

SANTA BARBARA COUNTY PLANNING COMMISSION
Coastal Zone Staff Report for O'Neil Residence, Variance,
General Plan Amendment and Rezone

Hearing Date: August 12, 2015
Staff Report Date: July 23, 2015
Case No.: 08CDH-00000-00040
12VAR-00000-00012, 08GPA-00000-00007,
08RZN-00000-00006
Environmental Document: CEQA
Guidelines Section 15270(b)

Deputy Director: Alice McCurdy *Alice McCurdy*
Division: Development Review
Supervising Planner: Anne Almy
Supervising Planner Phone #: 568-2053
Staff Contact: Nicole Lieu
Staff Contact Phone #: 884-8068

OWNER / APPLICANT:
Jeffery O'Neil
P.O. Box 1174
Summerland, CA 93067
(805) 969-1971

AGENT:
Patsy Price
Brownstein Hyatt Farber Schreck,
LLP
1020 State Street
Santa Barbara, CA 93101
(805) 965-4333

ATTORNEY:
Susan Petrovich
Brownstein Hyatt Farber Schreck,
LLP
1020 State Street
Santa Barbara, CA 93101
(805) 882-1405



This site is identified as Assessor Parcel 005-250-001, 2551 Wallace Avenue, Summerland Area, First Supervisorial District.

Application Complete: December 6, 2014

1.0 REQUEST

Hearing on the request of Patsy Price, agent for the owner, to consider the following:

- Case No. 08CDH-00000-00040 [application filed on November 12, 2008] for a Coastal Development Permit in compliance with Section 35-169.3 of Article II, the Coastal Zoning

Ordinance, on property zoned REC (Recreation) to permit demolition of a 1,443 square foot residence and construction of a new 2,002 square foot residence;

- Case No. 12VAR-00000-00012, [application filed on February 8, 2012] for a Variance from the parking and setback regulations in compliance with Section 35-173 of the Article II Coastal Zoning Ordinance on property zoned REC (Recreation), to allow: a rear setback of 2 feet 4 inches instead of the required 10 feet; a side setback of 8 feet instead of the required 10 feet; and, zero uncovered parking spaces instead of the required 2 uncovered parking spaces;
- Case No. 08GPA-00000-00007, [application filed on July 30, 2008] for a Local Coastal Plan Amendment to change the land use designation of the property from Recreation/Open Space to Residential, and;
- Case No. 08RZN-00000-00006, [application filed on July 30, 2008] for a rezone to change the zoning of the property from REC to 7-R-1.

The application involves AP No. 005-250-001, located at 2551 Wallace Avenue in the Summerland area, First Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and deny Case No's. 08CDH-00000-00040, 12VAR-00000-00012, 08GPA-00000-00007, and 08RZN-00000-00006 based upon the project's inconsistency with the Comprehensive Plan and the inability to make the required findings.

Your Commission's motion should include the following:

1. Make the required findings for denial of the project specified in Attachment-A of this staff report, including CEQA findings;
2. Determine that denial of the project is exempt from CEQA pursuant to CEQA Guideline Section 15270(b), included as Attachment-B; and,
3. Deny Case No's. 08CDH-00000-00040, 12VAR-00000-00012, 08GPA-00000-00007, and 08RZN-00000-00006.

Refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

This project is being considered by the County Planning Commission based upon the following:

1. Article II, Section 35-173.3 (Variances/Jurisdiction) which states, *“Upon making the findings required under this section, the Zoning Administrator may approve or conditionally approve variances to the regulations applicable to physical standards for land, buildings, and structures contained in this Article.”*
2. Article II, Section 35-169.4.3.b (Coastal Development Permit processed in conjunction with a discretionary permit application) which states, *“The decision-maker for the associated application described in Subsection 3.a, (Coastal Development Permits processed in conjunction with a discretionary permit application) . . . shall be the decision-maker for the Coastal Development Permit . . .”*
3. Article II, Section 35-180 (Processing Amendments to a Certified Local Coastal Program) which states, *“The Planning Commission shall hold at least one public hearing on the proposal . . . within 40 days of receipt of the recommendation of the Planning Commission, the Board of Supervisors shall hold a public hearing on the matter. If the matter under consideration is a request to change property from one zone to another (rezone), and the Planning Commission has recommended against such a request, the Board of Supervisors shall not be required to hold a public hearing or take any further action on the matter unless within five days of the decision of the Planning Commission, the applicant or other interested person files a written request for such hearing with the Clerk of the Board of Supervisors.”*
4. Article II, Section 35-144B (Multiple Decision-makers) which states:

When two or more applications are submitted that relate to the same development project and the individual applications would be under the separate jurisdiction of more than one decision-maker, all applications for the project shall be under the jurisdiction of the decision-maker with the highest jurisdiction as follows in descending order:

1. *Board of Supervisors*
2. *Planning Commission*
3. *Zoning Administrator*
4. *Director*

4.0 ISSUE SUMMARY

In 2006, in response to an application, the property owner was notified that a proposal to demolish an existing non-conforming residence and construct a new residence would not be consistent with the County's land use regulations. The existing residence was considered non-conforming due to the fact that it was constructed prior to the implementation of zoning requirements and because it was located on a property zoned "Recreation" (REC), a zoning designation that does not allow for residential development. In 2007, the unpermitted demolition of all but one wall of the previously existing nonconforming residence and construction of a new two-story residence resulted in the opening of Building Violation Case No. 07BDV-00000-00020. Subsequently, the currently proposed Coastal Development Permit, Variance, General Plan Amendment, and Rezone applications were submitted in an effort by the applicant to rectify the violation and permit a new residence on the property. During the permit review process, it was discovered that no legal access to the property can be demonstrated. The applicant team disagrees with this conclusion and has attempted to demonstrate legal access. However, to-date, the applicant has been unable to demonstrate adequate legal access to the satisfaction of the County. In addition, the proposed project raises issues with regard to visual resource impacts and geologic hazards. Both the illegally rebuilt and proposed new residence exceed the applicable 15-foot view corridor height limit imposed by the View Corridor Overlay on the site and block ocean views from Highway 101 and other public viewing locations. The geologic report submitted for the project was determined to be deficient by an independent geologic peer reviewer and appears to underestimate the required bluff-top setback for the proposed, partially constructed development. A full discussion of the project's inconsistency with applicable policies is included in Sections 6.2 and 6.3, below. Based on the project's inconsistency with the Article II Coastal Zoning Ordinance and the Comprehensive Plan, including the Coastal Land Use Plan and Summerland Community Plan, staff recommends denial of the proposed project.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Coastal, Urban, Summerland Community Plan Area, Recreation/Open Space,
Zone	REC, Article II Coastal Zoning Ordinance, Coastal Commission Appeals Jurisdiction
Site Size	0.10-acre
Present Use & Development	Illegally expanded and partially reconstructed single-family

Site Information	
	dwelling
Surrounding Uses/Zone(s)	North: UPRR, TC (Transportation Corridor) South: Coastal bluff, TC (Transportation Corridor) East: TC (Transportation Corridor) West: TC (Transportation Corridor)
Access	Not currently established
Public Services	Water Supply: Montecito Water District Sewage: Summerland Sanitary District Fire: Carpinteria/Summerland Fire District Police Services: County Sheriff

5.2 Setting

The subject property is located in the town of Summerland on a coastal bluff between the Pacific Ocean and UPRR (Union Pacific Railroad) tracks.

5.3 Description

The proposed project includes a request for a Coastal Development Permit, Variance, General Plan Amendment and Rezone. The proposed Coastal Development Permit is for after-the-fact approval of the demolition of a 1,443 square foot residence and the construction of a 2,002 square foot residence. The proposed Variance is a request to allow a rear setback of 2 feet 4 inches instead of the required 10 feet, a side setback of 8 feet instead of the required 10 feet, and zero uncovered parking spaces instead of the required 2 uncovered parking spaces. The proposed General Plan Amendment requests a Local Coastal Plan Amendment to change the land use designation of the property from Recreation/Open Space to Residential and the proposed Rezone requests a change in the zoning of the property from REC to 7-R-1.

5.4 Background Information

- **1900's:** Single-story residence constructed on-site.
- **1901:** Through County Ordinance 247 the property adjacent to and directly north of the subject property is quitclaimed by the County to the railroad (Ordinance 247 is included as Attachment-E)
- **1950's:** Property zoned BD-D (Beach Development District).
- **1984:** Property rezoned REC (Recreation) and the residence on-site becomes non-conforming.
- **1992:** Summerland Community Plan is adopted and the REC zoning of the property is maintained.
- **Early 2006:** Property is purchased by the current owner.

- **April 2006:** Property owner applies for 06CDH-00000-00020 to demolish the existing residence and construct a new residence.
- **August 2006:** Due to the non-conforming status of the home, the owner's request to demolish and rebuild the home requires a Rezone (RZN) and General Plan Amendment (GPA). P&D notifies the property owner that a RZN and GPA would not be supportable due to the clear intent of applicable land use designation, zoning and Coastal Policies that the property should be zoned REC (Recreation). No application for a GPA or RZN is submitted and the case is closed.
- **March 2007:** Property owner undertakes unpermitted demolition and construction. Building violation Case No. 07BDV-00000-00020 is opened as a result.
- **July 2008:** Property owner submits application for a GPA and RZN.
- **November 2008:** Property owner submits a Coastal Development Permit (CDH) application.
- **December 2008-December 2014:** CDH application remains incomplete due to lack of sufficient evidence of established legal access to the property, among other reasons.
- **October 2014:** Applicant appeals staff's September 24, 2014 determination of application incompleteness.
- **December 2014:** Application is deemed complete pursuant to Government Code Section 65943 because a decision regarding the appeal of the determination of application incompleteness was not made within 60 days of filing.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

Denial of the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270. Please see Attachment-B, Notice of Exemption, for further details.

6.2 Comprehensive Plan Consistency

The discussion below includes only policies with which the project is inconsistent.

REQUIREMENT	DISCUSSION
Services	
Coastal Land Use Policy 2-6: Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the	Inconsistent. The subject property does not have adequate access. The northwestern corner of the lot touches the southeastern corner of the publically owned Wallace Avenue at a single

applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan. Where an affordable housing project is proposed pursuant to the Affordable Housing Overlay regulations, special needs housing or other affordable housing projects which include at least 50% of the total number of units for affordable housing or 30% of the total number of units affordable at the very low income level are to be served by entities that require can-and-will-serve letters, such projects shall be presumed to be consistent with the water and sewer service requirements of this policy if the project has, or is conditioned to obtain all necessary can-and-will-serve letters at the time of final map recordation, or if no map, prior to issuance of land use permits.

point. A single point in space does not constitute adequate, legal access because the applicant could not practically construct a road to access the parcel using a single point. The segment of Wallace Avenue previously located immediately north of the lot was legally quit-claimed by the County to the railroad in the early 20th century through Ordinance 247. It is therefore held by the Railroad and the applicant has not established that he has an agreement in place with the Railroad to use the property for access.

The applicant team has suggested that the County should take action to assert prescriptive rights for the segment of Wallace Avenue. However, as discussed above, the subject portion of Wallace Avenue was legally quitclaimed to the railroad. The railroad is now the fee owner of that property. In addition, the County cannot recognize prescriptive easements without adjudication by a court or direct evidence of recorded title. No adjudication by a court has occurred and no direct evidence of recorded title has been submitted. Therefore, the County cannot recognize a prescriptive easement in favor of the subject property (2551 Wallace Avenue) and no other evidence of established legal access has been submitted.

Similarly, the applicant does not possess an easement over or under the adjacent railroad-owned property for the purposes of extending the proposed sewer-line connection to the Summerland Sanitary District. With regard to the General Plan Amendment and Rezone request (GPA/RZN), conversion of property from recreational to residential zoning in an

	<p>area where there are inadequate services for residential development would not be consistent with sound planning practices or general community welfare. In summary, adequate services are not available for the subject property and therefore the project is inconsistent with Coastal Land Use Policy 2-6.</p>
<p>Visual Resources</p>	
<p>Coastal Act Policy 30251: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.</p> <p>Coastal Land Use Policy 4-9: Structures shall be sited and designed to preserve unobstructed broad views of the ocean from Highway #101, and shall be clustered to the maximum extent feasible.</p> <p>Coastal Land Use Policy 4-5: In addition to that required for safety, further bluff setbacks may be required for oceanfront structures to minimize or avoid impacts on public views from the beach. Bluff top structures shall be set back from the bluff edge sufficiently far to insure that the structure does not infringe on views from the beach except in areas where existing structures on both sides of the proposed structure already impact public views from the beach. In such cases, the new structure shall be located no closer to the</p>	<p>Inconsistent. The site is located within an approximately 4,000 foot long stretch along Highway 101 containing broad unobstructed ocean views. The subject property is visible from Lillie Ave. (Lillie Ave, bike trail, sidewalk), Greenwell Ave. at Lillie, Highway 101 North and South, and the beach. The proposed partially constructed two-story (29 foot tall) residence with lookout tower would block ocean views and interrupt the horizon line from Lillie Ave. (Lillie Ave, bike trail, sidewalk), Greenwell Ave. at Lillie, Highway 101 North and Highway 101 South. Please see Attachment-H for a comparison between a one and two-story structure on the site. The proposed residence, isolated on its site away from adjacent structures, would be visible from the beach and incompatible with the nature of surrounding properties, which are undeveloped and are not zoned to allow for residential development. With regard to the General Plan Amendment and Rezone request (GPA/RZN), conversion of property from recreational to residential zoning in a highly visible area with the potential to block public views would not be consistent with sound planning practices or general community welfare. Therefore, the project would be inconsistent with Coastal Act Policy 30251, Coastal Land Use Plan Policy 4-9 and Summerland Community Plan Policy VIS-</p>

<p>bluff's edge than the adjacent structures.</p> <p>Summerland Community Plan Policy VIS-S-3: Public views from Summerland to the ocean and from the Highway to the foothills shall be protected and enhanced.</p>	<p>S-3.</p>
<p>Geologic Resources</p>	
<p>Coastal Land Use Policy 3-4: In areas of new development, above-ground structures shall be set back a sufficient distance from the bluff edge to be safe from the threat of bluff erosion for a minimum of 75 years, unless such standard will make a lot unbuildable, in which case a standard of 50 years shall be used. The County shall determine the required setback. A geologic report shall be required by the County in order to make this determination.</p> <p>Summerland Community Plan Policy GEO-S-3: All new development on ocean bluff-top property shall be carefully designed to minimize erosion and sea cliff retreat and to avoid the need for shoreline protection devices in the future.</p> <p>Summerland Community Plan Action GEO-S-3.1: The County shall require all development proposed to be located on ocean bluff top property to perform a site specific analysis, prior to project review and approval, by a registered or certified geologist to determine the extent of the hazards (including bluff retreat) on the project site. Recommendations indicated in the analysis required by RMD shall be implemented.</p>	<p>Inconsistent. The geologic report submitted for the project has been found to be inadequate based upon peer review by an independent geologic reviewer, Geodynamics, Inc. (Geotechnical Review Letter, Geodynamics, Inc. July 2, 2015, Attachment-H to this staff report). The geologic review memo states, <i>“the bluff below the proposed construction is underlain by a thick wedge of dumped fill that creates a southward prominence in an otherwise generally linear section of coastal bluff.”</i> The county’s independent geologist finds that the submitted report does not account for the dumped <i>“erodible”</i> fill when calculating the retreat setback. Further, the geologic review finds that the factor of safety used in calculating the bluff-top setback was not appropriately identified. Therefore, it cannot be determined that the proposed development would be set back a sufficient distance from the bluff edge to meet either the 50 or 75 foot standard or to determine which standard should be used. With regard to the General Plan Amendment and Rezone request (GPA/RZN), conversion of property from recreational to residential zoning in an area subject to geologic constraints and a currently unknown geologic setback, would not be consistent with sound planning practices or general community welfare. The project is therefore inconsistent with Coastal Land Use Policy 3-4, Summerland Community Plan</p>

	Policy GEO-S-3, and Summerland Community Plan Action GEO-S-3.1.
Recreation	
<p>Coastal Plan Policy 7-9: Additional opportunities for coastal access and recreation shall be provided in the Summerland planning area. Parking, picnic tables, bike racks, and restrooms shall be provided where appropriate.</p> <p>Coastal Plan Policy 7-9 Implementing Action (a): The County shall acquire the beach and bluff area south of Wallace Avenue. The parking area shall be landscaped, and measures taken to minimize further erosion along the bluffs and railroad embankment. Paths to the parking area shall be well defined.</p> <p>Coastal Act Policy 30222: The use of private lands suitable for visitor-serving commercial recreation facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.</p>	<p>Inconsistent. The subject property is located on the bluff south of Wallace Avenue. Conversion of the parcel from recreational to residential land use and zoning designations would not facilitate satisfaction of Coastal Plan Policy 7-9 Implementing Action (a). The site is a small property isolated amongst vacant parcels owned by the railroad, highly visible from public vantage points throughout Summerland, lacking in access and services, and subject to geologic constraints. In summary, the 0.10 acre blufftop property is inappropriate for conversion to residential designations in the Coastal Land Use Plan and Coastal Zoning Ordinance.</p>

6.3 Zoning: Article II

Article II Coastal Zoning Ordinance Section 35-60.5 states, *“In compliance with Section 35-60.5 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit the review authority shall first find, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.”*

As discussed in Section 6.2, above, the subject property does not have adequate services and legal access to the property has not been documented. Therefore, the project is inconsistent with the requirements of Article II Coastal Zoning Ordinance Section 35-60.5.

Article II Coastal Zoning Ordinance View Corridor Overlay District Section 35-96.3 states,

“The Board of Architectural Review shall approve the plans if it finds conformance with the following standards:

- a. Structures shall be sited and designed to preserve unobstructed broad views of the ocean from Highway 101, and shall be clustered to the maximum extent feasible.*
- b. Building height shall not exceed 15 feet above average finished grades, unless an increase in height would facilitate clustering of development and result in greater view protection, or a height in excess of 15 feet would not impact public views to the ocean, in which case the height limitations of the base zone district shall apply.”*

The site is located within an approximately 4,000 foot long stretch along Highway 101 containing broad unobstructed ocean views and protected by a View Corridor Overlay. The subject property is visible from Lillie Ave. (Lillie Ave, bike trail, sidewalk), Greenwell Ave. at Lillie, Highway 101 North and South, and the beach as can be seen from its partially constructed condition. The proposed two-story (29 foot tall maximum height) residence with lookout tower would block ocean views and interrupt the horizon line from Lillie Ave. (Lillie Ave, bike trail, sidewalk), Greenwell Ave. at Lillie, Highway 101 North and Highway 101 South. Therefore, at its proposed height, the residence has not been designed to preserve unobstructed broad views of the ocean from Highway 101, and is inconsistent with Article II, Section 35-96.3.a. At a maximum height of 29 feet, the proposed residence does not meet the 15 foot View Corridor Overlay height limit. A 15-foot tall residence would significantly reduce view impacts from public viewing areas to the ocean as compared to the proposed residence (please see Attachment-H for a comparison between a one and two-story residence on the site). The site is of a relatively small size (.10 acres) and the proposed residence would extend the length of most of the property. Finally, the structure is isolated from any adjacent development. Therefore, the proposed residence is not clustered and does not meet the criteria identified in Article II, Section 35-96.3.b. for an increase in height above 15 feet.

7.0 APPEALS PROCEDURE

The recommendation of the Planning Commission on all components of the proposed project will be sent to the Board of Supervisors. Pursuant to Government Code Sections 65354.5 and 65856, any interested party may file a written request with the Clerk of the Board for a hearing by the Board of Supervisors within five days after the Planning Commission acts on the proposed general plan amendment and zoning map amendment. Whether or not a written request is filed, a public hearing before the Board of Supervisors will be conducted.

The action of the Board of Supervisors may be appealed to the Coastal Commission within ten (10) working days of receipt by the Coastal Commission of the County's notice of final action.

ATTACHMENTS

- A. Findings
- B. Exemption
- C. APN Sheet
- D. Project Plans
- E. Ordinance 247
- F. Geotechnical Review Letter, Geodynamics, Inc. July 2, 2015
- G. Geologic Report
- H. Visual Comparison
- I. Applicant Appeal of Incomplete Determination

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

The County Planning Commission finds that denial of the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270. Please see Attachment-B, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

The discussion below is limited to the required findings which cannot be made for the project.

2.1 Findings required for Coastal Development Permit applications subject to Section 35-169.4.3. In compliance with Section 35-169.5.3 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.3 the review authority shall first make all of the following findings:

2.1.1 The proposed development conforms:

a. To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan.

As discussed in Section 6.2 of the Staff Report dated July 23, 2015, and incorporated herein by reference, the proposed project is inconsistent with a number of applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan and Summerland Community Plan. Therefore, this finding cannot be made and the project is recommended for denial.

b. With the applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 35-161 (Nonconforming Use of Land, Buildings and Structures).

As discussed in Section 6.3 of the Staff Report dated July 23, 2015, and incorporated herein by reference, the proposed project is inconsistent with a number of the requirements of the Article II Coastal Zoning Ordinance. In addition, the proposed development does not fall within the limited exceptions of Section 35-161 because it is not a historic landmark, is not located on property zoned SR-M or SR-H and is not located within a zone district which allows residential use as a permitted use requiring only a Coastal Development Permit. Therefore, this finding cannot be made and the project is recommended for denial.

2.1.2 The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning

uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).

The partially completed residence on-site was constructed without the benefit of permits from Santa Barbara County. The residence does not have legal access or an easement for a sewer line. As discussed in Section 6.3 of the Staff Report dated July 23, 2015, and incorporated herein by reference, the proposed project is inconsistent with the requirements of the Article II Coastal Zoning Ordinance. Therefore, the subject property is not in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of the Article II Coastal Zoning Ordinance. Therefore, this finding cannot be made and the project is recommended for denial.

2.2 Findings required for all Variances. In compliance with Section 35-173.6 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Variance the review authority shall first make all of the following findings, as applicable:

- 1. That the granting of the variance will not be in conflict with the intent and purpose of this Article or the adopted Santa Barbara County Coastal Land Use Plan.**

The property is currently zoned (REC) and is proposed to be rezoned to 7-R-1 (single-family residential). Pursuant to Article II, Section 35-71.1, the purpose of the R-1/E-1 zone district is *“to reserve appropriately located areas for family living at a reasonable range of population densities consistent with sound standards of public health, welfare, and safety. It is the intent of [the] district to protect the residential characteristics of an area and to promote a suitable environment for family life.”* As discussed in Sections 6.2 of the Staff Report, dated July 23, 2015, and incorporated herein by reference, the proposed project is inconsistent with a number of applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan and Summerland Community Plan. Notably, adequate access to the property and a sewer line easement do not exist. The granting of a variance for a project proposal that is inconsistent with applicable policies, including lack of access and sanitary service, would not be consistent with *“sound standards of public health, welfare, and safety,”* or with the adopted Santa Barbara County Coastal Land Use Plan. Therefore, this finding cannot be made and the project is recommended for denial.

2.3 Findings required for all Comprehensive Plan Amendments to the

Article II Zoning Ordinance, the Local Coastal Program, and the County Zoning Map and Rezones. In compliance with Section 35-180.6 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for an Amendment to the Article II Zoning Ordinance, the Local Coastal Program or the County Zoning Map the review authority shall first make all of the following findings:

1. The request is in the interests of the general community welfare.

As discussed in Section 6.2 and 6.3 of the Staff Report, dated July 23, 2015, and incorporated herein by reference, no adequate access or ability to extend sewer services to the property exists, and the property is encumbered with geologic constraints. It would not be in the interest of community welfare to convert a property from recreational to residential land use and zoning designations when no feasible means of accessing or providing sewer service to the residential development exists, and where a property is subject to geologic constraints with the potential to significantly limit residential use of the site. Therefore, this finding cannot be made.

2. The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of the State planning and zoning laws, and this Article.

As discussed in Sections 6.2 and 6.3 of the Staff Report dated July 23, 2015, and incorporated herein by reference, the proposed project is inconsistent with a number of applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan and Summerland Community Plan and with requirements of the Article II Coastal Zoning Ordinance. Therefore, this finding cannot be made.

3. The request is consistent with good zoning and planning practices.

As discussed in Sections 6.2 and 6.3 of the Staff Report, dated July 23, 2015, and incorporated herein by reference, no adequate access or ability to extend sewer services to the property exists, and the property is encumbered with geologic constraints. It would not be consistent with good zoning and planning practices to convert a property from recreational to residential zoning and land use designation when no feasible means of accessing or providing sewer service to the residential development exists, and where a property is subject to geologic constraints with the potential to significantly limit residential use of the site. Therefore, this finding cannot be made.

ATTACHMENT-B

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Nicole Lieu, Planner

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: 005-250-001 **Case No.:** 08CDH-00000-00040, 12VAR-00000-00012, 08GPA-00000-00007,
08RZN-00000-00006

Location: 2551 Wallace Avenue

Project Title: O’Neil Residence, General Plan Amendment and Rezone Request

Project Applicant: Jeffery O’Neil

Project Description: Denial of the following permit requests:

- Case No. 08CDH-00000-00040, for a Coastal Development Permit to permit after-the-fact demolition of a 1,443 square foot residence and the construction of a 2,002 square foot residence;
- Case No. 12VAR-00000-00012, for a Variance from the parking and setback regulations in compliance with Section 35-173 of the Article II Coastal Zoning Ordinance on property zoned REC (Recreation), to allow: a rear setback of 2 feet 4 inches instead of the required 10 feet; a side setback of 8 feet instead of the required 10 feet, and; zero uncovered parking spaces instead of the required 2 uncovered parking spaces;
- Case No. 08GPA-00000-00007, for a Local Coastal Plan Amendment to change the land use designation of the property from Recreation/Open Space to Residential, and;
- Case No. 08RZN-00000-00006, for a rezone to change the zoning of the property from REC to 7-R-1.

Name of Public Agency Approving Project: Santa Barbara County

Name of Person or Agency Carrying Out Project: Jeffery O’Neil

Exempt Status: (Check one)

- Ministerial
 Statutory Exemption
 Categorical Exemption

_____ Emergency Project
_____ Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section 15270

Reasons to support exemption findings:

CEQA Section 15270 states that “CEQA does not apply to projects which a public agency rejects or disapproves.” The project is recommended for disapproval and therefore CEQA Section 15270 applies.

Lead Agency Contact Person: Nicole Lieu

Phone #: (805) 884-8068 Department/Division Representative: _____

Date: _____

Acceptance Date: _____

distribution: Hearing Support Staff

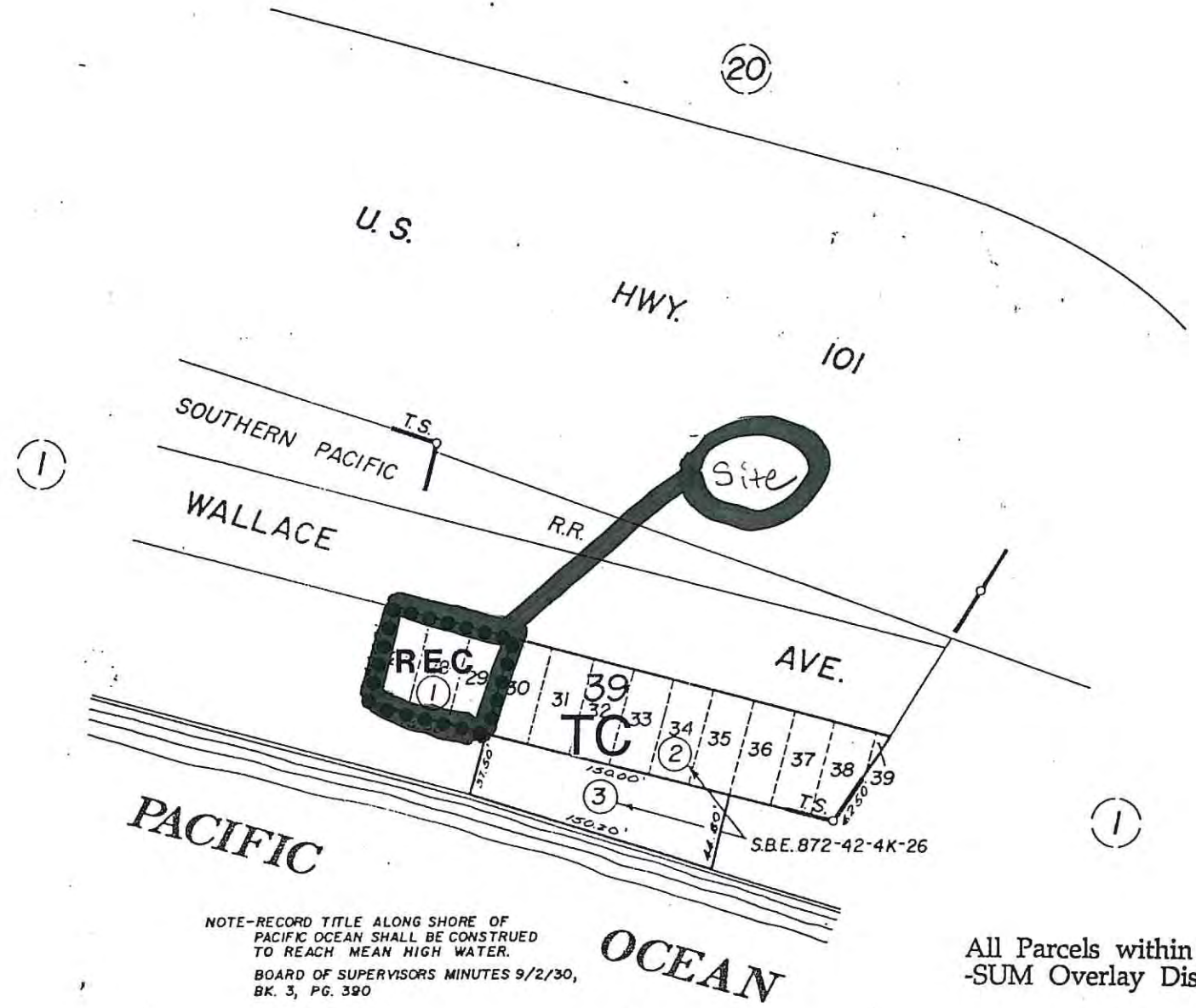
Date Filed by County Clerk: _____.

PUEBLO LANDS

5 - 25

CZ

1" = 100'



NOTE-RECORD TITLE ALONG SHORE OF
 PACIFIC OCEAN SHALL BE CONSTRUED
 TO REACH MEAN HIGH WATER.
 BOARD OF SUPERVISORS MINUTES 9/2/30,
 BK. 3, PG. 390

All Parcels within the
 -SUM Overlay District

ATTACHMENT C

Town of Summerland

Assessor's Map Bk. 5 - Pg. 25
 County of Santa Barbara, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.

51- S.B.E. 872-42-4K-26

WPA
 TO
 REF
 POL
 COAS

O'NEIL RESIDENCE

2551 WALLACE AVENUE

SUMMERLAND CALIFORNIA

SHEET INDEX

- A.101 COVER SHEET, PROJECT DATA, VICINITY MAP, GENERAL NOTES
- A.102 SITE SURVEY
- A.103 EXISTING SITE AND TOPOGRAPHY PLAN
- A.104 NEW SITE PLAN AND TOPOGRAPHY PLAN
- A.201 GROUND AND SECOND FLOOR PLANS
- A.202 ROOF PLAN
- A.401 ROOF PLAN SECTIONS
- A.402 SECTIONS
- L.1.1 PRELIMINARY IRRIGATION PLAN
- L.3.1 PRELIMINARY LANDSCAPE PLAN

EXISTING PROJECT DATA

PROJECT ADDRESS: 2551 WALLACE AVENUE, SUMMERLAND, CALIFORNIA 94966

OWNER: JEFF O'NEIL

DESIGNER: W. RALPH WALKER ARCHITECTS, INC.

DATE: 4/16/14

PROJECT NO: 14-001

SCALE: AS SHOWN

DATE: 4/16/14

PROJECT NO: 14-001

SCALE: AS SHOWN

NEW PROJECT DATA

PROJECT ADDRESS: 2551 WALLACE AVENUE, SUMMERLAND, CALIFORNIA 94966

OWNER: JEFF O'NEIL

DESIGNER: W. RALPH WALKER ARCHITECTS, INC.

DATE: 4/16/14

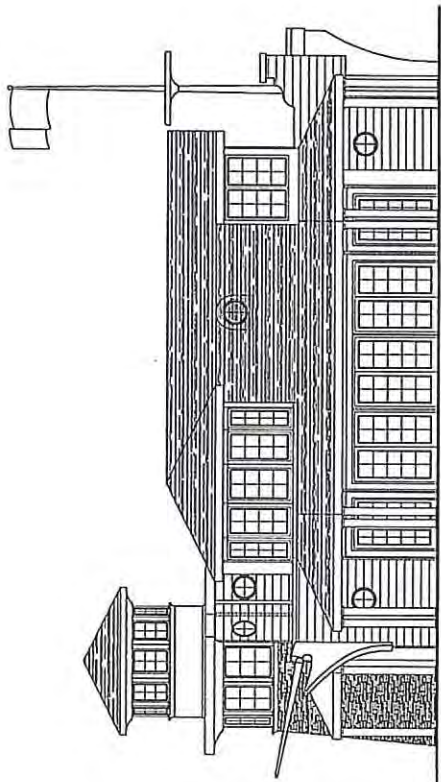
PROJECT NO: 14-001

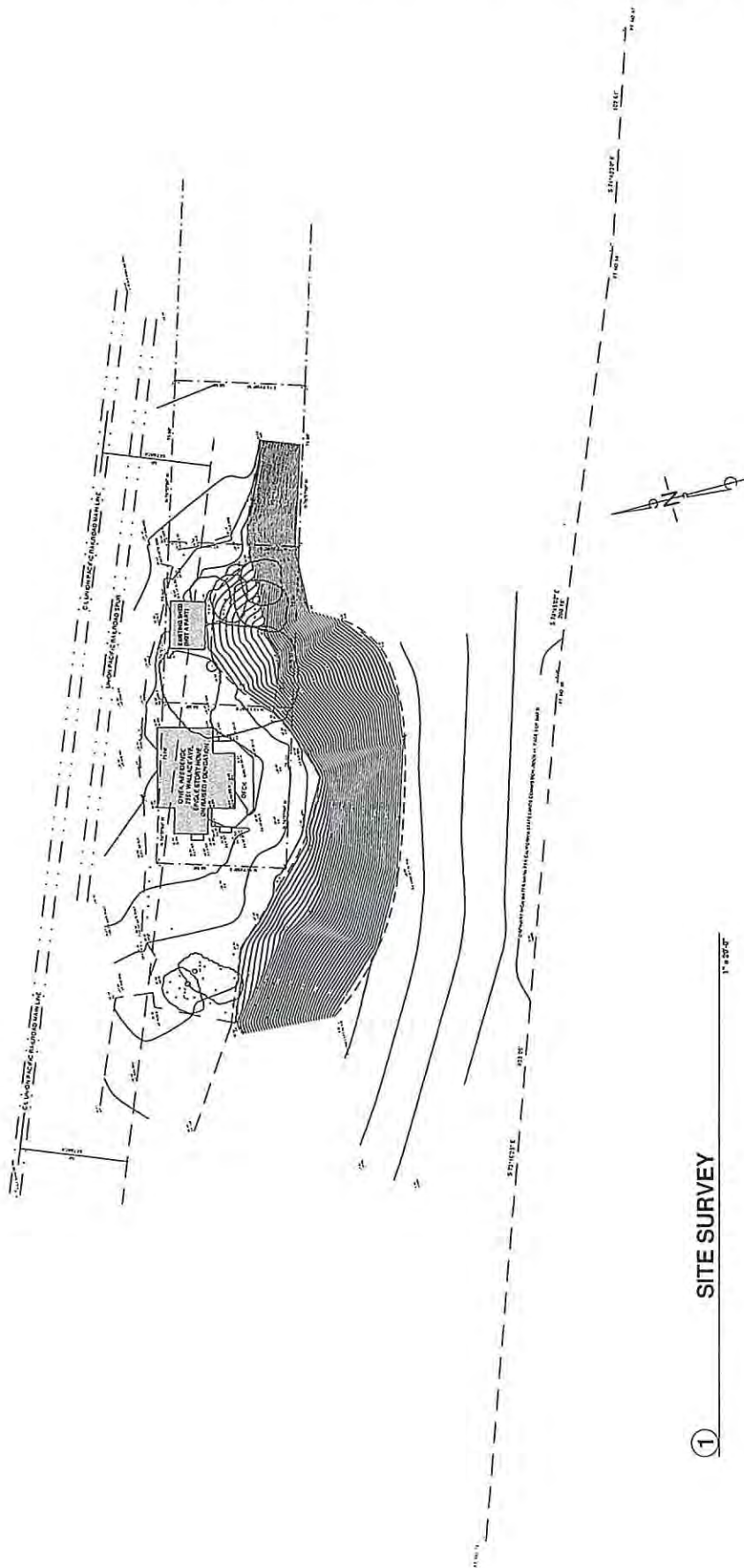
SCALE: AS SHOWN

DATE: 4/16/14

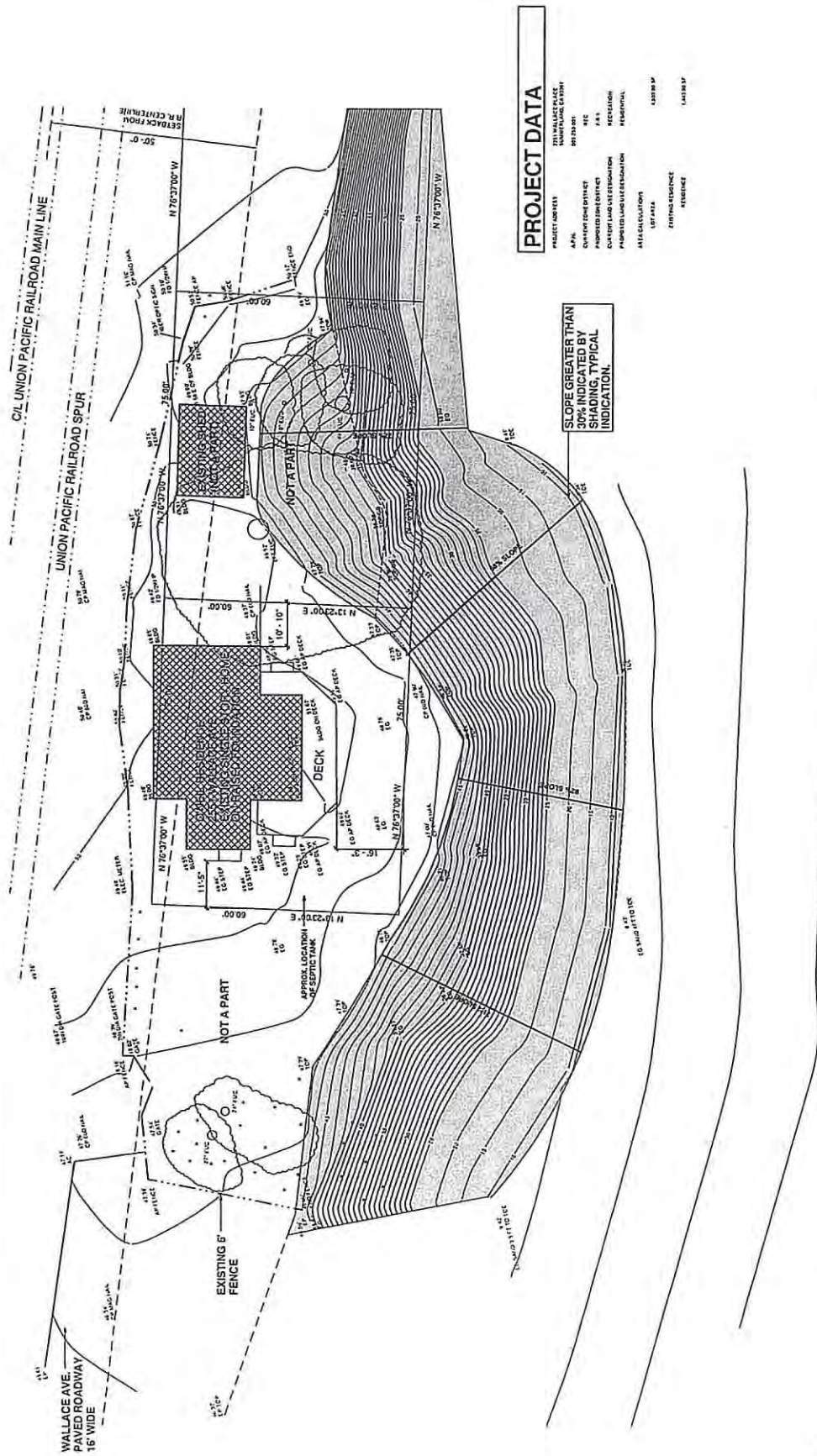
PROJECT NO: 14-001

SCALE: AS SHOWN





① SITE SURVEY



PROJECT DATA

PROJECT OWNER: JEFF O'NEIL
 PROJECT ADDRESS: 2551 WALLACE AVENUE, SUMMERLAND, CA 93087
 DATE: APRIL 30, 2014
 DRAWN BY: WJA
 PROJECT: 200737

SLOPE GREATER THAN 30% INDICATED BY SHADING, TYPICAL INDICATION.

ORDINARY HIGH WATER MARK PER CALIFORNIA STATE LANDS COMMISSION (BOOK 41, PAGE 3 OF MAPS)

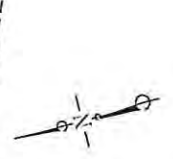
① SITE AND TOPOGRAPHICAL PLAN

LEGEND

AP - AREA POOL
 RD - ROADWAY
 LG - LIVING GARAGE
 LP - LIVING PORCH
 PP - PORCH
 DE - DECK
 PL - PROPRIETARY

ATTENTION:
 THIS PLAN IS BASED ON THE TOPOGRAPHIC SURVEY CONDUCTED BY SIMPSON LAND SURVEYING, INC. ON APRIL 30, 2014. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT OF 2009 AND THE CALIFORNIA PROFESSIONAL SURVEYING AND MAPPING ACT OF 1987. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT OF 2009 AND THE CALIFORNIA PROFESSIONAL SURVEYING AND MAPPING ACT OF 1987. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT OF 2009 AND THE CALIFORNIA PROFESSIONAL SURVEYING AND MAPPING ACT OF 1987.

TOPOGRAPHIC SURVEY
 2551 WALLACE AVENUE
 SUMMERLAND, CA
 AT THE REQUEST OF: JEFF O'NEIL
 NOVEMBER, 2005
 SCALE: 1" = 10'
 SIMPSON LAND SURVEYING, INC.
 SANTA BARBARA, CA 93111
 (805) 587-0011



PT. NO. 69
 S 70°45'02" E
 200.19'

S 73°16'25" E
 403.05'

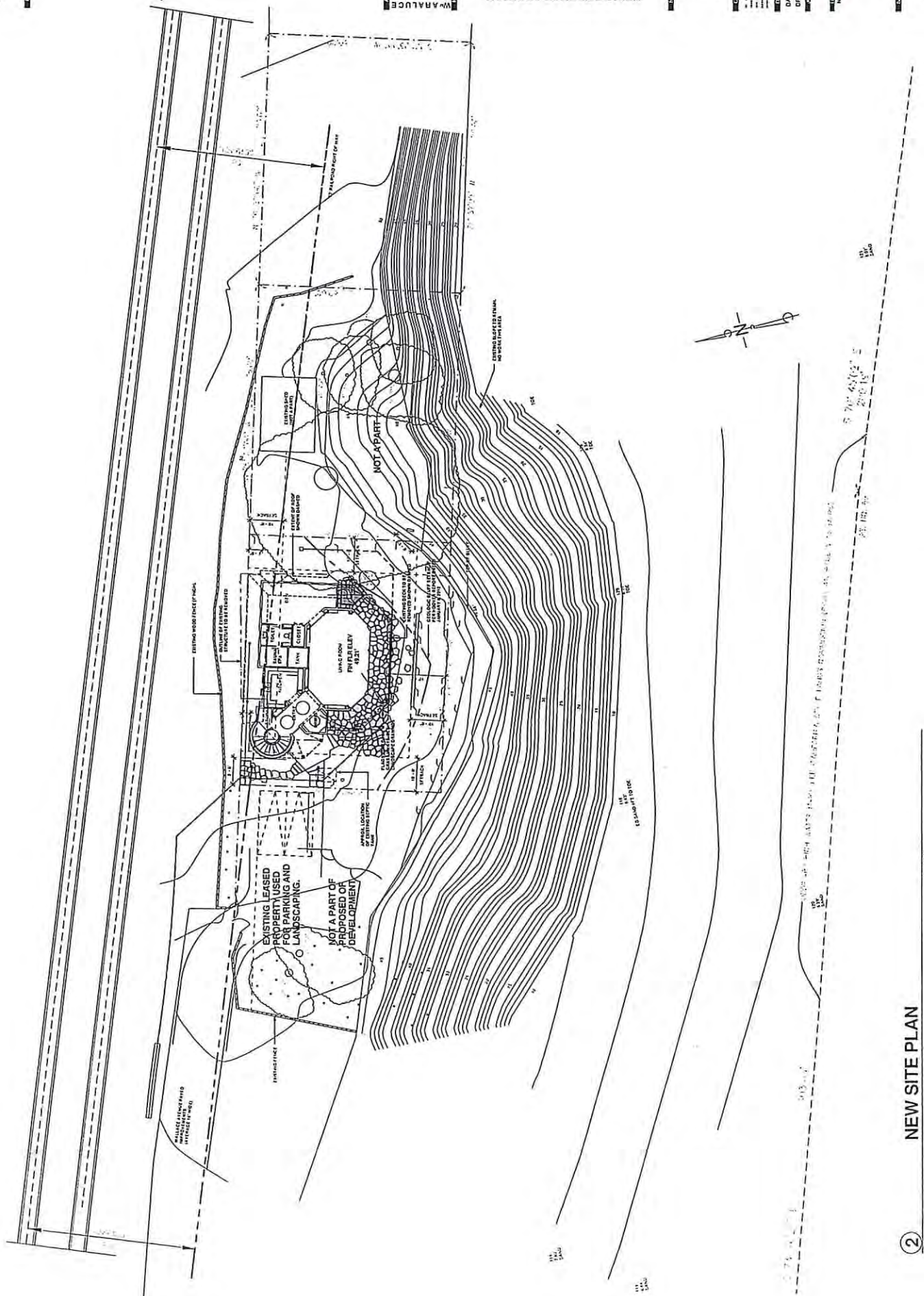
CONCEPTUAL DESIGN
 INTERLOCKS

STATE OF CALIFORNIA
 COUNTY OF SAN DIEGO
 PLANNING AND ZONING DEPARTMENT
 150 SOUTH D STREET, SUITE 200
 SAN DIEGO, CALIFORNIA 92101
 (619) 481-0121

NEW RESIDENCE ADDITION
 FOR
JEFF O'NEIL
 2551 WALLACE AVENUE
 SAN MARINO, CALIFORNIA

DATE: APRIL 30, 2014
 DRAWN BY: WJA
 CHECKED BY: JOT
 PROJECT: NEW SITE PLAN

A 1.04
 4/30/2014 10:41 AM

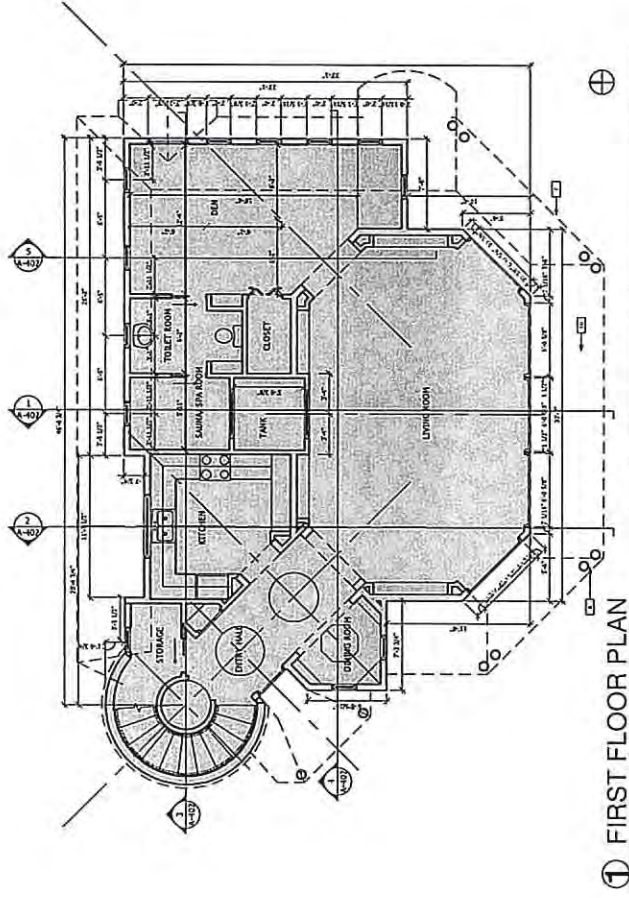


② NEW SITE PLAN

1"=100'

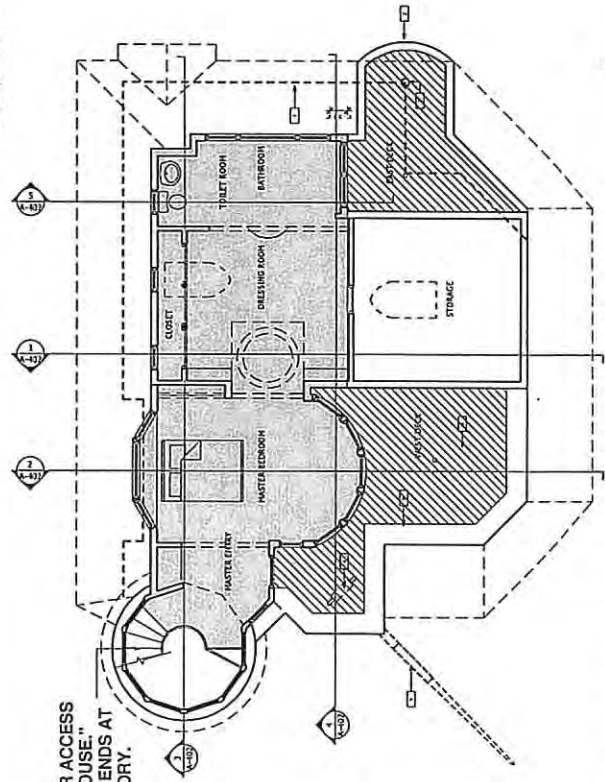
REFERENCE NOTES

1. CENTER OF SECOND FLOOR BELOW
2. WOOD CLADDING
3. WOOD MAST
4. WOOD WHEEL
5. WOOD POST
6. WOOD DECKING
7. WOOD DECKING
8. EXTENT OF ROOF ABOVE
9. 12" DIA WOOD POST, SPANDED, TYP.
10. PATIO, SEE LANDSCAPE DRAWINGS.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.



① FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

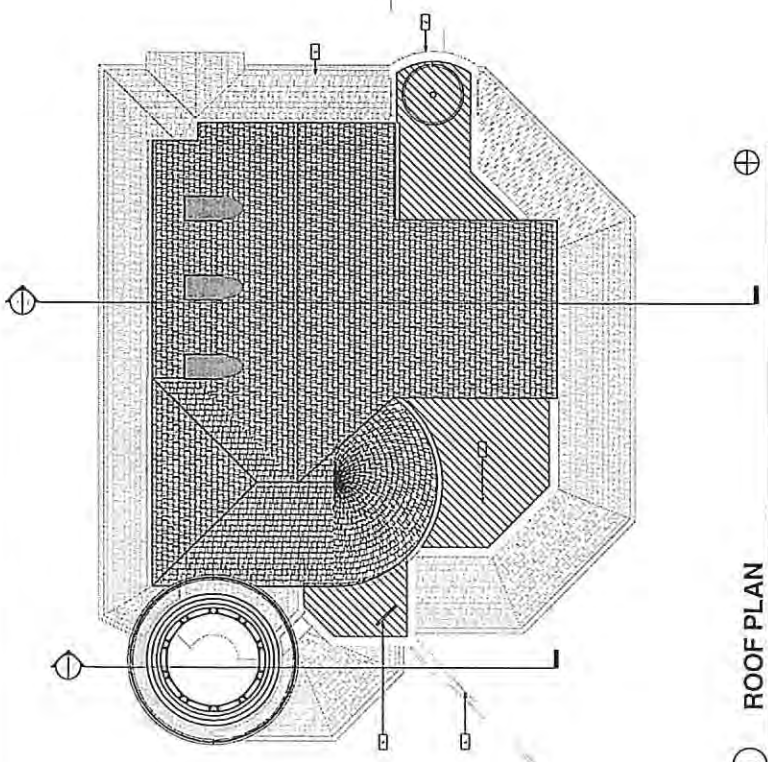
NO INTERIOR ACCESS TO "LIGHTHOUSE." STAIRWAY ENDS AT SECOND STORY.



② SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

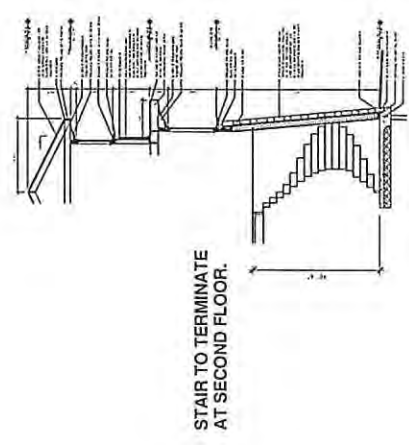
REFERENCE NOTES

1. EXTENT OF ROOF BELOW
2. GUARDRAIL
3. WOOD SHINGLING
4. WOOD MAST
5. WHEEL
6. WOOD DOWNSPUT



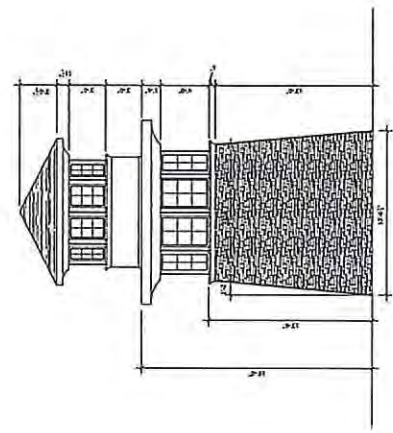
1 ROOF PLAN

SCALE 1/4" = 1'-0"



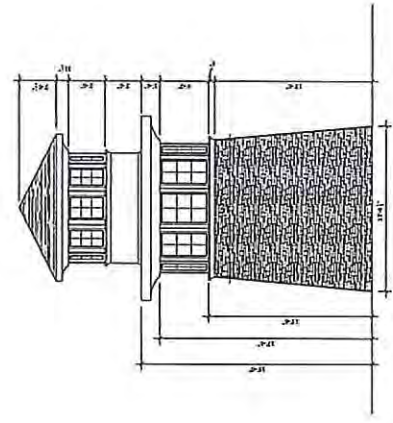
2 SECTION @ TOWER

SCALE 1/2" = 1'-0"



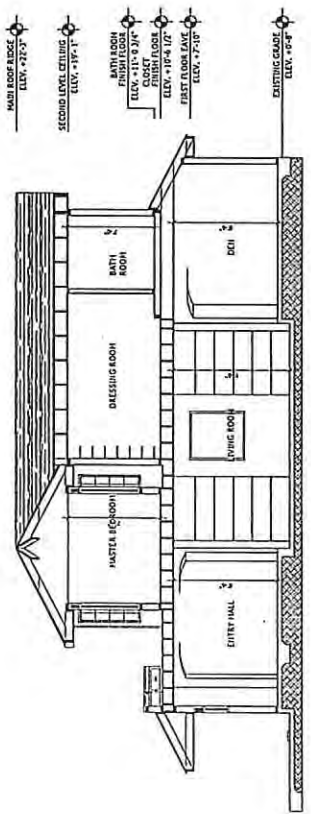
3 NORTH ELEVATION

SCALE 1/4" = 1'-0"



4 SOUTH ELEVATION

SCALE 1/4" = 1'-0"



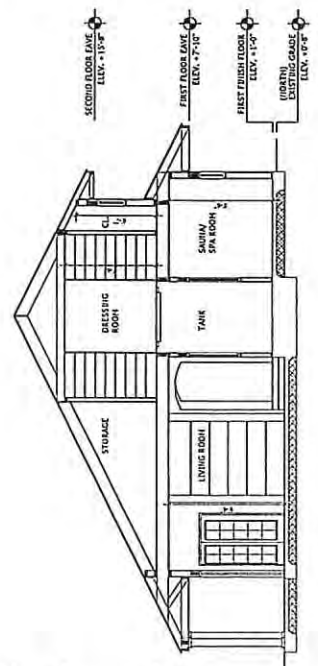
④ SECTION

SCALE 1/4" = 1'-0"



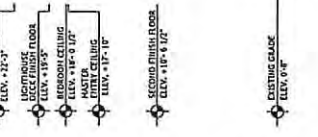
⑤ SECTION

SCALE 1/4" = 1'-0"



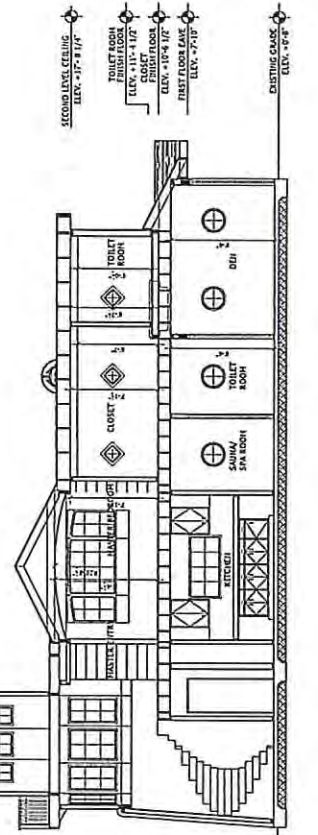
① SECTION

SCALE 1/4" = 1'-0"



③ SECTION

SCALE 1/4" = 1'-0"



② SECTION

SCALE 1/4" = 1'-0"



⑥ SECTION

SCALE 1/4" = 1'-0"



Total Landscaped Area Schedule

Planting Type	Irrigation Type	Total Irrigated Area (SF)
Monthly Area	point source emitter or low-flow overhead spray	630 SF
Orchard Terrace	point source emitter or low-flow overhead spray	355 SF
Hedge & West of House, mulch	point source emitter	690 SF
Buff edge	point source emitters	332 SF
Underline Garden	point source emitters	50 SF
Suitcase	point source emitters	3487 SF

Water Feature	Total Surface Area (SF)
Edge	20 SF
Pool	23 SF
Suitcase	53 SF
Grand Total Landscaped Area (per definitions)	2120

Irrigation legend



planting areas to be irrigated with low-flow overhead spray (drip or bubblers, or mp rotator, two precision series)

planting areas to be irrigated with point source emitters (drip, or bubblers)

General notes

- Due to unforeseen circumstances that occur as projects undergo construction, the conditions will change. Therefore, the irrigation system may be modified during construction. If any irrigation item seems problematic and it is not clear that it is not feasible due to new site conditions, inform landscape architect as soon as possible. It is the responsibility of the landscape architect to coordinate this issue prior to construction.
- Make modifications to the schedule of installation as required by local codes and utility Overhead Irrigation Architect of all such changes prior to start of work.
- Dispose of all containers of oils and clean paved areas daily. Acceptability of work for establishing the start of the maintenance period shall be determined at final inspection. All plants to be kept moist for optimum growth and establishment.
- Grasses, Moss & Rockset Concrete to be replaced or otherwise remove damaged materials and repair damage immediately. Working: keep all areas free of weeds.
- Plant Replacement: replace dead, dying or damaged plants immediately. Replace bare areas in groundcover sections for uniform, complete coverage.
- Maintenance Completion: All mulched areas to be at original 3" depth, and all plantings installed to be in good health.

Irrigation notes

- Do not install the irrigation system when it is obvious in the field that obstructions or grade differences exist and should be corrected. All pipe, valves, etc. shall be installed in accordance with the manufacturer's instructions and Landscape Architect.
- Install the irrigation system in accordance with all local codes. All pipe, valves, etc. shall be installed in planting areas whenever possible. Coordinate location of bubblers, emitters, etc. with the landscape architect. Coordinate piping layout with landscape installation.
- Pipes installed under sidewalks or paved areas, through walls or footings shall be placed inside schedule 40 PVC sleeves of adequate size to allow free movement of the pipe. All pipes shall be supported by materials below driveway, sidewalks, and walls.
- Flush all lines and schedule lines suitable for water performance and valve longevity. Call landscape architect 48 hours in advance for pressure tests.
- Clean up on a daily basis, and remove all excess materials and waste at completion of work.
- Limit disturbance to rootzone of existing trees by installing trench across the locations of existing trees.

- Irrigation lines shall be buried at the following minimum cover (not including mulch depth):
 PVC line 2 1/2" or larger: 24"
 PVC line 1 1/2" or smaller: 18"
 PVC lateral line 1/2": 12"
 1/4" polyethylene micro-bubbling: 2"
 1/4" polyethylene micro-bubbling: 2"
- Propane As-Is condition. Gas shutoff will be supplied by the contractor. The contractor shall be responsible for the irrigation system, including but not limited to: all zone valves, meters, backflow preventers, etc. The contractor shall be responsible for any known, discovered or suspected gas leaks known, discovered or suspected during this work.
- Prepare one line-item document for each irrigation circuit (i) showing each valve location and number, Program all valves and valves, and provide a copy to the landscape architect. During maintenance period and at completion of maintenance period review function of zones, drip emitters, and all irrigation head/substrates.
- Contractor shall provide sleeves for irrigation under paved areas to access all planting areas.

O'Neil Residence
 PO Box 174
 2551 Wallace, Sumnerland, CA 93067

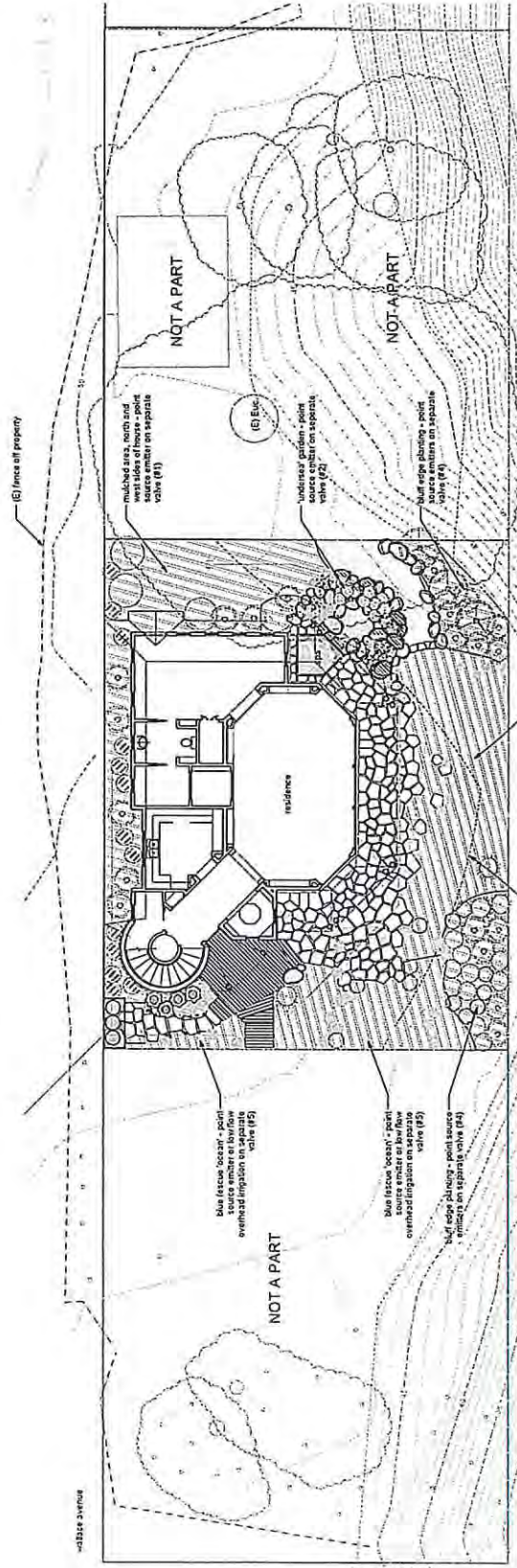
REVISION: # NAME DATE

Submitted Date: May 9, 2014
 Drawn By: NAME DATE
 # B. Clough

Sheet Number: 1

Irrigation Plan

Scale: 1/8" = 1'-0"



monthly area - point source emitter or low-flow overhead irrigation on separate valve (P1)

blue edge parterre - point source emitter on separate valve (P4)

blue edge emitter - point source emitter on separate valve (P5)

blue edge emitter - point source emitter on separate valve (P6)

blue edge emitter - point source emitter on separate valve (P7)

blue edge emitter - point source emitter on separate valve (P8)

blue edge emitter - point source emitter on separate valve (P9)

blue edge emitter - point source emitter on separate valve (P10)

blue edge emitter - point source emitter on separate valve (P11)

blue edge emitter - point source emitter on separate valve (P12)

blue edge emitter - point source emitter on separate valve (P13)

blue edge emitter - point source emitter on separate valve (P14)

blue edge emitter - point source emitter on separate valve (P15)

blue edge emitter - point source emitter on separate valve (P16)

blue edge emitter - point source emitter on separate valve (P17)

blue edge emitter - point source emitter on separate valve (P18)

blue edge emitter - point source emitter on separate valve (P19)

blue edge emitter - point source emitter on separate valve (P20)

blue edge emitter - point source emitter on separate valve (P21)

blue edge emitter - point source emitter on separate valve (P22)

blue edge emitter - point source emitter on separate valve (P23)

blue edge emitter - point source emitter on separate valve (P24)

blue edge emitter - point source emitter on separate valve (P25)

blue edge emitter - point source emitter on separate valve (P26)

blue edge emitter - point source emitter on separate valve (P27)

blue edge emitter - point source emitter on separate valve (P28)

blue edge emitter - point source emitter on separate valve (P29)

blue edge emitter - point source emitter on separate valve (P30)

blue edge emitter - point source emitter on separate valve (P31)

blue edge emitter - point source emitter on separate valve (P32)

blue edge emitter - point source emitter on separate valve (P33)

blue edge emitter - point source emitter on separate valve (P34)

blue edge emitter - point source emitter on separate valve (P35)

blue edge emitter - point source emitter on separate valve (P36)

blue edge emitter - point source emitter on separate valve (P37)

blue edge emitter - point source emitter on separate valve (P38)

blue edge emitter - point source emitter on separate valve (P39)

blue edge emitter - point source emitter on separate valve (P40)

blue edge emitter - point source emitter on separate valve (P41)

blue edge emitter - point source emitter on separate valve (P42)

blue edge emitter - point source emitter on separate valve (P43)

blue edge emitter - point source emitter on separate valve (P44)

blue edge emitter - point source emitter on separate valve (P45)

blue edge emitter - point source emitter on separate valve (P46)

blue edge emitter - point source emitter on separate valve (P47)

blue edge emitter - point source emitter on separate valve (P48)

blue edge emitter - point source emitter on separate valve (P49)

blue edge emitter - point source emitter on separate valve (P50)

blue edge emitter - point source emitter on separate valve (P51)

blue edge emitter - point source emitter on separate valve (P52)

blue edge emitter - point source emitter on separate valve (P53)

blue edge emitter - point source emitter on separate valve (P54)

blue edge emitter - point source emitter on separate valve (P55)

blue edge emitter - point source emitter on separate valve (P56)

blue edge emitter - point source emitter on separate valve (P57)

blue edge emitter - point source emitter on separate valve (P58)

blue edge emitter - point source emitter on separate valve (P59)

blue edge emitter - point source emitter on separate valve (P60)

blue edge emitter - point source emitter on separate valve (P61)

blue edge emitter - point source emitter on separate valve (P62)

blue edge emitter - point source emitter on separate valve (P63)

blue edge emitter - point source emitter on separate valve (P64)

blue edge emitter - point source emitter on separate valve (P65)

blue edge emitter - point source emitter on separate valve (P66)

blue edge emitter - point source emitter on separate valve (P67)

blue edge emitter - point source emitter on separate valve (P68)

blue edge emitter - point source emitter on separate valve (P69)

blue edge emitter - point source emitter on separate valve (P70)

blue edge emitter - point source emitter on separate valve (P71)

blue edge emitter - point source emitter on separate valve (P72)

blue edge emitter - point source emitter on separate valve (P73)

blue edge emitter - point source emitter on separate valve (P74)

blue edge emitter - point source emitter on separate valve (P75)

blue edge emitter - point source emitter on separate valve (P76)

blue edge emitter - point source emitter on separate valve (P77)

blue edge emitter - point source emitter on separate valve (P78)

blue edge emitter - point source emitter on separate valve (P79)

blue edge emitter - point source emitter on separate valve (P80)

blue edge emitter - point source emitter on separate valve (P81)

blue edge emitter - point source emitter on separate valve (P82)

blue edge emitter - point source emitter on separate valve (P83)

blue edge emitter - point source emitter on separate valve (P84)

blue edge emitter - point source emitter on separate valve (P85)

blue edge emitter - point source emitter on separate valve (P86)

blue edge emitter - point source emitter on separate valve (P87)

blue edge emitter - point source emitter on separate valve (P88)

blue edge emitter - point source emitter on separate valve (P89)

blue edge emitter - point source emitter on separate valve (P90)

blue edge emitter - point source emitter on separate valve (P91)

blue edge emitter - point source emitter on separate valve (P92)

blue edge emitter - point source emitter on separate valve (P93)

blue edge emitter - point source emitter on separate valve (P94)

blue edge emitter - point source emitter on separate valve (P95)

blue edge emitter - point source emitter on separate valve (P96)

blue edge emitter - point source emitter on separate valve (P97)

blue edge emitter - point source emitter on separate valve (P98)

blue edge emitter - point source emitter on separate valve (P99)

blue edge emitter - point source emitter on separate valve (P100)

prepare: blue setback per Hovort Report dated January 6, 2012

L1.1



Plant List

Latin Name	Common Name	Scheduled Qty.	Notes	Latin Name	Common Name	Scheduled Size	Notes
Shrubs				Groundcover			
<i>Rhynchos californica</i>	Mount San Diego	5 gal		<i>Oryzopsis maritima</i>	Dymalis	6" x 6"	
<i>Ribes sanguinum</i>	Clayton	1 gal	MBK	<i>Festuca ovina</i>	Blue Fescue	705 SF	5" OC
<i>Ribes viburnifolium</i>		1 gal					
Perennials							
<i>Angelica</i>	Bush Gold	1 gal	NS				
<i>Penstemon h.</i>	Margatta BOP	1 gal					
<i>Phlox paniculata</i>	Wings of Gold	1 gal					
<i>Saxifraga oppositifolia</i>		1 gal					
Graasses							
<i>Festuca californica</i>		1 gal					
<i>Festuca domingensis</i>	Clayton Prince	1 gal					
<i>Muhlenbergia yigitii</i>		1 gal					
Cacti & Succulents							
<i>Sesuvium</i>		1 gal					
<i>Aloe vera</i>		1 gal					
<i>Echeveria</i>		6" pot					
<i>Sedum maulandii</i>		4" pot					
<i>Synedrella nodiflora</i>		1 gal					

planting notes

1. Prior to starting work, Contractor shall take representative soil samples from the project site. Soil shall be analyzed by a registered commercial laboratory (per the City of Los Angeles, CA, 30001, 502.659.0107, or equal, for suitability for environmental planting. A copy of the results of the soil analysis shall be provided to the Landscape Architect. Contractor shall follow the recommendations of the soil lab as to the site and analysis. Contractor shall notify the Owner/Landscape Architect of any potential problems, which may result due to the soil analysis. Contractor shall be responsible for any damage to plants.

2. Contractor shall clear and grade at planting area, removing all weed growth, unweeded soil debris (rocks over 1" dia) in the area to be planted. Contractor shall compact sub-grade, concrete, asphalt, prior to installation of plant material.

3. All plants are identified by typical symbols and quantities in each area. Plant quantities indicated on the plan are approximate and are provided for the convenience of the Contractor. Contractor shall confirm the quantities in the field to confirm all plant quantities prior to bidding. In the event of discrepancies in plant counts, quantities indicated by plant symbols shall prevail.

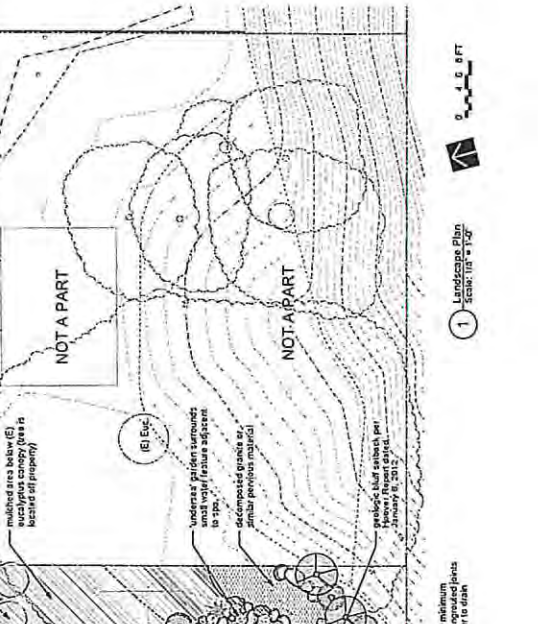
material notes

1. Provide sample material for all materials (granite, limestone, granite, etc.) to Owner and Landscape Architect.

2. Contractor shall confirm all field dimensions and conditions prior to the start of work. Report discrepancies to Owner/Landscape Architect and Owner prior to commencing work.

3. Contractor shall make modifications to material or method of installation as required by local codes, and shall notify the Owner/Landscape Architect and Owner of such changes.

4. Landscape Grading: Spa and water features, approximately 6500 sq ft.



O'Neill Residence
 PO Box 1174
 2551 Wallace, Summerland, CA 93067

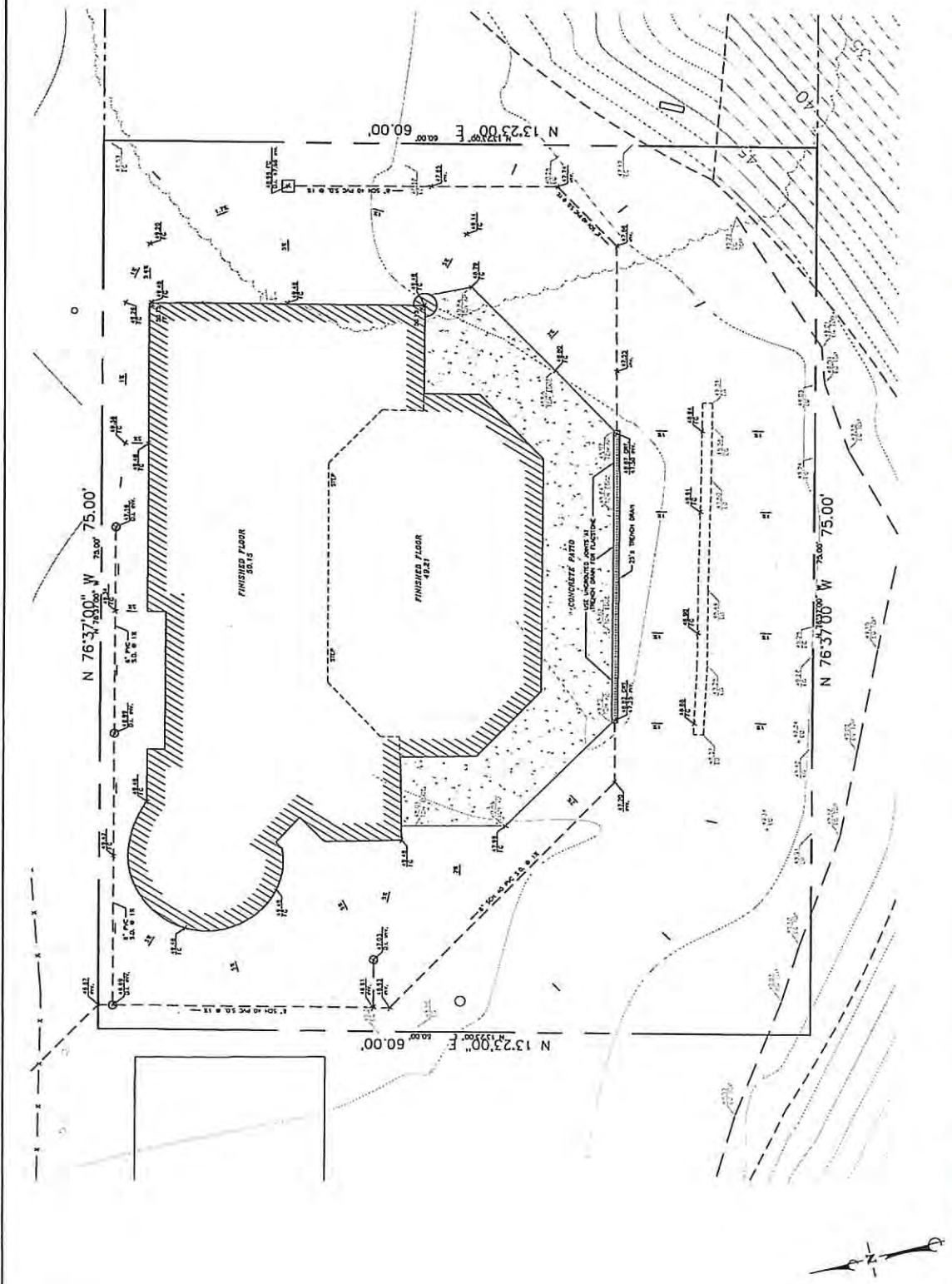
Submittal Date: May 9, 2014
 Drawn by: J. WALLACE
 B. CLOUGH
 DATE

REVISIONS: # TIME DATE

Title: Landscape Plan

Sheet Number: L2.1

Scale: 1" = 10'-0" S.F.T.



PRELIMINARY GRADING PLAN	
SHEET NO. C-2	O'NEIL RESIDENCE 2551 WALLACE AVE SUMNERLAND, CA 93087 A.P.N. 005-250-001
FILE NO. 14-03-100	
SCALE: 1" = 4'	DATE: 5/12/14
DRAWN BY: AMP	DESIGNER: S/C
DESIGNED BY: S/C	DATE: 5/12/14
REVIEWED BY:	DATE:
REVISIONS	
CAUTION: UNDERGROUND UTILITIES EXIST. CONTACT UNDERGROUND SERVICE ALERT (U.S.A.) 1-800-422-4133 (NO (2) WORKING DAYS PRIOR TO BEGINNING ANY EXCAVATION OR CONSTRUCTION).	
SID GOLDSTIEN - CIVIL ENGINEER, INC. PLANNING, DESIGN, STUDIES & CONSULTING 530 WALTON AVENUE SUITE 200 SAN JOSE, CA 95131 TEL: (408) 664-1324 FAX: (408) 664-1322 WWW: SIDGOLDSTIEN.COM EMAIL: SID@SIDGOLDSTIEN.COM	

Ordinance No. 247.

In the Matter of the Petition of the Southern Pacific Railroad Company, a corporation, for a right of way along, over, upon and across certain public parks, streets, roads, places, and avenues in the Town-site of Summerland in the County of Santa Barbara, in the State of California.

The Board of Supervisors of the County of Santa Barbara in the State of California, do hereby enact, and ordain as follows, to-wit: Whereas, The Southern Pacific Railroad Company, a corporation, ~~long since located the line of its railroad company, a corporation,~~ long since located the line of its railroad through the town-site of Summerland; in the County of Santa Barbara, in the State of California, and thereupon constructed and has ever since maintained and operated the same as so located; And whereas it appears that said location of the line of said railroad through said Town-site of Summerland can be improved and the directors of said Southern Pacific Railroad Company, have caused a new and relocated line to be surveyed and marked by stakes upon the ground through said Townsite of Summerland and have determined to change said former location of said railroad and have altered and changed the same and have determined that said new and relocated line through said town-site of Summerland shall be the line of location of said railroad upon which the same shall be finally constructed; and whereas certain strips or tracts of land now constituting certain parks; streets, roads, places and avenues, of said Townsite of Summerland are necessary for the right of way of said railroad as so relocated as aforesaid; And whereas said strip or tracts of land are founded and described as follows: ,to-wit; First commencing at the eastern limits of

(Page No.) 662.

of said Town-site of Summerland at the westerly boundary line of Greenwell Avenue in said town-site at or near engineer's survey station No. 3907 pluss 477, of line change D-13 $\frac{1}{2}$ as shown on a Map of a part of said townsite of Summerland and of said located and relocated lines of said railroad which is hereto annexed and marked Exhibit A, thence running in a westerly direction and intersecting the southerly boundary line of East End Park", in said Town-site at or near engineers' survey station No.3812 plus 65 of said line change D.13 $\frac{1}{2}$ as shown on said map; and thence continuing in a westerly direction to point of intersection with the southerly boundary line of the present right of way of said southern pacific railroad at or near engineer survey station No. 3914, plus 87 of said line change D. 13 $\frac{1}{2}$ as shown on said Map, including the whole of the street, roads or avenue running in an easterly and westerly direction through Block No.39 of said Town-site of Summerland, and all of said East End Park lying south of a line drawn on the north side of said line change D. 13 $\frac{1}{2}$ as shown on said map and parallel to said line change D 13 $\frac{1}{2}$ and distant fifty(50)feet therefrom, Secdond. A strip of land twenty(20)feet wide along the north side of "Morris Place" in said town-site of Summerland, and constituing a part of said Morris Place as shown on said Map, third all of that part of Look Out Park, in said town-site of Summerland lying north of the south line of Lots two(2) to seventeen(17)both inclusive in Block forty one(41) of said Town-site as the south line is produced westerly to an intersection with the south line of the present right of way of the Southern Pacific Railroad as shown on said map, and whereas said map is so

far as said town-site of Summerland and the parks, streets, roads, places and avenues thereof appear thereon is a copy of a part of the map entitled "City of Summerland, Santa Barbara Co., California, A.S.Cooper Co.Surveyor" which was filed in the office of the Recorder of said County of Santa Barbara in Rack 1 and numbered 2 on the 18th day of December 1888, and a copy whereof is recorded at the foot of an Instrument of Dedication unto public use of said parks, streets, roads, places and avenues bearing date on the 8th day of August, 1890, and recorded in said Recorder's office in Book 27 of Deeds at page 615 on the 9th day of August 1890, Now therefore, a right of way for said new and relocated line of said railroad and for the construction, maintenance and operation thereof along, over upon and across said three strips or tracts of land and all and every of them is hereby remised, released and quitclaimed to said Southern Pacific Railroad Company, its successors and assigns forever. And this ordinance shall take effect and be in force on from and after the 1st day of February 1901, and before said date the same shall be published with the names of the members of this Board voting for and against the same for at least one week in The Morning Press, a newspaper published in said County of Santa Barbara. Passed and enacted and adopted this 9th day of Jan'y, 1901.

E.C.Tallent,

Chairman of the Board of Supervisors of the County
of Santa Barbara in the State of California.

Attest: (Seal).

C.A.Hunt, Clerk.

May be following this Ord.



Date: July 2, 2015
GDI #: 12.00116.0028

COUNTY OF SANTA BARBARA - GEOTECHNICAL REVIEW LETTER
ENGINEERING GEOLOGY AND GEOTECHNICAL ENGINEERING REVIEW

To: Nicole Lieu

Project/Location: 2551 Wallace Avenue, Summerland, Santa Barbara County, California.

County Project #s: 08CDH-00000-00040

Geotechnical Reports: Michael F. Hoover (2012), "Evaluation of Bluff Stability and Sea Cliff Retreat, O'Neil Residence, 2551 Wallace Avenue, Summerland, California," dated January 6, 2012.

Michael F. Hoover (2014), "Response to Comments," dated September 15, 2014

Heatherington Engineering Inc. (2014), "Suggested Review Response and Backup, 2551 Summerland Avenue" dated September 24, 2014.

Plans: none

Previous Reviews: April 13, 2012

FINDINGS

Geotechnical Report

- Acceptable as Presented
- Response Required

REMARKS

Michael F. Hoover (Hoover, consultants) provided a response to the geotechnical review letter by the County of Santa Barbara dated April 13, 2012 regarding the evaluation of bluff retreat at the site located at 2551 Wallace Avenue, Santa Barbara County, California. The evaluation forms the basis for recommendations for setback from the top of the bluff for a new 2218ft² house to replace an existing 1450ft² single-family residence at approximately the same location.

GeoDynamics, Inc. (GDI) reviewed the reports in the attached list of references from a geotechnical perspective for compliance with applicable codes, guidelines, and standards of practice as they would apply to new construction. Based upon our review, we recommend that the consultant should address the following comments prior to approval.

Note to County

The consultant considers that a bluff-top setback based on a 50-year design life (rather than 75 years) should be acceptable based on the Santa Barbara County Zoning Ordinance (Article II, Section 35-67) because the proposed residence will replace an existing structure. County personnel should verify whether this section is applicable.

Geotechnical Report Comments

1. The consultant referenced some reports of geotechnical work performed at the site by other consultants. Pertinent geotechnical data from these reports should be incorporated/attached to the report to compose a stand-alone document. Logs should be provided for all exploratory excavations used in the site characterization. Alternatively, these reports should be submitted for review.

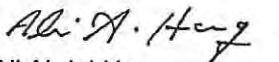
Note: The consultant should respond to the following items related to this comment:


- The consultant provided the referenced reports; however, did not provide copies of logs for Borings HB-1 and HB-2. These logs were not included in the original report. Copies of these logs should be provided.
 - The consultant should provide a map with an appropriate legend that clearly delineates the origin of the various borings.
 - CFG Boring 2 should be plotted on the map and cross section.
2. The bluff below the proposed construction is underlain by a thick wedge of dumped fill that creates a southward prominence in an otherwise generally linear section of coastal bluff. CFG states that topographic maps prepared in 1901 indicate the prominence did not exist and that the bluff was relatively straight across the area. CFG (1995) and Fugro (2003) found the fill material to be loose and easily erodible. The consultant does not appear to attach any particular consideration to these unique conditions in assessing the retreat rate for the site (beyond complications imposed by periodic additions of fill), or to the possibility that it is only these periodic additions of fill that have allowed the prominence to remain. The consultant should consider the suitability of the fill material to provide realistic protection from beach erosion, and in particular the potential for catastrophic loss of the fill wedge due to failure, erosion and wave attack during large storm events. Please note that potential failure planes within the existing fill are expected to have factors of safety below the minimum requirements of 1.5 and 1.1 for static and pseudo-static loading, respectively.
 3. The consultant calculates retreat rates west of the property, within the property, and east of the property. The rates east and west of the property are calculated at 0.52ft/yr, and the rate within the property is calculated at 0.36ft/yr. The consultant calculates the rate on-site based on photography taken between 1928 and 1953 because it is known that fill was added to the downslope area in subsequent years, and in fact, the consultant documents that the blufftop actually moves southward (toward the ocean) during this period. The consultant should respond to the following comments relative to estimated the sea cliff retreat rate:
 - The consultant appears to assume that no fill was added to the bluff face between the period 1928 to 1953. CFG (1995) indicates that a residence has been present at this location for nearly 100 years, and that a 1944 topographic map shows a residence at this location. The consultant should justify the assumption that fill was not being added to the bluff face between 1928 and 1953.
 - The consultant indicates that the retreat rate of 0.52ft/yr measured east of the property was affected by headward erosion of a watercourse. However, the retreat rate west of the property is also reported to be 0.52ft/yr. This would seem to suggest an overall retreat rate of the natural bluff in the area 0.52ft/yr. It would seem to be reasonable to expect that the retreat rate in a prominence of loose fill would be higher than the adjacent natural bluffs underlain by consolidated bedrock and Older Alluvial deposits. Instead the consultant adopts the lower retreat rate of 0.36ft/yr estimated within the property where the likelihood seems to be that the bluff would have been periodically replenished to protect the structure. The consultant should justify adoption of the lower retreat rate.
 - The consultant appears to measure the calculated setback distance from the top of the bluff to conclude that the proposed construction meets the bluff setback requirements. However, bluff setbacks need to be measured from the point where a setback line depicting a 1.5 FS intersects the pad grade. The Coastal Commission Memorandum of January 16, 2003, specifies a bluff retreat setback should be provided **in addition** to the distance required to obtain the prerequisite factors of safety (1.5 and 1.1 for static and pseudo-static loading conditions, respectively). The consultant should re-evaluate the setback distance based on this criterion.

- Fugro (2003) estimates retreat rates in the area of one to two feet per year. The consultant should discuss the differences between the two analyses and justify use of the lower retreat rates.
4. The consultant refers to discussions with and evaluations by the "geotechnical engineer". But the report is not signed by a geotechnical engineer (civil engineer practicing in the area of geotechnical engineering). The project geotechnical engineer should sign the report, or submit his analyses, findings, conclusions, and recommendations in a separate report. Please note that selection of shear strength parameters and performing slope stability analyses should be performed by a geotechnical engineer. Mitigation measures should be recommended as necessary.
- Note:** The consultant provides a set of slope stability calculations. The cover sheet for the calculations refers to an address on Summerland Avenue (rather than Wallace Avenue), the individual who prepared the calculations is not named, and the calculations are not signed and stamped. As requested previously, the project geotechnical engineer should sign the report, or submit his analyses, findings, conclusions, and recommendations in a separate report.
5. The limits of the fill as depicted on Cross-Section A-A appear to be different than what is assumed in the slope stability analyses. The cross sections included in the slope stability analyses appear to depict a wedge of fill with a daylight toe elevated about ten feet above the beach platform, which is not consistent with Geologic Cross Section A-A'. Similarly, the limits of the fill in the slope stability section, do not appear to match the geologic section configuration (particularly at the top where the fill should be closer to the residence.) The consultant should reconcile this apparent discrepancy and revise slope stability as necessary.

If you have any questions regarding this review letter, please contact GDI at (805) 496-1222.

Respectfully Submitted,
GeoDynamics, Inc.


Ali Abdel-Haq
Geotechnical Engineering Reviewer
GE 2308 (exp. 12/31/15)


Christopher J. Sexton
Engineering Geologic Reviewer
CEG 1441 (exp. 11/30/16)

ATTACHMENT G

MICHAEL F. HOOVER

Consulting Geologist • Hydrologist

P.O. BOX 30860 • SANTA BARBARA, CALIFORNIA 93130 • (805) 569-9670 - FAX (805) 569-9561
1309 RACCOON POINT ROAD • EASTSOUND, WA 98245 • (360) 376-4596 - FAX (360) 376-4592
mfhoover@hoovergeo.com mfhoover@hoovergeo-orcas.com

September 15, 2014

Ms. Patsy Price, AICP
Brownstein Hyatt Farber Schreck LLP
1020 State Street
Santa Barbara CA 93101

Subject: Response to Comments

Dear Ms. Price:

This letter responds to comments to our report, "Evaluation of Bluff Stability and Sea Cliff Retreat, O'Neil Residence, January 6, 2012". The County comments were made by GeoDynamics, Inc. in their memorandum to Santa Barbara County Planning Department dated April 13, 2012.

Reviewer's Question #1:

"The consultant referenced some reports of geotechnical work performed at the site by other consultants. Pertinent geotechnical data from these reports should be incorporated/attached to the report to compose a stand-alone document. Logs should be provided for all exploratory excavations used in the site characterization. Alternatively, these reports should be submitted for review."

Response:

As a matter of professional practice, we do not rely on or incorporate geotechnical data gathered by other consultants into our stability analyses. Rather, we review previous reports for general content, and to help provide direction for our evaluation. We have, however, included those reports with this letter for the reviewer's analysis.

California Professional Geologist #3373 * California Hydrogeologist #169
California Certified Engineering Geologist #977 * California General Engineering Contractor #672847
Washington State Licensed Geologist #2276

Ms. Patsy Price
Brownstein Hyatt Farber Schreck LLP
September 15, 2014
Page 2

Question #2:

“The consultant concludes that bedding at this site appears near horizontal based on regional mapping. Structural data presented on the Regional Geologic Map (Gurrola, 2005) seems to suggest bedding could just as likely dip out of slope at low to moderate angles. The consultant should provide additional structural information/analysis to justify the current site characterization.

Response:

The nearest strike and dip presented by Gurrola (2005) is over ½ mile away and not relevant to this study. Dr. Gurrola was part of our investigative team on this project and mapped the subject site. He and I concluded that it was very difficult to determine the dip of the in-place earth materials, but that the Older Alluvium and Casitas formations were likely sub-horizontal as shown on our Sections A-A' and B-B'.

Work by Fugro (2003) shows an offshore anticline and an onshore syncline, with axes roughly parallel to the shoreline. This would imply that the bedding actually dips into the bluff, not out of the slope as the reviewer suggests.

Regardless of the dip angle, the slope stability model evaluated translational failure (dip plane failures). It identified none (with a factor of safety <1.5).

Question #3:

“The consultant refers to discussions with and evaluations by the “geotechnical engineer”. But the report is not signed by a geotechnical engineer (civil engineer practicing in the area of geotechnical engineering). The project geotechnical engineer should sign the report, or submit his analyses, findings, conclusions, and recommendations in a separate report. Please note that selection of shear strength parameters and performing slope stability analyses should be performed by a geotechnical engineer. Mitigation measures should be recommended as necessary.

Response:

The supplemental slope stability report will be signed by the geotechnical engineer (see Response to Question #4).

MICHAEL F. HOOVER
Consulting Geologist • Hydrologist

Ms. Patsy Price
Brownstein Hyatt Farber Schreck LLP
September 15, 2014
Page 3

Question #4:

“Based on visual inspection of the slope stability analyses results, it seems that a potential rotational failure surface passing through the fill materials would have a lower factor of safety than what is reported by the consultant. As such, the project geotechnical engineer should expand the search to include rotational failure through the existing fill. Ultimately, the potential failure surface with factors of safety of 1.5 and 1.1 (or higher) under static and pseudo-static loading conditions, respectively should be defined. The setback based on 75 years (or 50 if deemed acceptable to the County) of bluff retreat should be measured from that surface as per the County of Santa Barbara.”

Response:

The reviewer is correct. Recent analysis by the geotechnical engineer suggests a lower factor of safety for rotational failure. A supplemental report is in progress.

Question #5:

“The consultant recommends a minimum setback of 18 ft from the top of the bluff. The bluff is approximately 50 ft high. The California Building Code (CBC) requires a setback of $H/3$, where H is the height of the slope, from the face of competent materials on the slope. Un-engineered fill is not considered competent material and could not be relied upon to provide foundation support. Hence, without consideration of bluff retreat, a minimum code setback of 15-20 ft from the fill contact would be required to protect the foundations, and to provide vertical and lateral support. A setback that meets the CBC and County of Santa Barbara requirements including bluff retreat setback requirements (see comment #3) should be provided.”

Response:

The California Building Code section referenced by the reviewer is not relevant to this project. See below.

CBC Reference: “Cal.Bldg.Code section 1808.7.2 provides the standard setback from edge of a descending slope, but where, under section 1808.7.5, the building official requires a geotechnical investigation under section 1803.5.10 (signed by the registered design professional), an alternate setback may be used based upon the results of the investigation. Under section 1803.5.10, the investigation shall include consideration of materials, height of slope, gradient, load intensity, and erosion characteristics of the slope material.”

MICHAEL F. HOOVER
Consulting Geologist • Hydrologist

Ms. Patsy Price
Brownstein Hyatt Farber Schreck LLP
September 15, 2014
Page 4

Please feel free to contact us if you have any questions or comments concerning our responses.

Sincerely,
MICHAEL F. HOOVER CONSULTING
GEOLOGIST-HYDROLOGIST



Michael F. Hoover
Principal Geologist

MFH/cm
Enclosures

HETHERINGTON ENGINEERING, INC.
SOIL & FOUNDATION ENGINEERING • ENGINEERING GEOLOGY • HYDROGEOLOGY

September 5, 2014
Project No. 6448.1
Log No. 17025

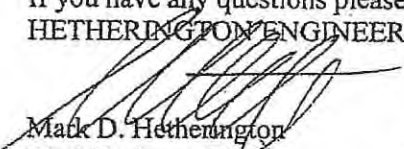
Michael F. Hoover
Consulting Geologist – Hydrologist
P.O. Box 30860
Santa Barbara, California 93130

Subject: LABORATORY TESTING AND SLOPE STABILITY ANALYSIS
O'Neil Residence
2551 Wallace Avenue
Summerland, California

Dear Mr. Hoover:

In response to your request, we are providing the laboratory testing and slope stability analysis performed by this office for the O'Neil residence located at 2551 Wallace Avenue, Summerland, California.

If you have any questions please call.
HETHERINGTON ENGINEERING, INC.


Mark D. Hetherington
Civil Engineer 30488
Geotechnical Engineer 397
(expire 3/31/16)



MDH/ dkw

Attachments: Laboratory Test Results
Slope Stability Analysis

Distribution: 1-via e-mail (mfhoover@hoovergeo.com)

LABORATORY TEST RESULTS

DIRECT SHEAR (ASTM: D 3080)				
Sample Location	Angle of Internal Friction (°)	Cohesion (psf)	Sample Type	Remarks
B-1 @ 10'	33	0	Undocumented Fill	Remolded, saturated consolidated, drained
B-1 @ 20'	34	325	Undocumented Fill	Remolded, saturated consolidated, drained
B-1 @ 30'	31	75	Bedrock	Remolded, saturated consolidated, drained
B-1 @ 40'	31	125	Bedrock	Remolded, saturated consolidated, drained
B-2 @ 10' and 15'	26	300	Older Alluvium	Remolded, saturated consolidated, drained
B-2 @ 25'	29	300	Bedrock	Remolded, saturated consolidated, drained

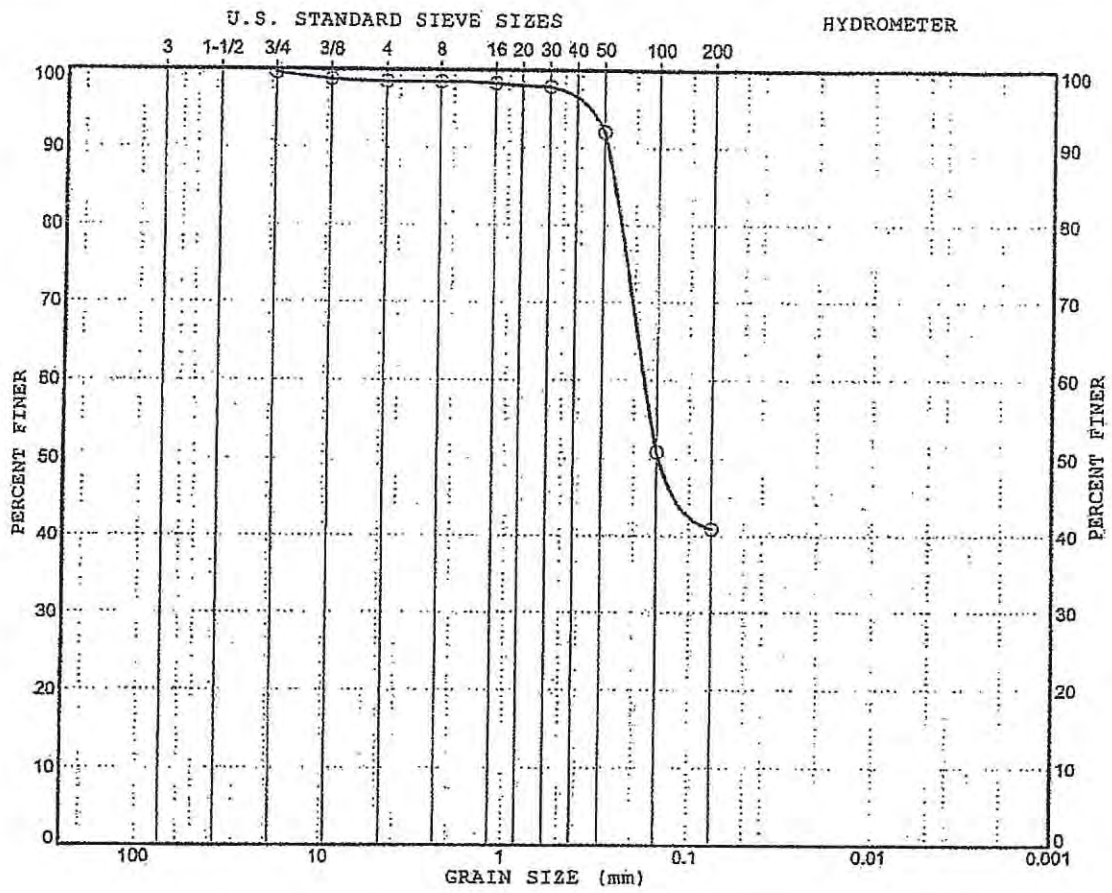
ATTERBERG LIMITS (ASTM: D 4318)				
Sample Location	Liquid Limit (%)	Plastic Limit (%)	Plasticity Index (%)	U.S.C.S. Class
B-1 @ 10'	28	20	8	CL
B-1 @ 20'	23	17	6	CL-ML
B-1 @ 40'	36	14	22	CL
B-2 @ 10'	42	18	24	CL
B-2 @ 33'	30	14	16	CL

UNCONFINED COMPRESSION (ASTM: D 2166)		
Sample Location	Sample Type	Unconfined Compressive Strength (psf)
B-1 @ 46.5'	Bedrock (undisturbed)	11,183

LABORATORY TEST RESULTS

SUMMARY OF FIELD MOISTURE/DENSITY TEST DATA (ASTM: D 2216)			
Sample Location	Field Moisture Content (%)	Field Dry Density (pcf)	Degree of Saturation* (%)
B-1 @ 2.5'	11.0	98.2	41.5
B-1 @ 5'	8.4	123.2	61.7
B-1 @ 10'	11.8	100.8	47.4
B-1 @ 15'	7.9	106.0	36.2
B-1 @ 20'	14.3	108.8	70.4
B-1 @ 25'	20.7	92.2	67.5
B-1 @ 30'	3.6	93.0	12.0
B-1 @ 35'	16.1	113.2	89.0
B-1 @ 40'	21.1	104.9	94.0
B-1 @ 45'	22.1	103.2	94.3
B-1 @ 46'	20.8	106.9	97.5
B-1 @ 46.5'	24.8	97.8	92.6
B-2 @ 5'	15.0	121.4	104.4
B-2 @ 10'	15.9	116.1	95.1
B-2 @ 15'	19.7	108.1	95.2
B-2 @ 20'	25.8	105.8	117.6
B-2 @ 25'	20.9	107.4	99.2
B-2 @ 33'	12.8	122.3	91.5

* Assumed Specific Gravity = 2.70



COBBLES	GRAVEL		SAND			SILT and CLAY
	Coarse	Fine	Coarse	Medium	Fine	

SYMBOL	SAMPLE LOCATION	% PASSING NO. 4 SIEVE	% PASSING NO. 200 SIEVE	% FINER 2 MICRONS	UNIFIED SOIL CLASSIFICATION
O	B-1 at 30.0'	99	41		SC

GRADATION TEST RESULTS

HETHERINGTON ENGINEERING, INC. GEOTECHNICAL CONSULTANTS	2551 Wallace Avenue Summerland, California	
	PROJECT NO. 6448.1	FIGURE NO.

2551 Wallace Avenue
 Slope Stability Calculations
 Section A-A'

Soil Assignments

Soil No.	γ (pcf)	c (psf.)	Φ (deg)	Soil Type
1	129	1100	29	Bedrock
2	125	75	31	Bedrock (sand)
3	125	75	31	Older Alluvium (sand)
4	123	300	26	Older Alluvium (sand with increasing clay)
5	107	0	33	Unengineered fill

PCSTABL5M Results

Condition	Medium	Potential Failure Type	Factor of Safety	
			Static	Pseudo-static
Post bluff retreat with fill weight only	Older alluvium and bedrock	Translational	1.03 (Janbu)	-
Post bluff retreat with fill strength	Older alluvium, bedrock and unengineered fill	Translational	1.75 (Janbu)	1.34 (Janbu)

** PCSTABL5M **

by
Purdue University

1

--Slope Stability Analysis--
Simplified Janbu, Simplified Bishop
or Spencer's Method of Slices

Run Date: 7-10-09
Time of Run:
Run By:
Input Data Filename: 6448y.in
Output Filename: 6448y.ol
Plotted Output Filename: 6448y.pl

PROBLEM DESCRIPTION O'Neil Residence; Section A-A'

BOUNDARY COORDINATES

6 Top Boundaries
16 Total Boundaries

Boundary No.	X-Left (ft)	Y-Left (ft)	X-Right (ft)	Y-Right (ft)	Soil Type Below End
1	.00	15.00	26.00	15.50	1
2	26.00	15.50	34.50	23.00	1
3	34.50	23.00	75.00	58.00	5
4	75.00	58.00	80.50	58.50	5
5	80.50	58.50	85.00	59.00	4
6	85.00	59.00	120.00	60.00	4
7	34.50	23.00	59.00	28.00	1
8	59.00	28.00	69.00	30.00	2
9	69.00	30.00	69.20	30.50	2
10	69.20	30.50	72.40	38.50	1
11	72.40	38.50	73.40	41.00	3
12	73.40	41.00	80.50	58.50	4
13	73.40	41.00	120.00	41.00	3
14	72.40	38.50	120.00	38.50	1
15	69.20	30.50	120.00	30.50	2
16	59.00	28.00	120.00	28.00	1

1

ISOTROPIC SOIL PARAMETERS

5 Type(s) of Soil

Soil Type No.	Total Unit Wt. (pcf)	Saturated Unit Wt. (pcf)	Cohesion Intercept (psf)	Friction Angle (deg)	Pore Pressure Param.	Pressure Constant (psf)	Piez. Surface No.
1	129.0	130.0	1100.0	29.0	.00	.0	1
2	125.0	130.0	75.0	31.0	.00	.0	1
3	125.0	130.0	75.0	31.0	.00	.0	1
4	123.0	128.0	300.0	26.0	.00	.0	1
5	107.0	122.0	.0	33.0	.00	.0	1

1

BOUNDARY LOAD(S)

1 Load(s) Specified

Load No.	X-Left (ft)	X-Right (ft)	Intensity (lb/sqft)	Deflection (deg)
1	89.00	110.00	200.0	.0

NOTE - Intensity Is Specified As A Uniformly Distributed Force Acting On A Horizontally Projected Surface.

Janbus Empirical Coef is being used for the case of c & ϕ both > 0

1

A Critical Failure Surface Searching Method, Using A Random Technique For Generating Sliding Block Surfaces, Has Been Specified.

500 Trial Surfaces Have Been Generated.

2 Boxes Specified For Generation Of Central Block Base

Length Of Line Segments For Active And Passive Portions Of Sliding Block Is 40.0

Box No.	X-Left (ft)	Y-Left (ft)	X-Right (ft)	Y-Right (ft)	Height (ft)
1	59.00	28.00	61.50	28.50	.00
2	69.00	29.00	84.00	29.00	2.00

Following Are Displayed The Ten Most Critical Of The Trial Failure Surfaces Examined. They Are Ordered - Most Critical First.

* * Safety Factors Are Calculated By The Modified Janbu Method * *

Failure Surface Specified By 5 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	42.28	29.72
2	59.59	26.12
3	69.18	29.81
4	97.47	58.10
5	98.51	59.39

*** 1.755 ***

Individual data on the 15 slices

Slice No.	Width Ft (m)	Weight Lbs (kg)	Water Force		Tie Force		Earthquake Force			
			Top Lbs (kg)	Bot Lbs (kg)	Norm Lbs (kg)	Tan Lbs (kg)	Hor Lbs (kg)	Ver Lbs (kg)	Surcharge Load Lbs (kg)	
1	17.3	15346.8	.0	.0	.0	.0	.0	.0	.0	
2	9.4	19949.0	.0	.0	.0	.0	.0	.0	.0	
3	.2	451.7	.0	.0	.0	.0	.0	.0	.0	
4	.0	44.3	.0	.0	.0	.0	.0	.0	.0	
5	.7	1673.9	.0	.0	.0	.0	.0	.0	.0	
6	2.5	6396.2	.0	.0	.0	.0	.0	.0	.0	
7	1.0	2555.9	.0	.0	.0	.0	.0	.0	.0	
8	1.6	4100.0	.0	.0	.0	.0	.0	.0	.0	
9	2.9	7031.3	.0	.0	.0	.0	.0	.0	.0	
10	2.5	5601.8	.0	.0	.0	.0	.0	.0	.0	
11	.1	279.6	.0	.0	.0	.0	.0	.0	.0	
12	4.5	8506.9	.0	.0	.0	.0	.0	.0	.0	
13	4.0	5621.6	.0	.0	.0	.0	.0	.0	.0	
14	8.5	5592.5	.0	.0	.0	.0	.0	.0	.0	
15	1.0	81.0	.0	.0	.0	.0	.0	.0	1693.1	
										209.3

Failure Surface Specified By 5 Coordinate Points

Point	X-Surf	Y-Surf
-------	--------	--------

No.	(ft)	(ft)
1	40.53	28.21
2	59.12	28.02
3	70.29	28.20
4	96.19	58.68
5	96.32	59.32

*** 1.770 ***

1

Failure Surface Specified By 5 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	41.07	28.68
2	60.34	28.27
3	71.76	29.28
4	99.74	57.86
5	101.15	59.46

*** 1.778 ***

Failure Surface Specified By 4 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	41.26	28.84
2	60.74	28.35
3	72.25	28.97
4	96.35	59.32

*** 1.808 ***

1

Failure Surface Specified By 4 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
-----------	-------------	-------------

1	43.27	30.58
2	60.36	28.27
3	71.97	29.81
4	96.69	59.33

*** 1.822 ***

Failure Surface Specified By 5 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	43.86	31.09
2	59.58	28.12
3	70.53	29.90
4	98.81	58.19
5	99.01	59.40

*** 1.826 ***

1

Failure Surface Specified By 5 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	42.19	29.65
2	60.97	28.39
3	71.70	28.78
4	98.84	58.16
5	99.13	59.40

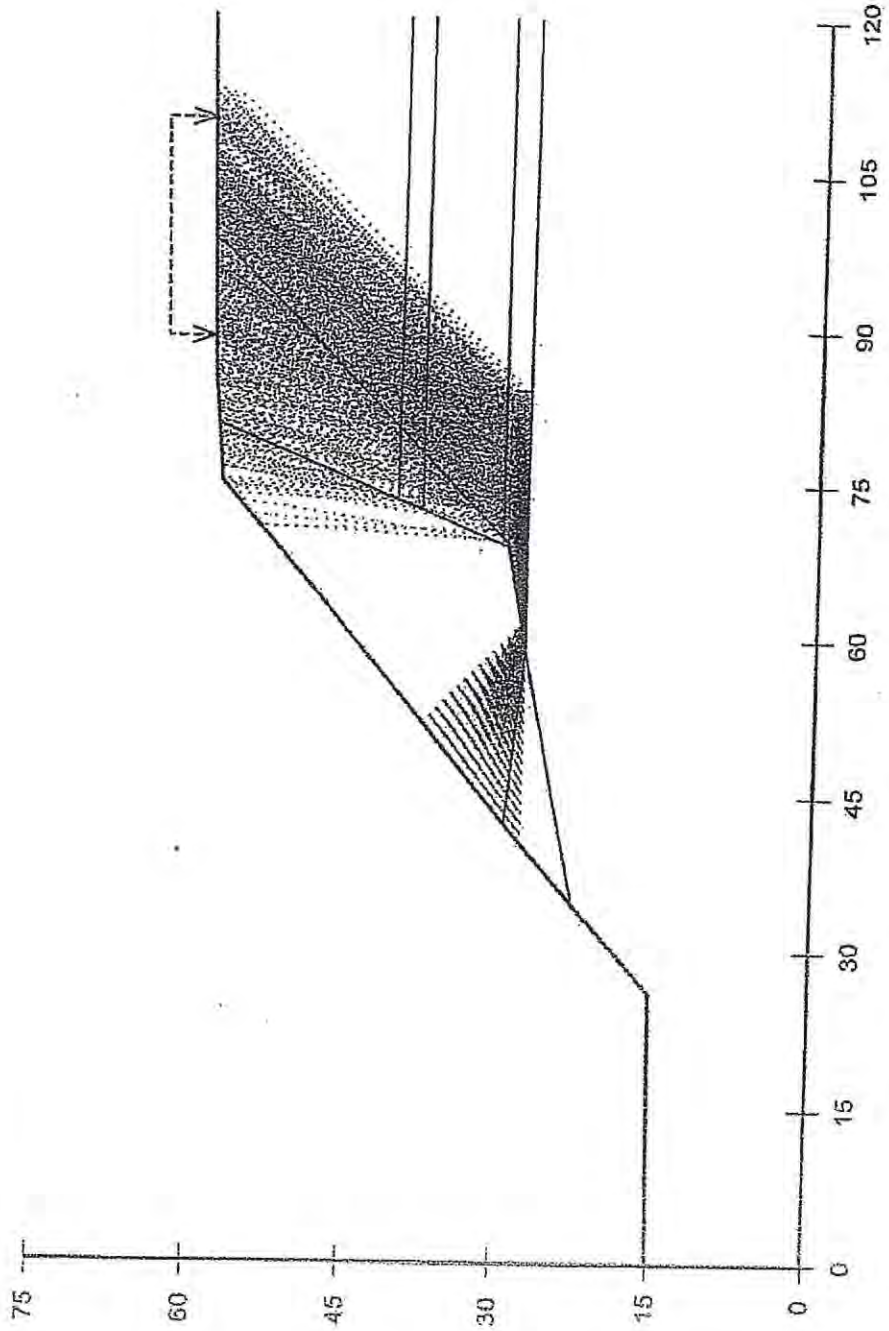
*** 1.831 ***

Failure Surface Specified By 4 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	44.70	31.81
2	59.01	26.00
3	69.67	29.36

			*	
A	30.00 +			
			*	
X	45.00 +	2		
		41.		
		6.		
		...		
		..		
		..		
I	60.00 +	*		
		0		
		2*		
S	75.00 +	43	**	
		.9		
		..		
		..		
		..		
		..		
	90.00 +			./1
				.
				28
				011
				.33
				...
F	105.00 +			...
				...
				...1/
				...
				...
T	120.00 +	**	**	*

6448y.p1



** PCSTABL5M **

by
Purdue University

1

--Slope Stability Analysis--
Simplified Janbu, Simplified Bishop
or Spencer's Method of Slices

Run Date: 7-10-09
Time of Run:
Run By:
Input Data Filename: 6448y.in
Output Filename: 6448y.ols
Plotted Output Filename: 6448y.pls

PROBLEM DESCRIPTION O'Neil Residence; Section A-A'
Horiz. seismic coeff. 0.15 added

BOUNDARY COORDINATES

6 Top Boundaries
16 Total Boundaries

Boundary No.	X-Left (ft)	Y-Left (ft)	X-Right (ft)	Y-Right (ft)	Soil Type Below End
1	.00	15.00	26.00	15.50	1
2	26.00	15.50	34.50	23.00	1
3	34.50	23.00	75.00	58.00	5
4	75.00	58.00	80.50	58.50	5
5	80.50	58.50	85.00	59.00	4
6	85.00	59.00	120.00	60.00	4
7	34.50	23.00	59.00	28.00	1
8	59.00	28.00	69.00	30.00	2
9	69.00	30.00	69.20	30.50	2
10	69.20	30.50	72.40	38.50	1
11	72.40	38.50	73.40	41.00	3
12	73.40	41.00	80.50	58.50	4
13	73.40	41.00	120.00	41.00	3
14	72.40	38.50	120.00	38.50	1
15	69.20	30.50	120.00	30.50	2
16	59.00	28.00	120.00	28.00	1

1

ISOTROPIC SOIL PARAMETERS

5 Type(s) of Soil

Soil Type No.	Total Unit Wt. (pcf)	Saturated Unit Wt. (pcf)	Cohesion Intercept (psf)	Friction Angle (deg)	Pore Pressure Param.	Pressure Constant (psf)	Piez. Surface No.
1	129.0	130.0	1100.0	29.0	.00	.0	1
2	125.0	130.0	75.0	31.0	.00	.0	1
3	125.0	130.0	75.0	31.0	.00	.0	1
4	123.0	128.0	300.0	26.0	.00	.0	1
5	107.0	122.0	.0	33.0	.00	.0	1

BOUNDARY LOAD(S)

1 Load(s) Specified

Load No.	X-Left (ft)	X-Right (ft)	Intensity (lb/sqft)	Deflection (deg)
1	89.00	110.00	200.0	.0

NOTE - Intensity Is Specified As A Uniformly Distributed Force Acting On A Horizontally Projected Surface.

A Horizontal Earthquake Loading Coefficient Of .150 Has Been Assigned

A Vertical Earthquake Loading Coefficient Of .000 Has Been Assigned

Cavitation Pressure = .0 psf

Janbus Empirical Coef is being used for the case of c & ϕ both > 0

A Critical Failure Surface Searching Method, Using A Random Technique For Generating Sliding Block Surfaces, Has Been Specified.

500 Trial Surfaces Have Been Generated.

2 Boxes Specified For Generation Of Central Block Base

Length Of Line Segments For Active And Passive Portions Of

Sliding Block Is 40.0

Box No.	X-Left (ft)	Y-Left (ft)	X-Right (ft)	Y-Right (ft)	Height (ft)
1	59.00	28.00	61.50	28.50	.00
2	69.00	29.00	84.00	29.00	2.00

1

Following Are Displayed The Ten Most Critical Of The Trial Failure Surfaces Examined. They Are Ordered - Most Critical First.

* * Safety Factors Are Calculated By The Modified Janbu Method * *

Failure Surface Specified By 5 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	42.28	29.72
2	59.59	28.12
3	69.18	29.81
4	97.47	58.10
5	98.51	59.39

*** 1.339 ***

Individual data on the 15 slices

Slice No.	Width Ft (m)	Weight Lbs (kg)	Water Force		Tie Force		Earthquake Force		
			Top Lbs (kg)	Bot Lbs (kg)	Norm Lbs (kg)	Tan Lbs (kg)	Hor Lbs (kg)	Ver Lbs (kg)	Surcharge Load Lbs (kg)
1	17.3	15346.8	.0	.0	.0	.0	2302.0	.0	.0
2	9.4	19949.0	.0	.0	.0	.0	2992.4	.0	.0
3	.2	451.7	.0	.0	.0	.0	67.8	.0	.0
4	.0	44.3	.0	.0	.0	.0	6.7	.0	.0
5	.7	1673.9	.0	.0	.0	.0	251.1	.0	.0
6	2.5	6396.2	.0	.0	.0	.0	959.4	.0	.0
7	1.0	2555.9	.0	.0	.0	.0	393.4	.0	.0
8	1.6	4100.0	.0	.0	.0	.0	615.0	.0	.0
9	2.9	7031.3	.0	.0	.0	.0	1054.7	.0	.0
10	2.5	5601.8	.0	.0	.0	.0	840.3	.0	.0

11	.1	279.6	.0	.0	.0	.0	41.9	.0	.0
12	4.5	8506.9	.0	.0	.0	.0	1276.0	.0	.0
13	4.0	5621.6	.0	.0	.0	.0	843.2	.0	.0
14	8.5	5592.5	.0	.0	.0	.0	838.9	.0	1693.1
15	1.0	81.0	.0	.0	.0	.0	12.2	.0	209.3

Failure Surface Specified By 5 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	41.07	28.68
2	60.34	28.27
3	71.76	29.28
4	99.74	57.86
5	101.15	59.46

*** 1.345 ***

1

Failure Surface Specified By 5 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	40.53	28.21
2	59.12	28.02
3	70.29	28.20
4	96.19	58.68
5	96.32	59.32

*** 1.355 ***

Failure Surface Specified By 4 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	41.26	28.84
2	60.74	28.35
3	72.25	28.97
4	96.35	59.32

*** 1.380 ***

1

Failure Surface Specified By 5 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	43.86	31.09
2	59.58	28.12
3	70.53	29.90
4	98.81	58.19
5	99.01	59.40

*** 1.387 ***

Failure Surface Specified By 5 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	42.19	29.65
2	60.97	28.39
3	71.70	28.78
4	98.84	58.16
5	99.13	59.40

*** 1.388 ***

1

Failure Surface Specified By 4 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	43.27	30.58
2	60.36	28.27
3	71.97	29.81
4	96.69	59.33

*** 1.392 ***

Failure Surface Specified By 4 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	41.29	28.86
2	59.21	28.04
3	74.95	29.29
4	100.06	59.43

*** 1.394 ***

1

Failure Surface Specified By 5 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	42.13	29.59
2	59.45	28.09
3	74.40	29.10
4	101.93	58.12
5	103.18	59.52

*** 1.401 ***

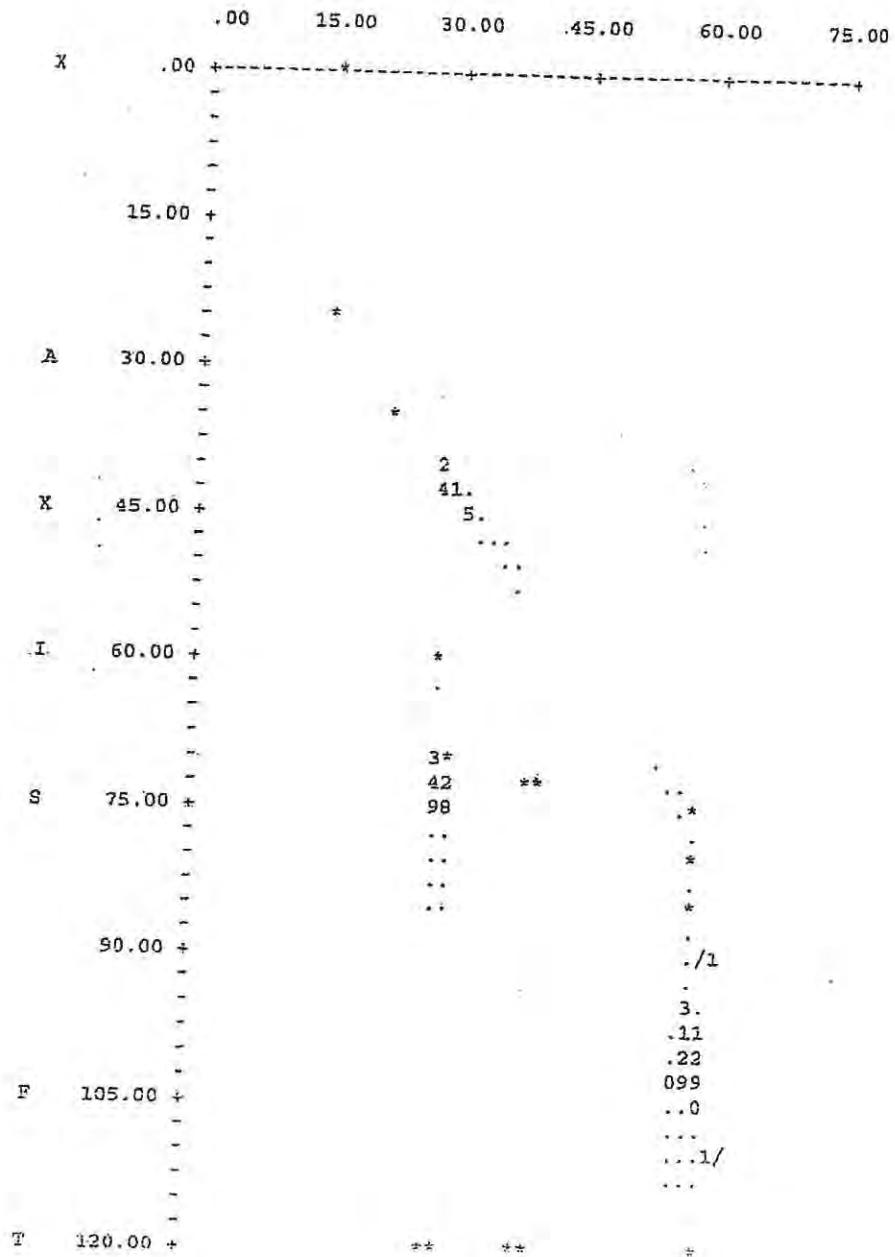
Failure Surface Specified By 5 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	41.94	29.43
2	60.06	28.21
3	74.80	29.12
4	102.95	57.54
5	104.05	59.54

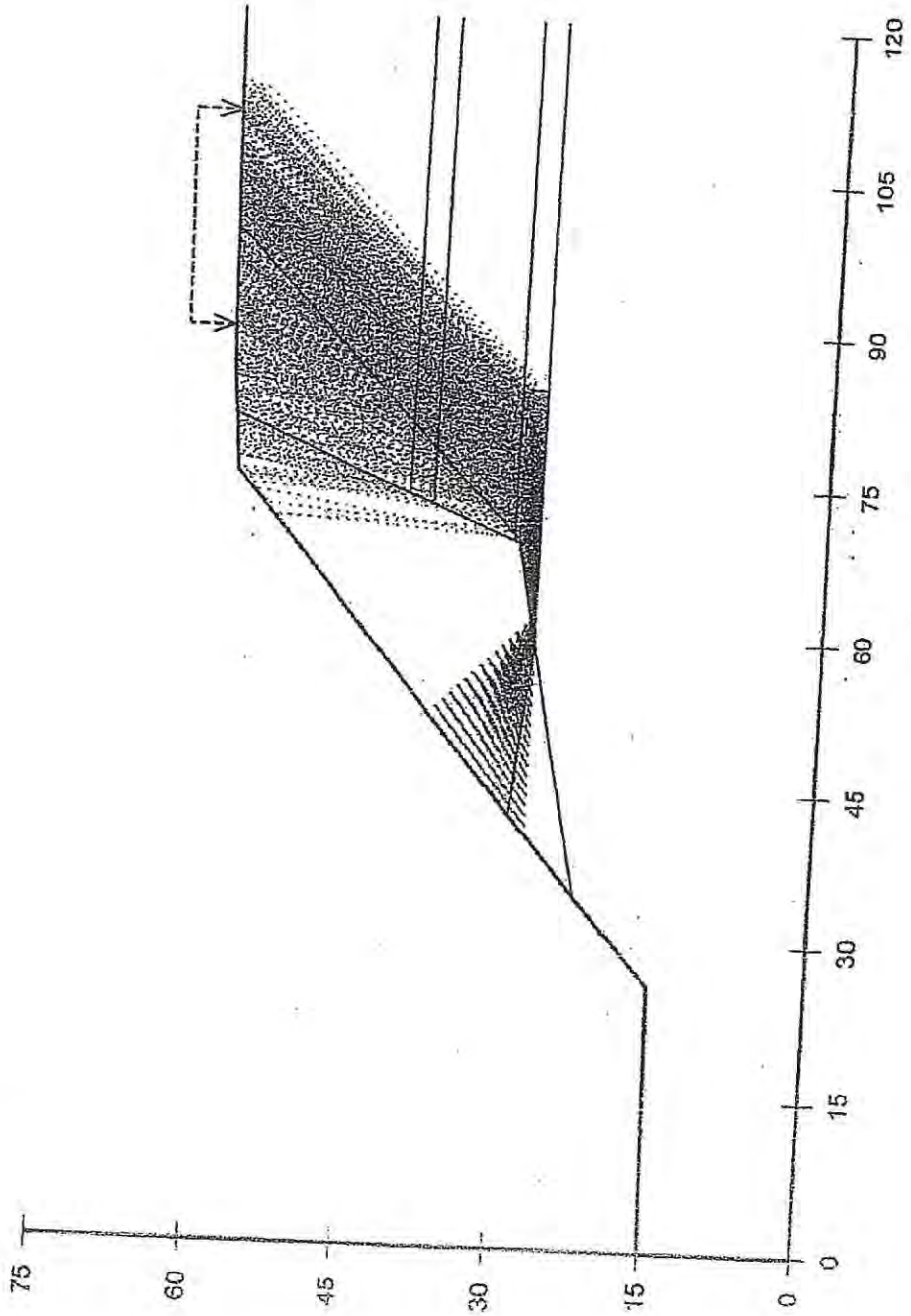
*** 1.408 ***

1

Y A X I S P T



6448y.p1s



9	73.40	41.00	80.50	58.50	3
10	80.50	58.50	85.00	59.00	4
11	85.00	59.00	120.00	60.00	4
12	73.40	41.00	120.00	41.00	4
13	72.40	38.50	120.00	38.50	3
14	69.20	30.50	120.00	30.50	1
	59.00.	28.00	120.00	28.00	2
					1

ISOTROPIC SOIL PARAMETERS

5 Type(s) of Soil

** PCSTABL5M **

by
Purdue University

1

--Slope Stability Analysis--
Simplified Janbu, Simplified Bishop
or Spencer's Method of Slices

Run Date: 7-10-09
Time of Run:
Run By:
Input Data Filename: 6448yw.in
Output Filename: 6448y.o2
Plotted Output Filename: 6448y.p2

PROBLEM DESCRIPTION O'Neil Residence; Section A-A'
Fill debris modeled as weight only

BOUNDARY COORDINATES

10 Top Boundaries
14 Total Boundaries

Boundary No.	X-Left (ft)	Y-Left (ft)	X-Right (ft)	Y-Right (ft)	Soil Type Below Bnd
1	.00	15.00	26.00	15.50	1
2	26.00	15.50	34.50	23.00	1
3	34.50	23.00	59.00	28.00	1
4	59.00	28.00	69.00	30.00	2
5	69.00	30.00	69.20	30.50	2
6	69.20	30.50	72.40	30.50	2

Soil Type No.	Total Unit Wt. (pcf)	Saturated Unit Wt. (pcf)	Cohesion Intercept (psf)	Friction Angle (deg)	Pore Pressure Param.	Pressure Constant (psf)	Piez. Surface No.
1	129.0	130.0	1100.0	29.0	.00	.0	1
2	125.0	130.0	75.0	31.0	.00	.0	1
3	125.0	130.0	75.0	31.0	.00	.0	1
4	123.0	128.0	300.0	26.0	.00	.0	1
5	107.0	122.0	.0	33.0	.00	-0	1

BOUNDARY LOAD(S)

5 Load(s) Specified

Load No.	X-Left (ft)	X-Right (ft)	Intensity (lb/sqft)	Deflection (deg)
1	54.00	61.50	1841.0	.0
2	61.50	69.00	2439.0	.0
3	69.00	75.00	2157.0	.0
4	75.00	80.50	788.0	.0
5	89.00	110.00	200.0	.0

NOTE - Intensity Is Specified As A Uniformly Distributed Force Acting On A Horizontally Projected Surface.

A Critical Failure Surface Searching Method, Using A Random Technique For Generating Circular Surfaces, Has Been Specified.

Janbus Empirical Coef. is being used for the case of c & ϕ both > 0
100 Trial Surfaces Have Been Generated.

1 Surfaces Initiate From Each Of 100 Points Equally Spaced
Along The Ground Surface Between $X = 59.00$ ft.
and $X = 69.00$ ft.

Each Surface Terminates Between $X = 89.00$ ft.
and $X = 100.00$ ft.

Unless Further Limitations Were Imposed, The Minimum Elevation
At Which A Surface Extends Is $Y = .00$ ft.

5.00 ft. Line Segments Define Each Trial Failure Surface.

11	2.7	3679.6	.0	.0	.0	.0	.0	.0	.0	2094.3
12	.3	398.5	.0	.0	.0	.0	.0	.0	.0	.0
13	2.9	3737.8	.0	.0	.0	.0	.0	.0	.0	.0
14	1.3	1273.3	.0	.0	.0	.0	.0	.0	.0	.0
15	1.5	1099.3	.0	.0	.0	.0	.0	.0	.0	.0
16	2.5	903.8	.0	.0	.0	.0	.0	.0	.0	.0
17	.4	50.6	.0	.0	.0	.0	.0	.0	.0	.0
18	.5	21.2	.0	.0	.0	.0	.0	.0	.0	83.3
										99.0

Failure Surface Specified By 9 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	69.00	30.00
2	71.94	34.05
3	74.85	38.11
4	77.74	42.19
5	80.60	46.29
6	83.45	50.40
7	86.27	54.53
8	89.07	58.67
9	89.37	59.12

*** 1.033 ***

1

Failure Surface Specified By 9 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	69.00	30.00
2	72.05	33.96
3	75.09	37.94
4	78.11	41.92
5	81.11	45.92
6	84.10	49.93
7	87.07	53.95
8	90.02	57.98
9	90.88	59.17

*** 1.035 ***

Failure Surface Specified By 9 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	69.00	30.00
2	72.08	33.94
3	75.10	37.92
4	78.06	41.96
5	80.95	46.04
6	83.77	50.16
7	86.53	54.34
8	89.21	58.55
9	89.57	59.13

*** 1.040 ***

1

Failure Surface Specified By 9 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	69.00	30.00
2	72.13	33.90
3	75.24	37.81
4	78.33	41.75
5	81.40	45.70
6	84.44	49.67
7	87.45	53.65
8	90.45	57.66
9	91.58	59.19

*** 1.041 ***

Failure Surface Specified By 9 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	69.00	30.00
2	72.15	33.88
3	75.26	37.80
4	78.32	41.76
5	81.33	45.75
6	84.30	49.77
7	87.22	53.83
8	90.09	57.92
9	90.95	59.17

*** 1.043 ***

1

Failure Surface Specified By 9 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	69.00	30.00
2	72.19	33.85
3	75.28	37.78
4	78.29	41.78
5	81.20	45.84
6	84.02	49.97
7	86.74	54.16
8	89.37	58.42
9	89.79	59.14

*** 1.046 ***

Failure Surface Specified By 9 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	69.00	30.00
2	72.23	33.82
3	75.38	37.70
4	78.44	41.65
5	81.43	45.67
6	84.32	49.74
7	87.13	53.88
8	89.85	58.07
9	90.52	59.16

*** 1.049 ***

1

Failure Surface Specified By 9 Coordinate Points

Point	X-Surf	Y-Surf
-------	--------	--------

No.	(ft)	(ft)
1	69.00	30.00
2	72.38	33.68
3	75.67	37.45
4	78.85	41.31
5	81.94	45.24
6	84.92	49.25
7	87.80	53.34
8	90.58	57.50
9	91.64	59.19

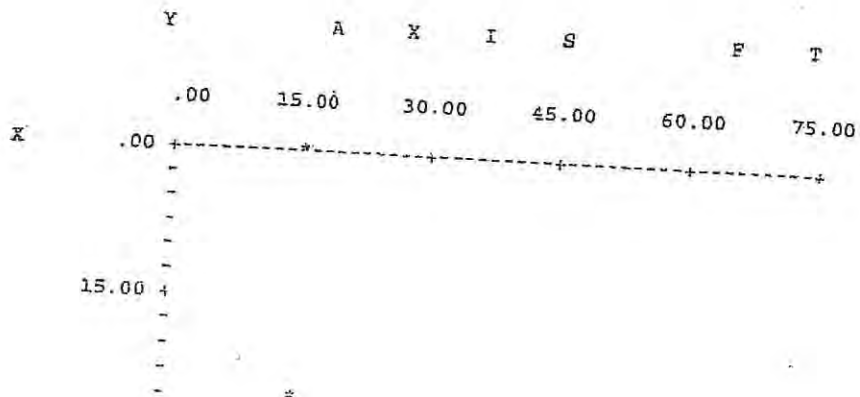
*** 1.062 ***

Failure Surface Specified By 9 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	69.00	30.00
2	72.44	33.63
3	75.81	37.32
4	79.12	41.07
5	82.36	44.88
6	85.53	48.75
7	88.63	52.67
8	91.66	56.65
9	93.56	59.24

*** 1.070 ***

1



A 30.00 +
 X 45.00 +
 I 60.00 +
 S 75.00 +
 90.00 +
 F 105.00 +
 T 120.00 +

*

/1

*

1/2

*2/3

.91 **

. 1 3/4

.... 1

.09 1.

+4/

.... .5 1

.... 03

*

**01

.... .51/5

.... .05

.....

.....

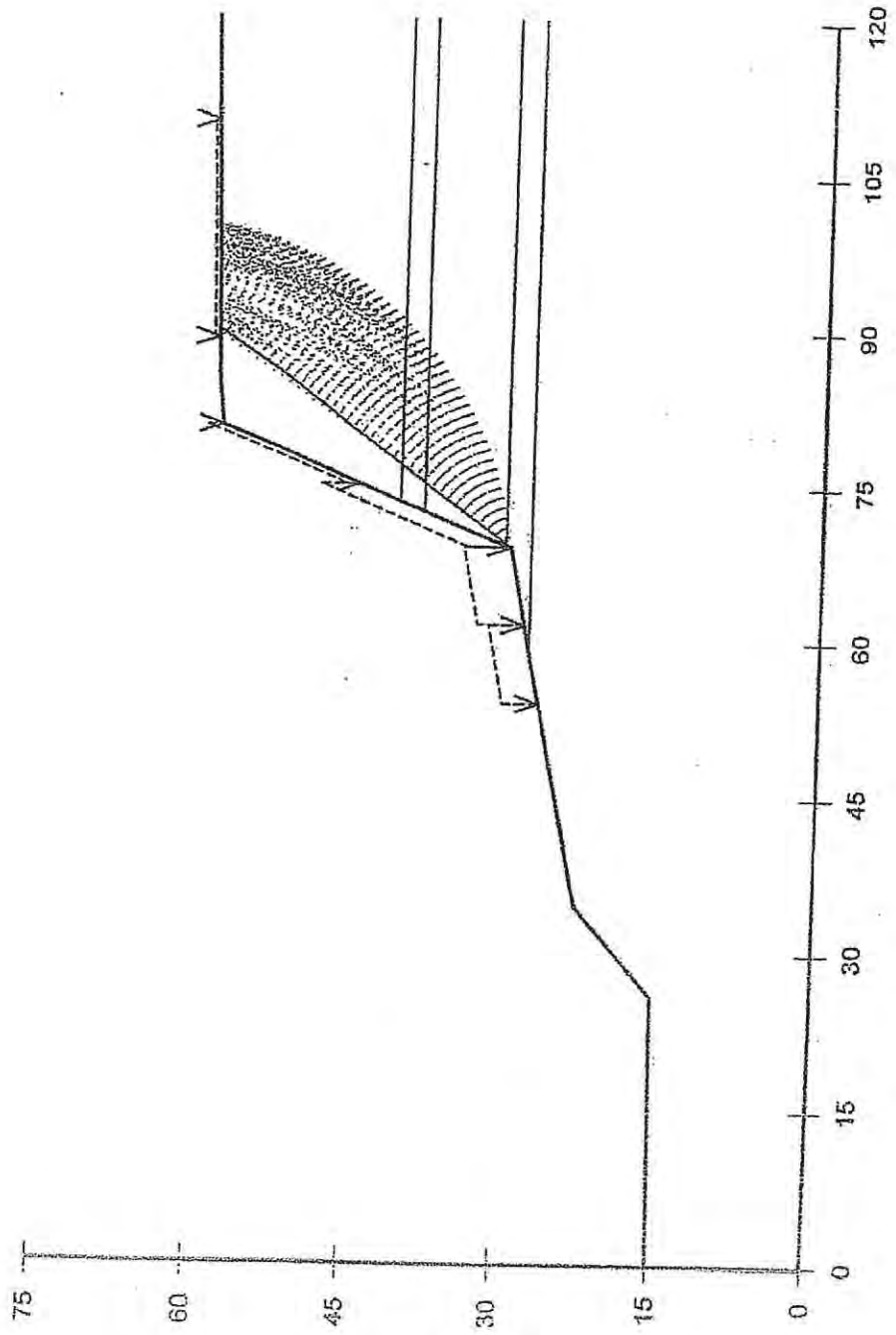
5/

**

**

*

6448y.p2



ENGINEERING GEOLOGY STUDY

SINGLE FAMILY RESIDENTIAL PROPERTY
2551 WALLACE AVENUE
SUMMERLAND, CALIFORNIA

FOR
BARBARA A. SMITH

BY
RICHARD PAUL COUSINEAU
ENGINEERING GEOLOGIST

DECEMBER 1995

INTRODUCTION

This report describes our findings of the surface and subsurface conditions and character of the earth materials and geologic features at the above mentioned property. The study is based upon the geotechnical features revealed by the surface mapping, by information derived from excavating three exploratory borings, by the research and laboratory tests conducted, by review of previous maps and aerial photographs of the area, and by experience gained through similar-type studies conducted in the general Santa Barbara and Ventura County areas.

METHODS OF STUDY

To accomplish the stated objectives of the engineering geology study, we conducted a program that consisted of:

- Mapping the readily accessible geologic outcrops.
- Reviewing available selected engineering: g. geologic, aerial photographs, and topographic documents of the site and general vicinity.
- Logging of three, 10 to 32 foot deep exploratory borings.
- Having laboratory testing performed to determine in-place density, moisture content, and compaction characteristics.
- Compilation, interpretation, and assessment of the data obtained; and,
- Presentation of the data including conclusions and suggestions in this written report.

The conclusions and professional opinions presented herein were prepared by CFG Consultants in accordance with generally accepted engineering geology principles and practices. This warranty is in lieu of all other warranties either expressed or implied.

This report has been prepared for the exclusive use by Barbara A. Smith and her authorized agents only, for the purposes stated. It may not contain sufficient information for the purposes of other parties or other uses. This report shall be considered valid for a period of two years.

DESCRIPTION OF THE SITE

The subject property (as depicted on Topography and Location Survey by Waters Land Survey, 1988, for Warner and Gray, Architects) measures 60 feet by 75 feet and is situated at the eastern terminus of Wallace Avenue, between the railroad tracks and the sea cliff, in the unincorporated community of Summerland, Santa Barbara County, California. It has been reported that a residence has been present on this property for close to 100 years. Reference to United States Geological Survey map of 1901 depicts the property to be between former oil development piers. The coastline at the site area on the 1901 sheet appears relatively straight, whereas now it bulges oceanward (see Figure 3, and Photos 8 and 9).

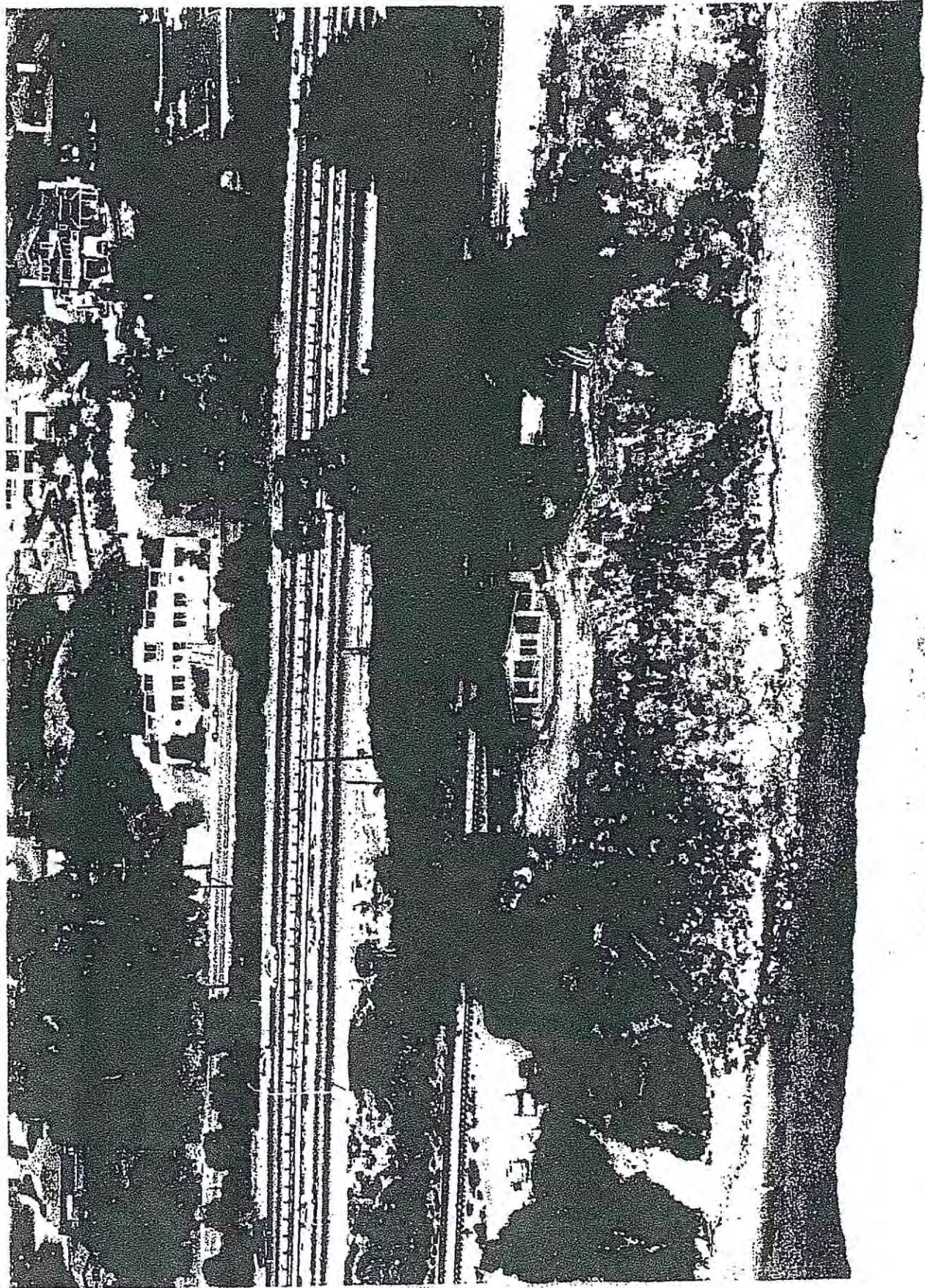
During the latter part of the last century and extending well into this century, Summerland was an area of extensive offshore and near shore oil development. Numerous wooden piers extended from the shore into the ocean from which drilling took place. Many of these piers, it was reported, had ramps leading to them from the streets above. In addition, many wells were drilled in the surf line as well as near the railroad tracks on top of the sea cliff (see included photographs).

The 1944 and 1952 U.S.G.S. topographic maps also depict the site with a structure upon it. In the 1994 topographic survey the structure is well defined as is the ocean ward bulge of land south of the structure. The sea cliff to the east and to the west of the subject area is very steep (60 to 80 degrees), whereas at the site the sea cliff is quite uneven and ranges from 35 to 45 degrees. A few hundred feet east of the property the Southern Pacific Railroad has dumped large amounts of rip rap boulders, ostensibly to protect and armour the sea cliff near their spur line that parallels the top of the cliff.

It has been reported that over the years much soil and debris has been dumped over the sea cliff in this area not only during the oil development era of the early part of this century, but also during the past few months, after the major storms of 1995.

FIELD INVESTIGATION

Three exploratory borings were excavated by a truck mounted, bucket auger, drill rig to depths of 10 to 32 feet, at the locations shown on Figure 3. The logs of these borings were recorded at the time of drilling and are presented on Figures 5, 6, and 7, Summary of Borings. As can be seen, Borings 1 and 2 encountered loose fill to depths of 10 and 32 feet respectively, and were only terminated because drilling became impossible due to boulder and sand caving. Boring 3 drilled along the east side of the residence encountered natural terrace deposits to the depth explored, 15 feet. Field



mapping of the sea cliff exposures was performed by foot traverses using tape and Brunton compass measurements.

GEOLOGIC CONDITIONS

The natural deposits underlying the property are classified as Quaternary Alluvial Deposits (marked Qoa on Figure 2) which are a composite of older alluvial sediments consisting of silt, sand and clay. These deposits debauched from the erosion of the local hillsides over the past few thousand years. In general, these materials are not cemented and they perform as a very firm soil rather than bedrock. For the most part these materials are quite firm and stand naturally at very steep angles. Boring No. 3 encountered these deposits. It is believed that these sediments underlie the northern portions of the lot (see Figure 3).

Below the Older Alluvial Deposits, some 75 to 100 feet below pad grade it is reported that Miocene age rocks (Rincon and/or Monterey formation) occur. From these older rocks the oil development took place.

GROUNDWATER AND DRAINAGE

Groundwater was not encountered in the exploratory borings which were drilled to an elevation of 18. Sea water saturation would be expected near elevation 5±.

Surface drainage is comprised of sheet flow run-off and incidental rainfall derived from within the parcel boundaries. The small canyon area easterly of the residence and below the garage did not display signs of adverse erosion at the time of our study.

SEISMICITY

Santa Barbara County, especially the southern portion, is a region of moderate historical seismic activity. Earthquakes in 1812, 1867, 1925, 1941, 1971, and 1978 all have had significant impact on the local region. Most of the epicenters of the earthquake events are believed to have been offshore in the Santa Barbara Channel, or associated with the San Andreas System to the north with the exception of 1971, that was centered in the San Fernando Valley area, some 70 miles easterly. Known faults in the vicinity of the subject site are graphically shown on Figure 2. The nearest potentially active fault to the subject property is the Arroya Parida Fault, estimated to be 5000 to 6000 feet toward the northwest. Offshore faults in the Santa Barbara Channel are considered active and

can be expected to produce significant earthquakes and ground motion at the site in the future.

More distant significant faults include the San Andreas (60 miles north), Santa Ynez (6 miles north), and Pine Mountain Fault (located 10 miles northerly).

Seismic problems that could affect the site are related to secondary seismic hazards such as shaking. The site is located in Zone 4 of the U.B.C. Seismic Zonation Maps.

FLOOD HAZARDS

Reference to Federal Emergency Management Agency's Flood Insurance Rate Map, Panel Number 060331-0765C depicts the building site to be well above the 100-year flood plain limits, however, the sea slope is subject to coastal flood with a base flood elevation of 23.

LABORATORY TESTING

Undisturbed and bulk samples of the earth materials encountered in the borings were obtained for subsequent laboratory testing. In-place density and moisture content and compaction testing were performed with the results shown on the Summary of Borings and as follows:

<u>SAMPLE</u> <u>I.D.</u>	<u>DESCRIPTION</u>	<u>IN-PLACE</u> <u>DENSITY (pcf)</u>	<u>MOISTURE</u> <u>CONTENT (%)</u>	<u>COMPACTION</u> <u>%</u>
Boring 1 @ 5'	Fill	93	9	73
Boring 2 @ 3'	Fill	91	16	78
Boring 2 @ 10'	Fill	94	13	74
Boring 2 @ 17'	Fill	93	26	76
Boring 2 @ 22'	Fill	89	9	85
Boring 2 @ 27'	Fill	91	4	86
Boring 2 @ 32'	Fill	83	15	80
Boring 3 @ 5'	Natural	93	19	NA
Boring 3 @ 15'	Natural	103	12	NA

LABORATORY COMPACTION TESTING

<u>SAMPLE I.D.</u>	<u>DESCRIPTION</u>	<u>MAXIMUM DRY DENSITY (pcf)</u>	<u>OPTIMUM MOISTURE (%)</u>
Boring 1 @ 3 to 4'	Silty Sand	128.5	9.1
Boring 2 @ 2 to 3'	Silty Sand	116.5	12.7
Boring 2 @ 6 to 7'	Silty Sand	126.5	8.1
Boring 2 @ 10 to 11'	Silty Sand	122.5	11.5
Boring 2 @ 16 to 17'	Sand	104.5	12.2

DISCUSSION AND CONCLUSIONS

The subject property consists of firm deposits of older Alluvium and abundant amounts of loose filled materials. These latter materials were apparently back dumped and/or pushed over the sea cliff over an extended period of time. There was no evidence that any of the filled material had been compacted. The in-place density tests attest to the very loose nature of these fill deposits.

All manner of foreign debris was encountered in the borings drilled in the fill, and exposed on the sea cliff face. Brick, concrete, wire, glass, and abundant asphalt and occasional tree limbs and branches were encountered.

Severe caving of the fill was experienced while drilling to such an extent that drill penetration completely through the fill was precluded.

At the toe of the sea cliff is an approximate 8 foot fill thickness of large boulders and concrete items. This zone appears to be protecting the fill mass from toe erosion at the present time.

Extensive earth cracking was observed along the top of sea cliff attesting to fill settlement and creep toward the ocean.

While no major slope failure scars are present on the sea cliff face, it is believed that failure could take place under certain circumstances and that continued settlement and downhill creep is to be anticipated. Saturation of the sea cliff from storm waters would contribute to a future slope failure as would an unusual high tide combined with a storm, and/or earthquake loading. The likelihood of catastrophic slope failure, while not totally out of the question, is considered remote.

The fill slope is not considered stable in the long term and could fail locally in the short term.

The natural soils underlying the north central portion of the property were found to be quite firm and stable and do not appear to be subject to major failure.

There are no other known geologic hazards potentially threatening the property such as earthquake ground rupture zones, existing landslides, or adverse stream erosion.

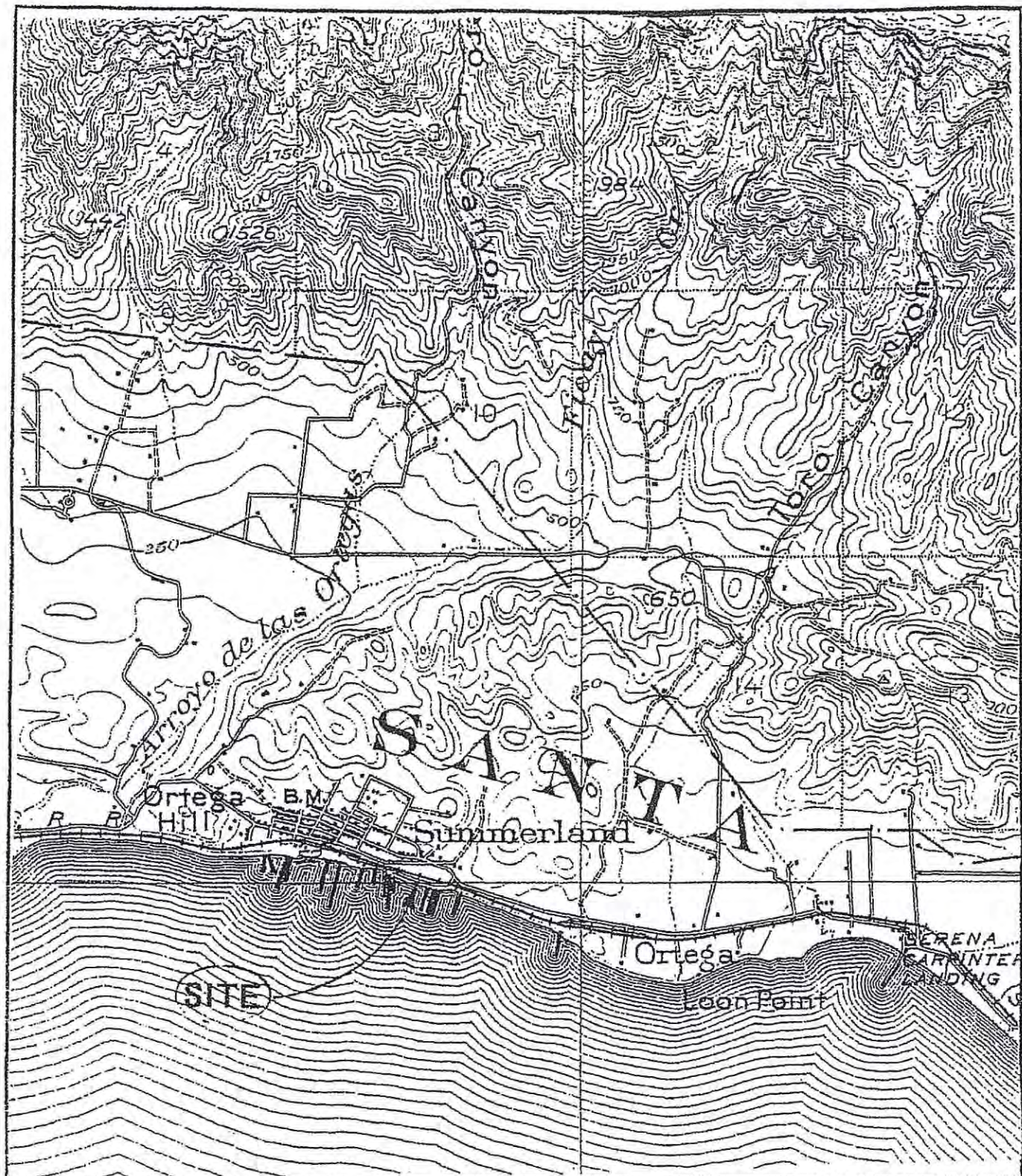
RECOMMENDATIONS

In order to lessen the unstable features of the sea cliff face it is recommended that all roof and/or yard drains be precluded from flowing to the sea cliff and rather be directed toward Wallace Avenue, thence to the natural drainage course.

In addition, the sea slope could be planted with salt tolerant ground cover to lessen the likelihood of local slope face erosion. Berming the top of the slope with a 6 to 8 inch high earthen berm would decrease the amount of runoff flowing over the slope face.

In the writer's opinion there would be no practical and economic method to stabilize the loose fill materials on the sea cliff short of total removal and replacement as compacted fill under engineering supervision.

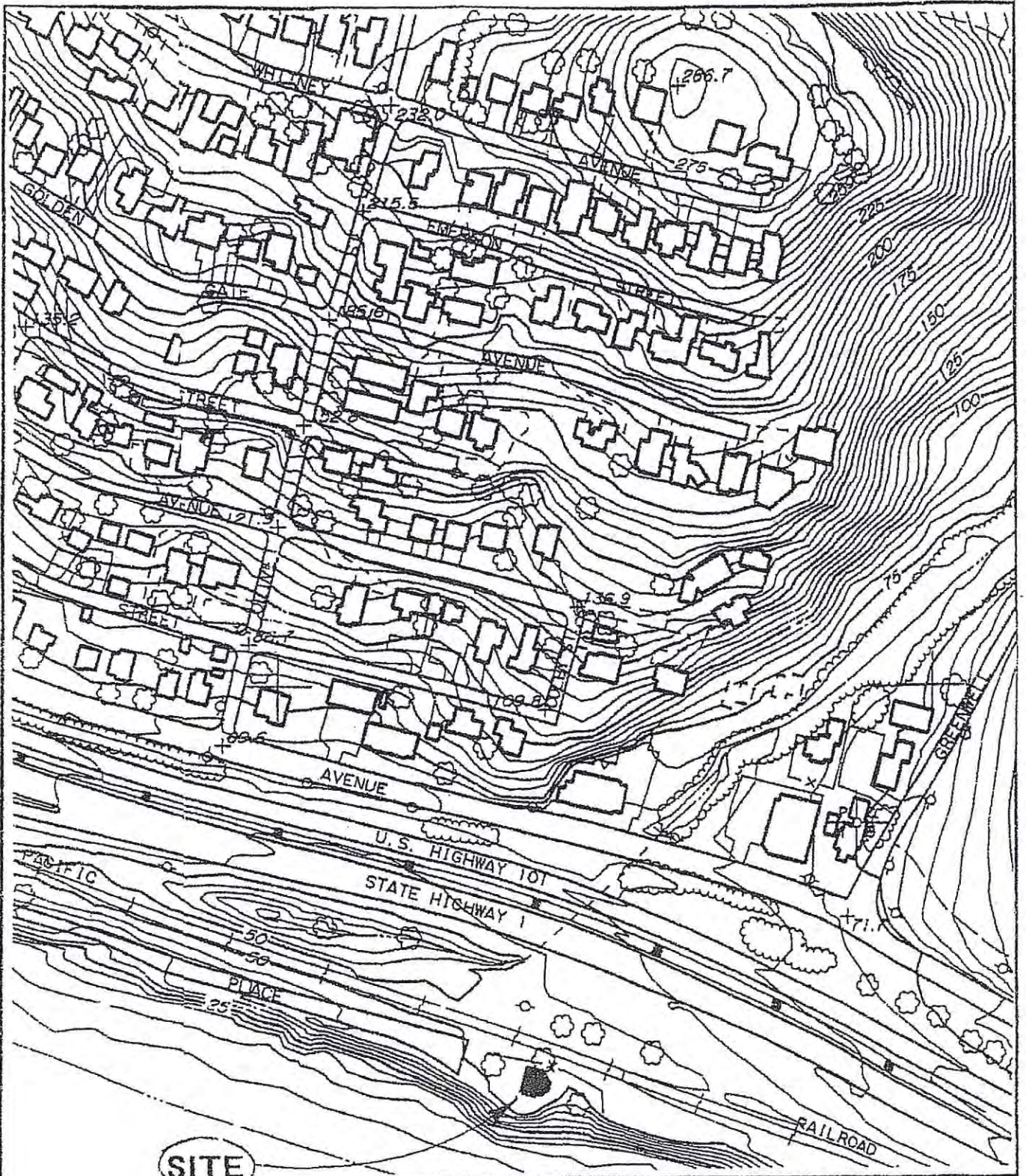
END-OF-TEXT



1901 VICINITY MAP

Scale: 1"=2600'±
 Project: 951107
 Figure: 1-A

BY: CFG CONSULTANTS

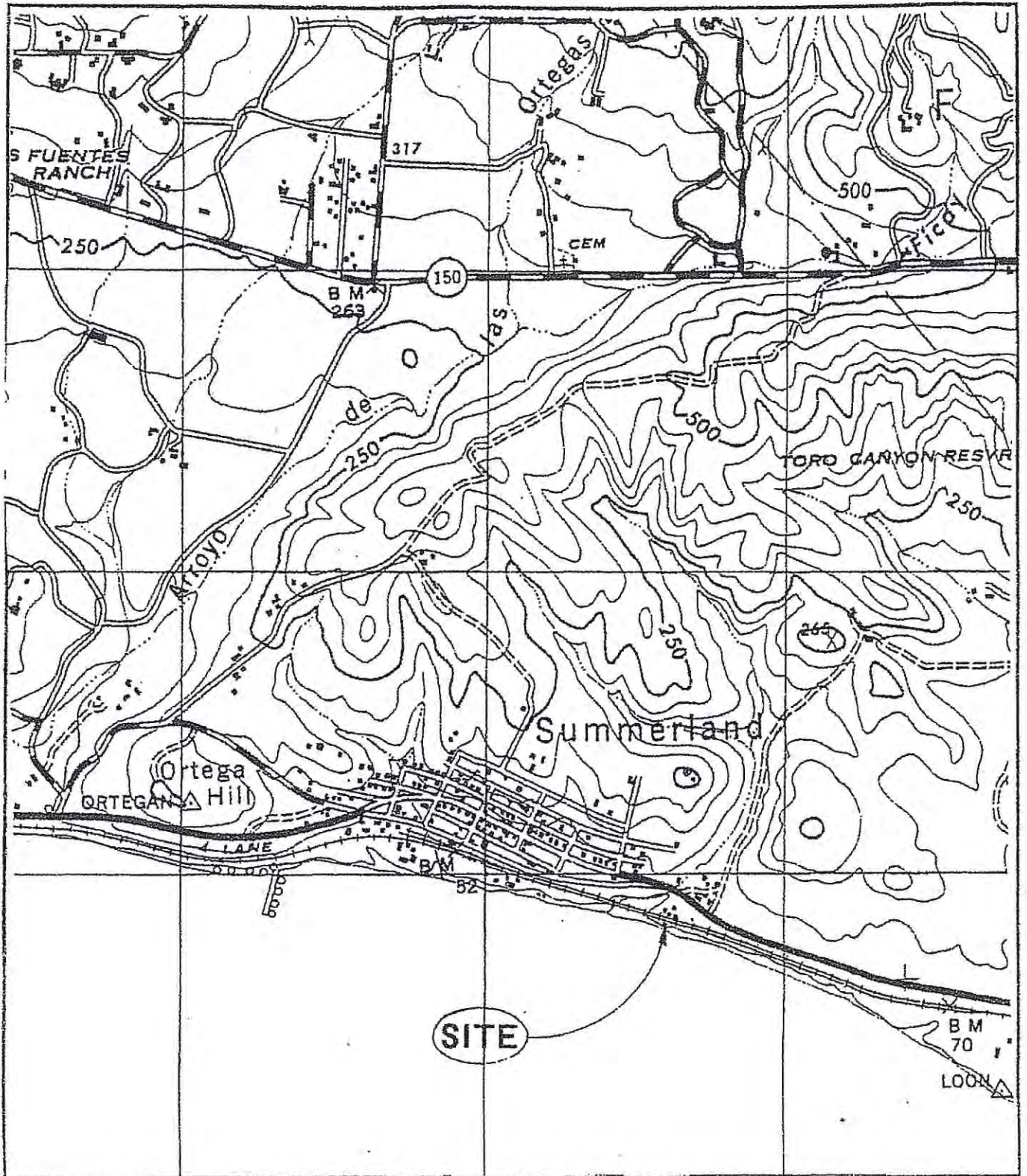


SITE

1994 VICINITY MAP

Scale: 1"=200'
 Project: 951107
 Figure: 1-D

BY: CFG CONSULTANTS



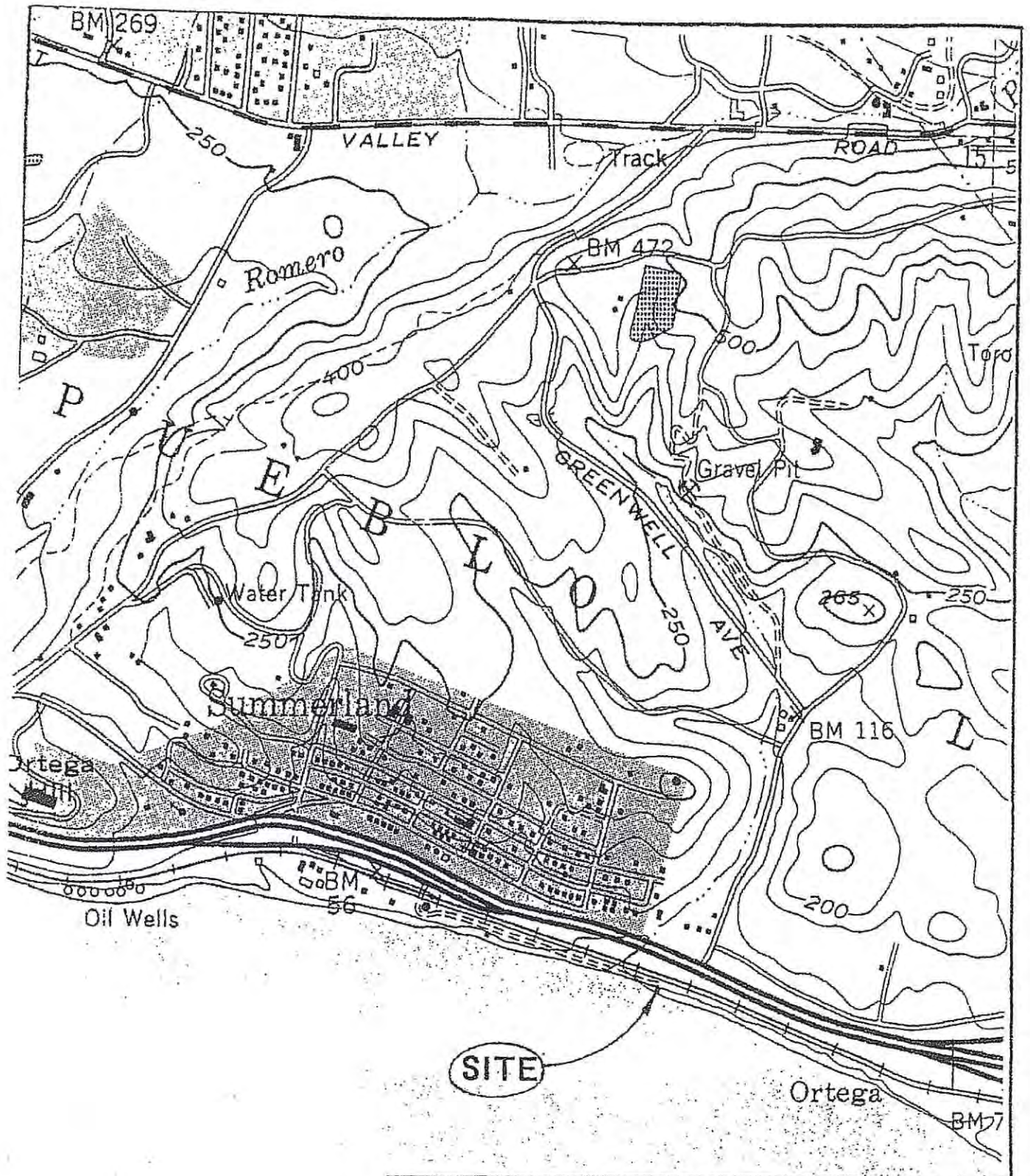
1944 VICINITY MAP

Scale: 1"=1320' ±

Project: 951107

Figure: 1-B

BY: CFG CONSULTANTS



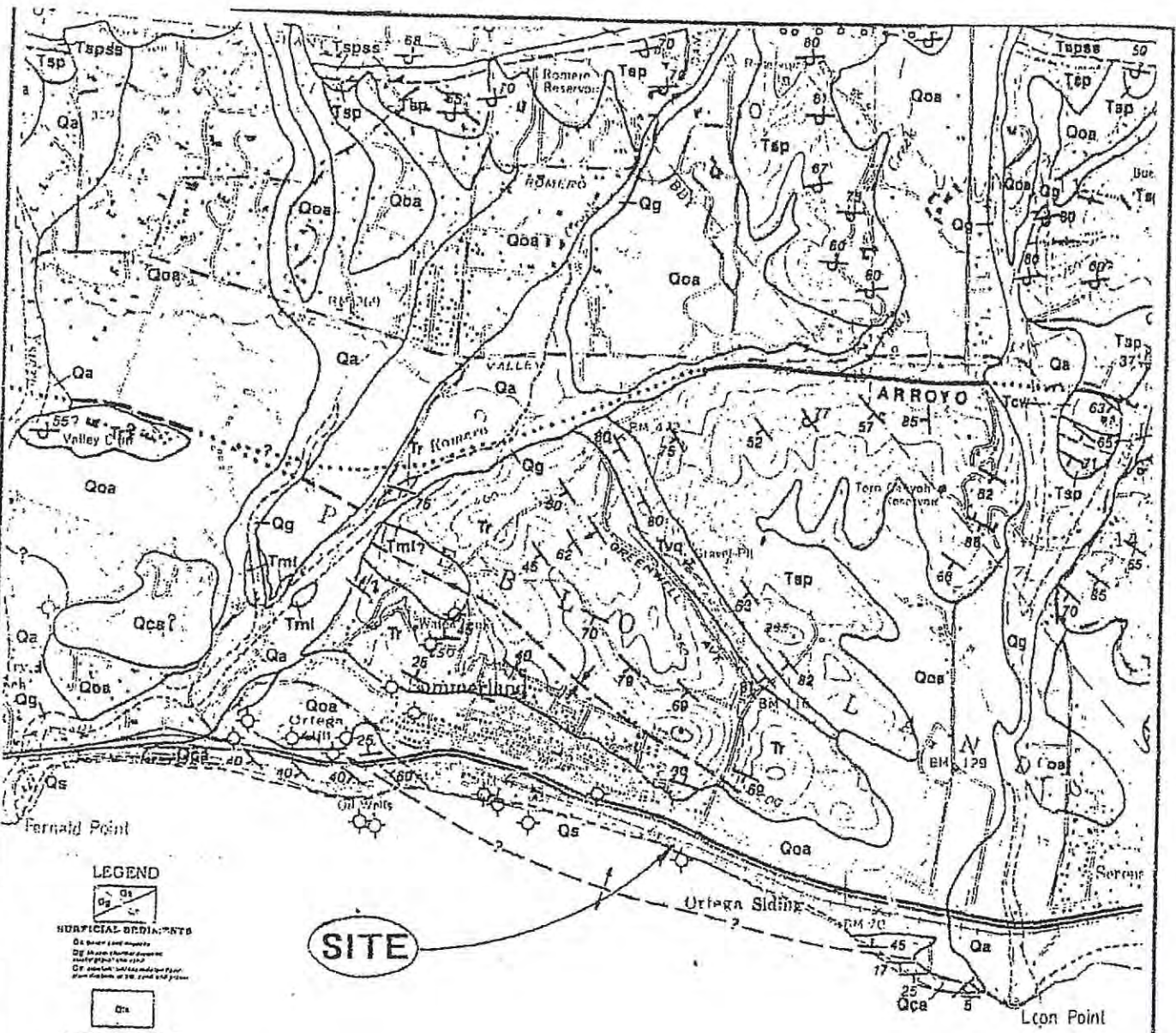
1952 VICINITY MAP

Scale: 1"=1000'±

Project: 951107

Figure: 1-C

BY: CFG CONSULTANTS



LEGEND



SURFICIAL DEPOSITS
 Qa sand and silt
 Qg clayey sand and silt
 Qo clayey sand and silt
 Qc clayey sand and silt
 Qd clayey sand and silt



LANDSLIDE DEBRIS
 Qoa clayey sand and silt



OLDER DISSECTED SURFICIAL SEDIMENTS
 Qoa heavily dissected sand and silt
 Qob heavily dissected sand and silt



UNCONFORMITY
 Qoa clayey sand and silt



CASITAS FORMATION
 Qoa clayey sand and silt



UNCONFORMITY
 Tm Monterey



MONTEREY FORMATION
 Tm Monterey

GEOLOGIC MAP OF THE CARPINTERIA QUADRANGLE
 SANTA BARBARA COUNTY, CALIFORNIA

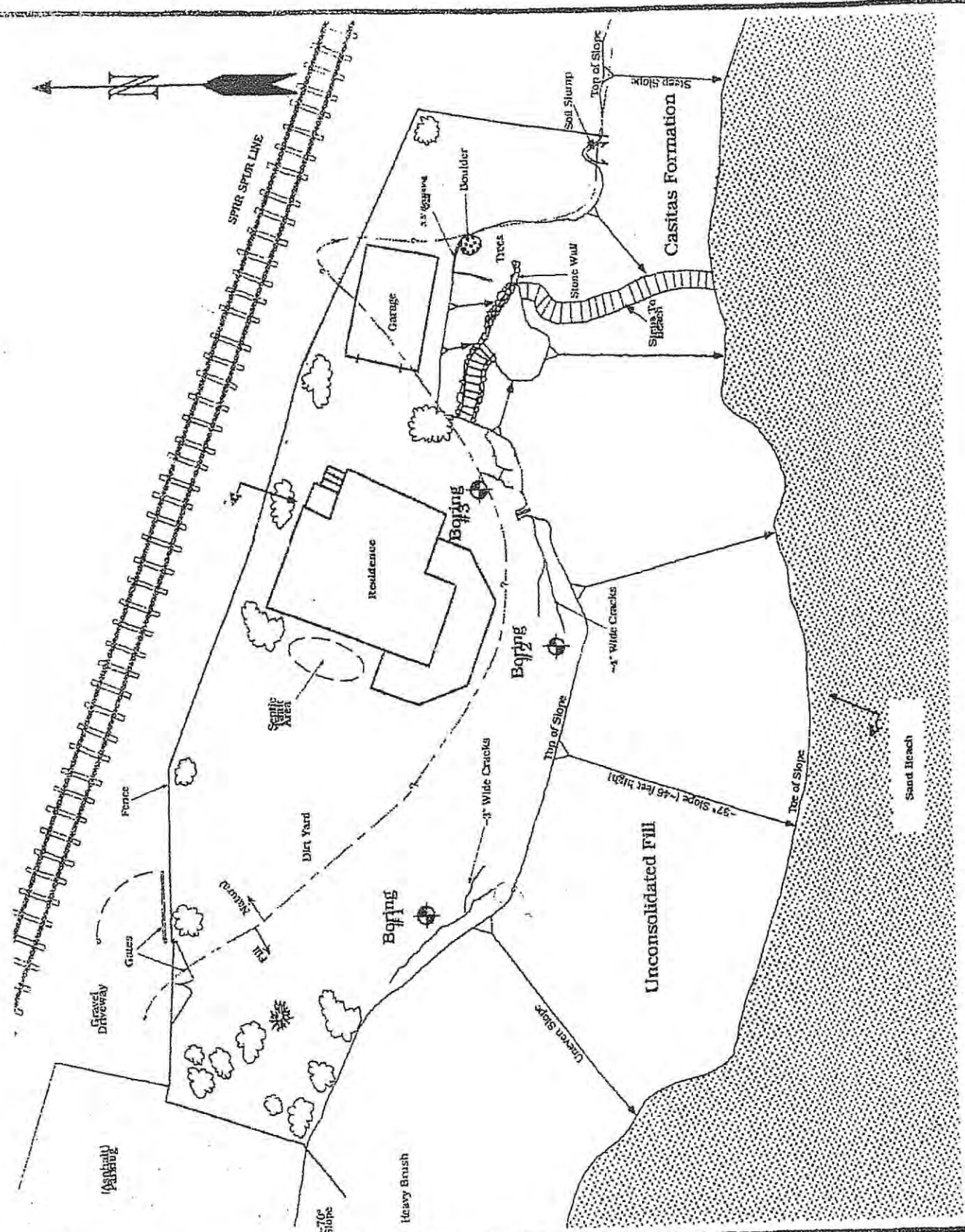
BY THOMAS W. DIBBLE, JR.
 AND CAROL M. DIBBLE

SITE

S A N T A

B A R B A R A

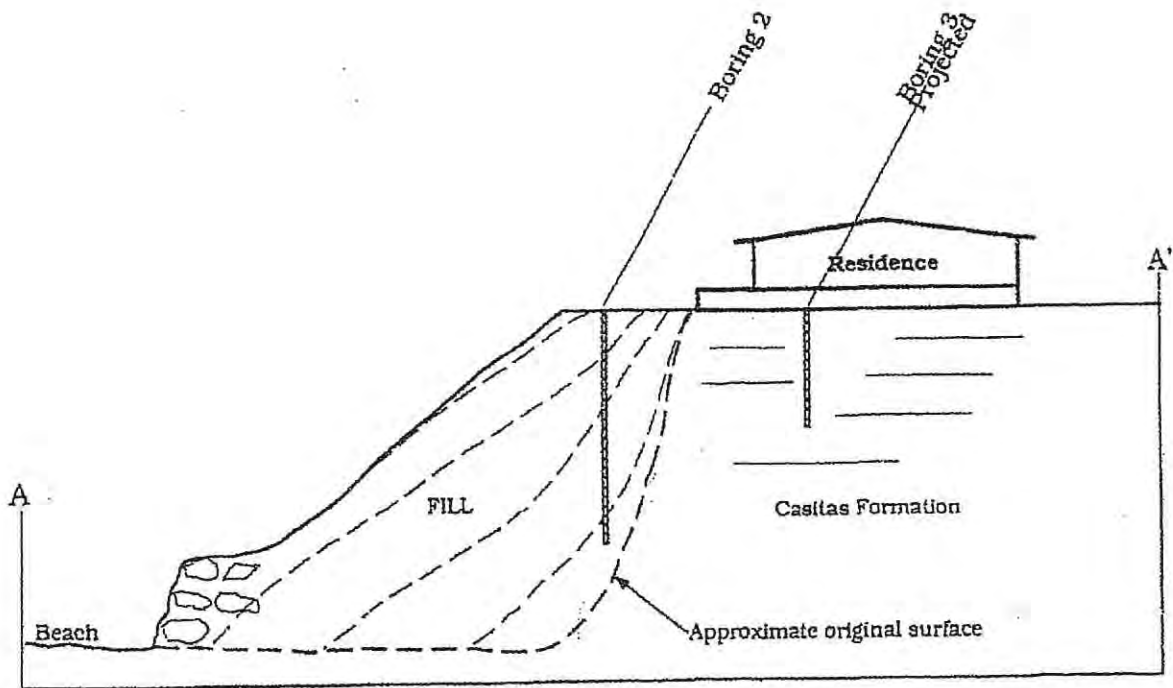
GEOLOGIC VICINITY MAP	Scale: 1"=2000'
	Project: 951107
	Figure: 2
BY: CFG CONSULTANTS	



CPG CONSULTANTS

Smith Project
 2551 Wallace Avenue
 Summerland, California

Scale: 1' = 25'
 Project: 951107
 Figure: 3



CFG CONSULTANTS

Smith Project

Scale: 1" = 25'

Project: 951107

Figure: 4

DEPTH - FEET	UNDS SAMPLES	BULK SAMPLES	# BLOWS	CONSISTENCY	COLOR	DESCRIPTION & CLASSIFICATION	DRY DENSITY (pcf)	MOISTURE CONTENT (%)	OTHER TESTS
0 - 5	1	1	1	Very Loose	Gray Brown	FILL: Gravelly Sandy Clay Silty fine Sand with small gravel to 1" occ. piece of glass, plaster, & asphalt.	91	16	78
5 - 10	2	2	2		Lt. to Dk. Brown		94	13	74
10 - 15	2	2	2		Tan, Yellow Mottled	Sandy Clay, with +/- 10% gravel to 2" occ. piece of concrete.	93	26	76
15 - 20	1	1	1		Light Gray Tan	Clean fine Sand	89	9	85
20 - 25	1	1	1			Caving	91	4	86
25 - 30	3	3	3	Mod. Firm	Mottled Lt. & Dk. Brown	Gravelly Silty Sand with abundant asphalt, tar, and concrete.	83 104	15 29*	80 84
30 - 32	5	5	5	Mod.			93	7	
End at 32 feet due to heavy caving. No free water. *with asphalt									

CFG CONSULTANTS

Summary of Boring No. 2

Method: Bucket Auger
 Date Drilled: 11-21-95
 Project: 951107
 Figure: 6

DEPTH - FEET	UNDS SAMPLES	BULK SAMPLES	# BLOWS	CONSISTENCY	COLOR	DESCRIPTION & CLASSIFICATION	DRY DENSITY (pcf)	MOISTURE CONTENT (%)	OTHER TESTS
5			4	Loose Very Loose	Gray Mottled Tan And Brown	<p>FILL: <u>Gravelly Sandy Clay</u></p> <p>Gravelly Silty Sand with +/- 20% Gravel and Cobbles to 4". Occ. brick, wire, concrete, tree limb.</p> <p>Concentration of boulders and cobbles to 18 at 8 to 10'.</p>	93	9	% (a) 73
10						<p>End of Boring at 10 feet on loose cobbles and boulders.</p> <p>No free water</p> <p>(a) Percent Compaction.</p>			

CFG CONSULTANTS

Summary of
Boring No. 1

Method: Bucket Auger
 Date Drilled: 11-21-95
 Project: 951107
 Figure: 5

DEPTH - FEET	UNDS SAMPLE	BULK SAMPLE	# BLOWS	CONSISTENCY	COLOR	DESCRIPTION & CLASSIFICATION	DRY DENSITY (pcf)	MOISTURE CONTENT (%)	OTHER TESTS
5			2	Mod. Firm	Gray Brown Tan	CASITAS FM: Clayey Sand Grades to a fine Sandy Clay.	93	19	
15			7		Gray Brown		103	12	
End of Boring at 15'						No caving; no free water.			

CFG CONSULTANTS

Summary of
Boring No. 3

Method: Bucket Auger
Date Drilled: 11-21-95
Project: 951107
Figure: 7

PHOTO LOG

- PHOTO 1 View of property from railroad tracks area.
- PHOTO 2 View east from just inside entry gate.
- PHOTO 3 Boring No. 3 location (at rear of drill rig).
- PHOTO 4 View of coastal bluff east of subject property.
- PHOTO 5 Boring No. 1 location (at rear of drill rig) and top of slope to left, residence to right. Note significant earth cracks in foreground.
- PHOTO 6 Earth cracks just beyond Boring No. 1 location.
- PHOTO 7 View below residence. Note "new" construction.
- PHOTO 8 View of subject property looking west from beach.
- PHOTO 9 View of subject property looking east from beach.
- PHOTO 10 Coastal bluff east of subject property. Casitas formation exposed.
- PHOTO 11 Fill debris and fill sand on slope west of subject property.

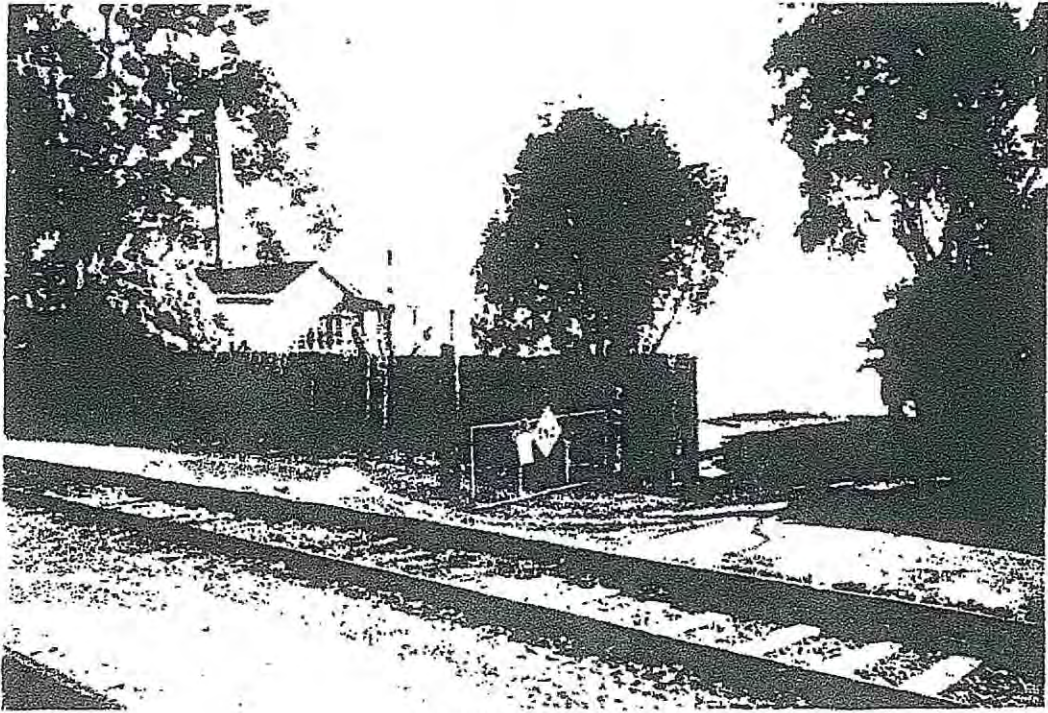


PHOTO 1

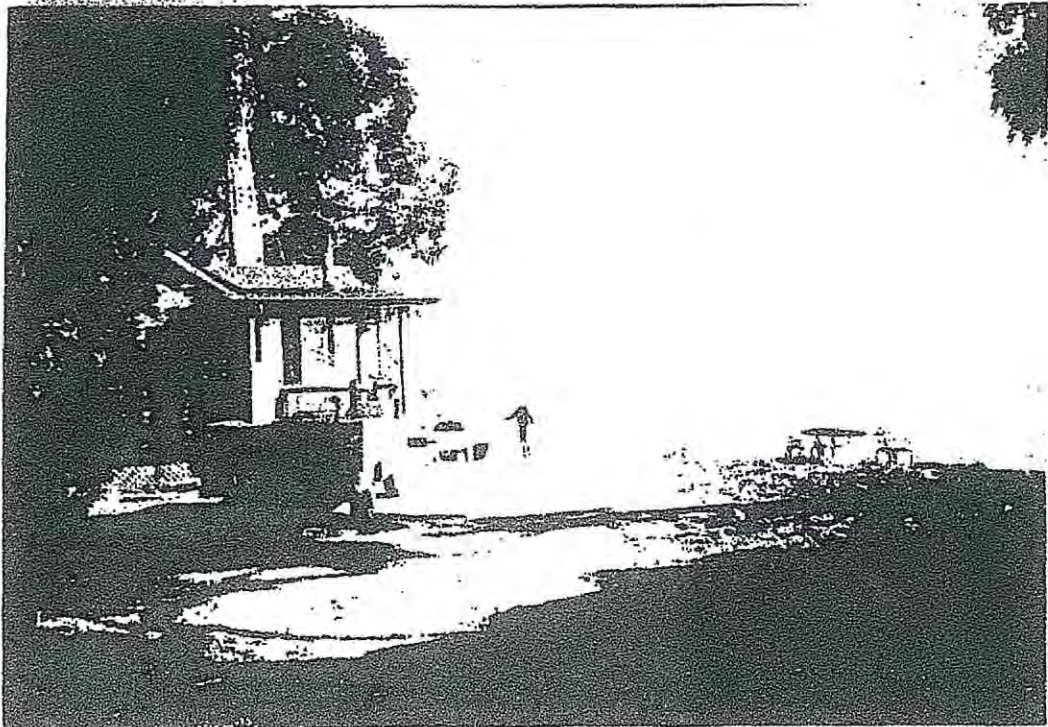


PHOTO 2



PHOTO 3

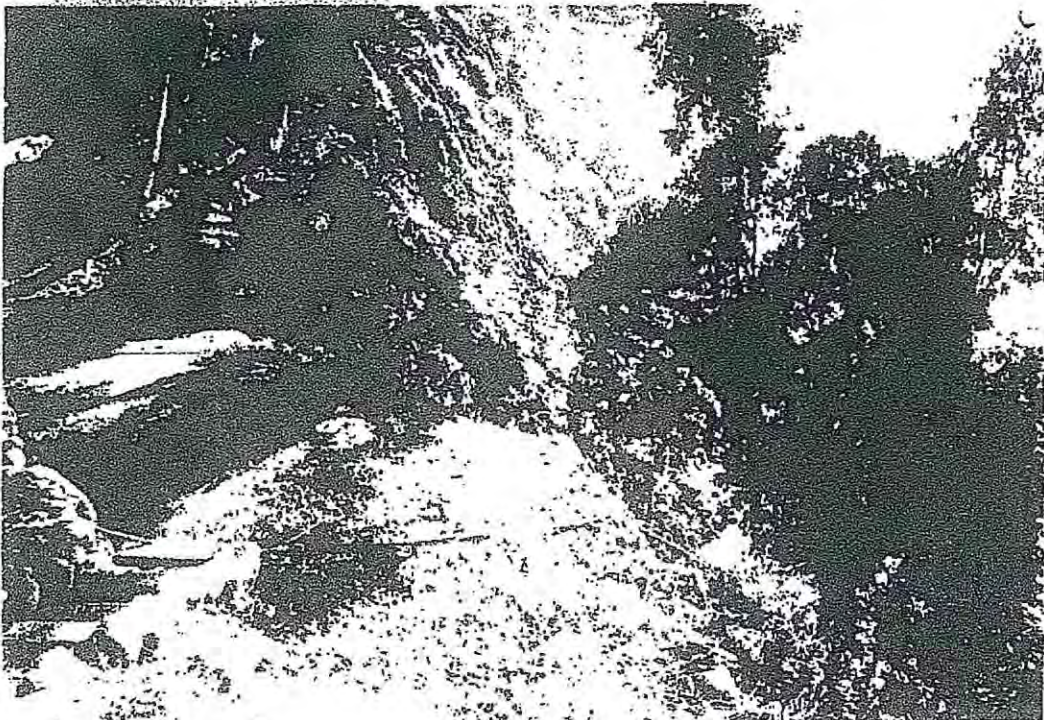


PHOTO 4



PHOTO 5

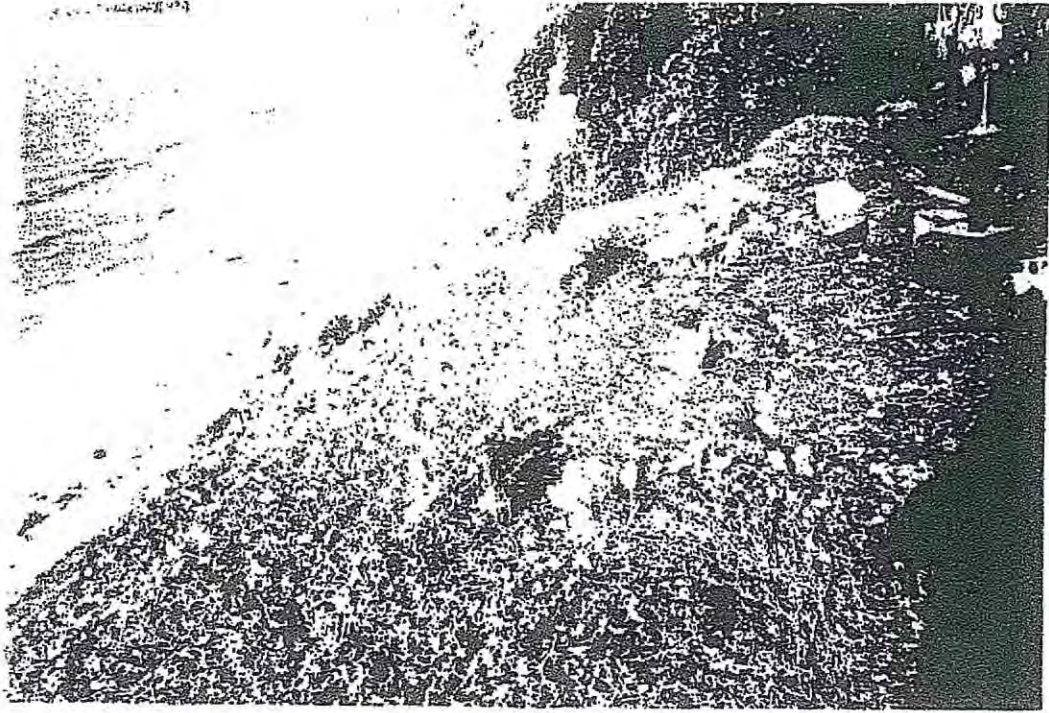


PHOTO 6

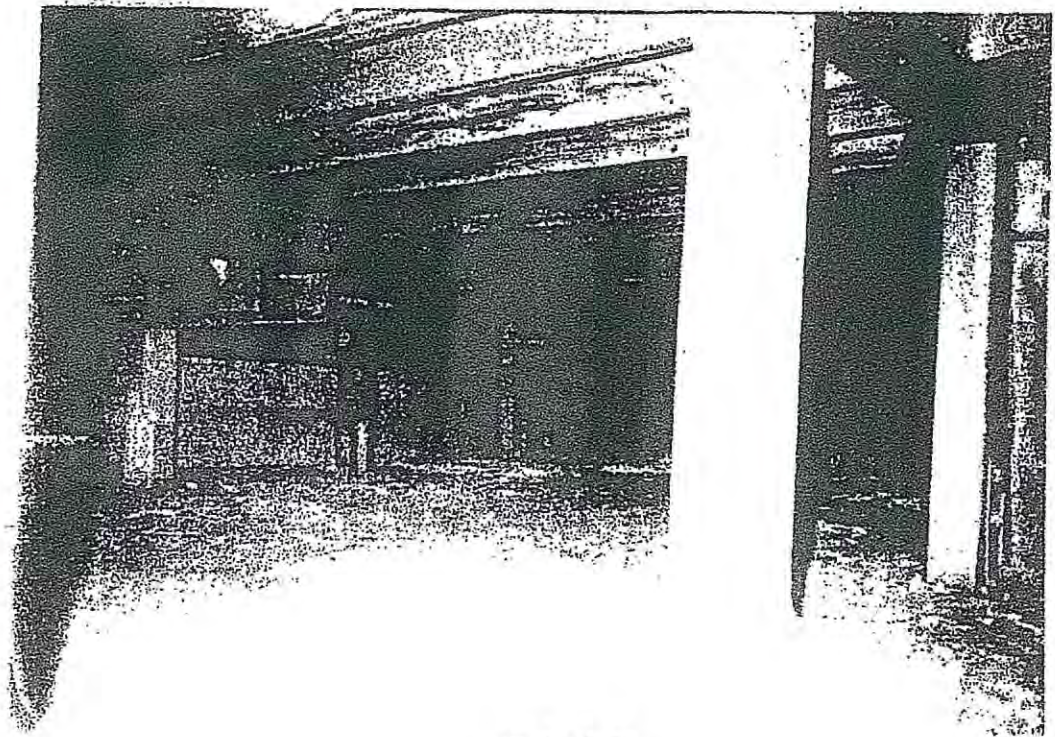


PHOTO 7

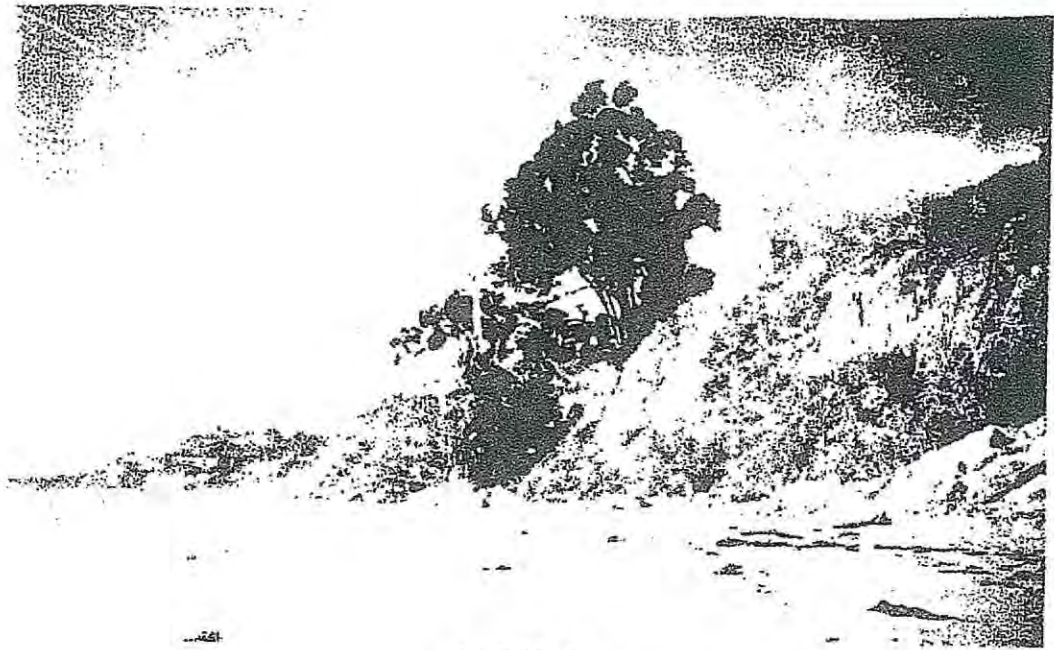


PHOTO 8

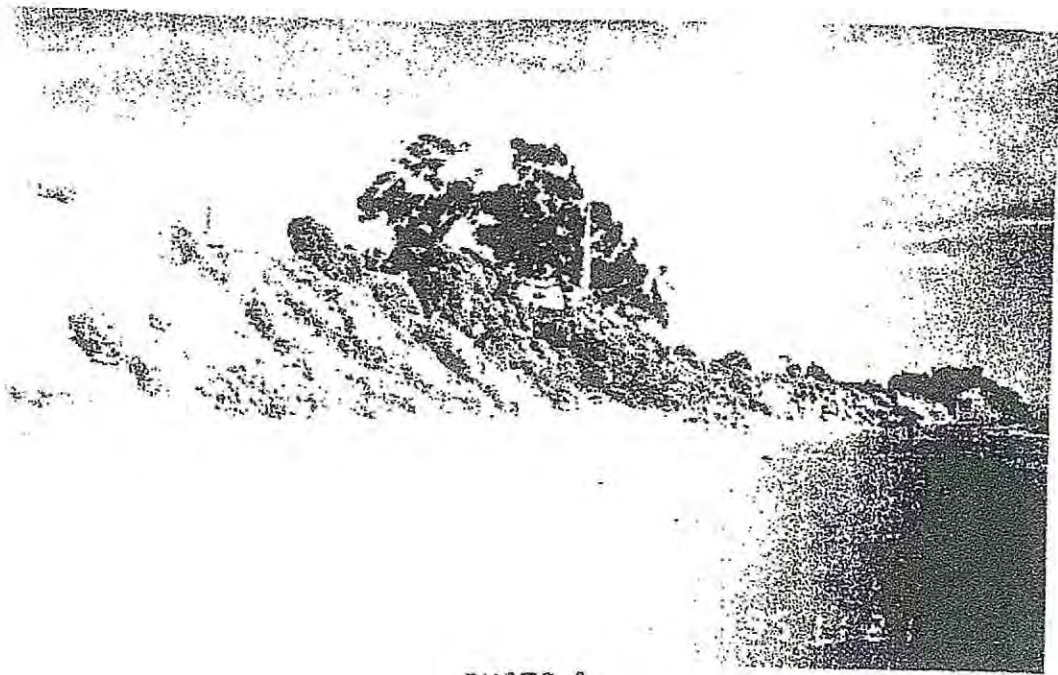
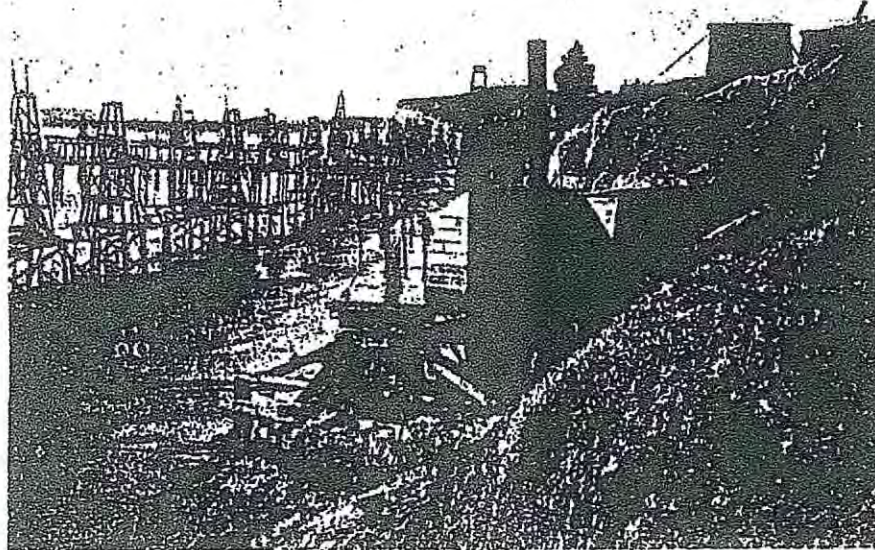
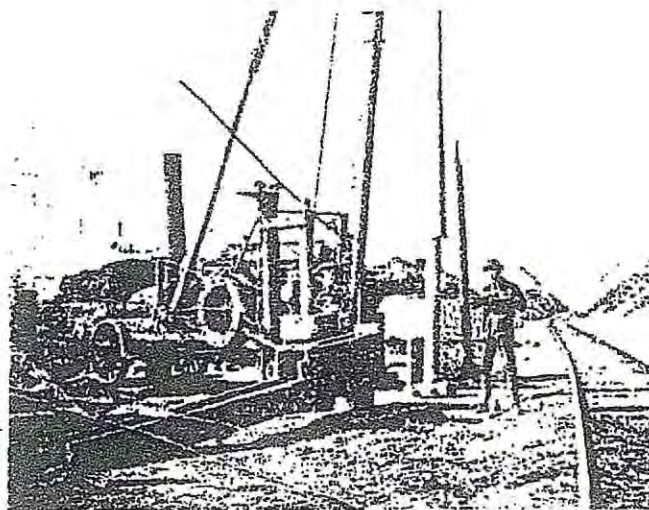


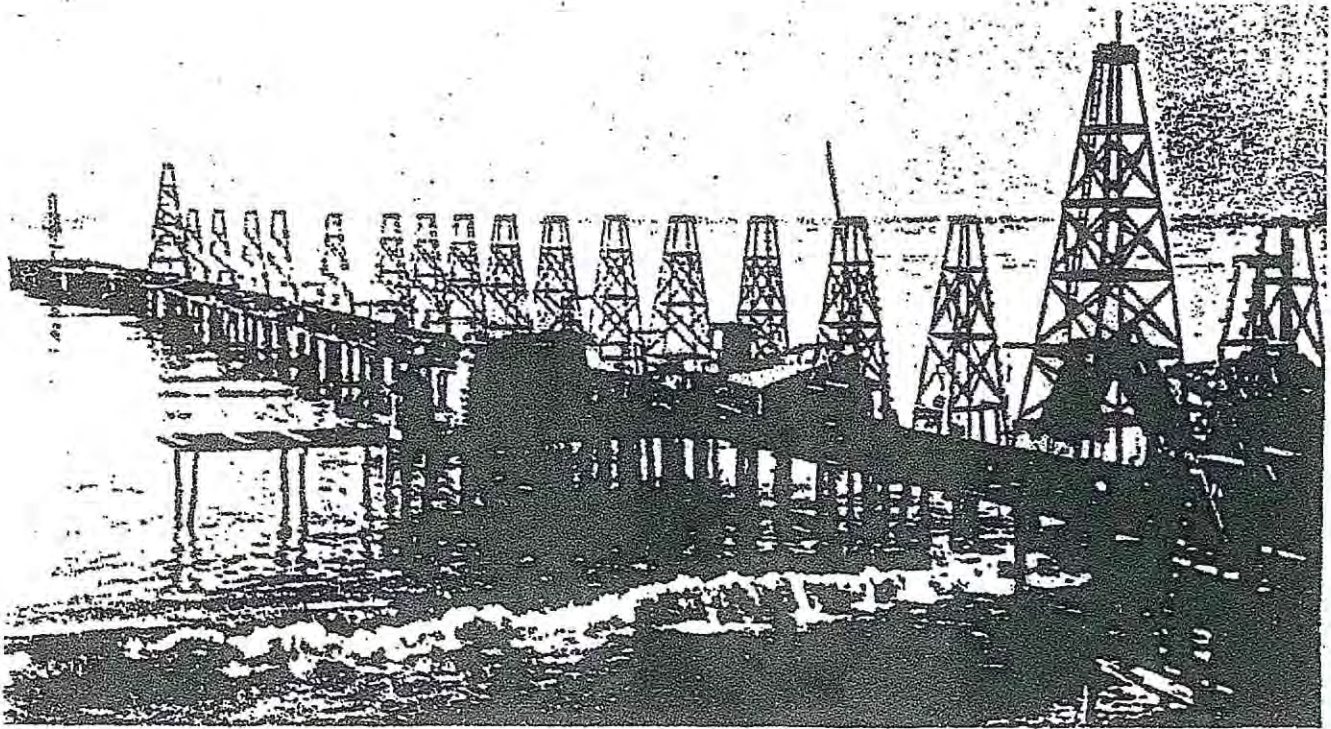
PHOTO 9



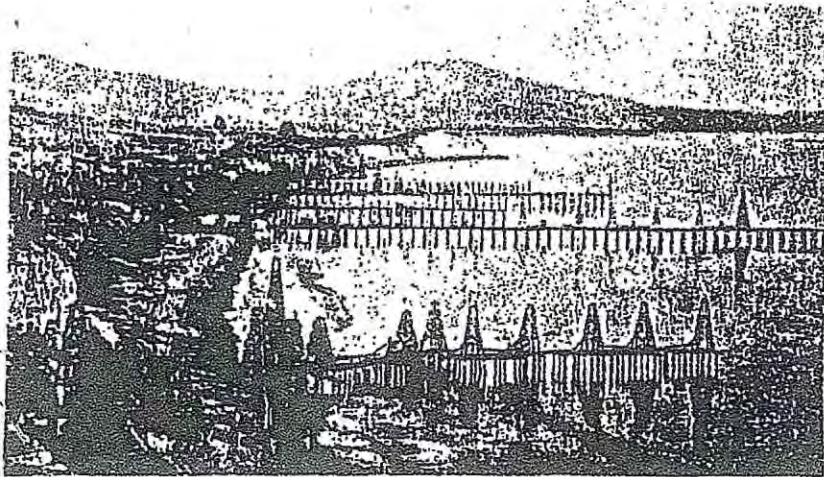
DUQUESNE OIL COMPANY PLANT
[From "Southern Santa Barbara County", published in 1900 by
The Summerland Advance-Courier]



DRILLING A WELL WITH AN OLDER MODEL RIG
[Lambert Collection]



TREADWELL WHARF, THE LONGEST [1200'] IN SUMMERLAND
From which Fred's favorite horses fell to their death.
(From "Southern Santa Barbara County", published in 1900 by
The Summerland Advance-Courier)



SUMMERLAND IN 1889
(From "Southern Santa Barbara County", published in 1900 by
The Summerland Advance-Courier)

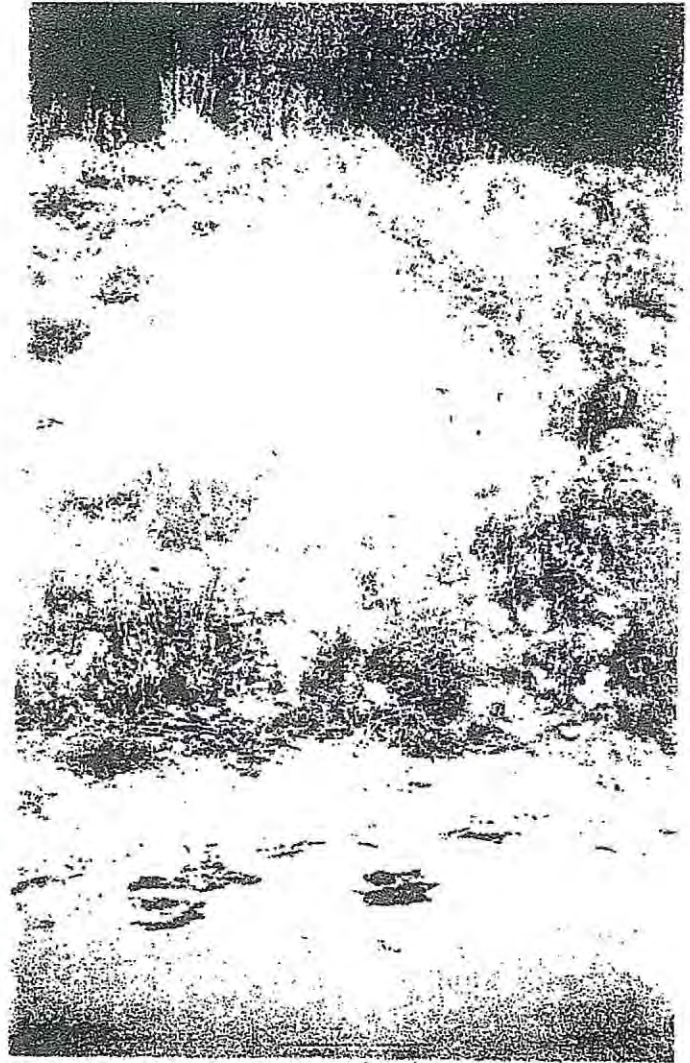


PHOTO 10

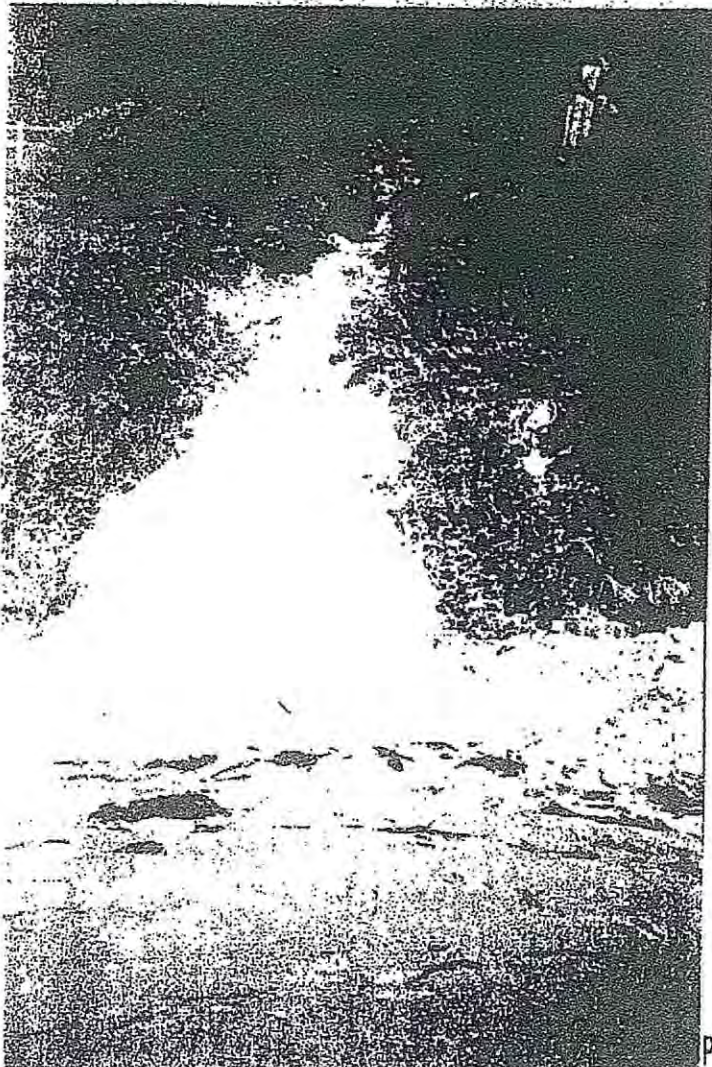


PHOTO 11

*Coast-Valley
Testing, Inc.*

Order Number

20588

Reference Number

00-4670

Foundation Exploration

For

Jeff O'Neil

2557 Wallace Avenue

Summerland, California 93067

PROPOSED

Single Family Residence

2557 Wallace Avenue

Summerland, California 93067

October 4, 2000

360 South Fairview Avenue Suite A, Goleta, California 93117
Goleta Office (805) 964-3509 *Los Olivos Office (805) 688-3577*
Fax (805) 964-9897 *Fax (805) 686-5997*

TABLE OF CONTENTS

October 4, 2000

Order Number: 20588

Reference Number: 00-4670

	Page #
❖ INTRODUCTION-----	1
❖ DESCRIPTION OF FIELD INVESTIGATION-----	1
❖ AND LABORATORY TESTING	
❖ FINDINGS-----	2
❖ RECOMMENDATIONS-----	2 thru 4
❖ APPENDIX-----	5 thru 11

INTRODUCTION

The proposed single family residence is to be located at 2557 Wallace Road in Summerland, California as shown on Appendix # 1. The site is presently developed with an existing residence, which is to be removed. Site drainage is to the east at slopes of 1 to 2 percent, in the building area.

It is the purpose of this investigation to provide sufficient information about the soils in the supporting soil mantle to enable a suitable foundation design for the proposed structure.

This investigation does not include analysis of any geological conditions such as: faults, fractures, potential geological movement, or slope stability. This investigation was conducted in accordance with presently accepted soils engineering procedures consistent with the proposed development and no warranty is implied.

FIELD INVESTIGATION

The subsurface soil conditions were explored by 2 truck mounted auger borings that were drilled to depths of up to 20.0 feet below present ground surface. Soil samples were obtained during the drilling operations for laboratory testing and analysis and the borings were supplemented by 1-field density tests that were performed by the tube method. The boring and density test locations are shown on Appendix # 1, while the boring data is presented on Appendix # 2 & #3.

LABORATORY TESTING:

Laboratory testing and analysis consisted of soil field moisture content summary, maximum density-optimum moisture content determinations, field density summary, soil grain size analysis (mechanical and hydrometer method), and soil expansion potential tests. The results of our laboratory testing are presented in the Appendix.

FINDINGS

1. No free ground water was encountered in the borings.
2. In general, the top 18 to 24 inches of existing surface soils ere found to be loose and pourous becoming moderately firm to firm, below this depth.
3. The existing surface soils were found to be moderately expansive to expansive.
4. Review of the Engineering Geology Study, performed by Richard Cousineau in December 1995, indicated that portions of the site toward the beach, contain old fill, while the portions of the site where new construction is planned, is underlain by the Casitas Formation. The Geology report indicates that the Casitas Formation should be considered firm and stands naturally, at very steep slopes.
5. At the time of this exploration, an existing residence is present on the site and surface vegetation consists of planted landscape areas and natural grasses and weeds.

RECOMMENDATIONS:

It is the understanding of this office, that the proposed development will consists of removal of the existing structure and replacement with a wood frame residence/garage, supported on caissons and structural slab. In addition, it is the understanding of this office that the structures will be located entirely in the area of the Casitas Formation. Based upon this understanding this office recommends the following.

1. Remove all surface vegetation including roots, and roots structures from the new construction area.
2. Remove the existing structure including the foundation system and any man-made underground facilities from the new construction areas.
3. The top 1.0 foot of all exposed surface soils and any fill required to crate a level building pad, shall be compacted to a minimum of 90 percent relative compaction, as tested and certified by the soils engineer. This shall include concrete patio and walkway. In driveways and parking areas, the compaction standard shall be increased to 95 percent of maximum dry density.
4. The Compaction Standard shall be the ASTM D 1557-91 Method of Compaction.

5. Caissons shall be placed at the corners of the structure and at intervals sufficient to support the imposed load. Caissons shall be a minimum of 18 inches in diameter and shall extend a minimum of 20.0 feet below existing ground surface. Caissons shall be reinforced to properly support the imposed load, with a skin friction value of 400 psf, per square foot of bounding area. The top 5.0 feet of surface soils shall be disregarded when considering wind or seismic movement.
6. Connection exterior grade beams shall extend a minimum of 24 inches below outside yard grade for moisture control and shall be sized and reinforced to properly support the imposed load. Interior grade beams shall be sized and reinforced to properly support the imposed load and shall extend a minimum of 12 inches below the concrete slab sand blanket.
7. The concrete structural slab on grade shall be a minimum of 6 inches thick and shall be reinforced with a minimum of a double mat of #4 rebar of 18 inches on center each way, with one mat placed in the top one third of the slab and the other in the bottom one third of the slab. The concrete slab on grade shall be underlain with a 4 inch sand blanket, in which an impervious membrane is embedded.
8. Positive drainage shall be provided away from the proposed structure.
9. This office shall be notified to inspect and approve all footing and caisson excavations, prior to placing formwork or reinforcing steel.
10. The finished structure shall be fitted with rain gutters and down spouts that effectively collect and discharge all roof rain water run-off a minimum of 10.0 feet away from the proposed structure.

TJD/cp

Respectfully,
Coast Valley Testing, Inc.

Timothy J. DeSan, President
RCE 33758 Expires 06-30-2002



Page 4

Order Number: 20588

Reference Number: 00-4670

** APPENDIX **

APPENDIX

I MAXIMUM DENSITY-OPTIMUM MOISTURE DETERMINATIONS

Maximum Density-Optimum Moisture data was determined in the laboratory using the ASTM D-1557-91 Method of Compaction. The results are as follows:

SOIL TYPE	SOIL DESCRIPTION	DRY DENSITY (LBS/CU.FT)	MOISTURE (%)
I	Dark brown / black clayey sand	118.5	12.5

Curve points: (112.2 @ 9.1) (117.3 @ 11.5) (117.0 @ 13.3)

II FIELD DENSITY SUMMARY

TEST NUMBER	DEPTH (FT)	SOIL TYPE	FIELD MOISTURE (%)	DRY DENSITY (LBS/CU.FT)	% OF MAXIMUM DRY DENSITY
1	1.2	I	13.3	97.5	82.2

III SOIL PARTICLE SIZE ANALYSIS

MECHANICAL ANALYSIS (Values in percent passing)

SIEVE SIZE	B-1 @ 1.0	B-1 @ 3.0	B-1 @ 5.0	B-1 @ 7.0	B-1 @ 10.0	B-1 @ 15.0	B-1 @ 20.0
3/8	100	100	100	100	100	100	100
No. 4	92	100	100	100	100	100	100
No. 8	80	99	100	100	100	100	100
No. 16	75	98	100	100	100	99	99
No. 30	71	96	99	99	99	97	98
No. 50	68	88	97	96	94	93	94
No. 100	56	84	87	90	86	86	85
No. 200	50	78	77	83	81	80	79

IV SOIL PARTICLE SIZE ANALYSIS
MECHANICAL ANALYSIS (Values in percent passing)

SIEVE SIZE	B-2 @ 5.0	B-2 @ 7.0	B-2 @ 10.0	B-2 @ 15.0	B-2 @ 20.0
. 3/8	100	100	100	100	100
No. 4	100	100	100	99	99
No. 8	100	100	100	97	98
No. 16	100	100	100	96	96
No. 30	99	99	99	95	95
No. 50	95	95	96	93	92
No. 100	85	81	82	85	84
No. 200	77	68	69	80	79

V BY HYDROMETER

BORING NO.	DEPTH (FT)	SAND (%)	SILT (%)	CLAY (%)	SOIL DESCRIPTION
1	1.0	54	18	28	Clayey sand
1	3.0	28	28	44	Sandy silty clay
1	5.0	26	28	46	Sandy silty clay
1	7.0	22	22	56	Clay
1	10.0	24	24	52	Clay
1	15.0	22	22	56	Clay
1	20.0	26	25	49	Clay

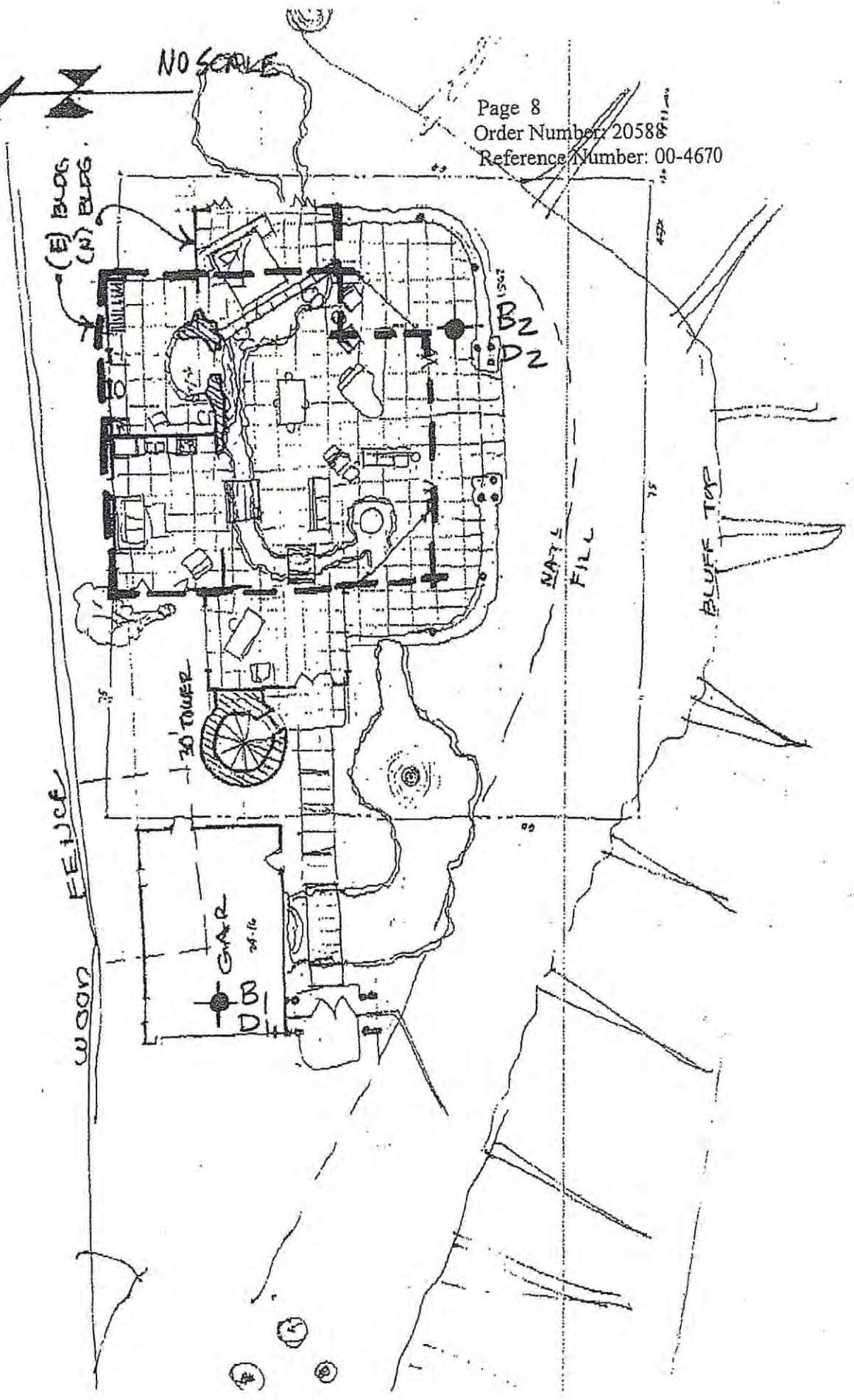
V BY HYDROMETER					
BORING NO.	DEPTH (FT)	SAND (%)	SILT (%)	CLAY (%)	SOIL DESCRIPTION
2	5.0	30	22	48	Sandy silty clay
2	7.0	38	22	40	Sandy silty clay
2	10.0	36	24	40	Sandy silty clay
2	15.0	24	25	51	Clay
2	20.0	26	23	51	Clay

VI EXPANSION TESTS

Expansion tests were performed on a representative soil sample which is recompacted to 90% percent relative compaction at near optimum moisture content, and allowed to air dry to a moisture content below the shrinkage limit.

<u>SOIL TYPE</u>	<u>SURCHARGE PRESSURE</u>	<u>EXPANSION %</u>
I	60	7.1

NO SCALE



**Earthquake Design Factors
 UBC 1997 Edition Chapter 16**

<u>Design Values</u>	
Seismic Source	<u>Mission Ridge Arroyo Parida Santa Ana Fault</u>
Distance to Seismic Source	<u>less than 2 km</u>
Seismic Zone	<u>4</u>
Table 16-I Seismic Zone Factor Z	<u>0.40</u>
Table 16-J Soil Profile Type	<u>SD</u>
Table 16-Q Seismic Coefficient Ca	<u>0.44 Na</u>
Table 16-R Seismic Coefficient Cv	<u>0.64 Nv</u>
Table 16-S Near Source Factor Na	<u>1.3</u>
Table 16-T Near Source Factor Nv	<u>1.7</u>
Table 16-U Seismic Source Type	<u>B</u>

BORING LOG
 #1

MOISTURE
(%)

DEPTH

SOIL DESCRIPTION

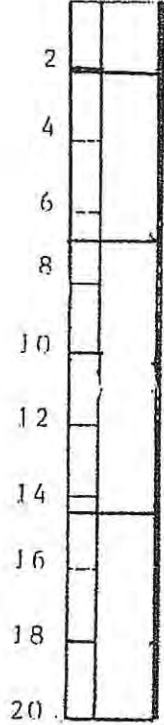
<u>MOISTURE</u> <u>(%)</u>	<u>DEPTH</u>	<u>SOIL DESCRIPTION</u>
	0	
14.3	2	black clayey silt sand damp and pourous
14.6	4	black dark brown silty clay moist moderately firm to firm
18.3	6	
15.6	8	
15.9	10	brown silty clay with shale moist and firm
18.6	12	
	14	
	16	
	18	
18.3	20	

BORING LOG
 #2

MOISTURE
 (%)

7.5
 14.9
 17.0
 15.6
 15.2
 17.0
 20.8
 20.5

DEPTH



SOIL DESCRIPTION

brown silty sand dry and pourous
 black/dark brown silty clay damp
 pourous to moderately firm
 brown silty clay with shale moist firm
 yellow/brown sitly clay and shale
 moist firm

FUGRO WEST, INC.



211 E. Victoria, Suite D
Santa Barbara, California 93101
Tel: (805) 963-4450
Fax: (805) 564-1327

Date: October 21, 2003
Project No.: 3062.005

PROJECT MEMORANDUM

To: Flowers and Associates, Inc.
Mr. Eric Flavell

From: Lori Prentice/Ken Clements

Subject: Summary of Initial Findings and Opinions, Wallace Avenue Beach Access Master Plan Study, Summerland, California

INTRODUCTION

This project memorandum presents a summary of our initial findings and opinions relative to the Wallace Avenue bluff retreat and beach access master plan study. The work performed to date for the study consists of a data and aerial photographic review and a site reconnaissance to observe existing conditions and geologic structure. Subsurface exploration was not performed as part of this study.

The project site is located along the ocean bluff, south of the railroad tracks in the City of Summerland, near the location indicated on Plate 1 – Site Location and Geologic Map.

FINDINGS

DATA AND AERIAL PHOTOGRAPHIC REVIEW

We reviewed selected published geologic and topographic data available in our files. Geologic mapping by Dibblee¹ suggests that the project site is underlain by older alluvial deposits consisting of weakly consolidated silt, sand, and gravel (Plate 1). Further, Dibblee indicates that the project site is located on a north-dipping limb of an anticlinal-synclinal structure as indicated on Plate 1. As such, any geologic structure that may exist at the site would be expected to dip northward (favorably), into the coastal bluff.

We reviewed the site-specific aerial photographs available at the University of California, Santa Barbara (UCSB) Map and Imaging Library (MIL) on September 30, 2003. The purpose of the aerial photographic review was to estimate historical bluff retreat rate and to evaluate the

¹ Dibblee, T.W. Jr. (1986), *Geologic Map of the Carpinteria Quadrangle, Santa Barbara County, California*: Dibblee Foundation Map DF-04, Santa Barbara, California.



possible cause(s) of the bluff retreat. The date, flight number, frames, and scales of the reviewed photographs are summarized in Table 1.

Table 1. Summary of Aerial Photographs Reviewed

Year	Flight Number	Scale	Frame Numbers
1928	C-311	1:18,000	22, 23, and 24
1943-1944	BTM-1943	1:20,000	65 and 66
1953	CC	1:4,800	47 and 48
1959	HA-GN	1:15,600	85 and 86
1962	HA-OI	1:12,000	58 and 59
1964	HA-VX	1:12,000	35 and 36
1969	HB-NN	1:6,000	84 and 85
1972-1973	PW-SB-1	1:12,000	105 and 106
1983	PW-SB-5	1:24,000	8 and 9
1989	PW-SB-7	1:24,000	19 and 20
1997	PW-SB-10	1:24,000	22 and 23
2001	PW-SB-2001	1:12,000	30 and 31
2003	PW-SB-14	1:12,000	29, 30, and 31

Plate 2 - Annotated 1928 Aerial Photograph and Plate 3 - Annotated 1969 Aerial Photograph are included for reference. Our field observations and notes relative to existing conditions are presented on Plate 4 - Annotated Topographic Map. The following observations are based on the aerial photographic review:

- Highway 1, the railroad, and the existing residence located at the eastern end of Wallace Avenue predate the earliest available photographs at UCSB MIL (1928) as indicated on Plate 2.
- Several piers extending up to about 800 feet into the ocean were present in the project vicinity in the 1928 photographs. The piers were likely related to the oil industry and were removed prior to the 1943-1944 photographs.
- A faint, narrow dirt road appears to exist along the top of the bluff in the 1928 photographs and may have been an early form of Wallace Avenue. The roadway may have served as access to the piers. The dirt road is better established and wider in the 1943-44 photographs.
- A south to southwest draining canyon extends through the project site as indicated on Plates 1 through 3. Review of Plate 2 suggests that the canyon was filled in as part of the construction of Highway 1 and the railroad. Drainage culverts extend beneath the highway and railroad improvements, and exit near the toe of the bluff in the project vicinity (east of the existing access road). Due to the scale of the photographs, the extent of the filled area in the project vicinity



- is not discernable. Based on our site visit, the drainage culverts are still in existence.
- US 101 was constructed in the 1950s between Highway 1 and the railroad (Plate 3). The canyon drainage was filled in and a drainage culvert installed beneath the new highway.
 - Evidence of water flow from the culvert onto the beach area was evident in each of the series of photographs reviewed for this study (Table 1). In the 1969 photographs, an erosional feature that appeared to be associated with the drainage culvert was noted in the bluff face (Plate 3).
 - Review of the 1928 photographs suggests that the top of the bluff was fairly linear in the project vicinity and for several hundred feet to the northwest and southeast of the project site as indicated on Plate 2. Appreciable, large-scale indentations, or arcuate-shaped landward erosional features were not evident within several hundred feet northwest and southeast of the project site in the 1928 photographs. In comparison, a large arcuate landward erosional feature is present within the project vicinity in the 1969 photographs (Plate 3). The arcuate-shaped erosional feature is also evident on the topographic map (Plate 4) in the project vicinity.
 - The distance from the top of the bluff to the railroad appears to be on the order of about 130 to 150 feet in the project vicinity in the 1928 photographs (Plate 2). By 1969 (Plate 3), the distance appears to be on the order of about 40 to 70 feet, suggesting that the bluff had retreated some 80 to 90 feet in 41 years (a rate of nearly 2 feet of bluff retreat per year).
 - The topographic map provided to us indicates that the distance from the top of the existing bluff to the railroad is on the order of about 30 to 70 feet (Plate 4). The difference between the approximated distance measured on the 1928 photographs and the current topographic map suggests about 80 to 100 feet of bluff retreat may have occurred over the 75-year time frame. That rate of bluff retreat would be on the order of about 1-foot to 1-1/3-feet-per-year.
 - Plate 5 – Comparison of Bluff Top Retreat, provides a comparison of the approximate locations of the bluff top over time based on our review of the 1928 and 1969 photographs (Plates 2 and 3), the 1990 site topographic map (Plate 4), and our September 2003 site reconnaissance.

SITE RECONNAISSANCE

We performed a site reconnaissance and limited geologic mapping to document the existing bluff conditions on September 30, 2003. The following observations were noted during our site reconnaissance. Selected site photographs from our site reconnaissance are presented on Plates 6a through 6e for reference.



- The existing bluff in the project vicinity is heavily vegetated. Limited exposures of the earth material, material distribution, and geologic structure were visible during our site reconnaissance.
- The existing bluffs are steeply inclined in the project vicinity. Based on the topographic map (Plate 4), slope inclinations in the project area range from about 1 horizontal to 1 vertical (1h:1v) to about 1.5h:1v.
- Soil materials exposed in the project vicinity appear to consist of artificial fill, landslide deposits, older alluvial deposits, and materials of the Casitas Formation.
- Fine-grained sandy silt and silty artificial fill materials with cobbles were observed in the vicinity of the railroad bed. Fill material and distribution associated with the canyon fill and drainage culvert beneath the railroad and Wallace Avenue was not readily identifiable in the aerial photographic review or the site reconnaissance.
- Riprap slope protection was observed at the toe of the bluff near the locations indicated on Plate 4. The rip-rap locations noted were: a) east of the access road at the base of the bluff; b) around the existing drainage exit; c) several hundred feet west of the project site; d) beneath the existing residence at the eastern end of Wallace Avenue; and e) several hundred feet east of the project site. Additionally, asphalt and concrete debris that had fallen from Wallace Avenue or that has been pushed over the bluff was also observed near the toe of the bluff in the project vicinity.
- Landslide deposits, likely attributed to slope retreat, were observed west of the existing residence at the eastern end of Wallace Avenue near the location indicated on Plate 4 and depicted in Photograph 9 (Plate 6e). Evidence of continuing landsliding and/or bluff retreat was observed within the asphalt pavement and older alluvial materials extending westward from the eastern end of Wallace Avenue as indicated on Plate 4 and depicted in Photographs 9 and 10 (Plate 6e).
- Older alluvial deposits exposed in the bluff in the project vicinity (between the City facility and the existing residence at the eastern end of Wallace Avenue) appear to consist of silty fine sand to sandy silt materials that appear to be easily eroded. Geologic structure such as bedding, faulting, or fractures was not observed.
- Reddish brown silty sediments (possibly of the Casitas Formation) were observed in the bluff in the vicinity of the existing residence at the eastern end of Wallace Avenue. The reddish brown silty materials appeared to be slightly denser/stiffer and less prone to bluff erosion than the silty sand to sandy silt older alluvial sediments exposed in the bluff downslope of Wallace Avenue.



- Water was observed flowing from the southern side of the US 101 culvert and into the drainage area between US 101 and the railroad during our site reconnaissance. The water appeared to be ponded and/or moving slowly in the drainage area. Water was also observed flowing from the culvert at the toe of the bluff in the project area during our site reconnaissance.

CONCLUSIONS AND OPINIONS

The artificial fill material associated with the canyon fill and drainage culvert and the older alluvial silty sand and sandy silt materials exposed in bluff south of Wallace Avenue appear to be easily erodible. Based on the findings of this study, it appears that about 80 to 100 feet of bluff retreat may have occurred in the vicinity of Wallace Avenue over a 75-year time frame (earliest available photographs reviewed for this study). Plate 5 provides a comparison of the approximate locations of the bluff top over time based on our review of the 1928 and 1969 photographs (Plates 2 and 3), the 1990 site topographic map (Plate 4), and our September 2003 site reconnaissance. Based on our site reconnaissance and aerial photographic review, bluff retreat in the project vicinity appears to be a result of erosion of the toe of the bluff by wave action resulting in failure of the steeply inclined slopes. The results of our aerial photographic review suggest that bluff retreat may be on the order of about one to two feet per year in vicinity of Wallace Avenue. Those rates are consistent with published bluff retreat rates of 6 to 24 inches per year for various bluff locations within Santa Barbara County². Bluff retreat appears to be less in areas east and west of Wallace Avenue where riprap has been placed at the toe of the bluff as indicated on Plate 5.

It should be noted that providing a bluff retreat rate can be misleading. Typically along the Santa Barbara coast, bluff locations can remain relatively static for years and then retreat during episodic events. Such episodic events can occur during relatively severe winter storms where storm surges, high tidal actions, and large waves can undermine the bluff causing slope failure and bluff retreat. At those times, the seacliff can slowly or catastrophically retreat a few to tens of feet. Thus, the bluffs typically do not retreat on a yearly basis at the average rates estimated herein.

² Santa Barbara County (1982), *Local Coastal Plan, Section 3.3, Revised June 1995.*



CLOSURE

This letter report has been prepared for the exclusive use of Flowers and Associates, Inc. and their agents for the specific application to the Wallace Avenue Beach Access Master Plan Study in Summerland, California. The findings relative to estimated bluff retreat are based solely on our interpretation of the aerial photographic review and the existing conditions.

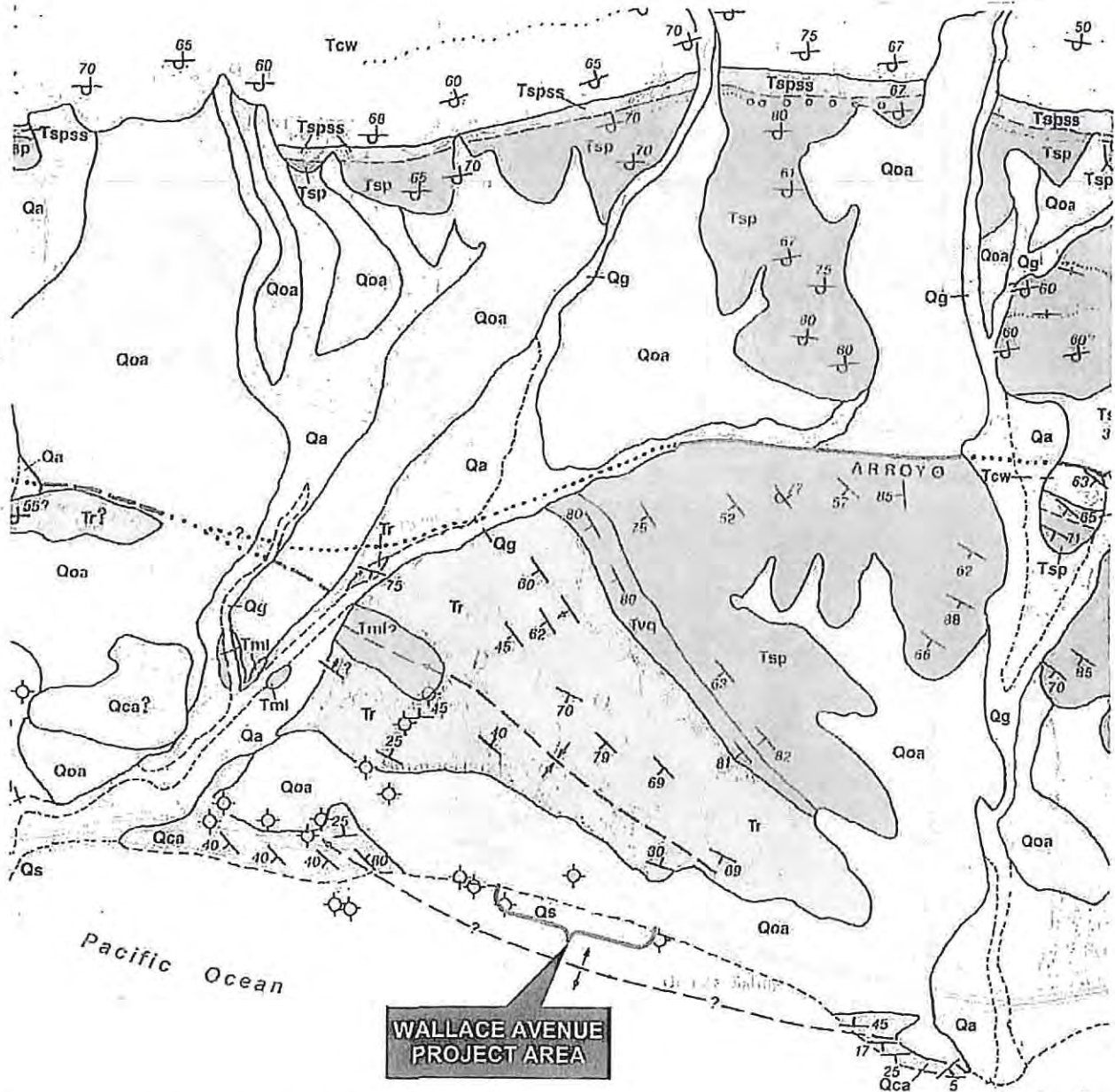
The scope of services performed for this study did not include any subsurface exploration or any services for the evaluation of the presence or absence of hazardous substances in the soil, groundwater or surface water. Likewise, the scope of services did not include geotechnical design criteria for proposed structures or other improvements.

We appreciate the opportunity to provide geotechnical services for the Wallace Avenue Beach Access Project. Please call our office if you have any questions regarding the information presented herein.

- 0 -

The following Plates complete this project memorandum.

- Plate 1 – Site Location and Geologic Map
- Plate 2 – Annotated 1928 Aerial Photograph
- Plate 3 – Annotated 1969 Aerial Photograph
- Plate 4 – Annotated Topographic Map
- Plate 5 – Comparison of Bluff Top Retreat
- Plates 6a through 6e - Site Photographs

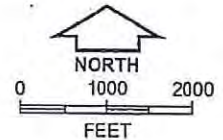


BASE MAP SOURCE: Geologic Map of the Carpinteria Quadrangle (Dibblee, 1986).

LEGEND

Qs	Beach Sand Deposits
Qg	Stream Channel Deposits
Qa	Alluvium
Qoa	Older Alluvium
Qca	Casitas Formation
Tr	Rincon Shale
Tsp	Sespe Formation
Tspss	Sespe Formation, red to pink sandstone and red claystone
Tcw	Coldwater Sandstone

	Formation Contact
	Member Contact
	Contact Between Surficial Sediments
	Anticline, dashed where approximate, arrow on axis indicates direction of plunge
	Syncline, dashed where approximate, arrow on axis indicates direction of plunge
	Fault, dashed where indefinite or inferred, dotted where concealed, queried where existence is doubtful



Strike and Dip of Beds:

	Inclined
	Inclined (approximate)
	Overturned
	Vertical
	Abandoned Exploratory Oil (or Gas) Well

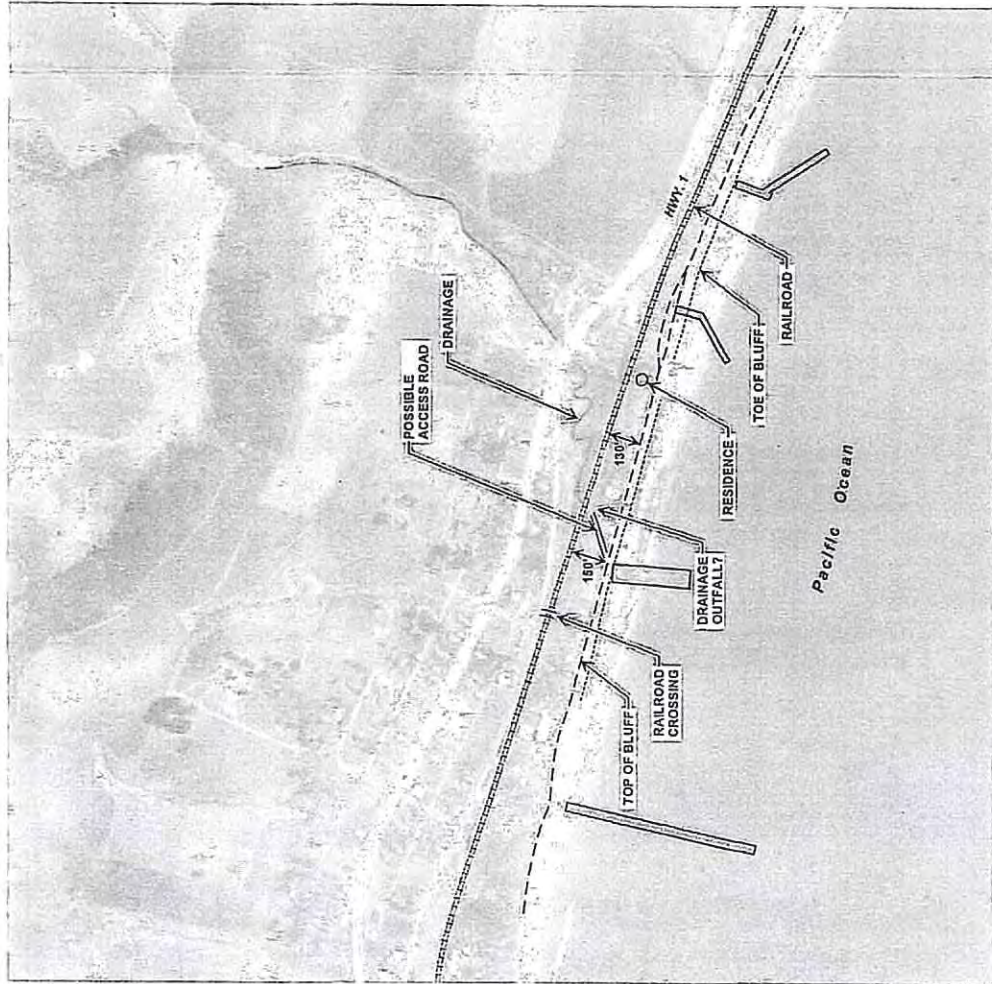
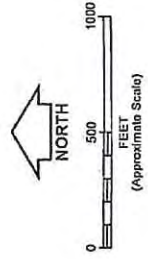
SITE LOCATION AND GEOLOGIC MAP
Wallace Avenue Beach Access Master Plan

2003\3062.005\0602.005\geo.dwg(1-3)



Flowers & Associates
Project No. 3002.005

- LEGEND**
- Top of Bluff
 - - - - - Toe of Bluff
 - Drainage
 - ==== Railroad
 - ⌋ Pile

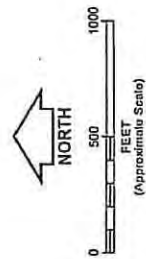


ANNOTATED 1928 AERIAL PHOTOGRAPH
Wallace Avenue Beach Access Master Plan

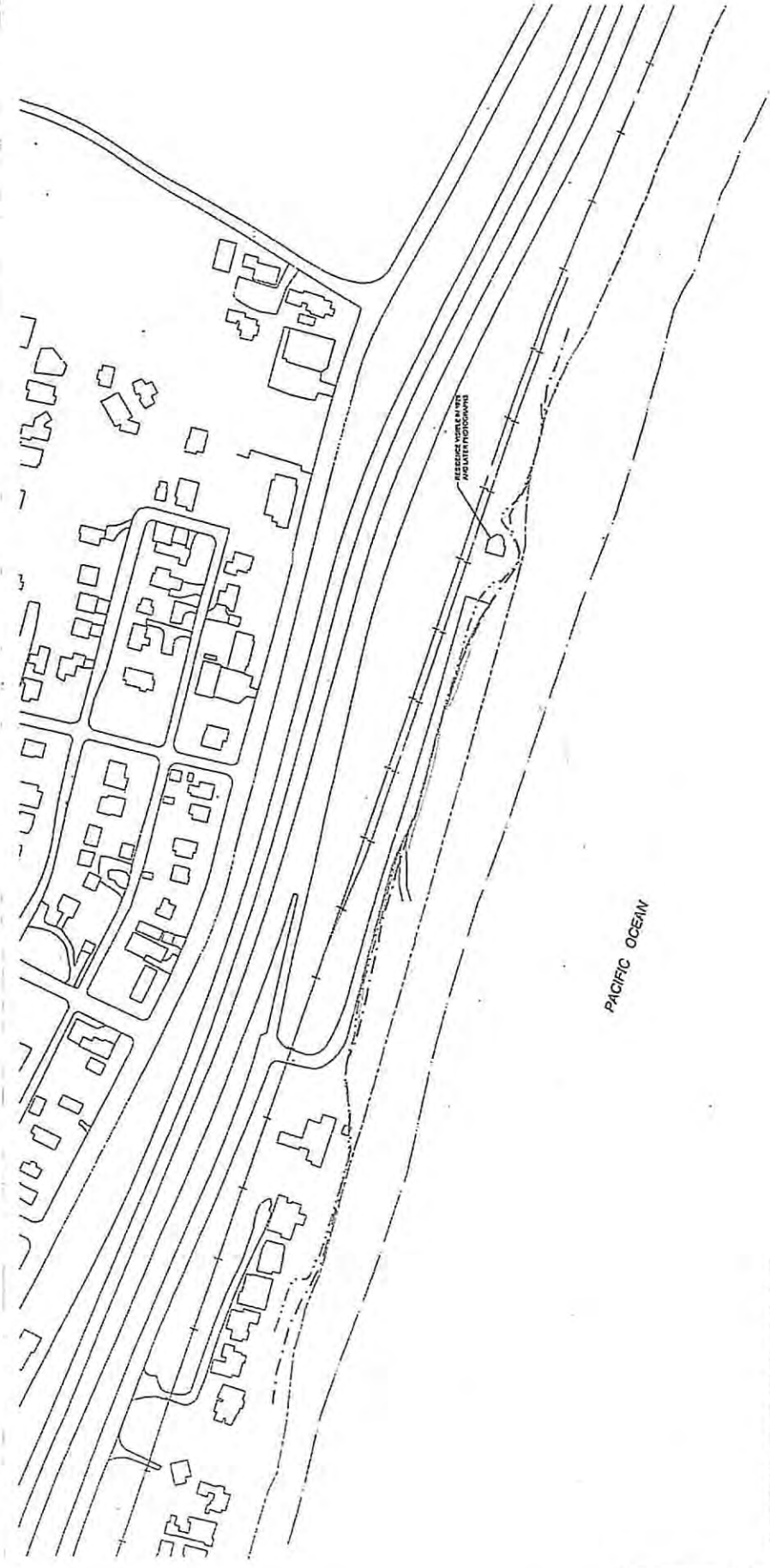
PLATE 2



- LEGEND**
- Top of Bluff
 - Top of Bluff
 - Drainage
 - == Railroad



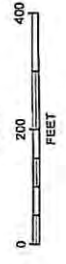
Flowers & Associates
Project No. 3002.005



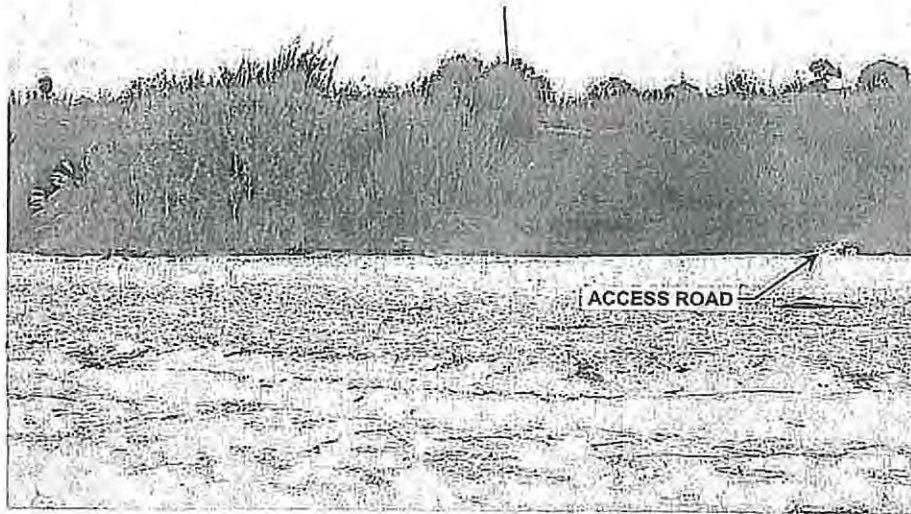
BASE MAP SOURCE: Topographic Map of Monticello Sheet S of 25
(Merrick & Company, photo date: 7-7-99)

LEGEND

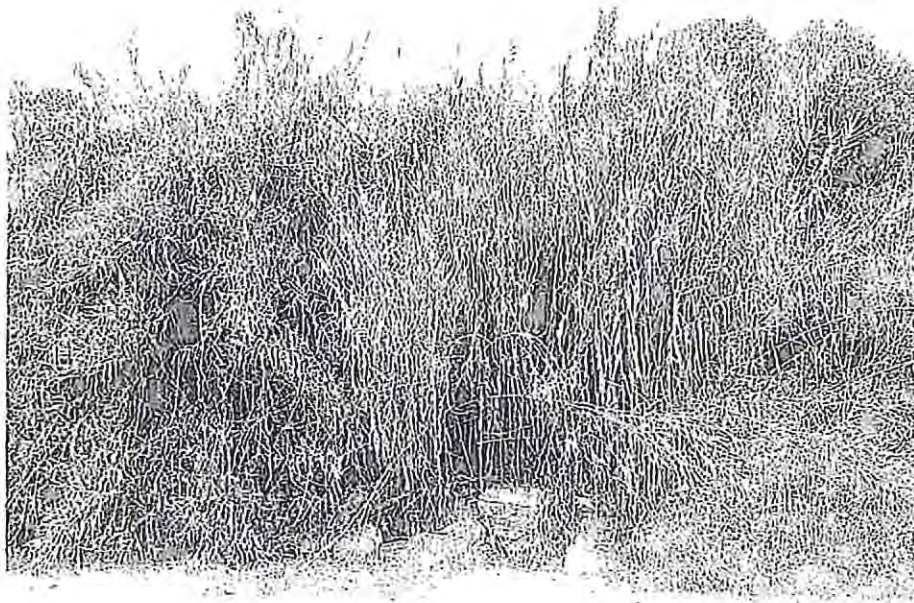
- - - - - Approximate Top of Bluff from 1928 Photograph
- . - . - Approximate Top of Bluff from 1969 Photograph
- Approximate Top of Bluff from 1980 Topographic Map and September 2003 Site Reconnaissance



COMPARISON OF BLUFF TOP RETREAT
(1928, 1969, 1980, and 2003)
Wallace Avenue Beach Access Master Plan

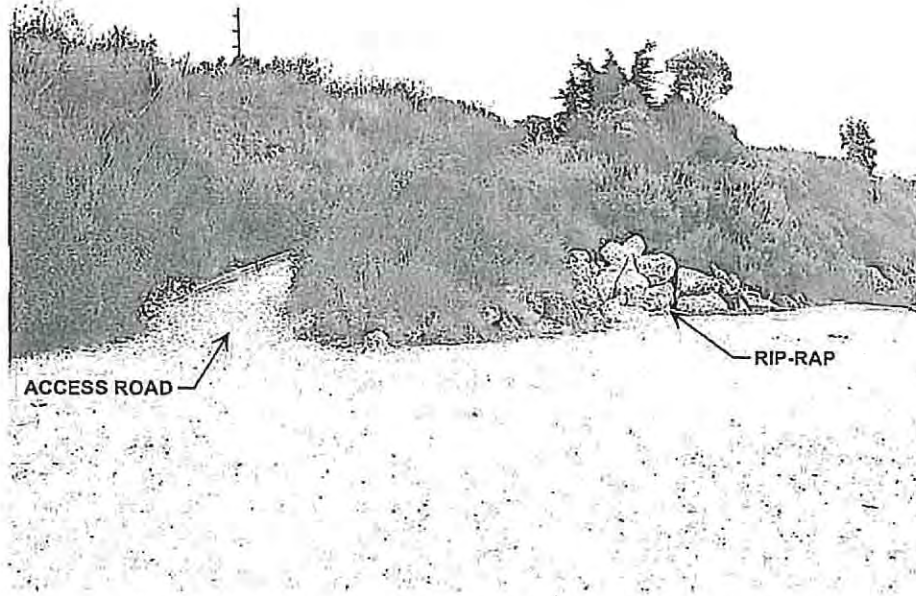


Photograph 1. Heavily vegetated slope, viewed to north.

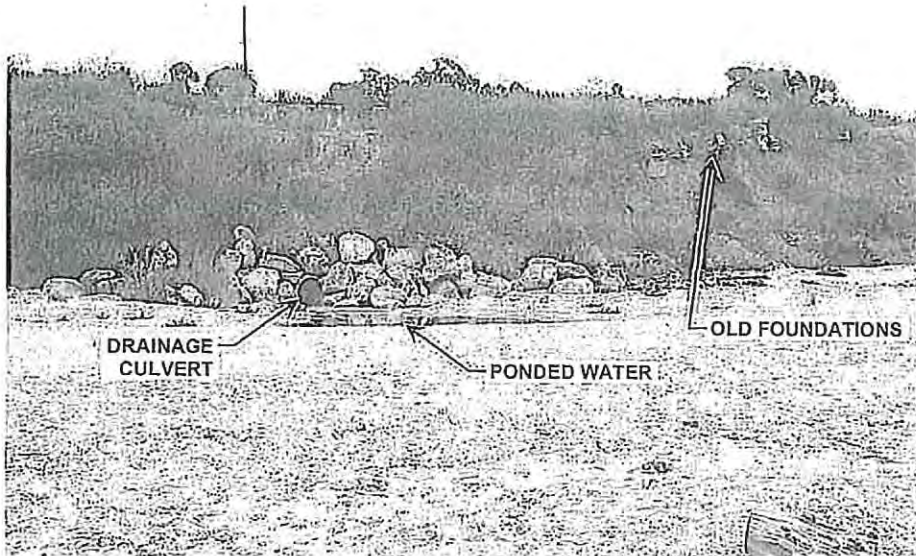


Photograph 2. Heavily vegetated slope with concrete debris, viewed to north.

2000\3062.005\3062.005photos1.dxf (p1)

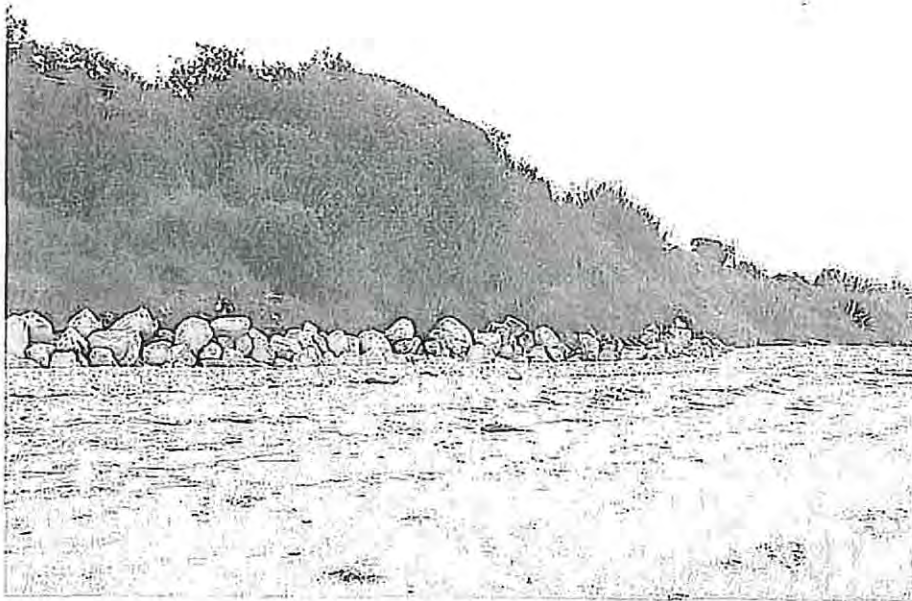


Photograph 3. Access road and rip-rap slope protection to northeast.

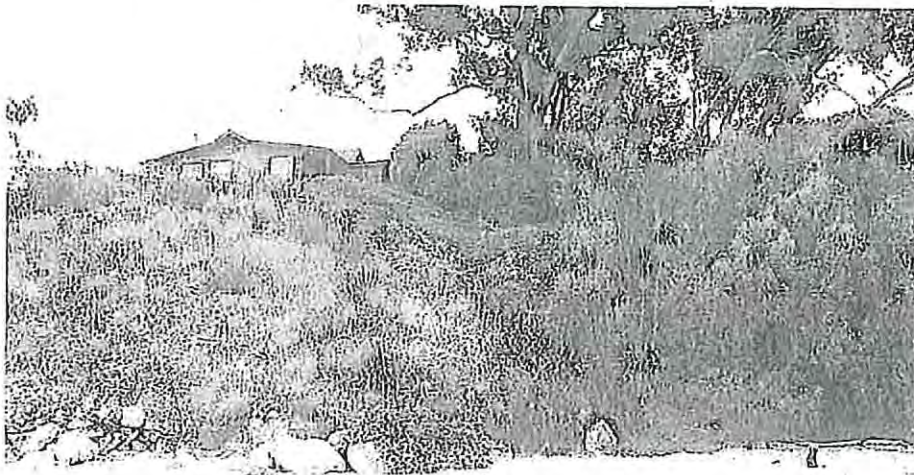


Photograph 4. Drainage culvert, rip-rap slope protection, and old concrete foundations, viewed to northeast.

2003062.005002.005photos1.dcl.p2



Photograph 5. Rip-rap slope protection, bluff area west of project site, viewed to northeast.



Photograph 6. Existing residence and rip-rap slope protection, viewed to north.

20031062.0051002.005photos2.dsf.p1

SITE PHOTOGRAPHS
Wallace Avenue Beach Access Master Plan

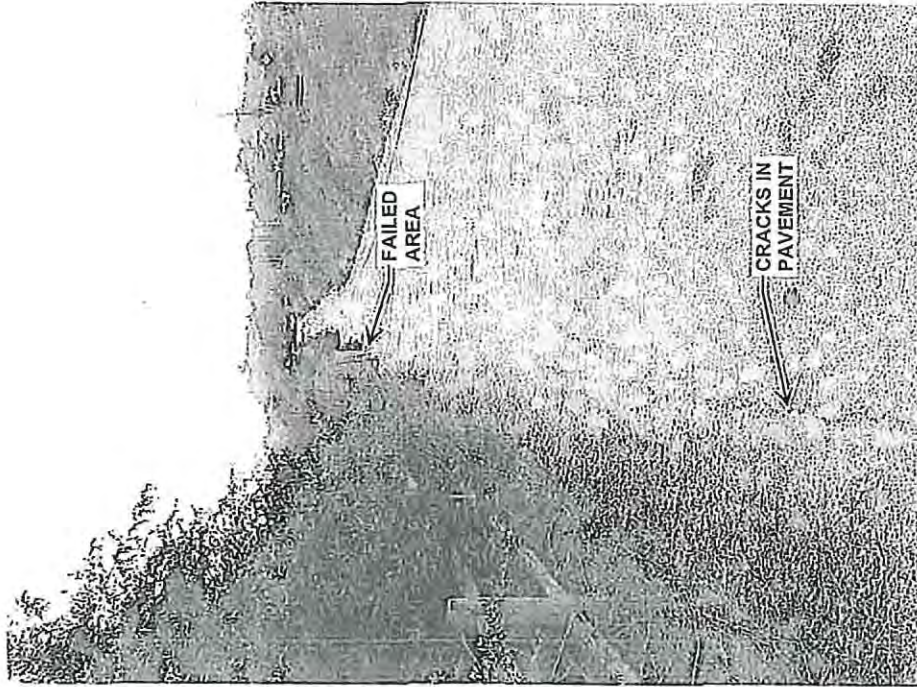


Photograph 7. Existing residence, undercut toe of slope, and rip-rap slope protection, viewed to east.

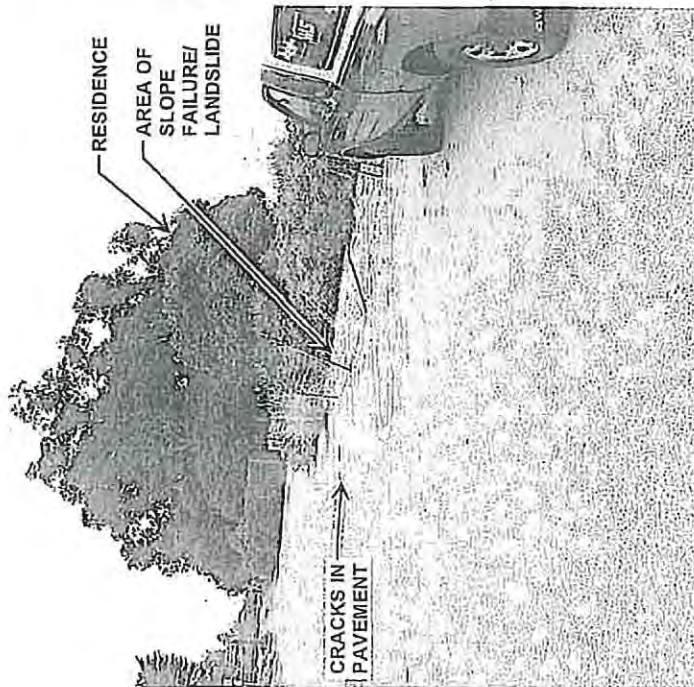


Photograph 8. Close-up of under-cut toe, bluff area below existing residence, and scattered rip-rap slope protection, viewed to northeast.

2003\3062.005\photos\2_051\p1cs2_051.p2



Photograph 10. Cracks within pavement of Wallace Avenue, viewed to southwest.



Photograph 9. Area of failure, eastern end of Wallace Avenue, viewed to east.

SITE PHOTOGRAPHS
Wallace Avenue Beach Access Master Plan



Hetherington Engineering, Inc.
5365 Avenida Encinas, Suite A
Carlsbad, California 92008

Telephone: (760) 931-1917 Fax: (760) 931-0545

Other offices:
327 Third Street
Laguna Beach, CA 92651
Telephone (949) 715-5440
Fax (949) 715-5442

Coastal Geotechnical
327 Third Street
Laguna Beach, CA 92651
Telephone (949) 494-4484
Fax (949) 497-1707

LETTER OF TRANSMITTAL

DATE: September 24, 2014

TO: Mike Hoover
via e-mail (mfhoover@hoovergeo.com)

PROJECT NO: 6448.1

PROJECT NAME: 2551 Summerland Avenue

WE ARE SENDING: Suggested review response and backup

REMARKS:

BY: MDH

** PCSTABL6 **

by
Purdue University

1

--Slope Stability Analysis--
Simplified Janbu, Simplified Bishop
or Spencer's Method of Slices

Run Date: 9-18-14
Time of Run:
Run By: CH
Input Data Filename: aa.in
Output Filename: aa.01
Unit: ENGLISH
Plotted Output Filename: aa.pl

PROBLEM DESCRIPTION O'Neil Residence; Section A-A'
Arcuate Failure search through fill
Location of Potential Failure Surface
With FS>1.5 (static)
Current bluff face

BOUNDARY COORDINATES

16 Top Boundaries
30 Total Boundaries

Boundary No.	X-Left (ft)	Y-Left (ft)	X-Right (ft)	Y-Right (ft)	Soil Type Below Bnd
1	0.00	15.00	3.00	15.00	1
2	3.00	15.00	5.50	16.00	1
3	5.50	16.00	9.00	17.50	5
4	9.00	17.50	14.00	20.50	5
5	14.00	20.50	18.00	24.50	5
6	18.00	24.50	21.50	28.00	5
7	21.50	28.00	27.00	32.00	5
8	27.00	32.00	32.00	36.50	5
9	32.00	36.50	40.00	43.00	5
10	40.00	43.00	50.00	51.00	5
11	50.00	51.00	54.00	54.00	5
12	54.00	54.00	58.00	56.00	5
13	58.00	56.00	77.00	58.00	5
14	77.00	58.00	80.50	58.50	5
15	80.50	58.50	85.00	59.00	4
16	85.00	59.00	120.00	60.00	4
17	5.50	16.00	8.00	16.00	1
18	8.00	16.00	19.00	20.00	1
19	19.00	20.00	24.00	21.00	1
20	24.00	21.00	54.00	27.00	1

Along The Ground Surface Between X = 10.00 ft.
and X = 15.00 ft.

Each Surface Terminates Between X = 98.00 ft.
and X = 110.00 ft.

Unless Further Limitations Were Imposed, The Minimum Elevation
At Which A Surface Extends Is Y = 0.00 ft.

8.00 ft. Line Segments Define Each Trial Failure Surface.

Restrictions Have Been Imposed Upon The Angle Of Initiation.
The Angle Has Been Restricted Between The Angles Of 10.0
And 35.0 deg.

1

Following Are Displayed The Ten Most Critical Of The Trial
Failure Surfaces Examined. They Are Ordered - Most Critical
First.

* * Safety Factors Are Calculated By Spencer's Method * *

Number of convergent trials 568
Number of non convergent trials 57

Failure Surface Specified By 14 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	11.04	18.73
2	18.70	21.05
3	26.29	23.57
4	33.82	26.28
5	41.27	29.18
6	48.65	32.28
7	55.95	35.56
8	63.16	39.02
9	70.28	42.67
10	77.30	46.50
11	84.22	50.51
12	91.04	54.69
13	97.75	59.04
14	98.24	59.38

*** Factor of Safety = 1.504 ***

14 98.04 59.37

*** Factor of Safety = 1.506 ***

1

Failure Surface Specified By 14 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	10.42	18.35
2	18.10	20.59
3	25.72	23.03
4	33.27	25.68
5	40.74	28.52
6	48.14	31.57
7	55.45	34.82
8	62.67	38.26
9	69.80	41.89
10	76.83	45.71
11	83.75	49.72
12	90.56	53.92
13	97.26	58.29
14	98.86	59.40

*** Factor of Safety = 1.508 ***

Failure Surface Specified By 14 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	10.00	18.10
2	17.67	20.38
3	25.28	22.85
4	32.82	25.52
5	40.29	28.38
6	47.69	31.42
7	55.01	34.66
8	62.24	38.08
9	69.38	41.68
10	76.43	45.46
11	83.38	49.42
12	90.23	53.56
13	96.97	57.86
14	99.26	59.41

Failure Surface Specified By 14 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	10.63	18.48
2	18.47	20.03
3	26.25	21.92
4	33.93	24.14
5	41.52	26.68
6	48.99	29.53
7	56.34	32.70
8	63.54	36.18
9	70.60	39.95
10	77.48	44.02
11	84.19	48.38
12	90.71	53.02
13	97.03	57.93
14	98.76	59.39

*** Factor of Safety = 1.516 ***

Failure Surface Specified By 13 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	12.29	19.48
2	19.99	21.66
3	27.62	24.06
4	35.17	26.69
5	42.65	29.54
6	50.04	32.60
7	57.34	35.87
8	64.54	39.35
9	71.64	43.04
10	78.63	46.94
11	85.50	51.04
12	92.25	55.33
13	98.22	59.38

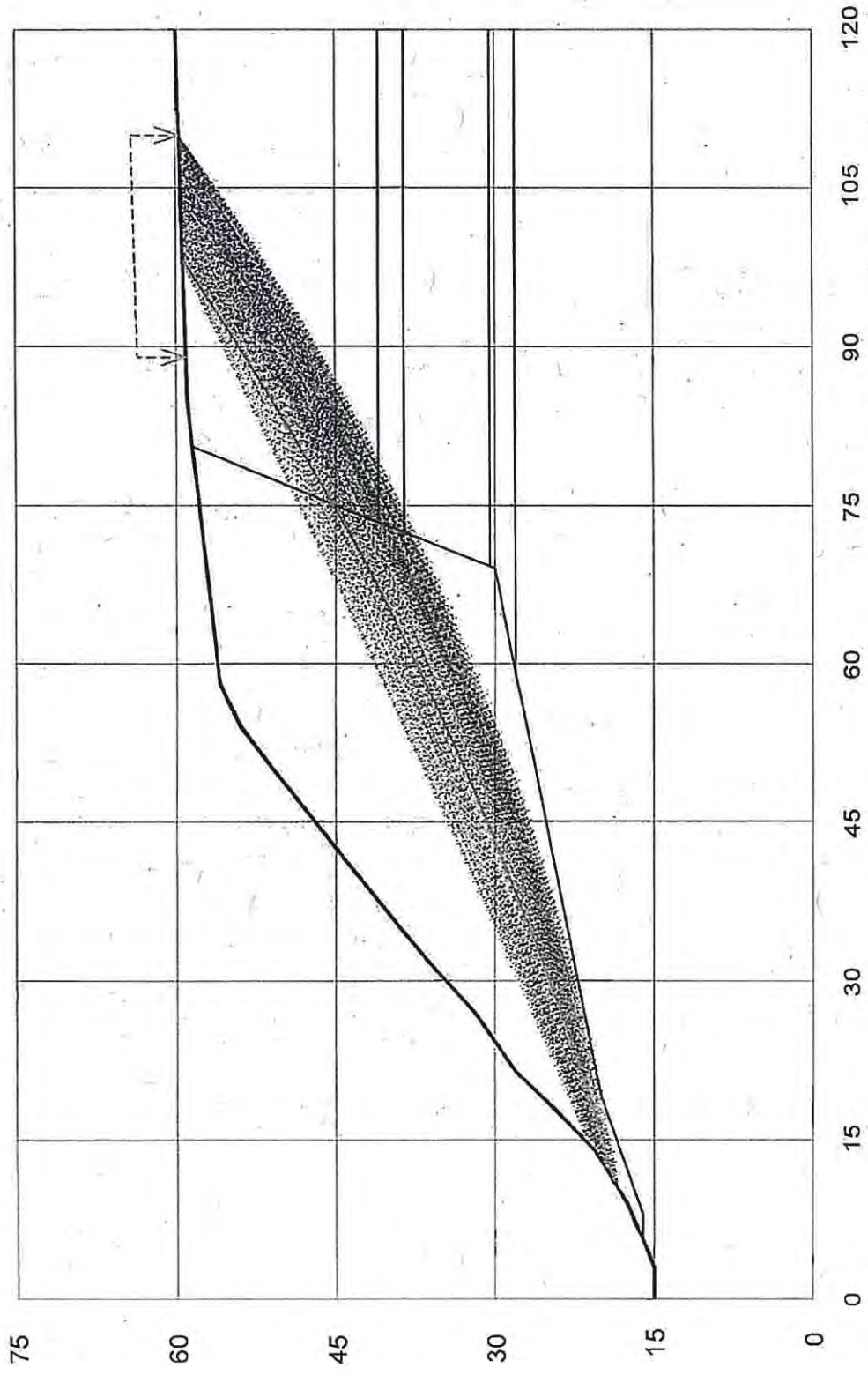
*** Factor of Safety = 1.516 ***

Y A X I S F T
 0.00 15.00 30.00 45.00 60.00 75.00

```

X  0.00 +-----*-----+-----+-----+-----+
      -
      - *
      - *
      - *
      - 6
15.00 +
      - *
      - 51.*
      - *6..
      - ... *
      - *3..
      - .21.. *
A  30.00 +
      - ....
      - .53.. *
      - 261..
      - ....
      - .53... *
      - .218...
X  45.00 +
      - .....
      - .531..
      - .268... *
      - .....
      - * .531.. *
      - ..268... *
I  60.00 +
      - * .....
      - ..721...
      - ...6...
      - .....
      - * ..921...
      - **8..
S  75.00 +
      - .....
      - ..721.. *
      - ..... *
      - .....4..
      - ...521.. *
      - .....
      - ....51. /1
      - ....68.
      - .....
      - ....911
      - .....3
      - .....
F  105.00 +
      - .....
      - ...
      - ..1/
      - .....
T  120.00 +
      - **        **        *
  
```

aa.p1



5 Type(s) of Soil

Soil Type No.	Total Unit Wt. (pcf)	Saturated Unit Wt. (pcf)	Cohesion Intercept (psf)	Friction Angle (deg)	Pore Pressure Param.	Pressure Constant (psf)	Piez. Surface No.
1	129.0	130.0	1100.0	29.0	0.00	0.0	1
2	125.0	130.0	75.0	31.0	0.00	0.0	1
3	125.0	130.0	75.0	31.0	0.00	0.0	1
4	123.0	128.0	300.0	26.0	0.00	0.0	1
5	107.0	122.0	0.0	33.0	0.00	0.0	1

1

BOUNDARY LOAD(S)

1 Load(s) Specified

Load No.	X-Left (ft)	X-Right (ft)	Intensity (psf)	Deflection (deg)
1	89.00	110.00	200.0	0.0

NOTE - Intensity Is Specified As A Uniformly Distributed Force Acting On A Horizontally Projected Surface.

1

A Critical Failure Surface Searching Method, Using A Random Technique For Generating Circular Surfaces, Has Been Specified.

Janbus Empirical Coef. is being used for the case of c & ϕ both > 0
1100 Trial Surfaces Have Been Generated.

50 Surfaces Initiate From Each Of 22 Points Equally Spaced Along The Ground Surface Between $X = 34.50$ ft.
and $X = 45.00$ ft.

Each Surface Terminates Between $X = 111.00$ ft.
and $X = 118.00$ ft.

Unless Further Limitations Were Imposed, The Minimum Elevation At Which A Surface Extends Is $Y = 0.00$ ft.

8.00 ft. Line Segments Define Each Trial Failure Surface.

7	0.0	76.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
8	0.2	326.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
9	0.8	1569.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
10	1.6	3187.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
11	2.8	5757.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
12	1.0	1923.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
13	1.7	3438.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
14	4.5	8474.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
15	0.9	1637.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
16	3.1	4986.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
17	4.0	5671.7	0.0	0.0	0.0	0.0	0.0	0.0	803.8
18	7.0	7452.4	0.0	0.0	0.0	0.0	0.0	0.0	1401.5
19	6.9	4191.6	0.0	0.0	0.0	0.0	0.0	0.0	1386.0
20	3.0	802.3	0.0	0.0	0.0	0.0	0.0	0.0	608.7
21	2.2	172.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Failure Surface Specified By 12 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	34.50	23.00
2	41.94	25.95
3	49.33	29.00
4	56.69	32.15
5	64.00	35.40
6	71.26	38.75
7	78.48	42.20
8	85.65	45.75
9	92.77	49.39
10	99.84	53.14
11	106.86	56.98
12	111.78	59.77

*** Factor of Safety = 1.508 ***

1

Failure Surface Specified By 12 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	35.50	23.86
2	43.13	26.29
3	50.68	28.92
4	58.15	31.78
5	55.54	34.84
6	72.84	38.11
7	80.04	41.59
8	87.15	45.28
9	94.14	49.16

Failure Surface Specified By 12 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	38.00	26.03
2	45.63	28.45
3	53.18	31.07
4	60.66	33.90
5	68.07	36.93
6	75.39	40.16
7	82.62	43.59
8	89.75	47.20
9	96.79	51.01
10	103.72	55.01
11	110.54	59.19
12	111.40	59.75

*** Factor of Safety = 1.548 ***

1

Failure Surface Specified By 12 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	35.50	23.86
2	43.18	26.11
3	50.78	28.60
4	58.29	31.35
5	65.71	34.35
6	73.03	37.58
7	80.23	41.06
8	87.32	44.78
9	94.27	48.73
10	101.10	52.90
11	107.78	57.30
12	111.24	59.75

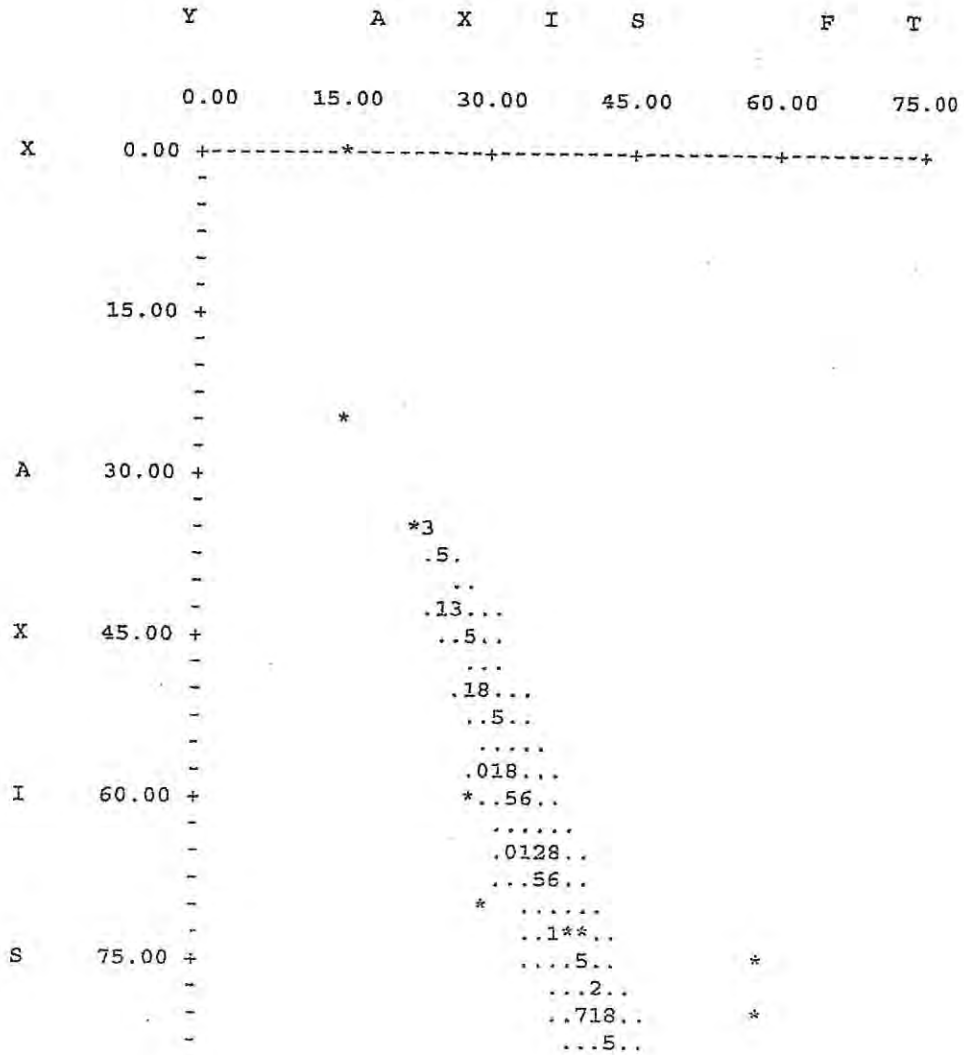
*** Factor of Safety = 1.556 ***

Failure Surface Specified By 12 Coordinate Points

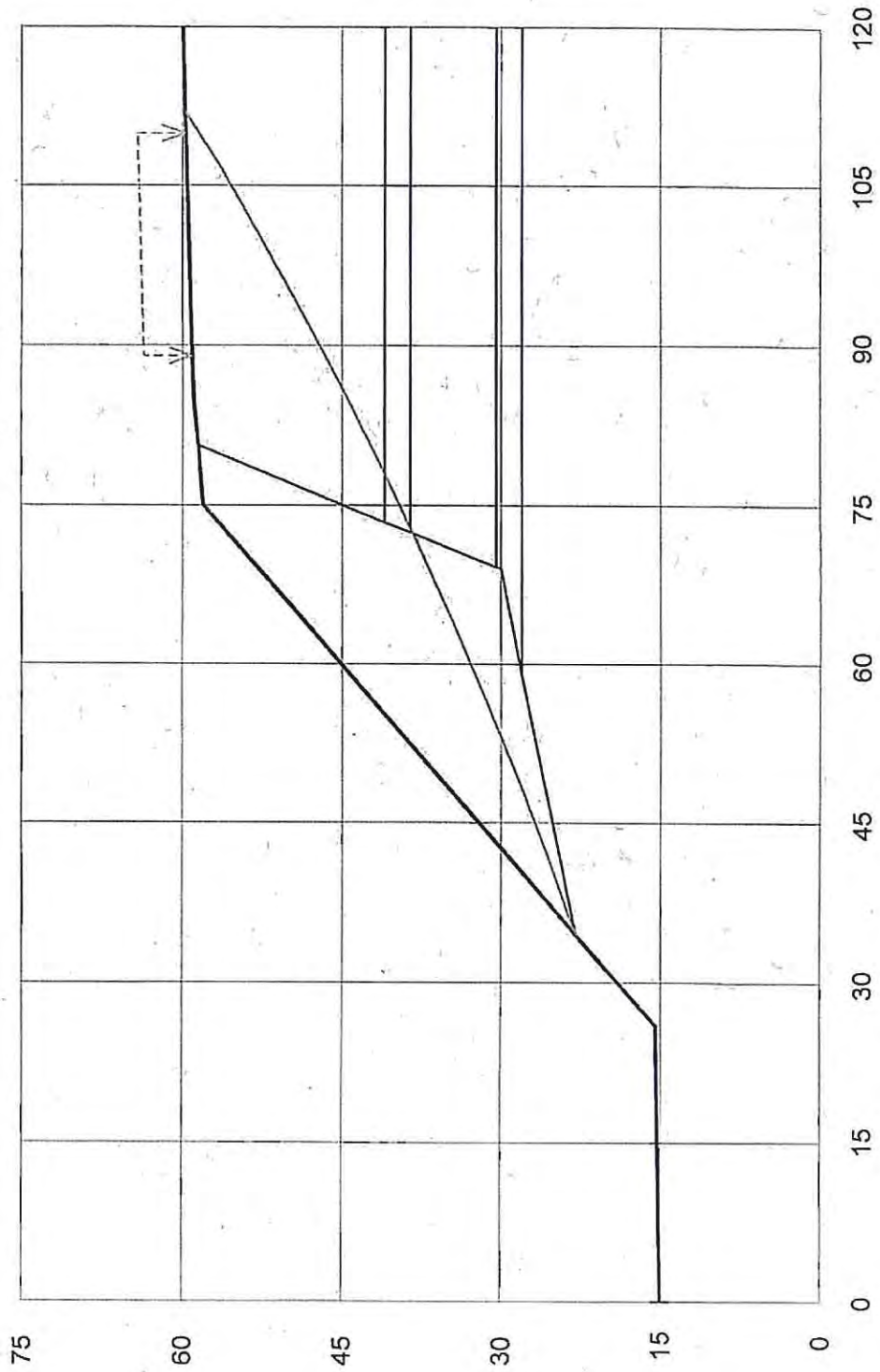
3	49.74	27.88
4	57.24	30.66
5	64.65	33.66
6	71.97	36.89
7	79.19	40.34
8	86.30	44.01
9	93.30	47.89
10	100.17	51.97
11	106.92	56.27
12	112.09	59.77

*** Factor of Safety = 1.563 ***

1



6448z.p1



1 5 107.0 122.0 0.0 33.0 0.00 0.0 1

BOUNDARY LOAD(S)

1 Load(s) Specified

Load No.	X-Left (ft)	X-Right (ft)	Intensity (psf)	Deflection (deg)
1	89.00	110.00	200.0	0.0

NOTE - Intensity Is Specified As A Uniformly Distributed Force Acting On A Horizontally Projected Surface.

1

TIEBACK LOAD(S)

1 Tieback Load(s) Specified

Tieback No.	X-Pos (ft)	Y-Pos (ft)	Load (lbs)	Spacing (ft)	Inclination (deg)	Length (ft)	
						free	fixed
1	80.43	46.83	6000.0	1.0	0.00	0.0	0.0

NOTE - An Equivalent Line Load Is Calculated For Each Row Of Tiebacks Assuming A Uniform Distribution Of Load Horizontally Between Individual Tiebacks.

1

A Critical Failure Surface Searching Method, Using A Random Technique For Generating Circular Surfaces, Has Been Specified.

Janbus Empirical Coef. is being used for the case of c & ϕ both > 0
1000 Trial Surfaces Have Been Generated.

1000 Surfaces Initiate From Each Of 1 Points Equally Spaced
Along The Ground Surface Between $X = 80.40$ ft.
and $X = 80.40$ ft.

Each Surface Terminates Between $X = 90.00$ ft.
and $X = 110.00$ ft.

Unless Further Limitations Were Imposed, The Minimum Elevation
At Which A Surface Extends Is $Y = 0.00$ ft.

Individual data on the 1 ties

No	End	Slice	Head		End		T	Length(ft)	
			Coordinates	(ft)	Coordinates	(ft)		Free	fixed
1	1	7	80.4	46.8	0.0	0.0	6000.0	0.0	0.0

Failure Surface Specified By 6 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	80.40	41.09
2	83.97	44.59
3	87.35	48.28
4	90.52	52.14
5	93.49	56.16
6	95.56	59.30

*** Factor of Safety = 1.502 ***

1

Failure Surface Specified By 6 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	80.40	41.09
2	83.98	44.58
3	87.37	48.26
4	90.55	52.11
5	93.52	56.13
6	95.61	59.30

*** Factor of Safety = 1.502 ***

Failure Surface Specified By 6 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	80.40	41.09
2	83.93	44.63

1	80.40	41.09
2	83.88	44.68
3	87.22	48.40
4	90.42	52.24
5	93.48	56.19
6	95.72	59.31

*** Factor of Safety = 1.504 ***

Failure Surface Specified By 6 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	80.40	41.09
2	83.83	44.73
3	87.07	48.53
4	90.12	52.50
5	92.98	56.60
6	94.65	59.28

*** Factor of Safety = 1.504 ***

1

Failure Surface Specified By 6 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	80.40	41.09
2	84.07	44.48
3	87.53	48.10
4	90.76	51.91
5	93.76	55.91
6	95.99	59.31

*** Factor of Safety = 1.504 ***

Failure Surface Specified By 6 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
-----------	-------------	-------------

** PCSTABL6 **

by
Purdue University

1

--Slope Stability Analysis--
Simplified Janbu, Simplified Bishop
or Spencer's Method of Slices

Run Date: 9-22-14
Time of Run:
Run By: CH
Input Data Filename: aapl.in
Output Filename: aapl.o2
Unit: ENGLISH
Plotted Output Filename: aapl.p2

PROBLEM DESCRIPTION O'Neil Residence; Section A-A'
Proposed piers considered as retaining
Req'd force determined in file: aapl.o1
Horiz. seismic coeff. 0.15 added

BOUNDARY COORDINATES

3 Top Boundaries
3 Total Boundaries

Boundary No.	X-Left (ft)	Y-Left (ft)	X-Right (ft)	Y-Right (ft)	Soil Type Below Bnd
1	80.40	41.00	80.50	58.50	4
2	80.50	58.50	85.00	59.00	4
3	85.00	59.00	120.00	60.00	4

1

ISOTROPIC SOIL PARAMETERS

5 Type(s) of Soil

Soil Type No.	Total Unit Wt. (pcf)	Saturated Unit Wt. (pcf)	Cohesion Intercept (psf)	Friction Angle (deg)	Pore Pressure Param.	Pressure Constant (psf)	Piez. Surface No.
1	129.0	130.0	1100.0	29.0	0.00	0.0	1
2	125.0	130.0	75.0	31.0	0.00	0.0	1
3	125.0	130.0	75.0	31.0	0.00	0.0	1
4	123.0	128.0	300.0	26.0	0.00	0.0	1

Along The Ground Surface Between X = 80.40 ft.
and X = 80.40 ft.

Each Surface Terminates Between X = 90.00 ft.
and X = 110.00 ft.

Unless Further Limitations Were Imposed, The Minimum Elevation
At Which A Surface Extends Is Y = 0.00 ft.

5.00 ft. Line Segments Define Each Trial Failure Surface.

Restrictions Have Been Imposed Upon The Angle Of Initiation.
The Angle Has Been Restricted Between The Angles Of 5.0
And 60.0 deg.

1

Following Are Displayed The Ten Most Critical Of The Trial
Failure Surfaces Examined. They Are Ordered - Most Critical
First.

* * Safety Factors Are Calculated By Spencer's Method * *

Number of convergent trials 263
Number of non convergent trials 737

Failure Surface Specified By 6 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	80.40	41.09
2	84.01	44.55
3	87.49	48.14
4	90.84	51.85
5	94.06	55.67
6	96.93	59.34

*** Factor of Safety = 1.214 ***

Individual data on the 8 slices

Water Water Earthquake
Force Force Force Force Force Surcharge

Failure Surface Specified By 6 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	80.40	41.09
2	83.89	44.67
3	87.32	48.31
4	90.69	52.00
5	94.01	55.74
6	97.10	59.35

*** Factor of Safety = 1.216 ***

1

Failure Surface Specified By 7 Coordinate Points

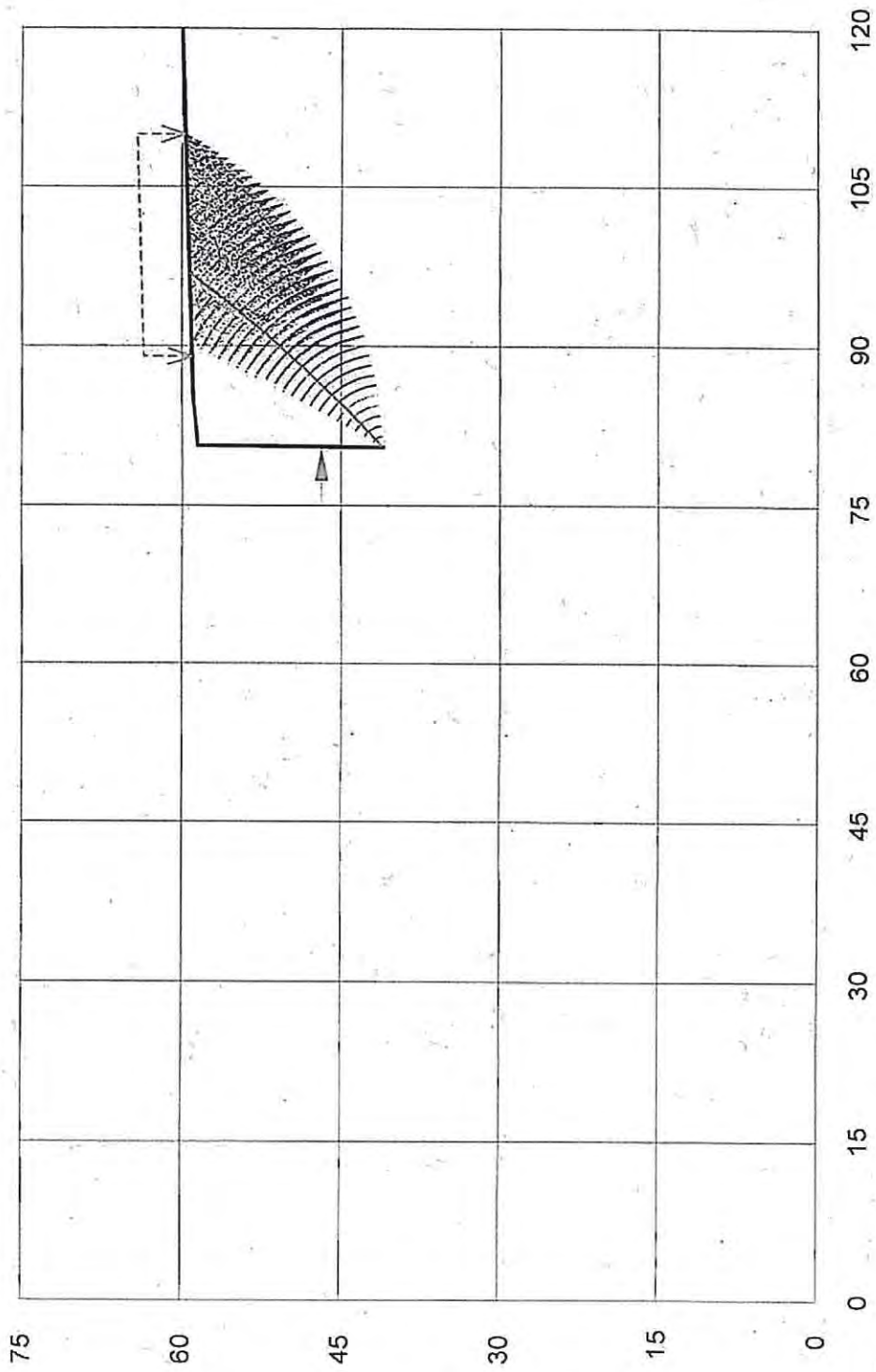
Point No.	X-Surf (ft)	Y-Surf (ft)
1	80.40	41.09
2	83.94	44.62
3	87.41	48.22
4	90.84	51.86
5	94.20	55.56
6	97.51	59.30
7	97.56	59.36

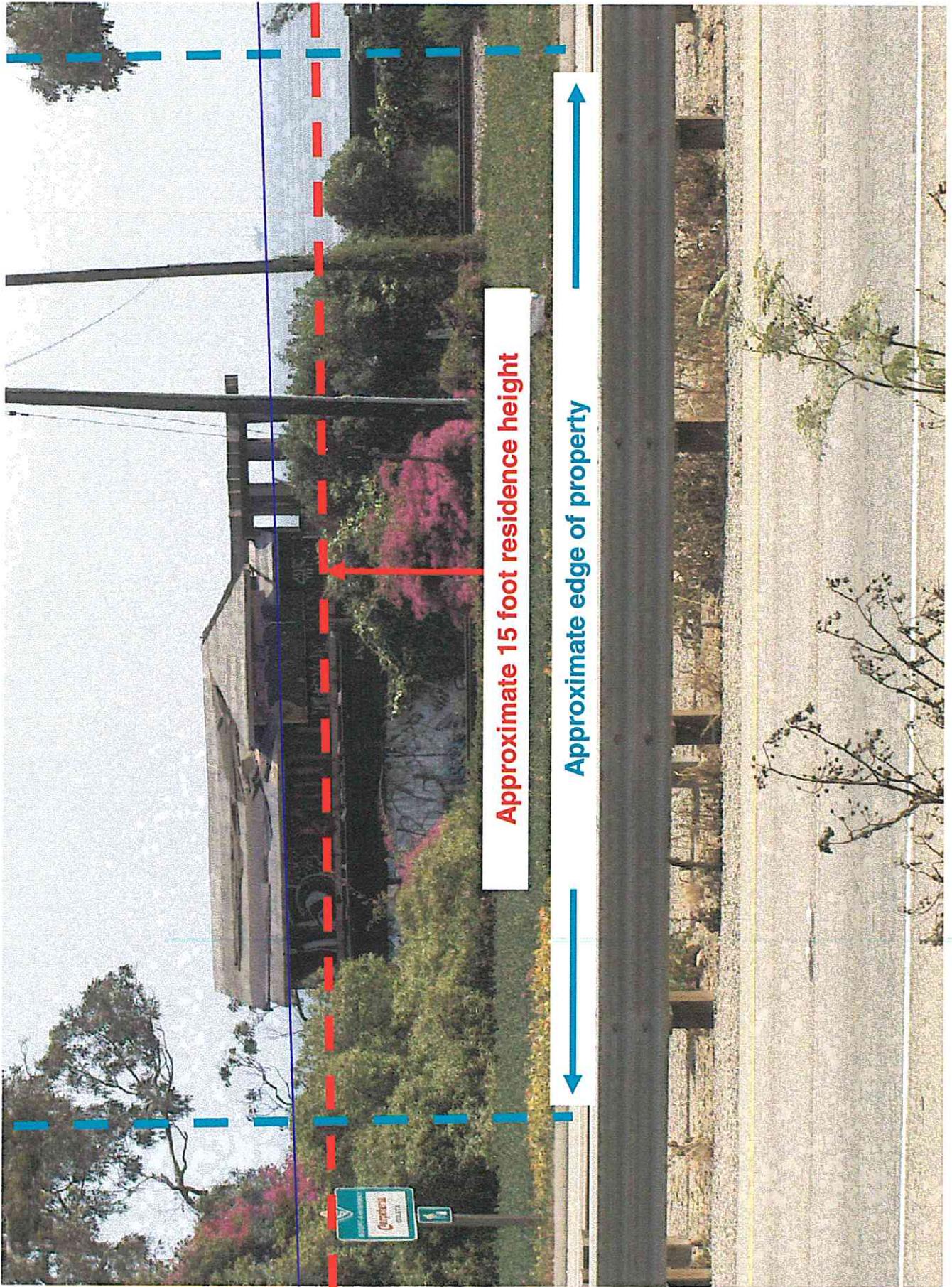
*** Factor of Safety = 1.216 ***

Failure Surface Specified By 6 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	80.40	41.09
2	83.95	44.61
3	87.35	48.28
4	90.58	52.10
5	93.63	56.05
6	95.93	59.31

aap1.p2







PLANNING & DEVELOPMENT
APPEAL FORM

SITE ADDRESS: 2551 Wallace Ave, Summerland

ASSESSOR PARCEL NUMBER: 005-250-001

Are there previous permits/applications? no yes numbers: 06CDH-00000-00020 (Withdrawn)
(include permit# & lot # if tract)

Are there previous environmental (CEQA) documents? no yes numbers: _____

1. **Appellant:** Jeffrey O'Neil Phone: 805-969-1971 FAX: _____

Mailing Address: P.O. Box 1174, Summerland, CA 93067 E-mail: _____
Street City State Zip

2. **Owner:** Same as above Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

3. **Agent:** Patsy Price Phone: 805-882-1424 FAX: 805-965-4333

Mailing Address: 1020 State Street, Santa Barbara, CA 93101 E-mail: pprice@bhfs.com
Street City State Zip

4. **Attorney:** Susan Petrovich Phone: 805-882-1405 FAX: 805-965-4333

Mailing Address: 1020 State Street, Santa Barbara, CA 93101 E-mail spetrovich@bhfs.com
Street City State Zip

14APL-00000-00024

O'NEIL APPEAL OF INCOMPLETENESS LET
2551 WALLACE AVE 10/6/14

Ca. SUMMERLAND 005-250-001
Su.
Ap.
Project Planner:
Zoning Designation:

COUNTY USE ONLY

Companion Case Number: _____
Submittal Date: _____
Receipt Number: _____
Accepted for Processing
Comp. Plan Designation

COUNTY OF SANTA BARBARA APPEAL TO THE :

BOARD OF SUPERVISORS

PLANNING COMMISSION: COUNTY MONTECITO

RE: Project Title O'Neil Residence & Garage

Case No. 08CDH-00000-00040, 12VAR-00000-00003 (Related cases 08GPA-00000-00007, 08RZN-00000-00006)

Date of Action Determination of Application Incompleteness Letter dated 9/24/014

I hereby appeal the approval approval w/conditions denial of the:

Board of Architectural Review – Which Board? _____

Coastal Development Permit decision

Land Use Permit decision

Planning Commission decision – Which Commission? _____

Planning & Development Director decision

Zoning Administrator decision

Is the appellant the applicant or an aggrieved party?

Applicant

Aggrieved party – if you are not the applicant, provide an explanation of how you are and "aggrieved party" as defined on page two of this appeal form:

N/A

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County's Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

See attached.

Specific conditions imposed which I wish to appeal are (if applicable):

- a. N/A
- b.
- c.
- d.

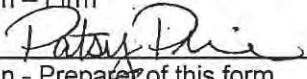
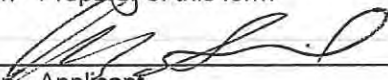
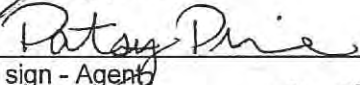

Please include any other information you feel is relevant to this application.

CERTIFICATION OF ACCURACY AND COMPLETENESS Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

Brownstein Hyatt Farber Schreck, LLP

Print name and sign - Firm		Date
Patsy Price		10/2/14
Print name and sign - Preparer of this form		Date
Jeffrey O'Neil		10-2-14
Print name and sign - Applicant		Date
Patsy Price		10/2/14
Print name and sign - Agent		Date
Jeffrey O'Neil		10-2-14
Print name and sign - Landowner		Date

October 3, 2014

Patsy Stadelman Price, AICP
Land Use Planner
805.882.1424 tel
805.965.4333 fax
PPrice@bhfs.com

Santa Barbara County Planning Commission
123 E. Anapamu Street
Santa Barbara, CA 93101

RE: Appeal of Incompleteness Determination for O'Neil Residence
2551 Wallace Avenue, APN 005-250-001
Case No. 08CDH-000-00040, 12VAR-00000-00003

Dear Chair Blough and Honorable Members of the Planning Commission:

Brownstein Hyatt Farber Schreck represents Jeffrey O'Neil regarding his application for re-construction of a residence on his property at 2551 Wallace Avenue in Summerland (Property or O'Neil Property). This letter sets forth the grounds for our appeal of the Planning Director's determination of application incompleteness for the above referenced Coastal Development Permit (CDP) and Variance applications pursuant to Article II Section 35-182.4.

Background

On behalf of Mr. O'Neil, On November 13, 2008, we filed an application for a CDP to demolish an approximately 1,450 square foot existing dwelling on Mr. O'Neil's Property and construct a new approximately 2,000 square foot dwelling in its place. This is small parcel, only 4,500 square feet; located on a bluff top; and surrounded by land owned by Union Pacific Railroad Company, which is zoned TC (Transportation Corridor). Despite the fact that a house has existed on the Property for approximately 124 years, and the fact that the Property has had no known recreational use, past or present, the Property was assigned a zoning and land use designation of REC (Recreation).¹ We applied for a Local Coastal Plan amendment and a rezone to change the land use and zoning designations to Residential/7-R-1 to allow the existing residential use of the Property to continue. Access to the property is provided via Wallace Avenue (sometimes referred to as Finney Street). The pave surfacing on Wallace Avenue ends approximately 40 feet west of Mr. O'Neil's Property, but the roadway continues as an unpaved road adjacent to the northern boundary line of the

¹ County documents indicate the REC land use and zoning designations appear "to have been inadvertently assigned to this developed parcel." (See enclosed D. Guzman letter to Board of Supervisors, June 14, 1988; Internal County staff memo, May 24, 1996; and D. Ward letter to S. Petrovich, November 30, 2007.)

Property and further eastward. County Sheriff's deputies historically have used, and continue to use, this road to patrol the beach below and land lying easterly of the O'Neil Property.

For the past six years, we have worked with Planning and Development and County Counsel staff to address numerous issues necessary for a complete project application for this Property. However, we remain at an impasse regarding the status of access to the Property. Per the Planning & Development Department's September 24, 2014 Determination of Application Incompleteness, "direct legal title to access for the subject parcel has not been demonstrated in a sufficient manner for the County to make the required finding for Land Use Policy 4."

We completed an extensive investigation of the legal status of Wallace Avenue, including engaging the services of an experienced title researcher to conduct an in-depth analysis of County records, title plant records, recorded documents, and railroad company records. We also sought additional information through contacts at the Railroad. Based upon this research, we concluded that there is adequate legal access to the O'Neil Property. We first submitted our analysis and supporting documentation to County staff on January 31, 2012 and have since provided additional details and discussed the issue with staff on numerous occasions. While Deputy County Counsel Rachel Van Mullem stated at a meeting on October 8, 2012, that staff concurred that Wallace Avenue/Finney Street extends from the north side of the railroad tracks easterly to the northwest corner of the O'Neil Property, staff continues to contend that the public road ends at this point and thus does not provide access to the O'Neil Property. County Counsel also contends that the County of Santa Barbara deeded the roadway that serves the O'Neil Property to the railroad many years ago. Despite further discussions and our presentation of additional evidence, staff continues to contend that the information provided and conclusions drawn are not adequate for the application to be deemed complete. The specific grounds for our appeal of this determination are provided below.

Grounds for Appeal

The Director's determination that the applicant has not demonstrated that the Property has adequate access and thus the project application is incomplete is contrary to applicable law. Further, County staff has provided no factual or legal basis for this conclusion and no evidence that refutes the information we provided, which demonstrates that the streets in Summerland, including the segment of Wallace Avenue extending across the northern boundary of the O'Neil Property, are owned in fee by a trust and the County has only an easement for public purposes. As such, the County has never had the legal authority to quitclaim title to Wallace/Finney on behalf of the public and most particularly contrary to Mr. O'Neil's right of access. Further, the residence on the Property has existed since approximately 1890. Even a quitclaim of the County's rights could not operate to extinguish the rights of a private property

owner whose residence is, and has been, provided access from Wallace/Finney. California Streets and Highways Code Section 8330 prohibits a local agency from summarily vacating a street if it will cut off all access to a person's property. No provision of the Streets and Highways Code allows a local agency to summarily vacate a street where the street currently serves an adjacent property.

Our findings are as follows and referenced documents are enclosed:

1. In a memo from the County Surveyor's office to Mr. O'Neil dated November 17, 2005, Mr. Todd Cullison opined that the portion of Wallace Avenue (aka Finney Street) adjacent to the O'Neil Property has ceased to be a County right of way. This opinion was based upon an alleged "quitclaim" to Southern Pacific Railroad Company (now Union Pacific Railroad Company) on January 9, 1901, cited in Santa Barbara County Ordinance No. 247.
2. Based upon the records that we have uncovered, we disagree with that opinion. We have reviewed Ordinance No. 247 carefully, as has the title researcher, and we both conclude that Ordinance No. 247 is too ambiguous to be characterized as a quitclaim to Southern Pacific of *this* portion of Wallace Avenue.
3. Even if the County had attempted to quitclaim this portion of Wallace Avenue through Ordinance No. 247, based upon a series of recorded deeds pre-dating Ordinance No. 247, we conclude that the County lacked the legal authority to grant title to Wallace/Finney to the railroad or anyone else. At the time of Ordinance No. 247, the County and railroad were working together to relocate the railroad to accommodate highway improvements, but there is no indication that the roadway serving the O'Neil Property was subsumed by the new highway or the railroad tracks as some other streets were. To the contrary, this stretch of roadway remains in place and has been serving the O'Neil Property since at least the 1890s when the original house was constructed.²
4. The exhibit map referred to in Ordinance No. 247 shows Wallace Avenue extending eastward, adjacent to the northern boundary of the Property to the eastern edge of the Town of Summerland. Although the railroad tracks are shown crossing this road, that occurs at a location east of the access serving the O'Neil Property. Enough of Wallace Avenue remains to provide safe access to the O'Neil Property. In short, the portions of the right of way not occupied by the tracks remained as public roadway available for public use. That intent is reflected in the various maps that we enclose, including the Assessor's Map showing Wallace Avenue running between the tracks and the O'Neil Property.

² See Historical Assessment Letter Report for 2551 Wallace Avenue prepared by Ronald Nye, Ph.D., dated February 3, 2009, previously submitted to Planning & Development.

5. The history of Summerland streets pre-dating Ordinance No. 247 is as follows:

(a) H.L. Williams filed a Rack Map with the County of Santa Barbara Recorder on December 18, 1888, showing all of the intended lots, two large parks, streets, and a railroad route through the City of Summerland. The depiction of the streets on this Rack Map is noteworthy because the streets are shown as separate landholdings, with each lot boundary ending at the edge of each street, rather than lot lines extending to the middle of each street. This depiction indicates an intent that the streets be under separate ownership, in fee, not easements over portions of the privately-held lots. This intent is confirmed by subsequent events.

(b) H.L. Williams executed an instrument creating a trust, naming Edward T. Balch, Joseph Barnett, and W.H. Meginness as trustees, to "dedicate unto public use all those portions of said property as surveyed on the ground [on the map of the City of Summerland filed in 1888 by County Surveyor A.S. Cooper] . . . and give, grant, and dedicate unto public use all those portions of said real property as surveyed upon the ground, and marked and laid out on the Map of said survey hereunto attached, . . . parks, streets, squares, avenues, places, lanes and alleys [excepting mineral rights and mines and reserving to Williams and his heirs the right to enter and extract minerals and the right of entry with the public to transport same, without damaging the vegetation and improvements on the public streets, or public sewers, drains, utility pipes, etc.], together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the rents issues and profits thereof. To have and to hold thereafter for the use and benefit of the public and the citizens (sic) residents and inhabitants of said City of Summerland to be governed and controlled hereafter by the authorities." This instrument was recorded by Edward T. Balch on August 9, 1890.

(c) A common law dedication, such as that made by Williams, requires an acceptance by the public entity to which it is offered. The form of such acceptance can be express or implied. One of the methods of acceptance that has the greatest weight is the acceptance by way of ordinance, making the express acceptance a formal, official act. *Eureka v. Armstrong*, 83 Cal. 623. On September 25, 1890, the Board of Supervisors adopted Ordinance No. 125, which was just such an acceptance, reciting that, "H.L. Williams of the county of Santa Barbara, the owner of the Ortega Rancho has heretofore subdivided all that portion of said Ortega Rancho situated in the county of Santa Barbara, State of California as particularly bounded and described in a certain deed of gift and trust, executed by the said H.L. Williams to Edward t. Balch, Joseph Barnett and W.H. Meginness, and a written dedication to public use dated on the 8th day of august 1890, and duly recorded in the office of the County Recorder of Santa Barbara County, on the ninth day of August 1890, in book 27 of Deeds page 615 et. seq." The ordinance names the streets (including Wallace Avenue) designated on the map. The ordinance states, "And whereas, the said H.L.

Williams has now presented to this Board in open session thereof said original written dedication of said avenues, streets, places, parks, lanes and alleys and the same has been accepted by this Board for and in behalf of the public, and said dedication made by the said Williams has been accepted and received." The order of recordation of title through the Grant Deed to the trust on August 9, followed by the County's acceptance the offer of dedication to the public (not to the County) on September 25 demonstrates that that Williams dedicated the streets to public use and the fee interest in the property to the named trust, and that the County Board of Supervisors was aware of the limited extent of the property right – an easement – that the County received.

(d) The trust was in full operation from 1890 through 1955, when the Santa Barbara Superior Court entered an Order in Case No. 10332, authorizing the then-current trustees to execute an easement to the Summerland Sanitary District for the installation, construction, maintenance, repair and replacement of a sewer system in the public streets shown on the map of the "Town of Summerland recorded in the Office of the County Recorder of said County in Rack 1, as Map 2, and as offered for dedication for public use and as accepted for public use as shown by Ordinance of the County of Santa Barbara No. 125, dated October 16, 1890." Early in its ownership of the public streets and parks, the Trust collected rents from various utilities for their installation of pipes in Summerland streets, but by 1955 it is clear that the trust no longer was charging for that privilege and, instead, was granting easements for public service installations. The Superior Court order confirms the Court's conclusion that the trust was the fee owner of the Summerland streets and had the power to grant an easement beneath and through them for sewer lines. The Superior Court records make it clear that the trust was active from its formation through the 1950's, with various trustees seeking court approval for a wide range of activities pertaining to its duty to protect the lands placed in its care for the benefit of the public and petitioning for a change in trustees as the former ones moved, died, or wished to resign. We have found nothing in the public record or the Court files to indicate that the trust has terminated or that its fee ownership of the streets, alleys and other public areas shown on the Summerland map were conveyed to the County.

From these records, it is clear that the trust continues to own fee title to the streets and parks shown on the 1888 map and that the County has a right of way for public purposes only. What also is clear from these documents is that Williams acknowledges the existence of a railroad right of way and depicts the location of that right of way along what is shown as "Railroad Avenue" on the 1888 map. We presume that the railroad had such a right of way but have not researched it. We know from Walker A. Tompkins' historical book entitled, *The Yankee Bararēnos*, that the railroad section through Summerland was completed in 1887. The railroad location depicted on the 1888 survey map for the City of Summerland is a substantial distance north of the O'Neil Property.

6. We have located a series of deeds that we believe accurately reflect the railroad's ownership in the area of Wallace Avenue adjacent to the O'Neil Property. The descriptions make it clear that the Property owned by the railroad was on both sides of Wallace Avenue and that the street named Wallace Avenue is located along the north side of Block 39 (the block in which the O'Neil Property is located):

(a) Becker to Southern Pacific Railroad Company (SPRC), recorded 9/23/1907 at Book 118, Page 107 of Deeds – this deed conveyed in fee a chunk of block 39, the southerly line of which is the northerly line of Wallace Avenue, which is identified as "the County road." If Wallace Avenue already had been deeded to SPRC, this deed would not be calling it the County road over six years later.

(b) Clerbois, et al. to SPRC, recorded 5/11/1945, at Book 649, Page 253 of Official Records – this deed conveyed in fee a portion of Block 39 south of Wallace Avenue, such that the northerly line of the grant represents the southerly line of "Wallace Avenue." This time, it's not just called the "County road" but is identified as "Wallace Avenue as shown on said Map of Summerland." If SPRC were the owner, it would have ceased to be Wallace Avenue.

(c) Becker to SPRC, recorded 11/24/1945, at Book 665, Page 74 of Official Records – this deed conveyed in fee yet another portion of Block 39 south of Wallace Avenue, such that the northerly line of the grant represents the southerly line of "Wallace Avenue as shown on said Map of Summerland."

(d) Donaldson to SPRC, recorded 11/24/1945, at Book 668, Page 375 of Official Records – this deed conveyed in fee yet another portion of Block 39 south of Wallace Avenue, such that the northerly line of the grant represents the southerly line of "Wallace Avenue as shown on said Map of Summerland."

7. Additional evidence in the County's files further confirms our interpretation of Ordinance No. 247 vis-à-vis this portion of Wallace/Finney. The street segment itself, extending adjacent to the northern boundary of the O'Neil Property and further eastward, is shown on many County maps in Public Works' possession as a public roadway, post-dating Ordinance No. 247. These include:

(a) A survey map dated April 1920 showing the road extending through Block 39;

(b) A record of survey approved by the County Surveyor on January 17, 1952 showing Wallace Avenue extending adjacent to the northern boundary of the O'Neil Property;

(c) A map prepared for the County and Caltrans in 1976 showing the relationship between the railroad right of way, Highway 101, and Finney Street, which was approved by Leland Steward, then the County's Director of Transportation;

(d) A Southern Pacific Railroad easement to the County dated August 30, 1976 which also shows Wallace/Finney extending eastward;

(e) A Southern Pacific Railroad map which is not dated but includes references to documents as recently as 1945, and shows the "County Road" running immediately adjacent to the northern boundary of the Property and extending to easterly to the edge of the map where a notation indicates "To Los Angeles."³

8. The nature of the railroad's right of way is irrelevant to its current operations. It would be maintaining its tracks and operations the same on a fee ownership as on an easement in this narrow location. What *is* relevant is the fact that the railroad isn't occupying the portion of Wallace/Finney which provides, and historically continuously has provided, access to the O'Neil Property. Although a former owner of the railroad apparently believed that it had some kind of exclusive right that allowed it to install a gate across Wallace/Finney, that gate is now left standing open and the road remains available for public use. Indeed, the Santa Barbara County Sheriff's deputies travel over this road to roust trespassers and scoundrels from the land lying easterly of the O'Neil Property.

9. Further, internal and external County correspondence recognizes the County's interest in Wallace/Finney is an easement. This includes:

(a) A letter dated November 12, 1965 from Leland Steward, then County Road Commissioner, to Universal Oil Corporation, then owner of Lots 30-39 of Block 39 (the property immediately east of the O'Neil Property which are Lots 27-29) stating that despite the County's action taken by Ordinance No. 247, the County has maintained a County road north of Lots 27-39 in Block 39 and that "[i]t is possible that the County now holds only a prescriptive road right of way in Block 39,"

(b) An internal memo from Assistant County Counsel Dana Smith to Robert Scott in the Planning Department dated February 24, 1977 stating his opinion that as of 1890, the County had an easement in the street shown as Finney Street on the original record of survey map;

(c) An internal Public Works memo from W.H. Vachon to Scott McGolpin dated March 12, 1996, relying on the opinion in the February 24, 1977 County Counsel memo regarding the status of Finney Street as an easement and reiterating "[w]e have rights to use the 60 foot easement" and further stating "Finney Street provides access to the home owners at the east end."⁴

³ On several of the above referenced maps, the railroad tracks are shown crossing Wallace Avenue. However, that occurs at a location east of the access serving the O'Neil Property leaving sufficient width adjacent to the O'Neil Property for safe access.

⁴ The O'Neil Property was at the time of the memo and remains the only residence at the east end of Finney Street/Wallace Avenue.

Conclusion

We believe that we have demonstrated that Wallace/Finney remains a publicly dedicated roadway, even if it may be shared by the public and the railroad. Although the County doesn't appear to maintain the roadway east of the paved section lying west of the O'Neil Property, the road exists and is used for public safety purposes and by Jeff O'Neil to access his Property.

Because the overwhelming evidence in the recorded documents and other County files indicates that this portion of Wallace Avenue was, and continues to be, a public street, it provides adequate legal access to the O'Neil Property to meet the requirements of Coastal Plan Policy 2-6 and the Required Finding per Article II Coastal Zoning Ordinance Section 35-60.5. The County subjects itself to liability for an unconstitutional taking if it continues to deny that access exists because the County refuses to accept the application for re-construction of Mr. O'Neil's home, depriving him of reasonable use of his property, based upon the alleged lack of access.

Therefore, we respectfully request that the Planning Commission overturn the Director's determination of application incompleteness and direct staff to complete processing of the project application.

Thank you for your consideration of this appeal.

Sincerely,



Patsy Stadelman Price, AICP

Enclosures: Supporting Documents (see attached index)

**O'Neil Residence, 2551 Wallace Avenue
Appeal of Application Incompleteness Determination
Supporting Document Index**

1. D. Guzman letter to Board of Supervisors, June 14, 1988
2. Internal County staff memo, May 24, 1996
3. D. Ward letter to S. Petrovich, November 30, 2007
4. T. Cullison memo to J. O'Neil, November 17, 2005
5. Board of Supervisors Ordinance No. 247, January 9, 1901
6. Assessor's Parcel Map, 2013
7. Williams Map of Summerland, 1888
8. Board of Supervisors Ordinance No. 125, September 25, 1890
9. Becker, Clerboic, and Donaldson deeds, 1907 and 1945
10. Survey Map, April 1920
11. Lots 27, 28 & 29 of Block 39 Record of Survey, approved January 17, 1952
12. County Department of Transportation map of Finney Street crossing, 1976 (shows road going east)
13. Southern Pacific Railroad easement to County, August 30, 1976 (shows road going east)
14. Southern Pacific Railroad Map, undated
15. L. Steward letter to Universal Oil Corporation, November 12, 1965
16. D. Smith memo to R. Scott, February 24, 1977
17. W. H. Vachon memo to S. McGolpin, March 12, 1996

PLANNING DEPARTMENT
Dianne Suzman, AICP, Director

Agenda date: June 20, 1988

June 14, 1988

1 week continuance

The Honorable Board of Supervisors
County of Santa Barbara
105 E. Anapamu St.
Santa Barbara, CA 93101

RE: Rezoning request, Fee Waiver for APN 5-250-01, L. Tom Jacobs
(continued from May 16 B/S agenda)

2551 WALLACE AVENUE

Dear Supervisors:

Recommendation:

That your board authorize a fee waiver to process a Local Coastal Plan Amendment for APN 5-250-01. This would entail a land use designation change and rezoning from Recreation [REC] to Single Family Residential, 7,000 sq. ft. minimum lot size with a Design Review overlay [7-R-1-D]. It is not recommended that your board approve the request to remove the View Corridor overlay for this parcel.

Discussion:

This parcel is currently developed with a single family home, and is presently zoned Recreation, with a View Corridor overlay. This existing zoning appears to have been inadvertently assigned to this developed parcel, and will have to be rezoned to a residential designation (7-R-1-D) before the property owner can complete his plans to demolish the existing house and construct a new one. Since the Recreation zoning assigned to this parcel would not allow the owner to reconstruct a new dwelling, staff would support approval of a fee waiver to process the Local Coastal Plan Amendment. These applications could be incorporated into the Coastal Special Use Permit process, so that one environmental document could be written for both the Local Coastal Plan Amendments and the proposed new dwelling. Therefore, the costs of the joint environmental review could be shared by the County and the property owner.

As an alternative to a blanket fee waiver for the Local Coastal Plan Amendments, the Board of Supervisors could waive only the RMD deposit, with fixed departmental fees (\$606) to be met by the applicant. Although the

123 E. Anapamu Street, Santa Barbara, CA 93101
PHONE (805) 569-2000 FAX (805) 568-2522

applicant has also requested a removal of the View Corridor overlay. staff believes that this overlay should remain intact, to restrict future building height on this highly visible parcel. New house construction immediately to the west of this parcel has a similar zoning restriction.

Fiscal Impact:

If your Board chooses to waive all fees for the processing of the Local Coastal Plan Amendments, the approximate County costs would be \$2,606. Of this cost, \$606 is fixed departmental fees and \$2000 is the costs incurred by the Resource Management Department for labor, noticing costs, administrative costs, etc. (RMD staff time for environmental review, staff reports, Coastal Commission procedures, etc. are included in the \$2000 estimate, and is an average amount based on processing minor Local Coastal Plan Amendments).

The Board may choose to waive only the RMD costs of \$2,000. Fees for the application to demolish the existing structure and construct a new dwelling would not be waived, and is not included in the above cost analysis.

Staff Contact:

Suzanne Konchan, x2073

Respectfully submitted,



DIANNE GUZMAN, AICP
Director, Resource Management Department

DG:SSK:JEM:jem:3847P

Memorandum

Date: May 24, 1996
To: Marta
From: Noel
Subject: 2551 Wallace Avenue, Summerland
CC: Anne



Please call Ben Weiner (965-1790) and inform him of the following:

1. I have looked into the situation regarding the REC zoning of the property and have decided since this action was apparently "inadvertent" (see letter from Dianne Guzman dated June 14, 1988) that it would not be fair for the County to rigidly enforce the nonconforming restrictions as they would apply to the existing residence (FYI, the matter of the fee waiver was dropped by the applicant on June 27, 1988).
2. Therefore, the applicant may apply for the necessary permits. The project involves development within the appeals jurisdiction of the Coastal Zone; this project does not qualify for any of the exemptions under Sec. 35-169.2. Thus, a CDP is required, and because of the location within the appeals jurisdiction, a SUP is also required.
3. If the residence is currently occupied, then we could process an application for an emergency permit, followed later by the SUP and CDP. This will cost the applicant additional fees, but will allow water service to be restored more quickly.



County of Santa Barbara Planning and Development

John Baker, Director

Dianne Black, Director Development Services
John McInnes, Director Long Range Planning

November 30, 2007

Susan Petrovich
Hatch & Parent
21 E. Carrillo Street
Santa Barbara, CA 93101

RE: 2551 Wallace Avenue, Summerland
Assessor's Parcel Number 005-250-001

Dear Ms. Petrovich:

At a meeting with Coastal Commission staff and Santa Barbara County staff on November 27, 2007, the possibility of rezoning the parcel at 2551 Wallace Avenue was discussed. As you know, 2551 Wallace Avenue (Assessor's Parcel Number 005-250-001) is zoned REC (Recreation) and has a Coastal Land Use Plan designation of "Recreation/Open Space." A residence was constructed on the subject parcel several decades ago and was considered a legal non-conforming structure, until a Building Violation was opened on March 20, 2007 for demolition and work done without a permit by the owner, Jeff O'Neil. The parcel is small in size, approximately 4,356 square feet. The property is also constrained by the adjacent railroad and appurtenant easements, and Highway 101 to the north. Both are a constant source of noise and a potential safety hazard, since the property must be accessed from Wallace Avenue by crossing over a railroad easement. Taking the history of this specific property and all of the site constraints into consideration, it seems unlikely that there is significant potential for a viable recreation use on this small lot.

For these reasons, the consensus at the meeting was that a rezone and Local Coastal Plan amendment, to change the designated use of this parcel from Recreation to Residential, is feasible. Coastal Commission staff indicated initial support of a potential rezone and LCP amendment for this unique parcel and situation.

If the property owner decides to pursue residential development on this property, the next step is to submit applications for a Rezone and a General Plan Amendment, to change the designated use of the subject parcel from Recreation to Residential. Please note that one of the components of the submittal should be justification for and evidence supporting the lack of a viable recreation use on the parcel, based upon the regulations contained in the Coastal Land Use Plan (CLUP) and the implementing Coastal Zoning Ordinance (Article II). Alternatively, you may first submit for a Planner Consultation, to assist you in gathering information on the property, and answer any initial questions you may have. The necessary forms can be found at www.sbcountyplanning.org, or may be obtained at the Zoning Counter.

Development Review
Building & Safety
Energy, Administration
123 E. Anapamu Street
Santa Barbara, CA 93101
Phone: (805) 568-2000
FAX: (805) 568-2030

Long Range Planning
30 E. Figueroa St, 2nd Floor
Santa Barbara, CA 93101
Phone: (805) 568-3380
FAX: (805) 568-2076

Building & Safety
185 West Hwy 246, Ste 101
Buellton, CA 93427
Phone: (805) 686-5020
FAX: (805) 686-5028

Development Review
Building & Safety
Agricultural Planning
624 W. Foster Road
Santa Maria, CA 93455
Phone: (805) 934-6250
FAX: (805) 934-6258

Ms. Susan Petrovich
November 30, 2007
Page 2 of 2

If you have any questions regarding this unique situation and the available options, please contact me at (805) 568-2520. If you have any questions regarding the specific permit or consultation application requirements, please contact the Zoning Counter staff at (805) 568-2090. Thank you.

Sincerely,



Dave Ward
Deputy Director
Development Review, South
Planning & Development
County of Santa Barbara

cc: Jeffrey O'Neil, P.O. Box 1174, Summerland, CA 93067-1174
Coastal Commission Staff:
Shana Gray, 89 South California Street, Suite 200, Ventura, CA 93001
Gary Timm, 89 South California Street, Suite 200, Ventura, CA 93001
Steve Hudson, 89 South California Street, Suite 200, Ventura, CA 93001
John Baker, Director, Planning & Development
Diane Black, Director of Development Services, Planning & Development
June Pujo, Supervising Planner, Planning & Development
Julie Harris, Planner III, Planning & Development
Selena Buoni, Planner II, Planning & Development
Records Management, P&D

*County of Santa Barbara
Public Works Department*

Office of the County Surveyor

123 E. Anapamu Street
Santa Barbara, California
(805) 568-3020 FAX (805) 568-3318

Michael B. Emmons, County Surveyor

TRANSMITTAL

DATE: November 17, 2005
TO: Jeffrey S. O'Neil phone 969-1971
FROM: Todd B. Cullison phone 568-3023
RE: Wallace Avenue (a.k.a. Finney Street) Right-of-Way

According to available information, the portion of Wallace Avenue (a.k.a. Finney Street) in question (adjacent to APN 005-250-002) is no longer a county road right-of-way. This portion of the road right-of-way was quit-claimed to the Southern Pacific Railroad Company on January 9, 1901 per Santa Barbara County Ordinance. The officially maintained portion of Wallace Avenue (a.k.a. Finney Street) ends westerly of APN 005-250-001. Record documentation for this determination includes the following:

Santa Barbara County Ordinance No. 247—
Filed in the County Surveyor's Office

Official Map of the City of Summerland—
Filed as Rack 1 Map 2 of the County Surveyor's Office

This information is based on research of available recorded documents, maps, and indices. Physical positions on the ground cannot be determined without a field survey to locate record monumentation. This is not a legal opinion.

Please feel free to contact me if you have any questions.

Sincerely,
Todd B. Cullison
tcullis@cosbpw.net

Ordinance No. 247.

In the Matter of the Petition of the Southern Pacific Railroad Company, a corporation, for a right of way along, over, upon and across certain public parks, streets, roads, places, and avenues in the Town-site of Summerland in the County of Santa Barbara, in the State of California.

The Board of Supervisors of the County of Santa Barbara in the State of California, do hereby enact and ordain as follows, to-wit: Whereas, The Southern Pacific Railroad Company, a corporation, ~~long since located the line of its railroad company, a corporation,~~ long since located the line of its railroad through the town-site of Summerland, in the County of Santa Barbara, in the State of California, and thereupon constructed and has ever since maintained and operated the same as so located; And whereas it appears that said location of the line of said railroad through said Town-site of Summerland can be improved and the directors of said Southern Pacific Railroad Company, have caused a new and relocated line to be surveyed and marked by stakes upon the ground through said Townsite of Summerland and have determined to change said former location of said railroad and have altered and changed the same and have determined that said new and relocated line through said town-site of Summerland shall be the line of location of said railroad upon which the same shall be finally constructed; and whereas certain strips or tracts of land now constituting certain parks; streets, roads, places and avenues, of said Townsite of Summerland are necessary for the right of way of said railroad as so relocated as aforesaid; And whereas said strip or tracts of land are founded and described as follows:, to-wit; First commencing at the eastern limits of

of said Town-site of Summerland at the westerly boundary line of Greenwell Avenue in said town-site at or near engineer's survey station No. 3907 plus 477, of line change D-13 $\frac{1}{2}$ as shown on a Map of a part of said townsite of Summerland and of said located and relocated lines of said railroad which is hereto annexed and marked Exhibit A, thence running in a westerly direction and intersecting the southerly boundary line of East End Park", in said Town-site at or near engineers' survey station No. 3812 plus 65 of said line change D. 13 $\frac{1}{2}$ as shown on said map; and thence continuing in a westerly direction to point of intersection with the southerly boundary line of the present right of way of said southern pacific railroad at or near engineer survey station No. 3914, plus 87 of said line change D. 13 $\frac{1}{2}$ as shown on said Map, including the whole of the street, roads or avenue running in an easterly and westerly direction through Block No. 39 of said Town-site of Summerland, and all of said East End Park lying south of a line drawn on the north side of said line change D. 13 $\frac{1}{2}$ as shown on said map and parallel to said line change D 13 $\frac{1}{2}$ and distant fifty(50)feet therefrom, Secdond. A strip of land twenty(20)feet wide along the north side of "Morris Place" in said town-site of Summerland, and constituting a part of said Morris Place as shown on said Map, third all of that part of Look Out Park, in said town-site of Summerland lying north of the south line of Lots two(2) to seventeen(17) both inclusive in Block forty one(41) of said Town-site as the south line is produced westerly to an intersection with the south line of the present right of way of the Southern Pacific Railroad as shown on said map, and whereas said map is so

far as said town-site of Summerland and the parks, streets, roads, places and avenues thereof appear thereon is a copy of a part of the map entitled "City of Summerland, Santa Barbara Co., California, A.S.Cooper Co.Surveyor" which was filed in the office of the Recorder of said County of Santa Barbara in Rack 1 and numbered 2 on the 18th day of December 1888, and a copy whereof is recorded at the foot of an Instrument of Dedication unto public use of said parks, streets, roads, places and avenues bearing date on the 8th day of August, 1890, and recorded in said Recorder's office in Book 27 of Deeds at page 615 on the 9th day of August 1890, Now therefore, a right of way for said new and relocated line of said railroad and for the construction, maintenance and operation thereof along, over upon and across said three strips or tracts of land and all and every of them is hereby remised, released and quitclaimed to said Southern Pacific Railroad Company, its successors and assigns forever. And this ordinance shall take effect and be in force on from and after the 1st day of February 1901, and before said date the same shall be published with the names of the members of this Board voting for and against the same for at least one week in The Morning Press, a newspaper published in said County of Santa Barbara. Passed and enacted and adopted this 9th day of Jan'y, 1901.

E.C.Tallent,

Chairman of the Board of Supervisors of the County
of Santa Barbara in the State of California.

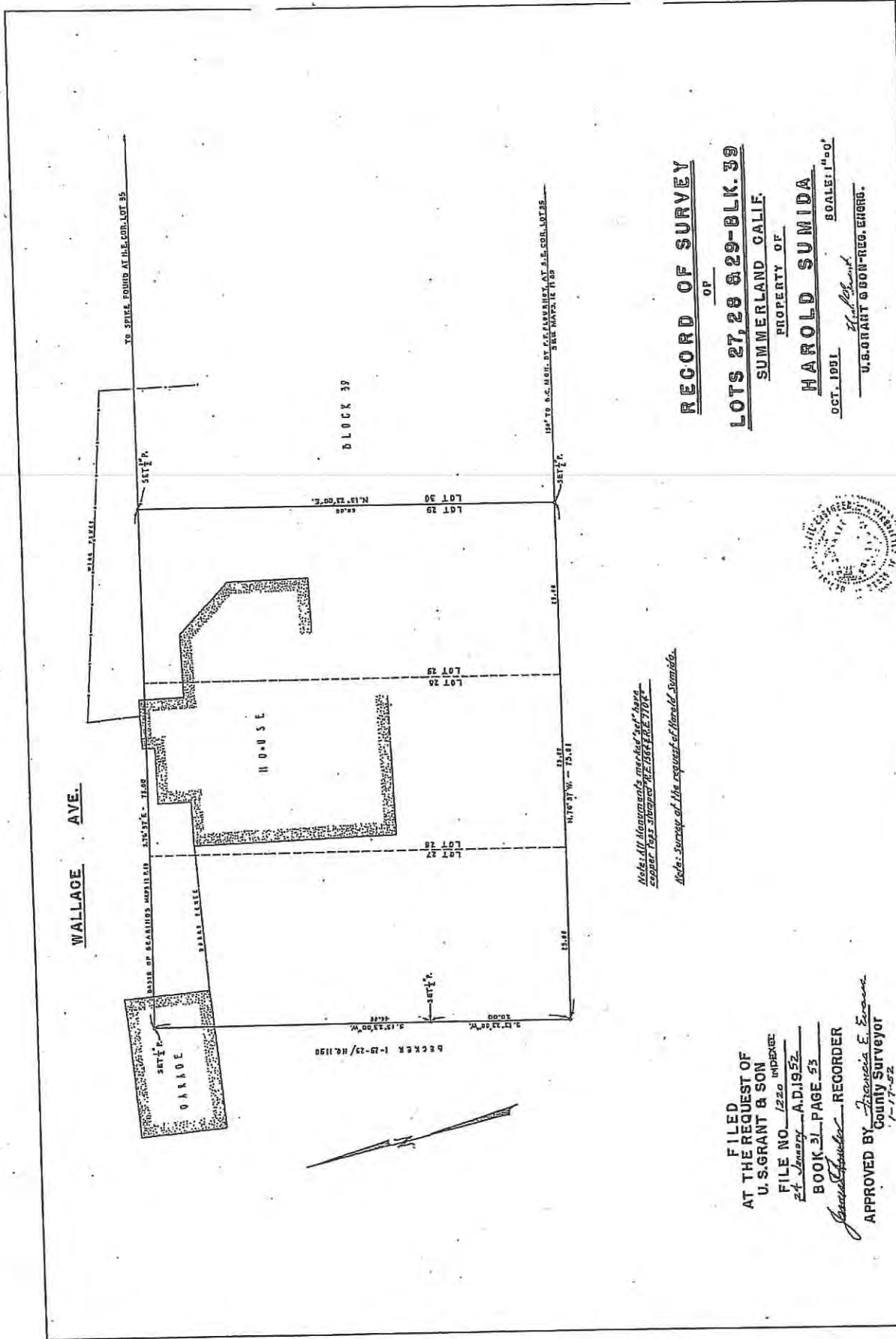
Attest: (Seal).

G.A.Hunt, Clerk.

(Page No.) 664.

Map following this Ord.

1951/52 Sumida Record
of Survey



RECORD OF SURVEY
OF
LOTS 27, 28 & 29-BLK. 39
SUMMERLAND CALIF.
PROPERTY OF
HAROLD SUMIDA
OCT. 1951 SCALE: 1"=60'
U.S. GRANT & SON-REG. ENGRS.



*Note: All Monuments mentioned herein
appear Page 31 of Book 31 of 1951-52
Act: Survey of the request of Harold Sumida.*

FILED
AT THE REQUEST OF
U. S. GRANT & SON
FILE NO. 1220 INDEXED
24 January A.D. 1952
BOOK 31 PAGE 53
RECORDED
APPROVED BY Francis E. Evans
County Surveyor
1-17-52

H. L. Williams

to Edward S. Balch et al

Know-all men by these presents that, whereas I, H. L. Williams, of the County of Santa Barbara State of California have heretofore subdivided all that portion of the Ortega Rancho, situated in the County of Santa Barbara State of California, about five miles east of the City of Santa Barbara, particularly bounded and described as follows.

Commencing at the South East Corner of Block No 39 of the Town of Summerland as laid out, at a redwood post 4x4 inches square and buried two feet in the earth and two feet thereof exposed and situated on the edge of a steep bluff on the shore of the Pacific Ocean, thence, North 31 East, crossing the right of way of the Southern Pacific Rail Road Company and then following the westerly line of Greenwell Avenue as laid out on the Town plat of Ortega <1105> Eleven Hundred and Five feet to a post at the Northeast corner of Block No. 24 of the Town of Summerland, thence N. 16. E. along the said westerly line of said Greenwell Avenue Four Hundred and Eighty <480> feet to a post at the North East corner of Block No. 8 of said Town of Summerland, thence North 76 1/2 W. Fourteen Hundred and Thirty Three <1433> feet to a post on the north line of Block No. 6, of said town, of Summerland; thence north 64 W. Fourteen Hundred and Sixty nine <1469> feet to a post at the Northwest corner of Block No 3 of said Town of Summerland; thence N. 76 1/2 W. Twelve Hundred and One <1201> feet to a post on the westerly line of Pierpont Street as laid out in the map of said town of Summerland; thence South 13 1/2 E Eighteen Hundred and Sixty feet, more or less <1860> crossing the right of way of the Southern Pacific Rail Road to a point, on the edge of a steep bluff on the shore of the Pacific Ocean where a redwood post 4x4 inches square, 4 feet long and two feet buried in the ground at the westerly corner of Lookout Park, as laid out and designated on said map, thence in an easterly direction along the edge of said bluff and the South line of said Lookout Park to a stake at the Southwest corner of Block No 41 of the Town of Summerland; thence along the South boundary line of said Block No. 41, to a post at the Southeast

corner thereof, thence in an easterly direction to a post
at the south westerly corner of Block No 42 of said Town
thence in an easterly direction along the south boundary
line of said Block No 42 to the North East corner thereof.
thence, in an easterly direction to a post at the South
West corner of Block No 43 of said Town of Summerland.
thence in an easterly direction along the south boundary
line of said Block No 43 to the Southeastly corner thereof
at a post set on the westerly side of Park Place, thence
in an easterly direction following the edge of said bluff
and on the south boundary line of East End Park as laid
out on said map to the South West corner of Block
No 39 of said Town of Summerland, thence along the
Southern boundary line of said Block No 39 to the South
east corner thereof, being the point of beginning and
enclosed the premises above described, to be accurately surveyed
platted and mapped and have laid out thereon a town-
site, called and known as the City of Summerland, and
subdivided the same into Lots and Blocks, and laid out a
portion thereof, as public streets, avenues, and places, and
set apart certain other portions thereof for certain public
purposes, and established certain parks thereon, as may
be fully ^{and} ascertained from the map representing said
survey, which map was made by H. S. Cooper, County Surveyor
and is marked "City of Summerland, Santa Barbara
Co. 1888, by H. S. Cooper County Surveyor" a copy of
which map is herunto attached and made a part
hereof. And whereas I desire and intend to devote
certain portions of said premises to certain special
uses and objects, and to ^{dedicate} certain other
portions to public use and in order that said dedica-
tion may be complete and perpetuated of record and in
order to carry out my designs and intentions. Now therefore
I the said E. L. Williams in consideration of the sum
of one dollar, to me in hand paid the receipt whereof
is hereby acknowledged and for other good and valuable
considerations thereunto me moving, do hereby give grant
convey and confirm unto Edward J. Balch, Joseph
Barnett and Wm. Mcginness of Summerland, in the
said County of Santa Barbara, State of Cal. all
that certain lot or parcel ^{land} situated in said
Summerland, and mapped upon said map, "Dedi-
cated for a temple and bounded and described as

follows:

Commencing at the Southwest corner of Block No. 14 at the intersection of the north line of Golden Gate Avenue with the east line of Temple Street; thence along the said north line of Golden Gate Avenue in an easterly direction one hundred and twenty five (125) feet; thence at right angles in a northerly direction one hundred and twenty (120) feet to the South line of Emerson Street; thence at right angles in a westerly direction along said South line of said Emerson Street One hundred and twenty five (125) feet to the east line of Temple Street; thence at right angles in a southerly direction along said easterly line of said Temple Street one hundred and twenty feet (120) feet to the place of beginning, in trust for the establishment of and as a site for, the building of a Spiritual Temple to be by them held until the establishment of an organized society in said City of Sumnerland, devoted to the promotion of Spiritualism, whereupon said Trustees hereinabove named shall upon the written request of myself or of my successor or successors in title convey said land and premises to the governing board or body, of said society or to one or more trustees whom said society may appoint, subject to such conditions and limitations only. I have and do hold unto the said Edward T. Patch, Joseph Barnett and W. H. Meginness and the survivor or survivors of them, as joint tenants to the uses and upon the trusts within the power and provisions herein limited, expressed and declared concerning the same.

And I the said G. L. Williams hereby also give grant, and dedicate unto public use all those portions of said real property as surveyed upon the ground, and marked and laid out on the Map of said survey herunto attached, as appears marked, designated and laid out thereon as and for parks, streets squares avenues, places, lanes and alleys, saving and excepting out of the same all mines and minerals, and the fee simple absolute estate, of, in and to all gas or gases, oil or oils, petroleum, asphaltum and other kindred mineral substances, and all gypsum, clay, clays and all other valuable mineral substances that may exist therein; and also excepting and reserving unto me and my heirs, successors, and assigns, and my

their servants and agents, the sole and exclusive right to enter thereon for the sole purpose of developing, mining, exploiting, obtaining, removing and disposing of said substances and the right to erect machinery, sink wells, bore, tunnel, dig for, work on, and remove the same from the said premises and every part thereof together with the right of way with the public over, through and across the same and all parts of said premises for the purpose of going to and coming from said works, transporting machinery, implements and supplies for said works and to carry on said enterprise and of removing said substances and of transporting the same to market, and the right to lay pipes to and to conduct oil and gas over, through, from and across, said premises and every part thereof, and to take the usual necessary and convenient means therefor, and the right of transferring to my and their grantees the same rights as herein reserved and not to destroy or injure any improvements, plants, trees, herbage or other natural or artificial crop or vegetation growing or being upon said premises or the public streets, public sewers, drains, gas, water or other pipes or appliances used or existing; or that maybe laid out or established thereon; without making just compensation for such damage, injury or destruction; and not to unnecessarily injure, deface or destroy the surface of said premises. Together with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, and the rents issued and profits thereof. To have and to hold hereafter for the use and benefit of the public and the citizens, residents and inhabitants of said City of Sumnerland to be governed and controlled hereafter by the duly constituted public authorities.

In witness whereof, the said H. L. Williams have hereunto set my hand and seal this Eighth day of August 1890.

State of California }
 County of Clark }
 County of Clark, Nebraska }

H. L. Williams (L.S.)

In this Eighth day of August in the year one thousand eight hundred and ninety, before me Joseph J. DeTaney a Notary Public in and for said County residing therein duly commissioned and sworn personally appeared H. L. Williams known to me to be the person described in whose name is subscribed to

and who executed the within instrument and he acknowledged to me that he executed the same. In witness whereof I have hereunto set my hand and affixed my official seal at my office in the City and County of Santa Barbara the day and year in this certificate first above written.

Notarial Seal

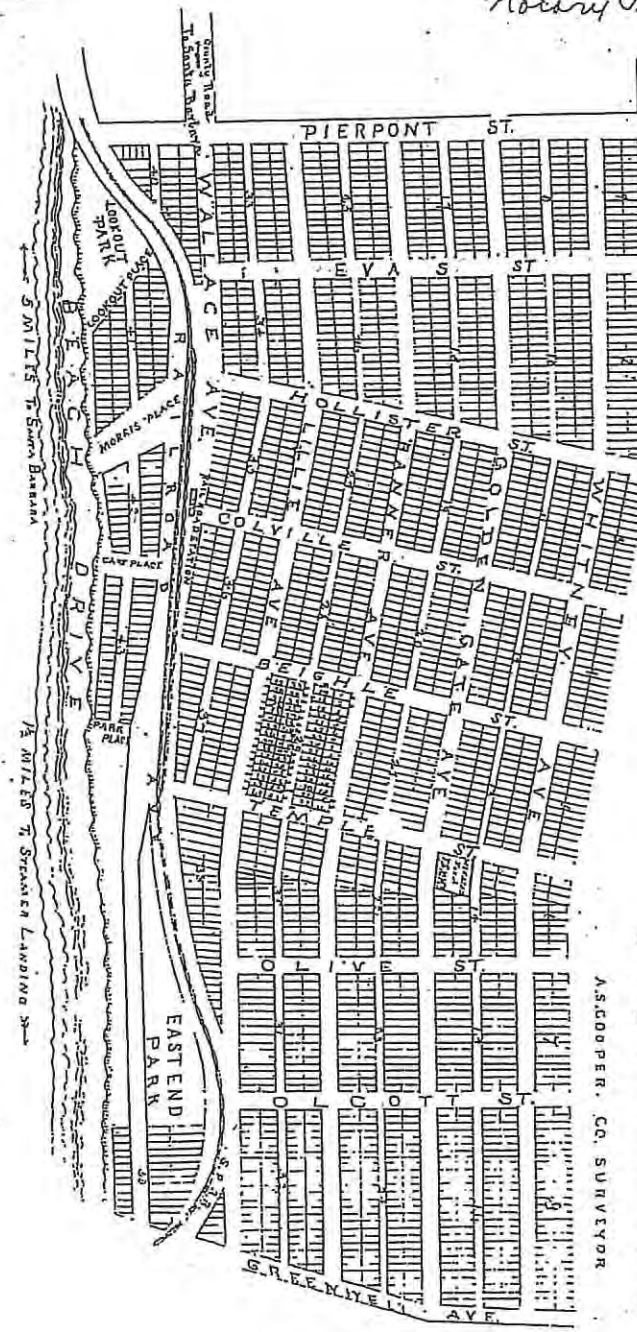
Joseph J. DeLaney
Notary Public

MAIN STREET & 4th AVENUES 60 FEET WIDE

STREETS BETWEEN BLOCKS 30 FEET WIDE

LOTS 25 BY 60 FEET

PACIFIC OCEAN



CITY
RESENOVA

CITY OF
SANTA BARBARA
SANTA BARBARA CO. CALIFORNIA 1888

A. S. COOPER, CO. SURVEYOR



102
Recorded at request of Edward J. Balch et al Trustees at
20 min past 3 PM. August 9th 1890.

C. A. Stuart Recorder

J. W. Whalley
to
H. J. Baker

For and in consideration of the sum
of Twelve Hundred Dollars to me in
hand paid know all men that I J. W. Whalley of Santa
Barbara County, State of California do hereby grant, bargain
and sell unto H. J. Baker of City of Santa Barbara, County
of Santa Barbara, State of California all that real prop-
erty situated in the County of Santa Barbara, State of
California bounded and described as follows:

The East Half of North East quarter
and north east quarter of South East quarter of Section
No. 2 Township Four, North of Range 27 West San
Bernardino Base and Meridian. Witness my hand
and seal this twenty third day of June 1888.

State of California } s.s.
County of Santa Barbara

J. W. Whalley (seal)

On this 23rd day of June in the year one
thousand eight hundred and eighty eight before me Josiah
Doulton a Notary Public in and for the said City and County
of Santa Barbara personally appeared J. W. Whalley,
personally known to me to be the same person described
in and whose name is subscribed to the within instru-
ment and he acknowledged to me that he executed
the same. In witness whereof I have hereunto set my
hand and affixed my official seal the day and year
in this certificate first above written.

(Notarial Seal)

Josiah Doulton
Notary Public

Filed for record at the request of H. J. Baker
August 11th A. D. 1890 at 30 min past 11 o'clock A.M.

C. A. Stuart Recorder

John Hoover
to
Amelia Mix

I John Hoover of the County of Santa
Barbara, State of California for and
in consideration of the sum of One Dollar do hereby
grant to Amelia Mix of the same place all that
real property situated in the County of Santa
Barbara County, State of California bounded and

Before the Board of Supervisors of the County of Santa Barbara,
State of California.

In the Matter of Accepting the Dedication of Streets and
Public Places in the Town of Summerland.

The Board of Supervisors of the County of Santa Barbara, do
ordain as follows:

That whereas, H.L. Williams of the County of Santa Barbara, the
owner of the Ortega Rancho has heretofore subdivided all that
portion of said Ortega Rancho situated in the County of
Santa Barbara, State of California as particularly bounded and
described in a certain deed of gift and trust executed by the
said H.L. Williams to Edward T. Balch, Joseph Barnett and W.H.
Meginness, and a written dedication to public use dated on the
8th day of August 1890, and duly recorded in the office of the
County Recorder of Santa Barbara County, on the ninth day of
August 1890, in Book 27 of Deeds page 615 et seq. And whereas,
he caused said premises to be accurately surveyed, platted
and mapped and laid out thereon a town site called and known
as the town of Summerland and subdivided the same into lots
and blocks and laid out a portion thereof as public streets,
avenues and places and set apart certain other portion thereof
as parks, which are accurately represented in a survey and
map thereof made by A.S. Cooper, County Surveyor and marked
"City of Summerland, Santa Barbara CO, California 1888",
A.S. Cooper Co. Surveyor", a copy of which said map is
attached to and made a part of said deed of trust and
dedication and is recorded in said recorders office in said
Book No. 27 of Deeds on page 617.

And whereas: the said W.H. Williams has laid out upon the ground and has designated upon said map the following named street, avenues, places and parks to-wit; Whitney Avenue, Golden Gate Avenue, Banner Avenue, Lillie Avenue, Wallace Avenue, Railroad Avenue, Greenwell Avenue, Beach Drive, Pierpont Street, Evans Street, Hollister Street, Colville Street, Beighle Street, Temple Street, Olive Street, and Alcott Street, Lookout Place, Morris Place, Garey Place, Lookout Park and East End Park, and certain intersecting lanes, alleys and places as more fully appear on said map. And whereas, the said H.L. Williams has now presented to this Board in open session thereof said original written dedication of said avenues, streets, places, parks, lanes and alleys and the same has been accepted by this Board for and in the behalf of the public, and said dedication made by the said Williams has been accepted and received. Now, therefore the Board of Supervisors of the County of Santa Barbara, do ordain as follows: That the following named avenues, streets, places, parks and alleys and lanes, as the same appear upon said map be and they are hereby declared laid out, erected, established and ordained to be public highways, roads, streets, alleys, lanes, places and parks, of the town of Summerland in the County of Santa Barbara, State of California, named and described as follows:

Whitney Avenue, from Pierpont Street to Greenwell Avenue, Golden Gate Avenue from Pierpont Street to Greenwell Avenue, Banner Avenue from Pierpont Street to Greenwell Avenue, ^{Lilley Ave. from Pierpont St. to Greenwell Ave.} Wallace Avenue from Pierpont Street to its connection with Lilley Avenue.

Railroad Avenue from Pierpont Street to Greenwell Avenue to,
 along and parallel with the track of the Southern Pacific Railroad,
 Pierpont Street from the line of the Southern Pacific Railroad,
 and Railroad Avenue to the Northern boundary line of the town of
 Summerland, Hollister Street from the line of Wallace Avenue, to
 the northern boundary line of the town of Summerland, Colville
 Street, from ^{Wallace Avenue to the northern boundary} line of the town of Summerland, Reigle Street from
 the line of the Southern Pacific Railroad to the northern boundary
 line of the town of Summerland, Temple Street from the line of
 the Southern Pacific Railroad to the northern boundary line of the
 town of Summerland. Olive Street from the line of Lillie Avenue
 to the northern boundary line of the town of Summerland, Alcott
 Street from the line of Lillie Avenue, to the northern boundary line
 of the town of Summerland, Greenwell Avenue from Beach Drive to the
 northern line of the town of Summerland, Lookout Place, along the
 westerly face of Block 42 of the town of Summerland, Morris Place
 from Beach Drive to the Southern Pacific Railroad between Blocks
 41 and 42 of the Town of Summerland, Carey Place, from Beach Drive
 to the Southern Pacific Railroad between Block 42 and Block 43
 of the town of Summerland, Park Place from Beach Drive, to
 Railroad Avenue along the easterly side of Block 43 of the town of
 Summerland, Beach Drive along the Ocean Shore from Pierpont Street
 to Greenwell Avenue, Lookout Park bounded by Railroad Avenue,
 Lookout Place and Beach Drive, East End Park, bounded by Railroad
 Avenue, Block 39, Beach Drive and Park Place, and intersecting
 lines and alleys running through the centers of ^{the} Block of said
 town ~~is~~ numbered from 9 to 37 inclusive, and numbers 41 and 42,

and 43 of said town of Summerland, as the same appears upon the said map herein above referred to.

This ordinance shall take effect and be in force on and after October fifteenth, A.D.1890, and a copy thereof shall be printed and published in Santa Barbara Independence, a newspaper printed and published in said Santa Barbara County, for at least one week before said date.

Passed and adopted this 25th day of September, A.D.1890.

H.G.Crane, Chairman

of the Board of Supervisors.

Attest: F.L.Kellogg, Clerk.

(Seal)

Filed Sept. 25, 1890 .

F.L.Kellogg, Clerk.

STATE OF CALIFORNIA }
 County of Los Angeles } ss. On this 5th day of April in the year one thousand nine hundred and six, before me, C.E. Gilhousen, a Notary Public in and for said County, residing therein, duly commissioned and sworn, personally appeared Gessie D. Stevens (married), known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Witness my hand and official seal.

C.E. Gilhousen, Notary Public
 in and for said County.

(Notarial Seal.)

RECORDED at request of Pieters & Co., at 40 minutes past 11 o'clock, A.M., Sep 20 1907.
 MARK BRADLEY, County Recorder;

By A.M. Knapp
 Deputy Recorder.

118/107
 DDS
 9-23-1907

AGNES S. BECKER,
 as Administratrix
 -to-
 SOUTHERN PACIFIC RAILROAD
 Company, a corporation.

THIS INDENTURE:--- Made the twenty-seventh day of August, in the year one thousand nine hundred and seven, between Agnes S. Becker, as administratrix of the estate of Henry L. Williams, deceased, the party of the first part, and the Southern Pacific Railroad Company, a corporation, duly organized and existing under the laws of the state of California, the party of the second part,

RR property
 N of
 Finney
 Wallace
 in Block 39

WITNESSES:--- That, whereas, the Superior Court of the county of Santa Barbara, state of California, did, on the 9th day of July, 1906, in the matter of the estate of Henry L. Williams, deceased, make an order authorizing and directing the party of the first part to sell at private sale the real property hereinafter particularly described; and

Whereas, thereafter and in conformity with the said order the party of the first part advertised the said property for sale in accordance with law and thereupon and on the 7th day of March, 1907, the party of the second part purchased from the party of the first part all of said property for the sum in the aggregate of four hundred dollars and has paid to the party of the second part said price therefor; and

Whereas, thereafter the party of the first part made a return of her proceedings upon said sale and thereupon and on the 29th day of July, 1907, the Superior Court of the county of Santa Barbara made its order in the matter of said estate, confirming said sale and authorizing and empowering the party of the first part to execute the proper conveyance therefor; a duly certified copy of which order of confirmation was duly recorded in the office of the County Recorder of Santa Barbara county on the 30th day of July, 1907; and

Whereas, in order to correct certain errors in description in said return and order of confirmation, the said court did, on the 19th day of August, 1907, make its amended decree confirming said sale, which amended decree was duly filed by the Clerk of said Court on the 19th day of August, 1907, *mine-pro time as of July 29th, 1907*, and a certified copy of said decree was duly recorded in the office of the County Recorder of Santa Barbara county on August 23rd, 1907, in Book 119 of Deeds, page 144, to which orders of confirmation so on file and of record reference is hereby made;

NOW, THEREFORE, in consideration of the premises and of the said sum of four hundred dollars paid by the party of the second part to the party of the first part, the receipt of which is hereby acknowledged, the party of the first part hereby grants, bargains, sells, conveys and confirms unto the party of the second part, its successors and assigns, all the right, title, interest and estate of the said Henry L. Williams at the time of his death and all the right, title, ^{and} interest that the estate of said decedent may have acquired by

North of County Road - Station East End Park

operation of law or otherwise, other than or in addition to that of the said decedent at the time of his death; in and to all those certain lots, pieces or parcels of land all situate, lying and being in the townsite of Summerland, in the county of Santa Barbara, in the state of California, as said townsite of Summerland is shown on that certain map entitled: "City of Summerland, Santa Barbara Co., Cal., A.S. Cooper, Co. Surveyor", numbered two (2) and filed in rack one (1) in the office of the Recorder of said county, on the 18th day of December, 1888; said pieces of land being severally bounded and particularly described as follows, to-wit:

1. Commencing at the point where the center line of the new Southern Pacific Railroad as relocated and reconstructed in the year of our Lord 1901, and now operated, intersects the south boundary line of the former and original right of way of the Southern Pacific Railroad, said south boundary line of right of way being parallel with the center line of said railroad as constructed and operated prior to the year 1900, and distant fifty (50) feet at right angles southerly therefrom; thence running easterly along said south boundary line of right of way to a point distant fifty (50) feet at right angles, north-easterly, from said center line of new railroad; thence running south-easterly parallel with said center line of new railroad and at a uniform distance of fifty (50) feet at right angles north-easterly therefrom, to an intersection with the west boundary line of block number thirty nine (39) of said townsite of Summerland, as shown on said map; thence running southerly along the west boundary line of said block to an intersection with the north boundary line of the County road, which crosses said block and divides the same into two portions; thence running westerly along said north line of said County Road to an intersection with said center line of new railroad; thence continuing westerly along said north line of said County road and following the angles thereof, to an intersection with the aforesaid south boundary line of original right of way of Southern Pacific Railroad, and thence running easterly along said south boundary line of right of way and following the curvatures thereof to said point of beginning; being a part of East End Park of said townsite of Summerland as shown on said map and containing an area of 1.41 acres of land, more or less.

Wallace Finney Grant
south
part of this grant

2. Commencing at the point where the west boundary line of block number forty-two (42) of said townsite of Summerland, as shown on said map, intersects said south boundary line of original right of way of the Southern Pacific Railroad; thence running southerly along said west boundary line to a point distant fifty (50) feet at right angles, southerly, from said center line of new railroad; thence running westerly parallel with said center line and at a uniform distance of fifty (50) feet at right angles, southerly therefrom to an intersection with the north-east boundary line of block number forty-one (41) of said townsite of Summerland, as shown on said map; thence running north-westerly, along said north-east boundary line, to an intersection with said south boundary line of original right of way; and thence running easterly along said south boundary line of original right of way to said point of commencement, being a part of Morris Place in said townsite of Summerland, as shown on said map, and containing an area of one-tenth (1/10) of an acre of land, more or less.

3. Commencing at the point on the south-west boundary line of block number forty-one (41) of said townsite of Summerland, as shown on said map, distant fifty (50) feet at right angles southerly from the center line of said new railroad; thence running westerly, parallel with said center line and at a uniform distance of fifty (50) feet at right angles southerly therefrom, to an intersection with the aforesaid south boundary line of original right of way of Southern Pacific Railroad and thence running north-easterly along said south

boundary line and following the curvature thereof to the intersection of said south boundary line with said south-west boundary line of said block number forty-one (41) and thence south-easterly along said south-west boundary line to said point of commencement, being a part of the north-easterly corner of Lookout Park of said townsite of Summerland, as shown on said map, and containing an area of eighteen one-hundredths (.18) of an acre of land, more or less.

Also, all that certain lot, piece or parcel of land situate, lying and being in the Ortega Rancho in the county of Santa Barbara, in the state of California, and bounded and particularly described as follows, to-wit:

Commencing at the point where the center line of the new Southern Pacific Railroad as relocated and reconstructed in the year 1901, and now operated, intersects the east boundary line of land claimed by the estate of Henry L. Williams, deceased, in said Ortega Rancho; said west line being also the east boundary line of the town of Summerland, thence southerly running along said west boundary line to a point distant fifty (50) feet at right angles; southerly from said center line; thence running easterly, parallel with said center line and at a uniform distance of fifty (50) feet at right angles therefrom, to an intersection with the east boundary line of said land of said Henry L. Williams' estate; thence running northerly along said east boundary line to an intersection with the south boundary line of the original right of way of the Southern Pacific Railroad, said south boundary of right of way being parallel with and fifty (50) feet at right angles southerly from the center line of said railroad as constructed and operated prior to the year 1900; thence running westerly along said south boundary line of right of way, crossing said center line of new and reconstructed railroad to a point distant fifty (50) feet at right angles northerly from said center line of new relocated railroad; thence running westerly, parallel with said center line of new railroad and at a uniform distance of fifty (50) feet at right angles therefrom to the aforesaid west boundary line of said land of Williams' estate; and thence running southerly along said west line to said point of commencement, containing an area of 1.34 acres of land, more or less.

TO HAVE AND TO HOLD, all and singular the above described premises unto the party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, the party of the first part has hereunto set her hand and seal, the day and year first above written.

AGNES S. BECKER, (Seal)
 An administratrix of the estate
 of Henry L. Williams, deceased.

...STATE OF CALIFORNIA }
 County of Santa Barbara } ss. On this 28th day of August, in the year nineteen hundred and seven, before me, Harry W. T. Ross, a Notary Public in and for the County of Santa Barbara, personally appeared Agnes S. Becker, administratrix of the estate of Henry L. Williams, deceased, known to me to be the person whose name is subscribed to the within instrument, and she acknowledged to me that she executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal, at my office in the County of Santa Barbara, the day and year in this certificate first above written.

(Notarial Seal.)

Harry W. T. Ross,
 Notary Public
 in and for the County of Santa
 Barbara, State of California.

RECORDED at request of Canfield & Starbuck, at 55 min past 10 o'clock, P.M., Sep 23 1907.
 MARK BRADLEY, County Recorder,
 By A. M. Knight
 Deputy Recorder.

*East City of Santa Barbara
 18th Sep 30 1907*

Official Record 649

In and for said County and State, personally appeared L. Dexter Barnard, known to me to be the Vice President, and Dixie F. Johnson, known to me to be the Assistant Secretary of SECURITY TITLE INSURANCE AND GUARANTEE COMPANY, Trustees, the corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same as such Trustees.

WITNESS my hand and official seal the day and year in this certificate first above written.

(NOTARIAL SEAL)

J. F. VAN DEN BERG

Notary Public in and for said County and State.

RECORDED AT REQUEST OF Security Title Insurance and Guarantor Co., May 11, 1945 at 56 Min. past 8 o'clock A.M.

File No. 5125

V. COWARRUEGAN

Compared by: A. COVARRUEGAN

CAROL (BETH) M. CLERBOIS, ET AL.

TO

SOUTHERN PACIFIC RAILROAD COMPANY

JES. COVARRUEGAN, County Recorder

Deputy Recorder

(USIS \$1.10 cancelled) (Security T. I. & G. Co.) (MAY 11 1945 D. C.)

RR Property of Wallace Finley in block 39

649/253
11-1945
5131

THIS INDENTURE, made the 26th day of September, 1944, between MORSELEY D. MORGAN, also known as W. D. MORGAN, LUCILE MORGAN, his wife; NAOMI M. MORGAN, also known as NAOMI MORGAN, EMMA M. DAVIS, CAROL M. CLERBOIS, also known as BETH CLERBOIS and also known as CAROL CLERBOIS, CARMEN BECKER BUDDS, formerly CARMEN BECKER HARRIS, ROCCO PLANTANURA and EDWARD F. PLANTANURA, first parties, and SOUTHERN PACIFIC RAILROAD COMPANY, a corporation of the States of California, Arizona and New Mexico, second party;

WITNESSES:

That said first parties, for and in consideration of the sum of Ten (10) Dollars, lawful money of the United States of America, to them paid by the said second party, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever quitclaim, unto the said second party, and to its successors and assigns, (as the separate property of said first parties), an undivided six-eighths (6/8) interest in and to all those certain pieces or parcels of land situate in the County of Santa Barbara, State of California, in Ortega Rancho as shown on map recorded in Book 2, page 20, of Maps in the Office of the County Recorder of said County, being all that certain parcel of land firstly described in the deed dated June 1, 1923 from Henry L. Williams Jr. to Agnes S. Becker, recorded September 12, 1923 in Book 222, page 389 of Deeds, records of said County and a portion of that certain parcel of land secondly described in said deed to Agnes S. Becker, more particularly described as follows:

Parcel No. 1:

Beginning at the northeast corner of the Lillia Property which is situated on what is known as Beach Drive below the block line of the Town of Summerland; and running thence in an easterly direction along said southerly line of the Town of Summerland to the southwest corner of Lot 27 in Block 39 of said Town of Summerland; thence southerly 150 feet, more or less, to high water mark; thence westerly along high water mark to a point opposite the easterly line of the Lillia property; thence northerly 150 feet, more or less, to the point of beginning.

Parcel No. 2:

That portion of the Town of Summerland, in the County of Santa Barbara, State of California, as shown on map recorded in Book 1, Map 2, in the office of the County

then to south line of Wallace

Recorder of said County, described as follows:

Beginning at the southwest corner of Lot 27, in Block 39 of said Town of Summerland, as shown on said map; thence westerly along the southerly line of said Town of Summerland, as described in deed from H. L. Williams to Edward T. Balch et al., recorded in Book 27 of Deeds, at page 615, records of said County, to the northeast corner of property conveyed to James E. Lillis by deed from H. L. Williams dated July 1, 1897; recorded in Book 55 at page 56 of Deeds, records of said County; thence northerly along the prolongation of the east line of said land conveyed to Lillis, to the intersection of such prolongation with the south line of Wallace Avenue as shown on said Map of the Town of Summerland, thence easterly along said south line of Wallace Avenue to the northwest corner of said Lot 27, in Block 39; thence southerly along the west line of said Lot 27 to the point of beginning.

Parcel No. 3:

That portion of the Rancho Ortega in the County of Santa Barbara, State of California, described as follows:

Beginning at the southwest corner of Lot 27 of Block 39 of the Town of Summerland, according to the official map thereof recorded in Book 1, Map 2, in the office of the County Recorder of said County; thence running easterly along the south line of said Block 39 to the southeast corner of said block as shown on said map; thence northeasterly along the east line of said block to the intersection thereof with the most southerly line of the deeded right of way of the Southern Pacific Railroad Company; thence easterly along said most southerly line of said deeded right of way to the intersection thereof with the most easterly line of said Ortega Rancho, as said most easterly line is established of record; thence southerly along said easterly line to high water mark of the Pacific Ocean; thence westerly along the said line of high water mark to the intersection thereof with the prolongation southerly of the west line of said Lot 27, said prolongation being the east line of the parcel firstly described in deed from H. L. Williams, Jr., to Agnes S. Becker, recorded in Book 222 of Deeds at page 389, records of said County; thence northerly along said prolongation and said east line of said last-mentioned parcel to the point of beginning. EXCEPTING therefrom the land between the south line of Lots 30, 31, 32, 33, 34 and 35 of Block 39 of said Town of Summerland and high water mark of the Pacific Ocean, lying between the prolongation southerly of the west line of said Lot 30, and the prolongation southerly of the east line of said Lot 35.

EXCEPTING from the operation of this conveyance and reserving unto the parties of the first part all minerals in, under and upon said premises above described, including petroleum and other hydrocarbon substances, together with the right of the parties of the first part, their heirs or assigns, to erect derricks and other structures and to install all necessary machinery to bore wells and otherwise extract such mineral substances and to remove the same from said premises; provided, however, that such derricks and other structures do not interfere with the use of the above described property for railroad purposes by the party of the second part.

TOGETHER with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said second party, and to its successors and assigns forever.

IN WITNESS WHEREOF, the said first parties have executed these presents the day

Pub. 4 JW in 27 07 Blk 39

Official
Record
649

and year first above written.

CAROL (BETIE) M. CLERBOIS.
EVA M. DAVIS
MORSELEY D. MORGAN.
NAOMI M. MORGAN
LUCILLE MORGAN
CARMEN BECKER BUDDS FORMERLY CARMEN BECKER HARRIS
ROCCO PLANTAMURA
EDWARD P. PLANTAMURA

STATE OF CALIFORNIA }
County of Santa Barbara) ss.

On this 26th day of September, 1944, before me, HARRY W. T. ROSS, a Notary Public in and for said County and State, personally appeared Morseley D. Morgan, also known as W. D. Morgan, Lucille Morgan, Naomi M. Morgan, also known as Naomi Morgan, Eva M. Davis, and Carol M. Clerbois, also known as Beth Clerbois; and also known as Caro Clerbois, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and notarial seal.

(NOTARIAL SEAL)

HARRY W. T. ROSS

Notary Public in and for said County and State

STATE OF CALIFORNIA }
County of MONTEREY) ss.

On this 29th day of September in the year one thousand nine hundred and forty-four before me, Mary Willis a Notary Public in and for the County of Monterey, State of California, residing therein, duly commissioned and sworn, personally appeared Carmen Becker Budds, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in the said county of Monterey the day and year in this certificate first above written.

(NOTARIAL SEAL)

MARY WILLIS

Notary Public in and for the said County of Monterey
State of California.
My Commission Expires November 26, 1945

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES) ss.

On this 4th day of October, in the year nineteen hundred and 44, A.D. before me, C. E. Wilder, a Notary Public in and for the said County of Los Angeles, State of California, residing therein, duly commissioned and sworn, personally appeared Rocco Plantamura & Edward P. Plantamura personally known to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in said County the day and year in this certificate first above written.

(NOTARIAL SEAL)

C. E. WILDER

Notary Public in and for Los Angeles County,
of California.

My Commission Expires July 20, 1947

RECORDED AT REQUEST OF Security Title Insurance and Guarantee Co., May 11, 1945 at 5:30 Min.
past 6 o'clock A. M.

File No. 5131

Compared by: A. COVARRUBIAS

MRS. COVARRUBIAS, County Recorder

By: *[Signature]* Deputy Recorder

CLAIRE G. LAMB, ET UX.
TO
GEORGE W. VENT, ET UX.

(USIRS 89-90 Cancelled)
(SECURITY T.I. & G. CO.)
(NOV 24 1945)

In Consideration of TEN AND NO/100 Dollars CLAIRE G. LAMB and MARGUERITE M. LAMB, husband and wife Do Hereby Grant to GEORGE W. VENT and FRANCES A. VENT, husband and wife As Joint Tenants all that Real Property situate in the City of Santa Barbara County of Santa Barbara, State of California, described as follows:

That portion of Lot Eighteen (18) of the Outside Pueblo Lands of the City of Santa Barbara, in the County of Santa Barbara, State of California, described as follows:
Beginning at Station No. 15 on the center line of a forty (40) foot road conveyed by Clarence L. Vivian to The First National Bank of Santa Barbara, a corporation, recorded in the office of the Recorder of the County of Santa Barbara, State of California, on the 23rd day of March, 1927, in Book 121 of Official Records, at page 2; thence 1st, north 0°16' West following along the center line of said forty (40) foot road, 148.27 feet to a point from which a 1/2 inch survey pipe bears south 89°45' west 20.00 feet; thence 2nd, south 89°49' west 297.05 feet to a 1/2 inch survey pipe; thence 3rd, south 0°16' east 148.70 feet to a 1/2 inch survey pipe; thence 4th, north 89°34' east 297.05 feet to the point of beginning.

WITNESS our hands this 7th day of November, 1945

CLAIRE G. LAMB
MARGUERITE M. LAMB

STATE OF CALIFORNIA,)
County of Santa Barbara } ss.

On this 7th day of November, 1945, before me, L. Dexter Barnard a Notary Public in and for said County and State, personally appeared Claire G. Lamb and Marguerite M. Lamb, husband and wife known to me to be the persons described in and whose names are subscribed to the within instrument, and acknowledged that they executed the same.

WITNESS my hand and official seal the day and year in this certificate first above written.

(NOTARIAL SEAL)

L. DEXTER BARNARD
Notary Public in and for said County and State.

RECORDED AT REQUEST OF Security Title Insurance and Guarantee Co., Nov. 24, 1945 at 46 Min. past 5 o'clock A.M.

File No. 13214

Compared by: E. HUBB
Y. COVARRUBIAS

IRIS COVARRUBIAS, County Recorder
Deputy Recorder

ANITA S. BECKER
TO
SOUTHERN PACIFIC RAILROAD COMPANY

RWC: 8-31-44 VII (97216/370-05)
(USIRS 81-10 Cancelled)
(SECURITY T.I. & G. CO.)
(NOV 24 1945)

THIS INSTRUMENT, made this 17th day of July, 1945, between ANITA S. BECKER, widow of George Affron Becker, Deceased, of Palo Alto, California, first party, and SOUTHERN PACIFIC RAILROAD COMPANY, a corporation of the States of California, Arizona and New Mexico, second party;

WITNESSETH:

That said first party, for and in consideration of the sum of Ten (10) Dollars, lawful money of The United States of America, to her paid by the said second party, the

665/
/94
aP
13217
11-24-1945

RR Property
50 E Wallace
Finney
Block 39

Official
Record
665

receipt whereof is hereby acknowledged, does by these presents release and forever
quitclaim unto the said second party, and to its successors and assigns (as the separate
property of George Affron Becker, deceased), an undivided one-eighth (1/8) interest in
and to all those certain pieces or parcels of land situate in the County of Santa Barbara,
State of California, in Ortega Rancho as shown on map recorded in Book 1, page 20, of Maps
in the Office of County Recorder of said County, being all that certain parcel of land firstly
described in the deed dated June 1, 1923, from Henry L. Williams, Jr. to Agnes S. Becker,
recorded September 12, 1923, in Book 222, page 369, of Deeds, records of said County and
a portion of that certain parcel of land secondly described in said deed to Agnes S. Becker,
more particularly described as follows:

Parcel No. 1:

Beginning at the northeast corner of the Lillis property which is situated on
what is known as Beach Drive below the block line of the Town of Summerland; and running
thence in an easterly direction along said southerly line of the Town of Summerland to
the southwest corner of Lot 27 in Block 39 of said Town of Summerland; thence southerly 150
feet, more or less, to high water mark; thence westerly along high water mark to a point
opposite the easterly line of the Lillis property; thence northerly 150 feet, more or less,
to the point of beginning.

Parcel No. 2:

That portion of the Town of Summerland, in the County of Santa Barbara, State of
California, as shown on map recorded in Book 1, Map 2, in the office of the County Recorder
of said County, described as follows:

Beginning at the southwest corner of Lot 27, in Block 39 of said Town of Summerland,
as shown on said map; thence westerly along the southerly line of said Town of Summerland,
as described in deed from H. L. Williams to Edward F. Balch et al., recorded in Book 27 of
Deeds, at page 615, records of said County, to the northeast corner of property conveyed
to James E. Lillis by deed from H. L. Williams dated July 1, 1897, recorded in Book 55 at
page 56 of Deeds, records of said County; thence northerly along the prolongation of the
east line of said land conveyed to Lillis, to the intersection of such prolongation with
the south line of Wallace Avenue as shown on said Map of the Town of Summerland; thence
easterly along said south line of Wallace Avenue to the northwest corner of said Lot 27,
in Block 39; thence southerly along the west line of said Lot 27 to the point of beginning.

Parcel No. 3:

That portion of the Rancho Ortega in the County of Santa Barbara, State of California,
described as follows:

Beginning at the southwest corner of Lot 27 of Block 39 of the town of Summerland,
according to the official map thereof recorded in Book 1, Map 2, in the office of the County
Recorder of said County; thence running easterly along the south line of said Block 39 to
the southeast corner of said block as shown on said map; thence northeasterly along the
east line of said block to the intersection thereof with the most southerly line of the
dedicated right of way of the Southern Pacific Railroad Company; thence easterly along said
most southerly line of said dedicated right of way to the intersection thereof with the most
easterly line of said Ortega Rancho, as said most easterly line is established of record;
thence southerly along said easterly line to high water mark of the Pacific Ocean; thence
westerly along the said line of high water mark to the intersection thereof with the
prolongation southerly of the west line of said Lot 27, said prolongation being the east
line of the parcel firstly described in deed from H. L. Williams, Jr., to Agnes S. Becker,
recorded in Book 222 of Deeds at page 369, records of said County; thence northerly along

Map to County of Santa Barbara

*Boundary of Lot 27
Block 39*

*Property
of
Wallace
Avenue in
Block 39*

said prolongation and said east line of said last mentioned parcel to the point of beginning, EXCEPTING therefrom the land between the south line of Lots 30, 31, 32, 33, 34 and 35 of Block 39 of said Town of Sunderland and high water mark of the Pacific Ocean, lying between the prolongation southerly of the west line of said Lot 30, and the prolongation southerly of the east line of said Lot 35.

EXCEPTING from the operation of this conveyance and reserving unto the party of the first part all minerals in, under and upon said premises above described, including petroleum and other hydrocarbon sub-substances, together with the right of the party of the first part, her heirs or assigns, to erect derricks and other structures and to install all necessary machinery to bore wells and otherwise extract such mineral substances and to remove the same from said premises; provided, however, that such derricks and other structures do not interfere with the use of the above described property for railroad purposes by the party of the second part.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said second party, and to its successors and assigns forever.

IN WITNESS WHEREOF, the said first party has executed these presents the day and year first above written.

ANITA S. BECKER

Description Correct:

C. J. ASTRUE
For Chief Engineer

Correct as to Corporate Owner

S. L. CAULEY
A Valuation Officer

Form Approved:

E. C. CROCKER
Attorney

S. W. C.

STATE OF CALIFORNIA,

City and County of San Francisco } ss.

On this 22th day of September in the year one thousand nine hundred and forty five, before me, JAMES S. WULVEY, a Notary Public, in and for the City and County of San Francisco, State of California, residing therein, duly commissioned and sworn, personally appeared Anita S. Becker known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, as my office in the City and County of San Francisco, State of California, the day and year in this Certificate first above written.

(NOTARIAL SEAL)

JAMES S. WULVEY

Notary Public, in and for the City and

County of San Francisco, State of California.

My commission expires October 7, 1946.

RECORDED AT REQUEST OF Security Title Insurance and Guarantee Co., Nov. 24, 1945, at 49 Min.
past 5 o'clock A.M.

File No. 13217

YRIS COVARRUBIAS, County Recorder

Compared by: E. J. MILLER
Y. COVARRUBIAS

E. J. Miller Deputy Recorder

Official
Record
668

north 0°17' east 12 feet; thence south 89°43' east 172.35 feet to the west line of the land described in deed to J. G. Robertson, recorded in Book 116 of Deeds, at page 359, records of said county; thence south 0°17' west 96.99 feet; thence north 89°43' west 210.27 feet to the point of beginning.

Together with the right to use in common with the Grantors herein a right of way as a means of ingress and egress over the following described parcel of land:

Beginning at a point north 0°17' east 82.99 feet and south 89°43' east 20 feet from the southwest corner of said lot 42, and running thence south 89°43' east 349.15 feet; thence north 0°17' east 241.75 feet; thence north 89°43' west 15 feet; thence south 0°17' west 171.34 feet to the beginning of a curve to the left having a radius of 42.5 feet; thence along the arc of said curve 66.76 feet to the end thereof; thence north 89°43' west 292.44 feet; thence south 0°17' west 28 feet to the point of beginning.

WITNESS our hands this 18th day of September, 1945

REX I. SHOEMAKER
DOROTHY I. SHOEMAKER

STATE OF CALIFORNIA,
County of Santa Barbara, } ss.

On this 18th day of September, 1945, before me, J. F. Van Den Bergh a Notary Public in and for said County and State, personally appeared Rex I. Shoemaker, a married man, and Dorothy I. Shoemaker, his wife, known to me to be the persons described in and whose names are subscribed to the within instrument, and acknowledged that they executed the same.

WITNESS my hand and official seal the day and year in this certificate first above written.

(NOTARIAL SEAL) J. F. VAN DEN BERGH
Notary Public in and for said County and State

RECORDED AT REQUEST OF Security Title Insurance and Guaranty Co., Nov. 24, 1945 at 4:15 min past 8 o'clock A. M.
File No. 13912

IRIS COVARRUBIAS, County Recorder
By Elizabeth Hoover, Deputy Recorder

Compared By: I. COVARRUBIAS
I. COVARRUBIAS

GERALD DONALDSON
TO
SOUTHERN PACIFIC RAILROAD COMPANY

(USPS \$1.10 cancelled)
(SECURITY T.I. & G.CO.)
(NOV 24 1945 M.)

R.R. Property
Wallace Finney
in Book 39

668/375
OR
73218
11-24-1975

THIS INSTRUMENT, made this 2 day of October, 1945, between GERALD DONALDSON, SR., a widower, of 46 Midwood St., Brooklyn, New York, first party, and SOUTHERN PACIFIC RAILROAD COMPANY, a corporation of the States of California, Arizona and New Mexico, second party;

WITNESSETH:
That said first party, for and in consideration of the sum of Ten (10) Dollars, lawful money of The United States of America, to him paid by the said second party, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the said second party, and to its successors and assigns, an undivided one-eighth (1/8) interest in and to all those certain pieces or parcels of land situate in the County of Santa Barbara, State of California, in Ortega Rancho as shown on map recorded in Book 1, page 20, of Maps in the Office of County Recorder of said County, being all that certain parcel of land firstly described in the deed dated June 1, 1923, from Henry L. Williams, Jr. to Agnes S. Becker, recorded September 12, 1923, in Book 222, page 389, of Deeds,

records of said County and a portion of that certain parcel of land secondly described in said deed to Agnes S. Becker, more particularly described as follows:

Parcel No. 1:

Beginning at the northeast corner of the Lillis property which is situated on what is known as Beach Drive below the block line of the Town of Summerland, and running thence in an easterly direction along said southerly line of the Town of Summerland to the southwest corner of Lot 27 in Block 39 of said Town of Summerland; thence southerly 150 feet, more or less, to high water mark; thence westerly along high water mark to a point opposite the easterly line of the Lillis property; thence northerly 150 feet, more or less, to the point of beginning.

Parcel No. 2:

That portion of the Town of Summerland, in the County of Santa Barbara, State of California, as shown on map recorded in Book 1, Map 2, in the office of the County Recorder of said County, described as follows:

BEGINNING at the southwest corner of Lot 27, in Block 39 of said Town of Summerland, as shown on said map; thence westerly along the southerly line of said Town of Summerland, as described in deed from H. L. Williams to Edward E. Balch et al., recorded in Book 27 of Deeds, at page 615, records of said County, to the northeast corner of property conveyed to James E. Lillis by deed from H. L. Williams dated July 1, 1897, recorded in Book 55 at page 58 of Deeds, records of said County; thence northerly along the prolongation of the east line of said land conveyed to Lillis, to the intersection of such prolongation with the south line of Wallace Avenue as shown on said Map of the Town of Summerland; thence easterly along said south line of Wallace Avenue to the northeast corner of said Lot 27, in Block 39; thence southerly along the west line of said Lot 27 to the point of beginning.

Parcel No. 3:

That portion of the Rancho Ortega in the County of Santa Barbara, State of California, described as follows:

BEGINNING at the southwest corner of Lot 27 of Block 39 of the Town of Summerland, according to the official map thereof recorded in Book 1, Map 2, in the office of the County Recorder of said County; thence running easterly along the south line of said Block 39 to the southeast corner of said block as shown on said map; thence northeasterly along the east line of said block to the intersection thereof with the most southerly line of the deeded right of way of the Southern Pacific Railroad Company; thence easterly along said most southerly line of said deeded right of way to the intersection thereof with the most easterly line of said Ortega Rancho, as said most easterly line is established of record; thence southerly along said easterly line to high water mark of the Pacific Ocean; thence westerly along the said line of high water mark to the intersection thereof with the prolongation southerly of the west line of said Lot 27, said prolongation being the east line of the parcel firstly described in deed from H. L. Williams, Jr., to Agnes S. Becker, recorded in Book 222 of Deeds at page 389, records of said County; thence northerly along said prolongation and said east line of said last mentioned parcel to the point of beginning. EXCEPTING therefrom the land between the south line of Lots 30, 31, 32, 33, 34 and 35 of Block 39 of said Town of Summerland and high water mark of the Pacific Ocean, lying between the prolongation southerly of the west line of said Lot 30, and the prolongation southerly of the east line of said Lot 35.

EXCEPTING from the operation of this conveyance and reserving unto the party of the first part all minerals in, under and upon said premises above described, including

See to fourth page of Wallace

*all property
S of Wallace/
Finney in
Block 39*

Official Record 668

petroleum and other hydrocarbon substances, together with the right of the party of the first part, his heirs or assigns, to erect derricks and other structures and to install all necessary machinery to bore wells and otherwise extract such mineral substances and to remove the same from said premises; provided however, that such derricks and other structures do not interfere with the use of the above described property for railroad purposes by the party of the second part.

TOGETHER with all and singular the tenements, hereditaments and appurtenances therewith belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto the said second party, and to its successors and assigns forever.

IN WITNESS WHEREOF, the said first party has executed these presents this day and year first above written.

GERALD DONALDSON

Description Correct: C. J. Astruc, For Chief Engineer

Contract As to Corporate Owners: E. L. Ganley, Valuation Officer

Form Approved: E. C. Crocker, Attorney

STATE OF New York } COUNTY OF NEW YORK } ss.

ON THIS 31st day of October, 1945, before me, H. JAY FEIN a Notary Public in and for said County and State, personally appeared Gerald Donaldson, Sr., known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal. (NOTARIAL SEAL)

H. JAY FEIN, Notary Public, Kings County, Kings Co. Clerk's No. 217, Reg. No. 257-P-6, N. Y. Co. Clerk's No. 532, Reg. No. 380-P-6, Commission Expires March 30, 1946.

State of New York, } County of New York, } ss.:

No. 56240 Form 2

I, ARCHIBALD R. WATSON, County Clerk and Clerk of the Supreme Court, New York County, the same being a Court of Record having by law a seal, DO HEREBY CERTIFY that H. Jay Fein whose name is subscribed to the annexed deposition, certificate of acknowledgment or proof, was at the time of taking the same a NOTARY PUBLIC acting in and for said County, duly commissioned and sworn, and qualified to act as such; that he has filed in the Clerk's office of the County of New York a certificate of his appointment and qualification as a Notary Public for the County of Kings with his autograph signature; that as such Notary Public he was duly authorized by the laws of the State of New York to protest notes, to take and certify depositions, to administer oaths and affirmations, to take affidavits and certify the acknowledgments or proof of deeds and other written instruments for lands, tenements and hereditaments, to be read in evidence or recorded in this State. And further, that I am well acquainted with the

handwriting of said Notary Public, or have compared the signature of such officer with his autograph signature filed in my office, and believe that the signature to the said annexed instrument is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 7 day of Nov 1945.

Fee paid 25c.

(NEW YORK SEAL)

ARCHIBALD R. WATSON
County Clerk and Clerk of the Supreme Court, New York County

RECORDED AT REQUEST OF Security Title Insurance and Guarantee Co., Nov. 24, 1945 at 50 Min. past 9 o'clock A. M.

File No. 13218

Compared By: Y. COVARRUBIAS
A. COVARRUBIAS

YVES COVARRUBIAS, County Recorder
By *[Signature]* Deputy Recorder

IN THE JUSTICES COURT

OF

San Luis Obispo Judicial Township, County of San Luis Obispo
STATE OF CALIFORNIA

George Andre, etc Plaintiff
vs
J. H. Azevedo, also known as
JOHN M. Azevedo Defendant

No. 5091
ABSTRACT OF JUDGMENT.

Before A. E. MALLASH Justice of the Peace of SAN LUIS OBISPO Judicial Township, County of San Luis Obispo, State of California, on the 16th day of November, 1945 Judgment entered for plaintiff, George Andre, etc. and against defendant, J. H. Azevedo also known as John M. Azevedo for Three Hundred Eighty-nine & 50/100 Dollars (\$389.50), on the last day of June, 1944

I CERTIFY that the foregoing is a correct abstract of a judgment rendered in said action in Justice Court San Luis Obispo Township, County of San Luis Obispo, State of California as appears by civil docket #17 at page 28

(SEAL OF JUSTICES COURT)
(SAN LUIS OBISPO JUDICIAL)
TOWNSHIP

A. E. MALLASH
Justice of the Peace of said Township

RECORDED AT REQUEST OF George I. Andre at 20 min. past 9 o'clock A. M., Nov. 24, 1945.

File No. 13250

Compared By: Y. COVARRUBIAS
A. COVARRUBIAS

YVES COVARRUBIAS, County Recorder
By *[Signature]* Deputy Recorder

B. J. CUNNINGHAM, ET UX.
TO
C. C. CUNNINGHAM

NOTICE OF INTENDED SALE AND TRANSFER

TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that B. J. Cunningham and Ora Cunningham, his wife, of Buellton, California, intend to sell, transfer and assign to C. C. Cunningham, of Buellton, California, all the stock in trade of a restaurant, consisting of beer, wine, cigarettes,

MAP

SURVEY MADE BY REFLOURNOY
OF THE BEACH FRONT

OWNED BY

M. L. WILLIAMS ESTATE

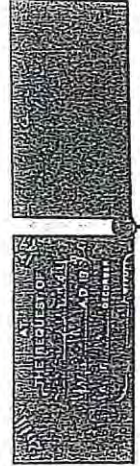
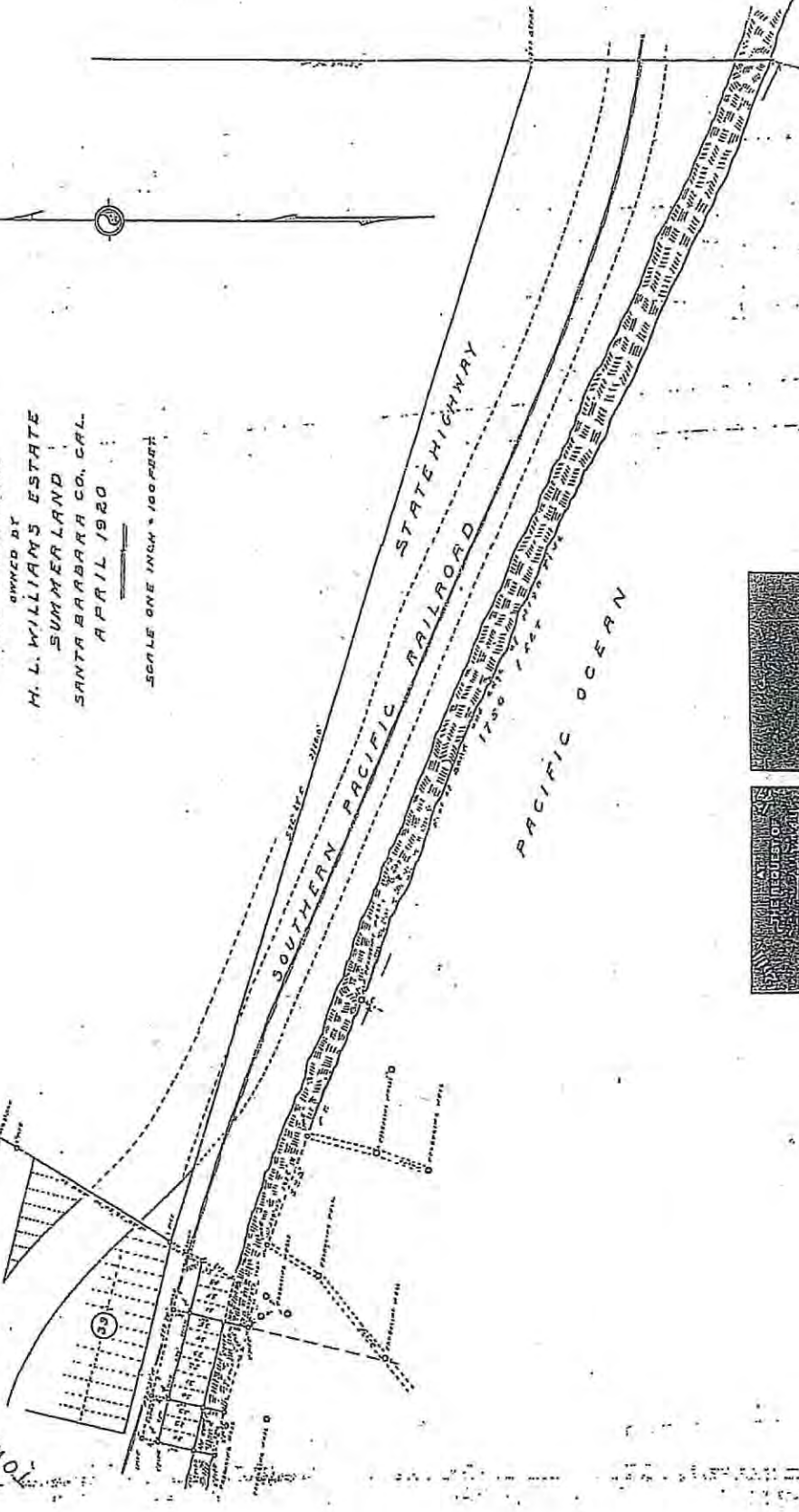
SUMMERLAND

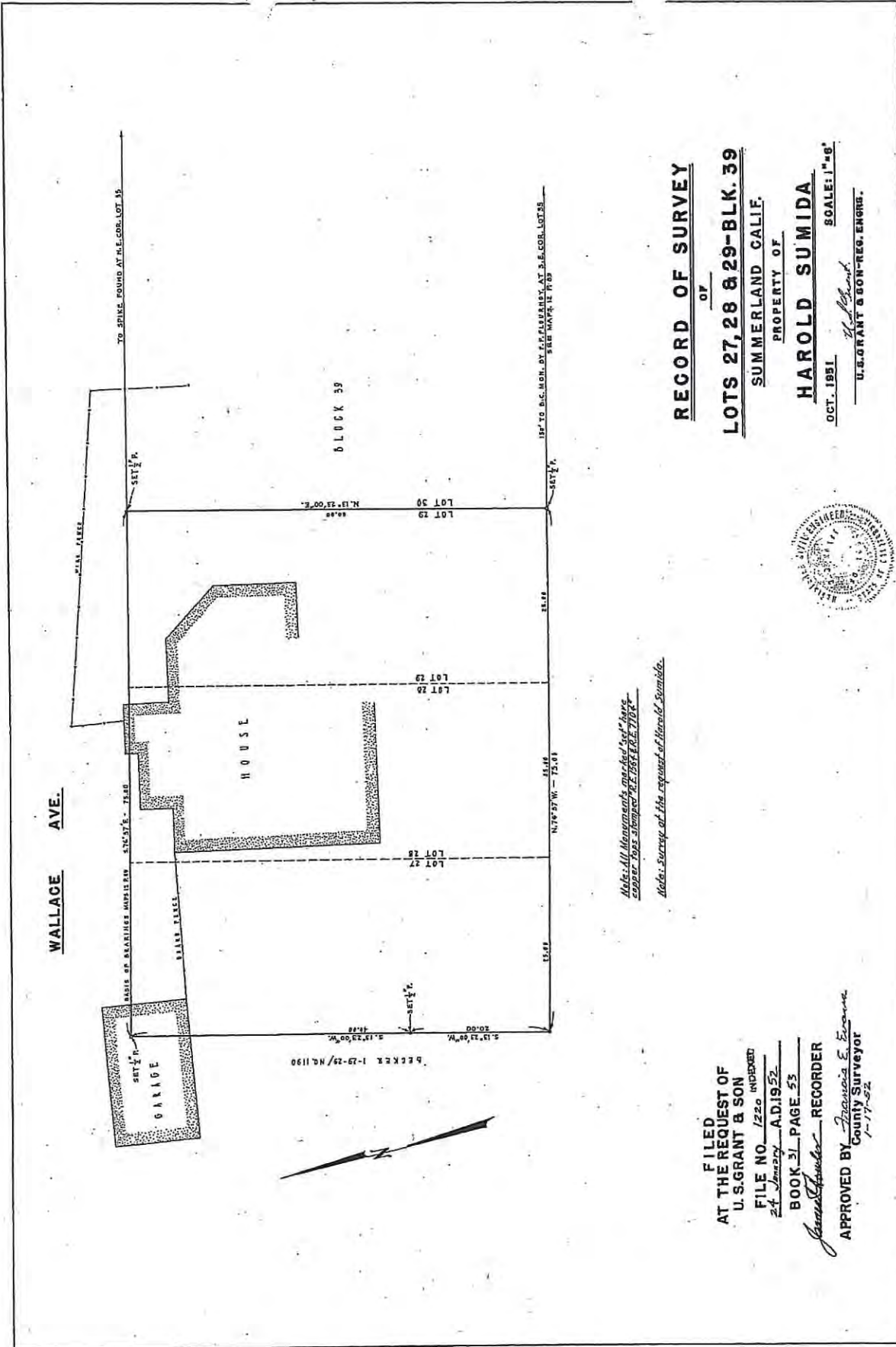
SANTA BARBARA CO., CAL.

APRIL 1920

SCALE ONE INCH = 100 FEET

TOWN OF SUMMERLAND
GREENWELL AVE





Note: All Monuments marked "set" here
 copper. Poss. Shipment "A.D. 1952" & "A.D. 1952"

Note: Survey of the request of Harold Sumida.

RECORD OF SURVEY
 OF
LOTS 27, 28 & 29-BLK. 39
 SUMMERLAND CALIF.
 PROPERTY OF
HAROLD SUMIDA
 OCT. 1951
 U.S. GRANT & SON-REG. ENGRS.



FILED
 AT THE REQUEST OF
 U. S. GRANT & SON
 FILE NO. 1220 INDEXED
 24 January A.D. 1952
 BOOK 31 PAGE 53
 RECORDER
 APPROVED BY *Jessie E. Evans*
 County Surveyor
 1-11-52

Accession Requested 076
Types of Changes Permitted 12

MAP - VI - 8/17/78 - 3500/321-2

77 5710
FEB 7 10 27 AM '77
OFFICIAL RECORDS
SANTA BARBARA CO., CALIF.
HOWARD D. HERTEL
CLEAR-RECORDER
676-09211

TRANSPORTATION DEPT
ANN. Leonard E. 280
APPROVED AS TO FORM BY GENERAL COUNSEL
MARCH 15, 1973

File Post E-376.41-X(N)

2/3/77 CALIF. REG. 2.11

STREET OR HIGHWAY EASEMENT

NO FEE PER
GOV. CODE 6103

This Indenture, made this 30th day of August, 1976, by and between
SOUTHERN PACIFIC TRANSPORTATION COMPANY, a Delaware corporation,
herein called "Railroad", and
COUNTY OF SANTA BARBARA, a political subdivision of the State of California,
address: County Courthouse, Santa Barbara, CA 93101, herein called "Grantee":

Witnesseth:

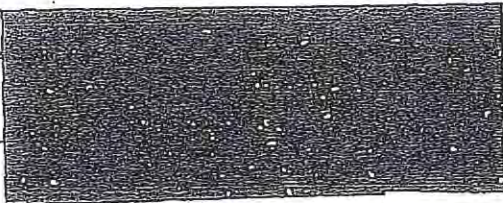
1. That Railroad hereby grants to Grantee the right to construct, reconstruct, maintain and use a street or highway, hereinafter termed "Highway", upon and across the real property described on the attached Exhibit "A".
2. The rights herein granted are expressly limited vertically and shall not extend beyond a plane parallel with and twenty (20) feet above the roadway surface of the Highway as originally constructed, except that light fixtures and similar highway appurtenances may extend above said plane, provided that any such facilities will be removed or rearranged within thirty (30) days after notification from Railroad that such facilities interfere with Railroad's intended use of the space above said plane.
3. This grant is subject and subordinate to the prior right of Railroad, its successors and assigns, to use all the property described in the performance of its duty as a common carrier, and there is reserved unto Railroad, its successors and assigns, the right to construct, reconstruct, maintain, use and remove existing and future transportation, communication, power, and pipeline facilities in, upon, over, under, across or along said property. In the event Railroad trackage facilities are removed from said property, Railroad shall not be obligated to make any change in the grade of said highway, nor shall such removal affect Railroad's title to the underlying property.
4. This grant is subject to all licenses, leases, easements, restrictions, conditions, covenants, encumbrances, liens and claims of title which may affect said property, and the word "grant" shall not be construed as a covenant against the existence thereof.
5. The rights herein granted shall lapse and become void if the construction or reconstruction of said highway is not commenced within two (2) years from the date first herein written.
6. This grant shall not be construed as conveying or otherwise vesting in Grantee the right to install or to authorize the installation of any ditches, pipes, drains, sewer or underground structures, or the facilities of any telegraph, telephone or electric power lines in, upon, over, under, across or along said property, except as necessary for maintenance of said highway.
7. Grantee shall obtain any necessary governmental authority to construct, reconstruct, maintain and use said highway. Any contract, performing work on the property herein described shall execute Railroad's standard form of contractor's agreement prior to commencing any work on Railroad's premises.
8. Except as herein otherwise provided, Grantee shall bear the entire expense of constructing, reconstructing and maintaining said highway. The crossing of said highway over any tracks of Railroad shall be constructed and maintained at the grade of said tracks now or hereafter existing. After the construction or reconstruction of said highway has been completed, Railroad shall maintain the surface of that portion of said highway between lines two (2) feet outside the rails of each track located thereon. Should Railroad abandon tracks leading to said highway, Railroad may abandon its rails, ties and appurtenant materials and leave same in place. In such event, Railroad shall not be liable for maintenance of the portion of said highway so called above.
9. As part consideration hereof, Grantee agrees to pay Railroad an amount equal to all assessments levied by any lawful body against the property of Railroad to defray any part of the expense incurred in connection with the construction or reconstruction of said highway commenced within two (2) years from the date first herein written.
10. Should Grantee at any time abandon the use of said property or any part thereof, or fail to use the same for said purpose for a continuous period of one (1) year, the rights granted shall cease to the extent of the use so abandoned or discontinued, and Railroad shall at once have the right, in addition to but not in qualification of the rights hereinabove reserved, to resume exclusive possession of said property or the part thereof the use of which is so discontinued or abandoned. Upon termination of the rights hereby granted, Grantee agrees to remove said highway, including the paving, from said property of Railroad, to restore said property as nearly as practicable to the same state and condition in which it existed prior to construction of said highway, and to bear the expense thereof. Should Grantee in such event fail, neglect or refuse to so remove said highway and restore said property, such removal and restoration may be performed by Railroad at the expense of Grantee, which expense Grantee agrees to pay to Railroad upon demand.
11. This Indenture shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.
12. Sections 12 to 15, inclusive, on the insert hereto attached, are hereby incorporated into this Indenture.

IN WITNESS WHEREOF, the parties hereto have caused this presents to be executed in duplicate as of the day and year first herein written.

SOUTHERN PACIFIC TRANSPORTATION COMPANY
By: *[Signature]*
Attest: *[Signature]*
Secretary

COUNTY OF SANTA BARBARA
By: *[Signature]*
Chairman, Board of Supervisors
By: *[Signature]*
Clerk, Board of Supervisors

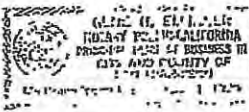
S.E. of Temple Street
By extension



77 5710

STATE OF CALIFORNIA
City and County of San Francisco

On this 1st day of September in the year One Thousand Nine Hundred and Seventy six
before me, GENE H. ELLINGER, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared
One Market Plaza
L. F. Furlow and T. F. O'Donnell



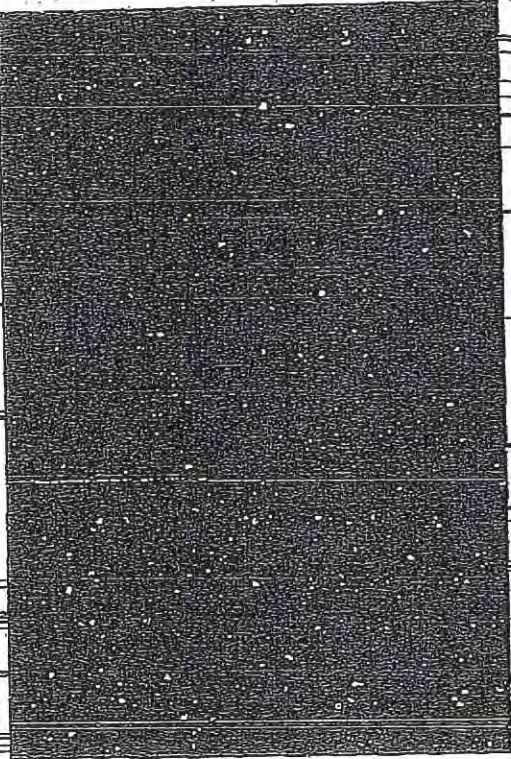
known to me to be the Assistant to Vice President and
Assistant Secretary
of the corporation described as and that executed the within instrument, and also known
to me to be the person who executed it on behalf of the corporation, herein named
and that he acknowledged to me that such corporation presented the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
at my office in the City and County of San Francisco, the day and year in this certificate first
above written.

Gene H. Ellinger
Notary Public in and for the City and County of San Francisco, State of California.

Corporation

My Commission Expires July 11, 1979



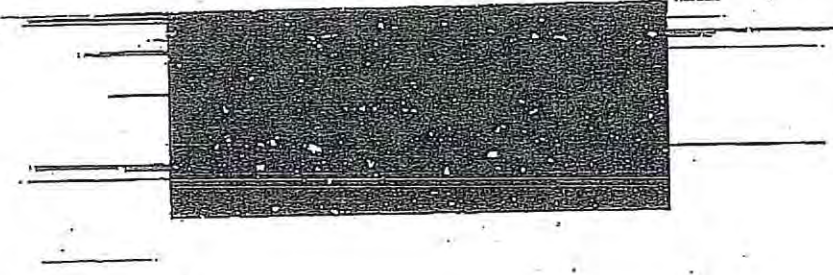
Easement to County of Santa Barbara at
HP 376.41 - Summerland, California

77 5710

EXHIBIT "A"

A piece or parcel of land situate, lying and being in
the town of Summerland, County of Santa Barbara, State of California,
described as follows:

COMMENCING at the point of intersection of the south-
westerly prolongation of the center line of Temple Street, as said
street is shown on Map filed in the Santa Barbara Recorder's Office
in Book 1, Map 2, with the original located center line of Southern
Pacific Transportation Company's main track (Guadalupe-Oxnard);
thence South 72° 06' 15" East along said center line of main track,
57.00 feet; thence North 17° 53' 45" East 50.00 feet to a point in
the northerly line of land of said Company, and the actual point of
beginning of the parcel of land to be described; thence South 72°
06' 15" East along said northerly line, 40.0 feet; thence leaving
said northerly line South 17° 53' 45" West 93.00 feet more or less
to a point in the southerly line of said Company's land; thence
westerly along said southerly line, to a point in a line parallel
with and distant 40.0 feet westerly, measured at right angles,
from the above described course having a distance and bearing of "South
17° 53' 45" West, 93 feet;" thence North 17° 53' 45" East along said
parallel line, 86.00 feet more or less to the actual point of
beginning, containing an area of 3580 square feet, more or less.



77 5710

I N B E R T

Crossing No. E-376.41
County of Santa Barbara

12. It is understood and agreed that said highway is a conversion of a private crossing to a public crossing.

13. Automatic warning devices shall be installed at said highway under a separate service contract with the State of California, Department of Transportation.

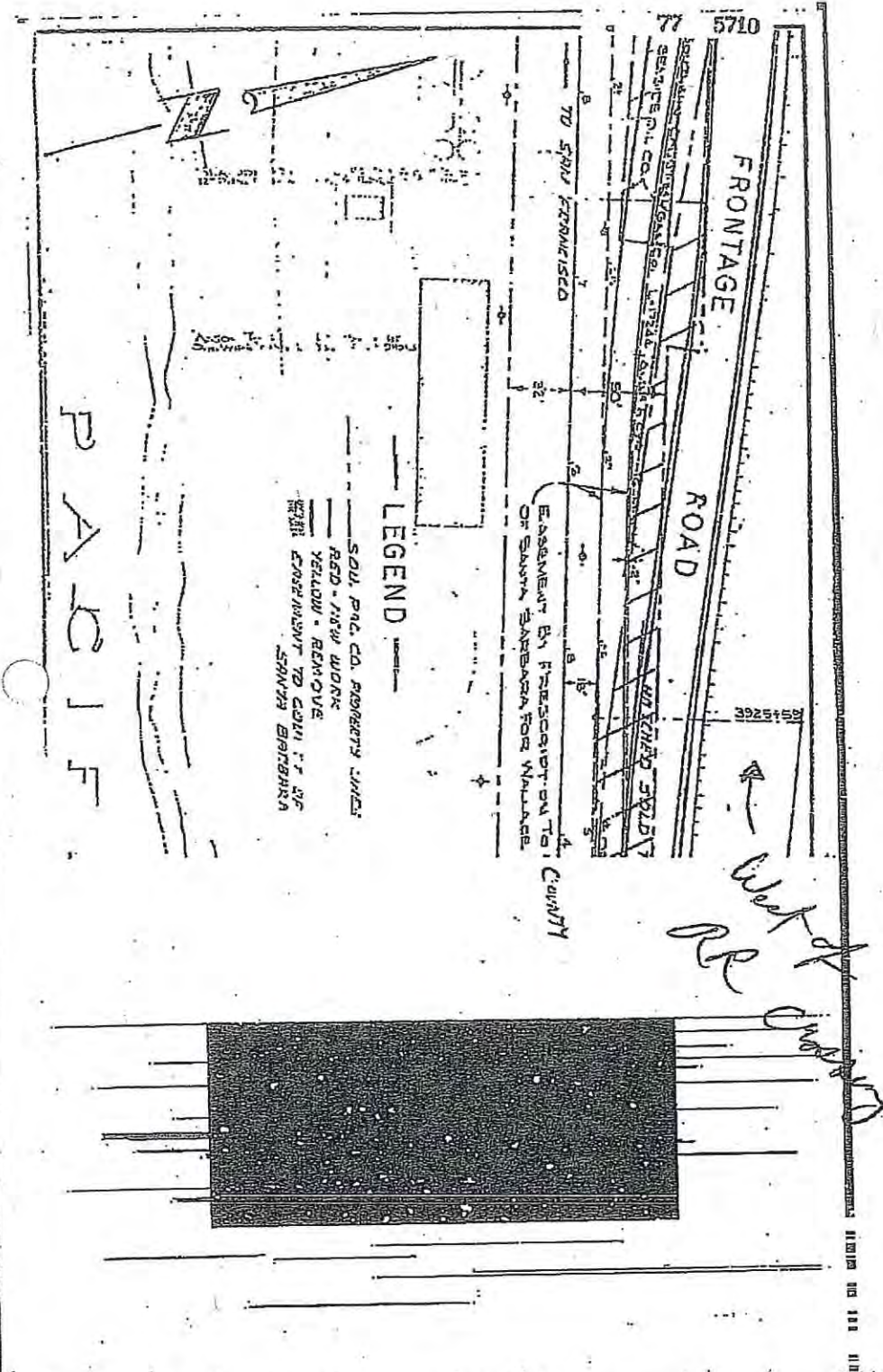
14. Grantee, at Grantee's expense, shall furnish and install paving in the widened portions of the crossing and shall furnish, install and thereafter maintain all paving on approaches to the crossing area, together with all curbs, gutters, drainage and other highway facilities.

15. After installation of said automatic warning devices has been completed, Railroad shall maintain same so long as they remain in place. The cost of such maintenance shall be borne and paid one hundred percent (100%) by Grantee, and Grantee's liability for such maintenance cost shall be limited to such funds as are set aside for allocation by the California Public Utilities Commission pursuant to Section 1231.1 of the California Public Utilities Code, provided that if federal funds for maintenance become available, Railroad shall be reimbursed to the extent of such availability.

The precise manner and method of determining applicable charges, manner and method of payment and other procedures under said section shall be governed by any applicable decisions of the California Public Utilities Commission.

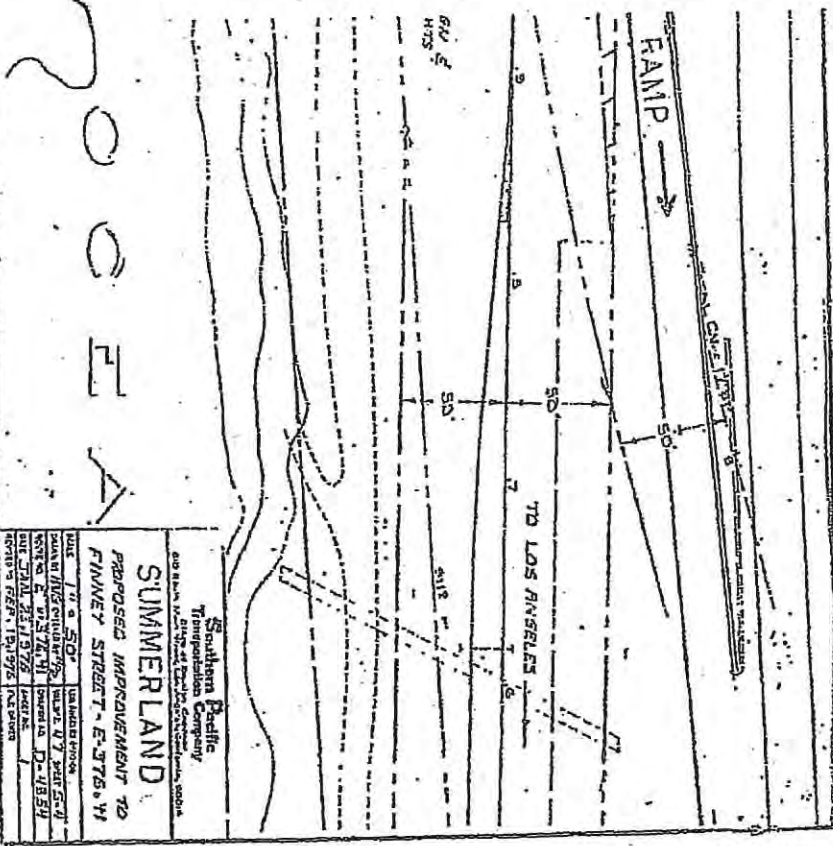
APPROVED AS TO FORM
GEORGE KADING
COUNTY COUNSEL

BY David D. Smith



PACIFIC

77 5710

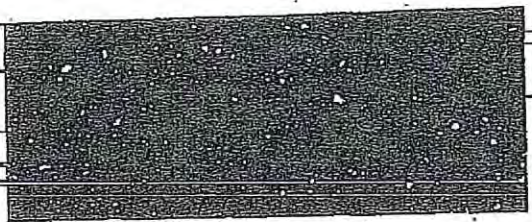


Southern Pacific Transportation Company
 410 B.L.W. Bldg., 7th Floor, San Francisco, Calif. 94104

SUMMERLAND
 PROPOSED IMPROVEMENT TO
 FINNEY STREET - E-376.44

DATE	7/14/50	UNAPPROVED
DESIGNED BY	W. J. G. W.	SCALE 1/4" = 1'-0"
CHECKED BY	W. J. G. W.	DATE 7/14/50
APPROVED BY	W. J. G. W.	DATE 7/14/50
REVISIONS	1. 1/15/51	DATE 1/15/51

200EA



RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

RESOLUTION NO. 76-534

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

WHEREAS, there has been presented to the Board of Supervisors, an easement for a public crossing of the Southern Pacific Railroad at Finney Street in Summerland, including an agreement dated August 30, 1976, and

WHEREAS, pursuant to said agreement, the Southern Pacific Transportation Company, pursuant to a separate agreement with the State of California, Department of Transportation, will install automatic warning devices, and the County will make certain improvements to the surface width and condition of the crossings; and

WHEREAS, it appears proper and to the best interests of the County that said instrument be executed.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Chairman and Clerk of the Board of Supervisors be, and they are hereby, authorized and directed to execute said instrument on behalf of the County of Santa Barbara.

Passed and adopted by the Board of Supervisors of the County of Santa Barbara, State of California, this 4th day of October, 1976, by the following vote:

- AYES: Frank J. Frost, Robert E. Kallman, James H. Slater, and Francis H. Beattie
- NOES: None
- ABSENT: Harroll Fletcher

FRANK J. FROST
Chairman, Board of Supervisors

ATTEST:
HOWARD C. MENZEL, County Clerk.
By: **JANET SCHLESINGER (Seal)**
Deputy Clerk

STATE OF CALIFORNIA
County of Santa Barbara
I, HOWARD C. MENZEL, County Clerk, do hereby certify and constitute the above as a true and correct copy of the original of the same as the same appears on the records of the County of Santa Barbara, State of California, this 4th day of October, 1976.

Janet Schlesinger

7th Draft of Roads: (Names) A.L.

END OF DOCUMENT

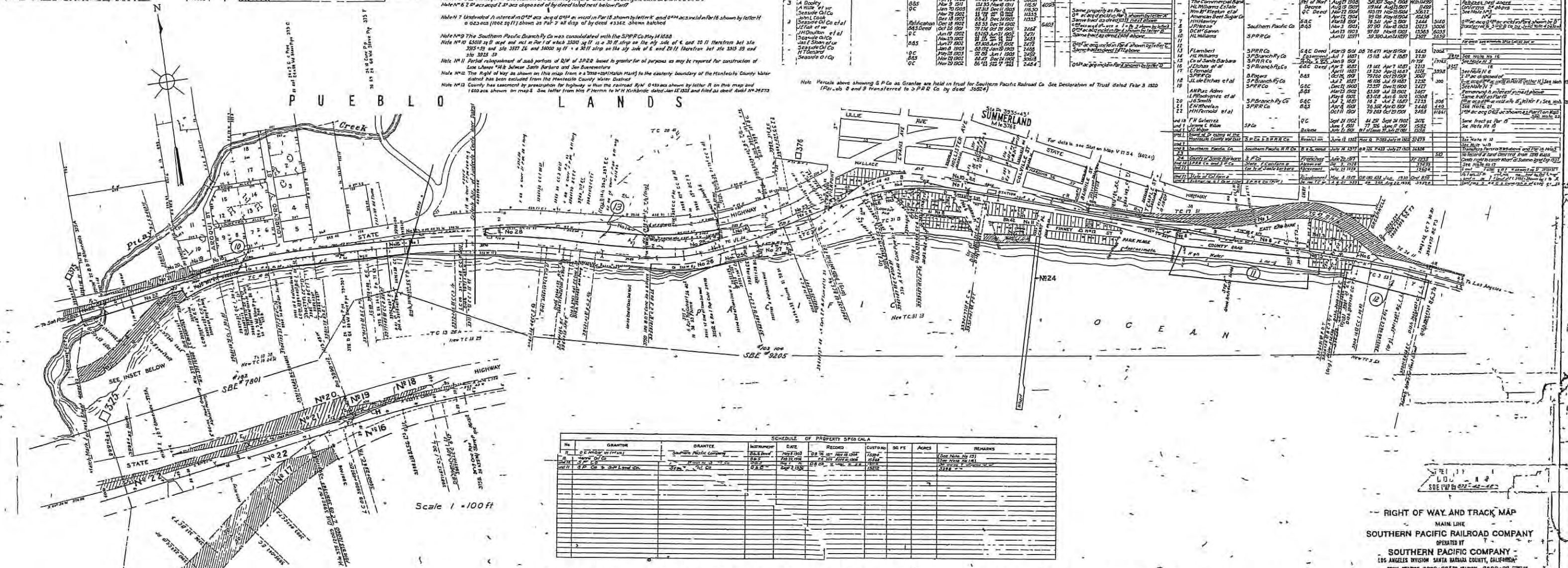
SCHEDULE OF PROPERTY

GRANTEE	INSTRUMENT	DATE	RECORD	CUSTOM	ACRES	REMARKS
S.P.R.R. Co.	1234	1910	1234	1234	1234	1234
S.P.R.R. Co.	5678	1911	5678	5678	5678	5678
S.P.R.R. Co.	9012	1912	9012	9012	9012	9012

Note No. 1: 200 acres acquired by deed 3066 shown hatched and 131 are shown as Part on Map 5.
 Note No. 2: 14 acres disposed of 320 acres acquired by Part 1 and 0.29 acres acquired by Part on Map 5.
 Note No. 3: 1.25 acres acquired and in Part 6 being all that portion of Part 6 shown by letter M.
 Note No. 4: 140 acres acquired 0.80 acres in Part 6 being all that portion of Part 6 shown by letter N and 0.50 acres being the same as and in Part 6 on Map 5.
 Note No. 5: 2.85 acres acquired 1.51 acres in Part 6 shown by letter E and 0.25 acres being the same as and in Part 3.
 Note No. 6: 2.0 acres acquired 1.2 acres disposed of by deed 43362 shown hatched.
 Note No. 7: Unimproved 1.1 acre in Part 18 shown by letter K and 0.24 acres in Part 18 shown by letter H.
 Note No. 8: The Southern Pacific Branch Ry Co was consolidated with the S.P.P.R. Co. May 14, 1908.
 Note No. 9: 6.500 sq ft strip and in Part 1 of which 3.500 sq ft is a 30 ft strip on the side of E. and 10 ft therefrom bet sta 3015+29 and Sta 3017+26 and 3.000 sq ft is a 30 ft strip on the side of E. and 20 ft therefrom bet sta 3015+29 and Sta 3025+29.
 Note No. 10: Partial relinquishment of such portions of R/W of S.P.R.R. issued to grantor for oil purposes as may be required for construction of Lone Lanes #1 & 2 wells Santa Barbara and San Buenaventura.
 Note No. 11: The Right of Way as shown on this map from a 1908-1909 (Match Map) to the easterly boundary of the Montecito County Water District has been excluded from the Montecito County Water District.
 Note No. 12: County has easement by prescription for highway in front of the railroad R/W 0.433 acres shown by letter R on this map and 1.602 acres shown on map 5. See letter from Mrs F. Herrin to H.H. Kirkland dated Jan 15, 1935 and filed as deed 4041 N-1273.

GRANTEE	INSTRUMENT	DATE	RECORD	CUSTOM	ACRES	REMARKS
S.P.R.R. Co.	1234	1910	1234	1234	1234	1234
S.P.R.R. Co.	5678	1911	5678	5678	5678	5678
S.P.R.R. Co.	9012	1912	9012	9012	9012	9012

GRANTEE	INSTRUMENT	DATE	RECORD	CUSTOM	ACRES	REMARKS
S.P.R.R. Co.	1234	1910	1234	1234	1234	1234
S.P.R.R. Co.	5678	1911	5678	5678	5678	5678
S.P.R.R. Co.	9012	1912	9012	9012	9012	9012



GRANTEE	INSTRUMENT	DATE	RECORD	CUSTOM	ACRES	REMARKS
S.P.R.R. Co.	1234	1910	1234	1234	1234	1234
S.P.R.R. Co.	5678	1911	5678	5678	5678	5678
S.P.R.R. Co.	9012	1912	9012	9012	9012	9012

Note No. 13: The 3000 sq ft previously shown in parcel as Part 12 has been when the heavy been disposed of by deed 12118 before shown hatched.
 Note No. 14: 3.28 acres disposed of by deed 18218 dated April 24, 1917 from Kern Trading & Oil Co to S.P.R.R. Co. by deed 18537 dated Feb 9, 1920 - Deeds 18218 and 18537 schedule of property same being relative to formation of Pacific Oil Co.
 Note No. 15: Grants rights for surface ditch etc. Perpetual. Fee title in that portion shown by letter A.
 Note No. 16: 3.602 acres acquired 0.555 acres disposed of by deed 43362 shown hatched (letter B).
 Note No. 17: 3.728 sq ft (0.086 ac) acquired 0.04 ac disposed of by deed 43362 shown hatched (letter C).
 Note No. 18: 0.66 sq ft (0.015 ac) acquired 0.001 ac disposed of by deed 43362 shown hatched (letter D).
 Note No. 19: 2.4675 sq ft (0.056 ac) acquired 0.037 ac disposed of by deed 43362 shown hatched (letter E).
 Note No. 20: 1.212 acres acquired, 0.251 acres disposed of by deed 43362 shown hatched (letter F).
 Note No. 21: 0.430 acres disposed of shown, hatched, original acquired as follows: 0.015 ac by Part 16 (letter B), 0.074 ac by Part 18 (letter C), 0.023 ac by Part 18 (letter D), 0.001 ac by Part 20 (letter E), 0.557 ac by Part 21 (letter F), 0.231 ac by Part 22 (letter G), 1.443 ac by Part 24 1017 Sled 3.
 Note No. 22: 1.212 acres acquired, 0.251 acres disposed of by deed 43362 shown hatched (letter F).
 Note No. 23: 0.430 acres disposed of shown, hatched, original acquired as follows: 0.015 ac by Part 16 (letter B), 0.074 ac by Part 18 (letter C), 0.023 ac by Part 18 (letter D), 0.001 ac by Part 20 (letter E), 0.557 ac by Part 21 (letter F), 0.231 ac by Part 22 (letter G), 1.443 ac by Part 24 1017 Sled 3.

RIGHT OF WAY AND TRACK MAP
 MAIN LINE
SOUTHERN PACIFIC RAILROAD COMPANY
 OPERATED BY
SOUTHERN PACIFIC COMPANY
 LOS ANGELES DIVISION SANTA BARBARA COUNTY, CALIFORNIA
 FROM STATION 3999+28179 STATION+3900+00
 Scale 1 inch = 200 feet
 MAINTENANCE DEPARTMENT

November 12, 1965

Universal Oil Corporation
11728 Wilshire Boulevard, Room 607
Los Angeles, California 90025

Attention: Mr. Harold Edelstein, President

Gentlemen:

This will acknowledge your letter of October 29, 1965, concerning access to your property in Block 39, Town of Summerland.

A review of the records indicates that the Board of Supervisors of Santa Barbara County by Ordinance No. 247 dated January 9, 1901, "remised, released, and quit-claimed" to the Southern Pacific Railroad Company all rights to Wallace Avenue in Block 39.

It is apparent, however, that subsequent to that action, the County has maintained a County road north of lots 27-39 in Block 39. It is identified as Finney Street in the Road Department's files. This has been a gravel road and lies within the area quit-claimed to the Railroad. It is possible that the County now holds only a prescriptive road right of way in Block 39.

It is presumed that you are cognizant that the California Highway Commission has budgeted for the development of the U. S. 101 highway through Summerland and to Carpinteria as a full freeway. This construction will cause the closing of the railroad crossing at Greenwell Avenue (being the east edge of Block 39).

Yours very truly,

Leland R. Steward
Road Commissioner

LRS:mt

cc: County Surveyor

COUNTY COUNSEL

SANTA BARBARA COUNTY

*6-11-77
L...*

GEORGE P. KADING

County Counsel

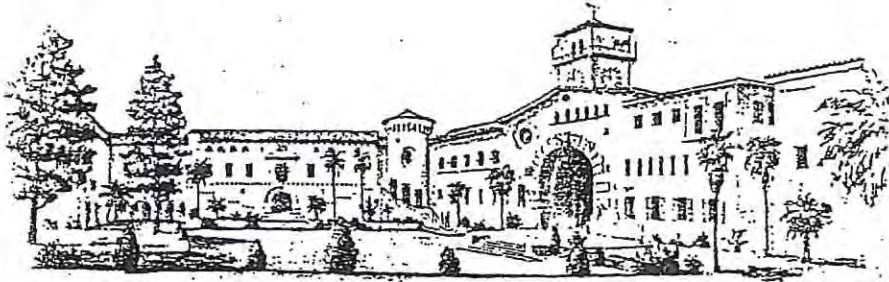
105 E. Anapamu St.
Santa Barbara, Calif. 93101
Telephone 966-1611

ROBERT D. CURIEL

Chief Assistant

DANA D. SMITH

Assistant



DEPUTIES

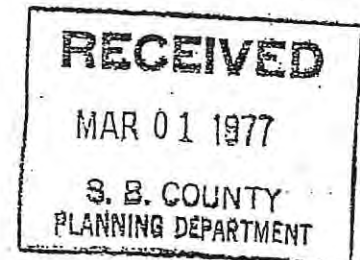
Susan Trescher
Marvin Levine
Don H. Vickers
Bruce Wm. Dodds
William R. Allen
C. William Altman
Melbourne B. Weddle

February 24, 1977

MEMO TO: Robert Scott
Planning Department

FROM: Dana D. Smith
Assistant County Counsel

RE: Status of Finney Street in Summerland



The facts concerning the above-referenced matter appear to be as follows:

The owner and subdivider of the Town of Summerland, Mr. H. L. Williams, offered to grant to the County of Santa Barbara all of the streets shown on a survey map of Summerland on June 20, 1888. Although this offer did not specifically name Finney Street, the language appears to have been broad enough to include it. The County Board of Supervisors, by Ordinance No. 125, filed September 25, 1890, accepted the offer of H. L. Williams, again without Finney Street, but with general language as to intersecting lanes, etc., which would include Finney Street.

At the time, Political Code Section 2631 was in effect. This section provided, in essence, that whenever a public entity took land for a highway, it acquired only an easement, regardless of the language used in the conveyance offer and acceptance thereof. Accordingly, as of 1890, the County had, in my opinion, an easement known as Finney Street, as shown on the original Record of Survey Map.

Subsequently, Finney Street was relocated southerly of its original location and the previously existing right of way for Finney Street was duly abandoned by the Board by Resolution No. 10226, dated April 2, 1951.

Accordingly, the presumptions of Civil Code Section 1112 and Code of Civil Procedure Section 2077, subsection five, would apply and each of the lots shown as bordering on the original right of way of Finney Street would have their boundary lines extended to the

Memo to: Robert Scott
Planning Department
February 24, 1977
Page 2

center of the original right of way. It should be noted, however, that H. L. Williams reserved all mineral rights in the streets and the right to put up machinery to extract minerals in these streets. This is a matter of concern to the property owner only.

Political Code Section 2631 later became Section 905 of the Streets and Highways Code and was repealed in 1961. The repealing statute allowed agencies claiming any interest, other than an easement in streets, one year from the date of repeal to bring suit to establish such rights. If any such agency failed to bring such suit (and we did not as to Finney Street), then the agency was forever foreclosed from claiming any interest greater than an easement for public road purposes. Any possible private easement rights in lot owners would seem to have lapsed by the passage of time since 1951.

Since the new right of way for the relocated Finney Street was acquired prior to 1961, it would appear that this was necessarily an easement also under Streets and Highways Code Section 905 and the ownership of lots bordering on relocated Finney Street would accordingly extend to the center of the new right of way easement under the Civil Code and Code of Civil Procedure sections cited above.

GEORGE P. KADING
COUNTY COUNSEL


BY DANA D. SMITH
ASSISTANT COUNTY COUNSEL

DDS:bc

MEMORANDUM



PUBLIC WORKS DEPARTMENT ENGINEERING & CONSTRUCTION SECTION

Date: March 12, 1996
To: Scott McGolpin
From: W. H. Vachon
Subject: Finney Street Easements

Below is the information that we have on Finney Road. The attached drawings and maps are highlighted to show the development of Finney Street. No contracts were attempted to determine the use of areas outside of our easements.

BACKGROUND: The 1888 Summerland City Map shows an unnamed Finney Street in blocks 41, 42, and 43; plus an unnamed avenue from the railroad to East End Park at block 39. The rights of way are 40 feet and 60 feet respectively. The Finney Street in blocks 41, 42, and 43 were vacated by the County between 1951 and 1989. In 1966, CALTRANS changed ramps in the Summerland area and their plan shows the existing Finney Street from Wallace Avenue through East End Park to block 39. Finney Street provides access to the home owners at the east end.

A February 1977 County Counsel opinion to the Planning Department on the Status of Finney Street in Summerland states the County has only an easement for Finney Street. The adjoining land owners have interest to the centerline of the easement. SPRR owns the land both sides of the easement.

DISCUSSION: We have rights to the use the 60 foot easement and in my opinion any work outside of that easement requires SPRR permits. Any discussion of the use of the area as a park requires discussion with County Counsel, Parks Department, SPRR, and Supervisor Schwartz.

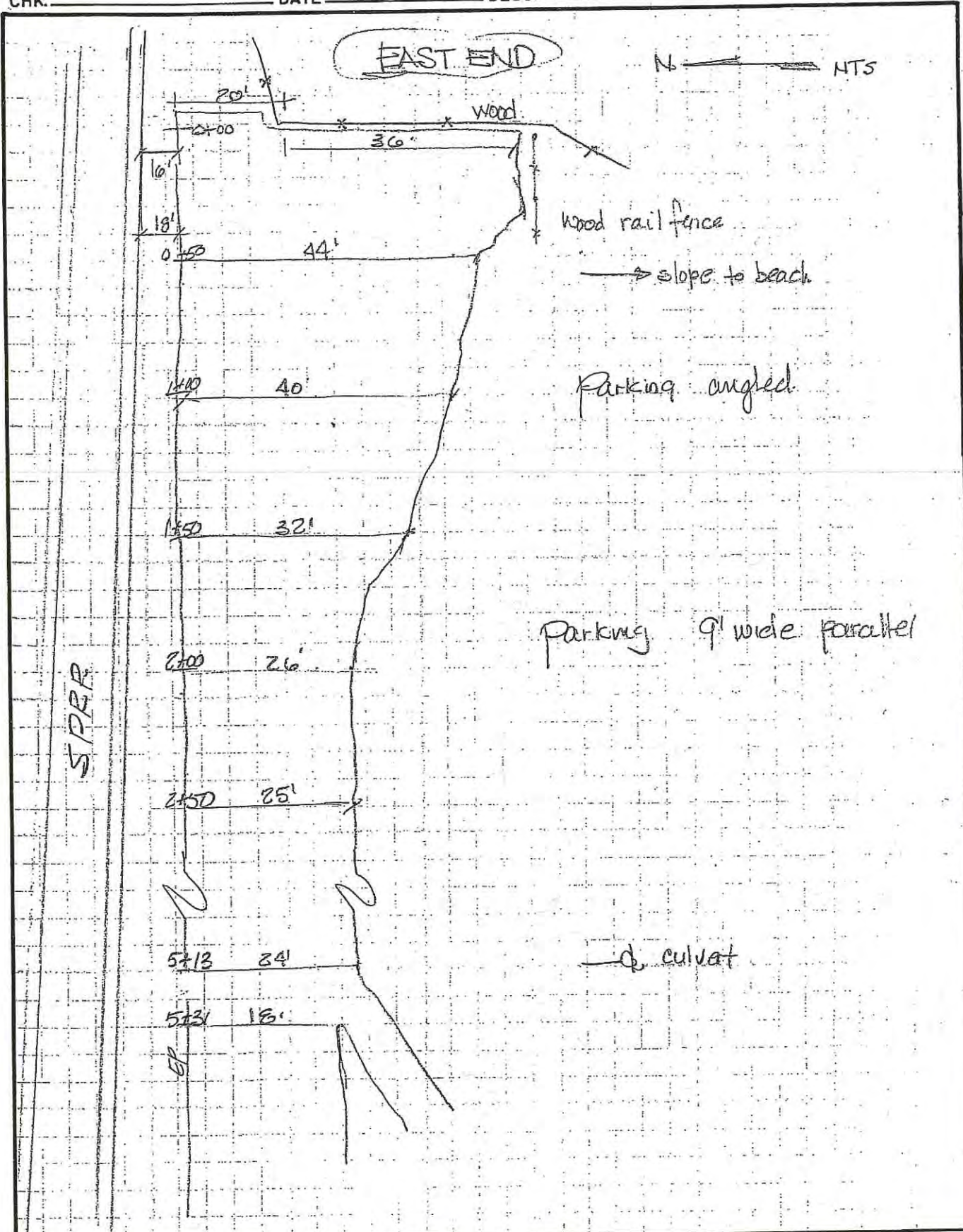
Other issues are the present condition of the road and the Summerland Recycle center. Red Adelson said that he told the Parks Department that they were responsible for repairs caused by the 1993 storm. Parks installed the fence along the top of the slip out. As for the Summerland Recycle Center; Tom Johnson is checking the records of an encroachment permit for this facility; which lies both on SPRR property and our right of way.

cc: Red Adelson

DEPARTMENT OF TRANSPORTATION

COUNTY OF SANTA BARBARA

QUANTITY-CALCULATION SHEET



QUANTITY IN BOX CARRIED TO SUMMARY SHEET