

**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:** 7/20/05  
**Department Name:** Parks  
**Department No.:** 052  
**Agenda Date:** 8/2/05  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors  
**FROM:** Rick Wheeler, Director of Parks  
**STAFF CONTACT:** Claude Garciacelay, Park Planner x2469  
Ronn Carlentine, Real Property x3078  
**SUBJECT:** Execute Escrow Instructions and Release of Obligations for the Rice Ranch Project  
Fourth Supervisorial District

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**Recommendation(s):**

- A) That the Board of Supervisors 1) execute the original and duplicate original of the attached Escrow Instructions and Amendment to the Escrow Instructions for the Rice Ranch Project: APN Nos. 101-010-013, 105-140-016 and 101-020-004, located on the south side of Stubblefield and Rice Ranch Roads in the southeastern portion of the Orcutt Community, and 2) sign all the documents necessary to close escrow.
- B) That the Board of Supervisors release McCadden Development, LLC from its duties and obligations under the Development Agreement and look solely to Rice Ranch Ventures, LLC for compliance with the provisions under this Agreement.

**Alignment with Board Strategic Plan:** The recommendations are primarily aligned with Goal No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community and with actions required by law or by routine business necessity.

**Executive Summary and Discussion:** The purpose of the attached instructions and amendment is to allow for the orderly transfer of property from Rice Ranch Ventures, LLC to the County of Santa Barbara. As a condition of approvals to rezone Key Site 12 of the Orcutt Community Plan ("Plan") from PRD 588 to PRD 725, the Board of Supervisors required Savannah Resources to offer to dedicate open space, two 5 acre parks, and 10 acres for the Orcutt Union School District. A Grant Deed for these dedications was originally deposited into an Escrow (Chicago title Escrow #004971290 MBB) on July 18, 1997, prior to August 21, 1997, the date the Orcutt Community Plan went into effect. Although the County was satisfied with the escrow instructions, it never signed them; the instructions in the existing escrow are signed by Savannah Resources only.

Subsequent to the Plan effective date, McCadden Development, LLC purchased the property from Savannah Resources, the original owner, and the property has subsequently been purchased by Rice Ranch Ventures, LLC from McCadden Development, LLC. Pursuant to approval of the Rice Ranch Development Agreement on December 9, 2003, McCadden Development, LLC agreed to convey the open space, a 26 acre Community Park and 6.7 acres for neighborhood parks to the County. The Development Agreement was recorded on February 17, 2004. The conditions of approval of master map TM 14,626 require dedications be conveyed at the time of recordation; the Master Tract Map is anticipated to be recorded within the next 90 days. Therefore, the Escrow Instructions, with an amendment and with revised Grant Deeds are now proposed to address the changed circumstances. The new Grant Deeds will contain all the language in the original Grant Deed but will reflect revised legal description for the increased acreage for the open space and parks and a new Grantor. Rice Ranch Ventures is opening a separate escrow with the Orcutt Union School District pursuant to an agreement with the District to facilitate the dedication of the 12 acres that is required to be dedicated to the School District.

Per the Development Agreement for this project, it is also necessary to refer the Assignment of the Rice Ranch Development Agreement from McCadden Development, LLC to Rice Ranch Ventures, LLC as follows: Pursuant to section 6.2, Transfer and Assignment, of the Development Agreement under Transfer and Assignment the owner has the right to sell, assign, or transfer all or portions of the Rice Ranch Project to any person at any time. The applicant, McCadden Development, LLC, provided written notice of the transfer of the entirety of the project to Rice Ranch Ventures, LLC. County Counsel and the Real Property Division recommend that the Board release McCadden Development, LLC from its duties and obligations under the Development Agreement and look solely to Rice Ranch Ventures, LLC for compliance with the provisions under the Agreement.

**Mandates and Service Levels:** No change in programs or service levels.

**Fiscal and Facilities Impacts:** None.

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

Signed Original Instructions and Amendments & Minute Order

Chicago Title Company  
Attn: Cindy M. Ioimo, County Manager  
2222 S. Broadway, Suite G  
Santa Maria, CA 93454

Copy of the Signed Instructions and Amendments & Minute Order

Clerk of the Board Files

Copy of the Signed Instructions and Amendments & Minute Order

Payl, Hastings, Janofsky & Walker, LLP  
Attn: Robert I. McMurry  
515 South Flower Street  
25th Floor  
Los Angeles, CA 90071-2228

Copy of the Signed Instructions and Amendments & Minute Order

County Counsel  
Attn: Mary Ann Slutzky

**Concurrence:** N/A.

**Attachments:** Exhibit A: Original Escrow Instructions  
Exhibit B: Amendments to Original Escrow Instructions.

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