

**SOLANO COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD AGENDA ITEM**

TO: Members of the Governing Board

**SUBJECT: PUBLIC HEARING ON THE CONVEYANCE OF
PROPOSED MAINTENANCE EASEMENTS TO CITY OF
VACAVILLE**

REQUESTED ACTION:

Information **OR** Approval
 Consent **OR** Non-Consent

SUMMARY:

City of Vacaville (City) seeks an easement to maintain the sidewalk and traffic equipment located on portions of the District property at the intersection of North Village Parkway at the Solano Community College, Vacaville Center. Before the Board can approve and authorize a conveyance of easement to the City, Education Code section 81313 requires the Board to hold a public hearing on the question of the proposed easement conveyance.

CONTINUED ON THE NEXT PAGE

STUDENT SUCCESS IMPACT:

- Help our students achieve their educational, professional and personal goals
- Basic skills education
- Workforce development and training
- Transfer-level education
- Other: Student and community safety at campus.

<i>Ed. Code: 81310-81314</i>	<i>Board Policy: 3360</i>	<i>Estimated Fiscal Impact: \$0.00</i>
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SUPERINTENDENT'S RECOMMENDATION: **APPROVAL** **DISAPPROVAL**
 NOT REQUIRED **TABLE**

Lucky Lofton
Executive Bonds Manager

PRESENTER'S NAME

4000 Suisun Valley Road
Fairfield, CA 94534

ADDRESS

(707) 863-7855

TELEPHONE NUMBER

Robert Diamond
VP, Finance & Administration

VICE PRESIDENT APPROVAL

July 24, 2020

**DATE SUBMITTED TO
SUPERINTENDENT-PRESIDENT**

Dr. Celia Esposito-Noy
Superintendent-President

August 5, 2020

**DATE APPROVED BY
SUPERINTENDENT-PRESIDENT**

**SOLANO COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD AGENDA ITEM**

TO: Members of the Governing Board

**SUBJECT: PUBLIC HEARING ON THE CONVEYANCE OF
PROPOSED MAINTENANCE EASEMENTS TO CITY OF
VACAVILLE**

SUMMARY:

CONTINUED FROM THE PREVIOUS PAGE

On July 15, 2020, the Board set the day for the public hearing in its Resolution of Intent. Staff published and posted the notice of the public hearing in accordance with Education Code section 81312. The Board is asked to hold a public hearing on the question of the proposed conveyance of easement to the City for maintenance purpose before it proceeds with approving and authorizing the conveyance.

The Resolution is available online at <http://www.solano.edu/measureq/planning.php>

SOLANO COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 20/21-03

**AUTHORIZATION OF CONVEYANCE OF EASEMENTS TO THE
CITY OF VACAVILLE**

WHEREAS, Section 81310 et seq. of the California Education Code authorizes the Solano Community College District ("**District**"), by two-thirds (2/3) vote of its governing board ("**Board**"), to dedicate or convey to any political subdivision or municipal corporation for public street or highway purposes, including right of way purposes, any land belonging to the community college district either with or without consideration and without a vote of the electors of the district first being taken, upon such terms and conditions as the parties thereto may agree.

WHEREAS, the District owns real property commonly referred to as the Solano Community College, Vacaville Center, located at 2001 North Village Parkway in Vacaville, California ("**Property**").

WHEREAS, the City of Vacaville ("**City**") maintains the right of ways within city limits, including sidewalks and traffic equipment, portions of which are located on the Property at the intersection of North Village Parkway.

WHEREAS, the District agreed to convey the portions of the Property to the City, for public right of way maintenance purposes, so the City can maintain and operate the sidewalk and traffic equipment at the intersection in front of the Property.

WHEREAS, the proposed Easements to be conveyed from District to City is legally described in the exhibits attached to the proposed Grant Deed For Easements.

WHEREAS, pursuant to Section 81311 of the California Education Code, on July 15, 2020, the Board adopted a resolution and declared its intent to convey the Easements to the City, and to call a public hearing in connection therewith.

WHEREAS, pursuant to Sections 81312 and 81313 of the California Education Code, all statutorily required notices were given, and on this 19th day of August, 2020, the Board held a public hearing on the question of conveying the Easements to the City, at which hearing all persons desiring to speak were afforded an opportunity to be heard.

WHEREAS, pursuant to Section 27281 of the California Government Code, deeds or grants conveying any interest in or easement upon real property to a political corporation or governmental agency for public purposes shall not be accepted for recordation without the consent of the grantee evidenced by its certificate or resolution of acceptance attached to or printed on the deed or grant.

NOW, THEREFORE, the Governing Board of the Solano Community College District does hereby resolve, approve, and order as follows:

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Approval of Conveyance of the Easements. Having received no legal protest to the conveyance of the Easements, the Board hereby approves the District's

conveyance of the Easements to the City for City’s operation and maintenance of the sidewalk, traffic equipment, and all other ancillary purposes.

Section 3. Authorization. The President of the Board, the District Superintendent, or a designee, are each hereby delegated authority, authorized, and directed to execute all documents and take all actions necessary to carry out the intent of the Board pursuant to this Resolution, including, without limitation, to execute the Grant Deed For Easements in substantially the form attached to this Resolution as **EXHIBIT “1,”** and to deliver the Grant Deed For Easements to the City for recordation by the City with the County Recorder’s Office.

PASSED, ADOPTED, and APPROVED by 2/3 vote of the Governing Board of the Solano Community College District on August 19, 2020, by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

Signed: _____

EXHIBIT "1"

FORM OF GRANT DEED FOR EASEMENTS BEHIND THIS SHEET.

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

City of Vacaville
City Engineer
650 Merchant Street
Vacaville, CA 95688

WITH COPY TO:

Solano Community College
President's Office
4000 Suisun Valley Rd
Fairfield, CA 94534

Request recording without fee. Record for benefit of City of Oxnard pursuant to Government Code sections 6103, 27383.

(THIS SPACE FOR RECORDER'S USE ONLY)

GRANT DEED
FOR EASEMENTS

Documentary Transfer Tax: Exempt (Revenue and Taxation Code Section 11922)

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 0.00 [exempt]

- computed on full value of property conveyed, or
- computed on full value less value of liens and encumbrances remaining at time of sale
- Unincorporated area, or City of Vacaville

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

SOLANO COMMUNITY COLLEGE DISTRICT,
A California Community College District ("Grantor"),
hereby GRANTS AND CONVEYS to
CITY OF VACAVILLE, A Municipal Corporation ("Grantee"),

a permanent easement for public right of way maintenance purposes, over, under, along and across all that real property, situated in the City of Vacaville, County of Solano, State of California described and depicted on the attached Exhibits (6 sheets: Traffic Signal Equipment and Public Sidewalk).

Grantee understands that it is solely responsible for the operation and maintenance of the Easements for public right of way maintenance purposes.

Signed by Grantor:

SOLANO COMMUNITY COLLEGE DISTRICT

Dr. Celia Esposito-Noy, Superintendent/President

Dated: _____

NOTE: SEE NEXT PAGE FOR ACKNOWLEDGMENT
NOTARY ACKNOWLEDGMENT MUST BE ATTACHED, PER CIVIL CODE SEC. 1180 ET. SEQ.

Exhibit "A"
Traffic Signal Equipment Easement

That portion of Lot 1A as shown and delineated on that certain map entitled "Tract map for Mission Land and Development Company", recorded May 8, 1998, in Book 68 of Maps at Page 40, Solano County Records, lying in the City of Vacaville, County of Solano, State of California, described as follows:

COMMENCING at the southerly terminus of that certain course number "L31" of said map, said point being the beginning of a curve concave to the southwest, having a radius of 676.00 feet and radial bearing North70°45'33"East, said point also being on the easterly right of way line of North Village Parkway; thence along said easterly right of way, 281.75 feet along said curve, through a central angle of 23°52'48" to the **POINT OF BEGINNING**; thence leaving said easterly right of way, South82°09'47"East 31.33 feet; thence South7°50'13"West 24.00 feet; thence North82°09'47"West 30.42 feet to a point on the easterly right of way of North Village Parkway, said point being the beginning of a non-tangent curve, having a radius of 676.00 feet and a radial bearing South83°19'30"East; thence northeasterly along said right of way, 24.02 feet along said curve, through a central angle of 2°02'09" to the **POINT OF BEGINNING**.

Said description contains 739.4 square feet, more or less.

The Basis of Bearings of this Survey is the California Coordinate System, Zone 2, North American Datum of 1983 (NAD83), (Epoch 1991.35), as determined locally by a line between City of Vacaville G.P.S. Control Stations "B04II" and "C02III" being North36°22'35"East as derived from geodetic values published in that certain Record of Survey titled "City of Vacaville Record of Survey G.P.S. Control Network" filed for record January 15, 1997 in Book 22 of Surveys at Page 10, Solano County Records.

All distances and areas shown herein are "ground" distances. To obtain "grid" distances divide "ground" distances by the Combined Factor of 0.999987381.

 2-21-17

John C. Wunschel III PLS 8937 Date



EXHIBIT "B"

PORTION OF LOT 1A
68 S.D. 40

N70°45'33"E
(R)

P.O.C.
SOUTHERLY TERMINUS
OF COURSE "L31" (68 S.D. 40)

LEGEND

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- (R) RADIAL BEARING
- o DIMENSION POINT
-  EASEMENT AREA: 739.4 SQ.FT.



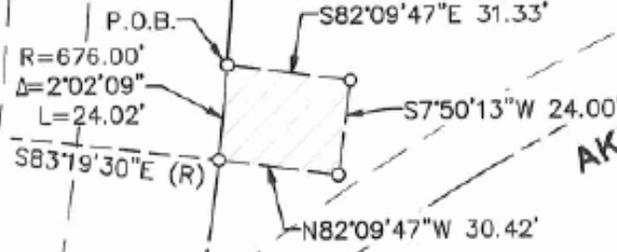
SCALE: 1"=40'

NORTH VILLAGE PKWY

McKEVITT AVE

**SOLANO COMMUNITY
COLLEGE DISTRICT
APN 0133-180-150
LOT 1A
68 S.D. 40**

R=676.00' Δ=23°52'48" L=281.75'



AKERLY DRIVE



VACAVILLE CENTER INTERSECTION IMPROVEMENTS 1 OF 1
TRAFFIC SIGNAL EQUIPEMENT EASEMENT

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Exhibit "A"
Traffic Signal Equipment Easement

That portion of Parcel "B" as described in the Grant Deed to Solano Community College District, recorded on July 15, 2014, in Document No. 201400052224, Solano County Official Records, lying in the City of Vacaville, County of Solano, State of California, described as follows:

COMMENCING at the southerly terminus of that certain course number "L63" as shown and delineated on that certain map entitled "Tract map for Mission Land and Development Company", recorded May 8, 1998, in Book 68 of Maps at Page 40, Solano County Records, said point being the beginning of a curve concave to the southwest, having a radius of 546.00 feet and radial bearing North70°45'33"East, said point also being on the westerly right of way line of North Village Parkway; thence along said westerly right of way, 234.85 feet along said curve, through a central angle of 24°38'42" to the **POINT OF BEGINNING**, said point being the beginning of a curve to the right having a radius of 546.00 feet; thence continuing along said westerly right of way, 53.84 feet along said curve, through a central angle of 5°39'00"; thence leaving said westerly right of way along the following five (5) courses:

- 1) North45°05'15"West 20.00 feet;
- 2) North7°05'00"East 7.54 feet;
- 3) North82°55'00"West 46.33 feet;
- 4) North7°05'00"East 34.00 feet;
- 5) South82°55'00"East 63.20 feet to the **POINT OF BEGINNING**.

Said description contains 2,381.0 square feet, more or less.

The Basis of Bearings of this Survey is the California Coordinate System, Zone 2, North American Datum of 1983 (NAD83), (Epoch 1991.35), as determined locally by a line between City of Vacaville G.P.S. Control Stations "B04II" and "C02III" being North36°22'35"East as derived from geodetic values published in that certain Record of Survey titled "City of Vacaville Record of Survey G.P.S. Control Network" filed for record January 15, 1997 in Book 22 of Surveys at Page 10, Solano County Records.

All distances and areas shown herein are "ground" distances. To obtain "grid" distances divide "ground" distances by the Combined Factor of 0.999987381.


John C. Wunschel III PLS 8937 Date 2-21-17



EXHIBIT "B"

PORTION OF PARCEL "B"
PER DOC. 201400052224 O.R.

APN 133-190-540
LOT 'D'
89 S.D. 19

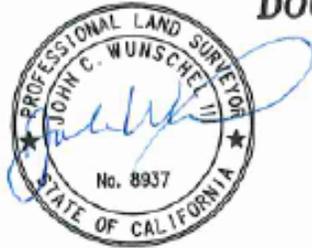
N70°45'33"E (R)
P.O.C.
SOUTHERLY TERMINUS
OF COURSE "L63"
(68 S.D. 40)



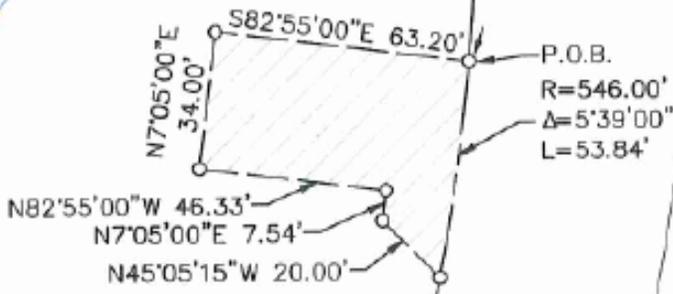
SCALE: 1"=40'

NORTH VILLAGE PKWY

**SOLANO COMMUNITY
COLLEGE DISTRICT
APN 133-190-520
PARCEL B
DOC. 201400052224**



R=546.00' Δ=24°38'42" L=234.85'



LEGEND

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- (R) RADIAL BEARING
- DIMENSION POINT
-  EASEMENT AREA: 2,381.0 SQ.FT.

VACAVILLE CENTER INTERSECTION IMPROVEMENTS 1 OF 1
TRAFFIC SIGNAL EQUIPEMENT EASEMENT

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Exhibit "A"
Public Sidewalk Easement

That portion of Parcel "B" as described in the Grant Deed to Solano Community College District, recorded on July 15, 2014, in Document No. 201400052224, Solano County Official Records, lying in the City of Vacaville, County of Solano, State of California, described as follows:

COMMENCING at the southerly terminus of that certain course number "L63" as shown and delineated on that certain map entitled "Tract map for Mission Land and Development Company", recorded May 8, 1998, in Book 68 of Maps at Page 40, Solano County Records, said point being the beginning of a curve concave to the southwest, having a radius of 546.00 feet and radial bearing North70°45'33"East, said point also being on the westerly right of way line of North Village Parkway; thence along said westerly right of way, 187.27 feet along said curve, through a central angle of 19°39'05" to the **POINT OF BEGINNING**, said point being the beginning of a curve to the right having a radius of 546.00 feet; thence continuing along said westerly right of way, 101.43 feet along said curve, through a central angle of 10°38'36"; thence leaving said westerly right of way along the following six (6) courses:

- 1) North45°05'15"West 20.00 feet;
- 2) North30°34'44"East 12.57 feet;
- 3) North6°13'37"East 44.58 feet;
- 4) North18°13'26"West 13.61 feet;
- 5) North57°28'46"East 15.04 feet;
- 6) North23°43'45"East 11.48 feet to the **POINT OF BEGINNING**.

Said description contains 1,114.6 square feet, more or less.

The Basis of Bearings of this Survey is the California Coordinate System, Zone 2, North American Datum of 1983 (NAD83), (Epoch 1991.35), as determined locally by a line between City of Vacaville G.P.S. Control Stations "B04II" and "C02III" being North36°22'35"East as derived from geodetic values published in that certain Record of Survey titled "City of Vacaville Record of Survey G.P.S. Control Network" filed for record January 15, 1997 in Book 22 of Surveys at Page 10, Solano County Records.

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John C. Wunschel III PLS 8937 Date



EXHIBIT "B"

PORTION OF PARCEL "B"
PER DOC. 201400052224 O.R.

APN 133-190-540
LOT 'D'
89 S.D. 19

N70°45'33"E (R)
P.O.C.
SOUTHERLY TERMINUS
OF COURSE "L63"
(68 S.D. 40)

**SOLANO COMMUNITY
COLLEGE DISTRICT
APN 133-190-520
PARCEL B
DOC. 201400052224**

NORTH VILLAGE PKWY



N23°43'45"E 11.48'
N57°28'46"E 15.04'
N18°13'26"W 13.61'
N6°13'37"E 44.58'
N30°34'44"E 12.57'
N45°05'15"W 20.00'
P.O.B.R=546.00' Δ=19°39'05" L=187.27'
R=546.00' Δ=10°38'36" L=101.43'

LEGEND

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- (R) RADIAL BEARING
- o DIMENSION POINT
-  EASEMENT AREA: 1,114.6 SQ.FT.

**VACAVILLE CENTER INTERSECTION IMPROVEMENTS
PUBLIC SIDEWALK EASEMENT**

1 OF 1

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