

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF FOR
THE I-710 SOUNDWALL PACKAGE 3 PROJECT
CPN 80964 (APN 7312-021-009)**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY 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 the I-710 Soundwall Package 3 Project (Project) and 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 1240.510 and 1240.610, and Article I, Section 19 of the California Constitution.

Section 3.

The property interest consists of the acquisition of a temporary construction easement (TCE) and site improvements within the (TCE) area, as described more specifically in the legal description (Exhibit A) and depicted on the Plat Map (Exhibit B), attached hereto (hereinafter, the "Property", incorporated herein by this reference).

Section 4.

(a.) The acquisition of the above-described Property is necessary for the construction and maintenance of the Project;

(b.) Metro has received an exemption from having a draft EIR/EIS and a FEIS/FEIR. Metro was not required to have a CEQA Environmental Clearance because it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (CCR 15061 [b] [3]). The Categorical Exemption was given November 20, 2013 from Caltrans.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property 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 is already devoted.

Section 7.

The notice of intention to adopt this resolution was given by first class mail to each person whose Property 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.

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 described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of the Property 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.

Counsel is further authorized to compromise and settle, subject to approval by the Board when required, such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, MICHELE JACKSON, Secretary 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 25th day of July 2019.

MICHELE JACKSON,
LACMTA Board Secretary

Date: _____

ATTACHMENTS

- 1 - Legal Description (Exhibit "A")
- 2 - Plat Map (Exhibit "B")

**EXHIBIT A
LEGAL DESCRIPTION**

THE EASTERLY 10.00 FEET OF THOSE PORTIONS OF PARCELS 304 AND 305 OF LICENSED SURVEYOR'S MAP, IN RANCHO LOS CERRITOS, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 12, PAGE 38, OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED IN DEED RECORDED NOVEMBER 6, 2006 AS INSTRUMENT NO. 06-2461624, IN OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER.

CONTAINS: 500 SQUARE FEET, MORE OR LESS.

APN: 7312-021-009

NOTE:

THIS LEGAL DESCRIPTION WAS NOT PREPARED FOR ANY PURPOSE THAT WOULD BE IN VIOLATION OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT OR LOCAL ORDINANCES OF THE GOVERNING BODY HAVING JURISDICTION.

PREPARED BY:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752

Nov. 20, 2017
DATE



EXHIBIT B

Plat Map of the Required Parcel – Temporary Construction Easement

OWNER: GALE PROPERTY, LLC

PORTIONS OF PARCELS 304 AND 305, LICENSED SURVEYORS MAP,
L.S. 12-38.

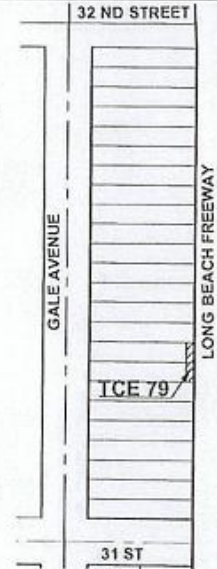
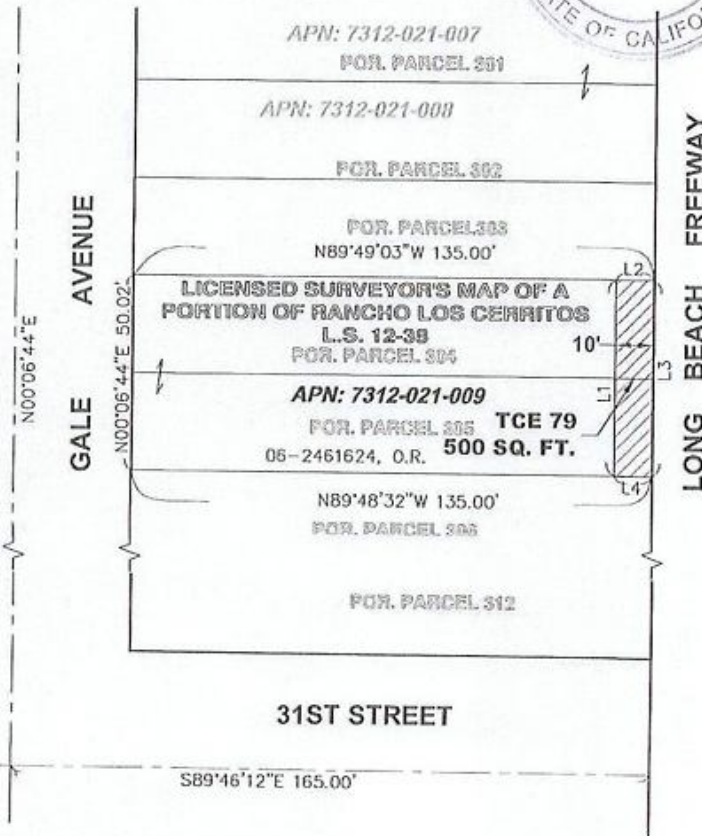
APN: 7312-021-009

BASIS OF BEARINGS:

THE BEARING N00°06'44"E AT THE CENTERLINE OF GALE AVENUE AS DETERMINED BY COORDINATES MEASURED IN THE CALIFORNIA STATE PLANE COORDINATE SYSTEM NAD 83, ZONE 5 (EPOCH 2010) WAS USED AS THE BASIS OF BEARINGS.

LEGEND:

APN = ASSESSOR'S PARCEL NUMBER
TCE = TEMPORARY CONSTRUCTION EASEMENT



VICINITY MAP
NOT TO SCALE

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°06'44"W	50.04'
L2	N89°49'03"W	10.00'
L3	N00°06'44"E	50.04'
L4	S89°48'32"E	10.00'

AREA	TOTAL	REQUIRED TCE	REMAINDER
SQUARE FEET	6,754	500	6,254

WAGNER
ENGINEERING
& SURVEY, INC.

APPROVED BY:

Stephanie A. Wagner

L.S.: 5752

I - 710
CORRIDOR PROJECT

DATE: 11-20-2017

SCALE: 1" = 40'

REV. No. DATE:

REV. No. DATE:

TCE
PARCEL No. 79