

RESOLUTION NO. 17/18-10

RESOLUTION OF THE GOVERNING BOARD OF THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT DEDICATING AN EASEMENT TO NEWHALL COUNTY WATER DISTRICT AT HART HIGH SCHOOL FOR ROADWAY AND UTILITIES PURPOSES

WHEREAS, the William S. Hart Union High School District (“District”) is the fee owner of certain real property consisting of a portion of Hart High School, located within the City of Santa Clarita, County of Los Angeles; and

WHEREAS, California Education Code section 17556 authorizes the governing board of any school district to dedicate or convey an easement to any public utility; and

WHEREAS, California Education Code section 17557 requires the governing board of a school district to adopt a resolution declaring its intention to dedicate or convey such an easement by a two-thirds vote of all members of the governing board; and

WHEREAS, on August 30, 2017, and in accordance with Education Code section 17557, the Governing Board (“Board”) of the District adopted Resolution No. 17/18-6, thereby declaring the Board’s intention to dedicate to the Newhall County Water District (“Water District”) three easements for roadway and utilities purposes at Hart High School (“Easements”); and

WHEREAS, in accordance with Education Code section 17557, Resolution No. 17/18-6 also established September 13, 2017, as the date of a public hearing by the Board on the question of dedicating the Easements to the Water District (“Public Hearing”); and

WHEREAS, in accordance with Education Code section 17558, the District posted Resolution No. 17/18-6 and published notice of the adoption of Resolution No. 17/18-6 and of the time and place of the Public Hearing; and

WHEREAS, in accordance with Education Code section 17559, the Board duly held the Public Hearing and, at the Public Hearing, no petition protesting against dedication of the Easements, and signed by at least 10 percent of the qualified voters residing within the District’s boundaries, was filed with the Board.

NOW, THEREFORE, THE GOVERNING BOARD OF THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT DOES HEREBY DETERMINE, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. All of the recitals set forth above are true and correct and are incorporated as if fully set forth herein.

Section 2. The dedication of the Easements to the Water District is in the best interests of the District and the public generally.

Section 3. The Board hereby dedicates to the Water District the Easements for roadway and utilities purposes as described and depicted in Exhibits “A,” “B,” and “C,” which are attached hereto and incorporated herein.

Section 4. Pursuant to Education Code section 17559, the Secretary of the Board is hereby authorized to execute and deliver the Easements to the Water District.

ADOPTED, SIGNED, AND APPROVED this 13th day of September, 2017.

**GOVERNING BOARD OF THE WILLIAM S.
HART UNION HIGH SCHOOL DISTRICT**

BY:

Joseph Messina, President of the Governing
Board of the William S. Hart Union High
School District

ATTEST:

By

Steven M. Sturgeon, Clerk of the Governing
Board of the William S. Hart Union High
School District

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I, Steven M. Sturgeon, Clerk of the Governing Board of the William S. Hart Union High School District, do hereby certify that the foregoing resolution was duly adopted by the Governing Board of said District at a meeting of the Governing Board held on the 13th day of September, 2017, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: _____
Steven M. Sturgeon, Clerk of the Governing Board
of the William S. Hart Union High School District

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I, Steven M. Sturgeon, Clerk of the Governing Board of the William S. Hart Union High School District do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 17/18-10 of said Governing Board and that the same has not been amended or repealed and is fully effective as of this date.

Dated: September 13, 2017

By: _____
Steven M. Sturgeon, Clerk of the Governing Board
of the William S. Hart Union High School District

Exhibit A-1
Description of Easement

Exhibit to begin on the next page.

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

**Newhall County Water District
23780 N. Pine Street
P.O. Box 220970
Newhall, CA 91322**

APN: 2855-006-903

GRANT OF PERMANENT AND NON-EXCLUSIVE EASEMENT

FOR A VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, William S. Hart High School District, a Corporation ("Grantor") grants and conveys to NEWHALL COUNTY WATER DISTRICT, a county water district formed pursuant to the California Water Code, and its successors, assigns, and invitees ("Grantee"), a permanent and non-exclusive easement for ingress, egress, and roadway purposes, including the right to remove any improvements, trees, shrubs, and any other growth thereon, and at any time and from time to time, locate, alter, inspect, remove, replace, and/or install a line or lines of pipe, conduit, or similar facilities, of whatever nature, valves, and meter structures, service connections, services and/or connections, with all and every appendage, facilities, structure and equipment necessary or convenient to be installed or used by Grantee, and Grantee may, at any time and from time to time, for any lawful use and purpose for the benefit of Grantee, grant its rights in the easement to others for the same uses and purposes, including, but not limited to, ingress, egress, installation of facilities, structure and equipment, conduits, vaults, and cables for power transmission and communication, in, under, upon, over, across and through those certain parcels of land situated in the City of Santa Clarita, County of Los Angeles, State of California, and more particularly described as follows:

See Attached Exhibits A-1 and B-1 legal descriptions and Exhibits A-2 and B-2 maps.

Grantee and its contractors, agents and employees, shall have the right to trim or cut tree roots and shall have free access to any and all systems and infrastructure that may exist on the easement at all times, for the purpose of exercising rights herein granted, however, that in making any excavation of said property of the Grantor, the Grantee shall make the same in such a manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the surface of the ground to as near the same condition as it was prior to such excavation as is practicable, including replacing or repairing any asphalt or other existing road surfaces.

Grantor hereby waives any claims which now, or in the future, may exist against Grantee for repairs and maintenance of the property pursuant to California Civil Code Section 845. Grantee thus takes this easement free from all obligations and duties to repair and maintain the property.

Any subsequent removal, relocation, replacement, or realignment of facilities located within the easement granted herein shall be accomplished at the expense of the person or entity requiring the same and at no expense to Grantee.

IN WITNESS WHEREOF, Grantor has caused the names to be hereunto subscribed as of the ____ day of _____, 2017.

GRANTOR:

William S. Hart High School District

By: _____

Its: _____

By: _____

Its: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

}

On _____ before me, _____, Notary Public,
Date Name of Notary

personally appeared _____
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature _____
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to person relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer -- Title(s): _____
☐ Partner -- ☐ Limited ☐ General
☐ Attorney-in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
TOP OF THUMB HERE

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer -- Title(s): _____
☐ Partner -- ☐ Limited ☐ General
☐ Attorney-in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
TOP OF THUMB HERE

CERTIFICATE OF ACCEPTANCE

OF

GRANT OF EASEMENT

This is to certify that the undersigned Secretary of the Board of the Newhall County Water District has accepted on behalf of the said District the interest in real property conveyed by the within instrument and consents to the recordation of said instrument.

Dated: _____

Rochelle Patterson
Secretary of the Board
Newhall County Water District

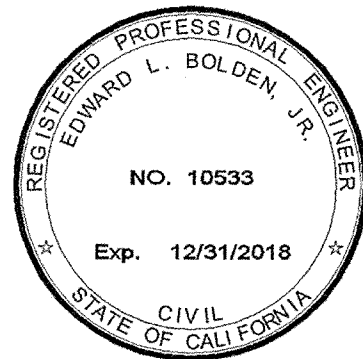
EXHIBIT A-1

Parcel 1:

That portion of Lot 6 of Licensed Surveyor's Map recorded in Book 27, Pages 41 through 43, inclusive, of Record of Survey Maps, in the Recorder's Office of the County of Los Angeles, State of California, described as follows:

Beginning at the centerline intersection of 14th Street and Newhall Avenue, as shown on map of Tract No. 5844, recorded in Map Book 69, Pages 41 and 42 in said Recorder's Office; thence along the southwesterly prolongation of the centerline of 14th Street, S 56°58'00" W, 30.02 feet, to the westerly right-of-way of Newhall Avenue, 60 feet wide, as shown on said Tract No. 5844; thence along said westerly right-of-way of Newhall Avenue, N 35°15'00" W, 345.70 feet, to the True Point of Beginning;

Thence continuing along said westerly right-of-way of Newhall Avenue, N 35°15'00" W, 15.00 feet; thence leaving said westerly right-of-way, S 54°45'00" W, 49.50 feet; thence S 35°15'00" E, 15.00 feet; thence N 54°45'00" E, 49.50 feet, to the True Point of Beginning.



A handwritten signature in black ink, appearing to read "E. L. Bolden, Jr.", located below the professional seal.

Exhibit A-2
Depiction of Easement

Exhibit to being on next page.

EXHIBIT A-2

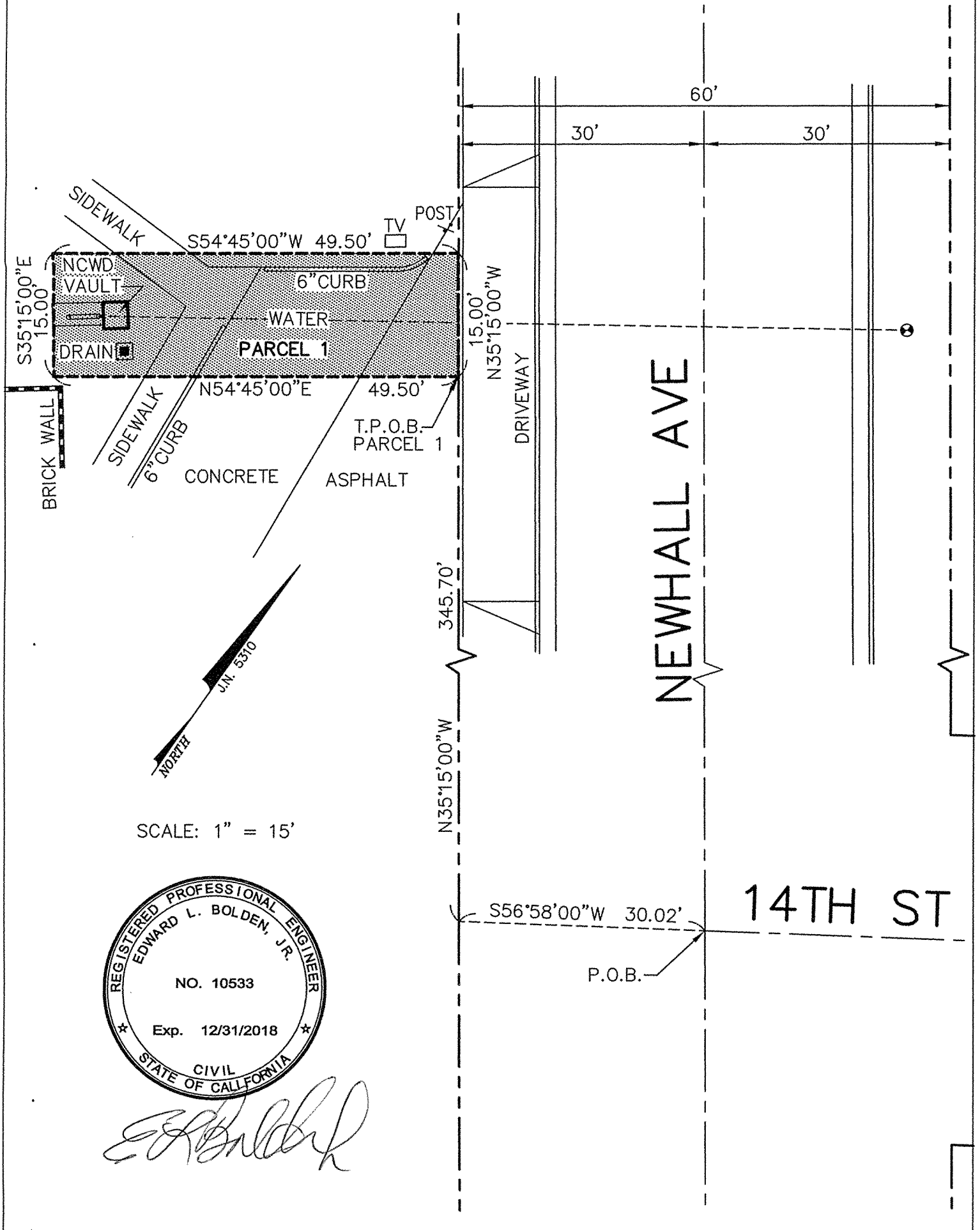


Exhibit B-1
Description of Easement

Exhibit to begin on the next page.

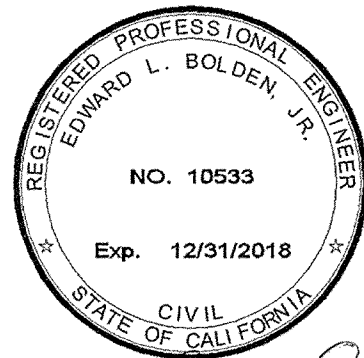
EXHIBIT B-1

Parcel 2:

That portion of Lot 6 of Licensed Surveyor's Map recorded in Book 27, Pages 41 through 43, inclusive, of Record of Survey Maps, in the Recorder's Office of the County of Los Angeles, State of California, described as follows:

Beginning at the centerline intersection of 15th Street and Newhall Avenue, as shown on map of Tract No. 5844, recorded in Map Book 69, Pages 41 and 42 in said Recorder's Office; thence along the southwesterly prolongation of the centerline of 15th Street, S 56°58'00" W, 30.02 feet, to the westerly right-of-way of Newhall Avenue, 60 feet wide, as shown on said Tract No. 5844; thence along said westerly right-of-way of Newhall Avenue, S 35°15'00" E, 345.70 feet, to the True Point of Beginning;

Thence continuing along said westerly right-of-way of Newhall Avenue, S 35°15'00" E, 23.00 feet; thence leaving said westerly right-of-way, S 54°45'00" W, 16.50 feet; thence N 35°15'00" W, 23.00 feet; thence N 54°45'00" E, 16.50 feet, to the True Point of Beginning.

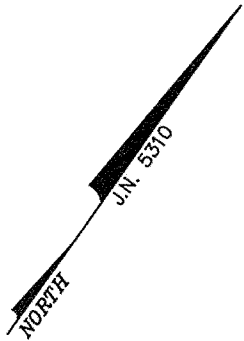


A handwritten signature in black ink, appearing to read "E. Bolden, Jr.", written over the bottom right portion of the professional seal.

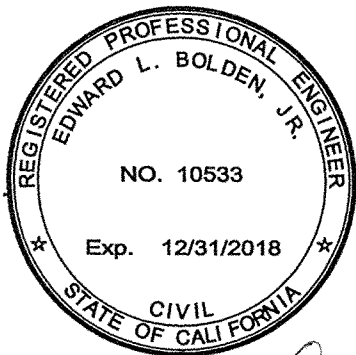
Exhibit B-2
Depiction of Easement

Exhibit to being on next page.

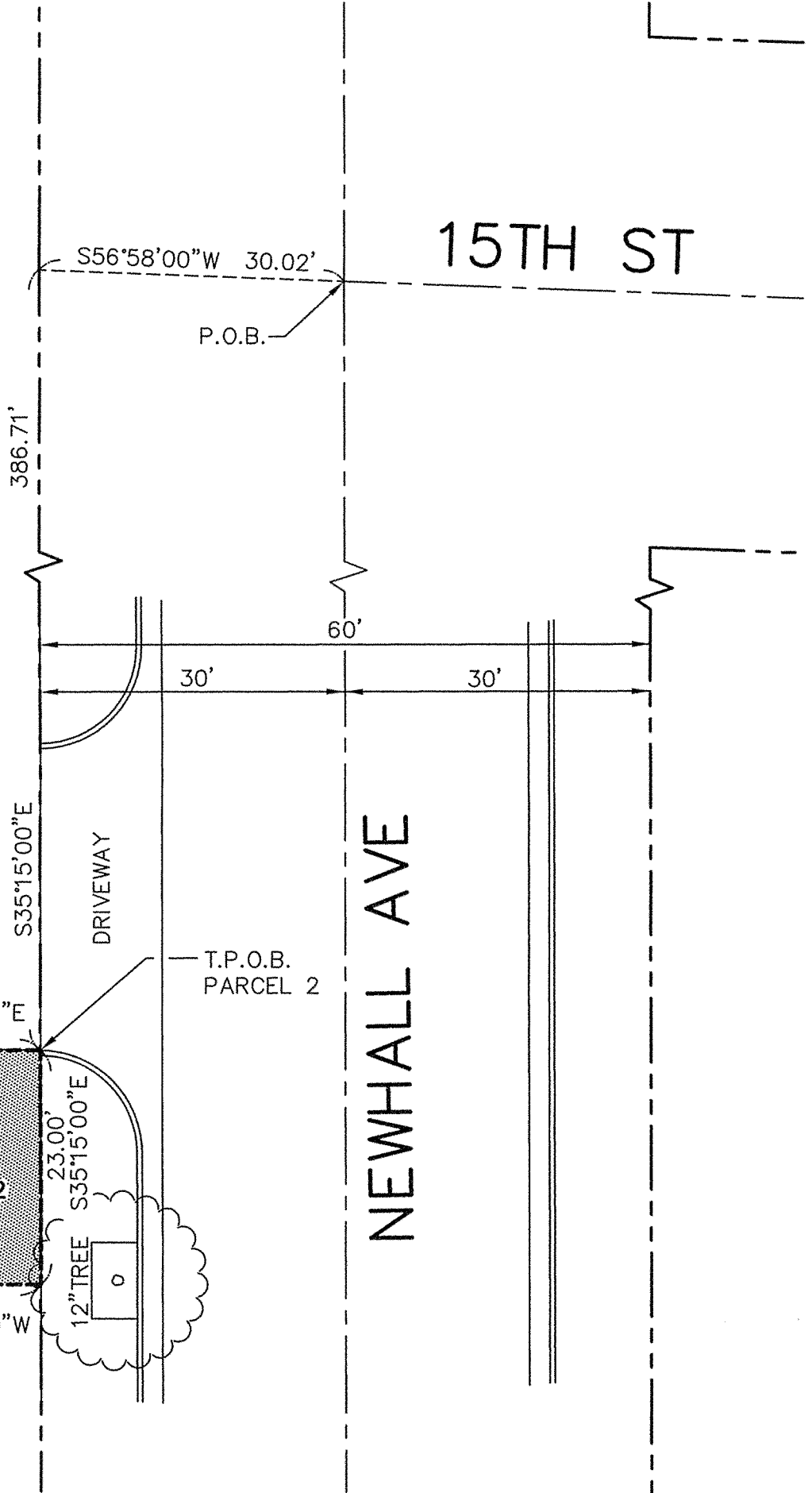
EXHIBIT B-2



SCALE: 1" = 15'



Edward L. Bolden, Jr.



15TH ST

P.O.B.

386.71'

60'

30'

30'

S35°15'00"E

DRIVEWAY

T.P.O.B.
PARCEL 2

NEWHALL AVE

N54°45'00"E
16.50'

RISERS

PARCEL 2

GRASS

16.50'
S54°45'00"W

23.00'
S35°15'00"E
12" TREE

N35°15'00"W
23.00'

ASPHALT

Exhibit C-1
Description of Easement

Exhibit to being on next page.

EXHIBIT "C-1"

LEGAL DESCRIPTION

That portion of Lot 15 of St. John Subdivision, in the City of Santa Clarita, County of Los Angeles, State of California, as per the map recorded in Book 196, Pages 306 through 309, inclusive of Miscellaneous Records in the office of the County Recorder of the County of Los Angeles, described as follows:

Beginning at the intersection of the northeasterly line of Kansas Street, 60.00 feet wide, as shown on the map of the Buchert Tract, as recorded in Book 16, Page 120 of Maps, in the office of said County Recorder, and the southeasterly line of said Lot 15; thence along said southeasterly line,

1st: South 55°36'45" West 18.36 feet; thence,

2nd: North 34°23'15" West 10.65 feet; thence,

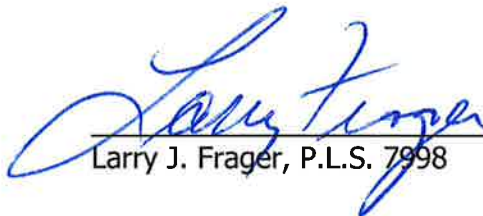
3rd: North 55°36'45" East 34.39 feet; thence,

4th: South 34°23'05" East 10.00 feet to the intersection with a line, parallel with and 0.65 feet northwesterly of, measured at right angles, the southeasterly line of said Lot 15; thence along said parallel line,

5th: South 55°36'45" West 16.03 feet to the intersection with a line passing the trough the point of beginning of this description and having a bearing of North 34°23'15" West; thence along said line,

6th: South 34°23'15" East 0.65 feet to the point of beginning of this description.

Containing 356 square feet, more or less.

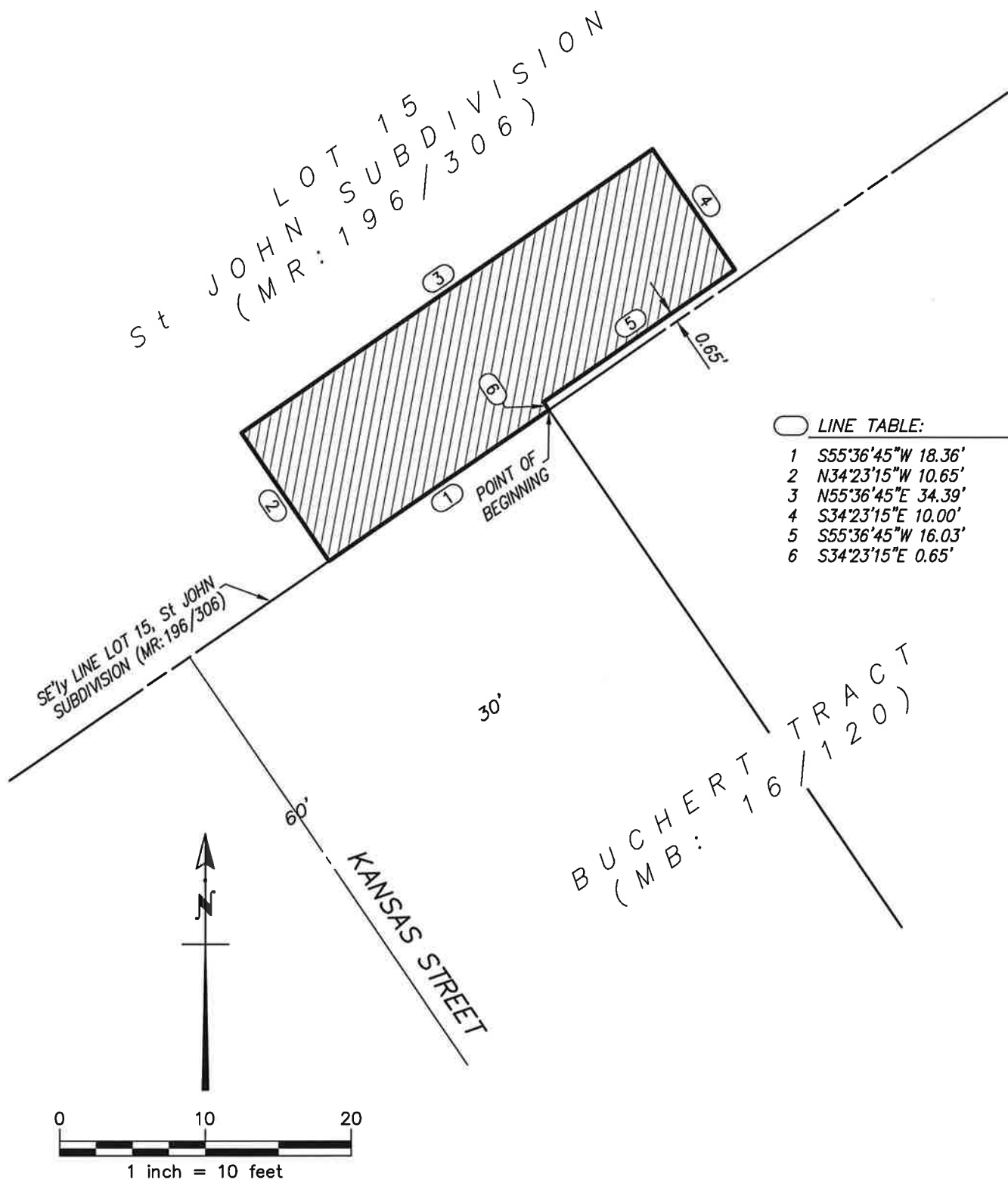

Larry J. Frager, P.L.S. 7998

7/27/17
Date



Exhibit C-2
Depiction of Easement

Exhibit to being on next page.



PREPARED BY:
BENNER AND CARPENTER, INC.
506 EAST MAIN STREET
SANTA PAULA, CA 93060
(805) 525-3396

EXHIBIT 'C-2'
SKETCH TO ACCOMPANY
LEGAL DESCRIPTION