

APPROVED

JUN 03 2009

REPORT OF GENERAL MANAGER

NO. 09-153

DATE June 3, 2009

BOARD OF RECREATION and PARK COMMISSIONERS

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ARROYO SECO MAINTENANCE YARD - ADMINISTRATIVE CORRECTION - ACCEPTANCE OF STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) QUITCLAIM OF EASEMENT/REVERSION OF PROPERTY TO THE DEPARTMENT OF RECREATION AND PARKS

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

Val Israel for

 General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Accept Caltrans Director's Deed No. DK 154-01-01(Quitclaim) for reversion of easement back to the Department of Recreation and Parks (RAP);
2. Direct the Board Secretary to transmit the Quitclaim to the City Attorney for review and approval as to form, and upon approval request that Caltrans record the Director's Deed No. DK 154-01-01; and,
3. Authorize the Board President and Secretary to sign the Certificate of Acceptance and Quitclaim documents.

SUMMARY:

In 1941, the City of Los Angeles granted an easement to the State of California for the construction and maintenance of a highway maintenance station yard and right of way. The recorded Easement Deed stipulates that in the event the grantee does not use and maintain the easement and right of way for highway maintenance yard purposes for a continuous period of one year, than the easement property shall revert back to the grantor. In 1998, RAP took over possession and use of the

REPORT OF GENERAL MANAGER

PG. 2 NO. 09-153

maintenance yard. RAP now wishes to administratively conform the record to this action by officially accepting the quitclaim deed from Caltrans which will officially record the transfer of the easement deed property and right of way back to RAP.

In 1979, Caltrans Maintenance Branch notified the Caltrans Administration Branch that the facility was no longer being used by the Maintenance Branch and that control of the facility would transfer to Caltrans Administration Branch control. On July 20, 1998, RAP issued an internal memo accepting the transfer of the Arroyo Seco Maintenance Yard from Caltrans. The memo stated that Caltrans had abandoned the yard on July 1, 1998 and that a quitclaim would be processed to record the reversion of the property to RAP.

On July 22, 1998, a letter from Caltrans was sent to RAP indicating that effective July 13, 1998 the facility at 6740 Marmion Way, known as Arroyo Seco Maintenance Station, would no longer be occupied by Caltrans and therefore would revert back to City of Los Angeles. The Letter indicated that the facility was inspected and accepted by RAP staff.

The Arroyo Seco - Maintenance Yard, has been maintained and operated as a maintenance yard by RAP since 1998, and continues to be operated as such. In 2008 Caltrans approached RAP with a request to officially return the property to RAP by processing and executing a quitclaim for the property in question. General Services has reviewed the quitclaim and legal description and stated that the legal description and deed are sufficient for the reversion transfer of the Caltrans interest in the easement deed given by the City of Los Angeles.

The Assistant General Manager of Operations East and Superintendent for the Metro Region have been consulted and concur with staff's recommendations.

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department's General Fund as a result of these recommendations. The property has been maintained and operated by RAP since 1998.

This report was prepared by John Barraza, Management Analyst II, Real Estate and Asset Management Staff.