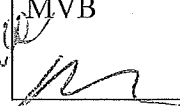
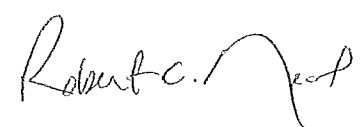


STAFF REPORT
City of Lancaster

CC 6
07/12/11
MVB 

Date: July 12, 2011

To: Mayor Parris and City Council Members

From: Robert C. Neal, Director of Public Works 

Subject: **Agreement to Exchange Real Property between the City of Lancaster and JAT & Associates, LLC**

Recommendation:

Adopt **Resolution No. 11-49** , a resolution of the City Council of the City of Lancaster approving an agreement to Exchange Real Property between the City of Lancaster and JAT & Associates, LLC.

Fiscal Impact:

The City of Lancaster will pay closing costs and realtor fees as well as reimbursement for engineering work performed on the JAT & Associates, LLC property, totaling approximately \$27,700.00. Sufficient funds are available in Capital Improvement Budget Account No. 101-12SD025-942. The agreement includes a provision whereby the parties to the exchange agree that the City parcel and the JAT & Associates, LLC parcel are of like value and therefore funds entered into escrow will be limited to fees associated with the exchange.

Background:

Seasonal flooding at the southwest corner of Avenue I and 20th Street East have compelled the City to acquire a five acre parcel at the northwest corner of that intersection to construct a storm water drainage basin. JAT & Associates, LLC, the property owners of that five acre parcel, have agreed to exchange that parcel for a three acre City owned parcel on Division Street at approximately Avenue J-12. This exchange would save the City the time and expense of condemning the five acre parcel and allow construction of a basin in time for the next rainy season.

AT:lcs

Attachments:

Resolution No. 11-49
Agreement for Exchange of Real Property (Available for review in the City Clerk's Office)

RESOLUTION NO. 11-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING THE SALE, BY EXCHANGE, OF CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF LANCASTER; APPROVING THE PROPERTY EXCHANGE AGREEMENT PERTAINING THERETO; AND, AUTHORIZING THE EXECUTION OF SAID PROPERTY EXCHANGE AGREEMENT

WHEREAS, seasonal flooding regularly takes place near the intersection of Avenue I and 20th Street East; and

WHEREAS, the City of Lancaster (City) has determined a flood control basin is needed in this area to alleviate the flooding; and

WHEREAS, JAT & Associates, LLC (JAT) owns a five acre parcel of land shown in exhibit "A", the location of which, has been identified by the City as the optimal site of a flood control basin to alleviate said flooding; and

WHEREAS, the City owns a three acre parcel shown in exhibit "B", which JAT has agreed to accept in trade for the JAT owned five acre parcel; and

WHEREAS, the City has determined that pursuant to Section 15061 (b) (3) of CEQA that execution of the Agreement of and by itself will not cause a significant effect on the environment; and

WHEREAS, the City Council of the City of Lancaster (the "Council") has duly considered all terms and conditions of the proposed sale, by exchange, and believes that the exchange of the property is in the best interest of the City and in accordance with the public purposes and provisions of applicable State and local laws and requirements.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, STATE OF CALIFORNIA, THAT:

Section 1. The Council hereby finds and determines that the sale, by exchange, of the Property pursuant to the Agreement is necessary to best protect the citizens from flooding.

Section 2. The sale, by exchange, of the Property by the City pursuant to the Agreement which establishes terms and conditions for the sale, by exchange, of the property are hereby approved.

Section 3. The City hereby finds and determines that approval and execution of the Agreement is categorically exempt pursuant to Section 15061 (b) (3) of CEQA.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2011, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

ATTEST:

APPROVED:

 GERI K. BRYAN, CMC
 City Clerk
 City of Lancaster

 R. REX PARRIS
 Mayor
 City of Lancaster

STATE OF CALIFORNIA }
 COUNTY OF LOS ANGELES }ss
 CITY OF LANCASTER }


CERTIFICATION OF RESOLUTION
 CITY COUNCIL

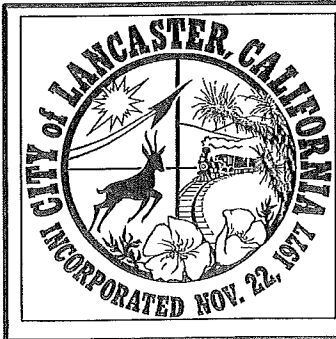
I, _____, _____ City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original Resolution No. 11-49, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)



 INDICATES
Property to be Exchanged

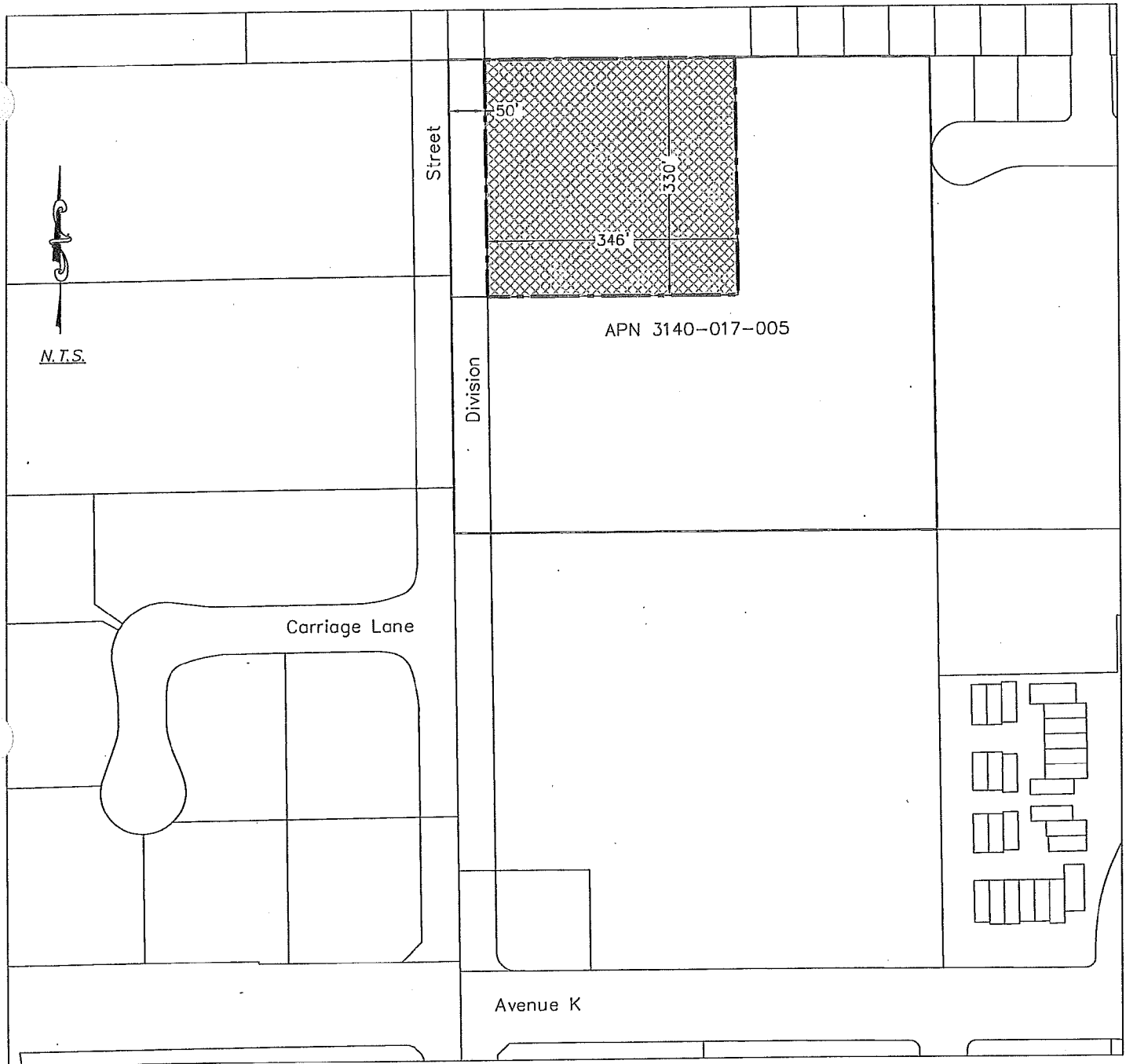



CITY OF LANCASTER

CITY OF LANCASTER
44933 N. FERN AVENUE
LANCASTER, CA 93534


TITLE:
Parcel Exhibit
APN 3176-021-069

EXHIBIT "A"



 INDICATES
Property to be Exchanged

THIS PLAT IS FOR REFERENCE ONLY, NOT FOR THE PURPOSE OF SURVEYING.

	<h1>CITY OF LANCASTER</h1>		TITLE: Parcel Exhibit
	CITY OF LANCASTER 44933 N. FERN AVENUE LANCASTER, CA 93534		A Portion of APN 3140-017-005
			EXHIBIT "B"