

**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: 8110-023-024 and 8110-023-025, Project Parcel I-605-1**

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 Interest described hereinafter is 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 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 Interest to be acquired is situated on APNs 8110-023-024 and 8110-023-025, and consists of a 776-square-foot, 26-month Temporary Construction Easement, more specifically described and depicted in Exhibit "A-1", Exhibit "B-1", and Exhibit "C-1" (hereinafter referred to as "TCE" or the "Property Interest"). All referenced exhibits are attached hereto and incorporated herein.

Section 4.

(a.) The acquisition of the above-described Property Interest 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 Interest 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 Interest sought to be acquired, which has been described herein, is 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 offer 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 Interest is already devoted to a public use, the use to which the Property Interest is to be put is a more necessary public use than the use to which the Property Interest is 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 Interest is already devoted.

#### Section 7.

That notice of intention to adopt this resolution was given by first class mail to each person whose Property Interest is 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 Interest is 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 Interest described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of said Property Interest 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 that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property Interest, and, with the concurrence and approval of LACMTA Staff, to make minor adjustments to the scope and descriptions of easements or other Property Interest 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.

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COLLETTE LANGSTON  
LACMTA Board Clerk

Date: \_\_\_\_\_

**ATTACHMENTS**

Exhibit A – TCE Legal Description

Exhibit B – TCE Plat Map

Exhibit C – TCE Terms

**LEGAL DESCRIPTION**

**TEMPORARY CONSTRUCTION EASEMENT**

THOSE PORTIONS OF PARCELS 1 AND 2, IN THE UNINCORPORATED AREA OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS DESCRIBED IN THE GRANT DEED RECORDED JULY 10, 2019 AS INSTRUMENT NO. 20190664328, OF OFFICIAL RECORDS, 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 VALLEY BOULEVARD NORTH 52°57'06" WEST, 183.12 FEET;

THENCE LEAVING SAID CENTERLINE SOUTH 37°02'54" WEST, 50.00 FEET TO THE MOST EASTERLY CORNER OF SAID PARCEL 2, THE NORTHEASTERLY LINES OF SAID PARCELS 1 AND 2 ALSO BEING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID VALLEY BOULEVARD, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE LEAVING SAID NORTHEASTERLY LINE OF PARCEL 2 AND ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 2 SOUTH 37°02'57" WEST, 5.99 FEET;

THENCE LEAVING SAID SOUTHEASTERLY LINE NORTH 53°43'30" WEST, 114.67 FEET TO THE NORTHWESTERLY LINE OF SAID PARCEL 1;

THENCE ALONG SAID NORTHWESTERLY LINE NORTH 37°02'57" EAST, 7.54 FEET TO THE MOST NORTHERLY CORNER OF SAID PARCEL 1;

THENCE LEAVING SAID NORTHWESTERLY LINE AND ALONG SAID NORTHEASTERLY LINES OF PARCELS 1 AND 2 SOUTH 52°57'06" EAST, 114.66 FEET TO THE TRUE POINT OF BEGINNING.

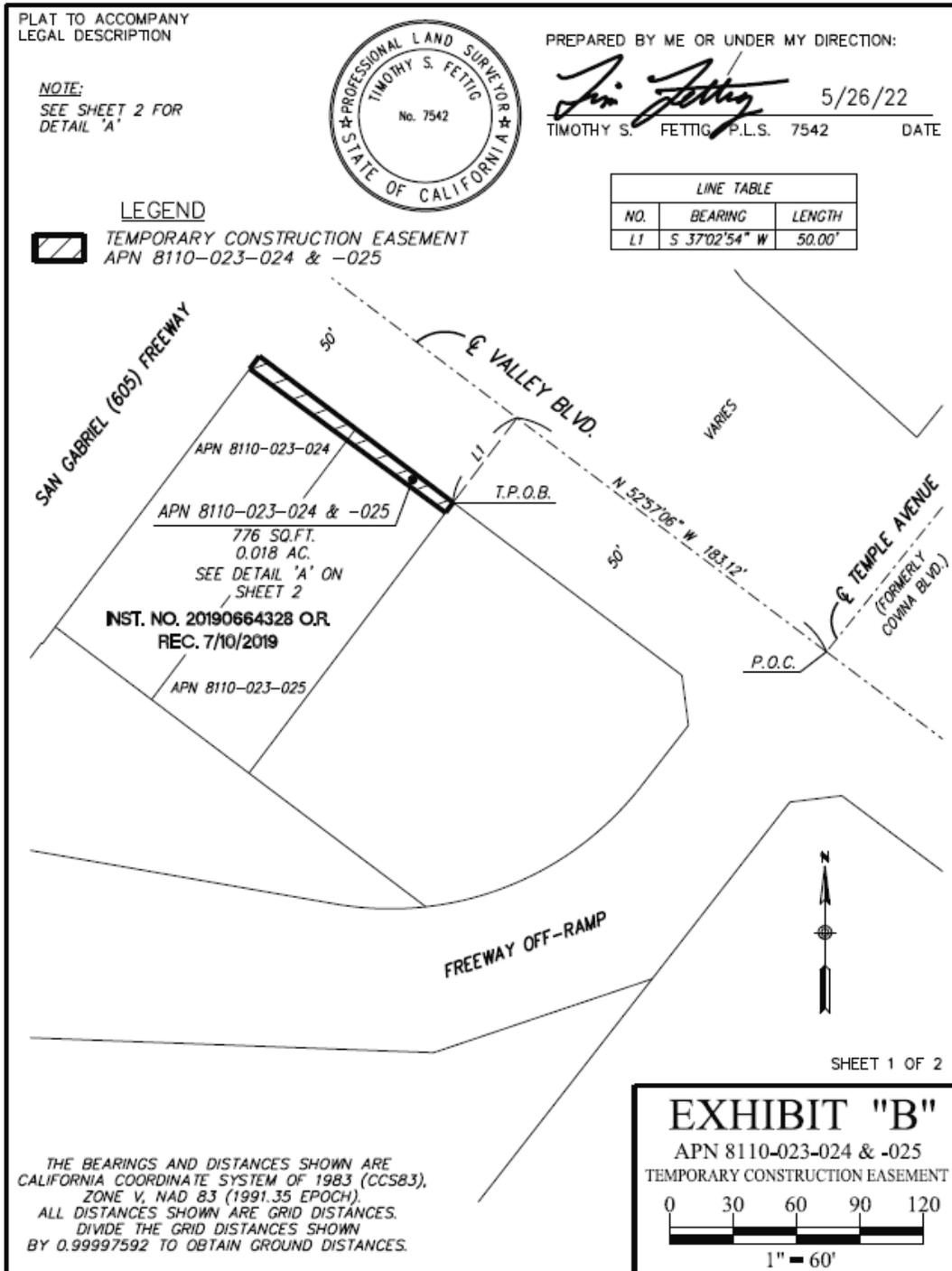
THE ABOVE DESCRIBED PARCEL CONTAINS A GRID AREA 776 SQUARE FEET OR 0.018 ACRES, MORE OR LESS.

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", ATTACHED HERETO AND MADE A PART HEREOF.

Affects APN: 8110-023-024 and APN 8110-023-025

PLAT MAP  
 TEMPORARY CONSTRUCTION EASEMENT



Affects APN: 8110-023-024 and APN 8110-023-025

## EXHIBIT "C"

Project Parcel I-605-1

12900 Valley Boulevard

APN's 8110-023-024, -025

### **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 (LACMTA) to Grantor (Owner) 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 10:00 PM 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, construction will occur at only one driveway at a time, and in regard to construction occurring on the southeasterly driveway opposite the main gate, at least one half of said driveway will remain open and available for access purposes at all times. Trees, planters and metal posts to remain in place.

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.