Los Angeles County
Metropolitan Transportation
Authority
One Gateway Plaza
3rd Floor Board Room
Los Angeles, CA

Metro

Board Report

File #: 2019-0801, **File Type:** Policy **Agenda Number:** 40.

REGULAR BOARD MEETING
DECEMBER 5, 2019

SUBJECT: ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

CONSIDER:

A. HOLDING a public hearing on the proposed Resolutions of Necessity; and

B. ADOPTING the Resolutions of Necessity authorizing the commencement of an eminent domain action to acquire a Utility Overhang and Temporary Construction Easement from the properties identified as Parcels RM-03 (APN: 8059-029-009) and RM-06 (APN: 8059-029-029) and to acquire a Roadway Easement and Temporary Construction Easement from the property identified as Parcel RM-33 (APN: 8069-006-018). The properties listed above are herein referred to as “Properties.”

(REQUIRES 2/3 VOTE OF THE BOARD)

BACKGROUND

The acquisition of the Properties 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.

Written offers to purchase the Properties were delivered to the Owners of Record (“Owners”) of the Properties, as required by California Government Code Section 7267.2. The Owners have not accepted the offers 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 Properties are necessary for construction of the Project, staff recommends the acquisition of the Properties 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 their respective Properties are necessary for the Project; (4) whether either the offers required by Section 7267.2 of the Government Code has been made to the Owners, or the offers have 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 Resolutions of Necessity to acquire the Properties 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 Resolutions that have 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 temporary construction easements, overhead easements, and the roadway easement are included in the Fiscal Year 2020 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 FY2020 budget is designated for the Rosecrans/Marquardt Grade Separation Project and is funded with Measure R 20% Highway Capital Funds. The FY20 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 an additional mobility option.

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 - Resolutions of Necessity (B-1, B-2, B-3)

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

ATTACHMENT A

STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF PROPERTY FOR THE ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT – RM-03, RM-06 AND RM-33

BACKGROUND

The Properties are required by the Los Angeles County Transportation Authority for the construction and operation of the Rosecrans/Marquart Grade Separation ("Project"). The address, record owners (as indicated by a title report) ("Owners"), 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
8059-029-009	13659 Rosecrans Avenue, Santa Fe Springs, CA 90670	Rosecrans Associates, L.P.	Rosecrans/ Marquardt Grade Separation Project	Utility Overhang Easement and Temporary Construction Easement	RM-03
8059-029-029	13733 Rosecrans Avenue, Santa Fe Springs, CA 90670	Disabled American Veterans Department of California, Inc.	Rosecrans/ Marquardt Grade Separation Project	Utility Overhang Easement and Temporary Construction Easement	RM-06
8069-006-018	13950 Rosecrans Avenue, Santa Fe Springs, CA 90670	Wilson Trust	Rosecrans/ Marquardt Grade Separation Project	Permanent Roadway Easement and Temporary Construction Easement	RM-33

A written offer to acquire the Properties were presented to the Owner or Owner's Representative by letters dated May 15, 2019 (RM-03) and April 2, 2019 (RM-06 and RM-33). LACMTA has attempted to negotiate with the Owner's and/or their attorneys, and to date, the Owners have 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 Properties are Necessary for the Project.

The Properties are required for the construction of the overhead pass over Marquardt Avenue and realigning Rosecrans Avenue to the south. 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 Properties 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(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 Properties:

1. Obtained appraisals to determine the fair market value of the Properties, 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 Properties;
3. Determined the owner(s) of the Properties by examining the county assessor's record and the title report;
4. Made written offers to the Owners for the full amount of just compensation - which was not less than the approved appraised values; and
5. Provided the Owners with written statements of, and summaries 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 offers 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 Resolutions of Necessities.

ATTACHMENT B-1

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-03

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 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 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, 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 5th day of December, 2019.

_____ 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
UTILITY OVERHANG EASEMENT
LEGAL DESCRIPTION

PARCEL A (A.P.N. 8059-029-009)

THAT PORTION OF THE LAND, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED IN THE GRANT DEED RECORDED JANUARY 30, 2002 AS INSTRUMENT NO. 02-0232047, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING A 5.00 FOOT WIDE STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LAND;

THENCE ALONG THE WESTERLY LINE OF SAID LAND NORTH 00°22'54" WEST, 5.00 FEET TO A LINE THAT IS PARALLEL WITH AND 5.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, OF THE SOUTHERLY LINE OF SAID LAND;

THENCE LEAVING SAID WESTERLY LINE AND ALONG SAID PARALLEL LINE NORTH 89°37'06" EAST, 100.00 FEET TO THE EASTERLY LINE OF SAID LAND;

THENCE LEAVING SAID PARALLEL LINE AND ALONG SAID EASTERLY LINE SOUTH 00°24'45" EAST, 5.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID LAND;

THENCE LEAVING SAID EASTERLY LINE AND ALONG SAID SOUTHERLY LINE SOUTH 89°37'06" WEST, 100.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 500 SQUARE FEET OR 0.011 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.L.S. 7076

7/16/18
DATE

PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA

EXHIBIT B

Plat Map of the Required Parcel – Utility Overhang Easement

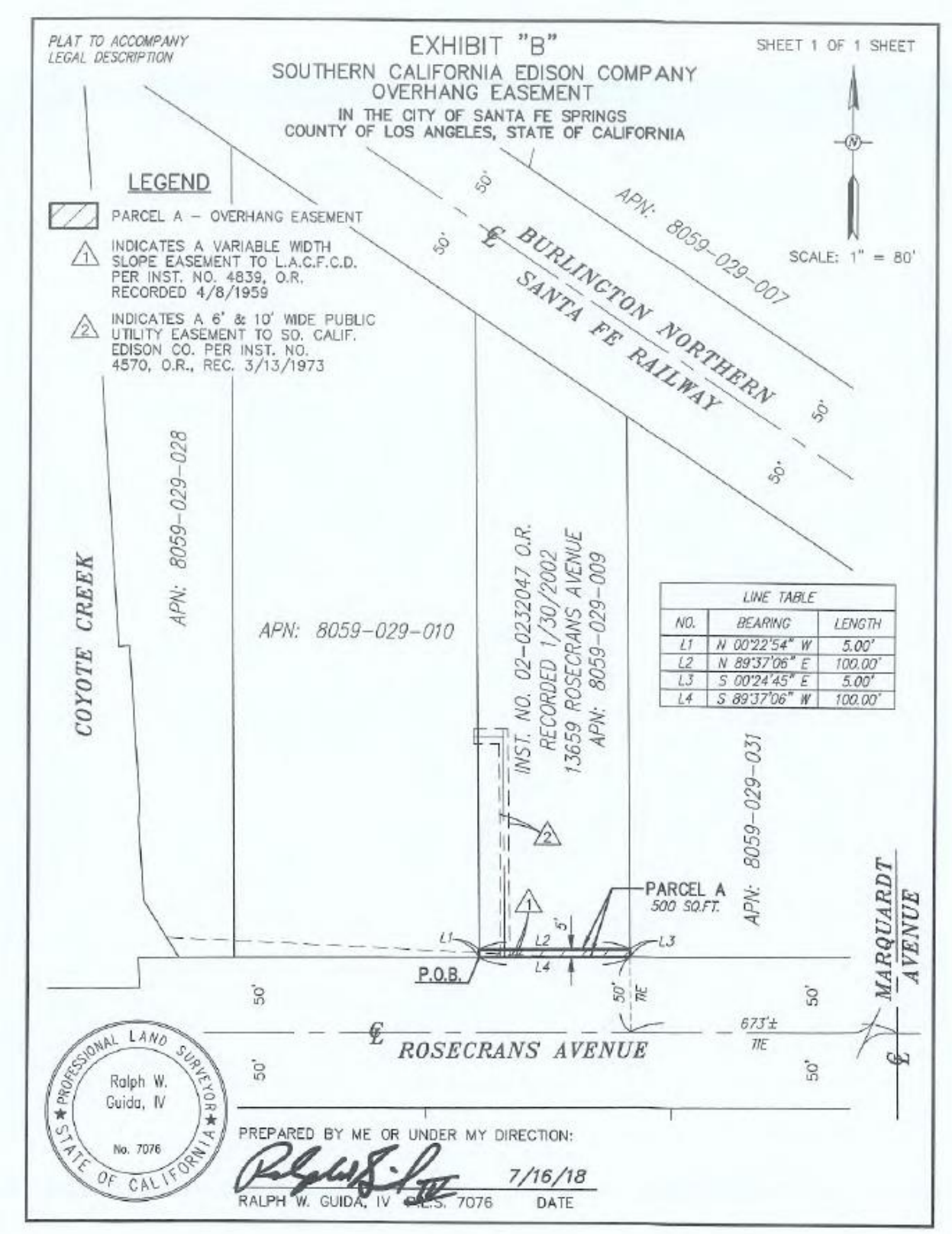


EXHIBIT A-1
TEMPORARY CONSTRUCTION EASEMENT
LEGAL DESCRIPTION

PARCEL A (TEMPORARY CONSTRUCTION EASEMENT)

THAT PORTION OF THE LAND DESCRIBED IN A DEED TO ROSECRANS ASSOCIATES, L.P.., A CALIFORNIA LIMITED PARTNERSHIP, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER DOCUMENT RECORDED JANUARY 30, 2002, AS INSTRUMENT NO. 02-0232047, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LAND AS DESCRIBED IN SAID INSTRUMENT, SAID CORNER ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF ROSECRANS AVENUE, 100 FEET WIDE;

THENCE ALONG THE WESTERLY LINE OF SAID LAND AS DESCRIBED IN SAID INSTRUMENT NORTH 00°24'45" WEST, 80.20 FEET;

THENCE LEAVING SAID WESTERLY LINE NORTH 90°00'00" EAST 7.00 FEET;

THENCE SOUTH 00°24'45" EAST 9.08 FEET;

THENCE NORTH 89°35'15" EAST 37.78 FEET;

THENCE SOUTH 00°20'12" EAST 61.00 FEET;

THENCE NORTH 89°39'26" EAST 55.30' FEET TO THE EASTERLY LINE OF SAID LAND;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°24'45" EAST 10.06 FEET TO THE SOUTHEASTERLY CORNER OF SAID LAND, SAID CORNER BEING ON SAID NORTHERLY LINE OF ROSECRANS AVENUE, 100.00 FEET WIDE

THENCE ALONG SAID NORTHERLY LINE OF SAID ROSECRANS AVENUE SOUTH 89°37'06" WEST 100.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 3,801 SQUARE FEET OR 0.087 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.

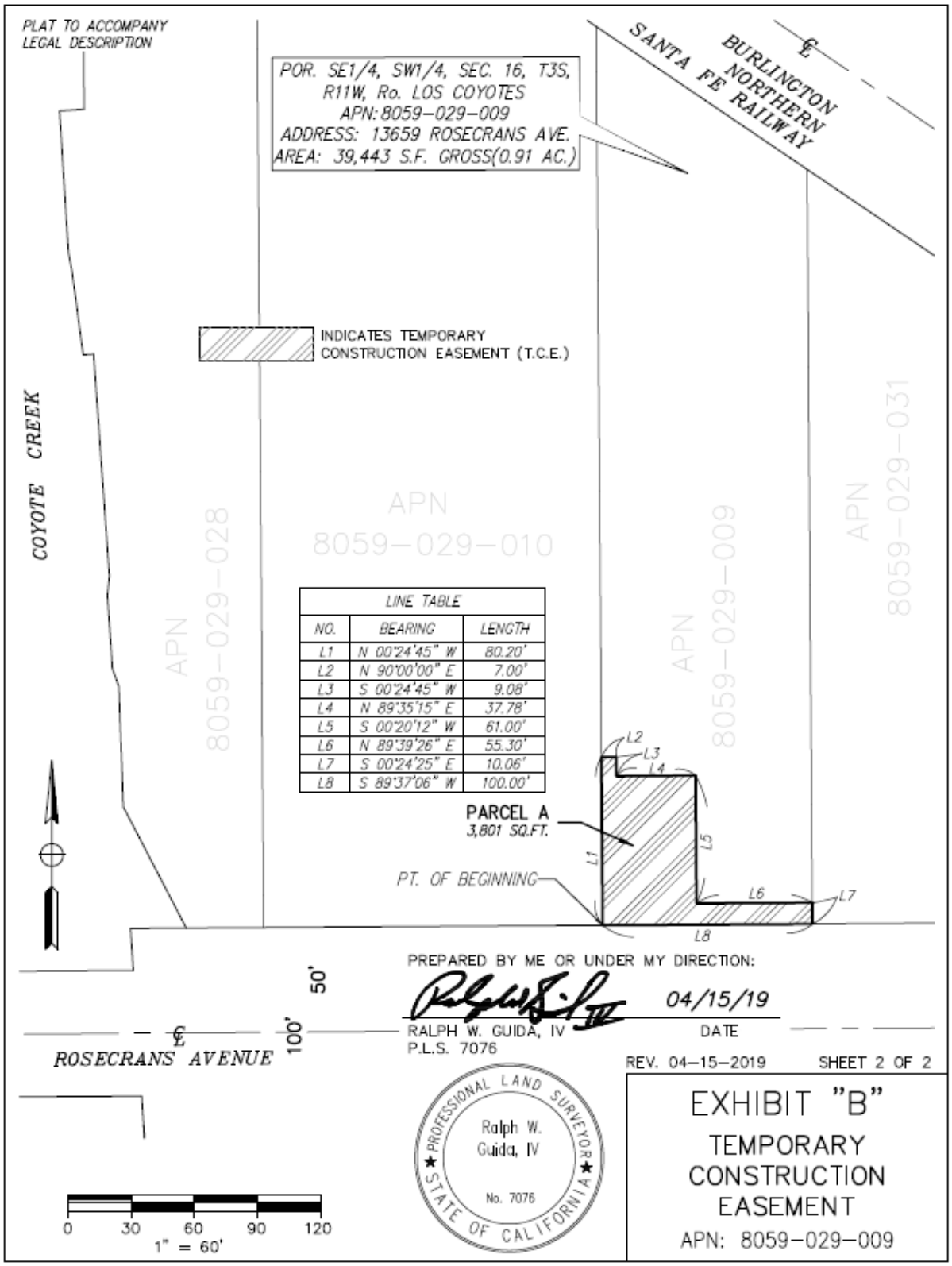
RALPH W. GUIDA, IV, P.L.S. 7076

2019/04/15
DATE

REV: 2019-04-15

EXHIBIT B-1

Plat Map of the Required Parcel – Temporary Construction Easement



ATTACHMENT B-2

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-06

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 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.

(c) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the Project;

(d) 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:

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

(g) 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;

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

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

(j) 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 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, 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 5th day of December, 2019.

_____ 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
UTILITY OVERHANG EASEMENT
LEGAL DESCRIPTION

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

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 21514, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER MAP FILED IN BOOK 238, PAGES 61 AND 62, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF ROSECRANS AVENUE, 100.00 FEET WIDE;

THENCE ALONG THE GENERALLY WESTERLY LINE OF SAID PARCEL 1 NORTH 00°22'54" WEST, 5.00 FEET TO A LINE THAT IS PARALLEL WITH AND 5.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, OF THE SOUTHERLY LINE OF SAID PARCEL 1;

THENCE LEAVING SAID GENERALLY WESTERLY LINE AND ALONG SAID PARALLEL LINE NORTH 89°37'06" EAST, 163.41 FEET;

THENCE LEAVING SAID PARALLEL LINE NORTH 63°20'00" EAST, 8.48 FEET TO THE NORTHEASTERLY LINE OF SAID PARCEL 1;

THENCE ALONG SAID NORTHEASTERLY 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 *"NORTH 63°20'00" EAST, 8.48 FEET"*;

THENCE LEAVING SAID NORTHEASTERLY LINE AND ALONG LAST SAID PARALLEL LINE SOUTH 63°20'00" WEST, 8.76 FEET;

THENCE LEAVING LAST SAID PARALLEL LINE SOUTH 00°22'54" EAST, 0.98 FEET TO SAID SOUTHERLY LINE;

THENCE ALONG SAID SOUTHERLY LINE SOUTH 89°37'06" WEST, 168.82 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 885 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.L.S. 7076

7/16/18
DATE

EXHIBIT B

Plat Map of the Required Parcel – Utility Overhang Easement

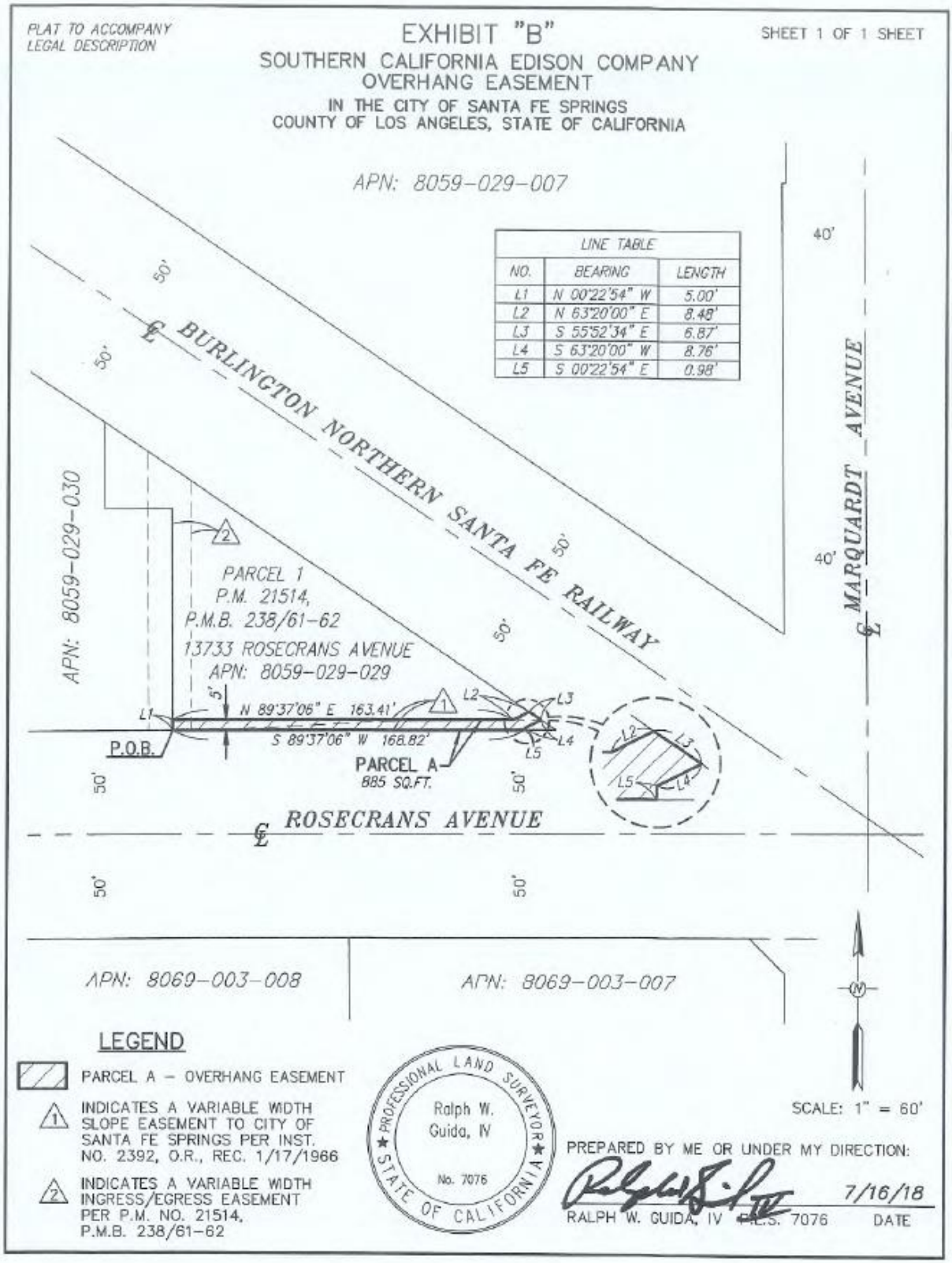


EXHIBIT A-1
TEMPORARY CONSTRUCTION EASEMENT
LEGAL DESCRIPTION

PARCEL A (TEMPORARY CONSTRUCTION EASEMENT)

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 21514, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 238, PAGES 61 AND 62 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1 NORTH 00°22'54" WEST 10.00 FEET;

THENCE LEAVING SAID WESTERLY LINE NORTH 89°37'06" EAST, 23.61 FEET;

THENCE SOUTH 00°17'40" EAST, 3.16 FEET;

THENCE NORTH 89°41'36" EAST, 59.78 FEET;

THENCE NORTH 00°18'22" WEST, 3.23 FEET;

THENCE NORTH 89°37'06" EAST, 85.81 FEET TO THE NORTHEASTERLY LINE OF SAID PARCEL 1;

THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 55°52'34" EAST, 17.65 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 1 SOUTH 89°37'06" WEST 183.75 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1,574 SQUARE FEET OR 0.036 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.

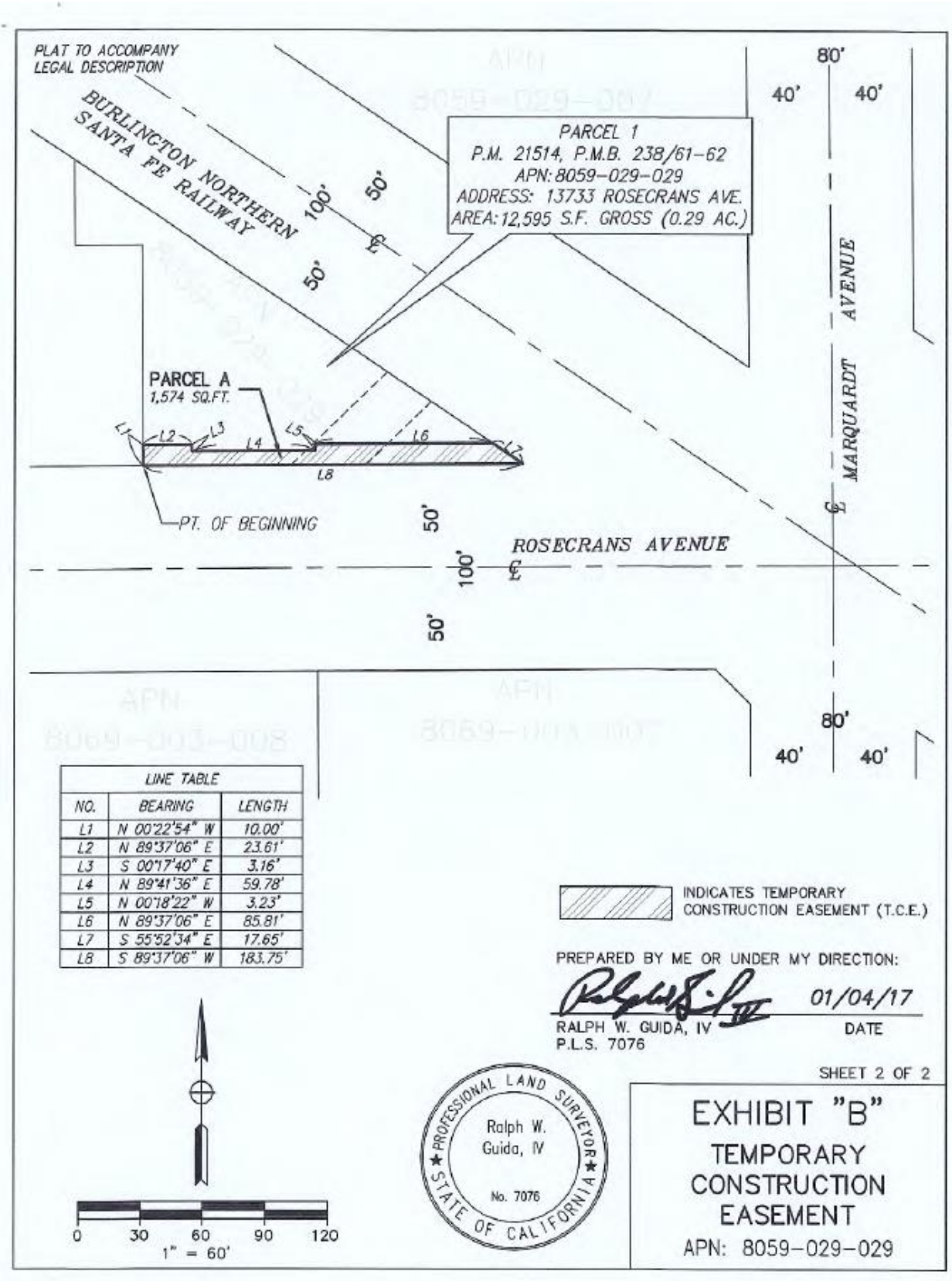
RALPH W. GUIDA, IV, P.L.S. 7076

1/4/17
DATE

PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA

EXHIBIT B-1

Plat Map of the Required Parcel – Temporary Construction Easement



LINE TABLE		
NO.	BEARING	LENGTH
L1	N 00°22'54" W	10.00'
L2	N 89°37'06" E	23.61'
L3	S 00°17'40" E	3.16'
L4	N 89°41'36" E	59.78'
L5	N 00°18'22" W	3.23'
L6	N 89°37'06" E	85.81'
L7	S 55°52'34" E	17.65'
L8	S 89°37'06" W	183.75'

PREPARED BY ME OR UNDER MY DIRECTION:

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

01/04/17
DATE

SHEET 2 OF 2

EXHIBIT "B"
TEMPORARY CONSTRUCTION EASEMENT
APN: 8059-029-029

ATTACHMENT B-3

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-33

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 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 Permanent Roadway Easement and a 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.

(e) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the Project;

(f) 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:

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

(l) 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;

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

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

(o) 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 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, 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 5th day of December, 2019.

_____ 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
ROADWAY EASEMENT
LEGAL DESCRIPTION

PARCEL A (ROADWAY EASEMENT)

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 6777, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 71, PAGES 74 AND 75, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1 SOUTH 00°29'13" EAST, 11.13 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 699.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS NORTH 10°08'30" WEST;

THENCE LEAVING SAID WESTERLY LINE AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°46'02" AN ARC LENGTH OF 119.16 FEET;

THENCE NORTH 89°37'32" EAST, 30.00 FEET;

THENCE NORTH 83°22'16" EAST, 9.18 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 1 SOUTH 89°37'32" WEST, 157.73 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 553 SQUARE FEET OR 0.013 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.L.S. 7076

1/4/17
DATE

EXHIBIT B

Plat Map of the Required Parcel – Roadway Easement

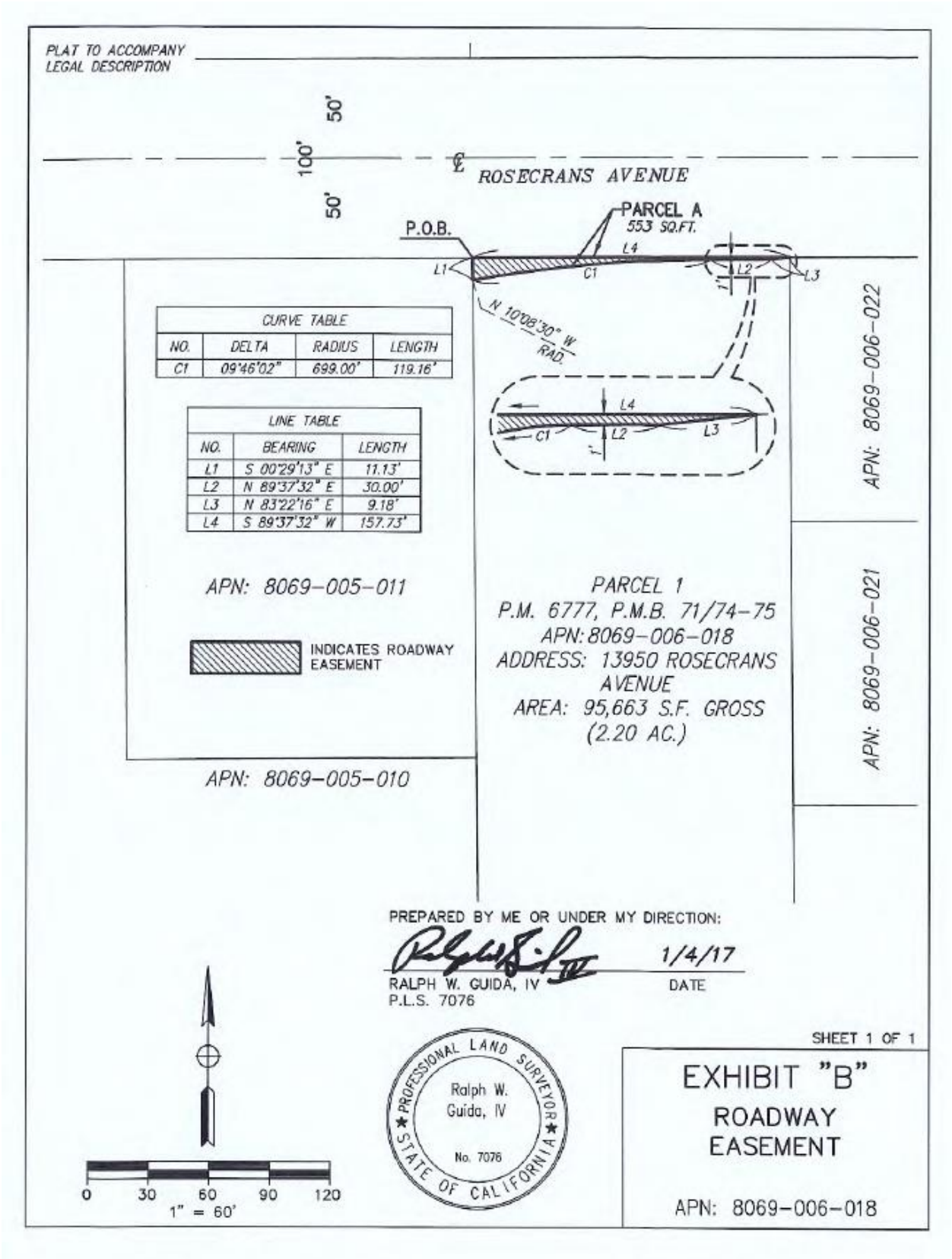


EXHIBIT A-1
TEMPORARY CONSTRUCTION EASEMENT
LEGAL DESCRIPTION

PARCEL A (TEMPORARY CONSTRUCTION EASEMENT)

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 6777, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 71, PAGES 74 AND 75, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1 SOUTH 00°29'13" EAST, 11.13 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 699.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS NORTH 10°08'30" WEST, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID WESTERLY LINE AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°46'02" AN ARC LENGTH OF 119.16 FEET;

THENCE NORTH 89°37'32" EAST, 30.00 FEET;

THENCE NORTH 83°22'16" EAST, 9.18 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1 SOUTH 00°29'13" EAST, 16.40 FEET;

THENCE LEAVING SAID EASTERLY LINE SOUTH 89°30'47" WEST, 50.10 FEET;

THENCE NORTH 00°28'53" WEST, 6.33 FEET;

THENCE SOUTH 89°31'07" WEST, 71.41 FEET;

THENCE SOUTH 00°28'39" EAST, 5.08 FEET;

THENCE SOUTH 76°12'29" WEST, 29.00 FEET;

THENCE SOUTH 00°29'13" EAST, 28.32 FEET;

THENCE SOUTH 89°30'47" WEST, 8.00 FEET TO SAID WESTERLY LINE;

THENCE ALONG SAID WESTERLY LINE NORTH 00°29'13" WEST, 39.31 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1,935 SQUARE FEET OR 0.044 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.

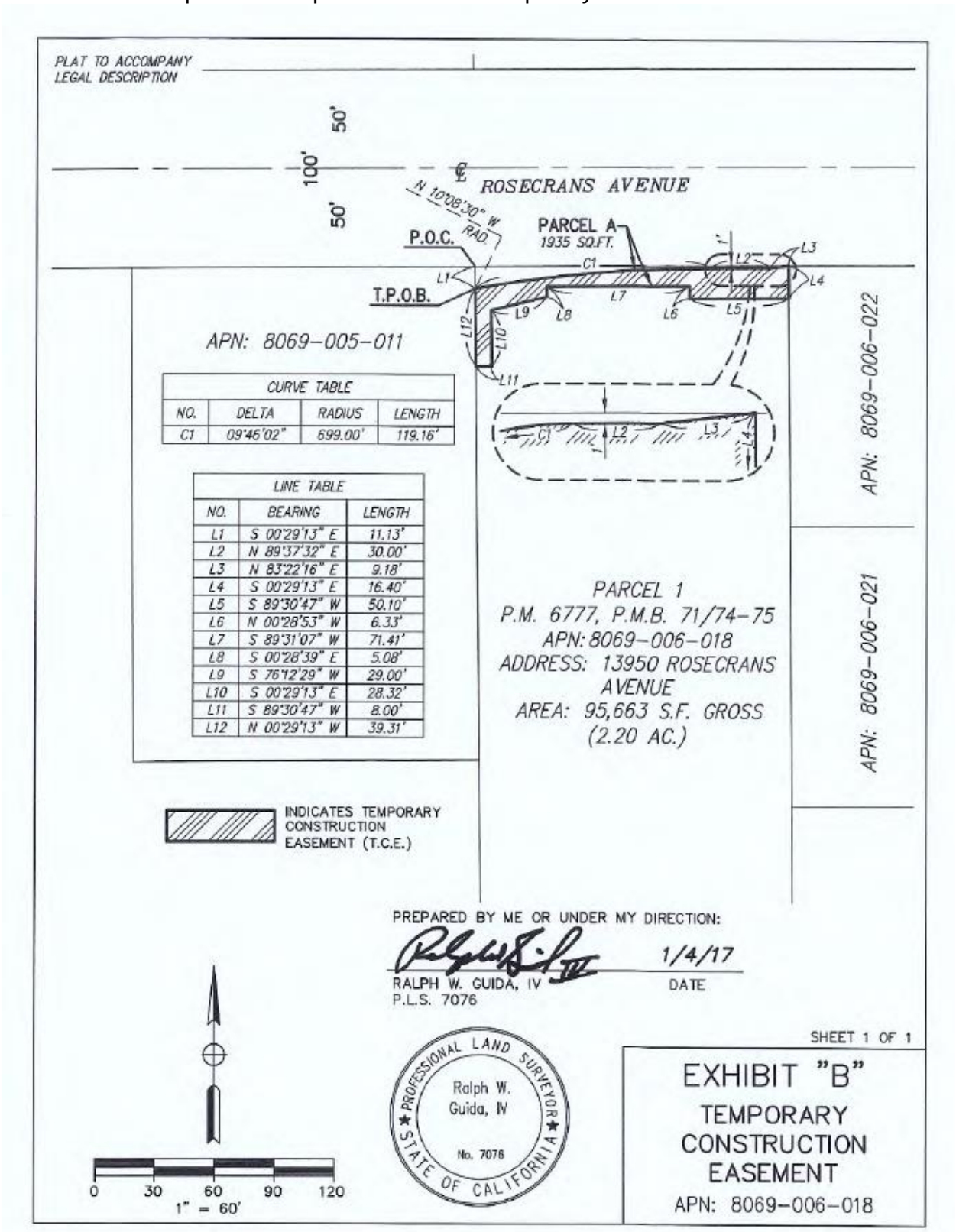
THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

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

1/4/17
DATE

EXHIBIT B-1

Plat Map of the Required Parcel – Temporary Construction Easement



CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	09°46'02"	699.00'	119.16'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S 00°29'13" E	11.13'
L2	N 89°37'32" E	30.00'
L3	N 83°22'16" E	9.18'
L4	S 00°29'13" E	16.40'
L5	S 89°30'47" W	50.10'
L6	N 00°28'53" W	6.33'
L7	S 89°31'07" W	71.41'
L8	S 00°28'39" E	5.08'
L9	S 76°12'29" W	29.00'
L10	S 00°29'13" E	28.32'
L11	S 89°30'47" W	8.00'
L12	N 00°29'13" W	39.31'

HEARING TO ADOPT RESOLUTIONS OF NECESSITY

ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

BOARD MEETING, DECEMBER 5, 2019

ITEM # 40

HEARING TO ADOPT RESOLUTIONS 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:

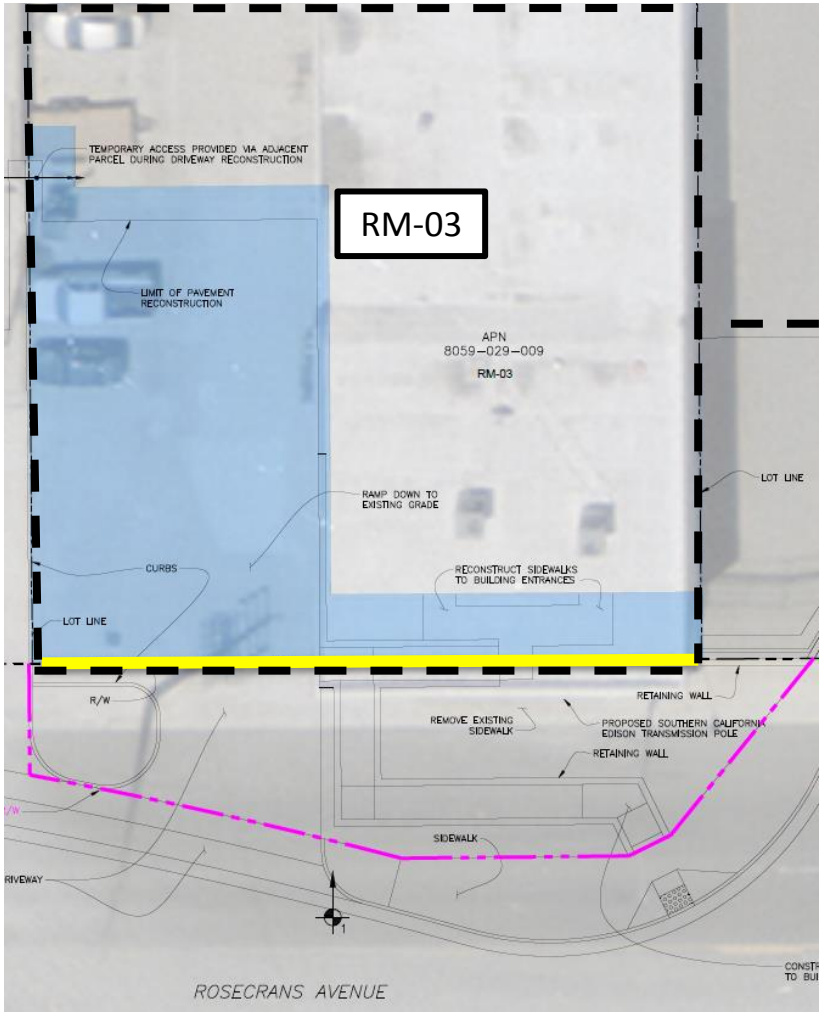
  - Acquisition of Permanent Roadway Easements, Temporary Construction Easements (TCE) and site improvements, and Overhang Easements
  - Duration of TCE is 54 months
  - Purpose of the TCE is allow contractor access to grade driveways/parking lots and construct sidewalks

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

13659 Rosecrans Avenue, Santa Fe Springs, CA 90670
RM-03 – Rosecrans Associates, L.P.
Temporary Construction Easement and Overhang Easement

Temporary Construction Easement

Overhead Easement

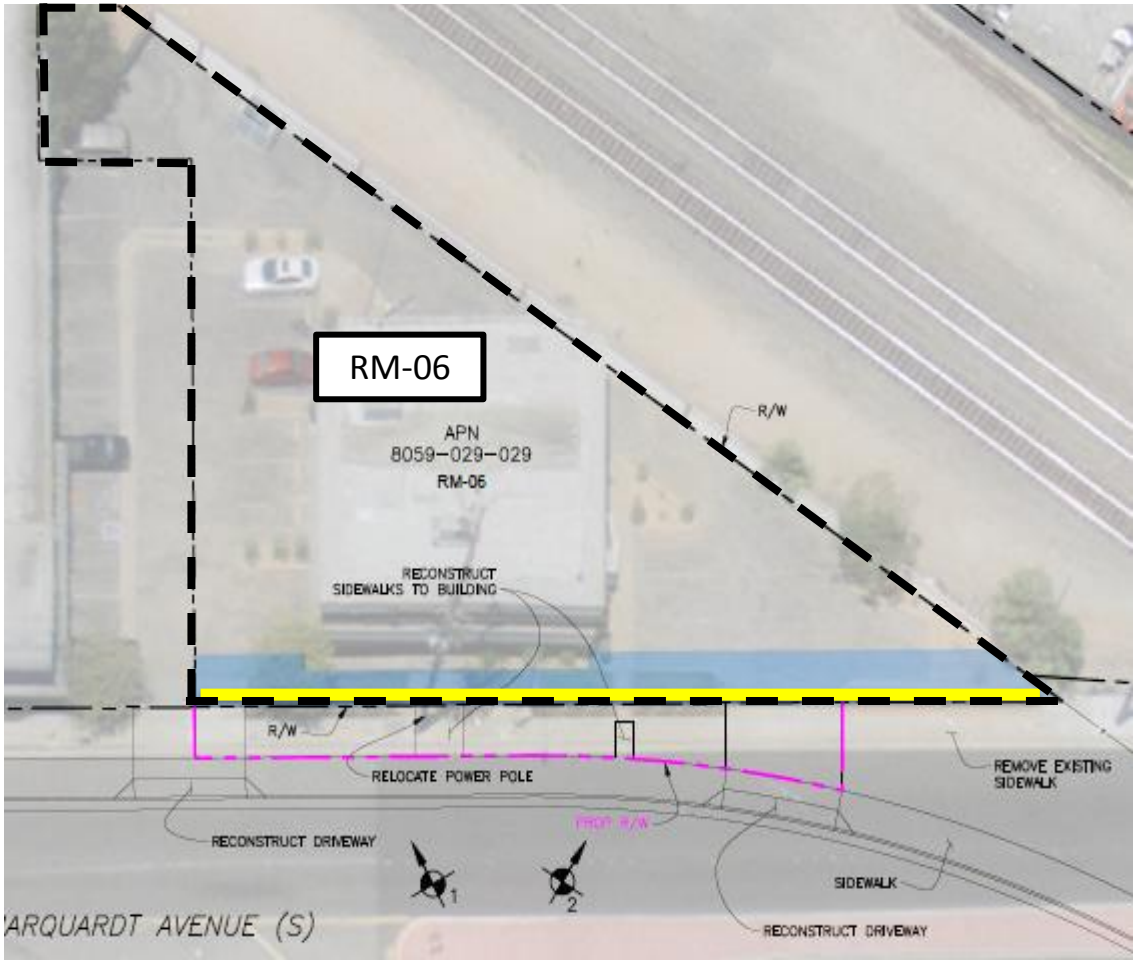


HEARING TO ADOPT RESOLUTION OF NECESSITY ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

13733 Rosecrans Avenue, Santa Fe Springs, CA 90670
RM-06 – Disabled American Veterans Department of California, Inc.
Temporary Construction Easement and Overhang Easement

Temporary Construction Easement

Overhead Easement



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

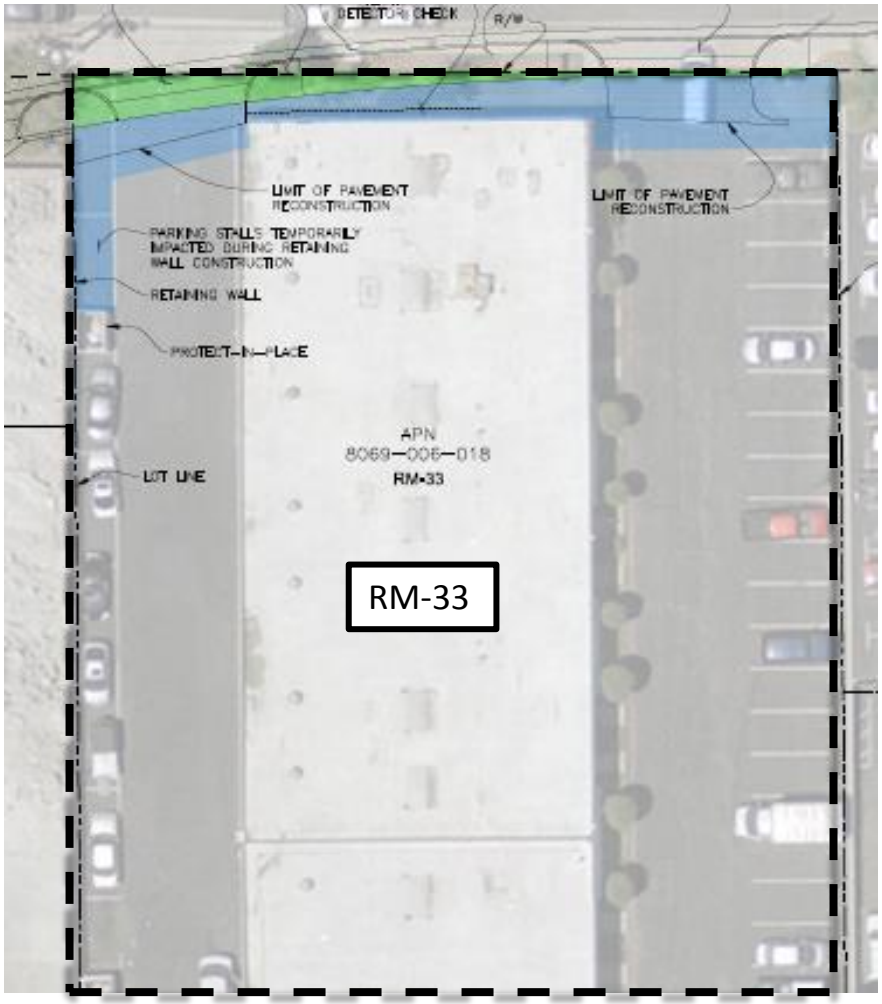
13950 Rosecrans Avenue, Santa Fe Springs, CA 90670

RM-33 – Wilson Trust

Temporary Construction Easement (TCE) and Roadway Easement

Roadway Easement

Temporary Construction Easement



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

Staff recommends the Board make the below findings and adopt the Resolutions 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 is necessary for the proposed Project;
- The offer required by Section 7267.2 of the Government Code has been made to the Owner; and
- The statutory requirements necessary to acquire the property or property interest by eminent domain have been complied with by LACMTA.