STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF PROPERTY") FOR THE WESTSIDE PURPLE LINE EXTENSION SECTION 2

BACKGROUND

The Property is required for the construction and operation of the Westside Purple Line Extension Section 2 ("Project").

The address, record owners (as indicated by a title report) ("Owners"), physical description, and nature of the property interest sought to be acquired for the Project are summarized below. A written offer for acquisition of permanent subsurface tunnel easements, and temporary subsurface grouting easements under the Property was mailed the respective property Owners by letters dated February 28, 2018. The parcels are identified as W-3601, W-3601D, W-3601E (APN: 4319-001-902); W-3605 (APN:4319-001-900) (hereinafter the "Property").

Parcel No.	Parcel Address	Property Owner	Purpose of	Property
Assessor's			Acquisition	Interest (s)
No.				Sought
W-3601 W-3601D W-3601E	241 S Moreno Drive Beverly Hills, CA 90212	Beverly Hills Unified School District (BHUSD)	Construction and Operation of underground tunnel	Subsurface Tunnel Easement and Grout Easement
W-3605	241 S Moreno Drive, Beverly Hills, CA 90212	Los Angeles Unified School District (LAUSD)	Construction and Operation of underground tunnel	Subsurface Tunnel Easement

A. Environmental Review

The Los Angeles County Metropolitan Transportation Authority ("LACMTA") and the Federal Transit Administration ("FTA") prepared a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Project pursuant to the National Environmental Policy Act (NEPA) (42 USC Section 4321, et seq.) and the California Environmental Quality Act (CEQA) (Cal. Public Resources Codes Section 21000 et seq.) A Draft EIS/EIR (DEIS/DEIR) was circulated for public review and comment. The Final EIS/EIR (FEIS/FEIR) was released in March 2012 for public review. On April 26,2012, the LACMTA Board certified the Final EIS/EIR under CEQA and approved Phase 1 of the Project (Wilshire/Fairfax to Wilshire/La Cienega). On May 24, 2012, LACMTA's Board adopted findings regarding the reasonableness of the Constellation Station location and approved Phase 2 of the Project (Wilshire/La Cienega to Constellation/Avenue of the Stars) and Phase 3 of the Project (Constellation/Avenue of the Stars to Westwood/VA Hospital). On

August 9, 2012, FTA issued its Record of Decision (ROD). On November 22, 2017, FTA issued a Final Supplemental Environmental Impact Statement (FSEIS), and Supplemental Record of Decision (ROD) for Section 2 of the Project.

Due to their bulk, the FEIS/FEIR and the FSEIS are not included in the Board's agenda packet. However, these environmental review documents are publicly available; are incorporated herein by reference; and are made a part of the record of the hearing (including documents and information relied upon by the LACMTA Board) on this Resolution of Necessity.

B. The public interest and necessity require the Project.

The need for the Project is based on population and employment growth, the high number of major activity centers served by the Project, high existing transit usage, and severe traffic congestion in Los Angeles County. The Project area bisects 12 large population and employment centers, all of which are served by extremely congested road networks that will deteriorate further with the projected increase in population and jobs. This anticipated growth will further affect transit travel speeds and reliability, even with a dedicated lane for express bus service on Wilshire Boulevard. The public interest and necessity require the Project for the following specific reasons:

- 1. The population and employment densities in the Project area are among the highest in the metropolitan region. Approximately five percent of the Los Angeles County population and 10 percent of the jobs are concentrated in the Project area.
- 2. Implementation of the Project will result in a reduction of vehicle miles per day and reduction of auto air pollutants.
- 3. The Project will relieve congestion on the already over capacity 1-405 San Diego and the 1-10 Santa Monica Freeways and surrounding major thoroughfares. In addition, it will reduce the parking demands in the Westside area by providing an alternative means of transportation, competitive in rush-hour travel times with the automobile.
- 4. The Project will be a major link in the existing county-wide rail transit system, and will thereby provide alternative means of transportation during fuel crises and increased future traffic congestion.
- 5. The Project will improve transportation equity by meeting the need for improved transit service of the significant transit-dependent population within the Project area.
- 6. The Project will help meet Regional Transit Objectives through the Southern California Association of Governments' (SCAG's) Performance Indicators of mobility, accessibility, reliability, and safety.

It is recommended that based on the above evidence, the Board find and determine that the public interest and necessity require the Project.

C. <u>The Project is planned or located in the manner that will be most</u> compatible with the greatest public good and least private injury.

As part of the environmental review process for the Project, an Alternatives Analysis (AA) Study was initiated in 2007 to identify all reasonable, fixed-guide way, alternative alignments and transit technologies within the proposed Project Area. The fixed-guide way alternative alignments studied and analyzed during the AA process were heavy rail transit (HRT), light rail transit (LRT), bus rapid transit (BRT), and monorail (MR). Due to its capacity to meet the anticipated ridership demand and limit the number of transfers, HRT was identified as the preferred technology for further study.

In January 2009, the Metro Board approved the AA Study and authorized preparation of a Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR). A total of seven alternatives, including five heavy rail subway (HRT) Build Alternatives, a No Build Alternative, and a relatively low-cost Transportation System Management (TSM) Alternative, were presented in the DEIS/DEIR. The DEIS/DEIR was circulated and reviewed by interested and concerned parties, including private citizens, community groups, the business community, elected officials and public agencies. Public hearings were held to solicit citizen and agency comments.

In October 2010, the Board approved the DEIS/DEIR and the Wilshire Boulevard to Santa Monica HRT option was selected as the Locally Preferred Alternative (LPA) for further analysis in the FEIS/FEIR. The FEIS/FEIR was released in March 2012 for public review. As referenced above, on April 26, 2012, the Board certified the FEIS/FEIR; on May 24, 2012, the Board approved the route and station locations for the Project; on August 9, 2012, FTA issued a ROD; and, on November 22, 2017, FTA issued a Supplemental ROD for Section 2 of the Project.

The approved LPA will extend HRT (as subway) approximately nine (9) miles from the existing Metro Purple Line terminus at the Wilshire/ Western Station to a new western terminus at the West Los Angeles Veterans Affairs Hospital (Westwood/ VA Hospital Station). The LPA will include seven new stations spaced in approximately one-mile intervals, as follows:

- Wilshire/La Brea
- Wilshire/Fairfax
- Wilshire/La Cienega
- Wilshire/Rodeo
- Century City
- Westwood/UCLA
- Westwood/VA Hospital

LACMTA does not anticipate that the Project will cause significant injury to the BHUSD property, including the displacement or relocation of certain owners and users of private or public property. However, no other alternative locations for the Project provide greater public good with less private injury. Therefore, the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

D. The Property is necessary for the Project.

LACMTA's Property Impact Statements were certified on October 3, 2018 and are attached hereto as Exhibit "A". The Property Impacts Statements set forth the permanent subsurface tunnel easements and the temporary subsurface grouting easements needed for the Project. The Property is required for construction and operation of the underground tunnel connecting Wilshire/Rodeo Station and Century City/Constellation Station. The permanent subsurface easements and temporary subsurface grouting easements required for the Project are listed and described in the Property Impact Statement. The legal description of the required permanent subsurface tunnel easements is attached to each Resolution of Necessity as Exhibit A, and is depicted on the Plat Map attached to each Resolution of Necessity as Exhibit B. The Property requirements were chosen based upon the approved FEIS/FEIR for the Project referenced above.

Staff recommends that the Board find that the acquisition of the Property is necessary for the Project.

- E. <u>LACMTA's proposed use of the Property is compatible with the high school</u> use (California Code of Civil Procedure Sections 1240.510-530).
- 1. The easements will not unreasonably interfere with or impair the continuance of the existing high school use.

As set forth in LACMTA's Property Impact Statements, the high point of the permanent subsurface tunnel easement ranges from approximately 34 feet to 63 feet below the existing ground surface of the high school. The temporary grouting easements are needed for ground treatment (including the injection of grout into the soil using small diameter pipes drilled horizontally from adjacent property around the tunnel zone) in order to control groundwater flows, stabilize the soils, and minimize ground losses. None of the areas included within the proposed permanent subsurface easement or temporary grouting easements are used by the high school.

In addition, as part of the environmental review process, LACMTA researched where tunnels have been safely constructed under schools or where schools have been constructed above tunnels. A few examples in North America include, the Camino Nuevo Charter Academy in Los Angeles, California (which sits above the LACMTA Red Line), the Northwest School in Seattle, Washington, Bentley School in Oakland / Berkeley, California, East Sylvan Middle School in Portland, Oregon, West Portal Elementary School in San Francisco, California, and Rooftop Elementary School in San Francisco, California. (See, "Reply to Exponent Responses" dated May 15, 2012, available on LACMTA's website, and incorporated herein by reference.) These examples demonstrate that the existing high school use is compatible with the Project.

The permanent subsurface tunnel easements and temporary subsurface grouting easements will not cause an unreasonable interference with, or impairment of, the existing high school use.

- 2. The Project will not unreasonably interfere with or impair the continuance of the existing high school use.
 - a. The High School will not need to be relocated or displaced.

As further set forth in LACMTA's Property Impact Statements, there is no requirement for the high school to be relocated or displaced either during or after construction of the Project.

b. Any potential noise and vibration impact from the construction and operation of the tunnels will be negligible.

As stated in LACMTA's Property Impact Statements, LACMTA's Construction Requirements and Techniques include the following:

"THE TUNNELS SHALL BE EXCAVATED BY TUNNEL BORING MACHINES (TBMS) WITH POSITIVE FACE CONTROL APPROPRIATE FOR THE SOIL CONDITIONS THAT WILL BE ENCOUNTERED ON THE PROJECT. THESE MACHINES EXCAVATE THE TUNNEL IN A MANNER THAT LIMITS DISTURBANCE TO THE SURROUNDING GROUND, THEREBY MINIMIZING THE IMPACT AT THE SURFACE. CONTRACT SPECIFICATIONS INCLUDE REQUIREMENTS GOVERNING SUBSURFACE SETTLEMENT AND FOR OPERATING THE TBMS. THE TBMS' PERFORMANCE WILL BE CONTINUOUSLY MONITORED FROM WITHIN THE TUNNEL AND FROM THE GROUND SURFACE USING SURVEYING AND GROUND MOVEMENT DETECTION INSTRUMENTS. A FINAL SEGMENTAL TUNNEL LINING WILL BE ERECTED FROM WITHIN THE TBM AS THE TBM ADVANCES. PROVIDING IMMEDIATE PERMANENT SUPPORT OF THE GROUND AND SERVE AS THE FINAL TUNNEL LINING. THE TUNNEL HAS BEEN DESIGNED TO SUPPORT THE EXISTING SURFACE IMPROVEMENTS."

LACMTA's Construction Impacts are described as follows:

"THE CONSTRUCTION AND OPERATION OF THE SUBWAY TUNNELS SHALL RESULT IN LITTLE OR NO NOISE OR VIBRATION IMPACT EXCEPT FOR:

I. ANY PERCEPTIBLE NOISE OR VIBRATION DURING CONSTRUCTION WILL BE BELOW METRO CRITERIA, FEDERAL, STATE AND LOCAL ORDINANCES

DESCRIBED IN THE PROJECT SPECIFICATIONS (01 56 19).

II. THE OPERATION OF THE SUBWAY PROJECT WILL NOT RESULT IN ADVERSE OPERATIONAL NOISE OR VIBRATION IMPACTS TO THE OCCUPANTS OF THIS PROPERTY

METRO HAS PLANNED AND DESIGNED THE PROJECT TO PROTECT EXISTING BUILDINGS. IN THE UNLIKELY EVENT THAT IMPACTS TO THE EXISTING BUILDING OCCURS AS A RESULT OF METRO'S ACTION, IT IS METRO'S POLICY TO ADDRESS SUCH ISSUES EXPEDITIOUSLY. THE REPAIR WORK, IF REQUIRED, SHALL BE SCHEDULED TO MINIMIZE DISRUPTION AND INCONVENIENCE TO OCCUPANTS AND OTHER USES OF THE PROPERTY."

The Project will not cause unreasonable interference with, or impairment of, the high school's existing use.

c. The FSEIS addressed subsurface gas risks during construction.

Chapter 4 of the FSEIS (incorporated herein by reference) addresses, among other matters, subsurface gas conditions and oil wells during construction. Given the ground conditions, existing gas concentrations, and tunneling methods to be used, there is not a plausible mechanism by which the proposed tunneling could cause a substantial amount of gas to migrate to or be released from the ground surface. Although there is an existing risk of methane or hydrogen sulfide gas migrating from the ground to the adjacent buildings or being released to the ground surface, the incremental risk of such a release due to tunneling is negligible.

d. The FSEIS addressed subsurface gas risks during operations.

Chapter 4 of the FSEIS (incorporated herein by reference) addresses, among other matters, subsurface gas conditions and oil wells during operation. The overall level of risk with the potential presence of methane and hydrogen sulfide gas along the Section 2 alignment, including through Beverly Hills High School, is low. LACMTA has specified design and construction measures to address gassy environments during operation of the Project. Tunnels and stations will be designed to provide a redundant protection system against gas intrusion hazard. The FSEIS concludes that the presence of the constructed tunnel will have no influence on the long-term migration of soil to the ground surface or into buildings or increase the risk of explosion, resulting in no adverse effect.

 Additionally, neither the easements nor the Project will unreasonably interfere with or impair the continuance of the high school use which may reasonably be expected to exist in the future.

LACMTA is aware that BHUSD is considering a Beverly Hills High School ("BHHS") Modernization Project: Building B-1 and B-2. According to BHUSD's website, this includes a full structural seismic retrofit and historic renovation. Building B-1 would include a media center; college and career centers; new public restrooms; teacher work rooms; staff offices; and reading center. Building B-2 would include 10 classrooms with flexible partition walls; new public restrooms; conference and work rooms; speech and independent study areas; principal and staff offices; counseling center; and ASB center. The Modernization Project may also include a proposed Building C, which would include a new athletics building and an underground parking structure. To LACMTA's knowledge, formal plans for the Modernization Project have not yet been approved by BHUSD.

LACMTA has obtained copies of general plans for the Modernization Project. This includes the overall site plan, and the plans for Building C. These plans are attached hereto as Exhibits "B-1" and "B-2".

If BHUSD proceeds with the plans for Building C, LACMTA's permanent subsurface tunnel easement would encroach into a small area within the underground parking structure. LACMTA has prepared a diagram showing the permanent subsurface tunnel easement with Building C super-imposed. (See Exhibit "C") LACMTA's permanent subsurface easements and temporary subsurface grouting easements would not preclude an underground parking structure from being constructed. But, based upon BHUSD's plans for Building C, BHUSD would have to re-design a portion of the underground parking structure to avoid the encroachment with LACMTA's subsurface easement area.

The FSEIS issued by FTA addresses this issue. The FSEIS confirms that LACMTA and BHUSD can collaborate so that BHUSD's Building C can be re-designed to safely accommodate LACMTA's tunnel construction. The costs incurred by BHUSD to redesign Building C would be paid for by LACMTA as part of a negotiation process between LACMTA and BHUSD. In particular, the FSEIS provides (at pp. 4-89) in pertinent part:

As identified in the Final EIS/EIR, a subsurface easement would be required beneath the BHHS campus. The presence of the tunnels would not preclude the completion of the proposed BHHS Modernization Program, including the proposed Building C with subterranean parking. Through collaboration between Metro and BHHS designers, the building structures and their foundations can be designed to safely accommodate the tunnel construction and Building C. The Division of the State Architect has offered to work with both parties to mediate a design solution. Any costs incurred by BHUSD to cover design modifications to Building C would

be covered through negotiations of the subsurface easement agreements with Metro.

LACMTA's engineers have reviewed the plans for Building C and have estimated BHUSD's costs to cover design modifications. These costs have been incorporated into LACMTA's appraisal of the compensation to be paid to BHUSD for LACMTA's acquisition of the easements. LACMTA has offered this amount to BHUSD as part of its attempt to negotiate with BHUSD.

As a result, even considering a reasonably expected future use of the high school, LACMTA's proposed easements and Project will not unreasonably interfere with such future use.

F. <u>Alternatively, LACMTA's proposed use of the Property is a more necessary public use than BHUSD's existing use.</u>

LACMTA is not seeking to exercise its eminent domain authority to displace the Beverly Hills High School. LACMTA's Project is a compatible public use with the existing and potential future high school use. Yet, even if LACMTA's Project is not completely compatible in all respects with the high school use, for the reasons stated above, LACMTA's Project is a more necessary public use under applicable law. As such, LACMTA is legally authorized to acquire the easements by eminent domain.

G. Offers were made in compliance with Government Code Section 7267.2.

California Code of Civil Procedure Section 1245.230 requires that a Resolution of Necessity contain a declaration that the governing body has found and determined that either the offer required by Section 7267.2 of the California Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence.

California Government Code Section 7267.2 requires that an offer be made to the Owner and in an amount which the agency believes to be just compensation. The amount must not be less than the agency's approved appraisal of the fair market value of the property. In addition, the agency is required to provide the Owner with a written statement of, and summary of the basis for, the amount it established as just compensation.

Staff has taken the following actions as required by California law for the acquisition of the Property:

- 1. Retained an independent appraiser to determine the fair market value of the Property;
- 2. Reviewed and approved the appraisals, and established the amount it believes to be just compensation;
- 3. Determined the Owners of the Property by examining the county assessor's record a preliminary title report, and occupancy of the Property;

- 4. Made a written offer to the Owners for the full amount of just compensation which was not less than the approved appraised value;
- 5. Provided the Owners with a written statement of, and summary of the basis for, the amount established as just compensation with respect to the foregoing offer.

It is recommended that based on the above Evidence, the Board find and determine that the offer required by Section 7267.2 of the California Government Code has been made to the Owners.

H. <u>Metro has fulfilled the necessary statutory prerequisites.</u>

LACMTA is authorized to acquire property by eminent domain for the purposes contemplated by the Project under Public Utilities Code §§ 30503, 30600, 130051.13, and 130220.5; Code of Civil Procedure §§ 1230.010-1273.050; and Article I, § 19 of the California Constitution.

I. Metro has complied with the California Environmental Quality Act.

As set forth above, LACMTA has complied with CEQA.

Accordingly, LACMTA also fulfilled all statutory prerequisites under Code of Civil Procedure § 1240.030 and Government Code § 7267.2 to acquire the Property by eminent domain.

CONCLUSION

Staff recommends that the Board adopt the Resolution of Necessity.

EXHIBITS TO STAFF REPORT

- Exhibit A Property Impact Statement (Parcels W-3601, W3601D, W-3601E, W-3605)
- 2. Exhibit B-1 and B-2 BHUSD Modernation Plans, including the overall Site Plan and Building Plans
- 3. Exhibit C Diagram of Building C superimposed over the LACMTA Subsurface Easements

3224717.1

EXHIBIT A- PROPERTY IMPACT STATEMENT

CERTIFICATION MEMORANDUM

WESTSIDE PURPLE LINE EXTENSION PROJECT

THURSDAY SEPTEMBER 27, 2018

PARCEL NUMBERS:

W-3601, W-3601D & W-3601E

ATTACHMENTS:

PROPERTY IMPACT STATEMENT

EXHIBIT "A-1" – LEGAL DESCRIPTION FOR PARCEL W-3601 EXHIBIT "A-2" – LEGAL DESCRIPTION FOR PARCEL W-3601D EXHIBIT "A-3" – LEGAL DESCRIPTION FOR PARCEL W-3601E

EXHIBIT "B-1" — PLAT MAPS FOR PARCEL W-3601 EXHIBIT "B-2" — PLAT MAPS FOR PARCEL W-3601D EXHIBIT "B-3" — PLAT MAPS FOR PARCEL W-3601E

EXHIBIT "C" - RIGHT-OF-WAY-DRAWING

EXHIBIT "D" – BR & BL TUNNEL PLAN AND PROFILE DRAWINGS
EXHIBIT "E" – CROSS SECTION OF TUNNEL SUBSURFACE EASEMENT

W-3601:

A SUBSURFACE EASEMENT (SSE) OF W-3601 IS REQUIRED BASED ON THE RIGHT-OF-WAY EXHIBIT, DATED SEPTEMBER 12, 2018. I CERTIFY THAT THE SSE IN PARCEL NUMBER W-3601 CONTAINING 16,068 SQUARE FEET OF PROPERTY IS REQUIRED FOR THE CONSTRUCTION AND OPERATION OF METRO'S WESTSIDE PURPLE LINE EXTENSION PROJECT.

W-3601D:

A TEMPORARY SUBSURFACE GROUTING EASEMENT OF W-3601D IS REQUIRED BASED ON THE RIGHT-OF-WAY EXHIBIT, DATED SEPTEMBER 12, 2018. I CERTIFY THAT THE TEMPORARY SUBSURFACE GROUTING EASEMENT IN PARCEL NUMBER W-3601D CONTAINING 125 SQUARE FEET OF PROPERTY IS REQUIRED FOR THE CONSTRUCTION OF METRO'S WESTSIDE PURPLE LINE EXTENSION PROJECT.

W-3601E:

A TEMPORARY SUBSURFACE GROUTING EASEMENT OF W-3601E IS REQUIRED BASED ON THE RIGHT-OF-WAY EXHIBIT, DATED SEPTEMBER 12, 2018. I CERTIFY THAT THE TEMPORARY SUBSURFACE GROUTING EASEMENT IN PARCEL NUMBER W-3601E CONTAINING 125 SQUARE FEET OF PROPERTY IS REQUIRED FOR THE CONSTRUCTION OF METRO'S WESTSIDE PURPLE LINE EXTENSION PROJECT.

MICHAEL MCKENNA EXECUTIVE OFFICER

PROJECT MANAGEMENT

PREPARED:	TUESDAY SEPTEMBER 11, 2018
REFERENCE DRAWING:	R-3036
REFERENCE PLAT:	W-3601, W-3601D & W-3601E
PARCEL ADDRESS:	241 S. MORENO DRIVE, BEVERLY HILLS, CA 90212
AFFECTED APN:	4319-001-901 & -902
OWNER:	BEVERLY HILLS UNIFIED SCHOOL DISTRICT

1. LOCATION AND DESCRIPTION:

THE PROPERTY CONTAINING THE RIGHT OF WAY ACQUISITIONS IDENTIFIED HEREIN CONSISTS OF 3 PARCELS, CONTAINING IN TOTAL, APPROXIMATELY 6 ACRES. THE SITE IS LOCATED DIRECTLY TO THE WEST OF THE MAIN CAMPUS LOCATED ON PARCEL 4319-001-900 AND IS DEVELOPED WITH THE HEATH AVENUE AND THE PORTION OF BEVERLY HILLS UNIFIED SCHOOL DISTRICT HIGH SCHOOL CAMPUS WEST OF HEATH AVENUE.

2. NEED FOR THE PROPERTY:

THE PROJECT WILL REQUIRE 3 DIFFERENT PROPERTY INTERESTS AS DESCRIBED BELOW:

- A. PARCEL W-3601 IS NEEDED FOR THE TUNNEL ALIGNMENT (AS SHOWN ON EXHIBIT B-1) FOR THE WESTSIDE PURPLE LINE EXTENSION SECTION 2 (PROJECT) THAT TRAVELS UNDERNEATH THE PROPERTY DESCRIBED ABOVE. CONSTRUCTION AND OPERATION OF THE PROJECT SHALL REQUIRE THE ACQUISITION OF A SUBSURFACE EASEMENT (SSE) FOR THE ALIGNMENT AS SHOWN IN THE PROJECT DEFINITION DRAWINGS (SEE EXHIBIT D). THE REQUIRED RIGHT OF WAY ENVELOPE IN THE VERTICAL PLANE IS A VERTICAL DISTANCE OF APPROXIMATELY 10 FEET ABOVE THE HIGH POINT OF THE TUNNEL STRUCTURES AND APPROXIMATELY 10 FEET BELOW THE LOW POINT OF THE TUNNEL STRUCTURES. FOR THE HORIZONTAL PLANE, THE RIGHT OF WAY ENVELOPE IS DEFINED BY AN APPROXIMATELY 5 FEET OFFSET FROM THE OUTERMOST BR AND BL TUNNEL WALLS (SEE EXHIBIT E). AS THE TUNNEL TRAVERSES THE PROPERTY SOUTHWESTERLY FROM THE PARCEL'S NORTHEASTERLY PROPERTY LINE TO THE PARCEL'S SOUTHWESTERLY PROPERTY LINE, THE HIGH POINT OF SSE RANGES FROM APPROXIMATELY 53 TO 62 FEET BELOW THE EXISTING GROUND SURFACE, RESPECTIVELY (AS SHOWN ON EXHIBIT E). EXHIBIT C, RIGHT-OF-WAY MAP IS INCLUDED.
- B. PARCELS W-3601D & W-3601E (AS SHOWN ON EXHIBITS B-2 & B-3) ARE NEEDED FOR GROUND TREATMENT TO CONTROL GROUNDWATER FLOWS, STABILIZE THE SOILS, AND MINIMIZE GROUND LOSSES. GROUND TREATMENT WILL CONSIST OF INJECTING GROUT INTO THE SOIL USING SMALL DIAMETER PIPES DRILLED HORIZONTALLY FROM THE ADJACENT PROPERTY AROUND THE TUNNEL ZONE (WITHIN THE SAME VERTICAL PLANE AS THE TUNNEL SSE EXCEPT WITH 5 ADDITIONAL FEET HORIZONTALLY ON EACH SIDE) TO IMPROVE THE STRENGTH OF THE

SOIL. THIS IS NEEDED FOR TUNNEL EXCAVATION OUT OF THE SHAFT (LOCATED ON ADJACENT PROPERTY) INTO THE GROUND. AFTER CONSTRUCTION OF THE TUNNELS, THE GROUTING EASEMENTS ARE NO LONGER NEEDED, AND THE GROUTING PIPES WILL BE ABANDONED IN PLACE, HOWEVER THE GROUTING PIPES MAY BE REMOVED BY THE PROPERTY OWNER DURING THE EXCAVATION FOR ANY FUTURE DEVELOPMENT OF THIS SITE.

3. CONSTRUCTION REQUIREMENTS AND TECHNIQUES

THE TUNNELS SHALL BE EXCAVATED BY TUNNEL BORING MACHINES (TBMS) WITH POSITIVE FACE CONTROL APPROPRIATE FOR THE SOIL CONDITIONS THAT WILL BE ENCOUNTERED ON THE PROJECT. THESE MACHINES EXCAVATE THE TUNNEL IN A MANNER THAT LIMITS DISTURBANCE TO THE SURROUNDING GROUND, THEREBY MINIMIZING IMPACT AT THE SURFACE. CONTRACT SPECIFICATIONS INCLUDE REQUIREMENTS GOVERNING SURFACE SETTLEMENT AND FOR OPERATING THE TBMS. THE TBMS' PERFORMANCE WILL BE CONTINUOUSLY MONITORED FROM WITHIN THE TUNNEL AND FROM THE GROUND SURFACE USING SURVEYING AND GROUND MOVEMENT DETECTION INSTRUMENTS. A FINAL SEGMENTAL TUNNEL LINING WILL BE ERECTED FROM WITHIN THE TBM AS THE TBM ADVANCES, PROVIDING IMMEDIATE PERMANENT SUPPORT OF THE GROUND AND SERVE AS THE FINAL TUNNEL LINING. THE TUNNEL HAS BEEN DESIGNED TO SUPPORT THE EXISTING SURFACE IMPROVEMENTS.

CONSTRUCTION IMPACTS:

THE CONSTRUCTION AND OPERATION OF THE SUBWAY TUNNELS SHALL RESULT IN LITTLE OR NO NOISE OR VIBRATION IMPACT EXCEPT FOR:

- ANY PERCEPTIBLE NOISE OR VIBRATION DURING CONSTRUCTION WILL BE BELOW METRO
 CRITERIA, FEDERAL, STATE AND LOCAL ORDINANCES AS DESCRIBED IN THE PROJECT
 SPECIFICATIONS (01 56 19).
- II. THE OPERATION OF THE SUBWAY PROJECT WILL NOT RESULT IN ADVERSE OPERATIONAL NOISE OR VIBRATION IMPACTS TO THE OCCUPANTS OF THIS PROPERTY.

METRO HAS PLANNED AND DESIGNED THE PROJECT TO PROTECT EXISTING BUILDINGS. IN THE UNLIKELY EVENT THAT IMPACTS TO EXISTING BUILDING OCCURS AS A RESULT OF METRO'S ACTION; IT IS METRO'S POLICY TO ADDRESS SUCH ISSUES EXPEDITIOUSLY. THE REPAIR WORK, IF REQUIRED, SHALL BE SCHEDULED TO MINIMIZE DISRUPTION AND INCONVENIENCE TO OCCUPANTS AND OTHER USERS OF THE PROPERTY.

FUTURE CONSTRUCTION MAY BE ACCOMMODATED OVER THE METRO RIGHT OF WAY WHEN CONDUCTED IN ACCORDANCE WITH METRO'S ADJACENT CONSTRUCTION MANUAL. ANY FUTURE DEVELOPMENT PLANS AT THIS LOCATION ARE SUBJECT TO METRO'S REVIEW AND APPROVAL.

4. OTHER CONSIDERATIONS

OCCUPANTS OF THIS PROPERTY WILL NOT BE REQUIRED TO RELOCATE.

5. RECOMMENDED ACQUISITION

AS DESCRIBED ABOVE AND SHOWN IN EXHIBITS A-1, A-2 AND A-3, LEGAL DESCRIPTIONS, AND EXHIBITS B-1, B-2 AND B-3, PLAT MAPS, IS RECOMMENDED.

WPLE PARCEL ID	APN#	PROJECT USE	SQ. FT. REQ.	ROW TAKE (PERMANENT OR TEMPORARY)
W-3601	4319-001-901 4319-001-902	TUNNEL CONSTRUCTION/OPERATION	16,068	PERMANENT SSE
W-3601D	4319-001-902	GROUTING EASEMENT (SUBSURFACE)	125	TEMPORARY SSE
W-3601E	4319-001-902	GROUTING EASEMENT (SUBSURFACE)	125	TEMPORARY SSE

EXHIBIT "A-1"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF BEVERLY HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT "E" OF TRACT NO. 5609, AS PER MAP RECORDED IN BOOK 76, PAGES 68 THROUGH 71 INCLUSIVE OF MAPS, AND LOT 2 OF TRACT NO. 11964, AS PER MAP RECORDED IN BOOK 259, PAGE 33 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WITHIN THE FOLLOWING DESCRIBED LAND:

COMMENCING AT THE CENTERLINE INTERSECTION OF MORENO DRIVE AND YOUNG DRIVE AS SHOWN ON RECORD OF SURVEY MAP, RECORDED IN BOOK 157, PAGES 63 AND 64 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID INTERSECTION BEING ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1746.96 FEET, A RADIAL LINE TO SAID INTERSECTION BEARS SOUTH 37°06'19" WEST; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF MORENO DRIVE AND SAID CURVE 89.18 FEET THROUGH A CENTRAL ANGLE OF 02°55'29"; THENCE RADIAL TO SAID CURVE SOUTH 34°10'50" WEST, 30.00 FEET TO A POINT ON THE NORTHEASTERLY LINE OF LOT 843 OF TRACT NO. 7710, AS PER MAP RECORDED IN BOOK 83, PAGES 94 AND 95 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1776.96 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 34°10'50" WEST: THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE AND SAID CURVE 70.01 FEET THROUGH A CENTRAL ANGLE OF 02°15'27" TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1154.50 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 53°31'06" EAST; THENCE SOUTHWESTERLY ALONG SAID CURVE 366.07 FEET THROUGH A CENTRAL ANGLE OF 18°10'02" TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1649.14 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 35°10'43" EAST; THENCE SOUTHWESTERLY ALONG SAID CURVE 160.35 FEET THROUGH A CENTRAL ANGLE OF 05°34'16"; THENCE NON-TANGENT TO SAID CURVE SOUTH 60°01'55" WEST, 18.14 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 2, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 60°01'55" WEST, 183.96 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3573.99 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 29°38'53" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE 46.16 FEET THROUGH A CENTRAL ANGLE OF 00°44'24" TO THE SOUTHWESTERLY LINE OF SAID LOT E; THENCE NORTH 30°33'52" WEST, 69.70 FEET ALONG SAID SOUTHWESTERLY LINE TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3587.35 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 30°37'43" WEST; THENCE SOUTHEASTERLY ALONG SAID CURVE 63.12 FEET THROUGH A CENTRAL ANGLE OF 01°00'29"; THENCE NON-TANGENT TO SAID CURVE NORTH 60°01'55" EAST, 130.81 FEET; THENCE NORTH 59°58'27" EAST, 36.19 FEET TO A POINT ON SAID NORTHEASTERLY LINE OF LOT 2; THENCE SOUTH 30°33'21" EAST, 69.87 FEET ALONG SAID NORTHEASTERLY LINE TO THE POINT OF **BEGINNING**.

THE UPPER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED AS PARCEL "C", IS A HORIZONTAL PLANE WITH AN ELEVATION OF +228.00 FEET AND THE LOWER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED IS A HORIZONTAL PLANE WITH AN ELEVATION OF +179.00 FEET, BASED ON THE NAVD-88 DATUM ELEVATION OF 285.39 FEET FOR CITY OF LOS ANGELES BENCHMARK NO. 13-13450. THE UPPER LIMIT OF THIS EASEMENT VARIES FROM APPROXIMATELY 53 TO 62 FEET BELOW FINISH GRADE (EXISTING SURFACE ELEVATION IN JANUARY OF 2011), AND THE LOWER LIMIT OF THIS EASEMENT VARIES FROM APPROXIMATELY 102 TO 111 FEET BELOW FINISH GRADE (EXISTING SURFACE ELEVATION IN JANUARY OF 2011). THESE ELEVATIONS WERE DETERMINED FROM

THE LOS ANGELES METRO WESTSIDE SUBWAY EXTENSION PROJECT – SECTION 2 PROJECT DEFINITION DRAWINGS.

NOTE:

THIS LEGAL DESCRIPTION WAS NOT PREPARED FOR ANY PURPOSE THAT WOULD BE IN VIOLATION OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT OR LOCAL ORDINANCES OF THE GOVERNING BODY HAVING JURISDICTION.

NO. 6334

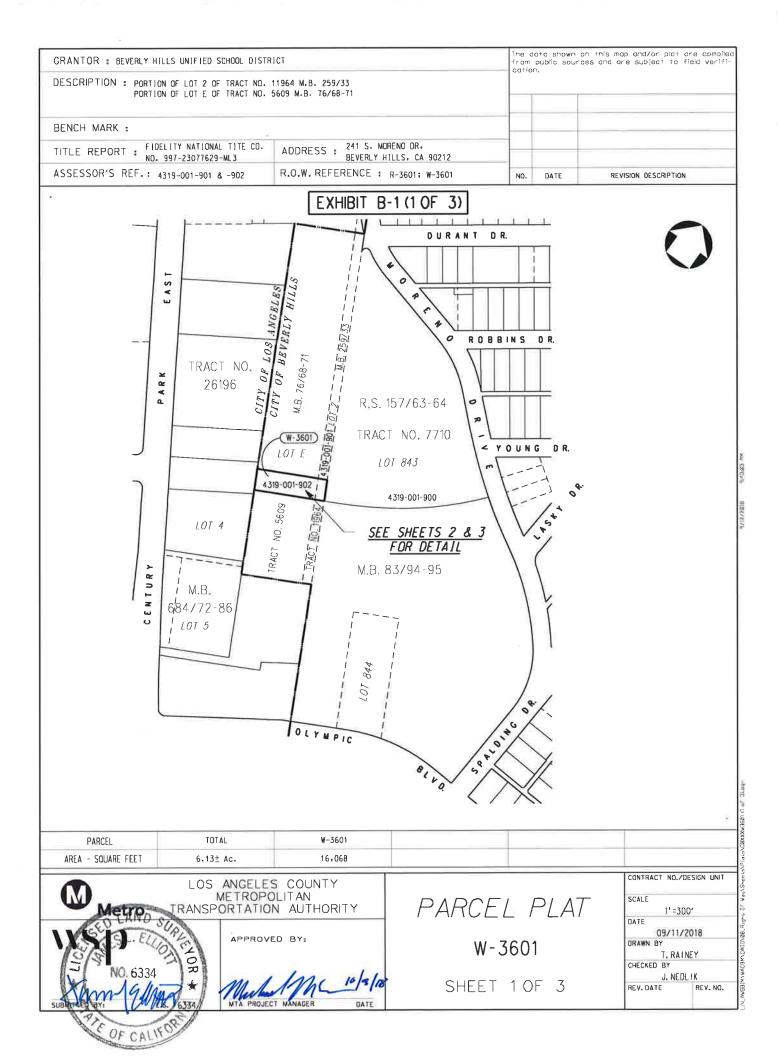
PREPARED BY:

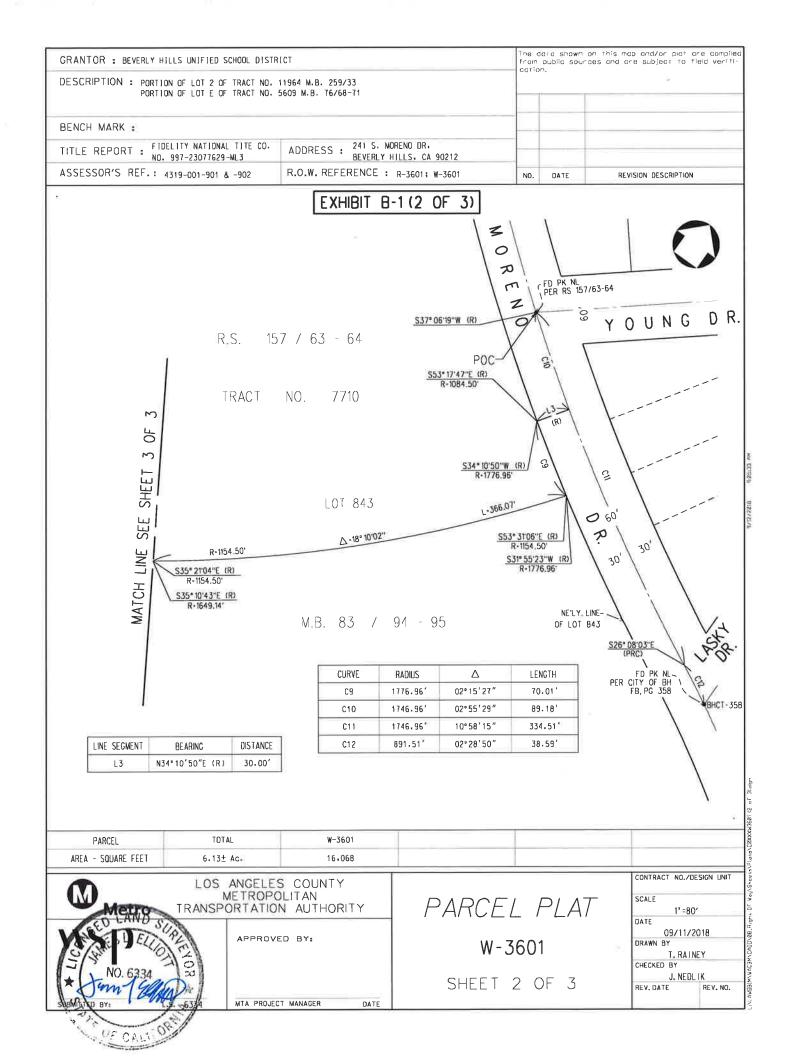
IAMES I FILIOTT PLS 6334

9-25-18

DATE

AFFECTS APN: 4319-001-901 AND 4319-001-902





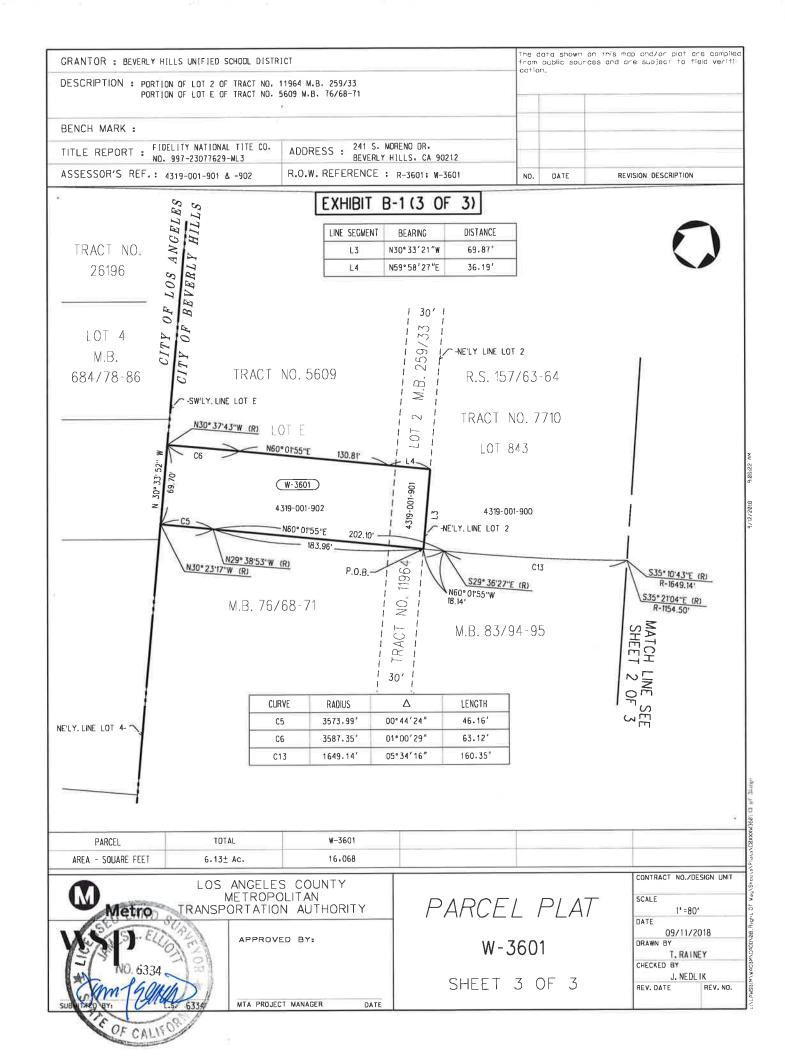


EXHIBIT "A-2"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF BEVERLY HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT "E" OF TRACT NO. 5609, AS PER MAP RECORDED IN BOOK 76, PAGES 68 THROUGH 71 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WITHIN THE FOLLOWING DESCRIBED LAND:

COMMENCING AT THE CENTERLINE INTERSECTION OF MORENO DRIVE AND YOUNG DRIVE AS SHOWN ON RECORD OF SURVEY MAP, RECORDED IN BOOK 157, PAGES 63 AND 64 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID INTERSECTION BEING ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1746.96 FEET, A RADIAL LINE TO SAID INTERSECTION BEARS SOUTH 37°06'19" WEST; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF MORENO DRIVE AND SAID CURVE 89.18 FEET THROUGH A CENTRAL ANGLE OF 02°55'29"; THENCE RADIAL TO SAID CURVE SOUTH 34°10'50" WEST, 30.00 FEET TO A POINT ON THE NORTHEASTERLY LINE OF LOT 843 OF TRACT NO. 7710, AS PER MAP RECORDED IN BOOK 83, PAGES 94 AND 95 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1776.96 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 34°10'50" WEST; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE AND SAID CURVE 70.01 FEET THROUGH A CENTRAL ANGLE OF 02°15'27" TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1154.50 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 53°31'06" EAST; THENCE SOUTHWESTERLY ALONG SAID CURVE 366.07 FEET THROUGH A CENTRAL ANGLE OF 18°10'02" TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1649.14 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 35°10'43" EAST; THENCE SOUTHWESTERLY ALONG SAID CURVE 160.35 FEET THROUGH A CENTRAL ANGLE OF 05°34'16"; THENCE NON-TANGENT TO SAID CURVE SOUTH 60°01'55" WEST, 202.10 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3573.99 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 29°38'53" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE 46.16 FEET THROUGH A CENTRAL ANGLE OF 00°44'24" TO THE WESTERLY LINE OF SAID LOT E; THENCE NORTH 30°33'52" WEST, 69.70 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3587.35 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 30°37'43" WEST; THENCE NORTHEASTERLY ALONG SAID CURVE 25.00 FEET THROUGH A CENTRAL ANGLE OF 00°23'57" TO A POINT ON A NON-TANGENT LINE THAT IS PARALLEL WITH AND DISTANT 25.00 FEET FROM SAID WESTERLY LINE; THENCE NORTH 30°33'52" WEST, 5.00 FEET ALONG SAID PARALLEL LINE TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3592.35, A RADIAL LINE TO SAID POINT BEARS NORTH 30°13'48" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE 25.00 FEET THROUGH A CENTRAL ANGLE OF 00°23'55" TO SAID WESTERLY LINE; THENCE SOUTH 30°33′52" EAST, 5.00 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING.

THE UPPER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED, IS A HORIZONTAL PLANE WITH AN ELEVATION OF +228.00 FEET AND THE LOWER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED IS A HORIZONTAL PLANE WITH AN ELEVATION OF +179.00 FEET, BASED ON THE NAVD-88 DATUM ELEVATION OF 285.39 FEET FOR CITY OF LOS ANGELES BENCHMARK NO. 13-13450. THE UPPER LIMIT OF THIS EASEMENT IS APPROXIMATELY 62 FEET BELOW FINISH GRADE (EXISTING SURFACE ELEVATION IN JANUARY OF 2011), AND THE LOWER LIMIT OF THIS EASEMENT IS APPROXIMATELY 111 FEET BELOW FINISH GRADE (EXISTING SURFACE ELEVATION IN JANUARY OF 2011). THESE ELEVATIONS WERE DETERMINED FROM THE LOS ANGELES METRO WESTSIDE SUBWAY EXTENSION PROJECT – SECTION 2 PROJECT DEFINITION DRAWINGS.

NOTE:

THIS LEGAL DESCRIPTION WAS NOT PREPARED FOR ANY PURPOSE THAT WOULD BE IN VIOLATION OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT OR LOCAL ORDINANCES OF THE GOVERNING BODY HAVING JURISDICTION.

PREPARED BY:

JAMES L. ELLIOTT, P.L.S. 6334

AFFECTS APN: 4319-001-902

DATE

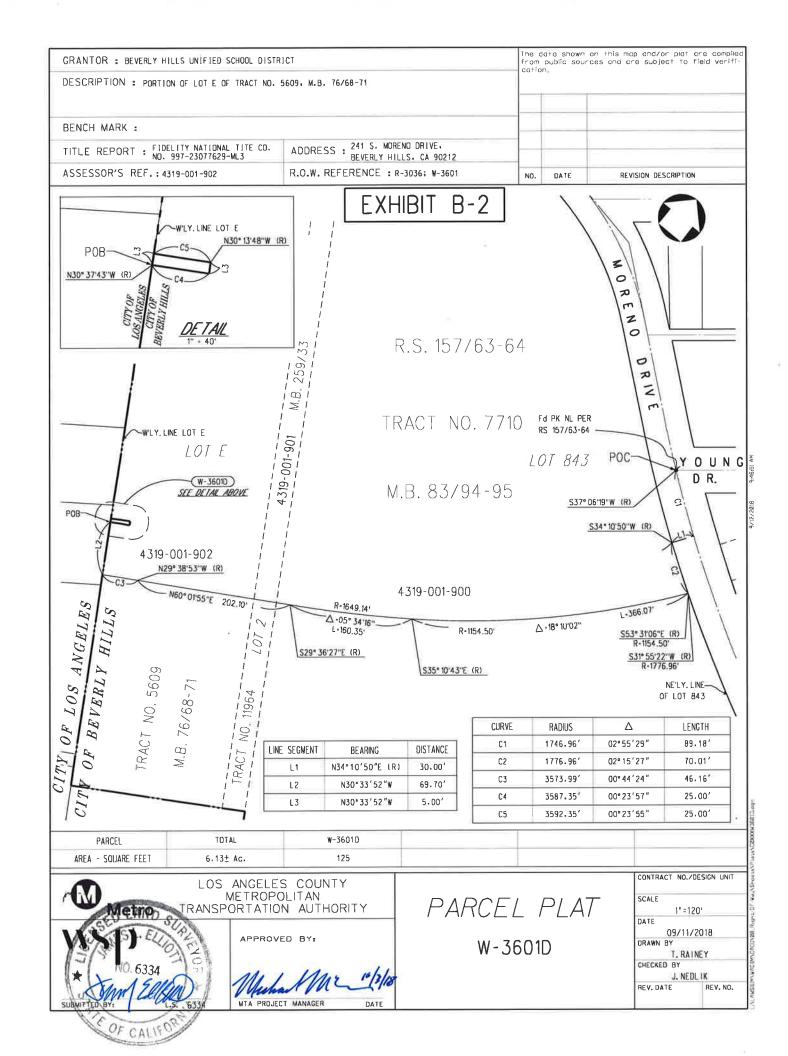


EXHIBIT "A-3"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF BEVERLY HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT "E" OF TRACT NO. 5609, AS PER MAP RECORDED IN BOOK 76, PAGES 68 THROUGH 71 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WITHIN THE FOLLOWING DESCRIBED LAND:

COMMENCING AT THE CENTERLINE INTERSECTION OF MORENO DRIVE AND YOUNG DRIVE AS SHOWN ON RECORD OF SURVEY MAP, RECORDED IN BOOK 157, PAGES 63 AND 64 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID INTERSECTION BEING ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1746.96 FEET, A RADIAL LINE TO SAID INTERSECTION BEARS SOUTH 37°06'19" WEST; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF MORENO DRIVE AND SAID CURVE 89.18 FEET THROUGH A CENTRAL ANGLE OF 02°55'29"; THENCE RADIAL TO SAID CURVE SOUTH 34°10'50" WEST, 30.00 FEET TO A POINT ON THE NORTHEASTERLY LINE OF LOT 843 OF TRACT NO. 7710, AS PER MAP RECORDED IN BOOK 83, PAGES 94 AND 95 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1776.96 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 34°10'50" WEST; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE AND SAID CURVE 70.01 FEET THROUGH A CENTRAL ANGLE OF 02°15'27" TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1154.50 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 53°31'06" EAST; THENCE SOUTHWESTERLY ALONG SAID CURVE 366.07 FEET THROUGH A CENTRAL ANGLE OF 18°10'02" TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1649.14 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 35°10'43" EAST; THENCE SOUTHWESTERLY ALONG SAID CURVE 160.35 FEET THROUGH A CENTRAL ANGLE OF 05°34'16"; THENCE NON-TANGENT TO SAID CURVE SOUTH 60°01'55" WEST, 202.10 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIÚS OF 3573.99 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 29°38'53" WEST, SAID NON-TANGENT CURVE HEREINAFTER KNOWN AS "COURSE A"; THENCE SOUTHWESTERLY ALONG SAID "COURSE A" 46.16 FEET THROUGH A CENTRAL ANGLE OF 00°44'24" TO A POINT ON THE WESTERLY LINE OF SAID LOT E, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 30°33'52" EAST, 5.00 FEET ALONG SAID WESTERLY LINE TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3568.99 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 30°23'16" WEST; THENCE NORTHEASTERLY ALONG SAID CURVE 25.00 FEET THROUGH A CENTRAL ANGLE OF 00°24'05" TO A POINT ON A NON-TANGENT LINE THAT IS PARALLEL WITH AND DISTANT 25.00 FEET FROM SAID WESTERLY LINE; THENCE NORTH 30°33'52" WEST, 5.00 FEET ALONG SAID PARALLEL LINE TO A POINT IN SAID "COURSE A", A RADIAL LINE TO SAID POINT BEARS NORTH 29°59'14" WEST; THENCE SOUTHWESTERLY ALONG SAID "COURSE A" 25.00 FEET THROUGH A CENTRAL ANGLE OF 00°24'03" TO THE POINT OF BEGINNING.

THE UPPER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED, IS A HORIZONTAL PLANE WITH AN ELEVATION OF +228.00 FEET AND THE LOWER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED IS A HORIZONTAL PLANE WITH AN ELEVATION OF +179.00 FEET, BASED ON THE NAVD-88 DATUM ELEVATION OF 285.39 FEET FOR CITY OF LOS ANGELES BENCHMARK NO. 13-13450. THE UPPER LIMIT OF THIS EASEMENT IS APPROXIMATELY 62 FEET BELOW FINISH GRADE (EXISTING SURFACE ELEVATION IN JANUARY OF 2011), AND THE LOWER LIMIT OF THIS EASEMENT IS APPROXIMATELY 111 FEET BELOW FINISH GRADE (EXISTING SURFACE ELEVATION IN JANUARY OF 2011). THESE ELEVATIONS WERE DETERMINED FROM THE LOS ANGELES METRO WESTSIDE SUBWAY EXTENSION PROJECT — SECTION 2 PROJECT DEFINITION DRAWINGS.

NOTE:

THIS LEGAL DESCRIPTION WAS NOT PREPARED FOR ANY PURPOSE THAT WOULD BE IN VIOLATION OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT OR LOCAL ORDINANCES OF THE GOVERNING BODY HAVING JURISDICTION.

NO. 6334

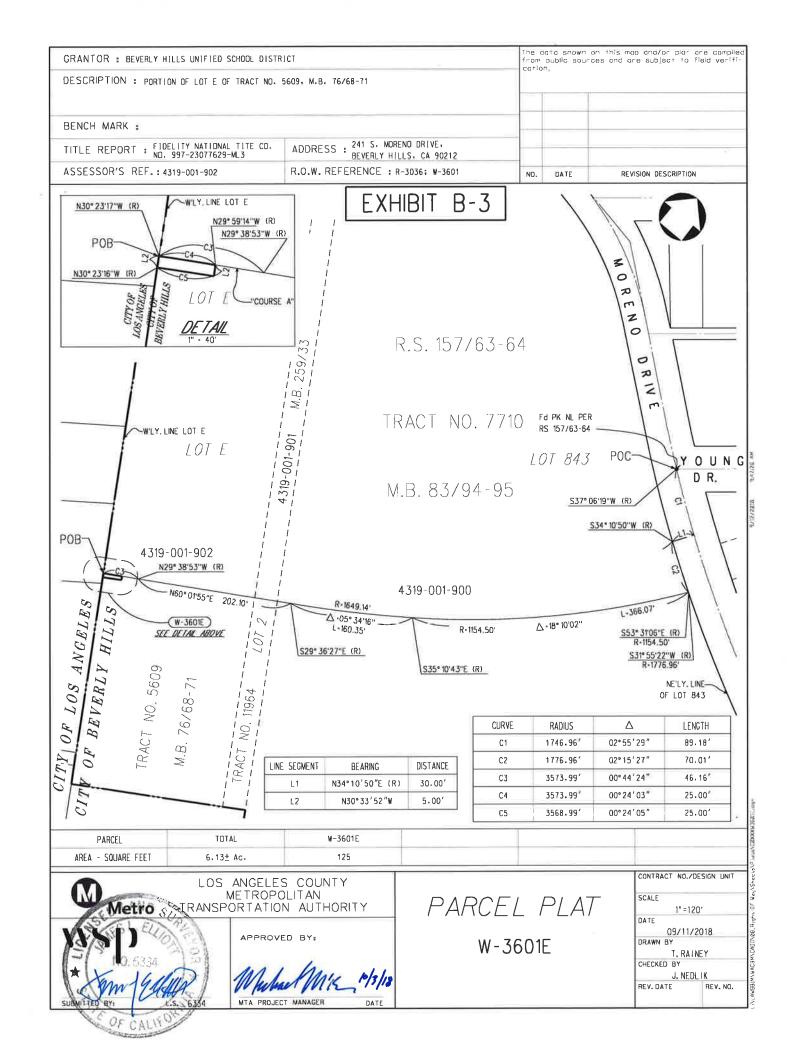
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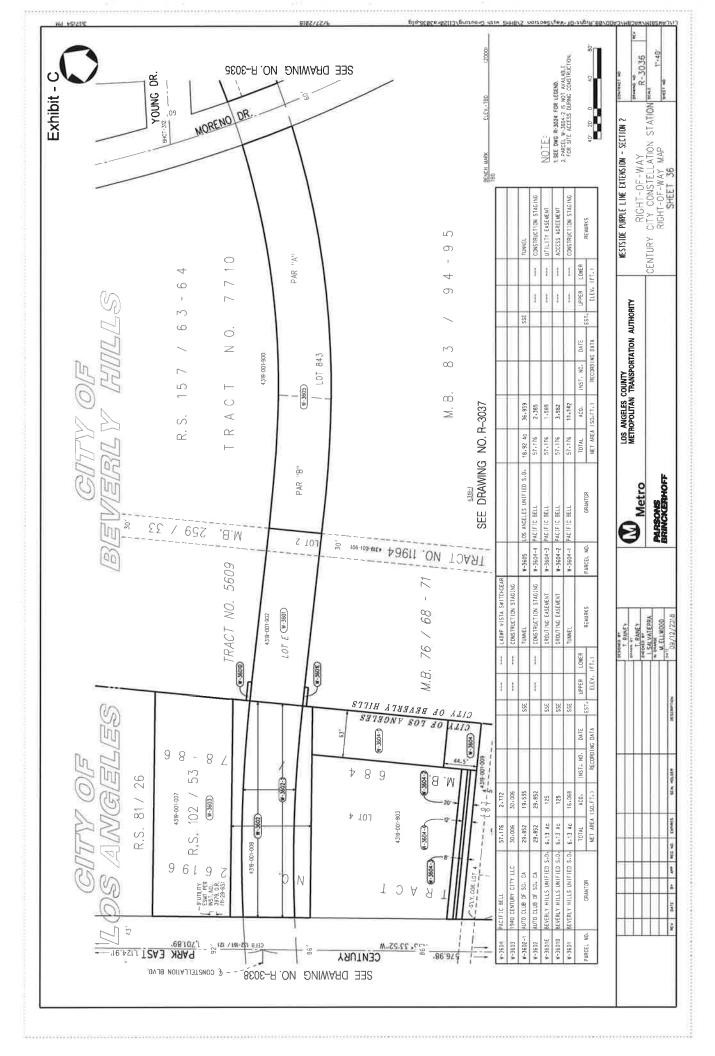
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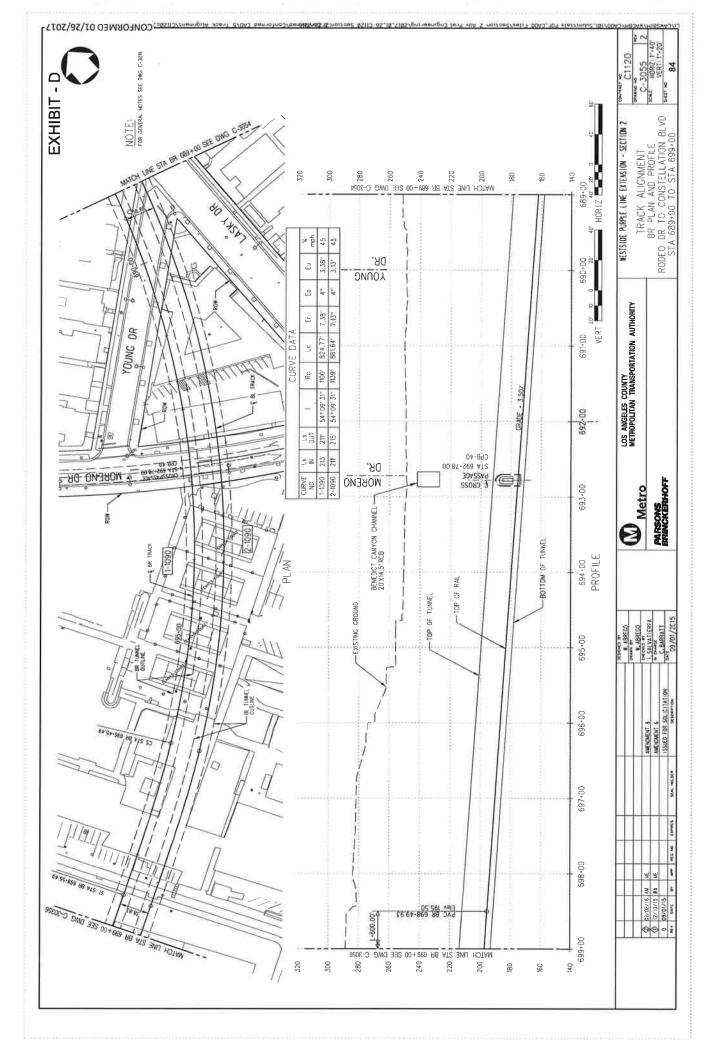
JAMES L. ELLIOTT, P.L.S. 6334

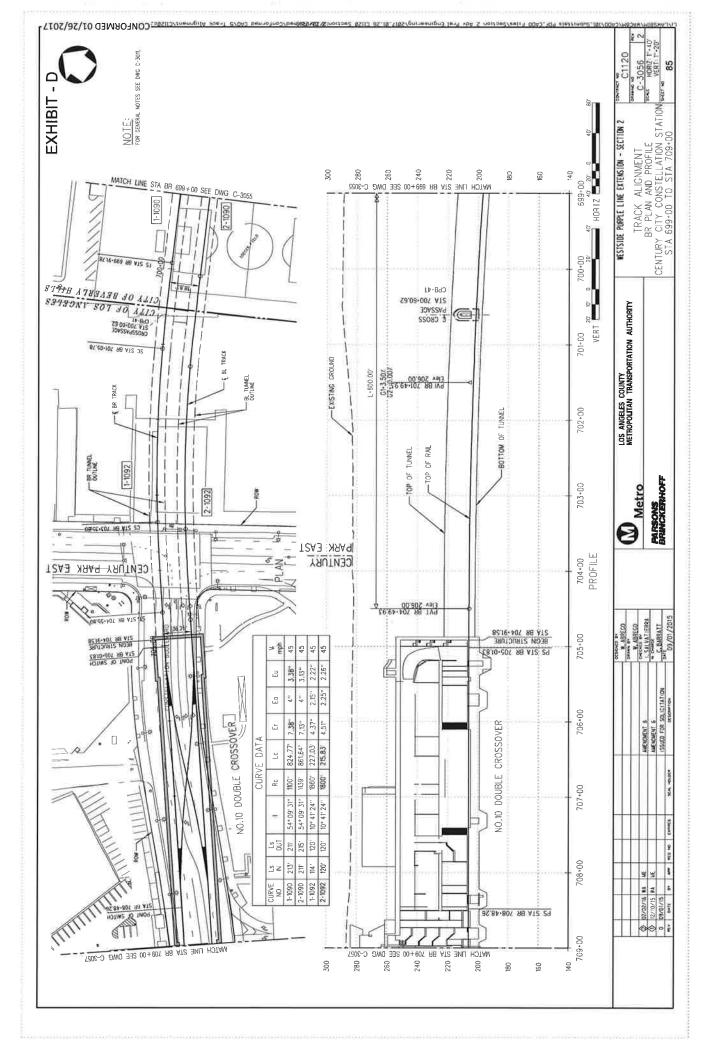
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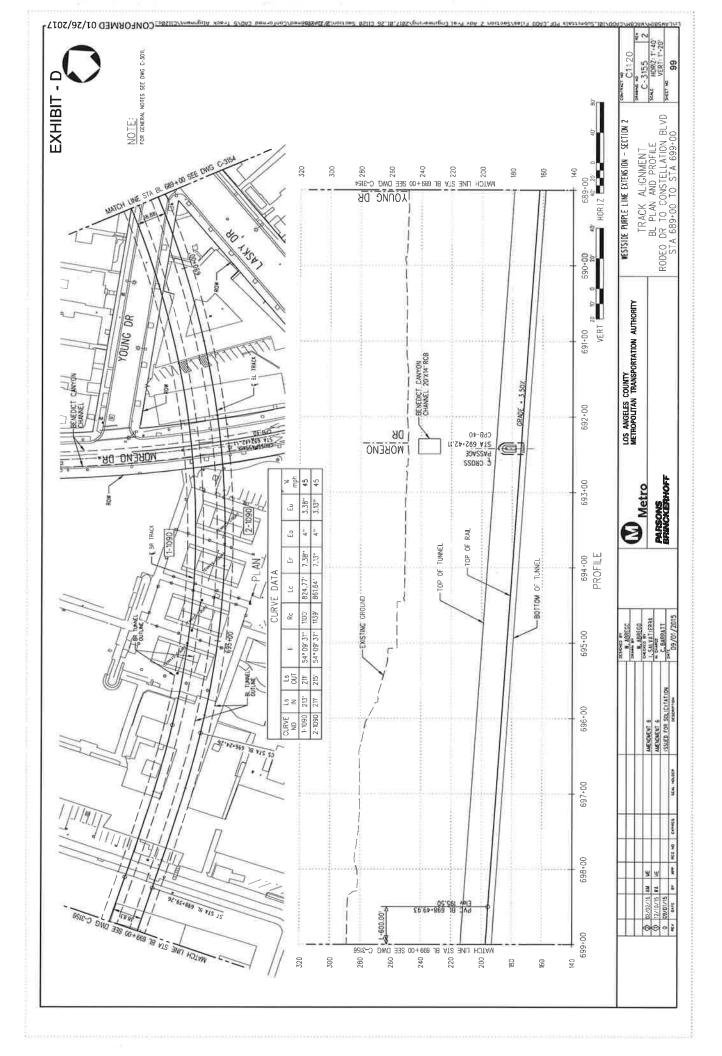
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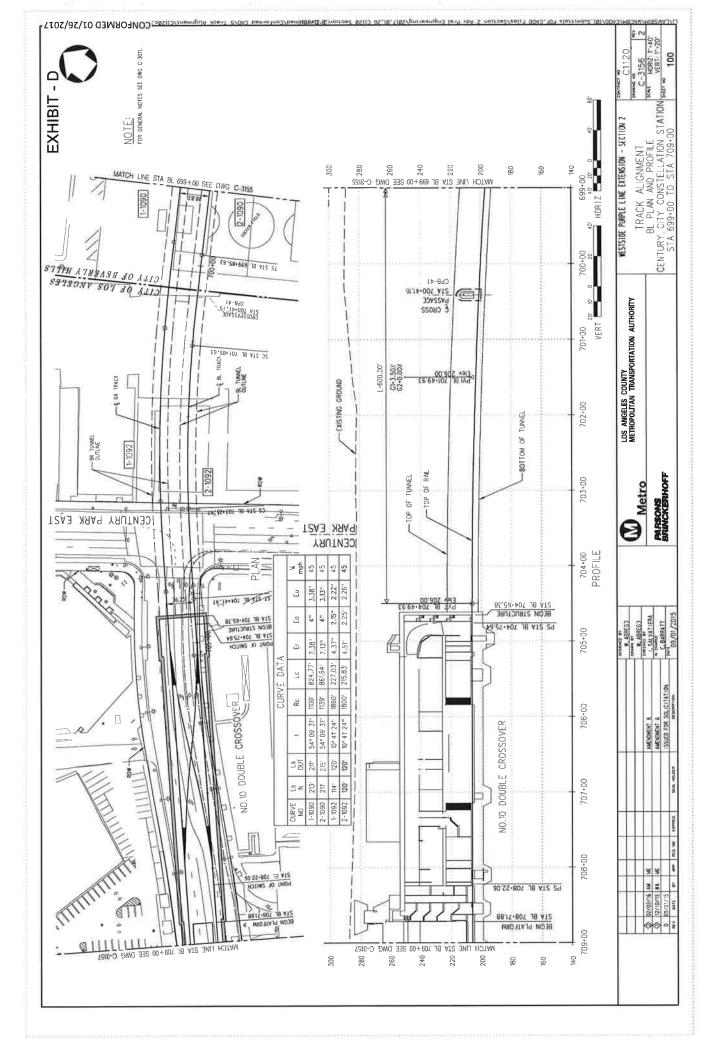


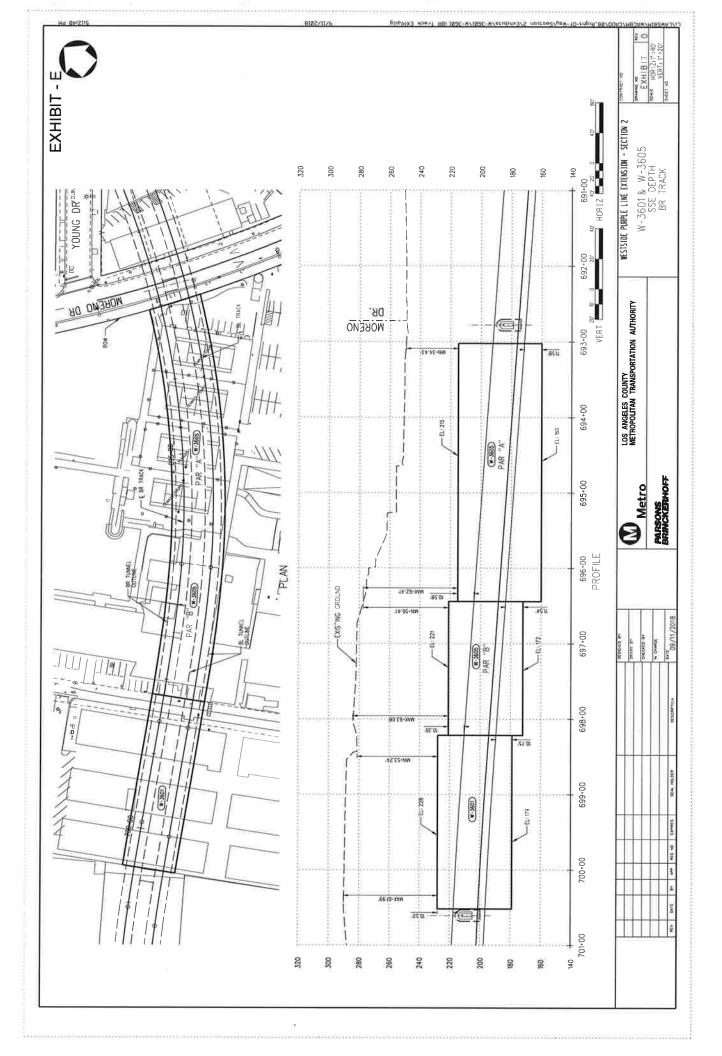


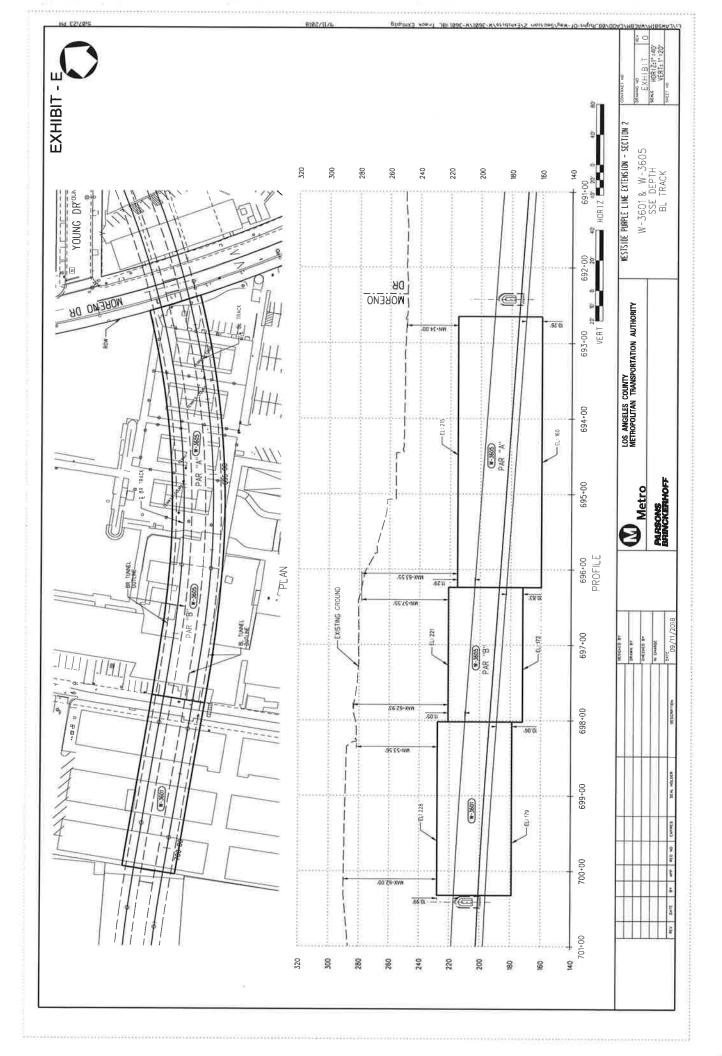


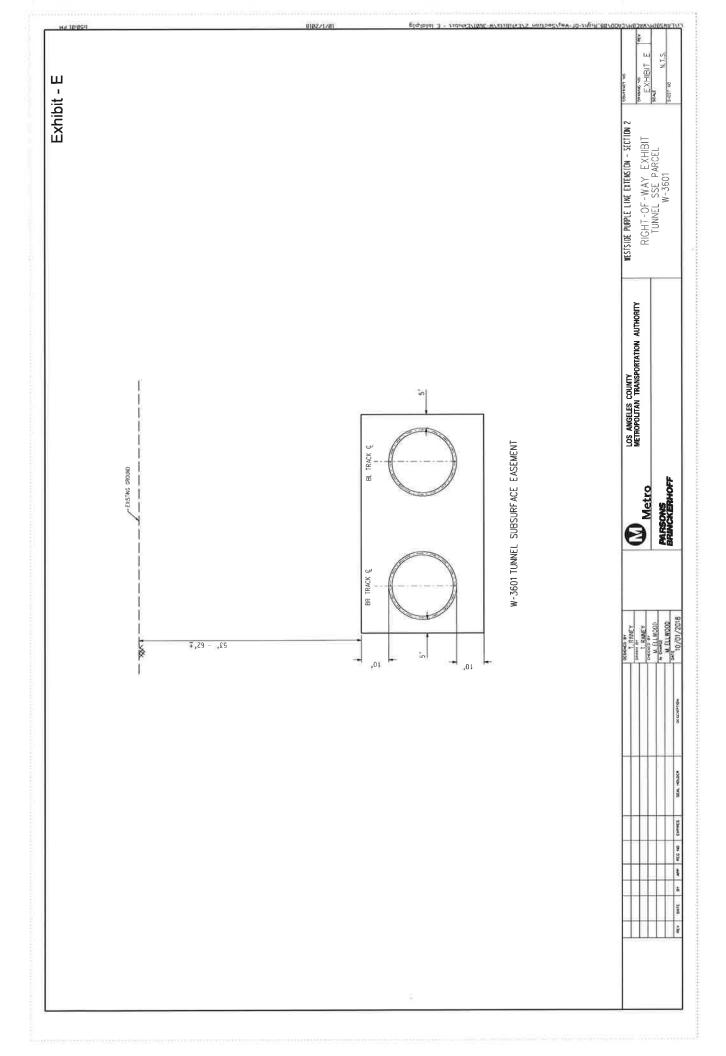












CERTIFICATION MEMORANDUM

WESTSIDE PURPLE LINE EXTENSION PROJECT

THURSDAY SEPTEMBER 27, 2018

PARCEL NUMBERS:

W-3605

ATTACHMENTS:

PROPERTY IMPACT STATEMENT

EXHIBIT "A" - LEGAL DESCRIPTION

EXHIBIT "B" - PLAT MAPS

EXHIBIT "C" - RIGHT-OF-WAY-DRAWING

EXHIBIT "D" – BR & BL TUNNEL PLAN AND PROFILE DRAWINGS

EXHIBIT "E" - CROSS SECTION OF TUNNEL SUBSURFACE EASEMENT

W-3605:

A SUBSURFACE EASEMENT (SSE) OF W-3605 IS REQUIRED BASED ON THE RIGHT-OF-WAY EXHIBIT, DATED SEPTEMBER 12, 2018. I CERTIFY THAT THE SSE IN PARCEL NUMBER W-3605 CONTAINING 36,959 SQUARE FEET OF PROPERTY IS REQUIRED FOR THE CONSTRUCTION AND OPERATION OF METRO'S WESTSIDE PURPLE LINE EXTENSION PROJECT.

MICHAEL MCKENNA EXECUTIVE OFFICER

PROJECT MANAGEMENT

PREPARED:	TUESDAY SEPTEMBER 11, 2018
REFERENCE DRAWING:	R-3036
REFERENCE PLAT:	W-3605
PARCEL ADDRESS:	241 S. MORENO DRIVE, BEVERLY HILLS, CA 90212
AFFECTED APN:	4319-001-900
OWNER:	LOS ANGELES UNIFIED SCHOOL DISTRICT

1. LOCATION AND DESCRIPTION:

THE PROPERTY CONTAINING THE RIGHT OF WAY ACQUISITIONS IDENTIFIED HEREIN CONSISTS OF 3 PARCELS, CONTAINING IN TOTAL, APPROXIMATELY 19 ACRES. THE SITE IS LOCATED ALONG THE WEST SIDE OF MORENO DRIVE, BETWEEN DURANT DRIVE AND OLYMPIC BOULEVARD AND IS DEVELOPED WITH THE MAIN BEVERLY HILLS UNIFIED SCHOOL DISTRICT HIGH SCHOOL CAMPUS.

2. NEED FOR THE PROPERTY:

A. PARCEL W-3605 IS NEEDED FOR THE TUNNEL ALIGNMENT FOR THE WESTSIDE PURPLE LINE EXTENSION SECTION 2 (PROJECT) THAT TRAVELS UNDERNEATH THE PROPERTY DESCRIBED ABOVE. CONSTRUCTION AND OPERATION OF THE PROJECT SHALL REQUIRE THE ACQUISITION OF A SUBSURFACE EASEMENT (SSE) FOR THE ALIGNMENT AS SHOWN IN THE PROJECT DEFINITION DRAWINGS (SEE EXHIBIT D). THE REQUIRED RIGHT OF WAY ENVELOPE IN THE VERTICAL PLANE IS A VERTICAL DISTANCE OF APPROXIMATELY 10 FEET ABOVE THE HIGH POINT OF THE TUNNEL STRUCTURES AND APPROXIMATELY 10 FEET BELOW THE LOW POINT OF THE TUNNEL STRUCTURES. FOR THE HORIZONTAL PLANE, THE RIGHT OF WAY ENVELOPE IS DEFINED BY AN APPROXIMATELY 5 FEET OFFSET FROM THE OUTERMOST BR AND BL TUNNEL WALLS (SEE EXHIBIT E). AS THE TUNNEL TRAVERSES THE PROPERTY SOUTHWESTERLY FROM THE PARCEL'S NORTHEASTERLY PROPERTY LINE TO THE PARCEL'S SOUTHWESTERLY PROPERTY LINE, THE HIGH POINT OF SSE RANGES FROM APPROXIMATELY 34 TO 63 FEET BELOW THE EXISTING GROUND SURFACE, RESPECTIVELY (AS SHOWN IN EXHIBIT E). EXHIBIT C, RIGHT-OF-WAY MAP IS INCLUDED.

3. CONSTRUCTION REQUIREMENTS AND TECHNIQUES

THE TUNNELS SHALL BE EXCAVATED BY TUNNEL BORING MACHINES (TBMS) WITH POSITIVE FACE CONTROL APPROPRIATE FOR THE SOIL CONDITIONS THAT WILL BE ENCOUNTERED ON THE PROJECT. THESE MACHINES EXCAVATE THE TUNNEL IN A MANNER THAT LIMITS DISTURBANCE TO THE SURROUNDING GROUND, THEREBY MINIMIZING IMPACT AT THE SURFACE. CONTRACT SPECIFICATIONS INCLUDE REQUIREMENTS GOVERNING SURFACE SETTLEMENT AND FOR OPERATING THE TBMS. THE TBMS' PERFORMANCE WILL BE CONTINUOUSLY MONITORED FROM WITHIN THE TUNNEL AND FROM THE GROUND SURFACE USING SURVEYING AND GROUND

MOVEMENT DETECTION INSTRUMENTS. A FINAL SEGMENTAL TUNNEL LINING WILL BE ERECTED FROM WITHIN THE TBM AS THE TBM ADVANCES, PROVIDING IMMEDIATE PERMANENT SUPPORT OF THE GROUND AND SERVE AS THE FINAL TUNNEL LINING. THE TUNNEL HAS BEEN DESIGNED TO SUPPORT THE EXISTING SURFACE IMPROVEMENTS.

CONSTRUCTION IMPACTS:

THE CONSTRUCTION AND OPERATION OF THE SUBWAY TUNNELS SHALL RESULT IN LITTLE OR NO NOISE OR VIBRATION IMPACT EXCEPT FOR:

- I. ANY PERCEPTIBLE NOISE OR VIBRATION DURING CONSTRUCTION WILL BE BELOW METRO CRITERIA, FEDERAL, STATE AND LOCAL ORDINANCES AS DESCRIBED IN THE PROJECT SPECIFICATIONS (01 56 19).
- II. THE OPERATION OF THE SUBWAY PROJECT WILL NOT RESULT IN ADVERSE OPERATIONAL NOISE OR VIBRATION IMPACTS TO THE OCCUPANTS OF THIS PROPERTY.

METRO HAS PLANNED AND DESIGNED THE PROJECT TO PROTECT EXISTING BUILDINGS. IN THE UNLIKELY EVENT THAT IMPACTS TO EXISTING BUILDING OCCURS AS A RESULT OF METRO'S ACTION; IT IS METRO'S POLICY TO ADDRESS SUCH ISSUES EXPEDITIOUSLY. THE REPAIR WORK, IF REQUIRED, SHALL BE SCHEDULED TO MINIMIZE DISRUPTION AND INCONVENIENCE TO OCCUPANTS AND OTHER USERS OF THE PROPERTY.

FUTURE CONSTRUCTION MAY BE ACCOMMODATED OVER THE METRO RIGHT OF WAY WHEN CONDUCTED IN ACCORDANCE WITH METRO'S ADJACENT CONSTRUCTION MANUAL. ANY FUTURE DEVELOPMENT PLANS AT THIS LOCATION ARE SUBJECT TO METRO'S REVIEW AND APPROVAL.

4. OTHER CONSIDERATIONS

OCCUPANTS OF THIS PROPERTY WILL NOT BE REQUIRED TO RELOCATE.

5. RECOMMENDED ACQUISITION

AS DESCRIBED ABOVE AND SHOWN IN EXHIBITS A, LEGAL DESCRIPTIONS, AND EXHIBITS B, PLAT MAPS, IS RECOMMENDED.

WPLE PARCEL ID	APN#	PROJECT USE	SQ. FT. REQ.	ROW TAKE (PERMANENT OR TEMPORARY)
W-3605	4319-001-900	TUNNEL CONSTRUCTION/OPERATION	36,959	PERMANENT SSE

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF BEVERLY HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 843 OF TRACT NO. 7710, AS PER MAP RECORDED IN BOOK 83, PAGES 94 AND 95 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WITHIN THE FOLLOWING DESCRIBED LAND:

PARCEL "A"

COMMENCING AT THE CENTERLINE INTERSECTION OF MORENO DRIVE AND YOUNG DRIVE AS SHOWN ON RECORD OF SURVEY MAP, RECORDED IN BOOK 157, PAGES 63 AND 64 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID INTERSECTION BEING ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1746.96 FEET, A RADIAL LINE TO SAID INTERSECTION BEARS SOUTH 37°06'19" WEST; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF MORENO DRIVE AND SAID CURVE 89.18 FEET THROUGH A CENTRAL ANGLE OF 02°55'29"; THENCE RADIAL TO SAID CURVE SOUTH 34°10'50" WEST, 30.00 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 843, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1776.96 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 34°10′50" WEST, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE AND SAID CURVE 70.01 FEET THROUGH A CENTRAL ANGLE OF 02°15'27" TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1154.50 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 53°31'06" EAST; THENCE SOUTHWESTERLY ALONG SAID CURVE 366.07 FEET THROUGH A CENTRAL ANGLE OF 18°10'02" TO A POINT HEREINAFTER KNOWN AS POINT "A"; THENCE NORTH 31°32'33" WEST, 70.05 FEET TO A POINT HEREINAFTER KNOWN AS POINT "B" SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1084.50 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 35°35'40" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE 335.07 FEET THROUGH A CENTRAL ANGLE OF 17°42'07" TO THE POINT OF BEGINNING.

THE UPPER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED AS PARCEL "A", IS A HORIZONTAL PLANE WITH AN ELEVATION OF +215.00 FEET AND THE LOWER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED IS A HORIZONTAL PLANE WITH AN ELEVATION OF +160.00 FEET, BASED ON THE NAVD-88 DATUM ELEVATION OF 285.39 FEET FOR CITY OF LOS ANGELES BENCHMARK NO. 13-13450. THE UPPER LIMIT OF THIS EASEMENT VARIES FROM APPROXIMATELY 34 TO 63 FEET BELOW FINISH GRADE (EXISTING SURFACE ELEVATION IN JANUARY OF 2011), AND THE LOWER LIMIT OF THIS EASEMENT VARIES FROM APPROXIMATELY 89 TO 118 FEET BELOW FINISH GRADE (EXISTING SURFACE ELEVATION IN JANUARY OF 2011). THESE ELEVATIONS WERE DETERMINED FROM THE LOS ANGELES METRO WESTSIDE SUBWAY EXTENSION PROJECT — SECTION 2 PROJECT DEFINITION DRAWINGS.

PARCEL "B"

BEGINNING AT THE ABOVE DESCRIBED POINT "A", SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1649.14 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 35°10'43" EAST; THENCE SOUTHWESTERLY ALONG SAID CURVE 160.35 FEET THROUGH A CENTRAL ANGLE OF 05°34'16"; THENCE NON-TANGENT TO SAID CURVE SOUTH 60°01'55" WEST, 18.14 FEET TO A POINT ON THE NORTHEASTERLY LINE OF LOT 2 OF TRACT NO. 11964, AS PER MAP RECORDED IN BOOK 259, PAGE 33 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE NORTH 30°33'21" WEST, 69.87 FEET ALONG SAID NORTHEASTERLY LINE; THENCE NORTH 59°58'27"

LEGAL DESCRIPTION

EAST, 0.86 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 3975.64 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 30°17'34" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE 101.47 FEET THROUGH A CENTRAL ANGLE OF 01°27'44" TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 2011.79 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 32°46'42" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE 74.95 FEET THROUGH A CENTRAL ANGLE OF 02°08'05" TO THE ABOVE DESCRIBED POINT "B"; THENCE SOUTH 31°32'33" EAST, 70.05 FEET TO THE POINT OF **BEGINNING**.

THE UPPER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED AS PARCEL "B", IS A HORIZONTAL PLANE WITH AN ELEVATION OF +221.00 FEET AND THE LOWER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED IS A HORIZONTAL PLANE WITH AN ELEVATION OF +172.00 FEET, BASED ON THE NAVD-88 DATUM ELEVATION OF 285.39 FEET FOR CITY OF LOS ANGELES BENCHMARK NO. 13-13450. THE UPPER LIMIT OF THIS EASEMENT VARIES FROM APPROXIMATELY 56 TO 63 FEET BELOW FINISH GRADE (EXISTING SURFACE ELEVATION IN JANUARY OF 2011), AND THE LOWER LIMIT OF THIS EASEMENT VARIES FROM APPROXIMATELY 105 TO 112 FEET BELOW FINISH GRADE (EXISTING SURFACE ELEVATION IN JANUARY OF 2011). THESE ELEVATIONS WERE DETERMINED FROM THE LOS ANGELES METRO WESTSIDE SUBWAY EXTENSION PROJECT — SECTION 2 PROJECT DEFINITION DRAWINGS.

NOTE:

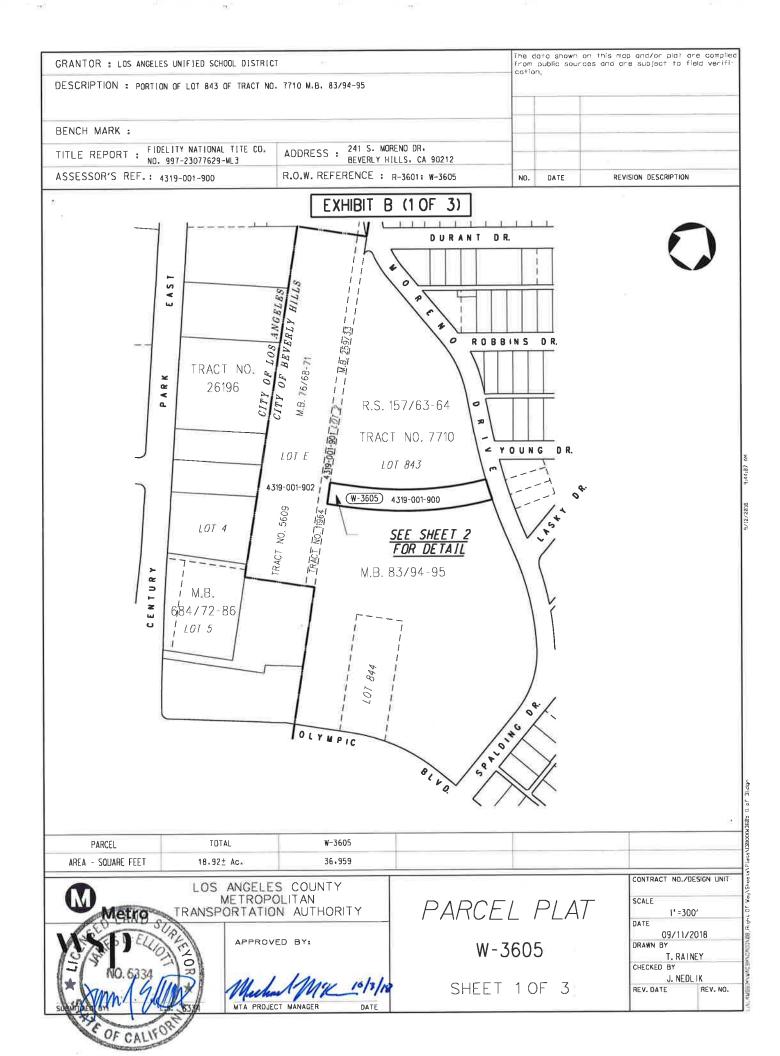
THIS LEGAL DESCRIPTION WAS NOT PREPARED FOR ANY PURPOSE THAT WOULD BE IN VIOLATION OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT OR LOCAL ORDINANCES OF THE GOVERNING BODY HAVING JURISDICTION.

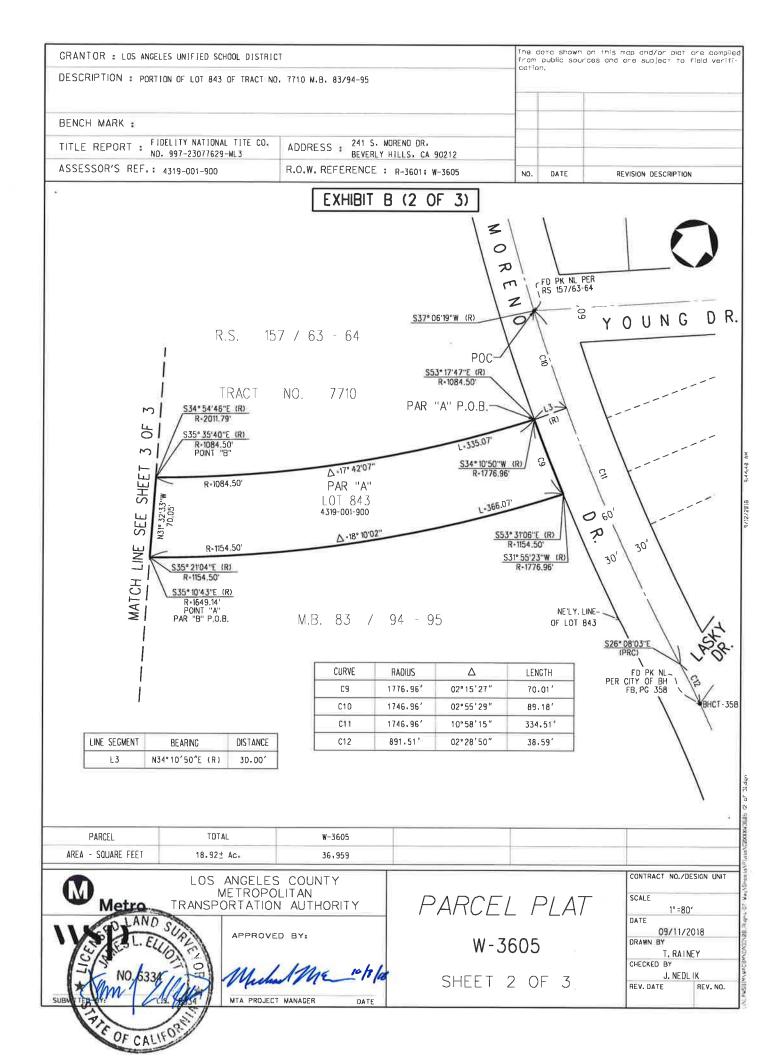
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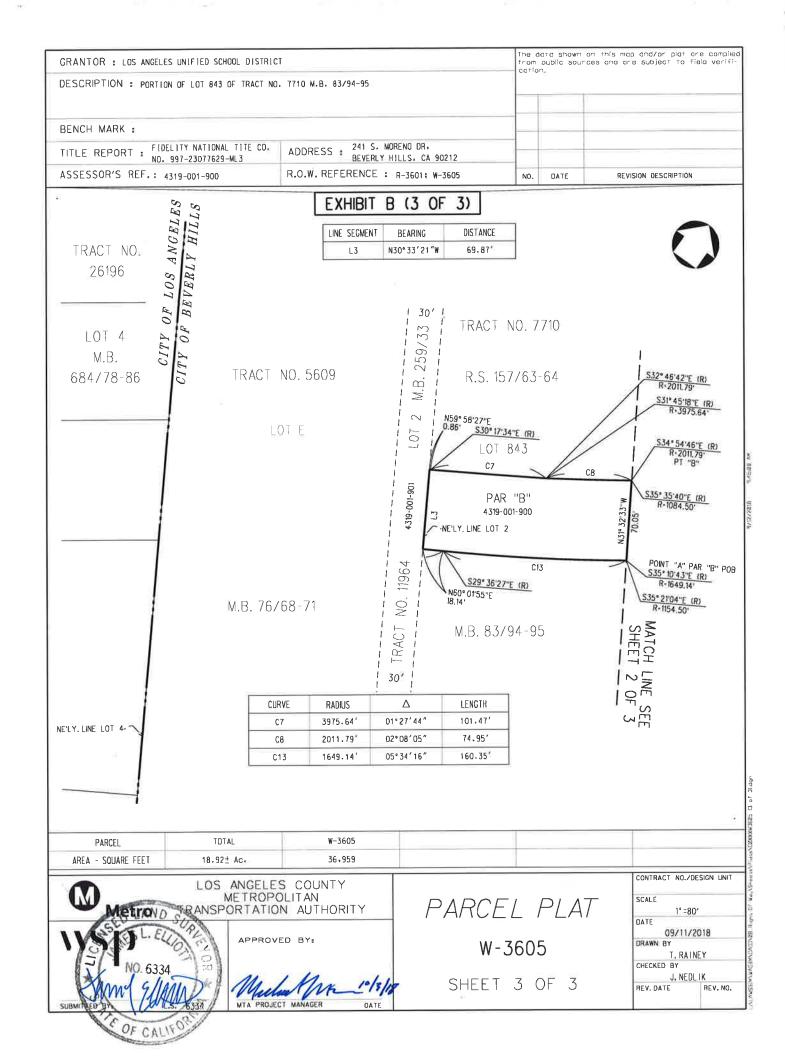
JAMES L. FLLIOTT, P.L.S. 6334

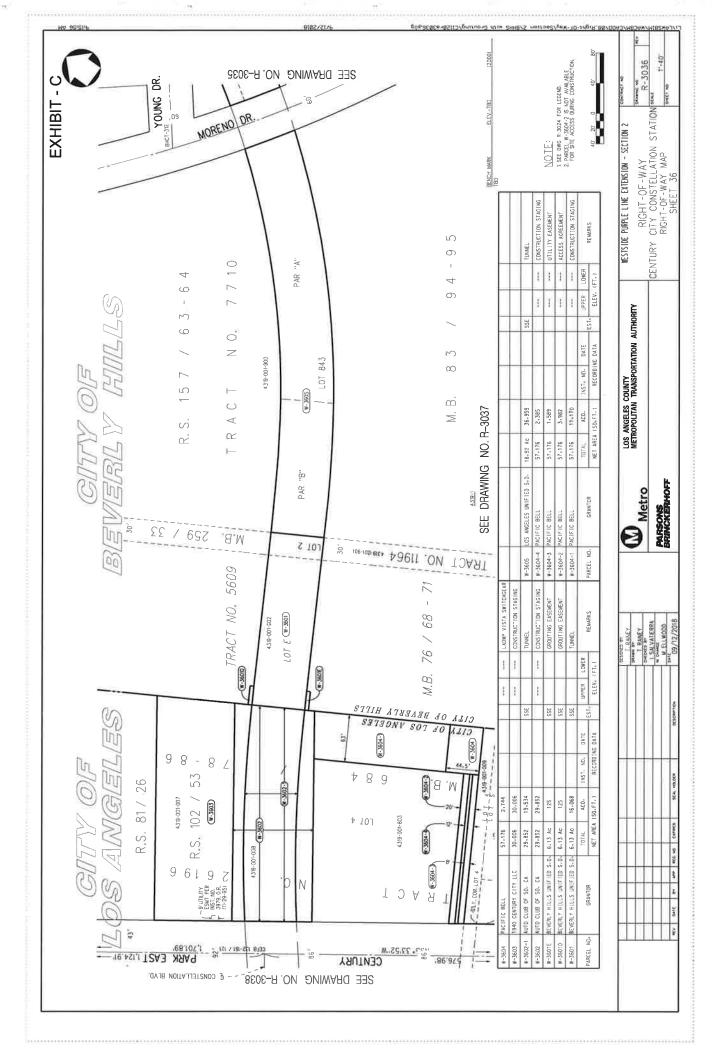
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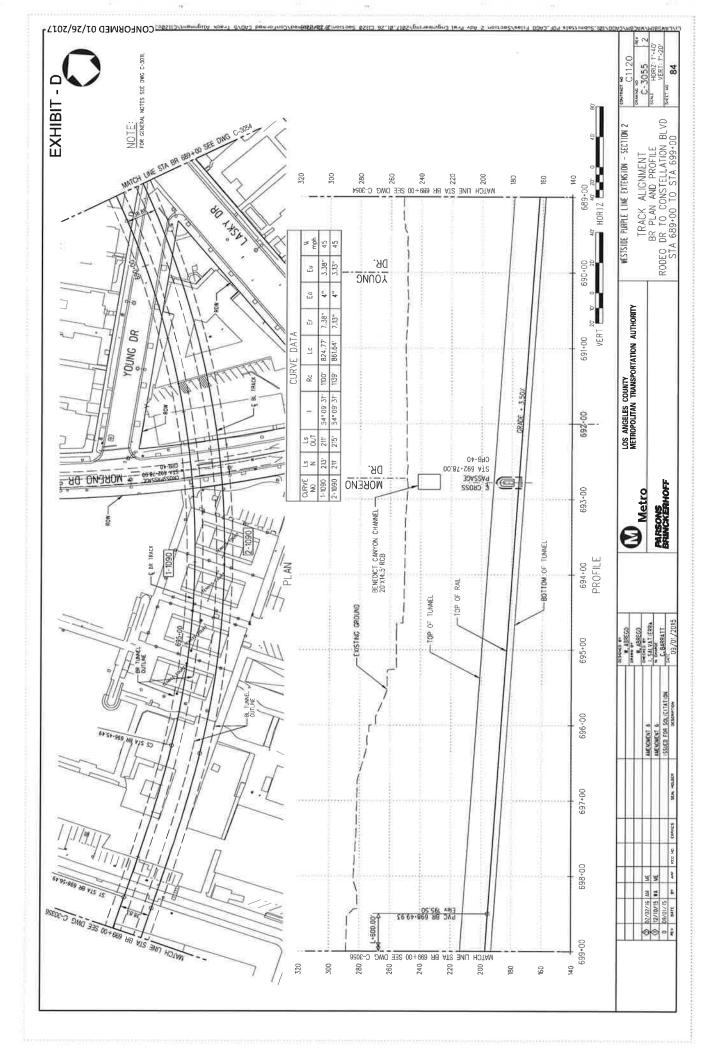
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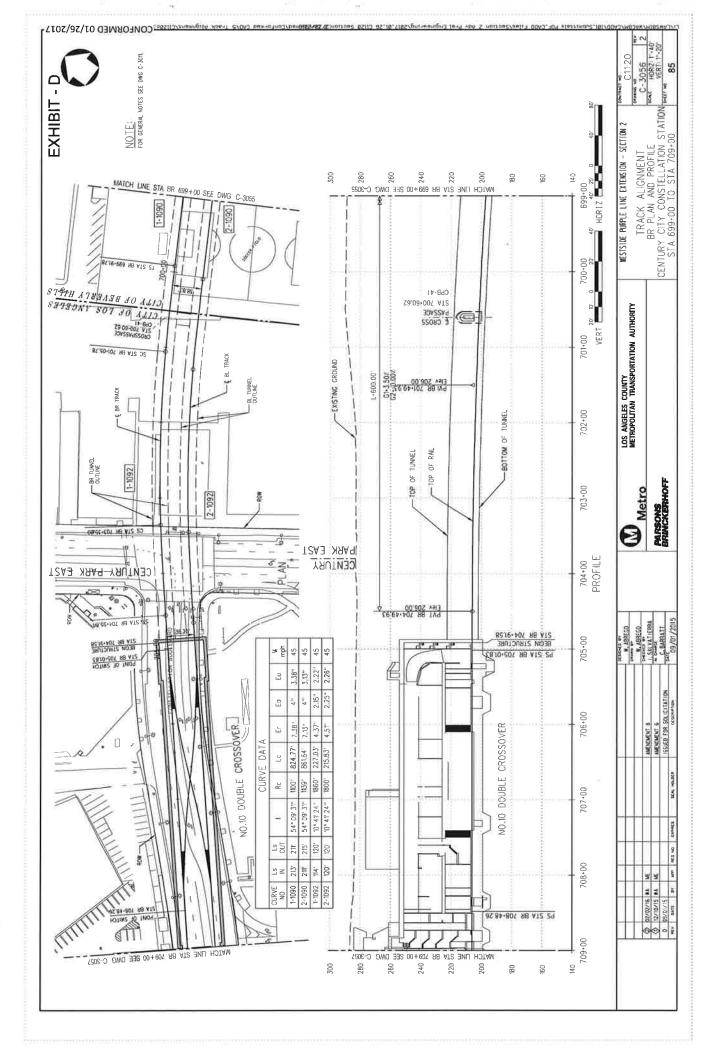


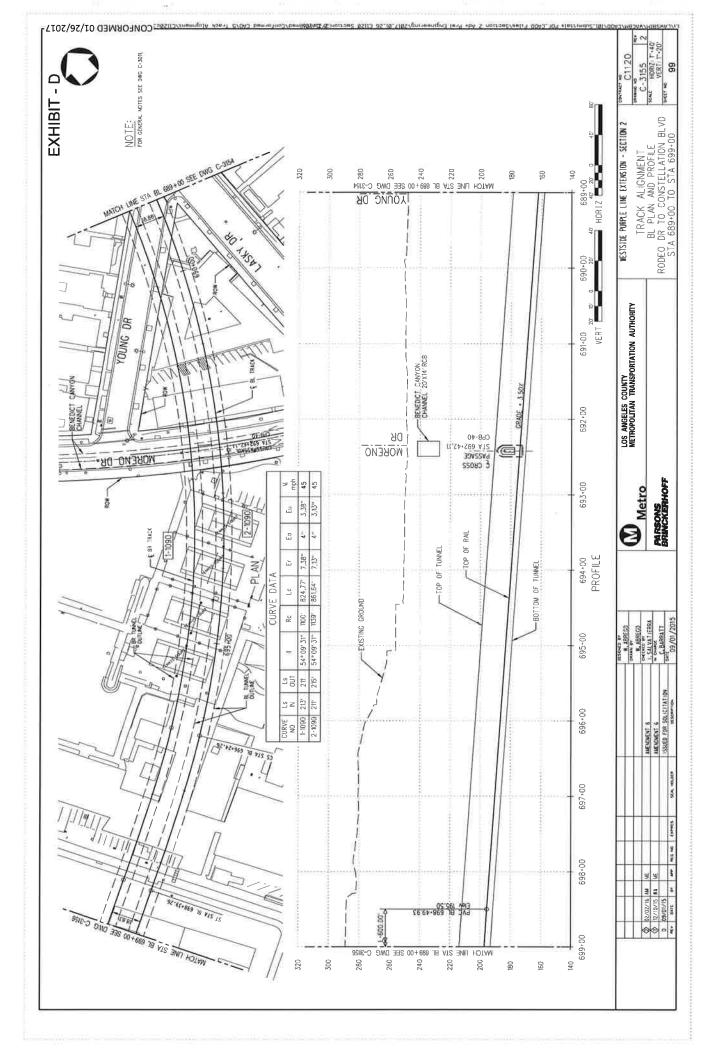


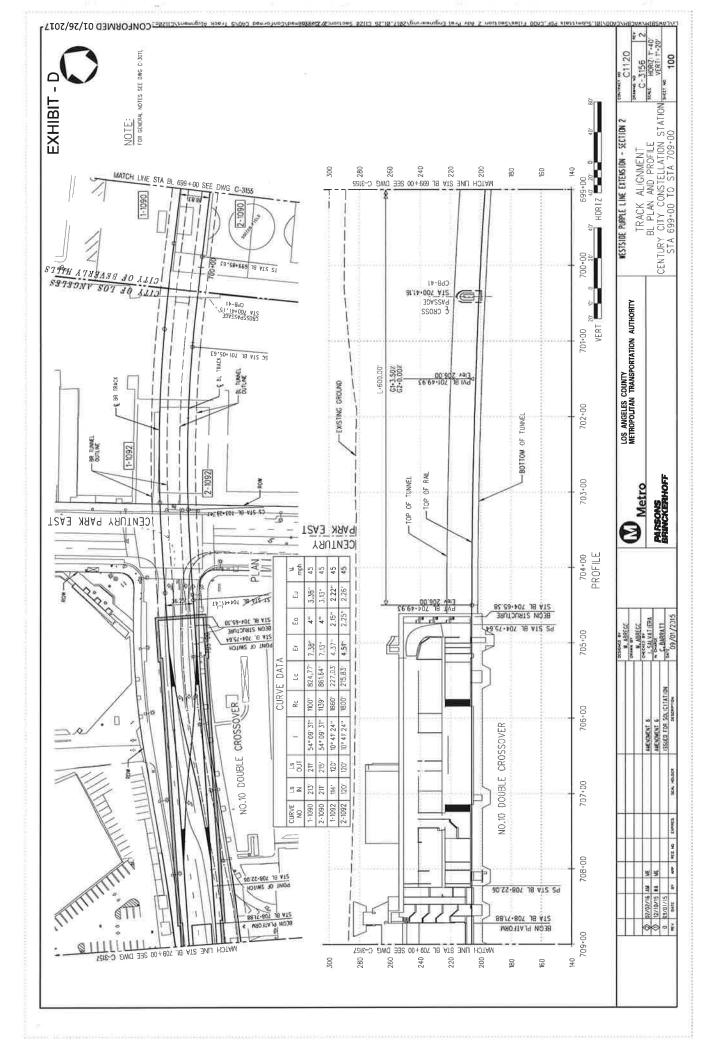


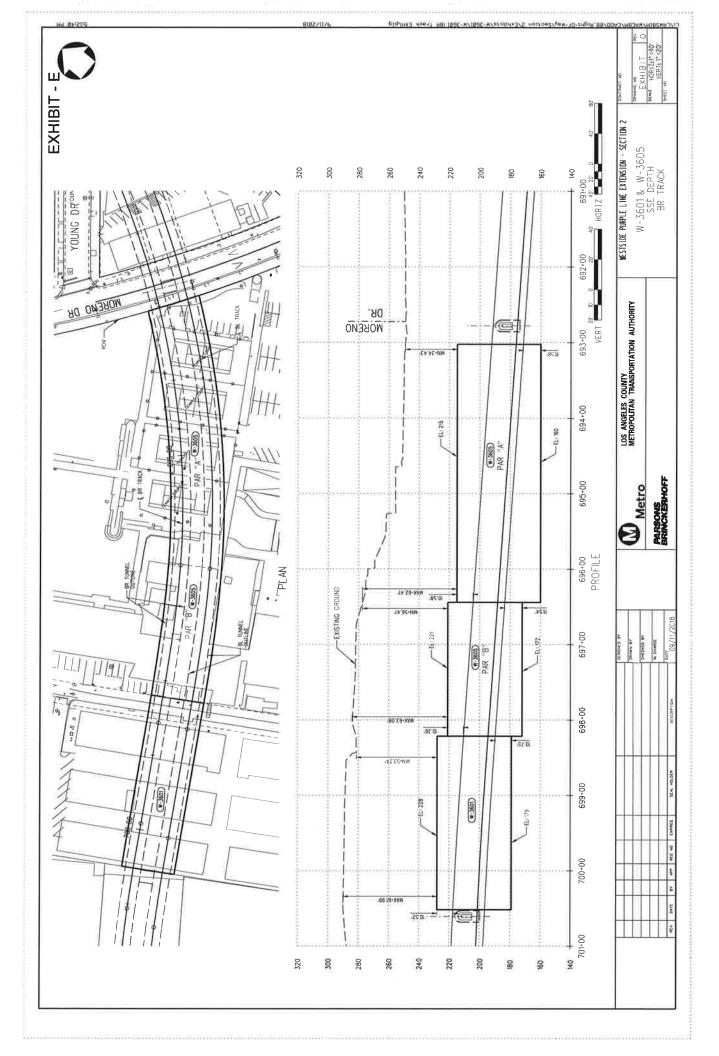


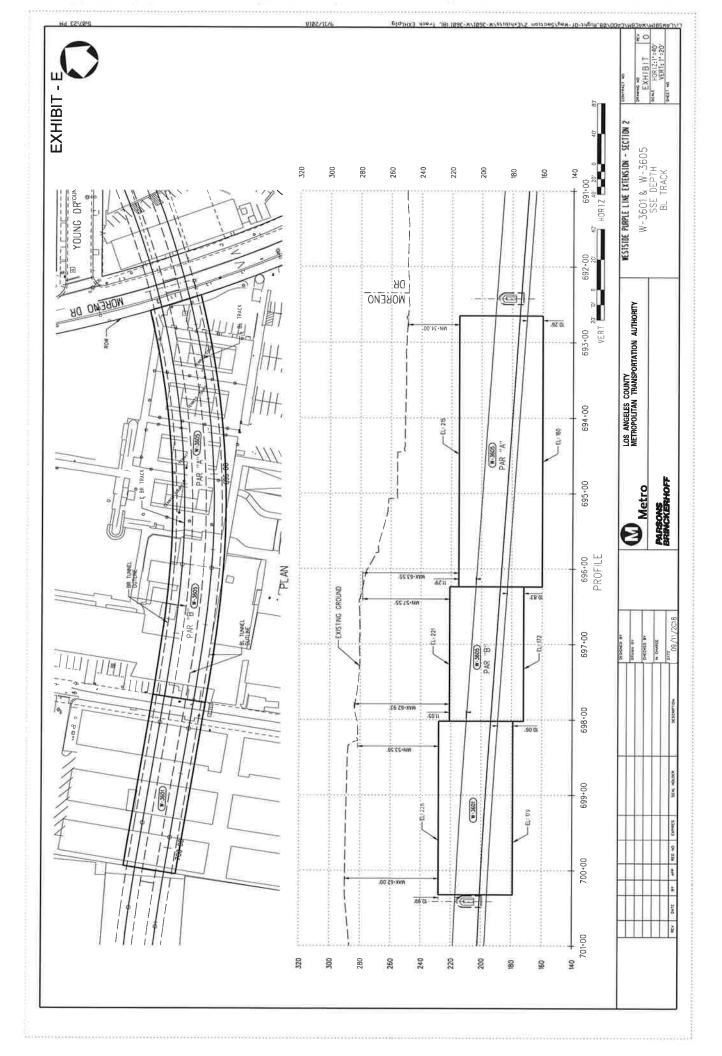












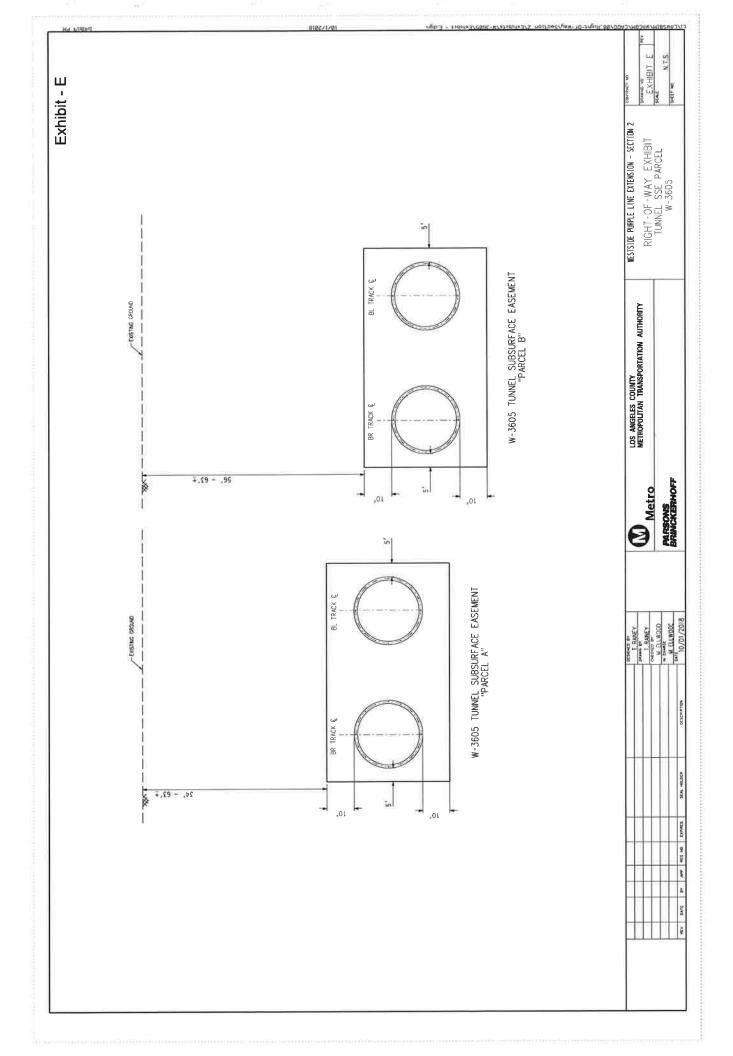
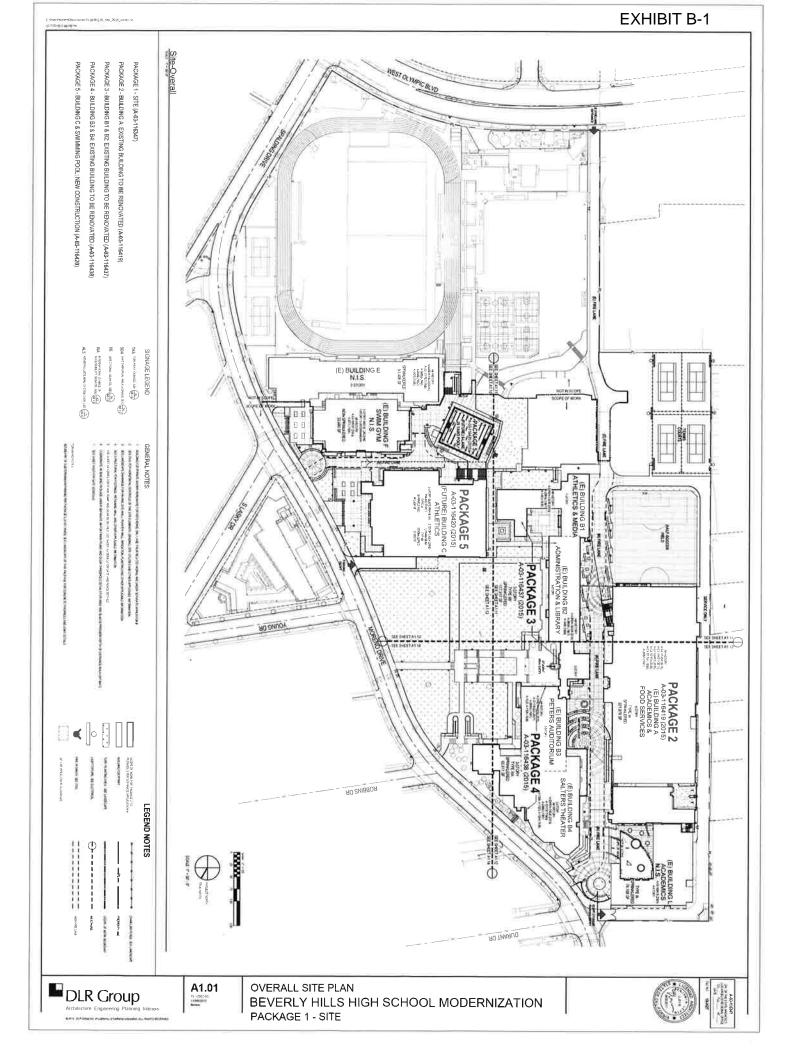
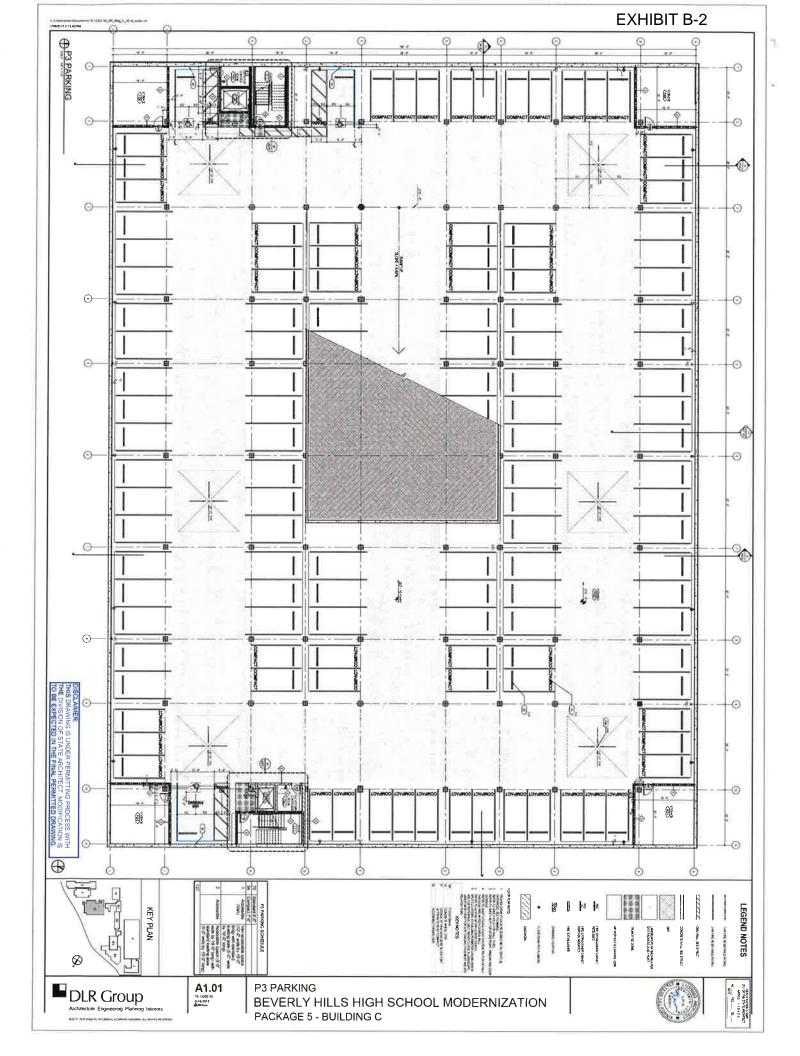
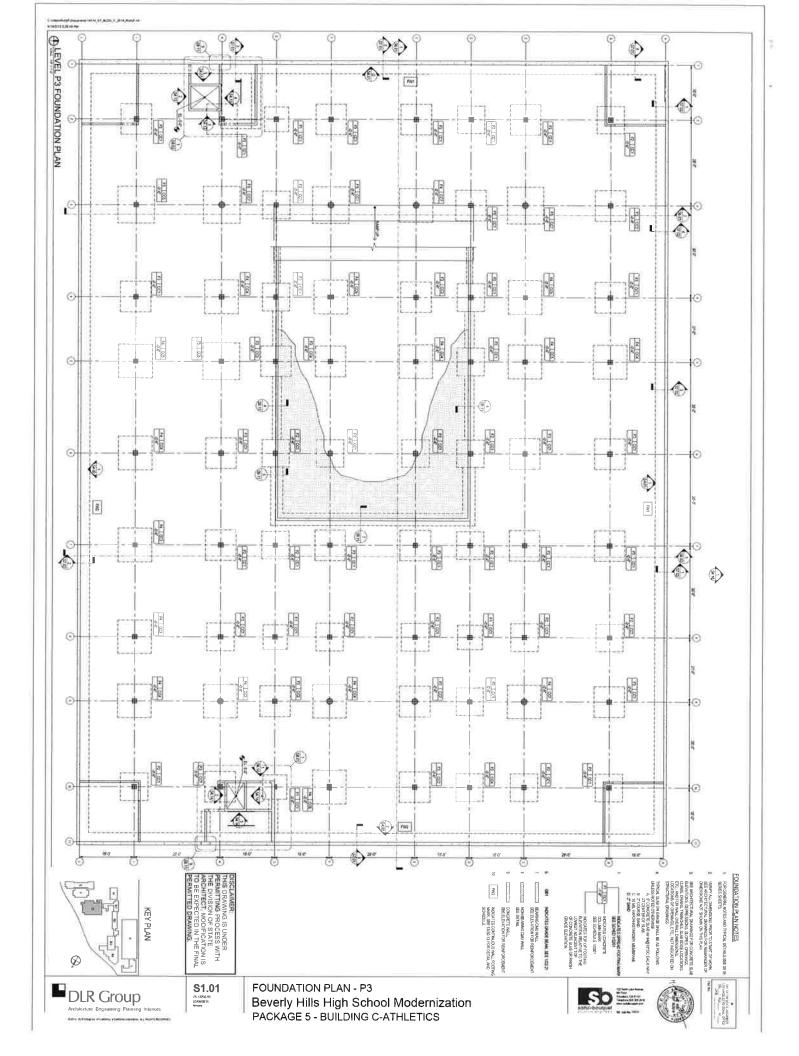
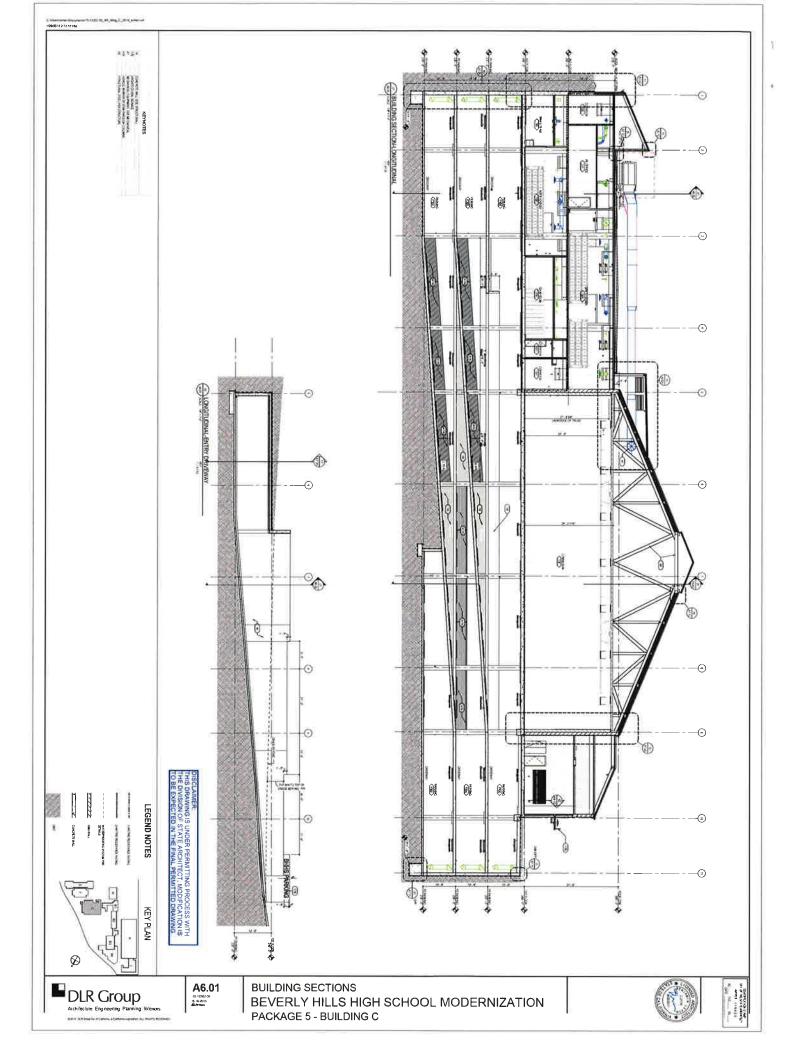


EXHIBIT B1 -B2 - BHUSD MODERNIZATION PLAN









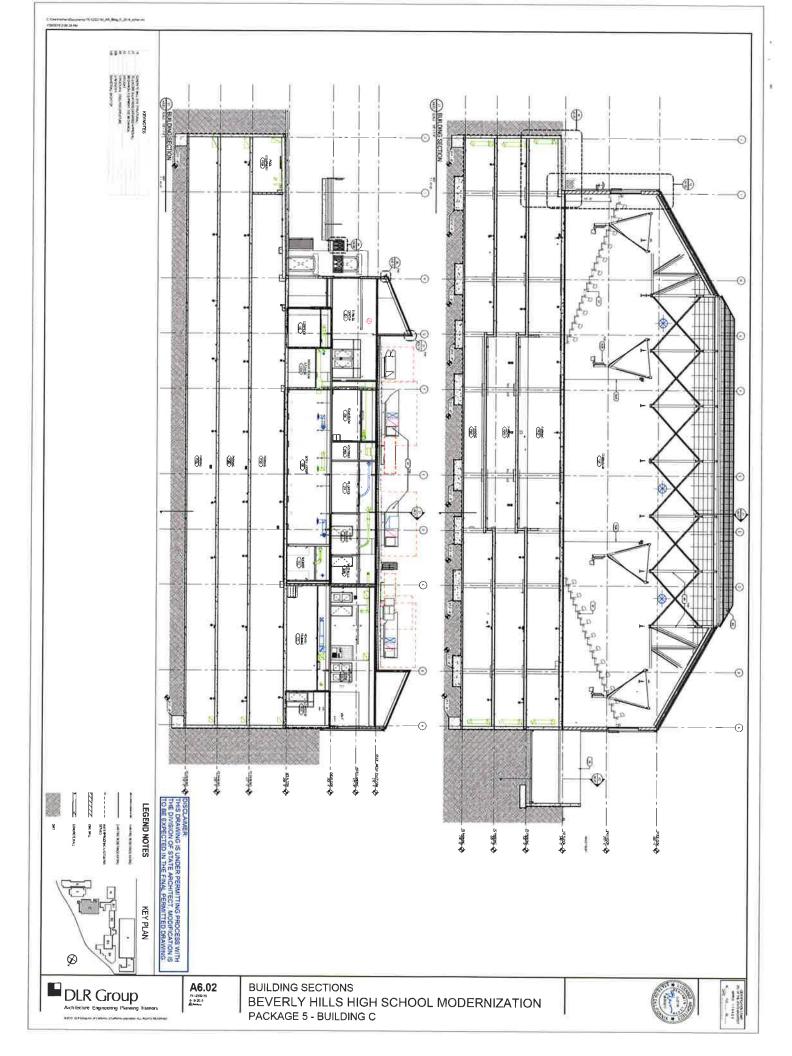


EXHIBIT C - DIAGRAM OF BUILDING C

