

**RESOLUTION OF THE  
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES  
AND AUTHORIZING THE ACQUISITION THEREOF FOR  
THE ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT PARCEL  
RM-33**

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 Rosecrans/Marquardt 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, 130220.5, and 132610, 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 consist of the acquisition of a Permanent Roadway Easement and a Temporary Construction Easement as described more specifically in the Legal Descriptions (Exhibit A and Exhibit A-1) and depicted on the Plat Maps (Exhibit B and Exhibit B-1), attached hereto (hereinafter the "Property"), incorporated herein by this reference.

Section 4.

(e) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the Project;

(f) As per Section 21080.13 of CQA, all railroad grade separation projects are exempt under CEQA. The Notice of Exemption was given February 29, 2016 from the Governor's Office of Planning & Research. The Draft Environmental Assessment report was issued by the Federal Railroad Administration (FRA) in

April 2018, pursuant to 42 USC § 4332, 49 USC § 303 and 64 FR 28545.

Accordingly, LACMTA has fulfilled the necessary prerequisites to acquire the Property by eminent domain.

#### Section 5.

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

- (k) The public interest and necessity require the proposed Project;
- (l) 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;
- (m) The Property sought to be acquired, which has been described herein, is necessary for the proposed Project;
- (n) The offer required by Section 7267.2 of the Government Code has been made to the Owner; and
- (o) The California Environmental Quality does not apply to railroad grade separation projects which eliminate an existing grade crossing, and therefore no environmental document is required for this Project.

#### 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 5th day of December, 2019.

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MICHELE JACKSON  
LACMTA Secretary

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

**ATTACHMENTS**

- 1 - Legal Descriptions (Exhibit "A" and Exhibit "A-1")
- 2 - Plat Maps (Exhibit "B" and Exhibit "B-1")

**EXHIBIT A  
ROADWAY EASEMENT  
LEGAL DESCRIPTION**

**PARCEL A (ROADWAY EASEMENT)**

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 6777, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 71, PAGES 74 AND 75, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1 SOUTH 00°29'13" EAST, 11.13 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 699.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS NORTH 10°08'30" WEST;

THENCE LEAVING SAID WESTERLY LINE AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°46'02" AN ARC LENGTH OF 119.16 FEET;

THENCE NORTH 89°37'32" EAST, 30.00 FEET;

THENCE NORTH 83°22'16" EAST, 9.18 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL 1;

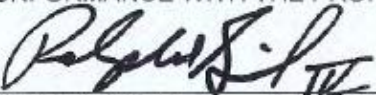
THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 1 SOUTH 89°37'32" WEST, 157.73 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 553 SQUARE FEET OR 0.013 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

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

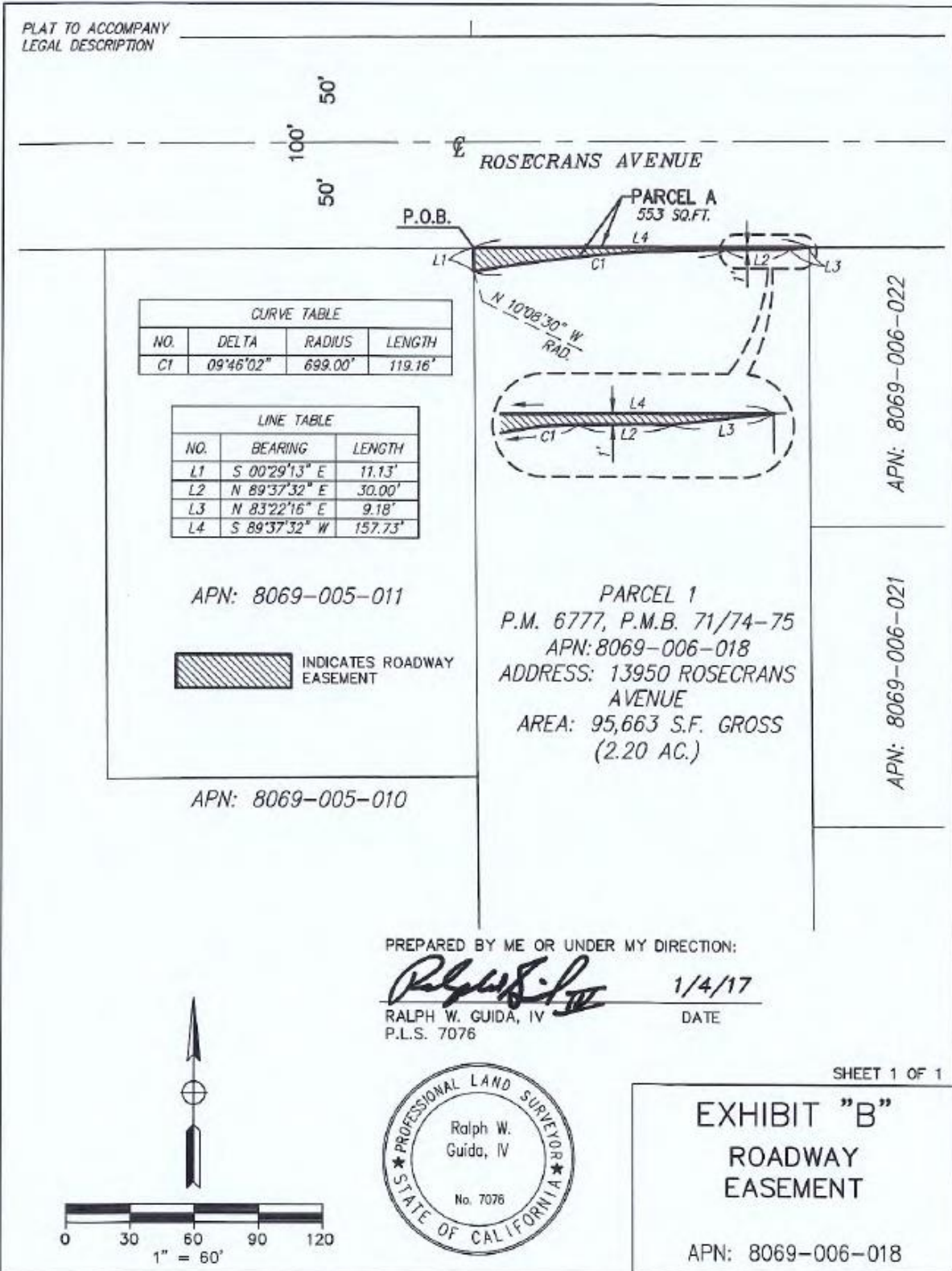
THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

  
\_\_\_\_\_  
RALPH W. GUIDA, IV, P.L.S. 7076

1/4/17  
\_\_\_\_\_  
DATE



**EXHIBIT B**  
Plat Map of the Required Parcel – Roadway Easement





**EXHIBIT A-1**  
**TEMPORARY CONSTRUCTION EASEMENT**  
**LEGAL DESCRIPTION**

**PARCEL A (TEMPORARY CONSTRUCTION EASEMENT)**

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 6777, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 71, PAGES 74 AND 75, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1 SOUTH 00°29'13" EAST, 11.13 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 699.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS NORTH 10°08'30" WEST, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID WESTERLY LINE AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°46'02" AN ARC LENGTH OF 119.16 FEET;

THENCE NORTH 89°37'32" EAST, 30.00 FEET;

THENCE NORTH 83°22'16" EAST, 9.18 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1 SOUTH 00°29'13" EAST, 16.40 FEET;

THENCE LEAVING SAID EASTERLY LINE SOUTH 89°30'47" WEST, 50.10 FEET;

THENCE NORTH 00°28'53" WEST, 6.33 FEET;

THENCE SOUTH 89°31'07" WEST, 71.41 FEET;

THENCE SOUTH 00°28'39" EAST, 5.08 FEET;

THENCE SOUTH 76°12'29" WEST, 29.00 FEET;

THENCE SOUTH 00°29'13" EAST, 28.32 FEET;

THENCE SOUTH 89°30'47" WEST, 8.00 FEET TO SAID WESTERLY LINE;

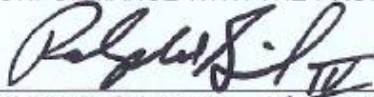
THENCE ALONG SAID WESTERLY LINE NORTH 00°29'13" WEST, 39.31 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1,935 SQUARE FEET OR 0.044 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

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

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.



RALPH W. GUIDA, IV, P.L.S. 7076

1/4/17

DATE



# EXHIBIT B-1

## Plat Map of the Required Parcel – Temporary Construction Easement

