

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: October 13, 2003
Department: Public Works
Department No.: 054
Agenda Date: November 25, 2003
Placement: Departmental
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director
Public Works Department

STAFF CONTACT: Bret Stewart, Transportation Manager, Ext. 3232
Jim Laponis, Deputy County Administrator, Ext. 3404
Jennifer Klein, Deputy County Counsel, Ext. 2950

SUBJECT: Order to Declare Surplus and Vacate; Sanja Cota Road (Portion)
Third Supervisorial District
Project No. R-112

Recommendation(s):

That the Board of Supervisors:

- A. Adopt the attached resolution, Order to Declare Excess and Vacate, (4/5 vote required) vacating a portion of Sanja Cota Road.
- B. Execute the attached Quitclaim Deed to Gainey Management LLC for the above referenced portion of Sanja Cota Road.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 2: A Safe and Healthy Community in Which to Live, Work, and Visit, and with actions required by law or by routine business necessity.

Executive Summary and Discussion:

The County of Santa Barbara (hereinafter the "COUNTY") is the owner of that certain road right-of-way in the unincorporated area of the Santa Ynez Valley of the County of Santa Barbara, State of California, commonly identified as a portion of Sanja Cota Road, (herein the "Road"). The Road was dedicated to the COUNTY for public use via a Grant Deed executed by the Patrick W. Riordan, Roman Catholic Archbishop of San Francisco on February 14, 1887, and recorded in Book 11, Page 552 of Deeds in the Office of the County Recorder of the County of Santa Barbara. The portion of the Road located within Assessor's Parcel

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Executive Summary and Discussion (Cont.):

Numbers 141-450-003, -004 and 141-440-011 was never developed or used by the public and is shown on "Attachment A" which is attached to the above referenced resolution (herein the "Portion"). The Portion is not included in the County maintained roadway system and does not have any other County use.

On September 9, 2003, your Board approved and accepted a Donation Agreement between Gainey Management, LLC, the Santa Ynez Band of Mission Indians and the County of Santa Barbara. As part of that agreement the County agreed to relinquish all right, title and interest in the Portion of Sanja Cota Road located on parcels 141-450-003, -004 and 141-440-011, which parcels are owned by Gainey. The Portion is the subject of the attached Order to Declare Excess and Vacate.

The Board of Supervisors at its regular meeting of October 28, 2003 adopted Resolution Number **03-???** regarding its intention to declare as excess and vacate the Portion, and authorized publication of such pending action. Notice was published in the Santa Ynez Valley News, and posted on the Portion as required by law. Also on October 28th, your Board approved an addendum to the Mitigated Negative Declaration previously approved on September 9, 2003; as 03-ND-12 and acknowledged that the addendum was completed in compliance with CEQA guidelines and together with the Mitigated Negative Declaration is adequate for the Sanja Cota Project, including necessary property transactions.

If adopted by your Board and recorded the Order to Declare Surplus and Vacate will remove the COUNTY'S right-of-way interest from the Portion. The Quitclaim Deed will remove whatever ownership interest the COUNTY may have in the Portion.

Mandates and Service Levels:

No change in programs or service levels.

Fiscal and Facilities Impacts:

There are no structures or facilities on the Portion. There are no Fiscal or Facilities impacts.

Special Instructions:

After Board action, please distribute as follows:

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| 1. | Original Order to Declare Surplus and Vacate | Public Works, Attn: Jeff Havlik |
| 2. | Original Quitclaim Deed | Public Works, Attn: Jeff Havlik |
| 3. | Copy of Order | Clerk of the Board Files |
| 4. | Copy of Quitclaim Deed | Clerk of the Board Files |
| 5. | Minute Order | Public Works, Attn: Jeff Havlik |

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NOTE: Public Works, Real Property will deliver the original, executed Order to Declare Surplus and Vacate and the Quitclaim Deed for recordation. After recordation the original Order will be presented to the Clerk of the Board with a request for two certified copies, one for the Clerk of the Board files and one for Gainey Management LLC. The original recorded Order will be filed with Public Works, Surveyors Office, Real Property. After recordation the original Quitclaim Deed will be returned to Real Property who will request two certified copies of that document. The original will be delivered to Gainey Management LLC. One certified copy will be delivered to the Clerk of the Board and the second will be filed with Real Property.