

REPORT OF GENERAL MANAGER

NO. 09-018

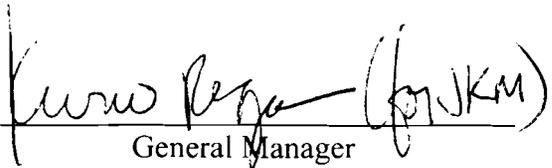
DATE January 21, 2009

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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VERDUGO AREA ACQUISITION : AMENDMENT TO PURCHASE AND SALE AGREEMENT TO PERMIT AN ACCESS EASEMENT OVER CITY PROPERTY FOR THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY

R. Adams	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
V. Israel	_____	*M. Shull	<u>for M.S.</u>



 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board request that the Office of the City Attorney amend the Purchase and Sale Agreement (PSA) approved at the meeting of November 7, 2008, in order to include an access easement over property to be acquired by the City, the easement being granted from the sellers to the Mountains Recreation and Conservation Authority.

SUMMARY:

On November 7, 2008, the Board authorized the acquisition of 84.90 acres in the Verdugo area where La Tuna Canyon Road crosses under and parallels the Foothill Freeway (Report No. 08-305, Resolution No. 10249). The acquisition is part of a larger transaction with the same private sellers totaling nearly 231 acres. The other purchaser is the Mountains Recreation and Conservation Authority (MRCA). This is a State agency affiliated with the Santa Monica Mountains Conservancy (SMMC), which owns adjacent land. All of the land in the pending transaction, hilly and chaparral covered, will remain open space for use by the public.

While one 12.53-acre parcel in the transaction borders Haines Canyon Park and will expand it south to the Freeway, the rest of the acreage is south of the Freeway. It is the City's portion of this latter property, totaling 72.37 acres, that is called "La Tuna Canyon Park" in Board Report No. 08-305 and Resolution No. 10249.

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Public access to all of the transaction acreage south of the Freeway is by a dead-end, roughly surfaced spur of La Tuna Canyon Road. The spur provides for some parking and public access to the Hostetter Mountain Way, part of a regional fire road and trail system that begins at the Freeway and crosses the land to be acquired by the City and the MRCA. The trail/fire road system connects on the south to Brand Park in Glendale and on the west to Verdugo Mountain Park. The City will own the transaction acreage that borders the dead-end street spur. The MRCA's portion, south of the City's acreage, will be landlocked with no direct legal access from the street. There is no comparable trail connecting the MRCA's acreage and the adjacent SMMC property that also borders La Tuna Canyon Road.

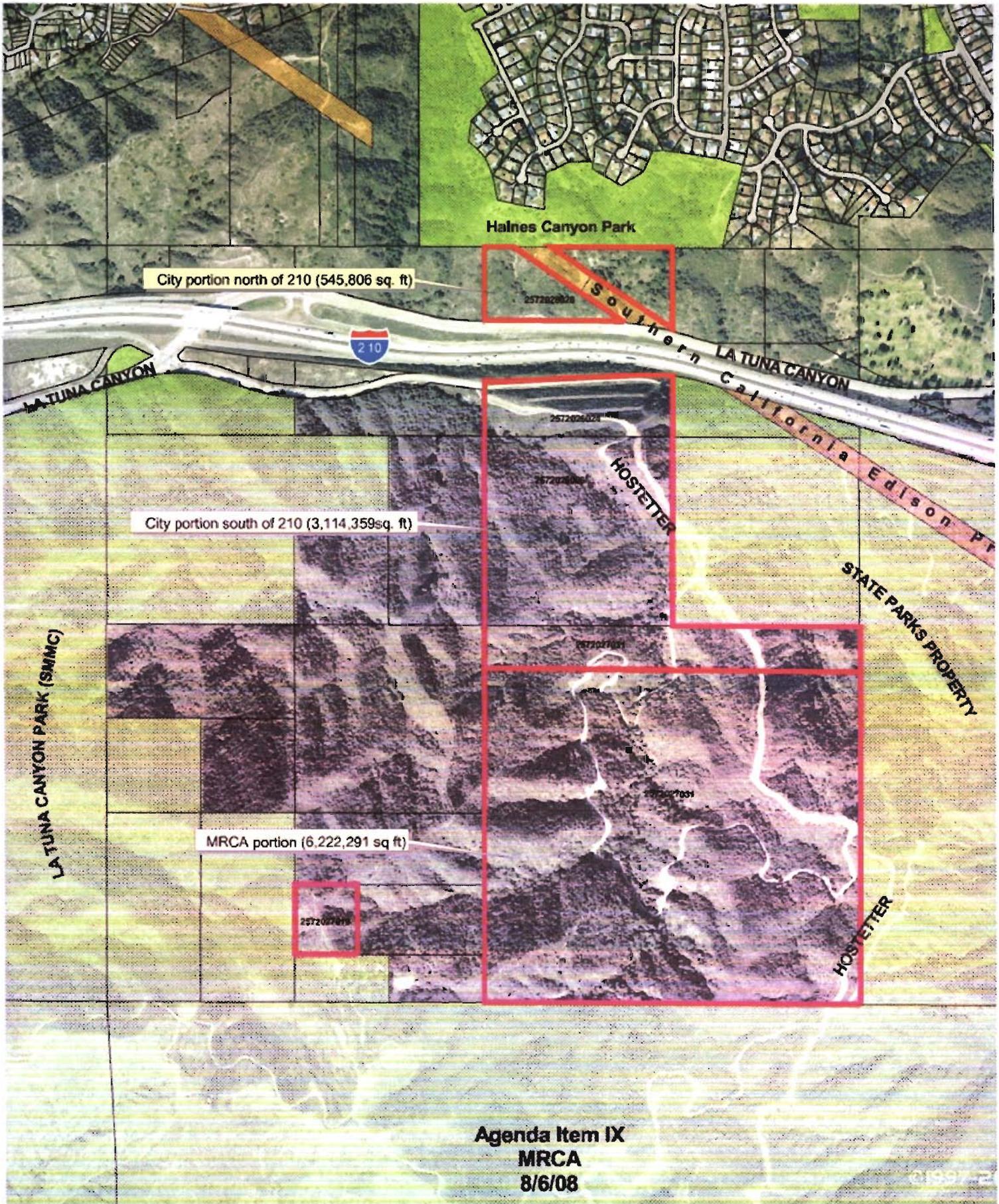
Initially, this circumstance did not create concern. There is the likelihood of a public prescriptive easement over the Hostetter Mountain Way resulting from decades of informal use by hikers, mountain bikers and fire personnel. However, after the Board approved the PSA, legal counsel for the MRCA recommended that it be amended to include a non-exclusive access easement. It would extend along the portions of the Hostetter Mountain Way that cross the City property south of the street spur to the border of the MRCA property. From there, the trail continues across the MRCA property and beyond. If approved, the sellers will grant the easement to the MRCA, and the City's grant deed will reflect its existence.

The Office of Council District Two, the Assistant General Manager of Operations West and the Superintendent of Valley Region concur with staff's recommendations.

FISCAL IMPACT:

There is no anticipated impact to the Department's General Fund from amending the PSA to include the access easement.

This board report was prepared by Joan Reitzel, Senior Management Analyst in Real Estate and Asset Management, Planning and Development Division.



**Agenda Item IX
MRCA
8/6/08**

Approximate values in square feet
MRCA portion @ 63 percent of 9,882,291 sq. ft.

400 0 400 800 Feet

