

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF THROUGH THE EXERCISE OF
EMINENT DOMAIN
INTERSTATE 605 (I-605) VALLEY BOULEVARD INTERCHANGE IMPROVEMENT
PROJECT, ("PROJECT") APN: 8564-012-003 CPN: 81560**

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 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 1240.410, 1240.510 and 1240.610, and Article I, Section 19 of the California Constitution.

Section 3.

The property consist of the acquisition of the full fee simple interest as described more specifically in the legal description Exhibit "A" and depicted in the plat map Exhibit "B" (hereinafter, the "Property").

The Fee consists of two adjacent and contiguous vacant land parcels, APN 8564-012-003 and 8564-012-004, comprising a total of 0.717 acres, or 31,225 Square Feet.

Section 4.

(a.) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the I-605/Valley Boulevard Interchange 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 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 26th day of January 2023.

Date: _____

COLLETTE LANGSTON
LACMTA Board Clerk

ATTACHMENTS

Exhibit A – Legal Description

Exhibit B – Plat Map

LEGAL DESCRIPTION

That portion of the Rancho La Puente as per map recorded in Book 1, Page 43, et seq., of Patents, in the office of the County Recorder of said County, that portion of Lot 2 of Tract No. 3278, as per map recorded in Book 36, Page 41 of Maps, in said office and that portion of Lot "A" of O.T. Bassett's Subdivision of the Workman Tract in said Rancho La Puente, as per map recorded in Book 59, Page 4 of Miscellaneous Records in said office described as follows:

Beginning at a point in the Northeasterly line of Valley Boulevard, 100 feet wide, shown as Pomona Boulevard on said map of Tract No. 3278, said point being N 53° 08' 31" W, 185.75 feet along said Northeasterly line from the most Southerly corner of said Lot 2; thence Easterly along a non-tangent curve concave Southerly having a radius of 175.10 feet, from a tangent bearing N 58° 34' 55" E, through an angle of 86° 19' 55", an arc distance of 263.68 feet; thence S 35° 05' 10" E, 170.00 feet; thence S 24° 54' 50" W, 50.00 feet to said Northeasterly line of Valley Boulevard; thence Northwesterly along said Northeasterly line to the point of beginning.

Excepting from that portion of said Rancho La Puente included within the above described parcel of land the "precious metals and ores thereof" as excepted from the partition between John Rowland, Sr. and William Workman in the partition deed recorded in Book 10, Page 39 of Deeds.

Excepting therefrom all oil, minerals, natural gas, and other hydrocarbons by whatsoever name known that may be within or under the herein conveyed parcel of land, and the rights thereto, together with certain other conditions, as excepted and reserved in Deed No. A4039 to the State of California recorded in Deed D3934, Page 135 of Official Records in said office.

APN: APN 8564-012-003 and 8564-012-004

PLAT MAP

