

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 03-14

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

"Annexation of the Lands of Sproete to Novato Sanitary District (File #1244)"

WHEREAS, a proposal for the annexation of certain territory to the City of Novato and to the 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 a petition filed by the property owner; and

WHEREAS, pursuant to Government Code Section 56663, when a petition 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, pursuant to Government Code Section 56663(c), the affected territory is uninhabited; all the owners of land within the affected territory have given their written consent; and the affected local agency that will gain territory, Novato Sanitary District, has consented in writing to a waiver of protest proceedings, this Commission may make determination with respect to said application with waiver of protest proceedings; and

WHEREAS, the Executive Officer has reviewed the application and prepared a report, including a recommendation thereon, the application and report having been presented to and considered by this Commission.

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 in Exhibits "A" and "B" attached hereto and by this reference incorporated herein.

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 Don Hiller

Section 2. The territory includes 11.74 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Sproete to Novato Sanitary District (File #1244)".

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

Section 4. The Commission certifies that it has reviewed and considered the mitigated Negative Declaration of Environmental Impact prepared for this project by the City of Novato and adopted by their Resolution No. 28-03 dated March 17, 2003.

Section 5. The Commission finds that changes or alterations to the project and mitigation measures to lessen environmental effects to less than significant levels as identified in the Mitigated Negative Declaration are within the responsibility of the Novato Sanitary District and the City of Novato and not LAFCO. The City of Novato, acting as lead agency, has adopted a mitigation monitoring and reporting plan in which the District staff and the staff of the City of Novato are responsible for compliance and are empowered to sanction non-compliance.

Section 6. The Executive Officer is hereby authorized to complete reorganization proceedings in the manner prescribed by Section 57000 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 10th day of July, 2003 by the following vote:

AYES: Commissioners Adams, Blanchfield, Chapman, Heller, Rodoni, Rose and Slavitz

NOES: None

ABSENT: None



JEFFRY BLANCHFIELD, Chairperson

ATTEST:


PETER V. BANNING, Executive Officer

EXHIBIT "A"

ANNEXATION OF THE
LANDS OF SPROETE
TO
NOVATO SANITARY DISTRICT
LAFCO FILE NO. 1244
MAPPING NO. 04/03

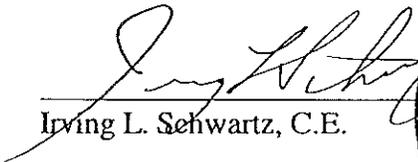
BEGINNING AT a point on the existing boundary of the Novato Sanitary District said point also being the intersection of the easterly line of Marion Avenue with the southerly line of Anna Court as shown on the Map of Marion Hills Subdivision filed in Book 20 of Maps at Page 5, Marin County Records, also being the northwesterly corner of Lot 77 of the map entitled "Subdivision Three, Sweetser Ranch, Novato, Ca." filed in Book 4 of Maps at Page 60, Marin County Records;

1. Thence, southeasterly along on the existing boundary of the Novato Sanitary District also being the common boundary of said Maps of Marion Hills and Sweetser Ranch, South $57^{\circ}16'01''$ West, 871.21 feet;
2. Thence leaving said subdivision boundaries and continuing along said Sanitary District Boundary, South $42^{\circ}04'30''$ East, 173.00 feet;
3. Thence North $70^{\circ}20'$ East, 96.00 feet;
4. Thence North $76^{\circ}35'$ East, 59.00 feet;
5. Thence, leaving said Sanitary District Boundary, South 33° East, 94.00 feet;
6. Thence South $65^{\circ}30'$ East, 94.00 feet;
7. Thence South $14^{\circ}02'$ East, 16.15 feet;
8. Thence North $72^{\circ}46'30''$ West, 17.74 feet;
9. Thence South $11^{\circ}46'$ West, 188.7 feet;
10. Thence South $07^{\circ}42'30''$ West, 117.60 feet;
11. Thence South $04^{\circ}49'26''$ West, 206.98 feet to the northerly right of way line of Marion Avenue also being the southerly line of Lot 76 of Subdivision Three, Sweetser Ranch, also being the Novato Sanitary District Boundary;
12. Thence, westerly along said boundary line, North $69^{\circ}54'$ West 150.34 feet to the common corner of Lots 76 and 77 of said Sweetser Ranch;
13. Thence, continuing along said Novato Sanitary District boundary and said northerly right of way line of Marion Avenue and the southerly boundary of Lot 77, North $50^{\circ}48'$ West, 107.1 feet;
14. Thence North $27^{\circ}29'$ West, 182.5 feet;
15. Thence North $62^{\circ}22'$ West, 307.7 feet;
16. Thence North $56^{\circ}46'$ West, 131.0 feet;
17. Thence North $55^{\circ}52'$ West, 184.33 feet to an angle point in said Novato Sanitary District boundary;

18. Thence, leaving said Sanitary District boundary and continuing along the northerly right of way line of Marion Avenue and the southerly boundary line of Lot 77, North 55°52' West, 19.07 feet;
19. Thence North 38°42' West, 217.4 feet;
20. Thence North 27°06' West, 164.1 feet to an angle point in said Sanitary District boundary;
21. Thence, continuing along the northerly right of way line of Marion Avenue and the southerly boundary of Lot 77 and the boundary of the Sanitary District, North 4°33' East 263.9 feet to the **POINT OF BEGINNING**, containing 11.74 acres, more or less.

Prepared by:

ILS ASSOCIATES, INC.


Irving L. Schwartz, C.E.



