



County of Los Angeles
CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://ceo.lacounty.gov>

DAVID E. JANSSEN
Chief Executive Officer

July 17, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AGREEMENTS TO PURCHASE
"TAX DEFAULTED SUBJECT TO POWER TO SELL" PROPERTIES
(SUPERVISORIAL DISTRICT 4) - AGREEMENT 2545
(SUPERVISORIAL DISTRICT 4) - AGREEMENT 2565
(3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and instruct the Chairman to sign the Purchase Agreements of "Tax Defaulted Subject to Power to Sell" properties being acquired by the City of Whittier and the City of Lomita (public agencies) pursuant to the Revenue and Taxation Code, with revenue to be provided to recover a portion, if not all, of back property taxes, penalties, and costs on the delinquent parcels and any remaining tax balance to be cancelled from the existing tax rolls; and approve publication of the Purchase Agreements of "Tax Defaulted Subject to Power to Sell" properties.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The properties described in the agreements may be sold in accordance with the provisions of Division 1, Part 6, Chapter 8 of the Revenue and Taxation Code and with the policy adopted by Board action on November 24, 1970 as indicated on Attachment "A". Exhibit "A", attached to each agreement, indicates the legal description and selling price of the parcels.

Upon approval, the enclosed agreements and copies are to be signed by the Chairman and returned to the Tax Collector for transmittal to the State Controller for further approval. County Counsel has approved the agreements as to form.

Board of Supervisors

GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

Honorable Board of Supervisors
July 17, 2007
Page 2

The Chapter 8 Agreement sale procedure permits eligible public agencies to acquire "Tax Defaulted Subject to Power to Sell" properties without the necessity of a public auction. The properties described in this letter will be acquired by two public agencies. The first agreement is with the City of Whittier, which intends to utilize this property for a park and multi-use trail for commuting and recreation purposes. The second agreement is with the City of Lomita, which intends to utilize this property for economic development purposes in the downtown area.

Implementation of Strategic Plan Goals

Approval of these agreements is in accordance with the Countywide Strategic Plan Goals of Fiscal Responsibility and Collaboration across Jurisdictional Boundaries. Delinquent property taxes and costs are recovered, and limited-use parcels are identified for appropriate public purposes.

FISCAL IMPACT/FINANCING

Revenue will be provided to the County for apportionment among the affected taxing agencies, which will recover a portion, if not all, of back property taxes, penalties, and costs on the delinquent parcels. Any remaining tax balance will be cancelled from the existing tax roll.

Existing appropriation is available in the current Treasurer and Tax Collector 2007-08 Budget for publication costs. Publishing, in accordance with Section 3798 of the Revenue and Taxation Code, is the most cost-effective method of giving adequate notification to parties of interest.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Chapter 8 Agreement sale procedure permits eligible public agencies to acquire "Tax Defaulted Subject to Power to Sell" properties pursuant to Section 3791, et. seq., of the Revenue and Taxation Code.

Attachment "B" is a summary of the public agencies' purchases. These attachments indicate the affected Supervisorial Districts and the public uses for which the properties are being acquired. Moreover, we have included copies of the relevant sections of the Revenue and Taxation Code pertaining to the Chapter 8 Agreement sale for your information. County Counsel has approved the agreements as to form. Attached to the agreements are the Assessor's parcel maps showing the dimensions and general location of the affected parcels.

Honorable Board of Supervisors
July 17, 2007
Page 3

Efforts will be made to contact the owners and parties of interest to inform them of their tax liabilities and the provisions for the redemption of the properties pursuant to Section 3799 of the Revenue and Taxation Code.

Section 3798 of the Revenue and Taxation Code mandates notice of agreements to be published once a week for three (3) successive weeks in a newspaper of general circulation published in the County.

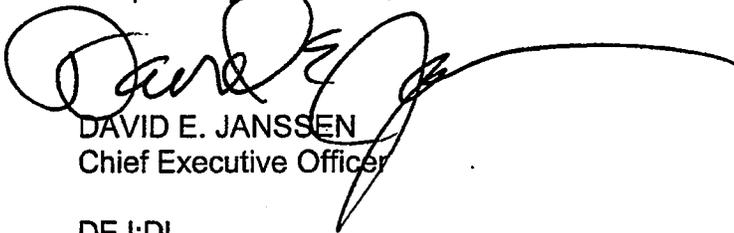
IMPACT ON CURRENT SERVICES (OR PROJECTS)

No impact.

CONCLUSION

Upon approval of the enclosed agreement forms, the Department of the Treasurer and Tax Collector will need all original documents returned for submission to the State Controller, as the State Controller's Office has the final approval of these and all Chapter 8 Agreements.

Respectfully submitted,



DAVID E. JANSSEN
Chief Executive Officer

DEJ:DL
SK:ljp

Attachments (5)

c: Assessor
Auditor-Controller
County Counsel
Treasurer and Tax Collector

Agreements 2545&2565.bl

COUNTY OF LOS ANGELES
OFFICE OF THE TREASURER AND TAX COLLECTOR
HALL OF ADMINISTRATION
225 NORTH HILL STREET
LOS ANGELES, CALIFORNIA 90012

HAROLD J. OSTLY
TAX COLLECTOR

November 17, 1970

W. T. KIDWELL
CHIEF DEPUTY

Board of Supervisors
383 Hall of Administration
Los Angeles, California 90012

Gentlemen:

TAX AGREEMENT SALES

RECOMMENDATION:

That the Tax Collector be directed to review all requests for agreement sales pursuant to Chapter 8 of the Revenue and Taxation Code and recommend to the Board whether such requests should be approved in whole, in part, or denied.

That the Tax Collector is further instructed to review and recommend the price to be paid for such sales which price, in the absence of special circumstances, shall not be less than the amount necessary to redeem the property pursuant to Part 7 of Division 1 of the Revenue and Taxation Code.

EXPLANATION:

This office has recently completed a review of the policies currently in use with regard to the acquisi-

000471

tion of tax deeded lands by taxing agencies under the authority of Chapter 8 of the Revenue and Taxation Code. This study showed that while present practices are in technical conformity with various statutory requirements, the \$1 per parcel price has remained constant since October 19, 1943.

It is the opinion of this office that the continuation of this nominal price is no longer in the best interest of the County and the other involved taxing agencies. The sale for a minimal fee of properties charged with sizable tax deficiencies results in substantial revenue losses to the County and other agencies.

The nominal fee can also result in requests for acquisition without adequate attention given to actual need by the requesting agency. The result is the removal of additional property from the tax base. If resold later as surplus, the proceeds accrue only to the acquiring agency.

Very truly yours,

ORIGINAL SIGNED

HAROLD J. OSTLY
TREASURER & TAX COLLECTOR

HJO:cm

cc: 1 Clerk of the Board
5 One for each Supervisor
1 Chief Administrative Officer
1 County Counsel
6 Communications

173

On motion of Supervisor Dorn, unanimously carried, the foregoing was adopted.

000472

**SUMMARY OF PUBLIC AGENCY'S PURCHASE
FOURTH SUPERVISORIAL DISTRICT**

AGREEMENT NUMBER 2545

AGENCY

City of Whittier
Public Agency

Selling price of this parcel
shall be \$559.00

Public Agency intends to utilize this
property for park and multi-use trail
for commuting and recreation
purposes.

SUPERVISORIAL
DISTRICT

4th

LOCATION

CITY OF WHITTIER

PARCEL
NUMBER

8162-024-007

MINIMUM
BID

\$ 559.00

**SUMMARY OF PUBLIC AGENCY'S PURCHASE
FOURTH SUPERVISORIAL DISTRICT**

AGREEMENT NUMBER 2565

AGENCY

City of Lomita
Public Agency

Selling price of this parcel
shall be \$277,954.00

Public Agency intends to utilize this
property for economic development
purposes in the downtown area.

**SUPERVISORIAL
DISTRICT**

4th

LOCATION

CITY OF LOMITA

**PARCEL
NUMBER**

7374-015-042

**MINIMUM
BID**

\$ 277,954.00

AGREEMENT NUMBER 2545

CITY OF WHITTIER

FOURTH SUPERVISORIAL DISTRICT



City of Whittier

13230 Penn Street, Whittier, California 90602-1772
(562) 945-8200

May 12, 2006

DISTRICT AGREEMENT
4 2545

Donna J. Doss
Assistant Treasurer and Tax Collector
Treasurer and Tax Collector
County of Los Angeles
Kenneth Hahn Hall of Administration
225 North Hill Street, Room 130
Los Angeles, CA 90051-0102

Dear Ms. Doss,

The City of Whittier (City) is in receipt of your letter and attachments dated April 14, 2006 regarding the "2006C Sealed Bid Sale" being conducted by the LA County Tax Collector. I am writing you to inform you of the City's interest in purchasing two of the unusable or undesirable parcels listed in the 2006C Sealed Bid Sale. The two properties are referenced as follows:

| <u>Item</u> | <u>Parcel</u> | <u>Defaulted</u> |
|-----------------|-------------------------|------------------|
| 1896 | 8126-035-043 | 1992 |
| 1906 | 8162-024-007 | 1988 R |

Below is a summary of the potential City uses of the subject parcels.

Parcel 8126-035-043 is adjacent to two City owned parcels, one of which is used for an open space park referred to as Hellman Wilderness Park. While thorough investigation has not yet taken place, in concept, acquiring the parcel could allow the City to expand the existing wilderness park.

Parcel 8162-024-007 is also located adjacent to a City owned parcel. In this case the City owns a section of abandoned railroad track that runs for more than five miles. In June of 2003 the City approved the Greenway Trail Master Plan that will turn the abandoned railroad track into a linear park and multi-use trail designed for commuting and recreational purposes. Consisting of a 12 foot wide Class I bikeway and a 4-6 foot wide soft surface meandering path, the Greenway

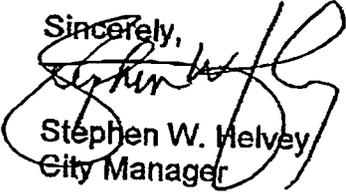
received
5-15-06
Shedini

Trail will eventually provide critical connections to other regional bikeways, including the San Gabriel River Trail. Again, in concept, purchasing parcel 8162-024-007 could allow the City to slightly expand the Greenway Trail in that location.

The City's primary mission is to serve the residents and businesses located within the City of Whittier.

At your earliest convenience, please instruct my staff further regarding how the City may continue in the due diligence process to purchase the above referenced parcels. If you have any questions regarding this letter of interest, please contact Ben Pongetti at (562) 464-3380.

Sincerely,



Stephen W. Melvey
City Manager

Application to Purchase Tax-Defaulted Property from County

This application is to be completed by eligible purchasing entities to commence purchase of tax-defaulted property by agreement sale from the county under applicable provisions of the California Revenue and Taxation Code. Please complete the following sections and supply supporting documentation accordingly. Completion of this application does not guarantee purchase approval.

A. Purchaser Information

1. Name of Organization: CITY OF WHITTIER
2. Corporate Structure – check the appropriate box below and provide corresponding information:
 - Nonprofit – provide Articles of Incorporation
 - Public Agency – provide mission statement (If redevelopment agency, also provide agency survey map)

B. Purchasing Information

Determine which category the parcel falls under and then check the appropriate box as it relates to the purchasing entity's corporate structure and the intended use of the parcel:

Category A: Parcel is currently scheduled for a Chapter 7 tax sale

- No Purchase – State / county / taxing agency registering objection to preserve lien only
- Purchase by State / county / tax agency / revenue district / redevelopment agency / special district to preserve its lien
- Purchase by State / county / tax agency / revenue district / redevelopment agency / special district for public purpose
- Purchase by nonprofit for low-income housing or to preserve open space

Category B: Parcel is *not* currently scheduled for a Chapter 7 tax sale

- Purchase by State / county / taxing agency / revenue district / redevelopment agency / special district for public purpose
- Purchase by nonprofit to use parcel(s) for low-income housing or to preserve open space

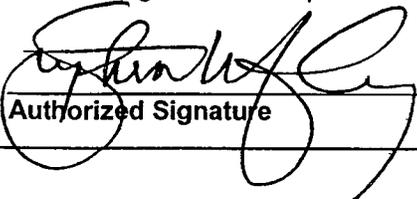
C. Property Detail

Provide the following information. If more space is needed for any of the criteria, consolidate the information into a separate "Exhibit" document and attach accordingly:

1. County where the parcel(s) is located: COUNTY OF LOS ANGELES
2. List each parcel by Assessor's Parcel Number: 8162-024-007
3. State the purpose and intended use for each parcel: PARK AND MULT-USE TRAIL FOR
COMMUTING AND RECREATION

D. Acknowledgement Detail

Provide the signature of the purchasing entity's authorized officer


Authorized Signature

CITY MANAGER
Title

4-25-07
Date

RESOLUTION NO. 7982

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, AMENDING THE FISCAL YEAR 2006-07 BUDGET FOR THE PURPOSE OF FUNDING THE PURCHASE OF A TAX DEFAULTED PROPERTY LOCATED ADJACENT TO THE GREENWAY TRAIL

WHEREAS, the City Council of the City of Whittier, California, has previously approved a budget for fiscal year 2006-07; and

WHEREAS, the Los Angeles County Treasurer and Tax Collector has offered the real property identified as Assessor's Parcel Number 8162-024-007 in Whittier, California, for sale to the City of Whittier as a result of its property tax defaulted status.

WHEREAS, the City Council desires to appropriate additional funds for the purchase of real property identified as Assessor's Parcel Number 8162-024-007; and

WHEREAS, funds are available in the fund balance of the General Fund for this purpose.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. Supplemental appropriation in amount of \$2,000 shall be added to account number 100-12-999-201-821100, General Fund – Non-Departmental – Land Acquisition.

SECTION 2. The City Clerk-Treasurer shall certify to the passage and adoption hereof.

APPROVED AND ADOPTED this 13th day of February 2007.


CATHY WARNER, Mayor

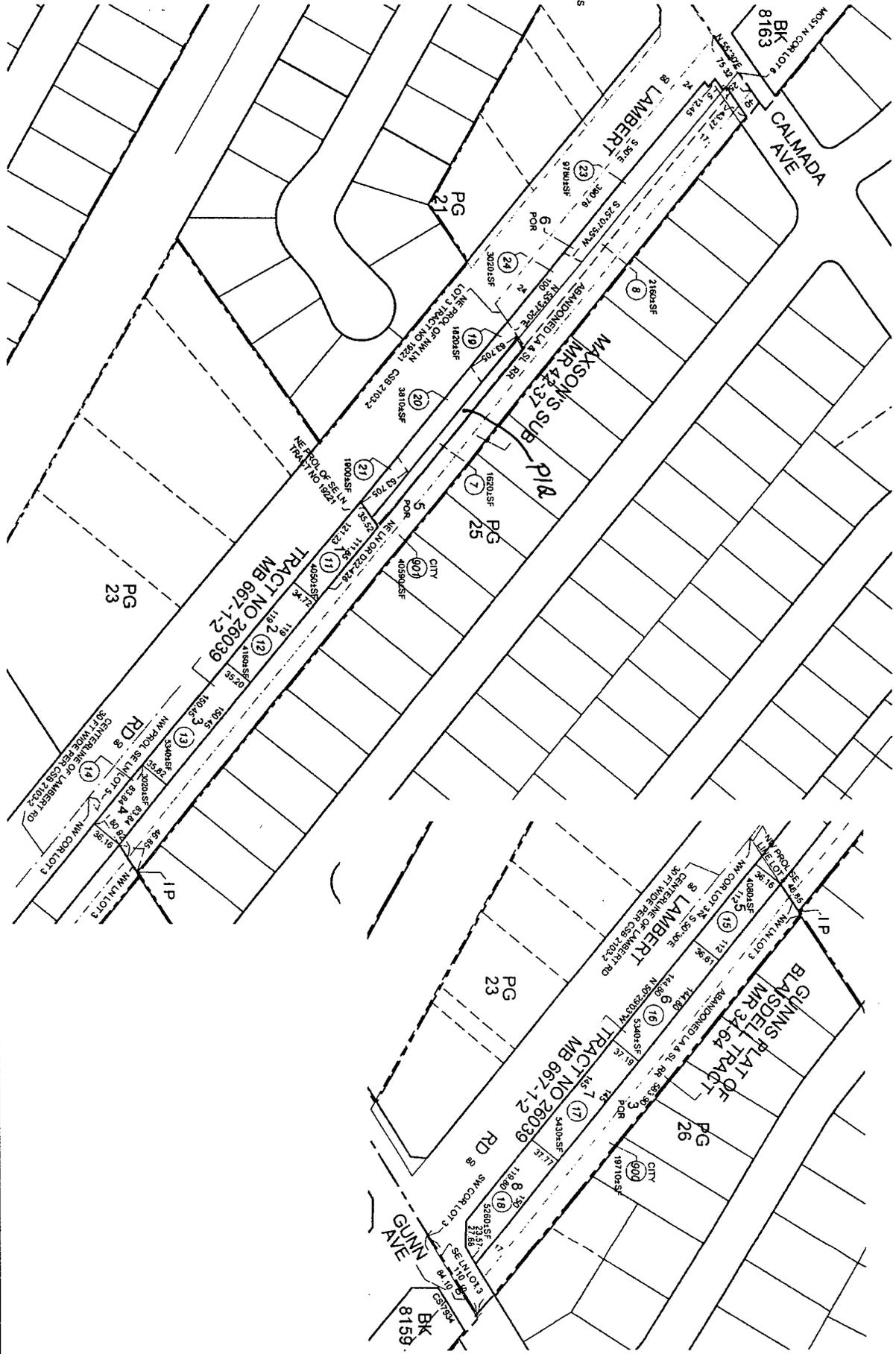
ATTEST:


KATHRYN A. MARSHALL
City Clerk-Treasurer

2006



MAPPING AND GIS SERVICES
SCALE 1" = 100'



**AGREEMENT TO PURCHASE
LOS ANGELES COUNTY TAX-DEFAULTED PROPERTY
(Public/Taxing Agency)**

This Agreement is made this _____ day of _____, 20___, by and between the Board of Supervisors of Los Angeles County, State of California, and the **CITY OF WHITTIER** ("Purchaser"), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

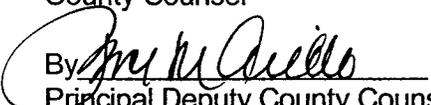
The real property situated within said county, hereinafter set forth and described in Exhibit "A" attached hereto and made a part hereof, is tax-defaulted and is subject to the power of sale by the tax collector of said county for the nonpayment of taxes, pursuant to provision of law.

It is mutually agreed as follows:

1. That as provided by Section 3800 of the Revenue and Taxation Code, the cost of giving notice of this agreement shall be paid by the PURCHASER.
2. That the PURCHASER agrees to pay the total purchase price listed for each real property described in Exhibit "A" within 14 days after the date this agreement becomes effective. Upon payment of said sum to the tax collector, the tax collector shall execute and deliver a deed conveying title to said property to PURCHASER.
3. *That the PURCHASER agrees that the real property be used for the public use specified on Exhibit "A" of this agreement.*
4. That if said PURCHASER is a **TAXING AGENCY**, said agency would not share in the distribution of the payment required by this Agreement as defined by § 3791 and § 3720 of the Revenue and Taxation Code.

APPROVED AS TO FORM:

RAYMOND G. FORTNER JR.
County Counsel

By 
Principal Deputy County Counsel

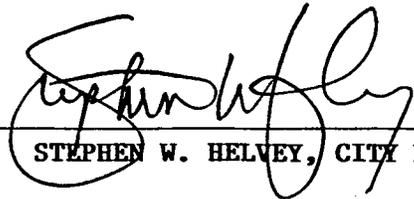
If all or any portion of any individual parcel listed in Exhibit "A" is redeemed prior to the effective date of this agreement, this agreement shall be null and void only as it pertains to that individual parcel. This agreement shall also become null and void and the right of redemption restored upon the PURCHASER'S failure to comply with the terms and conditions of this agreement. Time is of the essence.

0§§3791, 3791.3 3793 R&T Code

ZIP: ID:Chptr 8 Pubagency form
Revised 6/24/03

The undersigned hereby agree to the terms and conditions of this agreement and are authorized to sign for said agencies.

ATTEST:
CITY OF WHITTIER

By 
STEPHEN W. HELVEY, CITY MANAGER

(seal)

ATTEST:

Board of Supervisors
Los Angeles County

By _____
Clerk of the Board of Supervisors

By _____
Chairman of the Board of Supervisors

By _____
Deputy
(seal)

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code the governing body of the City of N/A hereby agrees to the selling price as provided in this agreement.

ATTEST:

City of N/A

By _____
Mayor

(seal)

This agreement was submitted to me before execution by the board of supervisors and I have compared the same with the records of Los Angeles County relating to the real property described therein.


Los Angeles County Tax Collector

Pursuant to the provisions of Sections 3775 and 3795 of the Revenue and Taxation Code, the Controller agrees to the selling price hereinbefore set forth and approves the foregoing agreement this ___ day of _____, 20__.

By: _____, STATE CONTROLLER

**SUPERVISORIAL DISTRICT 4
AGREEMENT NUMBER 2545**

EXHIBIT "A"

| <u>LOCATION</u> | <u>FIRST YEAR DELINQUENCY</u> | <u>DEFAULT NUMBER</u> | <u>PURCHASE PRICE</u> | <u>PURPOSE OF ACQUISITION</u> |
|------------------------|--|----------------------------------|----------------------------------|--|
| CITY OF WHITTIER | 1987 | 8162-024-007 | \$559.00 | PARK & MULTI-USE TRAIL FOR COMMUTING & RECREATION |

**LEGAL
DESCRIPTION**

MAXSON'S SUB OF GUNN AND HAZZARD'S SUB
OF THE COLIMA TRACT LOT BD SW BY SW LINE
OF LOT 5 NW BY NE PROLONGATION OF NW
LINE OF LOT 3 TR # 19221 SE BY NE
PROLONGATION OF SE LINE OF TRACT # 19221
AND NE BY A LINE PARALLEL WITH AND DIST
SW AT R/A 17 FT FROM A LINE WHICH
EXTENDS SE FROM A PT IN NW LINE OF LOT 5
N 55°30' E 75.32 FT FROM C/L OF LAMBERT
RD PER CSB2103-2 TO A PT IN SE LINE OF
SD LOT N 57° E 80.92 FT FROM SD C/L
PART OF LOT 5

**AGREEMENT TO PURCHASE
LOS ANGELES COUNTY TAX-DEFAULTED PROPERTY
(Public/Taxing Agency)**

This Agreement is made this _____ day of _____, 20___, by and between the Board of Supervisors of Los Angeles County, State of California, and the **CITY OF WHITTIER** ("Purchaser"), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

The real property situated within said county, hereinafter set forth and described in Exhibit "A" attached hereto and made a part hereof, is tax-defaulted and is subject to the power of sale by the tax collector of said county for the nonpayment of taxes, pursuant to provision of law.

It is mutually agreed as follows:

1. That as provided by Section 3800 of the Revenue and Taxation Code, the cost of giving notice of this agreement shall be paid by the PURCHASER.
2. That the PURCHASER agrees to pay the total purchase price listed for each real property described in Exhibit "A" within 14 days after the date this agreement becomes effective. Upon payment of said sum to the tax collector, the tax collector shall execute and deliver a deed conveying title to said property to PURCHASER.
3. *That the PURCHASER agrees that the real property be used for the public use specified on Exhibit "A" of this agreement.*
4. That if said PURCHASER is a **TAXING AGENCY**, said agency would not share in the distribution of the payment required by this Agreement as defined by § 3791 and § 3720 of the Revenue and Taxation Code.

APPROVED AS TO FORM:

RAYMOND G. FORTNER JR.
County Counsel

By 
Principal Deputy County Counsel

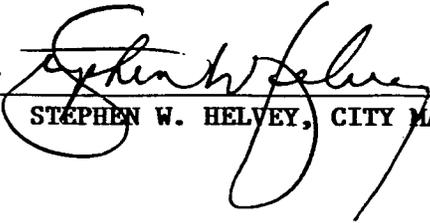
If all or any portion of any individual parcel listed in Exhibit "A" is redeemed prior to the effective date of this agreement, this agreement shall be null and void only as it pertains to that individual parcel. This agreement shall also become null and void and the right of redemption restored upon the PURCHASER'S failure to comply with the terms and conditions of this agreement. Time is of the essence.

0§§3791, 3791.3 3793 R&T Code

ZIP: ID:Chptr 8 Pubagency form
Revised 6/24/03

The undersigned hereby agree to the terms and conditions of this agreement and are authorized to sign for said agencies.

ATTEST:
CITY OF WHITTIER

By 
STEPHEN W. HELVEY, CITY MANAGER

(seal)

ATTEST:

Board of Supervisors
Los Angeles County

By _____
Clerk of the Board of Supervisors

By _____
Chairman of the Board of Supervisors

By _____
Deputy
(seal)

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code the governing body of the City of N/A hereby agrees to the selling price as provided in this agreement.

ATTEST:

City of N/A

By _____
Mayor

(seal)

This agreement was submitted to me before execution by the board of supervisors and I have compared the same with the records of Los Angeles County relating to the real property described therein.


Los Angeles County Tax Collector

Pursuant to the provisions of Sections 3775 and 3795 of the Revenue and Taxation Code, the Controller agrees to the selling price hereinbefore set forth and approves the foregoing agreement this ____ day of _____, 20__.

By: _____, STATE CONTROLLER

**SUPERVISORIAL DISTRICT 4
AGREEMENT NUMBER 2545**

EXHIBIT "A"

| <u>LOCATION</u> | <u>FIRST YEAR DELINQUENCY</u> | <u>DEFAULT NUMBER</u> | <u>PURCHASE PRICE</u> | <u>PURPOSE OF ACQUISITION</u> |
|------------------------|--|----------------------------------|----------------------------------|--|
| CITY OF WHITTIER | 1987 | 8162-024-007 | \$559.00 | PARK & MULTI-USE TRAIL FOR COMMUTING & RECREATION |

**LEGAL
DESCRIPTION**

MAXSON'S SUB OF GUNN AND HAZZARD'S SUB
OF THE COLIMA TRACT LOT BD SW BY SW LINE
OF LOT 5 NW BY NE PROLONGATION OF NW
LINE OF LOT 3 TR # 19221 SE BY NE
PROLONGATION OF SE LINE OF TRACT # 19221
AND NE BY A LINE PARALLEL WITH AND DIST
SW AT R/A 17 FT FROM A LINE WHICH
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N 55°30' E 75.32 FT FROM C/L OF LAMBERT
RD PER CSB2103-2 TO A PT IN SE LINE OF
SD LOT N 57° E 80.92 FT FROM SD C/L
PART OF LOT 5

AGREEMENT NUMBER 2565

CITY OF LOMITA

FOURTH SUPERVISORIAL DISTRICT

7/11/07

CITY COUNCIL

SUSAN Y. DEVER
MARGARET ESTRADA
DON SUMINAGA
BARRY WAITE
MARK A. WARONEK



ADMINISTRATION

TOM A. ODOM
CITY ADMINISTRATOR

DAWN TOMITA
CITY CLERK

CITY OF LOMITA

January 24, 2007

Statement of Objection
and
Statement of Purpose

Mr. Mark Saladino, Treasurer
Los Angeles County
437 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

DISTRICT # 4
AGREEMENT # 2565

Subject: Chapter 8 Program Purchase of Lomita Property Located at 24329 Narbonne Avenue, Lomita CA 90717

Dear Mr. Saladino,

The City of Lomita is interested in purchasing property that has been designated for sale at the February 26-27, 2007 public auction at 9:00 A.M. The subject property is listed as follows on the Official Notice of Auction:

Sale 2007A, Item Number 2184, Map Book 7374, Page 015, Parcel 042.

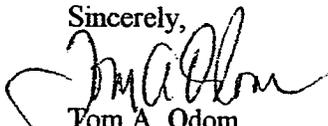
I have attached a copy of the Official Notice of Auction for your quick reference. The City desires to take control of the property for economic development purposes in our downtown area. Specifically, the subject property will be used to assist in the expansion of a business which in turn will stimulate the City of Lomita's revitalization efforts.

Pursuant to discussions with your office, we respectfully request that the property be taken off the sales list for auction so that the City may pursue purchasing through the Chapter 8 Program.

Please find enclosed a check for \$100.00 to cover any fees associated with the request. Should you require additional information, feel free to contact me at Lomita City Hall. My office number is 310.325.7110, Ext. 115.

The City of Lomita greatly appreciates your assistance in this matter.

Sincerely,


Tom A. Odom
City Administrator

Cc: Mayor and City Council
Christi Hogin, City Attorney
Steven A. Napolitano, Deputy, Supervisor Don Knabe, Fourth District
Rick Velasquez, Chief of Staff, Supervisor Don Knabe, Fourth District



CITY COUNCIL

SUSAN Y. DEVER
MARGARET ESTRADA
DON SUMINAGA
BARRY WAITE
MARK A. WARONEK



ADMINISTRATION

TOM A. ODOM
CITY ADMINISTRATOR

DAWN TOMITA
CITY CLERK

CITY OF LOMITA

February 28, 2007

County of Los Angeles
Treasurer and Tax Collector
Kenneth Hahn Hall of Administration
225 North Hill Street, Room 130
P.O. Box 512102
Los Angeles, CA 90051-0102

**RE: Public Agency – Objection Application Checklist
ITEM 3 – Agency Mission Statement**

The City of Lomita mission statement(s) as pertaining to our Application to Purchase Tax Defaulted Properties and Objection Checklist is as follows:

1. The primary purpose of the City of Lomita's General Government is to maintain a balanced budget and sustain long-term fiscal stability to provide innovative, effective and efficient services.
2. The primary purpose of the City of Lomita's Economic Development Program is to diligently work toward attracting desired new businesses to fill vacant stores and create job opportunities for city residents.

The acquisition of parcel number 7374-015-042 under Chapter 8 rules for purchase of tax defaulted properties is in accordance with the above mission statements of the City of Lomita. The acquisition will assist a unique and established business to expand and thereby create additional economic opportunities in the downtown area of Lomita.

A handwritten signature in cursive script, appearing to read 'Tom A. Odom'.

Tom A. Odom
City Administrator



Application to Purchase Tax-Defaulted Property from County

This application is to be completed by eligible purchasing entities to commence purchase of tax-defaulted property by agreement sale from the county under applicable provisions of the California Revenue and Taxation Code. Please complete the following sections and supply supporting documentation accordingly. Completion of this application does not guarantee purchase approval.

A. Purchaser Information

1. Name of Organization: City of Lomita
2. Corporate Structure – check the appropriate box below and provide corresponding information:
- Nonprofit – provide Articles of Incorporation
- Public Agency – provide mission statement (If redevelopment agency, also provide agency survey map)

B. Purchasing Information

Determine which category the parcel falls under and then check the appropriate box as it relates to the purchasing entity's corporate structure and the intended use of the parcel:

Category A: Parcel is currently scheduled for a Chapter 7 tax sale

- No Purchase – State / county / taxing agency registering objection to preserve lien only
- Purchase by State / county / tax agency / revenue district / redevelopment agency / special district to preserve its lien
- Purchase by State / county / tax agency / revenue district / redevelopment agency / special district for public purpose
- Purchase by nonprofit for low-income housing or to preserve open space

Category B: Parcel is **not** currently scheduled for a Chapter 7 tax sale

- Purchase by State / county / taxing agency / revenue district / redevelopment agency / special district for public purpose
- Purchase by nonprofit to use parcel(s) for low-income housing or to preserve open space

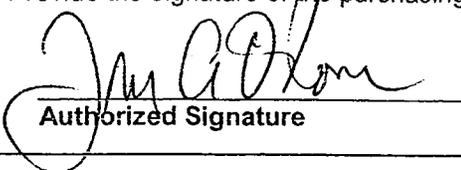
C. Property Detail

Provide the following information. If more space is needed for any of the criteria, consolidate the information into a separate "Exhibit" document and attach accordingly:

1. County where the parcel(s) is located: Los Angeles
2. List each parcel by Assessor's Parcel Number: 7374 015 042
3. State the purpose and intended use for *each* parcel: Economic development - Business expansion
in downtown area.

D. Acknowledgement Detail

Provide the signature of the purchasing entity's authorized officer


Authorized Signature

City Administrator
Title

3/14/07
Date

RESOLUTION NO 2007- //

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMITA
APPROVING THE PURCHASE OF TAX DEFAULTED PROPERTY UNDER
COUNTY OF LOS ANGELES TREASURER AND TAX COLLECTOR CHAPTER 8
AGREEMENT

WHEREAS, the City of Lomita is desirous in the acquisition of tax defaulted property pursuant to the provision of Division 1, Part 6, Chapter 8 of the Revenue and Taxation Code;

WHEREAS, said property is identified as Assessor's Identification Number 7374-015-042;

WHEREAS, said property is to be utilized for economic development and business expansion purposes within the downtown area of Lomita;

WHEREAS, the City of Lomita has agreed to a purchase price based on the amount due during the month for which the parcel is eventually sold as attached in "Exhibit A" as a projection of said purchase price for an eight (8) month schedule;

WHEREAS, the City of Lomita has incurred liens against said property and Los Angeles County Auditor will allocate lien repayment separate from this transaction.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOMITA to approve the purchase of tax defaulted property located at 24329 Narbonne Avenue, Tax Assessor's ID No. 7374-015-042, and to authorize the Tom A. Odom, City Administrator, to execute all documents associated with said purchase.

Passed, approved and adopted by the Lomita City Council on the 5th day of March, 2007 by the following roll call vote:

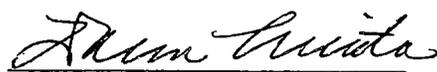
AYES: COUNCILMEMBERS: *DEVER, ESTRADA, SUMINAGA, WAITE*
✓ MAYOR WARONEK

NOES: COUNCILMEMBERS: -

ABSTAIN: COUNCILMEMBERS: -


Mark Waronek, Mayor

Attest:


Dawn Tomita, City Clerk



**AGREEMENT TO PURCHASE
LOS ANGELES COUNTY TAX-DEFAULTED PROPERTY
(Public/Taxing Agency)**

This Agreement is made this _____ day of _____, 20___, by and between the Board of Supervisors of Los Angeles County, State of California, and the **CITY OF LOMITA** ("Purchaser"), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

The real property situated within said county, hereinafter set forth and described in Exhibit "A" attached hereto and made a part hereof, is tax-defaulted and is subject to the power of sale by the tax collector of said county for the nonpayment of taxes, pursuant to provision of law.

It is mutually agreed as follows:

1. That as provided by Section 3800 of the Revenue and Taxation Code, the cost of giving notice of this agreement shall be paid by the PURCHASER.
2. That the PURCHASER agrees to pay the total purchase price listed for each real property described in Exhibit "A" within 14 days after the date this agreement becomes effective. Upon payment of said sum to the tax collector, the tax collector shall execute and deliver a deed conveying title to said property to PURCHASER.
3. *That the PURCHASER agrees that the real property be used for the public use specified on Exhibit "A" of this agreement.*
4. That if said PURCHASER is a **TAXING AGENCY**, said agency would not share in the distribution of the payment required by this Agreement as defined by § 3791 and § 3720 of the Revenue and Taxation Code.

APPROVED AS TO FORM:

RAYMOND G. FORTNER JR.
County Counsel

By 
Principal Deputy County Counsel

If all or any portion of any individual parcel listed in Exhibit "A" is redeemed prior to the effective date of this agreement, this agreement shall be null and void only as it pertains to that individual parcel. This agreement shall also become null and void and the right of redemption restored upon the PURCHASER'S failure to comply with the terms and conditions of this agreement. Time is of the essence.

0§§3791, 3791.3 3793 R&T Code

ZIP: ID:Chptr 8 Pubagency form
Revised 6/24/03

AGREEMENT NUMBER 2565

The undersigned hereby agree to the terms and conditions of this agreement and are authorized to sign for said agencies.

ATTEST:
CITY OF LOMITA

Dawn Tomita
Dawn Tomita, City Clerk

(seal)

By *Mark A. Waronek*
Mark A. Waronek, Mayor



ATTEST:

Board of Supervisors
Los Angeles County

By _____
Clerk of the Board of Supervisors

By _____
Chairman of the Board of Supervisors

By _____
Deputy
(seal)

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code the governing body of the City of N/A hereby agrees to the selling price as provided in this agreement.

ATTEST:

City of N/A

By _____
Mayor

(seal)

This agreement was submitted to me before execution by the board of supervisors and I have compared the same with the records of Los Angeles County relating to the real property described therein.

Masdy Salado
Los Angeles County Tax Collector

Pursuant to the provisions of Sections 3775 and 3795 of the Revenue and Taxation Code, the Controller agrees to the selling price hereinbefore set forth and approves the foregoing agreement this ___ day of _____, 20__.

By: _____, STATE CONTROLLER

**SUPERVISORIAL DISTRICT 4
AGREEMENT NUMBER 2565**

EXHIBIT "A"

| <u>LOCATION</u> | <u>FIRST YEAR DELINQUENCY</u> | <u>DEFAULT NUMBER</u> | <u>PURCHASE PRICE</u> | <u>PURPOSE OF ACQUISITION</u> |
|------------------------------|-----------------------------------|---------------------------|---------------------------|--|
| CITY OF LOMITA | 1990 | 7374-015-042 | \$277,954.00* | ECONOMIC DEVELOPMENT FOR BUSINESS EXPANSION IN THE DOWNTOWN AREA |
| <u>LEGAL DESCRIPTION</u> | | | | |
| TRACT NO 4022 LOT 26 | | | | |

*The purchase price quoted on this Exhibit "A" is a projection of the purchase price for a schedule of eight (8) months. If the agreement is completed in less time, then the purchase price will be decreased; however if the completion of the agreement is longer than this time, the price will increase accordingly.

**AGREEMENT TO PURCHASE
LOS ANGELES COUNTY TAX-DEFAULTED PROPERTY
(Public/Taxing Agency)**

This Agreement is made this _____ day of _____, 20__, by and between the Board of Supervisors of Los Angeles County, State of California, and the CITY OF LOMITA ("Purchaser"), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

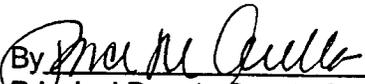
The real property situated within said county, hereinafter set forth and described in Exhibit "A" attached hereto and made a part hereof, is tax-defaulted and is subject to the power of sale by the tax collector of said county for the nonpayment of taxes, pursuant to provision of law.

It is mutually agreed as follows:

1. That as provided by Section 3800 of the Revenue and Taxation Code, the cost of giving notice of this agreement shall be paid by the PURCHASER.
2. That the PURCHASER agrees to pay the total purchase price listed for each real property described in Exhibit "A" within 14 days after the date this agreement becomes effective. Upon payment of said sum to the tax collector, the tax collector shall execute and deliver a deed conveying title to said property to PURCHASER.
3. *That the PURCHASER agrees that the real property be used for the public use specified on Exhibit "A" of this agreement.*
4. That if said PURCHASER is a **TAXING AGENCY**, said agency would not share in the distribution of the payment required by this Agreement as defined by § 3791 and § 3720 of the Revenue and Taxation Code.

APPROVED AS TO FORM:

RAYMOND G. FORTNER JR.
County Counsel

By 
Principal Deputy County Counsel

If all or any portion of any individual parcel listed in Exhibit "A" is redeemed prior to the effective date of this agreement, this agreement shall be null and void only as it pertains to that individual parcel. This agreement shall also become null and void and the right of redemption restored upon the PURCHASER'S failure to comply with the terms and conditions of this agreement. Time is of the essence.

0§§3791, 3791.3 3793 R&T Code

ZIP: ID:Chptr 8 Pubagency form
Revised 6/24/03

AGREEMENT NUMBER 2565

The undersigned hereby agree to the terms and conditions of this agreement and are authorized to sign for said agencies.

ATTEST:
CITY OF LOMITA

Dawn Tomita
Dawn Tomita, City Clerk

(seal)



By *Mark A. Waronek*
Mark A. Waronek, Mayor

ATTEST:

Board of Supervisors
Los Angeles County

By _____
Clerk of the Board of Supervisors

By _____
Chairman of the Board of Supervisors

By _____
Deputy
(seal)

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code the governing body of the City of N/A hereby agrees to the selling price as provided in this agreement.

ATTEST:

City of N/A

By _____
Mayor

(seal)

This agreement was submitted to me before execution by the board of supervisors and I have compared the same with the records of Los Angeles County relating to the real property described therein.

Moshy Salah
Los Angeles County Tax Collector

Pursuant to the provisions of Sections 3775 and 3795 of the Revenue and Taxation Code, the Controller agrees to the selling price hereinbefore set forth and approves the foregoing agreement this ___ day of _____, 20__.

By: _____, STATE CONTROLLER

**SUPERVISORIAL DISTRICT 4
AGREEMENT NUMBER 2565**

EXHIBIT "A"

| <u>LOCATION</u> | <u>FIRST YEAR DELINQUENCY</u> | <u>DEFAULT NUMBER</u> | <u>PURCHASE PRICE</u> | <u>PURPOSE OF ACQUISITION</u> |
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