

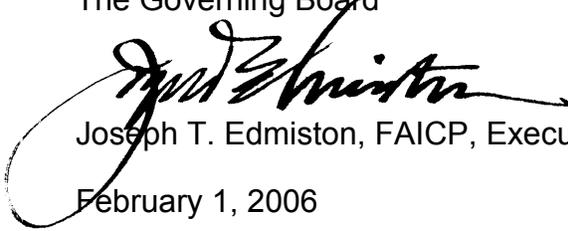


## MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center and Gardens  
570 West Avenue Twenty-six, Suite 100  
Los Angeles, California 90065  
Phone (323) 221-9944 Fax (323) 221-9934

### MEMORANDUM

TO: The Governing Board

FROM:   
Joseph T. Edmiston, FAICP, Executive Officer

DATE: February 1, 2006

SUBJECT: **Agenda Item VI(l): Consideration of resolution authorizing the granting of a temporary grading easement (offsite grading covenant) for slope remediation along the northern boundary of Tract Map No. 53138 to Presidio Chatsworth Partners, LLC, unincorporated Chatsworth.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing the granting of a temporary grading easement (offsite grading covenant) for slope remediation along the northern boundary of Tract Map No. 53138 to Presidio Chatsworth Partners, LLC on Deerlake Highlands open space.

Background: Over the past six years the Mountains Recreation and Conservation Authority (MRCA) and the Presidio Chatsworth Partners, LLC have been involved in numerous agreements and open space transfers. Presidio Chatsworth Partners, LLC has an approved tract map for its Deerlake Ranch project that for all intents and purposes is surrounded by MRCA-owned parkland.

As Presidio Chatsworth Partners, LLC was perfecting their grading plans with Los Angeles County, their soils engineer discovered an area of unstable soil that had been covered by vegetation prior to recent wildfires. The County is requiring that some remedial grading occur on MRCA parkland to move forward with the approved map. In the spirit of the above section from the referenced master agreement, Presidio Chatsworth Partners, LLC has requested that the MRCA execute a temporary grading easement (offsite grading covenant) for slope remediation along the northern boundary of Tract Map No. 53138.

Section 21 of the master agreement between Presidio Chatsworth Partners, LLC and the MRCA reads as follows regarding cooperation in unforeseen circumstances:

21. Further Assurances and Future Cooperation. Buyer and Seller shall each promptly sign and deliver all additional documents and perform all acts reasonably necessary to perform its obligations and carry out the intent expressed in this Agreement. Park Agencies agree

to provide PCP with reasonable access to the Map Property north of Devil's Canyon prior to the construction of the permanent Bridges across Devil's Canyon, and shall execute a temporary license for the construction or placement of a temporary bridge across Devil's Canyon, and other appurtenant ingress, egress, and maintenance rights and obligations in substantially the form of attached Exhibit "H". Park Agencies and PCP hereby agree that minor encroachments onto Agency Property by PCP for grading purposes, or adjustments in the boundaries of the PCP Property and the Agency Property, may be necessary after precise grading plans and topographical surveys have been completed in conjunction with proposed development of the Map Property. If necessary, such entries onto Agency Property shall be authorized by one or more grading letter agreements and such minor property line adjustments shall be made with consent of both parties hereto, and such agreements or adjustments are acknowledged by the parties not to affect adversely the objectives of either party stated in this Agreement. Each party will cooperate with the other party in executing and/or acknowledging any and all documents necessary to establish such minor modifications of record in the office of the Los Angeles County Recorder.

Attachments include an aerial photograph of the proposed location, a detailed topographic map of the proposed grading, a legal description of the subject area, a sample off site grading covenant, and a biota report/restoration plan prepared by Envicom.

The proposed impacts are minor and staff approves of the proposed restoration plan. Staff Counsel has requested alterations to the standard County offsite covenant forms regarding indemnification clauses and other small but important clauses. Any signed documents shall be approved by Staff Counsel.