

RESOLUTION NO. 18-0047

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING THE PURCHASE OF CERTAIN REAL PROPERTY INTERESTS FROM THE LESSEE/ TENANT OF THE REAL PROPERTY COMMONLY KNOWN AS TIN ROOF BISTRO, 3500 N. SEPULVEDA BOULEVARD, MANHATTAN BEACH, AND FURTHER IDENTIFIED AS LOS ANGELES COUNTY TAX ASSESSOR'S PARCEL NUMBER 4138-020-014 FOR PUBLIC PURPOSES IN CONNECTION WITH THE CITY'S PROPOSED SEPULVEDA BRIDGE WIDENING PROJECT

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Municipal Corporation

The City of Manhattan Beach is a municipal corporation, in the County of Los Angeles, State of California.

Section 2. Authority to Acquire Property

The real property interest described in Section 3 of this Resolution is to be acquired for a public use, namely in connection with the Sepulveda Bridge Widening Project ("Proposed Project"), pursuant to the authority conferred upon the City to acquire property by eminent domain by Section 19 of Article 1 of the California Constitution, Government Code Sections 37350, 37350.5, 37351, 37353, 40401 and 40404, 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, 1240.510, 1240.610, 1240.650 and by other provisions of law.

Section 3. Property Description

The City seeks to acquire an approximate 978 square foot Permanent Highway Maintenance Easement, and an approximate 1,744 square foot Temporary Construction Easement, both for public street purposes ("Subject Property Interests") from the property located at 3500 North Sepulveda Boulevard and further identified as Los Angeles County Tax Assessor's Parcel Number 4138-020-014 ("Property"). The permanent highway maintenance easement the City seeks to acquire from the Property is legally described in Exhibit "A" and depicted on the map attached as Exhibit "B". The temporary construction easement is legally described in Exhibit "C" and depicted on the map attached as Exhibit "D".

Section 4. Public Use

The City seeks to acquire the Subject Property Interest for a public use, namely to construct and maintain the proposed Project. The Sepulveda Bridge is located on State Highway 1 (e.g., Sepulveda Boulevard) between Rosecrans Avenue and 33rd Street in Manhattan Beach (see Map

- Attachment 2). The bridge is 100 feet wide by 165 long with 5-foot sidewalks and no shoulders. The Proposed Project includes widening the east side of the bridge by approximately 29 feet to provide one additional northbound lane on Sepulveda Boulevard within the project area. The widened structure would include a total of seven through lanes and would provide a shoulder varying from two to eight feet on the east side of the bridge and 6-foot sidewalks on both sides of the bridge.

The existing bridge carries three northbound and southbound through lanes, while the roadway segments immediately north and south of the bridge carry four northbound and three southbound through lanes. This creates an operational bottleneck in the northbound direction that would be corrected by the addition of a fourth northbound lane on the bridge. The project will also improve the alignment of the roadway and safety conditions around the bridge, which includes eliminating the northbound turn lane at Valley Drive.

Section 5. Approval of Purchase and Sale Agreement

The proposed Project requires the acquisition of the Subject Property Interests over the real property located at 3500 North Sepulveda Boulevard. Staff has negotiated and the parties have executed a purchase and sale agreement with the record owners of the Subject Property Interests. While the acquisition of the Subject Property Interests does not physically impact any of the tenants on the property, Lessee/Tenant Tin Roof Bistro's ("Lessee/Tenant") access and use of a portion of the common area will be impacted by the Project. For that reason, the City has reached an agreement to compensate Lessee/Tenant for the impact of the acquisition of the Subject Property Interests on their leasehold interest. The City Council approves the terms of the Purchase and Sale Agreement between Tin Roof Bisto and the City of Manhattan Beach, a true and correct copy of which is attached hereto.

Section 6. Effective Date

This Resolution shall be deemed effective upon adoption.

PASSED, APPROVED AND ADOPTED on June 5, 2018.

AMY HOWORTH
Mayor

ATTEST:

LIZA TAMURA
City Clerk

Exhibit "A"

**PERMANENT HIGHWAY
MAINTENANCE EASEMENT**

LEGAL DESCRIPTION AND PLAT MAP

APN: 0438-020-014

[SEE THE FOLLOWING PAGES]

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL A – (MAINTENANCE EASEMENT)

THAT PORTION OF PARCEL 12 OF PARCEL MAP NO. 12219, IN THE CITY OF MANHATTAN BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER MAP FILED IN BOOK 122 PAGES 33 THROUGH 35, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 12, SAID POINT BEING ON A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5,679.65 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 38°58'55" WEST;

THENCE NORTHEASTERLY ALONG THE NORTHERLY LINE OF SAID PARCEL 12 AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°08'37", AN ARC LENGTH OF 14.24 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID NORTHERLY LINE SOUTH 05°35'25" EAST, 27.89 FEET;

THENCE SOUTH 00°15'39" EAST, 120.51 FEET;

THENCE SOUTH 04°27'18" EAST, 24.57 FEET TO THE SOUTHERLY LINE OF SAID PARCEL 12;

THENCE ALONG SAID SOUTHERLY LINE SOUTH 89°52'41" EAST, 9.86 FEET;

THENCE LEAVING SAID SOUTHERLY LINE NORTH 00°05'02" EAST, 10.60 FEET;

THENCE NORTH 89°54'58" WEST, 6.48 FEET;

THENCE NORTH 00°04'27" EAST, 118.67 FEET;

THENCE NORTH 05°35'57" WEST, 47.05 FEET TO SAID NORTHERLY LINE AND SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5,679.65 FEET, A RADIAL LINE TO SAID POINT ON CURVE BEARS NORTH 38°47'06" WEST;

THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°03'12", AN ARC LENGTH OF 5.29 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 978 SQUARE FEET, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE V, NAD 83, ALL DISTANCES SHOWN ARE GROUND DISTANCES.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME. OR UNDER MY DIRECTION. IN
CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

Ralph W. Guida, IV

RALPH W. GUIDA, IV, P.L.S. 7076

7/29/15

DATE



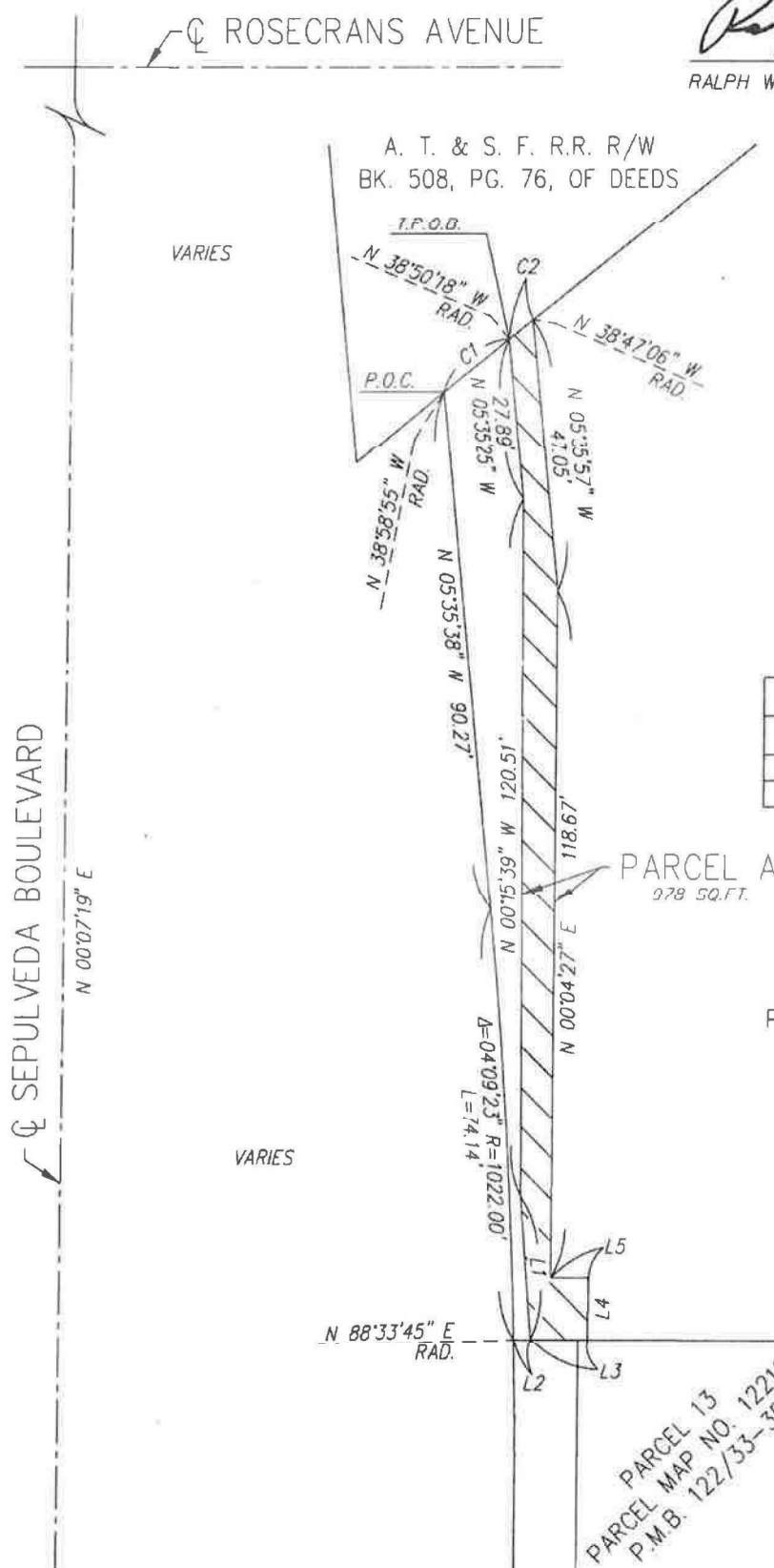
Exhibit “B”

PREPARED BY ME OR UNDER MY DIRECTION:

Robert J. L. IV

RALPH W. GUIDA, IV PLS. 7076

DATE _____



LINE TABLE		
NO.	BEARING	LENGTH
L1	N 04°27'18" W	24.57'
L2	N 89°52'41" W	2.90'
L3	N 89°52'41" W	9.86'
L4	N 00°05'02" E	10.60'
L5	N 89°54'58" W	6.48'

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	00°08'37"	5679.65'	14.24'
C2	00°03'12"	5679.65'	5.29'

PARCEL 12
PARCEL MAP NO. 12219
P.M.B. 122/33-35



SHEET 1 OF 1

PARCEL 13
PARCEL MAP NO. 12219
P.M.B. 122/33-35

EXHIBIT "B"
3500 SEPULVEDA

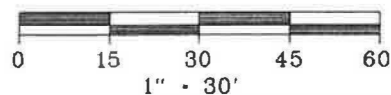


Exhibit "C"

TEMPORARY CONSTRUCTION EASEMENT
LEGAL DESCRIPTION AND PLAT MAP
APN: 0438-020-014

[SEE THE FOLLOWING PAGES]

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LEGAL DESCRIPTION

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THENCE LEAVING SAID SOUTHERLY LINE NORTH 00°05'02" EAST, 10.60 FEET;

THENCE NORTH 89°54'58" WEST, 6.48 FEET;

THENCE NORTH 00°04'27" EAST, 118.63 FEET;

THENCE NORTH 51°07'04" EAST, 19.44 FEET;

THENCE NORTH 05°30'30" WEST, 47.06 FEET TO SAID NORTHERLY LINE AND SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5,679.65 FEET, A RADIAL LINE TO SAID POINT ON CURVE BEARS NORTH 38°35'18" WEST;

THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°15'00" AN ARC LENGTH OF 24.78 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1,744 SQUARE FEET OR 0.040 ACRES, MORE OR LESS.

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RALPH W. GUIDA, IV, P.L.S. 7076

7/29/15

DATE



Exhibit “D”

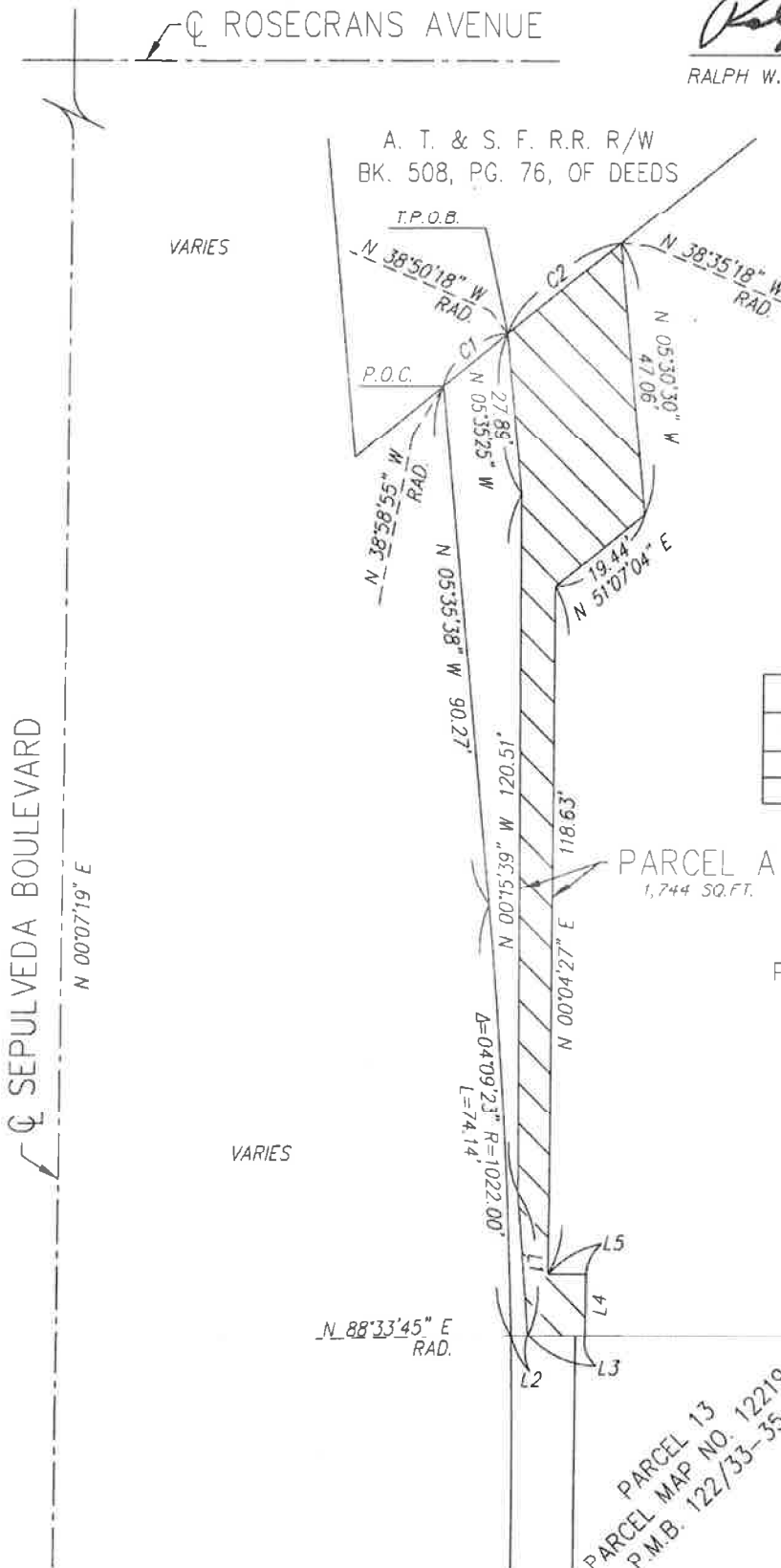
PLAT TO ACCOMPANY
LEGAL DESCRIPTION

PREPARED BY ME OR UNDER MY DIRECTION:

Ralph W. Guida, IV
RALPH W. GUIDA, IV P.L.S. 7076

7/29/15

DATE



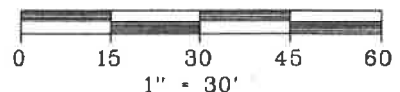
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SHEET 1 OF 1

EXHIBIT "B"
3500 SEPULVEDA



TEMPORARY CONSTRUCTION EASEMENT