

CITY OF LOS ANGELES
CALIFORNIA

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SHANNON HOPPE
Council and Public Services
Division

www.cityclerk.lacity.org

When making inquiries relative to
this matter, please refer to the
Council File No. 13-0813

September 9, 2013

LMW78 LLC
c/o Mr. Nicholas Pavich
3514 Indian Ridge Circle
Thousand Oaks, CA 91362

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c/o Mr. Nicholas Pavich
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Thousand Oaks, CA 91362

RE: Los Angeles City Council's Notice of Intent to Consider and Adopt an Ordinance for a Resolution of Public Necessity to Acquire, by Eminent Domain, Los Angeles County Assessor's Parcel Nos. 2581-001-042, 2581-001-043, 2581-001-009, 2581-001-010, 2603-002-006, and 2603-002-007 in the County of Los Angeles, State of California.

This is to advise that the following matter will be heard before the Council of the City of Los Angeles at 10:00 AM, or as soon hereafter, on **Tuesday, September 24, 2013** in City Hall, Room 340:

This letter is to provide you notice that: (1) the Los Angeles City Council intends to consider adoption of and to adopt an ordinance for a resolution of public necessity to acquire your property; (2) you have a right to appear and be heard on the matters referred to in section 1240.030 of the California Code of Civil Procedure; and (3) failure by you to submit a written request to appear and be heard within fifteen (15) days of this notice was mailed to you will result in a waiver of the right to appear and be heard.

This matter will be heard, including the reports, resolution, and proposed Ordinance referenced below, before the Council of the City of Los Angeles at 10:00 am, on Tuesday, September 24, 2013, or as soon thereafter as the agenda item is heard, in City Hall, located in the John Ferraro Council Chamber, Room 340, 200 North Spring St., Los Angeles, CA 90012.

Board of Water and Power Commissioners report, City Attorney report, Resolution No. 013-319, and Ordinance relative to Resolution of Necessity finding that the public interest and necessity require the acquisition by eminent domain of six parcels of real property adjacent to the City limits in and adjacent to the northeast area of the San Fernando Valley having APNs 2581-001-042, 2581-001-043, 2581-001-009, 2581-001-010, 2603-002-006, and 2603-002-007, (collectively the "Property") all located in Los Angeles County, California to protect the First and

Second Los Angeles Aqueducts pursuant to the California Eminent Domain Law (California Code of Civil Procedure Section 1230.010, et seq., including Sections 1240.110 and 1240.125), California Government Code Section 37350.5 and Section 675(d)(1) of the Charter of the City of Los Angeles.

The last equalized county assessment roll indicates that you are the record owner of the Property. This notice is being provided to you pursuant to section 1245.235 of the California Code of Civil Procedure.

The City of Los Angeles ("City") seeks to acquire the Property to protect the existing transportation of the City's water, to secure the safe distribution of the City's water, and to access, maintain, inspect, operate, and protect the First Los Angeles Aqueduct and the Second Los Angeles Aqueduct ("Protection of the Aqueducts"). The public interest and necessity require the Protection of the Aqueducts for the purposes specified in Sections 601, 672(a), and 675(c) of the Charter of the City of Los Angeles, including, but not limited to the control of the production and delivery of water; the control of water, water rights, lands and facilities, including all the lands, rights-of-way, and property for the transportation, distribution and delivery of water for the benefit of the City, its inhabitants, and customers; and the control of the construction, extension, maintenance and operation of all improvements, utilities, structures, facilities, and services necessary in order to protect the City's water supply and the First and Second Los Angeles Aqueducts.

At the public hearing, the City will consider and you have the right to appear and be heard on the following matters:

1. Whether the public interest and necessity require the Protection of the Aqueducts.
2. Whether the Protection of the Aqueducts is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. Whether the Property sought to be acquired by eminent domain and described in the Resolution of Public Necessity is necessary for the Protection of the Aqueducts.
4. Whether the offer required by section 7267.2 of the California Government Code has been made to the record owner.

The amount of compensation to be paid for the acquisition of the Property is not an issue the City will be required to consider at the public hearing.

PLEASE TAKE FURTHER NOTICE THAT section 1245.235 of the California Code of Civil Procedure provides, in part, that "[f]ailure to file a written request to appear and be heard within 15 days after the notice was mailed will result in waiver of the right to appear and be heard."

You must make an affirmative and a timely request to appear and be heard if you wish to be heard at the public hearing. In order to preserve your right to appear and be heard at the hearing, within fifteen (15) days of the date of this notice, please submit a written request to appear and be heard to:

Reference: Council File No. 13-0813
Office of the City Clerk
City of Los Angeles
Council and Public Services
Room 395, City Hall
100 N. Spring St.
Los Angeles, CA 90012

If you have any questions regarding this matter, please contact Jean-Claude Bertet, Deputy City Attorney, at (213) 367-4630.

A handwritten signature in black ink that reads "Adam R. Lid". The signature is written in a cursive, slightly slanted style.

Adam R. Lid
Legislative Assistant

cc: file

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