

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



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

Agenda Number:
Prepared on: 1/26/04
Department Name: Parks
Department No.: 052
Agenda Date: 2/10/04
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Terri Maus-Nisich
Director of Parks

STAFF CONTACT: Claude Garciacelay, Park Planner
568-2469

SUBJECT: Execute various Grants of Easements and Quitclaims for Riding and Hiking Trails affecting three lots and separate owners of recorded TM 14,239 at Oak Creek Canyon development to re-align certain trail easement locations; Montecito Area, First Supervisorial District

Recommendation(s):

That the Board of Supervisors:

- a) Quitclaim and accept easements in the document Termination and Cancellation of Easements and Quitclaim and Grant of Easements from William T. Esrey and Julie C. Esrey, owners of lot 7 of Tract 14,239, and authorize the Clerk of the Board to endorse thereon the Board's quitclaim and acceptance; and
- b) Accept the Grant of Easement for Riding and Hiking Trail Purposes from Lot 9 Ventures, LLC, owners of lot 9 of Tract 14,239, and authorize the Clerk of the Board to endorse thereon the Board's acceptance; and
- c) Quitclaim to Oak Creek Canyon LLC, a portion of the easement for Riding and Hiking Trail on lot 5 of Tract 14,239, and authorize the Clerk of the Board to endorse thereon the Board's quitclaim.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 1. An efficient Government Able to Respond Effectively to the Needs of the Community.

Executive Summary and Discussion:

In conformance with the Parks Recreation and Trails Map of the Montecito Community Plan, the recordation of approved Tract 14,239 Oak Creek Canyon, dedicated to the County various trail easements on the property. The subsequent installation of tract improvements by the developer necessitated certain changes

Execute various Grants of Easements and Quitclaims for Riding and Hiking Trails affecting three lots and separate owners of recorded TM 14,239 at Oak Creek Canyon development to re-align certain trail easement locations; Montecito Area, First Supervisorial District
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that had an effect on the viability and location of the future trail and also required the developer to file for a recorded map modification to redefine certain aspects of the original map. The installation of the main drive as part of the tract improvements required an alteration to the entry driveway on lot 7, and the driveway alteration directly impacted the potential future use of the trail easement dedicated through the original map process. Because of the steep terrain of lot 7 and the impacts of tract improvements, Parks conditioned the map modification to install the section of trail on lot 7 to prove its viability. The re-alignment on lot 7 required alterations of trail easements on adjacent lots 5 and 9, and those changes are reflected in the recommended actions above.

The segment of built trail on lot 7 will at this time provide access for the residents of Oak Creek Canyon to the existing McMenemy Trail. Once additional trail easements are secured south of Tract 14.239, the trail segment on lot 7 will be a part of a longer trail that would begin at Mountain Drive. The actions requested of the Board, therefore is the quitclaim of the original trail easement on lot 7 and the dedication of easement in the location of the newly built trail; the quitclaim of a segment of trail easement previously dedicated to the County, but no longer necessary due to the re-aligned segment on lot 7; and the dedication of additional trail easement on lot 9 necessitated by the re-aligned segment on lot 7 so as to have a continuous north-south public trail easement through the Oak Creek Canyon subdivision.

Mandates and Service Levels:

Minimal impacts to service levels, see discussion under Fiscal and Facilities Impacts.

Fiscal and Facilities Impacts:

On-going maintenance on the built portion of the trail will be provided through the volunteer efforts of the Montecito Trails Foundation (MTF). Parks will provide technical assistance and maintenance, as necessary from time to time, to assist the efforts of MTF.

Special Instructions:

Direct the Clerk of the Board to endorse thereon the Board's action on the documents presented. Once the documents are recorded, please distribute copies as follows:

Provide a copy of the minute order and recorded documents to County Parks, Attn: Claude Garciacelay

Provide a copy of the minute order and recorded documents to:
Steven K. McGuire, Esq., Allen & Kimball, LLC, 317 E. Carrillo St., Santa Barbara CA 93101

Concurrence:

County Counsel