

ATTACHMENT 1

Resolution and Summary Order to Vacate Flood Control Easement

Recording requested by and)
to be returned to:)
SANTA BARBARA COUNTY)
General Services Department)
Real Estate Services Division)
1105 Santa Barbara Street, 2nd Floor)
Santa Barbara, CA 93101)
WILL CALL)
))
COUNTY OF SANTA BARBARA)
OFFICIAL BUSINESS)

No Recordation Fee Pursuant to
California Government Code §6103

SPACE ABOVE THIS LINE FOR RECORDER'S USE
APN: 029-240-010 (portion)
RES File No. 003830

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

IN THE MATTER OF THE SUMMARY)
VACATION OF A FLOOD CONTROL)
EASEMENT)

RESOLUTION NO. _____

CAL. WATER CODE APPENDIX §74-32;
CAL. STREETS AND HIGHWAYS CODE
§8333(c)

**FINDINGS AND SUMMARY ORDER TO VACATE
A FLOOD CONTROL EASEMENT**

WHEREAS, the SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (hereinafter "FLOOD CONTROL DISTRICT") is the holder and owner of the easement rights described as: i) Parcel 1.1 in the Easement Deed (Permanent Easement) granted to the Santa Barbara County Flood Control and Water Conservation District, its successors and assigns, in the document recorded June 27, 1983 as Instrument No. 1983-0032633 of Official Records of said County, more particularly described in Exhibit A-1 and depicted in Exhibit B-1, attached hereto (hereinafter, the "AREA 1 FLOOD CONTROL EASEMENT"); and ii) Parcel 1.2 in the Easement Deed (Permanent Easement) granted the Santa Barbara County Flood Control and Water Conservation District, its successors and assigns, in the document recorded June 27, 1983 as Instrument No. 1983-0032633 of Official Records of said County, more particularly described in Exhibit A-2 and depicted in Exhibit B-2, attached hereto (hereinafter, the "AREA 2 FLOOD CONTROL EASEMENT"); and

WHEREAS, the SANTA BARBARA HIGH SCHOOL DISTRICT, a political subdivision of the State of California, (hereinafter, "SCHOOL DISTRICT") is the owner in fee of the contiguous real

properties commonly known as, and referred together as, Santa Barbara High School, located at 700 East Anapamu Street, and shown as Santa Barbara County APN 029-180-009, APN 029-240-003, and APN 029-240-010; and

WHEREAS, the AREA 1 FLOOD CONTROL EASEMENT and AREA 2 FLOOD CONTROL EASEMENT are portions of Santa Barbara County APN 029-240-010; and

WHEREAS, in 2019 the SCHOOL DISTRICT completed its Santa Barbara High School Storm Drain Project which involved the removal, relocation, and replacement of its storm drain from within AREA 1 FLOOD CONTROL EASEMENT and AREA 2 FLOOD CONTROL EASEMENT (hereinafter, "PROJECT"); and

WHEREAS, in accordance with Section 74-32 of the California Water Code Appendix, the FLOOD CONTROL DISTRICT may dispose of property in the manner prescribed by law for such action by counties if the FLOOD CONTROL DISTRICT's Board of Directors determines by resolution that the easement is no longer necessary to be retained for flood control uses and purposes; and

WHEREAS, in accordance with California Streets and Highways Code Section 8333(c), the FLOOD CONTROL DISTRICT may summarily vacate public service easements that have been determined to be excess; and

WHEREAS, as a result of the PROJECT, the FLOOD CONTROL DISTRICT has determined the AREA 1 FLOOD CONTROL EASEMENT and AREA 2 FLOOD CONTROL EASEMENT are no longer necessary to be retained for flood control uses and purposes and has no public utility service facilities that would be affected by this summary vacation;

WHEREAS, it is in interest and benefit of the SCHOOL DISTRICT that clear title to the AREA 1 FLOOD CONTROL EASEMENT and AREA 2 FLOOD CONTROL EASEMENT be vested in the SCHOOL DISTRICT;

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the FLOOD CONTROL DISTRICT does hereby find, determine and order as follows:

1. That the above recitals are true and correct.
2. In accordance with Section 74-32 of the California Water Code Appendix, the AREA 1 FLOOD CONTROL EASEMENT and AREA 2 FLOOD CONTROL EASEMENT are no longer necessary to be retained for the uses and purposes of the FLOOD CONTROL DISTRICT, are determined to be excess, and contain no public utility service facilities that would be affected by this summary vacation.
3. The AREA 1 FLOOD CONTROL EASEMENT and AREA 2 FLOOD CONTROL EASEMENT are hereby summarily vacated pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways code of the State of California.
4. That this Resolution, attested to by the Clerk of the Board under the seal of the Board, shall be recorded in the Office of the County Recorder in the County of Santa Barbara,

State of California, and that the date of recording shall become the effective date of this Summary Order to Vacate.

5. From and after the date that this Resolution is recorded, the AREA 1 FLOOD CONTROL EASEMENT and AREA 2 FLOOD CONTROL EASEMENT shall no longer constitute a public service easement.

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PASSED AND ADOPTED by the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District, a dependent special district of the County of Santa Barbara, this _____ day of _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

SANTA BARBARA COUNTY
FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

ATTEST:
MONA MIYASATO
CLERK OF THE BOARD
Ex Officio Clerk of the Santa Barbara County
Flood Control and Water Conservation District

BOB NELSON, CHAIR
BOARD OF DIRECTORS

By: _____
Sheila de la Guerra
Deputy

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

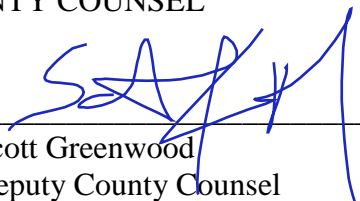
By:  _____
Scott Greenwood
Deputy County Counsel

EXHIBIT "A-1"

LEGAL DESCRIPTION

That portion of Santa Barbara City Blocks 151, 152, and 136 as conveyed to Santa Barbara High School District of Santa Barbara County by deed recorded August 5, 1922 in Book 207, Page 418, and Deed recorded August 5, 1922 in Book 189 Page 396, Deeds as recorded in the Office of the County Recorder of Santa Barbara County, described as follows:

Said portion being a portion of that certain land described as Parcel 1.1 in the Easement Deed (Permanent Easement) granted to the Santa Barbara County Flood Control and Water Conservation District, its successors and assigns, in the document recorded June 27, 1983 as Instrument No. 1983-0032633 of Official Records of said County, more particularly described as follows:

Being a strip of land ten (10.00) feet wide lying five (5.00) feet on each side of the centerline described as follows:

COMMENCING at the intersection of the northwesterly right of way line of Canon Perdido Street (60.00 feet wide) and the southwesterly right of way line of Nopal Street (60.00 feet wide); thence along said northwesterly right of way line of Canon Perdido Street, South 41°30'00" West a distance of 691.47 feet to the beginning of the centerline of said Parcel 1.1 being an easement ten (10.00) feet wide; thence leaving said right of way line, North 89°01'43" West a distance of 630.41 feet to a point on a part of said centerline, said point being on a non-tangent curve concave northeasterly having a radius of 45.00 feet, a radial line to said point bears South 38°03'37" West from the radial center, said point being the **TRUE POINT OF BEGINNING**, thence along said centerline the following;

- 1) From said **TRUE POINT OF BEGINNING**, along the arc of said non-tangent curve northwesterly, an arc length of 6.00 feet through a central angle of 07°38'22", thence;
- 2) North 44°18'15" West a distance of 141.75 feet, to the beginning of a curve concave southwesterly having a radius of 45.00 feet, thence;
- 3) Along the arc of said curve northwesterly, an arc length of 23.56 feet thru a central angle of 30°00'00", thence;
- 4) North 14°18'15" West a distance of 51.42 feet to a tangent curve concave southwesterly having a radius of 45.00 feet, thence;
- 5) Along the arc of said curve northwesterly, an arc length of 12.96 feet thru a central angle of 16°30'04", thence;
- 6) North 30°48'15" West a distance of 54.55 feet to the end of said centerline.

Containing 2902.38 square feet, more or less.

(The land hereinabove described is graphically shown on Exhibit "B-1", being 1 sheet, attached hereto and made a part hereof)

This legal description was prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyors' Act.

E. Tenell Matlovsky

E. Tenell Matlovsky PLS 8629



08/31/2021

Date

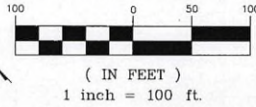
COURSE TABLE

- 1) R=45.00', Δ=07°38'22", L=6.00'
- 2) N 44°18'15" W, 141.75'
- 3) R=45.00', Δ=30°00'00", L=23.56'
- 4) N 14°18'15" W, 51.42'
- 5) R=45.00', Δ=16°30'04", L=12.96'
- 6) N 30°48'15" W, 54.55'

▨ DESCRIBED AREA = 2902.38± Sq.Ft.

THE LAND DELINEATED HEREON IS DESCRIBED ON EXHIBIT "A-1", BEING 1 SHEET, ATTACHED HERETO AND MADE A PART HEREOF.

GRAPHIC SCALE



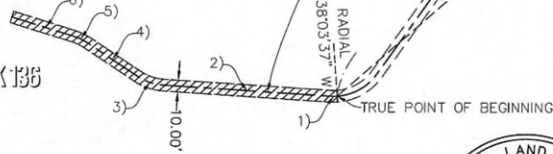
PORTION OF
APN: 029-240-010
SANTA BARBARA HIGH SCHOOL

CENTERLINE OF 10' WIDE FLOOD CONTROL EASEMENT
PARCEL 1.1 PER INSTRUMENT 1983-0032633
OFFICIAL RECORD, RECORDED JUNE 27, 1983

BLOCK 136

BLOCK 151

BLOCK 152



60' NOPAL STREET

POINT OF COMMENCEMENT
S 41°30'00" W, 691.47'

60'

CANNON PERDIDO STREET

SALISUPEDES STREET

THIS DRAWING WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.

E. Tenell Matlovsky
E. TENELL MATLOVSKY

08/31/2021
DATE



COUNTY OF SANTA BARBARA DEPARTMENT OF PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "B-1"

SANTA BARBARA COUNTY, CALIFORNIA
JUNE 2021

LD0027

SHEET 1 OF 1

EXHIBIT "A-2"
LEGAL DESCRIPTION

A portion of Santa Barbara City Blocks 119 as conveyed to Santa Barbara High School District of Santa Barbara County by deed recorded August 5, 1922 in Book 189, Page 396, Deed as recorded in the Office of the County Recorder of Santa Barbara County, described as follows:

Said portion being that certain land described as Parcel 1.2 in the Easement Deed (Permanent Easement) granted to the Santa Barbara County Flood Control and Water Conservation District, its successors and assigns, in the document recorded June 27, 1983 as Instrument No. 1983-0032633 of Official Records of said County, more particularly described as follows:

Being a strip of land eighteen (18.00) feet wide by twenty (20.00) feet long described as follows:

COMMENCING at the most westerly corner of Santa Barbara City Block 118, being a point on the southeasterly line of Anapamu Street; thence South 31°54'16" East a distance of 172.73 feet to **TRUE POINT OF BEGINNING**; thence

- 1) South 48°30'00" East a distance of 18.00 feet; thence
- 2) South 41°30'00" West a distance of 20.00 feet; thence
- 3) North 48°30'00" West a distance of 18.00 feet; thence
- 4) North 41°30'00" East a distance of 20.00 feet to the **TRUE POINT OF BEGINNING**.

Containing 360.00 square feet, more or less.

(The land hereinabove described is graphically shown on Exhibit "B-2", being 1 sheet, attached hereto and made a part hereof)

This legal description was prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyors' Act.

E. Teñell Matlovsky

E. Teñell Matlovsky PLS 8629



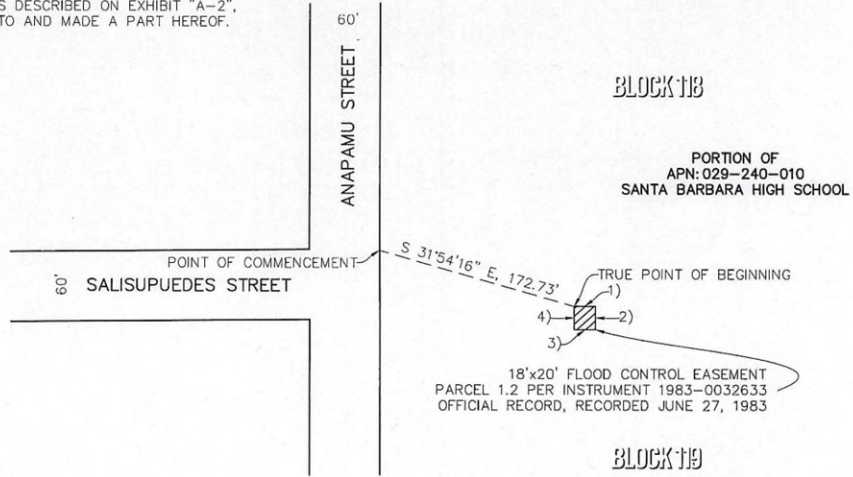
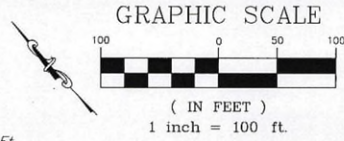
08/31/2021

Date

- COURSE TABLE**
- 1) S 48°30'00" W, 18.00'
 - 2) S 41°30'00" W, 20.00'
 - 3) N 48°30'00" W, 18.00'
 - 4) N 41°30'00" W, 20.00'

▨ DESCRIBED AREA = 360.00± Sq.Ft.

THE LAND DELINEATED HEREON IS DESCRIBED ON EXHIBIT "A-2", BEING 1 SHEET, ATTACHED HERETO AND MADE A PART HEREOF.



BLOCK 118

PORTION OF
APN: 029-240-010
SANTA BARBARA HIGH SCHOOL

BLOCK 119

THIS DRAWING WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.

E. Tenell Matlovsky 08/31/2021
E. TENELL MATLOVSKY DATE



COUNTY OF SANTA BARBARA DEPARTMENT OF PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "B-2"

SANTA BARBARA COUNTY, CALIFORNIA
JUNE 2021

LD0027

SHEET 1 OF 1