

RESOLUTION NO. 10-21

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ACCEPT AN EASEMENT
DEED FROM THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, FOR
INSTALLATION OF A PUBLIC SIDEWALK AS PART OF UPGRADES TO
MICHELLE OBAMA SCHOOL, AND TO SIGN THE CERTIFICATE OF
ACCEPTANCE FOR RECORDING THE EASEMENT WITH THE COUNTY
RECORDER**

WHEREAS, the West Contra Costa Unified School District owns real property located at 629 42nd St, Richmond, California 94804 with APN: 518-061-002-3 and 518-350-001-5 (“District Property”); and

WHEREAS, the City of Richmond, a municipal corporation organized and existing under the laws of the State of California (“City”), has indicated its intention to lay, construct, repair and maintain sidewalk improvements at the District Property; and

WHEREAS, in order for the City to complete this work City has requested that the District grant it non-exclusive access to certain portions in, over, under, along, and across, the District Property and necessary right-of-way thereto, as identified in Exhibit “A” and “B” attached hereto, in the form of non-exclusive permanent easement (the “Easement”); and

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

WHEREAS, on February 2, 2021, the City Council held a public hearing on whether it should adopt this resolution to authorize the City Manager to accept an easement from the West Contra Costa Unified School District.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Richmond, as follows:

Section 1. The foregoing recitals are true and correct and this City Council hereby so finds and determines.

Section 2. The City Manager is hereby authorized to accept the Easement Deed and sign the Certificate of Acceptance for recording the Easement Deed with the Contra Costa County Recorder

Section 3. The City Manager is hereby authorized to take all actions necessary to implement the foregoing resolution.

Section 4. This resolution shall take effect immediately upon its passage.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held February 2, 2021, by the following vote:

AYES: Councilmembers Jimenez, Johnson, Martinez, McLaughlin, Willis, Vice Mayor Bates, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

THOMAS K. BUTT
Mayor

Approved as to form:

TERESA STRICKER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 10-21**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on February 2, 2021.


Pamela Christian, Clerk of the City of Richmond

CLERK'S CERTIFICATE

I, Pamela Christian, City Clerk of the City of Richmond, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of **Resolution No. 10-21** duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 2nd day of February 2021, of which meeting all of the members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said resolution was adopted by the following vote:

AYES: Councilmembers Jimenez, Johnson, Martinez, McLaughlin,
Willis, Vice Mayor Bates, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

An agenda of said meeting was posted before said meeting at City Hall, 450 Civic Center Plaza in the City of Richmond, California, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I have carefully compared the foregoing with the original on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting.

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: February 9, 2021.

Pamela Christian
City Clerk of the City of Richmond

[SEAL]

**RESOLUTION OF THE
BOARD OF EDUCATION
OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

RESOLUTION NO. 65-1819

**RESOLUTION GRANTING AN EASEMENT TO THE CITY OF RICHMOND AT THE
WILSON ELEMENTARY SCHOOL FOR THE CONSTRUCTION AND MAINTENANCE OF
PUBLIC SIDEWALK IMPROVEMENTS**

WHEREAS, the West Contra Costa Unified School District ("District") owns real property located at 629 42nd Street, Richmond, California 94805 (A.P.N.: 518-061-002-3 and 518-350-001-5), commonly known as the Wilson Elementary School ("District Property"); and

WHEREAS, the City of Richmond, a municipal corporation organized and existing under the laws of the State of California ("City"), has indicated its intention to lay, construct, repair and maintain sidewalk improvements at the District Property, and in order for the City to complete this work has requested that the District grant it non-exclusive access to certain portions in, over, under, along, and across the District Property and necessary right-of-way thereto, as identified in Exhibit "A" attached hereto, in the form of a non-exclusive permanent easement (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 right of access purposes; and

WHEREAS, pursuant to Education Code section 17557, on March 6, 2019, by unanimous vote, the District's Board adopted Resolution No. 62-1819, entitled Resolution of the Governing Board of the West Contra Costa Unified School District Declaring Its Intention to Grant an Easement to the City of Richmond at the Wilson 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 March 20, 2019, the District gave public notice of the public hearing by publication in the East Bay Times; and

WHEREAS, on March 20, 2019, the District held a public hearing on whether it should adopt this resolution to grant the Easement to the City of Richmond.

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.

RECORDING REQUESTED BY
CITY OF RICHMOND
AND WHEN RECORDED MAIL TO
City of Richmond
Dane Rogers
450 Civic Center Plaza
Richmond, CA 94804

04/15/2021, 2021-0114049

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN:518-061-002-3 and 518-350-001-5

Pursuant to Government Code Section 27383, Grantee is exempt from paying recording fees.
R&T 11911 - Consideration is less than \$100
Certificate of Acceptance Attached

**GRANT OF EASEMENT
PUBLIC SIDEWALK**

THIS INDENTURE, made by and between WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, a California public school district, hereinafter called the Grantor, and CITY OF RICHMOND, a municipal corporation organized and existing under the laws of the State of California, hereinafter called the Grantee,

WITNESSETH:

THAT the Grantor, for a good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, hereby grants to the Grantee and to its successors and assigns a perpetual non-exclusive easement and right-of-way for public sidewalk, including, all rights of ingress and egress and the right to lay, construct, repair, maintain, renew and replace sidewalk improvements, and appurtenances incidental thereto along and across that certain real property described in Exhibit "A" and Exhibit "B" and depicted on Exhibit "C", attached hereto and made a part hereof.

Grantor reserves the right to landscape the easement area in a manner consistent with the Grantee's use;

The Grantee agrees upon the completion of any of its work hereunder to restore as near as possible the surface of the ground to the condition in which it was prior to the commencement of said work.

Grantee shall defend, indemnify, and hold harmless Grantor, its agents, representatives, officers, employees, and trustees ("the indemnified parties") from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage, or injury of any kind, in law or equity, including without limitation the payment of all consequential damages ("damage"), to the extent caused by Grantee's negligent or intentional acts in Grantee's use of the easement and right-of-way. Grantee agrees also to either reimburse Grantor for any damage or destruction to the roads, fences, access gate, or other property located on the easement and right-of-way, occurring by reason of Grantee's exercise of rights granted herein, or to replace or restore the easement and right-of-way to its preexisting condition.

TO HAVE AND TO HOLD, all and singular, the rights above described unto the Grantee and the Grantee's successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has executed this indenture this 15th day of January 2020.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT,
a California public school district

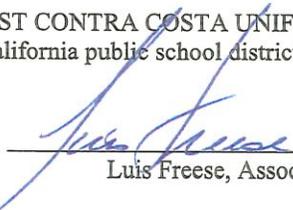
By: 
Luis Freese, Associate Superintendent

Exhibit "A" and Exhibit "B"

Easement Area Descriptions

EXHIBIT "A"

**41ST STREET SIDEWALK ACCESS EASEMENT
OVER LANDS OF WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RICHMOND, CALIFORNIA**

AN EASEMENT ACROSS THAT CERTAIN REAL PROPERTY LYING IN THE CITY OF RICHMOND, COUNTY OF CONTRA COSTA AND STATE OF CALIFORNIA, BEING A PORTION OF BLOCK 18, AS SHOWN ON THE MAP OF GRAND VIEW TERRACE, AS FILED ON APRIL 9, 1912, IN BOOK 6 OF MAPS, AT PAGE 148, CONTRA COSTA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 35, BLOCK 18 OF SAID MAP OF GRAND VIEW TERRACE;

THENCE SOUTH 12°47'15" WEST ALONG THE EASTERLY LINE OF 41ST STREET, (50' FEET WIDE) (FORMERLY KNOWN AS WEBSTER AVENUE), A DISTANCE OF 181.33 FEET TO THE **POINT OF BEGINNING**;

THENCE LEAVING SAID EASTERLY LINE OF 41ST STREET, SOUTH 32°12'46" EAST, A DISTANCE OF 12.73 FEET;

THENCE SOUTH 12°47'15" WEST, A DISTANCE OF 29.95 FEET;

THENCE SOUTH 32°13'38" EAST, A DISTANCE OF 11.30 FEET;

THENCE SOUTH 12°45'15" WEST, A DISTANCE OF 14.25 FEET;

THENCE SOUTH 57°46'40" WEST, A DISTANCE OF 11.32 FEET;

THENCE SOUTH 12°47'15" WEST, A DISTANCE OF 50.57 FEET;

THENCE SOUTH 57°47'14" WEST, A DISTANCE OF 12.73 FEET TO THE INTERSECTION WITH SAID EASTERLY LINE OF 41ST STREET;

THENCE NORTH 12°47'15" EAST ALONG SAID EASTERLY LINE OF 41ST STREET, A DISTANCE OF 128.77 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,256 SQUARE FEET, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE EASTERLY LINE OF 41ST STREET TAKEN AS SOUTH 12°47'15" WEST FOR PURPOSES OF THIS DESCRIPTION.

THE EASEMENT DESCRIBED HEREON IS SHOWN ON THE ATTACHED PLAT, EXHIBIT "C", AND IS BY REFERENCE, MADE A PART THEREOF.

END OF DESCRIPTION

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION PURSUANT TO THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.


DAVID W. BETHAM, P.L.S. 7047



10-18-19
DATE

41 STREET SIDEWALK EASEMENT CLOSURE

North: 2170236.5019' East: 6032027.1144'

Segment #1 : Line

Course: S32° 12' 46"E Length: 12.73'

North: 2170225.7313' East: 6032033.9004'

Segment #2 : Line

Course: S12° 47' 15"W Length: 29.95'

North: 2170196.5242' East: 6032027.2714'

Segment #3 : Line

Course: S32° 13' 38"E Length: 11.30'

North: 2170186.9651' East: 6032033.2974'

Segment #4 : Line

Course: S12° 45' 15"W Length: 14.25'

North: 2170173.0667' East: 6032030.1515'

Segment #5 : Line

Course: S57° 46' 40"W Length: 11.32'

North: 2170167.0308' East: 6032020.5749'

Segment #6 : Line

Course: S12° 47' 15"W Length: 50.57'

North: 2170117.7150' East: 6032009.3819'

Segment #7 : Line

Course: S57° 47' 14"W Length: 12.73'

North: 2170110.9291' East: 6031998.6114'

Segment #8 : Line

Course: N12° 47' 15"E Length: 128.77'

North: 2170236.5053' East: 6032027.1128'

Perimeter: 271.62' Area: 1255.84 Sq. Ft.

Error Closure: 0.0038 Course: N25° 17' 28"W

Error North: 0.00345 East: -0.00163

Precision 1: 71478.95

10-18-19



PROFESSIONAL LAND SURVEYOR
DAVID W. BETHAM
PLS
NO. 7047
STATE OF CALIFORNIA

EXHIBIT "B"

**42ND STREET SIDEWALK ACCESS EASEMENT
OVER LANDS OF WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RICHMOND, CALIFORNIA**

AN EASEMENT ACROSS THAT CERTAIN REAL PROPERTY LYING IN THE CITY OF RICHMOND, COUNTY OF CONTRA COSTA AND STATE OF CALIFORNIA, BEING A PORTION OF BLOCK 36, AS SHOWN ON THE MAP OF THE SPAULDING RICHMOND-PULLMAN TOWN SITE, AS FILED ON JANUARY 9, 1911, IN BOOK 4 OF MAPS, AT PAGE 80, CONTRA COSTA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF BLOCK 36 OF SAID MAP OF THE SPAULDING RICHMOND-PULLMAN TOWN SITE;

THENCE NORTH 11°19'50" EAST ALONG THE WESTERLY LINE OF 42ND STREET, (50' WIDE) (FORMERLY KNOWN AS EARL AVENUE), A DISTANCE OF 441.53 FEET TO THE **POINT OF BEGINNING**;

THENCE LEAVING SAID WESTERLY LINE OF 42ND STREET, NORTH 33°40'10" WEST, A DISTANCE OF 12.73 FEET;

THENCE NORTH 11°19'50" EAST, A DISTANCE OF 37.15 FEET;

THENCE NORTH 33°41'37" WEST, A DISTANCE OF 11.31 FEET;

THENCE NORTH 11°18'55" EAST, A DISTANCE OF 14.25 FEET;

THENCE NORTH 56°18'21" EAST, A DISTANCE OF 11.33 FEET;

THENCE NORTH 11°19'50" EAST, A DISTANCE OF 63.36 FEET;

THENCE NORTH 56°19'50" EAST, A DISTANCE OF 12.73 FEET TO THE INTERSECTION WITH SAID WESTERLY LINE OF 42ND STREET;

THENCE SOUTH 11°19'50" WEST ALONG SAID WESTERLY LINE OF 42ND STREET, A DISTANCE OF 148.77 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,436 SQUARE FEET, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE WESTERLY LINE OF 42ND STREET TAKEN AS NORTH 11°19'50" EAST FOR PURPOSES OF THIS DESCRIPTION.

THE EASEMENT DESCRIBED HEREON IS SHOWN ON THE ATTACHED PLAT, EXHIBIT "C", AND IS BY REFERENCE, MADE A PART THEREOF.

END OF DESCRIPTION

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION PURSUANT TO THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.


DAVID W. BETHAM, P.L.S. 7047



10-18-19
DATE

42 STREET SIDEWALK EASEMENT CLOSURE

North: 2169355.5298' East: 6034677.7484'

Segment #1 : Line

Course: N33° 40' 10"W Length: 12.73'

North: 2169366.1244' East: 6034670.6909'

Segment #2 : Line

Course: N11° 19' 50"E Length: 37.15'

North: 2169402.5503' East: 6034677.9897'

Segment #3 : Line

Course: N33° 41' 37"W Length: 11.31'

North: 2169411.9604' East: 6034671.7155'

Segment #4 : Line

Course: N11° 18' 55"E Length: 14.25'

North: 2169425.9334' East: 6034674.5114'

Segment #5 : Line

Course: N56° 18' 21"E Length: 11.33'

North: 2169432.2189' East: 6034683.9381'

Segment #6 : Line

Course: N11° 19' 50"E Length: 63.36'

North: 2169494.3440' East: 6034696.3864'

Segment #7 : Line

Course: N56° 19' 50"E Length: 12.73'

North: 2169501.4015' East: 6034706.9810'

Segment #8 : Line

Course: S11° 19' 50"W Length: 148.77'

North: 2169355.5310' East: 6034677.7522'

Perimeter: 311.63' Area: 1436.04 Sq. Ft.

Error Closure: 0.0040 Course: N72° 41' 40"E

Error North: 0.00119 East: 0.00382

Precision 1: 77907.50

10-18-19

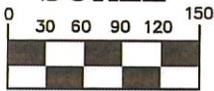


David W. Betham

Exhibit C
Depiction of Easement Area



SANDIS



1 inch = 150 feet

LEGEND

EASEMENT TO BE DEDICATED

RIGHT-OF-WAY LINE

P.O.B. POINT OF BEGINNING

P.O.C. POINT OF COMMENCEMENT

CLINTON AVE.

WILSON AVE.

41ST ST. EASEMENT P.O.C.

41ST ST. EASEMENT SEE SHEET 2

42ND ST. EASEMENT SEE SHEET 3

N77°12'25"W 200.14'

S12°47'15"W 349.97'

N12°46'26"E 349.97'

S11°18'57"W 615.21'

N11°19'50"E 610.16'

S78°39'14"E 200.00'

BLOCK 13
S M 143

BLOCK 33
S M 30

41ST STREET

42ND STREET

ROOSEVELT AVE.



10-18-19

David W. Betham

EXHIBIT "C"



636 Ninth Street | Oakland, CA 94607 | P. 510.873.8866 | www.sandis.net

SILICON VALLEY TRI-VALLEY CENTRAL VALLEY EAST BAY/SF

DATE: 10-17-19
SCALE: 1"=150'
DRAWN BY: RH
APPROVED BY: DB
DRAWING NO: 618003

WILSON ELEMENTARY
SIDEWALK EASEMENTS
EASEMENT LOCATIONS

SHEET-TYPE
1
OF 3 SHEETS



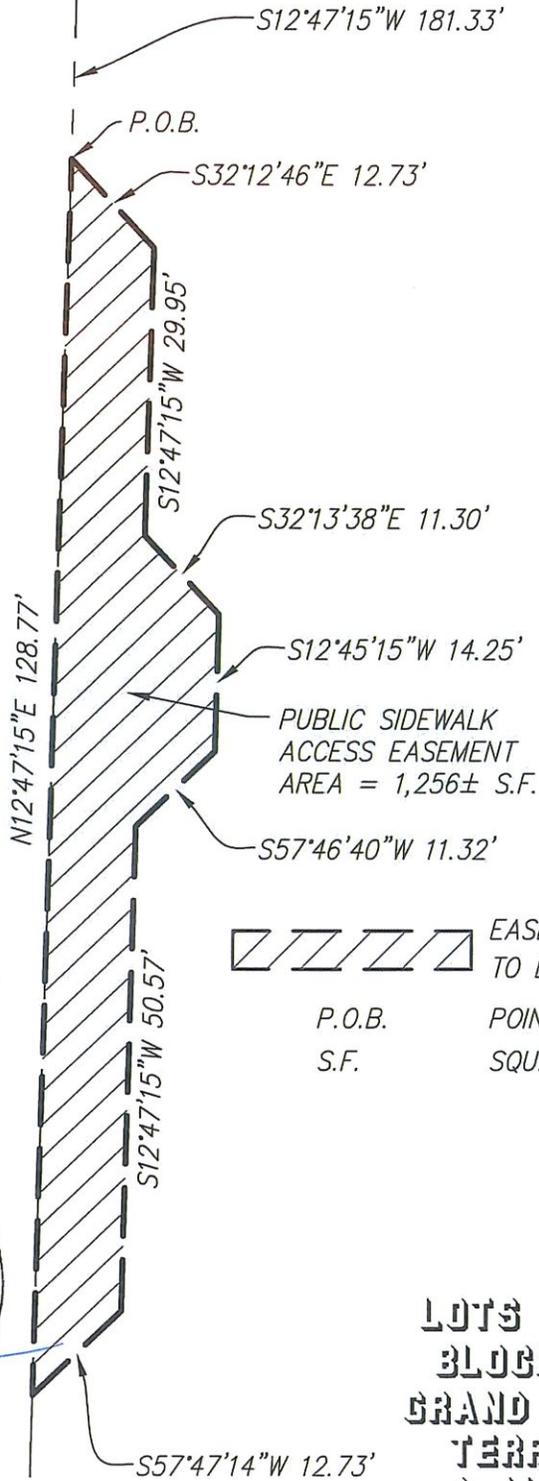
GRAPHIC SCALE



1 inch = 20 ft.

41ST STREET
(50' RIGHT OF WAY)

(FORMERLY WEBSTER AVENUE)



EASEMENT TO
TO BE DEDICATED

P.O.B.
S.F.

POINT OF BEGINNING
SQUARE FEET



LOTS 3-35
BLOCK 18
GRAND VIEW
TERRACE
S M 148

EXHIBIT "C"



SANDIS

CIVIL ENGINEERS
SURVEYORS
PLANNERS

636 Ninth Street | Oakland, CA 94607 | P. 510.873.8866 | www.sandis.net

SILICON VALLEY TRI-VALLEY CENTRAL VALLEY EAST BAY/SF

DATE: 10-17-19
SCALE: 1"=20'
DRAWN BY: RH
APPROVED BY: DWB
DRAWING NO:
618003

WILSON ELEMENTARY
SIDEWALK EASEMENTS
41ST ST. EASEMENT

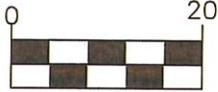
SHEET-TYPE

2

OF 3 SHEETS



GRAPHIC SCALE



1 inch = 20 ft.



EASEMENT TO
TO BE DEDICATED

P.O.B.

POINT OF BEGINNING

S.F.

SQUARE FEET

N56°19'50"E 12.73'

N11°19'50"E 63.36'

S11°19'50"W 148.77'

N56°18'21"E 11.33'

PUBLIC SIDEWALK
ACCESS EASEMENT
AREA = 1,436± S.F.

N11°18'55"E 14.25'

N33°41'37"W 11.31'

N11°19'50"E 37.15'

N33°40'10"W 12.73'

P.O.B.

N11°19'50"E 441.53'

25'

25'

42ND STREET
(50' RIGHT OF WAY)
(FORMERLY EARL AVENUE)

BLOCK 36
SPAULDING
RICHMOND
PULLMAN
TOWN SITE
4 M 30

EXHIBIT "C"



SANDIS

CIVIL ENGINEERS
SURVEYORS
PLANNERS

636 Ninth Street | Oakland, CA 94607 | P. 510.873.8866 | www.sandis.net

SILICON VALLEY TRI-VALLEY CENTRAL VALLEY EAST BAY/SF

DATE: 10-17-19

SCALE: 1"=20'

DRAWN BY: RH

APPROVED BY: DWB

DRAWING NO:

618003

WILSON ELEMENTARY
SIDEWALK EASEMENTS
42ND ST. EASEMENT

SHEET

3

OF 3 SHEETS

CITY'S CERTIFICATE OF ACCEPTANCE

{See attached "Certificate of Acceptance" adopted on
February 2, 2021 by City of Richmond.}

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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 Contra Costa }

On March 23, 2021 before me, Rosa Cornejo, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Wis Freese
Name(s) of Signer(s)

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.



Place Notary Seal and/or Stamp Above

Signature Rosa Cornejo
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

RECORDED AT REQUEST OF:

City of Richmond City Clerk

WHEN RECORDED MAIL TO:

City of Richmond
City Clerk's Office
450 Civic Center Plaza, Suite 300
Richmond, CA 94804

**NO RECORDING FEE PURSUANT TO
GOVERNMENT CODE SECTION 27383**

Certificate of Acceptance

Pursuant to California Government Code Section 27281

This is to certify that the interest in real property referencing Assessor Parcel Numbers 518-061-002-2 and 518-350-0001-5 (a portion thereof) conveyed by the Grant of Easement dated January 15th, 2020, to which this certificate is attached, to the City of Richmond, California, a municipal corporation and charter city (Grantee) is hereby accepted by the undersigned authorized officer on behalf of the Grantee pursuant to the authority conferred by Resolution No. ___ of the Grantee adopted on February 2, 2021; and the Grantee consents to the recordation of said document in the Office of the Recorder of Contra Costa County, State of California.

Grantee: City of Richmond

By: [Signature]
Name: Laura Snideman
Title: City Manager

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.

Certificate of Acknowledgement

State of California

County of Contra Costa

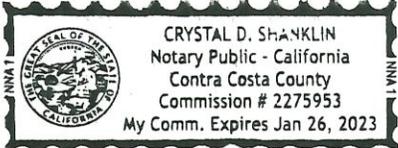
On February 24, 2021, before me, Crystal D Shanklin, Notary Public
(notary)
personally appeared, Laura Snideman,
(signer(s))

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]
Signature of Notary Public



Place Notary Seal Above

RESOLUTION NO. 10-21

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ACCEPT AN EASEMENT
DEED FROM THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, FOR
INSTALLATION OF A PUBLIC SIDEWALK AS PART OF UPGRADES TO
MICHELLE OBAMA SCHOOL, AND TO SIGN THE CERTIFICATE OF
ACCEPTANCE FOR RECORDING THE EASEMENT WITH THE COUNTY
RECORDER**

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WHEREAS, the City of Richmond, a municipal corporation organized and existing under the laws of the State of California (“City”), has indicated its intention to lay, construct, repair and maintain sidewalk improvements at the District Property; and

WHEREAS, in order for the City to complete this work City has requested that the District grant it non-exclusive access to certain portions in, over, under, along, and across, the District Property and necessary right-of-way thereto, as identified in Exhibit “A” and “B” attached hereto, in the form of non-exclusive permanent easement (the “Easement”); and

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

WHEREAS, on February 2, 2021, the City Council held a public hearing on whether it should adopt this resolution to authorize the City Manager to accept an easement from the West Contra Costa Unified School District.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Richmond, as follows:

Section 1. The foregoing recitals are true and correct and this City Council hereby so finds and determines.

Section 2. The City Manager is hereby authorized to accept the Easement Deed and sign the Certificate of Acceptance for recording the Easement Deed with the Contra Costa County Recorder

Section 3. The City Manager is hereby authorized to take all actions necessary to implement the foregoing resolution.

Section 4. This resolution shall take effect immediately upon its passage.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held February 2, 2021, by the following vote:

AYES:	Councilmembers Jimenez, Johnson, Martinez, McLaughlin, Willis, Vice Mayor Bates, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

PAMELA CHRISTIAN
 CLERK OF THE CITY OF RICHMOND
 (SEAL)

Approved:

THOMAS K. BUTT
 Mayor

Approved as to form:

TERESA STRICKER
 City Attorney

State of California	}	
County of Contra Costa	}	: ss.
City of Richmond	}	

I certify that the foregoing is a true copy of **Resolution No. 10-21**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on February 2, 2021.


Pamela Christian
 Pamela Christian, Clerk of the City of Richmond

CLERK'S CERTIFICATE

I, Pamela Christian, City Clerk of the City of Richmond, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of **Resolution No. 10-21** duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 2nd day of February 2021, of which meeting all of the members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said resolution was adopted by the following vote:

AYES:	Councilmembers Jimenez, Johnson, Martinez, McLaughlin, Willis, Vice Mayor Bates, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

An agenda of said meeting was posted before said meeting at City Hall, 450 Civic Center Plaza in the City of Richmond, California, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I have carefully compared the foregoing with the original on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting.

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: February 9, 2021.



City Clerk of the City of Richmond

[SEAL]