



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

Submitted on:
(COB Stamp)

Department Name: Public Works
Department No.: 054
For Agenda Of: August 8, 2006
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors
FROM: Department Director: Phillip M. Demery, Director
Public Works Department 568-3010
Contact Info: Scott McGolpin; Deputy Director Public Works 568-3064
Mike Emmons; County Surveyor 568-3020

SUBJECT: Right of Way Vacation: Portion of Ballard Canyon Road

County Counsel Concurrence:

As to form/legality: Yes No N/A

Auditor-Controller Concurrence:

As to form: Yes No N/A

Recommended Action(s):

Authorize the Chair of the Board of Supervisors to:

- A. Approve the attached Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding vacating a portion of the County's right-of-way known as Ballard Canyon Road which underlies a portion of Santa Barbara County Assessor's Parcel No. 137-120-002 as shown on the Exhibit attached to said Notice; and
- B. Adopt the attached Resolution, Summary Order to Vacate, vacating the above referenced portion of Ballard Canyon Road; and

Summary:

The area proposed for vacation is unused right-of-way underlying A.P.N. 137-120-002, and is shown on Exhibit "A" attached to the Summary Order to Vacate (herein the "Portion"). Public Works Transportation, Flood Control and Real Property representatives have viewed the Portion and have no objection to the proposed vacation. At some time in the past the traveled road was installed outside of the road right-of-way on a neighboring property, which paved strip was granted to the County in 1982. 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. The rights of the Public utility providers currently operating within the Portion (if any) will be reserved. No Parcels will be "landlocked" if the vacation is consummated.

If consummated the road vacation will dispose of unimproved and unused County road right-of-way by removing the public's right to use the Portion. The traveled road will not be impacted if the vacation is consummated. The vacation will also remove the County's liabilities associated with ownership of an interest in the Portion.

Background:

The fee owner of the parcel burdened by the Portion contacted Public Works and requested the removal of the public interest in the Portion. No County departments objected to the proposed vacation and it was found to be in conformity with the County's adopted General Plan by the Planning Commission. All public utility providers were informed of the proposed vacation by letter and asked if they maintain facilities in the Portion. No public utility providers responded. Real Property posted and published a notice of intent informing all interested parties of the date of this proposed action.

Fiscal and Facilities Impacts:

None.

Budgeted: Yes No

Fiscal Analysis:

Narrative: Staff time needed to process the right-of-way vacation was paid for by the applicant.

Legal Positions:

FTEs:

Special Instructions:

- | | | |
|----|---------------------------------------|---------------------------------|
| 1. | Original Order to Vacate | Public Works, Attn: Jeff Havlik |
| 2. | Copy of Order to Vacate | Clerk of the Board Files |
| 3. | Proof of Publication of Public Notice | Public Works, Attn: Jeff Havlik |
| 4. | Minute Order | Public Works, Attn: Jeff Havlik |

NOTE: After execution by your Board, Real Property will deliver the original, executed Summary Order to Vacate with exhibits for recordation. After recordation the original recorded Order will be filed with the Clerk of the Board. A certified copy will be mailed to the owner of the land impacted by the Vacation and copies will be retained by the Transportation and Real Property Divisions of the Public Works Department.

Attachments: (list all)

CEQA Notice of Exemption
Summary Order to Vacate

Authored by:

J. Jeffery Havlik: Senior Right-of-Way Agent
568-3073

cc: Bret Stewart; Transportation