

## REPORT TO CITY COUNCIL

**DATE:** SEPTEMBER 25, 2024

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**BY:** NATHAN HAMBURGER, CITY MANAGER

**SUBJECT:** REQUEST TO APPROVE THE CONSENT TO TRANSFER OF INTEREST REGARDING THE AGOURA HILLS/CALABASAS COMMUNITY CENTER, ASSESSOR PARCEL NUMBER 2064-004-270

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Staff is seeking approval on the last remaining item to complete the transfer of the land and facility, previously known as the Agoura Hills Calabasas Community Center (AHCCCC), now operating as the Calabasas Community Center.

The original grant deed for the land that the facility currently resides on was transferred to the Cities of Agoura Hills and Calabasas equally to be used for publicly available recreational purposes in 1995. On May 8, 2024, the City Council approved a transfer agreement in relation to the building and its use to the City of Calabasas under the terms set forth in the AHCCC Transfer Agreement. Since that time, the actions required of both Cities have been completed as we awaited final discussions with the County of Los Angeles in regard to the quitclaim deed for the land at 27040 Malibu Hills Road in Calabasas (APN 2064-004-270). After several discussions, the proposed Consent to Transfer of Interest language was developed and approved to be executed by all three agencies.

The County of Los Angeles Real Estate Division will assist in the recording of this document, which will satisfy the requirements to properly transfer the City of Agoura Hills' interest in the land to the City of Calabasas.

Following the execution of this transfer, the final action remaining will be to meet with the AHCCC Board and complete the dissolution of the Joint Powers Authority.

The proposed document has been reviewed by the City Attorney and approved as to form.

### **FISCAL IMPACT**

There is no additional fiscal impact relative to this item as all of the financial considerations have been accounted for in the approved Fiscal Year 2024-25 Budget.

### **RECOMMENDATION**

Staff respectfully recommends the City Council approve the Consent to Transfer of Interest and authorize the City Manager to sign on behalf of the City and complete any additional administrative requirements to finalize the transaction.

Attachment: Consent to Transfer of Interest

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

Real Estate Division  
County of Los Angeles  
320 West Temple Street, 7th Floor  
Los Angeles, California 90012  
Attn: Senior Manager, Real Estate Division

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[FREE RECORDING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTIONS 6103 AND 27383]  
Space above for Recorder's Use

## CONSENT TO TRANSFER OF INTEREST

PROPERTY ADDRESS: 27040 Malibu Hills Road, Calabasas, CA 91301

OWNER: City of Calabasas, a California municipal corporation of one-half undivided interest

OWNER: City of Agoura Hills, a California municipal corporation of one-half undivided interest

REVERSIONARY INTEREST  
HOLDER: County of Los Angeles, a body corporate and politic of the automatic reverter

**THIS CONSENT TO TRANSFER OF INTEREST** dated effective as of September \_\_\_\_, 2024 (this **Consent**"), is made by **COUNTY OF LOS ANGELES** ("**County**"), in favor of the **City of Agoura Hills** ("**Agoura**" or "**Transferor**") and the **City of Calabasas** ("**Calabasas**" or "**Transferee**," collectively with Agoura "**Cities**") with reference to the following Recitals.

### RECITALS

**WHEREAS**, Calabasas and Agoura Hills entered into a Joint Powers Agreement on November 24, 1997 to govern the operation of the Agoura Hills and Calabasas Community Center ("Community Center"), which created a separate public entity, the Agoura Hills and Calabasas Community Center Joint Powers Authority (the "Joint Powers Authority").

**WHEREAS**, the land on which the Community Center sits is jointly owned by Calabasas and Agoura, each owning an undivided half-interest in the land described in Exhibit "A" to Exhibit "1" attached hereto and the improvements thereon (having a street address of 27040 Malibu Hills Road, Calabasas, CA 91301) (the "Property").

**WHEREAS**, the Cities jointly own the land on which the Community Center sits, and the improvements thereon, including the Community Center building, per a quitclaim deed to the Cities from the County, recorded in the Official Records of Los Angeles County on March 8, 1995, as Document No. 95-359616 (the "1995 Quitclaim Deed").

**WHEREAS**, the 1995 Quitclaim Deed contains an express condition ("Condition No. 1") creating a reversionary interest to the County in the land, which states:

"The express condition that the real property so conveyed shall be used only for public recreational purposes and that if said Cities should, fail, refuse or neglect to use said real property for public recreational purposes, title to the said real property

shall immediately revert to the County of Los Angeles without further notice and without the necessity of any affirmative action on the part of said County to assert any rights in said real property."

**WHEREAS**, the Cities have decided that the land on which the Community Center sits, and the improvements thereon, including the Community Center sits, and the improvements thereon, including the Community Center building, shall be transferred in full to Calabasas.

**NOW, THEREFORE**, the County does hereby affirm:

1. The County is the owner of a reversionary interest in the Property pursuant to an express condition of the 1995 Quitclaim Deed.
2. Express Condition No. 1 in the 1995 Quitclaim Deed was intended to run with the land and to be binding on all successors, transferees, and assigns.
3. The County does hereby consent to the transfer of Agoura's interest in the Property to Calabasas, subject to all easements, rights, rights of way, reservations, restrictions, covenants, and conditions of record, if any, and subject to the two express conditions set forth in the 1995 Quitclaim Deed.
4. A true and complete list of documents comprising the 1995 Quitclaim Deed is attached hereto as Exhibit 1 and have been corrected by paragraph 2 of this Consent to ensure that Condition No. 1 runs with the land and be binding upon all successors, transferees, and assigns.
5. This Consent to Transfer may be executed in any number of counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute but one and the same instrument. Any signature (including any electronic symbol or process attached to, or associated with, a contract or other record and adopted by a person with the intent to sign, authenticate or accept such contract or record) hereto shall have the same legal validity and enforceability as a manually executed signature or use of a paper-based recordkeeping system to the fullest extent permitted by applicable law. The truth and accuracy of the certifications contained herein may be relied upon by Transferor and Transferee and their respective successors, assigns, and transferees.

*[SIGNATURE PAGE IMMEDIATELY FOLLOWS]*

**IN WITNESS WHEREOF**, the undersigned has caused this Consent to Transfer of Interest to be executed by its duly-authorized representative as of the date written above.

**HOLDER OF REVERSIONARY INTEREST:**

**COUNTY OF LOS ANGELES,**  
a body corporate and politic

CHIEF EXECUTIVE OFFICE

FESIA A. DAVENPORT  
Chief Executive Officer

By: \_\_\_\_\_

Name:

ATTEST:

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

By: \_\_\_\_\_

Name:

**APPROVED AS TO FORM:**

DAWYN R. HARRISON  
County Counsel

By: \_\_\_\_\_

Deputy County Counsel

**ACKNOWLEDGED, AGREED, AND ACCEPTED**

**TRANSFEROR**

**CITY OF AGOURA HILLS,**  
a California municipal corporation

By: \_\_\_\_\_  
Name: Nathan Hamburger  
Title: City Manager  
Date: \_\_\_\_\_

Attest:  
By: \_\_\_\_\_  
Name: Kimberly M. Rodrigues  
Title: City Clerk

Approved as to Form:  
By: \_\_\_\_\_  
Name: Candice Lee  
Title: City Attorney

**TRANSFeree**

**CITY OF CALABASAS,**  
a California municipal corporation

By: \_\_\_\_\_  
Name: Kindon Meik  
Title: City Manager  
Date: \_\_\_\_\_

Attest:  
By: \_\_\_\_\_  
Name: Lisa Pope  
Title: City Clerk

Approved as to Form:  
By: \_\_\_\_\_  
Name: Matthew T. Summers  
Title: City Attorney