

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 05-06

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

"Annexation of the Lands of Hanf-Otterley to Novato Sanitary District (File #1266)"

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 petition filed by the property owners; and

WHEREAS, pursuant to Government Code Section 56663, when a resolution 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 Candice Cozzano

Section 2. The territory includes 13.66 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of Hanf-Otterley to Novato Sanitary District (File #1266)".

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 resolution on July 14, 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 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 staff of the City of Novato is responsible for compliance and is empowered to sanction non-compliance.

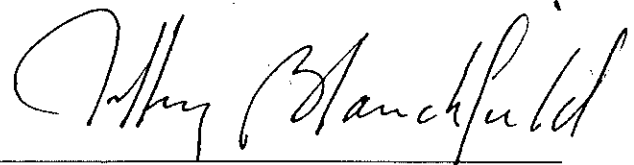
Section 6. The Executive Officer is hereby authorized to complete reorganization proceedings in the manner prescribed by Section 57000 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 13th day of October, 2005 by the following vote:

AYES: Commissioners Adams, Asbo, Blanchfield, Heller, McGlashan, Rodoni and Slavitz.

NOES: None

ABSENT: None



JEFFRY BLANCHFIELD, Chairperson

ATTEST:


PETER V. BANNING, Executive Officer

EXHIBIT "A"

LEGAL DESCRIPTION

Annexation of the Lands of Hanf-Otterley to Novato Sanitary District (File #1266)
County of Marin Mapping No. 07-05

The land referred to herein is situate in the City of Novato, County of Marin, State of California, being the lands of Hanf and Otterley as described in that certain deed recorded under Document Number 2004-002194, and as shown on that certain Record of Survey Map filed in Book 2004 of Maps at Page 103, Marin County Records, and more particularly described as follows:

Beginning at the Northwest corner of said lands of Hanf and Otterley, said corner is marked with a 3/4 inch iron pipe and Tag "LS 3303", said pipe bears North 77°22' 02" East, 64.05 feet from an iron pipe monument at the easterly end of Reservoir Drive as shown on the above mentioned Record of Survey; thence from said Point of Beginning the following courses and distances: (1) North 77° 22' 02" East, 385.10 feet, (2) South 51° 53' 58" East, 441.41 feet, (3) South 21° 39' 42" West, 544.93 feet, (4) North 75° 32' 24" West, 396.51 feet, (5) South 66° 12' 00" West, 502.00 feet, (6) South 37° 50' 00" West, 16.37 feet, (7) North 77° 05' 54" West, 190.78 feet, (8) North 38° 12' 36" East, 206.17 feet, (9) North 34° 42' 36" East, 678.88 feet, (10) North 03° 45' 36" East, 48.53 feet to the Point of Beginning of the land herein described.

Containing 13.66 acres, more or less.

The basis of bearings for this description is the above mentioned Record of Survey Map.

(A.P.N. 153-182-43)

Prepared by:

CSW/STUBER-STROEH ENGINEERING GROUP, INC.

John J. FitzGerald, P.L.S. # 4419 Date
(License Renewal 9-30-07)
File: 1.732.00

Exhibit "B"

"Annexation of the Lands of Hanf-Otterley to Novato Sanitary District
(File #1266)"

Refer to:

RECORDED ON _____, 2005

AS BOOK _____ OF MAPS,

PAGE _____;

MARIN COUNTY RECORDER

*filed
12/30/05
Waiting to get
book info
from Recorder*