RESOLUTION NO. 2023-03-01

OF THE BOARD OF EDUCATION OF JEFFERSON ELEMENTARY SCHOOL DISTRICT AUTHORIZING THE DEDICATION OF REAL PROPERTY TO THE CITY OF TRACY

WHEREAS, the City of Tracy ("City") has requested that the Jefferson Elementary School District ("School District") dedicate a portion of real property to the City of Tracy ("City") to the centerline of Coriander Street which is adjacent to the School District's Coral Hollow Elementary School site ("Dedicated Property"). A map depicting the location of the Dedicated Property, identified as "Right of Way Dedication" is attached hereto and incorporated herein by reference as Exhibit "A";

WHEREAS, pursuant to Education Code section 17556, the governing board of a school district may convey to the state, or any political subdivision or municipal corporation thereof for public street or highway purposes, any real property belonging to such school district upon such terms and conditions as the parties thereto may agree;

WHEREAS, pursuant to Education Code section 17561, whenever school districts are required to improve and dedicate real property to the centerline of streets or highways adjacent to a schoolsite or forming an intersection at a schoolsite location, and when such street or highway rights-of-way are being conveyed to the city or county or by the city or county to the school district, School District is required to post a notice of intention to convey in an appropriate location before conveyance;

WHEREAS, pursuant to Government Code section 7050, with the consent of the City, an irrevocable offer of dedication of real property for any public purpose, including, but not limited to, streets may be made by the School District pursuant to this section and such offer of dedication shall be executed, acknowledged, and recorded in the same manner as a conveyance of real property; and

WHEREAS, the School District desires to dedicate the Dedicated Property to City for the City street purposes pursuant to the terms and conditions set forth in the Irrevocable Offer of Dedication attached hereto and incorporated herein by reference as Exhibit "B".

NOW, THEREFORE, THE BOARD OF EDUCATION DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the above recitals are all true and correct and are hereby incorporated by reference.

Section 2. The School District's Board authorizes and directs the Superintendent to: (i) first post a notice of intention to convey the Dedicated Property at 1219 Whispering Wind Dr., Tracy, CA 95377; and (ii) second to execute the Irrevocable Offer of Dedication and take whatever action is necessary to complete the dedication of the Dedicated Property to City.

Section 3. That the School District's Board hereby determines that the School District is in compliance with all relevant sections of the Education Code and all other applicable laws.

Section 4. That the District's Superintendent, or his designee, is hereby authorized and directed to do any and all things and to execute and deliver any and all documents which he may deem necessary or advisable in order to consummate the referenced conveyances, and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution.

Section 5. That this Resolution shall be effective as of the date of its adoption.

ADOPTED, SIGNED AND APPROVED this 14th day of March, 2023.

_____

President of the Board of Education for the
Jefferson Elementary School District

I, _____, Clerk of the Board of Education of Jefferson Elementary School District, do hereby certify that the foregoing Resolution was adopted by the Board of Education of said District at a meeting of said Board held on the 14th day of March, 2023, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____

Clerk of the Board of Education
of Jefferson Elementary School District

EXHIBIT "A"

MAP OF THE DEDICATED PROPERTY

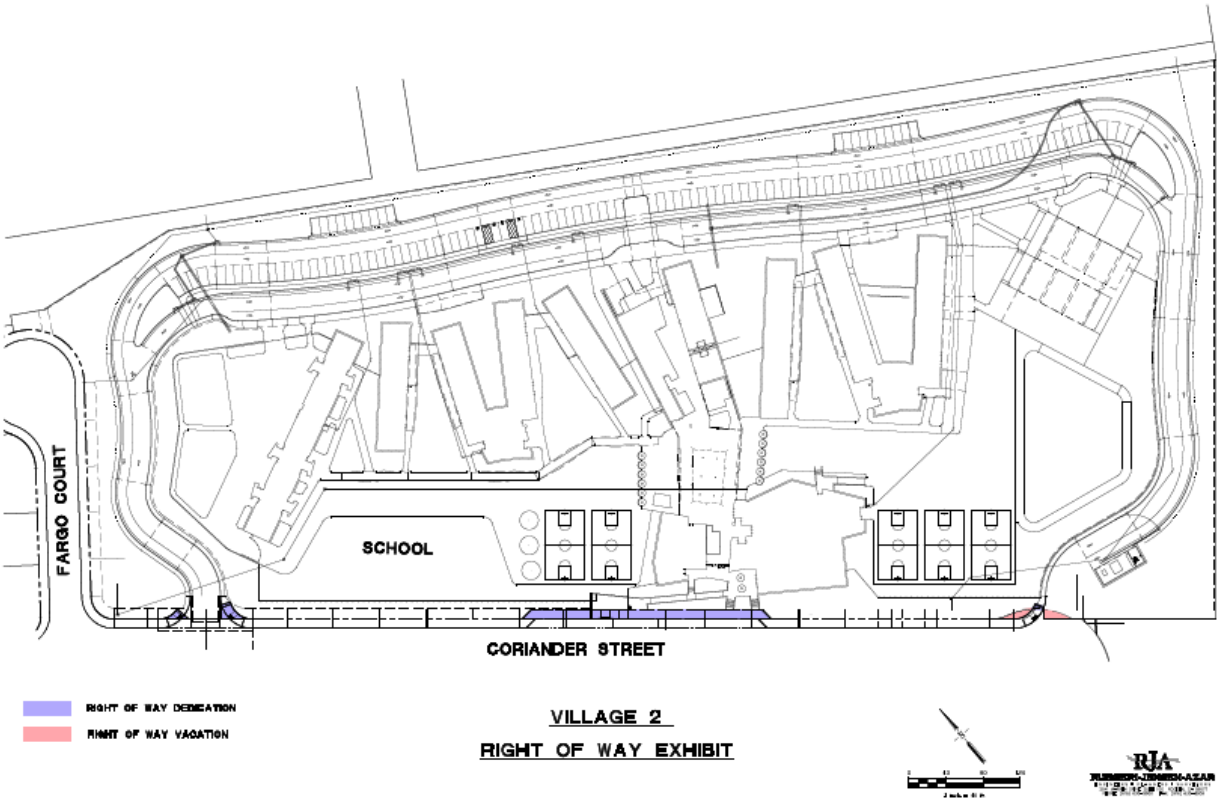


EXHIBIT "B"

FORM OF IRREVOCABLE OFFER OF DEDICATION

RECORDING REQUESTED BY:
JEFFERSON ELEMENTARY SCHOOL DISTRICT

AFTER RECORDING PLEASE RETURN TO: CITY OF TRACY
333 Civic Center Plaza
Tracy, CA 95376
ATTENTION: Adrianne Richardson, City Clerk

(Space above Line for Recorder's Use Only)
THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTION 27383 OF THE CALIFORNIA GOVERNMENT CODE

IRREVOCABLE OFFER OF DEDICATION

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Jefferson Elementary School District represents that, as the owner of the herein-described real property ("Grantor"), Grantor hereby makes an Irrevocable Offer of Dedication of fee interest to the City of Tracy ("City") the hereinafter described real property for public street purposes.

The real property referred to above is situated in the City of Tracy, County of San Joaquin, State of California, as more particularly described in Exhibit "A" Legal Description, attached hereto and hereby incorporated by reference.

This offer of dedication of fee interest shall be irrevocable and shall be binding on the Grantor, its heirs, executors, administrators, successors and assigns.

The property dedicated herein is on an "AS-IS" basis and Grantor makes no representation or warranty of any kind regarding the condition of the Grantor's property.

Grantee hereby agrees to defend, indemnify, and hold harmless Grantor from and against any and all claims, liability, and damages caused by Grantee's activities related to said property, except to the extent that such claims arise from the sole active negligence or willful misconduct of Grantor, its employees, agents and contractors.

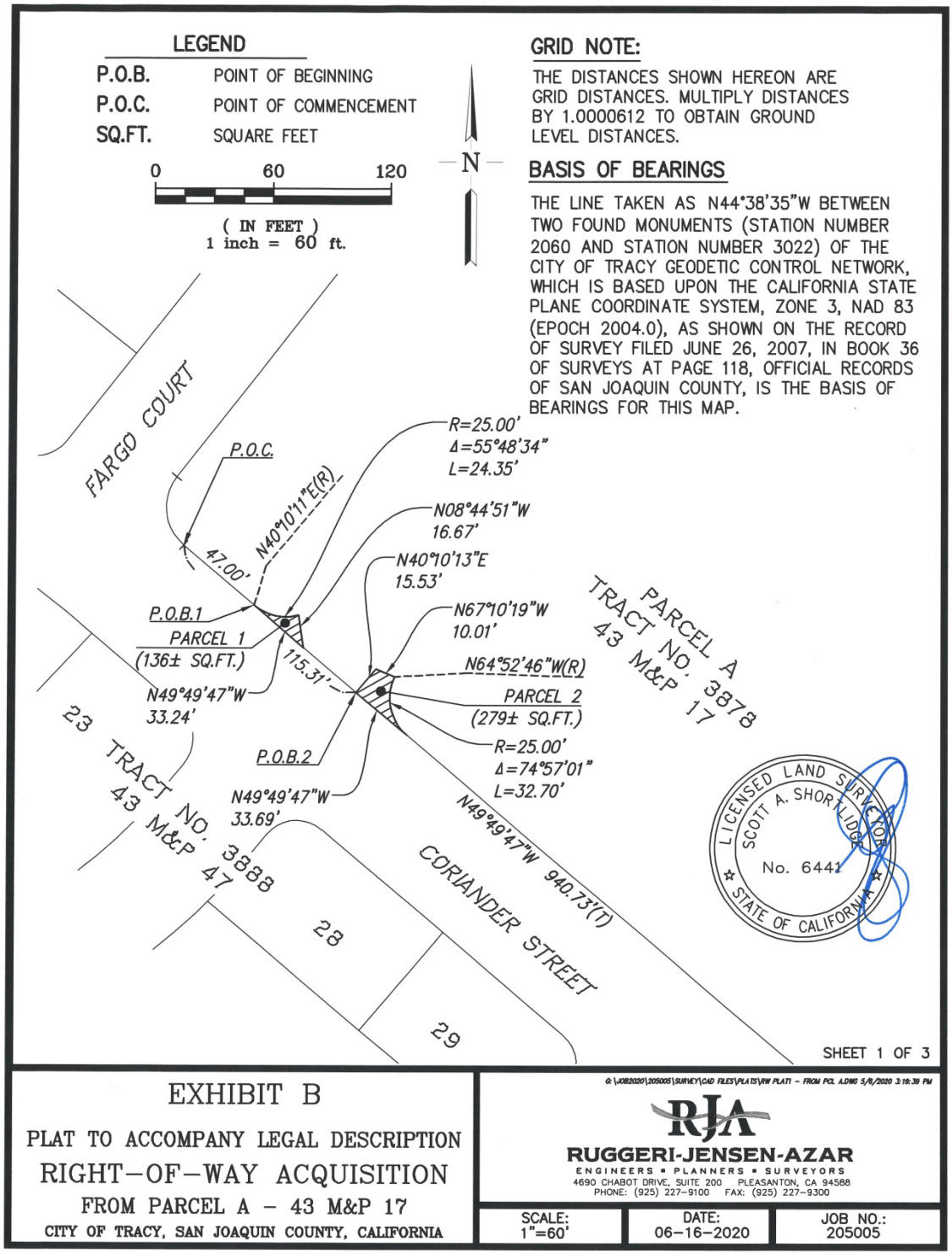
IN WITNESS WHEREOF, Grantor has executed this Irrevocable Offer of Dedication

of _____, 2023.

JEFFERSON ELEMENTARY SCHOOL DISTRICT

By: _____
Its:_____

Exhibit "A" to Irrevocable Offer of Dedication
Legal Description and Platt



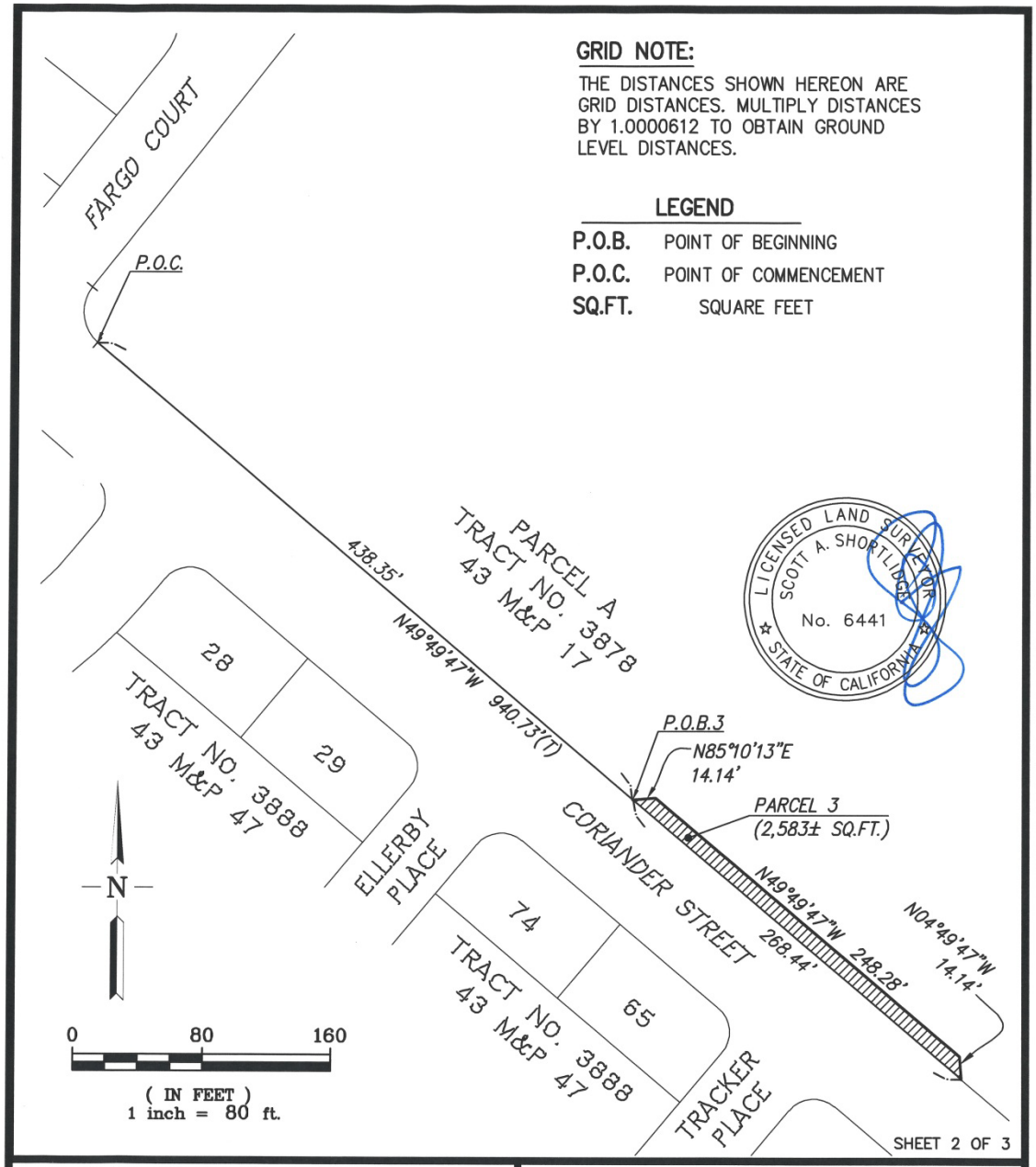


EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION

RIGHT–OF–WAY ACQUISITION

FROM PARCEL A – 43 M&P 17

CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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RJA

RUGGERI-JENSEN-AZAR

ENGINEERS ▪ PLANNERS ▪ SURVEYORS

4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588

PHONE: (925) 227–9100 FAX: (925) 227–9300

SCALE:	DATE:	JOB NO.:
1"=80'	06–16–2020	205005

LEGEND

P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
SQ.FT.	SQUARE FEET

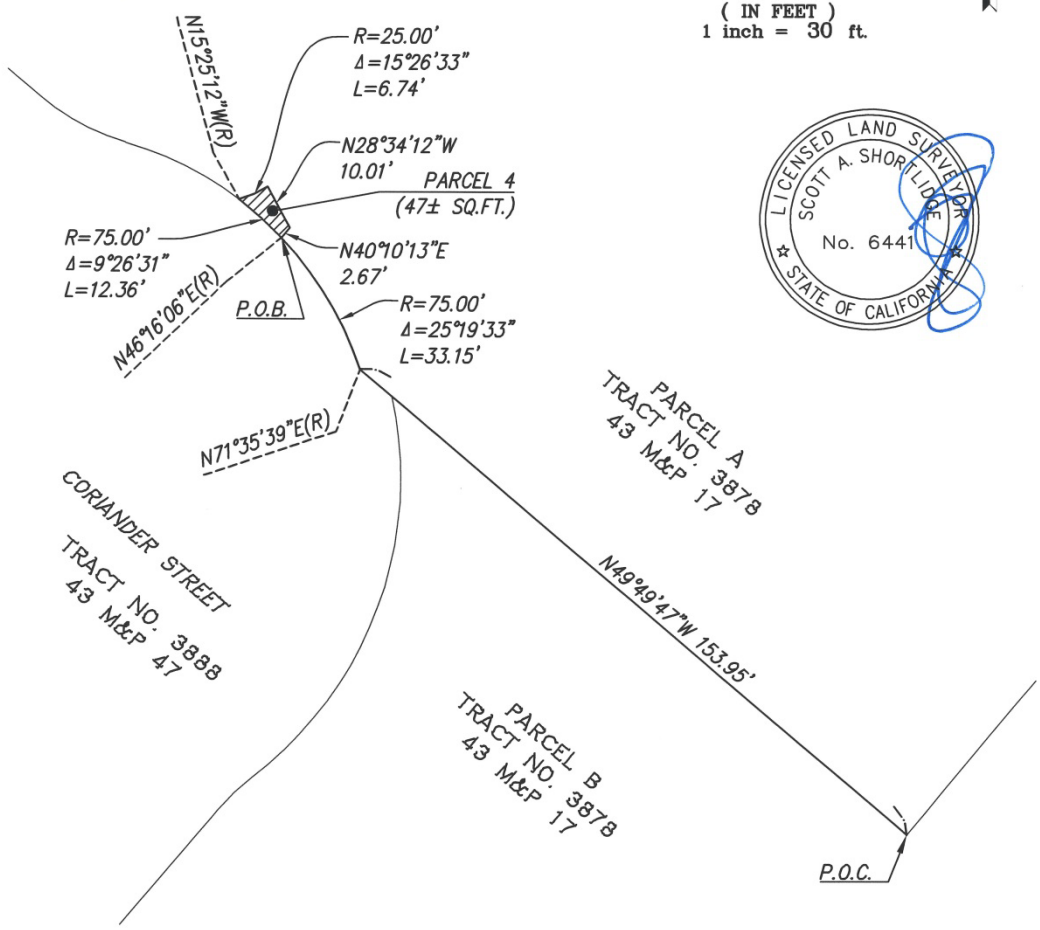
GRID NOTE:

THE DISTANCES SHOWN HEREON ARE GRID DISTANCES. MULTIPLY DISTANCES BY 1.0000612 TO OBTAIN GROUND LEVEL DISTANCES.

N

0 30 60

(IN FEET)
1 inch = 30 ft.



LICENSED LAND SURVEYOR
SCOTT A. SHORTLIDGE
No. 6441
STATE OF CALIFORNIA

SHEET 3 OF 3

EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION

RIGHT–OF–WAY ACQUISITION

FROM PARCEL A – 43 M&P 17

CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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RJA
RUGGERI-JENSEN-AZAR
ENGINEERS ▪ PLANNERS ▪ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227–9100 FAX: (925) 227–9300

SCALE:	DATE:	JOB NO.:
1"=30'	06–16–2020	205008

EXHIBIT A

Real property situate in the City of Tracy, County of San Joaquin, State of California, being portions of Parcel A as shown on map of Tract No. 3878, filed for record on January 26, 2018 in Book 43 of Maps and Plats, at Page 17, Official Records of San Joaquin County, and being more particularly described as follows:

Parcel 1

Commencing at a corner on the southerly line of said Parcel A, said corner being the northwestern terminus of the course shown as "N49°49'47"W, 940.73 feet" on said Tract No. 3878; thence along said southerly line of Parcel A, South 49°49'47" East, 47.00 feet to the **Point of Beginning**, said point being the beginning of a non-tangent curve to the left, from which the center bears North 40° 10' 11" East; thence leaving said southerly line of Parcel A and entering said Parcel A, the following two (2) courses: (1) easterly along the arc of said curve to the left, having a radius of 25.00 feet, through a central angle of 55° 48' 34", an arc length of 24.35 feet and (2) South 08° 44' 51" East, 16.67 feet to said southerly line of Parcel A; thence along said southerly line, North 49° 49' 47" West, 33.24 feet to the **Point of Beginning**.

Containing 136 square feet (0.00 acres) of land area, more or less.

Parcel 2

Commencing at a corner on the southerly line of said Parcel A, said corner being the northwestern terminus of the course shown as "N49°49'47"W, 940.73 feet" on said Tract No. 3878; thence along said southerly line of Parcel A, South 49°49'47" East, 115.31 feet to the **Point of Beginning**; thence leaving said southerly line of Parcel A and entering said Parcel A,

the following three (3) courses: (1) North 40° 10' 13" East, 15.53 feet, (2) South 67° 10' 19" East, 10.01 feet to a non-tangent curve to the left, from which the center bears South 64° 52' 46" East, and (3) southeasterly along the arc of said curve to the left, having a radius of 25.00 feet, through a central angle of 74° 57' 01", an arc length of 32.70 feet to said southerly line of Parcel A; thence along said southerly line, North 49° 49' 47" West, 33.69 feet to the **Point of Beginning**.

Containing 279 square feet (0.01 acres) of land area, more or less.

Parcel 3

Commencing at a corner on the southerly line of said Parcel A, said corner being the northwestern terminus of the course shown as "N49°49'47"W, 940.73 feet" on said Tract No. 3878; thence along said southerly line of Parcel A, South 49°49'47" East, 438.35 feet to the **Point of Beginning**; thence leaving said south line of Parcel A and entering said Parcel A, the following three (3) courses: (1) North 85° 10' 13" East, 14.14 feet, (2) South 49° 49' 47" East, 248.28 feet, and (3) South 04° 49' 47" East, 14.14 feet to the south line of said Parcel A; thence along said southerly line, North 49° 49' 47" West, 268.44 feet to the **Point of Beginning**.

Containing 2583 square feet (0.06 acres) of land area, more or less.

Parcel 4

Commencing at a corner on the southerly line of said Parcel A, said corner being the southeastern terminus of the course shown as "N49°49'47"W, 153.95 feet" on said Tract No. 3878; thence along said southerly line of Parcel A, North 49°49'47" West, 153.95 feet to a non-tangent curve to the left, from which the center bears South 71°35'39" West; thence continuing along said southerly line of Parcel A northwesterly along said curve to the left, having a radius of 75.00 feet, through a central angle of 25°19'33", an arc length of 33.15 feet to the **Point of**

Beginning; thence continuing northwesterly along said southerly line and said curve to the left having a radius of 75.00 feet, from which the center bears South 46° 16' 06" West, through a central angle of 09° 26' 31", an arc length of 12.36 feet to a non-tangent curve to the left, from which the center bears North 15° 25' 12" West; thence leaving said southerly line of said Parcel A and entering said Parcel A, the following three (3) courses: (1) easterly along the arc of said curve to the left, having a radius of 25.00 feet, through a central angle of 15° 26' 33", an arc length of 6.74 feet, (2) South 28° 34' 12" East, 10.01 feet, and (3) South 40° 10' 13" West, 2.67 feet to the **Point of Beginning**.

Containing 47 square feet (0.001 acres) of land area, more or less.

See Exhibit B – Plat to Accompany Legal Description which is attached hereto and made a part hereof.

END OF DESCRIPTION

LICENSED LAND SURVEYOR
SCOTT A. SHORTLIDGE
No. 6441
STATE OF CALIFORNIA

Scott A. Shortlidge

7-16-2020
Date

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Joaquin)

On _____, before me, _____,
(insert name and title of the officer)
Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature_____ (Seal)