



Board Report

File #: 2020-0461, **File Type:** Policy

Agenda Number: 50.

**REGULAR BOARD MEETING
AUGUST 27, 2020**

SUBJECT: ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

**ACTION: ADOPT RESOLUTION OF NECESSITY TO ACQUIRE
PROPERTY RM-17**

RECOMMENDATION

CONSIDER:

A. Holding a hearing on the proposed Resolution of Necessity; and

B. Adopting a Resolution of Necessity authorizing the commencement of an eminent domain action to acquire a Utility Overhang Easement and a 54-month Temporary Construction Easement from the property identified as Parcel RM-17 (APN: 8059-029-036; formerly 8059-029-006 and 8059-029-007). The property listed above is herein referred to as the "Property".

REQUIRES 2/3 VOTE

BACKGROUND

The acquisition of the Property is required for the construction and operation of the Rosecrans/Marquardt Grade Separation Project ("Project"). The Project will improve the safety and traffic flow of the Rosecrans Avenue and Marquardt Avenue intersection.

A written offer to purchase the Property was delivered to the Owners of Record ("Owner") of the Property, as required by California Government Code Section 7267.2. The Owner has not accepted the offer of Just Compensation made by the Los Angeles County Metropolitan Transportation Authority ("LACMTA"), and the parties have not reached negotiated settlement as of this date. Since 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 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 their respective 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; (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 Resolution, 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, 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

The funding for the Overhead Utility Easement and 54-month Temporary Construction Easement is included in the Fiscal Year 2021 Budget for the Rosecrans Marquardt Grade Separation Project in Cost Center 2415 under Project Number 460066. Since this is a multi-year project, the Cost Center Manager, Project Manager and Chief of Program Management will be responsible for future fiscal year budgeting.

Impact to Budget

The FY 2021 budget is designated for the Rosecrans Marquardt Grade Separation Project and is funded with Measure R 20% Highway Capital Funds. The FY 2021 funds were planned and designated for this project. Design and construction of this project does not have an impact to operations funding sources.

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 LACMTA Vision 2028, Goal #1: Provide high quality mobility options that enable people to spend less time traveling. Acquisition of property is a

required step for the ultimate construction and operation of the Rosecrans Marquardt Grade Separation Project which will provide additional mobility.

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, as necessary.

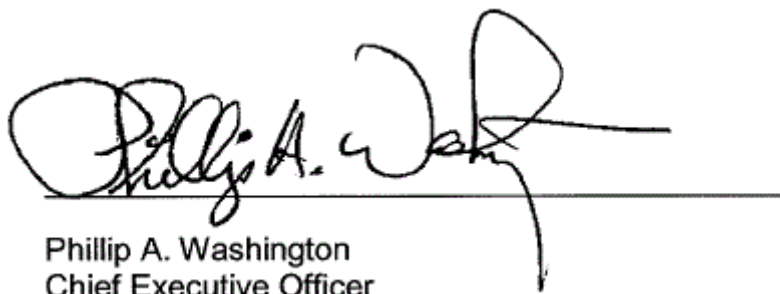
ATTACHMENTS

Attachment A - Staff Report

Attachment B - Resolution 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, Senior Executive Officer, Real Property Management & Development,
(213) 922-5585

Reviewed by: James de la Loza, Chief Planning Officer (213) 922-2920



Phillip A. Washington
Chief Executive Officer

**STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF
PROPERTY FOR THE ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT –
RM-17**

BACKGROUND

The Property is required by the Los Angeles County Transportation Authority for the construction and operation of the Rosecrans/Marquardt Grade Separation ("Project"). The address, record owners (as indicated by a title report) ("Owner"), physical description, and nature of the property interests sought to be acquired for the Project are summarized in the table below.

Assessor's Parcel Number	Parcel Address	Property Owner	Purpose of Acquisition	Property Interest Sought	LACMTA Parcel Number
8059-029-036 formerly 8059-029-006 and 8059-029-007	14013 Marquardt Avenue, Santa Fe Springs, CA 90670	VB-Marquardt, LLC	Rosecrans/Marquardt Grade Separation Project	Utility Overhang Easement and a 54-month Temporary Construction Easement	RM-17

A written offer to acquire the Property was presented to the Owner or Owner's Representative by a letter dated May 15, 2019. LACMTA has attempted to negotiate with the Owner and/or their attorneys, and to date, the Owner has not accepted the offers to purchase.

A. The public interest and necessity require the Project.

The purpose of the Project is to:

- 1) Improve safety;
- 2) Maintain access to the railroad for emergency responders;
- 3) Maintain existing railroad facilities and operations; and
- 4) Accommodate future High-Speed Rail in the corridor.

The Rosecrans/Marquardt Avenue and BNSF railroad tracks intersection experiences an average of 45,000 vehicles and 112 trains traveling through the intersection within each 24-hour period, as estimated using Los Angeles County Department of Public Works traffic data from 2011 (Los Angeles County Department of Public Works, 2015). The BNSF line serves approximately 55 long distance and local freight trains, as well as up to 57 passenger trains for both Metrolink commuter and Amtrak within a 24-hour time period (Los Angeles County Metropolitan Transportation Authority, 2016). The existing BNSF

railroad tracks and roadway are at the same grade. This causes a high volume of vehicle conflicts at the intersection. In addition, the railroad crossing traverses the intersection diagonally, which results in poor sight distance between roadway and railroad vehicles.

The combination of these factors has caused the intersection to experience a higher proportion of traffic incidents than average, including fatalities. The ongoing danger has prompted the CPUC under Section 190 to rate this intersection as the most hazardous at-grade railroad crossing in the state. The completion of this Project would alleviate the existing vehicle conflicts and safety hazards at the intersection.

Motorist, cyclist, bus, and emergency vehicle access will need to be maintained at all times during construction of the Project. In addition, train volume in the BNSF corridor is anticipated to increase in the future. Additionally, a third BNSF track is planned for this corridor. The Project would facilitate continued access to and around the Project area, including access to the railroad.

The intersection of railroad and roadway infrastructure poses competing interests, which lead to collisions and accidents in the project area. To accommodate existing and planned railroad facilities and operations, the Project would elevate Rosecrans Avenue to an overpass, which would allow critical improvements along the roadway and BNSF right of way to occur.

The Project area does not currently accommodate for future HSR planned in the BNSF railroad corridor. At the conclusion of the California High-Speed Train System Tier 1 EIR/EIS, FRA and CHSRA identified the BNSF corridor as the proposed corridor for the HSR Los Angeles to Anaheim project section. FRA and CHSRA are currently conducting further Tier 2 environmental analysis and this Project would be designed to accommodate and not preclude future HSR infrastructure, minimizing time and costs between both projects.

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

The Environmental Assessment evaluates the proposed action and the Project alternatives that were developed to meet the identified purpose and need of the Project. When developing alternatives, the following criteria were considered:

- Traffic impacts during construction;
- Required utility relocations;
- Access to businesses during construction;
- ROW impacts;
- Impacts to railroad operations; and
- Project costs.

Several build alternatives were considered, but only one build alternative was recognized as feasible, Alternative 2: Offset Overpass with Connector Road. The Build Alternative was identified as a suitable alternative using the criteria above. Therefore, the alternatives considered for the Project are the Alternative 1 (No Build Alternative) and one Build Alternative (Alternative 2). Resource areas evaluated for each alternative include land use, community impacts, utilities/emergency services, traffic and transportation/pedestrian and bicycle facilities, visual/aesthetics, cultural resources, water quality and storm water runoff, hazardous waste/materials, air quality, and noise. In addition, the potential cumulative impact of past, present, and reasonably foreseeable future projects in the project region are evaluated with respect to these resources.

Under Alternative 1 (No Build Alternative), the current configuration of the Rosecrans/Marquardt Avenue and BNSF railroad tracks intersection would be maintained, and the at-grade railroad crossing would remain. This alternative would not improve safety because each user (trains, vehicles, and pedestrians) would continue sharing the Rosecrans/Marquardt intersection crossing, which would not address the risk of collision. Additionally, the segment of BNSF corridor in the project area has been planned for a third set of BNSF tracks, which would require changes in roadway geometry in the project area. Existing conditions are not conducive to accommodate future HSR infrastructure. Under the No Build Alternative, construction activities would not be completed. However, this alternative would not help to achieve the desired safety or circulation improvements, and would therefore not meet the Project purpose and need.

Under Alternative 2 (Build Alternative), Rosecrans Avenue would be realigned to the south, and an overpass would be constructed to raise Rosecrans Avenue over Marquardt Avenue, the BNSF ROW, and Stage Road. The southern leg of Marquardt Avenue would be extended under the overpass and connected to Rosecrans Avenue. The northern leg of Marquardt Avenue would be connected to Stage Road. A frontage road would also be constructed to connect Anson Avenue to the northern leg of Marquardt Avenue and Stage Road.

Traffic signals would be installed along Rosecrans Avenue: one at the intersection with Marquardt Avenue to the west, and one to the east of the overpass at the intersection with Iseli Road. Other improvements include sidewalk construction, street lighting installation, landscape installation/replacement, parking lot reconfiguration, and utility relocations. Alternative 2 would require full acquisition of eight properties, including six industrial properties and two commercial properties (Sierra Plaza and VCA Animal Hospital), and various partial and temporary easements, including seven roadway easements, one footing easement, one utility easement, and 15 temporary construction easements (TCEs). Construction would be completed over an approximately 24-month period.

Improvements considered under Alternative 2 would meet the purpose and need of the Project. Connectivity between Rosecrans Avenue, Marquardt Avenue, Stage Road, and Anson Avenue would be maintained through the use of signalized intersections. Utilities in the existing roadway would remain in their existing alignment, minimizing the duration

of construction. Proposed transportation structures would be located outside of the BNSF ROW, so that a third set of BNSF tracks and future HSR tracks would be accommodated. The majority of construction activities under this alternative would be completed outside of the existing Rosecrans Avenue footprint in order to meet the purpose and need element, “maintain access to the railroad for emergency responders”, which includes access during Project construction. Access disruptions to residents, businesses, and the community during construction would be minimized to the maximum extent feasible. Operation of Alternative 2 would enhance mobility and quality of life for the community. Therefore, the Project would help achieve the desired safety and circulation improvements, and would meet the Project purpose and need.

C. The Property is Necessary for the Project.

The Property is required for the construction of the overhead pass over Marquardt Avenue, realigning Rosecrans Avenue to the south, and providing the adjacent property located at 13659 Rosecrans Avenue, Santa Fe Springs, temporary access to a public road. The selected alignment is critical in connecting Rosecrans Avenue, Marquardt Avenue, Stage Road, and Anson Avenue.

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

D. 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(s) of record, or the offer has not been made because the owner(s) cannot be located with reasonable diligence.

California Government Code section 7267.2 requires that an offer be made to the owner or to the owner(s) of record 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(s) 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 as appropriate;
2. Reviewed and approved the appraisal, and established the amount it believes to be just compensation for the Property;
3. Determined the owner(s) of the Property by examining the county assessor's record

and the title report;

4. Made a written offer to the owner(s) for the full amount of just compensation - which was not less than the approved appraised values; and
5. Provided the owner(s) with a written statement of, and summary of the basis for, the amounts 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 have been made to the owner(s) of record.

E. LACMTA has fulfilled the necessary statutory prerequisites.

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

F. CEQA/NEPA Compliance

As per Section 21080.13 of CEQA, all railroad grade separation projects are exempt under CEQA; as such this project has been statutory exempted from CEQA. The Notice of Exemption was given February 29, 2016 from the Governor's Office of Planning & Research. The Draft Environmental Assessment report was issued by the Federal Railroad Administration (FRA) in April 2018, pursuant to 42 USC § 4332, 49 USC § 303 and 64 FR 28545.

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

CONCLUSION

Staff recommends that the Board adopt the Resolution of Necessity.

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF FOR
THE ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT PARCEL**

RM-17 (APN: 8059-029-036) formerly 8059-029-006 and 8059-029-007

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 interests described hereinafter is to be taken for public use, namely, for
the Rosecrans/Marquardt 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, 130220.5,
and 132610, 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 interests consist of the acquisition of a Utility Overhang Easement and
a 54-month Temporary Construction Easement as described more specifically in the Legal
Descriptions (Exhibit A and Exhibit A-1) and depicted on the Plat Maps (Exhibit B and
Exhibit B-1), attached hereto (hereinafter the "Property"), 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 Project;

(b) As per Section 21080.13 of CQA, all railroad grade separation projects are exempt under CEQA. The Notice of Exemption was given February 29, 2016 from the Governor's Office of Planning & Research. The Draft Environmental Assessment report was issued by the Federal Railroad Administration (FRA) in April 2018, pursuant to 42 USC § 4332, 49 USC § 303 and 64 FR 28545.

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

Section 5.

The Board hereby declares that it has found and determined each of the following:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The Property sought to be acquired, which has been described herein, is necessary for the proposed Project;

(d) The offer required by Section 7267.2 of the Government Code has been made to the Owner; and

(e) The California Environmental Quality does not apply to railroad grade separation projects which eliminate an existing grade crossing, and therefore no environmental document is required for this Project.

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 Property sought to be acquired is also necessary for the purpose specified in Section 1240.350 of the Code of Civil Procedure, to provide temporary access to a public road, and as such the taking of the Property is authorized by Section 1240.350 of the Code of Civil Procedure.

Section 8.

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 9.

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, MICHELE 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 27th day of August, 2020.

Date: _____

MICHELE JACKSON
LACMTA Secretary

ATTACHMENTS

- 1 - Legal Descriptions (Exhibit "A" and Exhibit "A-1")
- 2 - Plat Maps (Exhibit "B" and Exhibit "B-1")

EXHIBIT A

**SOUTHERN CALIFORNIA EDISON COMPANY
OVERHANG EASEMENT
LEGAL DESCRIPTION**

PARCEL A (A.P.N. 8059-029-007)

THAT PORTION OF THE LAND, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS PARCEL 2 IN THE GRANT DEED RECORDED JANUARY 21, 1997 AS INSTRUMENT NO. 97-100550, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE GENERALLY NORTHEASTERLY LINE OF SAID PARCEL 2 AND THE WESTERLY RIGHT-OF-WAY LINE OF MARQUARDT AVENUE AS DESCRIBED IN THE DOCUMENT RECORDED NOVEMBER 24, 1975 AS INSTRUMENT NO. 4294, OF OFFICIAL RECORDS;

THENCE ALONG SAID GENERALLY NORTHEASTERLY LINE NORTH 74°16'14" WEST, 6.25 FEET TO A LINE THAT IS PARALLEL WITH AND 26.00 FEET WESTERLY, MEASURED AT RIGHT ANGLES, OF THE EASTERLY LINE OF SAID INSTRUMENT NO. 4294;

THENCE LEAVING SAID GENERALLY NORTHEASTERLY LINE AND ALONG SAID PARALLEL LINE SOUTH 00°29'29" EAST, 258.89 FEET;

THENCE LEAVING SAID PARALLEL LINE SOUTH 63°20'00" WEST, 14.80 FEET TO THE SOUTHWESTERLY LINE OF SAID PARCEL 2;

THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 55°52'34" EAST, 6.87 FEET TO A LINE THAT IS PARALLEL WITH AND 6.00 FEET SOUTHEASTERLY, MEASURED AT RIGHT ANGLES, OF THE LAST SAID COURSE DESCRIBED AS "SOUTH 63°20'00" WEST, 14.80 FEET";

THENCE LEAVING SAID SOUTHWESTERLY LINE AND ALONG LAST SAID PARALLEL LINE NORTH 63°20'00" EAST, 15.18 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES:

NORTH 00°29'29" WEST, 200.88 FEET;

NORTH 89°30'31" EAST, 2.00 FEET;

NORTH 00°29'29" WEST, 20.00 FEET;

SOUTH 89°30'31" WEST, 2.00 FEET;

NORTH 00°29'29" WEST, 40.01 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1,689 SQUARE FEET OR 0.039 ACRES, MORE OR LESS.

**LEGAL DESCRIPTION
A.P.N. 8059-029-007**

PARCEL A (TEMPORARY CONSTRUCTION EASEMENT)

THAT PORTION OF THE LAND DESCRIBED IN A DEED TO PAN PACIFIC FIBER, INC., A CALIFORNIA CORPORATION IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER DOCUMENT RECORDED JANUARY 21, 1997, AS INSTRUMENT NO. 97-100550, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY RIGHT OF WAY 100 FEET WIDE, WITH THE WESTERLY LINE OF THE EASTERLY 40.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 11 WEST, IN THE RANCHO LOS COYOTES AS SHOWN ON THE MAP FILED IN BOOK 284, PAGE 86 OF RECORD OF SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE ALONG SAID WESTERLY LINE NORTH 00°29'29" WEST, 42.81 FEET TO THE TRUE POINT OF BEGINNING;

THENCE LEAVING SAID WESTERLY LINE SOUTH 89°30'31" WEST 16.78 FEET;

THENCE NORTH 00°04'51" WEST 52.28 FEET;

THENCE NORTH 89°30'31" EAST 16.40' FEET TO SAID WESTERLY LINE OF SAID EASTERLY 40.00 FEET;

THENCE ALONG SAID WESTERLY LINE SOUTH 00°29'29" EAST 52.28 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 867 SQUARE FEET OR 0.020 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

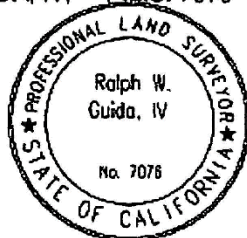
THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.



RALPH W. GUIDA, IV, P.T.S. 7076

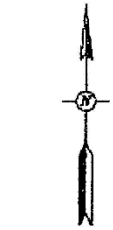
1/4/17

DATE



PLAT TO ACCOMPANY
LEGAL DESCRIPTION

SOUTHERN CALIFORNIA EDISON COMPANY
OVERHANG EASEMENT
IN THE CITY OF SANTA FE SPRINGS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA



SCALE: 1" = 80'

APN: 8059-029-005

APN: 8059-029-006

APN: 8059-029-004

PORTION OF PARCELS 1 AND 2
INST. NO. 97-100550, O.R.
RECORDED 1/21/1997
14037 MARQUARDT AVENUE
APN: 8059-029-007

40' 40'

P.O.B.

PARCEL A
1,689 SQ.FT.

MARQUARDT AVENUE

BURLINGTON NORTHERN SANTA FE RAILWAY

APN: 8059-029-030

APN: 8059-029-029

S 00°29'29" E 258.69'
N 00°29'29" W 200.88'

ROSECRANS AVENUE



NOTE:
SEE SHEET 2 FOR LEGEND
AND LINE TABLE

PREPARED BY ME OR UNDER MY DIRECTION:

Ralph W. Guida, IV
RALPH W. GUIDA, IV P.L.S. 7076

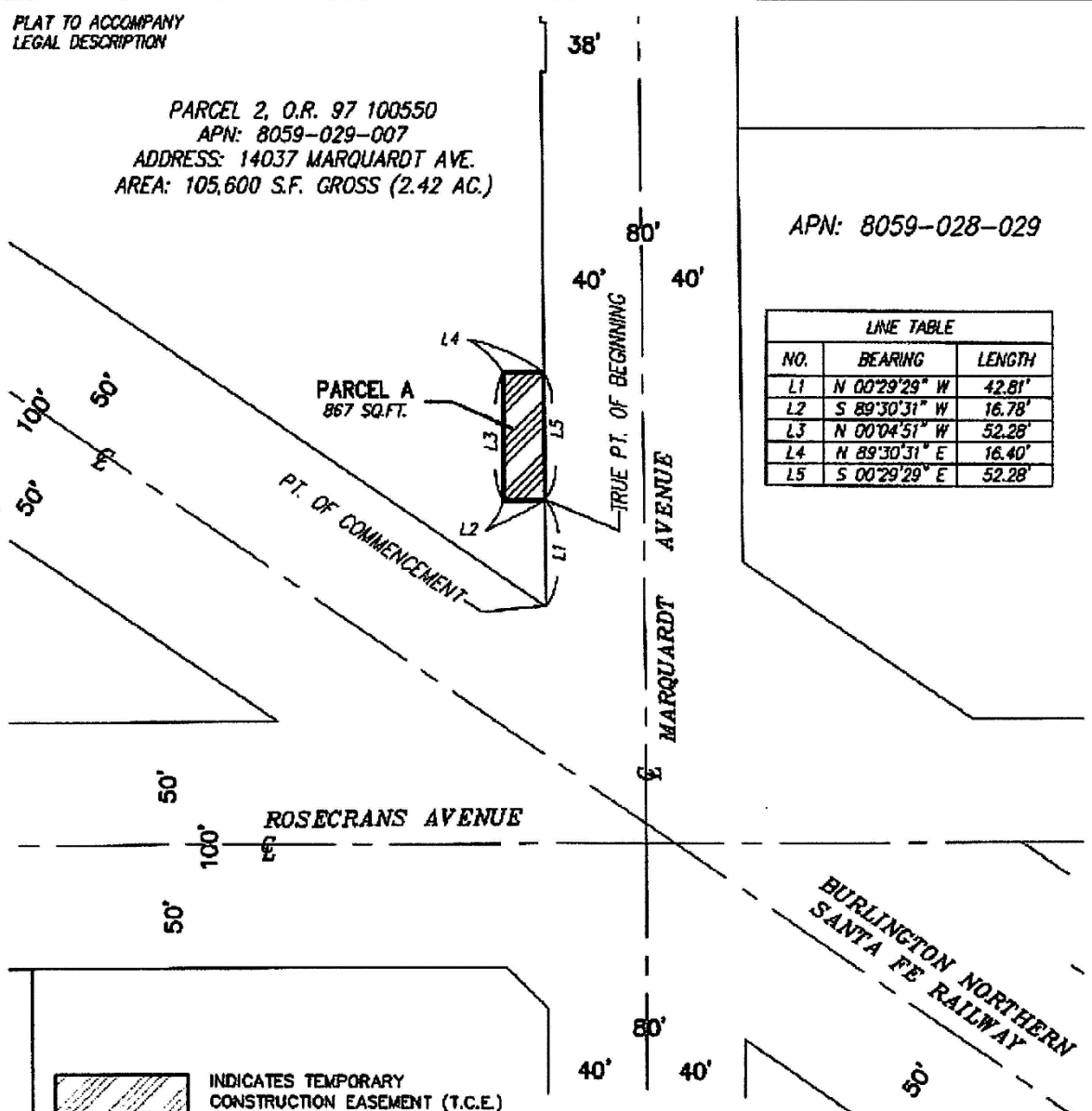
7/16/18
DATE

PLAT TO ACCOMPANY
LEGAL DESCRIPTION

PARCEL 2, O.R. 97 100550
APN: 8059-029-007
ADDRESS: 14037 MARQUARDT AVE.
AREA: 105,600 S.F. GROSS (2.42 AC.)

APN: 8059-028-029

LINE TABLE		
NO.	BEARING	LENGTH
L1	N 00°29'29" W	42.81'
L2	S 89°30'31" W	16.78'
L3	N 00°04'51" W	52.28'
L4	N 89°30'31" E	16.40'
L5	S 00°29'29" E	52.28'

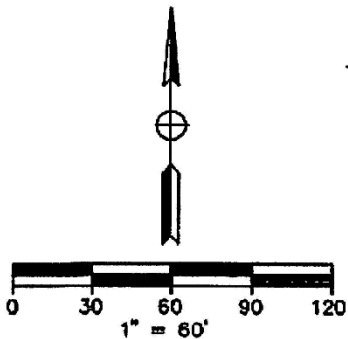


 INDICATES TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)

PREPARED BY ME OR UNDER MY DIRECTION:

Ralph W. Guida, IV 01/04/17
RALPH W. GUIDA, IV DATE
P.L.S. 7076

SHEET 2 OF 2



TEMPORARY
CONSTRUCTION
EASEMENT
APN: 8059-029-007

HEARING TO ADOPT RESOLUTION OF NECESSITY

ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

BOARD MEETING AUGUST 27, 2020

AGENDA ITEM # 50, LEGISTAR FILE 2020-0461

HEARING TO ADOPT RESOLUTION OF NECESSITY ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

Location:

- Rosecrans/Marquardt Avenue intersection in the City of Santa Fe Springs

Purpose:

- Improve safety, eliminate delays and enhance the environment
- Maintain access to the railroad for emergency responders
- Accommodate future High-Speed Rail in the corridor

Property Impacts:

- Acquisition of Utility Overhang Easement and Temporary Construction Easement (TCE) and site improvements
- Duration of TCE is 54 months
- Purpose of the TCE is allow contractor access to grade driveways/parking lot
- There will be no displacement. The business will be able to operate during and after the construction period.

HEARING TO ADOPT RESOLUTION OF NECESSITY ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

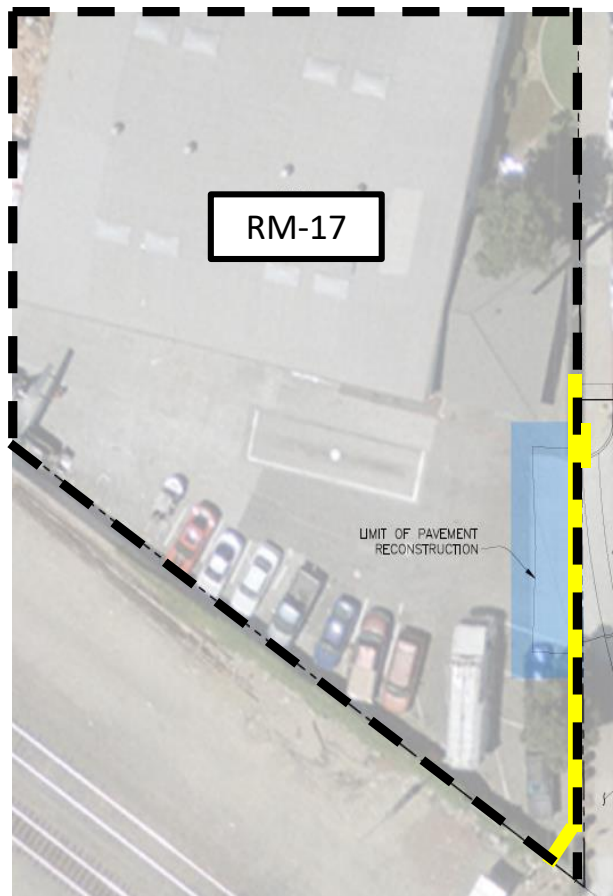
14037 Marquardt Avenue, Santa Fe Springs, CA 90670

RM-17- VB Marquardt, LLC

Utility Overhang Easement and Temporary Construction Easement (TCE)

Temporary
Construction
Easement

Overhang
Easement



HEARING TO ADOPT RESOLUTION OF NECESSITY ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

Staff recommends the Board make the below findings and adopt the Resolution of Necessity:

- The public interest and necessity require the proposed Project;
- 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;
- The Property sought to be acquired, which has been described herein, is necessary for the proposed Project;
- The offer required by Section 7267.2 of the Government Code has been made to the Owner; and
- Whether the statutory requirements necessary to acquire the property or property interest by eminent domain have been complied with by LACMTA.