

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 10-1011

AUTHORIZING MEASURE B BOND PROJECT RELATED TO THE PURCHASE OR
ACQUISITION BY CONDEMNATION OF REAL PROPERTY LOCATED AT
7544 DUBLIN BOULEVARD, DUBLIN, CA

R E C I T A L S

WHEREAS, Chabot-Las Positas Community College District (“District”) is duly authorized and existing under the laws of the State of California, and is authorized to acquire real property by either purchase or by condemnation and to hold, use and enjoy such properties as necessary to fully exercise its powers; and

WHEREAS, on March 2, 2004 the voters within the geographical boundary of the District approved Measure B, a \$498 million dollar capital improvement bond to enable the District to repair, construct, acquire, equip classrooms, labs, sites and facilities (the “Bond Program”); and

WHEREAS, the acquisition of certain properties within the District’s geographical boundary is an integral part of the District’s goals and objectives under the Bond Program and is an integral part of the District’s educational and facilities master plan (the “Educational and Facilities Master Plan”); and

WHEREAS, the District is specifically authorized by virtue of California Education Code Section 70902, subd. (b)(13) and other provisions of the statutes of the State of California to acquire and hold any property necessary for the use and benefit of the District by purchase or by condemnation exercised pursuant to the provisions of section 1230.020 et seq. of the California Code of Civil Procedure; and

WHEREAS, to accomplish the goals and objectives of the Bond Program and the Educational and Facilities Master Plan, and consistent with the District’s educational mission to establish educational transit hubs and meet the vocational training and educational needs of the District’s students, the Board has identified and authorized the acquisition of the real property and facilities located at 7544 Dublin Boulevard, Dublin, CA (the “Real Property”) for the purpose of meeting such goals and objectives of the Bond Program, the Educational and Facilities Master Plan and the District’s educational mission; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

SECTION 1. Recitals Deemed True. The foregoing recitals and findings are true and correct.

SECTION 2. Authorization to Acquire Real Property by Purchase or Condemnation. Based upon the foregoing recitals, the Board authorizes the acquisition of the Real Property as necessary to meet the goals and objectives of the Bond Program, Educational and Facilities Master Plan and educational mission. The Board further authorizes acquisition of the Real Property by initiation of condemnation pursuant to the provisions of section 1230.020 et seq. of the Code of Civil Procedure and authorizes the Chancellor or his designee to take action

as necessary to initiate condemnation proceedings to acquire the Real Property. The Board further authorizes the Chancellor to acquire the Real Property by direct purchase from the owner(s), and in the event of such purchase, this resolution authorizing acquisition of the Real Property by condemnation shall be rescinded and of no further force or effect.

SECTION 3. Effective Date. This resolution shall become immediately effective upon adoption by the Board.

PASSED AND ADOPTED by a roll call vote this 3rd day of May 2011 by the Governing Board of the Chabot-Las Positas Community College District of Alameda County, State of California at a study meeting held at Pleasanton, California.

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By: _____
President, Board of Trustees of the
Chabot-Las Positas Community College District
of Alameda County, State of California

By: _____
Chancellor of the Chabot-Las Positas
Community College District of Alameda
County, State of California

I, Secretary of the Governing Board of the Chabot-Las Positas Community College District of Alameda County, State of California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a study meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

Date

By: Secretary, Board of Trustees of the
Chabot-Las Positas Community College District
of Alameda County, State of California