

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 89-20

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION
TO THE NOVATO SANITARY DISTRICT

"DOW LANE ANNEXATION 1989-7"

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. 2340, 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 his 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. 2340, 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 4.04 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Dow Lane Annexation 1989-7" 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 terms and conditions, as set forth in Exhibit "B," attached hereto and incorporated herein.

Section 6. The Novato Sanitary District is designated as the conducting district 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. The project is categorically exempt pursuant to provisions of the California Environmental Quality Act and the Commission's Environmental Guidelines.

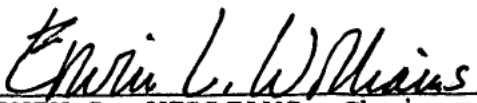
Section 8. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on the 9th day of November 1989 by the following vote:

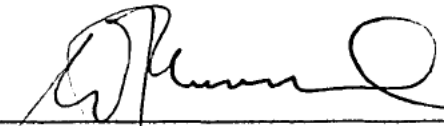
AYES: Commissioners Aramburu, Breiner, Foote, Stockwell and Williams

NOES: None

ABSENT: None


ERWIN L. WILLIAMS, Chairman
Marin Local Agency Formation
Commission

ATTEST:


WALTER J. MONASCH, Executive Officer

Dated: November 13, 1989

7/25/89

NOVATO SANITARY DISTRICT

DOW LANE ANNEX 1989-7

Exhibit "A"

BEGINNING at a point on the existing boundary of Novato Sanitary District, said point being on the northerly line of Lot 178, distant thereon North 60° 45' West 112 feet from its intersection with the westerly line of McClay Road (MacLay Avenue) as said Lot and Road are shown upon that certain map entitled "Map of Subdivision 'A' and 'B' of the Novato Ranch, Marin County, California", filed November 18, 1909 in Book 3 of Maps at Page 36, Marin County Records; running thence along said northerly line of Lot 178 and along said Sanitary District boundary Northwesterly 533 feet to the most northerly corner of said Lot 178; thence continuing along said Sanitary District boundary and running along the westerly line of said Lot 178 Southwesterly ³³⁸~~330~~ feet; thence leaving said westerly line and continuing along said Sanitary District boundary Southeasterly 533 feet to a point that bears North 60° 45' West 112 feet from said westerly line of McClay Road; thence Northeasterly ³³⁸~~330~~ feet to the point of beginning.

Containing 4.04 acres, more or less.

EXHIBIT "B"

NOVATO SANITARY DISTRICT

The annexation shall be subject to the following terms and conditions:

1. 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 a 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 any 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.
2. 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 principal, 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.

