

ATTACHMENT 1

Resolution Declaring Certain Real Property as Surplus

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

Resolution No. _____

Determination that Real Property Assessor's) **RESOLUTION DECLARING CERTAIN**
Parcel Number 090-341-051 is Not Needed) **REAL PROPERTY AS SURPLUS**
For Flood Control Purposes)

WHEREAS, the Santa Barbara County Flood Control and Water Conservation District (hereinafter "District") is the fee owner of that certain real property located at the terminus of North Preisker Lane in the City of Santa Maria, County of San Luis Obispo, State of California, known as San Luis Obispo County Assessor's Parcel Number 090-341-051 and legally described on page 2 of the "Tax Deed to Purchaser of Tax-Defaulted Property" recorded on May 30, 2017 as Instrument Number 2017023238 of Official Records of the San Luis Obispo County Clerk-Recorder (hereinafter "Property"), attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, the City of Santa Maria (hereinafter "City") desires to acquire the Property in order to integrate more land into the City's trail system along the Santa Maria River Levee; and

WHEREAS, in accordance with California Water Code Appendix Section 74-32, this Board may determine by resolution that any real property held by District is no longer necessary to be retained for flood control purposes and may thereafter dispose of said property in the manner prescribed by law for such action; and

WHEREAS, the District has determined that the Property is not necessary for flood control purposes and the disposition of the Property would be in the best interests of the District and the general public because it will support the City of Santa Maria's project to increase public access to open space and recreation areas. Additionally, the District will be relieved of further liability and costs associated with the continued ownership and maintenance of the Property.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to California Water Code Appendix Section 74-32, the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District, does hereby find, determine and order as follows:

1. The above recitals are true and correct.
2. The Board of Directors hereby finds that the Property is not necessary for flood control purposes and declares it surplus real property.

PASSED AND ADOPTED at a regular meeting by the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District, County of Santa Barbara, State of California, held on this _____ of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

SANTA BARBARA COUNTY
FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
EX OFFICIO CLERK OF THE BOARD
OF DIRECTORS OF THE SANTA
BARBARA COUNTY FLOOD CONTROL
& WATER CONSERVATION DISTRICT

Bob Nelson, Chair
Board of Directors

By: _____
Deputy

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

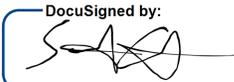
By:  _____
D0A627A89DD64A5
Scott Greenwood
Deputy County Counsel

EXHIBIT "A"

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

JAMES P. ERB
TAX COLLECTOR

Send Tax Statements To:
Santa Barbara County Flood Control
and Water Conservation District
130 E. Victoria St., Ste 200
Santa Barbara, CA 93101

2017023238

Tommy Gong
San Luis Obispo - County Clerk-Recorder
05/30/2017 11:32 AM

Recorded at the request of:
TAX COLLECTOR ACCOUNTS REC

Titles: 1 Pages: 2

Fees: \$17.00
Taxes: \$0.55
Total: \$17.55



Doc. Tran. Tax - computed on full value of property conveyed \$ 0.55

James P Erb
Signature of Declarant

TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY

On which the legally levied taxes were a lien for Fiscal Year
and for nonpayment were duly declared to be in default.

2002/03

A7315

Default Number

This deed, between the Tax Collector of San Luis Obispo County ("SELLER") and Santa Barbara County Flood Control and Water Conservation District ("PURCHASER"), conveys to the PURCHASER free of all encumbrances of any kind existing before the sale, except those referred to in §3712 of the Revenue and Taxation Code, the real property described herein which the SELLER sold to the PURCHASER at Sealed Bid on May 18, 2017 pursuant to a statutory power of sale in accordance with the provisions of Division 1, Part 6, Chapter 7, Revenue and Taxation Code, for the sum of \$500.00.

No taxing agency objected to the sale.

In accordance with law, the SELLER hereby grants to the PURCHASER that real property situated in said county, State of California, last assessed to JOHNSON PROPERTIES A CA GEN PTP described as follows:

090,341,051

Assessor's Parcel Number

See Attachment A.

Executed on May 30, 2017

By *James P Erb*
Tax Collector

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
San Luis Obispo County

TAREY JO BLANDFORD

On May 30, 2017, before me, _____, Deputy County Clerk-Recorder, County of San Luis Obispo, State of California, personally appeared James P. Erb, CPA, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Tommy Gong
County Clerk - Recorder



By *Tarey Blandford*
Deputy Clerk - Recorder

ATTACHMENT A

ASSESSMENT NO. 090,341,051

The following described real property in the County of San Luis Obispo, State of California:

That portion of Lot 1 of the Southwest Quarter of the Southwest Quarter of Section 35, Township 11 North, Range 34 West, San Bernardino Base and Meridian, in the County of San Luis Obispo, State of California, according to the official plat of the survey of said lands filed in the general land office by the surveyor general, bound on the north by the southerly levee line of the land taken by the County of Santa Barbara County Flood Control and Water Conservation District by Order recorded in Book 1265 at page 441 of Official Records; and bounded on the east by the westerly line of the new Highway 101, as taken by Final Decree recorded in Book 1070 at page 372 and in book 1080 at page 150 of Official Records; and bounded on the west by the easterly line of the old Highway 101, according to the deed recorded in Book 184 at page 226 of Official Records; and bounded southerly by property owned by the Filipino Community of Santa Maria Valley and Vicinity, Inc., consisting of approximately ten acres and more specifically described as follows:

Those portion of Lots 1 and 2 and the Southwest Quarter of the Southwest Quarter of Section 35, Township 11 North, Range 34 West, San Bernardino Meridian, in the counties of San Luis Obispo and Santa Barbara, State of California, according to the official plat thereof, filed in the District Land Office May 1, 1884.

EXCEPTING therefrom those portions lying easterly of the westerly line of the tract of land described as Parcel Two in Final Order Condemnation entered June 21, 1960 in action entitled "The People of the State of California, etc., plaintiff, vs. Theodore Holcomb, et al., defendants" Santa Barbara County Superior Court, Case No. 57258, a certified copy of said final judgement being recorded June 21, 1960 in Book 1080 at page 150 of Official Records of San Luis Obispo County.

ALSO EXCEPTING therefrom those portions lying northerly of the southerly line of the tract of land described as Parcels No. 200, 200.1 and 200.2 in Final Order of Condemnation in an action entitled "County of Santa Barbara, etc., plaintiff, vs. Phoebe J. Davis, et al., defendants."

ALSO EXCEPTING therefrom the southerly three acres specifically described as follows:

Beginning at the 2" brass capped monument stamped L.S. 2793 set at the corner common to Sections 34, 35, 3 and 2 as shown on Record of Survey filed in Book 80 at page 54 in the Office of the County Recorder of said county and state; thence northerly along the easterly line North Broadway, 159.00 feet, more or less, to a point; thence easterly 808.00 feet, more or less to a point in the west line of State Highway 101; thence southeasterly along the westerly line of said highway, 161.50 feet, more or less, to a point in the southerly line of Section 35; thence westerly along said line, 835.82 feet to the true point of beginning.

ALSO EXCEPTING therefrom any portion of said land lying south of the San Luis Obispo/Santa Barbara county line.

Together with any covenants, easements, rights-of-way or other interests appurtenant thereto and subject to any easements, rights-of-way, mineral or water rights, reservations, covenants, conditions or restrictions or other interests of record that may burden said property as provided in Revenue and Taxation Code section 3712.

END OF DOCUMENT