

**MORGAN HILL UNIFIED SCHOOL DISTRICT
MORGAN HILL, CALIFORNIA**

RESOLUTION

**A RESOLUTION OF THE GOVERNING BOARD OF THE MORGAN HILL UNIFIED SCHOOL DISTRICT DECLARING ITS
INTENTION TO GRANT AN EASEMENT TO THE CITY OF MORGAN HILL FOR PURPOSES OF CONSTRUCTING AND
MAINTAINING RIGHT OF WAY AND STREET IMPROVEMENTS AT BRITTON MIDDLE SCHOOL**

WHEREAS, the Morgan Hill Unified School District ("District") owns real property located at 80 West Central Avenue, Morgan Hill, CA 95037 (A.P.N.:764-16-028), commonly referred to as Britton Middle School ("District Property"); and

WHEREAS, the City of Morgan Hill ("City"), a California municipal corporation, has indicated its need to construct and maintain certain public street improvements, including a right turn lane with rights of ingress and egress to and from same, in, over, under and across the District Property as identified in Exhibit "A" attached hereto, in the form of a non-exclusive perpetual easement ("Easement"); and

WHEREAS, the proposed Easement is depicted on the site map set forth in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the District does not need the Easement area for classroom buildings or educational purposes; and

WHEREAS, the District may grant the Easement if, after adoption of this Resolution of Intent and publication of a notice for public hearing, the District's Governing Board adopts, in a regular open meeting ("Public Hearing"), by a two-thirds vote of all its members, a resolution authorizing and directing the Superintendent, or Superintendent's designee, to execute and deliver the Easement; and

WHEREAS, notice of the Governing Board's intent to grant the Easement ("Notice") shall be given pursuant to Education Code section 17558 by posting copies of this Resolution of Intent signed by the members of the Governing Board, or majority thereof, in three (3) public places in the District not less than ten (10) days before the date of the Public Hearing, and by publishing the Notice once not less than five (5) days before the date of 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 an newspaper published in the county in which the District or any part thereof is situated and having a general circulation in the District; and

WHEREAS, the Public Hearing shall be held on September 1, 2020, at 6:00 p.m., or as soon thereafter the matter may be heard. The matter may be heard in the Office Board Room located at 15600 Concord Circle, Morgan Hill, CA 95037 or pursuant to State of California Executive Orders N-29-20 and N-33-20 the regular session meeting of the Governing Board may be conducted via teleconference. For teleconference meetings, the agenda for the Board meeting will be posted on <http://morganhill.agendaonline.net> which will include the Zoom link necessary for the public's participation in the Public Hearing;

NOW THEREFORE, BE IT RESOLVED, that the District's Governing Board hereby finds, determines, declares, orders, and resolves as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. The real property upon which the Easement is to be located is not needed for school classroom

buildings or educational purposes.

Section 3. The District intends to grant or convey the Easement.

Section 4. The Superintendent and Superintendent's designee is hereby authorized to provide public notice as required by Education Code section 17588.

Section 5. The District's Governing Board shall hold a public hearing on September 1, 2020 at 6:00 p.m. at its regular place of meeting for a public hearing, or a date as soon thereafter as the matter may be heard and shall consider authorizing the grant and conveyance of the Easement from the District to the City in accordance with the Easement attached hereto as Exhibit "A."

PASSED AND ADOPTED by the Board of Education of the MORGAN HILL UNIFIED SCHOOL DISTRICT at a regular meeting held on June 16, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Board of Education Member Signatures:

Carol Ann Gittens, President

Wendy Sullivan, Vice-President

Adam Escoto, Trustee

Jeanne Gilliard, Trustee

John Horner, Trustee

Heather Orosco, Trustee

Mary Patterson, Trustee

DATED: _____

SIGNED: _____

Carol Ann Gittens, President
Board of Education

I, Steve Betando, Secretary of the Board of Education, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Education of the MORGAN HILL UNIFIED SCHOOL DISTRICT at the regular meeting on June 16, 2020 which resolution is on file in the office of said Board.

DATED: _____

SIGNED: _____

Steve Betando, Secretary
Board of Education

Exhibit A



