



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: September 22, 2009
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors
FROM: Department Scott D. McGolpin, Director Public Works: 568-3010
Director(s)
Contact Info: Dacé Morgan, Deputy Director, Transportation; 568-3064
Michael Emmons, County Surveyor: 568-3020
SUBJECT: **Vacation and Sale of a Portion of Camino Arroyo Right-of-Way, Santa Ynez;
Third Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A) Approve the Notice of Exemption pursuant to California Environmental Quality Act (CEQA) guidelines in regards to the vacation, quitclaim and sale of an unused portion of the Camino Arroyo right-of-way which is located adjacent to APN 143-344-006 in Santa Ynez; and
- B) Execute the related Summary Order to Vacate; and
- C) Execute the related Quitclaim Deed.

Summary Text:

The area proposed for vacation is an unused strip of right-of-way, two feet (2') in width, adjacent to Santa Barbara County Assessor Parcel number 143-344-006, upon which an historic structure stands. The subject area (herein referred to as the "Portion") is shown on Exhibit "A" of the Summary Order to Vacate and the Quitclaim. Public Works Transportation, Flood Control and Real Property representatives have visited the Portion and have no objection to the proposed vacation and sale. There are no County road facilities within the Portion and the County has no plans to expand its infrastructure in the vicinity of the Portion. There are no public utility facilities within the Portion. No Parcels will be "landlocked" if the vacation is consummated.

Auditor-Controller Concurrence

As to form: Yes

If consummated, the road vacation, sale and Quitclaim will dispose of unimproved and unused County road right-of-way by removing the public's right to use the Portion and transferring ownership to the owner of the adjacent parcel upon which the historic barn is located (APN 143-344-006). The Quitclaim and transfer of the Portion will remove the County's liabilities associated with ownership of an interest therein.

Background:

The County's proposed vacation of the subject right-of-way is for the purposes of preserving a historic outbuilding that was constructed sometime between 1895 and 1925. Since construction, the building has encroached approximately two feet (2') into the Camino Arroyo right-of-way. By vacating the right-of-way, the County will ensure that the historic structure is located entirely on the APN 143-344-006 and out of the public right-of-way.

Much of Camino Arroyo is unimproved and does not appear in the Circulation Element because it is designated as a local road and not a collector. At this time, the Public Works Department does not plan to build the road out to the full extent of the right-of-way. However, if the Department decides to improve the roadway in the future, it would be possible to accommodate both the roadway improvements and the historic outbuilding due to the minimal area being vacated, as the County will still retain fifty-three feet (53') of right-of-way adjacent to APN 143-344-006.

After it was determined that the County owns the subject right-of-way in fee, Real Property contacted the owner and negotiated a price for the Portion based upon recent sales near the subject property. The property owners have agreed to a rate of \$20 per square foot for the 100-square foot Portion, and the purchase price in the sum of \$2,000 has been deposited with the Public Works Department by the applicant.

No County Departments have objected to the proposed vacation/ sale and it was found to be in conformity with the County's adopted General Plan by the Planning Commission on March 11, 2009.

Fiscal and Facilities Impacts:

Budgeted: Yes

Narrative:

The applicants paid for the County staff time needed to facilitate this transaction. The purchase price of the Portion is \$2,000, which has been deposited into Road Fund 0015. There are no Facilities impacts associated with the proposed actions.

Staffing Impacts:

Legal Positions

None

FTEs:

None

Special Instructions:

Clerk of the Board, please distribute as follows:

- | | |
|-----------------------------|---------------------------------|
| 1. Original Order to Vacate | Public Works, Attn: Jeff Havlik |
| 2. Copy of Order to Vacate | Clerk of the Board Files |
| 3. Original Quitclaim Deed | Public Works, Attn: Jeff Havlik |
| 4. Copy of Quitclaim Deed | Clerk of the Board Files |
| 5. CEQA Notice of Exemption | Post as Required |
| 6. Minute Order | Public Works, Attn: Jeff Havlik |

The Real Property Section of the Surveyor's Division will deliver the original Order to Vacate and the Quitclaim to the County Recorder's office for recordation. Once those documents have been recorded, Real Property will return the originals to the Clerk of the Board. Real Property will deliver copies to the property owners and appropriate Divisions within the County, as well as retain a copy in its files.

Attachments:

Summary Order to Vacate
Quitclaim Deed
CEQA: Notice of Exemption

Authored by:

Jeff Havlik, Real Property Agent, Public Works - Surveyors Division, 568-3073

cc:

Bret Stewart, Senior Development Engineering Manager, Public Works - Surveyors Division, 568-3041