

Office of the City Engineer

Los Angeles, California

To The Honorable Council

Of the City of Los Angeles

Honorable Members:

MAR 14 2012

C. D. No. 3

SUBJECT:

Final Map of Tract No. 69921

RECOMMENDATIONS:

Approve the final map of Tract No. 69921 located at 21125 Ingomar Street and 7850 Deering Avenue lying westerly of Variel Avenue and accompanying Subdivision Improvement Agreement and Contract with security documents.

FISCAL IMPACT STATEMENT

The Subdivider has paid a fee of \$8,720.00 for the processing of this final tract map pursuant to Section 19.02(A)(2) of the Municipal Code. No additional City Funds are needed.

TRANSMITTALS:

1. Map of Tract No. 69921.
2. Unnumbered file for Tract No. 69921.
3. Subdivision Improvement Agreement and contract with attached security documents.

DISCUSSION:

The tentative map of Tract No. 69921 was conditionally approved by the Advisory Agency on October 22, 2009 for a 22 unit and subsequently modified to 26 unit residential condominiums project.

The Advisory Agency has determined that this project will not have a significant effect on the environment

Ordinance No. 179837 adopted April 22, 2008 placed the area including the tract map in the (T)(Q)RD3-1VL zone, as approved by the Council under Council File No. 07-4141. Filing of the final map will effectuate the rezoning of the tract map area.

This map proposes to merge that certain drainage easement within the tract boundaries with the remainder of the subdivision pursuant to section 66499.20 1/2 of the State Government Code.

The conditions of approval for the tract map have been fulfilled including payment of the Recreation and Park Fee in the amount of \$ 55,487.00. Transmitted Subdivision Improvement Agreement and Contract with attached security documents guarantees construction of the required improvements. Upon approval by the Council, the final map will be transmitted to the County Engineer for filing with the County Recorder.

The expiration date of the tentative map approval is October 22, 2012.

The subdivider and engineer for this subdivision are:

Subdivider

Cityview Ingomar LLC.  
Attn: Montage Development  
6345 Balboa Blvd. Suite 155  
Encino, CA 91316

Engineer

Robert K. Kameoka.  
  
5011 Acacia Street  
San Gabriel, CA 91776

Report prepared by:

Land Development Group

Joseph Gnade  
Civil Engineer  
Phone (213)202-3493

Respectfully submitted,



Edmond Yew, Manager  
Land Development Group  
Bureau of Engineering

EY/AL/ka

City of Los Angeles  
DEPARTMENT OF PUBLIC WORKS  
Office of the City Engineer

APPROVED FOR THE  
CITY ENGINEER BY  
SUBON SUGAY  
BOND CONTROL

CMS 215966

SURETY'S BOND NO.

VALLEY

Premium: \$885.00/yr.

District/Division Design Office  
Council District No. 3  
Date Issued: 08/22/2011

CA0110995

CAO-RISK MGMT. NO.

DATE APPROVED 11/04/2011

**SUBDIVISION IMPROVEMENT AND WARRANTY PERFORMANCE BOND**

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, **CITYVIEW INGOMAR, LLC**

as PRINCIPAL and RLI Insurance Company a corporation  
incorporated under the laws of the State of Illinois and authorized by the  
laws of the State of California to execute bonds and undertakings as sole surety, as SURETY, are  
held and firmly bound unto the City of Los Angeles, in the JUST and FULL SUM of **FIFTY NINE  
THOUSAND AND NO/100 Dollars (\$59,000.00)** . lawful money of the United States, for the  
payment of which sum, well and truly to be made, we bind ourselves, our heirs, executors,  
administrators, successors, and assigns, jointly and severally, firmly by these presents.

The CONDITION of the foregoing obligation is such that WHEREAS the PRINCIPAL has entered  
or is about to enter into the annexed agreement with the CITY, pursuant to the authority of an act  
of the Legislature of the State of California known as the "Subdivision Map Act" (Division 2,  
commencing with Section 66410, of Title 7 of the Government Code) and amendments thereto,  
and pursuant to the provisions of Article 7 of Chapter 1, and Sections 62.105 through 62.117,  
inclusive, of the Municipal Code of the CITY, as amended, for the construction and installation of  
certain public improvements in accordance with the terms and conditions stipulated in said  
agreement, and is required by the CITY to give this bond in connection with the execution of said  
agreement as a contract for approval of that certain division of land known as:

**TR 69921**

NOW, THEREFORE, if the above bounden PRINCIPAL, his or its heirs, executors, administrators,  
or assigns, shall in all things stand to and abide by, and well and truly keep and perform the  
covenants, conditions and provisions in said annexed agreement and any alteration thereof made  
as therein provided, on his or their part, to be kept and performed at the time and in the manner  
therein specified, and in all respects according to their true intent and meaning, and shall  
indemnify and save harmless the CITY, its officers, agents and employees, as therein stipulated,  
then this obligation shall become null and void; otherwise it shall be and remain in full force and  
effect.

Continuation Sheet For:

**SUBDIVISION IMPROVEMENT AND WARRANTY PERFORMANCE BOND**

AS PART OF THE OBLIGATION SECURED HEREBY, and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the CITY in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered therefor.

THE SURETY hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the annexed agreement, or to the work to be performed thereunder, or to the specifications accompanying the work to be performed, shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of said agreement, or to the work, or to the plans and specifications. The provisions of Section 2945 of the Civil Code are not a condition precedent to the Surety's obligation hereunder, and are hereby waived by the SURETY.

IN WITNESS WHEREOF, this instrument has been duly executed by the above named PRINCIPAL and SURETY on October 21, 2011.

Principal Signatories

**CITYVIEW INGOMAR, LLC**

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SURETY: RLI Insurance Company

By:  \_\_\_\_\_ (Attorney-in-Fact)  
David Noddle

Surety's Address: 6303 Owensmouth Ave., 10th Fl., Woodland Hills, CA 91367

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Los Angeles

On 10.31.11

Date

before me,

Angela Adriatico, Notary Public

Here Insert Name and Title of the Officer

personally appeared

Sean Burton

Name(s) of Signer(s)

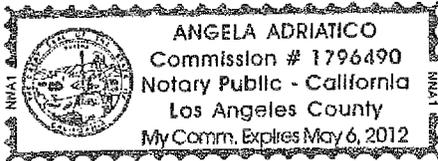
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), 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

Signature of Notary Public



Place Notary Seal Above

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER  
Top of thumb here

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER  
Top of thumb here

Signer Is Representing: \_\_\_\_\_

## ACKNOWLEDGMENT

State of California  
County of Los Angeles )

On October 21, 2011 before me, Christopher John Rizzotti, Notary  
(insert name and title of the officer)

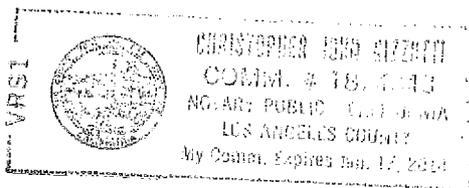
personally appeared David Noddle  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) 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 \_\_\_\_\_

(Seal)



City of Los Angeles  
DEPARTMENT OF PUBLIC WORKS  
Office of the City Engineer

CMS 215966

SURETY'S BOND NO.

VALLEY

**"Premium Included In  
Performance Bond"**

District/Division Design Office  
Council District No. 3  
Date Issued: 08/22/2011

CAO-RISK MANAGEMENT NO.

**SUBDIVISION LABOR AND MATERIAL PAYMENT BOND**

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, **CITYVIEW INGOMAR, LLC**

as PRINCIPAL and RLI Insurance Company a corporation incorporated under the laws of the State of Illinois and authorized by the laws of the State of California to execute bonds and undertakings as sole surety, as SURETY, are held and firmly bound unto the City of Los Angeles, in the JUST and FULL SUM of **TWENTY NINE THOUSAND FIVE HUNDRED AND NO/100 Dollars (\$29,500.00)** lawful money of the United States, for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

The CONDITION of the foregoing obligation is such that WHEREAS the PRINCIPAL has entered or is about to enter into a contract with the CITY, pursuant to the authority of an act of the Legislature of the State of California known as the "Subdivision Map Act" (Division 2, commencing with Section 66410, of Title 7 of the Government Code) and amendments thereto, for the construction and installation of certain public improvements in accordance with the terms and conditions stipulated in said contract, and WHEREAS, pursuant to said Code, the PRINCIPAL must give this PAYMENT BOND as a condition to the execution of said contract, and for approval by the CITY of that certain division of land known as:

**TR 69921**

NOW, THEREFORE, if said PRINCIPAL fails to pay the Contractor or his Subcontractors, or fails to pay persons renting equipment or furnishing labor or materials of any kind for the performance of said contract, or fails to pay amounts due under the Unemployment Insurance Act with respect to such work or labor, then said SURETY will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the CITY in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

Continuation Sheet For:

**SUBDIVISION LABOR AND MATERIAL PAYMENT BOND**

IT IS EXPRESSLY STIPULATED AND AGREED that this bond shall insure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns to any suit brought upon this bond.

SHOULD THE CONDITION of this bond be fully performed, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

THE SURETY hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract, or to the work to be performed thereunder, or to plans and specifications for the work to be performed, shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. The provisions of Section 2845 of the Civil Code are not a condition precedent to the SURETY's obligation hereunder and are hereby waived by the SURETY.

IN WITNESS WHEREOF, this instrument has been duly executed by the above named PRINCIPAL and SURETY on October 21, 2011.

Principal Signatories  
**CITYVIEW INGOMAR, LLC**

Principal Signatories

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SURETY: RLI Insurance Company

By:  (Attorney-in-Fact)  
David Noddle

Surety's Address: 6303 Owensmouth Ave., 10th Fl., Woodland Hills, CA 91367

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Los Angeles }

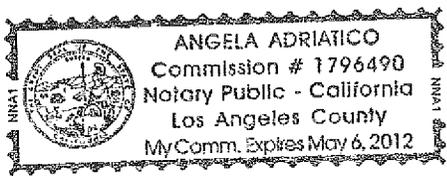
On 10.31.11  
Date

before me, Angela Adriatico  
Here Insert Name and Title of the Officer

Notary  
Public

personally appeared Sean Burton  
Name(s) of Signer(s)

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 [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

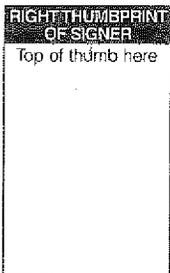
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

**ACKNOWLEDGMENT**

State of California  
County of Los Angeles )

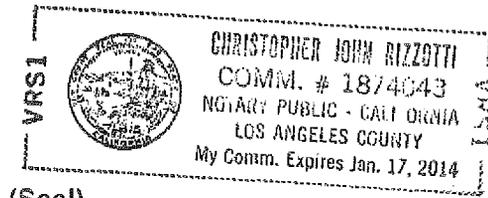
On October 21, 2011 before me, Christopher John Rizzotti, Notary  
(insert name and title of the officer)

personally appeared David Noddle  
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 \_\_\_\_\_



(Seal)



RLI Surety  
 P.O. Box 3967 | Peoria, IL 61612-3967  
 Phone: (800)645-2402 | Fax: (309)689-2036  
 www.rlicorp.com

**POWER OF ATTORNEY**  
**RLI Insurance Company**

**Know All Men by These Presents:**

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That **RLI Insurance Company**, an Illinois corporation, does hereby make, constitute and appoint:

David Noddle

in the City of Tarzana, State of California its true and lawful Agent and Attorney in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, the following described bond.

**Any and all bonds provided the bond penalty does not exceed Twenty Five Million Dollars (\$25,000,000.00).**

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

The **RLI Insurance Company** further certifies that the following is a true and exact copy of the Resolution adopted by the Board of Directors of **RLI Insurance Company**, and now in force to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

IN WITNESS WHEREOF, the **RLI Insurance Company** has caused these presents to be executed by its Vice President with its corporate seal affixed this 2nd day of August, 2010.



**RLI Insurance Company**

By: [Signature]  
 Roy C. Die Vice President

State of Illinois }  
 County of Peoria } SS

**CERTIFICATE**

On this 2nd day of August, 2010, before me, a Notary Public, personally appeared Roy C. Die, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the **RLI Insurance Company** and acknowledged said instrument to be the voluntary act and deed of said corporation.

I, the undersigned officer of **RLI Insurance Company**, a stock corporation of the State of Illinois, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the **RLI Insurance Company** this 21st day of October, 2011.

By: [Signature]  
 Cherie L. Montgomery Notary Public

**RLI Insurance Company**

By: [Signature]  
 Roy C. Die Vice President



0438636030110

City of Los Angeles  
DEPARTMENT OF PUBLIC WORKS  
**SUBDIVISION IMPROVEMENT AGREEMENT AND CONTRACT**

THIS AGREEMENT AND CONTRACT, made and entered into, by and between the CITY OF LOS ANGELES, hereinafter designated as the CITY; and **CITYVIEW INGOMAR, LLC**

hereinafter designated as SUBDIVIDER; WITNESSETH:

ONE: For, and in consideration of the approval of the final map of that certain division of land known as:

**TR 69921**

and for acceptance of the dedication therein by the CITY, the SUBDIVIDER hereby agrees, at his own costs and expense, to construct and install all public improvements required in and adjoining and covered by the final map which are shown on plans, profiles and specifications, previously supplied to the City Engineer; and to furnish all equipment, labor and materials necessary to construct, install and complete the required improvements in a good and workmanlike manner. The estimated cost for completion of the above-mentioned work and improvement is the sum of **FIFTY NINE THOUSAND AND NO/100 Dollars (\$59,000.00)**.

TWO: It is agreed that the SUBDIVIDER has furnished to the City Engineer all necessary final plans, profiles and standard specifications for the required public improvements; or, that in lieu of such final plans, profiles and specifications, the City Engineer has been furnished preliminary plans that are of sufficient detail so as to be approved by the City Engineer for use in the preparation of the estimated cost of the required improvements. In consideration of the acceptance of such preliminary plans by the City Engineer, the SUBDIVIDER hereby agrees to furnish all necessary final plans, profiles and specifications in a form that will be sufficient to be processed and approved by the City Engineer not later than six (6) months from the date the final map of said subdivision of land is filed for record with the County Recorder, County of Los Angeles, State of California.

THREE: The SUBDIVIDER agrees to perform all of the above-mentioned work under permit or permits to be issued by the Board of Public Works, hereinafter designated as the BOARD. All work shall be performed in accordance with the standards and specifications of the BOARD, as amended, and to the approval of the City Engineer. The SUBDIVIDER further agrees to pay for such inspection of work and improvements as may be required by the BOARD, and the performance of the work shall be further conditioned upon due compliance with all of the provisions of Article 7 of Chapter 1, and Sections 62.105 through 62.117, inclusive, of the Los Angeles Municipal Code, as amended.

**SUBDIVISION IMPROVEMENT AGREEMENT AND CONTRACT**

FOUR: In the event said work is required to be performed under Class "B" Permit as defined in Section 62.106 of the Municipal Code, the SUBDIVIDER hereby agrees to obtain said permit from the City Engineer, including payment of all necessary fees as required under the provisions of Sections 62.110 and 62.111 of said Code, prior to certification of the final map by the City Engineer.

FIVE: If the planting of street trees is required under the conditions of approval established by the Advisory Agency, the SUBDIVIDER shall install all required trees and shall pay all maintenance fees for each tree required to be planted by the SUBDIVIDER, in accordance with the maintenance fee schedule set forth in Section 62.176 of the Municipal Code. Said fees shall be paid to the Bureau of Engineering of the DEPARTMENT OF PUBLIC WORKS and shall be included in the permit fee deposit for the permit type determined by the Bureau of Engineering.

SIX: The SUBDIVIDER agrees to perform any changes or alterations required by the CITY in the construction and installation of the required improvements, provided that all such changes or alterations do not exceed ten (10) percent of the original estimated cost of such improvements; and the SUBDIVIDER further agrees; to install such devices for the abatement of erosion or flood hazard as may be required under the provisions of Section 61.02 of the Municipal Code; the costs of each of the above to be borne by the SUBDIVIDER.

SEVEN: The SUBDIVIDER expressly agrees to perform the above-mentioned work in a diligent and workmanlike manner so as to complete the construction and installation of all required public improvements on or before twenty-four (24) months from the date the final map is filed for record with the County Recorder, County of Los Angeles, State of California; or within any lawful extension of said term, or as otherwise provided by law. The SUBDIVIDER acknowledges that in the event any extension of term is granted, the City Engineer may impose additional conditions in accordance with Section 17.08G-3 of the Municipal Code.

EIGHT: The SUBDIVIDER agrees to warrant all work performed against any defective workmanship, or labor done, or defective materials furnished in the performance of the work required by this contract. The term of this warranty shall expire one year from the date of acceptance of the completed improvements by the City Engineer, all as required under Chapter 5 of Division 2 of Title 7 of the State of California Government Code, known as the "Subdivision Map Act," and as amended. The estimated amount sufficient for warranty is the sum of NONE.

NINE: The CITY shall not, nor shall any officer or employee thereof, be liable or responsible for any accident, loss or damage happening or occurring from or to the works specified in this contract prior to the completion and acceptance of the same by the City Engineer; nor shall the CITY, nor any officer or employee thereof, be liable for any persons or property injured by reason of the nature of said work, or by reason of the acts or omissions of the SUBDIVIDER, his agents or employees, in the performance of said work; but all of said liabilities shall be assumed by the SUBDIVIDER. The SUBDIVIDER further agrees to protect, defend and hold harmless the CITY and its officers and employees from all loss, liability or claim because of, or arising out of, the acts or omissions of the SUBDIVIDER, or his agents and employees, in the performance of this contract, or arising out of the use of any patent or patented article in the construction of said work.

Continuation Sheet For:

## **SUBDIVISION IMPROVEMENT AGREEMENT AND CONTRACT**

TEN: It is agreed that the SUBDIVIDER has filed or deposited with the CITY a good and sufficient IMPROVEMENT SECURITY in accordance with the provisions of Section 17.08G of the Municipal Code of the CITY, in an amount equal to or greater than the estimated cost of construction and installation of the required improvements and an amount sufficient to act as warranty for said improvements as defined in Article Eight hereof, together with reasonable attorney's fees which may be incurred by the CITY in enforcing the terms and conditions of this contract. IN ADDITION TO the Improvement Security, it is further agreed that the SUBDIVIDER has filed or deposited a good and sufficient PAYMENT SECURITY for labor and materials in an amount not less than fifty (50) percent of the amount of the Improvement Security, to secure the claims to which reference is made in Title 15, commencing with Section 3082, of Part 4 of Division 3 of the Civil Code of the State of California. If the sureties or security on either said Improvement Security or Payment Security, or both, in the opinion of the CITY become insufficient, in any respect, the SUBDIVIDER hereby agrees to furnish sufficient additional security within ten (10) days after receiving notice from the CITY that said extant securities are insufficient.

ELEVEN: It is further understood and agreed, that in the event it is deemed necessary to extend the time for the performance of the work contemplated to be done under this contract, such extensions of time may be granted by the City Engineer or by the BOARD, or both, either at their own option or upon request of the SUBDIVIDER, and such extensions shall in no way affect the validity of this contract, the Subdivision Cash or Negotiable Security Improvement and Warranty Performance Agreement executed in connection herewith or release the Surety on any Surety Bond or Bonds. Such extensions of time may be conditioned upon a construction schedule to be specified by the City Engineer, and/or a revision of the Improvement Security based on revised estimated improvement costs, and/or revision of the plans, profiles and specifications used for the construction and installation of the required improvements to comply with the standards and specifications of the BOARD in effect at the time such extension of time is granted.

TWELVE: The SUBDIVIDER further agrees to maintain the aforesaid Improvement and Payment Security in full force and effect, during the term of this contract, including any extensions of time as may be granted thereto.

THIRTEEN: If the SUBDIVIDER neglects, refuses or fails to prosecute the required work with such diligence as to insure its completion within the time specified herein, or within such extension of said time as may have been granted by the City Engineer or by the BOARD, or both, or if the SUBDIVIDER neglects, refuses or fails to perform satisfactorily any of the provisions of the improvement construction permit, plans and profiles, or specifications, or any other act required under this agreement and contract, the BOARD may declare this agreement and contract in default.

Immediately upon a declaration of default, the Subdivider and Surety shall be liable to City for the cost of construction and installation of the public improvements and for costs and reasonable expense and fees, including reasonable attorneys' fees incurred in enforcing this Agreement and Contract.

A notice of default shall be mailed to the SUBDIVIDER and any Surety and the Board shall cause a demand to be made for payment of any negotiable securities held as Improvement Securities in connection with this Agreement and Contract.

Continuation Sheet For:

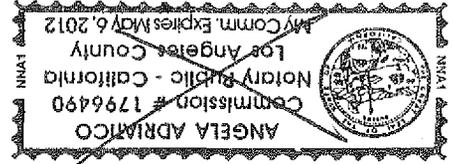
**SUBDIVISION IMPROVEMENT AGREEMENT AND CONTRACT**

In the event of such default, the SUBDIVIDER hereby grants to the CITY and/or the Surety upon any Surety Bond, the irrevocable permission to enter upon the lands of the subject division of land for the purpose of completing the required improvements. The CITY reserves the right if it elects to do the work to exclude the SUBDIVIDER from the site in order to complete the required work either by CITY forces or by separate contract.

IN WITNESS WHEREOF, this instrument has been duly executed by the above named SUBDIVIDER on October 31, 2011.

CITYVIEW INGOMAR, LLC

[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



SEE INSTRUCTIONS FOR SIGNATURES AND ACKNOWLEDGMENTS ON "NOTICE TO CLASS B PERMIT AND BOND APPLICANTS" (FORM ENG. 3.693-REVISED)

District Design Office: **VALLEY**

Council District No.: **3**

Date Issued: **08/22/2011**

Location: **21125 INGOMAR AVE**

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

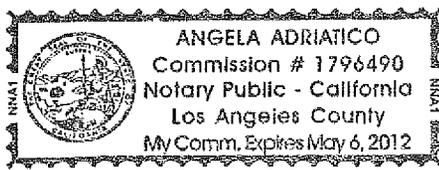
State of California

County of Los Angeles }

On 10.9.11 before me, Angela Adriatico, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Sean Burton  
Name(s) of Signer(s)

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 [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA. 90012-4801  
AND  
6262 VAN NUYS BLVD., SUITE 351  
VAN NUYS, CA. 91401

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(213) 978-1272

EVA YUAN-MCDANIEL  
DEPUTY DIRECTOR  
(213) 978-1273

VACANT  
DEPUTY DIRECTOR  
(213) 978-1274

FAX: (213) 978-1275  
INFORMATION  
(213) 978-1270

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February 1, 2012

Charles J. Francoeur  
Montage Development, Inc.  
17412 Ventura Boulevard  
Encino, CA 91316

Re: Tentative Tract No. 69921-M1  
Council District: 3  
Address: 21125 Ingomar Street, and  
7850 Deeing Avenue  
Planning Area: Canoga Park-Winnetka-  
Woodland Hills-West Hills  
Zone: (T)(Q)RD3-1VL

**MODIFICATION OF CONDITION #2**

On October 22, 2009, in accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract No. 69921 for a new maximum 22-unit detached residential condominium development. On May 4, 2011 the Advisory Agency approved a modification to the original map to change the number of units from 22 to 26. As part of the original Tract Conditions of Approval, the Bureau of Engineering included numerous Bureau conditions including the following:

Existing Condition No. 2

2. That a 2-foot wide and variable-width public sidewalk easement if necessary be dedicated along Ingomar Street to allow for a 10-foot sidewalk adjoining the tract map satisfactory to the City Engineer.

Since the original approval, the subdivider has been working with the Bureau of Public Works to obtain a revocable permit so that certain project features such as walls and sidewalks can be constructed in the public right-of-way. While the subdivision layout will still provide for a sidewalk, the strict interpretation of existing condition #2 makes the proposed layout and the need for a sidewalk easement unnecessary. Therefore, the Advisory Agency modifies the original conditions as follows:

**Delete Condition No. 2**

- ~~2. That a 2-foot wide and variable width public sidewalk easement if necessary be dedicated along Ingomar Street to allow for a 10-foot sidewalk adjoining the tract map satisfactory to the City Engineer.~~

All other conditions remain unchanged.

MICHAEL J. LOGRANDE  
Advisory Agency



JIM TOKUNAGA  
Deputy Advisory Agency

MJL:JT:

Cc: Bureau of Engineering

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
AND  
6262 VAN NUYS BLVD., SUITE 351  
VAN NUYS, CA 91401

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COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300

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ANTONIO R. VILLARAIGOSA  
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MICHAEL J. LOGRANDE  
DIRECTOR

ALAN BELL, AICP  
DEPUTY DIRECTOR  
(213) 978-1272

EVA YUAN-MCDANIEL  
DEPUTY DIRECTOR  
(213) 978-1273

VACANT  
DEPUTY DIRECTOR  
(213) 978-1274

FAX: (213) 978-1275  
INFORMATION  
(213) 978-1270

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September 21, 2011

Charles J. Francoeur  
Montage Development, Inc.  
17412 Ventura Boulevard  
Encino, CA 91316

Robert Kameoka (E)  
5011 Acacia Street  
San Gabriel, CA 91776

Re: Tentative Tract No. 69921-M1  
Council District: 3  
Address: 21125 Ingomar Street, and  
7850 Deeing Avenue  
Planning Area: Canoga Park-Winnetka-  
Woodland Hills-West Hills  
Zone: (T)(Q)RD3-1VL

**MODIFICATION OF CONDITION**

On October 22, 2009, in accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract No. 69921 for a new maximum 22-unit detached residential condominium development. On May 4, 2011 the Advisory Agency approved a modification to the original map to change the number of units from 22 to 26. As part of the original Tract Conditions of Approval, the Bureau of Engineering included numerous Bureau conditions including the following:

Existing Condition No. 3

3. That any existing drainage and sanitary sewer easements within the subdivision be delineated on the final map satisfactory to the City Engineer.

It has since been determined that existing storm water drainage easements on site can be merged into the tract, therefore existing Condition No. 3 shall be deleted and the following new condition shall be substituted:

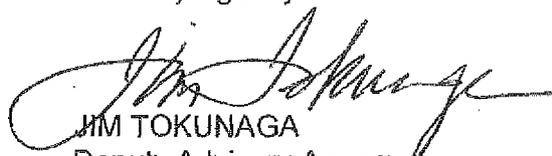
**Revised Condition No. 3**

3. That any existing public drainage easement within the tract boundary under City of Los Angeles jurisdiction be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
  - a. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the easement area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

All other conditions remain unchanged.

MICHAEL J. LOGRANDE  
Advisory Agency



JIM TOKUNAGA  
Deputy Advisory Agency

MJL:JT:

Cc: Bureau of Engineering

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
AND  
6262 VAN NUYS BLVD., SUITE 357  
VAN NUYS, CA 91403

CITY PLANNING COMMISSION

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ROBERT LESSIN  
BARBARA ROMERO  
MICHAEL K. WOO

JAMES WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT II  
(213) 978-1300

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

May 5, 2011

EXECUTIVE OFFICES

MICHAEL J. LOGRANDE  
DIRECTOR  
(213) 978-1273

ALAN BELL, AICP  
DEPUTY DIRECTOR  
(213) 978-1272

EVA YUAN-MCDANIEL  
DEPUTY DIRECTOR  
(213) 978-1273

VACANT  
DEPUTY DIRECTOR  
(213) 978-1275

FAX: (213) 978-1275

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Charles J. Francoeur (A)(O)  
Montage Development, Inc.  
17412 Ventura Boulevard  
Encino, CA 91316

Building and Safety

CASE NO. DIR-2011-0617-CLQ  
**CLARIFICATION OF Q CONDITION**  
CEQA: ENV-2006-2599-MND(REC)  
Address: 21125 Ingomar Street  
Plan Area: Canoga Park-Winnetka-  
Woodland Hills-West Hills  
Zone: (T)(Q)RD3-1VL  
D.M.: 189B105  
C.D. : 3  
Legal Description: Lot A of Tract No.  
PM 4265

Pursuant to Los Angeles Municipal Code Section 12.32-H, and as the designee of the Director of Planning, I hereby:

**Approve** the requested Clarification of "Q" Condition No. "4.a." of Ordinance No. 179,837 to read as follows:

**4. Plan.** The use and development of the property shall be in substantial conformance with the Modified Tract Map (TT-69921-M1) submitted with the application.

a. The applicant shall submit a plot plan depicting no more than 26 dwelling units on the site.

**Find** that the previously adopted Mitigated Negative Declaration ENV-2006-2599-MND is an adequate environment clearance.

**Adopt** the attached Findings.

**Advise** the applicant that pursuant to the California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that environmental mitigation measure are implemented and maintained through the life of the project and that the City may require any necessary fees to cover the cost of such monitoring.

This approval is subject to the following terms and conditions:

1. **Related Cases.** The project shall comply with all conditions and terms of the approvals contained in the listed related cases, unless otherwise expressly clarified in this determination:
  - a. Case No. TT-69921-M1
  - b. Case No. ZA 2011-0622(ZAA)(ZAD)
  - c. Case No. TT-69921
  - d. Case No. CPC 2006-2598-ZC-GPA
2. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
3. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
4. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
5. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices legislation or their successors, designees, or amendment to any legislation.
6. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
7. **Building Plans.** Page 1 of this grant and all conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
8. **Utilization of Concurrent Entitlement.** Site Plan Review requires completion of all applicable conditions of approval to the satisfaction of the Department of City Planning. The applicant/owner shall have a period of three years from the effective date of the subject grant for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit. Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

9. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
10. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of a claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

## FINDINGS

Pursuant to Section 12.32-H of the Municipal Code and City Planning Commission Guidelines, I hereby find the following:

1. **The request is consistent with the City Planning Commissions Guidelines**

The City Planning Commission's guidelines provide that an amendment of the T Classification and Clarifications of the Q Classification or D Limitation may take place under certain circumstances, including:

*"g. Clarification or any word or term used in a condition, when such term is not defined in the Municipal Code or the clarification of the intent of any condition that is ambiguous."*

In this particular case the amount of units originally granted is less than the maximum density generally allowed by the adopted zoning regulations. It was the intent of the zone change grant to establish a zoning scheme that best serves to buffer manufacturing land uses to the north from single-family residential uses to the east and south, by applying the restricted density multi-family zone (RD Zoning) to the project site. The original recommendation by planning staff was a density congruent to the RD4 zoning regulations. However, in order to make more units available for sale the applicant would like to add four additional units more in line with the approved RD3 zoning regulations. Density considered during the original request included a range between 19 and 26 units. In the end, the RD3 Zone was adopted by the City Council and the project was limited to 22 dwelling units.

Due to the site's large and irregular shape, the new project is for 26 detached units. Because of the costs and design parameters the detached design cannot be accomplished at a density less than 26 units.

In light of the above, the proposed detached single-family design in the RD3 Zone is consistent with the original approval of 22 detached units. In considering the intent of the original condition limiting density, the general goal was to provide a project compatible with adjacent uses while accomplishing the improvement of an otherwise underutilized vacant parcel of land. Therefore, the clarification to allow a density of 26 units is consistent with the City Planning Commission Guidelines as the density would allow the project to be designed in a manner consistent with the original approval while still allowable under the current zone.

2. **The amendment or clarification is necessary in order to carry out the intent of the City Council in adopting the T or Q Classification or D Limitation.**

In this particular case the amount of units originally granted is less than the maximum density generally allowed by the adopted zoning regulations. It was the intent of the original zone change grant to establish a zoning scheme that best serves to buffer manufacturing land uses to the north from single-family residential uses to the east and south, by applying the restricted density multi-family zone (RD Zoning) to the project site.

However, the density of 22 units makes the desired design of detached units impractical. The original grant included a detached design to provide a single-family character to the project. Allowing the maximum density of the RD3 Zone for the site would facilitate the desired single-family character consistent with the intent of the original grant.

3. **The amendment or clarification would have only a minimal effect on adjacent property and would not result in a significant or substantial deprivation of the property rights of other property owners.**

No adverse effects would occur to property in the area. The site was originally occupied by an industrial manufacturing use which ceased operations leaving the site in an unimproved state, devoid of trees and landscaping. The proposed project would enhance the aesthetic of the site and provide a use consistent with the single-family neighborhood to the south and east and also provide a buffer between less compatible land uses to the north. The project would not impede access or encroach upon easements to other properties, or infringe upon the property rights of adjacent property owners.

#### **Authorization - Time Limit and Transferability**

The authorization granted herein shall be for a three year period from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. There are no time extensions available beyond this three year period.

Furthermore, this grant is not a permit or license and that permits and licenses required by all applicable laws must be obtained from the proper agency.

In the event the property is sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise such person or corporation regarding the conditions of this authorization. If any portion of the authorization is utilized, the conditions and requirement of the grant will become operative and must be strictly observed.

**Appeal Period - Effective Date**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code.

**The Determination in the "Q" Clarification will become effective after May 25, 2011** unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).** Planning Department public offices are located at:

<p>Figueroa Plaza 201 North Figueroa Street, Fourth Floor Los Angeles, CA 90012-2601 Phone: (213) 482-7077</p>	<p>Marvin Braude San Fernando Valley Constituent Services Center 6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401 Phone: (818) 374-5050</p>
--	--

The applicant is further advised that all subsequent contact with this office regarding this Determination must be with the decision-maker who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by appointment only, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

MICHAEL J. LOGRANDE  
Director of Planning

APPROVED BY:

  
\_\_\_\_\_  
Jim Tokunaga  
Senior City Planner

PREPARED BY:

  
\_\_\_\_\_  
Nicholas Hendricks  
City Planning Associate

Attachments:  
Exhibit A: Site Plan



DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
AND  
6262 VAN NUYS BLVD., SUITE 351  
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(213) 978-1300

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DIRECTOR  
(213) 978-1271

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DEPUTY DIRECTOR  
(213) 978-1272

EVA YUAN-MCDANIEL  
DEPUTY DIRECTOR  
(213) 978-1273

VACANT  
DEPUTY DIRECTOR  
(213) 978-1274

FAX: (213) 978-1275

INFORMATION  
[www.planning.lacity.org](http://www.planning.lacity.org)

Decision Date: May 4, 2011

Appeal Period Ends: May 16, 2011

Charles J. Francoeur  
Montage Development, Inc.  
17412 Ventura Boulevard  
Encino, CA 91316

Re: Tentative Tract Map No. 69921-M1  
Address: 21125 West Ingomar Street  
Council District: 3  
Existing Zone: (T)(Q)RD3-1VL  
Community Plan: Canoga Park-Winnetka-  
Woodland Hills-West Hills  
CEQA No.: ENV-2006-2599-MND(REC)

In accordance with provisions of Section 17.03 and 17.11 of the Los Angeles Municipal Code, the Advisory Agency approved the **MODIFICATION** of Tentative Tract Map No. 69921-M1 composed of one lot, located at 21125 West Ingomar Street for a maximum of 26-units as shown on revised map stamp dated March 10, 2011. (The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety for legal interpretation of the Zoning Code as it applies to this particular property.) For an appointment with the Public Counter call (818) 374-5050. The Advisory Agency's approval is subject to the following modified conditions:

NOTE on clearing conditions: When two or more agencies must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

**DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

EXISTING CONDITION NO. 14.a. READS: Limit the proposed development to a maximum of 22 dwelling units.

MODIFIED CONDITION NO. 14.a. to READ: Limit the proposed development to a maximum of 26 dwelling units.

**FINDINGS OF FACT (CEQA - Modified Finding)**

On May 5, 2008, the Los Angeles City Council Adopted a Mitigated Negative Declaration (Case No. ENV-2006-2599-MND) in conjunction with the approval of a General Plan Amendment and Zone Change under Case No. CPC-2006-2598-GPA-ZC. On October 22, 2009, the Advisory Agency also Adopted the Mitigated Negative Declaration ("MND") in conjunction with the approval of Tentative Tract Map No. 69921.

Further, the Adopted "MND" was reconsidered by the Department of City Planning for the current modification and entitlement requests and found that the original MND is still satisfactory in analyzing all physical impacts of the project in conformance with the intent and purpose of the California Environmental Quality Act ("CEQA"). Additionally, none of the conditions described in Section 15162 of the CEQA Guidelines have occurred and therefore, no subsequent negative declaration or other documentation is required, as all mitigation measures required by the original MND still serve to mitigate potential environmental effects caused by the proposed project.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

All other conditions and findings of Tentative Tract No. 69921 shall remain as originally written.

Michael J. LoGrande  
Advisory Agency



JIM TOKUNAGA  
Deputy Advisory Agency

JT:NH:jq

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the South Valley Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
(213)482-7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Bl., Room 251  
Van Nuys, CA 91401  
(818)374-5050

Forms are also available on-line at <http://cityplanning.lacity.org/>

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
AND  
6262 VAN NUYS BLVD., SUITE 351  
VAN NUYS, CA 91401  
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YOLANDA OROZCO  
BARBARA ROMERO  
MICHAEL K. WOO  
JAMES WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300

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S. GAIL GOLDBERG, AICP  
DIRECTOR  
(213) 978-1271  
VINCENT P. BERTONI, AICP  
DEPUTY DIRECTOR  
(213) 978-1272  
EVA YUAN-MCDANIEL  
DEPUTY DIRECTOR  
(213) 978-1273  
FAX: (213) 978-1275  
INFORMATION  
(213) 978-1270  
[www.planning.lacity.org](http://www.planning.lacity.org)

Decision Date: October 22, 2009

Appeal Period Ends: November 2, 2009

Ingomar LLC, (A) (O)  
6345 Balboa Blvd, Bldg III, Ste 155  
Encino, CA 91316

Robert Kameoka (E)  
5011 Acacia Street  
San Gabriel, CA 91776

RE: Tentative Tract Map No: 69921  
Address: 21125 Ingomar Street  
and 7850 Deering Avenue  
Community Plan: Canoga Park-Winnetka-  
Woodland Hills-West Hills  
Zone: (T)(Q)RD3-1VL  
Council District: 3  
CEQA No.: ENV-2006-2599-MND

In accordance with provisions of Section 17.03 of the LAMC, the Advisory Agency approved Tentative Tract Map No. 69921 composed of one-lot located at 21125 W. Ingomar Street and 7850 N. Deering Avenue for a new **maximum 22-unit detached residential condominium development** as shown on map stamp-dated October 11, 2007, in the Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan. This unit density is based on the (T)(Q)RD3-1VL Zone. The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning Code as it applies to this particular property. For an appointment with the Subdivision Counter call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

**BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That a 2-foot wide strip of land be dedicated along Deering Avenue adjoining the subdivision to complete a 32-foot wide half right-of-way dedication in accordance with Collector Street Standards all satisfactory to the City Engineer.
2. That a 2-foot wide and variable-width public sidewalk easement if necessary be dedicated along Ingomar Street to allow for a 10-foot sidewalk adjoining the tract map satisfactory to the City Engineer.
3. That any existing drainage and sanitary sewer easements within the subdivision be delineated on the final map satisfactory to the City Engineer.
4. That two copies of a parking area and driveway plan be submitted to the Valley District Office of the Bureau of Engineering for review and approval or that a Covenant and Agreement be recorded agreeing to do the same prior to the issuance of a building permit.
5. That arrangements be made with the Los Angeles County Department of Public Works prior to recordation of the final map for any necessary permits with respect to construction adjacent to their existing storm drain easement.
6. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement must be recorded and an application to do work in any sanitary sewer and drainage easements and to construct over the existing sanitary sewers and drainage facilities must be submitted to the City Engineer for approval.

**DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

7. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

8. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:

- a. Provide a copy of the "approved" Ordinance for the Zone change.

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact John

Pourhassan at (213) 482-6880 to schedule an appointment.

#### DEPARTMENT OF TRANSPORTATION

9. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure: (MM)
- a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
  - b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3.

#### FIRE DEPARTMENT

10. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following: (MM)
- a. Submit plot plans for Fire Department approval and review prior to recordation of Tract Map Action.
  - b. In order to mitigate the inadequacy of fire protection in travel distance, sprinkler systems shall be required throughout any structure to be built, in accordance with the Los Angeles Municipal Code, Section 57.09.07.
  - c. All structures should be fully sprinklered.
  - d. Adequate public and private fire hydrants shall be required.
  - e. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - f. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
  - g. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - h. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

- i. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- j. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- k. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- l. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- m. Site plans shall include all overhead utility lines adjacent to the site.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY. In order to assure that you receive service with a minimum amount of waiting, please call (213) 482-6504.

#### **BUREAU OF STREET LIGHTING**

11. Satisfactory arrangement shall be made with the Bureau of Street Lighting to assure the property be formed or annexed into a Street Lighting Maintenance Assessment District. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

#### **INFORMATION TECHNOLOGY AGENCY**

12. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12<sup>th</sup> Floor, Los Angeles, CA 90012, (213) 922-8363.

#### **DEPARTMENT OF RECREATION AND PARKS**

13. That the Quimby fee be based on the RD3 Zone. (MM)

**DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

14. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to a maximum of 22 dwelling units.
- b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus  $\frac{1}{4}$  guest parking spaces per dwelling unit. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 N. Spring Street, Room 750).

- c. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- e. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- f. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.
- g. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.

- h. Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
  - i. The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better to reduce the effects of diminished air quality on the occupants of the project.
  - j. Concrete, not metal, shall be used for construction of parking ramps.
  - k. The interior ramps shall be textured to prevent tire squeal at turning areas.
  - l. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
15. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
16. That the subdivider shall record and execute a Covenant and Agreement to comply with the (Q) Conditions of the enabling zone change ordinance approved by the City Council for the Case No. CPC-2006-2598-ZC-GPA.
17. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

#### DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

18. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 9, 10, 13, 19, and 20 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
19. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all

successors to the following:

- MM-1. The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
- MM-2. The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss, which requires the preparation of a geotechnical report. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration.
- MM-3. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- MM-4. Project applicants are required to implement stormwater BMPs to retain or retreat the runoff from a storm event producing  $\frac{3}{4}$  inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- MM-5. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- MM-6. Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- MM-7. Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- MM-8. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- MM-9. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.

- MM-10. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e., turf block; and granular materials, i.e., crushed aggregates, cobbles.
- MM-11. Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- MM-12. Guest parking lots constitute a significant portion of the impervious land coverage. To reduce the quantity of runoff, parking lots can be designed one of two ways:
- Hybrid Lot – parking stalls utilize permeable materials, such as crushed aggregate, aisles are constructed of conventional materials such as asphalt.
- Parking Grove – is a variation on the permeable stall design, a grid of trees and bollards are added to delineate parking stalls. This design presents an attractive open space when cars are absent, and shade when cars are present.
- MM-13. Promote natural vegetation by using parking lot islands and other landscaped areas.
- MM-14. Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Department of Public Works, Stormwater Management Division.
- MM-15. Promote natural vegetation by using parking islands and other landscaped areas.
- MM-16. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING – DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- MM-17. Legibility of stencils and signs must be maintained.
- MM-18. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- MM-19. The storage area must be paved and sufficiently impervious to contain leaks and spills.

- MM-20. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- MM-21. Design an efficient irrigation system to minimize runoff includes: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- MM-22. The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General Form CP-6770) satisfactory to the Planning Department binding the owner(s) to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.
- MM-23. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design Out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section. These measures shall be approved by the Police Department prior to the issuance of building permits.
- MM-24. The applicant shall pay school fees to the Los Angeles Unified School district to offset the impact of additional student enrollment at schools serving the project area.
20. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**
- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the

public. The sign must be sturdily attached to a wooden post if it will be freestanding.

- b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
- c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.

- CM-2. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-9. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.

- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- CM-14. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- CM-17. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-18. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-19. Pavement shall not be hosed down pavement at material spills. Dry cleanup methods shall be used whenever possible.
- CM-20. Dumpster shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-21. Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited.

- CM-22. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

#### DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.

C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

**BUREAU OF ENGINEERING - STANDARD CONDITIONS**

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications

abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.

- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
- (k) That no public street grade exceeds 15%.
- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
- (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
- (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
- (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting. Construct new street light(s): two (2) on Ingomar Street. If street widening is required, relocate and upgrade street light: one (1) on

Ingomar Street.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division (213-485-5675) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve Deering Avenue being dedicated and adjoining the tract by the construction of a 10-foot full-width concrete sidewalk with tree wells including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
  - b. Improve Ingomar Street being dedicated and adjoining the tract by the construction of additional concrete sidewalk to complete a 10-foot to 12-foot full-width concrete sidewalk with tree wells including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in compliance with L.A.M.C. Section 17.05N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

### **FINDINGS OF FACT (CEQA)**

The Department of City Planning issued Mitigated Negative Declaration ENV-2006-2599-MND on June 8, 2006. The Department found that potential negative impact could occur from the project's implementation due to:

- Air Quality (construction);
- Geology and Soils (construction, seismic, liquefaction);
- Hydrology and Water Quality (stormwater);
- Land Use and Planning (Plan amendment, zone change);
- Noise (construction);
- Public Services (fire, police, schools, street improvements);
- Recreation (parks); and
- Transportation/Circulation (site and/or driveway plan, parking).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2006-2599-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 9, 10, 13, 19, and 20 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The Initial Study prepared for the project identifies no potential adverse impacts on fish or wildlife resources as far as earth, air, water, plant life, animal life, risk of upset are concerned.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 18.

Furthermore, the Advisory Agency hereby finds that modifications to and/or corrections of

specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, California 90012.

#### **FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Tentative Tract Map No. 69921, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) **THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The adopted Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan is designated the subject property for Low Medium I Residential land use with the corresponding zones of R2, RD3-RD4, RZ3,RZ4, RU, and RW1. The property contains approximately 1.81 net acres and zoned (T)(Q)RD3-1VL. The General Plan Amendment and Zone Change was recently approved by the City Council and became effective June 14, 2008. The property is not located in any Specific Plan.

The proposed 22-unit residential condominium is allowable under the new (T)Q)RD3-1VL Zone and the Low Medium I Residential land use designation. The project will provide much needed new home ownership opportunities for the Community Plan area. The proposed residential condominium project is conditioned to comply with the (T) conditions approved by the City Planning Commission pursuant to CPC-2006-2598-ZC-GPA and the (Q) Conditions of Ordinance No 179837 approved by the City Council. The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the General Plan.

- (b) **THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

Deering Avenue is a Collector Street dedicated to a 60-foot width at the project's street frontage. The Bureau of Engineering requires a 2-foot wide strip of land be dedicated along Deering Avenue adjoining the subdivision to complete a 32-foot wide half right-of-way dedication in accordance with Collector Street Standards all satisfactory to the City Engineer. This project is not subject to any Specific Plan

requirements. The proposed project will provide 2¼ parking spaces per dwelling unit in conformance with the LAMC and the Deputy Advisory Agency's parking policy for condominium projects in non-parking congested areas.

As conditioned, the design and improvements of the proposed project are consistent with the General Plan.

- (c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The site is currently vacant. The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The tract is being approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division, prior to the recordation of the map and issuance of any permits.

- (d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

Adjacent land uses are single-family dwellings to the east in the RS zone, single-family dwellings to the south in the RS zone, light manufacturing to the west in the M2 zone, and light manufacturing to the north in the M2 zone. The site is vacant, corner lot and the proposed project would provide 22 residential condominiums.

The 1.81 net acres site is currently planned Low Medium I Residential as a result of a recently approved General Plan Amendment, with the corresponding zones of R2, RD3, RD4, RZ3, RZ4, RU, and RW1. The type and density of the proposed project, a 22 unit detached condominium, is allowable under the new Low Medium I Residential use designation and the new (T)(Q)RD1-1VL Zone. The project will comply with all LAMC requirements for parking, height, yards, and open space.

Therefore, as conditioned, the proposed tract map is physically suitable for the proposed density of the development.

- (e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The Initial Study prepared for the project identified no potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, risk of upset are concerned. The project site is vacant. The surrounding area is presently developed with structures and does not provide a natural habitat for either fish or wildlife.

- (f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appear to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tentative Tract Map No. 69921.

S. Gail Goldberg, AICP  
Advisory Agency

*Maya E. Zaitzovsky* For J.C.

JACK CHIANG  
Deputy Advisory Agency

JC:AC:jh/jq

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the South Valley Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
(213) 482-7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
(818) 374-5050

Forms are also available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).

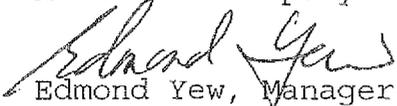
If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call Subdivision staff at (213) 978-1362.

CITY OF LOS ANGELES  
INTERDEPARTMENTAL CORRESPONDENCE

Date: November 27, 2007

To: Ms. S. Gail Goldberg, Director  
Department of City Planning  
Attention: Deputy Advisory Agency

From:   
Edmond Yew, Manager  
Land Development Group  
Bureau of Engineering

Subject: Tentative Tract Map No. 69921 - Transmittal of Map.

Transmitted is a print of tentative map of Tract Map No. 69921 lying northerly of Ingomar Street and westerly of Variel Avenue in Council District No. 3.

This map has been filed for a 22-unit new residential condominium purposes. The subdivision layout is generally satisfactory as submitted, except for the additional public right-of-way dedication as stated herein.

There are existing sewers available in Ingomar Street and the easement west of Variel Avenue and north of Ingomar Street adjoining the subdivision. This tract will connect to the public sewer system and will not result in violation of the California Water Code. I therefore recommend that you make the necessary determination.

I recommend that the tentative map of Tract No. 69921 be approved, subject to the standard conditions issued by your department and the following special conditions:

1. That a 2-foot wide strip of land be dedicated along Deering Avenue adjoining the subdivision to complete a 32-foot wide half right-of-way dedication in accordance with Collector Street Standards all satisfactory to the City Engineer.
2. That a 2-foot wide and variable-width public sidewalk easement if necessary be dedicated along Ingomar Street to allow for a 10-foot sidewalk adjoining the tract map satisfactory to the City Engineer.
3. That any existing drainage and sanitary sewer easements within the subdivision be delineated on the final map satisfactory to the City Engineer.
4. That two copies of a parking area and driveway plan be submitted to the Valley District Office of the Bureau of Engineering for review and approval or that a Covenant and Agreement be recorded agreeing to do the same prior to the issuance of a building permit.

5. That arrangements be made with the Los Angeles County Department of Public Works prior to recordation of the final map for any necessary permits with respect to construction adjacent to their existing storm drain easement.
6. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement must be recorded and an application to do work in any sanitary sewer and drainage easements and to construct over the existing sanitary sewers and drainage facilities must be submitted to the City Engineer for approval.
7. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve Deering Avenue being dedicated and adjoining the tract by the construction of a 10-foot full-width concrete sidewalk with tree wells including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
  - b. Improve Ingomar Street being dedicated and adjoining the tract by the construction of additional concrete sidewalk to complete a 10-foot to 12-foot full-width concrete sidewalk with tree wells including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.

Any questions regarding this report should be directed to Mr. Ken Alson of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213) 977-8951.

EY/KA/gt  
H:\ldg4\gtWP TM69921

Enc.

cc: Valley Engineering District Office

CITY OF LOS ANGELES  
CALIFORNIA

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801

CITY PLANNING COMMISSION

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MICHAEL K. WOO

GABRIELE WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300



ANTONIO R. VILLARAIGOSA  
MAYOR

RECEIVED  
LAND DEVELOPMENT GROUP

07 OCT 24 PM 2:05

EXECUTIVE OFFICES

S. GAIL GOLDBERG, AICP  
DIRECTOR  
(213) 978-1271

EVA YUAN-MCDANIEL  
DEPUTY DIRECTOR  
(213) 978-1399

FAX: (213) 978-1275

INFORMATION  
(213) 978-1270

www.lacity.org/PLN

TT FEE PAID

OCT 03 2007

Filing Notification and Distribution

ADDRESS: 21125 W. Ingomar Street &  
7850 N. Deering Avenue  
COMMUNITY: Canoga Park-Winnetka-  
Woodland Hills-West Hills

DATE OF FILING AND MAP STAMP

DATE: October 1<sup>st</sup>, 2007

TRACT MAP NO: 69921

DEEMED COMPLETE AND DISTRIBUTION

DATE: October 23, 2007

Hillside: ( ) Yes (X) No

**EXPEDITED  
PROCESSING  
SECTION**

(X) COUNCIL DISTRICT NO: 3  
(X) Neighborhood Planning (Check Office  
below)

- (X) Valley
- ( ) West Los Angeles
- ( ) Harbor
- ( ) Metro E/S

Department of Public Works

- (X) Bureau of Engineering
- (X) Bureau of Sanitation

Department of Building and Safety

- (X) Grading Engineer
- (X) Zoning Engineer

(X) Department of Transportation

Department of Water and Power

- ( ) Underground Design
- (X) Real Estate
- (X) Water System
- (X) Fire Department  
(mark "Fire")

- ( ) Community Plan Revision
- (X) Department of Recreation and Parks
- (X) Department of Telecommunications
- (X) Bureau of Street Lighting (No. P.S.)
- ( ) Community Redevelopment Agency  
(See Counter Map) (No. P.S.)
- ( ) Animal Regulation (Hillside)
- (X) Housing Department
- (X) Board of Education (No P.S.)
- (X) Los Angeles County Health Department  
(No P.S.)
- ( ) City of Beverly Hills  
(See Counter Map) (No P.S.)
- ( ) Dan O'Connell (if Mulholland Scenic Corridor)
- (X) Imaging Services
- (X) GIS - c/o Fae Tsukamoto

The above tract has been filed with the Advisory Agency.

The Advisory Agency will await your report and recommendation regarding the above matter for 39 days. If we have not received a written report from you after 40 days from the date of filing, we will assume that you have no report to make.

S. Gail Goldberg  
Director

*Jose Herrera*  
MAYA ZAITZEVSKY  
Deputy Advisory Agency

**EXPEDITED PROCESSING CASE**

**DATE DUE: 11 / 27 / 07**

Please forward reports to the following e-mail  
addresses:

[Joni.Quinn@lacity.org](mailto:Joni.Quinn@lacity.org)

[Josephine.Herrera@lacity.org](mailto:Josephine.Herrera@lacity.org)



# TENTATIVE TRACT NO. 69921

FOR CONDOMINIUM PURPOSES

BEING A SUBDIVISION OF PARCEL A, PARCEL MAP L.A. NO. 4265,  
PER MAP FILED IN BOOK 133 PG 29 OF PARCEL MAPS  
RECORDS OF LOS ANGELES COUNTY.

ADDRESS: 21125 INGOMAR STREET  
7850 DEERING AVENUE

LOS ANGELES DEPT. OF CITY PLANNING  
SUBMITTED FOR FILING  
TENTATIVE MAP

OCT 11 2007

RECEIVED MAP UNIT  
TIME EXPIRES  
EXPIRES  
FILING FEE: \_\_\_\_\_ DIVISION OF LAND

### LEGEND

INDICATES THE BOUNDARY OF THE LAND  
BEING SUBDIVIDED BY THIS MAP

### OWNER/SUBDIVIDER

INGOMAR, LLC  
C/O MONTAGE NEIGHBORHOOD BUILDERS  
6345 BALBOA BLVD, STE 155, BLDG III  
ENCINO, CA. 91315  
(818) 758-2202

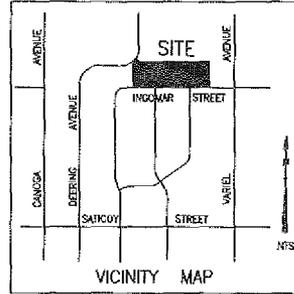
### CIVIL ENGINEER

ROBERT K. KAMEOKA  
5011 ACACIA ST.  
SAN GABRIEL, CA. 91778  
(626) 286-6127



### NOTES:

- TOTAL AREA: 95,264 S.F. (2.18 AC) GROSS TO CL STREET  
78,735 S.F. (1.81 AC.) NET
- ZONING EXISTING: (T)(Q)MR1-1VL, (T)(Q)MR2-1 & (Q)P-1VL  
PROPOSED: (T)(Q)R03-1VL
- USE: 22 CONDOMINIUM UNITS
- PARKING SPACES: 44 TENANT, 6 GUEST
- SEWAGE DISPOSAL BY UNDERGROUND  
SEWER SYSTEM.
- SURFACE & CONTRIBUTORY DRAINAGE  
TO BE CONVEYED TO STREET.
- NO OAK, WESTERN SYCAMORE, CALIF. BAY OR  
S.O. BLACK WALNUT TREES ON PROPERTY.  
REMOVE ALL TREES.
- SITE IS VACANT.
- SITE IS LEVEL.
- THERE ARE NO EASEMENTS ON THE SUBJECT  
PROPERTY EXCEPT AS SHOWN.
- SITE IS IN LIQUEFACTION AREA.
- THERE ARE NO HAZARDOUS OR HAZARDOUS  
MATERIALS ON PROPERTY.
- PORTIONS OF STORM DRAIN EASEMENTS NO LONGER  
NEEDED TO BE MERGED ON FINAL MAP.



### CITY OF LOS ANGELES EASEMENTS

- E'LY LINE OF A 6' WIDE SANITARY SEWER & 20" DRAINAGE ESMT OF THE CITY OF LOS ANGELES PER TRACT NO. 28084, MB 669-57/59
- N'LY & E'LY LINE OF A 20" WIDE DRAINAGE ESMT OF THE CITY OF LOS ANGELES PER TRACT NO. 26064, MB 669-57/59
- W'LY LINE OF A 5' WIDE PUBLIC UTILITY ESMT OF THE CITY OF LOS ANGELES PER TRACT NO. 26064, MB 669-57/59
- N'LY LINE OF A 50' x 50' DRAINAGE ESMT OF THE CITY OF LOS ANGELES PER TRACT NO. 26064, MB 669-57/59

