



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 15, 2008
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District
FROM: Department Scott McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436
SUBJECT: **Accept Easements from Owners of APNs 139-540-023 and 139-250-036 to allow Flood Control Access to Alamo Pintado Creek. Third Supervisorial District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

Recommended Actions:

- A) Accept an Easement Deed from Old Mill Road LLC, owner of Santa Barbara County Assessor parcel number 139-540-023 by authorizing the Clerk of the Board of Directors to sign the Certificate of Acceptance attached to the Easement Deed; and
- B) Accept an Easement Deed from the Santa Barbara Trust for Historic Preservation, owner of Santa Barbara County Assessor parcel number 139-250-036 by authorizing the Clerk of the Board of Directors to sign the Certificate of Acceptance attached to the Easement Deed.

Summary Text:

The easement from Old Mill Road LLC (A.P.N. 139-540-023) will grant to Flood Control the right to access the portion of Alamo Pintado Creek located thereon for flood control purposes.

The easement from the Santa Barbara Trust for Historic Preservation (herein the "Trust") is for ingress and egress only, and will grant to Flood Control the right to cross A.P.N. 139-250-036 to gain access to Alamo Pintado Creek as needed.

Background:

Old Mill Estates LLC is in the final stages of obtaining permits to construct homes on a portion of A.P.N. 139-540-023. As a condition of that construction Old Mill Estates has agreed to grant access to the portion of Alamo Pintado Creek on their land and worked with their neighbors (the Trust) to obtain

an easement across the land owned by the Trust to provide Flood Control with all weather access to the subject portion of Alamo Pintado Creek.

The acceptance of the subject easements by the Santa Barbara County Flood Control & Water Conservation District was addressed in the approved development plans and in the CEQA study performed for the housing project. The County's acceptance of the easements was found to be in compliance with the applicable General Plan and to be in conformance with CEQA.

Performance Measure:

Not Applicable.

Fiscal and Facilities Impacts: Budgeted: No

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative: County staff time needed to bring the Easements to your Board was paid for by Old Mill Road LLC.

Staffing Impacts: None

Legal Positions:

FTEs:

Special Instructions:

After Board of Directors action, distribute as follows:

- 1. Original Documents Public Works: Surveyor, Attn: Jeff Havlik
- 2. Copies Clerk of the Board
- 3. Minute Order Public Works: Jeff Havlik & Christina Lopez

Note to Clerk of the Board: Real Property will deliver the original Easement Deeds to the Santa Barbara County Recorder's office. After recordation the original recorded documents will be filed with the Clerk of the Board. Scanned copies will be sent to the Grantors and copies will be retained by Public Works: Flood Control and Real Property Divisions.

Attachments: Two Easement Deeds with Exhibits.

Authored by:

J. Jeffery Havlik
Senior Right-of-Way Agent
568-3073

cc:

Maureen Spencer;
Santa Barbara County Flood Control & Water Conservation District