

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING THE GRANTING OF EASEMENTS FOR PUBLIC UTILITIES IN AND UNDER THE CITY-OWNED PROPERTY AT CHAPALA AND YANONALI STREETS, AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE AGREEMENTS WITH SOUTHERN CALIFORNIA EDISON COMPANY, VERIZON CALIFORNIA INC., COX COMMUNICATIONS CALIFORNIA LLC, AND CROWN CASTLE NG WEST INC., TO GRANT EASEMENTS RELATED TO THE CITY-OWNED PROPERTY AT CHAPALA AND YANONALI STREETS

WHEREAS, the City of Santa Barbara's Chapala Street Bridge Replacement Project and the County of Santa Barbara Flood Control District's Lower Mission Creek, Reach 2A, By-pass Box Culvert Project, require the relocation of several above-ground utilities in order to construct the bridge and the box culvert;

WHEREAS, the City of Santa Barbara is prepared to enter into an Agreement to Grant Easement with Southern California Edison Company for the purposes of relocating existing overhead electrical and communication facilities now existing in that portion of Chapala Street vacated via City Ordinance No. 4991, to underground electrical and communication facilities in and under a portion of that certain tract of land owned by the City of Santa Barbara commonly known as APN: 033-041-013 (and referred to herein as the Depot Triangle Property);

WHEREAS, the City of Santa Barbara is prepared to enter into an Agreement to Grant Easement with Verizon California Inc., for the purposes of relocating existing overhead communication facilities now existing in that portion of Chapala Street vacated via City Ordinance No. 4991, to underground communication facilities in and under the Depot Triangle Property;

WHEREAS, the City of Santa Barbara is prepared to enter into an Agreement to Grant Easement with Cox Communications California, LLC, for the purposes of relocating existing overhead communication facilities now existing in that portion of Chapala Street vacated via City Ordinance No. 4991, to underground communication facilities in and under a portion the Depot Triangle Property;

WHEREAS, the City of Santa Barbara is prepared to enter into an Agreement to Grant Easement with Crown Castle NG West Inc., for the purposes of relocating existing overhead communication facilities now existing in that portion of Chapala Street vacated via City Ordinance No. 4991, to underground communication facilities in and under a portion of that certain tract of land owned by the City of Santa Barbara commonly known as APN: 033-041-013 (and referred to herein as the Depot Triangle Property); and

WHEREAS, this ordinance will provide authorization by the Council of the City of Santa Barbara for the Public Works Director to execute the agreements with each of the aforementioned utility companies, and provide for the grant and recordation of said easements.

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. The Public Works Director is hereby authorized by the Council of the City of Santa Barbara to execute the Agreement to Grant Easement with Southern California Edison Company, Verizon California Inc., Cox Communications California, LLC, and Crown Castle NG West, Inc. for the purposes of relocating existing overhead electrical and communication facilities to underground facilities in and under the Depot Triangle Property.

SECTION 2. That the grant of a nonexclusive easement as set forth in the Easement Deed to each of Southern California Edison Company, Verizon California Inc., Cox Communications California, LLC, and Crown Castle NG West Inc., for the purposes of relocating existing overhead electrical and communication utilities now existing in that portion of Chapala Street vacated via City Ordinance No. 4991, displaced by the Chapala Street Bridge Replacement Project and the County of Santa Barbara Flood Control District's Lower Mission Creek, Reach 2A, By-pass Box Culvert Project, and for all related purposes and uses in and under a portion of that certain tract of land owned by the City of Santa Barbara commonly known as APN: 033-041-013 and also referred to as the Depot Triangle Property, is approved pursuant to the City Charter Article V, Section 520, and the City Administrator is authorized to execute the same.

SECTION 3. That upon the effective date of the Ordinance, the City Clerk is authorized to record said Easement Deeds in the Official Records of the Office of the County Recorder, Santa Barbara County.