

**ATTACHMENT 2**

**Resolution and Summary Order  
of the  
Board of Directors  
to  
Vacate a Flood Control Easement**

Recording request by and  
when recorded, mail to:  
County of Santa Barbara  
General Services Department  
Real Property Division  
1105 Santa Barbara St. 2<sup>nd</sup> Floor  
Santa Barbara, CA 93101  
Will Call

**COUNTY OF SANTA BARBARA  
OFFICIAL BUSINESS**

No fee pursuant to Government Code § 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE  
A.P.N. 077-020-034 (portion)  
General Service #003867

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

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

RESOLUTION NO. \_\_\_\_\_

CAL. WATER CODE APPENDIX §74-32;  
CAL. STREETS AND HIGHWAYS  
CODE §8335

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

**(EASEMENT FOR FLOOD CONTROL PURPOSES)**

**WHEREAS**, the Santa Barbara County Flood Control and Water Conservation District (hereinafter "DISTRICT") is a holder and owner of the easement rights identified as that certain portion of easement and right of way to enter upon a portion of the property legally described in the deed recorded July 20, 1964 as Instrument Number 31043 in Book 2061, Pages 18 & 19 of Official Records of the County of Santa Barbara (the "Flood Control Easement"); and

**WHEREAS**, in accordance with Section 74-32 of the California Water Code Appendix, the District may dispose of property in the manner prescribed by law for such action by counties if the District 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(a), the District may summarily vacate public service easements that have not been used for the purpose for

which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Directors of the DISTRICT do 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 Flood Control Easement is no longer necessary to be retained for the uses and purposes of the DISTRICT.
3. In accordance with California Streets and Highways Code Sections 8333 and 8335, the Flood Control Easement is determined to be excess and has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding this Resolution.
4. The Flood Control Easement is hereby summarily vacated pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways code of the State of California.
5. 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 Order to Vacate.
6. From and after the date that this Resolution is recorded, the 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 \_\_\_\_\_, 2022 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

“DISTRICT”

CSANTA BARBARA COUNTY FLOOD  
CONTROL  
& WATER CONSERVATION DISTRICT

**ATTEST:**

MONA MIYASATO  
Ex Officio CLERK OF THE BOARD  
OF SANTA BARBARA COUNTY  
FLOOD CONTROL & WATER  
CONSERVATION DISTRICT

\_\_\_\_\_  
JOAN HARTMANN, CHAIR  
BOARD OF DIRECTORS

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
DEPUTY CLERK

**APPROVED AS TO FORM:**

RACHEL VAN MULLEM

DocuSigned by:

By: Johanna L. Hartley

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JOHANNA HARTLEY

SENIOR DEPUTY COUNTY COUNSEL