

**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- RM-29**

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 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 fee simple, as described more specifically in the legal description (Exhibit A), depicted on the Plat Map (Exhibit B), and the Improvements Pertaining to Realty (Exhibit C) attached hereto (hereinafter, the "Property"), 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 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 the project is at Grade. 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.;

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.) 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, 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 28th day of March, 2019.

MICHELLE JACKSON
LACMTA Secretary

Date: _____

ATTACHMENTS

- 1 - Legal Description (Exhibit "A")
- 2 - Plat Map (Exhibit "B")
- 3 – Improvements Pertaining to Realty (Exhibit "C")

EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT "A"

LEGAL DESCRIPTION

(A.P.N. 8069-005-008)

THAT PORTION OF LOT 4 OF TRACT NO. 2151, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 27, PAGE 34 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF SAID LOT 4, DISTANT NORTH 89 DEGREES 28 MINUTES 40 SECONDS EAST THEREON 503.61 FEET FROM THE MOST WESTERLY CORNER THEREOF; THENCE CONTINUING ALONG SAID NORTHERLY LINE, NORTH 89 DEGREES 28 MINUTES 40 SECONDS EAST 86.32 FEET; THENCE SOUTHERLY 0 DEGREES 31 MINUTES 20 SECONDS EAST 187.82 FEET; THENCE PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 4, SOUTH 89 DEGREES 28 MINUTES 40 SECONDS WEST 86.32 FEET TO A POINT IN A LINE WHICH BEARS SOUTH 0 DEGREES 31 MINUTES 20 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 0 DEGREES 31 MINUTES 20 SECONDS WEST 187.82 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM ONE-HALF OF ALL OIL, GAS AND OTHER HYDROCARBONS, IN AND UNDER SAID LAND, AS RESERVED IN THE DEED FROM EDWARD G. PADDISON AND WIFE, RECORDED DECEMBER 17, 1947 IN BOOK 25994, PAGE 326, OFFICIAL RECORDS, BUT WITH NO RIGHT OF SURFACE ENTRY THEREON TO A DEPTH OF 200 FEET.

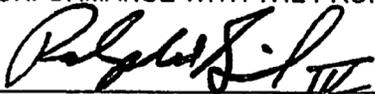
IN BOOK 52385, PAGE 225, OF OFFICIAL RECORDS, THERE WAS RECORDED ON DECEMBER 24, 1956, A QUITCLAIM DEED EXECUTED BY EDWARD G. PADDISON AND GRACE MAUDE PADDISON, HUSBAND AND WIFE, OF ALL RIGHT, TITLE AND INTEREST IN AND TO THE USE OF THE SURFACE AND SUBSURFACE AREA TO A DEPTH OF 200 FEET MEASURED FROM SAID SURFACE OF SAID LAND.

THE ABOVE DESCRIBED PARCEL CONTAINS 16,213 SQUARE FEET OR 0.372 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED UPON THE CENTERLINE OF ROSECRANS AVENUE BEING NORTH 89°28'40" EAST PER RECORD OF SURVEY FILED IN BOOK 45, PAGE 29, OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

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

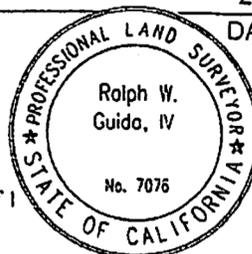
THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.



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

2/24/2016

DATE



**EXHIBIT B
PLAT MAP**

EXHIBIT B

Plat Map of the Required Parcel - Fee Simple

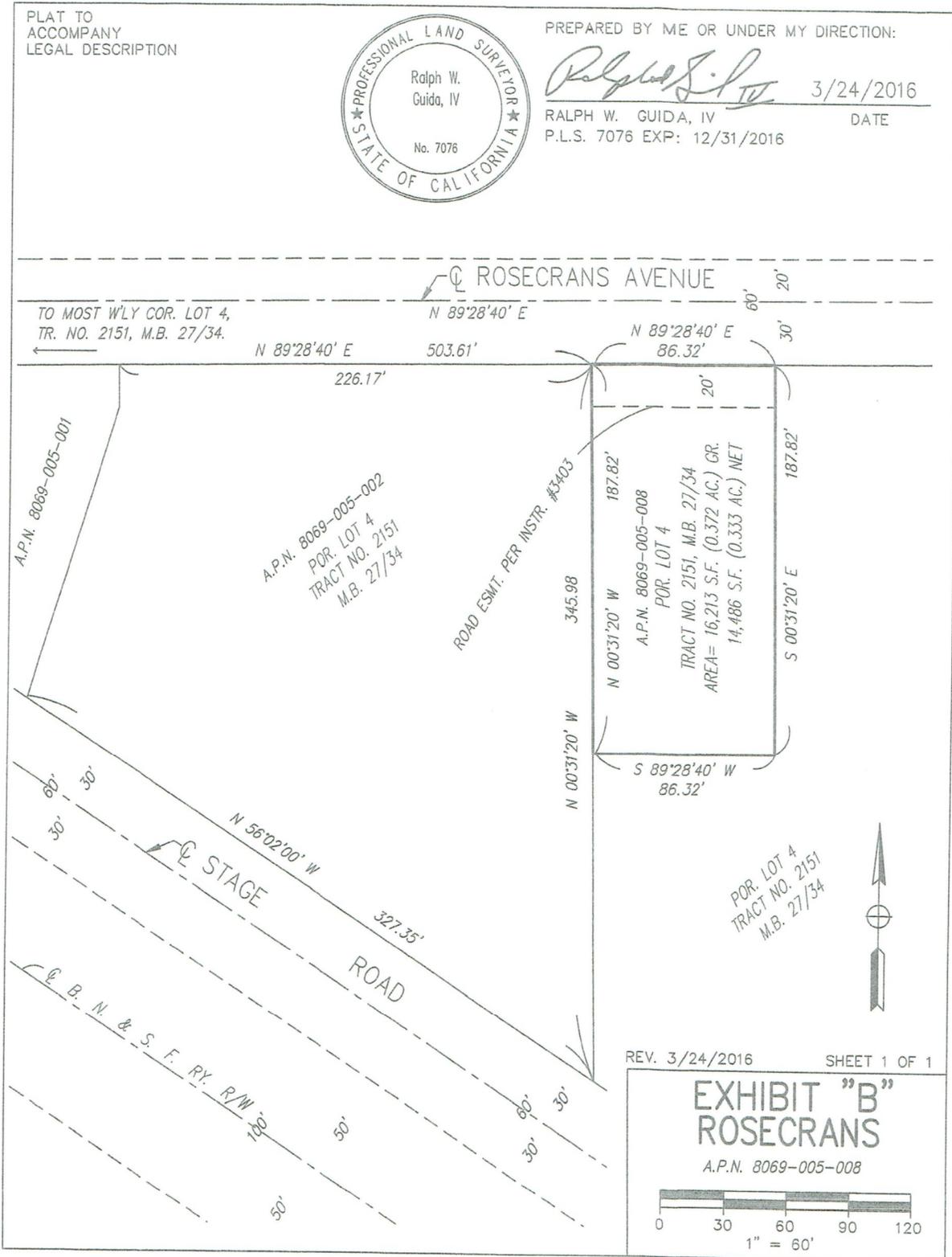


EXHIBIT C
NON-MOVABLE IMPROVEMENT PERTAINING TO REALTY
(FIXTURES AND EQUIPMENT)

EXHIBIT C

L I N E	Q T Y	DESCRIPTION:
IMPROVEMENTS PERTAINING TO THE REALTY		
1		
2	1	LOT C/O FENCING AND GATES:
3		(236)LF INTERIOR CHAIN LINK (#9) FENCE X 6'H
1		(19) MANGATES, 36"W TYPICAL
2		
3		KENNEL, OUTDOOR
4	1	LOT CONSISTING OF EXTERIOR CONSTRUCTION:
5		(1,243)SF CONCRETE SLAB INCLUDING WALK WAYS AND KENNELS (ASSUME 4")
6		(160)LF DRAINAGE, U/SLAB, 4" PIPE (ASSUME PVC), WITH 4" STL GRATE
7		(1) CANOPY, STL CONSTRUCTION, (1540)SF X 8'H, FREESTANDING, STL PANEL ROOF COVER, 6" ALUM I-BEAM RAFTERS, 3"X3" STL COLUMNS W/SHT MTL COVER, (70)LF OF GUTTER ON SOUTH SIDE
8		(316)LF 12" CONCRETE BLOCK WALL, X 4.3'H
9		(16) DOUBLE BULB FLOOD LIGHT FIXTURES
10		(24) CAGE BASKETS, COPPER WIRE
11		(34) WIRE MESH GATES, 43"X72"H INCLUDING 3" PIPE FRAME SET IN CONCRETE
12		(32) PANELS, 2'X8' WIRE MESH 1.5" INCLUDES 1.5" PIPE FRAME
13		(16) SAME AS ABOVE, 2'X3'
14		
15	1	SHED, FEED PREP
16		WOOD FRAME, WOOD EXTERIOR, (10'X8'), 12"X12" CERAMIC TILE FLOOR, FINISHED DRYWALL INTERIOR, (1) THRU WALL A/C UNIT, EMERSON (1) EXHAUST FAN, (1) 36" WOOD DOOR, (1) 36" SECURITY SCREEN DOOR, INCLUDING CONCRETE SLAB
17		
18	1	LOT C/O TREES:
19		(3) QUEEN PALMS, MATURE
20		(2) EVERGREEN TREE, MEDIUM
21		
22		GROOMING ROOM-REAR BUILDING
23		
24	1	LOT C/O OF MISC INTERIOR CABINETRY:
25		(1) STORAGE CABINET, DBL DOOR, 34"X78", WOOD/LAM
26		SHELVING, WOOD/LAM, 36"X78"
27		(1) COUNTER, WOOD/LAM, 2 DRWR, 37"X34"
28		(1) MATCHING WALL SHELVES, 37"X42"H
~		

EXHIBIT C

L I N E	Q T Y	DESCRIPTION: IMPROVEMENTS PERTAINING TO THE REALTY
32	1	PATIO, TRELLIS, WOOD, 181"X275"X108"H ON CONCRETE PAD
33		
34	1	SHED, PLASTIC, 108"X100"X72"H, ON RAISED 3" CONCRETE FOUNDATION
35		
36		FRONT EXTERIOR
37		
38	1	LOT C/O SIGNAGE:
39		(1) SIGN, W/ TRIPLE WOOD POST, SINGLE SIDE, VINYL, EST 15'X8', 5FT POSTS
40		(1) MATCHING, SIGN ONLY, FENCE MOUNTED
41		
42	2	SECURITY LIGHT FIXTURES, METAL HALLIDE, 10"X12" INCLUDING ELECTRICAL RUNS
43		
44	1	LOT C/O ILLUMINATED SIGNAGE, METAL HOUSING PLASTIC FACE
45		(1) DOG & CAT, 48"X48"
46		(1) VCA LA MIRADA ANIMAL HOSPITAL, 10" LETTERS
47		
48		ADMINISTRATION OFFICE
49		
50	1	BUILT IN CABINETRY C/O:
51		(19)LF DESK COUNTER, WOOD/LAM, 16 DRWR,
52		(18)LF MATCHING WALL CAINETS, 36", W/ LOWER SHELF (INSTALLED 2015)
53		
54	1	LOT C/O IT AND PHONE SYSTEM INSTALLATION
55		
56	1	LOT CONSISTING OF ELECTRICAL FOR X-RAY EQUIPMENT, SURGERY ROOM, WARD ROOM
57		
58		LOBBY, COMMON AREA
59		
60	1	LOT CONSISTING OF CUSTOM FIT FURNITURE AND COUNTERS:
61		(17.5)LF BENCH SEATING, WOOD/LAM CONSTRUCTION, VINYL CUSHION SEAT
62		(5)LF OF COUNTER, 8 CUBBY BASE, WOOD/LAM
63		(23.5)LF RECEPTION COUNTER W/RAISED HALF COUNTER, WOOD/LAM, CABINET AND SHELF MIX BASE, AND COUNTER TOP SHELVING

EXHIBIT C

L I N E	Q T Y	DESCRIPTION: IMPROVEMENTS PERTAINING TO THE REALTY
66		
67	1	{6}LF COUNTER, WOOD/LAM, W/CABINET BASE AND DRWRS, MATCHING WALL CABINETS, 44", (1) SINK, SS, 14"X20", SGF
68		
69		EXAM ROOM 2
70		
71	1	{3}LF COUNTER, WOOD/LAM, W/CABINET BASE
72		
73		LAB
74		
75	1	{15}LF COUNTER, W/{11.5}LF OF BASE CABINETS, W/{15}LF OF WALL CABINETS, GLASS SLIDERS, 36"H, (1) SS SINK, 14"SQ, SGF
76		
77		EXAM ROOM 3
78		
79	1	{8}LF COUNTER, W/{8} BASE CABINET, WOOD/LAM
80		
81		THE WARD
82		
83	1	LOT C/O KENNELS, SHOR-LINE, SS MODULAR, STACKABLE
84		(4) 35"X28"X32"D
85		(6)33"X22"X32"D
86		(2) 45"W
87		(6) 28"W
88		(11) 20"X13"H
89		
90	1	KENNEL, 3 BAY, PLASTIC, 70"X30"X26"D
91		
92	1	{15.5}LF COUNTER, WOOD/LAM, {6}LF BASE CABINETS, (1) SINK, SS, 16"X24", SGF, {11.5}LF WALL CABINETS, 36", (1) STORAGE CABINETS, WOOD/LAM 30"X82"
93		
94		SURGICAL ROOM
95		
96	1	OPERATING ROOM SURGERY LIGHT FIXTURES, SHOR-LINE
97		
98	1	LOT C/O LEAD LINING IN WALLS (ASSUMED EXISTENCE)
99		
100		TREATMENT ROOM
101		
102	1	{17.5}LF COUNTER, WOOD/LAM, W/{18.5}LF BASE CABINETS, (1) SINK, SS, DBL BASIN, SGF

EXHIBIT C

L I N E	Q T Y	DESCRIPTION: IMPROVEMENTS PERTAINING TO THE REALTY
103		
104	3	THRU WALL A/C UNIT, EMERSON OR SIMILAR (THROUGHOUT WING)