

NOTICE OF EXEMPTION

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

Imperial County Clerk-Recorder
940 Main Street
El Centro, CA 92243

FROM:

BRAWLEY UNION HIGH SCHOOL DISTRICT
480 North Imperial Avenue
Brawley, CA 92227

Project Title: Purchase of Armory Property

Project Location - Specific: Property located at 650 North Second, Brawley, CA 92227, Imperial County

Project Location - City: Brawley

Project Location - County: Imperial

Description of Project:

Brawley Union High School District ("District") proposes to purchase property located at 650 North Second, Brawley, CA 92227 ("Property"). The District plans to purchase this property for a future use and, therefore, the use of the Property will involve negligible or no expansion of the current size or use of the Property. If the District decides to use the Property for a specific use in the future, it will follow CEQA procedures, as applicable, regarding such new use

Name of Public Agency Approving Project: BRAWLEY UNION HIGH SCHOOL DISTRICT

Name of Person or Agency Carrying Out Project: BRAWLEY UNION HIGH 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:
Demolition and Removal of Small Structures [15301]
- General Exemption: CEQA Guidelines section 15061(b)(3)
- Statutory Exemptions. State Code number: _____

Reasons why project is exempt:

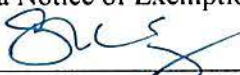
The District will purchase the Property for a future use. If the District assigns a use to the Property in the future, it will comply with CEQA, as applicable, regarding such new use. The District's purchase of the Property involves negligible or no expansion beyond the existing use of the Property. The subject property is not located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines Section 15206(b)(4).

Lead Agency Contact Person: Simon Canalez, Superintendent

Area Code/Telephone: 760-312-6085

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: 06/30/021 Title: Superintendent

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

Resolution No. 21-22-03

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
BRAWLEY UNION HIGH SCHOOL DISTRICT
APPROVING FINAL ACCEPTANCE OF REAL PROPERTY AND
FINDING THE PURCHASE OF REAL PROPERTY EXEMPT FROM
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND
APPROVING THE FILING AND RECORDATION OF A NOTICE
OF EXEMPTION
("ARMORY PROPERTY")**

WHEREAS, the Brawley Union High School District ("District") desires to acquire real property consisting of approximately 1.789 acres of land located at 650 North Second, Brawley, CA 92227, Imperial County, APN 046-121-004-000, (the "Property") as is more particularly described in the Agreement as defined below and attached as Exhibit "A;"

WHEREAS, District staff negotiated the Agreement for Purchase and Sale and Joint Escrow Instructions (the "Agreement") with the owner of the Property, The State Of California, acting by and through its Department Of General Services, with the approval of the Adjutant General of the California Military Department, which details the terms and conditions of the sale of the Property to the District, attached hereto as Exhibit "B;"

WHEREAS, pursuant to Government Code section 27281, deeds or grants conveying any interest in or easement upon real estate to a political corporation or governmental agency for public purposes cannot be accepted for recordation without the consent of the political corporation or governmental agency evidenced by the attachment of the certificate to such instrument conveying a real property interest in substantially the form as set forth hereto as Exhibit "C" and made a part hereof by this reference;

WHEREAS, the purchase of the Property (the "Project") is subject to the requirements of the California Environmental Quality Act ("CEQA,") Public Resources Code section 21000 *et seq.*;

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

WHEREAS, CEQA Guidelines Section 15061(b)(3) provides that an activity may be exempt from CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment;

WHEREAS, CEQA Guidelines Section 15061(b)(3) further provides that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is exempt from CEQA;

WHEREAS, the District's acquisition of the Property consists solely of a change in ownership and does not entail development of the Property;

WHEREAS, CEQA Guidelines Section 15301 sets forth an exemption from CEQA for improvements upon existing facilities where the project involves negligible or no expansion of use beyond that existing at the time of the lead agency's determination;

WHEREAS, Section 15301 further provides that the key consideration in determining whether a project is exempt from CEQA under said exemption category is whether the project involves negligible or no expansion of an existing use;

WHEREAS, if the District decides to use the Property for any purpose in the future, it will comply with all CEQA regulations applicable to the new use;

WHEREAS, the District will not make major alterations during or after the purchase of the Property and therefore, the Property will not change significantly as a result of the Project;

WHEREAS, the District has considered whether the Project may have a significant effect on the environment; and

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

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

Section 1. That all of the recitals set forth above are true and correct, and the Board so finds and determines.

Section 2. That the District's Superintendent, or his designee, is directed, at the close of escrow for the Property, to accept and consent to the conveying of the Property to the District pursuant to Section 27281 of the Government Code.

Section 3. That the District has made findings and will take all necessary action required pursuant to the California Environmental Quality Act ("CEQA") for the acquisition of the Property.

Section 4. That the District has considered whether the Project may have significant impacts on the environment.

Section 5. That the District has concluded, after reviewing the Project through its own independent review and analysis, that the Project will not have a significant impact on the environment.

Section 6. That the Project will not result in damage to scenic resources pursuant to Public Resources Codes Section 21084.

Section 7. That the Project will involve negligible or no expansion beyond the existing use of the Property.

Section 8. That the Project is subject to CEQA Guidelines Section 15301, and is therefore exempt from CEQA.

Section 9. That the Project is subject to CEQA Guidelines Section 15061(b)(3), and is therefore exempt from CEQA.

Section 10. That the District's Superintendent, or his designee, is hereby authorized and directed to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate the purchase of the Property pursuant to the Agreement, including recording Notice of Exemption from the California Environmental Quality Act attached hereto as Exhibit "D," with any and all appropriate public agencies or entities, and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution, and that any and all such prior actions by the District's Superintendent, or a designee, including entering into the Agreement, is hereby ratified by the Board.

Section 11. That this Resolution shall be effective as of the date of its adoption.

PASSED AND ADOPTED this 30th day of June, 2021 by the following vote:

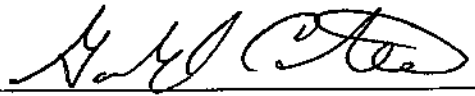
AYES: Trustee Contreras, Trustee Garcia, Trustee Gonzalez, Trustee Morgan,
Trustee Santillan

NOES: None

ABSENT: None

ABSTAINED: None

I, Gabriel Contreras, President of the Brawley Union High School District Board of Education, do hereby certify that the foregoing is a full, true, and correct copy of the resolution passed and adopted by said Board at a regularly scheduled and conducted meeting held on said date, which resolution is on file in office of said Board.



President of the Board of Education
Brawley Union High School District

I, **Gloria Santillan**, Clerk of the Board of Education of the Brawley Union High School District, do hereby certify that the foregoing Resolution was introduced and adopted by said Board at a regular session meeting thereof held on the **30th** day of **June, 2021**.

A handwritten signature in cursive script that reads "Gloria Santillan". The signature is written in black ink and is positioned above a horizontal line.

Clerk of the Board of Education
Brawley Union High School District

Exhibit A

The land hereinafter referred to is situated in the Area of Brawley, County of Imperial, State of California, and is described as follows:

Portion of Lots 8, 9, 10 & 11, Ransdel's Sub of Block 42, Townsite of Brawley, as per Map 114 in Book 2 Page 45 of Official Maps, Records of Imperial County, California, and the East half of N. Second St., as vacated by City of Brawley Council Res. #726, 2-18-53 and recorded in Book 833 page 412 of Official Records, described as follows:

Parcel 1:

The Westerly 148 feet the Northerly 481 feet of said Block, except therefrom the Westerly 31 feet of the Northerly 139 feet and the Easterly 77 feet of Westerly 108 feet of the Northerly 29 feet of said Block 42.

Parcel 2:

Easterly half of the Southerly 342 feet of the Northerly 481 feet of No. 2nd St., fronting on said Block 42 as vacated by above said Res. #726, except the Southerly 38.33 feet of the Northerly 331.5 feet of the Westerly 16.17 feet of said Easterly half of No. 2nd St.

Excepting therefrom that portion conveyed to the City of Brawley, by Grant Deed recorded June 19, 1959 in Book 994 Page 49 of Official Records.

APN: 046-121-004-000

(End of Legal Description)