



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Parks
Department No.: 052
For Agenda Of: 4/28/2009
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Daniel C. Hernandez, Director of Parks
Director(s)
Contact Info: Claude Garciacelay, Park Planner, 568-2469

SUBJECT: Quitclaim an Easement for Riding and Hiking Trail to Reginald G. and Robin K. Spear, Montecito Area, 1st District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: Select_Concurrence

Recommended Actions:

Quitclaim an easement for Riding and Hiking Trail to Reginald G. Spear and Robin K. Spear and instruct the Clerk of the Board to endorse thereon the Board's quitclaim.

Summary Text:

The subject easement was granted to the County in 1994 to serve as a requirement of development of a single family residence on the Spear property. The easement was to serve as a short section of the San Ysidro Trail, but the trail was never built on the dedicated easement. With the completion of permits on the property just south of the Spear property in 2008, a better location for the San Ysidro Trail was identified and an easement was granted to the County and the trail constructed on the adjacent property. The action on the adjacent property rendered this specific easement obsolete and the Spears have requested this quitclaim.

Background:

In the process of permitting the Spear residence it was discovered that a gap existed in the through connection of the public San Ysidro Trail which in the lower portion of the trail, is comprised of interlocking easements through private properties. The Spears were required, in 1994, to dedicate an easement to the County that made a connection from an existing easement on the property to the south, owned by Mr. Frasier, to an existing easement that ran along the east side of the Spear property. The easement granted achieved that connection along the southern property line of the Spear property.

Quitclaim an Easement for Riding and Hiking Trail to Reginald G. and Robin K. Spear, Montecito Area, 1st District

Agenda Date: 4/28/1009

Page 2 of 2

Though the easement was granted, the trail was never constructed due to technical problems and the public continued to be served by permissive trail access on a portion of undeveloped Frasier property which provided for a continuous trail. With the application and processing of the Frasier-Siemens RMM and LLA project to the south of the Spear property, the County saw a better opportunity to provide for the public trail that would not present the same technical difficulties as the Spear easement and would provide for better separation between the trail users and the private residences. The Frasier-Siemens project offered, as part of their project, an easement to the County for a portion of the San Ysidro Trail.

A riding and hiking trail easement was granted to the County by Frasier-Siemens and a trail was constructed to serve the public in 2008. The 1994 Spear easement contained language that should the County obtain an alternate easement to serve the public and make the through connection for the trail, the County would quitclaim back to the Spears the 1994 easement. The Spears have requested this action which is the subject of this request to your Board.

Fiscal and Facilities Impacts:

None for this action.

Fiscal Analysis:

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

Narrative: Maintenance for this and other trails in the Montecito area is accomplished by the volunteer efforts of the Montecito Trails Foundation in cooperation with County Parks

Special Instructions:

Clerk of the Board to forward the Quitclaim to the County Clerk Recorder for recordation and provide a copy of the minute order to Claude Garciacelay at County Parks.

Attachments:

Quitclaim of Riding and Hiking Trail Easement

Authored by:

Claude Garciacelay, Park Planner

cc: