

**BOARD OF PUBLIC WORKS
MEMBERS**

AURA GARCIA
PRESIDENT

M. TERESA VILLEGAS
VICE PRESIDENT

DR. MICHAEL R. DAVIS
PRESIDENT PRO TEMPORE

VAHID KHORSAND
COMMISSIONER

SUSANA REYES
COMMISSIONER

DR. FERNANDO CAMPOS
EXECUTIVE OFFICER

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

**DEPARTMENT OF
PUBLIC WORKS**

**BUREAU OF
ENGINEERING**

GARY LEE MOORE, PE, ENV SP
CITY ENGINEER

1149 S. BROADWAY, SUITE 700
LOS ANGELES, CA 90015-2213

<http://eng.lacity.org>

REVISED

August 1, 2022

Honorable Council Members
Los Angeles City Council

c/o Holly L. Wolcott
Office of the City Clerk
City Hall, Room 395

COUNCIL FILE 09-1295-S7 REQUEST FOR “EXEMPT SURPLUS LAND” DECLARATION OF PROPERTY OWNED BY THE CITY OF LOS ANGELES LOCATED AT 3195 S. MOTOR AVENUE IN COMPLIANCE WITH STATE LAW

Dear Honorable Council Members:

RECOMMENDATIONS

1. DECLARE the property owned by the City of Los Angeles (City), currently an undeveloped parcel located at 3195 S. Motor Avenue (City Property), which is further described in Exhibit A (Transmittal No. 1), as “exempt surplus land” in order to satisfy certain relevant requirements of the new State law promulgated through Assembly Bill (AB) 1486.
2. REQUEST the Office of the City Attorney to prepare the ordinance to effectuate the City’s conveyance of a portion of the parcel to the adjacent property owners of 3185 S. Motor Avenue, Aron and Ester S. Begun (Property Owners).
3. AUTHORIZE the City Engineer or designee to execute all necessary documents to effectuate the transfer of this property.

BACKGROUND AND DISCUSSION

After the Exposition Light Rail Line Phase II project was completed, the City Council adopted a motion from Councilmember Koretz of Council District 5 (C.F. 09-1295-S5) to construct a bikeway segment between Overland Avenue and Motor Avenue called the “Expo Bike Path Northvale Gap Closure Project,” also known as the “Exposition West Bikeway Northvale Segment Project” (Project).

Initially, the Exposition Light Rail Line Phase II project included an adjacent bikeway from Downtown Los Angeles to Santa Monica. Many of the western portions of the bikeway have been completed; however, a significant gap in the bikeway between Overland Avenue and Motor Avenue remains to be constructed. Temporary sharrows were installed on the streets through this segment, but a permanent bike path is necessary to fulfill the promise of a backbone bicycle pathway.

The Los Angeles Department of Transportation (LADOT) has been authorized to receive the \$4.2 million refund from the Exposition Metro Line Construction Authority and appropriate the money to the Project to complete the design and construction of the bikeway segment between Overland Avenue and Motor Avenue.

The Bureau of Engineering (BOE) is completing the right-of-way acquisition phase of the Project. As part of the negotiation for one of the permanent bike path easements required for the Project, the Property Owners requested that the City convey to them an uneconomic remnant City parcel, which measures approximately 860 square feet. Additionally, the City will pay a negotiated amount for the purchase of approximately 712 square feet of land from the Property Owners. The BOE has determined that the remnant City Property has no utility to the City and agreed to convey the land as part of the transaction.

The City Property is located in Council District 5 and is part of a larger parcel that was recently transferred from the Department of General Services to the Department of Transportation on November 27, 2019 (C.F. 09-1295-S6) for the purpose of constructing the bike path.

To process the transfer of the City Property, the Council must first declare it as “exempt surplus land” per AB 1486. On January 1, 2020, AB 1486 took effect and amended the process for disposing of surplus land. Among other changes, AB 1486 requires that *“land shall be declared either ‘surplus land’ or ‘exempt surplus land,’ as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency’s policies or procedures.”*

Based on Government Code, Section 54221(f)(1)(B), “exempt surplus land” means *“Surplus land that is (i) less than 5,000 square feet in area, (ii) less than the minimum legal residential building lot size for the jurisdiction in which the parcel is located, or 5,000 square feet in area, whichever is less, or (iii) has no record access and is less than 10,000 square feet in area; and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate income housing purposes. If the surplus land is not sold to an owner of contiguous land, it is not considered exempt surplus land and is subject to this article.”*

Upon approval by the Council, the BOE will submit the request to the California Department of Housing and Community Development (HCD) to get concurrence with the City’s findings. Once the BOE receives concurrence from HCD, the BOE and the City Attorney’s Office will move forward with the sale and transfer of the property to the Property Owners.

FINDINGS

The City of Los Angeles finds that the City Property is not needed for any City purpose. Furthermore, the City Property meets the criteria for “exempt surplus land” based on California Government Code, Section 54221(f)(1)(B) because the City Property is approximately 860 square feet, not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate income housing purposes, and is to be sold to Aron and Ester Begun, owners of contiguous property located at 3185 S. Motor Avenue, Los Angeles, CA 90064.

FISCAL IMPACT

There is no negative fiscal impact. This report only seeks the Council’s approval to declare the Parcel as exempt surplus land. Upon the Council’s approval and HCD’s concurrence, the City will convey the City Property to the Property Owners as part of consideration for the acquisition of 712 square foot parcel owned by the Property Owners needed for the Project.

If you have any questions concerning this matter, please contact BOE Deputy City Engineer, Jose Fuentes, at jose.fuentes@lacity.org.

Sincerely,



for

Gary Lee Moore, PE, ENV SP
City Engineer

GLM/JF/UJ

cc: Jennifer McDowell, Office of the Mayor
Aura Garcia, President, Board of Public Works
Teresa Villegas, Vice President, Board of Public Works

Attachment: Transmittal No. 1

EXHIBIT "A"

APN: 4318-033-901

ADDRESS: 3195 South Motor Ave 90064

LEGAL DESCRIPTION

Being a portion of that certain parcel of land described in a Director's Deed in the City of Los Angeles, County of Los Angeles, State of California, as per document recorded on October 10, 1967 in Book D3793, Pages 406 through 408, inclusive, of official records, in the office of the County Recorder of said county, more particularly described as follows:

BEGINNING at the intersection of the northerly line of said Director's Deed and the centerline of Motor Avenue, 20.00 feet wide, as shown on Tract Map No. 11566, as per map recorded in Book 212, Pages 47 through 49, inclusive of maps, in the office of the county recorder of said county; Thence along last said centerline, South 21° 23' 21" West, a distance of 10.01 feet; Thence leaving said centerline, South 63° 36' 57" West, a distance of 82.53 feet to the beginning of a tangent curve, concave southwesterly, having a radius of 716.00 feet; Thence southeasterly along said curve, through a central angle of 03° 14' 53", an arc length of 40.59 feet to the beginning of a compound curve, concave southwesterly, having a radius of 684.00 feet, to which a radial line bears North 29° 37' 55" East; Thence southeasterly along said curve, through a central angle of 00° 59' 18", an arc length of 11.80 feet, to aforementioned northerly line of said Director's Deed, said point also being the beginning of a non-tangent curve, concave southwesterly, having a radius of 778.91 feet, to which a radial line bears North 28° 38' 38" East; Thence northwesterly along said northerly line, through a central angle of 10° 02' 09", an arc length of 136.43 feet to the **POINT OF BEGINNING**.

SUBJECT TO all covenants, conditions, restrictions, exceptions, reservations, easements, rights and right of way of record.

Containing 860 square feet, more or less.

As shown on Exhibit "B", attached hereto and made a part thereof.



A handwritten signature in blue ink, appearing to read "Magdi Soliman".

SCALE: 1" = 40'

EXHIBIT "B"

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN A DIRECTOR'S DEED IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER DOCUMENT RECORDED ON OCTOBER 10, 1967 IN BOOK D3793, PAGES 406 THROUGH 408, INCLUSIVE, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

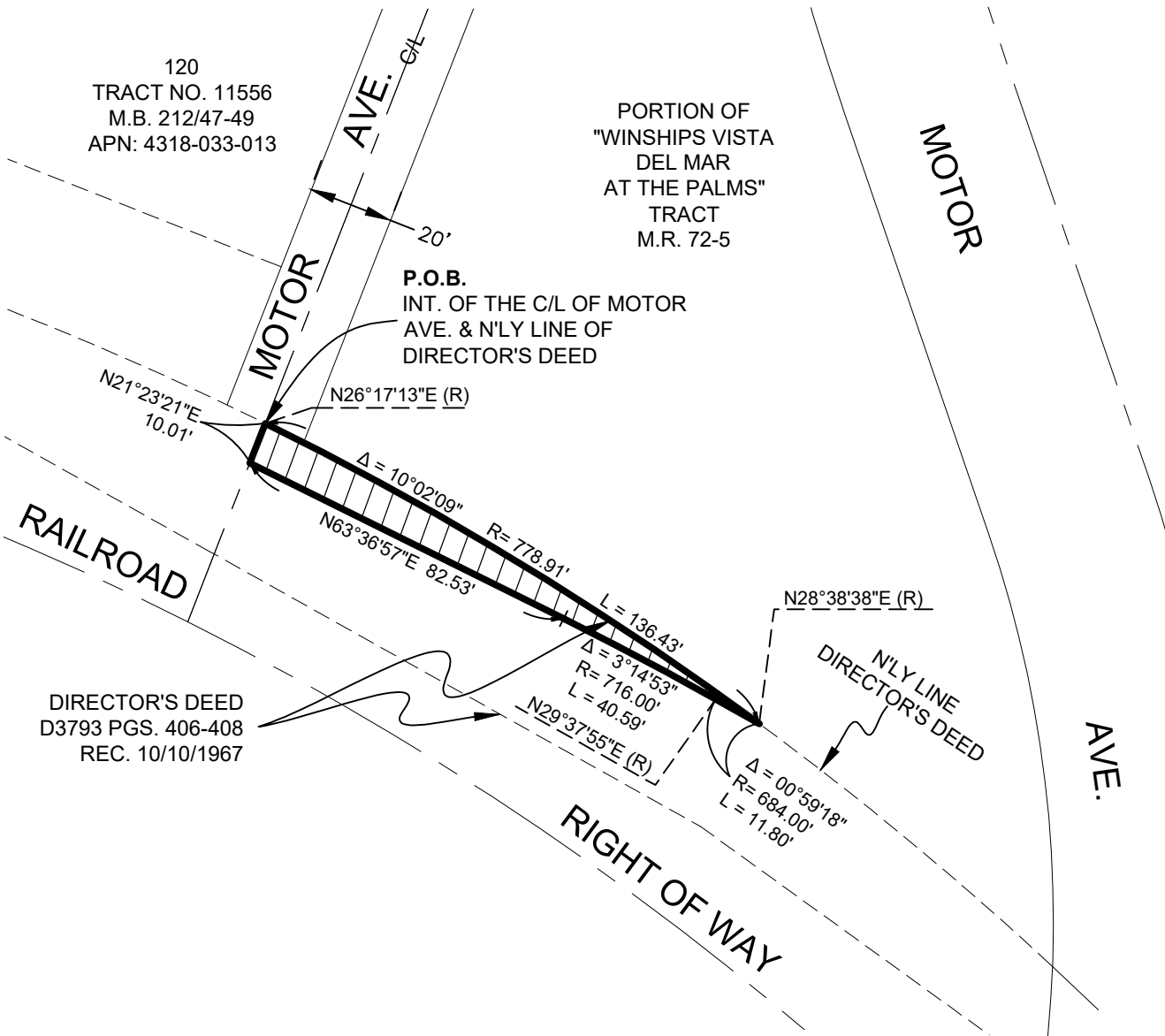
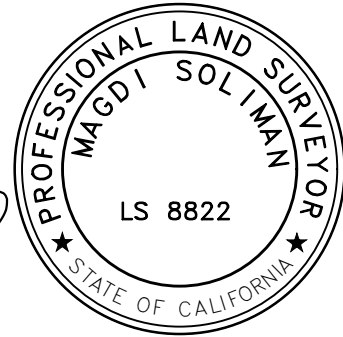


NOTES:



AREA DEDICATED HEREON

AREA = 860 ± SQ. FT.



120
TRACT NO. 11556
M.B. 212/47-49
APN: 4318-033-013

PORTION OF
"WINSHIPS VISTA
DEL MAR
AT THE PALMS"
TRACT
M.R. 72-5

MOTOR

AVE.