



**GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

DATE OF MEETING: September 10, 2013

TITLE: Approval of Developer Agreement and Easement Pertaining to Proposed Neighborhood Development (Rancho de Plata; Parcel No. 224-11-037H) and Authorization to Execute Necessary Documentation [9-9-2013]

BACKGROUND: Terramar Properties and Meritage Homes are currently in the process of developing the parcel of land (PN 224-11-037H) which lies immediately to the east of Wilson K-8 School. The proposed residential project will consist of 50 single family homes.

The developers have approached the District and requested a small utility easement that would provide the homebuilder with access to the sewer line on District property which runs along and below the “parent drop off loop” at the school, along the eastern boundary of the school site. Without this access, the developer would have to go a considerably longer distance, at great expense, to obtain access to the sewer at the next closest location.

In consideration for a granted easement providing the requested access to the sewer through the District’s property, the homebuilder, Meritage Homes, agrees to pay compensation to the District of \$1500.00 per lot, to be paid at each closing and remitted to the District.

Construction of the easement will, if all goes well, be timed to coincide with fall break, to minimize campus disruption as much as possible. If this is not possible, construction will likely occur over a weekend, again to minimize disruption, which will be minimal in any event.

A copy of the sewer plan for the residential is attached. It demonstrates how close to the district property boundary (and thus, the proposed site) the existing sewer is.

This proposal is a fair one for both the District and the developers. The District has confirmed that the sewer line on District property does have capacity to serve the school and the proposed development.

A form of agreement that would include the \$1500.00 “per rooftop fee” in consideration of the easement and disruption is being prepared, resulting in total fees – at completion of the project – of \$75,000.00. This agenda item is offered at this time to authorize execution of the agreement and easement documents by general counsel when they are finalized.

RECOMMENDATION: The Administration recommends that the Governing Board approve the terms of agreement described above and in the attached document and authorize General Counsel to execute necessary documents to give effect to these terms.

INITIATED BY:

Todd A. Jaeger, Associate to the Superintendent

Date: September 9, 2013

Patrick Nelson, Superintendent