

Recording requested by and)
to be returned to:)
SANTA BARBARA COUNTY)
General Services Department)
Real Property Division)
1105 Santa Barbara St., 2nd Floor)
Santa Barbara, CA 93101)
WILL CALL)
))
COUNTY OF SANTA BARBARA)
OFFICIAL BUSINESS)

No Fee Pursuant to
California Government Code § 6103

SPACE ABOVE THIS LINE FOR RECORDER'S USE
APN 111-100-008

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SANTA BARBARA COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

IN THE MATTER OF THE PROPOSED)
VACATION OF A FLOOD CONTROL)
EASEMENT)

RESOLUTION NO. _____

) CAL. WATER CODE APPENDIX §74-32;
CAL. STREETS AND HIGHWAYS CODE
§8335

**FINDINGS AND SUMMARY ORDER TO VACATE
A FLOOD CONTROL EASEMENT**

WHEREAS, the Santa Barbara County Flood Control and Water Conservation District (hereinafter "District") is the holder and owner of the easement rights identified as that certain portion of easement and right of way to enter upon the property legally described in the deed recorded March 10, 1964 as Instrument Number 10592 in Book 2039, Page 1023 of Official Records of the County of Santa Barbara, and shown as Easement Holders on Parcel Map 5343, in Book 32, Pages 52 & 53 (as a portion of Parcel A), recorded September 12, 1983, and on Parcel Map 5467, in Book 44, Pages 71 & 72 (Lot 2), recorded December 26, 1989, also recorded in the Official Records of the County of Santa Barbara, in, on, over, under and across that real property legally described in Grant Deed recorded December 16, 2013, as Instrument No. 2013-0078238, of Official Records of the County of Santa Barbara (hereinafter, the "Flood Control Easement"); and

WHEREAS, the ELEMENT CHRISTIAN CHURCH, a nonprofit Religious Corporation (hereinafter, "OWNER") is the owner in fee of the property located on Assessor Parcel Number 111-100-008, legally described in Grant Deed recorded December 16, 2013, as Instrument No. 2013-0078238, of Official Records of the County of Santa Barbara; and

WHEREAS, in accordance with Section 74-32 of the California Water Code Appendix, the District may dispose of property in the manner prescribed by law for such action by counties if the District Board of Directors determines by resolution that the easement is no longer necessary to be retained for flood control uses and purposes; and

WHEREAS, in accordance with California Streets and Highways Code Section 8333(c), the District may summarily vacate public service easements that have been superseded by relocation or determined to be excess by the easement holder; and

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

1. That the above recitals are true and correct.
2. In accordance with Section 74-32 of the California Water Code Appendix and California Streets and Highways Code Sections 8333 and 8335, the Flood Control Easement is no longer necessary to be retained for the uses and purposes of the District because it has been or will be replaced and superseded by relocation.
3. The Flood Control Easement is hereby summarily vacated pursuant to Division 9, Part 3, Chapter 4 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.
5. From and after the date that this Resolution is recorded, the Flood Control Easement shall no longer constitute a public service easement.

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PASSED AND ADOPTED by the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District, a dependent special district of the County of Santa Barbara, this _____ day of October, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

SANTA BARBARA COUNTY
FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

ATTEST:
MONA MIYASATO, EX-OFFICIO
CLERK OF THE BOARD OF DIRECTORS
OF THE SANTA BARBARA COUNTY
FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

DAS WILLIAMS, CHAIR
BOARD OF DIRECTORS

By: _____
Deputy

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: SG/L
Scott Greenwood,
Deputy County Counsel