

# NOTICE OF EXEMPTION

**TO:** Santa Barbara County Clerk of the Board of Supervisors

**FROM:** Department of Public Works – Transportation Division

Based on a preliminary review of the project the following activity 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(s):** adjacent to 107-240-024

**Case No.:** Real Property File No. R-372

**LOCATION:** Portion of County fee owned strip abutting APN 107-240-024 (the "Portion")

**PROJECT TITLE:** Quitclaim of County fee to Michael Towbes per Agreement recorded as No. 78-47120.

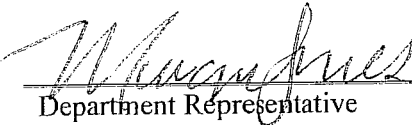
**PROJECT DESCRIPTION:** In 1978 the County of Santa Barbara and Michael Towbes reached an agreement in conjunction with Tentative Parcel Map for Lot Split 12,127 whereby Mr. Towbes agreed to construct specified public roads and in exchange the County would vacate and transfer unused right-of-way along the project boundary which the County holds in fee. That agreement was recorded in Santa Barbara as Instrument No. 78-47120 (the "Agreement"). The roads specified in the Agreement were constructed by the Towbes group and accepted by the Santa Barbara County Director of Transportation. In exchange the County vacated the right-of-way as specified in the Agreement via Resolution 78-416, which Resolution contained a reservation of utility rights and was recorded as Instrument No. 78-47614. However a deed formally completing the conveyance pursuant to the Agreement was never finalized. The subject Quitclaim will complete the County's actions agreed to in the Agreement.

**EXEMPT STATUS :( Check One)**

- Ministerial
- Statutory
- Categorical Exemption [Sec. 15312]
- Emergency Project
- No Possibility of Significant Effect [Sec. 15061(b,3)]

**Cite specific CEQA Guideline Section:** 15312 (Surplus Government Property Sales) – The Portion does not have significant value(s) for wildlife habitat or other environmental purposes, and it is of such a size and shape that it is incapable of independent development or use.

**Reasons to support exemption findings (attach additional material, if necessary):** The road right-of-way ("ROW") was vacated in 1978. The area being transferred was groomed and has been used as an open slope behind the Knollwood housing tract since that time. The County transfer of its fee ownership of the Portion will have no impact on any public ROW or facilities. Therefore the quitclaim is a minor alteration of the existing roadway and is contemplated under CEQA section 15312. If the fee transfer is consummated the Portion will be incorporated into the owner's Property (APN 107-240-024) thus increasing the size thereof and adding the Portion to the Assessor's tax base.

  
Department Representative

  
Date

**NOTE:** A copy of this document must be posted with the County's Planning & Development Department at least 6 days prior to consideration of the activity by the decision-makers to comply with County CEQA guidelines and a copy must be filed with the County Clerk of the Board after project approval to begin a 35 day statute of limitations on legal challenges.

Distribution: \_\_\_\_\_  
Date filed with Planning & Development

\_\_\_\_\_ Date filed with Clerk of Board