



# San Gabriel Valley Council of Governments Capital Projects and Construction Committee

## Meeting Agenda

Monday, October 22, 2018 12:00PM

West Covina Community Center, 2<sup>nd</sup> 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](mailto:dstanley@theaceproject.org)  
Providing at least 72-hour notice will help ensure availability.

- I. Pledge of Allegiance
- II. Roll Call and Introductions
- III. Public Comment
- IV. Approval of the Capital Projects and Construction Committee Meeting Minutes of September 24, 2018 Pages 1 – 3      Action
- V. Chairman’s Remarks
- VI. Member Comments
- VII. Chief Engineers Monthly Report Pages 4 – 5      Information
- VIII. Project Construction Progress Reports Information
- IX. Hearing on Amended Resolution of Necessity No. 13-11 for the Fairway Drive Grade Separation Project. Pages 6 – 56      Action  
Property Address: 19777 E Walnut Drive North, City of Industry, CA  
Property Owner: Majestic Realty Co., et al.

- |        |  |                 |  |
|--------|--|-----------------|--|
| X.     | Hearing on Amended Resolution of Necessity No. 13-14 for the Fairway Drive Grade Separation Project<br>Property Address: 19515-19605 E Walnut Drive North, City of Industry, CA<br>Property Owner: Majestic Realty Co., et al.   | Pages 57 – 110  | Action                                       |
| XI.    | Hearing on Amended Resolution of Necessity No. 13-15 for the Fairway Drive Grade Separation Project<br>Property Address: 19285-19395 E Walnut Drive North, City of Industry, CA<br>Property Owner: Majestic Realty Co., et al.   | Pages 111 – 146 | Action                                       |
| XII.   | Hearing on Amended Resolution of Necessity No. 13-16 for the Fairway Drive Grade Separation Project<br>Property Address: 19285-19395 E Walnut Drive North, City of Industry, CA<br>Property Owner: Majestic Realty Co., et al.   | Pages 147 – 188 | Action                                       |
| XIII.  | Approval of Amendment to Contract Management Services Contract for the Fairway Drive Grade Separation Project with WSP   | Pages 189 – 190 | Action                                       |
| XIV.   | Approval of Amendment to Construction Management Services Contract for the San Gabriel Trench Project with Jacobs Management Co.   | Page 191        | Action                                       |
| XV.    | Approval of Task Order 2 for Construction Management Services for the Durfee Avenue Grade Separation Project with PreScience Corporation   | Pages 192 – 193 | Action                                       |
| XVI.   | Approval to Receive and File Quarterly Project Progress Reports  | Pages 194 – 199 | Action                                       |
| XVII.  | Approval to Receive and File Quarterly Mitigation Monitoring Reports   | Pages 200 – 207 | Action                                       |
| XVIII. | Closed Session: The Committee will adjourn to closed session in accordance with Government Code Section 54956.9 to discuss existing litigation (two cases):<br><br>Alameda Corridor East Construction Authority v. Rowland Ranch Properties, et al; LASC Case No. BC 629 037; and<br><br>Alameda Corridor East Construction Authority v. Majestic Realty Co., et al; LASC Case No. BC 527 310. |                 | Possible<br>Action<br><br>Possible<br>Action |
| XIX.   | Adjournment  |                 | Action                                       |



*If you would like to receive the Capital Projects and Construction Committee agenda electronically, please email Amy Hanson at [ahanson@theaceproject.org](mailto:ahanson@theaceproject.org)*



## SGVCOG Capital Projects & Construction Committee September 24, 2018 Meeting Minutes

Chairperson Costanzo called the meeting of the San Gabriel Valley Capital Projects and Construction Committee to order at 12:03PM at the City of West Covina Community Center.

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

2. **Roll Call:**

In attendance was:

Juli Costanzo, Chair, City of San Gabriel

Barbara Messina, City of Alhambra

Becky Shevlin, City of Monrovia

Cory Moss, City of Industry

Jack Hadjinian, City of Montebello

Nancy Lyons, City of Diamond Bar

**Staff:**

Mark Christoffels, Chief Engineer

Gregory Murphy, Burke Williams & Sorensen, legal counsel

Deanna Stanley

Amy Hanson

Charles Tsang

Nathan Bocanegra

Paul Hubler

Phil Balmeo

Rachel Korkos

Ricky Choi

Mark Mendoza

**Guests:**

Greg Jaquez, MNS Engineers

Vik Bapna, CWE

Natasha Debe, Ghirardelli

Joshua Nelson, CNC/COI

Cindy Marian, OSM

Bob Magys, CH2MHill/Jacobs

Tim Smith, CH2MHill/Jacobs

Art Corret, LA County DPW

3. **Public Comments** – There were no public comments.
4. **Approval of the Capital Projects and Construction Committee Meeting Minutes of August 27, 2018** – A motion was made by member Hadjinian to approve the minutes of August 27, 2018. The motion was seconded by member Messina.  
M/S/C/Hadjinian/Messina/Passed Abstentions: Sandoval, Moss
5. **Chairman’s Remarks** – Chairperson Costanzo thanked the staff for the successful celebration of the San Gabriel Trench’s completion. The Chairman also announced that the closed session item was being pulled.
6. **Member Comments** – Jack Hadjinian reported that a Pico Rivera resident who was affected by the Durfee Avenue grade separation project approached Assemblywoman’s office to discuss the process in which ACE handles property takes. He indicated he met with the property owner.
7. **Chief Engineers Monthly Report** – Mark Christoffels reported staff had a call with DOT to discuss the unsuccessful application for additional funding. He indicated DOT did not agree with the methodology used.  
  
Mr. Christoffels indicated it since there was not an adequate number of members of the Committee to approve a Resolution of Necessity, hold the hearings on the amended resolutions so those items would be held until next month. Mr. Murphy explained those items required eight affirmative votes to pass and there were only six members present, therefore all four items would be pulled.
8. **Project Construction Progress Reports** – Charles Tsang reviewed the nearly complete Lemon Avenue eastbound ramps of the SR-60 freeway. He showed grading and reported the eastbound ramps will be open by late October. Victoria Butler reviewed the widening of Fullerton Road and the construction of a large private drain to service Industry in connection with the Fullerton Road Grade Separation Project.
9. **Hearing on Resolution of Necessities No. 13-11, 13-14, 13-15 & 13-16** – Mr. Murphy announced that due to lack of the required votes to adopt Resolutions of Necessity, the four items were pulled and hearings will be held at the October Committee agenda. He indicated if an additional member arrived the items would be heard.
10. **Approval of Contract Amendment with CH2M Hill for Design Support Services During Construction for the Fairway Drive Grade Separation Project** – Mr. Christoffels reminded the committee that once a design contract is awarded for a project the designer is responsible through construction to assist with any design changes. He reminded the Committee that the initially approved \$1.8M for design support through construction. He reported that the project is now 50% complete acknowledged there were many significant design issues that needed to be addressed. He stated he talked to members individually who concurred that drastic measures should be taken to keep the project moving forward. This involved significant additional design effort from the designer. He acknowledged reviewed prior amendments and stated approval of this amendment in the amount of \$492,307 would

carry the design contract through the completion of the project and bring the total contract value to \$8,321,611.

A motion was made to 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

M/S/C/Hadjinian/Shevlin/Unanimous

11. **Approval of Contract award to CWE for Preliminary Engineering and Final Design Services During Construction for the Fairway Drive Grade Separation Project** – Mr. Christoffels reminded the Committee that this was the first non-ACE related contract and would benefit eight San Gabriel Valley cities along with parts of Unincorporated LA County. He reviewed the scope of the work in Phase I. There were no questions.

A motion was made to 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 for \$249,394 for the Load Reduction Strategy Projects for the Rio Hondo River Tributaries.

M/S/C/Messina/Lyons/Unanimous

Mr. Christoffels confirmed that the Resolutions of Necessity would be placed on the October Committee meeting agenda. He reviewed the process for eminent domain.

12. **Adjournment** – The meeting was adjourned at 12:36PM. The next meeting will be held on October 22, 2018.

X 

Deanna Stanley  
Clerk



Memo to: Capital Projects and Construction Committee Members & Alternates

From: Mark Christoffels  
Chief Engineer

Date: October 22, 2018

SUBJECT: Chief Engineer’s Monthly Report

The following are items of note since the last meeting:

**Lemon Avenue interchange** – A newly constructed eastbound on-ramp to State Route 60 at Lemon Avenue in the City of Diamond Bar will open traffic on October 16, replacing an eastbound on-ramp at Brea Canyon Road which will be closed. The new ramps at Lemon Avenue, and separate ramps at Grand Avenue, help eliminate vehicle-weaving hotspots at the confluence of State Routes 57 and 60, the fifth worst truck bottleneck in the nation. With completion of the new ramps, major construction can start in early 2021 on the \$288.6 million SR 57-60 Confluence Chokepoint Relief Project to add new freeway lanes and widen the Grand Avenue overcrossing.

**Asian Media Briefing** – Board members are invited to attend the Asian Media Briefing at 11:30 a.m. on Wednesday, October 31 at the Diamond Bar Holiday Inn. This briefing will provide an update on the ACE grade separations and other transportation projects in the San Gabriel Valley. We will also highlight the completion of the new ramps on State Route 60, as well as progress of the SR 57-60 Confluence Chokepoint Relief Project assigned to your committee. Please RSVP to Paul Hubler.

**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
Biggs Cardosa Associates, Inc.	Extend Task Order No. 5 term through December 31, 2021 for Fullerton Road grade separation project	\$0.00	\$11,267,679
APSI CM	Additional Third-Party Schedule Assessment for Puente Avenue Project	\$8,220	\$44,220
PreScience Corp.	Extend Task Order No. 1 term through March 31, 2019 for Durfee Avenue grade separation project	\$0.00	\$235,979
OHL USA	Fairway Drive Grade Separation project - CCO #12 – UPRR Shoofly Track 1 & 2 (ST1 and ST2)	\$5,571,356	\$101,728,567
OHL USA	Fairway Drive Grade Separation project - CCO #13 – Dewatering for the SCG 30" Transmission Line Relocation	\$1,000,000	\$102,728,567

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

- Provided staff support for the Lemon Avenue Ramp Opening Press Conference;
- Distributed updated 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 the opening of the new State Route 60 eastbound on-ramp at Lemon Avenue and the permanent closure of the eastbound on-ramp at Brea Canyon road; and
- Conducted ongoing community outreach and support activities for the San Gabriel Trench, Fairway Drive, Fullerton Road, Durfee, and Montebello grade separation projects.



MEMO TO: Capital Projects and Construction Committee Members and Alternates

FROM: Mark Christoffels  
Chief Engineer

DATE: October 22, 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

1 DUFF MURPHY, State Bar No. 106091  
2 CYNTHIA C. MARIAN, State Bar No. 185206  
3 OLIVER, SANDIFER & MURPHY  
4 1230 Rosecrans Avenue, Suite 300  
5 Manhattan Beach, California 90266-2494  
6 Telephone: (213) 621-2000; (424) 456-3194  
7 Facsimile: (424) 456-3094

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

**STPULATION 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

OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1230 ROSEGRAN AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2494  
TELEPHONE: (310) 621-2000; (424) 456-3194  
FACSIMILE: (324) 456-3094

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

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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.



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1           6.       The Majestic Owners, Principal Entities and FoAC waive any costs and litigation  
2 expenses, including attorneys' fees, related to the proposed Amended Resolutions of Necessity  
3 and FAC, which may otherwise be recoverable under Code of Civil Procedure section 1250.340 or  
4 1268.610.

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

8           a.       SGVCOG will file a FAC pursuant to Code of Civil Procedure section  
9 1250.340, and the sum deposited with the State Treasurer on or about November  
10 15, 2013, shall be deemed to be the amount of probable compensation pursuant to  
11 Code of Civil Procedure Section 1255.010 for the interests identified in the FAC.

12           b.       The Majestic Owners, Principal Entities and FoAC will waive any and all  
13 objections to SGVCOG's right to take the property described in the FAC.  
14 for the real property and the improvements pertaining to the realty

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

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

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

23 DATED: Sept 5, 2018

ALAMEDA CORRIDOR-EAST CONSTRUCTION  
AUTHORITY

24 By: *Paul Chaffin*

25 Its: *Chief Engineer*

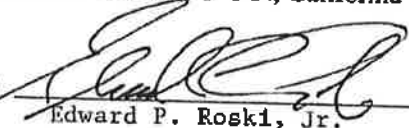
26 Additional signatures on next page

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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

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OLIVER, SANDIFER & MURPHY  
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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

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OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
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DATED: 8/23/18, 2018

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

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

By: *J. Woehler*

Joel L. Woehler  
Investment Director  
Asset Management

Its: \_\_\_\_\_

By: *AM*

Its: **ANDREW MILLER, Counsel**

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: *J. Woehler*

Joel L. Woehler  
Investment Director  
Asset Management

Its: \_\_\_\_\_

By: *AM*

Its: **ANDREW MILLER, Counsel**

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: *J. Woehler*

Joel L. Woehler  
Investment Director  
Asset Management

Its: \_\_\_\_\_

By: *AM*

Its: **ANDREW MILLER, Counsel**

Additional signatures on next page

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

By: A. Miller  
Its: **ANDREW MILLER, Counsel**

DATED: \_\_\_\_\_, 2018

FURNITURE OF AMERICA CALIFORNIA dba  
IMPORT DIRECT

By: \_\_\_\_\_  
Its: \_\_\_\_\_

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

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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

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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: \_\_\_\_\_, 2018

FURNITURE OF AMERICA CALIFORNIA dba  
IMPORT DIRECT

By: \_\_\_\_\_

Its: \_\_\_\_\_

Approved as to Form:

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

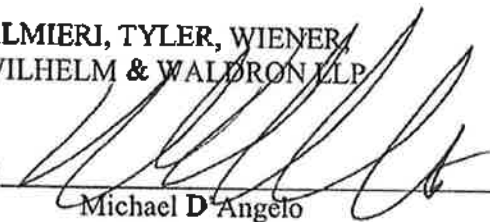
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DATED: 8/31/18, 2018

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

DATED: \_\_\_\_\_, 2018

SULLIVAN, WORKMAN & DEE, LLP

By \_\_\_\_\_  
Charles D. Cummings

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



OLIVER, SANDIER & MURPHY  
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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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**Exhibit 1**  
(re: Parcel 204C)

**OLIVER, SANDJIFER & MURPHY**  
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OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
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**Exhibit 2**  
(re Parcel 204S&T)

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**OLIVER, SANDIFER & MURPHY**  
A PROFESSIONAL CORPORATION  
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**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  
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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



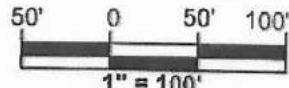
CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	92.91'	2939.00'	1°48'41"
C2	22.39'	3081.00'	0°25'09"
C3	20.41'	368.62'	3°10'22"
C4	41.62'	27.00'	88°18'57"
C5	79.03'	3050.00'	1°29'05"
C6	142.52'	2950.00'	2°46'05"

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	30
PARCEL	204C-PE-1 & 204C-PE-2

WAGNER ENGINEERING & SURVEY, INC. ACE RECOMMENDED BY:  
 Stephanie Wagner Charles Tsay 5-18-18  
 CHECKED BY: L.S.:5752 PROJECT MANAGER DATE



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:

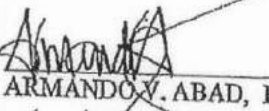
COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING AT THE INTERSECTION OF THE WESTERLY LINE OF FAIRWAY DRIVE, OF 50 FOOT HALF WIDTH, WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD (FORMERLY KNOWN AS SAN PEDRO, LOS ANGELES & SALT LAKE RAILROAD), 100 FEET WIDE, AS 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:

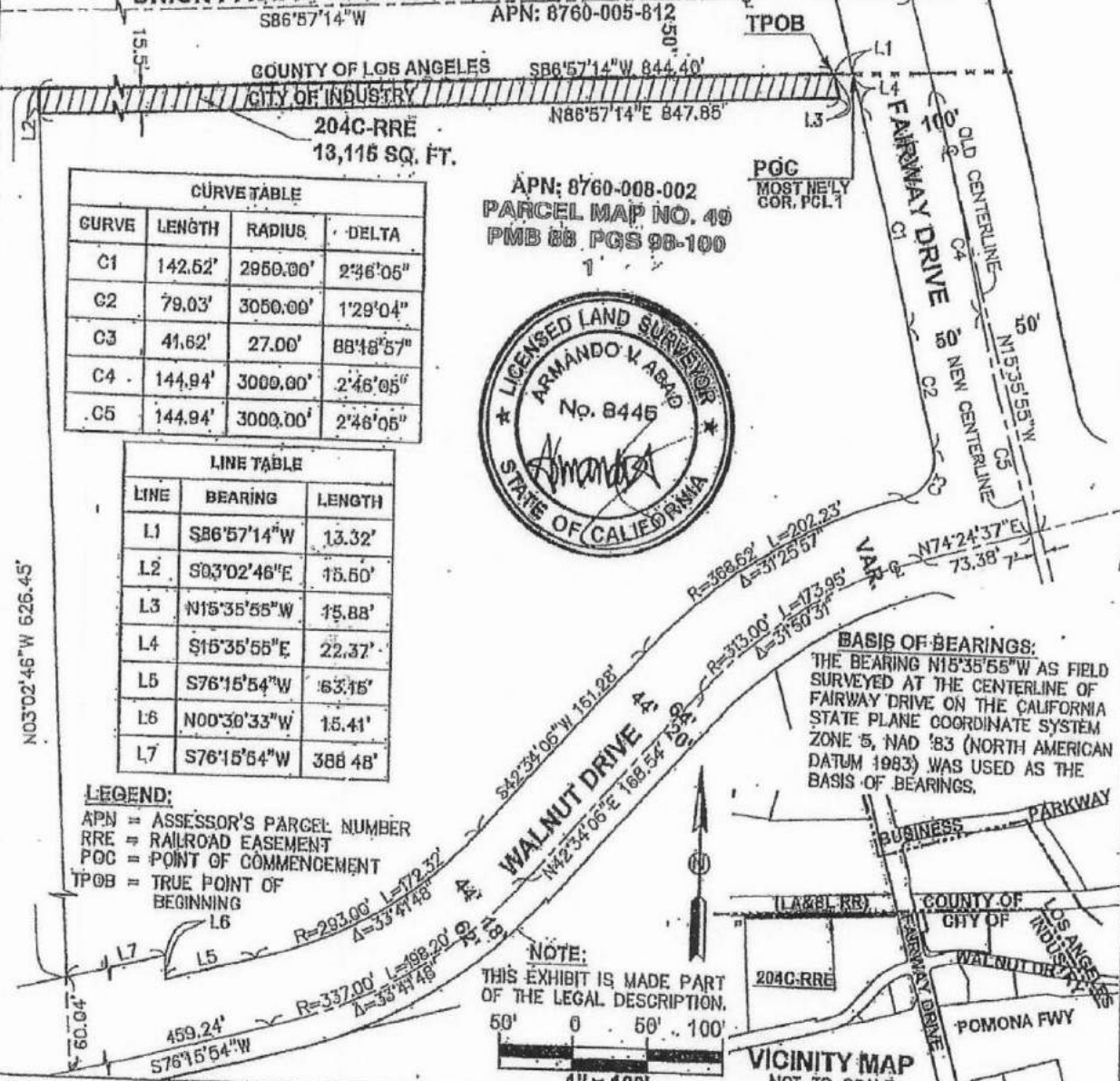


EXHIBIT "B-2"

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)



**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°48'57"
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	18.50'
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'

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



**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.

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

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

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

ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY  
WAGNER ENGINEERING & SURVEY, INC.  
*[Signature]*  
CHECKED BY: L.S.: 8445  
ACE APPROVED BY: *[Signature]*  
PROJECT MANAGER: Charles Tsang  
DATE: 6/18/13

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-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.

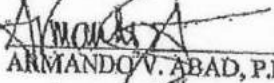
APN: 8760-008-002

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

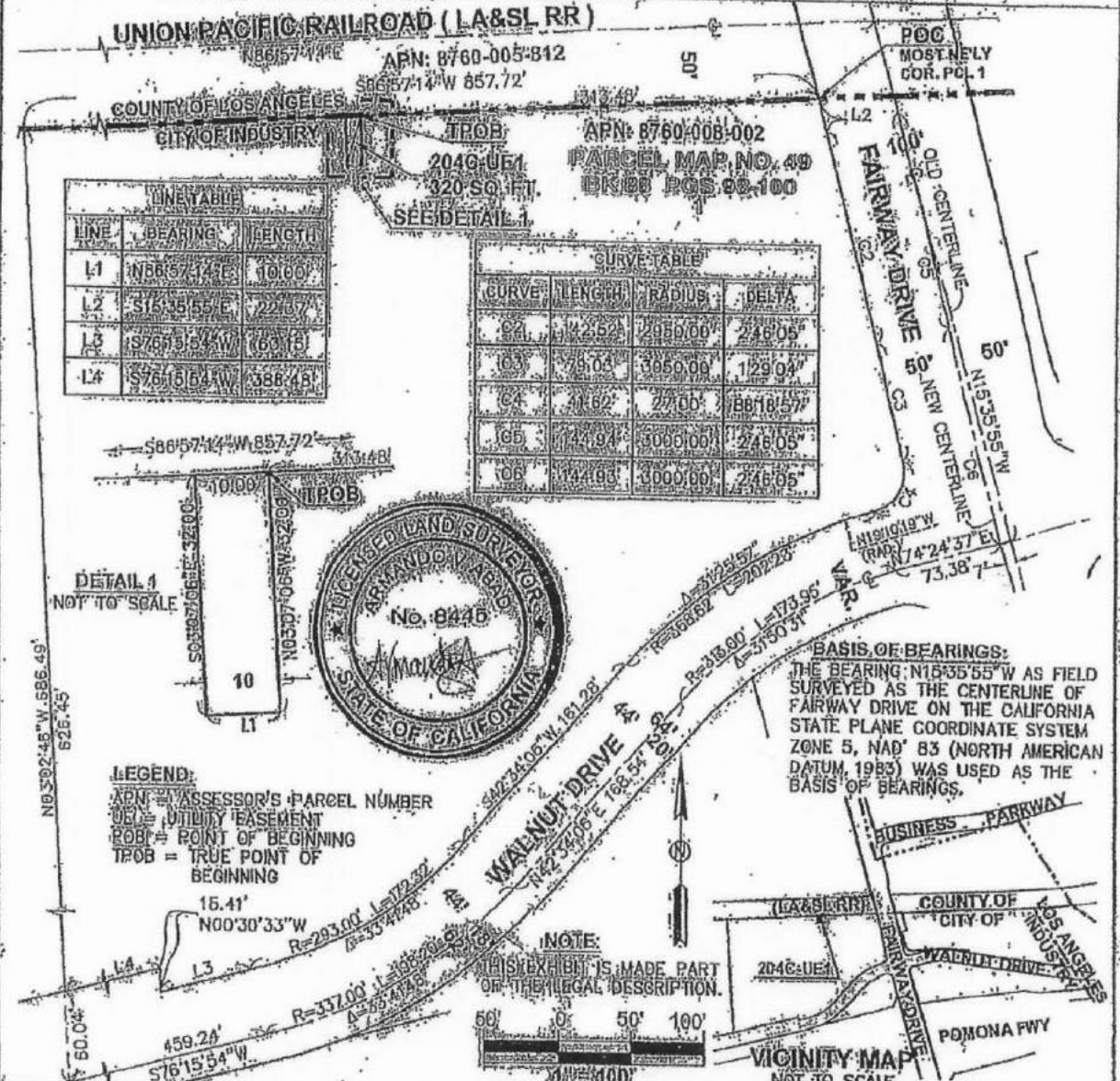
4/8/13  
DATE:



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: *Mark [Signature]*  
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.  
APPROVED BY: *Charles Tseng*  
PROJECT MANAGER 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  
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

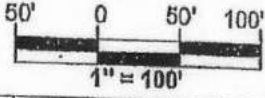
CURVE	LENGTH	RADIUS	DELTA
C1	142.52'	2950.00'	2°46'05"
C2	79.03'	3050.00'	1°29'04"
C3	41.62'	27.00'	88°18'57"
C4	144.94'	3000.00'	2°46'05"
C5	144.94'	3000.00'	2°46'05"

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

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

WAGNER ENGINEERING & SURVEY, INC.  
CHECKED BY: *[Signature]*  
L.S.: 8445  
APPROVED BY: *[Signature]*  
PROJECT MANAGER  
DATE: 6.18.13

EXHIBIT "A-5"

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

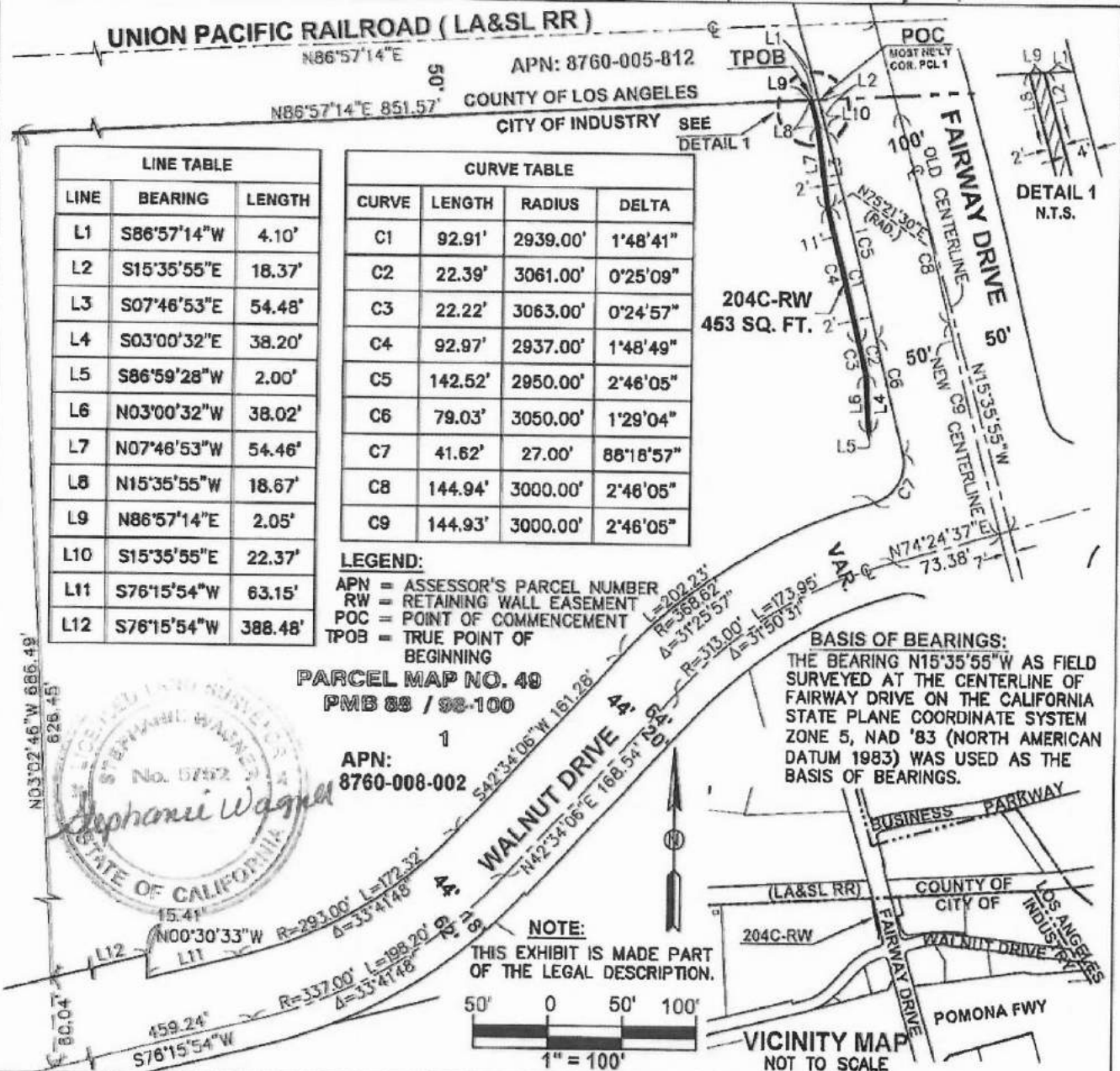
**ACE**

ACCEPTED BY:

*[Signature]*  
 CHIEF ENGINEER

DATE:

6/21/18



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"	



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

**ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY**

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

ACE RECOMMENDED BY:  
*Charles Tray* 5.18.18  
 PROJECT MANAGER DATE

**FAIRWAY DRIVE GRADE SEPARATION**  
 CITY OF INDUSTRY

DATE: 03-09-2018  
 SCALE: 1"=100'  
 REV. No. DATE:  
 REV. No. DATE:  
 39  
 ACE PARCEL No 204C-RW

EXHIBIT "A-6"

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

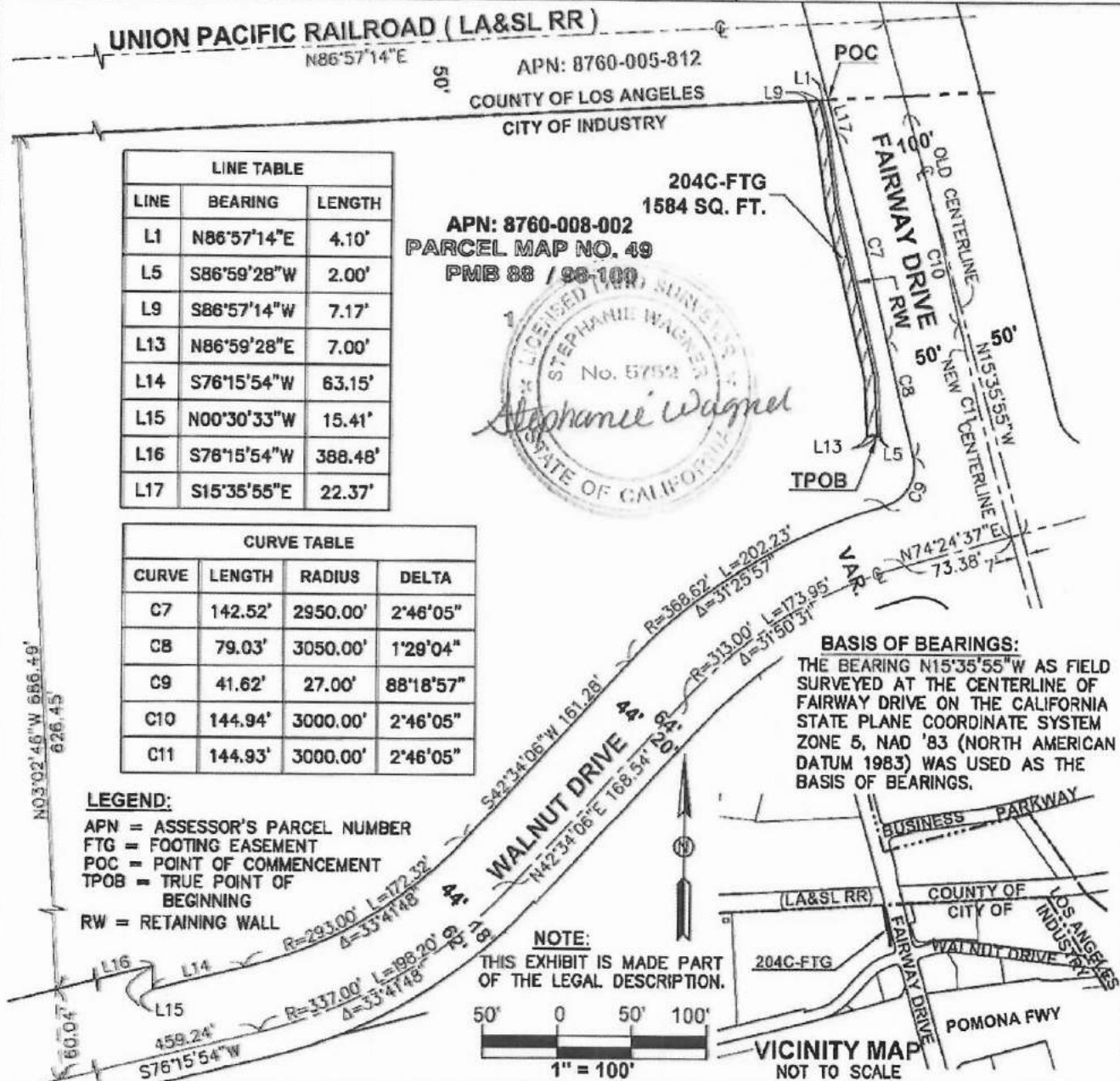
**ACE**

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:  
 42  
 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:

*Paul Chaff*  
 CHIEF ENGINEER

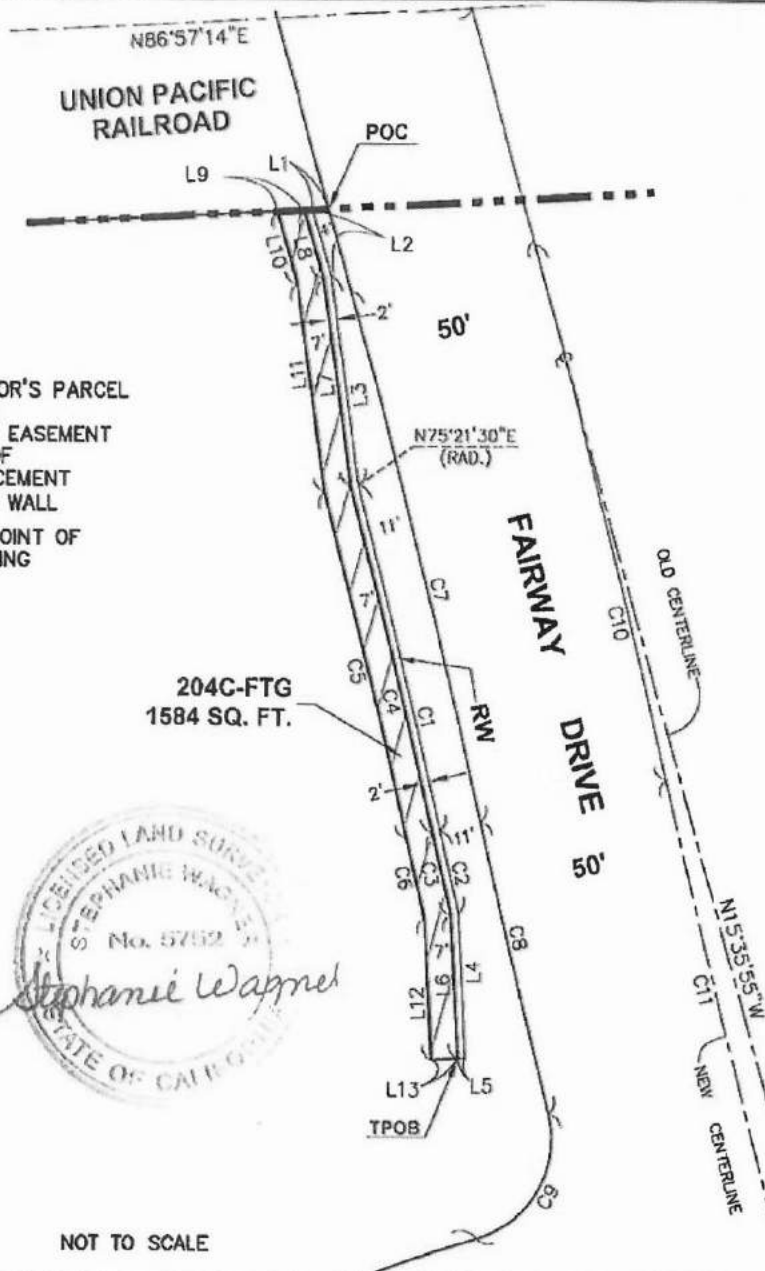
DATE:

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'

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"

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



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

ALAMEDA CORRIDOR – EAST CONSTRUCTION AUTHORITY  
 WAGNER ENGINEERING & SURVEY, INC.  
 ACE RECOMMENDED BY: *Charles Terry* 5.18.18  
 CHECKED BY: *Stephanie Wagner* L.S.: 5752 PROJECT MANAGER/ DATE

FAIRWAY DRIVE  
 GRADE SEPARATION  
 CITY OF INDUSTRY  
 SHEET 2 OF 2

DATE: 03-09-2018  
 SCALE: NTS  
 REV. No. DATE:  
 REV. No. DATE:  
 ACE PARCEL No 204C-FTG

EXHIBIT "A-7"

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 FBET; 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

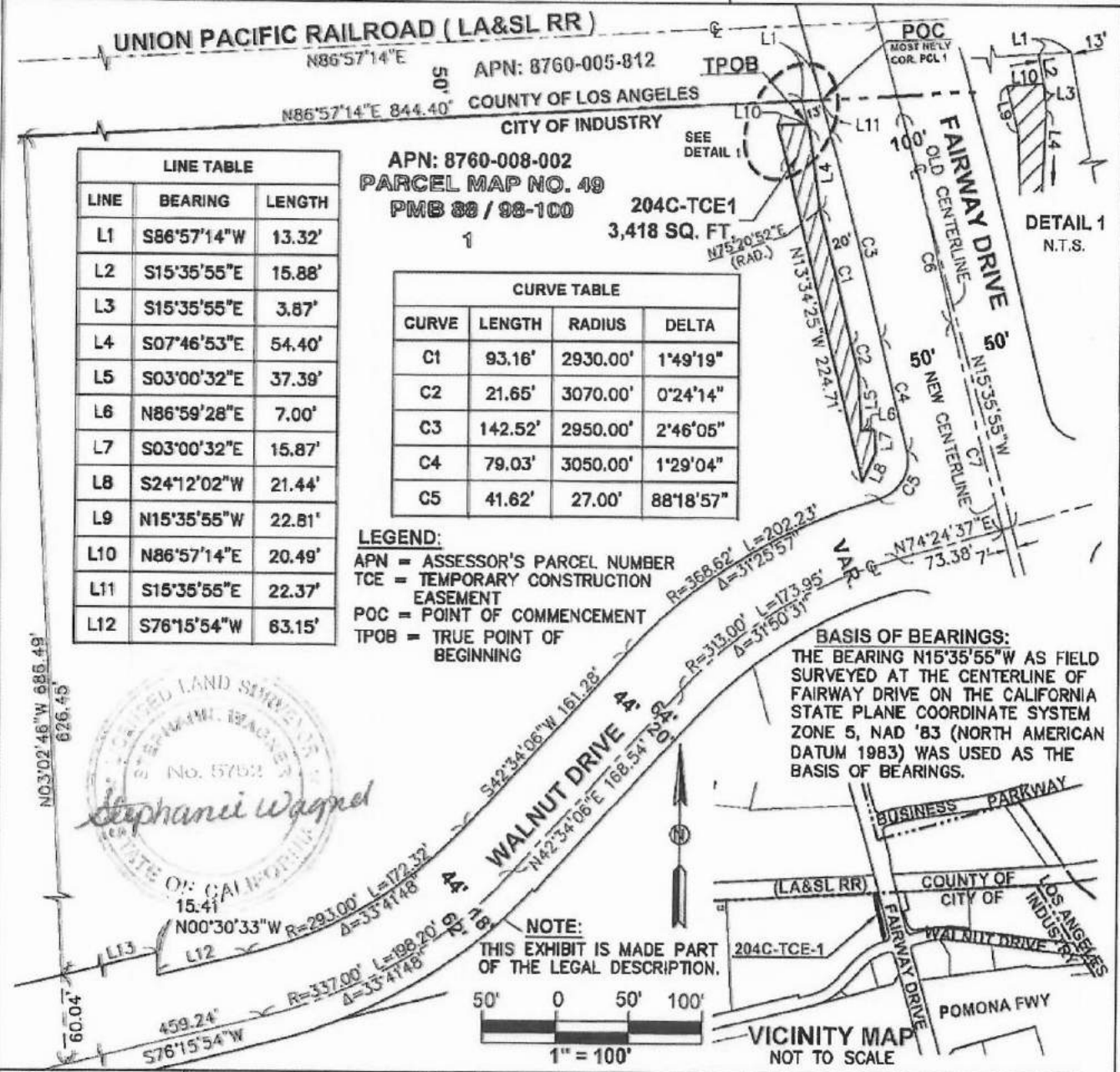
March 9, 2018  
DATE:



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



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

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:  
 45  
 ACE PARCEL No 204C-TCE-1

WAGNER ENGINEERING & SURVEY, INC.  
 ACE RECOMMENDED BY:  
*Stephanie Wagner*  
 CHECKED BY: L.S.:5752  
 PROJECT MANAGER: *Charlotta* 5.18.18  
 DATE



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: *[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  
 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.

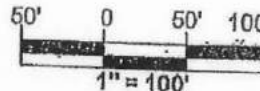
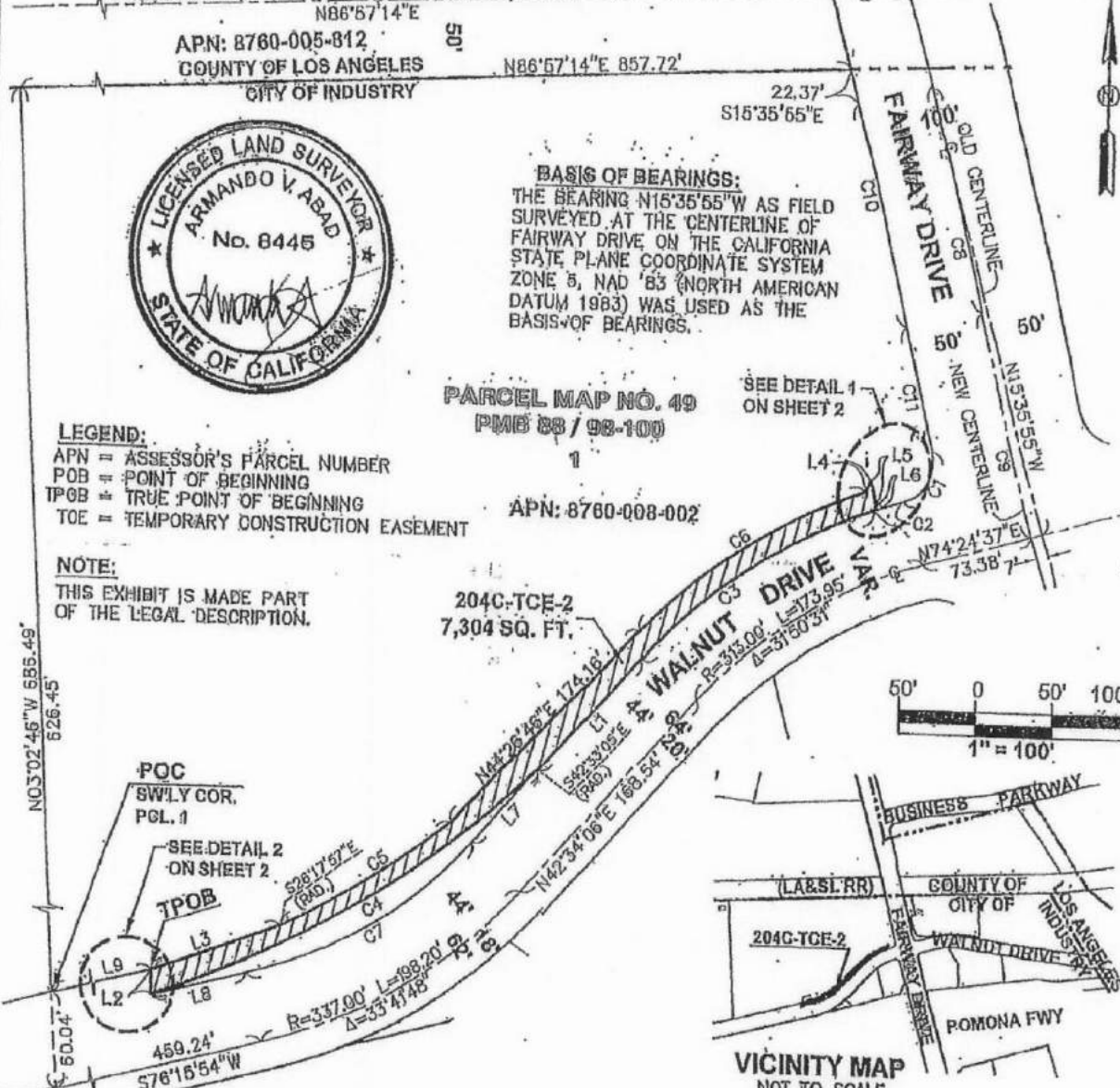
PARCEL MAP NO. 49  
 P.M.B. 88 / 98-100  
 1

SEE DETAIL 1  
 ON SHEET 2

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.



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]*  
 S.S.:8445

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

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

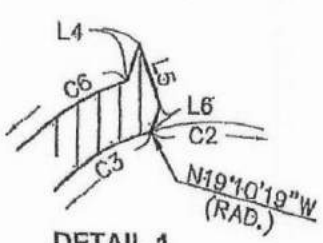
EXHIBIT "B-8"

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

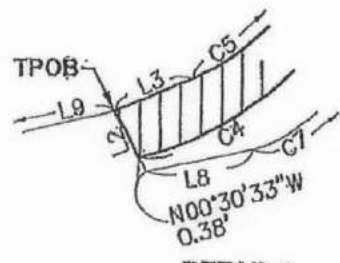
ACE  
 RECOMMENDED: *[Signature]*  
 CHIEF ENGINEER  
 DATE: 6/18/13

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'	361.62'	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°34'06"W	98.27'
L2	N00°30'33"W	15.03'
L3	N70°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°34'06"W	63.01'
L8	S76°16'54"W	63.15'
L9	N76°16'54"E	388.48'



DETAIL 1  
 N.T.S.



DETAIL 2  
 N.T.S.

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.: 8446  
 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-28

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:

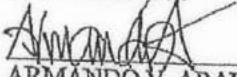
COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING AT THE INTERSECTION OF THE WESTERLY LINE OF FAIRWAY DRIVE, OF 50 FOOT HALF WIDTH, WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD (FORMERLY KNOWN AS SAN PEDRO, LOS ANGELES & SALT LAKE RAILROAD), 100 FEET WIDE, AS 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 FBET; 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 FBET 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 FBET.

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:

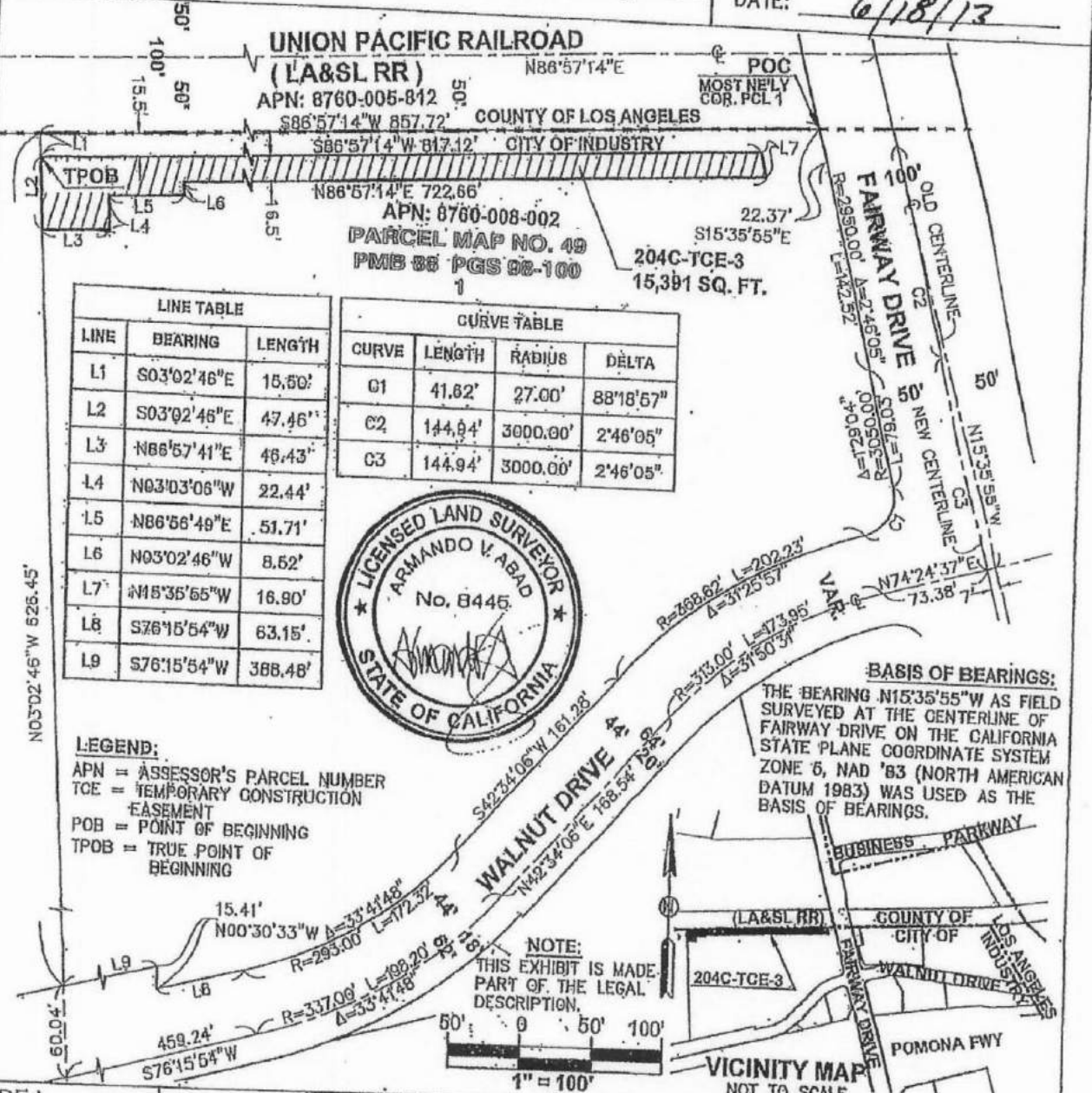


EXHIBIT "B-9"

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



LINE TABLE		
LINE	BEARING	LENGTH
L1	S03°02'46"E	15.50'
L2	S03°02'46"E	47.46'
L3	N86°57'41"E	46.43'
L4	N03°03'06"W	22.44'
L5	N86°56'49"E	51.71'
L6	N03°02'46"W	8.52'
L7	N15°35'55"W	16.80'
L8	S76°15'54"W	63.15'
L9	S76°15'54"W	368.48'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	41.82'	27.00'	88°18'57"
C2	144.94'	3000.00'	2°46'05"
C3	144.94'	3000.00'	2°46'05"



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

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

DATE: 04-05-2013  
SCALE: 1"=100'  
REV. No. 2 DATE: 05-31-2013  
REV. No. DATE:  
ACE PARCEL No. 204C-TCE-3 50

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.

**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, October 22, 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 rights to be acquired are for the purposes identified in the most current Fairway Drive Grade Separation Project Construction Plans which incorporated as if fully set forth herein. 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 22nd day of October, 2018.

ATTEST:

Amy Hanson, Assistant 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 22nd day of October, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Amy Hanson, Assistant Clerk

**Placeholder**

Plat Maps

&

Legal Descriptions

&

Amended Exhibit C



MEMO TO: Capital Projects and Construction Committee Members and Alternates

FROM: Mark Christoffels  
Chief Engineer

DATE: October 22, 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
- Exhibit 2- Amended Resolution of Necessity No. 13-14 with Exhibits

1 DUFF MURPHY, State Bar No. 106091  
2 CYNTHIA C. MARIAN, State Bar No. 185206  
3 OLIVER, SANDIFER & MURPHY  
4 1230 Rosecrans Avenue, Suite 300  
5 Manhattan Beach, California 90266-2494  
6 Telephone: (213) 621-2000; (424) 456-3194  
7 Facsimile: (424) 456-3094

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



OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1230 ROSEGRAN AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2494  
TELEPHONE: (310) 621-2000; (424) 456-3194  
FACSIMILE: (324) 456-3094

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

OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1230 ROSECRANS AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2494  
TELEPHONE: (415) 621-2000; (424) 456-3194  
FACSIMILE: (424) 456-3094

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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FACSIMILE: (424) 956-3094

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.

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A PROFESSIONAL CORPORATION  
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MANHATTAN BEACH, CALIFORNIA 90262-7494  
Telephone: (310) 671-2000; (424) 456-3194  
FACSIMILE: (424) 456-3094

1           6.       The Majestic Owners, Principal Entities and FoAC waive any costs and litigation  
2 expenses, including attorneys' fees, related to the proposed Amended Resolutions of Necessity  
3 and FAC, which may otherwise be recoverable under Code of Civil Procedure section 1250.340 or  
4 1268.610.

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

8           a.       SGVCOG will file a FAC pursuant to Code of Civil Procedure section  
9 1250.340, and the sum deposited with the State Treasurer on or about November  
10 15, 2013, shall be deemed to be the amount of probable compensation pursuant to  
11 Code of Civil Procedure Section 1255.010 for the interests identified in the FAC.

12           b.       The Majestic Owners, Principal Entities and FoAC will waive any and all  
13 objections to SGVCOG's right to take the property described in the FAC.  
14 for the real property and the improvements pertaining to the realty

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

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

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

23 DATED: Sept 5, 2018

ALAMEDA CORRIDOR-EAST CONSTRUCTION  
AUTHORITY

24 By: *Paul Chaffin*

25 Its: *Chief Engineer*

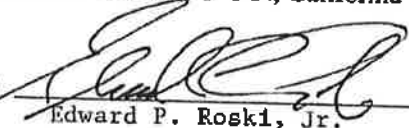
26 Additional signatures on next page

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OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1230 ROSEBANK AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2694  
TELEPHONE: (310) 621-3000; (424) 466-3794  
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

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26 ///  
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OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1120 ROSCOPES AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2994  
TELEPHONE: (310) 421-2000; (424) 456-3194  
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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

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OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1250 RIVERCHAS AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-3384  
TELEPHONE: (310) 621-2000; (424) 456-3194  
FACSIMILE: (310) 456-3094

1 DATED: 8/23/18, 2018

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

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

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

Its: \_\_\_\_\_  
By: *AM*  
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: *JL Woehler*  
Joel L. Woehler  
Investment Director  
Asset Management

Its: \_\_\_\_\_  
By: *AM*  
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: *JL Woehler*  
Joel L. Woehler  
Investment Director  
Asset Management

Its: \_\_\_\_\_  
By: *AM*  
ANDREW MILLER, Counsel

28 Additional signatures on next page

OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
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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: [Signature]  
Joel L. Woehler  
Investment Director  
Asset Management  
Its: \_\_\_\_\_  
By: [Signature]  
Its: **ANDREW MILLER, Counsel**

DATED: \_\_\_\_\_, 2018

FURNITURE OF AMERICA CALIFORNIA dba  
IMPORT DIRECT

By: \_\_\_\_\_  
Its: \_\_\_\_\_

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  
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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  
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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: \_\_\_\_\_, 2018

FURNITURE OF AMERICA CALIFORNIA dba  
IMPORT DIRECT

By: \_\_\_\_\_

Its: \_\_\_\_\_

Approved as to Form:

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

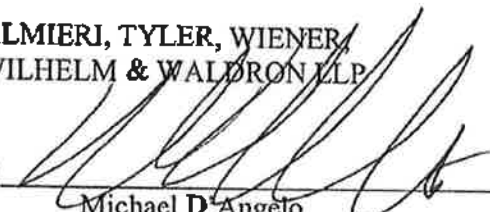
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OLIVER, SANDJER & MURPHY  
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DATED: 8/31/18, 2018

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

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  
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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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Exhibit 1  
(re: Parcel 204C)

OLIVER, SANDJIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1250 JOHNSONS AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2494  
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FACSIMILE: (310) 456-3194

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OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1230 BOSELANS AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2894  
TELEPHONE: (213) 671-2000; (624) 466-3194  
FACSIMILE: (924) 496-3094

**Exhibit 2**  
(re Parcel 204S&T)

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**OLIVER, SANDIFER & MURPHY**  
A PROFESSIONAL CORPORATION  
1230 ROSECRANS 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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OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1720 ROSECRANS AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2804  
Telephone: (310) 621-2000; (624) 456-3194  
FACSIMILE: (624) 456-3094

**Exhibit 4**

(re Parcel 204W)



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.

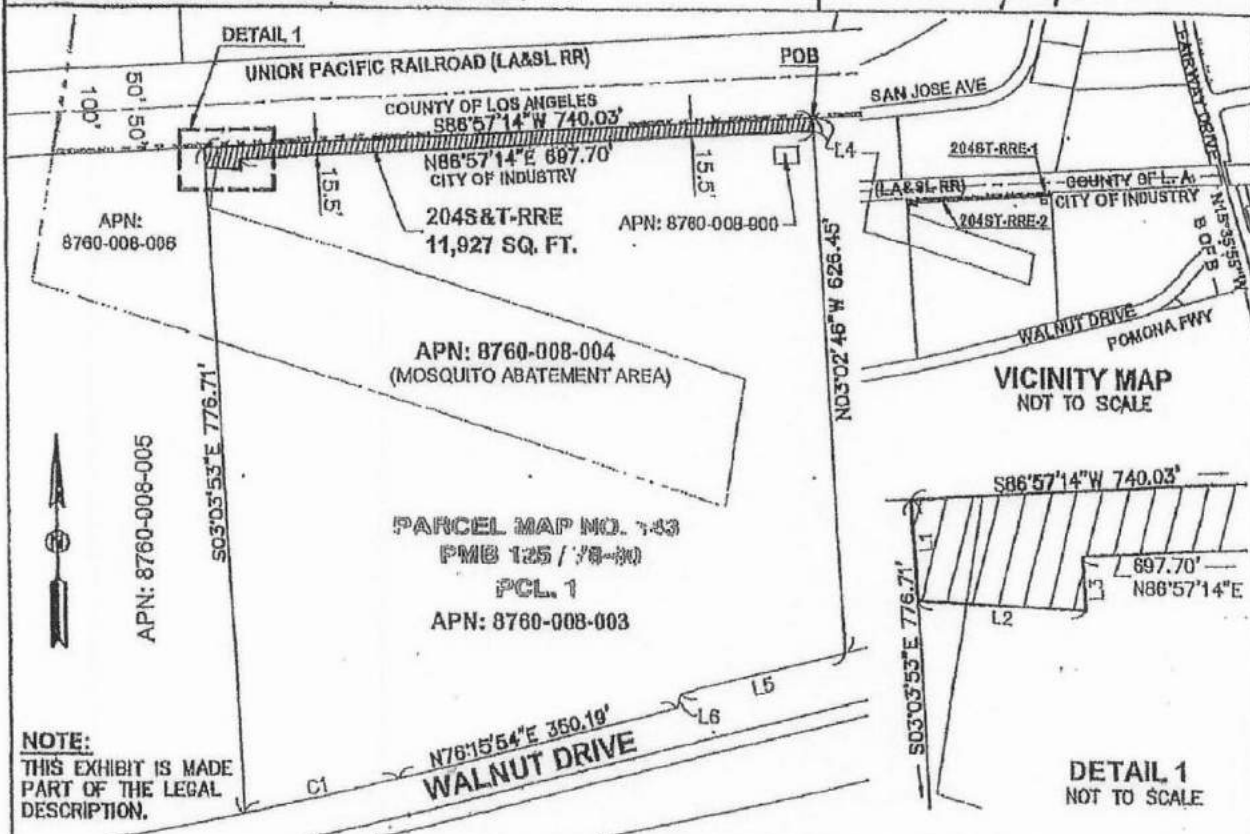
**ACE**

RECOMMENDED: *Mal [Signature]*  
CHIEF ENGINEER

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.

DATE: 4/17/13

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



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

**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

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

WAGNER ENGINEERING & SURVEY, INC.

ACE APPROVED BY:

CHECKED BY: *Stephanie Wagner*  
LS: 5752

*Charles Tracy* 4.16.13  
PROJECT MANAGER DATE

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

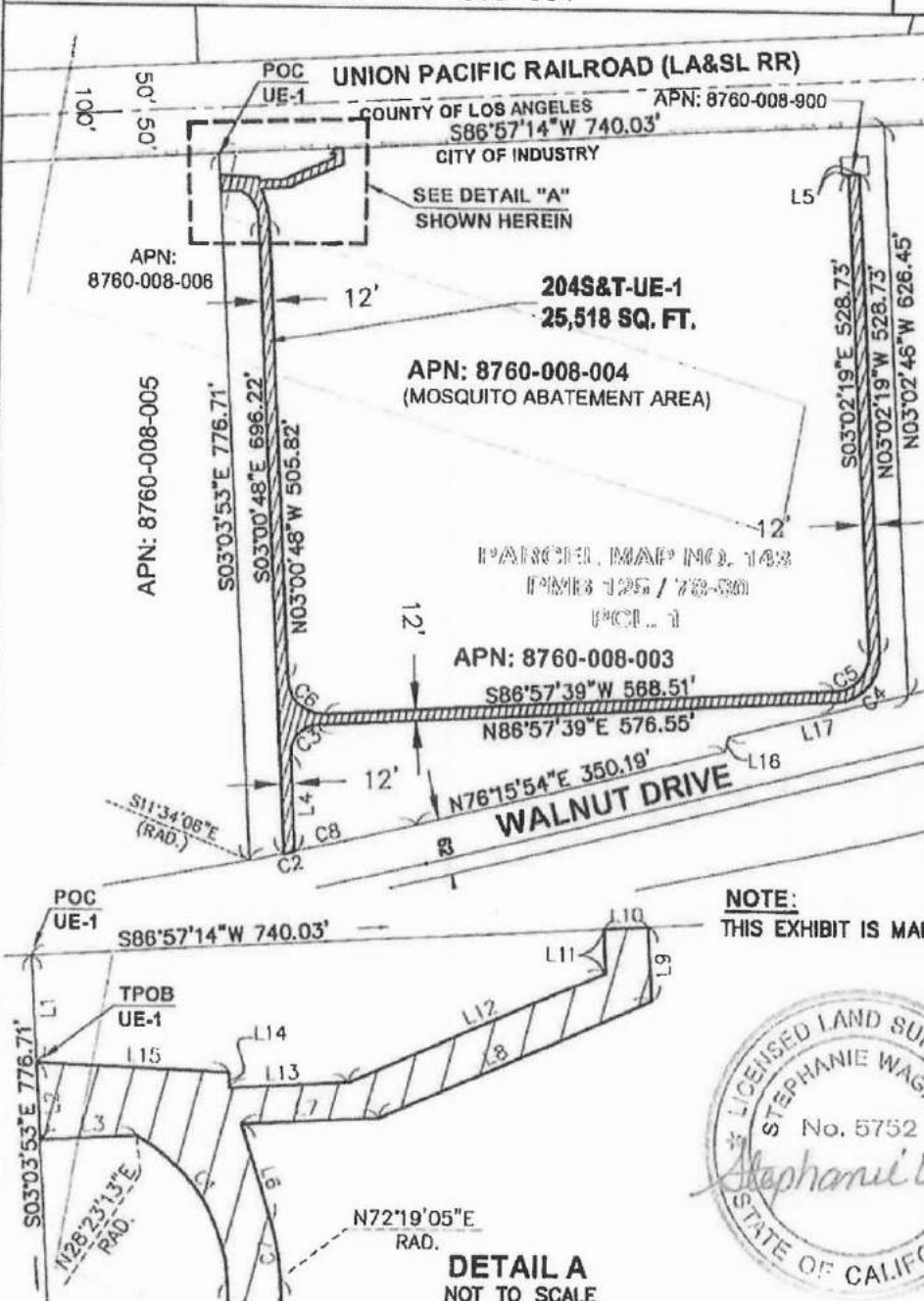
**ACE**

ACCEPTED BY:

*[Signature]*  
 CHIEF ENGINEER

DATE:

7/10/18



**VICINITY MAP**  
 NOT TO SCALE

**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.

**LEGEND:**

- APN = ASSESSOR'S PARCEL NUMBER
- TPOB = TRUE POINT OF BEGINNING
- UE = UTILITY EASEMENT
- POC = POINT OF COMMENCEMENT
- B OF B = BASIS OF BEARINGS

**NOTE:**

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION

**DETAIL A**  
 NOT TO SCALE



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:  
 83  
 ACE PARCEL No 204S&T-UE-1

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

ACE RECOMMENDED BY:  
*Charles Tsang* 7.1.18  
 PROJECT MANAGER DATE

EXHIBIT "B-2"

<b>OWNER:</b> 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.	<b>ACE</b> ACCEPTED BY: <i>[Signature]</i> CHIEF ENGINEER
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.	
<b>APN:</b> 8760-008-003 AND 8760-008-004	
DATE: <u>7/10/18</u>	

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	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
WAGNER ENGINEERING & SURVEY, INC. <i>Stephanie Wagner</i> CHECKED BY: L.S.: 5752	ACE RECOMMENDED BY: <i>Charles Tsay</i> PROJECT MANAGER      DATE: 7-1-18	

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:



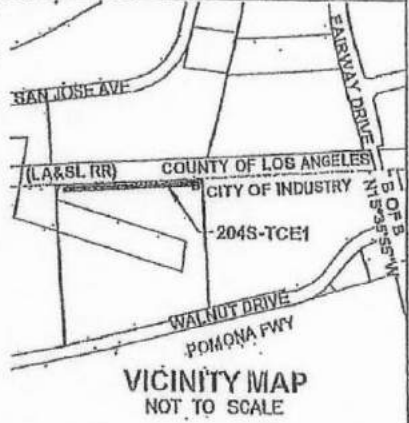
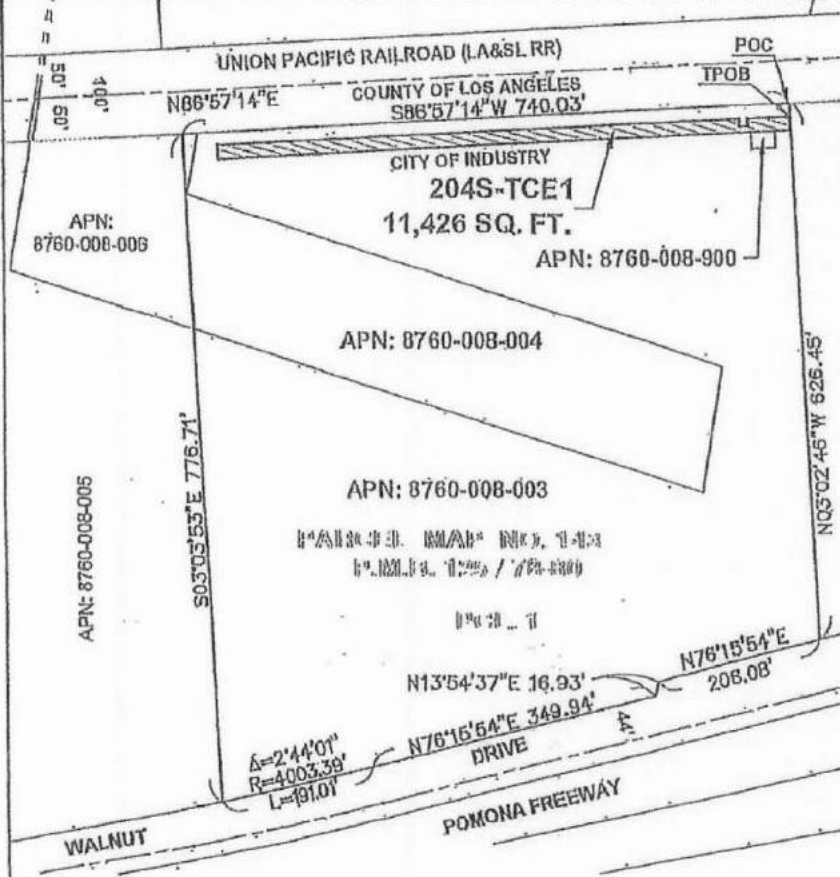
EXHIBIT "B-3"

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.

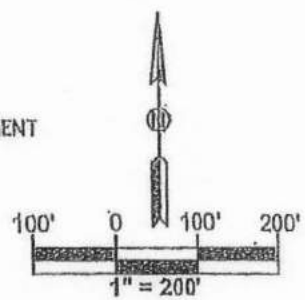
APN: 8760-008-003

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

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

ACE  
 ACCEPTED BY:  
*Charles Tsang*  
 PROJECT MANAGER DATE: 8/26/13

FAIRWAY DRIVE  
 GRADE SEPARATION  
 CITY OF INDUSTRY  
 SHEET 1 OF 2

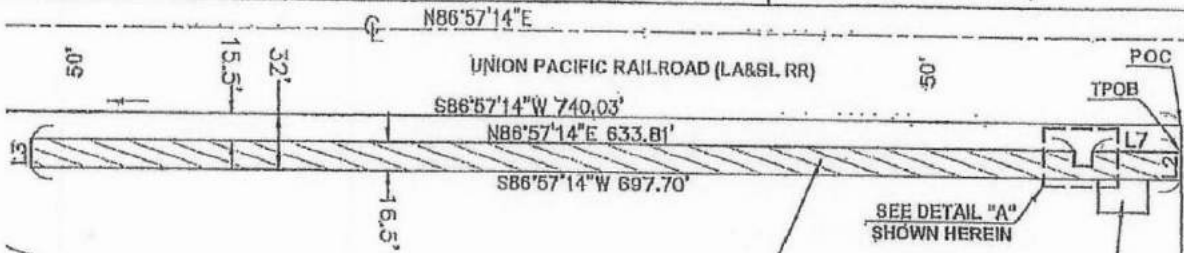
DATE: 08-23-2013  
 SCALE: 1"=200'  
 REV. No. DATE:  
 REV. No. DATE:  
 ACE PARCEL No 204S-TCE1



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 UNDIVDED 47.5% INDUSTRIAL PARK E I-B, A DEL. LLC, AS TO AN UNDIVDED 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 / 7B-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

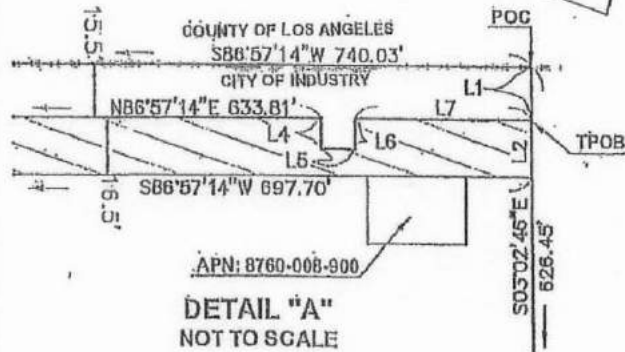
APN: 8760-008-900



PARCEL MAP NO. 143  
 P.M.B. 125 / 7B-80  
 CITY OF INDUSTRY

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	16.50'
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	53.89'



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

DATE: 08-23-2013  
 SCALE: 1"=100'  
 REV. No. DATE:  
 REV. No. DATE:  
 ACE PARCEL No 204S-1087

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

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

N03°02'46"W 626.45'

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

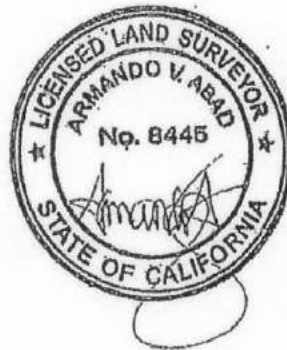
NOTE:

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.

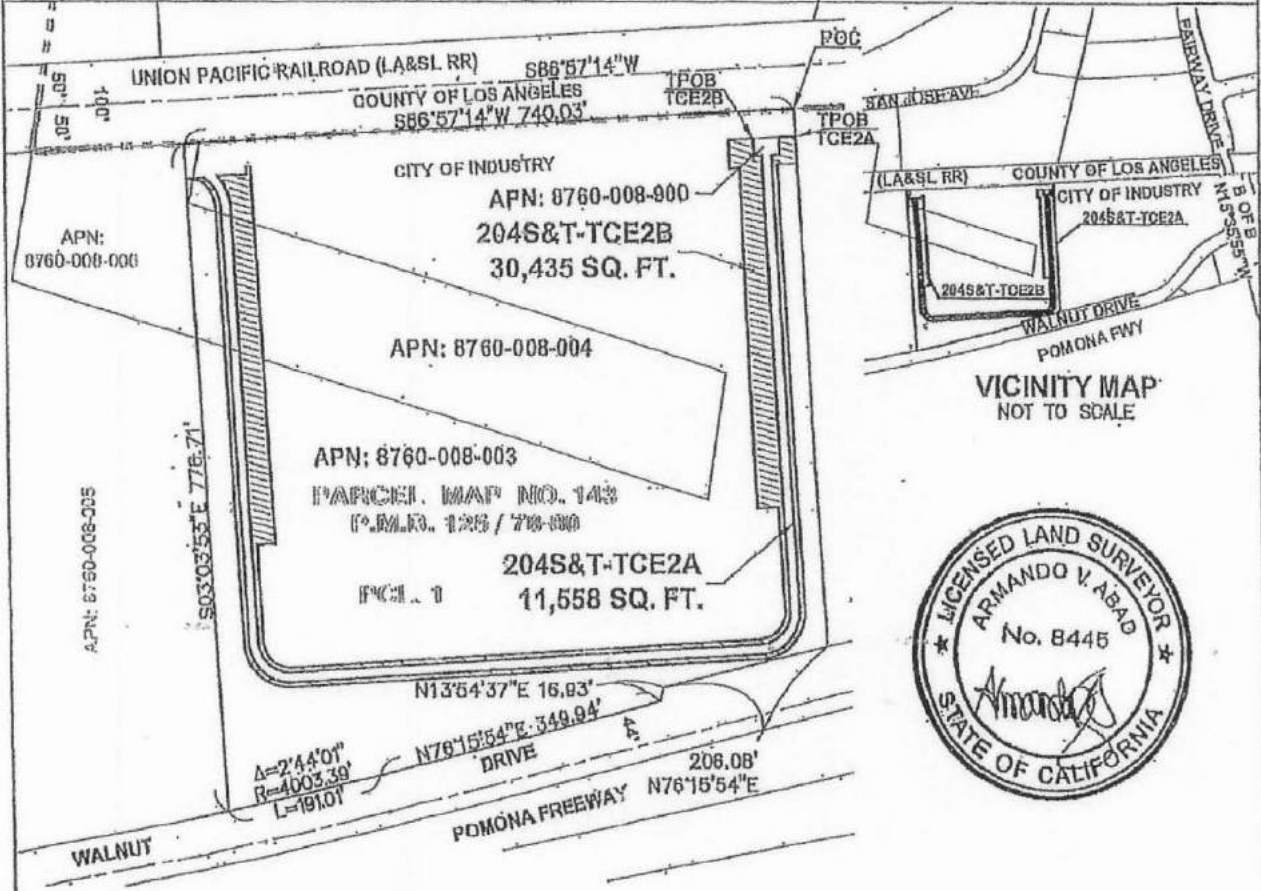
PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

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

**ACE**

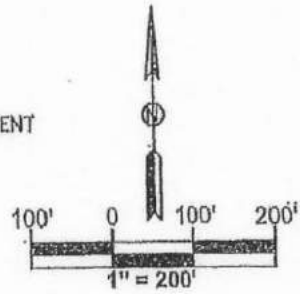
RECOMMENDED BY: *[Signature]*  
CHIEF ENGINEER

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\"/>

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-912B

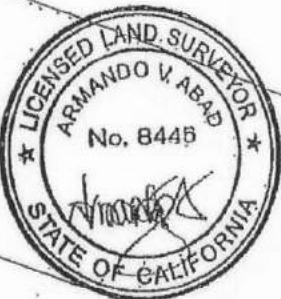
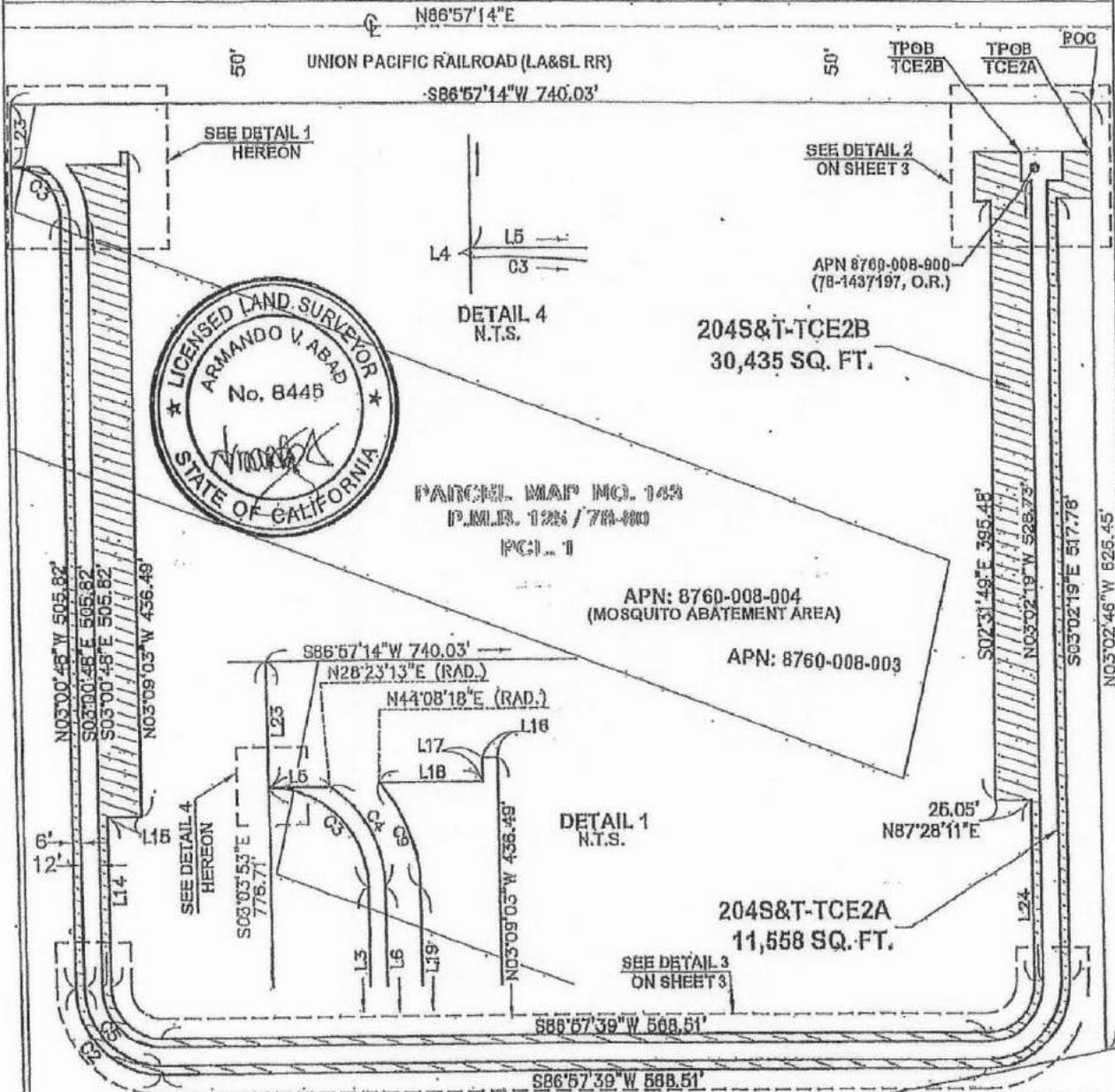
EXHIBIT "B-4"

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



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

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

WAGNER ENGINEERING & SURVEY, INC.  
 CHECKED BY: *[Signature]* LS:8446  
 ACE ACCEPTED BY: Charles Tsang 8-26-13  
 PROJECT MANAGER 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.

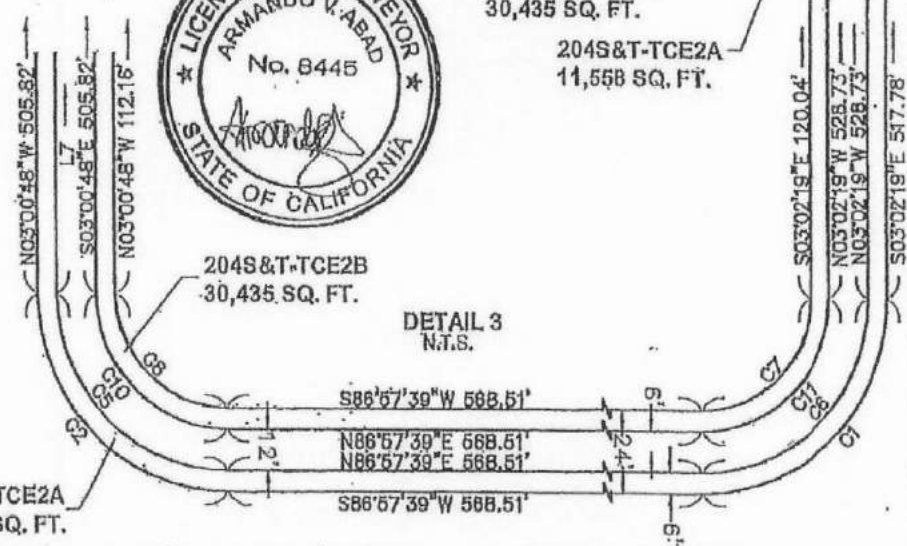
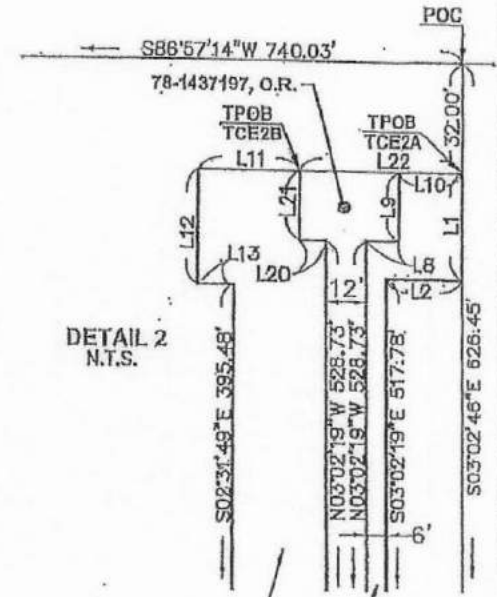
PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

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

ACE  
 RECOMMENDED BY: *[Signature]*  
 CHIEF ENGINEER  
 DATE: 8/26/13

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	51.28'	39.00'	90°01'33"	
C11	51.26'	39.00'	89°59'58"	



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

ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY

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

ACE ACCEPTED BY: *[Signature]* 8-26-13  
 PROJECT MANAGER DATE

FAIRWAY DRIVE  
 GRADE SEPARATION  
 CITY OF INDUSTRY  
 SHEET 3 OF 3

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

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.

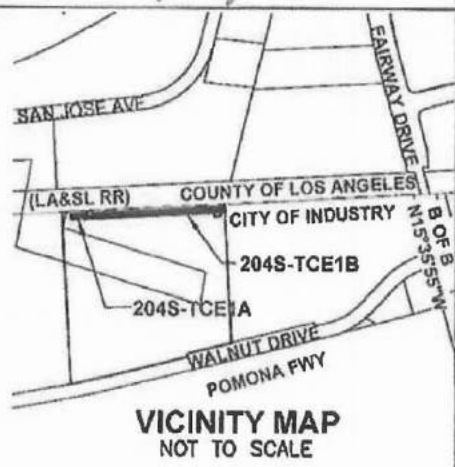
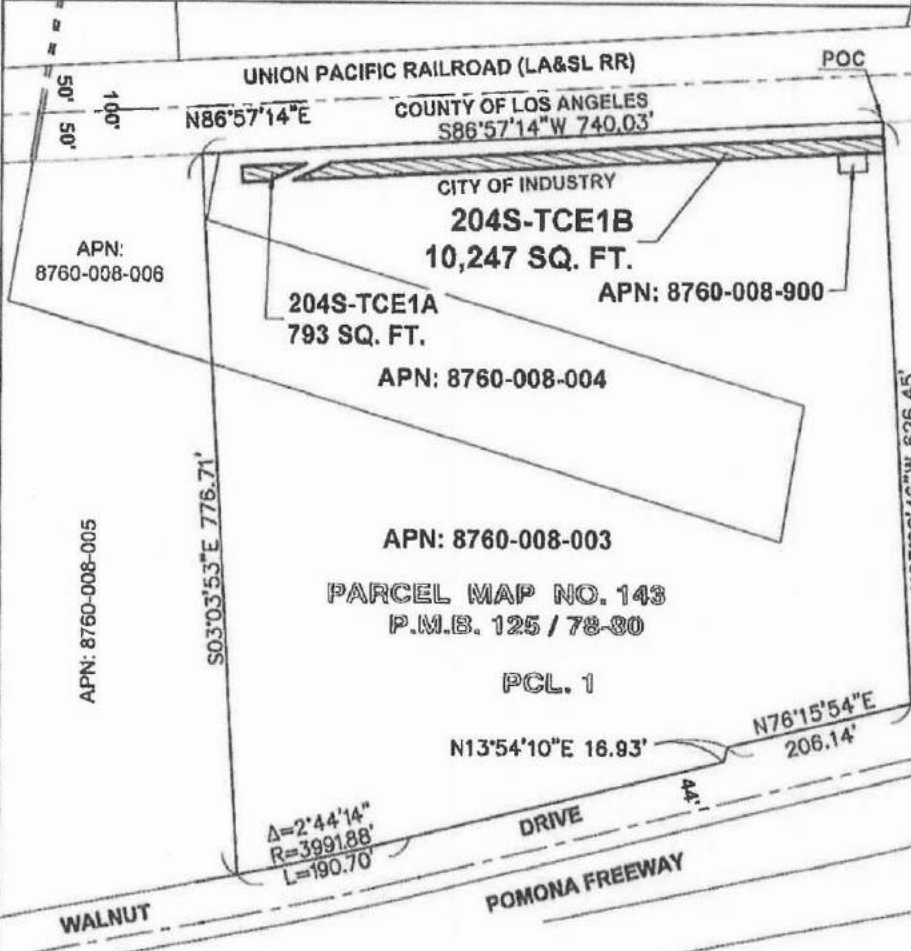
PORTIONS OF PARCEL 1 OF PARCEL MAP NO. 143, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, P.M.B. 125 / 78-80.

APN: 8760-008-003

**ACE**

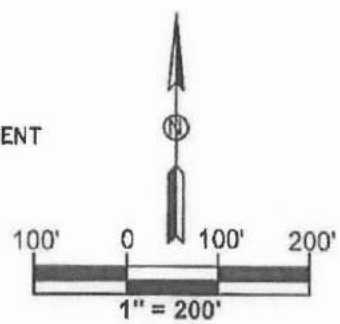
ACCEPTED BY: *[Signature]*  
CHIEF ENGINEER

DATE: 7/11/18



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

ACE RECOMMENDED BY:  
*Charles Tsang*  
PROJECT MANAGER DATE: 7.10.18

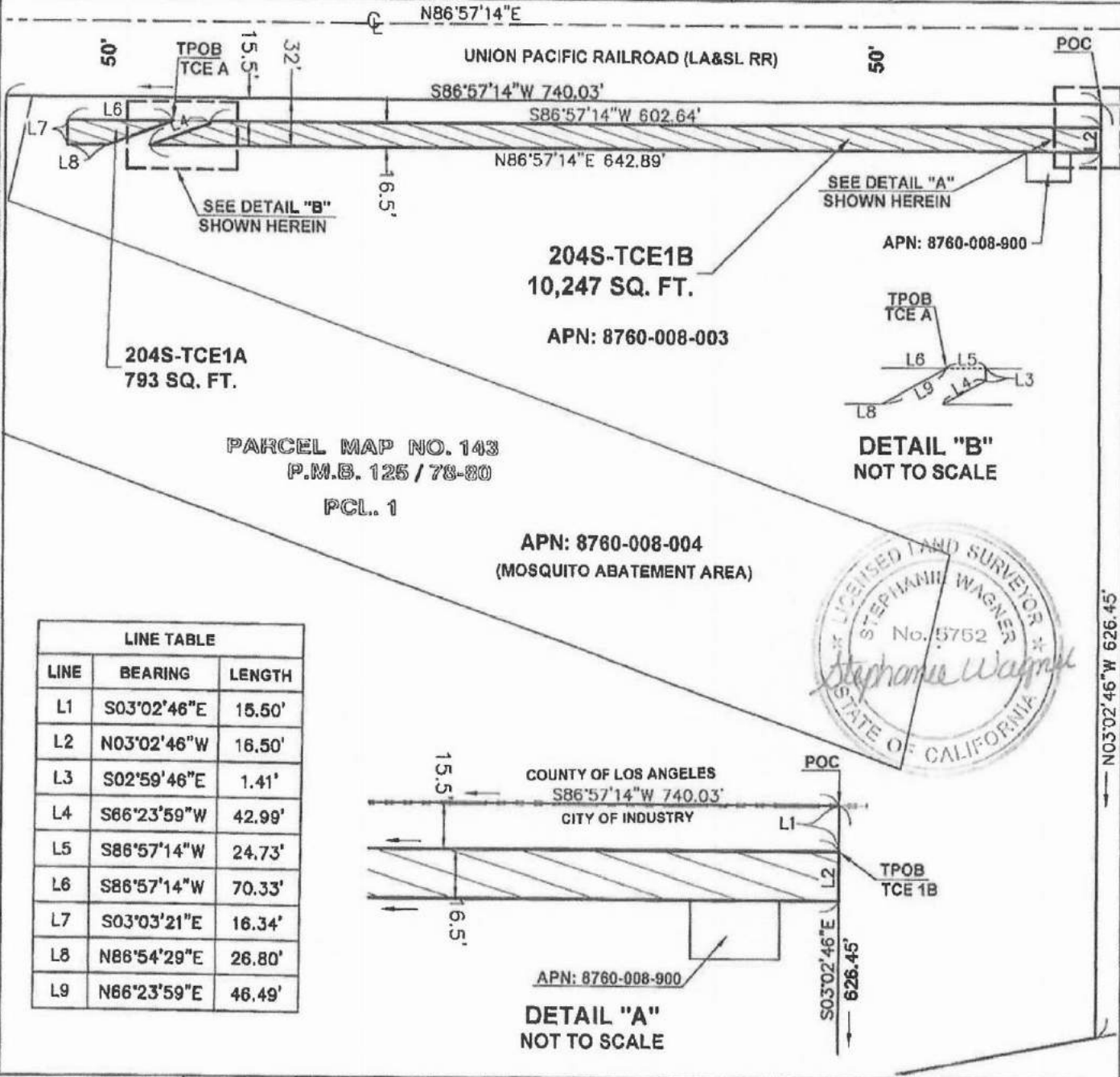
FAIRWAY DRIVE  
GRADE SEPARATION  
CITY OF INDUSTRY  
SHEET 1 OF 2

DATE: 3/05/2018  
SCALE: 1"=200'  
REV. No. DATE:  
REV. No. DATE:  
96  
204S-TCE1A  
PARCEL No204S-TCE1B

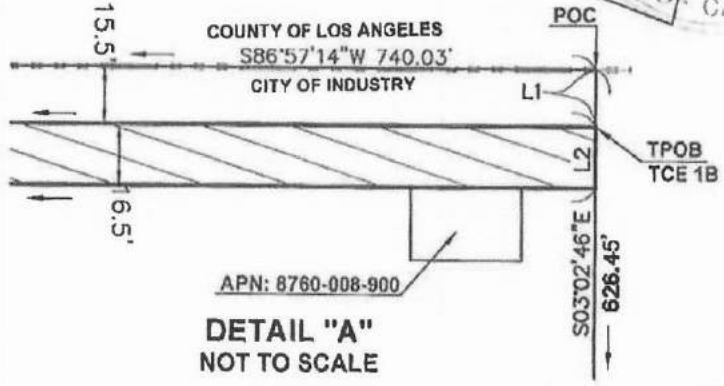
EXHIBIT "B-5"

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



LINE TABLE		
LINE	BEARING	LENGTH
L1	S03°02'46"E	15.50'
L2	N03°02'46"W	18.50'
L3	S02°59'46"E	1.41'
L4	S66°23'59"W	42.99'
L5	S86°57'14"W	24.73'
L6	S86°57'14"W	70.33'
L7	S03°03'21"E	16.34'
L8	N86°54'29"E	26.80'
L9	N66°23'59"E	46.49'



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

ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY

FAIRWAY DRIVE  
 GRADE SEPARATION  
 CITY OF INDUSTRY  
 SHEET 2 OF 2

DATE: 03-05-2018  
 SCALE: 1"=100'  
 REV. No. DATE:  
 REV. No. DATE:  
 97  
 PARCEL No. 204S-TCE1A  
 204S-TCE1B

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

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 THROUGH 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:



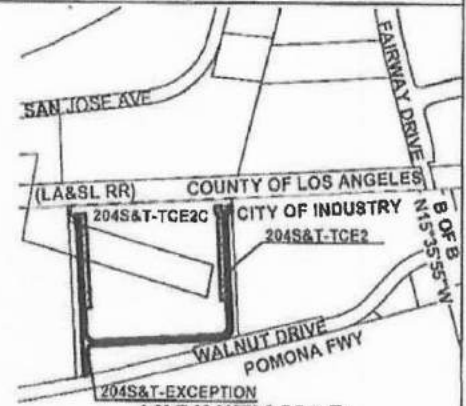
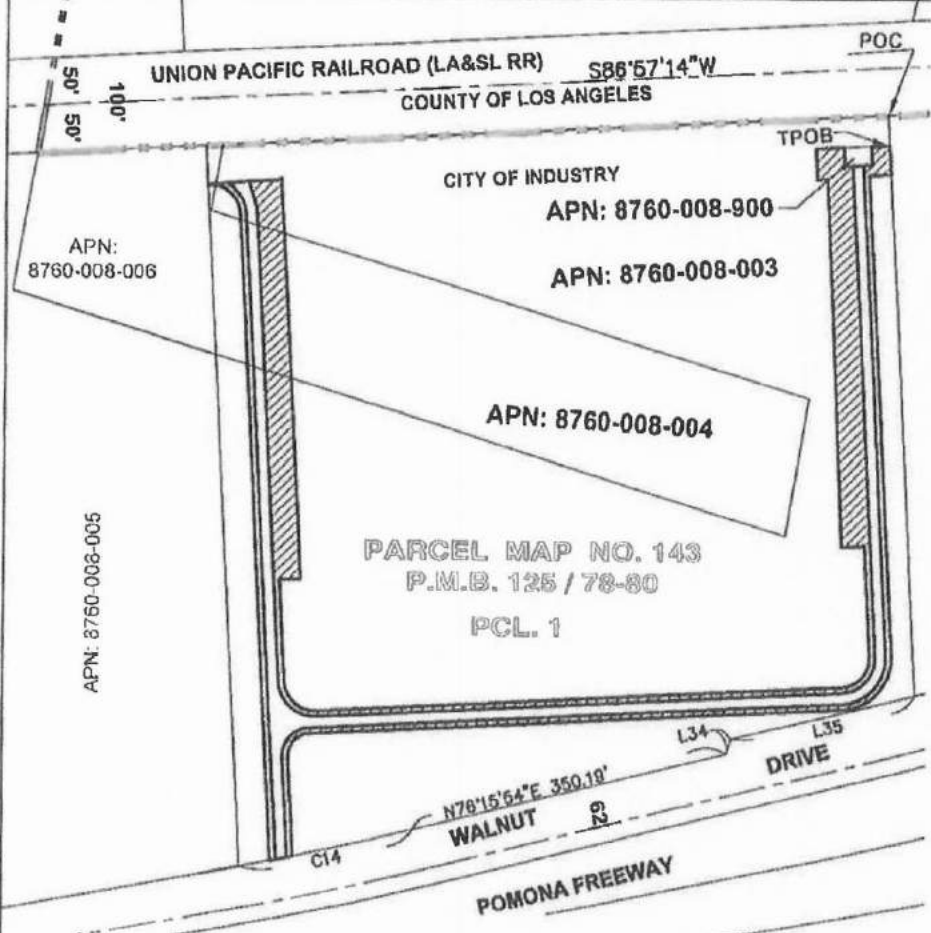
EXHIBIT "B-6"

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: *[Signature]*  
 CHIEF ENGINEER

DATE: *7/11/18*



VICINITY MAP  
 NOT TO SCALE

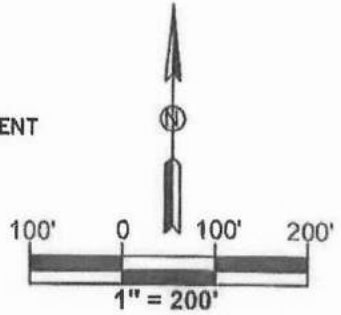


LEGEND:

- 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:
101	
204S&T-TCE2	
PARCEL No	

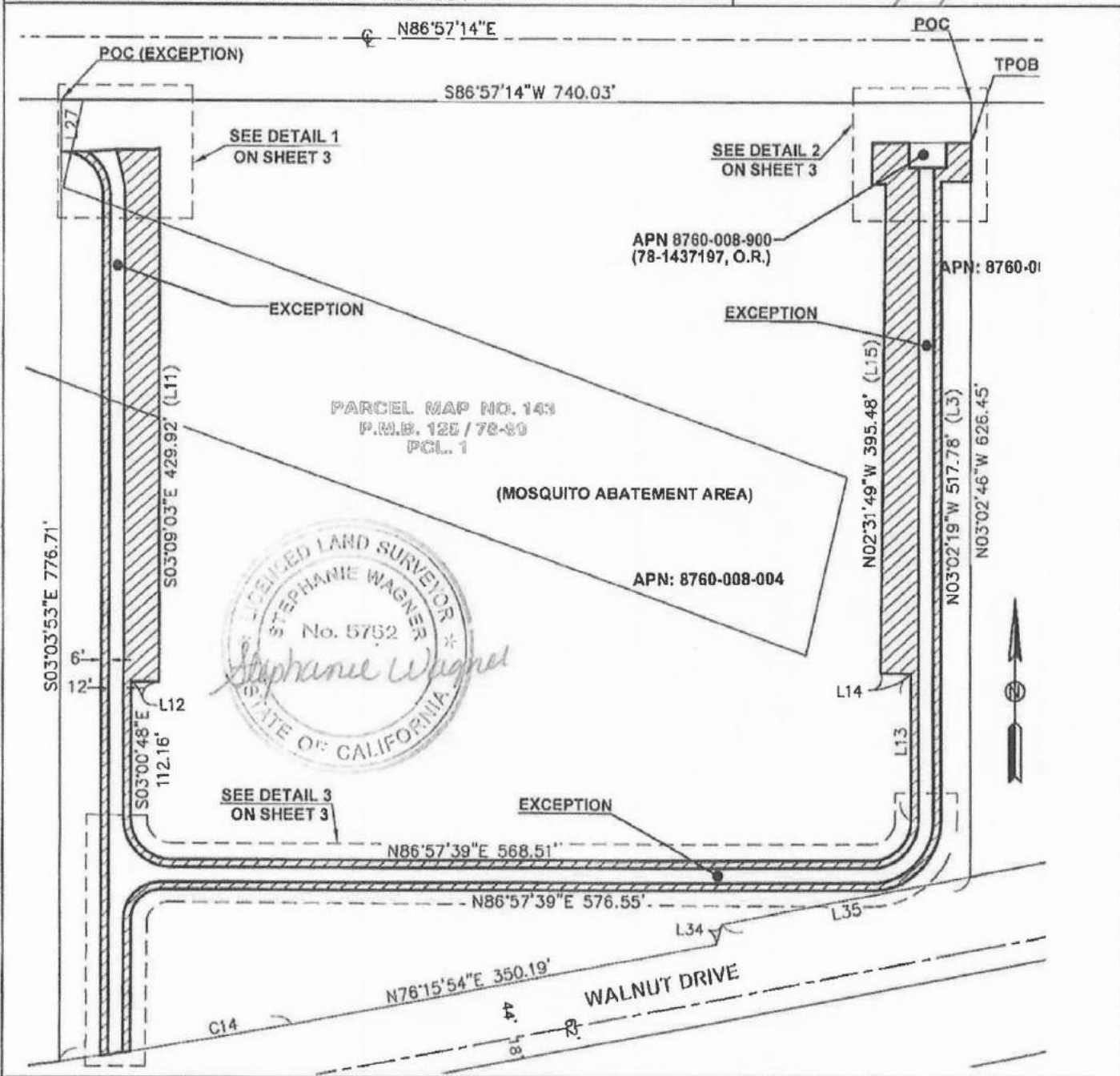
WAGNER ENGINEERING & SURVEY, INC.  
*Stephanie Wagner*  
 CHECKED BY: L.S.: 5/752

ACE RECOMMENDED BY:  
*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: *[Signature]*  
 CHIEF ENGINEER  
 DATE: 7/11/18



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:  
 102  
 2045&T-TCE2  
 PARCEL No

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

*[Signature]*  
**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	13.08'	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.  
*Stephanie Wagner*  
 CHECKED BY: L.S.:5752

ACE RECOMMENDED BY:  
*Charles Tsang*  
 PROJECT MANAGER 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 104204S&T-TCE2

## AMENDED EXHIBIT "C"

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.

**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, October 22, 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 rights to be acquired are for the purposes identified in the most current Fairway Drive Grade Separation Project Construction Plans which incorporated as if fully set forth herein. 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 22nd day of October, 2018.

ATTEST:

Amy Hanson, Assistant 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 22nd day of October, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Amy Hanson, Assistant Clerk

**Placeholder**

Plat Maps

&

Legal Descriptions

&

Amended Exhibit C





MEMO TO: Capital Projects and Construction Committee Members and Alternates

FROM: Mark Christoffels  
Chief Engineer

DATE: October 22, 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
- Exhibit 2- Amended Resolution of Necessity No. 13-15with Exhibits

1 DUFF MURPHY, State Bar No. 106091  
2 CYNTHIA C. MARIAN, State Bar No. 185206  
3 OLIVER, SANDIFER & MURPHY  
4 1230 Rosecrans Avenue, Suite 300  
5 Manhattan Beach, California 90266-2494  
6 Telephone: (213) 621-2000; (424) 456-3194  
7 Facsimile: (424) 456-3094

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

**STPULATION 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

OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
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MANHATTAN BEACH, CALIFORNIA 90266-2494  
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FACSIMILE: (324) 456-3094

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

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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.

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1           6.       The Majestic Owners, Principal Entities and FoAC waive any costs and litigation  
2 expenses, including attorneys' fees, related to the proposed Amended Resolutions of Necessity  
3 and FAC, which may otherwise be recoverable under Code of Civil Procedure section 1250.340 or  
4 1268.610.

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

8           a.       SGVCOG will file a FAC pursuant to Code of Civil Procedure section  
9 1250.340, and the sum deposited with the State Treasurer on or about November  
10 15, 2013, shall be deemed to be the amount of probable compensation pursuant to  
11 Code of Civil Procedure Section 1255.010 for the interests identified in the FAC.

12           b.       The Majestic Owners, Principal Entities and FoAC will waive any and all  
13 objections to SGVCOG's right to take the property described in the FAC.  
14 for the real property and the improvements pertaining to the realty

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

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

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

23 DATED: Sept 5, 2018

ALAMEDA CORRIDOR-EAST CONSTRUCTION  
AUTHORITY

24 By: *Paul Chaffin*

25 Its: *Chief Engineer*

26 Additional signatures on next page

27  
28 ///

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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

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26 ///  
27 ///  
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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

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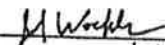
OLIVER, SANDIFER & MURPHY  
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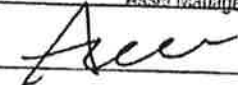
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DATED: 8/23/18, 2018

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

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

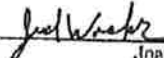
By:   
Its: Joel L. Woehler  
Investment Director  
Asset Management

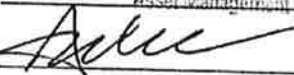
By:   
Its: ANDREW MILLER, Counsel

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

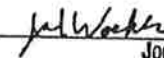
By:   
Its: Joel L. Woehler  
Investment Director  
Asset Management

By:   
Its: ANDREW MILLER, Counsel

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:   
Its: Joel L. Woehler  
Investment Director  
Asset Management

By:   
Its: ANDREW MILLER, Counsel

Additional signatures on next page

OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1230 BLOSSOM AVENUE, SUITE 310  
MANTILLAN BEACH, CALIFORNIA 90266-2494  
TELEPHONE: (714) 621-2000; (424) 456-3194  
FACSIMILE: (424) 456-2094

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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: [Signature]  
Joel L. Woehler  
Investment Director  
Asset Management

By: [Signature]  
Its: **ANDREW MILLER, Counsel**

DATED: \_\_\_\_\_, 2018

FURNITURE OF AMERICA CALIFORNIA dba  
IMPORT DIRECT

By: \_\_\_\_\_  
Its: \_\_\_\_\_

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  
1250 RUSSET PARKS AVENUE, SUITE 300  
MOUNTAIN VIEW BEACH, CALIFORNIA 90266-2494  
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: 

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 ROBERTS AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2494  
TELEPHONE: (213) 621-2000; (424) 456-3194  
FACSIMILE: (424) 456-3094

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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: \_\_\_\_\_, 2018

FURNITURE OF AMERICA CALIFORNIA dba  
IMPORT DIRECT

By: \_\_\_\_\_

Its: \_\_\_\_\_

Approved as to Form:

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

Additional signatures on next page



OLIVER, SANDJER & MURPHY  
A PROFESSIONAL CORPORATION  
1250 ROSELAND AVENUE, SUITE 200  
MANHATTAN BEACH, CALIFORNIA 90266-2494  
TELEPHONE: (310) 621-3000; (626) 466-3194  
FACSIMILE: (424) 456-3094

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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

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  
MANHATTAN BEACH, CALIFORNIA 90266-2694  
TELEPHONE: (310) 621-2000; (310) 456-3194  
FACSIMILE: (310) 456-3094

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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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Exhibit 1

(re: Parcel 204C)

OLIVER, SANDJIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1250 JOHNSONS AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2494  
Telephone: (310) 621-2000; (424) 466-3194  
FACSIMILE: (310) 456-2094

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OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1230 BOSELANS AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2894  
TELEPHONE: (213) 671-2000; (624) 466-3194  
FACSIMILE: (924) 496-3094

**Exhibit 2**  
(re Parcel 204S&T)

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**OLIVER, SANDIFER & MURPHY**  
A PROFESSIONAL CORPORATION  
1230 ROSECRANS 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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OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1720 ROSSIGNOL AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2804  
Telephone: (310) 621-2000; (624) 456-3194  
FACSIMILE: (624) 456-3094

Exhibit 4

(re Parcel 204W)

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:

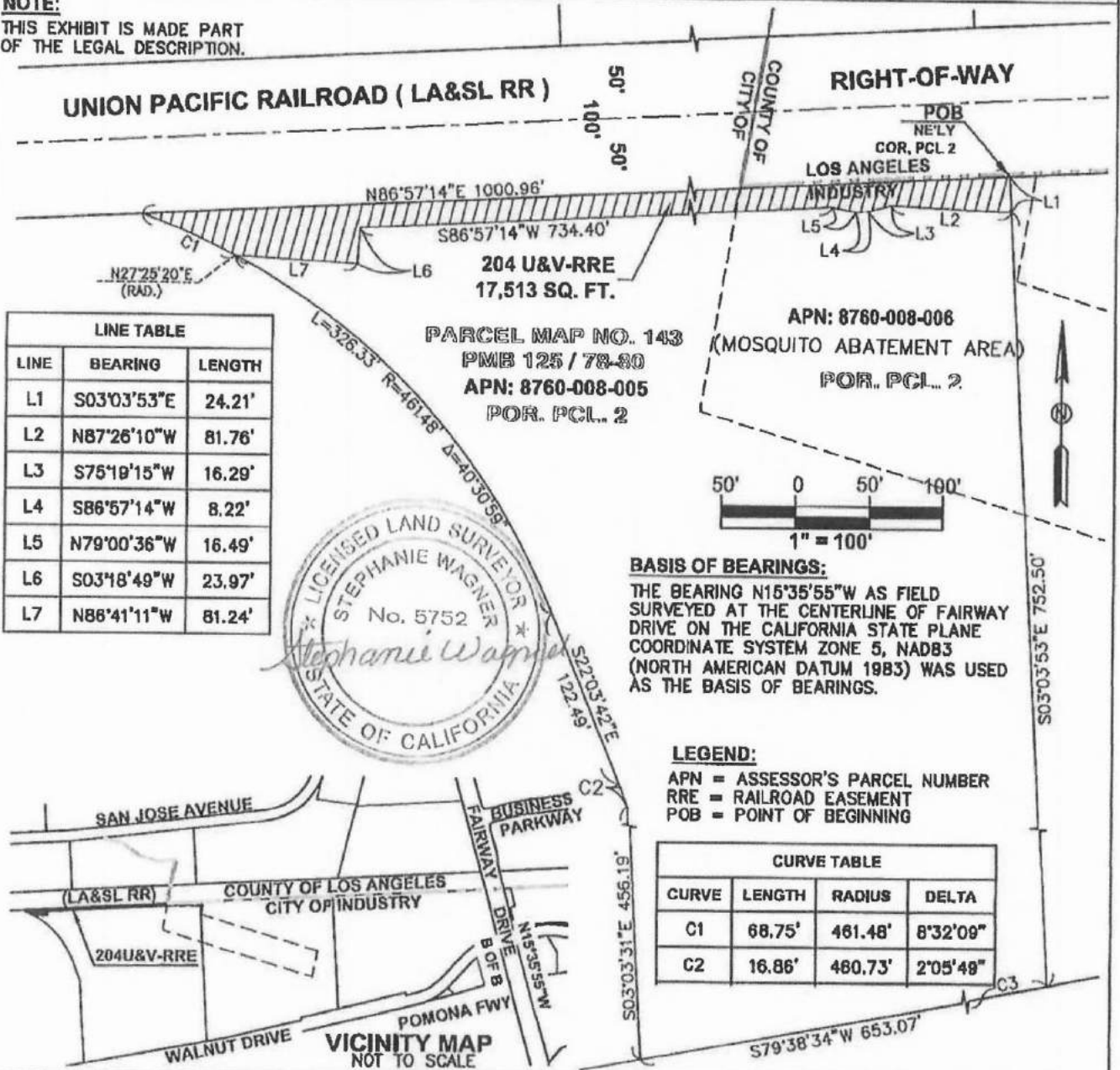


**EXHIBIT "B-1"**

**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: *[Signature]*  
 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**

**FAIRWAY DRIVE  
 GRADE SEPARATION  
 CITY OF INDUSTRY**

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

ACE RECOMMENDED BY:  
*Charles Tsang*  
 PROJECT MANAGER DATE

DATE: 02-11-2018  
 SCALE: 1"=100'  
 REV. No. DATE:  
 REV. No. DATE:  
 ACE 134  
 204U&V-RRE  
 PARCEL No



EXHIBIT "A-2"

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

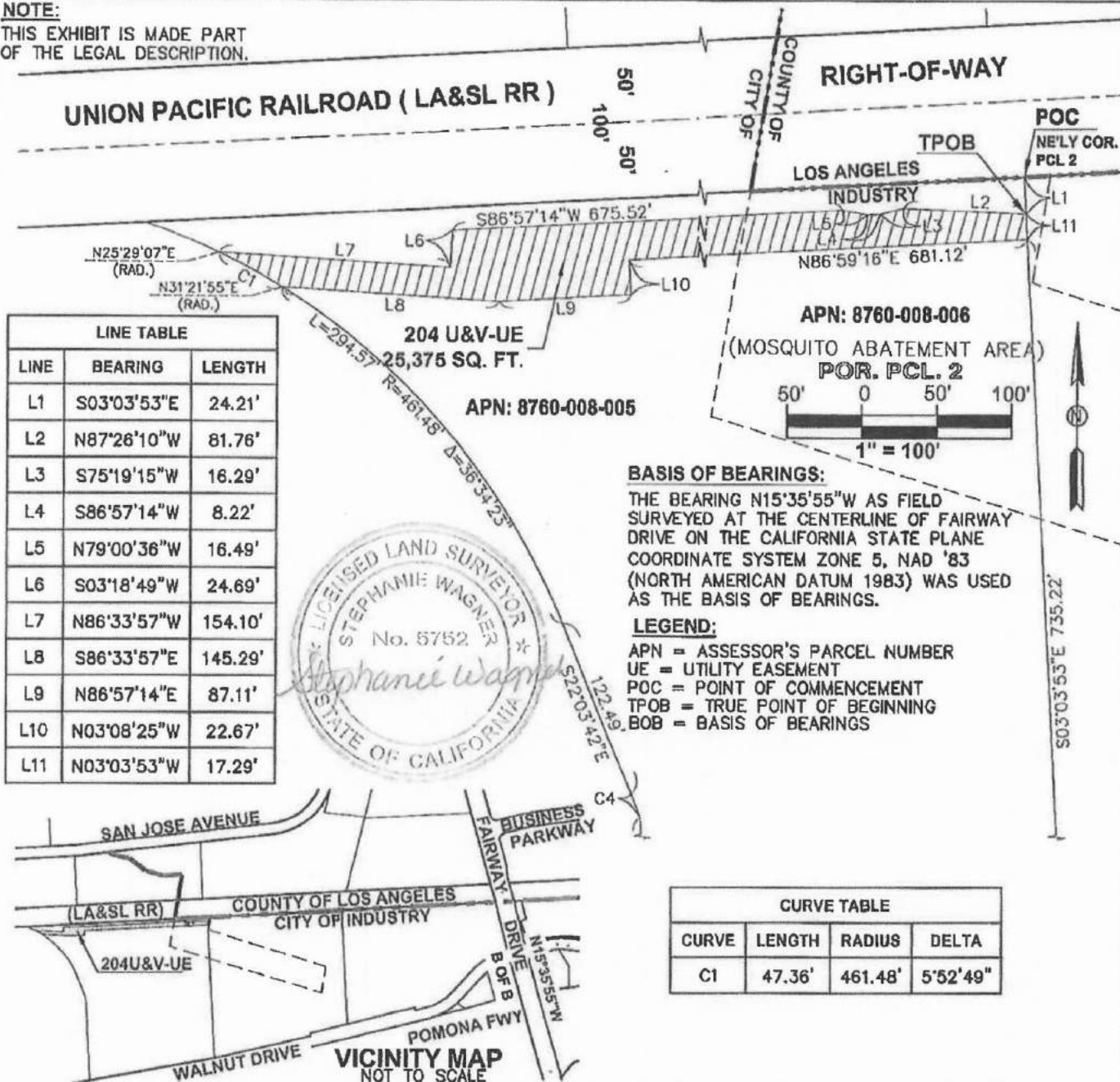
ACCEPTED BY:

CHIEF ENGINEER

DATE:

7/10/18

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



LINE TABLE		
LINE	BEARING	LENGTH
L1	S03°03'53"E	24.21'
L2	N87°26'10"W	81.76'
L3	S75°19'15"W	16.29'
L4	S86°57'14"W	8.22'
L5	N79°00'36"W	16.49'
L6	S03°18'49"W	24.69'
L7	N86°33'57"W	154.10'
L8	S86°33'57"E	145.29'
L9	N86°57'14"E	87.11'
L10	N03°08'25"W	22.67'
L11	N03°03'53"W	17.29'



**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.

**LEGEND:**

APN = ASSESSOR'S PARCEL NUMBER  
 UE = UTILITY EASEMENT  
 POC = POINT OF COMMENCEMENT  
 TPOB = TRUE POINT OF BEGINNING  
 BOB = BASIS OF BEARINGS

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	47.36'	461.48'	5°52'49"

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:  
 ACE 136  
 PARCEL No 204U&V-UE

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 '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 125, PAGES 78-80  
 APN: 8760-008-005, 8760-008-006

ACE

RECOMMENDED: *Mal Collier*  
 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

PARCEL MAP NO. 143  
 PMB 125 / 78-80  
 APN: 8760-008-005  
 POR. PCL. 2

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

ACE APPROVED BY:  
*Charlie 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:  
 ACE 204U&V-TCE-1  
 PARCEL: NoTCE-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: *Paul C. Hill*  
 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'
LB	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	82.67'
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	16.88'	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.  
*Stephanie Wagner*  
 CHECKED BY: L.S. 5752

ACE APPROVED BY:  
*Charles Tsang*  
 PROJECT MANAGER DATE: 4-16-13

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-140  
 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.

**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, October 22, 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 rights to be acquired are for the purposes identified in the most current Fairway Drive Grade Separation Project Construction Plans which incorporated as if fully set forth herein. 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 22nd day of October, 2018.

ATTEST:

Amy Hanson, Assistant 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 22nd day of October, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Amy Hanson, Assistant Clerk

**Placeholder**

Plat Maps

&

Legal Descriptions

&

Exhibit C from RON 13-15



MEMO TO: Capital Projects and Construction Committee Members and Alternates

FROM: Mark Christoffels  
Chief Engineer

DATE: October 22, 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
- Exhibit 2- Amended Resolution of Necessity No. 13-16 with Exhibits

1 DUFF MURPHY, State Bar No. 106091  
2 CYNTHIA C. MARIAN, State Bar No. 185206  
3 OLIVER, SANDIFER & MURPHY  
4 1230 Rosecrans Avenue, Suite 300  
5 Manhattan Beach, California 90266-2494  
6 Telephone: (213) 621-2000; (424) 456-3194  
7 Facsimile: (424) 456-3094

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

**STPULATION 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

OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
1230 ROSEGRAN AVENUE, SUITE 300  
MANHATTAN BEACH, CALIFORNIA 90266-2494  
TELEPHONE: (310) 621-2000; (424) 456-3194  
FACSIMILE: (324) 456-3094

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

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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.

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1           6.       The Majestic Owners, Principal Entities and FoAC waive any costs and litigation  
2 expenses, including attorneys' fees, related to the proposed Amended Resolutions of Necessity  
3 and FAC, which may otherwise be recoverable under Code of Civil Procedure section 1250.340 or  
4 1268.610.

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

8           a.       SGVCOG will file a FAC pursuant to Code of Civil Procedure section  
9 1250.340, and the sum deposited with the State Treasurer on or about November  
10 15, 2013, shall be deemed to be the amount of probable compensation pursuant to  
11 Code of Civil Procedure Section 1255.010 for the interests identified in the FAC.

12           b.       The Majestic Owners, Principal Entities and FoAC will waive any and all  
13 objections to SGVCOG's right to take the property described in the FAC.  
14 for the real property and the improvements pertaining to the realty

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

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

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

23 DATED: Sept 5, 2018

ALAMEDA CORRIDOR-EAST CONSTRUCTION  
AUTHORITY

24 By: *Paul Chaffin*

25 Its: *Chief Engineer*

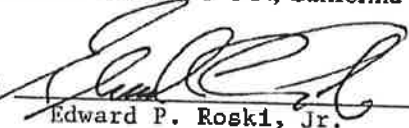
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A PROFESSIONAL CORPORATION  
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MANHATTAN BEACH, CALIFORNIA 90266-2694  
TELEPHONE: (310) 621-3000; (424) 466-3794  
FACSIMILE: (424) 466-3094

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

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OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
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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: *JL Woehler*

Joel L. Woehler  
Investment Director  
Asset Management

Its: \_\_\_\_\_

By: *AM*

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: *JL Woehler*

Joel L. Woehler  
Investment Director  
Asset Management

Its: \_\_\_\_\_

By: *AM*

Its: ANDREW MILLER, Counsel

Additional signatures on next page

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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: *JL Woehler*

Joel L. Woehler  
Investment Director  
Asset Management

Its: \_\_\_\_\_

By: *AM*

Its: **ANDREW MILLER, Counsel**

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: *JL Woehler*

Joel L. Woehler  
Investment Director  
Asset Management

Its: \_\_\_\_\_

By: *AM*

Its: **ANDREW MILLER, Counsel**

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: *JL Woehler*

Joel L. Woehler  
Investment Director  
Asset Management

Its: \_\_\_\_\_

By: *AM*

Its: **ANDREW MILLER, Counsel**

Additional signatures on next page

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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: [Signature]  
Joel L. Woehler  
Investment Director  
Asset Management

By: [Signature]  
Its: **ANDREW MILLER, Counsel**

DATED: \_\_\_\_\_, 2018

FURNITURE OF AMERICA CALIFORNIA dba  
IMPORT DIRECT

By: \_\_\_\_\_  
Its: \_\_\_\_\_

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

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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  
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CORRIDOR-EAST CONSTRUCTION PROJECT,  
previously known as ALAMEDA CORRIDOR-EAST  
CONSTRUCTION AUTHORITY, on behalf of the  
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Additional signatures on next page

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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: \_\_\_\_\_, 2018

FURNITURE OF AMERICA CALIFORNIA dba  
IMPORT DIRECT

By: \_\_\_\_\_

Its: \_\_\_\_\_

Approved as to Form:

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

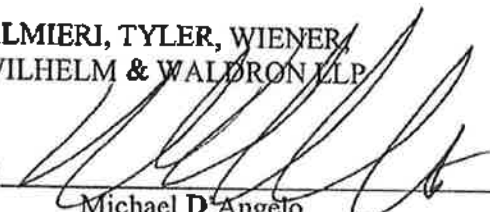
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DATED: 8/31/18, 2018

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

DATED: \_\_\_\_\_, 2018

SULLIVAN, WORKMAN & DEE, LLP

By \_\_\_\_\_  
Charles D. Cummings

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

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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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**Exhibit 1**  
(re: Parcel 204C)

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OLIVER, SANDIFER & MURPHY  
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FACSIMILE: (924) 496-3094

**Exhibit 2**  
(re Parcel 204S&T)



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**OLIVER, SANDIFER & MURPHY**  
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**Exhibit 3**

(re Parcel 204U&V)

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OLIVER, SANDIFER & MURPHY  
A PROFESSIONAL CORPORATION  
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FACSIMILE: (624) 456-3094

Exhibit 4  
(re Parcel 204W)

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

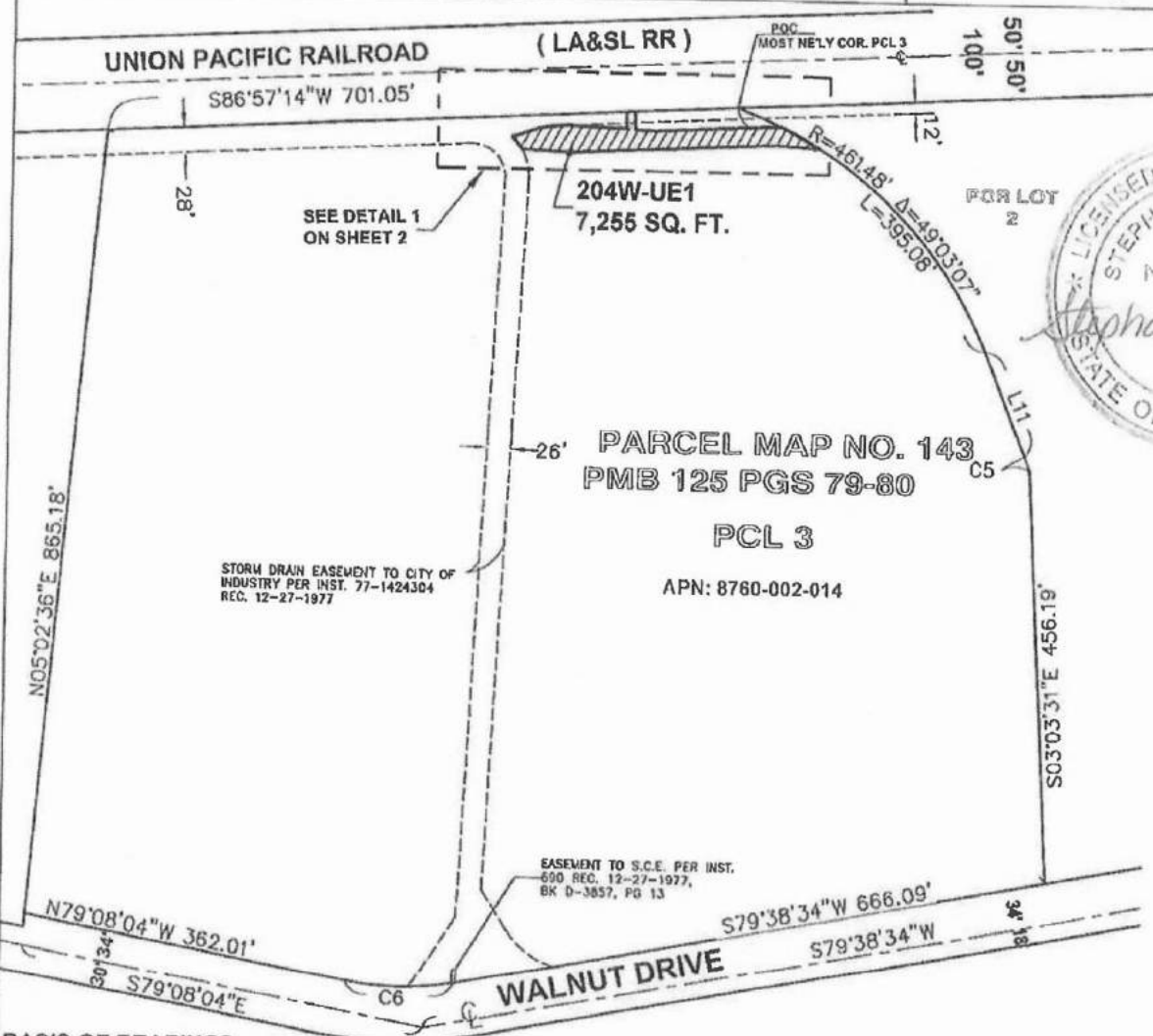
*March 5, 2018*  
DATE:



**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: *[Signature]*  
 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:  
*[Signature]* 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: 3/05/2018  
 SCALE: 1"=200'  
 REV. No. DATE:  
 REV. No. DATE:  
 ACE PARCEL No 204W-70

**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

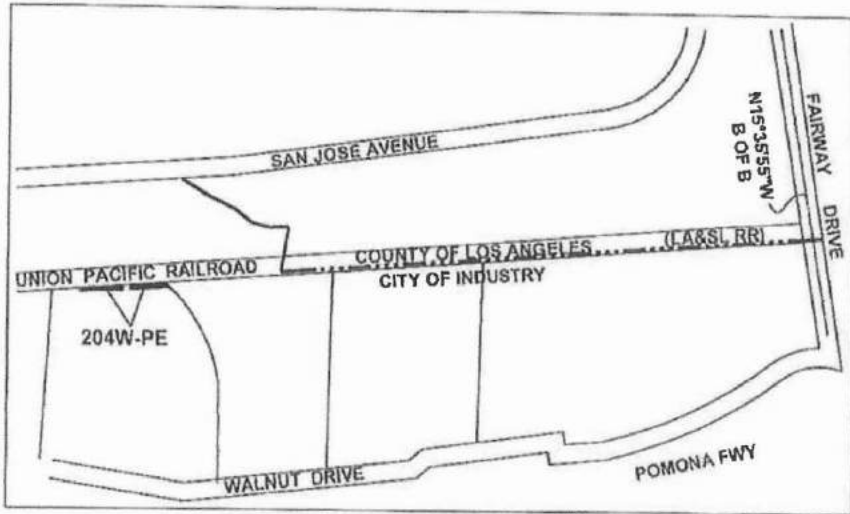
**ACE**

ACCEPTED BY:

*[Signature]*  
 CHIEF ENGINEER

DATE:

*7/10/18*



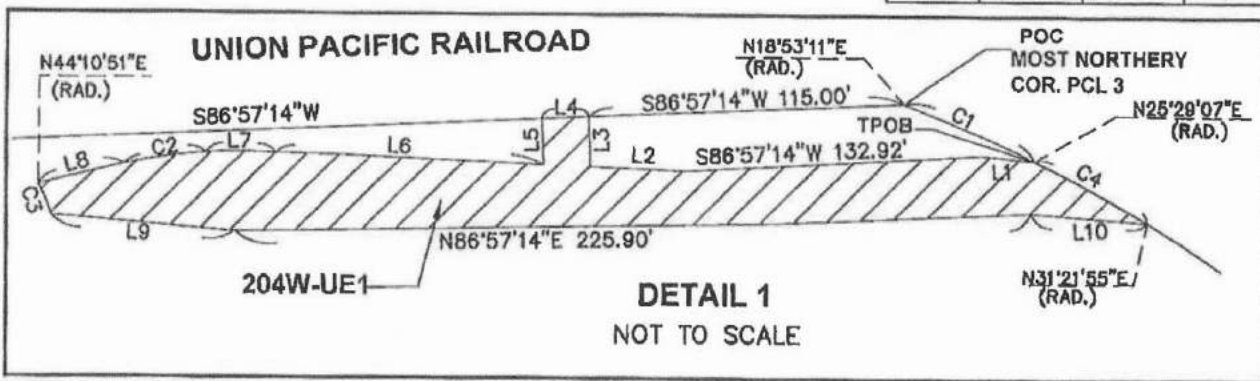
**VICINITY MAP**  
 NOT TO SCALE

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"

**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	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:

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

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

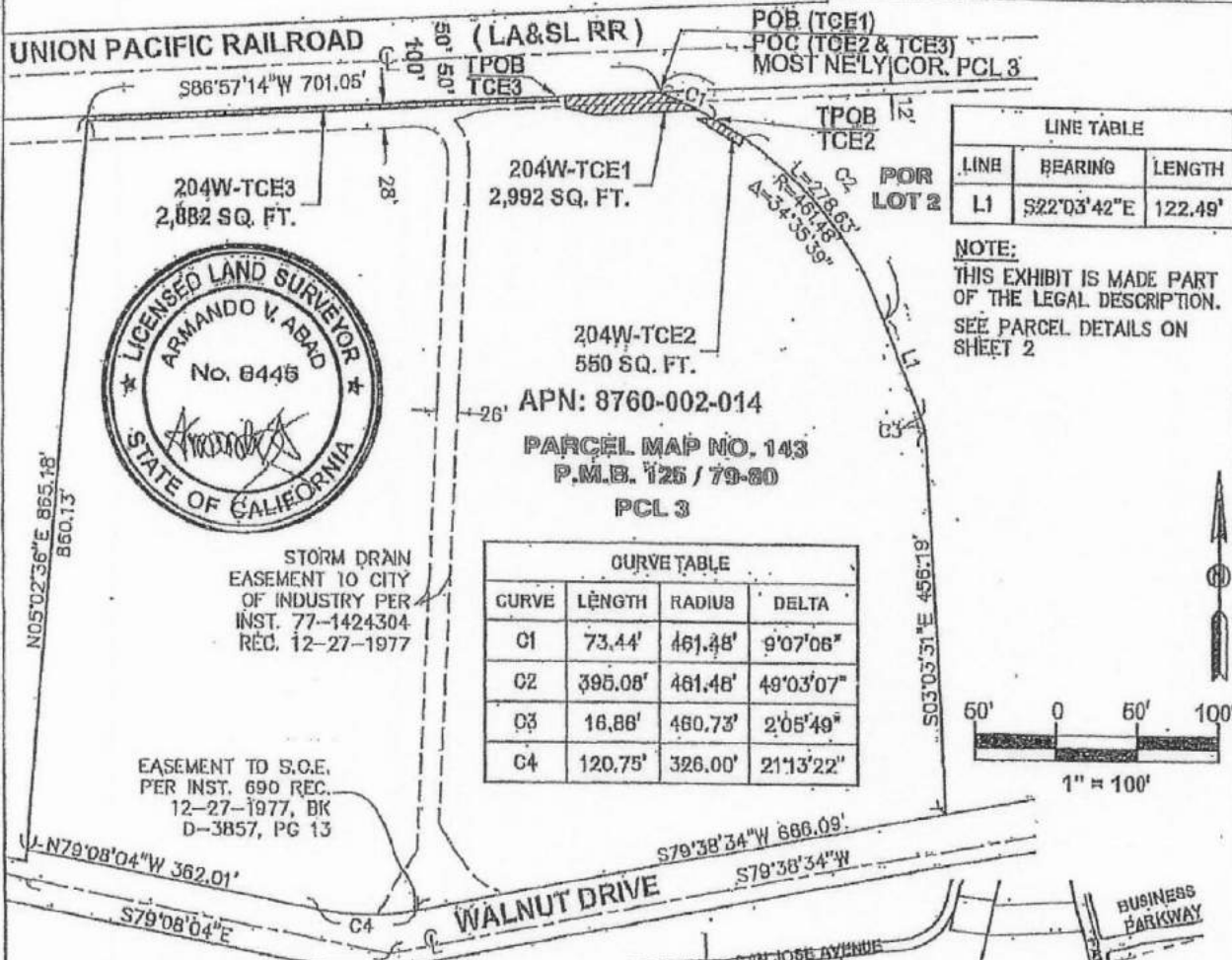
8/23/13  
DATE:



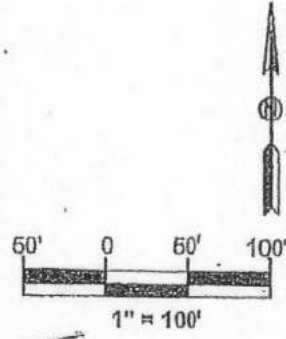
EXHIBIT "B-2"

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 7B-8D OF PARCEL MAPS  
 APN: 8760-002-014

ACE  
 RECOMMENDED BY: *[Signature]*  
 CHIEF ENGINEER  
 DATE: 8/26/13



NOTE:  
 THIS EXHIBIT IS MADE PART  
 OF THE LEGAL DESCRIPTION.  
 SEE PARCEL DETAILS ON  
 SHEET 2



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

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

FAIRWAY DRIVE  
 GRADE SEPARATION  
 CITY OF INDUSTRY  
 SHEET 1 OF 2

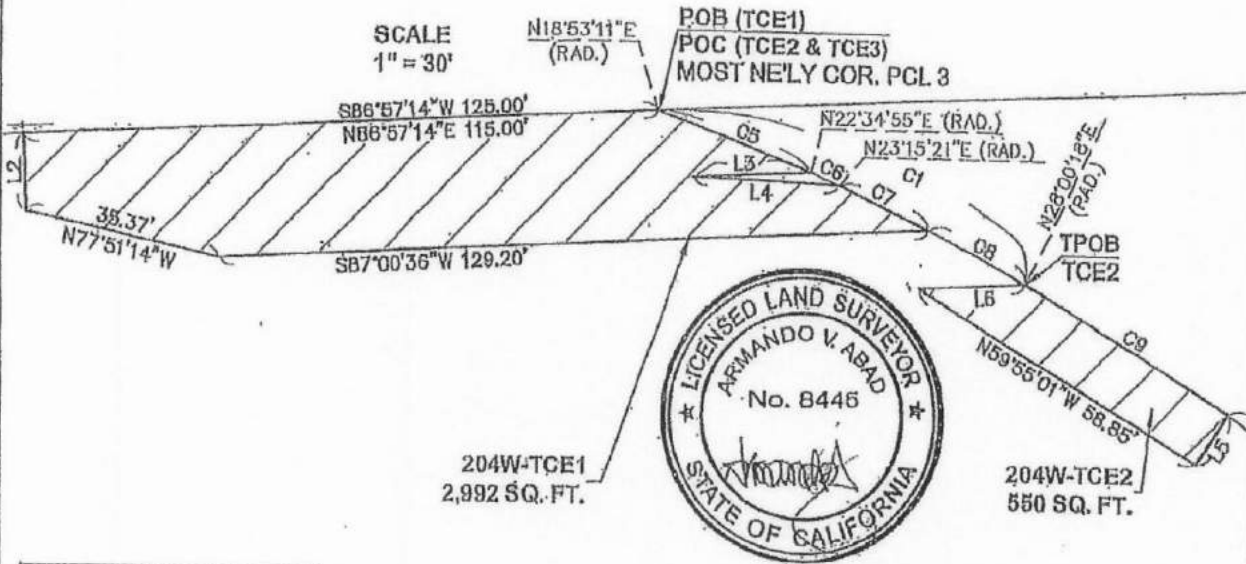
DATE: 04-05-2013  
 SCALE: 1"=100'  
 REV. No. 1 DATE: 08-23-2013  
 REV. No. DATE:  
 ACE 204W-TCE1  
 PARCEL No. 204W-TCE2  
 204W-TCE3



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



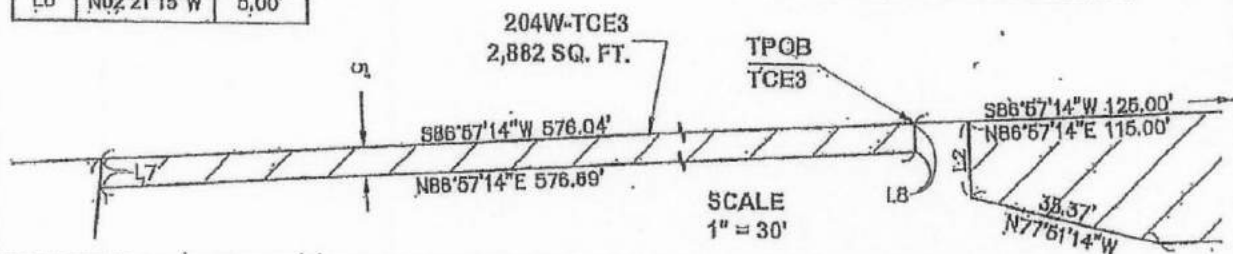
LINE TABLE

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'	0°07'06"
C5	29.78'	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.  
 CHECKED BY: *[Signature]*  
 L.S.: 8445

ACE  
 ACCEPTED BY: *[Signature]*  
 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  $S86^{\circ}57'14''W$  115.00 FEET TO A POINT; THENCE CONTINUING  $S86^{\circ}57'14''W$  10.00 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID SOUTHERLY BOUNDARY,  $S02^{\circ}21'15''E$  18.52 FEET; THENCE  $N87^{\circ}21'48''W$  65.83 FEET; THENCE  $S86^{\circ}57'14''W$  61.38 FEET; THENCE  $N03^{\circ}02'46''W$  5.00 FEET TO SAID SOUTHERLY BOUNDARY OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY; THENCE ALONG SAID SOUTHERLY BOUNDARY,  $N86^{\circ}57'14''E$  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  $N18^{\circ}53'11''E$ ; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $06^{\circ}35'55''$ , AN ARC LENGTH OF 53.15 FEET, A RADIAL LINE TO SAID POINT BEARS  $N25^{\circ}29'07''E$ ; THENCE LEAVING SAID NORTHEASTERLY BOUNDARY,  $N86^{\circ}33'57''W$  7.82 FEET; THENCE  $S86^{\circ}57'14''W$  132.92 FEET; THENCE  $N87^{\circ}21'48''W$  22.71 FEET; THENCE  $N02^{\circ}21'15''W$  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,  $N86^{\circ}57'14''E$  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

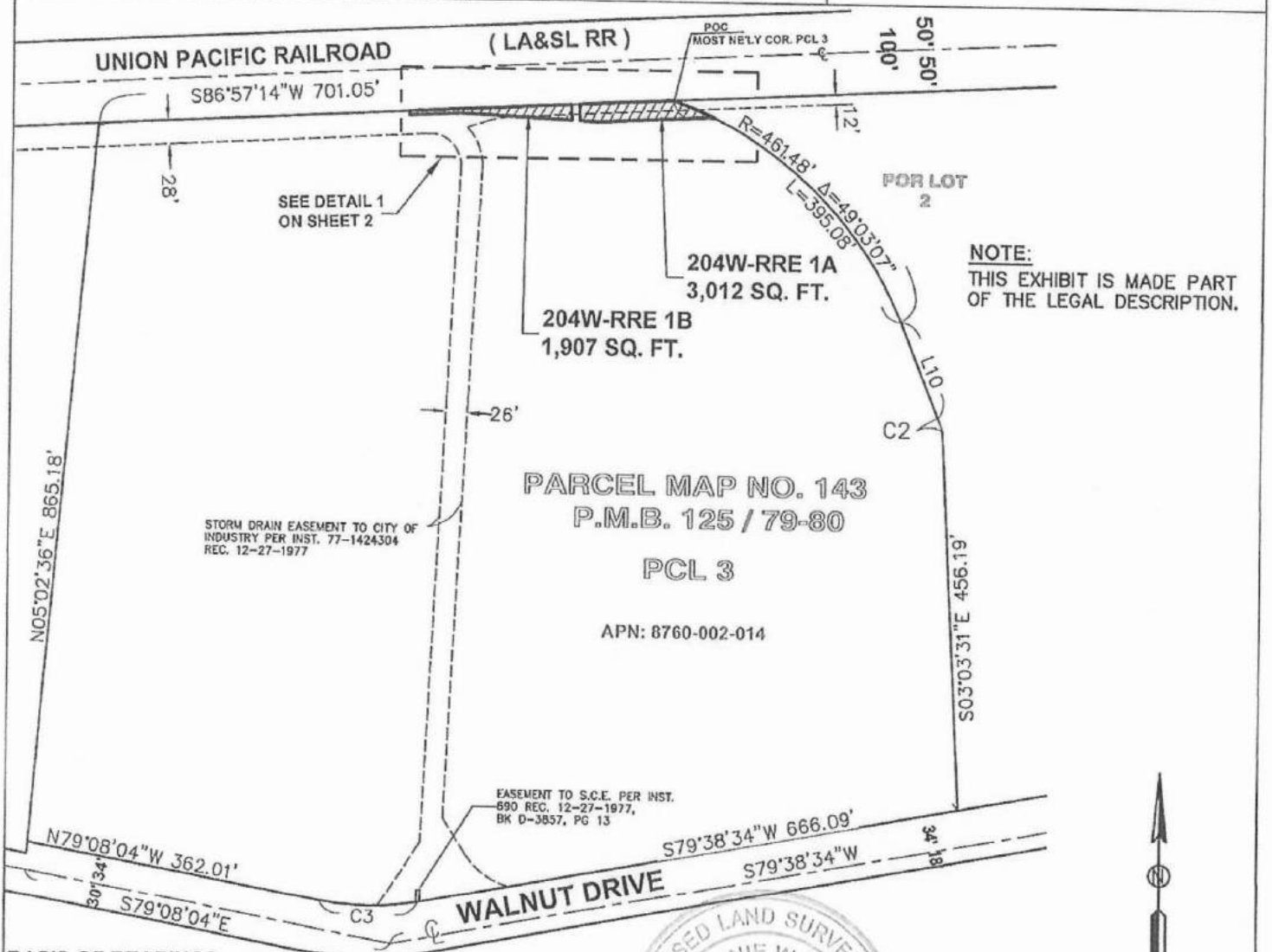
*February 20, 2018*  
DATE:



EXHIBIT "B-3"

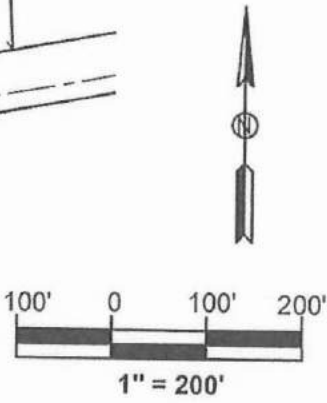
**OWNER:** MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;  
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%;  
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%  
 PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, CITY OF INDUSTRY, COUNTY OF  
 LOS ANGELES,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

**ACE**  
 ACCEPTED BY: \_\_\_\_\_  
 CHIEF ENGINEER  
 DATE: \_\_\_\_\_



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

**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

WAGNER ENGINEERING & SURVEY, INC.  
 ACE RECOMMENDED BY:  
 CHECKED BY: *Stephanie Wagner* L.S. 5752 PROJECT MANAGER DATE

FAIRWAY DRIVE  
 GRADE SEPARATION  
 CITY OF INDUSTRY  
 PAGE 1 OF 2

DATE: 2/20/2018  
 SCALE: 1"=200'  
 REV. No. DATE:  
 REV. No. DATE:  
 ACE PARCEL No. 204W-RRE 178

**EXHIBIT "B-3"**

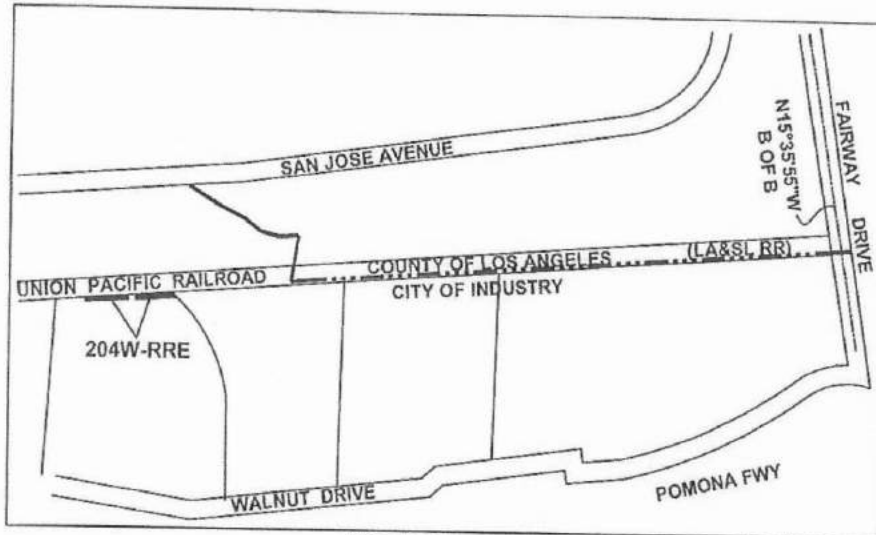
**OWNER:** MAJESTIC REALTY CO., A CA. CORPORATION, AS TO 50% INTEREST;  
 INDUSTRIAL PARK E SUB B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 47.5%;  
 INDUSTRIAL PARK E I-B, LLC, A DELAWARE LLC, AS TO AN UNDIVIDED 2.5%  
 PORTION OF PARCEL 3 OF PARCEL MAP NO. 143, CITY OF INDUSTRY, COUNTY OF  
 LOS ANGELES, 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

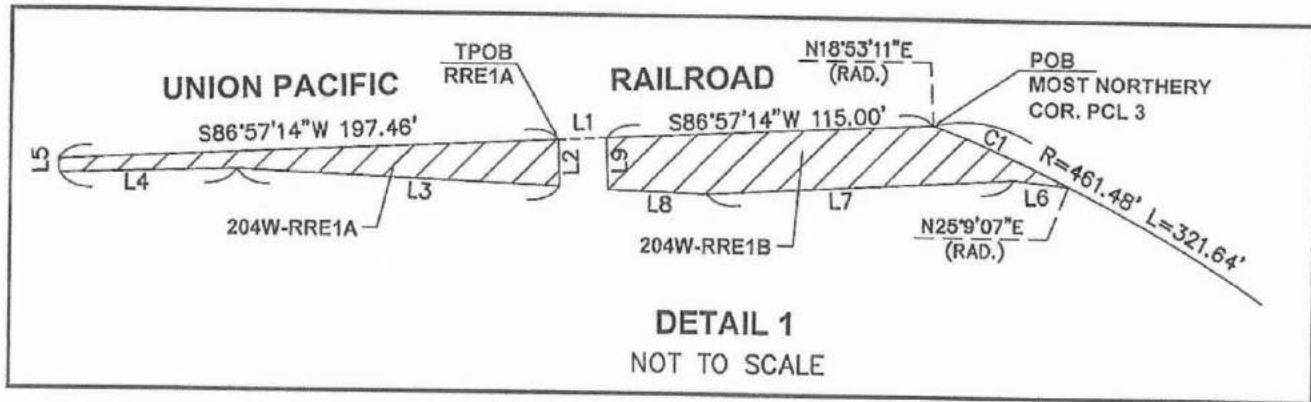
LINE TABLE		
LINE	BEARING	LENGTH
L1	S86°57'14"W	10.00'
L2	S02°21'15"E	18.52'
L3	N87°21'48"W	65.83'
L4	S86°57'14"W	61.38'
L5	N03°02'46"W	5.00'
L6	N86°33'57"W	7.82'
L7	S86°57'14"W	132.92'
L8	N87°21'48"W	22.71'
L9	N02°21'15"W	19.51'
L10	S22°03'42"E	122.49'

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 179

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

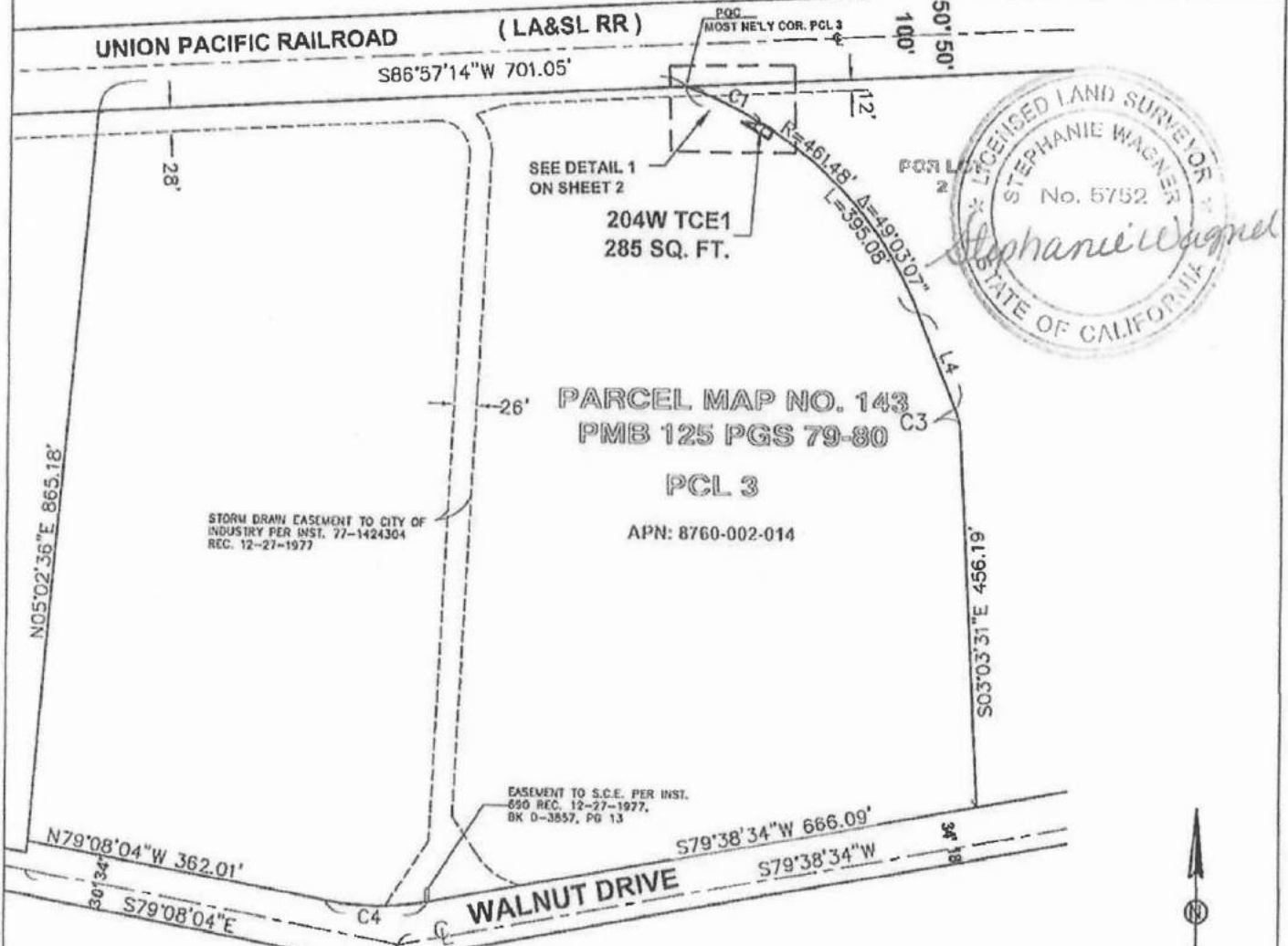
*March 5, 2018*  
DATE:



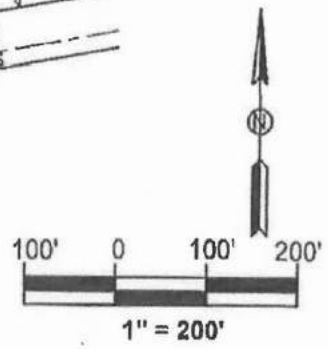
EXHIBIT "B-4"

**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%  
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 LOS ANGELES, STATE OF CALIFORNIA, BOOK 125, PAGES 78-80 OF PARCEL MAPS  
**APN:** 8760-002-014

**ACE**  
 ACCEPTED BY: *[Signature]*  
 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

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 204181CE4

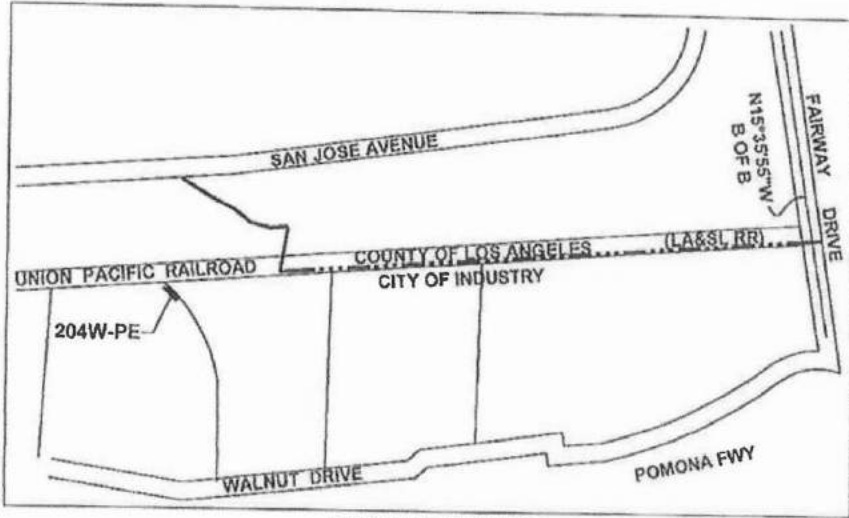
WAGNER ENGINEERING & SURVEY, INC.  
*Stephanie Wagner*  
 CHECKED BY: L.S.:5752  
 ACE  
 RECOMMENDED BY:  
*Charles Tsang*  
 PROJECT MANAGER  
 DATE: 7.1.18

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: *[Signature]*  
 CHIEF ENGINEER

DATE: 7/10/18



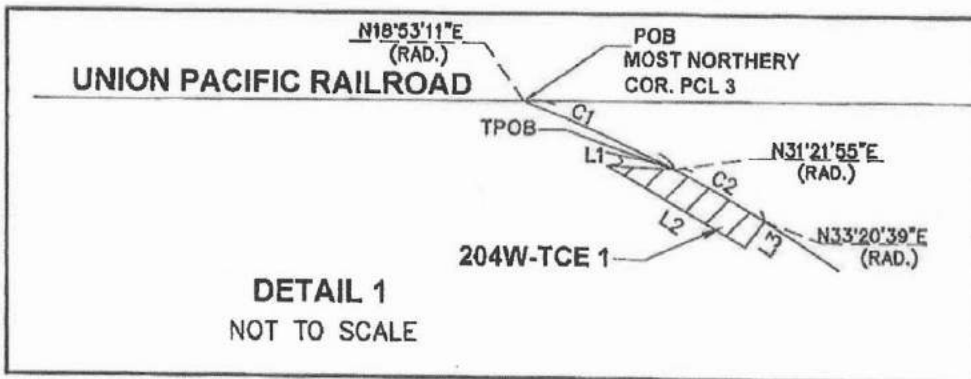
**VICINITY MAP**  
 NOT TO SCALE

**LEGEND:**

APN = ASSESSOR'S PARCEL NUMBER  
 RRE = RAILROAD EASEMENT  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT  
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LINE TABLE		
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L3	N33°21'33"E	10.29'
L4	S22°03'42"E	122.49'

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



**DETAIL 1**  
 NOT TO SCALE



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

ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		FAIRWAY DRIVE GRADE SEPARATION CITY OF INDUSTRY	DATE: 03/05/2018
WAGNER ENGINEERING & SURVEY, INC.	ACE RECOMMENDED BY:		SCALE: 1"=200'
<i>[Signature]</i>	<i>[Signature]</i> 7.1.18		REV. No. DATE:
CHECKED BY: L.S.:5752	PROJECT MANAGER DATE		REV. No. DATE:
		PAGE 2 OF 2	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.

**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, October 22, 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 rights to be acquired are for the purposes identified in the most current Fairway Drive Grade Separation Project Construction Plans which incorporated as if fully set forth herein. 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 22nd day of October, 2018.

ATTEST:

Amy Hanson, Assistant 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 22nd day of October, 2018 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Amy Hanson, Assistant Clerk

**Placeholder**

Plat Maps

&

Legal Descriptions

&

Amended Exhibit C



MEMO TO: Capital Projects and Construction Committee Members & Alternates

FROM: Mark Christoffels  
Chief Engineer

DATE: October 22, 2018

SUBJECT: Approval of Amendment to Construction Management Services Contract for the Fairway Drive Grade Separation Project with WSP (formerly Parsons Brinckerhoff)

**RECOMMENDATION:** Staff recommends that the Committee authorize the Chief Engineer to amend the contract with WSP (formerly Parsons Brinckerhoff) to add a not-to-exceed amount of \$3,320,363 to Task Order No. 2 of the contract for construction management (CM) services associated with the Fairway Drive grade separation Project. The new task order value will be the not-to-exceed amount of \$11,011,292.

**BACKGROUND:** At the February 25, 2013 meeting, the former ACE Board approved the selection of Parsons Brinckerhoff, now WSP, for CM services for the Fairway Drive Grade Separation Project. At that time the construction contract for the Project was to be completed in December 2018, and WSP's contract was set for, and had authorized funding, for that duration.

The construction contract for the Fairway Drive Grade Separation Project was awarded to OHL in 2014. At the July 2016 Board meeting, the Board approved a construction contract amendment with OHL, to add the construction of City of Diamond Bar and City of Industry requested betterments, specifically, construction of on/off ramps to connect Lemon Avenue to the 60 Freeway to be done in conjunction with the Fairway Drive grade separation project. This amendment plus a few additional design changes since then have lengthened the original duration of project. Staff now anticipates this project will have a revised completion date of December 2020, an extension of 24 months compared with the original project schedule. As stated above, WSP's original contract was awarded concurrent with the construction contract and intended to expire by December 2018. In order to provide the required construction oversight for the remaining work on this project, WSP's construction management contract will need to be extended to match the current construction schedule and have a corresponding contract amount amendment.

WSP reviewed the staffing that would be required to oversee the remainder of the contract work for the next 24 months and developed a cost proposal. Proposed costs by WSP for the additional CM services were compared with estimates independently prepared by staff and any discrepancies have now been resolved. Staff is now recommending approval of a contract amendment of \$3,320,363 to provide the

construction management services needed for the remainder of the project. This contract extension is not a lump sum payment, but instead states that payments will be made on actual incurred costs subject to final audits by ACE staff

**BUDGET IMPACT:** Funds for this contract amendment are available in the project budget and will come from State and Metro funds allocated to this project.





MEMO TO: Capital Projects and Construction Committee Members & Alternates

FROM: Mark Christoffels  
Chief Engineer

DATE: October 22, 2018

SUBJECT: Approval of Amendment to Construction Management Services Contract for the San Gabriel Trench Project with Jacobs Management Co.

**RECOMMENDATION:** Staff recommends that the Committee authorize the Chief Engineer to amend the contract with Jacobs Management Co. (Jacobs) to add an amount not-to-exceed \$137,072 to Task Order No. 2 of the contract for construction management (CM) services associated with the San Gabriel Trench project. The new task order value will be the not-to-exceed amount of \$22,270,447.54.

**BACKGROUND:** At the June 2011 Board meeting, the Board authorized the execution of a contract with Jacobs for CM services for the San Gabriel Trench project. On July 2012, the Board approved the award of the construction contract of the San Gabriel Trench project to Walsh Construction Company (Walsh). The project is now essentially complete with minor items to be attended to. During the winter of 2016-17, the state was inundated with severe rains and flooding, especially in northern California. This rain impacted Union Pacific Railroad (UPRR)'s operations and they had to divert resources to northern California for rail repair. Unfortunately, for our project, this meant that critical rail work on the trench project was delayed by over 300 days pushing our completion date out. Staff and the contractor settled the delay claim and the associated costs due to this delay by UPRR, however we were hoping that the additional time that would be required of our construction management firm could be made up. Unfortunately, while an attempt was made to reduce staffing costs this unforeseen delay by UPRR has resulted in additional costs to maintain construction oversight through the end of the project. Based on savings that we were able to secure, staff has been able to limit the additional costs to approximately \$137,072 on the roughly \$22 million contract.

Proposed costs for the additional CM services to be done under Task Order 2 were compared with estimates independently prepared by staff and any discrepancies were resolved. Payments will be made on actual incurred costs subject to final audits by staff.

**BUDGET IMPACT:** Funds for this contract are included in the budget and will come from State and Metro funds allocated to this project.



MEMO TO: Capital Projects and Construction Committee Members & Alternates

FROM: Mark Christoffels  
Chief Engineer

DATE: October 22, 2018

SUBJECT: Approval of Task Order 2 for Construction Management Services for the Durfee Avenue Grade Separation Project with PreScience Corporation

**RECOMMENDATION:** Staff recommends that the Board authorize the Chief Engineer to execute Task Order 2 (construction management) under the construction management (CM) services contract with PreScience Corporation (PreScience) for a not-to-exceed amount of \$5,791,548.36 for a total contract value of \$6,027,527.36 for the Durfee Avenue grade separation project.

**BACKGROUND:** At the July 2017 meeting, the former ACE Board approved the selection and award of PreScience for the construction management services for Durfee Avenue grade separation project. On September 25, 2017, the ACE Board authorized the Chief Executive Officer to execute Task Order 1 under this contract for pre-construction CM services in a not-to-exceed amount of \$235,979.

The initial work authorization (Task Order 1) was limited to the following tasks:

- Constructability Analysis
- Bid Support
- Advanced Utility Coordination
- Project Management Services
- Special Work Assignments

A majority of the work under Task Order 1 has been completed and the Durfee Avenue grade separation project is currently out to bid. Bids are expected by the first week of November and the construction contract for this project is expected to be awarded at the Committee’s December meeting. Upon award of the construction contract the SGVCOG will require the following CM services to commence under Task Order 2:

- Pre-construction meeting
- Progress management services
- Progress schedule review
- Changes/claims administration
- Construction safety
- Utility coordination
- Coordination of railroad flag person
- Environmental compliance oversight
- Construction schedule review
- Monitor railroad force account
- Document control
- Contract close-out
- Constructability analysis
- Pre-construction survey
- Material testing & support services (QA/QC)
- Labor compliance & SBE monitoring (support)
- Review & approval of progress payments

- Processing & tracking of submittals and RFIs
- Quality control & inspection services
- Special Work Assignments
- Traffic Control
- Project support

Proposed costs for the above CM services to be done under Task Order 2 were compared with estimates independently prepared by staff and any discrepancies were resolved. Staff recently concluded contract negotiations and is recommending approval of a not-to-exceed Task Order 2 amount of \$5,791,548.36 with payments to be made on actual incurred costs subject to final audits by ACE staff. The notice to proceed for Task Order 2 will be coordinated with the notice to proceed for the construction contract.

This authorization will also allow a 10% contingency allowance in accordance with normal agency procedures. Any contract amount changes from the above figure due to contract amendments during Task Order 2 CM services that exceed the Chief Engineer's authorization will be brought back to the Committee for further consideration and approval.

**BUDGET IMPACT:** Funds for this contract are included in the budget and will come from State and Metro funds allocated to this project.



Memo to: Capital Projects and Construction Committee Members & Alternates

From: Mark Christoffels  
Chief Engineer

Date: October 22, 2018

SUBJECT: Receive and File: Quarterly Project Progress Reports

**RECOMMENDATION:** Receive and file the ACE Program Quarterly Progress Reports for the period covering the 1<sup>st</sup> quarter of Fiscal Year 2019.


**BACKGROUND:** To keep the Capital Projects and Construction Committee as well as the interested public informed about our progress in designing and constructing the projects in the adopted ACE program, staff prepares and submits to the Committee progress reports on a quarterly basis. The attached reports are prepared by the Project Managers for each respective active ACE project and provide a one-page summary of expenditures, schedules, work completed and to be done, as well as any areas of concerns. In addition to these reports, staff will make an oral presentation to provide updates on the following for the period from July 1, 2018 through September 30, 2018:

- Major Activities Completed
- Construction and Design Progress
- Current Project Schedules
- Current Project Cost Estimates
- Project Funding

**ALAMEDA CORRIDOR-EAST PROJECT  
AT-GRADE CROSSING SAFETY IMPROVEMENTS (City of Pomona)**

**As of September 2018**

<b>LOCATION:</b> Pomona	<b>CONSTRUCTION MANAGER:</b> TBD
<b>DESIGN CONSULTANT:</b> Railpros	<b>CONTRACTOR:</b> TBD

<b>PHOTO</b> Pedestrian Crossing at Main Street	<b>WORK COMPLETED PAST QUARTER</b>
	<ul style="list-style-type: none"> <li>Coordinated with UPRR on the 35% Design Comments</li> <li>Continued the 65% Design Phase</li> <li>Completed Additional Utility Locating</li> <li>Began Coordination with Utility Companies</li> <li>Approved Scope and Cost for Development of Alternatives for Addressing Palomares Drainage Issue</li> <li>Completed Additional Survey and Determined Encroachment at Hamilton/First</li> </ul>

<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	50%	\$4.5	\$2.5	<b>Environmental</b>			
				Statutory Exemption	Feb-18	Feb-18 A	
RIGHT-OF-WAY	0%	\$1.1	\$0.0	<b>Design</b>			
				Notice To Proceed	May-15 A	May-15 A	
				Final PS&E Complete	May-19	May-19	0
CONSTRUCTION	0%	\$17.4	\$0.0	<b>Right-of-Way</b>			
				All Parcels Available	N/A	N/A	
TOTAL	11%	\$22.9	\$2.5	<b>Construction</b>			
				Notice To Proceed	Jan-20	Jan-20	0
				Construction Complete	Dec-20	Dec-20	0


<b>AREAS OF CONCERN</b>	<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>
	<ul style="list-style-type: none"> <li>Review 65% Plans and Respond to Comments</li> <li>Apply for ROE for Utility Potholing in UPRR ROW</li> <li>Determine Necessary Utility Relocations/Modifications Required</li> <li>Continue Coordination with Utility Companies</li> <li>Develop Alternatives for Addressing Palomares Drainage Issue</li> <li>Draft Construction, Operations, and Maintenance Agreements</li> </ul>

<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>
o Permanent Parcels	0	0	0
o Temporary Parcels	0	0	0
<b>o Total Parcels</b>	<b>0</b>	<b>0</b>	<b>0</b>

**ALAMEDA CORRIDOR-EAST PROJECT  
GRADE SEPARATION - DURFEE AVENUE (City of Pico Rivera)**

**As of September 2018**

<b>LOCATION:</b> Pico Rivera	<b>CONSTRUCTION MANAGER:</b> PreScience
<b>DESIGN CONSULTANT:</b> URS	<b>CONTRACTOR:</b> TBD

<b>PHOTO</b> Traffic Back-up at Crossing	<b>WORK COMPLETED PAST QUARTER</b>
	<ul style="list-style-type: none"> <li>Continued Stakeholder, Utility, and Other Agency Coordination</li> <li>Resubmitted final package to UPRR for approval</li> <li>Continued ROW Acquisition</li> <li>Continued Coordination with Private Property Owners for Final Approval of Site Improvements</li> <li>Provided support for eminent domain legal proceedings</li> <li>Advertised Project for Bid</li> </ul>


<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	90%	\$9.7	\$9.0	<b>Environmental</b>			
				NEPA/CEQA	Jul-14 A	Jul-14 A	
RIGHT-OF-WAY	70%	\$27.4	\$19.8	<b>Design</b>			
				Notice To Proceed	Oct-12 A	Oct-12 A	
				Final PS&E Complete	Aug-18	Aug-18	0
CONSTRUCTION	0%	\$54.0	\$0.0	<b>Right-of-Way</b>			
				All Parcels Available	May-18 A	May-18 A	
TOTAL	32%	\$91.1	\$28.8	<b>Construction</b>			
				Notice To Proceed	Dec-18	Dec-18	0
				Construction Complete	Sep-21	Sep-21	0

<b>AREAS OF CONCERN</b>				<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>			
				<ul style="list-style-type: none"> <li>Open Bids and Award Construction Contract</li> <li>Continue Stakeholder, Utility, and Other Agency Coordination</li> <li>Continue ROW Acquisition</li> <li>Complete Demolition Bid Packages for Parcels 208D, 208L, and 208QR</li> <li>Provide support for eminent domain legal proceedings</li> <li>Complete Permit Reviews</li> </ul>			
<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>				
o Permanent Parcels	44	17	27				
o Temporary Parcels	28	11	17				
<b>o Total Parcels</b>	<b>72</b>	<b>28</b>	<b>44</b>				

**ALAMEDA CORRIDOR-EAST PROJECT  
GRADE SEPARATION - FAIRWAY AVENUE (LA Sub)(City of Industry)**

**As of September 2018**

<b>LOCATION:</b> City of Industry	<b>CONSTRUCTION MANAGER:</b> PB Americas
<b>DESIGN CONSULTANT:</b> CH2M Hill	<b>CONTRACTOR:</b> OHL USA

<b>PHOTO</b> <b>Intersection Grading</b>	<b>WORK COMPLETED PAST QUARTER</b>
	<p>Closed Fairway Drive/Walnut Dr. intersection for construction</p> <p>Completed the LACSD trunk sewer relocation.</p> <p>Completed the MCI Fiber Optic Lines relocation along UPRR ROW.</p> <p>Continued grading along UPRR ROW for the shoo-fly track work.</p> <p>Began SCG 30" transmission line relocation</p> <p>Lemon Avenue Ramps Construction:-</p> <p>Completed the EB on-ramp civil work.</p>

<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	100%	\$8.2	\$8.2	<b>Environmental</b>			
				IS/ND	Oct-12 A	Oct-12 A	
RIGHT-OF-WAY	77%	\$36.1	\$27.9	<b>Design</b>			
				Notice To Proceed	Apr-11 A	Apr-11 A	
				Final PS&E Complete	Jul-14 A	Jul-14 A	
CONSTRUCTION	49%	\$140.2	\$72.0	<b>Right-of-Way</b>			
				All Parcels Available	Apr-14 A	Apr-14 A	
TOTAL	59%	\$184.5	\$108.1	<b>Construction</b>			
				Notice To Proceed	Dec-14 A	Dec-14 A	
				Construction Complete	Jul-21	Jul-21	0


<b>AREAS OF CONCERN</b>	<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>
Fairway - shoofly needs to be approved by UPRR to avoid project delay.	Need to get start on the shoofly track work to catch the Jan 2019 cut over schedule.

<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>
o Permanent Parcels	43	13	30
o Temporary Parcels	27	14	13
<b>o Total Parcels</b>	<b>70</b>	<b>27</b>	<b>43</b>

**ALAMEDA CORRIDOR-EAST PHASE II  
GRADE SEPARATION - FULLERTON ROAD (City of Industry)**

**As of September 2018**

<b>LOCATION:</b> City of Industry	<b>CONSTRUCTION MANAGER:</b> Berg & Associates
<b>DESIGN CONSULTANT:</b> Biggs Cardosa Associates	<b>CONTRACTOR:</b> Shimmick Construction Co

<b>PHOTO</b> North Fullerton Road Storm Drain	<b>WORK COMPLETED PAST QUARTER</b>
	<p>Completed 90% of South Fullerton Road widening inside lanes</p> <p>Continued #167 Storm Drain</p> <p>Started #170 Storm Drain</p> <p>Completed Shell Station Improvements</p> <p>Completed Diamond Plaza Improvements</p>

<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	100%	\$10.7	\$10.7	<b>Environmental</b>			
				Categorical Exemption IS/ND	Oct-13 A	Oct-13 A	
RIGHT-OF-WAY	96%	\$27.1	\$24.5	<b>Design</b>			
				Notice To Proceed	Oct-12 A	Oct-12 A	
				Final PS&E Complete	Dec-15 A	Dec-15 A	
CONSTRUCTION	27%	\$114.6	\$32.0	<b>Right-of-Way</b>			
				All Parcels Available	Oct-15 A	Oct-15 A	
TOTAL	44%	\$152.4	\$67.2	<b>Construction</b>			
				Notice To Proceed	Jul-16 A	Jul-16 A	
				Construction Complete	Jul-21	Jun-21	(4)

<b>AREAS OF CONCERN</b>				<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>			
				<p>Complete south Fullerton Road widening inside lanes</p> <p>Complete # 170 north of Railroad Street</p> <p>Complete #167 Storm Drain</p> <p>Start Gale Avenue improvements</p> <p>Start sewer siphon system</p>			
<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>				
o Permanent Parcels	35	25	10				
o Temporary Parcels	18	17	1				
<b>o Total Parcels</b>	<b>53</b>	<b>42</b>	<b>11</b>				



**ALAMEDA CORRIDOR-EAST PROJECT  
GRADE SEPARATION - MONTEBELLO BLVD. (City of Montebello)**

**As of September 2018**

<b>LOCATION:</b> Montebello	<b>CONSTRUCTION MANAGER:</b> TBD
<b>DESIGN CONSULTANT:</b> Moffat & Nichol	<b>CONTRACTOR:</b> TBD

<b>PHOTO</b> Montebello Boulevard	<b>WORK COMPLETED PAST QUARTER</b>
	<ul style="list-style-type: none"> <li>▪ Received SGVCOG Committee Approval of Project Definition Report and Moffatt &amp; Nichol Final Design Task Order</li> <li>▪ Began the 65% Design Phase</li> <li>▪ Began the Right-of-Way Acquisition Phase</li> <li>▪ Obtained Portion of Right-of-Entries for Phase II Site Investigation</li> <li>▪ Began the Phase II Site Investigation</li> <li>▪ Continued Coordination with Stakeholders and Impacted Property Owners</li> <li>▪ Completed Final Hydrology and Hydraulics Memorandum</li> <li>▪ Completed Basis of Design Report for the Pump Station</li> <li>▪ Completed Water Quality Report</li> <li>▪ Performed Additional Soil Borings</li> </ul>

<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	35%	\$13.5	\$6.7	<b>Environmental</b>			
				CEQA/NEPA	May-18	Nov-17 A	
RIGHT-OF-WAY	5%	\$29.7	\$0.7	<b>Design</b>			
				Notice To Proceed	Sep-15 A	Sep-15 A	
				Final PS&E Complete	Jan-20	Jan-20	0
CONSTRUCTION	0%	\$116.9	\$0.0	<b>Right-of-Way</b>			
				All Parcels Available	Jan-20	Jan-20	0
TOTAL	5%	\$160.0	\$7.4	<b>Construction</b>			
				Notice To Proceed	Jun-20	Jun-20	0
				Construction Complete	Jun-23	Jun-23	0

<b>AREAS OF CONCERN</b>	<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>
	<ul style="list-style-type: none"> <li>▪ Continue the 65% Design Phase</li> <li>▪ Continue the Right-of-Way Acquisition Phase</li> <li>▪ Obtain Remaining Right-of-Entries for Phase II Site Investigation</li> <li>▪ Complete the Phase II Site Investigation</li> <li>▪ Continue Coordination with Stakeholders and Impacted Property Owners</li> <li>▪ Perform Remaining Soil Borings and Complete Geotechnical Foundation Reports</li> </ul>

<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>
o Permanent Parcels	26	1	25
o Temporary Parcels	44	0	44
<b>o Total Parcels</b>	<b>70</b>	<b>1</b>	<b>69</b>



Memo to: Capital Projects and Construction Committee Members & Alternates

From: Mark Christoffels  
Chief Engineer

Date: October 22, 2018

SUBJECT: Receive and File: Environmental Mitigation Monitoring Reports

**RECOMMENDATION:** Receive and file the ACE Projects Environmental Mitigation Monitoring Reports for the period covering the 1<sup>st</sup> quarter of Fiscal Year 2019.

**BACKGROUND:** Appended to this report are the quarterly environmental mitigation monitoring and public contact reports for each ACE project currently in construction. The monitoring reports track compliance during construction with environmental mitigations and best management practices, as well as a summary of third part complaints and our response.

Construction Mitigation Measure Matrix  
Alameda Corridor-East Construction Authority  
1<sup>st</sup> Quarter Report (July 1, 2018 – September 30, 2018)  
Fairway Drive Grade Separation Project

Mitigation Measure	Mitigation Complete	
	YES	NO
<b><u>Air quality</u></b>		
1. Use low sulfur fuel in construction equipment	<input checked="" type="checkbox"/>	
2. Minimize Dust by Watering (Rule 403)	<input checked="" type="checkbox"/>	
3. Cover Haul Trucks and Operate less than 15 MPH	<input checked="" type="checkbox"/>	
4. Suspend construction operations in unpaved areas when winds are more than 25 MPH	<input checked="" type="checkbox"/>	
5. Ballast wetted as it is unloaded from haul trucks	<input checked="" type="checkbox"/>	
6. Asphalt paving materials comply with SCAQMD Rule 453 regarding compliant paving material	<input checked="" type="checkbox"/>	

Mitigation Measure	Mitigation Complete	
	YES	NO
<b><u>Archaeo &amp; Paleo Monitoring</u></b>		
7. Worker education and briefing of monitoring archaeologists and construction inspectors conducted prior to construction	<input checked="" type="checkbox"/> Worker education briefing was conducted on October 5, 2015	
8. Conduct Paleontological Monitoring where excavation exceeds 1.5 meters (5 ft.) below ground surface (may be reduced as warranted)	<input checked="" type="checkbox"/> Paleontological monitoring is being conducted on an as needed basis.	
9. Plan in place for preservation and curation of significant paleontologic resources that may be discovered	<input checked="" type="checkbox"/> Archaeo/Paleo Resource Monitoring, Mitigation and Curation Plan, LSA, January 30, 2015	

Mitigation Measure	Mitigation Complete	
	YES	NO
<b><u>Noise &amp; Vibration</u></b>		
10. Conduct construction in a manner that minimizes noise and maintains noise levels below City limits at noise sensitive land uses	<input checked="" type="checkbox"/>	
11. Use effective noise mufflers on equipment	<input checked="" type="checkbox"/>	
12. Minimize noise during the evening, at nighttime, week-ends and holidays	<input checked="" type="checkbox"/> Night time construction to pour concrete for Fairway at SR/60 underpass	

13. Noise monitoring conducted to demonstrate compliance with noise limits		<input checked="" type="checkbox"/> There are no sensitive noise receptors. No pile driving is being conducted
14. Vibration monitoring performed during vibration-intensive activities	<input checked="" type="checkbox"/> Preconstruction bldg. condition video is on file at construction office for pre/post construction comparison of bldg. conditions. No pile driving during this phase.	
15. Noise blanket used to reduce increased noise level during operation of detour route during construction		<input checked="" type="checkbox"/>

**Water Quality & Erosion**

	YES	NO
16. No detrimental discharge into drainages and bodies of water	<input checked="" type="checkbox"/> SWPPP compliance monitoring conducted weekly	
17. A Storm Water Pollution Prevention Plan (SWPPP) is available on-site from the RE	<input checked="" type="checkbox"/> 12/29/14 SWPP prepared by Incompli, revised 5/4/15	
18. Construction BMPs used to minimize erosion per SWPPP	<input checked="" type="checkbox"/>	
19. Retaining walls constructed for long-term slope stabilization	<input checked="" type="checkbox"/>	
20. Erosion prevention planting used in conjunction with a geofabric, where feasible	<input checked="" type="checkbox"/> Geofabric is being used to underlay the new concrete for Fairway at the SR-60 undercrossing	

**Hazardous Material/Wastes**

		YES	NO
21.	Construction materials that may adversely affect groundwater stored away from excavation and in a contained area (protected by a berm)	<input checked="" type="checkbox"/>	
22.	Construction equipment and materials checked daily for leaks and repaired immediately	<input checked="" type="checkbox"/>	
23.	Hazardous waste (including dewatering waste water, aerially deposited lead, etc.) disposed of in accordance with federal, state, and local regulations	<input checked="" type="checkbox"/>	Dewatering is ongoing north of UPRR at Fairway

**Biological Resources**

		YES	NO
24.	Bird surveys conducted prior to pruning and/or tree removal	<input checked="" type="checkbox"/>	

**General Construction Conditions**

		YES	NO
25.	On-site construction manager available at all times	<input checked="" type="checkbox"/>	
26.	Minimize interruption to utility services	<input checked="" type="checkbox"/>	
27.	Mobile and stationary equipment maintained in proper working order	<input checked="" type="checkbox"/>	
28.	Non-potable water used for construction activities, when feasible		<input checked="" type="checkbox"/> Non-potable water is not available nearby

**Traffic**

		YES	NO
29.	Construction coordinated with other major public or private construction projects within a one-mile radius and construction contracts scheduled to avoid overlapping major activities	<input checked="" type="checkbox"/>	Ongoing coordination with the Lemon On/off-ramp project.
30.	Haul route should minimize intrusion to residential areas	<input checked="" type="checkbox"/>	
31.	Bridge construction that requires street closure scheduled so only one crossing in an area is affected at one time	<input checked="" type="checkbox"/>	Fairway is closed between Walnut Dr and Business Pkwy
32.	Local residents and businesses notified in advance of proposed construction activities and road closures	<input checked="" type="checkbox"/>	
33.	Detour route to bypass construction area provided during Fairway Drive closure for bridge construction	<input checked="" type="checkbox"/>	Fairway is closed and detour signs are in place
34.	Advance notice of proposed transit reroutes and any other changes in stops and service made	<input checked="" type="checkbox"/>	Ongoing coordination with LA Metro and Foothill Transit

35.	Traffic handling plans approved by the City of Industry	<input checked="" type="checkbox"/>	
36.	Coordinate with City of Industry, LA County and Caltrans to provide advance notice of proposed traffic detours and their duration to the public	<input checked="" type="checkbox"/>	
37.	Coordination with Caltrans (including frwy signage) and City of Industry to ensure acceptable traffic operations are maintained on SR-60 segment from WB off-ramp to intersection of Fairway Drive and Gale Avenue/Walnut Drive	<input checked="" type="checkbox"/>	

### **Public Contacts Quarterly Report**

<b>DATE</b>	<b>CONTACT</b>	<b>QUERY</b>	<b>RESOLUTION</b>
7/23/18	Resident	Inquiry regarding the signal lighting timing at Fairway and Business Parkway.	Matter forwarded to LA County Department of Public Works Traffic and Lighting Division for evaluation.
9/7/18	Business	Inquiry regarding construction impacts during 8-week closure.	Project update information and temporary detour options provided.
9/12/18	Business	Inquiry by tenant regarding damage to door at his unit.	Matter forwarded to Property Management for resolution

Construction Mitigation Measure Matrix  
 Alameda Corridor-East Construction Authority  
 1<sup>st</sup> Quarter Report (July 1, 2018 – September 30, 2018)  
 Fullerton Road Grade Separation Project

Mitigation Measure	Mitigation Complete	
	YES	NO
<b><u>Air quality</u></b>		
1. Use low sulfur fuel in construction equipment	<input checked="" type="checkbox"/>	
2. Minimize Dust by Watering (Rule 403)	<input checked="" type="checkbox"/>	
3. Cover Haul Trucks and Operate less than 15 MPH	<input checked="" type="checkbox"/>	
4. Suspend construction operations in unpaved areas when winds are more than 25 MPH	<input checked="" type="checkbox"/>	
5. Ballast wetted as it is unloaded from haul trucks	<input checked="" type="checkbox"/>	
6. Asphalt paving materials comply with SCAQMD Rule 453 regarding compliant paving material	<input checked="" type="checkbox"/>	

Mitigation Measure	Mitigation Complete	
	YES	NO
<b><u>Archaeo &amp; Paleo Monitoring</u></b>		
7. Worker education and briefing of monitoring archaeologists and construction inspectors conducted prior to construction	<input checked="" type="checkbox"/> The briefing was completed on January 15, 2018.	
8. Conduct Paleontological Monitoring where excavation exceeds 1.5 meters (5 ft.) below ground surface (may be reduced as warranted)	<input checked="" type="checkbox"/> Grade separation excavation monitoring is being conducted on an as needed basis	
9. Plan in place for preservation and curation of significant paleontologic resources that may be discovered	<input checked="" type="checkbox"/> Archaeo/Paleo Resource Monitoring, Mitigation and Curation Plan, LSA, September 19, 2016	

Mitigation Measure	Mitigation Complete	
	YES	NO
<b><u>Noise &amp; Vibration</u></b>		
10. Conduct construction in a manner that minimizes noise and maintains noise levels below City limits at noise sensitive land uses	<input checked="" type="checkbox"/>	
11. Use effective noise mufflers on equipment	<input checked="" type="checkbox"/>	
12. Minimize noise during the evening, at nighttime, week-ends and holidays	<input checked="" type="checkbox"/>	
13. Noise monitoring conducted to demonstrate compliance with noise limits	<input checked="" type="checkbox"/> Noise monitoring is being conducted on an as needed basis. Results are kept on file at the construction office	

14. Vibration monitoring performed during vibration-intensive activities		<input checked="" type="checkbox"/> Preconstruction video of adjacent bldg. conditions is on file at construction office. Vibration monitoring will be conducted on an as needed basis.
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**Water Quality & Erosion**

		YES	NO
15. No detrimental discharge into drainages and bodies of water	<input checked="" type="checkbox"/>		
16. A Storm Water Pollution Prevention Plan (SWPPP) is available on-site from the RE	<input checked="" type="checkbox"/> SWPPP by Rincon Consultants, Inc., July 5, 2016, is on file at construction office		
17. Construction BMPs used to minimize erosion per SWPPP	<input checked="" type="checkbox"/>		
18. Retaining walls constructed for long-term slope stabilization	<input checked="" type="checkbox"/> Retaining wall #s 7 & 3 are under construction.		
19. Erosion prevention planting used in conjunction with a geofabric, where feasible		<input checked="" type="checkbox"/> N/A in this phase of construction	

**Hazardous Material/Wastes**

		YES	NO
20. Construction materials that may adversely affect groundwater stored away from excavation and in a contained area (protected by a berm)	<input checked="" type="checkbox"/>		
21. Construction equipment and materials checked daily for leaks and repaired immediately	<input checked="" type="checkbox"/>		
22. Hazardous waste (including dewatering waste water, aerially deposited lead, etc.) disposed of in accordance with federal, state, and local regulations	<input checked="" type="checkbox"/> Soils from service station site are stored on-site pending testing for VOCs and appropriate disposal.		

**Biological Resources**

		YES	NO
23. Bird surveys conducted prior to pruning and/or tree removal	<input checked="" type="checkbox"/>		

**General Construction Conditions**

		YES	NO
24. On-site construction manager available at all times	<input checked="" type="checkbox"/>		
25. Minimize interruption to utility services	<input checked="" type="checkbox"/>		



26.	Mobile and stationary equipment maintained in proper working order	<input checked="" type="checkbox"/>	
27.	Non-potable water used for construction activities, when feasible		<input checked="" type="checkbox"/> Non-potable water is not available nearby

**Traffic**

		YES	NO
28.	Construction coordinated with other major public or private construction projects within a one-mile radius and construction contracts scheduled to avoid overlapping major activities	<input checked="" type="checkbox"/>	
29.	Haul route should minimize intrusion to residential areas	<input checked="" type="checkbox"/>	
30.	Bridge construction that requires street closure scheduled so only one crossing in an area is affected at one time	<input checked="" type="checkbox"/>	
31.	Local residents and businesses notified in advance of proposed construction activities and road closures	<input checked="" type="checkbox"/>	
32.	Detour route to bypass construction area provided during Fullerton Road closure for bridge construction	<input checked="" type="checkbox"/> Fullerton Rd is closed between Railroad St and Rowland/ San Jose	
33.	Advance notice of proposed transit reroutes and any other changes in stops and service made		N/A
34.	Traffic handling plans approved by the City of Industry	<input checked="" type="checkbox"/>	
35.	Coordinate with City of Industry and LA County to provide advance notice of proposed traffic detours and their duration to the public	<input checked="" type="checkbox"/>	

**Public Contacts Quarterly Report-No new inquiries reported during this quarter**

DATE	CONTACT	QUERY	RESOLUTION
NONE			