COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 11, 2009

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
30 August 11, 2009
SACHI A. HAMAI
EXECUTIVE OFFICER

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

Dear Supervisors:

QUITCLAIM OF EASEMENT FROM THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT TO JOHN D. MCCONAGHY AND MARIANNA WOOD MCCONAGHY STORM DRAIN BOND ISSUE PROJECT NO. 470-9649 PARCEL 14EX IN THE CITY OF PASADENA (SUPERVISORIAL DISTRICT 5) (3 VOTES)

SUBJECT

This action is to approve the quitclaim of an easement over Storm Drain Bond Issue Project No. 470-9649 in the City of Pasadena to John D. McConaghy and Marianna Wood McConaghy, Co-trustees under the McConaghy Family Trust of 1995 dated
November 20, 1995.

IT IS RECOMMENDED THAT YOUR BOARD:

1. ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

2. Find this transaction categorically exempt from the provisions of the California Environmental Quality Act.

3. Find the easement interest in Storm Drain Bond Issue Project No. 470-9649 Parcel 14EX is no longer required for the purposes of the Los Angeles County Flood Control District.

4. Authorize the quitclaim of easement to the underlying fee owners, John D. McConaghy and Marianna Wood McConaghy, Co-trustees under the McConaghy Family Trust of 1995 dated November 20, 1995, for $8,012.

5. Instruct the Chairman to sign the Quitclaim of Easement document and authorize delivery to John D. McConaghy and Marianna Wood McConaghy.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to obtain your Board's approval to quitclaim an easement for access road purposes over Storm Drain Bond Issue Project No. 470-9649, Parcel 14EX, in the City of Pasadena, from the Los Angeles County Flood Control District (LACFCD) to the underlying fee property owners, John D. McConaghy and Marianna Wood McConaghy, Co-trustees under the McConaghy Family Trust of 1995 dated November 20, 1995.

On September 8, 1981, the LACFCD acquired the easement for access road purposes for Storm Drain Bond Issue Project No. 470-9649. The McConaghys requested to realign the easement to accommodate their development and granted the LACFCD an alternative easement. Consequently, the easement in Parcel 14EX is no longer required by the LACFCD.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The revenue from this transaction will help promote fiscal responsibility for the operation and maintenance of flood control facilities.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The proposed selling price of $8,012 represents the market value. This amount has been paid and deposited into the Flood Control District Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Parcel 14EX over Storm Drain Bond Issue Project No. 470-9649 is located west of Edgehill Place and north of Inverness Drive in the City of Pasadena.

The proposed quitclaim of easement 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 to be a body corporate and politic, and as such shall have power…13. To lease, sell, or dispose of any property (or any interest therein) whenever in judgment of said board of supervisors, said property or any interest therein, or any part thereof, is no longer required for the purpose of said district…"

The enclosed Quitclaim of Easement document has been approved by County Counsel as to form and will be recorded.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). This project is within the class of projects which have been determined to not have a significant effect on the environment in that they meet the criteria specified in Section 15312 of the State CEQA Guidelines and Class 12 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will eliminate the need to maintain the property and reduce the cost of the LACFCD's expenses and potential liabilities.

CONCLUSION

Please return one adopted copy of this letter and the executed original Quitclaim of Easement document to the Department of Public Works, Survey/Mapping & Property Management Division. Retain the duplicate for your files.

Respectfully submitted,

GAIL FARBER
Director

GF:SGS:hp

Enclosures

c: Auditor-Controller (Accounting Division - Asset Management)
Chief Executive Office (Lari Sheehan)
County Counsel
Executive Office

ORIGINAL

RECORDING REQUESTED BY
AND MAIL TO:

Mr. John D. McConaghy and
Ms. Marianna Wood McConaghy,
Trustees of the McConaghy Trust
dated November 20, 1995
1382 Edgehill Place
Pasadena, CA 91103

Space Above This Line Reserved for Recorder's Use

Documentary Transfer Tax is $_____
( ) computed on full value of property conveyed, or
( ) computed on full value less value of liens and encumbrances remaining at time of sale
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

By_____

Assessor's Identification Numbers:
5704-012-013 and 014 (Portions)

QUITCLAIM OF EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, does hereby remise, release, and forever quitclaim to John D. McConaghy and Marianna Wood McConaghy, Cotrustees, or their successors in trust, under the McConaghy Family Trust of 1995, dated November 20, 1995, as amended and restated, an undivided 80% interest, owned as the sole and separate property of Marianna Wood McConaghy, and an undivided 20% interest as community property of John D. McConaghy and Marianna Wood McConaghy, all its right, title, and interest in and to that certain easement to construct, operate, and maintain an access road, together with the right of ingress and egress acquired by Easement document recorded September 8, 1981, as Document No. 81-896588, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, insofar and only insofar as said easement exists on the real property in the City of Pasadena, County of Los Angeles, State of California, described in Exhibit A attached hereto and by this reference made a part hereof.

Dated August 11, 2009

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

By Don Knabe
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

PROJECT NO. 470-9649 14EX
470-9649-RW 4.1
S.D. 5 M0420007

OAG:bw:P:\conf\qce 470-964014a

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 11th day of August, 2009, the facsimile signature of Don Knabe, 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:

ROBERT E. KALUNIAN
Acting County Counsel

By _____
Deputy

APPROVED as to title and execution,

_____, 20_____.

DEPARTMENT OF PUBLIC WORKS
Mapping & Property Management Division

Supervising Title Examiner

By _____

EXHIBIT A

PROJECT NO. 470-9649 14EX
470-9649-RW 4.1
A.P.N. 5704-012-013 and 014 (Pors.)
T.G. 535 (D7)
I.M. 174-217
S.D. 5
M0420007

LEGAL DESCRIPTION

PARCEL NO. 14EX (Quitclaim of portions of easement):

Part A:

All that portion of that certain parcel of land in Lots 35 and 36, Tract No. 9505, as shown on map recorded in Book 131, pages 11, 12 and 13, of Maps, in the office of the Recorder of the County of Los Angeles, described as Parcel No. 14A, Part (a) in deed to the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, recorded on September 8, 1981, as Document No. 81-896588, of Official Records, in the office of said Recorder, lying southerly and southeasterly of a line parallel with and 20.00 feet southerly, measured at right angles, from the following described line, said last-mentioned line hereby designated as "Line A" for the purpose of this description:

Beginning at a point in the southwesterly line of said Lot 36, said point being distant South 30°00'00" East 30.65 feet along said southwesterly line from the northwesterly corner of said last-mentioned lot, said point also being in the southerly line of that certain parcel of land described in deed to Flintridge Sacred Heart Academy, recorded in Book 11038, page 217, of said Official Records; thence North 86°42'30" East along said southerly line, a distance of 23.33 feet to the southeasterly corner of said last-mentioned certain parcel of land; thence North 82°50'39" East 109.48 feet to that certain curve having a radius of 35.00 feet in westerly line of Edgehill Place, as shown on said map.

Containing: 1,171± s.f.

Part B:

That portion of that certain parcel of land in above-mentioned Lot 36, described as Parcel No. 14A, Part (b) in above-mentioned deed recorded as Document No. 81-896588, lying northerly of the above-designated "Line A".

Containing: 16± s.f.

Total area of Parts A and B containing: 1,187± s.f.

DUPLICATE

RECORDING REQUESTED BY
AND MAIL TO:

Mr. John D. McConaghy and
Ms. Marianna Wood McConaghy,
Trustees of the McConaghy Trust
dated November 20, 1995
1382 Edgehill Place
Pasadena, CA 91103

Space Above This Line Reserved for Recorder's Use

Documentary Transfer Tax is $_____
( ) computed on full value of property conveyed, or
( ) computed on full value less value of liens and encumbrances remaining at time of sale
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

By_____

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Dated August 11, 2009

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

By Don Knabe
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

PROJECT NO. 470-9649 14EX
470-9649-RW 4.1
S.D. 5 M0420007

OAG:bw:P:\conf\qce 470-964014a

NOTE: Acknowledgment form on reverse side.

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) ss.
COUNTY OF LOS ANGELES)

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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:

ROBERT E. KALUNIAN
Acting County Counsel

By _____
Deputy

APPROVED as to title and execution,

_____, 20_____.

DEPARTMENT OF PUBLIC WORKS
Mapping & Property Management Division

Supervising Title Examiner

By _____

P:CONF:ACK:FLODFAX.2 W O ACCPT. DOC 51607

EXHIBIT A

PROJECT NO. 470-9649 14EX
470-9649-RW 4.1
A.P.N. 5704-012-013 and 014 (Pors.)
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Part B:

That portion of that certain parcel of land in above-mentioned Lot 36, described as Parcel No. 14A, Part (b) in above-mentioned deed recorded as Document No. 81-896588, lying northerly of the above-designated "Line A".

Containing: 16± s.f.

Total area of Parts A and B containing: 1,187± s.f.