DATE:      May 23, 2023

TO:        Mayor and Council Members

FROM:      Public Works Department

SUBJECT:   Summary Vacation of 201 N. La Brea Avenue, Inglewood, California

RECOMMENDATION:
It is recommended that the Mayor and Council Members adopt a resolution to summarily vacate 201 N. La Brea Avenue, Inglewood, California, and summarily vacate any and all easement rights on and over the applicable property.

BACKGROUND:
The City reserves certain easement rights for public utilities on private properties. An easement for public utilities owned by the City (utility easement) currently exists on the property located at 201 N. La Brea Avenue, Inglewood, California, Accessor’s Parcel Numbers (APNs): 4015-029-003 and 4015-029-004 (property). On February 11, 1955, the Utility Easement was partially vacated as instrument number 3720 of official records. However, the City has never placed any utilities in the area of the Utility Easement, nor has the City given any indication that it ever plans to. This Utility Easement infringes on the Property.

DISCUSSION:
On May 26, 2022, the property owner submitted a development plan to the Public Works Department. The plan was approved, and a permit to work on the right-of-way was issued on June 3, 2022. However, the owner discovered an easement for public utilities currently existing on the property owned by the City. All existing public utilities must be vacated to develop the property per previously approved project plans. The City now desires to summarily vacate and eliminate all the Utility Easement rights on the property prior to development.

City staff recommends approving the summary vacation and all easement rights over the applicable property to ensure the property development moves forward per previously-approved development plans.

FINANCIAL/FUNDING ISSUES AND SOURCES:
None.

DESCRIPTION OF ANY ATTACHMENTS:
Attachment No. 1 – Resolution
Mayor and Council Members
Summary Vacation of Portion of 101st Street
May 23, 2023

PREPARED BY:
Boytrese Osias, City of Inglewood Capital Improvement Projects Manager
Royce Jones, Kane, Ballimer & Berkman Legal Counsel

COUNCIL PRESENTER:
Louis Atwell, Assistant City Manager/Public Works Director
APPROVAL VERIFICATION SHEET

DEPARTMENT HEAD/
ASSISTANT CITY MANAGER APPROVAL: Louis A. Atwell, PW Director/Asst. City Mgr.

CITY MANAGER APPROVAL: Artie Fields, City Manager
Attachment No. 1
RESOLUTION NO.:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
INGLEWOOD, CALIFORNIA, PURSUANT TO STREETS & HIGHWAYS
CODE SECTION 8333(a) SUMMARILY VACATING THAT CERTAIN
PORTION OF A PUBLIC SERVICE EASEMENT ESTABLISHED BY
RESOLUTION NO. 3694 ADOPTED FEBRUARY 8, 1955 AND
RECORDED FEBRUARY 11, 1955 IN THE OFFICE OF THE LOS
ANGELES COUNTY RECORDER AS INSTRUMENT NO. 3720
CONCERNING THAT CERTAIN 7,544 SQUARE FEET OF
TRIANGULAR AREA WHERE THE HYPOTENUSE RUNS AT A
LENGTH OF 184.4 FEET ALONG FLORENCE AVENUE AS DESCRIBED
IN THE LEGAL DESCRIPTION AND DEPICTION, ATTACHED HERETO
AS EXHIBITS "A" AND "B" RESPECTIVELY, AFFECTING THAT
CERTAIN REAL PROPERTY LOCATED AT 201 NORTH LA BREA
AVENUE, INGLEWOOD, CALIFORNIA BEARING LOS ANGELES
COUNTY ASSESSOR PARCEL NUMBERS 4015-029-003, AND -004.

WHEREAS, on February 8, 1955, the City of Inglewood, a municipal corporation ("City")
ordered vacation by Resolution No. 3694 of certain portions of Grevillea Avenue, subject to a
reservation for a potential future easement and/or right of the City to construct, maintain,
operate, replace, remove and renew sanitary sewers; storm drains; water mains; appurtenant
structures; and other lines of pipe, conduits, cables, wires, poles and other structures for the
operation of gas pipe lines, telegraphic and telephone lines, and for the transportation or
distribution of electric energy, petroleum and its products, ammonia, water and incidental
purposes; and the concomitant right to keep such area free from inflammable materials, wood
growth, and other hazards (the "Resolution Reserving Public Service Easement"); and
WHEREAS, Resolution Reserving Public Service Easement was recorded in the Official Records of the Los Angeles County Recorder on February 11, 1955 as Instrument No. 3720; and

WHEREAS, 201 N La Brea, LLC, a California limited liability company, the fee owner of the real property located at 201 North La Brea Avenue, has requested that the City summarily vacate a Seven Thousand Five Hundred Forty-Four (7,544) square foot triangular area established by the northwesternmost portion of the Resolution Reserving Public Service Easement affecting Los Angeles County Assessor’s Parcel Numbers 4015-029-003, and -003 ("Property") as described in Exhibit “A” and depicted in Exhibit “B” attached hereto and made a part hereof ("Triangular Public Service Easement Area"); and

WHEREAS, the City Council desires to now summarily vacate the Triangular Public Service Easement Area established by the Resolution Reserving Public Service Easement affecting the Property in response to the request by said fee owner burdened by the Resolution Reserving Public Service Easement; and

WHEREAS, the City Council desires to further state the Triangular Public Service Easement Area is summarily vacated by this Resolution pursuant to Streets and Highways Code section 8333(a) as the Triangular Public Service Easement Area has not been used for the purposes for which it was dedicated or acquired for five consecutive years immediately preceding this Resolution as to the Property; and

WHEREAS, the Resolution Reserving the Public Service Easement is on file with the City Clerk for the City of Inglewood and the Official Records of the Los Angeles County Recorder as Instrument No. 3720 recorded on February 11, 1955; and

WHEREAS, the City Council finds that there will be public benefits from the summary vacation proposed herein at no cost to the City.
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Inglewood, California does hereby declare as follows:

SECTION 1. The recitals are true and correct and are incorporated herein by this reference as if set forth in full.

SECTION 2. That the proposed public service easement vacation area, referenced herein as the Triangular Public Service Easement Area, is made pursuant to Section 8333(a) of Article 1, of Chapter 4, of Part 3 of Division 9, of the California Streets and Highway Code.

SECTION 3. That the proposed public service easement vacation area, referenced herein as the Triangular Public Service Easement Area, is described in Exhibit "A," consisting of one page that follows, and shown on Exhibit "B," consisting of one page that follows, both of which are incorporated herein by this reference as if set forth in full herein.

SECTION 4. That the proposed public service easement area, referenced herein as the Triangular Public Service Easement Area, has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding this proposed public service easement vacation.

SECTION 5. That the proposed vacation area, referenced herein as the Triangular Public Service Easement Area, is summarily vacated.

SECTION 6. That the City Clerk shall cause a certified copy of this resolution and attest under seal, to be recorded without acknowledgment, certificate of acknowledgement or further proof in the Official Records of the Office of the Recorder of the Los Angeles County.
PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Inglewood, California, this _________ day of __________ 2023.

________________________________________
James T. Butts, Jr., Mayor
City of Inglewood

ATTEST:

________________________________________
Aisha L. Thompson, City Clerk
City of Inglewood
Exhibit “A”
Attached to
Resolution Vacating
Public Service Easement

Legal Description of
Triangular Public
Service Easement Area
Affecting
201 North La Brea
Avenue, Inglewood, CA
EXHIBIT "A"
EASEMENT
LEGAL DESCRIPTION

BEING A PORTION OF THE LAND, IN THE CITY OF INGLEWOOD, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS DESCRIBED IN GRANT DEED RECORDED APRIL 18, 2016 AS DOCUMENT NO. 20160430348 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. ALSO BEING A PORTION OF GREVILLEA AVENUE IN SAID CITY, VACATED BY RESOLUTION NO. 3694 ADOPTED BY THE CITY COUNCIL OF SAID CITY ON FEBRUARY 8, 1955, A CERTIFIED COPY OF WHICH BEING RECORDED ON FEBRUARY 11, 1955 AS DOCUMENT NO. 3720, OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF LOT 4 OF TRACT NO. 7869, RECORDED IN BOOK 111, PAGES 31 THROUGH 33, INCLUSIVE, OF MAPS, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE ALONG THE NORTHWESTERLY LINE OF SAID TRACT NORTH 49°10'33" EAST, 157.60 FEET TO A POINT BEING NORTH 49°10'33" EAST, 48.45 FEET FROM THE MOST WESTERLY CORNER OF LOT 1 OF SAID TRACT NO. 7869, SAID POINT ALSO BEING THE MOST EASTERLY CORNER OF SAID VACATED PORTION OF GREVILLEA AVENUE;

THENCE ALONG THE NORTHWESTERLY LINE OF SAID VACATED PORTION OF GREVILLEA AVENUE, ALSO BEING THE NORTHWESTERLY LINE OF SAID LAND DESCRIBED IN GRANT DEED RECORDED APRIL 18, 2016 AS DOCUMENT NO. 20160430348, SOUTH 80°27'10" WEST, 184.40 FEET TO THE MOST WESTERLY CORNER THEREOF;

THENCE ALONG THE NORTHWESTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF SAID LOT 4 OF TRACT NO. 7869, ALSO BEING THE SOUTHWESTERLY LINE OF SAID GRANT DEED, SOUTH 40°49'27" EAST, 95.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 7,544 SQ. FT., MORE OR LESS

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

Prepared by me or under my supervision

Tim W. Brewer 4/19/2023
Tim W. Brewer  P.L.S. 7161
Exhibit “B”
Attached to
Resolution Vacating
Public Service Easement

Depiction of Triangular
Public Service Easement
Area
Affecting
201 North La Brea
Avenue, Inglewood, CA