

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING EASEMENT PURCHASE AGREEMENTS, AND ACCEPTING EASEMENTS FOR PUBLIC STREET PURPOSES ON PORTIONS OF THE REAL PROPERTIES COMMONLY KNOWN AS 709 WEST CANON PERDIDO STREET, 711 WEST COTA STREET, 809 MARILLA AVENUE, AND 815 MARILLA AVENUE; AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE THESE EASEMENT PURCHASE AGREEMENTS, AND CONSENTING TO THE RECORDATION BY THE CITY CLERK OF STREET EASEMENT DEEDS IN THE OFFICIAL RECORDS, COUNTY OF SANTA BARBARA

WHEREAS, a proposed project is currently undergoing design and environmental review to construct a new sidewalk along the north side of Loma Alta Drive, for which it is necessary for the City of Santa Barbara to acquire four small street easements from adjacent properties to accommodate portions of the new sidewalk, with design and construction costs of the project funded through the Federal Transportation Improvement Program, as administered by the State of California, Department of Transportation (Caltrans), and with the public street easement acquisition costs funded by the City of Santa Barbara Public Works Street Capital fund;

WHEREAS, the four street easements are located on real properties located at 709 West Canon Perdido Street, 711 West Cota Street, 809 Marilla Avenue and 815 Marilla Avenue, respectively Santa Barbara County Assessor's Parcel APN 035-060-001, currently owned by Steve Andre, a single man; APN 035-270-017, owned by Cota Properties, LLC, a Limited Liability Company; APN 035-060-020, owned by Martin Valdez, an unmarried man; APN 035-060-006, owned by Leticia Fuentes, a married woman as her sole and separate property, and Eva Gonzalez, an unmarried woman, as Joint Tenants, all of which are located adjacent to existing Loma Alta Drive;

WHEREAS, the proposed sidewalk improvements along the north side of Loma Alta Drive require the acquisition of public street easements described by Street Easement Deeds from the aforementioned affected property owners;

WHEREAS, the value of the proposed easement on the real property at 709 West Canon Perdido Street has been appraised by an independent fee appraiser in the amount of \$5,500.00, and the values of the proposed easements on the real properties at 711 West Cota Street 809 Marilla Avenue and 815 Marilla Avenue have corresponding appraised values in the amount of \$3,000.00 each, and in accordance with applicable laws and guidelines, subject to final approval by the Council of the City of Santa Barbara, a written offer, an appraisal summary and a proposed Easement Purchase Agreement have been delivered to each of the affected owners, respectively Steve Andre, Cota Properties, LLC, Martin Valdez, Leticia Fuentes and Eva Gonzalez ;

WHEREAS, the respective written purchase offers have been reviewed and accepted by the affected owners, and the respective Easement Purchase Agreements and Street Easement Deeds have all been signed voluntarily to allow follow up proceedings by the City to acquire the street easements, subject to final approval by Council;

WHEREAS, this Resolution will provide authorization by the Council of the City of Santa Barbara for the Public Works Director to execute the respective Easement Purchase Agreements with the affected owners as aforementioned; and

WHEREAS, this Resolution will demonstrate acceptance by the Council of the City of Santa Barbara of the easements located on the aforementioned affected real properties, as more particularly described in the respective Street Easement Deeds executed and delivered for such purpose by the aforementioned affected property owners, without further action or subsequent resolution to accept the Street Easements.

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 respective Easement Purchase Agreements with Steve Andrade, a single man, and with Cota Properties, LLC, a limited liability company, and with Martin Valdez, an unmarried man, and with Leticia Fuentes, a married woman as her sole and separate property, and Eva Gonzalez, an unmarried woman, as Joint Tenants.

SECTION 2. The City of Santa Barbara hereby accepts the street easements on the affected real properties as aforementioned, and more particularly described in the individual Street Easement Deeds to the City of Santa Barbara, which have been executed and delivered hereunder.

SECTION 3. The City of Santa Barbara hereby consents to the recordation by City Clerk of said Street Easement Deeds in the Official Records, County of Santa Barbara.

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