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CITY ATTORNEY

REPORT NO. R 1 6 - 0 0 1 7
JAN 1 9 2016

REPORT RE:

**DRAFT ORDINANCE TO APPROVE A RESOLUTION AUTHORIZING THE
SALE OF AN EASEMENT TO THE COUNTY OF INYO FOR PUBLIC ROADWAY
PURPOSES LOCATED IN BIG PINE, INYO COUNTY, CALIFORNIA**

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

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This draft ordinance would approve Resolution No. 016 091, dated November 17, 2015, authorizing the sale of an easement (Easement) for public roadway purposes over a 1.521 acre portion of City of Los Angeles (City) property located in Big Pine, Inyo County, California, to the County of Inyo (Inyo County).

Background

In the 1950s, Inyo County constructed Butcher Lane, an Inyo County road, partially outside of the designated right-of-way, creating an encroachment on City property. Butcher Lane is a rural public road located between undeveloped land owned by the Big Pine Paiute Tribe of the Owens Valley (Tribe) and undeveloped land owned by the City. The Tribe brought the encroachment issue to Inyo County's attention, facilitating the need to correct the right-of-way alignment for Butcher Lane.

The following are important land attributes relating to the Easement:

- Easement size is 1.521 acres
- Undeveloped rural land
- Legally permitted uses are open space with no anticipated development
- Easement is a portion of Assessor's Parcel No. 018-090-11

The Los Angeles Department of Water and Power performed an in-house appraisal dated January 24, 2014 and determined the fair market value of the Easement to be \$5,000. Inyo County has agreed to pay \$5,000 for the Easement. The City will not incur any expenses other than an administrative cost to process the sale of the Easement.

On November 17, 2015, the Board of Water and Power Commissioners of the Department of Water and Power adopted Resolution No. 016 091 authorizing execution of an instrument in writing conveying the Easement to Inyo County.

Charter Requirements

The enclosed draft ordinance is transmitted for your approval pursuant to Charter Section 675, after approval by the Board of Water and Power Commissioners of the Department of Water and Power.

CEQA Findings

In accordance with the California Environmental Quality Act (CEQA), it has been determined that the sale of surplus City property is categorically exempt pursuant to Article III, Class 12, in the CEQA Guidelines, and is further exempt under Title 14, California Code of Regulations, Chapter 3, Section 15312, Class 12, Surplus Government Property Sales.

Recommendation

Based on the foregoing, it is requested that the City Council adopt the enclosed draft ordinance. A copy of the Board Resolution is included in the Council File.

Council Rule 38 Referral

This draft ordinance has been presented to the Board of Water and Power Commissioners of the Department of Water and Power pursuant to Council Rule 38.

If you have any questions regarding this matter, please contact Deputy City Attorney John O. BeNUM at (213) 367-4535. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

DM:JOB:me
Transmittal