

MT. DIABLO UNIFIED SCHOOL DISTRICT

**RESOLUTION NO. 17/18-44
OF THE GOVERNING BOARD OF MT. DIABLO UNIFIED SCHOOL DISTRICT
GIVING NOTICE OF INTENTION TO GRANT AN EASEMENT TO COUNTY OF
CONTRA COSTA**

WHEREAS, the Mt. Diablo Unified School District (“District”) is the owner of certain real property located at 425 Castle Rock Rd, Walnut Creek, CA 94598, commonly referred to as the Northgate High School site (“District Property”);

WHEREAS, the County of Contra Costa (the “County”) has requested from the District (i) a temporary construction easement for the construction of pedestrian crosswalk enchantments to expire on December 31, 2018; and (ii) a perpetual easement and right of way for ingress and egress over a portion of the District Property for maintenance purposes (hereinafter collectively referred to as the “Easement”). A legal description and map depicting the location of the Easement is attached hereto as Exhibit “A” and incorporated herein;

WHEREAS, the District desires to provide the Easement to the County for the construction of pedestrian crosswalk enchantments and maintenance;

WHEREAS, the District and community will benefit from the dedication of the Easement to the County by allowing the County to construct pedestrian crosswalk enchantments to improve pedestrian safety and accessibility, as well as increase driver awareness at existing crosswalks located near the District Property;

WHEREAS, the District’s governing board must, prior to dedicating the 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;

WHEREAS, the 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 the Easement; and

WHEREAS, the District is required to post copies of this Resolution, signed by the board, in three (3) public places within the 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.

NOW, THEREFORE, THE GOVERNING BOARD OF THE MT. DIABLO UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

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

Section 2. That the District’s governing board (“Board”) declares its intent to dedicate the Easement to the County upon the terms and conditions set forth in the recitals.

Section 3. That the Board establishes April 23, 2018 for a public hearing on the question of the District’s intent to dedicate the Easement to the County.

Section 4. The District’ staff shall post this resolution in three (3) public places within the District’s boundaries and publish notice of the adoption of this Resolution.

ADOPTED, SIGNED AND APPROVED this 9th day of April, 2018.

President of the Governing Board for the
Mt. Diablo Unified School District

I, Nellie Meyer, Secretary of the Governing Board of Mt. Diablo Unified School District, do hereby certify that the foregoing Resolution was adopted by the Governing Board of said District at a meeting of said Board held on the 9th day of April, 2018, and that it was so adopted by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Secretary of the Governing Board of
Mt. Diablo Unified School Di

EXHIBIT "A"

Real property in the City of Walnut Creek, County of Contra Costa, State of California, being a portion of the Rancho San Miguel, and being a portion of the parcel of land granted to the Mount Diablo Unified School District (MDUSD) in the Grant Deed recorded May 12, 1964 in Book 4615 of Official Records at page 581, Contra Costa County records, described as follows:

Parcel One- Maintenance Easement

Commencing at the southwest corner of Lot 56 as shown on Subdivision 3601 Brooktree Unit 7, filed July 13, 1967 in Book 116 of Maps at page 27; thence westerly on the westerly prolongation of the southerly line of said Lot 56, north 87°25'34" west 42.04 feet to a point on the easterly line of said MDUSD parcel (4615 OR 581), said point located thereon south 0°05'26" west distant 588.76 feet from the northeast corner of said parcel (4615 OR 581); thence southerly along said easterly line south 0°05'26" west 69.15 feet; thence leaving said line south 89°54'34" west 20.00 feet to a point on the westerly right of way of Castle Rock Road and the Point of Beginning; thence from said Point of Beginning southerly along said westerly right of way line south 0°05'26" west 10.00 feet; thence leaving said line north 89°54'34" west 14.00 feet; thence north 0°05'26" east 10.00 feet; thence south 89°54'34" east 14.00 feet to the Point of Beginning.

Containing an area of 140 square feet of land, more or less.

Bearings are based on the California Coordinate System of 1983 (CCS83), Zone III.

Exhibit "B" (Drawing number A-4164E-2018) is attached hereto and by this reference made a part hereof.

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: 

Licensed Land Surveyor

Date: 3/14/18



Mount Diablo Unified School District (Northgate High School) to
Contra Costa County
Portion of APN 139-090-001

EXHIBIT "A"

Real property in the City of Walnut Creek, County of Contra Costa, State of California, being a portion of the Rancho San Miguel, and being a portion of the parcel of land granted to the Mount Diablo Unified School District (MDUSD) in the Grant Deed recorded May 12, 1964 in Book 4615 of Official Records at page 581, Contra Costa County records, described as follows:

Parcel Two- Temporary Construction Easement to expire on December 31, 2018

Commencing at the southwest corner of Lot 56 as shown on Subdivision 3601 Brooktree Unit 7, filed July 13, 1967 in Book 116 of Maps at page 27; thence westerly on the westerly prolongation of the southerly line of said Lot 56, north $87^{\circ}25'34''$ west 42.04 feet to a point on the easterly line of said MDUSD parcel (4615 OR 581), said point located thereon south $0^{\circ}05'26''$ west distant 588.76 feet from the northeast corner of said parcel (4615 OR 581); thence southerly along said easterly line south $0^{\circ}05'26''$ west 69.15 feet; thence leaving said line south $89^{\circ}54'34''$ west 20.00 feet to a point on the westerly right of way of Castle Rock Road; thence southerly along said westerly right of way line south $0^{\circ}05'26''$ west, 10.00 feet to the Point of Beginning; thence from said Point of Beginning southerly along the westerly right of way line of Castle Rock Road south $0^{\circ}05'26''$ west 25.00 feet; thence leaving said line north $89^{\circ}54'34''$ west 20.00 feet; thence north $0^{\circ}05'26''$ east 40.00 feet; thence south $89^{\circ}54'34''$ east 20.00 feet to a point on the westerly right of way line of Castle Rock Road; thence southerly along said line south $0^{\circ}05'26''$ west 5.00 feet; thence north $89^{\circ}54'34''$ west 14.00 feet; thence south $0^{\circ}05'26''$ west 10.00 feet; thence south $89^{\circ}54'34''$ east 14.00 feet to the Point of Beginning.

Containing an area of 660 square feet of land, more or less.

Bearings are based on the California Coordinate System of 1983 (CCS83), Zone III.

Exhibit "B" (Drawing number A-4164E-2017) is attached hereto and by this reference made a part hereof.

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: James A. Stein

Licensed Land Surveyor

Date: 3/14/18

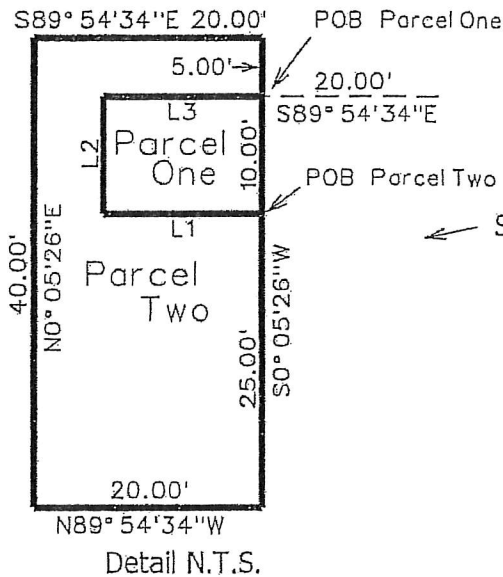




EXHIBIT "B"

PLAT TO ACCOMPANY EXHIBIT "A"

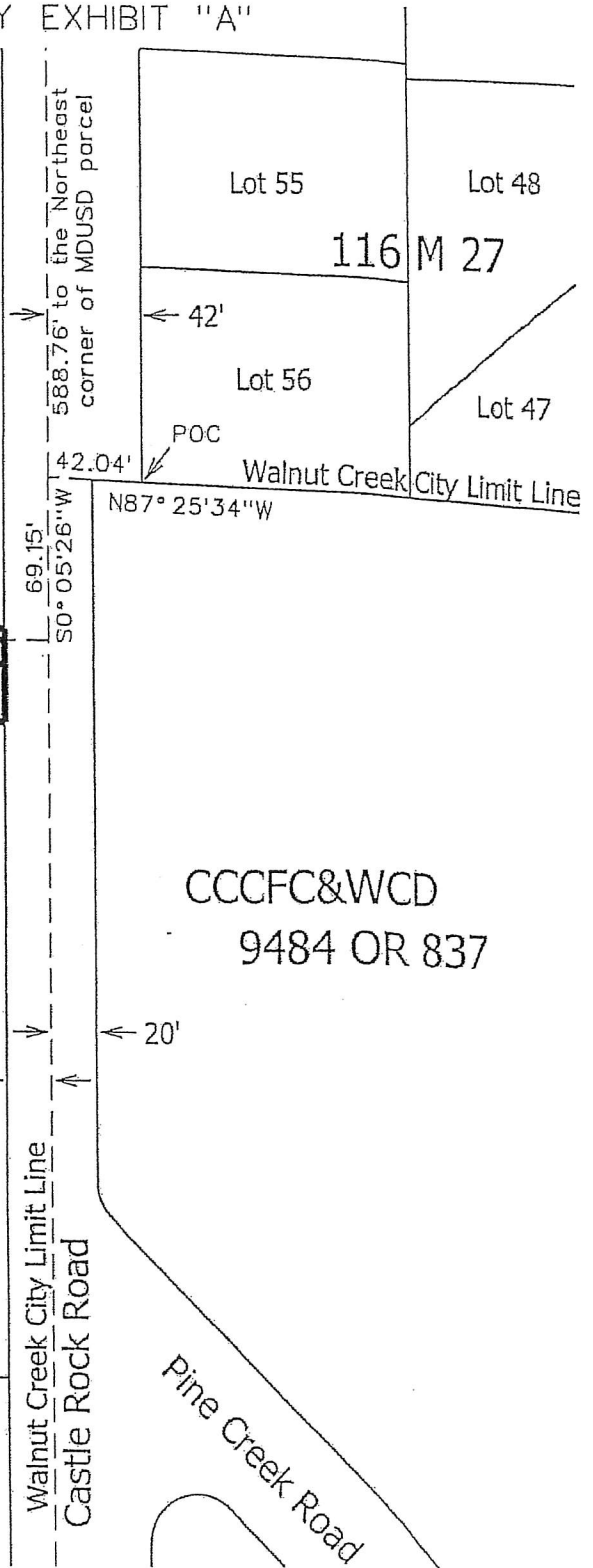
Mt. Diablo Unified School District
 4615 O.R. 581
 Northgate High School
 APN 139-090-001



Data Table

No.	Bearing	Distance
L1	N89° 54' 34" W	14.00'
L2	N0° 05' 26" E	10.00'
L3	S89° 54' 34" E	14.00'

Vaschetto
 2012-086289



Mt. Diablo Unified School District, Maintenance and Temporary Easements

Instrument : Easements	Scale	1"=80'	Date	August 2017
	Drawn By	KT	File No.	A-4164E-2017
Series No.	Recorded	Checked By	JS	Cad File
		<small>Northgate High School Castle Rock Road 4164E.dgn</small>		