

ORDINANCE NO. _____

An ordinance authorizing and providing for the sale of certain City-owned real property located at 11150 Glenoaks Boulevard, Unit 86, Los Angeles, California (described below and hereinafter sometimes referred to as the Property), to Maria De La Cruz. The Property was acquired by the Los Angeles Housing and Community Investment Department (City or HCIDLA), formerly known as the Los Angeles Housing Department, at the foreclosure sale conducted by the senior lender.

WHEREAS, in 2002, HCIDLA provided a \$60,000 loan to Olivia N. Sandoval through the City's Soft-Second Program which targets low and moderate income first-time homebuyers for the purchase of the Property, a 642 square foot one bedroom condominium; and

WHEREAS, the source of the funds to initially acquire the Property consisted of HOME funds, which must be used for housing for low-income households, and thus the Property may not be used for general City purposes; and

WHEREAS, due to Ms. Sandoval's failure to make required payments on her senior loan, a Notice of Default was recorded in June 2008 and HCIDLA acquired the Property at the foreclosure sale conducted by the senior lender; and

WHEREAS, the Property is currently vacant and HCIDLA is responsible for its management and maintenance, as well as for payment of homeowner association fees and insurance costs; and

WHEREAS, because the underlying loan was a homeownership loan, there is no affordability restriction recorded against the Property; and

WHEREAS, in or about June 2013, pursuant to the transmittal report dated December 20, 2011 (CF 12-0018), HCIDLA received authority from City Council and the Mayor to sell the Property, as well as the authority to dispose of the Property through the services of its contracted real estate broker, Altera Real Estate; and

WHEREAS, Altera listed the Property for sale at its appraised value of \$119,000; and

WHEREAS, two offers were received, one for the listing price and the second from Maria De La Cruz for \$125,000 with a request for 3% back to cover closing costs, for a net price of \$121,250; and

WHEREAS, the offer of \$121,250 was accepted and escrow opened November 19, 2013; and

WHEREAS, the purchase price of \$121,250 will be financed through third party buyer financing; and

WHEREAS, after paying all closing costs, including, but not limited to, broker commissions in the amount of \$7,500, which represents a total of 6% of \$125,000, the net proceeds from this sale will total approximately \$103,119.15.

NOW, THEREFORE,

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

Section 1. The Council of the City of Los Angeles hereby confirms that the property located at 11150 Glenoaks Boulevard, Unit 86, Los Angeles, California, as identified below, may not be used for general City purposes, and that the public interest and necessity require transferring the Property to a private buyer in furtherance of the City's interest in decreasing liability, staff time and expenditures associated with its continued ownership and increasing the availability of safe, sanitary and affordable housing for City residents.

It is hereby ordered that such Property be sold to Maria De La Cruz, a buyer selected through a competitive process conducted by Altera (CF 12-0018) for the purchase price of One Hundred Twenty One Thousand Two Hundred and Fifty Dollars (\$121,250). The sale shall be financed through third party financing.

The sale is in conformance with the provisions of Section 385 of the Los Angeles City Charter and Division 7, Chapter 1, Article 4, Section 7.27 of the Los Angeles Administrative Code.

The Property consists of a 642 square foot one bedroom condominium, and is described as follows:

Location: 11150 Glenoaks Blvd, Unit 86, Los Angeles, CA

Legal Description:

A CONDOMINIUM COMPRISED OF:

PARCEL 1:

AN UNDIVIDED 1/96TH INTEREST IN AND TO LOT 1 OF TRACT NO. 40563 IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1090 PAGE(S) 75 AND 76 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL CONDOMINIUM UNITS AS SHOWN AND DEFINED ON THAT CERTAIN CONDOMINIUM PLAN REFERRED TO BELOW.

ALSO EXCEPT THEREFROM 25 PERCENT OF ALL OIL AND MINERAL RIGHTS AS RESERVED BY K.W. CORPORATION, IN DEED RECORDED IN BOOK 13474 PAGE 270, OFFICIAL RECORDS.

ALSO EXCEPT ALL THE OIL, GAS AND OTHER HYDROCARBON SUBSTANCES AND OTHER MINERALS IN OR UNDER SAID LAND BELOW THE DEPTH OF 500 FEET AND ALL GEOTHERMAL GASES, STEAM OR HOT WATER BELOW THE DEPTH OF 500 FEET, AS GRANTED TO STANLEY A. BLOOM AND BEVERLY A. BLOOM, HUSBAND AND WIFE AS JOINT TENANTS BY DEEDS RECORDED JULY 30, 1978 AS INSTRUMENT NO. 79-835625, OFFICIAL RECORDS AND AS INSTRUMENT NO. 79-835626 OF OFFICIAL RECORDS.

PARCEL 2:

UNIT 86 AS SHOWN AND DEFINED ON THAT CERTAIN CONDOMINIUM PLAN RECORDED ON SEPTEMBER 6, 1988 AS INSTRUMENT NO. 88-1417007 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 3.

AN EXCLUSIVE EASEMENT APPURTENANT TO THE AFORE-DESCRIBED CONDOMINIUM UNIT AS MORE PARTICULARLY SHOWN AND DESCRIBED ON THE CONDOMINIUM PLAN ABOVE MENTIONED (THE "EXCLUSIVE USE COMMON AREA").

PARCEL 4.

A NON-EXCLUSIVE EASEMENT APPURTENANT TO THE AFORE-DESCRIBED CONDOMINIUM UNIT FOR INGRESS AND EGRESS, USE AND ENJOYMENT ON, OVER AND ACROSS ALL PORTIONS OF THE COMMON AREA PRESENTLY INCLUDED IN THE "PROJECT" (AS DEFINED IN THE DECLARATION), WHICH ARE NOT SET ASIDE IN THE DECLARATION OR SHOWN ON THE CONDOMINIUM PLAN AS EXCLUSIVE USE COMMON AREA AND ACROSS ALL PORTIONS OF ANY COMMON AREA SUBSEQUENTLY ANNEXED INTO THE PROJECT WHICH ARE NOT SET ASIDE AS EXCLUSIVE USE COMMON AREA.

EXCEPTING AND RESERVING unto the City of Los Angeles, all oil, gas, water and mineral rights now vested in the City of Los Angeles without, however, the right to use the surface of said land or any portion thereof to a depth of 500 feet below the surface, for the extraction of such oil, gas, water and minerals.

SUBJECT TO covenants, conditions and restrictions, reservations, easements, rights and rights of way of record or which are apparent from visual inspection of the real property and excepting and reserving to the City of Los Angeles any interest in the fee to the adjacent streets which would otherwise pass with the conveyance of the above described parcel of land.

ALSO SUBJECT TO the Property being sold in an “**AS IS**” condition and without any warranty as to fitness for use, fitness for a particular use, or condition of the Property, and the City has no obligation to correct any condition of the Property, whether known before or after the close of escrow.

Sec. 2. The General Manager of HCIDLA is hereby authorized and directed to execute a deed, contract or other instrument necessary to effect the sale of the City’s interest in 11150 Glenoaks Boulevard, Unit 86, Los Angeles, California, described in Section 1 of this ordinance to Maria De La Cruz, and the City Clerk of Los Angeles is hereby authorized and directed to attest thereto and to affix the City Seal.

Sec. 3. HCIDLA is authorized to open escrow, issue title transfer instructions, and deliver deeds.

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.

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

HOLLY L. WOLCOTT, Interim City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By _____
MEI MEI CHENG
Deputy City Attorney

Date 3-25-14

File No. _____