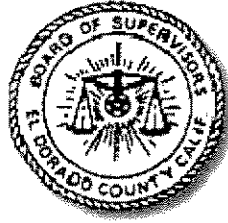


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04/02/08



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**SUPPORTING THE EXCHANGE OF PROPERTY WITH THE
EL DORADO UNION HIGH SCHOOL DISTRICT
FOR BENNETT PARK**

WHEREAS, El Dorado High School is located immediately adjacent to Bennett Park,
and

WHEREAS, Bennett Park was deeded to the County of El Dorado ("County") for the people of the County of El Dorado by Marcus P. Bennett and Mary C. Bennett in memory of their son, Marcus P. Bennett, Jr.; and

WHEREAS, the purpose of the dedication of Bennett Park was to provide a common center for the people of El Dorado County for recreation, sports, social open air gatherings, entertainments, games and amusements; and

WHEREAS, the document creating Bennett Park limits the construction of buildings on Bennett Park; and

WHEREAS, The El Dorado Union High School District ("District") has adopted a resolution supporting an exchange of property with the County as designated on the attached Exhibit "A" hereto in order to acquire a portion of the Bennett Park property for the construction of a culinary institute; and

WHEREAS, the property to be granted to the County by the District to become part of Bennett Park is equivalent in area to the portion of property to be granted from the County to the District; and

WHEREAS, the property to be acquired by the County to become part of Bennett Park is developed with a baseball field so that the purpose of the original grant of Bennett Park to foster recreation will be advanced by the exchange, and

WHEREAS, the exchange of property will benefit the citizens of El Dorado County and the students of the El Dorado Union High School District; and

WHEREAS, prior to completing the exchange of property the District and County shall consult with the California State Attorney General's Office to confirm that the exchange of property is consistent with the public trust purposes of the original deed.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The County as owner of the Bennett Park property hereby agrees to an exchange of property between Bennett Park and the El Dorado Union High School District as shown on the attached "Exhibit A." The El Dorado Union High School District shall incur all costs in preparing the legal descriptions for the proposed exchange of property, and the legal descriptions shall be approved by County staff in conjunction with the County Surveyor.

2. This Board hereby finds that the exchange of property as described on the attached Exhibit "A" will benefit the citizens of El Dorado County and will advance the purpose of the original grant of Bennett Park. The County will acquire a parcel of property from the District that is already developed as a baseball field, and which is therefore better suited to Park activities and the purposes of the Bennett Park grant than the parcel to be transferred from the Park to the District. The property to be granted to the District from the Bennett Park is unimproved and could not be feasibly developed into an active recreational area due to its location and size.

3. County Staff is authorized to undertake all actions necessary to complete the property exchange, including consulting with the State Attorney General's Office and responding to the petition to be filed by the El Dorado Union High School District in the El Dorado County Superior Court to authorize the exchange, and the preparation of all documents necessary to effectuate the exchange. The Chair of the Board is authorized to execute all documents on behalf of the County necessary to effectuate the exchange.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the _____ day of _____, 200__, by the following vote of said Board:

Attest:
Cindy Keck
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE: _____
ATTEST: CINDY CECK, Clerk of the Board of Supervisors
Of the County of El Dorado, State of California

By _____
Deputy Clerk