

**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: May 16, 2005
Department: Public Works
Budget Unit: 054
Agenda Date: July 12, 2005
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director
Public Works Department

STAFF

CONTACT: Bret Stewart (568-3232)
Jeff Havlik (568-3073)

SUBJECT: Grant Deeds; Portions of Finney Street & Morris Place
First Supervisorial District
Real Property File No. R-129

Recommendations:

That the Board of Supervisors executes the attached Grant Deeds to transfer ownership of portions of unused County right-of-way in Summerland known as Morris Place and Finney Street to BMO Partnership and to the Hotchkiss family.

Alignment with Board Strategic Plan:

The recommendation(s) 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:

In 1999 Mr. Mecay entered escrow to purchase the property commonly known as 2305 Finney Street in Summerland. During the escrow it was discovered that a significant portion of the structure was encroaching onto the Finney Street and Morris Place right of way. Mr. Mecay commenced proceedings with the County shortly thereafter to purchase the unused right of way and combine it with the existing parcel.

On March 21, 2000, your Board approved a Notice of Exemption pursuant to CEQA, declaring a portion of the Finney Street and Morris Place right-of-way in Summerland (herein the "Portion") as surplus property via the adoption of a Resolution Declaring Real Property as Surplus (Resolution No. 00-98) and executed a Notice of Intent to Vacate (Resolution No. 00-97) for that right-of-way. Also on that date your Board

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Executive Summary and Discussion, (Continued):

executed the Real Property Sale Contract and Escrow Instructions, which will direct the sale of the Portion to the adjacent property owners for a total of \$125,000.

On April 25, 2000 your Board adopted resolution number 00-150 (Order to Vacate) which finalized the vacation of the right-of-way encumbering the Portion thus making the Portion salable.

On March 18, 2003 your Board approved Lot Line Adjustment number 00-LA-018, approved Negative Declaration number 02-ND-32, approved a Coastal Development Permit and approved a change of zoning of the Portion from Recreation to Residential.

All the above actions were taken so that the Portion may be purchased by the Buyers and combined with their properties located adjacent to the Portion. The Buyers have deposited the purchase money into escrow. The Order to Vacate, Lot Line Adjustment and all other required documents will be combined with the Grant Deeds and recorded upon the close of escrow.

Mandates and Service Levels:

No change in programs or service levels.

Fiscal and Facilities Impacts:

The Buyers of the Portion have paid for The Real Property and other County staff time used to complete this project. Per previous Board action and the Streets and Highway Code Section 960, the proceeds from the sale will be directed to the First District Road fund. The agreed upon sales price is \$125,000.00. There are no Facilities impacts.

Special Instructions:

After Board action, distribute as follows:

- | | | |
|----|----------------------|--------------------------------------|
| 1. | Original Grant Deeds | Surveyor's Office, Attn: Jeff Havlik |
| 2. | Copy of Grant Deeds | Clerk of the Board Files |
| 3. | Minute Order | Surveyor's Office, Attn: Jeff Havlik |

NOTE: Mr. Havlik will combine the previously executed Order To Vacate with the original executed Grant Deeds and deliver the entire package to Lawyers Title and Escrow for recordation. The original recorded document will be mailed to the buyers by the County Recorder's Office.

Concurrence: