

## RESOLUTION NO. 6608(23)

### **A Resolution of the City Council of the City of Lompoc, County of Santa Barbara, State of California, Declaring That the Public Interest or Convenience Requires the Discontinuance of the Use of Approximately 82 Acres of City-Owned Land (APN: 095-070-008), Including Ken Adam Park, as a Public Park; and Declaring the City Council's Intent to Call a Special Election to Submit the Question of Discontinuance to the City's Electors**

**WHEREAS**, the City of Lompoc (City) owns an approximately 82-acre parcel (APN 095-070-008) generally located south of Hancock Drive and west of Highway 1 (the Site), which contains open space and recreational uses and the area operated as a public park named Ken Adam Park; and

**WHEREAS**, a legal description and parcel map of the Site are attached hereto as Exhibit A; and

**WHEREAS**, the City acquired the Site by quitclaim deed from the federal government in 1984, recorded April 26, 1985, in the records of Santa Barbara County as Document No. 1985-021446, which deed specified certain restrictions on usage of the Site. In 1999, pursuant to Section 2839 of the National Defense Authorization Act for Fiscal Year 1998, Public Law No. 105-85 (111 Stat. 1629), a Correction to Quitclaim Deed was recorded on June 8, 1999 (attached hereto as Exhibit B) amending the usage restrictions to read:

“The exact acreage and legal description of any property conveyed shall be used by Grantee

- a) for educational and recreational purposes;
- b) for open space, or;
- c) for the purposes described in subparagraphs (a) and (b)”; and

**WHEREAS**, the City has considered use of the Site for other educational and recreational purposes, or open space purposes, or both, other than the uses that currently exist on the Site and other than a public park, and the City is open to and wishes to facilitate exploring such other uses for the Site in the future; and

**WHEREAS**, for example, in July 2019, the City entered into a Memorandum of Understanding with Pale Blue Dot Ventures, Inc. (Pale Blue Dot) to undertake negotiations for a possible sale and development of the Site for a potential space-themed educational and recreational development; and

**WHEREAS**, no entitlement applications have been filed with the City for any such other uses, and the City has not solidified any plans for use of the site for other educational and recreational, or open space, purposes; and

**WHEREAS**, the City wishes to further facilitate exploration of use, development, and/or sale of the Site for other educational and recreational purposes, or other open space purposes, or both, including a possible sale to Pale Blue Dot for development of a space-themed educational and recreational development; and

**WHEREAS**, in order for any non-public-park uses to be established on the Site, the voters of the City must approve the discontinuance of the public park use at an election; and

**WHEREAS**, state law (Government Code section 38440 et seq) establishes a procedure, by which the City Council submits the question to the City's electors following notice and an opportunity for public protest and hearing; and

**WHEREAS**, voter approval of discontinuing the public park use of the Site does not require the City to cease operating the Site as a public park, or to approve or establish any other uses on the Site, or to sell or dispose of the Site, but rather allows for the possibility of non-public-park uses, such as the proposed Pale Blue Dot space-themed development, to be considered for the Site. Decisions whether to change the use of the Site, approve entitlements for any proposed use on the Site, to change the zoning of the Site, and/or to sell or dispose of the Site will remain solely within the discretion of the City Council even if the park use designation is removed from the Site.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1. Recitals.** The foregoing recitals, and the attachments to this Resolution, are true and correct and incorporated into this Resolution by this reference.

**SECTION 2. Declaration.** Based on the above recitals, the City Council hereby declares that the public interest or convenience requires the discontinuance of the use of the Site as a public park, and that the City Council intends to call a special election to submit the question of discontinuance to the City's electors.

**SECTION 3. Hearing.** The City Council shall hold a public hearing to hear and consider any protests from the public or persons particularly interested on Monday, November 20, 2023, in the City Council Chamber at the Lompoc City Hall, 100 Civic Center Plaza, Lompoc, CA 93436, at 6:30 pm or as soon thereafter as the matter may be heard.

**SECTION 4. Certification; Publication.** The City Clerk shall certify to the adoption of this resolution and cause a true and correct copy of the same to be published in the manner required by Section 38445 of the Government Code.

**SECTION 5. Posting.** The City Manager shall cause notice of the adoption of this Resolution to be posted in the manner required by Sections 38446 and 38447 of the Government Code.

The foregoing Resolution was proposed by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on October 3, 2023, by the following vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

\_\_\_\_\_  
Jenelle Osborne, Mayor  
City of Lompoc

ATTEST:

\_\_\_\_\_  
Stacey Haddon, City Clerk  
City of Lompoc

Attachments: Exhibit A: Site Legal Description and Map  
Exhibit B: Correction to Quitclaim Deed, recorded June 8, 1999

**Exhibit "A"**

**Site Legal Description and Map**

**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): 095-070-008**

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THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOMPOC, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Portions of Lots 17, 18 and 19 of Rancho Mission De La Purisma and Farm Lot 18 of the Subdivision of the Rancho Lompoc and Mission Vieja as shown on map filed in Book 1, Page 45 of Maps in the City of Lompoc, County of Santa Barbara, State of California, and more particularly described as follows:

Beginning at a one half inch iron pipe with plastic cap marked L.S. 5459 at the Easterly terminus of course shown as "N 84° 55' 48" E, 393.79 feet" as shown on map filed in Book 143, Page 67 of Record of Surveys, in the office of the County Recorder of said County;

thence South 84 degrees 55 minutes 43 seconds West a distance of 628.26 feet to a monument shown on said map;

thence South 45 degrees 11 minutes 33 seconds West a distance of 3718.61 feet to a monument shown on said map, and the true point of beginning;

thence South 50 degrees 49 minutes 48 seconds East a distance of 1750.71 feet;

thence North 70 degrees 25 minutes 12 seconds East a distance of 1510.00 feet;

thence North 37 degrees 25 minutes 12 seconds East a distance of 1151.97 feet;

thence North 68 degrees 11 minutes 48 seconds East a distance of 231.48 feet to the Westerly line of Lompoc Casmalia Road;

thence Southerly along the Westerly line of Lompoc Casmalia Road the Westerly line of State Highway No. 1 the following courses;

South 30 degrees 20 minutes 26 seconds East a distance of 252.62 feet;

thence South 27 degrees 16 minutes 14 seconds East a distance of 186.72 feet;

thence South 30 degrees 15 minutes 41 seconds East a distance of 243.00 feet;

thence South 20 degrees 46 minutes 27 seconds East a distance of 138.63 feet;

thence South 09 degrees 11 minutes 38 seconds East a distance of 217.66 feet;

thence South 01 degrees 51 minutes 35 seconds East a distance of 161.05 feet;

thence South 07 degrees 25 minutes 14 seconds West a distance of 396.84 feet;

thence South 36 degrees 02 minutes 43 seconds West a distance of 170.52 feet;

thence South 04 degrees 04 minutes 26 seconds East a distance of 255.38 feet;

thence South 13 degrees 23 minutes 12 seconds West a distance of 301.55 feet;

thence South 11 degrees 29 minutes 25 seconds West a distance of 300.72 feet;

**EXHIBIT "A"**  
Legal Description  
(continued)

thence South 02 degrees 20 minutes 24 seconds West a distance of 205.32 feet to a monument as shown on said map;

thence leaving said Westerly line of State Highway No. 1 North 82 degrees 09 minutes 41 seconds West a distance of 522.29 feet to a monument shown on said map;

thence South 82 degrees 44 minutes 52 seconds West a distance of 542.88 feet to a monument as shown on said map;

thence North 50 degrees 49 minutes 48 seconds West a distance of 1082.99 feet to a monument as shown on said map;

thence North 80 degrees 23 minutes 07 seconds West a distance of 1980.39 feet to a monument as shown on said map;

thence North a distance of 1260.00 feet to the true point of beginning.

EXCEPTING therefrom the ownership of the mineral rights as reserved by the United States of America in Quitclaim Deeds recorded April 26, 1985 as Instrument No. 85-21446, February 12, 1991 as Instrument No. 91-8158 and August 29, 1993 as Instrument No. 93-76002 of Official Records, records of said County.

**EXCEPTING THEREFROM** a portion of the Rancho Mission De La Purisima, in the City of Lompoc, County of Santa Barbara, State of California, and more particularly described as follows:

Beginning at the Southwesterly corner of the parcel designated as "museum site" on map filed in Book 145, Page 11 of Record of Surveys, records of said county;

Thence South 80° 23' 07" East, 1443.40 feet along the Southerly line of said "museum site" parcel;

Thence leaving said Southerly line, North 47° 19' 49" East, 268.69 feet;

Thence South 87° 50' 55" East, 542.20 feet;

Thence North 39° 51' 30" East, 963.45 feet to an angle point in the Northerly line of said "museum site" parcel;

Thence South 70° 25' 11" West, 1510.00 feet along the Northerly line of said "museum site" parcel to an angle point;

Thence North 50° 49' 48" West, 1750.71 to the Northwesterly corner of said "museum site" parcel;

Thence South 0° 00' 00" West, 1260.00 feet to the point of beginning, containing 36.69 acres.

095-07

# POR. RANCHO MISSION DE LA PURISIMA

Limits  
PURISIMA RD  
HARRIS GRADE RD  
Lompoc City

STATE HWY 1  
H ST  
Lompoc City Limits

97  
25

97  
95

97  
94

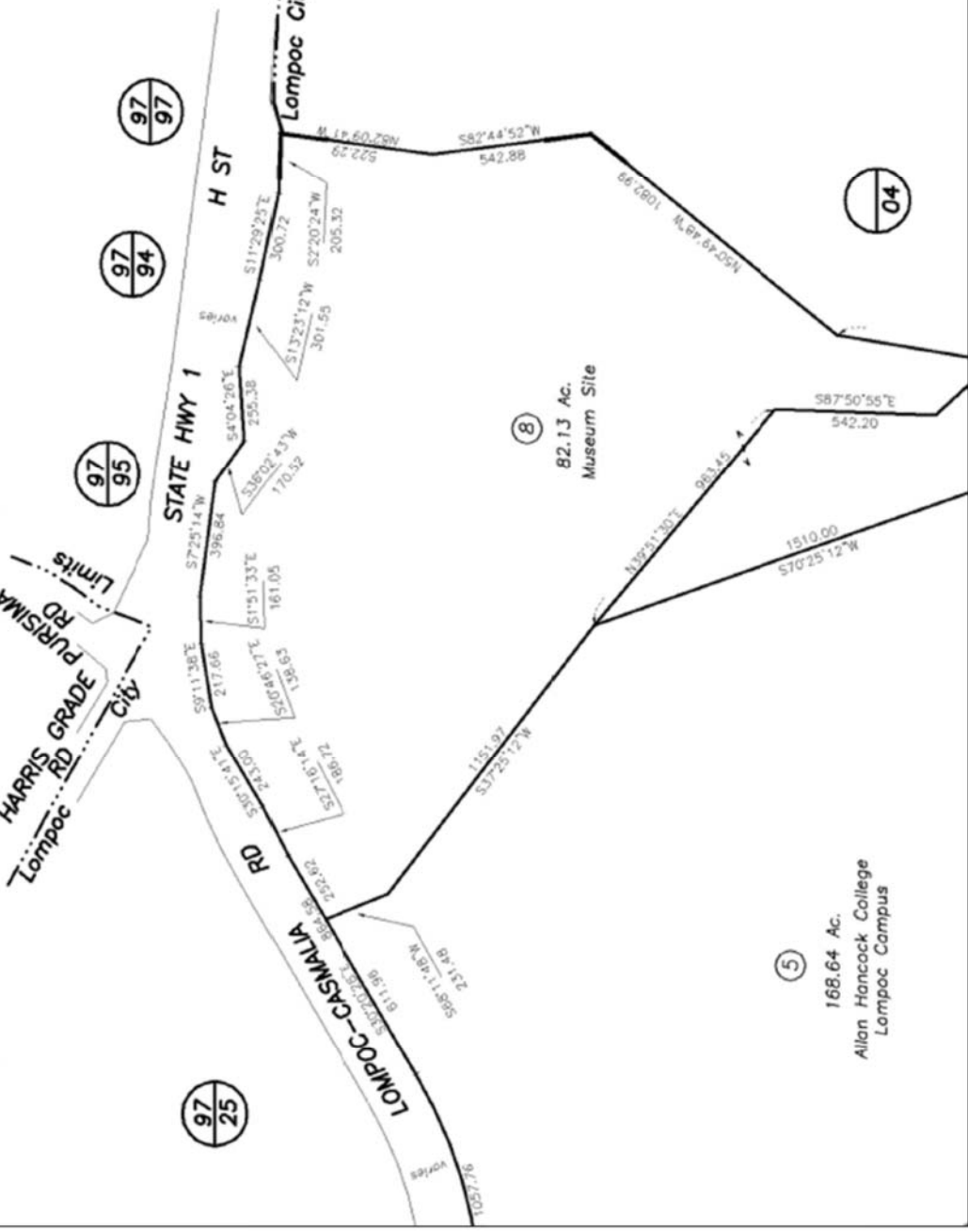
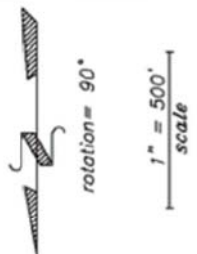
97  
97

5

168.64 Ac.  
Allan Hancock College  
Lompoc Campus

8  
82.13 Ac.  
Museum Site

04



**Exhibit "B"**

**Correction to Quitclaim Deed**



99-04-30	:	Rec Fee	:	.00
Recorded	:	Total	:	.00
Official Records	:		:	
Co Santa Barbara	:		:	
Kenneth A Pettit	:		:	
Recorder	:		:	
Larry Herrera	:		:	
Assistant	:		:	
2:15pm 8-Jun-99	:	PUBL	:	CC 5

Recording Requested By &  
When Recorded Return to::

Maureen Bosking, City Clerk  
CITY OF LOMPOC  
P.O. Box 8001  
100 Civic Center Plaza  
Lompoc, California 93438-8001

No Fee per Gov. Code §6103

CORRECTION  
TO QUITCLAIM DEED DATED October 23, 1984  
(DOCUMENT NO. 1985-021446)

This indenture, made this 22<sup>nd</sup> day of MAR, <sup>1998</sup>~~1998~~ by and between the UNITED STATES OF AMERICA, Grantor, acting by and through the Secretary of the Army, under and pursuant to Section 2839 of the National Defense Authorization Act for Fiscal Year 1998, Public Law No. 105-85 (111 Stat. 1629), and the City of Lompoc, a California Municipal Corporation, Grantee,

WITNESSETH THAT:

WHEREAS, by Quitclaim Deed, dated October 23, 1984, recorded April 26, 1985, in the records of Santa Barbara County as Document No. 1985-021446, Grantor quitclaimed a 145.98 acre parcel located near the United States Disciplinary Barracks, Lompoc, California, to the City of Lompoc, pursuant to Section 834 of the Military Construction Authorization Act of 1985, Public Law, 98-407, which deed specified certain restrictions on usage, in part, as follows:

SUBJECT HOWEVER, to the following exceptions reservations, restrictions, covenants, and conditions:

2. The real property hereby conveyed shall be used by Grantee

(a) for the Lompoc, California, Western Spaceport Museum and Science Center as a permanent site for a space science museum;

(b) for educational and recreational purposes related to the purpose described in subparagraph (a); or

(c) for the purposes described in subparagraphs (a) and (b).

NOW THEREFORE, pursuant to Section 2839 of the National Defense Authorization Act for Fiscal Year 1998, Public Law 105-88 (111 Stat. 1629), the above referenced usage clause of Quitclaim Deed recorded April 26, 1985, is hereby corrected to read:

1. The exact acreage and legal description of any property conveyed shall be used by Grantee

(a) for educational and recreational purposes;

(b) for open space, or;

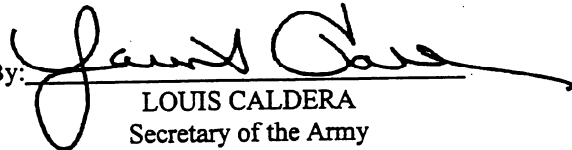
(c) for the purposes described in subparagraphs (a) and (b).

In all other respects Quitclaim Deed dated October 23, 1984 and recorded April 26, 1985, in Santa Barbara County as document Number 1985-021446 remain in full force and effect.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed on the day and year first above written.

UNITED STATES OF AMERICA

By:



LOUIS CALDERA  
Secretary of the Army

ACKNOWLEDGMENT

Commonwealth of Virginia)

)

County of Arlington )

I, the undersigned, a Notary Public in and for the Commonwealth of Virginia, County of Arlington, whose commission as such expires on the 30<sup>th</sup> day of September 1999, do hereby certify that this day personally appeared before me in the said Commonwealth of Virginia, County of Arlington, Louis Caldera, whose name is signed to the foregoing document dated the 22<sup>nd</sup> day of MARCH 1999, and acknowledged the same for and on behalf of the United States of America.

Given under my hand this 22<sup>nd</sup> day of MARCH 1999.

Joel D. Hill (SEAL)  
NOTARY PUBLIC



**CERTIFICATE OF ACCEPTANCE**

This is to certify that the interest in real property conveyed by the CORRECTION TO QUITCLAIM DEED DATED OCTOBER 23, 1984 (Document No. 1985-021446) dated March 22, 1999 from Secretary of the Army to the City of Lompoc, a California municipal corporation, is hereby accepted by the undersigned officer or agent on behalf of the City of Lompoc pursuant to authority conferred by Resolution No. 4426(95), of the City of Lompoc, adopted on February 21, 1995 and the grantee consents to recordation thereof by its duly authorized officer.

City Administrator

By Frank L. Priore  
Frank L. Priore

Dated 5/27/99

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

No. 5907

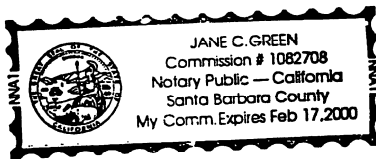
State of California

County of Santa Barbara

On May 25, 1999 before me, Jane C. Green, Notary Public  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared F.L. Priore  
NAME(S) OF SIGNER(S)

personally known to me ~~OR~~  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Jane C Green  
SIGNATURE OF NOTARY

**OPTIONAL**

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

**CAPACITY CLAIMED BY SIGNER**

- INDIVIDUAL
- CORPORATE OFFICER  
City Administrator  
TITLE(S)
- PARTNER(S)       LIMITED
- GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: \_\_\_\_\_

**DESCRIPTION OF ATTACHED DOCUMENT**

Certificate of Acceptance  
TITLE OR TYPE OF DOCUMENT

- 1 -  
NUMBER OF PAGES

May 27 1999  
DATE OF DOCUMENT

**SIGNER IS REPRESENTING:**  
NAME OF PERSON(S) OR ENTITY(IES)  
City of Lompoc

\_\_\_\_\_  
SIGNER(S) OTHER THAN NAMED ABOVE