

RESOLUTION NO. 2006-1007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT ON BEHALF OF SAID DISTRICT A TRANSFER AND CONVEYANCE OF STORM DRAIN IMPROVEMENTS KNOWN AS MTD. 1422 IN THE CITY OF CALABASAS FOR FUTURE OPERATION, MAINTENANCE, REPAIR AND IMPROVEMENT, AND AUTHORIZE THE TRANSFER AND CONVEYANCE THEREOF.

WHEREAS, there have been dedicated to, or the City has otherwise acquired, the storm drain improvements and drainage system known as MTD 1422, described in Exhibit "A" attached hereto; and

WHEREAS, the City is authorized and empowered to transfer and convey of the Los Angeles County Flood Control District any storm drain improvements and drainage systems for future operation, maintenance , repair, and improvements; and

WHEREAS, the City and the Los Angeles County Flood Control District entered into an agreement dated April 7, 1992, and recorded April 30, 1992, as Document Number 92-780219, of the official Records in the office of County Recorder for the County of Los Angeles, whereby the City made certain warranties about its future transfers and conveyances of flood control facilities to the district;

WHEREAS, the best public interest will be served by transfer and conveyance of the storm drain improvements and drainage system described in Exhibit "A" attached hereto from the City to the Los Angeles County Flood Control District for future operation, maintenance, repair, and improvement.

NOW, THEREFORE, BE IT RESOLVED that the City does hereby request the Los Angeles County Flood Control District to accept the transfer and conveyance of the storm drain improvements and drainage system described in said Exhibit "A".

BE IT FURTHER RESOLVED that, subject to, the acceptance thereof the Board of Supervisors of the Los Angeles County Flood Control District, the City Engineer is directed and ordered to prepare all necessary instruments and documents, including deed, to effectuate said transfer and conveyance, and that the mayor is authorized and instructed to execute said deed and other instruments

and said documents. District shall have no obligation or responsibility to maintain said storm drain now vested in the City until all other necessary rights of way thereto have been conveyed to and accepted by District.

Reference is hereby made to District Drawing Numbers 94-CLL-0144 the plans and profile of said storm drain improvements and drainage system on file in the office of the City Engineer of said District for further data as to the exact location, extent, and description of said storm drain improvements and drainage system.

BE IT FURTHER RESOLVED that the transfer and conveyance hereby requested are subject to each of the warranties described in the Agreement between the City and the District dated April 7, 1992, and recorded April 30, 1992, as Document Number 92-780219, of the Official records in the office of the County Recorder for the office of the County Of Los Angeles. Such warranties by the City are incorporated here by this reference.

The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this ____ day of February, 2006.

Barry Groveman, Mayor

ATTEST:

Gwen Peirce, Assistant City Clerk

APPROVED AS TO FORM:

Michael Colantuono, City Attorney