

**Metro**Los Angeles County
Metropolitan Transportation AuthorityOne Gateway Plaza
Los Angeles, CA 90012-2952213.922.2000 Tel
metro.net**REGULAR BOARD MEETING
APRIL 30, 2015****SUBJECT: REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT****ACTION: ADOPT RESOLUTION OF NECESSITY TO ACQUIRE
TEMPORARY CONSTRUCTION EASEMENTS ON PARCELS
RC-450, RC-451, and RC-451-1****RECOMMENDATION**

- A. Hold a public hearing on the proposed Resolution of Necessity.
- B. Adopt the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire aboveground temporary construction easements for monitoring of subsurface grout pipe installations, and temporary construction easements to install, monitor and remove surface and ground movement instruments in a portion of Parcels RC-450, RC-451, RC-451-1 (APN's 5161-017-021; 5161-017-022, 5161-017-023 and 5161-017-033 (hereinafter the "Property").

RATIONALE

As part of the Regional Connector Transit Corridor Project ("Project"), the Los Angeles County Metropolitan Transportation Authority ("LACMTA") requires certain temporary construction easements on the Property (See Attachment "A"). A written offer was presented to the Tenants of Record (hereinafter "Tenants"), as required by California Government Code Section 7267.2. The parties have been unable to reach a negotiated agreement. Because the temporary construction easements on the Property are necessary for construction of the Project, staff recommends the acquisition of the temporary construction easements through eminent domain. None of the work contemplated under the temporary construction easements will cause displacement or significantly impede the operations of the Tenants.

In accordance with the provisions of the California Eminent Domain law and Sections 30503, 130220.5 and 132610 of the California Public Utilities Code (which authorize the public acquisition of private property by eminent domain), LACMTA has prepared and mailed notices of this hearing to the Tenants informing them of their right to appear at this hearing and be heard on the following issues: (1) whether the public interest and necessity require the Project; (2) whether 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 the Property is necessary for the Project; and (4) whether either the offer required by Section 7267.2 of the Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence.

Attached is evidence submitted by staff that supports adoption of the Resolution that has been approved by counsel, and which sets forth the required findings (Attachment "B"). After all of the testimony and other evidence has been received by the LACMTA from all interested parties, the LACMTA must make a determination as to whether to adopt the proposed Resolution of Necessity (Attachment "C") to acquire the Property by eminent domain. In order to adopt the resolution, the LACMTA must, based upon all the evidence before it, and by a vote of two-thirds of all the members of its governing body, find and determine that the conditions stated above exist.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on safety standards for Metro.

FINANCIAL IMPACT

This project is funded by Measure R 35% backed TIFIA loan, and a combination of various local and state grants and Federal grants. The funding to acquire the Property is included in the approved fiscal year 2015 project budget, under Measure R Project Regional Connector Transit Corridor Project 860228, in cost center 8510 (Construction Procurement), account number 53103 (Acquisition of Land). This has no impact to operations eligible funds.

NEXT STEPS

If this action is approved by the Board, the LACMTA's condemnation counsel will be instructed to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the temporary construction easements by eminent domain. Counsel will also be directed to seek and obtain an Order of Prejudgment Possession in accordance with the provisions of the eminent domain law.

ATTACHMENTS

- A. Site Plan
- B. Staff Report
- C. Resolution of Necessity

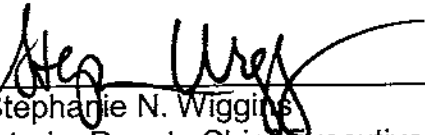
Prepared by: Velma C. Marshall, Deputy Executive Officer – Real Estate
(213) 922-2415

Dave Means, Executive Officer – Countywide Planning and
Development
(213) 922-2225

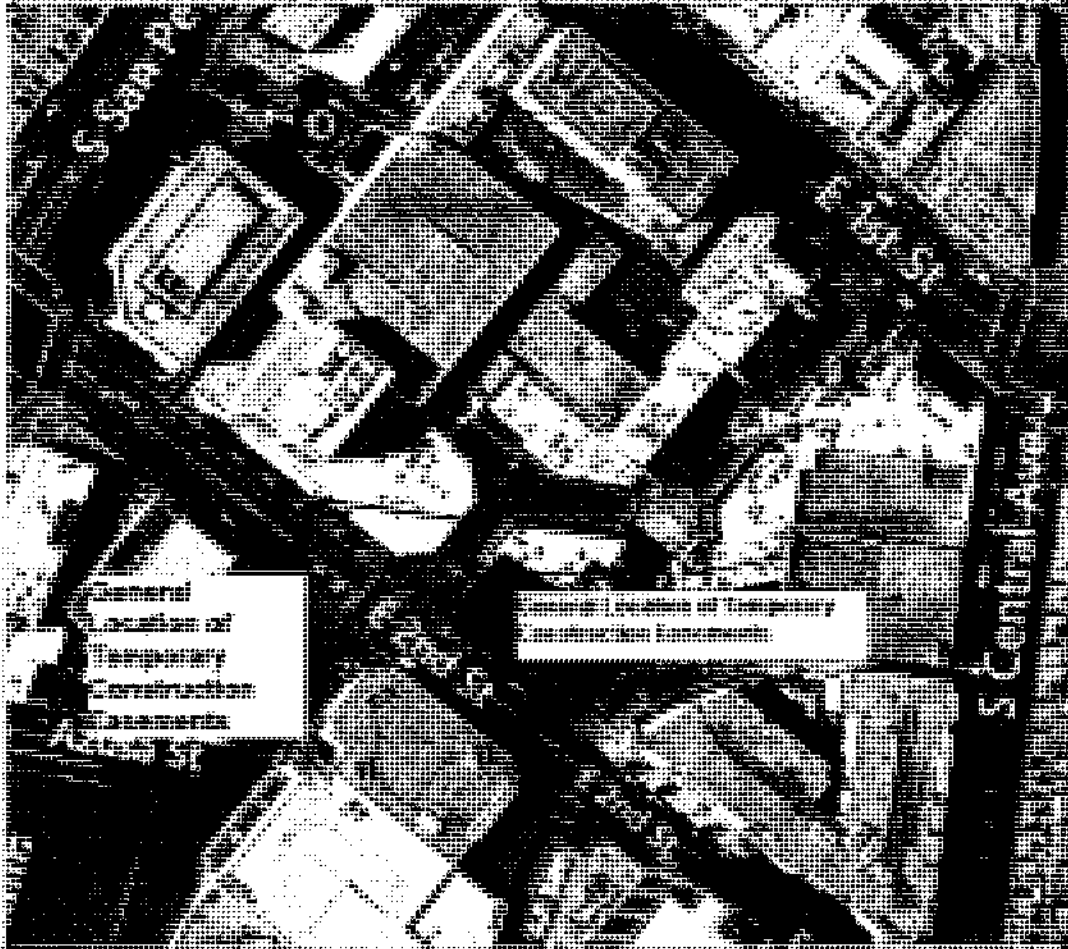
Calvin E. Hollis, Managing Executive Officer- Countywide
Planning and Development
(213) 922-7319



Martha Welborne, FAIA
Chief Planning Officer



Stephanie N. Wiggins
Interim Deputy Chief Executive Officer



Japanese Village Plaza

335 East 2nd Street Los Angeles, CA 90012

APN's: 5161-017-021, 5161-017-022, 5161-017-023 and 5161-017-033

RC-450, RC-451, and RC-451-1

STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF TEMPORARY CONSTRUCTION EASEMENTS ON PARCEL NOs. RC-450, RC-451, & RC-451-1 (THE "PROPERTY") FOR THE REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT.

BACKGROUND

The Property is required for the construction and operation of the Regional Connector Transit Corridor Project ("Project"). The address, tenants, and nature of the property interest sought to be acquired for the Project are summarized as follows:

Parcel Address/Units	Owner/Tenants	Property Interest(s) Sought	LACMTA Parcel #
335 East 2 nd Street, Los Angeles, CA 90012	(see list below)	Temporary	RC - 450
		Construction Easements	RC - 451 RC - 451-1
114	Tokyo Japanese Lifestyle		
116	Sushi & Teri		
118	Mikawaya		
120	Frying Fish		
122	Oiwake Restaurant		
124	Nijiya Market		
130	Make Asobi		
134	Café Dulce		
139	Zakanaka, Inc.		
141	Song Nam An (The Hob Nob Shop)		
329	Jason Markk, Inc.		
333	Kula Revolving Sushi Bar		
341	Little Tokyo Cosmetics		
343	Popkiller 2		
345	Teishokuya of Tokyo		
347	Hama Sushi Restaurant		
349	Pop Little Tokyo		
351	Restaurant Komasa		
S61PKG	Modern Parking		

Written offers for the required property interests on Parcels RC-450, RC-451, and RC-451-1 (the "Property") were mailed to the Tenants by letter dated February 25, 2015. Staff has attempted to engage in negotiations with the Tenants. To date, the offers have not been accepted.

A. The public interest and necessity require the Project.

The public interest and necessity require the Project for the following reasons:

1. The existing population and employment density in the Regional Connector Transit Corridor ("Corridor") is higher than the surrounding County demographics, and is highly transit dependent. The Corridor population density is approximately two-and-a-half times higher than Los Angeles County as a whole. The Corridor has a very high concentration of low-income, minority, transit-dependent residents. More than 39 percent of all Corridor households are below the poverty threshold. 83 percent of Corridor residents are considered minorities, and 60 percent of all households in the Corridor do not have access to an automobile. The Project will provide significant improvements in transportation and attendant access to economic and employment opportunities for low-income, elderly, transit-dependent persons living in the Corridor area.
2. The Project would connect the Metro Gold, Blue, and Expo Lines through downtown Los Angeles, enabling passengers to travel the region's largest employment center on Metro's light rail transit (LRT) system without the need to transfer. By providing continuous through service between these lines, the Project will improve access to both local and regional destinations – greatly improving the connectivity of the transportation network for the region.
3. The Project will offer an alternative transportation option to congested roadways and provide significant environmental benefits, economic development, and employment opportunities throughout the Corridor and Los Angeles County as a whole.
4. The Project will enable Los Angeles County rail to operate more efficiently and attract higher ridership, thereby reducing congestion, improving air quality and lessening the regional carbon footprint. By linking several LRT systems through Downtown Los Angeles, the Project will significantly increase regional mobility.

It is recommended that based on the above evidence, the Board find and determine that the public interest and necessity require the Project.

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

On September 3, 2010, a Draft Environmental Impact Statement/ Draft Environmental Impact Report (DEIS/DEIR) was circulated and reviewed by interested and concerned parties, including private citizens, community groups, the business community, elected officials and public agencies. Public hearings were held to solicit citizen and agency comments. A total of five alternatives were presented in the DEIR/DEIS: No Build, Transportation Systems Management (TSM), and three build alternatives utilizing Light Rail Transit (LRT) technology - Fully Underground, Underground Emphasis, and At-Grade Emphasis. On October 28, 2010 the Board adopted the Fully Underground LRT Alternative as the Locally Preferred Alternative (LPA), after review and consideration of the comments

received from circulation of the 2010 DEIS/DEIR. The Board certified the Final Environmental Impact Statement/ Final Environmental Impact Report (FEIS/FEIR) on April 26, 2012. A Record of Decision was received from the Federal Transit Administration on June 29, 2012.

Various parties have challenged the FEIS/FEIR pursuant to the National Environmental Protection Act ("NEPA") and the California Environmental Quality Act ("CEQA"). On May 29, 2014, a federal judge held in *Japanese Village LLC v. Federal Transit Administration*, 2:13-CV-0396-JAK (PLAx)(C.D. Cal, Complaint filed Jan. 18, 2013) that the Project fully and properly complied with NEPA in relation to the Property, but the Court did take issue with certain portions of the Project FEIS that are unrelated to the Property. The fact that a portion of the FEIS unrelated to the Property was found to be insufficient does not prevent MTA from approving a Resolution of Necessity and filing an eminent domain action to take interests in the Property. (U.S. v. 0.95 Acres of Land (1993) 994 F.2d 696 (NEPA compliance is not a defense to a condemnation action); *Golden Gate Land Holdings LLC v. East Bay Regional Park District* (2013) 215 Cal.App.4th 353 (irregularities in environmental documentation do not prevent a public entity from filing a condemnation action)). Further, while there is a pending CEQA challenge to the Project, *Japanese Village LLC v. Los Angeles County Metropolitan Transportation Authority*, No. BS137343 (Los Angeles Sup. Ct., complaint filed May 21, 2012), a pending CEQA challenge does not prevent MTA from approving a Resolution of Necessity and the filing of an eminent domain action to take the Property. (*Golden Gate*, 215 Cal.App.4th at 376-377; *Santa Monica Baykeeper v. City of Malibu* (2011)193 Cal.App.4th 1538, 1547).

The Project is a Fully Underground LRT dual-track alignment, which will extend from the Metro Gold Line Little Tokyo/Arts District Station to the 7th Street/Metro Center Station in downtown Los Angeles, allowing passengers to transfer to the Blue, Expo, Red, and Purple Lines, bypassing Union Station. The 1.9-mile alignment will serve Little Tokyo, the Arts District, Civic Center, the Historic Core, Broadway, Grand Ave, Bunker Hill, Flower St., and the Financial District, and will benefit the City of Los Angeles and portions of unincorporated Los Angeles County. The Project includes three stations:

- 1st Street/Central Avenue
- 2nd Street/Broadway
- 2nd Place/Hope Street

The Corridor has some of the highest population and employment density in the Southern California region, as well as the highest proportion of transit ridership. No significant expansion of existing freeway and street networks is planned to accommodate this density and future expected growth. During various community meetings, the residents of the Corridor area expressed their need for improved transit service because many are transit-dependent and need better access to the region's educational, employment, and cultural opportunities. The Locally Preferred Alternative (LPA) addresses those needs and moves more people in a way that is energy efficient and with the least environmental impact.

The Project will cause private injury, including the use of certain Tenant private property. However, no other alternative locations for the Project provide greater public good with less private injury. Therefore, the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

Due to its bulk, the FEIS/FEIR is not physically included in the Board's agenda packet for this public hearing. However, the FEIS/FEIR documents should be considered in connection with this matter. It is recommended that, based upon the foregoing, the Board find and determine that the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

C. The Property is necessary for the Project.

The Property is needed for the construction and operation of the tunnel alignment which connects the Red Line 7th and Metro Station and Little Tokyo Gold Line Station Site. The Property requirements are based on the approved FEIS/FEIR for the Project. The Project requires aboveground temporary construction easements for the monitoring of the installation of grouting pipes, and temporary construction easements to install, monitor and remove surface ground movement instruments. Staff recommends that the Board find that the acquisition of the temporary construction easements on the Property are necessary for the Project. None of the work contemplated under the temporary construction easements will cause displacement or significantly impede the operations of the Tenants.

D. Offers were made in compliance with Government Code Section 7267.2

California Code of Civil Procedure Section 1245.230 requires that a Resolution of Necessity contain a declaration that the governing body has found and determined that either the offer required by Section 7267.2 of the California Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence.

California Government Code Section 7267.2 requires that an offer be made to the Owner and in an amount which the agency believes to be just compensation. The amount must not be less than the agency's approved appraisal of the fair market value of the Property. In addition, the agency is required to provide the Owner with a written statement of, and summary of the basis for, the amount it established as just compensation.

Staff has taken the following actions as required by California law for the acquisition of the Property:

1. Obtained appraisals to determine the fair market value of the temporary construction easements;
2. Reviewed and approved the appraisals, and established the amount it believes to be just compensation;

3. Determined the Tenants with ownership of the interests at issue by examining the county assessor's record and the title report, the rent rolls for Japanese Village, LLC, and by reviewing a list of tenants provided by Japanese Village, LLC;
4. Made a written offer to the Tenants for the full amount of just compensation - which was not less than the approved appraised value; and
5. Provided the Tenants with a written statement of the basis for, the amount established as just compensation.

It is recommended that the based on the above Evidence, the Board find and determine that the offers required by Section 7267.2 of the California Government Code has been made to the Owner.

CONCLUSION

Staff recommends that the Board approve the Resolution of Necessity.

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN PROPERTY INTERESTS NECESSARY FOR PUBLIC
PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF (REGIONAL
CONNECTOR TRANSIT CORRIDOR PROJECT PARCELS RC-450, RC-451,
AND RC-451-1)**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

The LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ("LACMTA") is a public entity organized and existing pursuant to Chapter 2 of Division 12 of the California Public Utilities Code (commencing with Section 130050).

Section 2.

The property interest described hereinafter is to be taken for public use, namely, for public transportation purposes and all uses necessary, incidental or convenient thereto, and for all public purposes pursuant to the authority conferred upon the Board to acquire property by eminent domain by California Public Utilities Code Sections 30000-33027, inclusive, and particularly Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections 130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive, and particularly Sections 1240.510 and 1240.610, and Article I, Section 19 of the California Constitution.

Section 3.

The property interest consists of aboveground temporary construction easements for the monitoring of the installation of grouting pipes, and temporary construction easements to install, monitor and remove surface ground movement instruments and noise and vibration equipment as described in the attached Exhibit "A" Legal Descriptions, and as depicted on the Plat Maps attached hereto as Exhibit B attached hereto (hereinafter, the "Property"), all of which are incorporated herein by this reference.

Section 4

(a) The acquisition of the above-described interests are necessary for the development, construction, operation, and maintenance of the Regional Connector

Transit Corridor Project ("Project");

(b) The environmental impacts of the Project were evaluated in the Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR) for this Project which was certified by the Board on April 26, 2012. The Board found that in accordance with the California Environmental Quality Act Guidelines, Section 15162, no subsequent or supplemental Environmental Impact Report is required for the Project; and

(c) The Board has reviewed and considered the FEIS/FEIR, before and as part of the process of determining whether to acquire the above-referenced Property.

Section 5.

The Board hereby declares that it has found and determined each of the following:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The Property sought to be acquired, which has been described herein, is necessary for the proposed Project; and

(d) The offers required by Section 7267.2 of the Government Code have been made to the Tenants.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

Section 7.

That notice of intention to adopt this resolution was given by first class mail to each person whose property interest is to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the property interests described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of said Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, MICHELLE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Metropolitan Transportation Authority at a meeting held on the 30th day of April 2015.

Date: _____

MICHELLE JACKSON
LACMTA Secretary

ATTACHMENTS

- 1 - Legal Descriptions (Exhibit "A")
- 2 - Plat Maps (Exhibit "B")

EXHIBITS A

EXHIBIT "A"

LEGAL DESCRIPTION FOR SUBSURFACE EASEMENT PURPOSES
PARCEL NUMBER RC-450

A PORTION OF LOT 2 OF TRACT MAP NO. 30211, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 885, PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AS AMENDED BY THOSE CERTAIN CERTIFICATES OF CORRECTION RECORDED DECEMBER 5, 1978 AS INSTRUMENT NO. 78-1352747, DECEMBER 11, 1979 AS INSTRUMENT NO. 79-1389849 AND OCTOBER 1, 1981 AS INSTRUMENT NO. 81-977503, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 2, SAID CORNER ALSO BEING IN THE NORTHEASTERLY LINE OF 2ND STREET, 86.00 FEET WIDE, AS SHOWN IN SAID TRACT MAP; THENCE N38°27'56"E 16.91 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 584.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S28°48'28"W; THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC LENGTH OF 99.51 FEET THROUGH A CENTRAL ANGLE OF 09°45'47"; THENCE S38°26'47"W 15.70 FEET; THENCE S83°26'47"W 31.30 FEET; THENCE S38°26'47"W 4.00 FEET TO SAID NORTHEASTERLY LINE; THENCE ALONG SAID NORTHEASTERLY LINE N51°33'13"W 74.09 FEET TO THE **POINT OF BEGINNING**.

EXCEPTING AND RESERVING ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS EXCEPTED AND RESERVED BY KAWASAKI COMPANY, A CORPORATION, IN DEED RECORDED JULY 26, 1971 AS INSTRUMENT NO. 381 OF OFFICIAL RECORDS.

THE UPPER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED IS A DIAGONAL PLANE RANGING FROM AN AVERAGE ELEVATION OF +246 FEET TO +242 FEET MEAN SEA LEVEL PER THE CITY OF LOS ANGELES BENCH MARK NO. 12-03189. THIS EASEMENT IS APPROXIMATELY 22 FEET TO 26 FEET BELOW FINISH GRADE (SURFACE ELEVATION). THESE DEPTH ELEVATIONS WERE DETERMINED FROM THE L.A. METRO REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT PRELIMINARY ENGINEERING PLANS.

CONTAINS: 2,352 SQUARE FEET.

NOTE:

THIS LEGAL DESCRIPTION WAS NOT PREPARED FOR ANY PURPOSE THAT WOULD BE IN VIOLATION OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT OR LOCAL ORDINANCES OF THE GOVERNING BODY HAVING JURISDICTION.

PREPARED BY:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752

June 12, 2012
DATE:



EXHIBIT "A"

**LEGAL DESCRIPTION FOR SUBSURFACE EASEMENT PURPOSES
PARCEL NUMBER RC-451**

A PORTION OF LOT 1 OF TRACT MAP NO. 30211, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 885 PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF SAID LOT 1, SAID CORNER ALSO BEING IN THE NORTHEASTERLY LINE OF 2ND STREET, 60.00 FEET WIDE, AS SHOWN IN SAID TRACT MAP; THENCE ALONG SAID NORTHEASTERLY LINE AND THE SOUTHWESTERLY LINE OF SAID LOT 1, N51°33'13"W 109.13 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTHEASTERLY LINE AND SAID SOUTHWESTERLY LINE N51°33'13"W 42.77 FEET; THENCE LEAVING SAID NORTHEASTERLY LINE OF 2ND STREET AND ALONG THE NORTHWESTERLY LINE OF SAID LOT 1, N38°48'46"E 30.89 FEET; N07°27'45"W 15.38 FEET; AND N38°46'29"E 9.37 FEET TO A POINT IN THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 584.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S16°30'29"W; THENCE EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 368.34 FEET THROUGH A CENTRAL ANGLE OF 36°08'16" TO A POINT IN THE WESTERLY LINE OF CENTRAL AVENUE, 90.00 FEET WIDE, AS SHOWN IN TRACT MAP NO. 64995 AS PER MAP RECORDED IN BOOK 1329 PAGES 28 TO 42 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG SAID WESTERLY LINE S07°15'05"W 75.24 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 652.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S16°38'19"E; THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC LENGTH OF 82.77 FEET THROUGH A CENTRAL ANGLE OF 07°16'26" TO A POINT IN THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 260.80 FEET, A RADIAL LINE THROUGH SAID POINT BEARS N02°42'47"E; THENCE WESTERLY ALONG SAID CURVE AN ARC LENGTH OF 78.61 FEET THROUGH A CENTRAL ANGLE OF 17°16'11" TO A POINT IN THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 652.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S02°28'44"E; THENCE WESTERLY ALONG SAID CURVE AN ARC LENGTH OF 185.40 FEET THROUGH A CENTRAL ANGLE OF 16°17'33" TO THE TRUE POINT OF BEGINNING, SAID DESCRIBED EASEMENT BEING AFFECTED BY THE FOLLOWING EXCEPTIONS:

A. EXCEPTING AND RESERVING ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS EXCEPTED AND RESERVED BY KAWASAKI COMPANY, A CORPORATION, IN DEED RECORDED JULY 26, 1971 AS INSTRUMENT NO. 381 OF OFFICIAL RECORDS.

B. ALSO EXCEPTING FROM THAT PORTION OF LOT 1, AND FROM THAT PORTION ON THE AREA DESIGNATED "PEDESTRIAN WALK" WHICH LIES WITHIN THE BOUNDARIES OF THE LAND DESCRIBED IN DEED RECORDED AUGUST 10, 1971 AS INSTRUMENT NO. 420 IN BOOK D-5153 PAGE 539, OF OFFICIAL RECORDS, ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS RESERVED BY ROY HOSHIZAKI, ET UX., IN THE DEED LAST ABOVE REFERRED TO.

C. ALSO EXCEPTING FROM THOSE PORTIONS OF LOTS 1 AND 3, AND THAT PORTION OF THE AREA DESIGNATED "PEDESTRIAN WALK" LYING WITHIN LOT 4 AND THAT PORTION OF MOLINE ALLEY ADJOINING SAID LOT 4 ON THE SOUTHEAST THAT WOULD PASS WITH A LEGAL CONVEYANCE OF SAID LOT 4 OF JAMES M. DAVIES SUBDIVISION OF A PORTION OF THE J.M. DAVIES TRACT, AS PER MAP RECORDED IN BOOK 5, PAGES 67 AND 68, OF MAPS, ALL OIL, GAS AND MINERAL SUBSTANCES, TOGETHER WITH THE RIGHT TO EXPLORE FOR AND EXTRACT SUCH SUBSTANCES, PROVIDED THAT THE SURFACE OPENING OF ANY WELL, HOLE, SHAFT, OR OTHER MEANS OF EXPLORING FOR, REACHING OR EXTRACTING SUCH SUBSTANCES SHALL NOT BE LOCATED WITHIN THE LITTLE TOKYO NEIGHBORHOOD DEVELOPMENT PROGRAM AREA AS RECORDED IN BOOK M-3450 PAGE 737, OF LOS ANGELES COUNTY RECORDS, STATE OF CALIFORNIA, AND SHALL NOT PENETRATE ANY PART OF OR PORTION OF SAID PROJECT AREA WITHIN 500 FEET OF THE SURFACE THEREOF, AS PROVIDED AND RESERVED IN FINAL ORDER OF CONDEMNATION ISSUED BY THE SUPERIOR COURT FOR THE COUNTY OF LOS ANGELES, CASE NO. C-35073, A CERTIFIED COPY THEREOF WAS RECORDED FEBRUARY 1, 1974 AS INSTRUMENT NO. 4107 OF OFFICIAL RECORDS.

D. ALSO, EXCEPTING FROM THOSE PORTIONS OF SAID LOTS 1 AND 3 AND THAT PORTION OF THE AREA DESIGNATED "PEDESTRIAN WALK" LYING WITHIN LOTS 19 AND 20 OF WOODWORTH TRACT AS PER MAP RECORDED IN BOOK 12 PAGE 92 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, AND WITHIN THAT PORTION OF LOT 8 OF THE JAMES M. DAVIES SUBDIVISION OF A PORTION OF THE J.M. DAVIES TRACT, AS PER MAP RECORDED IN BOOK 5, PAGES 67 AND 68 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING BETWEEN THE NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY AND SOUTHEASTERLY LINES OF ABOVE MENTIONED LOTS 19 AND 20 OF THE WOODWORTH TRACT, ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS RESERVED BY KENJI SAYAMA, A MARRIED MAN 1/6 INTEREST BY A DEED WHICH RECITES "AS HIS SEPARATE PROPERTY"; LEONARD Y. YAMASAKI, A MARRIED MAN, 1/6 INTEREST BY A DEED WHICH RECITES "AS HIS SEPARATE PROPERTY"; KENJI SAYAMA, A MARRIED MAN AS HIS SEPARATE PROPERTY 1/3 INTEREST, AND IN LEONARD Y. YAMASAKI, A MARRIED MAN AS HIS SEPARATE PROPERTY 1/3 INTEREST, RECORDED DECEMBER 1, 1970 AS INSTRUMENT NO. 406 IN BOOK D-4902 PAGE 857 OF OFFICIAL RECORDS.

E. ALSO EXCEPTING FROM THAT PORTION OF SAID LOT 1 AND LOT 3, AND THAT PORTION OF THE AREA DESIGNATED "PEDESTRIAN WALK" LYING WITHIN THE SOUTHWESTERLY 140 FEET OF THAT PORTION OF LOT 3 OF THE JAMES M. DAVIES SUBDIVISION OF A PORTION OF THE J.M. DAVIES TRACT, AS PER MAP RECORDED IN BOOK 5, PAGES 67 AND 68 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, WHICH LIES SOUTHEASTERLY OF THE SOUTHEASTERLY LINE (AND ITS NORTHEASTERLY PROLONGATION) OF LOT 20 OF THE WOODWORTH TRACT AS PER MAP RECORDED IN BOOK 12, PAGE 92 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS RESERVED BY JACK HIDEICHI KOHAMA AND MASAKO KOHAMA, HUSBAND AND WIFE, IN DEED RECORDED APRIL 7, 1972 AS INSTRUMENT NO. 3664 OF OFFICIAL RECORDS.

F. ALSO EXCEPTING FROM THAT PORTION OF SAID LOT 1, LYING WITHIN LOT 9 OF JAMES M. DAVIES SUBDIVISION OF A PORTION OF THE JAMES M. DAVIES TRACT AS PER MAP RECORDED IN BOOK 5, PAGES 67 AND 68 OF MAPS, AND THAT PORTION OF MOLINE ALLEY ADJOINING SAID LOT 9 ON THE NORTHWEST WHICH WOULD PASS WITH A LEGAL CONVEYANCE OF SAID LOT 9, ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS RESERVED BY HENRY H. MURAYAMA, ET AL., IN DEED RECORDED JANUARY 6, 1971 AS INSTRUMENT NO. 463, OF OFFICIAL RECORDS.

G. ALSO EXCEPTING FROM THOSE PORTIONS OF SAID LOTS 1 AND 3 AND THAT PORTION OF THE AREA DESIGNATED "PEDESTRIAN WALK", LYING WITHIN THE LAND MORE PARTICULARLY DESCRIBED IN DEED MENTIONED HEREAFTER, ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS RESERVED BY SOUTHERN PACIFIC TRANSPORTATION COMPANY, A CORPORATION, IN DEED RECORDED JULY 29, 1971 AS INSTRUMENT NO. 258 IN BOOK D-5140 PAGE 726, OF OFFICIAL RECORDS.

THE UPPER ELEVATION LIMIT OF THE SUBSURFACE EASEMENT HEREIN DESCRIBED IS A DIAGONAL PLANE RANGING FROM AN AVERAGE ELEVATION OF +253 FEET TO +246 FEET MEAN SEA LEVEL, PER THE CITY OF LOS ANGELES BENCH MARK NO. 12-03189. THIS EASEMENT IS APPROXIMATELY 15 FEET TO 22 FEET BELOW FINISH GRADE (SURFACE ELEVATION). THESE DEPTH ELEVATIONS WERE DETERMINED FROM THE L.A. METRO REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT PRELIMINARY ENGINEERING PLANS.

CONTAINS: 25,052 SQUARE FEET.

NOTE:

THIS LEGAL DESCRIPTION WAS NOT PREPARED FOR ANY PURPOSE THAT WOULD BE IN VIOLATION OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT OR LOCAL ORDINANCES OF THE GOVERNING BODY HAVING JURISDICTION.

PREPARED BY:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752

June 12, 2012
DATE:



EXHIBIT "A"

**LEGAL DESCRIPTION FOR GROUTING EASEMENT PURPOSES
PARCEL NUMBER RC-451-1**

THOSE PORTIONS OF LOT 1 OF TRACT MAP NO. 30211, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 885 PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

PARCEL 1 (RC-451-1):

COMMENCING AT THE MOST WESTERLY CORNER OF SAID LOT 1, SAID CORNER ALSO BEING IN THE NORTHEASTERLY LINE OF 2ND STREET, 60.00 FEET WIDE, AS SHOWN IN SAID TRACT MAP; THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT 1: N38°48'46"E 30.89 FEET; N07°27'45"W 15.38 FEET AND N38°46'29"E 9.37 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID NORTHWESTERLY LINE N38°46'29"E 17.33 FEET TO THE A POINT IN THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 568.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S15°50'45"W; THENCE EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 127.85 FEET THROUGH A CENTRAL ANGLE OF 12°53'48"; THENCE S51°11'23"E 7.59 FEET; THENCE N76°33'38"E 11.82 FEET; THENCE N40°57'52"E 1.79 FEET TO A POINT IN THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 568.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S01°04'22"W; THENCE EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 107.72 FEET THROUGH A CENTRAL ANGLE OF 10°51'57" TO THE BEGINNING OF A NON-TANGENT CURVE AND HAVING A RADIUS OF 1,322.36 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S10°37'15"E; THENCE EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 73.05 FEET THROUGH A CENTRAL ANGLE OF 03°09'55"; THENCE N76°36'53"E 30.12 FEET TO A POINT HEREINAFTER CALLED "B"; THENCE S07°15'05"W 7.93 FEET; THENCE S89°54'55"E 0.50 FEET TO A POINT IN THE WESTERLY LINE OF CENTRAL AVENUE, 90.00 FEET WIDE, AS SHOWN IN TRACT MAP NO. 64995 AS PER MAP RECORDED IN BOOK 1329 PAGES 28 TO 42 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG SAID WESTERLY LINE S07°15'05"W 9.04 FEET; THENCE S76°36'53"W 24.57 FEET TO A POINT IN THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 1,338.36 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S13°47'01"E; THENCE WESTERLY ALONG SAID CURVE AN ARC LENGTH OF 74.00 FEET THROUGH A CENTRAL ANGLE OF 03°10'04" TO A POINT IN THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 584.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S09°48'16"E; THENCE WESTERLY ALONG SAID CURVE AN ARC LENGTH OF 268.20 FEET THROUGH A CENTRAL ANGLE OF 26°18'45" TO THE **TRUE POINT OF BEGINNING**.

CONTAINS: 5,746 SQUARE FEET.

PARCEL 2 (RC-451-2):

COMMENCING AT THE MOST WESTERLY CORNER OF SAID LOT 1, SAID CORNER ALSO BEING IN THE NORTHEASTERLY LINE OF 2ND STREET, 60.00 FEET WIDE, AS SHOWN IN SAID TRACT MAP; THENCE ALONG SAID NORTHEASTERLY LINE S51°33'13"E 40.30 FEET TO A POINT IN THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 616.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S14°38'35"W, SAID

POINT ALSO BEING THE **TRUE POINT OF BEGINNING**; THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC LENGTH OF 190.03 FEET THROUGH A CENTRAL ANGLE OF 17°40'30" TO A POINT HEREINAFTER CALLED "A", SAID POINT BEING IN THE CUSP OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 260.80 FEET, A RADIAL LINE THROUGH SAID POINT BEARS N13°59'26"W; THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC LENGTH OF 113.61 FEET THROUGH A CENTRAL ANGLE OF 24°57'37" TO SAID NORTHEASTERLY LINE; THENCE ALONG SAID NORTHEASTERLY LINE N51°33'13"W 111.60 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINS: 4,308 SQUARE FEET.

PARCEL 3 (RC-451-3):

COMMENCING AT THE AFOREMENTIONED POINT "A", SAID POINT BEING IN THE BEGINNING OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 260.80 FEET, A RADIAL LINE THROUGH SAID POINT BEARS N13°59'26"W; THENCE EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 70.14 FEET THROUGH A CENTRAL ANGLE OF 15°24'35" TO A POINT IN THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 1318.79 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S10°17'27"E, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**; THENCE EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 88.55 FEET THROUGH A CENTRAL ANGLE OF 03°50'49" TO THE WESTERLY LINE OF CENTRAL AVENUE, 90.00 FEET WIDE, AS SHOWN IN SAID TRACT MAP NO. 64995; THENCE ALONG SAID WESTERLY LINE S07°15'05"W 28.31 FEET; THENCE N82°35'32"W 56.26 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 260.80 FEET; THENCE WESTERLY ALONG SAID CURVE AN ARC LENGTH OF 27.26 FEET THROUGH A CENTRAL ANGLE OF 05°59'19" TO THE **TRUE POINT OF BEGINNING**;

CONTAINS: 1,091 SQUARE FEET.

PARCEL 4 (RC-451-4):

COMMENCING AT THE AFOREMENTIONED POINT "B", SAID POINT BEING IN A LINE PARALLEL WITH AND DISTANT 0.50 FEET WESTERLY FROM THE WESTERLY LINE OF CENTRAL AVENUE, 90.00 FEET WIDE, AS SHOWN IN SAID TRACT MAP NO. 64995; THENCE ALONG SAID PARALLEL LINE N07°15'05"E 29.31 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE N13°23'07"W 7.66 FEET; THENCE N76°36'53"E 2.88 FEET TO SAID PARALLEL LINE; THENCE ALONG SAID PARALLEL LINE S07°15'05"W 8.18 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINS: 11 SQUARE FEET.

SAID DESCRIBED EASEMENT BEING AFFECTED BY THE FOLLOWING EXCEPTIONS:

A. EXCEPTING AND RESERVING ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS EXCEPTED AND RESERVED BY KAWASAKI COMPANY, A CORPORATION, IN DEED RECORDED JULY 26, 1971 AS INSTRUMENT NO. 381 OF OFFICIAL RECORDS.

B. ALSO EXCEPTING FROM THAT PORTION OF LOT 1, AND FROM THAT PORTION ON THE AREA DESIGNATED "PEDESTRIAN WALK" WHICH LIES WITHIN THE BOUNDARIES OF THE LAND DESCRIBED IN DEED RECORDED AUGUST 10, 1971 AS INSTRUMENT NO. 420 IN BOOK D-5153 PAGE 539, OF OFFICIAL RECORDS, ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS RESERVED BY ROY HOSHIZAKI, ET UX., IN THE DEED LAST ABOVE REFERRED TO.

C. ALSO EXCEPTING FROM THOSE PORTIONS OF LOTS 1 AND 3, AND THAT PORTION OF THE AREA DESIGNATED "PEDESTRIAN WALK" LYING WITHIN LOT 4 AND THAT PORTION OF MOLINE ALLEY ADJOINING SAID LOT 4 ON THE SOUTHEAST THAT WOULD PASS WITH A LEGAL CONVEYANCE OF SAID LOT 4 OF JAMES M. DAVIES SUBDIVISION OF A PORTION OF THE J.M. DAVIES TRACT, AS PER MAP RECORDED IN BOOK 5, PAGES 67 AND 68, OF MAPS, ALL OIL, GAS AND MINERAL SUBSTANCES, TOGETHER WITH THE RIGHT TO EXPLORE FOR AND EXTRACT SUCH SUBSTANCES, PROVIDED THAT THE SURFACE OPENING OF ANY WELL, HOLE, SHAFT, OR OTHER MEANS OF EXPLORING FOR, REACHING OR EXTRACTING SUCH SUBSTANCES SHALL NOT BE LOCATED WITHIN THE LITTLE TOKYO NEIGHBORHOOD DEVELOPMENT PROGRAM AREA AS RECORDED IN BOOK M-3450 PAGE 737, OF LOS ANGELES COUNTY RECORDS, STATE OF CALIFORNIA, AND SHALL NOT PENETRATE ANY PART OF OR PORTION OF SAID PROJECT AREA WITHIN 500 FEET OF THE SURFACE THEREOF, AS PROVIDED AND RESERVED IN FINAL ORDER OF CONDEMNATION ISSUED BY THE SUPERIOR COURT FOR THE COUNTY OF LOS ANGELES, CASE NO. C-35073, A CERTIFIED COPY THEREOF WAS RECORDED FEBRUARY 1, 1974 AS INSTRUMENT NO. 4107 OF OFFICIAL RECORDS.

D. ALSO, EXCEPTING FROM THOSE PORTIONS OF SAID LOTS 1 AND 3 AND THAT PORTION OF THE AREA DESIGNATED "PEDESTRIAN WALK" LYING WITHIN LOTS 19 AND 20 OF WOODWORTH TRACT AS PER MAP RECORDED IN BOOK 12 PAGE 92 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, AND WITHIN THAT PORTION OF LOT 8 OF THE JAMES M. DAVIES SUBDIVISION OF A PORTION OF THE J.M. DAVIES TRACT, AS PER MAP RECORDED IN BOOK 5, PAGES 67 AND 68 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING BETWEEN THE NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY AND SOUTHEASTERLY LINES OF ABOVE MENTIONED LOTS 19 AND 20 OF THE WOODWORTH TRACT, ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS RESERVED BY KENJI SAYAMA, A MARRIED MAN 1/6 INTEREST BY A DEED WHICH RECITES "AS HIS SEPARATE PROPERTY"; LEONARD Y. YAMASAKI, A MARRIED MAN, 1/6 INTEREST BY A DEED WHICH RECITES "AS HIS SEPARATE PROPERTY"; KENJI SAYAMA, A MARRIED MAN AS HIS SEPARATE PROPERTY 1/3 INTEREST, AND IN LEONARD Y. YAMASAKI, A MARRIED MAN AS HIS SEPARATE PROPERTY 1/3 INTEREST, RECORDED DECEMBER 1, 1970 AS INSTRUMENT NO. 406 IN BOOK D-4902 PAGE 857 OF OFFICIAL RECORDS.

E. ALSO EXCEPTING FROM THAT PORTION OF SAID LOT 1 AND LOT 3, AND THAT PORTION OF THE AREA DESIGNATED "PEDESTRIAN WALK" LYING WITHIN THE SOUTHWESTERLY 140 FEET OF THAT PORTION OF LOT 3 OF THE JAMES M. DAVIES SUBDIVISION OF A PORTION OF THE J.M. DAVIES TRACT, AS PER MAP RECORDED IN BOOK 5, PAGES 67 AND 68 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES

COUNTY, WHICH LIES SOUTHEASTERLY OF THE SOUTHEASTERLY LINE (AND ITS NORTHEASTERLY PROLONGATION) OF LOT 20 OF THE WOODWORTH TRACT AS PER MAP RECORDED IN BOOK 12, PAGE 92 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS RESERVED BY JACK HIDEICHI KOHAMA AND MASAKO KOHAMA, HUSBAND AND WIFE, IN DEED RECORDED APRIL 7, 1972 AS INSTRUMENT NO. 3664 OF OFFICIAL RECORDS.

F. ALSO EXCEPTING FROM THAT PORTION OF SAID LOT 1, LYING WITHIN LOT 9 OF JAMES M. DAVIES SUBDIVISION OF A PORTION OF THE JAMES M. DAVIES TRACT AS PER MAP RECORDED IN BOOK 5, PAGES 67 AND 68 OF MAPS, AND THAT PORTION OF MOLINE ALLEY ADJOINING SAID LOT 9 ON THE NORTHWEST WHICH WOULD PASS WITH A LEGAL CONVEYANCE OF SAID LOT 9, ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS RESERVED BY HENRY H. MURAYAMA, ET AL., IN DEED RECORDED JANUARY 6, 1971 AS INSTRUMENT NO. 463, OF OFFICIAL RECORDS.

G. ALSO EXCEPTING FROM THOSE PORTIONS OF SAID LOTS 1 AND 3 AND THAT PORTION OF THE AREA DESIGNATED "PEDESTRIAN WALK", LYING WITHIN THE LAND MORE PARTICULARLY DESCRIBED IN DEED MENTIONED HEREAFTER, ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER ALL OF THE ABOVE DESCRIBED REAL PROPERTY, BUT WITHOUT ANY RIGHT TO PENETRATE, USE OR DISTURB SAID PROPERTY WITHIN 500 FEET OF THE SURFACE THEREOF, AS RESERVED BY SOUTHERN PACIFIC TRANSPORTATION COMPANY, A CORPORATION, IN DEED RECORDED JULY 29, 1971 AS INSTRUMENT NO. 258 IN BOOK D-5140 PAGE 726, OF OFFICIAL RECORDS.

THE UPPER LIMIT OF THE SUBSURFACE EASEMENT HEREIN ABOVE DESCRIBED IS A HORIZONTAL PLANE HAVING AN AVERAGE ELEVATION OF +263 FEET ABOVE MEAN SEA LEVEL PER THE CITY OF LOS ANGELES BENCH MARK NO. 12-03189. THIS EASEMENT IS APPROXIMATELY +/- 5 FEET BELOW FINISH GRADE (SURFACE ELEVATION). THIS DEPTH ELEVATION WAS DETERMINED FROM THE L.A. METRO REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT PRELIMINARY ENGINEERING PLANS.

CONTAINS: 11,156 SQUARE FEET - TOTAL OF 4 PARCELS.

NOTE:

THIS LEGAL DESCRIPTION WAS NOT PREPARED FOR ANY PURPOSE THAT WOULD BE IN VIOLATION OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT OR LOCAL ORDINANCES OF THE GOVERNING BODY HAVING JURISDICTION.

PREPARED BY:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752

June 26, 2012
DATE:



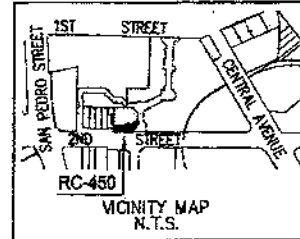
EXHIBITS B

EXHIBIT "B"

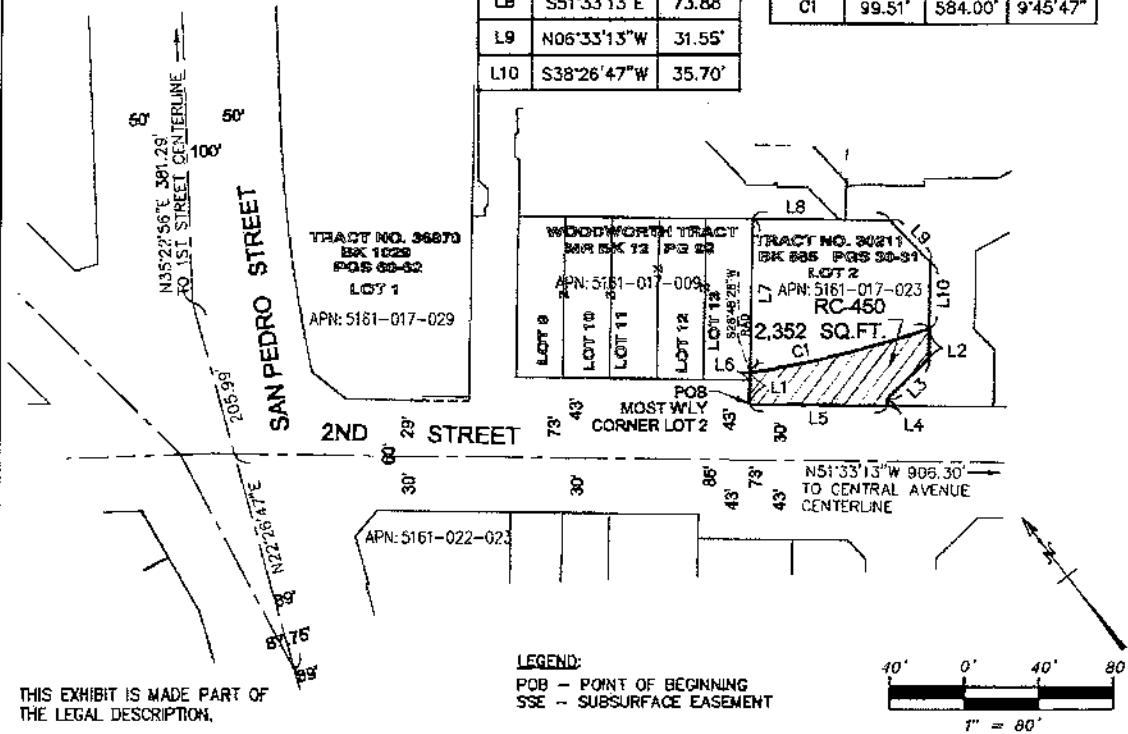
Grantor: JAPANESE VILLAGE, LLC	THE DATA SHOWN ON PLAT ARE BASED ON FIELD SURVEY PREPARED BY WAGNER ENGINEERING & SURVEY, INC. DATED JUNE 2011 - JUNE 2012. BEARING AND DISTANCES ARE BASED ON CALIFORNIA COORDINATE SYSTEM NAD '83 ZONE 5 COORDINATES OBTAINED FROM CALIFORNIA H.P.S.N.	
Description: TRACT NO. 30211, BOOK 885, PAGES 30 AND 31 PORTION OF LOT 2		
Title Report: CHICAGO TITLE COMPANY ORD. # 116740333-X02		
Assessor's Ref: 5161-017-023	ROW Ref: R-107	No. Date Revision Description



LINE TABLE		
LINE	BEARING	LENGTH
L1	N38°27'56"E	16.91'
L2	S38°26'47"W	15.70'
L3	S83°26'47"W	31.30'
L4	S38°26'47"W	4.00'
L5	N51°33'13"W	74.09'
L6	S38°27'56"W	3.91'
L7	S38°27'56"W	82.93'
L8	S51°33'13"E	73.88'
L9	N06°33'13"W	31.55'
L10	S38°26'47"W	35.70'



CURVE TABLE			
CURVE	LENGTH	RAIUS	DELTA
C1	99.51'	584.00'	9°45'47"



TOTAL AREA OF PROPERTY	RC-450	REMAINDER PARCEL AREA	ESTATE
9,023 SQ. FT. (NET AREA)	2,352 SQ. FT. (NET AREA)	6,671 SQ. FT. (NET AREA)	SSE

	APPROVED BY: <i>Lydia Ray</i> 7/18/12 PROJECT MANAGER DATE	REGIONAL CONNECTOR CITY OF LOS ANGELES	DATE: 12/16/11
	PREPARED BY: Stephanie Wagner CHECKED BY: S.: 5752		SCALE: 1" = 80' REV. No. DATE: REV. No. DATE: PARCEL No. RC-450

EXHIBIT "B"

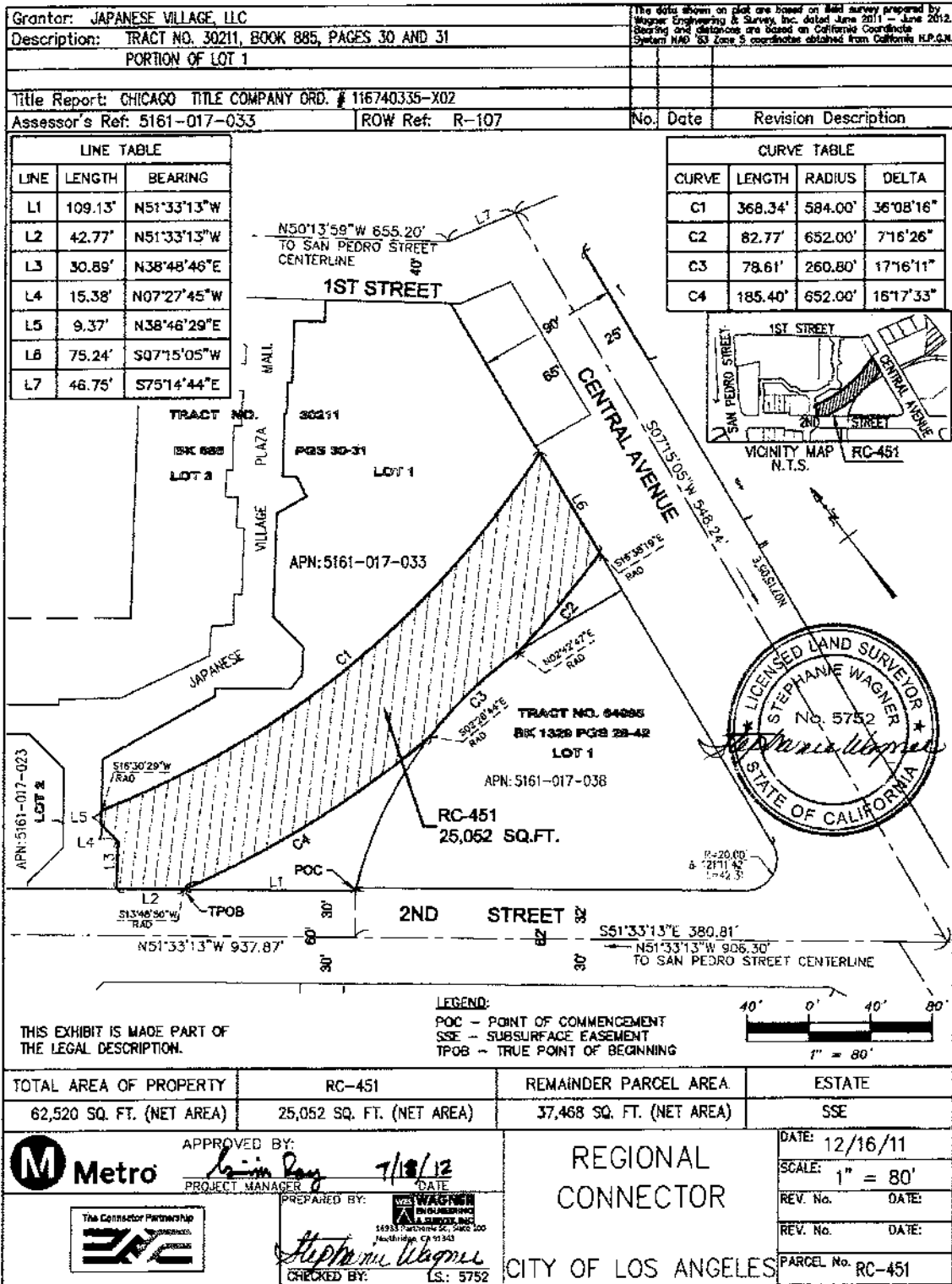
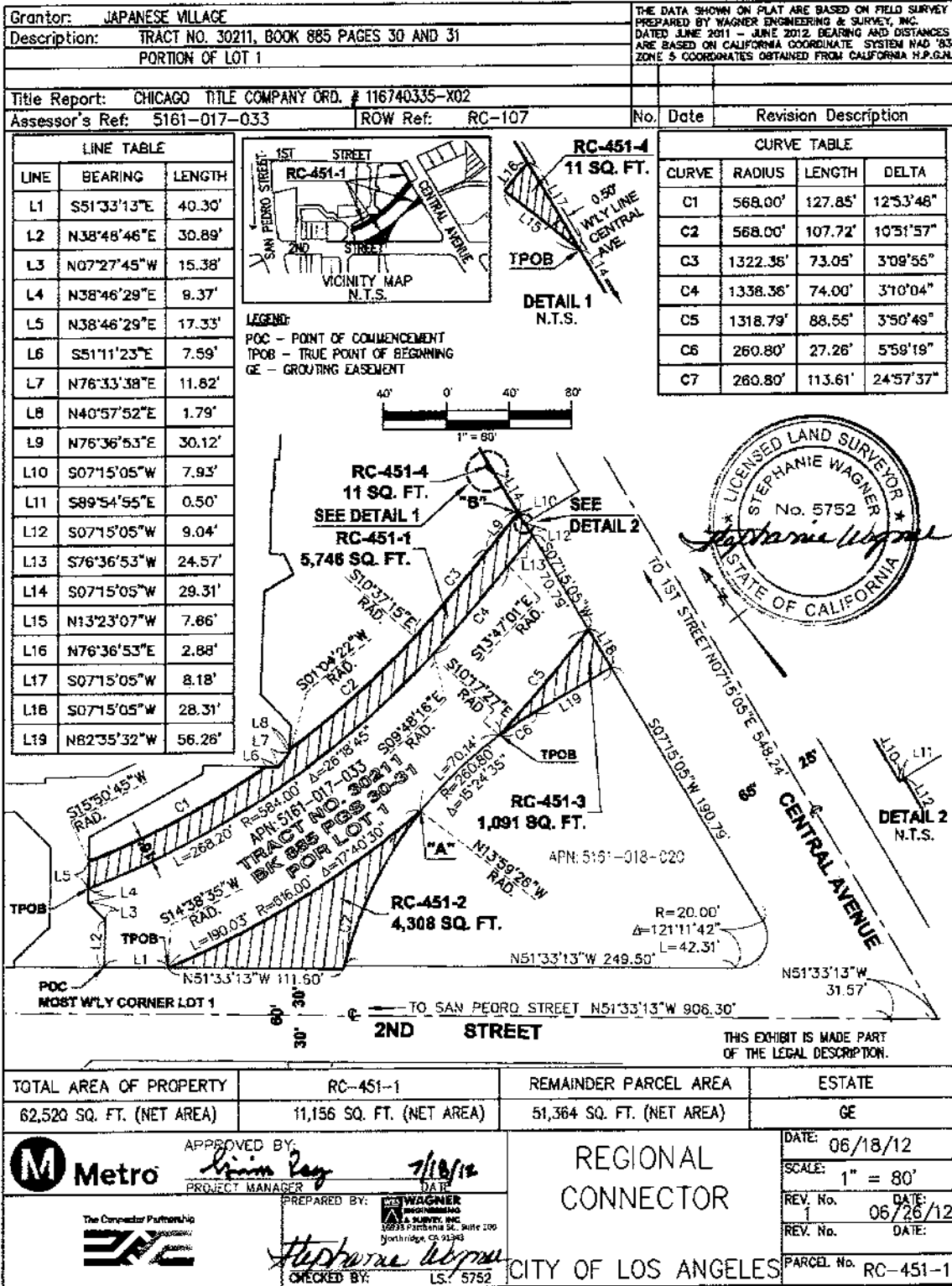


EXHIBIT "B"



TOTAL AREA OF PROPERTY	RC-451-1	REMAINDER PARCEL AREA	ESTATE
62,520 SQ. FT. (NET AREA)	11,156 SQ. FT. (NET AREA)	51,364 SQ. FT. (NET AREA)	GE

APPROVED BY: <i>Kevin Ray</i> 7/18/12 PROJECT MANAGER	PREPARED BY: <i>Stephanie Wagner</i> WAGNER ENGINEERING & SURVEY, INC. 16933 Parthenia St., Suite 200 Northridge, CA 91343	DATE: 06/18/12
		SCALE: 1" = 80'
	CHECKED BY: LS: 5752	REV. No. 1 DATE: 06/26/12
		PARCEL No. RC-451-1