

# Agenda Report

**TO:** CITY COUNCIL

**Date:** April 21, 2008

**FROM:** CITY MANAGER

**SUBJECT:** ADOPT A RESOLUTION FOR THE APPROVAL AND ACCEPTANCE OF AN EASEMENT DEDICATION FOR SANITARY SEWER PURPOSES AT 845 LAS PALMAS ROAD AND APPROVE AN AMENDMENT TO CONTRACT NO. 10,144

## RECOMMENDATION

It is recommended that the City Council:

1. Adopt a resolution approving and accepting an easement dedication for sanitary sewer purposes at 845 Las Palmas Road.
2. Authorize the City Manager to execute an amendment to Contract No. 10,144.

## BACKGROUND

At the Board of Directors' meeting on September 6, 1977, Resolution No. 3265 was approved and adopted ordering the vacation of a portion of Las Palmas Road adjacent to 845 Las Palmas Road. Also approved on September 6, 1977, was Contract No. 10,144 ("Contract"), between the City and the property owners of 845 Las Palmas Road ("applicants"), stipulating the compliance with the conditions of the approved vacation.

Resolution No. 3265, ordering the vacation, and the approved Contract were never recorded. All of the conditions as indicated in the Contract, including the installation of a block wall and fence along the east terminus of the proposed vacation area, have been met except for two items.

The first condition that has not been met is the requirement for a 10-foot wide easement dedication for sanitary sewer purposes through the applicant's excess freeway parcel on the south side of Las Palmas Road. The sewer lateral in this location still exists and is still necessary for providing services. The applicants have agreed to the grant of easement for sanitary sewer purposes at no cost to the City. The

proposed easement document has been prepared by a licensed surveyor, executed by the property owners, reviewed by the City Attorney's office, and is now ready for approval and acceptance by the City Council. The property included in the proposed easement is legally described in text and is graphically shown on the attached Department of Public Works Drawing No. 5797, Exhibits "A" and "B".

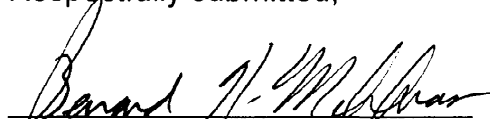
The second condition that has not been met is the requirement of the applicants to execute and have recorded a covenant which holds the City harmless for any liability in connection with the proposed vacation of this portion of Las Palmas Road. As mentioned above, the applicants had installed a block wall and fence along the east terminus of the proposed vacation area per one of the original conditions. This wall and fence was constructed in 1973. Since the City has not had possession or control of the proposed vacation portion of Las Palmas for over 30 years, the City Attorney's Office and the Liability Claims Coordinator have determined that any reason for a hold harmless agreement no longer exists.

As a result of this determination it is recommended that the City Council authorize the City Manager to execute an amendment to Contract No. 10,144 removing the condition for a hold harmless agreement.

**FISCAL IMPACT**

No revenue will be generated by the approval of the dedication or by the amendment to Contract No. 10,144. The costs for preparing and processing the easement are covered by Account No. 101-762100. The costs for preparing and processing the amendment to Contract No. 10,144 are covered by the applicant.

Respectfully submitted,



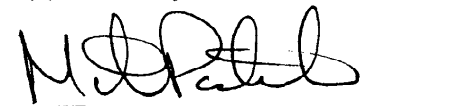
BERNARD K. MELEKIAN  
City Manager

Prepared by:



Bonnie L. Hopkins  
Principal Engineer

Approved by:



Martin Pastucha, Director  
Department of Public Works

BLH  
Attachments

## EXHIBIT "A"

### PARCEL A (10' SANITARY SEWER EASEMENT)

THAT PORTION OF LOT 9 IN TRACT NO. 8601, IN THE CITY OF PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER MAP FILED IN BOOK 116, PAGES 43 AND 44, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND, 10.00 FEET WIDE, THE CENTERLINE OF SAID STRIP BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF SAID LOT 9, SAID POINT BEING DISTANT ALONG SAID NORTH LINE SOUTH 89°25'00" WEST, 206.07 FEET FROM THE NORTHEAST CORNER OF SAID LOT 9; THENCE LEAVING SAID NORTH LINE SOUTH 43°31'24" WEST, 36.66 FEET TO THE WESTERLY LINE OF THE LAND CONVEYED IN THE DEED RECORDED OCTOBER 5, 1972 IN BOOK D5626, PAGE 138, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

SIDELINES OF SAID STRIP SHALL BE LENGTHENED OR SHORTENED TO TERMINATE NORTHEASTERLY IN SAID NORTH LINE OF LOT 9 AND TO TERMINATE SOUTHWESTERLY IN SAID WESTERLY LINE OF THE LAND.

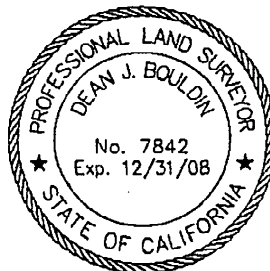
THE ABOVE DESCRIBED PARCEL CONTAINS 367 SQUARE FEET, MORE OR LESS.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

  
DEAN J. BOULDIN, P.L.S. 7842  
REGISTRATION EXPIRES 12/31/08

3/27/08  
DATE



PLAT TO  
ACCOMPANY LEGAL  
DESCRIPTION

**EXHIBIT "B"**  
IN THE CITY OF PASADENA  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

TRACT NO. 8601

8

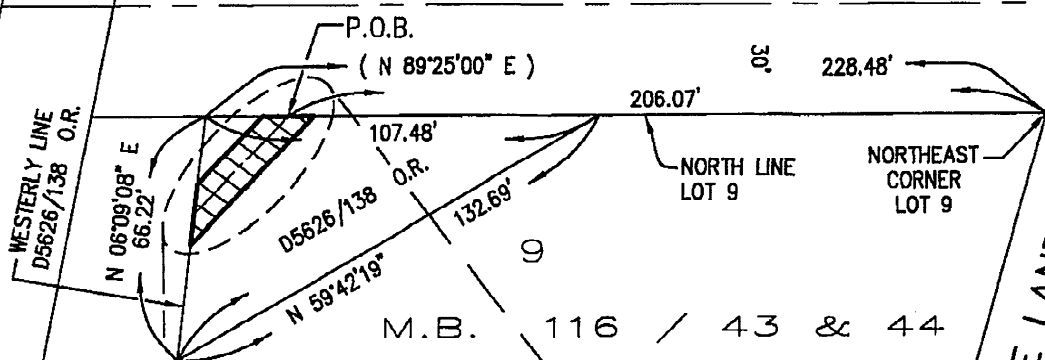
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
LAS PALMAS ROAD

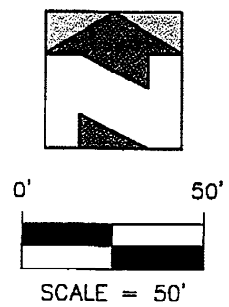
LINDA VISTA AVENUE

PUENTE LANE




M.B. 116 / 43 & 44

**LEGEND:**  
 PARCEL A  
 (XXXX) INDICATES RECORD DATA PER TRACT NO. 8601, M.B. 116 / 43 & 44



PREPARED BY ME OR UNDER MY DIRECTION:

 3/27/08  
 DEAN J. BOULDIN, P.L.S. 7842 DATE  
 EXP. 12-31-08

CITY OF PASADENA – DEPARTMENT OF PUBLIC WORKS

DRAWN BY: M.T.	10' SANITARY SEWER EASEMENT LOCATION IN LOT 9 TRACT NO. 8601, M.B. 116/43-44	SCALE: 1" = 50'
CHECKED BY: PVT		DATED: March 27, 2008
SUBMITTED BY: B.H.	APPROVED BY:	5797 SHT. 1 OF 1
FIELD BOOK NO. NONE	CITY ENGINEER _____ DATE _____	

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA APPROVING AND ACCEPTING AN EASEMENT DEDICATION FOR SANITARY SEWER PURPOSES AT 845 LAS PALMAS ROAD**

WHEREAS, the easement of a ten-foot wide strip of land through a portion of an excess freeway parcel, also known as 845 Las Palmas Road, for sanitary sewer purposes; and

WHEREAS, both the Department of Public Works and City Attorney's office have reviewed the proposed dedication:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena as follows:

That the offered easement for sanitary sewer purposes by the property owners of 845 Las Palmas Road, presented herewith, legally described as Exhibit "A" and graphically shown as Exhibit "B" on the Department of Public Works Drawing No. 5797, also presented herewith, is approved and accepted.

Adopted at the \_\_\_\_\_ meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, by the following vote:

AYES:

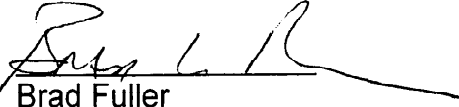
NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
JANE L. RODRIGUEZ, City Clerk

Approved as to form:

  
\_\_\_\_\_  
Brad Fuller  
Assistant City Attorney