



**COUNTY OF LOS ANGELES
TREASURER AND TAX COLLECTOR**

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 437, Los Angeles, California 90012
Telephone: (213) 974-2101 Fax: (213) 620-1812
ttc.lacounty.gov and lacountypropertytax.com

JOSEPH KELLY
TREASURER AND TAX COLLECTOR

Board of Supervisors
HILDA L. SOLIS
First District
MARK RIDLEY-THOMAS
Second District
SHEILA KUEHL
Third District
JANICE HAHN
Fourth District
KATHRYN BARGER
Fifth District

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

March 05, 2019

26 March 5, 2019

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

CELIA ZAVALA
EXECUTIVE OFFICER

Dear Supervisors:

**CHAPTER 8 AGREEMENT SALE NUMBER 2791
TO PURCHASE TAX-DEFAULTED PROPERTY
SUBJECT TO THE TAX COLLECTOR'S POWER TO SELL
(THIRD SUPERVISORIAL DISTRICT) (3-VOTES)**

SUBJECT

Tongva Land Preservation Corporation (Tongva), a nonprofit organization, is seeking to purchase one tax defaulted property through the Chapter 8 Agreement Sale. The Chapter 8 Agreement Sale allows eligible public agencies and nonprofit organizations the opportunity to purchase tax defaulted property Subject to the Tax Collector's Power to Sell for a qualifying public purpose or benefit. Tongva's proposed use of the property is for permanent open space within Rustic Canyon, a qualifying public purpose.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the property has been offered for sale under the provisions of Chapter 7 of the Revenue and Taxation Code (R&TC), at least once, and no acceptable bids were received; and
2. Approve and instruct the Chair of the Board to sign the Chapter 8 Agreement Sale Number 2791, authorizing the Treasurer and Tax Collector (TTC) to sell one tax-defaulted property Subject to the Tax Collector's Power to Sell to Tongva, for the estimated purchase price of \$2,100, which consists of \$100 for the property, plus the projected costs of the Chapter 8 Agreement Sale.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The TTC will sell the property in accordance with the provisions of Division 1, Part 6, Chapter 8 of the R&TC, and the Board of Supervisors' policy adopted on November 24, 1970. Exhibit A of the

Chapter 8 Agreement Sale indicates the legal description and selling price of the property.

Implementation of Strategic Plan Goals

The recommended action supports County Strategic Plan Strategy III.3 – Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability.

FISCAL IMPACT/FINANCING

The revenue generated from the Chapter 8 Agreement Sale will recover the TTC's costs of the sale.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Chapter 8 Agreement Sale is for the purchase of one property, Assessor's Identification Number 4410-013-014, a vacant 4,273 square foot (0.098 acre) lot, in the City of Los Angeles with no assigned street address, located on the 300 block of Vance Street. E. G. Ramirez owns the property. The property has been tax defaulted since 1983, and we have not received any payments since then.

The TTC offered the property at the 1998A and 2007B Public Auctions, and did not receive any bids. In accordance with R&TC Section 3793.1(b), the TTC has the discretion, with approval by your Board, to offer a property for a reduced sale amount if the TTC offered the property previously and it did not sell. The TTC offered the property at the 2015C Sealed Bid Auction, for a minimum bid of \$100, and did not receive any bids. On April 26, 2018, Tongva submitted its application to purchase the property.

The estimated purchase price of \$2,100 consists of \$100 for the property, based on the price established for the 2015C Sealed Bid Auction, plus projected costs of the Chapter 8 Agreement Sale, which consists of the costs of notification, publication, postage, title report, recording, and State and transfer taxes, if applicable.

The Chapter 8 Agreement Sale includes the Real Property Description and Purchase Price (Exhibit A), and the Assessor's Plat Map. Attachment A contains Tongva's Application to Purchase Tax Defaulted Property from the County, letter requesting to purchase the property, Articles of Incorporation, and the Resolution of the Board of Directors of Tongva authorizing the purchase. County Counsel has approved the Chapter 8 Agreement Sale as to form.

The Chapter 8 Agreement Sale permits eligible public agencies and nonprofit organizations to acquire tax defaulted property Subject to the Tax Collector's Power to Sell pursuant to R&TC Section 3791 et seq.

R&TC Section 3794.3 states that a sale under this chapter shall take place only if approved by the Board of Supervisors. In accordance with R&TC Section 3795, following approval by the Board of Supervisors, the TTC shall submit the Chapter 8 Agreement Sale to the State Controller's Office for final approval.

After Board and State Controller approval, and per R&TC Section 3798, the TTC will publish a notice of the Chapter 8 Agreement Sale once a week, for three consecutive weeks, in a newspaper of general circulation published in the County. Concurrently, the TTC shall also provide notice on its website.

Lastly, pursuant to R&TC Section 3799, the TTC will make all reasonable efforts to contact the owner (s) and parties of interest, to inform them of their tax liabilities and the provisions for the redemption of the property prior to completing the Chapter 8 Agreement Sale.

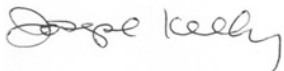
IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not Applicable.

CONCLUSION

Upon approval of the attached Chapter 8 Agreement Sale Number 2791, the TTC requests that the Executive Officer Clerk of the Board of Supervisors return all original documents to the Secured Property Tax Division at 225 North Hill Street, Room 130, Los Angeles, California 90012 for further processing.

Respectfully submitted,



Joseph Kelly

Treasurer and Tax Collector

JK:KK:KG:mv

Enclosures

c: Assessor
Chief Executive Officer
Auditor-Controller
County Counsel
Executive Officer, Board of Supervisors
Tongva Land Preservation Corporation

AGREEMENT NUMBER 2791
TONGVA LAND PRESERVATION CORPORATION
THIRD SUPERVISORIAL DISTRICT

RECORDING REQUESTED BY AND

AFTER RECORDATION, MAIL TO:

TREASURER AND TAX COLLECTOR
COUNTY OF LOS ANGELES
225 N. HILL STREET, ROOM 130
LOS ANGELES, CA 90012

(Space above line for Recorder's use)

**CHAPTER 8 AGREEMENT SALE AND PURCHASE OF TAX-DEFAULTED REAL
PROPERTY AND COVENANTS, CONDITIONS, AND RESTRICTIONS
ASSESSOR'S IDENTIFICATION NUMBER (AIN) 4410-013-014**

*SEE: TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY
(AIN 4410-013-014)*

This Chapter 8 Agreement Sale (Agreement) by and between the Board of Supervisors of the County of Los Angeles (Seller) and **Tongva Land Preservation Corporation**, a nonprofit corporation organized in accordance with provisions of California law (Purchaser), is made effective as of March 5, 2019.

WHEREAS, as set forth in Purchaser's Articles of Incorporation (Exhibit B) of this Agreement, Purchaser is organized and existing for the purpose of charitable and public purposes.

WHEREAS, the Seller is interested in selling tax-defaulted real properties to qualified nonprofits for the development of affordable housing for Low-Income Persons, open space or for public benefit.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Subject to approval by the California State Controller and the Board of Supervisors of the County of Los Angeles and subject to termination of redemption rights under the California Revenue and Taxation Code Section 3803, Seller agrees to sell to Purchaser the real property described in Exhibit A of this Agreement (Property). The Property was tax-defaulted for nonpayment of taxes and is now subject to the Los Angeles County Tax Collector's Power to Sell, pursuant to the provisions of Division 1, Part 6, Chapter 8 of the California Revenue and Taxation Code (R&TC).
2. The purchase price in this Agreement is the projection of the purchase price for a schedule of nine months. If this Agreement is completed in less time, then the purchase price will be decreased; however, if the completion of this Agreement is longer than this time, the price will increase accordingly. The Purchaser agrees to and shall pay the purchase price for the Property as stipulated in Exhibit B, which does not include the cost of giving notices of this Agreement and shall be paid within fourteen days of the

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effective date of the sale. Attached as Exhibit C, respectively is the resolution by Purchaser's Board of Directors authorizing the Purchaser to purchase the Property.

3. DEFAULT

a. The following shall constitute events of default:

- 1) Said Property ceases to be used exclusively for open space within Rustic Canyon.
- 2) In the event that a petition of bankruptcy shall be filed by or against the Purchaser, and the petition has not been dismissed or discharged within 180 days of its filing.

4. BINDING FOR THE BENEFIT OF THE SELLER

All covenants contained in this Agreement shall be construed as covenants running with the land and shall be binding for the benefit of the Seller and such covenants and restriction shall be in force and effect, without regard to whether the Purchaser is owner or has an interest in the Property for fifteen years. Only the Seller, or its successor, may remove a covenant from the Property prior to that time.

5. NOTICES

Notices under this Agreement shall be given in accordance with applicable statutory requirements. If there are no statutory requirements in effect, notices, demands, requests, elections, approvals, disapprovals, consents or other communications given under this Agreement shall be in writing and shall be given by personal delivery, facsimile, certified mail (return receipt requested), or overnight guaranteed delivery service and addressed or faxed as follows:

If to Purchaser:

Tongva Land Preservation Corporation
Jaimie Korody, President
350 East Rustic Road
Santa Monica, California 90402

If to the Seller:

Treasurer and Tax Collector
225 North Hill Street, Room 130
Los Angeles, California 90012
FAX (213) 680-3648

Notices shall be effective upon receipt if given by personal delivery; upon receipt if faxed, provided there is written confirmation of receipt (except that if received after 5 p.m. Pacific Time., notice shall be deemed received on the next business day); the earlier of (i) three business days after deposit with United States Mail, or (ii) the date of actual receipt as evidenced by the return receipt if delivered by certified mail; and one day after deposit with the delivery service if delivered by overnight guaranteed delivery service. Each party shall promptly notify the other party of any change(s) of address or fax to which notice shall be sent pursuant to this Agreement.

6. ENTIRE AGREEMENT SALE

This Agreement, with Exhibits A through C, constitutes the entire agreement of the parties.

EXHIBIT A	Real Property Description and Purchase Price
EXHIBIT B	Purchaser's Articles of Incorporation
EXHIBIT C	Resolution by Purchaser's Board of Directors

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By *Suzanne Paricker*
Deputy County Counsel

I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

CELIA ZAVALA
Executive Officer
Clerk of the Board of Supervisors

By *Rachelle Smithman*
Deputy

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

26

MAR 05 2019

Celia Zavala
CELIA ZAVALA
EXECUTIVE OFFICER



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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.

§§3791.4, 3793, 3795.5 R&T Code
Revised 11/15

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

ATTEST: TONGVA LAND PRESERVATION California Corporation
Tongva Land Preservation Corporation



(Seal)

By Jessie Koon
VICE PRESIDENT
Title

ATTEST: Board of Supervisors, County of Los Angeles

By Delia Garcia
Executive Officer-Clerk
of the Board of Supervisors

By Jamie Hahn
Chair of the Board of Supervisors

By Rachelle Smitherman
Deputy



(Seal)

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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 herein.

[Signature]
Los Angeles County Tax Collector

Pursuant to the provisions of Revenue and Taxation Code Section 3795, the State approves the foregoing agreement this 11th day of April, 2019.

BETTY T. YEE
CALIFORNIA STATE CONTROLLER

By: [Signature]
JACLYN MCQUEEN, MANAGER
Government Compensation and Property Tax Standards Section
ax Standards Section

EXHIBIT A

REAL PROPERTY DESCRIPTION AND PURCHASE PRICE

ITEM	DESCRIPTION
Supervisory District	3RD
Location	CITY OF LOS ANGELES
Property Address	VACANT LOT (NO ADDRESS ASSIGNED)
Assessor's Identification Number	4410-013-014
Legal Description	TRACT # 1719 LOTS 202 AND 203
Size/Area	4,273 SQ. FT.
Agreement Number	2791
First Year of Default	1983
Estimated Purchase Price	\$2,100
Purpose of Acquisition	OPEN SPACE WITHIN RUSTIC CANYON.

Note: This parcel has a reduced purchase price. The estimated purchase price includes the projected costs of the Chapter 8 Agreement Sale, which consist of the costs of notification, publication, postage, title report, recording, and State and transfer taxes, if applicable.

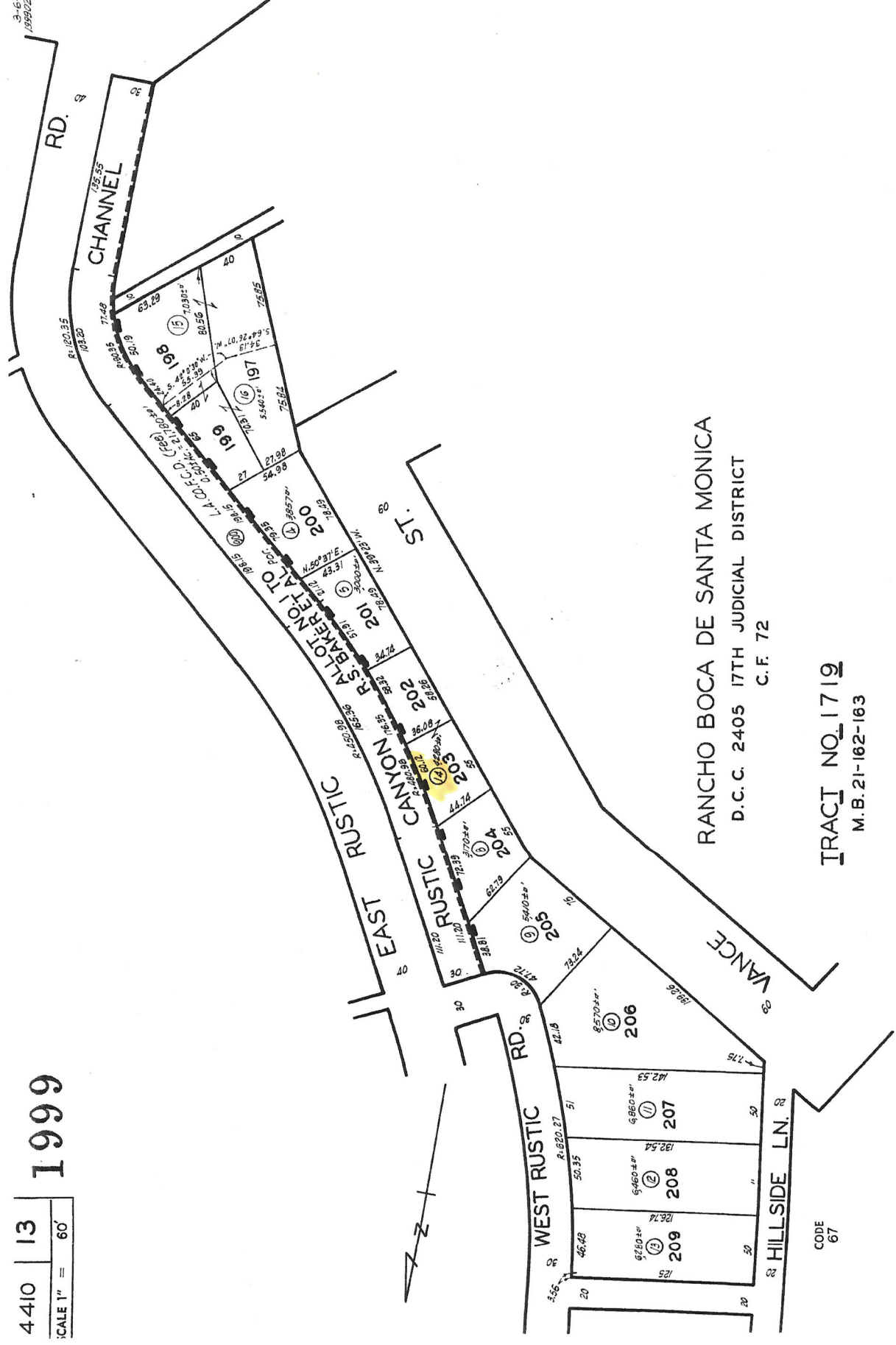
REVISED
11-19-61
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199922649
10-21-63P

WEST CHANNEL
RD. S

RD. S

CHANNEL

4410 | 13 | 1999
SCALE 1" = 60'



RANCHO BOCA DE SANTA MONICA
D.C.C. 2405 17TH JUDICIAL DISTRICT
C.F. 72

IRACTI NO. 1719
M.B. 21-162-163

CODE
67

FOR PREY. ASSM'T. SEE: 580-10

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

AGREEMENT NUMBER 2791
TONGVA LAND PRESERVATION CORPORATION
ATTACHMENT A

Application to Purchase Tax-Defaulted Property from the 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: TONGVA LAND PRESERVATION CORPORATION
2. Corporate Structure – check the appropriate box below and provide corresponding information:
 - Nonprofit – provide Articles of Incorporation
 - Public Agency – provide mission statement (If special district, also provide jurisdiction boundary 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 other use to serve low-income persons, 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 for low-income housing or other use to serve low-income persons, 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: 4410 013 014
3. State the purpose and intended use for each parcel: PRESERVE AS OPEN SPACE FOR THE PUBLIC ENJOYMENT IN PERPETUITY.

D. Acknowledgement Detail

Provide the signature of the purchasing entity's authorized officer

[Signature] PRESIDENT 4/26/18
Authorized Signature Title Date

TONGVA LAND PRESERVATION CORPORATION

26 April 2018

Ms. Le Cresha Gipson
Tax Sale Supervisor
Secured Property Tax Division
Los Angeles County Treasurer and Tax Collector
225 North Hill Street, Room 130
Los Angeles, CA 90012

Re: Request to purchase AIN 4410 013 014 Subject to the Power of Sale

Dear Ms. Gipson,

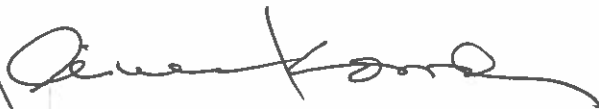
We are filing a request to purchase AIN 4410 013 014 Subject to the Power of Sale.

The parcel AIN 4410 013 014 is a vacant hillside property located at 361 N. East Rustic Road in Los Angeles, CA. It is populated abundantly with local plant and animal species. It is also one of the last parcels of undeveloped, open space within Rustic Canyon.

As longtime residents of Rustic Canyon, we have established the Tongva Land Preservation Corporation (Tongva), as a Public Benefit Corporation for public and charitable purposes. Tongva's sole purpose and intention is to purchase AIN 4410 013 014 through a Chapter 8 Agreement Sale to maintain the property as open space for the benefit of the general public's enjoyment in perpetuity.

We have attached a completed SCO 8-16 application, Articles of Incorporation and Form FU50004 filed with the California Secretary of State. Thank you in advance for your attention to this matter.

Sincerely,



Jaimie Korody
President

Tongva Land Preservation Corporation

4069390

ARTICLES OF INCORPORATION

OF

Tongva Land Preservation Corporation

Emk
FILED
Secretary of State
State of California

SEP 27 2017

IPC

I.

The name of the corporation shall be Tongva Land Preservation Corporation

II.

The place in this state where the principal office of the Corporation is to be located is 344 East Rustic Road, Santa Monica, California 90402.

III.

Said corporation is organized exclusively for charitable purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

This corporation is a nonprofit PUBLIC BENEFIT CORPORATION and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes.

The specific purpose of this corporation is acquisition of vacant land for public use.

IV.

The name and address in the State of California of this corporation's initial agent for service of process is:

David Jackson
344 East Rustic Road, Santa Monica, California 90402

V.

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provisions of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation except from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of future federal tax code, or (b) by a corporation, (2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

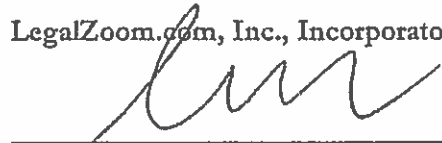
VI.

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

IN WITNESS WHEREOF, the undersigned incorporator has executed these Articles of Incorporation on the date below.

Date: 9/24/2017

LegalZoom.com, Inc., Incorporator



By: Cheyenne Moseley, Assistant Secretary

CORPORATE RESOLUTION
OF
TONGVA LAND PRESERVATION CORPORATION

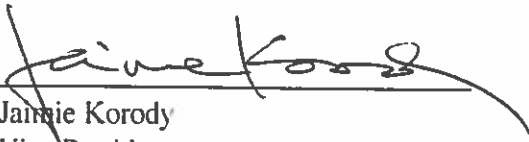
We, the undersigned, being all the Directors of Tongva Land Preservation Corporation, organized and existing under the laws of California, and having its principal place of business at 350 East Rustic Road, Santa Monica, California 90402 (the "Corporation"), hereby certify that the following is a true and correct copy of a resolution duly adopted at a meeting of the Directors of the Corporation duly held and convened on July 23, 2018, at which a quorum of the Board of Directors was present and voting throughout, and that such resolution has not been modified, rescinded or revoked, and is at present in full force and effect:

Therefore, it is resolved:

That Tongva Land Preservation Corporation, a State of California nonprofit Public Benefit Corporation, acquire from the County of Los Angeles, thru Chapter 8 Agreement Sale, real property AIN 4410-013-014, located in Rustic Canyon, Los Angeles County, California to be preserved as open space for public enjoyment. Purchase price is approximately \$2,100.00, payable net 14 days.


By affirmative votes noted as signatures below, a majority vote of the Members of Tongva Land Preservation Corporation with authority to bind the Company approves the form and content of this resolution, to be effective immediately.

DIRECTORS



Jamie Korody
Vice President

7/23/18
Date



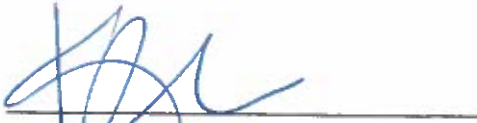
David Jackson
President

7/23/18
Date



Tony Korody
Treasurer

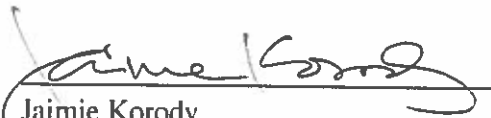
7-23-18
Date



Katie Jackson
Secretary

7-23-18
Date

ATTEST (SECOND OFFICER)



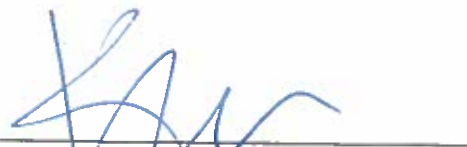
Jaimie Korody
Vice President

7/23/18
Date

[CORPORATE SEAL]

CERTIFICATE OF SECRETARY

The Secretary of the Corporation hereby certifies that he/she is the duly elected and qualified Secretary of Tongva Land Preservation Corporation and certifies that the above is a true and correct record of the resolution that was duly adopted by the Directors of the Corporation on July 23, 2018.



Katie Jackson
Secretary