

182557

ORDINANCE NO. _____

An ordinance approving a Resolution of the Board of Water and Power Commissioners for the approval of five Right-of-Way Contracts and Grant Deeds to the State of California Department of Transportation for the widening of US-Highway 395.

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

Section 1. The action of the Board of Water and Power Commissioners of the City of Los Angeles on the 5th day of March 2013, approving the grant of five Right-of-Way Contracts and Grant Deeds to the State of California Department of Transportation, is hereby ratified, confirmed and approved. The approved Resolution reads:

RESOLUTION NO. 013 190

(LADWP's Market Place Switching Station to Adelanto Switching Station Transmission Line Right of Way No. 72) (Right of Way Contracts and Grant Deeds to the State Of California Department

WHEREAS the State of California Department of Transportation (Caltrans), is widening US-Highway 395, north of Adelanto, California, in the unincorporated area of the County of San Bernardino and;

WHEREAS Caltrans requires certain portions of LADWP's certain real properties for the widening of US-Highway 395 purposes and Caltrans has offered to acquire the real properties they require for said uses, and;

WHEREAS the sale of the five certain real properties will require City Council approval, which takes several months, Caltrans requires rights of way to the five properties for immediate access and possession to commence construction; and

WHEREAS Caltrans has the power of eminent domain and this sale is being conducted in lieu of eminent domain proceedings, and;

WHEREAS it is found and determined that these five certain real properties are not required for Departmental purposes and said properties should be sold to Caltrans pursuant to Sections 385 and 675(d)(2) of the Los Angeles City Charter;

NOW THEREFORE BE IT RESOLVED:

1. That Caltrans be granted, for and in consideration of the sum of \$5,300, all that 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 County of San Bernardino, State of California, described as:

Parcel 21371-1

That portion of Section 12, Township 7 North, Range 6 West, SAN BERNARDINO MERIDIAN, in the unincorporated area of San Bernardino County, State of California, according to the official plat thereof, described in a right of way easement as 'Parcel 1' in a Final Order of Condemnation in favor of Southern California Edison Company recorded December 18, 1969 in Book 7355, Page 381 of Official Records of said County, together with that portion of Section 1 of said Township and Range as described in a Final Order of Condemnation in favor of the City of Los Angeles Los Angeles Department of Water and Power recorded December 19, 1995 as Document No. 19950433737 in said Official Records, all lying within a strip of land, 59.99 feet wide, the Easterly line of which is described as follows:

BEGINNING at a point on the West line of Section 18, distant thereon South 00°19'24" East, 445.13 feet from the Northwest corner of said Section; thence North 15°57'02" West, 2228.96 feet; thence North 15°59'00" West, 5612.81 feet; thence North 16°07'42" West, 1143.14 feet; thence North 15°42'57" West, 1342.69 feet; thence North 16°05'00" West, 1131.16 feet to a point on the North line of said Section 1, distant thereon South 89°35'17" West, 357.24 feet from the North quarter corner of said Section 1.

TOGETHER WITH that portion of said Section 1 described as follows:

COMMENCING at the intersection of the South line of said Section 1 with the Westerly sideline of said strip of land; thence along said Westerly sideline, North 15°59'00" West, 1882.62 feet; thence continuing along said sideline, North 16°07'42" West, 798.61 feet to the TRUE POINT OF BEGINNING; thence continuing along said sideline, North 16°07'42" West, 344.67 feet; thence continuing along said sideline, North 15°42'57" West, 255.78 feet; thence South 11°59'01" East, 168.46 feet; thence South 64°57'36" West, 56.49 feet; thence South 03°40'56" East, 83.94 feet; thence South 69°53'25" East, 95.58 feet; thence South 17°33'49" East, 285.29 feet to the TRUE POINT OF BEGINNING.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 5.

Divide distances shown by 0.99978596 to obtain ground level distances.

Parcel 21376-1

That portion of the North half of the South half of the Southeast quarter of Section 34, Township 9 North, Range 6 West, SAN BERNARDINO MERIDIAN, in the unincorporated area of San Bernardino County, State of California, according to the official plat thereof, as conveyed to the City of Los Angeles Los Angeles Department of Water and Power in a grant deed recorded December 19, 1995 as Document No. 19950433734 in Official Records of said County, included within a strip of land, 59.99 feet wide, the Easterly line of which is described as follows:

BEGINNING at a point on the South line of said Section 34, distant thereon North 89°24'08" West, 1272.86 feet from the Southeast corner of said Section; thence North 13°06'58" West, 5553.56 feet to the North line of said Section, distant thereon South 89°47'27" East, 121.26 feet from the North quarter corner of said Section.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 5. Divide distances shown by 0.99978596 to obtain ground level distances.

Parcel 21407-1

That portion of the South half of the South half of the Southwest quarter of the Southeast quarter of Section 34, Township 9 North, Range 6 West, SAN BERNARDINO MERIDIAN, in the unincorporated area of San Bernardino County, State of California, according to the official plat thereof, as conveyed to the City of Los Angeles Los Angeles Department of Water and Power in a grant deed recorded December 19, 1995 as Document No. 1995-433735 in Official Records of said County, included within a strip of land, 119.98 feet wide, lying 59.99 feet on each side of the following described line:

BEGINNING at a point on the South line of said Section 34, distant thereon North 89°24'08" West, 1272.86 feet from the Southeast corner of said Section; thence North 13°06'58" West, 5553.56 feet to the North line of said Section, distant thereon South 89°47'27" East, 121.26 feet from the North quarter corner of said Section.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 5. Divide distances shown by 0.99978596 to obtain ground level distances.

Parcel 21411-1

That portion of the North half of the South half of the Southeast quarter of Section 34, Township 9 North, Range 6 West, SAN BERNARDINO MERIDIAN, in the unincorporated area of San Bernardino County, State of California, according to the official plat thereof, as conveyed to the City of Los Angeles Los Angeles Department of Water and Power in a grant deed recorded December 19, 1995 as Document No. 19950433734 in Official Records of said County, included within a strip of land, 59.99 feet wide, the Easterly line of which is described as follows:

BEGINNING at a point on the South line of said Section 34, distant thereon North $89^{\circ}24'08''$ West, 1272.86 feet from the Southeast corner of said Section; thence North $13^{\circ}06'58''$ West, 5553.56 feet to the North line of said Section, distant thereon South $89^{\circ}47'27''$ East, 121.26 feet from the North quarter corner of said Section.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 5. Divide distances shown by 0.99978596 to obtain ground level distances.

Parcel 21800-1

That portion of Government Lot 2 in the Southwest quarter of Section 18, Township 7 North, Range 5 West, SAN BERNARDINO MERIDIAN, in the unincorporated area of the County of San Bernardino, State of California, according to the official plat thereof, as conveyed to the City of Los Angeles Department of Water and Power in a Judgment and Final Order recorded December 19, 1995 as Document No. 19950433739 in Official Records of said County, lying within a strip of land, 59.99 feet wide, the Easterly line of which is described as follows:

BEGINNING at a point on the South line of said Section 18, distant thereon South $89^{\circ}54'59''$ East, 1362.95 feet from the Southwest corner of said Section; thence North $15^{\circ}58'27''$ West, 650.47 feet, thence North $16^{\circ}00'45''$ West, 3636.49 feet, thence North $15^{\circ}51'02''$ West, 759.80 feet to a point on the West line of

said Section, distant thereon South 00°19'24" East, 445.13 feet from the Northwest corner of said Section.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 5. Divide distances shown by 0.99978596 to obtain ground level distances.

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 property.

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

These five 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 property.


2. That the President or Vice President of this Board, or the General Manager of LADWP, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board be and they are hereby authorized, empowered, and directed to execute said five Right of Way Contracts and five Grant Deeds and subsequent amendments thereto, for and on behalf of the LADWP.

3. The City Council is requested to approve the Ordinance submitted herewith and authorize and direct the execution of said instrument as provided in Section 675(d)(2).

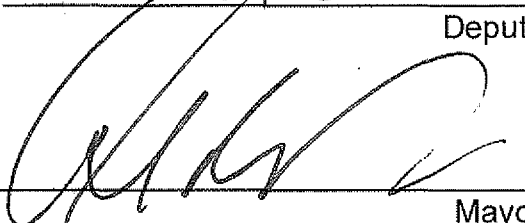
Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board 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 MAY 21 2013.

JUNE LAGMAY, City Clerk


By 
Deputy

Approved MAY 30 2013


Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By  by D.O.C.
EDUARDO ANGELES
Senior Assistant City Attorney

Date 5/8/13

File No. 13-0305