

ORDINANCE NO. _____

An ordinance approving Resolution No. _____ of the Board of Water and Power Commissioners authorizing the grant of easement to the County of Inyo for the Whitney Portal Road Rehabilitation Project located in Lone Pine, Inyo County, California.

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

Section 1. It is found and determined that the easement described in this ordinance, over property owned by the City of Los Angeles and under the management and control of the Los Angeles Department of Water and Power (LADWP), should be granted to the County of Inyo. The Board of Water and Power Commissioners (Board) has adopted a resolution authorizing the grant of the easement and requesting the City Council to authorize, by ordinance, the execution, acknowledgment and delivery of an instrument, in writing, on behalf of the City of Los Angeles, as provided in Section 675(d)(2) of the Los Angeles City Charter, in order to complete this transaction.

Sec. 2. The easement is further described more particularly in Exhibits A and B, which are attached hereto and incorporated by this reference; and

SUBJECT TO all outstanding taxes and assessments, if any.

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

SUBJECT TO the condition that the grant and conveyance of the easement is authorized upon the terms and conditions stated herein and upon the further express condition that the same shall be continuously used and maintained by the County of Inyo for public roadway purposes; and that in the event the County of Inyo does not so continuously use and maintain said real property for said purposes as hereinabove provided for a period of one year, then, and in that event, upon the expiration of said one-year period, all rights shall thereupon be forfeited, extinguished, and terminated, and all interest and rights hereby conveyed shall thereupon automatically revert to and re-vest in the City of Los Angeles without any further action.

EXCEPTING AND RESERVING unto the City of Los Angeles all water and water rights, whether surface, subsurface, or of any other kind, and all water and water rights appurtenant or in anywise incident to the real property herein described, or used thereon or in connection therewith, together with the right to develop, take, transport, control, regulate, and use all such water; and reserving unto the City of Los Angeles all oil, gas, petroleum, or other mineral or hydrocarbon substances in and under said land, without the right to enter upon the surface of said land for such use.

Sec. 3. The grant of the easement is hereby authorized and ordered. The President or Vice President of the 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, are hereby authorized and directed to execute in the name of the City of Los Angeles, an instrument in writing, approved as to form and legality by the City Attorney, conveying said easement to the County of Inyo.

Sec. 4. 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 as follows: 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, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By _____
JOHN O. BEANUM
Deputy City Attorney

Date _____

File No. _____

APPROVED AS TO FORM AND LEGALITY
MICHAEL N. FEUER, CITY ATTORNEY

DEC 13 2016

BY _____
JOHN BEANUM
DEPUTY CITY ATTORNEY