

**RESOLUTION OF THE  
BOARD OF EDUCATION  
OF THE MOUNTAIN VIEW WHISMAN SCHOOL DISTRICT**

**RESOLUTION NO. 04-061319**

**RESOLUTION OF THE GOVERNING BOARD OF THE MOUNTAIN VIEW WHISMAN SCHOOL  
DISTRICT DECLARING ITS INTENTION TO GRANT A PEDESTRIAN ACCESS EASEMENT TO THE  
CITY OF MOUNTAIN VIEW AT THE JOSE ANTONIO VARGAS ELEMENTARY SCHOOL**

WHEREAS, the Mountain View Whisman School District (“District”) owns real property located at 220 N. Whisman Road, Mountain View, California (A.P.N.: 160-51-001), commonly known as the Jose Antonio Vargas Elementary School (“District Property”); and

WHEREAS, the City of Mountain View, a California charter city and municipal corporation has indicated that it needs a perpetual easement for public use as a sidewalk and for purposes of installing, maintaining and repairing said sidewalk, together with appurtenances thereof, along, over and across a portion of the District Property as identified in Exhibit “A” attached hereto (the “Easement”); 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 notice, the District’s Governing Board adopts, in a regular open meeting (“Public Hearing”), 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 a 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 August 22, 2019 at 7:00 p.m., or as soon thereafter as the matter may be heard in the Stevenson School, MUR, located at 750 San Pierre Way, Mountain View, CA 94043.

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 and 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 August 22, 2019 at 7:00 p.m. at its regular place of meeting for a public hearing, or 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.”

Upon motion of Member \_\_\_\_\_, and duly seconded, the foregoing Resolution was adopted by the following vote:

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

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

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

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

Board of Education Members Signatures:

Tamara Wilson, President \_\_\_\_\_

José Gutiérrez, Jr., Vice-President \_\_\_\_\_

Devon Conley, Clerk \_\_\_\_\_

Laura Blakely, Member \_\_\_\_\_

Ellen Wheeler, Member \_\_\_\_\_

State of California )  
 ) SS  
County of Santa Clara )

I, Devon Conley, the Clerk of the Board of Education of the Mountain View Whisman School District of Santa Clara County, California, hereby certify that the above and foregoing

Resolution was duly adopted by said Board at a Regular meeting thereof held on the 13 day of June 2019, and passed by a vote of \_\_\_\_\_ of said Board.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Devon Conley, Clerk  
Clerk of the Board of Education

**EXHIBIT "A"**  
**EASEMENT**