

REPORT TO CITY COUNCIL

DATE: OCTOBER 23, 2013

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

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SUBJECT: CONSIDERATION OF THE ADOPTION OF RESOLUTIONS OF NECESSITY FOR THE ACQUISITION IN EMINENT DOMAIN, OF CERTAIN REAL PROPERTY FOR PUBLIC PURPOSE, OF FOURTEEN (14) PROPERTIES FOR THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT

I. BACKGROUND

A. Eminent Domain Process – General

Public entities can acquire property from private property owners for public use and necessity with payment of “just compensation.” Cal. Const., Art I, Sect. 19. Just compensation is determined by an appraisal of the fair market value of the property sought to be acquired. Private property can be acquired by public agencies through offers of just compensation, good faith negotiation, and voluntary settlement or the use of eminent domain powers.

If the parties are unable to reach an agreement on the terms of the acquisition, or if clear title cannot be conveyed by the property owner, then upon the expiration of the good faith offer period, the public entity may send out a letter to the property owner providing said owner with a Notice of Hearing to Consider Adoption of a Resolution of Necessity. The public entity must provide the property owner with at least 15 days notice of the hearing. The letter must be sent by First Class mail or personal delivery to the name and address listed on the last tax assessor’s roll. (Code of Civil Procedure Section 1245.235).

Prior to the hearing on the Resolution of Necessity, a report to the City Council is prepared, which sets forth the purpose of the proposed acquisition, explains the CEQA review process completed by the public entity, and establishes four elements necessary for a public entity to exercise its power of eminent domain. The public entity may exercise its power of eminent domain to acquire property for a proposed project only if

all of the following are established: (a) 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 the least private injury; (c) the property sought to be acquired is necessary for the project (Code of Civil Procedure Section 1240.030); and (d) a written offer of just compensation is provided, as required by Government Code section 7267.2.

A public entity may not commence an eminent domain action until its governing body has adopted a resolution of necessity that meets certain statutory requirements (Code of Civil Procedure Section 1245.220). At the hearing to consider the adoption of the Resolution of Necessity, the governing body must give notice to each person whose name and address appears on the last equalized county assessment roll notice and provide a reasonable opportunity to be heard. Anyone who has advised the City Clerk that they wish to be heard on the issue of the adoption of the Resolution of Necessity or who has filed written objections, may be heard (Code of Civil Procedure Section 1245.235(b) (3)). Although this is not a true “public hearing,” public entities may allow anyone who wants to speak on the adoption of the Resolution of Necessity to do so.

A Resolution of Necessity adopted by the governing body of the public entity as previously described, conclusively establishes the four findings referenced above (Code of Civil Procedure Section 1245.250(a)). If the Resolutions of Necessity are approved, the public entity will concurrently authorize the City Attorney’s office and City staff to take all necessary steps to deposit with the court the amount of probable compensation required by law for issuance of Orders for Possession, including complaints in condemnation.

B. Fourteen (14) Proposed Resolutions of Necessity for the Agoura Road Widening and Canwood Street Improvements Project before City Council

The City Council has before it fourteen (14) proposed Resolutions of Necessity to acquire portions, in various combinations of fee simple, permanent and temporary construction easements on certain real properties located on Agoura Road in the City of Agoura Hills in connection with the proposed Agoura Road Widening and Canwood Street Improvements Project (“Project”). The real property interests sought for the Project are sought for a public use, namely for road widening and street improvement purposes, and all purposes necessary and convenient thereto in connection with the Project pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Government Code sections 37350, 37350.5, 37351, 40401 and 40404 and California Code of Civil Procedure section 1230.010, *et seq.* (Eminent Domain Law), including, but not limited to sections 1240.010, 1240.020, 1240.110, 1240.120, 1240.150, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

The Project would widen various areas along Agoura Road between the westerly City limits and Cornell Road and will create a total of four (4) lanes of vehicular travel, bike paths on both sides of Agoura Road, landscaped medians, sidewalks with

landscaped parkways, hardscape for the Agoura Village Specific Plan Project Area and the undergrounding of utilities. As shown more fully below, the Project is consistent with the General Plan of the City of Agoura Hills and is required for the public health and safety because it will improve vehicular traffic circulation and safety, improve pedestrian safety, provide adequate capacity to serve as an emergency bypass for the U.S. 101, alleviate the anticipated unacceptable levels of traffic congestion, and maintain traffic circulation at the standard set forth in the City's Circulation Element.

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL REVIEW

The City of Agoura Hills is the lead agency for this Project and is making these improvements to one of its major thoroughfares for the betterment of the general public. The City is undertaking this Project to alleviate congestion, improve operations, and provide appropriate capacity to serve as a bypass during emergencies on the U.S. 101, reduce accident rates, improve pedestrian safety, and provide for future increases in traffic volumes.

Agoura Road will be widened in areas between the westerly City limits and Cornell Road. Improvements to Kanan Road are also proposed between approximately 500 feet north of the Agoura Road/Kanan Road intersection and 1600 feet south of the Agoura Road/Kanan Road Intersection. Additional improvements along Canwood Street are proposed as part of the Project from approximately Reyes Adobe Road to East of Strawberry Hill Drive, north of U.S. 101. Most of the Project would be within existing City of Agoura Hills (City) right-of-way; however, additional frontage area on private parcels along Agoura Road would be required, which would necessitate acquisition of the land area by the City. Other parcels would be affected by the Project for grading and driveway reconstruction, or accessed temporarily during construction.

The 2010 City of Agoura Hills General Plan (City's General Plan) identifies the need for further improvements along both Agoura Road and Kanan Road. These improvements include the widening of Agoura Road from two to four lanes between the western City limits to Kanan Road, as well as the widening of Kanan Road between Agoura Road and the southerly City limit. The purpose of the Project is to: (1) Provide compatibility along Agoura Road between existing roadway improvements and planned development in the area; (2) Provide continuity along Kanan Road between roadway segments north and south of Agoura Road; (3) Ensure compatibility between the proposed Agoura Road and Kanan Road widening improvements; (4) Increase accessibility and safety for pedestrians and bicyclists along the Agoura Road corridor; and (5) Maintain Canwood Street and stabilize the hillside between Canwood Street and the U.S. 101.

The City proposes to widen Agoura Road to its ultimate build-out width within the City limits. The Project would include widening the existing roadway from two to four lanes from the westerly City limits to just west of Reyes Adobe Road, and again from Ladyface Court to Kanan Road. For the segment between Reyes Adobe Road and Ladyface Court, there would only be a pavement overlay and street lighting installed.

The roadway would remain a two-lane facility from Kanan Road to Cornell Road with the addition of diagonal parking spaces on both sides of the road.

Improvements at the Agoura Road/Kanan Road intersection would also be conducted, along with the widening of Agoura Road, approximately 600 feet on either side of the intersection to allow for turning movements. Beyond these limits, Kanan road would remain a two-lane facility.

The Project would include constructing a Class II bike lane with curb/gutters on both sides of Agoura Road, installing landscaped medians, and meandering sidewalks with landscaped parkways, as outlined in the Agoura Village Specific Plan and Agoura Hill's General Plan. A second pedestrian-only bridge over Medea Creek would be constructed as a separate structure adjacent to the roadway bridge. Further, the undergrounding of existing utilities will be implemented

In addition to improvements on Agoura Road, the Project would also include repaving Canwood Street from Reyes Adobe Road to Forest Cove Lane, and repairing pavement and stabilizing a portion of the hillside along Canwood Street from Forest Cove Lane to approximately 650 feet east of Forest Cove Lane. .

The Project traffic flow improvements were found to be compatible with the health, safety, and welfare of the community and in conformance with the City's General Plan and Circulation Element. The Project was found to be compatible with surrounding land uses. The Project was determined to not have an adverse effect on the overall community because it remains consistent with the goals and policies of the General Plan and Circulation Element. All of these proposed road widening and street improvements are part of the Project.

The potential environmental effects of the Project were studied and analyzed in connection with the Initial Study/Environmental Assessment of the Agoura Road Widening and Canwood Street Improvements and related reports. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Project. The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. An MND may be used to satisfy the requirements of CEQA when a Project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the Project would not result in any significant effects on the environment that cannot be reduced to below a level of significance with the mitigation measures included herein.

Upon completion of the issuance of the Mitigated Negative Declaration and following the expiration of the 30-day public comment period pursuant to section 15105 of the CEQA Guidelines, the City Council, on December 19, 2012, approved a Resolution 12-1693, adopting the final Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Agoura Road Widening and Canwood Street Improvements Project.

The City of Agoura Hills's General Plan, Circulation Element, the Mitigated Negative Declaration, Initial Study/Environmental Assessment, Project Study Reports, exhibits to these documents and all documents referenced therein, the proposed right of way maps, and aerial maps of the Subject Property Interests are on file in the City's Planning Department, and are incorporated in this Report by this reference.

The Project will require the relocation of several utilities that are located in the Subject Property Interests. The public use for which the City seeks to acquire the Subject Property Interests, namely street purposes and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders have appropriated those utility easements, which are located in the Subject Property Interests and are affected by the Project. Negotiations with the utility companies will continue past an adoption of a resolution of necessity.

III. DESCRIPTION OF SUBJECT PROPERTY INTERESTS

The real properties that are the subject of the Resolutions of Necessity are necessary for the Project. The "Subject Property Interests" the City seeks to acquire for the Project are described as follows:

- Portions of 30800 Agoura Road, Agoura Hills, 91301 (Assessor's Parcel Number 2061-001-025) consisting of two permanent easements (878 square feet and 24,108 square feet) (Agoura Hills Center Properties, LLC);
- Portions of 29395 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-024) consisting of a three-month temporary construction easement (761 square feet) (Kids from the Valley VI, LLC);
- Portions of 29301 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-027) consisting of a four-month temporary construction easement (1,244 square feet) (Las Virgenes Properties);
- Portions of the real property located on the North side of Agoura Road and West of Roadside Drive, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-030) consisting of a permanent easement (7,640 square feet) (General Electric Credit Equities, Inc.);
- Portions of 29301 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-039) consisting of a partial fee take (6,893 square feet) and a three-month temporary construction easement (111 square feet) (Las Virgenes Properties);
- Portions of 29525 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-900) consisting of a permanent easement (6,365 square feet) and a

six-month temporary construction easement (1,678 square feet) (Los Angeles County);

- Portions of 29101 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-006-035) consisting of a three-month temporary construction easement (42 square feet) (Conejo Valley U-Store-It);
- Portions of 29045 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-006-044) consisting of a partial fee take (250 square feet) and a three month temporary construction easement (5,385 square feet) (Kids From the Valley V, LLC);
- Portions of the real property located on the South east Corner of Agoura Road and Kanan Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-031-020) consisting of a three-month temporary construction easement (3,198 square feet) (Shuman Associates);
- Portions of 29020 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-031-023) consisting of a three-month temporary construction easement (763 square feet) (Agoura Shopping Center Capital, LLC);
- Portions of 29646 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-013) consisting of two permanent easements (2,214 square feet and 35,812 square feet) and a six-month temporary construction easement (4,619 square feet) (International Church of the Gospel Foursquare);
- Portions of the real property located on the South side of Agoura Road and East of Ladyface Court, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-015) consisting of two permanent easements (286 square feet and 894 square feet) and a three-month temporary construction easement (434 square feet) (Vinod K. & Chanresh Gupta Trust);
- Portions of the real property located on the South west corner of Agoura Road and Kanan Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-016) consisting of two partial fee acquisitions (21,127 square feet and 3,630 square feet) and two permanent easements (2,262 square feet and 51,980 square feet) (Creekside Terrace); and
- Portions of the real property located on the South side of Agoura Road and West of Kanan Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-904) consisting of a three-month temporary construction easement (532 square feet) (Los Angeles County Flood Control District).

Legal descriptions of each of the real property interests the City seeks to acquire for the Project are attached as an Exhibit to each Resolution of Necessity. Maps depicting the location of the real property interests the City seeks to acquire in relation to the Project are attached to each of the above Resolutions of Necessity as an Exhibit.

Each Resolution and their respective Exhibits are incorporated in this Report by this reference.

IV. REQUISITES FOR ADOPTION OF RESOLUTIONS OF NECESSITY

In order to adopt each Resolution of Necessity with respect to the Subject Property Interests, the City Council must, separately and individually, find and determine with respect to (Code of Civil Procedure Section 1245.230) each proposed acquisition that:

- A. The public interest and necessity require the Project;
- B. The Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury;
- C. The Subject Property Interests described in each Resolution of Necessity are necessary for the Project; and
- D. The City has made an offer as required by Government Code section 7267.2 to each of the owners of record of the real property it seeks to acquire.

The amount of just compensation is not an issue before the City Council at this hearing. This hearing relates only to issues A, B, C, and D above.

V. FINDINGS AND DETERMINATION RE CODE OF CIVIL PROCEDURE SECTION 1245.230

A. The Public Interest and Necessity Require the Project

As shown above, the Project would alleviate present and future traffic congestion, improve operations, create capacity necessary to support the U.S. 101 during emergencies, reduce accident rates, improve pedestrian safety, and provide for future increases in traffic volumes.

Specifically, the Project would widen Agoura Road in areas between the westerly City limits and Cornell Road. Improvements to Kanan Road are also proposed between approximately 500 feet north of the Agoura Road/Kanan Road intersection and 1600 feet south of the Agoura Road/Kanan Road Intersection. Additional improvements along Canwood Street are proposed as part of the Project from approximately Reyes Adobe Road to East of Strawberry Hill Drive, north of U.S. 101. Most of the Project would be within existing City of Agoura Hills (City) right-of-way; however, additional frontage area on private parcels along Agoura Road would be required, which would necessitate acquisition of the land area by the City. Other parcels would be affected by the Project for grading and driveway reconstruction, or accessed temporarily during construction.

The 2010 City of Agoura Hills General Plan (City's General Plan) identifies the need for further improvements along both Agoura Road and Kanan Road. These improvements include the widening of Agoura Road from two to four lanes between the western City limits to Kanan Road, as well as the widening of Kanan Road between Agoura Road and the southerly City limit. The purpose of the Project is to: (1) Provide compatibility along Agoura Road between existing roadway improvements and planned development in the area; (2) Provide continuity along Kanan Road between roadway segments north and south of Agoura Road; (3) Ensure compatibility between the proposed Agoura Road and Kanan Road widening improvements; (4) Increase accessibility and safety for pedestrians and bicyclists along the Agoura Road corridor; and (5) Maintain Canwood Street and stabilize the hillside between Canwood Street and U.S. 101.

The City proposes to widen Agoura Road to its ultimate build-out width within the City limits. The Project would include widening the existing roadway from two to four lanes from the westerly City limits to just west of Reyes Adobe Road, and again from Ladyface Court to Kanan Road. For the segment between Reyes Adobe Road and Ladyface Court, there would only be a pavement overlay. The roadway would remain a two-lane facility from Kanan Road to Cornell Road with the addition of diagonal parking spaces on both sides of the road.

Improvements at the Agoura Road/Kanan Road intersection would also be conducted, including widening Kanan Road between Agoura Road and 500 feet north and 1600 feet south of the intersection, and widening Agoura Road approximately 600 feet on either side of the intersection to allow for turning movements. Beyond these limits, Kanan Road would remain a two-lane facility.

The Project includes constructing a Class II bike lane and curb/gutters on both sides of Agoura Road, installing landscaped medians, and meandering sidewalks with landscaped parkways, as outlined in the Agoura Village Specific Plan and Agoura Hill's General Plan. A second pedestrian-only bridge over Medea Creek would be constructed as a separate structure adjacent to the roadway bridge.

Most of the widening occurs within existing City right-of-way; however, additional frontage area on private parcels along Agoura Road would be required, which would necessitate the acquisition of the land area by the City. Other parcels would be affected by the Project for grading and driveway reconstruction, or temporary access during construction.

In addition to improvements on Agoura Road, the Project would also include repaving Canwood Street from Reyes Adobe Road to Forest Cove Lane, and repairing pavement and stabilizing a portion of the hillside along Canwood Street from Forest Cove Lane to approximately 650 feet east of Forest Cove Lane. Further, the undergrounding of existing utilities will be implemented.

These improvements would help to ensure safe traffic circulation on Kanan Road and, thus, minimizing unacceptable congestion and unsafe conditions that would result

absent the Project. The Project traffic flow improvements were found to be compatible with the health, safety, and welfare of the community and in conformance with the City's General Plan and Circulation Element.

Further, the Project is consistent with the City's General Plan and Circulation Element and is required for the public health and safety because it will alleviate anticipated unacceptable levels of traffic congestion and maintain traffic circulation at the standard set forth in the Circulation Element of the General Plan. The Project would ensure that vehicles are able to circulate in a safe manner, including emergency vehicles vital to the public health and safety.

The Project is necessary to reduce the existing and anticipated transportation and traffic congestion impacts on Agoura Road, one of the main arterials in the City of Agoura Hills. The improvements on Agoura Road and the surrounding streets described above are necessary to achieve the traffic and circulation goals identified above, including improving the flow of traffic. Thus, the Project benefits the City as a whole. The Project also ensures that other goals of the Circulation Element are met, including the goal of improving traffic flow within the interchange to accommodate additional through movement lanes and to improve visibility at congested intersections.

The Project requires the relocation of several utilities that are located in the Subject Property Interests. The public use for which the City seeks to acquire the Subject Property Interests, namely street purposes and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders have appropriated those utility easements, which are located in the Subject Property Interests and are affected by the Project.

B. The Project is Planned and Located in the Manner that will be Compatible with the Greatest Public Good and Least Private Injury

As shown in detail above, the Project would widen Agoura Road from two to four lanes between the western City limits to Kanan Road, as well as widen Kanan Road between Agoura Road and the southerly City limit. The Project will provide improved traffic circulation, provide additional parking, increase accessibility and safety for pedestrians and bicyclists, and stabilize the hillside between Canwood Street and U.S. 101.

The City proposes the use of temporary construction easements for the Project as well as permanent easements from private property owners. Permanent and temporary construction easements allow the affected private property owners to retain their principal ownership following the use of their property for the Project. The City has made every effort to reduce the number of partial fee acquisitions needed for the Project.

The Project has been designed so that most of land needed is within existing City right-of-way. However, additional frontage area on private parcels along Agoura Road will be required. Some parcels will be affected by the Project for grading and driveway reconstruction, or will be accessed temporarily during construction. The Project cannot be constructed without the acquisition of the Subject Property Interests which include permanent and temporary construction easements, and several partial fee acquisitions from the following properties for the right-of-way improvements:

- Portions of 30800 Agoura Road, Agoura Hills, 91301 (Assessor's Parcel Number 2061-001-025) consisting of two permanent easements (878 square feet and 24,108 square feet) (Agoura Hills Center Properties, LLC);
- Portions of 29395 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-024) consisting of a three-month temporary construction easement (761 square feet) (Kids from the Valley VI, LLC);
- Portions of 29301 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-027) consisting of a four-month temporary construction easement (1,244 square feet) (Las Virgenes Properties);
- Portions of the real property located on the North side of Agoura Road and West of Roadside Drive, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-030) consisting of a permanent easement (7,640 square feet) (General Electric Credit Equities, Inc.);
- Portions of 29301 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-039) consisting of a partial fee take (6,893 square feet) and a three-month temporary construction easement (111 square feet) (Las Virgenes Properties);
- Portions of 29525 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-900) consisting of a permanent easement (6,365 square feet) and a six-month temporary construction easement (1,678 square feet) (Los Angeles County);
- Portions of 29101 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-006-035) consisting of a three-month temporary construction easement (42 square feet) (Conejo Valley U-Store-It);
- Portions of 29045 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-006-044) consisting of a partial fee take (250 square feet) and a three month temporary construction easement (5,385 square feet) (Kids From the Valley V, LLC);
- Portions of the real property located on the South east Corner of Agoura Road and Kanan Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-031-020)

consisting of a three-month temporary construction easement (3,198 square feet) (Shuman Associates);

- Portions of 29020 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-031-023) consisting of a three-month temporary construction easement (763 square feet) (Agoura Shopping Center Capital, LLC);
- Portions of 29646 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-013) consisting of two permanent easements (2,214 square feet and 35,812 square feet) and a six-month temporary construction easement (4,619 square feet) (International Church of the Gospel Foursquare);
- Portions of the real property located on the South side of Agoura Road and East of Ladyface Court, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-015) consisting of two permanent easements (286 square feet and 894 square feet) and a three-month temporary construction easement (434 square feet) (Vinod K. & Chanresh Gupta Trust);
- Portions of the real property located on the South west corner of Agoura Road and Kanan Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-016) consisting of two partial fee acquisitions (21,127 square feet and 3,630 square feet) and two permanent easements (2,262 square feet and 51,980 square feet) (Creekside Terrace); and
- Portions of the real property located on the South side of Agoura Road and West of Kanan Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-904) consisting of a three-month temporary construction easement (532 square feet) (Los Angeles County Flood Control District).

The Project requires the relocation of several utilities that are located in, on, and above the Subject Property Interests. The public use for which the City seeks to acquire the Subject Property Interests, namely interchange improvement purposes and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders have appropriated those utility easements, which are located in the Subject Property Interests and are affected by the Project.

C. The Subject Property Interests Described in The Resolutions of Necessity Are Necessary For The Project

As explained above, the construction of the Project in the manner proposed requires the acquisition of the Subject Property Interests for the construction of the road widening and street improvement project.

D. The City Has Made Offers Required by Section 7267.2 of the Government Code to the Owners of Record of the Real Property the City Seeks to Acquire

As explained more fully above, the City, pursuant to Government Code section 7262 *et seq.*, obtained fair market value appraisals of the Subject Property Interests, set just compensation in accordance with the appraised fair market value, and extended written offers to the following record owners of the Subject Property Interests:

- **(Resolution No. 13-1722) Agoura Hills Center Properties, LLC** – 30800 Agoura Road, Agoura Hills 91301 (Assessor’s Parcel Number 2061-001-025);
- **(Resolution No. 13-1723) Kids From the Valley VI, LLC** - 29395 Agoura Road, Agoura Hills, 91301 (Assessor’s Parcel Number 2061-004-024);
- **(Resolution No. 13-1724) Las Virgenes Properties** – 29301 Agoura Road, Agoura Hills, 91301 (Assessor’s Parcel Number 2061-004-027);
- **(Resolution No. 13-1725) General Electric Credit Equities, Inc.** – Portions of the real property located on the North side of Agoura Road and West of Roadside Drive, Agoura Hills, 91301 (Assessor’s Parcel Number 2061-004-030);
- **(Resolution No. 13-1726) Las Virgenes Properties** – 29301 Agoura Road, Agoura Hills 91301 (Assessor’s Parcel Number 2061-004-039);
- **(Resolution No. 13-1727) Los Angeles County** – 29525 Agoura Road, Agoura Hills 91301 (Assessor’s Parcel Number 2061-004-900);
- **(Resolution No. 13-1728) Conejo Valley U-Store-It** – 29101 Agoura Road, Agoura Hills 91301 (Assessor’s Parcel Number 2061-006-035);
- **(Resolution No. 13-1729) Kids From the Valley V, LLC** – 29045 Agoura Road, Agoura Hills 91301 (Assessor’s Parcel Number 2061-006-044);
- **(Resolution No. 13-1730) Shuman Associates** – Portions of the real property located on the South east Corner of Agoura Road and Kanan Road, Agoura Hills 91301 (Assessor’s Parcel Number 2061-031-020);
- **(Resolution No. 13-1731) Agoura Shopping Center Capital, LLC** – 29020 Agoura Road, Agoura Hills 91301 (Assessor’s Parcel Number 2061-031-023);
- **(Resolution No. 13-1732) International Church of the Gospel Foursquare** – 29646 Agoura Road, Agoura Hills 91301 (Assessor’s Parcel Number 2061-033-013);

- **(Resolution No. 13-1733) Vinod K. & Chanresh Gupta Trust** – Portions of the real property located on the South side of Agoura Road and East of Ladyface Court, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-015);
- **(Resolution No. 13-1734) Creekside Terrace** – Portions of the real property located on the South west Corner of Agoura Road and Kanan Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-016); and
- **(Resolution No. 13-1735) Los Angeles County Flood Control District** – Portions of the real property located on the South side of Agoura Road and West of Kanan Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-904).

True and correct copies of the offer letters are on file in the City's Public Works Department, and are incorporated in this Report by this reference. As explained more fully above, the City received no response from certain property owners. The City has engaged in good faith negotiations with the owners that have responded to the City's offers. To date, however, no negotiated purchase has been consummated and the schedule for the Project requires that the City Council consider the proposed Resolutions of Necessity at this time.

VI. CITY'S ACTIONS PURSUANT TO GOVERNMENT CODE SECTION 7262 ET SEQ.

As more fully described below, the City of Agoura Hills, pursuant to California Government Code section 7262 *et seq.*, obtained fair market value appraisals of the Subject Property Interests, set just compensation in accordance with the appraised fair market value and extended written offers in August and September 2013, to the owners of record.

True and correct copies of the offers are on file in the City's Public Works Department. The aftermentioned offer letters are incorporated in this Report by this reference. To date, however, no negotiated purchase for the Subject Property Interests has been consummated, and the schedule for the Project requires that the City Council consider the proposed Resolutions of Necessity at this time. City staff is continuing its negotiations with the record owners.

VII. FISCAL IMPACT

The potential fiscal impact of adoption of the resolutions of necessity may equal the sum of the aforementioned offers of just compensation. Based upon the offers of just compensation, acquisition of the Subject Property Interests will cost approximately \$3,613,400.00 plus an undetermined amount of legal fees and costs as necessary to accomplish the acquisitions. The estimated just compensation, costs and fees may increase based upon future negotiated settlements or following the results of a jury verdict or an award by the court.

RECOMMENDATION

Staff recommends the City Council:

1. Open and conduct a hearing on the adoption of the proposed Resolutions of Necessity, receive from staff the evidence stated and referred to in this report to City Council, take testimony from any person wishing to be heard on issues A, B, C, and D below, and consider all evidence to determine whether to adopt the proposed Resolutions of Necessity, each of which requires the City Council's separate consideration and determination that the following four findings have been established:

- A. The public interest and necessity require the Project;
- B. The Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury;
- C. The Subject Property Interests described in each Resolution of Necessity are necessary for the Project; and
- D. The City has made an offer as required by Government Code section 7267.2 to each of the owners of record of the real property it seeks to acquire.

2. Separately consider each of the following above-referenced fourteen (14) Resolutions, which are Resolutions of Necessity of the City of Agoura Hills Declaring Certain Real Property Interests Necessary for Public Purposes and Authorizing the Acquisition thereof in connection with the Agoura Road Widening and Canwood Street Improvements Project:

3. If the City Council finds, based upon the evidence contained and referred to in this report, the testimony and comments received at this hearing, and all written testimony submitted to the City Council, that the evidence warrants the necessary findings with respect to each of the proposed Resolutions of Necessity, then staff recommends that the City Council, in the exercise of its discretion, adopt proposed Resolution Nos. 13-1722; 13-1723; 13-1724; 13-1725; 13-1726, 13-1727; 13-1728; 13-1729; 13-1730; 13-1731; 13-1732; 13-1733; 13-1734; and 13-1735, (each of which requires a 4/5ths vote of the entire Council) and authorize the City Attorney's office to file eminent domain proceedings to acquire each of the following real property interests:

- **(Resolution No. 13-1722)** Portions of 30800 Agoura Road, Agoura Hills, 91301 (Assessor's Parcel Number 2061-001-025) consisting of two permanent easements (878 square feet and 24,108 square feet) (Agoura Hills Center Properties, LLC);
- **(Resolution No. 13-1723)** Portions of 29395 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-024) consisting of a three-month temporary construction easement (761 square feet) (Kids from the Valley VI, LLC);

- **(Resolution No. 13-1724)** Portions of 29301 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-027) consisting of a four-month temporary construction easement (1,244 square feet) (Las Virgenes Properties);
- **(Resolution No. 13-1725)** Portions of the real property located on the North side of Agoura Road and West of Roadside Drive, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-030) consisting of a permanent easement (7,640 square feet) (General Electric Credit Equities, Inc.);
- **(Resolution No. 13-1726)** Portions of 29301 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-039) consisting of a partial fee take (6,893 square feet) and a three-month temporary construction easement (111 square feet) (Las Virgenes Properties);
- **(Resolution No. 13-1727)** Portions of 29525 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-004-900) consisting of a permanent easement (6,365 square feet) and a six-month temporary construction easement (1,678 square feet) (Los Angeles County);
- **(Resolution No. 13-1728)** Portions of 29101 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-006-035) consisting of a three-month temporary construction easement (42 square feet) (Conejo Valley U-Store-It);
- **(Resolution No. 13-1729)** Portions of 29045 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-006-044) consisting of a partial fee take (250 square feet) and a three month temporary construction easement (5,385 square feet) (Kids From the Valley V, LLC);
- **(Resolution No. 13-1730)** Portions of the real property located on the South east Corner of Agoura Road and Kanan Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-031-020) consisting of a three-month temporary construction easement (3,198 square feet) (Shuman Associates);
- **(Resolution No. 13-1731)** Portions of 29020 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-031-023) consisting of a three-month temporary construction easement (763 square feet) (Agoura Shopping Center Capital, LLC);
- **(Resolution No. 13-1732)** Portions of 29646 Agoura Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-013) consisting of two permanent easements (2,214 square feet and 35,812 square feet) and a six-month temporary construction easement (4,619 square feet) (International Church of the Gospel Foursquare);
- **(Resolution No. 13-1733)** Portions of the real property located on the South side of Agoura Road and East of Ladyface Court, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-015) consisting of two permanent easements (286

square feet and 894 square feet) and a three-month temporary construction easement (434 square feet) (Vinod K. & Chanresh Gupta Trust);

- **(Resolution No. 13-1734)** Portions of the real property located on the South west corner of Agoura Road and Kanan Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-016) consisting of two partial fee acquisitions (21,127 square feet and 3,630 square feet) and two permanent easements (2,262 square feet and 51,980 square feet) (Creekside Terrace); and
- **(Resolution No. 13-1735)** Portions of the real property located on the South side of Agoura Road and West of Kanan Road, Agoura Hills 91301 (Assessor's Parcel Number 2061-033-904) consisting of a three-month temporary construction easement (532 square feet) (Los Angeles County Flood Control District).

Property Interests are described more particularly in the Exhibits attached to each Resolution of Necessity. Each Resolution also contains a drawing depicting the location of the real property interests in relation to the Agoura Road Widening and Canwood Street Improvements Project. Said Resolutions together with their Exhibits are attached hereto and incorporated in this Report by this reference; and

If the Resolutions of Necessity are approved, authorize the City Attorney's office and City staff to take all necessary steps to deposit with the State Treasurer's Office, the amount of probable compensation required by law for issuance of Orders for Possession, including complaints in condemnation; and

Authorize the City Manager to execute all necessary documents.

RESOLUTION NO. 13-1722

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT - 30800 AGOURA ROAD, AGOURA HILLS, CALIFORNIA, ALSO IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 2061-001-025

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project ("proposed Project"), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interests sought to be taken are two permanent easements over portions of the fee on the property identified as 30800 Agoura Road, Agoura Hills, California, also identified as Los Angeles County Tax Assessor's Parcel Number 2061-001-025 ("Subject Property Interests"). The legal descriptions of the Subject Property Interests are attached as Exhibit "A" and Exhibit "A-1" to this Resolution and the Subject Property Interests are depicted on the diagrams attached as Exhibit "B" and Exhibit "B-1" to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interests are required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Agoura Road Widening and Canwood Street Improvement Project ("Project"). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the proposed Project would not result in any significant effects on the environment that

cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interests described in Exhibit "A" and Exhibit "A-1" and depicted in Exhibit "B" and Exhibit "B-1" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

_____ (SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

OWNER: AGOURA HILLS CENTER PROPERTIES
A.P.N.: 2061-001-025

PARCEL NO. 02-PE-1

DESCRIPTION

BEING A PORTION OF PARCEL 2 OF PARCEL MAP 15762, IN THE CITY OF AGOURA HILLS, AS PER MAP FILED IN BOOK 175 PAGES 6 AND 7 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE WITH THE WESTERLY LINE OF SAID PARCEL 2, BEING A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1946.29 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 02°43'16" EAST;

THENCE ALONG SAID WESTERLY LINE SOUTH 02°43'16" WEST 3.00 FEET TO A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1943.29 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 02°43'16" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°03'42" AN ARC DISTANCE OF 273.43 FEET;

THENCE SOUTH 79°13'02" EAST 19.09 FEET;

THENCE NORTH 10°46'58" EAST 3.00 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE OF AGOURA ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 79°13'02" WEST 19.09 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1946.29 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°03'42" AN ARC DISTANCE OF 273.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 878 SQUARE FEET



Handwritten signature and date: M. Fox 04-25-13

OWNER: AGOURA HILLS CENTER PROPERTIES
A.P.N.: 2061-001-025

PARCEL NO. 02-PE-2

DESCRIPTION

BEING A PORTION OF PARCEL 2 OF PARCEL MAP 15762, IN THE CITY OF AGOURA HILLS, AS PER MAP FILED IN BOOK 175 PAGES 6 AND 7 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE WITH THE WESTERLY LINE OF SAID PARCEL 2, BEING A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1946.29 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 02° 43' 16" EAST;

THENCE ALONG SAID WESTERLY LINE SOUTH 02° 43' 16" WEST 17.62 FEET;

THENCE SOUTH 51° 59' 46" EAST 12.95 FEET;

THENCE NORTH 49° 03' 16" EAST 1.87 FEET;

THENCE SOUTH 76° 55' 10" EAST 88.75 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 332.00 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15° 36' 47" AN ARC DISTANCE OF 90.47 FEET;

THENCE NORTH 87° 28' 03" EAST 99.60 FEET;

THENCE SOUTH 74° 00' 04" EAST 58.50 FEET;

THENCE SOUTH 60° 51' 37" EAST 38.22 FEET;

THENCE NORTH 88° 24' 58" EAST 16.71 FEET;

THENCE SOUTH 58° 33' 51" EAST 4.05 FEET;

THENCE SOUTH 73° 23' 24" EAST 8.84 FEET;

THENCE SOUTH 80° 34' 03" EAST 69.05 FEET;

THENCE SOUTH 75° 37' 57" EAST 32.47 FEET;

THENCE SOUTH 78° 03' 37" EAST 48.66 FEET;

THENCE SOUTH 76° 38' 16" EAST 31.40 FEET;

THENCE SOUTH 79° 13' 02" EAST 262.41 FEET TO THE WESTERLY LINE OF THE LOS ANGELES COUNTY FLOOD CONTROL EASEMENT PER DOCUMENT RECORDED FEBRUARY 9, 1994 AS INST. NO. 94-391146, O.R.

THENCE ALONG SAID WESTERLY LINE NORTH 14° 25' 00" WEST 37.18 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD, BEING A POINT IN A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 2050.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 08° 29' 28" WEST;

THENCE WESTERLY ALONG SAID CURVE AND RIGHT-OF-WAY THROUGH A CENTRAL ANGLE OF 02° 17' 30" AN ARC DISTANCE OF 81.94 FEET;

THENCE NORTH 79° 13' 02" WEST 487.10 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1946.29 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08° 03' 42" AN ARC DISTANCE OF 273.85 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT SAID INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE WITH THE WESTERLY LINE OF SAID PARCEL 2, BEING A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1946.29 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 02°43'16" EAST;

THENCE ALONG SAID WESTERLY LINE SOUTH 02°43'16" WEST 3.00 FEET TO A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1943.29 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 02°43'16" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°03'42" AN ARC DISTANCE OF 273.43 FEET;

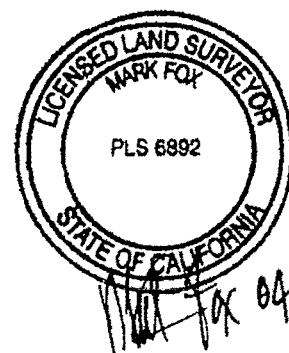
THENCE SOUTH 79°13'02" EAST 19.09 FEET;

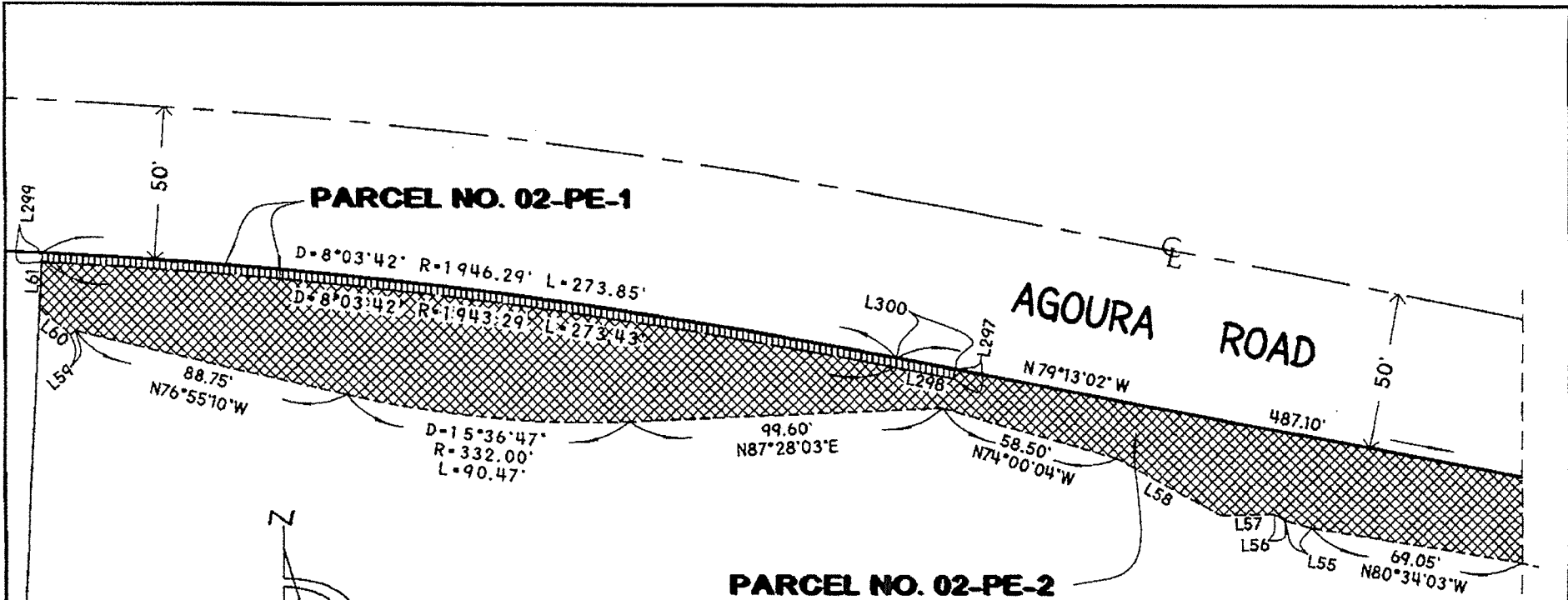
THENCE NORTH 10°46'58" EAST 3.00 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE OF AGOURA ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 79°13'02" WEST 19.09 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1946.29 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°03'42" AN ARC DISTANCE OF 273.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 24,108 SQUARE FEET





DATE: 04-01-13
SCALE: 1" = 50'



Mark Fox 04-25-13

LINE TABLE		
LINE	BEARING	DISTANCE
L55	N73°23'24"W	8.84'
L56	N58°33'51"W	4.05'
L57	N88°24'58"E	16.71'
L58	N60°51'37"W	38.22'
L59	N49°03'16"E	1.87'
L60	N51°59'46"W	12.95'
L61	N02°43'16"E (RAD.)	17.62'
L297	N10°46'58"E	3.00'
L298	N79°13'02"W	19.09'
L299	N02°43'16"E (RAD.)	3.00'
L300	N79°13'02"W	19.09'

MATCHLINE
SEE SHEET 2 OF 2

OWNER: AGOURA HILLS CENTER
A.P.N. 2061-001-025

DATE	REVISION

EXHIBIT
A.P.N. 2061-001-025

JACOBELLIS & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYS · SUBDIVISIONS · PHOTOGRAMMETRY

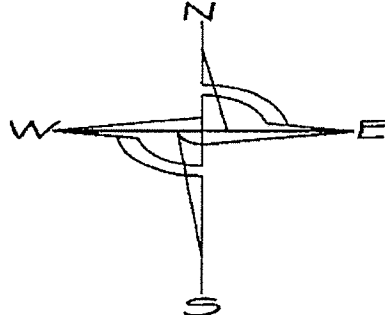
17745 TAMPA AVENUE, STE 15B, NORTH RIDGE, CA. 91326 PH 818-366-9222 FAX 818-366-4813

DATE	11-20-12
PROJECT NO.	10-211
DRAFTED BY:	MYS
CHECKED BY:	MF
SHEET NO.	1 OF 2

PARCEL NO. 02-PE-1

AGOURA ROAD

PARCEL NO. 02-PE-2



DATE: 04-01-13
SCALE: 1" = 50'



Mark Fox 04-25-13

LINE TABLE		
LINE	BEARING	DISTANCE
L55	N73°23'24"W	8.84'
L56	N58°33'51"W	4.05'
L57	N88°24'58"E	16.71'
L58	N60°51'37"W	38.22'
L59	N49°03'16"E	1.87'
L60	N51°59'46"W	12.95'
L61	N02°43'16"E (RAD.)	17.62'
L297	N10°46'58"E	3.00'
L298	N79°13'02"W	19.09'
L299	N02°43'16"E (RAD.)	3.00'
L300	N79°13'02"W	19.09'

MATCHLINE
SEE SHEET 2 OF 2

OWNER: AGOURA HILLS CENTER
A.P.N. 2061-001-025

DATE	REVISION

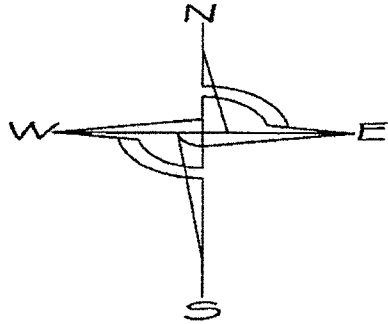
EXHIBIT
A.P.N. 2061-001-025

JACOBELLIS & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYS SUBDIVISIONS · PHOTOGRAMMETRY
10745 TAMPA AVENUE, STE 15B, NORTH RIDGE, CA 91326 PH 818-366-9222 FAX 818-366-4813

DATE	11-20-12
PROJECT NO.	10-311
DRAFTED BY:	MYS
CHECKED BY:	MF
SHEET NO.	1 OF 2

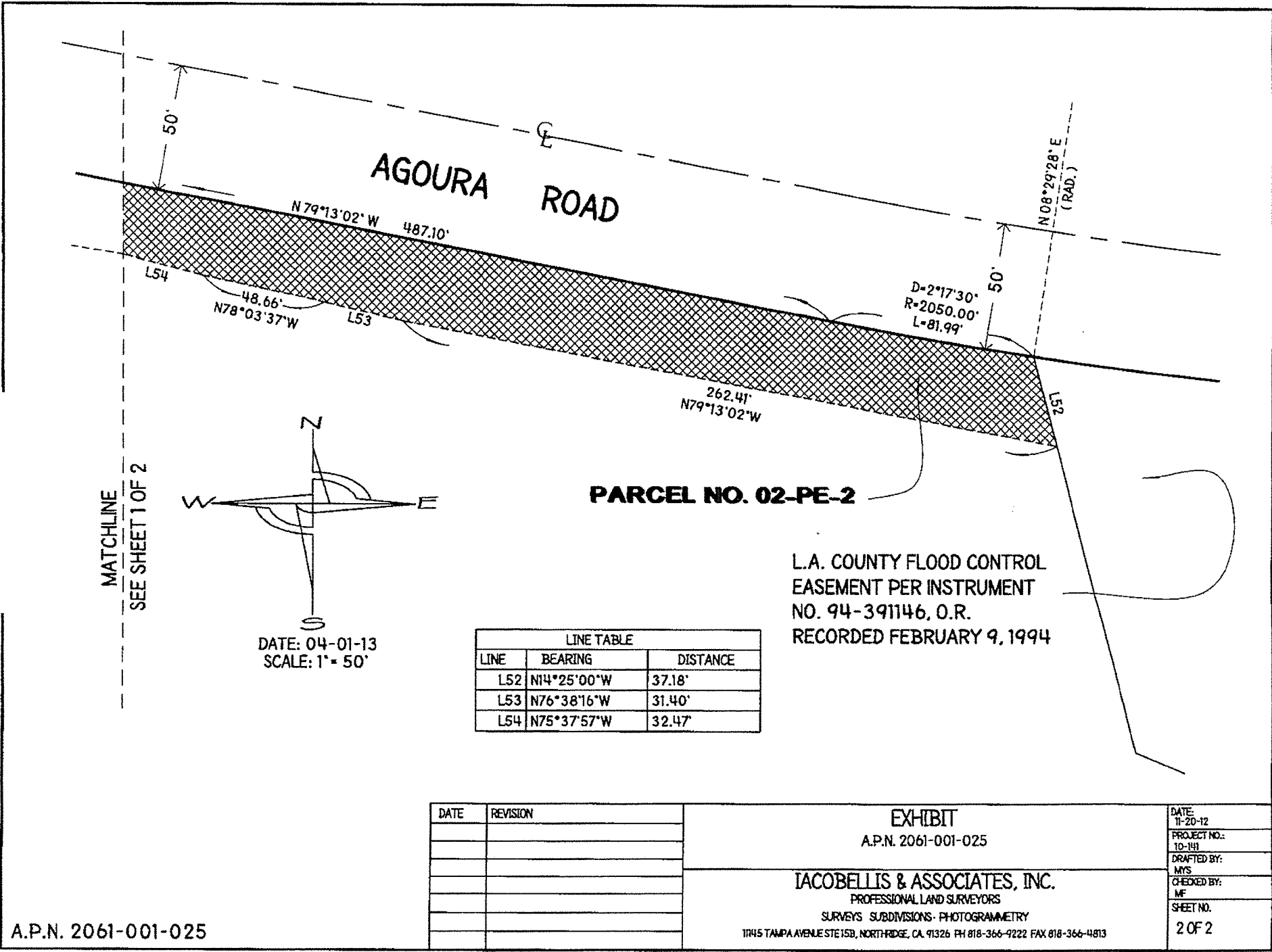
B-1

MATCHLINE
SEE SHEET 1 OF 2



DATE: 04-01-13
SCALE: 1" = 50'

LINE TABLE		
LINE	BEARING	DISTANCE
L52	N14°25'00"W	37.18'
L53	N76°38'16"W	31.40'
L54	N75°37'57"W	32.47'



PARCEL NO. 02-PE-2

L.A. COUNTY FLOOD CONTROL
EASEMENT PER INSTRUMENT
NO. 94-391146, O.R.
RECORDED FEBRUARY 9, 1994

A.P.N. 2061-001-025

DATE	REVISION

EXHIBIT
A.P.N. 2061-001-025

JACOBELLIS & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYS SUBDIVISIONS · PHOTOGRAMMETRY
11445 TAMPA AVENUE STE 15B, NORTHridge, CA 91326 PH 818-366-9222 FAX 818-366-4813

DATE:	11-20-12
PROJECT NO.:	10-141
DRAFTED BY:	MYS
CHECKED BY:	MF
SHEET NO.	2 OF 2

RESOLUTION NO. 13-1723

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT - 29395 AGOURA ROAD, CALIFORNIA, ALSO IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 2061-004-024

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project ("proposed Project"), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interest sought to be taken is a temporary construction easement with a term of three (3) months over a portion of the fee on the property located at 29395 Agoura Road, California, also identified as Los Angeles County Tax Assessor's Parcel Number 2061-004-024 ("Subject Property Interest"). The legal description of the Subject Property Interest is attached as Exhibit "A" to this Resolution and the Subject Property Interest is depicted on the diagram attached as Exhibit "B" to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interest is required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Agoura Road Widening and Canwood Street Improvement Project ("Project"). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the proposed Project would not result in any significant effects on the environment that

cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interest described in Exhibit "A" and depicted in Exhibit "B" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

(SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

OWNER: KIDS FROM THE VALLEY V LLC

PARCEL NO. 08-TCE-1

A.P.N. 2061-004-024

DESCRIPTION

BEING A PORTION OF PARCEL 2, PARCEL MAP NO. 7404, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 144, PAGES 34 AND 35 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 2;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 2 NORTH 21°00'52" EAST 14.28 FEET;

THENCE NORTH 72°35' 54" WEST 23.73 FEET;

THENCE SOUTH 41°26' 40" WEST 12.66 FEET TO THE NORTH EASTERLY RIGHT OF WAY LINE OF AGOURA ROAD;

THENCE ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE SOUTH 67°06' 50" EAST 28.11 FEET TO THE **POINT OF BEGINNING**.

TOGETHER WITH THAT PORTION OF SAID PARCEL 2, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 2;

THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 2 ALSO BEING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF AGOURA ROAD, NORTH 67°06'50 WEST 106.92 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID SOUTHWESTERLY LINE NORTH 67°06'50" WEST 52.29 FEET;

THENCE NORTH 57°35'42" WEST 21.15 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 831.12 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°45'55" AN ARC DISTANCE OF 40.11 FEET TO THE SOUTHWESTERLY CORNER OF SAID PARCEL 2;

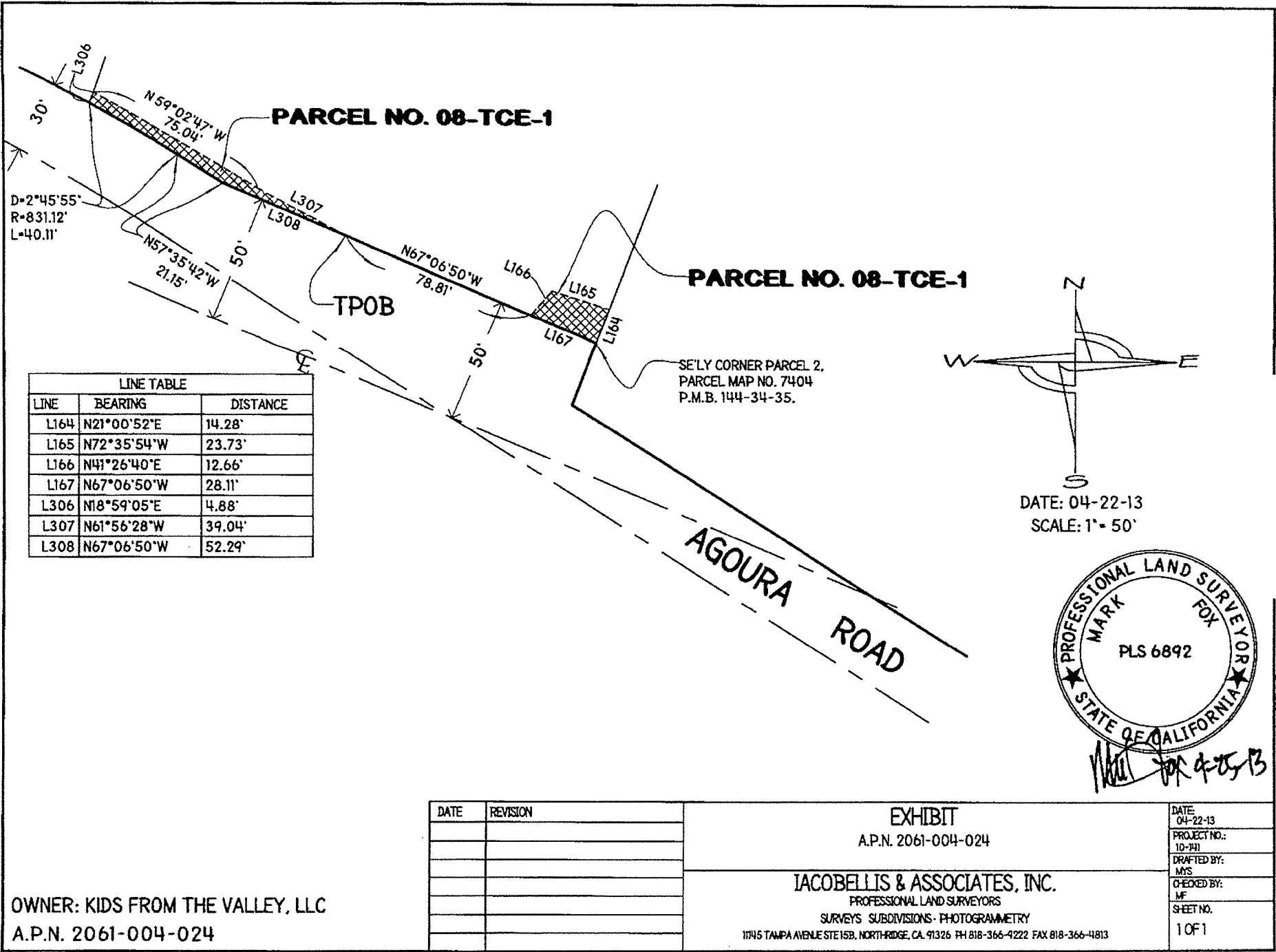
THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 2 NORTH 18°59'05" EAST 4.88 FEET;

THENCE SOUTH 59°02'47" EAST 75.04 FEET;

THENCE SOUTH 61°56'28" EAST 39.04 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 761 SQUARE FEET





LINE TABLE		
LINE	BEARING	DISTANCE
L164	N21°00'52"E	14.28'
L165	N72°35'54"W	23.73'
L166	N41°26'40"E	12.66'
L167	N67°06'50"W	28.11'
L306	N18°59'05"E	4.88'
L307	N61°56'28"W	39.04'
L308	N67°06'50"W	52.29'

DATE: 04-22-13
SCALE: 1" = 50'



OWNER: KIDS FROM THE VALLEY, LLC
A.P.N. 2061-004-024

DATE	REVISION

EXHIBIT A.P.N. 2061-004-024		DATE: 04-22-13
IACOBELLIS & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS SURVEYS SUBDIVISIONS - PHOTOGRAMMETRY 11145 TAMPA AVENUE STE 15B, NORTH RIDGE, CA. 91326 PH 818-366-4222 FAX 818-366-4813		PROJECT NO.: 10-111
		DRAFTED BY: MYS
CHECKED BY: MF		SHEET NO. 1 OF 1

RESOLUTION NO. 13-1724

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT - 29301 AGOURA ROAD, CALIFORNIA, ALSO IDENTIFIED ASSESSOR'S PARCEL NUMBER 2061-004-027

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project ("proposed Project"), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interest sought to be taken is a temporary construction easement with a term of four (4) months over a portion of the fee on the property located at 29301 Agoura Road, California, also identified as Los Angeles County Tax Assessor's Parcel Number 2061-004-027 ("Subject Property Interest"). The legal description of the Subject Property Interest is attached as Exhibit "A" to this Resolution and the Subject Property Interest is depicted on the diagram attached as Exhibit "B" to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interest is required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Agoura Road Widening and Canwood Street Improvement Project ("Project"). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the proposed Project would not result in any significant effects on the environment that

cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interest described in Exhibit "A" and depicted in Exhibit "B" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

(SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

OWNER: LAS VIRGENES PROPERTIES

PARCEL NO. 09-TCE-1

APN: 2061-004-027

DESCRIPTION

THAT PORTION OF PARCEL 7, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN IN THE LICENSED SURVEYOR'S MAP FILED IN BOOK 15 PAGES 8 AND 9 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF PARCEL 2, PARCEL MAP NO. 24674, IN SAID CITY, COUNTY AND STATE, AS PER MAP FILED IN BOOK 278, PAGES 68 AND 69 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID POINT ALSO BEING A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD, ALSO BEING A POINT IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1149.26 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 04° 25' 57" WEST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03° 14' 45" AN ARC DISTANCE OF 65.11 FEET TO A POINT HEREINAFTER REFERRED TO AS "POINT A";

THENCE NORTH 51° 15' 22" EAST 2.76 FEET;

THENCE SOUTH 87° 02' 43" EAST 28.08 FEET;

THENCE SOUTH 84° 14' 02" EAST 16.97 FEET;

THENCE NORTH 45° 30' 39" EAST 2.92 FEET;

THENCE SOUTH 85° 08' 00" EAST 15.84 FEET TO THE EASTERLY LINE OF SAID PARCEL 7, ALSO BEING THE WESTERLY LINE OF PARCEL 2 OF SAID PARCEL MAP 24674;

THENCE SOUTH 01° 53' 47" WEST 6.15 FEET ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SAID PARCEL 7 DESCRIBED AS FOLLOWS:

COMMENCING AT SAID "POINT A", BEING A POINT IN THE NORTHERLY RIGHT-OF-WAY OF AGOURA ROAD, ALSO BEING A POINT IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1149.26 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 07° 40' 42" WEST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02° 18' 57" AN ARC DISTANCE OF 46.45 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02° 12' 23" AN ARC DISTANCE OF 44.26 FEET;

THENCE NORTH 14° 29' 12" EAST 11.39 FEET;

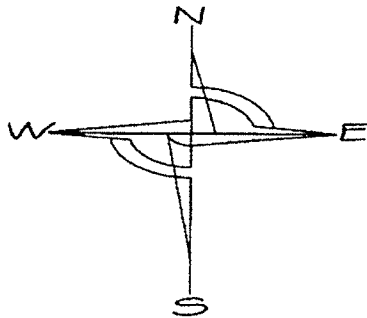
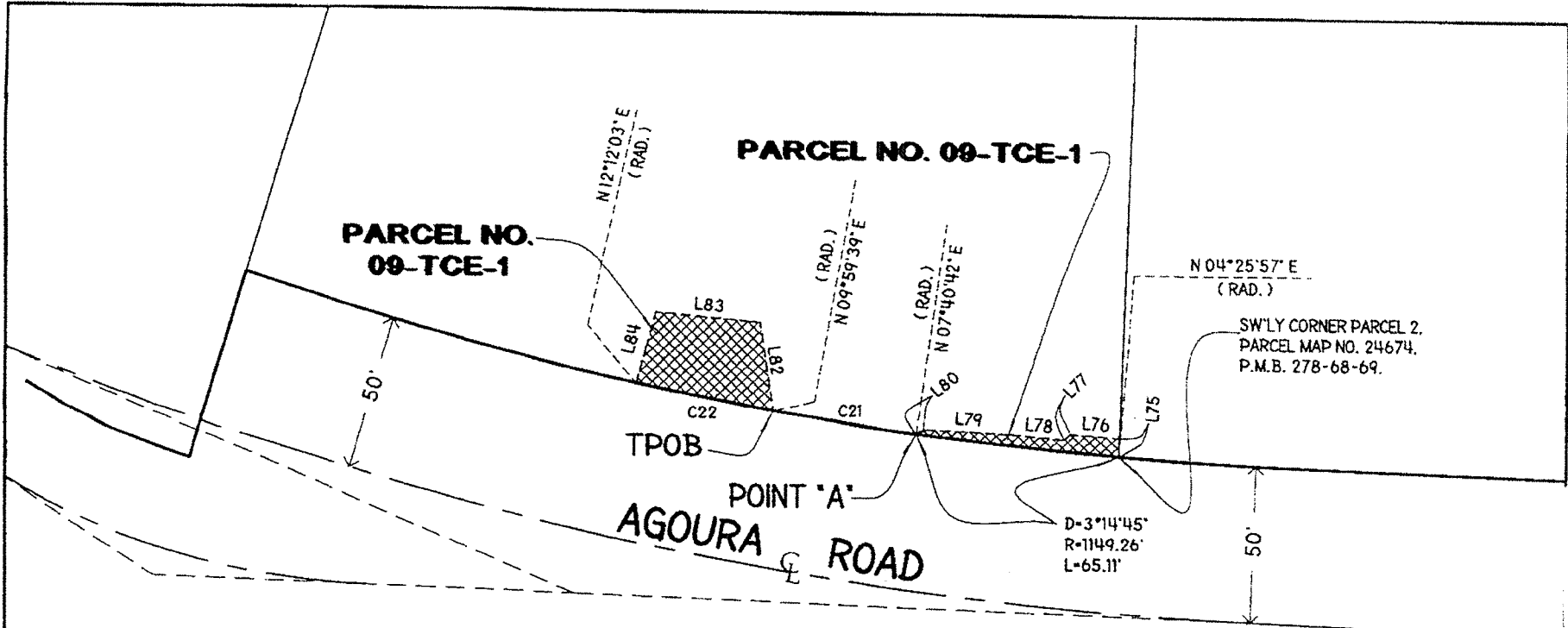
THENCE SOUTH 88° 46' 44" EAST 33.21 FEET;

THENCE SOUTH 08° 59' 03" EAST 15.36 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 1,244 SQUARE FEET



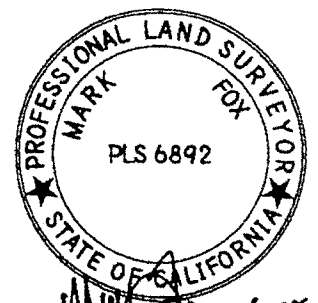
Mark Fox 4-25-13



DATE: 04-22-13
SCALE: 1" = 50'

LINE TABLE		
LINE	BEARING	DISTANCE
L75	N01°53'47"E	6.15'
L76	N85°08'00"W	15.84'
L77	N45°30'39"E	2.92'
L78	N84°14'02"W	16.97'
L79	N87°02'43"W	28.08'
L80	N51°15'22"E	2.76'
L82	N08°59'03"W	15.36'
L83	N84°46'44"W	33.21'
L84	N14°29'12"E	11.39'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C21	2°18'57"	1149.26'	46.45'
C22	2°12'23"	1149.26'	44.26'



Handwritten signature and date: M. Fox 4-25-13

OWNER: LAS VIRGENES PROPERTIES
A.P.N. 2061-004-027

DATE	REVISION

EXHIBIT
A.P.N. 2061-004-027

IACOBELLIS & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYS SUBDIVISIONS - PHOTOGRAMMETRY
1145 TAMPA AVENUE STE 15B, NORTH RIDGE, CA 91326 PH 818-366-9222 FAX 818-366-4813

DATE:	04-22-13
PROJECT NO.:	10-141
DRAFTED BY:	MYS
CHECKED BY:	MF
SHEET NO.:	1 OF 1

B

RESOLUTION NO. 13-1725

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT – NORTH SIDE OF AGOURA ROAD AND WEST OF ROADSIDE DRIVE, CALIFORNIA, ALSO IDENTIFIED AS ASSESSOR’S PARCEL NUMBER 2061-004-030

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project (“proposed Project”), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interest sought to be taken is a permanent easement over a portion of the fee on the property located on the Northside of Agoura Road and West of Roadside Drive, California, also identified as Los Angeles County Tax Assessor’s Parcel Number 2061-004-030 (“Subject Property Interest”). The legal description of the Subject Property Interest is attached as Exhibit “A” to this Resolution and the Subject Property Interest is depicted on the diagram attached as Exhibit “B” to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interest is required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration (“MND”) for the Agoura Road Widening and Canwood Street Improvement Project (“Project”). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the proposed Project would not result in any significant effects on the environment that

cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interest described in Exhibit "A" and depicted in Exhibit "B" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

_____ (SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

LEGAL DESCRIPTION:

OWNER: GENERAL ELECTRIC CREDIT EQUITIES

PARCEL NO. 10-PE-1

A.P.N.: 2061-004-030

DESCRIPTION

THAT PORTION OF PARCELS 1 AND 2, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN IN THE LICENSED SURVEYOR'S MAP FILED IN BOOK 15 PAGES 8 AND 9 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY LINE OF SAID PARCEL 2 WITH THE NORTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH $67^{\circ} 06' 50''$ WEST 63.98 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH $15^{\circ} 34' 03''$ WEST 2.49 FEET;

THENCE NORTH $56^{\circ} 38' 42''$ WEST 6.30 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 100.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $16^{\circ} 02' 40''$ AN ARC DISTANCE OF 28.00 FEET;

THENCE NORTH $72^{\circ} 41' 22''$ WEST 11.04 FEET;

THENCE NORTH $50^{\circ} 11' 52''$ WEST 7.30 FEET;

THENCE NORTH $63^{\circ} 44' 47''$ WEST 2.97 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 7.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $66^{\circ} 32' 32''$ AN ARC DISTANCE OF 8.13 FEET;

THENCE NORTH $02^{\circ} 47' 45''$ EAST 3.58 FEET;

THENCE NORTH $44^{\circ} 17' 00''$ WEST 10.48 FEET;

THENCE NORTH $51^{\circ} 00' 02''$ WEST 4.81 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 100.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $08^{\circ} 28' 48''$ AN ARC DISTANCE OF 14.80 FEET;

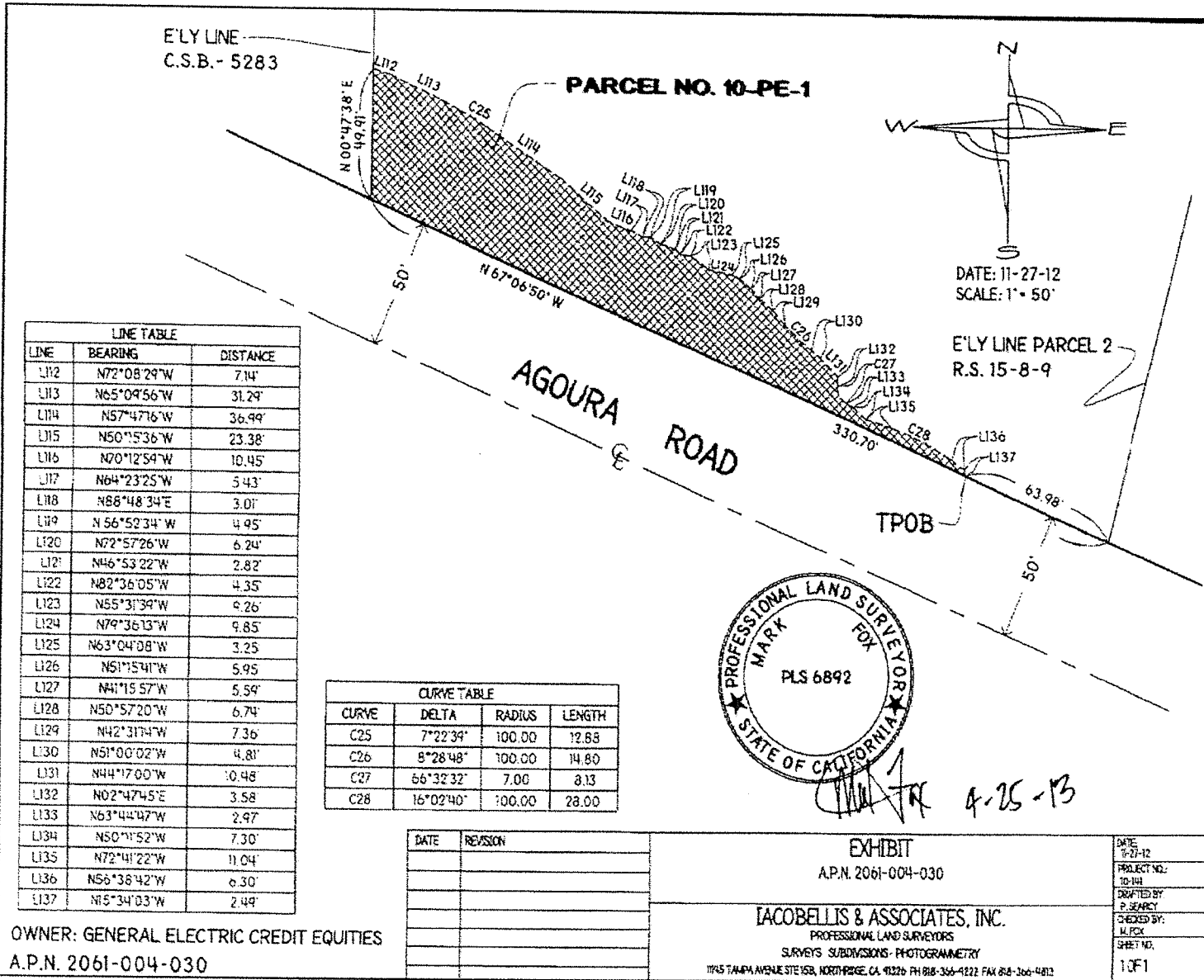
THENCE NORTH $42^{\circ} 31' 14''$ WEST 7.36 FEET;

LEGAL DESCRIPTION:

THENCE NORTH 50° 57' 20" WEST 6.74 FEET;
THENCE NORTH 41° 15' 57" WEST 5.59 FEET;
THENCE NORTH 51° 15' 41" WEST 5.95 FEET;
THENCE NORTH 63° 04' 08" WEST 3.25 FEET;
THENCE NORTH 79° 36' 13" WEST 9.85 FEET;
THENCE NORTH 55° 31' 39" WEST 9.26 FEET;
THENCE NORTH 82° 36' 05" WEST 4.35 FEET;
THENCE NORTH 46° 53' 22" WEST 2.82 FEET;
THENCE NORTH 72° 57' 26" WEST 6.24 FEET;
THENCE NORTH 56° 52' 34" WEST 4.95 FEET;
THENCE SOUTH 88° 48' 34" WEST 3.01 FEET;
THENCE NORTH 64° 23' 25" WEST 5.43 FEET;
THENCE NORTH 70° 12' 59" WEST 10.45 FEET;
THENCE NORTH 50° 15' 36" WEST 24.38 FEET;
THENCE NORTH 57° 47' 16" WEST 36.99 FEET TO THE BEGINNING OF A CURVE CONCAVE
SOUTHWESTERLY HAVING A RADIUS OF 100.00 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 22'
39" AN ARC DISTANCE OF 12.88 FEET;
THENCE NORTH 65° 09' 56" WEST 31.29 FEET;
THENCE NORTH 72° 08' 29" WEST 7.14 FEET TO THE EASTERLY LINE OF THE LAND AS
SHOWN ON COUNTY SURVEYOR'S MAP NO. B-5283;
THENCE ALONG SAID EASTERLY LINE SOUTH 00° 47' 38" WEST 49.91 FEET TO THE
NORTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD;
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 67° 06' 50" EAST 266.72
FEET TO THE TRUE POINT OF BEGINNING.
CONTAINING 7,640 SQUARE FEET



SURVEYORS MAP:



LINE TABLE		
LINE	BEARING	DISTANCE
L112	N72°08'29"W	7.14'
L113	N65°09'56"W	31.29'
L114	N57°47'16"W	36.99'
L115	N50°15'36"W	23.38'
L116	N70°12'54"W	10.45'
L117	N64°23'25"W	5.43'
L118	N88°48'34"E	3.01'
L119	N56°52'34"W	4.95'
L120	N72°57'26"W	6.24'
L121	N46°53'22"W	2.82'
L122	N82°36'05"W	4.35'
L123	N55°31'39"W	9.26'
L124	N79°36'13"W	9.85'
L125	N63°04'08"W	3.25'
L126	N51°15'41"W	5.95'
L127	N41°15'57"W	5.59'
L128	N50°57'20"W	6.74'
L129	N42°31'14"W	7.36'
L130	N51°00'02"W	4.81'
L131	N44°17'00"W	10.48'
L132	N02°47'45"E	3.58'
L133	N63°44'47"W	2.97'
L134	N50°11'52"W	7.30'
L135	N72°41'22"W	11.04'
L136	N56°38'42"W	6.30'
L137	N15°34'03"W	2.49'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C25	7°22'39"	100.00	12.65
C26	8°28'48"	100.00	14.80
C27	56°32'32"	7.00	8.13
C28	16°02'40"	100.00	28.00



Mark Fox 4-25-13

OWNER: GENERAL ELECTRIC CREDIT EQUITIES
A.P.N. 2061-004-030

DATE	REVISION

EXHIBIT A.P.N. 2061-004-030		DATE: 9-21-12
JACOBELLIS & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS SURVEYS SUBDIVISIONS- PHOTOGAMMETRY 11945 TAMPA AVENUE STE 158, NORTHridge, CA 91326 PH 818-366-4222 FAX 818-366-4813		PROJECT NO.:
		DRAWN BY: P. SENARY
		CHECKED BY: M. FOX
		SHEET NO. 1 OF 1

B

RESOLUTION NO. 13-1726

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT - 29301 AGOURA ROAD, CALIFORNIA, ALSO IDENTIFIED ASSESSOR'S PARCEL NUMBER 2061-004-039

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project ("proposed Project"), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interests sought to be taken are a partial fee acquisition and a temporary construction easement with a term of three (3) months, over portions of the fee on the property located at 29301 Agoura Road, California, also identified as Los Angeles County Tax Assessor's Parcel Number 2061-004-039 ("Subject Property Interests"). The legal description of the partial fee acquisition is attached as Exhibit "A" to this Resolution and is depicted on the diagram attached as Exhibit "B" to this Resolution. The legal description of the temporary construction easement is attached as Exhibit "A-1" to this Resolution and is depicted on the diagram attached as Exhibit "B-1" to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interests are required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Agoura Road Widening and Canwood Street Improvement Project ("Project"). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the

proposed Project would not result in any significant effects on the environment that cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interests described in Exhibit "A" and Exhibit "A-1" and depicted in Exhibit "B" and Exhibit "B-1" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

(SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

LEGAL DESCRIPTION:

OWNER: AGOURA STORAGE FACILITY
APN: 2061-004-039

PARCEL NO. 13-FEE-1; 13-TCE-1

DESCRIPTION:

A VARIABLE WIDTH STRIP OF LAND OVER A PORTION OF PARCEL 6, IN THE CITY OF AGOURA HILLS, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN IN THE LICENSED SURVEYOR'S MAP FILED IN BOOK 15 PAGES 8 AND 9 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL 6;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 6 NORTH 16°04'00" EAST 49.23 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 984.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 14°34'01" WEST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°41'53" AN ARC DISTANCE OF 235.25 FEET TO A POINT IN THE NORTHWESTERLY LINE OF SAID PARCEL 6;

THENCE ALONG SAID NORTHWESTERLY LINE SOUTH 20°37'04" WEST 12.20 FEET TO THE MOST WESTERLY CORNER OF PARCEL 6;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 6 SOUTH 58°00'00" EAST 184.00 FEET TO THE BEGINNING OF TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 220.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH CENTRAL ANGLE OF 15°14'00" AN ARC DISTANCE OF 58.49 FEET TO THE POINT OF BEGINNING.

CONTAINING: 6893 sq. ft.



Mark Fox 05/01/12

LEGAL DESCRIPTION:

OWNER: AGOURA STORAGE FACILITY

PARCEL NO. 13-TCE-1

A.P.N. 2061-004-039

DESCRIPTION

BEING A PORTION OF PARCEL 6, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN IN THE LICENSED SURVEYOR'S MAP FILED IN BOOK 15 PAGES 8 AND 9 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHWESTERLY CORNER OF SAID PARCEL 6;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 6 NORTH 21°00' 52" EAST 12.26 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WESTERLY LINE NORTH 21°00' 52" EAST 28.88 FEET;

THENCE SOUTH 72°35' 54" EAST 3.64 FEET;

THENCE SOUTH 20°20' 22" WEST 29.64 FEET TO A POINT IN A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS 984.00 FEET A RADIAL LINE TO SAID POINT BEARS SOUTH 28°30' 00" WEST;

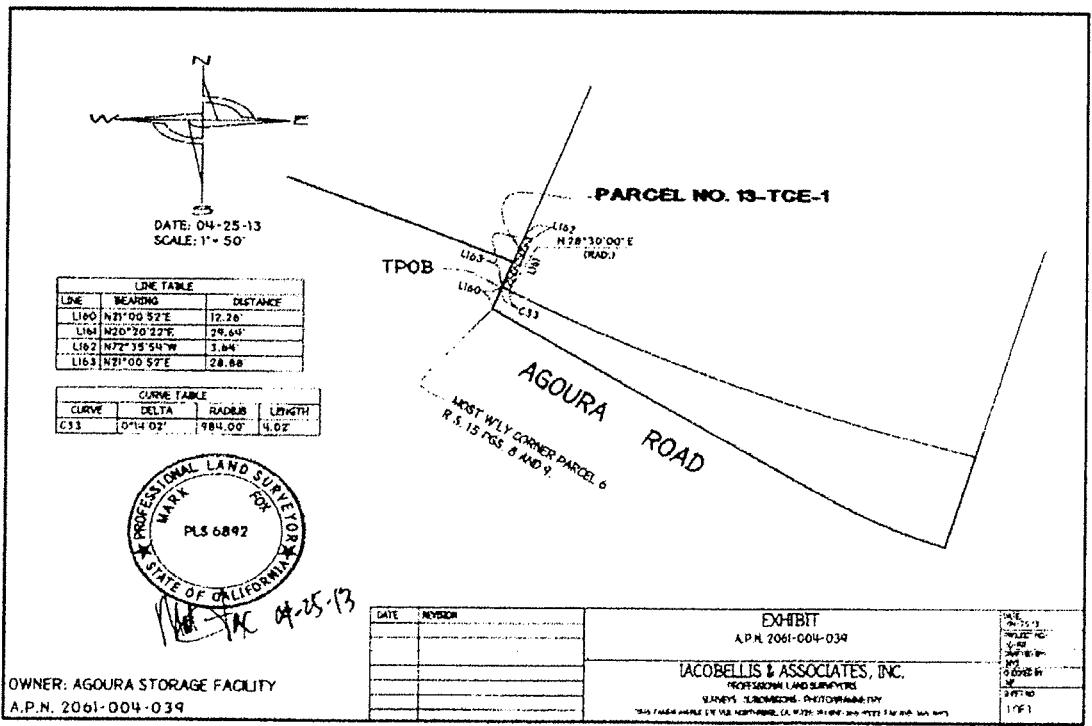
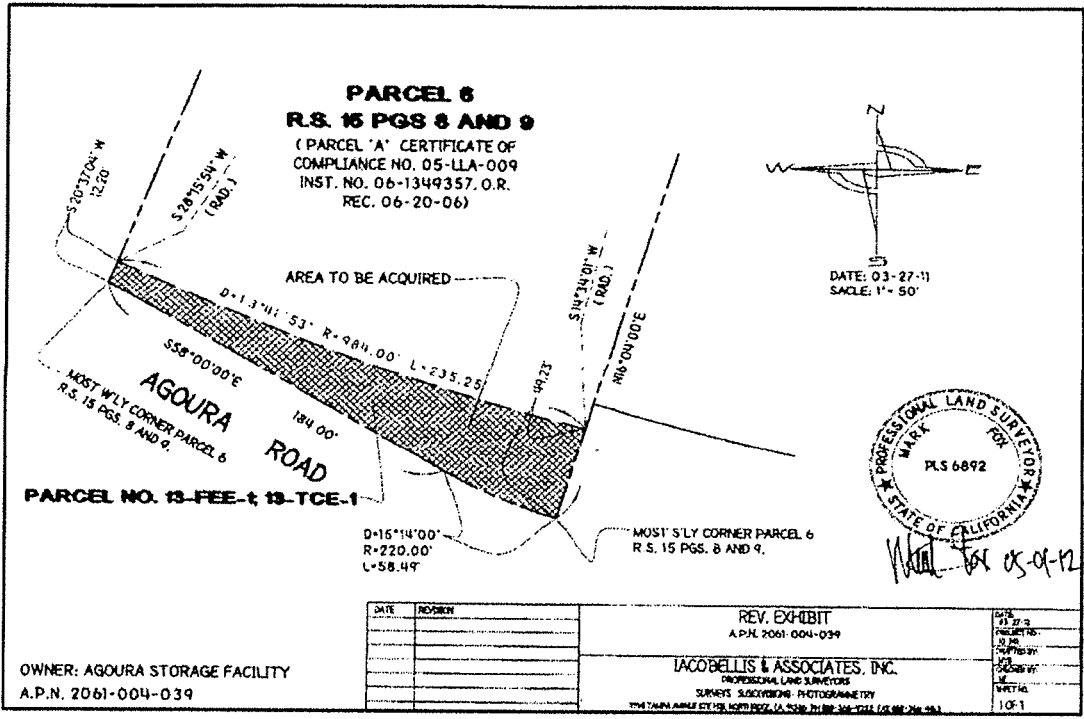
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°14'02" AN ARC DISTANCE OF 4.02 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 111 SQUARE FEET.



Mark Fox 04-25-13

SURVEYORS MAP:



RESOLUTION NO. 13-1727

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT - 29525 AGOURA ROAD, CALIFORNIA, ALSO IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 2061-004-900

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project ("proposed Project"), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interests sought to be taken are a permanent easement and a temporary construction easement with a term of six (6) months, over portions of the fee on the property located at 29525 Agoura Road, California, also identified as Los Angeles County Tax Assessor's Parcel Number 2061-004-900 ("Subject Property Interests"). The legal description of the permanent easement is attached as Exhibit "A" to this Resolution and is depicted on the diagram attached as Exhibit "B" to this Resolution. The legal description of the temporary construction easement is attached as Exhibit "A-1" to this Resolution and is depicted on the diagram attached as Exhibit "B-1" to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interests are required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Agoura Road Widening and Canwood Street Improvement Project ("Project"). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the

proposed Project would not result in any significant effects on the environment that cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interests described in Exhibit "A" and Exhibit "A-1" and depicted in Exhibit "B" and Exhibit "B-1" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

_____ (SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

LEGAL DESCRIPTION:

OWNER: LOS ANGELES COUNTY

PARCEL NO. 14-PE-1

A.P.N. : 2061-004-900

DESCRIPTION

THAT PORTION OF PARCEL 1, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN IN THE LICENSED SURVEYOR'S MAP FILED IN BOOK 15 PAGES 8 AND 9 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF THE LAND AS SHOWN ON COUNTY SURVEYOR'S MAP NO. B-5283 WITH THE NORTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE;

THENCE ALONG SAID EASTERLY LINE NORTH 00° 47' 38" EAST 49.91 FEET;

THENCE NORTH 72° 08' 29" WEST 13.71 FEET;

THENCE NORTH 83° 04' 47" WEST 9.88 FEET;

THENCE SOUTH 87° 08' 24" WEST 15.28 FEET;

THENCE SOUTH 67° 59' 41" WEST 2.88 FEET;

THENCE NORTH 81° 12' 11" WEST 12.34 FEET;

THENCE NORTH 52° 39' 36" WEST 3.64 FEET;

THENCE NORTH 07° 57' 44" WEST 4.98 FEET;

THENCE NORTH 18° 41' 51" EAST 17.27 FEET TO A POINT HERINAFTER REFERRED TO AS

"POINT A";

THENCE NORTH 60° 11' 16" WEST 21.98 FEET;

THENCE NORTH 85° 38' 49" WEST 18.37 FEET;

THENCE SOUTH 17° 03' 34" WEST 23.68 FEET;

THENCE NORTH 83° 38' 38" WEST 10.01 FEET;

THENCE SOUTH 79° 27' 14" WEST 7.57 FEET;

THENCE NORTH 62° 54' 17" WEST 9.89 FEET;

THENCE NORTH 73° 19' 48" WEST 12.78 FEET;

LEGAL DESCRIPTION:

THENCE NORTH 71° 09' 47" WEST 18.62 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 100.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08° 42' 59" AN ARC DISTANCE OF 15.21 FEET;

THENCE NORTH 79° 52' 46" WEST 11.01 FEET;

THENCE NORTH 36° 20' 33" WEST 13.42 FEET;

THENCE NORTH 68° 00' 53" WEST 4.26 FEET;

THENCE SOUTH 88° 07' 27" WEST 6.75 FEET;

THENCE NORTH 79° 54' 06" WEST 12.96 FEET;

THENCE NORTH 36° 56' 43" WEST 1.92 FEET;

THENCE NORTH 38° 01' 20" WEST 3.36 FEET;

THENCE NORTH 73° 57' 47" WEST 5.89 FEET;

THENCE NORTH 89° 25' 44" WEST 20.46 FEET;

THENCE SOUTH 79° 45' 43" WEST 20.53 FEET TO A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD, ALSO BEING A POINT IN A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 378.94 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 24° 18' 08" EAST;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06° 03' 57" AN ARC DISTANCE OF 40.12 FEET;

THENCE SOUTH 59° 37' 54" EAST 21.27 FEET TO A POINT IN A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1049.85 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 15° 17' 30" EAST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 35' 40" AN ARC DISTANCE OF 139.16 FEET;

THENCE SOUTH 67° 06' 50" EAST 78.02 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT SAID POINT "A";

THENCE NORTH 60° 11' 16" WEST 4.37 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 60° 11' 16" WEST 17.61 FEET;

THENCE NORTH 85° 38' 49" WEST 14.11 FEET;

LEGAL DESCRIPTION:

THENCE SOUTH 16°49'29" WEST 51.91 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD, BEING A POINT IN A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1049.85 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 21°19'02" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°34'08" AN ARC DISTANCE OF 28.75 FEET; THENCE SOUTH 67°06'50" EAST 1.94 FEET; THENCE NORTH 17°13'43" EAST 53.85 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 6,365 SQUARE FEET



Mark Fox 09-25-B

LEGAL DESCRIPTION:

OWNER: LOS ANGELES COUNTY

PARCEL NO. 14-TCE-1

A.P.N. : 2061-004-900

DESCRIPTION

THAT PORTION OF PARCEL 1, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN IN THE LICENSED SURVEYOR'S MAP FILED IN BOOK 15 PAGES 8 AND 9 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF THE LAND AS SHOWN ON COUNTY SURVEYOR'S MAP NO. B-5283 WITH THE NORTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE;

THENCE ALONG SAID EASTERLY LINE NORTH $00^{\circ} 47' 38''$ EAST 49.91 FEET;

THENCE NORTH $72^{\circ} 08' 29''$ WEST 13.71 FEET;

THENCE NORTH $83^{\circ} 04' 47''$ WEST 9.88 FEET;

THENCE SOUTH $87^{\circ} 08' 24''$ WEST 15.28 FEET;

THENCE SOUTH $67^{\circ} 59' 41''$ WEST 2.88 FEET;

THENCE NORTH $81^{\circ} 12' 11''$ WEST 12.34 FEET;

THENCE NORTH $52^{\circ} 39' 36''$ WEST 3.64 FEET;

THENCE NORTH $07^{\circ} 57' 44''$ WEST 4.98 FEET;

THENCE NORTH $18^{\circ} 41' 51''$ EAST 17.27 FEET;

THENCE NORTH $60^{\circ} 11' 16''$ WEST 4.37 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH $60^{\circ} 11' 16''$ WEST 17.61 FEET;

THENCE NORTH $85^{\circ} 38' 49''$ WEST 14.11 FEET;

THENCE SOUTH $16^{\circ} 49' 29''$ WEST 51.91 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD, BEING A POINT IN A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1049.85 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH $21^{\circ} 19' 02''$ EAST;

LEGAL DESCRIPTION:

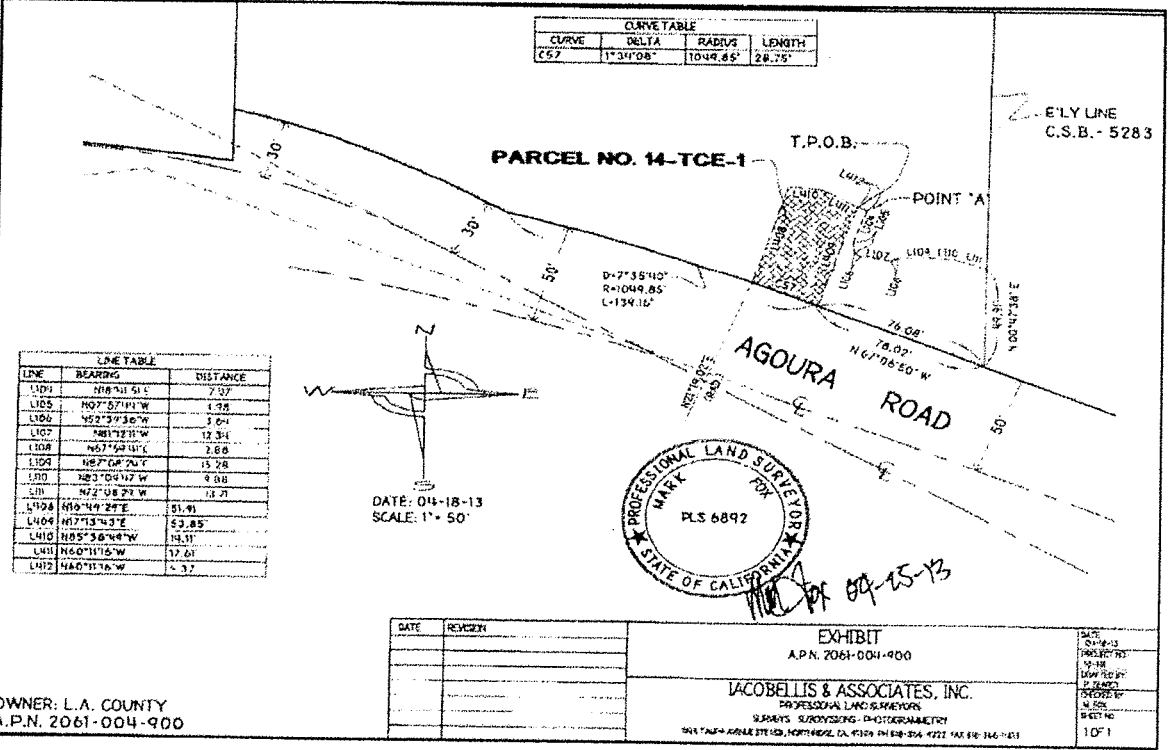
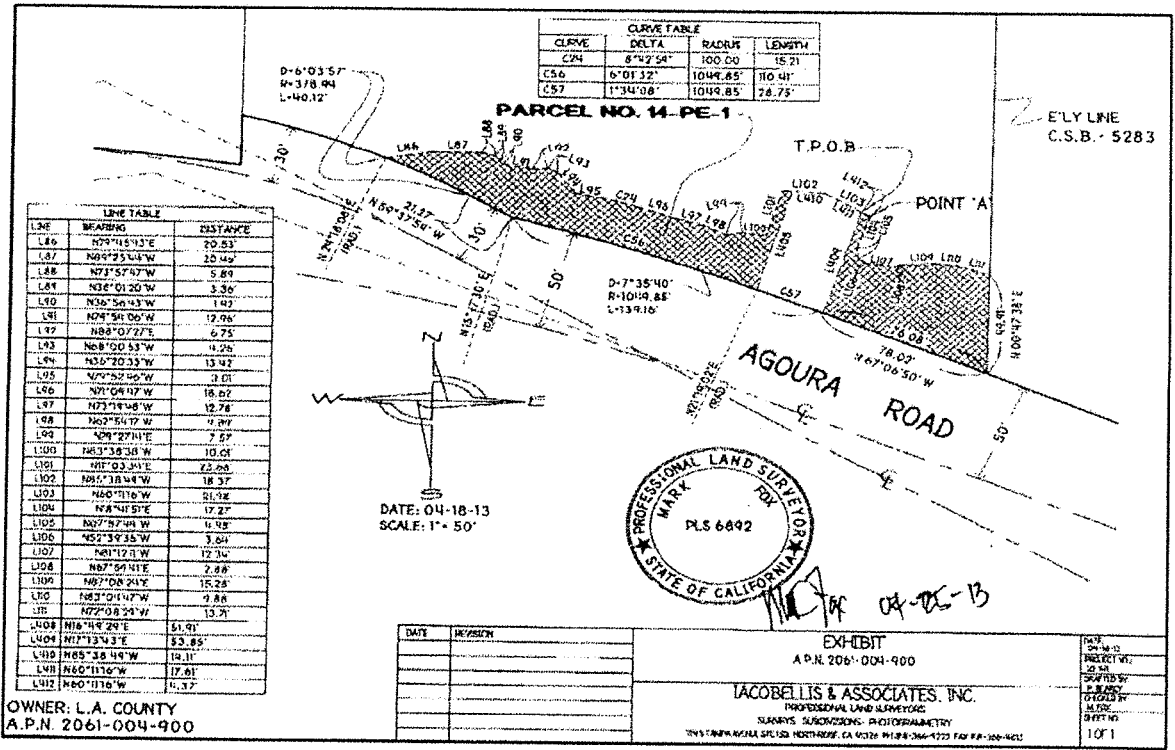
THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°34'08"
AN ARC DISTANCE OF 28.75 FEET;
THENCE SOUTH 67°06'50" EAST 1.94 FEET;
THENCE NORTH 17°13'43" EAST 53.85 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,678 SQUARE FEET

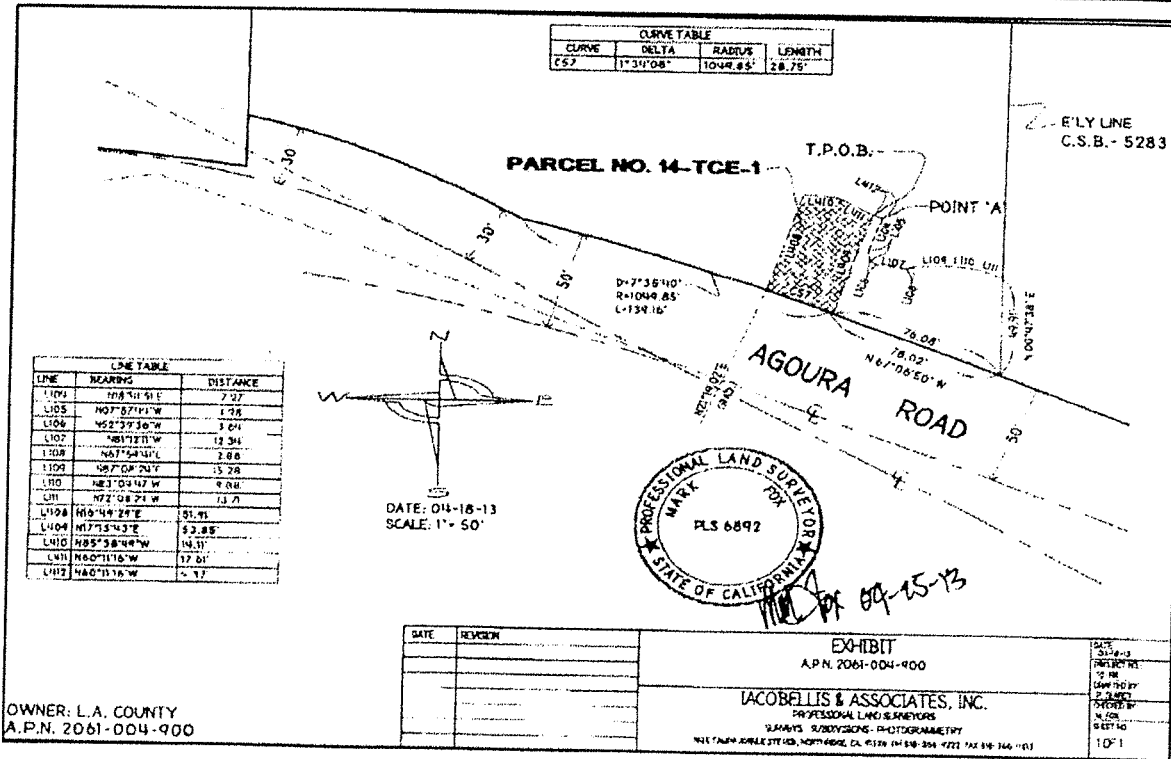
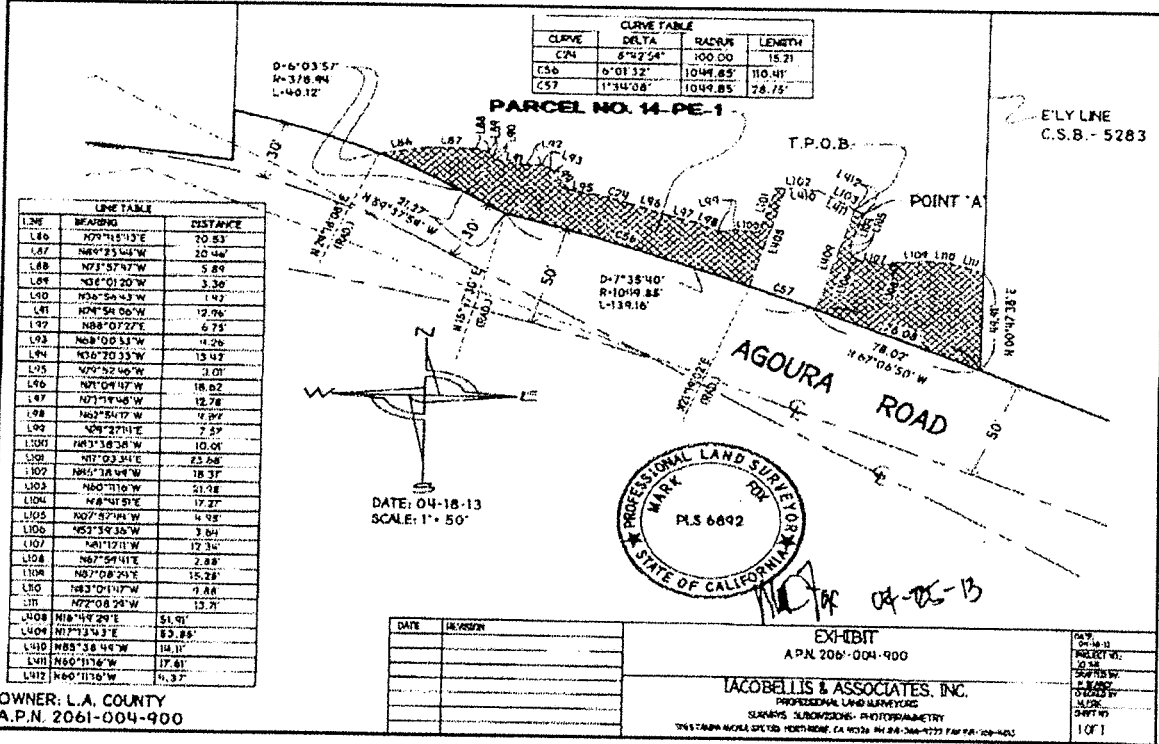


Mark Fox 09-25-13

SURVEYORS MAP:



SURVEYORS MAP:



RESOLUTION NO. 13-1728

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT - 29101 AGOURA ROAD, CALIFORNIA, ALSO IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 2061-006-035

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project ("proposed Project"), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interest sought to be taken is a temporary construction easement with a term of three (3) months over a portion of the fee on the property located at 29101 Agoura Road, California, also identified as Los Angeles County Tax Assessor's Parcel Number 2061-006-035 ("Subject Property Interest"). The legal description of the Subject Property Interest is attached as Exhibit "A" to this Resolution and the Subject Property Interest is depicted on the diagram attached as Exhibit "B" to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interest is required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Agoura Road Widening and Canwood Street Improvement Project ("Project"). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the proposed Project would not result in any significant effects on the environment that

cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interest described in Exhibit "A" and depicted in Exhibit "B" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

_____ (SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

OWNER: CONEJO VALLEY U STORE IT

PARCEL NO. 16-TCE-1

A.P.N. 2061-006-035

DESCRIPTION

BEING A PORTION OF PARCEL 13, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN IN THE LICENSED SURVEYOR'S MAP FILED IN BOOK 15 PAGES 8 AND 9 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OS SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID PARCEL 13 WITH THE NORTHERLY RIGHT OF WAY LINE OF AGOURA ROAD;

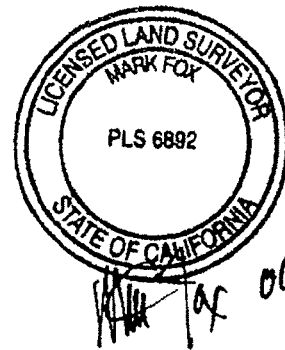
THENCE ALONG SAID WESTERLY LINE NORTH 02°21'37" EAST 3.46 FEET ;

THENCE SOUTH 83°41'32" EAST 3.31 FEET;

THENCE SOUTH 78°14'44" EAST 19.45 FEET TO SAID NORTHERLY RIGHT-OF-WAY LINE ;

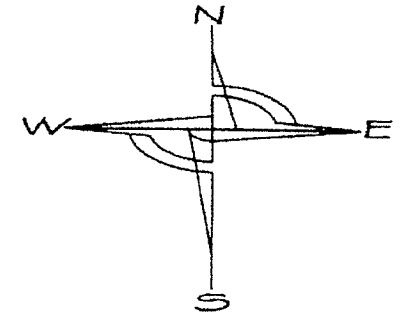
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 87°47'01" WEST 22.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 42 SQUARE FEET



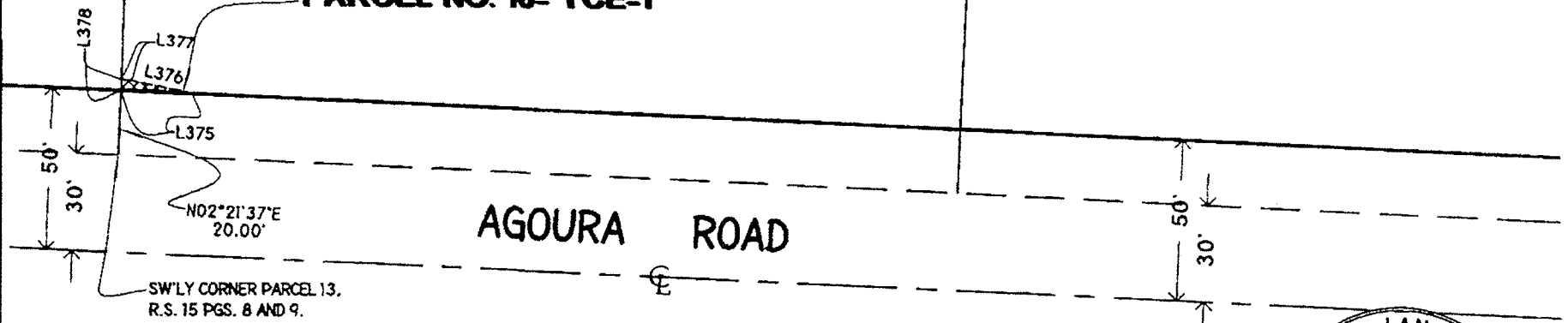
W'LY LINE PARCEL 13,
R.S. 15 PGS. 8 AND 9.

W'LY LINE PARCEL 14,
R.S. 15 PGS. 8 AND 9.



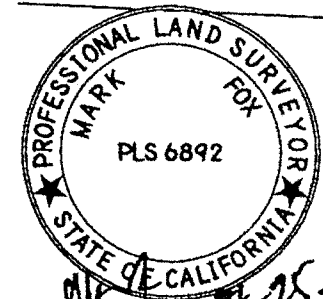
DATE: 04-09-13
SCALE: 1" = 50'

PARCEL NO. 16- TCE-1



SW'LY CORNER PARCEL 13,
R.S. 15 PGS. 8 AND 9.

LINE TABLE		
LINE	BEARING	DISTANCE
L375	N87°47'01"W	22.49'
L376	N78°14'44"W	19.45'
L377	N83°41'32"W	3.31'
L378	N02°21'37"E	3.46'



Handwritten signature and date: 04-25-13

OWNER: CONEJO VALLEY U STORE IT
A.P.N. 2061-006-035

DATE	REVISION

EXHIBIT
A.P.N. 2061-006-035

JACOBELLIS & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYS · SUBDIVISIONS · PHOTOGRAMMETRY
1145 TAMPA AVENUE STE 15B, NORTH RIDGE, CA. 91326 PH 818-366-9222 FAX 818-366-4813

DATE: 04-09-13
PROJECT NO.: 10-111
DRAFTED BY: MYS
CHECKED BY: MF
SHEET NO. 1 OF 1

RESOLUTION NO. 13-1729

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT - 29045 AGOURA ROAD, CALIFORNIA, ALSO IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 2061-006-044

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project ("proposed Project"), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interests sought to be taken are a partial fee acquisition and a temporary construction easement with a term of three (3) months, over portions of the fee on the property located at 29045 Agoura Road, California, also identified as Los Angeles County Tax Assessor's Parcel Number 2061-006-044 ("Subject Property Interests"). The legal description of the partial fee acquisition is attached as Exhibit "A" to this Resolution and is depicted on the diagram attached as Exhibit "B" to this Resolution. The legal description of the temporary construction easement is attached as Exhibit "A-1" to this Resolution and is depicted on the diagram attached as Exhibit "B-1" to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interests are required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Agoura Road Widening and Canwood Street Improvement Project ("Project"). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the

proposed Project would not result in any significant effects on the environment that cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interests described in Exhibit "A" and Exhibit "A-1" and depicted in Exhibit "B" and Exhibit "B-1" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

(SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

LEGAL DESCRIPTION:

DESCRIPTION:

A VARIABLE WIDTH STRIP OF LAND OVER A PORTION OF PARCEL 16, IN THE CITY OF AGOURA HILLS, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN IN THE LICENSED SURVEYOR'S MAP FILED IN BOOK 15 PAGES 8 AND 9 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CORNELL ROAD 60 FEET WIDE NORTHERLY RIGHT OF WAY OF VENTURA BLVD 75 FEET WIDE, NOW KNOWN AS AGOURA ROAD AS SHOWN ON LOS ANGELES COUNTY SURVEYOR'S B MAP 1099-1, A4 OF A4.

THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE NORTH $38^{\circ}10'00''$ EAST 10.08 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 21.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH $35^{\circ}00'54''$ EAST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $36^{\circ}19'14''$ AN ARC DISTANCE OF 13.31 FEET;

THENCE NORTH $88^{\circ}41'41''$ WEST 64.20 FEET TO A POINT IN THE NORTHERLY RIGHT OF WAY LINE OF AGOURA ROAD 100 FEET WIDE, SHOWN AS "PROPOSED" ON LOS ANGELES COUNTY SURVEYOR'S MAP B 3018-1, ALSO BEING A POINT IN A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1250.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH $10^{\circ}26'05''$ EAST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $1^{\circ}05'42''$ AN ARC DISTANCE OF 23.89 FEET TO SAID NORTHERLY RIGHT OF WAY LINE OF VENTURA BLVD., NOW KNOWN AS AGOURA ROAD;

THENCE SOUTH $88^{\circ}44'00''$ EAST 47.05 ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

CONTAINING: 250 SQUARE FEET.

LEGAL DESCRIPTION:

OWNER: KIDS FROM THE VALLEY V LLC

PARCEL NO. 18-TCE-1

A.P.N. 2061-006-044

DESCRIPTION

THAT PORTION OF PARCEL 16, IN THE CITY OF AGOURA HILLS, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN IN THE LICENSED SURVEYOR'S MAP FILED IN BOOK 15 PAGES 8 AND 9 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINES OF PARCELS A-1 AND A-2 AS DESCRIBED IN EASEMENT TO THE CITY OF AGOURA HILLS, RECORDED FEB. 06, 1990, AS INST. NO. 90-205620, O.R., ALSO BEING A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1260.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 08°37'42" EAST;

THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE OF PARCEL A-1 THROUGH A CENTRAL ANGLE OF 06°55'00" AN ARC DISTANCE OF 152.10 FEET;

THENCE NORTH 88°17'17" WEST 166.34 FEET;

THENCE NORTH 45°08'21" EAST 16.85 FEET;

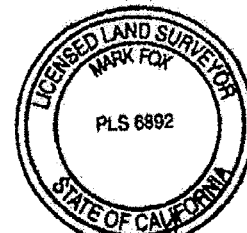
THENCE SOUTH 88°35'57" EAST 220.68 FEET;

THENCE SOUTH 86°26'37" EAST 145.98 FEET;

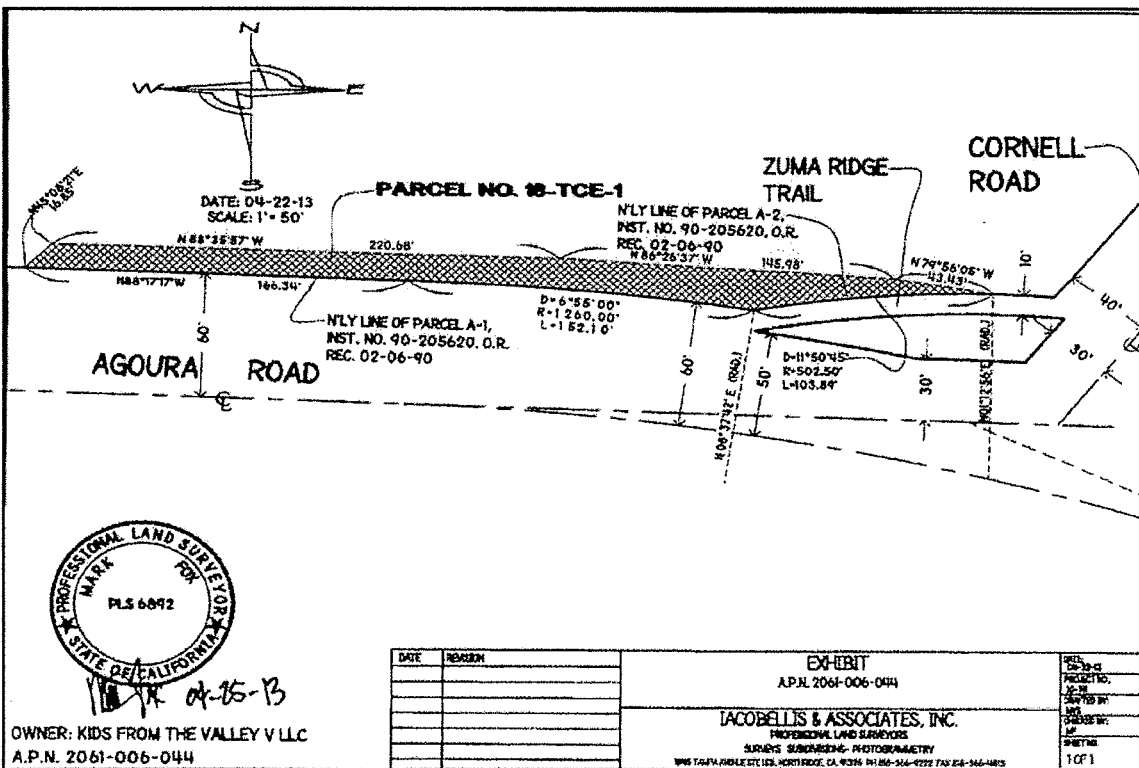
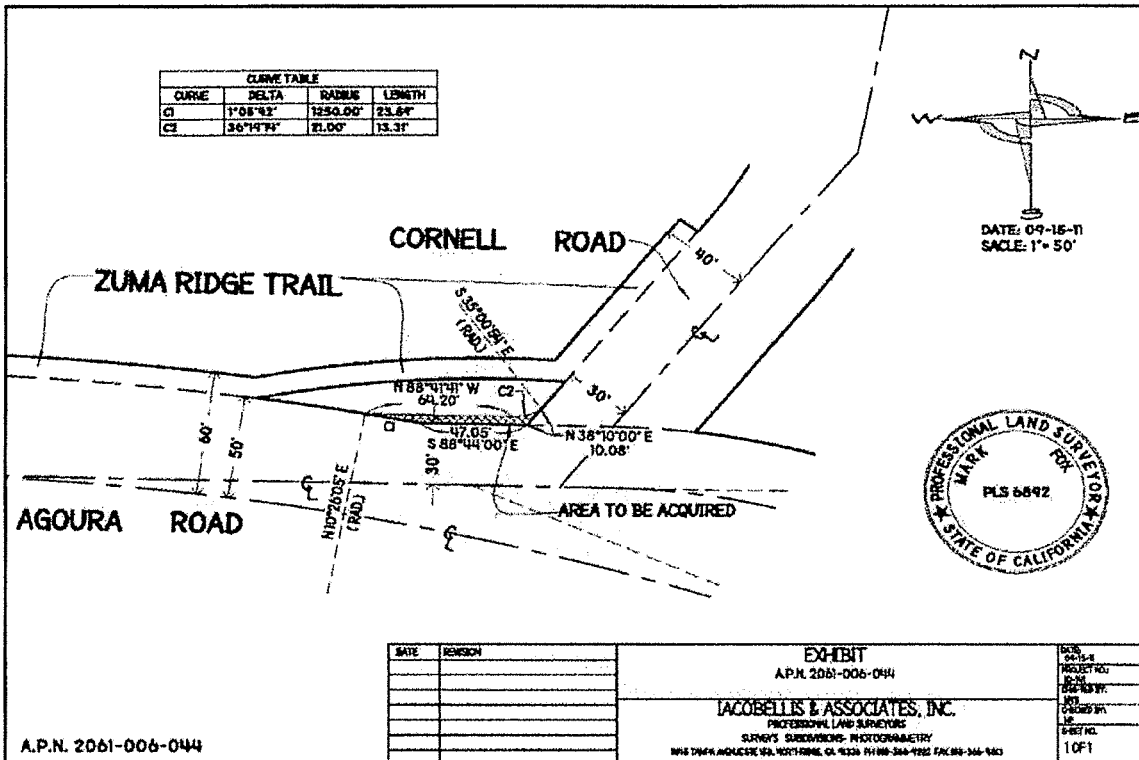
THENCE SOUTH 79°56' 05" EAST 43.43 FEET TO THE NORTHERLY LINE OF SAID PARCEL A-2, ALSO BEING A POINT IN A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 502.50 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 01°12'56" EAST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°50'45" AN ARC DISTANCE OF 103.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 5,385 SQUARE FEET



SURVEYORS MAP:



RESOLUTION NO. 13-1730

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT - SOUTHEAST CORNER OF AGOURA ROAD AND KANAN ROAD, CALIFORNIA, ALSO IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 2061-031-020

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project ("proposed Project"), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interest sought to be taken is a temporary construction easement with a term of three (3) months over a portion of the fee on the property located at the Southeast corner of Agoura Road and Kanan Road, California, also identified as Los Angeles County Tax Assessor's Parcel Number 2061-031-020 ("Subject Property Interest"). The legal description of the Subject Property Interest is attached as Exhibit "A" to this Resolution and the Subject Property Interest is depicted on the diagram attached as Exhibit "B" to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interest is required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Agoura Road Widening and Canwood Street Improvement Project ("Project"). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the proposed Project would not result in any significant effects on the environment that

cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interest described in Exhibit "A" and depicted in Exhibit "B" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

(SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

OWNER: SHUMAN AND ASSOCIATES

PARCEL NO. 20-TCE-1

A.P.N.: 2061-031-020

DESCRIPTION

THAT PORTION OF LOT "H", DOLORAS VEJAR 634.38 ACRE ALLOTMENT OF THE RANCHO LAS VIRGENES, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP OF THE PART OF SAID RANCHO FILED WITH THE FINAL DECREE OF PARTITION, IN CASE NO. 2898, OF THE SUPERIOR COURT OF LOS ANGELES COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE, BEING THE WESTERLY TERMINUS OF THAT CERTAIN FIRST CURVE EASTERLY OF KANAN ROAD, SAID CURVE BEING CONCAVE SOUTHERLY HAVING A RADIUS OF 2947.36 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00° 34' 35" AN ARC DISTANCE OF 29.65 FEET;

THENCE SOUTH 01° 33' 29" EAST 2.50 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 2944.86 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 01° 33' 29" WEST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00° 34' 35" AN ARC DISTANCE OF 29.63 FEET;

THENCE SOUTH 87° 51' 56" WEST 116.74 FEET TO A POINT IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF AGOURA ROAD, SAID POINT HEREINAFTER REFERRED TO AS "POINT A";

THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 49° 12' 23" EAST 4.00 FEET;

THENCE NORTH 87° 51' 56" EAST 113.61 FEET TO THE POINT OF BEGINNING;

ALSO TOGETHER WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

COMMENCING AT SAID "POINT A";

THENCE ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF AGOURA ROAD SOUTH 49° 12' 23" WEST 27.19 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE SOUTH 11° 42' 50" WEST 100.51 FEET;

THENCE NORTH 83° 51' 44" WEST 2.87 FEET TO THE EASTERLY LINE OF KANAN ROAD 100 FEET WIDE;

THENCE ALONG SAID EASTERLY LINE NORTH 10° 32' 49" EAST 94.58 FEET TO AN ANGLE POINT THEREIN;

THENCE NORTH 49°12'23" EAST 7.85 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO TOGETHER WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

COMMENCING AT SAID WESTERLY TERMINUS OF THAT CERTAIN CURVE IN THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE CONCAVE SOUTHERLY HAVING A RADIUS OF 2947.36 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04° 21' 03" AN ARC DISTANCE OF 223.81 FEET;

THENCE SOUTH 87° 47' 01" EAST 149.16 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 74° 33' 51" EAST 30.24 FEET;

THENCE SOUTH 87° 09' 04" EAST 133.68 FEET;

THENCE SOUTH 29° 22' 41" EAST 4.45 FEET;

THENCE SOUTH 89° 07' 29" EAST 60.63 FEET;

THENCE SOUTH 75° 01' 48" EAST 13.93 FEET;

THENCE NORTH 79° 11' 41" EAST 17.13 FEET;

THENCE SOUTH 87° 27' 26" EAST 17.18 FEET;

THENCE NORTH 59° 17' 04" EAST 18.54 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 87° 47' 01" WEST 289.07 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 3,198 SQUARE FEET



Mark Fox 04-25-13

AGOURA ROAD

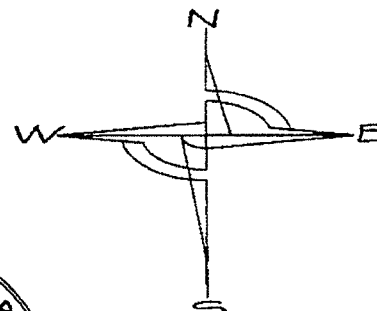
KANAN ROAD

PARCEL NO. 20-TCE-1

LINE TABLE		
LINE	BEARING	DISTANCE
L64	N49°12'23"E	7.85'
L65	N49°12'23"E	27.19'
L66	N49°12'23"E	4.00'
L67	N01°33'29"W (RAD.)	2.50'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C18	0°34'35"	2944.86'	29.63'
C20	0°34'35"	2947.36'	29.65'

D=4°21'03" R=2947.36' L=223.81'



DATE: 11-20-12
SCALE: 1" = 50'



Mark Fox 09-25-B

TPOB

POINT 'A'

MATCHLINE
SEE SHEET 2 OF 2

B

SHUMAN AND ASSOCIATES
A.P.N. 2061-031-020

DATE	REVISION

EXHIBIT A.P.N. 2061-031-020	DATE: 11-20-12 PROJECT NO.: 10-114 DRAFTED BY: MYS CHECKED BY: MF SHEET NO. 1 OF 2
JACOBELLIS & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS SURVEYS SUBDIVISIONS - PHOTOGAMMETRY 1145 TAMPA AVENUE STE 15B, NORTH RIDGE, CA 91326 PH 818-366-9222 FAX 818-366-4813	

RESOLUTION NO. 13-1731

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT - 29020 AGOURA ROAD, CALIFORNIA, ALSO IDENTIFIED AS TAX ASSESSOR'S PARCEL NUMBER 2061-031-023

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project ("proposed Project"), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interest sought to be taken is a temporary construction easement with a term of three (3) months over a portion of the fee on the property located at 29020 Agoura Road, California, also identified as Los Angeles County Tax Assessor's Parcel Number 2061-031-023 ("Subject Property Interest"). The legal description of the Subject Property Interest is attached as Exhibit "A" to this Resolution and the Subject Property Interest is depicted on the diagram attached as Exhibit "B" to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interest is required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Agoura Road Widening and Canwood Street Improvement Project ("Project"). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the proposed Project would not result in any significant effects on the environment that

cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interest described in Exhibit "A" and depicted in Exhibit "B" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

(SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

OWNER: AGOURA EQUITY LLC

PARCEL NO. 22-TCE-1

A.P.N.: 2061-031-023

DESCRIPTION

THAT PORTION OF LOT 1, TRACT NO. 48193, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1167, PAGES 19 AND 20 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD WITH THE EASTERLY LINE OF LOT 84, TRACT NO. 7761, IN SAID CITY, COUNTY AND STATE, AS PER MAP RECORDED IN BOOK 88, PAGES 63 TO 66 INCLUSIVE OF MAPS, ALSO BEING A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1150.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 08°19'45" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°46'12" AN ARC DISTANCE OF 15.46 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°24'45" AN ARC DISTANCE OF 28.35 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 19.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 105°03'33" AN ARC DISTANCE OF 34.84 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 330.00 FEET;

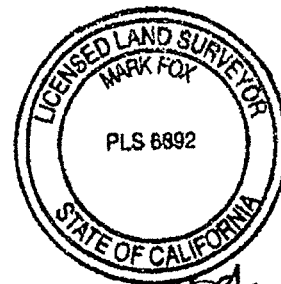
THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°45'01" AN ARC DISTANCE OF 4.32 FEET;

THENCE NORTH 52°39'00" WEST 19.15 FEET;

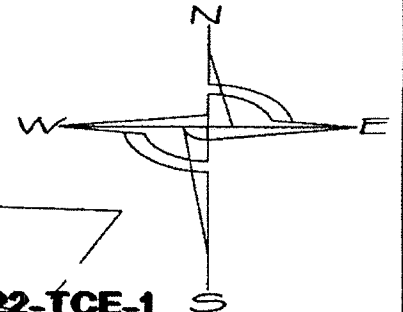
THENCE NORTH 66°05'32" WEST 18.59 FEET;

THENCE NORTH 24°38'39" WEST 18.12 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 763 SQUARE FEET

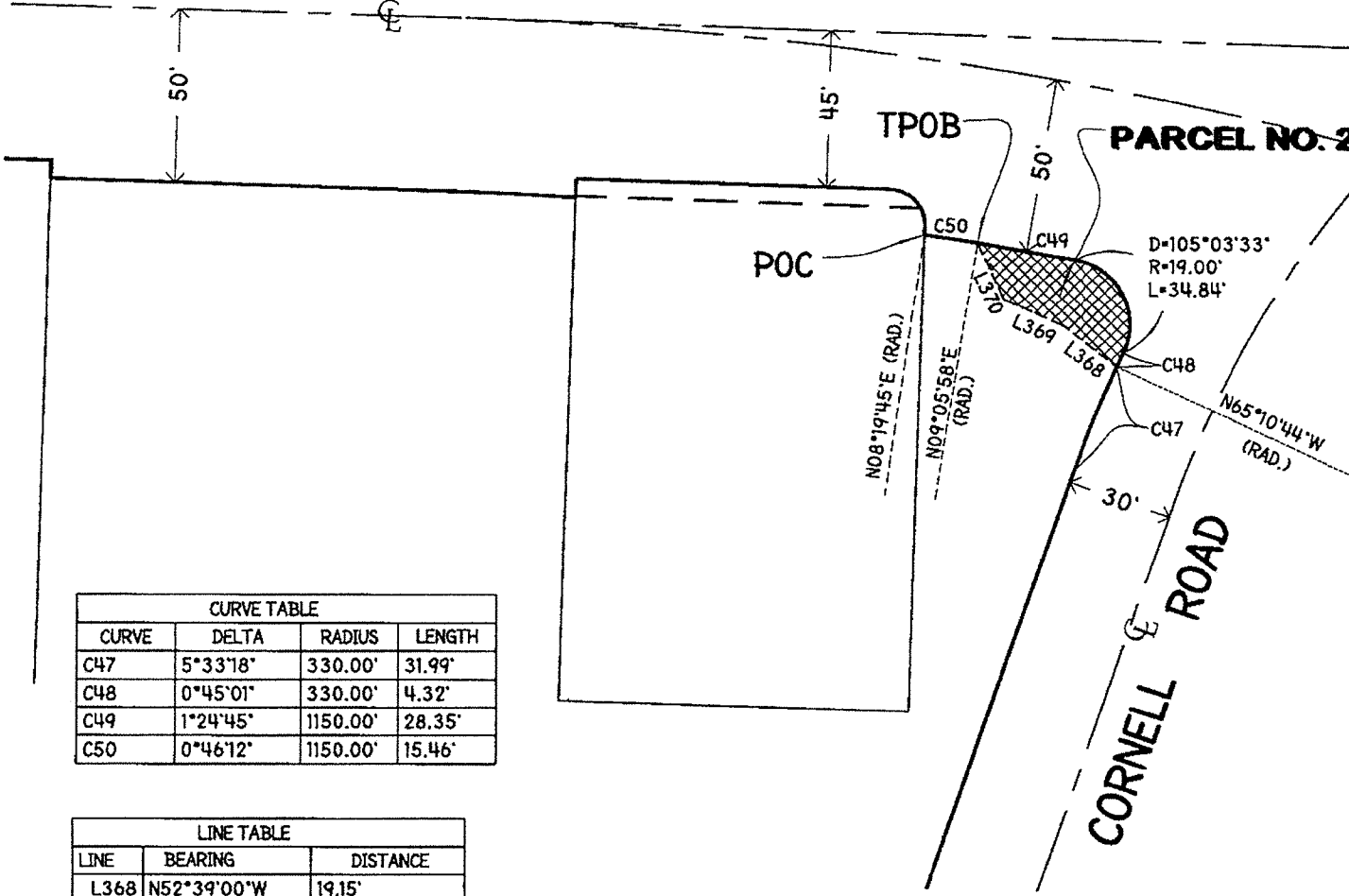


AGOURA ROAD



PARCEL NO. 22-TCE-1

DATE: 04-06-13
SCALE: 1" = 50'



CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C47	5°33'18"	330.00'	31.99'
C48	0°45'01"	330.00'	4.32'
C49	1°24'45"	1150.00'	28.35'
C50	0°46'12"	1150.00'	15.46'

LINE TABLE		
LINE	BEARING	DISTANCE
L368	N52°39'00"W	19.15'
L369	N66°05'32"W	18.59'
L370	N24°38'39"W	18.12'



Mark Fox 04-25-13

OWNER: AGOURA EQUITY LLC
A.P.N. 2061-031-023

DATE	REVISION

EXHIBIT
A.P.N. 2061-031-023
IACOBELLIS & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYS SUBDIVISIONS- PHOTOGRAMMETRY
11145 TAMPA AVENUE STE 15B, NORTH RIDGE, CA. 91326 PH 818-366-9222 FAX 818-366-4813

DATE:	04-06-13
PROJECT NO.:	10-111
DRAFTED BY:	MYS
CHECKED BY:	MF
SHEET NO.	1 OF 1

B

RESOLUTION NO. 13-1732

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT - 29646 AGOURA ROAD, CALIFORNIA, ALSO IDENTIFIED AS TAX ASSESSOR'S PARCEL NUMBER 2061-033-013

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project ("proposed Project"), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interests sought to be taken are two permanent easements and a temporary construction easement with a term of six (6) months, over portions of the fee on the property located at 29646 Agoura Road, California, also identified as Los Angeles County Tax Assessor's Parcel Number 2061-033-013 ("Subject Property Interests"). The legal descriptions of the permanent easements are attached as Exhibits "A" and "A-1" to this Resolution and are depicted on the diagrams attached as Exhibits "B" and "B-1" to this Resolution. The legal description of the temporary construction easement is attached as Exhibit "A-2" to this Resolution and is depicted on the diagram attached as Exhibit "B-2" to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interests are required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Agoura Road Widening and Canwood Street Improvement Project ("Project"). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the

proposed Project would not result in any significant effects on the environment that cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interests described in Exhibits "A", "A-1", and "A-2" and depicted in Exhibits "B", "B-1", and "B-2" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

(SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

LEGAL DESCRIPTION:

OWNER: FOUR SQUARE CHURCH

PARCEL NO. 24-PE-1

A.P.N. : 2061-033-013

DESCRIPTION

BEING A PORTION OF MARIANNA ETCHEVERRIGARRAY MARTICORRENA 185.80 ACRE ALLOTMENT IN LOT F OF THE PARTITION OF THE MIGUEL LEONIS ESTATE IN THE RANCHO LAS VIRGENES AS PER MAP FIELD IN CASE NO. 15847 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE AS SHOWN ON LOS ANGELES COUNTY SURVEYOR'S B MAP NO. 3018-2 WITH THE WESTERLY LINE OF SAID LAND, ALSO BEING IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2050.07 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 05°37'28" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°19'34" AN ARC DISTANCE OF 11.66 FEET;

THENCE SOUTH 85°03'16" WEST 6.09 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 85°03'16" WEST 468.76 FEET;

THENCE SOUTH 04°56'44" WEST 2.60 FEET;

THENCE SOUTH 85°03'16" WEST 191.90 FEET;

THENCE SOUTH 85°01'20" WEST 146.28 FEET;

THENCE SOUTH 84°29'19" WEST 131.08 FEET;

THENCE NORTH 01°53'53" EAST 4.01 FEET TO TRUE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE WITH THE EASTERLY LINE OF SAID LAND.

BEING A POINT IN A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 09°42'24" EAST;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°42'55" WEST 3.04 FEET TO A POINT IN A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 946.85 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 09°44'07" EAST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°41'29" AN ARC DISTANCE OF 259.31 FEET;

THENCE NORTH 05°57' 22" WEST 3.00 FEET, RADIAL TO A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET ALSO BEING A POINT IN THE SOUTHERLY RIGH-OF-WAY LINE OF SAID AGOURA ROAD, ALSO HEREIN AFTER REFERRED TO AS POINT "E";

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°39'45" AN ARC DISTANCE OF 259.65 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION - Continued

ALSO TOGETHER WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:
COMMENCING AT SAID POINT "E" BEING A POINT IN CURVE CONCAVE SOUTHERLY
HAVING A RADIUS OF 949.85 FEET A RADIAL LINE TO SAID POINT BEARS NORTH 05°57'22"
WEST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°07'44" AN
ARC DISTANCE OF 51.87 FEET;

THENCE SOUTH 80°54'54" WEST 16.03 FEET TO THE TRUE POINT OF BEGINNING FOR THIS
DESCRIPTION;

THENCE SOUTH 11°06'16" EAST 0.84 FEET;

THENCE SOUTH 78°49'15" WEST 37.86 FEET;

THENCE NORTH 12°50'19" WEST 2.23 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF
SAID AGOURA ROAD, ALSO HERINAFTER REFERRED TO AS POINT "E"

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°39'45" AN
ARC DISTANCE OF 259.65 FEET TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

COMMENCING AT SAID POINT "E" BEING A POINT IN A CURVE CONCAVE SOUTHERLY
HAVING A RADIUS OF 949.85 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 05°57'22"
WEST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°07'44" AN
ARC DISTANCE OF 51.87 FEET;

THENCE SOUTH 80°54'54" WEST 16.03 FEET TO THE TRUE POINT OF BEGINNING FOR THIS
DESCRIPTION;

THENCE SOUTH 11°06'16" EAST 0.84 FEET;

THENCE SOUTH 78°49'15" WEST 37.86 FEET;

THENCE NORTH 12°50'19" WEST 2.23 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF
SAID AGOURA ROAD, ALSO HERINAFTER REFERRED TO AS POINT "F";

THENCE NORTH 80°54'54" EAST 37.95 FEET TO THE TRUE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

COMMENCING AT SAID POINT "F", SAID POINT ALSO BEING A POINT IN THE SOUTHERLY
RIGHT-OF-WAY LINE OF AGOURA ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 80°54'54" WEST 13.03 FEET;

THENCE SOUTH 70°17'26" WEST 64.25 FEET TO THE TRUE POINT OF BEGINNING FOR THIS
DESCRIPTION;

THENCE SOUTH 70°17'26" WEST 31.00 FEET;

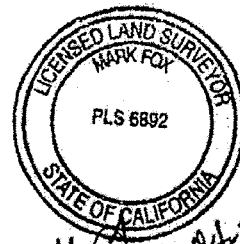
THENCE SOUTH 19°42'34" EAST 1.75 FEET;

LEGAL DESCRIPTION - Continued

THENCE NORTH 70°17'26" EAST 34.40 FEET TO THE BEGINNING OF A CURVE CONCAVE
SOUTHWESTERLY HAVING A RADIUS OF 26.50 FEET, A RADIAL LINE TO SAID POINT BEARS
NORTH 11°36'37" EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
08°17'32" AN ARC DISTANCE OF 3.84 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 2214 FEET



Mark Fox 04-25-13

LEGAL DESCRIPTION - Continued

OWNER: FOUR SQUARE CHURCH

PARCEL NO. 24-PE-2

A.P.N. : 2061-033-013

DESCRIPTION

BEING A PORTION OF MARIANNA ETCHVERRIGARRAY MARTICORRENA 185.80 ACRE ALLOTMENT IN LOT F OF THE PARTITION OF THE MIGUEL LEONIS ESTATE IN THE RANCHO LAS VIRGENES AS PER MAP FIELD IN CASE NO. 15847 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE WITH THE EASTERLY LINE OF SAID LAND.

BEING A POINT IN A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 09° 42' 24" WEST;

THENCE ALONG SAID EASTERLY LINE SOUTH 00° 42' 55" WEST 40.41 FEET;

THENCE SOUTH 88° 18' 27" WEST 89.03 FEET;

THENCE NORTH 88° 24' 00" WEST 95.40 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 35.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 33° 38' 25" AN ARC DISTANCE OF 20.55 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 169.47 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14° 34' 09" AN ARC DISTANCE OF 43.09 FEET;

THENCE NORTH 83° 06' 11" WEST 31.13 FEET;

THENCE SOUTH 16° 06' 24" WEST 26.88 FEET;

THENCE SOUTH 87° 46' 50" WEST 4.01 FEET TO A POINT HERINAFTER REFERRED TO AS POINT "A"

THENCE SOUTH 87° 46' 50" WEST 45.31 FEET;

THENCE NORTH 17° 48' 18" WEST 24.25 FEET;

THENCE NORTH 79° 23' 16" WEST 10.60 FEET;

THENCE SOUTH 81° 00' 32" WEST 51.27 FEET;

THENCE SOUTH 11° 23' 50" EAST 15.71 FEET;

THENCE SOUTH 02° 21' 44" EAST 10.32 FEET;

THENCE SOUTH 57° 40' 57" EAST 4.59 FEET;

THENCE SOUTH 29° 58' 31" WEST 8.90 FEET;

THENCE SOUTH 05° 38' 28" EAST 7.00 FEET;

LEGAL DESCRIPTION - Continued

THENCE SOUTH 11° 02' 20" WEST 37.43 FEET;

THENCE SOUTH 70° 12' 17" WEST 3.51 FEET TO A POINT HERINAFTER REFERRED TO AS
"POINT B"

THENCE SOUTH 70° 12' 17" WEST 24.90 FEET;

THENCE NORTH 65° 09' 46" WEST 2.96 FEET TO THE BEGINNING OF A CURVE CONCAVE
EASTERLY HAVING A RADIUS OF 22.00 FEET;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 64° 56' 42" AN
ARC DISTANCE OF 24.94 FEET;

THENCE NORTH 00° 13' 05" WEST 8.98 FEET;

THENCE NORTH 33° 34' 35" EAST 5.24 FEET;

THENCE NORTH 13° 46' 08" WEST 5.59 FEET;

THENCE NORTH 03° 55' 20" EAST 5.43 FEET;

THENCE NORTH 20° 26' 21" WEST 11.71 FEET;

THENCE SOUTH 64° 35' 12" WEST 22.16 FEET;

THENCE NORTH 85° 43' 23" WEST 24.64 FEET;

THENCE NORTH 02° 30' 17" EAST 10.44 FEET;

THENCE SOUTH 73° 03' 37" WEST 43.65 FEET;

THENCE SOUTH 76° 49' 25" WEST 32.87 FEET;

THENCE NORTH 17° 07' 07" WEST 1.99 FEET TO A POINT IN SAID SOUTHERLY RIGHT-OF-
WAY LINE OF AGOURA ROAD, SAID POINT HERINAFTER REFERRED TO AS "POINT C",
SAID POINT ALSO BEING A POINT IN A CURVE CONCAVE NORTHWESTERLY HAVING A
RADIUS OF 528.24 FEET, A RADIAL TO SAID POINTS BEARS SOUTH 17° 07' 07" EAST;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02° 35'
27" AN ARC DISTANCE OF 23.88;

THENCE NORTH 70° 17' 26" EAST 141.01 FEET;

THENCE NORTH 80° 54' 54" EAST 100.23 FEET TO THE BEGINNING OF A CURVE CONCAVE
SOUTHERLY HAVING A RADIUS OF 949.85 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18° 47' 29" AN
ARC DISTANCE OF 311.53 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION - Continued

ALSO TOGETHER WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

COMMENCING AT SAID "POINT C" BEING A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD, SAID POINT ALSO BEING A POINT IN A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 528.24 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 17° 07' 07" EAST;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03° 23' 25" AN ARC DISTANCE OF 31.26 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 13° 43' 42" EAST 1.98 FEET RADIAL TO SAID LAST MENTIONED CURVE;

THENCE SOUTH 63° 20' 08" WEST 18.06 FEET;

THENCE SOUTH 56° 06' 13" WEST 10.12 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 45.00 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44° 25' 32" AN ARC DISTANCE OF 34.89 FEET;

THENCE NORTH 79° 28' 15" WEST 22.68 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 45.00 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17° 44' 17" AN ARC DISTANCE OF 13.93 FEET;

THENCE SOUTH 82° 47' 28" WEST 17.18 FEET;

THENCE SOUTH 48° 23' 47" WEST 2.24 FEET;

THENCE SOUTH 76° 03' 09" WEST 10.46 FEET;

THENCE SOUTH 81° 55' 35" WEST 14.14 FEET;

THENCE SOUTH 79° 33' 33" WEST 15.77 FEET;

THENCE SOUTH 87° 44' 58" WEST 18.62 FEET;

THENCE NORTH 80° 37' 56" WEST 3.99 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 50.00 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31° 24' 05" AN ARC DISTANCE OF 27.40 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 149.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16° 45' 20" AN ARC DISTANCE OF 43.57 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 85.00 FEET;

LEGAL DESCRIPTION - Continued

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22° 28' 44" AN ARC DISTANCE OF 33.35 FEET;

THENCE SOUTH 33° 20' 00" WEST 30.84 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 44.50 FEET, A RADIAL BEARING TO SAID POINT BEARS SOUTH 09° 38' 40" EAST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 37° 59' 43" AN ARC DISTANCE OF 29.51 FEET TO THE BEGINNING OF A NON-TANGENT REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF A 34.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 04° 30' 34" EAST;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39° 27' 18" AN ARC DISTANCE OF 23.41 FEET;

THENCE SOUTH 55° 03' 16" WEST 5.41 FEET;

THENCE SOUTH 67° 06' 38" WEST 9.93 FEET;

THENCE SOUTH 33° 49' 41" WEST 14.23 FEET;

THENCE SOUTH 39° 12' 59" WEST 15.70 FEET;

THENCE SOUTH 77° 15' 07" WEST 13.57 FEET;

THENCE SOUTH 87° 02' 45" WEST 8.87 FEET TO THE BEGINNING OF CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 10.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44° 54' 19" AN ARC DISTANCE OF 7.84 FEET;

THENCE SOUTH 42° 08' 26" WEST 7.06 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 18.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43° 19' 59" AN ARC DISTANCE OF 13.61 FEET;

THENCE SOUTH 85° 28' 25" WEST 45.42 FEET;

THENCE NORTH 88° 06' 07" WEST 6.81 FEET;

THENCE NORTH 47° 15' 11" WEST 5.21 FEET;

THENCE NORTH 81° 30' 26" WEST 6.64 FEET;

THENCE NORTH 62° 10' 12" WEST 10.00 FEET;

THENCE NORTH 77° 38' 25" WEST 9.13 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 25.00 FEET;

LEGAL DESCRIPTION - Continued

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31° 02' 01" AN ARC DISTANCE OF 13.34 FEET;

THENCE NORTH 46° 36' 24" WEST 10.03 FEET;

THENCE NORTH 52° 29' 25" WEST 23.01 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 87.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27° 04' 01" AN ARC DISTANCE OF 41.10 FEET;

THENCE SOUTH 02° 04' 17" WEST 43.83 FEET;

THENCE SOUTH 84° 23' 04" WEST 6.29 FEET TO A POINT HERINAFTER REFERRED TO AS POINT "D"

THENCE SOUTH 84° 23' 04" WEST 14.73 FEET TO THE WESTERLY LINE OF SAID LAND;

THENCE ALONG THE WESTERLY LINE OF SAID LAND NORTH 00° 46' 35" WEST 64.30 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD, ALSO BEING A POINT IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2050.07 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 05° 37' 28" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00° 19' 34" AN ARC DISTANCE OF 11.66 FEET;

THENCE NORTH 85° 03' 16" EAST 509.00 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 528.24 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08° 46' 58" AN ARC DISTANCE OF 80.97 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT "A";

THENCE SOUTH 87° 46' 50" WEST 40.16 FEET;

THENCE NORTH 06° 19' 40" WEST 23.29 FEET;

THENCE NORTH 04° 47' 28" EAST 13.67 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 80° 54' 54" EAST 16.03 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01° 17' 53" AN ARC DISTANCE OF 21.52 FEET

THENCE SOUTH 06° 11' 40" EAST 41.15 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION - Continued

ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT "B";

THENCE SOUTH 70°21'17" WEST 21.77 FEET

THENCE NORTH 20°26'21" WEST 59.68 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 26.50 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 66°14'34" AN ARC DISTANCE OF 30.64 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 70°12'26" EAST 54.31 FEET

TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A

RADIUS OF 15.25 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 27°11'40" WEST;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 63°04'23" AN ARC DISTANCE OF 16.79 FEET;

THENCE SOUTH 00°16'01" EAST 12.16 FEET;

THENCE SOUTH 20°26'21" EAST 62.19 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT "D"

THENCE SOUTH 84°23'04" WEST 14.73 FEET TO THE WESTERLY LINE OF SAID PORTION OF MARIANNA ETCHEVERRIGARRAY MARTICORRENA 185.80 ACRE ALLOTMENT IN LOT F OF THE PARTITION OF THE MIGUEL LEONIS ESTATE IN THE RANCHO LAS VIRGENES

THENCE ALONG SAID WESTERLY LINE NORTH 00°46'35" WEST 64.30 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE AS SHOWN ON LOS ANGELES COUNTY SURVEYOR'S B MAP NO. 3018-2 WITH THE WESTERLY LINE OF SAID LAND, ALSO BEING IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2050.07 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 05°37'28" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°19'34" AN ARC DISTANCE OF 11.66 FEET;

THENCE NORTH 85°03'16" EAST 6.09 FEET;

THENCE SOUTH 01°53'53" WEST 64.59 FEET TO THE POINT OF BEGINNING.

EXCEPT A PORTION OF MARIANNA ETCHEVERRIGARRAY MARTICORRENA 185.80 ACRE ALLOTMENT IN LOT F OF THE PARTITION OF THE MIGUEL LEONIS ESTATE IN THE RANCHO LAS VIRGENES AS PER MAP FIELD IN CASE NO. 15847 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION - Continued

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE AS SHOWN ON LOS ANGELES COUNTY SURVEYOR'S B MAP NO. 3018-2 WITH THE WESTERLY LINE OF SAID LAND, ALSO BEING IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2050.07 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 05°37'28" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°19'34" AN ARC DISTANCE OF 11.66 FEET;

THENCE SOUTH 85°03'16" WEST 6.09 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 85°03'16" WEST 468.76 FEET;

THENCE SOUTH 04°56'44" WEST 2.60 FEET;

THENCE SOUTH 85°03'16" WEST 191.90 FEET;

THENCE SOUTH 85°01'20" WEST 146.28 FEET;

THENCE SOUTH 84°29'19" WEST 131.08 FEET;

THENCE NORTH 01°53'53" EAST 4.01 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPT THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE WITH THE EASTERLY LINE OF SAID LAND.

BEING A POINT IN A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 09°42'24" EAST;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°42'55" WEST 3.04 FEET TO A POINT IN A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 946.85 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 09°44'07" EAST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°41'29" AN ARC DISTANCE OF 259.31 FEET;

THENCE NORTH 05°57' 22" WEST 3.00 FEET, RADIAL TO A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET ALSO BEING A POINT IN THE SOUTHERLY RIGH-OF-WAY LINE OF SAID AGOURA ROAD, ALSO HEREIN AFTER REFERRED TO AS POINT "E";

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°39'45" AN ARC DISTANCE OF 259.65 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:
COMMENCING AT SAID POINT "E" BEING A POINT IN CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET A RADIAL LINE TO SAID POINT BEARS NORTH 05°57'22" WEST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°07'44" AN ARC DISTANCE OF 51.87 FEET;

THENCE SOUTH 80°54'54" WEST 16.03 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

LEGAL DESCRIPTION - Continued

THENCE SOUTH 11°06'16" EAST 0.84 FEET;

THENCE SOUTH 78°49'15" WEST 37.86 FEET;

THENCE NORTH 12°50'19" WEST 2.23 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD, ALSO HEREINAFTER REFERRED TO AS POINT "E"

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°39'45" AN ARC DISTANCE OF 259.65 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

COMMENCING AT SAID POINT "E" BEING A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 05°57'22" WEST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°07'44" AN ARC DISTANCE OF 51.87 FEET;

THENCE SOUTH 80°54'54" WEST 16.03 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE SOUTH 11°06'16" EAST 0.84 FEET;

THENCE SOUTH 78°49'15" WEST 37.86 FEET;

THENCE NORTH 12°50'19" WEST 2.23 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD, ALSO HERINAFTER REFERRED TO AS POINT "F";

THENCE NORTH 80°54'54" EAST 37.95 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPT WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

COMMENCING AT SAID POINT "F", SAID POINT ALSO BEING A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 80°54'54" WEST 13.03 FEET;

THENCE SOUTH 70°17'26" WEST 64.25 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE SOUTH 70°17'26" WEST 31.00 FEET;

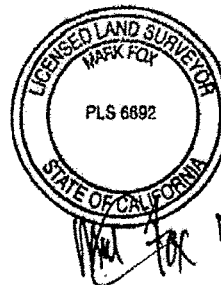
THENCE SOUTH 19°42'34" EAST 1.75 FEET;

THENCE NORTH 70°17'26" EAST 34.40 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 26.50 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 11°36'37" EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°17'32" AN ARC DISTANCE OF 3.84 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 35,812 SQUARE FEET

PAGE 8 OF 8



OWNER: FOURSQUARE CHURCH

PARCEL NO. 24-TCE-1

APN:2061-033-013

DESCRIPTION

BEING A PORTION OF MARIANNA ET CHEVERRIGARRAY MARTICORRENA 185.80 ACRE ALLOTMENT IN LOT F OF THE PARTITION OF THE MIGUEL LEONIS ESTATE IN THE RANCHO LAS VIRGENES AS PER MAP FILED IN CASE NO. 15847 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD 100 FEET WIDE AS SHOWN ON LOS ANGELES COUNTY SURVEYOR'S B MAP NO. 3018-2 WITH THE WESTERLY LINE OF SAID LAND, ALSO BEING IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2050.07 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 05°37'28" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°19'34" AN ARC DISTANCE OF 11.66 FEET;

THENCE SOUTH 85°03'16" WEST 6.09 FEET;

THENCE SOUTH 01°53'53" WEST 64.59 FEET;

THENCE SOUTH 84°23'04" WEST 14.73 FEET TO SAID WESTERLY LINE;

THENCE ALONG SAID WESTERLY LINE NORTH 00°46'35" WEST 64.30 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY TERMINUS OF THAT CERTAIN CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET, ALSO BEING IN THE SOUTHERLY RIGHT OF WAY LINE OF SAID AGOURA ROAD AS SHOWN ON SAID LOS ANGELES COUNTY SURVEYOR'S B MAP NO. 3018-2 HAVING A DELTA OF 31°58'01" AND A RADIUS OF 1000.00 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°17'53" AN ARC DISTANCE OF 21.52 FEET;

THENCE SOUTH 06°11'40" EAST 41.15 FEET;

THENCE SOUTH 87°46'50" WEST 40.16 FEET;

THENCE NORTH 06°19'40" WEST 23.29 FEET;

THENCE NORTH 04°47'28" EAST 13.67 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 80°54'54" EAST 16.03 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION - Continued

ALSO TOGETHER WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

COMMENCING AT SAID WESTERLY TERMINUS OF THAT CERTAIN CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET, ALSO BEING IN THE SOUTHERLY RIGHT OF WAY LINE OF AGOURA ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE SOUTH $80^{\circ}54'54''$ WEST 100.23 FEET;

THENCE SOUTH $70^{\circ}17'26''$ WEST 9.94 FEET TO THE TRUE POINT OF BEGINNING ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 15.25 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH $27^{\circ}11'40''$ WEST;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $63^{\circ}04'23''$ AN ARC DISTANCE OF 16.79 FEET;

THENCE SOUTH $00^{\circ}16'01''$ EAST 12.16 FEET;

THENCE SOUTH $20^{\circ}26'21''$ EAST 62.19 FEET;

THENCE SOUTH $70^{\circ}12'17''$ WEST 21.77 FEET;

THENCE NORTH $20^{\circ}26'21''$ WEST 59.68 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 26.50 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $66^{\circ}14'34''$ AN ARC DISTANCE OF 30.64 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF AGOURA ROAD;

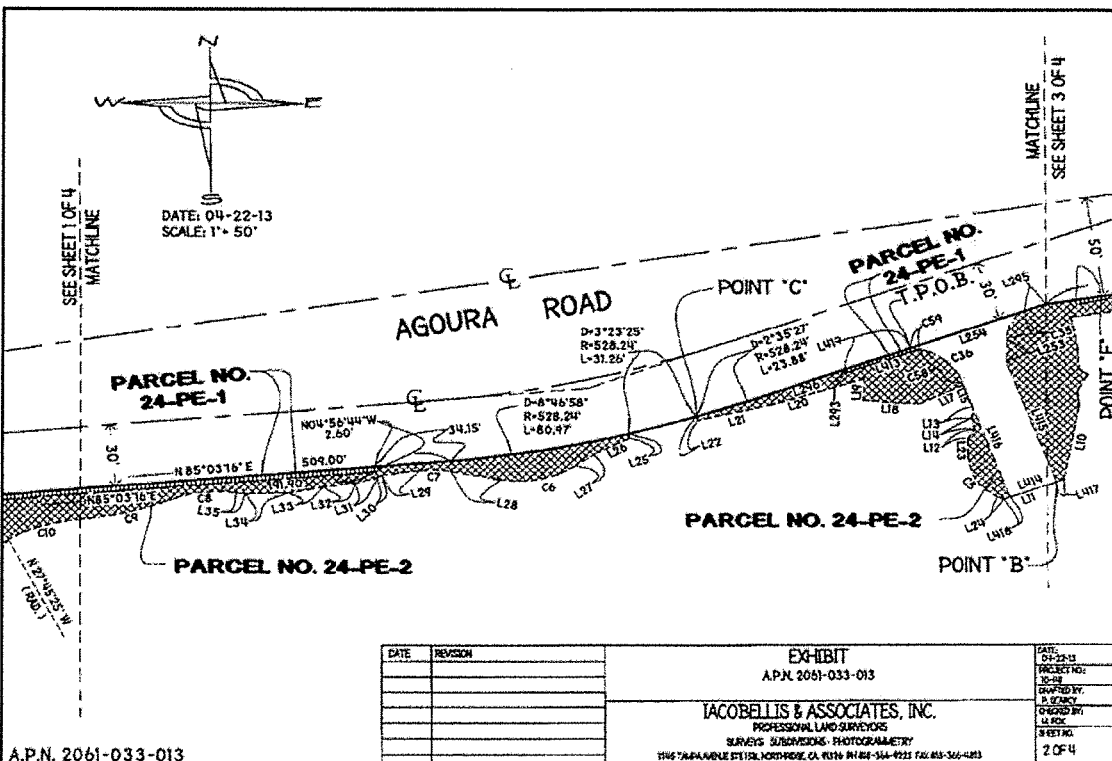
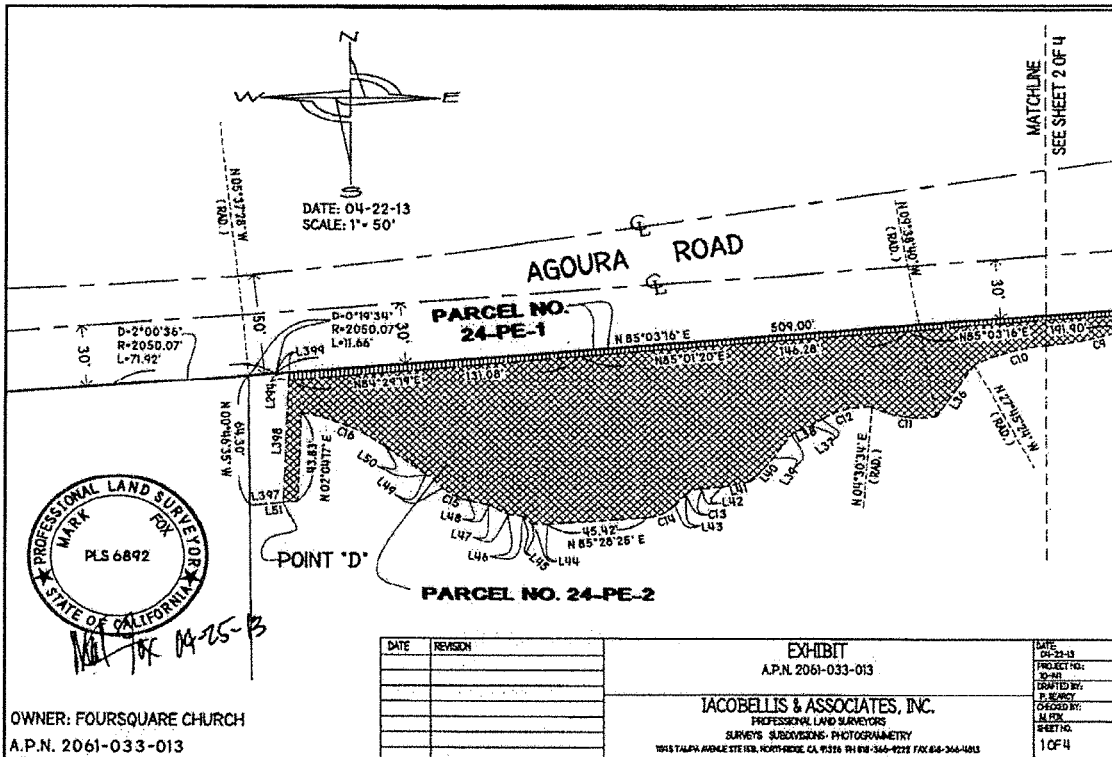
THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH $70^{\circ}12'26''$ EAST 54.31 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 4,619 SQUARE FEET.



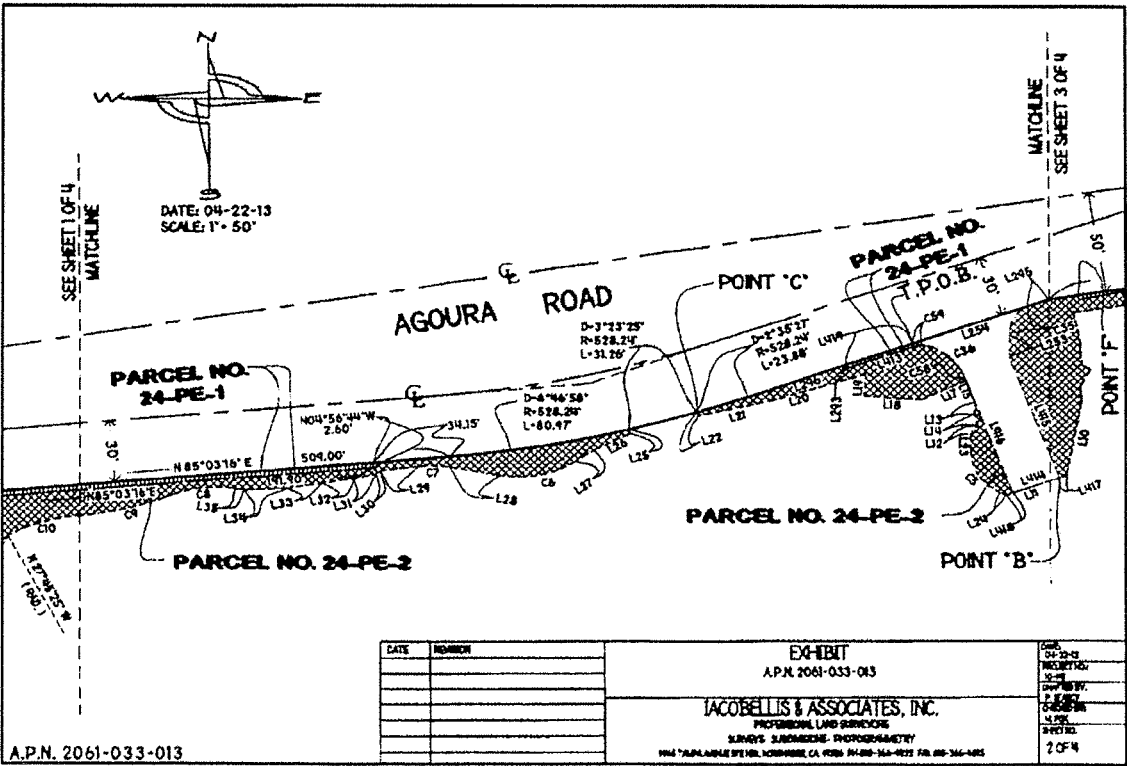
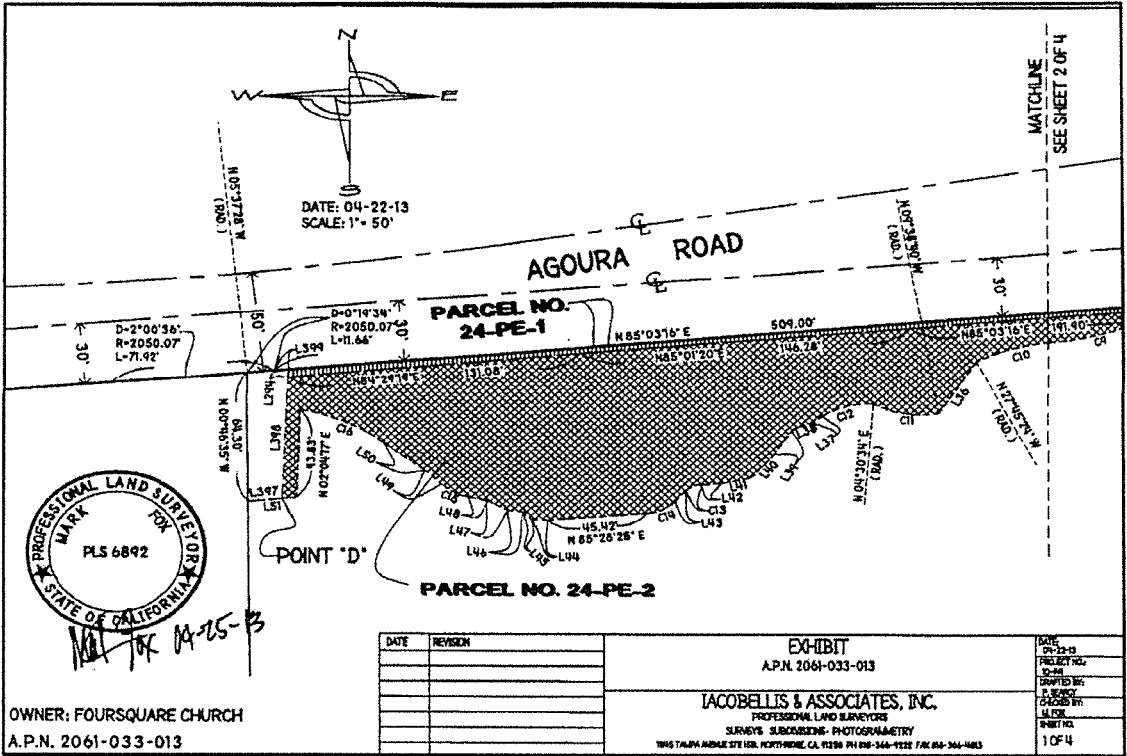
SUMMARY OF SALIENT FACTS – Continued

SURVEYORS MAP:



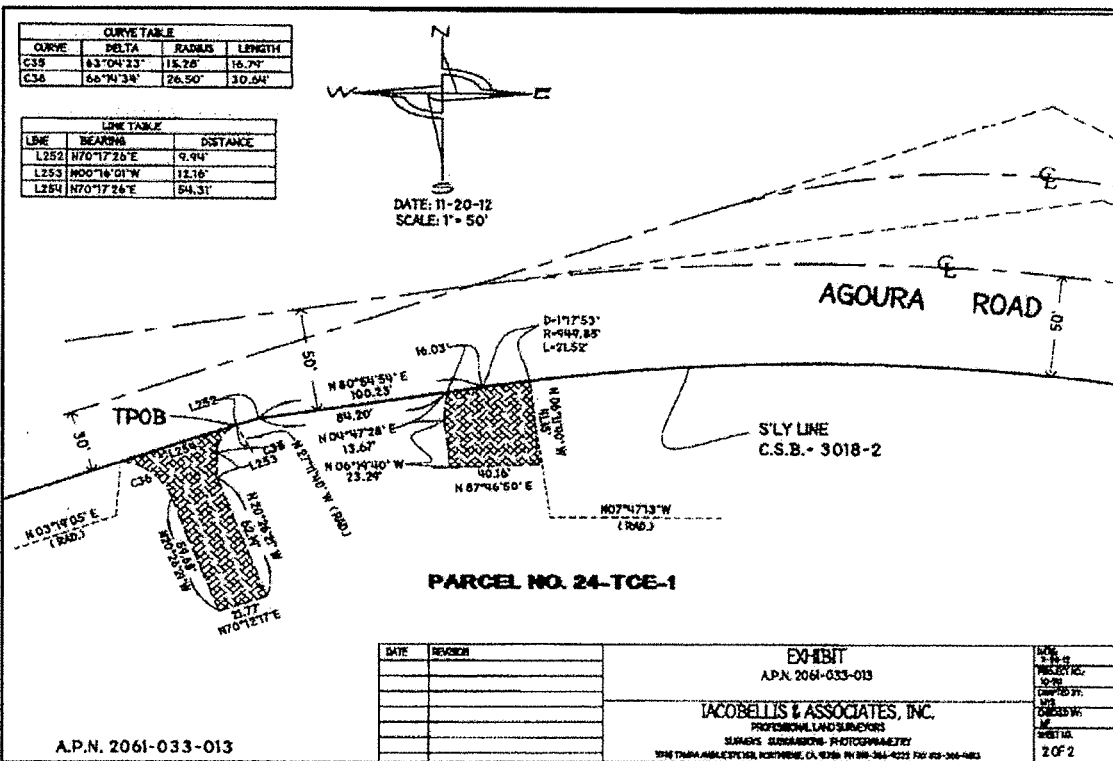
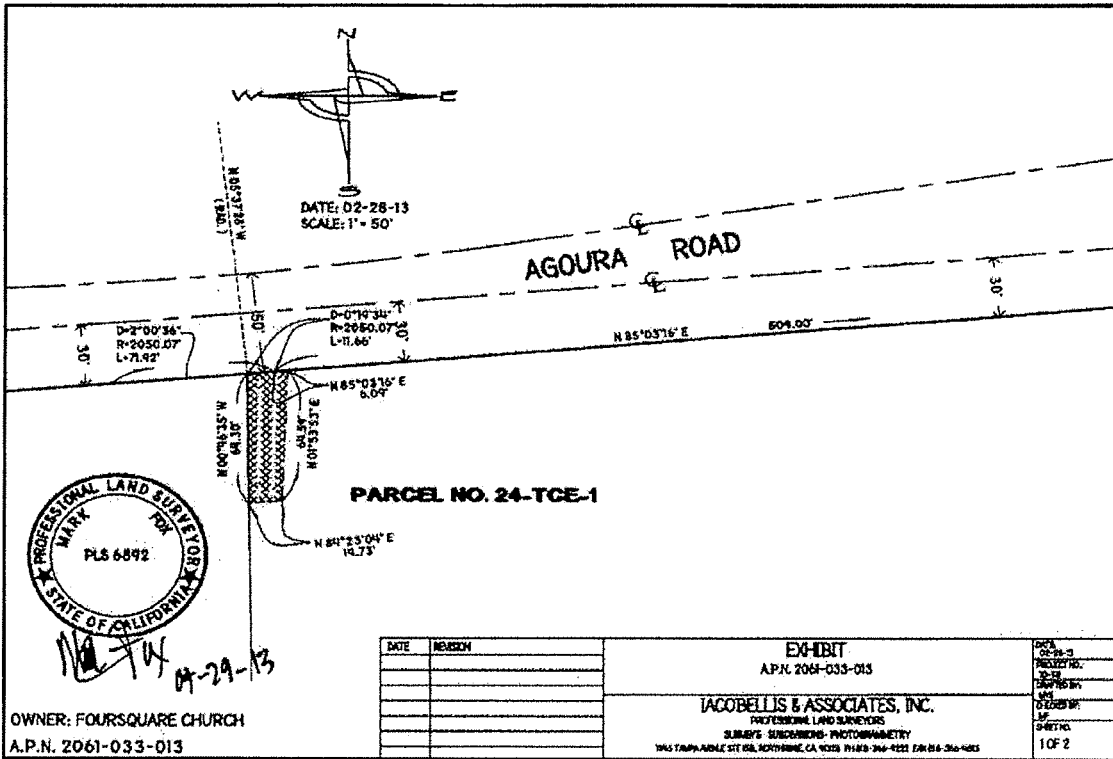
SUMMARY OF SALIENT FACTS – Continued

SURVEYORS MAP:



SUMMARY OF SALIENT FACTS – Continued

SURVEYORS MAP – Continued



RESOLUTION NO. 13-1733

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT – SOUTH SIDE OF AGOURA ROAD AND EAST OF LADYFACE COURT, CALIFORNIA, ALSO IDENTIFIED AS ASSESSOR’S PARCEL NUMBER 2061-033-015

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project (“proposed Project”), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interests sought to be taken are two permanent easements and a temporary construction easement with a term of three (3) months, over portions of the fee on the property located at the Southside of Agoura Road and East of Ladyface Court, California, also identified as Los Angeles County Tax Assessor’s Parcel Number 2061-033-015 (“Subject Property Interests”). The legal descriptions of the permanent easements are attached as Exhibits “A” and “A-1” to this Resolution and are depicted on the diagrams attached as Exhibits “B” and “B-1” to this Resolution. The legal description of the temporary construction easement is attached as Exhibit “A-2” to this Resolution and is depicted on the diagram attached as Exhibit “B-2” to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interests are required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration (“MND”) for the Agoura Road Widening and Canwood Street Improvement Project (“Project”). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on

the environment that cannot be mitigated. The MND found that implementation of the proposed Project would not result in any significant effects on the environment that cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered

to pay the property owner the reasonable costs, up to \$5,000.00, for an independent appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interests described in Exhibits "A", "A-1", "A-2", and "A-3" and depicted in Exhibits "B", "B-1", "B-2", and "B-3" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

(SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

OWNER: VINOD AND CHANRESH GUPTA TRUST

PARCEL NO. 25 -PE-1

APN 2061-033-015

DESCRIPTION:

BEING A PORTION OF PARCEL 1, PARCEL MAP NO. 761, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 18, PAGE 96 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1 ALSO BEING A POINT IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2050.07 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 05°37'28" EAST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°10'43" AN ARC DISTANCE OF 6.39 FEET;

THENCE SOUTH 01°14'39" WEST 3.37 FEET;

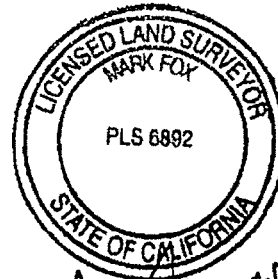
THENCE SOUTH 85°41'36" WEST 97.84 FEET;

THENCE NORTH 04°56'44" WEST 2.50 FEET TO THE SOUTHERLY RIGHT-OF-WAY- LINE OF SAID AGOURA ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF WAY LINE NORTH 85°03'16" EAST 69.73 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2050.07 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°30'20" AN ARC DISTANCE OF 53.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 286 SQUARE FEET



Mark Fox 04-25-13

OWNER: VINOD AND CHANRESH GUPTA TRUST

PARCEL NO. 25 -PE-2

APN 2061-033-015

DESCRIPTION:

BEING A PORTION OF PARCEL 1, PARCEL MAP NO. 761, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 18, PAGE 96 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1 SOUTH 00°41' 35" WEST 2.07 FEET;

THENCE NORTH 89°20' 09" EAST 15.97 FEET;

THENCE SOUTH 82°57' 16" WEST 11.47 FEET;

THENCE SOUTH 87°46' 46" EAST 10.11 FEET;

THENCE NORTH 71°43' 24" EAST 17.48 FEET;

THENCE NORTH 86°39' 06" EAST 7.95 FEET;

THENCE NORTH 75°14' 30" EAST 24.91 FEET;

THENCE NORTH 79°49'29" EAST 16.01 FEET;

THENCE SOUTH 61°22'58" EAST 24.36 FEET;

THENCE SOUTH 00°05'09" EAST 42.77 FEET;

THENCE NORTH 84°23'04" EAST 7.17 FEET TO THE EASTERLY LINE OF SAID PARCEL 1;

THENCE ALONG SAID EASTERLY LINE NORTH 00°46'35" WEST 64.30 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF AGOURA ROAD, ALSO BEING A POINT IN A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2050.07 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 05°37'28" EAST;

THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND CURVE THROUGH A CENTRAL ANGLE OF 1°41'03" AN ARC DISTANCE OF 60.26 FEET;

THENCE SOUTH 85°03'16" WEST 69.73 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1 SOUTH 00°46'35" EAST 3.50 FEET;

THENCE SOUTH 85°41'36" WEST 104.24 FEET;

THENCE NORTH 04°56'44" WEST 2.50 FEET TO THE SOUTHERLY RIGHT-OF-WAY- LINE OF SAID AGOURA ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF WAY LINE NORTH 85°03'16" EAST 69.73 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2050.07 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°41'03" AN ARC DISTANCE OF 60.26 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF SAID PARCEL AS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1 SOUTH 00°46'35" EAST 64.30 FEET;

THENCE SOUTH 84°23'04" WEST 7.17 FEET;

THENCE NORTH 00°05'09" WEST 64.38 FEET TO NORTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD, ALSO BEING A POINT IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2050.07 FEET A RADIAL LINE TO SAID POINT BEARS SOUTH 05°26'46" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 00°10'43" AN ARC DISTANCE OF 6.39 FEET TO THE POINT OF BEGINNING.

CONTAINING 894 SQUARE FEET



Mark Fox 04-25-13

OWNER: VINOD AND CHANRESH GUPTA TRUST

PARCEL NO. 25 -TCE-1

APN 2061-033-015

DESCRIPTION:

BEING A PORTION OF PARCEL 1, PARCEL MAP NO. 761, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 18, PAGE 96 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1 SOUTH 00°46'35" EAST 64.30 FEET;

THENCE SOUTH 84°23'04" WEST 7.17 FEET;

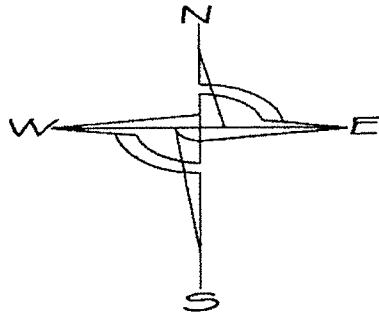
THENCE NORTH 00°05'09" WEST 64.38 FEET TO NORTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD, ALSO BEING A POINT IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2050.07 FEET A RADIAL LINE TO SAID POINT BEARS SOUTH 05°26'46" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 00°10'43" AN ARC DISTANCE OF 6.39 FEET TO THE POINT OF BEGINNING.

CONTAINING 434 SQUARE FEET



Mark Fox 04-25-13



DATE: 04-25-13
SCALE: 1" = 50'

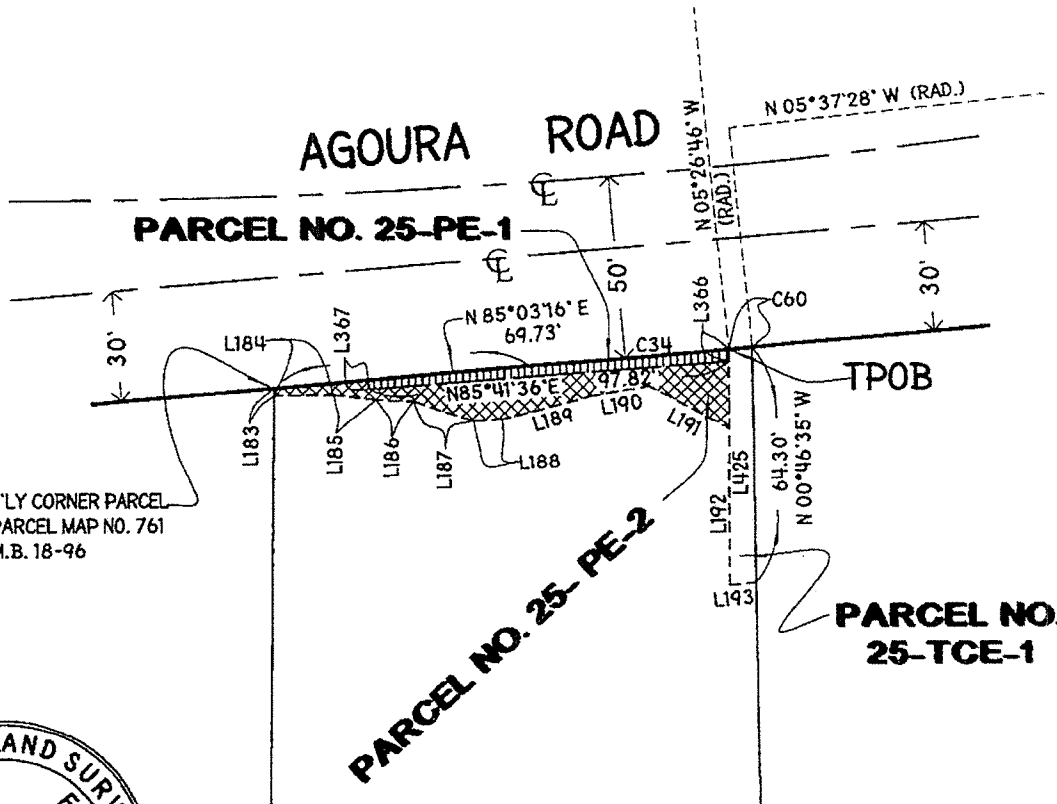
CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C34	1°30'20"	2050.07'	53.87'
C60	0°10'43"	2050.07'	6.39'

LINE TABLE		
LINE	BEARING	DISTANCE
L183	N00°41'35"E	2.07'
L184	N89°20'09"E	15.97'
L185	N82°57'16"W	11.47'
L186	N87°46'46"W	10.11'
L187	N71°43'24"W	17.48'
L188	N86°39'06"E	7.95'
L189	N75°14'30"E	24.91'
L190	N79°49'29"E	16.01'
L191	N61°22'58"W	24.36'
L192	N00°05'09"W	42.77'
L193	N84°23'04"E	7.17'
L366	N 01°14'39" E	3.37'
L367	N04°56'44"W	2.50'
L425	N00°05'09"W	64.38'

NW'LY CORNER PARCEL
1. PARCEL MAP NO. 761
P.M.B. 18-96



Mark Fox 04-25-13



OWNER: VINOD AND CHANRESH GUPTA TRUST
A.P.N. 2061-033-015

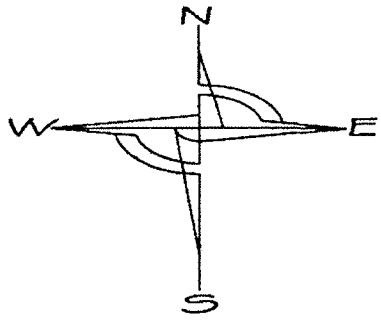
DATE	REVISION

EXHIBIT
A.P.N. 2061-033-015

IACOBELLIS & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYS SUBDIVISIONS - PHOTOGRAMMETRY
11145 TAMPA AVENUE STE 15B, NORTHridge, CA. 91326 PH 818-366-9222 FAX 818-366-4813

DATE	04-25-13
PROJECT NO.:	10-111
DRAFTED BY:	MYS
CHECKED BY:	MF
SHEET NO.	1 OF 1

B

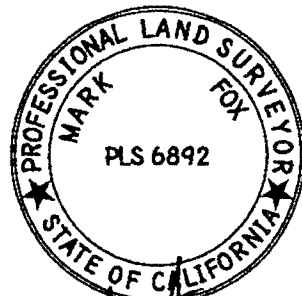


DATE: 04-25-13
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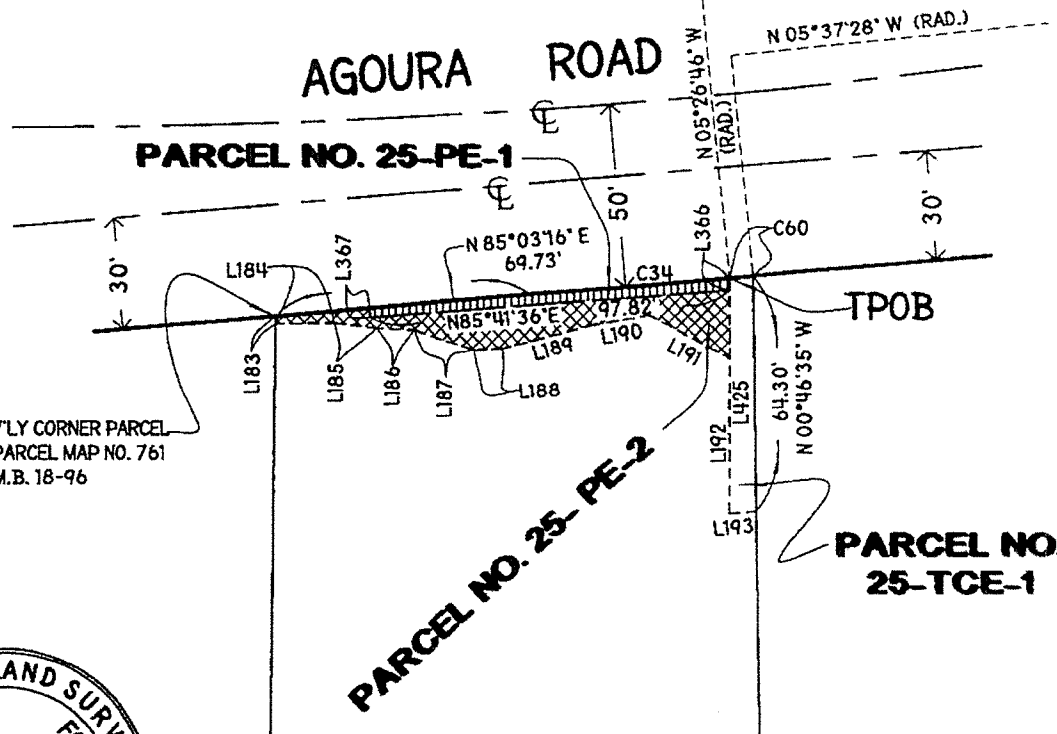
CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
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C60	0°10'43"	2050.07	6.34'

LINE TABLE		
LINE	BEARING	DISTANCE
L183	N00°41'35"E	2.07'
L184	N89°20'09"E	15.97'
L185	N82°57'16"W	11.47'
L186	N87°46'46"W	10.11'
L187	N71°43'24"W	17.48'
L188	N86°39'06"E	7.95'
L189	N75°14'30"E	24.91'
L190	N79°49'29"E	16.01'
L191	N61°22'58"W	24.36'
L192	N00°05'09"W	42.77'
L193	N84°23'04"E	7.17'
L366	N 01°14'39" E	3.37'
L367	N04°56'44"W	2.50'
L425	N00°05'09"W	64.38'

NW'LY CORNER PARCEL
1, PARCEL MAP NO. 761
P.M.B. 18-96



Mark Fox 04-25-13



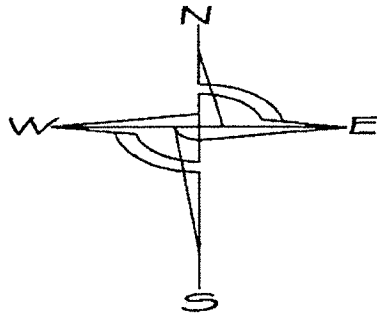
OWNER: VINOD AND CHANRESH GUPTA TRUST
A.P.N. 2061-033-015

DATE	REVISION

EXHIBIT
A.P.N. 2061-033-015

IACOBELLIS & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYS · SUBDIVISIONS · PHOTOGRAMMETRY
11145 TAMPA AVENUE STE 15B, NORTH RIDGE, CA 91326 PH 818-366-9222 FAX 818-366-4813

DATE:	04-25-13
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DRAFTED BY:	MYS
CHECKED BY:	MF
SHEET NO.	1 OF 1



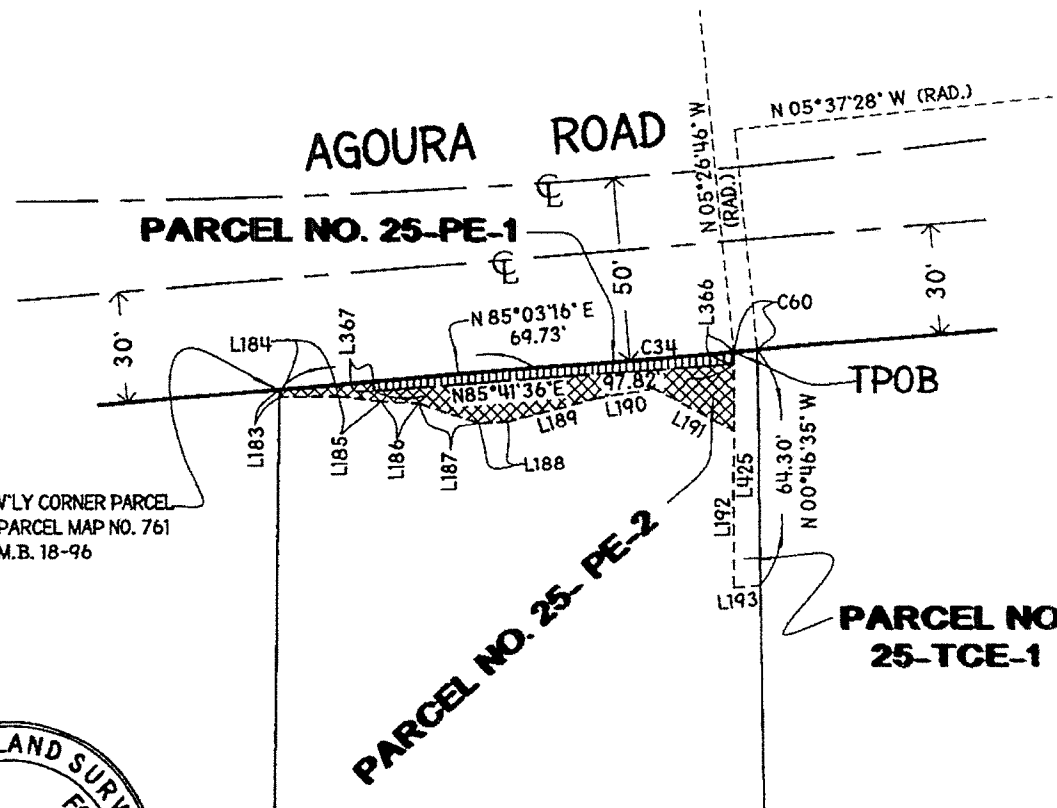
DATE: 04-25-13
SCALE: 1" = 50'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C34	1°30'20"	2050.07'	53.87'
C60	0°10'43"	2050.07'	6.39'

LINE TABLE		
LINE	BEARING	DISTANCE
L183	N00°41'35"E	2.07'
L184	N89°20'09"E	15.97'
L185	N82°57'16"W	11.47'
L186	N87°46'46"W	10.11'
L187	N71°43'24"W	17.48'
L188	N86°39'06"E	7.95'
L189	N75°14'30"E	24.91'
L190	N79°49'29"E	16.01'
L191	N61°22'58"W	24.36'
L192	N00°05'09"W	42.77'
L193	N84°23'04"E	7.17'
L366	N01°14'39"E	3.37'
L367	N04°56'44"W	2.50'
L425	N00°05'09"W	64.38'



Mark Fox 04-25-13



NW'LY CORNER PARCEL
1, PARCEL MAP NO. 761
P.M.B. 18-96

OWNER: VINOD AND CHANRESH GUPTA TRUST
A.P.N. 2061-033-015

DATE	REVISION

EXHIBIT
A.P.N. 2061-033-015

JACOBELLIS & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYS · SUBDIVISIONS · PHOTOGRAMMETRY
11415 TAMPA AVENUE STE 15B, NORTH RIDGE, CA 91326 PH 818-366-9222 FAX 818-366-4813

DATE	04-25-13
PROJECT NO.	10-111
DRAFTED BY:	MYS
CHECKED BY:	MF
SHEET NO.	1 OF 1

RESOLUTION NO. 13-1734

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT - SOUTHWEST CORNER OF AGOURA ROAD AND KANAN ROAD, CALIFORNIA, ALSO IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 2061-033-016

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project ("proposed Project"), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interests sought to be taken are two partial fee acquisitions and two permanent easements, over portions of the fee on the property located at the Southwest corner of Agoura Road and Kanan Road, California, also identified as Los Angeles County Tax Assessor's Parcel Number 2061-033-016 ("Subject Property Interests"). The legal descriptions of the partial fee acquisitions are attached as Exhibits "A" and "A-1" to this Resolution and are depicted on the diagrams attached as Exhibits "B" and "B-1" to this Resolution. The legal descriptions of the permanent easements are attached as Exhibits "A-2" and "A-3" to this Resolution and are depicted on the diagrams attached as Exhibits "B-2" and "B-3" to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interests are required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration ("MND") for the Agoura Road Widening and Canwood Street Improvement Project ("Project"). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the

proposed Project would not result in any significant effects on the environment that cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interests described in Exhibits "A", "A-1", "A-2", and "A-3" and depicted in Exhibits "B", "B-1", "B-2", and "B-3" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

_____ (SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

LEGAL DESCRIPTION:

OWNER: CREEKSIDE TERRACE

A.P.N. 2061-033-016

PARCEL NO. 26-FEE-1

DESCRIPTION:

A VARIABLE WIDTH STRIP OF LAND OVER A PORTION OF LOT "H" RANCHO LAS VIRGENES, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP OF THE PART OF SAID RANCHO FILED WITH THE FINAL DECREE OF PARTITION IN CASE NO. 2898, OF THE SUPERIOR COURT OF LOS ANGELES COUNTY, LYING SOUTHERLY OF AGOURA ROAD (FORMERLY VENTURA BOULEVARD) 80 FEET WIDE, AS DESCRIBED IN THE DEED TO THE COUNTY OF LOS ANGELES RECORDED SEPTEMBER 18, 1961, AS INSTRUMENT NO. 4281, IN BOOK D-1358, PAGE 428, OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF AGOURA ROAD 80 FEET WIDE PER DEED RECORDED SEPTEMBER 18, 1961 AS INSTRUMENT NO. 4281 IN BOOK D-1350 PAGE 428 OF OFFICIAL RECORDS BEING NORTH 74°39'30" WEST 446.42 FEET FROM THE WESTERLY TERMINUS OF THAT CERTAIN CURVE HAVING A RADIUS OF 750.00 FEET SAID CURVE BEING 50 FEET SOUTHWESTERLY AND PARALLEL WITH THAT CERTAIN CURVE HAVING A RADIUS OF 800.00 FEET AND AN ANGLE OF 16°39'30" AND LENGTH OF 232.59 FEET AS DESCRIBED IN DEED TO THE STATE OF CALIFORNIA RECORDED JANUARY 6, 1915 IN BOOK 5826, PAGE 320 OF DEEDS IN THE OFFICE OF THE RECORDER OF SAID COUNTY, ALSO BEING A POINT IN A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1095.42, A RADIAL LINE TO SAID POINT BEARS SOUTH 28°04'13" WEST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°43'43" AN ARC DISTANCE OF 243.35 FEET;

THENCE SOUTH 74°39'30" EAST 186.22 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 984.58 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°38'05" AN ARC DISTANCE OF 285.85 FEET;

THENCE SOUTH 58°01'25" EAST 61.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1095.42 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°18'01" AN ARC DISTANCE OF 216.05 FEET TO A POINT IN THE SOUTHERLY LINE OF SAID AGOURA ROAD 80 FEET WIDE;

LEGAL DESCRIPTION:

OWNER: CREEKSIDE TERRACE

A.P.N. 2061-033-016

PARCEL NO. 26-FEE-1

THENCE ALONG SAID SOUTHERLY LINE NORTH 58°00'00" WEST 332.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 750.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°39'30" AN ARC DISTANCE OF 218.06 FEET;

THENCE NORTH 74°39'30" WEST 446.42 FEET TO THE POINT OF BEGINNING.

CONTAINING: 21,127 SQUARE FEET.

LEGAL DESCRIPTION:

OWNER: CREEKSIDE TERRACE

PARCEL NO. 26-FEE-2

A.P.N. 2061-033-016

DESCRIPTION:

A VARIABLE WIDTH STRIP OF LAND OVER A PORTION OF LOT "H" RANCHO LAS VIRGENES, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP OF THE PART OF SAID RANCHO FILED WITH THE FINAL DECREE OF PARTITION IN CASE NO. 2898, OF THE SUPERIOR COURT OF LOS ANGELES COUNTY, LYING SOUTHERLY OF AGOURA ROAD (FORMERLY VENTURA BOULEVARD) 80 FEET WIDE, AS DESCRIBED IN THE DEED TO THE COUNTY OF LOS ANGELES RECORDED SEPTEMBER 18, 1961, AS INSTRUMENT NO. 4281, IN BOOK D-1358, PAGE 428, OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

AND LYING NORTHERLY OF THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD AS SHOWN ON LOS ANGELES COUNTY SURVEYOR'S MAP NO. B-3013-2 AND ALSO SHOWN ON LOS ANGELES COUNTY SURVEYOR'S MAP NO. B-5283.

CONTAINING: 3,360 SQUARE FEET.



Mark Fox 05-31-13

LEGAL DESCRIPTION:

OWNER: CREEKSIDE TERRACE LP

PARCEL NO. 26-PE-1

APN 2061-033-016

DESCRIPTION

BEING A PORTION OF LOT "H" RANCHO LAS VIRGENES, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP OF THE PART OF SAID RANCHO FILED WITH THE FINAL DECREE OF PARTITION IN CASE NO. 2898, OF THE SUPERIOR COURT OF LOS ANGELES COUNTY, LYING SOUTHERLY OF AGOURA ROAD (FORMERLY VENTURA BOULEVARD) 80 FEET WIDE, AS DESCRIBED IN THE DEED TO THE COUNTY OF LOS ANGELES RECORDED SEPTEMBER 18, 1961, AS INSTRUMENT NO. 4281, IN BOOK D-1358, PAGE 42B, AND LYING WESTERLY OF KANAN ROAD, 100 FEET WIDE, DESCRIBED AS PARCEL "A" IN DEED TO THE COUNTY OF LOS ANGELES, RECORDED AUGUST 16, 1960 AS INSTRUMENT NO. 3742, BOOK D-946, PAGE 518 AND MAY 5, 1961 AS INSTRUMENT NO. 4141, IN BOOK D-1212 PAGE 837 ALL OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF PART "B" AS DESCRIBED IN SAID INST. NO. 4281;

THENCE SOUTH 10°32'49" WEST 10.24 FEET;

THENCE NORTH 40°47'37" WEST 32.03 FEET;

THENCE SOUTH 87°51'56" WEST 142.45 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 4053.25 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°25'35" AN ARC DISTANCE OF 242.39 FEET;

THENCE NORTH 01°17'31" EAST 4.50 FEET RADIAL TO A POINT IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 4048.75 FEET, SAID POINT ALSO BEING A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°25'35" AN ARC DISTANCE OF 242.12 FEET;

THENCE NORTH 87°51'56" EAST 149.10 FEET;

THENCE SOUTH 40°47'37" EAST 24.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,762 SQUARE FEET



LEGAL DESCRIPTION:

OWNER: CREEKSIDE TERRACE LP

PARCEL NO. 26-PE-1

APN 2061-033-016

DESCRIPTION

BEING A PORTION OF LOT "H" RANCHO LAS VIRGENES, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP OF THE PART OF SAID RANCHO FILED WITH THE FINAL DECREE OF PARTITION IN CASE NO. 2898, OF THE SUPERIOR COURT OF LOS ANGELES COUNTY, LYING SOUTHERLY OF AGOURA ROAD (FORMERLY VENTURA BOULEVARD) 80 FEET WIDE, AS DESCRIBED IN THE DBED TO THE COUNTY OF LOS ANGELES RECORDED SEPTEMBER 18, 1961, AS INSTRUMENT NO. 4281, IN BOOK D-1358, PAGE 428, AND LYING WESTERLY OF KANAN ROAD, 100 FEET WIDE, DESCRIBED AS PARCEL "A" IN DEED TO THE COUNTY OF LOS ANGELES, RECORDED AUGUST 16, 1960 AS INSTRUMENT NO. 3742, BOOK D-946, PAGE 518 AND MAY 5, 1961 AS INSTRUMENT NO. 4141, IN BOOK D-1212 PAGE 837 ALL OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID LOT "H" WITH THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD AS SHOWN ON LOS ANGELES COUNTY SURVEYOR'S MAP NO. B-3013-2, SAID POINT ALSO BEING A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 09°42'24" WEST;

THENCE LEAVING SAID CURVE ALONG SAID WESTERLY LINE SOUTH 00°42'55" WEST 3.04 FEET TO A POINT IN A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 946.85 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 09°44'07" WEST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°03'24" AN ARC DISTANCE OF 166.19 FEET;

THENCE NORTH 19°47'31" EAST 3.00 FEET, AND RADIAL TO SAID CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°05'07" AN ARC DISTANCE OF 167.19 FEET TO THE POINT OF BEGINNING.

CONTAINING 500 SQUARE FEET



Mark Fox 05-24-13

LEGAL DESCRIPTION:

OWNER: CREEKSIDE TERRACE LP

PARCEL NO. 26-PE-2

APN 2061-033-016

DESCRIPTION

BEING A PORTION OF LOT "H" RANCHO LAS VIRGENES, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP OF THE PART OF SAID RANCHO FILED WITH THE FINAL DECREE OF PARTITION IN CASE NO. 2898, OF THE SUPERIOR COURT OF LOS ANGELES COUNTY, LYING SOUTHERLY OF AGOURA ROAD (FORMERLY VENTURA BOULEVARD) 80 FEET WIDE, AS DESCRIBED IN THE DEED TO THE COUNTY OF LOS ANGELES RECORDED SEPTEMBER 18, 1961, AS INSTRUMENT NO. 4281, IN BOOK D-1358, PAGE 428, AND LYING WESTERLY OF KANAN ROAD, 100 FEET WIDE, DESCRIBED AS PARCEL "A" IN DEED TO THE COUNTY OF LOS ANGELES, RECORDED AUGUST 16, 1960 AS INSTRUMENT NO. 3742, BOOK D-946, PAGE 518 AND MAY 5, 1961 AS INSTRUMENT NO. 4141, IN BOOK D-1212 PAGE 837 ALL OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF PART "B" AS DESCRIBED IN SAID INST. NO. 4281;

THENCE SOUTH 10°32'49" WEST 10.24 FEET;

THENCE NORTH 40°47'37" WEST 23.57 FEET;

THENCE SOUTH 10°32'49" WEST 29.50 FEET;

THENCE NORTH 40°47'37" WEST 23.57 FEET;

THENCE SOUTH 86°33' 30" WEST 39.57 FEET;

THENCE SOUTH 85°26'40" WEST 34.69 FEET;

THENCE SOUTH 82°02'27" WEST 44.19 FEET;

THENCE SOUTH 84°30'58" WEST 15.01 FEET;

THENCE SOUTH 88°49'44" WEST 7.62 FEET;

THENCE NORTH 89°24'17" WEST 15.12 FEET;

THENCE SOUTH 86°33'58" WEST 15.71 FEET;

THENCE SOUTH 84°10'41" WEST 17.60 FEET;

THENCE SOUTH 81°07'59" WEST 22.24 FEET;

THENCE SOUTH 86°36'49" WEST 35.98 FEET;

THENCE SOUTH 83°40'17" WEST 6.24 FEET;

LEGAL DESCRIPTION:

THENCE NORTH 89°59'30" WEST 15.77 FEET;
THENCE NORTH 87°51'58" WEST 10.05 FEET;
THENCE NORTH 75°17'48" WEST 6.03 FEET;
THENCE NORTH 87°42'25" WEST 22.03 FEET;
THENCE NORTH 83°19'41" WEST 6.48 FEET;
THENCE SOUTH 88°06'24" WEST 24.54 FEET;
THENCE SOUTH 84°47'50" WEST 17.57 FEET;
THENCE SOUTH 88°50'17" WEST 10.34 FEET;
THENCE NORTH 88°24'00" WEST 11.50 FEET;
THENCE NORTH 86°04'48" WEST 17.92 FEET;
THENCE NORTH 85°43'04" WEST 23.98 FEET;
THENCE NORTH 87°10'43" WEST 13.20 FEET;
THENCE NORTH 06°15'39" WEST 14.04 FEET;
THENCE NORTH 85°51'40" WEST 6.20 FEET;
THENCE NORTH 69°33'48" WEST 9.92 FEET;
THENCE SOUTH 77°37'29" WEST 18.86 FEET;
THENCE NORTH 89°58'41" WEST 20.98 FEET;
THENCE NORTH 86°48'13" WEST 8.30 FEET;
THENCE NORTH 83°57'29" WEST 15.97 FEET;
THENCE NORTH 86°47'00" WEST 12.90 FEET;
THENCE SOUTH 83°30'54" WEST 14.41 FEET;
THENCE SOUTH 87°45'03" WEST 11.84 FEET;
THENCE SOUTH 84°34'21" WEST 16.24 FEET;
THENCE NORTH 89°54'33" WEST 16.78 FEET;
THENCE NORTH 85°11'13" WEST 23.51 FEET;
THENCE NORTH 60°43'07" WEST 5.66 FEET;

LEGAL DESCRIPTION:

THENCE NORTH 84°41'29" WEST 12.64 FEET TO THE EASTERLY LINE OF THE LAND INDICATED AS PARCEL 24A AS DESCRIBED IN DOCUMENT TO THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT RECORDED APRIL 5, 1974, AS INSTRUMENT NO. 5300, OF OFFICIAL RECORDS

THENCE ALONG SAID EASTERLY LINE NORTH 22°11'56" WEST 9.16 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID AGOURA ROAD HERINAFTER REFERRED TO AS "POINT A";

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES;

THENCE SOUTH 88°02'34" EAST 181.63 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 4048.75 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°05'30" AN ARC DISTANCE OF 289.13 FEET;

THENCE NORTH 87°51'56" EAST 149.10 FEET;

THENCE SOUTH 40°47'37" EAST 24.99 FEET, TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

BEGINNING AT SAID MOST SOUTHERLY CORNER OF PART "B";

THENCE SOUTH 10°32'49" WEST 10.24 FEET;

THENCE NORTH 40°47'37" WEST 32.03 FEET;

THENCE SOUTH 87°51'56" WEST 142.45 TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 4053.25 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°25'35" AN ARC DISTANCE OF 242.39 FEET;

THENCE NORTH 01°17'31" EAST 4.50 FEET RADIAL TO A POINT IN A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 4048.75 FEET, SAID POINT ALSO BEING A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°25'35" AN ARC DISTANCE OF 242.12;

THENCE NORTH 87°51'56" EAST 149.10 FEET;

THENCE SOUTH 40°47'37" EAST 24.99 TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

COMMENCING AT SAID "POINT A";

LEGAL DESCRIPTION:

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 88°02'34" WEST 53.70 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL 24A ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 24A SOUTH 22°11'56" WEST 14.38 FEET;

THENCE SOUTH 76°16'04" WEST 9.28 FEET;

THENCE NORTH 81°41'03" WEST 29.55 FEET;

THENCE NORTH 70°36'47" WEST 14.78 FEET;

THENCE NORTH 76°32'15" WEST 14.33 FEET;

THENCE NORTH 85°10'56" WEST 15.88 FEET;

THENCE NORTH 89°43'12" WEST 7.44 FEET;

THENCE NORTH 84°44'27" WEST 12.55 FEET;

THENCE NORTH 78°30'44" WEST 10.77 FEET;

THENCE NORTH 88°02'34" WEST 18.64 FEET;

THENCE SOUTH 78°50'36" WEST 5.41 FEET;

THENCE NORTH 79°42'45" WEST 8.69 FEET;

THENCE NORTH 37°55'12" WEST 2.56 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 88°02'34" EAST 141.44 FEET TO THE TRUE POINT OF BEGINNING.

AND ALSO TOGETHER WITH A PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID LOT "H" WITH THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD AS SHOWN ON LOS ANGELES COUNTY SURVEYOR'S MAP NO. B-3013-2, SAID POINT ALSO BEING A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 09°42'24" WEST

THENCE LEAVING SAID CURVE ALONG SAID WESTERLY LINE SOUTH 00°42'55" WEST 40.41 FEET;

THENCE SOUTH 87°23'05" EAST 22.27 FEET;

THENCE NORTH 89°37'29" EAST 24.14 FEET;

THENCE SOUTH 87°27'59" EAST 12.73 FEET;

THENCE SOUTH 81°48'51" EAST 33.64 FEET;

THENCE SOUTH 67°57'46" EAST 9.48 FEET;

LEGAL DESCRIPTION:

THENCE SOUTH 76°59'18" EAST 17.53 FEET;
THENCE SOUTH 88°18'46" EAST 26.93 FEET;
THENCE SOUTH 73°43'59" EAST 26.68 FEET;
THENCE SOUTH 66°16'32" EAST 15.85 FEET;
THENCE SOUTH 58°53'25" EAST 32.10 FEET;
THENCE SOUTH 66°40'58" EAST 9.12 FEET;
THENCE SOUTH 69°27'44" EAST 24.22 FEET;
THENCE SOUTH 59°04'26" EAST 19.68 FEET;
THENCE SOUTH 48°56'24" EAST 24.29 FEET;
THENCE SOUTH 53°03'28" EAST 14.51 FEET;
THENCE SOUTH 58°06'56" EAST 21.67 FEET;
THENCE SOUTH 61°55'38" EAST 8.85 FEET;
THENCE SOUTH 51°43'26" EAST 9.29 FEET;
THENCE SOUTH 34°07'29" EAST 18.60 FEET;
THENCE SOUTH 20°25'08" EAST 16.51 FEET;
THENCE SOUTH 11°28'22" EAST 15.76 FEET;
THENCE SOUTH 24°20'26" WEST 17.93 FEET;
THENCE SOUTH 27°47'25" EAST 23.74 FEET TO THE BEGINNING OF A CURVE CONCAVE
NORTHEASTERLY HAVING A RADIUS OF 25.00 FEET;
THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°41'04" AN
ARC DISTANCE OF 20.37 FEET;
THENCE SOUTH 74°28'29" EAST 12.20 FEET;
THENCE SOUTH 83°21'30" EAST 13.01 FEET TO THE BEGINNING OF A CURVE CONCAVE
SOUTHWESTERLY HAVING A RADIUS OF 80.00 FEET;
THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 38°23'43" AN
ARC DISTANCE OF 53.61 FEET;
THENCE SOUTH 44°57'47" EAST 14.05 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTH
EASTERLY HAVING A RADIUS OF 90.00 FEET;

LEGAL DESCRIPTION:

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°49'17" AN
ARC DISTANCE OF 34.28 FEET;

THENCE SOUTH 66°47'04" EAST 28.27 FEET;

THENCE SOUTH 64°11'52" EAST 12.15 FEET;

THENCE SOUTH 68°50'28" EAST 16.50 FEET;

THENCE SOUTH 83°21'27" EAST 10.99 FEET;

THENCE NORTH 85°49'49" EAST 16.02 FEET;

THENCE NORTH 74°52'26" EAST 31.49 FEET;

THENCE NORTH 72°31'05" EAST 18.53 FEET;

THENCE SOUTH 88°44'20" EAST 29.99 FEET;

THENCE SOUTH 81°41'21" EAST 39.58 FEET;

THENCE SOUTH 83°38'36" EAST 14.18 FEET;

THENCE NORTH 89°59'25" EAST 32.92 FEET;

THENCE SOUTH 78°50'26" EAST 8.47 FEET;

THENCE NORTH 88°48'31" EAST 31.17 FEET;

THENCE SOUTH 82°41'27" EAST 22.39 FEET;

THENCE NORTH 88°20'39" EAST 13.88 FEET;

THENCE SOUTH 83°45'10" EAST 23.86 FEET;

THENCE SOUTH 78°14'07" EAST 8.90 FEET;

THENCE SOUTH 64°46'53" EAST 8.81 FEET;

THENCE NORTH 82°34'44" EAST 2.62 FEET;

THENCE SOUTH 65°31'29" EAST 11.98 FEET;

THENCE SOUTH 87°05'38" EAST 1.19 FEET;

THENCE SOUTH 72°00'10" EAST 22.32 FEET;

THENCE SOUTH 64°53'46" EAST 15.25 FEET TO THE BEGINNING OF A CURVE CONCAVE
NORTHERLY HAVING A RADIUS OF 70.00 FEET;

LEGAL DESCRIPTION:

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°16'56" AN ARC DISTANCE OF 19.89 FEET;

THENCE SOUTH 78°40'01" EAST 20.75 FEET;

THENCE SOUTH 68°20'57" EAST 8.53 FEET;

THENCE SOUTH 55°16'03" EAST 13.67 FEET;

THENCE SOUTH 53°41'32" EAST 23.81 FEET;

THENCE SOUTH 62°42'52" EAST 28.98 FEET;

THENCE SOUTH 80°37'14" EAST 6.12 FEET;

THENCE SOUTH 66°29'58" EAST 43.68 FEET;

THENCE SOUTH 45°57'46" EAST 10.73 FEET;

THENCE SOUTH 49°34'41" EAST 11.99 FEET;

THENCE SOUTH 57°51'28" EAST 15.27 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 185.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°53'33" AN ARC DISTANCE OF 51.31 FEET;

THENCE SOUTH 44°57'55" EAST 4.18 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 100.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29°30'10" AN ARC DISTANCE OF 51.49 FEET;

THENCE SOUTH 71°28'05" EAST 12.34 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 140.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°00'34" AN ARC DISTANCE OF 36.67 FEET;

THENCE SOUTH 56°27'31" EAST 16.92 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 140.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°23'13" AN ARC DISTANCE OF 47.37 FEET;

THENCE SOUTH 75°50'44" EAST 9.28 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 120.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 9°15'38" AN ARC DISTANCE OF 19.40 FEET;

LEGAL DESCRIPTION:

THENCE SOUTH 66°35'07" EAST 4.91 FEET;

THENCE NORTH 36°22'41" EAST 7.63 FEET;

THENCE SOUTH 51°43'07" EAST 11.15 FEET;

THENCE NORTH 59°23'10" EAST 4.03 FEET;

THENCE SOUTH 58°42'16" EAST 9.50 FEET;

THENCE SOUTH 63°22'02" EAST 11.06 FEET;

THENCE SOUTH 66°43'30" EAST 14.74 FEET;

THENCE NORTH 71°44'25" EAST 2.54 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD;

THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 57°35'42" WEST 17.67 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1095.42 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 21°03'21" WEST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°20'57" AN ARC DISTANCE OF 216.98 FEET;

THENCE NORTH 57°35'42" WEST 61.69 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 984.58 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°38'05" AN ARC DISTANCE OF 285.85 FEET;

THENCE NORTH 74°13'47" WEST 186.22 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1095.42 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°43'43" AN ARC DISTANCE OF 243.35 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 74°13'47" WEST 19.77 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 348.47 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°35'53" AN ARC DISTANCE OF 88.79 FEET;

THENCE NORTH 59°37'54" WEST 206.64 FEET TO THE INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD WITH SAID PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF AGOURA ROAD AS SHOWN ON LOS ANGELES COUNTY SURVEYOR'S MAP NO. B-3012-2, ALSO BEING A POINT IN SAID CURVE CONCAVE SOUTHERLY A RADIUS OF 949.85 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 19°47'31" EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°05'07" AN ARC DISTANCE OF 167.19 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION:

EXCEPT THAT PORTION OF SAID LOT "H" DESCRIBED AS FOLLOWS:

~~BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID LOT "H" WITH THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF SAID AGOURA ROAD AS SHOWN ON LOS ANGELES COUNTY SURVEYOR'S MAP NO. B-3013-2, SAID POINT ALSO BEING A POINT IN A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 09°42'24" WEST;~~

THENCE LEAVING SAID CURVE ALONG SAID WESTERLY LINE SOUTH 00°42'55" WEST 3.04 FEET TO A POINT IN A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 946.85 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 09°44'07" WEST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°03'24" AN ARC DISTANCE OF 166.19 FEET;

THENCE NORTH 19°47'31" EAST 3.00 FEET, AND RADIAL TO SAID CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 949.85 FEET;

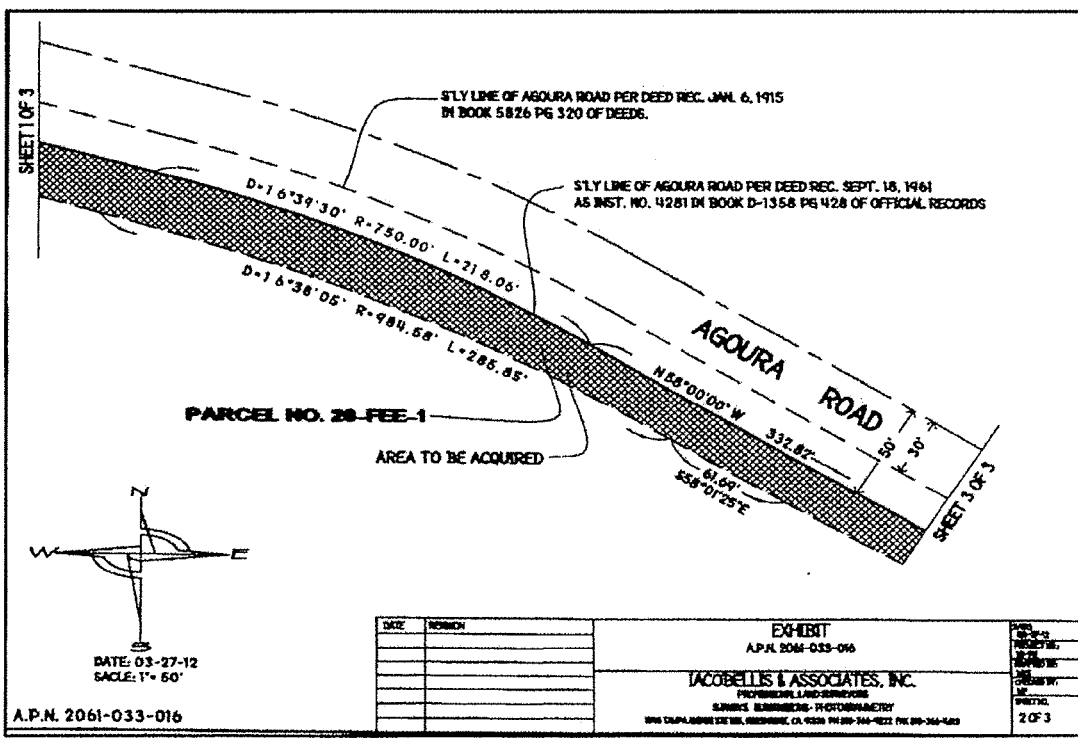
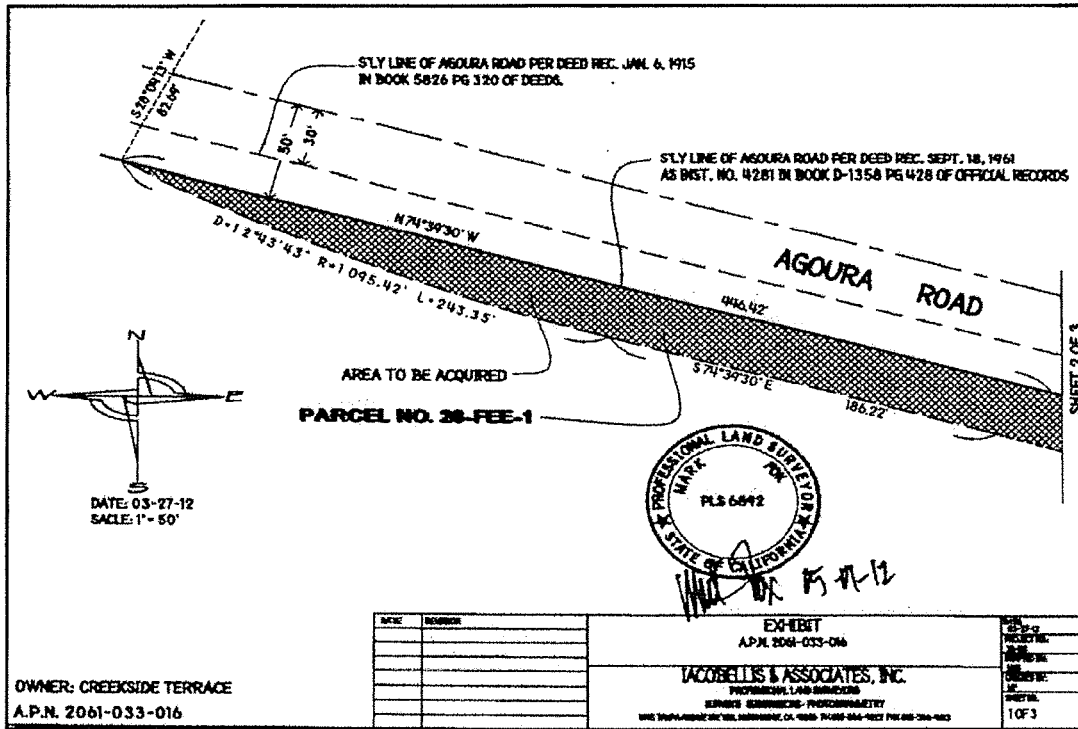
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°05'07" AN ARC DISTANCE OF 167.19 FEET TO THE POINT OF BEGINNING.

CONTAINING 51,980 SQUARE FEET



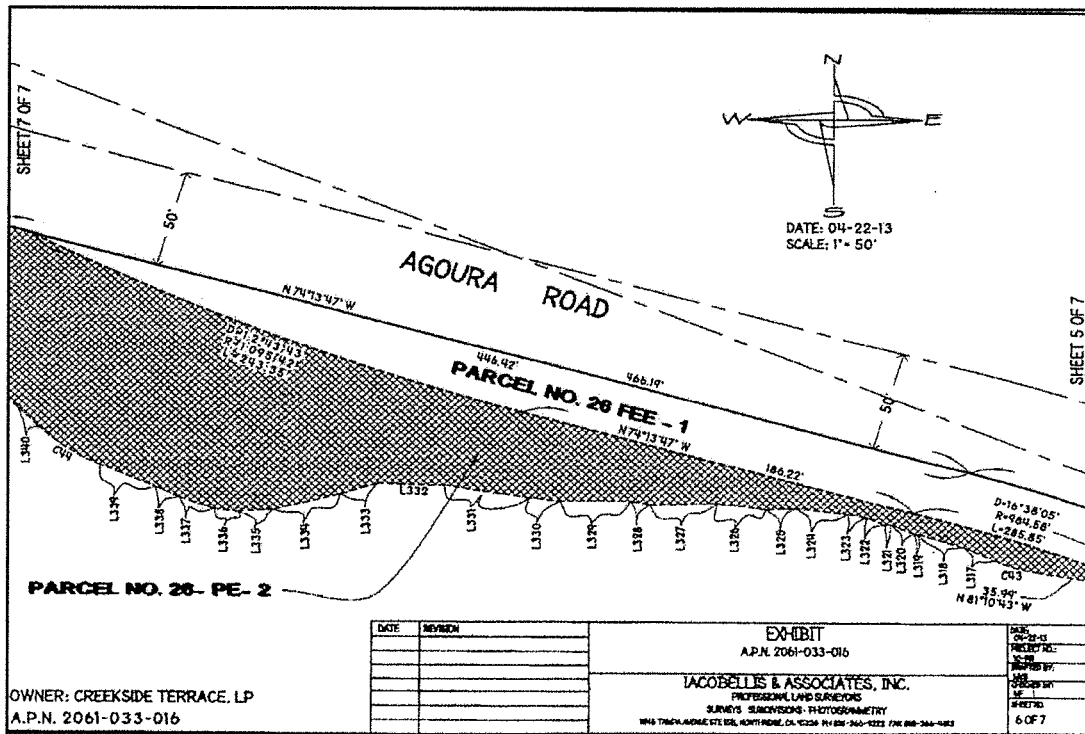
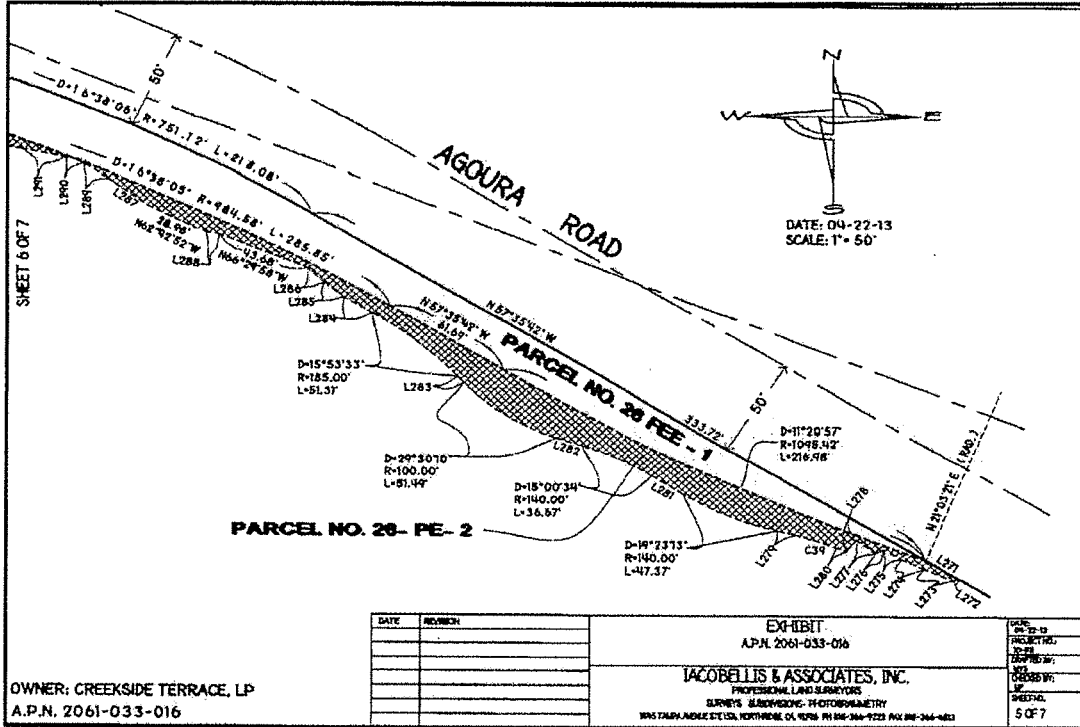
SUMMARY OF SALIENT FACTS – Continued

SURVEYORS MAP:



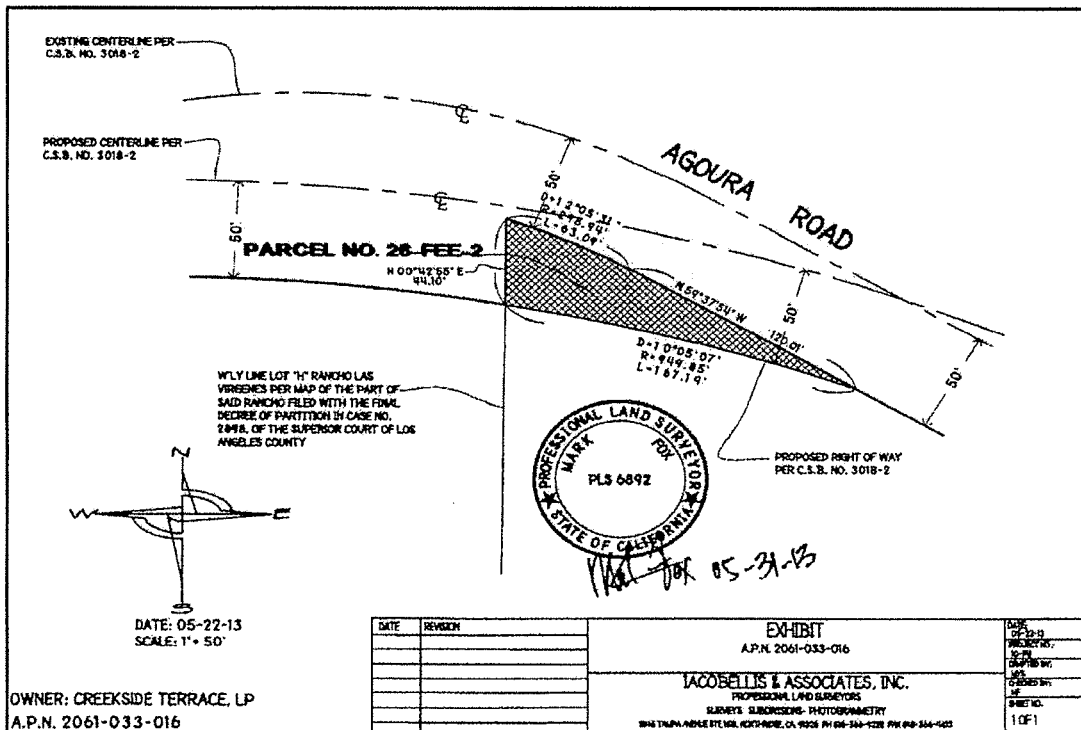
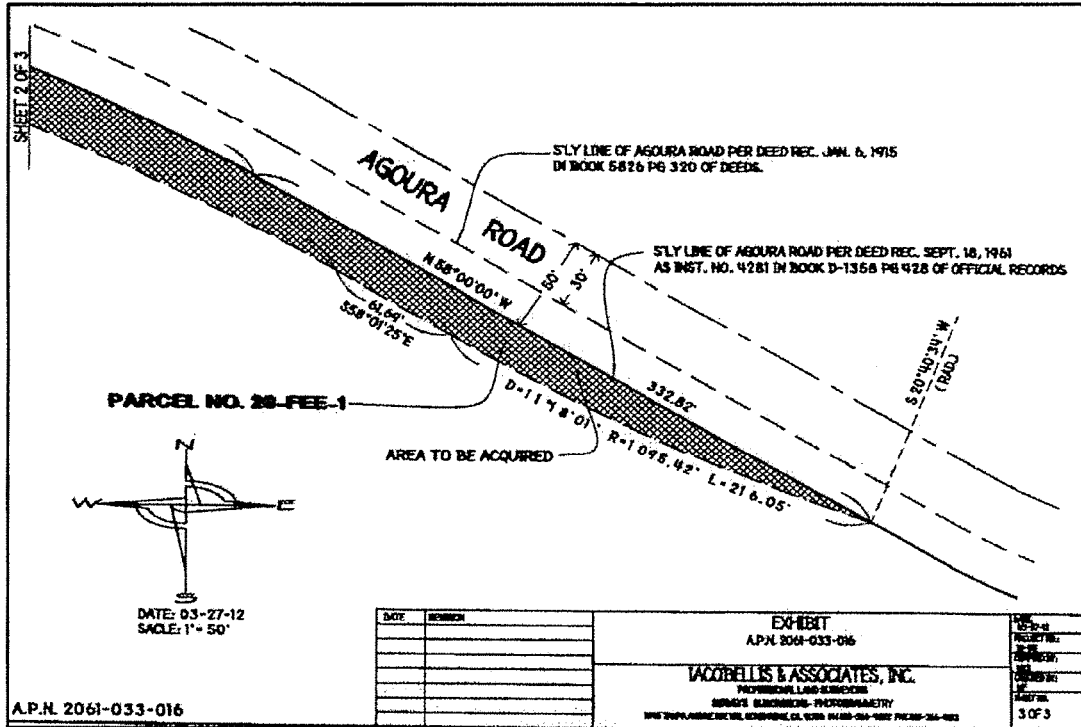
SUMMARY OF SALIENT FACTS – Continued

SURVEYORS MAP:



SUMMARY OF SALIENT FACTS – Continued

SURVEYORS MAP:



SUMMARY OF SALIENT FACTS – Continued

SURVEYORS MAP:

LINE TABLE			LINE	BEARING	DISTANCE
L145	N86°33'30"E	24.50'	L216	N06°15'39"W	14.04'
L146	N85°26'40"E	34.64'	L217	N85°51'40"W	6.20'
L147	N82°02'27"E	44.19'	L218	N69°33'48"W	9.97'
L148	N84°30'58"E	15.01'	L219	N77°37'29"E	18.80'
L149	N88°44'44"E	7.67'	L220	N60°58'41"W	20.88'
L200	N89°24'17"W	15.12'	L221	N85°48'13"W	8.33'
L201	N86°53'58"E	15.71'	L222	N83°57'29"W	18.87'
L202	N84°10'41"E	17.60'	L223	N86°47'00"W	12.90'
L203	N81°07'54"E	22.24'	L224	N83°30'54"E	14.30'
L204	N86°36'44"E	38.08'	L225	N87°45'03"E	11.84'
L205	N83°40'17"E	6.24'	L226	N84°34'21"E	16.24'
L206	N89°51'30"W	15.77'	L227	N89°54'33"W	16.78'
L207	N87°51'58"W	10.08'	L228	N65°07'13"W	23.51'
L208	N75°17'48"W	6.03'	L229	N60°43'07"W	5.56'
L209	N87°42'25"W	22.03'	L230	N64°41'29"W	12.64'
L210	N83°47'41"W	6.98'	L231	N22°11'56"W	9.16'
L211	N88°08'24"E	24.54'	L232	N22°11'56"W	9.16'
L212	N84°47'50"E	17.57'	L233	N76°16'04"E	14.38'
L213	N88°50'17"E	10.34'	L234	N81°41'03"W	29.55'
L214	N88°24'00"W	11.50'	L235	N70°42'46"W	14.78'
L215	N86°30'44"W	17.42'	L236	N76°32'15"W	14.33'
L216	N85°33'04"W	23.48'	L237	N65°10'56"W	15.88'
L217	N87°10'43"W	13.20'	L238	N89°43'12"W	7.74'
			L239	N84°44'27"W	12.55'
			L240	N78°30'44"W	10.77'
			L241	N68°02'30"W	18.84'
			L242	N78°36'36"E	5.41'
			L243	N79°42'46"W	8.69'
			L244	N37°55'12"W	7.56'
			L245	N40°47'37"W	24.99'
			L246	N10°32'44"E	10.24'
			L247	N01°17'31"E (ROAD)	4.50'
			L248	N80°47'37"W	23.57'
			L249	N40°47'37"W	8.48'

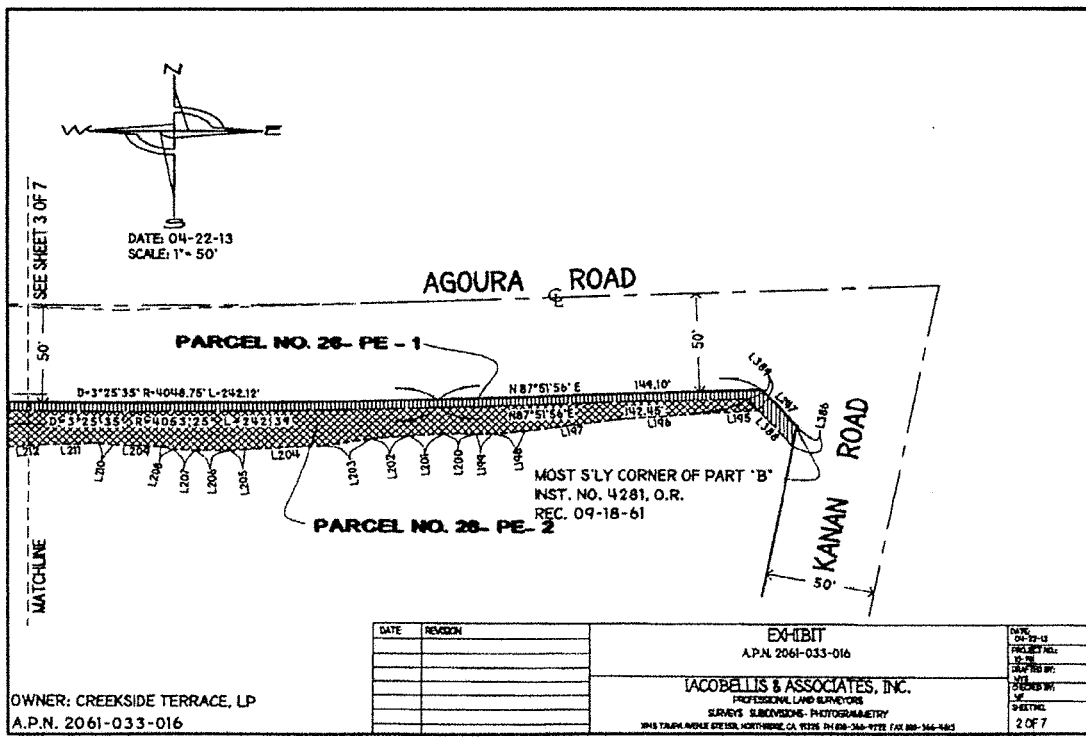
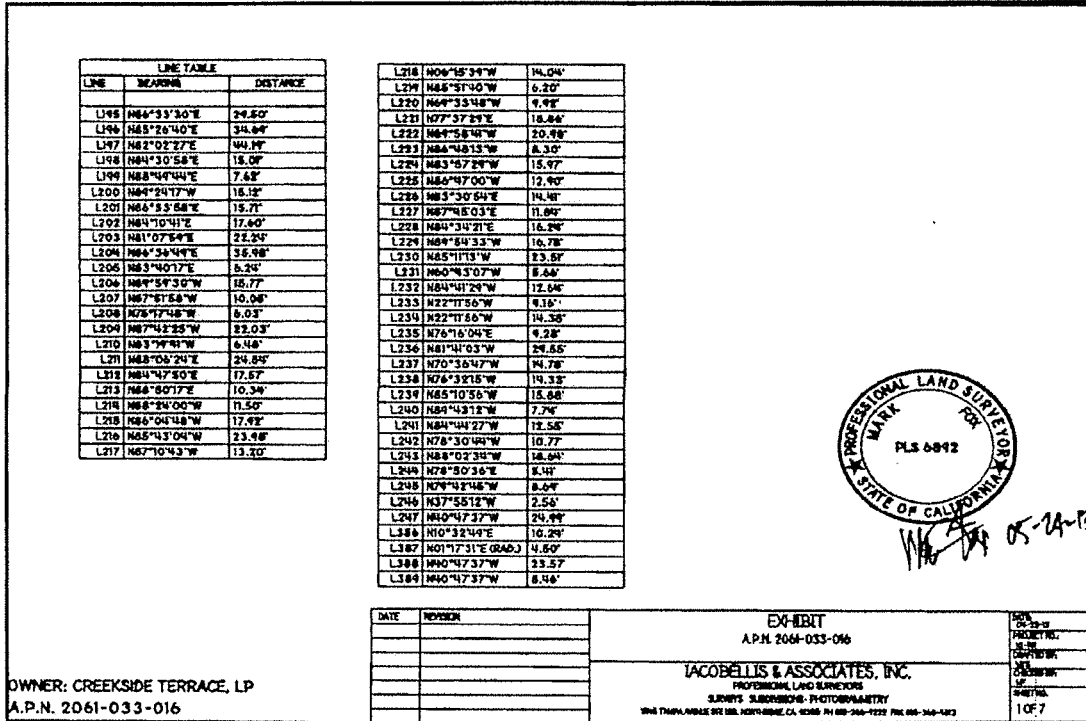
DATE	REVISION

EXHIBIT A.P.N. 2061-033-016		
IACOBELLIS & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS SURVEYS, SUBDIVISIONS, PHOTOGRAMMETRY <small>3948 TRINITY ROAD, SUITE 100, NORTH BAY, CA 94905 PH 415-364-4722 FAX 415-364-4813</small>		

DATE			REVISION			EXHIBIT			DATE		
						A.P.N. 2061-033-016					
OWNER: CREEKSIDE TERRACE, LP A.P.N. 2061-033-016						IACOBELLIS & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS SURVEYS, SUBDIVISIONS, PHOTOGRAMMETRY <small>3948 TRINITY ROAD, SUITE 100, NORTH BAY, CA 94905 PH 415-364-4722 FAX 415-364-4813</small>			DATE: 04-22-13 SCALE: 1" = 50' SEE SHEET 3 OF 7 MATCHLINE		

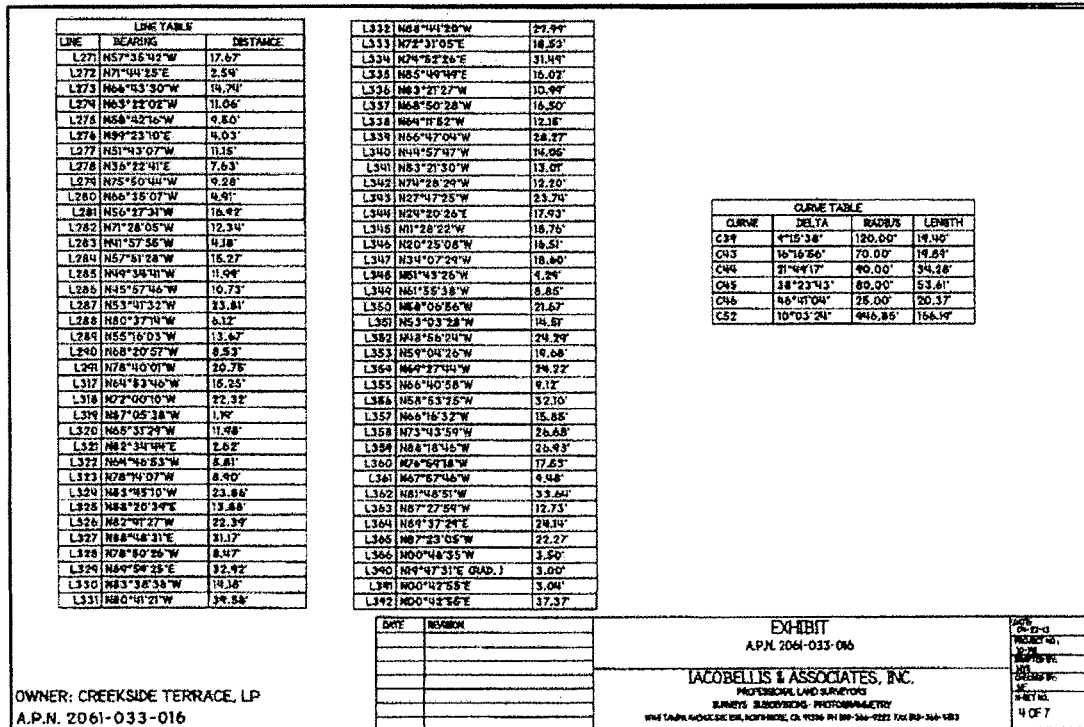
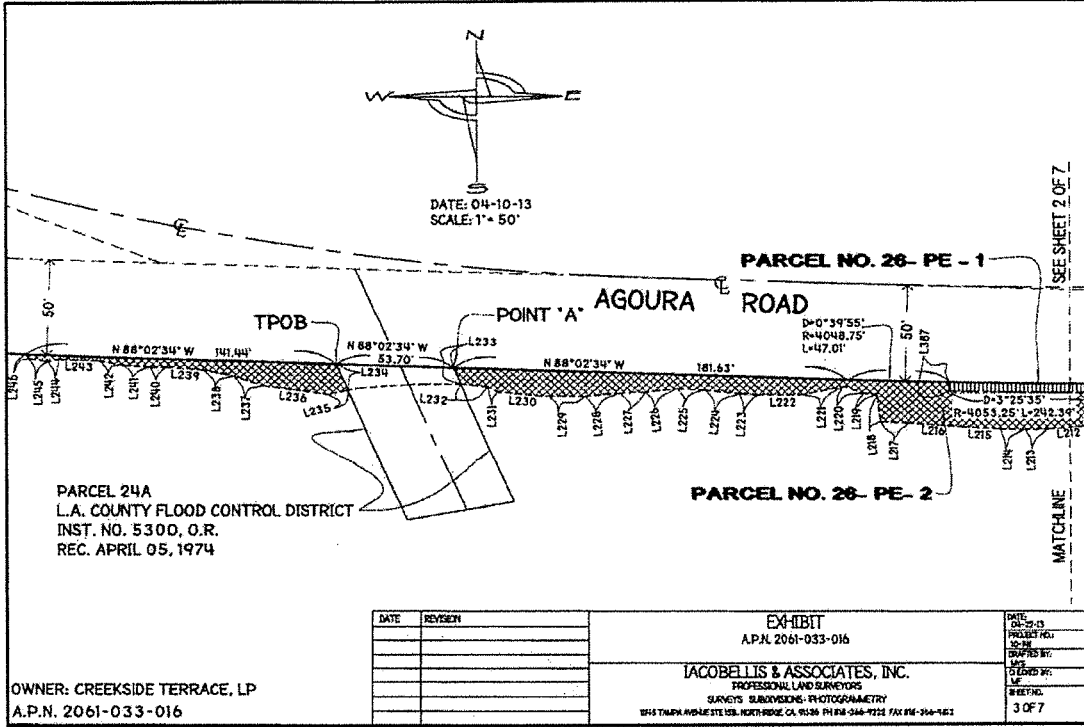
SUMMARY OF SALIENT FACTS - Continued

SURVEYORS MAP:

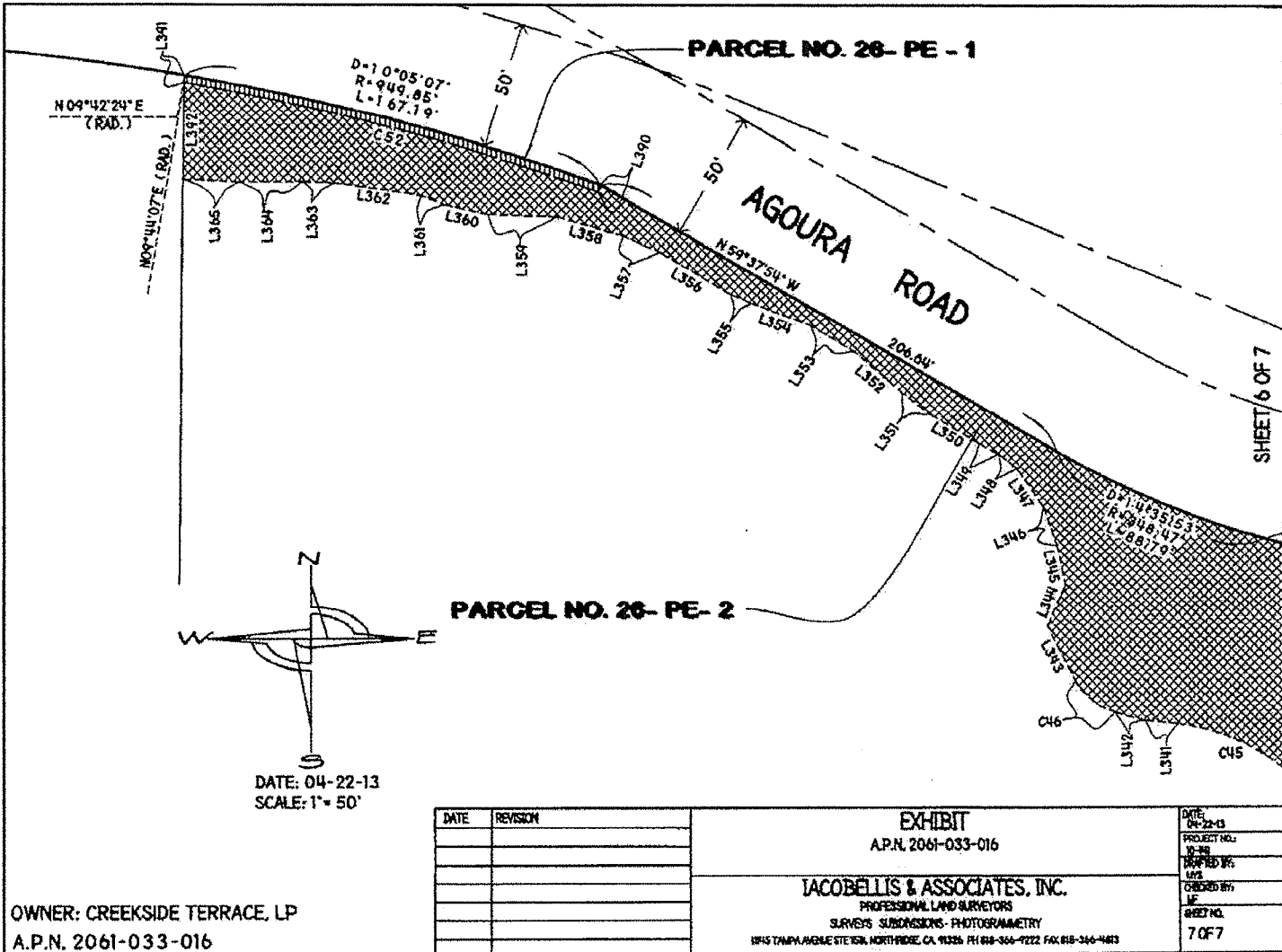


SUMMARY OF SALIENT FACTS - Continued

SURVEYORS MAP:



SUMMARY OF SALIENT FACTS - Continued
SURVEYORS MAP:



RESOLUTION NO. 13-1735

A RESOLUTION OF NECESSITY OF THE CITY OF AGOURA HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE AGOURA ROAD WIDENING AND CANWOOD STREET IMPROVEMENTS PROJECT – SOUTH SIDE OF AGOURA ROAD AND WEST OF KANAN ROAD, CALIFORNIA, ALSO IDENTIFIED AS ASSESSOR’S PARCEL NUMBER 2061-033-904

THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Agoura Hills is a municipal corporation in the County of Los Angeles, State of California.

Section 2. The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for the Agoura Road Widening and Canwood Street Improvements Project (“proposed Project”), and all uses necessary or convenient thereto pursuant to the authority conferred upon the City of Agoura Hills to acquire property by eminent domain by California Constitution Article 1, Section 19, California Government Code sections 37350, 37350.5, 37351, 37353, 40401, 40404 and 54031 and California Code of Civil Procedure section 1230.010, *et seq.*, including, but not limited to sections 1240.010 through 1240.050, 1240.110, 1240.120, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

Section 3. The real property interest sought to be taken is a temporary construction easement with a term of three (3) months over a portion of the fee on the property located on the Southside of Agoura Road and West of Kanan Road, California, also identified as Los Angeles County Tax Assessor’s Parcel Number 2061-033-904 (“Subject Property Interest”). The legal description of the Subject Property Interest is attached as Exhibit “A” to this Resolution and the Subject Property Interest is depicted on the diagram attached as Exhibit “B” to this Resolution. Said Exhibits are incorporated herein by this reference. The Subject Property Interest is required for the Agoura Road Widening and Canwood Street Improvements Project.

Section 4. In December 2012, the City Council approved the findings contained in the Mitigated Negative Declaration (“MND”) for the Agoura Road Widening and Canwood Street Improvement Project (“Project”). The MND was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and relevant provisions of CEQA of 1970, as amended. A MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant effects on the environment that cannot be mitigated. The MND found that implementation of the proposed Project would not result in any significant effects on the environment that

cannot be reduced to below a level of significance with the mitigation measures included herein.

Staff, in connection with the proposed Resolution of Necessity, has reviewed all of the environmental documentation prepared on the proposed Project, and pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines and Section 21166 of the Public Resources Codes, Staff concluded that there have been no substantial changes in the proposed Project, nor the circumstances surrounding the proposed Project, nor has the City obtained any new information of substantial importance that would require further environmental review.

The environmental findings in connection with the proposed Project are the same environmental findings for the proposed acquisition of the Subject Property Interest. The City Council finds that there is no substantial evidence that the proposed Project, including the proposed acquisition will have a substantial environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning and Community Development and are in the custody of the Director of Planning and Community Development.

Section 5. The real property interest sought to be acquired is currently being used as a Los Angeles County Flood Control facility with concrete buttress and culvert. The proposed Project will not unreasonably interfere with or impair the continuance of any existing public or private use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510.

Section 6. The proposed Project may require the relocation of several utilities that are located on the Subject Property Interest. The public use for which the City seeks to acquire the Subject Property Interest, namely for road widening and street improvement purposes, and all uses necessary or convenient thereto, is either a more necessary public use within the meaning of Code of Civil Procedure section 1240.650, or a joint compatible use within the meaning of Code of Civil Procedure section 1240.510, than the uses to which public utility easement holders, and the general public have appropriated those utility easements, which are located on the Subject Property Interest and are affected by the Project. Negotiations with the public utility easement holders are ongoing

Section 7. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interest that used a date of value of May 13, 2013. The City Council set just compensation in accordance with the appraised fair market value and in September 2013 extended a written offer to the owner of record to purchase the Subject Property Interest pursuant to Government Code Section 7267.2. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent

appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

Section 8. On October 8, 2013, the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its October 23, 2013, meeting as required by Code of Civil Procedure Section 1245.235.

Section 9. The City Council of the City of Agoura Hills hereby finds and determines that:

- 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 interest hereinabove described is necessary to carry out and make effective the principal purpose of the proposed Project;
- D. The Proposed Project will not unreasonably interfere with or impair the continuance of any existing public use or as the public use may reasonably be expected to exist in the future as allowed pursuant to Code of Civil Procedure Section 1240.510; and
- E. The offer required by Section 7267.2 of the Government Code has been made to the owners of record and/or due diligence has been exercised in order to comply with Section 7267.2.

Section 10. The findings and declarations contained in this Resolution are based on the record before the City Council on October 23, 2013, when it adopted this Resolution, including the Agenda Statement dated October 23, 2013, all documents referenced and incorporated in the Agenda Statement, the testimony at the hearing, and the records and documents prepared in connection with the proposed Project, all of which are incorporated in this Resolution by this reference.

Section 11. The City Council of the City of Agoura Hills authorizes and directs the City Attorney's office and Staff to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the real property interest described in Exhibit "A" and depicted in Exhibit "B" attached hereto.

Section 12. This Resolution shall take effect upon adoption.

Section 13. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council of the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Agoura Hills this 23rd day of October, 2013 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber Mayor
City of Agoura Hills, California

ATTEST:

_____ (SEAL)
Kimberly M. Rodrigues
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

OWNER: LOS ANGELES COUNTY FLOOD CONTROL DISTRICT PARCEL NO. 27-TCE-1

A.P.N. 2061-033-904

DESCRIPTION

BEING A PORTION OF LOT "H" RANCHO LAS VIRGENES, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP OF THE PART OF SAID RANCHO FILED WITH THE FINAL DECREE OF PARTITION IN CASE NO. 2898, OF THE SUPERIOR COURT OF LOS ANGELES COUNTY, LYING SOUTHERLY OF AGOURA ROAD (FORMERLY VENTURA BOULEVARD) 80 FEET WIDE, AS DESCRIBED IN THE DEED TO THE COUNTY OF LOS ANGELES RECORDED SEPTEMBER 18, 1961, AS INSTRUMENT NO. 4281, IN BOOK D-1358, PAGE 428, OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF PARCEL 24A AS DESCRIBED IN DOCUMENT RECORDED APRIL 05, 1974 AS INSTRUMENT NO. 5300, OF OFFICIAL RECORDS;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 24A SOUTH 22°11' 56" EAST 9.16 FEET;

THENCE NORTH 89°20' 36" WEST 16.39 FEET;

THENCE SOUTH 87°20' 19" WEST 7.32 FEET;

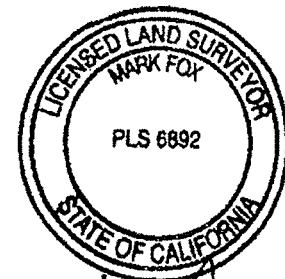
THENCE SOUTH 85°52' 34" WEST 23.22 FEET;

THENCE SOUTH 76°16'04" WEST 4.98 FEET TO THE WESTERLY LINE AT SAID PARCEL 24A;

THENCE ALONG SAID WESTERLY LINE NORTH 22°11'56" WEST 14.38 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID AGOURA ROAD;

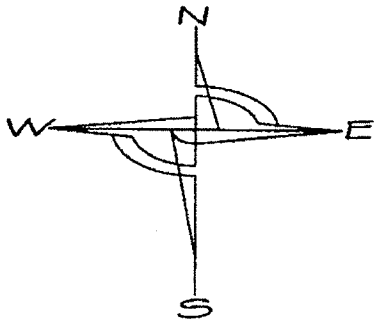
THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 88°02'34" EAST 53.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 532 SQUARE FEET



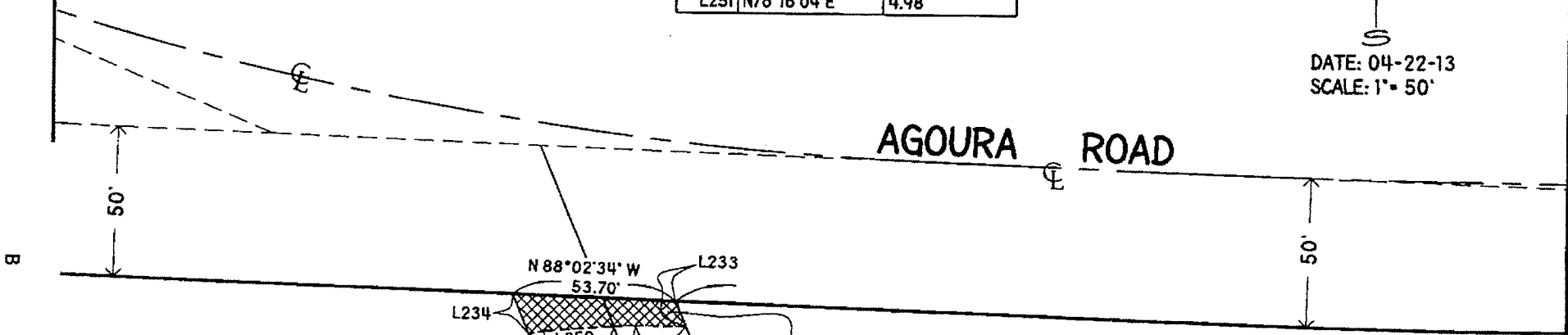
Mark Fox 04-25-1'

LINE TABLE		
LINE	BEARING	DISTANCE
L233	N22°11'56"W	9.16'
L234	N22°11'56"W	14.38'
L248	N89°20'36"W	16.39'
L249	N87°20'19"E	7.32'
L250	N85°52'34"E	23.22'
L251	N76°16'04"E	4.98'



DATE: 04-22-13
SCALE: 1" = 50'

AGOURA ROAD



PARCEL NO. 27-TCE-1

PARCEL 24A
L.A. COUNTY FLOOD CONTROL DISTRICT
INST. NO. 5300, O.R.
REC. APRIL 05, 1974



Mark Fox 04-25-13

L.A. COUNTY FLOOD CONTROL DISTRICT
A.P.N. 2061-033-904

DATE	REVISION

EXHIBIT
A.P.N. 2061-033-904

IACOBELLIS & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYS SUBDIVISIONS - PHOTOGRAMMETRY
1145 TAMPA AVENUE STE 15B, NORTH RIDGE, CA 91326 PH 818-366-4222 FAX 818-366-4813

DATE: 04-22-13
PROJECT NO.: 10-14
DRAFTED BY: MFS
CHECKED BY: MF
SHEET NO.: 1 OF 1