

ALHAMBRA UNIFIED SCHOOL DISTRICT
Alhambra, CA

Resolution No. 18-19-10

**RESOLUTION OF THE BOARD OF EDUCATION OF THE ALHAMBRA
UNIFIED SCHOOL DISTRICT APPROVING FINAL ACCEPTANCE OF
REAL PROPERTY**

WHEREAS, the Alhambra Unified School District (the “District”) desires to purchase certain real property described as approximately 12,574 square foot building located on approximately 14,604 square feet of land located at 701-705 South Electric Avenue, Alhambra, CA 91803 (the “Property”); and

WHEREAS, the Property is currently owned by Edna L. Mechsner, Surviving Trustee of the Martin J. Mechsner and Edna L. Mechsner Revocable Trust Agreement dated July 26, 2017. (“Seller”);

WHEREAS, on or about November 8, 2016, the District entered into the “Standard Industrial/Commercial Multi-Tenant Lease” (the “Lease”) in which the Owner agreed to lease the Property to the District pursuant to the terms and conditions set forth in the Lease; and

WHEREAS, the Lease included an “Option to Purchase” addendum (“Purchase Addendum”) which granted the District the right to purchase the Property upon issuing written notice during the twenty-fourth through the sixtieth month of the Lease term (the “Offer”); and

WHEREAS, the Lease also included a “Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate” (the “Purchase Agreement”) which was executed by the Parties as the Agreement that established the terms and conditions of the District’s purchase of the Property if the District elected to exercise its option to purchase the Property; and

WHEREAS, on December 12, 2018, the District sent formal notice to Seller exercising its option to purchase the Property; and

WHEREAS, the Project is subject to the requirements of the California Environmental Quality Act (“CEQA,” Public Resources Code section 21000 *et seq.*);

WHEREAS, the District has concluded that the Project is exempt from CEQA under CEQA Guidelines section 15301 because the Project will involve negligible or no expansion of the use of the Property and will not have a significant impact on the environment and under the general exemption under CEQA Guidelines section 15061(b)(3);

WHEREAS, should the District decide to develop the Property as a school site, the District will conduct and implement any and all necessary school site development procedures, inspections, and evaluation, including but not limited to CEQA, and Department of Toxic Substances Control (“DTSC”) school site regulation compliance, prior to approving any such development of the Property; and

WHEREAS, pursuant to Government Code section 27281, deeds or grants conveying any interest in or

easement upon real estate to a political corporation or governmental agency for public purposes cannot be accepted for recordation without the consent of the political corporation or governmental agency evidenced by its certificate or resolution of acceptance attached to or printed on the deed or grant.

NOW, THEREFORE BE IT RESOLVED, the Alhambra Unified School District Board of Education hereby finds, determines, declares, orders and resolves as follows:

Section 1. That all of the recitals set forth above are true and correct, and the Alhambra Unified School District Board of Education so finds and determines.

Section 2. That the District has made findings and taken all necessary action required pursuant to the California Environmental Quality Act ("CEQA") for the acquisition of the Property.

Section 3. That the District's Superintendent, or her designee, is directed, at the close of escrow for the Property, to accept and consent to the conveying of the Property to the District pursuant to Section 27281 of the Government Code.

Section 4. That the District's Superintendent, or her designee, is hereby authorized and directed to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate the purchase of the Property pursuant to the Agreement, and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution, and that any and all such prior actions by the District's Superintendent, or her designee, is hereby ratified by the Board.

Section 5. That this Resolution shall be effective as of the date of its adoption.

PASSED AND ADOPTED this 12th day of March, 2019 by the following vote:

AYES:_____ NOES:_____ ABSENT: _____ ABSTAINED:_____

I, Robert L. Gin, President of the Alhambra Unified School District Board of Education, do hereby certify that the foregoing is a full, true, and correct copy of the resolution passed and adopted by said Board at a regularly scheduled and conducted meeting held on said date, which resolution is on file in office of said Board.

President of the Board of Education
Alhambra Unified School District

I, Jane C. Anderson, Clerk of the Board of Education of the Alhambra Unified School District, do hereby certify that the foregoing Resolution was introduced and adopted by said Board at a regular session meeting thereof held on the 12th day of March , 2019.

Clerk of the Board of Education
Alhambra Unified School District

EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

LOTS 41 AND 42 OF THE KOENIG TRACT, IN THE CITY OF ALHAMBRA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 14 PAGE 145 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.