

TOPIC: **RESOLUTION No. 13-13-14 AUTHORIZING THE SALE OF DISTRICT REAL PROPERTY, FINDING THE SALE OF DISTRICT PROPERTY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING THE FILING AND RECORDATION OF A NOTICE OF EXEMPTION - KILLEFER SITE**

DESCRIPTION: Evaluation and disposal of surplus property is identified as a strategy under the "Efficient Use of Resources" area of the strategic plan. In keeping with the strategic plan, a District Advisory Committee was convened for the purpose of studying potential surplus properties and providing recommendations to the Board of Education. The Board received a report from the Committee on July 24, 2008 that stated in part, "The Killefer property will not be needed in the future for school facilities and should be considered surplus."

At the August 25, 2011 meeting, the Board of Education adopted Resolution 03-11-12 declaring Killefer site surplus.

This evening's action will authorize staff to offer the property for sale at no less than the minimum bid of two million four hundred thousand dollars (\$2,400,000). However, the Board of Education may also consider counteroffers if no conforming bid proposals are received.

FISCAL IMPACT: Special Reserve Fund for Capital Outlay Projects Income of \$2,400,000 or best counteroffer if no conforming bid proposals are received.

RECOMMENDATION: It is recommended that the Board of Education approve Resolution No. 13-13-14, authorizing the sale of District real property, finding the sale of District property exempt from the California Environmental Quality Act, and approving the filing and recordation of a notice of exemption.

**RESOLUTION OF THE BOARD OF EDUCATION OF THE ORANGE UNIFIED
SCHOOL DISTRICT**

**AUTHORIZING THE SALE OF DISTRICT REAL PROPERTY, FINDING THE SALE
OF DISTRICT PROPERTY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT, AND APPROVING THE FILING AND RECORDATION OF A
NOTICE OF EXEMPTION**

(KILLEFER ELEMENTARY SCHOOL SITE)

WHEREAS, the Orange Unified School District (“District”) is the owner of approximately 1.70 acres of certain excess real property, formerly the site of the District’s Killefer Elementary School, located within the District at 541 North Lemon Street, Orange, California (“Property”), and as more particularly described in the map depiction attached hereto as Exhibit “A”;

WHEREAS, the District Advisory Committee, formed pursuant to Education Code section 17388 et seq., submitted a report to the Board on July 24, 2008 concluding that the Property was not needed to house District students and was not necessary for school purposes;

WHEREAS, the District Advisory Committee recommended that the best use of the Property included the sale pursuant to California law at the Property’s highest and best use value;

WHEREAS, the District previously adopted and approved Resolution Number 03-11-12, attached hereto as Exhibit “B”, which declared the Property surplus, authorized the offer of the Property for sale to public entities pursuant to the Education Code and authorized the offer of the Property for sale pursuant to competitive bidding procedures pursuant to the Education Code;

WHEREAS, as declared in Resolution Number 03-11-12, the Property has not been used for school playground, playing field, or other outdoor recreational purposes in more than 8 years nor is the Property open-space land particularly suited for recreational purposes and therefore the Property is not subject to the requirements of Education Code section 17485 et seq., known as the Naylor Act;

WHEREAS, pursuant to Resolution Number 03-11-12, the District offered the Property for sale to public agencies pursuant to the surplus property procedures set forth in Education Code section 17464 and Government Code section 54222;

WHEREAS, the District also offered the Property by means of the competitive bidding procedures set forth in Education Code section 17466 et seq., culminating in a public auction for the sale of the Property on or about November 17, 2011;

WHEREAS, despite good faith efforts, which included statutorily required public agency notices and a public auction for the Property, the District was not able to sell the Property;

WHEREAS, the District desires to attempt to sell the Property again in a bid auction, pursuant to Education Code section 17466 et seq.;

WHEREAS, because the District already offered the Property for sale to public agencies and did not receive a response, the District is not required to resend notices to the public agencies and may proceed with the sale of the Property in a bid auction, pursuant to Education Code section 17466 et seq.;

WHEREAS, prior to the sale of the Property, the District must comply with the California Environmental Quality Act (“CEQA”); and

WHEREAS, categorical exemptions to CEQA are set forth in Article 19 of Title 14 of the California Code of Regulations (“CEQA Guidelines”); and

WHEREAS, CEQA Guidelines Section 15312 sets forth an exemption from CEQA for sales of surplus government property; and

WHEREAS, the District will sell the Property pursuant to CEQA Guidelines Section 15312; and

WHEREAS, the District Property is not located in an area of statewide, regional, or areawide concerns as identified in CEQA Guidelines Section 15206(b)(4); and

WHEREAS, the District has considered whether the sale of the Property may have significant impacts on the environment; and

WHEREAS, the District has concluded, through its own independent review and analysis, that the sale of the Property will not have a significant impact on the environment.

NOW, THEREFORE, the Board of the Orange Unified School District hereby finds, determines, declares, orders and resolves as follows:

Section 1. That all of the recitals set forth above are true and correct.

Section 2. That the Board hereby declares the Board’s intention to sell said Property.

Section 3. That the Property does not consist of land which is used or has been used, for school playground, playing field, or other outdoor recreational purposes for more than 8 years and is the Property is not open space land particularly suited for recreational purposes, therefore the Property is not subject to the requirements of Education Code section 17485 et seq.

Section 4. That the District has previously complied with the notice requirements in Education Code section 17464, Education Code section 17465 and Government Code section 54222.

Section 5. That, the sale of the Property is not hereby limited to any particular manner, and the District will use its best efforts to ensure the Property is sold at no less than the minimum bid of Two Million Four Hundred Thousand Dollars (\$2,400,000); provided, however, should such a sale not come to fruition, the Board may take further action at a later date with respect to the Property.

Section 6. That the Board, pursuant to Education Code section 17466 et seq., does hereby announce its intention to receive and consider proposals for the sale of the Property and may also consider counteroffers if no conforming bid proposals are received.

Section 7. That the District's Superintendent or his designee is authorized and directed to give notice of the District's intent to sell the Property by posting copies of this Resolution in at least three locations within the District not less than 15 days before the bid auction and by publishing notice in any newspaper of general circulation located within the District, once a week for three weeks.

Section 8. That each bidder shall submit with its bid proposal a certified or cashier's check made payable to the Orange Unified School District in the amount of Ten Thousand Dollars (\$10,000.00) as bid security for entering into the purchase agreement which shall be negotiated in good faith with the District. The deposit of the successful bidder will be retained by the District and applied towards the purchase of the Property. After execution of the purchase agreement by a successful bidder, or thirty (30) days, whichever comes first, all other deposits will be returned. If the successful bidder fails to execute the purchase agreement and provide all necessary documents within five (5) days of receiving the final purchase agreement from the District, the District may retain the bid security.

Section 9. That the sale of the Property, at auction, shall be upon the following terms and conditions:

- a. The minimum bid for the sale of the Property shall be no less than the minimum bid of Two Million Four Hundred Thousand Dollars (\$2,400,000).
- b. The Property is sold in an "As-Is" condition.
- c. The purchaser shall bear all costs associated with recording fees, documentary and other transfer taxes, title insurance premiums, and other escrow costs; and
- d. Any other terms that the District may later approve prior to said bid auction.

Section 10. The District will not pay a real estate commission for the purchase or sale of the Property.

Section 11. That Bid Proposal forms for the purchase of the Property may be obtained from the Business Services Department of the District at 1401 North Handy Street, Orange, California 92867. Although a bidder may propose changes to the purchase agreement, unless otherwise agreed to by the District, the bidder shall agree that the existing terms and conditions of the purchase agreement will be binding upon the successful bidder. Any proposed changes to the purchase agreement must be submitted with the bid proposal. Any proposed material changes to the existing terms and conditions of the purchase agreement shall render such bid a counteroffer, which counteroffer may not be accepted by the District should any written or oral offer be made at or greater than the terms and conditions set forth in the purchase agreement and the minimum terms set forth herein. If there are no written or oral offers that conform to the terms and conditions set forth in the Purchase Agreement, the District may accept counteroffers.

Section 12. That the bid proposals shall be sealed and filed with the District at a specified future date and time, which date and time shall be noticed pursuant to the surplus property procedures and the law of the State of California. The Board delegates authority to the District's Superintendent or his designee to establish the date for submission of bid proposals and of the bid auction.

Section 13. That, at the bid auction to be held on April 16, 2014 at the District Office, the sealed bid proposals shall be opened, examined and declared. The District's Superintendent or his authorized designee shall then call for oral bids. If, upon the call for oral bidding, any responsible person's offer to enter into said purchase agreement, upon the terms and conditions specified and for a price exceeding by at least five percent (5%) the highest written proposal for the Property, then the oral bid, which is highest for the Property shall be finally accepted. Final acceptance shall not be made, however, until the oral bid is reduced to writing and signed by the offeror and bid security, as described herein, in the form of a certified or cashier's check payable to the District has been submitted.

Section 14. That final acceptance of the highest bid, either written or oral, will be made at the Board meeting, or at any adjourned session of the same meeting held within ten (10) days. The Board may select the highest bid of any of the bids, or if it deems such action to be for the best public interest, it may reject any and all bids. The District reserves the right to make non-substantive changes to the purchase agreement. The highest successful bidder shall be required to execute the purchase agreement as a requirement for final acceptance by the Board.

Section 15. That the District's Superintendent or his designee is hereby authorized and directed to give notice of the Board's intent to sell the Property by posting executed copies of the Resolution in three (3) public places in the District not less than fifteen (15) days before the date of the meeting, and by publication of a Notice of Intent to Sell not less than once a week for three (3) consecutive weeks before the date of the meeting in a newspaper of general circulation published in the District or in the County in which the District or any part thereof is situated and having a general circulation in the County.

Section 16. That the District has considered whether the sale of the Property may have significant impacts on the environment.

Section 17. That the District has concluded, after reviewing the sale of the Property through its own independent review and analysis, that the sale of the Property will not have a significant impact on the environment.

Section 18. That the sale of the Property will not result in damage to scenic resources pursuant to Public Resources Codes Section 21084.

Section 19. That the District Property is not located in an area of statewide, regional, or areawide concerns as identified in CEQA Guidelines Section 15206(b)(4).

Section 20. That the sale of the Property is subject to CEQA Guidelines Section 15312, and is therefore exempt from CEQA.

Section 21. That the District's Superintendent, or the Superintendent's designee, is instructed to file and/or record a Notice of Exemption from the California Environmental Quality Act, consistent with this Resolution, attached hereto as Exhibit "C," with any and all appropriate public agencies or entities, subject only to minor, non-substantive revisions, if necessary.

Section 22. This Resolution shall take effect immediately upon adoption.

ADOPTED, SIGNED AND APPROVED this ____ day of _____, 2014.

John Ortega
President of the Board of Education of the
Orange Unified School District

I, _____, Clerk of the Board of Education of the Orange Unified School District, do hereby certify that the foregoing Resolution was adopted by the Board of said District at a meeting of said Board held on the ____ day of _____, 2014, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mark D. Wayland
Clerk of the Board of Education of the
Orange Unified School District

EXHIBIT "A"
DESCRIPTION AND DEPICTION OF PROPERTY

All that certain real property situated in the County of Orange, State of California, described as follows:

Parcel A:

Lots 1, 2, 3, 5, 7, 9 and 10 of Tract No. 566, in the City of Orange, County of Orange, State of California, as shown on a map recorded in Book 18, Page 20 of Miscellaneous Maps, in the office of the County Recorder of said county, together with Rose Avenue 30 feet wide, between the West line of Olive Street and the East line of Lemon Street adjacent to the North line of above said Lots 9 and 10, vacated and abandoned by that certain Resolution No. 1943 recorded August 21, 1962 in Book 6220, Page 494 of Official Records, which would pass by operation of law upon conveyance.

Parcel B:

Lots 4 to 7, inclusive, and the North 18 feet of Lot 3 of the John R. Schooley's 1st Addition to the City of Orange, in the City of Orange, County of Orange, State of California, as shown on a map recorded in Book 6, Page 17 of Miscellaneous Maps, in the office of the County Recorder of said county,

Parcel C:

Parcel 1:

That portion of the Southeast quarter of Lot 4 in Block "G" of the A. B. Chapman Tract, in the City of Orange, County of Orange, State of California, as surveyed by Frank Lecouvreur in December 1870, as recorded in Book 102, Page 15 of Miscellaneous Maps, in the office of the County Recorder of said county, described as follows:

Beginning at a point 33 feet West of the East line of Olive Street and 132 feet North of the North line of Walnut Avenue, in the City of Orange, said point being on the East line of the West 5 acres of the Southeast quarter of said Lot 4 in Block "G" of the A. B. Chapman Tract;

**Thence North 68 feet;
Thence West 165 feet;
Thence South 68 feet;
Thence East parallel with the North line of Walnut Avenue, 165 feet to
the point of beginning.**

Except the East 33 feet thereof.

Parcel 2:

That portion of the Southeast quarter of Lot 4 in Block "G" of the A. B. Chapman Tract, in the City of Orange, County of Orange, State of California, as surveyed by Frank Lecouvreur in December 1870, as recorded in Book 102, Page 15 of Miscellaneous Maps, in the office of the County Recorder of said county, described as follows:

**Beginning at a point 33 feet East of Olive Street and 200 feet North of the North line of Walnut Avenue, in the City of Orange, said point being on the East line of the West 5 acres of the Southeast quarter of said Lot 4 in Block "G" of the A. B. Chapman Tract;
Thence West 165 feet to a post;
Thence North 166 feet to a post;
Thence East 165 feet to a post;
Thence South 166 feet to the point of beginning.**

Except the East 33 feet thereof.

Assessor's Parcel Number: **039-132-15**

Assessor's Plat Map

(Subject parcel comprises a portion of larger APN as outlined in RED below)

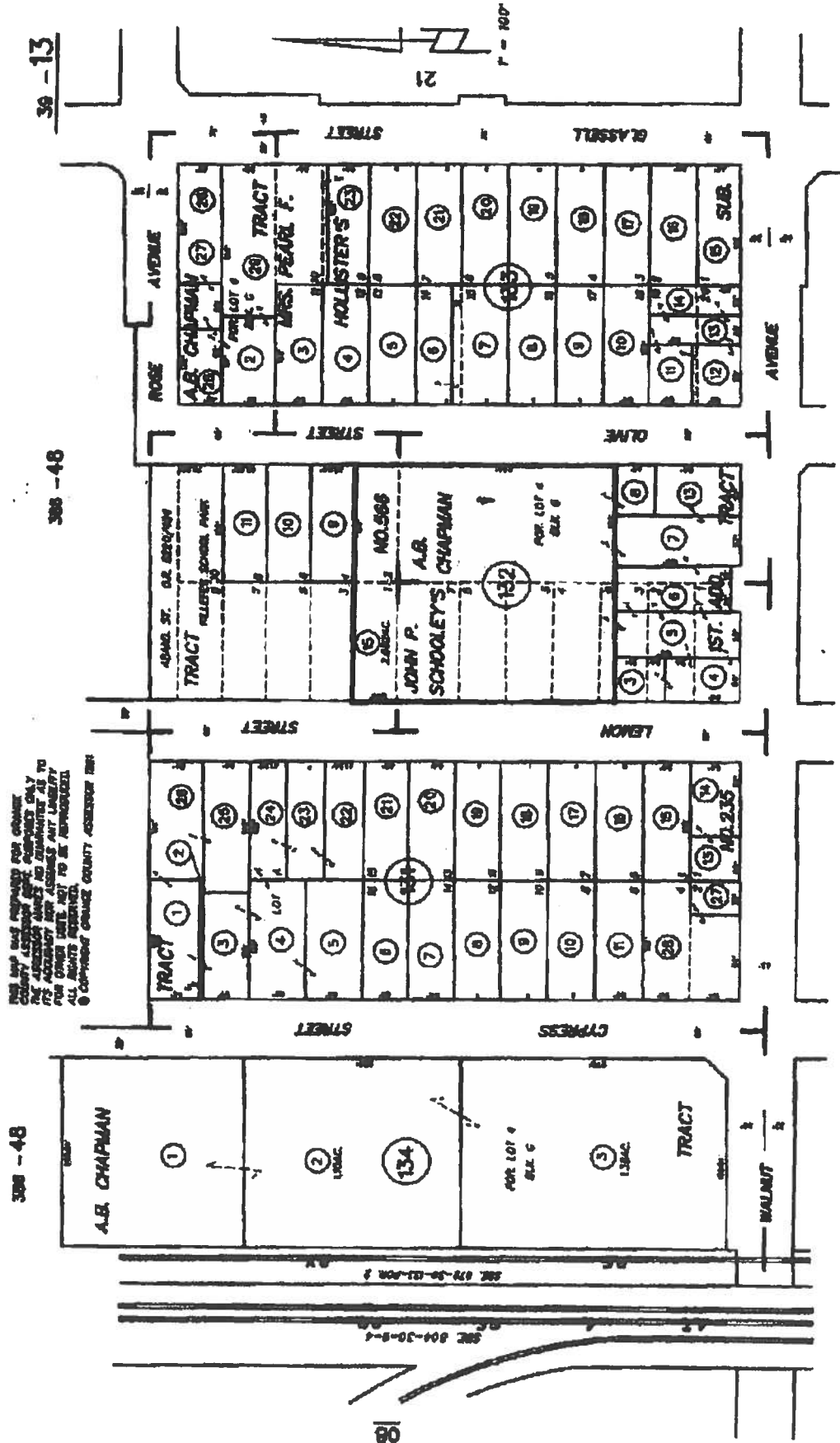


EXHIBIT "B"

RESOLUTION NUMBER 03-11-12

RESOLUTION NO. 03-11-12

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
ORANGE UNIFIED SCHOOL DISTRICT
DECLARING INTENT TO SELL SURPLUS REAL PROPERTY**

WHEREAS, the Orange Unified School District (the "District") is the legal owner of a parcel of real property totaling approximately one and seven tenths (1.70) acres, located at 541 North Lemon Street in the City and County of Orange, State of California, also known as the former Killefer Elementary School site, as more particularly described and depicted on the site map at Exhibits "A" and "B" respectively attached hereto (the "Property") and

WHEREAS, the Killefer Elementary School was closed more than twenty (20) years ago and has not been used for school classroom purposes since its closure; and

WHEREAS, the District Advisory Committee ("7/11 Committee"), formed pursuant to Education Code sections 17387 through 17390, submitted its report to the Board on July 24, 2008, concluding that the Property was not needed to house District students; and

WHEREAS, pursuant to Education Code section 17486, the Property is not subject to the provisions of the Naylor Act, since in the past eight years the Property has not been used for school playground, playing field, or other outdoor recreational purpose; and

WHEREAS, the District has explored the possible disposition of the Property and has determined to sell the Property.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Property is not needed by the District for school classroom buildings, and is therefore considered surplus.

Section 2. That the Board of Education declares its intent to sell the Property consistent with the provisions of Education Code sections 17455 through 17478.

Section 3. That the District comply with the provisions of Government Code section 65402 which requires the District to submit to the City of Orange Planning Department its proposed disposition of the Property for determination that the sale of the Property is in conformity with the City's adopted General Plan or part thereof.

Section 4. That the District comply with the provisions of Education Code section 17464 which provides that notice be given to various public entities, agencies and non-profit corporations (collectively, the "Priority Entities") that the Property is offered for sale at fair market value.

Section 5. Provided that no Priority Entity has expressed interest in purchasing the Property, or if interest has been expressed, the District has been unable to arrive at a mutually satisfactory price during the priority period, a public hearing will be held in the District Education Center, Building H, located at 1401 North Handy Street, Orange, California on November 17, 2011, at approximately 7:00 p.m., for the purposes of receiving and opening all proposals submitted by non-Priority Entities ("Bidders") and calling for oral bids on said matter.

Section 6. All Bidders interested in purchasing the Property shall be encouraged to attend a pre-bid meeting to be held at the Property on October 5, 2011, between 9:30 a.m. and 11:30 a.m. At this pre-bid meeting, site specific information on the Property will be shared with prospective purchasers and a walk-through of the Property will be conducted.

Section 7. Bid Proposal forms along with the Purchase and Sale Agreement for the Property may be obtained from the Business Services Department of the District at 1401 North Handy Street, Orange, California. The telephone number is (714) 628-4479. Additionally, copies of all written information discussed at the pre-bid meetings shall be maintained at the Business Services Department, and will be available for review following the pre-bid meeting during regular District operating hours.

Section 8. The Property will be sold at a minimum acceptable purchase price of Three Million Four Hundred Thousand Dollars (\$3,400,000). The District shall require full payment at close of escrow.

Section 9. The District will not pay real estate commissions on the sale of the Property.

Section 10. Bidders shall be required to utilize the District's Bid Proposal form in submitting their bids and shall be required to execute the District's form of Agreement for Purchase and Sale of Property and Escrow Instructions (the "Agreement") with the existing terms and conditions contained therein, unless otherwise agreed to by the District.

Section 11. Subject to the call for oral bids as provided in Section 13 below, the District shall accept the highest responsive bid for the Property.

Section 12. All bids, whether written or oral, shall be accompanied by a certified or cashiers check made payable to the Orange Unified School District in the amount of One Hundred Thousand Dollars (\$100,000) (the "Bid Deposit"). Three Thousand Dollars (\$3,000) from the Bid Deposit of the successful bidder shall be unconditionally forfeited to and retained by the District with the balance of the Bid Deposit to be delivered by the District into Escrow (as defined in Section 17) within two (2) business days following the receipt of written notification from Escrow of the "Opening Date" (as defined in Section 16 below). All Bid Deposits from unsuccessful Bidders will be returned.

Section 13. If upon the call for oral bidding, any responsible person(s) offers to purchase the Property upon the terms and conditions specified for a price exceeding by at least five percent (5%) the highest written proposal, then the oral bid which is the highest shall be tentatively accepted. There shall be no call for oral bidding on the Property for which no written bids have been received.

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Section 14. The highest oral bid for the Property, if any, shall be reduced to writing and signed by the offeror.

Section 15. Final acceptance of the highest bid either written or oral will be made at a meeting of the Board of Education to be held no later than November 24, 2011. The Board may select the highest bid or, if deemed such action to be for the best public interest, reject any and all written or oral bids and withdraw the Property from sale.

Section 16. Within ten (10) calendar days following award by the Board of Education, the District and the successful Bidder shall cause Escrow to be opened for the sale of the Property (the "Opening Date") by (a) delivering into Escrow three (3) fully executed original Agreements, and (b) the successful Bidder depositing into Escrow ten percent (10%) of the amount of the successful bid, less the amount of the Bid Deposit (the "Additional Deposit"). The Bid Deposit and Additional Deposit (collectively, the "Deposit") will be applied towards the purchase price of the Property. Provided that the District has timely submitted three (3) original Agreements into Escrow executed by the District, the failure of the successful Bidder to timely comply with the provisions of paragraphs (a) and (b) of this Section shall result in the immediate and unconditional forfeiture to the District of the entire Bid Deposit, whereupon all remaining obligations of the District and the successful Bidder under the Agreement, this Resolution or in any way related to the sale of the Property shall automatically be null and void without any further action by either party.

Section 17. Orange Coast Title Company, located at 3536 Concoors, Suite 120, Ontario, California 91764 or such other mutually agreed upon title company ("Escrow"), will act as the title company and escrow company for this transaction, with all Escrow costs to be borne by the purchaser. The cost for the policy of title insurance for the Property will be provided by the District.

Section 18. The successful Bidder shall have (a) a ninety (90) day general/title due diligence period from the Opening Date to review and approve the condition of the Property and the condition of title, and (b) an initial eighteen (18) month entitlement due diligence period from the Opening Date to secure all necessary governmental and regulatory approvals for its proposed use of the Property. If all required approvals are not expected by the expiration of the initial entitlement due diligence period, no later than thirty (30) days prior to the expiration of the initial entitlement due diligence period, the successful Bidder may request that the initial entitlement due diligence period be extended for one additional six (6) month period. The District shall grant the extension request provided that the successful Bidder produces evidence reasonably acceptable to the District that (i) the successful Bidder has exercised commercially reasonable efforts to secure the required entitlement approvals, and (ii) the entitlement approvals will be received within the additional six (6) month entitlement period.

Section 19. Unless sooner terminated, at the expiration of the general/title due diligence period, Twenty-Five Thousand Dollars (\$25,000) of the Deposit will be unconditionally forfeited and released by Escrow to the District. At the expiration of the first six (6) months following the Opening Date, an additional Twenty-Five Thousand Dollars (\$25,000) will be forfeited and released by Escrow to the District. Thereafter, an additional Fifty Thousand Dollars (\$50,000) will be unconditionally forfeited and released by Escrow to the District at the expiration of twelve (12) months and again at the expiration of eighteen (18) months following

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the Opening Date. In the event the event the successful Bidder requests and is granted an extension of the initial entitlement due diligence period, an additional One Hundred Thousand Dollars (\$100,000) from the Deposit will be unconditionally forfeited and released by Escrow to the District.


Section 20. Escrow shall close no later than thirty (30) days following the sooner to occur of the expiration of the entitlement due diligence period, as may be extended, or the successful Bidder receiving all necessary governmental and regulatory approvals for its proposed use of the Property.

Section 21. The Superintendent of this District or his designee is hereby authorized and directed to give notice of the proposed sale as required by Education Code section 17464 and Government Code section 65402 and by posting copies of the Resolution signed by the Board or a majority of it, in three public places in the District not less than fifteen (15) days from the date of the meeting to receive bids, and by publication of the above resolution not less than once a week for three consecutive weeks before the date of this meeting in the Orange City News/Orange County Register newspaper.

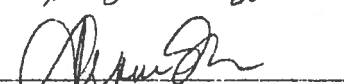
ADOPTED, SIGNED AND APPROVED by the Board of Education of the Orange Unified School District this 25th day of August, 2011.

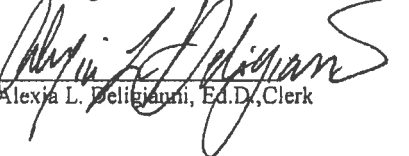
**BOARD OF EDUCATION OF THE
ORANGE UNIFIED SCHOOL DISTRICT**


By: 
Rick Ledesma, President

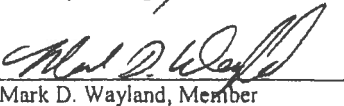
By: 
Kathryn A. Moffat, Member

By: 
John Ortega, Vice President

By: 
Diane Singer, Member

By: 
Alexja L. Deligjanni, Ed.D., Clerk

By: 
Timothy Surridge, Member

By: 
Mark D. Wayland, Member

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EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Lots 1 and 2 of Tract No. 566, in the City of Orange, County of Orange, State of California, as per map thereof recorded in Book 6, Page 17 of Miscellaneous Maps, Records of said Orange County.

Lots 4, 5, 6, 7 and the northerly 18 feet of Lot 3 of John R. Schooley's First Addition to the City of Orange, in the City of Orange, County of Orange, State of California, as per map thereof recorded in Book 6, Page 17 of Miscellaneous Maps, Records of said Orange County.

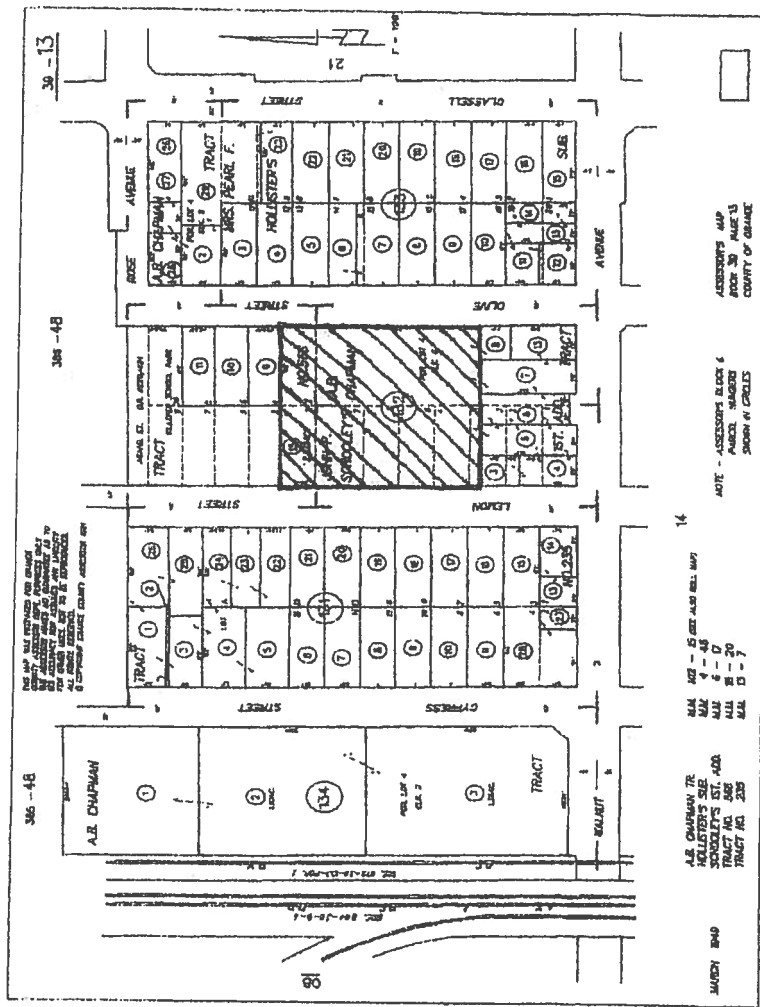
That portion of the Southeast quarter of Lot 4 in Block "G" of the A.B. Chapman Tract, in the City of Orange, County of Orange, State of California, as surveyed by Frank Lecouvreur in December 1870, described as follows: Beginning at a point 33 feet West of the East line of Olive Street and 132 feet North of the North line of Walnut Avenue, in the City of Orange, said point being on the East line of the West 5 acres of the Southeast quarter of said Lot 4 in Block "G" of the A.B. Chapman Tract; thence North 68 feet; thence West 165 feet; thence South 68 feet; thence East parallel with the North line of Walnut Avenue, 165 feet to the point of beginning.

EXCEPT the East 33 feet of said premises.

EXHIBIT "B"

SITE MAP OF PROPERTY

PLAT MAP



THIS MAP WAS PREPARED FOR THE CITY OF GADSDEN, ALABAMA, AND IS SUBJECT TO THE CITY'S ZONING ORDINANCES AND OTHER APPLICABLE LAWS. THE CITY ASSURES THAT THE INFORMATION ON THIS MAP IS CORRECT AS OF THE DATE OF PREPARATION. THE CITY ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. ALL RIGHTS ARE RESERVED BY THE CITY OF GADSDEN, ALABAMA.

NOTE - ASSessor's BLOCK 6 PARCELS SHOWN IN CIRCLES

ASSESSOR'S MAP BOOK 30 PAGE 13 COUNTY OF GADSDEN

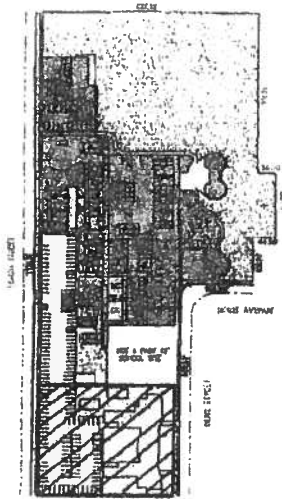
A.E. CHAPMAN TRACT
 HOLISTED'S TRACT
 SPRINKLER SYSTEM
 TRACT NO. 2389

MARCH 1940

A.M. 102 - 15 SEE ALSO MAP 107
 A.M. 4 - 48
 A.M. 6 - 7
 A.M. 8 - 10
 A.M. 13 - 7

SITE PLAN

OWNER: [REDACTED]
 ADDRESS: [REDACTED]
 PLANNING: [REDACTED]



TOTAL SITE AREA:
 1.26 ACRES
 TOTAL PARCELS:
 14 PARCELS
 1 ACRES
 BUILDING AREA:
 2,700 SF
 PORTALON:
 1,000 SF
 USE AREA:
 10,000 SF
 PAVING AREA:
 1,000 SF
 TOTAL AREA:
 1.26 ACRES

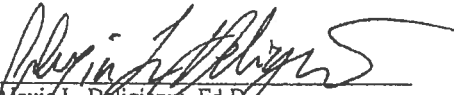
LNA
 ARCHITECTURAL & ENGINEERING



CERTIFICATION

The undersigned certifies that she is the duly appointed Clerk of the Board of Education of the Orange Unified School District, that the foregoing resolution was duly adopted at a meeting of said Board held on August 25, 2011, that all actions taken in connection with such resolution were in compliance with the requirements of the California Government Code and that said resolution is now in full force and effect, and as appears from the official records of the Board in my custody and under my control.

IN WITNESS WHEREOF, the undersigned has executed this certification under the seal of the Board as of August 25, 2011.



Alexia L. Deligian, Ed.D.
Clerk of the Board of Education of the
Orange Unified School District

EXHIBIT "C"
NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

TO: : Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

: Orange County Clerk-Recorder
12 Civic Center Plaza, Room 101
Santa Ana, CA 92701

FROM:

ORANGE UNIFIED SCHOOL DISTRICT
1401 North Handy Street
Orange, CA 92867

Project Title: Sale of Killefer Elementary School Site Property
Project Location - Specific: 541 North Lemon Street, Orange, California 92867
Project Location - City: Orange
Project Location - County: Orange

Description of Project:

Orange Unified School District ("District") proposes to sell its property located at 541 North Lemon Street, Orange, California 92867, known as the District's Killefer Elementary School Site Property ("District Property").

Name of Public Agency Approving Project: ORANGE UNIFIED SCHOOL DISTRICT

Name of Person or Agency Carrying Out Project: ORANGE UNIFIED SCHOOL DISTRICT

Exempt Status: (check one)

- Ministerial (Sec. 21080(a)(1); 15268(b));
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State Type and section number:
Surplus Government Property Sales [15312]
- Statutory Exemptions. State Code number: _____

Reasons why project is exempt:

The Project involves the sale of the District Property. The Project will not cause a substantial adverse change in the significance of a historical resource. The Project will not involve the use of significant amounts of hazardous substances. The District Property is not located in an area of statewide, regional, or area-wide concern identified in CEQA Guidelines Section 15206(b)(4). The Project is not subject to any of the exceptions to exemption set forth in CEQA Guidelines section 15300.2.

Lead Agency Contact Person: Joe Sorrera, Assistant Superintendent of Business Services

Area Code/Telephone/Ext.: (714) 628-4059

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ **Date:** _____ **Title:** _____

Signed by Lead Agency Date received for filing at OPR: _____ Signed by Applicant