

**RESOLUTION OF THE BOARD OF EDUCATION OF
FULLERTON JOINT UNION HIGH SCHOOL DISTRICT
RESOLUTION NO. 2020/21 # 26**

**RESOLUTION TO CONVEY AN EASEMENT FOR PUBLIC UTILITY PURPOSES TO SOUTHERN CALIFORNIA
GAS COMPANY**

WHEREAS, the Fullerton Joint Union High School District (“District”) is the owner of certain real property located at 1801 Lancer Way, Fullerton, CA 92833 also known as Sunny Hills High School (“Campus”); and,

WHEREAS, Southern California Gas Company (“Socal Gas”) has requested that the District convey an easement (“Easement”) for one or more pipelines and associated equipment and structures which will tie into an existing easement acquired by Socal Gas in 1959; and,

WHEREAS, the Easement is necessary to ensure continued service reliability for Socal Gas’ customers near Sunny Hills High School, including the District; and,

WHEREAS, Socal Gas has agreed to pay Ten Thousand Dollars (\$10,000) as fair market value compensation for the Easement; and,

WHEREAS, Socal Gas has further agreed to reimburse the District for its attorney’s fees, administrative expenses and other costs associated with the Easement; and,

WHEREAS, the Easement Agreement setting forth the terms of the Easement between the District and Socal Gas is attached hereto as **Attachment 1**; and,

WHEREAS, the legal description and location of Socal Gas’ Easement is attached as **Exhibit “A”** and **Exhibit “B”** to **Attachment 1**; and,

WHEREAS, District staff has independently determined that the Proposed Easement area is not needed for classroom buildings and will not interfere with the Campus; and,

WHEREAS, pursuant to Education Code sections 17556 et seq., the District may convey an easement to Socal Gas for public utility purposes, upon such terms and conditions as the parties may agree without complying with any other provisions of the Education Code; and,

WHEREAS, on December 15, 2020, the Board adopted Resolution No. 2020/21 #24 entitled, “Resolution of Intention to Convey an Easement for Public Utility Purposes to Southern California Gas Company”; and,

WHEREAS, on December 22, 2021, District staff gave public notice of the public hearing, to be held on January 12, 2021, by posting signed copies of Resolution No. 2020/21 #24 in three public places in the District and on the District’s website, and by publishing notice in the local newspaper on January 7, 2021; and,

WHEREAS, on January 12, 2021, the District held a public hearing on whether it should adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED that:

1. The foregoing recitals are adopted as true and correct.
2. The property upon which the Easement is to be located is not needed for school classroom buildings.
3. The conveyance of the Easement would be in the best interest of the District in that the District and community surrounding Sunny Hills High School will be ensured continued service reliability from Socal Gas.
4. There is no formal protest to the proposed conveyance of the Easement.
5. The Superintendent of the Fullerton Joint Union High School District, or designee, is authorized to perform all actions and execute all documents necessary to carry out the intent of this Resolution, including executing the Easement Agreement.
6. The Board hereby adopts this resolution to grant the Easement in accordance with the procedures of Title 1, Division 1, Part 10.5, Chapter 4, Article 15 of the Education Code.

APPROVED, PASSED AND ADOPTED by the Governing Board of the Fullerton Joint Union High School District on this 12th day of January 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President, Governing Board
Fullerton Joint Union High School District

ATTEST:

Secretary, Governing Board
Fullerton Joint Union High School District