

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY INTEREST NECESSARY FOR PUBLIC
PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF THROUGH THE
EXERCISE OF EMINENT DOMAIN
INTERSTATE 605 (I-605) VALLEY BOULEVARD INTERCHANGE IMPROVEMENT
PROJECT, (“PROJECT”)
APN: 8563-012-028 and 8563-012-029; Project Parcels I-605-4-1 and I-605-4-2**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY BOARD OF DIRECTORS (“BOARD”) HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (“LACMTA”) is a public entity organized and existing pursuant to Chapter 2 of Division 12 of the California Public Utilities Code (commencing with Section 130050).

Section 2.

The Property Interests described hereinafter are to be taken for public use, namely, for public transportation purposes and all uses necessary, incidental or convenient thereto, and for all public purposes pursuant to the authority conferred upon the Board to acquire Property Interests by eminent domain by California Public Utilities Code Sections 30000-33027, inclusive, and particularly Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections 130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive, and particularly Sections 1240.410, 1240.510 and 1240.610, and Article I, Section 19 of the California Constitution.

Section 3.

The Property Interests to be acquired are situated on APNs 8563-012-028 and 8563-012-029 and consist of: (1) a 444± square foot fee simple interest, more specifically described and depicted in Exhibits “A-2” and “B-2” (“Fee Interest”); and (2) a 1,556± square foot, 26-month Temporary Construction Easement, more specifically described and depicted in Exhibits “A-3”, “B-3”, and C (“TCE”) (hereinafter the TCE and Fee Interest are referred to as the “Property Interests”). All referenced exhibits are attached hereto and incorporated herein.

Section 4.

(a.) The acquisition of the above-described Property Interests is necessary for the development, construction, operation, and maintenance of the I-605/Valley Boulevard Interchange Improvement Project (“Project”);

- (b.) The Project Approval and Environmental Document (PAED) Phase of the project was approved by Caltrans in January 2019. A Mitigated Negative Declaration/Finding of No Significant Impact (MND/FONSI) was prepared pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), respectively.
- (c.) Accordingly, LACMTA has fulfilled the necessary statutory prerequisites to acquire the Property Interests by eminent domain

Section 5.

The Board hereby declares that it has found and determined each of the following:

- (a.) The public interest and necessity require the proposed Project;
- (b.) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (c.) The Property Interests sought to be acquired, which has been described herein, are necessary for the proposed Project;
- (d.) The offer required by Section 7267.2 of the Government Code has been made to the Owner; and said offer was transmitted together with the accompanying statement of, and summary of the basis for, the amount established as just compensation, which offers and accompanying statements/summaries were in a form and contained all of the factual disclosures provided by Government Code Section 7267.2(a).

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property Interests are already devoted to a public use, the use to which the Property Interests are to be put is a more necessary public use than the use to which the Property Interests are already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property Interests are already devoted.

Section 7.

That notice of intention to adopt this resolution was given by first class mail to each person whose Property Interests are to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein and each person whose Property Interests are to be acquired by eminent domain was given an opportunity to be heard.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property Interests described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of said Property Interests in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real Property Interests that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property Interests, and, with the concurrence and approval of LACMTA Staff, to make minor adjustments to the scope and descriptions of easements or other Property Interests to be acquired in order to ameliorate any claims for severance damages.

Counsel is further authorized to compromise and settle such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary actions to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. If settlement cannot be reached, Counsel is authorized to proceed to resolve the proceedings by means of jury trial. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, COLLETTE LANGSTON, Board Clerk of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Metropolitan Transportation Authority at a meeting held on the 27th day of June 2024.

COLLETTE LANGSTON
LACMTA Board Clerk

Date: _____

ATTACHMENTS

- Exhibit A-2 – Fee Interest Legal Description
- Exhibit B-2 – Fee Interest Plat Map
- Exhibit A-3 – TCE Legal Description
- Exhibit B-3 – TCE Plat Map
- Exhibit C-3 – TCE Terms

LEGAL DESCRIPTION

Project Parcel I-605-4-1

Fee Interest

THOSE PORTIONS OF LOTS 1 AND 2 OF TRACT NO. 8227, IN THE UNINCORPORATED AREA KNOWN AS LA PUENTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE MAP RECORDED IN BOOK 92, PAGE 100, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF VALLEY BOULEVARD AND TEMPLE AVENUE (FORMERLY COVINA BOULEVARD), AS SHOWN ON A RECORD OF SURVEY FILED IN BOOK 171, PAGES 62 THROUGH 68, OF RECORDS OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE ALONG THE CENTERLINE OF SAID TEMPLE AVENUE NORTH 38°45'21" EAST, 205.26 FEET TO THE NORTHWESTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF PARCEL NO. 20-3RE, AS DESCRIBED IN THE ROAD DEED RECORDED SEPTEMBER 6, 2018, AS INSTRUMENT NO. 20180904522, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE LEAVING SAID CENTERLINE AND ALONG SAID NORTHWESTERLY PROLONGATION SOUTH 50°29'46" EAST, 40.00 FEET TO THE INTERSECTION OF SAID SOUTHWESTERLY LINE AND THE SOUTHEASTERLY LINE OF PARCEL NO. 20-3RE.1, AS DESCRIBED IN SAID ROAD DEED, SAID SOUTHEASTERLY LINE ALSO BEING THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID TEMPLE AVENUE, 40.00 FOOT HALF-STREET WIDTH, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID NORTHWESTERLY PROLONGATION AND SAID SOUTHEASTERLY LINE AND ALONG SAID SOUTHWESTERLY LINE SOUTH 50°29'46" EAST, 4.82 FEET TO A LINE THAT IS PARALLEL WITH AND 4.82 FEET SOUTHEASTERLY, MEASURED AT RIGHT ANGLES, OF SAID SOUTHEASTERLY LINE;

THENCE LEAVING SAID SOUTHWESTERLY LINE AND ALONG SAID PARALLEL LINE SOUTH 38°45'21" WEST, 95.40 FEET TO THE EASTERLY LINE OF SAID PARCEL NO. 20-3RE.1;

THENCE LEAVING SAID PARALLEL LINE AND ALONG SAID EASTERLY LINE NORTH 03°42'45" EAST, 8.40 FEET TO SAID SOUTHEASTERLY LINE;

THENCE LEAVING SAID EASTERLY LINE AND ALONG SAID SOUTHEASTERLY LINE NORTH 38°45'21" EAST, 88.59 FEET TO THE **TRUE POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS A GRID AREA 444 SQUARE FEET OR 0.010 ACRES, MORE OR LESS.

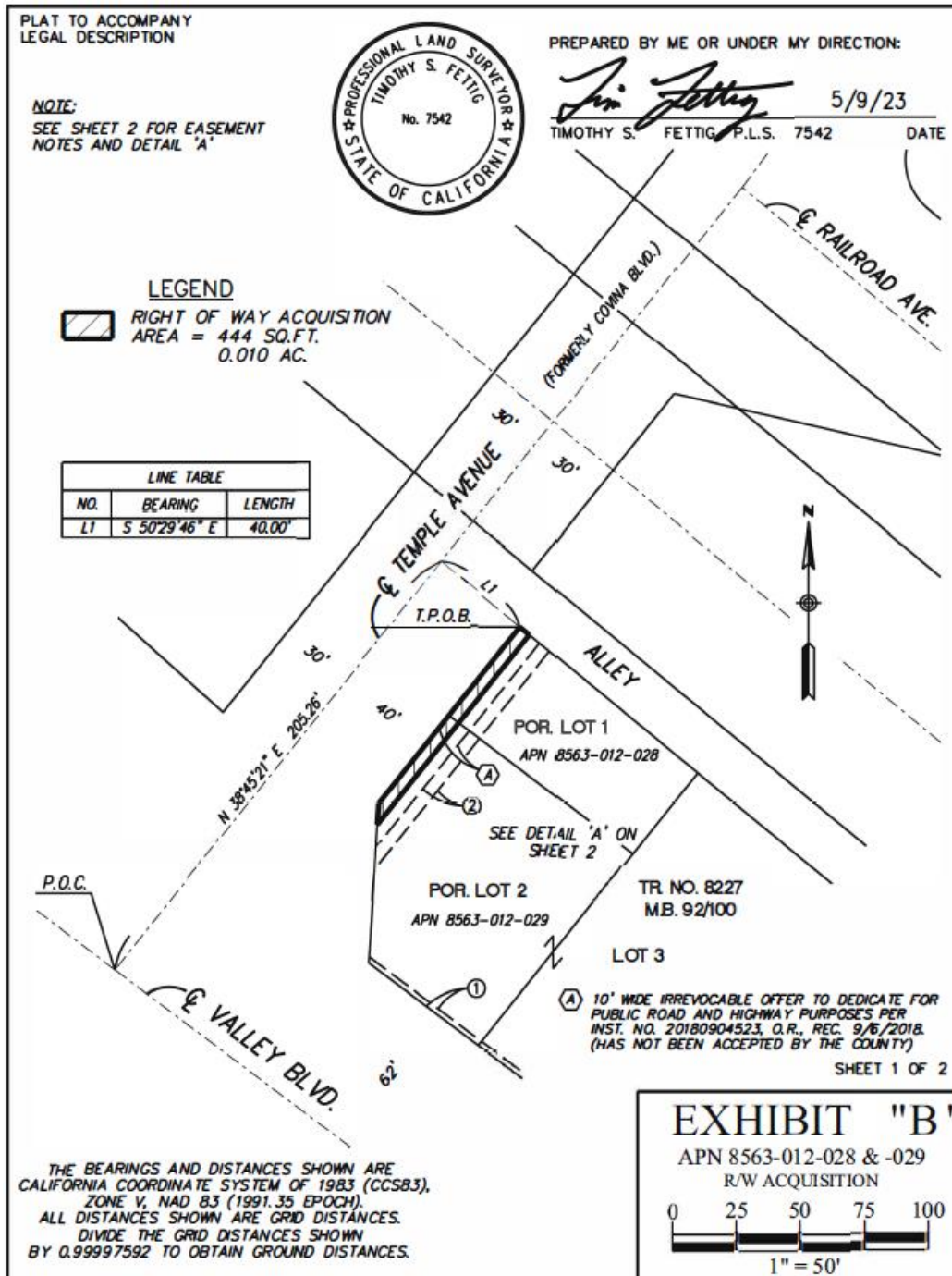
THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE V, NAD 83 (1991.35 EPOCH OCS ADJUSTMENT), ALL DISTANCES SHOWN ARE GRID, TO OBTAIN GROUND DISTANCES DIVIDE BY 0.99997592.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B-2", ATTACHED HERETO AND MADE A PART HEREOF.

Affects APN 8563-012-028 & -029

PLAT MAP
Project Parcel-605-4-1

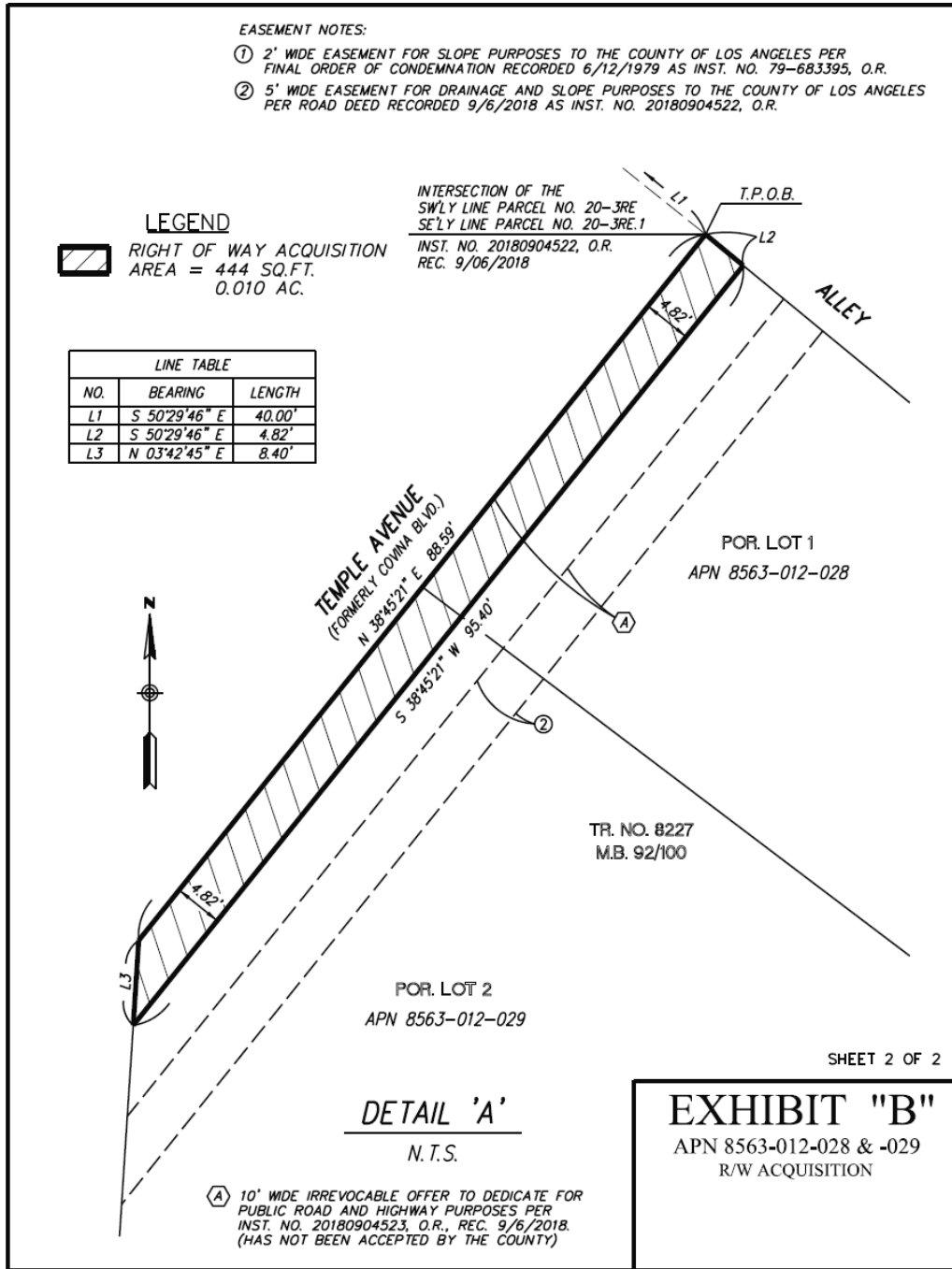
Fee Interest



Affects APN 8563-012-028 & -029

PLAT MAP
Project Parcel I-605-4-1

Fee Interest



Affects APN 8563-012-028 & -029

LEGAL DESCRIPTION

Project Parcel I-605-4-2

Temporary Construction Easement

THOSE PORTIONS OF LOTS 1 AND 2 OF TRACT NO. 8227, IN THE UNINCORPORATED AREA KNOWN AS LA PUENTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE MAP RECORDED IN BOOK 92, PAGE 100, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF VALLEY BOULEVARD AND TEMPLE AVENUE (FORMERLY COVINA BOULEVARD), AS SHOWN ON A RECORD OF SURVEY FILED IN BOOK 171, PAGES 62 THROUGH 68, OF RECORDS OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE ALONG THE CENTERLINE OF SAID TEMPLE AVENUE NORTH 38°45'21" EAST, 205.26 FEET TO THE NORTHWESTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF PARCEL NO. 20-3RE, AS DESCRIBED IN THE ROAD DEED RECORDED SEPTEMBER 6, 2018, AS INSTRUMENT NO. 20180904522, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE LEAVING SAID CENTERLINE AND ALONG SAID NORTHWESTERLY PROLONGATION SOUTH 50°29'46" EAST, 40.00 FEET TO THE INTERSECTION OF SAID SOUTHWESTERLY LINE AND THE SOUTHEASTERLY LINE OF PARCEL NO. 20-3RE.1, AS DESCRIBED IN SAID ROAD DEED, SAID SOUTHEASTERLY LINE BEING THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID TEMPLE AVENUE, 40.00 FOOT HALF-STREET WIDTH;

THENCE LEAVING SAID NORTHWESTERLY PROLONGATION AND SAID SOUTHEASTERLY LINE AND ALONG SAID SOUTHWESTERLY LINE SOUTH 50°29'46" EAST, 4.82 FEET TO A LINE THAT IS PARALLEL WITH AND 4.82 FEET SOUTHEASTERLY, MEASURED AT RIGHT ANGLES, OF SAID SOUTHEASTERLY LINE, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID SOUTHWESTERLY LINE AND ALONG SAID PARALLEL LINE SOUTH 38°45'21" WEST, 95.40 FEET TO THE EASTERLY LINE OF SAID PARCEL NO. 20-3RE.1;

THENCE LEAVING SAID PARALLEL LINE AND ALONG SAID EASTERLY LINE SOUTH 03°42'45" WEST, 54.66 FEET TO THE NORTHEASTERLY LINE OF PARCEL NO. 40-1, AS DESCRIBED IN THE FINAL ORDER OF CONDEMNATION RECORDED JUNE 12, 1979, AS INSTRUMENT NO. 79-683395, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID NORTHEASTERLY LINE BEING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID VALLEY BOULEVARD, 62.00 FOOT HALF-STREET WIDTH;

THENCE LEAVING SAID EASTERLY LINE AND ALONG SAID NORTHEASTERLY LINE SOUTH 53°07'00" EAST, 0.81 FEET;

THENCE LEAVING SAID NORTHEASTERLY LINE NORTH 38°24'14" EAST, 9.24 FEET;

LEGAL DESCRIPTION

Project Parcel I-605-4-2

Temporary Construction Easement

THENCE NORTH 50°29'26" WEST, 3.01 FEET;

THENCE NORTH 05°00'38" WEST, 22.74 FEET;

THENCE NORTH 39°26'11" EAST, 114.24 FEET TO SAID SOUTHWESTERLY LINE;

THENCE ALONG SAID SOUTHWESTERLY LINE NORTH 50°29'46" WEST, 14.76 FEET TO THE **TRUE POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS A GRID AREA 1,556 SQUARE FEET OR 0.036 ACRES, MORE OR LESS.

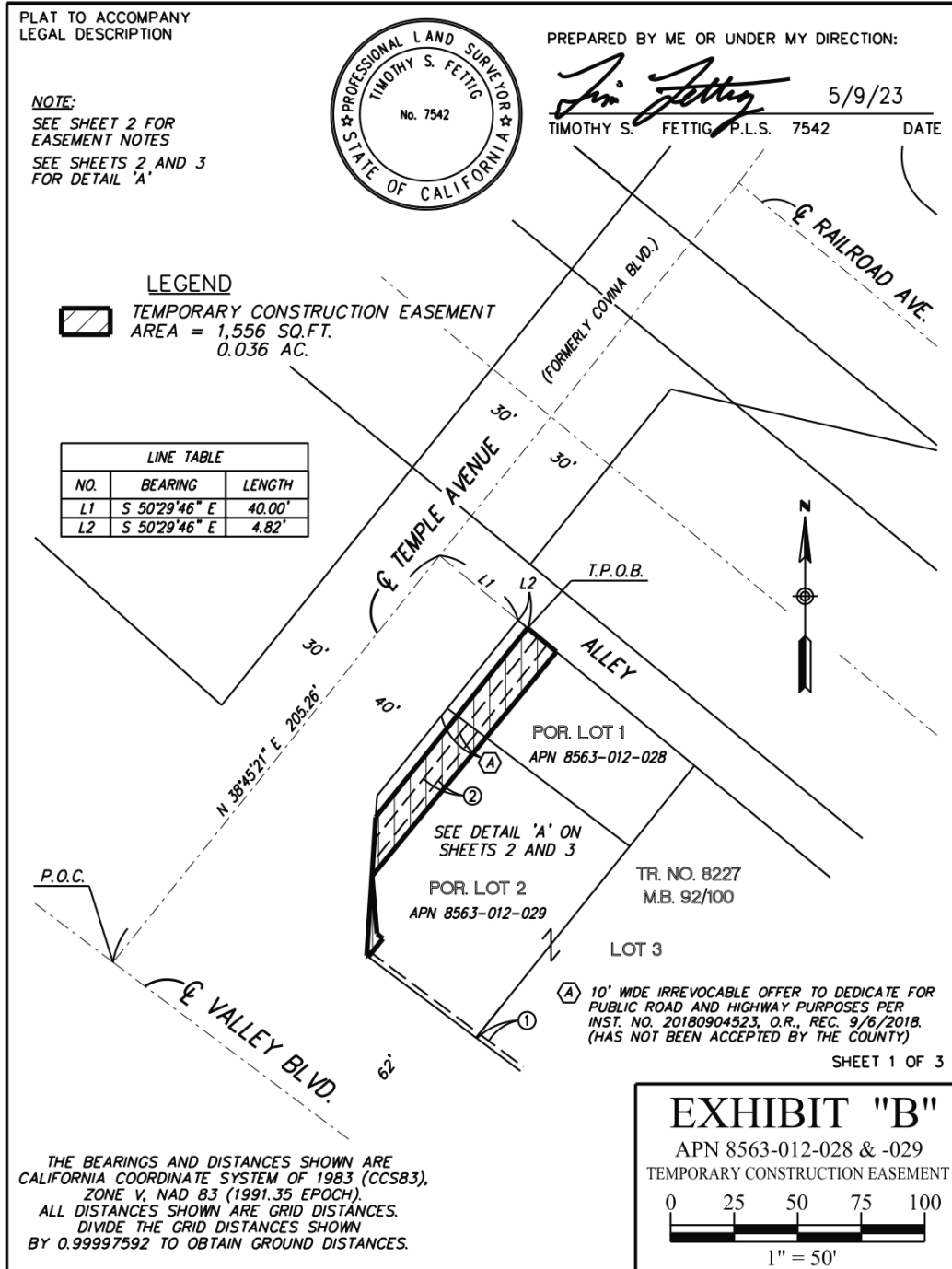
THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE V, NAD 83 (1991.35 EPOCH OCS ADJUSTMENT), ALL DISTANCES SHOWN ARE GRID, TO OBTAIN GROUND DISTANCES DIVIDE BY 0.99997592.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B-3", ATTACHED HERETO AND MADE A PART HEREOF.

Affects APN 8563-012-028 & -029

PLAT MAP
Project Parcel I-605-4-2

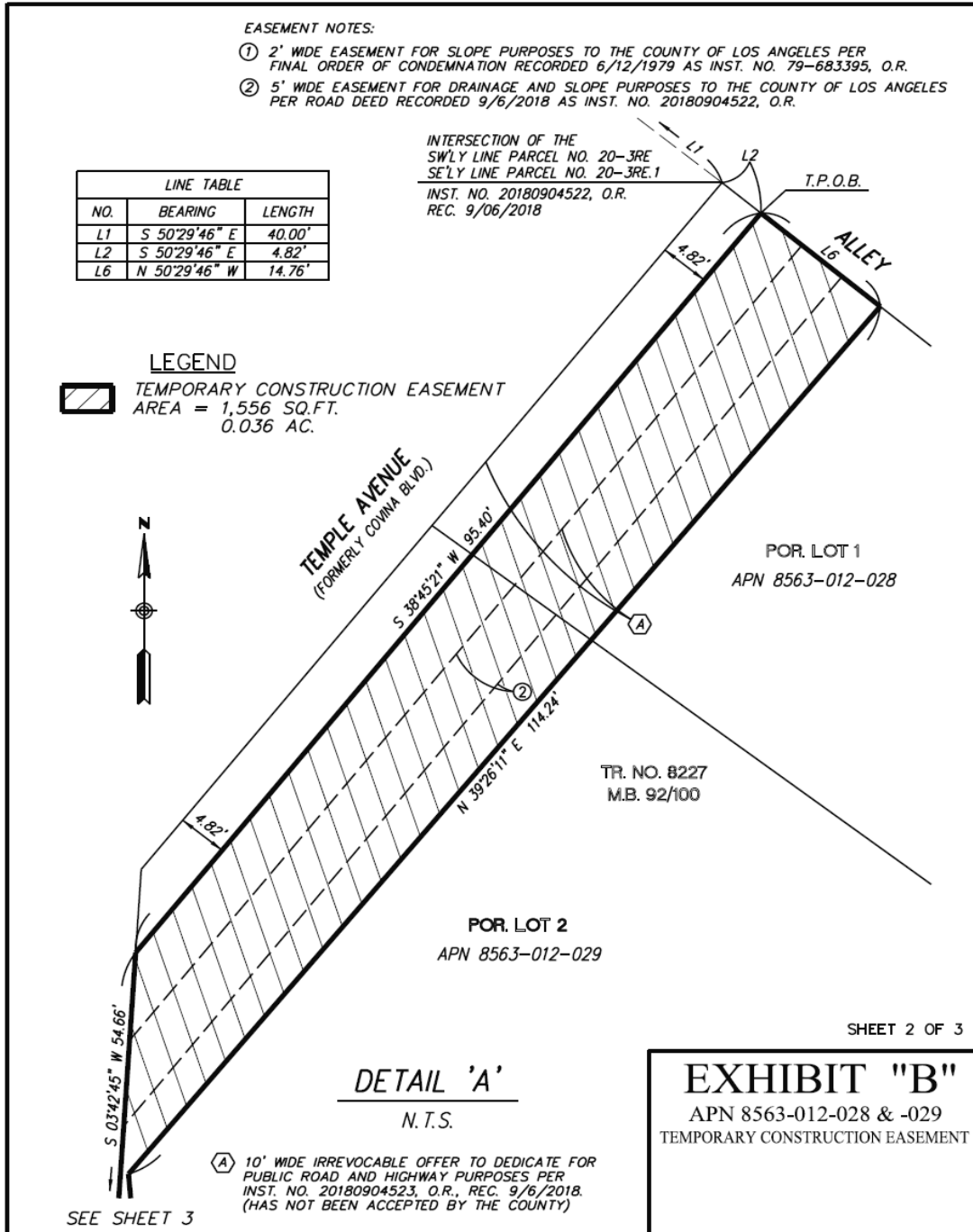
Temporary Construction Easement



Affects APN 8563-012-028 & -029

PLAT MAP
Project Parcel I-605-4-2

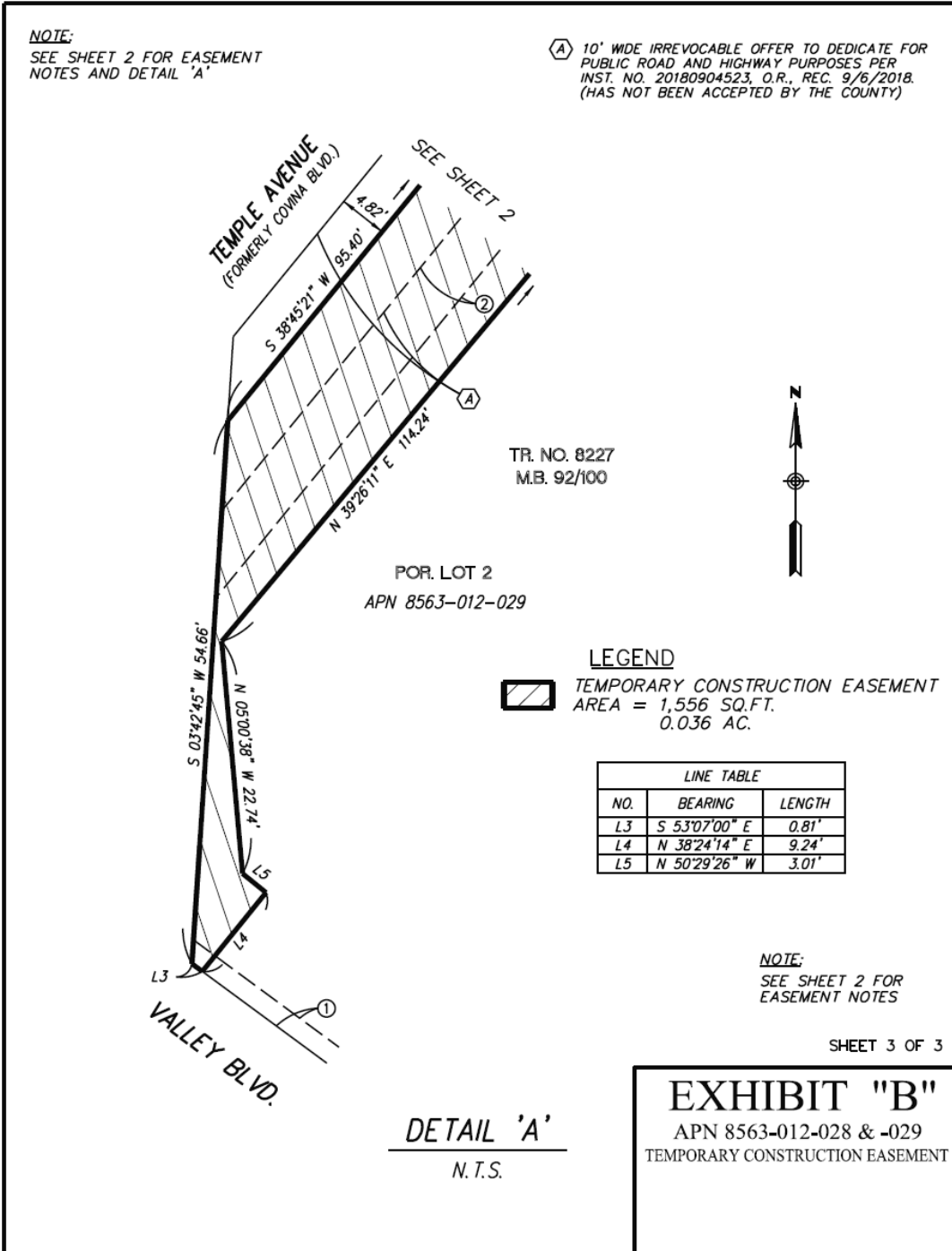
Temporary Construction Easement



Affects APN 8563-012-028 & -029

PLAT MAP
Project Parcel I-605-4-2

Temporary Construction Easement



Affects APN 8563-012-028 & -029

Project Parcel Numbers I-605-4-1 & 4-2

13009 Valley Boulevard

APN's 8563-012-028, -029

TERMS OF THE TEMPORARY CONSTRUCTION EASEMENT (TCE)

The term of the TCE (the "Term") shall last twenty-six (26) months, commencing upon the Project Right of Way Certification and terminate upon the earlier to occur of (i) completion of the Project, as indicated by written notice given by Grantee to Grantor or (ii) January 11, 2027.

The actual physical construction activities within the TCE Area will occur intermittently for a period of approximately eight (8) consecutive weeks between the hours of 10:00PM to 5:00AM ("Construction Period") upon the commencement of construction with 30 days prior notice provided to the owner of the underlying property.

No construction work shall occur in the TCE area except during the Construction Period.

During the Construction Period, the TCE will be exclusive; however, access via the Temple Avenue driveway may be available to the extent that actual construction work is not occurring on said driveway at that time. Vehicular and pedestrian access during the Construction Period will be available at all times via the Valley Boulevard driveway.

Easement holder shall have the right to assign the TCE to successors and/or assigns, including, without limitation, other governmental agencies, without the prior written approval of Grantor.