

RESOLUTION NO. 17/18-23
BEFORE THE BOARD OF TRUSTEES
OF CENTRAL UNIFIED SCHOOL DISTRICT
FRESNO COUNTY, CALIFORNIA

In the Matter Declaring Intention to Exchange
and Dedicate and Convey Real Property

RESOLUTION DECLARING INTENTION TO
EXCHANGE AND DEDICATE AND CONVEY
REAL PROPERTY: APN 442-280-14 AND APN
442-280-15

- A. WHEREAS, pursuant to Education Code section 17536, the governing board of a school district may exchange any of its real property for real property of another person or private business firm upon such terms and conditions as the parties may agree and enter into. Education Code section 17537 requires that before ordering any exchange of real property, the governing board shall adopt, by two-thirds vote of its members, a resolution declaring its intention to change the real property.
- B. WHEREAS, pursuant to Education Code section 17566, the governing board of any school district may dedicate or convey to the state, or any political subdivision or municipal corporation thereof, for public street or highway purposes, either with or without consideration and without a vote of the electors of the district first being taken, any real property belonging to the district, either in fee or any lesser estate or interest therein, including abutter's right of access to any public street or highway, upon such terms and conditions as the parties thereto may agree. Education Code section 17557 requires that before ordering the dedication or conveyance of any real 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 real property.
- C. WHEREAS, Fresno City Blessing Church, Inc. ("**Church**") is the owner of certain real property, designated as Assessor Parcel Number ("**APN**") 442-280-14, consisting of one parcel of vacant and unimproved land containing approximately 9,100 square feet, located on the east line of N. Valentine, immediately south of Hanh Phan Tilley Elementary School, in the City of Fresno, County of Fresno, and State of California ("**Church Property**"). The legal description and map of the Church Property is set forth in Exhibit A and Exhibit B attached hereto and incorporated by reference herein.
- D. WHEREAS, Central Unified School District ("**District**") is the owner the owner of certain real property, designated as APN 442-280-15, consisting of one parcel of vacant and unimproved land containing approximately 17,747 square feet, located on the southeast quadrant of N. Valentine Avenue and W. Clinton Avenue ("**District Property**"). The legal description and map of the District Property is set forth in Exhibit A and Exhibit B attached hereto and incorporated by reference herein.
- E. WHEREAS, City of Fresno ("**City**") is a municipal corporation, in Fresno County, State of California, with responsibilities, among other duties, to operate, maintain, and repair certain public streets and right-of-ways within the City's boundaries.
- F. WHEREAS, District desires to exchange the District Property for the Church Property owned by Church, and have Church convey the Church Property to City for the purposes of District constructing a public street (Weldon Avenue) thereon, and City owning the Church Property and undertaking all obligations to operate, maintain, and repair the Church Property with the

constructed public street. District intends to enter into an agreement with Church and to execute grant deeds with Church and City to accomplish these transactions, which agreement and grant deeds will be presented to the District's Board for approval.

- G. WHEREAS, by this Resolution, the Board of Trustees intends to declare its intention to exchange the District Property for the Church Property owned by Church and have Church dedicate and convey the Church Property to City for street purposes; and fix a date and time for the public hearing upon the question of making the dedication and conveyance of the Church Property to City.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the District hereby:

1. Declares and adopts the above recitals as true and correct.
2. Declare its intention to: (a) exchange the District Property for the Church Property owned by Church; and (b) have Church dedicate and convey the Church Property to City for street purposes. The exchange and dedication shall be in accordance with the terms and conditions of that certain agreement between District and Church and the grant deeds, which agreement and grant deeds shall be presented to the Board of Trustees for approval at a subsequent meeting(s).
3. Fixes the date and time of the public hearing upon the question of making the dedication and conveyance of the Church Property as follows: No earlier than 7:00 p.m. on January 9, 2018 at the Board's regular place of meeting located in the Performing Arts Center at Central East High School, 3535 North Cornelia, Fresno, 93722.

This Resolution is adopted at a duly called regular meeting of the Board of Trustees of the District held on, December 12, 2017 by the following votes:

Board President Cesar Granda:	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Board Vice President Ruben Coronado:	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Board Clerk Rama Dawar:	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Board Member Richard Atkins:	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Board Member Philip Cervantes:	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Board Member Terry Cox:	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Board Member Richard Solis:	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>

Board Member Signatures:

Board President Cesar Granda:

Cesar Granda

Board Vice President Ruben Coronado:

Ruben Coronado

Board Clerk Rama Dawar:

Rama Dawar

Board Member Richard Atkins:

Richard Atkins

Board Member Philip Cervantes:

Philip Cervantes

Board Member Terry Cox:

Terry Cox

Board Member Richard Solis:



CERTIFICATION

I am the Secretary of the Board of Trustees of the District and hereby certify that the foregoing resolution is the full, true, and correct resolution duly passed and adopted on the date stated above by the Board of Trustees.

Signature



Mark G. Sutton
Secretary, Board of Trustees
Central Unified School District

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