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**COUNTY OF SANTA BARBARA  
OFFICIAL BUSINESS**

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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 Park Lane            )  
Right-of-Way in the Unincorporated Area        )       STREETS AND HIGHWAYS  
of Santa Barbara County.                            )       CODE SECTION 8330 et seq.

**SUMMARY ORDER TO VACATE WITH RESERVATION OF RIGHTS  
(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 now known as Park Lane in the unincorporated area of the County of Santa Barbara, State of California by grant recorded in 1962 as Official Records number 24740, in Book 1561, Page 137; 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 road use: 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 underlying fee owner has agreed to improve the road drainage above the Portion by installing and maintaining a underground culvert on the Portion; and

**WHEREAS**, the underlying fee owner has also agreed that no structures or plantings shall be installed within the Portion that would impede the flow of storm water off Park Lane down the Portion; and

**WHEREAS**, the above agreements are contained in a “Restrictive Covenant” signed by the fee owner of the Portion, which covenant shall be recorded concurrently herewith and is incorporated herein. The conditions and agreements contained in the Restrictive Covenant shall run with the land and be binding on all future owners of the Portion; and

**WHEREAS**, 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 Park Lane right-of-way being vacated (the “Portion”) is particularly described and shown on “Exhibit A” attached hereto and incorporated herein; and
3. That reserved from this vacation is the right of the County of Santa Barbara, its employees, agents and assigns, to use a portion of the vacated area to inspect and maintain the drainage pipe located therein. Said work shall be performed using a thirty six inch (36”) open access inspection port and manhole cover installed by the Property owner within the Portion. The ingress and egress reservation area is described and shown on “Exhibit B” attached hereto and incorporated herein.
4. That the Portion is hereby summarily vacated as County road easement and right-of-way pursuant to California Streets and Highways Code Sections 892(a), 8334(a), and 8334.5.
5. That this vacation shall not to impact or remove any public rights to the currently used and traveled Park Lane 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 \_\_\_\_\_, 2012 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

COUNTY OF SANTA BARBARA

ATTEST:  
 CHANDRA L. WALLAR  
 CLERK OF THE BOARD

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

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

APPROVED AS TO FORM:  
 DENNIS A. MARSHALL  
 COUNTY COUNSEL

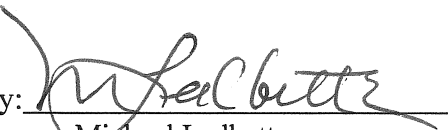
By:   
 Michael Ledbetter  
 Deputy County Counsel

EXHIBIT 'A'

VACATION OF A PORTION OF BELLA VISTA DRIVE

LEGAL DESCRIPTION

That portion of Lot 3, Section 9, Township 4 north, Range 26 west SBBM, in the County of Santa Barbara, State of California as described in the right of way deed for public road purposes to the County of Santa Barbara recorded October 9, 1958 as Instrument No. 24740 in Book 1561 Page 137 of Official Records and delineated on Parcel Map No. 11259 recorded in Book 8 Page 99, of Parcel Maps both filed in the Office of the County Recorder for said County, described as follows:

Commencing at Engineer's Station 67+23.14 on the survey line as described in said deed to the County of Santa Barbara and as shown on said Parcel Map referred to hereinabove, said point being at the northwesterly terminus of a curve in said survey line, concave southwesterly, having a radius of 300.00 feet, a central angle of 44°47'45" and an arc length of 234.55 feet as described in said deed and shown on said map; thence, radially to said curve, S. 05°18'37" W. 30.00 feet to a point on the southerly line of said right-of-way as described in said deed and shown on said Parcel Map; thence, along said southerly right-of-way line S. 77°20'56" E. 69.00 feet to a point that bears radially S. 19°59'30" W. 30.00 feet from survey line Engineer's Station 68+00.00 as said survey line is described in said deed and shown on said Parcel Map, being the True Point of Beginning;

Thence 1<sup>st</sup>, leaving said right-of-way line along the arc of a curve having a radius of 270.00 feet concentric with and distant 30.00 feet southerly from the above described curve on said survey line, through a central angle of 30°06'52" for an arc length of 141.91 feet to a point on the southerly line of said right-of-way being distant radially S. 50°06'22" W. 30.00 feet from survey line Engineer's Station 69+57.69 as described in said deed and shown on said Parcel Map;

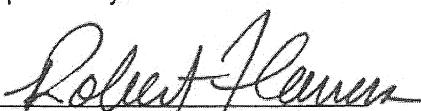
Thence 2<sup>nd</sup>, continuing along said southerly right-of-way line S. 85°10'15" W. 94.75 feet to a point which bears radially S. 34°18'48" W. 100.00 feet from survey line Engineer's Station 68+75.00 as described in said deed and shown on said Parcel Map;

Thence 3<sup>rd</sup>, continuing along said southerly right-of-way line N. 12°59'48" W. 90.86 feet to the True Point of Beginning.

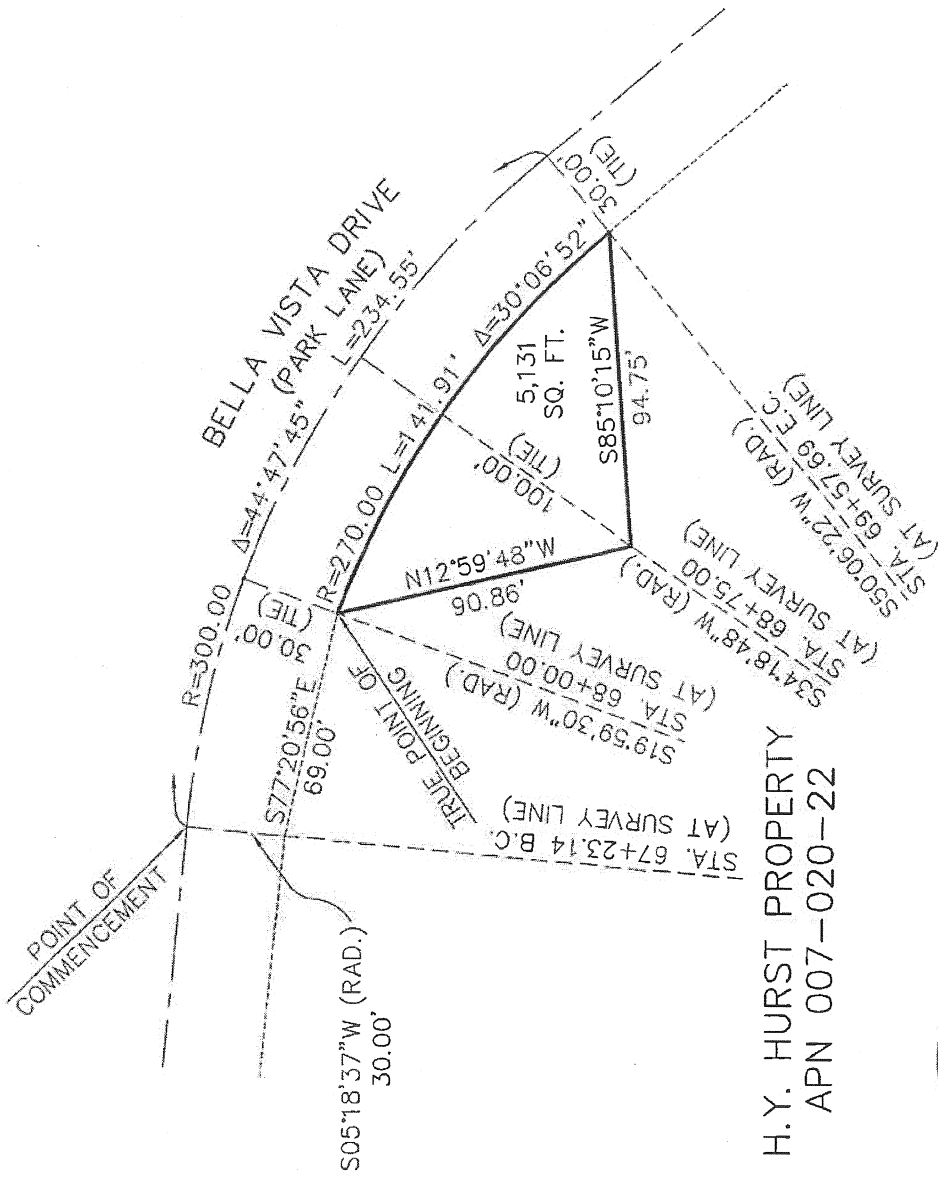
Said Parcel contains 5,131 sq. ft. more or less.

The above described parcel is shown graphically on Sheet 2 and incorporated by reference herein.

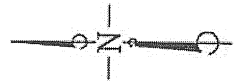
Prepared By:

  
Robert T. Flowers, P.E.

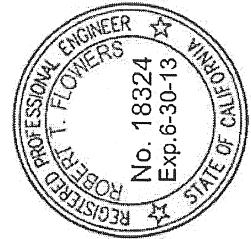




H.Y. HURST PROPERTY  
 APN 007-020-22



SCALE: 1" = 50'



**EXHIBIT 'A'**

SHOWING VACATION OF A PORTION OF  
 BELLA VISTA DRIVE ADJACENT TO  
 APN 007-020-22  
 COUNTY OF SANTA BARBARA, CA.

**FLOWERS & ASSOCIATES, INC.**  
 CIVIL ENGINEERS  
 201 N. Calle Cesar Chavez, Suite 100 Santa Barbara, CA 93103  
 Telephone (805) 966-2224

EXHIBIT 'B'

AREA OF RESERVATION

LEGAL DESCRIPTION

An easement for access and maintenance of an existing County Road culvert over, under, across and through all that portion of Lot 3, Section 9, Township 4 north, Range 26 west SBBM, in the County of Santa Barbara, State of California as described in the right-of-way deed for public road purposes to the County of Santa Barbara recorded October 9, 1958 as Instrument No. 24740 in Book 1561 Page 137 of Official Records and delineated on Parcel Map No. 11259 recorded in Book 8 Page 99, of Parcel Maps both filed in the Office of the County Recorder for said County being a strip of land, 10 feet in width, the northerly and easterly line of said strip being described as follows:

Commencing at a portion being Engineer's Station 67+23.14 on the survey line as described in the right-of-way deed for public road purposes to the County of Santa Barbara recorded October 9, 1958 as Instrument No. 24740 in Book 1561 Page 137 of Official Records and delineated on Parcel Map No. 11259 recorded in Book 8 Page 99, of Parcel Maps both filed in the Office of the County Recorder for said County, said point being at the northwesterly terminus of a curve in said survey line, concave southwesterly, having a radius of 300.00 feet, a central angle of 44°47'45" and an arc length of 234.55 feet as described in said deed and shown on said map; thence, radially to said curve, S. 05°18'37" W. 30.00 feet to a point on the southerly line of said right-of-way as described in said deed and shown on said Parcel Map; thence, along said southerly right-of-way line S. 77°20'56" E. 69.00 feet to a point that bears radially S. 19°59'30" W. 30.00 feet from survey line Engineer's Station 68+00.00 as said survey line is described in said deed and shown on said Parcel Map, being the True Point of Beginning;

Thence 1<sup>st</sup>, easterly and southerly along the arc of a curve, having a radius of 270.00 feet concentric with and distant 30.00 feet southerly from the above described curve on said survey line, through a central angle of 14°51'16" an arc length of 70.00 feet.

Thence 2<sup>nd</sup>, S.09°57'02"W. 50.00 feet to the southerly terminus of said strip.

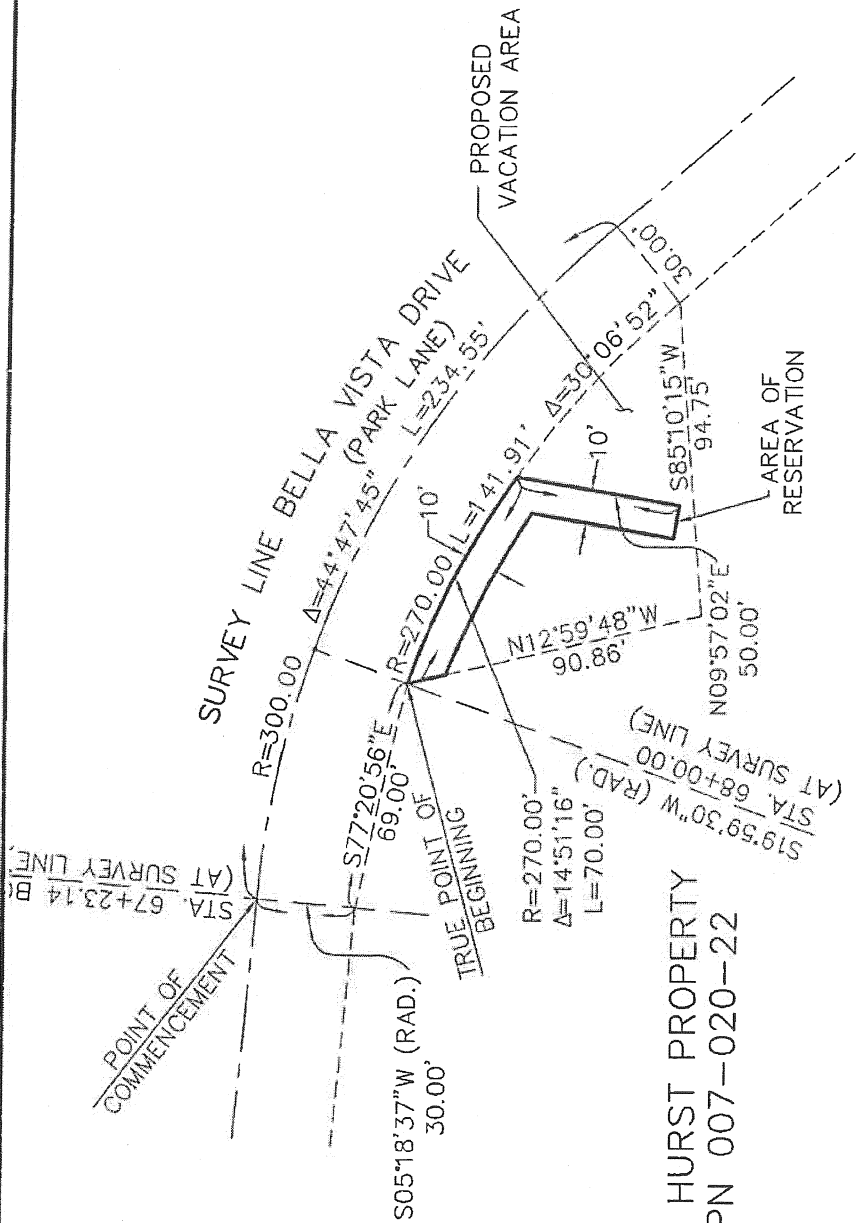
Excepting therefrom any portion thereof lying outside said County right-of-way.

The above described parcel is shown graphically on Sheet 2 and incorporated by reference herein.

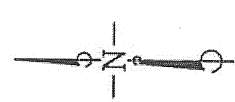
Prepared By:

  
Robert T. Flowers, P.E.

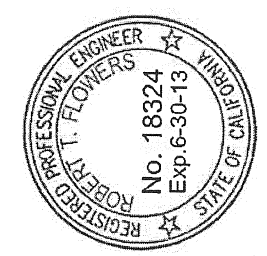




H.Y. HURST PROPERTY  
 APN 007-020-22



SCALE: 1" = 50'



**EXHIBIT 'B'**

SHOWING EXTENT OF ACCESS EASEMENT  
 RESERVATION TO THE COUNTY OF SANTA  
 BARBARA

**FLOWERS & ASSOCIATES, INC.**  
 CIVIL ENGINEERS

201 N. Calle Cesar Chavez, Suite 100 Santa Barbara, CA 93103  
 Telephone (805) 966-2224

W.O. 0604A