



**San Gabriel Valley Council of Governments
Capital Projects and Construction Committee
Meeting Agenda**

**Monday, September 24, 2018 12:00PM
West Covina Community Center, 2nd Floor
1444 West Garvey Avenue South, West Covina, CA 91791**

Members of the public may comment on any item on the agenda at the time it is taken up by the Committee. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Committee on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

West Covina City Hall is accessible to persons using wheelchairs and with other disabilities. Informational material will be available in large print. Assistive listening devices, materials in other alternate formats, American Sign Language interpreters and other accommodations will be made available upon request. Requests should be made to Deanna Stanley at 626-962-9292 ext. 142 or dstanley@theaceproject.org. Providing at least 72-hour notice will help ensure availability.

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|-------|---|--------------|-------------|
| I. | Pledge of Allegiance | | |
| II. | Roll Call and Introductions | | |
| III. | Public Comment | | |
| IV. | Approval of the Capital Projects and Construction Committee Meeting Minutes of August 27, 2018 | Pages 1 – 4 | Action |
| V. | Chairman's Remarks | | |
| VI. | Member Comments | | |
| VII. | Chief Engineers Monthly Report | Pages 5 – 6 | Information |
| VIII. | Project Construction Progress Reports | | Information |
| IX. | Hearing on Amended Resolution of Necessity No. 13-11 for the Fairway Drive Grade Separation Project.
Property Address: 19777 East Walnut Drive North, City | Pages 7 – 57 | Action |

of
 Industry. Property Owner: Majestic Realty Co. et al.

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|-------|--|-----------------|-----------------|
| X. | Hearing on Amended Resolution of Necessity No. 13-14 for the Fairway Drive Grade Separation Project. Property Address: 19515-19605 East Walnut Drive North, City of Industry, CA. Property Owner: Majestic Realty Co. et al. | Pages 58 – 94 | Action |
| XI. | Hearing on Amended Resolution of Necessity No. 13-15 for the Fairway Drive Grade Separation Project. Property Address: 19445-19485 East Walnut Drive North, City of Industry, CA. Property Owner: Majestic Realty Co. et al | Pages 95 – 113 | Action |
| XII. | Hearing on Amended Resolution of Necessity No. 13-16 for the Fairway Drive Grade Separation Project. Property Address: 19285-19395 East Walnut Drive North, City of Industry, CA. Property Owner: Majestic Realty Co. et al. | Pages 114 – 138 | Action |
| XIII. | Approval of Contract Amendment with CH2MHill for Design Support Services During Construction for the Fairway Drive Grade Separation Project | Pages 139 – 140 | Action |
| XIV. | Approval of Contract award to CWE for Preliminary Engineering and Final Design Services for the Load Reduction Strategy Projects for the Rio Hondo River and Tributaries | Pages 141 – 142 | Action |
| XV. | Closed Session: El Adobe eminent domain -The Committee will adjourn to closed session in accordance with Government Code Section | | Possible Action |
| XVI. | Adjournment | | Action |



SGVCOG Capital Projects & Construction Committee August 27, 2018 Meeting Minutes

Chairperson Costanzo called the meeting of the San Gabriel Valley Capital Projects and Construction Committee to order at 12:02PM at the City of West Covina Community Center.

1. **Pledge of Allegiance** – Committee member Sternquist lead the pledge of allegiance.

2. **Roll Call:**

In attendance was:

Juli Costanzo, Chair, City of San Gabriel
Victoria Martinez, Vice Chair, El Monte
Cynthia Sternquist, SGVCOG President
Barbara Messina, City of Alhambra
Becky Shevlin, City of Monrovia
Hilda Solis, LA County Board of Supervisor
Jack Hadjinian, City of Montebello
Nancy Lyons, City of Diamond Bar
Sam Pedroza, City of Claremont

Staff:

Mark Christoffels, Chief Engineer
Gregory Murphy, Burke Williams & Sorensen, legal counsel
Deanna Stanley
Amy Hanson
Charles Tsang
Katie Ward, SGVCOG
Marisa Creter, SGVCOG Executive Director
Nathan Bocanegra
Paul Hubler
Phil Balmeo
Rachel Korkos
Ricky Choi
Mark Mendoza, Paragon Partners

Guests:

Vic Bapne, CWE
Art Correa, LA County Department of Public Works
Cynthia Marian, OSM
Margaret Finlay, City of Duarte
John Burton, LA County Department of Public Works
Fadi Rasaam, Citadel CPM
Regina Talamantes, RTEA
Eliza Barrientos, RTEA

3. **Public Comments** – There were no public comments.
4. **Approval of the Capital Projects and Construction Committee Meeting Minutes of July 23, 2018** – A motion was made by member Lyons to approved revised minutes. Ms. Lyons requested the July 23, 2018 minutes be revised to show her abstention for the approval of the June minutes. The motion was seconded by Vice Chair Martinez.

M/S/C/Lyons/Martinez/Unanimous
5. **Chairman's Remarks** – Chairperson Costanzo invited the members to the celebration of the completion of the San Gabriel Trench on September 10, 2018.
6. **Member Comments** – There were no member comments.
7. **Chief Engineers Monthly Report** – Mark Christoffels reported that the Governing Board approved the assignment of the 57/60 confluence chokehold project to the Capital Projects and Construction Committee. Mr. Christoffels also referenced his memo reflecting monthly contracting changes that are within his approval authority. He also referred to monthly community outreach activities.

Member Solis indicated the 57/60 project was a much needed improvement and important that transportation issues are addressed to prepare for the upcoming Olympics.
8. **Project Construction Progress Reports** – Charles Tsang reviewed progress photos for the Fairway Drive grade separation projects that depicted jack and bore operations, sidewalk construction and excavation. He also showed around the clock paving work for the Lemon on/off ramp project.

Mr. Christoffels reviewed progress photos for the Fullerton Road grade separation project that showed street widening.

Phil Balmeo reviewed the elements of the San Gabriel Trench project. He reviewed details of the project that included: the project cost of \$293.7 million included 4 roadway bridges, 2 railroad bridges, 1.4 miles of trench, one full property take and 55 permanent and temporary construction easements. He reviewed the elements of construction and ended with a time-lapse video of the project's construction. The Committee expressed appreciation for the presentation and suggested the video be placed on YouTube.
9. **Hearing on Amended Resolution of Necessity No. 13-11** – Mr. Christoffels indicated all four hearings for the amended Resolutions of Necessity Nos. 13-11, 13-14, 13-15 and 13-16 would be pulled and expected to be held at the September meeting. Mr. Christoffels indicated staff was awaiting a signed Stipulation Agreement from Majestic Realty.
10. **Hearing on Amended Resolution of Necessity No. 13-14** – This item was pulled.
11. **Hearing on Amended Resolution of Necessity No. 13-15** – This item was pulled.
12. **Hearing on Amended Resolution of Necessity No. 13-16** – This item was pulled.

13. **Approval of Contract Amendment for Design Support Services for the Durfee Avenue Grade Separation Project with URS Corporation** – Mr. Christoffels indicated it was practice for staff to maintain the services of the designer of record to assist through the construction procurement process as well as construction. He indicated the designer would support staff with responding to questions, perform field reviews, review contractor submittals and prepare as-built drawings at the end of project. He indicated the support for these efforts were \$1,061,536.

A motion was made to authorize the Chief Engineer to amend the contract with URS Corporation for a not to exceed amount of \$1,061,536 for design support services for a new contract value of \$7,212,153.

M/S/C/Martinez/Solis/Unanimous

14. **Approval of an Amendment to a Betterment Agreement with the Cities of Industry and Diamond Bar for Construction of On/Off Ramps at Lemon Avenue to State Route 60 to be done in conjunction with the Fairway Drive Grade Separation Project** – Mr. Christoffels explained the Cities of Diamond Bar and Industry have requested a change in the way the payments would be made for the betterment project. He indicated the City of Diamond Bar has agreed to send its grant money to the City of Industry and the City of Industry would make payments for both entities. He indicated there was no financial implication to the agency with for the change in payment arrangement.

A motion was made for the Chief Engineer to execute an amended Betterment Agreement with the Cities of Industry and Diamond Bar for construction of on/off ramps at Lemon Avenue to State Route 60.

M/S/C/Solis/Lyons/Unanimous

15. **Approval of Selection of CWE for Preliminary Engineering and Final Design Services for the Loan Reduction Strategy Projects for the Rio Hondo River and Tributaries** – Mr. Christoffels reviewed the procurement process for these services. He indicated there were two statement of qualifications received and staff has selected CWE. He indicated, if approved, staff would begin negotiations with an anticipated contract award at the September Committee meeting.

A motion was made to authorize the Chief Engineer to negotiate a design and engineering services contract with California Watershed Engineering Corporation for the Loan Reduction Strategy Projects for the Rio Hondo River and Tributaries.

M/S/C/Solis/Sternquist/Unanimous

16. **Approval to Receive and File Quarterly Financial, Audit, and Investment Reports** – Mr. Christoffels reviewed the quarterly reports and there were no questions.


A motion was made to receive and file the quarterly financial audit and investment reports.

M/S/C/Shevlin/Messina/Unanimous

17. **Closed Session** – Greg Murphy announced the Committee would adjourn to closed session in accordance with Government Code Section 54956.9 to discuss existing litigation, ACE v Rowland Ranch Properties LLC LA Superior Court Case No. BC629038.

The Board returned to open session and legal counsel indicated that the Committee was briefed on the matter and all members participated and unanimously gave direction to staff settle on defined terms. Further, if settlement were agreed, and approved by the court the final documents would be available at the ACE office.

18. **Adjournment** – The meeting was adjourned at 12:52pm. The next meeting will be held on September 24, 2018.

X 

Deanna Stanley
Clerk



Memo to: Capital Projects and Construction Committee Members & Alternates

From: Mark Christoffels
Chief Engineer

Date: September 24, 2018

SUBJECT: Chief Engineer's Monthly Report

The following are items of note since the last meeting:

San Gabriel Trench Dedication – Nearly 200 guests and dignitaries attended the dedication ceremony for the San Gabriel Trench project on September 10, including our special guests, former ACE Board Chairs and San Gabriel Councilmembers Harry Baldwin and David Gutierrez. We were also pleased that the event garnered numerous reports from English- and Chinese-language print and electronic media outlets. Copies of the reports are included in your Information Packets.

Contracting – The SGVCOG has delegated the Chief Engineer the authority to approve new contracts or change orders for previously approved contracts within certain limits, with a requirement that staff formally report such contract action. The following has been approved since the last Committee meeting:

Consultant/Vendor	Reason for Change	Change Amount	Total Contract Value
Walsh Construction Co.	San Gabriel Trench Project - CCO #46 – CN #160 – Mobilization Costs due to AT&T relocation at Mission OH	\$72,882	\$170,180,363
Walsh Construction Co.	San Gabriel Trench Project - CCO #47 – CN #146 – UPRR Signal Line Relocation and Modifications	\$105,753	\$170,286,116
Moffatt & Nichol	Extend Task Order No. 2 term through September 30, 2018 for Montebello grade separation project	\$0.00	\$13,763,568
Railpros	Special Work Assignment No. 5 under Task Order No. 3: Drainage Study and Analysis for At-Grade Crossing Safety Improvements project	\$0.00	\$3,236,047
Berg & Associates	Revision to Task Order No. 2 to add a subconsultant for Fullerton Road grade separation project	\$0.00	\$12,109,017

Community Outreach Update – Staff conducted the following project outreach activities:

- Provided staff support for the dedication ceremony for the San Gabriel Trench grade separation project;
- Distributed construction alert notices regarding an 8-week closure of the Fairway Drive and Walnut Drive North intersection and Fairway Drive on-and off-ramps on State Route 60 for the Fairway Drive project;
- Distributed construction alert notices regarding lane reductions on Turnbull Canyon Road for utility investigations for the Turnbull Canyon Road project; and
- Conducted ongoing community outreach and support activities for the San Gabriel Trench, Fairway Drive and Fullerton Road grade separation projects



MEMO TO: Capital Projects and Construction Committee Members and Alternates

FROM: Mark Christoffels
Chief Engineer

DATE: September 24, 2018

SUBJECT: Amended Resolution of Necessity for Property Acquisition - No. 13-11
Fairway Drive Grade Separation Project
Property Owner: Majestic Realty Co. et al.
19777 East Walnut Drive North, City of Industry, CA
APN: 8760-008-002
ACE Parcel No.: 204C

RECOMMENDATION: Staff recommends the SGVCOG Capital Projects and Construction Committee:

1. Conduct a hearing on Amended Resolution 13-11 (an Amendment to Resolution of Necessity 13-11 of the ACE Construction Authority) finding and determining that the public interest, convenience and necessity require amendment to the acquisition of certain property for public purposes; and
2. Review the evidence presented, including this staff report and public comments and close the hearing; and
3. Adopt the attached Amended Resolution 13-11 authorizing the amendment of eminent domain proceedings, and/or other means, so as to acquire one modified permanent roadway easement 3,481 s.f, one (1) modified permanent retaining wall easement 453 s.f, one (1) modified permanent footing easement 1,584 s.f, and one (1) 12-month temporary construction easement 3,418 s.f, that contains modified boundaries (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity 13-11 as 204C-PE-1, 204C-RW, 204C-FTG, and 204C-TCE1), as well as the originally identified, and now unaltered one (1) permanent roadway easement (204C-PE-2) 2,716 s.f, two (2) utility easements (204C-UE1 and 204C-UE-2) 320 and 2,708 s.f, respectively, and two (2) temporary construction easements (204C-TCE-2 and 204C-TCE-3) 7,304 and 15,391 s.f, respectively, for which the ACE Board adopted Resolution of Necessity No. 13-11 from that certain parcel bearing Los Angeles Assessor Parcel Number 8760-008-002. The durations of the TCEs referenced above shall commence no sooner than 30 days after the ACE Construction Authority mails a written Notice of

Commencement of TCE. (Note: This requires an affirmative TWO-THIRDS (2/3) vote of the SGVCOG Capital Projects and Construction Committee).

BACKGROUND: The SGVCOG Capital Projects and Construction Committee and the formerly constituted Alameda Corridor East Construction Authority was formed pursuant to the California Joint Powers law (Govt. Code section 6500 et seq.) for purposes of implementing the Alameda Corridor East ("ACE Project"). The ACE Project is a multi-phase project that will improve the safety and efficiency of railroad crossings from Los Angeles, east to San Bernardino County to mitigate some of the impacts created by increased rail traffic from the Ports of Long Beach and Los Angeles.

Included in the ACE Project is a grade separation of Fairway Drive/E. Walnut Drive N. ("Fairway Drive Grade Separation Project") in the City of Industry, County of Los Angeles from the Union Pacific Railroad right-of-way, which will eliminate current and future long delays of traffic at the crossing. The Fairway Drive Grade Separation Project is statutorily exempt from CEQA pursuant to Public Resources Code section 21080.13. In order to accommodate the grade separation at Fairway Drive/E. Walnut Drive N., two (2) permanent roadway easements, one (1) permanent railroad easement, two (2) permanent utility easements, one (1) permanent retaining wall easement, one (1) permanent wall footing easement, and three (3) 12-month temporary construction easements, were originally required from that certain parcel bearing Los Angeles Assessor Parcel Number 8760-008-002.

The property identified in the original ACE Resolution 13-11 was owned by Majestic Realty Co. and Industrial Park EI-A, LLC, and Industrial Park E Sub A. ("The Majestic Owners"). The Larger Parcel is 442,356 s.f in size, and is improved with a single tenant industrial building built in 1978, with a gross square footage of approximately 199,284s.f. The site includes asphalt paved parking areas, exterior lighting, cement paved loading areas, chain link fencing, a rail spur and rail car loading, and miscellaneous landscaping.

Pursuant to California Government Code sections 6500 et seq., 7267.2, 37350.5, and 40401 et seq. and 40404, and California Code of Civil Procedure Section 1230.010 et seq., 1240.410 and 1240.020, and Section 19, Article I of the California Constitution, and other authorities, the ACE Construction Authority is authorized to acquire the subject property in part or whole by eminent domain, provided certain procedural steps are followed.

ACE staff tendered an offer to purchase to the Majestic Owners in the amount of \$759,800 on September 25, 2013 for the originally identified easements. But, with an agreement not having been reached, the Board adopted a Resolution of Necessity for acquisition of the originally identified easements, on October 28, 2013, and Eminent Domain

proceedings were commenced on November 12, 2013, ACE having made all necessary findings and having met all statutory prerequisites thereto. (The property interests in Resolution 13-11 were combined with those in ACE Resolutions 13-14, 13-15 and 13-16 for Eminent Domain filing purposes due to proximity and common ownership of the parcels.)

During construction of the Project, the Majestic Owners requested if it would be possible to revise the permanent easements along Fairway to preserve more of the loading dock and parking at the eastern limit of the Property facing Fairway. ACE engineers were able to modify the design and relocate the retaining wall. Accordingly, with the project redesign the right-of-way requirements were reduced. Therefore, SGVCOG, the Majestic Owners, their successor owners (the larger parcel was sold by Majestic Realty Co. in 2017), and the sole tenant on the property, Furniture of America ("FoAC") have entered into a Stipulation (attached hereto as Exhibit 1) whereby they agree that: a request would be made to SGVCOG's governing board at its first available public meeting to consider adoption of an Amended Resolution of Necessity ("Amended RON") that one modified permanent roadway easement, one modified permanent retaining wall easement, one modified permanent footing easement, and one 12-month temporary construction easement that contains modified boundaries (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity 13-11 as 204C-PE-1, 204C-RW, 204C-FTG, and 204C-TCE1), as well as the originally identified, and now unaltered permanent roadway easement (204C-PE-2), two utility easements (204C-UE1 and 204C-UE-2), and two temporary construction easements (204C-TCE-2 and 204C-TCE-3) for which the ACE Board adopted Resolution of Necessity No. 13-11 for the above-stated public use.

By way of the stipulation attached hereto as Exhibit 1, Majestic Owners and FoAC waive further notice of the hearing on the proposed Amended RON and stipulate that all requirements necessary for consideration of adoption of the Amended RON have been satisfied, including those matters in Article 2 of the Eminent Domain Law and those matters related to a statutory offer as set forth in Government Code section 7267.2. The Majestic Owners, Successor Owners, and FoAC further stipulate that if SGVCOG's governing board approves the request and adopts an Amended RON for the taking of the revised easements affecting Assessor Parcel No. 8760-008-002 ("Subject Property"), that said modified taking is necessary for the Project, that the public interest and necessity require the Project, and 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.

The parties agree that if SGVCOG's governing board approves the request and adopts an Amended RON to modify the taking of portions of the property, a First Amended Complaint in Eminent Domain, supported by the Amended RON shall be filed.

After conducting the public hearing, if the SGVCOG Capital Projects and Construction Committee finds that the public necessity so requires, the SGVCOG Capital Projects and Construction Committee should adopt the attached Amended Resolution of Necessity 13-11, authorizing amendment of condemnation proceedings for the purpose of acquiring the modified property which interest are described in Resolution 13-11.

The findings, which need to be made, are as set forth in the Resolution of Necessity. Specifically, the SGVCOG Capital Projects and Construction Committee must find:

1. That the public interest, convenience and necessity require the acquisition of the proposed project. As proposed, the Fairway Drive Grade Separation Project will serve public purposes, as discussed above; and
2. That the Fairway Drive Grade Separation Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury. As set forth above, the Property is being acquired to improve the safety and efficiency of the rail crossing by constructing a grade separation at Fairway Drive/E. Walnut Drive N. The original 1997 San Gabriel Valley Council of Governments study looked at alternatives to an underpass and different grade separation configurations to identify any overall project cost and real estate impact reductions. Subsequently, as the design of the project began, ACE staff evaluated alternative configurations in greater detail. Additionally, ACE conducted an Engineering Value Analysis workshop that engaged stakeholders and technical experts to analyze and vet the various design scenarios. The no build alternative was examined through the project ranking process described in the 1997 report. Fairway Drive is a primary arterial street, serving multiple residential and commercial areas. The Fairway Drive Grade Separation project constructed as an underpass will eliminate the possibility of train—vehicle collisions at this location and the effect of stopped and moving trains on vehicular traffic capacity; and in order to build such an underpass with the least private injury modified several easements should now be modified; and
3. That the amended property interests sought to be acquired are necessary for the Fairway Drive Grade Separation Project. From the subject property it is necessary to acquire: two (2) permanent roadway easements, one (1) permanent railroad easement, two (2) permanent utility easements, one (1) permanent retaining wall

easement, one (1) permanent wall footing easement, and three (3) 12-month temporary construction easements. Without the acquisition of the various amended permanent easements, and amended temporary construction easements and unaltered easements as included in Exhibit 2 attached hereto, the proposed Fairway Drive Grade Separation Project cannot be completed; and

4. That SGVCOG has complied with CEQA. The Fairway Drive Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13. The Legislature created an absolute exemption for railroad grade separations via Public Resources Code § 21080.13, which provides that CEQA “does not apply to any railroad grade separation project which eliminates an existing grade crossing, or which reconstructs an existing grade separation.” Cal. Pub. Res. Code § 21080.13. The Fairway Drive Grade Separation Project eliminates an existing grade crossing. Based upon § 21080.13, the Fairway Drive Grade Separation Project is therefore exempt from CEQA review. Since the Fairway Drive Grade Separation is exempt from CEQA, no environmental review is necessary, and it may be implemented without any CEQA compliance whatsoever.

Questions relating to value are not relevant to this proceeding. However, that does not mean that negotiations for the acquisition of the property interests are at an end. If the SGVCOG Capital Improvements and Construction Committee adopts the Amended Resolution of Necessity, after the hearing, negotiations for the acquisition of the property interests may continue to take place.

BUDGET IMPACT: Funds for the acquisition of this property are available from MTA Measure R and Proposition C funds and are included in the Agency’s FY 2019 budget.

ATTACHMENTS

Exhibit 1- Stipulation re: Scope of Take and Transfer of Possession
Exhibit 2- Amended Resolution of Necessity No. 13-11 with Exhibits

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2 CYNTHIA C. MARIAN, State Bar No. 185206
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8 Attorneys for Plaintiff

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES**

11 **ALAMEDA CORRIDOR-EAST**
12 **CONSTRUCTION AUTHORITY,**

13 **Plaintiff**

14 vs.

15 MAJESTIC REALTY CO., a California
16 Corporation, as to 50% Interest;
17 INDUSTRIAL PARK E SUB B, LLC, a
18 Delaware Limited Liability Company, as to an
19 Undivided 47.5%; INDUSTRIAL PARK E I-
20 B, LLC, a Delaware Limited Liability
21 Company, as to an Undivided 2.5%;
22 SOUTHERN CALIFORNIA EDISON
23 COMPANY; THE CITY OF INDUSTRY, a
24 municipal corporation; GENERAL
25 TELEPHONE COMPANY OF
26 CALIFORNIA; a Corporation, its Successors
27 and Assigns; SOUTHERN CALIFORNIA
28 EDISON COMPANY, a Corporation, its
Successors and Assigns; THE PRUDENTIAL
INSURANCE COMPANY OF AMERICA, a
New Jersey Corporation; SOUTHERN
COUNTIES GAS COMPANY; DOE 1
through DOE100; and ALL PERSONS
UNKNOWN CLAIMING AN INTEREST IN
THE PROPERTY TO BE CONDEMNED
HEREIN,

Defendants.

NO. BC 527309

**STIPULATION RE SCOPE OF TAKE AND
AMENDMENT TO RIGHT OF WAY**

[ACE Parcel No. 204W-TCE1, 204W-TCE2 and,
204W-TCE3, 204W-UE1 and 204W-UE2, 204S&
T-RRE, 204S&T-TCE2A and 204S&T-TCE2B,
204S&T-UE-1 and 204S&T-UE-2, 204S-TCE1,
204U&V-RRE, 204U&V-TCE-1, 204U&V-
TCE2, 204U&V-TCE-3, 204U&V-UE, 204C-
FTG, 204C-PE-1 and 204C-PE-2, 204C-RRE,
204C-RW, 204C-TCE-1, 204C-TCE-2, 204C-
TCE-3, 204C-UE1, 204C-UE-2]

[APN 8760-002-014, 8760-008-002, 8760-008-
003, 8760-008-004, 8760-008-005 and 8760-008-
006]

[Exempt from filing fees - Government Code
§6103]

Complaint filed November 12, 2013

Assigned for all purposes to:
Judge Yvette M. Palazuelos
Department 28

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Plaintiff the San Gabriel Valley Council of Governments in furtherance of the Alameda
3 Corridor-East Construction Authority ("SGVCOG") and defendants MAJESTIC REALTY CO., a
4 California Corporation ("Majestic Realty Co."), and Industrial Park E I-A, LLC, a Delaware
5 limited liability company, Industrial Park E Sub A, LLC, a Delaware limited liability company,
6 Industrial Park E I-B, LLC, a Delaware limited liability company, and Industrial Park E Sub B,
7 LLC, a Delaware limited liability company, Industrial Park E Sub A Exchange, LLC, a Delaware
8 limited liability company, and Industrial Park E Sub B Exchange, LLC, a Delaware limited
9 liability company (collectively, the "Principal Entities") and FURNITURE OF AMERICA
10 CALIFORNIA dba IMPORT DIRECT ("FoAC") stipulate as follows:

11 1. On November 12, 2013, ACE filed its Complaint in Eminent Domain to take
12 easements over a portion of the Majestic Realty Co and Principal Entities' property identified as
13 APNs 8760-002-014, 8760-008-002, 8760-008-003, 8760-008-004, 8760-008-005 and 8760-008-
14 006, generally located at Fairway Drive and E. Walnut Drive North, in the City of Industry for the
15 Alameda Corridor-East Construction Project ("Project").

16 2. After commencement of this action and during construction of the Project, Majestic
17 Realty Co. approached Plaintiff's representatives and requested whether the easements along the
18 Fairway-adjacent edge of APN 8760-008-002 could be shrunk in any way to leave more usable
19 surface area to access the truck bays on the eastern edge of the building located on that parcel.
20 SGVCOG revised its construction plans to reduce the size of the right-hand turn lane from
21 Fairway to Walnut and relocate the retaining wall and footing easement further to the East.
22 Accordingly, SGVCOG (formerly known as ACE), commissioned revised maps and legal
23 descriptions for the easements identified in the Complaint in Eminent Domain as 204C-PE1,
24 204C-RW, 204C-FTG and 204C-TCE1. Therefore, the parties agree that a request will be made to
25 SGVCOG Capital Projects and Construction Committee (successor to the ACE's governing
26 board) at its first available public meeting to consider adoption of an Amended Resolution of
27 Necessity incorporating 1) the revised easements listed above, and 2) leaving unaltered the
28 easements identified in the original complaint as 204C-PE2, 204C-RRE, 204C-UE1, 204C-UE2

1 204C-TCE2, and 204C-TCE3. (The maps and legal descriptions of the proposed easements
2 affecting Assessor Parcel 8760-008-002 are attached hereto as Exhibit "1").

3 3. During construction, it was discovered Majestic Realty Co. and the Principal
4 Entities had intentions of reconnecting an existing but disconnected rail spur track located on
5 parcels 8760-008-005 and 8760-008-006 which would require redesign of the Project to
6 accommodate potential future reconnection. Therefore, the parties have agreed that:

7 a) a request will be made to SGVCOG's Capital Projects and Construction Committee
8 at its first available public meeting to consider adoption of an Amended Resolution of Necessity
9 that SGVCOG acquire from Assessor Parcel Nos. 8760-008-003 and 8760-008-004 (ACE Parcels
10 204S&T): one modified permanent utility easement (in lieu of 204S&T-UE1 as adopted in ACE
11 Resolution of Necessity 13-14), and two new 12-month temporary construction easements (204S-
12 TCE1A and 204S-TCE1B) as well one new 6-month temporary construction easement (204S&T-
13 TCE2) in addition to the TCEs originally identified in Resolution of Necessity 13-14, as well as
14 the originally identified, and now unaltered permanent railroad easement (204S&T-RRE), one
15 utility easement (204S&T-UE-2), and three temporary construction easements (204S-TCE1 (for
16 12 months) and 204S&T-TCE2A and 204S&T-TCE2B (for 6 months each) for which the ACE
17 Board adopted Resolution of Necessity No. 13-14. (The maps and legal descriptions of the
18 proposed easements affecting Assessor Parcel Nos. 8760-008-003 and 8760-008-004 are attached
19 hereto as Exhibit "2"),

20 b) a request will be made to SGVCOG's Capital Projects and Construction Committee
21 at its first available public meeting to consider adoption of an Amended Resolution of Necessity
22 that SGVCOG acquire from Assessor Parcel Nos. 8760-008-005 and 8760-008-006 (ACE Parcels
23 204U&V): one modified permanent railroad easement, one modified permanent utility easement,
24 (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity
25 13-15 as 204U&V-RRE and 204U&V-UE, respectively), as well as the three originally identified,
26 and now unaltered, 24-month temporary construction easements (204U&V-TCE1, 204U&V-
27 TCE2 and 204V&V-TCE3) for which the ACE Board adopted Resolution of Necessity No. 13-15.
28 (The maps and legal descriptions of the proposed easements affecting Assessor Parcel Nos. 8760-

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1 008-005 and 8760-008-006 are attached hereto as Exhibit "3"),

2 c) a request will be made to SGVCOG's Capital Projects and Construction Committee
3 at its first available public meeting to consider adoption of an Amended Resolution of Necessity
4 that SGVCOG acquire from Assessor Parcel No. 8760-002-014 (ACE Parcel 204W): two new
5 permanent railroad easements (204W-RRE-1A and 204W-RRE-1B), one new 12-month
6 temporary construction easement (204W-TCE1 (dated 2018)), one modified permanent utility
7 easement, (in lieu of, rather than in addition to, the easements originally identified in Resolution of
8 Necessity 13-16 as 204W-UE-1, and 204W-UE-2, respectively), as well as the three originally
9 identified, and now unaltered, and temporary construction easements (204W-TCE1, 204W-TCE2
10 and 204W-TCE3) for which the ACE Board adopted Resolution of Necessity No. 13-16. (The
11 maps and legal descriptions of the proposed easements affecting Assessor Parcel No. 8760-002-
12 014 are attached hereto as Exhibit "4"),

13 4. The Majestic Owners, the Principal Entities and FoAC waive notice of the hearing
14 on the proposed Amended Resolutions of Necessity and stipulate that all requirements necessary
15 for consideration of adoption of the Amended Resolutions of Necessity have been satisfied,
16 including those matters in Article 2 of the Eminent Domain Law and those matters related to a
17 statutory offer as set forth in Government Code section 7267.2. The Majestic Owners, Principal
18 Entities and FoAC further stipulate if SGVCOG's Capital Projects and Construction Committee
19 approves the request and adopts the Amended Resolutions of Necessity for the taking of the
20 revised easement affecting Assessor Parcel Nos. APNs 8760-002-014, 8760-008-002, 8760-008-
21 003, 8760-008-004, 8760-008-005 and 8760-008-006, that said takings are necessary for the
22 Project, that the public interest and necessity require the Project, and that the Project is planned or
23 located in the manner that will be most compatible with the greatest public good and the least
24 private injury.

25 5. The parties agree that if SGVCOG's Capital Projects and Construction Committee
26 approves the request and adopts the Amended Resolutions of Necessity to modify the taking of
27 portions of the property, a First Amended Complaint in Eminent Domain ("FAC"), supported by
28 the Amended Resolutions of Necessity will be filed.

OLIVER, SANDIFER & MURPHY
A PROFESSIONAL CORPORATION
1250 ROSECRANS AVENUE, SUITE 300
MANHATTAN BEACH, CALIFORNIA 90262-7494
Telephone: (310) 671-2000; (424) 456-3194
FACSIMILE: (424) 456-3094

6. The Majestic Owners, Principal Entities and FoAC waive any costs and litigation expenses, including attorneys' fees, related to the proposed Amended Resolutions of Necessity and FAC, which may otherwise be recoverable under Code of Civil Procedure section 1250.340 or 1268.610.

7. If SGVCOG's Capital Projects and Construction Committee approves the request and adopts the Amended Resolutions of Necessity to take the revised easements, the parties also agree to the following:

a. SGVCOG will file a FAC pursuant to Code of Civil Procedure section 1250.340, and the sum deposited with the State Treasurer on or about November 15, 2013, shall be deemed to be the amount of probable compensation pursuant to Code of Civil Procedure Section 1255.010 for the interests identified in the FAC.

b. The Majestic Owners, Principal Entities and FoAC will waive any and all objections to SGVCOG's right to take the property described in the FAC.

for the real property and the improvements pertaining to the realty

c. The date of valuation to be used in this action will be November 15, 2013.

d. The parties agree that SGVCOG shall be authorized to take possession, of the revised permanent easements immediately as if they were part of the original Complaint in Eminent Domain and therefore subject to the Order for Prejudgment Possession(s) which became effective in this matter on or about March 24, 2014.

8. The parties agree to execute such other documents, and to take such other action, as may be necessary to finalize this Stipulation, perform in accordance with its terms, and request continuance of the trial currently scheduled for November 5, 2018.

DATED: Sept 5, 2018

ALAMEDA CORRIDOR-EAST CONSTRUCTION
AUTHORITY

By: [Signature]

Its: Chief Engineer

Additional signatures on next page

///

OLIVER, SANDIFER & MURPHY
A PROFESSIONAL CORPORATION
1230 ROSEBANK AVENUE, SUITE 300
MANHATTAN BEACH, CALIFORNIA 90266-2694
TELEPHONE: (310) 621-3000; (424) 466-3194
FACSIMILE: (424) 466-3094

1 DATED: 8/29/18, 2018

MAJESTIC REALTY CO., California Corporation

By: 

Edward P. Roski, Jr.

Its: President and Chairman of the Board

6 DATED: _____, 2018

INDUSTRIAL PARK E I-A, LLC, a Delaware
Limited Liability Company

By: Principal Real Estate Investors, LLC, a Delaware
limited liability company, its authorized signatory

By: _____

Its: _____

By: _____

Its: _____

14 DATED: _____, 2018

INDUSTRIAL PARK E SUB A, LLC, a Delaware
limited liability company

By: Principal Real Estate Investors, LLC, a Delaware
limited liability company, its authorized signatory

By: _____

Its: _____

By: _____

Its: _____

24 Additional signatures on next page

25 ///

26 ///

27 ///

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OLIVER, SANDIFER & MURPHY
A PROFESSIONAL CORPORATION
1220 ROSELAND AVENUE, SUITE 300
MANHATTAN BEACH, CALIFORNIA 90266-2994
TELEPHONE: (310) 621-2000; (424) 856-3194
FACSIMILE: (424) 456-3094

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DATED: _____, 2018

MAJESTIC REALTY CO., California Corporation

By: _____

Its: _____

DATED: 8/23/18, 2018

INDUSTRIAL PARK E I-A, LLC, a Delaware
Limited Liability Company

By: Principal Real Estate Investors, LLC, a Delaware
limited liability company, its authorized signatory

By: Joel L. Woehler

Joel L. Woehler
Investment Director
Asset Management

Its: _____

By: Andrew Miller

Its: ANDREW MILLER, Counsel

DATED: 8/23/18, 2018

INDUSTRIAL PARK E SUB A, LLC, a Delaware
limited liability company

By: Principal Real Estate Investors, LLC, a Delaware
limited liability company, its authorized signatory

By: Joel L. Woehler

Joel L. Woehler
Investment Director
Asset Management

Its: _____

By: Andrew Miller

Its: ANDREW MILLER, Counsel

Additional signatures on next page

///

///

///

///

OLIVER, SANDIFER & MURPHY
A PROFESSIONAL CORPORATION
1230 RIVERSIDE AVENUE, SUITE 300
MANHATTAN BEACH, CALIFORNIA 90266-3394
TELEPHONE: (310) 621-2000; (424) 456-3194
FACSIMILE: (424) 456-3094

1 DATED: 8/23/18, 2018

INDUSTRIAL PARK E 1-B, LLC, a Delaware
Limited Liability Company

By: Principal Real Estate Investors, LLC, a Delaware
limited liability company, its authorized signatory

By: Joel L. Woehler
Joel L. Woehler
Investment Director
Asset Management

Its: Andrew Miller
By: Andrew Miller
Its: **ANDREW MILLER, Counsel**

10 DATED: 8/23/18, 2018

INDUSTRIAL PARK E SUB B, LLC, a Delaware
limited liability company

By: Principal Real Estate Investors, LLC, a Delaware
limited liability company, its authorized signatory

By: Joel L. Woehler
Joel L. Woehler
Investment Director
Asset Management

Its: Andrew Miller
By: Andrew Miller
Its: **ANDREW MILLER, Counsel**

19 DATED: 8/23/18, 2018

INDUSTRIAL PARK E SUB A EXCHANGE, LLC,
a Delaware limited liability company

By: Principal Real Estate Investors, LLC, a Delaware
limited liability company, its authorized signatory

By: Joel L. Woehler
Joel L. Woehler
Investment Director
Asset Management

Its: Andrew Miller
By: Andrew Miller
Its: **ANDREW MILLER, Counsel**

28 Additional signatures on next page

OLIVER, SANDIFER & MURPHY
A PROFESSIONAL CORPORATION
1230 ROSSCORN AVENUE, SUITE 300
MANTUA, CALIFORNIA 90266-2494
TELEPHONE: (313) 621-2000; (313) 456-3194
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1 DATED: 8/23/18, 2018

INDUSTRIAL PARK E SUB B EXCHANGE, LLC,
a Delaware limited liability company

By: Principal Real Estate Investors, LLC, a Delaware
limited liability company, its authorized signatory

By: Joel L. Woehler
Joel L. Woehler
Investment Director
Asset Management

By: Andrew Miller
Its: ANDREW MILLER, Counsel

11 DATED: _____, 2018

FURNITURE OF AMERICA CALIFORNIA dba
IMPORT DIRECT

By: _____
Its: _____

17 Approved as to Form:

19 DATED: _____, 2018

OLIVER, SANDIFER & MURPHY,
Eminent Domain Counsel

By: _____
Cynthia C. Marian

Attorneys for Plaintiff
THE SAN GABRIEL VALLEY COUNCIL OF
GOVERNMENTS in Furtherance of the ALAMEDA
CORRIDOR-EAST CONSTRUCTION PROJECT,
previously known as ALAMEDA CORRIDOR-EAST
CONSTRUCTION AUTHORITY, on behalf of the
SAN GABRIEL VALLEY COUNCIL OF
GOVERNMENTS

28 Additional signatures on next page

OLIVER, SANDIFER & MURPHY
A PROFESSIONAL CORPORATION
1230 RUSSELL AVENUE, SUITE 300
MOUNTAIN VIEW, CALIFORNIA 90266-2694
TELEPHONE: (213) 621-2000; (424) 456-3194
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DATED: _____, 2018

INDUSTRIAL PARK E SUB B EXCHANGE, LLC,
a Delaware limited liability company

By: Principal Real Estate Investors, LLC, a Delaware
limited liability company, its authorized signatory

By: _____

Its: _____

By: _____

Its: _____

DATED: 8/24, 2018

FURNITURE OF AMERICA CALIFORNIA dba
IMPORT DIRECT

By: [Signature]

Its: President

Approved as to Form:

DATED: _____, 2018

OLIVER, SANDIFER & MURPHY,
Eminent Domain Counsel

By: _____

Cynthia C. Marian

Attorneys for Plaintiff

THE SAN GABRIEL VALLEY COUNCIL OF
GOVERNMENTS in Furtherance of the ALAMEDA
CORRIDOR-EAST CONSTRUCTION PROJECT,
previously known as ALAMEDA CORRIDOR-EAST
CONSTRUCTION AUTHORITY, on behalf of the
SAN GABRIEL VALLEY COUNCIL OF
GOVERNMENTS

Additional signatures on next page

OLIVER, SANDIFER & MURPHY
A PROFESSIONAL CORPORATION
1230 ROBERTSON AVENUE, SUITE 300
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TELEPHONE: (310) 621-2000; (424) 456-3194
FACSIMILE: (424) 456-3094

1 DATED: _____, 2018

INDUSTRIAL PARK E SUB B EXCHANGE, LLC,
a Delaware limited liability company

By: Principal Real Estate Investors, LLC, a Delaware
limited liability company, its authorized signatory

By: _____

Its: _____

By: _____

Its: _____

11 DATED: _____, 2018

FURNITURE OF AMERICA CALIFORNIA dba
IMPORT DIRECT

By: _____

Its: _____

17 Approved as to Form:

18 DATED: September 4, 2018

OLIVER, SANDIFER & MURPHY,
Eminent Domain Counsel

By


Cynthia C. Marian

Attorneys for Plaintiff

THE SAN GABRIEL VALLEY COUNCIL OF
GOVERNMENTS in Furtherance of the ALAMEDA
CORRIDOR-EAST CONSTRUCTION PROJECT,
previously known as ALAMEDA CORRIDOR-EAST
CONSTRUCTION AUTHORITY, on behalf of the
SAN GABRIEL VALLEY COUNCIL OF
GOVERNMENTS

28 Additional signatures on next page

OLIVER, SANDJER & MURPHY
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1230 ROSECRANS AVENUE, SUITE 200
MANHATTAN BEACH, CALIFORNIA 90265-2404
TELEPHONE: (310) 621-2000; (424) 456-3194
FACSIMILE: (424) 456-3094

1 DATED: 8/31/18, 2018

PALMIERI, TYLER, WIENER
WILHELM & WALDRON LLP

By 

Michael D. Angelo

Attorneys for Defendant

MAJESTIC REALTY CO., A CALIFORNIA
CORPORATION, INDUSTRIAL PARK E SUB B,
LLC, a Delaware limited liability company;
INDUSTRIAL PARK E I-B, LLC, a Delaware limited
liability company

9 DATED: _____, 2018

SULLIVAN, WORKMAN & DEE, LLP

By _____

Charles D. Cummings

Attorneys for Defendant

FURNITURE OF AMERICA CALIFORNIA, INC.,
DBA IMPORT DIRECT

OLIVER, SANDIER & MURPHY
A PROFESSIONAL CORPORATION
1230 ROSECRANS AVENUE, SUITE 300
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DATED: _____, 2018

PALMIERI, TYLER, WIENER,
WILHELM & WALDRON LLP

By _____

Michael D'Angelo
Attorneys for Defendant
MAJESTIC REALTY CO., A CALIFORNIA
CORPORATION, INDUSTRIAL PARK E SUB B,
LLC, a Delaware limited liability company;
INDUSTRIAL PARK E I-B, LLC, a Delaware limited
liability company

DATED: 8-24, 2018

SULLIVAN, WORKMAN & DEE, LLP

By  _____
Charles D. Cummings

Attorneys for Defendant
FURNITURE OF AMERICA CALIFORNIA, INC.,
DBA IMPORT DIRECT

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OLIVER, SANDIFER & MURPHY
A PROFESSIONAL CORPORATION
1250 ROBERTS AVENUE, SUITE 300
MANHATTAN BEACH, CALIFORNIA 90266-2494
TELEPHONE: (310) 421-2000; (424) 456-3194
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Exhibit 1
(re: Parcel 204C)

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OLIVER, SANDIFER & MURPHY
A PROFESSIONAL CORPORATION
1230 ROSSCLANS AVENUE, SUITE 300
MANHATTAN BEACH, CALIFORNIA 90266-2894
TELEPHONE: (310) 671-2000; (624) 466-3194
FACSIMILE: (310) 495-3094

Exhibit 2
(re Parcel 204S&T)

OLIVER, SANDIFF & MURPHY
A PROFESSIONAL CORPORATION
1230 ROSELAND AVENUE, SUITE 300
MANHATTAN BEACH, CALIFORNIA 90266-2404
TELEPHONE: (310) 621-2000; (424) 456-3194
FACSIMILE: (424) 456-3094

Exhibit 3

(re Parcel 204U&V)

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Exhibit 4
(re Parcel 204W)

OLIVER, SANDIFER & MURPHY
A PROFESSIONAL CORPORATION
1720 ROSSIGNOL AVENUE, SUITE 300
MANHATTAN BEACH, CALIFORNIA 90266-2894
TELEPHONE: (310) 621-2000; (310) 456-3194
FACSIMILE: (310) 456-3094

AMENDED RESOLUTION NO. 13-11

**A RESOLUTION OF THE SAN GABRIEL
VALLEY COUNCIL OF GOVERNMENTS IN
FURTHERANCE OF THE ALAMEDA
CORRIDOR-EAST CONSTRUCTION PROJECT
FINDING AND DETERMINING THAT THE
PUBLIC INTEREST, CONVENIENCE AND
NECESSITY REQUIRE AN AMENDMENT TO
THE ACQUISITION OF CERTAIN PROPERTY
FOR PUBLIC PURPOSES**

**THE ALAMEDA CORRIDOR EAST – GATEWAY TO AMERICA CONSTRUCTION
AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The San Gabriel Valley Council of Governments, in furtherance of the Alameda Corridor East Construction Project (hereafter "SGVCOG"), formerly known as the Alameda Corridor East -- Gateway to America Construction Authority on behalf of the San Gabriel Valley Council of Governments (known as "ACE"), after consideration of the staff report, staff presentation, discussion, oral testimony and evidence presented at SGVCOG's Capital Projects and Construction Committee Meeting on Monday, September 24, 2018, at 12 p.m. hereby finds, determines and declares as follows:

- (a) The San Gabriel Valley Council of Governments, in furtherance of the Alameda Corridor East Construction Project is authorized by statute and pursuant to that certain Joint Powers Agreement dated September 17, 1998, as amended, to acquire property by eminent domain within the City of Industry, County of Los Angeles, State of California for the Alameda Corridor-East Project ("ACE Project"); and
- (b) The public interest, convenience and necessity require the proposed Fairway Drive Grade Separation Project in the City of Industry, County of Los Angeles, State of California as part of said Fairway Drive Grade Separation Project, which includes railroad crossing safety and efficiency improvements, and all uses appurtenant thereto intended to partially mitigate the impacts of increased rail traffic from the completed Alameda Corridor on motor vehicle traffic; and
- (c) The interests in real property to be acquired from that certain parcel bearing Los Angeles County Assessor Parcel No. 8760-008-002 are: one modified permanent roadway easement, one modified permanent retaining wall easement, one modified permanent footing easement, and one 12-month temporary construction easement that contains modified boundaries (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity 13-11 as 204C-PE-1, 204C-RW, 204C-FTG, and 204C-TCE1), as well as the originally identified, and now unaltered permanent roadway easement (204C-PE-2), two utility easements (204C-UE1 and 204C-UE-2), and two temporary construction easements (204C-

TCE-2 and 204C-TCE-3) for which the ACE Board adopted Resolution of Necessity No. 13-11. Said interests are legally described on Exhibits A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, and A-9, attached hereto and incorporated herein by this reference ("Property"). The Property is located within the City of Industry, County of Los Angeles, State of California. Maps showing the general location of the Property are attached hereto, marked Exhibits B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, and B-9 and are incorporated herein by reference and made a part hereof. The duration of the TCEs sought to be acquired are set forth in Exhibit C, attached hereto and incorporated herein by this reference;

- (d) The Fairway Drive Grade Separation Project is planned and located in a manner that will be most compatible with the greatest public good and least private injury in that it is specifically designed to improve traffic safety and efficiency at the intersection of Fairway Drive/ E. Walnut Drive N. and the Union Pacific Railroad in the City of Industry, County of Los Angeles, State of California.
- (e) The taking of the Property is necessary for the Fairway Drive Grade Separation Project and such taking is authorized by Section 19, Article I of the California Constitution, Sections 6500 et seq., 37350.5, 40401 et seq. and 40404 of the California Government Code, Section 1230.010 et seq., 1240.020 and 1240.410, of the California Code of Civil Procedure, and other applicable law; and
- (f) The offer to purchase required by California Government Code Section 7267.2 has been made to the owner of the Property.
- (g) The necessary notice of hearing on this Resolution has been given, as required by Code of Civil Procedure section 1245.235.
- (h) SGVCOG has fully complied with the California Environmental Quality Act ("CEQA") as the Fairway Drive Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13.

SECTION 2. SGVCOG Capital Projects and Construction Committee hereby declares that it is its intention to acquire said Property in accordance with the provision of the laws of the State of California governing condemnation procedures.

SECTION 3. SGVCOG Capital Projects and Construction Committee further finds that if any portion of the area of the Property has been appropriated to some public use, the public uses to which it is to be applied by ACE Construction Authority, as described above, are more necessary and paramount public uses, pursuant to Code of Civil Procedure section 1240.610, or alternatively, are compatible with those other uses pursuant to Code of Civil Procedure section 1240.510.

SECTION 4. SGVCOG Capital Projects and Construction Committee Legal Counsel is authorized and directed to prepare, institute and prosecute such amended proceedings in the proper Court having jurisdiction thereof as may be necessary for the acquisition of said Property, including the filing of an application for an Order for Possession prior to judgment.

SECTION 5. This Resolution shall be effective immediately upon its adoption.

SECTION 6. The Clerk of the SGVCOG Capital Projects and Construction Committee shall certify the adoption of this Resolution and certify this record to be a full true, correct copy of the action taken.

PASSED, APPROVED AND ADOPTED this 24th day of September, 2018.

ATTEST:

Deanna Stanley, Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST COVINA)

I HEREBY CERTIFY that the foregoing Amended Resolution 13-11 was duly adopted by the San Gabriel Valley Council of Governments, Capital Projects and Construction Committee Meeting at a regular meeting thereof, held on the 24th day of September, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Deanna Stanley, Clerk

Placeholder

Plat Maps

&

Legal Descriptions

&

Amended Exhibit C

EXHIBIT "A-1"

LEGAL DESCRIPTIONS FOR PERMANENT EASEMENT PURPOSES PARCEL 204C-PE-1 AND PARCEL 204C-PE-2 (SHEET 1 OF 2)

PARCEL 204C-PE-1:

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS SHOWN ON MAP FILED IN BOOK 88, PAGES 98 THROUGH 100, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING AT THE INTERSECTION OF THE WESTERLY BOUNDARY OF FAIRWAY DRIVE, OF 50.00-FOOT HALF WIDTH, AS SHOWN ON SAID PARCEL MAP, WITH THE SOUTHERLY LINE OF UNION PACIFIC RAILROAD (SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD RIGHT-OF-WAY), 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID SOUTHERLY LINE, S86°57'14"W 4.10 FEET TO A LINE THAT IS PARALLEL WITH AND DISTANT 4.00 FEET WESTERLY FROM SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE; THENCE ALONG SAID PARALLEL LINE, S15°35'55"E 18.37 FEET; THENCE S07°46'53"E 54.48 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 2939.00 FEET, A RADIAL LINE TO SAID POINT BEARS N75°21'30"E, SAID CURVE BEING CONCENTRIC WITH AND DISTANT 11.00 FEET WESTERLY FROM A CURVE HAVING A RADIUS OF 2950.00 FEET IN SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE AS SHOWN ON SAID PARCEL MAP; THENCE SOUTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 01°48'41", AN ARC LENGTH OF 92.91 FEET TO THE BEGINNING OF A REVERSE CURVE HAVING A RADIUS OF 3061.00 FEET, SAID CURVE BEING CONCENTRIC WITH AND DISTANT 11.00 FEET WESTERLY FROM A CURVE HAVING A RADIUS OF 3050.00 FEET IN SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE AS SHOWN ON SAID PARCEL MAP; THENCE SOUTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 00°25'09", AN ARC LENGTH OF 22.39 FEET; THENCE S03°00'32"E 54.07 FEET; THENCE S24°12'02"W 40.97 FEET TO A POINT ON THE NORTHWESTERLY BOUNDARY OF WALNUT DRIVE, OF VARYING WIDTH, AS SHOWN ON SAID PARCEL MAP, SAID POINT BEING ON A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 368.62 FEET, A RADIAL BEARING TO SAID POINT BEARS N19°10'19"W; THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY BOUNDARY AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°10'22", AN ARC LENGTH OF 20.41 FEET TO THE BEGINNING OF A REVERSE CURVE HAVING A RADIUS OF 27.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88°18'57", AN ARC LENGTH OF 41.62 FEET TO THE BEGINNING OF A REVERSE CURVE MENTIONED ABOVE AS HAVING A RADIUS OF 3050.00 FEET IN SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE; THENCE ALONG SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE THE FOLLOWING COURSES: NORTHERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 01°29'05", AN ARC LENGTH 79.03 FEET TO THE BEGINNING OF A REVERSE CURVE MENTIONED ABOVE AS HAVING A RADIUS OF 2950.00 FEET; NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 02°46'05", AN ARC LENGTH 142.52 FEET; AND N15°35'55"W 22.37 FEET TO THE POINT OF BEGINNING.

EXHIBIT "A-1"

LEGAL DESCRIPTIONS FOR PERMANENT EASEMENT PURPOSES
PARCEL 204C-PE-1 AND PARCEL 204C-PE-2
(SHEET 2 OF 2)

PARCEL 204C-PE-2:

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS SHOWN ON MAP FILED IN BOOK 88, PAGES 98 THROUGH 100, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER SAID PARCEL 1; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL 1 THE FOLLOWING COURSES: N76°15'54"E 388.48 FEET TO AN ANGLE POINT THEREOF; AND S00°30'33"E 15.03 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 696.00 FEET, A RADIAL LINE TO SAID POINT BEARS S18°28'05"E; THENCE LEAVING SAID SOUTHERLY BOUNDARY OF PARCEL 1 AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 24°05'00", AN ARC LENGTH OF 292.55 FEET TO THE NORTHWESTERLY BOUNDARY OF WALNUT DRIVE, 62.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID NORTHWESTERLY BOUNDARY THE FOLLOWING COURSES: S42°34'06"W 63.01 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 293.00 FEET; SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 33°41'48", AN ARC LENGTH 172.32 FEET; AND S76°15'54"W 63.15 FEET TO THE SOUTHERLY PROLONGATION OF THAT LINE IN SAID SOUTHERLY BOUNDARY OF PARCEL 1 DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S00°30'33"E 15.03 FEET"; THENCE ALONG SAID PROLONGATION, N00°30'33"W 0.38 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 2,716 SQUARE FEET, MORE OR LESS.

APN: 8760-008-002

NOTE:

THESE LEGAL DESCRIPTIONS WERE 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

March 9, 2018
DATE:



EXHIBIT "B-1"

OWNER: MAJESTIC REALTY CO., A CA CORPORATION, UNDIVIDED 50% INTEREST; INDUSTRIAL E I-A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 2.5% INTEREST, & INDUSTRIAL PARK E SUB A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 47.5% INTEREST POR. OF PCL 1 OF P.M. NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BK. 88, PGS. 98 THROUGH 100 OF PARCEL MAPS. APN: 8760-008-002

ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

6/21/18

UNION PACIFIC RAILROAD (LA&SL RR)

N86°57'14"E

APN: 8760-005-812

COUNTY OF LOS ANGELES

CITY OF INDUSTRY

APN: 8760-008-002

PARCEL MAP NO. 49
PMB 88 / 98-100

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	92.91'	2939.00'	1°48'41"
C2	22.39'	3081.00'	0°25'09"
C3	20.41'	368.62'	3°10'22"
C4	41.62'	27.00'	88°18'57"
C5	79.03'	3050.00'	1°29'05"
C6	142.52'	2950.00'	2°46'05"

LINE TABLE		
LINE	BEARING	LENGTH
L1	S86°57'14"W	4.10'
L2	S15°35'55"E	18.37'
L3	S07°46'53"E	54.48'
L4	S03°00'32"E	54.07'
L5	S24°12'02"W	40.97'
L6	N15°35'55"W	22.37'
L7	S42°34'06"W	63.01'
L8	S76°15'54"W	63.15'
L9	S00°30'33"E	0.38'
L10	N76°15'54"E	388.48'

LEGEND:

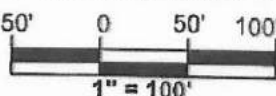
APN = ASSESSOR'S PARCEL NUMBER
PE = PERMANENT EASEMENT
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
TPOB = TRUE POINT OF BEGINNING
B OF B = BASIS OF BEARINGS

BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.

NOTE:

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.



VICINITY MAP
NOT TO SCALE

AREA	TOTAL	PE-1 & PE-2	REMAINDER
SQUARE FEET	442,356	6,197	436,159

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY

DATE: 03-09-2018

SCALE: 1"=100'

REV. No. DATE:

REV. No. DATE:

ACE 36
204C-PE-1 &
PARCEL No 204C-PE-2

WAGNER ENGINEERING &
SURVEY, INC.

ACE
RECOMMENDED BY:

CHECKED BY: L.S.:5752 PROJECT MANAGER DATE

5-18-18

EXHIBIT "A-2"

LEGAL DESCRIPTION FOR RAILROAD EASEMENT PURPOSES
PARCEL 204C-RRE

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 88, PAGES 98 THROUGH 100 INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

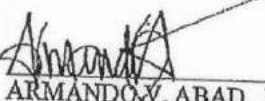
COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING AT THE INTERSECTION OF THE WESTERLY LINE OF FAIRWAY DRIVE, OF 50 FOOT HALF WIDTH, WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD (FORMERLY KNOWN AS SAN PEDRO, LOS ANGELES & SALT LAKE RAILROAD), 100 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID RIGHT-OF-WAY LINE, S86°57'14"W 13.32 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, S86°57'14"W 844.40 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL 1; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND ALONG THE WESTERLY LINE OF SAID PARCEL 1, S03°02'46"E 15.50 FEET TO A LINE PARALLEL WITH AND DISTANT 15.50 FEET SOUTHERLY FROM SAID RIGHT-OF-WAY LINE; THENCE LEAVING SAID WESTERLY LINE AND ALONG SAID PARALLEL LINE, N86°57'14"E 847.85 FEET; THENCE N15°35'55"W 15.88 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 13,115 SQUARE FEET.

APN: 8760-008-002

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:


ARMANDO V. ABAD, P.L.S. 8445

5/31/13
DATE:



EXHIBIT "B-2"

OWNER: MAJESTIC REALTY CO., A CA CORPORATION, UNDIVIDED 50% INTEREST; INDUSTRIAL E I-A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 2.5% INTEREST, & INDUSTRIAL PARK E SUB A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 47.5% INTEREST PCL. 1 OF P.M. NO. 49 IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BK 88, PGS 98 TO 100 OF PARCEL MAPS APN: 8760-008-002

ACE

RECOMMENDED: *[Signature]*
CHIEF ENGINEER

DATE: 6/18/13

UNION PACIFIC RAILROAD (LA&SL RR)

S86°57'14"W

APN: 8760-005-812

COUNTY OF LOS ANGELES

S86°57'14"W 844.40'

CITY OF INDUSTRY

N86°57'14"E 847.85'

204C-RRE

13,115 SQ. FT.

POC
MOST NE'LY
COR. PCL 1

APN: 8760-008-002
PARCEL MAP NO. 49
PMB 88 PGS 98-100



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	142.52'	2950.00'	2°36'05"
C2	79.03'	3050.00'	1°29'04"
C3	41.62'	27.00'	88°18'57"
C4	144.94'	3000.00'	2°46'05"
C5	144.94'	3000.00'	2°46'05"

LINE TABLE		
LINE	BEARING	LENGTH
L1	S86°57'14"W	13.32'
L2	S03°02'46"E	15.50'
L3	N15°35'55"W	15.88'
L4	S15°35'55"E	22.37'
L5	S76°15'54"W	63.15'
L6	N00°30'33"W	15.41'
L7	S76°15'54"W	388.48'

LEGEND:

APN = ASSESSOR'S PARCEL NUMBER
RRE = RAILROAD EASEMENT
POC = POINT OF COMMENCEMENT
TPOB = TRUE POINT OF BEGINNING

BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.

NOTE:
THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.



VICINITY MAP
NOT TO SCALE

AREA	TOTAL	RRE	REMAINDER
SQUARE FEET	442,356	13,115	429,241

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
SURVEY, INC.

ACE
APPROVED BY:

Charles Tsang 6/18/13
PROJECT MANAGER DATE

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY

DATE: 04-05-2013

SCALE: 1"=100'

REV. No. 2 DATE: 05-31-2013

REV. No. DATE:

ACE
PROJECT NO. 204C-RRE

EXHIBIT "A-3"

LEGAL DESCRIPTION FOR UTILITY EASEMENT PURPOSES
PARCEL 204C-UE1

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS SHOWN ON MAP FILED IN BOOK 88, PAGES 98 TO 100 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING AT THE INTERSECTION OF THE WESTERLY LINE OF FAIRWAY DRIVE, OF 50 FOOT HALF WIDTH, AND THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD (FORMERLY KNOWN AS SAN PEDRO, LOS ANGELES & SALT LAKE RAILROAD), OF 100 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID RIGHT-OF-WAY LINE, S86°57'14"W 313.48 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, S86°57'14"W 10.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, S03°07'06"E 32.00 FEET; THENCE N86°57'14"E 10.00 FEET; THENCE N03°07'06"W 32.00 FEET TO THE TRUE POINT OF BEGINNING.


APN: 8760-008-002

CONTAINS: 320 SQUARE FEET.

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:


ARMANDO V. ABAD, P.L.S. 8445

4/8/13
DATE:



EXHIBIT "B-3"

OWNER: MAJESTIC REALTY CO., A CA CORPORATION, UNDIVIDED 50% INTEREST; INDUSTRIAL E I-A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 25% INTEREST, & INDUSTRIAL PARK E SUB A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 47.5% INTEREST
 PCL 1 OF PM NO. 49 IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BK 88 PGS 98 TO 100 OF PARCEL MAPS.
 APN: 8760-008-002

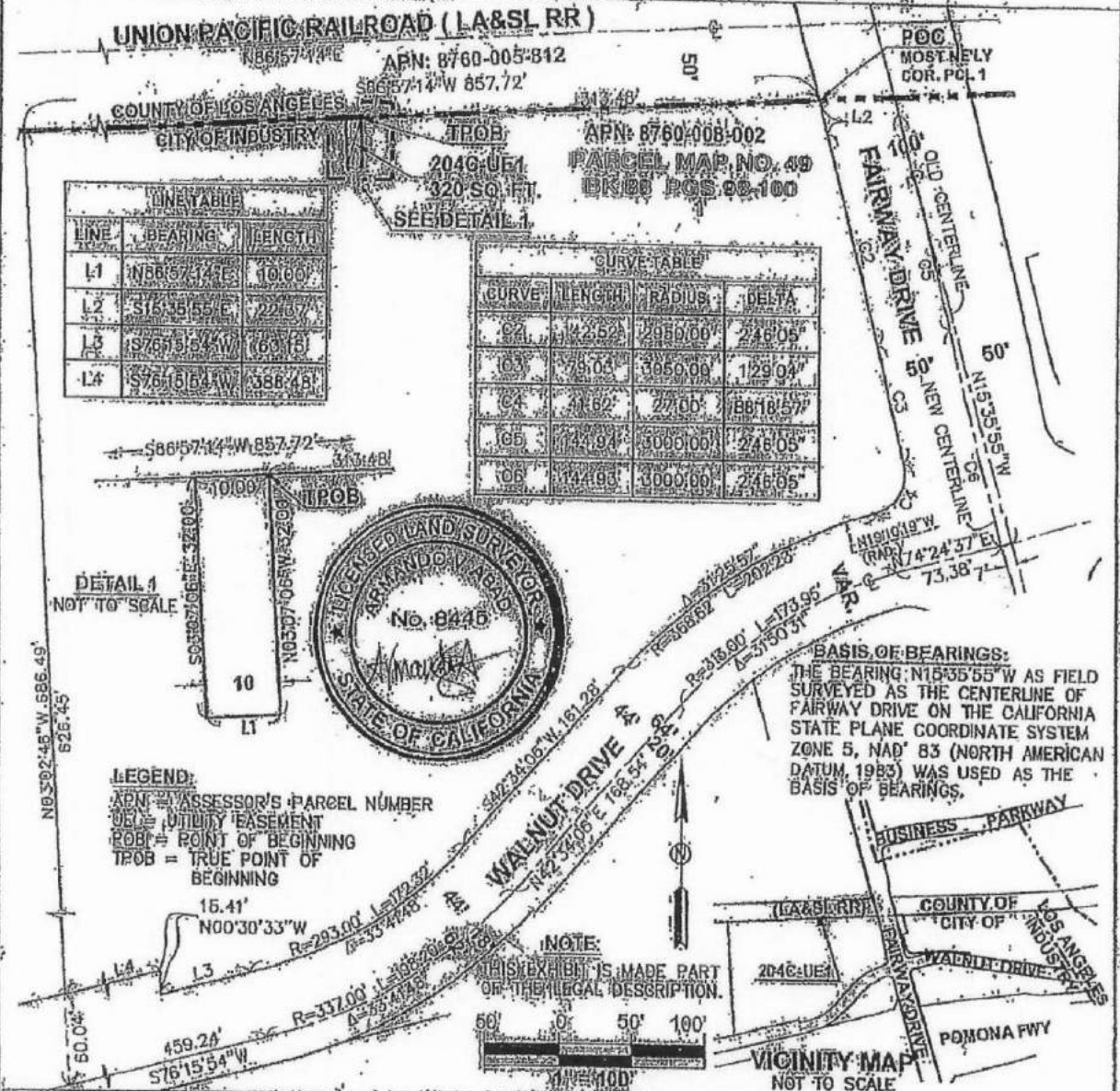
ACE

RECOMMENDED:

CHIEF ENGINEER

DATE:

4/15/13



AREA	TOTAL	UE1	REMAINDER
SQUARE FEET	442,356	320	442,036

ALAMEDA CORRIDOR - EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING & SURVEY, INC.

CHECKED BY: [Signature]

APPROVED BY: [Signature]

PROJECT MANAGER: [Signature]

DATE: 4-12-13

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY

DATE: 04-08-2013

SCALE: 1"=100'

REV. No. DATE:

REV. No. DATE:

ACE
 PARCEL No. 204C-UE1

EXHIBIT "A-4"

LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCEL 204C-UE-2

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 88, PAGES 98 THROUGH 100, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING AT THE INTERSECTION OF THE WESTERLY LINE OF FAIRWAY DRIVE, OF 50 FOOT HALF WIDTH, WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD (FORMERLY KNOWN AS SAN PEDRO, LOS ANGELES & SALT LAKE RAILROAD), 100 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID RIGHT-OF-WAY LINE, S86°57'14"W 33.81 FEET TO A POINT ON A LINE PARALLEL WITH AND DISTANT 33.00 FEET WESTERLY FROM SAID WESTERLY LINE OF FAIRWAY DRIVE, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND ALONG SAID PARALLEL LINE, S15°35'55"E 38.69 FEET; THENCE S13°34'25"E 224.71 FEET; THENCE S24°12'02"W 16.33 FEET; THENCE N13°34'25"W 237.44 FEET; THENCE N15°35'55"W 40.74 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE, N86°57'14"E 10.24 FEET TO THE TRUE POINT OF BEGINNING.


CONTAINS: 2,708 SQUARE FEET.

APN: 8760-008-002

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:


ARMANDO V. ABAD, P.L.S. 8445

5/31/13
DATE:



EXHIBIT "B-4"

OWNER: MAJESTIC REALTY CO., A CA CORPORATION, UNDIVIDED 50% INTEREST; INDUSTRIAL E I-A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 2.5% INTEREST, & INDUSTRIAL PARK E SUB A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 47.5% INTEREST PCL 1 OF PM NO. 49 IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 88, PAGES 98 THROUGH 100, INCL. OF PARCEL MAPS. APN: 8780-008-002

ACE

RECOMMENDED: *[Signature]*
CHIEF ENGINEER

DATE: 6/18/13

UNION PACIFIC RAILROAD (LA&SL RR)

N86°57'14"E

APN: 8760-005-812
COUNTY OF LOS ANGELES

N86°57'14"E 813.67'

CITY OF INDUSTRY

APN: 8760-008-002
PARCEL MAP NO. 49
PMB 88 / 98-100

204-UE-2
2,708 SQ. FT.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S86°57'14"W	33.81'
L2	S15°35'55"E	38.69'
L3	S24°12'02"W	16.33'
L4	N15°35'55"W	40.74'
L5	N86°57'14"E	10.24'
L6	S15°35'55"E	22.37'
L7	S76°15'54"W	63.15'
L8	S76°15'54"W	388.48'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	142.52'	2950.00'	2°46'05"
C2	79.03'	3050.00'	1°29'04"
C3	41.62'	27.00'	88°18'57"
C4	144.94'	3000.00'	2°46'05"
C5	144.94'	3000.00'	2°46'05"

LEGEND:

APN = ASSESSOR'S PARCEL NUMBER
POB = POINT OF BEGINNING
TPOB = TRUE POINT OF BEGINNING
UE = UTILITY EASEMENT



BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.

NOTE:

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.



VICINITY MAP

NOT TO SCALE

AREA	TOTAL	UE-2	REMAINDER
SQUARE FEET	442,356	2,708	439,648

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

WAGNER ENGINEERING & SURVEY, INC.
[Signature]
CHECKED BY: L.S. 8445

ACE
APPROVED BY:
[Signature]
PROJECT MANAGER DATE

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY

DATE: 05-31-2013
SCALE: 1"=100'
REV. No. DATE:
REV. No. DATE:
ACE
PARCEL No 204C-UE-2

**LEGAL DESCRIPTION FOR RETAINING WALL EASEMENT PURPOSES
PARCEL 204C-RW
(SHEET 1 OF 2)**

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS SHOWN ON MAP FILED IN BOOK 88, PAGES 98 THROUGH 100, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING AT THE INTERSECTION OF THE WESTERLY BOUNDARY OF FAIRWAY DRIVE, OF 50.00-FOOT HALF WIDTH, AS SHOWN ON SAID PARCEL MAP, WITH THE SOUTHERLY LINE OF UNION PACIFIC RAILROAD (SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD RIGHT-OF-WAY), 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID SOUTHERLY LINE, S86°57'14"W 4.10 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND DISTANT 4.00 FEET WESTERLY FROM SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE, SAID POINT BEING THE **TRUE POINT OF BEGINNING**; THENCE ALONG SAID PARALLEL LINE, S15°35'55"E 18.37 FEET; THENCE S07°46'53"E 54.48 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 2939.00 FEET, A RADIAL LINE TO SAID POINT BEARS N75°21'30"E, SAID CURVE BEING CONCENTRIC WITH AND DISTANT 11.00 FEET WESTERLY FROM A CURVE HAVING A RADIUS OF 2950.00 FEET IN SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE AS SHOWN ON SAID PARCEL MAP; THENCE SOUTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 01°48'41", AN ARC LENGTH OF 92.91 FEET TO THE BEGINNING OF A REVERSE CURVE HAVING A RADIUS OF 3061.00 FEET, SAID CURVE BEING CONCENTRIC WITH AND DISTANT 11.00 FEET WESTERLY FROM A CURVE HAVING A RADIUS OF 3050.00 FEET IN SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE AS SHOWN ON SAID PARCEL MAP; THENCE SOUTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 00°25'09", AN ARC LENGTH OF 22.39 FEET; THENCE S03°00'32"E 38.20 FEET; THENCE S86°59'28"W 2.00 FEET TO A LINE PARALLEL WITH AND DISTANT 2.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S03°00'32"E 38.20 FEET"; THENCE ALONG SAID PARALLEL LINE, N03°00'32"W 38.02 FEET TO A CURVE THAT IS CONCENTRIC WITH AND DISTANT 2.00 FEET WESTERLY FROM SAID CURVE DESCRIBED ABOVE AS HAVING A RADIUS OF 3061.00 FEET; THENCE NORTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 00°24'57", AN ARC LENGTH OF 22.22 FEET TO A CURVE THAT IS CONCENTRIC WITH AND DISTANT 2.00 FEET WESTERLY FROM SAID CURVE DESCRIBED ABOVE AS HAVING A RADIUS OF 2939.00 FEET; THENCE NORTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 01°48'49", AN ARC LENGTH OF 92.97 FEET TO A LINE PARALLEL WITH AND DISTANT 2.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S07°46'53"E 54.48 FEET"; THENCE ALONG SAID PARALLEL LINE, N07°46'53"W 54.46 FEET TO A LINE PARALLEL WITH AND DISTANT 2.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S15°35'55"E 18.37 FEET"; THENCE ALONG SAID PARALLEL LINE, N15°35'55"W 18.67 FEET TO SAID SOUTHERLY LINE OF UNION PACIFIC RAILROAD; THENCE ALONG SAID SOUTHERLY LINE, N86°57'14"E 2.05 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINS: 453 SQUARE FEET, MORE OR LESS.

EXHIBIT "A-5"

LEGAL DESCRIPTION FOR RETAINING WALL EASEMENT PURPOSES
PARCEL 204C-RW
(SHEET 2 OF 2)

APN: 8760-008-002

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

March 9, 2018
DATE:



EXHIBIT "B-5"

OWNER: MAJESTIC REALTY CO., A CA CORPORATION, UNDIVIDED 50% INTEREST; INDUSTRIAL E I-A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 2.5% INTEREST, & INDUSTRIAL PARK E SUB A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 47.5% INTEREST
PCL 1 OF PM NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BK. 88, PGS 98 TO 100 OF PARCEL MAPS.
APN: 8760-008-002

ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

6/21/18

UNION PACIFIC RAILROAD (LA&SL RR)

N86°57'14"E

APN: 8760-005-812

COUNTY OF LOS ANGELES

CITY OF INDUSTRY

SEE
DETAIL 1

POC
MOST RECY
COR. PCL 1

DETAIL 1
N.T.S.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S86°57'14"W	4.10'
L2	S15°35'55"E	18.37'
L3	S07°46'53"E	54.48'
L4	S03°00'32"E	38.20'
L5	S86°59'28"W	2.00'
L6	N03°00'32"W	38.02'
L7	N07°46'53"W	54.46'
L8	N15°35'55"W	18.67'
L9	N86°57'14"E	2.05'
L10	S15°35'55"E	22.37'
L11	S76°15'54"W	63.15'
L12	S76°15'54"W	388.48'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	92.91'	2939.00'	1°48'41"
C2	22.39'	3061.00'	0°25'09"
C3	22.22'	3063.00'	0°24'57"
C4	92.97'	2937.00'	1°48'49"
C5	142.52'	2950.00'	2°46'05"
C6	79.03'	3050.00'	1°29'04"
C7	41.62'	27.00'	88°18'57"
C8	144.94'	3000.00'	2°46'05"
C9	144.93'	3000.00'	2°46'05"

LEGEND:

APN = ASSESSOR'S PARCEL NUMBER
 RW = RETAINING WALL EASEMENT
 POC = POINT OF COMMENCEMENT
 TPOB = TRUE POINT OF BEGINNING

PARCEL MAP NO. 49
 PMB 88 / 98-100

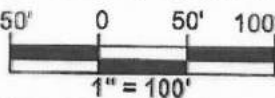
APN:
 8760-008-002

BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.

NOTE:

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.



VICINITY MAP
 NOT TO SCALE

AREA	TOTAL	RW	REMAINDER
SQUARE FEET	442,356	453	441,903

ALAMEDA CORRIDOR - EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
 SURVEY, INC.

ACE
 RECOMMENDED BY:

CHECKED BY: *Stephanie Wagner* L.S.: 5752
 PROJECT MANAGER: *Charles Tray* DATE: 5.18.18

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY

DATE: 03-09-2018

SCALE: 1"=100'

REV. No. DATE:

REV. No. DATE:

45
 ACE
 PARCEL No 204C-RW

**LEGAL DESCRIPTION FOR FOOTING EASEMENT PURPOSES
PARCEL 204C-FTG
(SHEET 1 OF 2)**

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS SHOWN ON MAP FILED IN BOOK 88, PAGES 98 THROUGH 100, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING AT THE INTERSECTION OF THE WESTERLY BOUNDARY OF FAIRWAY DRIVE, OF 50.00-FOOT HALF WIDTH, WITH THE SOUTHERLY LINE OF UNION PACIFIC RAILROAD (SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD RIGHT-OF-WAY), 100.00 FEET WIDE, AS SAID INTERSECTION IS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID SOUTHERLY LINE, S86°57'14"W 4.10 FEET TO A LINE PARALLEL WITH AND DISTANT 4.00 FEET WESTERLY FROM SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE; THENCE ALONG SAID PARALLEL LINE, S15°35'55"E 18.37 FEET; THENCE S07°46'53"E 54.48 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 2939.00 FEET, A RADIAL LINE TO SAID POINT BEARS N75°21'30"E, SAID CURVE BEING CONCENTRIC WITH AND DISTANT 11.00 FEET WESTERLY FROM A CURVE HAVING A RADIUS OF 2950.00 FEET IN SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE AS SHOWN ON SAID PARCEL MAP; THENCE SOUTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 01°48'41", AN ARC LENGTH OF 92.91 FEET TO THE BEGINNING OF A REVERSE CURVE HAVING A RADIUS OF 3061.00 FEET, SAID CURVE BEING CONCENTRIC WITH AND DISTANT 11.00 FEET WESTERLY FROM A CURVE HAVING A RADIUS OF 3050.00 FEET IN SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE AS SHOWN ON SAID PARCEL MAP; THENCE SOUTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 00°25'09", AN ARC LENGTH OF 22.39 FEET; THENCE S03°00'32"E 38.20 FEET; THENCE 86°59'28"W 2.00 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND DISTANT 2.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S03°00'32"E 38.20 FEET", SAID POINT BEING THE **TRUE POINT OF BEGINNING**; THENCE ALONG SAID PARALLEL LINE, N03°00'32"W 38.02 FEET TO A CURVE THAT IS CONCENTRIC WITH AND DISTANT 2.00 FEET WESTERLY FROM SAID CURVE DESCRIBED ABOVE AS HAVING A RADIUS OF 3061.00 FEET; THENCE NORTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 00°24'57", AN ARC LENGTH OF 22.22 FEET TO A CURVE THAT IS CONCENTRIC WITH AND DISTANT 2.00 FEET WESTERLY FROM SAID CURVE DESCRIBED ABOVE AS HAVING A RADIUS OF 2939.00 FEET; THENCE NORTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 01°48'49", AN ARC LENGTH OF 92.97 FEET TO A LINE PARALLEL WITH AND DISTANT 2.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S07°46'53"E 54.48 FEET"; THENCE ALONG SAID PARALLEL LINE, N07°46'53"W 54.46 FEET TO A LINE PARALLEL WITH AND DISTANT 2.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S15°35'55"E 18.37 FEET"; THENCE ALONG SAID PARALLEL LINE, N15°35'55"W 18.67 FEET TO SAID SOUTHERLY LINE OF UNION PACIFIC RAILROAD; THENCE ALONG SAID SOUTHERLY LINE, S86°57'14"W 7.17 FEET TO A LINE PARALLEL WITH AND DISTANT 7.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "N15°35'55"W 18.67 FEET"; THENCE ALONG SAID PARALLEL LINE, S15°35'55"E 19.75 FEET TO A LINE PARALLEL WITH AND DISTANT 7.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND

EXHIBIT "A-6"

**LEGAL DESCRIPTION FOR FOOTING EASEMENT PURPOSES
PARCEL 204C-FTG
(SHEET 2 OF 2)**

DISTANCE OF "N07°46'53"W 54.46 FEET"; THENCE ALONG SAID PARALLEL LINE, S07°46'53"E 54.40 FEET TO A CURVE THAT IS CONCENTRIC WITH AND DISTANT 7.00 FEET WESTERLY FROM SAID CURVE DESCRIBED ABOVE AS HAVING A RADIUS OF 2937.00 FEET AND CONCAVE WESTERLY; THENCE SOUTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 01°49'19", AN ARC LENGTH OF 93.16 FEET TO A CURVE THAT IS CONCENTRIC WITH AND DISTANT 7.00 FEET WESTERLY FROM SAID CURVE DESCRIBED ABOVE AS HAVING A RADIUS OF 3063.00 FEET AND CONCAVE EASTERLY; THENCE SOUTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 00°24'14", AN ARC LENGTH OF 21.65 FEET TO A LINE PARALLEL WITH AND DISTANT 7.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "N03°00'32"W 38.02 FEET"; THENCE ALONG SAID PARALLEL LINE, S03°00'32"E 37.39 FEET; THENCE N86°59'28"E 7.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 1,584 SQUARE FEET, MORE OR LESS.

APN: 8760-008-002

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

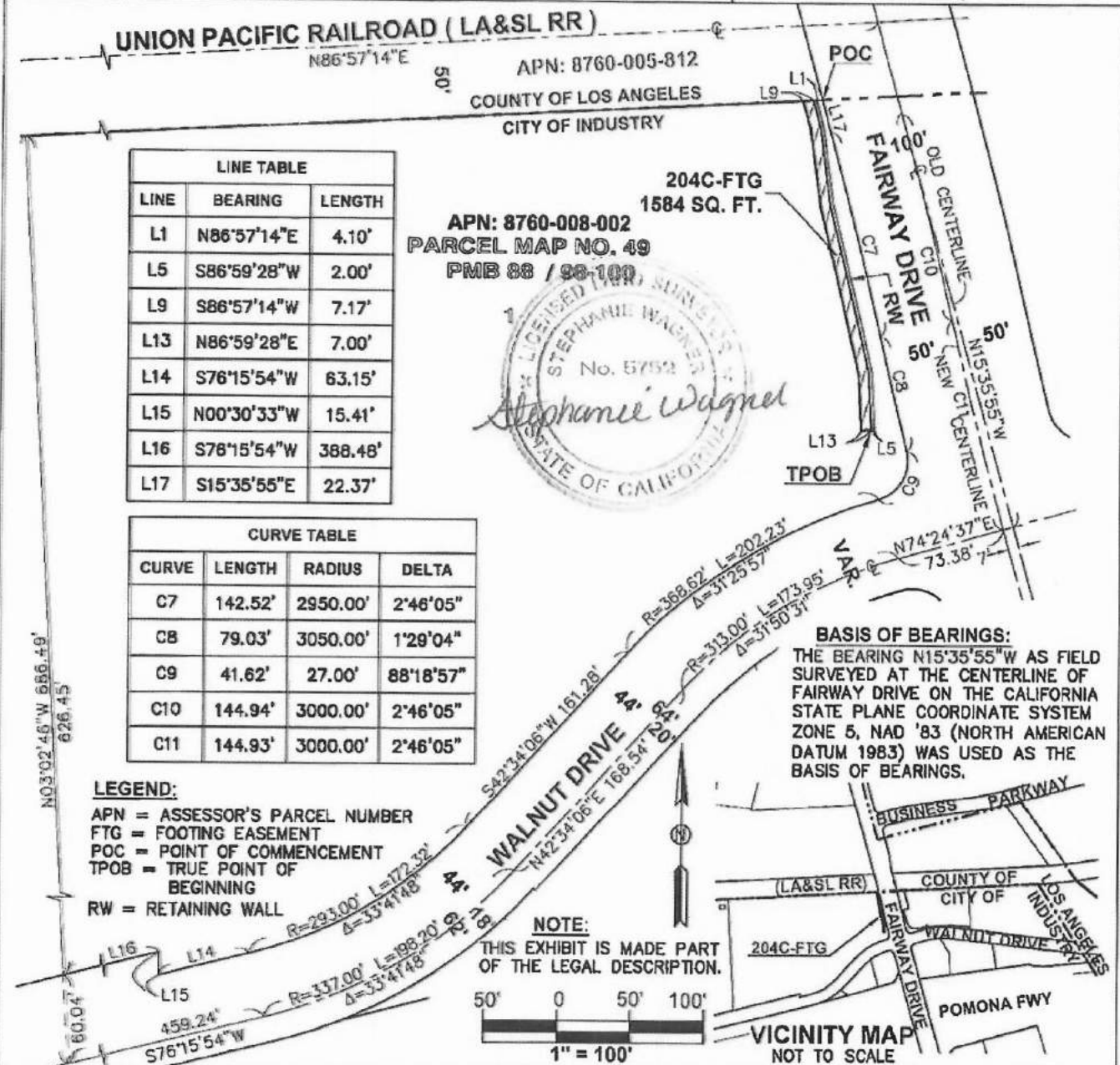
march 9, 2018
DATE:



EXHIBIT "B-6"

OWNER: MAJESTIC REALTY CO., A CA CORPORATION, UNDIVIDED 50% INTEREST; INDUSTRIAL E I-A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 2.5% INTEREST, & INDUSTRIAL PARK E SUB A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 47.5% INTEREST
 PARCEL 1 OF PM NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BK. 88, PGS 98 TO 100, OF PARCEL MAPS.
 APN: 8760-008-002

ACE
 ACCEPTED BY: *[Signature]*
 CHIEF ENGINEER
 DATE: 6/21/18



AREA	TOTAL	FTG	REMAINDER
SQUARE FEET	442,356	1,584	440,772

ALAMEDA CORRIDOR - EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING & SURVEY, INC.
Stephanie Wagner
 CHECKED BY: L.S.:5752

ACE
 RECOMMENDED BY:
Charles Tsang
 PROJECT MANAGER DATE 5.18.18

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY

SHEET 1 OF 2

DATE: 03-09-2018
 SCALE: 1"=100'
 REV. No. DATE:
 REV. No. DATE:
 48
 ACE
 PARCEL No 204C-FTG

EXHIBIT "B-6"

OWNER: MAJESTIC REALTY CO., A CA CORPORATION, UNDIVIDED 50% INTEREST; INDUSTRIAL E I-A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 2.5% INTEREST, & INDUSTRIAL PARK E SUB A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 47.5% INTEREST
PARCE 1 OF PM NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BK. 88, PGS 98 TO 100, OF PARCEL MAPS.
APN: 8760-008-002

ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

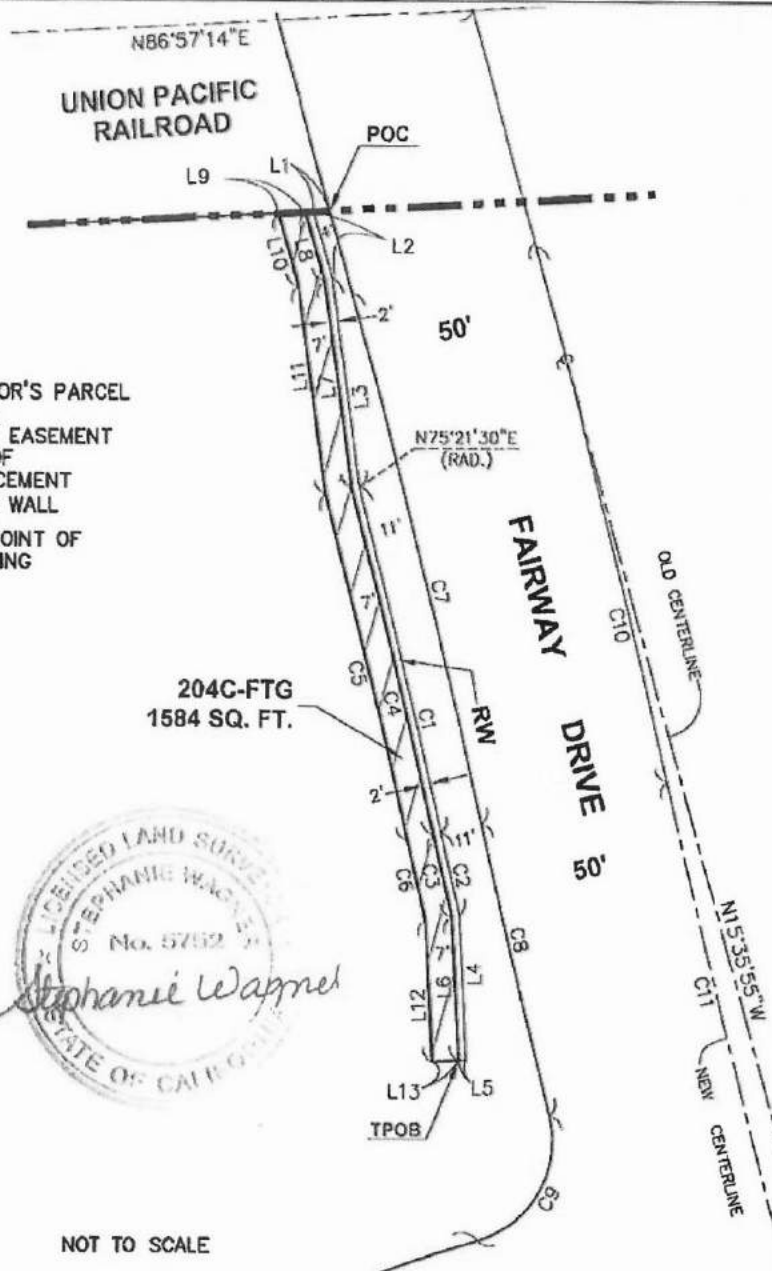
6/21/18

LINE TABLE		
LINE	BEARING	LENGTH
L1	N86°57'14"E	4.10'
L2	S15°35'55"E	18.37'
L3	S07°46'53"E	54.48'
L4	S03°00'32"E	38.20'
L5	S86°59'28"W	2.00'
L6	N03°00'32"W	38.02'
L7	N07°46'53"W	54.46'
L8	N15°35'55"W	18.67'
L9	S86°57'14"W	7.17'
L10	S15°35'55"E	19.75'
L11	S07°46'53"E	54.40'
L12	S03°00'32"E	37.39'
L13	N86°59'28"E	7.00'

LEGEND:

APN = ASSESSOR'S PARCEL NUMBER
FTG = FOOTING EASEMENT
POC = POINT OF COMMENCEMENT
RW = RETAINING WALL
TPOB = TRUE POINT OF BEGINNING

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	92.91'	2939.00'	1°48'41"
C2	22.39'	3061.00'	0°25'09"
C3	22.22'	3063.00'	0°24'57"
C4	92.97'	2937.00'	1°48'49"
C5	93.16'	2930.00'	1°49'19"
C6	21.65'	3070.00'	0°24'14"
C7	142.52'	2950.00'	2°46'05"
C8	79.03'	3050.00'	1°29'04"
C9	41.62'	27.00'	88°18'57"
C10	144.94'	3000.00'	2°46'05"
C11	144.93'	3000.00'	2°46'05"



NOT TO SCALE

AREA	TOTAL	FTG	REMAINDER
SQUARE FEET	442,356	1,584	440,772

ALAMEDA CORRIDOR – EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY

DATE: 03-09-2018

SCALE: NTS

REV. No. DATE:

REV. No. DATE:

ACE
PARCEL No 204C-FTG

WAGNER ENGINEERING &
SURVEY, INC.

ACE
RECOMMENDED BY:

Stephanie Wagner
CHECKED BY: L.S.:5752
PROJECT MANAGER: Charles Terry 5.18.18
DATE

SHEET 2 OF 2

**LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCEL 204C-TCE-1**

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS SHOWN ON MAP FILED IN BOOK 88, PAGES 98 THROUGH 100, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING AT THE INTERSECTION OF THE WESTERLY BOUNDARY OF FAIRWAY DRIVE, OF 50.00-FOOT HALF WIDTH, AS SHOWN ON SAID PARCEL MAP, WITH THE SOUTHERLY LINE OF UNION PACIFIC RAILROAD (SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD RIGHT-OF-WAY), 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID SOUTHERLY LINE, S86°57'14"W 13.32 FEET TO A LINE PARALLEL WITH AND DISTANT 13.00 FEET WESTERLY FROM SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE; THENCE ALONG SAID PARALLEL LINE, S15°35'55"E 15.88 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID PARALLEL LINE, S15°35'55"E 3.87 FEET; THENCE S07°46'53"E 54.40 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 2930.00 FEET, A RADIAL LINE TO SAID POINT BEARS N75°20'52"E, SAID CURVE BEING CONCENTRIC WITH AND DISTANT 20.00 FEET WESTERLY FROM A CURVE HAVING A RADIUS OF 2950.00 FEET IN SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE AS SHOWN ON SAID PARCEL MAP; THENCE SOUTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 01°49'19", AN ARC LENGTH OF 93.16 FEET TO THE BEGINNING OF A REVERSE CURVE HAVING A RADIUS OF 3070.00 FEET, SAID CURVE BEING CONCENTRIC WITH AND DISTANT 20.00 FEET WESTERLY FROM A CURVE HAVING A RADIUS OF 3050.00 FEET IN SAID WESTERLY BOUNDARY OF FAIRWAY DRIVE AS SHOWN ON SAID PARCEL MAP; THENCE SOUTHERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 00°24'14", AN ARC LENGTH OF 21.65 FEET; THENCE S03°00'32"E 37.39 FEET; THENCE N86°59'28"E 7.00 FEET; THENCE S03°00'32"E 15.87 FEET; THENCE S24°12'02"W 21.44 FEET; THENCE N13°34'25"W 224.71 FEET; THENCE N15°35'55"W 22.81 FEET; THENCE N86°57'14"E 20.49 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINS: 3,418 SQUARE FEET, MORE OR LESS.

APN: 8760-008-002

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

March 9, 2018
DATE:



EXHIBIT "B-7"

OWNER: MAJESTIC REALTY CO., A CA CORPORATION, UNDIVIDED 50% INTEREST; INDUSTRIAL E I-A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 2.5% INTEREST, & INDUSTRIAL PARK E SUB A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 47.5% INTEREST
PCL 1 OF PM NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BK. 88, PAGES 98 TO 100 OF PARCEL MAPS.
APN: 8760-008-002

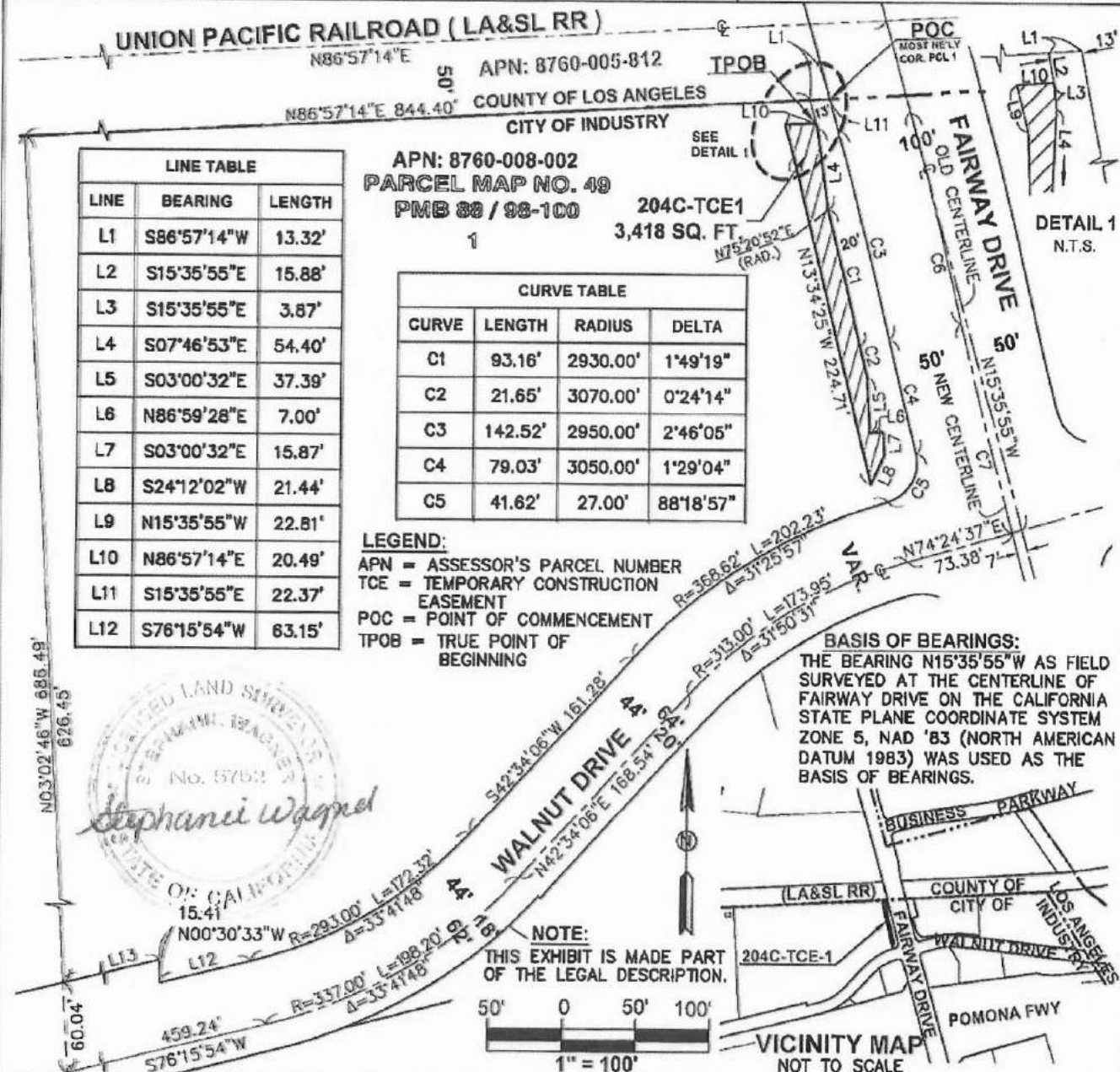
ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

6/21/18



AREA	TOTAL	TCE-1	REMAINDER
SQUARE FEET	442,356	3,418	438,938

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

WAGNER ENGINEERING & SURVEY, INC.

CHECKED BY: L.S. 5752

ACE
RECOMMENDED BY:

PROJECT MANAGER: 5.18.18

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY

DATE: 03-09-2018

SCALE: 1"=100'

REV. No. DATE:

REV. No. DATE:

51
ACE
PARCEL No 204C-TCE-1

EXHIBIT "A-8"

LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCEL 204C-TCE-2

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 88, PAGES 98 THROUGH 100, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 1; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL 1, N76°15'54"E 388.48 FEET TO AN ANGLE POINT THEREOF, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID BOUNDARY, N70°10'30"E 88.86 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 686.00 FEET, A RADIAL LINE TO SAID POINT BEARS S26°17'57"E; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°50'48", AN ARC LENGTH OF 129.87 FEET; THENCE N44°26'46"E 174.16 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 381.62 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°09'36", AN ARC LENGTH OF 174.24 FEET; THENCE N24°12'02"E 7.67 FEET; THENCE S13°34'25"E 16.33 FEET; THENCE S24°12'02"W 3.20 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF WALNUT DRIVE, OF VARIABLE WIDTH, AS SHOWN ON SAID PARCEL MAP, SAID POINT BEING ON A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 368.62 FEET, A RADIAL LINE TO SAID POINT BEARS N19°10'19"W; THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°15'35", AN ARC LENGTH OF 181.81 FEET; THENCE S42°34'06"W 98.27 FEET TO THE POINT OF BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 696.00 FEET, A RADIAL LINE TO SAID POINT BEARS S42°33'05"E; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 24°05'00", AN ARC LENGTH OF 292.55 FEET TO SAID SOUTHERLY BOUNDARY OF PARCEL 1; THENCE ALONG SAID BOUNDARY, N00°30'33"W 15.03 FEET TO THE TRUE POINT OF BEGINNING.


CONTAINS: 7,304 SQUARE FEET.

APN: 8760-008-002

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:


ARMANDO V. ABAD, P.L.S. 8445

6/5/13
DATE:



EXHIBIT "B-8"

OWNER: MAJESTIC REALTY CO., A CA CORPORATION, UNDIVIDED 50% INTEREST; INDUSTRIAL E I-A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 2.5% INTEREST, & INDUSTRIAL PARK E SUB A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 47.5% INTEREST
 PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 88 / 98-100.
 APN: 8760-008-002

ACE

RECOMMENDED

CHIEF ENGINEER

DATE: 6/18/13

UNION PACIFIC RAILROAD (LA&SL RR)

APN: 8760-005-812
 COUNTY OF LOS ANGELES
 CITY OF INDUSTRY



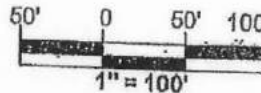
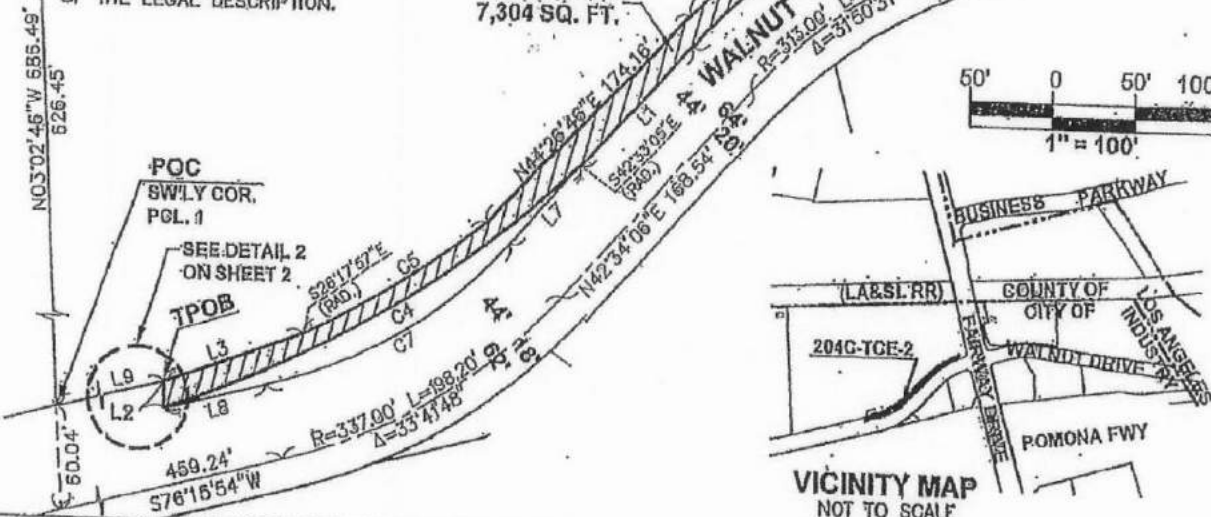
BASIS OF BEARINGS:
 THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.

PARCEL MAP NO. 49
 P.M.B. 88 / 98-100

APN: 8760-008-002

LEGEND:
 APN = ASSESSOR'S PARCEL NUMBER
 POB = POINT OF BEGINNING
 TPOB = TRUE POINT OF BEGINNING
 TOE = TEMPORARY CONSTRUCTION EASEMENT

NOTE:
 THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.



VICINITY MAP
 NOT TO SCALE

AREA	TOTAL	TCE-2	REMAINDER
SQUARE FEET	442,356	7,304	435,052

ALAMEDA CORRIDOR - EAST
 CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY
 SHEET 1 OF 2

DATE: 02-26-2013
 SCALE: 1"=100'
 REV. No. 3 DATE: 06-05-2013
 REV. No. DATE:
 ACE
 PARCEL No 204C-TCE-2

WAGNER ENGINEERING & SURVEY, INC.
 CHECKED BY: [Signature] L.S.: 8445

ACE APPROVED BY:
 [Signature] DATE: 6-18-13
 PROJECT MANAGER

EXHIBIT "B-8"

OWNER: MAJESTIC REALTY CO., A CA CORPORATION, UNDIVIDED 50% INTEREST; INDUSTRIAL
E I-A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 2.5% INTEREST, & INDUSTRIAL
PARK E SUB A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 47.5% INTEREST
PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS
ANGELES, STATE OF CALIFORNIA, P.M.B. 88 / 98-100.
APN: 8760-008-002

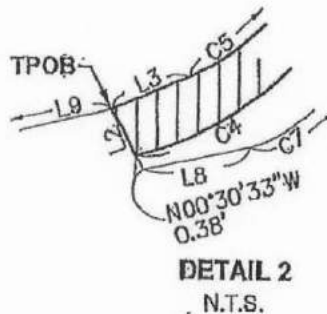
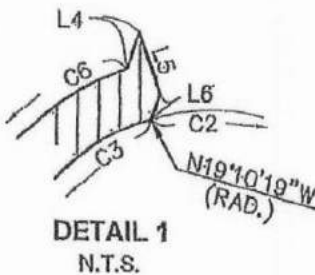
ACE

RECOMMENDED: *[Signature]*
CHIEF ENGINEER

DATE: 6/18/13

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	41.62'	27.00'	88°18'57"
C2	20.41'	368.62'	3°10'22"
C3	181.81'	368.62'	28°15'35"
C4	292.65'	696.00'	24°05'00"
C5	129.87'	686.00'	10°50'48"
C6	174.24'	381.62'	26°09'36"
C7	172.32'	293.00'	33°41'48"
C8	144.94'	3000.00'	2°46'05"
C9	144.94'	3000.00'	2°46'05"
C10	142.52'	2950.00'	2°46'05"
C11	79.03'	3050.00'	1°29'04"

LINE TABLE		
LINE	BEARING	LENGTH
L1	S42°34'08"W	98.27'
L2	N00°30'33"W	15.03'
L3	N79°10'30"E	88.86'
L4	N24°12'02"E	7.67'
L5	S13°34'25"E	16.33'
L6	S24°12'02"W	3.20'
L7	S42°34'08"W	63.01'
L8	S76°16'54"W	63.15'
L9	N76°16'54"E	388.48'



AREA	TOTAL	TCE-2	REMAINDER
SQUARE FEET	442,356	7,304	435,052

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
SURVEY, INC.

CHECKED BY: *[Signature]*
L.S.: 8445

ACE
APPROVED BY:

Charles Tsang 6-18-13
PROJECT MANAGER DATE

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY
SHEET 2 OF 2

DATE: 02-26-2013

SCALE: 1"=100'

REV. No. 3 DATE: 06-05-2013

REV. No. DATE:

ACE
PARCEL No 204C-TCE-54

EXHIBIT "A-9"

LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCEL 204C-TCE-3

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 49, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 88, PAGES 98 THROUGH 100 INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING AT THE INTERSECTION OF THE WESTERLY LINE OF FAIRWAY DRIVE, OF 50 FOOT HALF WIDTH, WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD (FORMERLY KNOWN AS SAN PEDRO, LOS ANGELES & SALT LAKE RAILROAD), 100 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID RIGHT-OF-WAY LINE, S86°57'14"W 857.72 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL 1; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND ALONG THE WESTERLY LINE-OF SAID PARCEL 1, S03°02'46"E 15.50 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND DISTANT 15.50 FEET SOUTHERLY FROM SAID RIGHT-OF-WAY LINE, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY LINE, S03°02'46"E 47.46 FEET; THENCE LEAVING SAID WESTERLY LINE, N86°57'41"E 46.43 FEET; THENCE N03°03'06"W 22.44 FEET; THENCE N86°56'49"E 51.71 FEET; THENCE N03°02'46"W 8.52 FEET TO A LINE PARALLEL WITH AND DISTANT 32.00 FEET SOUTHERLY FROM SAID RIGHT-OF-WAY LINE; THENCE ALONG SAID PARALLEL LINE, N86°57'14"E 722.66 FEET; THENCE N15°35'55"W 16.90 FEET TO THE FIRST MENTIONED PARALLEL LINE; THENCE ALONG SAID PARALLEL LINE, S86°57'14"W 817.12 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 15,391 SQUARE FEET.

APN: 8760-008-002

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:


ARMANDO V. ABAD, P.L.S. 8445

5/31/13
DATE:



EXHIBIT "B-9"

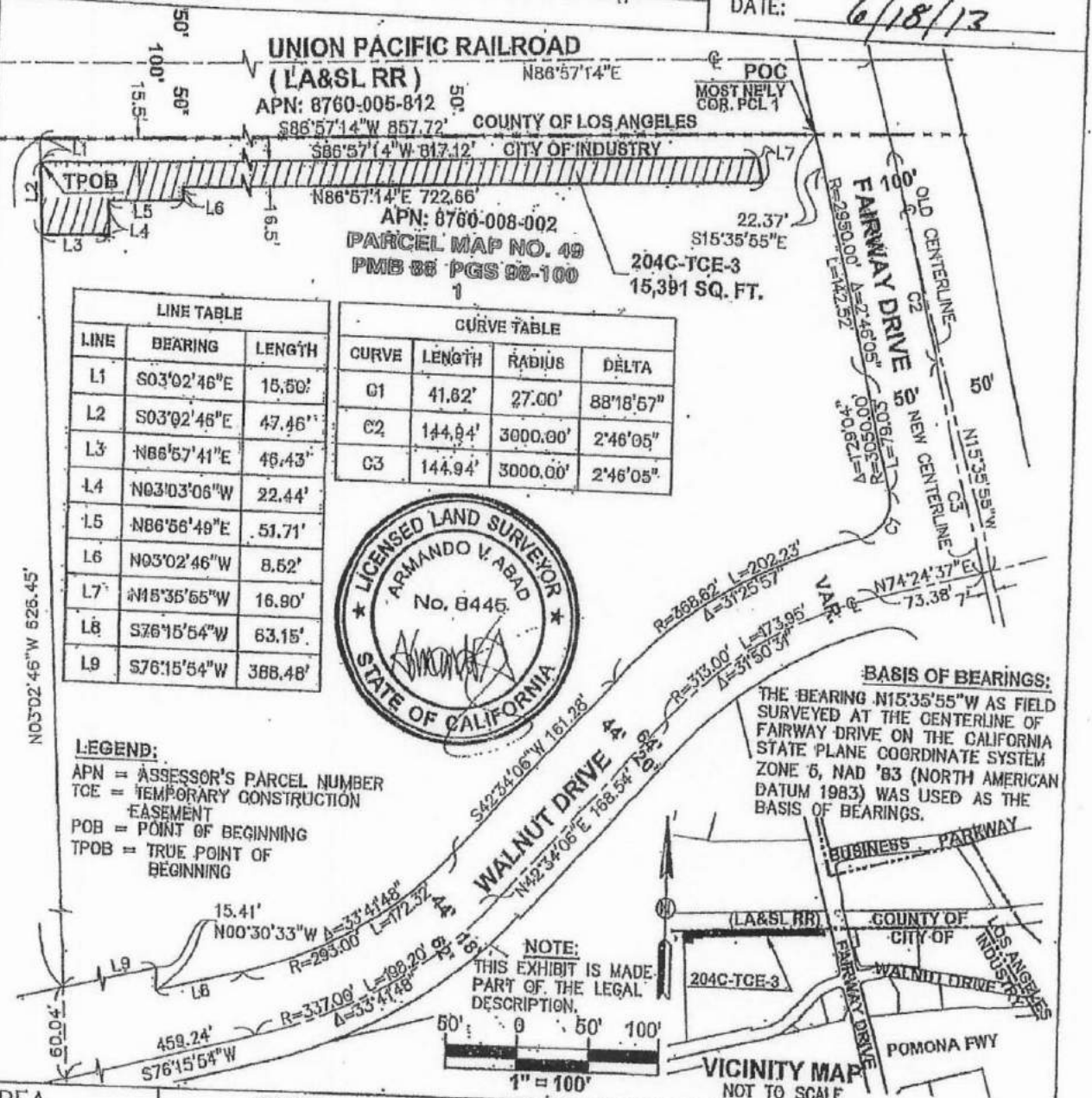
OWNER: MAJESTIC REALTY CO., A CA CORPORATION, UNDIVIDED 50% INTEREST; INDUSTRIAL E I-A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 2.5% INTEREST, & INDUSTRIAL PARK E SUB A, LLC, A DELAWARE LIMITED LIABILITY COMPANY, UNDIVIDED 47.5% INTEREST
 PCL 1 OF PM NO. 49 IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BK 88, PGS 98 TO 100, OF PARCEL MAPS
 APN: 8760-008-002

ACE

RECOMMENDED: *[Signature]*

CHIEF ENGINEER

DATE: 6/18/13



AREA	TOTAL	TCE-3	REMAINDER
SQUARE FEET	442,356	15,391	426,965

ALAMEDA CORRIDOR - EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
 SURVEY, INC.

ACE
 APPROVED BY:

Charles Tsang 6/18/13
 PROJECT MANAGER DATE

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY

DATE: 04-05-2013

SCALE: 1"=100'

REV. No. 2 DATE: 05-31-2013

REV. No. DATE:

ACE
 PARCEL No. 204C-TCE-3 56

AMENDED EXHIBIT "C"

204C-TCE1, 204C-TCE2, and 204C-TCE3, described in the preceding Exhibit A-7, A-8 and A-9, as well as depicted on Exhibit B-7, B-8, and B-9, shall have a duration not to exceed 12 months and shall commence no sooner than 30 days after San Gabriel Valley Council of Governments, formerly known as ACE Construction Authority, mails a written Notice of Commencement of TCE to the record owner of the property.



MEMO TO: Capital Projects and Construction Committee Members and Alternates

FROM: Mark Christoffels
Chief Engineer

DATE: September 24, 2018

SUBJECT: Amended Resolution of Necessity for Property Acquisition - No.13-14
Fairway Drive Grade Separation Project
Property Owner: Majestic Realty Co.et al.
19515-19605 East Walnut Drive North, City of Industry, CA
APN: 8760-008-003 and 8760-008-004
ACE Parcel No.: 204S&T

RECOMMENDATION: Staff recommends the SGVCOG Capital Projects and Construction Committee:

1. Conduct a hearing on Amended Resolution 13-14 (an Amendment to Resolution of Necessity 13-14 of the ACE Construction Authority) finding and determining that the public interest, convenience and necessity require amendment to the acquisition of certain property for public purposes; and
2. Review the evidence presented, including this staff report and public comments and close the hearing; and
3. Adopt the attached Amended Resolution 13-14 authorizing the amendment of eminent domain proceedings, and/or other means, so as to acquire: one (1) modified permanent utility easement 25,518 s.f (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity 13-14 as 204S&T-UE1 and 204S&T-UE2, respectively), two (2) new 12-month temporary construction easements (204S-TCE1A and 204S-TCE 1B) totaling 11,040 s.f, one (1) new 6-month temporary construction easement (204S&T-TCE2) 43,498 s.f, as well as the originally identified, and now unaltered, one (1) permanent railroad easement (204S&T-RRE) 11,927 s.f, one (1) 12-month temporary construction easement (204S-TCE1) 11,426 s.f, and two (2) 6-month temporary construction easements (204S&T-TCE2A and 204S&T-TCE2B) totaling 41,993 s.f for which the ACE Board adopted Resolution of Necessity No. 13-14. Said interests are legally described on Exhibits A-1, A-2, A-3, A-4, A-5, and A-6, attached hereto and incorporated herein by this reference ("Property") from those certain parcels bearing Los Angeles Assessor Parcel Numbers 8760-008-003 and 8760-008-

004. The durations of the TCEs referenced above shall commence no sooner than 30 days after the SGVCOG Capital Projects and Construction Committee, formerly known as the ACE Construction Authority mails a written Notice of Commencement of TCE. (Note: This requires an affirmative TWO-THIRDS (2/3) vote of the SGVCOG Capital Projects and Construction Committee).

BACKGROUND: The SGVCOG Capital Projects and Construction Committee and the formerly constituted Alameda Corridor East Construction Authority was formed pursuant to the California Joint Powers law (Govt. Code section 6500 et seq.) for purposes of implementing the Alameda Corridor East ("ACE Project"). The ACE Project is a multi-phase project that will improve the safety and efficiency of railroad crossings from Los Angeles, east to San Bernardino County to mitigate some of the impacts created by increased rail traffic from the Ports of Long Beach and Los Angeles.

Included in the ACE Project is a grade separation of Fairway Drive/E. Walnut Drive N. ("Fairway Drive Grade Separation Project") in the City of Industry, County of Los Angeles from the Union Pacific Railroad right-of-way, which will eliminate current and future long delays of traffic at the crossing. The Fairway Drive Grade Separation Project is statutorily exempt from CEQA pursuant to Public Resources Code section 21080.13. In order to accommodate the grade separation at Fairway Drive/E. Walnut Drive N., one (1) permanent railroad easement, two (2) permanent utility easements, and one (1) 12-month temporary construction easement and two (2) 6-month temporary construction easements, were originally required from those certain parcels bearing Los Angeles Assessor Parcel Numbers 8760-008-003 and 8760-008-004.

The property identified in the original ACE Resolution 13-14 was owned by Majestic Realty Co. and Industrial Park E Sub B and Industrial Park E I-B, LLC. ("The Majestic Owners"). The Larger Parcel is 522,450 s.f, and is improved with single-tenant industrial building built in 1979, with a gross square footage of approximately 361,670 s.f. The site includes asphalt paved loading areas, chain link fencing, a rail spur and rail car loading, freeway visible sign and miscellaneous landscaping.

Pursuant to California Government Code sections 6500 et seq., 7267.2, 37350.5, and 40401 et seq. and 40404, and California Code of Civil Procedure Section 1230.010 et seq., 1240.410 and 1240.020, and Section 19, Article I of the California Constitution, and other authorities, the ACE Construction Authority is authorized to acquire the subject property in part or whole by eminent domain, provided certain procedural steps are followed.

ACE staff tendered an offer to purchase to the Majestic Owners in the amount of \$592,800 on September 25, 2013 for the originally identified easements. But, with an

agreement not having been reached, the Board adopted a Resolution of Necessity for acquisition of the originally identified easements, on October 28, 2013, and Eminent Domain proceedings were commenced on November 12, 2013, ACE having made all necessary findings and having met all statutory prerequisites thereto. (The property interests in Resolution 13-14 were combined with those in ACE Resolutions 13-11, 13-15, and 13-16 for Eminent Domain filing purposes due to proximity and common ownership of the parcels.)

During construction of the Project, the Majestic Owners discovered that the Project design assumed a disconnected rail spur on the parcel was abandoned and requested that ACE revise the Project design to allow for future reconnection of the rail spur in question. ACE engineers were able to modify the design and obtain approval from UPRR to accommodate reconnection of the spur track. Accordingly, with the project redesign, modified and additional right-of-way requirements are necessary. Therefore, SGVCOG, the Majestic Owners, their successor owners (the Larger Parcel was sold by Majestic Realty Co. in 2017), and the sole tenant on the property, Furniture of American Corporation ("FoAC") have entered into a Stipulation (attached hereto as Exhibit 1) whereby they agree that: a request would be made to SGVCOG's Governing Board at its first available public meeting to consider adoption of an Amended Resolution of Necessity ("Amended RON") for: one (1) modified permanent utility easement (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity 13-14 as 204S&T-UE1 and 204S&T-UE2, respectively), two (2) new 12-month temporary construction easements (204S-TCE1A and 204S-TCE 1B), one (1) new 6-month temporary construction easement (204S&T-TCE2), as well as the originally identified, and now unaltered, one (1) permanent railroad easement (204S&T-RRE), one (1) 12-month temporary construction easement (204S-TCE1), and two (2) 6-month temporary construction easements (204S&T-TCE2A and 204S&T-TCE2B) for which the ACE Board adopted Resolution of Necessity No. 13-14. Said interests are legally described on Exhibits A-1, A-2, A-3, A-4, A-5, and A-6 attached hereto and incorporated herein by this reference ("Property") from those certain parcels bearing Los Angeles Assessor Parcel Numbers 8760-008-003 and 8760-008-004 for the above-stated public use.

By way of the stipulation attached hereto as Exhibit 1, Majestic Owners, the Successor Owners and FoAC waive further notice of the hearing on the proposed Amended RON and stipulate that all requirements necessary for consideration of adoption of the Amended RON had been satisfied, including those matters in Article 2 of the Eminent Domain Law and those matters related to a statutory offer as set forth in Government Code section 7267.2. The Majestic Owners, the Successor Owners, and FoAC further stipulated that if SGVCOG's Governing Board approves the request and adopts an Amended RON for the taking of the revised easements affecting Assessor Parcel Nos.

8760-008-003 and 8760-008-004 ("Subject Property"), that said modified taking is necessary for the Project, that the public interest and necessity require the Project, and 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.

The parties agree that if SGVCOG's Governing Board approves the request and adopts an Amended RON to modify the taking of portions of the property, a First Amended Complaint in Eminent Domain, supported by the Amended RON shall be filed.

After conducting the public hearing, if the SGVCOG Capital Projects and Construction Committee finds that the public necessity so requires, the SGVCOG Capital Projects and Construction Committee should adopt the attached Amended Resolution of Necessity 13-14, authorizing amendment of condemnation proceedings for the purpose of acquiring the modified property which interest are described in Resolution 13-14.

The findings, which need to be made, are as set forth in the Resolution of Necessity. Specifically, the SGVCOG Capital Projects and Construction Committee must find:

1. That the public interest, convenience and necessity require the acquisition of the proposed project. As proposed, the Fairway Drive Grade Separation Project will serve public purposes, as discussed above; and
2. That the Fairway Drive Grade Separation Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury. As set forth above, the Property is being acquired to improve the safety and efficiency of the rail crossing by constructing a grade separation at Fairway Drive/E. Walnut Drive N. The original 1997 San Gabriel Valley Council of Governments study looked at alternatives to an underpass and different grade separation configurations to identify any overall project cost and real estate impact reductions. Subsequently, as the design of the project began, ACE staff evaluated alternative configurations in greater detail. Additionally, ACE conducted an Engineering Value Analysis workshop that engaged stakeholders and technical experts to analyze and vet the various design scenarios. The no build alternative was examined through the project ranking process described in the 1997 report. Fairway Drive is a primary arterial street, serving multiple residential and commercial areas. The Fairway Drive Grade Separation project constructed as an underpass will eliminate the possibility of train—vehicle collisions at this location and the effect of stopped and moving trains on vehicular traffic capacity; and in order to build such an underpass with the least private injury, several easements should now be modified and added to complete the Project; and

3. That the amended property interests sought to be acquired are necessary for the Fairway Drive Grade Separation Project. From the subject property it is necessary to acquire: one (1) permanent railroad easement, one (1) permanent utility easement, one (1) 12-month temporary construction easement, two (2) 6-month temporary construction easements, as well as two (2) new 12-month temporary construction easements and one (1) new 6-month temporary construction easement. Without the acquisition of the various amended permanent easements, new temporary construction easements and original temporary construction easements as included in Exhibit 2 attached hereto, the proposed Fairway Drive Grade Separation Project cannot be completed; and
4. That SGVCOG has complied with CEQA. The Fairway Drive Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13. The Legislature created an absolute exemption for railroad grade separations via Public Resources Code § 21080.13, which provides that CEQA “does not apply to any railroad grade separation project which eliminates an existing grade crossing, or which reconstructs an existing grade separation.” Cal. Pub. Res. Code § 21080.13. The Fairway Drive Grade Separation Project eliminates an existing grade crossing. Based upon § 21080.13, the Fairway Drive Grade Separation Project is therefore exempt from CEQA review. Since the Fairway Drive Grade Separation is exempt from CEQA, no environmental review is necessary, and it may be implemented without any CEQA compliance whatsoever.

Questions relating to value are not relevant to this proceeding. However, that does not mean that negotiations for the acquisition of the property interests are at an end. If the SCVCOG Capital Improvements and Construction Committee adopts the Amended Resolution of Necessity, after the hearing, negotiations for the acquisition of the property interests may continue to take place.

BUDGET IMPACT: Funds for the acquisition of this property are available from MTA Measure R and Proposition C funds and are included in the Authority’s FY 2019 budget.

ATTACHMENTS

Exhibit 1- Stipulation re: Scope of Take and Transfer of Possession (*See page 12 of this agenda*)

Exhibit 2- Amended Resolution of Necessity No. 13-14 with Exhibits

AMENDED RESOLUTION NO. 13-14

**A RESOLUTION OF THE SAN GABRIEL
VALLEY COUNCIL OF GOVERNMENTS IN
FURTHERANCE OF THE ALAMEDA
CORRIDOR-EAST CONSTRUCTION PROJECT
FINDING AND DETERMINING THAT THE
PUBLIC INTEREST, CONVENIENCE AND
NECESSITY REQUIRE AN AMENDMENT TO
THE ACQUISITION OF CERTAIN PROPERTY
FOR PUBLIC PURPOSES**

**THE ALAMEDA CORRIDOR EAST – GATEWAY TO AMERICA CONSTRUCTION
AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The San Gabriel Valley Council of Governments, in furtherance of the Alameda Corridor East Construction Project (hereafter "SGVCOG"), formerly known as the Alameda Corridor East -- Gateway to America Construction Authority on behalf of the San Gabriel Valley Council of Governments (known as "ACE"), after consideration of the staff report, staff presentation, discussion, oral testimony and evidence presented at SGVCOG's Capital Projects and Construction Committee Meeting on Monday, September 24, 2018, at 12 p.m. hereby finds, determines and declares as follows:

- (a) The San Gabriel Valley Council of Governments, in furtherance of the Alameda Corridor East Construction Project is authorized by statute and pursuant to that certain Joint Powers Agreement dated September 17, 1998, as amended, to acquire property by eminent domain within the City of Industry, County of Los Angeles, State of California for the Alameda Corridor-East Project ("ACE Project"); and
- (b) The public interest, convenience and necessity require the proposed Fairway Drive Grade Separation Project in the City of Industry, County of Los Angeles, State of California as part of said Fairway Drive Grade Separation Project, which includes railroad crossing safety and efficiency improvements, and all uses appurtenant thereto intended to partially mitigate the impacts of increased rail traffic from the completed Alameda Corridor on motor vehicle traffic; and
- (c) The interests in real property to be acquired from those certain parcels bearing Los Angeles County Assessor Parcel Nos. 8760-008-003 and 8760-008-004 are: one modified permanent utility easement (in lieu of 204S&T-UE1 as adopted in ACE Resolution of Necessity 13-14), and two new 12-month temporary construction easements (204S-TCE1A and 204S-TCE1B) as well one new 6-month temporary construction easement (204S&T-TCE2) in addition to the TCEs originally identified in Resolution of Necessity 13-14, as well as the originally identified, and now unaltered permanent railroad easement (204S&T-RRE), one utility easement (204S&T-UE-2), and three temporary construction easements (204S-TCE1 (for 12

months) and 204S&T-TCE2A and 204S&T-TCE2B (for 6 months each) for which the ACE Board adopted Resolution of Necessity No. 13-14. Said interests are legally described on Exhibits A-1, A-2, A-3, A-4, A-5, A-6, and A-7 attached hereto and incorporated herein by this reference ("Property"). The Property is located within the City of Industry, County of Los Angeles, State of California. Maps showing the general location of the Property are attached hereto, marked Exhibits B-1, B-2, B-3, B-4, B-5, B-6, and B-7 and are incorporated herein by reference and made a part hereof. The duration of the TCEs sought to be acquired are set forth in Exhibit C, attached hereto and incorporated herein by this reference;

- (d) The Fairway Drive Grade Separation Project is planned and located in a manner that will be most compatible with the greatest public good and least private injury in that it is specifically designed to improve traffic safety and efficiency at the intersection of Fairway Drive/E. Walnut Drive N. and the Union Pacific Railroad in the City of Industry, County of Los Angeles, State of California.
- (e) The taking of the Property is necessary for the Fairway Drive Grade Separation Project and such taking is authorized by Section 19, Article I of the California Constitution, Sections 6500 et seq., 37350.5, 40401 et seq. and 40404 of the California Government Code, Section 1230.010 et seq., 1240.020 and 1240.410, of the California Code of Civil Procedure, and other applicable law; and
- (f) The offer to purchase required by California Government Code Section 7267.2 has been made to the owner of the Property.
- (g) The necessary notice of hearing on this Resolution has been given, as required by Code of Civil Procedure section 1245.235.
- (h) SGVCOG has fully complied with the California Environmental Quality Act ("CEQA") as the Fairway Drive Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13.

SECTION 2. SGVCOG Capital Projects and Construction Committee hereby declares that it is its intention to acquire said Property in accordance with the provision of the laws of the State of California governing condemnation procedures.

SECTION 3. SGVCOG Capital Projects and Construction Committee further finds that if any portion of the area of the Property has been appropriated to some public use, the public uses to which it is to be applied by ACE Construction Authority, as described above, are more necessary and paramount public uses, pursuant to Code of Civil Procedure section 1240.610, or alternatively, are compatible with those other uses pursuant to Code of Civil Procedure section 1240.510.

SECTION 4. SGVCOG Capital Projects and Construction Committee Legal Counsel is authorized and directed to prepare, institute and prosecute such amended proceedings in the proper Court having jurisdiction thereof as may be necessary for the acquisition of said Property, including the filing of an application for an Order for Possession prior to judgment.

SECTION 5. This Resolution shall be effective immediately upon its adoption.

SECTION 6. The Clerk of the SGVCOG Capital Projects and Construction Committee shall certify the adoption of this Resolution and certify this record to be a full true, correct copy of the action taken.

PASSED, APPROVED AND ADOPTED this 24th day of September, 2018.

ATTEST:

Deanna Stanley, Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST COVINA)

I HEREBY CERTIFY that the foregoing Amended Resolution 13-14 was duly adopted by the San Gabriel Valley Council of Governments, Capital Projects and Construction Committee Meeting at a regular meeting thereof, held on the 24th day of September, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Deanna Stanley, Clerk

Placeholder

Plat Maps

&

Legal Descriptions

&

Amended Exhibit C

EXHIBIT "A-1"

LEGAL DESCRIPTION FOR RAILROAD EASEMENT PURPOSES
PARCEL 204S&T-RRE

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING AT THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD, FORMERLY LOS ANGELES AND SALT LAKE RAILROAD, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID RIGHT-OF-WAY LINE, S86°57'14"W 740.03 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL 1; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND ALONG THE WESTERLY LINE OF SAID PARCEL 1, S03°03'53"E 24.21 FEET; THENCE LEAVING SAID WESTERLY LINE, S87°26'10"E 42.53 FEET; THENCE N03°02'46"W 12.87 FEET TO A LINE PARALLEL WITH AND DISTANT 15.50 FEET SOUTHERLY FROM SAID RIGHT-OF-WAY LINE; THENCE ALONG SAID PARALLEL LINE, N86°57'14"E 697.70 FEET TO THE EASTERLY LINE OF SAID PARCEL 1; THENCE ALONG SAID EASTERLY LINE, N03°02'46"W 15.50 FEET TO THE POINT OF BEGINNING.

CONTAINS: 11,927 SQUARE FEET.

APN: 8760-008-003 AND 8760-008-004

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

April 5, 2013
DATE:



EXHIBIT "B-1"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

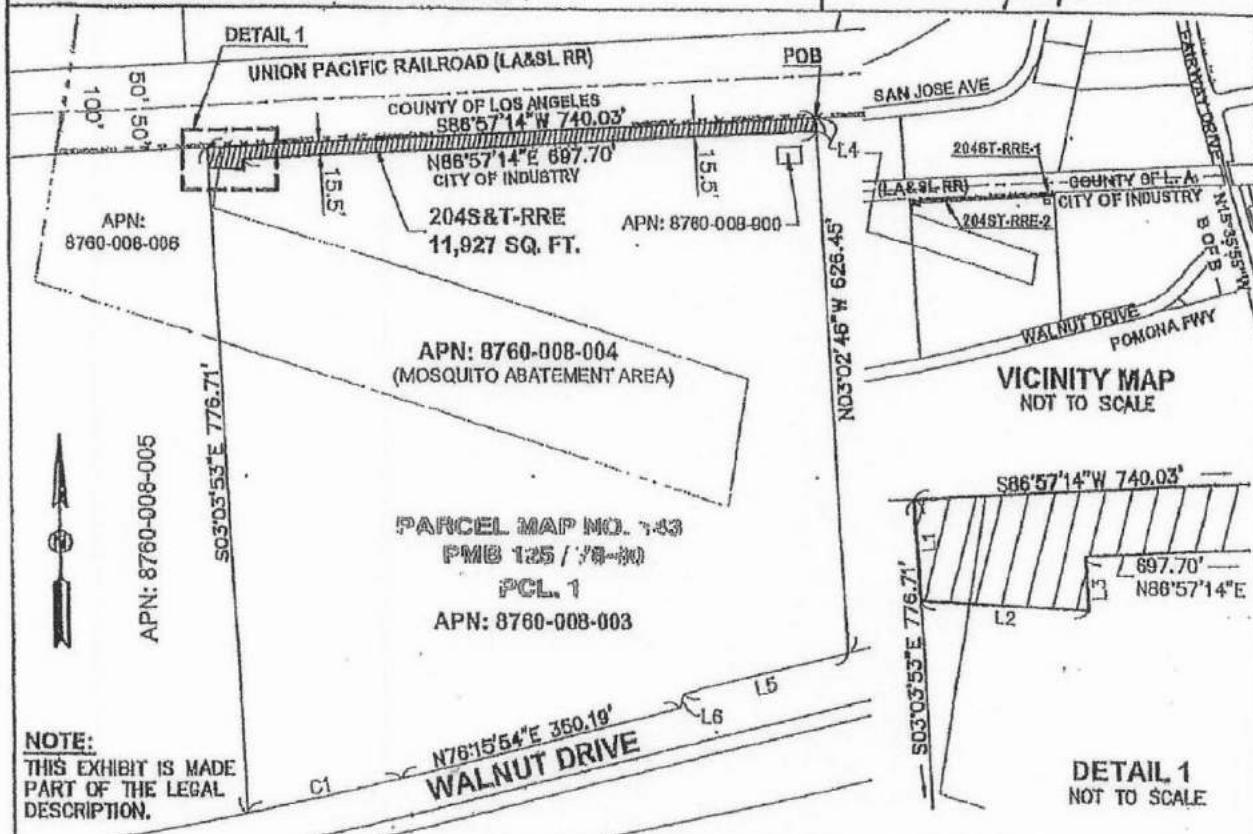
PORTION OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003 AND 8760-008-004

ACE

RECOMMENDED: *[Signature]*
CHIEF ENGINEER

DATE: 4/17/13



LEGEND:

APN = ASSESSOR'S PARCEL NUMBER
POB = TRUE POINT OF BEGINNING
UE = UTILITY EASEMENT
B OF B = BASIS OF BEARING

BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.

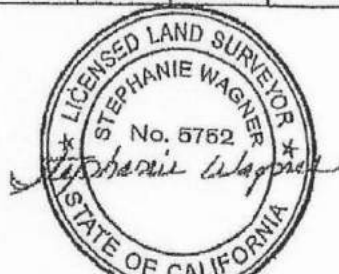


LINE TABLE

LINE	BEARING	LENGTH
L1	S03°03'53"E	24.21'
L2	S87°26'10"E	42.53'
L3	N03°02'46"W	12.87'
L4	N03°02'46"W	15.50'
L5	N76°15'54"E	208.14'
L6	N13°54'10"E	16.93'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA
C1	190.70'	3993.00'	2°44'11"



AREA	TOTAL	RRE	REMAINDER
SQUARE FEET	522,450	11,927	510,523

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

WAGNER ENGINEERING & SURVEY, INC.

ACE
APPROVED BY:

CHECKED BY: *[Signature]*
LS: 5752

[Signature] 4.16.13
PROJECT MANAGER DATE

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY

DATE: 04-05-2013

SCALE: 1"=200'

REV. No. DATE:

REV. No. DATE:

ACE
PARCEL No. 204S&T-RRE

EXHIBIT "A-2"

LEGAL DESCRIPTION FOR UTILITY EASEMENT PURPOSES
PARCEL 204S&T-UE-1
(SHEET 1 OF 2)

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD (FORMERLY SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD) RIGHT-OF-WAY, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1, S03°03'53"E 24.21 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID WESTERLY LINE, S03°03'53"E 17.29 FEET; THENCE LEAVING SAID WESTERLY LINE, N86°59'16"E 21.27 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 39.00 FEET, A RADIAL LINE TO SAID POINT BEARS N28°23'13"E; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 58°35'58", AN ARC LENGTH OF 39.89 FEET; THENCE S03°00'48"E 696.22 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF WALNUT DRIVE, 62.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP NO. 143, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 3993.00 FEET, A RADIAL BEARING TO SAID POINT BEARS S11°34'06"E; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°10'27", AN ARC LENGTH OF 12.14 FEET TO A LINE PARALLEL WITH AND DISTANT 12.00 FEET EASTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S03°00'48"E 696.22 FEET"; THENCE ALONG SAID PARALLEL LINE, N03°00'48"W 106.57 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 31.00 FEET; THENCE NORTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°58'27", AN ARC LENGTH OF 48.68 FEET; THENCE N86°57'39"E 576.55 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 51.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'58", AN ARC LENGTH OF 80.11 FEET; THENCE N03°02'19"W 528.73 FEET TO THE SOUTHERLY LINE OF THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 49, FILED IN BOOK 88, PAGES 98 THROUGH 100, INCLUSIVE OF PARCEL MAPS, AND SHOWN AS "NOT A PART" IN SAID PARCEL MAP NO. 143; THENCE ALONG SAID SOUTHERLY LINE, S86°57'14"W 12.00 FEET TO A LINE PARALLEL WITH AND DISTANT 12.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "N03°02'19"W 528.73 FEET"; THENCE ALONG SAID PARALLEL LINE, S03°02'19"E 528.73 FEET TO A CURVE THAT IS CONCENTRIC AND DISTANT 12.00 FEET NORTHWESTERLY FROM SAID CURVE DESCRIBED ABOVE AS CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 51.00 FEET; THENCE SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'58", AN ARC LENGTH OF 61.26 FEET TO A POINT OF TANGENCY WITH A LINE THAT IS PARALLEL WITH AND DISTANT 12.00 FEET NORTHERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "N86°57'39"E 576.55 FEET"; THENCE ALONG SAID PARALLEL LINE, S86°57'39"W 568.51 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 39.00 FEET; THENCE NORTHWESTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°01'33", AN ARC LENGTH OF 61.28 FEET TO A POINT OF TANGENCY WITH A LINE THAT IS PARALLEL WITH AND DISTANT 12.00 FEET EASTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S03°00'48"E 696.22 FEET"; THENCE ALONG SAID PARALLEL LINE, N03°00'48"W 505.82 FEET

EXHIBIT "A-2"

LEGAL DESCRIPTION FOR UTILITY EASEMENT PURPOSES
PARCEL 204S&T-UE-1
(SHEET 2 OF 2)

TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 51.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°40'07", AN ARC LENGTH OF 13.06 FEET; THENCE N17°40'55"W 22.51 FEET; THENCE N86°54'29"E 30.96 FEET; THENCE N66°23'59"E 66.04 FEET; THENCE N02°59'46"W 16.91 FEET TO SAID SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY; THENCE ALONG SAID SOUTHERLY BOUNDARY, S86°57'14"W 10.00 FEET TO A LINE PARALLEL WITH AND DISTANT 10.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "N02°59'46"W 16.91 FEET"; THENCE ALONG SAID PARALLEL LINE, S02°59'46"E 9.98 FEET TO A LINE PARALLEL WITH AND DISTANT 10.00 FEET NORTHERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "N66°23'59"E 66.04 FEET"; THENCE ALONG SAID PARALLEL LINE, S66°23'59"W 62.23 FEET; THENCE S86°54'29"W 26.80 FEET; THENCE N03°05'31"W 3.48 FEET; THENCE N87°26'10"W 42.53 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 25,518 SQUARE FEET, MORE OR LESS.

APN: 8760-008-003 AND 8760-008-004

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

Feb. 15, 2018
DATE:



EXHIBIT "B-2"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

PORTION OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003 AND 8760-008-004

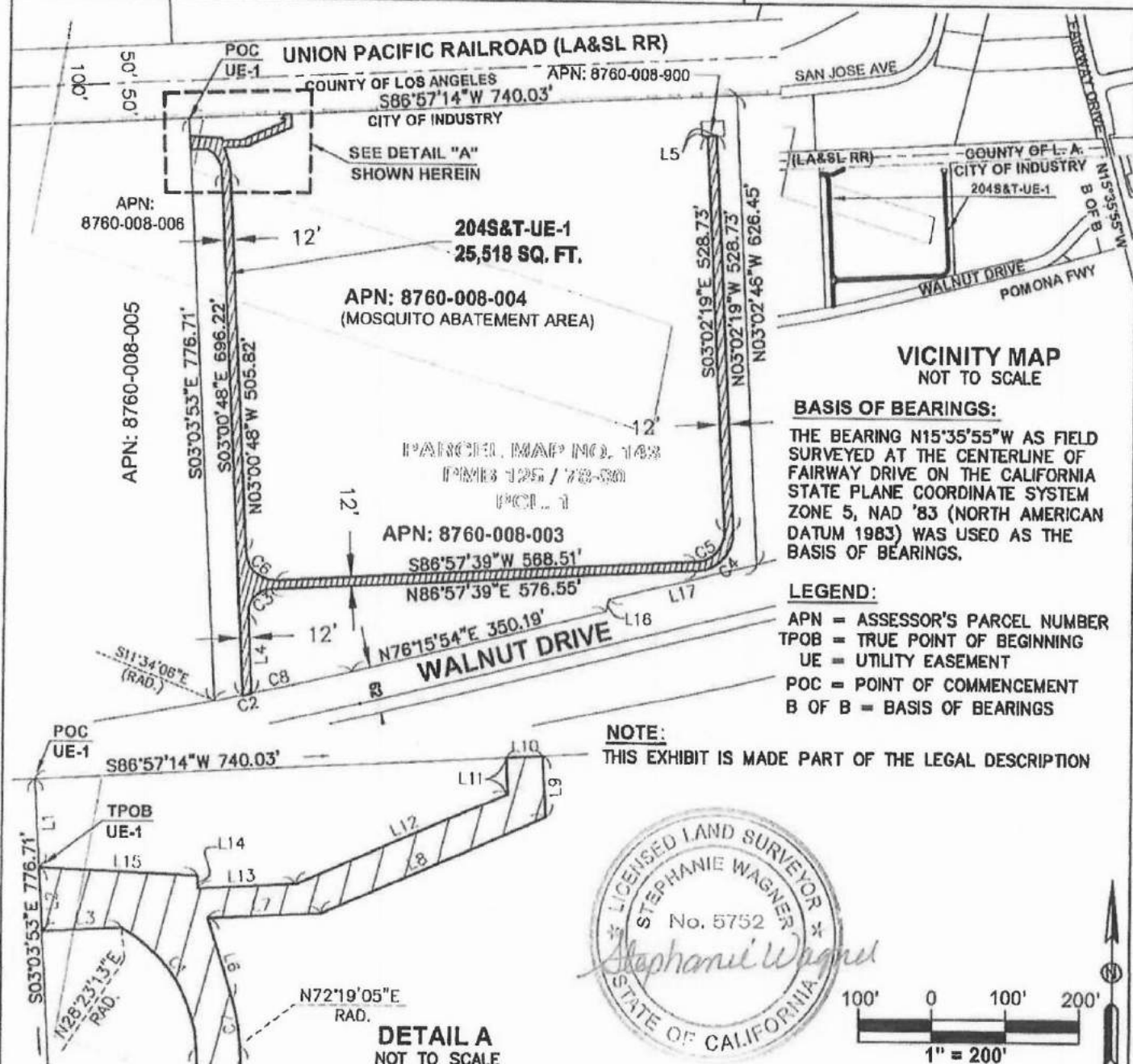
ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

7/10/18



AREA	TOTAL	UE	REMAINDER
SQUARE FEET	522,450	25,518	496,932

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION

CITY OF INDUSTRY

SHEET 1 OF 2

DATE: 02-15-2018

SCALE: 1"=200'

REV. No. DATE:

REV. No. DATE:

72
ACE
PARCEL No 204S&T-UE-1

WAGNER ENGINEERING &
SURVEY, INC.

ACE
RECOMMENDED BY:

Stephanie Wagner Charles Tsang 7.1.18

CHECKED BY: L.S.:5752

PROJECT MANAGER DATE

EXHIBIT "B-2"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL
 PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B,
 A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.
 PORTION OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF
 LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.
 APN: 8760-008-003 AND 8760-008-004

ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

7/10/18

LINE TABLE		
LINE	BEARING	LENGTH
L1	S03°03'53"E	24.21'
L2	S03°03'53"E	17.29'
L3	N86°59'16"E	21.27'
L4	N03°00'48"W	106.57'
L5	S86°57'14"W	12.00'
L6	N17°40'55"W	22.51'
L7	N86°54'29"E	30.96'
L8	N66°23'59"E	66.04'
L9	N02°59'46"W	16.91'
L10	S86°57'14"W	10.00'
L11	S02°59'46"E	9.98'
L12	S86°23'59"W	62.23'
L13	S86°54'29"W	26.80'
L14	N03°05'31"W	3.48'
L15	N87°26'10"W	42.53'
L16	N13°54'10"E	16.93'
L17	N76°15'54"E	206.14'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	39.89'	39.00'	58°35'58"
C2	12.14'	3993.00'	0°10'27"
C3	48.68'	31.00'	89°58'27"
C4	80.11'	51.00'	89°59'58"
C5	61.26'	39.00'	89°59'58"
C6	61.28'	39.00'	90°01'33"
C7	13.06'	51.00'	14°40'07"
C8	190.70'	3993.00'	2°44'11"



AREA	TOTAL	UE	REMAINDER
SQUARE FEET	522,450	25,518	496,932

ALAMEDA CORRIDOR — EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
 SURVEY, INC.

ACE
 RECOMMENDED BY:

CHECKED BY: *Stephanie Wagner* L.S.: 5752
 PROJECT MANAGER: *Charles Tsay* DATE: 7-1-18

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY
 SHEET 2 OF 2

DATE: 02-15-2018

SCALE: NTS

REV. No. DATE:

REV. No. DATE:

ACE
 PARCEL No. 204S&T-UE-1

EXHIBIT "A-3"

LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCEL 204S-TCE1

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, FORMERLY LOS ANGELES AND SALT LAKE RAILROAD, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1, S03°02'46"E 15.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EASTERLY LINE, S03°02'46"E 16.50 FEET TO A LINE PARALLEL WITH AND DISTANT 32.00 FEET SOUTHERLY FROM THE NORTHERLY LINE OF SAID PARCEL 1; THENCE ALONG SAID PARALLEL LINE, S86°57'14"W 697.70 FEET; THENCE N03°03'21"W 16.50 FEET TO A LINE PARALLEL WITH AND DISTANT 15.50 FEET SOUTHERLY FROM SAID NORTHERLY LINE OF PARCEL 1; THENCE ALONG SAID LAST MENTIONED PARALLEL LINE, N86°57'14"E 633.81 FEET; THENCE S02°31'49"E 8.54 FEET; THENCE N87°28'11"E 10.00 FEET; THENCE N02°31'49"W 8.63 FEET TO SAID LAST MENTIONED PARALLEL LINE; THENCE ALONG SAID PARALLEL LINE, N86°57'14"E 53.89 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 11,426 SQUARE FEET.

APN: 8760-008-003

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:


ARMANDO V. ABAD, P.L.S. 8445

8/23/13
DATE:



EXHIBIT "B-3"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

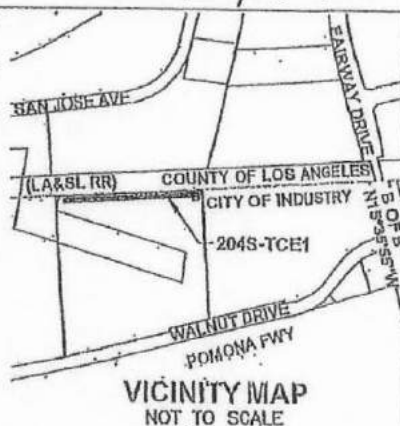
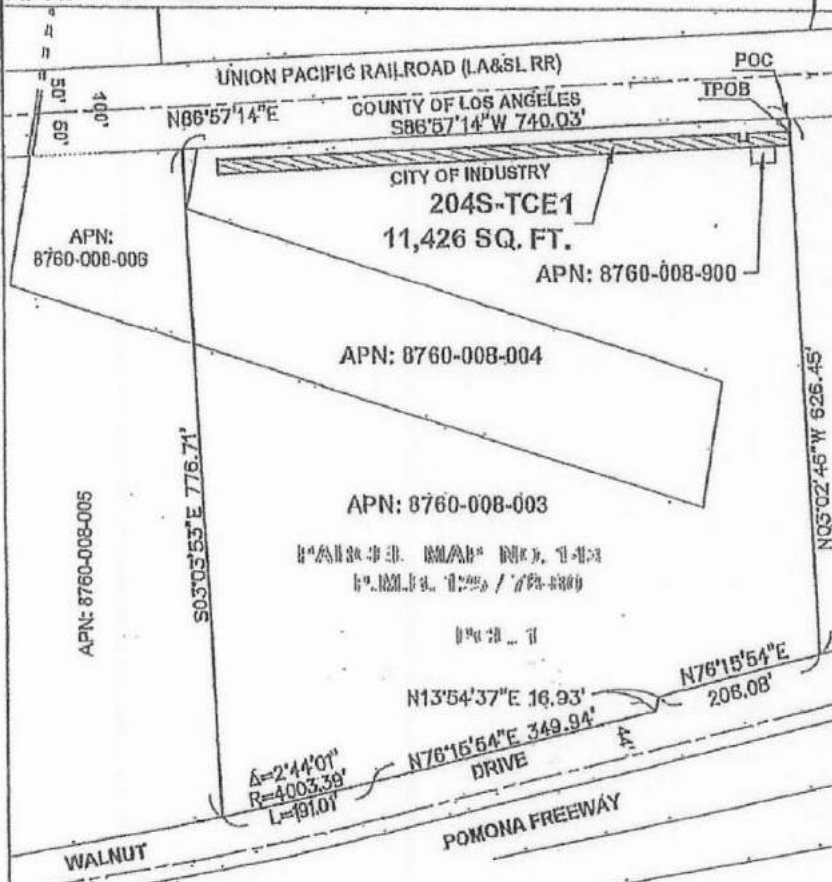
PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003

ACE

RECOMMENDED BY: *[Signature]*
CHIEF ENGINEER

DATE: 8/26/13



LEGEND:

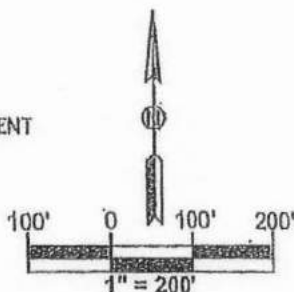
- APN = ASSESSOR'S PARCEL NUMBER
- B OF B = BASIS OF BEARINGS
- TPOB = TRUE POINT OF BEGINNING
- TCE = TEMPORARY CONSTRUCTION EASEMENT
- POC = POINT OF COMMENCEMENT

NOTE:

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.

BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 6, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.



AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	522,450	11,426	511,024

ALAMEDA CORRIDOR — EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION

CITY OF INDUSTRY

SHEET 1 OF 2

DATE: 08-23-2013

SCALE: 1"=200'

REV. No. DATE:

REV. No. DATE:

ACE PARCEL No 204S-TCE1

WAGNER ENGINEERING & SURVEY, INC.

ACE

ACCEPTED BY:

Charles Tsang
PROJECT MANAGER DATE

L.S.: 8445

EXHIBIT "B-3"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5% INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

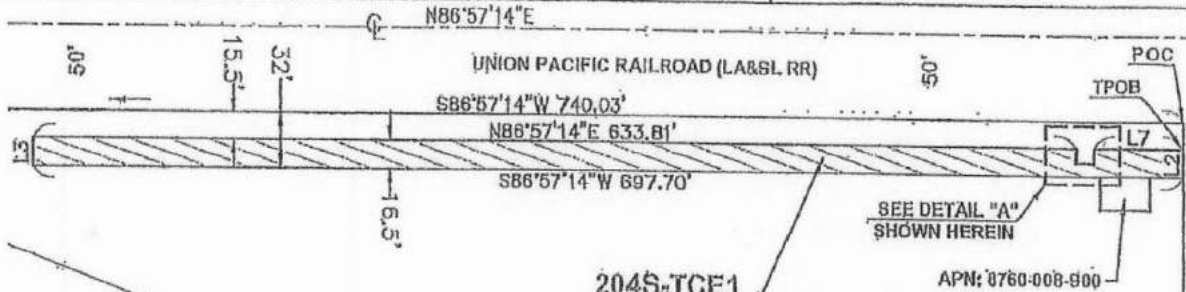
PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003

ACE

RECOMMENDED BY: *[Signature]*
CHIEF ENGINEER

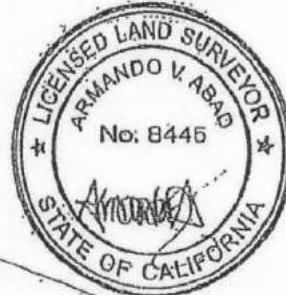
DATE: 8/26/13



204S-TCE1
11,426 SQ. FT.

APN: 8760-008-003

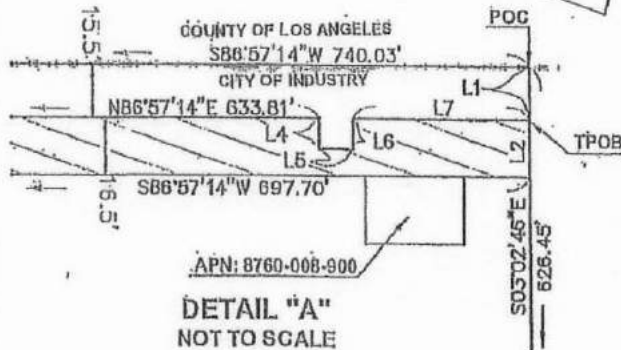
APN: 8760-008-900



PARCEL MAP NO. 143
P.M.B. 125 / 78-80
INDUSTRY, CA

APN: 8760-008-004
(MOSQUITO ABATEMENT AREA)

LINE TABLE		
LINE	BEARING	LENGTH
L1	S03°02'46"E	15.50'
L2	S03°02'46"E	18.50'
L3	N03°03'21"W	18.50'
L4	S02°31'49"E	8.54'
L5	N87°28'11"E	10.00'
L6	N02°31'49"W	8.63'
L7	N88°57'14"E	63.89'



DETAIL "A"
NOT TO SCALE

AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	522,450	11,426	511,024

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY
SHEET 2 OF 2

DATE: 08-23-2013

SCALE: 1"=100'

REV. No. DATE:

REV. No. DATE:

ACE PARCEL No 204S-TCE1

WAGNER ENGINEERING &
SURVEY, INC.
[Signature]
CHECKED BY: L.S. 0445

ACE
ACCEPTED BY:
[Signature]
PROJECT MANAGER DATE

EXHIBIT "A-4"

LEGAL DESCRIPTIONS FOR TEMPORARY CONSTRUCTION EASEMENTS PURPOSES
PARCELS 204S&T-TCE2A AND 204S&T-TCE2B
(SHEET 1 OF 3)

PARCEL 204S&T-TCE2A:

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, FORMERLY LOS ANGELES AND SALT LAKE RAILROAD, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1, S03°02'46"E 32.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EASTERLY LINE, S03°02'46"E 30.96 FEET; THENCE LEAVING SAID EASTERLY LINE, S86°57'41"W 23.80 FEET; THENCE S03°02'19"E 517.78 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 57.00 FEET; THENCE SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'58", AN ARC LENGTH OF 89.53 FEET; THENCE S86°57'39"W 568.51 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 57.00 FEET; THENCE NORTHWESTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°01'33", AN ARC LENGTH OF 89.56 FEET; THENCE N03°00'48"W 505.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 33.00 FEET; THENCE NORTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91°38'34", AN ARC LENGTH OF 52.78 FEET TO SAID WESTERLY LINE OF SAID PARCEL 1; THENCE ALONG SAID WESTERLY LINE, N03°03'53"W 0.30 FEET; THENCE LEAVING SAID WESTERLY LINE, N86°59'16"E 21.27 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 39.00 FEET, A RADIAL LINE TO SAID POINT BEARS N28°23'13"E; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 58°35'58", AN ARC LENGTH OF 39.89 FEET; THENCE S03°00'48"E 505.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 51.00 FEET; THENCE SOUTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°01'33", AN ARC LENGTH OF 80.13 FEET; THENCE N86°57'39"E 568.51 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 51.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'58", AN ARC LENGTH OF 80.11 FEET; THENCE N03°02'19"W 528.73 FEET TO THE SOUTHERLY BOUNDARY OF DEED RECORDED DECEMBER 27, 1978 AS INSTRUMENT NO. 78-1437197, IN OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER; THENCE ALONG SAID SOUTHERLY BOUNDARY, N86°57'14"E 9.80 FEET TO THE SOUTHEASTERLY CORNER OF SAID DEED; THENCE ALONG THE EASTERLY BOUNDARY OF SAID DEED, N03°02'46"W 20.00 FEET TO THE NORTHEASTERLY CORNER THEREOF; THENCE N86°57'14"E 20.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 11,558 SQUARE FEET.

EXHIBIT "A-4"

LEGAL DESCRIPTIONS FOR TEMPORARY CONSTRUCTION EASEMENTS PURPOSES
PARCELS 204S&T-TCE2A AND 204S&T-TCE2B
(SHEET 2 OF 3)

PARCEL 204S&T-TCE2B:

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, FORMERLY LOS ANGELES AND SALT LAKE RAILROAD, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1, S03°02'46"E 32.00 FEET; THENCE LEAVING SAID EASTERLY LINE, S86°57'14"W 50.00 FEET TO THE NORTHWESTERLY CORNER OF DEED RECORDED DECEMBER 27, 1978 AS INSTRUMENT NO. 78-1437197, IN OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER, SAID CORNER BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING S86°57'14"W 30.14 FEET; THENCE S02°33'35"E 33.00 FEET; THENCE N86°57'14"E 11.08 FEET; THENCE S02°31'49"E 395.48 FEET; THENCE N87°28'11"E 25.05 FEET; THENCE S03°02'19"E 120.04 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 33.00 FEET; THENCE SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'58", AN ARC LENGTH OF 51.84 FEET; THENCE S86°57'39"W 568.51 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 33.00 FEET; THENCE NORTHWESTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°01'33", AN ARC LENGTH OF 51.85 FEET; THENCE N03°00'48"W 112.16 FEET; THENCE N86°59'12"E 22.69 FEET; THENCE N03°09'03"W 436.49 FEET; THENCE S86°57'14"W 5.00 FEET; THENCE S03°05'31"E 8.09 FEET; THENCE S86°54'29"W 36.26 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 51.00 FEET, A RADIAL LINE TO SAID POINT BEARS N44°08'18"E; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 42°50'54", AN ARC LENGTH OF 38.14 FEET; THENCE S03°00'48"E 505.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 39.00 FEET; THENCE SOUTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°01'33", AN ARC LENGTH OF 61.28 FEET; THENCE N86°57'39"E 568.51 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 39.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'58", AN ARC LENGTH OF 61.26 FEET; THENCE N03°02'19"W 528.73 FEET TO THE SOUTHERLY BOUNDARY OF SAID DEED; THENCE ALONG SAID SOUTHERLY BOUNDARY, S86°57'14"W 8.20 FEET TO THE SOUTHWESTERLY CORNER OF SAID DEED; THENCE ALONG THE WESTERLY BOUNDARY OF SAID DEED, N03°02'46"W 20.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 30,435 SQUARE FEET.

EXHIBIT "A-4"

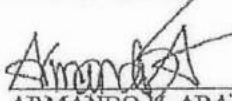
LEGAL DESCRIPTIONS FOR TEMPORARY CONSTRUCTION EASEMENTS PURPOSES
PARCELS 204S&T-TCE2A AND 204S&T-TCE2B
(SHEET 3 OF 3)

APN: 8760-008-003 AND 8760-008-004

NOTE:

THESE LEGAL DESCRIPTIONS WERE 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:


ARMANDO V. ABAD, P.L.S. 8445

8/23/13
DATE:

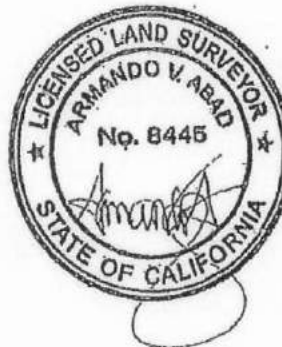


EXHIBIT "B-4"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

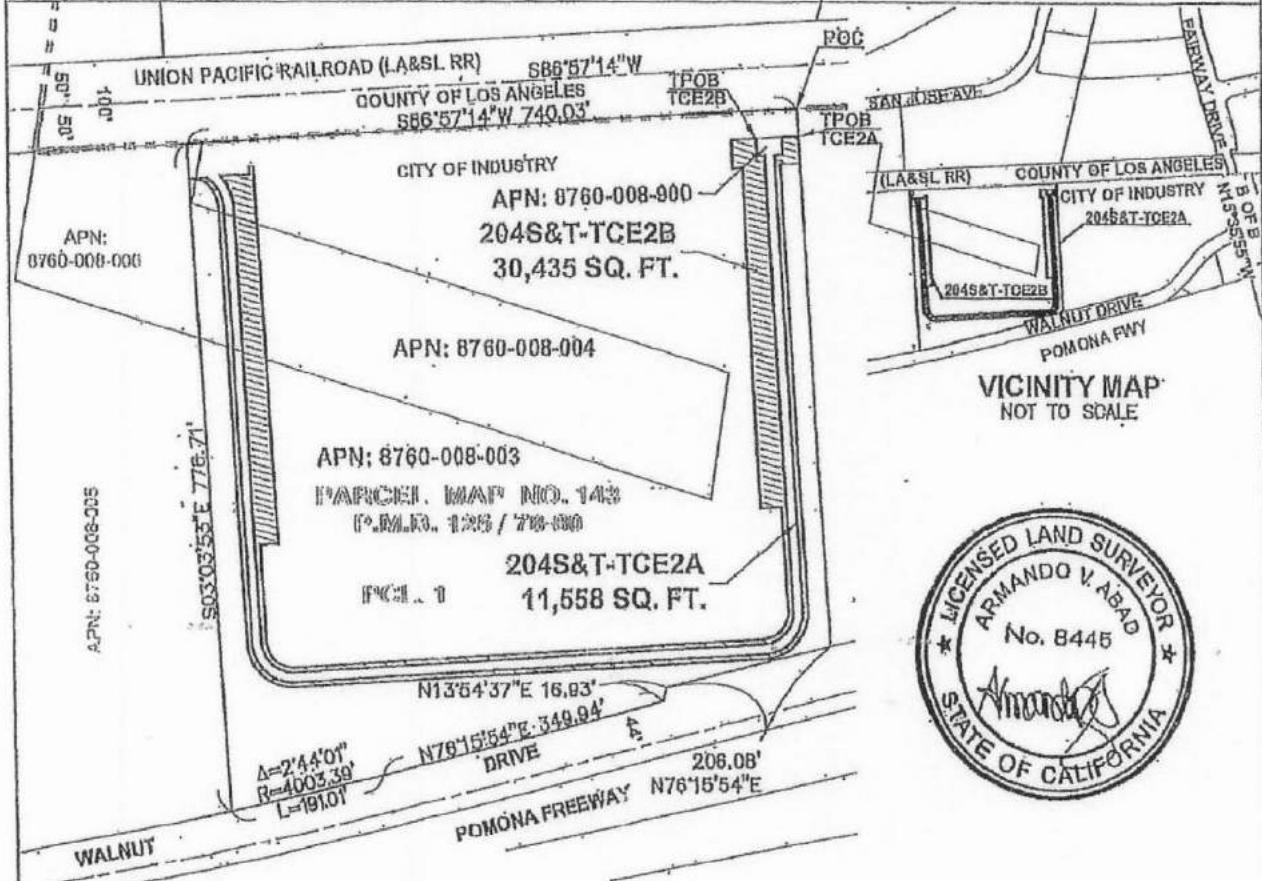
PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003 AND 8760-008-004

ACE

RECOMMENDED BY: *[Signature]*
CHIEF ENGINEER

DATE: 8/26/13

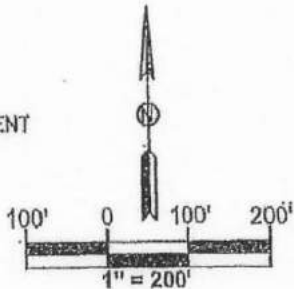


LEGEND:

- APN = ASSESSOR'S PARCEL NUMBER
- B OF B = BASIS OF BEARINGS
- TPOB = TRUE POINT OF BEGINNING
- TCE = TEMPORARY CONSTRUCTION EASEMENT
- POC = POINT OF COMMENCEMENT

NOTE:

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.



NOTE:

SEE DETAIL ON SHEETS 2 AND 3.

BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.

AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	522,450	41,993	480,457

ALAMEDA CORRIDOR — EAST
CONSTRUCTION AUTHORITY

WAGNER ENGINEERING & SURVEY, INC.
[Signature]
CHECKED BY: L.S. 8445

ACE
ACCEPTED BY: *[Signature]*
PROJECT MANAGER DATE

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY
SHEET 1 OF 3

DATE: 04-05-2013
SCALE: 1"=200'
REV. No. 1 DATE: 05-29-2013
REV. No. 2 DATE: 08-23-2013
ACE 204S&T-TCE2A
PARCEL No 204S&T-80B

EXHIBIT "B-4"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003 AND 8760-008-004

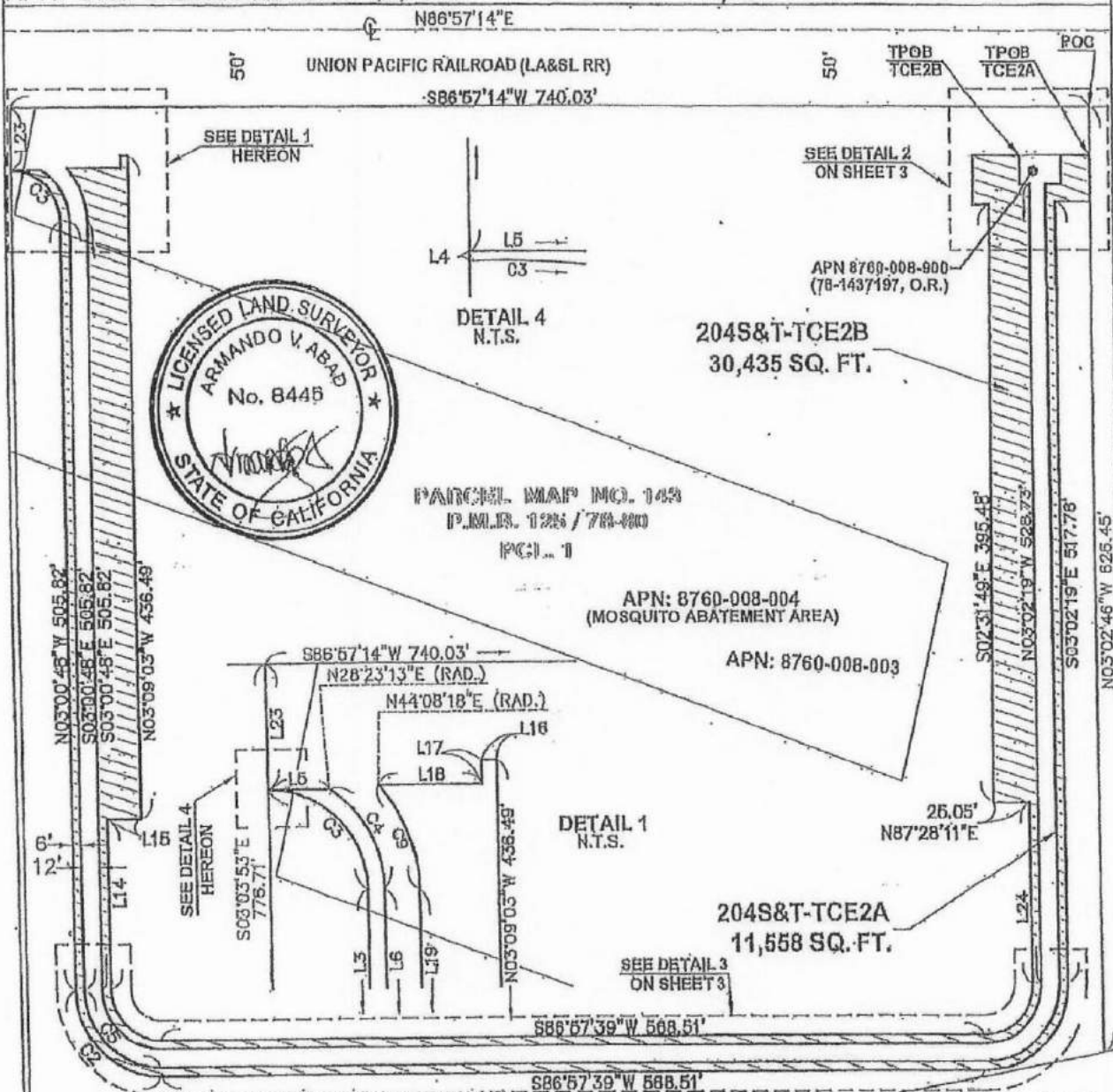
ACE

RECOMMENDED BY:

CHIEF ENGINEER

DATE:

8/26/13



AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	522,450	41,993	480,457

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY
SHEET 2 OF 3

WAGNER ENGINEERING &
SURVEY, INC.

ACE
ACCEPTED BY:

Charles Tsang 8/26/13
PROJECT MANAGER DATE

DATE: 04-05-2013

SCALE: 1"=100'

REV. No. 1 DATE: 05-29-2013

REV. No. 2 DATE: 08-23-2013

ACE 204S&T-TCE2A

PARCEL No 204S&T-TCE2A

EXHIBIT "B-4"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003 AND 8760-008-004

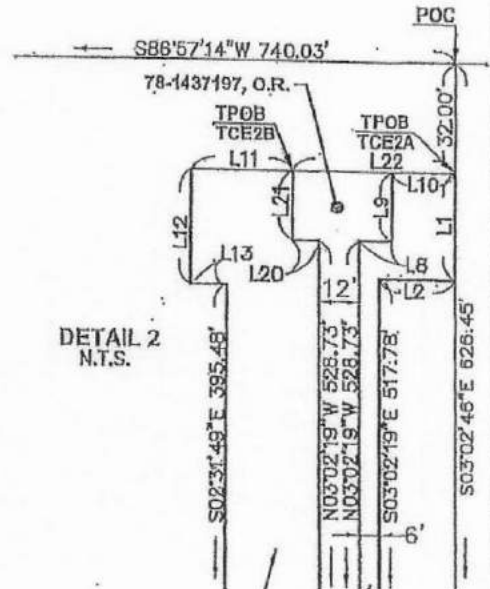
ACE

RECOMMENDED BY: *[Signature]*
CHIEF ENGINEER

DATE: 8/26/13

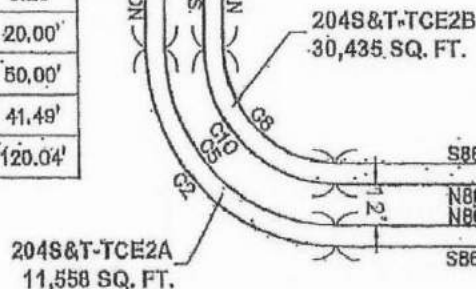
LINE TABLE		
LINE	BEARING	LENGTH
L1	S03°02'46"E	30.98'
L2	S88°57'41"W	23.80'
L3	N03°00'48"W	505.82'
L4	N03°03'53"W	0.30'
L5	N86°59'16"E	21.27'
L6	S03°00'48"E	505.82'
L7	S03°00'48"E	505.82'
L8	N88°57'14"E	9.80'
L9	N03°02'46"W	20.00'
L10	N86°57'14"E	20.00'
L11	S86°57'14"W	30.14'
L12	S02°33'35"E	33.00'
L13	N86°57'14"E	11.08'
L14	N03°00'48"W	112.16'
L16	N86°59'12"E	22.69'
L16	S88°57'14"W	6.00'
L17	S93°05'31"E	8.09'
L18	S86°54'29"W	36.28'
L19	S03°00'48"E	505.82'
L20	S86°57'14"W	8.20'
L21	N03°02'46"W	20.00'
L22	S86°57'14"W	50.00'
L23	S03°03'53"E	41.49'
L24	S03°02'19"E	120.04'

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	
C1	89.53'	57.00'	89°59'58"	
C2	89.56'	57.00'	90°01'33"	
C3	52.78'	33.00'	91°38'34"	
C4	39.89'	39.00'	88°35'58"	
C5	80.13'	51.00'	90°01'33"	
C6	80.11'	51.00'	89°59'58"	
C7	51.84'	33.00'	89°59'58"	
C8	51.85'	33.00'	90°01'33"	
C9	38.14'	51.00'	42°50'54"	
C10	61.28'	39.00'	90°01'33"	
C11	61.26'	39.00'	89°59'58"	



204S&T-TCE2B
30,435 SQ. FT.

204S&T-TCE2A
11,558 SQ. FT.



DETAIL 3
N.T.S.

AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	522,450	41,993	480,457

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY

DATE: 04-05-2013

SCALE: 1"=100'

REV. No. 1 DATE: 05-29-2013

REV. No. 2 DATE: 08-23-2013

ACE 204S&T-TCE2B

PARCEL No 204S&T-TCE2B

WAGNER ENGINEERING & SURVEY, INC.

ACE
ACCEPTED BY:

[Signature]
CHECKED BY: L.S.: 8445

[Signature]
PROJECT MANAGER DATE: 8-26-13

SHEET 3 OF 3

LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCEL 204S-TCE-1
(SHEET 1 OF 2)

PARCEL 204S-TCE1A:

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL, SAID CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD (FORMERLY SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD) RIGHT-OF-WAY, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL, S03°02'46"E 15.50 FEET TO A LINE PARALLEL WITH AND DISTANT 15.50 FEET SOUTHERLY FROM SAID SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY; THENCE ALONG SAID PARALLEL LINE, S86°57'14"W 602.64 FEET TO A POINT; THENCE CONTINUING S86°57'14"W 24.73 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING S86°57'14"W 70.33 FEET; THENCE LEAVING SAID PARALLEL LINE, S03°03'21"E 16.34 FEET; THENCE N86°54'29"E 26.80 FEET; THENCE N66°23'59"E 46.49 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 793 SQUARE FEET, MORE OR LESS.

PARCEL 204S-TCE1B:

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL, SAID CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD (FORMERLY SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD) RIGHT-OF-WAY, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL, S03°02'46"E 15.50 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND DISTANT 15.50 FEET SOUTHERLY FROM SAID SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE ALONG SAID PARALLEL LINE, S86°57'14"W 602.64 FEET; THENCE LEAVING SAID PARALLEL LINE, S02°59'46"E 1.41 FEET; THENCE S66°23'59"W 42.99 FEET TO A LINE PARALLEL WITH AND DISTANT 16.50 FEET SOUTHERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S86°57'14"W 602.64 FEET"; THENCE ALONG SAID PARALLEL LINE, N86°57'14"E 642.89 FEET TO SAID EASTERLY LINE OF PARCEL 1; THENCE ALONG SAID EASTERLY LINE, N03°02'46"W 16.50 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 10,247 SQUARE FEET, MORE OR LESS.

EXHIBIT "A-5"

LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCEL 204S-TCE-1
(SHEET 2 OF 2)

APN: 8760-008-003

NOTE:

THESE LEGAL DESCRIPTIONS WERE 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

March 5, 2018
DATE:



EXHIBIT "B-5"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003

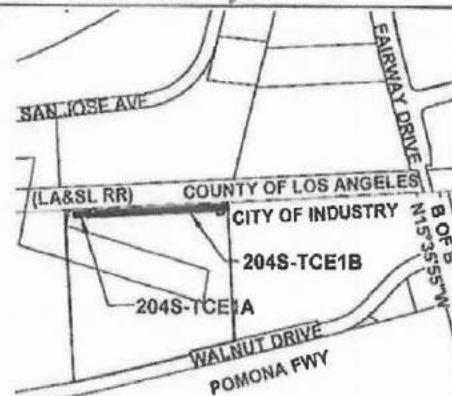
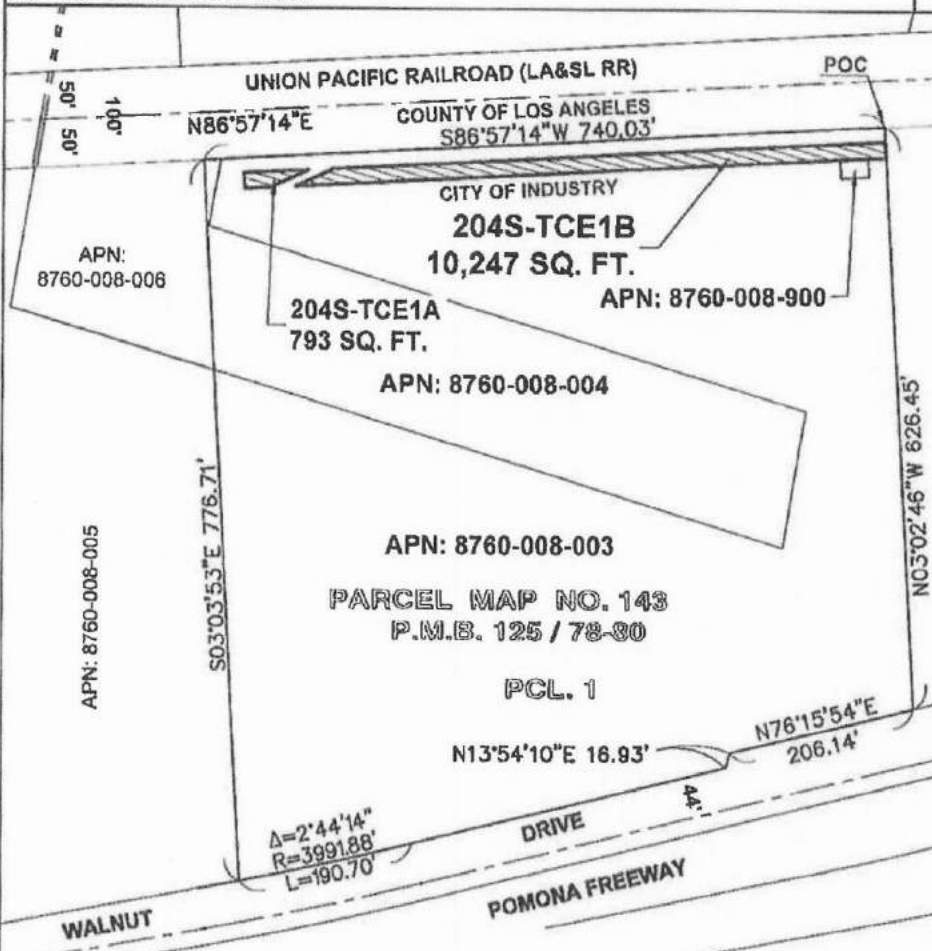
ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

7/11/18



VICINITY MAP
NOT TO SCALE

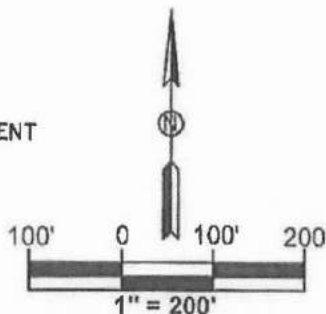


LEGEND:

- APN = ASSESSOR'S PARCEL NUMBER
- B OF B = BASIS OF BEARINGS
- TPOB = TRUE POINT OF BEGINNING
- TCE = TEMPORARY CONSTRUCTION EASEMENT
- POC = POINT OF COMMENCEMENT

NOTE:

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.



BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.

AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	522,450	11,040	511,410

ALAMEDA CORRIDOR – EAST
CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
SURVEY, INC.

ACE
RECOMMENDED BY:

Stephanie Wagner
CHECKED BY: L.S.:5752 PROJECT MANAGER DATE 7.10.18

FAIRWAY DRIVE
GRADE SEPARATION

CITY OF INDUSTRY

SHEET 1 OF 2

DATE: 3/05/2018

SCALE: 1"=200'

REV. No. DATE:

REV. No. DATE:

85

204S-TCE1A
PARCEL No204S-TCE1B

EXHIBIT "B-5"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

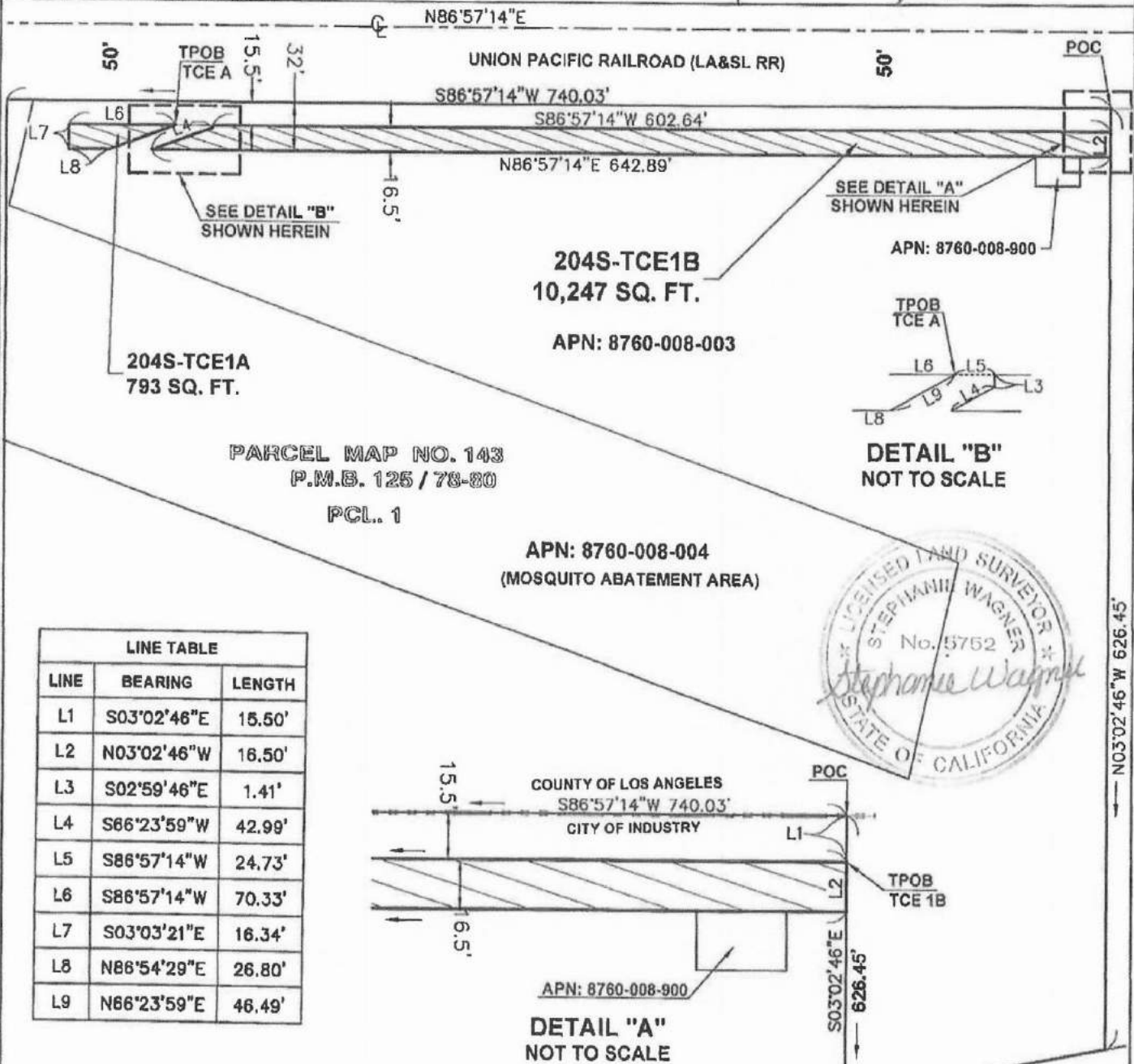
PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003

ACE

ACCEPTED BY: *[Signature]*
CHIEF ENGINEER

DATE: 7/11/18



AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	522,450	11,040	511,410

ALAMEDA CORRIDOR – EAST CONSTRUCTION AUTHORITY

WAGNER ENGINEERING & SURVEY, INC.

CHECKED BY: *[Signature]* L.S.: 5/52

ACE RECOMMENDED BY: *[Signature]*

PROJECT MANAGER DATE

FAIRWAY DRIVE GRADE SEPARATION

CITY OF INDUSTRY

SHEET 2 OF 2

DATE: 03-05-2018

SCALE: 1"=100'

REV. No. DATE:

REV. No. DATE:

86

PARCEL No 204S-TCE1A 204S-TCE1B

EXHIBIT "A-6"

LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES PARCEL 204S&T-TCE2 (SHEET 1 OF 3)

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD (FORMERLY SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD) RIGHT-OF-WAY, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1, S03°02'46"E 32.00 FEET TO A POINT ON THE EASTERLY PROLONGATION OF THE NORTHERLY BOUNDARY OF THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 49, FILED IN BOOK 88, PAGES 98 THROUGH 100, INCLUSIVE OF PARCEL MAPS, AND SHOWN AS "NOT A PART" IN SAID PARCEL MAP NO. 143, SAID POINT BEING THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID EASTERLY LINE, S03°02'46"E 30.96 FEET; THENCE LEAVING SAID EASTERLY LINE, S86°57'41"W 23.80 FEET; THENCE S03°02'19"E 517.78 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 57.00 FEET; THENCE SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'58", AN ARC LENGTH OF 89.53 FEET; THENCE S86°57'39"W 576.55 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°58'27", AN ARC LENGTH OF 39.26 FEET; THENCE S03°00'48"E 105.65 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF WALNUT DRIVE, 62.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP NO. 143, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 3993.00 FEET, A RADIAL BEARING TO SAID POINT BEARS S11°49'47"E; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°20'54", AN ARC LENGTH OF 24.28 FEET TO A LINE PARALLEL WITH AND DISTANT 24.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S03°00'48"E 105.65 FEET"; THENCE ALONG SAID PARALLEL LINE, N03°00'48"W 697.12 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 33.00 FEET; THENCE NORTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91°38'34", AN ARC LENGTH OF 52.78 FEET TO THE WESTERLY LINE OF SAID PARCEL 1; THENCE ALONG SAID WESTERLY LINE, N03°03'53"W 0.30 FEET TO A POINT THAT IS DISTANT 41.50 FEET SOUTHERLY, MEASURED ALONG SAID WESTERLY LINE, FROM THE NORTHWESTERLY CORNER OF SAID PARCEL 1; THENCE LEAVING SAID WESTERLY LINE, N86°59'16"E 21.27 FEET; THENCE N83°32'34"E 23.36 FEET; THENCE N86°54'29"E 30.96 FEET; THENCE N66°23'59"E 4.34 FEET; THENCE S03°09'03"E 429.92 FEET; THENCE S86°59'12"W 22.69 FEET; THENCE S03°00'48"E 112.16 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 33.00 FEET; THENCE SOUTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°01'33", AN ARC LENGTH OF 51.85 FEET TO A POINT OF TANGENCY WITH A LINE THAT IS PARALLEL WITH AND DISTANT 24.00 FEET NORTHERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S86°57'39"W 576.55 FEET"; THENCE ALONG SAID PARALLEL LINE, N86°57'39"E 568.51 FEET TO A CURVE THAT IS CONCENTRIC WITH AND DISTANT 24.00 FEET NORTHWESTERLY FROM SAID CURVE DESCRIBED ABOVE AS HAVING A RADIUS OF 57.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE ⁸⁷THROUGH A CENTRAL ANGLE OF 89°59'58", AN ARC LENGTH OF 51.84 FEET TO A POINT OF TANGENCY

**LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCEL 204S&T-TCE2
(SHEET 2 OF 3)**

WITH A LINE THAT IS PARALLEL WITH AND DISTANT 24.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S03°02'19"E 517.78 FEET"; THENCE ALONG SAID PARALLEL LINE, N03°02'19"W 120.04 FEET; THENCE S87°28'11"W 25.05 FEET; THENCE N02°31'49"W 395.48 FEET; THENCE S86°57'14"W 11.08 FEET; THENCE N02°33'35"W 33.00 FEET; THENCE N86°57'14"E 30.14 FEET TO THE NORTHWESTERLY CORNER OF SAID PORTION OF PARCEL 2 OF PARCEL MAP NO. 49 SHOWN AS "NOT A PART" IN SAID PARCEL MAP NO. 143; THENCE ALONG THE WESTERLY, SOUTHERLY AND EASTERLY BOUNDARIES OF SAID "NOT A PART", THE FOLLOWING COURSES: S03°02'46"E 20.00 FEET; N86°57'14"E 30.00 FEET; AND N03°02'46"W 20.00 FEET TO THE NORTHEASTERLY CORNER THEREOF; THENCE ALONG THE EASTERLY PROLONGATION OF THE NORTHERLY BOUNDARY OF SAID "NOT A PART", N86°57'14"E 20.00 TO THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD (FORMERLY SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD) RIGHT-OF-WAY, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1, S03°03'53"E 41.50 FEET; THENCE LEAVING SAID WESTERLY LINE, N86°59'16"E 21.27 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 39.00 FEET, A RADIAL LINE TO SAID POINT BEARS N28°23'13"E; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 58°35'58", AN ARC LENGTH OF 39.89 FEET; THENCE S03°00'48"E 696.22 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF WALNUT DRIVE, 62.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP NO. 143, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 3993.00 FEET, A RADIAL BEARING TO SAID POINT BEARS S11°34'06"E; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°10'27", AN ARC LENGTH OF 12.14 FEET TO A LINE PARALLEL WITH AND DISTANT 12.00 FEET EASTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S03°00'48"E 696.22 FEET"; THENCE ALONG SAID PARALLEL LINE, N03°00'48"W 106.57 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 31.00 FEET; THENCE NORTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°58'27", AN ARC LENGTH OF 48.68 FEET; THENCE N86°57'39"E 576.55 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 51.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'58", AN ARC LENGTH OF 80.11 FEET; THENCE N03°02'19"W 528.73 FEET TO THE SOUTHERLY LINE OF THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 49, FILED IN BOOK 88, PAGES 98 THROUGH 100, INCLUSIVE OF PARCEL MAPS, AND SHOWN AS "NOT A PART" IN SAID PARCEL MAP NO. 143; THENCE ALONG SAID SOUTHERLY LINE, S86°57'14"W 12.00 FEET TO A LINE PARALLEL WITH AND DISTANT 12.00 FEET WESTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "N03°02'19"W 528.73 FEET"; THENCE ALONG SAID PARALLEL LINE, S03°02'19"E 528.73 FEET TO A CURVE THAT IS CONCENTRIC AND DISTANT 12.00 FEET NORTHWESTERLY FROM SAID CURVE DESCRIBED ABOVE AS CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 51.00 FEET; THENCE SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'58", AN ARC LENGTH OF 61.26 FEET TO

EXHIBIT "A-6"

LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCEL 204S&T-TCE2
(SHEET 3 OF 3)

A POINT OF TANGENCY WITH A LINE THAT IS PARALLEL WITH AND DISTANT 12.00 FEET NORTHERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "N86°57'39"E 576.55 FEET"; THENCE ALONG SAID PARALLEL LINE, S86°57'39"W 568.51 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 39.00 FEET; THENCE NORTHWESTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°01'33", AN ARC LENGTH OF 61.28 FEET TO A POINT OF TANGENCY WITH A LINE THAT IS PARALLEL WITH AND DISTANT 12.00 FEET EASTERLY FROM SAID LINE DESCRIBED ABOVE AS HAVING A BEARING AND DISTANCE OF "S03°00'48"E 696.22 FEET"; THENCE ALONG SAID PARALLEL LINE, N03°00'48"W 505.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 51.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°40'07", AN ARC LENGTH OF 13.06 FEET; THENCE N17°40'55"W 22.51 FEET; THENCE S83°32'34"W 23.36 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 43,498 SQUARE FEET, MORE OR LESS.

APN: 8760-008-003 AND 8760-008-004

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

Feb. 15, 2018
DATE:



EXHIBIT "B-6"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003 AND 8760-008-004

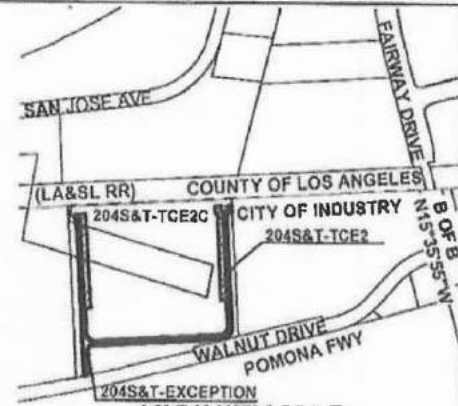
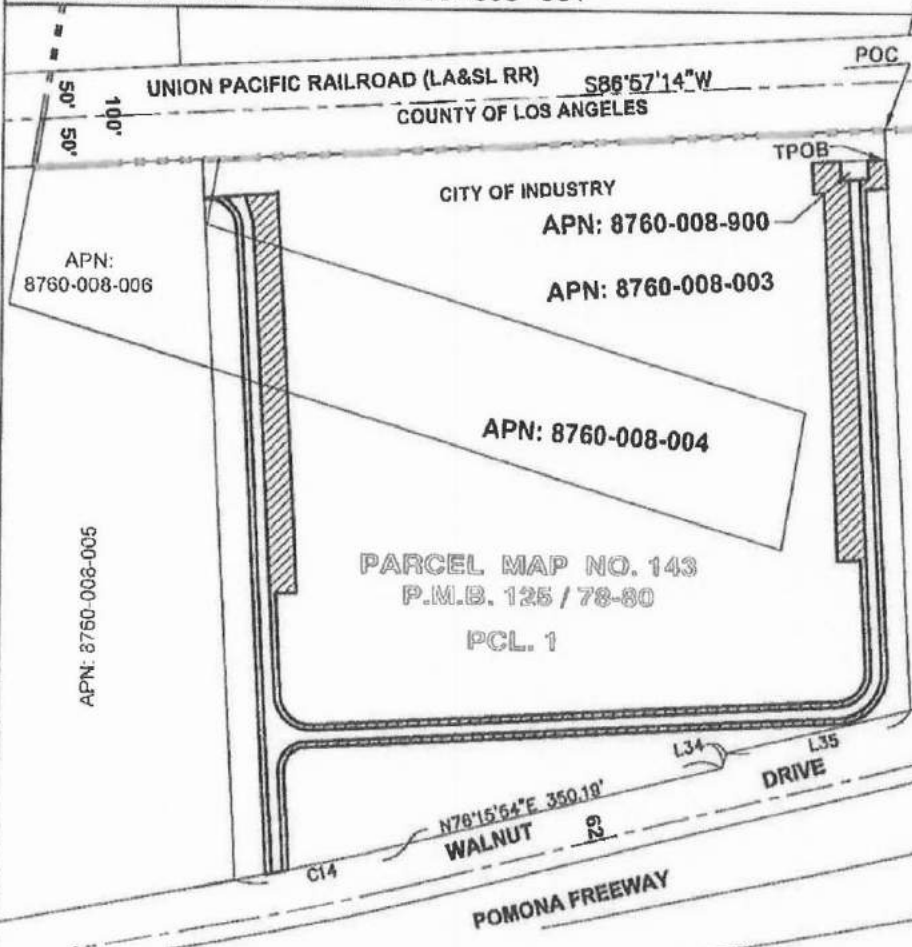
ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

7/11/18



VICINITY MAP
NOT TO SCALE

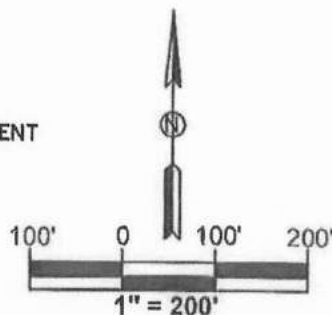


LEGEND:

- APN = ASSESSOR'S PARCEL NUMBER
- B OF B = BASIS OF BEARINGS
- TPOB = TRUE POINT OF BEGINNING
- TCE = TEMPORARY CONSTRUCTION EASEMENT
- POC = POINT OF COMMENCEMENT

NOTE:

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.



NOTE:

SEE DETAIL ON SHEETS 2 AND 3.

BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.

AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	522,450	43,498	478,952

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY

DATE: 02-15-2018

SCALE: 1"=200'

REV. No. DATE:

REV. No. DATE:

204S&T-TCE2
PARCEL No

WAGNER ENGINEERING &
SURVEY, INC.

ACE
RECOMMENDED BY:

Checked by: Stephanie Wagner
L.S.: 5/52

Charles Tsang
PROJECT MANAGER
DATE: 7.10.18

EXHIBIT "B-6"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003 AND 8760-008-004

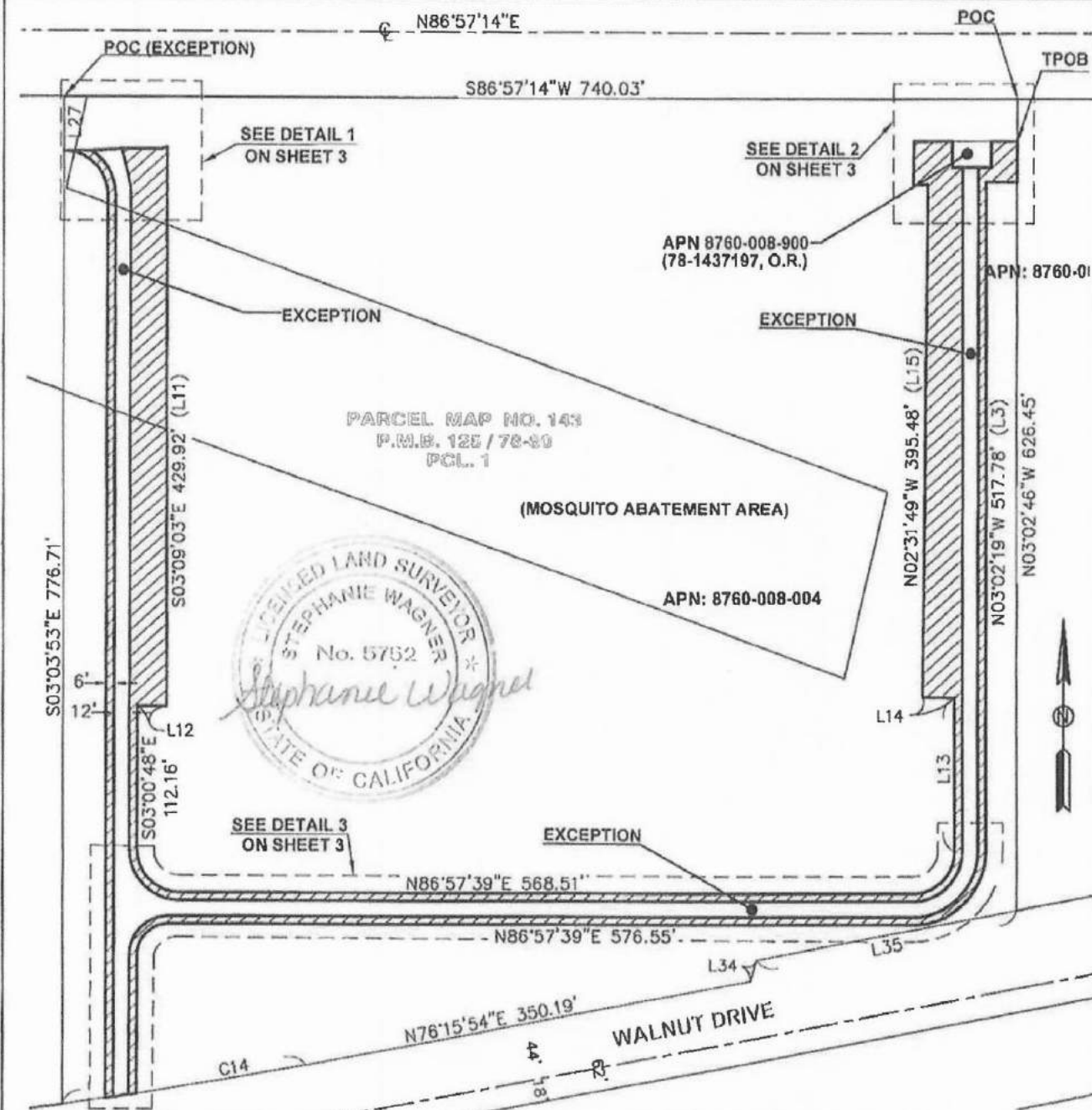
ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

2/15/18



AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	522,450	43,498	478,952

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY
SHEET 2 OF 4

DATE: 2/15/2018

SCALE: 1"=120'

REV. No. DATE:

REV. No. DATE:

91
2045&T-TCE2
PARCEL No

WAGNER ENGINEERING & SURVEY, INC.

ACE
RECOMMENDED BY:

CHECKED BY: L.S.:5752

Charles Tsay 7.10.18
PROJECT MANAGER DATE

EXHIBIT "B-6"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003 AND 8760-008-004

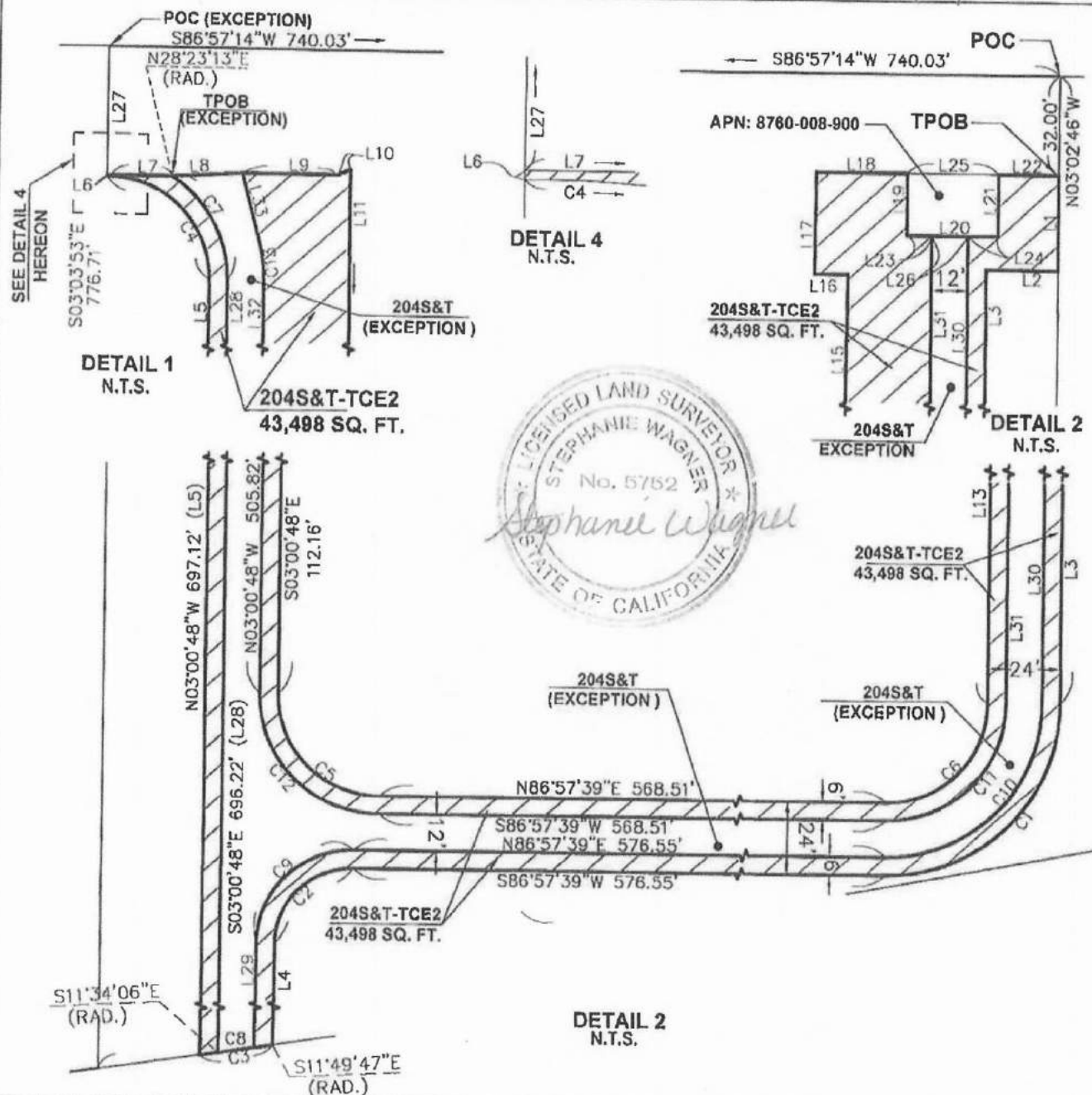
ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

7/10/18



AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	522,450	43,498	478,952

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY
SHEET 3 OF 4

DATE: 02-15-2018

SCALE: NTS

REV. No. DATE:

REV. No. DATE:

PARCEL 192 204S&T-TCE2

WAGNER ENGINEERING &
SURVEY, INC.

ACE
RECOMMENDED BY:

Checked by: Stephanie Wagner
L.S.: 5752
PROJECT MANAGER: Charles Bay
DATE: 7-10-18

EXHIBIT "B-6"

OWNER: MAJESTIC REALTY CO., A CA. CORP., AS TO 50% INTEREST; INDUSTRIAL
 PARK E SUB B, LLC, A DEL. LLC, AS TO AN UNDIVIDED 47.5%; INDUSTRIAL PARK E I-B,
 A DEL. LLC, AS TO AN UNDIVIDED 2.5 INTEREST.

PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF
 LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003 AND 8760-008-004

ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

7/11/18

LINE TABLE

LINE	BEARING	LENGTH
L1	S03°02'46"E	30.96'
L2	S86°57'41"W	23.80'
L3	S03°02'19"E	517.78'
L4	S03°00'48"E	105.65'
L5	N03°00'48"W	697.12'
L6	N03°03'53"W	0.30'
L7	N86°59'16"E	21.27'
L8	N83°32'34"E	23.36'
L9	N86°54'29"E	30.96'
L10	N66°23'59"E	4.34'
L11	S03°09'03"E	429.92'
L12	S86°59'12"W	22.69'
L13	S03°02'19"E	120.04'
L14	S87°28'11"W	25.05'
L15	N02°31'49"W	395.48'
L16	S86°57'14"W	11.08'
L17	N02°33'35"W	33.00'
L18	N86°57'14"E	30.14'
L19	S03°02'46"E	20.00'
L20	N86°57'14"E	30.00'
L21	N03°02'46"W	20.00'
L22	N86°57'14"E	20.00'
L23	S86°57'14"W	8.20'
L24	S86°57'14"W	9.80'
L25	N86°57'14"E	30.00'

LINE TABLE

LINE	BEARING	LENGTH
L26	S86°57'14"W	12.00'
L27	S03°03'53"E	41.50'
L28	S03°00'48"E	696.22'
L29	N03°00'48"W	106.57'
L30	N03°02'19"W	528.73'
L31	S03°02'19"E	528.73'
L32	N03°00'48"W	505.82'
L33	N17°40'55"W	22.51'
L34	N13°54'10"E	16.93'
L35	N76°15'54"E	206.14'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA
C1	89.53'	57.00'	89°59'58"
C2	39.26'	25.00'	89°58'27"
C3	24.28'	3993.00'	0°20'54"
C4	52.78'	33.00'	91°38'34"
C5	51.85'	33.00'	90°01'33"
C6	51.84'	33.00'	89°59'58"
C7	39.89'	39.00'	58°35'58"
C8	12.14'	3993.00'	0°10'27"
C9	48.68'	31.00'	89°58'27"
C10	80.11'	51.00'	89°59'58"
C11	61.26'	39.00'	89°59'58"
C12	61.28'	39.00'	90°01'33"
C13	13.06'	51.00'	14°40'07"
C14	190.70'	3993.00'	2°44'11"



AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	522,450	43,498	478,952

ALAMEDA CORRIDOR — EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
 SURVEY, INC.

ACE
 RECOMMENDED BY:

CHECKED BY: *Stephanie Wagner* L.S.: 5752
 PROJECT MANAGER: *Charles Tsang* DATE: 7.10.18

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY
 SHEET 4 OF 4

DATE: 02-15-2018

SCALE: 1"=100'

REV. No. DATE:

REV. No. DATE:

PARCEL 93204S&T-TCE2

204S-TCE-1, described in the preceding Exhibit A-3, as well as depicted on Exhibit B-3, shall have a duration not to exceed 12 months and shall commence no sooner than 30 days after ACE Construction Authority mails a written Notice of Commencement of TCE to the record owner of the property.

204S&T-TCE2A and 204S&T-TCE2B, described in the preceding Exhibit A-4, as well as depicted on Exhibit B-4, shall have a duration not to exceed 6 months and shall commence no sooner than 30 days after ACE Construction Authority mails a written Notice of Commencement of TCE to the record owner of the property.

204S-TCE1A and 204S-TCE1B, described in the preceding Exhibit A-5 as well as depicted on Exhibit B-5 shall have a duration not to exceed 12 months and shall commence no sooner than 30 days after San Gabriel Valley Council of Governments mails a written Notice of Commencement of TCE to the record owner of the property.

204S&T-TCE2, described in the preceding Exhibit A-6 as well as depicted on Exhibit B-6, shall have a duration not to exceed 6 months and shall commence no sooner than 30 days after San Gabriel Valley Council of Governments mails a written Notice of Commencement of TCE to the record owner of the property.

MEMO TO: Capital Projects and Construction Committee Members and Alternates

FROM: Mark Christoffels
Chief Engineer

DATE: September 24, 2018

SUBJECT: Amended Resolution of Necessity for Property Acquisition - No.13-15
Fairway Drive Grade Separation Project
Property Owner: Majestic Realty Co.et al.
19445-19485 East Walnut Drive North, City of Industry, CA
APN: 8760-008-005 and 8760-008-006
ACE Parcel No.: 204U&V

RECOMMENDATION: Staff recommends the SGVCOG Capital Projects and Construction Committee:

1. Conduct a hearing on Amended Resolution 13-15 (an Amendment to Resolution of Necessity 13-15 of the ACE Construction Authority) finding and determining that the public interest, convenience and necessity require amendment to the acquisition of certain property for public purposes; and
2. Review the evidence presented, including this staff report and public comments and close the hearing; and
3. Adopt the attached Amended Resolution 13-15 authorizing the amendment of eminent domain proceedings, and/or other means, so as to acquire: one (1) modified permanent railroad easement 17,513 s.f, one (1) modified permanent utility easement 25,375 s.f (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity 13-15 as 204U&V-RRE and 204U&V-UE, respectively), as well as the three (3) originally identified, and now unaltered, 24-month temporary construction easements (204U&V-TCE1, 204U&V-TCE2 and 204U&V-TCE3) totaling 11,477 s.f for which the ACE Board adopted Resolution of Necessity No. 13-15. Said interests are legally described on Exhibits A-1, A-2, and A-3, attached hereto and incorporated herein by this reference ("Property") from those certain parcels bearing Los Angeles Assessor Parcel Numbers 8760-008-005 and 8760-008-006. The durations of the TCEs referenced above shall commence no sooner than 30 days after the ACE Construction Authority mails a written Notice of Commencement of TCE. (Note: This requires an affirmative TWO-THIRDS (2/3) vote of the SGVCOG Capital Projects and Construction Committee).

BACKGROUND: The SGVCOG Capital Projects and Construction Committee and the formerly constituted Alameda Corridor East Construction Authority was formed pursuant to the California Joint Powers law (Govt. Code section 6500 et seq.) for purposes of implementing the Alameda Corridor East ("ACE Project"). The ACE Project is a multi-phase project that will improve the safety and efficiency of railroad crossings from Los Angeles, east to San Bernardino County to mitigate some of the impacts created by increased rail traffic from the Ports of Long Beach and Los Angeles.

Included in the ACE Project is a grade separation of Fairway Drive/E. Walnut Drive N. ("Fairway Drive Grade Separation Project") in the City of Industry, County of Los Angeles from the Union Pacific Railroad right-of-way, which will eliminate current and future long delays of traffic at the crossing. The Fairway Drive Grade Separation Project is statutorily exempt from CEQA pursuant to Public Resources Code section 21080.13. In order to accommodate the grade separation at Fairway Drive/E. Walnut Drive N., one (1) permanent railway easement, one (1) permanent utility easement, and three (3) 24-month temporary construction easements, were originally required from those certain parcels bearing Los Angeles Assessor Parcel Numbers 8760-008-005 and 8760-008-006.

The property identified in the original ACE Resolution 13-15 was owned by Majestic Realty Co. and Industrial Park E Sub B and Industrial Park E I-B, LLC. ("The Majestic Owners"). The Larger Parcel is 609,798 s.f, and is improved with two dual-tenant industrial buildings built in 1979, with a gross square footage of approximately 376,560s.f. The site includes asphalt paved loading areas, chain link fencing, a rail spur and rail car loading, freeway visible sign and miscellaneous landscaping.

Pursuant to California Government Code sections 6500 et seq., 7267.2, 37350.5, and 40401 et seq. and 40404, and California Code of Civil Procedure Section 1230.010 et seq., 1240.410 and 1240.020, and Section 19, Article I of the California Constitution, and other authorities, the ACE Construction Authority is authorized to acquire the subject property in part or whole by eminent domain, provided certain procedural steps are followed.

ACE staff tendered an offer to purchase to the Majestic Owners in the amount of \$449,650 on September 25, 2013 for the originally identified easements. But, with an agreement not having been reached, the Board adopted a Resolution of Necessity for acquisition of the originally identified easements, on October 28, 2013, and Eminent Domain proceedings were commenced on November 12, 2013, ACE having made all necessary findings and having met all statutory prerequisites thereto. (The property interests in Resolution 13-15 were combined with those in ACE Resolutions 13-11, 13-14, and 13-16

for Eminent Domain filing purposes due to proximity and common ownership of the parcels.)

During construction of the Project, the Majestic Owners discovered that the Project design assumed a disconnected rail spur on the parcel was abandoned, and requested that ACE revise the Project design to allow for future reconnection of the rail spur in question. ACE engineers were able to modify the design and obtain approval from UPRR to accommodate reconnection of the spur track. Accordingly, with the project redesign modified right-of-way requirements are necessary. Therefore, SGVCOG, the Majestic Owners, their successor owners (the larger parcel was sold by Majestic Realty Co. in 2017), and the sole tenant on the property, Furniture of American Corporation ("FoAC") have entered into a Stipulation (attached hereto as Exhibit 1) whereby they agree that: a request would be made to SGVCOG's Governing Board at its first available public meeting to consider adoption of an Amended Resolution of Necessity ("Amended RON") for: one (1) modified permanent railroad easement, one (1) modified permanent utility easement, (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity 13-15 as 204U&V-RRE and 204U&V-UE, respectively), as well as the three (3) originally identified, and now unaltered, 24-month temporary construction easements (204U&V-TCE1, 204U&V-TCE2 and 204V&V-TCE3) for which the ACE Board adopted Resolution of Necessity No. 13-15. Said interests are legally described on Exhibits A-1, A-2, and A-3, attached hereto and incorporated herein by this reference ("Property") from those certain parcels bearing Los Angeles Assessor Parcel Numbers 8760-008-005 and 8760-008-006 for the above-stated public use.

By way of the stipulation attached hereto as Exhibit 1, Majestic Owners, the Successor Owners and FoAC waive further notice of the hearing on the proposed Amended RON and stipulate that all requirements necessary for consideration of adoption of the Amended RON had been satisfied, including those matters in Article 2 of the Eminent Domain Law and those matters related to a statutory offer as set forth in Government Code section 7267.2. The Majestic Owners, the Successor Owners, and FoAC further stipulate that if SGVCOG's Governing Board approves the request and adopts an Amended RON for the taking of the revised easements affecting Assessor Parcel Nos. 8760-008-005 and 8760-008-006 ("Subject Property"), that said modified taking is necessary for the Project, that the public interest and necessity require the Project, and 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.

The parties agreed that if SGVCOG's Governing Board approves the request and adopts an Amended RON to modify the taking of portions of the property, a First Amended Complaint in Eminent Domain, supported by the Amended RON shall be filed.

After conducting the public hearing, if the SGVCOG Capital Projects and Construction Committee finds that the public necessity so requires, the SGVCOG Capital Projects and Construction Committee should adopt the attached Amended Resolution of Necessity 13-15, authorizing amendment of condemnation proceedings for the purpose of acquiring the modified property which interest are described in Resolution 13-15.

The findings, which need to be made, are as set forth in the Resolution of Necessity. Specifically, the SGVCOG Capital Projects and Construction Committee must find:

1. That the public interest, convenience and necessity require the acquisition of the proposed project. As proposed, the Fairway Drive Grade Separation Project will serve public purposes, as discussed above; and
2. That the Fairway Drive Grade Separation Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury. As set forth above, the Property is being acquired to improve the safety and efficiency of the rail crossing by constructing a grade separation at Fairway Drive/E. Walnut Drive N. The original 1997 San Gabriel Valley Council of Governments study looked at alternatives to an underpass and different grade separation configurations to identify any overall project cost and real estate impact reductions. Subsequently, as the design of the project began, ACE staff evaluated alternative configurations in greater detail. Additionally, ACE conducted an Engineering Value Analysis workshop that engaged stakeholders and technical experts to analyze and vet the various design scenarios. The no build alternative was examined through the project ranking process described in the 1997 report. Fairway Drive is a primary arterial street, serving multiple residential and commercial areas. The Fairway Drive Grade Separation project constructed as an underpass will eliminate the possibility of train—vehicle collisions at this location and the effect of stopped and moving trains on vehicular traffic capacity; and in order to build such an underpass with the least private injury several easements should now be modified; and
3. That the amended property interests sought to be acquired are necessary for the Fairway Drive Grade Separation Project. From the subject property it is necessary to acquire: one (1) permanent railroad easement, one (1) permanent utility easement, and three (3) 24-month temporary construction easements. Without the acquisition of the various amended permanent easements, and original temporary construction easements as included in Exhibit 2 attached hereto, the proposed Fairway Drive Grade Separation Project cannot be completed; and

4. That SGVCOG has complied with CEQA. The Fairway Drive Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13. The Legislature created an absolute exemption for railroad grade separations via Public Resources Code § 21080.13, which provides that CEQA “does not apply to any railroad grade separation project which eliminates an existing grade crossing, or which reconstructs an existing grade separation.” Cal. Pub. Res. Code § 21080.13. The Fairway Drive Grade Separation Project eliminates an existing grade crossing. Based upon § 21080.13, the Fairway Drive Grade Separation Project is therefore exempt from CEQA review. Since the Fairway Drive Grade Separation is exempt from CEQA, no environmental review is necessary, and it may be implemented without any CEQA compliance whatsoever.

Questions relating to value are not relevant to this proceeding. However, that does not mean that negotiations for the acquisition of the property interests are at an end. If the SGVCOG Capital Projects and Construction Committee adopts the Amended Resolution of Necessity, after the hearing, negotiations for the acquisition of the property interests may continue to take place.

BUDGET IMPACT: Funds for the acquisition of this property are available from MTA Measure R and Proposition C funds and are included in the Agency’s FY 2019 budget.

ATTACHMENTS

Exhibit 1- Stipulation re: Scope of Take and Transfer of Possession (*See page 12 of this agenda*)

Exhibit 2- Amended Resolution of Necessity No. 13-15with Exhibits

AMENDED RESOLUTION NO. 13-15

**A RESOLUTION OF THE SAN GABRIEL
VALLEY COUNCIL OF GOVERNMENTS IN
FURTHERANCE OF THE ALAMEDA
CORRIDOR-EAST CONSTRUCTION PROJECT
FINDING AND DETERMINING THAT THE
PUBLIC INTEREST, CONVENIENCE AND
NECESSITY REQUIRE AN AMENDMENT TO
THE ACQUISITION OF CERTAIN PROPERTY
FOR PUBLIC PURPOSES**

**THE ALAMEDA CORRIDOR EAST – GATEWAY TO AMERICA CONSTRUCTION
AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The San Gabriel Valley Council of Governments, in furtherance of the Alameda Corridor East Construction Project (hereafter "SGVCOG"), formerly known as the Alameda Corridor East -- Gateway to America Construction Authority on behalf of the San Gabriel Valley Council of Governments (known as "ACE"), after consideration of the staff report, staff presentation, discussion, oral testimony and evidence presented at SGVCOG's Capital Projects and Construction Committee Meeting on Monday, September 24, 2018, at 12 p.m. hereby finds, determines and declares as follows:

- (a) The San Gabriel Valley Council of Governments, in furtherance of the Alameda Corridor East Construction Project is authorized by statute and pursuant to that certain Joint Powers Agreement dated September 17, 1998, as amended, to acquire property by eminent domain within the City of Industry, County of Los Angeles, State of California for the Alameda Corridor-East Project ("ACE Project"); and
- (b) The public interest, convenience and necessity require the proposed Fairway Drive Grade Separation Project in the City of Industry, County of Los Angeles, State of California as part of said Fairway Drive Grade Separation Project, which includes railroad crossing safety and efficiency improvements, and all uses appurtenant thereto intended to partially mitigate the impacts of increased rail traffic from the completed Alameda Corridor on motor vehicle traffic; and
- (c) The interests in real property to be acquired from that certain parcel bearing Los Angeles County Assessor Parcel Nos. 8760-008-005 and 8760-008-006 are: one modified permanent railroad easement, one modified permanent utility easement, (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity 13-15 as 204U&V-RRE and 204U&V-UE, respectively), as well as the three originally identified, and now unaltered, 24-month temporary construction easements (204U&V-TCE1, 204U&V-TCE2 and 204V&V-TCE3) for which the ACE Board adopted Resolution of Necessity No. 13-15. Said interests

are legally described on Exhibits A-1, A-2, and A-3, attached hereto and incorporated herein by this reference ("Property"). The Property is located within the City of Industry, County of Los Angeles, State of California. Maps showing the general location of the Property are attached hereto, marked Exhibits B-1, B-2, and B-3 and are incorporated herein by reference and made a part hereof. The duration of the TCEs sought to be acquired are set forth in Exhibit C, attached hereto and incorporated herein by this reference;

- (d) The Fairway Drive Grade Separation Project is planned and located in a manner that will be most compatible with the greatest public good and least private injury in that it is specifically designed to improve traffic safety and efficiency at the intersection of Fairway Drive/ E. Walnut Drive N. and the Union Pacific Railroad in the City of Industry, County of Los Angeles, State of California.
- (e) The taking of the Property is necessary for the Fairway Drive Grade Separation Project and such taking is authorized by Section 19, Article I of the California Constitution, Sections 6500 et seq., 37350.5, 40401 et seq. and 40404 of the California Government Code, Section 1230.010 et seq., 1240.020 and 1240.410, of the California Code of Civil Procedure, and other applicable law; and
- (f) The offer to purchase required by California Government Code Section 7267.2 has been made to the owner of the Property.
- (g) The necessary notice of hearing on this Resolution has been given, as required by Code of Civil Procedure section 1245.235.
- (h) SGVCOG has fully complied with the California Environmental Quality Act ("CEQA") as the Fairway Drive Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13.

SECTION 2. SGVCOG Capital Projects and Construction Committee hereby declares that it is its intention to acquire said Property in accordance with the provision of the laws of the State of California governing condemnation procedures.

SECTION 3. SGVCOG Capital Projects and Construction Committee further finds that if any portion of the area of the Property has been appropriated to some public use, the public uses to which it is to be applied by ACE Construction Authority, as described above, are more necessary and paramount public uses, pursuant to Code of Civil Procedure section 1240.610, or alternatively, are compatible with those other uses pursuant to Code of Civil Procedure section 1240.510.

SECTION 4. SGVCOG Capital Projects and Construction Committee Legal Counsel is authorized and directed to prepare, institute and prosecute such amended proceedings in the proper Court having jurisdiction thereof as may be necessary for the acquisition of said Property, including the filing of an application for an Order for Possession prior to judgment.

SECTION 5. This Resolution shall be effective immediately upon its adoption.

SECTION 6. The Clerk of the ACE Construction Authority shall certify the adoption of this Resolution and certify this record to be a full true, correct copy of the action taken.

PASSED, APPROVED AND ADOPTED this 24th day of September, 2018.

ATTEST:

Deanna Stanley, Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST COVINA)

I HEREBY CERTIFY that the foregoing Amended Resolution 13-15 was duly adopted by the San Gabriel Valley Council of Governments, Capital Projects and Construction Committee Meeting at a regular meeting thereof, held on the 24th day of September, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Deanna Stanley, Clerk

Placeholder

Plat Maps

&

Legal Descriptions

&

Exhibit C from RON 13-15

**LEGAL DESCRIPTION FOR RAILROAD EASEMENT PURPOSES
PARCEL 204U&V-RRE**

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 2, SAID CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD (FORMERLY SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD) RIGHT-OF-WAY, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE LEAVING SAID SOUTHERLY BOUNDARY AND ALONG THE EASTERLY LINE OF SAID PARCEL, S03°03'53"E 24.21 FEET; THENCE LEAVING SAID EASTERLY LINE, N87°26'10"W 81.76 FEET; THENCE S75°19'15"W 16.29 FEET; THENCE S86°57'14"W 8.22 FEET; THENCE N79°00'36"W 16.49 FEET; THENCE S86°57'14"W 734.40 FEET; THENCE S03°18'49"W 23.97 FEET; THENCE N86°41'11"W 81.24 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID PARCEL 2, SAID POINT BEING ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 461.48 FEET, A RADIAL BEARING TO SAID POINT BEARS N27°25'20"E; THENCE NORTHWESTERLY ALONG SAID WESTERLY BOUNDARY AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°32'09", AN ARC LENGTH OF 68.75 FEET TO SAID SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY; THENCE ALONG SAID SOUTHERLY BOUNDARY, N86°57'14"E 1000.96 FEET TO THE POINT OF BEGINNING.

CONTAINS: 17,513 SQUARE FEET, MORE OR LESS.

APN: 8760-008-005 AND 8760-008-006

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

Feb. 11, 2018
DATE:



EXHIBIT "B-1"

OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%;
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%
 PORTION OF PARCEL 2 OF PARCEL MAP NO. 143, CITY OF CITY OF INDUSTRY,
 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125, PAGES 78-80
 APN: 8760-008-005, 8760-008-006

ACE

ACCEPTED BY:

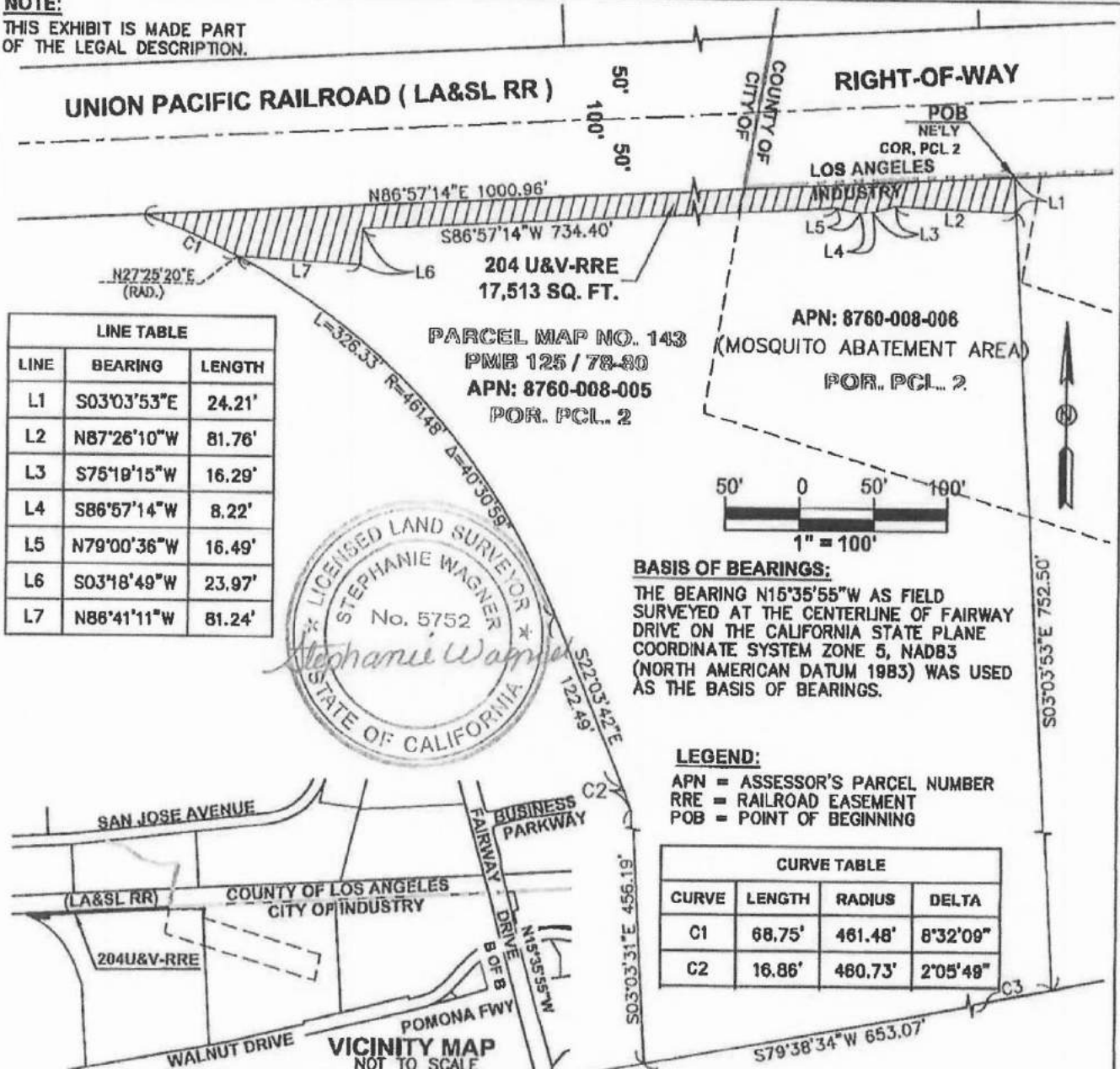
CHIEF ENGINEER

DATE:

7/10/18

NOTE:

THIS EXHIBIT IS MADE PART
 OF THE LEGAL DESCRIPTION.



AREA	TOTAL	RRE	REMAINDER
SQUARE FEET	609,798	17,513	592,285

ALAMEDA CORRIDOR - EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
 SURVEY, INC.

CHECKED BY: *Stephanie Wagner*
 L.S.:5752

ACE
 RECOMMENDED BY:

PROJECT MANAGER: *Charles Tracy*
 DATE: 7.1.18

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY

DATE: 02-11-2018

SCALE: 1"=100'

REV. No. DATE:

REV. No. DATE:

106
 ACE 204U&V-RRE
 PARCEL No

**LEGAL DESCRIPTION FOR UTILITY EASEMENT PURPOSES
PARCEL 204U&V-UE**

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 2, SAID CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD (FORMERLY SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD) RIGHT-OF-WAY, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE LEAVING SAID SOUTHERLY BOUNDARY AND ALONG THE EASTERLY LINE OF SAID PARCEL, S03°03'53"E 24.21 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID EASTERLY LINE, N87°26'10"W 81.76 FEET; THENCE S75°19'15"W 16.29 FEET; THENCE S86°57'14"W 8.22 FEET; THENCE N79°00'36"W 16.49 FEET; THENCE S86°57'14"W 675.52 FEET; THENCE S03°18'49"W 24.69 FEET; THENCE N86°33'57"W 154.10 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID PARCEL 2, SAID POINT BEING ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 461.48 FEET, A RADIAL BEARING TO SAID POINT BEARS N25°29'07"E; THENCE SOUTHEASTERLY ALONG SAID WESTERLY BOUNDARY AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°52'49", AN ARC LENGTH OF 47.36 FEET TO A POINT ON SAID CURVE WITH A RADIAL BEARING THAT BEARS N31°21'55"E; THENCE LEAVING SAID WESTERLY BOUNDARY, S86°33'57"E 145.29 FEET; THENCE N86°57'14"E 87.11 FEET; THENCE N03°08'25"W 22.67 FEET; THENCE N86°59'16"E 681.12 FEET TO SAID EASTERLY LINE OF PARCEL 2; THENCE ALONG SAID EASTERLY LINE, N03°03'53"W 17.29 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINS: 25,375 SQUARE FEET, MORE OR LESS.

APN: 8760-008-005 AND 8760-008-006

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

March 05, 2018
DATE:



EXHIBIT "B-2"

OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%;
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%
 PORTION OF PARCEL 2 OF PARCEL MAP NO. 143, CITY OF CITY OF INDUSTRY,
 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125, PAGES 78-80
 APN: 8760-008-005, 8760-008-006

ACE

ACCEPTED BY:

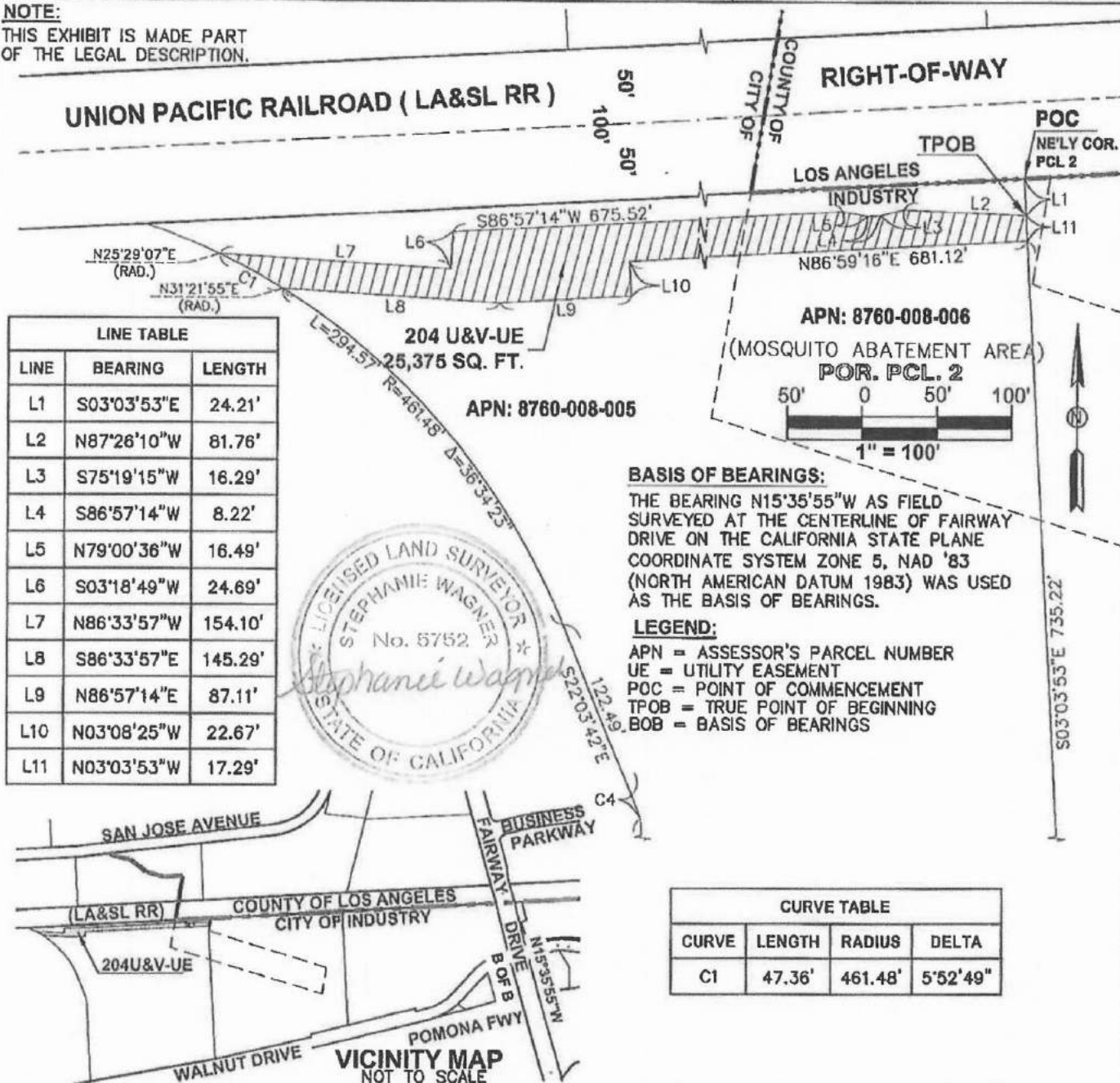
CHIEF ENGINEER

DATE:

7/10/18

NOTE:

THIS EXHIBIT IS MADE PART
 OF THE LEGAL DESCRIPTION.



AREA	TOTAL	UE	REMAINDER
SQUARE FEET	609,798	25,375	584,423

ALAMEDA CORRIDOR – EAST
 CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY

DATE: 03-05-2018

SCALE: 1"=100'

REV. No. DATE:

REV. No. DATE:

108
 ACE 204U&V-UE
 PARCEL No

WAGNER ENGINEERING &
 SURVEY, INC.

ACE
 RECOMMENDED BY:

Stephanie Wagner
 CHECKED BY: L.S.:5752 PROJECT MANAGER DATE

EXHIBIT "A-3"

LEGAL DESCRIPTIONS FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCELS 204U&V-TCE-1, 204U&V-TCE-2 AND 204U&V-TCE-3
(SHEET 1 OF 2)

PARCEL 204U&V-TCE-1:

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 2, SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD, FORMERLY LOS ANGELES AND SALT LAKE RAILROAD, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE EASTERLY LINE OF SAID PARCEL, S03°03'53"E 24.21 FEET; THENCE LEAVING SAID EASTERLY LINE, N87°26'10"W 4.38 FEET TO THE TRUE POINT OF BEGINNING; THENCE S86°59'09"W 730.72 FEET; THENCE N87°50'28"W 86.77 FEET; THENCE N86°57'14"E 107.20 FEET; THENCE S79°00'36"E 16.49 FEET; THENCE N86°57'14"E 8.25 FEET; THENCE N72°55'03"E 16.49 FEET; THENCE N86°57'14"E 552.50 FEET; THENCE S79°00'36"E 16.49 FEET; THENCE N86°57'14"E 8.22 FEET; THENCE N75°19'15"E 16.29 FEET; THENCE S87°26'10"E 77.38 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 5,695 SQUARE FEET.

PARCEL 204U&V-TCE-2:

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 2, SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD, FORMERLY LOS ANGELES AND SALT LAKE RAILROAD, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID RIGHT-OF-WAY, S86°57'14"W 1000.96 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL 2, SAID CORNER BEING AT THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 461.48 FEET, A RADIAL BEARING TO SAID CORNER BEARS N18°53'11"E; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY BOUNDARY OF SAID PARCEL AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°22'10", AN ARC LENGTH OF 35.19 FEET TO THE TRUE POINT OF BEGINNING, A RADIAL BEARING TO SAID POINT BEARS N23°15'21"E; THENCE CONTINUING ALONG SAID BOUNDARY AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°14'46", AN ARC LENGTH OF 18.09 FEET; THENCE LEAVING SAID BOUNDARY, N87°00'36"E 76.23 FEET; THENCE N87°50'28"W 92.67 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 316 SQUARE FEET.

EXHIBIT "A-3"

LEGAL DESCRIPTIONS FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCELS 204U&V-TCE-1, 204U&V-TCE-2 AND 204U&V-TCE-3
(SHEET 2 OF 2)

PARCEL 204U&V-TCE-3:

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 2, SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD, FORMERLY LOS ANGELES AND SALT LAKE RAILROAD, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID RIGHT-OF-WAY, S86°57'14"W 1000.96 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL 2, SAID CORNER BEING AT THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 461.48 FEET, A RADIAL BEARING TO SAID CORNER BEARS N18°53'11"E; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY BOUNDARY OF SAID PARCEL AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°07'06", AN ARC LENGTH OF 73.44 FEET TO THE TRUE POINT OF BEGINNING, A RADIAL BEARING TO SAID POINT BEARS N28°00'18"E; THENCE CONTINUING ALONG SAID BOUNDARY AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°20'22", AN ARC LENGTH OF 43.00 FEET; THENCE LEAVING SAID BOUNDARY, N33°21'33"E 11.45 FEET; THENCE N87°01'18"E 151.65 FEET; THENCE S03°08'25"E 43.06 FEET; THENCE N86°51'35"E 60.00 FEET; THENCE N03°08'25"W 49.42 FEET; THENCE S86°59'16"W 47.18 FEET; THENCE N87°50'23"W 90.58 FEET; THENCE S87°00'36"W 116.80 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 5,466 SQUARE FEET.

APN: 8760-008-005 AND 8760-008-006

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

April 5, 2013
DATE:



EXHIBIT "B-3"

OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;
 INDUSTRIAL PARK E SUB'D, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%
 PORTION OF PARCEL 2 OF PARCEL MAP NO. 143, CITY OF CITY OF INDUSTRY,
 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BOOK 125, PAGES 78-80
 APN: 8760-008-005, 8760-008-006

ACE

RECOMMENDED: *Mal C. [Signature]*
 CHIEF ENGINEER

DATE: 4/17/13

NOTE:
 THIS EXHIBIT IS MADE PART
 OF THE LEGAL DESCRIPTION.



LEGEND:
 APN = ASSESSOR'S PARCEL NUMBER
 TCE = TEMPORARY CONSTRUCTION EASEMENT
 POC = POINT OF COMMENCEMENT
 TPOB = TRUE POINT OF BEGINNING

BASIS OF BEARINGS:
 THE BEARING N15°35'55"W AS FIELD
 SURVEYED AT THE CENTERLINE OF FAIRWAY
 DRIVE ON THE CALIFORNIA STATE PLANE
 COORDINATE SYSTEM ZONE 5, NAD' 83
 (NORTH AMERICAN DATUM 1983) WAS USED
 AS THE BASIS OF BEARINGS.

AREA	TOTAL	TCE (1, 2 & 3)	REMAINDER
SQUARE FEET	609,798	11,477	598,321

ALAMEDA CORRIDOR - EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
 SURVEY, INC.
Stephanie Wagner
 CHECKED BY: L.S. 5752
 APPROVED BY: *Charles Tsang*
 PROJECT MANAGER DATE

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY
 SHEET 1 OF 2

DATE: 04-05-2013
 SCALE: 1"=100'
 REV. No. DATE:
 REV. No. DATE:
 111
 ACE 204U&V-TCE-1
 PARCEL NOTICE-2, TCE-3

EXHIBIT "B-3"

OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%;
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%
 PORTION OF PARCEL 2 OF PARCEL MAP NO. 143, CITY OF CITY OF INDUSTRY,
 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BOOK 126, PAGES 78-80
 APN: 8760-008-005, 8760-008-006

ACE

RECOMMENDED: *[Signature]*
 CHIEF ENGINEER

DATE: 4/17/13

LINE TABLE		
LINE	BEARING	LENGTH
L1	S03°03'53"E	24.21'
L2	N87°28'10"W	4.38'
L3	N87°50'28"W	86.77'
L4	N86°57'14"E	107.20'
L5	S79°00'36"E	16.49'
L6	N86°57'14"E	6.25'
L7	N72°55'03"E	16.49'
L8	N86°57'14"E	552.50'
L9	S79°00'36"E	16.49'
L10	N86°57'14"E	8.22'
L11	N75°19'15"E	16.29'
L12	S87°26'10"E	77.38'
L13	N87°50'28"W	92.67'
L14	N87°00'36"E	76.23'
L15	S87°00'36"W	116.80'
L16	N87°50'23"W	90.58'
L17	S86°59'16"W	47.18'
L18	N03°08'25"W	49.42'
L19	N86°51'35"E	60.00'
L20	S03°08'25"E	43.06'
L21	N33°21'33"E	11.45'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	35.19'	461.48'	4°22'10"
C2	18.09'	461.48'	2°14'46"
C3	73.44'	461.48'	9°07'06"
C4	43.00'	461.48'	5°20'22"
C5	16.86'	460.73'	2°05'49"
C6	44.70'	3993.00'	0°38'29"



AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	609,798	11,477	598,321

ALAMEDA CORRIDOR - EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING & SURVEY, INC. APPROVED BY:

[Signature] *[Signature]* 4-16-13
 CHECKED BY: L.S. 5752 PROJECT MANAGER DATE:

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY
 SHEET 2 OF 2

DATE: 04-05-2013
 SCALE: 1"=100'
 REV. No. DATE:
 REV. No. DATE:
 ACE 204U&V-TCE-112
 PARCEL NOTICE-2, TCE-3

Exhibit "C"

204U&V-TCE-1, 204U&V-TCE-2, and 204U&V-TCE-3, described in the preceding Exhibit A-3, as well as depicted on Exhibit B-3, shall have a duration not to exceed 24 months and shall commence no sooner than 30 days after ACE Construction Authority mails a written Notice of Commencement of TCE to the record owner of the property.

MEMO TO: Capital Projects and Construction Committee Members and Alternates

FROM: Mark Christoffels
Chief Engineer

DATE: September 24, 2018

SUBJECT: Amended Resolution of Necessity for Property Acquisition - No.13-16
Fairway Drive Grade Separation Project
Property Owner: Majestic Realty Co.et al.
19285-19395 East Walnut Drive North, City of Industry, CA
APN: 8760-002-014
ACE Parcel No.: 204W

RECOMMENDATION: Staff recommends the SGVCOG Capital Projects and Construction Committee:

1. Conduct a hearing on Amended Resolution 13-16 (an Amendment to Resolution of Necessity 13-16 of the ACE Construction Authority) finding and determining that the public interest, convenience and necessity require amendment to the acquisition of certain property for public purposes; and
2. Review the evidence presented, including this staff report and public comments and close the hearing; and
3. Adopt the attached Amended Resolution 13-16 authorizing the amendment of eminent domain proceedings, and/or other means, so as to acquire: two (2) new permanent railroad easements (204W-RRE-1A and 204W-RRE-1B) 1,907 s.f and 3,012 s.f, respectively, one (1) new 24-month temporary construction easement (204W-TCE1 (dated 2018)) 285 s.f, one (1) modified permanent utility easement 7,255 s.f, (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity 13-16 as 204W-UE-1, and 204W-UE-2, respectively), as well as the three (3) originally identified, and now unaltered, 12-month temporary construction easements (204W-TCE1, 204W-TCE2 and 204W-TCE3) totaling 6,424 s.f for which the ACE Board adopted Resolution of Necessity No. 13-16. The durations of the TCEs referenced above shall commence no sooner than 30 days after the ACE Construction Authority mails a written Notice of Commencement of TCE. (Note: This requires an affirmative TWO-THIRDS (2/3) vote of the SGVCOG Capital Projects and Construction Committee).

BACKGROUND: The SGVCOG Capital Projects and Construction Committee and the formerly constituted Alameda Corridor East Construction Authority was formed pursuant to the California Joint Powers law (Govt. Code section 6500 et seq.) for purposes of implementing the Alameda Corridor East ("ACE Project"). The ACE Project is a multi-phase project that will improve the safety and efficiency of railroad crossings from Los Angeles, east to San Bernardino County to mitigate some of the impacts created by increased rail traffic from the Ports of Long Beach and Los Angeles.

Included in the ACE Project is a grade separation of Fairway Drive/E. Walnut Drive N. ("Fairway Drive Grade Separation Project") in the City of Industry, County of Los Angeles from the Union Pacific Railroad right-of-way, which will eliminate current and future long delays of traffic at the crossing. The Fairway Drive Grade Separation Project is statutorily exempt from CEQA pursuant to Public Resources Code section 21080.13. In order to accommodate the grade separation at Fairway Drive/E. Walnut Drive N., one (1) permanent utility easement and three (3) 24-month temporary construction easements were originally required from that certain parcel bearing Los Angeles Assessor Parcel Number 8760-002-014.

The property identified in the original ACE Resolution 13-16 was owned by Majestic Realty Co. and Industrial Park E Sub B, LLC and Industrial Park E I-B, LLC, et al. ("The Majestic Owners"). The larger parcel is 936,634 s.f, and is improved with three industrial buildings built in 1981, with a gross square footage of approximately 453,497 s.f. The site includes asphalt paved parking areas, exterior lighting, cement paved loading areas, chain link fencing, a rail spur and rail car loading, freeway visible sign and miscellaneous landscaping.

Pursuant to California Government Code sections 6500 et seq., 7267.2, 37350.5, and 40401 et seq. and 40404, and California Code of Civil Procedure Section 1230.010 et seq., 1240.410 and 1240.020, and Section 19, Article I of the California Constitution, and other authorities, the ACE Construction Authority is authorized to acquire the subject property in part or whole by eminent domain, provided certain procedural steps are followed.

ACE staff tendered an offer to purchase to the Majestic Owners in the amount of \$36,650 on September 25, 2013 for the originally identified easements. But, with an agreement not having been reached, the Board adopted a Resolution of Necessity for acquisition of the originally identified easements, on October 28, 2013, and Eminent Domain proceedings were commenced on November 12, 2013, ACE having made all necessary findings and having met all statutory prerequisites thereto. (The property interests in Resolution 13-16 were combined with those in ACE Resolutions 13-11, 13-14,

and 13-15 for Eminent Domain filing purposes due to proximity and common ownership of the parcels.)

During construction of the Project, the Majestic Owners discovered that the Project design assumed a disconnected rail spur on the parcel was abandoned, and requested that ACE revise the Project design to allow for future reconnection of the rail spur in question. ACE engineers were able to modify the design and obtain approval from UPRR to accommodate reconnection of the spur track. Accordingly, with the project redesign, the right-of-way requirements were modified. Therefore, SGVCOG, the Majestic Owners, and their successor owners (the Larger Parcel was sold by Majestic Realty Co. in 2017), have entered into a Stipulation (attached hereto as Exhibit 1) whereby they agree that: a request would be made to SGVCOG's Governing Board at its first available public meeting to consider adoption of an Amended Resolution of Necessity ("Amended RON") for: two (2) new permanent railroad easements (204W-RRE-1A and 204W-RRE-1B), one (1) new 12-month temporary construction easement (204W-TCE1 (dated 2018)), one (1) modified permanent utility easement, (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity 13-16 as 204W-UE-1, and 204W-UE-2, respectively), as well as the three (3) originally identified, and now unaltered, and 24-month temporary construction easements (204W-TCE1, 204W-TCE2 and 204W-TCE3) for which the ACE Board adopted Resolution of Necessity No. 13-16. Said interests are legally described on Exhibits A-1, A-2, A-3 and, A-4 attached hereto and incorporated herein by this reference ("Property") from those certain parcels bearing Los Angeles Assessor Parcel Number 8760-002-014 for the above-stated public use.

By way of the stipulation attached hereto as Exhibit 1, Majestic Owners, and the Successor Owners waive further notice of the hearing on the proposed Amended RON and stipulate that all requirements necessary for consideration of adoption of the Amended RON had been satisfied, including those matters in Article 2 of the Eminent Domain Law and those matters related to a statutory offer as set forth in Government Code section 7267.2. The Majestic Owners and the Successor Owners further stipulate that if SGVCOG's Governing Board approves the request and adopts an Amended RON for the taking of the revised easements affecting Assessor Parcel No. 8760-002-014 ("Subject Property"), that said modified taking is necessary for the Project, that the public interest and necessity require the Project, and 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.

The parties agree that if SGVCOG's Governing Board approves the request and adopts an Amended RON to modify the taking of portions of the property, a First Amended Complaint in Eminent Domain, supported by the Amended RON shall be filed.

After conducting the public hearing, if the SGVCOG Capital Projects and Construction Committee finds that the public necessity so requires, the SGVCOG Capital Projects and Construction Committee should adopt the attached Amended Resolution of Necessity 13-16, authorizing amendment of condemnation proceedings for the purpose of acquiring the modified property which interest are described in Resolution 13-16.

The findings, which need to be made, are as set forth in the Resolution of Necessity. Specifically, the SGVCOG Capital Projects and Construction Committee must find:

1. That the public interest, convenience and necessity require the acquisition of the proposed project. As proposed, the Fairway Drive Grade Separation Project will serve public purposes, as discussed above; and
2. That the Fairway Drive Grade Separation Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury. As set forth above, the Property is being acquired to improve the safety and efficiency of the rail crossing by constructing a grade separation at Fairway Drive/E. Walnut Drive N. The original 1997 San Gabriel Valley Council of Governments study looked at alternatives to an underpass and different grade separation configurations to identify any overall project cost and real estate impact reductions. Subsequently, as the design of the project began, ACE staff evaluated alternative configurations in greater detail. Additionally, ACE conducted an Engineering Value Analysis workshop that engaged stakeholders and technical experts to analyze and vet the various design scenarios. The no build alternative was examined through the project ranking process described in the 1997 report. Fairway Drive is a primary arterial street, serving multiple residential and commercial areas. The Fairway Drive Grade Separation project constructed as an underpass will eliminate the possibility of train—vehicle collisions at this location and the effect of stopped and moving trains on vehicular traffic capacity; and in order to build such an underpass with the least private injury several easements should now be modified and added to complete the Project; and
3. That the amended property interests sought to be acquired are necessary for the Fairway Drive Grade Separation Project. From the subject property it is necessary to acquire: two (2) permanent railroad easements, one (1) new 12-month temporary construction easement, one (1) permanent utility easement, as well as the three (3) originally identified temporary construction easements. Without the acquisition of the various new and amended permanent easements, and new temporary construction easement and unaltered easements included in Exhibit 2

attached hereto, the proposed Fairway Drive Grade Separation Project cannot be completed; and

4. That SGVCOG has complied with CEQA. The Fairway Drive Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13. The Legislature created an absolute exemption for railroad grade separations via Public Resources Code § 21080.13, which provides that CEQA “does not apply to any railroad grade separation project which eliminates an existing grade crossing, or which reconstructs an existing grade separation.” Cal. Pub. Res. Code § 21080.13. The Fairway Drive Grade Separation Project eliminates an existing grade crossing. Based upon § 21080.13, the Fairway Drive Grade Separation Project is therefore exempt from CEQA review. Since the Fairway Drive Grade Separation is exempt from CEQA, no environmental review is necessary, and it may be implemented without any CEQA compliance whatsoever.

Questions relating to value are not relevant to this proceeding. However, that does not mean that negotiations for the acquisition of the property interests are at an end. If the SGVCOG Capital Projects and Construction Committee adopts the Amended Resolution of Necessity, after the hearing, negotiations for the acquisition of the property interests may continue to take place.

BUDGET IMPACT: Funds for the acquisition of this property are available from MTA Measure R and Proposition C funds and are included in the Agency’s FY 2019 budget.

ATTACHMENTS

Exhibit 1- Stipulation re: Scope of Take and Transfer of Possession (*See page 12 of this agenda*)

Exhibit 2- Amended Resolution of Necessity No. 13-16 with Exhibits

AMENDED RESOLUTION NO. 13-16

**A RESOLUTION OF THE SAN GABRIEL
VALLEY COUNCIL OF GOVERNMENTS IN
FURTHERANCE OF THE ALAMEDA
CORRIDOR-EAST CONSTRUCTION PROJECT
FINDING AND DETERMINING THAT THE
PUBLIC INTEREST, CONVENIENCE AND
NECESSITY REQUIRE AN AMENDMENT TO
THE ACQUISITION OF CERTAIN PROPERTY
FOR PUBLIC PURPOSES**

**THE ALAMEDA CORRIDOR EAST – GATEWAY TO AMERICA CONSTRUCTION
AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The San Gabriel Valley Council of Governments, in furtherance of the Alameda Corridor East Construction Project (hereafter "SGVCOG"), formerly known as the Alameda Corridor East -- Gateway to America Construction Authority on behalf of the San Gabriel Valley Council of Governments (known as "ACE"), after consideration of the staff report, staff presentation, discussion, oral testimony and evidence presented at SGVCOG's Capital Projects and Construction Committee Meeting on Monday, September 24, 2018, at 12 p.m. hereby finds, determines and declares as follows:

- (a) The San Gabriel Valley Council of Governments, in furtherance of the Alameda Corridor East Construction Project is authorized by statute and pursuant to that certain Joint Powers Agreement dated September 17, 1998, as amended, to acquire property by eminent domain within the City of Industry, County of Los Angeles, State of California for the Alameda Corridor-East Project ("ACE Project"); and
- (b) The public interest, convenience and necessity require the proposed Fairway Drive Grade Separation Project in the City of Industry, County of Los Angeles, State of California as part of said Fairway Drive Grade Separation Project, which includes railroad crossing safety and efficiency improvements, and all uses appurtenant thereto intended to partially mitigate the impacts of increased rail traffic from the completed Alameda Corridor on motor vehicle traffic; and
- (c) The interests in real property to be acquired from that certain parcel bearing Los Angeles County Assessor Parcel Nos. 8760-002-014 are: two new permanent railroad easements (204W-RRE-1A and 204W-RRE-1B), one new 12-month temporary construction easement (204W-TCE1 (dated 2018)), one modified permanent utility easement, (in lieu of, rather than in addition to, the easements originally identified in Resolution of Necessity 13-16 as 204W-UE-1, and 204W-UE-2, respectively), as well as the three originally identified, and now unaltered, and temporary construction easements (204W-TCE1, 204W-TCE2 and 204W-

TCE3) for which the ACE Board adopted Resolution of Necessity No. 13-16. Said interests are legally described on Exhibits A-1, A-2, A-3, and A-4 attached hereto and incorporated herein by this reference ("Property"). The Property is located within the City of Industry, County of Los Angeles, State of California. Maps showing the general location of the Property are attached hereto, marked Exhibits B-1, B-2, B-3, and B-4 and are incorporated herein by reference and made a part hereof. The duration of the TCEs sought to be acquired are set forth in Exhibit C, attached hereto and incorporated herein by this reference;

- (d) The Fairway Drive Grade Separation Project is planned and located in a manner that will be most compatible with the greatest public good and least private injury in that it is specifically designed to improve traffic safety and efficiency at the intersection of Fairway Drive/E. Walnut Drive N. and the Union Pacific Railroad in the City of Industry, County of Los Angeles, State of California.
- (e) The taking of the Property is necessary for the Fairway Drive Grade Separation Project and such taking is authorized by Section 19, Article I of the California Constitution, Sections 6500 et seq., 37350.5, 40401 et seq. and 40404 of the California Government Code, Section 1230.010 et seq., 1240.020 and 1240.410, of the California Code of Civil Procedure, and other applicable law; and
- (f) The offer to purchase required by California Government Code Section 7267.2 has been made to the owner of the Property.
- (g) The necessary notice of hearing on this Resolution has been given, as required by Code of Civil Procedure section 1245.235.
- (h) SGVCOG has fully complied with the California Environmental Quality Act ("CEQA") as the Fairway Drive Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13.

SECTION 2. SGVCOG Capital Projects and Construction Committee hereby declares that it is its intention to acquire said Property in accordance with the provision of the laws of the State of California governing condemnation procedures.

SECTION 3. SGVCOG Capital Projects and Construction Committee further finds that if any portion of the area of the Property has been appropriated to some public use, the public uses to which it is to be applied by ACE Construction Authority, as described above, are more necessary and paramount public uses, pursuant to Code of Civil Procedure section 1240.610, or alternatively, are compatible with those other uses pursuant to Code of Civil Procedure section 1240.510.

SECTION 4. SGVCOG Capital Projects and Construction Committee Legal Counsel is authorized and directed to prepare, institute and prosecute such amended proceedings in the proper Court having jurisdiction thereof as may be necessary for the acquisition of said Property, including the filing of an application for an Order for Possession prior to judgment.

SECTION 5. This Resolution shall be effective immediately upon its adoption.

SECTION 6. The Clerk of the SGVCOG Capital Projects and Construction Committee shall certify the adoption of this Resolution and certify this record to be a full true, correct copy of the action taken.

PASSED, APPROVED AND ADOPTED this 24th day of September, 2018.

ATTEST:

Deanna Stanley, Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST COVINA)

I HEREBY CERTIFY that the foregoing Amended Resolution 13-16 was duly adopted by the San Gabriel Valley Council of Governments, Capital Projects and Construction Committee Meeting at a regular meeting thereof, held on the 24th day of September 2018 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Deanna Stanley, Clerk

Placeholder

Plat Maps

&

Legal Descriptions

&

Amended Exhibit C

EXHIBIT "A-1"

LEGAL DESCRIPTION FOR UTILITY EASEMENT PURPOSES
PARCEL 204W-UE1

THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL, SAID CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD (FORMERLY SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD) RIGHT-OF-WAY, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP, SAID CORNER BEING ALSO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 461.48 FEET, A RADIAL LINE TO SAID CORNER BEARS N18°53'11"E; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°35'55", AN ARC LENGTH OF 53.15 FEET TO THE TRUE POINT OF BEGINNING, A RADIAL LINE TO SAID POINT BEARS N25°29'07"E; THENCE LEAVING SAID NORTHEASTERLY BOUNDARY, N86°33'57"W 7.82 FEET; THENCE S86°57'14"W 132.92 FEET; THENCE N87°21'48"W 22.71 FEET; THENCE N02°21'15"W 19.51 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID POINT BEING DISTANT 115.00 FEET WESTERLY, MEASURED ALONG SAID SOUTHERLY BOUNDARY, FROM SAID MOST NORTHEASTERLY CORNER OF PARCEL 3; THENCE ALONG SAID SOUTHERLY BOUNDARY, S86°57'14"W 10.00 FEET; THENCE LEAVING SAID SOUTHERLY BOUNDARY, S02°21'15"E 18.52 FEET; THENCE N87°21'48"W 65.83 FEET; THENCE S86°57'14"W 13.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 84.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°00'00", AN ARC LENGTH OF 21.99 FEET; THENCE S71°57'14"W 28.41 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 63.00 FEET, A RADIAL LINE TO SAID POINT BEARS N44°10'51"E; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°59'44", AN ARC LENGTH OF 17.59 FEET; THENCE S87°50'28"E 56.72 FEET; THENCE N86°57'14"E 225.90 FEET; THENCE S86°33'57"E 25.29 FEET TO A POINT IN SAID CURVED NORTHEASTERLY BOUNDARY OF PARCEL 3 HAVING A RADIUS OF 461.48 FEET, A RADIAL LINE TO SAID POINT BEARS N31°21'55"E; THENCE NORTHWESTERLY ALONG SAID BOUNDARY AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°52'49", AN ARC LENGTH OF 47.36 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 7,255 SQUARE FEET, MORE OR LESS.

APN: 8760-002-014

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

March 5, 2018
DATE:



EXHIBIT "B-1"

OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%;
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%
 PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, CITY OF INDUSTRY, COUNTY OF
 LOS ANGELES, STATE OF CALIFORNIA, BOOK 125, PAGES 78-80 OF PARCEL MAPS
APN: 8760-002-014

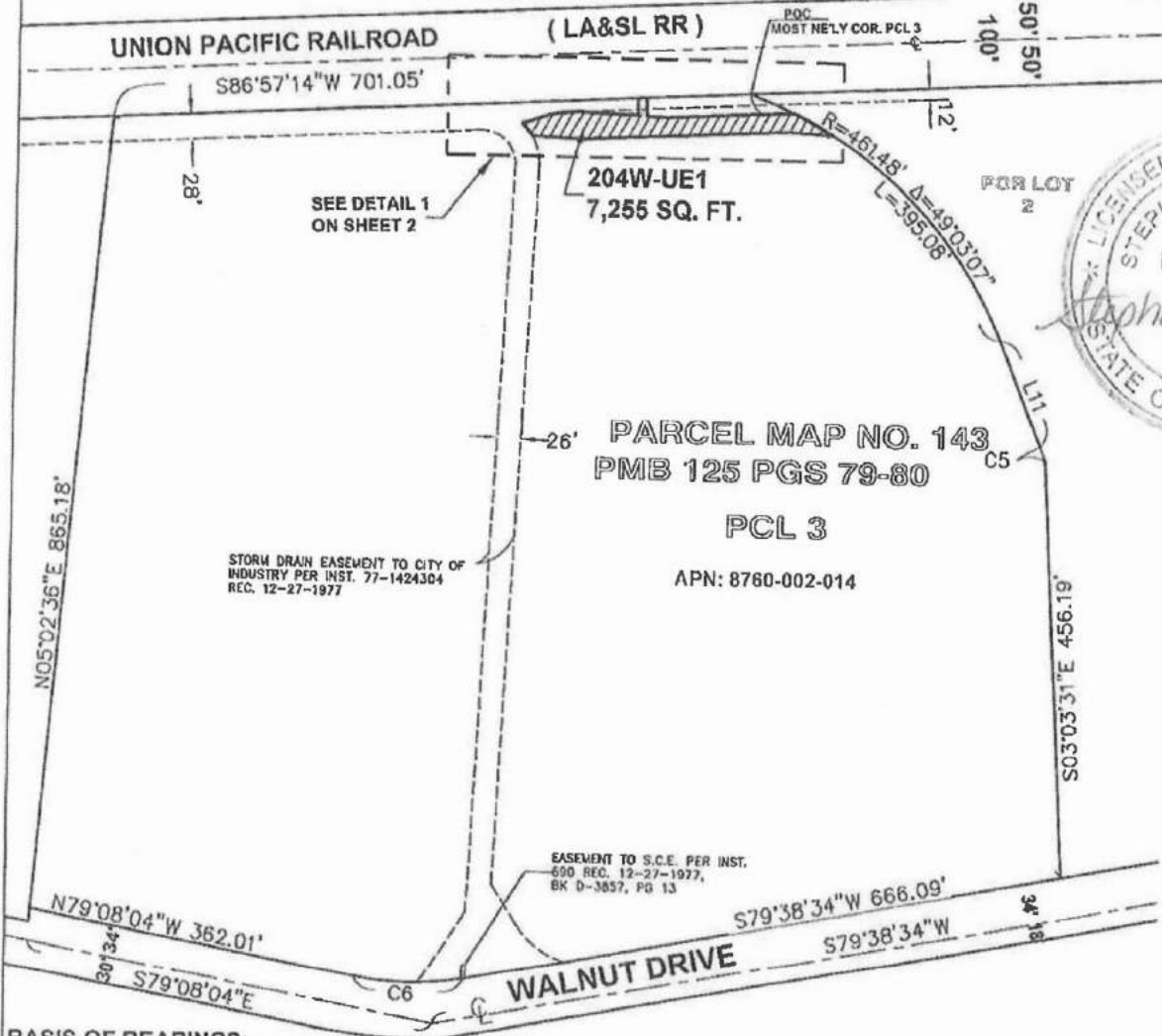
ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

7/10/18



BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.

NOTE:

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.

AREA	TOTAL	UE	REMAINDER
SQUARE FEET	936,634	7,255	929,379

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
SURVEY, INC.

ACE

RECOMMENDED BY:

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY

DATE: 3/05/2018

SCALE: 1"=200'

REV. No. DATE:

REV. No. DATE:

ACE
PARCEL No 204W-25

CHECKED BY: L.S.:5752

PROJECT MANAGER

DATE

EXHIBIT "B-1"

OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%;
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%
 PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, CITY OF INDUSTRY, COUNTY OF
 LOS ANGELES, STATE OF CALIFORNIA, BOOK 125, PAGES 78-80 OF PARCEL MAPS
APN: 8760-002-014

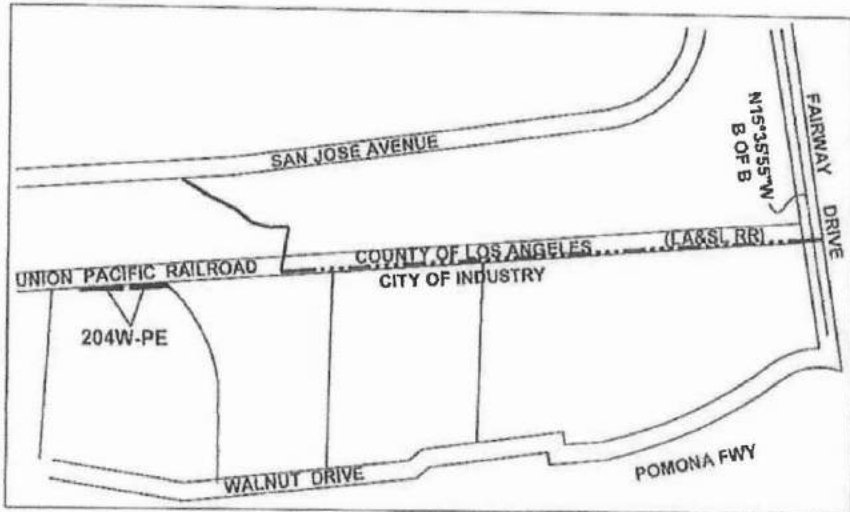
ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

7/10/18



LEGEND:

APN = ASSESSOR'S PARCEL NUMBER
 RRE = RAILROAD EASEMENT
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 TPOB = TRUE POINT OF BEGINNING

VICINITY MAP
 NOT TO SCALE

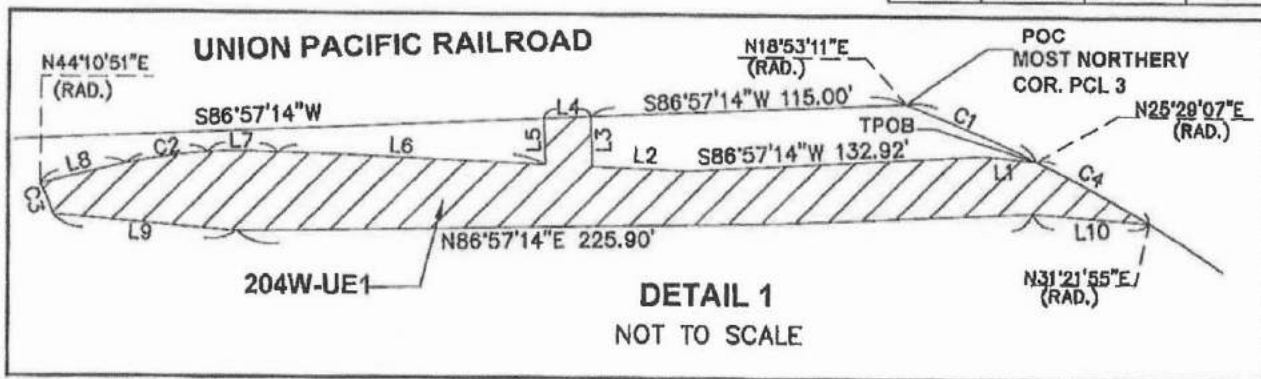


LINE TABLE

LINE	BEARING	LENGTH
L1	N86°33'57"W	7.82'
L2	N87°21'48"W	22.71'
L3	N02°21'15"W	19.51'
L4	S86°57'14"W	10.00'
L5	S02°21'15"E	18.52'
L6	N87°21'48"W	65.83'
L7	S86°57'14"W	13.32'
L8	S71°57'14"W	28.41'
L9	S87°50'28"E	56.72'
L10	S86°33'57"E	25.29'
L11	S22°03'42"E	122.49'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA
C1	53.15'	461.48'	6°35'55"
C2	21.99'	84.00'	15°00'00"
C3	17.59'	63.00'	15°59'44"
C4	47.36'	461.48'	5°52'49"
C5	16.86'	460.73'	2°05'49"
C6	120.75'	326.00'	21°13'22"



DETAIL 1
 NOT TO SCALE

AREA	TOTAL	UE	REMAINDER
SQUARE FEET	936,634	7,255	929,379

ALAMEDA CORRIDOR - EAST
 CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY

DATE: 3/05/2018

SCALE: 1"=200'

REV. No. DATE:

REV. No. DATE:

ACE
 PARCEL No 204W-UE1

WAGNER ENGINEERING &
 SURVEY, INC.

ACE
 RECOMMENDED BY:

CHECKED BY: Stephanie Wagner
 L.S.: 5752
 PROJECT MANAGER
 DATE: 7.1.18

EXHIBIT "A-2"

LEGAL DESCRIPTIONS FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCELS 204W-TCE1, 204W-TCE2 AND 204W-TCE3
(SHEET 1 OF 2)

PARCEL 204W-TCE1:

THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL 3, SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD, FORMERLY LOS ANGELES AND SALT LAKE RAILROAD, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP, SAID CORNER BEING ALSO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 461.48 FEET, A RADIAL LINE TO SAID CORNER BEARS N18°53'11"E; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL 3 AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°41'44", AN ARC LENGTH OF 29.76 FEET; THENCE LEAVING SAID BOUNDARY, S86°57'14"W 21.21 FEET; THENCE S87°50'28"E 26.20 FEET TO A POINT IN SAID CURVED NORTHEASTERLY BOUNDARY HAVING A RADIUS OF 461.48 FEET, A RADIAL LINE TO SAID POINT BEARS N23°15'21"E; THENCE SOUTHEASTERLY ALONG SAID BOUNDARY AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°14'46", AN ARC LENGTH OF 18.09 FEET; THENCE LEAVING SAID BOUNDARY, S87°00'36"W 129.20 FEET; THENCE N77°51'14"W 35.37 FEET; THENCE N02°21'15"W 13.31 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE, THENCE ALONG SAID RIGHT-OF-WAY LINE, N86°57'14"E 115.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 2,992 SQUARE FEET.

PARCEL 204W-TCE2:

THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL 3, SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD, FORMERLY LOS ANGELES AND SALT LAKE RAILROAD, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP, SAID CORNER BEING ALSO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 461.48 FEET, A RADIAL BEARING TO SAID CORNER BEARS N18°53'11"E; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL 3 AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°07'06", AN ARC LENGTH OF 73.44 FEET TO THE TRUE POINT OF BEGINNING, A RADIAL LINE TO SAID POINT BEARS N28°00'18"E; THENCE CONTINUING ALONG SAID EASTERLY BOUNDARY AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°20'22", AN ARC LENGTH OF 43.00 FEET; THENCE LEAVING SAID BOUNDARY, S33°21'33"W 10.29 FEET; THENCE N59°55'01"W 58.85 FEET; THENCE N87°00'36"E 19.63 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 550 SQUARE FEET.

EXHIBIT "A-2"

LEGAL DESCRIPTIONS FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCELS 204W-TCE1, 204W-TCE2 AND 204W-TCE3
(SHEET 2 OF 2)

PARCEL 204W-TCE3:

THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL 3, SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD, FORMERLY LOS ANGELES AND SALT LAKE RAILROAD, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP, THENCE ALONG SAID RIGHT-OF-WAY LINE, S86°57'14"W 125.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, S86°57'14"W 576.04 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL 3; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND ALONG THE WESTERLY LINE OF SAID PARCEL 3, S05°02'36"W 5.05 FEET TO A LINE PARALLEL WITH AND DISTANT 5.00 FEET SOUTHERLY FROM SAID RIGHT-OF-WAY LINE; THENCE LEAVING SAID WESTERLY LINE AND ALONG SAID PARALLEL LINE, N86°57'14"E 576.69 FEET; THENCE N02°21'15"W 5.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS: 2,882 SQUARE FEET,

APN: 8760-002-014

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:


ARMANDO V. ABAD, P.L.S. 8445

8/23/13
DATE:



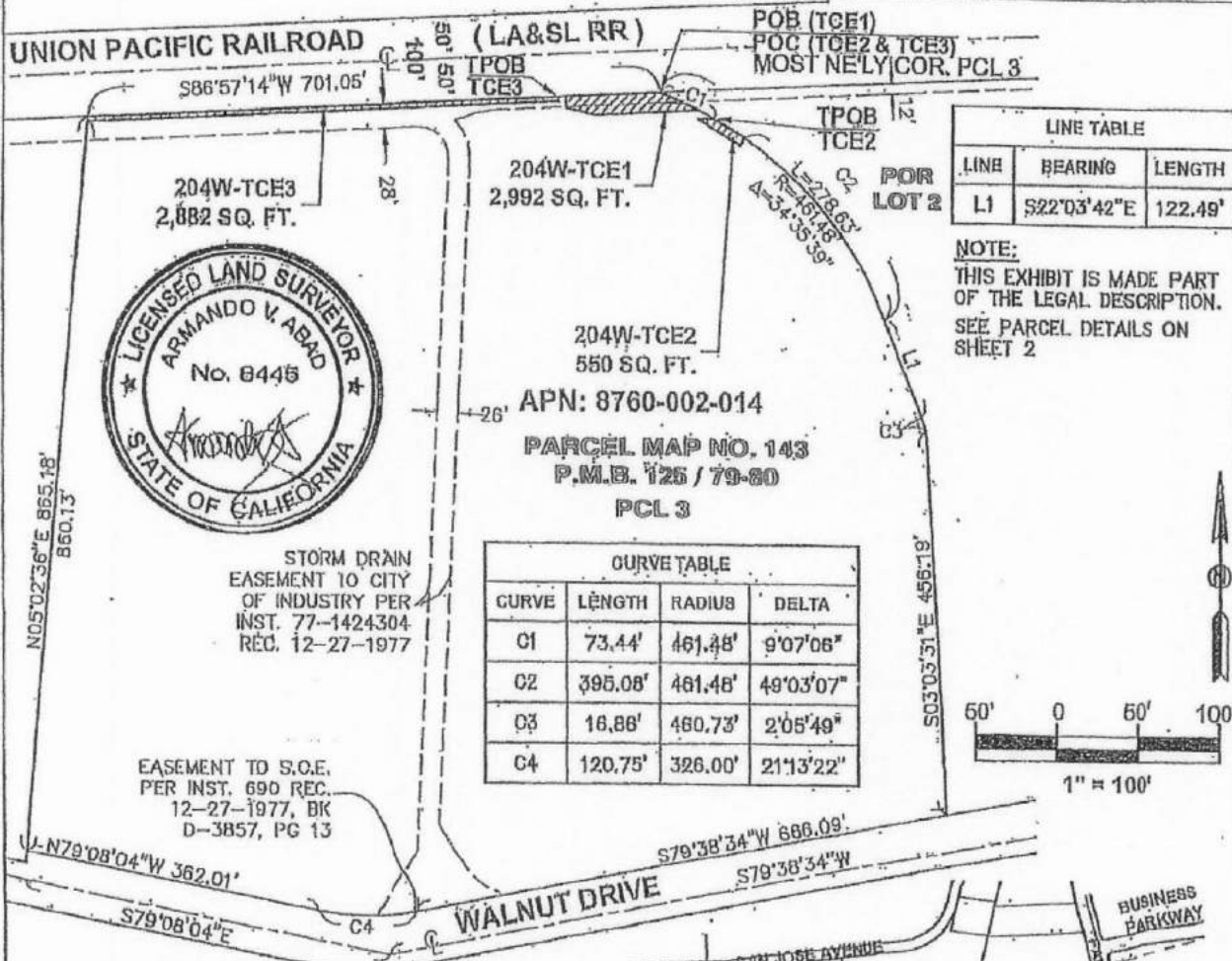
EXHIBIT "B-2"

OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%;
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%
 PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, CITY OF INDUSTRY, COUNTY OF
 LOS ANGELES, STATE OF CALIFORNIA, BOOK 125, PAGES 78-80 OF PARCEL MAPS
 APN: 8760-002-014

ACE

RECOMMENDED BY: *[Signature]*
 CHIEF ENGINEER

DATE: 8/26/13



APN = ASSESSOR'S PARCEL NUMBER
 TCE = TEMPORARY CONSTRUCTION EASEMENT
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 TPOB = TRUE POINT OF BEGINNING

BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT
 THE CENTERLINE OF FAIRWAY DRIVE ON THE
 CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE
 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS
 USED AS THE BASIS OF BEARINGS.

AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	936,634	6,424	930,210

ALAMEDA CORRIDOR — EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
 SURVEY, INC.

ACE
 ACCEPTED BY:

Charles Terry 8-26-13
 PROJECT MANAGER DATE

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY
 SHEET 1 OF 2

DATE: 04-05-2013

SCALE: 1"=100'

REV. No. 1 DATE: 08-23-2013

REV. No. DATE:

ACE 204W-TCE1
 PARCEL No. 204W-TCE2
 204W-TCE3

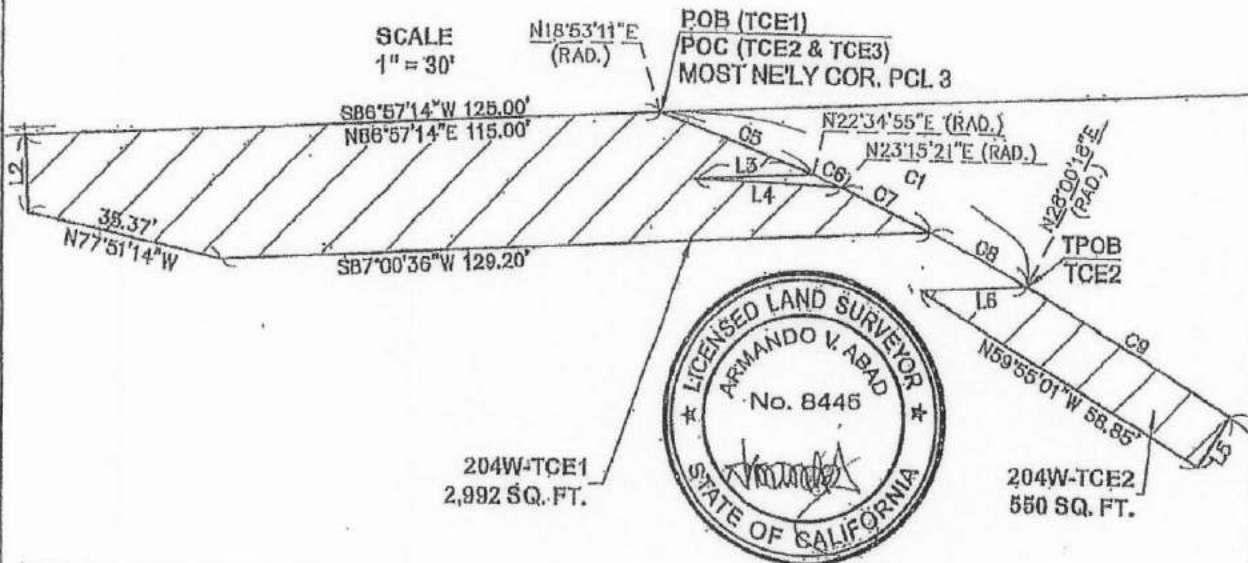
EXHIBIT "B-2"

OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%
 INDUSTRIAL PARK E J-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%
 PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, CITY OF INDUSTRY, COUNTY OF
 LOS ANGELES, STATE OF CALIFORNIA, BOOK 125, PAGES 78-80 OF PARCEL MAPS
 APN: 8760-002-014

ACE

RECOMMENDED BY: *[Signature]*
 CHIEF ENGINEER

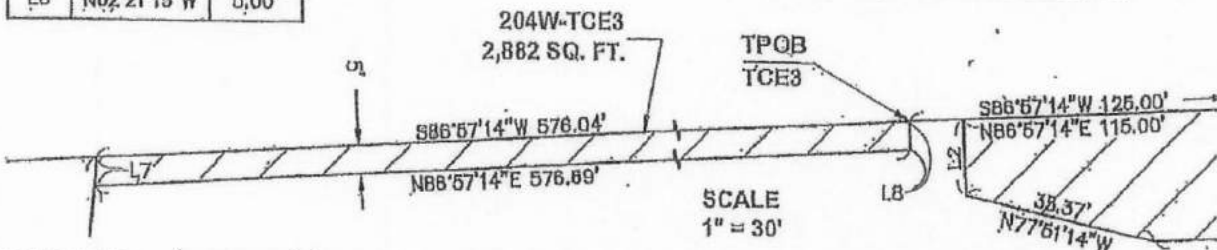
DATE: 8/26/13



LINE TABLE		
LINE	BEARING	LENGTH
L2	N02°21'15"W	13.31'
L3	S86°57'14"W	21.21'
L4	S87°50'28"E	26.20'
L5	S33°21'33"W	10.29'
L6	N87°00'36"E	19.83'
L7	S05°02'36"W	5.05'
L8	N02°21'15"W	5.00'

PARCEL DETAILS

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	73.44'	461.48'	9°07'08"
C5	29.76'	461.48'	3°41'44"
C6	5.43'	461.48'	0°40'28"
C7	18.09'	461.48'	2°14'46"
C8	20.16'	461.48'	2°30'10"
C9	43.00'	461.48'	5°20'22"



AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	936,634	6,424	930,210

ALAMEDA CORRIDOR - EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
 SURVEY, INC.

ACE
 ACCEPTED BY:
Charles Tracy 8-26-13
 PROJECT MANAGER DATE

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY
 SHEET 2 OF 2

DATE: 04-05-2013
 SCALE: AS NOTED
 REV. No. 1 DATE: 08-23-2013
 REV. No. DATE:
 ACE 204W-TCE1
 PARCEL No 204W-TCE2
 204W-TCE3

EXHIBIT "A-3"

**LEGAL DESCRIPTION FOR RAILROAD EASEMENT PURPOSES
PARCELS 204W-RRE-1A AND 204W-RRE-1B
(SHEET 1 OF 2)**

PARCELS 204W-RRE-1A:

THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL, SAID CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD (FORMERLY SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD) RIGHT-OF-WAY, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID SOUTHERLY S86°57'14"W 115.00 FEET TO A POINT; THENCE CONTINUING S86°57'14"W 10.00 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID SOUTHERLY BOUNDARY, S02°21'15"E 18.52 FEET; THENCE N87°21'48"W 65.83 FEET; THENCE S86°57'14"W 61.38 FEET; THENCE N03°02'46"W 5.00 FEET TO SAID SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY; THENCE ALONG SAID SOUTHERLY BOUNDARY, N86°57'14"E 197.46 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINS: 1,907 SQUARE FEET, MORE OR LESS.

PARCELS 204W-RRE-1B:

THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL, SAID CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD (FORMERLY SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD) RIGHT-OF-WAY, 100.00' FEET WIDE, AS SHOWN ON SAID PARCEL MAP, SAID CORNER BEING ALSO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 461.48 FEET, A RADIAL LINE TO SAID CORNER BEARS N18°53'11"E; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°35'55", AN ARC LENGTH OF 53.15 FEET, A RADIAL LINE TO SAID POINT BEARS N25°29'07"E; THENCE LEAVING SAID NORTHEASTERLY BOUNDARY, N86°33'57"W 7.82 FEET; THENCE S86°57'14"W 132.92 FEET; THENCE N87°21'48"W 22.71 FEET; THENCE N02°21'15"W 19.51 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID POINT BEING DISTANT 115.00 FEET WESTERLY, MEASURED ALONG SAID SOUTHERLY BOUNDARY, FROM SAID MOST NORTHEASTERLY CORNER OF PARCEL 3; THENCE ALONG SAID SOUTHERLY BOUNDARY, N86°57'14"E 115.00 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINS: 3,012 SQUARE FEET, MORE OR LESS.

EXHIBIT "A-3"

**LEGAL DESCRIPTION FOR RAILROAD EASEMENT PURPOSES
PARCELS 204W-RRE-1A AND 204W-RRE-1B
(SHEET 2 OF 2)**

APN: 8760-002-014

NOTE:

THESE LEGAL DESCRIPTIONS WERE 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

February 20, 2018
DATE:



EXHIBIT "B-3"

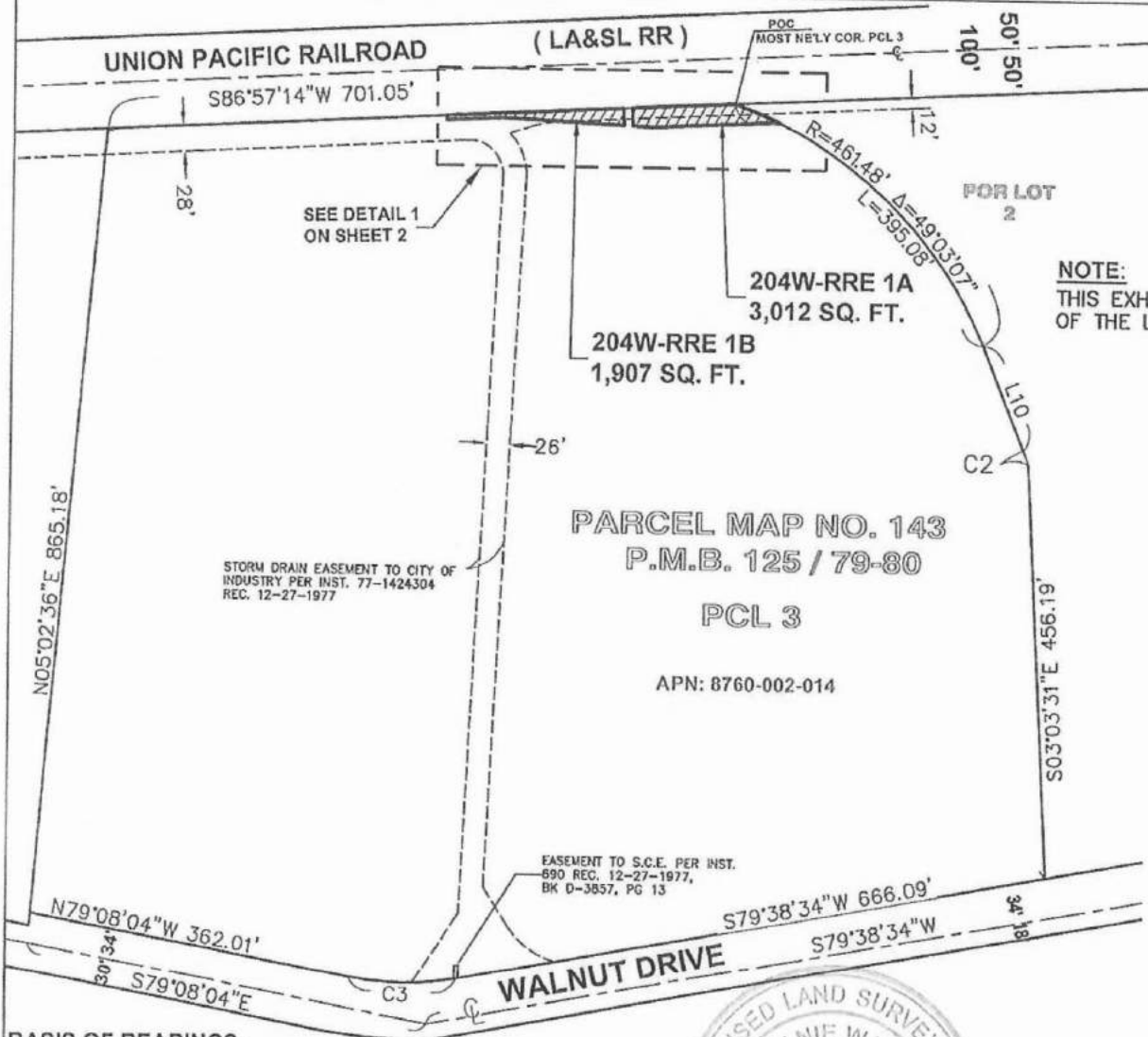
OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%;
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%
 PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, CITY OF INDUSTRY, COUNTY OF
 LOS ANGELES, STATE OF CALIFORNIA, BOOK 125, PAGES 78-80, OF PARCEL MAPS.
APN: 8760-002-014

ACE

ACCEPTED BY:

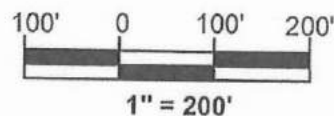
CHIEF ENGINEER

DATE: _____



BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AS THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.



AREA	TOTAL	RRE	REMAINDER
SQUARE FEET	936,634	4,919	931,715

ALAMEDA CORRIDOR — EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY

DATE: 2/20/2018

SCALE: 1"=200'

REV. No. DATE:

REV. No. DATE:

ACE
PARCEL No. 204W-RRE

WAGNER ENGINEERING & SURVEY, INC.

ACE
RECOMMENDED BY:

CHECKED BY: L.S. 5752 PROJECT MANAGER DATE:

EXHIBIT "B-3"

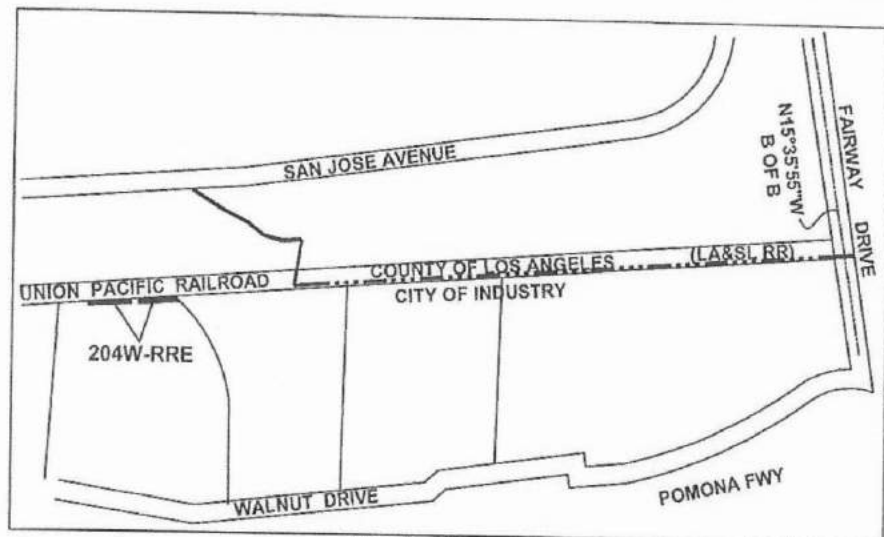
OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%;
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%
 PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, CITY OF INDUSTRY, COUNTY OF
 LOS ANGELES, STATE OF CALIFORNIA, BOOK 125, PAGES 78-80 OF PARCEL MAPS.
APN: 8760-002-014

ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:



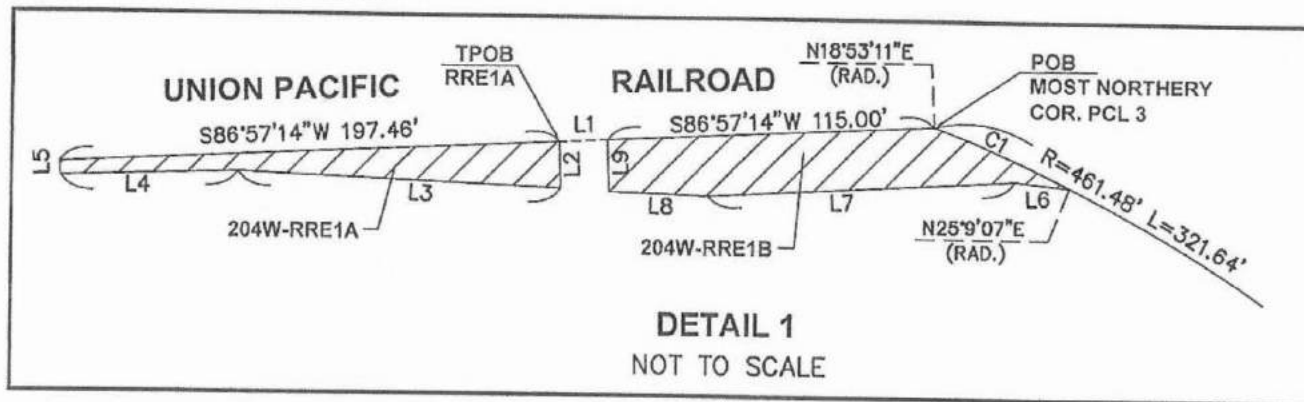
VICINITY MAP
NOT TO SCALE

LINE TABLE		
LINE	BEARING	LENGTH
L1	S86°57'14"W	10.00'
L2	S02°21'15"E	18.52'
L3	N87°21'48"W	65.83'
L4	S86°57'14"W	61.38'
L5	N03°02'46"W	5.00'
L6	N86°33'57"W	7.82'
L7	S86°57'14"W	132.92'
L8	N87°21'48"W	22.71'
L9	N02°21'15"W	19.51'
L10	S22°03'42"E	122.49'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	53.15'	461.48'	6°35'55"
C2	16.86'	460.73'	2°05'49"
C3	120.75'	326.00'	21°13'22"

LEGEND:

APN = ASSESSOR'S PARCEL NUMBER
 RRE = RAILROAD EASEMENT
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 TPOB = TRUE POINT OF BEGINNING



DETAIL 1
NOT TO SCALE

AREA	TOTAL	RRE	REMAINDER
SQUARE FEET	936,634	4,919	931,715

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY

DATE: 2/20/2018

SCALE: 1"=200'

REV. No. DATE:

REV. No. DATE:

ACE
PARCEL No 204W-RRE

WAGNER ENGINEERING &
SURVEY, INC.

ACE
RECOMMENDED BY:

CHECKED BY: L.S.:5752

PROJECT MANAGER DATE

EXHIBIT "A-4"

LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES
PARCEL 204W-TCE1

THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 125, PAGES 78 THROUGH 80, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL, SAID CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD (FORMERLY SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD) RIGHT-OF-WAY, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP, SAID CORNER BEING ALSO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 461.48 FEET, A RADIAL LINE TO SAID CORNER BEARS N18°53'11"E; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°28'44", AN ARC LENGTH OF 100.51 FEET TO THE **TRUE POINT OF BEGINNING**; A RADIAL LINE TO SAID POINT BEARS N31°21'55"E; THENCE LEAVING SAID NORTHEASTERLY BOUNDARY, N86°33'57"W 24.31 FEET; THENCE S59°55'01"E 37.06 FEET; THENCE N33°21'33"E 10.29 FEET TO SAID CURVED NORTHEASTERLY BOUNDARY OF PARCEL 3 HAVING A RADIUS OF 461.48 FEET, A RADIAL LINE TO SAID POINT BEARS N33°20'39"E; THENCE NORTHWESTERLY ALONG SAID BOUNDARY AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°58'44", AN ARC LENGTH OF 15.94 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINS: 285 SQUARE FEET, MORE OR LESS.

APN: 8760-002-014

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

March 5, 2018
DATE:



EXHIBIT "B-4"

OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST; INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5% INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5% PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BOOK 125, PAGES 78-80 OF PARCEL MAPS APN: 8760-002-014
--

ACCEPTED BY:

CHIEF ENGINEER

DATE: 7/10/18



BASIS OF BEARINGS:

THE BEARING N15°35'55"W AS FIELD SURVEYED AT THE CENTERLINE OF FAIRWAY DRIVE ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE 5, NAD '83 (NORTH AMERICAN DATUM 1983) WAS USED AS THE BASIS OF BEARINGS.

NOTE:

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION.

AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	936,634	285	936,349

ALAMEDA CORRIDOR – EAST
CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
SURVEY, INC.

ACE
RECOMMENDED BY:

Stephane Wagner Charles Tsang 7.1.18
CHECKED BY: L.S.:5752 PROJECT MANAGER DATE

FAIRWAY DRIVE
GRADE SEPARATION
CITY OF INDUSTRY
PAGE 1 OF 2

DATE: 03/05/2018

SCALE: 1"=200'

REV. No.	DATE:
----------	-------

REV. No. DATE:

ACE
PARCEL No 204136

EXHIBIT "B-4"

OWNER: MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%;
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%
 PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, CITY OF INDUSTRY, COUNTY OF
 LOS ANGELES, STATE OF CALIFORNIA, BOOK 125, PAGES 78-80 OF PARCEL MAPS
APN: 8760-002-014

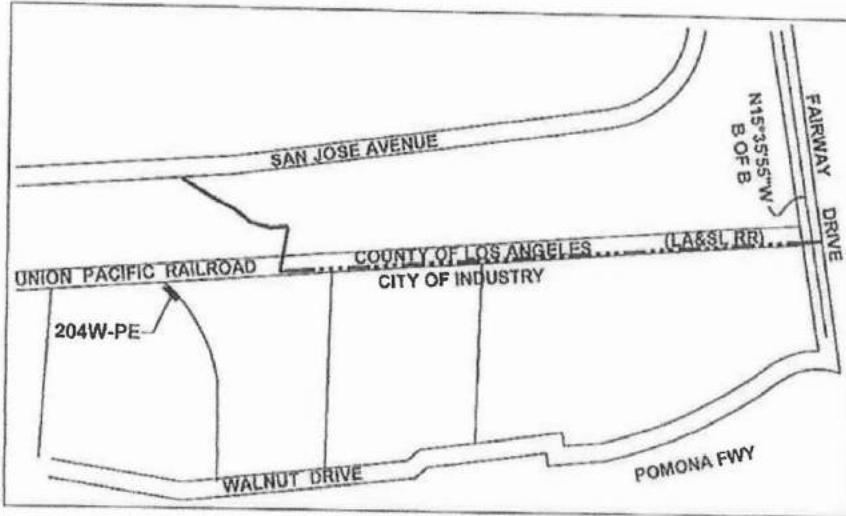
ACE

ACCEPTED BY:

CHIEF ENGINEER

DATE:

7/10/18



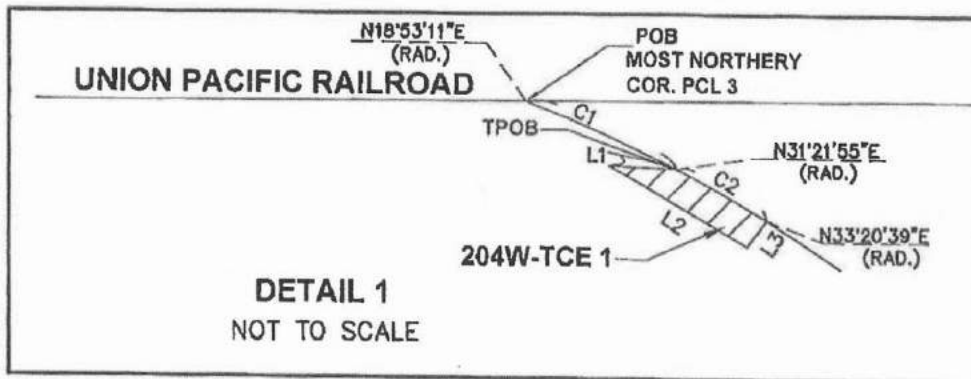
VICINITY MAP
 NOT TO SCALE

LEGEND:

APN = ASSESSOR'S PARCEL NUMBER
 RRE = RAILROAD EASEMENT
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 TPOB = TRUE POINT OF BEGINNING

LINE TABLE		
LINE	BEARING	LENGTH
L1	N86°33'57"W	24.31'
L2	S59°55'01"E	37.06'
L3	N33°21'33"E	10.29'
L4	S22°03'42"E	122.49'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	100.51'	461.48'	12°28'44"
C2	15.94'	461.48'	1°58'44"
C3	16.86'	460.73'	2°05'49"
C4	120.75'	326.00'	21°13'22"



AREA	TOTAL	TCE	REMAINDER
SQUARE FEET	936,634	285	936,349

ALAMEDA CORRIDOR - EAST
 CONSTRUCTION AUTHORITY

WAGNER ENGINEERING &
 SURVEY, INC.

ACE
 RECOMMENDED BY:

CHECKED BY: *Stephanie Wagner* L.S.: 5752
 PROJECT MANAGER: *Charles Tsang* DATE: 7.1.18

FAIRWAY DRIVE
 GRADE SEPARATION
 CITY OF INDUSTRY

DATE: 03/05/2018

SCALE: 1"=200'

REV. No. DATE:

REV. No. DATE:

ACE
 PARCEL No 204W-TCE1

AMENDED EXHIBIT "C"

204W-TCE1, 204W-TCE2, and 204W-TCE3, described in the preceding Exhibit A-2, as well as depicted on Exhibit B-2, shall have a duration not to exceed 24 months and shall commence no sooner than 30 days after ACE Construction Authority mails a written Notice of Commencement of TCE to the record owner of the property.

204W-TCE1 (dated 2018), described in the preceding Exhibit A-4, as well as depicted on Exhibit B-4, shall have a duration not to exceed 12 months and shall commence no sooner than 30 days after San Gabriel Valley Council of Governments mails a written Notice of Commencement of TCE to the record owner of the property.

MEMO TO: Capital Projects & Construction Committee Members and Alternates

FROM: Mark Christoffels
Chief Engineer

DATE: September 24, 2018

SUBJECT: Approval of Contract Amendment with CH2MHill for Design Support Services During Construction for the Fairway Drive Grade Separation Project

RECOMMENDATION: Staff recommends that the Committee authorize the Chief Engineer to amend the contract with CH2MHill to add \$492,307 for additional design support during construction and design revisions for the Fairway Drive grade separation project, for a new total contract value of \$8,321,611.

BACKGROUND: To date, the former ACE Board has authorized \$1,806,822 for design support during construction for the Fairway Drive grade separation project with CH2MHill, the designer of record. The project has been in construction since April of 2015 and is approximately 50% complete. Staff will be the first to acknowledge that construction of this project has been a challenge. Issues of final track alignments, utility modifications, groundwater, and soil stabilization have arisen that could not have been foreseen at the time the project was designed. Specifically the following matters have arisen:

- Additional analysis and review of the ground improvement construction options;
- Additional design revisions of the shoofly track plans to address UPRR's additional requests;
- Anticipate additional design modifications to the north retaining structures along the UPRR right of way to account for the modified ground improvement construction options;
- Revise the plans for storm drain and sewer crossings within UPRR ROW to account for track alignment changes;
- Revise the landscape and irrigation design to meet the latest WWD reclaim water usage policy;
- Revise and update the plat maps and legal descriptions as a result of the industrial spurs and lead tracks modifications.

These issues are being addressed by the agency with assistance from CH2MHill and the contractor as construction proceeds, requiring the designer of record to attend field meetings, produce alternative solution studies, document design decisions, and make

modifications to the construction plans. All of this additional work gets paid for under their current authorized contract task order for design support during construction.

Based on these unforeseen task items, the remaining balance of CH2MHill's contract for design support services during construction is insufficient to complete the balance of the originally anticipated work items included in the contract amendment approved by the ACE Board in 2014. These work tasks included attending construction meetings as needed, performing field reviews, responding to contractor requests for information, reviewing contractor submittals for conformance, reviewing any non-conformance issues and providing final as-built drawings. All these services will extend through the life of the construction project now anticipated to be completed by January 2021. Staff has received a proposal from CH2MHill on what they anticipate the remaining design support services will require in labor hours and costs. Staff made an independent estimate of the remaining work and have concluded that the requested contract increase is warranted.

To date, CH2MHill's design work has been authorized as follows:

Phase/Task Order	Executed/Requested Amount
1: Preliminary Engineering	\$1,650,631.00
2: Final Design	\$4,255,247.00
3: City of Industry Betterment	\$116,604.00
4: Design Support during construction	\$ 739,204.00
Design Support (Amendment 1)	\$443,675.00
Design Support (Amendment 2)	\$623,943.00
Design Support (this Amendment)	\$492,307.00
TOTAL	\$8,321,611.00

It should be noted that the contract authorized amount including this recommended amendment is not a guaranteed payment amount to the consultant, but rather an estimate of the maximum anticipated expenditures. The design support task order is structured as a time and material type of compensation. The Consultant will only be compensated for the services requested by staff. Invoices will be reviewed to ensure that only the services authorized by staff will be paid for under this contract.

BUDGET IMPACT: This requested contract amendment with CH2MHill to add \$492,307 for additional design support during construction contract can be funded from existing budgeted contingencies for the project from State and Measure R funds allocated to the project.

MEMO TO: Capital Projects & Construction Committee Members and Alternates

FROM: Mark Christoffels
Chief Engineer

DATE: September 24, 2018

SUBJECT: Approval of Contract Award to CWE for Preliminary Engineering and Final Design Services for the Load Reduction Strategy Projects for the Rio Hondo River and Tributaries

RECOMMENDATION: Staff recommends that the Committee authorize the Chief Engineer to execute a design services contract with California Watershed Engineering Corporation (CWE) and issue Task Order No. 1 for preliminary design services (Phase 1) for \$249,394 for the Load Reduction Strategy (LRS) Projects for the Rio Hondo River and Tributaries.

BACKGROUND: At the August meeting, the Committee approved the selection of CWE for design and engineering services for the LRS projects.

In preparing for negotiations, staff prepared its own design cost estimate. This estimate took into account specific scope of work and project complexity.

Staff initiated negotiations with a scope of work for Phase 1 (preliminary engineering) activities included in the Request for Qualifications. The work scope includes the following major tasks:

- Project management, including coordination and preparation of project schedule.
- Coordination with the Los Angeles Sanitation Districts.
- Develop environmental documentation.
- Perform field investigation and topographic survey.
- Conduct utility search to identify existing and planned future utility conflicts.
- Perform geotechnical evaluation.
- Identify necessary permits and agreements and anticipated Operations and Maintenance requirements.
- Perform feasibility assessment.
- Prepare preliminary design plans (35%) for each project site determined to be feasible.

Proposed costs for the above Phase 1 tasks were compared with the estimates prepared by staff and any discrepancies were resolved. Staff recently concluded design contract negotiations and is recommending approval of a not-to-exceed contract amount of \$249,394.

This authorization would also allow a 10% contingency allowance in accordance with normal agency procedures. Any contract amount changes from the above figure due to contract change orders during the preliminary design phase that exceed the Chief Engineer's authorization will be brought back to the Committee for further consideration and approval.

The preliminary engineering scope is estimated to be completed within 11 months.

It should be noted that the above contract will be subject to future amendment for final design services depending on comments received from partnering agencies, the cities of Alhambra, Monterey Park, Pasadena, Rosemead, San Gabriel, San Marino, South Pasadena, Temple City and Unincorporated Los Angeles County. Because the services will not be needed until a final design concept is chosen and the needed services can be best defined at that time, these services will be requested at a later date as a contract amendment.

BUDGET IMPACT: Funding for this contract will be provided from the participating agencies identified in this report under a separate agreement previously approved by the SGVCOG Governing Board.