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COUNTY OF SANTA BARBARA
OFFICIAL BUSINESS

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

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

In the Matter of the Vacation of a Portion)
of Railway Avenue, Santa Barbara Avenue)
and an unnamed Alley, all in the Township)
of Los Olivos; Third Supervisorial District)

RESOLUTION NO. _____

STREETS AND HIGHWAYS
CODE SECTIONS 8330 et seq.

**ORDER TO VACATE PORTIONS OF RAILWAY AVENUE, SANTA BARBARA
AVENUE AND AN UNNAMED ALLEY, IN THE TOWNSHIP OF LOS OLIVOS**

WITH RESERVATIONS AND EXCEPTIONS AS DETAILED HEREIN.

WHEREAS, the County of Santa Barbara (herein "COUNTY") is the holder of the right-of-way commonly identified as Railway Avenue, Santa Barbara Avenue and an unnamed alley all in the township of Los Olivos in the unincorporated area of the County of Santa Barbara, State of California. The referenced right-of-way (herein the "Vacation Area") is shown on the Map of the Town of Los Olivos, filed in the Santa Barbara County Recorder's Office on February 8, 1888 in Rack 3, Map 6; and

WHEREAS, the Vacation Area is located in and around the grounds proposed for development as the "Inn at Mattei's Tavern" (the "Project") and the owners of the land burdened by the Vacation Area ("Owners") have requested the abandonment of the COUNTY's right of way on the Vacation Area; and

WHEREAS, the portion of the Vacation Area known as Railway Avenue which is located between Santa Barbara and Nojoqui Avenues (the "Railway Reservation Area") is currently paved and used by the public for ingress and egress to Highway 154 and the Township of Los Olivos. The Project would provide public vehicular and recreational access through the

Railway Reservation Area, described and shown on Attachment H attached hereto and incorporated herein; and

WHEREAS, the unnamed alley and the portion of Railway Avenue west of Santa Barbara Avenue have never been improved, Santa Barbara Avenue is partially improved with a substandard gravel travel way which is not generally used by the public, and the Owners have agreed to allow continued public use of the Railway Reservation Area. Thus the Vacation Area is unnecessary for present or prospective public use as a street in accordance with Section 8324 of the California Streets and Highways Code; and

WHEREAS, in accordance with Section 892(a) of the California Streets and Highways Code it has been determined that as long as public use of the Railway Reservation Area is allowed to continue, that area is not useful as a nonmotorized transportation facility; and

WHEREAS, in accordance with Section 8330(b) the vacation shall not “land lock” any parcels or terminate any public service easements; 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 the easements and rights necessary for utility providers to maintain, operate, replace, remove, or renew any in-place and in use public utility facilities; and

WHEREAS, in accordance with Section 8340(d) of the California Streets and Highways Code the County may reserve and except from the vacation an easement and right, at any time, or from time to time, to construct and maintain vehicular or non-vehicular public trails; and

WHEREAS, in accordance with Section 8341(a) of the California Streets and Highways Code, once the COUNTY makes a determination that the public convenience and necessity require reservations and exceptions from the vacation, such reservations and exceptions must be recited in the resolution of vacation.

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

1. That the above recitals are true and correct; and
2. That subject to the limiting conditions contained herein, the Vacation Area legally described and shown on Attachments A through E attached hereto and incorporated herein by this reference, is hereby vacated as County road right-of-way pursuant to relevant California Streets and Highways Code Sections; and
3. That in accordance with Section 8334.5 and 8340(c) of the California Streets and Highways Code, a permanent easement and right to maintain, operate, replace, remove and renew any in-place and in-use public utility facilities is hereby reserved and excepted from the vacation of the Vacation Area, and shall survive the vacation of the Vacation Area in perpetuity. It

is hereby acknowledged that the Santa Ynez River Water Conservation District ("ID 1") and the Southern California Gas Company ("SCG") have facilities in the Vacation Area. The approximate location of the ID 1 facilities are shown on Attachment F and the approximate location of the SCG facilities is described on Attachment G, both attached hereto and incorporated herein; and

4. That in accordance with Section 8340(d) of the California Streets and Highways Code, the COUNTY, its successors and assigns do hereby reserve the right to construct, maintain, operate, replace, remove, and renew the Railway Reservation Area as a vehicular or non-vehicular public trail if public access thereto is denied due to bankruptcy or other Project failure, or if such use is deemed to be in the best interests of the public. The Railway Reservation Area is described and shown on Attachment H attached hereto and incorporated herein; and
5. That the Vacation Area is hereby removed from the County's maintained road system.

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RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA
Re: Vacation of Railway Avenue, Santa Barbara Avenue and an Unnamed Alley in Los Olivos

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

COUNTY OF SANTA BARBARA

ATTEST:
CHANDRA L. WALLAR
CLERK OF THE BOARD

By: _____
Salud Carbajal
Chair, Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:
DENNIS A. MARSHALL
COUNTY COUNSEL

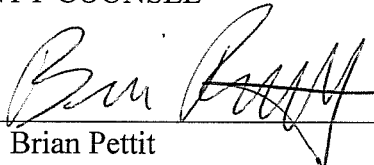
By:  _____
Brian Pettit
Deputy County Counsel

Exhibit A

APN 135-073-003 Santa Barbara Avenue and Railway Avenue Abandonment

Legal Description

Those portions of the land in the Town of Los Olivos, County of Santa Barbara, State of California, as shown on the map of the Town of Los Olivos filed in the office of the County Recorder of said County February 8, 1888 in Rack 3, Map 6, described as follows:

Parcel One

That portion of Railway Avenue, 60.00 feet wide, as shown on said map, bounded on the west by the northerly prolongation of the centerline of Santa Barbara Avenue, as shown on said map, and bounded on the east by the northerly prolongation of the easterly line of Block 6, as shown on said map.

Parcel Two

That portion of the easterly half of Santa Barbara Avenue, 60.00 feet wide, bounded on the north by the southerly line of said Railway Avenue, and bounded on the south by the westerly prolongation of the centerline of the private alley in Block 6, as shown on said map of the Town of Los Olivos.

Prepared by:


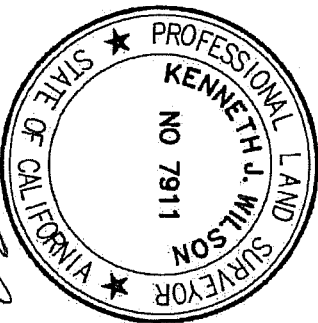
Kenneth J. Wilson
PLS 7911



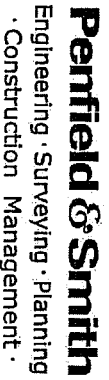
Kenneth J. Wilson
2-14-2013



ATTACHMENT A



ROAD ABANDONMENT
SANTA BARBARA AVENUE



2-28-2013

FEBRUARY 28, 2013

W.O. 18133.01
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Exhibit A

APN 135-064-011 Santa Barbara Avenue and Alley Abandonment

Legal Description

Those portions of the land in the Town of Los Olivos, County of Santa Barbara, State of California, as shown on the map of the Town of Los Olivos filed in the office of the County Recorder of said County February 8, 1888 in Rack 3, Map 6, described as follows:

Parcel One

That portion of the west half of Santa Barbara Avenue, 60.00 feet wide, as shown on said map, bounded on the north by the easterly prolongation of the centerline of the private alley in Block 5, as shown on said map, and bounded on the south by the easterly prolongation of the southerly line of Lot 9, as shown on said map.

Parcel Two

That portion of the southerly half of the above-referenced private alley bounded on the west by the easterly line of Lot 9, as shown on the map filed in the office of said County Recorder in Book 148, Pages 10 and 11 of Record of Surveys, and bounded on the east by the westerly line of Santa Barbara Avenue, as shown on said map of the Town of Los Olivos.

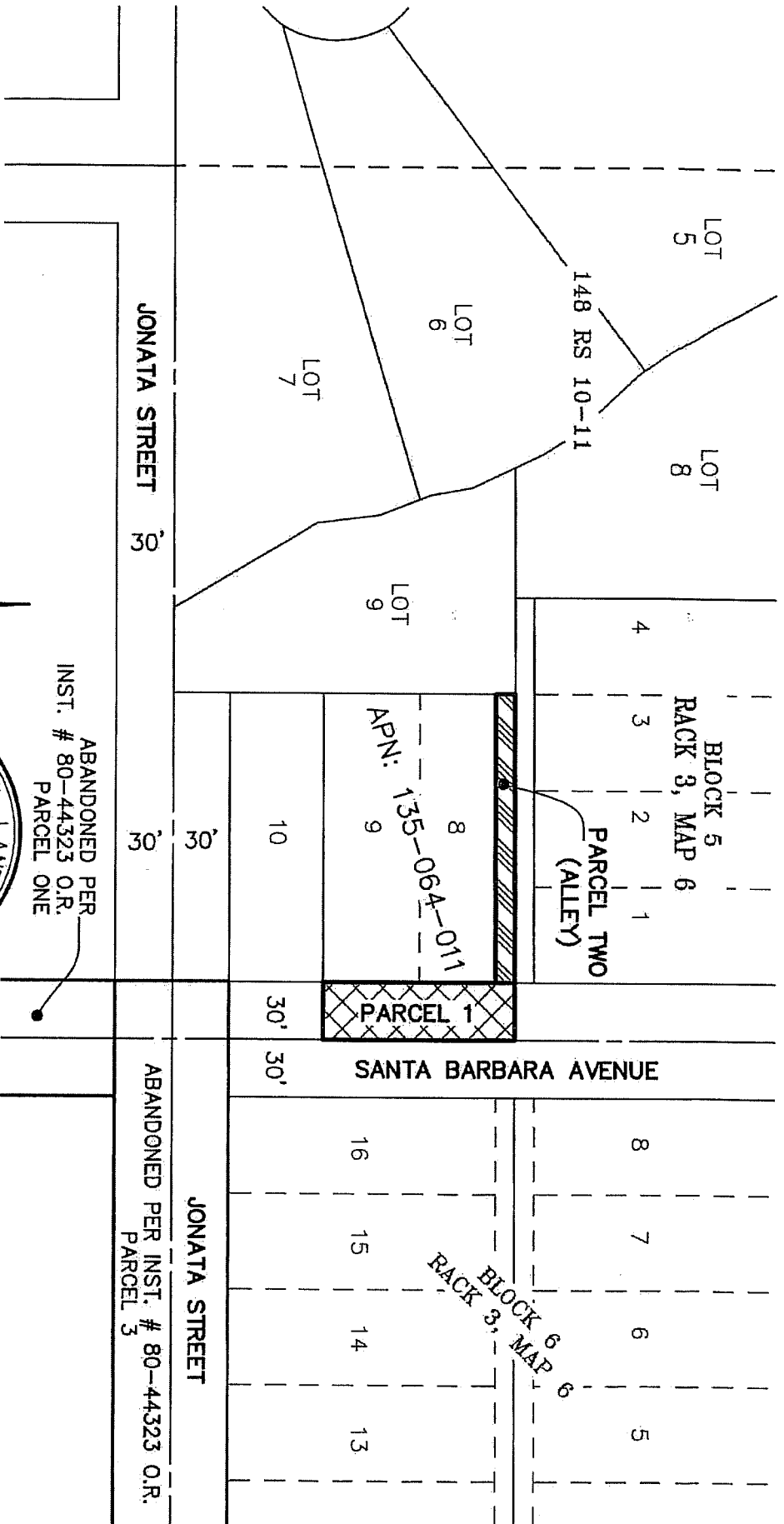


Prepared by:

Kenneth J. Wilson
PLS 7911

Kenneth J. Wilson
2-14-2013

EXHIBIT B



LEGEND

- ROAD ABANDONMENT
- SANTA BARBARA AVENUE
- ROAD ABANDONMENT ALLEY



Penfield & Smith
 Engineering · Surveying · Planning
 · Construction Management ·

SCALE: 1"=80'

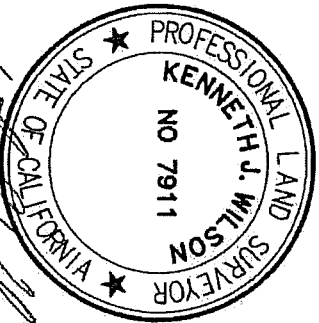
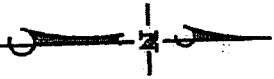


Exhibit A

APN 135-064-002 Road and Alley Abandonments

Legal Description

Those portions of the land in the Town of Los Olivos, County of Santa Barbara, State of California, as shown on the map filed in the office of the County Recorder of said County February 8, 1888 in Rack 3, Map 6, described as follows:

Parcel One

That portion of Railway Avenue, 60.00 feet wide, as shown on the map filed in the office of said County Recorder in Book 148, Pages 10 and 11, of Record of Surveys, bounded on the west by the northerly prolongation of the easterly line of Lot 8, as shown on said Record of Survey, and bounded on the east by the northerly prolongation of the centerline of Santa Barbara Avenue, as shown on said map of the Town of Los Olivos.

Parcel Two

That portion of the westerly half of Santa Barbara Avenue, 60.00 feet wide, as shown on said map of the Town of Los Olivos, bounded on the north by the southerly line of Railway Avenue, hereinabove referenced, and bounded on the south by the easterly prolongation of the centerline of the private alley contiguous with Lots 1, 2, 3, and 4 of Block 5 of said map of the Town of Los Olivos.

Parcel Three

That portion of the northerly half of the private alley, hereinabove referenced, bounded on the east by the westerly line of Santa Barbara Avenue, hereinabove referenced, and bounded on the west by the easterly line of said Lot 8 of said Record of Survey.

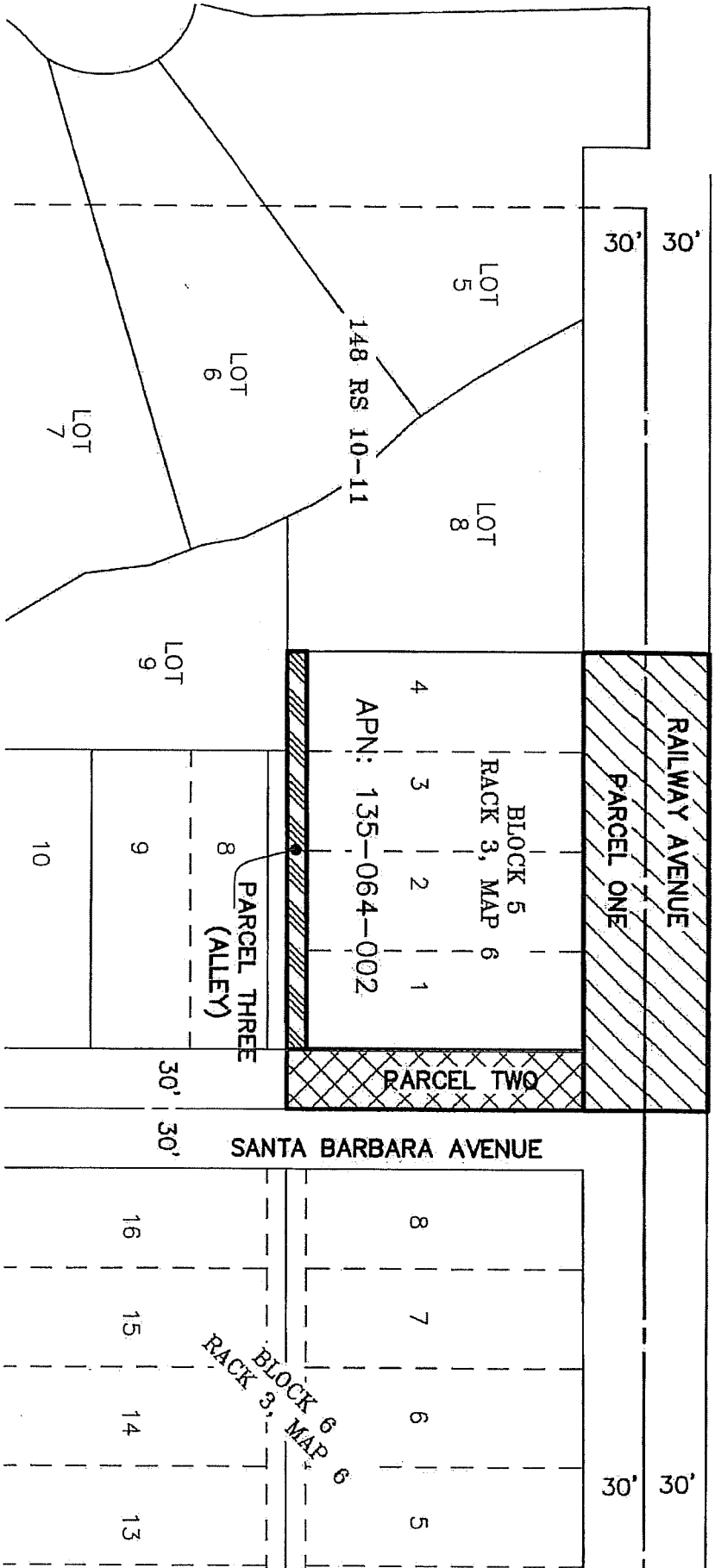
Prepared by:

Kenneth J. Wilson
PLS 7911






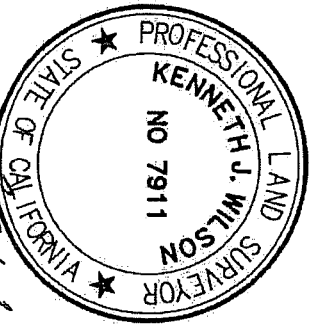
Kenneth J. Wilson
2-14-2013

EXHIBIT B



LEGEND

-  ROAD ABANDONMENT RAILWAY AVENUE
-  ROAD ABANDONMENT SANTA BARBARA AVENUE
-  ROAD ABANDONMENT ALLEY



SCALE: 1"=80'

Penfield & Smith
 Engineering · Surveying · Planning
 · Construction Management ·



W.O. 18133.01
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Kenneth J. Wilson
 2-28-2013

FEBRUARY 28, 2013

ATTACHMENT C

Exhibit A

APN 135-073-005 Santa Barbara Avenue Abandonment

Legal Description

That portion of the easterly half of Santa Barbara Avenue, 60.00 feet wide, in the Town of Los Olivos, County of Santa Barbara, State of California, as shown on the map of the Town of Los Olivos filed in the office of the County Recorder of said County February 8, 1888 in Rack 3, Map 6, bounded on the north by the westerly prolongation of the centerline of the private alley in Block 6, as shown on said map, and bounded on the south by the northerly line of Jonata Street, as shown on said map.

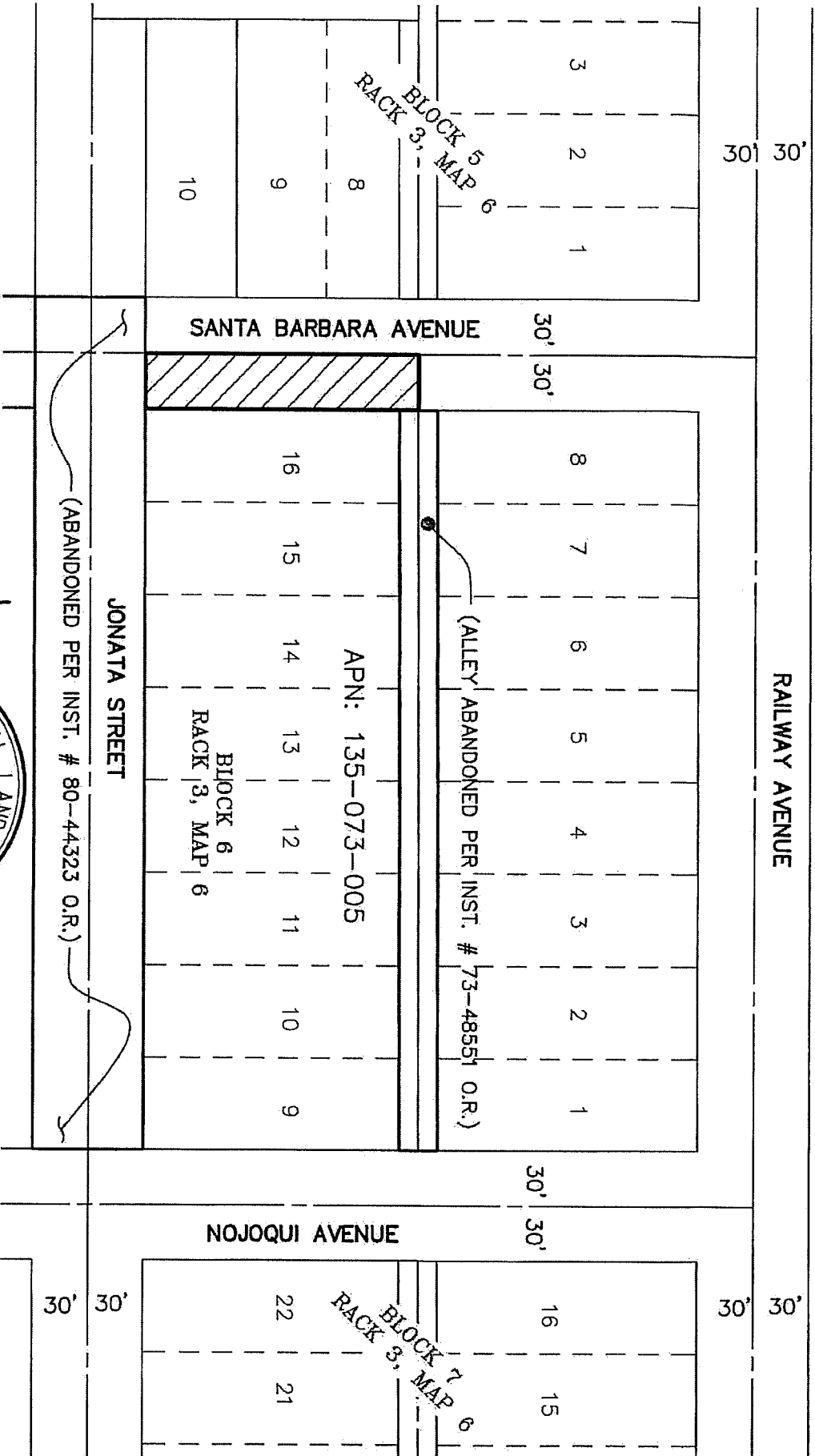
Prepared by:

Kenneth J. Wilson
PLS 7911



Kenneth J. Wilson
2-14-2013

EXHIBIT B



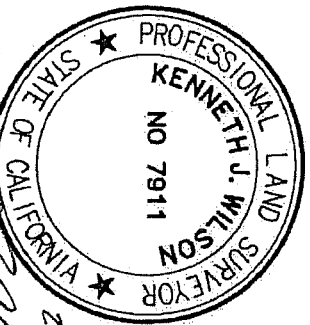
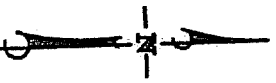
ATTACHMENT D



Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·

W.O. 18133.01
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SCALE: 1"=80'



2-28-2013



ROAD ABANDONMENT
SANTA BARBARA AVENUE

LEGEND

FEBRUARY 28, 2013

Exhibit A

APN 135-064-020 Railway Avenue Abandonment

Legal Description

That portion of Railway Avenue, 60.00 feet wide, in the Town of Los Olivos, County of Santa Barbara, State of California, as shown on the map filed in the office of the County Recorder of said County in Book 148, Pages 10 and 11 of Record of Surveys, bounded on the east by the northerly prolongation of the easterly line of Lot 8, as shown on said map, and bounded on the west by a line from the northwesterly corner of said Lot 8 perpendicular to the northerly line of said Railway Avenue.

Prepared by:

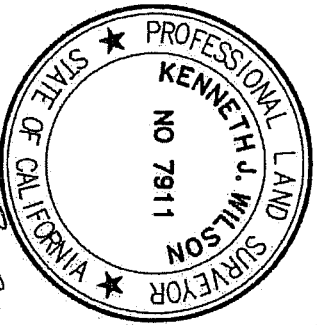
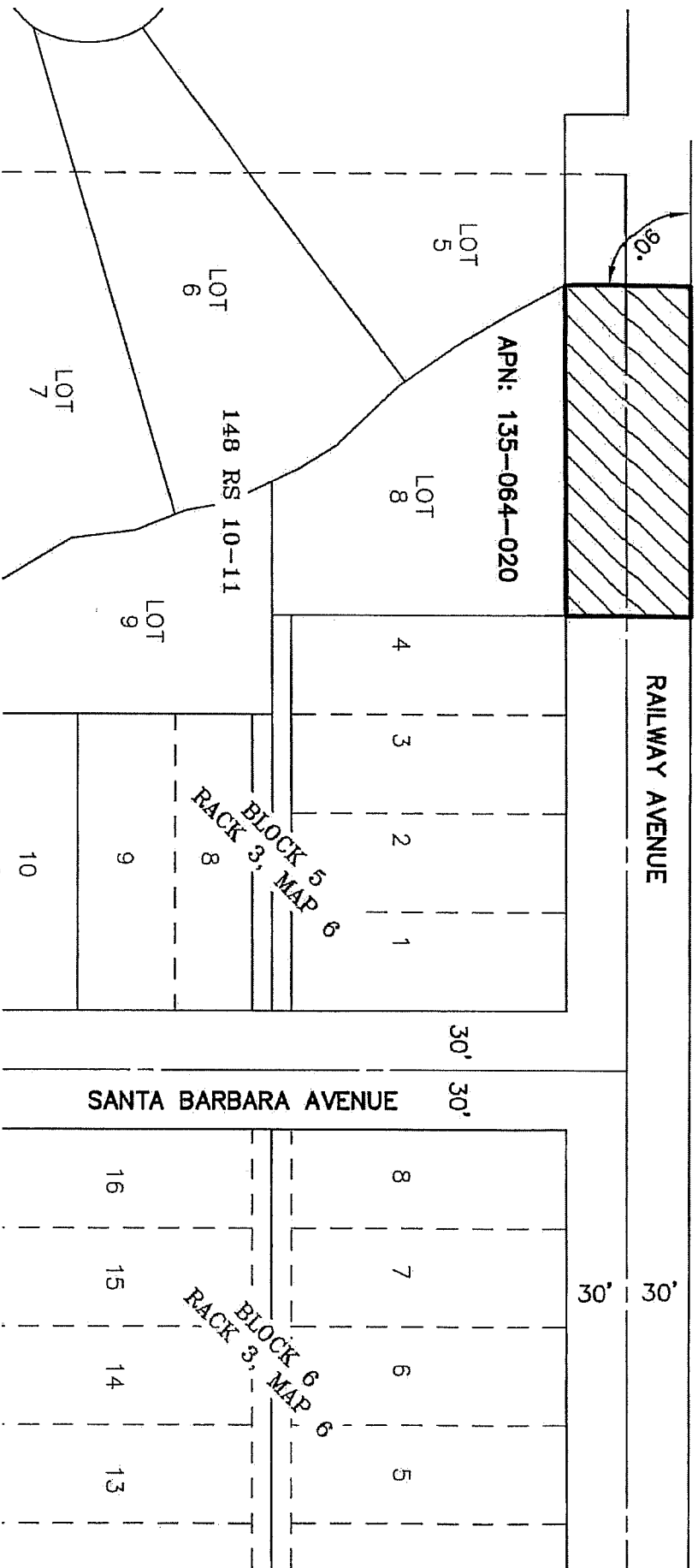
Kenneth J. Wilson
PLS 7911




Kenneth J. Wilson
2-14-2013



EXHIBIT B



LEGEND

 ROAD ABANDONMENT
RAILWAY AVENUE



SCALE: 1"=80'



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• Construction Management •

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Kenneth J. Wilson
2-28-2013

FEBRUARY 28, 2013

ATTACHMENT E

1"=100'

STATE

SANTA

BARBARA

AVE.

9+88
65 PSI

JONATA

9+78
2"-64

AVE.

5+30
3/4"-64

NOJOQUI

7+35
6" TEE

6" A.C.P.

0+01
G.V.
0+44
F.H. 70 psi
0+47
END CAP

6" ACP

12+11
2" B.O.

1+84
1"-87

6" A.C.P.
(203)

11+29
3/4"-64
10+86
3/4"-64

GRAND

9+96
3/4"-64

AVE.

0+37
ARV

0+01
6"

14+88
65 PSI
W/G.V.

12+00

0+44

10+20
1"-64

1+26
1"-64

1+82

55 B.154

ATTACHMENT F

6-95 P.L.S.

REVISIONS

MM

Proposed Description of Reservation:

Beginning at the Northwest corner of Block 7 according to two maps of the land of the Los Olivos Land Association, Santa Barbara County, California, surveyed by R.R. Harris, C.E. in September 1887, titled "Map of The Property of The Los Olivos Land Association" and "Map Of The Town Of Los Olivos," filed in the Office of the County Recorder of said County on February 8, 1888, in Book 1, Page 40 of Maps, and as Miscellaneous Rack Map 3-6, respectively, lying easterly of the westerly side line of Gaviota Avenue and Westerly of the Northerly prolongation of the Westerly side line of Grand Avenue.

Excepting and Reserving to the Southern California Gas Company, a non-exclusive easement for utility purposes and right at any time, or from time to time, to lay, construct, maintain, operate, repair, replace, renew, change the size of, add to, or remove pipelines, conduits, metering, measuring, regulating, cathodic protection, and communications facilities and other appurtenances incidental thereto, including access to protect the property from all hazards, in, upon, and over the following described 25.00 foot wide strip:

Beginning at the Northwest corner of Block 7 according to said "Map of The Town of Los Olivos" thence, Westerly along the Southerly side line of Railway Avenue for a distance of 165.00 feet to a point; thence Northerly and perpendicular to the last course for a distance of 25.00 feet to a point; thence, Easterly and parallel with said Southerly side line for a distance of 165.00 feet to a point; thence, Southerly for a distance of 25.00 feet to the point of beginning.

This legal description was prepared by Southern California Gas Company for an easement for utility distribution lines and service facilities pursuant to the exemption granted by California Business and Professions Code Section 8730 [C].

Exhibit A

Railway Reservation Area

Legal Description

That portion of Railway Avenue, 60.00 feet wide, in the Town of Los Olivos, County of Santa Barbara, State of California, as shown on the map of the Town of Los Olivos filed in the office of the County Recorder of said County February 8, 1888 in Rack 3, Map 6, described as follows:

Commencing at the northeast corner of Lot 1 of Block 6 of said map, said point also being the intersection of the west right of way of Nojoqui Avenue with the south right of way of Railway Avenue as shown on said map; thence, along the prolongation of the west right of way of Nojoqui Avenue North $02^{\circ}03'27''$ East, a distance of 15.00 feet to a line parallel with and distant 45.00 feet from the north right of way of said Railway Avenue, said point also being the True Point of Beginning; thence,

1st, along said parallel line, North $87^{\circ}56'33''$ West, a distance of 426.53 feet; thence,

2nd, North $12^{\circ}56'51''$ West, a distance of 46.59 feet to the north right of way of said Railway Avenue; thence,

3rd, along the north right of way of Railway Avenue, South $87^{\circ}56'33''$ East, a distance of 438.59 feet, to the intersection with the northerly prolongation of the west right of way of Nojoqui Avenue; thence,

4th, along said prolongation South $02^{\circ}03'27''$ West, a distance of 45.00 feet to the True Point of Beginning.

Containing 19,466 square feet or 0.45 acres, more or less.

END OF DESCRIPTION.

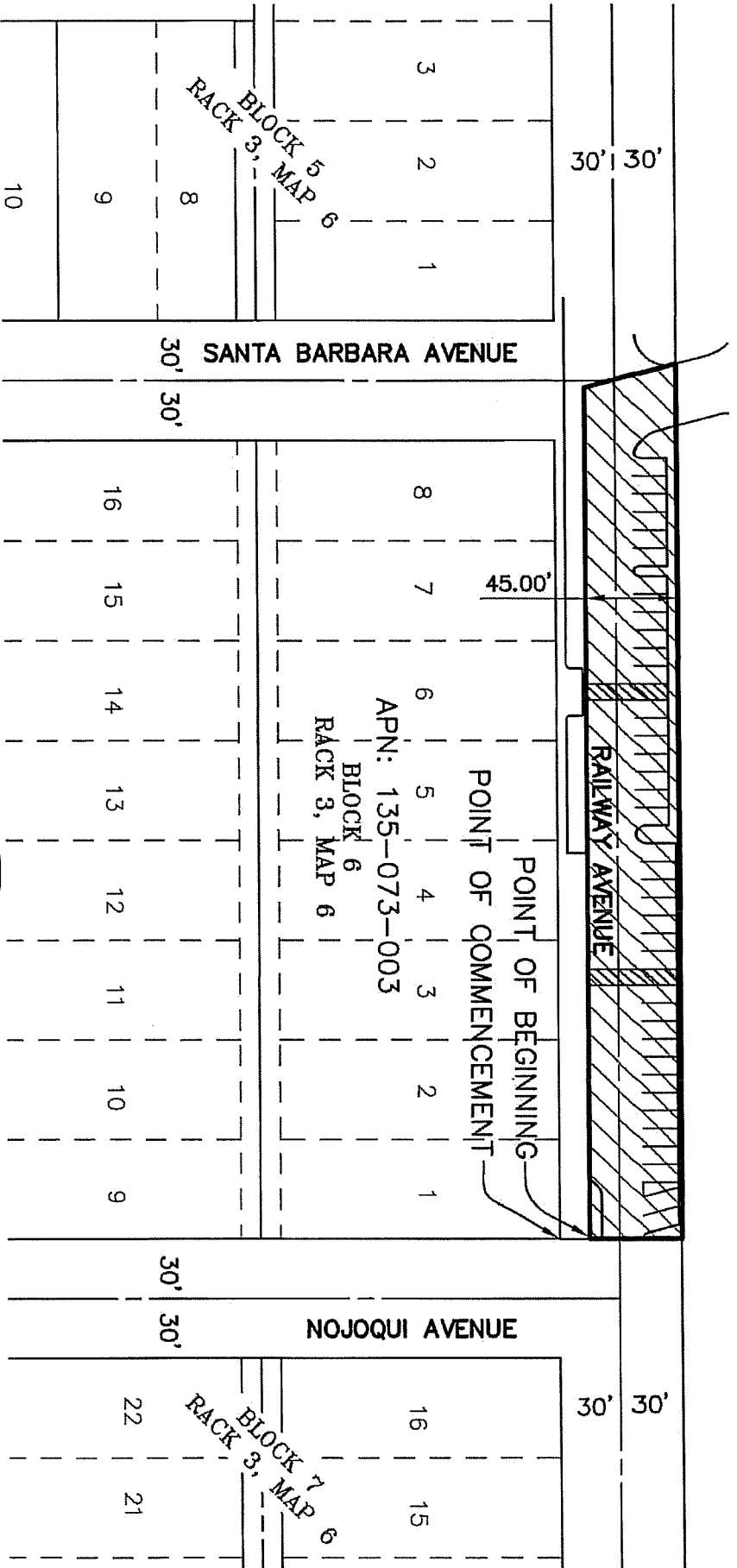


Ma Castellanos
5/22/2013

Prepared by:

Mark A. Castellanos
PLS 8369

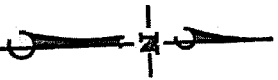
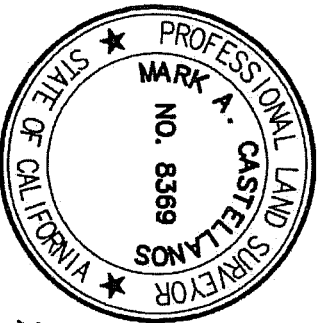
EXHIBIT B



LEGEND



RAILWAY RESERVATION AREA
OVER PROPOSED DEVELOPMENT



SCALE: 1"=80'

Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·

Mark A. Castellanos
5/24/2013

MAY 6, 2013