



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 13.1n

Meeting Date: June 22, 2023

Subject: Approve Resolution No. 3227: 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: Subsequent to the Public Hearing on this resolution, approve Resolution No. 3327, which conveys easement entitlements to the City of Sacramento for a public sidewalk in front of Ethel Phillips Elementary.

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 21st 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. Resolution to Convey Easement Entitlements to the City of Sacramento for a Public Sidewalk in Front of Ethel Phillips Elementary
2. Legal description and plat map(s) of the Easement area

Estimated Time of Presentation: NA

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

Approved by: Jorge A. Aguilar, Superintendent

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

RESOLUTION NO. 3327

**RESOLUTION TO CONVEY EASEMENT ENTITLEMENTS TO THE CITY OF
SACRAMENTO FOR A PUBLIC SIDEWALK IN FRONT OF ETHEL PHILLIPS
ELEMENTARY**

WHEREAS, the Sacramento City Unified School District (“District”) owns the property at Ethel Phillips Elementary School located at 2930 21st Avenue, in the City of Sacramento (“Property”); and

WHEREAS, the City of Sacramento is seeking to acquire a permanent easement (“Easement”) for the access, construction, improvement, use, and operation of a public sidewalk and associated uses on, over, across, and under all that real property situated on the Property, including the relocation of a utility pole guy wire, as outlined in Exhibits A-D to this resolution; and

WHEREAS, on May 18, 2023, the Board of Education adopted Resolution No. 3322, declaring its intention to convey public easement entitlements to the City of Sacramento and providing notice of a public hearing for adoption of this Resolution to convey such entitlements; and

WHEREAS, the City of Sacramento desires to acquire an area of approximately 1,312 square feet for said Easement for \$11,700.

NOW, THEREFORE, BE IT RESOLVED by the Sacramento City Unified School District Board of Education which finds and determines as follows:

1. Adopts the foregoing recitals as true and correct.
2. Adopts this Resolution conveying public easement entitlements with related facilities to the City of Sacramento for the District’s Ethel Phillips Elementary located at 2930 21st Avenue, Sacramento, CA.
3. Authorizes the Superintendent, or his designee, to review and execute any and all easement entitlements with related facilities, including agreements and plans, to the City of Sacramento as necessary to carry out the purpose of this Resolution.

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this 22th day of June 2023, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

Chinua Rhodes
President of the Board of Education

ATTESTED TO:

Jorge A. Aguilar
Secretary of the Board of Education

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 21ST 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 21ST 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.

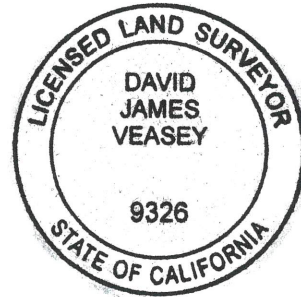


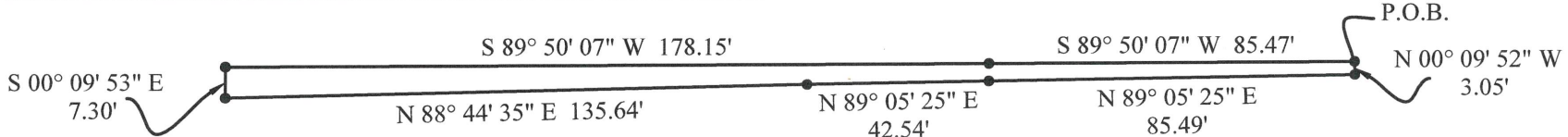
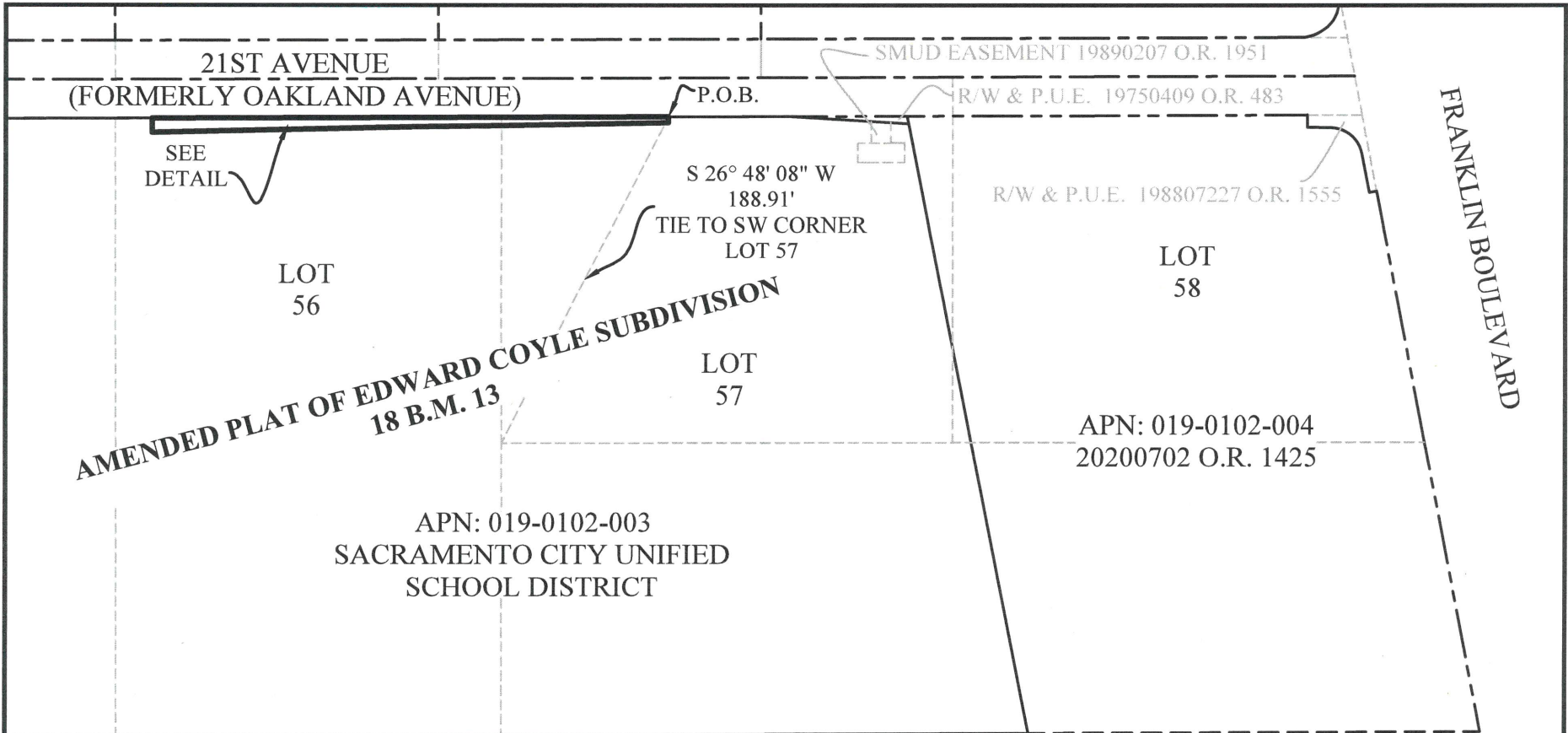
DAVID J. VEASEY

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

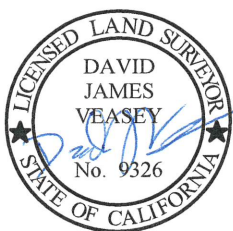
5-31-2023

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 21ST 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 21ST 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.

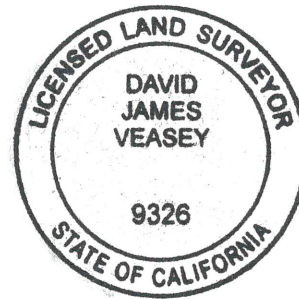


DAVID J. VEASEY

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

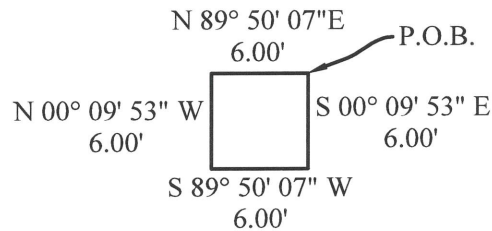
LOT
57

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

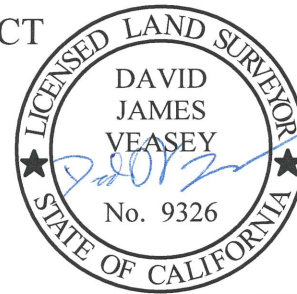
APN: 019-0102-004
20200702 O.R. 1425

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