

THE IRVINE UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 14-15-49:

**RESOLUTION OF THE BOARD OF EDUCATION OF
THE IRVINE UNIFIED SCHOOL DISTRICT
APPROVING ACQUISITION OF WALL MAINTENANCE EASEMENT
ADJACENT TO PORTOLA SPRINGS ELEMENTARY SCHOOL**

WHEREAS, the Irvine Community Development Company, LLC (“ICDC”), is the developer of a master planned community known as “Portola Springs” located within Planning Area 6 of the City of Irvine (the “Community”);

WHEREAS, in connection with the development of the Community, ICDC conveyed certain property to the Irvine Unified School District (the “District”) for use as a public elementary school (the “School Site”) pursuant to a Grant Deed recorded on May 14, 2014 as instrument No. 2014000186802 in the Official Records of Orange County, California (the “School Site Deed”);

WHEREAS, the District has complied with all Education Code, Government Code, and environmental requirements associated with the acquisition of the School Site and an easement (“Easement”), more particularly described in the Easement Deed attached hereto as Exhibit “A” and incorporated herein by this reference;

WHEREAS, portions of the School Site are located adjacent to certain lots that have been or will be conveyed to the City of Irvine for landscaping, landscape irrigation, trail, sidewalk, lighting and related purposes (the “Landscape Lots”).

WHEREAS, the perimeter walls around the School Site (the “Wall Improvements”) are located within the Landscape Lots;

WHEREAS, the District requires said Easement for the purpose of construction, inspection, maintenance, repair and replacement of the Wall Improvements (“Wall Maintenance”);

WHEREAS, the ICDC is the legal owner of the property involving the Easement;

WHEREAS, in order to facilitate Wall Maintenance the ICDC has agreed to convey the Easement to the District, by way of execution and recordation of an Easement Grant Deed. Conveyance is for valuable consideration and upon the terms and conditions set forth in the Easement Deed;

WHEREAS, pursuant to Government Code Section 27281, deeds or grants conveying any interest in an easement upon real estate to a political corporation or governmental agency for public purposes cannot be accepted for recordation without the consent of the political

corporation or governmental agency evidenced by its certificate or resolution of acceptance attached to or printed on the deed or grant.

NOW, THEREFORE, the Board of the Irvine Unified School District hereby finds, determines, declares, orders and resolves as follows:

Section 1. That all of the recitals set forth above are true and correct, and the Board so finds and determines.

Section 2. That the District has complied with all Education Code, Government Code, and environmental requirements associated with the acquisition of said Easement, and that no further notice, inspection, or action is required to acquire the Easement.

Section 3. That the District shall acquire the Easement upon the terms and conditions set forth in the Easement Deed and the District's Superintendent, or his designee, is/are hereby authorized and directed to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate the purchase of the Easement pursuant to the Easement Deed, and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution.

Section 4. That District's Superintendent, or his designee, is/are directed, pursuant to the terms set forth in the Easement Deed, to accept and consent to the conveying of such applicable property interest to the School District pursuant to Section 27281 of the Government Code.

Section 5. That this Resolution shall be effective as of the date of its adoption.

APPROVED, PASSED AND ADOPTED by the Board of the Irvine Unified School District on 23rd day of June, 2015, by the following vote:

AYES:

NOES:

ABSTENTIONS:

President of the Governing Board of the
Irvine Unified School District

Attested to:

Clerk of the Governing Board of the
Irvine Unified School District

EXHIBIT "A"
EASEMENT DEED
(To Be Inserted)