

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

OFFICE OF THE
CITY CLERK

Council and Public Services Division
200 N. Spring Street, Room 395
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

BRIAN WALTERS
DIVISION MANAGER

clerk.lacity.org

HOLLY L. WOLCOTT
CITY CLERK

SHANNON HOPPE
EXECUTIVE OFFICER

When making inquiries relative
to this matter, please refer to
the Council file No. 09-1036

January 8, 2018

The Honorable Eric Garcetti, Mayor
Room 303, City Hall

GRANT DEED: NORTHWEST CORNER OF ARLINGTON AVENUE AND RODEO
ROAD (APN: 5042-008-905)

Dear Mayor Garcetti:

In connection with the grant of temporary easement deed for the sale of the
aforementioned property to the Los Angeles County Metropolitan Transportation
Authority (as authorized by Ordinance No. 185322), the attached document (grant
deed) is transmitted. A copy of the Ordinance and Council action are also attached.

Please return these items at your earliest convenience after execution, to the
Information, Technology, and General Services Committee, in care of the Office of the
City Clerk, Room 395, City Hall.

Sincerely,

John White, Legislative Assistant
Information, Technology, and General Services Committee

Grant_deed_letter.doc

**CITY OF LOS ANGELES
INTERDEPARTMENTAL CORRESPONDENCE**

DATE: January 5, 2018

TO: Holly L. Wolcott, City Clerk
Room 395, City Hall
Attn: John White, Legislative Assistant II

FROM: David Roberts, Assistant Director
Department of General Services, Real Estate Services Division

**SUBJECT: EASEMENT DEED FOR THE SALE OF CITY-OWNED PROPERTY
LOCATED ON THE NORTHWEST CORNER OF ARLINGTON AVE.
AND RODEO RD., LOS ANGELES, CA (APN 5042-008-905)**

Transmitted herewith is the Grant of Temporary Easement Deed (one (1) original) for the sale to Los Angeles Metropolitan Transportation Authority ("Buyer") of the above-referenced property as authorized by **Ordinance No. 185322 Council File No. 09-1036**. Copies of the Ordinance and Council File are attached.

To be executed as shown below:

1. One original to be executed by the Mayor and attested to by the City Clerk. **Please notarize the Mayor's signature.**
2. **Original to be returned to GSD.**

After the attached document has been executed, please contact Alecia Simona McGinnis, Real Estate Officer II, at (213) 922-8558 for pick-up or if you have any questions.

Attachments: Grant of Temporary Easement Deed
Ordinance & Council File

HOLLY L. WOLCOTT
CITY CLERK

SHANNON D. HOPPE
EXECUTIVE OFFICER

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
MAYOR

OFFICE OF THE
CITY CLERK

Council and Public Services Division

200 N. SPRING STREET, ROOM 395
LOS ANGELES, CA 90012
GENERAL INFORMATION - (213) 978-1133
FAX: (213) 978-1040

BRIAN E. WALTERS
DIVISION CHIEF

CLERK.LACITY.ORG

When making inquiries relative to
this matter, please refer to the
Council File No.: [09-1036](#)

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

December 6, 2017

Council File No.: [09-1036](#)
Council Meeting Date: December 05, 2017
Agenda Item No.: 4
Agenda Description: INFORMATION, TECHNOLOGY, AND GENERAL SERVICES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to granting an easement to the Los Angeles County Metropolitan Transportation Authority (Metro) of a parcel owned by the City of Los Angeles for the Exposition Light Rail Transit System equipment installation and maintenance.

Council Action: INFORMATION, TECHNOLOGY, AND GENERAL SERVICES COMMITTEE REPORT AND ORDINANCE - ADOPTED

Council Vote:

YES	BLUMENFIELD	YES	HARRIS-DAWSON	YES	O'FARRELL
YES	BONIN	YES	HUIZAR	YES	PRICE
YES	BUSCAINO	YES	KORETZ	ABSENT	RODRIGUEZ
YES	CEDILLO	YES	KREKORIAN	YES	RYU
YES	ENGLANDER	ABSENT	MARTINEZ	ABSENT	WESSON

HOLLY L. WOLCOTT
CITY CLERK

Pursuant to Charter/Los Angeles Administrative Code Section(s): 250

FILE SENT TO MAYOR: 12/06/2017

LAST DAY FOR MAYOR TO ACT: 12/18/2017

APPROVED

***DISAPPROVED**

***VETO**

Mayor

12/07/2017

DATE SIGNED

ORDINANCE NO. 185322

An Ordinance authorizing and providing for the grant of a non-exclusive surface easement over City-owned property (the Easement) to THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, a public agency created under the laws of the State of California (the MTA), to allow for the location of equipment and improvements required for Exposition Light Rail Transit System.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The Board of Public Works previously recommended approval of the grant of the Easement. The Council of the City of Los Angeles hereby finds and determines that the public interest and necessity require the grant of the Easement for a term of thirty (30) years with the right to renew for an additional thirty (30) years to the MTA and its successors and assigns, to allow for the location of equipment and improvements required for Exposition Light Rail Transit System in exchange for the sum of TWENTY NINE THOUSAND AND 00/100 DOLLARS (\$29,000.00). The Easement is located as follows:

<u>Location:</u>	Northwest corner of Arlington Avenue and Rodeo Road, Los Angeles, California.
<u>APN:</u>	The easterly portion of APN: 5042-008-905, of approximately 386 square feet
<u>Legal Description:</u>	See Exhibit "A" and Exhibit "B"

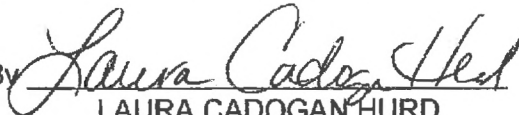
Sec. 2. The Mayor of the City of Los Angeles in the name of and on behalf of said City is hereby authorized and directed to make and execute an Easement Deed within said portion of City real property described in Section 1 of this Ordinance to the MTA, its successors and assigns; the City Clerk of said City is hereby authorized and directed to attest thereto and to affix the City Seal.

Sec. 3. The Department of General Services, Real Estate Services Division, is authorized to process and execute all necessary documents to otherwise complete this transaction and the Chief Accounting Employee of the Department of General Services is authorized to deposit the proceeds, over and above the expenses, into the Sewer Construction and Maintenance Fund No. 208, Department Revenue Source Code 493100-Lease And Rental of Code Property. The MTA shall pay escrow fees and pay all incidental costs associated with this easement grant including, but not limited to, recording fees, documentary transfer fees, title insurance fees, escrow fees, personal property taxes where applicable, and any other real estate transaction taxes. MTA, at its own expense, may obtain any desired survey of the property.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

BY 
LAURA CADOGAN HURD
Deputy City Attorney

Date 9-29-17

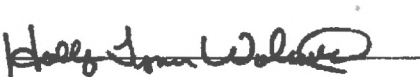
File No. 09-1036

m:\real prop_env_land use\real property_environment\laura cadogan\ordinances\arlington exposition ordinance - a18-01173 final.docx

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR





Ordinance Passed 12/05/2017

Approved 12/07/2017

PSOMAS

EXHIBIT 'A'

LEGAL DESCRIPTION

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FFP 136

That portion of Lot 355 of Tract No. 1322, in the City of Los Angeles, County of Los Angeles, State of California, as shown on the map filed in Book 18, Pages 118 and 119 of Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at the most easterly corner of said Lot 355, said corner being on a curve concave northerly having a radius of 8620.51 feet, as shown on the map filed in Book 236, Pages 58 through 73, inclusive, of Records of Survey, in the Office of the County Recorder of said County, a radial line to said corner bears South 11°59'55" West; thence westerly along said curve and northerly line of said Lot 355 34.06 feet through a central angle of 00°13'35" to a radial line of said curve which bears South 12°13'30" West; thence along the prolongation of said radial 12.35 feet; thence South 77°46'30" East 28.35 feet to the southeasterly line of said Lot 355, said southeasterly line also being the northwesterly line of Arlington Avenue, 60.00 feet wide, as shown on said Record of Survey; thence along said southeasterly line North 36°53'31" East 13.66 feet to the Point of Beginning.

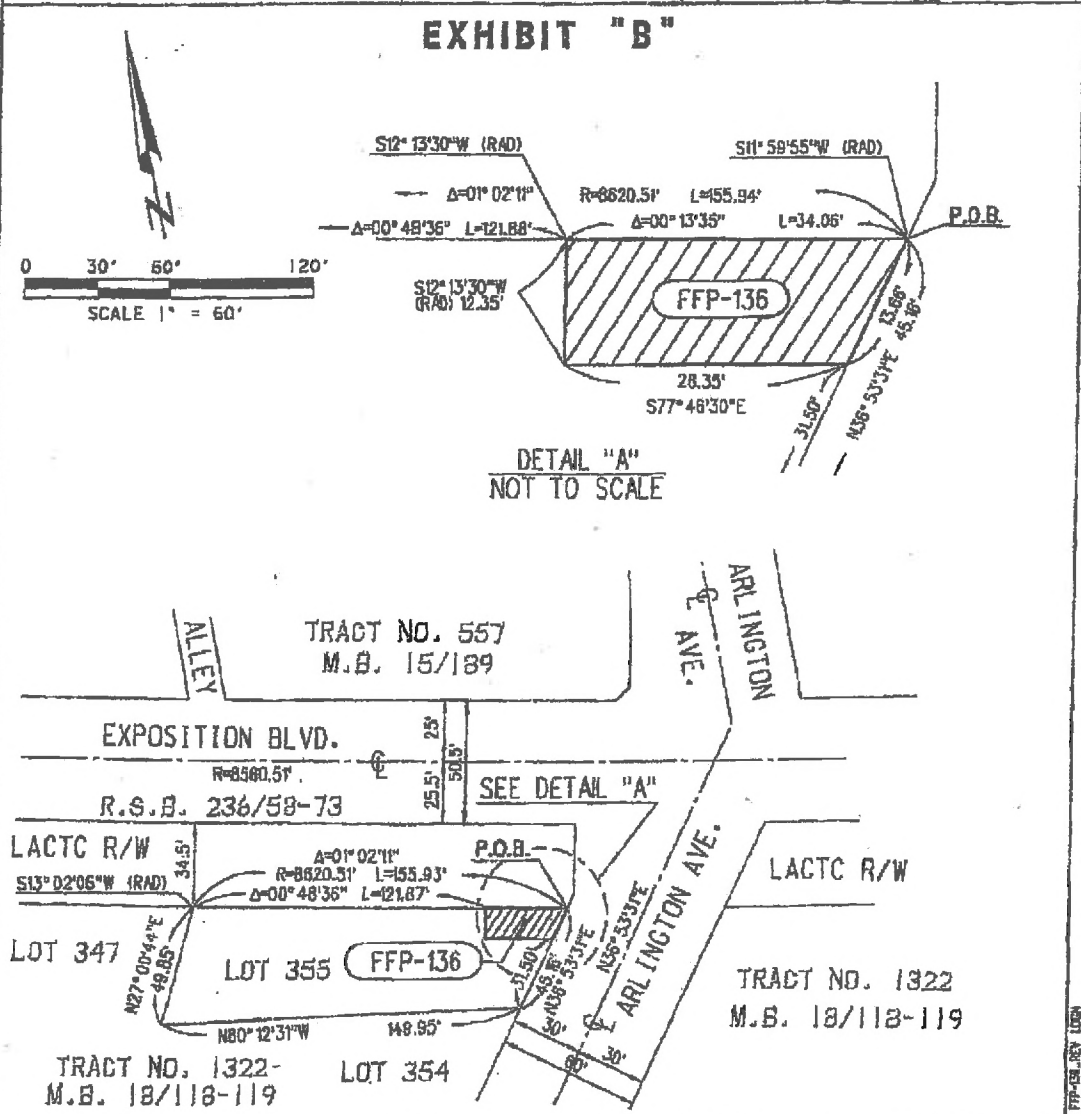
Containing 386 square feet.

All as shown on Exhibit "B" attached hereto and made a part thereof

Distances as described above and as shown on said Exhibit "B" are grid distances.

Ground distances may be obtained by dividing grid distances by the mean combination factor of the points being described. The mean combination factor for this conversion is 1.00000251.

GRANOR : CITY OF LOS ANGELES DESCRIPTION : THAT PORTION OF LOT 355 TRACT 1322, M.B. 18/118-119 IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.		The data shown on this plat are based on a field survey prepared by Parsons dated June 2003 - March 2006. Bearings and distances are based on California Coordinate System 83 Zone 5 coordinates obtained from California N.P.M.A.	
TITLE REPORT : ORANGE COAST TITLE COMPANY NO. 888528-32	ASSESSORS REF. : 5042-608-805	NO.	DATE
ROW REF : 609-020		NO.	DATE
			REVISION DESCRIPTION



TOTAL AREA OF PROPERTY	FFP 136	REMAINDER PARCEL AREA	
8,740 SQ. FT.	386 SQ. FT.	6,354 SQ. FT.	Lot 355 only
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY MID-CITY/EXPOSITION LRT PROJECT		PARCEL PLAT FFP 136 SHEET 1 OF 1	
PREPARED BY: SUBMITTED BY: PROJECT MANAGER	APPROVED BY: CITY PROJECT MANAGER	PROJECT NO. 224090924 SCALE 1"=60' DATE 06-03-08 DRAWN BY RDM/RBO CHECKED BY J.E./RUF DATE 03-05-11	DATE 03-05-11

Ordinance Effective Date: 01/20/2018
 Council File No.: 09-1036

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO

Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

GRANT OF TEMPORARY EASEMENT

APN: 5042-008-905

Documentary Transfer Tax NONE

RECORDATION OF THIS PUBLIC DOCUMENT IS EXEMPT FROM ALL RECORDING FEES AND TAXES PURSUANT TO GOVERNMENT CODE SECTION 6103. THIS TRANSACTION IS EXEMPT FROM CALIFORNIA DOCUMENTARY TRANSFER TAX PURSUANT TO SECTION 11922 OF THE CALIFORNIA REVENUE AND TAXATION CODE.

GRANT OF TEMPORARY EASEMENT

The **CITY OF LOS ANGELES**, a municipal corporation created under the laws of the State of California ("Grantor") hereby grants and conveys to the **LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**, a public agency created under the laws of the state of California ("Grantee") and its successors and assigns, for a term of thirty (30) years, (Term) a temporary easement over, on, under, in, across, along, and through certain real property located within the easterly portion of APN: 5042-008-905 and comprises a total of approximately 386 sq. ft. commonly known as the south east corner of Arlington Avenue and Exposition Boulevard, Los Angeles in the County of Los Angeles, State of California, and more particularly described in the legal description attached hereto as Exhibit "A" and depicted or illustrated on the map attached hereto as Exhibit "B"; and incorporated herein by this reference. (the "Easement Area"), for the construction, operation, maintenance, installation, removal and/or replacement of project equipment consisting of a rail road crossing arm and associated electric cabinet pull boxes and wrought iron fencing and other associated equipment and improvements ("Grantee's Equipment"), and for the ingress and egress of vehicles (including heavy trucks) and pedestrians.

Grantor reserves the right to use the Easement Area or any portion thereof in the exercise of its powers and in the performance of its duties, so long as Grantee has the ability to use the Easement Area as intended hereunder. Grantor has granted subsurface easements for electrical utilities under the easement area. There is reserved and retained unto Grantor, its successors, assigns and permittees, the right to construct, reconstruct, operate, maintain use and/or relocate existing and future rail facilities and appurtenances and existing and future transportation, communication, pipeline, utility and other facilities and appurtenances in, upon, over, under,

across and along the Easement Area or any portion thereof, and in connection therewith the right to grant and convey to others, rights and interests to the Easement Area; provided however, any such actions shall not unreasonably interfere with Grantee's rights or use of the easement Area as permitted herein.


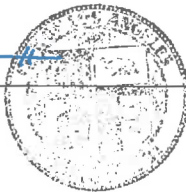
The Easement Area is subject to all licenses, leases, easements, reservations, restrictions, conditions, covenants, encumbrances, liens, claims and other matters of title which may affect the Easement area as of the date this Easement is recorded.

Should the Grantor determine in its sole discretion that Arlington Avenue or Exposition Boulevard need to be widened or to dispose of the property of which the Easement Area is a part, the Easement Area shall be moved accordingly and Grantee shall relocate Grantee's Equipment located in the current Easement Area to a new area which cost of relocating Grantee's Equipment shall be at Grantee's own expense with no cost to Grantor. Grantor must make available to Grantee a comparable new Easement Area on Grantor's neighboring property for the relocation of Grantee's Equipment, to be determined by the Grantor in its sole discretion; provided, however, Grantor understands that Grantee's Equipment is necessary for the safe operation of the Exposition Rail Line and such new Easement Area will need to be located and of such a size to house Grantee's Equipment in such a manner that Grantee can operate the Exposition Rail Line in a safe manner on an uninterrupted basis. If such relocation occurs during the Term, the new easement area shall be provided at no additional cost to Grantee. Grantee shall have six (6) months to relocate Grantee's Equipment from the current Easement Area to the new area determined by the Grantor upon written notice by the Grantor. Should Grantee not relocate Grantee's Equipment within six (6) months, Grantor may remove such equipment itself and invoice Grantee for the costs associated with such relocation. Grantee shall be required to pay the cost of relocation within sixty (60) days of receipt of invoice. If there is no adequate space on Grantor's neighboring property and/or there are no alternative locations suitable for the relocation of Grantee's Equipment, Grantor must reimburse to Grantee the portion of the consideration previously paid by Grantee to Grantor for the Easement Area, pro-rated for the time remaining on the Term. In the event Grantor's aforementioned disposition of the property upon which the Easement Area is a part is made to a third party, in addition to Grantor's reimbursement of the pro-rated consideration, Grantee shall also have the option of purchasing in fee from Grantor prior to the disposition, or from the new owner, a portion of the lot on which Grantee's Equipment is located.

This instrument, including, without limitation, the grant and other terms and provisions set forth or incorporated by reference herein, shall inure to the benefit of, and be binding upon, Grantor and Grantee and their respective successors and assigns, including, without limitation, any involuntary successor(s)-in-interest.

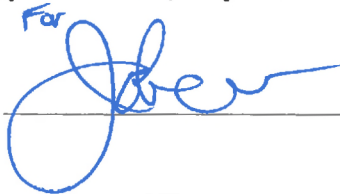
In witness whereof, City of Los Angeles, a municipal corporation, by its City Council, has caused this instrument to be executed on its behalf, by its Mayor, and its corporate seal to be thereto affixed by its City Clerk, this 14th day of February, 2018.

The City of Los Angeles, a municipal corporation

By:  

Eric Garcetti, Mayor

Attest:
Holly L. Wolcott, City Clerk

By: ^{For} 



A notary public or other officer completing this certificate verifies only the identity of the individual, who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of That document.

NOTARY ACKNOWLEDGEMENT
(California All-Purpose Acknowledgement)

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

On February 14, 2018, before me Mandy Morales, a
Notary Public, personally appeared Eric Garcetti

Who 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.

I certify under the PENALTY OF PURGERY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Mandy Morales (Seal)



The City of Los Angeles

JOB TITLE: Temporary Easement for Arlington
Avenue and Exposition Boulevard
Portion of APN: 5042-008-905

To

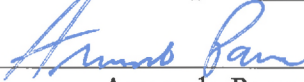
Los Angeles County Metropolitan
Transportation Authority

Grant of Temporary Easement Deed

Approved as to Authority 12-22, 2017

By 
for Tony M. Royster, Authorized Officer


Approved as to description 12-21, 2017

By 
Armando Parra, Authorized Officer

General Services Department
Real Estate Services Division

Approved January 3, 2018

Michael N. Feuer, City Attorney

By 
Deputy

Council File No. 09-1036

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in the real property conveyed by the foregoing Easement Deed dated _____, 2017 from the CITY OF LOS ANGELES a municipal corporation created under the laws of the State of California ("CITY") to the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, a public agency existing under the authority of the laws of the State of California ("METRO"), the provisions of which instrument are incorporated by this reference as though fully set forth in this Certificate, is hereby accepted by the undersigned on behalf of the METRO pursuant to authority conferred by resolution of the Board of Directors of the METRO, and the Grantee hereby consents to the recordation of this Easement Deed by its duly authorized officer.

Dated this 19th day of December, 2017

By: Velma Chausseal
Velma C. Marshall
Deputy Executive Officer - Real Estate

PSOMAS

EXHIBIT 'A'

LEGAL DESCRIPTION

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FFP 136

That portion of Lot 355 of Tract No. 1322, in the City of Los Angeles, County of Los Angeles, State of California, as shown on the map filed in Book 18, Pages 118 and 119 of Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at the most easterly corner of said Lot 355, said corner being on a curve concave northerly having a radius of 8620.51 feet, as shown on the map filed in Book 236, Pages 58 through 73, inclusive, of Records of Survey, in the Office of the County Recorder of said County, a radial line to said corner bears South 11°59'55" West; thence westerly along said curve and northerly line of said Lot 355 34.06 feet through a central angle of 00°13'35" to a radial line of said curve which bears South 12°13'30" West; thence along the prolongation of said radial 12.35 feet; thence South 77°46'30" East 28.35 feet to the southeasterly line of said Lot 355, said southeasterly line also being the northwesterly line of Arlington Avenue, 60.00 feet wide, as shown on said Record of Survey; thence along said southeasterly line North 36°53'31" East 13.66 feet to the **Point of Beginning**.

Containing 386 square feet.

All as shown on Exhibit "B" attached hereto and made a part thereof

Distances as described above and as shown on said Exhibit "B" are grid distances. Ground distances may be obtained by dividing grid distances by the mean combination factor of the points being described. The mean combination factor for this conversion is 1.00000251.

PSOMAS

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This legal description is not intended to be used in the conveyance of land in violation of the subdivision map act of the State of California.

This legal description was prepared by me or under my direction.

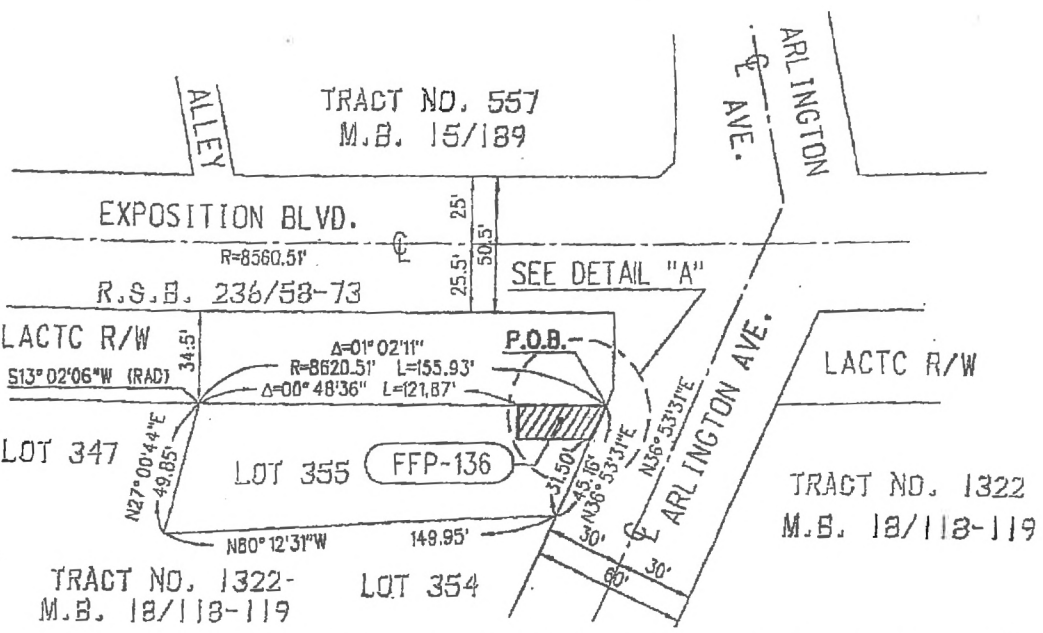
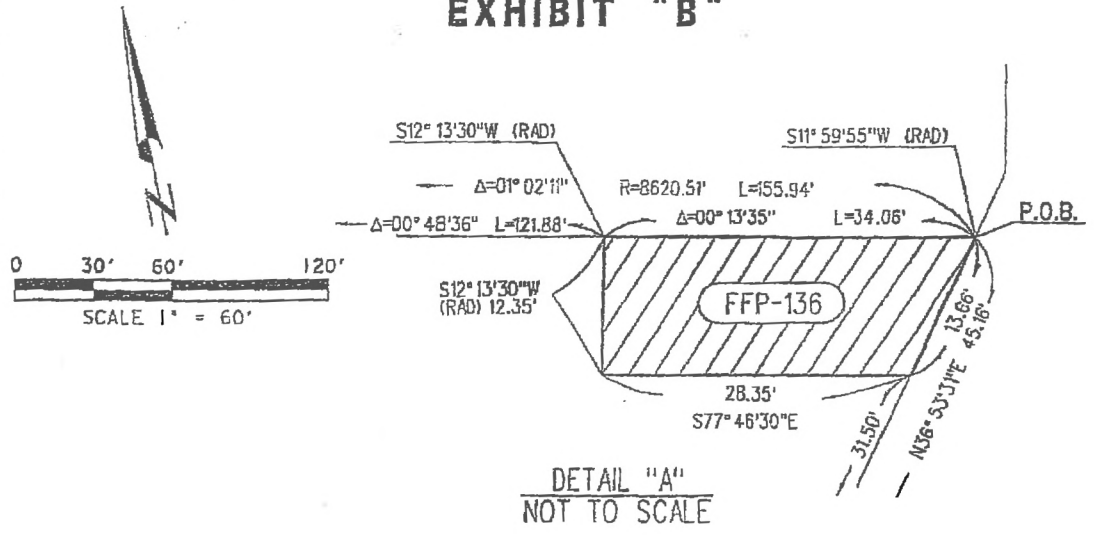
Peter J. Fitzpatrick
Peter J. Fitzpatrick, PLS 6777

Aug. 9, 2011
Date



GRANTOR : CITY OF LOS ANGELES		The data shown on plot are based on a field survey prepared by Parsons dated June 2003 - March 2004. Bearings and distances are based on California Coordinate System 83 Zone 5 coordinates obtained from California H.P.M.	
DESCRIPTION : THAT PORTION OF LOT 355 TRACT 1322, M.B. 18/118-119			
IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES,			
STATE OF CALIFORNIA		1	03-05-11 UPDATE PER DESIGN CHANGE
TITLE REPORT : ORANGE COAST TITLE COMPANY NO. 989598-32		0	08-03-08 ORIGINAL SUBMITTAL
ASSESSORS REF. 5042-008-905	ROW REF : RW-020	NO.	DATE
		REVISION DESCRIPTION	

EXHIBIT "B"



TOTAL AREA OF PROPERTY	FFP 136	REMAINDER PARCEL AREA	
6,740 SQ. FT.	368 SQ. FT.	6,354 SQ. FT.	Lot 355 only

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY MID-CITY/EXPOSITION LRT PROJECT

PREPARED BY: *[Signature]*
SUBMITTED BY: PROJECT MANAGER

APPROVED BY: *[Signature]*
EXPO PROJECT MANAGER DATE: 11-1-11

PARCEL PLAT
FFP 136
SHEET 1 OF 1

CONTRACT NO. 2004050528
SCALE 1"=60'
DATE 06-03-08
DRAWN BY RTN/KVO
CHECKED BY J.E./P.J.F.
REV. DATE 03-05-11

M.A. ZUMMOSOSUN SURVEY DESIGN EXHIBIT: FFP-136-REV LOG