

MICHAEL N. FEUER  
CITY ATTORNEY

REPORT NO. R 1 3 - 0 3 1 8  
NOV 0 4 2013

**REPORT RE:**

**DRAFT ORDINANCE AUTHORIZING THE APPROVAL OF THE  
SALE OF SURPLUS LADWP-OWNED PROPERTY LOCATED AT  
14030 HARTLAND STREET, VAN NUYS, CA 91405  
(Real Estate File P-70313)**

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 authorizes the approval of the sale of surplus property located at 14030 Hartland Street, Van Nuys, California 91405, owned by the Los Angeles Department of Water and Power (LADWP).

Background

In 1989, LADWP began the design and construction of Distributing Station 140 located at 14047 Vanowen Street in Van Nuys. The station is located along a major thoroughfare, but the northeast corner of the property abuts a residential neighborhood. The LADWP site is directly contiguous with the single-family dwelling located at 14030 Hartland Street. In order to mitigate an ongoing noise and dust disturbance associated with the planned construction period, LADWP acquired the dwelling in November 1989 for a price of \$325,000.

The parcel has a land area of approximately 8,500 square feet improved with a 2,028 square foot dwelling, per public records. The structure was built in 1955 and is a one-story wood frame house on a slab foundation. The home contains 4 bedrooms with 1 and 3/4 baths, an attached two-car garage, and a pool. The dwelling has significant

deferred maintenance, including the roof and the exterior wood siding. The interior also will require substantial renovation and clean up in order to be inhabitable. The pool is not functional and accumulates water during the rainy season. In recent years, the home has been subject to trespassers and vandalism.

On April 5, 2011, the Board of Water and Power Commissioners declared the property surplus and authorized the sale, by auction, of the property. Subsequently, the Los Angeles City Council authorized the sale on April 27, 2011. Accordingly, attached is a signed City Administrative Officer report dated January 28, 2011. The process subsequent to Board approval in 2011 was delayed due to a miscommunication in presenting the ordinance before the City Council.

This conveyance was approved by the Planning Department pursuant to Charter Section 558. This Charter section obligates the Planning Department to ensure that the sale of certain City property is in conformance with the City's General Plan. Accordingly, enclosed is the City Planning letter dated April 18, 2005.

The sale price was a result of an auction conducted LADWP Staff on June 18, 2013. A minimum bid price of \$100,000 had been recommended by an appraisal completed in August 2010 by LADWP's Real Estate Services Appraisal Section. The minimum bid valuation is considered to be a liquidation price based on the condition of the property. The successful bid of \$311,000 was made by Austin Hardy of Nationwide Capital Group, LLC. The auction was advertised in various media publications during the week of June 10-14, 2013. Twenty-one (21) registered bidders attended the auction.

Pursuant to Charter Section 675, City Council approval by ordinance is required.

#### Environmental Determination

In accordance with the California Environmental Quality Act (CEQA), it has been determined that this conveyance is exempt from further requirements under the Los Angeles City CEQA Guidelines, Section 15061 (b) 3, Categorical Exemption: The project is exempt from CEQA where the activity is covered by the general rule that CEQA applies to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action in question may have a significant effect on the environment, that activity is not subject to CEQA.

#### Recommendation

Based on the foregoing, it is requested that the City Council adopt the draft ordinance, which has been provided for your consideration and action.

If you have any questions regarding this matter, please contact Senior Assistant City Attorney Eduardo Angeles at (213) 367-4580. 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:EA:lh  
Transmittal

**ORDINANCE NO. \_\_\_\_\_**

An ordinance authorizing the approval of the sale of surplus property located at 14030 Hartland Street, Van Nuys, CA 91405, owned by the Los Angeles Department of Water and Power.

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

Section 1. The Board of Water and Power Commissioners by Resolution has authorized, and has requested the City Council by Ordinance to authorize, the execution of a written instrument, approved as to form and legality by the City Attorney, granting to Nationwide Capital Group, LLC, for and in consideration of the sum of \$311,000, certain real property owned by the City of Los Angeles and under the management and control of the Department of Water and Power in the City of Los Angeles, County of Los Angeles, State of California, described as:

Lot 1 of Tract No. 20779, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 547, Pages 3 and 4 of Maps, in the Office of the County Recorder of said County.

SUBJECT TO the following:

- a. RESERVING to the City of Los Angeles all water and water rights appurtenant, whether surface or subsurface, and also reserving all oil, gas, petroleum, or other mineral or hydrocarbon substances without the right to enter upon the surface of said land for such use.
- b. Liens for taxes and assessments then current and unpaid, if any, and to all easements, rights-of-way, encroachments, covenants, conditions, restrictions, reservations, and to all other matters of record.
- c. Any rights-of-way or encroachments which may be apparent during a visual inspection of subject properties.

Policy of title insurance, if desired by the purchaser, shall be obtained by and at the expense of the purchaser.

These properties are being sold "as is" without warranty or guarantee, either expressed or implied, as to zoning requirements, the ground location of property lines, the existence of encroachments, if any, or the condition of the properties.

Sec. 2. Said conveyance shall be granted upon the terms and conditions herein described, and the execution of an instrument in writing, approved as to form and legality by the City Attorney, conveying said right is authorized. The President, or the Vice President of the Board of Water and Power Commissioners, or the General Manager, Acting General Manager, of the Department of Water and Power, or such person as the General Manager shall designate in writing, and by the Secretary, Assistant Secretary or the Acting Secretary, are authorized and directed to execute said instrument on behalf of the Department and The City.

Sec. 3. 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.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

HOLLY L. WOLCOTT, Interim City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  \_\_\_\_\_  
EDUARDO ANGELES  
Senior Assistant City Attorney

Date NOV 04 2013

File No. \_\_\_\_\_



## Community Planning Bureau

City Hall • 200 N. Spring Street, Room 601 • Los Angeles, CA 90012



April 18, 2005

TO: Kelly Nicholson  
Department of Water and Power  
Real Estate Business Group  
111 N. Hope Street, Room 1031  
Mail Stop #800

**SALE OF SURPLUS PROPERTY**  
DWP FILE NO. W-70313  
Location: 14030 Hartland Street  
Plan Area: Van Nuys - North Sherman Oaks  
Council District: 6

FROM: Los Angeles City Planning Commission

SUBJECT: **SALE OF SURPLUS PROPERTY - 14030 HARTLAND STREET**

### CHARTER SECTIONS 556 AND 558

The proposed sale is in substantial conformance with the purposes, intent and provisions of the Van Nuys-North Sherman Oaks Community Plan, an element of the City's General Plan, in that it would serve the public interest and the objectives of this Community Plan, and would not adversely impact the surrounding community. The subject property is designated for Low Density Residential uses, which corresponds to the RE9, RS, R1, RU, RD6, and RD5 zones.

The environmental (CEQA) status of the proposed sale, as determined by the Lead Agency, is a Categorical Exemption - pursuant to Article III, Class 12(1) of the City's CEQA Guidelines.

### LOS ANGELES MUNICIPAL CODE SECTION 7.22(c)

The subject parcel consists of real property which will be sold at public auction.

Further, in accordance with Section 7.22 of the Los Angeles Municipal Code, the Planning Department deems that no other City agencies have interest in the property proposed for conveyance and that the real property proposed to be disposed of is not required for City use in the foreseeable future.

Kelly Nicholson  
Department of Water and Power  
Real Estate Business Group  
Mail Stop #800  
April 18, 2005  
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## RECOMMENDATION

Under the authority granted by Section 559 of the City Charter and the City Planning Commission action of July 27, 2000 delegating authority to the Director of Planning to act on behalf of the Commission on certain matters, I find that the project is consistent with the General Plan and recommend that it be approved by the City Council.

CON HOWE  
Director of Planning

By: Larry Friedman  
Larry Friedman, Senior City Planner

Date: 7-27-05



DOCUMENTARY TRANSFER TAX \$ \_\_\_\_\_ (County)

\$ \_\_\_\_\_ (City)

\_\_\_\_ Computed on the consideration or value of  
the property conveyed, or

\_\_\_\_ Computed on the consideration or value  
less liens or encumbrances remaining at  
time of sale.

\_\_\_\_\_  
Signature of agent determining tax for L.A.D.W.P.

D E E D

THE CITY OF LOS ANGELES, a municipal corporation, grants to NATIONWIDE  
CAPITAL GROUP, LLC, all that certain real property in the City of Los Angeles,  
County of Los Angeles, State of California, described as:

Lot 1 of Tract No. 20779, in the City of Los Angeles, County of  
Los Angeles, State of California, as per map recorded in Book 547,  
Pages 3 and 4 of Maps, in the Office of the County Recorder of  
said County.

EXCEPTING AND RESERVING to the City of Los Angeles all water and water  
rights appurtenant whether surface or subsurface and also reserving all oil,  
gas, and petroleum, or other mineral or hydrocarbon substances, without the  
right to enter upon the surface of said land for such use.

SUBJECT TO all outstanding taxes and assessments, if any.

SUBJECT TO easements, covenants, conditions, restrictions, and other matters of record.

Dated \_\_\_\_\_

THE CITY OF LOS ANGELES  
AND  
THE BOARD OF WATER AND POWER COMMISSIONERS  
OF THE CITY OF LOS ANGELES

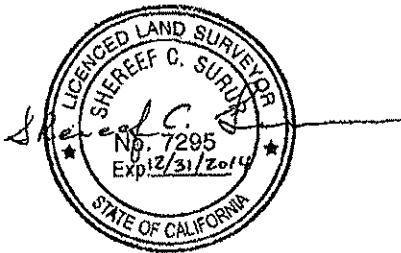
By \_\_\_\_\_  
General Manager  
Department of Water and Power

And \_\_\_\_\_

Authorized by:  
Resolution No. \_\_\_\_\_  
Adopted \_\_\_\_\_  
Approved by \_\_\_\_\_  
Council \_\_\_\_\_  
Council File No. \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY  
CARMEN A. TRUTANICH, CITY ATTORNEY

AUG 06 2013  
BY Eduardo A. Angeles  
EDUARDO A. ANGELES  
SENIOR ASSISTANT CITY ATTORNEY



STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_,  
Notary Public, personally appeared \_\_\_\_\_

\_\_\_\_\_ ,  
who proved to me on the basis of satisfactory evidence to be the person(s)  
whose name(s) is/are subscribed to the within instrument and acknowledged to  
me that he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed  
the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of  
California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_