

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA TO ACQUIRE AND ACCEPT IN FEE THE REAL PROPERTY INTERESTS LOCATED AT 15 AND 20 W. MASON STREET TO ACCOMMODATE THE MASON STREET BRIDGE REPLACEMENT PROJECT, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO EXECUTE SUCH AGREEMENTS AND DOCUMENTS, TO BE APPROVED AS TO FORM BY THE CITY ATTORNEY, AS NECESSARY FOR THE ACQUISITION AND ACCEPTANCE OF SAID REAL PROPERTY INTERESTS, AND RECORD SAID REAL PROPERTY INTERESTS IN THE OFFICIAL RECORDS OF THE COUNTY OF SANT BARBARA

WHEREAS, a proposed project is currently undergoing final design and environmental review for the City of Santa Barbara (City) to replace the existing bridge for Mason Street at Mission Creek, due to the increasingly deteriorated condition and limited flood control capacity, with anticipated reimbursement of 100 percent of the City's associated costs using funding provided by the Federal Highway Administration (FWHA);

WHEREAS, the bridge replacement project requires the purchase by the City of the real property commonly known as 15 W. Mason Street, County of Santa Barbara Assessor's Parcel No. 033-102-003, owned by David C. Nordahl, as Trustee of the Living Trust Established Under the David C. Nordahl Living Trust Declaration, as to an undivided 25-percent interest, Brent B. Reichard and Julianna B. Reichard, Trustees of the Reichard Family 2007 Revocable Trust Under Instrument dated December 6, 2007, as to an undivided 40 percent interest, Bruce Reichard and Peggie Reichard, Trustees of the Reichard Family 2010 Revocable Trust Under Instrument dated January 19, 2010, as to an undivided 10-percent interest, and Janet M. Nancarrow, Trustee of the Janet M. Nancarrow 2012 Revocable Trust Established Under Revocable Trust Agreement dated January 31, 2012, as to an undivided 25-percent interest, due to the property's location adjacent to the existing Mason Street bridge and Mission Creek channel, for total just compensation in the amount of \$2,300,000;

WHEREAS, the bridge replacement project also requires the purchase by the city of the real property commonly known as 20 W. Mason Street, County of Santa Barbara Assessor's Parcel No. 033-074-005, owned by Grant Walters, an unmarried man, due to the property's location adjacent to the existing Mason Street bridge and Mission Creek channel, for total just compensation in the amount of \$1,850,000;

WHEREAS, as real property interests have been valued, and in accordance with applicable laws and guidelines, subject to final approval by the Council of the City of Santa Barbara, written offers and required valuation summaries and agreements have been delivered to the respective owners;

WHEREAS, the written purchase offers have been accepted by the respective owners and their agreements have been signed voluntarily to allow the City to purchase the real property interests, subject to final approval by the Council of the City of Santa Barbara;

WHEREAS, this Resolution will provide authorization by the Council of the City of Santa Barbara for the Public Works Director to execute the agreements with the affected owners, subject to approval as to form by the City Attorney;

WHEREAS, this Resolution will also provide authorization by the Council of the City of Santa Barbara for the Public Works Director to subsequently execute any other documents that may become necessary to accomplish such purchases by the City of the fee interests in the real properties, subject to approval as to form of such documents by the City Attorney, which may include among others, but not be limited to, escrow instructions; and

WHEREAS, this Resolution will demonstrate intent by the Council of the City of Santa Barbara to accept the real property fee interests particularly described in the respective documents delivered for such purpose, without further action or subsequent resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The Public Works Director is hereby authorized by the Council of the City of Santa Barbara to execute the agreements necessary for the acquisition of said real property interests with Nordahl, et al, to accomplish the purchase by the City of the real property fee interest for the purposes of bridge and appurtenant public works improvements and related facilities construction work, on and adjacent to the real property commonly known as 15 W. Mason Street, Santa Barbara County APN 033-102-003, for total compensation in the amount of \$2,300,000 dollars, and with Grant Walters, an unmarried man for like purposes on and adjacent to the real property known as 20 W. Mason Street, County of Santa Barbara, APN 037-074-005, for total compensation of \$1,850,000 dollars.

SECTION 2. The City of Santa Barbara hereby accepts the interests on the real properties mentioned above, as more particularly described in the Mason Street Grant Deeds signed by Nordahl et. al, and by Grant Walters, an unmarried man, which have been executed and delivered hereunder.

SECTION 3. The City of Santa Barbara hereby consents to the recordation of the Mason Street Grant Deeds in the Official Records, County of Santa Barbara.

SECTION 4. This Resolution shall become effective immediately upon its adoption.