

Honorary Board of Supervisors  
Department of Planning and Development  
Chief Deputy Clerk of the Board

November 17, 2009

Many of the NEXT G site placements are on properties belonging to residents of the County, one of which belongs to my husband and me. A friend brought this to our attention and we urge you to delay the approval of the application for our property and others who fall into this unfortunate situation until it can be resolved.

**Please delay the approval of the site located at 4608 Cathedral Oaks Rd. APN # 059-050-001 belonging to Bruce and Louise McKaig.**

**There are many other sites that would fall into this category and the approvals should also be delayed.**

Since you are an attorney and I am not I hope the following can delay the approval. Here is the reply from a friend:

“Your message led me to think about easement law, and to question whether existing easements may be overburdened by this new use. These are a few statements of general easement law, all taken from **Miller & Starr, California Real Estate 2d, Easements:**

**The owner of an easement cannot change or increase the use of the easement in any manner that imposes a new or greater burden on the servient tenement without the consent of the servient owner.**

**If a new use of an easement results from changed economic and technological conditions, the new use must not increase the burden on the servient tenement, and must be within the scope of the original easement.**

The recipient of an easement has the burden of proving what rights of use he has received. Generally, a grantee of an easement receives only those rights of use expressly conveyed to him and any additional rights that are necessary and reasonable for enjoyment of the easement and which are incidental to the grant and consistent with its purpose.

If the easement is used, the limitations on its use are established by the initial actual use made by its owner. Once the easement has been used for a reasonable time, the extent of its use is established by the past use; thereafter, its owner cannot make changes in its use that would substantially modify or increase the burden of the servient tenement.

**When exercising his rights, the owner of an easement must give due regard to the rights of the owner of the servient estate. He must use the easement in the manner which imposes the least burden on the servient tenement.**

**It is crucial that the Santa Barbara County Counsel's office conduct a review of the easement documents, in the light of these principles of easement law, to determine whether the NextG application is indeed allowable under the existing easements."**

I have not had a chance to check out this information since it is newly brought to my attention. I know the urgency of turning over every stone while I still can so you decide NOT to approve the application.

As a local REALTOR, I know that this installation on our property becomes a disclosure issue. The fact that there would be a cell site located on the property or near it would be detrimental to a later sale and our property value. The installation would affect the desirability and value of my neighbors also.

I know this to be true because of the large amount of signatures I have received from other local real estate agents in the past few days.

When there is so much County land around us in the 2<sup>nd</sup> District, the fact there already exists two or more large cell installations, all on County land, it does not make sense to pick private property to install this site against the property owner's will.

Thank you and I appreciate your consideration – AND DELAY.

Sincerely,  
Louise McKaig  
967-0434

A handwritten signature in cursive script, appearing to read "Louise", written in black ink.

Permit	Node ID	APN	Approximate Address No.	Street	Area
09CDP-00000-00060	ESB19	005-210-047	2894	Via Real	Carpinteria
09CDP-00000-00061	ESB20	005-270-042	3397	Via Real	Carpinteria
09CDP-00000-00087	TRNCH	005-210-047	Via Real	Lambert	Carpinteria
09LUP-00000-00321	GOL08	069-443-011	855	Cathedral Oaks	Goleta 537 Paseo Orlando
09LUP-00000-00322	GOL10	069-172-035	533	Patterson Ave.	Goleta David Palmer
09LUP-00000-00323	GOL11	065-071-012	5234	Hollister Ave.	Goleta Bazinet
09LUP-00000-00324	GOL21	067-090-005	4970	Cathedral Oaks	Goleta Donatella Rose
09LUP-00000-00325	GOL22	067-210-027	5012	Calle Real	Goleta
09LUP-00000-00326	GOL26	065-120-016	505	Walnut Ln. Shepard	Goleta 5114 Ella Ln
09LUP-00000-00327	GOL41	069-315-001	390	Merida Dr.	Goleta Menalis
09LUP-00000-00328	GOL42	069-341-002	719	Camino Cascade	Goleta 5558 Camino Oaks
09LUP-00000-00329	GOL09	049-030-033		Modoc Rd.	Goleta 202 La Palma
09LUP-00000-00330	GOL07	065-040-017	4737	Hollister Dr.	Goleta SB High School
09LUP-00000-00331	GOL15	059-130-015	4282	Cathedral Oaks	Goleta St Vincent's
09LUP-00000-00332	GOL17	059-240-002	171	Old Mill Rd.	Goleta 4280 Calle Real
09LUP-00000-00333	GOL23	065-361-009	649	Evanshire	Goleta Dammefelder
09LUP-00000-00334	GOL24	061-291-003	4491	Vieja Dr.	Goleta Wilson
09LUP-00000-00335	GOL27	067-191-012	432	Los Verdes Dr.	Goleta
09LUP-00000-00336	GOL36	061-152-015	501	Puente Dr.	Goleta
09LUP-00000-00337	GOL35	059-140-029	260 N. San Antonio Rd	Honor Farm Rd.	Goleta County Ramirez
09LUP-00000-00338	GOL38	059-050-001	4608	Cathedral Oaks	Goleta
09CDH-00000-00031	GOL47	075-041-002	879	Embarcadero Del Norte	Isla Vista
09CDP-00000-00063	GOL48	075-102-042	6636	Pasado Rd.	Isla Vista
09CDP-00000-00064	GOL49	075-010-010	785	Camino Del Sur	Isla Vista
09CDH-00000-00032	GOL50	075-010-022	6875	El Colegio Rd.	Isla Vista
09CDP-00000-00066	GOL51	075-010-012	6508	El Colegio Rd.	Isla Vista
09CDH-00000-00028	TRNCH	075-010-022	Colegio Rd.	Storke Rd.	Isla Vista
09CDH-00000-00029	TRNCH	075-010-022	Colegio Rd.	Embarcadero Del Norte	Isla Vista
09CDP-00000-00052	ESB02	009-170-005	214	Middle Rd.	Montecito
09CDP-00000-00053	ESB03	009-230-027	119	Olive Mill Rd.	Montecito
09CDP-00000-00054	ESB07	009-152-005	189	Hermosilla Dr.	Montecito
09CDP-00000-00055	ESB09	009-262-003	104	San Ysidro Rd.	Montecito
09CDP-00000-00056	ESB13	007-350-010	1980	M. Jameson Ln.	Montecito
09CDH-00000-00030	ESB18	007-300-006	1710	San Leandro Ln.	Montecito
09LUP-00000-00317	ESB08	009-130-015	293	Olive Mill	Montecito
09LUP-00000-00318	ESB11	007-280-053	280	Santa Rosa Ln.	Montecito
09LUP-00000-00319	ESB14	007-240-012	453	Sheffield Dr.	Montecito
09LUP-00000-00320	ESB15	007-220-001	402	San Ysidro Rd.	Montecito
09LUP-00000-00381	ESB03	007-120-013	619	Park Ln.	Montecito
09CDP-00000-00082	TRNCH	009-262-003	N. Jameson Rd.	San Ysidro Rd.	Montecito
09CDP-00000-00088	TRNCH	009-230-027	Olive Mill Rd.	M. Jameson Ln.	Montecito
09LUP-00000-00339	SBR04	023-272-002	653	Mission Canyon	Santa Barbara
09CDP-00000-00057	ESB16	005-153-009	2402	Shelby St.	Summerland
09CDP-00000-00058	ESB17	005-680-001	2103	Ortega Hill Rd.	Summerland
09CDP-00000-00083	TRNCH	005-110-033	N. Jameson Rd.	Ortega Hill Rd.	Summerland
09CDP-00000-00084	TRNCH	005-680-001	Ortega Ridge Rd.	Ortega Hill Rd.	Summerland
09CDP-00000-00085	TRNCH	005-172-011	Evans Ave.	Ortega Hill Rd.	Summerland
09CDP-00000-00086	TRNCH	005-204-036	Greenwell	Lillie Ave	Summerland



## First American Title

4589 CAMINO MOLINERO  
SANTA BARBARA, CA 93110  
059-050-001

### Property Profile Report

#### Property Information

Owner(s):	MCKAIG BRUCE / FAMILY LOUISE A	Parcel#	059-050-001
Property:	4589 CAMINO MOLINERO SANTA BARBARA, CA 93110	Map Coord:	28-E5:985-A6
Mailing:	4589 CAMINO MOLINERO SANTA BARBARA CA 93110	Census Tract:	0001.03
Owner Ph:		County:	SANTA BARBARA
Legal:	TRACT 10047 UNIT 1		
Lot #	5		

#### Characteristics

Use:	SFR	Year Built:	1964	Sq. Feet:	2396
Zoning:	1E1	Lot Size:	32234.4sq (.74)	# of Units:	
Bedrooms:	3	Bathrooms:	3	Fireplace:	
# Rooms:	8	Quality:		Heating:	
Pool/Spa:	N	Air:		Style:	
Stories:		Improvements:		Parking:	
Flood:	X	Gross Area:	2396	Garage Area:	
Basement Area:					

#### Property Sale Information

Sale Date:		* \$/Sq. Ft.	\$100.00	2nd Mtg.	
Estimated Sale Price:	\$240,000.00	1st Loan:	\$20,000.00	Prior Sale Amt:	
Doc No:	74831	Loan Type:	CONVENTIONAL	Prior Sale Dt:	
Doc Type:	GRANT DEED	Xfer Date:	12/17/1996	Prior Doc No:	
Seller:	WONG JACOB Y & RAE	Lender:	LENDER SELLER	Prior Doc Type:	

\* \$/Sq. Ft. is a calculation of Estimated Sale Price divided by Sq. Feet

#### Tax Information

Imp Value:	\$537,087.00	Exemption:	HOMEOWNER
Land Value:	\$303,537.00	Tax Year/Area:	2009/066004
Total Value:	\$840,624.00	Tax Value:	\$833,624.00
Tax Amount:	\$9,177.92	Improved:	63.9 %

Information compiled from various sources and is deemed reliable but not guaranteed.