

RESOLUTION NO. 2463-09

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE AN
AGREEMENT BETWEEN THE TOWN OF WINDSOR AND THE WINDSOR UNIFIED
SCHOOL DISTRICT FOR THE GRANT OF PUBLIC UTILITY EASEMENTS ON
WINDSOR HIGH SCHOOL PROPERTY**

WHEREAS, on June 20, 2002, Windsor Unified School District (District) and the Town entered into an Agreement for an Irrevocable Offer of Dedication in fee simple by the District to the Town of a strip of land along the north boundary of the Windsor High School property to be used for public utilities and the Town's future development of a connecting road between Windsor and Starr Roads, said strip of land being referred to herein as the "Original Dedication"; and

WHEREAS, after payment of the agreed upon compensation by the Town the agreed upon Irrevocable Offer of Dedication was executed by the District and recorded as Document No. 2002099534 in the Official Records of the County of Sonoma on June 28, 2002; and

WHEREAS, the Town now desires to utilize the Original Dedication area for public utility purposes, but does not wish to utilize the Original Dedication for roadway development at this time; and

WHEREAS, the Town desires that the previous Irrevocable Offer of Dedication remain in force for future acceptance by the Town at such time as the Town determines that roadway development is to be undertaken, and the District acknowledges that the Agreement does not affect the validity of the Irrevocable Offer of Dedication identified above; and

WHEREAS, the Town desires to obtain an additional 9,151 square foot Public Utility Easement beyond the Original Dedication for purposes including but not limited to the construction, operation, and maintenance of a portion of the Town's West Trunk Sewer; and

WHEREAS, the appraised value of the additional 9,151 square foot Public Utility Easement as determined by the Town is \$14,000; and

WHEREAS, the Town desires to compensate the District by cash payment the amount of \$11,634 and future water reclamation fee credits in the amount of \$2,366 for a future bathroom to be located on Windsor High School Property, for a total compensation of \$14,000, in exchange for the additional 9,151 square foot Public Utility Easement;

NOW, THEREFORE BE IT RESOLVED THAT the Town Council of the Town of Windsor approves and authorizes the Town Manager to execute an Agreement between the Town and the District for the grant of two Public Utility Easements on Windsor High School property and to accept said easements; and

BE IT FURTHER RESOLVED that the Town Council authorizes the Administrative Services

Director within ten (10) days following full execution of the Agreement to pay the District the sum of \$11,634; and

BE IT FURTHER RESOLVED that the Town shall provide the District future water reclamation fee credits in an amount not to exceed \$2,366 towards a future bathroom to be located on Windsor High School Property.

PASSED, APPROVED AND ADOPTED this 20th day of May 2009, by the following vote:

AYES: COUNCILMEMBERS ALLEN, FUDGE, SALMON, SCHOLAR AND
MAYOR GOBLE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



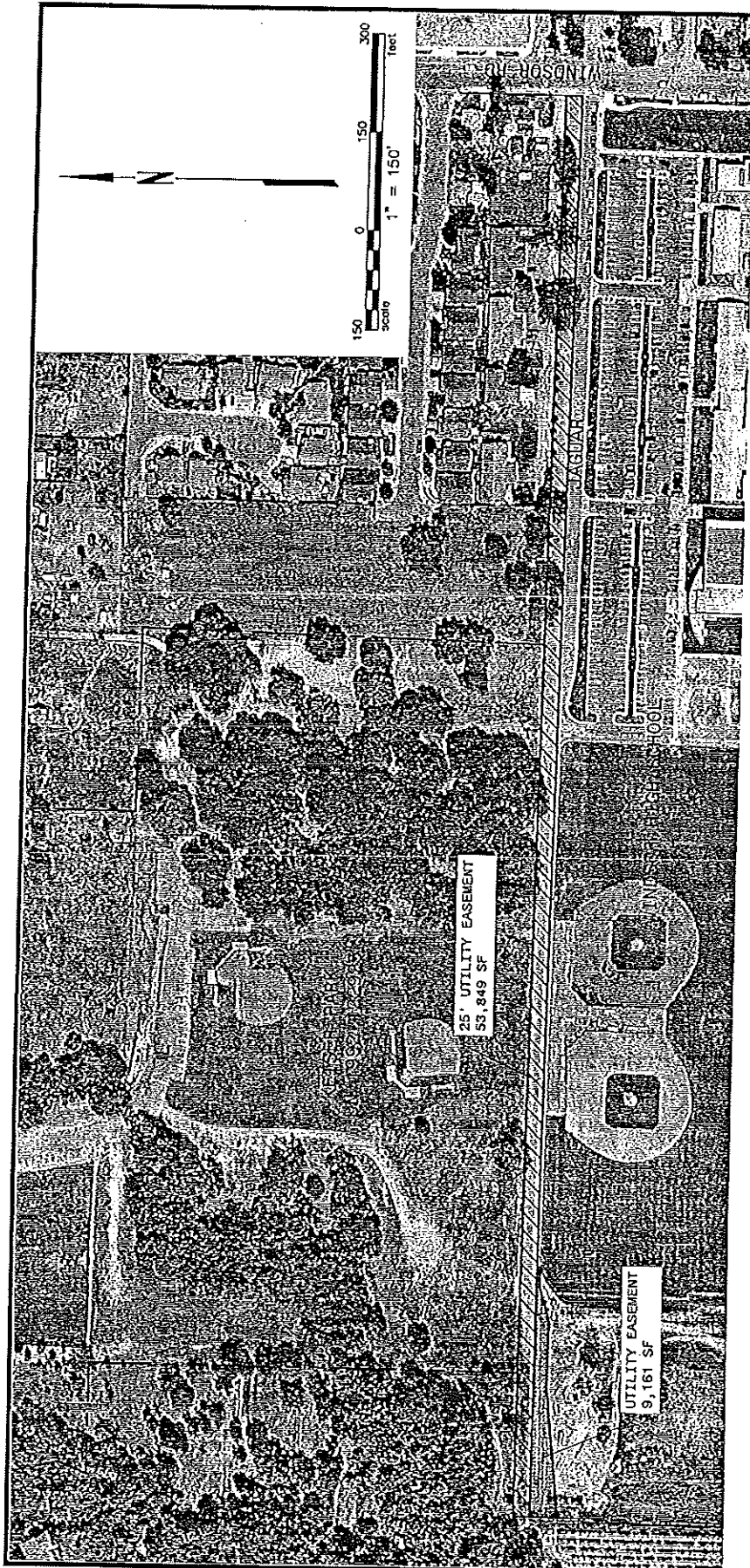
ROBIN R. GOBLE, MAYOR

ATTEST:

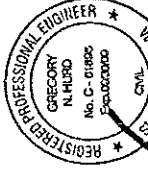

MARIA DE LA O, TOWN CLERK

Attachment(s):

Public Utility Easement Exhibit



CARLENZOLI
 — AND —
ASSOCIATES
Civil Engineers - Land Surveyors - Planners



DEC 2 2 2008

GREGORY N. HURD RCE 61895

WINDSOR HIGH SCHOOL
PUBLIC UTILITY EASEMENT EXHIBIT

700 WINDSOR RIVER ROAD
 WINDSOR, CALIFORNIA
 DN 1992-122925
 DECEMBER 2008

JOB NO. 1722

SHEET 1 OF 1