

ORDINANCE NO. _____

An Ordinance determining that certain City-owned real properties are no longer required for the use of the City, and that the public interest or necessity requires the sale thereof, and ordering the sale thereof by oral bids at public auction, pursuant to Division 7, Chapter 1, Article 4, Section 7.24 of the Los Angeles Administrative Code.

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

Section 1. The City Council of the City of Los Angeles hereby finds and determines that certain real properties owned by the City of Los Angeles and located at the addresses and/or locations set forth hereinafter and more particularly described in the Notice of Sale approved by the Council and affixed to Council File No. 16-0600-S145, which description is incorporated herein by reference; is no longer required for the use of the City and the public interest and necessity requires, and it is hereby ordered, that the parcel of real property be sold pursuant to the provisions of Section 385 of the City Charter, and Division 7, Chapter 1, Article 4 of the Los Angeles Administrative Code, for cash, to the highest responsible bidder at an oral bid auction to be conducted in accordance with the provisions of Section 7.24 of said Code on or after **May 24, 2017 at 2:30p.m., in Room 350, Board of Public Works Hearing Room, 200 North Spring Street, Los Angeles, California 90012**. The minimum price, which will be accepted for said property is as follows:

PLEASE REFER TO ORDINANCE EXHIBIT I – REAL PROPERTY AUCTION PARCELS

Section 2. The sale of said parcel(s) shall except and reserve to the City of Los Angeles all oil, gas, water, and mineral rights now vested in the City of Los Angeles without, however, the right to use the surface of said land or any portion thereof to a depth of 500 feet below the surface, for the extraction of such oil, gas, water and minerals.

Section 3. The sale(s) will further except and reserve to the City of Los Angeles any interest in the fee of any adjacent street(s) which would otherwise pass with the conveyance and shall be subject to covenants, conditions, restrictions, reservations, easements, encroachments, rights, and rights of way of record or which are apparent from a visual inspection of the real property(ies), and subject to such other covenants, conditions, restrictions, easements, reservations, encroachments, rights, and rights-of-way which are more particularly set forth in the Notice of Sale.

Section 4. The property(ies) offered for sale in this Ordinance is/are offered in an “AS IS” condition, and all bidders, by bidding on the property(ies), are, by such act, expressly agreeing to purchase the each of the property(ies) in an “AS IS” condition and without any warranty as to fitness for use, fitness for a particular use, or condition of the property(ies), and that the seller has no obligation to correct any condition of the property(ies), whether known before or after the date of the auction.

Section 5. The City Clerk is directed to publish the Notice of Sale for three days in a newspaper of general circulation printed and published in the City of Los Angeles and also to post the Notice of Sale on said real property in a prominent and visible location, said notice to be posted not less than thirty (30) days prior to the date set for said sale.

Section 6. The General Manager of the Department of General Services of the City of Los Angeles is hereby authorized to confirm the sale(s) in an amount not less than the minimum bids herein specified, **subject to the right of the City Council to reject any and all bids and to withdraw the property(ies) from sale at any time up to, and including, the time the sale(s) is/are so confirmed.**

Section 7. Following confirmation of the sale(s), the Mayor of the City of Los Angeles is authorized to execute a deed or deeds conveying said parcels to the respective successful bidders or assignees thereof. The City Clerk is authorized to attest thereto and to affix the City Seal.

Section 8. The Department of General Services, Real Estate Services Division, is authorized to open title and escrow, issue title transfer instructions/escrow, and/or deliver the grant deed, and otherwise complete the transactions, and the Chief Accounting Employee of the Department of General Services is authorized to deposit the proceeds, over and above the expenses of sale, into the proper accounts as provided by law. Expenses associated with the sale include, but are not limited to, appraisal fees, environmental reports, legal description preparation, escrow fees, preliminary title report, recording fees, documentary transfer taxes, policy of title insurance, home warranty protection coverage, if applicable, and any associated site remediation costs.

Section 9. The successful bidder shall pay for all recording fees, documentary transfer taxes, one-half escrow fees, policy of title insurance, messenger service fees, broker's commission, if any, other real estate transaction taxes, fees or application, and personal property taxes where applicable. Should the successful bidder desire a survey of the property, termite inspection and any other types of inspections, this may be accomplished by an independent surveyor and inspectors at the bidder's expense. The title company and escrow company selected for the sale of all these properties shall be a sole discretion of the City of Los Angeles. Parcels improved with a single-family home will be covered with a home warranty protection plan for one year at the City's expense from the date escrow closes with any service calls paid by the prospective buyer. Home warranty protection coverage information will be made available to the successful bidder, upon request, on or before close of escrow.

Section 10. Should no acceptable bids be received or should the sale not be completed for the property described in this Ordinance, the General Manager of the Department of General Services of the City of Los Angeles or his designee is hereby authorized to

- (a) re-offer said properties for sale pursuant to this Ordinance to the second highest bidder, and if second highest bidder fails to complete the sale and/or comply with the conditions of the sale, to the third then fourth highest bidders, upon the same terms and conditions specified in the Notice of Sale without further order or permission of the Council, or
- (b) declare the present Notice of Sale immediately invalid and, pursuant to Division 7, Chapter 1, Article 4, Section 7.32 of the Los Angeles Administrative Code, cause one or more other Notice of Sale to be published and to conduct one or more other sale auction under the terms and conditions of the new Notice of Sale until property(ies) authorized for sale under this Ordinance is/are sold or otherwise disposed.

The provisions of this section shall be effective until the expiration of this Ordinance authorization on the date that is five (5) years from the effective date of this Ordinance.

Section 11. 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 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 introduced at the meeting of the Council of the City of Los Angeles _____, and passed at its meeting of _____.

Approved as to Form and Legality:
Michael N. Feuer, City Attorney

Holly L. Wolcott, City Clerk

By: _____

By: _____

Date: _____

Date: _____

Council File No. _____

ERIC GARCETTI
MAYOR

EXHIBIT I – REAL PROPERTY AUCTION PARCELS

PARCEL NO. 1

<u>Location:</u>	<u>Approximate Size</u>	<u>Zone</u>	<u>Minimum Bid</u>
15206 Earlham Street Pacific Palisades, CA 90272 APN 4412-027-902 CD 11	9,938 +/- sq. ft. one-story 1,656 sq. ft. single-family residence built in 1948, 2 BR/2 BA	R1-1	\$1,950,000

DESCRIPTION:

Lot 2, in Block 19, Tract No. 9300 in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 125, pages 55 to 78 inclusive of Maps in the office of the County Recorder of said county.

Except therefrom that portion of said lot, bounded and described as follow:

Beginning at the southeast corner of said lot; thence along the easterly line of said lot, North 11 03'52" West, 59.60 Feet; thence leaving said easterly line, South 0 35'33" East 60.43 feet to the southerly line of said lot, said southerly line being a curve concave northerly and having a radius of 350.00 feet; thence easterly along said southerly line through a central angle of 1 47'54" an arc length of 10.99 feet to the point of beginning.