

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

**RESOLUTION NO. 01-082219**

**RESOLUTION GRANTING AN 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 North Whisman Road, Mountain View, CA 94043 (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 proposed Easement that includes the description and location of the Easement is set forth in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the District does not need the Easement area for classroom buildings or educational purposes; and

WHEREAS, pursuant to Education Code section 17556 et seq., the District may grant the Easement at the District Property to the City for public access purposes; and

WHEREAS, pursuant to Education Code section 17557, on June 13, 2019, by unanimous vote, the District's Board adopted Resolution No.04-061319, entitled Resolution of the Governing Board of the Mountain View Whisman School District Declaring Its Intention to Grant an Easement to the City of Mountain View at the Jose Antonio Vargas Elementary School; and

WHEREAS, in compliance with the notice requirements of Education Code section 17558, not less than five (5) days prior to the public hearing held on August 17, 2019, the District gave public notice of the public hearing by publication in The Daily Post; and

WHEREAS, on August 22, 2019, the District held a public hearing on whether it should adopt this resolution to grant the Easement to the City.

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 District's Governing Board finds that there are no formal protests to the proposed grant of the Easement.

**Section 3.** This resolution to grant the Easement is in accordance with the procedures of Title 1, Division 1, Part 10.5, Chapter 4, Article 15 of the Education Code, and the District's Board hereby authorizes and directs Superintendent or Superintendent's designee to execute the Easement granting the Easement to the City of Mountain View and to deliver it.

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

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

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 \_\_\_\_ day of \_\_\_\_\_, 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**

EXHIBIT "A"

PEDESTRIAN ACCESS EASEMENT

Commencing at a found 2 1/2" punched brass disc monument in a monument box at the intersection of Pacific Drive and North Whisman Road as shown on that certain Tract Map No. 8941, recorded April 16, 1997 in Book 687 of Maps, at Pages 5-21, Official Records of Santa Clara County Records, State of California.

Thence, along the monument line of North Whisman Road as shown on said Tract Map, S16°22'23"W 32.30 feet;

Thence, leaving said monument line, N73°37'04"W 45.00 feet to a point on the northwesterly right-of-way line of North Whisman Road as shown on a certain Record of Survey, recorded September 21, 1965 in Book 199 of Maps, at Page 54, said point also being the Point of Beginning;

Thence, leaving said northwestern right of way line the following courses:

N17°22'56"W 6.75 feet;  
N16°22'23"E 8.85 feet;  
N73°37'37"W 4.99 feet;  
N16°22'23"E 20.73 feet;  
N73°37'37"W 3.29 feet;  
N16°22'23"E 5.21 feet;  
N38°25'51"E 27.98 feet;  
S73°37'37"E 1.52 feet to the northwesterly right-of-way line of North Whisman Road;

Thence, along said northwesterly right-of-way line, S16°22'23"W 66.34 feet to the Point of Beginning.


Containing an area of 483 square feet more or less.

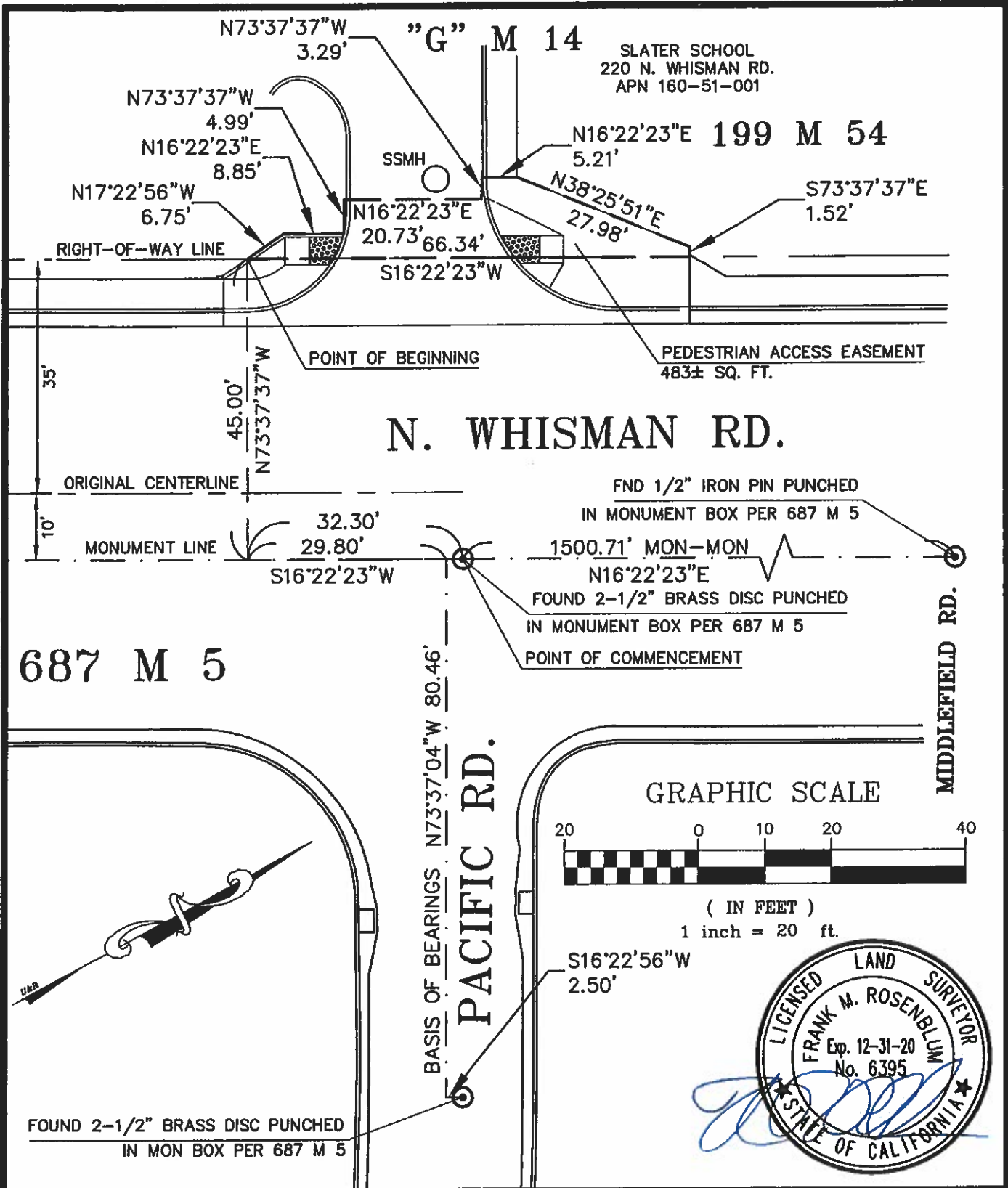
The above described Pedestrian Access Easement is graphically depicted on the attached Exhibit "B" plat to accompany description and made a part of this description by reference hereto.

The Basis of Bearing for this legal description and said attached Exhibit is the bearing N73°37'04"W as shown as the Pacific Rd. center line on that certain Parcel Map recorded April 16, 1997 in Book 687, Pages 5-21, Official Records of Santa Clara County, State of California.

This legal description was prepared by me or under my direction in accordance with the Professional Land Surveyor's Act.



  
\_\_\_\_\_  
SIGNATURE  
5/8/2019  
\_\_\_\_\_  
DATE



SLATER SCHOOL  
220 N. WHISMAN RD.  
APN 160-51-001

N16°22'23"E 199 M 54

N. WHISMAN RD.

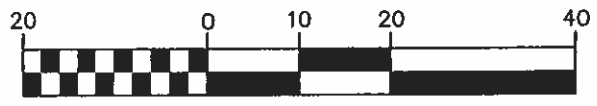
FND 1/2" IRON PIN PUNCHED  
IN MONUMENT BOX PER 687 M 5

1500.71' MON-MON  
N16°22'23"E  
FOUND 2-1/2" BRASS DISC PUNCHED  
IN MONUMENT BOX PER 687 M 5

687 M 5

BASIS OF BEARINGS N73°37'04" W 80.46'  
PACIFIC RD.

GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

S16°22'56"W  
2.50'



FOUND 2-1/2" BRASS DISC PUNCHED  
IN MON BOX PER 687 M 5



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**EXHIBIT "B"**  
**PLAT TO ACCOMPANY**  
**LEGAL DESCRIPTION**  
**PEDESTRIAN ACCESS EASEMENT**  
220 N. WHISMAN RD.  
MOUNTAIN VIEW CALIFORNIA

Date: 05/08/2019
Scale 1"=20'
Dwn by: CR
Checked: FR
Job No. J16110
Sheet 1 of 1