

**Attachment 1**

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**Resolution  
And  
Summary Order to Vacate**

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

No Fee Pursuant to  
California Government Code § 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE  
A.P.N.s 089-310-032 through -040  
Real Property Division #004002

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

IN THE MATTER OF 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 permanent easement for flood control rights with the easement area legally described in an Easement Deed recorded October 20, 1981 as Instrument Number 81-42883 and re-recorded on October 23, 1981 as Instrument Number 81-43568, both in the Official Records of the County of Santa Barbara, in, on, over, under and across that real property legally commonly known as Assessor Parcel Numbers 089-310-032 through -040; and

**WHEREAS**, the permanent easement is identified in Map of Subdivision LOM-355 Phase Three, recorded July 2, 1985 in Book 128, Pages 54 to 57 of Maps Records of the County of Santa Barbara, State of California being a subdivision of Parcel Map No. 64; 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(a), the easement has not been used by the District the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

**WHEREAS**, in accordance with California Streets and Highways Code Section 8333(a), the District may summarily vacate a public service easement that has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; 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 has not been used for the past five years and is no longer necessary to be retained for the uses and purposes of the District.
3. The Flood Control Easement, legally described in Exhibit "A" and shown on Exhibit "B", attached hereto and incorporated, 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 March, 2022 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

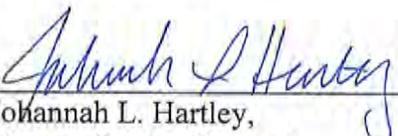
SANTA BARBARA COUNTY  
FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT

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

BY: \_\_\_\_\_  
JOAN HARTMANN, CHAIR  
BOARD OF DIRECTORS

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

APPROVED AS TO FORM:  
RACHEL VAN MULLEN  
COUNTY COUNSEL

By:   
Johannah L. Hartley,  
Deputy County Counsel

**Exhibit "A"**

That portion of Parcel 5.1 as described in an Easement Deed to Santa Barbara County Flood Control and Water Conservation District recorded October 23, 1981 as Instrument No. 1981-0043568 of Official Records affecting the Southerly portion of Lots 169 through 177 inclusive of Subdivision LOM-355 Phase Three as shown on Map Book 128, Pages 54 through 57 inclusive, both filed in the Office of the Santa Barbara County Recorder, State of California and more particularly described as a strip of land lying 32.49 feet northerly of the following described line:

Beginning at the southwesterly corner of that real property granted to the Church of Christ by a Grant Deed recorded December 8, 1967 as Instrument No. 35619 in Book 2213, page 1290 of Official Records in said Santa Barbara County Recorder's Office;

Thence North 89°24'17" West along the southerly boundaries of said Lots 169 through 177 inclusive, being the northerly line of a property granted to the City of Lompoc by Instrument No. 39146 recorded December 12, 1966 in Book 2174, Page 1190 of Official Records, a distance of 451.14 feet to the southwesterly corner of said Lot 177.

The side lines of said strip are to be shortened or lengthened so as to terminate at the westerly boundary of said real property granted to the Church of Christ and the westerly boundary of said Lot 177.

End of Description

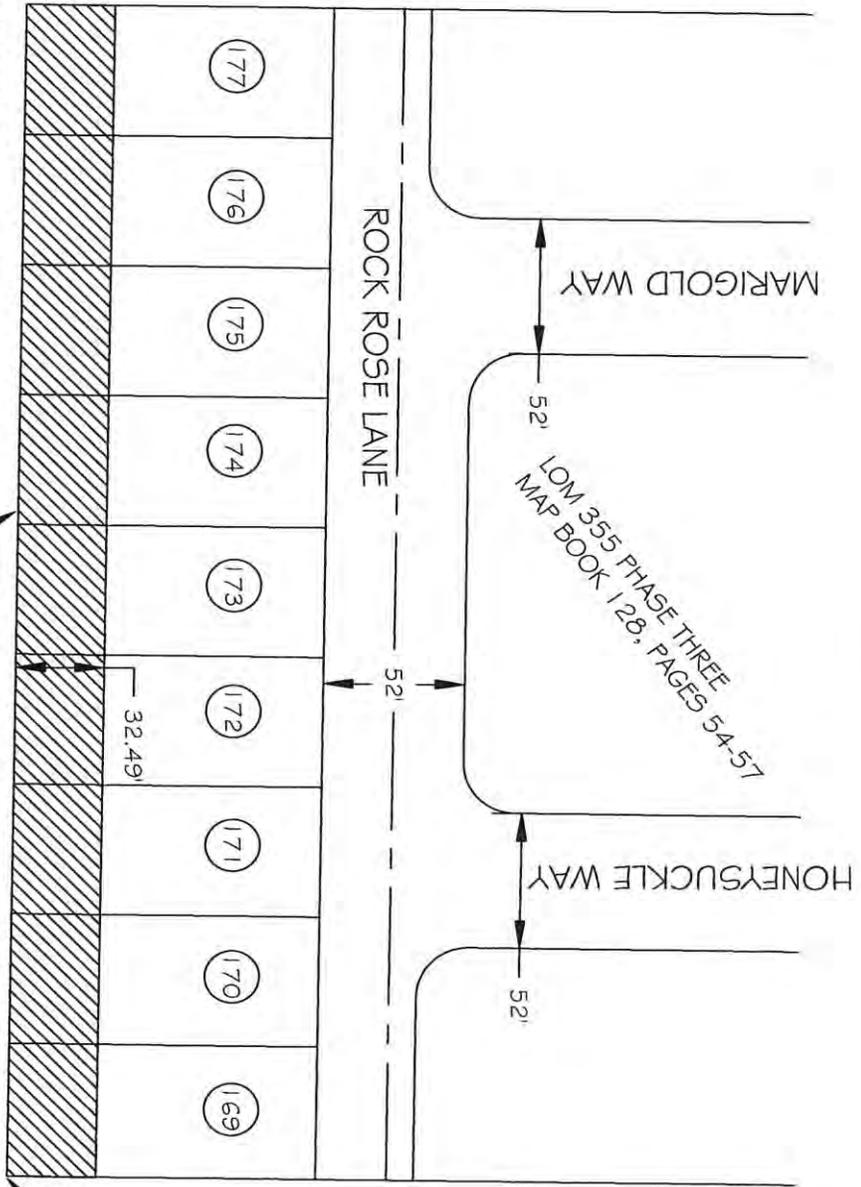
See accompanying map shown on Exhibit "B"



Christine Brooks  
Christine Brooks PLS 7227

Date: 09-16-2021

EXHIBIT "B"



SURVEYOR'S NOTE:

THERE APPEARS TO BE AN ERROR IN THE DEPICTION OF THE SANTA BARBARA COUNTY FLOOD CONTROL EASEMENT ON MAP BOOK 128, PAGES 54 THROUGH 57 INCLUSIVE, THEREFORE THE STRIP DESCRIPTION DESCRIBED IN EXHIBIT "A" ATTACHED HERETO IS INTENDED TO FOLLOW THE CALLS FROM THE CREATION DOCUMENT RECORDED AS INSTRUMENT NO. 1981-0043568 OF OFFICIAL RECORDS AND IS DEPICTED CORRECTLY ON RECORD OF SURVEY BOOK 117, PAGE 7.

NITY LINE OF THE CITY OF LOMP OC PROPERTY PER INSTRUMENT NO. 39146, BOOK 2174, PAGE 1190 O.R.

NOTE:  
HATCHED AREA DENOTES 32.49' STRIP DESCRIBED IN EXHIBIT "A"

