

RESOLUTION OF ACCEPTANCE NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA FOR ACCEPTANCE OF A PERMANENT EASEMENT INTEREST LOCATED AT 306 WEST ORTEGA STREET, AND CONSENTING TO THE RECORDATION OF THE MISSION CREEK EXCLUSIVE EASEMENT DEED IN THE OFFICIAL RECORDS, COUNTY OF SANTA BARBARA

WHEREAS, the Ortega Street Bridge Replacement project at Mission Creek has been completed and the reimbursement of the City's associated project costs using funds provided by the United States Department of Transportation, Federal Highway Administration, as administered by the State of California, Department of Transportation, have been received;

WHEREAS, the bridge replacement project required the purchase by the City of the real property now commonly known as 306 West Ortega Street, Santa Barbara County Assessor's Parcel No. 037-073-082, due to its location immediately adjacent to the existing bridge and the construction of the new Ortega Street bridge at Mission Creek;

WHEREAS, the completed bridge replacement project necessitates the acquisition by the City of a permanent easement for street, bridge, maintenance, access and flood control purposes on a portion of the real property commonly known as 306 West Ortega Street, Santa Barbara County Assessor's Parcel No. 037-073-082, owned by Cathy and Scott Armstrong, Trustees of the Armstrong Family Trust U/A/D 2/12/02, due to its location adjacent and upstream of the new Ortega Street Bridge at Mission Creek for the parties mutual benefit as consideration;

WHEREAS, the Easement Deed has been signed by the respective owners voluntarily to allow the City to acquire the property interest, subject to final approval by the Council of the City of Santa Barbara; and

WHEREAS, this Resolution will demonstrate intent by the Council of the City of Santa Barbara to accept the permanent easement interest particularly described in the respective Mission Creek Exclusive Easement Deed 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 City of Santa Barbara hereby accepts the interest on the real property mentioned above, as more particularly described in the Mission Creek Exclusive Easement Deed signed by Cathy and Scott Armstrong, Trustees of the Armstrong Family Trust U/A/D 2/12/02 on July 3, 2010, which has been executed and delivered hereunder.

SECTION 2. The City of Santa Barbara hereby consents to the recordation of the Mission Creek Exclusive Easement Deed by Cathy and Scott Armstrong, Trustees, in the Official Records, County of Santa Barbara, subsequent to the acceptance of this Resolution.

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