

RESOLUTION OF ACCEPTANCE NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ACCEPTING REAL PROPERTY LOCATED AT 3780 FOOTHILL ROAD, AND AUTHORIZING THE PARKS AND RECREATION DIRECTOR TO EXECUTE AN AGREEMENT FOR ACQUISITION OF REAL PROPERTY WITH ESCROW INSTRUCTIONS AND ALL RELATED DOCUMENTS THAT MAY BE REQUIRED, ALL SUBJECT TO REVIEW AND APPROVAL AS TO FORM BY THE CITY ATTORNEY, RELATING TO A FUTURE CREEK RESTORATION AND WATER QUALITY IMPROVEMENT PROJECT, AND CONSENTING TO THE RECORDATION OF THE RELATED DEED IN THE OFFICIAL RECORDS, COUNTY OF SANTA BARBARA

WHEREAS, the City's Creek Restoration and Water Quality Improvement Division was established in 2001 to improve creek water quality and restore natural creek systems;

WHEREAS, the City plans to develop a restoration project on Barger Creek in the upper Arroyo Burro watershed that will improve wildlife habitat, water quality, and bank stabilization;

WHEREAS, the Barger Creek Restoration Program requires the purchase by the City of the real property commonly known as 3780 Foothill Road, Santa Barbara County Assessor's Parcel APN 055-020-034, owned by the Sandra De Forrest Trust, Sandra De Forrest, Trustee, due to its location surrounding Barger Creek, for consideration in the amount of \$900,000.00, plus related escrow closing costs;

WHEREAS, as authorized by the Council of the City of Santa Barbara, the real property at 3780 Foothill Road has been appraised by an independent appraiser, 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 agreement has been delivered to the property owner;

WHEREAS, the written purchase offer has been accepted by the owner of the real property at 3780 Foothill Road, and the 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 Parks and Recreation Director to execute the agreement with the owners, subject to review and 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 Parks and Recreation Director to subsequently execute any

documents that may become necessary to accomplish such purchase by the City of the real property at 3780 Foothill Road, subject to review and approval as to form of such documents by the City Attorney, which may include among others, but not be limited to, sale escrow instructions; and

WHEREAS, this Resolution will demonstrate intent by the Council of the City of Santa Barbara to accept the real property located at 3780 Foothill Road, as more particularly described in a grant deed delivered for such purpose by the Sandra De Forrest Trust, Sandra De Forrest, Trustee, as described in such agreement, without further action or subsequent resolution to accept the real property.

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

SECTION 1. The Parks and Recreation Director is hereby authorized by the Council of the City of Santa Barbara, subject to review and approval by the City Attorney as to form, to execute all required agreements with the Sandra De Forrest Trust, Sandra De Forrest, Trustee, to accomplish the purchase by the City of the entire real property commonly known as 3780 Foothill Road, Santa Barbara County Assessor's Parcel APN 055-020-034, including the associated conservation and access easements, for consideration in the amount of \$900,000.00, plus related escrow closing costs.

SECTION 2. The City of Santa Barbara hereby accepts the real property at 3780 Foothill Road, and the associated conservation and access easements, as more particularly described in the grant deed by the Sandra De Forrest Trust, Sandra De Forrest, Trustee to the City of Santa Barbara, dated _____, 2013, which has been executed and delivered hereunder.

SECTION 3. The City of Santa Barbara hereby consents to the recordation of the grant deed by the Sandra De Forrest Trust, Sandra De Forrest, Trustee, in the Official Records, County of Santa Barbara.

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