



Los Angeles County  
Metropolitan  
Transportation  
Authority

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Los Angeles, CA  
90012

213.922.6000

Mailing Address:  
P.O. Box 194  
Los Angeles, CA 90053

*Carried Over*

SEPTEMBER 24, 1996

**TO: BOARD OF DIRECTORS**  
**FROM: JOSEPH E. DREW, CHIEF EXECUTIVE OFFICER**  
**SUBJECT: PUBLIC HEARING RE: NECESSITY FOR THE ACQUISITION OF THAT CERTAIN PROPERTY LOCATED AT 1817 EAST FIRST STREET (ED-131) IN THE CITY OF LOS ANGELES**

**RECOMMENDATION**

The MTA should open the hearing on the proposed condemnation of the above-described property, ask for the oral presentation of the staff report and take testimony from the owners of record or their representative(s) and from any representative of the City of Los Angeles who wishes to be heard on the above issues.

If the evidence warrants the necessary findings, it is recommended that the MTA make such findings and adopt the attached Resolution of Necessity authorizing the commencement of an eminent domain action to acquire the subject property interest.

**ORGANIZATIONAL IMPACT**

Acquisition of Parcel ED-131 is required for the construction and operation of the Metro Red Line, Segment 3 - East Side Project.

**BUDGET IMPACT**

The acquisition of Parcel ED-131 is included in the approved Metro Red Line, Segment 3 - East Side Project Budget, and funds are available to proceed with this acquisition.

**ALTERNATIVE CONSIDERED**

The subject property is required for the construction and operation of the Metro Red Line First/Boyle Station. The Board has the option to withhold adoption of the Resolution of Necessity. This would result in an additional delay in obtaining possession of the required property, and thereby cause delays and increased costs to the Metro Red Line, Segment 3 - East Side Project.

## Attachment 1

### STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF PARCEL ED-131 FOR THE METRO RED LINE, SEGMENT 3 - EAST SIDE PROJECT.

#### BACKGROUND

The subject property is required for the construction and operation of the Metro Red Line First/Boyle Station. Parcel ED-131 is located at 1817 East First Street and a title report of Chicago Title Insurance Company indicates the subject property is owned by Constantino and Alice Miguel, as trustees of the 1993 Miguel family trust dated August 31, 1993. The property consists of approximately 40,676 square feet and is improved with a 14,500 square foot building currently used as a neighborhood market. The property also consists of certain improvements to realty. The acquisition of the property interest of ED-131 consists of a full fee take for the construction and operation of the First/Boyle Station. The subject property interest for the First/Boyle Station was chosen based upon the Final Environmental Impact Report and Study for the Metro Red Line, Segment 3 - East Side Project.

A written offer was mailed to the property owner on July 19, 1996 for the acquisition of the required property interest. During subsequent meetings and telephone conversations, the property owners indicated their rejection of the MTA's acquisition offer and an unwillingness to negotiate a settlement.

Following is an analysis as to whether the public interest and necessity require the acquisition of the subject property interests.

A. The public interest and necessity require the Project.

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

1. The Project will provide significant improvements in transportation and attendant access to economic (employment) opportunities for low income, elderly, young, and handicapped persons

The LPA is an easterly extension of the Metro Red Line currently in operation in the downtown area running in a westerly direction. The LPA is a 6.8 mile below-grade rail alignment extending from Los Angeles Union Station east to the intersection of Whittier Boulevard and Atlantic Boulevard. The proposed seven stations of the LPA are located at intersections of Santa Fe Avenue and Third Street (Little Tokyo Station), First Street and Boyle Avenue, Cesar Chavez Boulevard and Soto Street, First Street and Lorena Street, Whittier Boulevard and Rowan Avenue, Whittier Boulevard and Arizona Avenue, and Whittier Boulevard and Atlantic Boulevard. The initial phase of the Project includes only the first four stations.

Travel projections prepared by the Southern California Association of Governments (SCAG) identified the need for major rail transit improvements in the region, especially in Los Angeles County, to meet the mandates of the Clean Air Act and the mobility needs of the region. Current freeways and local street facilities can not be expanded sufficiently to handle the forecasted demand for mobility. The latest regional forecasts for the year 2010 estimates that person trips will increase by over forty percent for the region and by almost thirty percent in Los Angeles County. Specifically related to the Metro Red Line, Segment 3 -East Side Project area, all major freeways serving the area are currently over capacity during peak periods and for many hours in the off-peak period. No major improvements to existing freeways in the subject area are identified. In addition, during various community meetings, the residents of the East Side 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.

Due to its bulk, the Final Environmental Impact Report and Study and other environmental documents are not physically included in the MTA's agenda packet for this public hearing. However, these documents should be considered in connection with this matter.

It is recommended that, based upon the foregoing, the MTA find and determine that the Project is located in the manner that will be most compatible with the greatest public good and the least private injury.

C. The subject property interest is necessary for the proposed Project.

Parcel ED-131 consists of a full fee taking for the construction and operation of the First/Boyle Station. The subject property interest for the First/Boyle Station was chosen based upon the final environmental impact report and study for the Metro Red Line, Segment 3 -East Side Project. The subject property interest is legally described more specifically in the attached Exhibit "A" and is generally depicted in the parcel plat map attached hereto as Exhibit "B", both of which are incorporated herein by this reference.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

PARCEL 1:

LOTS 111 AND 112 OF THE WORKMAN AND HOLLENBECK TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGES 426 AND 427 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2:

THE SOUTHWESTERLY 35 FEET OF LOT 2 AND THE SOUTHWESTERLY 35 FEET OF THE SOUTHEASTERLY 10 FEET OF LOT 4 IN BLOCK "K" OF MOORE & KELLEHER SUBDIVISION OF LOT 3, IN BLOCK 60 OF HANCOCK'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 3 PAGES 54 AND 55 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 3:

LOT 110 OF WORKMAN AND HOLLENBECK TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGES 426 AND 427 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 4:

THE WEST 50 FEET OF LOT 4 IN BLOCK "K" OF MOORE AND KELLEHER'S SUBDIVISION OF LOT 3 IN BLOCK 60 OF HANCOCK'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 3 PAGES 54 AND 55 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 5:

THAT PART OF LOT 10 OF HYAN'S RESUBDIVISION OF BOYLE HEIGHTS, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 53 PAGE 24 OF MISCELLANEOUS RECORDS, DESCRIBED AS FOLLOWS:

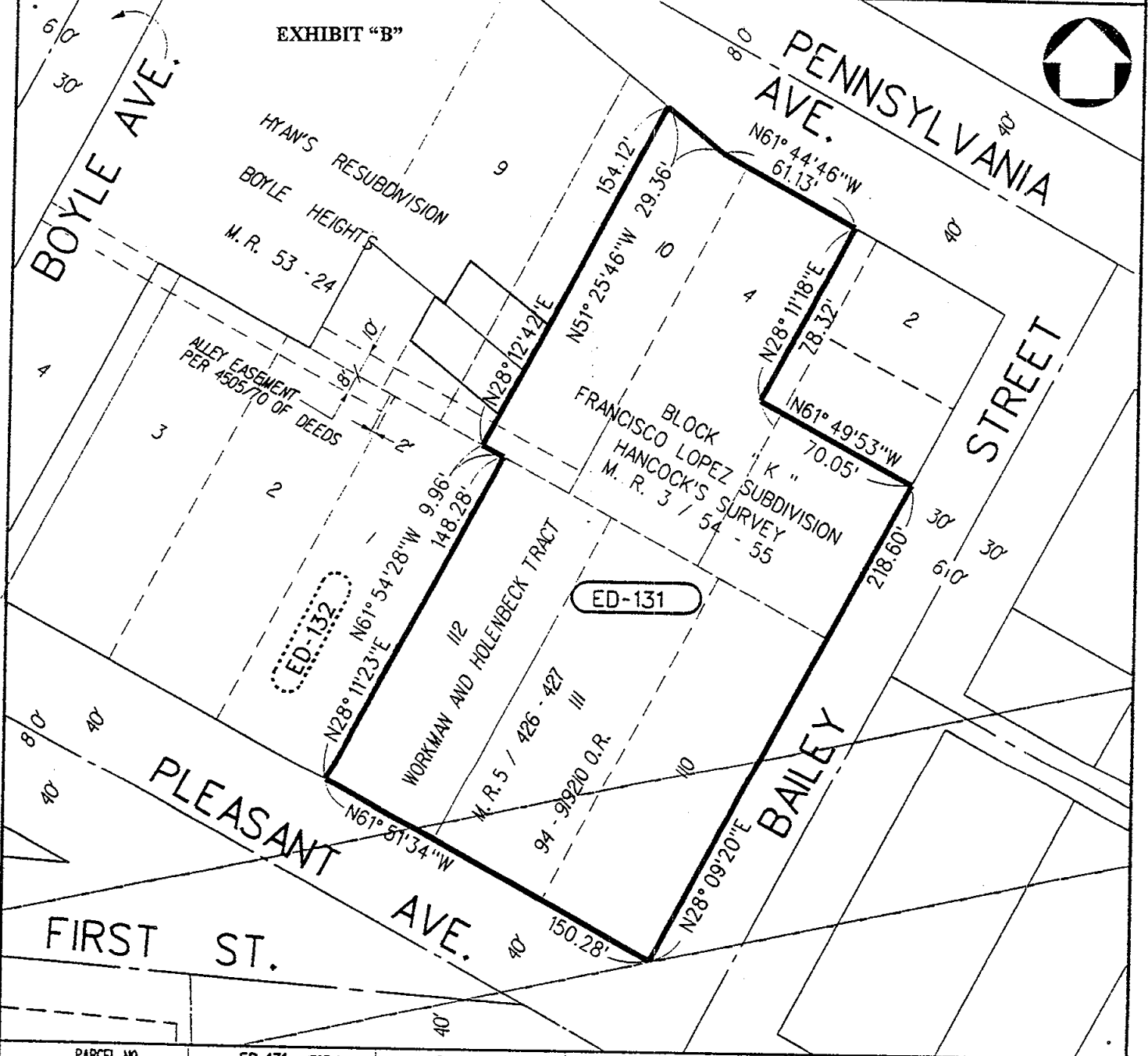
COMMENCING AT THE MOST EASTERLY CORNER OF SAID LOT 10; THENCE SOUTHWESTERLY ALONG THE SOUTHEAST LINE THEREOF, 120 FEET; THENCE NORTHWESTERLY PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 40 FEET; THENCE NORTHEASTERLY PARALLEL WITH SAID SOUTHEAST LINE TO THE SOUTHWESTERLY LINE OF PENNSYLVANIA AVENUE; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID PENNSYLVANIA AVENUE, TO THE POINT OF BEGINNING.

PARCEL 6:

THE NORTHERLY 35 FEET OF THE SOUTHERLY 70 FEET OF LOT 2 AND THE NORTHERLY 35 FEET OF THE SOUTHERLY 70 FEET OF THE EASTERLY 10 FEET OF LOT 4 IN BLOCK "K" OF MOORE AND KELLEHER'S SUBDIVISION OF LOT 3 IN BLOCK 60 OF HANCOCK'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 3 PAGES 54 AND 55 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 7:

GRANTOR : CONSTANTINO & ALICIA MIGUEL		The data shown on this map and/or plat are compiled from public sources and are subject to field verification. Bearings are based on California Coordinate System Zone VII coordinates obtained from Los Angeles City Survey Division.
DESCRIPTION : LOTS 110, 111, & 112, M. R. 5 / 426-427 ; PORTION LOTS 2 & 4 , M. R. 3 / 54 - 55 ; PORTION LOT 10, M. R. 53 - 24		
BENCH MARK : N/A		
TITLE REPORT : CHICAGO *9509632 64	ADDRESS : 1817 E. FIRST STREET	
ASSESSORS REF. 517-4-14-16, 17, 32-35, 38	R.O.W. REFERENCE RW022, ED-131	
		1 1/10/96 CHANGE VESTING DEED, ALLEY ESMT.
		NO. DATE REVISION DESCRIPTION



PARCEL NO.	ED-131 (TOTAL)	ED-131 (FEB)
AREA - SQUARE FEET	40,676	40,676

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**  
**METRO RED LINE**

**ENGINEERING MANAGEMENT CONSULTANT**  
as a member of  
**EDM/JM**  
Perkins Brinkerhoff Quate & Associates,  
 Civil, Survey, Architect & Mechanical  
 Engineers/Planners/Architects  
 11000 Wilshire Blvd., Suite 1000  
 Los Angeles, California 90024  
 Telephone: (213) 709-1000  
 Fax: (213) 709-1001  
  
 SUBMITTED BY: L.S. 4356

APPROVED BY:  
  
 JOEL Q. SANDBERG  
 MTA PROJECT MANAGER  
 DATE: 1/12/96

**PARCEL PLAT**  
**ED-131**

CONTRACT NO./DESIGN UNIT	
C0521	
SCALE	
1" = 60'	
DATE	
3/20/95	
DRAWN BY	
C. SY	
CHECKED BY	
L. RUSH	
REV. DATE	REV. NO.
1/10/96	1

11-2001-104 9517 retrans:ems:\digit\cast\tr\red131.rpt

Section 4.

(a) The acquisition of the above-described property is necessary for the development, construction, operation and maintenance of the Metro Red Line, Segment 3 - East Side Project ("Project");

(b) The environmental impacts of the Project alignment were considered in the June 1994 Final Environmental Impact Report ("FEIR") and the September 1994 Final Environmental Impact Study ("FEIS") for this Project; and

(c) The Los Angeles County Metropolitan Transportation Authority has reviewed and considered the 1994 FEIR, before and as part of the process of determining whether to acquire the above-named property, and approved said FEIR on September 19, 1994.

Section 5.

The Los Angeles County Metropolitan Transportation Authority 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 and located in the manner which will be most compatible with the greatest public good and the least private injury;

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

(d) The offer required by Section 7267.2 of the Government Code has been made to the owners of record.