



REPORT TO CITY COUNCIL

DATE: OCTOBER 8, 2014

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: RAMIRO ADEVA, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER 

SUBJECT: ADOPT RESOLUTION NO. 14-1763, REQUESTING THE BOARD OF SUPERVISORS OF LOS ANGELES COUNTY TO ACCEPT, ON BEHALF OF THE LOS ANGELES FLOOD CONTROL DISTRICT, THE TRANSFER AND CONVEYANCE OF STORM DRAIN IMPROVEMENTS FOR MISCELLANEOUS TRANSFER DRAIN NO. 1839

The City of Agoura Hills is in the process of transferring the easements and maintenance responsibilities for the storm drain known as Miscellaneous Transfer Drain (MTD) No. 1839, to the Los Angeles County Flood Control District (LACFCD). The storm drain was constructed as part of the Conrad Hilton Foundation project (09-CUP-001), and consists of one drain and a debris basin located just south of their building.

In order to complete the transfer of the maintenance responsibilities, the City Council must adopt the attached resolution, and quitclaim the necessary easements to the LACFCD. Once the resolution and quitclaim documents have been approved and signed, they will be forwarded to the County for action by the Los Angeles County Board of Supervisors. All fees for the inspection, repair, and transfer of the drain have been paid to the County by the developer.

RECOMMENDATION

Staff respectfully recommends that the City Council:

1. Approve Resolution No. 14-1763, requesting the transfer and conveyance and improvements of storm drain known as MTD No. 1839 (Parcel Map 71284) to the Los Angeles County Flood Control District.
2. Authorize the Mayor to sign the resolution requesting transfer.
3. Authorize the Mayor to sign the quitclaim of easements.
4. Order the City Clerk to attest and record resolution and quitclaim easements, and send a certified copy of the resolution to the Los Angeles County Flood Control District.

Attachments: Resolution No. 14-1763
Quitclaim Easements
Exhibit "A" – Legal Description

RESOLUTION NO. 14-1763

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT, ON BEHALF OF SAID DISTRICT, THE TRANSFER AND CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS MISCELLANEOUS TRANSFER DRAIN NO. 1839 IN THE CITY OF AGOURA HILLS FOR FUTURE OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZE THE TRANSFER AND CONVEYANCE THEREOF

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

WHEREAS, there have been dedicated to, or the City of Agoura Hills has otherwise acquired, the storm drain improvements and drainage system known as Miscellaneous Transfer Drain (MTD) No. 1839, depicted on Los Angeles County Flood Control District Drawing No. 421-F70. 1-.8, on file with the Director of Public Works for the County of Los Angeles; and

WHEREAS, the City is authorized and empowered to transfer and convey to the Los Angeles County Flood Control District (hereinafter referred to as District) any storm drain improvements and drainage systems for future operation, maintenance, repair, and improvement; and

WHEREAS, the City and the District entered into an Agreement dated December 27, 1983, and recorded April 17, 1984, as Document No. 84-462954 of the official Records in the Registrar-Recorder/County Clerk's office, whereby the City made certain warranties about its future transfers and conveyances of flood control facilities to the District; and

WHEREAS, the best public interest will be served by transfer and conveyance of said storm drain improvements and drainage system from the City to the District for future operation, maintenance, repair, and improvement.

NOW, THEREFORE, BE IT RESOLVED, that the City does hereby request the District to accept the transfer and conveyance of the storm drain improvements and drainage system depicted on District Drawing No. 421-F70.1-.8, on file with the Director of Public Works for the County of Los Angeles.

BE IT FURTHER RESOLVED that, subject to the acceptance thereof of the Board of Supervisors of the District, the City Engineer is directed and ordered to prepare all necessary instruments and documents to effectuate the transfer and conveyance and that the Mayor is authorized and instructed to execute said documents and other instruments. The District shall have no obligation or responsibility to maintain

the storm drain, improvements, and drainage until all rights of way, for the drain now vested in the City, and all other necessary rights of way have been conveyed to and accepted by the District.

PASSED, APPROVED, and ADOPTED this 8th day of October, 2014, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

William D. Koehler, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

ORIGINAL

RECORDING REQUESTED BY
AND MAIL TO:

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
P.O. Box 1460
Alhambra, CA 91802-1460
Attention Survey/Mapping & Property
Management Division
Title & Escrow Section
Alan R. Husted

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.

Assessor's Identification Number:
2061-002-095 (Portions)

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

QUITCLAIM OF EASEMENTS

For a valuable consideration, receipt of which is hereby acknowledged, the CITY OF AGOURA HILLS, a municipal corporation, does hereby remise, release, and forever quitclaim to the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, all its right, title, and interest in and to the following easements in, on, over, under, and across the real property in the City of Agoura Hills, County of Los Angeles, State of California, described in Exhibit A attached hereto and by this reference made a part hereof.

An easement for ingress and egress purposes, as shown on and dedicated on Parcel Map No. 71284, filed in Book 372, pages 93 to 96, inclusive, of Parcel Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

An easement for flood control purposes, as shown on and dedicated on Parcel Map No. 71284, filed in Book 372, pages 93 to 96, inclusive, of Parcel Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

An easement for covered storm drain and appurtenant structures, and ingress and egress purposes, as shown on and dedicated on Parcel Map No. 71284, filed in Book 372, pages 93 to 96, inclusive, of Parcel Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

File with: TRANSFER DRAINS
MISCELLANEOUS TRANSFER
DRAIN NO. 1839 1IE
Includes Parcels 1FE and 1DA
I.M. 159-037
S.D. 3 LSDESMT
Project ID No. MPF0000057

KR:bw

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The easements being quitclaimed herein are conveyed pursuant to and upon the terms of Agreement No. 46364, recorded April 17, 1984, as Document No. 84-462954, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, which terms are more particularly set forth therein and which are incorporated herein by this reference.

IN WITNESS WHEREOF, on _____, 20_____,
the CITY OF AGOURA HILLS, a municipal corporation, has caused this Quitclaim of Easements document to be executed by its duly authorized officer pursuant to a resolution adopted by its city council.

CITY OF AGOURA HILLS,
a municipal corporation

By _____
Mayor

(CITY SEAL)

ATTEST:

By _____
City Clerk

ACKNOWLEDGMENT FORM

STATE OF CALIFORNIA)
)
COUNTY OF _____) ss.

On _____, before me, _____, Notary Public,
(insert name of the officer) (insert title of the officer)

personally appeared _____

(insert name(s) and title(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

NOTARIES: ATTACH ADDITIONAL OR OTHER FORMS, IF REQUIRED

**ACKNOWLEDGMENT FORM
(FOR COUNTY USE ONLY)**

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

On _____, before me, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, personally appeared _____

_____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

DEAN C. LOGAN, Registrar-Recorder/
County Clerk of the County of Los Angeles

By _____
Deputy County Clerk

(Seal)

APPROVED as to title and execution,

_____, 20_____
DEPARTMENT OF PUBLIC WORKS
Survey/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 is hereby accepted under the authority conferred by Ordinance No. _____, duly and regularly adopted by the Board of Supervisors of the County of Los Angeles on the 21st day of August 2014, and the Grantee consents to the recordation thereof by its duly authorized officer.

Dated _____

By _____

ASSISTANT DEPUTY DIRECTOR
Survey/Mapping & Property Management Division

File with: TRANSFER DRAINS
MISCELLANEOUS TRANSFER
DRAIN NO. 1839 1IE Includes
Parcels 1FE and 1DA
A.P.N. 2061-002-095
I.M. 159-037
Third District
T.G. 557(G-6)

LEGAL DESCRIPTION

PARCEL NO. 1IE (EASEMENT FOR INGRESS AND EGRESS PURPOSES):

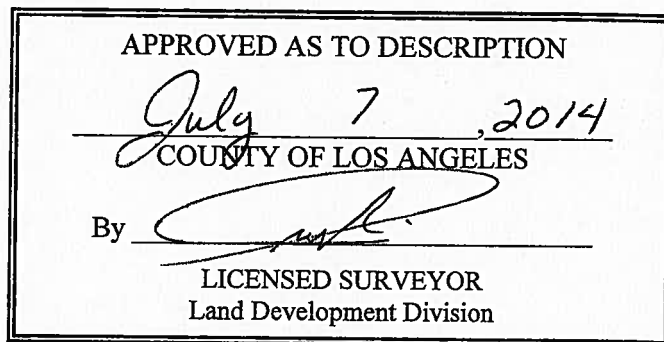
THAT PORTION OF PARCEL 1, PARCEL MAP NO. 71284, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 372, PAGES 93 THROUGH 96, OF PARCEL MAPS, IN THE OFFICE OF THE REGISTRAR-RECORDER/COUNTY CLERK OF SAID COUNTY AND DESIGNATED AS "AN EASEMENT FOR EGRESS AND INGRESS PURPOSES DEDICATED TO THE CITY OF AGOURA HILLS" AND DENOTED AS H ON SAID MAP.

PARCEL NO. 1FE (EASEMENT FOR FLOOD CONTROL PURPOSES):

THAT PORTION OF ABOVE MENTIONED PARCEL 1 DESIGNATED AS "AN EASEMENT FOR FLOOD CONTROL PURPOSES DEDICATED HEREON TO THE CITY OF AGOURA HILLS" AND DENOTED AS J ON SAID MAP.

PARCEL NO. 1DA (EASEMENT FOR COVERED STORM DRAIN APPURTENANT STRUCTURES AND INGRESS AND EGRESS PURPOSES):

THAT PORTION OF ABOVE MENTIONED PARCEL 1 DESIGNATED AS "AN EASEMENT FOR COVERED STORM DRAIN APPURTENANT STRUCTURES AND EGRESS AND INGRESS PURPOSES DEDICATED HEREON TO THE CITY OF AGOURA HILLS" AND DENOTED AS I ON SAID MAP.



MDEM TD 1839-1-1EX

EXHIBIT A (page 2 of 2)