

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 07-02

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

Annexation of the Lands of BPG Novato LLC to Novato Sanitary District
(File #1274)

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 owner; 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 determinations 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 determinations with respect to said application with waiver of protest proceedings; and

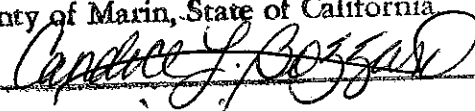
WHEREAS, the Executive Officer has reviewed the application and prepared a report, including a recommendation thereon, the application and report having been presented to and considered by this Commission.

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

Section 1. The Commission certifies that it has reviewed and considered the Initial Study and Mitigated Negative Declaration of Environmental Impact prepared for this project by the City of Novato.

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



Section 2. 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 staff of the City of Novato are responsible for compliance and are empowered to sanction non-compliance.

Section 3. 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.

Section 4. The territory includes 3.96 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of the Lands of BPG Novato LLC to Novato Sanitary District (File #1274)".

Section 5. The proposal is consistent with the adopted sphere of influence for Novato Sanitary District.

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 26th day of January 2007 by the following vote:

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

NOES: None

ABSENT: Commissioner McGlashan



JEFFRY BLANCHFIELD, Chairperson

ATTEST:



PETER V. BANNING, Executive Officer

EXHIBIT "A"
ANNEXATION OF THE LANDS OF BPG NOVATO, LLC
TO NOVATO SANITARY DISTRICT
FILE NUMBER 1274 MAPPING NUMBER 06/03

That certain parcel of land situate in the City of Novato, County of Marin, State of California, more particularly described as follows:

BEGINNING at the most northerly corner of Parcel C, as shown on the "Map of South Gate Subdivision - Phase 2", filed September 30, 1998 in Book 1998 of Maps at page 119, Marin County Records, said point being at the intersection of the courses South 62°20'40" West, 536.54 feet and North 43°42'20" West, 395.83 feet, said point also being a point on the existing Boundary of Novato Sanitary District;

- 1 thence from said Point of Beginning, along the northwesterly line of said Parcel C, said line also being the existing Boundary of Novato Sanitary District, South 62°20'40" West, 388.85 feet;
- 2 thence leaving northerly line of said Parcel C, and running along said boundary of Novato Sanitary District, North 28°40'58" West, 309.03 feet;
- 3 thence continuing along said boundary of Novato Sanitary District, South 59°44'00" West, 40.00 feet;
- 4 thence leaving said boundary of Novato Sanitary District, North 29°10'00" West, 119.18 feet;
- 5 thence North 59°55'00" East, 420.24 feet;
- 6 thence South 29°55'44" East, 444.45 feet to the Point of Beginning.

Said property contains 3.96 acres, more or less.

Prepared by CSW/Stuber-Stroeh Engineering Group, Inc.

Ronald B. Simpkins, L.S. No. 3201, Exp. 6/30/06
 Date: 03/08/06 File: 8,410.090 Checked by:

Ron S. - 8,410.090-BPG-Annex.wpd





LANDS OF UNITED STATES OF AMERICA
A.P.N. 157-690-50

N59°55'00"E
420.24'

S29°55'44"E
444.45'

TRUE POINT OF BEGINNING

N43°42'20"W
395.83'

LANDS OF BPG NOVATO, LLC
HANGAR AVENUE
A.P.N. 157-690-51
(ACRES = 3.98±)

PARCEL C
(1998 M 119)

S62°20'40"W
388.85'
536.54' (T)

N29°10'00"W
119.18'

N28°40'58"W

S59°44'00"W
40.00'
309.03'





LANDS OF BPG NOVATO, LLC
A.P.N. 157-700-02
REORGANIZATION 1993-1

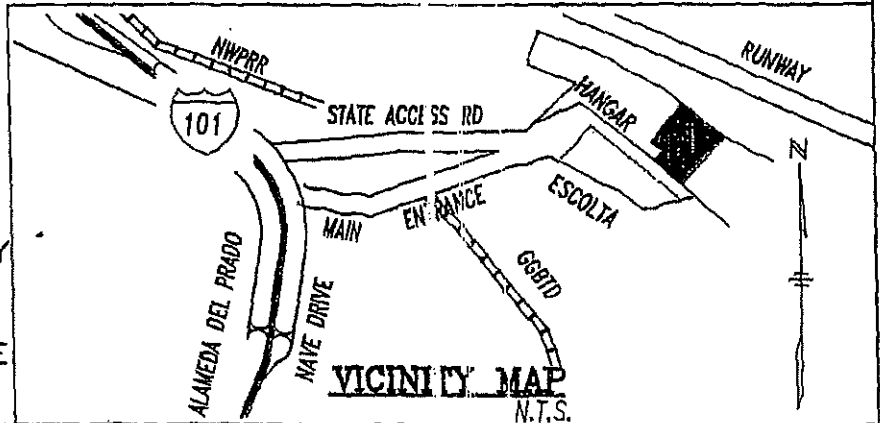
HANGAR AVENUE

EXHIBIT "B"

MAPPING NO. 06/03

LEGEND:

-  EXISTING NSD BOUNDARY
-  RIGHT OF WAY
-  PROPOSED ANNEXATION
-  EXISTING PROPERTY LINE



CSW
[St]² CSW/STUBER-STROEH
ENGINEERING GROUP, INC.
CONSULTING ENGINEERS
790 DeLong Ave., Novato, CA. 94945-3246
(415) 892-4763 FAX (415) 892-4502
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REV. January 2006
1 inch = 100 ft.

**ANNEXATION OF THE LANDS OF
BPG NOVATO, LLC
TO NOVATO SANITARY DISTRICT (FILE #1274)
NOVATO MARIN COUNTY CALIFORNIA**

JOB #B-410-090

A-1219