

Recording requested by
and to be returned to:
Santa Barbara County Surveyor
Real Property
Will Call

**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 Vieja Drive)	
Right-of-Way in the Unincorporated Area)	STREETS AND HIGHWAYS
of Santa Barbara.)	CODE SECTION 8330 et seq.

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

WHEREAS, the County of Santa Barbara, a political subdivision of the State of California, (the "County") acquired a right-of-way easement for a public roadway known as Vieja Drive in the unincorporated area of the County of Santa Barbara, State of California by grant recorded in 1962 as Official Records number 51966, in Book 1966, Page 465 recorded in the Office of the County Recorder of Santa Barbara County, California; and

WHEREAS, a portion of the above referenced road easement 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 COUNTY does hereby find, determine and order as follows:

1. That the above recitals are true and correct; and
2. That the portion of the Vieja Drive right-of-way being vacated is particularly described on "Exhibit A" and shown on "Exhibit "B", both attached hereto and incorporated herein (the "Portion"); and
3. That the Portion is hereby summarily vacated as County road easement and right-of-way pursuant to California Streets and Highways Code Sections 8333(a), 8334(a), and 8334.5.
4. That reserved from this vacation are the rights of the La Cumbre Mutual Water Company, the Southern California Gas Company, and the Southern California Edison Company, including the successors and assigns of said utility providers, to install, maintain, repair, operate, replace, renew or remove their facilities above and below ground within the Portion; and
5. 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
6. From and after the effective date, the Portion vacated 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 _____, 2008 by the following vote:

AYES:

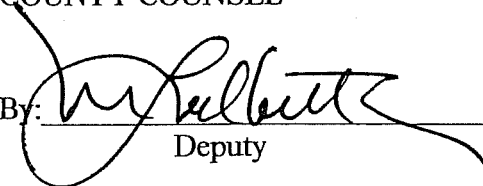
NOES:

ABSENT:

ABSTAINED:

APPROVED AS TO FORM:
STEPHEN SHANE STARK
COUNTY COUNSEL

By: _____


Deputy

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

COUNTY OF SANTA BARBARA

By: _____
Deputy

By: _____
Chair, Board of Supervisors

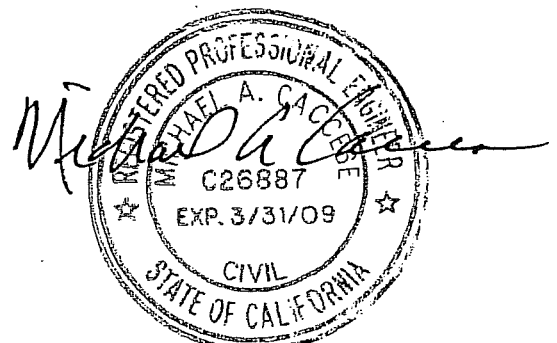
Date: _____

EXHIBIT "A"
LEGAL DESCRIPTION
ABANDONMENT OF RIGHT OF WAY

That certain tract of land being a portion of Lot 16 of Tract No. 1, La Cumbre Estates, in the County of Santa Barbara, State of California, recorded in Book 15 at Page 118 of maps, in the office of the County Recorder of said County, more particularly described as follows:

Beginning at the southeast corner of said Lot 16 of said Tract No. 1 of La Cumbre Estates, as recorded in Book 15 at Page 118 of maps, in the office of the County Recorder of said County, on the centerline of Vieja Drive, being the True Point of Beginning of the parcel described herein as follows:

- Thence 1st, leaving the centerline of Vieja Drive, North 81° 09' 00" West, 31.12 feet, to the beginning of a non-tangent curve concave to the southeast, the radial center of which bears South 66° 08' 18" East, having a radius of 615.81 feet;
- Thence 2nd, northeasterly along the arc of said curve through a central angle of 06° 49' 18", an arc length of 73.32 feet;
- Thence 3rd, North 30° 41' 00" East, 46.22 feet, to the beginning of a tangent curve concave to the southeast, having a radius of 464.18 feet;
- Thence 4th, northeasterly along the arc of said curve through a central angle of 28° 19' 30", an arc length of 229.47 feet;
- Thence 5th, South 52° 47' 00" East, 32.49 feet to the beginning of a non-tangent curve concave to the southeast, the radial-center of which bears South 29° 23' 59" East, having a radius of 434.18 feet;
- Thence 6th, southwesterly along the arc of said curve through a central angle of 29° 55' 01", an arc length of 226.71 feet;
- Thence 7th, South 30° 41' 00" West, 46.22 feet to the beginning of a tangent curve concave to the southeast, having a radius of 585.81 feet;
- Thence 8th, southwesterly along the arc of said curve through a central angle of 06° 02' 00", an arc length of 61.69 feet to the True Point of Beginning of the parcel described herein.



PUENTE DRIVE

LOT 16
OF TRACT No. 1
LA CUMBRE ESTATES
BOOK 15, PG. 118

VIEJA DRIVE

S 52°47'00" E

S 29°23'59"E
(RAD.)

S 66°08'18" E
(RAD.)

N 81°09'00" W

D=06'49'18"
R=615.81'
L=73.32'

46.22'
N 30°41'00"E

D=28°19'30"

R=464.18'

L=229.47'

R=434.18'

L=226.71'

32.49'

46.22'
S 30°41'00"W

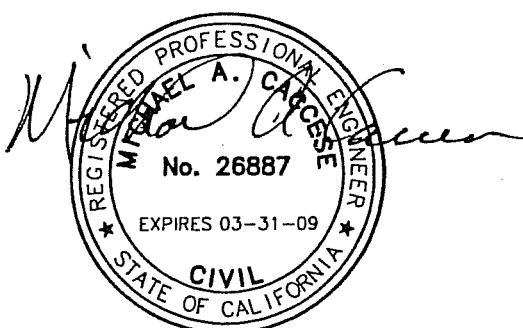
D=06'02'00"
R=585.81'
L=61.69'

D=29°55'01"

D=29°55'01"

31.12'

TRUE POINT OF BEGINNING



DATE SIGNED 10-16-07

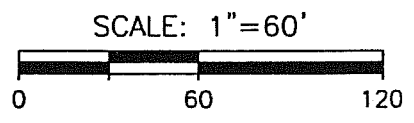


EXHIBIT B