

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA TO ACQUIRE AND ACCEPT AN EASEMENT FOR PUBLIC PURPOSES AT 721 EAST COTA STREET (APN: 031-110-004), FOR THE LOW IMPACT DEVELOPMENT DEMONSTRATION STREETS, SIDEWALK, AND ALLEYS PROJECT – PHASE II, AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE THE AGREEMENT FOR ACQUISITION OF PUBLIC RIGHT OF WAY FOR PUBLIC PURPOSES (NO COST ACQUISITION), AND RELATED EASEMENT ACQUISITION DOCUMENTS, SUBJECT TO APPROVAL AS TO FORM BY THE CITY ATTORNEY, AND CONSENTING TO THE RECORDATION OF THE EASEMENT DEED IN THE OFFICIAL RECORDS OF THE COUNTY OF SANTA BARBARA

WHEREAS, the City has a Low Impact Development Demonstration Streets, Sidewalk, and Alleys Project – Phase II, that consists of installing over 45,000 square feet of permeable concrete pavers in the sidewalk and roadway of Quarantina Street, from Canon Perdido Street to Ortega Street. The Project will be used as an example of a Best Management Practice that meets the City’s Storm Water Management Program requirements;

WHEREAS, the Project requires the City’s acquisition, of a permanent easement for public purposes, on a portion of the real property owned by the Santa Barbara Unified School District, subcommonly known as 721 East Cota Street (APN: 031-110-004), in order to shift the sidewalk easterly to save the Stone Pine trees that align Quarantina Street, at no cost to the City;

WHEREAS, the *Agreement for Acquisition of Public Right of Way for Public Purposes (No Cost Acquisition)* was accepted by the Santa Barbara Unified School District Board at its regularly scheduled Board meeting on June 14, 2016, and the Agreement has been signed to allow the City to acquire the real property interest, 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 Agreement with the School District and any other documents that may become necessary to accomplish acquisition of the easement by the City, subject to approval as to form by the City Attorney; and

WHEREAS, this Resolution will demonstrate intent by the Council of the City of Santa Barbara to accept the permanent easement 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 *Agreement for Acquisition of Public Right of Way for Public Purposes (No Cost Acquisition)* with the Santa Barbara Unified School District and related documents on behalf of the City, subject to approval as to form by the City Attorney, to accomplish the acquisition by the City of the permanent easement for public purposes on a portion of the real property commonly known as 721 East Cota Street (APN: 031-110-004).

SECTION 2. The City of Santa Barbara hereby consents to the recordation of the Easement for Public Purposes, in the Official Records, County of Santa Barbara, at the close of escrow.

SECTION 3. This Resolution shall become effective immediately upon its adoption.