



**Board Report**

**File #:** 2015-1559, **File Type:** Public Hearing

**Agenda Number:** 61.

**REVISED**  
**REGULAR BOARD MEETING**  
**JANUARY 28, 2016**

**SUBJECT: REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT**

**ACTION: RESCIND RESOLUTION OF NECESSITY TO ACQUIRE A SUBSURFACE EASEMENT AND A GROUTING EASEMENT ON PROJECT PARCEL RC-449 AND RC-449-1**

**RECOMMENDATION**

CONSIDER:

- A. ~~HOLDING a public hearing on the proposed rescission of Resolution of Necessity;~~
- B. **RESCINDING Resolution of Necessity** authorizing the commencement of an eminent domain action to **acquire a subsurface easement and a grouting easement in Project Parcels RC-449 and RC-449-1** (Assessor Parcel No. 5161-017-009); consisting of the real property (hereinafter the "Property").

(REQUIRES TWO-THIRDS VOTE)

**BACKGROUND**

A Resolution of Necessity authorizing the commencement of an eminent domain action to acquire the Property in furtherance of the Regional Connector Transit Corridor Project ("Project") was approved by the Board on February 26, 2015. Following approval of the Resolution of Necessity, and prior to the filing of an eminent domain action, on or about June 19, 2015, it was determined that the Project's updated design and approach eliminated the need for permeation grouting and grouting easements at the Property. Further, it was determined that the Project will be able to construct the Project tunnel without the need to take a 51 square foot subsurface easement under the Property that was originally contemplated.

As acquisition of the Property is no longer required for the construction and operation of the Project, the Resolution of Necessity associated with the Property should be rescinded. Rescission of the Resolution of Necessity will allow the Los Angeles County Metropolitan Transportation Authority ("METRO") to revoke all pending offers of compensation associated with the acquisition of the Property.

Project staff provided information supporting the rescission of the Resolution of Necessity

(Attachment "B"). After all of the testimony and other evidence has been received from all interested parties, the Board may adopt the proposed Resolution to Rescind the Resolution of Necessity (Attachment "C").

METRO has mailed notice of this hearing to the Owners informing them of their right to appear at this hearing and be heard.

### **DETERMINATION OF SAFETY IMPACT**

This Board action will not have an impact on METRO's safety standards.

### **FINANCIAL IMPACT**

Funds allocated for acquisition of the Property will remain in the right of way budget for the Project.

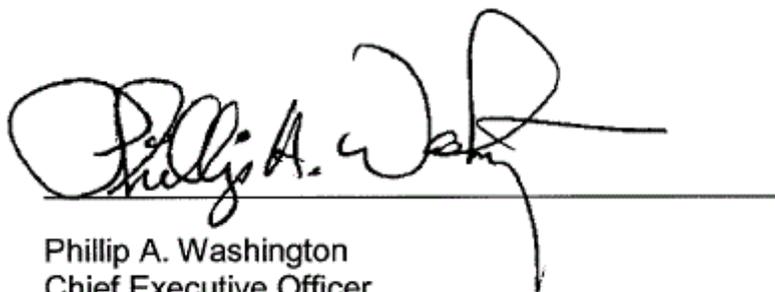
### **ATTACHMENTS**

Attachment A - Site Plan

Attachment B - Staff Report

Attachment C - Resolution of Necessity

Prepared by: Velma Marshall, Deputy Executive Officer- Real Estate, (213) 922-2415  
Calvin E. Hollis, Managing Executive Officer, (213) 922-7319



Phillip A. Washington  
Chief Executive Officer