

ORDINANCE NO. 177303

An ordinance approving the execution of a written instrument granting to the United States Department of Agriculture an easement to construct, operate, and maintain a sanitary sewage conveyance upon a portion of real property in the Town Lone Pine, County of Inyo, owned by the City of Los Angeles under the management and control of the Los Angeles Department of Water and Power (LADWP).

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

Section 1. The Board of Water and Power Commissioners by Resolution has authorized, and has requested the City Council by Ordinance to authorize, the execution of a written instrument, approved as to form and legality by the City Attorney, granting to the United States Department of Agriculture, for sanitary sewage conveyance purposes, a non-exclusive easement upon certain real property owned by the City of Los Angeles and under the management and control of LADWP in the Town of Lone Pine, County of Inyo, State of California, described as:

An easement for sanitary sewage conveyance in, on, over, under, and across portions of Section 3, Township 16 South, and Sections 27 and 34, Township 15 South, all in Range 36 East, Mt. Diablo Meridian, in the unincorporated territory of the County of Inyo, State of California, within a strip of land 20.00 feet wide, lying 10.00 feet on each side of the following described center line:

COMMENCING at the northwest corner of said Section 3, as depicted on Record of Survey No. 00-001, recorded in Record of Survey Book 14, page 89, in the office of the County Recorder of said County; thence North 89°27'03" East, 806.51 feet along the northerly line of said Section 3; thence South 0°00'00" East, 59.38 feet to a point on the easterly line of that Parcel shown as "Lease Area" on Exhibit "A", recorded in Document 2003-1725 on record in said Recorder's office and the TRUE POINT OF BEGINNING; thence North 89°24'26" East, 1857.30 feet parallel with the southerly line of that real property described in Parcel 5165, as shown on the California Department of Transportation Right-of-Way Record Map No. 09-INY-395-55.827 to the beginning of a tangent curve concave to the northwest having a radius of 30.00 feet; thence northwesterly along said curve through a central angle of 90°00'00", an arc distance of 47.12 feet; thence North 0°35'34" West, 133.86 feet to the

beginning of a tangent curve concave to the southeast having a radius of 500.00 feet; thence northeasterly along said curve through a central angle of 34°46'46", an arc distance of 303.51 feet; thence North 34°11'12" East, 303.92 feet to the beginning of a tangent curve concave to the northwest having a radius of 600.00 feet; thence northeasterly along said curve through a central angle of 17°33'23", an arc distance of 183.85 feet; thence North 16°37'49" East, 556.76 feet to the beginning of a tangent curve concave to the northwest having a radius of 100.00 feet; thence northwesterly along said curve through a central angle of 19°18'52", an arc distance of 33.71 feet; thence North 2°40'58" West, 5574.28 feet; thence North 3°06'44" West, 195.85 feet; thence North 2°27'40" East, 576.20; thence North 0°21'10" West, 213.00 feet to the beginning of a tangent curve concave to the southwest having a radius of 50.00 feet; thence northwesterly along said curve through a central angle of 90°04'43", an arc distance of 78.61 feet; thence South 89°34'07" West, 390.52 feet to the END POINT of this described center line; said end point is North 2°06'51" West, 2687.45 feet of the quarter corner common to Sections 27 and 34, Township 15 South, Range 36 East, Mt. Diablo Meridian, as shown on said Record of Survey.

Containing 4.797 acres, more or less.

All distances herein are grid distances on the California Coordinate System (83), Zone 4. To obtain a ground distance, divide the grid distance by the combination factor 0.99975370.

SUBJECT TO:

- a. Grantee's use thereof and its rights to construct, operate, and maintain said line across the grantor's property shall be subordinate to the rights of the Lone Pine Airport, and Grantee's construction, operation, and maintenance activities shall not interfere with the safe operation of the Lone Pine Airport. In this regard, Grantee agrees to comply with and abide by all reasonable restrictions, notice requirements, and requests from the Lone Pine Airport administration with respect to Grantee's construction, operation, and maintenance activities of the referenced sewer line.
- b. All outstanding taxes and assessments, if any.
- c. Easements, covenants, conditions, restrictions, and other matters of record.

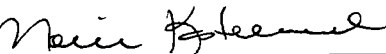
EXCEPTING AND RESERVING unto the City of Los Angeles all water and water rights appurtenant or in anywise incident to the real property herein described, or used thereon or in connection therewith, together with the right to develop, take, transport, control, regulate, and use all such water; and reserving unto the Grantor all oil, gas, petroleum, or other mineral or hydrocarbon substances in and under said land, without the right to enter upon the surface of said land for such use.

Sec. 2. The conveyance of a permanent easement is hereby authorized upon the express condition that the same shall be continuously used and maintained by the United States Department of Agriculture for sewer line purposes; and that in the event the United States Department of Agriculture does not so continuously use and maintain said real property for said purposes as hereinabove provided for a period of one year, then and in that event, upon the expiration of said one-year period, all rights shall thereupon be forfeited, extinguished, and terminated, and all interest and rights hereby conveyed shall thereupon automatically revert to and revest in the City of Los Angeles without any further action.

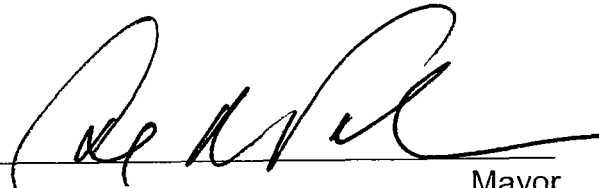
Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; one copy on the bulletin board at the Main Street entrance to 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 JAN 11 2006.

FRANK T. MARTINEZ, City Clerk

By  Deputy

Approved JAN 30 2006

 Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By   
S. DAVID HOTCHKISS  
Assistant City Attorney

Date July 13, 2005

File No. 05-1504