



## Board Report

File #: 2017-0287, File Type: Policy

Agenda Number:

### REGULAR BOARD MEETING MAY 25, 2017

**SUBJECT: PURPLE LINE WESTSIDE SUBWAY EXTENSION TRANSIT PROJECT SECTION 2**

**ACTION: ADOPT RESOLUTION OF NECESSITY TO ACQUIRE PARCEL W-3602**

#### **RECOMMENDATION**

CONSIDER:

- A. HOLDING a public hearing on the proposed Resolution of Necessity; and
- B. ADOPTING the **Resolution of Necessity authorizing the commencement of an eminent domain action to acquire Project Parcel W-3602 (APN: 4309-001-008), the Purple Line Westside Subway Extension Transit Project Section 2**, consisting of a temporary construction easement and a permanent subsurface tunnel easement (hereinafter the "Property" as identified in Attachment A).

(REQUIRES 2/3 VOTE OF THE BOARD)

#### **BACKGROUND**

Acquisition of the Property is required for the construction of and operation of the Purple Line Westside Subway Extension Project, Section 2 ("Project"). A written offer was presented to the Owner of Record, Automobile Club of Southern California ("Owner"), as required by California Government Code Section 7267.2. The Owner has rejected the offer made by the Los Angeles County Metropolitan Transportation Authority ("LACMTA"), and requested that we initiate the eminent domain process to determine the value of the property. The Property is necessary for construction of the Project; therefore, staff recommends the acquisition of the Property through eminent domain to determine the value of the Property and to maintain the Project schedule.

In accordance with the provisions of the California Eminent Domain law and Sections 30503, 30600, 130051.13, 130220.5 and 132610 of the California Public Utilities Code (which authorize the public acquisition of private property by eminent domain), LACMTA has prepared and mailed notice of this hearing to the Owner informing them of their right to appear at this hearing and be heard on the following issues: (1) whether the public interest and necessity require the Project; (2) whether the Project is planned or located in the manner that will be most compatible with the greatest good and the least private injury; (3) whether the Property is necessary for the Project; (4) whether either the

offer required by Section 7267.2 of the Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence; and (5) whether environmental review of the Project has complied with the California Environmental Quality Act (CEQA).

Attached is the Staff Report prepared by staff and legal counsel setting forth the required findings for acquiring the Property through the use of eminent domain (Attachment B). After LACMTA receives testimony and evidence from all interested parties, the LACMTA must make a determination as to whether to acquire the Property by eminent domain and adopt the proposed Resolution of Necessity (Attachment C). The Board must find and determine that based upon all the evidence and the existence of the above stated conditions, acquisition by eminent domain is necessary; and a two-thirds vote of all the members of its governing body is required to adopt the Resolution of Necessity.

### **DETERMINATION OF SAFETY IMPACT**

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

### **FINANCIAL IMPACT**

The funding for the acquisition of the Property is included in the approved fiscal year 2017, Project budget under Measure R Project 865522 (Purple Line Westside Extension Project, Section 2), in Cost Center 8510, and Account Number 53103 (Acquisition of Land).

#### **Impact to Budget**

The approved FY17 Measure R 35% funding budget is designated for the Westside Purple Line Extension, Section 2, and does not have an impact to operations funding sources. The funds were assumed in the Long Range Transportation Plan for the Project. This Project is not eligible for Proposition A and C funding due to the proposed tunneling element of the Project. No other funds were considered.

### **NEXT STEPS**

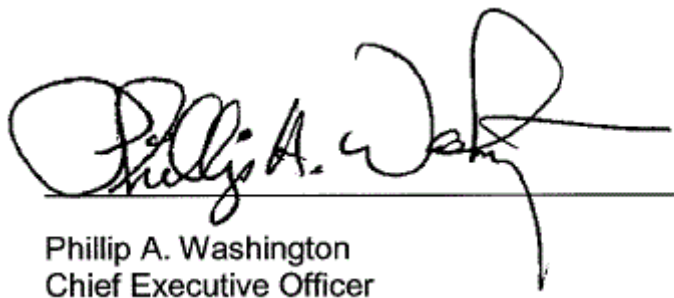
If this action is approved by the Board, LACMTA's condemnation counsel will be instructed to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the Property interest by eminent domain. Counsel will also be directed to seek and obtain an Order of Prejudgment Possession in accordance with the provisions of the eminent domain law.

### **ATTACHMENTS**

Attachment A - Site Plan  
Attachment B - Staff Report  
Attachment C - Resolution of Necessity

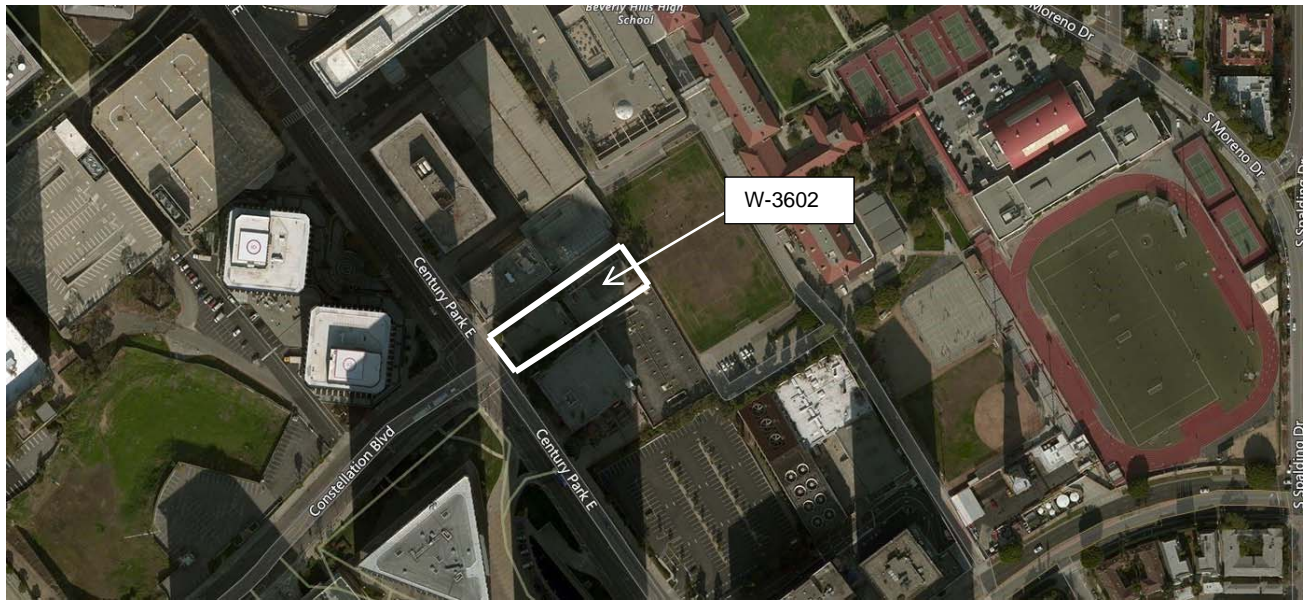
Prepared by: Velma C. Marshall, Deputy Executive Officer - Real Estate, (213) 922-2415  
Calvin E. Hollis, Senior Executive Officer, (213) 922-7319

Reviewed by:       Therese W. McMillan, Chief Planning Officer, (213) 922-7077



Phillip A. Washington  
Chief Executive Officer

## ATTACHMENT A



Automobile Club of Southern California, a California nonprofit corporation  
1950 Century Park East, Los Angeles, CA  
APN: 4319-001-008

## ATTACHMENT B

### STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF PARCEL NO. W-3602 (THE "PROPERTY") FOR THE PURPLE LINE (WESTSIDE) SUBWAY EXTENSION TRANSIT PROJECT SECTION 2

#### **BACKGROUND**

The Property is required for the construction and operation of the Purple Line Westside Extension Project Section 2 ("Project"). The address, record owner, physical description, and nature of the property interest sought to be acquired for the Project are summarized as follows:

<b>Assessor's Parcel</b>	<b>Parcel Address</b>	<b>Property Owner</b>	<b>Purpose of Acquisition</b>	<b>Property Interest(s)</b>
4319-001-008	1950 Century Boulevard, Los Angeles, CA 90067	Automobile Club of Southern California	Construction of an access shaft for the Constellation Station and tunnel alignment.	Temporary Construction Easement for 98 months and a Subsurface Tunnel Easement

A written offer for the Property comprising Parcel W-3602 was mailed to the owner by letter dated February 22, 2017 for acquisition of (a) subsurface tunnel easement encompassing 19,535 square feet; and (b) a temporary construction easement over the entire 29,852 square feet of the Property for 98 months including the use of the office building located on the surface ("Property Interests). The Owner did not accept the offer of just compensation and requested that the eminent domain process be initiated to determine the value of the Property.

#### **A. 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. 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.

**B     The Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.**

An Alternatives Analysis (AA) Study was initiated in 2007 to identify all reasonable, fixed-guideway, alternative alignments and transit technologies within the proposed Project Area. The fixed-guideway 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. On April 26, 2012, the Board certified the FEIS/FEIR, and in May 24,

2012, it approved the route and station locations for the Project. A Record of Decision was received from the Federal Transit Administration in August of 2012.

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

The Project will cause private injury, including the displacement or relocation of certain owners and users of private 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.

Due to its bulk, the FEIS/FEIR is not physically included in the Board's agenda packet for this public hearing. However, the FEIS/FEIR documents should be considered in connection with this matter. It is recommended that, based upon the foregoing, the Board find and determine that the 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 is necessary for the Project.**

The Property is improved with a three-story office building that has a total building area of 24,773 square feet. The building will be maintained during the period of construction and will be used as a field office for the Project construction staff.

The Property Interests required consists of the following:

(a) a temporary construction easement over the entire 29,852 square feet of the Property for 98 months commencing October 31, 2017 or as soon thereafter as possession of the Property may be ordered by the Superior Court, including the use of the office building located on the surface as described in Exhibit A-1 and depicted in Exhibit B-1 for the uses described in Exhibit C of the Resolution of Necessity.

(b) a permanent subsurface tunnel easement encompassing 19,535 square feet as described in Exhibit A and depicted in Exhibits B-2 and B-3 for the uses described in

Exhibit C of the Resolution of Necessity. The easement is also required for construction of an access shaft in connection with the Constellation Station.

The Property was chosen based upon the approved FEIS/FEIR for the Project. Staff recommends that the Board find that the acquisition of the Property is necessary for the Project.

**D. An offer was 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. Obtained appraisals to determine the fair market value of the Property, which included consideration of any immovable fixtures and equipment;
2. Reviewed and approved the appraisals, and established the amount it believes to be just compensation;
3. Determined the Owner 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 Owner for the full amount of just compensation - which was not less than the approved appraised value;
5. Provided the Owner 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 Owner.

**E. Metro has fulfilled the necessary statutory prerequisites.**

Metro 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.

**F. Metro has complied with the California Environmental Quality Act.**

A draft EIR/EIS was circulated for public review and comment. The FEIS/FEIR was released in March 2012 for public review. On April 26, 2012, the Board certified the FEIS/FEIR, and in May 24, 2012, it approved the route and station locations for the Project. A Record of Decision was received from the Federal Transit Administration in August of 2012. The FEIS/FEIR documents therefore comply with the California Environmental Quality Act. Since that time, none of the circumstances identified in CEQA Guidelines Section 15162 have occurred which would require the preparation of a subsequent EIR. As set forth above, Metro has also fulfilled the statutory prerequisites under Code of Civil Procedure § 1240.030 and Government Code § 7267.2.

Accordingly, Metro has fulfilled the necessary statutory prerequisites to acquire the Property by eminent domain.

**CONCLUSION**

Staff recommends that the Board adopt the Resolution of Necessity.

**ATTACHMENT C**

**RESOLUTION OF THE  
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES  
AND AUTHORIZING THE ACQUISITION THEREOF  
PURPLE LINE WESTSIDE EXTENSION PROJECT, SECTION 2 - PARCEL NO. W-3602**

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  
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 (a) subsurface tunnel easement  
encompassing 19,535 square feet as described more specifically in the legal description  
(Exhibit A), and depicted on the Plat Map (Exhibits B-2, and B-3); and (b) a temporary  
construction easement over the entire 29,852 square feet of the Property for 98 months  
including the use of the office building located on the surface as described more  
specifically in the legal description (Exhibit A-1) and depicted on the Plat Map (Exhibit  
B-1) all of which are 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 Purple Line (Westside)  
Subway Extension Project Section 2 ("Project");

(b.) The environmental impacts of the Project were evaluated in the Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR), which was certified by the Board on April 26, 2012 and May 24, 2012. The Board found that in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15162, no subsequent or supplemental Environmental Impact Report is required for the Project, and the FEIS/FEIR documents are consistent with CEQA; and;

(c.) The Board has reviewed and considered the FEIS/FEIR, before and as part of the process of determining whether to acquire the above-referenced Property.

#### 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.) Environmental review consistent with the California Environmental Quality Act (CEQA) for the Project has been previously certified by this Board.

#### 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.

## 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.

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 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 25th day of May, 2017.

\_\_\_\_\_  
MICHELLE JACKSON  
LACMTA Secretary

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

## **ATTACHMENTS**

- 1 - Exhibit A (Subsurface Tunnel Easement Legal Description)
- 2 - Exhibit A-1 (Office Building Legal Description)
- 3 – Exhibit B-1 (Office Building Plat Map)
- 4 - Exhibit B-2 (Subsurface Tunnel Easement Plat Map)
- 5 - Exhibit B-3 (Subsurface Tunnel Easement Plat Map)
- 6 - Exhibit C (Temporary Construction Easement)

**Exhibit A**  
**Subsurface Tunnel Easement Legal Description**

## LEGAL DESCRIPTION

## EXHIBIT "A"

THAT PORTION OF LOT 4 OF TRACT NO. 26196, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 684, PAGES 78 THROUGH 86 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, CONVEYED TO AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA BY CORPORATION GRANT DEED RECORDED OCTOBER 25, 1962, AS INSTRUMENT NO. 1590, OFFICIAL RECORDS OF SAID COUNTY, LYING WITHIN THE FOLLOWING DESCRIBED PARCEL OF LAND:

**COMMENCING** AT THE CENTERLINE INTERSECTION OF CENTURY PARK EAST AND CONSTELLATION BOULEVARD MARKED BY FOUR PUNCHMARKS ON A SEWER MANHOLE AS PER CITY OF LOS ANGELES FIELD BOOK 132-161, PAGE 121; THENCE SOUTH  $35^{\circ}33'52''$  EAST, 274.91 FEET ALONG SAID CENTERLINE OF CENTURY PARK EAST TO THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT 4; THENCE NORTH  $59^{\circ}26'08''$  EAST 43.16 FEET ALONG SAID WESTERLY PROLONGATION TO THE SOUTHERLY CORNER OF SAID LOT 4; THENCE NORTH  $35^{\circ}33'52''$  WEST, 322.06 FEET ALONG THE WESTERLY LINE OF SAID LOT 4 TO THE NORTHERLY LINE OF SAID GRANT DEED; THENCE SOUTH  $35^{\circ}33'52''$  EAST, 16.92 FEET ALONG SAID WESTERLY LINE OF SAID LOT 4 AND THE WESTERLY LINE OF SAID GRANT DEED TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1875.50 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH  $38^{\circ}50'02''$  WEST, SAID POINT BEING THE **POINT OF BEGINNING**; THENCE NORTHEASTERLY ALONG SAID CURVE 229.88 FEET THROUGH A CENTRAL ANGLE OF  $07^{\circ}01'22''$  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  $31^{\circ}32'43''$  WEST; THENCE NORTHEASTERLY ALONG SAID CURVE 57.38 FEET THROUGH A CENTRAL ANGLE OF  $00^{\circ}54'59''$  TO A POINT ON THE EASTERLY LINE OF SAID LOT 4, SAID POINT BEING SOUTH  $30^{\circ}33'52''$  EAST, 22.45 FEET ALONG SAID EASTERLY LINE FROM THE MOST NORTHERLY CORNER OF SAID GRANT DEED; THENCE SOUTH  $30^{\circ}33'52''$  EAST, 69.70 FEET ALONG SAID EASTERLY LINE 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  $30^{\circ}23'17''$  WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE 73.15 FEET THROUGH A CENTRAL ANGLE OF  $01^{\circ}10'22''$  TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1784.50 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH  $31^{\circ}52'41''$  WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE 208.07 FEET THROUGH A CENTRAL ANGLE OF  $06^{\circ}40'50''$  TO SAID WESTERLY LINE OF SAID LOT 4; THENCE NORTH  $35^{\circ}33'52''$  WEST, 67.78 FEET ALONG SAID WESTERLY LINE TO THE **POINT OF BEGINNING**.

EXCEPT ALL MINERALS, OIL, GAS AND HYDROCARBONS IN AND UNDER SAID LAND BUT WITHOUT RIGHT OF ENTRY UPON THE SURFACE OR UPPER 500 FEET (MEASURED FROM THE SURFACE) OF SAID LAND, AS RESERVED BY FOX REALTY CORPORATION OF CALIFORNIA, IN DEED RECORDED APRIL 17, 1961 IN BOOK D 1190 PAGE 104, OFFICIAL RECORDS.

THE UPPER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED IS A DIAGONAL PLANE RANGING FROM AN APPROXIMATE ELEVATION OF +228 FEET TO +232 FEET MEAN SEA LEVEL AND THE LOWER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED IS A DIAGONAL PLANE RANGING FROM AN APPROXIMATE ELEVATION OF +191 FEET TO +186 FEET MEAN SEA LEVEL BASED ON THE CITY OF LOS ANGELES PUBLISHED ELEVATION OF 285.39 FT FOR BENCH MARK NO. 13-13450. THE UPPER LIMIT OF THIS EASEMENT IS APPROXIMATELY 49 FEET TO 53 FEET BELOW FINISH GRADE (SURFACE ELEVATION), AND THE LOWER LIMIT OF THIS EASEMENT IS APPROXIMATELY 90 FEET TO 95 FEET BELOW FINISH GRADE (SURFACE ELEVATION). THESE DEPTH ELEVATIONS WERE DETERMINED FROM THE LOS ANGELES METRO WESTSIDE PURPLE LINE EXTENSION PROJECT - SECTION 2 PROJECT DEFINITION DRAWINGS.

AFFECTS APN: 4319-001-008

## 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:

*Janeen Nedlik*  
JANEEN NEDLIK, P.L.S. 7563



*May 3, 2017*  
DATE

**Exhibit A-1**  
**Office Building Legal Description**

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**LEGAL DESCRIPTION**

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**EXHIBIT "A"**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SAID LAND CONVEYED TO AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA BY CORPORATION GRANT DEED RECORDED OCTOBER 25, 1962, AS INSTRUMENT NO. 1590, OFFICIAL RECORDS OF SAID COUNTY, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 4, TRACT NO. 26196, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 684 PAGES 78 THROUGH 86 INCLUSIVE OF MAPS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE MOST SOUTHERLY CORNER OF SAID LOT 4; THENCE NORTH 35° 46' 43" WEST, A DISTANCE OF 217.06 FEET ALONG THE WESTERLY LINE OF LOT 4, TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID WESTERLY LINE, NORTH 35° 46' 43" WEST, 105.00 FEET; THENCE NORTH 54° 13' 17" EAST, A DISTANCE OF 288.86 FEET TO THE EASTERLY LINE OF LOT 4, THENCE ALONG SAID EASTERLY LOT LINE, SOUTH 30° 46' 43" EAST, A DISTANCE OF 105.40 FEET; THENCE SOUTH 54° 13' 17" WEST, A DISTANCE OF 279.67 FEET TO THE **TRUE POINT OF BEGINNING**.

EXCEPT ALL MINERALS, OIL, GAS AND HYDROCARBONS IN AND UNDER SAID LAND BUT WITHOUT RIGHT OF ENTRY UPON THE SURFACE OR UPPER 500 FEET (MEASURED FROM THE SURFACE) OF SAID LAND, AS RESERVED BY FOX REALTY CORPORATION OF CALIFORNIA, IN DEED RECORDED APRIL 17, 1961 IN BOOK D 1190 PAGE 104, OFFICIAL RECORDS.

AFFECTS APN: 4319-001-008

**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:

*Janeen Nedlik*  
JANEEN NEDLIK, P.L.S. 7563

*April 27, 2015*  
DATE





**Exhibit B-1**  
**Office Building Plat Map**

## EXHIBIT B-1

EXHIBIT B-1

GRANTOR : AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA		The data shown on this map and/or plat are compiled from public sources and are subject to field verification.	
DESCRIPTION : PORTION OF LOT 4 OF TRACT NO. 26196, M.B. 684/78-86			
BENCH MARK :			
TITLE REPORT : ORANGE COAST TITLE NO. 140-1264287-32		ADDRESS : 1950 CENTURY PARK EAST LOS ANGELES 90067	
ASSESSOR'S REF. : 4319-001-008		R.O.W. REFERENCE : R-30361 W-3602	
NO.	DATE	REVISION DESCRIPTION	

**EXHIBIT "B"**

TRACT NO. 5609  
LOT E  
M.B. 76/68-71

TRACT NO. 26196  
LOT 4  
M.B. 684/78-86

Century Park East  
Constellation Blvd  
East

Survey lines and bearings:  
N 54°13'17" E 288.89'  
S 54°13'17" W 279.87'  
N 54°13'17" E 288.89'  
S 54°13'17" W 279.87'

DATA IN PARENTHESIS PER INST. NO. 1590, O.R. REC. 10-25-62.

PARCEL	W-3602
AREA - SQUARE FEET	29.852

LOS ANGELES COUNTY  
METROPOLITAN  
TRANSPORTATION AUTHORITY

APPROVED BY:  
*Michael M. K.* 11/16/14  
MTA PROJECT MANAGER

**PARCEL PLAT**

W-3602

SHEET 1 OF 1

CONTRACT NO./DESIGN UNIT

SCALE 1"=88'

DATE 04/27/2015

DRAWN BY T. RAINEY

CHECKED BY J. NEOLIK

REV. DATE REV. NO

**Exhibit B-2**  
**Subsurface Tunnel Easement Plat Map**

# EXHIBIT B-2

GRANTOR : AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA		The data shown on this map and/or plat are compiled from public sources and are subject to field verification.	
DESCRIPTION : PORTION OF LOT 4 OF TRACT NO. 26196, M.B. 684/72-86			
BENCH MARK :			
TITLE REPORT : GRANGE COAST TITLE: 140-1264287-32	ADDRESS : 1950 CENTURY PARK EAST, LOS ANGELES, CA 90067	1: 05/03/2017	REVISED SO THAT THE SIGNATURE DATE MATCHES PARCEL PLAT SHEET 2 OF 2
ASSESSOR'S REF. : 4319-001-008	R.O.W. REFERENCE : R-3036; W-3602-1	NO.	DATE
		REVISION DESCRIPTION	

EXHIBIT "B-2"

**PARCEL PLAT**  
W-3602-1  
SHEET 1 OF 2

PARCEL	TOTAL	W-3602-1			
AREA - SQUARE FEET	29,852	19,535			

SUBMITTED BY: J. Rainey

LOS ANGELES COUNTY  
METROPOLITAN  
TRANSPORTATION AUTHORITY

APPROVED BY: *[Signature]* 5/16/17

DATE

CONTRACT NO./DESIGN UNIT

SCALE  
1"=300'

DATE  
05/03/2017

DRAWN BY  
T. RAINEY

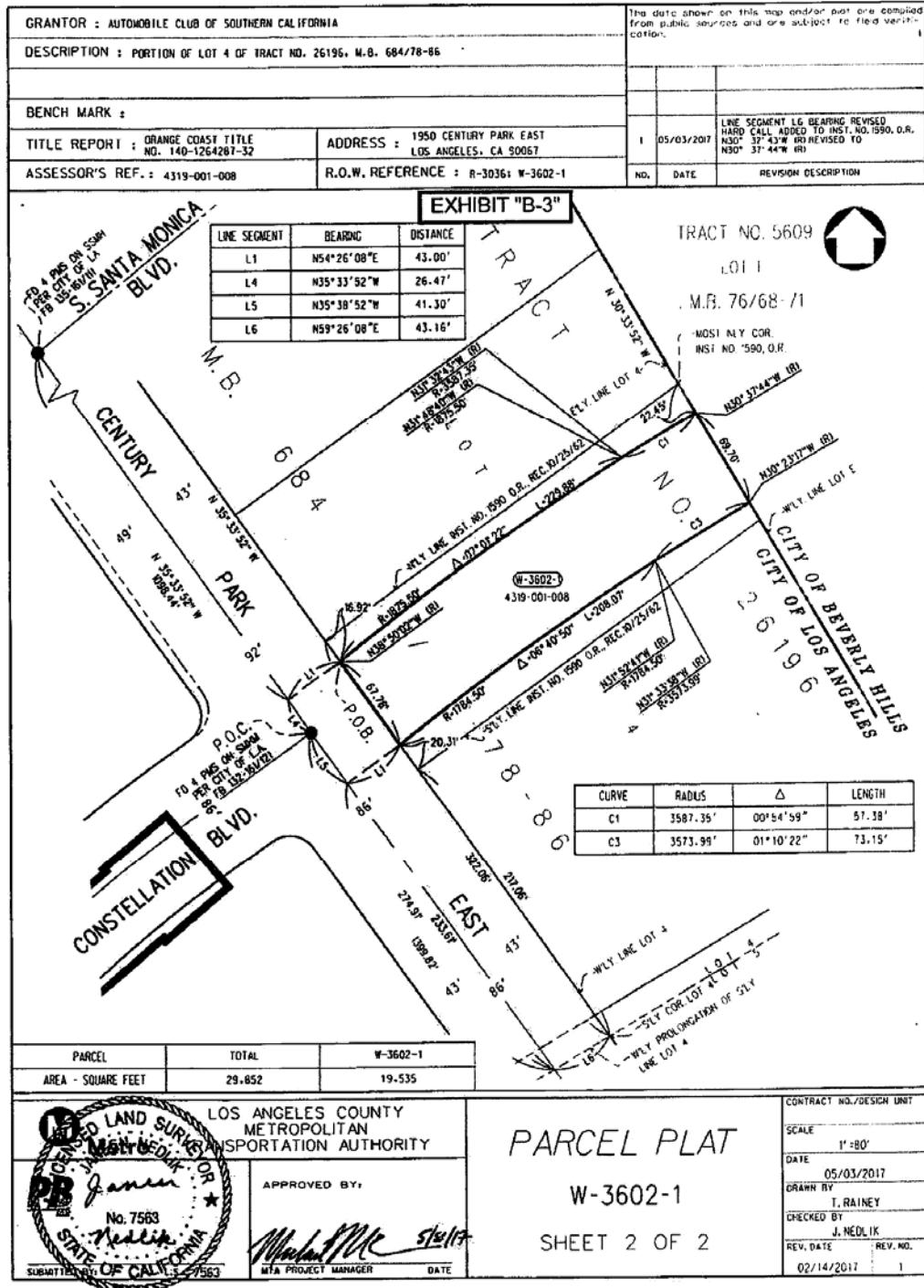
CHECKED BY  
J. NEDLIK

REV. DATE  
02/14/2017

REV. NO.  
1

**Exhibit B-3**  
**Subsurface Tunnel Easement Plat Map**

# EXHIBIT B-3



**Exhibit C**  
**Temporary Construction Easement**

## **EXHIBIT C**

### **DESCRIPTION OF USES OF TEMPORARY CONSTRUCTION EASEMENT AND PERMANENT TUNNEL EASEMENT**

#### **TEMPORARY CONSTRUCTION EASEMENT**

The purpose and uses of the temporary construction easement shall include the following:

- (1) ingress and egress over, through, across, and under the Easement Area, by persons on foot and by vehicles of all kinds, sizes and weights;
- (2) storage in and upon the Easement Area of vehicles, equipment, and materials of all kinds and natures;
- (3) construction of temporary buildings, structures and other improvements in and upon the Easement Area, for any purpose reasonably related to the construction of a rapid transit system;
- (4) excavation within the Easement Area, or the storage area thereon of material excavated elsewhere, and the alteration of the surface elevation and grade thereof;
- (5) removal of the parking garage on the Property together with any trees, shrubs, or other vegetation from the Easement Area;
- (6) installation of temporary pipes, wires, or lines for water, gas, electric or telephone services, drainage, sewerage or other utilities on, across, over, under or through the Easement Area;
- (7) use of the office building as a field office for project design and construction personnel; and
- (8) all other uses necessary, incidental, convenient or useful to the construction by Grantee of a rapid transit system.

At the expiration of the easement, the easement area shall be restored as nearly as practicable to its condition at the time the easement commenced with the exception of reconstruction of the parking garage and the existence of subsurface foundations and soldier piles utilized in the construction of the access shaft and subsurface tunnels.



### **PERMANENT SUBSURFACE EASEMENT**

The purpose and uses of the permanent subsurface easement shall include the following:

**(a)** any usual, necessary and related uses necessary to construct, maintain, repair, operate, replace, relocate a rapid transit system including the right to remove an access shaft support system, together with the right to review plans and specifications for excavation or construction above or adjacent to the herein described easement area.