

**MARIN LOCAL AGENCY FORMATION COMMISSION**

**RESOLUTION 22-05**

**RESOLUTION APPROVING AN ANNEXATION OF 1203 SIMMONS LANE TO NOVATO SANITARY DISTRICT WITH WAIVER OF NOTICE, HEARING AND PROTEST PROCEEDINGS**

“Annexation of 1203 Simmons Ln., Novato (APN 141-090-45) to Novato Sanitary District (LAFCo File #1364)”

**WHEREAS** Jose Zaragoza, hereinafter referred to as “Property Owner,” has filed a validated landowner petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS** the proposal seeks Commission approval to annex approximately .97 acres of incorporated land to Novato Sanitary District; and

**WHEREAS** the affected territory represents an entire lot developed with an existing single-family residence located at 1203 Simmons Lane and identified by the County of Marin Assessor’s Office as APN 141-090-45 (“Property”); and

**WHEREAS** the Commission’s staff has reviewed the proposal and prepared a report with recommendations; and

**WHEREAS** the staff’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

**WHEREAS** the Commission considered all the factors required by law under Government Code Section 56668 and 56668.3 and adopted local policies and procedures.

**WHEREAS** the proposal is for an annexation of territory that is uninhabited, and no affected local agency has submitted a written demand for notice and hearing as provided for in Government Code section 56662(a).

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

Section 1. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described and depicted in Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

1. Approve the proposed annexation of 1203 Simmons Ln. (APN 141-090-45) to Novato Sanitary District (File #1364) as shown and described on Exhibits “A” and “B”.

Section 2. The territory includes 1.01 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Annexation of 1203 Simmons Ln., Novato (APN 141-090-45) to Novato Sanitary District (LAFCo File #1364).”

Section 3. The proposal is consistent with the adopted sphere of influence of Novato Sanitary District.

Section 4. The Executive Officer is hereby authorized to waive notice and hearing, and protest proceedings and complete reorganization proceedings.

Section 5. As Lead Agency under CEQA for the proposed annexation of APN 141-090-45 to Novato Sanitary District, LAFCo finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319 (a).

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on February 10, 2022 by the following vote:

AYES: McEntee, Kious, Rodoni, Coler, Moody, Loder

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

*Sashi McEntee*

\_\_\_\_\_  
Sashi McEntee, Chair

ATTEST:

*Jason Fried*  
\_\_\_\_\_  
Jason Fried, Executive Officer

APPROVED AS TO FORM:

*Malathy Subramanian*  
Malathy Subramanian (Feb 14, 2022 13:29 PST)  
\_\_\_\_\_  
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 22-05

- a) Exhibit A – Legal Description
- b) Exhibit B – Map

# EXHIBIT A

1203 SIMMONS LANE, NOVATO  
ANNEXATION TO THE  
NOVATO SANITATION DISTRICT  
LAFCO FILE NO. 1363  
MAPPING NO. \_\_\_\_\_

All that certain real property, situate in the County of Marin, State of California, being a portion of the Lands granted to Jose A. Zaragoza by Grant Deed recorded on August 23, 2019 by Document Number 2019-0030303, Marin County Records, and also being a portion of Rancho De Novato, and is described as follows:

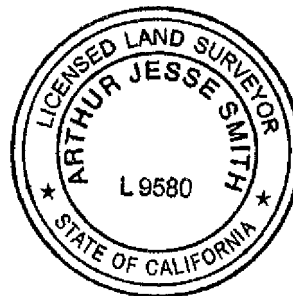
**BEGINNING** at a point in the Westerly line of Lot 51, as said Lot is shown on that certain Map entitled "Subdivision Two, Sweetser Ranch, Novato, Cal." filed Nov. 14, 1914 in Book 4 of Maps at Page 59, Marin County Records, which point bears South 16° 56' West, 429.44 feet from the Northwest corner thereof; running:

1. Thence from said point of beginning, along the existing Sanitation District Boundary, South 16° 56' West, 87.16 feet;
2. Thence South 40° 47' West, 85 feet;
3. Thence leaving said line South 49° 24' East, 241.92 feet (erroneously 214.92 feet in deed);
4. Thence North 20° 36' East, 249.50 feet;
5. Thence North 69° 24' West, 203.57 feet to the **POINT OF BEGINNING**.

Containing approximately 1.01 acres, more or less.

Prepared by:  
ILS Associates, Inc.

*Arthur J. Hill* 12-16-21  
Arthur Jesse Smith, P.L.S. 9580



# EXHIBIT B

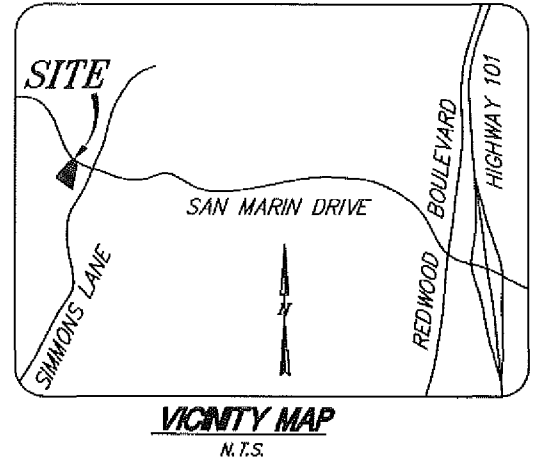


**ILS ASSOCIATES, INC.®**  
 Civil Engineering & Land Surveying  
 79 Galli Drive, Suite A  
 Novato, Ca 94949-5717  
 (415)883-9200 FAX (415)883-2763

DRAWN: J.P.G	JOB NO: 9545
DATE: 12/14/21	SHEET NO. 1 OF 1

**1203 SIMMONS LANE  
 ANNEXATION TO THE  
 NOVATO SANITARY SEWER DISTRICT**

LAFCO FILE NO. 1363  
 MAPPING NO. \_\_\_\_\_



*Arthur Jesse Smith*  
 12-16-21

LANDS OF THE CITY  
 OF NOVATO  
 A.P.N. 141-090-46  
 D.N. 1984-0019607

11 MAPS 85

POINT OF BEGINNING

A.P.N. 124-470-13

S40°47'00"W  
 85.00'

LANDS OF ZARAGOZA  
 1203 SIMMONS LANE  
 A.P.N. 141-090-45  
 D.N. 2019-0030303  
 CONTAINS 1.01 ACRES

PORTION OF RANCHO DE NOVATO

ROADWAY  
 EASEMENT  
 40'

LANDS OF SANCHEZ  
 1199 SIMMONS LANE  
 A.P.N. 141-090-43  
 D.N. 2019-0033116 LOT A  
 3 OS 84

241.92' (214.92' IN DEED)  
 S49°24'00"E

LOT 51  
 4 RM 59

LANDS OF  
 FRASERSMITH FAMILY  
 TRUST  
 1197 SIMMONS LANE  
 A.P.N. 141-090-44  
 D.N. 2012-0062867


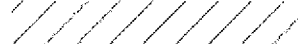
LOT B  
 3 OS 84

A.P.N. 141-041-31

SCALE: 1"=60'

LANDS OF MC CALLION PROPERTIES LLC  
 1191 SIMMONS LANE  
 A.P.N. 141-041-32  
 D.N. 2016-0040674

**LEGEND**

-  EXISTING SANITARY SEWER DISTRICT BOUNDARY
-  AREA TO BE ANNEXED
- A.P.N. ASSESSOR'S PARCEL NUMBER
- D.N. DOCUMENT NUMBER