

RESOLUTION NO. 18-17

**RESOLUTION OF THE FONTANA UNIFIED SCHOOL DISTRICT
CONCERNING THE INTENTION TO DEDICATE TEMPORARY
EASEMENT**

WHEREAS, the Fontana Unified School District intends to dedicate a temporary easement right-of-way for storm drain and maintenance purposes near Curtis Avenue and Catawba Avenue along the west quadrant of assessor's parcel 1108-081-04 containing approximately 0.360 acres for possible future school site known as Elementary School No. 33 project;

WHEREAS, the legal description of the proposed temporary easement is shown in the attached Exhibit "A" attached hereto and incorporated herein by reference; and,

WHEREAS, Education Code Section 17557 requires that, before ordering the dedication or conveyance of any property the governing board shall in regular open meeting by a two-thirds vote of all its members adopt a resolution declaring its intention to dedicate or convey the property. The resolution shall describe the property proposed to be dedicated or conveyed in such manner as to identify it, and shall specify the purposes for which and the terms upon which it will be dedicated or conveyed, and shall fix a time not less than ten (10) days thereafter for a public meeting of the governing board to be held at its regular place of meeting for a public hearing upon the question of making the dedication or conveyance; and,

WHEREAS, Education Code Section 17558 requires that all or a majority of the members of the Board of Education sign the resolution of intent;

NOW, THEREFORE, the Board of Education of the Fontana Unified School District hereby finds, determines, declares, orders and resolves as follows:

Section 1. Recitals. That all of the recitals set forth above are true and correct, and the Board so finds and determines.

Section 2. Intent. That the Board of Education does hereby declare its intent to grant a temporary easement right-of-way for storm drain and maintenance purposes over, under, and across the west side of quadrant of assessor's parcel 1108-081-04 (approximately 0.360 acres) as more specifically described in the attached Exhibit "A" legal description and identified in the attached Exhibit "B" plot plan.

Section 3. Public Hearing and Vote. That the Board of Education shall conduct a Public Hearing at the Board of Education Meeting on May 9, 2018, in the John D. Piazza Education Center, located at 9680 Citrus Avenue in the City of Fontana, California with the meeting beginning at 6:30 p.m., upon the question of making the dedication, and after such Public Hearing, shall take a vote on the action to dedicate the Temporary Grant of Easement.

Section 4. Notice. A copy of this resolution shall be posted in three (3) appropriate public places in the District not less than ten (10) days before the date of the meeting, and

published once not less than five (5) days before the date of the meeting in a newspaper of general circulation in the District.

APPROVED, PASSED AND ADOPTED by the Board of the Fontana Unified School District, Resolution No. 18-17 this 18th day of April 2018, by the following vote:

AYES:

NOES:

ABSTENTIONS:

President of the Governing Board of the
Fontana Unified School District

Attested to:

Vice President of the Governing Board of the
Fontana Unified School District

Member

Member

Member

EXHIBIT "A"
LEGAL DESCRIPTION
TEMPORARY STORM DRAIN EASEMENT

APN 1108-081-04

A STRIP OF LAND OVER A PORTION OF THE S 1/2 OF THE SE 1/4 OF THE NE 1/4 OF SECTION 25,
TOWNSHIP 1 NORTH, RANGE 6 WEST, SAN BERNARDINO BASE AND MERIDIAN, DESCRIBED AS
FOLLOWS:

THE WEST 25.00 FEET OF THE WEST 834.45 FEET OF THE S 1/2 OF THE SE 1/4 OF THE NE 1/4 OF
SAID SECTION 25.

EXCEPT ROADS

SAID TEMPORARY STORM DRAIN EASEMENT TO TERMINATE UPON COMPLETION OF THE
ULTIMATE STORM DRAIN IMPROVEMENTS

CONTAINING APPROXIMATELY 0.360 ACRES

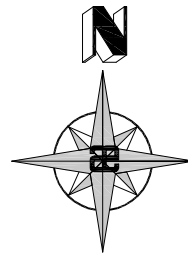
THIS LEGAL DESCRIPTION WAS PREPARED BY ME

DAVID B. WARREN, LS 8244
EXPIRES 12/31/2019

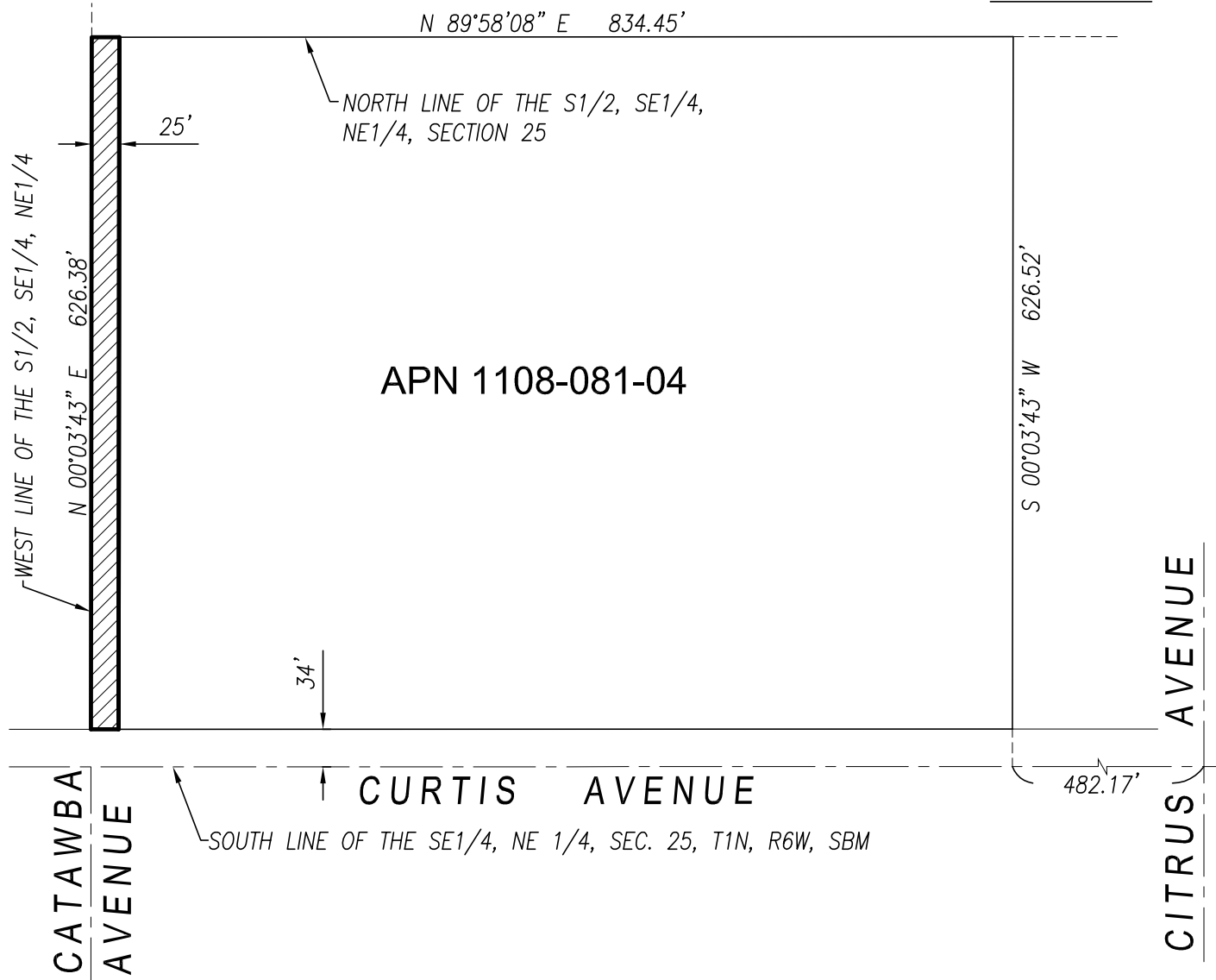
DATE



EXHIBIT "B" DEED PLAT



SCALE: 1"=150'



CONTAINING APPROXIMATELY 0.360 ACRES

THIS PLAT WAS PREPARED BY ME



DAVID B. WARREN, LS 8244
EXPIRES 12/31/2019

DATE

SHEET 4 OF 4
CITY INDEX NO. _____



Agenda Item Details

Meeting	Apr 18, 2018 - Fontana Unified School District Board of Education Regular Meeting Agenda
Category	5. Discussion/Action Section
Subject	5.6 Business Services - Resolution #18-17: Intent to Grant Temporary Easement
Access	Public
Type	Discussion/Action
Fiscal Impact	No
Recommended Action	Adopt Resolution #18-17 declaring the District's intention to dedicate a temporary easement right-of-way at Elementary School No. 33 project site to City of Fontana for storm drain and maintenance purposes.

Public Content

BACKGROUND:

Education Code Section 17557 requires a two-step process for granting of easements. First, the Board must declare its intention to grant an easement. Second, at a subsequent Board meeting, the Board must hold a public hearing, and then may vote on the action to grant an easement. Approval of the attached resolution of intention is the first step. The resolution must be approved by a 2/3 vote and be signed by all or a majority of the members of the Board of Education.

City of Fontana is requesting that the District dedicate a temporary easement right-of-way for storm drain and maintenance purposes near Curtis Avenue and Catawba Avenue along the west quadrant of assessor's parcel 1108-081-04. This parcel contains approximately 0.360 acres for the possible future school site known as Elementary School No. 33 project as described in the legal description (Exhibit "A") and plat map (Exhibit "B") attached to the resolution.

SUBMITTED BY:

Ryan DiGiulio
Associate Superintendent, Business Services

Randal S. Bassett
Superintendent

[Resolution No. 18-17 - ES #33 Temp. Storm Drain Easement.pdf \(176 KB\)](#)

Administrative Content

Motion & Voting

Adopt Resolution #18-17 declaring the District's intention to dedicate a temporary easement right-of-way at Elementary School No. 33 project site to City of Fontana for storm drain and maintenance purposes.

Motion by Matt W Slowik, second by Mary B Sandoval.

Final Resolution: Motion Carried

Aye: Peter Garcia, Jason B O'Brien, Mary B Sandoval, Mars J Serna, Matt W Slowik