

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA TO ACQUIRE AND ACCEPT IN FEE THE REAL PROPERTY INTERESTS LOCATED AT 536 BATH AND 221 W. COTA STREETS, RELATING TO THE COTA STREET BRIDGE REPLACEMENT PROJECT, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO EXECUTE SUCH AGREEMENTS AND DOCUMENTS AS NECESSARY FOR THE ACQUISITION AND ACCEPTANCE OF SAID REAL PROPERTY INTERESTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, AND RECORD SAID REAL PROPERTY INTERESTS IN THE OFFICIAL RECORDS OF THE COUNTY OF SANTA BARBARA

WHEREAS, a proposed project is currently undergoing final design and environmental review for the City of Santa Barbara (City) to replace the existing bridge for Cota Street at Mission Creek, due to its age, increasingly deteriorated condition and limited flood control capacity, with anticipated reimbursement of 88.53 percent of the City's associated costs using funding provided by the Federal Highway Administration (FHWA); and

WHEREAS, the bridge replacement project requires the purchase by the City of the real properties known commonly as 536 Bath Street, County of Santa Barbara, Assessor's Parcel Number (APN) 037-161-001, owned by Angelina Martel, Sole Surviving Trustee of the Lorenzo and Angelina Martel Family Living Trust U/D/T dated August 6, 1997, and 221 W. Cota Street, County of Santa Barbara, Assessor's Parcel Number (APN) 037-161-002, owned by Edward and Renee Grubb, due to the properties locations adjacent to the existing bridge and Mission Creek channel for total just compensation in the amounts of \$600,000, and \$660,000 respectively; and

WHEREAS, as real property interests have been valued, and in accordance with applicable laws and guidelines, subject to final approval by the Council of the City of Santa Barbara, written offers and required valuation summaries and agreements have been delivered to the respective owners; and

WHEREAS, the written purchase offers have been accepted by the respective owners and their agreements have been signed voluntarily to allow the City to purchase the real property interests, subject to final approval by the Council of the City of Santa Barbara; and

WHEREAS, this Resolution will provide authorization by the Council of the City of Santa Barbara for the Public Works Director to execute the agreements with the affected owners, subject to approval as to form by the City Attorney; and

WHEREAS, this Resolution will also provide authorization by the Council of the City of Santa Barbara for the Public Works Director to subsequently execute any other documents that may become necessary to accomplish such purchases by the City of the fee interests in the real properties, subject to approval as to form by the City Attorney, which may include but not be limited to escrow instructions; and

WHEREAS, this Resolution will demonstrate intent by the Council of the City of Santa Barbara to accept the real property fee interests 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 agreements necessary for the acquisition of the real property at 536 Bath Street, Santa Barbara County Assessor's Parcel Number 037-161-001 with Angelina Martel, Sole Surviving Trustee of the Lorenzo and Angelina Martel Family Living Trust U/D/T dated August 6, 1997, for total compensation in the amount of \$600,000 dollars, and with Edward and Renee Grubb for the real property known as 221 W. Cota Street, County of Santa Barbara, Assessor's Parcel Number (APN) 037-161-002, for total compensation of \$660,000 dollars, to accomplish the purchase by the City of the real property fee interest of said properties for the purposes of bridge and appurtenant public works improvements and related facilities construction work associated with the Cota Street Bridge Replacement Project.

SECTION 2. The City of Santa Barbara hereby accepts the interests on the real properties mentioned above, as more particularly described in the Cota Street Bridge Agreements and Deeds signed by Angelina Martel, Sole Surviving Trustee of the Lorenzo and Angelina Martel Family Living Trust U/D/T date August 6, 1997, and by Edward and Renee Grubb, which have been executed and delivered hereunder.

SECTION 3. The City of Santa Barbara hereby consents to the recordation of the Cota Bridge Purchase Agreement Deeds, in the Official Records, County of Santa Barbara.

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