February 28, 2012

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

DRAFT ORDINANCE TO APPROVE THE SALE OF A NON-EXCLUSIVE EASEMENT TO SOUTHERN CALIFORNIA EDISON OVER CITY OF LOS ANGELES PROPERTY

Honorable Members:

This office has prepared and now transmits for your consideration the attached draft Ordinance, approved as to form and legality by our City Attorney. This draft Ordinance authorizes the sale of a non-exclusive permanent easement to Southern California Edison over City property under the control of the Department of Recreation and Parks, for the upgrade of existing overhead facilities with the addition of fiber optic cable.

Background

In 1966, Southern California Edison (SCE) was granted an easement for aerial and underground electric and communication lines, from the owner of record at that time. The City acquired the property for the Department of Recreation and Parks in 1977. Currently, there are existing SCE facilities, consisting of overhead electrical distribution lines (among other things), located within the boundaries of the properties where the West Hills Recreation Center is. These existing overhead facilities run along the eastern property lines approximately 735 feet (north to south) in length, with the width at approximately 8 feet, across three City-owned Park Properties with the Assessor’s Parcel Numbers (APN’s) 2031-008-902, 2031-008-903, & 2031-008-905.

SCE would like to upgrade these existing overhead facilities with the addition of fiber optic cable. No additional poles or conduits will be installed. SCE seeks to purchase a non-exclusive permanent easement for this purpose in the amount of Sixty Three Thousand Nine Hundred Dollars ($63,900.00). This purchase price was based on the appraisal completed by The Department of General Services, Asset Management Division.
The Appraisal and approved Report to the Board of Recreation and Parks Commissioners (which contains the summary and recommendations of this proposed sale) are attached and presented herewith.

**Charter Compliance**

This Ordinance is transmitted for your approval pursuant to Charter Sections 594 following approval by the Board of Commissioners for the Department of Recreation and Parks.

**Recommendation**

We recommend the adoption by Council of the draft Ordinance provided for your consideration and action.

If you have any questions regarding this matter, please contact Real Estate Officer, Alecia Simona at (213) 922-8558.

Very truly yours,

Reginald Byron Jones-Sawyer, Sr., Director
Asset Management Division
ORDINANCE NO._____________________

An Ordinance authorizing and providing for the Sale of an Easement to SOUTHERN CALIFORNIA EDISON, a California corporation, to allow for the upgrade of existing overhead facilities, which currently consist of electrical distribution lines among other things, and the inclusion of fiber optic cables.

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

Section 1. The Board of Recreation and Parks Commissioners has approved the request to grant to SOUTHERN CALIFORNIA EDISON, a California corporation, a nonexclusive easement over City-owned property. The Council of the City of Los Angeles hereby finds and determines that the public interest and necessity require the sale of a nonexclusive permanent easement to allow for the upgrade of existing overhead facilities, which currently consist of electrical distribution lines among other things, and the inclusion of fiber optic cables, over certain City-owned real property in the City of Los Angeles to SOUTHERN CALIFORNIA EDISON, a California corporation, and its successors and assigns, for the sum of SIXTY THREE THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($63,900.00).

Location: 6900 Block of Valley Circle Blvd., West Hills, CA 91307
APN: 2031-008-902; 2031-008-903; 2031-008-905

Legal Description: See Exhibit "A"

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 Southern California Edison, a California corporation, 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, Asset Management Division, is authorized to process 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 Department of Recreation and Park, Real Estate Management Account, Department No. 89, Fund No. 302, Account No. 4155, Work Order No. SP89X935.
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, by a vote of not less than two-thirds of all of its members, at its meeting of _________________.

APPROVED AS TO FORM
AND LEGALITY:

Carmen A. Trutanich, City Attorney

June Lagmay, City Clerk

Dated \[2\.-27-12\]

File No. __________________

Antonio R. Villaraigosa, Mayor
EXHIBIT "A"

Those portions of the following described properties in the City of Los Angeles, State of California, described as follows:

Strip 1:

That portion of Lot 2 in Tract 28126, as per map recorded in Book 834, pages 65 to 67, inclusive, of Maps, in the office of the County Recorder of said Los Angeles County, as conveyed to the City of Los Angeles, a municipal corporation, by Director’s Deed from the State of California, acting by and through its Director of Transportation dated May 23, 1977 and recorded October 12, 1977 as Instrument No. 77-1129947 of Official Records in the office of said County Recorder, lying within a strip of land, 8.00 feet wide, the easterly line of which coincides with the west line of Valley Circle Boulevard, 100 feet wide, as shown on Tract 25479, as per map recorded in Book 754, pages 78 to 98, inclusive, of Maps in the office of said County Recorder.

The westerly line of said strip of land, 8.00 feet wide, shall be prolonged or shortened so as to terminate in the boundaries of the land described said Director’s Deed to the City of Los Angeles.

Strip 2:

The most easterly 8.00 feet of Lot 92 of Tract 40874, as per map recorded in Book 1010, pages 64 to 70, inclusive, of Maps, in the office of said County Recorder. The easterly line of said strip of land coincides with the west line of Valley Circle Boulevard, 100 feet wide as shown on said Tract 40874.
In 1966, Southern California Edison (SCE) was granted an easement for aerial and underground electric and communication lines, from the owner of record at that time. The City acquired the property for the Department of Recreation and Parks in 1977. Currently, there are existing SCE facilities, consisting of overhead electrical distribution lines (among other things), located within the boundaries of the properties where the West Hills Recreation Center is. These existing overhead facilities run along the eastern property lines approximately 735 feet (north to south) in length, with the width at approximately 8 feet, across three City-owned Park Properties with the Assessor’s Parcel Numbers (APN’s) 2031-008-902, 2031-008-903, & 2031-008-905.

SCE would like to upgrade these facilities with the addition of fiber optic cable. No additional poles or conduits will be installed. SCE seeks to purchase a non-exclusive permanent easement for this purpose in the amount of $63,900.00. This purchase price was based on the appraisal completed by The Department of General Services, Asset Management Division.

A Class C appraisal prepared by City staff concluded that the value of the subject property easement was supported to be $88,200. This amount was approved by David Roberts, Property Manager on March 12, 2010. The analysis was submitted by JoAnn Kishi, Senior Real Estate Officer. In the subsequent exchange of valuation reports between the appraisal staff of Southern California Edison appraisal staff determined the value did not exceed $5,100 and May 10, 2010. The City rejected this amount.

In summary, after significant discussions we reached a mutually agreed mediation of a value in at the amount of $63,900. This amount has served as the basis for the acquisition with concurrence by the City, Recreation and Parks and Southern California Edison.
If there are any additional questions regarding this property, please contact David Roberts at (213) 922-8546 or Alecia Simonas (213) 922-8558.
DATE: March 11, 2010

TO: David A. Paschal, Assistant General Manager
Department of General Services

FROM: Reginald Byron Jones-Sawyer, Sr., Director
Asset Management Division
Department of General Services

SUBJECT: CLASS “C” ESTIMATE FOR AN EASEMENT VALUE LOCATED AT:
WEST SIDE OF VALLEY CIRCLE BOULEVARD, WEST HILLS, CA
ASSESSOR PARCEL NUMBERS: 2031-008-902, 903, AND 905

As you have requested, our staff has prepared a Class “C” Estimate for the value of the above referenced easement. The estimate is for budgetary and/or informational purposes only.

The estimated lease value of the subject property is $88,200.*

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>$88,200</td>
</tr>
<tr>
<td>Damage to Dominant Tenement</td>
<td>$ N/A</td>
</tr>
<tr>
<td>Contingencies</td>
<td>$ N/A</td>
</tr>
<tr>
<td>Total</td>
<td>$88,200</td>
</tr>
</tbody>
</table>

*The lease value of the subject property is based on the fee value of the servient tenement at $15 per square foot multiplied by the area of 5,880 square feet. Apparently, the easement was created by the Ralston Land Company for the Southern California Edison Company on September 7, 1966, and recorded on September 16, 1966. (Document Number 2695, B-3043-Pg-293) Then on January 3, 1973, Southern California Edison recorded a Quit Claim of easement to the owner or owners of record. It appears that Southern California Edison Company has not paid a fee for the easement to the City of Los Angeles since the acquisition of the property in May, 1977.

Land Area: Easement approximately 8 feet wide by 735 feet long or a total of 5,876.88 ± square feet (5,880 square feet rounded) or 0.14 acres

Improvements: Areas of grass surrounding an asphalt public parking lot.

Zoning: OS (Open Space)

Current use: West Hills Recreation Center Park under the jurisdiction of the Department of Recreation and Parks

Highest & Best Use: Development for the community and consistent with a variance in zoning.

Topography: Level and at street grade.

The estimated value is based on the assumption that the subject property is free and clear of any hazardous material.

If you have any questions, please call JoAnn Kishi, Senior Real Estate Officer (213) 922-8528 or David Roberts, Property Manager I (213) 922-8546.