

ATTACHMENT 1

Resolution of Order to Vacate

Recording requested by and)
to be returned to:)
SANTA BARBARA COUNTY)
General Services Department)
Real Property Division)
1105 Santa Barbara Street)
Courthouse East Wing, 2nd Floor)
Santa Barbara, CA 93101)
)
COUNTY OF SANTA BARBARA)
OFFICIAL BUSINESS)

No Recordation Fee Pursuant to
California Government Code §27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE
APN: 101-182-005 (Portion)
RP File No. 004061

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

IN THE MATTER OF THE SUMMARY) RESOLUTION NO. _____
VACATION OF AN UNUSED PORTION)
OF A COUNTY ROAD EASEMENT) CAL. STREETS & HIGHWAYS CODE §8334(a)

**FINDINGS AND SUMMARY ORDER TO VACATE
MAIN STREET
UNUSED PORTION OF A COUNTY ROAD AND RIGHT OF WAY
LOS ALAMOS, CALIFORNIA**

WHEREAS, the County of Santa Barbara, a political subdivision of the State of California, (hereinafter "COUNTY") is the owner of the certain road property, known as Main Street in Los Alamos, California, which was acquired in fee simple interest by COUNTY; and

WHEREAS, the portion of Main Street proposed for abandonment (herein "Portion") is located adjacent to County Assessor's Parcel Number 101-182-005 (herein the "Property"), which Portion is legally described and shown on Exhibits "A" and "B" attached hereto and incorporated herein by this reference; and

WHEREAS, on May 19, 2023, the owners of the Property submitted an application to the COUNTY to abandon the Portion; and

WHEREAS, the proposed right-of-way abandonment would dispose of unneeded, excess areas of COUNTY road right-of-way by permanently abandoning the COUNTY's fee simple interest in the Portion; and

WHEREAS, at its regular meeting of October 11, 2023, the COUNTY'S Planning Commission found the abandonment of the Portion 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 Portion is not useful as a nonmotorized transportation facility designed primarily for the use of pedestrians, bicyclists, or equestrians; and

WHEREAS, it has been determined by the COUNTY'S Public Works Department that the Portion is unnecessary for present or future public use as a county road and is no longer required by the traveling public or the COUNTY; and

WHEREAS, no parcels will be landlocked if the vacation of the Portion is consummated; and

WHEREAS, in accordance with California Streets and Highways Code Section 8334(a), the legislative body of a local agency may summarily vacate an excess right-of-way of a street or highway not required for street or highway purposes, and the excess Portion meets this criterion; and

WHEREAS, in accordance with Section 8340(c) of the California Streets and Highways Code, the COUNTY is required to reserve and except from the vacation of the Portion any roads, easements and rights necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use; and

WHEREAS, in accordance with California Streets and Highways Code Section 8334.5, a street may be summarily vacated if any in-place public utility facilities that are in use would not be affected by the vacation; and

WHEREAS, COUNTY has contacted all public utility companies operating in Los Alamos and, by reaching out to confirm, and ensured the COUNTY that the public utility companies do not have any such facilities within the Portion to be abandoned.

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. The Portion being abandoned is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility.
3. That the Portion, legally described on Exhibit A and shown on Exhibit B attached hereto and incorporated herein by this reference, is hereby summarily vacated as a County road pursuant to Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California.

1. 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.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

“COUNTY”
COUNTY OF SANTA BARBARA, a political
subdivision of the State of California

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS

By: _____
Deputy

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

By:  _____
Tyler Sprague
Deputy County Counsel

Exhibit A
Legal Description

APN 101-182-005


Being a 20' strip of land of land over Lot 18, Block 9, in the Town of Los Alamos, County of Santa Barbara, State of California, as per the document filed February 1, 1879 in Book B of Miscellaneous Records, Page 406, referencing the Map of Town of Los Alamos in Miscellaneous Maps Book 4, Page 11, in the office of the County Record of said County and State described as follows:

The northerly 20.00 feet of the northerly 50.00 feet of Main Street

End of Description

A sketch entitled Exhibit B, "Abandonment Sketch," is attached hereto and by reference incorporated herein.

This description was prepared by my or under my direction in conformance with the requirements of the Professional Land Surveyor's Act this 7th day of November, 2023



Jon McKellar



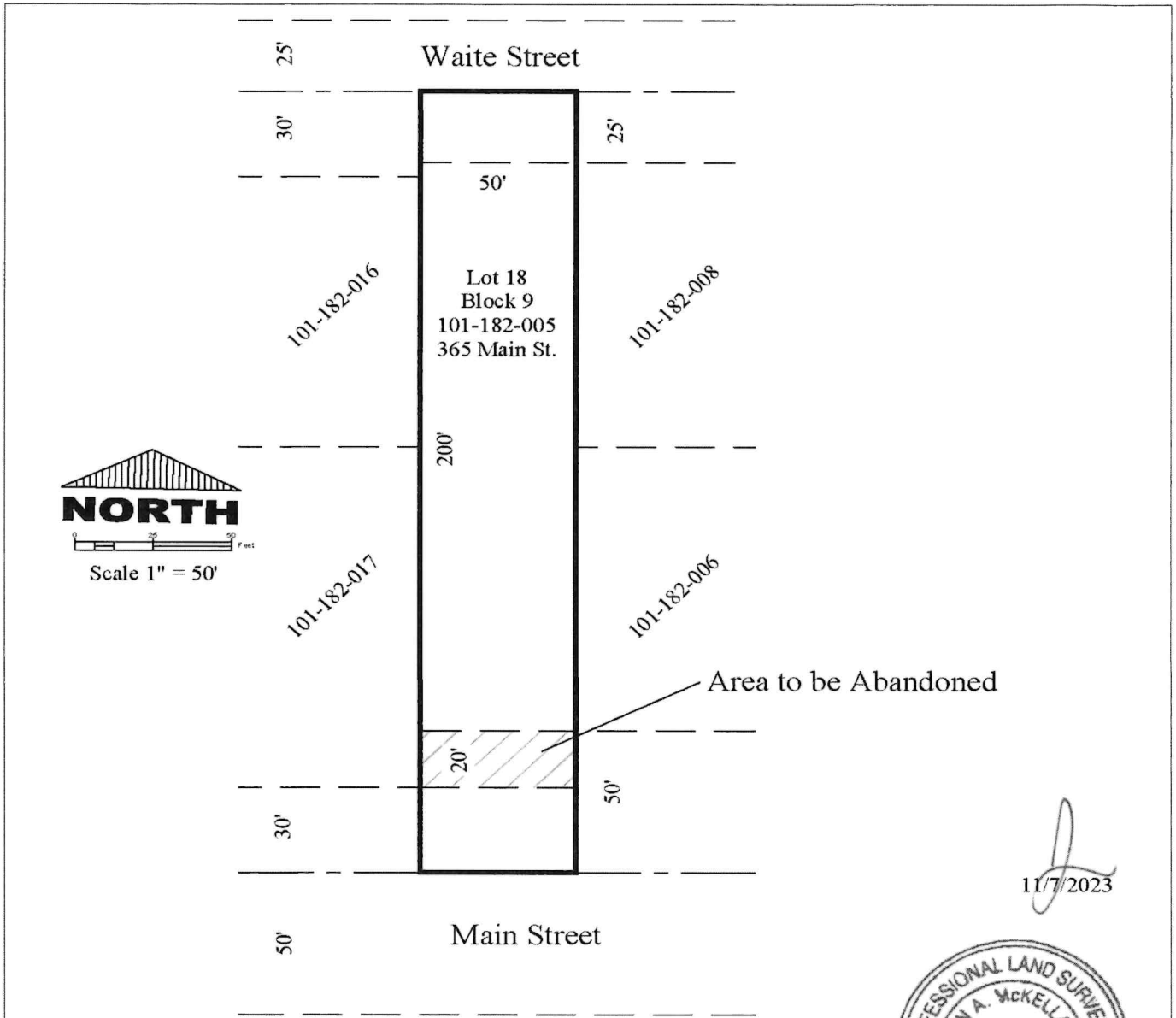


Exhibit B

Abandonment Sketch



A Professional Land Surveying & Consulting Company
PO Box 2341
Santa Maria, CA 93457
805-680-1895 bus.
jon@jonmckellar.com
<http://www.jonmckellar.com>

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WHEREAS, the portion of Main Street proposed for abandonment (herein "Portion") is located adjacent to County Assessor's Parcel Number 101-182-005 (herein the "Property"), which Portion is legally described and shown on Exhibits "A" and "B" attached hereto and incorporated herein by this reference; and

WHEREAS, on May 19, 2023, the owners of the Property submitted an application to the COUNTY to abandon the Portion; and

WHEREAS, the proposed right-of-way abandonment would dispose of unneeded, excess areas of COUNTY road right-of-way by permanently abandoning the COUNTY's fee simple interest in the Portion; and

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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 Portion is not useful as a nonmotorized transportation facility designed primarily for the use of pedestrians, bicyclists, or equestrians; and

WHEREAS, it has been determined by the COUNTY'S Public Works Department that the Portion is unnecessary for present or future public use as a county road and is no longer required by the traveling public or the COUNTY; and

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WHEREAS, in accordance with California Streets and Highways Code Section 8334.5, a street may be summarily vacated if any in-place public utility facilities that are in use would not be affected by the vacation; and

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1. That the above recitals are true and correct.
2. The Portion being abandoned is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility.
3. That the Portion, legally described on Exhibit A and shown on Exhibit B attached hereto and incorporated herein by this reference, is hereby summarily vacated as a County road pursuant to Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California.

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NOES:

ABSENT:

ABSTAINED:

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COUNTY OF SANTA BARBARA, a political
subdivision of the State of California

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS

By: _____
Deputy

APPROVED AS TO FORM:
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COUNTY COUNSEL

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Deputy County Counsel

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APN 101-182-005


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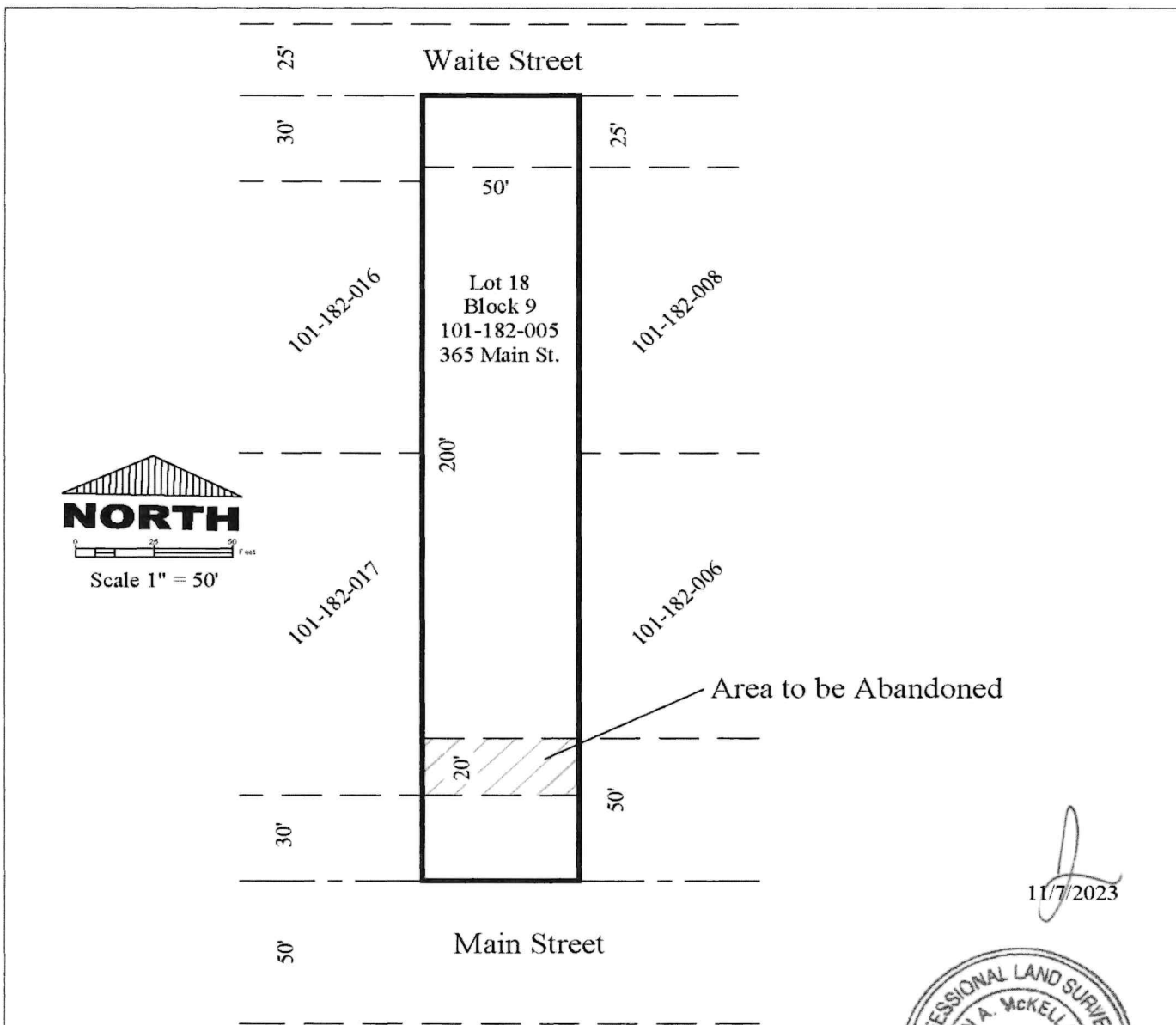
A sketch entitled Exhibit B, "Abandonment Sketch," is attached hereto and by reference incorporated herein.

This description was prepared by my or under my direction in conformance with the requirements of the Professional Land Surveyor's Act this 7th day of November, 2023



Jon McKellar





11/7/2023



Exhibit B
Abandonment Sketch



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