

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

A RESOLUTION OF NECESSITY OF THE COUNCIL OF THE CITY OF SANTA BARBARA TO ACQUIRE CERTAIN REAL PROPERTY RIGHTS OVER THE PROPERTY COMMONLY KNOWN AS 13 (OTHERWISE KNOWN AS 15) EAST CABRILLO BOULEVARD (APN: 033-111-012), 21 HELENA AVENUE (APN: 033-111-004), AND 6 STATE STREET (APN: 033-111-011).

WHEREAS, on November 18, 2014, the City Council held a hearing on the following matters:

- a. That the public interest and necessity require the replacement of the Cabrillo Bridge (hereinafter referred to as the "Project");
- b. That the Project (as depicted on City Plan No. C-1-4200, a copy of which is permanently on file at the Public Works Department of the City of Santa Barbara) is planned or located in the manner that will be the most compatible with the greatest public good and the least private injury;
- c. That the property rights sought to be acquired and described in the resolution are necessary for the Project;
- d. That the offer required by Section 7267.2 of the California Government Code has been made to the owner or owners of record;
- e. That a Mitigated Negative Declaration finding was made pursuant to the California Environmental Quality Act Regulations (CEQA);
- f. That the Project has been determined to be categorically excluded pursuant to the National Environmental Protection Act (NEPA);
- g. Such other and further matters as may be referred to in California Code of Civil Procedure §1245.230.

WHEREAS, on January 28, 2014 the property owner executed a Right of Entry and Memorandum of Right of Entry, recorded with the Santa Barbara County Recorder as Instrument No. 2014-0008614, which grants the City temporary possession of the property until a monetary settlement can be reached or a final order of condemnation is recorded.

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

SECTION 1.

- a. The public interest and necessity require the Project;
- b. The Project is planned or located in the manner that will be the most compatible with the greatest public good and the least private injury;

c. All the property rights described in this resolution are necessary for the Project;

d. The offer required by Section 7267.2 of the California Government Code has been made to the owner or owners of record;

e. The property owner waived the right to notice of the City's intent to adopt the resolution of necessity when it executed the Right of Entry, City Agreement Number 24,720, dated January 28, 2014, which granted the City the right to possession and use of the property. The property owner also agreed not to object to the filing of an eminent domain proceeding or to challenge the City's right to take the property; and

f. The Project was evaluated in the Mitigated Negative Declaration dated February 21, 2007, pursuant to the California Environmental Quality Act (CEQA) and the Notice of Determination was filed with the State Clearing House on August 21, 2007. Additionally, the Project was evaluated pursuant to the National Environmental Protection Act (NEPA) and the determination was made that it is a Categorical Exclusion under 23 CFR 771.117(d); activity (d)(3).

SECTION 2. The basis for these findings is as follows:

FINDING 1: The Public Interest and Necessity Require the Project.

The Project is necessary to replace the existing structurally deficient bridge and improve the hydraulic flow of Mission Creek through the reconstruction of the flood control channel. The Project is an approved FHWA Bridge Program project with oversight provided through the State of California, Department of Transportation (Caltrans). The federal funding is provided through the MAP 21 Act (P.L. 112-141). The Project specifically calls for the removal of the existing bridge and replacement with a slightly longer bridge design that will comply with current structural capacity requirements and also improve the hydraulic flow of Mission Creek in this area.

There is an existing restaurant building that was built over a portion of the Mission Creek Channel and attached to the existing bridge. The restaurant building presently rests in part on an existing structurally deficient channel wall that was built by the property owners in the 1950s. The reconstruction of the bridge and the flood control channel requires the demolition of that portion of the restaurant building that is in conflict with the new channel and bridge.

FINDING 2: The Project is Planned or Located in the Manner that Will Be Most Compatible with the Greatest Public Good and the Least Private Injury.

The Project is replacing the existing structurally deficient bridge located in the Santa Barbara Waterfront at the intersection of State Street and Cabrillo Boulevard, next to Stearns Wharf. The bridge and creek are to remain in their existing locations. No realignment was proven to be necessary or warranted.

FINDING 3: The Property Interests are Necessary for the Project.

The existing roadway, bridge, and creek alignments dictate the property that must be acquired. It is necessary to acquire the Easements in order to gain legal access to the properties and to efficiently and economically complete the Project.

The Project requires the City's acquisition of certain real property rights in the form of permanent easements for street, sidewalk, flood control, and drainage purposes; temporary construction easements for bridge and creek channel construction; and partial demolition of the existing restaurant building. The justification for the need of a temporary construction easement over the restaurant building parcel is that the demolition of the building requires a complete evacuation of the premises by the owner and any tenant. The City is to control the parcel for the stages of demolition, construction of the flood control channel and construction of the bridge.

FINDING 4: The Offers Required by Government Code Section 7267.2 Have Been Made.

City staff has made two formal written offers to the Property Owner who is subject to this Resolution of Necessity Hearing. The first written offer, made on October 15, 2013, was rejected by the property owner on December 23, 2013. City staff made a counter offer on May 12, 2014. To date, the counter offer has not been accepted, rejected, or countered. Although negotiations will continue even if Council adopts the proposed Resolution of Necessity, there is no guarantee that they will result in an acquisition of the Easements.

SECTION 3. That the Council of the City of Santa Barbara, as a result of said hearing, has determined that the public interest and necessity require the acquisition by the City of the real property rights required for all activities necessary for the construction of the Cabrillo Boulevard bridge and Mission Creek improvements, and for all related demolition work, and surface and subsurface foundation improvements, and ingress and egress required for the removal, replacement and reconstruction of the Cabrillo Boulevard Bridge and appurtenant facilities within Mission Creek.

SECTION 4. That the taking of the property rights described herein is authorized by Section 19 of Article I of the California Constitution, Section 37350.5 of the California Government Code, and Sections 1240.010 through 1240.125 of the California Code of Civil Procedure.

SECTION 5. That the Council of the City of Santa Barbara does hereby declare that it is the intention of said City to acquire said certain real property rights described herein in its name in accordance with the provisions of the laws of the State of California with reference to condemnation procedures.

SECTION 6. That the said certain real property rights are located in the City of Santa Barbara, County of Santa Barbara, State of California, as identified in the table as follows and as are more particularly described in Attachment "A", "Legal Descriptions and Parcel Maps":

PARCEL NUMBER	REQUIRED (S.F.)	REAL PROPERTY INTEREST
033-111-011-01	273	Easement for street, landscape, flood control and drainage purposes
033-111-011-02	9,531	Easement for street, flood control and drainage purposes
033-111-011-03	4,596	Temporary construction easement
033-111-011-04	46	easement for street, flood control and drainage purposes
033-111-012-01	745	Easement for street, flood control and drainage purposes
033-111-012-02	6,087	Temporary construction easement
033-111-012-03	80	Temporary construction easement
033-111-012-04	27	Easement for street, flood control and drainage purposes
033-111-004-01	10,000	Temporary construction easement

SECTION 7. That the City Attorney is hereby authorized and directed to:

- a. File, institute and prosecute in the name of the City, and to retain a law firm as Special Counsel for such proceedings in eminent domain, if necessary, in the proper Court having jurisdiction thereof, as may be necessary for the acquisition of the rights in said certain real property;
  - b. Deposit the probable amount of just compensation as fixed by the Public Works Director in accordance with law, in the State Condemnation Fund;
- and,
- c. At the discretion of the City Attorney, to approve and execute a settlement agreement or stipulated judgment vesting title to the real property rights described herein on terms and conditions approved by the City Attorney for the best interests of the City.

SECTION 8. That the California Environmental Quality Control Act of 1970, as amended, and guidelines adopted pursuant thereto, have been complied with insofar as the above project is concerned by the evaluation of the Cabrillo Boulevard Bridge Replacement Project in the Mitigated Negative Declaration State Clearinghouse (SCH) No. 2007021124, dated February 21, 2007, and the filing of the Notice of Determination with the SCH on August 21, 2007. The National Environmental Protection Act has also been complied with by the evaluation of the project in the Categorical Exclusion dated August 31, 2009 and re-validated on March 10, 2014, both reports which are hereby accepted and directed to be filed with the City Clerk.

**Permanent Easement Deeds**

**Parcel 033-111-011-01 – Easement for Street, Landscape, Flood Control and Drainage Purposes**

**Parcel 033-111-011-02 - Easement for Street, Flood Control and Drainage Purposes**

**Parcel 033-111-011-04 - Easement for Street, Flood Control and Drainage Purposes**

**Parcel 033-111-012-01 - Easement for Street, Flood Control and Drainage Purposes**

**Parcel 033-111-012-04 - Easement for Street, Flood Control and Drainage Purposes**

**Temporary Construction Deeds**

**Parcel 033-111-004-01 – TCE**

**Parcel 033-111-011-03 - TCE**

**Parcel 033-111-012-02 - TCE**

**Parcel 033-111-012-03 - TCE**

## **Permanent Easement Deeds**

**Parcel 033-111-011-01 – Easement for Street, Landscape, Flood Control and Drainage Purposes**

**Parcel 033-111-011-02 - Easement for Street, Flood Control and Drainage Purposes**

**Parcel 033-111-011-04 - Easement for Street, Flood Control and Drainage Purposes**

**Parcel 033-111-012-01 - Easement for Street, Flood Control and Drainage Purposes**

**Parcel 033-111-012-04 - Easement for Street, Flood Control and Drainage Purposes**

Exhibit A  
(Parcel 033-111-011-01)

That portion of Block 322 in the City of Santa Barbara, County of Santa Barbara, State of California, according to the official map thereof being a portion of the parcel of land described in Exhibit "A" in the Quitclaim Deed to Lighthouse & Corner, LLC recorded January 3, 2008 as Instrument No. 2008-0000482 of Official Records, in the Office of the County Recorder of said County.

Said portion of land is described as follows:

Commencing at the most easterly corner of said parcel; thence, along the northwesterly line of Cabrillo Boulevard, S 42°23'15" W, a distance of 92.35 feet to the True Point of Beginning, said point being the beginning of a non-tangent curve, concaved northerly, having a central angle of 41°56'57", a radial bearing of S 45°59'32" E and a radius of 25.00 feet; thence,

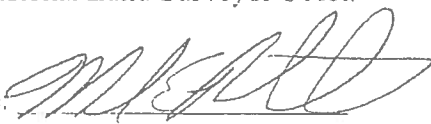
- 1st southwesterly along the arc of said curve, 18.30 feet to the beginning of a reverse curve, concave southerly, having a central angle of 24°54'56" and a radius of 25.00 feet; thence,
- 2nd southwesterly along the arc of said curve 10.87 feet to the beginning of a compound curve having a central angle of 03°41'08" and a radius of 298.50 feet; thence,
- 3rd along the arc of said curve, 19.20 feet to a point on the northeasterly line of State Street; thence,
- 4th southeasterly along said line of State Street a distance of 18.00 feet to the intersection of the northeasterly line of State Street with the northwesterly line of Cabrillo Boulevard; thence,
- 5th along the northwesterly line of Cabrillo Boulevard N 42°23'15" E, 31.30 feet to the point of beginning.

EXCEPTING THEREFROM:

That portion of said land granted to the City of Santa Barbara by Grant Deed recorded February 11, 1983 in Instrument No. 83-6905 of Official Records, County of Santa Barbara.

Containing an area of approximately 273 square feet.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Signature:   
Mark E. Reinhardt, P.L.S.

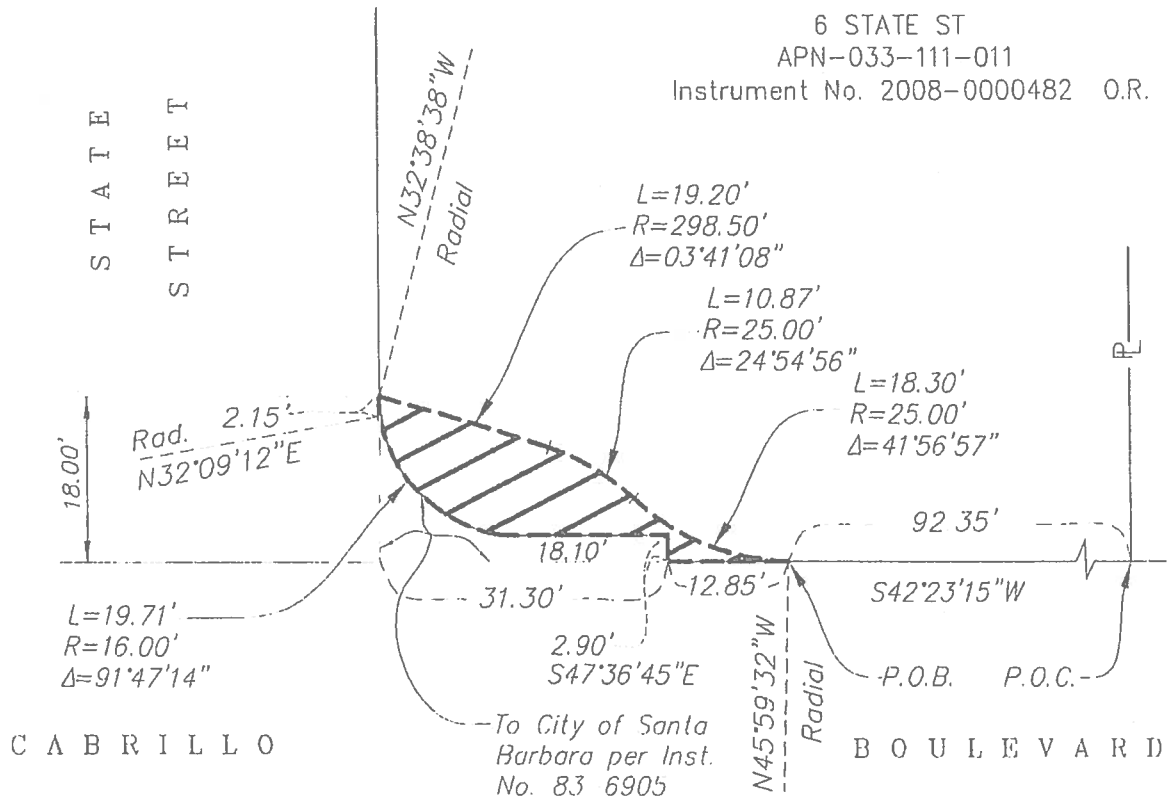
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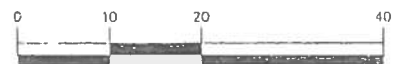
EXHIBIT B  
Parcel 033-111-011-01



6 STATE ST  
APN-033-111-011  
Instrument No. 2008-0000482 O.R.



GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft

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**MINS** ENGINEERS • SURVEYORS • CONSTRUCTION MANAGERS  
ENGINEERS INC  
Quality Infrastructure Services  
4050 CALLE REAL, SUITE 110, SANTA BARBARA, CA 93110  
TELEPHONE (805) 692-6921 FAX (805) 692-6931  
10-00105 845 \* 100105 EXB.dwg \* 12/01 \* TR \* E FILE  
RPR/RPD



Exhibit A  
(Parcel 033-111-011-02)

That portion of land in the City of Santa Barbara, County of Santa Barbara, State of California, being a portion of the parcel of land described in Exhibit "A" in the Quitclaim Deed to Lighthouse & Corner, LLC recorded January 3, 2008 as Instrument No. 2008-0000482 of Official Records, in the Office of the County Recorder of said County.

Said portion of land is described as follows:

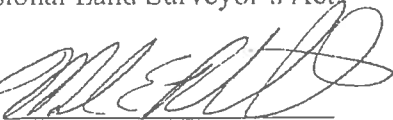
Commencing at the southwesterly corner of said parcel; thence, southeasterly along the northeasterly line of State Street, 8.00 feet to the TRUE POINT OF BEGINNING; thence

- 1st N 61°07'03" E, a distance of 68.62 feet; thence,
- 2nd N 67° 51' 05" E, a distance of 79.17 feet to the northeasterly line of said parcel; thence
- 3rd along said northeasterly line of said parcel S 47° 34'53" E, a distance of 42.32 feet to a line which is 0.50 feet northwesterly and parallel to the northwesterly line of Cabrillo Boulevard; thence,
- 4th S 42°23'15" W, along said parallel line, 92.35 feet; thence,
- 5th S 47°36'45" E, a distance of 0.50 feet to a point on the northwesterly line of Cabrillo Boulevard and the beginning of a non-tangent curve, concave northerly having a radial bearing of S 45°59'32" E and a radius of 25.00 feet; thence,
- 6th southwesterly along said non-tangent curve a distance of 18.30 feet to the beginning of a reverse curve, concave southerly, having a radius of 25.00 feet; thence,
- 7th northwesterly along said reverse curve 10.87 feet to the beginning of a compound curve, concave southerly, having a radius of 298.50 feet; thence,
- 8th along said compound curve 19.20 feet to said northeasterly line of State Street; thence
- 9th N 47°34'53" W along said northeasterly line of State Street 76.96 feet to the point of beginning.

Containing an area of approximately 9,531 square feet.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Signature: \_\_\_\_\_

  
Mark E. Reinhardt, P.L.S.

Date: \_\_\_\_\_

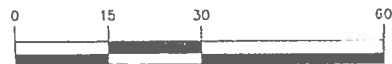
9-2-08



**EXHIBIT B**  
**Parcel 033-111-011-02**



**GRAPHIC SCALE**



( IN FEET )  
 1 inch = 30 ft.

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RPD.

Exhibit A  
(Parcel 033-111-011-04)

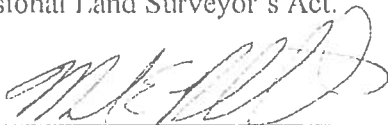
That portion of Block 322 in the City of Santa Barbara, County of Santa Barbara, State of California, being a portion of the parcel of land described in Exhibit "A" in the Quitclaim Deed to Lighthouse & Corner, L.L.C. recorded January 3, 2008 as Instrument No. 2008-0000482 of Official Records, in the Office of the County Recorder of said County.

Said portion of land is described as follows:

The southeasterly 0.5 foot of the northeasterly 92.35 feet of said parcel of land.

Containing an area of 46 square feet.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Signature:   
Mark E. Reinhardt, PLS

Date: 8-28-08



EXHIBIT B  
Parcel 033-111-011-04



S T A T E  
S T R E E T

6 STATE ST  
APN-033-111-011  
Instrument No. 2008-0000482 O.R.

EST. CABRILLO BLVD  
APN-033-111-012

P

S47°34'53"E

N47°36'45"W  
0.50'

N42°23'15"E  
92.35'

S47°34'53"E  
0.50'

92.35'  
S42°23'15"W

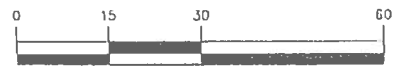
-P.O.B.

C A B R I L L O

B O U L E V A R D



GRAPHIC SCALE



( IN FEET )

1 inch = 30 ft.



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RPD.

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Exhibit A  
(Parcel 033-111-012-01)

That portion of Block 322 in the City of Santa Barbara, County of Santa Barbara, State of California, according to the official map thereof, being a portion of the parcel of land described in Exhibit "A" in the Quitclaim Deed to Lighthouse & Corner, LLC recorded January 3, 2008 as Instrument No. 2008-0000483 of Official Records, in the office of the County Recorder of said County.

Said portion of land is described as follows:

Beginning at a point on the southwesterly line of said parcel N 47° 34' 53" W, a distance of 0.50 feet from the most southerly corner of said parcel as bounded by the northwesterly line of Cabrillo Boulevard; thence,

- 1st N 47° 34' 53" W, a distance of 29.81 feet along the southwesterly line of said Lighthouse & Corner parcel; thence,
- 2nd N 73° 13' 03" E, a distance of 58.16 feet to a point which lies 0.50 feet northwesterly as measured perpendicular from the northwesterly line of Cabrillo Boulevard; thence,
- 3rd along a line parallel with and 0.50 feet northwesterly of said line of Cabrillo Boulevard S 42° 23' 15" W, a distance of 49.96 feet to the point of beginning.

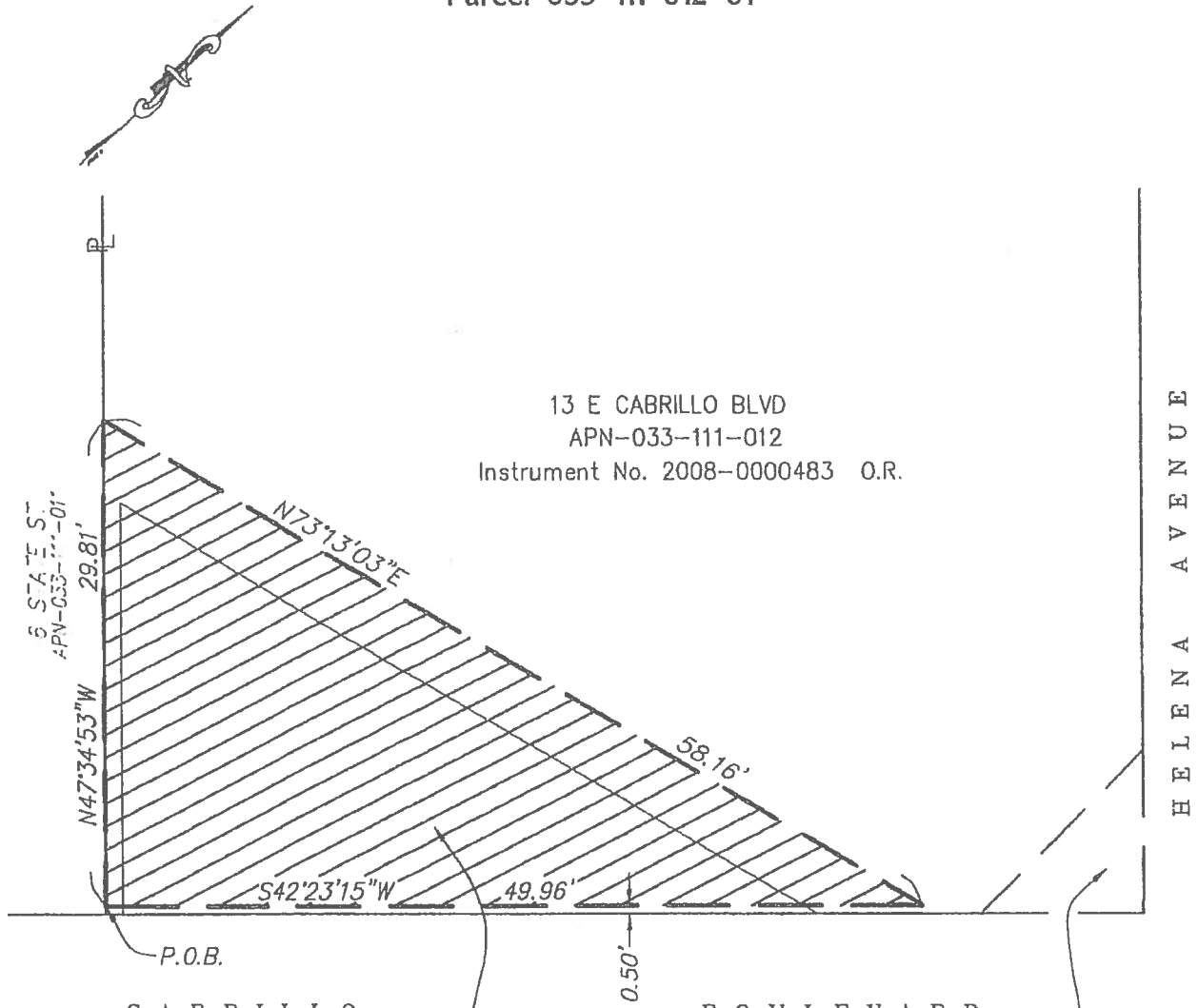
Containing an area of approximately 745 square feet.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Signature:  Date: 8-9-2012  
Mark E. Reinhardt, P.L.S.



EXHIBIT B  
Parcel 033-111-012-01



13 E CABRILLO BLVD  
APN-033-111-012  
Instrument No. 2008-0000483 O.R.

S STATE S  
APN-033-111-012

BL

29.81'

N47°34'53"W

S42°23'15"W

49.96'

58.16'

P.O.B.

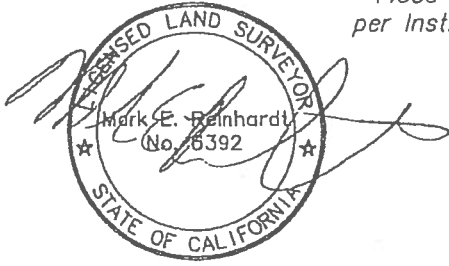
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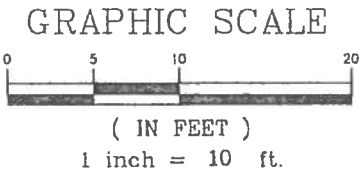
H E L E N A  
A V E N U E

Flood Control Easement  
per Inst. No. 83-7191, O.R.

Easement to  
City of Santa Barbara  
per Inst. No. 97-40081, O.R.



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201 N. CALLE CESAR CHAVEZ, SUITE 300, SANTA BARBARA, CA 93103  
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Exhibit A  
(Parcel 033-111-012-04)

That portion of Block 322 in the City of Santa Barbara, County of Santa Barbara, State of California, according to the official map thereof, being a portion of the parcel of land described in Exhibit "A" in the Quitclaim Deed to Lighthouse & Corner, I.L.C recorded January 3, 2008 as Instrument No. 2008-0000483 of Official Records in the office of the County Recorder of said County.

Said portion of land is described as follows:

The southeasterly 0.50 feet of said parcel lying adjacent to and northwesterly of the northwesterly line of Cabrillo Boulevard.

EXCEPTING THEREFROM:

That portion that lies within the land as described in the Street Easement Deed to the City of Santa Barbara recorded July 11, 1997 as Instrument No. 97-040081 of Official Records in the office of the County Recorder of said County.

Containing an area of 27 square feet.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

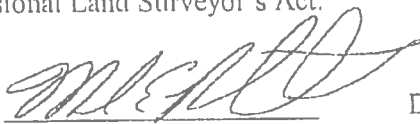
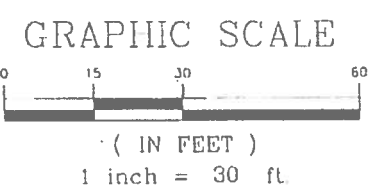
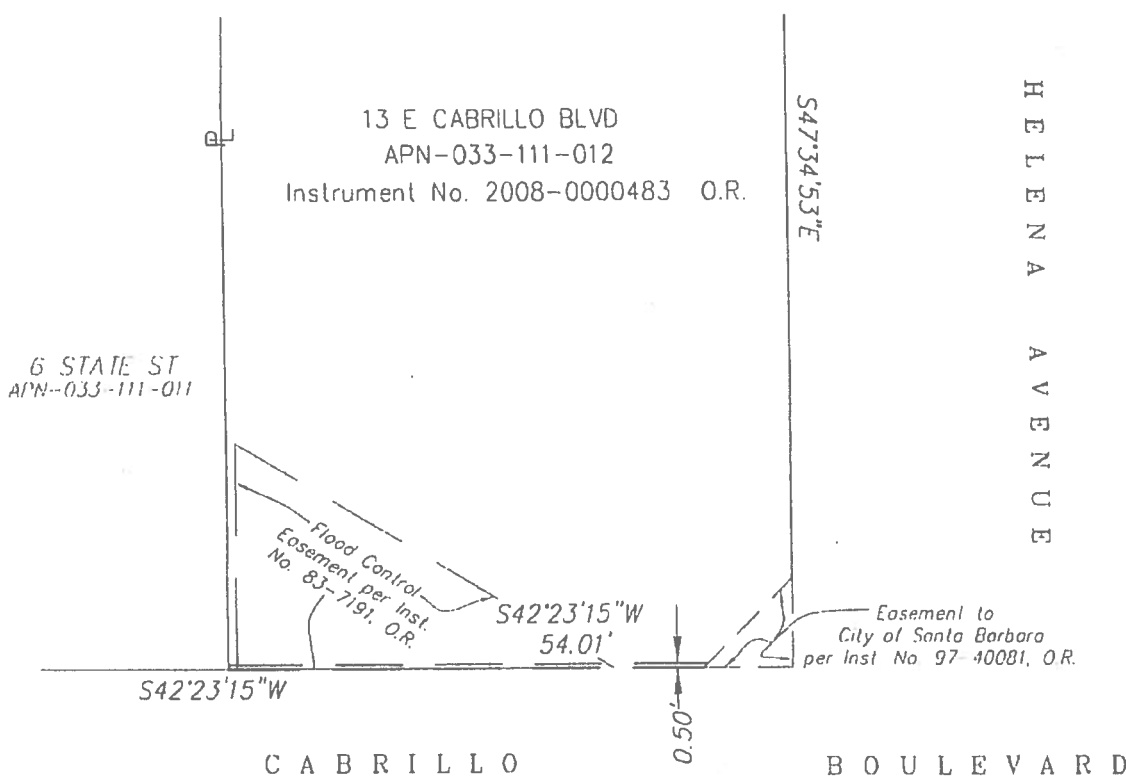
Signature:  Date: 9-02-08  
Mark E. Reinhardt, P.L.S.



EXHIBIT B  
Parcel 033-111-012-04



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## **Temporary Construction Deeds**

**Parcel 033-111-004-01 - TCE**

**Parcel 033-111-011-03 - TCE**

**Parcel 033-111-012-02 - TCE**

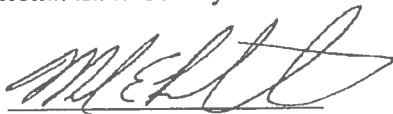
**Parcel 033-111-012-03 - TCE**

Exhibit A  
(Parcel 033-111-004-01)

That portion of Block 322 in the City of Santa Barbara, County of Santa Barbara, State of California, according to the official map thereof, being the parcel of land as described in Exhibit "A" in the Grant Deed recorded December 31, 2007 as Instrument No. 2007-0088022 of Official Records, in the office of the County Recorder of said County.

Containing an area of approximately 10,000 square feet.

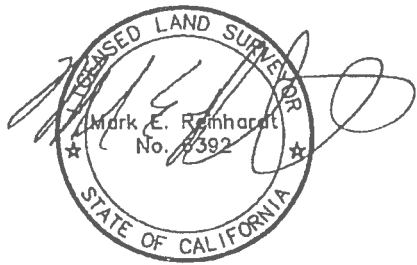
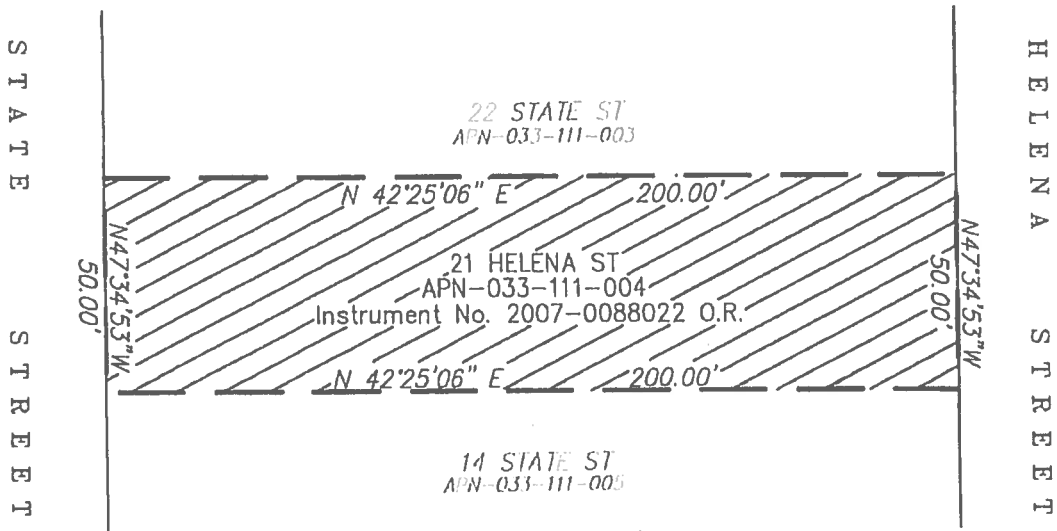
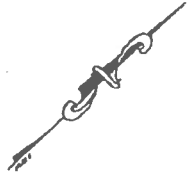
This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Signature:   
Mark E. Reinhardt, P.L.S.

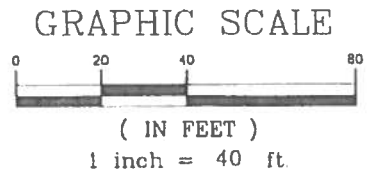
Date: 8-9-2012



**EXHIBIT B**  
**Parcel 033-111-004-01**



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Exhibit A  
(Parcel 033-111-011-03)

That portion of Block 322 in the City of Santa Barbara, County of Santa Barbara, State of California, being a portion of the parcel of land described in Exhibit "A" in the Quitclaim Deed to Lighthouse & Corner, LLC recorded January 3, 2008 as Instrument No. 2008-0000482 of Official Records, in the Office of the County Recorder of said County.

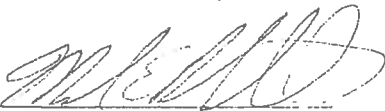
Said portion of land is described as follows:

Beginning at the most westerly corner of said parcel; thence,

- 1st along the northeasterly line of State Street, S 41° 34' 53" E, 8.00; thence,
- 2nd N 61° 07' 03" E, 68.62 feet; thence,
- 3rd N 67° 51' 05" E, 79.17 feet to a point on the northeasterly line of said parcel; thence,
- 4th along the northeasterly line of said parcel, N 47° 34' 53" W, 64.00 feet to the most northerly corner of said parcel; thence,
- 5th along the northwesterly line of said parcel S 42° 25' 06" W, 136.50 feet to the feet to the point of beginning.

Containing an area of approximately 4,596 square feet.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Signature:   
Mark E. Reinhardt, PLS

Date: 8-28-08



EXHIBIT B  
 Parcel 033-111-011-03



6 STATE ST  
 APN-033-111-011  
 Instrument No. 2008-0000482 O.R.

C A B R I L L O

B O U L E V A R D

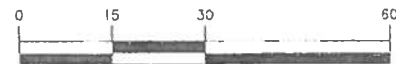


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 Quality Infrastructure Services

4050 CALLE REAL, SUITE 110, SANTA BARBARA, CA 93110  
 TELEPHONE (805) 692-6921 FAX (805) 692-6931

10-00105\_845 \* 100105\_EXB.dwg \* 12/07 \* TR \* E-FILE

GRAPHIC SCALE



( IN FEET )

1 inch = 30 ft.

Y:\10-00100 Series\10005\10-00105.dwg SURVEY\RIGHT OF WAY APPRAISAL MAP\EXHIBITS\10-00105\_EXHIBITS For RPD.dwg B/29/2008 9:44:25 AM PDT RPD/RPR

Exhibit A  
(Parcel 033-111-012-02)

That portion of Block 322 in the City of Santa Barbara, County of Santa Barbara, State of California, according to the official map thereof, being a portion of the parcel of land described in Exhibit "A" in the Quitclaim Deed to Lighthouse & Corner, LLC recorded January 3, 2008 as Instrument No. 2008-0000483 of Official Records, in the office of the County Recorder of said County.

Said portion of land is described as follows:

Commencing at a point on the southwesterly line of said parcel N 47° 34' 53" W, a distance of 0.50 feet from the most southerly corner of said parcel as bounded by the northwesterly line of Cabrillo Boulevard; thence, N 47° 34' 53" W, a distance of 29.81 feet along the southwesterly line of said Lighthouse & Corner parcel to the true point of beginning of the portion of land herein described; thence,

- 1st N 73° 13' 03" E a distance of 58.16 feet to a point which lies 0.50 feet northwesterly as measured perpendicular from the northwesterly line of Cabrillo Boulevard; thence,
- 2nd along a line parallel with and 0.50 feet northwesterly of said line of Cabrillo Boulevard N 42° 23' 15" E a distance of 4.05 feet to a point on the westerly boundary of the portion of land described in the deed to the City of Santa Barbara in Street Easement Deed recorded July 11, 1997 as Instrument No. 97-40081 of Official Records of said County; thence,
- 3rd along said westerly boundary N 02° 35' 49" W a distance of 13.43 feet to the most northerly corner of said Street Easement Deed parcel and the northeasterly boundary of said Lighthouse & Corner parcel; thence,
- 4th along said northwesterly boundary N 47° 34' 53" W a distance of 98.78 feet to the most northerly corner thereof; thence,
- 5th along the northwesterly boundary of said Lighthouse & Corner parcel S 42° 25' 06" W, a distance of 63.50 feet to a point on the northwesterly prolongation of the fifth course in said deed to Lighthouse & Corner; thence,
- 6th along said northwesterly prolongation and along said fifth course S 47° 34' 53" E a distance of 78.51 feet to the point of beginning.

Containing an area of approximately 6,087 square feet.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Signature: 

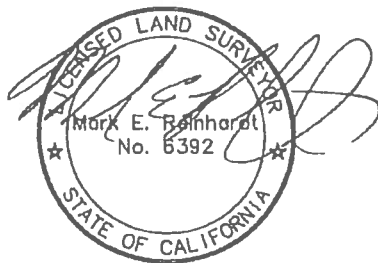
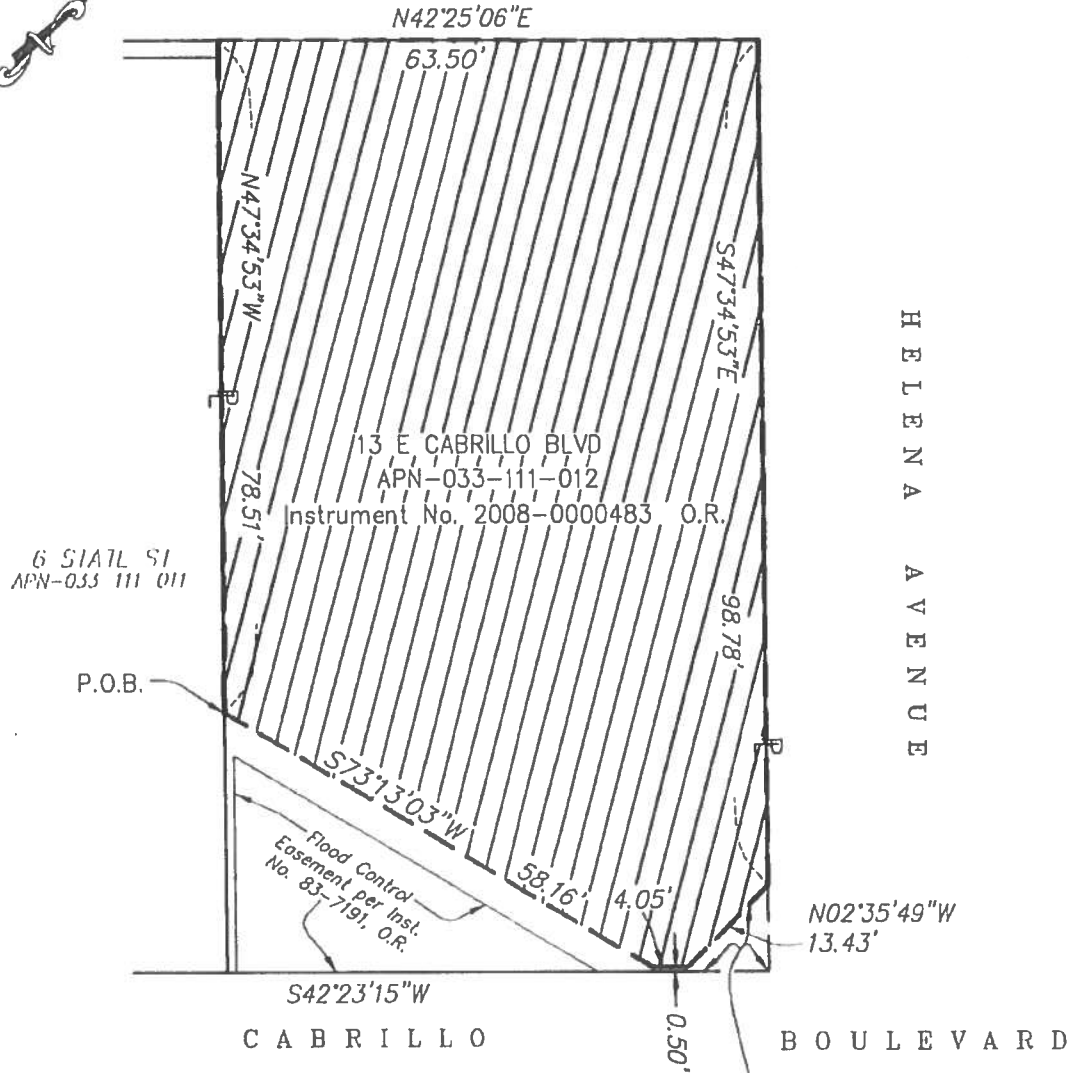
Mark E. Reinhardt, PLS

Date: 8-9-2012



EXHIBIT B

Parcel 033-111-012-02

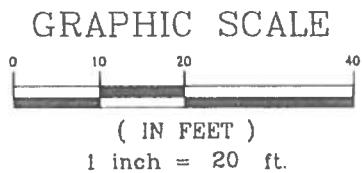


Easement to  
City of Santa Barbara  
per Inst. No. 97-40081, O.R.

**MNS** ENGINEERS • SURVEYORS • CONSTRUCTION MANAGERS  
ENGINEERS INC. *Quality Infrastructure Services*

201 N. CALLE CESAR CHAVEZ, SUITE 300, SANTA BARBARA, CA 93103  
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RPD

P.N 10 00105

Exhibit A  
(Parcel 033-111-012-03)

That portion of Block 322 in the City of Santa Barbara, County of Santa Barbara, State of California, being a portion of the parcel of land described in Exhibit A in the Quitclaim Deed to Lighthouse & Corner, LLC recorded January 3, 2008 as Instrument No. 2008-0000483 of Official Records, in the Office of the County Recorder of said County.

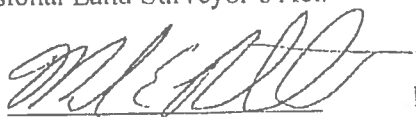
Said portion of land is described as follows:

Beginning at the most westerly corner of said parcel of land; thence,

- 1st Northeasterly along the northwesterly line of said parcel, 40.00 feet; thence,
- 2nd at right angles southeasterly 2.00 feet to a point on the southeasterly boundary of said parcel; thence,
- 3rd Southwesterly along said southeasterly boundary 40.00 feet to a point on the northeasterly boundary of State Street and the southwesterly boundary of said parcel; thence,
- 4th Northwesterly along said southwesterly boundary 2.00 feet to the point of beginning.

Containing an area of approximately 80 square feet.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

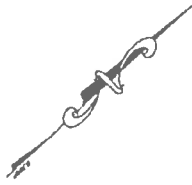
Signature:   
Mark E. Reinhardt, P.L.S.

Date: 9-2-08

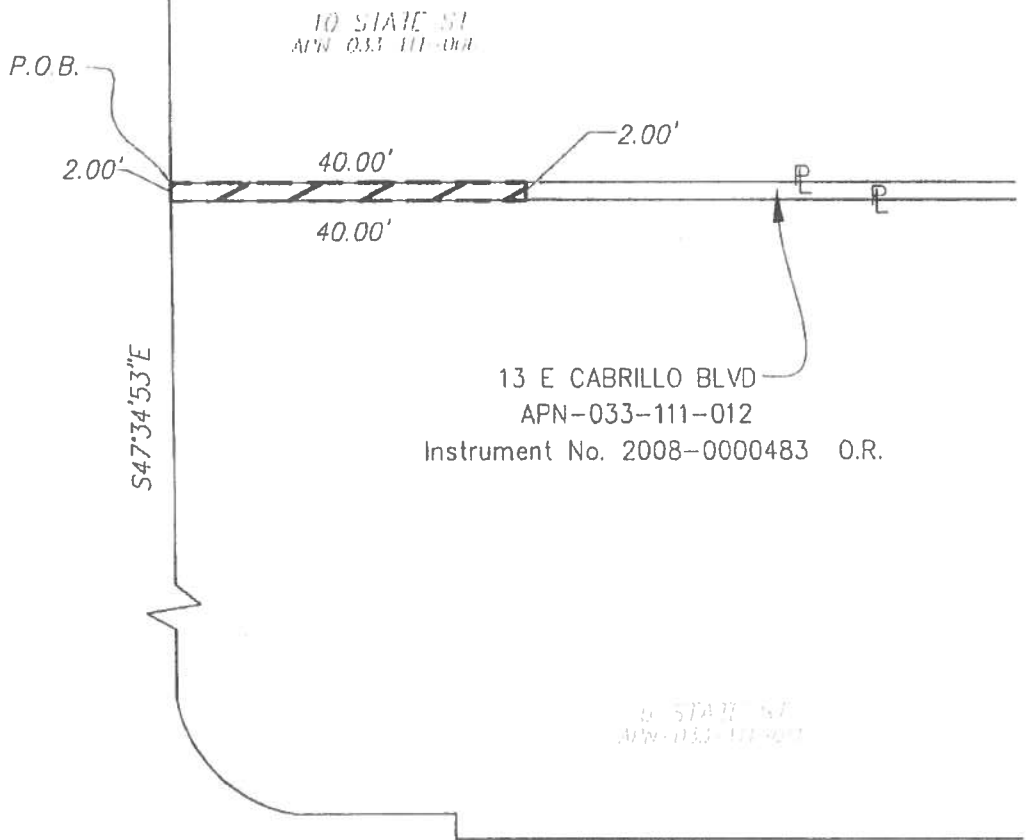




EXHIBIT B  
Parcel 033-111-012-03



S T R E E T  
S T A T E



C A B R I L L O

B O U L E V A R D



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GRAPHIC SCALE



( IN FEET )

1 inch = 20 ft.