

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA TO ACCEPT A PERMANENT EASEMENT FOR STREET PURPOSES ON A PORTION OF THE REAL PROPERTY COMMONLY KNOWN AS 101 STATE STREET; SANTA BARBARA COUNTY ASSESSOR'S PARCEL NUMBERS 033-075-011 AND 033-075-016

WHEREAS, a project for the City of Santa Barbara (City) to replace the existing bridge for Mason Street at Mission Creek, required the realignment of the public street, known as Kimberly Avenue, at Mason Street, and new pedestrian sidewalk, curb, gutter, and other street improvements were necessary for completion of the the realignment of Kimberly Avenue;

WHEREAS, a new hotel development project was approved and permitted requiring the merger of two Assessor's Parcel Numbers (APNs) 033-075-011 and 033-075-016 having the same owner, with APN 033-075-016 being the parcel abutting Kimberly Avenue where the new hotel will construct a driveway entrance;

WHEREAS, the new sidewalk along Kimberly Avenue requires a sufficient level area to accommodate pedestrian traffic, and the new driveway requires depth from the street into the property to allow for appropriate slope of the driveway, the new sidewalk requires an easement on the hotel property allowing for pedestrian access at a level area beyond the slope of the driveway;

WHEREAS, the owner of the private hotel property, who has been cooperating with the City in it's efforts to replace the Mason Street Bridge and complete the Kimberly Avenue realignment and improvements while proceeding with the hotel development project, has agreed to grant the street easement to the City for convenience and mutual benefit at no cost, and the Easement Grant Deed has been signed voluntarily to allow the City to acquire the real property interest, subject to final approval by the Council of the City of Santa Barbara; and

WHEREAS, this Resolution will demonstrate intent and provide authorization by the Council of the City of Santa Barbara to accept the offer for the permanent easement interest particularly described in the respective document delivered for such purpose, subject to approval as to form by the City Attorney, 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 City of Santa Barbara hereby accepts that certain easement for public street and all related purposes described in the Street Easement Deed to the City of Santa Barbara, a municipal corporation, by Antonio R. Romasanta Trustee of the Antonio Romasanta Revocable Trust dated 1/07/2007, and Antonio R. Romasanta Trustee of the Birgit Romasanta Qualified Trust dated 1/07/2007, the owner of the real property commonly known as 101 State Street; Santa Barbara County Assessor's Parcel Number 033-075-016, for mutual benefit.

SECTION 2. The City of Santa Barbara hereby consents to the recordation by the City Clerk in the Official Records, County of Santa Barbara of the Street Easement Deed as executed.

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