



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 10.2

**Meeting Date:** June 22, 2023

**Subject:** **Public Hearing for Resolution No. 3327: Resolution to Convey Easement Entitlements to the City of Sacramento for a Public Sidewalk in Front of Ethel Phillips Elementary**

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

**Division:** Facilities Support Services

**Recommendation:** Provide a Public Hearing on Resolution No. 3327, which conveys easement entitlements to the City of Sacramento for a public sidewalk in front of Ethel Phillips Elementary. Approve subsequent Resolution No. 3327 as part of the Consent Agenda during the same meeting.

**Background/Rationale:** The City of Sacramento is seeking to acquire a permanent Easement for an installation of a public sidewalk over a portion of Ethel Phillips Elementary School, located at 2930 21st Avenue, in the City of Sacramento. City staff in the Department of Public Works is proposing the project to enhance public safety by installing and widening a public sidewalk, which will provide adequate walkways to Ethel Phillips Elementary and the adjacent neighborhood. The existing public sidewalk was found to be inadequate. The new public sidewalk will be widened within a new location at the frontage of the school's parcel.

Pursuant to Education Code 17557, the District must adopt a Resolution of Intention to dedicate or convey any District property prior to the adoption of a Resolution, which declares or conveys property and provide notice to a Public Hearing. As such, the Board of Education adopted Resolution No. 3322 at its May 18, 2023 meeting, and it declared the District's intention to convey certain District property located at 2930 21<sup>st</sup> Avenue, Sacramento, CA 95820, to the City of Sacramento for a public safety easement.

Pursuant to Education Code 17558, copies of the adopted Resolution of Intention must be posted in three public spaces within the District not less than 10 days before the date of the meeting and publish the notice in a newspaper of general circulation not less than 5 days before

the date it plans to provide a Public Hearing and adopt the Resolution. As such, Resolution No. 3322 was posted in three public places within the District and a Notice of Public hearing was published in The Daily Recorder on June 9, 2023.

**Financial Considerations:** The City of Sacramento to pay District \$11,700 for the public sidewalk Easement because efforts to widen the sidewalk require a larger easement area than the one currently in place at the site.

**LCAP Goal(s):** Operational Excellence

**Documents Attached:**

1. Notice of Public Hearing
2. Executive Summary
3. Legal description and plat map(s) of the Easement area

**Estimated Time of Presentation:** 5 minutes

**Submitted by:** Rose Ramos, Chief Business & Operations Officer  
Nathaniel Browning, Director of Facilities

**Approved by:** Jorge A. Aguilar, Superintendent

**Sacramento City Unified School District**  
Compliance with Education Code Article 15 [17556-17561] Dedication of Real Property

## **NOTICE OF PUBLIC HEARING**

The Sacramento City Unified School District hereby gives notice that a  
Public Hearing will be held as follows:

### **Topic of Hearing:**

**Resolution No. 3327: Resolution to Convey Public Easement Entitlements to the City of  
Sacramento for a Public Sidewalk in front of Ethel Phillips Elementary**

Copies of this resolution may be inspected at:

**Serna Educational Center  
5735 47<sup>th</sup> Avenue  
Sacramento, CA 95824**

**SCUSD Maintenance Office  
425 1<sup>st</sup> Ave  
Sacramento, CA 95818**

**Ethel Phillips Elementary School  
2930 21<sup>st</sup> Avenue  
Sacramento, CA 95822**

The Sacramento City Unified School District Governing Board will consider adoption of a  
Resolution to Convey Public Safety Easement Entitlements to the City of Sacramento for a New  
Woodbine Elementary Fire Hydrant.

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**HEARING DATE:** Thursday, June 22, 2023

**TIME:** 6:30 P.M.

**LOCATION:** Serna Educational Center  
5735 47<sup>th</sup> Ave  
Sacramento, CA 95824

**FOR ADDITIONAL INFORMATION CONTACT:** SCUSD Facilities Support Services Department  
(916) 643-9233.

# Board of Education Executive Summary

## Facilities Support Services

**Public Hearing for Resolution No. 3327:** Resolution to Convey Easement Entitlements to the City of Sacramento for a Public Sidewalk in Front of Ethel Phillips Elementary  
June 22, 2023



### I. Overview/History of Department or Program

The City of Sacramento is seeking to acquire a permanent Easement for an installation of a public sidewalk over a portion of Ethel Phillips Elementary School, located at 2930 21<sup>st</sup> Avenue, in the City of Sacramento. City staff in the Department of Public Works is proposing the project to enhance public safety by installing and widening a public sidewalk, which will provide adequate walkways to Ethel Phillips Elementary and the adjacent neighborhood. The existing public sidewalk was found to be inadequate. The new public sidewalk will be widened within a new location at the frontage of the school's parcel.

The City desires to acquire an area of approximately 1,312 square feet for said Easement. The legal description and plat map(s) of the Easement area are attached to this Board item. The City has determined the total just compensation for the Easement to be \$11,700.

To initiate the process for a utility easement, Education Code 17557 specifies that the District has to provide a resolution of its intention to dedicate real property. On the October 6, 2022, Board of Education Meeting, the Governing Board adopted Resolution No. 3291 which declared the District's intention to convey District property located at 2500 52<sup>nd</sup> Ave, Sacramento, CA 95822, to the City of Sacramento for a public safety easement.

Thereafter, Pursuant to Education Code 17558, copies of Resolution No. 3291 were posted in three public places within the District and a Notice of Public Hearing was published in The Daily Recorder on November 3, 2022.

### II. Driving Governance:

Education Code Article 15 §17556-17561

### III. Budget:

The City of Sacramento to pay District \$11,700 for the public sidewalk Easement because efforts to widen the sidewalk require a larger easement area than the one currently in place at the site.

### IV. Goals, Objectives and Measures:

Convey Easement Entitlements to the City of Sacramento for a public sidewalk in front of Ethel Phillips Elementary.

### V. Major Initiatives:

N/A

# Board of Education Executive Summary

## Facilities Support Services

**Public Hearing for Resolution No. 3327:** Resolution to Convey Easement Entitlements to the City of Sacramento for a Public Sidewalk in Front of Ethel Phillips Elementary  
June 22, 2023



### VI. Results:

City staff in the Department of Public Works is proposing the project to enhance and widen the sidewalk in front of Ethel Phillips Elementary and the adjacent neighborhood. The existing sidewalk at the elementary school was found to be inadequate.

### VII. Lessons Learned/Next Steps:

Adopt the subsequent Resolution No. 3327 on the Consent Agenda, which conveys easement entitlements to the City of Sacramento for a public sidewalk in front of Ethel Phillips.

RECORDING REQUESTED BY  
AND FOR THE BENEFIT OF

**CITY OF SACRAMENTO  
NO FEE DOCUMENT  
Govt Code 27383**

WHEN RECORDED MAIL TO

CITY OF SACRAMENTO  
Real Estate Services  
915 I Street, 2nd Floor  
Sacramento, California 95814

NO TRANSFER TAX DUE per R&T Code 11922  
Grantee is a Government Agency

SPACE ABOVE THIS LINE FOR RECORDERS USE

ACQE-23-01-00  
RESS File #

01007382-010-PA-PJ  
Escrow #

019-0102-003  
Portion of APN

**EASEMENT FOR PUBLIC SIDEWALK AND PUBLIC UTILITIES**

**Sacramento City Unified School District who acquired title as South Sacramento School District of Sacramento County, a political subdivision of the State of California (Grantor)**

hereby grants to

**CITY OF SACRAMENTO, a municipal corporation (Grantee)**

an easement for the access, construction, improvement, use, and operation of public sidewalk and associated uses on, over, a cross, and under all that real property situated in the City of Sacramento, County of Sacramento, State of California, described as follows:

SEE ATTACHED LEGAL DESCRIPTION MARKED AS EXHIBIT 'A'  
AND DIAGRAMED IN THE CORRESPONDING PLAT MAP ATTACHED AS EXHIBIT 'B'

and an easement for public utilities on, over, across, and under all that real property situated in the City of Sacramento, County of Sacramento, State of California, described as follows:

SEE ATTACHED LEGAL DESCRIPTION MARKED AS EXHIBIT 'C'  
AND DIAGRAMED IN THE CORRESPONDING PLAT MAP ATTACHED AS EXHIBIT 'D'

The Grantor(s), for themselves, and their successors and assigns, hereby waive any claim for any and all severance damages to their remaining property contiguous to the right-of-way hereby conveyed by reason of the location, construction, or maintenance of said easement.

**Sacramento City Unified School District who acquired title as  
South Sacramento School District of Sacramento, a political subdivision  
of the State of California (Grantor)**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

EXHIBIT A  
LEGAL DESCRIPTION  
APN: 019-0102-003  
Page 1 of 2

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

ALL THOSE PORTIONS OF LOT 56 AND LOT 57 AS SAID LOTS ARE SHOWN ON THE AMENDED PLAT OF EDWARD COYLE SUBDIVISION, FILED IN BOOK 18 OF MAPS, MAP NO. 13 RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE SOUTHERLY LINE OF 21<sup>ST</sup> AVENUE, (FORMERLY OAKLAND AVENUE), SAID POINT BEING WITHIN SAID LOT 57 AND BEARS SOUTH 26° 48' 08" WEST, 188.91 FEET TO THE SOUTHWEST CORNER OF SAID LOT 57; THENCE FROM SAID **POINT OF BEGINNING** ALONG SAID SOUTHERLY LINE OF 21<sup>ST</sup> AVENUE, SOUTH 89° 50' 07" WEST, 85.47 FEET TO A POINT ON SAID SOUTHERLY LINE AT THE COMMON LOT LINE OF SAID LOT 57 AND LOT 56; THENCE CONTINUING ALONG SAID SOUTHERLY LINE INTO SAID LOT 56 SOUTH 89° 50' 07" WEST, 178.15' FEET TO A POINT ON SAID LINE; THENCE LEAVING SAID SOUTHERLY LINE INTO SAID LOT 56 SOUTH 00° 09' 53" EAST, 7.30 FEET TO A POINT; THENCE NORTH 88° 44' 35" EAST, 135.64 FEET; THENCE NORTH 89° 05' 25" EAST, 42.54 FEET TO A POINT ON THE COMMON LOT LINE OF SAID LOT 56 AND LOT 57; THENCE CONTINUING INTO SAID LOT 57 NORTH 89° 05' 25" EAST, 85.49 FEET TO A POINT; THENCE NORTH 00° 09' 52" WEST, 3.05 FEET TO THE **POINT OF BEGINNING**. CONTAINING 1,312 SQUARE FEET MORE OR LESS.

THE BASIS OF BEARING FOR THIS LEGAL DESCRIPTION IS IDENTICAL TO THAT OF THE MOST SOUTHERLY SUBDIVISION LINE OF THE AMENDED PLAT OF EDWARD COYLE SUBDIVISION, FILED IN BOOK 18 OF MAPS, MAP NO. 13 RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY. SAID REFERENCE BEARING BEING NORTH 89° 54' 00" EAST.

SEE EXHIBIT B, PLAT TO ACCOMPANY DESCRIPTION, ATTACHED HERETO AND MADE A PART HEREOF.

EXHIBIT A  
LEGAL DESCRIPTION  
APN: 019-0102-003  
Page 2 of 2

END OF LEGAL DESCRIPTION

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH  
SECTION 8761 OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

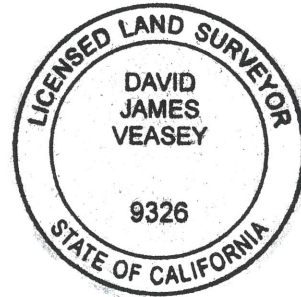


DAVID J. VEASEY

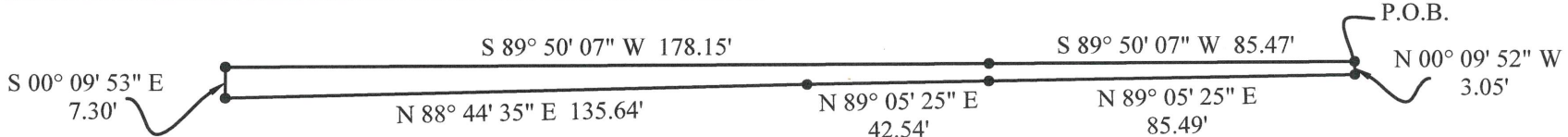
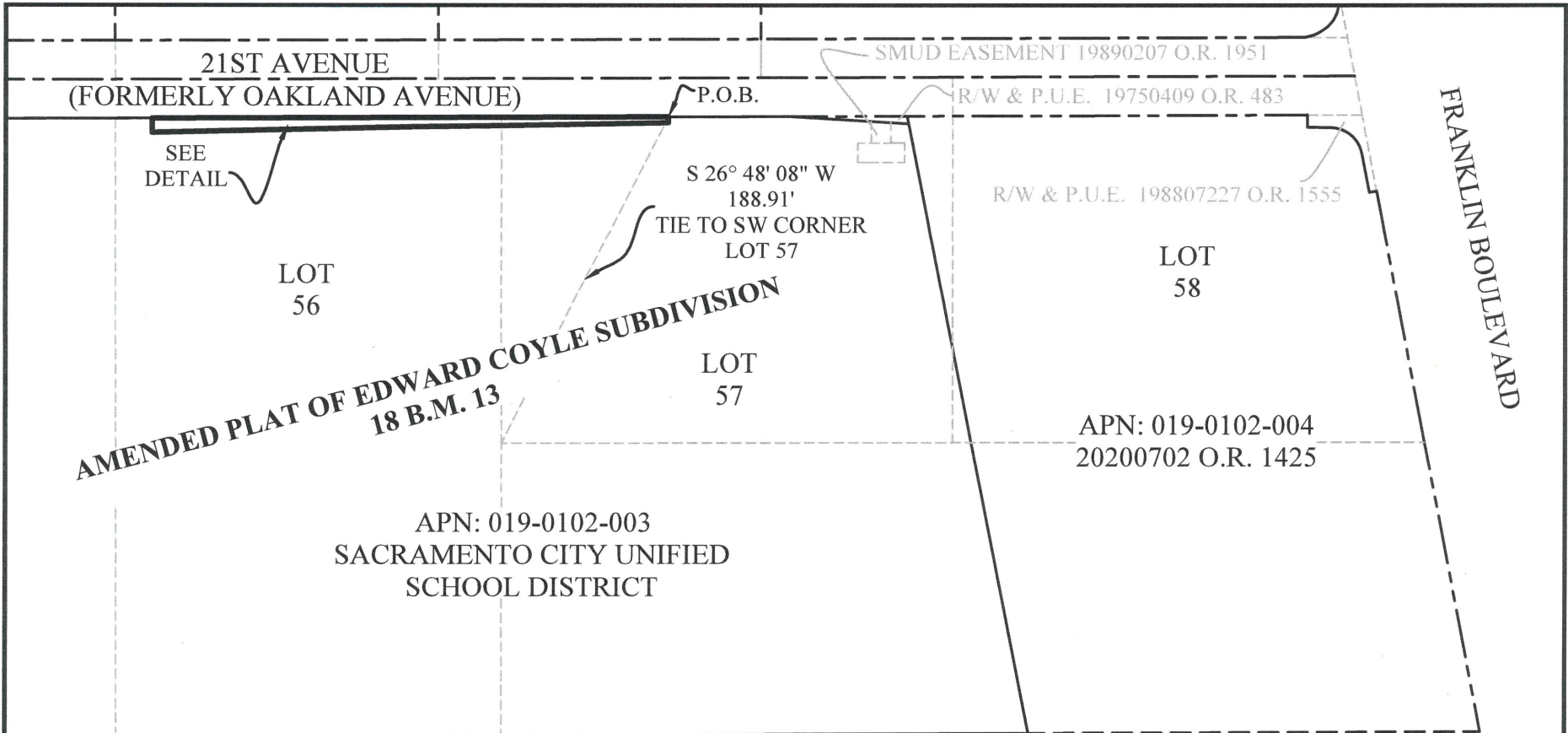
L.S. 9326 EXP. 03/31/2025

5-31-2023

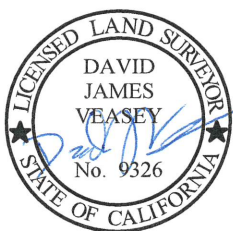
DATE







TOTAL AREA OF  
EASEMENT PARCEL  
1,312 SQ. FT.



DETAIL  
N.T.S.



SCALE:  
1" = 80'

EXHIBIT B  
APN: 019-0102-003  
CITY OF SACRAMENTO

MAY 2023

EXHIBIT C  
LEGAL DESCRIPTION  
APN: 019-0102-003  
UTILITY EASEMENT  
Page 1 of 2

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF LOT 56 AS SAID LOT IS SHOWN ON THE AMENDED PLAT OF EDWARD COYLE SUBDIVISION, FILED IN BOOK 18 OF MAPS, MAP NO. 13 RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE SOUTHERLY LINE OF 21<sup>ST</sup> AVENUE, (FORMERLY OAKLAND AVENUE), SAID POINT BEING WITHIN SAID LOT 56 AND BEARS SOUTH 89° 50' 07" WEST, 27.72 FEET FROM THE NORTHEAST CORNER OF SAID LOT 56; THENCE FROM SAID **POINT OF BEGINNING**, LEAVING SAID SOUTHERLY LINE INTO SAID LOT 56 SOUTH 00° 09' 53" EAST, 6.00 FEET TO A POINT; THENCE PARALLEL TO SAID SOUTHERLY LINE, SOUTH 89° 50' 07" WEST, 6.00 FEET TO A POINT; THENCE NORTH 00° 09' 53" WEST, 6.00 FEET TO A POINT ON SAID SOUTHERLY LINE OF 21<sup>ST</sup> AVENUE; THENCE ALONG SAID SOUTHERLY LINE, NORTH 89° 50' 07" EAST, 6.00 FEET TO THE **POINT OF BEGINNING**. CONTAINING 36 SQUARE FEET MORE OR LESS.

THE BASIS OF BEARING FOR THIS LEGAL DESCRIPTION IS IDENTICAL TO THAT OF THE MOST SOUTHERLY SUBDIVISION LINE OF THE AMENDED PLAT OF EDWARD COYLE SUBDIVISION, FILED IN BOOK 18 OF MAPS, MAP NO. 13 RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY. SAID REFERENCE BEARING BEING NORTH 89° 54' 00" EAST.

EXHIBIT C  
LEGAL DESCRIPTION  
APN: 019-0102-003  
UTILITY EASEMENT  
Page 2 of 2

SEE EXHIBIT D, PLAT TO ACCOMPANY DESCRIPTION, ATTACHED HERETO AND MADE A PART  
HEREOF.

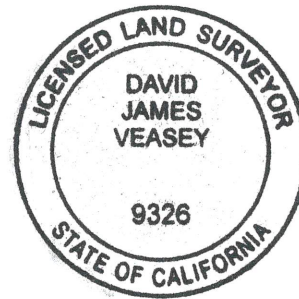
END OF LEGAL DESCRIPTION

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH  
SECTION 8761 OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

  
\_\_\_\_\_  
DAVID J. VEASEY

L.S. 9326 EXP. 03/31/2025

5-26-2023  
\_\_\_\_\_  
DATE



LOT  
35

LOT  
34

LOT  
33

LOT  
32

21ST AVENUE  
(FORMERLY OAKLAND AVENUE)

P.O.B.

R/W & P.U.E. 19750409 O.R. 483

SEE DETAIL

NE CORNER  
LOT 56

SMUD EASEMENT  
19890207 O.R. 1951

S 89° 50' 07" W 27.72'  
TIE FROM NE CORNER LOT 56

LOT  
55

LOT  
56

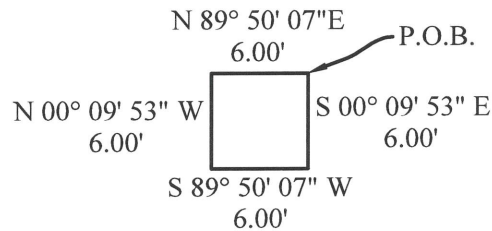
LOT  
57

**AMENDED PLAT OF EDWARD COYLE SUBDIVISION  
18 B.M. 13**

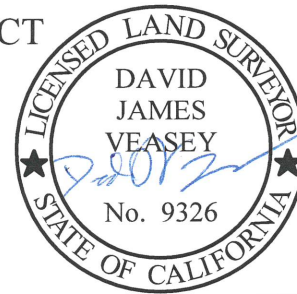
APN: 019-0102-004  
20200702 O.R. 1425

APN: 019-0102-003  
SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

TOTAL AREA OF  
EASEMENT PARCEL  
36 SQ. FT.



DETAIL NOT TO SCALE



SCALE:  
1" = 60'

BASIS OF BEARING N 89° 54' 00" E SOUTHERLY SUBDIVISION LINE OF 18 B.M. 13

**MAY 2023**

**EXHIBIT D**  
APN: 019-0102-003  
UTILITY EASEMENT  
CITY OF SACRAMENTO