



**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: March 18, 2014
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Scott D. McGolpin, Director Public Works, 568-3010
Contact Info: Chris Sneddon, Deputy Director, Transportation, 568-3064
SUBJECT: **Right-of-Way Vacation and Quitclaim: Portion of North Patterson Avenue, Goleta.
Second Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Approve and authorize the Chair to execute the attached Resolution and Summary Order to Vacate, to vacate the above referenced portion of the North Patterson Avenue right-of-way upon the County Surveyor's determination that the Certificate of Compliance for APN 069-060-044 is ready for recordation.
- B. Approve and authorize the Chair to execute the attached Quitclaim Deed Agreement upon the County Surveyor's determination that the Certificate of Compliance for APN 069-060-044 is ready for recordation.
- C. Find that the proposed vacation and quitclaim is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15312 as it involves the sale of a portion of excess County right-of-way, and approve the filing of the attached Notice of Exemption on that basis.

Summary Text:

The area proposed for vacation is an unused piece of the North Patterson Avenue right-of-way adjacent to Santa Barbara County Assessor Parcel number 069-060-044 (the "Property"). The proposed vacation area (herein the "Portion") is described and shown on Exhibit "A" of the attached Summary Order to Vacate and the Quitclaim. Public Works Transportation, Flood Control and Real Property

representatives visited the Portion and have no objection to the proposed vacation and sale. There are no County road facilities within the Portion and the County has no plans to expand its infrastructure in the vicinity of the Portion. There are no existing public utilities within the Portion. No Parcels will be “landlocked” if the vacation is approved.

If approved, the road vacation, sale and Quitclaim will dispose of County road right-of-way which is unused by the public by removing the public right to use the Portion and transferring ownership thereof to the owner of the adjacent parcel. If executed and recorded, that transfer will add the Portion to the County tax base and will remove the County’s liabilities associated with ownership of an interest therein. The agreed upon purchase price for the Portion is \$10,537.10. The owner of the adjacent parcel is required to incorporate the Portion into the adjacent parcel via a Certificate of Compliance processed by the County Surveyor.

Background:

The fee owner of the Property adjacent to the subject Portion is currently processing a building permit to construct homes on the Property. As part of that process the owner requested the removal of the public interest in the Portion. No County departments objected to the proposed vacation and it was found to be in conformity with the County's adopted General Plan by the Planning Commission at its regular meeting of August 7, 2013. The proposed right-of-way vacation is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15312, as it involves the sale of excess County right-of-way not located in an area of statewide, areawide, or regional concern. All public utility providers were informed of the proposed vacation by letter and asked if they maintain facilities in the Portion. None claimed to have facilities within the Portion. A notice of intent was published and posted to inform the public of the date of this proposed action by the Board of Supervisors.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative: The applicant paid for the County staff time needed to facilitate this transaction. The purchase price of the Portion is \$10,537.10, which will be deposited into Road Fund 0015. There are no Facilities impacts associated with the proposed actions.

Special Instructions:

Clerk of the Board, please distribute as follows:

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|--------------------------------|---------------------------------|
| 1. Original Order to Vacate | Public Works, Attn: Jeff Havlik |
| 2. Copy of Order to Vacate | Clerk of the Board Files |
| 3. Original Quitclaim Deed | Public Works, Attn: Jeff Havlik |
| 4. Copy of Quitclaim Deed | Clerk of the Board Files |
| 5. CEQA Notice of Exemption | Post as Required |
| 6. Minute Order & Stamped CEQA | Public Works, Attn: Jeff Havlik |

After Board action the original Summary Order to Vacate and the Quitclaim Deed Agreement will be held unsigned by the Clerk of the Board pending the owner’s completion of a Certificate of Compliance which will incorporate the vacated Portion into the Property. When the County Surveyor is satisfied the Certificate of Compliance is complete he will direct the Clerk of the Board to obtain the Chair’s signature on the Order to Vacate and the Quitclaim Deed. Those documents will be picked up by the County Surveyor and recorded concurrently with the Certificate of Compliance. Once the documents

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have been recorded, Real Property will return the original Resolution and Quitclaim to the Clerk of the Board, deliver copies to the applicant and to appropriate Divisions within the County, as well as retain a copy in its files.

Attachments:

Summary Order to Vacate

Quitclaim Deed Agreement

Notice of Exemption

Authored by:

Jeff Havlik, Real Property Agent, Public Works, 568-3073

cc:

Bret Stewart, Senior Development Engineering Manager, Public Works, 568-3041