

EXHIBIT B"

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 93-12

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
SUBJECT TO NOTICE, HEARING AND ELECTION REQUIREMENTS
TO THE NOVATO SANITARY DISTRICT

"ATHERTON AVENUE ANNEXATION 1993-6 (RUSH CREEK)"

WHEREAS, a proposal for the annexation of certain territory 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 Resolution No. 2495 a Resolution of Application adopted by the Board of Directors of the Novato Sanitary District; and

WHEREAS, at the time and in the form and manner prescribed by law, the Executive Officer has given notice of public hearing by this Commission upon said proposal; and

WHEREAS, the public hearing on said proposal was held by this Commission upon the date and at the time and place specified in said notice of public hearing, and all interested persons present were afforded an opportunity to speak and be heard on the matter; and

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

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. 2495, adopted by the Board of Directors of the Novato Sanitary District, is approved.

Section 2. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibit "A," attached hereto and by this reference incorporated herein.

Section 3. The territory includes 71.99 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Atherton Avenue Annexation 1993-6 (Rush Creek)" to the Novato Sanitary District.

Section 4. The proposal is consistent with the spheres of influence of affected local agencies.

Section 5. Any resolution authorizing the annexation approved by this resolution shall impose the following terms and conditions:

- 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 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 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 principle, 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 6. The Novato Sanitary District, in the County of Marin, is designated as the conducting authority for further proceedings, and the Board of said District is hereby directed to initiate proceedings in compliance with this resolution and is authorized to take further proceedings upon said annexation in compliance with applicable provisions of State law.

Section 7. In accordance with applicable provisions contained in the adopted Marin Local Agency Formation Commission Environmental Guidelines and Procedures, the County of Marin as the appropriate lead agency, has completed an Environmental Impact Report (EIR) titled "Rush Creek Estates." This document was certified by the County of Marin on September 30, 1992. The Marin Local Agency Formation Commission hereby certifies that the Commission has considered said documents.

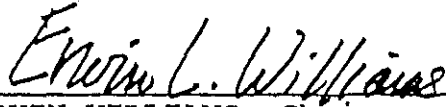
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on the 4th day of November 1993 by the following vote:

AYES: Commissioners Bevis, Breiner, Giacomini, Richardson and Williams

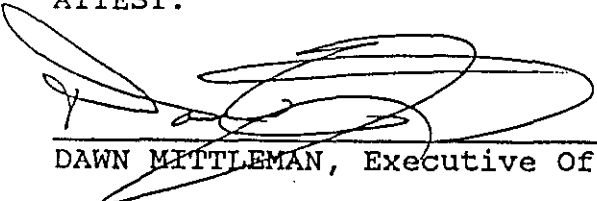
NOES: None

ABSENT: None



ERWIN WILLIAMS, Chairman
Marin Local Agency Formation
Commission

ATTEST:



DAWN MITTLEMAN, Executive Officer

Dated: November 4, 1993

8/25/93

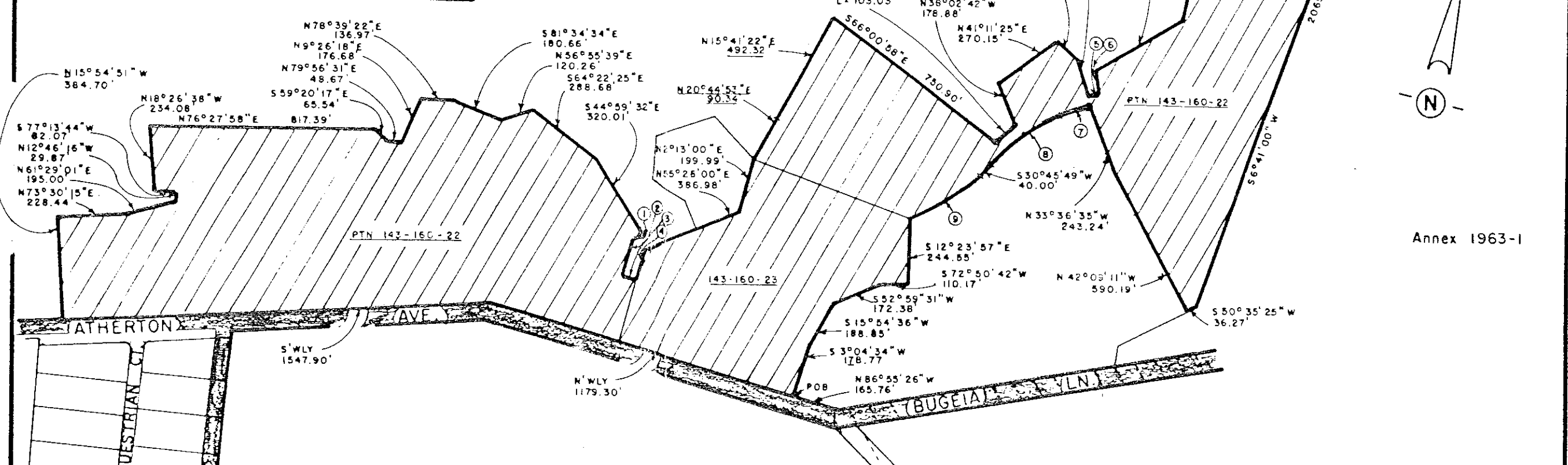
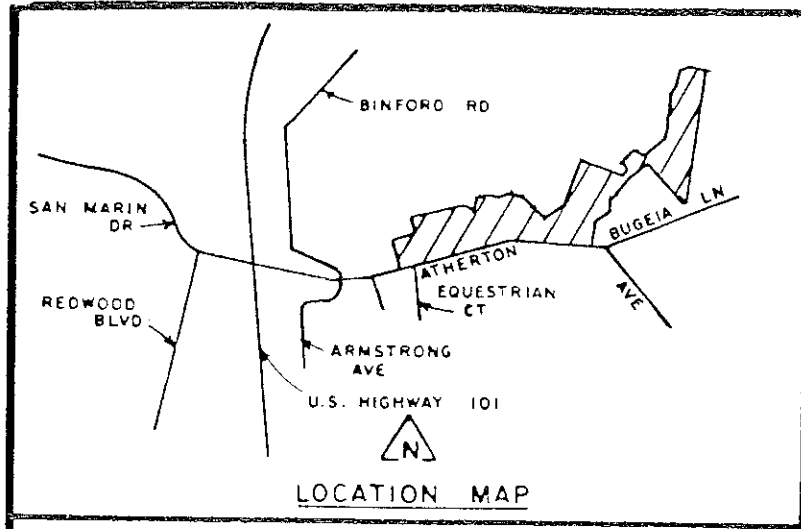
NOVATO SANITARY DISTRICT

Atherton Avenue Annexation 1993-6 (Revised)
Exhibit "A"

Beginning at a point on the existing District boundary, said point being on the northerly line of that certain unnamed Road (now named Atherton Avenue) that forms the northerly border of Lot 8, distant thereon North $86^{\circ}55'26''$ West 165.76 feet from its intersection with another unnamed Road (now named Bugeia Lane) that forms the northwesterly border of Lot 31, as said Roads and Lot are shown upon that certain map entitled "Map of East Part Rancho de Novato, Marin County, California" filed March 22, 1889, Rack 2 Pull 3, Marin County Records; running thence from said point of beginning along said northerly line of Atherton Avenue and along said Sanitary District boundary Northwesterly 1179.30 feet; thence Southwesterly 1547.90 feet; thence leaving said northerly line of Atherton Avenue and said Sanitary District boundary North $15^{\circ}54'51''$ West 384.70 feet; thence North $73^{\circ}30'15''$ East, 228.44 feet; thence North $61^{\circ}29'01''$ East, 195.00 feet; thence North $12^{\circ}46'16''$ West, 29.87 feet; thence South $77^{\circ}13'44''$ West, 82.07 feet; thence North $18^{\circ}26'38''$ West, 234.08 feet; thence North $76^{\circ}27'58''$ East, 817.39 feet; thence South $59^{\circ}20'17''$ East, 65.54 feet; thence North $79^{\circ}56'31''$ East, 48.67 feet; thence North $9^{\circ}26'18''$ East, 176.68 feet; thence North $78^{\circ}39'22''$ East, 136.97 feet; thence South $81^{\circ}34'34''$ East, 180.66 feet; thence North $56^{\circ}55'39''$ East, 120.26 feet; thence South $64^{\circ}22'25''$ East, 288.68 feet; thence south $44^{\circ}59'32''$ East, 320.01 feet; thence South $55^{\circ}27'59''$ West, 28.59 feet; thence South $4^{\circ}12'00''$ East, 144.55 feet; thence on a curve to the left having a radius of 400.00 feet, which center bears North $4^{\circ}24'06''$ East, through a central angle of $7^{\circ}10'45''$ for an arc distance of 50.12 feet; thence North $4^{\circ}12'00''$ East, 117.59 feet; thence North $55^{\circ}28'00''$ East, 386.98 feet; thence North $2^{\circ}13'00''$ East, 199.99 feet; thence North $20^{\circ}44'53''$ East, 90.34 feet; thence North $15^{\circ}41'22''$ East, 492.32 feet; thence South $66^{\circ}00'58''$ East, 750.90 feet; thence on a curve to the right having a radius of 770.00 feet, which center bears South $56^{\circ}40'40''$ East, through a

central angle of $7^{\circ}39'58''$, for an arc distance of 103.03 feet; thence North $38^{\circ}02'42''$ West, 178.88 feet; thence North $41^{\circ}11'25''$ East, 270.15 feet; thence South $59^{\circ}24'32''$ East, 113.51 feet; thence South $32^{\circ}04'31''$ East, 127.48 feet; thence on a curve to the right having a radius of 540.00 feet, whose center bears South $23^{\circ}41'46''$ East, through a central angle of $3^{\circ}58'16''$, for an arc distance of 37.43 feet; thence North $23^{\circ}37'26''$ West, 84.14 feet; thence North $46^{\circ}21'38''$ East, 378.38 feet; thence North $1^{\circ}01'00''$ West, 286.77 feet; thence North $6^{\circ}03'59''$ East, 123.25 feet; thence North $23^{\circ}43'32''$ East, 128.09 feet; thence North $9^{\circ}19'35''$ East, 218.84 feet; thence North $30^{\circ}54'02''$ East, 129.33 feet; thence North $4^{\circ}15'16''$ East, 218.70 feet; thence North $78^{\circ}58'39''$ East, 176.00 feet; thence South $74^{\circ}12'29''$ East, 200.63 feet; thence South $6^{\circ}41'00''$ West, 2,069.33 feet; thence South $50^{\circ}35'25''$ West, 36.27 feet; thence North $42^{\circ}09'11''$ West, 590.19 feet; thence North $33^{\circ}36'35''$ West, 243.24 feet; thence on a curve to the left having a radius of 500.00 feet, whose center bears South $23^{\circ}22'09''$ East, through a central angle of $11^{\circ}23'24''$, for an arc distance of 99.40 feet; thence on a compound curve to the left having a radius of 730.00 feet, whose center bears South $34^{\circ}45'33''$ East, through a central angle of $24^{\circ}28'38''$, for an arc distance of 311.86 feet; thence South $30^{\circ}45'49''$ West, 40.00 feet; thence on a tangent curve to the right having a radius of 740.00 feet, whose center bears North $59^{\circ}14'11''$ West, through a central angle of $26^{\circ}43'27''$, for an arc distance of 345.15 feet; thence South $12^{\circ}23'57''$ East, 244.55 feet; thence South $72^{\circ}50'42''$ West, 110.17 feet; thence South $52^{\circ}59'31''$ West, 172.38 feet; thence South $15^{\circ}54'36''$ West, 188.85 feet; thence South $3^{\circ}04'34''$ West, 178.77 feet to a point on said Northerly line of Atherton Avenue and said point of beginning.

Containing 71.99 acres more or less.



- Annex 1964-28
- 1 S 85°27'59"W 28.59'
 - 2 S 04°12'00"E 144.55'
 - 3 R=400' A=7°10'45" L=50.12'
 - 4 N 04°12'00"E 117.59'
 - 5 R=540' A=3°58'16" L=37.43'
 - 6 N 23°37'26"W 84.14'
 - 7 R=500' A=11°23'24" L=99.40'
 - 8 R=730' A=24°28'38" L=311.86'
 - 9 R=740' A=26°43'27" L=345.15'
- Area = 71.99 ac

KEY:

- Existing District Boundary
- Proposed Annexation
- Novato City Boundary

N Indicates revised call



Annex 1963-1

NOVATO SANITARY DISTRICT		
SANITARY DISTRICT NO. 6		
MARIN COUNTY CALIFORNIA		
ATHERTON AVE ANNEX 1993-6		
SCALE: 1" = 40'	APPROVED BY: 	DATE: 8-31-93
DRAWN BY: RB	MANAGER-ENGINEER	DRAWING NO.
CHECKED BY: 		