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Ref: 60045-0015

September 2, 2008

Adam R. Lid
Legislative Assistant
Council and Public Services Division
Office of the City Clerk
200 N. Spring Street
Los Angeles, CA 90012

Re: Alley Vacation No. VAC E1400822

Dear Mr. Lid:

This letter follows the letter that I sent to Ms. Kalfayan on behalf of our client, Palmer/Flower Street Properties ("Palmer"), dated August 7, 2008, wherein Palmer formally objected to the proposed alley vacation No. VAC E1400822 on the grounds that the evidence in the record does not support the findings that the City of Los Angeles ("City") must make to approve the alley vacation. Namely, the record does not support the requisite findings that the alley (1) is unnecessary for present or prospective public use, (2) is not needed for vehicular circulation or access and (3) is not needed for nonmotorized transportation purposes. As set forth in our August 7, 2008 letter, the target alley is critical to providing adequate emergency access to the Palmer/Lorenzo project. The vacation of the alley will inhibit critical emergency access to the fire department. The Palmer/Lorenzo project is currently going through its CEQA environmental review process. Upon completion, the Palmer/Lorenzo project will provide the South Los Angeles community over 900 sorely needed rental units.

Additionally, we met with Mr. Mike Theule of the Los Angeles Fire Department ("LAFD") on August 20, 2008 to discuss the alley vacation and its detrimental impact to the Palmer/Lorenzo project. According to Mr. Theule, the City's Bureau of Engineering ("BOE") did not recirculate alley vacation No. VAC E1400822 to the LAFD for its review and consideration during the latest re-application process initiated by the Los Angeles Unified School District ("LAUSD"). Accordingly, the non-objection provided by the LAFD currently included in the BOE's report dated September 26, 2006 ("BOE Report"), may have been provided as long as six years ago. Certainly the LAFD was not consulted and did not provide a non-objection to alley vacation No. VAC E1400822 during this latest re-application process.

Although we have not met with members of the Los Angeles Department of Transportation ("LADOT"), we are confident that the alley vacation application was not recirculated to the LADOT. The BOE Report provides that "the vacation is not opposed [by LADOT] if all abutting property owners are in agreement with the proposed vacation." We

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would like to meet with LADOT to discuss and explain our objection to the proposed alley vacation. We anticipate that LADOT's stated position may change after our meeting. Accordingly, we respectfully request that the City re-circulate the alley vacation application to the LAFD and the LADOT for their reconsideration.

Finally, we are concerned with the City's determination that the LAUSD completed all conditions necessary for the alley vacation. Specifically, condition No. 4 provides that the City will not grant the proposed alley vacation unless and until the LAUSD secures the consent to the vacation from the owners of lots 35-51. Palmer is the owner of lots 35-51. Palmer did not grant LAUSD and/or the City its consent to the proposed alley vacation. Accordingly, please forward to my attention the documentation that the LAUSD provided to the City, if any, demonstrating that Palmer granted its consent to the proposed alley vacation.

In light of the above, we respectfully request that the City not calendar further hearings with any City body until alley vacation No. VAC E1400822 is recirculated to the LAFD and LADOT and we have met with all interested parties.

I look forward to hearing from you soon.

Very truly yours,



NOEL TAPIA for
Jeffer, Mangels, Butler & Marmaro LLP

NT:lh

Enclosure

cc: Councilman Bill Rosendahl
Councilwoman Jan Perry
Mr. Edmond Yew, Group Manager, Subdivisions/Vacations