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

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

September 4, 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: BIG DALTON WASH
PARCELS 63 AND 804
GRANT OF EASEMENT - CITY OF IRWINDALE
(SUPERVISORIAL DISTRICT 1)
(3 VOTES)

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

1. Find that the proposed grant of easement for public road and highway purposes and the subsequent use of said easement will not interfere with the use of Big Dalton Wash for any purposes of the Los Angeles County Flood Control District.

2. Approve the grant of easement for public road and highway purposes from the Los Angeles County Flood Control District to the City of Irwindale in, over, and across Big Dalton Wash, Parcels 63 and 804, for $12,250.

3. Instruct the Chairman to sign the Road Deed and authorize delivery to the grantee.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to allow the Los Angeles County Flood Control District (LACFCD) to grant an easement for public road and highway purposes (Parcel 10-2RE) in, over, and across Big Dalton Wash, Parcels 63 and 804, to the City of Irwindale (City).

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Fiscal Responsibility (Goal 4). The revenue from this transaction will be used for flood control purposes. The granting of the easement will also provide Community Services (Goal 6). This action will provide the residents in the community with a safer, less congested roadway, thereby, improving the quality of life in the County.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The proposed selling price of $12,250 represents the appraised value of the easement. This amount has been paid and deposited into the Flood Control District Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The City requested the easement in connection with its road widening project known as Los Angeles Street over Big Dalton Wash and is required to complete the project. The granting of the easement is not considered adverse to the LACFCD's purposes.

The proposed grant of easement is authorized by Section 2, paragraph 10, of the Los Angeles County Flood Control Act. This Section provides as follows: "10. To grant or otherwise convey to ... cities and counties easements for street and highway purposes in, over, and across any real property owned by the Los Angeles County Flood Control District."

The granting of this easement will not hinder the use of the channel for possible transportation, utility, or recreational corridors. Moreover, the Road Deed reserves paramount rights for LACFCD purposes.

The attached Road Deed has been approved by County Counsel and will be recorded.

ENVIRONMENTAL DOCUMENTATION

On March 1, 2005, your Board approved and adopted the Negative Declaration and the Mitigation Monitoring and Reporting Program for the Los Angeles Street over Big Dalton Wash project and found that by incorporating the mitigation measures described in the Mitigation Monitoring and Reporting program, the project would not have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for dual use of flood control right of way without interfering with the mission of the LACFCD.

CONCLUSION

Please return one adopted copy of this letter and the executed original Easement document to the Department of Public Works, Mapping & Property Management Division.

Respectfully submitted,

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:DLW
PAP:adg

Attachments (2)

c: Auditor-Controller (Accounting Division - Asset Management)
County Counsel
Department of Public Works (Fiscal)

DUPLICATE

RECORDING REQUESTED BY
AND MAIL TO:

City of Irwindale
5050 North Irwindale Avenue
Irwindale, CA 91706-2192
Attention Kwok Tam

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:
8415-001-901 (Portion)

ROAD 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 grant to the CITY OF IRWINDALE, a municipal corporation (hereinafter referred to as CITY), an easement for public road and highway purposes in, on, over, and across all that real property in the City of Irwindale, County of Los Angeles, State of California, described in Exhibit A attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions, which CITY, by the acceptance of this Road Deed and/or the exercise of any rights granted herein, agrees to keep and perform, viz:

1. DISTRICT reserves the paramount right to use said land for flood control purposes.

2. CITY agrees that it will not perform or arrange for the performance of any construction or reconstruction work in, on, over, and across the land herein described until the plans and specification for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District. Such approval by DISTRICT shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness, or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. DISTRICT does not accept ownership or responsibility for the improvements.

3. CITY agrees that it shall indemnify and save harmless the DISTRICT, its officers, agents, and/or employees, from any and all 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, and employees, arising out of the exercise by CITY, its officers, agents, and employees, of any of the rights granted to it by this Road Deed.

4. It is expressly understood that DISTRICT will not be called upon to construct, repair, maintain, or reconstruct any structure or improvement to be erected or constructed pursuant to this Road Deed.

5. The provisions and agreements contained in this Road Deed shall be binding upon CITY, its successors, or assigns.

To the extent any lawful assessment be levied pertaining to the area to which this Road Deed applies and to the extent that the assessment is based on the structures and improvements being constructed under the authority of this Road Deed, and provided further that the assessment be levied following CITY's exercise of these easement rights to construct such structures and improvements, CITY agrees to pay on behalf of DISTRICT that part of any such assessment levied against DISTRICT which is based on the value contributed to that area by CITY's said improvements.

Dated SEP 0 4 2007

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

By
Chairman, 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

LOS ANGELES STREET OVER BIG DALTON WASH
(File: Los Angeles Street (10))
Parcel 2RE
Affects Big Dalton Wash
Parcels 63 and 804
I.M. 144-297
X2100354
S.D. 1
Proj. I.D. RDC0014021

KR:bw
P:CONF:KR-RD LA STREET 2RE 6707

NOTE: Acknowledgment form on 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 Chairman of the Board on all papers, documents, or instruments requiring the Chairman's signature.

The undersigned hereby certifies that on this 4TH day of SEPTEMBER, 20 07, the facsimile signature of ZEV YAROSLAVSKY, Chairman 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 Chairman 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_____

CERTIFICATE OF ACCEPTANCE

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 Irwidale, a municipal corporation, is hereby accepted by order of the City Council of the City of Irwindale, 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.

Dated_____

By _____

P:CONF:ACK:FLODFAX.2 W CITY ACCPT RVSD. 51607

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 Chairman of the Board on all papers, documents, or instruments requiring the Chairman's signature.

The undersigned hereby certifies that on this ____ day of _____, 20____, the facsimile signature of _____, Chairman 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 Chairman 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_____

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Dated_____

By _____

EXHIBIT A

Project Name: Los Angeles Street Over Big Dalton Wash
LOS ANGELES STREET 10-2RE
Affects: BIG DALTON WASH
Parcel Nos. 63 and 804
16-RW 12.3
A.P.N. 8415-001-901
T.G. 598 (E4)
I.M. 144-297
First District
X2100354

LEGAL DESCRIPTION

PARCEL NO. 10-2RE (Easement for public road and highway purposes):

Part A:

All that portion of the north 23.00 feet of the south 94.50 feet of the southeast quarter of Section 8, Township 1 South, Range10 West, S.B.M., within that certain parcel of land described as PARCEL 63 in a Final Judgment, had in Superior Court Case No. 599819, a certified copy of which was recorded in Book 41916, page 325, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

Part B:

All those portions of that certain parcel of land described as Parcel No. 804, in a Final Order of Condemnation, had in Superior Court Case No. 813118, a certified copy of which was recorded on November 2, 1964, as Document No. 3487, in Book D2685, page 486, of the above-mentioned Official Records.

To be known as LOS ANGELES STREET.

Containing: 6300 ± square feet.

APPROVED AS TO DESCRIPTION
May 1, 2006
COUNTY OF LOS ANGELES
By
SUPERVISING CADASTRAL ENGINEER II
Mapping and Property Management Division

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 Land Surveyors Act.

RO C:\MyFiles\Legal Descriptions\Los Angeles Street\10-2RE.doc