FORM GEN. 160 (Rev. 6-80)

CITY OF LOS ANGELES
INTRA-DEPARTMENTAL CORRESPONDENCE

DATE: April 9, 2018

TO: Holly L. Wolcott, City Clerk
Room 395, City Hall

Attention: John A. White, Legislative Assistant III

FROM: David L. Roberts, Assistant Director
Real Estate Services Division

SUBJECT: **GRANT DEED FOR THE SALE OF CITY-OWNED PROPERTY UNDER THE OPLA PROGRAM LOCATED AT THE INTERSECTION OF ELLINGTON DR. AND ADINA DR. APN: 4261-007-900, CD 11**

Please sign the attached Grant Deed for the above-referenced property sale, as approved by Ordinance Number 180834, under Council File No. 07-1894 attached hereto.

The Mayor's signature or designee's must be notarized.

When the document is ready, please contact Pati Williams, Real Estate Associate II, at 213-922-8553 or by email at patricia.williams@lacity.org or Armando Parra, Senior Real Estate Officer at 213-922-8559.

Attachments: Grant Deed
Council File Index
Ordinance

ORDINANCE NO. 180834

An ordinance amending and adding provisions to Article 4 of Chapter 1 of Division 7 of the Los Angeles Administrative Code to provide for implementation of the "Own a Piece of Los Angeles" (OPLA) Program concerning the sale of City-owned remnant surplus properties.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. The first unnumbered paragraph of Section 7.22 of the Los Angeles Administrative Code is amended to read:

Before the Council, or the Municipal Facilities Committee for the direct sale of "remnant" properties, determines that real property proposed for sale is no longer required for the use of the City and that the public interest or necessity require its sale, the proposed sale shall be considered as follows:

Sec. 2. Subsection (a) of Section 7.22 of the Los Angeles Administrative Code is amended to read:

Sec. 7.22. Recommendations Required of City Departments.

(a) The Department of General Services shall determine whether the City owns a salable interest in the real property, shall appraise said real property at its fair market value; and shall recommend a minimum sale price to the Council or the Municipal Facilities Committee, as applicable.

Sec. 3. Subsection (d) of Section 7.22 of the Los Angeles Administrative Code is amended to read:

(d) In cases involving the direct sale of surplus City-owned property, except "remnants" as defined in Section 7.27.1(a), the City Administrative Officer shall review the proposed direct sale and recommend to the Council upon its propriety.

Sec. 4. Subsection (e) is added to Section 7.22 of the Los Angeles Administrative Code to read:

(e) In cases involving direct sales of City-owned "remnants" as defined in Section 7.27.1(a), the Department of General Services shall review the proposed sale, and shall recommend to the Municipal Facilities Committee upon its propriety. Thereafter, the Municipal Facilities Committee may determine that the public interest or necessity require completion of the sale and authorize it, including the immediate opening of

escrow. In the event of such a determination by the Municipal Facilities Committee with respect to the sale of a "remnant" as defined in Section 7.27.1(a), the Municipal Facilities Committee may authorize the execution of a deed or other instrument necessary to effectuate the sale at and for the fair market value of the property as appraised by the Department of General Services, and upon the terms and conditions contained in the document entitled Title Transfer Instructions (Escrow) approved by the City Council and made a part of Council File No. 07-1894. Any substantive deviations from those terms and conditions, as determined by the City Attorney, shall require approval by the City Council by ordinance.

Sec. 5. Section 7.27 of the Los Angeles Administrative Code is amended to read:

Sec. 7.27. Private Sale.

The Council, or the Municipal Facilities Committee in cases involving "remnants" as defined in Section 7.27.1(a), may determine that the public interest or necessity require the sale, conveyance or exchange of real property owned by the City or any City department, of the quitclaiming by the City or by any City department, of any interest in real property without notice of sale or advertisement for bids. In the event of this determination, the City Council may, by ordinance authorize the execution of a deed, contract or other instrument necessary to effect the sale, conveyance, exchange or quitclaim at and for a price or consideration and upon the terms and conditions to be specified in the ordinance; provided, however, that the ordinance shall be subject to the provisions of Sections 252 and 461 of the City Charter. In the event of such a determination by the Municipal Facilities Committee with respect to the sale of a "remnant" as defined in Section 7.27.1(a), the Municipal Facilities Committee may authorize the execution of a deed or other instrument necessary to effectuate the sale at and for the fair market value of the property as appraised by the Department of General Services, and upon the terms and conditions contained in the document entitled Title Transfer Instructions (Escrow) approved by the City Council and made a part of Council File No. 07-1894. Any substantive deviations from those terms and conditions, as determined by the City Attorney, shall require approval by the City Council by ordinance.

Sec. 6. Section 7.27.1 of the Los Angeles Administrative Code is added to read:

Sec. 7.27.1. Sale of Surplus City-Owned Remnant Property.

Notwithstanding any other provision of this Code to the contrary, City-owned "remnants" under the jurisdiction and control of the Department of General Services may be sold by private sale as authorized by Section 7.27, provided all of the following criteria are met:

(a) Each property subject to sale must be a surplus City-owned "remnant". "Remnant" means real property meeting the requirements of Section 7.22 of the Los Angeles Administrative Code which (A) has less than the minimum legal residential building lot size for the jurisdiction in which the parcel is located, or less than 5,000 square feet in area, whichever is less, or (B) has no record access and is less than 10,000 square feet in area; and is not contiguous to land owned by a state or local agency, that is used for park, recreational, open-space, or low- and moderate-income housing purposes, and is not located within an enterprise zone pursuant to Section 7070 of the California Government Code, nor a designated program area as defined in California Government Code section 7082;

(b) The direct sale must be an all cash transaction and the buyer(s) must pay fair market value for the remnant as determined by an appraisal by the Department of General Services;

(c) The buyer(s) must be owners of an "adjoining property." An "adjoining property" is one which shares a common boundary with the remnant subject to sale;

(d) The Department of General Services shall offer the remnant for sale to all adjoining property owners, and utilize a competitive process to select the buyer(s) using price as its criteria;

(e) The terms and conditions of each sale must be those approved by the City Council in the document entitled Title Transfer Instructions (Escrow) and made a part of Council File No. 07-1894, and must be presented by the Department of General Services to the Municipal Facilities Committee for approval, and shall be approved as to form by the City Attorney; and

(f) Any remnant meeting the criteria set forth in California Government Code section 54221(f) must first be offered for sale to the State in accordance with Government Code section 54220, *et seq.*

Sec. 7. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of JUL 28 2009.

JUNE LAGMAY, City Clerk

By _____ Deputy

Approved AUG 07 2009

_____ Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By _____
ANNETTE R. BOGNA
Deputy City Attorney

Date 7/13/09

File No(s). CF No. 07-1894

M:\Real Prop_Env_Land Use\Real Property_Environment\Annette Bogna\Real PPT Sales\Surplus\Own A Piece of LA\OPLA Ordinance.doc

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 180834 – Amending and adding provisions to Article 4 of Chapter 1 of Division 7 of the L.A.A.C. to provide for implementation of the "Own a Piece of Los Angeles" (OPLA) Program concerning the sale of City-owned remnant surplus properties - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **July 28, 2009**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **August 11, 2009** I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **August 11, 2009** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **11th** day of **August 2009** at Los Angeles, California.

Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: September 20, 2009 **Council File No. 07-1894**

Rev. (2/21/06)

CITY OF LOS ANGELES
CALIFORNIA

JUNE LAGMAY
City Clerk

KAREN E. KALFAYAN
Executive Officer

HOLLY L. WOLCOTT
Executive Officer

ANTONIO R. VILLARAIGOSA
MAYOR

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

KONRAD CARTER
Acting Chief, Council and Public Services Division

www.cityclerk.lacity.org

August 11, 2009

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council file No. 07-1894, at its meeting held JULY 28, 2009.

June Lagmay
City Clerk
VCW

Mayor's Time Stamp
OFFICE OF THE MAYOR
RECEIVED
2009 JUL 29 PM 3:51
CITY OF LOS ANGELES

TIME LIMIT FILES
ORDINANCES

City Clerk's Time Stamp
CITY CLERK'S OFFICE
2009 JUL 29 PM 3:48
CITY CLERK
BY _____ DEPUTY

COUNCIL FILE NUMBER 07-1894 COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE JULY 28, 2009 LAST DAY FOR MAYOR TO ACT AUG 10 2009

ORDINANCE TYPE: ___ Ord of Intent ___ Zoning ___ Personnel ___ General

___ Improvement ___ LAMC _X_ LAAC ___ CU or Var Appeals - CPC No. _____

SUBJECT MATTER: AMENDING THE LOS ANGELES ADMINISTRATIVE CODE TO IMPLEMENT THE DEPARTMENT OF GENERAL SERVICES' "OWN A PIECE OF LOS ANGELES" INITIATIVE IN CONNECTION WITH THE SALE OF CITY-OWNED REMNANT SURPLUS PROPERTY

	APPROVED	DISAPPROVED
PLANNING COMMISSION	___	___
DIRECTOR OF PLANNING	___	___
CITY ATTORNEY	X	___
CITY ADMINISTRATIVE OFFICER	___	___
OTHER	___	___

BY _____ DEPUTY
CITY CLERK
2009 AUG -7 PM 4:18
RECEIVED
CITY CLERK'S OFFICE

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR *VETO AUG 07 2009
(*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c)

(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)

DATE RECEIVED FROM MAYOR AUG 07 2009 ORDINANCE NO. 180834

DATE PUBLISHED _____ DATE POSTED AUG 11 2009 EFFECTIVE DATE SEP 20 2009

ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____

ORDINANCE FOR DISTRIBUTION: YES ___ NO ___

Calagend\071894 .ord

7

File No. 07-1894

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE

reports as follows:

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and ORDINANCE relative to amending the Los Angeles Administrative Code (LAAC) to implement the Department of General Services' (GSD) "Own a Piece of Los Angeles" Initiative in connection with the sale of City-owned remnant surplus property.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE amending and adding provisions to Article 4 of Chapter 1 of Division 7 of the LAAC to provide for implementation of the "Own a Piece of Los Angeles" (OPLA) Initiative concerning the sale of City-owned remnant surplus property.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement Submitted: None submitted

SUMMARY

On July 21, 2009, the Information Technology and General Services Committee considered a July 15, 2009 City Attorney report and Ordinance relative to amending and adding provisions to Article 4 of Chapter 1 of Division 7 of the LAAC to provide for implementation of the OPLA Initiative concerning the sale of City-owned remnant surplus property. Specifically, the Ordinance provides a streamlined process for direct sales of City-owned surplus real property remnants to adjoining property owners only, in lieu of the current process which requires an authorizing ordinance for each sale. Furthermore, the Ordinance amends and adds provisions to the LAAC, authorizing the GSD to directly sell at fair market rates, to adjoining property owners only, the City's small or inaccessible pieces of surplus land generally incapable of development. Each individual sale requires approval by the Municipal Facility Committee and is subject to approval as to form by the City Attorney.

After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the Ordinance to Article 4 of Chapter 1 of Division 7 of the LAAC to provide for implementation of the OPLA Initiative concerning the sale of City-owned remnant surplus property. This matter is now forwarded to the Council for its consideration.

Respectfully submitted,

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE

MEMBER	VOTE
CARDENAS:	YES
PARKS:	ABSENT
WESSON:	YES

Tony Cardenas

ADOPTED

JUL 28 2009

LOS ANGELES CITY COUNCIL

ARL
7/21/09
#071894a

-NOT OFFICIAL UNTIL COUNCIL ACTS-

RECORDING REQUESTED BY:

City of Los Angeles

WHEN RECORDED MAIL TO
AND MAIL TAX STATEMENTS TO:

DAVID R. KEGARIES
DANA D. KEGARIES
3107 ELLINGTON DRIVE
LOS ANGELES CA 90068

GRANT DEED

THE UNDERSIGNED GRANTOR(s) DECLARE(s):
DOCUMENTARY TRANSFER TAX is $ _____ CITY TAX $ _____.
☐ Computed on full value of property conveyed, or ☐ Computed on full value less value of liens or encumbrances remaining at time of sale,
☐ Unincorporated area: ☐ City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

City of Los Angeles, a municipal corporation

hereby Grants to:

DAVID R. KEGARIES AND DANA D. KEGARIES, AS TRUSTEES OF THE KEGARIES FAMILY TRUST DATED MAY 7, 2015

The following described real property in the County of Los Angeles, State of California (Assessor's Parcel No.): 2429-003-900

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

EXCEPTING AND RESERVING unto the City of Los Angeles, all oil, gas, water, and mineral rights now vested in the City of Los Angeles without, however, the right to use the surface of said land or any portion thereof to a depth of 500 feet below the surface, for the extraction of such oil, gas, water and minerals.

SUBJECT to covenants, conditions, restrictions, reservations, easements, encroachments, rights and rights-of-way of record or which are apparent from a visual inspection of the real properties and excepting and reserving to the City of Los Angeles any interest in the fee to the adjacent streets which would otherwise pass with the conveyance of the above described parcels of land.

ALSO SUBJECT to property sold in an "**AS IS**" condition, and without any warranty as to fitness for use, fitness for a particular use, or condition of the property, and that the seller has no obligation to correct any condition of the property, whether known before or after the date of sale.

AND ALSO SUBJECT to a covenant and agreement to run with the land that the above described property shall be held as a single parcel with the adjacent parcel of real property owned by the grantee, and the said combined parcel shall not be divided in ownership except pursuant to a subdivision map or parcel map approved in accordance with the laws of the State of California and the City of Los Angeles.

This Grant Deed is made in accordance with the provisions of Council File 07-1894 and Ordinance No. 180834 of the City of Los Angeles.

In witness whereof, City of Los Angeles, a municipal corporation, by its City Council, has caused this Transfer of Jurisdiction and Control to be executed on its behalf, by its Mayor, and its corporate seal to be thereto affixed by its City Clerk, this 19th day of April, 2018

The City of Los Angeles, a municipal corporation

By: E. G.

Eric Garcetti, Mayor

Attest:
Holly L. Wolcott, City Clerk

For

By:

ACKNOWLEDGMENT

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 APR 19 2018 before me, Mandy Morales, Notary Public
(insert name and title of the officer)

personally appeared Eric Garcetti,
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.

MANDY MORALES
Notary Public - California
Los Angeles County
Commission # 2156395
My Comm. Expires Jun 12, 2020

Signature Mandy Morales (Seal)

The City of Los Angeles

To

JOB TITLE: Intersection of Ellington and Adina
APN: 2429-003-900
Cadastral Map No. 157-5A181

David R. Kegaries and Dana D. Kegaries, as Trustees of the Kegaries Family Trust Dated May 7, 2015

Quitclaim Deed

Tony M. Royster
General Manager
Department of General Services

Approved as to Authority _____, 2018

By _____
Authorized Officer

Approved as to description February 23, 2018

By _____
Luisito Padua, Authorized Officer

General Services Department
Real Estate Services Division

Approved 3-27-18, 2018

Michael N. Feuer, City Attorney

By _____
Deputy

Council File No. 07-1894

EXHIBIT "A"

APN: 2429-003-900

ADDRESS: Ellington Drive/Adina Drive

LEGAL DESCRIPTION:

The southerly 11.18 feet of Lot 18 in Block C of Tract No. 8361, in the City of Los Angeles, County of Los Angeles, State of California as per map recorded in Book 103, Pages 72 to 75 of Maps in the office of the County Recorder of said county

EXCEPT therefrom the easterly 15.00 feet

Containing: 922 square feet

