

RESOLUTION NO. 26-0082

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT DEED FOR PROPERTY AT 1119 NORTH SEPULVEDA BOULEVARD FOR THE MANHATTAN BEACH AND SEPULVEDA BOULEVARD INTERSECTION IMPROVEMENT PROJECT

THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The City of Manhattan Beach ("City") has undertaken an intersection improvement project ("Project") at Manhattan Beach and Sepulveda Boulevard. In connection with this Project, the City requires a Temporary Construction Easement, in and to a portion of the property commonly known as 1119 N. Sepulveda Boulevard, Manhattan Beach, California, owned by Anthony and Joann Fanticola Family Limited Partnership, a California Limited Partnership ("Owner").

SECTION 2. Owner has agreed to convey to the City the Temporary Construction Easement and has executed the Deed, attached hereto as Attachment A, which is hereby incorporated by this reference.

SECTION 3. The City Council hereby accepts and consents to the Owner's conveyance of the above-referenced Temporary Construction Easement to the City for public purposes.

SECTION 4. The City Council hereby authorizes the City Manager or her designee to: (a) execute the Temporary Construction Easement Deed; (b) record the Deed; and (c) execute any other forms necessary to effectuate the acceptance and recordation of the Temporary Construction Easement and any rights conveyed thereby.

SECTION 5. The City Clerk shall certify to the passage and adoption of this resolution.

ADOPTED on August 4, 2026.

AYES:

NOES:

ABSENT:

ABSTAIN:

JOE FRANKLIN
Mayor

ATTEST:

LIZA TAMURA
City Clerk

ATTACHMENT A

TEMPORARY CONSTRUCTION EASEMENT DEED FOR PROPERTY AT 1119 NORTH SEPULVEDA BOULEVARD MADE BY ANTHONY AND JOANN FANTICOLA FAMILY LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP.

RECORDING REQUESTED BY,
AND WHEN RECORDED RETURN TO:

City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266
Attn: City Clerk

APN: 4170-026-028

[SPACE ABOVE FOR RECORDER'S USE ONLY]

TEMPORARY CONSTRUCTION EASEMENT DEED

This transfer is exempt from Documentary Transfer Tax as a conveyance for no consideration and is exempt from Recording Fees pursuant to California Government Code Section 6103.

Anthony Fanticola and Joann Fanticola Family Limited Partnership, a California Limited Partnership, hereinafter referred to as "GRANTOR," is the owner of that real property in the City of Manhattan Beach, County of Los Angeles, State of California, on the property commonly known as 1119 N. Sepulveda Blvd., Manhattan Beach, CA 90266, identified as County Assessor's Parcel Number 4170-026-028, and described in Exhibit "A" attached hereto and incorporated by reference herein (hereinafter referred to as the "Property").

For a valuable consideration, receipt of which is hereby acknowledged, GRANTOR hereby grants to the City of Manhattan Beach, a municipal corporation in the County of Los Angeles, State of California, and its contractors, successors and assigns, referred to collectively as "GRANTEE", a thirty-six month Temporary Construction Easement for the Sepulveda Blvd. & Manhattan Beach Blvd. Project (Project) and to utilize said Temporary Construction Easement for all project related activities and purposes in, on, over, under, through, and across that certain parcel of land described and depicted in Exhibits "B" and "C", attached hereto and incorporated herein ("Temporary Construction Easement Area").

Such use shall include the right to temporarily place equipment, materials and vehicles, and pile earth thereon during periods of active construction, and the right to conduct grading and pavement and curb restoration work and other related activities in conjunction with the construction of the Project. GRANTOR may jointly traverse the Temporary Construction Easement Area for ingress and egress purposes whenever clear and safe access routes are available. GRANTOR acknowledges herein that there will be some access delays and obstructions within the Temporary Construction Easement Area from time to time as Project construction work is underway.

This Temporary Construction Easement shall be for a period not to exceed thirty-six (36) months, commencing upon the date the project receives right of way certification by Caltrans. This Temporary Construction Easement shall expire and all rights to the above-described property

conveyed herein shall cease and terminate no later than Thirty-six (36) months after Caltrans approves the right of way certification of this project. Such rights may also be terminated prior to the expiration of this period by City upon written notice to Grantor.

GRANTOR hereby warrants and represents that they are the sole owner of the Real Property upon which this Temporary Construction Easement is located, and that GRANTOR holds sufficient title in said property to fully grant to GRANTEE the Temporary Construction Easement described herein without conflict with any other interests.

This Grant of Temporary Construction Easement shall bind and inure to the benefit of the respective heirs, personal representatives, successors, and assigns to the parties hereto. GRANTEE'S rights and obligations herein are assignable and transferable by GRANTEE, in whole or in part, to GRANTEE'S contractor(s), successors and assignees.

IN WITNESS WHEREOF, the undersigned grantor has executed this Temporary Construction Easement Deed as of the date set forth below.

Dated: June 1, 2026

GRANTOR:

**Anthony Fanticola and Joann Fanticola Family
Limited Partnership, a California Limited
Partnership**

By: 

Print Name: Anthony Fanticola

Title: President of General Partner

Date: June 1, 2026

By: _____

Print Name: _____

Title: _____

Date: _____

NOTARY ACKNOWLEDGEMENT ATTACHED

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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.

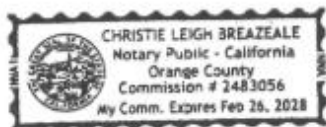
State of California

County of Orange }

On June 1, 2026 before me, Christie Leigh Breazeale, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Anthony Fanticola
Name(s) of Signer(s)

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.

Place Notary Seal and/or Stamp Above

Signature [Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

EXHIBIT "A"

Legal Description of Subject Parcel

The land referred to in this report is situated in the City of Manhattan Beach, the County of Los Angeles, State of California, and is described as follows:

Lots 1, 2, and 3 of Block 3, of Tract 14, in the City of Manhattan Beach, County of Los Angeles, State of California, as per Book 13, Pages 182 and 183, of Maps, in the office of the County Recorder of said County.

Together with all right, title, and interest of the Grantor herein in and to that portion of Manhattan Beach Boulevard immediately adjoining and adjacent to the property herein described.

Assessor's Parcel Numbers(s): 4170-026-028



June 20, 2022
BKF Job No: 20212007-50

EXHIBIT "B"
Legal Description

BEING A PORTION OF LOT 1, IN BLOCK 3 OF TRACT NO. 142, IN THE CITY OF MANHATTAN BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT ALSO BEING THE NORTHEAST CORNER OF A PUBLIC RIGHT-OF-WAY EASEMENT PER DOCUMENT NO. 83-1487451, RECORDED DECEMBER 15, 1983 IN SAID COUNTY RECORDER'S OFFICE;

THENCE ALONG THE EAST LINE OF SAID LOT 1, SOUTH 00° 01' 45" WEST, 125.20 FEET;

THENCE ALONG THE SOUTH LINE OF SAID LOT 1, NORTH 89° 48' 00" WEST, 20.57 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE NORTH 00° 52' 48" EAST, 38.32 FEET;

THENCE SOUTH 89° 07' 12" EAST, TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, WITH A RADIUS OF 8.09 FEET AND A RADIAL LINE TO SAID CURVE BEARING SOUTH 87° 26' 43" WEST;

THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 87° 37' 01", A DISTANCE OF 12.37 FEET TO THE WESTERLY LINE OF A PUBLIC STREET AND UTILITY EASEMENT PER DOCUMENT NO. 99-0911599, RECORDED MAY 19, 1999 IN SAID COUNTY RECORDER'S OFFICE;

THENCE ALONG SAID EASEMENT LINE SOUTH 00° 01' 45" WEST, 30.59 FEET TO THE SOUTH LINE OF SAID LOT 1;

THENCE ALONG SAID SOUTH LINE, NORTH 89° 48' 00" WEST, 10.57 FEET TO THE **TRUE POINT OF BEGINNING**;

CONTAINING AN AREA OF APPROXIMATELY 345 SQUARE FEET.

AS SHOWN ON THE ATTACHED EXHIBIT "C" AND BY THIS REFERENCE MADE PART HEREOF.



June 20, 2022
BKF Job No: 20212007-50

**SUBJECT TO EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS,
RESERVATIONS, RIGHTS, RIGHTS-OF-WAY, AND OTHER MATTERS OF
RECORD, IF ANY.**

A blue ink signature of Davis Thresh, consisting of a stylized "D" and "T" connected by a horizontal line.

Davis Thresh, P.L.S. No. 6868

6/30/2022

Dated

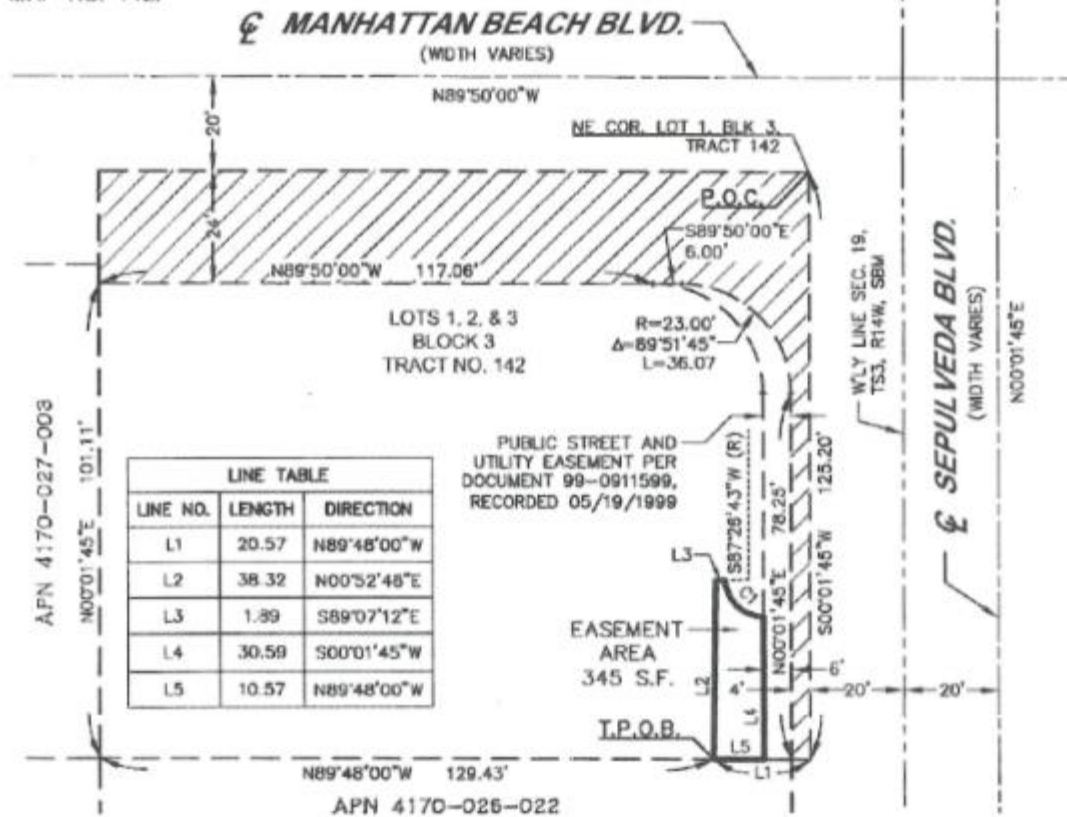


4675 MacArthur Ct
Suite 400
Newport Beach
California 92660
phone 949.526.8460
fax 949.526.8499
www.bkf.com

Sheet 2 of 2

NOTE: BEARINGS SHOWN
HEREON ARE PER TRACT
MAP NO. 142.

EXHIBIT "C"



4675 MACARTHUR COURT
SUITE 400
NEWPORT BEACH, CA 92660
949-526-8460
949-526-8499 (FAX)

Subject EXHIBIT "C"

Job No. 20212007-50

By TF Date 6/20/22 Chkd. NP
SHEET 1 OF 1

CERTIFICATE OF ACCEPTANCE
(California Government Code Section 27281)

This is to certify that the interest in real property conveyed to the City of Manhattan Beach by that certain Temporary Construction Easement Deed dated _____, 2026, executed by **Anthony Fanticola and Joann Fanticola Family Limited Partnership, a California Limited Partnership**, hereby accepted by the undersigned office on behalf of the City of Manhattan Beach pursuant to the authority conferred by the City of Manhattan Beach at the City Council closed session meeting held on October 2, 2018, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: _____, 2026

Sign: _____

Print Name: Gilbert Gamboa

Title: City Engineer