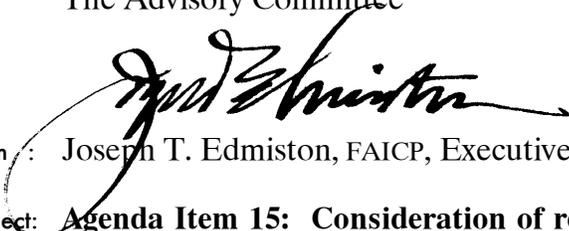


Memorandum

To : The Conservancy
The Advisory Committee

Date: October 24, 2005

From :  Joseph T. Edmiston, FAICP, Executive Director

Subject: **Agenda Item 15: Consideration of resolution authorizing exercise of first right of refusal pursuant to Section 33207 of the Public Resources Code to acquire approximately 20 acres of Los Angeles County-owned surplus real property known as Waterworks District No. 29 (APN 4438-032-900) by Topanga Fire Road, or in the alternative waiving said right contingent upon the County entering into an agreement to sell said properties to the Mountains Recreation and Conservation Authority, Malibu.**

Staff Recommendation: That the Conservancy adopt a resolution authorizing exercise of first right of refusal pursuant to Section 33207 of the Public Resources Code to acquire approximately 20 acres of Los Angeles County-owned surplus real property known as Waterworks District No. 29 (APN 4438-032-900) by Topanga Fire Road, or in the alternative waiving said right contingent upon the County entering into an agreement to sell said properties to the Mountains Recreation and Conservation Authority, Malibu. The resolution for this item will be numbered 05-081 and will be distributed under separate cover or at the Board Meeting.

Legislative Authority: Section 33207 of the Public Resources Code

Background: Los Angeles County Waterworks District No. 29 has agreed to sell a key surplus property in the Cold Creek watershed of the central Santa Monica Mountains to the Conservancy. The property is accessible from a popular fire road that extends east from the intersection Schueren and Stunt Roads near the watershed divide between Cold and Las Flores Canyons.

The Mountains Restoration Trust (MRT) has a grant to pay for the property at the \$27,500 price set by the District pursuant to Section 33207 of the Public Resources Code. Because time is a factor with MRT's funding source, allowing the Mountains Recreation and Conservation Authority (MRCA) to be the Conservancy's assignee to acquire the property is more practical.

The proposed action would first exercise the Conservancy's first right of refusal pursuant to Section 33207 of the Public Resources Code to the approximately 20-acre property. Secondly, it authorizes waiving the Conservancy's first right of refusal contingent upon the County entering into an agreement to sell the property to MRCA at the same \$27,500 price set by the District.

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The MRCA, MRT, and the District could then work out all the acquisition details.