

## **RESOLUTION NO. 8, 2020-21**

### **RESOLUTION CONVEYING PERMANENT ELECTRICAL FACILITIES EASEMENT 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 at no cost to the District, an Electric Facilities Easement to construct and maintain electric service improvements 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 the 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 the SMUD in that the SMUD will construct and maintain the Electric Facilities therein in order to support the District's use of the Property;

**NOW THEREFORE BE IT RESOLVED AND ORDERED** that pursuant to Education Code Section 17556, et seq., it is the intention of the Elk Grove Unified School District, Elk Grove, California, acting by and through its Governing Board, to Grant to the SMUD, an Easement for Electric Facilities purposes at Joseph Kerr Middle School. This easement is described as follows:

#### **Exhibit A: Grant of Easement**

Attached hereto and made a part hereof

**WHEREAS**, the Board of Education adopted a Resolution of Intention to Convey such easements as Resolution No. 7, 2020-21, September 1, 2020; and

**WHEREAS**, notice was duly posted and published for a public hearing for the Board Meeting on September 15, 2020, at the hour of 6:00 p.m., or as soon thereafter as the matter may be heard; and

**WHEREAS**, a public hearing was held on September 15, 2020, at which time no comments were

heard, nor has a petition been submitted protesting the proposed easements signed by at least ten percent (10%) of the qualified electors of the District.

**NOW THEREORE BE IT FURTHER RESOLVED** that the Superintendent, or his authorized designee, and to the extent required by law, the President of the Board of Education, are authorized to execute such easement documents as necessary to carry out the purpose of this Resolution.

The foregoing Resolution was adopted at a meeting of the Board of Education of the Elk Grove Unified School District on September 15, 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

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