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CITY ATTORNEY

REPORT NO. R 22-0211
JUN 13 2022

REPORT RE:

**DRAFT ORDINANCE GRANTING A NON-EXCLUSIVE EASEMENT DEED
FOR INGRESS AND EGRESS TO LA AIRPORT INDUSTRIAL OWNER, LP**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance would authorize the City of Los Angeles to grant a non-exclusive Easement Deed for Ingress and Egress to LA Airport Industrial Owner, LP, a Delaware limited partnership (Grantee), c/o Overton Moore Properties, for the purpose of permitting non-exclusive ingress to and egress from Grantee's adjacent property. The easement will replace Grantee's existing access via a 20-foot wide public alley (Public Alley) that will be abandoned and merged into a wider private street owned by the City commonly known as Maintenance Drive, pursuant to Tentative Tract Map 74322 (Tract Map), which is in furtherance of public purpose of the Landside Access Modernization Program at Los Angeles International Airport (Airport) and in support of aviation at the Airport, and is in the best interests of the public.

Grantee is the fee owner of the real property commonly known as: (i) 5771 W. 96th Street, Los Angeles, California (Assessor's Parcel No. 4125-021-030); and (ii) 5760 Arbor Vitae Street, Los Angeles, California (Assessor's Parcel No. 4125-020-014) (collectively, Grantee's Property).

The non-exclusive Easement Deed for Ingress and Egress is given in consideration for: (1) Grantee's execution and delivery of that certain Consent and Waiver Form for Merger of Public Right-Of-Ways (Consent and Waiver Form) concerning the merger and abandonment of the Public Alley easterly of Belford Avenue between Arbor Vitae Street and 96th Street, which lies westerly of and adjoins Grantee's Property, which merger and abandonment has been instituted by the City of Los Angeles under the Tract Map; (2) execution and delivery of that certain Grant of Permanent Easement for Landscape and Irrigation Purposes in favor of Grantor for landscape and irrigation purposes over a portion of Grantee's Property; and (3) delivery of the Lender Consent and Subordination, executed by Lender.

Council Rule 38 Referral

A copy of the draft ordinance was presented to the Board of Airport Commissioners, and it recommends the adoption of the draft ordinance.

If you have any questions regarding this matter, please contact Deputy City Attorney Nargis Choudhry at (310) 654-3814. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON
Chief Assistant City Attorney

DM:NC:pj
Transmittal