

Attachment D
Legal of Area 3

Recording requested by and)
to be returned to:)
SANTA BARBARA COUNTY)
General Services Department)
Real Property Division)
260 N. San Antonio Lane)
Santa Barbara, CA 93110)

COUNTY OF SANTA BARBARA
OFFICIAL BUSINESS

No Recordation Fee Pursuant to
California Government Code §27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE
APN: 005-202-005 (Portion)-Area 3
RP File No. 004040

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

IN THE MATTER OF THE SUMMARY)
VACATION OF AN UNUSED PORTION OF)
OF A COUNTY FEE OWNED RIGHT-OF WAY)

RESOLUTION NO. _____

CAL. STREETS & HIGHWAYS CODE §8334(a)

**FINDINGS AND SUMMARY ORDER TO VACATE AND DISPOSITION
UNUSED PORTION OF A COUNTY FEE OWNED ROAD AND RIGHT OF WAY**

WHEREAS, the County of Santa Barbara, a political subdivision of the State of California, (hereinafter "COUNTY") is the owner of the certain road property, known as Golden Gate Avenue in Summerland, California, which was acquired in fee simple interest by COUNTY; and

WHEREAS, the portions of Colby Street proposed for abandonment (herein "Portion") is located adjacent to County Assessor's Parcel Number 005-202-005 (herein the "Property"), which Portion is legally described and shown on Exhibits "A" and "B" attached hereto and incorporated herein by this reference; and

WHEREAS, the proposed right-of-way abandonment would dispose of unneeded, excess area of COUNTY road right-of-way by permanently abandoning the COUNTY's fee simple interest in the Portion; and

WHEREAS, at its regular meeting of December 4, 2024, 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(c); 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 for street or highway purposes; and

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

WHEREAS, in accordance with Section 8324(b) of the California Streets and Highways Code, allows the Board of Supervisors of the COUNTY to impose conditions, including exchange of lands or compensation before conveying property after vacating a street or highway when the local agency owns the fee interest; and

WHEREAS, in accordance with California Streets and Highways Code Section 8331, the Board of Supervisors of the COUNTY may summarily vacate a street or highway if it has been impassable for vehicular traffic for five consecutive years and no public money was spent on its maintenance during that period; and

WHEREAS, in accordance with California Streets and Highways Code Section 8334(a), the Board of Supervisors of the COUNTY 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, Sections 8335(a)(1) of the California Streets and Highways Code provides that the Board of Supervisors of the COUNTY authorizes to vacate a street, highway, or public service easement by adopting a resolution of vacation; and

WHEREAS, COUNTY has contacted all public utility companies operating in the Community of Summerland and, by reaching out to confirm, and ensured the COUNTY that the public utility companies do not have any such facilities within the Portion to be abandoned, except for a sanitary sewer line easement that shall remain in portions of Golden Gate Avenue and Colby Street.

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

1. That the above recitals are true and correct.
2. This Summary Order to Vacate is in compliance with, and made under authority granted in, Sections 8324(b), 8331, 8334(a), 8335(a)(1) and 8340(c) of the Streets and Highways Code of the State of California.
3. The Portion being abandoned is unnecessary for present or prospective public use and is not useful as a motorized transportation facility.
4. This vacation shall not impact or remove any current public rights.
5. The Portion of the COUNTY fee owned Right-of-Way is particularly described in Exhibit A and shown on Exhibit B, both of which are attached hereto and made a part hereof.
6. That the Portion, legally described in 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.
7. That this Resolution, attested to by the Clerk of the Board under the seal of the Board of Supervisors of the COUNTY, 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 Summary Order to Vacate.

8. From and after the date that this Resolution is recorded, the unused Portion of Road Easement and right of way shall be vacated and no longer constitutes a street, highway, public road easement, or public right of way.

9.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2025, 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

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

By: _____
Tyler Sprague
Deputy County Counsel

EXHIBIT A

ABANDONMENT TO BRINKENHOFF - APN 005-202-005.

LEGAL DESCRIPTION

In the unincorporated territory of the County of Santa Barbara, State of California, those portions of Golden Gate Avenue and Colby Street shown on PARCEL MAP No. 14,319 recorded in Book 50, Pages 62-64 of Parcel Maps in the office of the County Recorder of said County, and Colby Street and Shelby Street, both shown on the map titled CITY of SUMMERLAND recorded December 18, 1888 in Rack 1, Map 2 of Rack Maps in the office of said County Recorder, described as follows:

Commencing at the southwesterly corner of PARCEL TWO of said Parcel Map, being a point in the northerly line of said Shelby Street, 30.00 feet wide; thence, along the southerly line of said PARCEL TWO, said southerly line being the northerly line of said Shelby Street,

South 76° 40' 42" East 54.50 feet to the southeasterly corner of said PARCEL TWO, being a point in the westerly line of said Colby Street, 30.00 feet wide; thence, along the easterly line of said PARCEL TWO, said easterly line being said westerly line of said Colby Street,

North 13° 20' 53" East 119.97 feet to the northeasterly corner of said PARCEL TWO, being a point in the southerly line of said Golden Gate Avenue, 60.00 feet wide; thence, along said southerly line of Golden Gate Avenue, said southerly line being northerly line of said PARCEL TWO,

North 76° 40' 32" West 75.50 feet to the northwesterly corner of said PARCEL TWO; thence, along the northerly prolongation of the westerly line of said PARCEL TWO,

North 13° 20' 53" East 24.90 feet to the northwesterly corner of an existing concrete driveway; thence.

South 74° 54' 34 East 11.54 feet to the northeasterly corner of said driveway; thence,

South 15° 05' 26" West 0.50 feet to the flowline of the existing asphalt berm; thence, along said flowline with the following three (3) courses:

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EXHIBIT A

CONTINUED

South 74° 43' 24" East 18.47 feet to the beginning of a curve concave southerly and having a radius of 139.25 feet; thence, along said curve,

15.21 feet though a central angle of 6° 15' 30"; thence,

South 68° 27' 53" East 43.51 feet; thence, leaving said flowline,

South 41° 09' 39" East 1.56 feet to the northwest corner of a concrete pad; thence, along said pad,

South 68° 29' 33" East 5.08 feet to the northerly prolongation of a line that is parallel with and 19.00 feet easterly of said westerly line of Colby Street, said westerly line of Colby Street being the easterly line of said PARCEL TWO; thence, along said northerly prolongation to and along said parallel line and the southerly prolongation thereof,

South 13° 20' 53" West 142.72 feet to a point in a line that is parallel with and 11.00 feet westerly from the easterly line of said Colby Street and parallel with and 12.00 feet northwesterly from a line bearing South 64° 20' 34" West that passes through the northwesterly corner of the parcel of land shown on the map titled VOLUNTARY MERGER RECORD OF SURVEY recorded in Book 142, Page 10 of Record of Surveys in the office of said County Recorder; thence, along latter said parallel line,

South 64° 20' 34" West 17.62 feet; thence,

South 36° 03' 33" West 14.88 feet to the TRUE POINT OF BEGINNING; thence,

1st: South 23° 06' 44" West 28.39 feet; thence,

2nd: South 13° 50' 10" West 42.06 feet; thence,

3rd: South 15° 38' 51" West 30.60 feet; thence,

4th: South 12° 42' 04" West 16.00 feet to the northerly line of Banner Avenue, 60.00 feet wide, shown on said map titled CITY of SUMMERLAND; thence, along said northerly line,

5th: North 76° 41' 40" West 23.14 feet to the southeasterly corner of Lot 48, Block 23, shown on said map; thence, along the easterly line thereof, said easterly line being the westerly line of said Colby Street, 60.00 feet wide, shown on said map,

continued next page

EXHIBIT A

CONTINUED

6th: North 13° 15' 40" East 118.43 feet to a line that bears North 73° 10' 25" West and passes through the True Point of Beginning; thence, along said line,

7th: South 73° 10' 25" East 29.60 feet to the TRUE POINT OF BEGINNING.

Containing 2905.59 square feet, more or less.

End of description.

The land herein above described is graphically shown on EXHIBIT B, attached hereto and made a part hereof.

March 4, 2025



Gary P. Salmen, LS



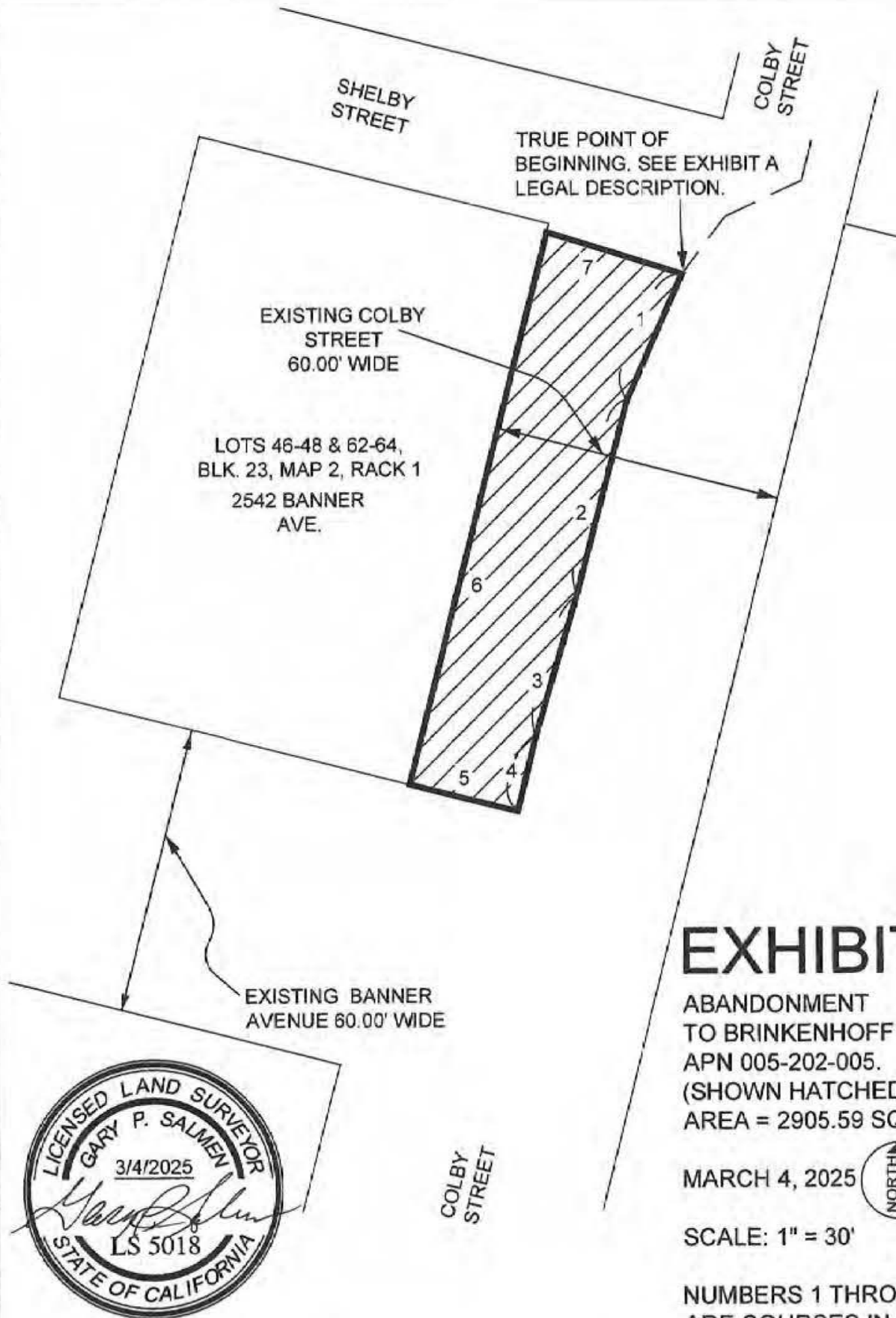


EXHIBIT B

ABANDONMENT
TO BRINKENHOFF -
APN 005-202-005.
(SHOWN HATCHED)
AREA = 2905.59 SQ. FT.

MARCH 4, 2025



SCALE: 1" = 30'

NUMBERS 1 THROUGH 7
ARE COURSES IN LEGAL
DESCRIPTION EXHIBIT A.