



**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

Department Name: Public Works/ Flood
Control & Water
Conservation District
Department No.: 054
For Agenda Of: June 24, 2008
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors; and
Board of Directors, Flood Control and Water Conservation District

FROM: Department Scott McGolpin, Director
Director(s) Public Works Department (568-3010)
Contact Info: Thomas Fayram, Deputy Public Works Director, (568-3436) *TF*

SUBJECT: **Realignment of Private Ingress/ Egress Easement on Flood Control District Parcel
number 067-040-029 (the Maria Ygnacio Debris Basin):
Second Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District:

- A) Accept the attached Quitclaims (4); and
- B) Execute the attached Replacement Easement Deeds (4).

That the Board of Supervisors:

Accept the one foot denial strip which was offered to the County as part of Tract 10,269, Unit One, recorded in Book 71, pages 7 through 11 of Maps by authorizing the Chair of the Board of Supervisors to execute the Resolution attached hereto.

Summary Text:

The Santa Barbara County Flood Control and Water Conservation District owns parcel number 67-040-029 in fee (herein the "Property"). The Maria Ygnacia debris basin is located on a portion of that Property. A private access route known as Maria Ygnacia Lane crosses the southern edge of the

Property and does not impact the basin. Several owners use Maria Ygnacia Lane to access their properties. Maria Ygnacia Lane is being relocated and improved. To accommodate that work the old Maria Ygnacia Lane right-of-way is being quitclaimed and replacement right-of-way easements are being granted to the owners who cross the Property to gain access to their homes.

The Denial Strip is located at the end of the County maintained section of Via Regina, adjacent to the Property. Acceptance of the Denial Strip will give County control of that strip of land.

Background:

A portion of Maria Ygnacia Lane crosses parcel number 067-040-029 which is owned in fee by the Santa Barbara County Flood Control and Water Conservation District and upon which is located the Maria Ygnacia Debris Basin. In 2003, Flood Control granted ingress and egress easements to the four property owners who must cross the Property to get to their properties. Mr. and Mrs. Handherhan are one of the grantees of those easements. They own APN 59-010-079 (herein the "Parcel") and have received approval to split that Parcel (TPM 14,447, Rancho Danza Del Sol). One of the conditions of approval of that lot split is the widening of Maria Ygnacia Lane from the end of the publicly maintained roadway (Via Regina) to the Parcel. The right-of-way granted in the 2003 easements is insufficient to accommodate the required and enlarged right-of-way. Flood Control has reviewed the old right-of-way and the proposed right-of-way and has no objection to the realignment. If approved and executed by the Board of Directors, Real Property will deliver the Quitclaims and the Replacement Easement Deeds to the Recorder's Office for recordation. If the Board of Supervisors executes the Resolution regarding the denial strip Real Property will deliver it to the County Surveyor who will file a Certificate of Correction to memorialize that acceptance.

Acceptance and recordation of the Quitclaim Deeds and the replacement Easement Deeds was found to be in compliance with CEQA in the Mitigated Negative Declaration No. 05NGD-00000-00013 which was previously approved by the County. The acceptance of the Denial Strip was found to be in compliance with CEQA in the environmental study done for Tract 10,269, Unit 1. Both actions were determined to be in compliance with the County's adopted General Plan when the Planning Commission approved the lot split of the Parcel.

Performance Measure:

Fiscal and Facilities Impacts:

Budgeted: No There are no fiscal or facility impacts associated with the proposed actions.

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative: There are no fiscal impacts associated with these actions. The Easement Deeds indemnify the Flood Control District from liability associated with use of the right-of-way. The Real Property staff time needed to complete this project was paid for by the owner of the Parcel.

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

- | | | |
|----|-----------------------------------|---|
| 1. | Original Quitclaims & Acceptance | Public Works, Attn: Jeff Havlik |
| 2. | Copies of Quitclaims & Acceptance | Clerk of the Board Files |
| 3. | Original Easements | Public Works, Attn: Jeff Havlik |
| 4. | Copies of Easements | Clerk of the Board Files |
| 5. | Original Resolution | Public Works, Attn: Jeff Havlik |
| 6. | Duplicate Original | Clerk of the Board Files |
| 7. | Minute Order | Public Works, Attn: Jeff Havlik |
| 8. | Minute Order | Flood Control District, Attn: Christina Lopez |

NOTE: Real Property will deliver the Quitclaims and Replacement Easement Deeds for recordation, and will deliver the Resolution to the County Surveyor who will process that document.

Attachments:

Quitclaims and Acceptance (4)
Replacement Easement Deeds (4)
Resolution to accept the Denial Strip.

Authored by:

J. Jeffery Havlik, SR/WA
Public Works

CC:

Jon Frye; Flood Control