

**RESOLUTION OF THE  
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC  
PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF THROUGH THE  
EXERCISE OF EMINENT DOMAIN  
WESTBOUND SR-91 ALONDRA BOULEVARD TO SHOEMAKER AVENUE  
IMPROVEMENT PROJECT, (“PROJECT”)**

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 consist of the acquisition of a partial fee interest (“Fee”) and a 48-month Temporary Construction Easement (“TCE”), as described more specifically in the legal descriptions Exhibits “A-1” and “A-2”, respectively, and depicted in the plat maps Exhibit “B-1” and “B-2”, respectively, (hereinafter, the “Property Interests”). The Fee, consisting of the area along the western property line located primarily within Bloomfield Avenue right of way, is required for reconstruction of a retaining wall and sound wall. The 48-month TCE is located adjacent to the Fee and grants access to the sound wall/retaining wall work area. The TCE is also required to allow access to rebuild a section of a failing retaining wall located on the owner’s property.. The TCE term shall have a duration up to forty-eight (48) months. The TCE is scheduled to begin on or about September 30, 2022 or as soon thereafter as agreed by the underlying fee owner or ordered by the Court, and will terminate no later than September 30, 2026. The TCE term shall include exclusive use by

the easement holder of the TCE area for an estimated six (6) concurrent months, with the remainder of the 48-month TCE term non-exclusive allowing fee owner's use of the TCE area to the extent it does not interfere with any Project construction activities.

#### Section 4.

(a.) The acquisition of the above-described Property Interests is necessary for the development, construction, operation, and maintenance of the Westbound SR-91 Alondra Boulevard to Shoemaker Avenue 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 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 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 offers 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 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 and each person whose property 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 Interests 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, and, with the concurrence and approval of LACMTA Staff, to make minor adjustments to the scope and descriptions of easements or other Property 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 25th day of August 2022.

\_\_\_\_\_  
COLLETTE LANGSTON  
LACMTA Board Clerk

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

**ATTACHMENTS**

Exhibit A-1 and A-2 – Legal Description

Exhibit B-1 and B-2 – Plat Map

**LEGAL DESCRIPTION**

## LEGAL DESCRIPTION

### WESTBOUND - STATE ROUTE 91 PARCEL 81507-1 (FEE PARCEL)

That portion of Parcel 1 of Parcel Map No. 10063, in the City of Cerritos, County of Los Angeles, State of California, as per map recorded in Book 97, Page 32, of Maps, in the Office of the County Recorder of said Los Angeles County, described as follows:

**BEGINNING** at the Northwest Corner of said Parcel 1; thence along the Westerly line of said Parcel 1, the following courses: South 00°42'46" East, 159.18 feet; thence South 33°56'33" East, 16.58 feet to a line parallel with and distant 9.08 feet Easterly, measured at right angles, from the Westerly line of said Parcel 1; thence leaving said Westerly line, along said parallel line, North 00°42'46" West, 76.09 feet; thence leaving said parallel line, North 01°26'28" East, 96.97 feet to the Northerly line of said Parcel 1; thence along said Northerly line, South 89°30'44" West, 12.73 feet to the **POINT OF BEGINNING**.


This conveyance is made for the purpose of a freeway and the **GRANTOR** hereby releases and relinquishes to the **STATE** any and all abutter's rights including access rights, appurtenant to **GRANTOR'S** remaining property, in and to the freeway.

**SUBJECT TO** all Covenants, Rights, Rights-of-Way and Easements of Record.

Unless otherwise noted, all bearings and distances are in terms of the California Coordinate System (CCS83), Zone 6, based on the North American Datum of 1983 Epoch

Westbound  
State Route 91  
Parcel 81507

1993.1 as locally adjusted by Caltrans. All distances are grid, divide distances by 0.9999601897 to obtain ground distances.

 1/6/2022  
\_\_\_\_\_  
JOHN R DUQUETTE, P.L.S. 7566                      Date

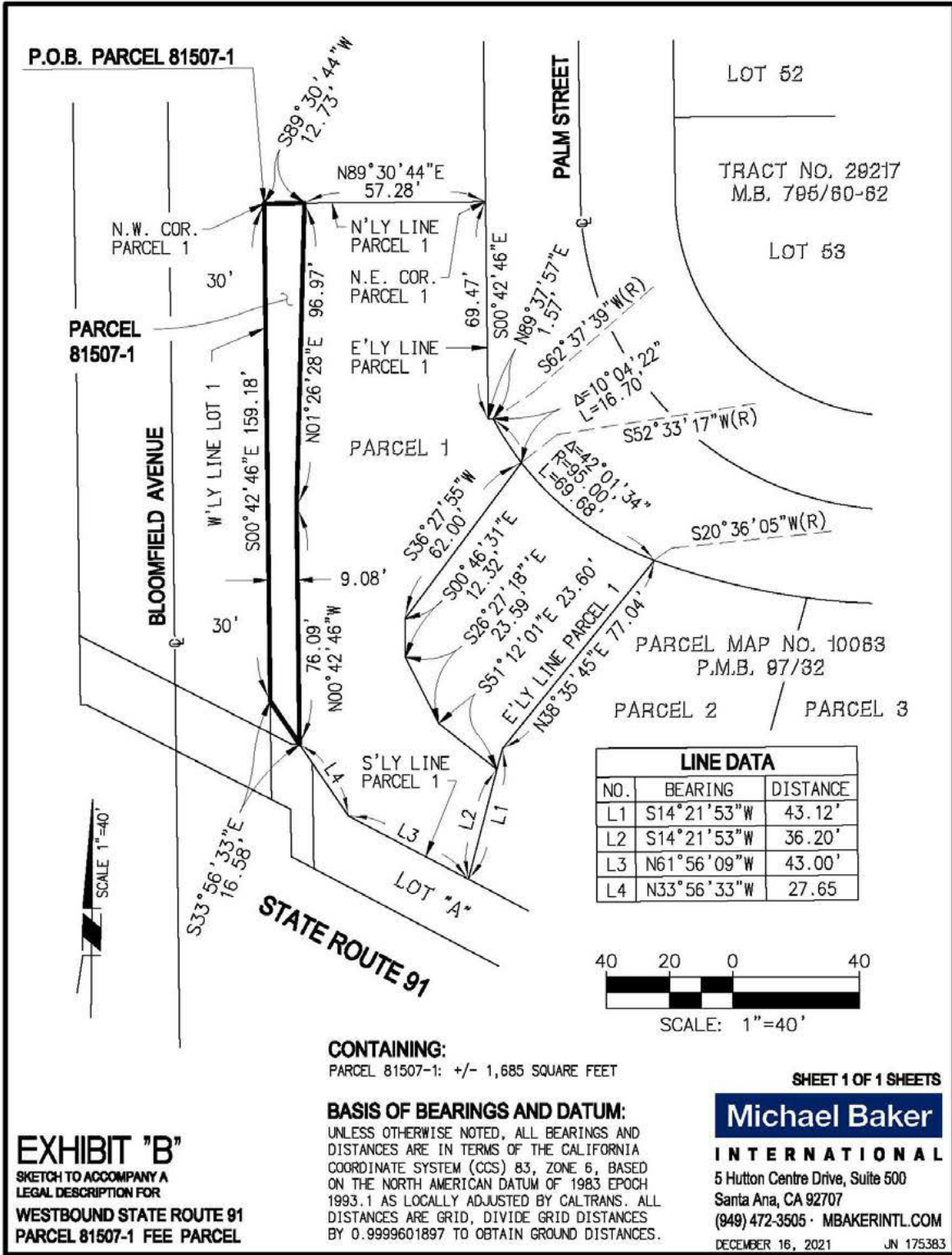


Michael Baker International  
5 Hutton Centre Drive, Suite 500  
Santa Ana, California 92707  
Project No. 175383

H:\pdata\175383\CADD\Mapping\Legal Descriptions and Exhibits\81507\Legal Descriptions\Parcel 81507 Legal.docx

**PLAT MAP**





**LEGAL DESCRIPTION**

**WESTBOUND - STATE ROUTE 91  
PARCEL 81507-2 (TEMPORARY CONSTRUCTION EASEMENT)**

That portion of Parcel 1 of Parcel Map No. 10063, in the City of Cerritos, County of Los Angeles, State of California, as per map recorded in Book 97, Page 32, of Maps, in the Office of the County Recorder of said Los Angeles County, described as follows:

**COMMENCING** at the Northwest Corner of said Parcel 1; thence along the Northerly line of said Parcel 1, North 89°30'44" East, 12.73 feet to the **TRUE POINT OF BEGINNING**; thence continuing along said Northerly line, North 89°30'44" East, 57.28 feet to the Northeast corner of said Parcel 1; thence along the Easterly line of said Parcel 1, South 00°42'46" East, 69.47 feet; thence North 89°37'57" East, 1.57 feet to the beginning of a non-tangent concave Northeasterly having a radius of 95.00 feet, a radial line of said curve to said point bears South 62°37'39" West; thence along said curve Southeasterly, a distance of 16.70 feet, through a central angle of 10°04'22"; thence leaving said Easterly line, South 36°27'55" West, 62.00 feet; thence South 00°46'31" East, 12.32 feet; thence South 26°27'18" East, 23.59 feet; thence South 51°12'01" East, 23.60 feet to said Easterly line of Parcel 1; thence South 14°21'53" West, 36.20 feet to the Southerly line of said Parcel 1; thence along said Southerly line, North 61°56'09" West, 43.00 feet; thence North 33°56'33" West, 27.65 feet to a point lying distant 9.08 feet measured at right angles, Easterly, from the Westerly line of said Parcel 1; thence leaving said Southerly line, parallel with said Westerly line, North 00°42'46" West, 76.09 feet; thence North 01°26'28" East, 96.97 feet to the **TRUE POINT OF BEGINNING**.


Rights to the above described temporary easement shall cease and terminate on September 30, 2026. Said rights may also be terminated prior to the above date by **STATE** upon notice to **GRANTOR**.

Westbound  
State Route 91  
Parcel 81507

**CONTAINING:** 10,777 Square Feet more or less

**SUBJECT TO** all Covenants, Rights, Rights-of-Way and Easements of Record.

Unless otherwise noted, all bearings and distances are in terms of the California Coordinate System (CCS83), Zone 6, based on the North American Datum of 1983 Epoch 1993.1 as locally adjusted by Caltrans. All distances are grid, divide distances by 0.9999601897 to obtain ground distances.

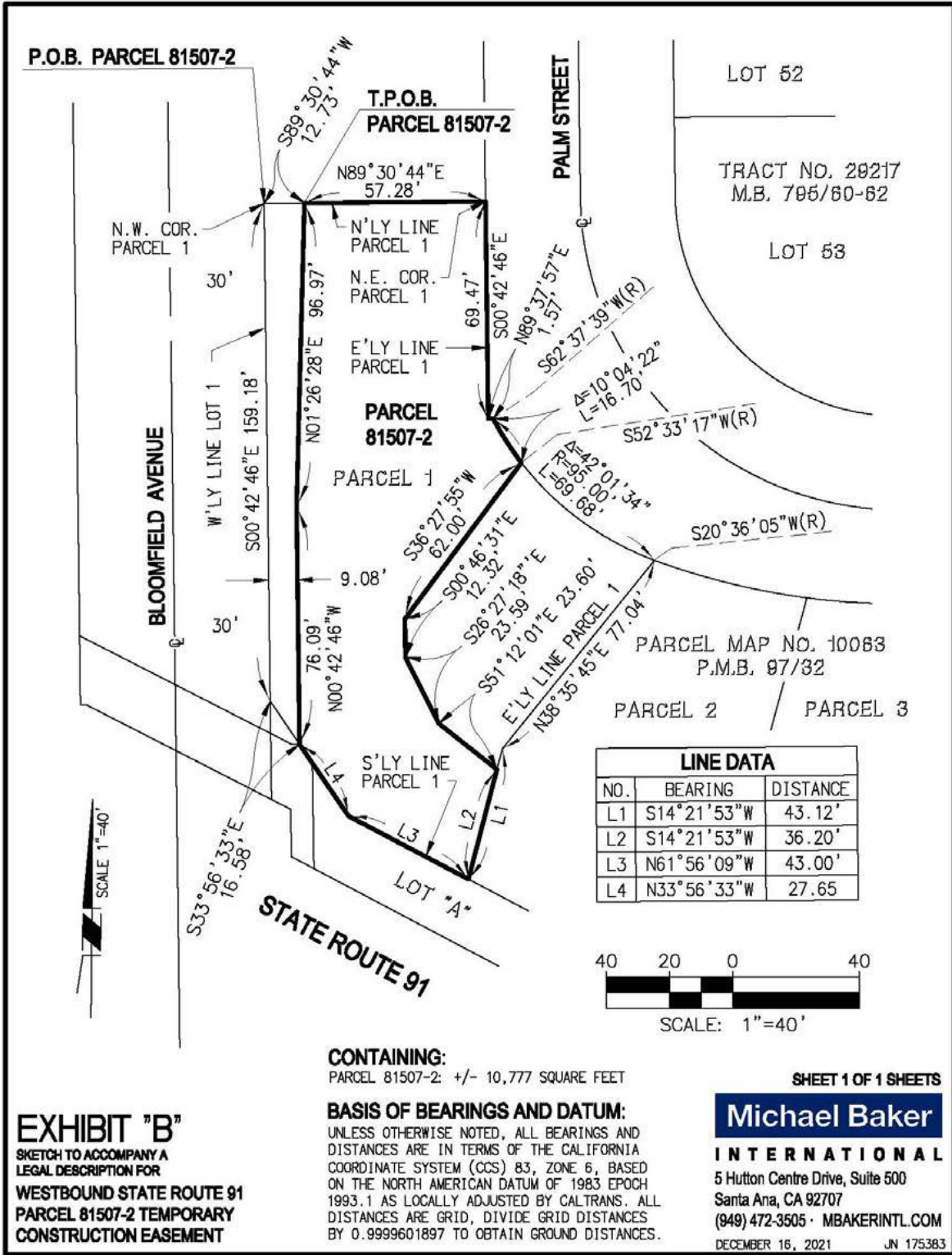
  
\_\_\_\_\_  
JOHN R DUQUETTE, P.L.S. 7566                      1/6/2022                      Date



Michael Baker International  
5 Hutton Centre Drive, Suite 500  
Santa Ana, California 92707  
Project No. 175383

H:\pdata\175383\CADD\Mapping\Legal Descriptions and Exhibits\81507\Legal Descriptions\Parcel 81507 Legal.docx

**PLAT MAP**



P.O.B. PARCEL 81507-2

T.P.O.B.  
PARCEL 81507-2

LOT 52

TRACT NO. 20217  
M.B. 705/60-62

LOT 53

N.W. COR.  
PARCEL 1

N'LY LINE  
PARCEL 1

N.E. COR.  
PARCEL 1

E'LY LINE  
PARCEL 1

PARCEL  
81507-2

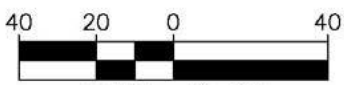
PARCEL 1

PARCEL MAP NO. 10083  
P.M.B. 07/32

PARCEL 2

PARCEL 3

LINE DATA		
NO.	BEARING	DISTANCE
L1	S14°21'53"W	43.12'
L2	S14°21'53"W	36.20'
L3	N61°56'09"W	43.00'
L4	N33°56'33"W	27.65'



SCALE: 1"=40'

**CONTAINING:**  
PARCEL 81507-2: +/- 10,777 SQUARE FEET

SHEET 1 OF 1 SHEETS

**EXHIBIT "B"**  
SKETCH TO ACCOMPANY A  
LEGAL DESCRIPTION FOR  
WESTBOUND STATE ROUTE 91  
PARCEL 81507-2 TEMPORARY  
CONSTRUCTION EASEMENT

**BASIS OF BEARINGS AND DATUM:**  
UNLESS OTHERWISE NOTED, ALL BEARINGS AND  
DISTANCES ARE IN TERMS OF THE CALIFORNIA  
COORDINATE SYSTEM (CCS) 83, ZONE 6, BASED  
ON THE NORTH AMERICAN DATUM OF 1983 EPOCH  
1993.1 AS LOCALLY ADJUSTED BY CALTRANS. ALL  
DISTANCES ARE GRID, DIVIDE GRID DISTANCES  
BY 0.9999601897 TO OBTAIN GROUND DISTANCES.

**Michael Baker**  
**INTERNATIONAL**  
5 Hutton Centre Drive, Suite 500  
Santa Ana, CA 92707  
(949) 472-3505 · MBAKERINTL.COM  
DECEMBER 16, 2021 JN 175383