



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: March 11, 2008  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Scott McGolpin, Director  
Director(s) Public Works Department 568-3010  
Contact Info: Dacé Morgan; Deputy Director Public Works 568-3064  
Mike Emmons; County Surveyor 568-3020  
**SUBJECT: Vacation of a Portion of the Vieja Drive right-of-way at APN 061-273-003  
Second Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form: Select\_Concurrence

**Recommended Actions:**

Authorize the Chair of the Board of Supervisors to adopt and execute the attached Resolution, Summary Order to Vacate, which if recorded will vacate the portion of the Vieja Drive right-of-way underlying Santa Barbara County Assessor's Parcel Number 061-273-003 as shown on the Exhibit attached to the Order.

**Summary Text:**

The area proposed for vacation is unused right-of-way underlying 4640 Vieja Drive, A.P.N. 061-273-003 (hereinafter the "Property"). The area being vacated shall be referred to herein as the "Portion." Both the Property and Portion are shown on the Exhibits attached to the Summary Order to Vacate. Representatives from Parks, Fire, Public Works Transportation, Flood Control and Real Property have viewed the Portion and have no objection to the proposed vacation. There are no maintained County road facilities within the Portion and the County has no plans to expand its infrastructure in the vicinity of the Portion. The rights of the Public utility providers currently operating within the Portion will be reserved from the vacation. No Parcels will be "landlocked" if the vacation is consummated.

If executed by your Board the Summary Order to Vacate will be delivered to the County Surveyor who will record it concurrently with the Parcel Map. The Summary Order will not be effective until it is recorded.

**Background:**

The fee owner of the Property burdened by the subject right of way is currently processing a lot split on the Property. As part of that process the owner requested the removal of the public interest in the Portion. 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 of January 23, 2008. The proposed right of way vacation 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 in the Portion. Several utilities have facilities within the Portion. The rights of those utilities will be reserved from the right-of-way vacation. On February 18, 2008 Real Property posted a notice on the Portion to inform the public of the date of this proposed action by the Board of Supervisors.

**Performance Measure: Fiscal and Facilities Impacts:**

Budgeted: No

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative: Staff time needed to process the right-of-way vacation was paid for by the applicant.

**Staffing Impacts:**

**Legal Positions:**

**FTEs:**

**Special Instructions:**

- |                             |                                 |
|-----------------------------|---------------------------------|
| 1. Original Order to Vacate | Public Works, Attn: Jeff Havlik |
| 2. Copy of Order to Vacate  | Clerk of the Board Files        |
| 3. Minute Order             | Public Works, Attn: Jeff Havlik |

**NOTE:** After execution by the Board, Real Property will deliver the original, executed Summary Order to Vacate with exhibits to the County Surveyor who will record it concurrently with the Parcel Map. After recordation the original Order will be filed with the Clerk of the Board. A copy will be mailed to the owner of the Property and copies will be retained by the Survey and Real Property Divisions of the Public Works Department.

**Attachments:**

Summary Order to Vacate

**Authored by:**

J. Jeffery Havlik  
Senior Right-of-Way Agent  
568-3073

**cc:** Bret Stewart; Transportation