



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

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

Department Name: Public Works
Department No.: 054
For Agenda Of: April 5, 2011
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
Board of Directors, Flood Control and Water Conservation District

FROM: Department Scott D. McGolpin, Director Public Works: 568-3010
Director(s)
Contact Info: Jonathan S. Frye, Deputy Public Works Director, Interim 568-3440

**SUBJECT: Quitclaim of County/ Flood Control Easement on APN 004-003-003
First Supervisorial District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Approve and authorize the Chair to execute the Quitclaim Deed Agreement releasing the County's easement interest in a portion of Assessor Parcel number 004-003-003; and
- B. Find that the proposed Quitclaim execution is exempt under California Environmental Quality Act (CEQA) guidelines, Section 15301, pertaining to the minor alterations of existing facilities. Direct staff to file the Notice of Exemption with the Clerk of the Board.

Summary Text:

If executed and recorded the Quitclaim will release the County and the Flood Control District interest in an easement burdening a portion of 4385 Foothill Road in Carpinteria (APN 004-003-003). This action is being taken in response to the land owner's request and in compliance with language in the Grant Deed which created the subject easement. The approximate shape and location of the easement is shown on the exhibit attached to the Quitclaim.

Background:

The subject easement was granted to the County and the Flood Control District in 1967 for use in the construction and maintenance of the Santa Monica Creek flood control channel via a Grant Deed recorded in Book 2198, Pages 739-745. The Grant Deed contains language requiring the County and the District to quitclaim the easement in the event those agencies are no longer using the easement. Flood

Control representatives visited the site and acknowledge that the subject easement area has not been used by the County for many years. Thus Flood Control has agreed to process the requested Quitclaim.

On March 2, 2011, the Planning Commission determined that the proposed Quitclaim is in conformity with the County's adopted General Plan. The proposed Quitclaim is in conformity with applicable CEQA guidelines. Real Property published a notice of intent to inform the public of the date of this proposed Board action.

Performance Measure:

NA

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative: Staff time needed to process the Quitclaim was paid for by the applicant.

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

Clerk of the Board, please distribute as follows:

- | | | |
|----|--------------------------|--------------------------------------|
| 1. | Original Quitclaim | Public Works, Attn: Jeff Havlik |
| 2. | Copy of the Quitclaim | Clerk of the Board |
| 3. | Copy of the stamped CEQA | Public Works, Attn: Jeff Havlik |
| 4. | Minute Order | Flood Control, Attn: Christina Lopez |
| 5. | Minute Order | Public Works, Attn: Jeff Havlik |

NOTE: After execution by the Board, Real Property will deliver the original, executed Quitclaim Deed Agreement for recordation. After recordation the original document will be delivered to the Clerk of the Board; Public Works will deliver scanned copies of the fully executed and recorded Quitclaim to all interested parties, and retain a hard copy for its files.

Attachments:

Quitclaim Deed Agreement

CEQA: Notice of Exemption

Authored by:

J. Jeffery Havlik, Real Property Agent, Public Works - Surveyors Division, 568-3073

cc: