



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: May 4, 2010
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Scott D. McGolpin, Director Public Works, 568-3010
Contact Info: Dacé Morgan, Deputy Director, Transportation, 568-3064
Michael Emmons, County Surveyor, 568-3034
SUBJECT: **Vacation and Sale of a Portion of La Cumbre Road Right-of-Way, Santa Barbara;
Second Supervisorial District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A) Approve the Notice of Exemption pursuant to California Environmental Quality Act (CEQA) guidelines in regards to the vacation, quitclaim and sale of an unused portion of the La Cumbre Road right-of-way which is located adjacent to APN 057-030-033 in the unincorporated area of the County of Santa Barbara; and
- B) Adopt the related Resolution; Summary Order to Vacate; and
- C) Execute the related Quitclaim Deed Agreement.

Summary Text:

The area proposed for vacation is an unused strip of the La Cumbre Road right-of-way adjacent to Santa Barbara County Assessor Parcel number 057-030-033. The subject area (herein referred to as the "Portion") is shown on Exhibit "A" of the Summary Order to Vacate and the Quitclaim Deed. Public Works Transportation, Flood Control, and Real Property representatives have visited the Portion and have no objection to the proposed vacation and sale. There are no County road facilities within the Portion and the County has no plans to expand its infrastructure in the vicinity of the Portion. Existing public utility providers' rights to access and maintain their facilities within the Portion will be protected. No Parcels will be "landlocked" if the vacation is consummated.

If consummated, the road vacation, sale, and Quitclaim Deed will dispose of unimproved and unused County road right-of-way by removing the public right to use the Portion, and transferring ownership thereof to the owner of the adjacent parcel. If executed and recorded, the transfer will remove the County's liability associated with ownership of an interest therein. The agreed upon purchase price for the Portion is \$17,000.00.

Background:

The owner of the parcel adjacent to the Portion contacted Public Works and requested the transfer of the Portion. The Portion was determined to be outside of the traveled La Cumbre Road corridor, and thus will have no impact on circulation. The County has no plans to expand its infrastructure in the area. Additionally, the Portion was overgrown with Eucalyptus trees, which was a burden to County maintenance crews. No County Departments objected to the proposed vacation, and it was found to be in conformity with the County's adopted General Plan, by the Planning Commission at its regular meeting on September 16, 2009. The proposed right-of-way vacation and sale was found to be in conformity with applicable CEQA guidelines. All public utility providers were informed of the proposed vacation and asked if they maintain facilities within the Portion. Southern California Edison has facilities within the Portion and their rights to access and maintain those utilities will be reserved from the right-of-way vacation and from the Quitclaim. Real Property staff posted a notice on the Portion to inform the public of the date of these proposed actions by the Board of Supervisors.

After it was determined that the County owns the subject right-of-way in fee, the applicant obtained an appraisal of the value of the Portion based upon recent sales in the area. The applicant and Public Works have agreed to the value set by the appraisal, and the purchase price of \$17,000.00 has been deposited with the Public Works Department by the applicant.

Fiscal and Facilities Impacts:

Budgeted: Yes.

Narrative:

The applicant paid for the County staff time needed to facilitate this transaction. The purchase price of the Portion is \$17,000.00, which will be deposited into Road Fund 0015. There are no Facilities impacts associated with the proposed actions.

Staffing Impacts:

Legal Positions

None

FTEs:

None

Special Instructions:

Clerk of the Board, please distribute as follows:

- | | | |
|----|--------------------------|---------------------------------|
| 1. | Original Order to Vacate | Public Works, Attn: Jeff Havlik |
| 2. | Copy of Order to Vacate | Clerk of the Board Files |
| 3. | Original Quitclaim Deed | Public Works, Attn: Jeff Havlik |
| 4. | Copy of Quitclaim Deed | Clerk of the Board Files |
| 5. | CEQA Notice of Exemption | Post as Required |
| 6. | Minute Order | Public Works, Attn: Jeff Havlik |

After Board action, the Real Property Section of the Surveyor's Division will deliver the original Summary Order to Vacate and the Quitclaim Deed Agreement to the County Recorder's office for recordation. Once those documents have been recorded, Real Property will return the originals to the Clerk of the Board. Real Property will deliver copies to the applicant and appropriate Divisions within the County, as well as retain a copy in its files.

Attachments:

CEQA: Notice of Exemption

Summary Order to Vacate

Quitclaim Deed Agreement

Authored by:

Jeff Havlik, Real Property Agent, Public Works – County Surveyor Division, 568-3073

CC:

Bret Stewart, Senior Development Engineering Manager, Public Works Administration, 568-3041