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**COUNTY OF SANTA BARBARA**  
**OFFICIAL BUSINESS**

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Pursuant to Government Code Section 6103

*This Resolution is not Valid Until Recorded*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**RESOLUTION NO. \_\_\_\_\_**

**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 the Buena Vista	)	
Avenue Right-of-Way in the Unincorporated	)	STREETS AND HIGHWAYS
Area of Santa Barbara.	)	CODE SECTION 8330 et seq.

**SUMMARY ORDER TO VACATE WITH RESERVATIONS  
(PORTION OF A COUNTY RIGHT-OF-WAY)**

**WHEREAS**, the County of Santa Barbara, a political subdivision of the State of California, (the "County") acquired a right-of-way easement for a public roadway known as Buena Vista Avenue in the unincorporated area of the County of Santa Barbara, State of California by grant recorded in Official Record Book 1006, Page 14; and

**WHEREAS**, a portion of the above referenced road easement is used exclusively for access to three privately owned parcels (herein the "Portion"), and the County has no plans to use or develop the Portion for public use; and

**WHEREAS**, in accordance with Section 8334(a) of the California Streets and Highways Code, the Public Works Department has determined that the Portion is excess right-of-way not required for street or highway purposes, and is therefore eligible for summary vacation; and

**WHEREAS**, pursuant to Streets and Highways Code sections 8334.5 it has been determined that there are no in-place public utility facilities in the Portion which will be affected by the vacation and therefore it is entitled to a Summary Vacation; and

**WHEREAS**, pursuant to Section 892[a] of the Streets and Highways Code the Santa Barbara County Public Works Department has determined that no part of the Portion is necessary

for present or prospective public use as a nonmotorized transportation facility (as defined in Section 887 of the Streets and Highway Code); and

**WHEREAS**, vacation of the Portion will not land lock any parcels; and

**WHEREAS**, vacation of the Portion will not affect existing or future traffic circulation; and

**WHEREAS**, vacation of the Portion is in the public interest, in that the County will be relieved of maintenance and legal liability for the Portion if it is vacated.

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

1. That the above recitals are true and correct; and
2. That the portion of the Buena Vista Avenue right-of-way being vacated (the "Portion") is described and shown on "Exhibit A" attached hereto and incorporated herein; and
3. That reserved from this vacation are the rights of the Southern California Gas Company, Verizon California Incorporated, Southern California Edison and Cox Communications, including the successors and assigns of said utility providers, to install, maintain, repair, operate, replace, renew or remove their facilities above and below ground within the Portion; and
4. That reserved from this vacation is the right of ingress and egress to the parcels currently known as Santa Barbara County Assessor parcel numbers 007-060-014, -016 and -017. Said rights shall run with the land and shall inure to any parcels which may be legally created from the above referenced parcels; and
5. That the Portion is hereby summarily vacated as County road easement and right-of-way pursuant to California Streets and Highways Code Sections 8334(a), and 8334.5; and
6. That this vacation impacts only the Portion described in Exhibit A, and is not intended to impact or remove any public rights to the remainder of the Buena Vista Avenue right-of-way; and
7. 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 Summary Order to Vacate With Reservations; and
8. From and after the effective date, the vacated Portion no longer constitutes a street or public right-of-way.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2010 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

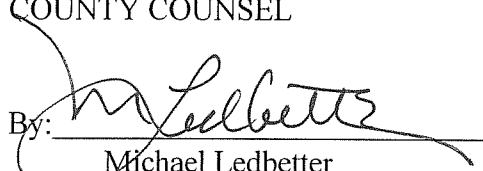
COUNTY OF SANTA BARBARA

ATTEST:  
MICHAEL F. BROWN  
CLERK OF THE BOARD

By: \_\_\_\_\_  
Chair, Board of Supervisors

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

APPROVED AS TO FORM:  
DENNIS A. MARSHALL  
COUNTY COUNSEL

By:   
Michael Ledbetter  
Deputy County Counsel

**Exhibit "A"**  
**Legal Description**  
**Abandonment of a Portion of Buena Vista Avenue**

That portion of Buena Vista Avenue, being 50 feet wide, described in the document recorded July 25, 1951 as Instrument No. 11192 in Book 1006 Page 14 of Official Records, in the County of Santa Barbara, State of California described as follows:

**Beginning** at the intersection of the easterly Right-of-Way of said Avenue with the southerly boundary of that certain real property described in Instrument No. 2005-83176 of Official Records, being South 89°52'30" West a distance of 154.64 feet from a found ½" iron pipe with Tag stamped "R.E. 7704" per Record of Survey filed in Book 43 Page 17 of Record of Surveys as measured along said southerly boundary;

Thence, along the easterly and southerly Right-of-Way of Buena Vista Avenue as described in said Instrument the following five (5) courses:

- 1st – South 09°49'00" East a distance of 116.75 feet to a curve concave westerly having a radius of 290.40 feet; thence,
- 2nd – southerly along said curve through a central angle of 23°12'00" an arc distance of 117.59 feet to a compound curve concave northwesterly having a radius of 60.61 feet; thence,
- 3rd – southwestly and westerly along said curve through a central angle of 88°10'30" an arc distance of 93.28 feet to a reverse curve concave southerly having a radius of 22.15 feet; thence,
- 4th – westerly along said curve through a central angle of 44°22'30" an arc distance of 17.15 feet; thence,
- 5th – South 57°11'00" West a distance of 26.11 feet; thence
- 6th – leaving said southerly Right-of-Way North 10°10'07" West a distance of 54.18 feet to the northerly Right-of-Way of said Avenue;

Thence, along the northerly and westerly Right-of-Way of said Avenue the following five (5) courses:

- 7th – North 57°11'00" East a distance of 5.25 feet to a curve concave southerly having a radius of 72.15 feet; thence,

- 8th – easterly along said curve through a central angle of  $44^{\circ}22'30''$  an arc distance of 55.88 feet to a reverse curve concave northwesterly having a radius of 10.61 feet; thence,
- 9th – easterly and northeasterly along said curve through a central angle of  $88^{\circ}10'30''$  an arc distance of 16.33 feet to a compound curve concave westerly having a radius of 240.40 feet; thence,
- 10th – northerly along said curve through a central angle of  $23^{\circ}12'00''$  an arc distance of 97.34 feet; thence
- 11th – North  $09^{\circ}49'00''$  West a distance of 125.29 feet to said southerly boundary of said real property; thence,
- 12th – leaving said Right-of-Way and along said southerly boundary North  $89^{\circ}52'30''$  East a distance of 50.72 feet to the **Point of Beginning**.

**Containing an area of 0.38 acres**

Exhibit "B" is attached and made a part hereof.

This description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.



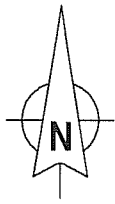
  
Eric J. Ackerman, PLS 8226

12/11/2009  
DATE:

LICENSE EXPIRES 12/31/2009

APN 007-020-022

2005-83176, O.R.



L6

S89°52'30"W 154.64'

POINT OF BEGINNING

FOUND  
1/2" IRON PIPE  
w/ TAG STAMPED 'R.E.7704'  
PER 43-RS-17

50' WIDE  
R/W EASEMENT PER  
INST. #11195 FILED IN  
BOOK 1006 PAGE 14,  
O.R.

APN 007-060-065  
PARCEL 2  
PER 119-RS-3  
INST. #2001-063326, O.R.

APN 007-060-040  
PARCEL B  
PER 2-PM-51  
INST. #2004-075338, O.R.

APN 007-060-016  
2002-1690, O.R.

APN 007-060-033  
98-51976, O.R.

CENTERLINE  
BUENA

VISTA

AVE.

## EXHIBIT "B"

### SKETCH SHOWING THE PORTION OF LAND DESCRIBED IN ATTACHED LEGAL DESCRIPTION (EXHIBIT "A")

APN 007-060-013  
INST. #89-76024, O.R.

LINE TABLE		
LINE	LENGTH	BEARING
L1	116.75	S09°49'00"E
L2	26.11	S57°11'00"W
L3	54.18	N10°10'07"W
L4	5.25	N57°11'00"E
L5	125.29	N09°49'00"W
L6	50.72	N89°52'30"E

CURVE TABLE			
CURVE	LENGTH	RADIUS	ANGLE
C1	117.59	290.40	23°12'00"
C2	93.28	60.61	88°10'30"
C3	17.15	22.15	44°22'30"
C4	55.88	72.15	44°22'30"
C5	16.33	10.61	88°10'30"
C6	97.34	240.40	23°12'00"



Eric J. Ackerman  
P.L.S. No. 8226

12/10/2009  
Date



1 inch = 40 ft.

**MNS**  
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ENGINEERING  
PLANNING  
SURVEYING  
CONSTRUCTION MANAGEMENT