

RESOLUTION NO. R.A. 04-2010

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA, FINDING AND DETERMINING THE PUBLIC INTEREST AND NECESSITY FOR ACQUIRING AND AUTHORIZING THE CONDEMNATION OF INTERESTS IN CERTAIN REAL PROPERTY (1925 EAST PACIFIC COAST HIGHWAY) LOCATED WITHIN THE CENTRAL LONG BEACH REDEVELOPMENT PROJECT AREA

WHEREAS, the Redevelopment Agency of the City of Long Beach, California ("Agency"), pursuant to the provisions of the Community Redevelopment Law of the State of California, Health and Safety Code Section 33000, *et seq.*, is engaged in redevelopment activities necessary for the execution of the Redevelopment Plan ("Redevelopment Plan") for the Central Long Beach Redevelopment Project Area ("Redevelopment Project"); and

WHEREAS, the Agency desires to implement the Redevelopment Plan for the Redevelopment Project by acquiring interests in real property necessary for the construction of roadway, intersection and related improvements at the intersection of Cherry Avenue and East Pacific Coast Highway, commonly known as 1925 East Pacific Coast Highway, in the City of Long Beach, State of California, more particularly described as follows:

Fee Interests

*Northerly portion:*

THAT PORTION OF LOTS 23 AND 24 OF TRACT NO. 1319, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF

CALIFORNIA, AS PER MAP RECORDED IN BOOK 21 PAGE 137, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF SAID LOT 24 AND A LINE THAT IS PARALLEL WITH AND 15.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE SOUTHERLY LINE OF SAID LOT 24; THENCE ALONG SAID PARALLEL LINE SOUTH 90°00'00" WEST 27.00 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 15.00 FEET, SAID CURVE IS ALSO TANGENT TO A LINE PARALLEL WITH AND 12.00 FEET WESTERLY, MEASURED AT RIGHT ANGLES, FROM SAID EASTERLY LINE OF SAID LOT 24; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 23.56 FEET TO LAST SAID PARALLEL LINE; THENCE ALONG LAST SAID PARALLEL LINE AND IT'S NORTHERLY PROLONGATION, NORTH 0°00'00" EAST 70.00 FEET TO THE NORTHERLY LINE OF SAID LOT 23; THENCE ALONG SAID NORTHERLY LINE NORTH 90°00'00" EAST 12.00 FEET TO THE EASTERLY LINE OF SAID LOT 23; THENCE ALONG THE EASTERLY LINES OF SAID LOTS 23 AND 24 SOUTH 0°00'00" WEST 85.00 FEET TO THE POINT OF BEGINNING.

AREA: 1068 SQ. FT.  
APN 7216-032-019

(Depicted in Addendum 1 hereto.)

*Southerly Portion:*

THAT PORTION OF LOT 24 OF TRACT NO. 1319, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 21 PAGE 137, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF SAID LOT 24 AND A LINE THAT IS PARALLEL WITH AND 13.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE SOUTHERLY LINE OF SAID LOT 24; THENCE ALONG SAID PARALLEL LINE SOUTH 90°00'00" WEST 39.89 FEET; THENCE NORTH 0°00'00" WEST 2.00 FEET TO A LINE PARALLEL WITH AND 15.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM SAID SOUTHERLY LINE OF SAID LOT 24; THENCE ALONG LAST SAID PARALLEL LINE NORTH 90°00'00" EAST 39.89 FEET TO THE EASTERLY LINE OF SAID LOT 24; THENCE ALONG SAID EASTERLY LINE SOUTH 0°00'00" WEST 2.00 FEET TO THE POINT OF BEGINNING.

AREA: 80 SQ. FT.  
APN 7216-032-019

(Depicted in Addendum 2 hereto.)

Temporary Construction Easement

THOSE PORTIONS OF LOTS 23 AND 24 OF TRACT NO. 1319, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 21, PAGE 137 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 24;

THENCE ALONG THE SOUTH LINE OF SAID LOT 24, SOUTH 90°00'00" WEST, A DISTANCE OF 39.89 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 00°00'00" EAST, A DISTANCE OF 15.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 10.00 FEET TO A LINE THAT IS PARALLEL WITH AND 55.00 FEET NORTHERLY OF THE CENTERLINE OF PACIFIC COAST HIGHWAY AS SHOWN ON THE MAP OF SAID TRACT NO. 1319; .

THENCE NORTH 90°00'00" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 12.89 FEET TO THE BEGINNING OF A TANGENT CURVE, HAVING A RADIUS OF 5.00 FEET AND BEING CONCAVE TO THE NORTHWEST;

THENCE EASTERLY AND NORTHERLY ALONG SAID TANGENT CURVE THROUGH AN INTERNAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 7.85 FEET TO A LINE THAT IS PARALLEL WITH AND 52.00 FEET WESTERLY OF THE CENTERLINE OF CHERRY AVENUE AS SHOWN ON THE MAP OF SAID TRACT NO. 1319;

THENCE NORTH 00°00'00" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 70.00 FEET TO THE NORTH LINE OF SAID LOT 23;

THENCE NORTH 90°00'00" EAST ALONG SAID NORTH LINE, A DISTANCE OF 10.00 FEET TO A LINE THAT IS PARALLEL WITH AND 42.00 FEET WESTERLY OF THE CENTERLINE OF SAID CHERRY AVENUE;

THENCE SOUTH 00°00'00" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 70.00 FEET TO THE BEGINNING OF A TANGENT CURVE, HAVING A RADIUS OF 15.00 FEET AND BEING CONCAVE TO THE NORTHWEST;

THENCE SOUTHERLY AND WESTERLY ALONG SAID TANGENT CURVE THROUGH AN INTERNAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 23.56 FEET TO A LINE THAT IS PARALLEL WITH AND 45.00 FEET NORTHERLY OF THE CENTERLINE OF SAID PACIFIC COAST HIGHWAY;

THENCE NORTH 90°00'00" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 12.89 FEET TO THE TRUE POINT OF BEGINNING.

Approximately 986 square feet.

Said temporary easement shall extend for a period of six (6) months commencing forty-eight (48) hours after Agency provides notice to the owner of the area of its intent to commence construction.

APN: 7216-032-019

(Depicted in Addendum 3 hereto.)

Hereinafter together referred to as the "Subject Property."

WHEREAS, the Agency has given written notice by first-class mail at least fifteen (15) days prior to the date of this resolution to those persons whose property interest is to be acquired by eminent domain; and

WHEREAS, the Agency's notice to those persons sets forth the intent of the Agency to adopt a Resolution of Necessity for acquisition by eminent domain of the Subject Property, and further provides that such persons shall have a right to appear and to be heard on the matters referred to in Code of Civil Procedure Section 1240.030, and further provides that failure of such persons to file a written notice of intent to appear and to be heard within fifteen (15) days following the date of mailing of the Agency's notice shall result in a waiver of such right, and further contained all of the other matters required by Code of Civil Procedure Section 1245.235.

NOW, THEREFORE, the Redevelopment Agency of the City of Long Beach, California, FINDS, DETERMINES, DECLARES AND RESOLVES as follows:

Section 1. The public interest and necessity requires the acquisition of the Subject Property for a public use, to wit, the construction of roadway, intersection

and related improvements at the intersection of Cherry Avenue and East Pacific Coast Highway in the City of Long Beach.

Section 2. The Agency is authorized to acquire the Subject Property pursuant to the California Community Redevelopment Law, including, but without limitation, Health and Safety Code Section 33391(b).

Section 3. The Redevelopment Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

Section 4. The Subject Property is necessary for the proposed project.

Section 5. The offer required by Government Code Section 7267.2(a), together with the accompanying statement of, and summary of the basis for, the amount established as just compensation, was made to the owner or owners of the Subject Property, which offer and accompanying statement/summary were in a form and contained all of the factual disclosures provided by Government Code Section 7267.2(a).

Section 6. The Agency is hereby authorized and empowered to acquire the Subject Property by condemnation in its name to be used for said public purposes in accordance with the provisions of the Code of Civil Procedure, the California Community Redevelopment Law, and the Constitution of California relating to eminent domain.

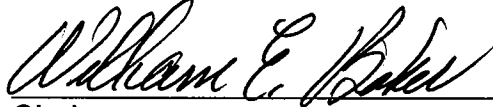
Section 7. The Long Beach City Attorney's office, as the Agency's general counsel, is hereby authorized to engage special counsel to prepare and prosecute in the name of the Agency such proceeding or proceedings in the court having jurisdiction thereof as are necessary for such acquisition; and to prepare and file such pleadings, documents, and other instruments and to make such arguments and

generally to take such action as may be necessary in the opinion of said attorneys to acquire for the Agency the Subject Property. Said attorneys are specifically authorized to take whatever steps and/or procedures are available to them under the eminent domain law of the State of California.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of Long Beach, California, on this 1st day of February, 2010.

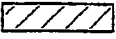
  
\_\_\_\_\_  
Executive Director/Secretary

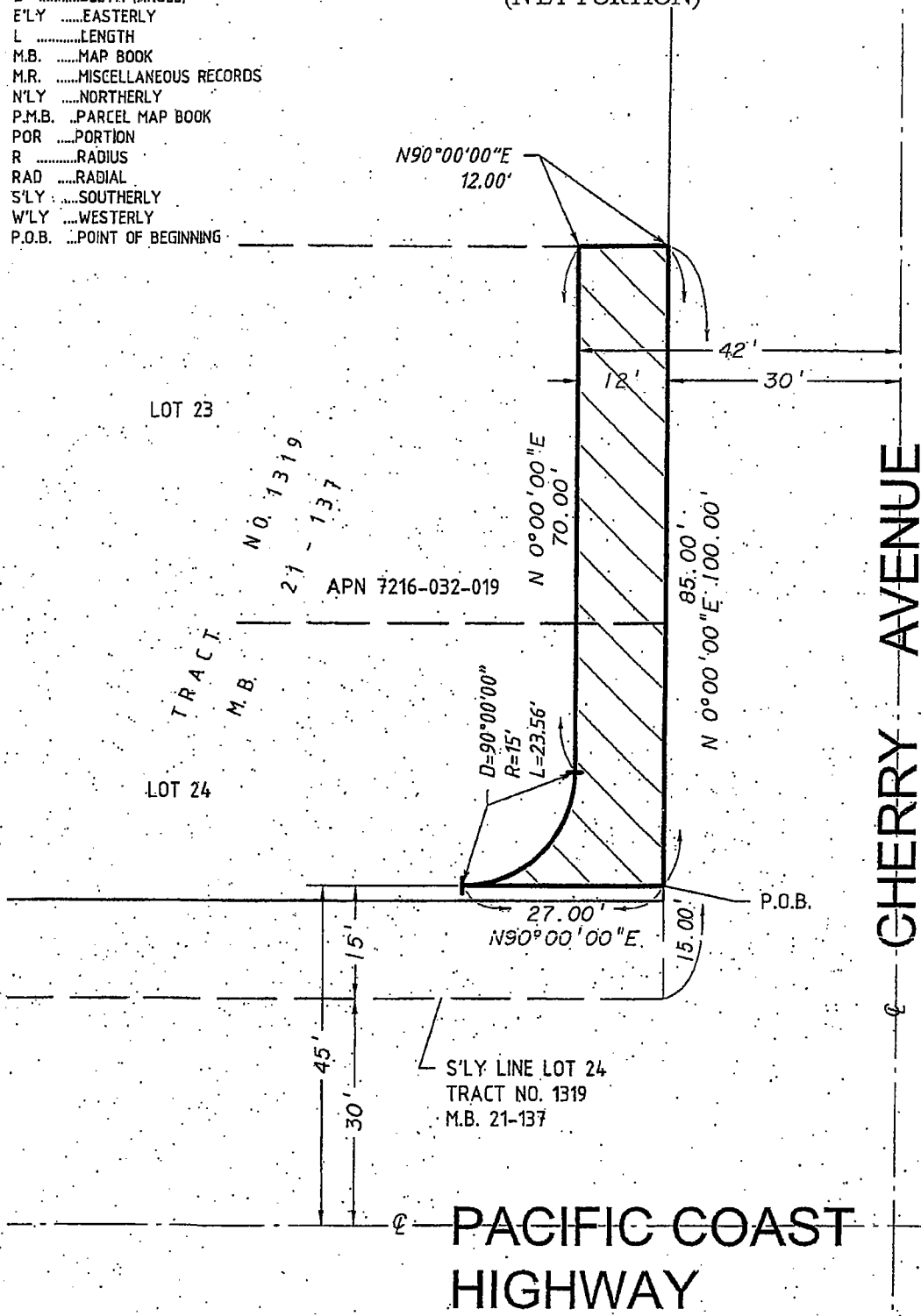
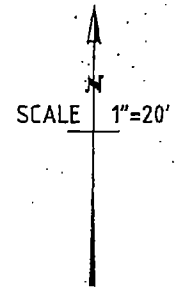
APPROVED:

  
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Chair

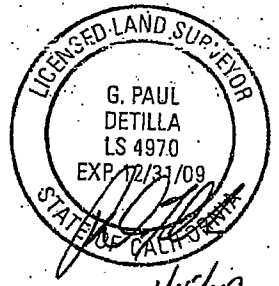
**ADDENDUM 1**

**SKETCH OF  
STREET DEDICATION  
APN 7216-032-019  
(N'LY PORTION)**

- LEGEND:
-  INDICATES PROPOSED STREET DEDICATION
  - APN .....ASSESSOR PARCEL NUMBER
  - D .....DELTA (ANGLE)
  - E'LY .....EASTERLY
  - L .....LENGTH
  - M.B. ....MAP BOOK
  - M.R. ....MISCELLANEOUS RECORDS
  - N'LY .....NORTHERLY
  - P.M.B. ....PARCEL MAP BOOK
  - POR .....PORTION
  - R .....RADIUS
  - RAD .....RADIAL
  - S'LY .....SOUTHERLY
  - W'LY .....WESTERLY
  - P.O.B. ....POINT OF BEGINNING



**CHERRY AVENUE**

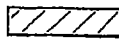


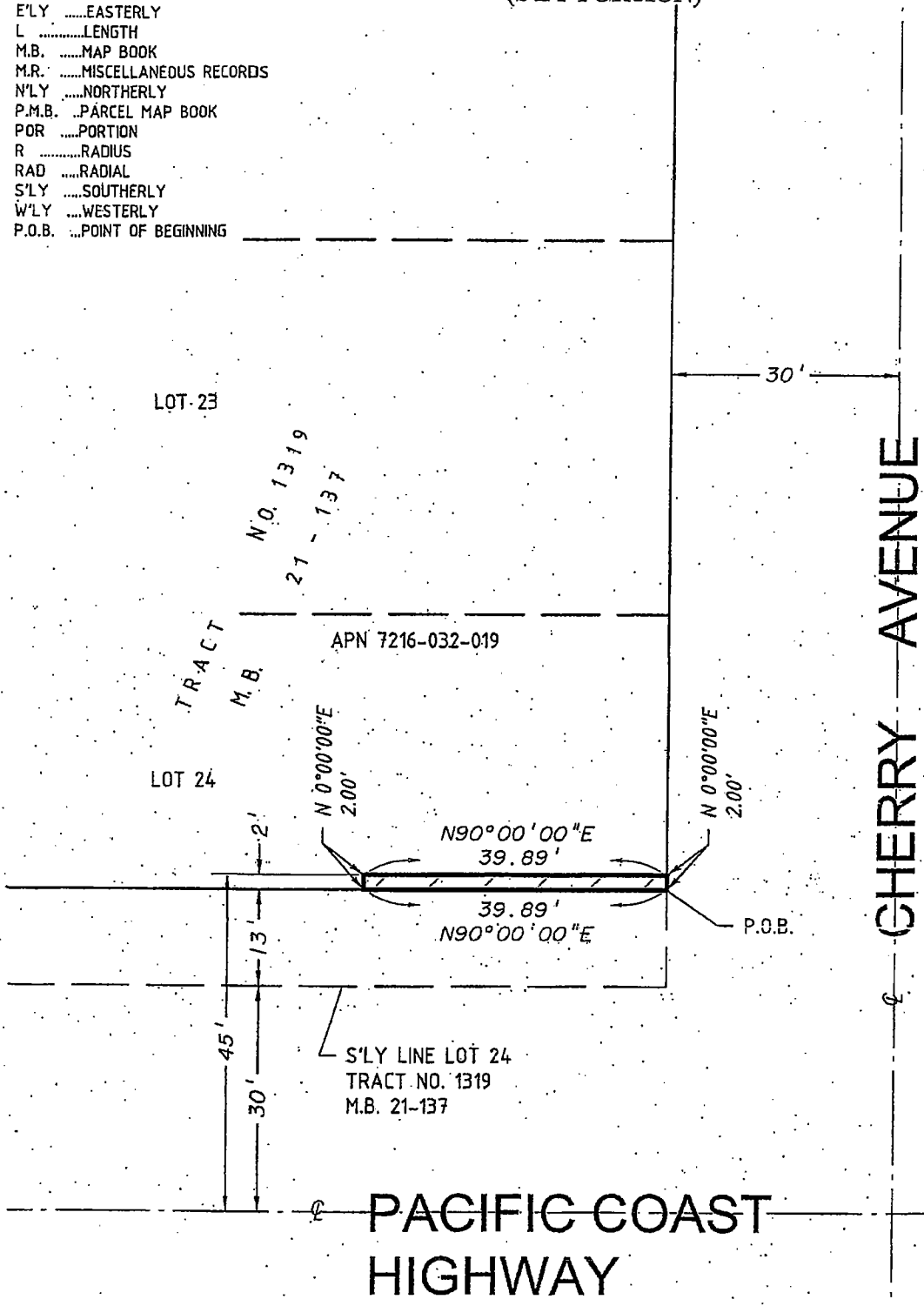
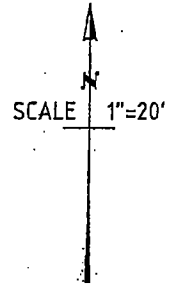
**PACIFIC COAST  
HIGHWAY**

ADDENDUM 2

SKETCH OF  
STREET DEDICATION  
APN 7216-032-019  
(S'LY PORTION)

LEGEND:

-  INDICATES PROPOSED STREET DEDICATION
- APN .....ASSESSOR PARCEL NUMBER
- D .....DELTA (ANGLE)
- E'LY .....EASTERLY
- L .....LENGTH
- M.B. ....MAP BOOK
- M.R. ....MISCELLANEOUS RECORDS
- N'LY .....NORTHERLY
- P.M.B. ....PARCEL MAP BOOK
- POR .....PORTION
- R .....RADIUS
- RAD .....RADIAL
- S'LY .....SOUTHERLY
- W'LY .....WESTERLY
- P.O.B. ....POINT OF BEGINNING





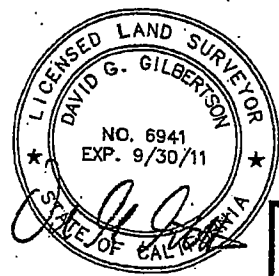
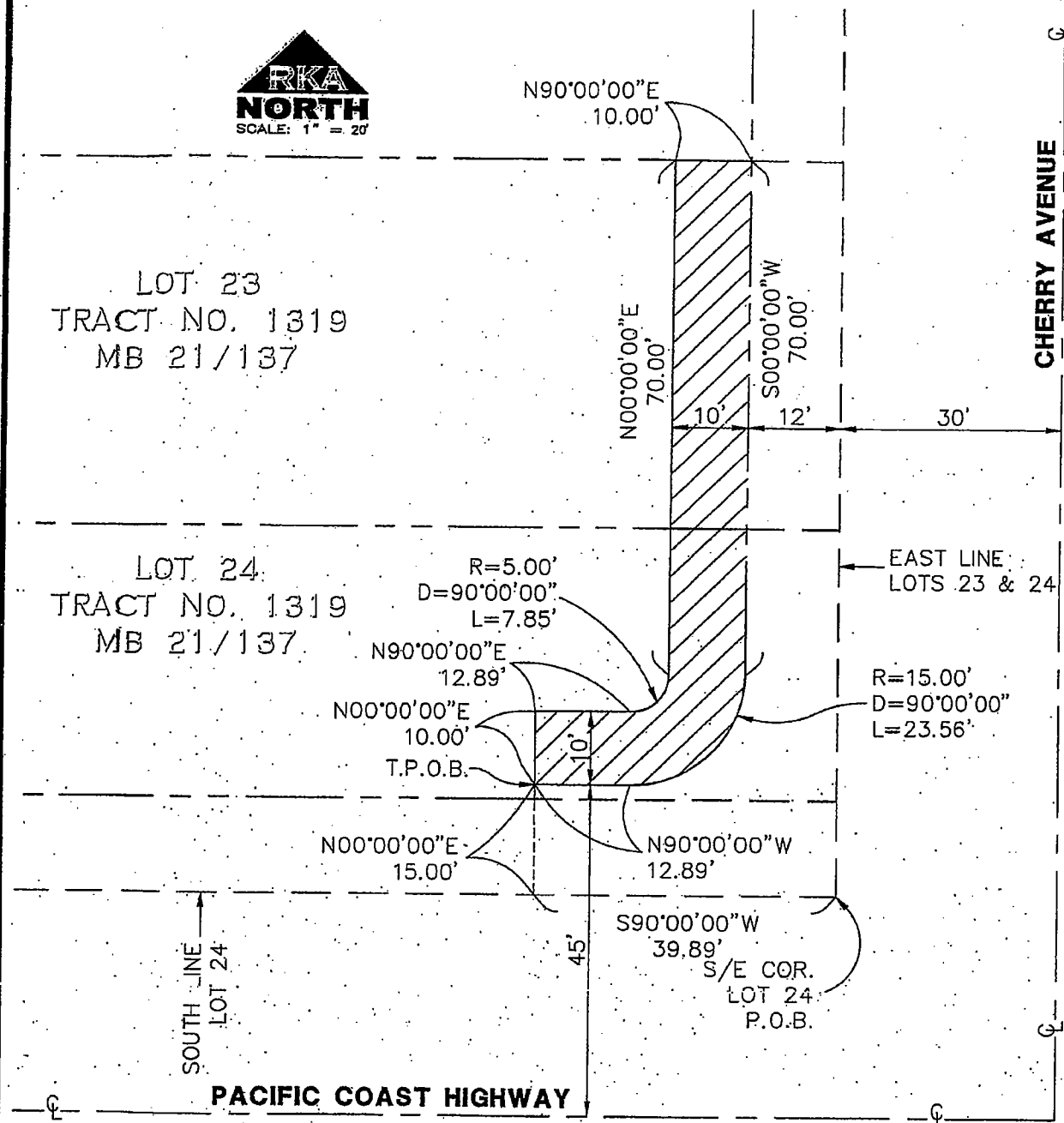
ADDENDUM 3



LOT 23  
TRACT NO. 1319  
MB 21/137

LOT 24  
TRACT NO. 1319  
MB 21/137

CHERRY AVENUE



**LEGEND**  
 PROPOSED TEMPORARY CONSTRUCTION EASEMENT

**RKA**  
**CONSULTING GROUP**  
 398 S. LEMON CREEK DRIVE, SUITE E, WALNUT, CA 91789  
 (909) 594-8702 • (626) 331-8323 • FAX (909) 594-2658  
 WWW.RKAGROUP.COM

**PLAT MAP**  
**1925 EAST P.C.H.**  
**LONG BEACH, CA**

DATE: 12/08/2008	SCALE: 1"=20'	DRAWN BY: J.C.W.	SHEET: 1 OF 1
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