

IRVINE UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 16-17-31

**RESOLUTION OF THE BOARD OF EDUCATION OF
THE IRVINE UNIFIED SCHOOL DISTRICT
GIVING NOTICE OF INTENT TO GRANT EASEMENT TO
IRVINE RANCH WATER DISTRICT**

WHEREAS, the Irvine Ranch Water District (“IRWD”) has requested that the Irvine Unified School District (“District”) dedicate an easement to the IRWD located upon a portion of the District’s property at Portola Springs High School. The purpose of the easement is for maintenance and operation of a water pipeline. A legal description and a map depicting the location of the Easement is attached hereto as Exhibits “A-1 & A-2” and “B-1 & B-2” and incorporated herein; and

WHEREAS, the School District desires to provide a non-exclusive easement and right-of-way to the Irvine Ranch Water District with regard to a water pipeline for the right to construct, re-construct, remove and replace, renew and inspect, maintain, repair, improve and otherwise use the property described in Exhibits A and shown in Exhibits B for these purposes; and

WHEREAS, the School District and surrounding community will benefit from the dedication of the Easement to the Irvine Ranch Water District by allowing the Irvine Ranch Water District to operate and maintain the water pipeline which provides water services to the Portola High School site. A legal description and a map depicting the location of the easement are attached hereto as Exhibits “A” and “B” and incorporated herein; and

WHEREAS, pursuant to Education Code section 17556, the governing board of a school district may convey, for easement purposes associated with public utilities, any real property belonging to the school district upon such terms and conditions as the parties thereto may agree; and

WHEREAS, pursuant to Education Code section 17557, the School District’s governing board must, prior to dedicating an easement, adopt a resolution declaring its intention to dedicate such easement in a regular open meeting by two-thirds (2/3) vote of all of its members; and

WHEREAS, pursuant to Education Code section 17557, the School District’s governing board must fix a time at its regular place of meeting for a public hearing upon the question making the dedication of an easement; and

WHEREAS, pursuant to Education Code section 17558, the School District is required to post copies of this Resolution, signed by the board, in three (3) public places within the School District’s boundaries not less than ten (10) days before the public hearing, and publish notice once, not less than five (5) days before the public hearing in a newspaper of general circulation published in the district, if there is one, or, if there is no such newspaper published in the district, then in a newspaper published in the county which has a general circulation in the district; and

WHEREAS, the actual Grant of Easement document, which needs to be executed and recorded after the fixed date of January 17, 2017 for the Public Hearing and subsequent approval

of second required Board Resolution Authorizing the Dedication of the Easement, is attached hereto directly following this Resolution;

NOW, THEREFORE, BE IT RESOLVED THAT

Section 1. That the above recitals are all true and correct.

Section 2. That the School District’s Board declares its intent to dedicate easement to the Irvine Ranch Water District upon the terms and conditions set forth in the recitals.

Section 3. That the Board establishes January 17, 2017 for a public hearing on the question of the School District’s intent to dedicate the easement to Irvine Ranch Water District.

Section 4. The School District staff shall post this resolution in three (3) public places within the School District’s boundaries and publish notice of the adoption of this resolution in compliance with Education Code section 17558.

APPROVED, PASSED AND ADOPTED by the Board of Education of the Irvine Unified School District this 13th day of December, 2016.

AYES:
NOES:
ABSTAIN:
ABSENT:

President of the Board of Education
Irvine Unified School District

STATE OF CALIFORNIA)

) ss.

COUNTY OF ORANGE)

I, _____, Clerk of the Board of Education of the Irvine Unified School District of Orange County, California, hereby certify that the above and foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the 13th day of December, 2016, and passed by a _____ vote of said Board.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____, 2016.

Clerk of the Board of Education
Irvine Unified School District