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Real Property  
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**COUNTY OF SANTA BARBARA**  
**OFFICIAL BUSINESS**

Document entitled to free recordation  
Pursuant to Government Code Section 6103

*This Resolution is not Valid Until Recorded*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**RESOLUTION NO.** \_\_\_\_\_

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

In The Matter of the Summary Vacation of     )  
an Unused Portion of the La Cumbre Road     )  
Right-of-Way in the Unincorporated     )     STREETS AND HIGHWAYS  
Area of the County of Santa Barbara.     )     CODE SECTION 8330 et seq.

**SUMMARY ORDER TO VACATE**  
**(PORTION OF COUNTY RIGHT-OF-WAY)**

**WHEREAS**, the County of Santa Barbara, a political subdivision of the State of California, (the "County") acquired it's right-of-way interest for the public roadway known as La Cumbre Road in the unincorporated area of the County of Santa Barbara, State of California via Grant Deed as recorded in Book 2040 page 1197, on March 17, 1964; and

**WHEREAS**, a portion of the above referenced road interest is outside the improved and traveled roadway (herein the "Portion"), and the County has no plans to use or develop the Portion for public use: and

**WHEREAS**, in accordance with Section 8333(a) of the California Streets and Highways Code, for a period of five (5) consecutive years, the Portion has not been used for the purpose for which it was dedicated or acquired, and is therefore eligible for summary vacation; and

**WHEREAS**, in accordance with Section 8334(a) of the California Streets and Highways Code, the Public Works Department has determined that the Portion is excess right-of-way not required for street or highway purposes, is unnecessary for present or prospective public use, and is therefore eligible for summary vacation; and

**WHEREAS**, pursuant to Streets and Highways Code sections 8334.5 it has been determined that there are no in-place public utility facilities in the Portion which will be affected by the vacation and therefore it is entitled to a Summary Vacation; and

**WHEREAS**, pursuant to Section 892(a) of the Streets and Highways Code the Santa Barbara County Public Works Department has determined that no part of the Portion is necessary for present or prospective public use as a nonmotorized transportation facility (as defined in Section 887 of the Streets and Highway Code); and

**WHEREAS**, vacation of the Portion will not impair public or private access; and

**WHEREAS**, vacation of the Portion will not affect existing or future traffic circulation; and

**WHEREAS**, vacation of the Portion is in the public interest, in that the County will be relieved of liability for the Portion if it is vacated.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, the Board of Supervisors of the County of Santa Barbara does hereby find, determine and order as follows:

1. That the above recitals are true and correct; and
2. That the portion of the La Cumbre Road right-of-way being vacated is particularly described and shown on "Exhibit A" attached hereto and incorporated herein (the "Portion"); and
3. That the County interest in the Portion and right-of-way is hereby quitclaimed and summarily vacated pursuant to California Streets and Highways Code Sections 892 (a), 8333(a), 8334(a), and 8334.5.
4. That reserved from this vacation are the rights of Southern California Edison, ("SCE") including the successors and assigns of said utility provider to access, install, maintain, repair, operate, replace, renew or remove their facilities on and above ground within a portion of the area being vacated. The area reserved for SCE is described and shown on "Exhibit B" attached hereto and incorporated herein; and
5. That this vacation does not impact or remove any public rights to the currently used and traveled La Cumbre Road right-of-way; and
6. That this Resolution, attested to by the Clerk of the Board under the seal of the Board, shall be recorded in the Office of the County Recorder in the County of Santa Barbara, State of California, and that the date of recording shall become the effective date of this Summary Order to Vacate; and
7. From and after the effective date, the vacated Portion no longer constitutes a street or public right-of-way.

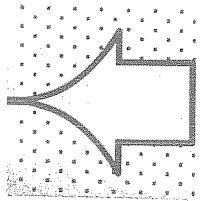
**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2010 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**



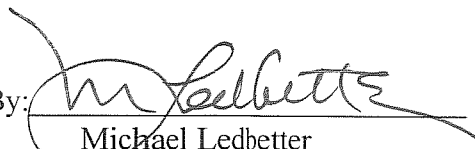
COUNTY OF SANTA BARBARA

ATTEST:  
MICHAEL F. BROWN  
CLERK OF THE BOARD

By: \_\_\_\_\_  
Chair, Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DENNIS A. MARSHALL  
COUNTY COUNSEL

By:   
Michael Ledbetter  
Deputy County Counsel

# EXHIBIT A

A portion of the land described in the Grant Deed from William Henry Roe and Mildred M. Roe to the County of Santa Barbara in Instrument Number 1964 – 11553, Book 2040 Page 1197 Official Records of the County of Santa Barbara, State of California described as follows:


Beginning at the north east corner of the land described in said Deed to the County of Santa Barbara, thence along the northerly line of said Deed North  $89^{\circ} 59' 20''$  West 71.62 feet to the southwest corner of the land described in the Grant Deed from Trinity Evangelical Lutheran Church of Santa Barbara to the County of Santa Barbara, described in Instrument Number 1965 – 17862, Book 2105, Page 1294 Official records; Thence South  $06^{\circ} 37' 55''$  East 16.53 feet to the **TRUE POINT OF BEGINNING**;

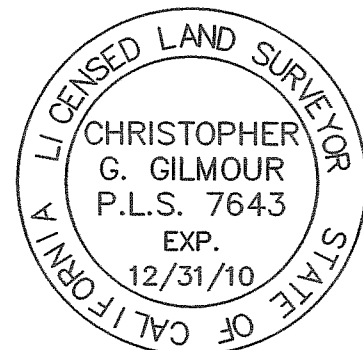
1. Thence South  $06^{\circ} 37' 55''$  East a distance of 186.36 feet;
2. Thence along a curve to the right a distance of 16.85', with a radius of 14.00', and with a delta angle of  $68^{\circ} 58' 12''$ , said curve having a chord bearing of South  $27^{\circ} 51' 11''$  West and a chord length of 15.85';
3. Thence South  $32^{\circ} 23' 00''$  East a distance of 9.19 feet;
4. Thence South  $73^{\circ} 12' 10''$  West a distance of 16.00 feet;
5. Thence South  $89^{\circ} 41' 00''$  West a distance of 35.74 feet to the to the east line of the Land described in the deed to Rock T. Cummings, et ux recorded March 16, 1943, Instrument Number 1788 in Book 565, Page 346, of Official Records in said County;
6. Thence North along the east line of said land described in the deed to Cummings North  $00^{\circ} 00' 00''$  East a distance of 207.90 feet;
7. Thence leaving said easterly line of Cummings North  $83^{\circ} 22' 05''$  East a distance of 32.23 feet to the true point of beginning.

End of Description

having an area of  
approximately 9165.4 square feet,

Prepared by:

 3-16-10  
Christopher G. Gilmour P.L.S. 7643  
License Expiration Date 12/31/2010  
Gilmour Land Surveying inc.  
7127 Hollister Ave. Suite 25a-301  
Goleta, CA 93117



SOUTH WEST CORNER OF LAND  
DESCRIBED IN INST. No.  
1965-17862, Bk. 2105, Pg. 1294  
O.R. TRINITY EVANGELICAL  
LUTHERAN CHURCH OF SANTA  
BARBARA TO THE COUNTY OF  
SANTA BARBARA.

LA CUMBRE

ROAD

P.O.B.  
NORTH EAST  
CORNER OF LAND  
DESCRIBED IN INST.  
No. 1964-11553,  
Bk. 2040, Pg. 1197  
O.R. WILLIAM HENRY  
ROE AND MILDRED  
M. ROE TO THE  
COUNTY OF SANTA  
BARBARA.

3910 PUEBLO AVE.  
A.P.N. 057-030-033  
DANIEL WILSON

AREA  
DESCRIBED  
IN EXHIBIT  
"A"

②  
L16.85'  
R14.00'  
 $\Delta=68^{\circ}58'12''$   
C LEN15.85'  
BRG S  $27^{\circ}51'11''$  W

PUEBLO AVE.

LEGEND:

① = EXHIBIT "A" COURSE

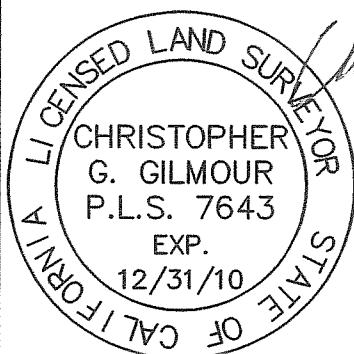


EXHIBIT A  
A PORTION OF THE  
COUNTY OF S.B.

GILMOUR LAND SURVEYING INC  
7127 HOLLISTER AVE #25A-301  
GOLETA, CA 93117

Scale: 1"=50'

Date: 03/16/10

Drawn: CG

Checked:

Job: WILSON

## EXHIBIT B

An easement over a portion of Lot 39 of the Outside Pueblo Lands in the City of Santa Barbara, County of Santa Barbara, described as follows: Said easement being a strip of land 12 feet wide, 6 feet on each side of the following described centerline:

Beginning at the Southeast corner of said Lot 39 of the Outside Pueblo Lands in the City of Santa Barbara, County of Santa Barbara,

Thence along the southerly line of said Lot 39 North  $89^{\circ} 59' 20''$  West 100.00 feet to a point;  
Thence leaving said line thence North  $00^{\circ} 19' 40''$  East a distance of 19.65 feet to the centerline's **TRUE POINT OF BEGINNING**;

1. Thence North  $77^{\circ} 28' 19''$  East a distance of 54.08 feet to a point.

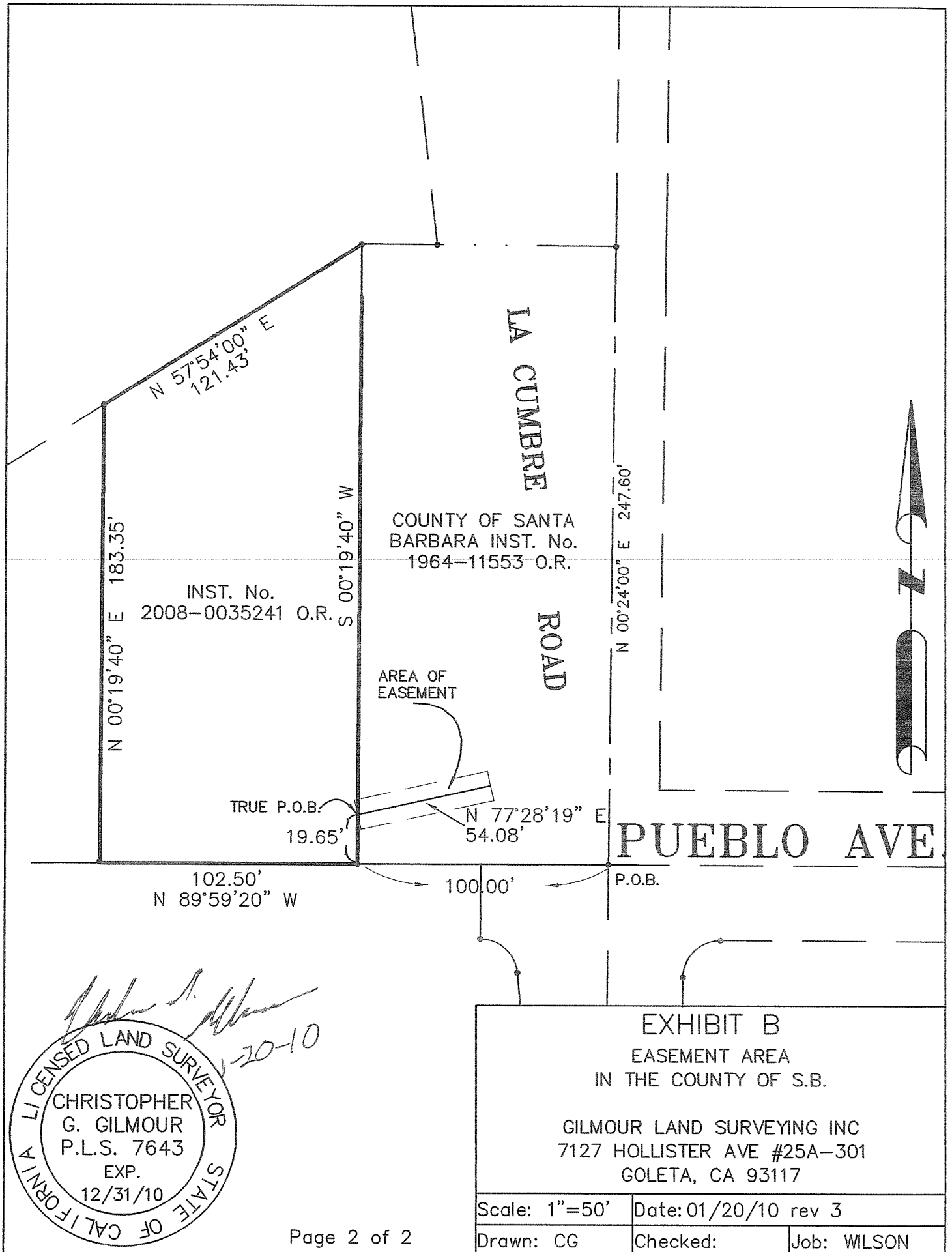
End of Description

Prepared by:

 1-20-10

Christopher G. Gilmour P.L.S. 7643  
License Expiration Date 12/31/2010  
Gilmour Land Surveying inc.  
7127 Hollister Ave. Suite 25A-301  
Goleta, CA 93117





*Christopher G. Gilmour*  
20-10  
LICENSED LAND SURVEYOR  
CHRISTOPHER  
G. GILMOUR  
P.L.S. 7643  
EXP.  
12/31/10  
STATE OF CALIFORNIA

|   |                      |             |
|---|----------------------|-------------|
| EXHIBIT B<br>EASEMENT AREA<br>IN THE COUNTY OF S.B.                           |                      |             |
| GILMOUR LAND SURVEYING INC<br>7127 HOLLISTER AVE #25A-301<br>GOLETA, CA 93117 |                      |             |
| Scale: 1"=50'   | Date: 01/20/10 rev 3 |             |
| Drawn: CG   | Checked:             | Job: WILSON |