

**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: February 15, 2005

Department: General Services

Budget Unit: 063

Agenda Date: March 1, 2005

Placement: Administrative

Estimate Time:

Continued Item: NO

If Yes, date from:

TO: Board of Supervisors

FROM: Ron Cortez, Director
General Services Department

STAFF CONTACT: Don Grady
Real Estate Services (568-3065)

SUBJECT: Fire Station 18 Grant Deeds (Folio 002282)
Third Supervisorial District

Recommendations:

That the Board of Supervisors:

- A. Approve and execute the GRANT DEED, COVENANT AND AGREEMENT and authorize the Clerk of the Board to sign the CERTIFICATE OF ACCEPTANCE accepting the Fire Station 18 parcel and Main Access Road from Chevron U.S.A.; and
- B. Approve and execute the GRANT OF EASEMENTS AND AGREEMENT FOR COUNTY FIRE STATION NUMBER 18 and authorize the Clerk of the Board to sign the CERTIFICATE OF ACCEPTANCE accepting the easements associated with Fire Station 18 from Arguello Inc., to provide for the continuing operation of the County's Fire Station 18 in Gaviota, adjacent to Arguello's Gaviota Oil Processing Plant; and
- C. Approve and execute the BILL OF SALE accepting ownership of the two water tanks and associated equipment required to continue operations at Fire Station 18.

Alignment with Board Strategic Plan: The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion: Fire Station 18 in Gaviota was built by Chevron U.S.A. Inc. in the late 1980s pursuant to conditions P-8 and P-9 of the final development plan issued for the oil and gas processing plant in Gaviota. To fully perform its obligation under the permit, Chevron was required to transfer to the County in fee the land upon which the Fire Station sits as well as certain necessary easements and personal property for access to and operation of the Fire Station. The transfer was delayed many years due to concerns about the structural integrity of the access road and other operational issues. Chevron subsequently transferred ownership of the processing plant, and the parcel upon which the plant

Subject: Fire Station 18 Grant Deeds (Folio 2282); Third Supervisorial District

Agenda Date: March 1, 2005

Page 2

sits, to Arguello Inc., but retained ownership of the approximately 3.5 acre parcel adjacent to the plant which contains the Fire Station.

All issues related to the Fire Station have now been resolved. Of particular note, a Letter Agreement memorializing the rights and obligations of Arguello to maintain the access road while the permit for the plant is active was executed by Arguello and is attached to the grant deed for the Fire Station 18 parcel, and is incorporated into the deed by reference. As of this date, Arguello, Chevron and their respective partners in the Arguello project are in full compliance with Conditions P-8 and P-9 of the Final Development Plan, including the associated implementation agreements (including a 1995 Settlement Agreement) and plans.

The GRANT DEED, COVENANT AND AGREEMENT transfers title, in fee, to the approximately 3.5 acre parcel upon which the fire station sits, as Parcel "A", as well as the main access road to the station, as Parcel "B". The property is included in the County's real property inventory and, subject to Arguello's obligations regarding maintenance of the main access road, will be maintained by the County's General Services/Facilities Services Division. Once a Certificate of Conformity is issued for the remainder of the Chevron parcel, that parcel will be transferred from Chevron to Arguello.

The second grant deed, the GRANT OF EASEMENTS AND AGREEMENT FOR COUNTY FIRE STATION NUMBER 18, grants from Arguello to the County certain easements (Parcels "C" – "H") across the property adjacent to Fire Station 18. They include an easement to be used for an emergency access road to the Station, an easement for use of two dry wells, and an easement for storm drain purposes; all of which are appurtenant to the property and therefore granted in perpetuity.

There are also various easements related to operation of Fire Station 18, including an easement for the continued use of certain water tanks used by the fire station, a Main Water Supply Line as well as an easement for the related electrical conduit; all of which are located on Arguello's property. These easements will terminate if Fire Station 18 ever ceases to operate as a County fire station. The Main Water Supply Line is connected to Arguello's processing plant, and will therefore terminate if the plant ceases to operate, as defined in paragraph 6 of the 1995 Settlement Agreement, or if County ceases to operate the Fire Station, whichever occurs first. The Bill of Sale transfers title to the two existing water tanks, and related equipment, to the County.

Once the documents have been executed by your Board, the GRANT DEED, COVENANT AND AGREEMENT for the fire station parcel will be recorded. A Certificate of Conformity, for which an application is currently pending, will then be recorded for the remainder of the Chevron parcel from which the fire station parcel was granted. A Grant Deed from Chevron to Arguello can then be recorded for that remainder parcel. The GRANT OF EASEMENTS AND AGREEMENT FOR COUNTY FIRE STATION NUMBER 18 will then be recorded to complete the transfers. This process will ensure a clear title history for the properties.

Mandates and Service Levels:

No change in programs or service levels.

Subject: Fire Station 18 Grant Deeds (Folio 2282); Third Supervisorial District

Agenda Date: March 1, 2005

Page 3

Fiscal and Facilities Impacts:

No impacts associated with this item.

Special Instructions: After Board action, please instruct Clerk to distribute as follows:

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| 1. Certified Copy of Documents | Board Official File |
| 2. Original Documents and Minute Order | Facilities Services, Attn: Don Grady |

NOTE: Real Estate Services will deliver the original documents to the Recorder's Office for recordation and will retain conformed copies for their files. Once recorded, a copy of the original documents will be forwarded to Chevron and Arguello.

Concurrences:

Fire

County Counsel

Planning and Development/Energy Division