

Recording requested by and)
to be returned to:)
SANTA BARBARA COUNTY)
GENERAL SERVICES DEPARTMENT)
REAL PROPERTY DIVISION)
WILL CALL)

NO FEE PER GOVERNMENT CODE § 6103

APN: 143-341-007

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF THE PROPOSED)
VACATION OF A PORTION OF A)
COUNTY ROAD)

RESOLUTION NO. 20-90
STREETS AND HIGHWAYS CODE
SECTION 8320

**SUMMARY ORDER TO VACATE
A COUNTY ROAD
(WITH RESERVATION OF EASEMENT FOR
PUBLIC UTILITIES)**

**PORTION OF CAMINO ARROYO ROAD
IN THE TOWN OF SANTA YNEZ, CA**

WHEREAS, the County of Santa Barbara (hereinafter "COUNTY") is the owner of that certain road property in the unincorporated area of the County of Santa Barbara, State of California, known as Camino Arroyo Road in the Town of Santa Ynez (the "Road"), which Road was acquired in fee interest by COUNTY pursuant to that certain dedication recorded in Maps and Surveys Book 1, Page 41; and

WHEREAS, the segment of Camino Arroyo proposed for vacation (herein the "Portion") is located adjacent to County Assessor's Parcel Number 143-341-007 (herein the "Property") and is legally described and shown on Exhibits "A" and "B" attached hereto and incorporated herein by this reference; and

WHEREAS, on December 9, 2013, the owners of the Property submitted an application to the COUNTY to vacate the Portion; and

WHEREAS, the proposed right-of-way vacation would vacate the Portion of COUNTY road right-of-way and sell the COUNTY's fee simple interest in the Portion; and

WHEREAS, at its regular meeting of July 30, 2014, the COUNTY'S Planning Commission found the abandonment of the COUNTY'S right-of-way to be in conformity with the COUNTY'S Comprehensive Plan pursuant to Government Code Section 65402(a); and

WHEREAS, it has been determined by COUNTY'S Public Works Department that, in accordance with Section 892(a) of the California Streets and Highways Code, the Portion is not useful as a nonmotorized transportation facility; and

WHEREAS, it has been determined by the COUNTY'S Public Works Department that the Portion is unnecessary for present or future public use as a county road and is no longer required by the traveling public or the COUNTY; and

WHEREAS, no parcels will be landlocked if the vacation of the Portion is consummated; and

WHEREAS, in accordance with Section 8340(c) of the California Streets and Highways Code, the COUNTY is required to reserve and except from the vacation of the Portion an easement and right necessary to maintain, operate, replace, remove, or renew any in-place public utility facilities that are in use; and

WHEREAS, Pacific Gas & Electric Company, Santa Ynez River Water Conservation District 1, Santa Ynez Community Services District, Frontier Communications, and Comcast Communications have in-place and in-use public utilities in the Portion, an easement for which shall be reserved and excepted from the vacation of the Portion ("Utility Easements"); and

WHEREAS, in accordance with California Streets and Highways Code Section 8334.5, a street may be summarily vacated unless there are any in-place public utility facilities that are in use and would be affected by the vacation; and

WHEREAS, COUNTY has contacted all public utility companies operating in the Town of Santa Ynez and, by reserving easements for their in-place and in-use facilities, ensured that such public utility facilities would not require relocation or be affected in any way by the vacation of the Portion; and

WHEREAS, the General Services Department shall record this Summary Order to Vacate upon final approval by the Board of Supervisors of COUNTY.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of COUNTY does hereby find, determine and order as follows:

1. That the above recitals are true and correct.
2. The Portion being vacated is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility, and is excess right of way of a street or highway not required for street or highway purposes.
3. That the Portion, consisting of a part of Camino Arroyo Road, legally described on Exhibit A and shown on Exhibit B attached hereto and incorporated herein by this reference, is hereby summarily vacated as a County road pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways Code of the State of California.
4. That in accordance with Section 8340(c) of the California Streets and Highways Code, an easement and right necessary to maintain, operate, replace, remove, repair, or renew any in-place public utility facilities that are in use by **Pacific Gas & Electric Company, Santa Ynez River Water Conservation District 1, Santa Ynez Community Services District, Frontier Communications, and Comcast Communications**, is hereby reserved and excepted from the vacation of the Portion, in the area of such in-place and in-use public utility facilities.
5. That the vacation of the Portion is contingent upon, and shall not be final, until the COUNTY has accepted and recorded, said Summary Order to Vacate.
6. Upon recordation of this Summary Order to Vacate, the Portion vacated that constitutes said street, highway, or public service easements shall no longer constitute a street, highway, or public service easements.
7. 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.

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PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 2nd day of June, by the following vote:

AYES: Supervisors Williams, Hart, Hartmann, Adam and Lavagnino

NOES: NONE

ABSENT: NONE


ABSTAINED: NONE

COUNTY OF SANTA BARBARA

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

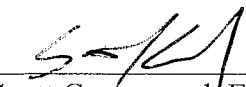


GREGG HART, CHAIR
BOARD OF SUPERVISORS

By: 

Deputy

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: 

Scott Greenwood, Esq.,
Deputy County Counsel

Exhibit "A"
LEGAL DESCRIPTION
Abandonment

The North one half of Camino Arroyo as shown on Tract Map No. 10,210, Unit Two as recorded in Book 58, Pages 75 thru 87 of Maps in the Office of the County Recorder, lying in the County of Santa Barbara, State of California, bounded on the West by the East line of Cuesta Street, as shown on Parcel Map No. 14,603 as recorded in Book 56, Pages 29 thru 31 of Parcel Maps in said County Recorder's Office, and said East line of Cuesta Street's Southerly prolongation to the centerline of said Camino Arroyo and bounded on the East by the Southerly prolongation of the East line of Parcel 2 of said Parcel Map, said Southerly prolongation of said East line of said Parcel 2 to be at right angles to said centerline of said Camino Arroyo

This legal description was prepared by Blake Land Surveys



EXHIBIT "B"

PINE STREET

Area of Abandonment

(not to scale)

