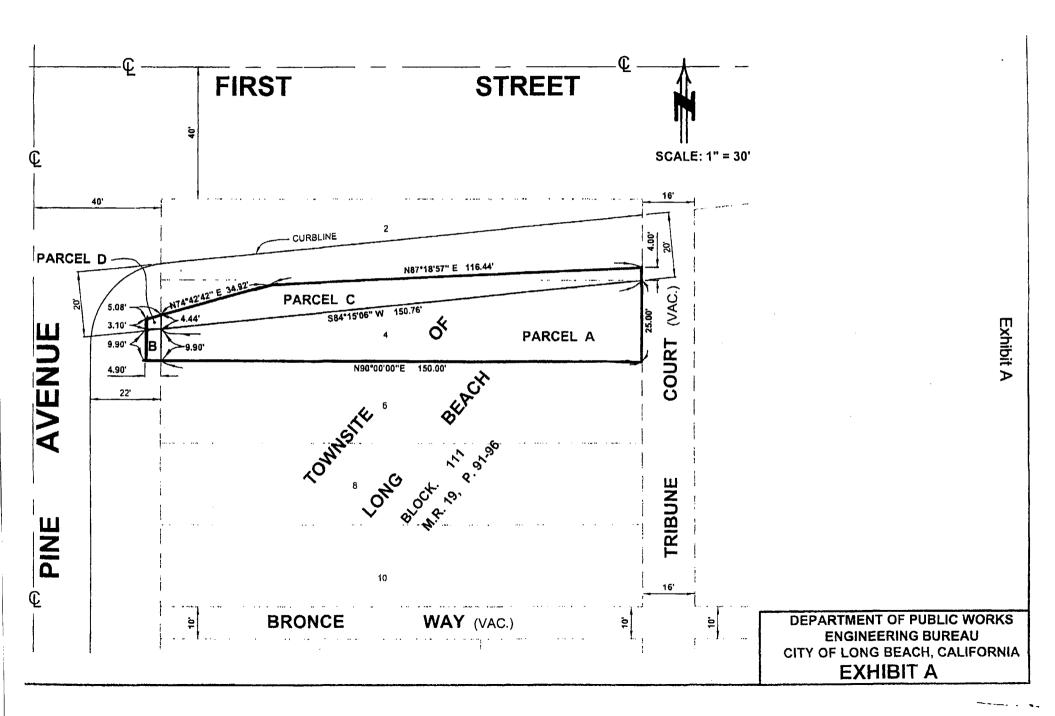
LONG BEACH TRANSIT / VISITOR CENTER



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Planning and Building Depategorical Exemption CEP-Community Planning

NOTICE OF EXEMPTION

Office of Planning & Research 1400 Tenth street, Room 121

CITY OF

LONG

Sacramento, CA 95814

From: Department of Planning & Building 333 W. Ocean Blvd., 5th Floor Long Beach, CA 90802

X L. A. County Clerk **Environmental Filings** 12400 E. Imperial Hwy. 2nd Floor, Rm. 2001 Norwalk, CA 90650

| Project Title: Long Beach Transit / Visitor Information Center | | |
|---|--|--|
| Project Location - Specific: 110 First St SEC Pine & First St. | | |
| Project - City: Long Beach Project Location - County: Los Angeles | | |
| Activity Description: Construction of a 1,900 sq. ft. Transit & Visitor Information | | |
| Center building, Type II, Non-rated | | |
| Name of Public Agency Approving Project: Long Beach Redevelopment Agency | | |
| Name of Person or Agency Carrying Out Project: Long Beach Transportation Company (Printed Name) | | |
| 1963 E. Anaheim St., Long Beach, CA 90813 | | |
| (Mailing Address) | | |
| (562) 591-8753 BA (aus) | | |
| (Telephone) (Signature) | | |
| | | |
| LONG BEACH CITY PLANNING COMMISSION | | |

| LONG BEACH CITY PLANNING | COMMISSION |
|---|--|
| Statement of Support for this finding: Alw Const fue to Lead Agency Contact Person: Alway Date: 171 04 Signature: Date: 171 04 | rdance with the State Guidelines Section on under 5,000 Sq. 4 Code/Telephone: (562) 5706357 Title: Smylenmenta () 4 cer |
| Signed by Applicant | Charge Point: CDR4DEVPRJ Proj. / Dtl. CDR4DV VCPN Grant CDRCYL |
| 16 2004 | 04 0013062 |

Exhibit C

SUMMARY REPORT PURSUANT TO

SECTION 33433 OF THE

CALIFORNIA HEALTH AND SAFETY CODE

REGARDING A DISPOSITION AND DEVELOPMENT AGREEMENT

BY AND BETWEEN THE

REDEVELOPMENT AGENCY OF THE CITY OF LONG BEACH

AND

LONG BEACH PUBLIC TRANSPORTATION COMPANY

I. INTRODUCTION

The California Health and Safety Code, Section 33433, provides that if a redevelopment agency wishes to sell or lease any property to which it holds title and if that property was acquired in whole or in part, directly or indirectly, with tax increment funds, the agency must first secure approval of the proposed sale or lease from its local legislative body (the City Council) by resolution after a public hearing. The following Summary Report (the "Report") documents the Disposition and Development Agreement (the "Agreement") by and between the Redevelopment Agency of the City of Long Beach (the "Agency") and the Long Beach Public Transportation Company (the "Developer") for Agency-owned property in the Downtown Long Beach Project Area (the "Project Area").

As contained in the Health and Safety Code, the following information shall be included in the Report:

- 1. The cost of the proposed agreement to the Agency, including land acquisition costs, site clearance costs, relocation costs, the costs of any improvements to be provided by the Agency, plus the expected interest on any loans or bonds to finance the agreement;
- 2. The estimated value of the interest to be conveyed or leased, determined at the highest and best use permitted under the redevelopment plan;

33433 Summary Report Long Beach Transportation Company 110 E. First Street – SEC Pine Avenue and 1st Street Page 2 of 7

- 3. The estimated value of the interest to be conveyed or leased determined at the use and with the conditions, covenants and development costs required by the sale or lease; and the purchase price or present value of the lease payments, which the lessor will be required to make during the term of the lease. If the sale price or total rental amount is less than the fair market value of the interest to be conveyed or leased, determined at the highest and best use consistent with the redevelopment plan, then the Agency shall provide as part of the summary an explanation or the reasons for the difference; and
- 4. An explanation of why the sale or lease of the property will assist in the elimination of blight, with reference to all supporting facts and materials relied upon in making this explanation.

Section 33433 also requires a finding to be included in the resolution approving the sale or lease that the transaction is consistent with the implementation plan adopted pursuant to Section 33490 (the "AB 1290 Implementation Plan"). The basis for this finding with regard to the subject agreement is discussed at the close of this Report.

The Report outlines the salient parts of the Agreement, which provides for the disposition and development of certain real property as depicted on the Site Map and as described in the Legal Description, attached hereto as Attachments 1 and 2. The Report is organized into the following seven sections:

- Salient Points of the Agreement This section includes a description of the property, the proposed utilization of the property, and a summary of the major responsibilities of the Agency and the Developer under the Agreement.
- Cost of the Agreement to the Agency This section outlines the cost of the proposed Agreement to the Agency.
- 3. <u>Estimated Value of the Interest to be Conveyed</u> This section summarizes the value of the property to be conveyed to the Developer at the highest and best use permitted under the Redevelopment Plan.
- 4. <u>Estimated Reuse Value of the Interest to be Conveyed</u> This section identifies the estimated reuse value of the interest to be conveyed, determined at the use and with the conditions, covenants and development costs required by the Agreement.

33433 Summary Report Long Beach Transportation Company 110 E. First Street – SEC Pine Avenue and 1st Street Page 3 of 7

- 5. <u>Purchase Price and Comparison with Fair Reuse Value</u> This section contains a comparison of the purchase price and the fair reuse value of the interest to be conveyed
- 6. <u>Blight Elimination</u> This section provides an explanation of how the implementation of the Agreement will assist in the elimination of blight within the Project Area.
- 7. Consistency with the Implementation Plan This section describes how the Agreement is in conformance with the Agency's adopted AB 1290 Implementation Plan for the Project Area.

II. SALIENT POINTS OF THE AGREEMENT

A. Property Description

The property to be acquired by the Developer (the "Site") is that portion of the Project Area located at 110 E. First Street on the southeast corner of Pine Avenue and First Street (see Site Map). The Site is currently owned by the Agency.

B. The Proposed Utilization of the Property

The Developer proposes to purchase the Site and construct a Transit and Visitor Information Center with transit and public information walk-up windows, bus driver layover room, lost & found storage, finance offices, computer/equipment room, and public and private restrooms. This use is consistent with the goals of the Redevelopment Plan.

C. Major Responsibilities of the Developer

Under the Agreement, the Developer agrees to accept all of the following responsibilities:

- 1. The Developer will pay the Agency the purchase price of \$1.00 for the approximately 2,670 square feet Site;
- 2. The Developer will pay one-half of the escrow fee;
- 3. The Developer will pay for the Developer's share of the premium for the title insurance policy and recording fees as appropriate;

33433 Summary Report
Long Beach Transportation Company
110 E. First Street – SEC Pine Avenue and 1st Street
Page 4 of 7

- The Developer will comply with the Agency's Percent for Public Art requirements;
- 5. The Developer will secure necessary permits for all site work;
- The Developer will utilize the Site in accordance with the Redevelopment Plan and all applicable City codes and regulations, including providing appropriate landscaping, screening, and parking;
- 7. The Developer agrees that the Site shall be maintained in a clean and attractive condition at all times and in accordance with Project Area guidelines and the Redevelopment Plan;
- The Developer will vacate the premises located at 223 E. First Street and quitclaim to the Agency all of Developer's interest in improvements located at 223 E. First Street.
- 9. The Developer agrees to relocate sewers, drains, water and gas distribution lines, electric, telephone and telegraph lines, and all other public utility lines, installations, and facilities as are necessary to be installed or relocated outside the Site by reason of any development of the Site.

D. Major Responsibilities of the Agency

Under the Agreement, the Agency agrees to accept all of the following responsibilities:

- The Agency will transfer the Site to the Developer in return for a payment of \$1.00;
- 2. The Agency will pay one-half of the escrow fee;
- 3. The Agency will pay the Agency's share of the premium for the title insurance policy and recording fees as appropriate; and
- 4. The Agency will provide all proper assistance to the Developer in securing necessary permits for all site work.
- The Agency will cooperate with the Developer in its efforts to cause the City to vacate a portion of the sidewalk located on Pine Avenue, which is necessary for the development of the Site.

33433 Summary Report Long Beach Transportation Company 110 E. First Street – SEC Pine Avenue and 1st Street Page 5 of 7

III. COST OF THE AGREEMENT TO THE AGENCY

The Site was originally purchased by the Agency in 1987 as part of a larger parcel, the majority of which was used to widen First Street for the construction of the transit mall in downtown Long Beach. The cost to the Agency for the larger parcel was approximately \$3.03 million, which was attributed in its entirety to the land used for the transit mall. The small remaining remnant has odd dimensions and little utilitarian value.

The Agency did not incur any separate, unallocated costs to assemble this parcel. The only costs associated with this agreement are the estimated expenses associated with the disposition process itself and minor expenses related to the vacation of a portion of the sidewalk at First Street and Pine Avenue. These costs are outlined below. The total estimated cost to the Agency is \$20,500.

While there are no direct land sale proceeds, the Developer will be transferring interest in its existing 300 square foot building located on the amphitheater property on the north side of First Street just east of The Promenade. This building has an estimated value of \$30,000. There are no tax increment revenues associated with this transaction since the Developer is a government agency exempt from the payment of real property tax.

When costs of the Agreement are compared to revenues, the Agency makes a profit of \$9,500.

| Property Acquisition Costs Maintenance Environmental Report Escrow and Title Costs Legal/Appraisal/Consulting Fees Estimated Staff Time & Overhead Demolition and Site Clearance Relocation Costs | \$ 0 10,000 1,000 1,000 3,500 5,000 0 |
|--|---|
| On-Site/Off-Site Improvements | 0 |
| Estimated Total Agency Costs Less Value of Improvements Received | \$ 20,500 \$ 30,000 |
| Net Cost (Benefit) to Agency | (\$ 9,500) |

33433 Summary Report Long Beach Transportation Company 110 E. First Street – SEC Pine Avenue and 1st Street Page 6 of 7

IV. ESTIMATED VALUE OF THE INTEREST TO BE CONVEYED AT THE HIGHEST AND BEST USE PERMITTED UNDER THE REDEVELOPMENT PLAN

The Redevelopment Plan for the Project Area and the City of Long Beach General Plan and Zoning Ordinance specify that the Site be zoned for general commercial use, i.e. a one-story small retail structure. Based on land values in the area alone, the site would have an estimated market value based on recent land sales in the area of approximately \$55.00 per square foot or \$146,850. However, the Agency has attempted to sell the remnant for this use in the past and has been unsuccessful, indicating that its odd shape and small size severely limit its utility and therefore its market value.

V. ESTIMATED REUSE VALUE OF THE INTEREST TO BE CONVEYED DETERMINED BASED ON THE USE AND WITH THE CONDITIONS, COVENANTS AND DEVELOPMENT COSTS REQUIRED BY THE AGREEMENT

The conditions, covenants, and development costs required in the Agreement contain four unique restrictions related to the reuse of the Site. First, the site must be used in conjunction with the transit mall. Second, the Developer must convey its interest in a structure located about one block to the east of the Site on First Street which has a fair market value approximately equal to the land value of the Site given its minimal utilitarian value. Third, the Developer must contribute one percent of its development costs to public art, which is estimated at \$20,000. Fourth, the Developer must pay prevailing wage on the construction of the Project. Under these conditions, the reuse value of the parcel is \$1.00 and the other valuable consideration in the Agreement.

VI. PURCHASE PRICE TO BE PAID BY THE DEVELOPER AND COMPARISON WITH FAIR REUSE MARKET VALUE

The Site will be sold to the Developer for \$1.00 and other valuable consideration, which consists of transferring title to the Developer's building located at the northeast corner of First Street and The Promenade. This consideration is equal to the established fair reuse value and the highest use allowed by the Redevelopment Plan.

VII. BLIGHT ELIMINATION

The following identifies blighting conditions that are relevant to this Site:

1. Underutilized parcels; and

33433 Summary Report
Long Beach Transportation Company
110 E. First Street – SEC Pine Avenue and 1st Street
Page 7 of 7

2. Crime and the perception of a lack of personal security.

The Project will develop a vacant piece of land downtown that currently provides a haven for homeless in the area and will use that property to improve transportation and signage to create a sense of orientation and ease of access to and from the Project Area. Thus, the Project fulfills the blight elimination requirement.

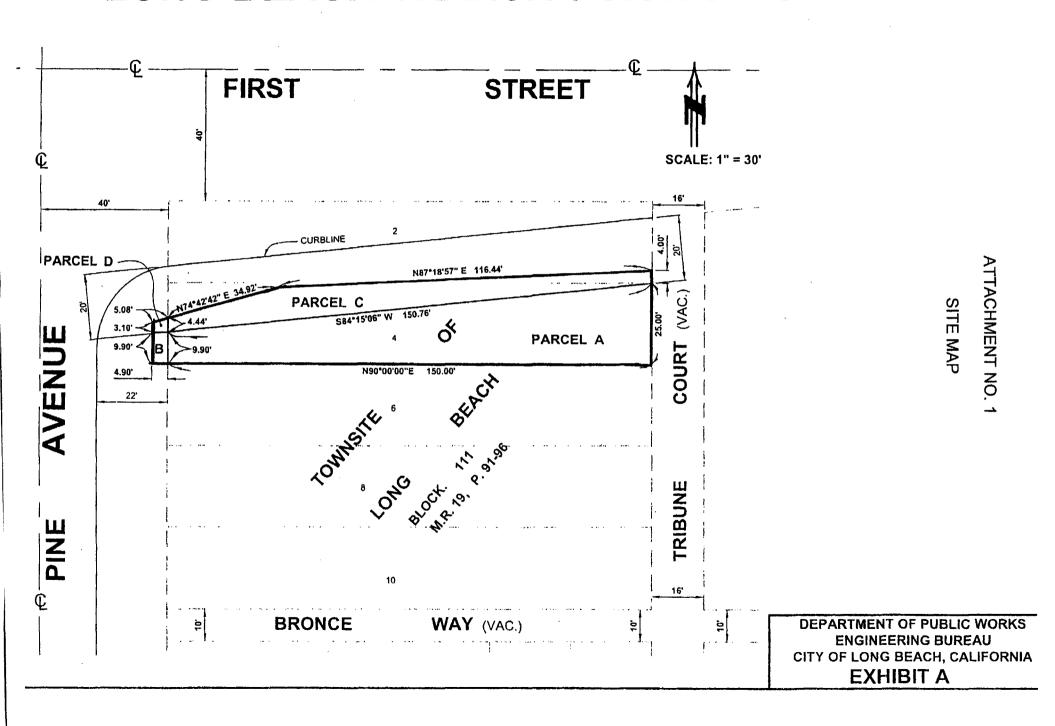
VIII. CONFORMITY TO AB 1290 IMPLEMENTATION PLAN

The Project conforms to several of the objectives defined in the Five-Year Implementation Plan adopted by the Agency in December 2004. The pertinent goals and objectives that are satisfied by the Project are:

- Encourage diversity and choice in the Project Area by promoting opportunities for cultural events and facilities.
- Create a secure environment in the Project Area for residents, shoppers and workers and encourage pedestrian usage during daytime, evenings, and weekends.
- Promote development in the Project Area that provides economic benefits to the entire community, through the replanning, redesign and development of the portions of the Project Area that are vacant, improperly utilized, or not being utilized to their highest and best use.
- Create a flexible approach to development in the Project Area, which will be responsive to changing market conditions.
- Improve transportation and signage systems to create a sense of orientation and ease of access to and from the Project Area, while managing parking opportunities so as to provide adequate parking for anticipated needs.

The Project will fulfill these objectives by developing a vacant site and by providing the Project area with a transit and visitor's information center that will promote the use of transit into and around the Downtown area and provide residents and visitors in the Downtown area with useful information about events in the area and in the region.

LONG BEACH TRANSIT / VISITOR CENTER



ATTACHMENT NO. 2

LEGAL DESCRIPTON OF SITE

APN: 7280-029-913 through -914

The land referred to herein is situated in the State of California, County of Los Angeles, described as follows:

PARCEL A: (7280-029-914)

THAT CERTAIN PROPERTY LOCATED IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, COMMONLY KNOWN AS 40 PINE AVENUE, AND DESCRIBED AS FOLLOWS:

LOT 4, BLOCK 111, OF THE TOWN SITE OF LONG BEACH, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOLK 19, PAGE 91 THROUGH 96 OF MISCELLANEOUS RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT; THENCE NORTH 9.90 FEET ALONG THE WESTERLY LINE OF SAID LOT; THENCE NORTH 84°15'06" EAST 150.76 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT; THENCE SOUTH 25.00 FEET ALONG THE EASTERLY LINE OF SAID LOT TO THE SOUTHEASTERLY CORNER OF SAID LOT; THENCE WEST 150.00 FEET ALONG THE SOUTHERLY INE OF SAID LOT TO THE TRUE POINT OF BEGINNING.

PARCEL B: (7280-029-914)

THE EASTERLY 4.90 FEET OF PINE AVENUE, 80 FEET IN WIDTH, AS SHOWN ON THE MAP OF THE TOWN SITE OF LONG BEACH, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS RECORDED IN BOOK 19, PAGES 91 THROUGH 96, OF MISCELLANEOUS RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING NORTH OF THE WESTERLY PROLONGATION OF THE SOUTH LINE OF LOT 4 IN BLOCK 111, OF SAID TOWN SITE, AND LYING SOUTH OF A LINE 9.90 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF LOT 4.

PARCEL C: (7280-029-913)

BEING A PORTION OF LOTS 2 AND 4 IN BLOCK 111 OF THE TOWNSITE OF LONG BEACH, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 19, PAGES 91 THROUGH 96, INCLUSIVE OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

Legal Description/110 E First/rsw

Attachment No. 2

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTH 0°00'00" EAST 9.90 FEET ALONG THE WEST LINE OF SAID LOT TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 0°00'00" EAST 4.44 FEET; THENCE LEAVING SAID WEST LINE NORTH 74°42'42: EAST 34.92 FEET; THENCE NORTH 87°18'57" EAST 116.44 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2; SAID POINT BEING DISTANT NORTH 0°00'00" EAST 4.00 FEET FROM THE NORTHEAST CORNER OF SAID LOT 4; THENCE ALONG SAID EAST LINE, SOUTH 0°00'00"WEST 4.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE LEAVING SAID EAST LINE AND ALONG THE NORTHWESTERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO REDEVELOPMENT AGENCY OF THE CITY OF LONG BEACH PER DOCUMENT RECORDED MARCH, 13, 1996 AS INSTRUMENT NO. 96-404575, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTHWESTERLY LINE, SOUTH 84°15'06" WEST 150.76 FEET TO WEST LINE OF SAID LOT 2 AND THE TRUE POINT OF BEGINNING.

PARCEL D:

A PORTION OF PINE AVENUE, 80 FEET IN WIDTH, AS SHOWN ON THE MAP OF THE TOWNSITE OF LONG BEACH, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 19, PAGES 91 THROUGH 96, INCLUSIVE OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

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End of Legal Description.

Robert E. Shannon City Attorney of Long Beach 333 West Ocean Boulevard Long Beach, California 90802-4664 Telephone (562) 570-2200

RESOLUTION NO. C-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH APPROVING THE PROPOSED DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA, AND LONG BEACH TRANSPORTATION COMPANY; FINDING THAT THE CONSIDERATION FOR THE SALE OF CERTAIN REAL PROPERTY IN THE DOWNTOWN LONG BEACH REDEVELOPMENT PROJECT IS NOT LESS THAN FAIR MARKET VALUE IN ACCORDANCE WITH COVENANTS AND CONDITIONS GOVERNING SUCH SALE; AND APPROVING THE SALE OF THE PROPERTY AND THE DISPOSITION AND DEVELOPMENT AGREEMENT

WHEREAS, the Redevelopment Agency of the City of Long Beach,
California (the "Agency"), is engaged in activities necessary to execute and implement
the Redevelopment Plan for the Downtown Long Beach Redevelopment Project (the
"Project"); and

WHEREAS, in order to implement the Redevelopment Plan, the Agency proposes to sell certain real property (the "Property") in the Project pursuant to the terms and provisions of the Disposition and Development Agreement and which Property is described in Exhibit "A" which is attached and incorporated by reference; and

WHEREAS, Long Beach Transportation Company (the "Developer"), has submitted to the Agency a written offer in the form of a Disposition and Development Agreement to purchase the Property for not less than fair market value for uses in accordance with the Redevelopment Plan and the covenants and conditions of the

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Disposition and Development Agreement; and

WHEREAS, the proposed Disposition and Development Agreement contains all the provisions, terms and conditions and obligations required by Federal, State and local law; and

WHEREAS, Developer possesses the qualifications and financial resources necessary to acquire and insure development of the Property in accordance with the purposes and objectives of the Redevelopment Plan; and

WHEREAS, the Agency has prepared a summary setting forth the cost of the Disposition and Development Agreement to the Agency, the estimated value of the interest to be conveyed, determined at the highest uses permitted under the Redevelopment Plan and the purchase price and has made the summary available for public inspection in accordance with the California Redevelopment Law; and

WHEREAS, the Agency has certified that this conveyance is categorically exempt from review under the California Environmental Quality Act; and

WHEREAS, pursuant to the provisions of the California Community Redevelopment Law, the City Council of the City of Long Beach held a public hearing on the proposed sale of the Property and the proposed Disposition and Development Agreement after publication of notice as required by law; and

WHEREAS, the City Council has duly considered all terms and conditions of the proposed sale and believes that the redevelopment of the Property pursuant to the proposed Disposition and Development Agreement is in the best interests of the City and the health, safety, morals and welfare of its residents and in accord with the public purposes and provisions of applicable Federal, State and local law;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

The City Council finds and determines that the consideration Section 1. for sale of the Property pursuant to the Disposition and Development Agreement is not less than fair market value in accordance with covenants and conditions governing the

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sale, and the Council further finds and determines that the consideration for the sale of the Property, determined at the highest and best use under the Redevelopment Plan, is necessary to effectuate the purposes of the Redevelopment Plan for the Project. Sec. 2. The sale of the Property by the Agency to Developer and the Disposition and Development Agreement which establish the terms and conditions for the sale and development of the Property are approved. Sec. 3. The sale and development of the Property shall eliminate blight within the Project Area and is consistent with the implementation plan for the Project adopted pursuant to Health and Safety Code Section 33490. Sec. 4. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to the vote adopting this resolution. I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of ______, 2005, by the following vote: Councilmembers: Ayes: Noes: Councilmembers: Absent: Councilmembers: City Clerk

HAM:fl

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EXHIBIT A

LEGAL DESCRIPTON OF SITE

APN: 7280-029-913 through -914

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Legal Description/110 E First/rsw

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End of Legal Description.