

Recording requested by and)
to be returned to:)
SANTA BARBARA COUNTY)
General Services Department)
Real Property Division)
260 N. San Antonio Road-Casa Nueva)
Santa Barbara, CA 93110)
ATTN: DEBBIE HAMBLETON)
)
COUNTY OF SANTA BARBARA)
OFFICIAL BUSINESS)

No Recordation Fee Pursuant to
California Government Code §27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE
APN: 103-730-013 (Portion)
RP File No. 004055

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA
BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF THE SUMMARY) RESOLUTION NO. _____
VACATION OF AN UNUSED PORTION)
OF A COUNTY ROAD EASEMENT) CAL. STREETS & HIGHWAYS CODE §8334(a)

**FINDINGS AND SUMMARY ORDER TO VACATE
A PORTION OF 4880 BETHANY LANE
UNUSED PORTION OF A COUNTY ROAD EASEMENT AND RIGHT OF WAY
SANTA MARIA, CA**

WHEREAS, Santa Barbara County, a political subdivision of the State of California, (hereinafter "COUNTY") is the holder of the certain road easement property and right of way for ingress and egress, known as a portion of 4880 Bethany Lane in the City of Santa Maria, which was acquired by the grant of easement from Rita C. Evert (Grantor) to COUNTY (Grantee) and shown on Parcel Map 12478, filed in Book 19, Page 56 of Parcel Maps in the Office of said County Recorder, and recorded on February 16, 1978; and

WHEREAS, on January 27, 2023, the owners of the Property applied to the COUNTY to abandon the Portion; and

WHEREAS, Sections 8334(a) and 8335 of the California Streets and Highways Code provide that the County Board of Supervisors may summarily vacate an excess right-of-way of a street or highway that is not required for street or highway purposes by adopting a resolution of vacation; and

WHEREAS, the portion of Bethany Lane proposed for abandonment (herein "Portion") is located in the southern portion of County Assessor's Parcel Number 103-730-013 (herein the "Property"),

which Portion is legally described in Exhibits “A” and shown on Exhibit “B” attached hereto and incorporated herein by this reference; and

WHEREAS, the Portion is situated on that certain Property, which is owned in fee by Derrick and Pamela Beebe, joint tenants; and

WHEREAS, the original purpose of this easement was to provide a right-of-way emergency fire road access to Benji Lane. According to the 1977 parcel plan drawing, there was only one access to Benji Lane at that time, via Bethany Drive, which was planned to be the entrance to the future development of Valley Care Center. Because the Valley Care Center was not developed, Benji Lane was continued straight through to Orcutt Road and remains open to provide additional clear and straight-through emergency road access.

WHEREAS, the proposed right-of-way abandonment would dispose of unneeded, excess areas of the COUNTY road right-of-way by permanently abandoning the COUNTY’s easement interest in the Portion; and

WHEREAS, at its regular meeting of June 4, 2025, the COUNTY’S Planning Commission found the abandonment of the Portion to be in conformity with the COUNTY’S Comprehensive Plan pursuant to Government Code Section 65402(a); and

WHEREAS, it has been determined by COUNTY’S Public Works Department that, in accordance with Section 892(a) of the California Streets and Highways Code, the Portion is not useful as a nonmotorized transportation facility designed primarily for the use of pedestrians, bicyclists, or equestrians; and

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

WHEREAS, for a period of more than five consecutive years preceding the date hereof, the Portion has not been used for the purpose for which it was granted, has not been developed, is impassable for vehicular travel, and no public money has been expended for its maintenance; and

WHEREAS, no parcels will be landlocked if the vacation of the Portion is consummated; and

WHEREAS, in accordance with California Streets and Highways Code Section 8334(a), the legislative body of a local agency may summarily vacate an excess right-of-way of a street or highway not required for street or highway purposes, and the excess Portion meets this criterion; and

WHEREAS, in accordance with Section 8340(c) of the California Streets and Highways Code, the COUNTY is required to reserve and except from the vacation of the Portion any easements and rights necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use; and

WHEREAS, in accordance with California Streets and Highways Code Section 8334.5, a street may be summarily vacated if any in-place public utility facilities that are in use would not be affected by the vacation; and

WHEREAS, COUNTY has contacted all public utility companies operating in the City of Santa Maria and, by reaching out to confirm, ensured the COUNTY that the public utility companies do not have any such facilities within the Portion to be abandoned.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of COUNTY does hereby find, determine, and order as follows:

1. That the above recitals are true and correct.
2. The Portion being abandoned is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility.
3. That the Portion, legally described on Exhibit A and shown on Exhibit B attached hereto and incorporated herein by this reference, is hereby summarily vacated as a County road pursuant to Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California.
4. That this Resolution, attested to by the Clerk of the Board under the seal of the Board, shall be recorded in the Office of the County Recorder in the County of Santa Barbara, State of California, and that the date of recording shall become the effective date of this Order to Vacate.

///

//

/

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

“COUNTY”
COUNTY OF SANTA BARBARA, a political
subdivision of the State of California

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

LAURA CAPPS, CHAIR
BOARD OF SUPERVISORS

By: _____
Sheila de la Guerra
Deputy Clerk of the Board

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

Signed by:

0AC56B8DE45F483...

By: _____
Tyler Sprague
Deputy County Counsel

EXHIBIT A
Legal Description
Road Abandonment

A road abandonment over a portion of Benji Lane, in the County of Santa Barbara, State of California more particularly described as follows;

Beginning at the Southeast corner of Parcel D, Parcel Map No. 12,771 as shown per Book 28 of Parcel Maps, Page 91, on file in the office of the County Recorder of said County;

Thence South 0 degrees 02 minutes 24 seconds East along the West line of Lot 8, Tract 13,902 as shown per Book 155 of Maps, Page 83, on file in the office of said County Recorder, 30.00 feet to the Southeast corner of a variable width roadway easement as shown per said Parcel Map No. 12,771;

Thence North 89 degrees 52 minutes 08 seconds West along the South line of said variable width roadway easement 134.60 feet;

Thence North 0 degrees 06 minutes 46 seconds West 44.94 feet to the West line of said Parcel D and the beginning of a 15.00 foot radius curve concave to the Northeast:

Thence Southeasterly along the arc of said curve 23.50 feet through a central angle of 89 degrees 45 minutes 22 seconds to the end of said curve at the South line of said Parcel D;

Thence South 89 degrees 52 minutes 08 seconds East along said South line of Parcel D, 119.72 feet to said Southeast corner of Parcel D and THE POINT OF BEGINNING and containing 4086.5 square feet more or less.

(See attached exhibit map made a part hereof)



Marshall D. Fargen LS 8962 3/21/05 Date:



EXHIBIT B
Map
Road Abandonment

