

Recording requested by and)
to be returned to:)
SANTA BARBARA COUNTY)
GENERAL SERVICES DEPARTMENT)
REAL PROPERTY DIVISION)
****WILL CALL****)
1105 SANTA BARBARA ST., 2ND FLOOR)
SANTA BARBARA, CA 93101)

NO FEE PER GOVERNMENT CODE § 6103

APN: 005-182-001

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

IN THE MATTER OF THE PROPOSED)
VACATION OF A PORTION OF A)
COUNTY ROAD)

RESOLUTION NO. _____
STREETS AND HIGHWAYS CODE
SECTION 8320

**SUMMARY ORDER TO VACATE
A COUNTY ROAD**

**PORTIONS OF HOLLISTER STREET AND LILLIE AVENUE,
IN THE TOWN OF SUMMERLAND, CALIFORNIA**

WITH RESERVATION OF PUBLIC UTILITY EASEMENTS FOR:

- SUMMERLAND SANITARY DISTRICT**
- MONTECITO WATER DISTRICT**
- SOUTHERN CALIFORNIA EDISON COMPANY**
- SOUTHERN CALIFORNIA GAS COMPANY**
- COX COMMUNICATIONS COMPANY**
- FRONTIER COMMUNICATIONS COMPANY**

WHEREAS, the County of Santa Barbara (hereinafter "COUNTY") is the owner of those certain road properties in the unincorporated area of the County of Santa Barbara, State of California, known as Hollister Street and Lillie Avenue in the town of Summerland (collectively the "Road"), which Road was acquired in fee simple interest by COUNTY pursuant to that certain map recorded in Rack No. 1, Map No. 2, of the Office of the County Recorder; and

WHEREAS, the portions of Hollister Street and Lillie Avenue proposed for vacation (collectively the "Portion") are located adjacent to County Assessor's Parcel Number 005-182-001 (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 July 6, 2015, the owners of the Property submitted an application to the COUNTY to vacate the Portion; and

WHEREAS, the proposed right-of-way vacation would vacate the COUNTY road right-of-way (the Portion) and sell the COUNTY's fee simple interest in the Portion; and

WHEREAS, at its regular meeting of January 11, 2017, 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 an excess right of way of a street or highway not required for street or highway purposes; 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 criteria; 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 easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use; and

WHEREAS, Summerland Sanitary District, Montecito Water District, Southern California Edison Company, Southern California Gas Company, Cox Communications Company, and Frontier Communications Company have in-place and in-use public utilities in the area of the Portion, easements for which shall be reserved and excepted from the vacation of the Portion; and

WHEREAS, in accordance with California Streets and Highways Code Section 8334.5, a street may be summarily vacated unless there are any in-place public utility facilities that are in use and would be affected by the vacation; and

WHEREAS, COUNTY has contacted all public utility companies operating in the Town of Summerland and, by reserving easements for their in-place and in-use facilities, ensured that such public utility facilities would not require relocation or be affected in any way by the vacation of the Portion.

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 vacated is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility, and is excess right of way of a street or highway not required for street or highway purposes.
3. That the Portion, consisting of parts of Hollister Street and Lillie Avenue, 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 4 of the Streets and Highways Code of the State of California.
4. That in accordance with Section 8340(c) of the California Streets and Highways Code, an easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use by **SUMMERLAND SANITARY DISTRICT** is hereby reserved and excepted from the vacation of the Portion in the area of such in-place and in-use public utility facilities.
5. That in accordance with Section 8340(c) of the California Streets and Highways Code, an easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use by **MONTECITO WATER DISTRICT** is hereby reserved and excepted from the vacation of the Portion in the area of such in-place and in-use public utility facilities.
5. That in accordance with Section 8340(c) of the California Streets and Highways Code, an easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use by **SOUTHERN CALIFORNIA EDISON COMPANY** is hereby reserved and excepted from the vacation of the Portion in the area of such in-place and in-use public utility facilities.
5. That in accordance with Section 8340(c) of the California Streets and Highways Code, an easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use by **SOUTHERN CALIFORNIA GAS COMPANY** is hereby reserved and excepted from the vacation of the Portion in the area of such in-place and in-use public utility facilities.

5. That in accordance with Section 8340(c) of the California Streets and Highways Code, an easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use by **COX COMMUNICATIONS COMPANY** is hereby reserved and excepted from the vacation of the Portion in the area of such in-place and in-use public utility facilities.

5. That in accordance with Section 8340(c) of the California Streets and Highways Code, an easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use by **FRONTIER COMMUNICATIONS COMPANY** is hereby reserved and excepted from the vacation of the Portion in the area of such in-place and in-use public utility facilities.

6. 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 Summary Order to Vacate.

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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 OF SANTA BARBARA

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

JOAN HARTMANN, CHAIR
BOARD OF SUPERVISORS

By: _____
Deputy

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

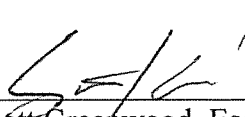
By:  _____
Scott Greenwood, Esq.,
Deputy County Counsel

EXHIBIT A

LEGAL DESCRIPTION OF STREET ABANDONMENT AREA

THOSE PORTION OF LILLIE AVENUE AND HOLLISTER STREET, ADJOINING LOTS 33, 49, 50, 51 AND 52 IN BLOCK 27 OF THE TOWN OF SUMMERLAND IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON THE MAP RECORDED IN RACK 1, MAP No. 2 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 49;

1. THENCE ALONG THE NORTHLY LINE OF SAID LILLIE AVENUE BEING THE SOUTHERLY LINE OF SAID LOTS 49 THROUGH 52, S 63°16'09" E 99.74 FEET TO THE SOUTHEAST CORNER OF SAID LOT 52;
2. THENCE S 26°46'30" W 8.26 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1706.13 FEET, A RADIAL LINE TO SAID CURVE BEARS N 16°07'48" E;
3. THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 3°37'13", AN ARC DISTANCE OF 107.80 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 20.00 FEET, A RADIAL LINE TO SAID CURVE BEARS N 89°25'06"W;
4. THENCE NORTHWESTERLY AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°09'52" AN ARC DISTANCE OF 8.09 FEET;
5. THENCE N 23°44'46" E 25.19 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 3.50 FEET;
6. THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 50°47'21" AN ARC DISTANCE OF 3.10 FEET TO THE BEGINNING OF A REVERSE CURVE HAVING A RADIUS OF 11.50 FEET;
7. THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°54'55" AN ARC DISTANCE OF 10.02 FEET;
8. THENCE N 24°37'12" E 50.74 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 2.00 FEET;
9. THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 58°09'02" AN ARC DISTANCE OF 2.03 FEET;
10. THENCE N 82°46'14" E 2.59 FEET;
11. THENCE N 26°26'34" E 25.92 FEET;
12. THENCE N 24°42'35" W 2.76 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 3.50 FEET;
13. THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 70°34'59" AN ARC DISTANCE OF 4.31 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 20.50 FEET;
14. THENCE NORTHEASTERLY ALONG SAID COMPOUND CURVE THROUGH A CENTRAL ANGLE OF 31°21'14" AN ARC DISTANCE OF 11.22 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 33;
15. THENCE S 26°47'34" W 107.73 FEET TO THE SOUTHWEST CORNER OF SAID LOT 49 AND THE POINT OF BEGINNING.

CONTAINING 2,590 SQUARE FEET MORE OR LESS.

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A sketch of the abandonment area herein described is depicted on Exhibit B attached herewith and made a part hereof.

Prepared by: L. Paul Cook, PLS 4285

L. P. Cook and Company, Inc.



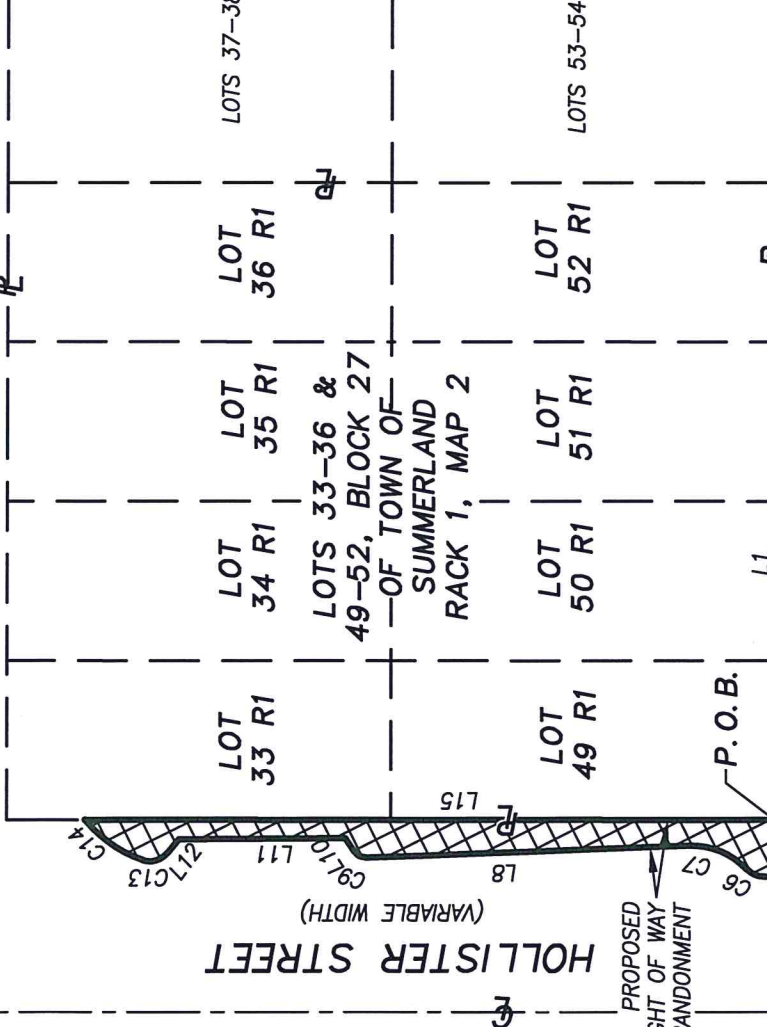
A handwritten signature in black ink, appearing to read "L. Paul Cook", written over the right side of the seal.

Job No. 1989.00H

July 5, 2017

EXHIBIT B

VARLEY STREET
(VARIABLE WIDTH)



COURSE	BEARING/DISTANCE OR RADIUS/ARC LENGTH/Delta ANGLE
L1	S 63°16'09" E 99.74
L2	S 26°46'30" W 8.26
C3	R=1706.13 A=107.80 D=03°37'13"
	RIB=N 16°07'48" E ROB=N 12°30'35" E
C4	R=20.00 A=8.09 D=23°09'52"
	RIB=N 89°25'06" W ROB=N 66°15'14" W
L5	N 23°44'46" E 25.19
C6	R=3.50 A=3.10 D=50°47'21"
	RIB=S 66°15'14" E ROB=S 15°27'53" E
C7	R=11.50 A=10.02 D=49°54'55"
	RIB=N 15°27'53" W ROB=N 65°22'48" W
L8	N 24°37'12" E 50.74
C9	R=2.00 A=2.03 D=58°09'02"
	RIB=S 65°22'48" E ROB=S 07°13'46" E
L10	N 82°46'14" E 2.59
L11	N 26°26'34" E 25.92
L12	N 24°42'35" W 2.76
C13	R=3.50 A=4.31 D=70°34'59"
	RIB=N 65°17'25" E ROB=S 44°07'36" E
C14	R=20.50 A=11.22 D=31°21'14"
	RIB=S 44°07'36" E ROB=S 12°46'22" E
L15	S 26°47'34" W 107.73

CURVE ABBREVIATIONS C=CURVE; R=RADIUS; A=ARC LENGTH;
D=DELTA ANGLE; RIB=RADIAL IN BEARING
ROB=RADIAL OUT BEARING

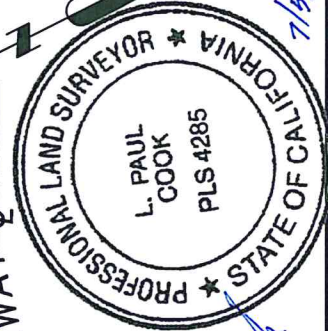
EASEMENT CONTAINS 2,590 SF MORE OR LESS

PREPARED BY:

L.P. COOK & COMPANY, Inc.

Land Surveying
Mapping & Digital Graphics
831 State Street, Suite 202, Santa Barbara,
CA 93101-3227
(805) 966-5105

SHEET NO.: 1 OF 1
DRAWN BY: PHD
CHECKED BY: LPC
DATE: 6/12/17
JOB NO.: 1989.01H



LEGEND:
 ... PROPOSED RIGHT OF WAY ABANDONMENT
 P.O.B. POINT OF BEGINNING
 L# LINE NUMBER
 C# CURVE NUMBER
 R1 BLOCK 27 TOWN OF SUMMERLAND RACK 1, MAP 2