

Department of Water and Power



the City of Los Angeles

ERIC GARCETTI
Mayor

Commission
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ERIC HOLOMAN, *Vice President*
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CHRISTINA E. NOONAN
JONATHAN PARFREY
BARBARA E. MOSCHOS, *Secretary*

RONALD O. NICHOLS
General Manager

August 28, 2013

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

Honorable Members:

Subject: Authorizes execution of a Quitclaim Deed for Twelve LADWP Distribution Easements

Pursuant to Charter Section 675 (d)(2), enclosed for approval by your Honorable Body is Resolution No. 014 037, adopted by the Board of Water and Power Commissioners on August 27, 2013, approved as to form and legality by the City Attorney, which authorizes execution of a Quitclaim Deed for Twelve Los Angeles Department of Water and Power Distribution Easements, which properties are located within various areas of the City of Los Angeles and are no longer required for use by LADWP. (J-15496-175) As directed by the Board, transmitted to you are supporting documents.

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

Sincerely,

Barbara E. Moschos
Board Secretary

BEM:oja
Enclosures: LADWP Resolution
Board Letter
CAO Report

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c/enc: Mayor Eric Garcetti

Councilmember Felipe Fuentes, 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

J-15496-175
(Quitclaim of Water and Power
Distribution Easements)

RESOLUTION NO. 014 037

BE IT RESOLVED:

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

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

Section 3. The Council of the City of Los Angeles is requested to authorize execution, acknowledgment, and delivery of said instrument in writing, quitclaiming said easements, as aforesaid.

Section 4. Said easements herein authorized to be quitclaimed and abandoned are upon and across real property described in Items 1 to 12, inclusive, as:

ITEM 1
(P-78330, Map 166-165)

The southerly 14 feet of the northerly 20 feet of Lots 53 and 54 of Tract No. 11525, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 250, Pages 18 and 19 of Map Records, in the office of the County Recorder of said County.

ITEM 2
(P-78576, Map 158-189)

That portion of Lot 6 of Tract No. 25663, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 700, Pages 22 through 24 of Map Records, in the office of the County Recorder of said County, lying within a strip of land, 5 feet in width, the sidelines of said strip of land being 2.5 feet on each side of the following described centerline:

Beginning at the most southerly corner of said Lot 6; thence North 6° 08' 10" West, 244.30 feet to the True Point of Beginning; thence South 49° 19' 20" East, 175.15 feet; thence South 47° 16' 50" East, 570.14 feet. The above bearings are based on a bearing of North 41° 39' 03" East for the tangent portion of the northwesterly line of Lot 37 of Block 9 of Tract No. 6450, in said City, as per map recorded in Book 74, Pages 84 through 90 of Maps, in the office of said County Recorder.

YED 110

ITEM 3

(J-81449, Parcel 2, R/W No. 13309, Map 110-144)

PARCEL 1: (Power Distribution)

That portion of that certain easement in the City of Los Angeles, County of Los Angeles, State of California, described in Right of Way Deed recorded on April 2, 1985, as Instrument No. 85-360785 of Official Records, in the office of the County Recorder of said County, lying within Lot 1 of Tract No. 60403 as per map recorded in Book 1349, Pages 50 through 52 of Maps, in the office of said County Recorder.

PARCEL 2: (Water Distribution)

That certain 20-foot-wide easement for water facilities lying within an alley, in Block H, of Ocean Tract, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 23, Pages 93 and 94, of Miscellaneous Records, in the office of the County Recorder, of said County, granted to the City of Los Angeles by Pioneer French Baking Co., INC., a corporation, as described in Right of Way Deed recorded on April 2, 1985, as Instrument No. 85-360784, of Official Records, of said County Recorder's Office.

The above-described parcel of land contains an area of approximately 5,715.00 square feet

ITEM 4

(P-82235, Map 168-168)

PARCEL 1

That certain 20-foot wide easement in Lot 1 of Tract No. 63579, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1360, Pages 42 and 43 of Maps, in the office of the County Recorder of said County, the northerly line of said 20-foot wide easement is shown as "N'LY LINE OF A 20 FT. WIDE EASEMENT OF THE CITY OF LOS ANGELES FOR PUBLIC UTILITY PURPOSES PER ORDINANCE NO. 74072" on said Tract No. 63579.

PARCEL 2

That certain 10-foot wide easement in Lot 1 of Tract No. 63579, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1360, Pages 42 and 43 of Maps, in the office of the County Recorder of said County, the westerly line of said 10-foot wide easement is shown as "W'LY LINE OF A 10 FT. WIDE EASEMENT OF THE CITY OF LOS ANGELES FOR PUBLIC UTILITY PURPOSES PER BOOK 9345 - 155, O.R." in said Tract No. 63579.

EXCEPTING therefrom the southerly 4.00 feet of said Lot 1.

ITEM 5

(P-82399, Map 98-157)

Those portions of Lot 11 of Tract No. 24344, in the City of Los Angeles, County of Los Angeles, State of California, as per map thereof recorded in Book 691, pages 29 through 31, of Maps in the office of the County Recorder of said County, lying within those certain strips of land, 10.00 feet and 2.00 feet wide, described in deeds recorded in Book D2706, Page 695, and Book D2706, Page 697, both of Official Records in the office of the County Recorder of said County.

ITEM 6
(W-83116, Map 128-216)

That certain 8-foot-wide easement for water facilities lying within the "Plat of the City Lands of Los Angeles", in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 3, Page 64, of Patents, in the office of the County Recorder, of said County, granted to the City of Los Angeles by Southern California Rapid Transit District, as described in Right of Way Deed recorded January 27, 1988, as Instrument No. 88-118179, of Official Records, of said County Recorder's Office.

The above-described Parcel of Land contains an area of approximately 56.00 square feet.

ITEM 7
(P-84507, Map 120-201)

Those certain 2 feet wide, 10 feet wide, 11 feet wide, and variable width easements in Lot 1 of Tract No. 28980, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 734, Page 93 of Maps, in the office of the County Recorder of said County, said easements are shown in said Lot 1 as "Easement to the City of Los Angeles for public utility purposes".

ITEM 8
(J-84742, Parcel 2, R/W No. 13322, Map 134-183)

PARCEL 1: (Power Distribution)

The easterly 5.00 feet of Lots 101, 103, 105, 107, 109, 111, and 113 of Tract No. 4642, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 50, Pages 42 and 43 of Maps, in the office of the County Recorder of said County.

Together with that portion of the easterly 5.00 feet of Lot 115 of said Tract No. 4642 lying northerly of the northerly line of that certain parcel of land described in Irrevocable Offer To Dedicate recorded on November 13, 1985, as Instrument No. 85-1345542 of Official Records, in the office of said County Recorder, said northerly line being a line parallel with and distant northerly 15.00 feet from the southerly line of said Lot 115.

Together with the westerly 5.00 feet of Lots 1 through 8 of Tract No. 5690, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 60, Page 76 of Maps, in the office of the County Recorder of said County.

PARCEL 2: (Water Distribution)

That certain 10-foot-wide water facilities and distribution easement in Lot 105 of Tract No. 4642, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 50, Pages 42 and 43, inclusive, of Maps, in the office of the County Recorder, of said County, as described in Right of Way Deed granted to the City of Los Angeles by Metroplaza Partners, a California partnership, recorded June 11, 1985, as Instrument No. 85-656700, of Official Records, in the office of said County Recorder.

The above-described parcel of land contains an area of approximately 100.00 square feet

ITEM 9
(P-84884, Map 225-141)

That portion of that certain easement, 12 feet in width, lying within Parcels C and D of Parcel Map L.A. No. 6143, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 233, Pages 36 through 40 of Parcel Maps, in the office of the County Recorder of said County, the centerline of said easement is shown on said Parcel Map L.A. No. 6143 as "½ of a 12' Wide Public Utility Easement of the City of Los Angeles per Tr. No. 44622, M.B. 1080-26/30."

ITEM 10
(P-84903, Map 106-153)

Those portions of Parcels A and C of Parcel Map L.A. No. 2794, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 66, Page 6 of Parcel Maps, in the office of the County Recorder of said County, lying within that certain easement described in Right of Way Deed recorded on October 18, 1974, as Instrument No. 1966, in Book D6448, Page 652 of Official Records, in the office of said County Recorder.

EXCEPTING therefrom that portion lying southeasterly of the southwesterly prolongation of that certain southeasterly line of Parcel B of said Parcel Map L.A. No. 2794 having a bearing and distance of North 59° 41' 47" East, 459.77 feet as shown on said Parcel Map L.A. No. 2794.

ITEM 11
(P-84931, Map 142-153)

The southeasterly 10 feet of Parcel A of Parcel Map L.A. No. 2039, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 38, Page 44 of Parcel Maps, in the office of the County Recorder of said County, as described in Right of Way Deed recorded on September 22, 1972, as Instrument No. 2743, in Book D5611, Page 819 of Official Records, in the office of said County Recorder.

ITEM 12
(P-85402, Map 200-117)

All that certain variable width easement as disclosed in Right of Way Deed to the City of Los Angeles, a municipal corporation, recorded July 14, 1988 as Instrument No. 88-1106542, of Official Records.

Excepting therefrom a 15 foot wide strip of land over a portion of Lots 2 and 3 of Tract No. 25011, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 798, Pages 27 and 28 of Maps, in the office of the County Recorder of said County, the centerline of which is described as follows:

Beginning at the Westerly terminus of that course, North 89° 59' 40" West, 253.94 feet in the centerline of that certain 15-foot wide strip of land as described in Right of Way Deed to the City of Los Angeles, a municipal corporation, as Instrument No. 2964, recorded September 10, 1971 in Book D-5187 Page 89 of Official Records;

Thence North 89° 59' 40" West, 47.50 feet to the beginning of a tangent curve concave southeasterly having a radius of 50.00 feet;

Thence Southwesterly along said curve through a central angle of 90° 00' 00" an arc distance of 78.54 feet;

Thence South 00° 00' 20" West 94.42 feet to the beginning of a tangent curve concave northwesterly having a radius 12.50 feet;

Thence Southwesterly along said curve through a central angle of 90° 00' 00" an arc distance of 19.63 feet;

Thence North 89° 59' 40" West, 25.00 feet to its terminus.

Also a portion of that certain 15 foot strip of land as described in Right of Way Deed to the City of Los Angeles, a municipal corporation, as Instrument No. 2964, recorded September 10, 1971 in Book D-5187 Page 89, of Official Records, bounded on the north by the westerly prolongation of the southerly line of said 15 foot wide strip of land having a bearing and distance of North 89° 59' 40" West, 253.94 feet and bounded southerly by the southerly line of Lot 2 of Tract 25011, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 798 Pages 27 and 28 of Maps, in the office of the County Recorder of said County.

/

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 **AUG 27 2013**

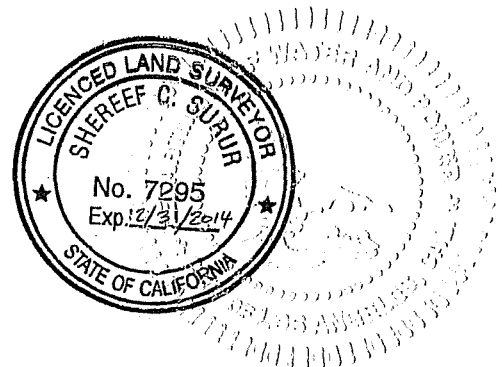
Barbara E. Morales
Secretary

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

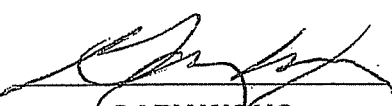
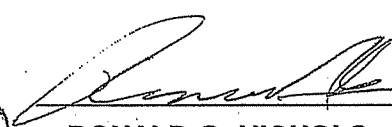

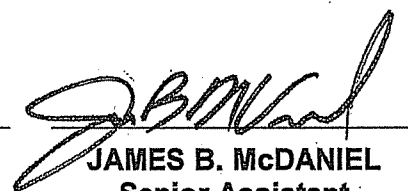
APR 18 2013
BY *[Signature]*
TIMOTHY J. CHUNG
DEPUTY CITY ATTORNEY

LEGAL DESCRIPTIONS APPROVED
AS TO ITEMS NOS. 1, 2, 3 (PARCEL 1),
4, 5, 7, 8 (PARCEL 1), 9, 10, 11, AND 12
Louis B. Gomez 3/1/13

APPROVED AS TO CONDITIONS ITEMS: 3 (PARCEL 2) 6 8 (PARCEL 2)	CHECKS 4/1/13 J.N. H. Bui <i>[Signature]</i> <i>[Signature]</i>
DATE: 4/5/2013	
CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER WATER SYSTEM ORGANIZATION	



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

TO: BOARD OF WATER AND POWER COMMISSIONERS		DATE: July 23, 2013
 GARY WONG Assistant General Manager - Systems Support Division		SUBJECT: Quitclaim of Twelve LADWP Distribution Easements (Real Estate File J-15496-175)
 RONALD O. NICHOLS General Manager		
 ARAM BENYAMIN Senior Assistant General Manager – Power System		FOR COMMISSION OFFICE USE: RESOLUTION NO. _____
 JAMES B. McDANIEL Senior Assistant General Manager – Water System		
CITY COUNCIL APPROVAL REQUIRED: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	IF YES, BY WHICH CITY CHARTER SECTION: 675 (d)(2)	

PURPOSE

Transmitted for approval by your Honorable Board is a Resolution, approved as to form and legality by the City Attorney, recommending to the Los Angeles City Council approval of the execution of a Quitclaim Deed consisting of twelve (12) LADWP distribution easements.

COST AND DURATION

There is no cost to LADWP.

BACKGROUND

The easements proposed to be quitclaimed were voluntarily granted to LADWP and were reviewed by both Water and Power systems and deemed no longer needed by LADWP; therefore, it is recommended that they be quitclaimed at the established rate of \$4,250 for each item to be paid, in advance, to LADWP by the requestor as follows:

<u>DWP File No.</u>	<u>Item No.</u>	<u>Council District</u>
P-78330	1	2
P-78576	2	4
J-81449	3	11
P-82235	4	2
P-82399	5	11
W-83116	6	14
P-84507	7	8
J-84742	8	4
P-84884	9	7
P-84903	10	11
P-84931	11	5
P-85402	12	12

The Ordinance, required pursuant to Charter Section 675(d)(2), will be transmitted by the City Attorney's Office to the City Council for approval. A copy of the City Administrative Officer's report dated July 15, 2013 is attached.

ENVIRONMENTAL DETERMINATION

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

RECOMMENDATION

It is recommended that your Honorable Board adopt the attached Resolution recommending the Los Angeles City Council's approval to quitclaim twelve (12) LADWP distribution easements.

AC

Attachments

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

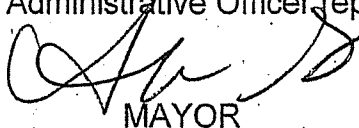
0150-09990-0000

TRANSMITTAL

TO Ronald O. Nichols, General Manager Department of Water and Power	DATE JUL 18 2013	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT Various	

**PROPOSED RESOLUTION AUTHORIZING THE EXECUTION OF 12 QUITCLAIM
DEEDS FOR 12 WATER AND POWER DISTRIBUTION EASEMENTS**

Approved and transmitted for further processing including Council consideration.
See the City Administrative Officer report attached.



MAYOR

(Ana Guerrero)

MAS:RPR:10140022t

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: July 15, 2013

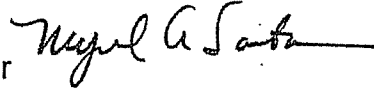
CAO File No.: 0150-09990-0000

Council File No.:

Council District: Various

To: The Mayor

From: Miguel A. Santana, City Administrative Officer



Reference: Communication from the Department of Water and Power dated May 1, 2013; referred by the Mayor for report on May 8, 2013

Subject: **PROPOSED RESOLUTION AUTHORIZING THE EXECUTION OF 12 QUITCLAIM DEEDS FOR 12 WATER AND POWER DISTRIBUTION EASEMENTS**

SUMMARY

The Department of Water and Power (DWP; Department) requests approval of a proposed resolution which authorizes the DWP to quitclaim (to release or relinquish a legal claim) 12 water and power distribution easements. The DWP has determined that these easements are no longer required for use by the Department. Charter Section 675(d)(2) requires Council approval to dispose of real property. The City Attorney has approved the proposed resolution as to form and legality.

DWP periodically reviews applications requesting that the Department abandon DWP owned easements. The requests are from property owners who often are seeking to remove easement restrictions that were required for earlier building permits or tract maps. If the Department determines that an easement is no longer necessary for current or future DWP operations, a quitclaim deed is processed to transfer the rights of the easement to the existing property owner, thereby, effectively terminating the easement. DWP states that each of the 12 applicants is to pay the Department a processing fee of \$4,250. The amount of the processing fee was established in August 2008 by the DWP Board of Commissioners. There is no other cost from the Department to a property owner who requests a quitclaim.

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

RECOMMENDATIONS

That the Mayor:

1. Approve the proposed resolution which authorizes the Department of Water and Power to execute 12 quitclaim deeds for 12 water and power distribution easements; and
2. Return the proposed resolution to the Department for further processing, including Council consideration.

FISCAL IMPACT STATEMENT

Approval of the proposed resolution will result in revenue to the Water Revenue Fund and Power Revenue Fund of \$4,250 for each quitclaim resulting in a total of \$51,000. The proposed action complies with the Department's adopted Financial Policies. Approval of the proposed resolution will have no impact on the City's General Fund.

TIME LIMIT FOR COUNCIL ACTION

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

MAS:RPR:10130022

Attachments