

APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY

ORIGINAL – (No copies or faxes)

DATE: 1/11/2018

PROJECT LOCATION AND DESCRIPTION:

(1) Area proposed to be vacated is: Sherman Circle (NE) adjoining Lot D
(Street/Avenue/Boulevard/alley/walk: N/S/E/W of) #538

and is located between:

Van Nuys Blvd and Sherman Way
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)

- Attach a map if necessary.

(2) The vacation area lies within or is shown on:

(a) Engineering District: (check appropriately)

() Central () Harbor ☒ Valley () West Los Angeles

(b) Council District No. 6

(c) District Map No. 183 B 149

(d) A CRA Redevelopment Area: _____ OR X
(YES) (NO)

(3) Area (in sq. ft.) of the proposed vacation area is approx. 20,000 sq. ft. If over 10,000 sq. ft. of buildable area, the vacation is not categorically exempt from the California Environmental Quality Act Guidelines and will require a higher level of environmental review. Contact a vacation staff member to discuss the effect of this on the processing of your application prior to submittal. If the applicant is required to have an environmental determination performed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$32,100 fee deposit. This will also increase the processing time by approximately 6 months.

- If the vacation is located within a Coastal Development Zone, a Coastal Development Permit will be required for the project. The applicant should be aware that vacations within a Coastal Development Zone will take longer to process and will be considerably more expensive. If the applicant is required to have a Coastal Development Permit processed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$32,100 fee deposit.
- Some city agencies, including LADOT, may require additional fees to be deposited to cover costs during the referral and investigation process. The applicant is responsible for paying the fees to the agency directly. Referral fees paid to other city agencies are separate from the Bureau of Engineering processing fees.

- If the proposed vacation is only for a portion of the Right-of-Way or a partial block, contact a vacation staff member prior to submitting application.

(4) Purpose of vacation (future use of vacation area) is: See Attached.

(5) Vacation is in conjunction with: (Check appropriately)

() Revocable Permit () Tract Map () Parcel Map () Zone Change
() Other _____

PETITIONER / APPLICANT:

- (6) Petitioner(s): Courtney Ross-Tait, Skane Wilcox LLP
Print Name(s) of Petitioner(s) in full – Name or Company Name
- Signature(s): Courtney Ross-Tait
If Company, Name and Title
- (7) Mailing Address: 1055 W 7th St. Suite 1700 Los Angeles CA 90017
(Address, City, State, Zip Code)
- (8) Daytime phone number of petitioner is: (310) 279 7893
FAX number: () _____
E-mail number: cross-tait@skanewilcox.com
- (9) Petitioner is: (check appropriately) () Owner **OR** ☒ Representative of Owner

OWNERSHIPS:

- (10) Name(s) and address of the **Owner(s)** applying for vacation is/are:
Nized Khalili, Trustee of the Khalili Trust
10551 Wilshire Blvd. Ste. # 804 Los Angeles, CA 90024

Print Name(s) and Address of Owner(s) in Full
(If Owner is Petitioner, Indicate "Same as above")

Nized Khalili
Signature(s)

- (11) Petitioner is owner or representative of owner of: (check appropriately)
- () The property described in attached copy of Grant Deed **OR**
- ☒ Lot D (U14525; 07131) and Lot 538 (MB 19-8;
07115) located at 7115 and 7131 Van Nuys Blvd.
(Lot, Tract No.) (Parcel, Parcel Map L.A. No.) (Other)

Application for Vacation of Public Right of Way

1. Area Proposed to be vacated: Sherman Circle (NE portion) that adjoins Lot D and 538. It is located between Van Nuys Blvd and Sherman Way.
2. The vacation area lies within the Valley engineering district, is located in Council District No. 6; District Map No. 183B149. The area IS NOT located with the CRA Redevelopment Area.
3. The proposed vacation area is approximately 20,000 square feet.

Applicant understands that the City may require an environmental determination by the Bureau of Engineering Environmental Management Group. Applicant has attached a \$32,100 check for the fee deposit.

The vacation area IS NOT located within the Coastal Development Zone.

4. Purpose of the Vacation: The proposed vacation area is not currently operated as a public right of way. On or about December, 1969, the City was given the right of way but has never utilized the area. See December 11, 1969; Recording No: 1764, in Book D4579, Page 539; certified copy of which was recorded July 29, 1970, as Instrument No. 2030, Official Records.

In fact, the area is not a road at all, but the back row of parking lot spaces (among other uses) for Lots D and 538. It is our belief that the original intent of the City nearly 50 years ago was to turn this area into a road that connected Sherman Way and Van Nuys Blvd. Since then, we understand that the owner of the adjacent lot (Lot A; PM 2630) was able to obtain the rights back from the City as to the same Public Right of Way that is at issue. We believe the City gave the rights back to Lot A because the original intent of the easement is fulfilled by the road that currently is Sherman Circle. Unfortunately, the map we obtained from the Bureau of Engineering may not adequately show the nature of Sherman Circle. See DM 4232-118/125; City CE 206-113 (currently operating as northwest bound Sherman Circle). See attached google map.

The property owner of Lots D and 538 is interested in future development of the parcels, requiring vacation of the unused public right of way easement. The community will be better served by this vacation.

5. Vacation is submitted alone.
6. Petitioners: Courtney Ross-Tait
7. Address of Petitioner: 1055 W 7th Street Suite 1700, Los Angeles CA 90017
8. Mobile Phone: 310-279-7893; Work 213-452-1200; email: cross-tait@skanewilcox.com
9. Petitioner is a Representative of Owner.
10. Owners: Nized Khalili, Trustee of the Khalili Trust; 10551 Wilshire Blvd., Ste. #804, Los Angeles California 90024.

11. Petitioner is owner of representative of owner of: Lot D (U14525; 07131) and Lot 538 (MB 19-8; 07115) located in Van Nuys; 7115 and 7131 Van Nuys Blvd. (AINs 2219008007 & 2219008011)
12. Likely due to the holiday season, we were unable to obtain the adjacent property owners signatures. However, we do not anticipate any issues given that the proposed vacation area is currently the eastern portion of applicant's properties; Lots D and 538. The vacation will not affect any other property. It is not currently used as a public right of way, nor could it be used in its current condition as a public right of way. Attached is information related to the owners of PM 2630, PM 1791, and PM 1573. See attached map.