

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AN ENCROACHMENT PERMIT AGREEMENT TO ALLOW SANTA BARBARA HIGH SCHOOL PEABODY STADIUM FACILITIES TO ENCROACH WITHIN PORTIONS OF CITY LANDS UNDERLYING A VACATED PORTION OF FIGUEROA STREET, AN UNTRAVELED PORTION OF FIGUEROA STREET, AND A VACATED PORTION OF SALSIPUEDES STREET, AND ALSO APPROVING AN ENCROACHMENT PERMIT AGREEMENT TO ALLOW OTHER PORTIONS OF PEABODY STADIUM FACILITIES TO ENCROACH WITHIN AN UNTRAVELED PORTION OF RINCONADA ROAD, BOTH AGREEMENTS WITH THE SANTA BARBARA UNIFIED SCHOOL DISTRICT, THE OWNER OF SANTA BARBARA HIGH SCHOOL AT 700 EAST ANAPAMU STREET, SANTA BARBARA COUNTY ASSESSOR'S PARCEL NUMBERS 029-180-009, 029-240-003 AND 029-240-008, AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE SAME

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. That the Encroachment Permit Agreement, as approved as to form by the City Attorney, with Santa Barbara Unified School District, a public body corporate and politic, created and authorized under the Education Code of the State of California, to allow existing portions of Santa Barbara High School Peabody Stadium improvements to be removed, and subsequently to be reconstructed, rehabilitated and improved, within portions of City-owned lands underlying an existing vacated portion of Figueroa Street, and within an untraveled portion of Figueroa Street, and within a vacated portion of Salsipuedes Street, is approved pursuant to the City Charter and the Public Works Director is authorized to execute the same.

SECTION 2. That the Encroachment Permit Agreement, as approved as to form by the City Attorney, with Santa Barbara Unified School District, a public body corporate and politic created and authorized under the Education Code of the State of California, to allow existing portions of Santa Barbara High School Peabody Stadium improvements to be removed, and subsequently to be reconstructed, rehabilitated and improved, within an untraveled portion of the public street easement known as Rinconada Road, adjacent to Figueroa Street, is approved pursuant to the City Charter and the Public Works Director is authorized to execute the same.

SECTION 3. That the Santa Barbara High School Peabody Stadium facilities located within a vacated portion of Figueroa Street, an untraveled portion of Figueroa Street, and a vacated portion of Salsipuedes Street proposed to be altered, rehabilitated and improved are generally described as portions of the grandstand, a historic stone ticket booth, stone pillars and walls, synthetic track surfaces, artificial turf, lighting systems, paving, accessibility ramps, decorative walkways, drain systems and landscaping, as depicted on the architect's and civil engineer's design plans reviewed and approved by California Division of State Architect.

SECTION 4. That the Santa Barbara High School Peabody Stadium facilities located within an untraveled portion of Rinconada Road that is proposed to be altered, rehabilitated and improved are generally described as portions of the grandstand, a historic stone ticket booth, stone pillars and walls, accessibility ramps, decorative walkways, drain systems and landscaping, as depicted on architect's and civil engineer's design plans reviewed and approved by California Division of State Architect.

SECTION 5. That upon the effective date of the ordinance, the City Clerk is authorized to submit the Encroachment Permit Agreement that pertains to the untraveled portion of Rinconada Road for recordation in the Official Records, in the Office of the County Recorder, Santa Barbara County.

SECTION 6. That the Encroachment Permit Agreement that pertains to the vacated and untraveled portions of Figueroa Street and Salsipuedes Street shall not be submitted for recordation in the Official Records of Santa Barbara County.