

**SANTA BARBARA COUNTY
AGENDA BOARD LETTER**



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

Agenda Number:
Prepared on: May 17, 2004
Department: Public Works
Department No.: 054
Agenda Date: June 15, 2004
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director
Public Works Department

STAFF CONTACT: Bret Stewart 568-3232
Mike Emmons; 568-3020
Jeff Havlik; 568-3073

SUBJECT: Proposed Execution of Quitclaim; Portion of Roblar Avenue
Real Property file # R-144
Third Supervisorial District

Recommendation(s): That the Board of Supervisors:

- A. Approve the attached Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding the proposed transfer of fee ownership of a portion of Roblar Avenue located in the Santa Ynez Valley adjacent to Santa Barbara County Assessor's Parcel No. 135-051-016 while retaining the public right-of-way; and
- B. Execute the attached Quitclaim Deed with Reservations regarding the above referenced portion of Roblar Avenue.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

The purpose of the fee transfer is to clarify the location of the southerly boundary of the property known as Assessor's Parcel number 135-051-016 in the Santa Ynez valley (herein the "Property"). The location of the right-of-way that is the subject of this transaction is the northerly half of Roblar Avenue, adjacent to and south of the Property and is shown on "Exhibit A" attached to each of the quitclaims entitled "Quitclaim Deed with Reservations" (herein the "Quitclaims"). Due to the reservations contained therein, execution of the Quitclaims will have no impact on the public's use of the traveled roadway or the County's right to maintain it. The Quitclaims will transfer fee ownership of approximately 39,601 square feet of Roblar Avenue to the owner of the Property.

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Executive Summary and Discussion (Cont.)

On May 12, 2004 the Planning Commission heard Case number 04GOV-00000-00004 and ruled that the proposed execution of the Quitclaims by the Board of Supervisors is in compliance with the County's Comprehensive Plan pursuant to Government Code 65402. That action was taken after the Planning Commission determined that the Property is described as 40 acres and that selling the fee does not set a precedence which would allow other property owners in the Santa Ynez valley to apply for similar fee transfers to create parcels which can be subdivided.

After the above Planning Commission action it was noted that the Property is legally defined as two parcels and that the applicant had previously applied for a Certificate of Compliance for those parcels. The County Surveyor will not process those Certificates of Compliance until the location of the southern boundary of the Property is clarified. If executed and recorded the quitclaims will provide the needed clarification.

Mandates and Service Levels:

No change in programs or service levels.

Fiscal and Facilities Impacts:

The applicant has paid for the Real Property staff time associated with this transaction. Per Streets and Highway Code Section 960, the proceeds from the anticipated sale will be directed to the Third District Road fund. The agreed upon sales price is \$4,871.00. There are no Facilities impacts.

Special Instructions:

After Board action, distribute as follows:

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|----|-------------------|---------------------------------|
| 1. | Original Document | Public Works, Attn: Jeff Havlik |
| 2. | Copy | Clerk of the Board Files |
| 3. | Minute Order | Public Works, Attn: Jeff Havlik |

NOTE: Public Works, Real Property will deliver the original, executed Quitclaim Deed with Reservations for recordation. The original Quitclaim will be presented to the Clerk of the Board after recordation with a request for two certified copies, one for the Clerk of the Board files and one for the owner of the above referenced Property. The original recorded Quitclaim will be filed with Public Works, Surveyors Office, Real Property.

Concurrence: