

**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:** August 16, 2005  
**Department:** Public Works  
**Budget Unit:** 054  
**Agenda Date:** September 13, 2005  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** The Santa Barbara County Flood Control & Water Conservation District

**FROM:** Phillip M. Demery, Director  
Public Works Department

**STAFF CONTACT:** Tom Fayram; 568-3436  
Jeff Havlik; 568-3073

**SUBJECT:** Execution of Quitclaim and Acceptance of Easement, A.P.N. 055-160-028  
Second Supervisorial District

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**Recommendations:** That the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District (herein the "District") take the following actions in regard to APN 055-160-028:

- A. Approve the attached Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding the proposed execution of a Quitclaim Deed and acceptance of an Easement Deed; and
- B. Execute the attached Quitclaim Deed; and
- C. Accept the attached Permanent Easement from Wypnac IV, a Limited Liability Company by authorizing the Clerk of the Board to sign the Certificate of Acceptance attached to the Permanent Easement deed. (Clerk, Four-fifths vote required).

**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:**

The property in question is commonly known as 1156 North Ontare Road (herein the "Property") and is owned in fee by Wypnac IV, LLC. Flood Control has an easement across the Property allowing District access to and from the San Roque Debris Basin.

The owners of the Property are in the process of obtaining permits from the City of Santa Barbara to subdivide the property and construct houses thereon. Prior to subdividing the property, the owners want to relocate the Flood Control easement to better align with the proposed subdivision. Relocating the

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**Executive Summary and Discussion (Cont):**

easement prior to subdividing the property will maintain the District's rights to access the debris basin. The District has reviewed the owner's plans and has no objection to the proposed easement realignment.

Recordation of the executed Quitclaim and accepted Easement Deed will accomplish the proposed easement realignment.

**Mandates and Service Levels:**

No change in programs or service levels.

**Fiscal and Facilities Impacts:**

The owners of the Property are paying for the County staff time required to facilitate the easement relocation. There is no charge for the new easement. There are no Facilities impacts.

**Special Instructions:** After Board action, distribute as follows:

- |                                       |   |
|---------------------------------------|---|
| 1. Original Quitclaim                 | Surveyors Division, Attn: Jeff Havlik       |
| 2. Copy of Quitclaim                  | Clerk of the Board Files                    |
| 3. Original Certificate of Acceptance | Surveyors Division, Attn: Jeff Havlik       |
| 4. Copy of Certificate of Acceptance  | Clerk of the Board Files, Attn: Jeff Havlik |
| 5. Minute Order                       | Surveyors Division, Attn: Jeff Havlik       |

**NOTE:** Real Property will deliver the original Quitclaim Deed and Easement Deed with Certificate of Acceptance for recordation. The original of both documents will be returned to Real Property who will deliver them to the Clerk with a request for a certified copy. Real Property will deliver the certified copy to the owners of the property. Non certified copies will be kept by the District and Real Property.

**Concurrence:**