

LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN

RESOLUTION NO. 77-41

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

"MCCLAY ROAD REORGANIZATION 1977-9"

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

WHEREAS, said proposal was made in the form of a petition of application signed by all affected property owners and requesting initiation of proceedings pursuant to the District Reorganization Act of 1965, Division 1, (commencing with Section 56000) of the Government Code; and

WHEREAS, the Marin Local Agency Formation Commission conducted a public hearing on November 9, 1977, at which time said Commission modified a proposal to annex certain territory to the Novato Sanitary District No. 6 so as to approve said reorganization and authorize that reorganization proceedings be taken; and

WHEREAS, the Marin Local Agency Formation Commission authorized the affected property owner to pursue reorganization to the City of Novato and the Novato Sanitary District in lieu of reapplication; and

WHEREAS, pursuant to Government Code Section 56261 and 56261.1, when an application making a proposal for a reorganization is signed by owners of all affected properties, this Commission may make determinations with respect to said proposal 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 reorganization proposal is approved.

Section 2. The boundaries of the territory proposed for reorganization shall be those set forth in Exhibit A attached hereto and incorporated herein. The reorganization consists of the following changes or organization: annexation to the City of Novato and annexation to the Novato Sanitary District No. 6. The territory shall be designated as the "McClay Road Reorganization 1977-9", and is found to be uninhabited.

Section 3. Any resolution authorizing the reorganization approved shall impose the following terms and conditions:

1. In the event that pursuant to rules, regulations or ordinances of Sanitary District No. 6 of Marin County, as now or hereafter amended, said 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 said District, such payment will be made to said District in the manner and at the time as provided by the rules and regulations or ordinances of said District, as now or hereafter amended.

2. Upon and after the effective date of the annexation of territory to Sanitary District No. 6 of Marin County, 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 said District; shall have the same rights and duties as if the territory had been a part of said 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 said District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals of rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations, and ordinances of said District.

The boundary of Novato Sanitary District No. 6 proposal to annex territory designated as McClay Road Annexation 1977-9, is hereby modified. Said boundaries are illustrated on an attached map identified in Exhibit A.

Section 4. The City of Novato, pursuant to Section 56271.1 of the Government Code, is designated as the conducting agency for further proceedings, and is hereby directed to initiate such proceedings in compliance with this resolution and provisions of law; and is authorized to take such proceedings without notice and hearing pursuant to Section 56261 of the California Government Code.

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, a Negative Declaration has been issued.

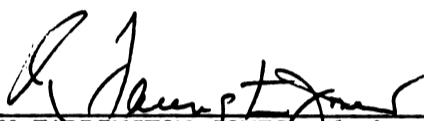
Section 6. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner prescribed in Section 56272 of the Government Code.

PASSED AND ADOPTED by the Local Agency Formation Commission of the County of Marin on this 9th day of November, 1977, by the following vote:

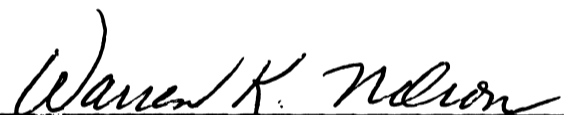
AYES: Commissioners Baptiste, Mulryan, Roumiguere, Violich and Jones.

NOES: None

ABSENT: None

  
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ROY FARRINGTON JONES, Chairman  
Marin Local Agency Formation Commission

ATTEST:

  
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WARREN K. NELSON, Executive Officer

DATE:

November 9, 1977

December 7, 1977

McCLAY ROAD REORGANIZATION NO. 1  
To The City of Novato and Novato Sanitary District No. 6

EXHIBIT A  
Legal Description

Beginning at a point on the Novato City Limits being distant North  $60^{\circ}45'00''$  West, 15.00 feet from the most easterly corner of Lot 208 per "Amended Map No. 1 of Subdivision C of the Novato Ranch, Marin County, Cal." recorded in Book 3 of Maps at Page 53, Marin County Records, said point also being on the westerly line of McClay Road; thence leaving said Novato City Limits and along said westerly line of McClay Road, South  $29^{\circ}15'00''$  West, 495.00 feet; thence leaving said westerly line of McClay Road, North  $60^{\circ}45'00''$  West, 645.00 feet; thence South  $29^{\circ}15'00''$  West, 165.00 feet to the most westerly corner of said Lot 208; thence South  $60^{\circ}45'00''$  East, 675.00 feet to a point on the easterly line of McClay Road; thence along said easterly line of McClay Road North  $29^{\circ}15'00''$  East, 660.00 feet to a point on the Novato City Limits; thence northwesterly along said Novato City Limits to the point of beginning.

Said parcel containing 2.90 acres more or less.