

Attachment 2

Resolution and Summary Order to Vacate County Roads

Recording requested by and)
to be returned to:)
SANTA BARBARA COUNTY)
GENERAL SERVICES DEPARTMENT)
REAL PROPERTY DIVISION)
****WILL CALL****)
1105 SANTA BARBARA ST., 2ND FLOOR)
SANTA BARBARA, CA 93101)

NO FEE PER GOVERNMENT CODE § 6103

Tract Map No. 10,036

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

IN THE MATTER OF THE PROPOSED)
VACATION OF A PORTION OF A)
COUNTY ROAD)

RESOLUTION NO. _____

STREETS AND HIGHWAYS CODE
SECTION 8300 ET SEQ

**SUMMARY ORDER TO VACATE
A COUNTY ROAD**

**PORTIONS OF SORIA DRIVE, AVILA WAY, ALICANTE DRIVE, MALAGA WAY &
OPORTO WAY,
IN THE UNINCORPORATED AREA OF SANTA MARIA, CALIFORNIA**

WHEREAS, the County of Santa Barbara (hereinafter "COUNTY") is the easement holder of those certain road properties in the unincorporated area of Santa Maria of the County of Santa Barbara, State of California, known as Soria Drive, Avila Way, Alicante Drive, Malaga Way & Oporto Way (collectively the "Road"), which Road was acquired in easement interest by COUNTY pursuant to that certain Tract Map Number 10,036; and

WHEREAS, the portions of Soria Drive, Avila Way, Alicante Drive, Malaga Way & Oporto Way are proposed for vacation (collectively the "Portion") are located within Tract Map No. 10,036 (herein the "Property"), which Portion is shown on Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, on November 8, 2022, the owners of the Property submitted an application to the COUNTY to vacate the Portion; and

WHEREAS, the proposed right-of-way vacation would dispose of unneeded, excess areas of COUNTY road right-of-way by permanently abandoning the COUNTY's easement interest in the Portion; and

WHEREAS, at its regular meeting of June 14, 2023, the COUNTY'S Planning Commission found the abandonment of the Portion to be in conformity with the COUNTY'S Comprehensive Plan pursuant to Government Code Section 65402(a); and

WHEREAS, it has been determined by COUNTY'S Public Works Department that, in accordance with Section 892(a) of the California Streets and Highways Code, the Portion is not useful as a nonmotorized transportation facility designed primarily for the use of pedestrians, bicyclists, or equestrians; and

WHEREAS, it has been determined by the COUNTY'S Public Works Department that the Portion is unnecessary for present or future public use as a county road and is no longer required by the traveling public or the COUNTY; and

WHEREAS, no parcels will be landlocked if the vacation of the Portion is consummated; and

WHEREAS, in accordance with California Streets and Highways Code Section 8300 et seq, the legislative body of a local agency may summarily vacate an excess right-of-way of a street or highway not required for street or highway purposes, and the excess Portion meets this criteria; and

WHEREAS, in accordance with Section 8340(c) of the California Streets and Highways Code, the COUNTY is required to reserve and except from the vacation of the Portion any easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use; and

WHEREAS, no public utility providers have in-place and in-use public utilities in the area of the Portion; and

WHEREAS, in accordance with California Streets and Highways Code Section 8300 et seq, a street may be summarily vacated if any in-place public utility facilities that are in use would not be affected by the vacation; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of COUNTY does hereby find, determine and order as follows:

1. That the above recitals are true and correct.
2. The Portion being vacated is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility.

3. That the Portion, consisting of parts of Soria Drive, Avila Way, Alicante Drive, Malaga Way & Oporto Way, shown on Exhibit A attached hereto and incorporated herein by this reference, is hereby summarily vacated as a County road pursuant to Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California.
4. 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 Order to Vacate.

///
///
///

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

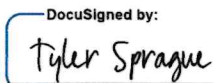
COUNTY OF SANTA BARBARA

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

DAS WILLIAMS, CHAIR
BOARD OF SUPERVISORS

By: _____
Deputy

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

By: 

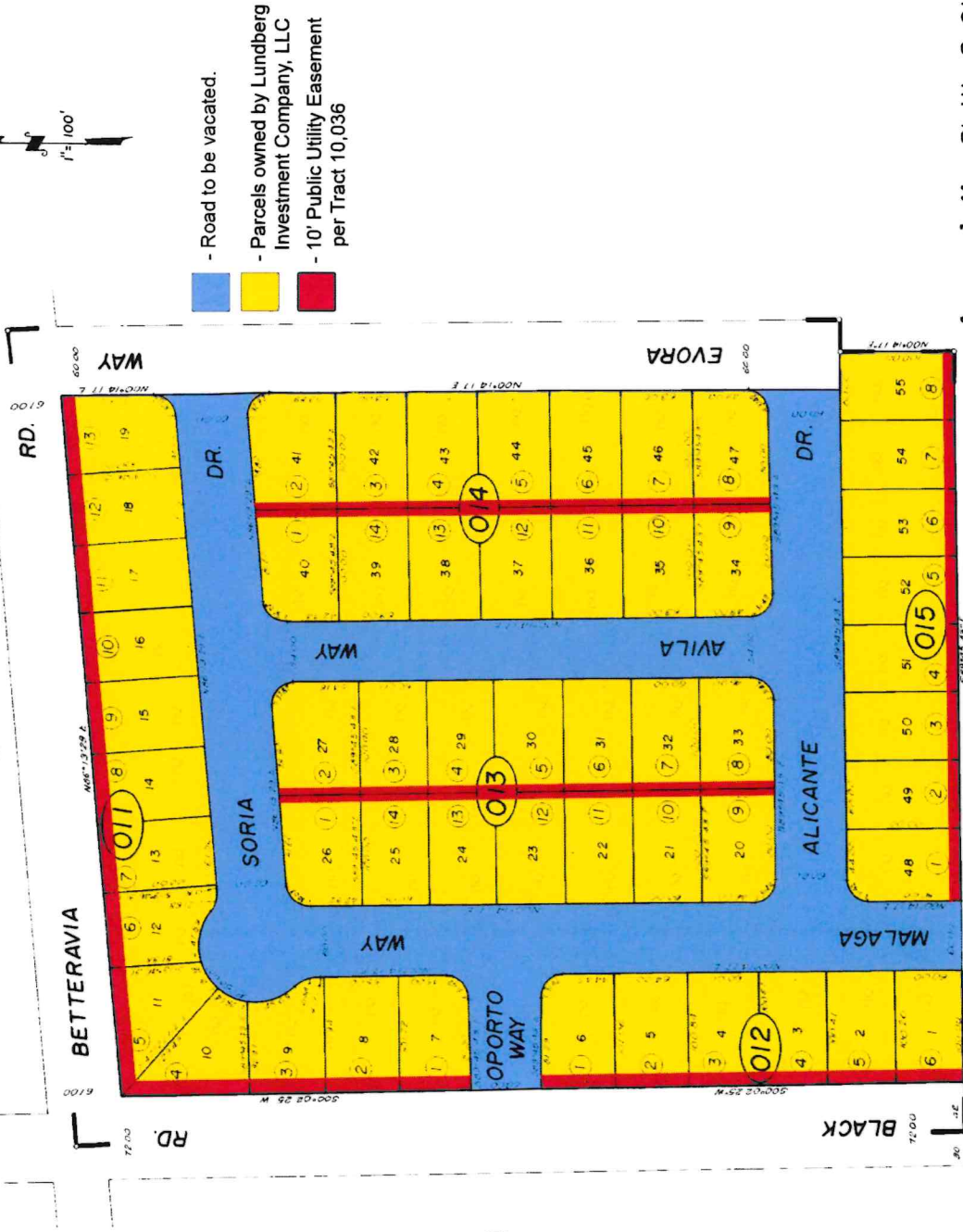
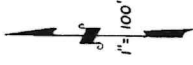
Tyler Sprague
Deputy County Counsel

DocuSign Envelope ID: E4CD8D41-9807-45C6-81AF-D42954B2BEC7

EXHIBIT A RANCHO FUNIA DE LA LAGUNA

111-01

Bk. 117



Bk. 113

Assessor's Map Bk.111 -Pg.01
County of Santa Barbara, Calif.

3/22/60 R.M. Bk. 53, Pg. 53 - Tract 10 036 Unit No. 1
NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

117

Certified Copy

Attachment 2

Resolution and Summary

Order to Vacate County Roads

CERTIFIED COPY

Recording requested by and)
to be returned to:)
SANTA BARBARA COUNTY)
GENERAL SERVICES DEPARTMENT)
REAL PROPERTY DIVISION)
****WILL CALL****)
1105 SANTA BARBARA ST., 2ND FLOOR)
SANTA BARBARA, CA 93101)

NO FEE PER GOVERNMENT CODE § 6103

Tract Map No. 10,036

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

IN THE MATTER OF THE PROPOSED)
VACATION OF A PORTION OF A)
COUNTY ROAD)

RESOLUTION NO. _____

STREETS AND HIGHWAYS CODE
SECTION 8300 ET SEQ

**SUMMARY ORDER TO VACATE
A COUNTY ROAD**

**PORTIONS OF SORIA DRIVE, AVILA WAY, ALICANTE DRIVE, MALAGA WAY &
OPORTO WAY,
IN THE UNINCORPORATED AREA OF SANTA MARIA, CALIFORNIA**

WHEREAS, the County of Santa Barbara (hereinafter "COUNTY") is the easement holder of those certain road properties in the unincorporated area of Santa Maria of the County of Santa Barbara, State of California, known as Soria Drive, Avila Way, Alicante Drive, Malaga Way & Oporto Way (collectively the "Road"), which Road was acquired in easement interest by COUNTY pursuant to that certain Tract Map Number 10,036; and

WHEREAS, the portions of Soria Drive, Avila Way, Alicante Drive, Malaga Way & Oporto Way are proposed for vacation (collectively the "Portion") are located within Tract Map No. 10,036 (herein the "Property"), which Portion is shown on Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, on November 8, 2022, the owners of the Property submitted an application to the COUNTY to vacate the Portion; and

WHEREAS, the proposed right-of-way vacation would dispose of unneeded, excess areas of COUNTY road right-of-way by permanently abandoning the COUNTY's easement interest in the Portion; and

WHEREAS, at its regular meeting of June 14, 2023, the COUNTY'S Planning Commission found the abandonment of the Portion to be in conformity with the COUNTY'S Comprehensive Plan pursuant to Government Code Section 65402(a); and

WHEREAS, it has been determined by COUNTY'S Public Works Department that, in accordance with Section 892(a) of the California Streets and Highways Code, the Portion is not useful as a nonmotorized transportation facility designed primarily for the use of pedestrians, bicyclists, or equestrians; and

WHEREAS, it has been determined by the COUNTY'S Public Works Department that the Portion is unnecessary for present or future public use as a county road and is no longer required by the traveling public or the COUNTY; and

WHEREAS, no parcels will be landlocked if the vacation of the Portion is consummated; and

WHEREAS, in accordance with California Streets and Highways Code Section 8300 et seq, the legislative body of a local agency may summarily vacate an excess right-of-way of a street or highway not required for street or highway purposes, and the excess Portion meets this criteria; and

WHEREAS, in accordance with Section 8340(c) of the California Streets and Highways Code, the COUNTY is required to reserve and except from the vacation of the Portion any easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use; and

WHEREAS, no public utility providers have in-place and in-use public utilities in the area of the Portion; and

WHEREAS, in accordance with California Streets and Highways Code Section 8300 et seq, a street may be summarily vacated if any in-place public utility facilities that are in use would not be affected by the vacation; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of COUNTY does hereby find, determine and order as follows:

1. That the above recitals are true and correct.
2. The Portion being vacated is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility.

3. That the Portion, consisting of parts of Soria Drive, Avila Way, Alicante Drive, Malaga Way & Oporto Way, shown on Exhibit A attached hereto and incorporated herein by this reference, is hereby summarily vacated as a County road pursuant to Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California.

4. 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 Order to Vacate.

///
///
///

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

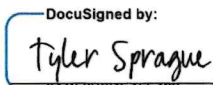
COUNTY OF SANTA BARBARA

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

DAS WILLIAMS, CHAIR
BOARD OF SUPERVISORS

By: _____
Deputy

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

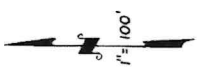
By:  _____
Tyler Sprague
Deputy County Counsel

DocuSign Envelope ID: E4CD8D41-9807-45C6-81AF-D42954B2BEC7

EXHIBIT A RANCHO PUNIA DE LA LAGUNA

111-01

Bk. 117



- Road to be vacated.
- Parcels owned by Lundberg Investment Company, LLC
- 10' Public Utility Easement per Tract 10,036

Bk. 113

Assessor's Map Bk. 111 - Pg. 01
County of Santa Barbara, Calif.

3/22/60 R.M. Bk. 53, Pg. 53 - Tract 10 036 Unit No. 1

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

111

Certified Copy

Attachment 2

Resolution and Summary

Order to Vacate County Roads

CERTIFIED COPY