



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center and Gardens
570 West Avenue 26, Suite 100
Los Angeles, California 90065
Phone (323) 221-9944 Fax (323) 221-9933

MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, ASLA (Hon.), Executive Officer

DATE: November 7, 2012

SUBJECT: **Agenda Item XIII: Consideration of resolution (a) authorizing application to the Santa Monica Mountains Conservancy for a grant of Proposition 40 funds for the purchase of remaining interest in Towsley Canyon parcels, and (b) authorizing purchase of remaining interest in APN's 2826-018-900 and 066; -901 and 067; -902 and 068; 2826-019-901 and 040, and -902 and 041. Negotiators: Rorie A. Skei and Marlund E. Hale. Under consideration: price and terms. (This item may be heard in closed session pursuant to Section 54956.8 of the Government Code).**

Staff Recommendation: That the Governing Board adopt the attached resolution (a) authorizing application to the Santa Monica Mountains Conservancy for a Proposition 40 grant and (b) authorizing purchase of the remaining one-quarter interest in approximately 270 acres of Towsley Canyon land, APN's 2826-018-900 and 066; -901 and 067; -902 and 068; 2826-019-901 and 040, and -902 and 041.

Background: Preservation of lands in Towsley Canyon in the Santa Clarita Woodlands has been a 20-plus year goal of MRCA and the Santa Monica Mountains Conservancy. The canyon was originally targeted as a regional landfill site by the Los Angeles County Sanitation Districts. Late in 1989 MRCA made a highly strategic purchase of the Rivendale Ranch at the entrance of the canyon just off Interstate 5 and The Old Road (Calgrove exit). Farther to the interior of Towsley Canyon are the approximately 270 acres previously known as the "Brandon property". The property was originally owned by three parties: Joel Brandon with a 50% interest; Thane Wilson with a 25% interest, and Wiksell, et al, the remaining 25% interest. The latter is the subject of this agenda item. MRCA purchased the Brandon interest in early 1991, and subsequently acquired the Wilson interest by the fall of 1992. The remaining one-quarter Wiksell interest has been tied up for years with various title, litigation, IRS, and creditor issues. Richard DeSantis, an attorney representing creditors of Wiksell, assumed control of the property interest some years ago, and ever since there have been sporadic communications regarding the

property. After receiving a demand letter earlier this year, staff commissioned an appraisal to establish a value for the entire property at its current fair market value, and then based an offer to Mr. DeSantis at 25% of that valuation. The typical contingencies include a valid appraisal, approval by the Governing Board, clear title free of liens and encumbrances, condition of property, and available funds. Marlund E. Hale, Trustee for the Comstock Recovery Group as successor trustee to Mr. DeSantis, and via the law offices of Stephen Holohan, has signed an acceptance of the contingent offer.

Acquisition of this last interest in the "Brandon" Towsley Canyon property will ensure the continued preservation of beautiful, ecologically significant parkland and trails that otherwise could be potentially compromised by a competing claim for private use of the 25% property interest.

The Santa Monica Mountains Conservancy staff has confirmed that SMMC has a small but sufficient amount of Proposition 40 funds (which are not watershed-limited and can be used for projects in the Santa Clarita Woodlands) in order to consider a grant to MRCA to complete this acquisition. A grant application to SMMC will be prepared upon the Governing Board's approval of this resolution.

Additional acquisition information can be provided in closed session.