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CARMEN A. TRUTANICH
City Attorney

REPORT NO. R 1 3 - 0 0 1 3
JAN 0 3 2013

REPORT RE:

**DRAFT ORDINANCE AUTHORIZING THE SALE OF SEVEN EASEMENTS ACROSS
CITY-OWNED LAND TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
FOR HIGHWAY AND DRAINAGE PURPOSES**

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

Council File No. 12-1098

Honorable Members:

This Office has prepared and now transmits for your consideration, approved as to form and legality, the enclosed draft ordinance (referred to as the "Sale of Seven Easements Ordinance"). The purpose of the ordinance is to authorize the sale of seven easements to the State of California Department of Transportation (Caltrans) for highway and drainage purposes. The conveyance of easements to Caltrans for highway and drainage purposes will clear up right-of-way issues on two highway projects that have already been completed. The two projects are identified as the Caltrans Big Pine Rehabilitation Project and the Rush Creek 4 Lane [sic] Project. The Board of Commissions for the Los Angeles Department of Water and Power (LADWP) approved the sale of these easements and found and determined that the public interest will be furthered by granting to Caltrans the seven easements, for and in consideration of the sum of \$91,450.00.

either adopting the findings prepared by the Director of Planning attached to the file or by making its own findings.

Background

The conveyance of easements to Caltrans for highway and drainage purposes will clear up right-of-way issues on two highway projects that have already been completed. The two projects are identified as the Caltrans Big Pine Rehabilitation Project and the Rush Creek 4 Lane [sic] Project.

Big Pine Rehabilitation Project: Caltrans requested a 0.008 acre easement (376 square feet) for highway purposes, four easements totaling 0.32 acres for drainage purposes, and one 0.032 acre temporary easement. The project work included rehabilitation of the highway lanes through the town of Big Pine to current Caltrans standards. Specific work included the widening of highway widths by four feet, construction of a middle turn lane, and construction of sidewalks and drainage improvements.

Most of the work occurred within the existing right of way and on privately owned property. A right of entry was issued in a manner as though Caltrans had commenced an action in eminent domain against the City of Los Angeles (City) and LADWP to acquire the property needed for highway purposes, and had obtained immediate possession and use of said property by full compliance with Article 1, Section 14, of the California Constitution. The easements were never finalized by the Board of Water and Power Commissioners and Los Angeles City Council because of delays associated with funding the project and the processing of the necessary approvals.

Rush Creek 4-Lane Project: Caltrans requested 13 easements (totaling 145 acres) and a number of temporary construction easements for the duration of the project. Board Resolution No. 000 137 and City Council File No. 00-0043 approved the sale of easements. Within some of the temporary construction easement areas, permanent drainage improvements were constructed. The temporary construction easements terminated upon completion of the work, and an encroachment issue was created. The sale of two drainage easements, covering 4.15 acres, will correct and convert the temporary construction easements to permanent drainage easements.

Valuation Analysis: All properties were appraised by Caltrans right-of-way appraisers, and reviewed and negotiated by the LADWP Real Estate Section. The value of the easements is as follows:

PARCEL NUMBER	MARKET VALUE	ACREAGE	ZONING	EASEMENT TYPE	PROJECT
3655-1	\$2,000.00	0.008	Agriculture	Highway	Big Pine Rehab
3655-2	\$19,600.00	0.13	Park & Rec	Drainage	Big Pine Rehab
3647-1	\$13,700.00	0.058	Agriculture	Drainage	Big Pine Rehab
3660-1	\$2,100.00	0.008	Commercial	Drainage	Big Pine Rehab
3661-1	\$44,700.00	0.12	Commercial	Drainage	Big Pine Rehab
3718-1 *	\$500.00	0.032	Commercial	Temporary	Big Pine Rehab
3663-1	\$5,494.00	2.572	Open Space	Drainage	Rush Creek
3664-1	\$3,356.00	1.574	Open Space	Drainage	Rush Creek

* The temporary construction easement is included for compensation purposes, but will not be conveyed since the temporary use has expired

A total of \$91,450.00 will be realized from the sale.

Summary of Ordinance Provisions

There is no cost to LADWP other than administrative costs to process approvals. The sale of the easements will generate \$91,450.00. The real property easement rights are located in Inyo and Mono counties, State of California, and further described in the draft ordinance.

The Board of Water and Power Commissioners approved the sale of seven easements to Caltrans for highway purposes under Resolution No. 013 013. A copy of the Board resolution was submitted separately by the Secretary of the Board of Water and Power Commissioners. This sale of easements has been analyzed by the City Administrative Officer (CAO), and its findings and recommendations have been submitted under separate report under CAO File No. 0150-09756-0000.


CEQA Determination

In accordance with the California Environmental Quality Act (CEQA), it has been determined that the sale of surplus City-owned property is categorically exempt pursuant to Article III, Class 12, in the CEQA Guidelines, and is further exempt under 14 California Administrative Code Section 15312 (Class 12) Surplus Government Property Sales.

If you have any questions regarding this matter, please contact Deputy City Attorney Tina Shim at (213) 367-2372. She 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:TS:pj
Transmittal

ORDINANCE NO. _____

An ordinance approving a Resolution of the Board of Water and Power Commissioners for the sale of an easement for public highway purposes to the State of California Department of Transportation (Caltrans).

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

Section 1. The action of the Board of Water and Power Commissioners of the City of Los Angeles on the 17th day of July, 2012, approving the sale of an easement for public highway purposes over City-owned property is hereby ratified, confirmed and approved. The approved Resolution reads:

RESOLUTION NO. 013 013

WHEREAS, the State of California Department of Transportation (Caltrans) has requested seven easements (one for highway purposes and six for drainage purposes) over certain City of Los Angeles (City) owned lands located within the town of Big Pine, Inyo County; and south of the town of Lee Vining, Mono County, California.

NOW, THEREFORE, BE IT RESOLVED, that it is found and determined that the public interest will be furthered by granting to Caltrans, for and in consideration of the sum of \$91,450.00, seven easements for highway and drainage purposes on certain properties owned by the City and under the control of the Los Angeles Department of Water and Power (LADWP), and that pursuant to Charter Section 675, the sale of said property rights and the written instrument conveying title on the terms and conditions set forth herein shall first be duly approved by the Los Angeles City council, whose approval is hereby requested.

BE IT FURTHER RESOLVED, that real property easement rights are located in Inyo and Mono Counties, state of California, and further described as follows:

PARCEL 3647-1 (Drainage Easement)

A portion of the northwest quarter of Section 20, Township 9 South, Range 34 East, Mt. Diablo Meridian, all in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of Blake Road and Main Street, set for the corner of Sections 17, 18, 19, and 20, in said Township and Range as shown on the County Surveyor Map No. 12; thence North

89°03'22" East, a distance of 14.645 meters to the easterly right-of-way line of State Route 09-INY-395; thence South 00°54'16" East, a distance of 182.466 meters along said easterly right-of-way line to the beginning of a tangent curve, concave to the northeast, having a radius of 441.867 meters; thence, continuing southerly along said easterly right-of-way line, along the arc of said curve through a central angle of 30°58'26", an arc distance of 238.872 meters to the TRUE POINT OF BEGINNING; thence (1), continuing southeasterly, along said curve and easterly right-of-way line through a central angle of 02°35'36", an arc distance of 20.000 meters; thence (2), North 55°31'42" East, a distance of 12.000 meters, to the beginning of a nontangent curve, concave to the northeast, with a radius of 429.867 meters; thence (3), from a tangent that bears North 34°28'18" West, northwesterly along said curve through a central angle of 02°35'36", an arc distance of 19.457 meters; thence (4), South 58°07'18" West, a distance of 12.000 meters to said easterly right-of-way line and the TRUE POINT OF BEGINNING.

Containing 237 square meters, more or less.

END OF DESCRIPTION

PARCEL 3655-1 (Highway Easement)

All that certain real property within the southwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, bounded on the south by that certain real property transferred by Grant Deed recorded November 8, 1999 as Document No. 99-4818, in the office of the Inyo County Recorder, and bounded on the north by Course No. 5 of Parcel 2773-1, as described in the Easement Deed recorded February 23, 1994 as Document No. 94-941, in the office of the Inyo County Recorder, lying westerly of Course No. 12 of the following described line:

COMMENCING at the Inyo County Surveyor Brass Cap at the centerline intersection of Piñon and Main Streets, as depicted on County Surveyor Map No. 12;
thence (1), South 00°44'14" East, a distance of 157.645 meters to the Inyo County Surveyor Brass Cap at the intersection of the centerlines of Blake and Main Streets, as depicted on said County Surveyor Map No. 12;
thence (2), North 00°44'14" West, a distance of 73.914 meters;
thence (3), North 89°05'45" East, a distance of 14.429 meters;
thence (4), North 00°54'16" West, a distance of 162.819 meters;

thence (5), South 89°17'27" West, a distance of 3.056 meters;
thence (6), North 00°54'54" West, a distance of 152.370 meters;
thence (7), North 89°17'27" East, a distance of 0.465 meter;
thence (8), North 00°59'02" West, a distance of 62.183 meters;
thence (9), South 89°05'45" West, a distance of 0.146 meter;
thence (10), North 01°26'58" West, a distance of 32.121 meters;
thence (11), North 89°05'44" East, a distance of 0.407 meter;
thence (12), North 00°59'02" West, a distance of 174.764 meters;
thence (13), North 00°59'00" West, a distance of 27.426 meters;
thence (14), South 89°15'52" West, a distance of 0.146 meter;
thence (15), South 89°17'51" West, a distance of 9.141 meters;
thence (16), South 00°42'19" East, a distance of 68.404 meters to
the Inyo County Surveyor Brass Cap at the intersection of the
prolongation of the southerly side line of Dewey Street and the
centerline of Main Street, as depicted on said County Surveyor
Map No. 12, said Brass Cap being the POINT OF TERMINATION.

Containing 35 square meters, more or less.

The basis of all bearings herein for said Parcels 3647-1 and 3655-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of North 00°44'14" West, between said Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the centerlines of Blake and Main Streets, and the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the centerlines of Piñon and Main Streets, as depicted on said County Surveyor Map No. 12.

END OF DESCRIPTION

PARCEL 3655-2 (Drainage Easement)

That portion of Lots 4, 5, and 6, Block 93, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the southwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the easterly prolongation of the south line of Dewey Street with the centerline of Main Street, as depicted on County Surveyor Map No. 12; thence North 00°42'19" West, a distance of 22.690 meters along the centerline of Main Street, as depicted on said County Surveyor Map No. 12; thence at right angles to said centerline, North 89°17'41" East, a distance of 9.138 meters to the northwest corner of said Lot 5 and the TRUE POINT OF BEGINNING;

thence (1), North 89°15'52" East, along the northerly line of said Lot 5 and along Course No. 1 of Parcel 2773-1, as described in the Easement Deed recorded February 23, 1994 as Document No. 94-941, in the office of the Inyo County Recorder, a distance of 15.237 meters to the northeast corner of said Parcel 2773-1; thence (2), South 00°42'10" East, along Course No. 2 of said Parcel 2773-1, a distance of 10.813 meters; thence (3), North 79°20'59" East, a distance of 29.209 meters; thence (4), North 00°44'08" West, a distance of 11.878 meters; thence (5), South 89°15'52" West, parallel with the northerly line of said Lot 5, a distance of 44.000 meters to the west line of said Lot 4; thence (6), along said west line, South 00°42'19" East, a distance of 6.095 meters to the TRUE POINT OF BEGINNING.

Containing 507 square meters, more or less.

END OF DESCRIPTION

PARCEL 3660-1 (Drainage Easement)

A portion of Lot 1, Block 5, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the northwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Boat Spike and Washer at the intersection of the centerlines of Poplar and Main Streets, as depicted on County Surveyor Map No. 12; thence North 88°51'47" East, along the centerline of said Poplar Street, a distance of 10.486 meters to the easterly right-of-way line of State Route 09-INY-395, as established by the intersection of the southerly prolongation of the easterly line of Parcel No. 4 as described in the Easement Deed from the City of Los Angeles to the State of California recorded April 15, 1935, in Book 39, page 399, of the Official Records of Inyo County, with the centerline of said Poplar Street; thence North 00°54'16" West, along said easterly right-of-way line, a distance of 9.142 meters to the southerly line of said Lot 1 and the TRUE POINT OF BEGINNING;

thence (1), North 88°51'47" East, along said southerly line of Lot 1, a distance of 5.999 meters;

thence (2), North 00°54'16" West, parallel with, and distant 5.999 meters East from said easterly right-of-way line, a distance of 5.999 meters;

thence (3), South 88°51'47" West, a distance of 5.999 meters to said easterly right-of-way line;
thence (4), South 00°54'16" East, along said easterly right-of-way line, a distance of 5.999 meters to the TRUE POINT OF BEGINNING.

Containing 36 square meters, more or less.

The basis of all bearings herein for said Parcel 3660-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of North 88° 51'47" East, between said Inyo County Surveyor Boat Spike and Washer at the intersection the centerlines of Poplar and Main Streets and the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection the centerlines of said Poplar and Washington Streets, as depicted on said County Surveyor Map No. 12.

END OF DESCRIPTION

PARCEL 3661-1 (Drainage Easement)

A portion of Lot 3, Block 77, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the southeast quarter of Section 18, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the easterly prolongation of the south line of Dewey Street with the centerline of Main Street, as depicted on County Surveyor Map No. 12; thence South 89°06'11" West, along said easterly prolongation of the south line of Dewey Street, a distance of 17.920 meters to a point on the westerly right-of-way line of State Route 09-INY-395, as established by the Deed from the City of Los Angeles to the State of California recorded on July 10, 1940, in Book 49, page 55, of the Official Records of Inyo County; thence South 00°54'16" East, along said westerly right-of-way line, a distance of 63.995 meters to the southerly termination of Course No. 2 of Parcel 2772-1, as described in the Easement Deed recorded February 23, 1994 as Document No. 94-941, in the office of the Inyo County Recorder and the TRUE POINT OF BEGINNING;
thence (1), continuing South 00°54'16" East, along said westerly right-of-way line of State Route 09-INY-395, a distance 26.395 meters;
thence (2), South 89°05'44" West, a distance of 23.995 meters;

thence (3), North 23°11'31" East, a distance of 28.914 meters to the westerly termination of Course No. 3 of said Parcel 2772-1; thence (4), North 89°05'40" East, along Course No. 3 of said Parcel 2772-1, a distance of 12.190 meters to the TRUE POINT OF BEGINNING.

Containing 478 square meters, more or less.

The basis of all bearings herein for said Parcels 3655-2 and 3661-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of South 00°43'27" East, between said Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the prolongation of the south line of Dewey Street with the centerline of Main Street, and the Inyo County Surveyor Brass Cap in a Hand hole at the intersection of the centerlines of Chestnut and Main Streets, as depicted on said County Surveyor Map No. 12.

END OF DESCRIPTION

ALL DISTANCES RECITED IN PARCELS 3647-1, 3655-1, 3655-2, 3660-1, AND 3661-1 ARE RECITED IN METERS on said California Coordinate System unless otherwise noted. To obtain ground level distances, divide distances by the combined grid factor of 0.99979702. To convert meters to U.S. Survey Feet, multiply distances by 3.2808333.

PARCEL 3663-1 (Drainage Easement)

That portion of the northwest quarter of the northeast quarter of Section 3, Township 1 South, Range 26 East, Mt. Diablo Meridian, and those portions of the southwest quarter of the southeast quarter and the west half of the northeast quarter of Section 34, Township 1 North, Range 26 East, Mt. Diablo Meridian described as:

COMMENCING at the northeast corner of said Section 3 marked by the L.A.D.W.P. pipe cap on a two-inch iron pipe as depicted on Record of Survey 34-48 filed in Mono County Record of Survey Book 2, page 140 on March 15, 1993; thence South 74°15'48" West, 534.704 meters to a point on the westerly line of Parcel 3388-1 as described in the Easement Deed from the City of Los Angeles to the State of California, recorded in Mono County Official Records as Document 2000004881, on August 21, 2000, said point being the TRUE POINT OF BEGINNING; thence (1), leaving said westerly line, South 80°26'29" West, 20.400 meters; thence (2), North 09°33'31" West, 150.407 meters; thence (3), North 07°16'05" West, 200.160 meters; thence (4), North 09°33'31" West, 159.593 meters;

thence (5), North 80°26'29" East, 20.400 meters to the westerly line of Parcel 3390-1 as described in said Easement Deed;
thence (6), along last said westerly line, South 09°33'31" East, 160.000 meters;
thence (7), continuing along last said westerly line, South 07°16'05" East, 200.160 meters;
thence (8), continuing along last said westerly line and the westerly line of said Parcel 3388-1, South 09°33'31" East, 150.00 meters to the TRUE POINT OF BEGINNING.

Containing 1.041 hectares (2.572 acres), more or less.

END OF DESCRIPTION

PARCEL 3664-1 (Drainage Easement)

That portion of the northwest quarter of the northeast quarter of Section 3, Township 1 South, Range 26 East, Mt. Diablo Meridian, and those portions of the southwest quarter of the southeast quarter and the west half of the northeast quarter of Section 34, Township 1 North, Range 26 East, Mt. Diablo Meridian described as:

COMMENCING at the northeast corner of said Section 3 marked by the L.A.D.W.P. pipe cap on a two-inch iron pipe as depicted on Record of Survey 34-48 filed in Mono County Record of Survey Book 2, Page 140 on March 15, 1993; thence North 34°35'30" West, 1238.828 meters to a point on the westerly line of said Parcel 3390-1, the TRUE POINT OF BEGINNING;
thence (1), leaving said westerly line, South 80°26'28" West, 20.437 meters;
thence (2), North 12°59'32" West, 270.486 meters;
thence (3), North 80°26'29" East, 37.237 meters to the westerly line of said Parcel 3390-1;
thence for the following three courses along last said westerly line,
(4), South 09°33'31" East, 30.000 meters;
(5), South 03°56'13" West, 51.420 meters;
(6), South 12°59'32" East, 190.342 meters to the TRUE POINT OF BEGINNING.

Containing 0.637 hectare (1.574 acres), more or less.

The basis of all bearings herein for said Parcels 3663-1 and 3664-1 is the California Coordinate System 1983 (1986) Zone 3 bearing of South 89°13'15" West between said northeast corner of Section 3 and the northwest corner of said Section 3 marked by the California Department of

Transportation brass cap on an iron pipe depicted on said Record of Survey 34-48.

END OF DESCRIPTION

ALL DISTANCES ARE RECITED IN METERS, on said Coordinate System, unless otherwise noted. Divide distances by the grid factor of 0.99961137 to obtain ground level distances. To convert meters to the U.S. Survey Foot, multiply distances by 3.2808333.

SUBJECT TO all outstanding taxes and assessments, if any.

SUBJECT TO any and all easements, covenants, conditions, restrictions, and other matters of record.

EXCEPTING AND RESERVING unto the City of Los Angeles all water and water rights, whether surface, subsurface, or of any other kind, and all water and water rights appurtenant or in anywise incident to the real property herein described, or used thereon or in connection therewith, together with the right to develop, take, transport, control, regulate, and use all such water; and reserving unto the Grantor all oil, gas, petroleum, or other mineral or hydrocarbon substances in and under said land, without the right to enter upon the surface of said land for such use.

BE IT FURTHER RESOLVED that the President or Vice President of this Board, or the General Manager, or such person as he shall designate in writing as his designee, and the Secretary, Assistant Secretary, or the Acting Secretary of this Board are hereby authorized, empowered, and directed to execute said Easements for and on behalf of the City and its LADWP.

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

Secretary

Sec. 2. An instrument in writing, approved as to form and legality by the City Attorney, conveying each of said easements to Caltrans is authorized, and the President, or the Vice President of the Board, or the General Manager of the Los Angeles Department of Water and Power (LADWP), or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said instrument on behalf of the City of Los Angeles and LADWP.

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 *Tina Shim*
TINA SHIM
Deputy City Attorney

Date *January 3, 2013*

File No. CF 12-1098

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

July 19, 2012

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

Honorable Members:

Subject: Sale of Seven Easements to the State of California Department of Transportation
(W79586)

Pursuant to Charter Section 675, enclosed for approval by your Honorable Body is Resolution No. 013 013, adopted by the Board of Water and Power Commissioners (Board) on July 17, 2012, approved as to form and legality by the City Attorney, which authorizes the sale of seven easements to the State of California Department of Transportation for Highway and Drainage Purposes. As directed by the Board, transmitted to you are supporting documents.

If there are any questions regarding this item, please contact Ms. Winifred Yancy, Director of Local Government 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
Ordinance
Easement Deed

Water and Power Conservation ... a way of life

111 North Hope Street, Los Angeles, California 90012-2607 Mailing address: Box 51111, Los Angeles 90051-5700
Telephone: (213) 367-4211 Cable address: DRWAPOLA

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c/enc: Mayor Antonio Villaraigosa
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

WHEREAS, the State of California Department of Transportation (Caltrans) has requested seven easements (one for highway purposes and six for drainage purposes) over certain City of Los Angeles (City) owned lands located within the town of Big Pine, Inyo County; and south of the town of Lee Vining, Mono County, California.

NOW, THEREFORE, BE IT RESOLVED, that it is found and determined that the public interest will be furthered by granting to Caltrans, for and in consideration of the sum of \$91,450.00, seven easements for highway and drainage purposes on certain properties owned by the City and under the control of the Los Angeles Department of Water and Power (LADWP), and that pursuant to Charter Section 675, the sale of said property rights and the written instrument conveying title on the terms and conditions set forth herein shall first be duly approved by the Los Angeles City council, whose approval is hereby requested.

BE IT FURTHER RESOLVED, that real property easement rights are located in Inyo and Mono Counties, state of California, and further described as follows:

PARCEL 3647-1 (Drainage Easement)

A portion of the northwest quarter of Section 20, Township 9 South, Range 34 East, Mt. Diablo Meridian, all in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of Blake Road and Main Street, set for the corner of Sections 17, 18, 19, and 20, in said Township and Range as shown on the County Surveyor Map No. 12; thence North 89°03'22" East, a distance of 14.645 meters to the easterly right-of-way line of State Route 09-INY-395; thence South 00°54'16" East, a distance of 182.466 meters along said easterly right-of-way line to the beginning of a tangent curve, concave to the northeast, having a radius of 441.867 meters; thence, continuing southerly along said easterly right-of-way line, along the arc of said curve through a central angle of 30°58'26", an arc distance of 238.872 meters to the TRUE POINT OF BEGINNING; thence (1), continuing southeasterly, along said curve and easterly right-of-way line through a central angle of 02°35'36", an arc distance of 20.000 meters; thence (2), North 55°31'42" East, a distance of 12.000 meters, to the beginning of a nontangent curve, concave to the northeast, with a radius of 429.867 meters; thence (3), from a tangent that bears North 34°28'18" West, northwesterly along said curve through a central angle of 02°35'36", an arc distance of 19.457 meters; thence (4), South 58°07'18" West, a distance of 12.000 meters to said easterly right-of-way line and the TRUE POINT OF BEGINNING.

Containing 237 square meters, more or less.

END OF DESCRIPTION

PARCEL 3655-1 (Highway Easement)

All that certain real property within the southwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, bounded on the south by that certain real property transferred by Grant Deed recorded November 8, 1999 as Document No. 99-4818, in the office of the Inyo County Recorder, and bounded on the north by Course No. 5 of Parcel 2773-1, as described in the Easement Deed recorded February 23, 1994 as Document No. 94-941, in the office of the Inyo County Recorder, lying westerly of Course No. 12 of the following described line:

COMMENCING at the Inyo County Surveyor Brass Cap at the centerline intersection of Piñon and Main Streets, as depicted on County Surveyor Map No. 12;

thence (1), South 00°44'14" East, a distance of 157.645 meters to the Inyo County Surveyor Brass Cap at the intersection of the centerlines of Blake and Main Streets, as depicted on said County Surveyor Map No. 12;
thence (2), North 00°44'14" West, a distance of 73.914 meters;
thence (3), North 89°05'45" East, a distance of 14.429 meters;
thence (4), North 00°54'16" West, a distance of 162.819 meters;
thence (5), South 89°17'27" West, a distance of 3.056 meters;
thence (6), North 00°54'54" West, a distance of 152.370 meters;
thence (7), North 89°17'27" East, a distance of 0.465 meter;
thence (8), North 00°59'02" West, a distance of 62.183 meters;
thence (9), South 89°05'45" West, a distance of 0.146 meter;
thence (10), North 01°26'58" West, a distance of 32.121 meters;
thence (11), North 89°05'44" East, a distance of 0.407 meter;
thence (12), North 00°59'02" West, a distance of 174.764 meters;
thence (13), North 00°59'00" West, a distance of 27.426 meters;
thence (14), South 89°15'52" West, a distance of 0.146 meter;
thence (15), South 89°17'51" West, a distance of 9.141 meters;
thence (16), South 00°42'19" East, a distance of 68.404 meters to the Inyo County Surveyor Brass Cap at the intersection of the prolongation of the southerly side line of Dewey Street and the centerline of Main Street, as depicted on said County Surveyor Map No. 12, said Brass Cap being the POINT OF TERMINATION.

Containing 35 square meters, more or less.

The basis of all bearings herein for said Parcels 3647-1 and 3655-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of North 00°44'14" West, between said Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the centerlines of Blake and Main Streets, and the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the centerlines of Piñon and Main Streets, as depicted on said County Surveyor Map No. 12.

END OF DESCRIPTION

PARCEL 3655-2 (Drainage Easement)

That portion of Lots 4, 5, and 6, Block 93, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the southwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the easterly prolongation of the south line of Dewey Street with the centerline of Main Street, as depicted on County Surveyor Map No. 12; thence North $00^{\circ}42'19''$ West, a distance of 22.690 meters along the centerline of Main Street, as depicted on said County Surveyor Map No. 12; thence at right angles to said centerline, North $89^{\circ}17'41''$ East, a distance of 9.138 meters to the northwest corner of said Lot 5 and the TRUE POINT OF BEGINNING; thence (1), North $89^{\circ}15'52''$ East, along the northerly line of said Lot 5 and along Course No. 1 of Parcel 2773-1, as described in the Easement Deed recorded February 23, 1994 as Document No. 94-941, in the office of the Inyo County Recorder, a distance of 15.237 meters to the northeast corner of said Parcel 2773-1; thence (2), South $00^{\circ}42'10''$ East, along Course No. 2 of said Parcel 2773-1, a distance of 10.813 meters; thence (3), North $79^{\circ}20'59''$ East, a distance of 29.209 meters; thence (4), North $00^{\circ}44'08''$ West, a distance of 11.878 meters; thence (5), South $89^{\circ}15'52''$ West, parallel with the northerly line of said Lot 5, a distance of 44.000 meters to the west line of said Lot 4; thence (6), along said west line, South $00^{\circ}42'19''$ East, a distance of 6.095 meters to the TRUE POINT OF BEGINNING.

Containing 507 square meters, more or less.

END OF DESCRIPTION

PARCEL 3660-1 (Drainage Easement)

A portion of Lot 1, Block 5, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the northwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Boat Spike and Washer at the intersection of the centerlines of Poplar and Main Streets, as depicted on County Surveyor Map No. 12; thence North $88^{\circ}51'47''$ East, along the centerline of said Poplar Street, a distance of 10.486 meters to the easterly right-of-way line of State Route 09-INY-395, as established by the intersection of the southerly prolongation of the easterly line of Parcel No. 4 as described in the Easement Deed from the City of Los Angeles to the State of California recorded April 15, 1935, in Book 39, page 399, of the Official Records of Inyo County, with the centerline of said Poplar Street; thence North $00^{\circ}54'16''$ West, along said easterly right-of-way line, a distance of 9.142 meters to the southerly line of said Lot 1 and the TRUE POINT OF BEGINNING;

thence (1), North 88°51'47" East, along said southerly line of Lot 1, a distance of 5.999 meters;
thence (2), North 00°54'16" West, parallel with, and distant 5.999 meters East from said easterly right-of-way line, a distance of 5.999 meters;
thence (3), South 88°51'47" West, a distance of 5.999 meters to said easterly right-of-way line;
thence (4), South 00°54'16" East, along said easterly right-of-way line, a distance of 5.999 meters to the TRUE POINT OF BEGINNING.

Containing 36 square meters, more or less.

The basis of all bearings herein for said Parcel 3660-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of North 88° 51'47" East, between said Inyo County Surveyor Boat Spike and Washer at the intersection the centerlines of Poplar and Main Streets and the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection the centerlines of said Poplar and Washington Streets, as depicted on said County Surveyor Map No. 12.

END OF DESCRIPTION

PARCEL 3661-1 (Drainage Easement)

A portion of Lot 3, Block 77, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the southeast quarter of Section 18, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the easterly prolongation of the south line of Dewey Street with the centerline of Main Street, as depicted on County Surveyor Map No. 12;
thence South 89°06'11" West, along said easterly prolongation of the south line of Dewey Street, a distance of 17.920 meters to a point on the westerly right-of-way line of State Route 09-INY-395, as established by the Deed from the City of Los Angeles to the State of California recorded on July 10, 1940, in Book 49, page 55, of the Official Records of Inyo County; thence South 00°54'16" East, along said westerly right-of-way line, a distance of 63.995 meters to the southerly termination of Course No. 2 of Parcel 2772-1, as described in the Easement Deed recorded February 23, 1994 as Document No. 94-941, in the office of the Inyo County Recorder and the TRUE POINT OF BEGINNING;

thence (1), continuing South 00°54'16" East, along said westerly right-of-way line of State Route 09-INY-395, a distance 26.395 meters;
thence (2), South 89°05'44" West, a distance of 23.995 meters;
thence (3), North 23°11'31" East, a distance of 28.914 meters to the westerly termination of Course No. 3 of said Parcel 2772-1;
thence (4), North 89°05'40" East, along Course No. 3 of said Parcel 2772-1, a distance of 12.190 meters to the TRUE POINT OF BEGINNING.

Containing 478 square meters, more or less.

The basis of all bearings herein for said Parcels 3655-2 and 3661-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of South 00°43'27" East, between said Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the prolongation of the south line of Dewey Street with the centerline of Main Street, and the Inyo County Surveyor Brass Cap in a Hand hole at the intersection of the centerlines of Chestnut and Main Streets, as depicted on said County Surveyor Map No. 12.

END OF DESCRIPTION

ALL DISTANCES RECITED IN PARCELS 3647-1, 3655-1, 3655-2, 3660-1, AND 3661-1 ARE RECITED IN METERS on said California Coordinate System unless otherwise noted. To obtain ground level distances, divide distances by the combined grid factor of 0.99979702. To convert meters to U.S. Survey Feet, multiply distances by 3.2808333.

PARCEL 3663-1 (Drainage Easement)

That portion of the northwest quarter of the northeast quarter of Section 3, Township 1 South, Range 26 East, Mt. Diablo Meridian, and those portions of the southwest quarter of the southeast quarter and the west half of the northeast quarter of Section 34, Township 1 North, Range 26 East, Mt. Diablo Meridian described as:

COMMENCING at the northeast corner of said Section 3 marked by the L.A.D.W.P. pipe cap on a two-inch iron pipe as depicted on Record of Survey 34-48 filed in Mono County Record of Survey Book 2, page 140 on March 15, 1993; thence South 74°15'48" West, 534.704 meters to a point on the westerly line of Parcel 3388-1 as described in the Easement Deed from the City of Los Angeles to the State of California, recorded in Mono County Official Records as Document 2000004881, on August 21, 2000, said point being the TRUE POINT OF BEGINNING;

thence (1), leaving said westerly line, South 80°26'29" West, 20.400 meters;

thence (2), North 09°33'31" West, 150.407 meters;

thence (3), North 07°16'05" West, 200.160 meters;

thence (4), North 09°33'31" West, 159.593 meters;

thence (5), North 80°26'29" East, 20.400 meters to the westerly line of Parcel 3390-1 as described in said Easement Deed;

thence (6), along last said westerly line, South 09°33'31" East, 160.000 meters;

thence (7), continuing along last said westerly line, South 07°16'05" East, 200.160 meters;

thence (8), continuing along last said westerly line and the westerly line of said Parcel 3388-1, South 09°33'31" East, 150.00 meters to the TRUE POINT OF BEGINNING.

Containing 1.041 hectares (2.572 acres), more or less.

END OF DESCRIPTION

PARCEL 3664-1 (Drainage Easement)

That portion of the northwest quarter of the northeast quarter of Section 3, Township 1 South, Range 26 East, Mt. Diablo Meridian, and those portions of the southwest quarter

of the southeast quarter and the west half of the northeast quarter of Section 34, Township 1 North, Range 26 East, Mt. Diablo Meridian described as:

COMMENCING at the northeast corner of said Section 3 marked by the L.A.D.W.P. pipe cap on a two-inch iron pipe as depicted on Record of Survey 34-48 filed in Mono County Record of Survey Book 2, Page 140 on March 15, 1993; thence North 34°35'30" West, 1238.828 meters to a point on the westerly line of said Parcel 3390-1, the TRUE POINT OF BEGINNING; thence (1), leaving said westerly line, South 80°26'28" West, 20.437 meters; thence (2), North 12°59'32" West, 270.486 meters; thence (3), North 80°26'29" East, 37.237 meters to the westerly line of said Parcel 3390-1; thence for the following three courses along last said westerly line, (4), South 09°33'31" East, 30.000 meters; (5), South 03°56'13" West, 51.420 meters; (6), South 12°59'32" East, 190.342 meters to the TRUE POINT OF BEGINNING.

Containing 0.637 hectare (1.574 acres), more or less.

The basis of all bearings herein for said Parcels 3663-1 and 3664-1 is the California Coordinate System 1983 (1986) Zone 3 bearing of South 89°13'15" West between said northeast corner of Section 3 and the northwest corner of said Section 3 marked by the California Department of Transportation brass cap on an iron pipe depicted on said Record of Survey 34-48.

END OF DESCRIPTION

ALL DISTANCES ARE RECITED IN METERS, on said Coordinate System, unless otherwise noted. Divide distances by the grid factor of 0.99961137 to obtain ground level distances. To convert meters to the U.S. Survey Foot, multiply distances by 3.2808333.

SUBJECT TO all outstanding taxes and assessments, if any.

SUBJECT TO any and all easements, covenants, conditions, restrictions, and other matters of record.

EXCEPTING AND RESERVING unto the City of Los Angeles all water and water rights, whether surface, subsurface, or of any other kind, and all water and water rights appurtenant or in anywise incident to the real property herein described, or used thereon or in connection therewith, together with the right to develop, take, transport, control, regulate, and use all such water; and reserving unto the Grantor all oil, gas, petroleum, or other mineral or hydrocarbon substances in and under said land, without the right to enter upon the surface of said land for such use.

BE IT FURTHER RESOLVED that the President or Vice President of this Board, or the General Manager, or such person as he shall designate in writing as his designee, and the Secretary, Assistant Secretary, or the Acting Secretary of this Board are hereby authorized, empowered, and directed to execute said Easements for and on behalf of the City and its LADWP.

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 JUL 17 2012

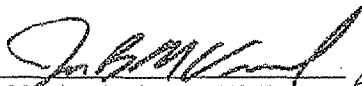
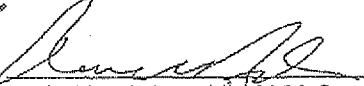

Secretary

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

MAR 14 2012

BY
TINA SHIM
DEPUTY CITY ATTORNEY

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

TO: BOARD OF WATER AND POWER COMMISSIONERS		DATE: June 25, 2012
  JAMES B. McDANIEL Senior Assistant General Manager – Water System		SUBJECT: Sale of Seven Easements to the State of California Department of Transportation for Highway and Drainage Purposes W-79586
		FOR COMMISSION OFFICE USE:
		RESOLUTION NO. _____
CITY COUNCIL APPROVAL REQUIRED: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	IF YES, BY WHICH CITY CHARTER SECTION: 675	

PURPOSE

The attached Resolution recommends to the Los Angeles City Council approval of an Ordinance authorizing the sale of seven easements to the State of California Department of Transportation (Caltrans) for highway and drainage purposes.

The easements will convey real property rights to Caltrans for highway projects located along U.S. Highway 395 in Inyo and Mono Counties, California.

COST AND DURATION

There is no cost to LADWP other than administrative costs to process approvals. The sale of easements will generate \$91,450.

BACKGROUND

The conveyance of easements to Caltrans for highway and drainage purposes will clear up right-of-way issues on two highway projects that have already been completed. The two projects are identified as the Caltrans Big Pine Rehabilitation Project and the Rush Creek 4-Lane [sic] Project.

Big Pine Rehabilitation Project

Caltrans requested a 0.008-acre easement (376 square feet) for highway purposes, four easements totaling 0.32 acres for drainage purposes, and one 0.032-acre temporary easement. The project work included rehabilitation of the highway lanes through the town of Big Pine to current Caltrans standards. Specific work included the widening of highway widths by four feet, construction of a middle turn lane, and construction of sidewalks and drainage improvements.

Most of the work occurred within the existing right-of-way and on privately owned property. A right of entry was issued in a manner as though Caltrans had commenced an action in eminent domain against the City of Los Angeles (City) and LADWP to acquire the property needed for highway purposes and had obtained immediate possession and use of said property by full compliance with Article 1, Section 14, of the State Constitution. The easements were never finalized by the Board of Water and Power Commissioners and Los Angeles City Council because of delays associated with funding the project and the processing of the necessary approvals.

Rush Creek 4-Lane Project

Caltrans requested 13 easements (totaling 145 acres) and a number of temporary construction easements for the duration of the project. Board Resolution No. 000-137 and Los Angeles City Council File No. 00-0043 approved the sale of easements. Within some of the temporary construction easement areas, permanent drainage improvements were constructed. The temporary construction easements terminated upon completion of the work and an encroachment issue was created. The sale of two drainage easements, covering 4.15 acres, will correct and convert the temporary construction easements to permanent drainage easements.

Valuation Analysis

All properties were appraised by Caltrans right-of-way appraisers, and reviewed and negotiated by the LADWP Real Estate Section. The value of the easements are as follows:

PARCEL NUMBER	MARKET VALUE	ACREAGE	ZONING	EASEMENT TYPE	PROJECT
3655-1	\$2,000.00	0.008	Agriculture	Highway	Big Pine Rehab
3655-2	\$19,600.00	0.13	Park & Rec	Drainage	Big Pine Rehab
3647-1	\$13,700.00	0.058	Agriculture	Drainage	Big Pine Rehab
3660-1	\$2,100.00	0.008	Commercial	Drainage	Big Pine Rehab
3661-1	\$44,700.00	0.12	Commercial	Drainage	Big Pine Rehab
3718-1 *	\$500.00	0.032	Commercial	Temporary	Big Pine Rehab
3663-1	\$5,494.00	2.572	Open Space	Drainage	Rush Creek
3664-1	\$3,356.00	1.574	Open Space	Drainage	Rush Creek

* The temporary construction easement is included for compensation purposes, but will not be conveyed since the temporary use has expired

A total of \$91,450 will be realized from the sale.

ENVIRONMENTAL DETERMINATION

In accordance with the California Environmental Quality Act (CEQA), it has been determined that the sale of surplus City-owned property is categorically exempt pursuant to Article III, Class 12, in the CEQA Guidelines, and is further exempt under 14 California Administrative Code, Section 15312 (Class 12) Surplus Government Property Sales.

Board of Water and Power Commissioners
Page 3
June 25, 2012

RECOMMENDATION

It is recommended that your Honorable Board adopt the attached Resolution recommending the Los Angeles City Council's approval of an Ordinance authorizing the sale of said seven easements to Caltrans.

DSM:rjm/wlm

Attachments

e-c/att: Ronald O. Nichols
Richard M. Brown
Aram Benyamin
James B. McDaniel
Philip R. Leiber
Ann M. Santilli
Gary Wong
Mark J. Sedlacek
Martin L. Adams
Donald S. McGhie

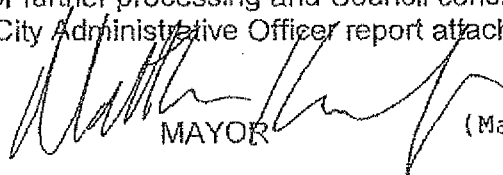
0150-09756-0000

TRANSMITTAL

TO Ronald O. Nichols, General Manager Department of Water and Power	DATE JUN 04 2012	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT NA	

RESOLUTION AUTHORIZING THE SALE OF SEVEN EASEMENTS ACROSS CITY-OWNED LAND TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR HIGHWAY AND DRAINAGE PURPOSES

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


MAYOR (Matt Karatz)

MAS:RPR:10120150t

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: May 29, 2012

CAO File No.: 0150-09756-0000

Council File No.:

Council District: NA

To: The Mayor

From: Miguel A. Santana, City Administrative Officer



Reference: Transmittal from the Department of Water and Power dated March 23, 2012; referred by the Mayor for report on April 9, 2012

Subject: **PROPOSED RESOLUTION AUTHORIZING THE SALE OF SEVEN EASEMENTS ACROSS CITY-OWNED LAND TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR HIGHWAY AND DRAINAGE PURPOSES**

SUMMARY

The Department of Water and Power (DWP; Department) requests approval of a proposed resolution authorizing an Ordinance for the sale of seven easements for highway and drainage purposes across City of Los Angeles (City) owned land located along U.S. Highway 395 in Inyo and Mono Counties to the State of California Department of Transportation (Caltrans). The DWP has determined that this vacant land is not necessary for current or future DWP operations, as defined in the City Charter Section 601 – property needed for the production, delivery, or conservation of water or power resources. 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.

The conveyance of easements to Caltrans is necessary due right-of-way issues involving two highway projects that have already been completed. The projects are known as the Caltrans Big Pine Rehabilitation Project and the Rush Creek 4-Lane Project. The specific projects included the widening of the highway by four-feet, construction of a middle turn lane, and construction of sidewalks and drainage improvements.

Most of the project work was performed with the existing right-of-way and on privately owned property; however, Caltrans did request numerous temporary construction easements for the duration of the project. Within some of the temporary construction easement areas, permanent improvements were constructed. The temporary construction easements terminated upon completion of the projects and an encroachment issue was created. The sale of the proposed easements will correct the issue and convert the temporary construction easements to permanent easements.

An appraisal was performed by Caltrans, which was reviewed and accepted by DWP, determined that the value is \$91,450.

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.

RECOMMENDATION

That the Mayor approve the proposed resolution authorizing an Ordinance for the sale of seven easements for highway and drainage purposes across City of Los Angeles owned land located in Inyo and Mono Counties, excluding all water and water rights, to the State of California Department of Transportation in the amount of \$91,450; and 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 totaling \$91,450. Since the Department of Water and Power is bound only by the City Debt Management Policies, the City Financial 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.

ORDINANCE NO. _____

An Ordinance approving a Resolution of the Board of Water and Power Commissioners for the sale of an easement for public highway purposes to the State of California Department of Transportation (Caltrans).

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

Section 1. The action of the Board of Water and Power Commissioners of the City of Los Angeles on the ___ day of _____, approving the sale of an easement for public highway purposes over City-owned property is hereby ratified, confirmed, and approved. The approved Resolution reads:

RESOLUTION NO. _____

WHEREAS, the State of California Department of Transportation (Caltrans) has requested seven easements (one for highway purposes and six for drainage purposes) over certain City of Los Angeles (City) owned lands located within the town of Big Pine, Inyo County; and south of the town of Lee Vining, Mono County, California.

NOW, THEREFORE, BE IT RESOLVED, that it is found and determined that the public interest will be furthered by granting to Caltrans, for and in consideration of the sum of \$91,450.00, seven easements for highway and drainage purposes on certain properties owned by the City and under the control of the Los Angeles Department of Water and Power (LADWP), and that pursuant to Charter Section 675, the sale of said property rights and the written instrument conveying title on the terms and conditions set forth herein shall first be duly approved by the Los Angeles City council, whose approval is hereby requested.

BE IT FURTHER RESOLVED, that real property easement rights are located in Inyo and Mono Counties, state of California, and further described as follows:

PARCEL 3647-1 (Drainage Easement)

A portion of the northwest quarter of Section 20, Township 9 South, Range 34 East, Mt. Diablo Meridian, all in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of Blake Road and Main Street, set for the corner of Sections 17, 18, 19, and 20, in said Township and Range as shown on the County Surveyor Map No. 12; thence North 89°03'22" East, a distance of 14,645 meters to the easterly right-of-way line of State Route 09-INY-395; thence South 00°54'16" East, a distance of 182.466 meters along said easterly right-of-way line to the beginning of a tangent curve, concave to the northeast, having a radius of 441.867 meters; thence, continuing southerly along said easterly right-of-way line, along the arc of said curve through a central angle of 30°58'26", an arc distance of 238.872 meters to the TRUE POINT OF BEGINNING; thence (1), continuing southeasterly, along said curve and easterly right-of-way line through a central angle of 02°35'36", an arc distance of 20.000 meters;

thence (2), North 55°31'42" East, a distance of 12.000 meters, to the beginning of a nontangent curve, concave to the northeast, with a radius of 429.867 meters;
thence (3), from a tangent that bears North 34°28'18" West, northwesterly along said curve through a central angle of 02°35'36", an arc distance of 19.457 meters;
thence (4), South 58°07'18" West, a distance of 12.000 meters to said easterly right-of-way line and the TRUE POINT OF BEGINNING.

Containing 237 square meters, more or less.

END OF DESCRIPTION

PARCEL 3655-1 (Highway Easement)

All that certain real property within the southwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, bounded on the south by that certain real property transferred by Grant Deed recorded November 8, 1999 as Document No. 99-4818, in the office of the Inyo County Recorder, and bounded on the north by Course No. 5 of Parcel 2773-1, as described in the Easement Deed recorded February 23, 1994 as Document No. 94-941, in the office of the Inyo County Recorder, lying westerly of Course No. 12 of the following described line:

COMMENCING at the Inyo County Surveyor Brass Cap at the centerline intersection of Piñon and Main Streets, as depicted on County Surveyor Map No. 12;
thence (1), South 00°44'14" East, a distance of 157.645 meters to the Inyo County Surveyor Brass Cap at the intersection of the centerlines of Blake and Main Streets, as depicted on said County Surveyor Map No. 12;
thence (2), North 00°44'14" West, a distance of 73.914 meters;
thence (3), North 89°05'45" East, a distance of 14.429 meters;
thence (4), North 00°54'16" West, a distance of 162.819 meters;
thence (5), South 89°17'27" West, a distance of 3.056 meters;
thence (6), North 00°54'54" West, a distance of 152.370 meters;
thence (7), North 89°17'27" East, a distance of 0.465 meter;
thence (8), North 00°59'02" West, a distance of 62.183 meters;
thence (9), South 89°05'45" West, a distance of 0.146 meter;
thence (10), North 01°26'58" West, a distance of 32.121 meters;
thence (11), North 89°05'44" East, a distance of 0.407 meter;
thence (12), North 00°59'02" West, a distance of 174.764 meters;
thence (13), North 00°59'00" West, a distance of 27.426 meters;
thence (14), South 89°15'52" West, a distance of 0.146 meter;
thence (15), South 89°17'51" West, a distance of 9.141 meters;
thence (16), South 00°42'19" East, a distance of 68.404 meters to the Inyo County Surveyor Brass Cap at the intersection of the prolongation of the southerly side line of Dewey Street and the centerline of Main Street, as depicted on said County Surveyor Map No. 12, said Brass Cap being the POINT OF TERMINATION.

Containing 35 square meters, more or less.

The basis of all bearings herein for said Parcels 3647-1 and 3655-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of North 00°44'14" West, between said Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the

centerlines of Blake and Main Streets, and the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the centerlines of Piñon and Main Streets, as depicted on said County Surveyor Map No. 12.

END OF DESCRIPTION

PARCEL 3655-2 (Drainage Easement)

That portion of Lots 4, 5, and 6, Block 93, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the southwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the easterly prolongation of the south line of Dewey Street with the centerline of Main Street, as depicted on County Surveyor Map No. 12; thence North $00^{\circ}42'19''$ West, a distance of 22.690 meters along the centerline of Main Street, as depicted on said County Surveyor Map No. 12; thence at right angles to said centerline, North $89^{\circ}17'41''$ East, a distance of 9.138 meters to the northwest corner of said Lot 5 and the TRUE POINT OF BEGINNING; thence (1), North $89^{\circ}15'52''$ East, along the northerly line of said Lot 5 and along Course No. 1 of Parcel 2773-1, as described in the Easement Deed recorded February 23, 1994 as Document No. 94-941, in the office of the Inyo County Recorder, a distance of 15.237 meters to the northeast corner of said Parcel 2773-1; thence (2), South $00^{\circ}42'10''$ East, along Course No. 2 of said Parcel 2773-1, a distance of 10.813 meters; thence (3), North $79^{\circ}20'59''$ East, a distance of 29.209 meters; thence (4), North $00^{\circ}44'08''$ West, a distance of 11.878 meters; thence (5), South $89^{\circ}15'52''$ West, parallel with the northerly line of said Lot 5, a distance of 44.000 meters to the west line of said Lot 4; thence (6), along said west line, South $00^{\circ}42'19''$ East, a distance of 6.095 meters to the TRUE POINT OF BEGINNING.

Containing 507 square meters, more or less.

END OF DESCRIPTION

PARCEL 3660-1 (Drainage Easement)

A portion of Lot 1, Block 5, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the northwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Boat Spike and Washer at the intersection of the centerlines of Poplar and Main Streets, as depicted on County Surveyor Map No. 12; thence North $88^{\circ}51'47''$ East, along the centerline of said Poplar Street, a distance of 10.486 meters to the easterly right-of-way line of State Route 09-INY-395, as established by the intersection of the southerly prolongation of the easterly line of Parcel No. 4 as described in the Easement Deed from the City of Los Angeles to the State of California recorded April 15, 1935, in Book 39, page 399, of the Official Records of Inyo County, with the centerline of said Poplar Street; thence North $00^{\circ}54'16''$ West, along said easterly right-of-way line, a distance of 9.142 meters to the southerly line of said Lot 1 and the TRUE POINT OF BEGINNING;

thence (1), North 88°51'47" East, along said southerly line of Lot 1, a distance of 5.999 meters;
thence (2), North 00°54'16" West, parallel with, and distant 5.999 meters East from said easterly right-of-way line, a distance of 5.999 meters;
thence (3), South 88°51'47" West, a distance of 5.999 meters to said easterly right-of-way line;
thence (4), South 00°54'16" East, along said easterly right-of-way line, a distance of 5.999 meters to the TRUE POINT OF BEGINNING.

Containing 36 square meters, more or less.

The basis of all bearings herein for said Parcel 3660-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of North 88° 51'47" East, between said Inyo County Surveyor Boat Spike and Washer at the intersection the centerlines of Poplar and Main Streets and the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection the centerlines of said Poplar and Washington Streets, as depicted on said County Surveyor Map No. 12.

END OF DESCRIPTION

PARCEL 3661-1 (Drainage Easement)

A portion of Lot 3, Block 77, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the southeast quarter of Section 18, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the easterly prolongation of the south line of Dewey Street with the centerline of Main Street, as depicted on County Surveyor Map No. 12;
thence South 89°06'11" West, along said easterly prolongation of the south line of Dewey Street, a distance of 17.920 meters to a point on the westerly right-of-way line of State Route 09-INY-395, as established by the Deed from the City of Los Angeles to the State of California recorded on July 10, 1940, in Book 49, page 55, of the Official Records of Inyo County; thence South 00°54'16" East, along said westerly right-of-way line, a distance of 63.995 meters to the southerly termination of Course No. 2 of Parcel 2772-1, as described in the Easement Deed recorded February 23, 1994 as Document No. 94-941, in the office of the Inyo County Recorder and the TRUE POINT OF BEGINNING;
thence (1), continuing South 00°54'16" East, along said westerly right-of-way line of State Route 09-INY-395, a distance 26.395 meters;
thence (2), South 89°05'44" West, a distance of 23.995 meters;
thence (3), North 23°11'31" East, a distance of 28.914 meters to the westerly termination of Course No. 3 of said Parcel 2772-1;
thence (4), North 89°05'40" East, along Course No. 3 of said Parcel 2772-1, a distance of 12.190 meters to the TRUE POINT OF BEGINNING.

Containing 478 square meters, more or less.

The basis of all bearings herein for said Parcels 3655-2 and 3661-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of South 00°43'27" East, between said Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the prolongation of the south line of Dewey Street with the centerline of Main Street, and the Inyo County Surveyor Brass Cap in a Hand hole at the intersection of the centerlines of Chestnut and Main Streets, as depicted on said County Surveyor Map No. 12.

END OF DESCRIPTION

ALL DISTANCES RECITED IN PARCELS 3647-1, 3655-1, 3655-2, 3660-1, AND 3661-1 ARE RECITED IN METERS on said California Coordinate System unless otherwise noted. To obtain ground level distances, divide distances by the combined grid factor of 0.99979702. To convert meters to U.S. Survey Feet, multiply distances by 3.2808333.

PARCEL 3663-1 (Drainage Easement)

That portion of the northwest quarter of the northeast quarter of Section 3, Township 1 South, Range 26 East, Mt. Diablo Meridian, and those portions of the southwest quarter of the southeast quarter and the west half of the northeast quarter of Section 34, Township 1 North, Range 26 East, Mt. Diablo Meridian described as:

COMMENCING at the northeast corner of said Section 3 marked by the L.A.D.W.P. pipe cap on a two-inch iron pipe as depicted on Record of Survey 34-48 filed in Mono County Record of Survey Book 2, page 140 on March 15, 1993; thence South 74°15'48" West, 534.704 meters to a point on the westerly line of Parcel 3388-1 as described in the Easement Deed from the City of Los Angeles to the State of California, recorded in Mono County Official Records as Document 2000004881, on August 21, 2000, said point being the TRUE POINT OF BEGINNING;

thence (1), leaving said westerly line, South 80°26'29" West, 20.400 meters;
thence (2), North 09°33'31" West, 150.407 meters;
thence (3), North 07°16'05" West, 200.160 meters;
thence (4), North 09°33'31" West, 159.593 meters;
thence (5), North 80°26'29" East, 20.400 meters to the westerly line of Parcel 3390-1 as described in said Easement Deed;
thence (6), along last said westerly line, South 09°33'31" East, 160.000 meters;
thence (7), continuing along last said westerly line, South 07°16'05" East, 200.160 meters;
thence (8), continuing along last said westerly line and the westerly line of said Parcel 3388-1, South 09°33'31" East, 150.00 meters to the TRUE POINT OF BEGINNING.

Containing 1.041 hectares (2.572 acres), more or less.

END OF DESCRIPTION

PARCEL 3664-1 (Drainage Easement)

That portion of the northwest quarter of the northeast quarter of Section 3, Township 1 South, Range 26 East, Mt. Diablo Meridian, and those portions of the southwest quarter of the southeast quarter and the west half of the northeast quarter of Section 34, Township 1 North, Range 26 East, Mt. Diablo Meridian described as:

COMMENCING at the northeast corner of said Section 3 marked by the L.A.D.W.P. pipe cap on a two-inch iron pipe as depicted on Record of Survey 34-48 filed in Mono County Record of Survey Book 2, Page 140 on March 15, 1993; thence North 34°35'30" West, 1238.828 meters to a point on the westerly line of said Parcel 3390-1, the TRUE POINT OF BEGINNING;
thence (1), leaving said westerly line, South 80°26'28" West, 20.437 meters;
thence (2), North 12°59'32" West, 270.486 meters;
thence (3), North 80°26'29" East, 37.237 meters to the westerly line of said Parcel 3390-1;
thence for the following three courses along last said westerly line,
(4), South 09°33'31" East, 30.000 meters;

(5), South 03°56'13" West, 51.420 meters;
(6), South 12°59'32" East, 190.342 meters to the TRUE POINT OF BEGINNING.

Containing 0.637 hectare (1.574 acres), more or less.

The basis of all bearings herein for said Parcels 3663-1 and 3664-1 is the California Coordinate System 1983 (1986) Zone 3 bearing of South 89°13'15" West between said northeast corner of Section 3 and the northwest corner of said Section 3 marked by the California Department of Transportation brass cap on an iron pipe depicted on said Record of Survey 34-48.

END OF DESCRIPTION

ALL DISTANCES ARE RECITED IN METERS, on said Coordinate System, unless otherwise noted. Divide distances by the grid factor of 0.99961137 to obtain ground level distances. To convert meters to the U.S. Survey Foot, multiply distances by 3.2808333.

SUBJECT TO all outstanding taxes and assessments, if any.

SUBJECT TO any and all easements, covenants, conditions, restrictions, and other matters of record.

EXCEPTING AND RESERVING unto the City of Los Angeles all water and water rights, whether surface, subsurface, or of any other kind, and all water and water rights appurtenant or in anywise incident to the real property herein described, or used thereon or in connection therewith, together with the right to develop, take, transport, control, regulate, and use all such water; and reserving unto the Grantor all oil, gas, petroleum, or other mineral or hydrocarbon substances in and under said land, without the right to enter upon the surface of said land for such use.

BE IT FURTHER RESOLVED that the President or Vice President of this Board, or the General Manager, or such person as he shall designate in writing as his designee, and the Secretary, Assistant Secretary, or the Acting Secretary of this Board are hereby authorized, empowered, and directed to execute said Easements for and on behalf of the City and its LADWP.

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

Secretary

Sec. 2. An instrument in writing, approved as to form and legality by the City Attorney, conveying said easement to Caltrans is authorized, and that the President, or the Vice President of the Board, or the General Manager of the Los Angeles Department of Water and Power (LADWP), 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 to execute said instrument on behalf of the City of Los Angeles and LADWP.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with City Council policy, either in a daily newspaper circulated in the city of Los Angeles, California, or by posting for ten days in three public places in the city of Los Angeles, California: 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 the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

JUNE A. LAGMAY, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

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

By _____
TINA SHIM
Deputy City Attorney

MAR 14 2012
BY 
TINA SHIM
DEPUTY CITY ATTORNEY

Date _____

File No. _____

RECORDING REQUESTED BY:
State of California
Department of Transportation
500 South Main Street
Bishop, CA 93514

State Business-No Recording Fee
(Gov. Code 27383)
DEPT. OF TRANSPORTATION

WHEN RECORDED, MAIL TO:
State of California
Department of Transportation
500 South Main Street
Bishop, CA 93514

THE AREA ABOVE THIS LINE IS FOR RECORDER'S
USE

DOCUMENT TITLE(S)

EASEMENT DEED	Grantee:	State of California Department of Transportation
	Project:	U.S. Highway 395 Rehabilitation Project – Big Pine – Inyo County – California
Portion of APN(s):		018-090-11; 004-040-05; 004-040-25; 003-057-07; and 004-070-48

As authorized by the Board of Water and Power Commissioners by Resolution No. _____ adopted on _____ and approved by the Los Angeles City Council on _____, for valuable consideration, receipt of which is hereby acknowledged, the CITY OF LOS ANGELES, a municipal corporation, grants to the STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION, easements for drainage and highway purposes over and across that certain real property owned by the City of Los Angeles and under the management and control of the Los Angeles Department of Water and Power, in the County of Inyo, State of California, described as follows:

Parcel 3647-1 (Drainage Easement)

A portion of the northwest quarter of Section 20, Township 9 South, Range 34 East, Mt. Diablo Meridian, all in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in Hand Hole at the intersection of Blake Road and Main Street, set for the corner of Sections 17, 18, 19, and 20, said Township and Range, as shown on the County Surveyor Map No. 12; thence North 89°03'22" East, a distance of 14.645 meters to the easterly right-of-way line of State Route 09-INY-395; thence South 00°54'16" East, a distance of 182.466 meters along said easterly right-of-way line to the beginning

of a tangent curve, concave to the northeast, having a radius of 441.867 meters; thence, continuing southerly along said easterly right-of-way line, along the arc of said curve through a central angle of 30°58'26" an arc distance of 238.872 meters to the TRUE POINT OF BEGINNING; thence (1), continuing southeasterly, along said curve and easterly right-of-way line through a central angle of 02°35'36" an arc distance of 20.000 meters; thence (2), North 55°31'42" East a distance of 12.000 meters, to the beginning of a non-tangent curve, concave to the northeast, with a radius of 429.867 meters; thence (3), from a tangent that bears North 34°28'18" West, northwesterly along said curve through a central angle of 02°35'36" an arc distance of 19.457 meters; thence (4), South 58°07'18" West a distance of 12.000 meters to said easterly right-of-way line and the TRUE POINT OF BEGINNING.

Containing 237 square meters, more or less.

Parcel 3655-1 (Highway Easement)

All that certain real property within the southwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, bounded on the south by that certain real property transferred by Grant Deed recorded November 8, 1999 as Document No. 99-4818, in the office of the Inyo County Recorder, and bounded on the north by Course No. 5 of Parcel 2773-1, as described in the Easement Deed recorded February 23, 1994 as Document No.94-941, in the office of the Inyo County Recorder, lying westerly of Course No. 12 of the following described line:

COMMENCING at the Inyo County Surveyor Brass Cap at the centerline intersection of Piñon and Main Streets, as depicted on County Surveyor Map No. 12;
thence (1), South 00°44'14" East, a distance of 157.645 meters to the Inyo County Surveyor Brass Cap at the intersection of the centerlines of Blake and Main Streets, as depicted on said County Surveyor Map No. 12;
thence (2), North 00°44'14" West, a distance of 73.914 meters;
thence (3), North 89°05'45" East, a distance of 14.429 meters;
thence (4), North 00°54'16" West, a distance of 162.819 meters;
thence (5), South 89°17'27" West, a distance of 3.056 meters;
thence (6), North 00°54'54" West, a distance of 152.370 meters;
thence (7), North 89°17'27" East, a distance of 0.465 meter;
thence (8), North 00°59'02" West, a distance of 62.183 meters;
thence (9), South 89°05'45" West, a distance of 0.146 meter;
thence (10), North 01°26'58" West, a distance of 32.121 meters;
thence (11), North 89°05'44" East, a distance of 0.407 meter;
thence (12), North 00°59'02" West, a distance of 174.764 meters;
thence (13), North 00°59'00" West, a distance of 27.426 meters;
thence (14), South 89°15'52" West, a distance of 0.146 meter;
thence (15), South 89°17'51" West, a distance of 9.141 meters;
thence (16), South 00°42'19" East, a distance of 68.404 meters to the Inyo County Surveyor Brass Cap at the intersection of the

prolongation of the southerly side line of Dewey Street and the centerline of Main Street, as depicted on said County Surveyor Map No. 12, said Brass Cap being the POINT OF TERMINATION.

Containing 35 square meters, more or less.

The basis of all bearings herein for said Parcels 3647-1 and 3655-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of North $00^{\circ}44'14''$ West, between said Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the centerlines of Blake and Main Streets and the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the centerlines of Piñon and Main Streets, as depicted on said County Surveyor Map No. 12.

Parcel 3655-2 (Drainage Easement)

That portion of Lots 4, 5, and 6, Block 93, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the southwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the easterly prolongation of the south line of Dewey Street with the centerline of Main Street, as depicted on County Surveyor Map No. 12; thence North $00^{\circ}42'19''$ West, a distance of 22.690 meters along the centerline of Main Street as depicted on said County Surveyor Map No. 12; thence at right angles to said centerline, North $89^{\circ}17'41''$ East, a distance of 9.138 meters to the northwest corner of said Lot 5 and the TRUE POINT OF BEGINNING; thence (1), North $89^{\circ}15'52''$ East, along the northerly line of said Lot 5 and along Course No. 1 of Parcel 2773-1, as described in the Easement Deed recorded February 23, 1994 as Document No. 94-941, in the office of the Inyo County Recorder, a distance of 15.237 meters to the northeast corner of said Parcel 2773-1; thence (2), South $00^{\circ}42'10''$ East, along Course No. 2 of said Parcel 2773-1, a distance of 10.813 meters; thence (3), North $79^{\circ}20'59''$ East, a distance of 29.209 meters; thence (4), North $00^{\circ}44'08''$ West, a distance of 11.878 meters; thence (5), South $89^{\circ}15'52''$ West, parallel with the northerly line of said Lot 5, a distance of 44.000 meters to the west line of said Lot 4; thence (6), along said west line, South $00^{\circ}42'19''$ East, a distance of 6.095 meters to the TRUE POINT OF BEGINNING;

Containing 507 square meters, more or less.

Parcel 3660-1 (Drainage Easement)

A portion of Lot 1, Block 5, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the northwest quarter of Section 17, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Boat Spike and Washer at the intersection of the centerlines of Poplar and Main Streets, as depicted on County Surveyor Map No. 12; thence North $88^{\circ}51'47''$ East, along the centerline of said Poplar Street a distance of 10.486 meters, to the easterly right-of-way line of State Route 09-INY-395, as established by the intersection of the southerly prolongation of the easterly line of Parcel No. 4, as described in the Easement Deed from the City of Los Angeles to the State of California recorded April 15, 1935, in Book 39, page 399, of the Official Records of Inyo County, with the centerline of said Poplar Street; thence North $00^{\circ}54'16''$ West along said easterly right-of-way line a distance of 9.142 meters to the southerly line of said Lot 1 and the TRUE POINT OF BEGINNING;

thence (1), North $88^{\circ}51'47''$ East, along said southerly line of Lot 1 a distance of 5.999 meters;

thence (2), North $00^{\circ}54'16''$ West, parallel with and distant 5.999 meters East from said easterly right-of-way line, a distance of 5.999 meters;

thence (3), South $88^{\circ}51'47''$ West, a distance of 5.999 meters to said easterly right-of-way line;

thence (4), South $00^{\circ}54'16''$ East, along said easterly right-of-way line, a distance of 5.999 meters to the TRUE POINT OF BEGINNING.

Containing 36 square meters, more or less.

The basis of all bearings herein for said Parcel 3660-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of North $88^{\circ}51'47''$ East, between said Inyo County Surveyor Boat Spike and Washer at the intersection the centerlines of Poplar and Main Streets and the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection the centerlines of said Poplar Street and Washington Street, as depicted on said County Surveyor Map No. 12.

Parcel 3661-1 (Drainage Easement)

A portion of Lot 3, Block 77, as depicted on the Map of Big Pine, filed in the office of the Inyo County Recorder, in Map Book 1, page 48, all within the southeast quarter of Section 18, Township 9 South, Range 34 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, described as:

COMMENCING at the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the easterly prolongation of the south line of Dewey Street with the centerline of Main Street, as depicted on County Surveyor Map No. 12; thence South $89^{\circ}06'11''$ West, along said easterly prolongation of the south line of Dewey Street a distance of 17.920 meters, to a point on the westerly right-of-way line of State Route 09-INY-395, as established by the Deed from the City of Los Angeles to the State of California recorded on July 10, 1940, in Book 49, page 55, of the Official Records of Inyo County; thence South $00^{\circ}54'16''$ East, along said westerly right-of-way line a distance of 63.995 meters to the southerly termination of Course No. 2 of Parcel 2772-1, as described in the Easement Deed recorded

February 23, 1994 as Document No. 94-941, in the Office of the Inyo County Recorder and the TRUE POINT OF BEGINNING;
thence (1), continuing South 00°54'16" East, along said westerly right-of-way line of State Route 09-INY-395 a distance 26.395 meters;
thence (2), South 89°05'44" West, a distance of 23.995 meters,
thence (3), North 23°11'31" East, a distance of 28.914 meters to the westerly termination of Course No. 3 of said Parcel 2772-1;
thence (4), North 89°05'40" East, along Course No. 3 of said Parcel 2772-1 a distance of 12.190 meters to the TRUE POINT OF BEGINNING.

Containing 478 square meters, more or less.

The basis of all bearings herein for said Parcels 3655-2 and 3661-1 is the California Coordinate System 1983 (1991.35), Zone 4, bearing of South 00°43'27" East, between said Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the prolongation of the south line of Dewey Street with the centerline of Main Street and the Inyo County Surveyor Brass Cap in a Hand Hole at the intersection of the centerlines of Chestnut and Main Streets, as depicted on said County Surveyor Map No. 12.

ALL DISTANCES RECITED IN PARCELS 3647-1, 3655-1, 3655-2, 3660-1, AND 3661-1 ARE IN METERS on said California Coordinate System unless otherwise noted. To obtain ground level distances, divide distances by the combined grid factor of 0.99979702. To convert meters to U.S. Survey Feet, multiply distances by 3.2808333.

END OF DESCRIPTION

SUBJECT TO all outstanding taxes and assessments, if any.

SUBJECT TO any and all easements, covenants, conditions, restrictions, and other matters of record.

EXCEPTING AND RESERVING unto the City all water and water rights, whether surface, subsurface, or of any other kind, and all water and water rights appurtenant or in anywise incident to the real property herein described, or used thereon or in connection therewith, together with the right to develop, take, transport, control, regulate, and use all such water; and reserving unto the Grantor the property and mineral rights to all oil, gas, petroleum, or other mineral or hydrocarbon substances in and under said land without the right to enter upon the surface of said land for the purpose of development, extraction, taking, or transportation of such substances for use and/or for revenue production.

THE CITY OF LOS ANGELES
AND THE
BOARD OF WATER AND POWER COMMISSIONERS
OF THE
CITY OF LOS ANGELES

By _____
RONALD O. NICHOLS
General Manager

And _____
Secretary

AUTHORIZED BY:

Resolution No. _____
Adopted _____
Approved by Council on _____
Council File No. _____



State of California }
County of _____ }

On _____ before me, _____
DATE Here Insert Name and Title of the Officer

personally appeared _____
NAME(S) OF SIGNER(S)

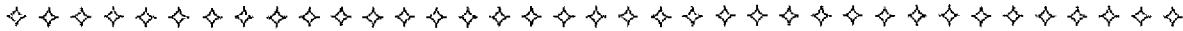
Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),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

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

WITNESS my hand and official seal.

Signature _____
SIGNATURE OF NOTARY PUBLIC

Place Notary Seal Above



State of California }
County of _____ }

On _____ before me, _____
DATE Here Insert Name and Title of the Officer

personally appeared _____
NAME(S) OF SIGNER(S)

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

WITNESS my hand and official seal.

Signature _____
SIGNATURE OF NOTARY PUBLIC

Place Notary Seal Above

RECORDING REQUESTED BY:
State of California
Department of Transportation
500 South Main Street
Bishop, CA 93514

State Business-No Recording Fee
(Gov. Code 27383)
DEPT. OF TRANSPORTATION

WHEN RECORDED, MAIL TO:
State of California
Department of Transportation
500 South Main Street
Bishop, CA 93514

THE AREA ABOVE THIS LINE IS FOR RECORDER'S USE

DOCUMENT TITLE(S)

EASEMENT DEED	Grantee: State of California Department of Transportation Project: Rush Creek 4-Lane Project – Mono County – California
Portion of APN(s):	21-130-034

As authorized by the Board of Water and Power Commissioners by Resolution No. _____ adopted on _____ and approved by the Los Angeles City Council on _____, for valuable consideration, receipt of which is hereby acknowledged, the CITY OF LOS ANGELES, a municipal corporation, grants to the STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION, easements for drainage and highway purposes over and across that certain real property owned by the City of Los Angeles and under the management and control of the Los Angeles Department of Water and Power, in the County of Mono, State of California, described as follows:

Parcel 3663-1 (Drainage Easement)

That portion of the northwest quarter of the northeast quarter of Section 3, Township 1 South, Range 26 East, Mt. Diablo Meridian, and that portion of the southwest quarter of the southeast quarter and the west half of the northeast quarter of Section 34, Township 1 North, Range 26 East, Mt. Diablo Meridian described as:

COMMENCING at the northeast corner of said Section 3 marked by the L.A.D.W.P.¹ pipe cap on a two-inch iron pipe as depicted on Record of Survey 34-48 filed in Mono County Record of Survey Book 2, page 140, on March 15, 1993; thence South 74°15'48" West, 534.704 meters to a point on the westerly line of Parcel 3388-1 as described in the Easement Deed from the City of Los Angeles to the State of California, recorded in Mono County Official Records as Document 2000004881, on August 21, 2000, said point being the TRUE POINT OF BEGINNING;

thence (1), leaving said westerly line, South 80°26'29" West, 20.400 meters;
thence (2), North 09°33'31" West, 150.407 meters;
thence (3), North 07°16'05" West, 200.160 meters;
thence (4), North 09°33'31" West, 159.593 meters;
thence (5), North 80°26'29" East, 20.400 meters to the westerly line of Parcel 3390-1 as described in said Easement Deed;
thence (6), along last said westerly line, South 09°33'31" East, 160.000 meters;
thence (7), continuing along last said westerly line, South 07°16'05" East, 200.160 meters;
thence (8), continuing along last said westerly line and the westerly line of said Parcel 3388-1, South 09°33'31" East, 150.00 meters to the TRUE POINT OF BEGINNING.

Containing 1.041 hectares (2.572 acres), more or less.

Parcel 3664-1 (Drainage Easement)

That portion of the northwest quarter of the northeast quarter of Section 3, Township 1 South, Range 26 East, Mt. Diablo Meridian, and that portion of the southwest quarter of the southeast quarter and the west half of the northeast quarter of Section 34, Township 1 North, Range 26 East, Mt. Diablo Meridian described as:

COMMENCING at the northeast corner of said Section 3 marked by the L.A.D.W.P. pipe cap on a two-inch iron pipe as depicted on Record of Survey 34-48 filed in Mono County Record of Survey Book 2, page 140, on March 15, 1993; thence North 34°35'30" West, 1238.828 meters to a point on the westerly line of said Parcel 3390-1, the TRUE POINT OF BEGINNING;
thence (1), leaving said westerly line, South 80°26'28" West, 20.437 meters;
thence (2), North 12°59'32" West, 270.486 meters;
thence (3), North 80°26'29" East, 37.237 meters to the westerly line of said Parcel 3390-1;
thence for the following three courses along last said westerly line,
(4), South 09°33'31" East, 30.000 meters;
(5), South 03°56'13" West, 51.420 meters;
(6), South 12°59'32" East, 190.342 meters to the TRUE POINT OF BEGINNING.

Containing 0.637 hectare (1.574 acres), more or less.

The basis of all bearings herein for said Parcels 3663-1 and 3664-1 is the California Coordinate System 1983 (1986) Zone 3 bearing of South 89°13'15" West between said northeast corner of Section 3 and the northwest corner of said Section 3 marked by the California Department of Transportation brass cap on an iron pipe depicted on said Record of Survey 34-48.

DISTANCES ARE IN METERS, on said Coordinate System, unless otherwise noted. Divide distances by the grid factor of 0.99961137 to obtain ground level distances. To convert meters to U.S. Survey Foot, multiply distances by 3.2808333.

END OF DESCRIPTION

SUBJECT TO all outstanding taxes and assessments, if any.

SUBJECT TO any and all easements, covenants, conditions, restrictions, and other matters of record.

EXCEPTING AND RESERVING unto the City all water and water rights, whether surface, subsurface, or of any other kind, and all water and water rights appurtenant or in anywise incident to the real property herein described, or used thereon or in connection therewith, together with the right to develop, take, transport, control, regulate, and use all such water; and reserving unto the Grantor the property and mineral rights to all oil, gas, petroleum, or other mineral or hydrocarbon substances in and under said land without the right to enter upon the surface of said land for the purpose of development, extraction, taking, or transportation of such substances for use and/or for revenue production.

THE CITY OF LOS ANGELES
AND THE
BOARD OF WATER AND POWER COMMISSIONERS
OF THE
CITY OF LOS ANGELES

By _____
RONALD O. NICHOLS
General Manager

And _____
Secretary

AUTHORIZED BY:

Resolution No.
Adopted
Approved by Council on.....
Council File No.

State of California

County of _____

On _____
DATE

before me, _____
Here Insert Name and Title of the Officer

personally appeared _____
NAME(S) OF SIGNER(S)

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

WITNESS my hand and official seal.

Signature _____
SIGNATURE OF NOTARY PUBLIC

Place Notary Seal Above



State of California

County of _____

On _____
DATE

before me, _____
Here Insert Name and Title of the Officer

personally appeared _____
NAME(S) OF SIGNER(S)

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.

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WITNESS my hand and official seal.

Signature _____
SIGNATURE OF NOTARY PUBLIC

Place Notary Seal Above

