

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

Resolution No. 10/11-50

**RESOLUTION OF DEDICATION OF EASEMENT
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 or public utility, 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 and B 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 March 1, 2011, the Board of Trustees of the District (the “Board”) adopted a Resolution of Dedication of an easement to the Grantee as required by section 17557 of the Education Code; and

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

WHEREAS, a public hearing was held on March 8, 2011, at 6:00 p.m., at 1936 Carlotta Drive, Concord, CA as required by section 17556 of the Education Code;

NOW THEREFORE, BE IT RESOLVED by the Board that the Board finds and determines that:

1. The foregoing recitals are true.
2. Dedication of the Easement described in the deed attached hereto as Exhibit “C” is in the best interest of the District.

RESOLUTION NO. 10/11-50

Page Two

BE IT FURTHER RESOLVED that the Board authorizes the Superintendent or designee to convey the Easement from the District to the Grantee by the execution and delivery to the City of Clayton or its agent of an easement deed in the form set forth in Exhibit C hereto within fifteen (15) days after adoption of this resolution and to take all other actions necessary to dedicate the Easement and deliver the Deed to the Grantee.

ADOPTED, SIGNED and APPROVED on _____, 2011

President, Board of Education

I, _____, Secretary of the Board of Education of the Mount Diablo Unified School District, do hereby certify that the foregoing Resolution was adopted by the Board of Education of the District by a two-thirds vote or more at a meeting of the Board held on _____, 2011, and that it was adopted by the following votes:

_____ AYES

_____ NOES

_____ ABSTAIN

_____ ABSENT

Secretary, Board of Education