



GAIL FARBER, Director

# 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>

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

December 8, 2015

IN REPLY PLEASE  
REFER TO FILE:

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

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

Dear Supervisors:

25 December 8, 2015

  
PATRICK O'GAWA  
ACTING EXECUTIVE OFFICER

**GRANT OF EASEMENT  
FROM THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT  
TO KIRK BACHMAN AND JULIANNE BACHMAN  
TRANCAS CANYON PRIVATE DRAIN 658-PARCEL 1-1GE  
IN THE CITY OF MALIBU  
(SUPERVISORIAL DISTRICT 3)  
(3 VOTES)**

### SUBJECT

This action is to approve the grant of easement from the Los Angeles County Flood Control District to Kirk Bachman and Julianne Bachman for ingress and egress purposes in, over, and across Private Drain 658-Parcel 1-1GE, in the City of Malibu.

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

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the grant of an easement for ingress and egress and the subsequent use of said easement will not interfere with the use of Private Drain 658 for any purposes of the Los Angeles County Flood Control District.

3. Approve the grant of an easement from the Los Angeles County Flood Control District to Kirk Bachman and Julianne Bachman for ingress and egress in, over, and across Private Drain 658–Parcel 1-1GE, in the City of Malibu, for \$3,500.
4. Instruct the Chairwoman to sign the Easement document and authorize delivery to Kirk Bachman and Julianne Bachman.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:**

The purpose of the recommended actions is to obtain approval from the Board, acting as the governing body of the Los Angeles County Flood Control District, to grant an easement for ingress and egress in, over, and across Private Drain 658 (PD 658)–Parcel 1-1GE, in the City of Malibu, from the District to Kirk Bachman and Julianne Bachman. The Bachmans requested the easement for ingress and egress over a portion of the District property to provide adequate Fire Department access to their property.

**Implementation of Strategic Plan Goals**

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

**FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The cost of the easement in the amount of \$3,500 represents the fair market value of the easement. This amount has been paid and deposited into the Flood Control District Fund.

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

PD 658–Parcel 1-1GE is located in the City of Malibu. The proposed grant of easement is authorized by Section 2, subsection 13, of the Los Angeles County Flood Control Act. This section provides as follows: "The Los Angeles County Flood Control District is hereby declared to be a body corporate and politic, and has all the following powers... 13. To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of the board of supervisors of the property, or any interest therein or part thereof, is no longer required for the purposes of the district..."

The grant of the easement is not considered adverse to the District's purposes and will not hinder the use of PD 658 for possible transportation, utility, recreational corridors, or flood control purposes. Moreover, the Easement document will reserve paramount rights for District purposes.

County Counsel approved the enclosed Easement document as to form, and subsequent to the Board action on this matter, the document will be recorded.

### **ENVIRONMENTAL DOCUMENTATION**

This action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15305 of the CEQA Guidelines, and Class 5(a) of the Los Angeles County Environmental Reporting Procedures and Guidelines, adopted by the Board on November 17, 1987. This exemption provides for the granting of easements to other local agencies or private citizens.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action allows for the joint use of the District's right of way without interfering with the primary mission of the District.

The Honorable Board of Supervisors  
December 8, 2015  
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**CONCLUSION**

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

Respectfully submitted,



GAIL FARBER  
Director of Public Works

GF:SGS:mr

Enclosure

c: Auditor-Controller (Accounting Division–Asset Management)  
Chief Executive Office (Rochelle Goff)  
County Counsel  
Executive Office

# DUPLICATE

RECORDING REQUESTED BY  
AND MAIL TO:

Kirk and Julianne Bachman  
5663 Calpine Drive  
Malibu, CA 90265

*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

Assessor's Identification Number:  
4469-001-900 (Portion)

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

By \_\_\_\_\_

## EASEMENT

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 KIRK BACHMAN and JULIANNE BACHMAN, husband and wife, as community property (hereinafter referred to as GRANTEES), an easement for ingress and egress purposes in, on, over, and across the real property in the City of Malibu, County of Los Angeles, State of California, described in Exhibit A and shown on and delineated on Exhibit B, both of which are attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions, which GRANTEES by the acceptance of this Easement and/or the exercise of any of the rights granted herein, agree to keep and perform, viz:

1. DISTRICT reserves the paramount right to use said land for flood control purposes.
2. GRANTEES agree that they 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 specifications 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.

Trancas Canyon PD 658  
(File with: Trancas Canyon 1)  
Parcel 1GE  
345-RW 2.1  
S.D. 3                      M1423003  
Project ID No. MPR0000632

DB:bw

P:\CONF\DBEASE\FLOOD\TOHW\TRANCUS CANYON FNL 7615

3. GRANTEES agree that they shall indemnify, defend, and save harmless DISTRICT, its officers, agents, and/or employees, from any and all claims, demands, liability, loss, damage, or expense to which DISTRICT, its officers, agents, and employees may be subjected as the result of any act or omission by GRANTEES, their officers, agents, employees, and/or contractors arising out of the exercise by GRANTEES, their officers, agents, employees and/or contractors of any of the rights granted to them by this Easement document.
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 Easement document.
5. The provisions and agreements contained in this Easement document shall be binding upon GRANTEES, their heirs, successors, and assigns.

To the extent any lawful assessment be levied pertaining to the area to which this easement applies and to the extent that the assessment is based on the structures and improvements being constructed under the authority of this easement and provided further that the assessment be levied following GRANTEES exercise of these easement rights to construct such structures and improvements, GRANTEES agree 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 GRANTEES said improvements.

Dated December 8, 2015



(LACFCD-SEAL)

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

By Hilda J. Solis  
Chairwoman, Board of Supervisors of the  
Los Angeles County Flood Control District

ATTEST:

PATRICK OGAWA, Acting Executive Officer  
of the Board of Supervisors  
of the County of Los Angeles

By Carla Little  
Deputy

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

The undersigned hereby certifies that on this 8th day of December, 2015, the facsimile signature of HILDA L. SOLIS, Chairwoman 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 Chairwoman 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.



PATRICK OGAWA, Acting Executive Officer  
of the Board of Supervisors  
of the County of Los Angeles

By Carla Little  
Deputy

(LACFCD-SEAL)

APPROVED AS TO FORM:

MARY WICKHAM  
COUNTY COUNSEL

By Carole Suzuki  
Deputy

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

## EXHIBIT A

File with: **TRANCAS CANYON 1**  
345-RW 2.1  
A.I.N. 4469-001-900 (Portion)  
T.G. 627 (A6)  
I.M. 129-017  
S.D. 3  
M1423003

### LEGAL DESCRIPTION

**PARCEL NO. 1GE** (Grant of easement for ingress and egress purposes):

That portion of that certain parcel of land in the Rancho Topanga Malibu Sequit, as shown on map recorded in Book 1, pages 414, 415, and 416, of Patents, 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 July 1, 1980, as Document No. 80-633413, of Official Records, in the office of said Registrar-Recorder/County Clerk, within the following described boundaries:

Beginning at the southeasterly terminus of that certain course described as having a length of 67.06 feet in said deed; thence North 42°00'11" West, along said certain course, a distance of 67.06 feet to the southerly terminus of that certain course described as having a length of 296.94 feet in said deed; thence southerly, along the southerly prolongation of said last-mentioned course, South 19°15'16" West 18.69 feet to the beginning of a tangent curve concave to the east and having a radius of 42 feet; thence southerly, along said curve, through a central angle of 53°19'23", an arc distance of 39.09 feet to the beginning of a compound curve concave to the northeast and having a radius of 238.70 feet; thence southeasterly, along said last-mentioned curve, through a central angle of 5°57'59", an arc distance of 24.86 feet to the northwesterly boundary of Tract No. 26957, as shown on map filed in Book 744, pages 88 and 89, of Maps, in the office of said Registrar-Recorder/County Clerk; thence North 51°16'55" East, along said northwesterly boundary, a distance of 40.00 feet to the point of beginning.

EXCEPTING therefrom that certain parcel of land described in deed to Floyd I. Merritt, recorded on January 27, 1982, as Document No. 82-95513, of said Official Records.

Containing: 866± square feet



APPROVED AS TO DESCRIPTION	
By	
	LICENSED LAND SURVEYOR Los Angeles County Department of Public Works
Dated	June 24, 2015

**EXHIBIT A**

N19°15'16"E (296.94)

# EXHIBIT B

## RANCHO TOPANGA MALIBU SEQUIT



LICENSED LAND SURVEYOR

6-24-15  
DATE

N76°32'13"W (RAD)

{ Δ=5°47'29"  
L=4.25



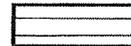
1"=10'

1A

OR 80-533413  
LACFCD (FEE)

P 1-414-416

LEGEND:



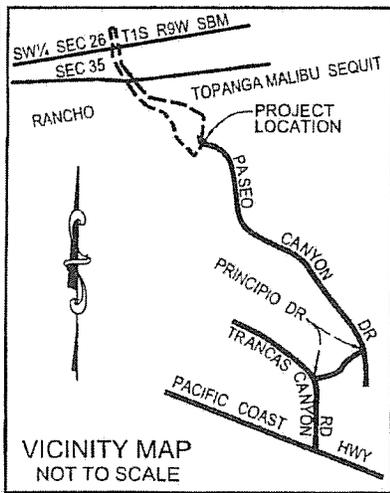
PARCEL NO. 1GE  
AREA: 866± SQ FT

### TRACT 33916

MB 1005 - 1 - 8

OR 82-95513  
FLOYD J. MERRITT  
EASEMENT - INGRESS & EGRESS (60'X20')

POB



VICINITY MAP  
NOT TO SCALE

LP\_M1423003\_6-22-15

### TRANCAS CANYON

REFERENCES:  
RW MAP 345-RW 2.1  
TG 627-A6  
AIN 4469-001-900

TRACT  
MB 744 -

26957

88 - 89

PASEO CANYON DR  
(PRIVATE ST)

S55°55'53"W (RAD)

S49°57'54"W (RAD)

N51°16'55"E 40.00

(67.06)

60.00

20

20.03

30

8

30

19.97

20

10

20

10

20

10

20

10

R=238.70

L=24.86

L=39.09

L=32.84

L=32.84

L=32.84

L=32.84

Δ=53°19'23"

Δ=47°31'54"

R=42

L=32.84

L=39.09

L=32.84

L=32.84