

**MT. DIABLO UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**Resolution No. 10/11-48**

**RESOLUTION OF INTENT TO DEDICATE AN EASEMENT  
AT DIABLO VIEW MIDDLE 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 City of Clayton, a public entity (“Grantee”), has requested that the District, a California public school district, dedicate to it a non-exclusive, permanent and non-assignable easement for the use of certain real property more specifically described in Exhibits A , B and C attached hereto (“Easement”), for the following purposes:

For public ingress and egress as well as the construction and maintenance of a driveway and related drainage improvements

**WHEREAS**, the proposed easement will provide benefit to the District; and

**WHEREAS**, on 1st day of March, 2011, 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 March 8, 2011, at 6:00 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 March 8, 2011, at 6:00 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 D hereto.

**ADOPTED, SIGNED and APPROVED** this 1st day of March, 2011.

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President, Board of Education

I, Steven Lawrence, 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 March 1st, 2011, and that it was adopted by the following votes:

\_\_\_\_\_ AYES

\_\_\_\_\_ NOES

\_\_\_\_\_ ABSTAIN

\_\_\_\_\_ ABSENT

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Secretary, Board of Education