

NOVATO UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 3-2016/2017

CONVEYING AN EASEMENT TO PACIFIC BELL TELEPHONE COMPANY FOR UTILITY PURPOSES NUSD PARCEL 1A / 157-908-07

WHEREAS, the Novato Unified School District ("**District**") owns property commonly known as Parcel 1A at 932 C St., Novato, CA, 94949 per Marin County Assessor's Parcel Number 157-980-07 ("**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; and

WHEREAS, on August 2, 2016, in accordance with Education Code section 17557, the District Board of Trustees ("**Board**") adopted Resolution No. 3-2016/2017 declaring its intent to convey the Easement for utility purposes to AT&T and setting the date of August 2, 2016 to hear public comment on the conveyance of the Easement; and

WHEREAS, the District has complied with all publication and posting requirements for the conveyance, and provided an opportunity for public comment, as required.

NOW, THEREFORE BE IT RESOLVED by the Board as follows:

1. The above recitals are true and correct.
2. The Board hereby approves the conveyance of a utility easement to AT&T through the Easement attached as Exhibit A.
3. 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 2nd 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