

RECEIVED

FEB 20 2019

City of South Gate
CITY COUNCIL

Item No. 16

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

3:10pm

AGENDA BILL

For the Regular Meeting of: February 26, 2019

Originating Department: Public Works

Department Director:


Arturo Cervantes

City Manager:


Michael Flad

SUBJECT: ACQUISITION OF STREET FRONTAGE FROM MICHAEL BAKHSHI, OWNER

PURPOSE: The property located at 4136 Santa Ana Street was approved for new development. As a condition of approval, the applicant was required to dedicate real property to the City for roadway purposes. The actions below are necessary to meet this condition.

RECOMMENDED ACTIONS:

- a. Accept the Grant Deed from Michael Bakhshi, owner, to secure the title to a one-foot strip of land along the northern edge of the property, a five-foot strip of land along the eastern edge of the property, and corner cut-out on the northeast corner of the property located at 4136 Santa Ana Street for roadway purposes, and at no cost to the City; and
- b. Authorize the Mayor to execute the Certificate of Acceptance in a form acceptable to the City Attorney.

FISCAL IMPACT: None.

ANALYSIS: As a part of the development and entitlement process, conditions of approval are placed on private developments to comply with the City of South Gate General Plan 2035 (General Plan). During the entitlement process, the development was conditioned to grant real property to the City (Grant Deed), for roadway purposes, to meet General Plan requirements. This condition was required because the development is located on a segment of Santa Ana Street and Otis Street where the roadway widths do not meet the roadway width requirements of the General Plan. The developments that will be constructed at the location are three townhomes. The subject Grant Deed provides the land necessary to comply with these roadway width requirements.

Pursuant to Chapter 5.32 (Street Dedication and Improvement), of Title 5 (Streets and Sidewalks), of the South Gate Municipal Code, the City is authorized to require dedications for street purposes. California Government Code Section 37354 authorizes a City to acquire real property for any public purpose. California Government Code Section 66475 authorizes a city to place exactions on private development such as to dedicate real property for the purpose of streets, alleys, drainage, public utility easements, or other public purposes.

BACKGROUND: The City's General Plan contains a Mobility Element which sets goals and policies for the City's roadways network. The Mobility Element created standards for roadways to meet future transportation demand in the City. One feature of this policy document is that it designated the required widths of all streets in the roadway network. The desired roadway width for Santa Ana Street is 72 feet. Otis Street has a range from 80 to 84 feet.

The proposed Grant Deed is required to meet the Mobility Element's desired ultimate widths for Santa Ana Street and Otis Street. The Grant Deed provides a one-foot dedication along Santa Ana Street, a five-foot dedication along Otis Street and a corner cut-out on the northeast corner of the property.

ATTACHMENT: Grant Deed from Michael Bakhshi, Owner

JL:lc

**Recording Requested By,
and When Recorded Mail To,
and Mail Tax Statements To:**

CITY OF SOUTH GATE
8650 California Avenue
South Gate, CA 90280
Attn: City Clerk

Documentary Transfer Tax: None.
This document is exempt from payment of
documentary transfer taxes pursuant to
Revenue and Taxation Code § 11922

This document is also exempt from the
payment of recording fees pursuant to
Government Code §§ 6103 and 27363

Assessor's Parcel Numbers: 6215-007-020 and 6215-007-021

Site Address: 4136 Santa Ana Street
South Gate, CA 90280

GRANT DEED

For valuable consideration, receipt of which is hereby acknowledged, Michael Bakhshi, owner ("Grantor"), does hereby grant, convey and transfer to the City of South Gate, a California municipal corporation ("Grantee"), all of Grantor's right, title, and interest in and to that certain real property described and depicted on Exhibit A, each of which are attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Grant Deed as of February ____, 2019.

Michael Bakhshi
Owner

By: _____
Name: _____
Title: _____

CERTIFICATE OF ACCEPTANCE

This is to certify that the fee interest in the northernmost one-foot strip of real property, easternmost five-foot strip of real property and northeast corner cut-out strip of real property located at 4136 Santa Ana Street, South Gate, California, conveyed to the City of South Gate, as grantee, under the foregoing Grant Deed by Michael Bakhshi, owner, as grantor, is hereby accepted by the Mayor of the City of South Gate on behalf of the City of South Gate pursuant to authority conferred by action of the City Council of the City of South Gate taken on February 26, 2019, and the Grantee consents to recordation thereof by its duly authorized officer.

CITY OF SOUTH GATE
a California municipal corporation

By: _____
María Belén Bernal, Mayor

ATTEST:

Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:

DRAFT

Raul F. Salinas, City Attorney

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On _____, before me, _____, a notary public, personally appeared Maria Belén Bernal, 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)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On _____, before me, _____, a notary public, personally appeared Carmen Avalos, 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)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On _____, before me, _____, a 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)

2 PARCELS
13,730 SQ. FT. (GROSS)
13,020 SQ. FT. (NET)

PARCEL MAP NO. 80297

IN THE CITY OF SOUTH GATE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF A PORTION OF LOT 28 OF TRACT NO. 3411,
AS PER MAP RECORDED IN BOOK 37, PAGE 48 OF MAPS, IN THE OFFICE
OF THE COUNTY RECORDER OF SAID COUNTY

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LANDS INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP WITHIN THE DISTINCTIVE BORDER LINES AND WE CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION. WE HEREBY DEEDICATE TO THE PUBLIC USE ALL STREETS, HIGHWAYS, AND OTHER PUBLIC WAYS SHOWN ON THIS MAP.


MICHAEL BAJKSHI, OWNER

CHICAGO TITLE COMPANY, TRUSTEE UNDER A DEED OF TRUST RECORDED
NOVEMBER 29, 2017 AS INSTRUMENT NO. 20171373377, OF OFFICIAL RECORDS


Scott M. Green, Vice President SECRETARY

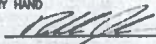
NOTARY ACKNOWLEDGMENTS

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss

ON January 17th 2019, BEFORE ME, Nicholas Jenkins
A NOTARY PUBLIC, PERSONALLY APPEARED Michael Bajkshi
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/HEY 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
SIGNATURE 
PRINTED NAME: Nicholas Jenkins


MY PRINCIPAL PLACE OF BUSINESS IS IN Los Angeles COUNTY
MY COMMISSION NUMBER 2106978
MY COMMISSION EXPIRES May 12th 2019

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss

ON Jan 18, 2019 2019, BEFORE ME, Tasha Schneider
A NOTARY PUBLIC, PERSONALLY APPEARED Scott M. Green
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/HEY 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
SIGNATURE 
PRINTED NAME: Tasha Schneider

MY PRINCIPAL PLACE OF BUSINESS IS IN Los Angeles COUNTY
MY COMMISSION NUMBER 2211910
MY COMMISSION EXPIRES Aug. 26, 2021

SIGNATURE OMISSION NOTE

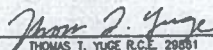
THE SIGNATURE OF SECURITY TRUST AND SAVINGS BANK, HOLDER OF AN EASEMENT FOR PUBLIC UTILITY PURPOSES BY DEED RECORDED IN BOOK 113, PAGE 69 OF OFFICIAL RECORDS HAS BEEN OMITTED UNDER PROVISIONS OF SECTION 66438(a) 3A (1-10) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE AND SAID SIGNATURE IS NOT REQUIRED BY THE LOCAL AGENCY. SAID EASEMENT IS BLANKET IN NATURE.

BASIS OF BEARINGS:

THE BEARING S 82° 55' 45" E OF THE SIDELINE OF SANTA ANA STREET AS SHOWN ON MAP OF TRACT NO. 3411, BOOK 37, PAGE 48 OF MAPS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP

ENGINEER'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A TRUE AND COMPLETE FIELD SURVEY BY ME OR UNDER MY DIRECTION IN NOVEMBER, 2018, IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF MICHAEL BAJKSHI ON JUNE 15, 2018. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY; THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS WITHIN 12 MONTHS FROM THE FILING DATE OF THIS MAP AND THAT THE MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED; AND THAT THE TIE NOTES FOR ALL CENTERLINE MONUMENTS ARE OR WILL BE ON FILE IN THE OFFICE OF THE DIRECTOR OF PUBLIC WORKS OR ON FILE IN THE OFFICE OF THE CITY ENGINEER WITHIN 12 MONTHS FROM THE FILING DATE SHOWN HEREON.


THOMAS T. YUGE R.C.E. 29081
EXPIRES 3-31-2019



1/16/2019
DATE

CITY ENGINEER'S CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND THAT IT CONFORMS SUBSTANTIALLY TO THE TENTATIVE MAP, AND ALL APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF STATE LAW AND LOCAL SUBDIVISIONS ORDINANCES OF THE CITY OF SOUTH GATE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND THAT ALL PROVISIONS OF SECTION 66442 (a)(1)(2) AND (3) HAVE BEEN COMPLIED.

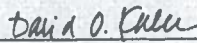
ARTURO CERVANTES, CITY ENGINEER
CITY OF SOUTH GATE
R.C.E. 60535, EXPIRES 12-31-2018

DATE



CONTRACT CITY SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

BY: 
DAVID O. KNELL, PROFESSIONAL LAND SURVEYOR
P.L.S. NO. 5301

DATE: 2-4-2019

CITY CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SOUTH GATE AT A MEETING HELD _____ APPROVED THE ATTACHED MAP AND SAID COUNCIL DID ACCEPT, ON BEHALF OF THE PUBLIC, ALL STREETS, HIGHWAYS, AND OTHER PUBLIC WAYS SHOWN ON THIS MAP.

DATE _____
CARMEN AVALOS
CITY CLERK, CITY OF SOUTH GATE

SPECIAL ASSESSMENTS CERTIFICATE:

I HEREBY CERTIFY THAT ALL SPECIAL ASSESSMENTS LEVIED UNDER THE JURISDICTION OF THE CITY OF SOUTH GATE, TO WHICH THE LAND INCLUDED IN THE WITHIN SUBDIVISION OR ANY PART THEREOF IS SUBJECT, AND WHICH MAY BE PAID IN FULL, HAVE BEEN PAID IN FULL.

DATE _____ BY: _____
CITY TREASURER, CITY OF SOUTH GATE

I HEREBY CERTIFY THAT ALL CERTIFICATES HAVE BEEN FILED AND DEPOSITS HAVE BEEN MADE THAT ARE REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE SUBDIVISION MAP ACT.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY: _____ DEPUTY DATE: _____

I HEREBY CERTIFY THAT SECURITY IN THE AMOUNT OF \$ _____ HAS BEEN FILED WITH THE EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS SECURITY FOR THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES ON THE LAND SHOWN ON MAP OF PARCEL MAP NO. 80297 AS REQUIRED BY LAW.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY: _____ DEPUTY DATE: _____

PARCEL MAP NO. 80297

IN THE CITY OF SOUTH GATE
 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING A SUBDIVISION OF A PORTION OF LOT 28 OF TRACT NO. 3411,
 AS PER MAP RECORDED IN BOOK 37, PAGE 48 OF MAPS, IN THE OFFICE
 OF THE COUNTY RECORDER OF SAID COUNTY

LEGEND:

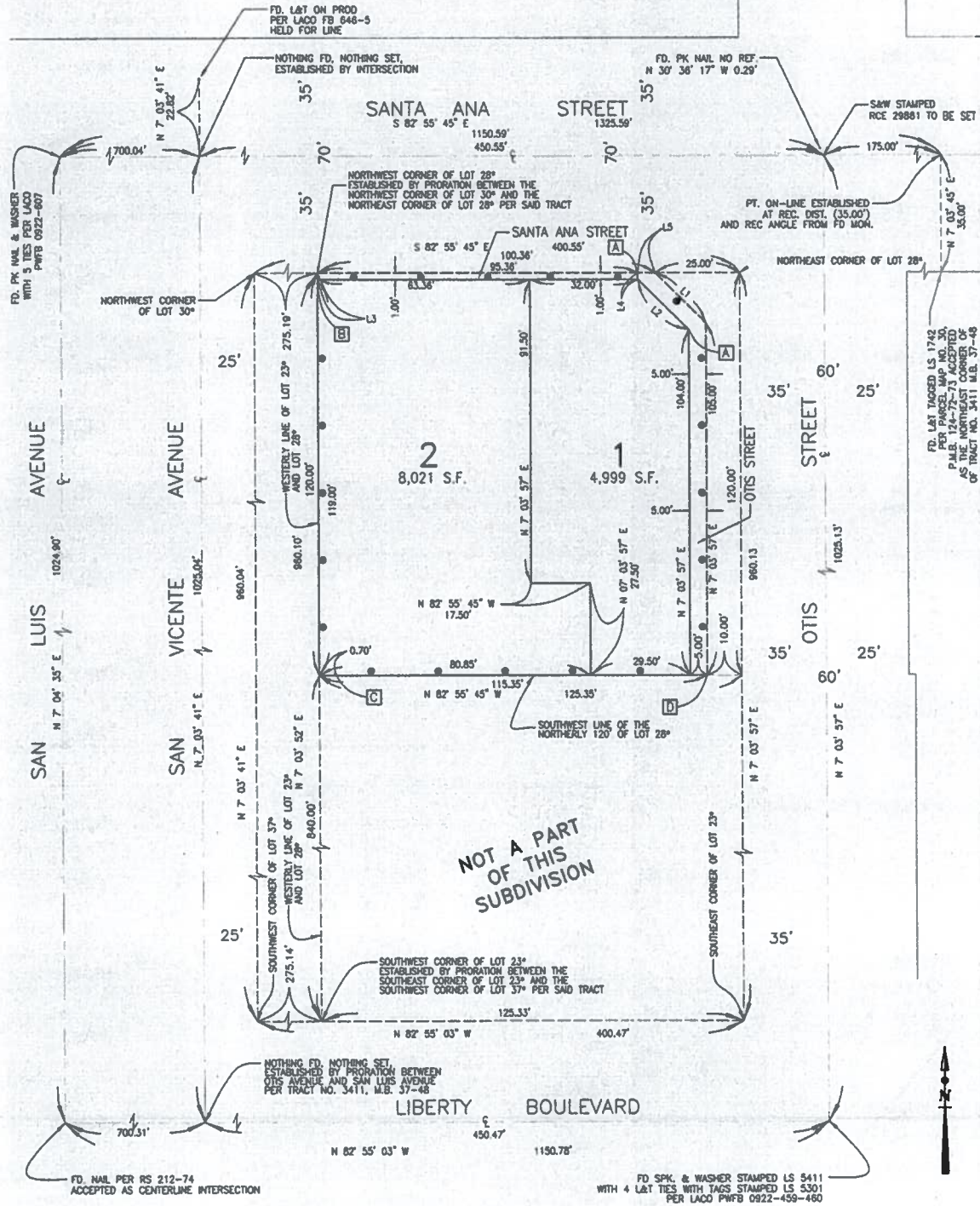
INDICATES THE BOUNDARY OF THE
 LAND BEING SUBDIVIDED BY THIS MAP

• REFERS TO TRACT NO. 3411,
 M.B. 37-48

MONUMENT NOTES

- [A] S&W TAGGED RCE 29861 TO BE SET
- [B] 1" IP TAGGED RCE 29861 TO BE SET
- [C] L&T TAGGED RCE 29881 TO BE SET ON TOP OF CONC. BLOCK WALL
- [D] L&T TAGGED RCE 29861 TO BE SET ON PROPERTY LINE PROD

LINE	BEARING	DISTANCE
L1	N 37° 55' 54" W	21.21'
L2	N 37° 55' 54" W	21.21'
L3	N 7° 03' 52" E	1.00'
L4	N 7° 04' 15" E	1.00'
L5	S 82° 55' 45" E	5.00'



FD. L&T TAGGED LS 1742
 FOR PARCEL MAP NO. 30,
 P.M.B. 124-72-73 ACCEPTED
 AS THE NORTHWEST
 QUARTER
 OF TRACT NO. 3411 M.B. 37-48



FD. SPK. & WASHER STAMPED LS 5411
 WITH 4 L&T TIES WITH TAGS STAMPED LS 5301
 PER LACO PWB 0922-459-450