

**ATTACHMENT C**

**RESOLUTION OF THE  
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES  
AND AUTHORIZING THE ACQUISITION THEREOF  
PURPLE LINE WESTSIDE EXTENSION PROJECT, SECTION 2 - PARCEL NO. W-3602**

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 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) subsurface tunnel easement encompassing 19,535 square feet as described more specifically in the legal description (Exhibit A), and depicted on the Plat Map (Exhibits B-2, and B-3); and (b) a temporary construction easement over the entire 29,852 square feet of the Property for 98 months including the use of the office building located on the surface as described more specifically in the legal description (Exhibit A-1) and depicted on the Plat Map (Exhibit B-1) all of which are incorporated herein by this reference.

Section 4.

(a.) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the Purple Line (Westside) Subway Extension Project Section 2 ("Project");

(b.) The environmental impacts of the Project were evaluated in the Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR), which was certified by the Board on April 26, 2012 and May 24, 2012. The Board found that in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15162, no subsequent or supplemental Environmental Impact Report is required for the Project, and the FEIS/FEIR documents are consistent with CEQA; and;

(c.) The Board has reviewed and considered the FEIS/FEIR, before and as part of the process of determining whether to acquire the above-referenced Property.

#### 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 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

(e.) Environmental review consistent with the California Environmental Quality Act (CEQA) for the Project has been previously certified by this Board.

#### 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.

That 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 said 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 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, MICHELLE 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 May, 2017.

\_\_\_\_\_  
MICHELLE JACKSON  
LACMTA Secretary

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

**ATTACHMENTS**

- 1 - Exhibit A (Subsurface Tunnel Easement Legal Description)
- 2 - Exhibit A-1 (Office Building Legal Description)
- 3 - Exhibit B-1 (Office Building Plat Map)
- 4 - Exhibit B-2 (Subsurface Tunnel Easement Plat Map)
- 5 - Exhibit B-3 (Subsurface Tunnel Easement Plat Map)
- 6 - Exhibit C (Temporary Construction Easement)

**Exhibit A**  
**Subsurface Tunnel Easement Legal Description**

LEGAL DESCRIPTION

EXHIBIT "A"

THAT PORTION OF LOT 4 OF TRACT NO. 26196, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 684, PAGES 78 THROUGH 86 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, CONVEYED TO AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA BY CORPORATION GRANT DEED RECORDED OCTOBER 25, 1962, AS INSTRUMENT NO. 1590, OFFICIAL RECORDS OF SAID COUNTY, LYING WITHIN THE FOLLOWING DESCRIBED PARCEL OF LAND:

COMMENCING AT THE CENTERLINE INTERSECTION OF CENTURY PARK EAST AND CONSTELLATION BOULEVARD MARKED BY FOUR PUNCHMARKS ON A SEWER MANHOLE AS PER CITY OF LOS ANGELES FIELD BOOK 132-161, PAGE 121; THENCE SOUTH 35°33'52" EAST, 274.91 FEET ALONG SAID CENTERLINE OF CENTURY PARK EAST TO THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT 4; THENCE NORTH 59°26'08" EAST 43.16 FEET ALONG SAID WESTERLY PROLONGATION TO THE SOUTHERLY CORNER OF SAID LOT 4; THENCE NORTH 35°33'52" WEST, 322.06 FEET ALONG THE WESTERLY LINE OF SAID LOT 4 TO THE NORTHERLY LINE OF SAID GRANT DEED; THENCE SOUTH 35°33'52" EAST, 16.92 FEET ALONG SAID WESTERLY LINE OF SAID LOT 4 AND THE WESTERLY LINE OF SAID GRANT DEED TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1875.50 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 38°50'02" WEST, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID CURVE 229.88 FEET THROUGH A CENTRAL ANGLE OF 07°01'22" TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3587.35 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 31°32'43" WEST; THENCE NORTHEASTERLY ALONG SAID CURVE 57.38 FEET THROUGH A CENTRAL ANGLE OF 00°54'59" TO A POINT ON THE EASTERLY LINE OF SAID LOT 4, SAID POINT BEING SOUTH 30°33'52" EAST, 22.45 FEET ALONG SAID EASTERLY LINE FROM THE MOST NORTHERLY CORNER OF SAID GRANT DEED; THENCE SOUTH 30°33'52" EAST, 69.70 FEET ALONG SAID EASTERLY LINE TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3573.99 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 30°23'17" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE 73.15 FEET THROUGH A CENTRAL ANGLE OF 01°10'22" TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1784.50 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 31°52'41" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE 208.07 FEET THROUGH A CENTRAL ANGLE OF 06°40'50" TO SAID WESTERLY LINE OF SAID LOT 4; THENCE NORTH 35°33'52" WEST, 67.78 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING.

EXCEPT ALL MINERALS, OIL, GAS AND HYDROCARBONS IN AND UNDER SAID LAND BUT WITHOUT RIGHT OF ENTRY UPON THE SURFACE OR UPPER 500 FEET (MEASURED FROM THE SURFACE) OF SAID LAND, AS RESERVED BY FOX REALTY CORPORATION OF CALIFORNIA, IN DEED RECORDED APRIL 17, 1961 IN BOOK D 1190 PAGE 104, OFFICIAL RECORDS.

THE UPPER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED IS A DIAGONAL PLANE RANGING FROM AN APPROXIMATE ELEVATION OF +228 FEET TO +232 FEET MEAN SEA LEVEL AND THE LOWER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED IS A DIAGONAL PLANE RANGING FROM AN APPROXIMATE ELEVATION OF +191 FEET TO +186 FEET MEAN SEA LEVEL BASED ON THE CITY OF LOS ANGELES PUBLISHED ELEVATION OF 285.39 FT FOR BENCH MARK NO. 13-13450. THE UPPER LIMIT OF THIS EASEMENT IS APPROXIMATELY 49 FEET TO 53 FEET BELOW FINISH GRADE (SURFACE ELEVATION), AND THE LOWER LIMIT OF THIS EASEMENT IS APPROXIMATELY 90 FEET TO 95 FEET BELOW FINISH GRADE (SURFACE ELEVATION). THESE DEPTH ELEVATIONS WERE DETERMINED FROM THE LOS ANGELES METRO WESTSIDE PURPLE LINE EXTENSION PROJECT - SECTION 2 PROJECT DEFINITION DRAWINGS.

AFFECTS APN: 4319-001-008

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:

Janeen Nedlik  
JANEEN NEDLIK, P.L.S. 7563



May 3, 2017  
DATE

**Exhibit A-1**  
**Office Building Legal Description**

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SAID LAND CONVEYED TO AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA BY CORPORATION GRANT DEED RECORDED OCTOBER 25, 1962, AS INSTRUMENT NO. 1590, OFFICIAL RECORDS OF SAID COUNTY, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 4, TRACT NO. 26196, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 684 PAGES 78 THROUGH 86 INCLUSIVE OF MAPS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE MOST SOUTHERLY CORNER OF SAID LOT 4; THENCE NORTH 35° 46' 43" WEST, A DISTANCE OF 217.06 FEET ALONG THE WESTERLY LINE OF LOT 4, TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID WESTERLY LINE, NORTH 35° 46' 43" WEST, 105.00 FEET; THENCE NORTH 54° 13' 17" EAST, A DISTANCE OF 288.86 FEET TO THE EASTERLY LINE OF LOT 4, THENCE ALONG SAID EASTERLY LOT LINE, SOUTH 30° 46' 43" EAST, A DISTANCE OF 105.40 FEET; THENCE SOUTH 54° 13' 17" WEST, A DISTANCE OF 279.67 FEET TO THE **TRUE POINT OF BEGINNING**.

EXCEPT ALL MINERALS, OIL, GAS AND HYDROCARBONS IN AND UNDER SAID LAND BUT WITHOUT RIGHT OF ENTRY UPON THE SURFACE OR UPPER 500 FEET (MEASURED FROM THE SURFACE) OF SAID LAND, AS RESERVED BY FOX REALTY CORPORATION OF CALIFORNIA, IN DEED RECORDED APRIL 17, 1961 IN BOOK D 1190 PAGE 104, OFFICIAL RECORDS.

AFFECTS APN: 4319-001-008

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:

*Janeen Nedlik*  
\_\_\_\_\_  
JANEEN NEDLIK, P.L.S. 7563



*April 27, 2015*  
\_\_\_\_\_  
DATE

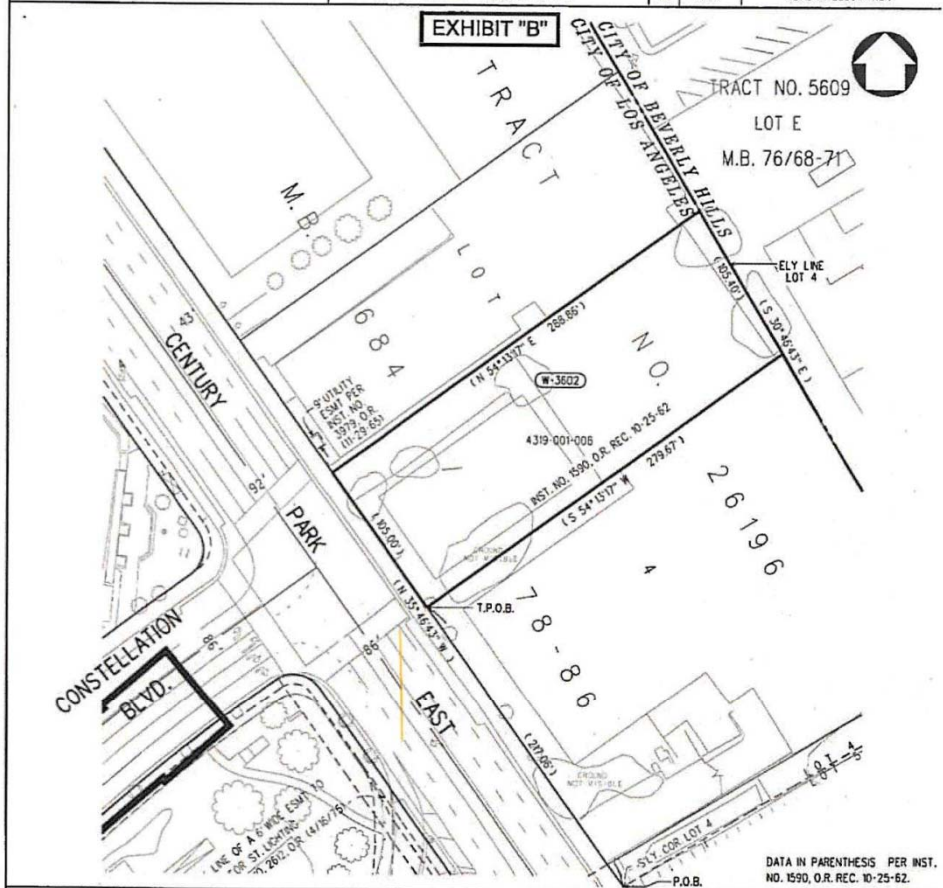
**Exhibit B-1**  
**Office Building Plat Map**



**EXHIBIT B-1**

EXHIBIT B-1

GRANTOR : AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA		The data shown on this map and/or plat are compiled from public sources and are subject to field verification.	
DESCRIPTION : PORTION OF LOT 4 OF TRACT NO. 26196, M.B. 684/78-86			
BENCH MARK :			
TITLE REPORT : ORANGE COAST TITLE NO. 140-1264287-32	ADDRESS : 1950 CENTURY PARK EAST LOS ANGELES 90067	NO.	DATE
ASSESSOR'S REF. : 4319-001-009	R.O.W. REFERENCE : R-30361 W-3602	REVISION DESCRIPTION	



PARCEL	W-3602		
AREA - SQUARE FEET	29,852		

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

**APPROVED BY:**

*Michael M. [Signature]*  
 DATE: 11/11/14  
 MTA PROJECT MANAGER

**PARCEL PLAT**

W-3602

SHEET 1 OF 1

CONTRACT NO./DESIGN UNIT	
SCALE	1"=88'
DATE	04/27/2015
DRAWN BY	T. RAINEY
CHECKED BY	J. NEOLIK
REV. DATE	REV. NO



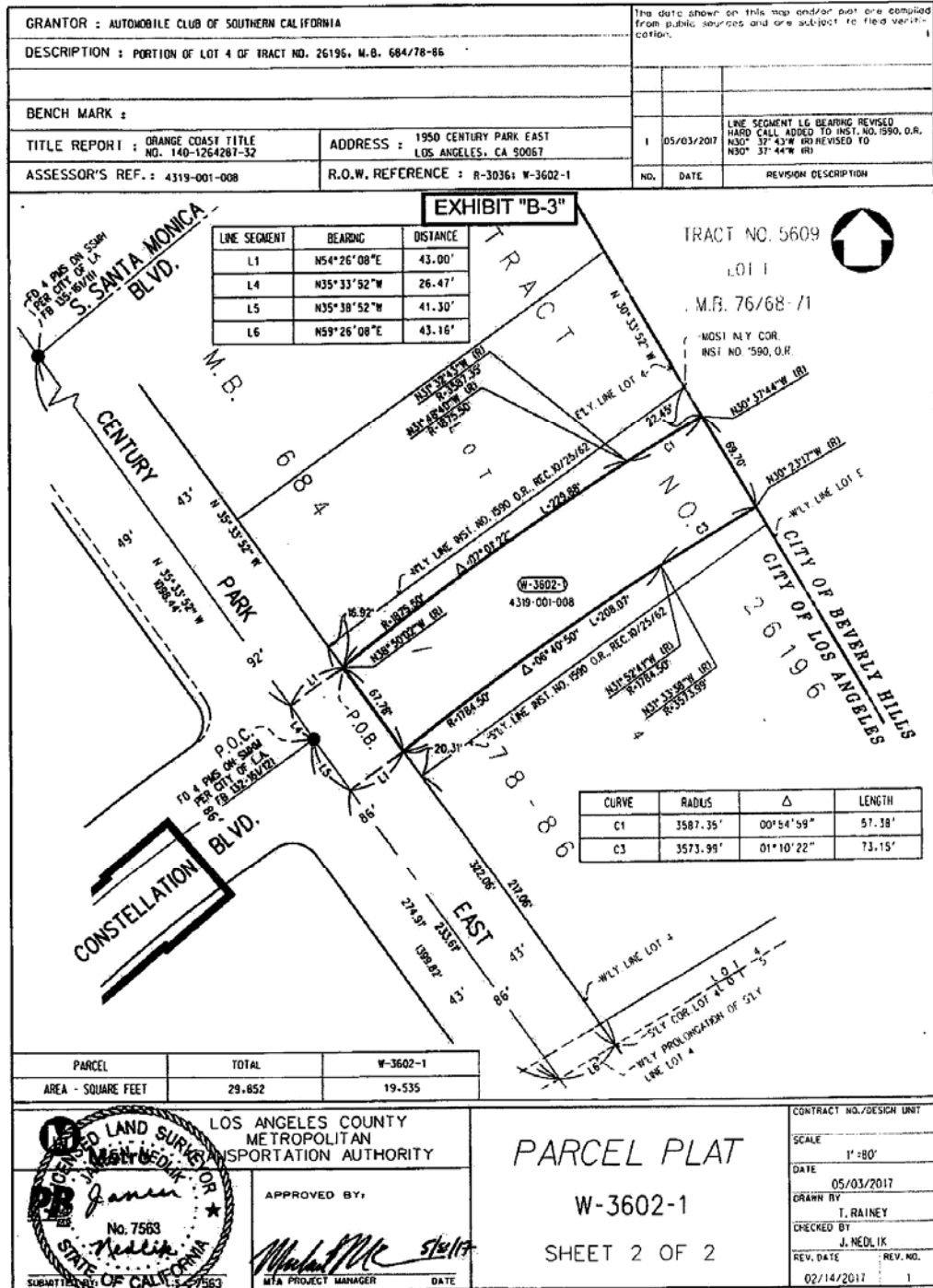
**Exhibit B-2**  
**Subsurface Tunnel Easement Plat Map**

**EXHIBIT B-2**

GRANTOR : AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA		The data shown on this map and/or plat are compiled from public sources and are subject to field verification.	
DESCRIPTION : PORTION OF LOT 4 OF TRACT NO. 26196, M.B. 684/72-86			
BENCH MARK :			
TITLE REPORT : GRANGE COAST TITLE: 140-1264287-32	ADDRESS : 1950 CENTURY PARK EAST, LOS ANGELES, CA 90067	NO.	DATE
ASSESSOR'S REF. : 4319-001-008	R.O.W. REFERENCE : R-3036; W-3602-1	REVISED SO THAT THE SIGNATURE DATE MATCHES PARCEL PLAT SHEET 2 OF 2	
<b>EXHIBIT "B-2"</b>			
PARCEL	TOTAL	W-3602-1	
AREA - SQUARE FEET	29,852	19,535	
		LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY	
		PARCEL PLAT W-3602-1 SHEET 1 OF 2	
APPROVED BY:		CONTRACT NO./DESIGN UNIT	
		SCALE	
		1"=300'	
SUBMITTED BY: T563 DATE:		DATE	
		05/03/2017	
METRO PROJECT MANAGER		DRAWN BY	
		T. RAINEY	
DATE		CHECKED BY	
		J. NEDLIK	
DATE		REV. DATE	
		02/14/2017	
DATE		REV. NO.	
		1	

**Exhibit B-3**  
**Subsurface Tunnel Easement Plat Map**

**EXHIBIT B-3**



**Exhibit C**  
**Temporary Construction Easement**

## EXHIBIT C

### DESCRIPTION OF USES OF TEMPORARY CONSTRUCTION EASEMENT AND PERMANENT TUNNEL EASEMENT

#### TEMPORARY CONSTRUCTION EASEMENT

The purpose and uses of the temporary construction easement shall include the following:

- (1) ingress and egress over, through, across, and under the Easement Area, by persons on foot and by vehicles of all kinds, sizes and weights;
- (2) storage in and upon the Easement Area of vehicles, equipment, and materials of all kinds and natures;
- (3) construction of temporary buildings, structures and other improvements in and upon the Easement Area, for any purpose reasonably related to the construction of a rapid transit system;
- (4) excavation within the Easement Area, or the storage area thereon of material excavated elsewhere, and the alteration of the surface elevation and grade thereof;
- (5) removal of the parking garage on the Property together with any trees, shrubs, or other vegetation from the Easement Area;
- (6) installation of temporary pipes, wires, or lines for water, gas, electric or telephone services, drainage, sewerage or other utilities on, across, over, under or through the Easement Area;
- (7) use of the office building as a field office for project design and construction personnel; and
- (8) all other uses necessary, incidental, convenient or useful to the construction by Grantee of a rapid transit system.

At the expiration of the easement, the easement area shall be restored as nearly as practicable to its condition at the time the easement commenced with the exception of reconstruction of the parking garage and the existence of subsurface foundations and soldier piles utilized in the construction of the access shaft and subsurface tunnels.

## **PERMANENT SUBSURFACE EASEMENT**

The purpose and uses of the permanent subsurface easement shall include the following:

**(a)** any usual, necessary and related uses necessary to construct, maintain, repair, operate, replace, relocate a rapid transit system including the right to remove an access shaft support system, together with the right to review plans and specifications for excavation or construction above or adjacent to the herein described easement area.