

1                   **BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO**

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3   **A RESOLUTION OF THE SAN BENITO            )            Resolution No. 2018-\_\_\_\_**  
4   **COUNTY BOARD OF SUPERVISORS            )**  
5   **AUTHORIZING THE ACCEPTANCE            )**  
6   **AND EXECUTION OF THE                    )**  
7   **EASEMENT DEED FROM THE SAN            )**  
8   **BENITO HIGH SCHOOL DISTRICT TO        )**  
9   **SAN BENITO COUNTY FOR                   )**  
10   **CONSTRUCTION OF THE NASH             )**  
11   **ROAD BYPASS                                )**

12           **WHEREAS**, the San Benito High School District ("SBHSD"), the County of San  
13 Benito ("County"), and the City of Hollister entered into an Interagency Cooperation  
14 Agreement (Regional Park Project/Nash Road Closure), effective as of November 21,  
15 2016 ("Interagency Agreement"), as amended on October 5, 2017; and

16           **WHEREAS**, the Interagency Agreement described the concerns regarding San  
17 Benito High School students crossing Nash Road, between West Street and Monterey  
18 Street, to attend classes and athletic events on the District's bisected High School  
19 Campus, and parties' desire to close Nash Road to vehicular traffic during and  
20 after school hours ("Nash Road Closure"); and

21           **WHEREAS**, the Interagency Agreement provided, among other things, for (i) the  
22 creation of a public road to provide access to the Regional Park as set forth therein and to  
23 accommodate the Nash Road Closure ("Nash Road Bypass") and for (ii) a grant of a non-  
24 exclusive easement from SBHSD to the County over SBHSD property on which the Nash  
25 Road Bypass would be constructed by the County ("Public Road Easement"); and

26           **WHEREAS**, The Public Road Easement is subject to, and coordinated with, a  
27 water pipeline easement granted to Sunnyslope County Water District by SBHSD for the  
28 installation of water pipelines by the County underneath the Public Road Easement  
29 pursuant to that certain Memorandum of Understanding by and between the County of  
San Benito and Sunnyslope County Water District dated as of April 3, 2018; and

1           **WHEREAS**, SBHSD has executed and delivered to the County an easement deed  
2 granting the Public Road Easement to the County attached hereto as Attachment A  
3 (“Easement Deed”); and

4           **WHEREAS**, it is in the best interests of the County to accept, execute and record  
5 the Easement Deed in the Official Records of San Benito County.

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7           **NOW, THEREFORE, BE IT RESOLVED** that the San Benito County Board of  
8 Supervisors hereby makes the following findings and determinations:

9       **Section 1.**    The foregoing recitals are true and correct.

10       **Section 2.**   Public necessity and convenience require the acquisition of the property  
11 interests granted by the Easement Deed for the Nash Road Bypass project, and  
12 acceptance of the property interests granted therein would advance, benefit, protect and  
13 serve the County’s best interests, because they are necessary for proper construction and  
14 maintenance of a public highway for road purposes.

15       **Section 3.**    The Board hereby accepts the Easement Deed, and authorizes the Chair to  
16 execute the Certificate of Acceptance and Consent to Record for the Easement Deed.

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18           **PASSED AND ADOPTED** by the San Benito County Board of Supervisors at the  
19 meeting of said Board held on the 21st day of August 2018, by the following vote:

20  
21 AYES:       Supervisor(s)

22 NOES:       Supervisor(s)

23 ABSENT:     Supervisor(s)

24 ABSTAIN:    Supervisor(s)

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By: \_\_\_\_\_  
Anthony Botelho, Chair

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ATTEST:

Janet Slibsager, Clerk of the Board

By: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:

San Benito County Counsel's Office

By:  \_\_\_\_\_  
G. Michael Ziman, Deputy County Counsel

Date: August 10, 2018

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Attachment A  
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