



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

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

Department Name: Public Works
Department No.: 054
For Agenda Of: October 23, 2007
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Scott D. McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Dace Morgan, Interim Deputy Director, Transportation, 568-3064
**SUBJECT: Acceptance of Easement for Sidewalk on Clark Avenue, Orcutt
Fourth Supervisorial District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions: Authorize the Chair of the Board to:

- (a) Approve the attached "Notice of Exemption" pursuant to California Environmental Quality Act (CEQA) guidelines regarding the acceptance of an easement for the operation and maintenance of a sidewalk on a portion of 775 East Clark Avenue in Orcutt; and
- (b) Accept a permanent Easement Deed from Mr. and Mrs. LeBard, owners of 775 East Clark Avenue (APN 105-020-041) by authorizing the Clerk of the Board to sign the Certificate of Acceptance attached to the Permanent Easement deed regarding the above referenced sidewalk.

Summary Text:

Mr. and Mrs. LeBard as the owners of 775 East Clark Avenue have received approval to construct a commercial building on that property. The new construction includes a pedestrian sidewalk along a portion of East Clark in front of the building. The LeBards have offered to dedicate that sidewalk to the County by way of an Easement Deed. If accepted by the Board of Supervisors and recorded the easement will memorialize the transfer of rights and will grant the County the right to maintain the sidewalk.

Background:

Mr. and Mrs. LeBard received final approval of their building plans in late August 2007. Construction is scheduled to commence soon. The LeBards agreed to pay for the County staff time required to transfer the easement to the County. Transportation has approved the acceptance of the sidewalk easement.

On September 17, 2007, the Planning Commission found the acceptance of the Easement to be in compliance with the County's Comprehensive Plan in accordance with Government Code Section 65402(a).

Performance Measure:

None.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

Narrative: The LeBards have agreed to transfer the easement to the County free of charge and pay for the County staff time needed to draft all the required documents and facilitate the acceptance and recordation of the sidewalk easement.

Staffing Impacts:

Legal Positions:

None

FTEs:

None

Special Instructions:

- | | |
|---------------------------------------|--|
| 1. Original Notice of Exemption | Clerk of Board Files |
| 2. Copy of Notice of Exemption | Surveyor's Division, Attn: Jeff Havlik |
| 3. Original Certificate of Acceptance | Surveyor's Division, Attn: Jeff Havlik |
| 4. Copy of Certificate of Acceptance | Clerk of the Board Files |
| 5. Minute Order | Surveyor's Division, Attn: Jeff Havlik |

NOTE: The Real Property Section will record the Easement Deed at the County Recorder's Office. Upon recordation, Real Property will return the original Easement to the Clerk of the Board. A copy will be mailed to the Grantors, and copies will be retained by Public Works: Transportation, Surveying and Real Property Divisions.

Attachments:

- (a) Notice of Exemption
- (b) Easement Deed

Authored by:

Jeff Havlik, Public Works Department, Surveyor's Division, Real Property Section, 568-3073

cc:

Mr. Bret Stewart, Public Works