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MOTION

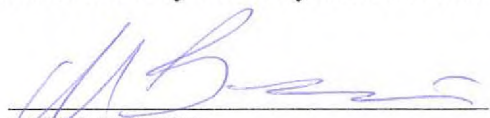
The property owner adjacent to the undeveloped City property at 17916 Castellammare Drive (the City lot) in the Pacific Palisades is seeking to use a portion of this vacant property as buffer area. The City lot (which was purchased in 1994 as part of a settlement of a lawsuit following a landslide) is currently undeveloped. The City lot is currently accessible by members of public.

The adjacent property owner has proposed that she be permitted to put down rock and install a fence on a portion of the City lot. The City Attorney is recommending that the City grant to the adjacent property owner a revocable easement to utilize the City property under the following conditions:

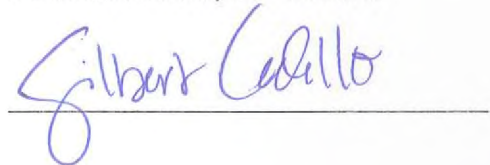
- "1) Nothing other than rocks and a fence may be placed on the City lot. No irrigation of any kind will be permitted on the City lot, under any circumstances. Geotech will need to approve whatever use is made of the property;
- 2) If the City has a need for the lot in the future, it may revoke the easement;
- 3) The easement will contain an indemnification agreement approved by risk management, and Ms. Bastendorf will need to provide evidence of insurance, and name the City as an additional insured;
- 4) We will need to reach agreement with Ms. Bastendorf on the size of the revocable easement and have BOE prepare the legal description;
- 5) Once we know the dimensions of the easement GSD will need to obtain a valuation of what the revocable easement is worth will need to be prepared (taking into account the limited use and the revocable nature of the easement) and Ms. Bastendorf will need to compensate the City for the value of the revocable easement."

I THEREFORE MOVE that the City Engineer and the Department of General Services in consultation with the City Attorney be authorized to prepare and present an ordinance which authorizes the grant of a revocable easement, or any other device, as appropriate, for the use of a portion of the vacant City-owned lot located at 17916 Castellammare Drive in the Pacific Palisades, by the adjacent property owner for the general purposes and under the general terms outlined in the text of this Motion, as well as any other terms which may be needed to protect the interests of the City, and subject to the approval of the City Attorney as to form and legality.

PRESENTED BY:


MIKE BONIN
Councilmember, 11th District

SECONDED BY:




APR 4 2014

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