

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 76-14

RESOLUTION MAKING DETERMINATIONS AND AMENDING RESOLUTION NO. 76-1
ADOPTED BY THE MARIN LOCAL AGENCY FORMATION COMMISSION ON FEBRUARY 18, 1976,
AND APPROVING THE LOS RANCHITOS "AREA A" ANNEXATION TO THE
LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, acting in accordance with the District Reorganization Act of 1965, Division 1 (commencing with Section 56000) of Title 6 of the Government Code, this Commission conducted preliminary proceedings and as a part thereof, on February 18, 1976, adopted Resolution No. 76-1 approving the annexation of territory designated as the "Los Ranchitos 'Area A' Annexation" to the Las Gallinas Valley Sanitary District; and

WHEREAS, it has come to the District Board's attention that the provisions of said Resolution No. 76-1 specified that the Los Ranchitos "Area A" Annexation was not subject to any terms and conditions; and

WHEREAS, it is the District's desire to provide that the Los Ranchitos "Area A" Annexation be subject to certain terms and conditions in order to be fair, just and equitable to all parties concerned, including said District, the County of Marin and the affected residents and landowners of the Los Ranchitos "Area A" Annexation area; and

WHEREAS, in order to comply with said Resolution No. 76-1 and provisions of the District Reorganization Act, the Board of Directors of the Las Gallinas Valley Sanitary District, pursuant to the provisions of Section 56470 of the District Reorganization Act, has made application to this Commission requesting amendment to LAFC Resolution No. 76-1 to add said certain terms and conditions thereto; and

WHEREAS, pursuant to the provisions of Government Code Section 56470, said terms and conditions may be legally imposed by this Commission so long as it finds the same to be fair, just and equitable,

NOW, THEREFORE, the Local Agency Formation Commission of the County of Marin DOES HEREBY FIND, DETERMINE AND ORDER as follows:

Resolution No. 76-1 is hereby amended to add the following terms and conditions to the Los Ranchitos "Area A" Annexation:

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 a fixed or determinable amount of money, either as a lump sum or in installments for the acquisitions, 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;

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

3. No right to capacity in any facilities or public improvements of District, service, or priority of service shall arise because of annexation. District shall, in its sole discretion, determine when and if service can be provided, the priority of service and the conditions upon which service may be made if District determines service can be provided:

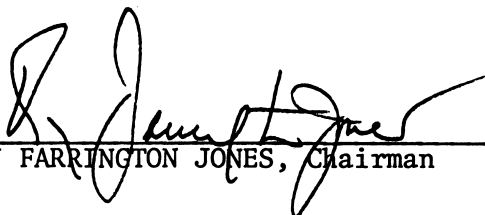
4. All other provisions of Resolution No. 76-1 shall remain in full force and effect.

PASSED AND ADOPTED by the Local Agency Formation Commission of the County of Marin on this 17th day of March, 1976, by the following vote:

AYES: Commissioners Baptiste, Giacomini, Mulryan, Violich, and Jones

NOES: None

ABSENT: None



ROY FARRINGTON JONES, Chairman

ATTEST:



LARI I. SHEEHAN, Executive Officer