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Los Angeles, CA 90012

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**CARMEN A. TRUTANICH**  
City Attorney

REPORT NO. R 13 - 0075

MAR 20 2013

**REPORT RE:**

**DRAFT ORDINANCE TO RESCIND RESOLUTION NO. 011-230 AND APPROVE  
RESOLUTION AUTHORIZING THE EXECUTION OF SEVEN QUITCLAIM DEEDS  
FOR LOS ANGELES DEPARTMENT OF WATER AND POWER (LADWP)  
DISTRIBUTION EASEMENTS**

**(REAL ESTATE FILE J-15496-174)**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This draft ordinance would rescind the previous Resolution No. 011-230 dated April 5, 2011, and approve the amended Resolution to quitclaim seven LADWP distribution easements and to remove Item 1 from the previous Resolution No. 011-230.

Background

On April 5, 2011, the LADWP adopted Resolution No. 011-230 to execute a Quitclaim Deed of eight Water and Power distribution easements. The Requestors have already paid the processing fee of \$4,250.00.

Item No. 1 of said Quitclaim Deed is for the right and easement to construct, maintain and operate lines of poles and wires for the transmission of electrical energy

and telephonic and telegraphic messages through and over a portion of Lot 1, Section 24, Township 3 North, Range 16 West, of the San Bernardino Meridian, more particularly described in a document recorded in Book 3742, page 233 of Deeds, in the Office of the County Recorder of Los Angeles County.

Initially the affected facility for Item No. 1 was identified as Power System assets only, and the request was directed to the Power System group for review. When the matter was scheduled before City Council, the ordinance was missing; in effect, no action was taken. Subsequently, it was determined that Water System has assets nearby and they should have been consulted. When Water System reviewed the matter, it was determined that quitclaiming the subject easement would have impacted LADWP's surface and air rights for the First Los Angeles Aqueduct.

Now action is needed on the remaining seven items (i.e., Items 2 through 8, inclusive), which are included in the amended Resolution.

#### Charter Compliance

This ordinance is transmitted for your approval pursuant to Charter Section 675, after approval by the Board of Commissioners for the Department of Water and Power.

#### CEQA Findings

In accordance with the California Environmental Quality Act (CEQA), it has been determined that this work is exempt from further requirements under the Los Angeles City CEQA Guidelines, Article III, Class 5(4), Categorical Exemption.

#### Recommendation

The City Administrative Officer (CAO) analyzed and recommends approval of this transaction, as well as the Board of Commissioners for the Department of Water and Power. A copy of the CAO report and the Board Resolution are also provided for your convenience.

#### Council Rule 38 Referral

This draft ordinance has been approved by the Board of Water and Power Commissioners pursuant to Council Rule 38.

If you have any questions regarding this matter, please contact Senior Assistant City Attorney Eduardo Angeles at (213) 357-4580. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By   
PEDRO B. ECHEVERRIA  
Chief Assistant City Attorney

PBE:EA:ff  
Transmittal

**ORDINANCE NO. \_\_\_\_\_**

An ordinance approving a Resolution of the Board of Water and Power Commissioners authorizing the execution of seven quitclaim deeds for seven Los Angeles Water and Power (LADWP) distribution easements.

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

Section 1. Except for Item 1, which is intentionally omitted, it is found and determined that certain easements described in this ordinance, owned by the City of Los Angeles and under the management and control of the Department of Water and Power, are no longer required for the use of the City, and should be abandoned and quitclaimed. The Board of Water and Power Commissioners has adopted an Amended Resolution abandoning these easements, determining that they should be quitclaimed, and requesting the City Council to authorize by ordinance the execution, acknowledgment, and delivery of an instrument in writing, as provided in Sections 675(d)(2) of the Los Angeles City Charter, quitclaiming said easements to the owners of record. Said Amended Resolution is hereby approved.

Sec. 2. Quitclaiming of these easements is hereby authorized and ordered. The execution of the appropriate instruments by the President or Vice President of the Board of Water and Power Commissioners or the General Manager of the Department is hereby authorized, and each of them is empowered, and directed to execute in the name of the City of Los Angeles, an instrument or instruments in writing, approved as to form and legality by the City Attorney, quitclaiming to the owners of record those certain easements described in Items 2 to 8, inclusive, as follows:

ITEM 1  
(P-80086, Map L.A. 16)

(INTENTIONALLY OMITTED)

ITEM 2  
(J-81163, Parcel 2 R/W No. 13251, Map 104-147)

PARCEL 1: (Power Distribution)

Those portions of Lots 1 and 2 of Tract No. 61505, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1354, Pages 78 through 81 of Maps, in the office of the County Recorder of said County, lying within that certain 20-foot wide easement in Lot 1 of Tract No. 28031, in said City, as per map recorded in Book 732, Page 44 of Maps, in the office of said County Recorder, the centerline of said 20-foot wide easement is shown on said Tract No. 28031 as "E of 20' Wide Easement to the City of Los Angeles for Drainage, Sanitary Sewer, Water line and Public Utility

Purposes", and bounded on the northeast by the southwesterly line of that certain 5-foot wide easement shown as "5.00' WIDE EASEMENT OF THE CITY OF LOS ANGELES FOR FUTURE STREET PURPOSES PER INSTRUMENT NO. 20071360370 OF OFFICIAL RECORDS." in said Lot 1 of Tract No. 61505.

PARCEL 2: (Water Distribution)

Those certain easements for water line purposes being portions of Lots 1 and 2 of Tract No. 61505, in the City of Los Angeles, County of Los Angeles, State of California, as shown on map recorded in Book 1354, Pages 78 to 81, inclusive, of Maps, in the office of the County Recorder, of said County, granted and dedicated to said City of Los Angeles by Tract No. 28031, in said City, as shown on map recorded in Book 732, Page 44, of said Maps, said easements shown on said Tract No. 28031 as follows:

Parcel 2A: 18-foot and variable width

"Variable width Easement to the City of Los Angeles for Drainage, Sanitary Sewer and Water line purposes"

Excepting therefrom any portion thereof of said Lot 1 lying within that certain 2-foot-wide strip of land shown as "2.00' WIDE EASEMENT OF THE CITY OF LOS ANGELES FOR FUTURE STREET PURPOSES PER INSTRUMENT NO. 20071360370 OF OFFICIAL RECORDS" on said Tract No. 61505.

The above-described Parcel 2A contains an area of approximately 2,337.31 square feet.

Parcel 2B: 20-foot-wide

" $\frac{1}{2}$  of 20' wide Easement to the City of Los Angeles for Drainage, Sanitary Sewer, Water line and Public Utility purposes"

Excepting therefrom any portion thereof of said Lot 1 lying within that certain 5-foot-wide strip of land shown as "5.00' WIDE EASEMENT OF THE CITY OF LOS ANGELES FOR FUTURE STREET PURPOSES PER INSTRUMENT NO. 20071360370 OF OFFICIAL RECORDS" on said Tract No. 61505.

The above-described Parcel 2B contains an area of approximately 6,165.34 square feet.

ITEM 3  
(P-81838, Map 88-216)

TRACT NO. 50699

The southeasterly 2.50 feet of Lots 1, 2, 4, 5, 9, 10, 12, 13, 17, 18, 20, 21, 27, 28, and 31 of Tract No. 50699, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1249, Pages 67 through 70 of Maps, in the office of the County Recorder of said County. TOGETHER with the southeasterly 4.00 feet of Lots 24 and 25 of said Tract No. 50699. TOGETHER with the northwesterly 2.50 feet of Lots 3, 6, 7, 11, 14, 15, 19, 22, 23, 29, 30, 32, and 33 of said Tract No. 50699. TOGETHER with the southwesterly 2.50 feet of Lots 9, 15, 23, and 25 of said Tract No. 50699. TOGETHER with the northeasterly 2.50 feet of Lots 10, 14, 22, and 24 of said Tract No. 50699.

EXCEPTING therefrom those certain 3-foot wide easements abutting the southwesterly line of Santa Ana Boulevard North and abutting the northeasterly line of Santa Ana Boulevard South, said 3-foot wide easements are shown on said Tract No. 50699 as "3' WIDE EASEMENTS TO THE CITY OF LOS ANGELES FOR SIDEWALK, STREET TREE, STREET LIGHTING, SEWER AND PUBLIC UTILITY PURPOSES."

TRACT NO. 50700

The southeasterly 2.50 feet of Lots 13, 17, 18, and 21 of Tract No. 50700, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1207, Pages 12 through 15 of Maps, in the office of the County Recorder of said County. TOGETHER with the northwesterly 2.50 feet of Lots 14, 15, 19, 20, 22, and 23 of said Tract No. 50700. TOGETHER with the southwesterly 2.50 feet of Lot 17 of said Tract No. 50700. TOGETHER with the northeasterly 2.50 feet of Lots 18 of said Tract No. 50700.

EXCEPTING therefrom those certain 3-foot wide easements abutting the southwesterly line of Santa Ana Boulevard North and abutting the northeasterly line of Santa Ana Boulevard South, said 3-foot wide easements are shown on said Tract No. 50700 as "3' WIDE EASEMENTS TO THE CITY OF LOS ANGELES FOR SIDEWALK, STREET TREE, SEWER, STREET LIGHTING AND PUBLIC UTILITY PURPOSES."

ITEM 4  
(P-82462, Map 122-219)

Those portions of Lots 1 and 4 of Tract No. 70020, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1355, Pages 89 and 90 of Maps, in the office of the County Recorder of said County, lying within that certain 10-foot wide strip of land described in Easement Deed recorded on July 14, 1948, in Book 27708, Page 172 of Official Records, in the office of the County Recorder of said County.

ITEM 5  
(P-83391, Map 148-186)

That certain 2-foot by 50-foot easement in Lot 15 of Block 21 of Map of Hollywood, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 28, Pages 59 and 60 of Miscellaneous Records, in the office of the County Recorder of said County, described in Deed recorded on February 8, 1928, in Book 8432, Page 13 of Official Records, in the office of said County Recorder.

ITEM 6  
(P-83841, Map 146-189)

The easterly 7 feet of Lot 2 of Columbia Pictures, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 237, Pages 48 and 49 of Maps, in the office of the County Recorder of said County.

Together with the easterly 5 feet of Lot 1 of Tract No. 30220, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 740, Pages 40 and 41 of Maps, in the office of the County Recorder of said County.

Together with the easterly 5 feet of the northerly 641.38 feet of Lot 2 of Tract No. 30220, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 740, Pages 40 and 41 of Maps, in the office of the County Recorder of said County.

ITEM 7  
(P-83897, Map 44-195)

That certain easement in Lot 1 of Tract No. 13917, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 404, Page 23 of Maps, in the office of the County Recorder of said County, described in Right of Way Deed recorded on May 16, 1955, in Book 47788, Page 422 of Official Records, in the office of said County Recorder.

Together with those certain 10-foot wide, 2-foot wide, and 5-foot wide easements in Lots 16 and 18 of Tract No. 35089, in the City of Los Angeles, County of Los Angeles,

State of California, as per map recorded in Book 1087, Pages 44 through 47 of Maps, in the office of the County Recorder of said County, the centerline of said certain 10-foot wide easement is shown on said Tract No. 35089 as "C/O 10' WIDE EASEMENT TO THE CITY OF LOS ANGELES FOR PUBLIC UTILITY PURPOSES.", the northerly line of said certain 2-foot wide easement is shown on said Tract No. 35089 as "N'LY LINE OF A 2' WIDE EASEMENT TO THE CITY OF LOS ANGELES FOR PUBLIC UTILITY PURPOSES.", and the centerline of said certain 5-foot wide easement is shown on said Tract No. 35089 as "C/O 5' WIDE EASEMENT TO THE CITY OF LOS ANGELES FOR PUBLIC UTILITY PURPOSES."

ITEM 8  
(P-83980, Map 210-159)

That certain 2-foot by 15-foot easement in Lot 1 of Tract No. 17058, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 487, Pages 21 and 22 of Map Records, in the office of the County Recorder of said County, the northeasterly line of said 2-foot by 15-foot easement is shown on said Tract No. 17058 as "N.E. line of 2' Easement to the City of Los Angeles for Public Utilities", and the southwesterly line of said 2-foot by 15-foot easement is shown on said Tract No. 17058 as "S.W. line of 2' Easement to the City of Los Angeles for Public Utilities".



Sec. 3. 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.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

JUNE LAGMAY, City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By Eduardo Angeles (MAE)  
EDUARDO ANGELES  
Senior Assistant City Attorney

Date 3/20/13

File No. \_\_\_\_\_

Department of Water and Power



the City of Los Angeles

ANTONIO R. VILLARAIGOSA  
*Mayor*

Commission  
THOMAS S. SAYLES, *President*  
ERIC HOLOMAN, *Vice President*  
RICHARD F. MOSS  
CHRISTINA B. NOONAN  
JONATHAN FARFREY  
BARBARA E. MOSCHOS, *Secretary*

RONALD O. NICHOLS  
*General Manager*

January 30, 2013

The Honorable City Council  
City of Los Angeles  
Room 395, City Hall  
Los Angeles, California 90012

Honorable Members:

Subject: Authorizes the Approval of the Amended Resolution to Quitclaim Seven LADWP  
Distribution Easements

Pursuant to Charter Section 373, enclosed for approval by your Honorable Body is Resolution No. 013 164, adopted by the Board of Water and Power Commissioners on January 25, 2013, approved as to form and legality by the City Attorney, resolution rescinding Resolution No. 011-230 and authorizing the approval of the Amended Resolution to Quitclaim Seven LADWP Distribution Easements (Real Estate File J-15496-174). As directed by the Board, transmitted to you are supporting documents.

If there are any questions regarding this item, please contact Ms. Winifred Yancy, Manager of Intergovernmental Affairs and Community Relations, at (213) 367-0025.

Sincerely,

A handwritten signature in cursive script that reads "Barbara E. Moschos".

Barbara E. Moschos  
Board Secretary

BEM:oja  
Enclosures: LADWP Resolution  
Board Letter  
CAO Report

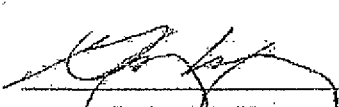
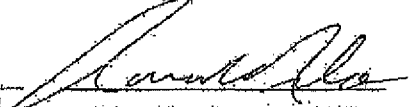


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c/enc: Mayor Antonio Villaraigosa  
Councilmember Jose Huizar, Chair, Energy and the Environment Committee  
Gerry F. Miller, Chief Legislative Analyst  
Miguel A. Santana, City Administrative Officer  
Rafael Prieto, Legislative Analyst, CLA  
William R. Koenig, Chief Administrative Analyst  
Winifred Yancy

**LOS ANGELES DEPARTMENT OF WATER AND POWER (LADWP) BOARD APPROVAL LETTER**

<b>TO: BOARD OF WATER AND POWER COMMISSIONERS</b>		<b>DATE: November 1, 2012</b>
 <b>GARY WONG</b> Assistant General Manager Systems Support Division		<b>SUBJECT:</b>  Rescind Resolution No. 011-230 and Approve Amended Resolution to Quitclaim Seven LADWP Distribution Easements  (Real Estate File J-15496-174)
 <b>RONALD O. NICHOLS</b> General Manager		
 <b>ARAM BENYAMIN</b> Senior Assistant General Manager – Power System		<b>FOR COMMISSION OFFICE USE:</b>  RESOLUTION NO. _____
 <b>JAMES B. McDANIEL</b> Senior Assistant General Manager – Water System		
CITY COUNCIL APPROVAL REQUIRED: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		IF YES, BY WHICH CITY CHARTER SECTION: 675(d)(2)

**PURPOSE**

Your Honorable Board is requested to rescind previous Resolution No. 011-230 dated April 5, 2011 and approve the attached amended Resolution to quitclaim seven (7) LADWP distribution easements.

**COST AND DURATION**

There is no cost to LADWP. The processing fee of \$4,250 will be returned.

**BACKGROUND**

On April 5, 2011, the LADWP entered into Resolution No. 011-230 to execute a Quitclaim Deed of eight (8) Water and Power distribution easements. The eight (8) requestors have already paid the processing fee of \$4,250.

Item No. 1 of said Quitclaim Deed is for the right and easement to construct, maintain and operate lines of poles and wires for the transmission of electrical energy and telephonic and telegraphic messages through and over a portion of Lot 1, Section 24, Township 3 North, Range 16 West, of the San Bernardino Meridian, more particularly described in a document recorded in Book 3742, page 233 of Deeds, in the Office of the County Recorder of Los Angeles County.

Initially, the affected facility for Item No. 1 was identified as Power System assets only and the request was directed to the Power System group for review.

Board of Water and Power Commissioners  
Page 2  
November 1, 2012

When the matter was scheduled before the Los Angeles City Council, the Ordinance was missing; in effect, the Council took no action.

Subsequently, it was determined that Water System has assets nearby and they should have been consulted. When Water System reviewed the matter, it was determined that quitclaiming the subject easement would have impacted LADWP's surface and air rights for the First Los Angeles Aqueduct. This results in a quitclaim of seven (7), rather than eight (8) easements. This request and the history of the situation is described in more detail in the enclosed City Administrative Officer Memorandum.

No action is needed on the remaining seven (7) items (i.e. Items 2 through 8, inclusive) and are included in the amended Resolution.

#### **ENVIRONMENTAL DETERMINATION**

In accordance with the California Environmental Quality Act (CEQA), it has been determined that this work is exempt from further requirements under the Los Angeles City CEQA Guidelines, Article III, Class 5(4), Categorical Exemption.

#### **RECOMMENDATION**

It is requested that your Honorable Board adopt the attached amended Resolution recommending the Los Angeles City Council's approval to quitclaim seven LADWP distribution easements.

AC

Attachments

e-c/att: Ronald O. Nichols  
Richard M. Brown  
James B. McDaniel  
Aram Benyamini  
Philip Leiber  
Gary Wong  
Reynan L. Ledesma  
Alex Castillo

**TRANSMITTAL**

0150-09892-0000

TO  
Ronald O. Nichols, General Manager  
Department of Water and Power

DATE  
JAN 09 2013

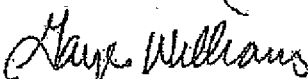
COUNCIL FILE NO.

FROM  
The Mayor

COUNCIL DISTRICT

**PROPOSED RESOLUTION AUTHORIZING THE EXECUTION OF  
SEVEN QUITCLAIM DEEDS FOR SEVEN WATER AND POWER  
DISTRIBUTION EASEMENTS**

Transmitted for further processing, including Council consideration. See the  
City Administrative Officer report attached.

  
MAYOR

MAS:OAV:10130070T

0150-09892-0000

**TRANSMITTAL**

TO Ronald O. Nichols, General Manager Department of Water and Power	DATE JAN 09 2013	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT	

**PROPOSED RESOLUTION AUTHORIZING THE EXECUTION OF  
SEVEN QUITCLAIM DEEDS FOR SEVEN WATER AND POWER  
DISTRIBUTION EASEMENTS**

Transmitted for further processing, including Council consideration. See the  
City Administrative Officer report attached.

*Ray Williams*  
MAYOR

MAS:OAV:10130070T

Department of Water and Power



the City of Los Angeles

ANTONIO R. VILLARAIGOSA  
*Mayor*

Commission  
THOMAS S. SAYLES, *President*  
ERIC HOLOMAN, *Vice President*  
RICHARD F. MOSS  
CHRISTINA E. NOONAN  
JONATHAN PARFREY  
BARBARA E. MOSCHOS, *Secretary*

RONALD O. NICHOLS  
*General Manager*

November 2, 2012

The Honorable Antonio R. Villaraigosa  
Mayor, City of Los Angeles  
Room 303, City Hall  
Mail Stop 370

Attention: Ms. Mandy Morales, Legislative Coordinator

Dear Mayor Villaraigosa:

Subject: Rescind Resolution No. 011-230 and Approve Amended Resolution to Quitclaim Seven Los Angeles Department of Water and Power (LADWP) Distribution Easements

In accordance with Executive Directive No. 4, enclosed is a copy of a Board letter and supporting documents recommending approval and transmittal to the Los Angeles City Council of the amended Resolution to quitclaim seven LADWP distribution easements.

It is respectfully requested that your review be completed as soon as possible. Once the required City Administrative Officer report has been received, the matter will be scheduled for action by the Los Angeles Board of Water and Power Commissioners and forwarded to the Los Angeles City Council for final consideration.

Please contact Ms. Winifred J. Yancy, Director of Local Government and Community Relations, at (213) 367-0025 upon completion of the review or if the review will take longer than 30 days, or if there are any questions regarding this item.

Sincerely,

Ronald O. Nichols  
General Manager

AC:st  
Enclosures

c/enc: Mr. Matthew Karatz, Office of the Mayor  
Commissioner Thomas S. Sayles, President  
Commissioner Eric Holoman, Vice President  
Commissioner Christina E. Noonan

Commissioner Richard F. Moss  
Commissioner Jonathan Parfrey  
Ms. Winifred J. Yancy

OFFICE OF THE MAYOR  
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REPORT FROM

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

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Date: December 19, 2012

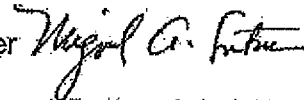
CAO File No.: 0150-09892-0000

Council File No.:

Council District: Various

To: The Mayor

From: Miguel A. Santana, City Administrative Officer



Reference: Transmittal from the Department of Water and Power dated November 2, 2012; referred by the Mayor for report on November 27, 2012

Subject: **PROPOSED RESOLUTION AUTHORIZING THE EXECUTION OF SEVEN QUITCLAIM DEEDS FOR EIGHT WATER AND POWER DISTRIBUTION EASEMENTS**

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### SUMMARY

The Department of Water and Power (DWP; Department) requests approval of a proposed resolution which authorizes the DWP to quitclaim (to release or relinquish a legal claim) seven water and power distribution easements. The DWP has determined that these easements are no longer required for use by the Department. Charter Section 675(d)(2) requires Council approval to dispose of real property. The City Attorney has approved the proposed resolution as to form and legality.

This request is a revision of a previous Resolution No. 011-230 adopted by the Board of Water and Power Commissioners (Board) on April 2011 which called for the quitclaim of eight easements. However, due to the omission of an ordinance before the City Council to approve the previous action by the Board, the action was never approved. Currently, the property owners have requested that DWP provide them with the deeds to their property; therefore, DWP is resubmitting the request with a revision to the number of claims to be considered decreased from eight to seven.

The reason the revision is required is that the initial Resolution by the Board was acted upon and the revision needed to be corrected for the record. The first parcel was originally reviewed for Power System needs and not by the Water System. A second review indicates that the parcel is located over a portion of Lot 1, Section 24, Township 3 North, Range 16 West, of the San Bernardino Meridian, which impacts DWP's surface and air rights for the First Los Angeles Aqueduct. The proposed Resolution deletes the first quitclaim and retains the remaining seven.

### Background

The Department periodically reviews applications requesting the Department to abandon DWP owned easements. The requests are from property owners who often are trying to remove easement restrictions that had been required for building permits or tract maps. If the Department determines that an easement is no longer necessary for current or future DWP operations, a quitclaim deed is processed which transfers the rights of the easement to the existing property owner, thereby,

effectively terminating the easement. The DWP states that each of the eight applicants paid DWP a processing fee. This rate is consistent with the Board action which established new requirements for quitclaim deeds that increased the processing fee to a minimum of \$4,250. There is no other cost from the Department to a property owner who requests a quitclaim. Since the first quitclaim has been denied, a refund shall be provided to that property owner.

Upon review of the attached DWP request, it is the opinion of this Office that the item can be approved, as the requested action appears to be reasonable and in accordance with City policies and procedures.

### RECOMMENDATIONS

That the Mayor:

1. Approve the proposed resolution which authorizes the Department of Water and Power to remove the first quitclaim and execute quitclaim deeds for seven Water and Power distribution easements as provided for in the resolution; and
2. Return the proposed resolution to the Department for further processing, including Council consideration.

### FISCAL IMPACT STATEMENT

Approval of the proposed resolution will result in revenue to the Water Revenue Fund and Power Revenue Fund totaling \$29,750. The Department of Water and Power Debt Management Policies are not applicable. Approval of the proposed resolution will have no impact on the City's General Fund.

### TIME LIMIT FOR COUNCIL ACTION

Pursuant to Charter Section 675(d)(2), "Powers and Duties of the Board – Real Estate Interests," subject to the water rights of the City, there is no time limit for Council action on agreements for real property or any rights in real property held by DWP that will be sold, leased or withdrawn from the Department's control.

MAS:OAV:10130070

Attachments

J-15496-174  
(Amended Quitclaim of Water and Power  
Distribution Easements)

RESOLUTION NO.

013 164

BE IT RESOLVED:

Section 1. Except for Item 1, which is intentionally omitted, those permanent easements across certain real property herein described, owned by the City of Los Angeles and under the control of its Department of Water and Power, are no longer required for the use of the City and the Department, and should be abandoned and quitclaimed as herein authorized.

Section 2. The abandonment and quitclaiming of said easements is authorized and directed. The President or the Vice President of the Board, or the General Manager of the Department, (or such person as the General Manager shall designate in writing), and the Secretary, Assistant Secretary or the Acting Secretary of the Board, be and they are hereby authorized and directed, after due authorization from the City Council, to execute, acknowledge and deliver an instrument in writing, approved as to form and legality by the City Attorney, quitclaiming unto the owner of record said easements, hereinafter described, and all rights, title, and interest therein.

Section 3. Resolution No. 011-230 is amended to remove item 1.

Section 4. The Council of the City of Los Angeles is requested to authorize execution, acknowledgment, and delivery of said instrument in writing, quitclaiming said easements, as aforesaid.

Section 5. Said easements herein authorized to be quitclaimed and abandoned are upon and across real property described in Items 2 to 8, inclusive, as:

ITEM 1  
(P-80086, Map L.A. 16)

(INTENTIONALLY OMITTED)

ITEM 2  
(J-81163, Parcel 2 R/W No. 13251, Map 104-147)

PARCEL 1: (Power Distribution)

Those portions of Lots 1 and 2 of Tract No. 61505, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1354, Pages 78 through 81 of Maps, in the office of the County Recorder of said County, lying within that certain 20-foot wide easement in Lot 1 of Tract No. 28031, in said City, as per map recorded in Book 732, Page 44 of Maps, in the office of said County Recorder, the centerline of said 20-foot wide easement is shown on said Tract No. 28031 as "½ of 20' Wide Easement to the City of Los Angeles for Drainage, Sanitary Sewer, Water line and Public Utility Purposes", and bounded on the northeast by the southwesterly line of that certain 5-foot wide easement shown as "5.00' WIDE EASEMENT OF THE CITY OF LOS ANGELES FOR FUTURE STREET

1  
PURPOSES PER INSTRUMENT NO. 20071360370 OF OFFICIAL RECORDS." in said Lot 1 of Tract No. 61505.

PARCEL 2: (Water Distribution)

Those certain easements for water line purposes being portions of Lots 1 and 2 of Tract No. 61505, in the City of Los Angeles, County of Los Angeles, State of California, as shown on map recorded in Book 1354, Pages 78 to 81, inclusive, of Maps, in the office of the County Recorder, of said County, granted and dedicated to said City of Los Angeles by Tract No. 28031, in said City, as shown on map recorded in Book 732, Page 44, of said Maps, said easements shown on said Tract No. 28031 as follows:

Parcel 2A: 18-foot and variable width

"Variable width Easement to the City of Los Angeles for Drainage, Sanitary Sewer and Water line purposes"

Excepting therefrom any portion thereof of said Lot 1 lying within that certain 2-foot-wide strip of land shown as "2.00' WIDE EASEMENT OF THE CITY OF LOS ANGELES FOR FUTURE STREET PURPOSES PER INSTRUMENT NO. 20071360370 OF OFFICIAL RECORDS" on said Tract No. 61505.

The above-described Parcel 2A contains an area of approximately 2,337.31 square feet.

Parcel 2B: 20-foot-wide

"1/2 of 20' wide Easement to the City of Los Angeles for Drainage, Sanitary Sewer, Water Line and Public Utility purposes"

Excepting therefrom any portion thereof of said Lot 1 lying within that certain 5-foot-wide strip of land shown as "5.00' WIDE EASEMENT OF THE CITY OF LOS ANGELES FOR FUTURE STREET PURPOSES PER INSTRUMENT NO. 20071360370 OF OFFICIAL RECORDS" on said Tract No. 61505.

The above-described Parcel 2B contains an area of approximately 6,165.34 square feet.

ITEM 3  
(P-81838, Map 88-216)

TRACT NO. 50699

The southeasterly 2.50 feet of Lots 1, 2, 4, 5, 9, 10, 12, 13, 17, 18, 20, 21, 27, 28, and 31 of Tract No. 50699, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1249, Pages 67 through 70 of Maps, in the office of the County Recorder of said County. TOGETHER with the southeasterly 4.00 feet of Lots 24 and 25 of said Tract No. 50699. TOGETHER with the northwesterly 2.50 feet of Lots 3, 6, 7, 11, 14, 15, 19, 22, 23, 29, 30, 32, and 33 of said Tract No. 50699. TOGETHER with the southwesterly 2.50 feet of Lots 9, 15, 23, and 25 of said Tract No. 50699. TOGETHER with the northeasterly 2.50 feet of Lots 10, 14, 22, and 24 of said Tract No. 50699.

EXCEPTING therefrom those certain 3-foot wide easements abutting the southwesterly line of Santa Ana Boulevard North and abutting the northeasterly line of Santa Ana Boulevard South, said 3-foot wide easements are shown on said Tract No. 50699 as "3' WIDE EASEMENTS TO THE CITY OF LOS ANGELES FOR SIDEWALK, STREET TREE, STREET LIGHTING, SEWER AND PUBLIC UTILITY PURPOSES."

TRACT NO. 50700.

The southeasterly 2.50 feet of Lots 13, 17, 18, and 21 of Tract No. 50700, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1207, Pages 12 through 15 of Maps, in the office of the County Recorder of said County. TOGETHER with the northwesterly 2.50 feet of Lots 14, 15, 19, 20, 22, and 23 of said Tract No. 50700. TOGETHER with the southwesterly 2.50 feet of Lot 17 of said Tract No. 50700. TOGETHER with the northeasterly 2.50 feet of Lots 18 of said Tract No. 50700.

EXCEPTING therefrom those certain 3-foot wide easements abutting the southwesterly line of Santa Ana Boulevard North and abutting the northeasterly line of Santa Ana Boulevard South, said 3-foot wide easements are shown on said Tract No. 50700 as "3' WIDE EASEMENTS TO THE CITY OF LOS ANGELES FOR SIDEWALK, STREET TREE, SEWER, STREET LIGHTING AND PUBLIC UTILITY PURPOSES."

ITEM 4

(P-82462, Map 122-219)

Those portions of Lots 1 and 4 of Tract No. 70020, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1355, Pages 89 and 90 of Maps, in the office of the County Recorder of said County, lying within that certain 10-foot wide strip of land described in Easement Deed recorded on July 14, 1948, in Book 27708, Page 172 of Official Records, in the office of the County Recorder of said County.

ITEM 5

(P-83391, Map 148-186)

That certain 2-foot by 50-foot easement in Lot 15 of Block 21 of Map of Hollywood, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 28, Pages 59 and 60 of Miscellaneous Records, in the office of the County Recorder of said County, described in Deed recorded on February 8, 1928, in Book 8432, Page 13 of Official Records, in the office of said County Recorder.

ITEM 6

(P-83841, Map 146-189)

The easterly 7 feet of Lot 2 of Columbia Pictures, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 237, Pages 48 and 49 of Maps, in the office of the County Recorder of said County.

Together with the easterly 5 feet of Lot 1 of Tract No. 30220, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 740, Pages 40 and 41 of Maps, in the office of the County Recorder of said County.

Together with the easterly 5 feet of the northerly 641.38 feet of Lot 2 of Tract No. 30220, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 740,



I HEREBY CERTIFY that the foregoing is a full, true and correct copy of a resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held **JAN 25 2013**

Barbara E. Mascher  
Secretary

APPROVED AS TO FORM AND LEGALITY  
CARMEN A. TRUTANICH, CITY ATTORNEY

JUL 16 2012  
BY Jean-Claude Bertet  
JEAN-CLAUDE BERTET  
DEPUTY CITY ATTORNEY