

# NOVATO UNIFIED SCHOOL DISTRICT

## **RESOLUTION NO. 2-2016/2017**

### **DECLARING INTENTION TO CONVEY AN EASEMENT TO PACIFIC BELL TELEPHONE COMPANY FOR UTILITY PURPOSES PARCEL 1B / 157-980-08**

**WHEREAS**, the Novato Unified School District ("**District**") owns property commonly known as Parcel 1B at 932 C St., Novato, CA, 94949 per Marin County Assessor's Parcel Number 157-980-08 ("**District Property**"); and

**WHEREAS**, for Pacific Bell Telephone Company, doing business as AT&T California ("**AT&T**") to construct, reconstruct, install, inspect, maintain, replace, and upgrade utility services on certain property adjacent to the District Property, AT&T has requested that the District grant AT&T an easement ("**Easement**") for working space access to facilities regarding the utility services, including but not limited to underground conduits, pipes, manholes, service boxes, wires, cables, and electrical conductors; above ground marker posts, risers, and service pedestals; underground and aboveground switches, fuses, terminals, and transformers with associated concrete pads; and fixtures and appurtenances, together with the right of way therefor in, over, under and upon the edge of the District Property; and

**WHEREAS**, the District has determined that it is in the best interest of the District and the community to convey the Easement for utility purposes to AT&T, over a portion of the District Property, as more particularly described and depicted in Exhibit A, attached hereto and incorporated herein by this reference; and

**WHEREAS**, Education Code section 17556 et seq. authorizes the District to convey an easement for utility purposes after declaring its intention to do so and holding a noticed public hearing to allow for comment.

**NOW, THEREFORE BE IT RESOLVED** by the District Board of Trustees ("**Board**") as follows:

1. The above recitals are true and correct.
2. The Board expresses its intention to convey the Easement to AT&T.
3. The Board directs that a public hearing ("**Public Hearing**") to receive comments regarding the conveyance of the Easement to AT&T is scheduled for August 2, 2016, at 1015 Seventh Street, Novato, CA 94945, beginning at 7:00 pm, or as soon thereafter as is possible.
4. The Superintendent, or his designee, is authorized and directed to give notice of the Public Hearing according to the legal requirements.
5. The Superintendent, or his designee, is authorized to take such action as may be reasonably necessary to effectuate the purpose and intent of this Resolution, including executing any documents.

**PASSED AND ADOPTED** this 2<sup>nd</sup> day of August, 2016, by the following vote to wit:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

State of California,

County of Marin

I, \_\_\_\_\_, Secretary/Clerk of the Novato Unified School District Board of Trustees, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Trustees at a regularly called and conducted meeting held on said date.

\_\_\_\_\_  
Secretary/Clerk of Board of Trustees