



REPORT TO CITY COUNCIL

DATE: JUNE 8, 2016
TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: GREG RAMIREZ, CITY MANAGER 
BY: RAMIRO ADEVA, PUBLIC WORKS DIRECTOR/CITY ENGINEER 
SUBJECT: REQUEST TO ACCEPT A QUITCLAIM DEED FROM THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT FOR REAL PROPERTY RELATED TO THE MEDEA CREEK RESTORATION PROJECT

On March 25, 2015, the City Council approved Resolution No. 15-1780, which established the final project area limits for the Medea Creek Restoration Project. The project included naturalizing a portion of Medea Creek for aesthetic and biological habitat purposes, and improving pedestrian connections in the area. The naturalization consisted of removing approximately 425 linear feet of concrete channel that is located within a parcel currently owned and maintained by the Los Angeles County Flood Control District (LACFCD).

As part of the process of completing creek restoration projects, the LACFCD requires that the City of Agoura Hills accept ownership and maintenance responsibilities of the 44,000 square foot parcel that was improved, more specifically identified as Assessor Parcel Number 2061-007-900. Upon acceptance of the attached quitclaim deed by the Council, final approval of this property transfer will be completed at a future Board meeting of the Los Angeles County Board of Supervisors. As part of the proposed quitclaim deed, the City would not be required to pay any fees to the LACFCD. The associated maintenance costs would be incorporated into the regular park and tree maintenance programs.

The proposed quitclaim deed and certificate of acceptance have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff respectfully recommends the City Council:

1. Accept a quitclaim deed from the Los Angeles County Flood Control District for real property related to the Medea Creek Restoration Project.
2. Direct the City Clerk to sign and record the Certificate of Acceptance on behalf of the City of Agoura Hills.

Attachment: Easement Agreement
Aerial Map
Certificate of Acceptance

RECORDING REQUESTED BY
AND MAIL TO:

City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

DRAFT

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:
2048-007-900 (Portion)

QUITCLAIM 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 remise, release, and forever quitclaim to the CITY OF AGOURA HILLS, a municipal corporation (hereinafter referred to as CITY), all its right, title, and interest in and to the real property and all the facilities and improvements located thereon, 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.

EXCEPTING AND RESERVING all oil, gas, petroleum, and other hydrocarbons and minerals, but without right of entry to the surface of said land.

The herein quitclaim is subject to all matters of record and to the following conditions, which CITY by the acceptance of this Quitclaim Deed and/or the exercise of the rights granted herein, agrees to keep and perform, viz:

1. CITY shall indemnify 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 CITY, its officers, agents, employees, or contractors arising out of the exercise by CITY, its officers, agents, employees, or contractors of any of the rights granted to it by this Quitclaim Deed.
2. The express condition that the real property herein conveyed shall be used only for flood control and/or public recreational purposes and that if CITY should fail, refuse or neglect to use said real property for said purposes, then CITY shall compensate DISTRICT in the amount of the then fair market value of the real property.
3. The provisions, conditions, and agreements set forth in this Quitclaim Deed shall be binding upon CITY, its successors, and assigns.

Medea Creek (City of Agoura Hills)
(File: PRIVATE DRAIN NO. 1005 1)
Parcel 1EX
Quitclaim Deed Page 2

Pursuant to the authority delegated on _____, 20____, by the Board of Supervisors of the Los Angeles County Flood Control District, this Quitclaim Deed has been executed on behalf of said DISTRICT by the Director of the County of Los Angeles Department of Public Works on the _____ day of _____, 20_____.

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

GAIL FARBER
Director of Public Works

By _____
STEVEN G. STEINHOFF
Assistant Deputy Director
Survey/Mapping & Property Management Division

Medea Creek (City of Agoura Hills)
(File: PRIVATE DRAIN NO. 1005 1)
Parcel 1EX
370-RW 8
S.D. 3 EF16814002
Project ID No. MPR0000707

OG:bw
SMP-9/P:TITLE/OG QD AGRA HILLS 1EX DRFT RVSD 5416 52516

EXHIBIT A

TRANSFER DRAINS
Private Drain No. 1005 1EX
Medea Creek
370-RW 8
A.I.N. 2048-007-900
T.G. 558 - A5
I.M. 159-057
SD 3
EF16814002

LEGAL DESCRIPTION

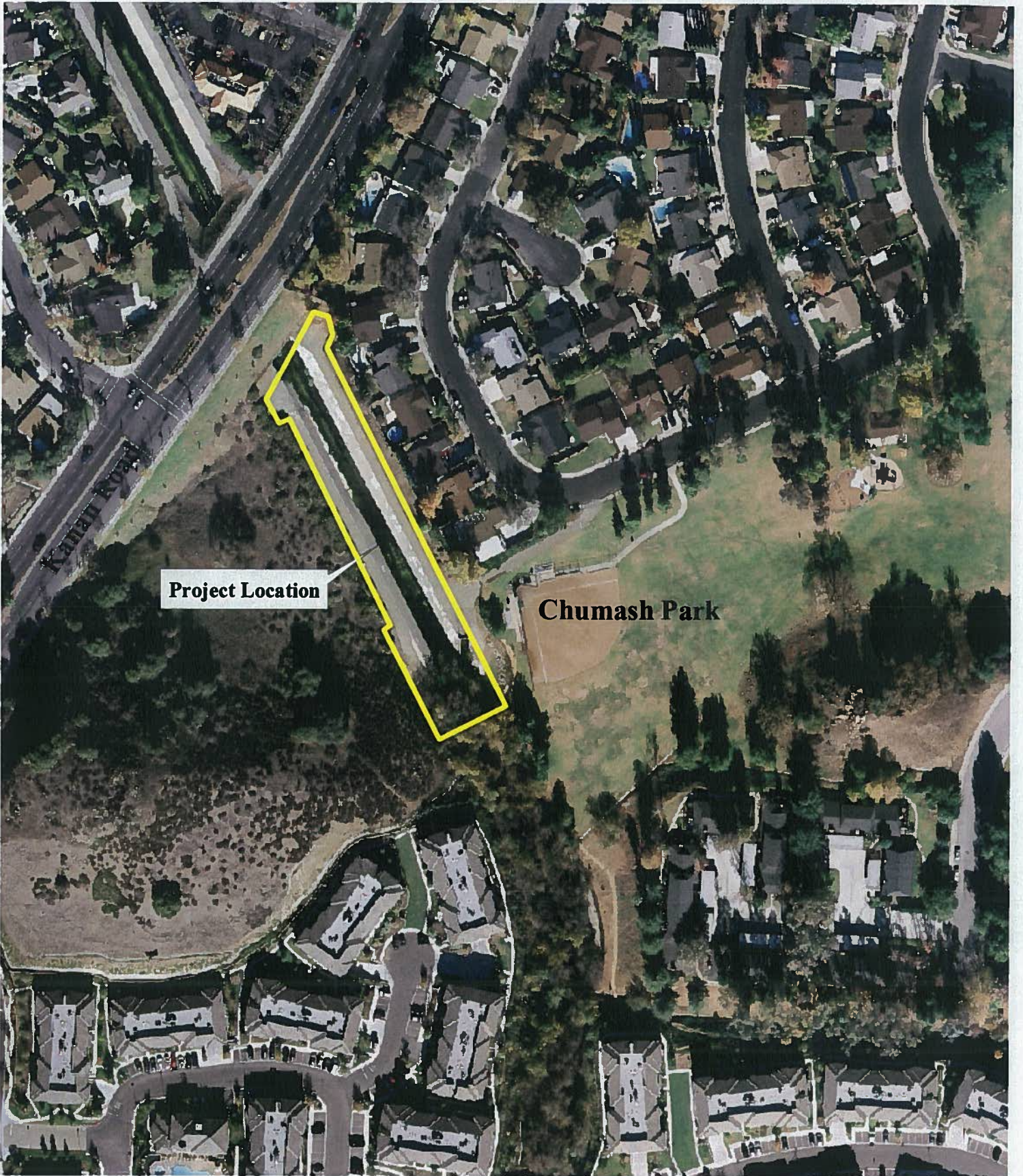
PARCEL NO. 1EX (Quitclaim of fee):

All of Lot 92, Tract No. 30907, as shown on map filed in Book 799, pages 27 to 33, inclusive, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

Containing: 1.07± acres



Aerial Map



Project Location

Chumash Park

DRAFT

CERTIFICATE OF ACCEPTANCE
(California Government Code Section 27281)

This is to certify that the interest in real property conveyed by that certain Quitclaim Deed dated as of _____, 2016 executed by the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT in favor of the City of Agoura Hills, a California municipal corporation, is hereby accepted by the undersigned officer on behalf of the City of Agoura Hills pursuant to the authority conferred by Resolution No. 00-1157 of the City Council of the City of Agoura Hills on May 24, 2000, and the grantee consents to the recordation thereof by its duly authorized officer.

Dated as of: June ____, 2016

Kimberly M. Rodrigues, MMC, City Clerk

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On _____, 2016 before me, _____,
(insert name and title of the officer)

a Notary Public in and for the State of California, personally appeared Kimberly M. Rodrigues, 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)