

RESOLUTION NO. 7, 2020-21

RESOLUTION OF INTENTION TO CONVEY PERMANENT EASEMENTS TO THE SACRAMENTO MUNICIPAL UTILITY DISTRICT

WHEREAS the Elk Grove Unified School District (District) is the owner of certain real property designated as APN 125-0100-003-0000 in Elk Grove, California, upon which the Joseph Kerr Middle School is located (Property); and

WHEREAS the Sacramento Municipal Utility District (SMUD) desires to acquire an easement to construct and maintain electrical service improvements (Facilities) on the Property; and

WHEREAS District understands and acknowledges that the Facilities will be installed within the Easement Area based on SMUD's design and actual site conditions. Upon completion of the installation, SMUD shall obtain a survey by a licensed land surveyor setting forth a legal description of the area actually occupied by the Facilities and required for complete enjoyment of the rights granted herein. SMUD will, within a reasonable period of time, record a Notice of Final Description of Easement Area referencing this document and setting forth the legal description of the surveyed area, which will thereupon become the Easement Area. Upon recordation of the Notice of Final Description, the scope of the easement granted by this document shall be limited to the property described in the Notice of Final Description plus the rights of ingress and egress; and

WHEREAS the Easements are not now and will not at the time of delivery of possession to SMUD be needed exclusively for classroom or other purposes by the District; and

WHEREAS it is in the best interest of the District to transfer the Easements to SMUD in that SMUD will construct and maintain the Facilities therein in order to support the District's use of the Property;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Education Code section 17556, et seq., it is the intention of the District, Elk Grove, California, acting by and through its Governing Board, to grant to SMUD, an Easement for electrical and communication facilities on the Joseph Kerr Middle School property. This easement is described as follows:

Exhibit A: Grant of Easement

Attached hereto and made a part of

BE IT FURTHER RESOLVED that the 15th day of September, 2020, at the hour of 6:00 p.m., or as soon thereafter as the matter can be heard, at a time not less than ten (10) days after the adoption of this Resolution, is the time set for the public meeting of the Board of Education hereof held at its regular place of meeting for a public hearing upon the question of conveying said Easement at which time any person interested thereon may appear and may be heard thereon; and

BE IT FURTHER RESOLVED that notice of adoption of this Resolution be given by posting a true copy of this Resolution in three public places in the District not less than 5 days before the date of the public hearing as aforesaid fixed; and

BE IT FURTHER RESOLVED that notice of said public meeting of aforesaid be given by publication in a newspaper of general circulation, published by the District, or in a newspaper published in the county in which the District or any part thereof is situated and having a general circulation in the District, not less than five (5) days before the date of the public hearing as aforesaid fixed.

The foregoing Resolution was adopted at a meeting of the Board of Education of the Elk Grove Unified School District on September 1, 2020, by the following two-thirds vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ELK GROVE UNIFIED SCHOOL DISTRICT OF SACRAMENTO
COUNTY, a political subdivision of the State of California

Christopher R. Hoffman, Secretary to the Governing Board of the
Elk Grove Unified School District