

185976

ORDINANCE NO. _____

An Ordinance authorizing and providing for grant of an Exclusive Permanent Subsurface Tunnel Easement to County Sanitation District No. 2 of Los Angeles County (District) in accordance with the motion of the City Council of Los Angeles of June 30, 2017 directing the Department of General Services to negotiate the grant of such Easement, approximately 88 square feet in size and located 39.3 to 69.9 feet underground (City Easement), over certain unimproved City-owned real property to facilitate District's Joint Water Pollution Control Plant Effluent Outfall Tunnel Project (District Project) without necessity of calling for bids for the City Easement because the public interest and necessity is served by the grant of such Easement to the District.

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

Sec. 1. The City Charter at Section 371(e)(10) provides that the City Council of Los Angeles may authorize conveyance of City-owned property to a party without competitive bid where it is undesirable, impracticable or impossible to do so. The City Charter at Section 372 adds that even when said Section 371(e)(10) conditions are met, a competitive bid is still required if reasonably practical and compatible with City interests. The City Council hereby determines that the City Easement need not be competitively bid under said Charter Sections because: (1) the City's interest is served by District use of this Easement to facilitate the District Project which will serve the sanitation needs of over 5.5 million County residents by transporting effluent for treatment to an offshore discharge facility, (2) there is realistically no bidding market for the City Easement which is extremely small in size and located in the subsurface, and (3) even if there were such market, the Easement area was scheduled for use as subsurface support for a future City street prior to its need for the District Project. Accordingly, the City Council hereby authorizes the City Easement be granted to the District as a perpetual, exclusive subsurface easement serving the District Project for the sum of One Thousand Dollars (\$1,000) under the conditions set forth below, and without notice of sale or advertisement of bids because the requirements of City Charter Sections 371(e)(10) and 372 are met.

Location and Legal Description of the City Property

Capitol Drive between North Gaffey Street and Barrywood Avenue, Los Angeles CA 90007, located on a portion of Assessor Parcel Number 7442-023-901. Refer to Exhibit A attached hereto and incorporated herein by this reference.

Sec. 2. The Mayor of the City of Los Angeles in the name of and on behalf of the City is hereby authorized and directed to execute an Exclusive Permanent Subsurface Tunnel Easement Agreement with the District in order to grant the City Easement described in Section 1 of this Ordinance, and the City Clerk of the City is hereby authorized and directed to attest same and affix the City Seal.

Sec. 3. The City Department of General Services, Asset Management Division, is hereby authorized to: (1) execute and deliver agreements, deeds and ancillary documents, and complete all necessary processes to effect this grant of the City Easement to the District, and (2) deposit the sales proceeds from such grant referenced in Section 1 of this Ordinance into the City of Los Angeles General Fund.

Exhibit "A"
Legal Description - Subsurface Easement

That portion of Lot 233, Tract No. 25153, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 662, Pages 1 to 6 inclusive of Maps, in the Office of the County Recorder of said County, being a strip of land, 30 feet wide, the centerline of said strip being described as follows:

Commencing at a point on the centerline of Gaffey Street, currently 90 feet wide, as shown on the map of Tract No. 25153, as per map recorded in Book 662, Pages 1 to 6 inclusive of Maps, in the Office of the County Recorder of said County, lying South 08°02'57" East 1165.39 feet from the intersection with the centerline of Westmont Drive, as shown on said Tract No. 25153, said point being the beginning of a curve concave northwesterly having a radius of 800.00 feet, a radial line to said point bears South 83°32'27" East;

Thence southerly along said curve through a central angle of 55°16'13" an arc length of 771.72 feet to the northerly line of said Lot 233 and the **TRUE POINT OF BEGINNING**, a radial line to said point bears South 28°16'14" East;

Thence continuing southwesterly along said curve through a central angle of 00°12'30" an arc length of 2.91 feet to the southerly line of said Lot 233, being the terminus of said centerline.

The sidelines of said strip shall be lengthened or shortened to terminate in said northerly line and in said southerly line.

The above described parcel contains 88 square feet, or 0.002 acres, more or less.

Bearings and distances used in the above description are on the California Coordinate System (CCS83), Zone V, North American Datum of 1983 (NAD83) (NSRS2007, Epoch 2011.00). Divide grid distances shown by 1.000073488 to obtain ground level distances.

The above described parcel is located between elevations -21.3 feet and -51.9 feet based on the North American Vertical Datum of 1988, established at Benchmark No. Y 11011 having an elevation of 16.164 feet according to Los Angeles Department of Public Works, Palos Verdes Quad, 2005 Adjustment.

All as shown on Exhibits "B" and "C" attached hereto and made a part hereof.

This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors Act.



Ryan M. Versteeg, PLS 7809

12-16-2014

Date

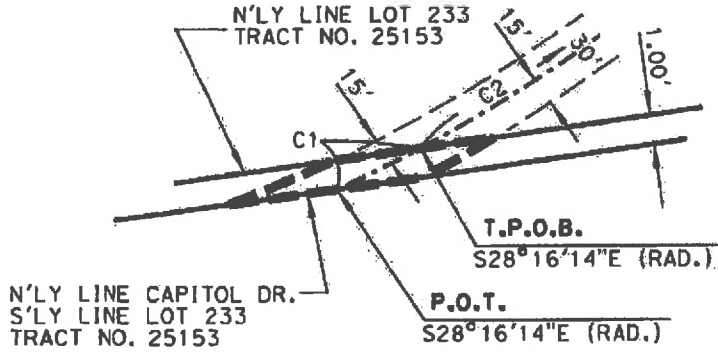


EXHIBIT "B"

LEGEND:



30 FOOT WIDE SUBSURFACE EASEMENT
88 SQ. FT./0.002 ACRES



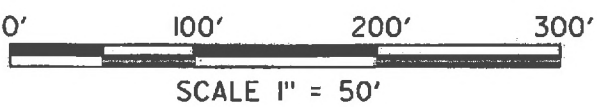
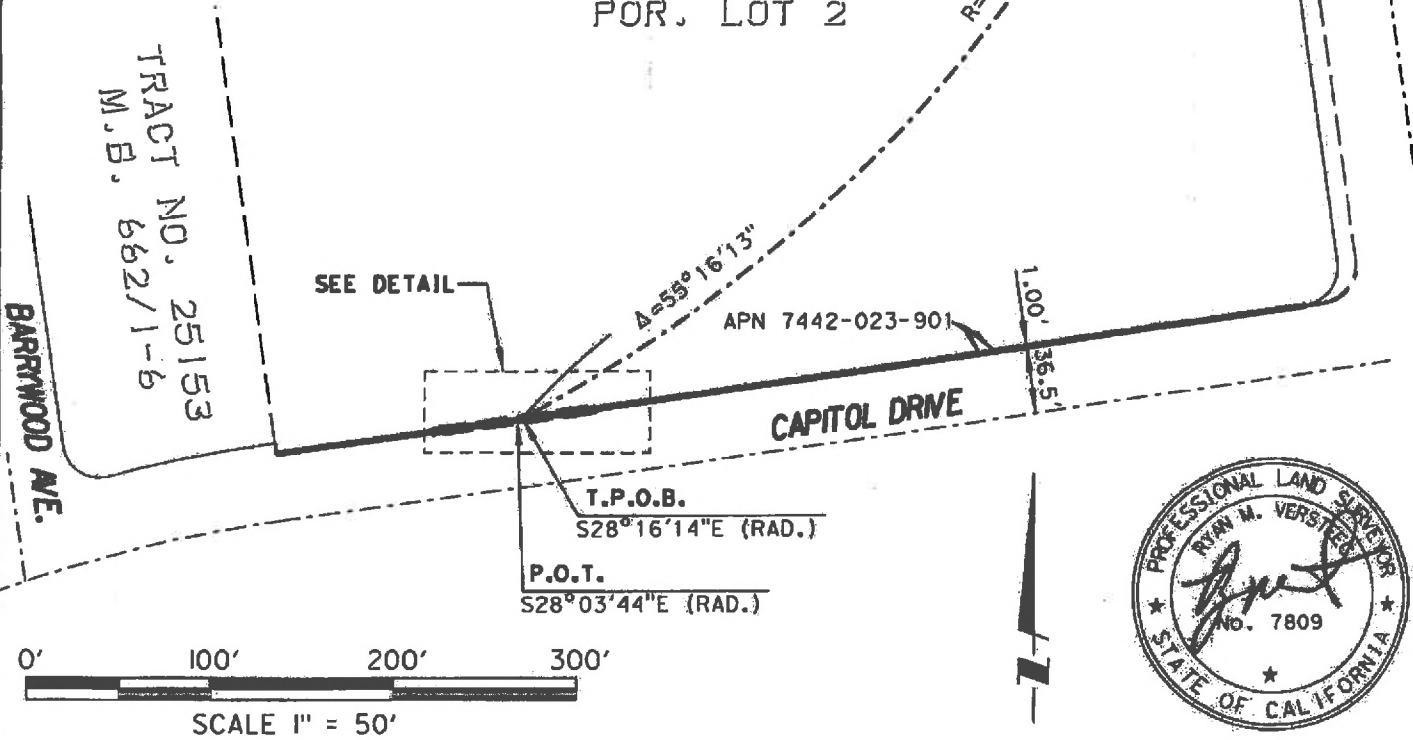
DETAIL - NOT TO SCALE

CURVE TABLE

	DELTA	RADIUS	LENGTH
C1	00°12'30"	800.00'	2.91'
C2	55°16'13"	800.00'	771.72'

TRACT NO. 3192
MB 44/91-94

POR. LOT 2

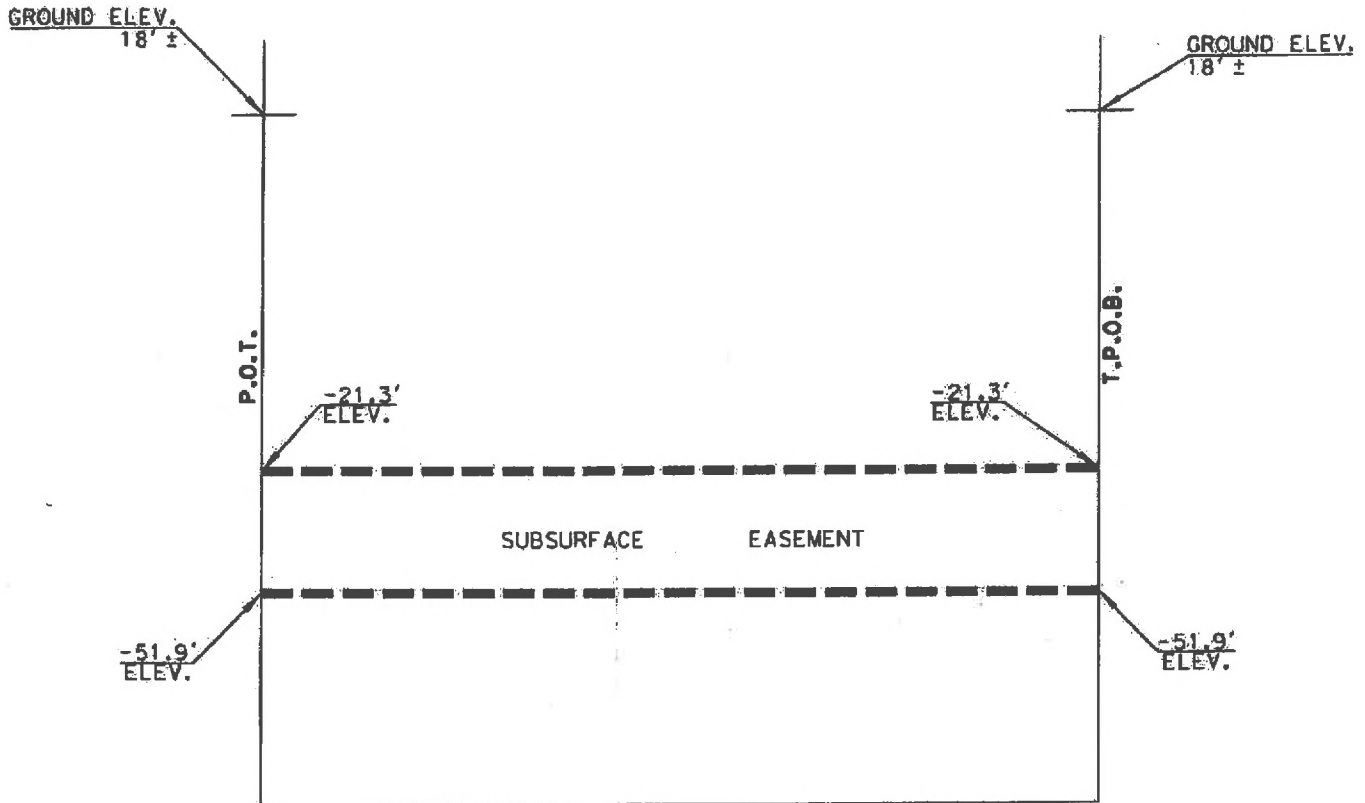


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Los Angeles County Sanitation District
JWPCP Outfall Tunnel
Subsurface Easement
APN 7442-023-901
City of Los Angeles
County of Los Angeles State of California

Date: 12/15/2014
Drawn: RMV
Checked: RMV
J.N.: 13565-102
Sheet 1 of 1

EXHIBIT "C"



LOOKING NORTHWESTERLY
PROFILE NOT TO SCALE



ELEVATIONS ESTABLISHED BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, ESTABLISHED AT BENCHMARK NO. Y 11011 HAVING AN ELEVATION OF 16.164 FEET ACCORDING TO LOS ANGELES DEPARTMENT OF PUBLIC WORKS, PALOS VERDES QUAD, 2005 ADJUSTMENT.



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Sheet 1 of 1

Sec. 4. 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.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
CURT HOLGUIN
Deputy City Attorney

Date: May 4 2018

File No. CF 17-0760


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I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____



Approved _____



01/29/2019

02/01/2019