



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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

WILLIAM T FUJIOKA  
Chief Executive Officer

December 18, 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:

**DEPARTMENT OF PUBLIC WORKS: LAS FLORES CANYON - PARCEL 4EX  
TRANSFER OF SURPLUS PROPERTY FROM THE LOS ANGELES COUNTY  
FLOOD CONTROL DISTRICT TO THE CITY OF MALIBU  
(SUPERVISORIAL DISTRICT 3)  
(3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY  
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Acting as a responsible agency for the City of Malibu's Las Flores Creek restoration project for watershed management purposes, consider the Mitigated Negative Declaration prepared and adopted by the City of Malibu as lead agency, together with any comments received during the public review period; find on the basis of the whole record before your Board that there is no substantial evidence the project will have a significant effect on the environment; find that the Mitigated Negative Declaration reflects the independent judgment and analysis of your Board; and adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the project.
2. Declare fee interest in Las Flores Canyon, Parcel 4EX to be no longer required for the purposes of the Los Angeles County Flood Control District.
3. Authorize the quitclaim of fee title to the City of Malibu for no consideration.
4. Instruct the Chair to sign the Quitclaim Deed and authorize delivery to the grantee.

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

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of this recommended action is to allow the Los Angeles County Flood Control District (LACFCD) to quitclaim its fee title in Las Flores Canyon, Parcel 4EX, to the City of Malibu (City). The City is acquiring said parcel in connection with the City's Las Flores Creek project for improving water quality, water conservation, and/or flood control purposes along Las Flores Creek.

Los Angeles County Flood Control District acquired fee title to this parcel in 1989 as a result of the Rambla Pacifico landslide. The parcel was acquired for the sole purpose of removing the apartment building located on the property, whose movement restricted the flow of the adjacent natural watercourse, creating a potential hazard to residents of the apartment building. The structure was removed and the parcel is no longer required by LACFCD.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs that we provide Community Services (Goal 6). This transaction will enable the City to improve water quality, water conservation, and flood control purposes in Las Flores Creek, thereby improving the quality of life for the residents of the County.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

There will be no monetary consideration paid for the quitclaim provided the use remains for water quality, water conservation, and flood control purposes. The Los Angeles County Flood Control Act provides for LACFCD property to be used for these purposes.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Las Flores Canyon, Parcel 4EX (14,159± square feet), is located west of Las Flores Canyon Road at 3766 Las Flores Canyon Road in the City of Malibu.

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The proposed quitclaim is authorized by Section 2, Paragraph 13 of the Los Angeles County Flood Control Act. This section provides as follows: "Said Los Angeles County Flood Control District is hereby declared a body corporate and politic, and as such shall have the power:...13. To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of said Board of Supervisors said property, or any interest therein or part thereof, is no longer required for the purposes of said district..."

As required by California Government Code Section 65402(c), a notification of the proposed sale was submitted to the City's Planning Department for its report as to conformance with the adopted General Plan. Since no answer was received within the 40-day period as stipulated in this Section, it is conclusively deemed the proposed sale is in conformance with the adopted General Plan.

As required by Government Code Section 54222, all agencies of the State, County, City, and school district were notified of the proposed sale. No agency expressed an interest in acquiring the property.

The quitclaim is not considered adverse to the LACFCD's purposes. The Quitclaim Deed requires the property to be used for water quality, water conservation, and/or flood control purposes and provides for the property to revert back to the LACFCD in the event the property is not used by the City for the purposes set forth therein. The Quitclaim Deed does not transfer rights to any oil, gas, petroleum, or other hydrocarbons and minerals.

The attached Quitclaim Deed was approved by County Counsel and will be recorded.

#### **ENVIRONMENTAL DOCUMENTATION**

The Department of Public Works (Public Works) is acting as a responsible agency for the proposed project. The City's Planning Commission, as lead agency, has prepared an initial study and adopted a Mitigated Negative Declaration for this project on July 17, 2007. The recommended action will not have a significant effect on the environment.

Upon your Board's approval of the project, Public Works will file a Notice of Determination with the Registrar-Recorder/County Clerk in accordance with Section 21152(a) of the California Public Resources Code.

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**IMPACT ON CURRENT SERVICES**

This transfer will eliminate the need to maintain the property and reduce LACFCD liability and the cost of maintenance.

**CONCLUSION**

Please return one adopted copy of this letter and the executed original Quitclaim Deed to Public Works, Mapping & Property Management Division. Retain the duplicate for your records.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:DLW  
PAP:adg

Attachment

c: Auditor-Controller (Accounting Division - Asset Management)  
County Counsel

**DUPLICATE**

RECORDING REQUESTED BY  
AND MAIL TO:

City of Malibu  
23815 Stuart Ranch Road  
Malibu, CA 90265-4804

*Space Above This Line Reserved for Recorder's Use*

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY TRANSFER TAX PURSUANT TO SECTION 11922 OF THE REVENUE & TAXATION CODE.

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTION 27383 OF THE GOVERNMENT CODE.

Assessor's Identification Number:  
4451-019-902 (Portion)

## **QUITCLAIM DEED**

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic (hereinafter referred to as DISTRICT), does hereby remise, release, and forever quitclaim to the CITY OF MALIBU, a municipal corporation (hereinafter referred to as CITY), all its right, title, and interest in and to all that real property in the City of Malibu, County of Los Angeles, State of California, described in Exhibit A attached hereto and by this reference made a part hereof.

EXCEPTING AND RESERVING all oil, gas, petroleum, and other hydrocarbons and minerals, but without right of entry to the surface of said land.

Subject to all matters of record and to the following express conditions which CITY, by the acceptance of this Quitclaim Deed, agrees to keep and perform, viz:

1. CITY shall use and maintain the property herein quitclaimed for water quality, water conservation, and/or flood control purposes. Should DISTRICT determine that all or any portion of the property, herein quitclaimed, is not being used for said purposes, the property shall, at the election of DISTRICT, revert gratis to DISTRICT.
2. Should CITY determine that all or any portion of the property, herein quitclaimed, is not required for water quality, water conservation, and/or flood control purposes, said property shall, at the election of DISTRICT, revert gratis to DISTRICT.

- 3. CITY shall indemnify, defend, and save harmless DISTRICT, its officers, agents and/or employees, from and against any and all claims, liability, loss, or damage to which DISTRICT, its officers, agents, and/or employees, may be subjected as the result of any act or omission by CITY, its officers, agents, or employees arising out of the exercise by CITY, its officers, agents, or employees of any of the rights granted to it by this instrument.

Dated \_\_\_\_\_

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,  
a body corporate and politic

By \_\_\_\_\_  
Chair, Board of Supervisors of the  
Los Angeles County Flood Control District

(LACFCD-SEAL)

ATTEST:

SACHI A. HAMAI, Executive Officer  
of the Board of Supervisors  
of the County of Los Angeles

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

LAS FLORES CANYON ROAD  
158-RW 1  
S.D. 3 M0221086

OG:bw  
P:\CONF\OG-SPC QD LS FLS CYN RD

NOTE: Acknowledgement form on the reverse side.

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF LOS ANGELES )

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code that authorized the use of facsimile signatures of the Chair of the Board on all papers, documents, or instruments requiring the Chair's signature.

The undersigned hereby certifies that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the facsimile signature of \_\_\_\_\_, Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

SACHI A. HAMAI, Executive Officer  
of the Board of Supervisors  
of the County of Los Angeles

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

(LACFCD-SEAL)

APPROVED AS TO FORM

RAYMOND G. FORTNER, JR.  
County Counsel

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

APPROVED as to title and execution, _____, 20____.
DEPARTMENT OF PUBLIC WORKS Mapping & Property Management Division Supervising Title Examiner
By _____

<p align="center"><b>CERTIFICATE OF ACCEPTANCE</b></p> <p>This is to certify that the interest in real property conveyed by the within deed or grant, dated _____, from the Los Angeles County Flood Control District, a body corporate and politic, to the City of Malibu, a municipal corporation, is hereby accepted by order of the City Council of the City of Malibu, on _____, pursuant to authority conferred by resolution of said City Council, adopted on _____, and the grantee consents to the recordation thereof by its duly authorized officer.</p> <p>Dated _____</p> <p>By _____</p>
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# EXHIBIT A

**LAS FLORES CANYON (MALIBU) 4EX**  
158-RW 1  
A.P.N. 4451-019-902  
T.G. 629(F6)  
I.M. 114-077  
S.D. 3  
M0221086

## LEGAL DESCRIPTION

### PARCEL NO. 4EX (Quitclaim of a fee):

That portion of Lot 94 of Tract No. 12634, as shown on map recorded in Book 260, pages 25, 26 and 27, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, described in deed to LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, recorded on June 6, 1989, as Document No. 89-906783, of Official Records, in the office of said Registrar-Recorder/County Clerk.

Containing: 14,159 ± square feet

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

APPROVED AS TO DESCRIPTION
_____
COUNTY OF LOS ANGELES
By _____
SUPERVISING CADASTRAL ENGINEER III
Mapping and Property Management Division