

ORDINANCE NO. _____

An ordinance authorizing sale of City-owned property located at 5623 and 5633 Elmer Avenue, Los Angeles, California 91601 to Homes for Families, a California non-profit public benefit corporation (Buyer).

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

Section 1. The Council of the City of Los Angeles hereby finds and determines that the conveyance of that certain real property owned by the City of Los Angeles and located at the addresses and/or locations set forth hereinafter (Property) to Buyer serves a public purpose. Buyer was selected through a competitive process and agrees to develop the Property as a for-sale small lot subdivision to include 12 three-bedroom homes reserved for sale at an affordable purchase price to Moderate Income Households. A City Regulatory Agreement and deed restriction shall be recorded against each unit as it is sold in order to secure affordable resale restrictions for a period of 45 years.

Section 2. Pursuant to Los Angeles Administrative Code Section 22.606.2(c), the Council of the City of Los Angeles, hereby approves of the conveyance of the Property to Buyer for the development of the Project at the below market rate of \$1.00 and finds that: (1) the Property has a negative fair reuse value because the estimated cost of construction will exceed the sales revenue of the Project by \$2,619,000; (2) in order to make the Project financially feasible requires that the Property to be donated the Buyer; (3) the conveyance of the Property will assist the City with its goal of creating more affordable housing.

Location of the Property

5623 (Parcel 1) and 5633 (Parcel 2) Elmer Avenue, Los Angeles, CA 91601

Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 2 OF THE TAHOMA TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 22 PAGE 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. EXCEPT THE NORTH 100 FEET AND THE SOUTH 64 FEET OF SAID LOT.

APN: 2337-035-901

PARCEL 2:

LOTS 2 OF THE TAHOMA TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 22 PAGE 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THE SOUTH 14 FEET AND THE NORTH 200 FEET THEREOF. ALSO EXCEPT ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS EXCEPTED AND RESERVED IN DEED RECORDED MAY 28, 1993 AS INSTRUMENT NO. 93-1017172.

APN: 2337-035-900

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, encroachments, reservations, easements, rights and rights-of-way of record or which are apparent from a visual inspection of the real property 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 parcel of land.

ALSO SUBJECT TO sale in "AS IS" condition, and Buyer purchasing the City-owned property, by such act, expressly agreeing to purchase the property 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 City has no obligation to correct any condition of the property, whether known before or after the date of the sale.

Sec. 3. The General Manager of LAHD is hereby authorized and directed to execute a Grant Deed to the said real property described in Section 2 of this ordinance to Buyer, and the City Clerk of said City is hereby authorized and directed to attest thereto and to affix the City Seal.

Sec. 4. LAHD, in the name of and on behalf of the City of Los Angeles, is hereby authorized to open escrow, issue title transfer instructions, execute and deliver deeds and ancillary documents, and complete all necessary processes to effectuate this sale.

Sec. 5. 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.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
MEI-MEI CHENG
Deputy City Attorney

Date 7/13/22

File No. 12-0049-S5

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____