

Office of the City Engineer
Los Angeles, California

To the Public Works Committee
Of the Honorable Council
Of the City of Los Angeles

JUL 17 2014

Honorable Members:

C. D. No. 5

SUBJECT:

Termination of Covenant and Agreement Regarding Lot-Tie Agreement
- Le Conte Avenue at Westwood Boulevard - Right of Way No.
36000-1960.

RECOMMENDATIONS:

- A. That the petitioner's request for the termination of covenant and agreement Recorded as Document No. 03-1025918, regarding the agreement recorded in conjunction with the vacation of "Alley Southerly of Le Conte Avenue from approximately 120 feet Easterly of Broxton Avenue", under Council File No. 00-1919, Work Order E1400716 shown colored red on Exhibit "A" be approved, subject to the following condition:
 1. The petitioner make satisfactory arrangements with the Real Estate Group of the Bureau of Engineering, 1149 S. Broadway, 6th Floor, Los Angeles, California, 90015, telephone (213) 485-5766, with respect to payment of document recording fees.
- B. That the City Engineer be authorized to execute and record a suitable release from the covenant and agreement recorded as Document No. 03-1025918.
- C. That pursuant to Section 96.5(5) of the City Charter, the Council find that the release of the existing covenant and agreement is in substantial conformance with the purpose, intent and provisions of the General Plan.
- D. That the Real Estate Division of the Bureau of Engineering record the necessary termination document.

- E. That a copy of the Council action be forwarded to the Real Estate Division of the Bureau of Engineering for processing.
- F. That notification of the time and place of the City Council meeting to consider this matter be sent to:
1. FYJA, LLC
Attn: Barry Beitler
825 S. Barrington Avenue
Los Angeles, CA 90049
 2. Reed Architectural Group, Inc.
Attn: John Reed
657 Rose Avenue
Venice, CA 90291

FISCAL IMPACT STATEMENT:

A fee of \$5,831.50 was paid for processing this request pursuant to Section 7.40 of the Administrative Code.

TRANSMITTALS:

1. Application dated January 25, 2013 from FYJA, LLC., Attn: Barry Beitler.
2. Exhibit "A", location map.
3. Copy of Covenant and Agreement Document No. 03-1025918.
4. Copy of Covenant and Agreement Document No. 2013111336.

DISCUSSION:

Barry Beitler, representing FYJA, LLC, is requesting the City to terminate the covenant and agreement regarding the Lot-Tie lying on Le Conte Avenue at Westwood Boulevard, shown colored red on Exhibit "A".

The petitioner is requesting, by application dated January 25, 2013, the City Council of Los Angeles, to release its rights under the Agreement, recorded on April 10, 2003 as Instrument No. 03-1025918. This agreement was recorded on April 10, 2003 in conjunction with the vacation of a portion of the L-Shaped alley

lying approximately 120 feet easterly of Broxton Avenue and approximately 120 feet northerly of Weyburn Avenue, done under Council File No. 00-1919, Work Order VAC-E1400716.

Retention of the agreement over the property shown outlined in red on Exhibit "A" is no longer necessary. A replacement Lot-Tie Agreement, approved by the Department of Building and Safety on January 22, 2013 and recorded as Document No. 20130111336 tying the vacated alley to Lots 2, 3, 4, 5, 6, 7, 8 9, 17, Block 2, Tract No. 10600 under the petitioner's ownership will satisfy the requirement of not creating a substandard parcel as the result of the alley vacation.

ENVIRONMENTAL DETERMINATION:

The Bureau of Engineering has determined that the termination of covenant and agreement regarding the Lot-Tie Agreement is exempt from the California Environmental Quality Act of 1970, pursuant to the categorical exemptions included in the City of Los Angeles Guidelines under Article III, Class 5(22).

Respectfully submitted,



Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/pm

D:\qcrpt_1960

cc: West Los Angeles District Office

TR 8970

M B 120-34/35
FR

LT 5

30

80' S S, DR, TRAFFIC
SIGNAL & UND P U E

10945

85

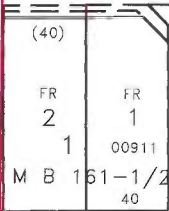
80

LE CONTE

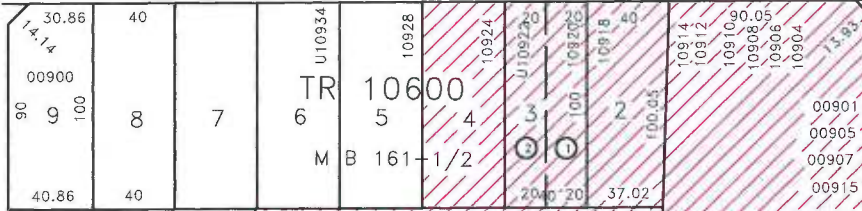
AVE 80

80

79-1228621 2
OR D3921-266



80
AVE



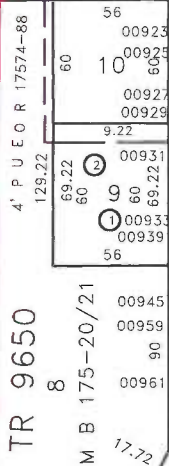
TR 10600

M B 161-1/2

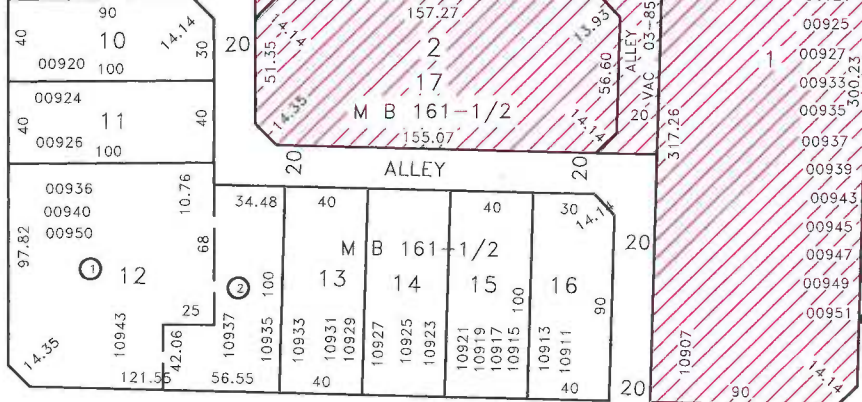
COVENANT AND AGREEMENT AREA TO HOLD
PROPERTY AS ONE PARCEL DONE UNDER
03-1025918 PROPOSED TO BE TERMINATED

WESTWOOD BLVD 110

20 ALLEY



80
BROXTON



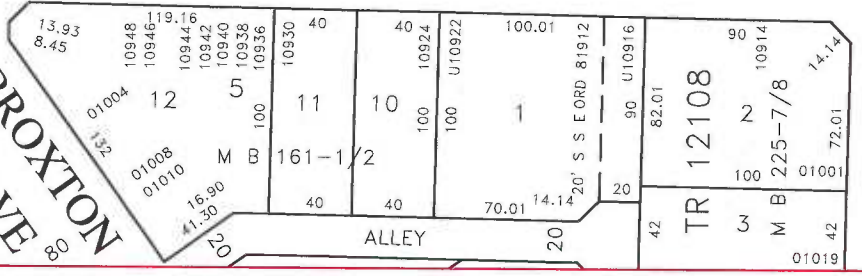
WEYBURN

AVE 80

M B 147-70/73

TR 9650
M B 175-20/21

WEYBURN



80
BROXTON

WEYBURN

AVE 80

M B 147-70/73

D.M. _____ 135B149 _____
 T.G. _____ 632-A2 _____
 C.D. _____ 5 _____
 INDEX MAP _____ 490 _____



DEPARTMENT OF PUBLIC WORKS
 GARY LEE MOORE, P.E.
 CITY ENGINEER
 EXHIBIT "A"

DATE 01/25/13

BUREAU OF ENGINEERING
LAND DEVELOPMENT GROUP
201 N. Figueroa Street, Suite 200, Los Angeles, CA 90012

APPLICATION FOR TERMINATION OF COVENANT AND
AGREEMENT/WAIVER OF DAMAGES

1. Applicant (s) FYLA, LLC, a California limited liability company (Print)
(Full Name)

825 S. Barrington Avenue Los Angeles, CA 90049
(Address) (City) (Zip)

are the owner(s) or representative(s) of the owner(s) of the properties shown on the attached sketch or described below.

2. The involved property is located at 10918-10924 W. Le Conte Ave.,
901 S. Westwood Blvd.

Property description: _____ or See attached
Lot No., Tract No. Legal Description:
Legal Description on Exhibit 'A'

3. The project lies within or is shown on:

- (a) Engineering District: (Check appropriately)
() Central () Harbor () Valley (X) West Los Angeles
- (b) Council District No. 5
- (c) District Map No. 135B149
- (d) Thomas Guide Reference: 632-A2

5. The termination of the Document is necessary because
Instrument #20130111336, Covenant and Agreement to Hold Property as One
Parcel replaces Instrument #03-1025918. This new Covenant and Agreement
satisfies the conditions of Resolution No. 02-1400716.

6. The phone number at which I can be contacted during the day
(area code) (310) 820-2955.

7. Applicant's signature _____
Barry Beitler, Managing Member

This page is part of your document - DO NOT DISCARD

03-1025918

RECORDED/FILED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA
10:21 AM APR 10 2003

TITLE(S) : _____



FEE

D.T.T

FEE \$10	RR
DAF \$2	
C-20	2

CODE
20

CODE
19

CODE
9

Assessor's Identification Number (AIN)

To be completed by Examiner OR Title Company in black ink.

Number of Parcels Shown

THIS FORM NOT TO BE DUPLICATED

Recorded at the request of
THE CITY OF LOS ANGELES

03-1025918

When recorded mail to
City Clerk Mail Box

R/W No.33395-2CA

**COVENANT AND AGREEMENT TO HOLD
PROPERTY AS ONE PARCEL**


The undersigned hereby certify that they are the owners of the herein-after legally described property in The City of Los Angeles, County of Los Angeles, State of California:

Lot 1, 2, 3, 4 and 17 in Block 2 of Tract 10600, as per map recorded in Book 161 pages 1 and 2 of Maps, in the office of the county recorder of said county.

And, in consideration of the elimination of the requirement for the recordation of a new tract map and to meet a condition for the VAC-E1400716 of the public street, entitled: **Alley Southerly of La Conte Ave. from approx 120 feet Easterly of Broxton Ave.,** proposed to be vacated by action of the City Council, under Council File No. **00-1919**; and described herein by reference to the Resolution to Vacate recorded on MAR 26 1999 _____, as Document No. 03-0850605, in the office of the Los Angeles County Recorder; does hereby covenant and agree with The City of Los Angeles, a municipal corporation, that (each of) the above legally described parcels of land together with the area proposed to be vacated by said proceedings, which would pass with conveyance of the said lot(s), or by operation of law; will be held as one parcel and no portion thereof will be sold separately until such time as a new subdivision map is recorded over said area, a parcel map exemption is permitted or until released by authority of the City of Los Angeles.

It is further provided that a breach of the foregoing covenant and agreement shall not defeat nor render invalid the lien of any mortgage or deed of trust made in good faith and for value as to said premises or any part thereof.

This covenant and agreement shall run with the land and shall be binding upon the undersigned, and future owners, encumbrancers, its and their successors and assigns, and shall continue in effect until such time as a new subdivision map is recorded over said area, a parcel map exemption is permitted or until released by authority of the City of Los Angeles.



03 1025918

R/W No. 33395-2CA

3

DATED MAR 11 2002

HB Landowners, a California partnership

By: Robert D. Burch, as Trustee under
Declaration of Trust dated July 20, 1984
It's General partner

By: *Robert D. Burch*
Robert D. Burch, Trustee

STATE OF CALIFORNIA } SS
COUNTY OF LOS ANGELES }

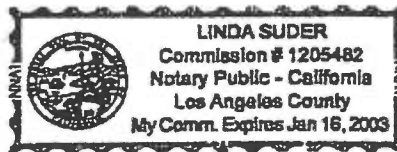
On March 11, 2002 before me, LINDA SUDER personally appeared

Robert D. Burch personally
known to me (or 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.

WITNESS my hand and official seal.

My Commission Expires 1-16-03

Signature *Linda Suder*



THIS AREA FOR OFFICIAL NOTARIAL SEAL

This page is part of your document - DO NOT DISCARD



20130111336



Pages:
0003

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

01/23/13 AT 12:59PM

FEEES :	21.00
TAXES :	0.00
OTHER :	0.00
PAID :	21.00



LEADSHEET



201301230720054

00007129316



004596564

SEQ:
01

DAR - Counter (Upfront Scan)



THIS FORM IS NOT TO BE DUPLICATED