



Board Report

File #: 2019-0226, File Type: Policy

Agenda Number: 41.

REGULAR BOARD MEETING
APRIL 25, 2019

SUBJECT: I-710 SOUNDWALL PACKAGE 3 PROJECT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. HOLDING a public hearing on the proposed Resolution of Necessity; and
- B. ADOPTING Resolution of Necessity (Attachment B) authorizing the commencement of an eminent domain action to acquire a Temporary Construction Easement (TCE) and site improvements within the TCE area from the properties identified as Parcels: CPN-80901 (APN: 7401-023-009); CPN-80914 (APN: 7401-008-010); CPN-80945 (APN: 7312-022-004); CPN-80983 (APN: 7312-008-018); CPN-80982 (APN: 7312-008-017); CPN-81000 (APN: 7311-009-014); CPN-80899 (APN: 7401-023-007).

(REQUIRES 2/3 VOTE OF THE BOARD)

BACKGROUND

Acquisition of the TCE and site improvements within the TCE area, referred to herein as Property, is required for the construction and operation of the I-710 Soundwall Package 3 Project (Project). The TCEs are required to construct new soundwalls that will improve the noise levels of the residents living next to the I-710 freeway and will be built in the ultimate location of the Project.

A written offer to purchase was delivered to the Owners of Record (Owners) as required by California Government Code Section 7267.2. The Owners have not accepted the offer of just compensation made by the Los Angeles County Metropolitan Transportation Authority (LACMTA), and the parties have not reached a negotiated settlement as of this date. Because the Property is necessary for construction of the Project, staff recommends the acquisition of the Property through eminent domain 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 timely prepared and mailed notice

of this hearing to the Owners 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 Owners, or the offer has not been made because the Owners cannot be located with reasonable diligence; (5) whether environmental review of the Project has complied with the California Environmental Quality Act (CEQA) and (6) whether LACMTA has given the notice(s) and followed the procedures that are a prerequisite to the exercise of the power of eminent domain.

After all of the testimony and evidence has been received by LACMTA's Board from all interested parties at the hearing, LACMTA's Board must make a determination as to whether to adopt the proposed Resolution of Necessity to acquire the Property by eminent domain. In order to adopt the resolutions, LACMTA's Board must, based on the evidence before it, and by a vote of two-thirds of all of its members, find and determine that the conditions stated in the items 1 - 6 above exist. Attached is evidence submitted by staff that supports adoption of the Resolution that has been approved by counsel, and which sets forth the required findings (Attachment A).

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

For FY19, \$2,234,000 is budgeted in Highway Program Cost Center 4720, in the I-710 South Soundwall Package 3 Project 463516, Tasks 5.3.100 and 5.4.100, Professional Services Account 50316.

Since this is a multi-year project, the Project Manager, the Cost Center Manager, and the Senior Executive Officer, Program Management - Highway Program will be responsible for budgeting the remaining costs of the project in future fiscal years.

Impact to Budget

The source of funds for this effort will be Measure R Highway Capital (20%) Funds. These funds are not eligible for bus and rail operations and/or capital expenditures.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Equity Platform Framework Consistency

Equity is afforded to property owners to engage and have a voice in the decision-making process with regards to the acquisition of their property.

Strategic Plan Consistency

The recommended Board action is consistent with Metro Vision 2028 Goal #3: Enhancing communities and lives. Acquisition of property is a required step for the ultimate construction of the I-710 Soundwall Package 3 Project which will provide noise attenuation benefits to the residents living next to the I-710 freeway as part of this segment.

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 by eminent domain. Counsel will also be directed to seek and obtain Orders of Prejudgment Possession in accordance with the provisions of California Eminent Domain Law, as necessary.

ATTACHMENTS

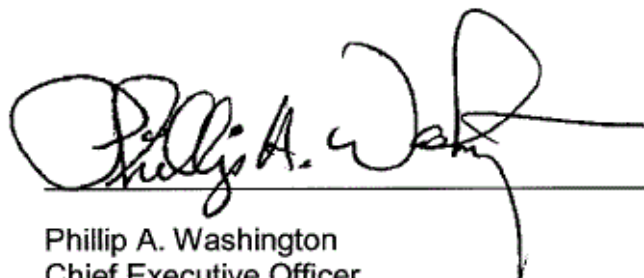
Attachment A - Staff Report

Attachment A-1- Summary of Property Owners and Property Requirements

Attachment B - Resolutions of Necessity

Prepared by: Craig Justesen Director of Real Property Management & Development, (213) 922-7051
Velma C. Marshall, Deputy Executive Officer - Real Estate (213) 922-2415
Holly Rockwell, Sr. Executive Officer - Real Estate, Transit Oriented Communities and Demand Transportation Management, (213) 922-5585

Reviewed by: Laurie Lombardi, Interim Chief Planning Officer, (213) 418-3251



Phillip A. Washington
Chief Executive Officer

ATTACHMENT A-1

SUMMARY OF PROPERTY OWNERS AND PROPERTY REQUIREMENTS

| Assessor's Parcel Number (APN) | Project Parcel Number (CPN) | Physical Address | Owners | Purpose of Acquisition | Property Interest(s) Sought |
|--------------------------------|-----------------------------|--|--|------------------------|---|
| 7401-023-009 | 80901 | 2328 Gale Ave, Long Beach CA 90810 | CARDENAS,LYN AND REY | Construction access | Temporary Construction Easement (TCE) and Site Improvements within the TCE area |
| 7401-008-010 | 80914 | 2412 Gale Ave, Long Beach CA 90810 | RAMIREZ, EDWARD T | Construction access | Temporary Construction Easement (TCE) and Site Improvements within the TCE area |
| 7312-022-004 | 80945 | 3076 Gale Ave, Long Beach CA 90810 | DE VIVAR,RAMON P AND LUZONIA AND DE VIVAR,RAMON N | Construction access | Temporary Construction Easement (TCE) and Site Improvements within the TCE area |
| 7312-008-018 | 80983 | 3340 Gale Ave, Long Beach CA 90810 | NATURAL SEQUENCE LLC AND PLATINUM FINANCE PROPERTIES INC | Construction access | Temporary Construction Easement (TCE) and Site Improvements within the TCE area |
| 7312-008-017 | 80982 | 3346 GALE AVE | MANUEL,ROBERT B III AND PHILESIA M | Construction access | Temporary Construction Easement (TCE) and Site Improvements within the TCE area |
| 7311-009-014 | 81000 | 3400 Gale Ave, Long Beach CA 90810 | SKELTON,ROSET TA | Construction access | Temporary Construction Easement (TCE) and Site Improvements within the TCE area |
| 7401-023-007 | 80899 | 2340 Gale Ave, Long Beach CA 90810 | ORTIZ, GRACIELA & ORELLANA, DIMAS | Construction access | Temporary Construction Easement (TCE) and Site Improvements within the TCE area |

**STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF
PROPERTY FOR THE I-710 SOUNDWALL PACKAGE 3 PROJECT**

BACKGROUND

The Property is required for the construction of the I-710 Soundwall Package 3 Project (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 on Attachment A-1.

A written offer for acquisition of a Temporary Construction Easement (TCE) and site improvements within the TCE area was mailed to the respective Property Owners by letters dated May 31, 2018, June 4, 2018, June 14, 2018, and June 21, 2018. The parcels are identified as CPN-80901 (APN: 7401-023-009); CPN-80914 (APN: 7401-008-010); CPN-80945 (APN: 7312-022-004); CPN-80983 (APN: 7312-008-018); CPN-80982 (APN: 7312-008-017); CPN-81000 (APN: 7311-009-014); CPN-80899 (APN: 7401-023-007), (hereinafter the "Property").

A. The public interest and necessity require the Project.

The purpose of the Project is to build sound walls early (or in advance) of the ultimate planned improvements to the I-710 freeway and reduce traffic noise levels at noise-sensitive areas adjacent to the freeway. These "early action" sound walls will be built in their planned ultimate location. Also, existing sound walls that are in conflict with the future I-710 improvements and cannot be rebuilt "early" will be aesthetically treated to provide a uniform aesthetic theme as detailed in the I-710 Aesthetic Master Plan.

Noise measurements taken between June 2007 and June 2011 resulted in Equivalent Noise Levels (L_{eq}) ranging from 58 decibels (dBA) to 82 dBA within the project limits. L_{eq} is the Equivalent Noise Level used by Caltrans to address the maximum noise hour. Noise levels at several of the measured locations exceed the Noise Abatement Criteria (NAC) for residential areas (Activity Category B) of 67 dBA, L_{eq}(h) given in Figure 2, Section 2, Chapter 30 of the Project Development Procedure Manual (PDPM 2009). The proposed noise abatement mitigation measure is projected to lower some noise levels within the study limits below the 67 dBA L_{eq} threshold. In general, the proposed noise barriers also achieve the minimum attenuation criteria of 5 dBA

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

Consistent with Noise Barrier Scope Summary Report dated December, 2016 the I-710 Corridor has some of the highest population and proportion of traffic in the Southern California region. During various community meetings, the residents of the Corridor area expressed their concerns with increased traffic noise. While the project has no permanent impacts, it is planned in a manner that addresses noise attenuation related to future expansion of existing freeway and street networks.

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 Temporary Construction Easement (TCE) is required for the construction of the I-710 Soundwall. The TCE will allow the contractor to build the sound wall on the Caltrans right-of-way line; in this case it is right up against the residents' properties.

It is recommended that the Board find that the acquisition of the Property is necessary for the Project.

D. 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 for the Property;
3. Determined the Owners of the Property by examining the County assessor's records, preliminary title reports, and occupancy of the Property;
4. Made a written offer to purchase 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 actions, the Board find and determine that the offer required by Section 7267.2 of the California Government Code has been made to the Owners.

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 (CEQA)

As per CCR 15061 [b] [3] of CEQA, this project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The Categorical Exemption was given November 20, 2013 from the California State Department of Transportation (Caltrans).

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.

ATTACHMENTS

Attachment A-1 – Summary of Property Owners and Property Requirements

Attachment B1 – B7 – Resolutions of Necessity for each Parcel

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF FOR
THE I-710 SOUNDWALL PACKAGE 3 PROJECT
CPN 80901 (APN 7401-023-009)**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY (LACMTA) is a public entity organized and existing pursuant to Chapter 2 of
Division 12 of the California Public Utilities Code (commencing with Section 130050).

Section 2.

The property interest described hereinafter is to be taken for public use, namely, for
the I-710 Soundwall Package 3 Project (Project) and for public transportation purposes
and all uses necessary, incidental or convenient thereto, and for all public purposes
pursuant to the authority conferred upon the Board to acquire property by eminent domain
by California Public Utilities Code Sections 30000-33027, inclusive, and particularly
Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections
130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive,
and particularly Sections 1240.510 and 1240.610, and Article I, Section 19 of the California
Constitution.

Section 3.

The property interest consists of the acquisition of a temporary construction
easement (TCE) and site improvements within the (TCE) area, as described more
specifically in the legal description (Exhibit A) and depicted on the Plat Map (Exhibit B),
attached hereto (hereinafter, the "Property", incorporated herein by this reference).

Section 4.

(a.) The acquisition of the above-described Property is necessary for the
construction and maintenance of the Project;

(b.) Metro has received an exemption from having a draft EIR/EIS and a
FEIS/FEIR. Metro was not required to have a CEQA Environmental Clearance
because it can be seen with certainty that there is no possibility that the activity may
have a significant effect on the environment (CCR 15061 [b] [3]). The Categorical
Exemption was given November 20, 2013 from Caltrans.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

Section 7.

The notice of intention to adopt this resolution was given by first class mail to each person whose Property is to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of the Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle, subject to approval by the Board when required, such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, MICHELLE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Los Angeles County Metropolitan Transportation Authority at a meeting held on the 25th day of April, 2019.

MICHELLE JACKSON
LACMTA Secretary

Date: _____

ATTACHMENTS

- 1 - Legal Description (Exhibit "A")
- 2 - Plat Map (Exhibit "B")

**EXHIBIT A
LEGAL DESCRIPTION**

THE EASTERLY 10.00 FEET OF THAT PORTION OF LOT 4 IN BLOCK 3 OF SHORE ACRE TRACT NO. 2, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 8, PAGE 56 OF MAPS, DESCRIBED IN DEED RECORDED MAY 01, 2006 AS INSTRUMENT NO. 06-0950829, IN OFFICIAL RECORDS, ALL IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

CONTAINS: 410 SQUARE FEET, MORE OR LESS.

APN: 7401-023-009

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:

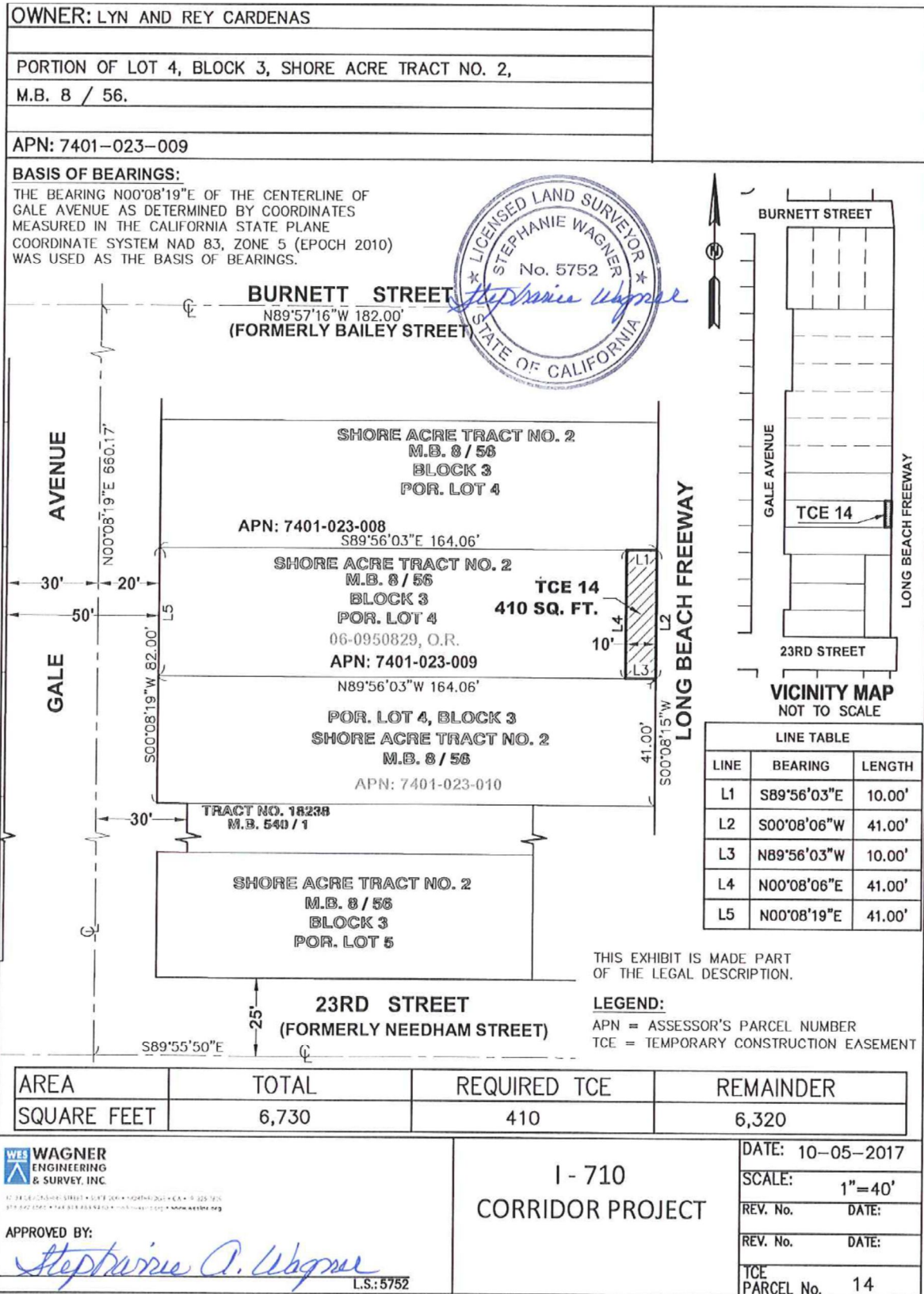
Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752

October 5, 2017
DATE



EXHIBIT B

Plat Map of the Required Parcel – Temporary Construction Easement



**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF FOR
THE I-710 SOUNDWALL PACKAGE 3 PROJECT
CPN 80914 (APN 7401-008-010)**

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.

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the I-710 Soundwall Package 3 Project (Project) and for public transportation purposes
and all uses necessary, incidental or convenient thereto, and for all public purposes
pursuant to the authority conferred upon the Board to acquire property by eminent domain
by California Public Utilities Code Sections 30000-33027, inclusive, and particularly
Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections
130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive,
and particularly Sections 1240.510 and 1240.610, and Article I, Section 19 of the California
Constitution.

Section 3.

The property interest consists of the acquisition of a temporary construction
easement (TCE) and site improvements within the (TCE) area, as described more
specifically in the legal description (Exhibit A) and depicted on the Plat Map (Exhibit B),
attached hereto (hereinafter, the "Property", incorporated herein by this reference).

Section 4.

(a.) The acquisition of the above-described Property is necessary for the
construction and maintenance of the Project;

(b.) Metro has received an exemption from having a draft EIR/EIS and a
FEIS/FEIR. Metro was not required to have a CEQA Environmental Clearance
because it can be seen with certainty that there is no possibility that the activity may
have a significant effect on the environment (CCR 15061 [b] [3]). The Categorical
Exemption was given November 20, 2013 from Caltrans.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

Section 7.

The notice of intention to adopt this resolution was given by first class mail to each person whose Property is to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of the Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle, subject to approval by the Board when required, such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, MICHELLE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Los Angeles County Metropolitan Transportation Authority at a meeting held on the 25th day of April, 2019.

MICHELLE JACKSON
LACMTA Secretary

Date: _____

ATTACHMENTS

- 1 - Legal Description (Exhibit "A")
- 2 - Plat Map (Exhibit "B")

**EXHIBIT A
LEGAL DESCRIPTION**

THE EASTERLY 10 FEET OF THAT PORTION OF LOT 4 IN BLOCK 2 OF SHORE ACRE TRACT NO. 2, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 8, PAGE 56 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID PORTION BEING THE NORTH 40.00 FEET OF THE SOUTH 42.00 FEET OF THE WEST 65.00 FEET OF SAID LOT 4, AS DESCRIBED IN DEED RECORDED AUGUST 14, 2017 AS INSTRUMENT NO. 20170912740, IN OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER.

CONTAINS: 400 SQUARE FEET, MORE OR LESS.

APN: 7401-008-010

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:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752

October 5, 2017
DATE



EXHIBIT B

Plat Map of the Required Parcel – Temporary Construction Easement

| | | |
|---|--|--|
| OWNER: MARY S. RAMIREZ | | |
| PORTION OF LOT 4, IN BLOCK 2 OF SHORE ACRE TRACT NO. 2, M.B. 8/56. | | |
| APN: 7401-008-010 | | |
| THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION. | | |

BASIS OF BEARINGS:
THE BEARING N00°10'48"E OF THE CENTERLINE OF GALE AVENUE AS DETERMINED BY COORDINATES MEASURED IN THE CALIFORNIA STATE PLANE COORDINATE SYSTEM NAD 83, ZONE 5 (EPOCH 2010) WAS USED AS THE BASIS OF BEARINGS.

| LINE TABLE | | |
|------------|-------------|--------|
| LINE | BEARING | LENGTH |
| L1 | S89°56'22"E | 10.00' |
| L2 | S00°10'48"W | 40.00' |
| L3 | N89°56'22"W | 10.00' |
| L4 | N00°10'48"E | 40.00' |
| L5 | N89°56'22"W | 65.00' |
| L6 | S00°10'48"W | 40.00' |
| L7 | S89°56'22"E | 65.00' |
| L8 | S00°10'48"W | 42.00' |
| L9 | S00°10'48"W | 42.00' |

VICINITY MAP
NOT TO SCALE

BURNETT STREET
N89°57'16"W 182.00'
(FORMERLY BAILEY STREET)

LEGEND:
APN = ASSESSOR'S PARCEL NUMBER
TCE = TEMPORARY CONSTRUCTION EASEMENT

| AREA | TOTAL | REQUIRED TCE | REMAINDER |
|-------------|-------|--------------|-----------|
| SQUARE FEET | 2,601 | 400 | 2,201 |

WES WAGNER ENGINEERING & SURVEY, INC.

1731 E. 17th Street, Suite 200 • Costa Mesa, CA 92626
714.442.0000 • FAX 714.442.0001 • www.weswagner.com

APPROVED BY:

L.S.: 5752

I - 710

CORRIDOR PROJECT

DATE: 10-05-2017

SCALE: 1"=40'

REV. No. DATE:

REV. No. DATE:

TCE PARCEL No. 26

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF FOR
THE I-710 SOUNDWALL PACKAGE 3 PROJECT
CPN 80945 (APN 7312-022-004)**

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Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of the Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle, subject to approval by the Board when required, such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, MICHELLE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Los Angeles County Metropolitan Transportation Authority at a meeting held on the 25th day of April, 2019.

MICHELLE JACKSON
LACMTA Secretary

Date: _____

ATTACHMENTS

- 1 - Legal Description (Exhibit "A")
- 2 - Plat Map (Exhibit "B")

**EXHIBIT A
LEGAL DESCRIPTION**

THE EASTERLY 10.00 FEET OF THOSE PORTIONS OF PARCELS 317 AND 318 OF LICENSED SURVEYOR'S MAP, IN RANCHO LOS CERRITOS, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 12, PAGE 38, OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED IN DEED RECORDED SEPTEMBER 13, 2016 AS INSTRUMENT NO. 20161101030, IN OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER.

CONTAINS: 500 SQUARE FEET, MORE OR LESS.

APN: 7312-022-004

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:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752


Nov. 20, 2017
DATE

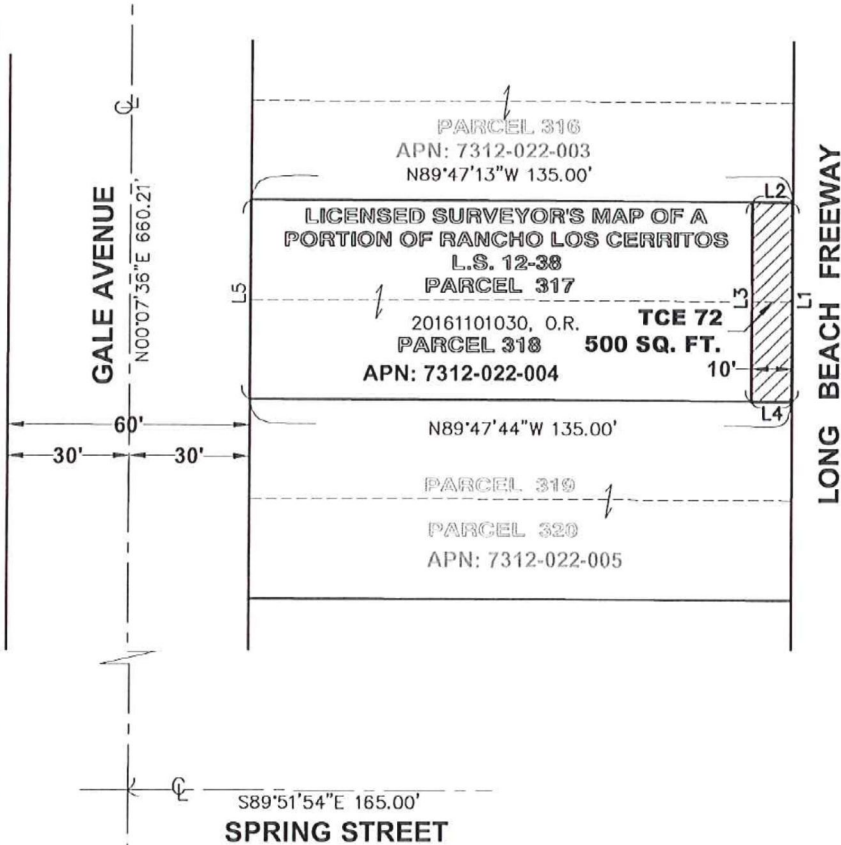


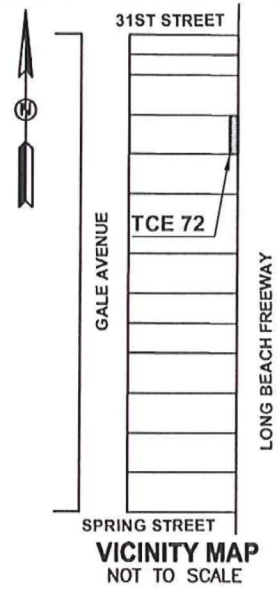
EXHIBIT B

Plat Map of the Required Parcel – Temporary Construction Easement

| | | |
|--|--|--|
| OWNER: RAMON P. DE VIVAR & LUZONIA DE VIVAR AND RAMON N. DE VIVAR PORTIONS OF PARCELS 317 AND 318, LICENSED SURVEYORS MAP, L.S. 12-38. | | |
| APN: 7312-022-004 | | |
| BASIS OF BEARINGS: THE BEARING N00°07'36"E AT THE CENTERLINE OF GALE AVENUE AS DETERMINED BY COORDINATES MEASURED IN THE CALIFORNIA STATE PLANE COORDINATE SYSTEM NAD 83, ZONE 5 (EPOCH 2010) WAS USED AS THE BASIS OF BEARINGS. | | |
| LEGEND: APN = ASSESSOR'S PARCEL NUMBER TCE = TEMPORARY CONSTRUCTION EASEMENT | | |








VICINITY MAP
NOT TO SCALE


THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.

| LINE TABLE | | |
|------------|-------------|--------|
| LINE | BEARING | LENGTH |
| L1 | S00°07'36"W | 50.00' |
| L2 | S89°47'13"E | 10.00' |
| L3 | N00°07'36"E | 50.00' |
| L4 | N89°47'44"W | 10.00' |
| L5 | N00°07'36"E | 50.02' |

| AREA | TOTAL | REQUIRED TCE | REMAINDER |
|-------------|-------|--------------|-----------|
| SQUARE FEET | 6,751 | 500 | 6,251 |



17200 E. 112th Street • Suite 200 • Overland Park, KS 66213-1615
 913.242.7500 • FAX 913.242.7501 • www.wesinc.org

APPROVED BY:

 L.S.: 5752

I - 710

CORRIDOR PROJECT

DATE: 11-20-2017

SCALE: 1"=40'

REV. No. DATE:

REV. No. DATE:

TCE PARCEL No. 72

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF FOR
THE I-710 SOUNDWALL PACKAGE 3 PROJECT
CPN 80983 (APN 7312-008-018)**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY (LACMTA) is a public entity organized and existing pursuant to Chapter 2 of
Division 12 of the California Public Utilities Code (commencing with Section 130050).

Section 2.

The property interest described hereinafter is to be taken for public use, namely, for
the I-710 Soundwall Package 3 Project (Project) and for public transportation purposes
and all uses necessary, incidental or convenient thereto, and for all public purposes
pursuant to the authority conferred upon the Board to acquire property by eminent domain
by California Public Utilities Code Sections 30000-33027, inclusive, and particularly
Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections
130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive,
and particularly Sections 1240.510 and 1240.610, and Article I, Section 19 of the California
Constitution.

Section 3.

The property interest consists of the acquisition of a temporary construction
easement (TCE) and site improvements within the (TCE) area, as described more
specifically in the legal description (Exhibit A) and depicted on the Plat Map (Exhibit B),
attached hereto (hereinafter, the "Property", incorporated herein by this reference).

Section 4.

(a.) The acquisition of the above-described Property is necessary for the
construction and maintenance of the Project;

(b.) Metro has received an exemption from having a draft EIR/EIS and a
FEIS/FEIR. Metro was not required to have a CEQA Environmental Clearance
because it can be seen with certainty that there is no possibility that the activity may
have a significant effect on the environment (CCR 15061 [b] [3]). The Categorical
Exemption was given November 20, 2013 from Caltrans.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

Section 7.

The notice of intention to adopt this resolution was given by first class mail to each person whose Property is to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of the Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle, subject to approval by the Board when required, such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, MICHELLE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Los Angeles County Metropolitan Transportation Authority at a meeting held on the 25th day of April, 2019.

MICHELLE JACKSON
LACMTA Secretary

Date: _____

ATTACHMENTS

- 1 - Legal Description (Exhibit "A")
- 2 - Plat Map (Exhibit "B")

**EXHIBIT A
LEGAL DESCRIPTION**

THE EASTERLY 10.00 FEET OF THAT PORTION OF LOT 39 OF THE RANCHO LOS CERRITOS, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 2, PAGES 203 THROUGH 205, INCLUSIVE OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WITHIN THAT VACATED ALLEY EAST OF GALE AVENUE, AS SHOWN ON TRACT NO. 8912, RECORDED IN BOOK 118, PAGES 38 AND 39 OF MAPS, IN SAID OFFICE OF THE COUNTY RECORDER, BOUNDED NORTHERLY AND SOUTHERLY BY THE EASTERLY PROLONGATIONS OF THE NORTHERLY AND SOUTHERLY LINES, RESPECTIVELY, OF LOT 25 OF SAID TRACT NO. 8912.

CONTAINS: 500 SQUARE FEET, MORE OR LESS.

APN: 7312-008-018

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:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752


December 12, 2017
DATE

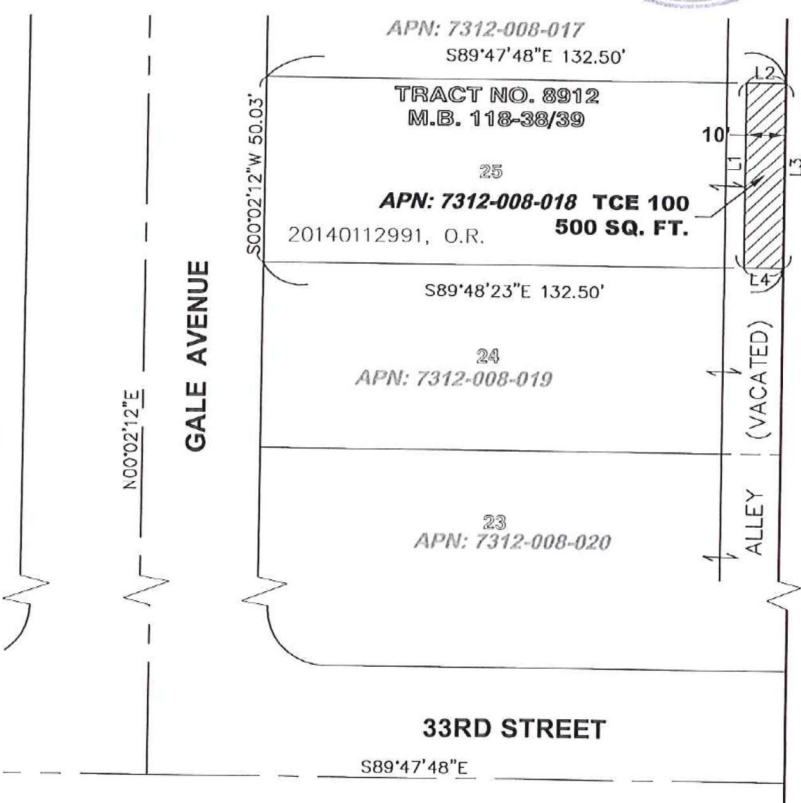


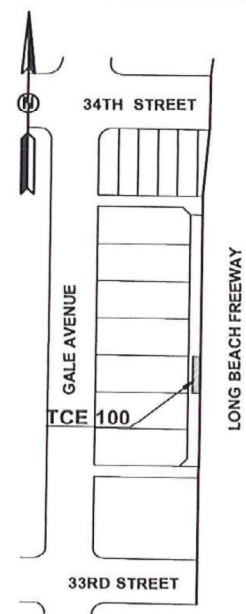
EXHIBIT B

Plat Map of the Required Parcel – Temporary Construction Easement

| | | |
|---|--|--|
| OWNER: PLATINUM FINANCE PROPERTIES INC. 40% INTEREST, NATURAL SEQUENCE LLC 60% INTEREST THAT PORTION OF LOT 39 OF THE RANCHO LOS CERRITOS, P. 2/203-205 LYING WITHIN THAT ALLEY EAST OF GALE AVENUE, AS SHOWN ON TRACT NO. 8912, M.B. 118/38-39. APN: 7312-008-018 | | |
| BASIS OF BEARINGS: THE BEARING N00°02'12"E AT THE CENTERLINE OF GALE AVENUE AS DETERMINED BY COORDINATES MEASURED IN THE CALIFORNIA STATE PLANE COORDINATE SYSTEM NAD 83, ZONE 5 (EPOCH 2010) WAS USED AS THE BASIS OF BEARINGS. LEGEND: APN = ASSESSOR'S PARCEL NUMBER TCE = TEMPORARY CONSTRUCTION EASEMENT | | |







VICINITY MAP
NOT TO SCALE

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.

| LINE TABLE | | |
|------------|-------------|--------|
| LINE | BEARING | LENGTH |
| L1 | N00°02'12"E | 50.03' |
| L2 | S89°47'48"E | 10.00' |
| L3 | S00°02'12"W | 50.03' |
| L4 | N89°48'23"W | 10.00' |

| AREA | TOTAL | REQUIRED TCE | REMAINDER |
|-------------|-------|--------------|-----------|
| SQUARE FEET | 6,630 | 500 | 6,130 |

WES WAGNER ENGINEERING & SURVEY, INC.

12200 GARDEN STREET • SUITE 200 • GARDEN GROVE, CA 92647-1001
 949-442-8745 • FAX 949-442-8746 • INFO@WESWAGNER.COM • WWW.WESWAGNER.COM

APPROVED BY: *Stephanie Wagner*

L.S.: 5752

I - 710

CORRIDOR PROJECT

DATE: 12-12-2017

SCALE: 1"=40'

REV. No. DATE:

REV. No. DATE:

TCE PARCEL No. 100

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF FOR
THE I-710 SOUNDWALL PACKAGE 3 PROJECT
CPN 80982 (APN 7312-008-017)**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY (LACMTA) is a public entity organized and existing pursuant to Chapter 2 of
Division 12 of the California Public Utilities Code (commencing with Section 130050).

Section 2.

The property interest described hereinafter is to be taken for public use, namely, for
the I-710 Soundwall Package 3 Project (Project) and for public transportation purposes
and all uses necessary, incidental or convenient thereto, and for all public purposes
pursuant to the authority conferred upon the Board to acquire property by eminent domain
by California Public Utilities Code Sections 30000-33027, inclusive, and particularly
Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections
130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive,
and particularly Sections 1240.510 and 1240.610, and Article I, Section 19 of the California
Constitution.

Section 3.

The property interest consists of the acquisition of a temporary construction
easement (TCE) and site improvements within the (TCE) area, as described more
specifically in the legal description (Exhibit A) and depicted on the Plat Map (Exhibit B),
attached hereto (hereinafter, the "Property", incorporated herein by this reference).

Section 4.

(a.) The acquisition of the above-described Property is necessary for the
construction and maintenance of the Project;

(b.) Metro has received an exemption from having a draft EIR/EIS and a
FEIS/FEIR. Metro was not required to have a CEQA Environmental Clearance
because it can be seen with certainty that there is no possibility that the activity may
have a significant effect on the environment (CCR 15061 [b] [3]). The Categorical
Exemption was given November 20, 2013 from Caltrans.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

Section 7.

The notice of intention to adopt this resolution was given by first class mail to each person whose Property is to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of the Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle, subject to approval by the Board when required, such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, MICHELLE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Los Angeles County Metropolitan Transportation Authority at a meeting held on the 25th day of April, 2019.

MICHELLE JACKSON
LACMTA Secretary

Date: _____

ATTACHMENTS

- 1 - Legal Description (Exhibit "A")
- 2 - Plat Map (Exhibit "B")

**EXHIBIT A
LEGAL DESCRIPTION**

THE EASTERLY 10.00 FEET OF THAT PORTION OF LOT 39 OF THE RANCHO LOS CERRITOS, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 2, PAGES 203 THROUGH 205, INCLUSIVE OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WITHIN THAT VACATED ALLEY EAST OF GALE AVENUE, AS SHOWN ON TRACT NO. 8912, RECORDED IN BOOK 118, PAGES 38 AND 39 OF MAPS, IN SAID OFFICE OF THE COUNTY RECORDER, BOUNDED NORTHERLY AND SOUTHERLY BY THE EASTERLY PROLONGATIONS OF THE NORTHERLY AND SOUTHERLY LINES, RESPECTIVELY, OF LOT 26 OF SAID TRACT NO. 8912.

CONTAINS: 500 SQUARE FEET, MORE OR LESS.

APN: 7312-008-017

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:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752

Jan. 5, 2018
DATE



EXHIBIT B **Plat Map of the Required Parcel – Temporary Construction Easement**

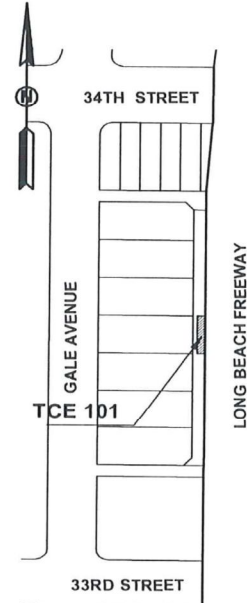
| |
|---|
| OWNER: ROBERT B. MANUEL III AND PHILESA MORRIS MANUEL |
| THAT PORTION OF LOT 39 OF THE RANCHO LOS CERRITOS, P. 2/203-205 |
| LYING WITHIN THAT ALLEY EAST OF GALE AVENUE, AS SHOWN ON |
| TRACT NO. 8912, M.B. 118/38-39. |
| APN: 7312-008-017 |

BASIS OF BEARINGS:

THE BEARING N00°02'12"E AT THE CENTERLINE OF GALE AVENUE AS DETERMINED BY COORDINATES MEASURED IN THE CALIFORNIA STATE PLANE COORDINATE SYSTEM NAD 83, ZONE 5 (EPOCH 2010) WAS USED AS THE BASIS OF BEARINGS.

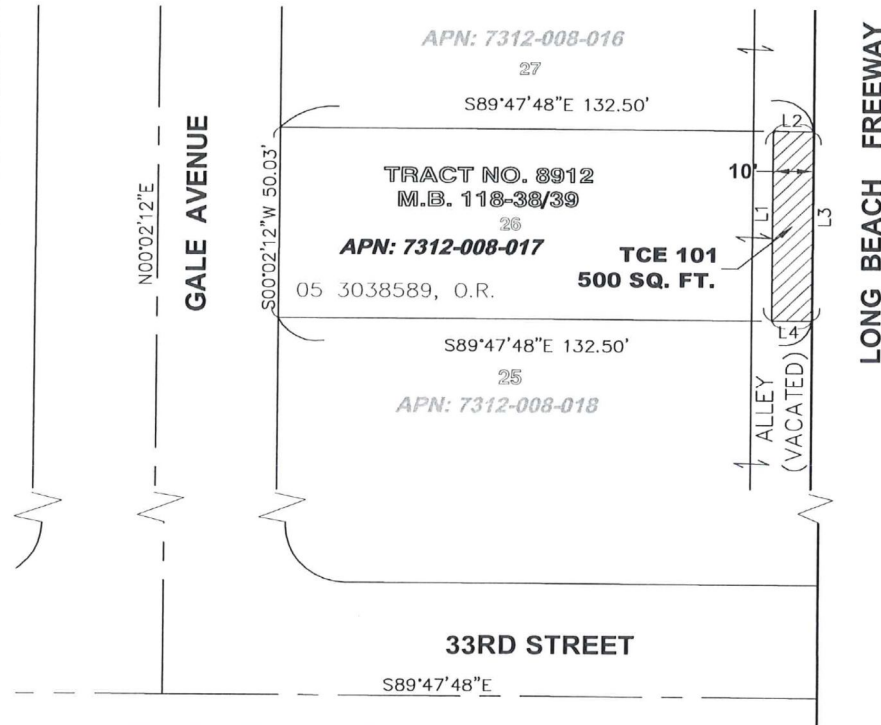
LEGEND:

APN = ASSESSOR'S PARCEL NUMBER
TCE = TEMPORARY CONSTRUCTION EASEMENT



VICINITY MAP
NOT TO SCALE

THIS EXHIBIT IS MADE PART OF
THE LEGAL DESCRIPTION.



| LINE TABLE | | |
|------------|-------------|--------|
| LINE | BEARING | LENGTH |
| L1 | N00°02'12"E | 50.03' |
| L2 | S89°47'48"E | 10.00' |
| L3 | S00°02'12"W | 50.03' |
| L4 | N89°47'48"W | 10.00' |

| AREA | TOTAL | REQUIRED TCE | REMAINDER |
|-------------|-------|--------------|-----------|
| SQUARE FEET | 6,630 | 500 | 6,130 |

WES WAGNER
ENGINEERING
& SURVEY, INC.
17-34 DECKHOUSE STREET • SUITE 200 • COSTA MESA, CA • 92626-5018
949.442.4965 • FAX 949.442.4953 • info@wesnet.org • www.wesnet.org

APPROVED BY:

Stephanie A. Wagner

L.S.: 5752

**I - 710
CORRIDOR PROJECT**

DATE: 01-05-2018

SCALE: 1"=40'

REV. No. DATE:

REV. No. DATE:

TCE
PARCEL No. 101

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF FOR
THE I-710 SOUNDWALL PACKAGE 3 PROJECT
CPN 81000 (APN 7311-009-014)**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY (LACMTA) is a public entity organized and existing pursuant to Chapter 2 of
Division 12 of the California Public Utilities Code (commencing with Section 130050).

Section 2.

The property interest described hereinafter is to be taken for public use, namely, for
the I-710 Soundwall Package 3 Project (Project) and for public transportation purposes
and all uses necessary, incidental or convenient thereto, and for all public purposes
pursuant to the authority conferred upon the Board to acquire property by eminent domain
by California Public Utilities Code Sections 30000-33027, inclusive, and particularly
Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections
130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive,
and particularly Sections 1240.510 and 1240.610, and Article I, Section 19 of the California
Constitution.

Section 3.

The property interest consists of the acquisition of a temporary construction
easement (TCE) and site improvements within the (TCE) area, as described more
specifically in the legal description (Exhibit A) and depicted on the Plat Map (Exhibit B),
attached hereto (hereinafter, the "Property", incorporated herein by this reference).

Section 4.

(a.) The acquisition of the above-described Property is necessary for the
construction and maintenance of the Project;

(b.) Metro has received an exemption from having a draft EIR/EIS and a
FEIS/FEIR. Metro was not required to have a CEQA Environmental Clearance
because it can be seen with certainty that there is no possibility that the activity may
have a significant effect on the environment (CCR 15061 [b] [3]). The Categorical
Exemption was given November 20, 2013 from Caltrans.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

Section 7.

The notice of intention to adopt this resolution was given by first class mail to each person whose Property is to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of the Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle, subject to approval by the Board when required, such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, MICHELLE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Los Angeles County Metropolitan Transportation Authority at a meeting held on the 25th day of April, 2019.

MICHELLE JACKSON
LACMTA Secretary

Date: _____

ATTACHMENTS

- 1 - Legal Description (Exhibit "A")
- 2 - Plat Map (Exhibit "B")

**EXHIBIT A
LEGAL DESCRIPTION**

THE EASTERLY 10.00 FEET OF LOT 41 OF TRACT NO. 13031, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 258, PAGES 32 THROUGH 36, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

CONTAINS: 417 SQUARE FEET, MORE OR LESS.

APN: 7311-009-014

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:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752

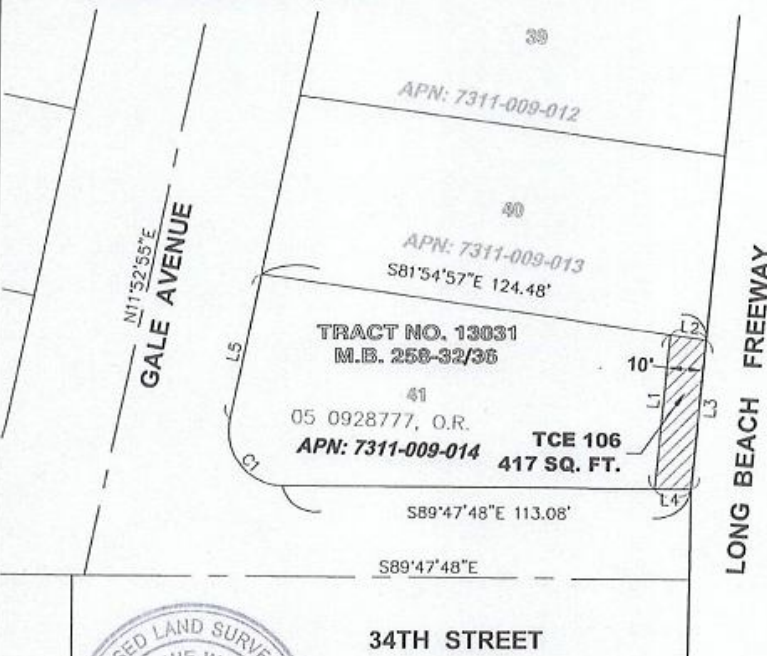

Jan. 5, 2018
DATE



EXHIBIT B

Plat Map of the Required Parcel – Temporary Construction Easement

EXHIBIT "B"

| OWNER: ROSETTA SKELTON | | | | | | | | | | | | | | | | | | | | | | | |
|--|----------------|---|-------------|------------------|-------|--------------|-----------|-------------|--------|-------------|--------|--------|----------------|------------|----|-------------|--------|----|-------------|--------|----|-------------|--------|
| THAT PORTION OF LOT 41 OF TRACT NO. 13031, IN THE CITY OF | | | | | | | | | | | | | | | | | | | | | | | |
| LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, | | | | | | | | | | | | | | | | | | | | | | | |
| AS PER MAP RECORDED IN BK. 258, PAGES 32-36 OF MAPS. | | | | | | | | | | | | | | | | | | | | | | | |
| APN: 7311-009-014 | | | | | | | | | | | | | | | | | | | | | | | |
| BASIS OF BEARINGS: THE BEARING N11°52'55"E AT THE CENTERLINE OF GALE AVENUE AS DETERMINED BY COORDINATES MEASURED IN THE CALIFORNIA STATE PLANE COORDINATE SYSTEM NAD 83, ZONE 5 (EPOCH 2010) WAS USED AS THE BASIS OF BEARINGS. | | | | | | | | | | | | | | | | | | | | | | | |
| LEGEND: APN = ASSESSOR'S PARCEL NUMBER TCE = TEMPORARY CONSTRUCTION EASEMENT | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | | | |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p style="text-align: center;">34TH STREET</p> </div> <div style="width: 35%;"> <p style="text-align: center;">VICINITY MAP NOT TO SCALE</p> </div> </div> | | | | | | | | | | | | | | | | | | | | | | | |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p style="text-align: center;">THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.</p> </div> <div style="width: 35%;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">LINE TABLE</th> </tr> <tr> <th>LINE</th> <th>BEARING</th> <th>LENGTH</th> </tr> </thead> <tbody> <tr> <td>L1</td> <td>N05°28'50"E</td> <td>42.38'</td> </tr> <tr> <td>L2</td> <td>S81°54'57"E</td> <td>10.01'</td> </tr> <tr> <td>L3</td> <td>S05°28'50"W</td> <td>41.00'</td> </tr> <tr> <td>L4</td> <td>N89°47'48"W</td> <td>10.04'</td> </tr> <tr> <td>L5</td> <td>S11°52'55"W</td> <td>40.70'</td> </tr> </tbody> </table> </div> </div> | | | LINE TABLE | | | LINE | BEARING | LENGTH | L1 | N05°28'50"E | 42.38' | L2 | S81°54'57"E | 10.01' | L3 | S05°28'50"W | 41.00' | L4 | N89°47'48"W | 10.04' | L5 | S11°52'55"W | 40.70' |
| LINE TABLE | | | | | | | | | | | | | | | | | | | | | | | |
| LINE | BEARING | LENGTH | | | | | | | | | | | | | | | | | | | | | |
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| L4 | N89°47'48"W | 10.04' | | | | | | | | | | | | | | | | | | | | | |
| L5 | S11°52'55"W | 40.70' | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4">CURVE TABLE</th> </tr> <tr> <th>CURVE</th> <th>LENGTH</th> <th>RADIUS</th> <th>DELTA</th> </tr> </thead> <tbody> <tr> <td>C1</td> <td>26.62'</td> <td>15.00'</td> <td>101°40'43"</td> </tr> </tbody> </table> | | | CURVE TABLE | | | | CURVE | LENGTH | RADIUS | DELTA | C1 | 26.62' | 15.00' | 101°40'43" | | | | | | | | | |
| CURVE TABLE | | | | | | | | | | | | | | | | | | | | | | | |
| CURVE | LENGTH | RADIUS | DELTA | | | | | | | | | | | | | | | | | | | | |
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| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>AREA</th> <th>TOTAL</th> <th>REQUIRED TCE</th> <th>REMAINDER</th> </tr> </thead> <tbody> <tr> <td>SQUARE FEET</td> <td>6,279</td> <td>417</td> <td>5,862</td> </tr> </tbody> </table> | | | | AREA | TOTAL | REQUIRED TCE | REMAINDER | SQUARE FEET | 6,279 | 417 | 5,862 | | | | | | | | | | | | |
| AREA | TOTAL | REQUIRED TCE | REMAINDER | | | | | | | | | | | | | | | | | | | | |
| SQUARE FEET | 6,279 | 417 | 5,862 | | | | | | | | | | | | | | | | | | | | |
| <div style="display: flex; align-items: center;">  <div style="margin-left: 20px;"> <p>APPROVED BY:</p> <p><i>Stephanie A. Wagner</i></p> <p style="text-align: right;">L.S.:5752</p> </div> </div> | | <p>I - 710</p> <p>CORRIDOR PROJECT</p> | | | | | | | | | | | | | | | | | | | | | |
| <p>WAGNER ENGINEERING & SURVEY, INC.</p> <p><small>17301 CRENSHAW BLVD., SUITE 100 • CRENSHAW, CA 90008 • (310) 591-1100 • FAX (310) 591-1101 • WWW.WAGNER-ENG.COM</small></p> | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">DATE: 01-05-2018</td> </tr> <tr> <td>SCALE:</td> <td>1"=40'</td> </tr> <tr> <td>REV. No.</td> <td>DATE:</td> </tr> <tr> <td>REV. No.</td> <td>DATE:</td> </tr> <tr> <td>TCE</td> <td>PARCEL No. 106</td> </tr> </table> | | DATE: 01-05-2018 | | SCALE: | 1"=40' | REV. No. | DATE: | REV. No. | DATE: | TCE | PARCEL No. 106 | | | | | | | | | | |
| DATE: 01-05-2018 | | | | | | | | | | | | | | | | | | | | | | | |
| SCALE: | 1"=40' | | | | | | | | | | | | | | | | | | | | | | |
| REV. No. | DATE: | | | | | | | | | | | | | | | | | | | | | | |
| REV. No. | DATE: | | | | | | | | | | | | | | | | | | | | | | |
| TCE | PARCEL No. 106 | | | | | | | | | | | | | | | | | | | | | | |

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF FOR
THE I-710 SOUNDWALL PACKAGE 3 PROJECT
CPN 80899 (APN 7401-023-007)**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY (LACMTA) is a public entity organized and existing pursuant to Chapter 2 of
Division 12 of the California Public Utilities Code (commencing with Section 130050).

Section 2.

The property interest described hereinafter is to be taken for public use, namely, for
the I-710 Soundwall Package 3 Project (Project) and for public transportation purposes
and all uses necessary, incidental or convenient thereto, and for all public purposes
pursuant to the authority conferred upon the Board to acquire property by eminent domain
by California Public Utilities Code Sections 30000-33027, inclusive, and particularly
Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections
130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive,
and particularly Sections 1240.510 and 1240.610, and Article I, Section 19 of the California
Constitution.

Section 3.

The property interest consists of the acquisition of a temporary construction
easement (TCE) and site improvements within the (TCE) area, as described more
specifically in the legal description (Exhibit A) and depicted on the Plat Map (Exhibit B),
attached hereto (hereinafter, the "Property", incorporated herein by this reference).

Section 4.

(a.) The acquisition of the above-described Property is necessary for the
construction and maintenance of the Project;

(b.) Metro has received an exemption from having a draft EIR/EIS and a
FEIS/FEIR. Metro was not required to have a CEQA Environmental Clearance
because it can be seen with certainty that there is no possibility that the activity may
have a significant effect on the environment (CCR 15061 [b] [3]). The Categorical
Exemption was given November 20, 2013 from Caltrans.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

Section 7.

The notice of intention to adopt this resolution was given by first class mail to each person whose Property is to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of the Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle, subject to approval by the Board when required, such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, MICHELLE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Los Angeles County Metropolitan Transportation Authority at a meeting held on the 25th day of April, 2019.

MICHELLE JACKSON
LACMTA Secretary

Date: _____

ATTACHMENTS

- 1 - Legal Description (Exhibit "A")
- 2 - Plat Map (Exhibit "B")

**EXHIBIT A
LEGAL DESCRIPTION**

THE EASTERLY 10.00 FEET OF THAT PORTION OF LOT 3 IN BLOCK 3 OF SHORE ACRE TRACT NO. 2, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 8, PAGE 56 OF MAPS, DESCRIBED IN DEED RECORDED APRIL 6, 2017 AS INSTRUMENT NO. 20170379125, IN OFFICIAL RECORDS, ALL IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

CONTAINS: 410 SQUARE FEET, MORE OR LESS.

APN: 7401-023-007

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:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752


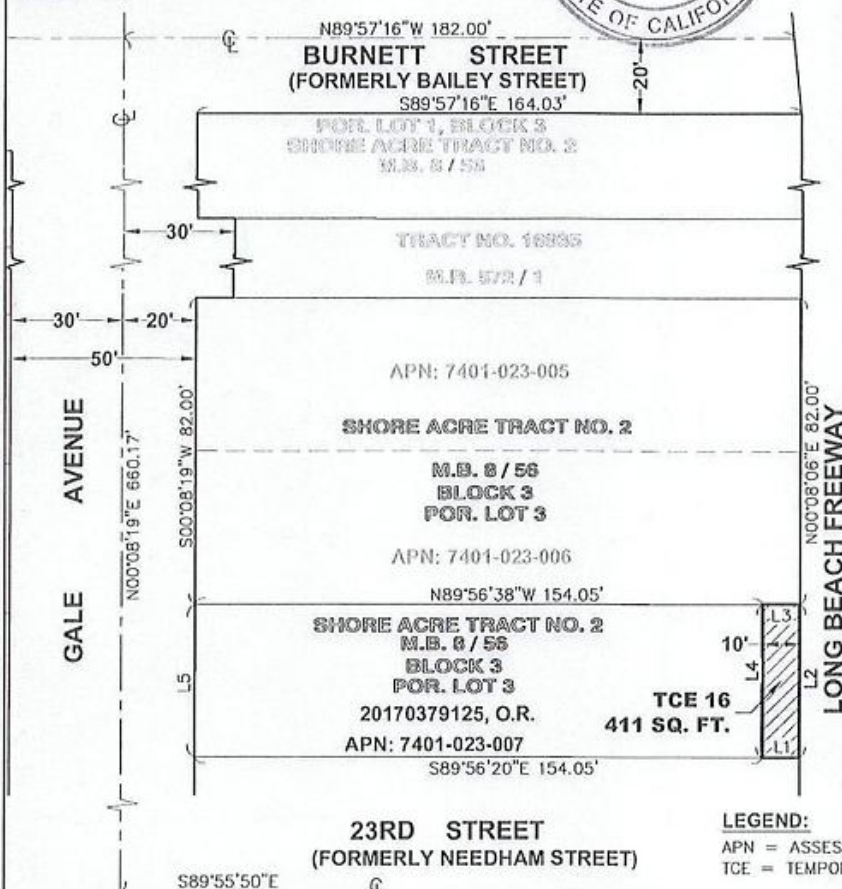
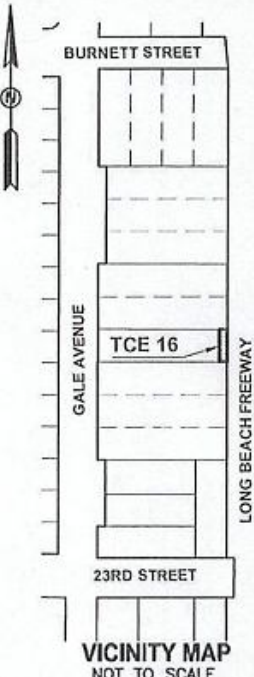

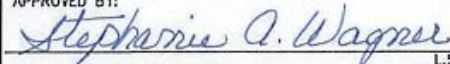
October 5, 2017
DATE



EXHIBIT B

Plat Map of the Required Parcel – Temporary Construction Easement

EXHIBIT "B"

| | | | |
|--|-------------|-----------------------------|-----------|
| OWNER: GRACIELA ESPINOZA ORTIZ AND DIMAS J. ORELLANA | | | |
| PORTION OF LOT 3 IN BLOCK 3, SHORE ACRE TRACT NO. 2, M.B. 8/56. | | | |
| APN: 7401-023-007 | | | |
| BASIS OF BEARINGS: THE BEARING N00°08'19"E OF THE CENTERLINE OF GALE AVENUE AS DETERMINED BY COORDINATES MEASURED IN THE CALIFORNIA STATE PLANE COORDINATE SYSTEM NAD 83, ZONE 5 (EPOCH 2010) WAS USED AS THE BASIS OF BEARINGS. THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION. | | | |
|  | | | |
|  | | | |
|  | | | |
| LINE TABLE | | | |
| LINE | BEARING | LENGTH | |
| L1 | S89°56'20"E | 10.00' | |
| L2 | N00°08'06"E | 41.09' | |
| L3 | N89°56'38"W | 10.00' | |
| L4 | S00°08'06"W | 41.09' | |
| L5 | N00°08'19"E | 41.07' | |
| LEGEND: APN = ASSESSOR'S PARCEL NUMBER TCE = TEMPORARY CONSTRUCTION EASEMENT | | | |
| AREA | TOTAL | REQUIRED TCE | REMAINDER |
| SQUARE FEET | 6,726 | 410 | 6,316 |
|  APPROVED BY:  L.S.: 5752 | | I - 710 CORRIDOR PROJECT | |
| DATE: 10-05-2017 | | SCALE: 1"=40' | |
| REV. No. DATE: | | REV. No. DATE: | |
| TCE | | PARCEL No. 16 | |