

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 230 W. COTA STREET, RELATING TO THE COTA STREET BRIDGE REPLACEMENT PROJECT, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO EXECUTE SUCH AGREEMENTS AND DOCUMENTS 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 SANTA BARBARA

WHEREAS, a proposed project is currently undergoing final design and environmental review to allow the City of Santa Barbara (City) to replace the existing bridge for Cota Street at Mission Creek, due to the bridge's age, increasingly deteriorated condition and limited flood control capacity, with anticipated reimbursement of 88.53 percent of the City's associated costs coming from 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 230 West Cota Street, City of Santa Barbara, County of Santa Barbara, Assessor's Parcel Number (APN) 037-121-018 (hereinafter referred to as the "Real Property"), owned by Marsha Kvocka, successor Trustee of the Vega Family Trust dated October 15, 1991 (hereinafter referred to as "Marsha Kvocka, Successor Trustee"), due to the property's location adjacent to the existing bridge and Mission Creek channel for total just compensation in the amount of \$635,000;

WHEREAS, the real property interest has been valued and, in accordance with applicable laws and guidelines, subject to final approval by the Council of the City of Santa Barbara, a written offer and required valuation summary and agreement have been delivered to Marsha Kvocka, Successor Trustee;

WHEREAS, the written purchase offer has been accepted by Marsha Kvocka, Successor Trustee, and her agreement has been signed voluntarily to allow the City to purchase the Real Property, 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 documents necessary to accomplish the purchase by the City of the fee interest in the Real Property for the purchase price of \$635,000, subject to approval as to form of such documents by the City Attorney, which may include but not be limited to, purchase agreement, escrow instructions, and Grant Deed; and

WHEREAS, this Resolution will demonstrate intent by the Council of the City of Santa Barbara to accept the Real Property fee interest 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 purchase and acquisition of the fee interest of the real property commonly known as 230 West Cota Street, Santa Barbara County Assessors Parcel Number 037-121-018 ("Real Property"), with the property owner, Marsha Kvocka, successor Trustee of the Vega Family Trust dated October 15, 1991, as required to facilitate the Cota Street Bridge replacement project and appurtenant public works improvements which are located adjacent to the Real Property.

SECTION 2. The City of Santa Barbara hereby accepts the interest of the Real Property mentioned above, as more particularly described in the Purchase Agreement and Deed signed by Marsha Kvocka, successor Trustee of the Vega Family Trust dated October 15, 1991, which have been executed and delivered hereunder.

SECTION 3. The City of Santa Barbara hereby consents to the recordation of the Grant Deed for the Real Property, in the Official Records, County of Santa Barbara.

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