

August 3, 2009

SUBJECT: Resolution to Approve the Subdivision of 24 Acre Tract, Granting of Easements, and Conveyance of Parkland to the City of Round Rock for the Round Rock Campus.

RECOMMENDATION

That the Board approve by resolution:

- The subdivision of the Property by the District in substantially the form shown in the Proposed Final Plat showing items 1-3 below:
 1. The grant of a Private Access Easement to the ACC Public Facility Corporation;
 2. The grant of a City Waterline Easement to the City of Round Rock;
 3. The conveyance of the Park Tract to the City of Round Rock for park and recreational purposes;
- Delegation of authority to the President of the ACC District to execute documents related to the above.

RELATED BOARD POLICY OR PLANNING PRIORITY

The proposed action relates to E-2, Provision of College Facilities

RATIONALE

Construction of the new Round Rock Campus requires ACC Board approval of a final subdivision plat for the additional 24 acre tract purchased in January of 2009, approval of certain easements to the ACC District Public Facility Corporation and the City of Round Rock for water line construction, and the conveyance of a small portion of land (.056 acres) to the City of Round Rock for park land purposes. Upon approval, these items will be submitted by staff to the City of Round Rock for the purpose of obtaining necessary building permits.

Staff are asking for approval of these items to submit the necessary documents to the City of Round Rock by September 8, 2009, in order to ensure that construction proceeds on a timely basis.

BUDGETARY CONSIDERATION

None

RESOURCE PERSONNEL

Mr. Ben Ferrell, Executive Vice President, Finance & Administration
Mr. Bill Mullane, Executive Director, Facilities & Construction

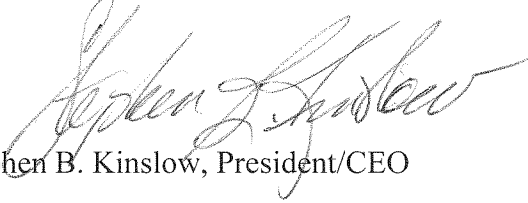
ATTACHMENTS

- A: Resolution
- B: Related Documents (Provided Separately)

Respectfully Submitted By:

A handwritten signature in black ink, appearing to read "Ben Ferrell". The signature is fluid and cursive, with a large initial "B" and "F".

Ben Ferrell, Executive Vice President, Finance & Administration

A handwritten signature in black ink, appearing to read "Stephen B. Kinslow". The signature is cursive and spans across the line.

Stephen B. Kinslow, President/CEO

RESOLUTION TO APPROVE THE SUBDIVISION OF 24 ACRE TRACT,
GRANTING OF EASEMENTS, AND CONVEYANCE OF PARKLAND
TO THE CITY OF ROUND ROCK FOR THE ROUND ROCK CAMPUS

Whereas, at the Meeting of the Board of Trustees (“Board”) of the Austin Community College District (the “District”) held on January 12, 2009, the Board authorized the President of the District to purchase a 24.66 acre tract of land in Round Rock, Williamson County, Texas (the “Property”) to be used in connection with the Round Rock Campus and authorized the conveyance to the City of Round Rock of certain right-of-way out of the Property for road purposes, and

Whereas, the District wishes to (i) subdivide the Property in accordance with applicable law in order to construct a private drive on the Property to serve the Round Rock Campus; (ii) grant the Austin Community College District Public Facility Corporation, a private access easement across the Property (“Private Access Easement”) for use as a private drive to access the Campus, (iii) grant to the City of Round Rock a water line easement (“City Waterline Easement”) under the Private Access Easement, and (iv) convey to the City of Round Rock a .056 acre of land, more or less, out of the Property (“Park Tract”) as indicated on the Proposed Final Plat (hereinafter defined) for Park purposes, all for the benefit of the Round Rock Campus; and

Whereas, in the Board Meeting held on August 3, 2009, the Board reviewed the proposed Final Plat of Austin Community College District-Round Rock Campus Phase II, prepared by Baker-Aiklen & Associates, Inc. as Project No. 424-2-152-82 (“Proposed Final Plat”), and the approximate location of the Private Access Easement, City Waterline Easement and the location of the Park Tract, which will be a separate lot in the subdivision of the Property, and determined that the subdivision of the Property, the grant of the easements and the conveyance of the Park Tract will benefit the District and the Round Rock Campus;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE AUSTIN COMMUNITY COLLEGE DISTRICT, THAT:

1. The above recitals are found to be true and correct; and
2. The Board approves:
 - (i) the subdivision of the Property by the District in substantially the form shown in the Proposed Final Plat, and
 - (ii) the grant of the Private Access Easement to the Austin Community College District Public Facility Corporation; and
 - (iii) the grant of a City Waterline Easement to the City of Round Rock; and
 - (iv) the conveyance of the Park Tract to the City of Round Rock for park and recreational purposes; and

authorizes the President of the District, or his designee, to execute the Final Plat of the Property substantially in the configuration of the Proposed Final Plat, to execute the easements documents for the Private Access Easement and the City

Waterline Easement, and the deed for the conveyance of the Park Tract to the City subject to restrictions on use for park and recreational purposes, and to take such other actions, and to execute such other documents, as the President deems necessary, desirable or appropriate to effectuate the subdivision and use of the Property in connection with the Round Rock Campus.

PASSED AND APPROVED this 3rd day of August, 2009.

BOARD OF TRUSTEES

By: _____
Nan McRaven, Chair

Attest:

Dr. Barbara Mink
Secretary, Board of Trustees