

Recorded at request of  
**COUNTY OF SANTA BARBARA**  
**REAL PROPERTY DIVISION** )  
 and when recorded returned to: )  
 COUNTY OF SANTA BARBARA )  
 General Services Department )  
 Real Property Division )  
 1105 Santa Barbara Street, 2<sup>nd</sup> Floor )  
 Santa Barbara CA, 93101 )  
 WILL CALL )  
**COUNTY OF SANTA BARBARA** )  
**OFFICIAL BUSINESS** )

No Fee Pursuant to California  
 Government Code §6103 and §27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE  
 APN: 135-102-008 (portion of)  
 APN: 135-102-010 (portion of)  
 Real Property File No. 003837

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

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

RESOLUTION NO. \_\_\_\_\_  
 STREETS AND HIGHWAYS CODE  
 SECTION 8320

**ORDER TO VACATE  
 A COUNTY ROAD**

**PORTIONS OF PUBLIC RIGHT-OF-WAY ADJACENT TO  
 APN 135-102-010 AND APN 135-102-008  
 LOS OLIVOS, CA**

**WHEREAS**, the County of Santa Barbara (hereinafter "COUNTY") is the owner of those certain road properties in the unincorporated area of the County of Santa Barbara, State of California, in the Town of Los Olivos (collectively "Road"), which Road was acquired in easement interest by COUNTY pursuant to the Map of the Town of Los Olivos, filed in Rack 3, Map No. 6; and

**WHEREAS**, the portions of right-of-way proposed for summary vacation (herein the "Portions") total approximately 1,000 square feet and are situated adjacent to County Assessor's Parcel Number (APN) 135-102-010 and APN 135-102-008 (herein the "Properties"). Portions are legally described and shown on Exhibits "A" and "B"; and Exhibit "C" attached hereto and incorporated herein by this reference; and

**WHEREAS**, the owners of the Properties submitted an application to the COUNTY to vacate the Portions; and

**WHEREAS**, the proposed rights-of-way summary vacation would dispose of COUNTY road rights-of-way by permanently removing the COUNTY'S easement interest in the Portions; and

**WHEREAS**, at its regular meeting of January 30, 2019, the COUNTY'S Planning Commission found the abandonment of the COUNTY'S rights-of-way 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 Portions are not useful as a bicycle path or route; and

**WHEREAS**, it has been determined by the COUNTY'S Public Works Department that the Portions are unnecessary for present or future public use as portions of county roads and are no longer required by the traveling public or the COUNTY; and

**WHEREAS**, no parcels will be landlocked if the Portions are vacated; and

**WHEREAS**, a private ingress and egress easement shall be reserved and excepted from the summary vacation of the Portions for the benefit of owners of APN 135-102-010 and APN 135-102-008; and

**WHEREAS**, an easement shall be reserved and excepted from the summary vacation of the portions for Fire Department and emergency response access in the event of any emergency event or when County Fire may require access to reach neighboring properties; 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. That the Portions being vacated are unnecessary for present or prospective public use.
3. That the Portions being vacated are excess right-of-way of a street not required for street or highway purposes.
4. That the Portions, consisting of portions of the right-of-way located in the alley between Jonata Street and Alamo Pintado, are situated adjacent to County

Assessor's Parcel Number (APN) 135-102-010 and APN 135-102-008 and are legally described and shown on Exhibits "A" and "B"; and Exhibit "C" attached hereto and incorporated herein by this reference, are hereby vacated as a County road pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways Code of the State of California.

5. That a private ingress and egress easement shall be reserved and excepted from the summary vacation of the Portions for the benefit of owners of APN 135-102-010 and APN 135-102-008.
6. That an easement shall be reserved and excepted from the summary vacation of the Portions for Fire Department and emergency vehicles and personnel access in the event of any emergency or when County Fire may require access to reach neighboring properties.
7. All other rights in the non-exclusive access easement not herein acquired shall be reserved by the owner except that no permanent improvements, fences, vegetation or permanent encroachments of any kind may be erected thereon or other use made which would interfere with the access rights described herein.
8. That the Portions are hereby removed from the COUNTY Road Maintenance System.
9. That from and after the date the resolution is recorded, the street, highway, or public service easement vacated no longer constitutes a street, highway, or public service easement.
10. That the summary vacation of the Portions shall not be final until the COUNTY has recorded the final Order to Vacate.
11. 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.

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**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Barbara, State of California, this 13<sup>th</sup> day of August, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

COUNTY OF SANTA BARBARA

ATTEST:  
MONA MIYASATO  
CLERK OF THE BOARD

\_\_\_\_\_  
STEVE LAVAGNINO, CHAIR  
BOARD OF SUPERVISORS

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

APPROVED AS TO FORM:  
MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By: \_\_\_\_\_  
Scott Greenwood  
Deputy County Counsel