



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

A-19

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: November 10, 2009  
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: Dacé Morgan, Deputy Director – Transportation, 568-3064 DBM  
Michael Emmons, County Surveyor, 568-3034 MM  
**SUBJECT:** Vacation of a Portion of Gonzales Drive and St. Joseph Street, Acceptance of an Easement on Gonzalez Drive; Los Alamos; Third Supervisorial District

**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: NA

**Other Concurrence:**

As to form: NA

**Recommended Actions:**

That the Board of Supervisors:

- A) Adopt a Resolution (Summary Order to Vacate) to vacate a portion of the unused right-of-ways known as Gonzales Drive and St. Joseph Street, which are both located on APN 101-110-035 in Los Alamos; and
- B) Accept a Permanent Easement for road purposes, from the Housing Authority of the County of Santa Barbara, by authorizing the Clerk of the Board to sign the Certificate of Acceptance attached to the Permanent Easement Deed. The Easement encumbers a portion of the Housing Authority’s property at 33 St. Joseph Street in Los Alamos (APN 101-110-035).

**Summary Text:**

The areas proposed for vacation are unused strips of right-of-way, 10 feet and 15 feet in width, located on Santa Barbara County Assessor Parcel number 101-110-035, commonly referred to as 33 St. Joseph Street in Los Alamos (the “Property”). The areas proposed for vacation are shown on Exhibit “A” attached to the Summary Order to Vacate (the area being vacated shall herein be referred to as the “Portion”). The Public Works Department – Transportation, Flood Control, and Real Property Divisions, have visited the Property and have no objection to the proposed vacation of the Portion. There are no public utility or County road facilities located within the Portion. No Parcels will be “landlocked” if the vacation is consummated.

If consummated, the road vacation will dispose of unimproved and unused County road right-of-way by removing the right-of-way Easement from the Property. The road vacation will also eliminate the County's liabilities associated with ownership of an interest therein.

If accepted, the Permanent Easement will allow for the construction of a turn-around "bulb" on Gonzales Drive. This would provide a safe turn-around for the additional traffic associated with the workforce housing that is proposed for construction on the Housing Authority's adjacent Property.

**Background:**

The right-of-way proposed for vacation is shown on the "Town of Los Alamos Map", recorded September 1876, in Book "B", Page 406 of "Miscellaneous Maps". At that time, Gonzales Drive was known as Kahn Way. The Portion was never improved or used as a public road. The Property at 33 St. Joseph Street was deeded to the Housing Authority of the County of Santa Barbara on July 16, 2002, on which they are planning to construct workforce housing. The permit approval and construction of this project requires the right-of-way vacation.

No County Departments have objected to the proposed vacation, and it was found to be in conformity with the County's General Plan that was adopted by the Board of Supervisors on May 19, 2009. At the same meeting, the Board approved the Mitigated Negative Declaration (CEQA) and agreed to rename Kahn Way as Gonzalez Drive.

The permanent Easement is needed to allow for the expansion of the Gonzales Drive right-of-way to accommodate a traffic turn around "bulb", which is required as part of the workforce housing permits.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

Narrative:

The applicants paid for the County staff time needed to facilitate this transaction. The County is currently maintaining Gonzales Drive and will be responsible to maintain the new "bulb" area after it is constructed as part of the housing complex.

**Special Instructions:**

Clerk of the Board, please distribute as follows:

- |    |                          |                                 |
|----|--------------------------|---------------------------------|
| 1. | Original Order to Vacate | Public Works, Attn: Jeff Havlik |
| 2. | Copy of Order to Vacate  | Clerk of the Board Files        |
| 3. | Original Easement Deed   | Public Works, Attn: Jeff Havlik |
| 4. | Copy of Easement Deed    | Clerk of the Board Files        |
| 5. | Minute Order             | Public Works, Attn: Jeff Havlik |

The Real Property Section of the Surveyor's Division will deliver the original Summary Order to Vacate and the Easement Deed to the County Recorder's office for recordation. Once those documents have been recorded, Real Property will return the originals to the Clerk of the Board. Real Property will deliver copies of the recorded documents to the Property owners and appropriate Divisions within the County, and will retain copies in its files.

**Attachments:**

Summary Order to Vacate  
Easement Deed

**Authored by:**

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

**cc:**

Bret Stewart, Senior Development Engineering Manager, Public Works - Surveyors, 568-3041  
John McGray, Road Maintenance Manager, Public Works, 568-3064