

MT. DIABLO UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

Resolution No. 15/16-5

**RESOLUTION OF INTENT TO DEDICATE A TEMPORARY
CONSTRUCTION EASEMENT AT BEL AIR ELEMENTARY SCHOOL**

WHEREAS, SECTION 17556 OF THE Education Code authorizes the Mt. Diablo Unified School District (“District”) to dedicate or convey an easement to any public entity, with or without consideration and without a vote of the electors of the District: and

WHEREAS, the Contra Costa Public Works Department, (“Grantee”), has requested that the District, a California public school district, dedicate to it a non-exclusive, temporary and non-assignable easement for the use of certain real property more specifically described in Exhibit A attached hereto (“Easement”), for the following purposes:

Construction staging area during construction of the Canal Road Sidewalk and Bike Lanes project from June 11, 2016 through August 24, 2016.

WHEREAS, the proposed easement will provide benefit to the District: and

WHEREAS, on the 14th day of September, 2015, the Board of Trustees of the District (the “Board”), will consider adopting a Resolution of Dedication of an easement to the Grantee as required by section 17559 of the Education Code: and

WHEREAS, the notice of the Board’s intent to dedicate an easement of real property to Grantee shall be given as required by section 17558 of the Education Code; and

WHEREAS, a public hearing shall be held on September 28, 2015 at 7:00 p.m., or as soon thereafter as the matter may be heard, at 1936 Carlotta Drive, Concord, CA as required by section 17557 of the Education Code;

NOW, THEREFORE, BE IT RESOLVED by the Board that the Board finds and determines that the foregoing recitals are true;

BE IT FURTHER RESOLVED that the Board authorizes the Superintendent or his designee, to provide the public notice required by Education Code section 17558;

BE IT FURTHER RESOLVED that the Board shall hold a public hearing on September 28, 2015 at 7:00 p.m. or as soon thereafter as the matter may be heard, as required by section 17557 of the Education Code and shall thereafter consider adoption of a resolution authorizing dedication and conveyance of the Easement from the District to the Grantee by the execution and delivery to the Grantee or its agent of an easement deed in the form set forth in Exhibit C hereto.

ADOPTED, SIGNED AND APPROVED this 28th day of September 2015.

President, Board of Education

I, Dr. Nellie Meyer, Secretary of the Board of Education of the Mt. Diablo Unified School District, do hereby certify that the foregoing Resolution was adopted by the Board of Education of the District at a meeting of the Board held on September 28, 2015, and that it was adopted by the following votes:

AYES _____

NOES _____

ABSENT _____

ABSTAIN _____

Secretary of the Governing Board

Date