



## AGENDA REPORT

**Meeting Date:** May 20, 2014

**Item Number:** D-23

**To:** Honorable Mayor & City Council

**From:** Mark Cuneo, City Engineer *MPC*

**Subject:** AUTHORIZE THE EXECUTION OF A QUITCLAIM DEED TO MARTIN E. FOX, TRUSTEE OF THE BEL AIR TRUST DATED 1/10/2013, FOR TERMINATION OF A PORTION OF THE CITY'S EASEMENT FOR TELEPHONE AND ELECTRICAL SERVICE LINES OVER A PORTION OF THE PROPERTY LOCATED AT 820 LOMA VISTA DRIVE

**Attachment:** 1. Quitclaim Deed

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### **RECOMMENDATION**

It is recommended that the City Council authorize the proposed quitclaim deed to Martin E. Fox, trustee of the Bel Air trust dated 1/10/2013, for termination of a portion of the City's easement for telephone and electrical service lines over a portion of the property located at 820 Loma Vista Drive.

### **INTRODUCTION**

This report requests that City Council authorize the quitclaim of a portion of the City's easement for telephone and electrical service lines over a portion of the property located at 820 Loma Vista Drive. The property owner proposes to construct a garage over the portion of the easement to be terminated.

### **DISCUSSION**

Martin E. Fox, Trustee of the Bel Air Trust Dated January 10, 2013, the owner of the property at 820 Loma Vista Drive is requesting the City to quitclaim the City's interest in a portion of the 6-foot wide easement for telephone and electrical service lines within 820 Loma Vista Drive that is not currently used. Staff has reviewed the request and it has been determined that this portion of the

easement is no longer needed for the purposes for which it was acquired and no City utility service line or private utility infrastructure is currently located in the easement. In addition, Southern California Edison and AT&T do not have utilities in that portion of the easement and have waived their interest in future installations.

**FISCAL IMPACT**

No funds will be expended by the approval of the easement quitclaim. Since the easement proposed for vacation is not owned in fee by the City, this portion of the easement will revert back to the property owners with no financial interest to the City. The applicants have paid for preparation and processing of all necessary documents.

David Lightner *DL*

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Approved By

# **Attachment 1**

RECORDING REQUESTED BY,  
AND WHEN RECORDED MAIL TO:

City of Beverly Hills  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: City Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Exempt from documentary transfer tax; conveyance for no consideration.

**QUITCLAIM DEED**

**FOR A VALUABLE CONSIDERATION**, receipt of which is hereby acknowledged, the CITY OF BEVERLY HILLS

hereby GRANTS to

MARTIN E. FOX, TRUSTEE OF THE BEL AIR TRUST DATED JANUARY 10, 2013

without representation or warranty, express or implied, the grantor's right, title and interest (if any) in, under and to the City of Beverly Hills utility easement described on Exhibit "B" which is located within the area described on Exhibit "A" in the City of Beverly Hills, County of Los Angeles, State of California.

IN WITNESS WHEREOF, the undersigned has executed this Quitclaim Deed as of the date set forth below.

Dated as of \_\_\_\_\_, 2014

CITY OF BEVERLY HILLS

By: \_\_\_\_\_

LILI BOSSE,  
Mayor of the City of Beverly  
Hills, California

ATTEST:

\_\_\_\_\_  
BYRON POPE  
City Clerk

**[ALL SIGNATURES MUST BE DULY ACKNOWLEDGED BY A NOTARY PUBLIC]**

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

(Attached.)

EXHIBIT A

THAT PORTION OF LOT 2 OF TRACT NO. 18728, IN THE CITY OF BEVERLY HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 568, PAGE 34, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 2; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 2, NORTH  $71^{\circ} 40' 48''$  EAST 129.55 FEET TO THE EASTERLY LINE OF A 6' WIDE CITY OF BEVERLY HILLS EASEMENT FOR TELEPHONE AND ELECTRICAL SERVICE LINES PER DOCUMENT RECORDED IN BOOK 14587, PAGE 383, OFFICIAL RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID EASEMENT NORTH  $36^{\circ} 10' 00''$  WEST 22.52 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH  $41^{\circ} 39' 10''$  WEST 2.88 FEET; THENCE NORTH  $48^{\circ} 20' 50''$  WEST 15.11 FEET TO A POINT ON THE WESTERLY LINE OF SAID EASEMENT; THENCE NORTH  $36^{\circ} 10' 00''$  WEST 5.90 FEET ALONG SAID WESTERLY LINE; THENCE NORTH  $41^{\circ} 22' 54''$  EAST 6.14 FEET TO A POINT ON THE EASTERLY LINE OF SAID EASEMENT; THENCE SOUTH  $36^{\circ} 10' 00''$  EAST 21.39 FEET ALONG SAID EASTERLY LINE TO THE TRUE POINT OF BEGINNING.

AREA OF DESCRIPTION IS 104 SQUARE FEET, MORE OR LESS.



**EXHIBIT "B"**

**CITY UTILITY EASEMENT BEING QUITCLAIMED**

(Attached.)

# Exhibit 'B'



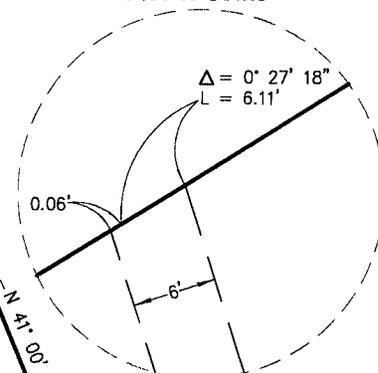
Scale: 1" = 30'

### Legend

- - - = Proposed Addition
- = Easement Area  
104 Square Feet



Detail  
Not to Scale



6' Wide City of Beverly Hills Easement for Telephone and Electrical Service Lines per O.R. 14587, pg 383 as shown on Tract No. 18728, Map Book 568, pg 34

Lot 2

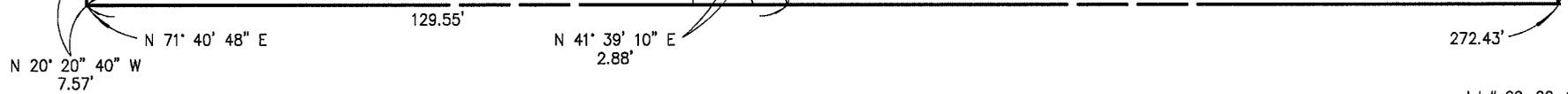
Tract No. 18728  
Map Book 568, page 34

Loma Vista Drive

Existing Building

Point of Beginning [Most Southerly Corner of Lots 2 & 31]

True Point of Beginning



State of California )  
County of Los Angeles )

On \_\_\_\_\_, before me, \_\_\_\_\_,  
(insert name and title of the officer)

Notary Public, personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument  
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)