

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ACCEPTING AN EASEMENT FOR USE AS A PUBLIC BICYCLE AND PEDESTRIAN PATHWAY, AND ALL RELATED PURPOSES, ON THE REAL PROPERTY COMMONLY KNOWN AS 350 HITCHCOCK WAY, AND CONSENTING TO THE RECORDATION OF THE EASEMENT DEED IN THE OFFICIAL RECORDS, COUNTY OF SANTA BARBARA

WHEREAS, Laura Worchell, Trustee of The Larry and Laura Worchell Family Trust; Ralph Horowitz, Trustee of The Horowitz Family Trust; Shaghan Securities, LLC; Avenue 26 Holdings, LLC; No Way Hitchcock, LLC; and Timothy M. Ison are the owners of the real property known as 350 Hitchcock Way (APN 051-240-03) (hereinafter referred to as the "Property");

WHEREAS, the City's Upper State Street Study and Council Resolution of May 2007 identify the location of a potential bicycle and pedestrian pathway over a portion of the Property;

WHEREAS, the construction of a future bicycle and pedestrian pathway is a long term goal of the City;

WHEREAS, in furtherance of this goal, the owners of the Property have offered to donate and convey an easement to the City for use as a bicycle and pedestrian pathway;

WHEREAS, the Council of the City of Santa Barbara, by this resolution, hereby declares its intention to accept the offer of an easement on the property known as 350 Hitchcock Way;

WHEREAS, since the easement is being offered as a gift, the property owners have requested that upon adoption of this resolution, the City execute a IRS Form 8283 acknowledging the easement as a charitable donation to the City; and

WHEREAS, the City of Santa Barbara claims no interest in the underlying fee ownership of the subject property.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1: The Council of the City of Santa Barbara accepts an easement for use as a public bicycle and pedestrian pathway on the Real Property described in the Grant of Easement and Maintenance Agreement, dated December 7, 2015, to the City of Santa Barbara, a municipal corporation, from Laura Worchell, Trustee of The Larry and Laura Worchell Family Trust; Ralph Horowitz, Trustee of The Horowitz Family Trust; Shaghan Securities, LLC; Avenue 26 Holdings, LLC; No Way Hitchcock, LLC; and Timothy M. Ison.

SECTION 2: The Council of the City of Santa Barbara authorizes the City Clerk to record the offered Easement Deed in the Official Records, County of Santa Barbara subsequent to the adoption of this Resolution.

SECTION 3: Upon acceptance and recordation of the Easement Deed, the Council of the City of Santa Barbara authorizes and directs the Public Works Director to execute IRS Form 8283.

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