

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 78-16

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION  
WITH WAIVER OF NOTICE, HEARING, AND ELECTION  
TO NOVATO SANITARY DISTRICT NO. 6

TAMALPAIS AVENUE ANNEXATION (1978-6)

WHEREAS, a proposal for the annexation of certain territory to the Novato Sanitary District No. 6, in the County of Marin, has been filed with the Executive Officer of this Commission; and

WHEREAS, said proposal was made in the form of Resolution No. 1708, a resolution of application adopted by the Board of Directors of the Novato Sanitary District, and requesting the initiation of annexation proceedings pursuant to the District Reorganization Act of 1965, Division 1 (commencing with Section 56000) of Title 6 of the Government Code; 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 56261, 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;

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. 1708, adopted by the Board of Directors of the Novato Sanitary District, is approved.

Section 2. The boundaries of the territory proposed to be annexed shall be those set forth in Exhibit A, attached hereto and incorporated herein, and said territory shall be designated as the Tamalpais Avenue Annexation (1978-6).

Section 3. Any resolution ordering the annexation approved by this resolution shall provide that such annexation is ordered subject to the following terms and conditions specified in the resolution of application:

- 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 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 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 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.

Section 4. The Novato Sanitary District is designated as the conducting district for further proceedings; and the Board of Directors of said District is hereby directed to initiate proceedings in compliance with this resolution, and is authorized to proceed without notice or hearing pursuant to Government Code Section 56261.

Section 5. The environmental documents relevant to the proposed annexation have been reviewed and considered by the Commission in making its final determination. Pursuant to the California Environmental Quality Act and the Commission's Environmental Guidelines, the City of Novato has certified the adequacy of an Environmental Impact Report on February 24, 1977.

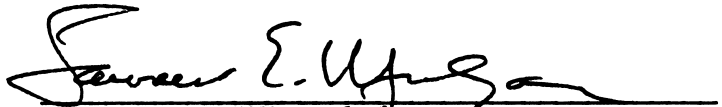
Section 6. The Executive Officer is hereby authorized to mail certified copies of this resolution in the manner and as prescribed by law.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on  
this 12th day of July, 1978, by the following vote:

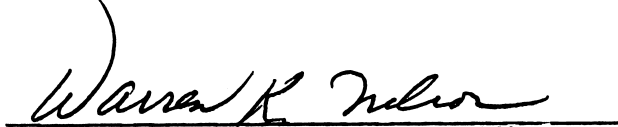
AYES: Haehl, Mulryan, Rice, and Violich

NOES: None

ABSENT: Roumiguere

  
LAWRENCE MULRYAN, Chairman  
Marin Local Agency Formation Commission

ATTEST:

  
WARREN K. NELSON, Executive Officer

DATE:

July 13, 1978