



TO: Mayor and Councilmembers

FROM: Charles W. Ebeling, Public Works Director

CONTACT: James Campero, Deputy Public Works Director

SUBJECT: Vacation of Street Rights-of-Way on Los Carneros Road and Calle Real

RECOMMENDATION:

- A. Conduct a public hearing to hear all persons interested in or objecting to the proposed vacation of street rights-of-way on Los Carneros Road and Calle Real;
- B. Adopt Resolution No. 20-____, entitled "A Resolution of the City Council of the City of Goleta, California, Ordering the Vacation of an Excess Portion of Los Carneros Road Right-Of-Way Adjacent to the Property Located at 6491 Calle Real, APN 077-160-040, and Providing for the Recordation of this Resolution";
- C. Adopt Resolution No. 20-____, entitled "A Resolution of the City Council of the City of Goleta, California, Ordering the Vacation of Certain Excess Portions of Los Carneros Road and Calle Real Rights-Of-Way Adjacent to the Property Located at 302 Los Carneros Road, APN 077-160-064, and Providing for the Recordation of this Resolution"; and
- D. Authorize the City Manager to execute all right-of-way documents necessary to complete the property exchange with the current owners of the properties located at 6491 Calle Real and 302 Los Carneros Road, in accordance with the property exchange agreements approved by City Council on July 15, 2014.

BACKGROUND:

In 2012, the City of Goleta designed the Los Carneros/Calle Real Roundabout Project. During design, it was determined that in order to construct the improvements, certain additional rights-of-way were required from adjacent properties and certain excess portions of street rights-of-way would not be needed after completion of the project.

On July 15, 2014, City Council approved property exchange agreements with Lynn C. Sturgeon Revocable Trust, then-owner of the adjacent property located at 6491 Calle Real with County of Santa Barbara assessor's parcel number (APN) 077-160-040, and with the Islamic Society of Santa Barbara, the owner of the adjacent property located at 302 Los Carneros Road with APN 077-160-064. The property exchange agreements, among other terms and conditions, provided for right-of-way dedications to the City of

privately-owned areas along the Calle Real and Los Carneros Road frontages that were needed for construction of the City's Los Carneros Road/Calle Real Roundabout Project. In exchange for these right-of-way dedications, the City agreed to vacate and convey to these adjacent property owners areas along the parcel's Los Carneros Road and Calle Real frontages that were no longer needed for the project or public street purposes. These right-of-way dedications and proposed vacations are shown in Attachment 1 to this report.

The City did not want to vacate the public street right-of-way and complete the exchanges until the Los Carneros/Calle Real Roundabout Project construction was fully completed and integrated into the public street system, so this exchange was postponed until the project was completed. In accordance with the terms of the original property exchange agreements, the City is required to complete the vacations and conveyance of the public street rights-of-way as shown in Attachment 1.

On December 17, 2019, City Council adopted Resolution No. 19-75 and Resolution No. 19-76 to declare its intention to vacate the excess portions of Los Carneros Road and Calle Real rights-of-way, to schedule these public hearings on February 4, 2020, and to hear any persons interested in or objecting to the proposed vacations. The City Council's Resolutions also required the posting of notices of these hearings along the portions of Los Carneros Road and Calle Real rights-of-way proposed to be vacated, and also required the publication of the City Council Resolutions in a qualifying publication of general circulation.

The right-of-way vacations and dedications for 6491 Calle Real (Sturgeon) property, APN 077-160-040 are described in Attachment 2 and 3. In 2017, the Sturgeon property was conveyed by the 2012 Lynn C. Sturgeon Revocable Trust to a new owner, 6491 Calle Real Partners, LLC, which is the successor in interest to the Sturgeon interests in the property exchange agreement. The right-of-way vacations and dedications for 302 Los Carneros Road (Islamic Society of Santa Barbara) property, APN 077-160-064 are described in Attachment 5 and 6.

DISCUSSION:

In accordance with the provisions of the property exchange agreements that were approved by City Council in 2014, the City contractually agreed to convey the excess land areas to the adjacent property owners in exchange for right-of-way needed from the owners for the Los Carneros/Calle Real Project. Now that construction of the roundabout is complete and use of the excess areas as a public street is discontinued, the City must initiate steps set forth in the applicable sections of the California Streets and Highways Code, the Vacation Law, to hear all persons interested in or objecting to the proposed vacation of the excess portions of the Los Carneros Road and Calle Real rights-of-way. All actions required in accordance with the California Vacation Law have been completed related to these public hearings.

The proposed resolutions (Attachment 4 and 7), if adopted by Council following the public hearings, will order the vacation of the excess portions of Los Carneros Road and Calle Real rights-of-way adjacent to 302 Los Carneros Road and adjacent to 6491 Calle Real, and will authorize the City Manager to execute all supplemental right-of-way documents

necessary to complete the conveyances of the underlying fee interests in said vacated areas and finalize the acceptance of necessary conveyances from the property owners to the City in accordance with the prior Property Exchange Agreement dated July 7, 2014, between the City of Goleta and the Islamic Society of Santa Barbara, and the Property Exchange Agreement dated August 31, 2012, between the City of Goleta and the 2012 Lynn C. Sturgeon Revocable Trust.

FISCAL IMPACTS:

There are no financial impacts specific to this action aside from processing costs.

ALTERNATIVES:

Because the City has already entered into the property exchange agreements to vacate the excess road rights-of-way and exchange property interests, the Council has no alternative but to follow through with the process.


Reviewed By:


Kristine Schmidt
Assistant City Manager

Legal Review By:


Michael Jenkins
City Attorney

Approved By:


Michelle Greene
City Manager

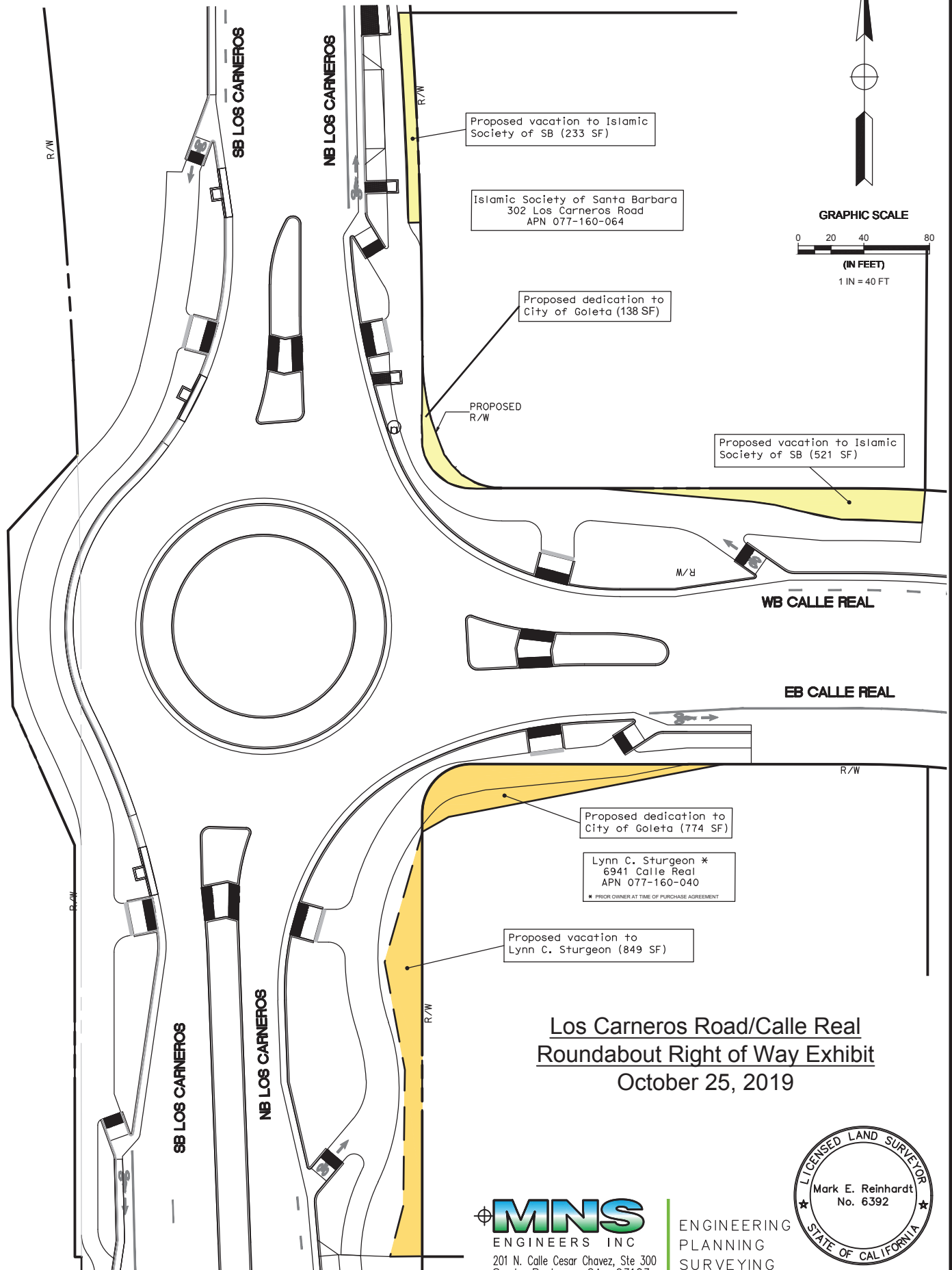
ATTACHMENTS:

1. Los Carneros Road/Calle Real Roundabout Right-of-Way Exhibit
2. Property legal description and plat for City right-of-way to be vacated to 6491 Calle Real property, APN 077-160-040
3. Property legal description and plat for right-of-way dedication to City from 6491 Calle Real property, APN 077-160-040
4. Resolution 20-____, entitled "A Resolution of the City Council of the City of Goleta, California, Ordering the Vacation of an Excess Portion of Los Carneros Road Right-Of-Way Adjacent to the Property Located at 6491 Calle Real, APN 077-160-040, and Providing for the Recordation of this Resolution"
5. Property legal description and plat for City right-of-way to be vacated to 302 Los Carneros Road property, APN 077-160-064
6. Property easement deed, legal description and plat for right-of-way dedication to City from 302 Los Carneros Road property, APN 077-160-064
7. Resolution 20-____, entitled "A Resolution of the City Council of the City of Goleta, California, Ordering the Vacation of Certain Excess Portions of Los Carneros Road and Calle Real Rights-Of-Way Adjacent to the Property Located at 302 Los Carneros Road, APN 077-160-064, and Providing for the Recordation of this Resolution"
8. Presentation

ATTACHMENT 1

Los Carneros Road/Calle Real Roundabout Right-of-Way Exhibit

ATTACHMENT 1



201 N. Calle Cesar Chavez, Ste 300
Santa Barbara, CA 93103
805.692.6921 Phone

ENGINEERING
PLANNING
SURVEYING
CONSTRUCTION MANAGEMENT



ATTACHMENT 2

**Property Legal Description and Plat for City
Right-of-Way to be Vacated**

6491 Calle Real Property, APN 077-160-040

ATTACHMENT 2

Exhibit A Portion of Los Carneros Road Legal Description

That portion of Los Carneros Road described in the grant deed to the County of Santa Barbara, a political subdivision of the State of California, recorded May 18, 1967, as Instrument No. 13555, in Book 2190, page 1331 of Official Records of said County, lying easterly of the following described line:

Commencing at a found lead and tag LS 2342 in top of curb adjacent to the southwesterly terminus of the return at the southeasterly corner of Los Carneros Road and Calle Real per the Record of Survey filed in Book 148 of Records of Survey at page 57 in the Office of the County Recorder of said County from which a found $\frac{1}{2}$ " pipe tagged LS 3228 marking the most easterly corner of the land shown on said Record of Survey bears north $40^{\circ}48'48''$ east 263.85 feet (north $39^{\circ}43'51''$ east 263.84 feet calculated from data per said Record of Survey);

Thence south $57^{\circ}23'29''$ east 11.36 feet to the west line of Parcel A of Parcel Map No. 10717, in the City of Goleta, County of Santa Barbara, State of California, filed in Book 3 of Parcel Maps at page 42 in the Office of the County Recorder of said County and the **True Point of Beginning**;

Thence south $18^{\circ}31'08''$ west 41.24 feet;

Thence south $08^{\circ}08'55''$ east 33.43 feet;

Thence south $03^{\circ}07'14''$ west 41.41 feet;

Thence south $17^{\circ}05'39''$ west 15.93 feet;

Thence south $88^{\circ}13'25''$ east 9.80 feet to the southwest corner of said Parcel A.

Containing 849 square feet more or less.

The basis of bearings for this legal description is between National Geodetic Survey points designated "COPR", and "CRU1" and having a calculated bearing of south $10^{\circ}29'11''$ east North American Datum 1983, CA Zone 5.

The above-described land is graphically shown on Exhibit "B" attached hereto and made a part hereof.

End of Legal Description

Georg Marchenko
6/25/12



EXHIBIT A

ATTACHMENT 2

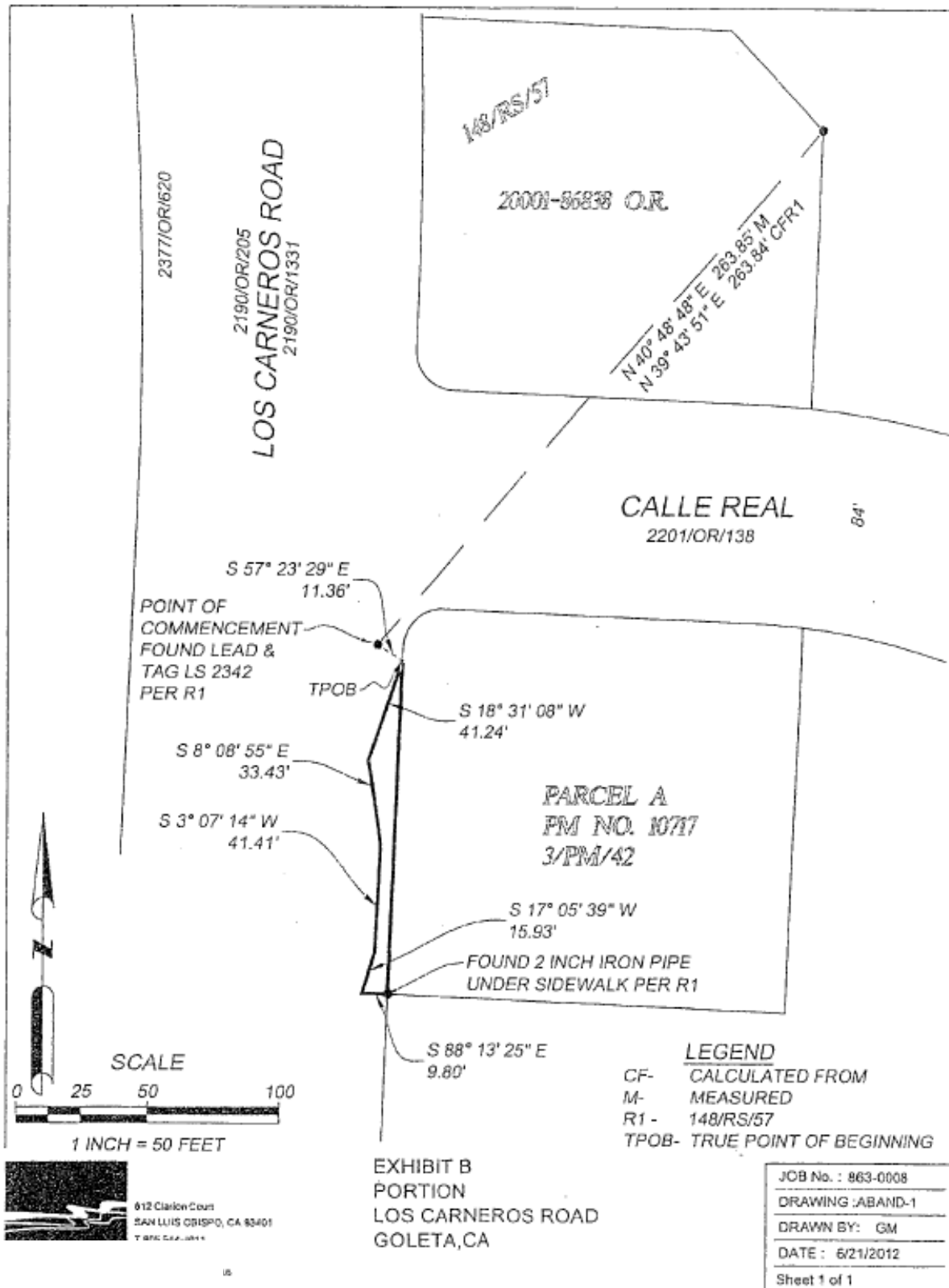


EXHIBIT A

ATTACHMENT 3

**Property Legal Description and Plat for Right-of-Way
Dedication to the City**

6491 Calle Real property, APN 077-160-040

ATTACHMENT 3

Exhibit A
Permanent Easement for Public Street
Los Carneros Road and Calle Real (Southeast)
Legal Description

That portion of Parcel A, of Parcel Map No. 10717, in the City of Goleta, County of Santa Barbara, State of California, filed in Book 3 of Parcel Maps at page 42 in the Office of the County Recorder of said County, lying northerly of the following described line:

Commencing at a found lead and tag LS 2342 in top of curb adjacent to the southwesterly terminus of the return at the southeasterly corner of Los Carneros Road and Calle Real per the Record of Survey filed in Book 148 of Records of Survey at page 57 in the Office of the County Recorder of said County from which a found ½" pipe tagged LS 3228 marking the most easterly corner of the land shown on said Record of Survey bears north 40°48'48" east 263.85 feet (north 39°43'51" east 263.84 feet calculated from data per said Record of Survey);

Thence south 57°23'29" east 11.36 feet to the west line of said Parcel A and the **True Point of Beginning**;

Thence north 62°59'04" east 9.25 feet;

Thence north 81°34'18" east 85.28 feet to the north line of said Parcel A.

Containing 774 square feet more or less.

The basis of bearings for this legal description is between National Geodetic Survey points designated "COPR", and "CRU1" and having a calculated bearing of south 10° 29' 11" east North American Datum 1983, CA Zone 5.

The above-described land is graphically shown on Exhibit "B" attached hereto and made a part hereof.

End of Legal Description



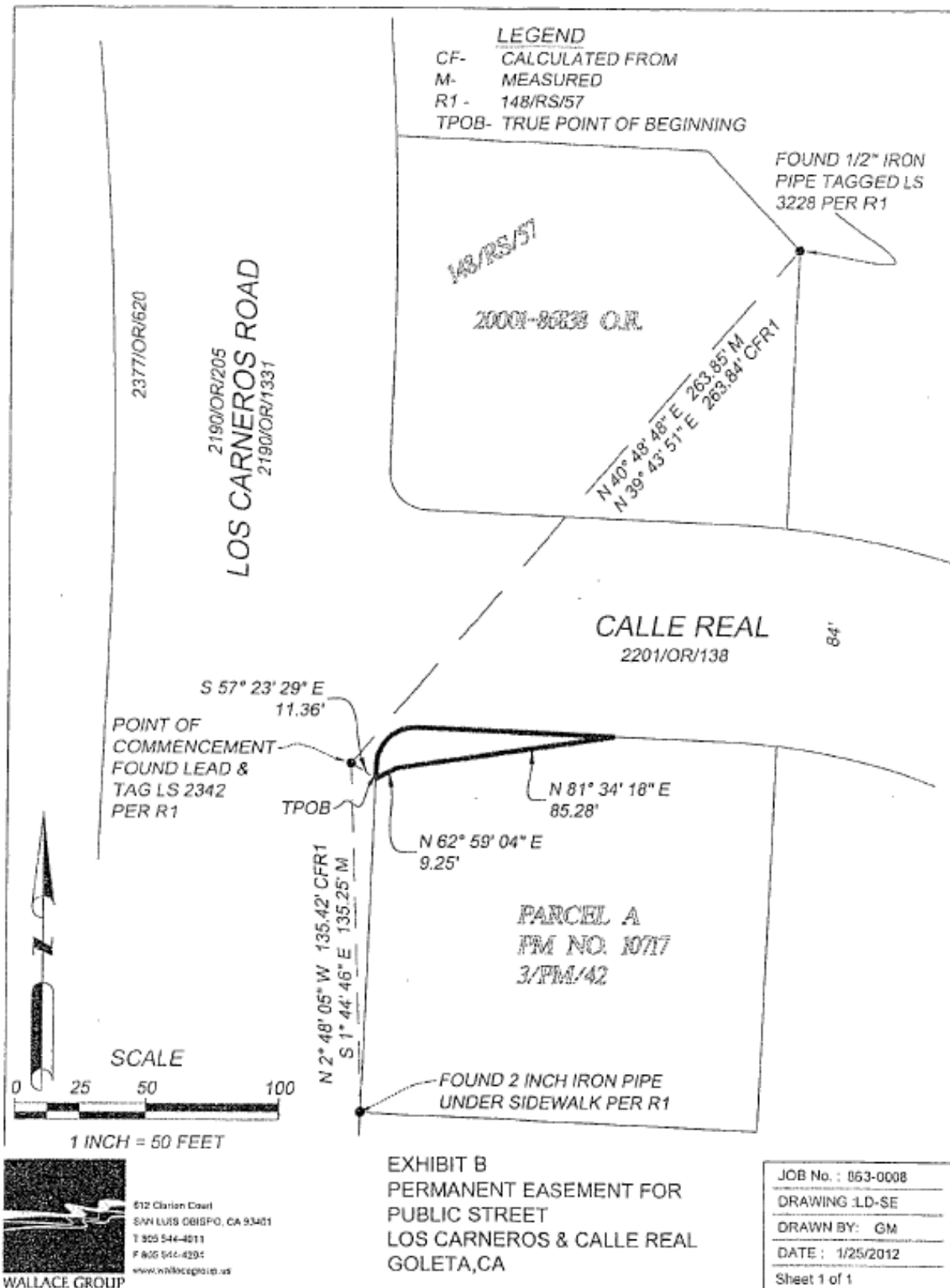
A handwritten signature in cursive script that reads "George Marchenko".

4/5/12

EXHIBIT B

Legal Description and Plat for Right-of-Way
Dedication from 6491 Calle Real

ATTACHMENT 3



ATTACHMENT 4

Resolution 20-____, entitled “A Resolution of the City Council of the City of Goleta, California, ordering the vacation of an excess portion of Los Carneros Road right-of-way adjacent to the property located at 6491 Calle Real, APN 077-160-040, and providing for the recordation of this resolution”

ATTACHMENT 4

RECORDING REQUESTED BY)
AND WHEN RECORDED MAIL TO:)
)
City of Goleta)
Public Works Department)
130 Cremona Drive, Suite B)
Goleta, CA 93117)
Attn: James Campero)
_____) No fee per STS & HWY CODE 8325
Space above line for Recorder's Use

RESOLUTION NO. 20-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ORDERING THE VACATION OF AN EXCESS PORTION OF LOS CARNEROS ROAD RIGHT-OF-WAY ADJACENT TO THE PROPERTY LOCATED AT 6491 CALLE REAL, APN 077-160-040, AND PROVIDING FOR THE RECORDATION OF THIS RESOLUTION

WHEREAS, on December 17, 2019, the City Council adopted Resolution No. 19-75, declaring its intention to vacate the excess portion of Los Carneros Road right-of-way adjacent to 6491 Calle Real, Santa Barbara County Assessor's Parcel No. 077-160-040, within the City of Goleta, which is hereinafter referred to as the "Public Street Interests"; and

WHEREAS, on February 4, 2020, during the regularly scheduled Council meeting, the Goleta City Council held a hearing upon the proposed vacation of the Public Street Interests for all persons interested in or objecting to the vacation; and

WHEREAS, the above referenced hearing was duly noticed and held pursuant to Division 9, Part 3, Chapter 3 (Sections 8320-8325) of the Streets and Highways Code of the State of California as amended; and

WHEREAS, the City Council has caused Notices of Vacation to be posted in the manner and during the time required by Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California; and

WHEREAS, the Council of said City has caused the City Clerk to publish the notice of the hearing on the proposed vacation of the Public Street Interests in a weekly newspaper of general circulation, published and circulated in the City of Goleta as required by Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California; and

WHEREAS, The City of Goleta, as successor of the County of Santa Barbara, owns that certain strip of land underlying the Public Street Interests for Los Carneros Road right-of-way in fee, as granted and described originally in that

ATTACHMENT 4

certain grant deed to the County of Santa Barbara recorded on May 18, 1967, as Instrument No. 13555, in Book 2190 at Page 1331, in the Official Records in the Office of the County Recorder of the County of Santa Barbara; and

WHEREAS, in conjunction with vacating the Public Street Interests, the City seeks to also relinquish fee ownership rights in the excess land area underlying the Public Street Interests in exchange for other right-of-way required by City for the Los Carneros Road and Calle Real Project, as set forth in that certain agreement between Lynn C. Sturgeon, Trustee of the 2012 Lynn C. Sturgeon Revocable Trust ("Sturgeon Trust"), the former owner of the real property at 6491 Calle Real, APN 077-160-040, and the City of Goleta, dated August 31, 2012.

NOW, THEREFORE, PURSUANT TO THE PROVISIONS OF DIVISION 9, PART 3, CHAPTER 3 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA, AS FOLLOWS:

SECTION 1.

Pursuant to Streets and Highways Code sections 8330 et seq., the City of Goleta approves the proposed vacation of the Public Street Interests in that certain portion of Los Carneros Road right-of-way, as described herein for the following reasons:

1. The above findings are true and correct.
2. The Public Street Interests for the excess portion of Los Carneros Road right-of-way, as described herein, are not necessary for the present or prospective public street right-of-way purposes and nonmotorized transportation facilities, subject however, to the reservation therefrom of certain non-exclusive easement rights.

SECTION 2.

The City of Goleta hereby vacates the Public Street Interests in that certain portion of Los Carneros Road, in the City of Goleta, County of Santa Barbara, State of California, more particularly described in Exhibit A, and depicted in Exhibit B, each attached hereto and incorporated herein, excepting and reserving therefrom the following non-exclusive easement rights;

1. Excepting and reserving therefrom, on behalf of Frontier California Inc., a corporation, a non-exclusive easement and right-of-way for the purpose of

ATTACHMENT 4

constructing, using, maintaining, operating, altering, adding to, repairing, replacing, reconstructing, inspecting and/or removing its facilities consisting of but not limited to: underground conduits, manholes, hand holes, cables and/or facilities (hereinafter sometimes called “equipment”) necessary or useful for the transmission of electric energy for communications, telecommunications, video, intelligence by electrical means and/or other purposes on, over, in, under, across, along that certain real property described in Exhibit A and depicted in Exhibit B.

2. Excepting and reserving therefrom, on behalf of Southern California Edison Company, a corporation, its successors and assigns, a non-exclusive easement and right-of-way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as “systems”), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence, data and/or communications (e.g., through fiber optic cable), in, on, over, under, across and along that certain real property described in Exhibit A and depicted in Exhibit B.

SECTION 3.

The Council of the City of Goleta hereby directs and authorizes the City Manager to complete the conveyance of the fee rights underlying the Public Street Interests vacated herein in accordance with the terms and provisions of that certain agreement entered into between Lynn C. Sturgeon, Trustee of the 2012 Lynn C. Sturgeon Revocable Trust (“Sturgeon Trust”), the former owner of the real property at 6491 Calle Real, APN 077-160-040, and the City of Goleta, dated August 31, 2012.

SECTION 4.

That the City Clerk of the City of Goleta is instructed to cause the recordation of the certified original of this resolution in the Official Records, in the Office of the County Recorder of the County of Santa Barbara, at which time that excess portion of the Public Street Interests in that certain portion of Los Carneros Road right-of-way

ATTACHMENT 4

being vacated will no longer be a portion of said public street.

SECTION 5.

The City Clerk shall certify to the adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 4th day of February, 2020.

PAULA PEROTTE, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

MICHAEL JENKINS
CITY ATTORNEY

ATTACHMENT 4

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO
HEREBY CERTIFY that the foregoing Resolution No. 20-__ was duly adopted by
the City Council of the City of Goleta at a regular meeting held on the 4th day of
February, 2020 by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

ATTACHMENT 4

Exhibit A
Portion of Los Carneros Road
Legal Description

That portion of Los Carneros Road described in the grant deed to the County of Santa Barbara, a political subdivision of the State of California, recorded May 18, 1967, as Instrument No. 13555, in Book 2190, page 1331 of Official Records of said County, lying easterly of the following described line:

Commencing at a found lead and tag LS 2342 in top of curb adjacent to the southwesterly terminus of the return at the southeasterly corner of Los Carneros Road and Calle Real per the Record of Survey filed in Book 148 of Records of Survey at page 57 in the Office of the County Recorder of said County from which a found $\frac{1}{2}$ " pipe tagged LS 3228 marking the most easterly corner of the land shown on said Record of Survey bears north $40^{\circ}48'48''$ east 263.85 feet (north $39^{\circ}43'51''$ east 263.84 feet calculated from data per said Record of Survey);

Thence south $57^{\circ}23'29''$ east 11.36 feet to the west line of Parcel A of Parcel Map No. 10717, in the City of Goleta, County of Santa Barbara, State of California, filed in Book 3 of Parcel Maps at page 42 in the Office of the County Recorder of said County and the **True Point of Beginning**;

Thence south $18^{\circ}31'08''$ west 41.24 feet;

Thence south $08^{\circ}08'55''$ east 33.43 feet;

Thence south $03^{\circ}07'14''$ west 41.41 feet;

Thence south $17^{\circ}05'39''$ west 15.93 feet;

Thence south $88^{\circ}13'25''$ east 9.80 feet to the southwest corner of said Parcel A.

Containing 849 square feet more or less.

The basis of bearings for this legal description is between National Geodetic Survey points designated "COPR", and "CRU1" and having a calculated bearing of south $10^{\circ}29'11''$ east North American Datum 1983, CA Zone 5.

The above-described land is graphically shown on Exhibit "B" attached hereto and made a part hereof.

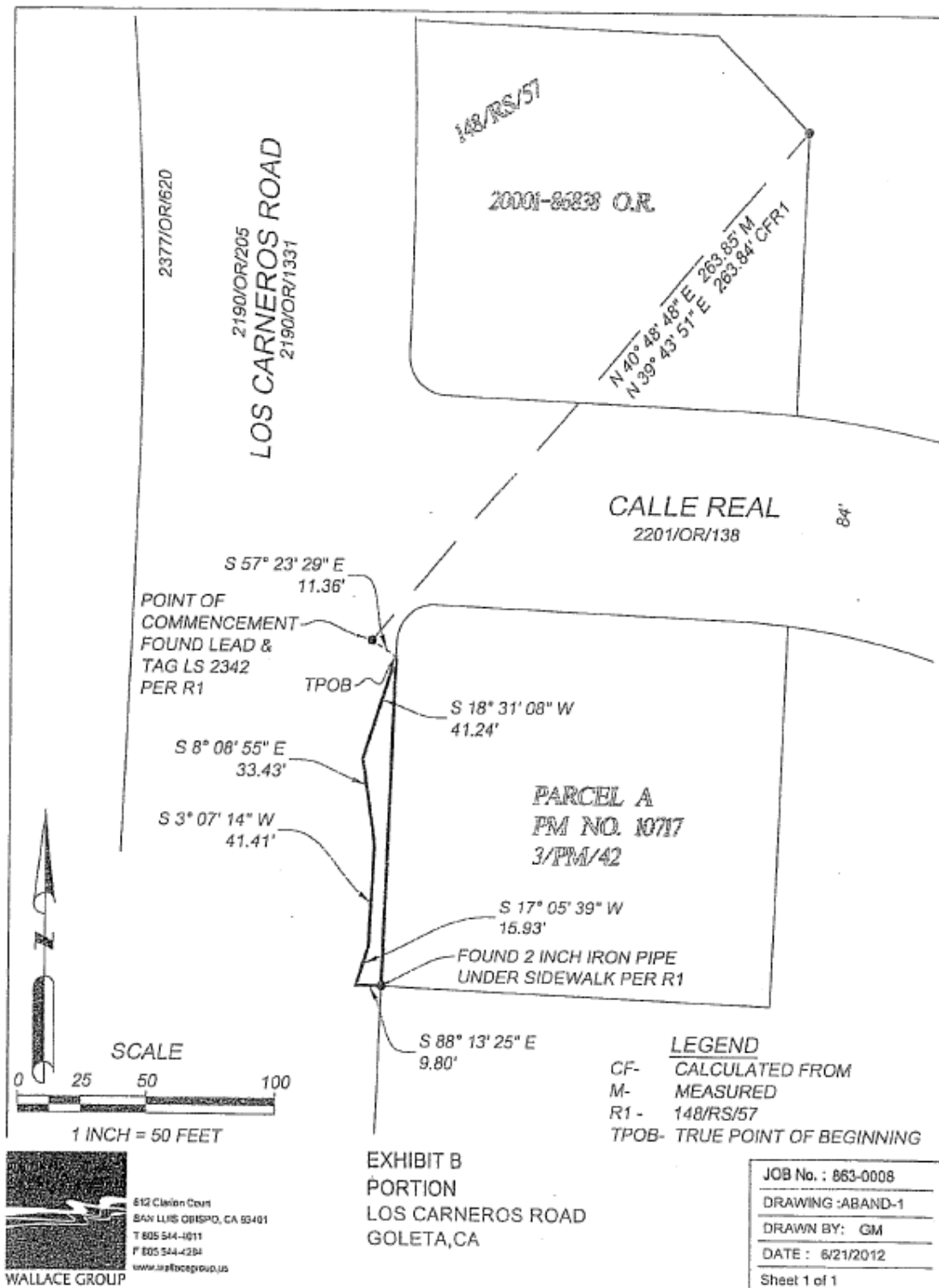
End of Legal Description

Geary Marchenko
6/25/12



EXHIBIT A

ATTACHMENT 4



ATTACHMENT 5

**Property Legal Description and Plat for City
Right-of-Way to be Vacated**

302 Los Carneros Road Property, APN 077-160-064

ATTACHMENT 5

Exhibit A Portion of Calle Real Legal Description

That portion of the Rancho Los Dos Pueblos described in the grant deed to the County of Santa Barbara, a political subdivision of the State of California, recorded August 9, 1967, as Instrument No. 22695, in Book 2201, page 138 of Official Records of said County, lying northerly of the following described line:

Commencing at a found lead and tag LS 2342 in top of curb adjacent to the southwesterly terminus of the return at the southeasterly corner of Los Carneros Road and Calle Real per the Record of Survey filed in Book 148 of Records of Survey at page 57 in the Office of the County Recorder of said County from which a found ½" pipe tagged LS 3228 marking the most easterly corner of the land shown on said Record of Survey bears north 40°48'48" east 263.85 feet (north 39°43'51" east 263.84 feet calculated from data per said Record of Survey);

Thence, north 35° 05' 55" east 117.51 feet to the north line of Calle Real as shown on said Record of Survey and the True Point of Beginning;

Thence south 82°34'02" east 46.99 feet;

Thence south 79°40'11" east 7.08 feet;

Thence south 73°39'53" east 7.59 feet;

Thence south 75°58'22" east 13.21 feet;

Thence south 87°27'36" east 6.15 feet;

Thence south 84°26'00" east 10.48 feet;

Thence south 84°53'53" east 7.98 feet;

Thence north 07°35'32" east 9.89 feet to said north line.

Containing 521 square feet more or less.

The basis of bearings for this legal description is between National Geodetic Survey points designated "COPR", and "CRU1" and having a calculated bearing of south 10° 29' 11" east North American Datum 1983, CA Zone 5.

The above-described land is graphically shown on Exhibit "A-1" attached hereto and made a part hereof.

ATTACHMENT 5

End of Legal Description



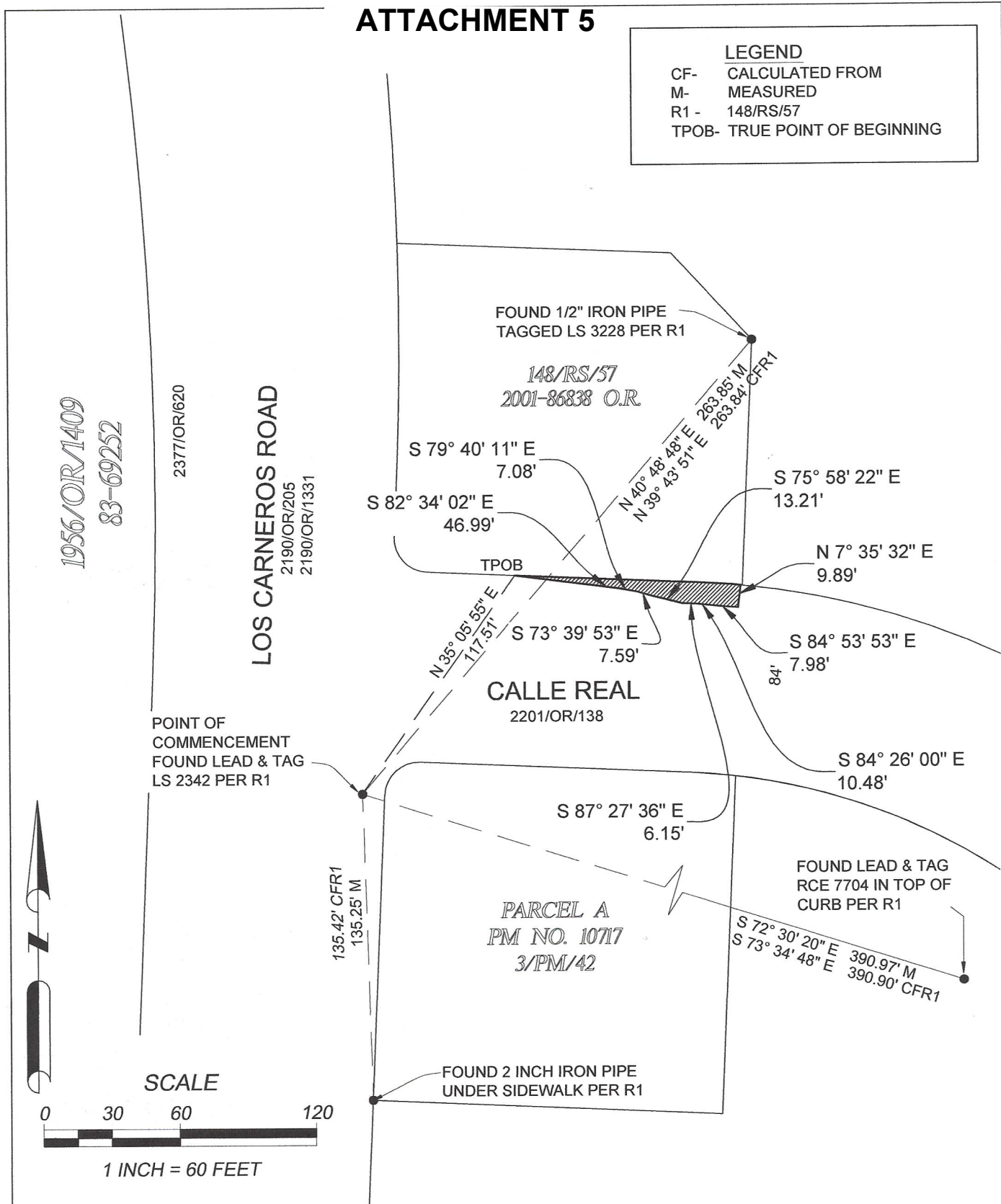
George Marchenko

11/29/2012

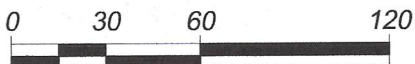
ATTACHMENT 5

LEGEND

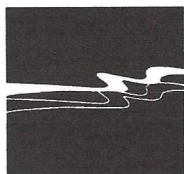
CF- CALCULATED FROM
M- MEASURED
R1 - 148/RS/57
TPOB- TRUE POINT OF BEGINNING



SCALE



1 INCH = 60 FEET



612 Clarion Court
SAN LUIS OBISPO, CA 93401
T 805 544-4011
F 805 544-4294
www.wallacegroup.us

WALLACE GROUP

EXHIBIT A-1
PORTION
CALLE REAL
GOLETA, CA

JOB No. : 863-0008

DRAWING : NE-E

DRAWN BY: GM

DATE : 11/15/2012

Sheet 1 of 1

ATTACHMENT 5

Exhibit B Portion of Los Carneros Road Legal Description

That portion of the Rancho Los Dos Pueblos described in the grant deeds to the County of Santa Barbara, a political subdivision of the State of California, recorded May 16, 1967 as Instrument No. 12804, in Book 2190, page 205 and May 18, 1967 as Instrument No. 13555, in Book 2190, page 1331 of Official Records of said County, described as follows:

Commencing at a found lead and tag LS 2342 in top of curb adjacent to the southwesterly terminus of the return at the southeasterly corner of Los Carneros Road and Calle Real per the Record of Survey filed in Book 148 of Records of Survey at page 57 in the Office of the County Recorder of said County from which a found ½" pipe tagged LS 3228 marking the most easterly corner of the land shown on said Record of Survey bears north 40°48'48" east 263.85 feet (north 39°43'51" east 263.84 feet calculated from data per said Record of Survey);

Thence north 4°13'50" east 179.84 feet to the True Point of Beginning;

Thence north 01°13'15" east 16.80 feet;

Thence north 00°18'43" west 20.08 feet;

Thence north 00°58'19" west 20.50 feet;

Thence north 01°31'11" west 6.65 feet to the westerly prolongation of the north line of the land shown on said Record of Survey;

Thence along said prolongation south 87°33'51" east 3.69 feet to the easterly line of the land described in said grant deed recorded in Book 2190, page 205 and to the beginning of a non-tangent curve to the right having a radius of 1463.46 feet, the center of said curve bears south 88°28'13" west;

Thence southerly along said easterly line and along the easterly line of the land described in said grant deed recorded in Book 2190, page 205, along the arc of said curve, through a central angle of 02°30'11" a distance of 63.93 feet to a point which bears south 89°01'36" east from the True Point of Beginning;

Thence north 89°01'36" west 3.72 feet to the True Point of Beginning.

Containing 233 square feet more or less.

ATTACHMENT 5

The basis of bearings for this legal description is between National Geodetic Survey points designated "COPR", and "CRU1" and having a calculated bearing of south 10° 29' 11" east North American Datum 1983, CA Zone 5.

The above-described land is graphically shown on Exhibit "B-1" attached hereto and made a part hereof.

End of Legal Description



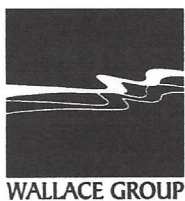
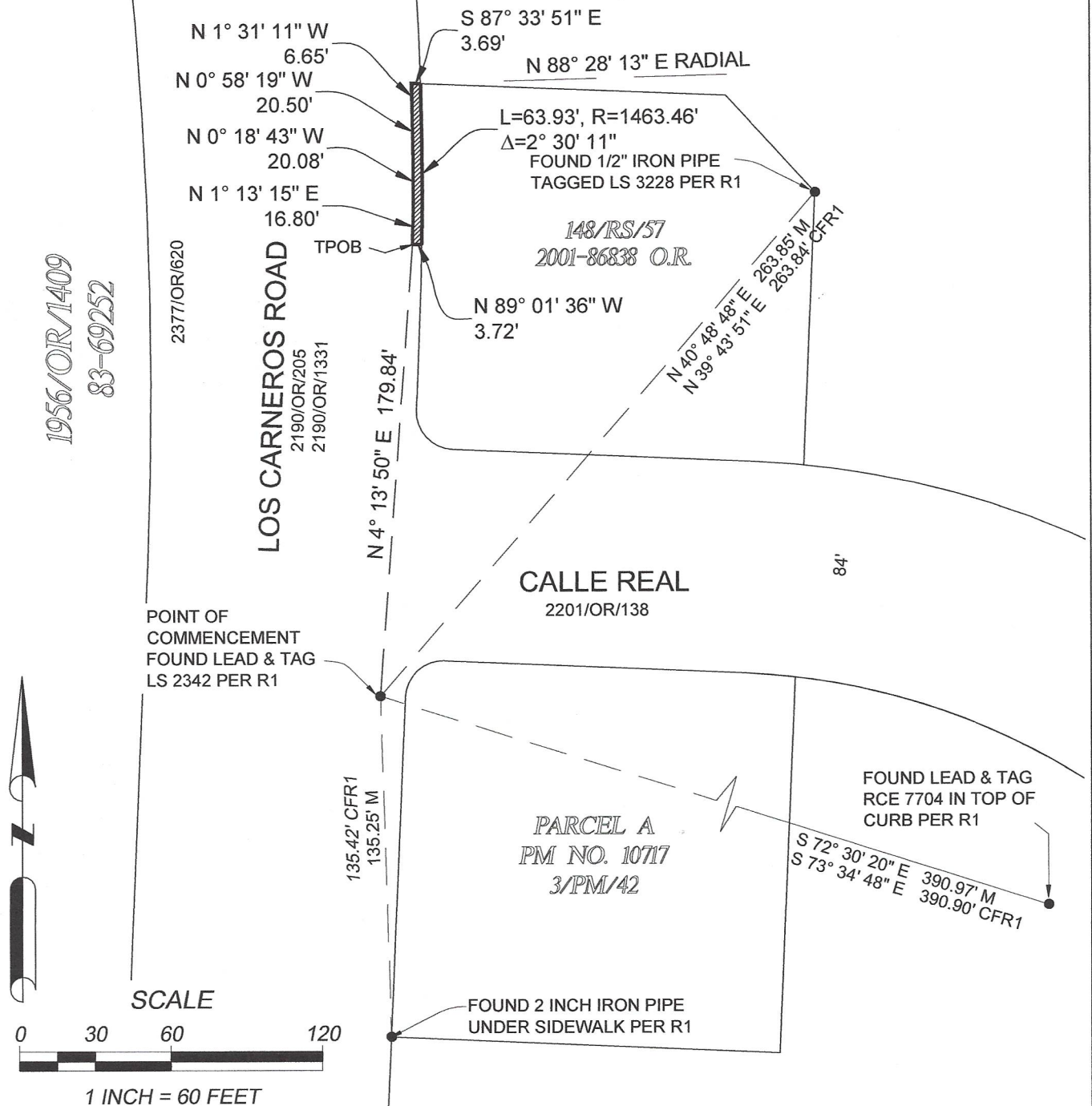
George Marchenko

11/29/2012

ATTACHMENT 5

LEGEND

CF- CALCULATED FROM
M- MEASURED
R1 - 148/RS/57
TPOB- TRUE POINT OF BEGINNING



612 Clarion Court
SAN LUIS OBISPO, CA 93401
T 805 544-4011
F 805 544-4294
www.wallacegroup.us

EXHIBIT B-1
PORTION
LOS CARNEROS ROAD
GOLETA, CA

JOB No. : 863-0008
DRAWING : NE-N
DRAWN BY: GM
DATE : 11/15/2012
Sheet 1 of 1

ATTACHMENT 6

**Property Easement Deed, Legal Description and Plat
Right-of-Way Dedication to the City**

302 Los Carneros Road Property, APN 077-160-064

ATTACHMENT 6

Recording Request By
First American Title

Recording requested by:
Hamner, Jewell & Associates
Government Real Estate Services

When recorded, mail to:
City of Goleta
Public Works Department
130 Cremona Drive, Suite B
Goleta, CA 93117
Attn: Rosemarie Gaglione



2016-0013711

Recorded
Official Records
County of
Santa Barbara
Joseph E. Holland
County Clerk Recorder

REC FEE 0.00
CONFORMED COPY 2.00

08:00AM 24-Mar-2016 JS Page 1 of 6

6
FR
CCW

APN: 077-160-035

SPACE ABOVE THIS LINE FOR RECORDER'S USE

No fee per Government Code 6103

No Documentary Transfer Tax per Revenue Taxation Code 11922

EASEMENT DEED (For Public Street)

For a valuable consideration, receipt of which is hereby acknowledged,

Islamic Society of Santa Barbara, a California non-profit corporation (hereinafter referred to as "Grantor")

hereby grants to

THE CITY OF GOLETA, a Municipal Corporation ("City")

the following interests:

A PERMANENT EASEMENT on, over, under, through, upon, along, in and across that certain real property located in the City of Goleta, County of Santa Barbara, State of California, described in Exhibit A and depicted in Exhibit A-1, attached hereto and incorporated herein by reference, for public street purposes which may include, but not be limited to, the right, but not the obligation, to construct and maintain a public street, sidewalk, utilities, bike lane and landscaping improvements, and other appurtenances;

Signed this 27th day of Feb, 2014.

GRANTOR:

Islamic Society of Santa Barbara, a California non-profit corporation

By: Mukhtar M. Khan
Name: MUKHTAR M. KHAN
Title: President

By: X
Name: X
Title: X

Easement Deed, Legal Description and Plat for City
Right-of-Way Dedication from 302 Los Carneros Road

ATTACHMENT 6

State of California

County of Santa Barbara

On February 27, 2014 before me, CATHY A. SPRINGFORD,

Notary Public, personally appeared MUKHTAR M. KHAN,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.



Signature of Notary Public (Seal)



State of California

County of _____

On _____ before me, _____,

Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public (Seal)

Easement Deed, Legal Description and Plat for City
Right-of-Way Dedication from 302 Los Carneros Road

ATTACHMENT 6

CERTIFICATE OF ACCEPTANCE

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)s.s.
CITY OF GOLETA)

GOVERNMENT CODE SECTION 27281

This is to certify that the interest in real property conveyed by the **EASEMENT DEED** dated February 27, 2014, from Islamic Society of Santa Barbara, a California non-profit corporation ("**GRANTOR**") therein to the **CITY OF GOLETA** a municipal corporation, is hereby accepted by the undersigned City Clerk on behalf of the City of Goleta pursuant to authority conferred by Resolution No. **08-01** of the Goleta City Council adopted on **January 15, 2008**, and the City of Goleta as **GRANTEE** consents to the recordation thereof by its duly authorized officer.

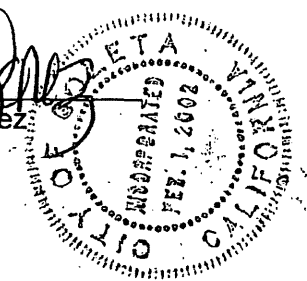
Dated:

2/2/15

CITY OF GOLETA

By: 

Deborah S. Lopez
City Clerk



RIV#81157v1

ATTACHMENT 6

Exhibit A Permanent Easement for Public Street Los Carneros Road and Calle Real (northeast) Legal Description

That portion of the Rancho Los Dos Pueblos in the City of Goleta, County of Santa Barbara, State of California, described in the deed to Islamic Society of Santa Barbara, a California Non-Profit recorded October 10, 2001 as Instrument No. 2001-0086840 of Official Records in the Office of the County Recorder of said County, lying southwesterly of the following described line:

Commencing at a found lead and tag LS 2342 in top of curb adjacent to the southwesterly terminus of the return at the southeasterly corner of Los Carneros Road and Calle Real per the Record of Survey filed in Book 148 of Records of Survey at page 57 in the Office of the County Recorder of said County from which a found $\frac{1}{2}$ " pipe tagged LS 3228 marking the most easterly corner of the land shown on said Record of Survey bears north $40^{\circ}48'48''$ east 263.85 feet (north $39^{\circ}43'51''$ east 263.84 feet calculated from data per said Record of Survey);

Thence north $21^{\circ}24'58''$ east 104.63 feet to the north line of Calle Real as shown on said Record of Survey and the True Point of Beginning;

Thence, northwesterly along a non-tangent curve to the right, having a radius of 20.00 feet, a radial line bears south $2^{\circ}27'44''$ east, through a central angle of $66^{\circ}17'09''$, an arc distance of 23.14 feet;

Thence, along a compound curve, having a radius of 70.00 feet, through a central angle of $4^{\circ}10'03''$, an arc distance of 5.09 feet;

Thence, along a compound curve, having a radius of 69.89 feet, through a central angle of $19^{\circ}31'27''$, an arc distance of 23.82 feet to the east line of Los Carneros Road as shown on said Record of Survey.

Excepting therefrom those portions of said land described in the deed to the County of Santa Barbara recorded August 9, 1967, as Instrument No. 22695, in Book 2201, page 138 of Official Records, and in the deed recorded May 8, 1967, as Instrument No. 13555, Book 2190, page 1331 of Official Records.

Containing 137.74 square feet more or less.

The basis of bearings for this legal description is between National Geodetic Survey points designated "COPR", and "CRU1" and having a calculated bearing of south $10^{\circ}29'11''$ east north American Datum 1983, CA Zone 5.

ATTACHMENT 6

The above-described land is graphically shown on Exhibit "A-1" attached hereto and made a part hereof.

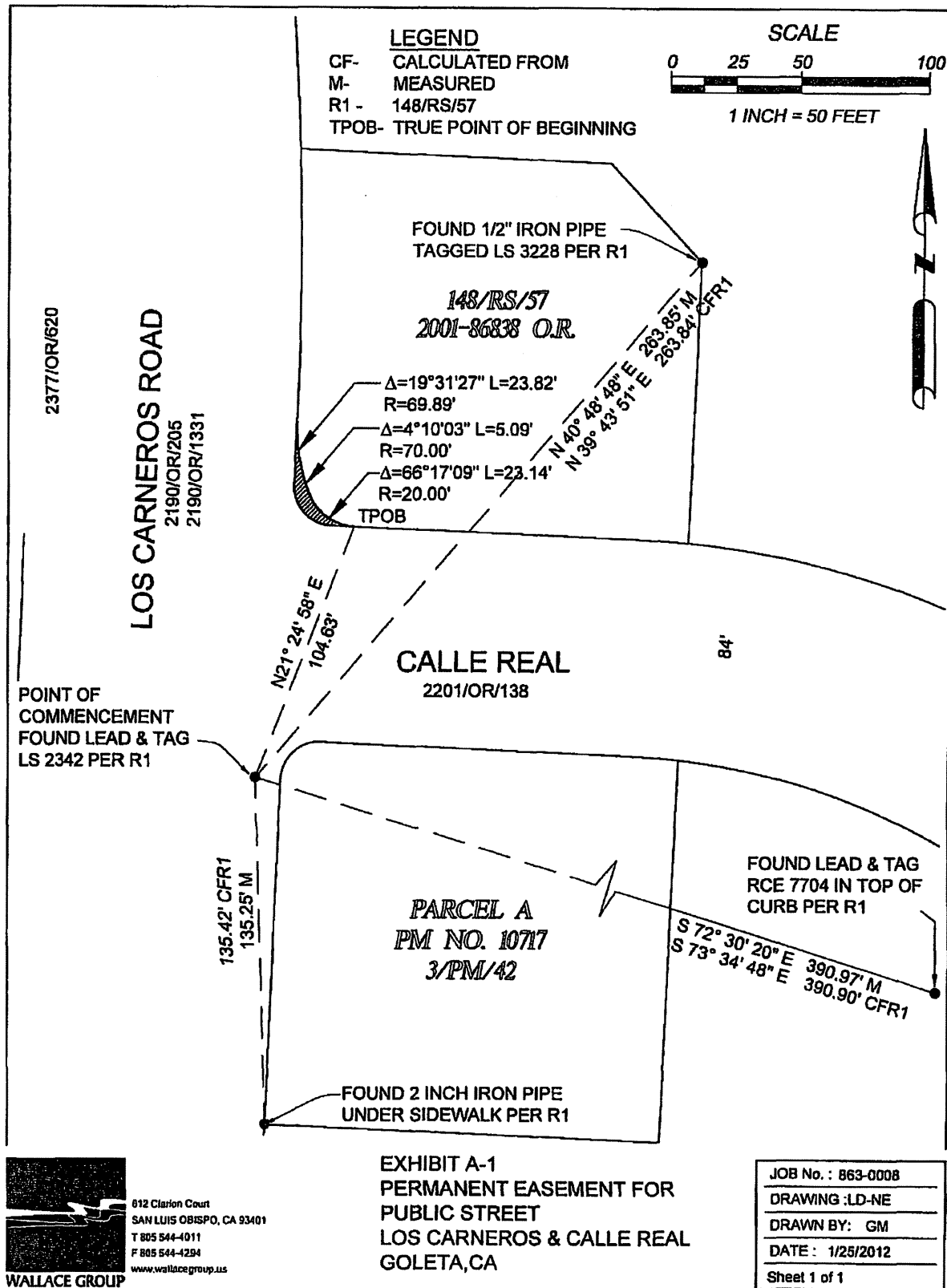
End of Legal Description



George Marchenko

7/29/2012

ATTACHMENT 6



ATTACHMENT 7

Resolution 20-____, entitled “A Resolution of the City Council of the City of Goleta, California, ordering the vacation of certain excess portions of Los Carneros Road and Calle Real rights-of-way adjacent to the property located at 302 Los Carneros Road, APN 077-160-064, and providing for the recordation of this resolution”

ATTACHMENT 7

RECORDING REQUESTED BY)
AND WHEN RECORDED MAIL TO:)
)
City of Goleta)
Public Works Department)
130 Cremona Drive, Suite B)
Goleta, CA 93117)
Attn: James Campero)
) No fee per STS & HWY CODE 8325

Space above line for Recorder's Use

RESOLUTION NO. 20-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
GOLETA, CALIFORNIA, ORDERING THE VACATION OF
CERTAIN EXCESS PORTIONS OF LOS CARNEROS ROAD
AND CALLE REAL RIGHTS-OF-WAY ADJACENT TO
PROPERTY LOCATED AT 302 LOS CARNEROS ROAD,
APN 077-160-064, AND PROVIDING FOR THE RECORDATION
OF THIS RESOLUTION**

WHEREAS, the Council of the City of Goleta, by Resolution No. 19-76, adopted on December 17, 2019, has declared its intention to vacate the excess portions of Los Carneros Road and Calle Real rights-of-way adjacent to 302 Los Carneros Road, Santa Barbara County Assessor's Parcel No. 077-160-064, within the City of Goleta, which are hereinafter referred to together for convenience as the "Public Street Interests"; and

WHEREAS, The City of Goleta, as successor of the County of Santa Barbara, owns those certain strips of land underlying the Public Street Interests for Los Carneros Road and Calle Real rights-of-way in fee, as granted and described originally in that certain grant deed to the County of Santa Barbara recorded on May 18, 1967, as Instrument No. 13555, in Book 2190 at Page 1331, and as granted and described originally in that certain grant deed to the County of Santa Barbara recorded on August 9, 1967, as Instrument No. 22695, in Book 2201 at Page 138, both in the Official Records in the Office of the County Recorder of the County of Santa Barbara; and

WHEREAS, on February 4, 2020, at 5:30 pm, during the regularly scheduled Council meeting, the Goleta City Council held a hearing upon the proposed vacation of the Public Street Interests for all persons interested in or objecting to the vacation; and

WHEREAS, the above referenced hearing was duly noticed and held pursuant to Division 9, Part 3, Chapter 3 (Sections 8320-8325) of the Streets and Highways Code of the State of California as amended; and

ATTACHMENT 7

WHEREAS, the City Council has caused Notices of Vacation to be posted in the manner and during the time required by Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California; and

WHEREAS, the Council of said City has caused the City Clerk to publish the notice of the hearing on the proposed vacation of the Public Street Interests in a weekly newspaper of general circulation, published and circulated in the City of Goleta as required by Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California; and

NOW, THEREFORE, PURSUANT TO THE PROVISIONS OF DIVISION 9, PART 3, CHAPTER 3 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA, AS FOLLOWS:

SECTION 1.

Pursuant to Streets and Highways Code sections 8330 et seq., the City of Goleta approves the proposed vacation of the Public Street Interests in those certain portions of Los Carneros Road and Calle Real rights-of-way, as described herein for the following reasons:

1. The above findings are true and correct.
2. The Public Street Interests for the excess portions of Los Carneros Road and Calle Real rights-of-way, as described herein, are not necessary for the present or prospective public street right-of-way purposes and nonmotorized transportation facilities, subject however, to the reservation therefrom of certain non-exclusive easement rights, other than for a public street.

SECTION 2.

The City of Goleta hereby vacates the Public Street Interests in those certain portions of Los Carneros Road and Calle Real, in the City of Goleta, County of Santa Barbara, State of California, more particularly described in Exhibits A and B, and depicted in Exhibits A-1 and B-1, all attached hereto and incorporated herein, excepting and reserving therefrom the following non-exclusive easement rights;

1. Excepting and reserving therefrom, on behalf of The Southern California Gas Company, a Sempra Energy Company, a non-exclusive easement within said portion of Los Carneros Road described on

ATTACHMENT 7

Exhibit B and depicted on Exhibit B-1, for continued use and operation of existing facilities, and to lay, construct, maintain, operate, repair, replace, patrol, change the size of, add to, or remove from time to time, as deemed necessary by The Southern California Gas Company, one or more pipelines and conduits, together with metering, measuring, regulating, cathodic protection, communications and other appurtenances.

2. Excepting and reserving therefrom, on behalf of Frontier California Inc., a corporation, a non-exclusive easement within said portion of Los Carneros Road described in Exhibit B and depicted on Exhibit B-1, for the purpose of constructing, using, maintaining, operating, altering, adding to, repairing, replacing, reconstructing, inspecting and/or removing its facilities consisting of but not limited to: underground conduits, manholes, hand holes, cables and/or facilities (hereinafter sometimes called "equipment") necessary or useful for the transmission of electric energy for communications, telecommunications, video, intelligence by electrical means and/or other purposes.

3. Excepting and reserving therefrom, on behalf of Southern California Edison Company, a corporation, its successors and assigns, a non-exclusive easement within said portion of Los Carneros Road described in Exhibit B and depicted on Exhibit B-1, to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence, data and/or communications (e.g., through fiber optic cable).

SECTION 3.

The Council of the City of Goleta hereby directs and authorizes the City Manager to complete the conveyance of the fee rights underlying the Public Street Interests vacated herein in accordance with the terms and provisions of that certain agreement entered into between The Islamic Society of Santa Barbara, the owner of the real

ATTACHMENT 7

property at 302 Los Carneros Road, APN 077-160-064, and the City of Goleta, dated July 7, 2014.

SECTION 4.

That the City Clerk of the City of Goleta is instructed to cause the recordation of the certified original of this resolution in the Official Records, in the Office of the County Recorder of the County of Santa Barbara, at which time those excess portions of the Public Street Interests in those certain portions of Los Carneros Road and Calle Real rights-of-way being vacated will no longer be a portion of said public streets.

SECTION 5.

The City Clerk shall certify to the adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 4th day of February, 2020.

PAULA PEROTTE, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

MICHAEL JENKINS
CITY ATTORNEY

ATTACHMENT 7

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO
HEREBY CERTIFY that the foregoing Resolution No. 20-__ was duly adopted by
the City Council of the City of Goleta at a regular meeting held on the 4th day of
February, 2020 by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

ATTACHMENT 7

Exhibit A Portion of Calle Real Legal Description

That portion of the Rancho Los Dos Pueblos described in the grant deed to the County of Santa Barbara, a political subdivision of the State of California, recorded August 9, 1967, as Instrument No. 22695, in Book 2201, page 138 of Official Records of said County, lying northerly of the following described line:

Commencing at a found lead and tag LS 2342 in top of curb adjacent to the southwesterly terminus of the return at the southeasterly corner of Los Carneros Road and Calle Real per the Record of Survey filed in Book 148 of Records of Survey at page 57 in the Office of the County Recorder of said County from which a found ½" pipe tagged LS 3228 marking the most easterly corner of the land shown on said Record of Survey bears north 40°48'48" east 263.85 feet (north 39°43'51" east 263.84 feet calculated from data per said Record of Survey);

Thence, north 35° 05' 55" east 117.51 feet to the north line of Calle Real as shown on said Record of Survey and the True Point of Beginning;

Thence south 82°34'02" east 46.99 feet;

Thence south 79°40'11" east 7.08 feet;

Thence south 73°39'53" east 7.59 feet;

Thence south 75°58'22" east 13.21 feet;

Thence south 87°27'36" east 6.15 feet;

Thence south 84°26'00" east 10.48 feet;

Thence south 84°53'53" east 7.98 feet;

Thence north 07°35'32" east 9.89 feet to said north line.

Containing 521 square feet more or less.

The basis of bearings for this legal description is between National Geodetic Survey points designated "COPR", and "CRU1" and having a calculated bearing of south 10° 29' 11" east North American Datum 1983, CA Zone 5.

The above-described land is graphically shown on Exhibit "A-1" attached hereto and made a part hereof.

ATTACHMENT 7

End of Legal Description



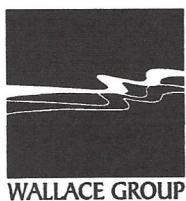
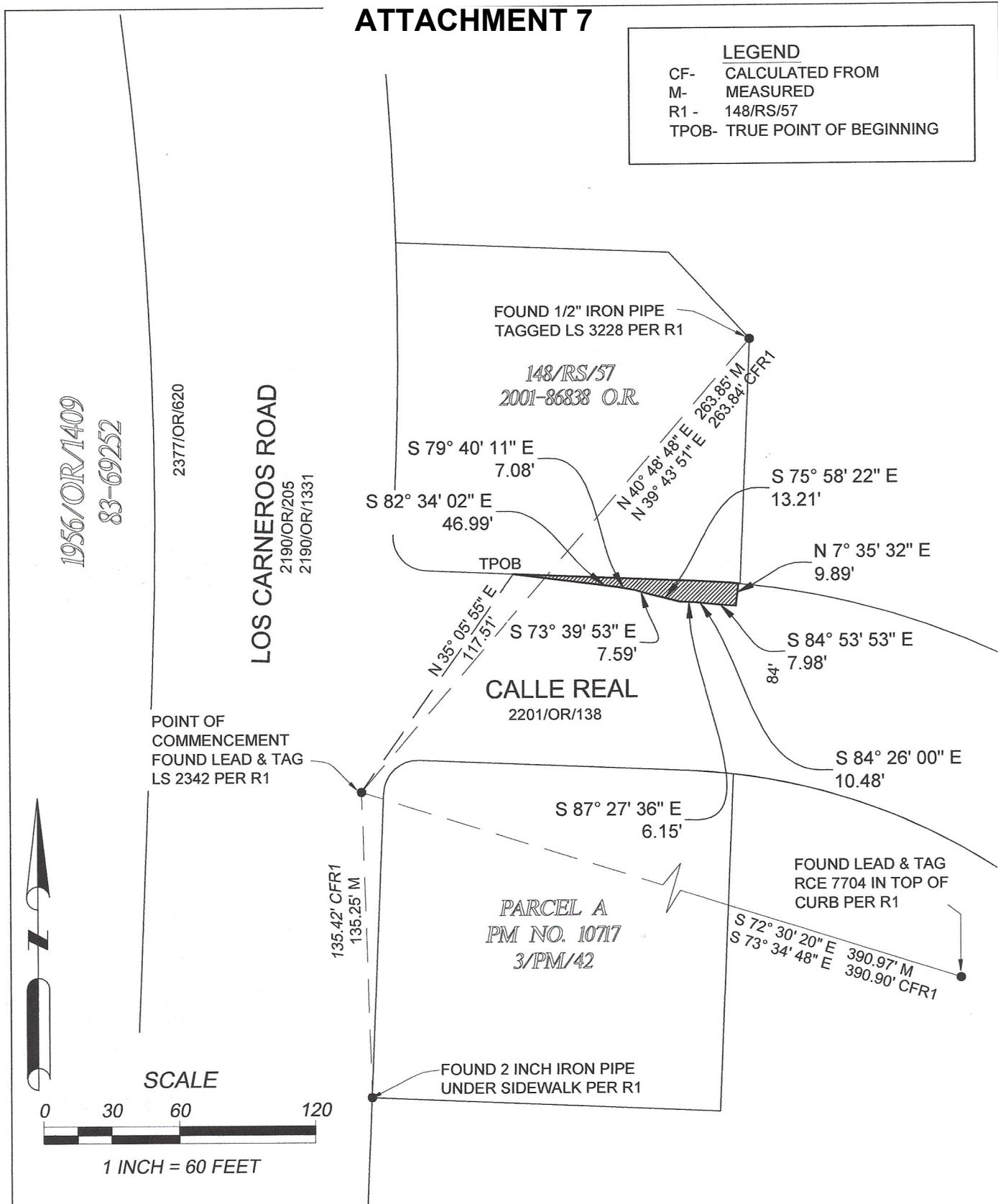
George Marchenko

11/29/2012

ATTACHMENT 7

LEGEND

CF- CALCULATED FROM
M- MEASURED
R1 - 148/RS/57
TPOB- TRUE POINT OF BEGINNING



612 Clarion Court
SAN LUIS OBISPO, CA 93401
T 805 544-4011
F 805 544-4294
www.wallacegroup.us

JOB No. : 863-0008
DRAWING : NE-E
DRAWN BY: GM
DATE : 11/15/2012
Sheet 1 of 1

ATTACHMENT 7

Exhibit B Portion of Los Carneros Road Legal Description

That portion of the Rancho Los Dos Pueblos described in the grant deeds to the County of Santa Barbara, a political subdivision of the State of California, recorded May 16, 1967 as Instrument No. 12804, in Book 2190, page 205 and May 18, 1967 as Instrument No. 13555, in Book 2190, page 1331 of Official Records of said County, described as follows:

Commencing at a found lead and tag LS 2342 in top of curb adjacent to the southwesterly terminus of the return at the southeasterly corner of Los Carneros Road and Calle Real per the Record of Survey filed in Book 148 of Records of Survey at page 57 in the Office of the County Recorder of said County from which a found ½" pipe tagged LS 3228 marking the most easterly corner of the land shown on said Record of Survey bears north 40°48'48" east 263.85 feet (north 39°43'51" east 263.84 feet calculated from data per said Record of Survey);

Thence north 4°13'50" east 179.84 feet to the True Point of Beginning;

Thence north 01°13'15" east 16.80 feet;

Thence north 00°18'43" west 20.08 feet;

Thence north 00°58'19" west 20.50 feet;

Thence north 01°31'11" west 6.65 feet to the westerly prolongation of the north line of the land shown on said Record of Survey;

Thence along said prolongation south 87°33'51" east 3.69 feet to the easterly line of the land described in said grant deed recorded in Book 2190, page 205 and to the beginning of a non-tangent curve to the right having a radius of 1463.46 feet, the center of said curve bears south 88°28'13" west;

Thence southerly along said easterly line and along the easterly line of the land described in said grant deed recorded in Book 2190, page 205, along the arc of said curve, through a central angle of 02°30'11" a distance of 63.93 feet to a point which bears south 89°01'36" east from the True Point of Beginning;

Thence north 89°01'36" west 3.72 feet to the True Point of Beginning.

Containing 233 square feet more or less.

ATTACHMENT 7

The basis of bearings for this legal description is between National Geodetic Survey points designated "COPR", and "CRU1" and having a calculated bearing of south 10° 29' 11" east North American Datum 1983, CA Zone 5.

The above-described land is graphically shown on Exhibit "B-1" attached hereto and made a part hereof.

End of Legal Description



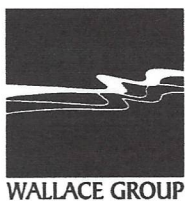
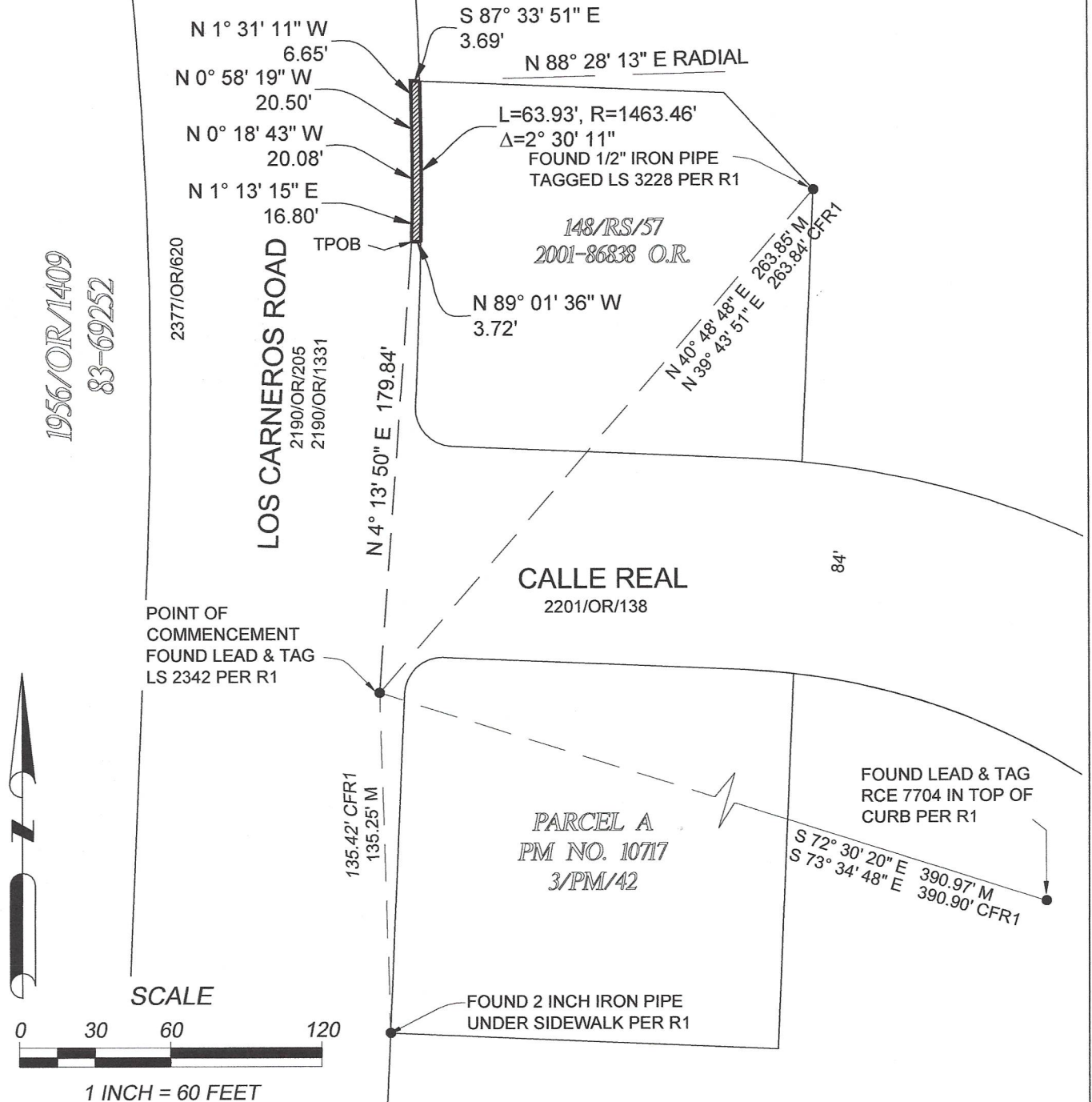
George Marchenko

11/29/2012

ATTACHMENT 7

LEGEND

CF- CALCULATED FROM
M- MEASURED
R1 - 148/RS/57
TPOB- TRUE POINT OF BEGINNING



612 Clarion Court
SAN LUIS OBISPO, CA 93401
T 805 544-4011
F 805 544-4294
www.wallacegroup.us

EXHIBIT B-1
PORTION
LOS CARNEROS ROAD
GOLETA, CA

JOB No. : 863-0008
DRAWING : NE-N
DRAWN BY: GM
DATE : 11/15/2012
Sheet 1 of 1

ATTACHMENT 8

Presentation

Vacation of Street Rights-of-Way on Los Carneros Road and Calle Real



City of Goleta
DEPARTMENT OF PUBLIC WORKS

Vacation of Street Rights-of-Way on
Los Carneros Rd and Calle Real

February 4, 2020

City of Goleta
DEPARTMENT OF PUBLIC WORKS

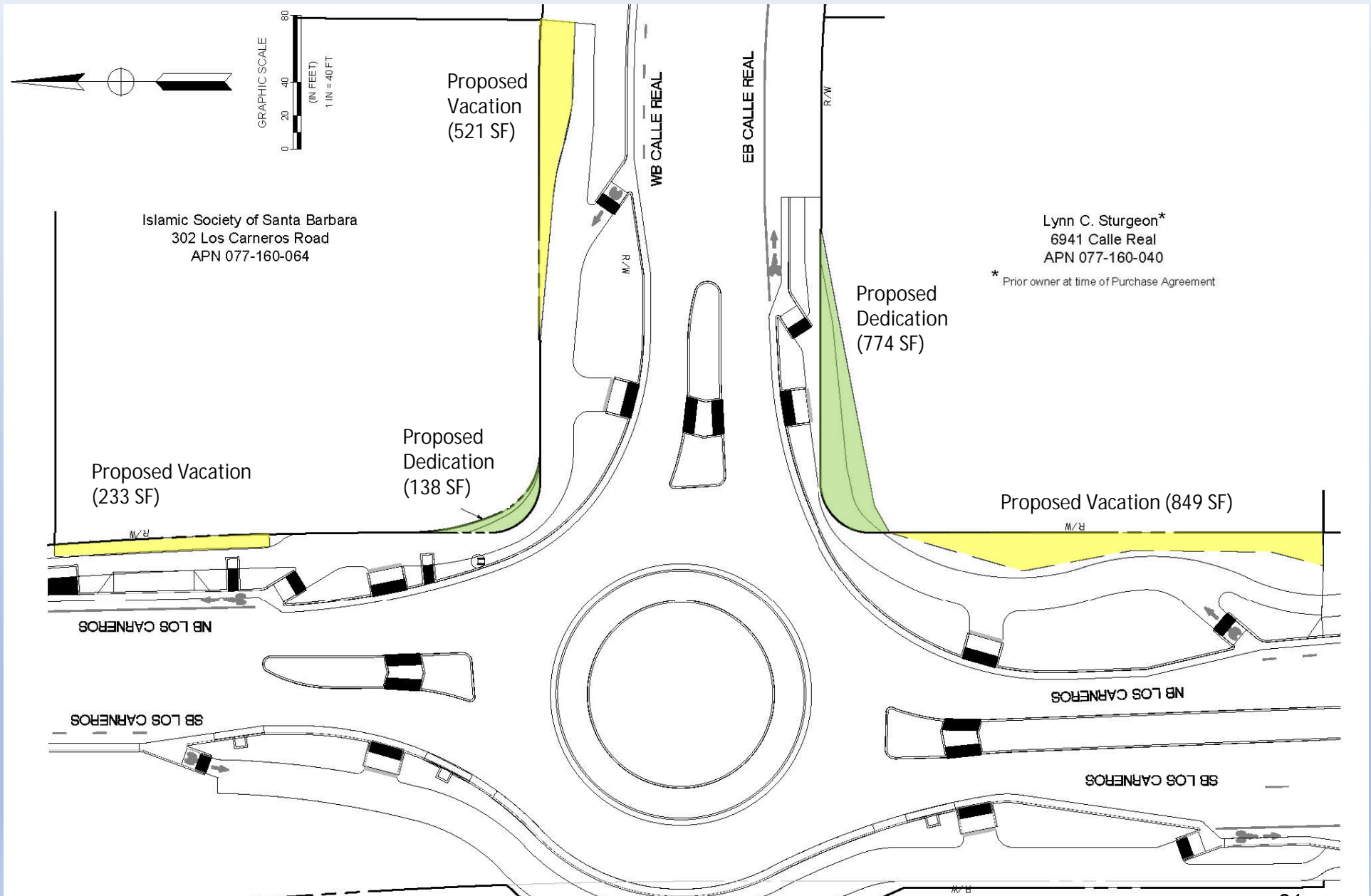
Vacation of Street Rights-of-Way on Los Carneros Rd and Calle Real

BACKGROUND:

- On July 15, 2014, City Council approved property exchange agreements with the property owners located at 6491 Calle Real and 302 Los Carneros Road.
 - Exchange private ROW areas needed for Los Carneros/Calle Real Roundabout Project for excess City areas.
- Roundabout Project is complete and City recently initiated the ROW vacation process.
- On December 17, 2019, City Council adopted resolutions declaring the City's intent to vacate excess portions of Los Carneros Road and Calle Real ROW.
 - Publications and postings were provided per ROW vacation procedures.
 - Identified a Public Hearing would be held on February 4, 2020.

City of Goleta
DEPARTMENT OF PUBLIC WORKS

Vacation of Street Rights-of-Way on Los Carneros Rd and Calle Real



City of Goleta
DEPARTMENT OF PUBLIC WORKS

Vacation of Street Rights-of-Way on Los Carneros Rd and Calle Real

RECOMMENDATIONS:

- Adopt Resolution No. 20-____, entitled "A Resolution of the City Council of the City of Goleta, California, Ordering the Vacation of an Excess Portion of Los Carneros Road Right-Of-Way Adjacent to the Property Located at 6491 Calle Real, APN 077-160-040, and Providing for the Recordation of this Resolution."
- Adopt Resolution No. 20-____, entitled "A Resolution of the City Council of the City of Goleta, California, Ordering the Vacation of Certain Excess Portions of Los Carneros Road and Calle Real Rights-Of-Way Adjacent to the Property Located at 302 Los Carneros Road, APN 077-160-064, and Providing for the Recordation of this Resolution."
- Authorize the City Manager to execute all right-of-way documents necessary to complete the property exchange with the current owners of the properties located at 6491 Calle Real and 302 Los Carneros Road.