkin. Thence from said Point of Beginning South 29° 13' 33" West\* 215 feet. Thence North 60° 46' 18" East 237.12 feet. Thence North 44° 03' East\*\* 19.64 feet. Thence North 11° 17' West 63.33 feet. Thence North 08° 45' East 35.77 feet. Thence North 52° 22' East 56.09 feet. Thence North 83° 33' East 79.38 feet. Thence North 60° 46' 18" west 460.00 feet more or less to the right of way of Wilson Avenue. Said point being at right angles from said centerline a distance of 20 feet. Thence along said right of way North 29° 15' 00" East 20.00 feet. Thence leaving said right of way North 60° 46' 18" East 640 feet more or less to the Point of Beginning.

Containing 1.4 acres, more or less.

- \* (said bearing per 25 O.S. 97)
- \*\* along Assessor's Parcel 146-06-07



KEY:



-  Existing District Boundary
-  Proposed Annexation

EXHIBIT "B"

MAPPING NO. 16/99

<b>NOVATO SANITARY DISTRICT</b>		
SANITARY DISTRICT NO. 6		
MARIN COUNTY:		CALIFORNIA
SCALE: 1" = 100'	APPROVED BY	DRAWN BY WN
DATE: 8-27-99	Manager-Engineer	CHK'D BY D.L.H.
<b>WILSON AVE ANNEX 1999-4</b>		
		DRAWING NO.