

# **ATTACHMENT 1**

**RESOLUTION AND ORDER TO VACATE  
A COUNTY ROAD:**

**PORTION OF AIROX ROAD  
SANTA BARBARA COUNTY, CA**

**APN 113-250-002**

**APN 113-250-018**

Recording requested by and )  
to be returned to: )  
SANTA BARBARA COUNTY )  
GENERAL SERVICES DEPARTMENT )  
REAL PROPERTY DIVISION )  
\*\*WILL CALL\*\* )  
1105 SANTA BARBARA ST., 2<sup>ND</sup> FLOOR )  
SANTA BARBARA, CA 93101 )

---

NO FEE PER GOVERNMENT CODE § 6103 APNs 113-250-002 and 113-250-018

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

IN THE MATTER OF THE PROPOSED ) RESOLUTION NO. \_\_\_\_\_  
VACATION OF A PORTION OF A )  
COUNTY ROAD ) STREETS AND HIGHWAYS CODE  
SECTION 8320

**ORDER TO VACATE  
A COUNTY ROAD**

**WITH RESERVATION OF PUBLIC UTILITY EASEMENTS FOR  
PACIFIC GAS & ELECTRIC CO. AND SOUTHERN CALIFORNIA GAS CO.**

**PORTION OF AIROX ROAD  
SANTA BARBARA COUNTY, CA**

**WHEREAS**, the County of Santa Barbara (hereinafter "COUNTY") is the owner of that certain road property in the unincorporated area of the County of Santa Barbara, State of California, known as Airox Road near the City of Santa Maria (the "Road"), which Road was acquired in easement interest by COUNTY pursuant to that certain "Subdivision No. 12 of the Rancho Punta De Laguna" recorded in Book W, Page 333, of Deeds of the Office of the County Recorder; and

**WHEREAS**, the segment of Airox Road proposed for vacation (herein the "Portion") is located across County Assessor's Parcel Numbers 113-250-002 and 113-250-018 (herein the "Properties") and is legally described and shown on Exhibits "A" and "B" attached hereto and incorporated herein by this reference; and

**WHEREAS**, on May 14, 2013, the owners of the Properties submitted an application to the COUNTY to vacate the Portion; and

**WHEREAS**, the proposed right-of-way vacation would dispose of COUNTY road right-of-way by permanently removing the COUNTY's easement interest in the Portion; and

**WHEREAS**, at its regular meeting of February 22, 2017, the COUNTY'S Planning Commission found the abandonment of the COUNTY'S right-of-way 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**, on June 20, 2017, the Board of Supervisors adopted a Resolution of Notice of Intent to Vacate a County Road concerning the Portion; and

**WHEREAS**, said Resolution set July 18, 2017, as the date for hearing from members of the public interested in commenting on the proposed vacation of the Portion; and

**WHEREAS**, the COUNTY published notice of the Board's intention to vacate the Portion and of the July 18, 2017, hearing date in the *Santa Maria Times* in accordance with State of California Streets and Highways Code Section 8322(a); and

**WHEREAS**, the COUNTY posted notice of the Board's intention to vacate the Portion and of the July 18, 2017, hearing date conspicuously along the Portion for two (2) weeks prior to said hearing in accordance with State of California Streets and Highways Code Section 8323; and

**WHEREAS**, no parcels will be landlocked if the vacation of the Portion is consummated; 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 an easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use; and

**WHEREAS**, Pacific Gas & Electric Company and Southern California Gas Company have in-place and in-use public utilities in the Portion, easements for which shall be reserved and excepted from the vacation of the Portion.

**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 vacated is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility.
3. That the Portion, consisting of a part of Airox Road, legally described on Exhibit A and shown on Exhibit B attached hereto and incorporated herein by this reference, is hereby 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 in accordance with Section 8340(c) of the California Streets and Highways Code, an easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use by **Pacific Gas & Electric Company** is hereby reserved and excepted from the vacation of the Portion in the location of such in-place and in-use public utility facilities.
5. That in accordance with Section 8340(c) of the California Streets and Highways Code, an easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use by **Southern California Gas Company** is hereby reserved and excepted from the vacation of the Portion in the location of such in-place and in-use public utility facilities.
6. 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:**

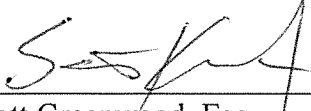
COUNTY OF SANTA BARBARA

ATTEST:  
MONA MIYASATO  
COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

\_\_\_\_\_  
JOAN HARTMANN, CHAIR  
BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By:   
\_\_\_\_\_  
Scott Greenwood, Esq.,  
Deputy County Counsel

# “EXHIBIT A”

## Legal Description


### ROADWAY ABANDONMENT FOR A PORTION OF AIROX ROAD SANTA BARBARA COUNTY, CA.

Said portion of Airox Road lying across A.P.N 113-250-002 (Dd. Ref. Doc.#2011024246) and A.P.N. 113-250-018 (Dd. Ref. Doc.#2011024246), described as portions of Subdivision No. 12 of the Rancho Punta De La Laguna, in the County of Santa Barbara, State of California, as said Subdivisions are described in the decree of partition issued by the Superior Court of the State of California, in and for the County of Santa Barbara, in the action entitled S. I. Jamison vs. Luis Arellanes, et al., dated November 3, 1880, as recorded in Book “W”, at Page 333 of Deeds, records of said County. Also as shown on County of Santa Barbara Index Map NC-38.

Beginning at the intersection of Airox Road with the southerly Right of Way line of Black Road, also being the northerly boundary of County Tax Assessor’s Parcel 113-250-018 (Dd. Ref. Doc.#2011024246); Thence southwesterly and southerly, along said Airox Road, to the southerly boundary of County Tax Assessor’s Parcel 113-250-002 (Dd. Ref. Doc.#2011024246).

This legal description was prepared from record information contained in the above referenced County Assessor’s Map and County Index Map, herein referenced. No reference for the Dedication or Acceptance of Airox Road could be found in the Santa Barbara County’s Public Records.

The attached Exhibit B Plat was prepared from aerial photography showing the record location of the portion of Airox Road to be abandoned. See the attached Exhibit B for Vicinity Map and Detail of the location for the Roadway Abandonment of the above described portion of Airox Road.

Prepared by:   
Lester E. Carter Jr., PLS 6148  
My license expires: 3/31/2018



Contact Information:  
Ph: 805-503-4522  
Cell: 805-431-1114  
Email: [LesterC@cannoncorp.us](mailto:LesterC@cannoncorp.us)

ROADWAY ABANDONMENT FOR A PORTION OF AIROX ROAD  
SANTA BARBARA COUNTY, CA.

