

Mathilda Park Quitclaim
June 4, 2024
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occurred nor did the County vacate the roadway to the proposed future development and the parcel became a County Park and the parcel has been operated and maintained by the City as a park since its incorporation.

This Board Letter recommends that the Board of Supervisors approve, authorize the recordation of the Quitclaim that will release the County of any and all County rights, title, use and interest in the real property, commonly known as Mathilda Park located in the City of Goleta. The Board of Supervisors action of approving and authorizing the recordation of the Quitclaim will then allow the City in moving forward with replacing the playground equipment in Mathilda Park and will be a benefit to the neighborhood where the park is located.

Background:

The City of Goleta (City) has operated Mathilda Park (Park) as a “pocket” or “mini-park”, Lot 7 of the Elwood Acres No. 1 and No. 2 Map, for the last two decades, and prior to the City’s incorporation the Park was used by the County as a park. The City in moving forward with replacing the playground equipment in the Park by utilizing funds from the California Office of Grants and Local Services through the Proposition 68 Per Capita Program. In order to use the funding, the City must own fee title of the property, that will benefit from the funds and provide proof of ownership, for a deed restriction to be recorded on the property. The City obtained a title report to confirm fee title was held by the City. Unfortunately, the title report showed that the County still holds fee title to the Park.

In reviewing the title report and recorded documents, the parcel identified as Lot 7 of the Elwood Acres No. 1 and No. 2 Map was excepted by the Board of Supervisors with the map recorded in 1927. Prior to Lot 7 being developed, Lot 7 was deed to the County from Goleta Valley Investment Corporation in 1964. Following the acceptance of Lot 7, the Board of Supervisors adopted Resolution Number 24255, providing for Lot 7 to be a future roadway connecting Mathilda Drive to a potentially future road to the west for a proposed future development that was to occur in 1964. The proposed Development and road that required the use of Lot 7 to be connecting roadway never occurred.

Prior to the City of Goleta incorporation, Lot 7 (“Park”) was developed as and to this day remains a Park utilized by the community, even though the recorded use is a right-of-way (ROW) that is part of the City of Goleta’s streets and highways and the Park is technically a street in the City of Goleta. Accordingly, the City will need to formally vacate the ROW and record a deed restriction on the Park for park purposes. However, the underlying fee owner of the Park is still owned in fee by the County.

If the City were to vacate the ROW, associated with Park, the underlying fee ownership would transfer to the County not the City. Therefore, before the City vacates Lot 7/Park, the County must quitclaim Lot 7/Park, to the City of Goleta. The Park was intended to be transferred to the City upon its incorporation, per Section 4.5 Revenue Neutrality Agreement between the County of Santa Barbara and the City of Goleta.

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Unfortunately, at the time of the City's incorporation, the Property was listed in the County records as a ROW, meaning that while the ROW was transferred to the City, the underlying fee never transferred to the City, pursuant to Section 4.5 Revenue Neutrality Agreement. The transfer of fee was not known until a title report was requested by the City. The Board approval and authorize of the Quitclaim will release the County of any and all County rights, title, use and interest in the real property, commonly known as Mathilda Park located in the City and allow the City in moving forward with replacing the playground equipment in the Park

Fiscal and Facilities Impacts:

N/A

Fiscal Analysis:

N/A

Staffing Impacts:

None

Special Instructions:

After Board action, distribute as follows:

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| 1. Copy of the Quitclaim Deed. | Clerk of the Board Files |
| 2. Original Quitclaim Deed
and Copy of Minute Order | Real Property Division
Attn: James Cleary |

Attachments:

1. Quitclaim Deed
2. CEQA Notice of Exemption