EXHIBITS "I and J"

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LAW OFFICES
OF
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January 20, 1978

Board of Education
Hermosa Beach City School District
517 Seventeenth Street
Hermosa Beach, California 90254

Re: Sale of Pier Avenue School
710 Pier Avenue, Hermosa Beach

Dear Board Members:

I have read all the documents that the Hermosa Beach City School District (District) has unanimously approved in reference to the sale of the Pier Avenue School. I have also reviewed the Education Code that pertains to the sale of surplus property and the sections of the Education Code that pertain to the lease of the property. I have further read the applicable sections of the Government Code which pertain to the sale of surplus property by the District.

In my opinion, the District has complied with these code sections as set forth hereafter:

1. The District has duly noticed and published pursuant to Section 15051 et seq. of the Education Code which permits the District to sell surplus property for less than fair market value.

2. The District has duly declared the Pier Avenue School to be surplus property with a reservation as set forth in the Lease Agreement permitting the District to use a limited portion of the Pier Avenue School for educational purposes for a period of fifty years subject to the terms and conditions set forth in the Lease Agreement in compliance with Section 15051 of the Education Code, wherein the District may retain a future interest in the property or the partial use of the property for school, recreational or athletic purposes.

3. The District has given notice to those governmental entities set forth in the Government Code which are entitled to first priority to purchase surplus school property.

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4. The City of Hermosa Beach, a municipal corporation, (City) is the only governmental entity who has notified the District of its intent to purchase this property for park or recreational purposes or open space purposes.

5. The District now holds marketable title to this property and has the power to sell this property.

6. I have read the opinion letter of J. B. Mirassou. The City has the power to purchase the Pier Avenue School for less than fair market value because the City has expressed its intent to keep and maintain the property for park or recreational purposes or open space purposes.

The above opinion is conditional upon the Board's doing the following acts:

1. The signature by all the Board Members of the Resolution unanimously adopted by the Board on Wednesday, January 18, 1978, prescribing the terms of the sale of the Pier Avenue School.

2. The publication of the Resolution and all the documents setting forth the terms of sale as set forth in the Agreement of Sale and Purchase of the Pier Avenue School and those exhibits attached thereto that do in fact set forth the terms and conditions of the sale as required by Section 16203 of the Education Code.

3. The Board shall cause a public hearing to be held, duly authorized, after the third week of publication to allow interested members of the community to give evidence of either their support or opposition to the Board's action.

4. After having heard the evidence, the Board may adopt a resolution OFFERING (emphasis added) to sell the Pier Avenue School to the City pursuant to the exact terms and conditions set forth in the public notice.

Very truly yours,

Gerald M. Hilby

GERALD M. HILBY

GMH/gt

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