

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

**NOTICE OF INTENT TO VACATE
A COUNTY ROAD**

**PORTION OF AIROX ROAD
NEAR THE CITY OF SANTA MARIA
SANTA BARBARA COUNTY, CA**

WHEREAS, the County of Santa Barbara (hereinafter "COUNTY") is the owner of that certain road property in the unincorporated area of the County of Santa Barbara, State of California, known as Airox Road near the City of Santa Maria (the "Road"), which Road was acquired in easement interest by COUNTY pursuant to that certain "Subdivision No. 12 of the Rancho Punta De Laguna" recorded in Book W, Page 333, of Deeds of the Office of the County Recorder; and

WHEREAS, the segment of Airox Road proposed for vacation (herein the "Portion") is located across County Assessor's Parcel Numbers 113-250-002 and 113-250-018 (herein the "Properties") and is legally described and shown on Exhibits "A" and "B" attached hereto and incorporated herein by this reference; and

WHEREAS, on May 14, 2013, the owners of the Properties submitted an application to the COUNTY to vacate the Portion; and

WHEREAS, the proposed right-of-way vacation would dispose of COUNTY road right-of-way by permanently removing the COUNTY's easement interest in the Portion; and

WHEREAS, at its regular meeting of February 22, 2017, the COUNTY'S Planning Commission found the abandonment of the COUNTY'S right-of-way 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 bicycle path or route; and

WHEREAS, it has been determined by the COUNTY'S Public Works Department that the Portion is unnecessary for present or future public use as a county road and is no longer required by the traveling public or the COUNTY; and

WHEREAS, no parcels will be landlocked if the vacation of the Portion is consummated; 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 an easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use; and

WHEREAS, Pacific Gas & Electric Company and Southern California Gas Company have in-place and in-use public utilities in the Portion, an easement for which shall be reserved and excepted from 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. That, pursuant to Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California, it hereby declares its intention to vacate the Portion.
3. That a map and legal description of the Portion to be vacated are attached hereto and incorporated herein by reference as Exhibits "A" and "B".
4. **That the 18th day of July, 2017, at 9:00 a.m.**, or shortly thereafter, in the Board Hearing Room of the COUNTY'S Board of Supervisors, Joseph Centeno Betteravia Government Administration Building, 511 East Lakeside Parkway, Santa Maria, California, is hereby fixed as the time and place for the hearing of the Resolution of an Order to Vacate, at which time and place any party may appear and be heard relative to said proposed vacation of the Portion.
5. That notice of said hearing be given to all freeholders in the unincorporated area of the COUNTY by publication of the COUNTY'S Board of Supervisors' intention to vacate the Portion in the *Santa Maria Times*, a newspaper of general circulation published in the COUNTY, for at least two (2) successive weeks prior to said time fixed for said hearing in accordance with the provisions set forth in Section 8322(a) of the Streets and Highways Code.

6. That similar notice be posted conspicuously along the lines of the Portion in accordance with the provisions set forth in Section 8323 of the Streets and Highways Code.

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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:

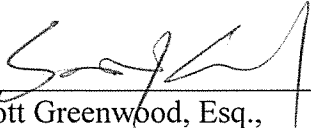
COUNTY OF SANTA BARBARA

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


ROADWAY ABANDONMENT FOR A PORTION OF AIROX ROAD SANTA BARBARA COUNTY, CA.

Said portion of Airox Road lying across A.P.N 113-250-002 (Dd. Ref. Doc.#2011024246) and A.P.N. 113-250-018 (Dd. Ref. Doc.#2011024246), described as portions of Subdivision No. 12 of the Rancho Punta De La Laguna, in the County of Santa Barbara, State of California, as said Subdivisions are described in the decree of partition issued by the Superior Court of the State of California, in and for the County of Santa Barbara, in the action entitled S. I. Jamison vs. Luis Arellanes, et al., dated November 3, 1880, as recorded in Book “W”, at Page 333 of Deeds, records of said County. Also as shown on County of Santa Barbara Index Map NC-38.

Beginning at the intersection of Airox Road with the southerly Right of Way line of Black Road, also being the northerly boundary of County Tax Assessor’s Parcel 113-250-018 (Dd. Ref. Doc.#2011024246); Thence southwesterly and southerly, along said Airox Road, to the southerly boundary of County Tax Assessor’s Parcel 113-250-002 (Dd. Ref. Doc.#2011024246).

This legal description was prepared from record information contained in the above referenced County Assessor’s Map and County Index Map, herein referenced. No reference for the Dedication or Acceptance of Airox Road could be found in the Santa Barbara County’s Public Records.

The attached Exhibit B Plat was prepared from aerial photography showing the record location of the portion of Airox Road to be abandoned. See the attached Exhibit B for Vicinity Map and Detail of the location for the Roadway Abandonment of the above described portion of Airox Road.

Prepared by: 
Lester E. Carter Jr., PLS 6148
My license expires: 3/31/2018



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**ROADWAY ABANDONMENT FOR A PORTION OF AIROX ROAD
SANTA BARBARA COUNTY, CA.**

