



REPORT TO CITY COUNCIL

DATE: APRIL 22, 2009

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: RAMIRO ADEVA, CITY ENGINEER 

SUBJECT: APPROVE GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON (SCE) FOR THE REALIGNMENT OF EXISTING POWER POLES ALONG CANWOOD STREET, IMMEDIATELY NORTH OF THE REYES ADOBE INTERCHANGE

As part of the Reyes Adobe interchange project, Southern California Edison (SCE) will be realigning a portion of their existing overhead lines along Canwood Street, immediately north of the Reyes Adobe interchange. Staff has been working with SCE to determine the exact parameters of an easement that needs to be established across City right-of-way. The attached "Grant of Easement" contains the legal description and exhibit prepared by SCE staff, and reviewed by City staff, outlining the area of the easement needed by SCE. Council's approval tonight would ensure the timely completion of SCE's work, which must begin with the first phase of construction.

The attached "Grant of Easement" has been reviewed and approved as to form by the City Attorney.

RECOMMENDATION

Staff respectfully recommends the City Council:

1. Approve the "Grant of Easement" with Southern California Edison (SCE); and
2. Authorize the Mayor to sign the "Grant of Easement" on behalf of the City Council

RECORDING REQUESTED BY
SOUTHERN CALIFORNIA EDISON
COMPANY

WHEN RECORDED MAIL TO
SOUTHERN CALIFORNIA EDISON
COMPANY
14799 CHESTNUT STREET
WESTMINSTER, CA. 92863-5240

ATTN: TITLE & REAL ESTATE SERVICES

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT OF EASEMENT

Location: City of Agoura
Hills
RP FILE: RELO7174915

DOCUMENTARY TRANSFER TAX \$ _____	SER. 68349A Service Order 800238144
_____ COMPUTED ON FULL VALUE OF PROPERTY CONVEYED OR COMPUTED ON FULL VALUE LESS LIENS AND ENCUMBRANCES REMAINING AT TIME OF SALE	Approved Corporate Real Estate Department
_____ SO. CALIF. EDISON CO. SIGNATURE OF DECLARANT OR AGENT DETERMINING TAX FIRM NAME	BY RK DATE 3/31/09

THE CITY OF AGOURA HILLS, a public body, corporate and politic, hereinafter called "Grantor", hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns, hereinafter called "Grantee", all those certain permanent and exclusive easements and rights of way to construct, use, maintain, alter, add to, enlarge, repair, replace, inspect, and/or remove, at any time and from time to time, electric lines, consisting of poles and towers made of various materials, "H" frame structures, guy wires and anchors, crossarms, wires and other fixtures and appliances and communication circuits with necessary appurtenances, both overhead and underground, for conveying electric energy to be used for light, heat, power, telephone and/or other purposes, in, under, on, over, along and across two strips of land varying in width, hereinafter described and designated as "Right of Way Strips," lying within that certain real property of the Grantor, situated in the County of Los Angeles, State of California, described as follows:

"That portion of the Subdivision of Lot "E" allotted to Jose Reyes in the Partition of the Rancho Las Virgenes, entered in Los Angeles County Superior Court, Case No. 2898, as per map recorded in Book 52, Page 63 of Miscellaneous Records, in the office of the County Recorder of Los Angeles County."

The said right of way strips are more particularly described on the Exhibit "A" and more particularly shown on the Exhibit "B", both attached hereto and by this reference made a part hereof.

Grantor further grants, bargains, sells and conveys unto the Grantee the right of assignment, in whole or in part, to others, without limitation, and the right to apportion or divide in whatever manner Grantee deems desirable, any one or more, or all, of the easements and rights, including but not limited to all rights of access and ingress and egress granted to the Grantee by this Grant of Easement.

Grantee shall have the right to construct roads, use existing roads and make such additions thereto, on lands of Grantor within and/or adjoining said right of way strip, as shall be necessary or convenient to Grantee's access to and use of its right of way strip located on the lands of the Grantor or on lands of others, and the right to use all necessary and convenient means of ingress to and egress from said right of way strip from the public highway most convenient thereto, for the uses and purposes and the exercising of the rights herein granted. In the event alternate public roads are constructed which, in the opinion of Grantee, will provide Grantee with access to said right of way strip as convenient and adequate as that which Grantee may then be using, Grantee agrees to quitclaim any such portion or portions of the access roads no longer required hereunder as may be determined by Grantee.

Grant of Easement
City of Agoura Hills to
S.C.E.Co., a corp.
Serial No. 68349A
RP File No. RELO7174915

Grantor hereby also grants to Grantee, its successors and assigns, and its and their contractors, agents, and employees, the right to clear and to keep clear said right of way strip, free from explosives, buildings, equipment, brush, combustible material and any and all other obstructions of any kind (except for those herein provided) and the right to trim or remove any tree or shrub which in the opinion of Grantee, may endanger said electric lines or any part thereof or interfere with the exercise of the rights herein granted.

Grantor reserves for Grantor and Grantor's successors and assigns, across (but not longitudinally along) said right of way strip, rights for (1) underground water pipelines, (2) farm, grazing or pasture fences, and (3) roads, provided, however, that the exercise of such rights does not interfere with or endanger, in the opinion of Grantee, the operation or maintenance of the electric lines of Grantee, or Grantee's ready access to its said electric lines, or the exercise of any of the rights herein granted to Grantee.

It is further understood and agreed that no other easement or easements shall be granted on, under or over said right of way strip by Grantor to any person, firm or corporation without the previous written consent of Grantee.

The terms, covenants and conditions of this Grant of Easement shall bind and inure to the benefit of the successors and assigns of Grantor and the successors and assigns of Grantee.

EXECUTED this _____ day of _____, 20_____.

THE CITY OF AGOURA HILLS, a public body,
corporate and politic

By _____

Name _____

Its _____

By _____

Name _____

Its _____

Grant of Easement
City of Agoura Hills to
S.C.E.Co., a corp.
Serial No. 68349A
RP File No. REL07174915

State of California)

County of _____)

On _____ before me, _____, a Notary Public, 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.

Signature _____

State of California)

County of _____)

On _____ before me, _____, a Notary Public, 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.

Signature _____

Exhibit "A"

LEGAL DESCRIPTION

THAT PORTION OF THE SUBDIVISION OF LOT "E" ALLOTTED TO JOSE REYES IN THE PARTITION OF THE RANCHO LAS VIRGENES, ENTERED IN LOS ANGELES COUNTY SUPERIOR COURT, CASE NO 2898, AS PER MAP RECORDED IN BOOK 52, PAGE 63 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

PARCEL 1

A 10.00 FOOT WIDE EASEMENT, THE CENTERLINE OF SAID STRIP BEGINS AT A POINT ON THE WEST LINE OF THAT CERTAIN TRACT OF LAND IN SAID LOT "E", WHICH WAS ALLOCATED TO JOHANN GEORGE GRAF BY DECREE OF PARTITION OF THE ESTATE OF JACINTA P. GRAF, A COPY OF WHICH WAS RECORDED AUGUST 13, 1924 IN BOOK 3186 OF OFFICIAL RECORDS, PAGE 271, RECORDS OF SAID LOS ANGELES COUNTY, WHICH POINT OF BEGINNING IS NORTH 0°15'26" EAST 334.00 FEET MEASURED ALONG SAID WEST LINE FROM THE CENTERLINE OF THE STATE HIGHWAY (VENTURA FREEWAY) AS SHOWN ON PARCEL MAP NO. 8277 RECORDED IN BOOK 81 PAGE 96 OF PARCEL MAPS, RECORDS OF SAID LOS ANGELES COUNTY; THENCE, NORTH 81°00'00" EAST 309.00 FEET TO POINT "A"; THENCE, SOUTH 87°15'00" EAST 187.99 FEET, MORE OR LESS TO A POINT ON THE EAST LINE OF SAID LAST MENTIONED TRACT OF LAND.

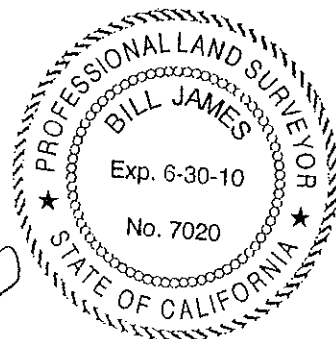
EXCEPT THAT PORTION WITHIN THE RIGHT OF WAY OF SAID VENTURA FREEWAY.

ALSO EXCEPT THAT PORTION LYING WITHIN THAT CERTAIN PARCEL OF LAND RECORDED NOVEMBER 26, 1997 AS INSTRUMENT 97-1879282 OFFICIAL RECORDS OF SAID LOS ANGELES COUNTY.

PARCEL 2

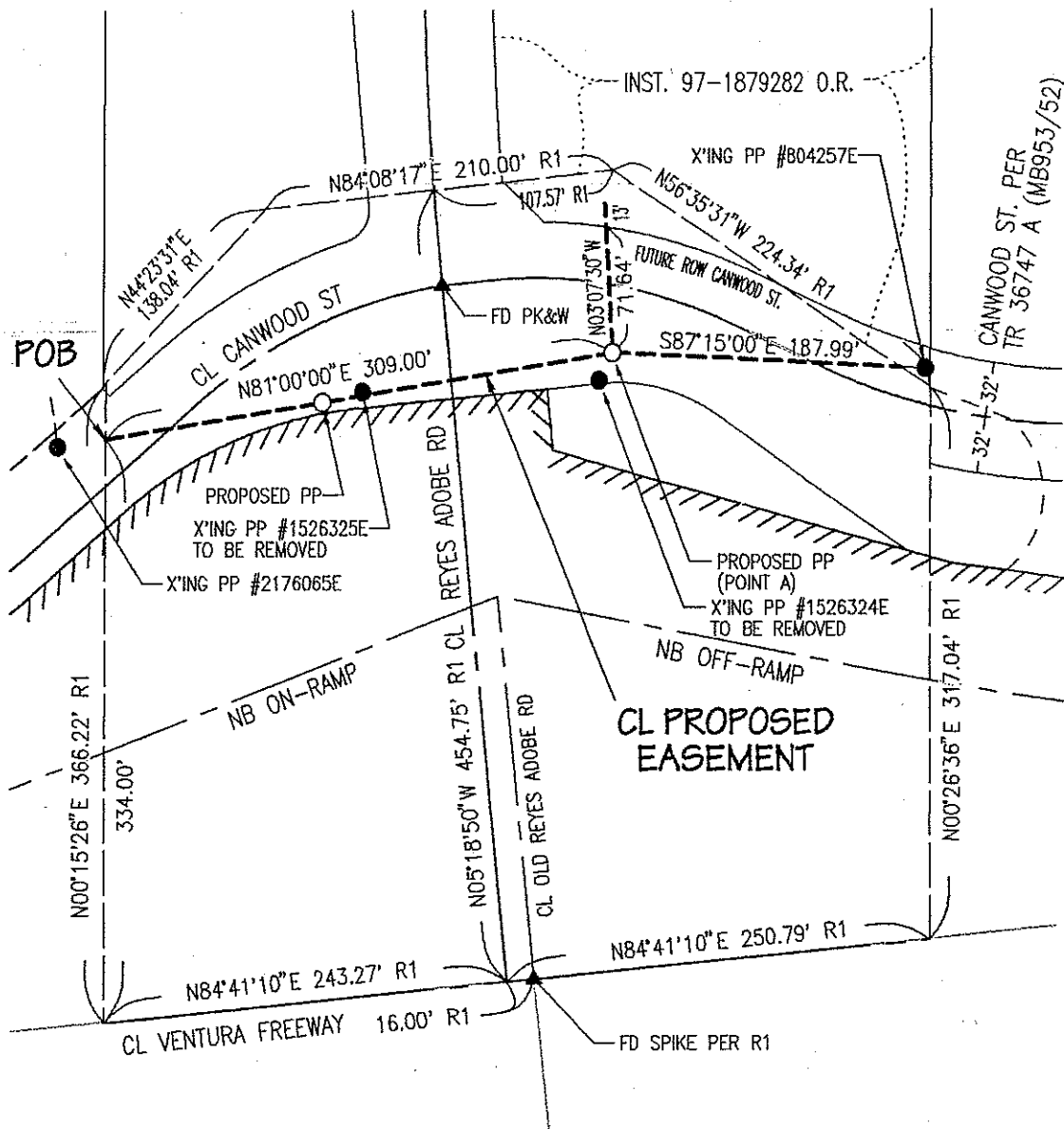
A 5.00 FOOT WIDE EASEMENT, THE CENTERLINE OF SAID STRIP BEGINS AT ABOVE MENTIONED POINT "A"; THENCE, NORTH 3°07'30" WEST 71.64 FEET, MORE OR LESS TO THE FUTURE RIGHT OF WAY OF CANWOOD STREET; THENCE, NORTH 3°07'30" WEST 13.00 FEET.

Acraage 0.12
SER.68349A



[Handwritten Signature]
10-22-08

EXHIBIT B



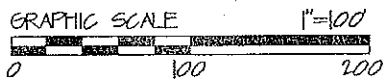
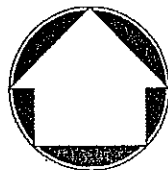
SER 68349A

R1 PARCEL MAP NO. 8277 (PMB1/96)

FREWAY RIGHT OF WAY PER CAL-TRANS R/W
RECORD MAP 7-LA-101-PM.36.18 FILE NO. F 2217.2-2

PREPARED BY
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EASEMENT FOR POWER
POLE & GUY RELOCATION