



# ***Alameda Corridor-East Construction Authority***

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4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 [www.theaceproject.org](http://www.theaceproject.org)

## **ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY BOARD OF DIRECTORS SPECIAL MEETING AGENDA Monday, June 5, 2017 – 11:00 A.M. San Gabriel City Hall 425 S. Mission Drive San Gabriel, CA 91776**

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Members of the public may comment on any item on the agenda at the time it is taken up by the Board. 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 Board on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

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- I. Pledge of Allegiance
- II. Roll Call and Introductions
- III. Public Comment
- IV. Approval of Special Meeting Minutes of April 25, 2017 (Pages 1 – 3) Action
- V. Receive and File Finance Committee Minutes of April 27, 2017 (Pages 4 – 5) Action
- VI. Chairman’s Remarks
- VII. Board Member Comments
- VIII. Chief Executive Officer’s Report (Pages 6 – 7) Information

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The ACE Construction Authority is constituted of seven (7) member jurisdiction; the Cities of El Monte, Industry, Montebello, San Gabriel and Pomona, the County of Los Angeles and the San Gabriel Valley Council of Governments. Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes. All disclosable public records related to this meeting are available for viewing at the ACE office above during normal working hours.

- |       |   |                   |                 |
|-------|---|-------------------|-----------------|
| IX.   | Project Construction Progress Reports   |                   | Information     |
| X.    | Hearing on Resolution of Necessity No. 17-01<br>Property Owner: GP Johnson Holdings, LLC<br>Property Address: 358 Stephens Street, Pico Rivera  | (Pages 8 – 89)    | Action          |
| XI.   | Approval of Fiscal Year 2018 Budget   | (Pages 90 – 126)  | Action          |
| XII.  | Receive and File Re-Procurement of Durfee Avenue Construction Management Services   | (Page 127)        | Action          |
| XIII. | Approval of Amendment to Design Services Contract with URS for the Durfee Avenue Grade Separation Project   | (Pages 128 – 129) | Action          |
| XIV.  | Approval of Revised Board of Directors Meeting Schedule   | (Page 130)        | Action          |
| XV.   | Closed Session: The Board will adjourn to closed session in accordance with Government Code Section 54956 to discuss pending litigation (one consolidated case consisting of three combined cases): ACE v. Lina Bazzarrini, et. al; LASC Case No. BC603270 [Consolidated with BC604030 and BC604197]. |                   | Possible Action |
| XVI.  | Adjournment   |                   | Action          |



If you would like to receive the ACE Board agenda electronically, please email Amy Hanson at [ahanson@theaceproject.org](mailto:ahanson@theaceproject.org)



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## ACE Construction Authority Board of Directors Meeting April 24, 2017 Minutes

Chairperson Costanzo called the meeting of the Board of Directors of the Alameda Corridor-East Construction Authority to order at 11:03pm at the San Gabriel City Hall Council Chambers.

1. **Pledge of Alliance** – Member Hadjinian led the pledge of allegiance.
2. **Roll Call:** Chairperson Costanzo asked Mr. Christoffels to call the roll.

In attendance was:

Juli Costanzo, San Gabriel, Chair  
Victoria Martinez, El Monte, Vice Chair  
Jack Hadjinian, Montebello  
Barbara Messina, SGVCOG  
Tim Sandoval, Pomona

### **Staff:**

Mark Christoffels, CEO  
Gregory Murphy, Burke, Williams & Sorensen, legal counsel  
Deanna Stanley  
Amy Hanson  
Charles Tsang  
Genichi Kanow  
Paul Hubler  
Phil Balmeo  
Rachel Korkos  
Ricky Choi  
Victoria Butler

### **Guests:**

Charlie Nakamoto, Jacobs  
Cynthia Marian, Oliver Sandifer & Murphy  
Ken Fredrikson, Berg & Associates  
Hank Fung, LA County  
Joshua Nelson, City of Industry  
Ju Kim, Jacobs  
Michael Cano, Metro  
Phil Hawkey, SGVCOG  
Talin Espinosa, Twinning

3. **Public Comments** – Judy Mooridian addressed the Board with an update on the relocation efforts of her business, AM Disposal to the City of Montebello. She indicated once the plans are approved it by the City it will take an additional eight

weeks to prepare the property for a move. She indicated she was expecting a delay and requests the Board consider an extension. She reminded the board that she is expected to be off the property on June 1 and if not penalties of \$2500 per day will be imposed by ACE. The Chairperson thanked her for her update.

Michael Cano, Deputy Executive Officer, Goods Movement Countywide Planning & Development of Metro presented staff and the board with a plaque for Metro's appreciation of ACE's help in preparing a joint Fast Lane grant application.

4. **Approval of March 27, 2017 Board meeting minutes** – A motion was made by member Hadjinian and seconded by member Martinez to approve the March 27, 2017 regular Board meeting minutes.

M/S/C/Hadjinian/Martinez/Unanimous

5. **Chairman Remarks** – Chairperson Costanzo thanked the Board for agreeing to change the meeting date in order to allow April 24 observance of the Armenian Genocide.
6. **Board Member Comments** – Member Hadjinian expressed his appreciation for the Board Recognizing the Armenian Genocide. He reminded the Board how important recognition of the atrocity committed against the Armenian people that included his father, a witness to the execution of his own father and uncle.
7. **Chief Executive Officer's Report** – Mr. Christoffels reported that staff is continuing to monitor the status of the Fast Lane Grant application and remains hopeful the Administration will soon release its Infrastructure Plan. Mr. Christoffels also reported that staff met with Union Representative Ron Miller regarding Potential Project Labor agreements. Mr. Miller has indicated he would examine the feasibility of project labor agreements with the remaining ACE projects.
8. **Construction Progress Reports** – Charles Tsang reviews progress photos of the Fairway Drive grade separation project. Victoria Butler reviews project progress photos of the Fullerton Road grade separation project. Genichi Kanow reviews project progress photos of the Puente Avenue grade separation project. Phil Balmeo reviewed project progress photos of the San Gabriel Trench project.
9. **Approval of Project Baseline Agreement for the Durfee Avenue Grade Separation Project and Resolution Authorizing Chief Executive Officer to Execute Agreements** – Mr. Christoffels reminded the Board that when allocations are made to projects, if the project under runs the allocation, ACE has always tried to request reallocation to another project. He explained ACE requested the California Transportation Commission to reallocate \$ 921,000 savings from Baldwin, \$1.7 million in un-programmed TCIF and \$2.706 million in Prop 1 B HRCSA funds to the

Durfee Avenue project. He indicated Board approval of a baseline agreement was required to complete the process.

A motion was made to approve a project baseline agreement concerning the use of Proposition 1 B funds program guidelines, and a resolution authorizing the Chief Executive Officer to execute the baseline agreement, and any amendments, and funding agreements on behalf of ACE.

M/S/C/Hadjinian /Sandoval/Unanimous

10. **Approval of Declaration of Surplus Property at the Nogales Street Grade Separation Project** – Mr. Christoffels reviewed three parcels acquired for the Nogales Street grade separation project. He indicated the remaining parcels are not needed and must be deemed surplus by the Board. He indicated in accordance with Caltrans guidelines the properties will be made available to public entities first then if no interest is shown, made available to the general public.

Member Martinez requested, in the absence of a representative from Los Angeles County, that member Solis be made aware of this item. A motion was made to declare LA County parcels numbers 87-60-003-902, 8760-003-903, and 8760-003-904 as surplus.

M/S/C/Sandoval/Martinez/Unanimous

11. **Closed Session** – Legal Counsel announced that the Board would adjourn to closed session in accordance with Government Code Section 54956. The Board returned to open session and legal counsel reported that regarding Case No. BC593599 ACE V Mooradian there was no reportable action; regarding Case No. BC 527311 ACE V Majestic Realty the Board unanimously approved terms conditions of a settlement, that once finalized will be available to the public and with regard to Government Code Section 54956.8 real property negotiations, there was no discussion.
12. **Adjournment** – The meeting adjourned at 12:29PM.

X 

Deanna Stanley  
Clerk of the Board



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## Alameda Corridor-East Construction Authority Finance Committee Minutes April 27, 2017

Chair Costanzo called the Finance Committee of the ACE Construction Authority to order at 12 at 4900 Rivergrade Road Suite A120 Irwindale, CA 91706.

### **Roll Call/Introductions**

Jack Hadjinian, Chair  
Juli Costanzo, Vice Chair  
Barbara Messina  
Victoria Martinez

### **Staff**

Alcira Godoy  
Carlos Monroy, Director of Finance  
Deanna Stanley  
Melissa Truong  
Menchu Ituralde, Grants & Audits Manager  
Michelle Arroyo

Phil Hawkey, Executive Director, SGVCOG

1. **Public Comments** – There were no public comments.
2. **Status Report on ACE Contract Audits** – Menchu Ituralde reviewed the audits performed during the period January through March, 2017. She explained the questioned costs in most instances are overbilled labor charges which are normally recovered through retention. She indicated that initial audits can result in identifying firms considered high risk which would result in greater sampling during audit. She explained if findings were of a suspicious nature, staff will meet with the contractor to reiterate ACE's policies.
3. **Project Status Reports** – Ms. Ituralde reviewed Exhibit I, a comprehensive list of all funding sources and explained the change from last quarter is an increase of \$19M for the addition of the Lemon Avenue betterment project. Mr. Hubler explained the federal budgetary reduction, a result of annual appropriations to various projects. Mr. Hubler reminded the committee that ACE is hopeful that the \$50M fast lane grant application will soon be approved. He indicated that Congressman Schiff has sent a letter of support to Secretary of Transportation Elaine Chao. He indicated staff was also hopeful that the administration would release its proposed infrastructure plan soon. Discussion ensued regarding railroad contributions and project costs.

Ms. Ituralde reviewed the project funding by source and there were no questions.

Mr. Monroy reviewed the project allocations and highlighted the original estimate in 1998 for the San Gabriel Trench was \$198M. He indicated the current estimate is \$312,775M. Mr. Monroy reviewed the expenditure forecast change of \$21.3M from last quarter due to the addition of the Lemon Avenue betterment and \$2.3M of closeout costs associated with the Nogales Street project.

Mr. Monroy reviewed the expenditures versus reimbursements and reminded the Board the importance of ACE billing in a timely manner and funding partners reimbursements. He indicated of the \$1.3M aged receivables, staff expects to receive half of this amount this week and the remainder shortly thereafter. He reminded the Board that when ACE invoices Metro, 5% of the value of the invoice is withheld which, in turn retention of 5% is withheld from the contractor by ACE. Release of retention is done after audits are complete and reinforced the importance of audits.

Mr. Monroy reviewed the project schedules and indicated all projects were affected by the rain. Mr. Hubler explained the San Gabriel Trench delay was due to rain affects in Northern California where the Union Pacific's tracks were damaged which then delayed ballast delivery scheduled to be delivered by train from Utah.

4. **Update on Working Capital** – Mr. Monroy reviewed the treasury and banking investment summary. Mr. Hawkey requested explanation of unearned revenues and Mr. Monroy explained these were mostly City of Industry contributions toward betterments, as well as anticipated value of surplus property. Mr. Monroy reviewed ACE investments at length. Mr. Hawkey thanked Mr. Monroy for his recommendation for improvement to the SGVCOG's banking practices.
5. The Chair thanked the staff for an informative meeting. The meeting was adjourned at 1:46PM

X 

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Deanna Stanley  
Clerk of the Board



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: June 5, 2017

SUBJECT: CEO Report

The following are items of note since the last meeting:

**California Transportation Foundation** has recognized the Nogales Street Grade Separation Project at its 28<sup>th</sup> Annual Awards Luncheon on May 24<sup>th</sup> as Safety Project of the Year. The Foundation annually recognizes excellence in California transportation in all modes, public and private sector and from all regions of the State. The nomination was submitted by our contractor and recognizes the team comprised of ACE, City of Industry, Los Angeles County Department of Public Works, AECOM, WSP/Parsons Brinckerhoff, Griffith Company and Union Pacific Railroad.

**Infrastructure Plan** - DOT Secretary Elaine Chao has provided more information about the Administration’s promised \$1 trillion, 10 year infrastructure initiative. Secretary Chao reported that the package would propose \$200 billion in federal funding with priority given to those projects with state, local and or private partnerships committing additional project funding. We will continue to monitor this as details are released.

**Contracting** – Our Administrative Code delegates to the CEO the authority to approve new contracts or change orders for Board-approved contracts within certain limits, with a requirement that I report to the Board any such contract action. Since my last report, I have approved the following:

Consultant/Vendor	Reason for Change	Change Amount	Total Contract Value
OHL USA, Inc.	Puente Avenue Grade Separation project: Change Order No. 007. Quantity Adjustments BI 42, 103, 118	\$22,500	\$38,986,268
OHL USA, Inc.	Puente Avenue Grade Separation project: Change Order No. 008. Quantity Adjustments BI 128; Bid Item Allowance Unit Price Re-allocation	\$96,000	\$39,082,268
MWH Americas, Inc.	Reallocation of hours between ACE Projects. No cost revision.	\$0.00	\$662,052

Walsh Construction Co.	San Gabriel Trench Project - CCO # 29 - Del Mar Light Pedestal Brick Color Change; Building Monitoring at Asian Youth Center; Additional Slurry at SGUSD Parking Lot	\$20,728	\$166,771,231
Walsh Construction Co.	San Gabriel Trench Project - CCO # 30 - Commercial Building – Extended Overhead; Electrical Service Upgrades	\$54,879	\$166,826,110

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

- Distributed construction alert notices regarding repaving work on E. Main Street, Angeleno Avenue, California Street, Del Mar Avenue, Rosenda Street, Grand Avenue, Earle Avenue and Santa Fe Avenue for the San Gabriel Trench project;
- Distributed construction alert notices regarding temporary traffic lane closures on Rowland Street and Lawson Street for road improvements and traffic signal installation for the Fullerton Road project;
- Distributed construction alert notices regarding nighttime temporary traffic lane and sidewalk closures on Fairway Drive and East Walnut Drive North to relocate and install new underground telecommunication lines for the Fairway Drive project;
- Distributed school safety kits with rail and construction safety messages to 2,040 students at Jellick Elementary, Yorbita Elementary, Rorimer Elementary and Villa Corta Elementary for the Fullerton Road project and 3,130 students at La Merced Elementary, Montebello Park Elementary, Washington Elementary and Wilcox Elementary for the Montebello Corridor project;
- Distributed The ACE Report e-newsletter; and
- Conducted ongoing community outreach and support activities for the San Gabriel Trench, Puente Avenue, Fairway Drive and Fullerton Road grade separation projects.



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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: Monday, June 5, 2017

SUBJECT: Resolution of Necessity for Property Acquisition - No. 17-01  
Durfee Avenue Grade Separation  
Owner: GP Johnson Holdings, LLC  
Property Address: 9358 Stephens Street, Pico Rivera, CA 90660-2161  
ACE Parcel No.: 208N  
APN: 6375-015-003

**RECOMMENDATION:** Staff recommends the ACE Construction Authority:

1. Conduct a hearing on Resolution 17-01 of the ACE Construction Authority finding and determining that, among other things, the public interest, convenience and necessity require the acquisition of certain property for public purposes for the Durfee Avenue Grade Separation Project; and
2. Review the evidence presented, including this staff report and public comments and close the hearing; and
3. Adopt the attached Resolution 17-01 authorizing the commencement of eminent domain proceedings so as to acquire, for construction purposes, one (1) permanent roadway easement that is 271 sq. ft., one (1) permanent retaining wall footing easement that is 780 sq. ft., one (1) permanent ingress-egress easement that is 3,402 sq. ft., and one (1) 130-week temporary construction easement that is 25,085 sq. ft., in that certain parcel bearing Los Angeles Assessor Parcel Number 6375-015-003, which is 73,461 sq. ft.. This requires an affirmative TWO-THIRDS (2/3) vote of the ACE Construction Authority Board.

**BACKGROUND:** The ACE 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 the existing at-grade crossing of Durfee Avenue and the Union Pacific Railroad (UPRR) mainline (Los Angeles Subdivision). The Durfee Avenue Grade Separation Project will eliminate the existing at-grade crossing with the construction of a Durfee Avenue roadway underpass between Olympic Boulevard to the north and West Boulevard to the south. Durfee Avenue will be

lowered under the existing two (2) UPRR railroad tracks. To provide continued connectivity, both Walnut Avenue and Stephens Street, located north and south of the UPRR right-of-way, respectively, will be lowered to accommodate grade changes resulting from the lowering of Durfee Avenue. The underpass will be constructed utilizing a combination of slopes and vertical retaining walls along the eastern and western limits of the Durfee Avenue public right-of-way. The new bridge structure will accommodate the two existing tracks and a maintenance road or potential future third track for the UPRR.

The larger parcel ("Property") identified in Resolution 17-01 consists of land, approximately 73,461 sq. ft. in size, with improvements.

On February 17, 2017, ACE Staff tendered an offer to the Owner in the amount of One Hundred Fifty-Five Thousand, Seven Hundred Seventy-Five Dollars (\$155,775).

ACE has attempted in earnest to negotiate a settlement agreement since February 2017, and although negotiations are ongoing, the acquisition of the subject property has not been consummated. ACE requires possession and use of the property before work on the property can commence and as there are no assurances that an agreement between the parties will be reached in order to meet the construction schedule, a Resolution of Necessity is being requested.

In order to accommodate the grade separation at Durfee Avenue, the following permanent and temporary easement interests in ACE Parcel Number 208N bearing Los Angeles Assessor Parcel Number 6375-015-003 are required:

1. A 271 sq. ft. Permanent Roadway Easement related to the widening of Stephens Street for public road purposes including all related right of way purposes (208N-RE) in, on, over, and across the property described in Exhibit A-1; and
2. A 780 sq. ft. Permanent Retaining Wall/Footing Easement to construct, reconstruct, and maintain, alter, access, inspect, repair, remove or replace a retaining wall and footing and all incidents thereto to transition the grade from the property to the lowered Stephens Street (208N-RWF), in, on, over, through, under, across and along the property described in Exhibit A-2; and
3. A 3,402 sq. ft. Permanent Ingress/Egress Easement (208N-I-E) in, on, over, across and along the property described in Exhibit A-3 for ingress, egress and access from Stephens Street to that certain property located on the corner of Stephens Street and Durfee Avenue and identified by APN 6375-015-800 and 6375-015-802 (hereinafter, "ACE Parcel 208W"), which is currently owned by Southern California Edison company; and
4. A 25,085 sq. ft. 130-Week Temporary Construction Easement (208N-TCE) in, on, over, through, under, across and along the area described in Exhibit A-4, together

with the right to use the Larger Parcel for reasonable access, reasonable right of ingress and egress to and from the Temporary Easement area during said construction, maintenance, inspection and repair. The Temporary Construction Easement is divided into two parts, TCE East and TCE West, and is for the purposes of constructing, reconstructing and/or repairing permanent physical improvements in connection with the Project. Work in the Temporary Construction Easement area will include the re-profiling of the parking lot, the removal and reinstallation of fencing and gates, construction of an access point for ingress/egress for the benefit of ACE Parcel No. 208W [APNs 6375-015-800 and 6375-015-802], and the installation of new driveways, (one temporary and one permanent), retaining wall, curb and gutter as shown on project plans.

The Temporary Construction Easement shall be for a period not to exceed 30 months. Actual physical use and occupation of the Temporary Construction Easement area for Project construction purposes, and all uses appurtenant thereto, will occur during a fourteen (14)-week period (the "Occupational Period"), which shall commence following written notice provided to burdened property owner by Easement Holder. During this 14-week Occupational Period, impacted onsite parking will be accommodated through parking on Stephens Street or somewhere else to be shown on the project plans. During the remaining weeks of the Temporary Easement term ("Non-Occupational Period"), no actual physical occupancy and/or use of the Temporary Construction Easement area by the Easement Holder will occur.

The grade separation project is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.13. As required for the use of federal funds, the Project has also been found to be in compliance with NEPA.

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 aforementioned subject property in its entirety by eminent domain, provided certain procedural steps are followed.

The ACE Construction Authority must make an offer to purchase to the property owner, which offer must be transmitted in writing, based upon an appraisal. The ACE Construction Authority tendered a statutory Offer to Purchase to the property owner as required by law based upon an approved appraisal (**Exhibit 1**). To date, the offer has not been accepted.

It is now necessary that an action in eminent domain be commenced to acquire the property interests referenced above. Prior to the filing of the action, the ACE Construction Authority must hold a hearing on the proposed Resolution of Necessity, (**Exhibit 2**) and

provide the owner of the affected property an opportunity to be heard, provided that the owner has filed a request to be heard in writing with the ACE Construction Authority prior to the hearing.

In addition, the hearing must be duly noticed. Attached is a copy of the Notice of Hearing and Request to Be Heard, which were delivered in accordance with the applicable statutes **(Exhibit 3)**.

After conducting the public hearing, if the ACE Construction Authority finds that the public necessity so requires, the ACE Construction Authority should adopt the attached Resolution of Necessity 17-01, authorizing condemnation proceedings for the purpose of acquiring the property interests which are described in Resolution 17-01.

The findings, which need to be made, are as set forth in the Resolution of Necessity. Specifically, the ACE Construction Authority must find:

1. That the public interest, convenience and necessity require the acquisition of the proposed project.

As proposed, the Durfee Avenue Grade Separation Project will serve public purposes, as discussed above;

2. That the Durfee Avenue 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.

ACE evaluated different grade separation configurations and multiple variations of design details of the selected underpass alternative to identify any overall project cost and real estate impact reductions. Additionally, ACE conducted an Engineering Value Analysis workshop that engaged stakeholders and technical experts to analyze and vet the various design scenarios with a goal of optimizing design and minimizing real estate impacts. Based on the foregoing, it was determined that the proposed underpass design would have the least private impact while providing the greatest public utility.

The Durfee Avenue Grade Separation Project, constructed as a roadway underpass, will eliminate the existing at-grade crossing of Durfee Avenue at the UPRR mainline (Los Angeles Subdivision). Construction of the roadway underpass, between Olympic Boulevard to the north of the crossing and West Boulevard to the south of the crossing, will lower Durfee beneath the existing UPRR tracks. Walnut Avenue to the north of the crossing and Stephens Street to the south of the crossing will be lowered to the new elevation of Durfee Avenue at their respective intersections in order to maintain connectivity.

3. That the property interests sought to be acquired are necessary for the Durfee Avenue Grade Separation Project. Specifically, said interests are needed due to the Project's widening and lowering of Durfee Avenue, and to provide access to Southern California Edison, as detailed below:

- a. Parcel 208N-RE: related to the widening of Stephens Street for public road purposes including all related right of way purposes (208N-RE) in, on, over, and across the property described in Exhibit A-1 and depicted on Exhibit B-1. Work in the Permanent Roadway Easement Area will include, among other things, the removal of asphalt paving, chain-link fencing and gate and construction of sidewalk.

No other easement or easements shall be granted upon, in, on, over, through, under, across and along said permanent roadway easement without previous written consent by Easement Holder. Easement Holder shall have the right to assign any portions, or all of the rights granted under the Permanent Roadway Easement area. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, deep rooted shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Roadway Easement area, including but not limited to any road, sidewalk or other roadway feature located within the Permanent Roadway Easement area, and that no changes in the alignment or grading of any such road, sidewalk or other roadway feature will be made without prior written consent of Easement Holder. Easement Holder shall have the right to mark the location of the easement in a manner which will not interfere with the underlying fee owner's reasonable and lawful use of the Permanent Roadway Easement area; and

- b. Parcel 208J-RWF: A 780 sq. ft. Permanent Retaining Wall/Footing Easement for retaining wall purposes to construct, reconstruct, and maintain, alter, access, inspect, repair, remove or replace a retaining wall and footing and all incidents thereto to transition the grade from the property to the lowered Stephens Street (208N-RWF), in, on, over, through, under, across and along the property described in Exhibit A-2 and depicted on Exhibit B-2, together with the reasonable right of ingress and egress to and from the permanent easement during said construction, reconstruction, maintenance, alteration, inspection, repair, removal or replacement.

No other easement or easements shall be granted upon, in, on, over, through, under, across or along said Permanent Retaining Wall-Footing Easement without previous written consent by Easement Holder.

Easement Holder shall have the right to assign any portions, or all of the rights granted under the Permanent Retaining Wall/Footing area. Burdened property owner shall not increase or decrease, or permit to be increased or decreased the now-existing ground elevations of the Permanent Retaining Wall/Footing area without the previous written consent of Easement Holder. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, deep rooted shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Retaining Wall/Footing Easement area without prior written consent of Easement Holder, and no changes in the alignment or grading of the Permanent Retaining Wall/Footing area will be made without prior written consent of Easement Holder. Easement Holder shall have the right to mark the location of the easement in a manner which will not interfere with the underlying fee owner's reasonable and lawful use of the Permanent Retaining Wall/Footing Easement area; and

- c. Parcel 208N-I-E: A 3,402 sq. ft. Permanent Ingress/Egress Easement in, on, over, across and along the property described in Exhibit A-3 and depicted on Exhibit B-3 ("Permanent Ingress/Egress Easement Area") is necessary for the purpose specified in Section 1240.350 of the Code of Civil Procedure (i.e., to provide utility and/or road access) for ingress, egress and access from Stephens Street to that certain property located on the corner of Stephens Street and Durfee Avenue and identified by APN 6375-015-800 and 6375-015-802 (hereinafter, "ACE Parcel 208W"), which is currently owned by Southern California Edison company.

This Permanent Ingress/Egress Easement and the rights and obligations therein shall run with the land and accrue to the benefit of, and be binding upon, the successors in interest of the burdened fee owner and ACE Parcel 208W pursuant to California Civil Code section 1468, and as equitable servitudes under common law. The Permanent Ingress/Egress Easement granted herein which burdens Parcel 208N is appurtenant to and benefits ACE Parcel 208W, and cannot be transferred separately from, or severed from title to it.

No other easement or easements shall be granted on, under or over said Permanent Ingress/Egress Easement without previous written consent by Easement Holder. Easement Holder shall have the right to assign any portions, or all of the rights granted under the Permanent Ingress/Egress Easement Area. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Ingress/Egress Easement Area without prior written

consent of Easement Holder. Owner of burdened property shall have the right to mark the location of the path of travel within the Easement Area in a manner which will not interfere with the Easement Holder's reasonable and lawful use of said easement.

Easement Holder shall indemnify, defend and hold harmless underlying fee owner (and its successors and assigns) from and against any and all claims, demands, liabilities, judgments, losses, costs and expenses (including reasonable attorneys' fees and expenses) arising from or related to Easement Holder's maintenance or use of the Permanent Ingress/Egress Easement Area including, but not limited to, any damage to property or injury to or death of any person, except to the extent the same are caused by underlying fee owner's gross negligence or willful misconduct.

- d. Parcel 208N-TCE: A 25,085 sq. ft. 130-Week Temporary Construction Easement (208N-TCE) in, on, over, through, under, across and along the area described in Exhibit A-4 and depicted on Exhibit B-4, together with the right to use the Larger Parcel for reasonable access, reasonable right of ingress and egress to and from the Temporary Easement area during said construction, maintenance, inspection and repair. The Temporary Construction Easement is divided into two parts, TCE East and TCE West, and is for the purposes of constructing, reconstructing and/or repairing permanent physical improvements in connection with the Project. Work in the Temporary Construction Easement area will include the re-profiling of the parking lot, the removal and reinstallation of fencing and gates, construction of an access point for ingress/egress for the benefit of ACE Parcel No. 208W [APNs 6375-015-800, -802], and the installation of new driveways, (one temporary and one permanent), retaining wall, curb and gutter as shown on project plans.

The Temporary Construction Easement shall be for a period not to exceed 30 months. Actual physical use and occupation of the Temporary Construction Easement area for Project construction purposes, and all uses appurtenant thereto, will occur during a fourteen (14)-week period (the "Occupational Period"), which shall commence following written notice provided to burdened property owner by Easement Holder. During this 14-week Occupational Period, impacted onsite parking will be accommodated through parking on Stephens Street or somewhere else to be shown on the project plans. During the remaining weeks of the Temporary Easement term ("Non-Occupational Period"), no actual physical occupancy and/or use of the Temporary Construction Easement area by the Easement Holder will occur.

At the expiration of the 30-month Temporary Construction Easement term, Easement Holder shall restore such property to a condition as near as practicable to the condition that existed immediately prior to Easement Holder's operations. Easement Holder shall not be required to restore vegetation to the pre-existing condition;

4. That ACE made the offer to purchase as required by section 7267.2 of the California Government Code.

The Statutory Offer to Purchase was tendered to the Owner on February 17, 2017.

5. That the necessary notice of hearing to consider the adoption of the Resolution of Necessity has been given, as required by Code of Civil Procedure section 1245.235.

As evidenced by Exhibit 3, this has been done.

6. That ACE has complied with CEQA.

The Durfee Avenue Grade Separation Project is categorically 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 Durfee Avenue Grade Separation Project eliminates an existing grade crossing and is therefore, exempt from CEQA.

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 ACE Construction Authority adopts the Resolution of Necessity, after the hearing, negotiations for the acquisition of the property interests may continue.

**BUDGET IMPACT:** Federal, Measure R and Proposition C Funds are available for the acquisition of this property and are included in the Authority's FY 2017 budget.

#### **ATTACHMENTS**

Exhibit 1- Offer Letter dated February 8, 2017.

Exhibit 2- Resolution of Necessity No. 17-01 with Exhibits

Exhibit 3- Notice of Hearing and Request to Be Heard

## ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY

### RECEIPT OF OFFER PACKAGE

This is to acknowledge receipt of the offer package containing the following items:

1. Offer letter
2. Appraisal Summary Statement (Attachment No. 1)
3. Addendum to Valuation (Attachment No. 1A)
4. Summary Statement Relating to Purchase of Real Property or an Interest Therein (Attachment No. 2)
5. When a Public Agency Acquires Your Property (Attachment No. 3)
6. Permanent Roadway Easement (Attachment No. 4)
  - Legal Description
  - Plat Map
7. Permanent Retaining Wall/Footing Easement (Attachment No. 5)
  - Legal Description
  - Plat Map
8. Permanent Ingress/Egress Easement (Attachment No. 6)
  - Legal Description
  - Plat Map
9. Temporary Construction Easement (Attachment No. 7)
  - Legal Description
  - Plat Map
10. Your Rights Under Title VI (Attachment No. 8)
11. Right of Entry for Construction Purposes
  - Plat Maps

\_\_\_\_\_  
Signature of Recipient

\_\_\_\_\_  
Date

\_\_\_\_\_  
Recipient's Name

\_\_\_\_\_  
Address



## ***Alameda Corridor-East Construction Authority***

---

9900 Rivergrade Rd., Ste. A120, Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

GP Johnson Holdings, LLC  
Attn: Helen Pan  
9358 Stephens Street  
Pico Rivera, CA 90660-2161

Sullivan, Workman & Dee, LLP  
Attn: Daniel Pranata, Esq.  
600 N. Rosemead Boulevard, Suite 209  
Pasadena, CA 91107

**RE: Durfee Avenue Grade Separation Project**  
**Property Address: 9358 Stephens Street, Pico Rivera, CA**  
**APN: 6375-015-003**  
**ACE Parcel No.: 208N**

To Helen Pan:

The Alameda Corridor-East Construction Authority (ACE) is constructing the Alameda Corridor-East Project, which is a corridor-wide improvement program. The project boundaries are from East Los Angeles, at the Union Pacific Railroad Redondo Junction, easterly to the City of Pomona in Los Angeles County.

As a part of that project, ACE is planning to construct a grade separation of the Union Pacific Railroad (UPRR) between Beverly Road and Whittier Boulevard which will require the lowering of Durfee Avenue under the existing Union Pacific Railroad tracks in the City of Pico Rivera. It has been determined that the project will require the acquisition of a portion of your property located at 9358 Stephens Street, Pico Rivera, California bearing Los Angeles County Assessor Parcel Number (APN) 6375-015-003 and which is referred to as ACE Parcel No. 208N.

The property interests to be acquired are a: Permanent Roadway Easement (208N-RE), 271 square feet in size, Permanent Retaining Wall/Footing Easement (208N-RW/F), 780 square feet in size, Permanent Ingress/Egress Easement (208N-I-E), 3,402 square feet in size, and Temporary Construction Easement (208N-TCE), 25,085 square feet in size ("TCE Area"). Maps delineating the property interests to be acquired are enclosed. The total duration of the Temporary Construction Easement is for 130 weeks which is comprised of an Occupational Period of 14 weeks of physical use and occupation of the TCE area for construction and a 116-week Non-Occupational Period during which time no use or occupancy of the TCE area will occur.

It is the policy of ACE to acquire property, which is in private ownership, only when it is essential to do so, and through voluntary purchase, if possible. While ACE has the power of eminent domain, condemnation has not been authorized with respect to the subject property as of this date.

California law requires that before making an offer for the acquisition of real property for the Alameda Corridor-East Project, ACE must: obtain an appraisal to determine the fair market value of the real property being acquired; establish an amount which it believes to be Just Compensation for that property; and make an offer to the owner for an amount not less than the Just Compensation so determined. Accordingly, ACE has had your property appraised to determine its fair market value, as defined in California Code of Civil Procedure Section 1263.320. It was appraised in accordance with commonly accepted appraisal standards and included consideration of the Highest and Best Use of the land, the land's current use and any improvements located thereon. The appraisal has been completed and reviewed, and ACE has determined an amount, which constitutes Just Compensation for the real property.

ACE hereby offers you the sum of One Hundred Fifty-Five Thousand, Seven Hundred Seventy-Five Dollars (\$155,775) for the acquisition of a: Permanent Roadway Easement, Permanent Retaining Wall/Footing Easement, Permanent Ingress/Egress Easement and 130-week Temporary Construction Easement interest in ACE Parcel No. 208N. The enclosed Appraisal Summary Statement dated November 17, 2016 (Attachment No. 1) and Addendum to the Valuation (Attachment No. 1A) outline the basis for this offer.

The amount of the offer is predicated on the assumption that there exists no hazardous substance, product, waste, or other material of any nature whatsoever which is or becomes listed, regulated, or addressed pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 United States Code Section 9601 et seq., on the subject property. Furthermore, please be advised that the amount offered is subject to an environmental site inspection, and the cost to remediate any identified problems may affect the valuation of the subject property.

This is an offer to purchase a: Permanent Roadway Easement, Permanent Retaining Wall/Footing Easement, Permanent Ingress/Egress Easement and Temporary Construction Easement interest on your property designated as ACE Parcel No. 208N free of all liens and other encumbrances, except as may be expressly agreed to by ACE. If more than one person has an interest in the property which ACE is seeking to acquire, all parties with such interests must accept this offer.

If you are not satisfied with ACE's offer, you are encouraged to present to us any material you believe to be relevant to the value of the property. This material will be carefully considered by ACE, and if, in ACE's opinion, the additional information warrants a change in the offer, ACE's offer will be adjusted accordingly.

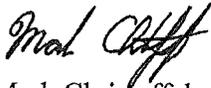
You may engage a State of California Certified Appraiser to provide you with an independent opinion of the value of the portion of your property necessary for the project. If you do so, ACE will reimburse you an amount of up to \$5,000 for an appraisal performed for you by your certified appraiser. Please submit a copy of the invoice from your appraiser with your request for reimbursement.

California regulations provide that each Owner from whom ACE purchases real property or an interest therein, or each tenant owning improvements on said property, be provided with information relating to the acquisition procedures pursuant to the Government Code, Paragraph 7267.2(a). This information is provided in Attachment 3: "When a Public Agency Acquires Your Property."

If for any reason you should see fit not to accept ACE's offer, please be advised that this letter, the offer made herein, and all matters stated herein are made under the provisions of California Evidence Code Section 1152, and shall not be admissible in evidence in any eminent domain proceeding which may subsequently be instituted for acquisition of the subject property, or in any other action.

ACE has retained Paragon Partners Ltd. ("Paragon") to work with you throughout this process. Phillip L. Bonina of Paragon is available to meet with you and respond to any questions you may have relating to this offer. He can be reached at 714-379-3376. If ACE's offer is acceptable, please have the appropriate person(s) sign the acceptance on the enclosed copy of this letter, and return the signed copy to Paragon Partners Ltd., 5762 Bolsa Avenue, Suite 201, Huntington Beach, CA 92649. Upon receipt of your acceptance, you will be forwarded a Purchase and Sale Agreement and Joint Escrow Instructions.

Sincerely,



Mark Christoffels  
ACE CEO and Chief Engineer

Dated: \_\_\_\_\_

2/8/17

**RESOLUTION NO. 17-01**

**A RESOLUTION OF THE ALAMEDA  
CORRIDOR EAST – GATEWAY TO AMERICA  
CONSTRUCTION AUTHORITY FINDING AND  
DETERMINING THAT THE PUBLIC INTEREST,  
CONVENIENCE AND NECESSITY REQUIRE  
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 Alameda Corridor East – Gateway to America Construction Authority (hereafter "ACE Construction Authority"), after consideration of the staff report, staff presentation, discussion, oral testimony and evidence presented at a special Board Meeting on Monday, June 5, 2017 at 1:00 p.m. hereby finds, determines and declares as follows:

- (a) ACE Construction Authority on behalf of the San Gabriel Council of Governments 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 Pico Rivera, County of Los Angeles, CA for the Alameda Corridor-East Project ("ACE Project"); and
- (b) The public interest, convenience and necessity require the proposed Durfee Avenue Grade Separation Project in Los Angeles County, City of Pico Rivera, State of CA as part of the ACE 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 (collectively the "Easements") are as follows:
  - i. A 271 s.f. Permanent Roadway Easement related to the widening of Stephens Street for public road purposes including all related right of way purposes (208N-RE) in, on, over, and across the property described in Exhibit A-1 and depicted on Exhibit B-1. Work in the Permanent Roadway Easement Area will include, among other things, the removal of asphalt paving, chain-link fencing and gate and construction of sidewalk.

Durfee Avenue Grade Separation  
APN: 6375-015-003  
ACE Parcel No.: 208N

Page 1

No other easement or easements shall be granted upon, in, on, over, through, under, across and along said permanent roadway easement without previous written consent by Easement Holder. Easement Holder shall have the right to assign any portions, or all of the rights granted under the Permanent Roadway Easement area. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, deep rooted shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Roadway Easement area, including but not limited to any road, sidewalk or other roadway feature located within the Permanent Roadway Easement area, and that no changes in the alignment or grading of any such road, sidewalk or other roadway feature will be made without prior written consent of Easement Holder. Easement Holder shall have the right to mark the location of the easement in a manner which will not interfere with the underlying fee owner's reasonable and lawful use of the Permanent Roadway Easement area; and

- ii. A 780 s.f. Permanent Retaining Wall/Footing Easement to construct, reconstruct, and maintain, alter, access, inspect, repair, remove or replace a retaining wall and footing and all incidents thereto to transition the grade from the property to the lowered Stephens Street (208N-RWF), in, on, over, through, under, across and along the property described in Exhibit A-2 and depicted on Exhibit B-2, together with the reasonable right of ingress and egress to and from the permanent easement during said construction, reconstruction, maintenance, alteration, inspection, repair, removal or replacement.

No other easement or easements shall be granted upon, in, on, over, through, under, across or along said Permanent Retaining Wall-Footing Easement without previous written consent by Easement Holder. Easement Holder shall have the right to assign any portions, or all of the rights granted under the Permanent Retaining Wall/Footing area. Burdened property owner shall not increase or decrease, or permit to be increased or decreased the now-existing ground elevations of the Permanent Retaining Wall/Footing area without the previous written consent of Easement Holder. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, deep rooted shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Retaining Wall/Footing Easement area without prior written consent of Easement Holder, and no changes in the alignment or grading of the Permanent Retaining Wall/Footing area will be made without prior written consent of Easement Holder. Easement Holder shall have the right to mark the location of the easement in a manner which will not interfere with the underlying fee owner's reasonable and lawful use of the Permanent Retaining Wall/Footing Easement area; and

- iii. A 3,402 s.f. Permanent Ingress/Egress Easement (208N-I-E) in, on, over, across and along the property described in Exhibit A-3 and depicted on Exhibit B-3 (“Permanent Ingress/Egress Easement Area”) for ingress, egress and access from Stephens Street to that certain property located on the corner of Stephens Street and Durfee Avenue and identified by APN 6375-015-800 and 6375-015-802 (hereinafter, “ACE Parcel 208W”), which is currently owned by Southern California Edison company.

This Permanent Ingress/Egress Easement and the rights and obligations therein shall run with the land and accrue to the benefit of, and be binding upon, the successors in interest of the burdened fee owner and ACE Parcel 208W pursuant to California Civil Code section 1468, and as equitable servitudes under common law. The Permanent Ingress/Egress Easement granted herein which burdens Parcel 208N is appurtenant to and benefits ACE Parcel 208W, and cannot be transferred separately from, or severed from title to it.

No other easement or easements shall be granted on, under or over said Permanent Ingress/Egress Easement without previous written consent by Easement Holder. Easement Holder shall have the right to assign any portions, or all of the rights granted under the Permanent Ingress/Egress Easement Area. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Ingress/Egress Easement Area without prior written consent of Easement Holder. Owner of burdened property shall have the right to mark the location of the path of travel within the Easement Area in a manner which will not interfere with the Easement Holder’s reasonable and lawful use of said easement.

Easement Holder shall indemnify, defend and hold harmless underlying fee owner (and its successors and assigns) from and against any and all claims, demands, liabilities, judgments, losses, costs and expenses (including reasonable attorneys’ fees and expenses) arising from or related to Easement Holder’s maintenance or use of the Permanent Ingress/Egress Easement Area including, but not limited to, any damage to property or injury to or death of any person, except to the extent the same are caused by underlying fee owner’s gross negligence or willful misconduct.

- iv. A 25,085 s.f. 130-Week Temporary Construction Easement (208N-TCE) in, on, over, through, under, across and along the area described in Exhibit A-4 and depicted on Exhibit B-4, together with the right to use the Larger Parcel for reasonable access, reasonable right of ingress and egress to and from the Temporary Easement area during said construction, maintenance, inspection

and repair. The Temporary Construction Easement is divided into two parts, TCE East and TCE West, and is for the purposes of constructing, reconstructing and/or repairing permanent physical improvements in connection with the Project. Work in the Temporary Construction Easement area will include the re-profiling of the parking lot, the removal and reinstallation of fencing and gates, construction of an access point for ingress/egress for the benefit of ACE Parcel No. 208W [APNs 6375-015-800, -802], and the installation of new driveways (one temporary and one permanent), retaining wall, curb and gutter as shown on project plans.

The Temporary Construction Easement shall be for a period not to exceed 30 months. Actual physical use and occupation of the Temporary Construction Easement area for Project construction purposes, and all uses appurtenant thereto, will occur during a fourteen (14)-week period (the "Occupational Period"), which shall commence following written notice provided to burdened property owner by Easement Holder. During this 14-week Occupational Period, impacted onsite parking will be accommodated through parking on Stephens Street or somewhere else to be shown on the project plans. During the remaining weeks of the Temporary Easement term ("Non-Occupational Period"), no actual physical occupancy and/or use of the Temporary Construction Easement area by the Easement Holder will occur.

At the expiration of the 30-month Temporary Construction Easement term, Easement Holder shall restore such property to a condition as near as practicable to the condition that existed immediately prior to Easement Holder's operations. Easement Holder shall not be required to restore vegetation to the pre-existing condition;

Said Easements are described in Exhibits A-1, A-2, A-3, and A-4, attached hereto and incorporated herein by this reference. The Easements are located within the City of Pico Rivera, State of CA. Maps showing the general location of the Easements 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;

- (d) The Durfee Avenue Grade Separation Project is planned and located in a manner that will be the most compatible with the greatest public good and least private injury.
- (e) The taking of the Property is necessary for the Durfee Avenue 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) ACE has fully complied with the California Environmental Quality Act (“CEQA”) as the Durfee Avenue Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13.
- (i) ACE has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (the “right to take”) to acquire the Property.
- (j) The Permanent Ingress/Egress Easement and Temporary Construction Easement are necessary for the purpose specified in Section 1240.350 of the Code of Civil Procedure, and as such the taking is authorized by Section 1240.350 of the Code of Civil Procedure.

SECTION 2. ACE Construction Authority 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. ACE Construction Authority 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 1260.510.

SECTION 4. ACE Legal Counsel is authorized and directed to prepare, institute and prosecute such 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 Assistant to the Clerk of the Board 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 \_\_\_\_ day of June 2017.

ATTEST:

\_\_\_\_\_  
Amy Hanson, Assistant to the Clerk of the Board

Durfee Avenue Grade Separation  
APN: 6375-015-003  
ACE Parcel No.: 208N

Page 6

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    )  
CITY OF MONTEBELLO        )

I HEREBY CERTIFY that the foregoing Resolution 17-01 was duly adopted by the ACE Construction Authority at a special meeting thereof, held on the \_\_\_\_\_ day of June 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Amy Hanson, Assistant to the Clerk of the Board

# PSOMAS

## EXHIBIT 'A'

Serial No. 71545A

Legal Description for Ingress - Egress Purposes

ACE Parcel No. 208N-I-E

That portion of Lot 47, Rancho Paso De Bartolo, in the City of Pico Rivera, County of Los Angeles, State of California, as shown on the Partition Map filed in Case No. 20613 of the Superior Court of the State of California for the County of Los Angeles, recorded in Book 999, Page 81, of Deeds, in the office of the Recorder of said County, described as follows:

**Beginning** at the centerline intersection of West Boulevard and Durfee Avenue as shown on Tract No. 10171, filed in Book 144, Pages 17 to 18 of Maps, in the office of the Recorder of said County; thence along the centerline of Durfee Avenue North  $14^{\circ} 23' 11''$  East 278.62 feet to the westerly prolongation of the southerly line of said Lot 47; thence South  $66^{\circ} 08' 03''$  East 25.35 feet along said prolongation to the southwesterly corner of the second Parcel Exception as described in the document recorded October 12, 2012 as Instrument No. 20121545374 of Official Records in the office of the Recorder of said County, said corner being 25.00 easterly of said centerline of Durfee Avenue; thence parallel with said centerline and along the easterly line of said second exception North  $14^{\circ} 23' 11''$  East 60.83 feet to the northwesterly corner thereof; thence South  $66^{\circ} 08' 03''$  East 19.08 feet along the northerly line of said second Parcel Exception to an angle point in the southerly line of Stephens Street as described in the Road Deed recorded September 28, 1961 as in Book D1370, Page 358, of Official Records in the Office of the Recorder of said County; thence along said southerly line of Stephens Street the following four courses:

- 1) North  $49^{\circ} 15' 20''$  East 27.16 feet;
- 2) North  $84^{\circ} 07' 26''$  East 110.69 feet;
- 3) North  $89^{\circ} 09' 49''$  East 7.48 feet to a non-tangent curve concave northerly having a radius 3165.93 feet, a radial line to said curve bears South  $00^{\circ} 47' 20''$  East;
- 4) thence easterly along said curve 19.00 feet through a central angle of  $00^{\circ} 20' 38''$ ;

# PSOMAS

1 thence leaving said southerly line South 01° 07' 58" East 5.00 feet; thence  
2 North 88° 56' 08" East 5.00 feet to the **True Point of Beginning**; thence continuing  
3 North 88° 56' 08" East 42.76 feet; thence South 23° 51' 57" West 54.34 feet; thence  
4 South 58° 51' 57" West 63.26 feet to the northeasterly corner of said Second Parcel  
5 Exception; thence along the northerly line of said Second Parcel Exception  
6 North 66° 08' 03" West 26.00 feet; thence leaving said northerly line North 23° 51' 57"  
7 East 11.68 feet; thence North 58° 51' 57" East 35.62 feet; thence North 38° 30' 17" East  
8 35.69 feet; thence North 01° 08' 12" West 14.06 feet to the **True Point of Beginning**.

9  
10 Containing 3,402 square feet.

11  
12 All as shown on Exhibit "B" attached hereto and made a part hereof.

13  
14 This legal description is not intended to be used in the conveyance of land in violation of  
15 the Subdivision Map Act of the State of California.

16  
17 APN: 6375-015-003

18  
19 This legal description was prepared by me or under my direction.

20  
21  
22 Jeremy L. Evans  
23 Jeremy L. Evans, PLS 5282

24 5.23.2017  
25 Date



EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613  
 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,  
 RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY,  
 APN: 6375-015-003

ACE

ACCEPTED BY: *[Signature]*  
 CHIEF ENGINEER

DATE: *10/14/16*

**CURVE DATA**

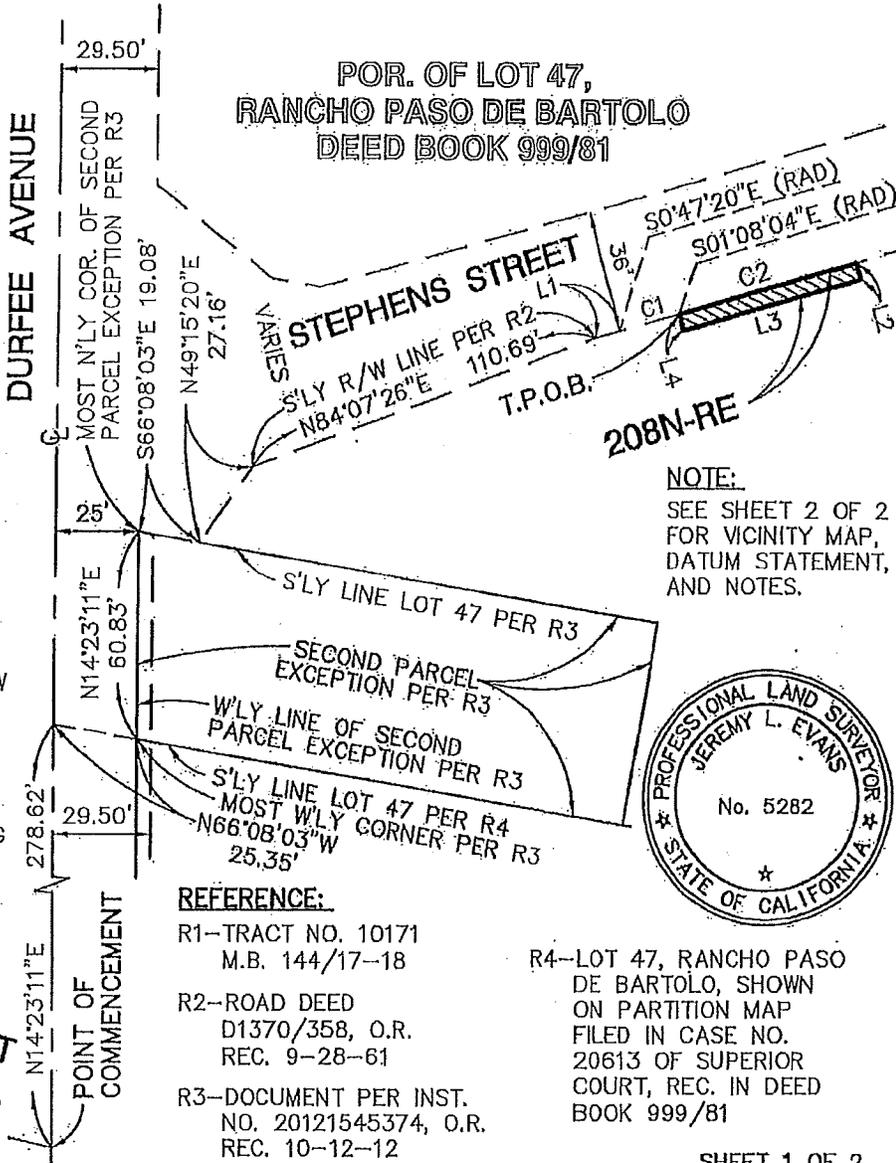
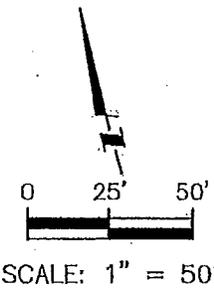
- C1 Δ=0°20'44"  
 R=3165.93'  
 L=19.09'
- C2 Δ=0°59'42"  
 R=3165.93'  
 L=54.98'

**LINE TABLE**

- L1 N89°09'48"E 7.48'
- L2 S2°07'46"E 5.00'  
 (RAD)
- L3 S88°22'05"W 55.07'
- L4 N1°08'04"W 5.00'  
 (RAD)

**LEGEND:**

- CENTERLINE
- LOT/PARCEL LINE
- EXISTING R/W
- TIE LINE
- PROPOSED EASEMENT
- T.P.O.B. TRUE POINT OF BEGINNING



SHEET 1 OF 2

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	271 SQ. FT.	73,190 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 4-13-2016
P S O M A S <i>Jeremy L. Evans</i> APPROVED BY: L.S. 5282		CITY OF PICO RIVERA	SCALE: 1" = 50'
ACE REVIEWED BY: <i>Rachel Volby</i> 10-13-16 PROJECT MANAGER DATE			REV. NO. DATE:
			REV. NO. DATE:
			ACE PARCEL NO. 208N-RE

D:\CS\2016\201605\SURVEY\LEGAL\5\Exemptions\Plat\208N-RE.dwg Plotted by: teri.dobson on Oct 12, 2016 - 9:41:16

EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BAROLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613  
 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,  
 RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.  
 APN: 6375-015-003

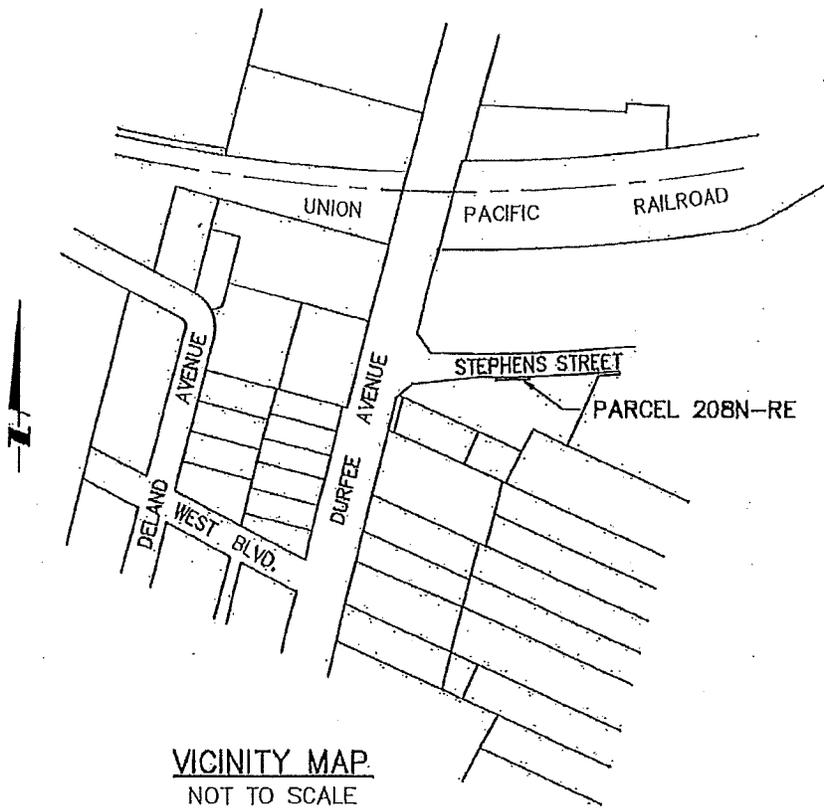
ACE

ACCEPTED BY: *[Signature]*  
 CHIEF ENGINEER

DATE: *10/14/16*

**DATUM STATEMENT:**

THE BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE V, RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83; 2011.00 EPOCH). ALL DISTANCES SHOWN HEREIN ARE GRID DISTANCES. TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES BY THE COMPUTED COMBINATION FACTOR OF 1.00000338.



SHEET 2 OF 2

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	271 SQ. FT.	73,190 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 4-13-2016
PSOMAS			SCALE: NONE
ACE REVIEWED BY: <i>[Signature]</i>		CITY OF PICO RIVERA	REV. NO. DATE:
APPROVED BY: L.S. 5282	PROJECT MANAGER DATE: <i>10-13-16</i>		REV. NO. DATE:
			ACE PARCEL NO. 208N-RE

DWC Name: I:\SURSS01205\SURVEY\LEGALS\Easements\Plats\PLAT\_208N-RE.dwg Plotted by: fertid.dcc@ah on Oct 12, 2016 - 5:41:57

# PSOMAS

## EXHIBIT 'A'

### Legal Description for Retaining Wall Footing Easement Purposes

#### ACE Parcel No. 208N-RWF

That portion of Lot 47, Rancho Paso De Bartolo, in the City of Pico Rivera, County of Los Angeles, State of California, as shown on the Partition Map recorded in Case No. 20613 of the Superior Court of the State of California for the County of Los Angeles, recorded in Book 999, Page 81 of Deeds, in the office of the County Recorder of said County, described as follows:

**Commencing** at the centerline intersection of West Boulevard and Durfee Avenue as shown on Tract No. 10171 recorded in Book 144, Pages 17 to 18 of Maps, in the office of the County Recorder of said County; thence along the centerline of Durfee Avenue North  $14^{\circ} 23' 11''$  East 278.62 feet to the westerly prolongation of the southerly line of said Lot 47; thence South  $66^{\circ} 08' 03''$  East 25.35 feet along said prolongation to the most westerly corner of the Second Parcel Exception as described in the document recorded October 12, 2012 as Instrument No. 20121545374 of Official Records in the office of the County Recorder of said County, said corner being 25.00 feet easterly of said centerline of Durfee Avenue; thence along the westerly line of said Second Parcel Exception North  $14^{\circ} 23' 11''$  East 60.83 feet to the most northerly corner thereof; thence South  $66^{\circ} 08' 03''$  East 19.08 feet along the northerly line of said Second Parcel Exception to an angle point in the southerly line of Stephens Street as described in the Road Deed recorded September 28, 1961 in Book D1370, Page 358, of Official Records in the Office of the County Recorder of said County, and the **True Point of Beginning**; thence along said southerly line of Stephens Street the following four courses:

- 1) North  $49^{\circ} 15' 20''$  East 27.16 feet;
- 2) North  $84^{\circ} 07' 26''$  East 110.69 feet;
- 3) North  $89^{\circ} 09' 48''$  East 7.48 feet to a non-tangent curve concave northerly having a radius 3165.93 feet, a radial line to said curve bears South  $0^{\circ} 47' 20''$  East;
- 4) easterly along said curve 19.09 feet through a central angle of  $00^{\circ} 20' 44''$ ;

# PSOMAS

1 | thence South 1° 08' 04" East 4.75 feet; thence South 89° 04' 25" West 26.38 feet;  
2 | thence South 84° 07' 26" West 38.48 feet; thence South 5° 52' 34" East 0.25 feet; thence  
3 | thence South 84° 07' 26" West 48.00 feet; thence South 5° 52' 34" East 0.58 feet; thence  
4 | South 84° 07' 26" West 22.61 feet; thence South 56° 10' 59" West 24.12 feet to the  
5 | northerly line of said Second Parcel Exception; thence along said northerly line  
6 | North 66° 08' 10" West 2.73 feet to the **True Point of Beginning**

7 |  
8 | Containing 780 square feet.

9 |  
10 | All as shown on Exhibit "B" attached hereto and made a part hereof.

11 |  
12 | This legal description is not intended to be used in the conveyance of land in violation of  
13 | the Subdivision Map Act of the State of California.

14 |  
15 | APN: 6375-015-003

16 |  
17 | This legal description was prepared by me or under my direction.

18 |  
19 |  
20 | Jeremy L. Evans

21 | Jeremy L. Evans, PLS 5282

20 | 10.12.2016

21 | Date



31 |

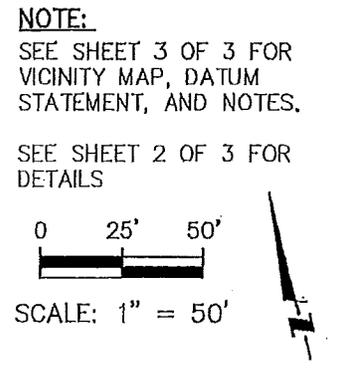
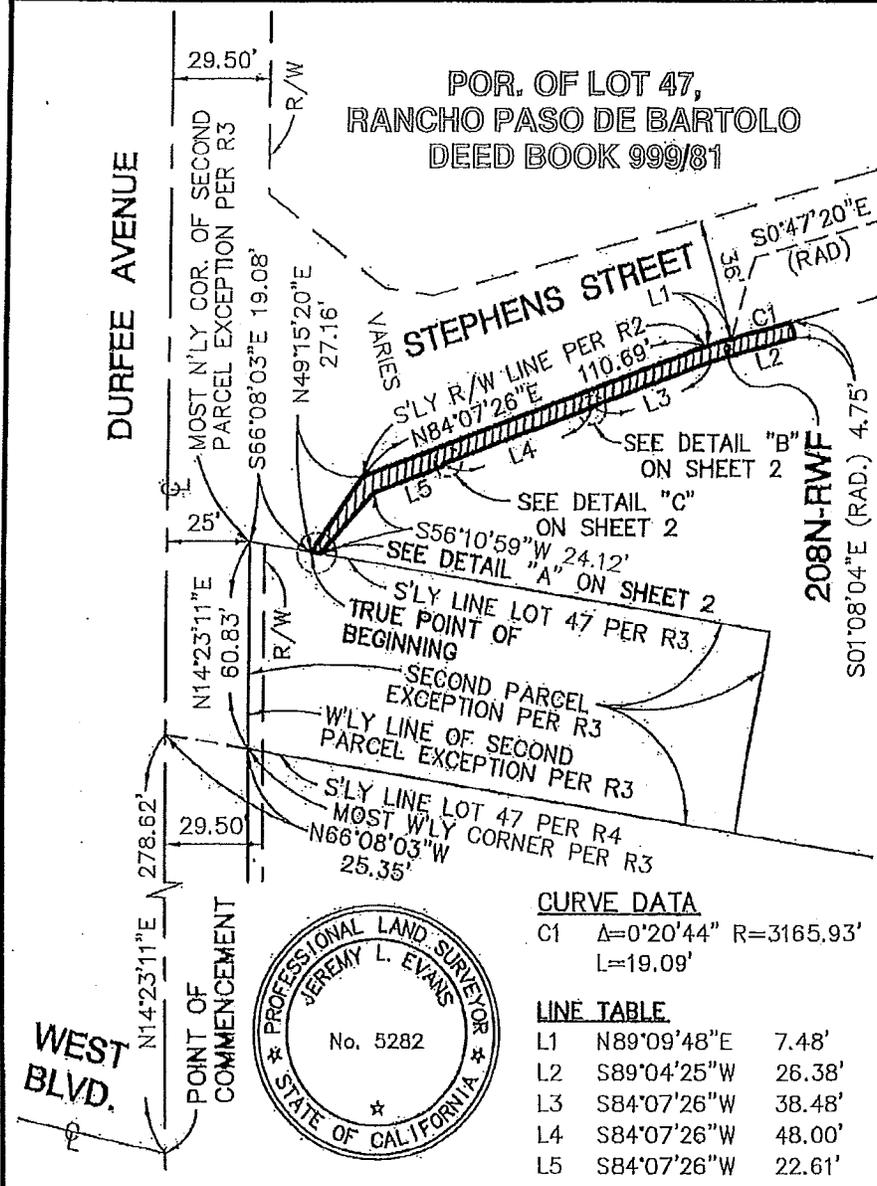
EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.  
 APN: 6375-015-003

ACE

ACCEPTED BY: *[Signature]*  
 CHIEF ENGINEER

DATE: *10/14/16*



**LEGEND:**  
 - - - - - CENTERLINE  
 ——— LOT/PARCEL LINE  
 - - - - - EXISTING R/W  
 - - - - - TIE LINE  
 [Hatched Box] PROPOSED EASEMENT

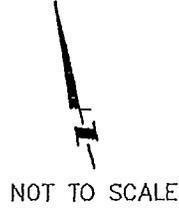
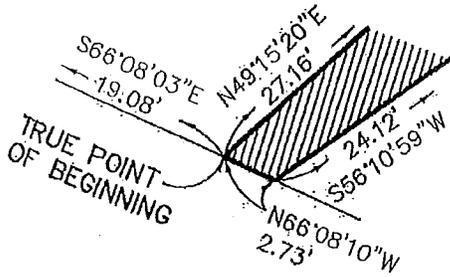
**REFERENCE:**  
 R1-TRACT NO. 10171 M.B. 144/17-18  
 R2-ROAD DEED D1370/358, O.R. REC. 9-28-61  
 R3-DOCUMENT PER INST. NO. 20121545374, O.R. REC. 10-12-12  
 R4-LOT 47, RANCHO PASO DE BARTOLO, SHOWN ON PARTITION MAP FILED IN CASE NO. 20613 OF SUPERIOR COURT, REC. IN DEED BOOK 999/81

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	780 SQ. FT.	72,681 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	
PSOMAS	ACE REVIEWED BY: <i>Rachel Kelley</i> 10-13-16	CITY OF PICO RIVERA	
APPROVED BY: L.S. 5282	PROJECT MANAGER	DATE	DATE: 4-19-2018
			SCALE: 1" = 50'
			REV. NO. DATE:
			REV. NO. DATE:
			ACE PARCEL NO. 208N-RWF

DWS Name: \\SURSD0206\SURVE\LEGALS\Easements\Plans\208N-RWF.dwg Plotted by: fmfid.fmfid on Oct 12, 2016 - 8:42:27

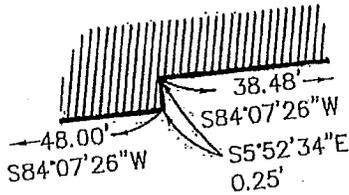
EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY	ACE
THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20813 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.	ACCEPTED BY: <i>[Signature]</i> CHIEF ENGINEER
APN: 6375-015-003	DATE: <i>10/14/16</i>



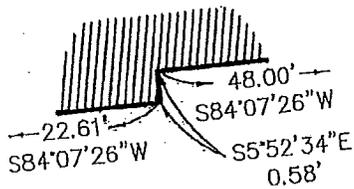
DETAIL "A"  
NOT TO SCALE

NOTE:  
SEE SHEET 3 OF 3  
FOR VICINITY MAP,  
DATUM STATEMENT,  
AND NOTES.



LEGEND:  
 LOT/PARCEL LINE  
 PROPOSED EASEMENT

DETAIL "B"  
NOT TO SCALE



DETAIL "C"  
NOT TO SCALE

SHEET 2 OF 3

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	780 SQ. FT.	72,681 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 4-19-2016
P S O M A S		CITY OF PICO RIVERA	SCALE: NOT TO SCALE
APPROVED BY: <i>[Signature]</i> L.S. 5282		PROJECT MANAGER: <i>[Signature]</i> DATE: 10-13-16	REV. NO. DATE:
			REV. NO. DATE:
			ACE PARCEL NO. 208N-RWF

DATE: 10/14/16 PLOTTED BY: JEREMY L. EVANS, L.S. 5282

EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF  
 THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN  
 BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY,  
 APN: 6375-015-003

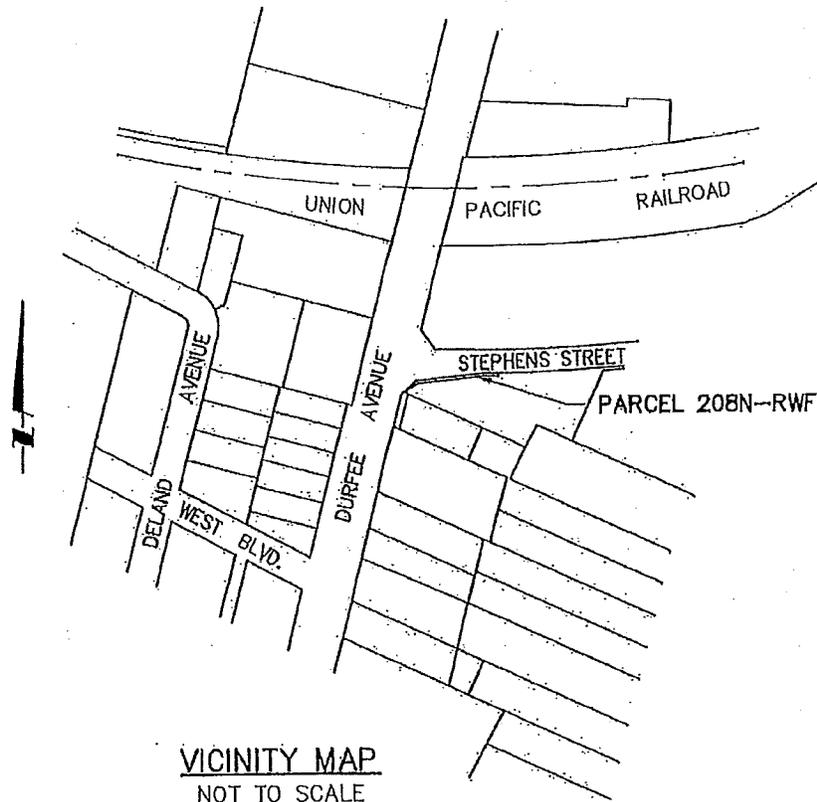
ACE

ACCEPTED BY: [Signature]  
 CHIEF ENGINEER

DATE: 10/14/16

**DATUM STATEMENT:**

THE BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE V, RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83; 2011.00 EPOCH). ALL DISTANCES SHOWN HEREIN ARE GRID DISTANCES. TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES BY THE COMPUTED COMBINATION FACTOR OF 1.00000338.



VICINITY MAP  
 NOT TO SCALE

SHEET 3 OF 3

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	780 SQ. FT.	72,681 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 4-19-2016
PSOMAS <u>[Signature]</u> APPROVED BY: L.S. 5282			SCALE: NONE
ACE REVIEWED BY: <u>[Signature]</u> PROJECT MANAGER		CITY OF PICO RIVERA	REV. NO. DATE:
DATE: 10-13-16			REV. NO. DATE:
			ACE PARCEL NO. 208N-RWF

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# PSOMAS

## EXHIBIT 'A'

### Legal Description for Ingress - Egress Purposes

#### ACE Parcel No. 208N-I-E

That portion of Lot 47, Rancho Paso De Bartolo, in the City of Pico Rivera, County of Los Angeles, State of California, as shown on the Partition Map filed in Case No. 20613 of the Superior Court of the State of California for the County of Los Angeles, recorded in Book 999, Page 81, of Deeds, in the office of the Recorder of said County, described as follows:

**Beginning** at the centerline intersection of West Boulevard and Durfee Avenue as shown on Tract No. 10171, filed in Book 144, Pages 17 to 18 of Maps, in the office of the Recorder of said County; thence along the centerline of Durfee Avenue North  $14^{\circ} 23' 11''$  East 278.62 feet to the westerly prolongation of the southerly line of said Lot 47; thence South  $66^{\circ} 08' 03''$  East 25.35 feet along said prolongation to the southwesterly corner of the second Parcel Exception as described in the document recorded October 12, 2012 as Instrument No. 20121545374 of Official Records in the office of the Recorder of said County, said corner being 25.00 easterly of said centerline of Durfee Avenue; thence parallel with said centerline and along the easterly line of said second exception North  $14^{\circ} 23' 11''$  East 60.83 feet to the northwesterly corner thereof; thence South  $66^{\circ} 08' 03''$  East 19.08 feet along the northerly line of said second Parcel Exception to an angle point in the southerly line of Stephens Street as described in the Road Deed recorded September 28, 1961 as in Book D1370, Page 358, of Official Records in the Office of the Recorder of said County; thence along said southerly line of Stephens Street the following four courses:

- 1) North  $49^{\circ} 15' 20''$  East 27.16 feet;
- 2) North  $84^{\circ} 07' 26''$  East 110.69 feet;
- 3) North  $89^{\circ} 09' 49''$  East 7.48 feet to a non-tangent curve concave northerly having a radius 3165.93 feet, a radial line to said curve bears South  $00^{\circ} 47' 20''$  East;
- 4) thence easterly along said curve 19.00 feet through a central angle of  $00^{\circ} 20' 38''$ ;

# PSOMAS

1 | thence leaving said southerly line South 01° 07' 58" East 5.00 feet; thence  
2 | North 88° 56' 08" East 5.00 feet to the **True Point of Beginning**; thence continuing  
3 | North 88° 56' 08" East 42.76 feet; thence South 23° 51' 57" West 54.34 feet; thence  
4 | South 58° 51' 57" West 63.26 feet to the northeasterly corner of said Second Parcel  
5 | Exception; thence along the northerly line of said Second Parcel Exception  
6 | North 66° 08' 03" West 26.00 feet; thence leaving said northerly line North 23° 51' 57"  
7 | East 11.68 feet; thence North 58° 51' 57" East 35.62 feet; thence North 38° 30' 17" East  
8 | 35.69 feet; thence North 01° 08' 12" West 14.06 feet to the **True Point of Beginning**.

9 |  
10 | Containing 3,402 square feet.

11 |  
12 | All as shown on Exhibit "B" attached hereto and made a part hereof.

13 |  
14 | This legal description is not intended to be used in the conveyance of land in violation of  
15 | the Subdivision Map Act of the State of California.

16 |  
17 | APN: 6375-015-003

18 |  
19 | This legal description was prepared by me or under my direction.

20 |  
21 |  
22 | Jeremy L. Evans

23 | Jeremy L. Evans, PLS 5282

24 | 1-13-2017

25 | Date



EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20813 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81, OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, APN: 6375-015-003

ACE  
 ACCEPTED BY: *Paul Coffey*  
 CHIEF ENGINEER  
 DATE: *1/19/17*

**CURVE DATA**

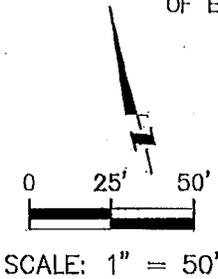
C1, Δ=0°20'38"  
 R=3165.93'  
 L=19.00'

**LINE TABLE**

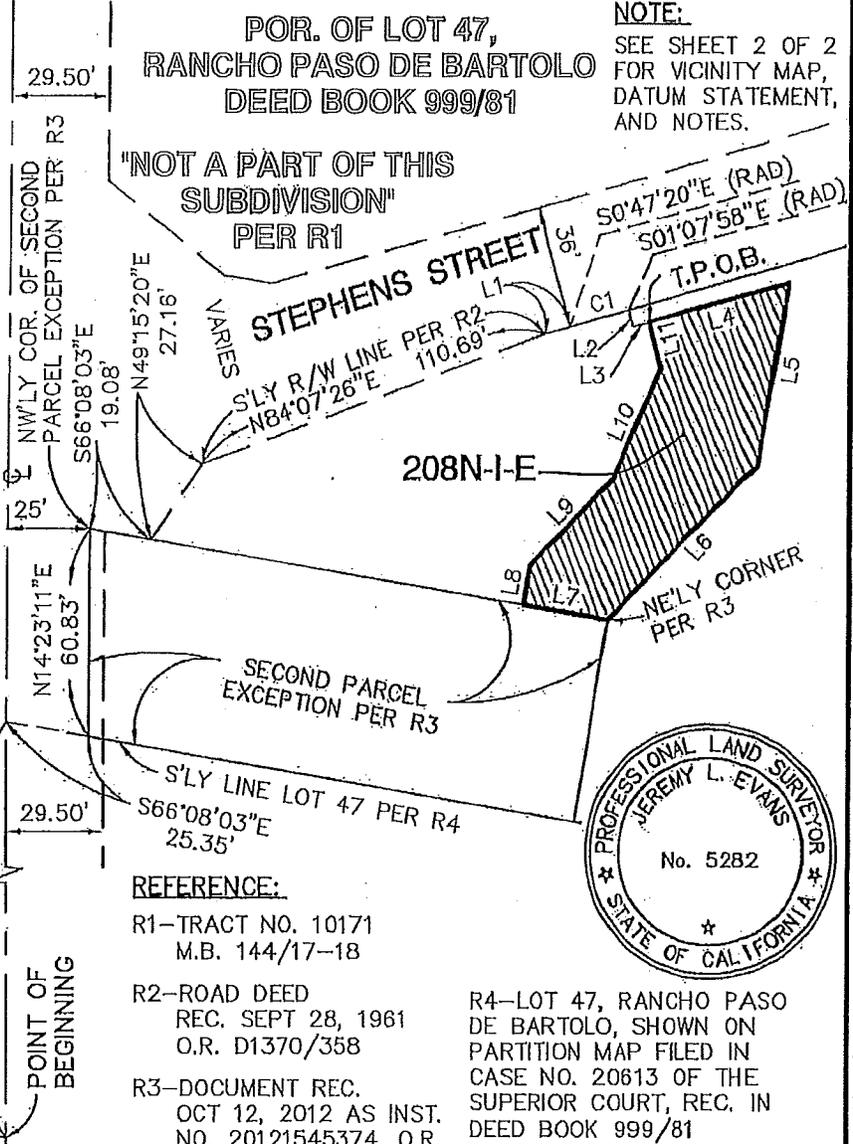
L1	N89°09'49"E	7.48'
L2	S01°07'58"E	5.00'
L3	N88°56'08"E	5.00'
L4	N88°56'08"E	42.76'
L5	S23°51'57"W	54.34'
L6	S58°51'57"W	63.26'
L7	N66°08'03"W	26.00'
L8	N23°51'57"E	11.68'
L9	N58°51'57"E	35.62'
L10	N38°30'17"E	35.69'
L11	N01°08'12"W	14.06'

**LEGEND:**

- CENTERLINE
- LOT/PARCEL LINE
- EXISTING R/W
- TIE LINE
- PROPOSED EASEMENT
- T.P.O.B., TRUE POINT OF BEGINNING



DURFEE AVENUE



**NOTE:**  
 SEE SHEET 2 OF 2 FOR VICINITY MAP, DATUM STATEMENT, AND NOTES.

**REFERENCE:**

- R1-TRACT NO. 10171  
M.B. 144/17-18
- R2-ROAD DEED  
REC. SEPT 28, 1961  
O.R. D1370/358
- R3-DOCUMENT REC.  
OCT 12, 2012 AS INST.  
NO. 20121545374, O.R.
- R4-LOT 47, RANCHO PASO DE BARTOLO, SHOWN ON PARTITION MAP FILED IN CASE NO. 20813 OF THE SUPERIOR COURT, REC. IN DEED BOOK 999/81

SHEET 1 OF 2

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	3,402 SQ. FT.	70,059 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	
PSOMAS		CITY OF PICO RIVERA	
APPROVED BY: <i>Jeremy L. Evans</i> L.S. 5282	ACE REVIEWED BY: <i>Rachel Valdez</i> PROJECT MANAGER	DATE: <i>1/19/2017</i>	DATE: _____
		DATE: 11-02-2016	SCALE: 1" = 50'
		REV. NO. _____	DATE: _____
		REV. NO. _____	DATE: _____
		AGE PARCEL NO. 208N-I-E	

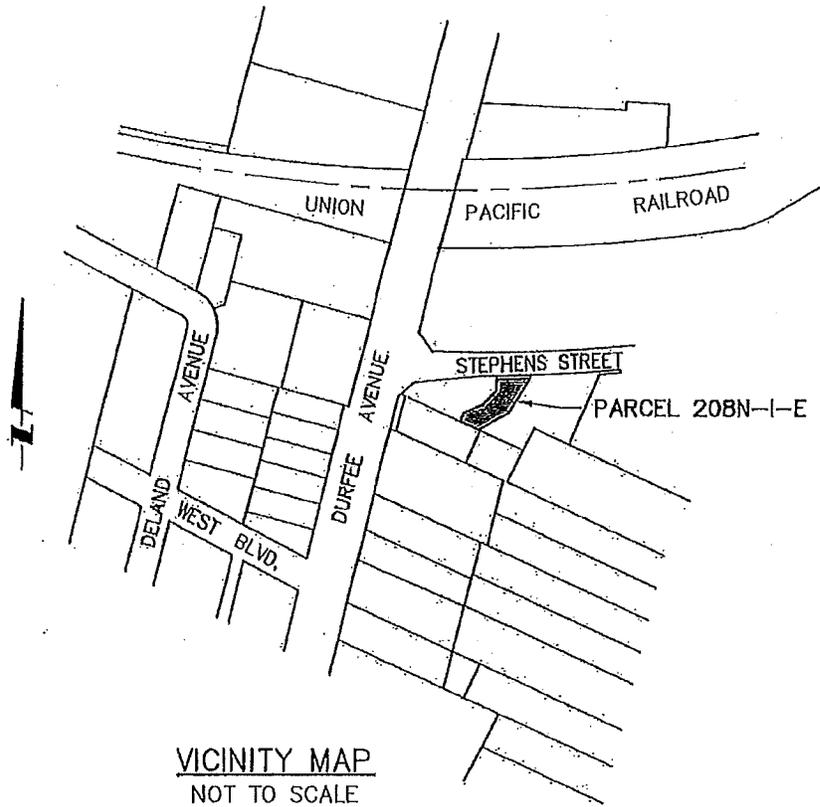
DWG Name: M:\SURS201208\SURVEY\LEGAL\S\Easements\Plat\208N-I-E.dwg Plotted by: forid.dedcatt on Jan 13, 2017 - 8:54:00

EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY	ACE
THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81, OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.	ACCEPTED BY: <i>[Signature]</i> CHIEF ENGINEER
APN: 6375-015-003	DATE: 1/19/17

DATUM STATEMENT:

THE BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83); ZONE V, RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83; 2011.00 EPOCH). ALL DISTANCES SHOWN HEREIN ARE GRID DISTANCES. TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES BY THE COMPUTED COMBINATION FACTOR OF 1.00000338.



SHEET 2 OF 2

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	3,402 SQ. FT.	70,059 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 11-02-2016
PSOMAS <i>[Signature]</i> APPROVED BY, L.S. 5282		CITY OF PICO RIVERA	SCALE: NONE
ACE REVIEWED BY: <i>[Signature]</i> PROJECT MANAGER DATE			REV. NO. DATE:
			REV. NO. DATE:
			ACE PARCEL NO. 208N-1-E

Dwg Name: H:\2015\2015\208N-1-E.dwg Plotted by: farid.dccanah on Jan 13, 2017 - 8:54:34

# PSOMAS

## EXHIBIT 'A'

### Legal Description for Temporary Construction Easement Purposes ACE Parcel No. 208N-TCE

That portion of Lot 47, Rancho Paso De Bartolo, in the City of Pico Rivera, County of Los Angeles, State of California, as shown on the Partition Map recorded in Case No. 20613 of the Superior Court of the State of California for the County of Los Angeles, recorded in Book 999, Page 81 of Deeds, in the office of the Recorder of said County, described as follows:

#### **208N-TCE (West)**

**Commencing** at the centerline intersection of West Boulevard and Durfee Avenue as shown on Tract No. 10171 filed in Book 144, Pages 17 to 18 of Maps, in the office of the Recorder of said County; thence along the centerline of Durfee Avenue North  $14^{\circ} 23' 11''$  East 278.62 feet to the westerly prolongation of the southerly line of said Lot 47; thence South  $66^{\circ} 08' 03''$  East 25.35 feet along said prolongation to the southwesterly corner of the Second Parcel Exception as described in the document recorded October 12, 2012 as Instrument No. 20121545374 of Official Records in the office of the Recorder of said County, said corner being 25.00 easterly of said centerline of Durfee Avenue; thence parallel with said centerline and along the easterly line of said second exception North  $14^{\circ} 23' 11''$  East 60.83 feet to the northwesterly corner thereof; thence South  $66^{\circ} 08' 03''$  East 19.08 feet along the northerly line of said Second Parcel Exception to an angle point in the southerly line of Stephens Street as described in the Road Deed recorded September 28, 1961 as in Book D1370, Page 358, of Official Records in the Office of the Recorder of said County, and the **True Point of Beginning**; thence South  $66^{\circ} 08' 03''$  East 220.22 feet along said northerly line and the easterly prolongation thereof to the southerly line of the land described in said Instrument No. 20121545374 of Official Records; thence North  $27^{\circ} 36' 13''$  East 39.87 feet along said southerly line to an angle point therein; thence South  $66^{\circ} 08' 03''$  East 63.68 feet

# PSOMAS

1 along said southerly line to a point hereinafter referred to as **Point "A"**; thence  
2 North 23°56'13" East 122.08 feet to a non-tangent curve concave northerly having a  
3 radius of 3170.88 feet, a radial line to said curve bears South 4°06'50" East; thence  
4 easterly along said curve 35.00 feet through a central angle of 0°37'57"; thence  
5 North 04°44'47" West 5.46 feet to said southerly line of Stephens Street, and a curve  
6 concave northerly having a radius of 3165.93 feet, a radial line to said curve bears  
7 South 04°50'49" East; thence westerly along said curve and said southerly line  
8 150.16 feet through a central angle of 02°43'03"; thence South 02°07'46" East 5.00 feet;  
9 thence South 88°22'05" West 55.07 feet; thence North 01°08'04" West 5.00 feet to said  
10 southerly line and a curve concave northerly having a radius of 3165.93 feet,  
11 a radial line to said curve bears South 01°08'04" East; thence westerly along said  
12 curve and said southerly line 19.09 feet through a central angle of 0°20'44"; thence  
13 South 89°09'48" West 7.48 feet along said southerly line to an angle point therein; thence  
14 South 84°07'26" West 110.69 feet along said southerly line to an angle point therein;  
15 thence South 49°15'20" West 27.16 feet along said southerly line to the  
16 **True Point of Beginning.**

17  
18 Containing 24,376 square feet.

19  
20 Together with the following:

21  
22 **208N-TCE (East)**

23 Beginning at the hereinabove described **Point "A"**, thence South 66°08'03" East  
24 221.29 feet along the southerly line of the land described in said Instrument  
25 No. 20121545374 of Official Records to a line that is parallel with and 25.00 feet  
26 westerly from the centerline of Passons Boulevard, when measured at right angles, as  
27 shown on said Tract No. 10171; thence North 27°36'13" East 218.94 feet along said  
28 parallel line to the **True Point of Beginning**; thence continuing along said parallel line  
29 North 27°36'13" East 27.28 feet to the southerly line of said Stephens Street; thence  
30 North 29°51'03" West 20.57' along said southerly line to an angle point therein, said  
31 angel point being on a curve concave northerly having a radius of 3165.93 feet,

# PSOMAS

1 a radial line to said curve bears South 08°53'56" East; thence westerly along said curve  
2 and said southerly line 22.98 feet through a central angle of 02°24'57"; thence  
3 South 27°47'22" East 43.57 feet to the **True Point of Beginning**.

4  
5 Containing 709 square feet.

6  
7 All as shown on Exhibit "B" attached hereto and made a part hereof.

8  
9 This legal description is not intended to be used in the conveyance of land in violation of  
10 the Subdivision Map Act of the State of California.

11  
12 APN: 6375-015-003

13  
14 This legal description was prepared by me or under my direction.

15  
16  
17 Jeremy L. Evans

18 Jeremy L. Evans, PLS 5282

19 1-12-2017

20 Date



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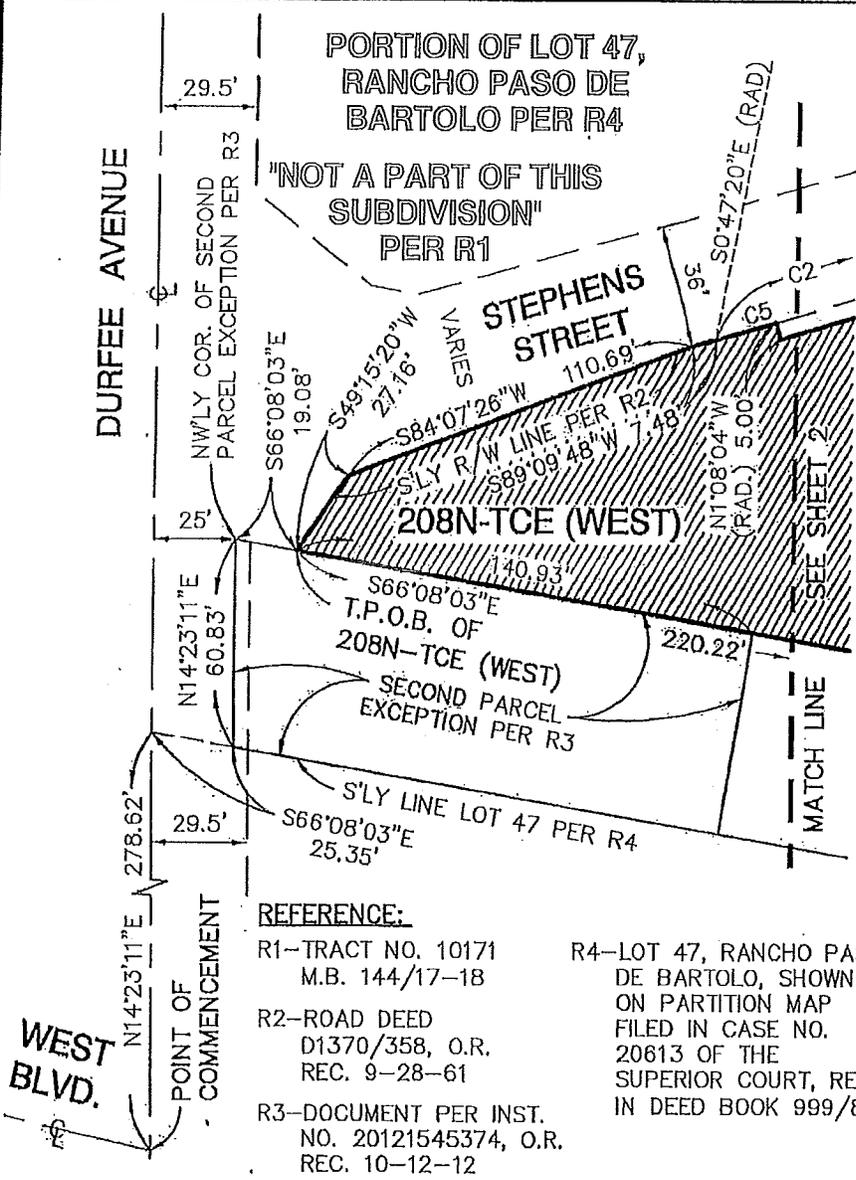
EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613  
 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,  
 RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.  
 APN: 6375-015-003

ACE

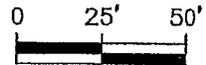
ACCEPTED BY: *Mal Evans*  
 CHIEF ENGINEER

DATE: *1/19/17*



NOTE:

SEE SHEET 4 OF 4  
 FOR VICINITY MAP,  
 DATUM STATEMENT,  
 AND NOTES.



SCALE: 1" = 50'

LEGEND:

- CENTERLINE
- LOT/PARCEL LINE
- EXISTING R/W
- TIE LINE
- PROPOSED EASEMENT

CURVE DATA:

- C2 Δ=4°03'29"  
 R=3165.93'  
 L=224.23'
- C5 Δ=0°20'44"  
 R=3165.93'  
 L=19.09'

REFERENCE:

- R1-TRACT NO. 10171  
 M.B. 144/17-18
- R2-ROAD DEED  
 D1370/358, O.R.  
 REC. 9-28-61
- R3-DOCUMENT PER INST.  
 NO. 20121545374, O.R.  
 REC. 10-12-12
- R4-LOT 47, RANCHO PASO  
 DE BARTOLO, SHOWN  
 ON PARTITION MAP  
 FILED IN CASE NO.  
 20613 OF THE  
 SUPERIOR COURT,  
 REC. IN DEED BOOK 999/81.



SHEET 1 OF 4

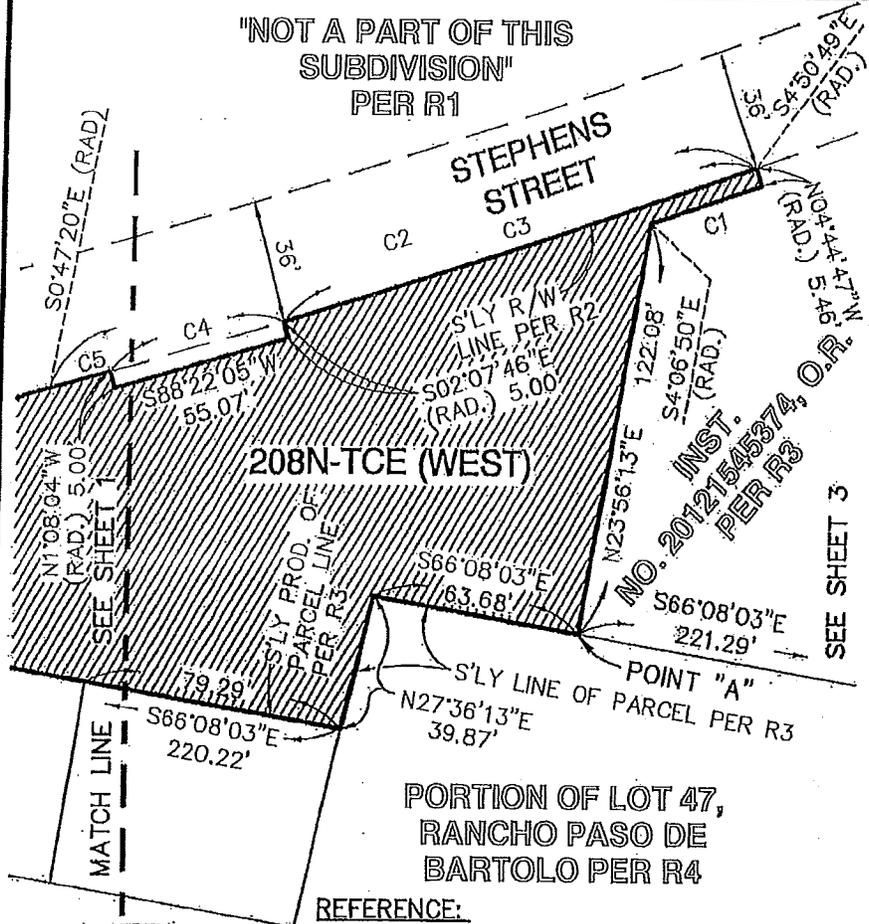
AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	25,085 SQ. FT.	48,376 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 4-26-2016 SCALE: 1" = 50'
PSOMAS <i>W. Evans</i> APPROVED BY: L.S. 5282	ACE REVIEWED BY: <i>Mal Evans</i> PROJECT MANAGER	CITY OF PICO RIVERA	REV. NO. DATE: REV. NO. DATE: ACE PARCEL NO. 208N-TCE

D:\G\201501206\SURVEY\LEGALS\Elements\Plat\N-PLAT\_208N-TCE.dwg Plotted by: forkl.dodson on Jan 12, 2017 - 10:40:10

EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613  
 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,  
 RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.  
 APN: 6375-015-003

ACE  
 ACCEPTED BY: *[Signature]*  
 CHIEF ENGINEER  
 DATE: *1/19/17*



**NOTE:**  
 SEE SHEET 4 OF 4  
 FOR VICINITY MAP,  
 DATUM STATEMENT,  
 AND NOTES.

0 25' 50'  
 SCALE: 1" = 50'

**LEGEND:**

- CENTERLINE
- LOT/PARCEL LINE
- EXISTING R/W
- TIE LINE
- PROPOSED EASEMENT

**CURVE DATA:**

C1	Δ=0°37'57"
	R=3170.88'
	L=35.00'
C2	Δ=4°03'29"
	R=3165.93'
	L=224.23'
C3	Δ=2°43'03"
	R=3165.93'
	L=150.16'
C4	Δ=0°59'42"
	R=3165.93'
	L=54.98'
C5	Δ=0°20'44"
	R=3165.93'
	L=19.09'

**REFERENCE:**

R1-TRACT NO. 10171 M.B. 144/17-18  
 R2-ROAD DEED D1370/358, O.R. REC. 9-28-61  
 R3-DOCUMENT PER INST. NO. 20121545374, O.R. REC. 10-12-12  
 R4-LOT 47, RANCHO PASO DE BARTOLO, SHOWN ON PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT, REC. IN DEED BOOK 999/81.



SHEET 2 OF 4

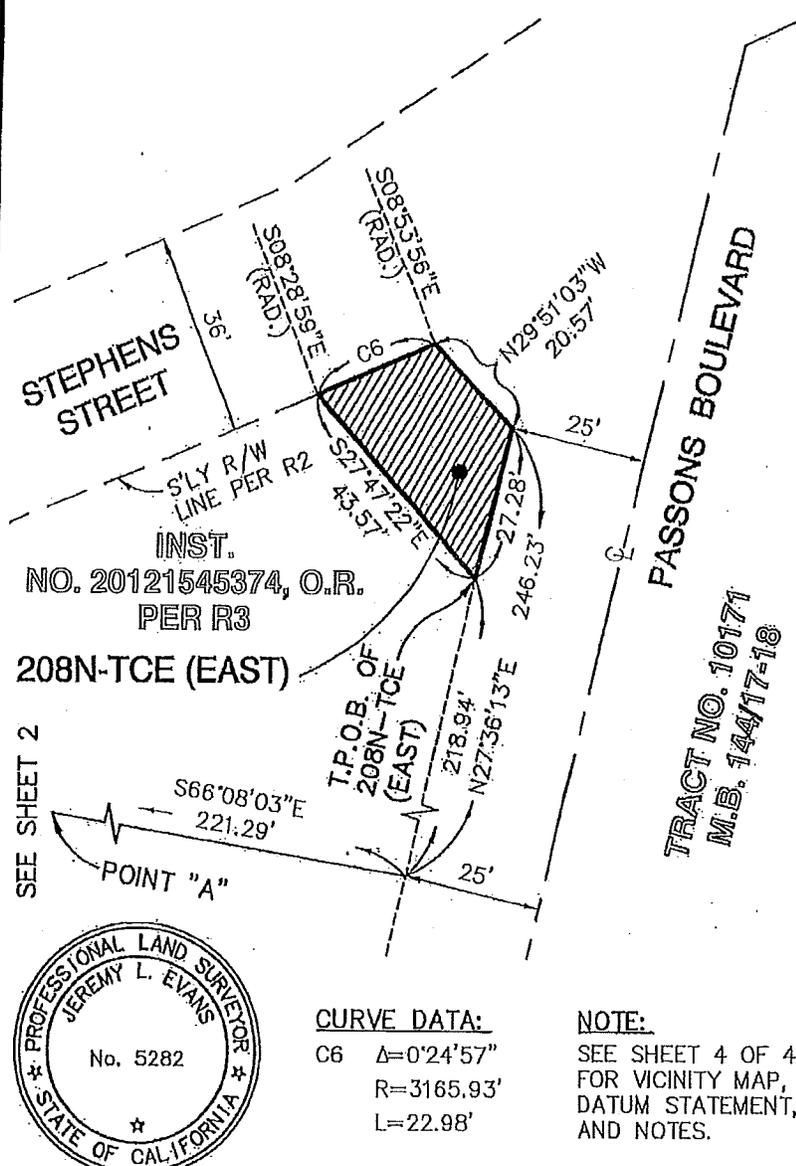
AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	25,085 SQ. FT.	48,376 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	
PSOMAS		CITY OF PICO RIVERA	
APPROVED BY: <i>[Signature]</i>	ACE REVIEWED BY: <i>[Signature]</i>	DATE: <i>1/17/2017</i>	DATE: 4-26-2016
PROJECT MANAGER	DATE	SCALE: 1" = 50'	REV. NO. DATE:
		REV. NO. DATE:	ACE PARCEL NO. 208N-TCE

DWS Name: M:\2015\201505\SURVEY\LEGAL\S\208N-TCE.dwg Plotted by: ferdinand.fernandez on Jan 12, 2017 - 8:26:34

EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613  
 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,  
 RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.  
 APN: 6375-015-003

ACE  
 ACCEPTED BY: *[Signature]*  
 CHIEF ENGINEER  
 DATE: 1/19/17



- LEGEND:**
- CENTERLINE
  - LOT/PARCEL LINE
  - EXISTING R/W
  - TIE LINE
  - PROPOSED EASEMENT

- REFERENCE:**
- R1-TRACT NO. 10171  
M.B. 144/17-18
  - R2-ROAD DEED  
D1370/358, O.R.  
REC. 9-28-61
  - R3-DOCUMENT PER INST.  
NO. 20121545374, O.R.  
REC. 10-12-12
  - R4-LOT 47, RANCHO PASO  
DE BARTOLO, SHOWN  
ON PARTITION MAP  
FILED IN CASE NO.  
20613 OF THE  
SUPERIOR COURT, REC.  
IN DEED BOOK 999/81.



**CURVE DATA:**  
 C6 Δ=0°24'57"  
 R=3165.93'  
 L=22.98'

**NOTE:**  
 SEE SHEET 4 OF 4  
 FOR VICINITY MAP,  
 DATUM STATEMENT,  
 AND NOTES.

SHEET 3 OF 4

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	25,085 SQ. FT.	48,376 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 4-26-2016
PSOMAS			SCALE: 1" = 30'
APPROVED BY: <i>[Signature]</i> L.S. 5282		CITY OF PICO RIVERA	REV. NO. DATE:
ACE REVIEWED BY: <i>[Signature]</i> PROJECT MANAGER DATE			REV. NO. DATE:
			ACE PARCEL NO. 208N-TCE

Dwg Name: M:\SURS201208\SURVEY\LEGALS\Easements\Plat\208N-TCE.dwg Plotted by: fertd.dedasi on Jan 12, 2017 - 8:27:03

EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613  
 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,  
 RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.  
 APN: 6375-015-003

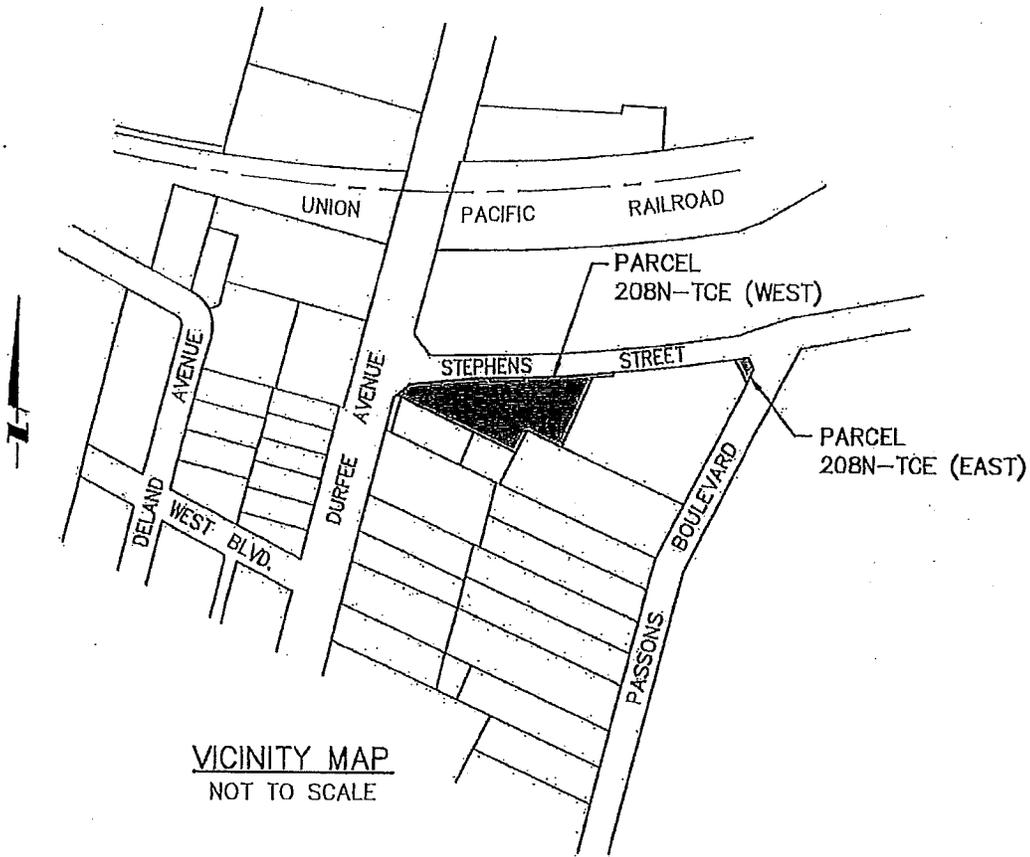
ACE

ACCEPTED BY: *[Signature]*  
 CHIEF ENGINEER

DATE: 1/19/17

DATUM STATEMENT:

THE BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE V, RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83; 2011.00 EPOCH). ALL DISTANCES SHOWN HEREIN ARE GRID DISTANCES. TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES BY THE COMPUTED COMBINATION FACTOR OF 1.00000338.



VICINITY MAP  
 NOT TO SCALE

SHEET 4 OF 4

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	25,085 SQ. FT.	48,376 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 4-28-2016
PSOMAS			SCALE: NONE
APPROVED BY: <i>[Signature]</i> L.S. 5282		CITY OF PICO RIVERA	REV. NO. DATE:
ACE REVIEWED BY: <i>[Signature]</i> PROJECT MANAGER DATE: 1/19/2017			REV. NO. DATE:
			ACE PARCEL NO. 208N-TCE

DWC Name: J:\SURS201208\SURVEY\LEGALS\Easements\Pico V-PLAT\_208N-TCE.dwg Plotted by: farid.dadani on Jan 12, 2017 - 8:27:32

7015 3010 0000 3979 3666

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**PASADENA, CA 91107**

Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$11.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$2.45
Total Postage and Fees	\$8.55

Sent To: **SULLIVAN, WORKMAN & DEE, LLP**  
**ATTN: DANIEL PRANATA, ESQ.**  
**600 N. ROSEMEAD BOULEVARD, SUITE 209**  
**PASADENA, CA 91107**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7015 3010 0000 3979 3651

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

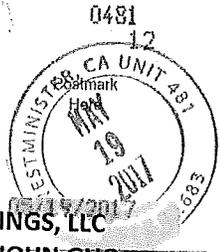
For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**PICO RIVERA, CA 90660**

Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$11.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$2.45
Total Postage and Fees	\$8.55

Sent To: **GP JOHNSON HOLDINGS, LLC**  
**ATTN: HELEN PAN & JOHN GUO**  
**9358 STEPHENS STREET**  
**PICO RIVERA, CA 90660-2161**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions





## Alameda Corridor-East Construction Authority

4900 Rivergrade Rd., Ste. A120, Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

### NOTICE OF HEARING

NOTICE OF HEARING REGARDING THE INTENTION OF THE ALAMEDA CORRIDOR-EAST ("ACE") CONSTRUCTION AUTHORITY TO ADOPT A RESOLUTION OF NECESSITY FOR THE ACQUISITION OF PROPERTY LOCATED AT 9358 STEPHENS STREET, IN THE CITY OF PICO RIVERA, STATE OF CALIFORNIA, BEARING APN: 6375-015-003, AND WHICH IS LEGALLY DESCRIBED ON ATTACHED EXHIBITS A-1, A-2, A-3 AND A-4 AND DEPICTED ON ATTACHED EXHIBITS B-1, B-2, B-3 AND B-4, PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY RECORDER.

**TO: GP JOHNSON HOLDINGS, LLC  
ATTN: HELEN PAN & JOHN GUO  
9358 STEPHENS STREET  
PICO RIVERA, CA 90660-2161**

**SULLIVAN, WORKMAN & DEE, LLP  
ATTN: DANIEL PRANATA, ESQ.  
600 N. ROSEMEAD BOULEVARD, SUITE 209  
PASADENA, CA 91107**

**YOU ARE HEREBY NOTIFIED**, pursuant to Code of Civil Procedure Section 1230.010, *et seq.*, that the ACE Construction Authority intends to consider the adoption of a Resolution of Necessity for acquisition by eminent domain of certain real property ("Property") in connection with the Alameda Corridor East – Gateway to America Project (the "Project") related to the Durfee Avenue Grade Separation Project.

The Larger Parcel is located at 9358 Stephens Street, in the City of Pico Rivera, Los Angeles County, State of CA and bears the APN: 6375-015-003. It is 73,461 square feet in size and includes one (1) building, approximately 70,800 square feet in size which is occupied by a manufacturing business. The Easements sought to be acquired,

Durfee Avenue Grade Separation  
APN: 6375-015-003  
ACE Parcel No.: 208N

which are more particularly described in the proposed resolution enclosed herewith which is incorporated as if set forth fully herein, are as follows:

- i. A 271 s.f. Permanent Roadway Easement related to the widening of Stephens Street for public road purposes including all related right of way purposes (208N-RE) in, on, over, and across the property described in Exhibit A-1 and depicted on Exhibit B-1. Work in the Permanent Roadway Easement Area will include, among other things, the removal of asphalt paving, chain-link fencing and gate and construction of sidewalk.
- ii. A 780 s.f. Permanent Retaining Wall/Footing Easement for retaining wall purposes to construct, reconstruct, and maintain, alter, access, inspect, repair, remove or replace a retaining wall and footing and all incidents thereto to transition the grade from the property to the lowered Stephens Street (208N-RWF), in, on, over, through, under, across and along the property described in Exhibit A-2 and depicted on Exhibit B-2, together with the reasonable right of ingress and egress to and from the permanent easement during said construction, reconstruction, maintenance, alteration, inspection, repair, removal or replacement.
- iii. A 3,402 s.f. Permanent Ingress/Egress Easement (208N-I-E) in, on, over, across and along the property described in Exhibit A-3 and depicted on Exhibit B-3 for ingress, egress and access from Stephens Street to that certain property located on the corner of Stephens Street and Durfee Avenue and identified by APN 6375-015-800 and 6375-015-802 (hereinafter, "ACE Parcel 208W"), which is currently owned by Southern California Edison company.
- iv. A 25,085 s.f. 130-Week Temporary Construction Easement (208N-TCE) in, on, over, through, under, across and along the area described in Exhibit A-4 and depicted on Exhibit B-4, together with the right to use the Larger Parcel for reasonable access, reasonable right of ingress and egress to and from the Temporary Easement area during said construction, maintenance, inspection and repair. The Temporary Construction Easement is divided into two parts, TCE East and TCE West, and is for the purposes of constructing, reconstructing and/or repairing permanent physical improvements in connection with the Project. Work in the Temporary Construction Easement area will include the re-profiling of the parking lot, the removal and reinstallation of fencing and gates, construction of an access point for ingress/egress for the benefit of ACE Parcel No. 208W [APNs 6375-015-800, -802], and the installation of new driveways (one temporary and one permanent), retaining wall, curb and gutter as shown on project plans.

The foregoing easements are legally described in attached Exhibits A-1, A-2, A-3 and A-4 and are depicted on attached Exhibits B-1, B-2, B-3 and B-4.

The hearing will be held on **Monday, June 5, 2017 at 1 p.m.**, or as soon thereafter as the ACE Construction Authority can hear said matter, at San Gabriel City Hall, 425 S. Mission Drive, San Gabriel, CA 91776.

You, as a person claiming or having an interest in and to the Property, are hereby notified that you have the right to appear and be heard on the issues to be considered at that hearing. The issues which will be considered are set forth in California Code of Civil Procedure Section 1240.030, and include:

1. Whether or not the public interest and necessity require the Project;
2. Whether or not the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. Whether or not the Property sought to be acquired is necessary for this Project;
4. Whether the offer to purchase as required by section 7267.2 of the California Government Code has been made to the owner of the property;
5. Whether or not ACE Construction Authority has statutory authority to acquire the Property by eminent domain;
6. Whether or not ACE Construction Authority fully complied with the California Environmental Quality Act ("CEQA"); and
7. Whether or not ACE Construction Authority has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the Property, as well as any other matter regarding the right to take said Property by eminent domain;

If you wish to be heard at this hearing, you **MUST FILE A WRITTEN REQUEST**, indicating your intent to appear and be heard by the date of the hearing.

If you elect not to appear and not to be heard, you will only be foreclosed from raising in a court of law the issues that are the subject of this noticed hearing and that are concerned with the right to take the Property by eminent domain.

The amount of the compensation to be paid for the acquisition of the Property is not a matter or issue being heard by the Governing Board at this time. Your nonappearance at this noticed hearing will not prevent you from claiming greater compensation, as may be determined by a court of law in accordance with the laws of the State of California.

This notice is not intended to foreclose future negotiations between you and ACE Construction Authority on the amount of compensation to be paid for the Property.

For further information, contact Mark Mendoza at (626) 962-9292.



---

Mark T. Mendoza  
Real Estate Manager

Dated and Mailed: May 19<sup>th</sup> 2017.

**REQUEST TO BE HEARD ON RESOLUTION OF NECESSITY  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY**

Name \_\_\_\_\_ Telephone \_\_\_\_\_

Address

\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_



## **Alameda Corridor-East Construction Authority**

4900 Rivergrade Rd., Ste. A120, Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

**NEW MEETING TIME MONDAY, JUNE 5, 2017 AT 11:00 A.M.**

### **NOTICE OF HEARING**

**NOTICE OF HEARING REGARDING THE INTENTION OF THE ALAMEDA CORRIDOR-EAST ("ACE") CONSTRUCTION AUTHORITY TO ADOPT A RESOLUTION OF NECESSITY FOR THE ACQUISITION OF PROPERTY LOCATED AT 9358 STEPHENS STREET, IN THE CITY OF PICO RIVERA, STATE OF CALIFORNIA, BEARING APN: 6375-015-003, AND WHICH IS LEGALLY DESCRIBED ON ATTACHED EXHIBITS A-1, A-2, A-3 AND A-4 AND DEPICTED ON ATTACHED EXHIBITS B-1, B-2, B-3 AND B-4, PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY RECORDER.**

**TO: GP JOHNSON HOLDINGS, LLC  
ATTN: HELEN PAN & JOHN GUO  
9358 STEPHENS STREET  
PICO RIVERA, CA 90660-2161**

**SULLIVAN, WORKMAN & DEE, LLP  
ATTN: DANIEL PRANATA, ESQ.  
600 N. ROSEMEAD BOULEVARD, SUITE 209  
PASADENA, CA 91107**

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The Larger Parcel is located at 9358 Stephens Street, in the City of Pico Rivera, Los Angeles County, State of CA and bears the APN: 6375-015-003. It is 73,461 square feet in size and includes one (1) building, approximately 70,800 square feet in size which is occupied by a manufacturing business. The Easements sought to be acquired,

Durfee Avenue Grade Separation  
APN: 6375-015-003  
ACE Parcel No.: 208N

## **NEW MEETING TIME MONDAY, JUNE 5, 2017 AT 11:00 A.M.**

which are more particularly described in the proposed resolution enclosed herewith which is incorporated as if set forth fully herein, are as follows:

- i. A 271 s.f. Permanent Roadway Easement related to the widening of Stephens Street for public road purposes including all related right of way purposes (208N-RE) in, on, over, and across the property described in Exhibit A-1 and depicted on Exhibit B-1. Work in the Permanent Roadway Easement Area will include, among other things, the removal of asphalt paving, chain-link fencing and gate and construction of sidewalk.
- ii. A 780 s.f. Permanent Retaining Wall/Footing Easement for retaining wall purposes to construct, reconstruct, and maintain, alter, access, inspect, repair, remove or replace a retaining wall and footing and all incidents thereto to transition the grade from the property to the lowered Stephens Street (208N-RWF), in, on, over, through, under, across and along the property described in Exhibit A-2 and depicted on Exhibit B-2, together with the reasonable right of ingress and egress to and from the permanent easement during said construction, reconstruction, maintenance, alteration, inspection, repair, removal or replacement.
- iii. A 3,402 s.f. Permanent Ingress/Egress Easement (208N-I-E) in, on, over, across and along the property described in Exhibit A-3 and depicted on Exhibit B-3 for ingress, egress and access from Stephens Street to that certain property located on the corner of Stephens Street and Durfee Avenue and identified by APN 6375-015-800 and 6375-015-802 (hereinafter, "ACE Parcel 208W"), which is currently owned by Southern California Edison company.
- iv. A 25,085 s.f. 130-Week Temporary Construction Easement (208N-TCE) in, on, over, through, under, across and along the area described in Exhibit A-4 and depicted on Exhibit B-4, together with the right to use the Larger Parcel for reasonable access, reasonable right of ingress and egress to and from the Temporary Easement area during said construction, maintenance, inspection and repair. The Temporary Construction Easement is divided into two parts, TCE East and TCE West, and is for the purposes of constructing, reconstructing and/or repairing permanent physical improvements in connection with the Project. Work in the Temporary Construction Easement area will include the re-profiling of the parking lot, the removal and reinstallation of fencing and gates, construction of an access point for ingress/egress for the benefit of ACE Parcel No. 208W [APNs 6375-015-800, -802], and the installation of new driveways (one temporary and one permanent), retaining wall, curb and gutter as shown on project plans.

208N

**NEW MEETING TIME MONDAY, JUNE 5, 2017 AT 11:00 A.M.**

The foregoing easements are legally described in attached Exhibits A-1, A-2, A-3 and A-4 and are depicted on attached Exhibits B-1, B-2, B-3 and B-4.

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You, as a person claiming or having an interest in and to the Property, are hereby notified that you have the right to appear and be heard on the issues to be considered at that hearing. The issues which will be considered are set forth in California Code of Civil Procedure Section 1240.030, and include:

1. Whether or not the public interest and necessity require the Project;
2. Whether or not the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. Whether or not the Property sought to be acquired is necessary for this Project;
4. Whether the offer to purchase as required by section 7267.2 of the California Government Code has been made to the owner of the property;
5. Whether or not ACE Construction Authority has statutory authority to acquire the Property by eminent domain;
6. Whether or not ACE Construction Authority fully complied with the California Environmental Quality Act ("CEQA"); and
7. Whether or not ACE Construction Authority has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the Property, as well as any other matter regarding the right to take said Property by eminent domain;

If you wish to be heard at this hearing, you **MUST FILE A WRITTEN REQUEST**, indicating your intent to appear and be heard by the date of the hearing.

If you elect not to appear and not to be heard, you will only be foreclosed from raising in a court of law the issues that are the subject of this noticed hearing and that are concerned with the right to take the Property by eminent domain.

The amount of the compensation to be paid for the acquisition of the Property is not a matter or issue being heard by the Governing Board at this time. Your nonappearance at this noticed hearing will not prevent you from claiming greater compensation, as may

**NEW MEETING TIME MONDAY, JUNE 5, 2017 AT 11:00 A.M.**

be determined by a court of law in accordance with the laws of the State of California. This notice is not intended to foreclose future negotiations between you and ACE Construction Authority on the amount of compensation to be paid for the Property.

For further information, contact Mark Mendoza at (626) 962-9292.



---

Mark T. Mendoza  
Real Estate Manager

Dated and Mailed: May 25, 2017.

**NEW MEETING TIME MONDAY, JUNE 5, 2017 AT 11:00 A.M.**

**REQUEST TO BE HEARD ON RESOLUTION OF NECESSITY  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY**

Name \_\_\_\_\_ Telephone \_\_\_\_\_

Address

\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

**NEW MEETING TIME MONDAY, JUNE 5, 2017 AT 11:00 A.M.**

**DECLARATION OF PROOF OF SERVICE BY CERTIFIED MAIL**

I, the undersigned, declare as follows:

I am over the age of 18 and not a party to the above-entitled action. My business address is 5762 Bolsa Ave. Ste. #201, Huntington Beach, CA 92649.

On May 25, 2017, I served true copies of the foregoing Notice of Hearing on each of the following named persons by placing for deposit, by certified mail return receipt requested, in the United States Postal Service sealed envelopes containing the same on said date **at the United States Post Office located at 15030 Goldenwest circle, Westminster, CA 92685** and addressed respectively, as follows:

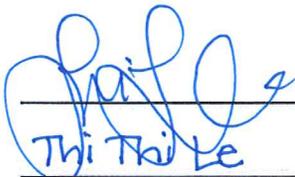
**GP JOHNSON HOLDINGS, LLC  
ATTN: HELEN PAN & JOHN GUO  
9358 STEPHENS STREET  
PICO RIVERA, CA 90660-2161**

**SULLIVAN, WORKMAN & DEE, LLP  
ATTN: DANIEL PRANATA, ESQ.  
600 N. ROSEMEAD BOULEVARD, SUITE 209  
PASADENA, CA 91107**

I am familiar with the Post Office's practice for collecting and processing of correspondence for mailing at said address. The correspondence referenced above to would be deposited in the United States Postal Service that same day in the ordinary course of business; and said envelopes were sealed and placed for collection and mailing on the date following ordinary business practices.

I declare under penalty of perjury, under laws of the State of California that the foregoing is true and correct.

Executed on May 25, 2017 at Westminster, California.

  
\_\_\_\_\_  
Thi Thi Le  
\_\_\_\_\_

**DECLARATION OF PROOF OF SERVICE BY CERTIFIED MAIL**

I, the undersigned, declare as follows:

I am over the age of 18 and not a party to the above-entitled action. My business address is 5762 Bolsa Ave. Ste. #201, Huntington Beach, CA 92649.

On May 19, 2017, I served true copies of the foregoing Notice of Hearing on each of the following named persons by placing for deposit, by certified mail return receipt requested, in the United States Postal Service sealed envelopes containing the same on said date at the United States Post Office located **15030 GOLDENWEST CIRCLE, WESTMINSTER, CA 92685-9998** and addressed respectively, as follows:

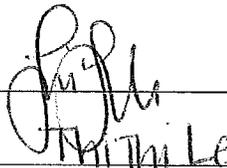
**GP JOHNSON HOLDINGS, LLC  
ATTN: HELEN PAN & JOHN GUO  
9358 STEPHENS STREET  
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I am familiar with the Post Office's practice for collecting and processing of correspondence for mailing at said address. The correspondence referenced above to would be deposited in the United States Postal Service that same day in the ordinary course of business; and said envelopes were sealed and placed for collection and mailing on the date following ordinary business practices.

I declare under penalty of perjury, under laws of the State of California that the foregoing is true and correct.

Executed on May 19, 2017 at Westminster, California.

  
\_\_\_\_\_  
Daniel Pranata

**RESOLUTION NO. 17-01**

**A RESOLUTION OF THE ALAMEDA  
CORRIDOR EAST – GATEWAY TO AMERICA  
CONSTRUCTION AUTHORITY FINDING AND  
DETERMINING THAT THE PUBLIC INTEREST,  
CONVENIENCE AND NECESSITY REQUIRE  
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 Alameda Corridor East – Gateway to America Construction Authority (hereafter "ACE Construction Authority"), after consideration of the staff report, staff presentation, discussion, oral testimony and evidence presented at a special Board Meeting on Monday, June 5, 2017 at 1:00 p.m. hereby finds, determines and declares as follows:

- (a) ACE Construction Authority on behalf of the San Gabriel Council of Governments 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 Pico Rivera, County of Los Angeles, CA for the Alameda Corridor-East Project ("ACE Project"); and
- (b) The public interest, convenience and necessity require the proposed Durfee Avenue Grade Separation Project in Los Angeles County, City of Pico Rivera, State of CA as part of the ACE 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 (collectively the "Easements") are as follows:
  - i. A 271 s.f. Permanent Roadway Easement related to the widening of Stephens Street for public road purposes including all related right of way purposes (208N-RE) in, on, over, and across the property described in Exhibit A-1 and depicted on Exhibit B-1. Work in the Permanent Roadway Easement Area will include, among other things, the removal of asphalt paving, chain-link fencing and gate and construction of sidewalk.

Durfee Avenue Grade Separation  
APN: 6375-015-003  
ACE Parcel No.: 208N

Page 1

No other easement or easements shall be granted upon, in, on, over, through, under, across and along said permanent roadway easement without previous written consent by Easement Holder. Easement Holder shall have the right to assign any portions, or all of the rights granted under the Permanent Roadway Easement area. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, deep rooted shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Roadway Easement area, including but not limited to any road, sidewalk or other roadway feature located within the Permanent Roadway Easement area, and that no changes in the alignment or grading of any such road, sidewalk or other roadway feature will be made without prior written consent of Easement Holder. Easement Holder shall have the right to mark the location of the easement in a manner which will not interfere with the underlying fee owner's reasonable and lawful use of the Permanent Roadway Easement area; and

- ii. A 780 s.f. Permanent Retaining Wall/Footing Easement to construct, reconstruct, and maintain, alter, access, inspect, repair, remove or replace a retaining wall and footing and all incidents thereto to transition the grade from the property to the lowered Stephens Street (208N-RWF), in, on, over, through, under, across and along the property described in Exhibit A-2 and depicted on Exhibit B-2, together with the reasonable right of ingress and egress to and from the permanent easement during said construction, reconstruction, maintenance, alteration, inspection, repair, removal or replacement.

No other easement or easements shall be granted upon, in, on, over, through, under, across or along said Permanent Retaining Wall-Footing Easement without previous written consent by Easement Holder. Easement Holder shall have the right to assign any portions, or all of the rights granted under the Permanent Retaining Wall/Footing area. Burdened property owner shall not increase or decrease, or permit to be increased or decreased the now-existing ground elevations of the Permanent Retaining Wall/Footing area without the previous written consent of Easement Holder. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, deep rooted shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Retaining Wall/Footing Easement area without prior written consent of Easement Holder, and no changes in the alignment or grading of the Permanent Retaining Wall/Footing area will be made without prior written consent of Easement Holder. Easement Holder shall have the right to mark the location of the easement in a manner which will not interfere with the underlying fee owner's reasonable and lawful use of the Permanent Retaining Wall/Footing Easement area; and

- iii. A 3,402 s.f. Permanent Ingress/Egress Easement (208N-I-E) in, on, over, across and along the property described in Exhibit A-3 and depicted on Exhibit B-3 ("Permanent Ingress/Egress Easement Area") for ingress, egress and access from Stephens Street to that certain property located on the corner of Stephens Street and Durfee Avenue and identified by APN 6375-015-800 and 6375-015-802 (hereinafter, "ACE Parcel 208W"), which is currently owned by Southern California Edison company.

This Permanent Ingress/Egress Easement and the rights and obligations therein shall run with the land and accrue to the benefit of, and be binding upon, the successors in interest of the burdened fee owner and ACE Parcel 208W pursuant to California Civil Code section 1468, and as equitable servitudes under common law. The Permanent Ingress/Egress Easement granted herein which burdens Parcel 208N is appurtenant to and benefits ACE Parcel 208W, and cannot be transferred separately from, or severed from title to it.

No other easement or easements shall be granted on, under or over said Permanent Ingress/Egress Easement without previous written consent by Easement Holder. Easement Holder shall have the right to assign any portions, or all of the rights granted under the Permanent Ingress/Egress Easement Area. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Ingress/Egress Easement Area without prior written consent of Easement Holder. Owner of burdened property shall have the right to mark the location of the path of travel within the Easement Area in a manner which will not interfere with the Easement Holder's reasonable and lawful use of said easement.

Easement Holder shall indemnify, defend and hold harmless underlying fee owner (and its successors and assigns) from and against any and all claims, demands, liabilities, judgments, losses, costs and expenses (including reasonable attorneys' fees and expenses) arising from or related to Easement Holder's maintenance or use of the Permanent Ingress/Egress Easement Area including, but not limited to, any damage to property or injury to or death of any person, except to the extent the same are caused by underlying fee owner's gross negligence or willful misconduct.

- iv. A 25,085 s.f. 130-Week Temporary Construction Easement (208N-TCE) in, on, over, through, under, across and along the area described in Exhibit A-4 and depicted on Exhibit B-4, together with the right to use the Larger Parcel for reasonable access, reasonable right of ingress and egress to and from the Temporary Easement area during said construction, maintenance, inspection

and repair. The Temporary Construction Easement is divided into two parts, TCE East and TCE West, and is for the purposes of constructing, reconstructing and/or repairing permanent physical improvements in connection with the Project. Work in the Temporary Construction Easement area will include the re-profiling of the parking lot, the removal and reinstallation of fencing and gates, construction of an access point for ingress/egress for the benefit of ACE Parcel No. 208W [APNs 6375-015-800, -802], and the installation of new driveways (one temporary and one permanent), retaining wall, curb and gutter as shown on project plans.

The Temporary Construction Easement shall be for a period not to exceed 30 months. Actual physical use and occupation of the Temporary Construction Easement area for Project construction purposes, and all uses appurtenant thereto, will occur during a fourteen (14)-week period (the "Occupational Period"), which shall commence following written notice provided to burdened property owner by Easement Holder. During this 14-week Occupational Period, impacted onsite parking will be accommodated through parking on Stephens Street or somewhere else to be shown on the project plans. During the remaining weeks of the Temporary Easement term ("Non-Occupational Period"), no actual physical occupancy and/or use of the Temporary Construction Easement area by the Easement Holder will occur.

At the expiration of the 30-month Temporary Construction Easement term, Easement Holder shall restore such property to a condition as near as practicable to the condition that existed immediately prior to Easement Holder's operations. Easement Holder shall not be required to restore vegetation to the pre-existing condition;

Said Easements are described in Exhibits A-1, A-2, A-3, and A-4, attached hereto and incorporated herein by this reference. The Easements are located within the City of Pico Rivera, State of CA. Maps showing the general location of the Easements 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;

- (d) The Durfee Avenue Grade Separation Project is planned and located in a manner that will be the most compatible with the greatest public good and least private injury.
- (e) The taking of the Property is necessary for the Durfee Avenue 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) ACE has fully complied with the California Environmental Quality Act ("CEQA") as the Durfee Avenue Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13.
- (i) ACE has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (the "right to take") to acquire the Property.
- (j) The Permanent Ingress/Egress Easement and Temporary Construction Easement are necessary for the purpose specified in Section 1240.350 of the Code of Civil Procedure, and as such the taking is authorized by Section 1240.350 of the Code of Civil Procedure.

SECTION 2. ACE Construction Authority 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. ACE Construction Authority 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 1260.510.

SECTION 4. ACE Legal Counsel is authorized and directed to prepare, institute and prosecute such 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 Assistant to the Clerk of the Board 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 \_\_\_ day of June 2017.

ATTEST:

---

Amy Hanson, Assistant to the Clerk of the Board

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    )  
CITY OF MONTEBELLO        )

I HEREBY CERTIFY that the foregoing Resolution 17-01 was duly adopted by the ACE Construction Authority at a special meeting thereof, held on the \_\_\_\_\_ day of June 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Amy Hanson, Assistant to the Clerk of the Board

# PSOMAS

## EXHIBIT 'A'

### Legal Description for Roadway Easement Purposes

#### ACE Parcel No. 208N-RE

That portion of Lot 47, Rancho Paso De Bartolo, in the City of Pico Rivera, County of Los Angeles, State of California, as shown on the Partition Map recorded in Case No. 20613 of the Superior Court of the State of California for the County of Los Angeles, recorded in Book 999, Page 81 of Deeds, in the office of the Recorder of said County, described as follows:

**Commencing** at the centerline intersection of West Boulevard and Durfee Avenue as shown on Tract No. 10171 filed in Book 144, Pages 17 to 18 of Maps, in the office of the Recorder of said County; thence along the centerline of Durfee Avenue North  $14^{\circ} 23' 11''$  East 278.62 feet to the westerly prolongation of the southerly line of said Lot 47; thence South  $66^{\circ} 08' 03''$  East 25.35 feet along said prolongation to the most westerly corner of the Second Parcel Exception as described in the document recorded October 12, 2012 as Instrument No. 20121545374 of Official Records, in the office of the Recorder of said County; thence along the westerly line of said Second Parcel Exception North  $14^{\circ} 23' 11''$  East 60.83 feet to the most northerly corner thereof; thence South  $66^{\circ} 08' 03''$  East 19.08 feet along the northerly line of said Second Parcel Exception to an angle point in the southerly line of Stephens Street as described in the Road Deed recorded September 28, 1961 in Book D1370, Page 358, of Official Records in the Office of the Recorder of said County; thence along said southerly line of Stephens Street the following four courses:

- 1) North  $49^{\circ} 15' 20''$  East 27.16 feet;
- 2) North  $84^{\circ} 07' 26''$  East 110.69 feet;
- 3) North  $89^{\circ} 09' 48''$  East 7.48 feet to a non-tangent curve concave northerly having a radius 3165.93 feet, a radial line to said curve bears South  $0^{\circ} 47' 20''$  East;
- 4) thence easterly along said curve 19.09 feet through a central angle of  $00^{\circ} 20' 44''$  to the **True Point of Beginning**;

# PSOMAS

1 5) thence continuing along said curve 54.98 feet through a central angle of  
2 00°59'42";  
3 thence South 2° 07' 46" East 5.00 feet; thence South 88° 22' 05" West 55.07 feet; thence  
4 North 1° 08' 04" West 5.00 feet to the **True Point of Beginning**.

5  
6 Containing 271 square feet.

7  
8 All as shown on Exhibit "B" attached hereto and made a part hereof.

9  
10 This legal description is not intended to be used in the conveyance of land in violation of  
11 the Subdivision Map Act of the State of California.

12  
13 APN: 6375-015-003

14  
15 This legal description was prepared by me or under my direction.

16  
17  
18 Jeremy L. Evans  
19 Jeremy L. Evans, PLS 5282

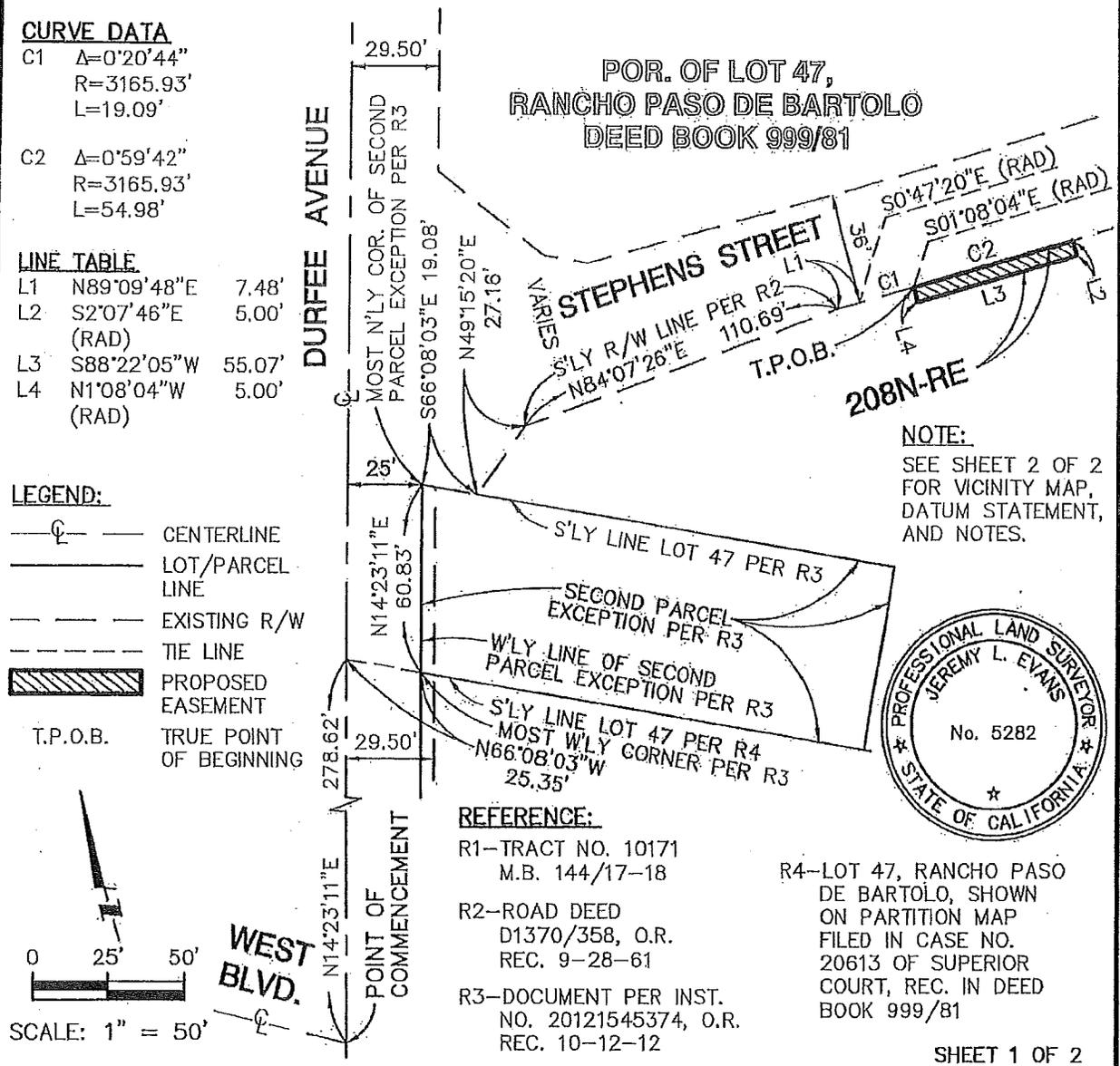
10.12.2016  
Date



EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.  
 APN: 6375-015-003

ACE  
 ACCEPTED BY: *[Signature]*  
 CHIEF ENGINEER  
 DATE: *10/14/16*



AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	271 SQ. FT.	73,190 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 4-13-2016
PSOMAS			SCALE: 1" = 50'
APPROVED BY: <i>[Signature]</i> L.S. 5282		CITY OF PICO RIVERA	REV. NO. DATE:
ACE REVIEWED BY: <i>[Signature]</i> 10-13-16 PROJECT MANAGER DATE			REV. NO. DATE:
			ACE PARCEL NO. 208N-RE

DWS Name: AK:\2015\20150120\SURVEY\LEGAL\SURVEY\LEGALS\Plats\208N-RE.dwg Plotted by: farhadadashi on Oct 12, 2016 - 9:41:16

EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613  
 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,  
 RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

APN: 6375-015-003

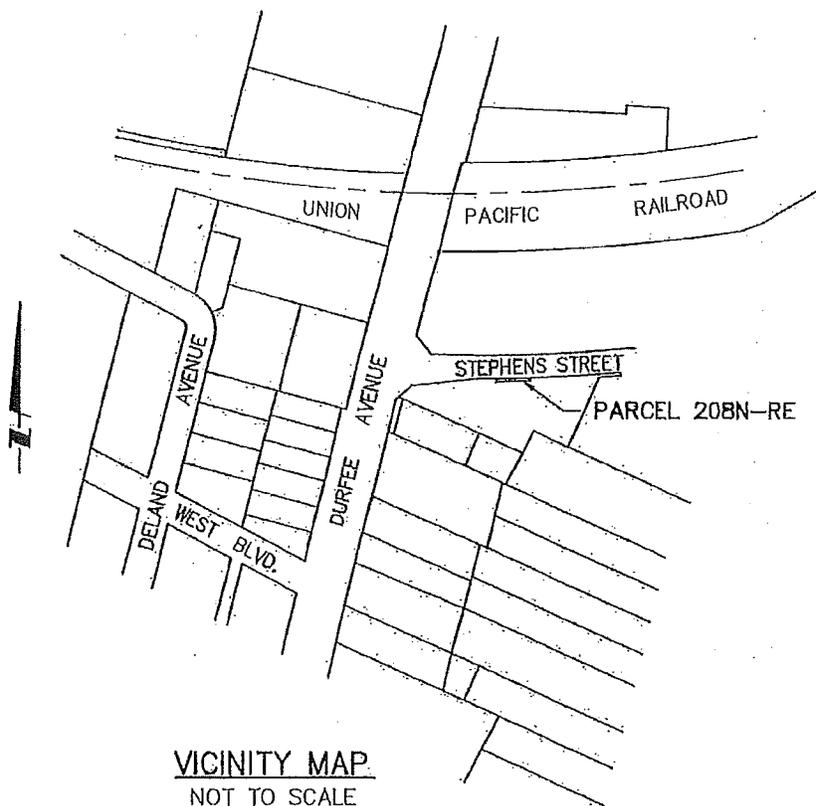
ACE

ACCEPTED BY: [Signature]  
 CHIEF ENGINEER

DATE: 10/14/16

DATUM STATEMENT:

THE BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE V, RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83; 2011.00 EPOCH). ALL DISTANCES SHOWN HEREIN ARE GRID DISTANCES. TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES BY THE COMPUTED COMBINATION FACTOR OF 1.00000338.



VICINITY MAP  
 NOT TO SCALE

SHEET 2 OF 2

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	271 SQ. FT.	73,190 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 4-13-2016
PSOMAS			SCALE: NONE
ACE REVIEWED BY: <u>[Signature]</u>		CITY OF PICO RIVERA	REV. NO. DATE:
APPROVED BY: L.S. 5282	PROJECT MANAGER DATE: <u>10.13.16</u>		REV. NO. DATE:
			ACE PARCEL NO. 208N-RE

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# PSOMAS

## EXHIBIT 'A'

### Legal Description for Retaining Wall Footing Easement Purposes

#### ACE Parcel No. 208N-RWF

That portion of Lot 47, Rancho Paso De Bartolo, in the City of Pico Rivera, County of Los Angeles, State of California, as shown on the Partition Map recorded in Case No. 20613 of the Superior Court of the State of California for the County of Los Angeles, recorded in Book 999, Page 81 of Deeds, in the office of the County Recorder of said County, described as follows:

**Commencing** at the centerline intersection of West Boulevard and Durfee Avenue as shown on Tract No. 10171 recorded in Book 144, Pages 17 to 18 of Maps, in the office of the County Recorder of said County; thence along the centerline of Durfee Avenue North  $14^{\circ} 23' 11''$  East 278.62 feet to the westerly prolongation of the southerly line of said Lot 47; thence South  $66^{\circ} 08' 03''$  East 25.35 feet along said prolongation to the most westerly corner of the Second Parcel Exception as described in the document recorded October 12, 2012 as Instrument No. 20121545374 of Official Records in the office of the County Recorder of said County, said corner being 25.00 feet easterly of said centerline of Durfee Avenue; thence along the westerly line of said Second Parcel Exception North  $14^{\circ} 23' 11''$  East 60.83 feet to the most northerly corner thereof; thence South  $66^{\circ} 08' 03''$  East 19.08 feet along the northerly line of said Second Parcel Exception to an angle point in the southerly line of Stephens Street as described in the Road Deed recorded September 28, 1961 in Book D1370, Page 358, of Official Records in the Office of the County Recorder of said County, and the **True Point of Beginning**; thence along said southerly line of Stephens Street the following four courses:

- 1) North  $49^{\circ} 15' 20''$  East 27.16 feet;
- 2) North  $84^{\circ} 07' 26''$  East 110.69 feet;
- 3) North  $89^{\circ} 09' 48''$  East 7.48 feet to a non-tangent curve concave northerly having a radius 3165.93 feet, a radial line to said curve bears South  $0^{\circ} 47' 20''$  East;
- 4) easterly along said curve 19.09 feet through a central angle of  $00^{\circ} 20' 44''$ ;

# PSOMAS

1 thence South 1° 08' 04" East 4.75 feet; thence South 89° 04' 25" West 26.38 feet;  
2 thence South 84° 07' 26" West 38.48 feet; thence South 5° 52' 34" East 0.25 feet; thence  
3 thence South 84° 07' 26" West 48.00 feet; thence South 5° 52' 34" East 0.58 feet; thence  
4 South 84° 07' 26" West 22.61 feet; thence South 56° 10' 59" West 24.12 feet to the  
5 northerly line of said Second Parcel Exception; thence along said northerly line  
6 North 66° 08' 10" West 2.73 feet to the **True Point of Beginning**

7  
8 Containing 780 square feet.

9  
10 All as shown on Exhibit "B" attached hereto and made a part hereof.

11  
12 This legal description is not intended to be used in the conveyance of land in violation of  
13 the Subdivision Map Act of the State of California.

14  
15 APN: 6375-015-003

16  
17 This legal description was prepared by me or under my direction.

18  
19  
20 Jeremy L. Evans

21 Jeremy L. Evans, PLS 5282

22 10.12.2016

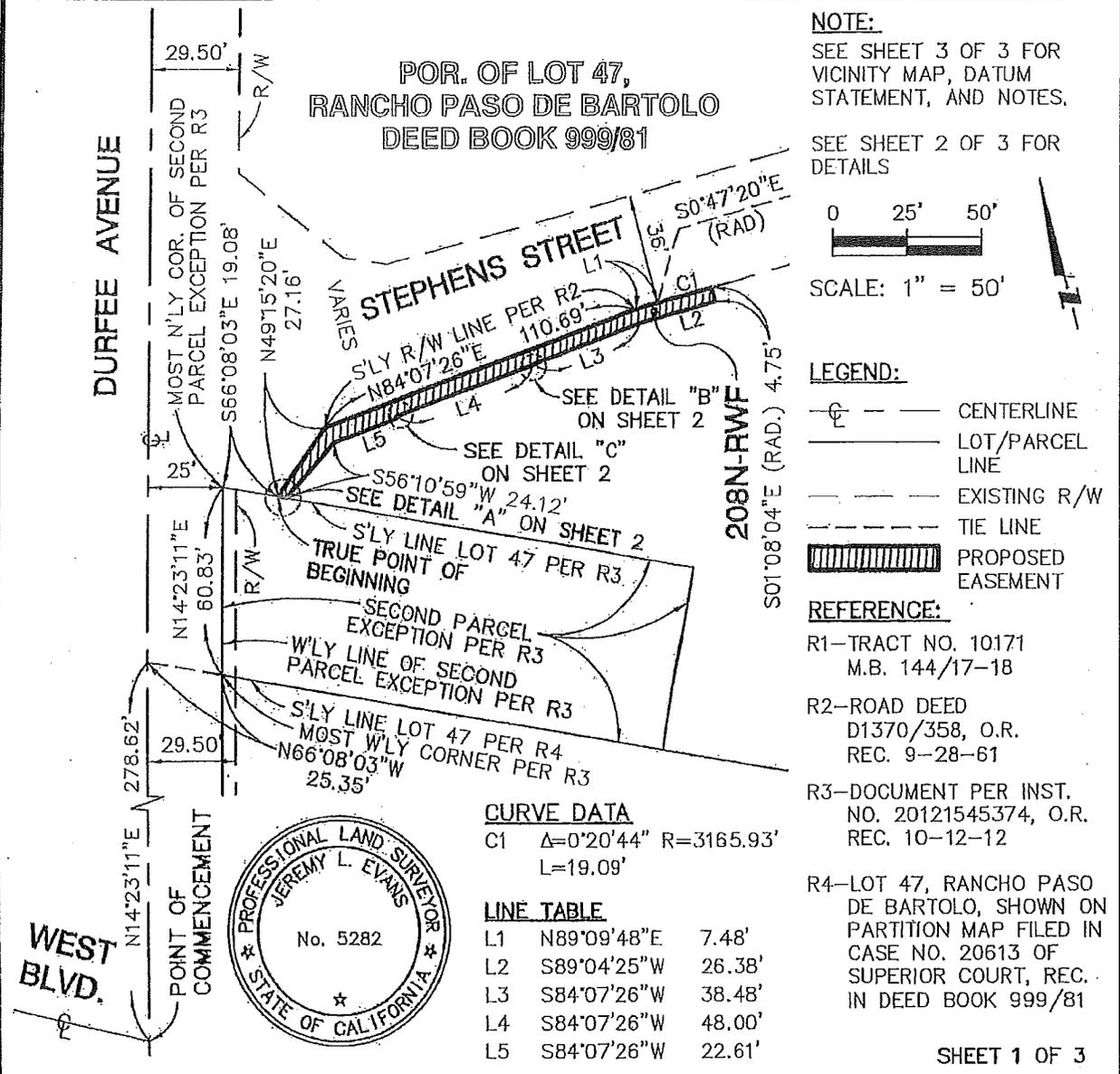
23 Date



24  
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26  
27  
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30  
31

EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY	<b>ACE</b> ACCEPTED BY: <u>[Signature]</u> CHIEF ENGINEER DATE: <u>10/19/16</u>
THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF	
LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF	
THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN	
BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.	
APN: 6375-015-003	

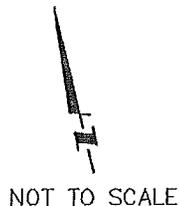
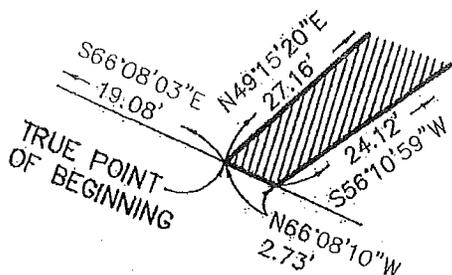


AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	780 SQ. FT.	72,681 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	
PSOMAS		CITY OF PICO RIVERA	
APPROVED BY: <u>[Signature]</u> L.S. 5282	ACE REVIEWED BY: <u>[Signature]</u> PROJECT MANAGER	DATE: 4-19-2016	SCALE: 1" = 50'
		REV. NO. DATE:	REV. NO. DATE:
		ACE	PARCEL NO. 208N-RWF

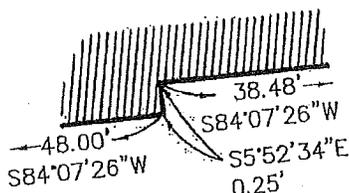
DWG Name: M:\SURS201206\SURVEY\LEGALS\Easements\Plats\208N-RWF.dwg Plotted by: farid.dadash on Oct 12, 2016 - 9:42:27

EXHIBIT "B"

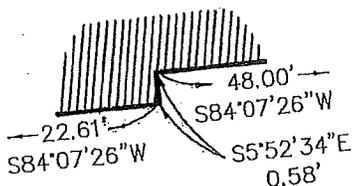
OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY	ACE
THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.	ACCEPTED BY: <i>[Signature]</i> CHIEF ENGINEER
APN: 6375-015-003	DATE: <i>10/19/16</i>



DETAIL "A"  
NOT TO SCALE



DETAIL "B"  
NOT TO SCALE



DETAIL "C"  
NOT TO SCALE

**NOTE:**  
SEE SHEET 3 OF 3  
FOR VICINITY MAP,  
DATUM STATEMENT,  
AND NOTES.

**LEGEND:**  
 LOT/PARCEL LINE  
 PROPOSED EASEMENT



SHEET 2 OF 3

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	780 SQ. FT.	72,681 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	
PSOMAS		CITY OF PICO RIVERA	
APPROVED BY: <i>[Signature]</i> L.S. 5282	ACE REVIEWED BY: <i>[Signature]</i> PROJECT MANAGER DATE: <i>10.13.16</i>	DATE: 4-19-2016 SCALE: NOT TO SCALE REV. NO. DATE: REV. NO. DATE: ACE PARCEL NO. 208N-RWF	

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EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF  
 THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN  
 BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.  
 APN: 6375-015-003

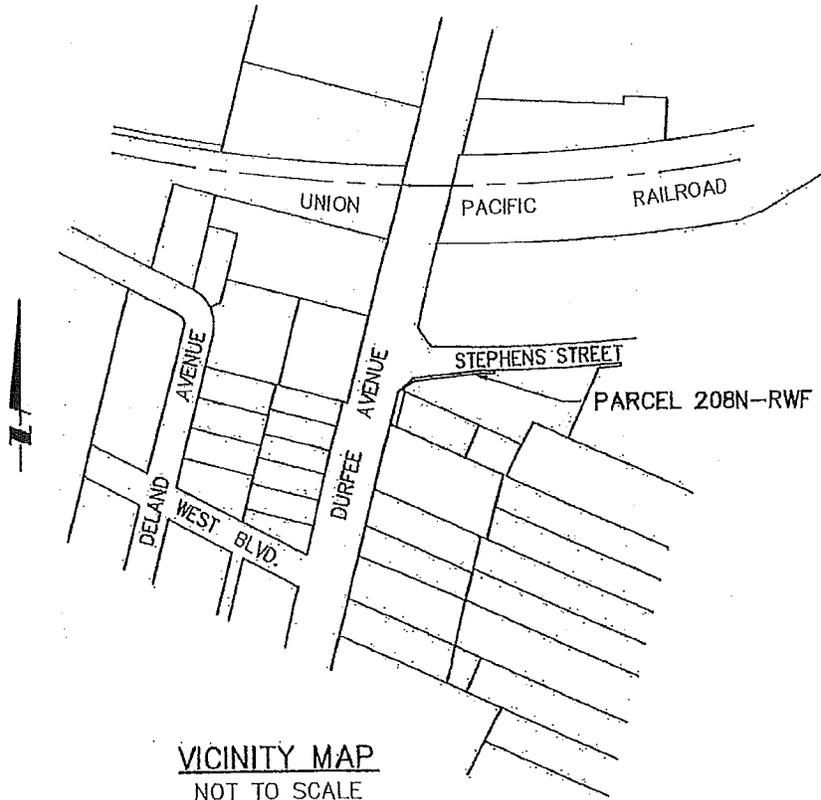
ACE

ACCEPTED BY: *[Signature]*  
 CHIEF ENGINEER

DATE: *10/14/16*

**DATUM STATEMENT:**

THE BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE V, RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83; 2011.00 EPOCH). ALL DISTANCES SHOWN HEREIN ARE GRID DISTANCES. TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES BY THE COMPUTED COMBINATION FACTOR OF 1.00000338.



SHEET 3 OF 3

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	780 SQ. FT.	72,681 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	
PSOMAS		CITY OF PICO RIVERA	
APPROVED BY: <i>[Signature]</i> L.S. 5282		DATE: 4-19-2016 SCALE: NONE REV. NO. DATE: REV. NO. DATE: ACE PARCEL NO. 208N-RWF	
ACE REVIEWED BY: <i>[Signature]</i> PROJECT MANAGER		DATE: 10-17-16	

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# PSOMAS

## EXHIBIT 'A'

### Legal Description for Ingress - Egress Purposes

#### ACE Parcel No. 208N-I-E

That portion of Lot 47, Rancho Paso De Bartolo, in the City of Pico Rivera, County of Los Angeles, State of California, as shown on the Partition Map filed in Case No. 20613 of the Superior Court of the State of California for the County of Los Angeles, recorded in Book 999, Page 81, of Deeds, in the office of the Recorder of said County, described as follows:

**Beginning** at the centerline intersection of West Boulevard and Durfee Avenue as shown on Tract No. 10171, filed in Book 144, Pages 17 to 18 of Maps, in the office of the Recorder of said County; thence along the centerline of Durfee Avenue North  $14^{\circ} 23' 11''$  East 278.62 feet to the westerly prolongation of the southerly line of said Lot 47; thence South  $66^{\circ} 08' 03''$  East 25.35 feet along said prolongation to the southwesterly corner of the second Parcel Exception as described in the document recorded October 12, 2012 as Instrument No. 20121545374 of Official Records in the office of the Recorder of said County, said corner being 25.00 easterly of said centerline of Durfee Avenue; thence parallel with said centerline and along the easterly line of said second exception North  $14^{\circ} 23' 11''$  East 60.83 feet to the northwesterly corner thereof; thence South  $66^{\circ} 08' 03''$  East 19.08 feet along the northerly line of said second Parcel Exception to an angle point in the southerly line of Stephens Street as described in the Road Deed recorded September 28, 1961 as in Book D1370, Page 358, of Official Records in the Office of the Recorder of said County; thence along said southerly line of Stephens Street the following four courses:

- 1) North  $49^{\circ} 15' 20''$  East 27.16 feet;
- 2) North  $84^{\circ} 07' 26''$  East 110.69 feet;
- 3) North  $89^{\circ} 09' 49''$  East 7.48 feet to a non-tangent curve concave northerly having a radius 3165.93 feet, a radial line to said curve bears South  $00^{\circ} 47' 20''$  East;
- 4) thence easterly along said curve 19.00 feet through a central angle of  $00^{\circ} 20' 38''$ ;

# PSOMAS

1 thence leaving said southerly line South 01° 07' 58" East 5.00 feet; thence  
2 North 88° 56' 08" East 5.00 feet to the **True Point of Beginning**; thence continuing  
3 North 88° 56' 08" East 42.76 feet; thence South 23° 51' 57" West 54.34 feet; thence  
4 South 58° 51' 57" West 63.26 feet to the northeasterly corner of said Second Parcel  
5 Exception; thence along the northerly line of said Second Parcel Exception  
6 North 66° 08' 03" West 26.00 feet; thence leaving said northerly line North 23° 51' 57"  
7 East 11.68 feet; thence North 58° 51' 57" East 35.62 feet; thence North 38° 30' 17" East  
8 35.69 feet; thence North 01° 08' 12" West 14.06 feet to the **True Point of Beginning**.

9  
10 Containing 3,402 square feet.

11  
12 All as shown on Exhibit "B" attached hereto and made a part hereof.

13  
14 This legal description is not intended to be used in the conveyance of land in violation of  
15 the Subdivision Map Act of the State of California.

16  
17 APN: 6375-015-003

18  
19 This legal description was prepared by me or under my direction.

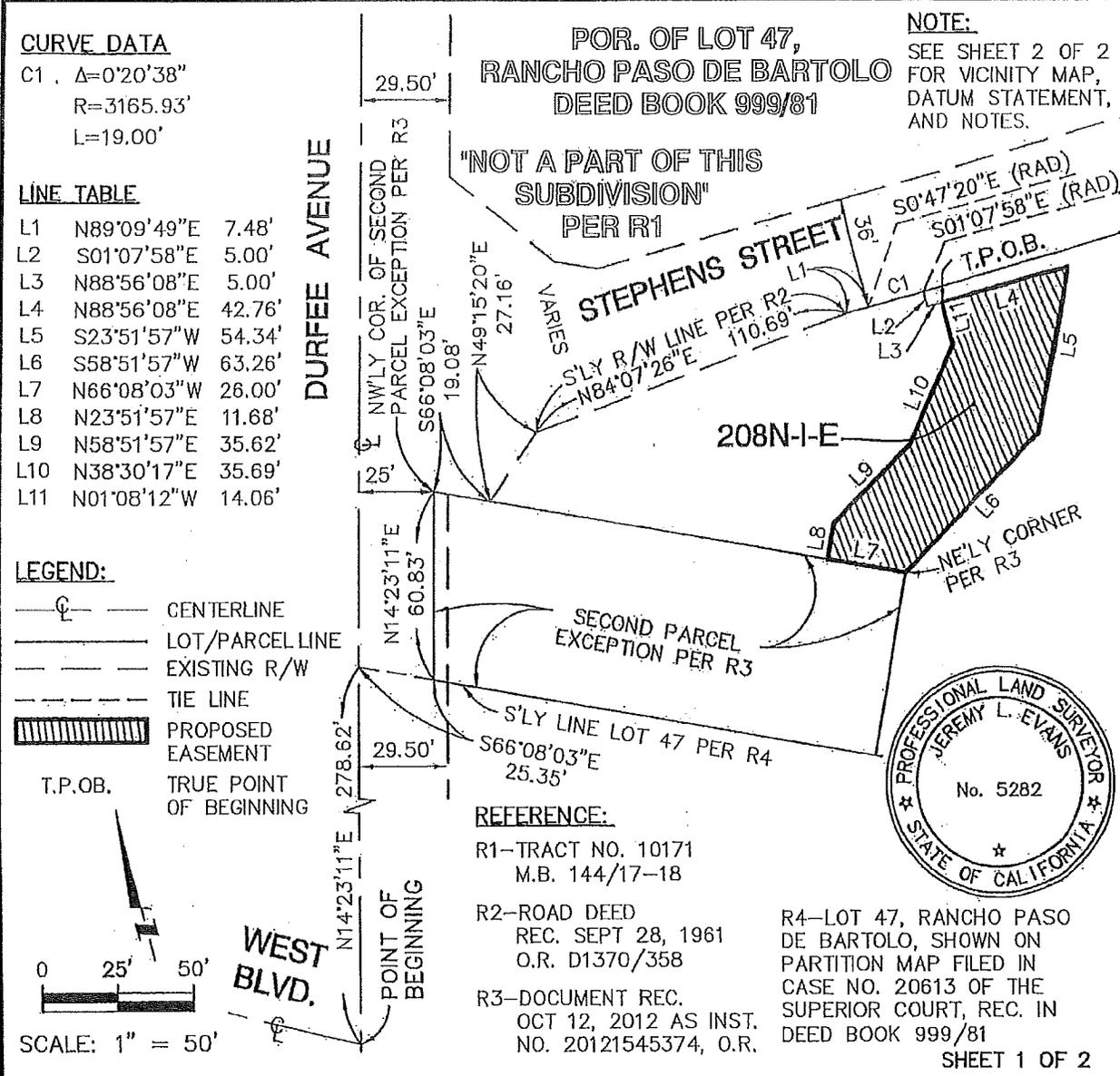
20  
21  
22 Jeremy L. Evans  
23 Jeremy L. Evans, PLS 5282

24 1-13-2017  
25 Date



EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY THAT PORTION OF LOT 47, RANCHO PASO DE BAROLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81, OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY. APN: 6375-015-003	ACE ACCEPTED BY: <i>Paul Kelly</i> CHIEF ENGINEER DATE: <u>1/19/17</u>
---	---



AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	3,402 SQ. FT.	70,059 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	
PSOMAS <i>Jeremy L. Evans</i> APPROVED BY: L.S. 5282		CITY OF PICO RIVERA	
ACE REVIEWED BY: <i>Paul Kelly</i> PROJECT MANAGER		DATE: 11-02-2016	
DATE: 1/19/2017		SCALE: 1" = 50'	
		REV. NO. DATE:	
		REV. NO. DATE:	
		ACE PARCEL NO. 208N-I-E	

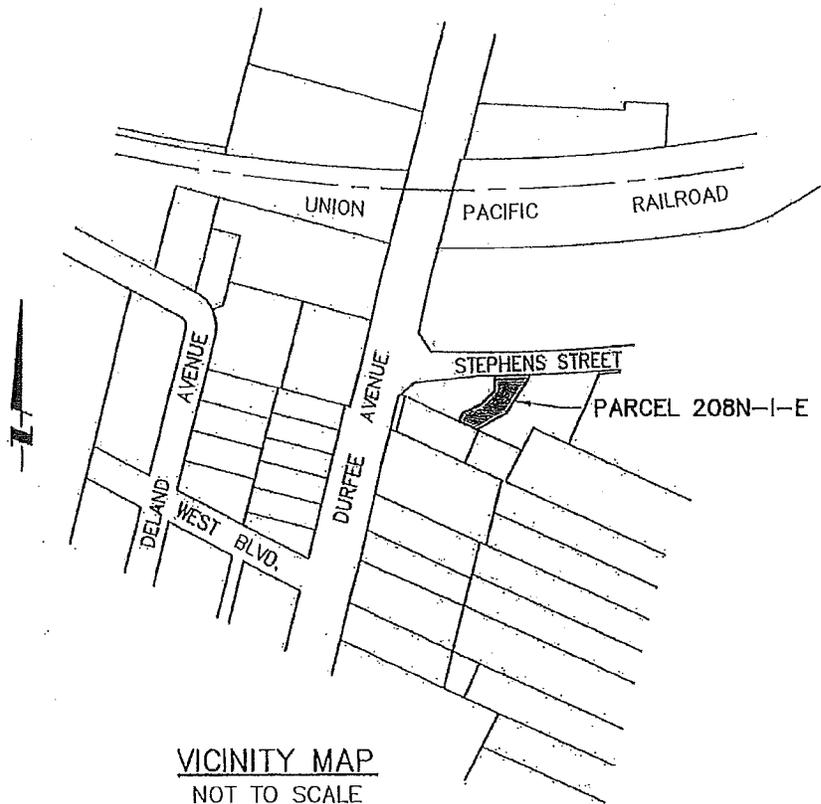
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EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY	ACE
THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81, OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.	ACCEPTED BY: <i>[Signature]</i> CHIEF ENGINEER
APN: 6375-015-003	DATE: <i>1/19/17</i>

DATUM STATEMENT:

THE BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83); ZONE V, RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83; 2011.00 EPOCH). ALL DISTANCES SHOWN HEREIN ARE GRID DISTANCES. TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES BY THE COMPUTED COMBINATION FACTOR OF 1.00000338.



SHEET 2 OF 2

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	3,402 SQ. FT.	70,059 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 11-02-2016
PSOMAS		CITY OF PICO RIVERA	SCALE: NONE
APPROVED BY: <i>[Signature]</i> L.S. 5282	ACE REVIEWED BY: <i>[Signature]</i> PROJECT MANAGER DATE: <i>1/19/2017</i>		REV. NO. DATE:
			REV. NO. DATE:
			ACE PARCEL NO. 208N-1-E

DWC Name: N:\2015\201505\SURVEY\LEGALS\Easements\Plats\V-PLAT\_208N-1-E.dwg Plotted by: farid.dodah on Jan 15, 2017 - B54,34

# PSOMAS

## EXHIBIT 'A'

### Legal Description for Temporary Construction Easement Purposes

#### ACE Parcel No. 208N-TCE

That portion of Lot 47, Rancho Paso De Bartolo, in the City of Pico Rivera, County of Los Angeles, State of California, as shown on the Partition Map recorded in Case No. 20613 of the Superior Court of the State of California for the County of Los Angeles, recorded in Book 999, Page 81 of Deeds, in the office of the Recorder of said County, described as follows:

#### **208N-TCE (West)**

**Commencing** at the centerline intersection of West Boulevard and Durfee Avenue as shown on Tract No. 10171 filed in Book 144, Pages 17 to 18 of Maps, in the office of the Recorder of said County; thence along the centerline of Durfee Avenue North  $14^{\circ} 23' 11''$  East 278.62 feet to the westerly prolongation of the southerly line of said Lot 47; thence South  $66^{\circ} 08' 03''$  East 25.35 feet along said prolongation to the southwesterly corner of the Second Parcel Exception as described in the document recorded October 12, 2012 as Instrument No. 20121545374 of Official Records in the office of the Recorder of said County, said corner being 25.00 easterly of said centerline of Durfee Avenue; thence parallel with said centerline and along the easterly line of said second exception North  $14^{\circ} 23' 11''$  East 60.83 feet to the northwesterly corner thereof; thence South  $66^{\circ} 08' 03''$  East 19.08 feet along the northerly line of said Second Parcel Exception to an angle point in the southerly line of Stephens Street as described in the Road Deed recorded September 28, 1961 as in Book D1370, Page 358, of Official Records in the Office of the Recorder of said County, and the **True Point of Beginning**; thence South  $66^{\circ} 08' 03''$  East 220.22 feet along said northerly line and the easterly prolongation thereof to the southerly line of the land described in said Instrument No. 20121545374 of Official Records; thence North  $27^{\circ} 36' 13''$  East 39.87 feet along said southerly line to an angle point therein; thence South  $66^{\circ} 08' 03''$  East 63.68 feet

# PSOMAS

1 along said southerly line to a point hereinafter referred to as **Point "A"**; thence  
2 North 23°56'13" East 122.08 feet to a non-tangent curve concave northerly having a  
3 radius of 3170.88 feet, a radial line to said curve bears South 4°06'50" East; thence  
4 easterly along said curve 35.00 feet through a central angle of 0°37'57"; thence  
5 North 04°44'47" West 5.46 feet to said southerly line of Stephens Street, and a curve  
6 concave northerly having a radius of 3165.93 feet, a radial line to said curve bears  
7 South 04°50'49" East; thence westerly along said curve and said southerly line  
8 150.16 feet through a central angle of 02°43'03"; thence South 02°07'46" East 5.00 feet;  
9 thence South 88°22'05" West 55.07 feet; thence North 01°08'04" West 5.00 feet to said  
10 southerly line and a curve concave northerly having a radius of 3165.93 feet,  
11 a radial line to said curve bears South 01°08'04" East; thence westerly along said  
12 curve and said southerly line 19.09 feet through a central angle of 0°20'44"; thence  
13 South 89°09'48" West 7.48 feet along said southerly line to an angle point therein; thence  
14 South 84°07'26" West 110.69 feet along said southerly line to an angle point therein;  
15 thence South 49°15'20" West 27.16 feet along said southerly line to the  
16 **True Point of Beginning.**

17  
18 Containing 24,376 square feet.

19  
20 Together with the following:

21  
22 **208N-TCE (East)**

23 Beginning at the hereinabove described **Point "A"**, thence South 66°08'03" East  
24 221.29 feet along the southerly line of the land described in said Instrument  
25 No. 20121545374 of Official Records to a line that is parallel with and 25.00 feet  
26 westerly from the centerline of Passons Boulevard, when measured at right angles, as  
27 shown on said Tract No. 10171; thence North 27°36'13" East 218.94 feet along said  
28 parallel line to the **True Point of Beginning**; thence continuing along said parallel line  
29 North 27°36'13" East 27.28 feet to the southerly line of said Stephens Street; thence  
30 North 29°51'03" West 20.57' along said southerly line to an angle point therein, said  
31 angle point being on a curve concave northerly having a radius of 3165.93 feet,

# PSOMAS

1 a radial line to said curve bears South 08°53'56" East; thence westerly along said curve  
2 and said southerly line 22.98 feet through a central angle of 02°24'57"; thence  
3 South 27°47'22" East 43.57 feet to the **True Point of Beginning**.

4  
5 Containing 709 square feet.

6  
7 All as shown on Exhibit "B" attached hereto and made a part hereof.

8  
9 This legal description is not intended to be used in the conveyance of land in violation of  
10 the Subdivision Map Act of the State of California.

11  
12 APN: 6375-015-003

13  
14 This legal description was prepared by me or under my direction.

15  
16  
17 Jeremy L. Evans

18 Jeremy L. Evans, PLS 5282

19 1-18-2017

20 Date

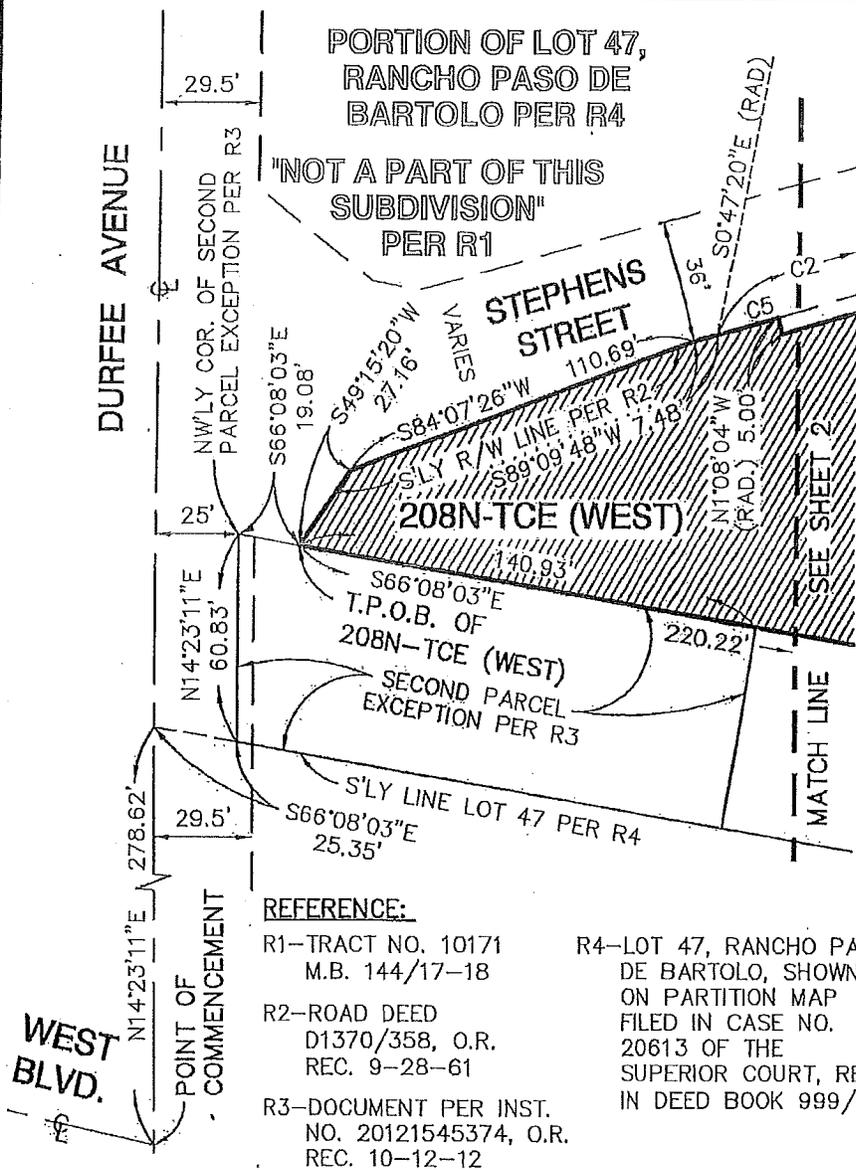


21  
22  
23  
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25  
26  
27  
28  
29  
30  
31

EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613  
 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,  
 RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.  
 APN: 6375-015-003

ACE  
 ACCEPTED BY: *Paul C...*  
 CHIEF ENGINEER  
 DATE: 1/19/17



NOTE:  
 SEE SHEET 4 OF 4 FOR VICINITY MAP, DATUM STATEMENT, AND NOTES.

0 25' 50'

SCALE: 1" = 50'

LEGEND:

- CENTERLINE
- LOT/PARCEL LINE
- - - EXISTING R/W
- - - TIE LINE
- ▨ PROPOSED EASEMENT

CURVE DATA:

C2 Δ=4°03'29"  
 R=3165.93'  
 L=224.23'

C5 Δ=0°20'44"  
 R=3165.93'  
 L=19.09'



SHEET 1 OF 4

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	25,085 SQ. FT.	48,376 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	
PSOMAS		CITY OF PICO RIVERA	
APPROVED BY: <i>Jeremy L. Evans</i>		DATE: 4-26-2016	
ACE REVIEWED BY: <i>Paul C...</i>		SCALE: 1" = 50'	
PROJECT MANAGER		REV. NO. DATE:	
DATE: 1/19/2017		REV. NO. DATE:	
		ACE PARCEL NO. 208N-TCE	

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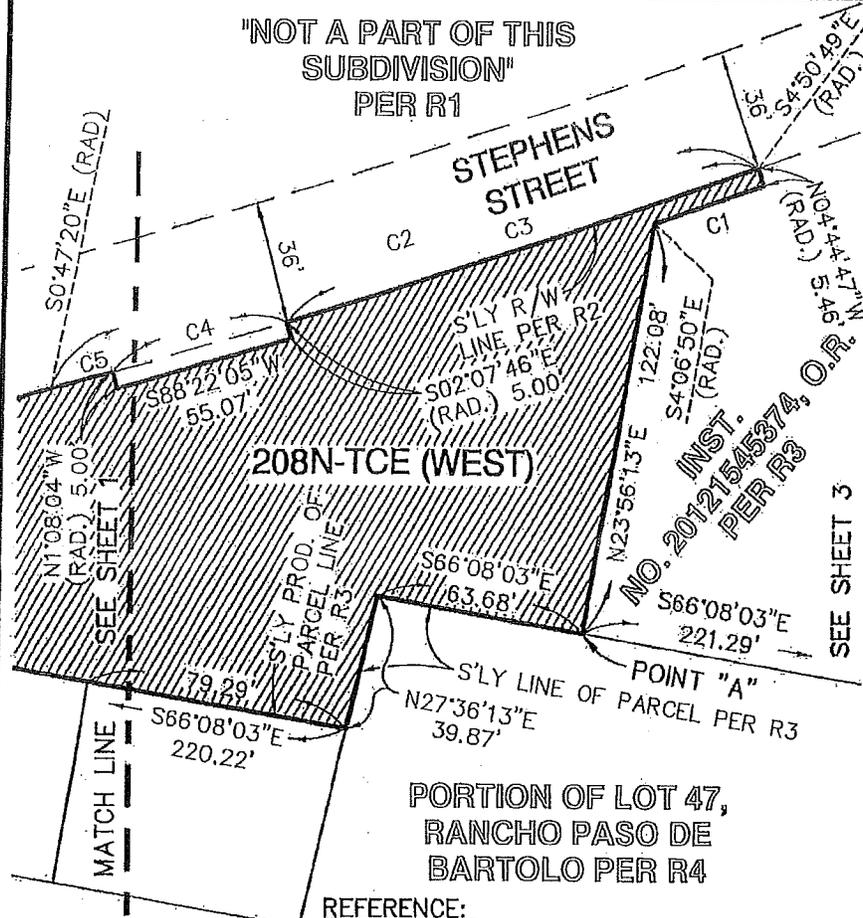
EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613  
 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,  
 RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.  
 APN: 6375-015-003

ACE

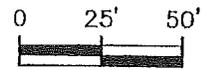
ACCEPTED BY: *[Signature]*  
 CHIEF ENGINEER

DATE: 1/19/17



NOTE:

SEE SHEET 4 OF 4  
 FOR VICINITY MAP,  
 DATUM STATEMENT,  
 AND NOTES.



SCALE: 1" = 50'

LEGEND:

- CENTERLINE
- LOT/PARCEL LINE
- EXISTING R/W
- TIE LINE
- PROPOSED EASEMENT

CURVE DATA:

- C1 Δ=0°37'57"  
R=3170.88'  
L=35.00'
- C2 Δ=4°03'29"  
R=3165.93'  
L=224.23'
- C3 Δ=2°43'03"  
R=3165.93'  
L=150.16'
- C4 Δ=0°59'42"  
R=3165.93'  
L=54.98'
- C5 Δ=0°20'44"  
R=3165.93'  
L=19.09'

REFERENCE:

- R1-TRACT NO. 10171 M.B. 144/17-18
- R2-ROAD DEED D1370/358, O.R. REC. 9-28-61
- R3-DOCUMENT PER INST. NO. 20121545374, O.R. REC. 10-12-12
- R4-LOT 47, RANCHO PASO DE BARTOLO, SHOWN ON PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT, REC. IN DEED BOOK 999/81.



SHEET 2 OF 4

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	25,085 SQ. FT.	48,376 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 4-26-2016
PSOMAS		CITY OF PICO RIVERA	SCALE: 1" = 50'
APPROVED BY: <i>[Signature]</i> L.S. 5282	ACE REVIEWED BY: <i>[Signature]</i> PROJECT MANAGER DATE: 1/17/2017		REV. NO. DATE:
			REV. NO. DATE:
			ACE PARCEL NO. 208N-TCE

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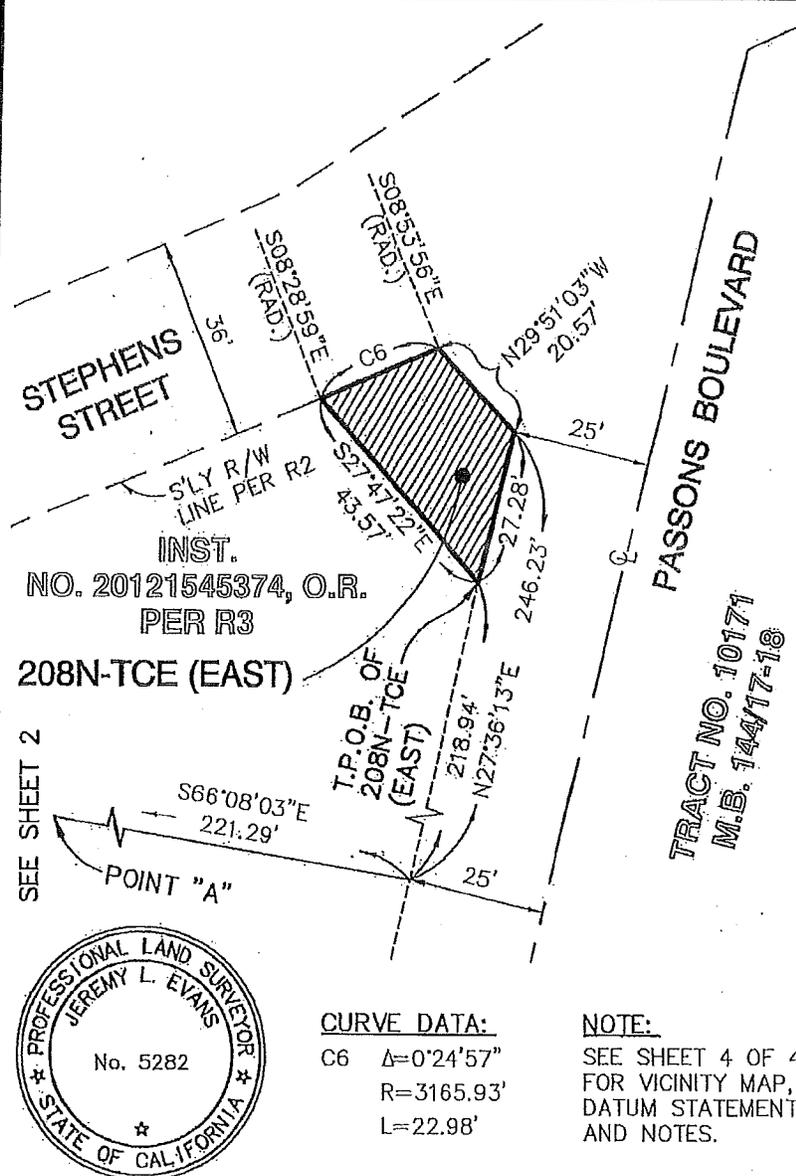
EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF  
 LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613  
 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,  
 RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.  
 APN: 6375-015-003

ACE

ACCEPTED BY: *[Signature]*  
 CHIEF ENGINEER

DATE: 1/19/17



LEGEND:

- CENTERLINE
- LOT/PARCEL LINE
- EXISTING R/W
- TIE LINE
- PROPOSED EASEMENT

REFERENCE:

- R1-TRACT NO. 10171  
M.B. 144/17-18
- R2-ROAD DEED  
D1370/358, O.R.  
REC. 9-28-61
- R3-DOCUMENT PER INST.  
NO. 20121545374, O.R.  
REC. 10-12-12
- R4-LOT 47, RANCHO PASO  
DE BARTOLO, SHOWN  
ON PARTITION MAP  
FILED IN CASE NO.  
20613 OF THE  
SUPERIOR COURT, REC.  
IN DEED BOOK 999/81.

SEE SHEET 2



**CURVE DATA:**  
 C6 Δ=0°24'57"  
 R=3165.93'  
 L=22.98'

**NOTE:**  
 SEE SHEET 4 OF 4  
 FOR VICINITY MAP,  
 DATUM STATEMENT,  
 AND NOTES.

SHEET 3 OF 4

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	25,085 SQ. FT.	48,376 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	
PSOMAS <i>[Signature]</i> APPROVED BY: L.S. 5282		CITY OF PICO RIVERA	
ACE REVIEWED BY: <i>[Signature]</i> PROJECT MANAGER		DATE: 4-26-2016	
		SCALE: 1" = 30'	
		REV. NO. DATE:	
		REV. NO. DATE:	
		ACE PARCEL NO. 208N-TCE	

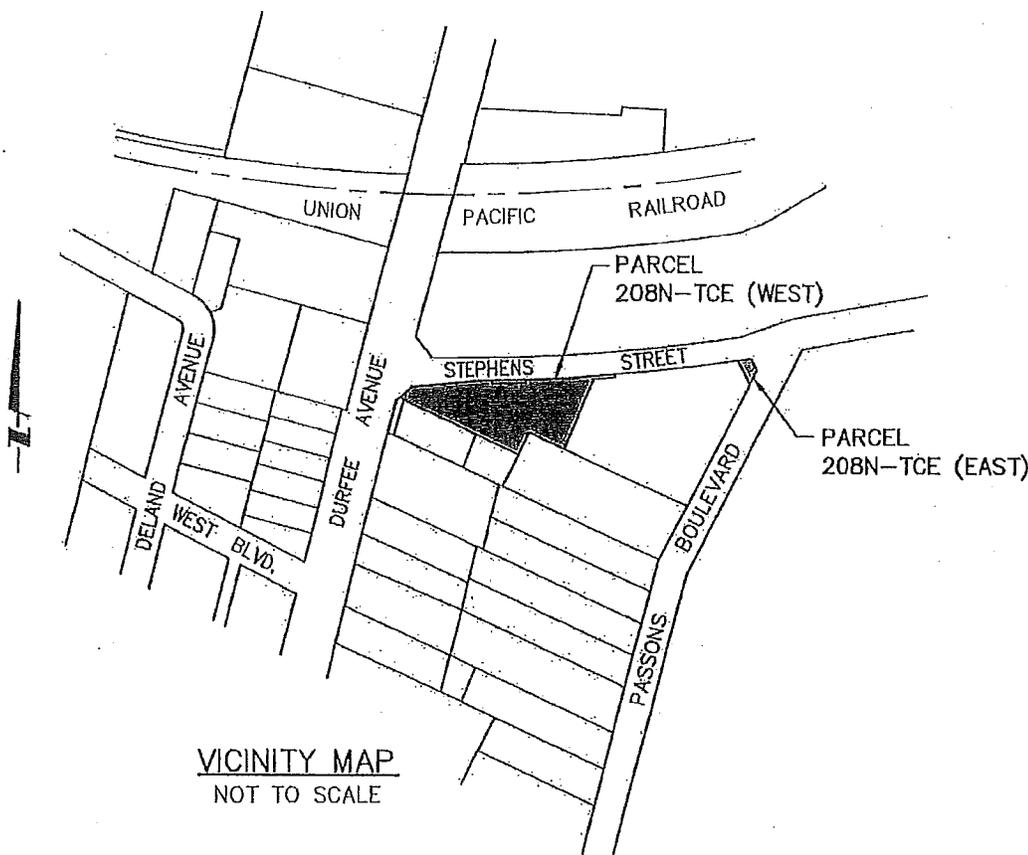
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EXHIBIT "B"

OWNER: GP JOHNSON HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY	ACE
THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.	ACCEPTED BY: <i>[Signature]</i> CHIEF ENGINEER
APN: 6375-015-003	DATE: <i>1/19/17</i>

DATUM STATEMENT:

THE BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE V, RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83; 2011.00 EPOCH). ALL DISTANCES SHOWN HEREIN ARE GRID DISTANCES. TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES BY THE COMPUTED COMBINATION FACTOR OF 1.00000338.



SHEET 4 OF 4

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	73,461 SQ. FT.	25,085 SQ. FT.	48,376 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY	DURFEE AVENUE GRADE SEPARATION		DATE: 4-26-2016
PSOMAS	ACE REVIEWED BY:	CITY OF PICO RIVERA	SCALE: NONE
<i>[Signature]</i>	<i>[Signature]</i>		REV. NO. DATE:
APPROVED BY: L.S. 5282	PROJECT MANAGER	DATE: <i>1/19/2017</i>	REV. NO. DATE:
			ACE PARCEL NO. 208N-TCE

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## Alameda Corridor-East Construction Authority

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4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 [www.theaceproject.org](http://www.theaceproject.org)

MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: June 5, 2017

SUBJECT: Approval of Fiscal Year 2018 Budget

**RECOMMENDATION:** Staff recommends that the Board approve the proposed FY 2018 Budget.

**BACKGROUND:** Since ACE is wholly funded through allocated grants, ACE's annual budget is based on anticipated expenditures of those grant funds during FY 2018. Unlike a typical municipal budget, where expenditures are confined to anticipated revenues, ACE's annual budget is based on anticipated progress, and corresponding expenditures including any indirect support costs, of the approved and fully funded projects in its program. ACE's annual budget consist of two parts; anticipated indirect expenditures and direct expenditures. The following is a comparison of ACE's budget to a typical municipal budget:

- City has an Operating and a Capital Improvement Project (CIP) budget
  - Operating is ongoing annual expenditures such as city staff, fuel, rent, supplies, utilities, etc.
  - CIP are one-time capital expenditures such as street repaving, new buildings, new traffic signals, etc.
- ACE has an Indirect and a Direct budget
  - Indirect is ongoing annual expenditures such as ACE staff, rent, supplies, utilities, etc.
  - Direct are project related expenditures such as design, R/W acquisition and construction

The following is a comparison of how ACE closes out its previous fiscal year to a typical municipal budget:

- City
  - Operating Budget is closed and any funds left go to fund balance. Council approves a new Operating Budget
  - Remaining funds of CIP Budget carry over to the new fiscal year to complete projects approved and started in prior fiscal years. Only new additional project funding is approved by the Council

- ACE

- Indirect Budget is closed and any funds left go to fund balance. ACE Board approves a new Indirect Budget
- Since ACE's Direct Budget reflects only each project's one-year window of expected costs and not the entire anticipated project cost, fund balances do not carry to the new fiscal year, and the Board approves a new Direct Budget.

## **FY 2017 BUDGET YEAR END SUMMARY**

ACE will close FY2017 approximately \$41 million below the adopted fiscal year budget, or expenditure plan. The following summarizes the FY 2017 indirect and direct costs:

### FY 2017 Indirect Project Expense

Indirect expenses (such as salaries, rent, office supplies, etc.) that are not charged to specific projects are billed to grants on an annual indirect rate plan approved by Caltrans. The FY 2017 rate was approved by Caltrans and included adjustments for over or under spending in prior years. ACE anticipates FY 2017 indirect expenses will be \$21,000 under the budgeted amount of \$4.025 million (approximately 0.5%). ACE will collect all of the FY 2017 indirect costs.

### FY 2017 Direct Project Expense

Direct expenses are those that can be readily associated with specific projects such as staff or program management time, engineering or construction management contracts, property acquisition, construction, and miscellaneous support costs. FY 2017 direct costs will be \$40.932 million below the budgeted amount of \$129.381 million (30%). These projected under expenses are due to budgeted expenditures that did not occur this year are expected happen in FY 2018. Delayed expenditures are primarily a result of construction activities not progressing as we anticipated. Some were weather related, others third party, and some were simply unavoidable circumstances during construction. Delays resulted in lower monthly billings from ACE's contractors. Unused funds are carried over and re-budgeted in the proposed FY 2018 budget.

## **FY 2018 PROPOSED BUDGET**

The total proposed FY 2018 budget is \$148,001,000, which includes \$4,073,000 indirect costs and \$143,928,000 in direct costs. Total grants allocated to ACE is \$1,698,837,000. With the proposed expenditures for FY 2018, ACE will have a remaining grant balance of \$418,626,000 for anticipated remaining project expenses.

### FY 2018 Indirect Project Expense

The proposed FY 2018 indirect expense budget was developed by line item, based on past expenditures and anticipated cost changes such as liability insurance, rent, utility costs, salaries, CalPERS, legal support, office supplies, and IT support. The ratio of all

indirect costs to anticipated direct labor and fringe benefit cost is used to calculate the Indirect Cost Allocation Plan (ICAP) which is submitted to Caltrans for approval, and becomes the basis for billing indirect costs in FY 2018.

Total anticipated indirect costs is \$4.073 million, which is approximately 1.6% more than last year. The increase is due to a lump sum pre-paid liability insurance payment for the Durfee Avenue project, as well as IT costs for software purchases.

### FY 2018 Direct Project Expense

The proposed FY 2018 direct expense budget assumes six projects in construction and three projects in design as well as ongoing land acquisition activities. For the active construction projects, (San Gabriel Trench, Fairway, Puente, Temple, Durfee and Fullerton) staff used the approved construction schedules to determine the rate of construction and determine the anticipated contractor expenditures. For the three projects in design (At-grade safety improvements, Montebello and Turnbull Canyon), staff included in the project budget the final design as well as the current estimated cost of land acquisition if applicable to the project. It should be noted that the pace and cost of land acquisition is the most speculative part of the budget estimates and may change if cost settlements require court action.

Total anticipated direct costs is \$144 million, 12% more than last year. This increase reflects an anticipated increase in construction expenses (our largest budget item).

### Project Financing for FY 2018

ACE will continue to utilize the funds from a \$45 million working capital loan from the Los Angeles County Metropolitan Transportation Authority (Metro) to maintain cash flows and bridge the timing gap between project expenditures and reimbursements from our granting agencies. Based on the projected cash flow, ACE will be able to fund the interest expenses on the working capital loan from the proceeds of ACE's short term investments. Investments continue to generate interest income in excess of interest expense.

### **FY 2018 BUDGET APPROVAL**

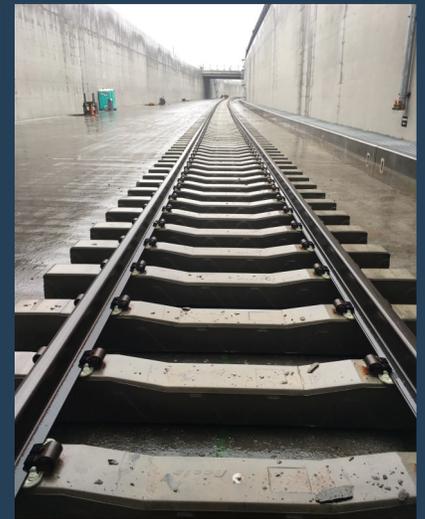
The proposed budget will be presented to San Gabriel Valley Council of Governments (SGVCOG) City Manager Steering Committee on June 7, 2017 and in accordance with the SGVCOG's by-laws, will be submitted to the Governing Board for approval at their June 15, 2017 meeting. The ACE budget requires approval by both the ACE and SGVCOG Governing Boards.

Upon adoption of the FY 2018 budget, staff will continue to provide both the ACE Board and the SGVCOG Governing Board with project status and budget updates on a quarterly basis. ACE's Finance Committee will also be provided a comprehensive discussion of the financial state of the ACE Program at its quarterly meetings.

The FY 2018 budget does not request Board approval for new contracts amendments to existing consultant support contracts. Each consultant support contract authorization will be brought to the Board for necessary action after adoption of the FY 2018 budget



# FY 2018 Proposed Budget



## At-Grade Safety Improvements

Durfee Avenue

Fairway Drive

Fullerton Road

## Montebello Corridor

Puente Avenue

San Gabriel Trench

Turnbull Canyon

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# Budget Message

Fiscal year 2017 was an exceptionally busy time for ACE with four grade separation projects and one rail diversion project in construction at an estimated total cost of \$1.1 billion. In addition, during FY17 ACE continued working on the design of three more grade separation projects as well as safety enhancements at eight crossings. FY17 also posed schedule delays for construction activity due to record breaking rainfalls. An overall update of the ACE Program is as follows:

## Construction

*The Nogales Street grade separation* was completed in FY17. This project was recently recognized as Safety Project of the Year by the California Transportation Foundation. Though open to traffic in June, there remains some work that will be completed shortly.

*The Fullerton Road grade separation* broke ground in September. With Nogales open, the Fullerton project now is our busiest construction project area, located in a heavily traveled corridor to shopping, restaurants, warehousing, residential and the State Road 60 freeway. As with all projects, ACE is working closely with local businesses to mitigate the construction and traffic impacts.

*The San Gabriel Trench* project progressed well in FY17 and was expected to be running trains on its tracks by now, however rain delayed delivery of ballast required for the new tracks. Full train service in the trench is expected in early FY18.

*The Temple Avenue train diversion* project affecting the Cal Poly Pomona area is expected to be complete by the end of the year.

*The Fairway Drive grade separation* project was amended to include construction of on and off ramps on the State Route 60 freeway. This phase of the Fairway project is expected to be complete before the end of calendar year 2017.

*The Puente Avenue grade separation* project has reached its half way milestone of construction. The Puente Avenue grade separation in the City of Industry, the Temple Avenue project in Pomona and our most extensive endeavor, the San Gabriel Trench project, are all expected to be complete in fiscal year 2018.

## Design

*The Durfee Avenue grade separation* project in the City of Pico Rivera is in the midst of design and expected to begin construction early 2018.

*The Montebello Corridor* project, a long awaited project for the City is also in design.

Finally, the *At-Grade Safety Improvement* project, a series of much needed safety improvements in Pomona is also well into design.

While we do not have construction funding for the *Turnbull Canyon Road grade separation* project in the City of Industry, this project is also in design. Staff has applied for various state and

federal grants and is optimistic that funding for Turnbull Canyon, ACE's final grade separation project, will be available when the design is completed.

**Looking ahead:** During FY17, our parent agency, the San Gabriel Valley Council of Governments' (SGVCOG) Governing Board acknowledged the value of having a construction entity available for future regional projects being funded with Measure M and potentially other grants that the SGVCOG may obtain. Recognizing the benefits of maintaining some version of the current ACE organization and its expertise is something we are exceptionally proud of. In February, the Governing Board agreed to expand the scope of ACE beyond grade separations and a reorganization of ACE, the details of such are still in discussion. While it is for the SGVCOG Governing Board ultimately to decide, ACE does not anticipate any immediate changes to the current ACE organization. The current staff's primary focus will be to complete the ACE Program.

On the funding side, ACE staff successfully petitioned the California Transportation Commission to re-allocate Trade Corridor Improvement Funds from project savings on the Baldwin Avenue Project as well as regional funds that remained unspent to the Durfee Road Grade Separation Project. ACE has also submitted \$50 million in grant applications under the recently approved Federal FAST ACT. If approved, ACE will be very close to being a fully funded program.

Administratively, ACE has continued to recover all billable costs in a timely manner. As an agency completely reliant on reimbursement of expenses, this is an extremely important goal and insures that the agencies borrowing costs are kept to a minimum.

During FY17 ACE continued to provide finance, accounting, IT and human resources services through Memorandums of Understanding to the SGVCOG. Through our team efforts, improved policies and procedures were developed and implemented and audited by Caltrans. As a result, the SGVCOG's high risk designation has been removed and the SGVCOG is now eligible to receive and administer state and federal grants. ACE also continued to provide transportation planning and legislative advocacy support for programs related to Measure M.

The Fiscal Year 2018 budget provides for a work plan as ambitious as the one ACE just completed. It is anticipated that project expenditures will match or even exceed those of Fiscal Year 2017 and ACE will be one step closer to its goal of completing all of the adopted projects in the ACE Program.

Mark Christoffels

Chief Executive Officer

## Background

The planning for the ACE Project, done in the late 1990s, was based on anticipated increases in train traffic through the San Gabriel Valley from the then current level of approximately 55 trains per day, to approximately 160 by 2020. The result would be traffic delays at crossings increasing by up to 300%. Based on current train traffic along both subdivisions of the Union Pacific Railroad through the San Gabriel Valley, train counts have increased significantly and are predicted to reach the numbers anticipated in the original study within the next 10 years.

The originally adopted ACE Project included safety improvements at 39 grade crossings located throughout the San Gabriel Valley and 22 grade crossing eliminations (grade separations). In 2007 the original project estimate from 1998 was updated to take into account inflation over the previous 10 years, higher than anticipated right-of-way requirements, and increased railroad and utility relocation costs. In late 2007 ACE increased the project cost estimate from \$910 million to \$1.404 billion (without an allowance for escalation over time), which remained fairly consistent until the remaining project scope was restudied in 2010-11. Subsequently in 2013, and again in 2015 the project was amended to revise the scope of projects in Pomona and Montebello. During fiscal year 2017 the addition of a betterment at Lemon Avenue, requested by the Cities of Diamond Bar and Industry was included in the adopted project. With the adoption of these project changes the overall ACE program cost now stands at \$1.735 billion.

To date ACE has implemented 39 crossing safety improvements and nine grade separation projects.

# Project Status

**The following is a summary of the status of the active projects:**

**Nogales Street Grade Separation (LA subdivision):** The Nogales Street grade separation was opened to traffic in June 2017. While the street has been open, minor work remains related to the groundwater system and a local sewer connection that should be completed this summer.

**San Gabriel Trench:** Construction crews are nearing completion of the 1.2-mile, 65-foot-wide and 30-foot-deep San Gabriel railroad trench. With work completed on the trench walls and floor, and bridges at all four railroad crossings, the focus shifts to new mainline construction. However, due to the record rainfall and severe weather conditions in California through the months of January and February, track outages and service interruptions required Union Pacific to divert their crews and materials for repairs elsewhere in the state and across the Pacific Northwest, ultimately impacting the schedule for the mainline track work. The new mainline tracks are scheduled to be installed by Union Pacific crews by mid-Summer. Once complete, freight traffic will shift from the temporary railroad shoofly onto the new tracks in the trench. The majority of the project is anticipated to be completed by the end of the year.

**Puente Avenue Grade Separation:** Construction of a roadway underpass and railroad bridge on Puente Avenue at Valley Boulevard in the City of Industry and unincorporated community of Avocado Heights is moving into its next phase. Excavation has begun on Workman Mill Road, south of Valley Boulevard, to prepare the site for construction of the south abutment, retaining walls and roadway underpass. Crews recently finished work on the southern portion of the roadway bridge that will carry vehicles across Puente Avenue. Despite construction taking place on busy Valley Boulevard, work was staged to ensure traffic flow and access to local businesses was maintained at all times. Work now moves on to the northern portion of the Valley Boulevard roadway bridge as well as the railroad bridge that will span the underpass. As a result, traffic lanes on Valley Boulevard have been shifted onto the newly constructed portion of the bridge structure

on the south. In addition, 3rd Avenue has been opened to traffic to provide access to eastbound Valley Boulevard. Project completion is scheduled for fall 2018.

**Fullerton Road Grade Separation:** Fullerton Road from Gale Avenue on the north and the eastbound State Route 60 freeway off-ramp on the south is being widened to three lanes in each direction, improving traffic flow and reducing congestion at the bottleneck, traversed by over 23,000 vehicles daily. The widening is being completed in advance of a road closure this summer to construct a six-lane roadway underpass and railroad bridge on Fullerton Road in the City of Industry and unincorporated community of Rowland Heights. Completion of the grade separation and reopening of the roadway is anticipated in summer 2020.

**Fairway Drive Grade Separation:** In anticipation of the crossing closure to construct a roadway underpass and railroad bridge on Fairway Drive later this year, crews are working to build a new interchange on State Route 60 at Lemon Avenue in the Cities of Diamond Bar and Industry that will be used as a detour for motorists. The three-legged interchange will include a westbound on-ramp and eastbound off and on-ramps. Freeway ramp work is scheduled to be completed in the fall. This was a betterment requested by the Cities of Diamond Bar and Industry. The Lemon Avenue project, once complete, will be the first major construction project funded under the Measure M program. This is not only a major achievement for all parties involved - ACE, Caltrans, Diamond Bar and City of Industry, but is the first major highway project undertaken by the ACE Construction Authority. Subsequent completion of the grade separation is anticipated in summer 2020.

**Temple Avenue:** This project consists of the diversion of the Union Pacific Railroad's (UPRR) Alhambra subdivision to join the UPRR Los Angeles subdivision in Pomona to eliminate grade crossings at both Pomona Boulevard and Temple Avenue. The diversion required a track across Cal Poly Pomona agricultural property and the addition of 2½ miles of third track along the Los Angeles subdivision and the modification of a storm drain box. This work will be completed this summer followed by UPRR completing rail installations and signal modifications. Thereafter rail operations along these lines will

begin, thus abandoning the portion of the Alhambra Subdivision from west of Temple Avenue to Hamilton Boulevard.

**Montebello Corridor:** The Montebello Corridor Grade Separation Project calls for constructing a roadway underpass, sidewalks, bike lanes and railroad bridge at the railroad crossing on Montebello Boulevard. Safety improvements will include quad crossing gates at the crossings on Maple, Greenwood and Vail Avenues. A pedestrian overcrossing is also planned for the Maple Avenue crossing due to significant numbers of pedestrians and cyclists. The environmental review process is moving forward as ACE staff continues to coordinate with the City and other stakeholders during the preliminary design phase. The project is expected to begin construction in early 2020.

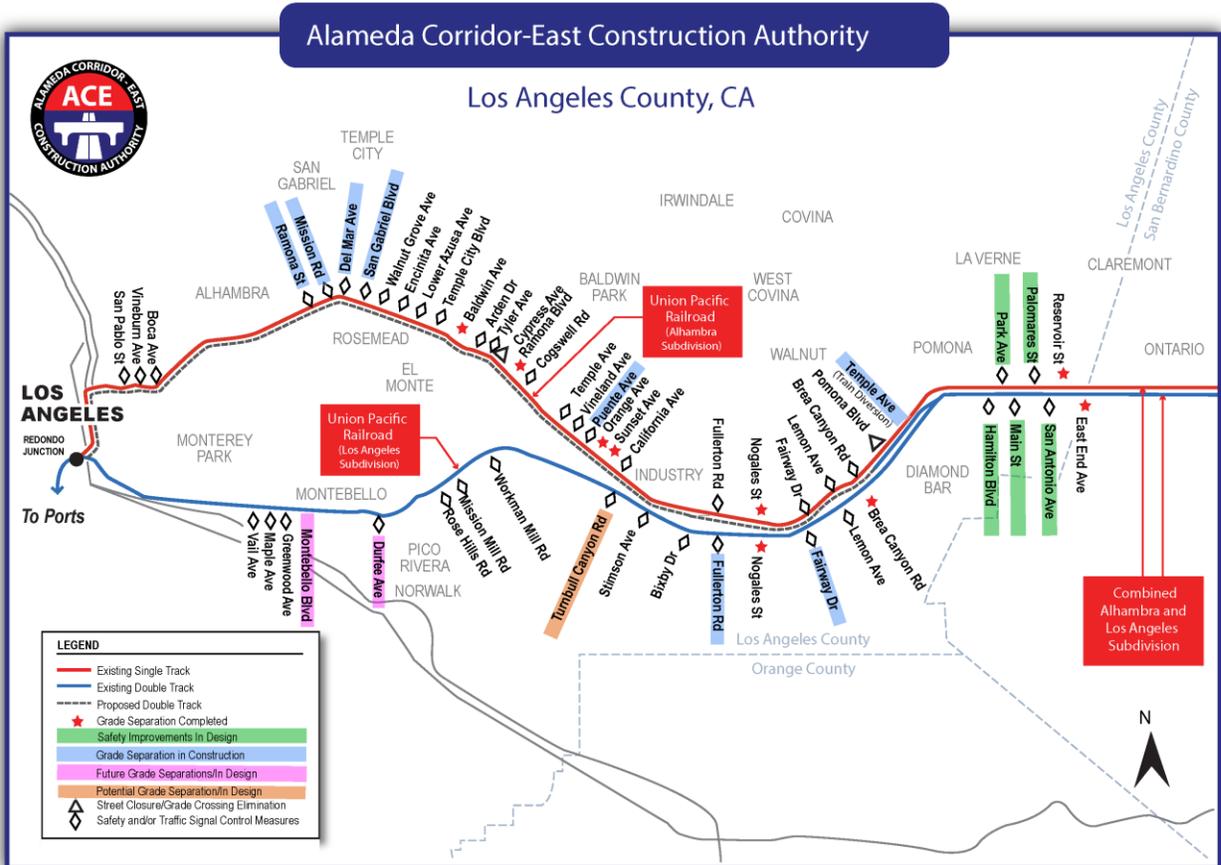
**Durfee Avenue Grade Separation:** Final design work and property acquisition is taking place on the Durfee Avenue Grade separation project. This project will lower Durfee Avenue between Beverly Road and Whittier Boulevard in the City of Pico Rivera and construct a new railroad bridge for freight and Metrolink passenger trains. Staff is addressing design revisions requested by project stakeholders and finalizing right-of-way acquisitions and utility coordination issues. Bids for construction of the underpass are scheduled to be solicited this fall with groundbreaking slated for early 2018.

**At-Grade Safety Improvements:** The proposed crossing safety improvement project in Pomona includes features such as pedestrian channelization, roadway modifications, updated signage and striping and traffic signal improvements at five at-grade railroad crossings near the downtown area at Hamilton Boulevard, Park Avenue, Main Street, Palomares Street and San Antonio Avenue. The project will address safety issues at the crossings, where five fatalities of pedestrians and a cyclist have been recorded at four of the crossings over the last 10 years, with one motorist injured when a vehicle was stuck on the tracks at the fifth crossing. Project design plans have reached the 35 percent preliminary engineering stage and ACE staff continues to coordinate with stakeholders, utilities and other agencies. The current schedule calls for construction to start in summer 2019.

**Turnbull Canyon Road Grade Separation:** Plans for a grade separation project on Turnbull Canyon Road in the City of Industry and unincorporated community of Hacienda Heights are moving on to the preliminary design phase. The City of Industry Council voted last year to approve construction of a two-lane overpass structure. The overpass concept was recommended due to potential property impacts, utility conflicts, groundwater concerns, coordination with Union Pacific Railroad and estimated project costs for an underpass. Preliminary design and engineering is anticipated to be completed by early 2018.

# PROJECT MAP

The ACE project area map depicts completed projects to date and updated activities for the projects in construction and in design.



**Alameda Corridor-East Project Area**

Project Construction Photos



PUMP STATION EXCAVATION – FULLERTON ROAD GRADE SEPARATION PROJECT – CITY OF INDUSTRY



CAST IN DRILL HOLE PILE DRIVING – PUENTE AVENUE GRADE SEPARATION PROJECT – CITY OF INDUSTRY



LAYING TRAIN TRACK – SAN GABRIEL TRENCH PROJECT – CITY OF SAN GABRIEL





STORM DRAIN INSTALLATION- LEMON AVENUE/60FWY BETTERMENT – CITIES OF DIAMOND BAR & INDUSTRY



AGGREGATE PIER INSTALLATION - FAIRWAY DRIVE GRADE SEPARATION PROJECT – CITY OF INDUSTRY

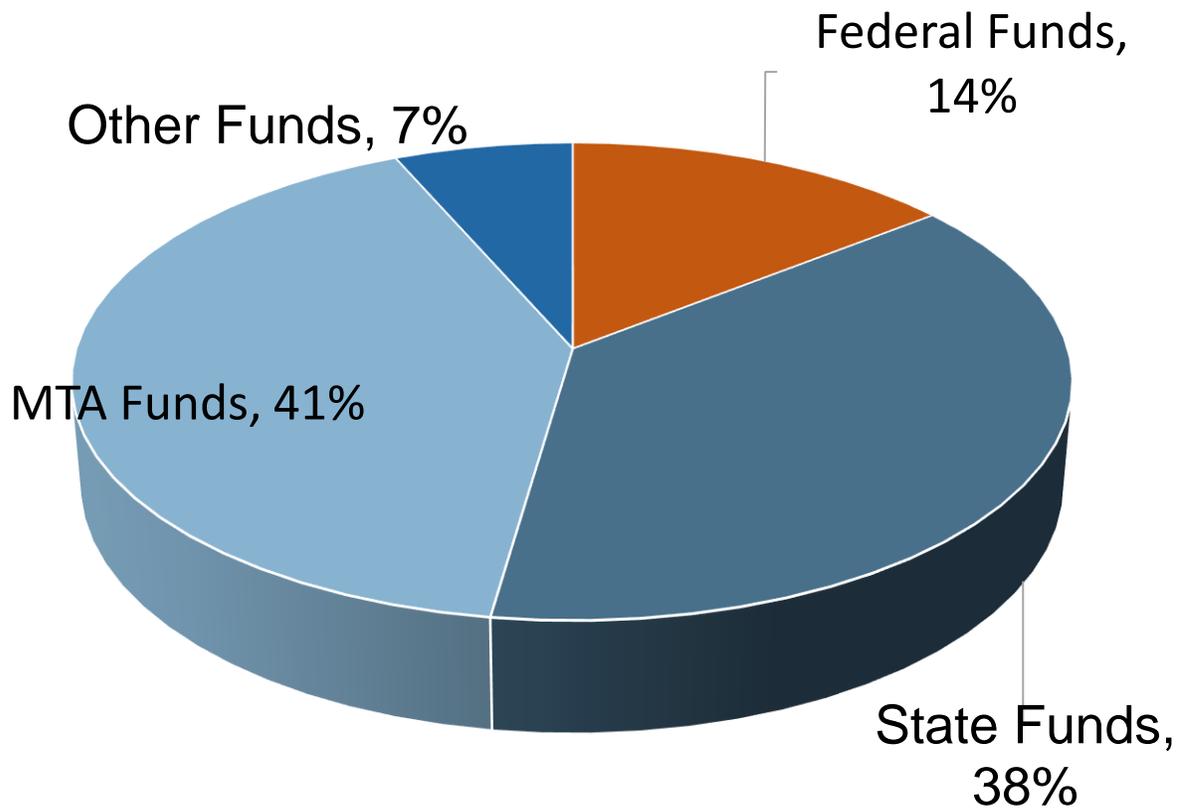
# Project Cost Estimates

The current cost estimate for all completed and currently active projects as well as proposed future projects is as follows:

PROJECT	COST <i>(in millions)</i>
<u>Completed Projects</u>	
Safety Crossings/IRRIS	\$ 34.141
Nogales Street (Alh) (West Covina/Industry)	49.798
East End Avenue/Reservoir Street (Pomona)	79.000
Brea Canyon Road (Diamond Bar/Industry)	73.903
Ramona Boulevard (El Monte)	53.091
Sunset Avenue (Industry)	93.862
Baldwin Avenue (El Monte)	70.365
Nogales Street (LA sub) Industry/Unincorporated LA Co.)	121.088
<u>Active Projects</u>	
San Gabriel Trench (San Gabriel)	312.758
Puente Avenue (Industry)	97.377
Fairway Drive (Industry)	158.357
Fullerton Road (Industry)	152.384
Temple Avenue Train Diversion (Pomona)	98.165
Durfee Avenue (Pico Rivera)	91.143
At-Grade Improvements (Pomona)	22.916
Montebello Corridor (Montebello)	160.045
Turnbull Canyon Road (Industry/Unincorporated LA) (design only)	10.106
<b>Total</b>	<b>\$ 1,680.288</b>

## FY 2018 Funding Status

The total funding sources and commitments to the ACE program since its inception is \$1,698,837. Matching these funding commitments against the projects expenditures of \$1.680 billion plus \$11.9 million in startup and administrative costs shows that the ACE program currently has \$6.6 million in funding available for the one remaining project in the adopted ACE program that is not fully funded (Turnbull Canyon Road grade separation). Design of this project was initiated this fiscal year however whether this project moves into right of way acquisition or construction activities will be dependent upon ACE securing additional grant funding.



# Committed Funding & Sources

(\$ in millions)

FEDERAL	
Federal TEA-21 Highway Demonstration Earmark (FY 1999-2003)	\$132.557
FY 2001 FHWA Highway Fund Transportation Appropriation	1.497
FY 2000 FHWA Discretionary Sec. 1118(c) Trade Corridor Funds	1.240
FY 2001 FHWA Discretionary Sec. 1118(c) Trade Corridor Funds	2.397
FY 2002 FHWA Highway Fund Transportation Appropriation	3.884
FY 2003 FHWA Highway Fund Transportation Appropriation	1.485
FY 2004 FHWA Highway Fund Transportation Appropriation	1.881
FY 2006 FHWA Highway Fund Transportation Appropriation	4.158
FY 2009 Surface Transportation Program	0.570
FY 2010 Surface Transportation Program	0.500
AAA FY 2010	1.349
Federal SAFETEA-LU (FY 2005-2009)	67.346
FY 2009 FRA Grade Crossing Program	2.544
PUC (Section 130)	10.000
Intermodal Surface Transportation Efficiency Act Funds	6.936
Congestion Mitigation and Air Quality Improvement Funds	6.347
<b>Total Federal Funding: \$244.691</b>	
STATE	
1998 State ITIP Discretionary Funds (FY 2000- 2004)	\$38.982
State Transportation Congestion Relief Program Funds	130.300
Section 190 PUC Funds	10.000
Prop. 1B Trade Corridor Improvement Funds	420.497
Prop. 1B Highway-Rail Crossing Safety Account	43.906
<b>Total State Funding: \$643.685</b>	
MTA	
MTA 17% Local Match Commitment	\$259.891
MTA Call for Projects Funding (2007)	28.849
MTA Measure R*	400.000
<b>Total MTA Funding: \$698.719</b>	
OTHER	
City/County/MWD Funds	\$12.122
Railroad contribution to active projects	40.552
Betterments	26.274
Property Sales	3.224
<b>Total Other Funding: \$111.172</b>	

Total Funds Committed \$1,698.837

Less Project and Start Up Costs (1,692.215)

**Remaining Funds Available \$6.622**

# FY 2017 Budget Status

The Board of Directors adopted the Fiscal Year 2017 budget in June 2016.

As in the past, ACE's adopted 2017 budget was broken down into two categories - indirect project expense and direct project expense.

## Indirect Project Expense

Indirect expenses (such as salaries, rent, office supplies, etc.) that cannot easily be charged to specific project activities are billed to grants based on an annual indirect rate plan approved by Caltrans. The FY 2017 rate was approved by Caltrans and included adjustments for over or under spending in prior years. ACE anticipates indirect expenses for FY 2017 will be \$21,000 under the budgeted amount of \$4.025 million (approximately 0.5%). For FY 2017 ACE will collect all of the indirect costs.

## Direct Project Expense

Direct expenses are those that can be readily associated with specific projects such as staff or program management time, engineering or construction management contracts, property acquisition, construction, and miscellaneous support costs. For FY 2017 direct costs will be \$40.932 million below the budgeted amount of \$129.381 million (30%). These projected under expenditures, unfortunately, are not project savings, but rather expected expenditures that did not occur this year and will most likely happen in FY 2018. Delayed expenditures are primarily a result of construction activities not progressing as we anticipated. Some were weather related, others third party, and some were simply unavoidable circumstances during construction. These delays result in lower monthly billings from ACE's contractors. These funds will be carried over and re-budgeted in the proposed FY 2018 budget

# FY 2017 Budget vs. Estimated Actual

(\$ in thousands)

<b>Expenditures</b>	<b>Year End Estimate</b>	<b>FY 2017 Budget</b>	<b>Under/ (Over)</b>
<b>Indirect</b>			
<b>Personnel</b>			
Salaries and Wages	\$ 1,555	\$ 1,536	\$ (19)
Fringe Benefits	1,361	1,349	(12)
<b>Board/Employee Expense</b>			
Auto/Travel	24	28	4
Training/Memberships	30	38	8
Board Expense	17	21	4
<b>Professional Services</b>			
Auditing/Accounting	44	42	(2)
Community Outreach Program	5	-	(5)
Legal-Agency Support	25	25	-
Program Management	17	17	-
State/Federal Advisory Services	242	256	14
Risk Management	52	65	13
<b>Insurance</b>	230	230	-
<b>Equipment Expense</b>	99	113	14
<b>Office Expense</b>	244	244	-
<b>Office Operations</b>	51	53	2
<b>Other</b>	8	8	-
<b>Total Indirect</b>	<u>4,004</u>	<u>4,025</u>	<u>21</u>
<b>Direct</b>			
Salaries and Wages	1,343	1,417	74
Fringe Benefits	538	568	30
Auto Allowance Allocated to Projects	19	23	4
Program Management	3,174	3,557	383
Legal	1,291	2,904	1,613
Design	4,117	7,956	3,839
ROW Acquisition	3,577	13,498	9,921
Utility Relocation	2,402	1,169	(1,233)
Construction Mgt	9,833	10,708	875
Railroad	8,248	4,040	(4,208)
Construction	53,192	82,771	29,579
UPRR Invoice Review	8	70	62
Third Party Review	671	700	29
Utilities (Site)	35	-	(35)
Advertising	1	-	(1)
<b>Total Direct</b>	<u>88,449</u>	<u>129,381</u>	<u>40,932</u>
<b>Total Expenditures</b>	<u>\$ 92,453</u>	<u>\$ 133,406</u>	<u>\$ 40,953</u>

## FY 2017 Goals Status

Within each annual budget, goals are established based on best estimates at the time of budget preparation. The following represents how ACE met or expects to meet each goal in the areas of project implementation, funding/ finance and outreach by June 30, 2017.

### Project Implementation

PROJECT	GOAL	STATUS
At-Grade Safety Improvements	Design at 35% & completion of environmental clearance	Will meet this goal
Durfee Avenue Grade Separation	100% design complete/advertise for construction	Expect design to be complete in October; advertise for construction in November
Fairway Drive Grade Separation	Construction 40% complete	Anticipate 35% completion
Fullerton Road Grade Separation	Construction 20% complete	Anticipate 12% completion
Montebello Corridor	Design 35% complete & completion of environmental clearance	Will meet this goal
Puente Avenue Grade Separation	Construction 70% complete	Will meet this goal
San Gabriel Trench	Construction 90% complete	Will meet this goal
Temple Avenue Train Diversion	Complete project	Project expected to be complete in September 2017
Turnbull Canyon Grade Separation	Design 25% complete	Will not meet this goal. Expect design at 35% by the end of calendar year 2017

## Funding/Financial Administration

GOAL	STATUS
Ensure ACE's interests are represented in Federal National Freight Programs	Accomplished. Grade separations are eligible for new Federal freight funding programs; construction authorities are eligible grant applicants.
Pursue additional funding for remaining grade separation project or potential shortfall on existing projects	Accomplished. \$35M state bond funding reallocated from Baldwin to Fullerton. Two Federal freight grant fund applications submitted/under consideration.
Timely completion of "clean" financial and single audits	Accomplished.
Maintain at least 25% of borrowed funds invested	Accomplished.
Complete 18 professional services contract audits	Expect 17 audits to be complete.
Complete four quality control/quality assurance audits	Exceeded. Expect to complete five.

## Community Outreach

GOAL	STATUS
Conduct dedication ceremonies for the San Gabriel Trench and potentially the Temple Avenue project	The San Gabriel Trench opening ceremony is expected to be held in FY '18.
Conduct community open house/public meetings for the Montebello Corridor, Turnbull Canyon and At-Grade Safety Improvement projects	Outreach meetings for all three projects will be held in FY '18.
Conduct environmental, community and school outreach effort for five projects in construction (San Gabriel Trench, Puente Ave., Fairway Dr., Fullerton Rd., and Durfee Ave)	Extensive outreach efforts continued for four projects in construction (San Gabriel Trench, Puente, Fairway and Fullerton). Early construction outreach activities held for Durfee Ave project.
Conduct groundbreaking ceremonies for the Fullerton Road and Durfee Avenue Projects	Groundbreaking held for Fullerton; Durfee Ave project groundbreaking will be held in FY '18



**FULLERTON ROAD GRADE SEPARATION PROJECT GROUNDBREAKING CEREMONY – CITY OF INDUSTRY**



# FY 2018 Proposed Budget

ACE has developed and implemented budgeting, accounting and project control systems that meet generally accepted accounting standards with the goal of delivering a project that accomplishes its intended purposes as expeditious and cost effective as possible. The budget for FY 2018 (July 1, 2017 through June 30, 2018) was developed in two parts: anticipated project related direct expenses and general indirect expenses.

## Indirect Budget

The proposed FY 2018 indirect expense budget was developed by line item, based on past expenditures and anticipated cost changes such as liability insurance, rent, utility costs, salaries, CalPERS, legal support, office supplies, and IT support. The ratio of all indirect costs to anticipated direct labor and fringe benefit cost is used to calculate the Indirect Cost Allocation Plan (ICAP) which is submitted to Caltrans for approval, and becomes the basis for billing indirect costs in FY 2018.

## Direct Budget

The proposed FY 2018 direct expense budget assumes six projects in construction and three projects in design as well as ongoing land acquisition activities. For the active construction projects (San Gabriel Trench, Fairway, Puente, Temple, Durfee and Fullerton) staff used the approved construction schedules to determine the rate of construction and determine the anticipated contractor expenditures. For the three projects in design (At-grade safety improvements, Montebello and Turnbull Canyon) staff included in the project budget the final design as well as the current estimated cost of land acquisition if applicable to the project. It should be noted that the pace and cost of land acquisition is the most speculative part of the budget estimates and may change if cost settlements require court action.

## FY 2018 PROPOSED BUDGET

(\$ in thousands)

<b>Expenditures</b>	<b>FY 2018 Proposed</b>
<b>Indirect</b>	
<b>Personnel</b>	
Salaries and Wages	\$ 1,547
Fringe Benefits	1,334
<b>Board/Employee Expense</b>	
Auto/Travel	24
Training/Memberships	34
Board Expense	17
<b>Professional Services</b>	
Auditing/Accounting	42
Community Outreach Program	5
Legal-Agency Support	25
Program Management	18
State/Federal Advisory Services	242
Risk Management	52
<b>Insurance</b>	250
<b>Equipment Expense</b>	174
<b>Office Expense</b>	251
<b>Office Operations</b>	51
<b>Other</b>	7
<b>Total Indirect</b>	4,073
<b>Direct</b>	
Salaries and Wages	\$ 1,485
Fringe Benefits	573
Auto Allowance Allocated to Projects	27
Program Management	3,895
Legal	1,590
Design	8,556
ROW Acquisition	3,835
Utility Relocation	3,866
Construction Mgt	9,187
Railroad	8,760
Construction	101,250
UPRR Invoice Review	29
Third Party Review	832
Utilities (Site)	30
Advertising	13
<b>Total Direct</b>	143,928
<b>Total Expenditures</b>	\$ 148,001

## FY 2018 DIRECT COSTS BY PROJECT

(\$ in thousands)

Expenditures	FY 2018		SG Trench	Puente		Fairway		Durfee	Montebello Corridor	Turnbull Canyon	AT-Grade Crossing	Nogales (LA)
	Proposed	Temple		Avenue	Drive	Fullerton						
<b>Direct</b>												
Salaries and Wages	\$ 1,485	\$ 62	\$ 201	\$ 197	\$ 258	\$ 246	\$ 177	\$ 136	\$ 99	\$ 68	\$ 40	
Fringe Benefits	573	24	78	76	100	95	68	53	38	26	15	
Auto Allowance Allocated to Projects	27	1	5	4	7	4	3	1	1	1	1	
Program Management	3,895	1	160	24	826	490	959	1,152	-	23	260	
Legal	1,590	-	60	-	305	280	613	260	-	10	62	
Design	8,556	10	88	25	265	250	700	4,000	1,588	1,630	-	
ROW Acquisition	3,835	-	5	-	(700)	2,500	830	-	-	-	1,200	
Utility Relocation	3,866	-	4	2	860	1,000	2,000	-	-	-	-	
Construction Mgt	9,187	210	2,012	1,400	1,800	2,400	1,275	-	-	-	90	
Railroad	8,760	100	2,700	2,500	1,500	350	1,520	50	20	20	-	
Construction	101,250	450	17,500	16,800	40,500	18,000	8,000	-	-	-	-	
UPRR Invoice Review	29	-	4	-	-	25	-	-	-	-	-	
Third Party Review	832	2	100	25	120	200	125	200	10	35	15	
Utilities (Site)	30	-	-	-	-	-	25	-	-	-	5	
Advertising	13	-	-	2	-	-	8	3	-	-	-	
<b>Total Direct</b>	<b>\$ 143,928</b>	<b>\$ 860</b>	<b>\$ 22,916</b>	<b>\$ 21,055</b>	<b>\$ 45,840</b>	<b>\$ 25,840</b>	<b>\$ 16,304</b>	<b>\$ 5,855</b>	<b>\$ 1,757</b>	<b>\$ 1,814</b>	<b>\$ 1,688</b>	

# FY 2018 Proposed Revenue & Expenditure Budget

(\$ in thousands)

<b>Expenditures</b>	<b>FY 2018 Proposed</b>
<b>Revenues</b>	
Federal	\$ 2,766
State	71,430
Local	50,417
Betterment/Other	<u>23,388</u>
<b>Total Revenue</b>	<u>148,001</u>
<b>Operating Expenditures</b>	
<b>Direct</b>	
Design	8,921
ROW Acquisition	11,814
Construction	88,900
Construction Mgt	12,408
Betterment	9,220
Lemon Ave Betterment	<u>12,665</u>
<b>Total Direct</b>	<u>143,928</u>
<b>Indirect</b>	
Personnel	2,881
Board/Employee Expense	75
Professional Services	384
Insurance	250
Equipment Expense	174
Office Expense	251
Office Operations	51
Other	<u>7</u>
<b>Total Indirect</b>	<u>4,073</u>
<b>Total Operating Expenditures</b>	<u>148,001</u>
<b>Excess of Revenue over Expenditures before Financing</b>	-
<b>Financing Income</b>	
Investment Revenue	775
Financing Expense	<u>(697)</u>
<b>Net Financing Income/Expense</b>	<u>79</u>
<b>Excess of Revenues over Expenditures</b>	79
<b>Net position at FY 2016 year's end</b>	<u>\$ 14,539</u>
<b>Estimated net position at FY 2018 year's end</b>	<u><u>\$ 14,618</u></u>

# FY 2017/18 Expenditure Comparison

The following addresses significant line item changes proposed for FY 2018 compared to the FY 2017 budgeted (greater than 10%). The total anticipated expenditures in FY 2018 will be up from what was budgeted in FY 2017 as construction expenses (our largest budget item) is increased to reflect the extensive construction activity anticipated.

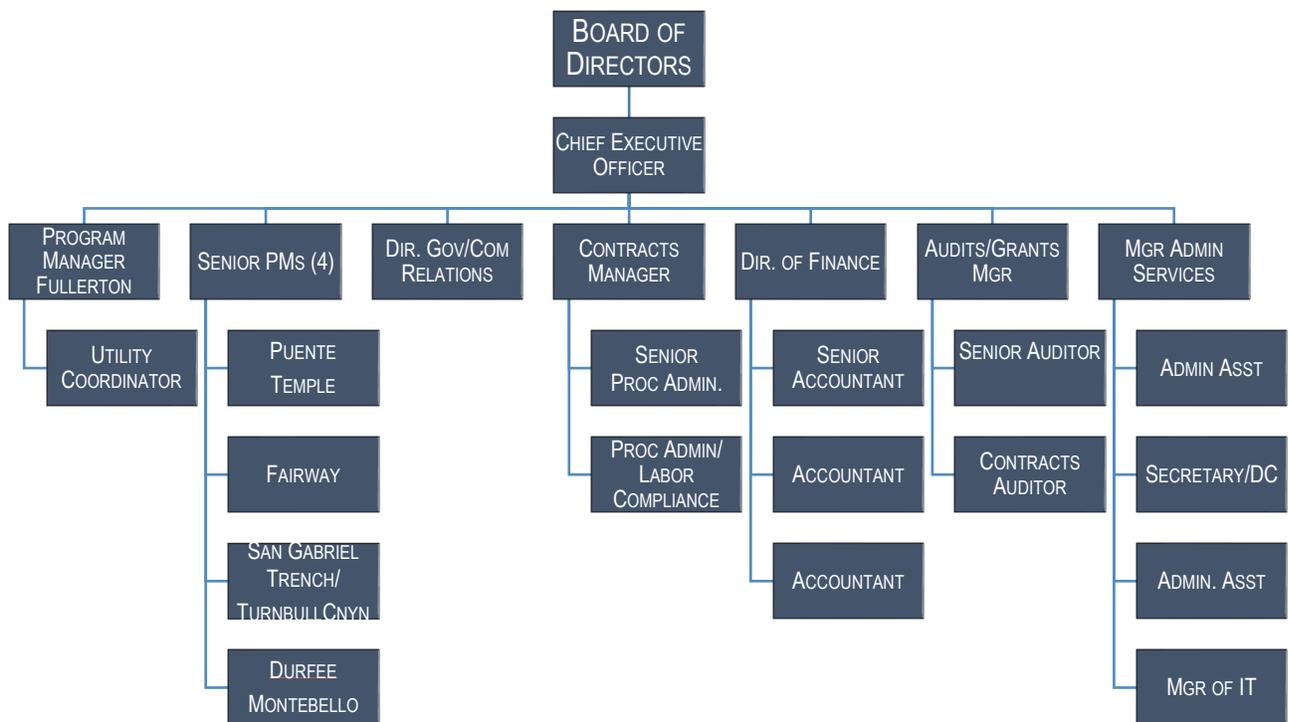
## Indirect Expenditures

Insurance (\$20,000 increase) – This reflects the premium for the prepaid excess liability insurance required when we begin construction on a project. The increase this fiscal year reflects purchase of insurance for the Durfee Avenue grade separation project.

Office Equipment (\$61,000 increase) – ACE will purchase audit software to implement electronic audit work papers. ACE is one of the few agencies that still creates paper-based audit work papers. During peer reviews, utilization of electronic audit software was recommended by participating agencies. The implementation of electronic work papers will improve effectiveness and efficiency. We are also including funds for new office work station cubicles. The ACE office lease expires in May 2018 and we are planning to renegotiate our lease and return the office cubicles that belong to the building owner, cubicles that date back to the 1970s and need replacement. We will upgrade work stations to provide an ergonomically friendly work environment.

Personnel: Salary & Wages/Fringe Benefits - The FY 2018 proposed budget assumes no staffing level change. We foresee the organization maintaining the 24 full time positions and one part time position approved by the Board. We have included reclassification of accounting titles for two positions after re-examination of current responsibilities; however the range for the position did not change. The budget does provide for a 3% merit pool to be allocated based on performance evaluations. There is no CPI or fixed percentage salary adjustments included in the budget.

# Organizational Chart



## Direct Expenditures

Legal (\$1.3M decrease) - Legal costs are normally increased during periods of increased property acquisition activities. Property acquisition activities are expected to decrease during this fiscal year thereby reducing this line item.

Right of Way Acquisition (\$9.663M decrease) - Early acquisitions for properties at Montebello and Durfee during fiscal year 2017 contributed to this decrease. Overall the stage of the project drives this cost category and right of way activities are expected down this fiscal year due to the phase of each project.

Utility Relocations (\$2.697M increase) - With construction in full force at some projects, and early construction activities anticipated at Durfee, utility relocation costs are expected to slightly increase.

Construction (\$18.479 million increase) - Significant construction billing is anticipated on the Puente Avenue, Fullerton Road and Fairway Drive projects as they start constructing major retaining walls and bridge structures.

Railroad (\$4.720 million increase) - Union Pacific Railroad billings are expected to be higher in FY 2018 as mainline construction will be active on the San Gabriel Trench, Temple Avenue, and Puente Avenue projects.

The pace of active projects is the major factor in the annual budget projection. For FY 2018 we have made the following assumptions about the projects having the biggest impact on our spending estimates:

- San Gabriel Trench (San Gabriel) - Construction 100% complete.
- Puente Avenue (Industry) - Construction 80% complete.
- Fairway Drive (Industry/LA County) - Construction 50% complete.
- Durfee Avenue (Pico Rivera) - Construction begins.
- Fullerton Road (Industry) - Construction 35% complete.
- At-Grade Safety Improvements (Pomona) - Design 80% complete.
- Montebello Corridor (Montebello) - Design 60% complete.
- Turnbull Canyon Road - Design 50% complete

# FY 2017 Budget vs. FY 2018 Proposed

(\$ in thousands)

<b>Expenditures</b>	<b>FY 2017 Approved</b>	<b>FY 2018 Proposed</b>	<b>Incr/ (Decr)</b>
<b>Indirect</b>			
<b>Personnel</b>			
Salaries and Wages	\$ 1,536	\$ 1,547	\$ 11
Fringe Benefits	1,349	1,334	(15)
<b>Board/ Employee Expense</b>			
Auto/Travel	28	24	(4)
Training/Memberships	38	34	(4)
Board Expense	21	17	(4)
<b>Professional Services</b>			
Auditing/Accounting	42	42	-
Community Outreach Program	-	5	5
Legal-Agency Support	25	25	-
Program Management	17	18	1
State/Federal Advisory Services	256	242	(14)
Risk Management	65	52	(13)
<b>Insurance</b>	230	250	20
<b>Equipment Expense</b>	113	174	61
<b>Office Expense</b>	244	251	7
<b>Office Operations</b>	53	51	(2)
<b>Other</b>	8	7	(1)
<b>Total Indirect</b>	<u>4,025</u>	<u>4,073</u>	<u>48</u>
<b>Direct</b>			
Salaries and Wages	1,417	1,485	68
Fringe Benefits	568	573	5
Auto Allowance Allocated to Projects	23	27	4
Program Management	3,557	3,895	338
Legal	2,904	1,590	(1,314)
Design	7,956	8,556	600
ROW Acquisition	13,498	3,835	(9,663)
Utility Relocation	1,169	3,866	2,697
Construction Mgt	10,708	9,187	(1,521)
Railroad	4,040	8,760	4,720
Construction	82,771	101,250	18,479
UPRR Invoice Review	70	29	(41)
Third Party Review	700	832	132
Utilities (Site)	-	30	30
Advertising	-	13	13
<b>Total Direct</b>	<u>129,381</u>	<u>143,928</u>	<u>14,547</u>
<b>Total Expenditures</b>	<u>\$ 133,406</u>	<u>\$ 148,001</u>	<u>\$ 14,595</u>

# FY 2017 Estimated Actuals vs. FY 2018 Proposed

(\$ in thousands)

<b>Expenditures</b>	<b>FY 2017 Estimate</b>	<b>FY 2018 Proposed</b>	<b>Incr/ (Decr)</b>
<b>Indirect</b>			
<b>Personnel</b>			
Salaries and Wages	\$ 1,555	\$ 1,547	\$ (8)
Fringe Benefits	1,361	1,334	(27)
<b>Board/Employee Expense</b>			
Auto/Travel	24	24	-
Training/Memberships	30	34	4
Board Expense	17	17	-
<b>Professional Services</b>			
Auditing/Accounting	44	42	(2)
Community Outreach Program	5	5	-
Legal-Agency Support	25	25	-
Program Management	17	18	1
State/Federal Advisory Services	242	242	-
Risk Management	52	52	-
<b>Insurance</b>	230	250	20
<b>Equipment Expense</b>	99	174	75
<b>Office Expense</b>	244	251	7
<b>Office Operations</b>	51	51	-
<b>Other</b>	8	7	(1)
<b>Total Indirect</b>	<u>4,004</u>	<u>4,073</u>	<u>69</u>
<b>Direct</b>			
Salaries and Wages	1,343	1,485	142
Fringe Benefits	538	573	35
Auto Allowance Allocated to Projects	19	27	8
Program Management	3,174	3,895	721
Legal	1,291	1,590	299
Design	4,117	8,556	4,439
ROW Acquisition	3,577	3,835	258
Utility Relocation	2,402	3,866	1,464
Construction Mgt	9,833	9,187	(646)
Railroad	8,248	8,760	512
Construction	53,192	101,250	48,058
UPRR Invoice Review	8	29	21
Third Party Review	671	832	161
Utilities (Site)	35	30	(5)
Advertising	1	13	12
<b>Total Direct</b>	<u>88,449</u>	<u>143,928</u>	<u>55,479</u>
<b>Total Expenditures</b>	<u>\$ 92,453</u>	<u>\$ 148,001</u>	<u>\$ 55,548</u>

# FY 2018 Project Goals

Staff proposes to accomplish the following by June 30, 2018 (unless otherwise noted):

## Project Implementation

PROJECT	GOAL
At-Grade Safety Improvements	Design 80% complete
Durfee Avenue	Construction begins
Fairway Drive	50% complete/Lemon Ave complete
Fullerton Road	35% complete
Montebello Corridor	35% design complete, begin right of way activity and final design
Puente Avenue	Complete project by July 2018
San Gabriel Trench	100% complete
Temple Avenue	Complete September 2017
Turnbull Canyon	Design 35% complete

## Funding/Financial Administration

GOAL
Ensure ACE's interests are represented in Senate Bill 1 grant programs
Pursue additional funding for remaining grade separation project or potential shortfall on existing projects
Timely completion of "clean" financial and single audits
Maintain at least 25% of borrowed funds invested
Complete 16 professional services contract audits
Complete five quality control/quality assurance audits (All active construction projects)

## Community Outreach

GOAL
Conduct environmental, community and school outreach effort for five projects in construction (San Gabriel Trench, Puente Avenue, Fairway Drive, and Fullerton Road and Durfee Avenue).
Conduct community open house/ public meetings for the Montebello Corridor, Turnbull Canyon and At-Grade Safety Improvements projects.
Conduct groundbreaking ceremony for Durfee Avenue project.
Conduct dedication ceremony for Temple Avenue project.
Plan dedication ceremony for Puente Avenue project.
Plan dedication ceremony for San Gabriel Trench project.

## Project Financing

ACE will continue to utilize the funds from a \$45 million working capital loan from the Los Angeles County Metropolitan Transportation Authority (Metro) to maintain cash flows and bridge the timing gap between project expenditures and reimbursements from our granting agencies. Based on the projected cash flow, ACE will be able to fund the interest expenses on the working capital loan from the proceeds of ACE's short term investments. Investments continue to generate interest income in excess of interest expense.

Because the ACE Construction Authority continues to have no meaningful sources of revenue other than grants and contributions from funding agencies, ACE staff continues to make every effort to ensure that all other expenditures are reimbursable by federal, state or local grants. We use this Budget submittal to annually advise the Board of the cumulative exposure of unreimbursed costs the Authority is incurring. As of this date, we have incurred the following unreimbursed or unreimbursable expenses, dating back to the beginning of the ACE Construction Authority:

FY 1998	\$ 71,185	Expenses incurred by SGVCOG prior to 6/30/98 not reimbursed by MTA
FY 2000	11,298	Net interest cost of loan from City of Industry
FY 2001	2,738	Net interest cost of loan from City of Industry
FY 2006	105,529	Payment to SGVCOG for claimed unreimbursed expenses
	\$ 190,750	Estimated total - project-life-to-date

Based on experience to date, we expect the cumulative surpluses from railroad contributions will be sufficient to pay for our cumulative unreimbursed expense.

## Budget Review and Approval

The proposed budget will be presented to San Gabriel Valley Council of Governments City Manager Steering Committee on June 7, 2017 and to the ACE Board and to the public for consideration at the June 5, 2017 ACE Board Special meeting. Any changes will be incorporated into the approved budget and submitted to the San Gabriel Valley Council of Governments (SGVCOG) for consideration at their June 15, 2017 meeting.

Upon adoption of the FY 2018 budget, staff will continue to provide both the ACE and SGVCOG Governing Board with project status and budget updates on a quarterly basis. ACE's Finance Committee will also be provided a comprehensive discussion of the financial state of the ACE Program at its quarterly meetings.

The FY 2018 budget does not request Board approval for new contracts amendments to existing consultant support contracts. Each consultant support contract authorization will be brought to the Board for necessary action after adoption of the FY 2018 budget

# Budget Glossary

## INDIRECT EXPENSES

### **Personnel**

- Salaries and Wages: Salaries for employees (charged both as indirect and direct expenses).
- Fringe Benefits: Employee benefits such as health insurance, life insurance and pension.

### **Board/Employee Expenses**

- Auto/Travel: Employee travel for business purposes. Includes registration fees and local mileage reimbursement or auto allowance.
- Training/Memberships: Authority and professional memberships; ongoing professional training.
- Board Related Expenses: Per Diem, stipend and Board travel.

### **Professional Services**

- Auditing/Accounting: Financial auditing and accounting services.
- Legal - Agency Support: General Counsel, construction legal and any other legal services not directly chargeable to specific construction projects.
- Program Management: Contracted project administration support which cannot be charged to specific projects. Consists primarily of special studies, community relations, and those activities of our support contractors which address general agency needs.
- State/Federal Advisory Services: State & Federal legislation research, monitoring and funding application services.
- Risk Management: Administrative fee for analyzing insurance requirements, reviewing ACE and contractor policies and obtaining insurance.
- Insurance: Annual insurance premiums
- Equipment Expense: Purchase/lease and maintenance of office equipment such as copiers, printers and computers.
- Office Expense: Rent on ACE office space, including maintenance and miscellaneous expense.
- Office Operations: Office supplies, postage, printing/copying and telephones.

- Other: General advertising, subscriptions, payroll service fees, etc.

## DIRECT EXPENSES

- Betterments: City funded work that City desires to have ACE construct concurrently with project (e.g. street modifications, beautifications)
- Program Management: The portion of overall program management expenses which can be directly charged to projects; consists primarily of design and utility relocation support, land acquisition related services and office support.
- Legal: Legal expenses which can be directly charged to specific projects for land acquisition activities.
- Design: Preparation of project plans, specifications and estimates and support during construction.
- Right of Way Acquisition: Property acquisition costs, closing costs, appraisals, surveys, miscellaneous acquisition support costs.
- Utility Relocation: Costs of relocating utilities, including design.
- Construction Management: Field oversight of construction.
- Railroad: Railroad (UPRR and Metro link) charges to projects for project support, design, procurement and construction.
- Construction: Payment to construction contractors.
- Third Party Review: Payment to outside agencies (e.g., UPRR, Cities, LA County) for their costs to review and approve project designs and submittals.
- UPRR Invoice Review: Use of an outside contractor to review UPRR billings for errors, mischarges, questionable costs, etc.
- Advertising: Cost of advertising construction contracts.
- Utilities (Site): Cost of utilities service to construction sites.



## Alameda Corridor-East Construction Authority

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4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: June 5, 2017

SUBJECT: Re-procurement for Construction Management Services for the Durfee Avenue Grade Separation Project

**RECOMMENDATION:** Receive and File.

**BACKGROUND:** On August 24, 2015, the Board approved the selection of the Parsons Brinckerhoff (PB) for construction management services for the Durfee Avenue Grade Separation Project. On September 28, 2015, the Board authorized the Chief Executive Officer to execute Task Order 1 under this contract for pre-construction construction management services in a not-to-exceed amount of \$119,445.

Task Order 2 which covers services needed during actual construction is typically done shortly after the construction contract has been awarded and was anticipated to be one year from the contract award (approximately August 2016). Unfortunately due to delayed environmental approvals from Caltrans as well as the need to use eminent domain for required rights of way, the bidding and award of a construction contract has been delayed significantly. While Parsons Brinckerhoff (now known as WSP due to being recently acquired by another firm) tried to continue to make available the original key employees identified in their proposal, the significant delay has meant that certain individuals needed to be placed on other projects.

Based on the amount of time elapsed since the original solicitation, as well as the personnel changes, staff will not be recommending to award Task Order 2, and will initiate a new procurement for construction management services with a timeline concurrent with the current project schedule.

**BUDGET IMPACT:** Funds for this contract were included in the approved project budget and include State and Metro funds allocated to this project. The remaining unused contract amount will be sufficient to cover the costs associated with a replacement contract.



## Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: June 5, 2017

SUBJECT: Approval of Contract Amendment with URS Corporation for Design Services for the Durfee Avenue Grade Separation Project

**RECOMMENDATION:** Staff recommends that the Board authorize the Chief Executive Officer to amend the contract with URS Corporation (URS) to add \$391,605 for additional services for the Durfee Avenue grade separation, for a new contract value of \$5,992,522

**BACKGROUND:** In September 2012, the Board approved a contract with URS to design the Durfee Avenue grade separation in the City of Pico Rivera. The current executed contract value is \$5,600,917.

The need for additional funds is to address design revisions by project stakeholders and in support of right-of-way (ROW) property acquisition process, which has taken longer than anticipated. The following design changes are required to get the project out to construction bid, which staff anticipates to release in December 2017:

1. Additional 100% Design Plan Changes – URS originally budgeted for a single 100% design submittal and now anticipates multiple submittals to the City, UPRR and County of Los Angeles in order to address additional comments from the stakeholder. Staff requested additional design changes and exhibits as result of property owner negotiations and transactions, as well as revisions to the temporary construction easements. This task will provide an update the project cost estimate to account for all plan revisions and incorporate any new bid items into the construction bid package. Additional request under this task is \$68,158.
2. Additional Union Pacific Railroad (UPRR) Soil Testing – Based on recent experience on the Fullerton project, staff has requested the designer perform soil testing within the UPRR right of way. The purpose of the testing is to determine the presence and concentration of any hazardous materials that may contribute to additional disposal costs during construction. Additional request under this task is \$32,618.
3. Prepare Additional Plats and Legal (P&Ls) Descriptions - Based on the ongoing ROW acquisition process, staff has identified additional P&Ls that are required to complete the ROW certification for submittal to Caltrans. The task will include providing four new P&Ls and revisions to eight remaining P&Ls. Additional request under this task is \$15,832.

4. Additional Coordination and Administration - This task is to cover the coordination and administrative tasks related to the extension of the final design schedule. Under the previous task order revision, the design completion date was June 2017, current design schedule indicates a final design completion date of December 2017 and ROW and utility coordination will extend to September 2017. Additional request under this task is \$103,155.
  
5. Additional Right of Way Engineering Coordination - This task is to cover the coordination of the URS team with staff and Paragon Partners, ACE's ROW consultant for the project. Due to a number of design issues that affect the property acquisition negotiation, coordination with URS will be required to discuss changes and/or design options that may, or may not, reduce the overall ROW cost for the project. Additional request under this task is \$12,016.
  
6. Additional Constructability Review and Workshop – This task will include a constructability workshop to review the project with the construction management firm. Designer will provide all relevant project materials and will review the construction documents together and discuss changes relevant to completing the design. Additional request under this task is \$45,519.
  
7. Incorporate Changes to Specifications Format Required by UPRR – Beginning with the Durfee project, UPRR recently informed staff that format changes to the construction specifications must be in accordance with UP specifications. Under this task, the designer will review specifications per UPRR requirements and revise as determined necessary. Additional request under this task is \$35,229.
  
8. Provide allowance for design and grant application services - At the request of staff, URS will provide as-needed design and grant application services. With the anticipated 2017 TIGER grant application program estimated to be released this summer, at staff's request, URS will provide assistance in the grant application for submittal to DOT. Additional request under this task is \$79,118.

URS' scope of work is divided by phases; the history of this contract is as follows:

Phase	Executed Amount
1: Preliminary Engineering	\$1,463,436
2: Final Design	\$4,137,481
THIS REQUEST: Additional Final Design	\$391,605
<b>TOTAL</b>	<b>\$5,992,522</b>

**BUDGET IMPACT:** Funds for this contract are available from Federal and Metro grants



## Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 [www.theaceproject.org](http://www.theaceproject.org)

MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: June 2, 2017

SUBJECT: Revised 2017 Meeting Schedule

At the December, 2016 the ACE Board approved the meeting schedule for calendar year 2017. In January the Board approved San Gabriel representative Juli Costanzo as Chair and the meetings were moved to San Gabriel City Hall. The ACE Construction Authority Board of Directors has indicated a preference for the meeting time to be 11AM rather than 1PM. The dates for the Board of Director meetings for the remainder of the year will remain as follows:

BOARD MEETING

June 5\*

June 26

July 24

August 28

September 25

October 23

November 27

December 18\*

FINANCE COMMITTEE MEETING

July 27

October 26

\*Changed due to holiday or schedule conflicts.