

MOORPARK UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 2023-2024-13

**RESOLUTION OF THE BOARD OF EDUCATION OF THE MOORPARK UNIFIED
SCHOOL DISTRICT DECLARING ITS INTENTION TO CONVEY THE ESTATE 3
PROPERTY TO THE CITY OF MOORPARK FOR ROADWAY AND UTILITY
PURPOSES**

WHEREAS, the Moorpark Unified School District (“District”) owns property described and depicted in Exhibit A, attached hereto and incorporated herein by this reference (“District Property”), which is a 0.42-acre portion of real property along the northern line of the District’s Walnut Canyon Elementary School;

WHEREAS, in 1997, the District filed an eminent domain (condemnation) claim against sixteen defendants that jointly owned several properties in order to acquire those sites to construct a new school. The District’s action was titled *Moorpark Unified School District v. Marshall Craig Milligan, et. al.*, Case No. SC 016973, and was filed in the Superior Court of California, County of Ventura (the “Action”). On December 18, 1997 a “Judgment in Condemnation” was entered in the Action and the District became the fee owner of several resulting pieces of property, including the property known as “Estate 3” (“Estate 3 Property”);

WHEREAS, pursuant to the Action, the Estate 3 Property was designated as a “Restricted Use Area for Road and Utility Related Purposes”;

WHEREAS, the District has determined that it is in the best interest of the District and the community to convey the Estate 3 Property to the City of Moorpark (“City”) for roadway and utility purposes;

WHEREAS, Education Code sections 17556 *et seq.* authorize the District to convey property for roadway and utility purposes after declaring its intention to do so and holding a noticed public hearing to allow for comment. The District hereby declares its intention to convey the Estate 3 Property to the City for roadway and utility purposes and schedules a public hearing to allow for public comment; and

WHEREAS, the District and the City are in the process of negotiating a Grant Deed which will convey the Estate 3 Property for such roadway and utility purposes. The Grant Deed will be brought to the Board for review and approval after the public hearing described above and concurrently with the Resolution Conveying the Estate 3 Property to the City.

NOW, THEREFORE BE IT RESOLVED by the District Board of Education as follows:

1. The above recitals are true and correct.
2. The Board expresses its intention to convey the Estate 3 Property to the City of Moorpark for roadway and utility purposes.

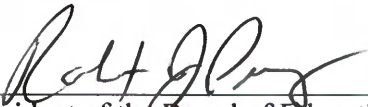
3. The Board directs that a public hearing to receive comments regarding conveyance of the Estate 3 Property to the City of Moorpark is scheduled for June 18, 2024, at the District Office Board Room, 5297 Maureen Lane, Moorpark, California. Meeting times are 5:30 PM unless otherwise noted.
4. The Superintendent, or designee thereof, is authorized and directed to give notice of the Public Hearing according to the legal requirements.
5. The Superintendent, or designee thereof, is authorized to take such action as may be reasonably necessary to effectuate the purpose and intent of this Resolution, including executing any documents.

This Resolution shall take effect upon adoption by two-thirds of all members of the Board.

On motion of Ute VanDam, and seconded by Scott Dettorre, this resolution was adopted on May 14, 2024, by the following vote:

AYES 4 NOES 0 ABSENT 1 ABSTENTIONS 0

PASSED AND ADOPTED this 14th day of May 2024, at a Regular Meeting of the Board of Education of the Moorpark Unified School District.



President of the Board of Education of the
Moorpark Unified School District

ATTEST:



Clerk of the Board of Education of the
Moorpark Unified School District

EXHIBIT A

Legal Description and Depiction of the Estate 3 Property

ESTATE 3

That part of Lot T, Tract L, Rancho Simi, in the City of Moorpark, County of Ventura, State of California, according to the map recorded in Book 5, page 5 of Maps in the office of the County Recorder of said county, lying within a portion of the land described as Parcel 5 in the quitclaim deed, recorded on March 30, 1995 as document number 95-037565 in the office of said recorder, said portion being more particularly described as follows:

Beginning at the intersection of the west line of the land described in the deed to The Boys and Girls Club of Moorpark, a non-profit California corporation, recorded on December 11, 1991 as document number 91-185164, with a line that lies 31.50 feet southerly and parallel with the centerline of Casey Road (defined herein as having a bearing of N 89° 19' 45" W) as shown in State of California, Department of Transportation, surveyors field book 94-049 at pages 5, 11 and 12; thence along said west line and its southerly prolongation,

South 00° 35' 30" West 85.50 feet to the beginning of a tangent curve concave northeasterly having a radius of 31.00 feet, and having its forward tangent passing through the southeasterly terminus of a line that bears South 27° 59' 45" East 187.17 feet from said intersection and point of beginning; thence southerly along said curve, through a central angle of 55° 00' 00" an arc length of 29.76 feet; thence along said forward tangent,

South 54° 24' 30" East 93.21 feet to said southeasterly terminus; thence along a line parallel with said centerline,

South 89° 19' 45" East 12.90 feet; thence

South 00° 41' 00" West 334.50 feet; thence

North 89° 19' 00" West 28.00 feet; thence

South 84° 34' 15" West 416.50 feet to the beginning of a tangent curve concave southeasterly having a radius of 50.00 feet; thence southwesterly along last said curve,

through a central angle of 54° 22' 45" an arc length of 47.45 feet; thence tangent to last said curve,

South 30° 11' 30" West 126.50 feet to the beginning of a tangent curve concave northerly having a radius of 60.00 feet; thence southerly, westerly and northwesterly along last said curve,

through a central angle of 90° 00' 00" an arc length of 94.25 feet to its northwesterly terminus; thence tangent to last said curve,

North 59° 48' 30" West 320.00 feet; thence

South 30° 11' 30" West 5.00 feet to the beginning of a non-tangent curve concave easterly having a radius of 65.00 feet. A radial line bears South 30° 11' 30" West from the beginning of last said curve; thence northwesterly, northerly and northeasterly along last said curve,

through a central angle of 95° 00' 00" an arc length of 107.77 feet; thence tangent to last said curve,

ESTATE 3
continued

North 35° 11' 30" East, 327.00 feet; thence along a line that bears North 00° 39' 30" East,

176.64 feet to its intersection with a line that lies parallel with and 39.50 feet southerly of said centerline and its westerly prolongation. Last said intersection being the TRUE POINT OF BEGINNING of this description; thence continuing,

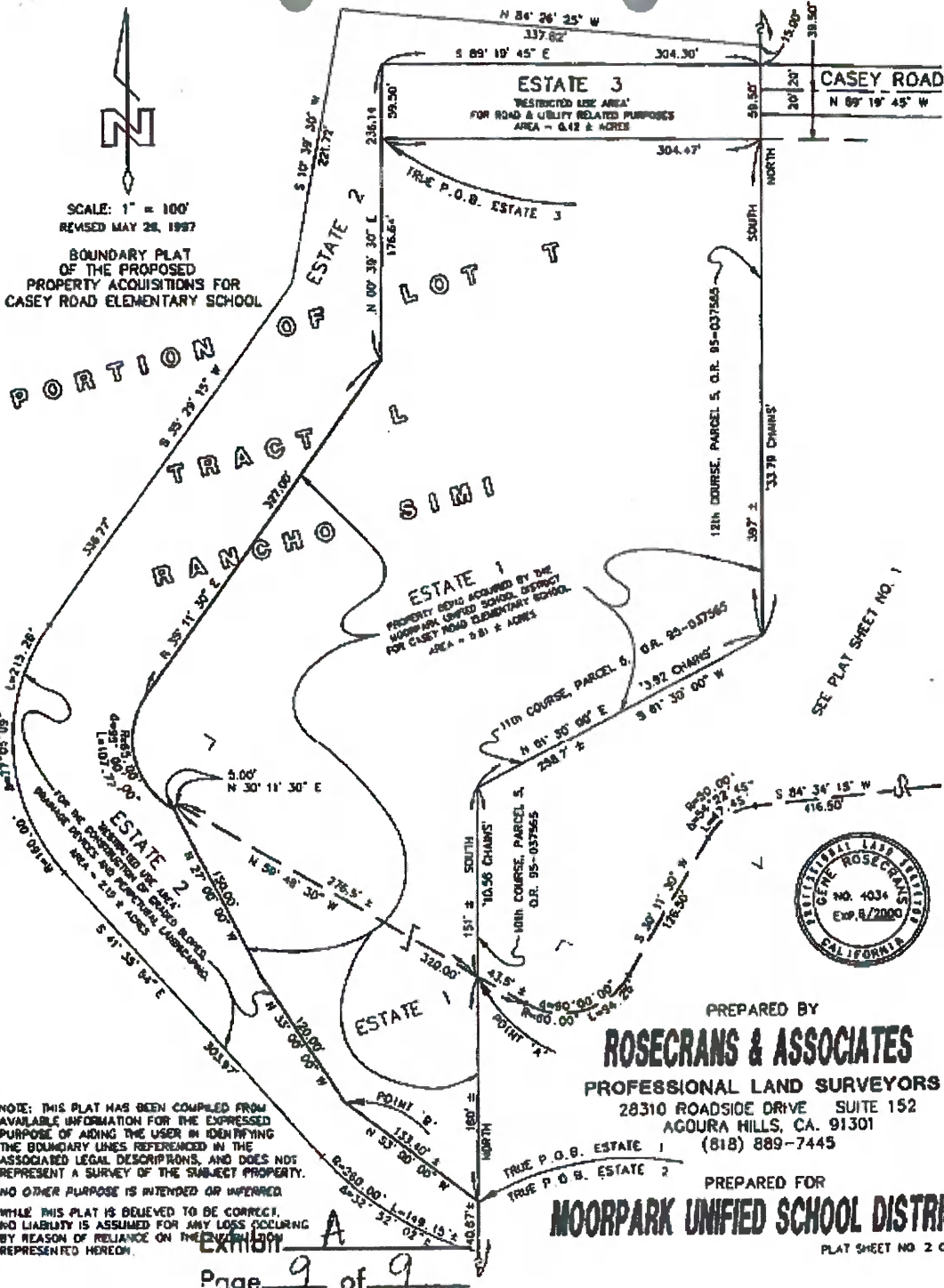
- 1st North 00° 11' 30" East 59.50 feet to its intersection with a line that lies parallel with and 20.00 feet northerly of said centerline; thence along last said parallel line,
- 2nd South 89° 19' 45" East 304.30 feet to its intersection with the 12th course in Parcel 5 of said document number 95-037565, described therein as "North 39.79 chains"; thence along said 12th course and easterly line of said Parcel 5,
- 3rd In a southerly direction, 59.50 feet to its intersection with a line that lies parallel with and 39.50 feet southerly of said centerline and its westerly prolongation; thence along last said parallel line,
- 4th North 89° 19' 45" West 304.47 feet to said TRUE POINT OF BEGINNING.

Written by
Gene Rosecrans
L.S. 4034



SCALE: 1" = 100'
REVISED MAY 28, 1997

BOUNDARY PLAT
OF THE PROPOSED
PROPERTY ACQUISITIONS FOR
CASEY ROAD ELEMENTARY SCHOOL



NOTE: THIS PLAT HAS BEEN COMPILED FROM
AVAILABLE INFORMATION FOR THE EXPRESSED
PURPOSE OF AIDING THE USER IN IDENTIFYING
THE BOUNDARY LINES REFERENCED IN THE
ASSOCIATED LEGAL DESCRIPTIONS, AND DOES NOT
REPRESENT A SURVEY OF THE SUBJECT PROPERTY.
NO OTHER PURPOSE IS INTENDED OR IMPLIED.
WHILE THIS PLAT IS BELIEVED TO BE CORRECT,
NO LIABILITY IS ASSUMED FOR ANY LOSS OCCURRING
BY REASON OF RELIANCE ON THE INFORMATION
REPRESENTED HEREON.

EXHIBIT A
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PREPARED BY
ROSECRANS & ASSOCIATES
PROFESSIONAL LAND SURVEYORS
28310 ROADSIDE DRIVE SUITE 152
AGOURA HILLS, CA. 91301
(818) 889-7445
PREPARED FOR
MOORPARK UNIFIED SCHOOL DISTRICT
PLAT SHEET NO. 2 OF 2

