

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY INTERESTS, LEASEHOLD
IMPROVEMENTS, AND IMPROVEMENTS PERTAINING TO THE REALTY
NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION
THEREOF THROUGH THE EXERCISE OF EMINENT DOMAIN
THE EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT
PROJECT APN: 2210-025-005,035; ESFV-E-011-1**

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 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 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 interests to be acquired consist of: (i) the fee interest in the real property described in the legal description attached hereto as Exhibit "A-1" and depicted in the plat map attached hereto as Exhibit "B-1" ("Fee Interest"); and (ii) the leasehold improvements and improvements pertaining to realty that are more particularly described in Exhibit C-1 attached hereto ("Improvements") (hereinafter the Fee Interest and Improvements are collectively referred to as the "Property Interests"). Exhibits "A-1", "B-1", and C-1 are incorporated herein by reference.

Section 4.

(a.) The acquisition of the Property Interests is necessary for the development,

construction, operation, and maintenance of the East San Fernando Valley Light Rail Transit Project ("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 December 8, 2020. The Board found that in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15162, no supplemental Environmental Impact Report is required for the Project, and the FEIS/FEIR documents are consistent with CEQA. Through the Preliminary Engineering (PE) phase of the Project, design refinements to the southern segment were identified. Environmental analysis and findings of the proposed design refinements were documented in an Addendum to the Final Environmental Impact Report, in compliance with California Environmental Quality Act and approved by the Board in October 2023.

(c.) Accordingly, LACMTA has fulfilled the necessary statutory prerequisites to acquire the Property 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 Project;
- (b.) The 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 have been described herein, are necessary for the Project;
- (d.) The offers required by Section 7267.2 of the Government Code have been made to the owners of the Property Interests. Said offers were accompanied by a written statement of, and summary of the basis for, the amount established and offered as just compensation. The statements/summaries complied with Government Code Section 7267.2, in form and in substance, including by containing the required factual disclosures.

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 the owners of the Property Interests 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 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 scopes and descriptions of the 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 Los Angeles County Metropolitan Transportation Authority at a meeting held on the 25th day of July, 2024.

COLLETTE LANGSTON
LACMTA Board Clerk

Date: _____

ATTACHMENTS

Exhibit - A-1-- Fee Interest Legal Description

Exhibit - B-1-- Fee Interest Plat Map

Exhibit - C-1--Leasehold Improvements and Improvements Pertaining to Realty

EXHIBIT "A-1"
PARCEL ESFV-E-011-1

LEGAL DESCRIPTION

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

APN: [2210-025-005 and 2210-025-035](#)

The South 501 feet to the East 215 feet of Lot 6 of Tract No. 1532, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in [Book 22, Page\(s\) 130 and 131](#) of Maps, in the office of the County Recorder of said County.

Except the West 70 feet thereof.

APN: 2210-025-005 and 2210-025-035
(End of Legal Description)

EXHIBIT "B-1"
PARCEL ESFV-E-011-1

PLAT MAP

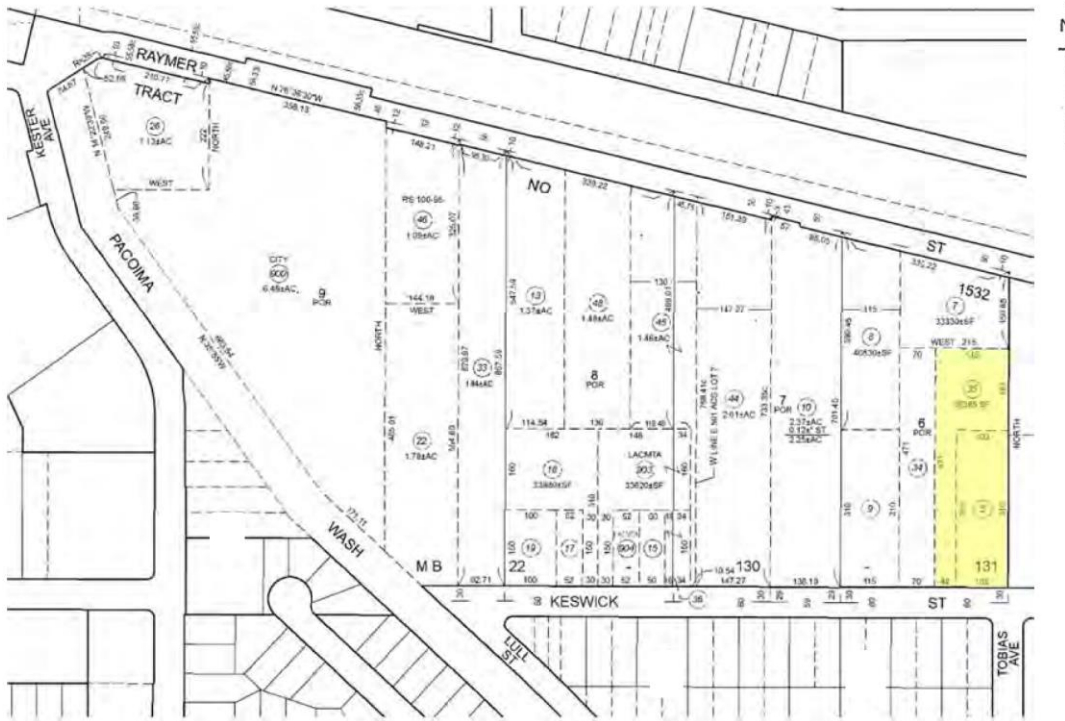


EXHIBIT "C-1"
PARCEL ESFV-E-011-1

FRONTIER COMMUNICATIONS
IMPROVEMENTS PERTAINING TO THE REALTY-TENANT
EFFECTIVE DATE OF VALUE - SEPTEMBER 12, 2023

Item No.	Qty.	Description
<u>EXTERIOR AND THROUGHOUT</u>		
1	1	Group of Information technology (IT) materials and installation, consisting of: <ul style="list-style-type: none"> 7 Wireless access points, with receptacles and category 6 (cat 6) cabling 1 Lot of internet cabling, cat 6 cabling, to internet points of use 260 Linear feet (LF) (estimate) of 2" diameter conduit and cabling, including approximately 130 Lf above ground (south building), and 130 LF below ground from south building to north building, including excavation, trenching, recompaction and asphalt patching 1 OM3 fiber optic cabling from the minimum point of entry (MPOE) to main distribution frame (MDF) 1 Installation of fiber optic cabling from the public right of way to the MPOE 2 Open frame component racks, 1 in each building
2	1	Group of security materials and installation, consisting of: <ul style="list-style-type: none"> 1 Access control system, Lenel, for 3 access control points (exterior front gate and 2 entry doors to buildings), with specialized access control hardware, electrical wiring, intercom and keypad at front gate, cabling from the front gate, output radio reader, Wiegand, at front gate with 20 vehicle remotes 6 Surveillance cameras, Axis, 360 degree, Internet protocol, cabling, conduit, cabling
3	1	Driveway rolling gate, 26 LF, 8'H, 3 strand barbed wire, in-ground sensor loop, 1 safety beam interrupter switch, including 39 LF of chain-link fence, 8'H with 3 strand barbed wire, 1 pedestrian gate, 4'W x 8'H
4	4	Roof-mounted exhaust systems, 2 in each warehouse, including, roof curbs, 2 air handlers, interior ducting and returns, local electrical, engineering, permitting

EXHIBIT "C-1"
PARCEL ESFV-E-011-1 (Cont'd)

Item No.	Qty.	Description	F
5	8	High intensity discharge (HID) LED lights, motion sensors, exterior building mounted, including, local electrical	
6	1	Lot of minor miscellaneous improvements, throughout, consisting of: <ul style="list-style-type: none"> 1 Lot of minor miscellaneous signage, throughout 1 Sun shade, on exterior of south office wall, 8' x 6.5', fabric 6 Wall standards, 4-6'H, 2-4'H, 22-1'L standouts, with hanger rods, north warehouse 	
7	1	Equipment pen, 13' x 11' footprint, 8.5'H, 4 sided chain link fence, 2 interior partitions, chain-link, 11'L x 8.5'H, corrugated galvanized iron (CGI) roof with 8 tubular metal uprights, 2-3.75'W swing gates, in yard	
8	13	LF of chain link fence equipment pen, 10'H, including 2 swing gates, 4.75'W, 4 gas cylinder bottle rails, 5.5'L x 4'H, 2" diameter painted tubular metal, "U" shaped, ground mounted, 1 mail box, swing gate mounted, in yard	
9	1	Ice merchandiser canopy, 12' x 8' x 6' with 4 uprights, tubular metal, 3" diameter with 2 "L" shaped cross members, in yard	
10	1	Electrical receptacle, with weather housing for ice merchandiser, south building exterior wall mounted, including local electrical	
11	28	Linear feet (estimate) of .75" diameter copper water supply pipe with 4 ball valves, 1 hose bib, 1 water filter manifold, GE Space Appliances, M: GXWH35S, S: ZR4A 01904T, in yard	
12	1	Air compressor canopy, 8'L x 8"H x 5'W, 4 tubular metal uprights, 3" inch diameter, CGI roof cover, concrete equipment pad, 9"H, in yard	
13	1	Security alarm system, throughout, consisting of: <ul style="list-style-type: none"> 2 Control panels 2 Code pads 5 Motion sensors 4 Door contacts 10 Roll up door contacts 	

EXHIBIT "C-1"
PARCEL ESFV-E-011-1 (Cont'd)

Item No.	Qty.	Description
<u>SOUTH OFFICE AND WAREHOUSE</u>		
14	21	Lf of chain link equipment pen, 10'H, 3 sided, 2 swing doors, 4.5'L x 10'H
15	19	Light fixtures, in warehouse, LED, 2-approximately 10" diameter, 17-4'L strip fixtures, 4 elements each, with motion sensors, approximately 675 LF of .5" diameter EMT conduit, circuit breakers, 20 Amp
<u>NORTH OFFICE AND WAREHOUSE</u>		
16	72	Lf of chain link equipment pen, 10'H, with 1-44"W swing gate
17	20	Light fixtures, LED, 4'L, 4 elements each, with motion sensors, approximately 680 LF of .5" diameter EMT conduit, circuit breakers
18	1	Group of electrical, for business equipment, consisting of: <ul style="list-style-type: none"> 140 Lf (estimate) of 3" diameter metal conduit from main service panel to subpanel E 1 Subpanel "E", 200 Amp, 240 V, west wall mounted, including circuit breakers, with safety switch 200 Lf (estimate) of .75" diameter metal conduit, including, 1 duplex receptacle, 8 quad receptacles, 120 V, 1 single receptacle, 240V 2 Safety switches, 240 V, 30 Amp, for vehicle lift and exterior air compressor
19	1	Vehicle Lift, Mohawk, M: TP18, S; 9401169, 2 post, 18,000 lbs. capacity, floor mounted, installation
20	2	Equipment pads, for Mohawk vehicle lift, reinforced concrete, 2-6' x 5' footprints, including 8 LF of 1'W concrete pad between vehicle posts, 8"D (estimate), saw cutting and demolition of preexisting concrete slab

EXHIBIT "C-1"
PARCEL ESFV-E-011-1 (Cont'd)

Item No.	Qty.	Description
21	200	LF (estimate) of compressed air piping, .75" diameter, metal, from exterior air compressor to points of use, including, 5 quick connects, 1 hose reel, Reelcraft, M: 2Z864, wall mounted

FRONTIER COMMUNICATIONS
LEASEHOLD IMPROVEMENTS-TENANT
EFFECTIVE DATE OF VALUE - SEPTEMBER 12, 2023

Item No.	Qty.	Description
22	3	Roll up warehouse doors, 1 north wall of south warehouse, 14'W x 12'H, motorized, with safety beam, local electrical, 2 north warehouse, west side, 1-12.5'W x 14'H, 1-14'W x 14'H, manual track doors, spring loaded
23	1	Wireless security/fire alarm antenna
24	1	Lot of parking area striping, exterior and in warehouses, including, 48 standard and truck spaces, 4 ADA spaces, directional arrows, walkways
25	33	Wheel bumpers, concrete, 4'L, throughout
26	11	Emergency exit signs, including, 9 single sides, 2 with 2 element light fixtures, 2-2 sided

FRONTIER COMMUNICATIONS
IMPROVEMENTS PERTAINING TO THE REALTY-LANDLORD
EFFECTIVE DATE OF VALUE - SEPTEMBER 12, 2023

Item No.	Qty.	Description
224	1	Pole sign, painted metal, approximately 20'H, 6" square tubular single post, including, 2 sign frames, 1-10'W x 4'H, 1-6'W x 3'H, (no sign fascias