

**ORDINANCE NO. \_\_\_\_\_**

An ordinance finding that the public interest and necessity require the acquisition by eminent domain of portions of property located at 5928 West 96<sup>th</sup> Street and 9775 Airport Boulevard, Los Angeles, California 90045 and bearing Assessor's Parcel Number 4124-029-040, as more particularly described in Attachments 1, 2, 3, and 4 attached hereto.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. The City Council of the City of Los Angeles hereby approves, ratifies and makes the findings and authorizations set forth in Resolution No. 28158 (Resolution) adopted by the Board of Airport Commissioners (the Board) of Los Angeles World Airports (LAWA).

Sec. 2. The City Council finds and determines that:

- a. LAWA is a proprietary department of the City of Los Angeles, a charter city and municipal corporation.
- b. The interests in real property to be acquired consist of: (a) a fee simple interest in the property described and depicted in Attachment 1; (b) a permanent street easement over a portion of the property as set forth in the easement deed in Attachment 2; (c) a temporary construction easement (TCE) having a term of 24 months as set forth in the easement deed in Attachment 3; and (d) abutter's right of access to public roadways in the property described and depicted in Attachment 4 (collectively, the Subject Property). All attachments are attached hereto and incorporated herein by reference. The Subject Property is located within the City of Los Angeles, County of Los Angeles, State of California.
- c. The public use for which the Subject Property is being acquired is for the Landside Access Modernization Program, a public project designed to improve and modernize access to the Los Angeles International Airport (LAMP or Project).
- d. Pursuant to Code of Civil Procedure Sections 1240.510 and 1240.610, to the extent that the Subject Property is already devoted to a public use, the use to which the Subject Property is to be acquired under the Resolution is a more necessary public use than the use to which the Subject Property is already devoted; or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Subject Property is already devoted.

- e. The notice of intention to approve the Resolution was given by first class mail to the persons whose property is to be acquired by eminent domain in accordance with Code of Civil Procedure Section 1245.235, and, a hearing was conducted by the City Council on the matters contained herein.

Sec. 3. The City Council further finds and determines that:

- a. The environmental impacts of the acquisition of the Subject Property were evaluated in the previously adopted LAMP EIR, ENV-2016-3391-EIR. The LAMP EIR was adopted by the Board on March 2, 2017 (Resolution No. 26185), and certified and adopted by the Los Angeles City Council on June 7, 2017. The acquisition of the Subject Property is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2.i of the Los Angeles City CEQA Guidelines. It is also within the scope of the certified LAMP EIR and does not include any changes to the Project that would require further review under CEQA pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162.
- b. The taking of the Subject Property is authorized by, *inter alia*, Section 19, Article I of the California Constitution; Sections 37350.5 and 40404(f) of the California Government Code; Public Utilities Code Section 21661.6; the Los Angeles City Charter Section 632(c); California Code of Civil Procedure Section 1230.010, et seq.; and all other applicable law as set forth herein.

Sec. 4. The City Council further finds and determines that:

- 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 Subject Property sought to be acquired by eminent domain and described in the Resolution is necessary for the proposed Project.
- d. The offer required by Government Code Section 7267.2(a), together with the accompanying statement and summary of the basis for the amount established as just compensation, was actually made to the owners and was in a form and contained all of the factual information required by Government Code Section 7267.2(a).

- e. The requisite environmental review of the Project and the acquisition of the Subject Property have been completed in accordance with CEQA.

Sec. 5. The City Council approves the Resolution and the exercise of eminent domain by LAWA in accordance with Charter Section 632(c).

Sec. 6. The City Attorney is hereby authorized to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Subject Property by eminent domain, subject to approval by the Board when required. The City Attorney is also authorized to seek and obtain an Order for Prejudgment of Possession of the Subject Property in accordance with eminent domain law. The City Attorney may enter into Stipulated Orders for Prejudgment Possession and Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. The City Attorney is further authorized to correct any errors or agree to make any non-material changes to the legal description of the Subject Property that are deemed necessary for the conduct of condemnation action or other proceedings or transactions required to acquire the Subject Property. The City Attorney is further authorized, subject to approval by the Board when required, to compromise and settle such eminent domain proceedings, if such negotiated settlement can be reached, and in that event, take all necessary action to complete the acquisition, including entering into stipulations as to the judgment and other matters, and to cause all such payments to be made.

Sec. 7. The Chief Financial Officer of LAWA, upon proper certification and instruction from the Chief Executive Officer and City Attorney, is authorized to draw demands in the amounts necessary to make deposits of just compensation with the California State Treasurer's Office in connection with the eminent domain proceedings and/or pay the purchase price for the acquisition of the Subject Property through negotiated settlement or court judgment.

## Attachment 1

**EXHIBIT "A1"**  
**LEGAL DESCRIPTION**  
**FEE INTEREST**

THOSE PORTIONS OF LOTS 175 THROUGH 180, INCLUSIVE, OF TRACT NUMBER 13711, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 276, PAGES 48 THROUGH 50, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID PORTION IS ALSO LYING ENTIRELY WITHIN THE SOUTH HALF OF 96<sup>TH</sup> STREET AS SHOWN ON SAID TRACT NUMBER 13711, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

**BEGINNING (POB)** AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 175 WITH THE SOUTH LINE OF 96<sup>TH</sup> STREET.

**THENCE** ALONG THE SOUTH LINE OF SAID 96<sup>TH</sup> STREET, SOUTH 89°49'12" EAST 49.14 FEET TO A POINT ON THE NORTH LINE OF THAT PORTION OF 96<sup>TH</sup> STREET AS VACATED BY THE CITY OF LOS ANGELES PER RESOLUTION TO VACATE NUMBER 88-01574 AS DESCRIBED IN INSTRUMENT NUMBER 92-2102193, RECORDED NOVEMBER 12, 1992, SAID POINT IS ALSO THE WESTERLY TERMINUS OF THAT CERTAIN CURVE DESCRIBED IN SAID INSTRUMENT HAVING A RADIUS OF 779.96 FEET, CENTRAL ANGLE OF 20°28'38", AND AN ARC LENGTH OF 278.75 FEET.

**THENCE** ALONG THE NORTH LINE OF SAID VACATED PORTION OF 96<sup>TH</sup> STREET, SAID NORTH LINE IS ALSO A CURVE CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 15°56'34", AN ARC LENGTH OF 217.03 FEET TO THE **POINT OF TERMINATION (POT)**, SAID POINT IS ALSO THE INTERSECTION OF THE CENTERLINE OF 96<sup>TH</sup> STREET AS SHOWN ON SAID TRACT NUMBER 13711 WITH THE NORTH LINE OF SAID VACATED PORTION OF 96<sup>TH</sup> STREET, A RADIAL THROUGH SAID POINT BEARS SOUTH 15°45'46" EAST;

THIS CONVEYANCE IS MADE FOR THE PURPOSE OF AN INTERMODAL TRANSIT FACILITY MEANS OF PRIVATE INGRESS/EGRESS AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE THE ABUTTER'S RIGHT OF ACCESS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID PRIVATE INGRESS/EGRESS.

CONTAINING 0.133 ACRES OR 5,776 SQUARE FEET, MORE OR LESS.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), 2010.00 EPOCH, ZONE 5. THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 1.00001967.

SEE PLAT ATTACHED HERETO AS EXHIBIT "A2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:



JOSHUA D. COSPER, P.L.S.  
P.L.S. 8774, EXP. 12-31-26

3-19-25

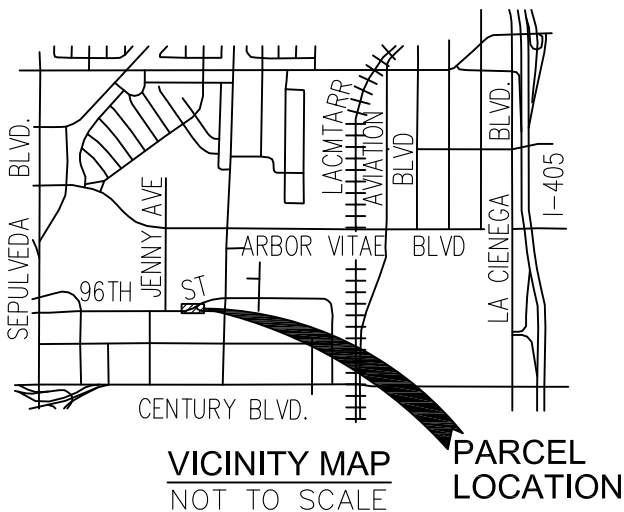
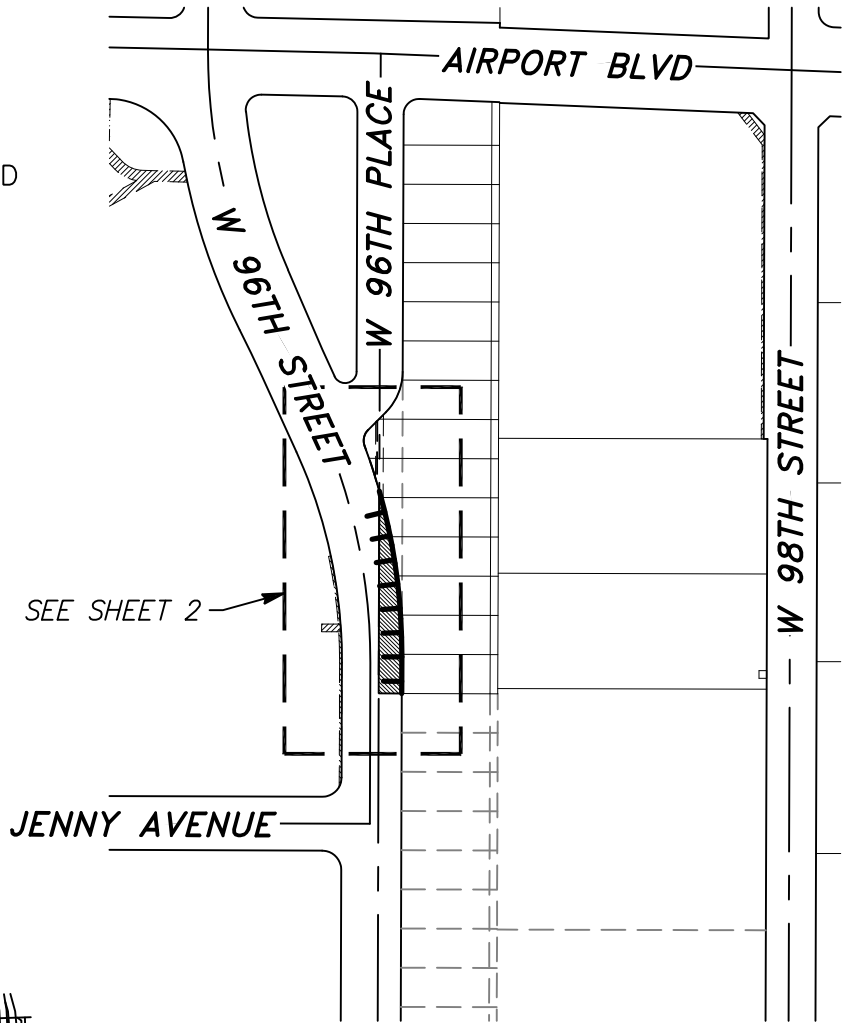
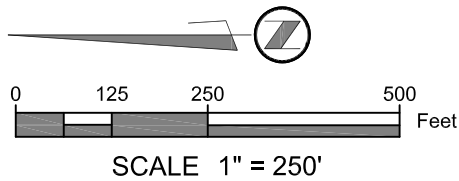
DATE



SECTION 31,  
T2S, R14W S.B.M.

**LEGEND**

POC POINT OF COMMENCEMENT  
TPOB POINT OF BEGINNING  
POT POINT OF TERMINATION  
▨ PARCEL TO BE TRANSFERRED  
||| ACCESS RESTRICTED



THE BASIS OF BEARINGS FOR THIS SURVEY IS  
CCS83, ZONE 5 (2010.00)

DISTANCES SHOWN HEREIN ARE GRID  
DISTANCES. GROUND DISTANCES MAYBE  
OBTAINED BY DIVIDING GRID DISTANCES BY  
THE COMBINATION FACTOR OF 1.00001967

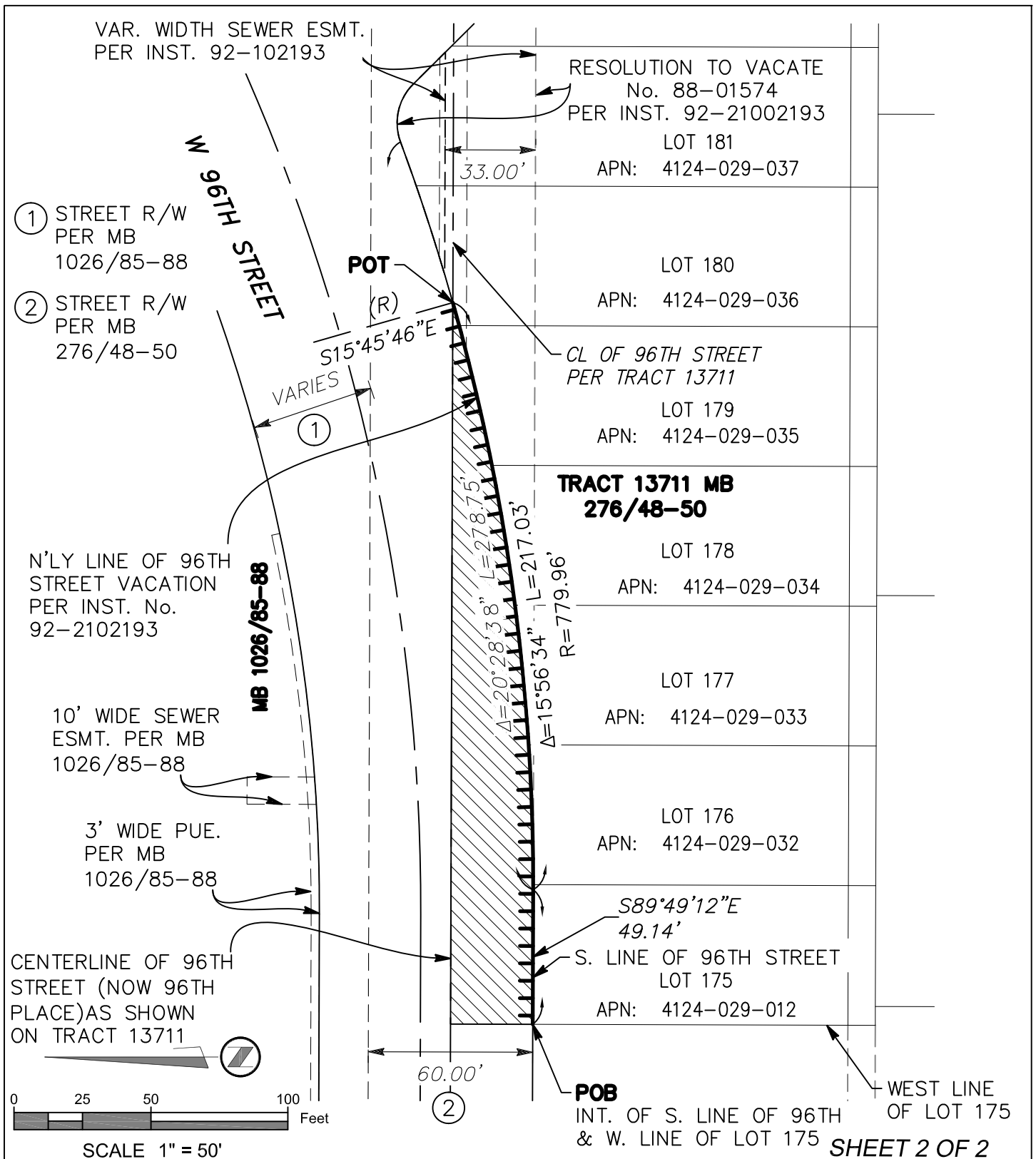
SHEET 1 OF 2



**MARK THOMAS**

Scale: 1" = 250'  
Date Mar 2025  
Drawn By BJC  
Checked By JDC

*Exhibit A-2*  
**R/W Acquisition & Access Denial**  
**APN 4124-029-012, -032 to -037**  
**Plat to Accompany Legal Description**  
**In the City of Los Angeles**  
**Los Angeles County, California**



**MARK THOMAS**

Scale: 1" = 50'  
Date Mar 2025  
Drawn By BJC  
Checked By JDC

*Exhibit A-2*  
*R/W Acquisition & Access Denial*  
*APN 4124-029-012, -032 to -037*  
*Plat to Accompany Legal Description*  
*In the City of Los Angeles*  
*Los Angeles County, California*



## Attachment 2

**RECORDING REQUESTED BY and  
WHEN RECORDED MAIL TO:**

Los Angeles World Airports  
Attn: Evan Haug  
6053 West Century Boulevard, 4<sup>th</sup> Floor  
Los Angeles, California 90045

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(Space above for County Recorder's Use Only)

Portion(s) APN(s): 4124-029-040

EXEMPT FROM RECORDING FEES PER GOVT. CODE §27383  
EXEMPT FROM DOCUMENTARY TRANSFER TAX PER REV. & TAX CODE §11922

**EASEMENT DEED**

**Grant of Permanent Street Easement**

Bird Management, Co., LLC, a California limited liability company, as to an undivided twenty-five percent (25.00%) interest, together with On Sacred Ground LLC, a Delaware limited liability company, as to an undivided twenty-five percent (25.00%) interest, together with Allison and Jeffrey Mirkin LAX Property, LLC, a California limited liability company, as to an undivided twenty-five percent (25.00%) interest, together with M.A.M. LAX Property, LLC, a California limited liability company, as to an undivided twenty-five percent (25.00%) interest, hereinafter called (“**Grantor**”), are the owners in fee of that certain real property located in the City of Los Angeles, County of Los Angeles, State of California, as described in that Grant Deed recorded December 29<sup>th</sup>, 2023 as Document Number 202130920897 of Official Records of said County, does hereby GRANT and CONVEY to the City of Los Angeles, a municipal corporation, acting by order of and through its Board of Airport Commissioners (“**Grantee**”), and its successors and assigns, a permanent easement and right-of-way for public streets and incidents and appurtenances thereto (“**Street Easement**”), over, above, on, under, in, within, across, along, around, about and through that certain portion of Grantor’s real property located in the City of Los Angeles, County of Los Angeles, State of California, more particularly described in the legal description attached hereto as EXHIBIT “B1” and depicted or illustrated on the map or drawing attached hereto as EXHIBIT “B2” and incorporated herein by reference (“**Street Easement Area**”).

Within the Street Easement Area, the easement rights granted in, under and pursuant to this instrument shall also include the right to use the Street Easement to construct, use, install, maintain, repair, replace, improve, alter, relocate, and inspect curbs (including without limitation curb returns and curb ramps), gutters, sidewalks, crosswalks, storm drains as well as other drainage facilities, utilities, street lighting, landscaping, irrigation, traffic signals, striping and other street and/or roadway improvements, as well as appurtenances thereto. The purpose of the Street Easement includes without limitation constructing, upgrading, replacing, maintaining repairing and operating streets or roadways known as 96<sup>th</sup> Place, Airport Boulevard and 98<sup>th</sup> Street.

The easement rights granted in, under and pursuant to this instrument and the rights of Grantee in, under and pursuant to this instrument shall include without limitation the right to

access the Street Easement Area for all purposes associated with the Street Easement, which activities may include, but are not be limited to, trimming, cutting or clearing away from the Street Easement Area any trees, brush, and vegetation.

Grantee shall have the right to remove all improvements located within the Street Easement Area, including, but not limited to, trees, bushes, shrubs, brush and other flora, plants and vegetation as well as hardscape, landscape and other structures and improvements.

Grantee shall have the right to transfer, assign and/or convey the Street Easement, including without limitation any interest therein and/or in whole or in part, to successors and/or assigns, including without limitation other governmental agencies.

The covenants contained in this instrument, including without limitation any restrictions set forth above, shall run with the land.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on the date set forth below.

Dated: \_\_\_\_\_

**GRANTOR:**

Bird Management, Co., LLC  
A California limited liability company, as to an  
undivided twenty-five percent (25.00%) interest

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

On Sacred Ground LLC  
A Delaware limited liability company, as to an  
undivided twenty-five percent (25.00%) interest

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Allison and Jeffrey Mirkin LAX Property, LLC  
A California limited liability company

By:\_\_\_\_\_

Name:\_\_\_\_\_

Title:\_\_\_\_\_

M.A.M. LAX Property, LLC  
A California limited liability company, as to an  
undivided twenty-five percent (25.00%) interest

By:\_\_\_\_\_

Name:\_\_\_\_\_

Title:\_\_\_\_\_

## **EXHIBIT B1**

Legal Description of Street Easement Area  
[APN(s): 4124-029-040]

[attached behind this page]

**EXHIBIT "B1"**  
**LEGAL DESCRIPTION**  
**APN 4124-029-040**  
**Street Easement for Airport Boulevard**

That portion of Lot 1 of Tract No. 25128, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 811, Pages 53 and 54 of Maps, in the office of the County Recorder of said County, together with those portions of Lots 189 and 221 of Tract No. 13711, in said City, County, and State, as per map recorded in Book 276, Pages 48 through 50 of said Maps, lying easterly of the following described line:

**COMMENCING** at the centerline intersection of 98<sup>th</sup> Street and Airport Boulevard, shown on a map filed in Book 301, Pages 21 through 42 of Records of Survey in the office of said County Recorder;

thence along the centerline of said 98<sup>th</sup> Street, North 89°49'05" West 91.02 feet;

thence leaving said centerline, North 00°10'55" East 35.00 feet to the northerly line of said 98<sup>th</sup> Street and the **TRUE POINT OF BEGINNING**, also being the beginning of a non-tangent curve, concave northwesterly having a radius of 20.00 feet, a radial line to said curve bears South 00°10'55" West;

thence northeasterly 30.67 feet along said curve through a central angle of 87°52'29";

thence North 02°18'26" East 131.82 feet;

thence North 01°32'20" East 298.39 feet to the beginning of a non-tangent curve, concave southwesterly, having a radius of 20.00 feet, a radial line to said curve bears South 87°41'34" East;

thence northwesterly 32.16 feet along said curve through a central angle of 92°07'38" to the northerly line of said Lot 189, distant thereon North 89°49'12" West 47.78 feet from the northeast corner of said Lot 189.

**EXCEPT THEREFROM** that certain parcel of land described in the Irrevocable Offer to Dedicate recorded April 2, 1981, in Document No. 81-335430 of Official Records in the office of said County Recorder.

**EXHIBIT "B1"**  
**LEGAL DESCRIPTION**  
**APN 4124-029-040**  
**Street Easement for Airport Boulevard**

Containing 7,827 square feet, more or less.

Shown graphically on Exhibit B2, attached hereto and made a part hereof.

Bearings and distances used in the above description are based on California Coordinate System (CCS), Zone 5, NAD 83, Epoch 2010.00.

Divide distances shown by 1.00001924 to obtain ground level distances.

This real property description has been prepared at Mark Thomas & Company Inc. by me or under my direction in conformance with the Professional Land Surveyor's Act.

Mark Thomas & Company, Inc.

*Teri Kahlen*

12/18/2024

Teri Kahlen, PLS 8746

Date



## **EXHIBIT B2**

Map of Street Easement Area  
[APN(s): 4124-029-040]

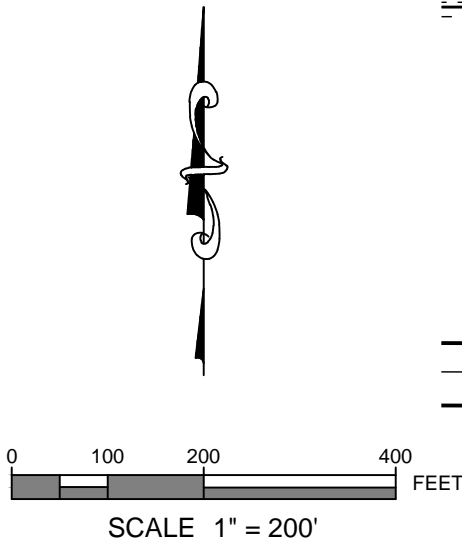
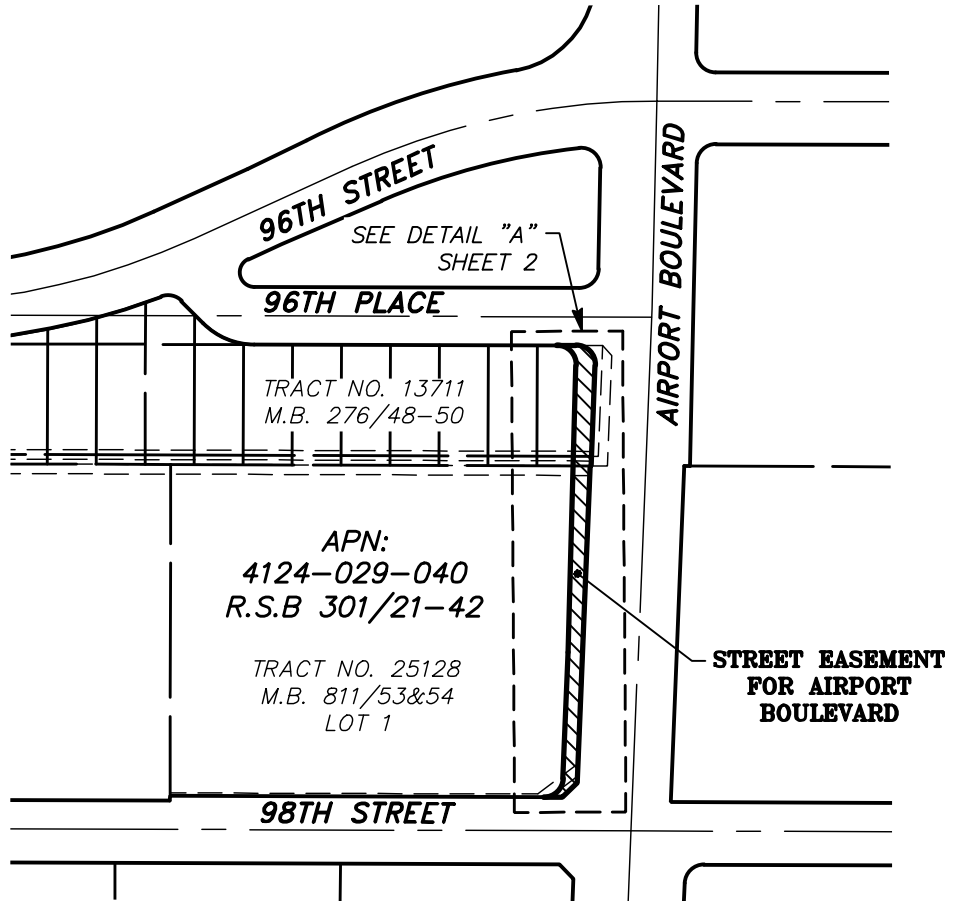
[attached behind this page]



# EXHIBIT "B2"

<b>LAWA</b>	TYPE OF INTEREST	AREA	APN
	STREET EASEMENT FOR AIRPORT BOULEVARD	7,827 S.F.	4124-029-040

IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA



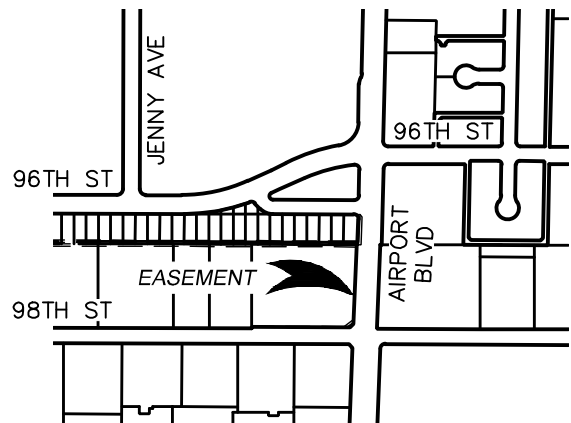
## LEGEND

	LIMITS OF DESCRIPTION
	EXISTING RIGHT OF WAY
TPOB	TRUE POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
M.B.	MAP BOOK
R.S.B.	RECORD OF SURVEY BOOK
o	DIMENSION POINT

## NOTES


BEARINGS AND DISTANCES USED ARE BASED ON CALIFORNIA COORDINATE SYSTEM (CCS), ZONE 5, NAD 83, EPOCH 2010.00. DIVIDE DISTANCES SHOWN BY 1.00001924 TO OBTAIN GROUND LEVEL DISTANCES.

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION



VICINITY MAP  
NOT TO SCALE

 <b>MARK THOMAS</b>	DATE	PREPARED BY	SHEET NO.	TOTAL SHEETS
	12/18/2024	LDW	1	2

	DATE	PREPARED BY	SHEET NO.	TOTAL SHEETS
	12/18/2024	LDW	2	2

## Attachment 3

**RECORDING REQUESTED BY and  
WHEN RECORDED MAIL TO:**

Los Angeles World Airports  
Attn: Evan Haug  
6053 West Century Boulevard, 4<sup>th</sup> Floor  
Los Angeles, California 90045

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(Space above for County Recorder's Use Only)

Portion(s) APN(s): 4124-029-040

EXEMPT FROM RECORDING FEES PER GOVT. CODE §27383  
EXEMPT FROM DOCUMENTARY TRANSFER TAX PER REV. & TAX CODE §11922

**EASEMENT DEED**

**Grant of Temporary Construction Easement**

Bird Management, Co., LLC, a California limited liability company, as to an undivided twenty-five percent (25.00%) interest, together with On Sacred Ground LLC, a Delaware limited liability company, as to an undivided twenty-five percent (25.00%) interest, together with Allison and Jeffrey Mirkin LAX Property, LLC, a California limited liability company, as to an undivided twenty-five percent (25.00%) interest, together with M.A.M. LAX Property, LLC, a California limited liability company, as to an undivided twenty-five percent (25.00%) interest, hereinafter called (“**Grantor**”), are the owners in fee of that certain real property located in the City of Los Angeles, County of Los Angeles, State of California, as described in that Grant Deed recorded December 29<sup>th</sup>, 2023 as Document Number 202130920897 of Official Records of said County, does hereby GRANT and CONVEY to the City of Los Angeles, a municipal corporation, acting by order of and through its Board of Airport Commissioners (“**Grantee**”), and its successors and assigns, a non-exclusive temporary construction easement (“**Temporary Construction Easement**”), over, above, on, in, within, across, along, about and through that certain portion of Grantor’s real property located in the City of Los Angeles, County of Los Angeles, State of California, more particularly described in the legal description attached hereto as EXHIBIT “C1” and depicted or illustrated on the map or drawing attached hereto as EXHIBIT “C2” and, in each case, incorporated herein by reference (“**TCE Area**”).

The purpose of the Temporary Construction Easement includes the provision of working space and temporary access to the property for the development, construction, building, and installation of curbs (including without limitation curb returns and curb ramps), gutters, sidewalks, crosswalks, storm drains as well as other drainage facilities, utilities, street lighting, landscaping, irrigation, traffic signals, striping and other street and/or roadway improvements, as well as appurtenances thereto along the streets or roadways known as 96<sup>th</sup> Place, Airport Boulevard and 98<sup>th</sup> Street. The Temporary Construction Easement within the TCE Area shall continue for a period of twenty-four (24) months (“**TCE Term**”). Construction within the TCE Area and the TCE Term shall commence upon written notice from Grantee or its authorized representative to Grantor (“**TCE Commencement Date**”) and it shall terminate on the earliest of: (a) the date upon which Grantee notifies Grantor that it no longer needs to use the TCE Area, or (b) twenty-four (24)

months from the TCE Commencement Date. The last date by and/or on which Grantee may use the Temporary Construction Easement is referred to as the “**TCE Expiration Date**”.

Grantee’s use of the Temporary Construction Easement shall be subject to the following provisions:

(a) upon completion of work associated with the Temporary Construction Easement, the TCE Areas shall be restored to a uniformly graded condition and left clean, and repairs will be provided by Grantee to install asphalt concrete to match existing conditions or per City of Los Angeles minimum parking lot design requirements, whichever is greater, in those areas where asphalt concrete is damaged or removed;

(b) access to the Property shall be maintained throughout construction along Airport Boulevard, however, construction activities within the TCE Area will require a temporary closure of both of the existing driveways for not more than seventy-two (72) consecutive hours. One of these driveways shall remain open and accessible to Grantor at all times during temporary closure of the other driveway. Should either driveway require temporary closure to accommodate Project construction, Grantee will make commercially reasonable efforts to coordinate with Grantor to reasonably and in advance schedule the temporary closure;

(c) construction activities within the TCE Area will include, but not be limited to grading, construction and/or installation of curb, gutter, sidewalk, storm drain, street lighting, landscaping, irrigation and traffic signals, and striping;

(d) the TCE Areas will be reasonably protected, reasonably maintained and kept reasonably free of trash during construction by Grantee to attempt to ensure that the visual identity and character of the property is not unreasonably impacted by the use of the Temporary Construction Easement;

(e) while on the TCE Areas or any of them in connection with the use of the Temporary Construction Easement, Grantee will comply with all applicable laws, rules, and regulations as well as, to the extent commercially reasonable and practicable, best construction practices, including compliance with City of Los Angeles Noise Ordinance requirements;

(f) Grantee may temporarily and intermittently disrupt vehicular and pedestrian traffic on as 96<sup>th</sup> Place, Airport Boulevard and 98<sup>th</sup> Street, as necessary, to complete construction of curbs (including without limitation curb returns and curb ramps), gutters, sidewalks, crosswalks, storm drains as well as other drainage facilities, utilities, street lighting, landscaping, irrigation, traffic signals, striping and other street and/or roadway improvements, as well as appurtenances thereto along the streets or roadways known as 96<sup>th</sup> Place, Airport Boulevard and 98<sup>th</sup> Street; and

(g) Grantee may use construction equipment needed for demolition and removal of existing infrastructure, and construction of curbs (including without limitation curb returns and curb ramps), gutters, sidewalks, crosswalks, storm drains as well as other drainage facilities, utilities, street lighting, landscaping, irrigation, traffic signals, striping and other street and/or

roadway improvements, as well as appurtenances thereto along the streets or roadways known as 96<sup>th</sup> Place, Airport Boulevard and 98<sup>th</sup> Street.

Starting on the TCE Commencement Date and continuing through the TCE Expiration Date, Grantor shall not, without the express prior written consent of Grantee (which may be granted or withheld in Grantee's sole and unfettered discretion), erect, place, or maintain any improvement, over, above, on, under, in, within, across, along, about or through the TCE Area or undertake any other activity within the TCE Area, which may interfere with Grantee's use of the TCE Area, including, without limitation, the erection of any building, wall, fence, structure or other improvement within the TCE Area.

At the expiration of the Temporary Construction Easement, Grantee or its authorized agent(s) shall, subject to reasonable wear and tear, restore the TCE Area to a condition as near as practicable to finished dirt grade conditions with surface elevations consistent with the existing grading of the surface parking area immediately adjacent to the TCE Area. Grantee shall not, however, be required to restore any other changed condition or circumstance to the pre-existing condition that is not resulting from Grantee's operations, negligence or greater fault.

The covenants contained in this instrument shall run with the land. For the purposes of this instrument and the Temporary Construction Easement, the word "existing" when used in this instrument means "currently existing as of the date of this instrument as set forth below in this instrument."

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on the date set forth below.

Dated: \_\_\_\_\_

**GRANTOR:**

Bird Management, Co., LLC  
A California limited liability company, as to an  
undivided twenty-five percent (25.00%) interest

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

On Sacred Ground LLC  
A Delaware limited liability company, as to an  
undivided twenty-five percent (25.00%) interest

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Allison and Jeffrey Mirkin LAX Property, LLC  
A California limited liability company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

M.A.M. LAX Property, LLC  
A California limited liability company, as to an  
undivided twenty-five percent (25.00%) interest

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

## **EXHIBIT C1**

Legal Description of Temporary Construction Easement Area  
[APN(s): 4124-029-040]

[attached behind this page]



**EXHIBIT "C1"**  
**LEGAL DESCRIPTION**  
**APN 4124-029-040**  
**Temporary Construction Easement**

That portion of Lot 1 of Tract No. 25128, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 811, Pages 53 and 54 of Maps, in the office of the County Recorder of said County, together with those portions of Lots 189 and 221 of Tract No. 13711, in said City, County, and State, as per map recorded in Book 276, Pages 48 through 50 of said Maps, described as follows:

**COMMENCING** at the centerline intersection of 98<sup>th</sup> Street and Airport Boulevard, shown on a map filed in Book 301, Pages 21 through 42 of Records of Survey in the office of said County Recorder;

thence along the centerline of said 98<sup>th</sup> Street, North 89°49'05" West 91.02 feet;

thence leaving said centerline, North 00°10'55" East 35.00 feet to the northerly line of said 98<sup>th</sup> Street and the beginning of a non-tangent curve, concave northwesterly having a radius of 20.00 feet, a radial line to said curve bears South 00°10'55" West;

thence northeasterly 16.22 feet along said curve through a central angle of 46°27'55" to the **TRUE POINT OF BEGINNING**;

thence continuing 14.45 feet along said curve through a central angle of 41°24'35";

thence North 02°18'26" East 131.82 feet;

thence North 01°32'20" East 298.39 feet to the beginning of a non-tangent curve, concave southwesterly, having a radius of 20.00 feet, a radial line to said curve bears South 87°41'34" East;

thence northwesterly 14.73 feet along said curve through a central angle of 42°11'08";

thence South 01°32'20" West 311.86 feet;

thence South 02°18'26" West 145.02 feet to the **TRUE POINT OF BEGINNING**.

Containing 2,243 square feet, more or less.

Shown graphically on Exhibit C2, attached hereto and made a part hereof.

**EXHIBIT "C1"**  
**LEGAL DESCRIPTION**  
**APN 4124-029-040**  
**Temporary Construction Easement**

Bearings and distances used in the above description are based on California Coordinate System (CCS), Zone 5, NAD 83, Epoch 2010.00.  
Divide distances shown by 1.00001924 to obtain ground level distances.

This real property description has been prepared at Mark Thomas & Company Inc. by me or under my direction in conformance with the Professional Land Surveyor's Act.

Mark Thomas & Company, Inc.

*Teri Kahlen* 12/18/2024  
Teri Kahlen, PLS 8746      Date



## **EXHIBIT C2**

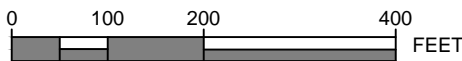
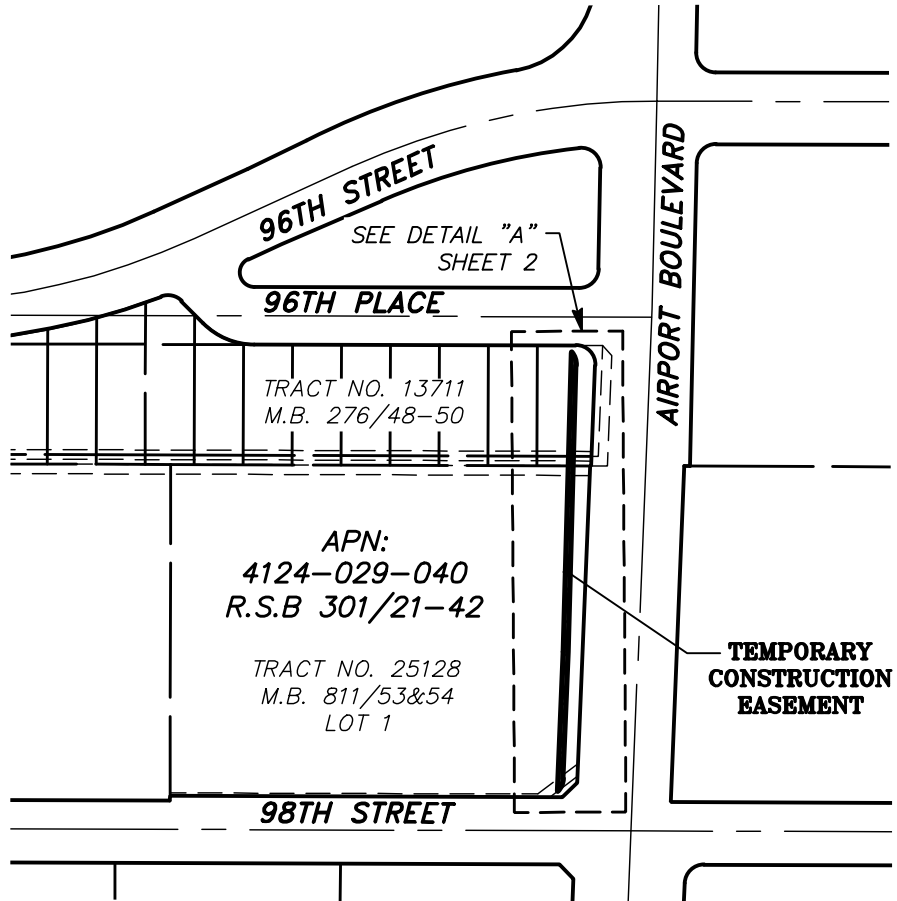
Map of Temporary Construction Easement Area  
[APN(s): 4124-029-040]

[attached behind this page]

# EXHIBIT "C2"

<b>LAWA</b>	TYPE OF INTEREST	AREA	APN
	TEMPORARY CONSTRUCTION EASEMENT	2,243 S.F.	4124-029-040

IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA



SCALE 1" = 200'

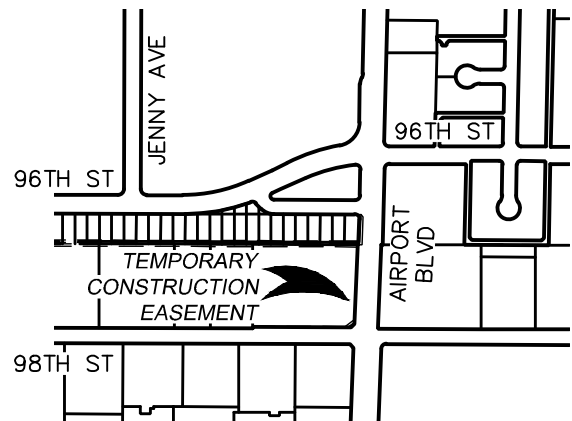
## LEGEND

	LIMITS OF DESCRIPTION
	EXISTING RIGHT OF WAY
TPOB	TRUE POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
M.B.	MAP BOOK
R.S.B.	RECORD OF SURVEY BOOK
o	DIMENSION POINT

## NOTES

BEARINGS AND DISTANCES USED ARE BASED ON CALIFORNIA COORDINATE SYSTEM (CCS), ZONE 5, NAD 83, EPOCH 2010.00. DIVIDE DISTANCES SHOWN BY 1.00001924 TO OBTAIN GROUND LEVEL DISTANCES.

THIS EXHIBIT IS MADE PART OF THE LEGAL DESCRIPTION

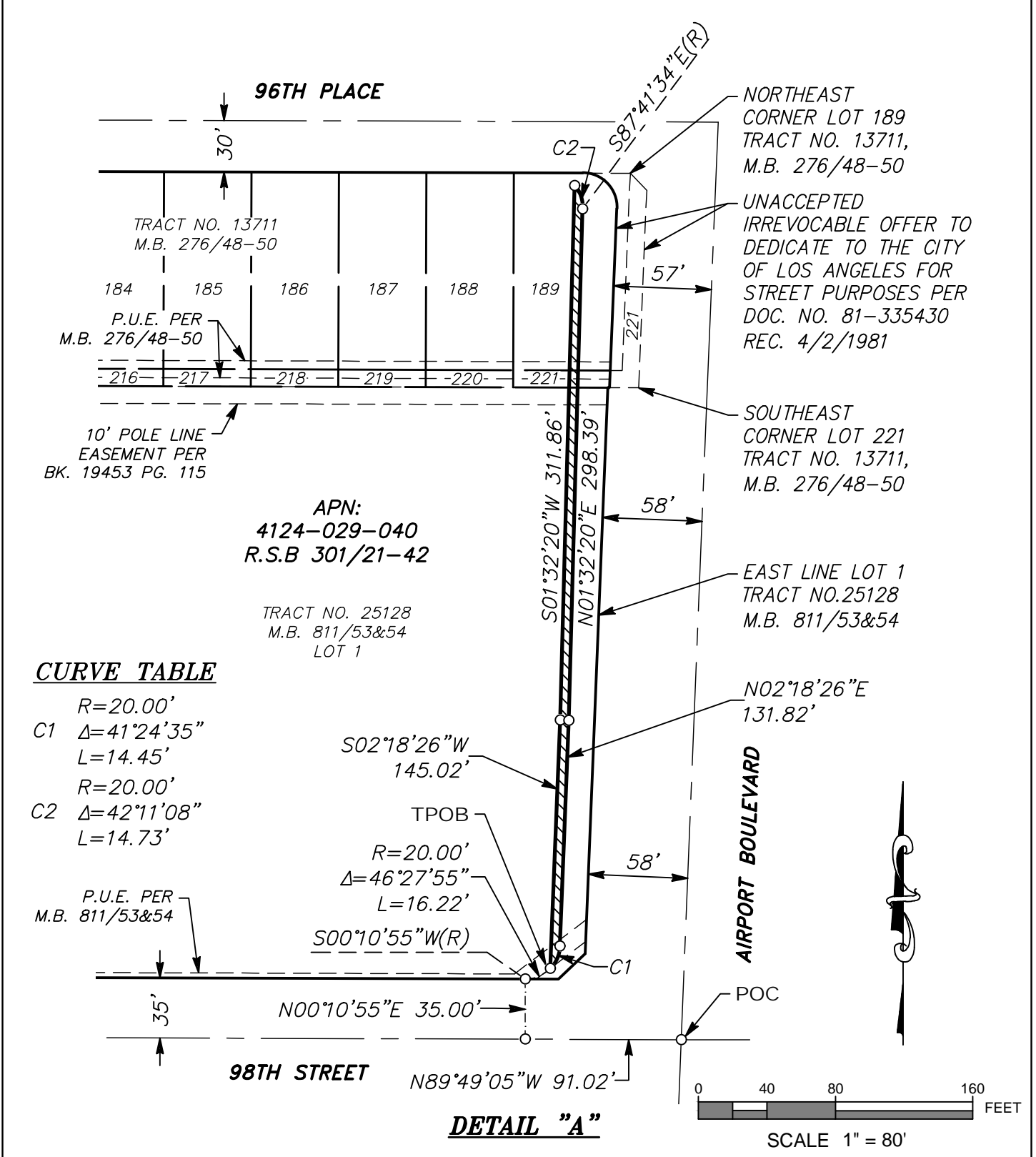


VICINITY MAP  
NOT TO SCALE

 <b>MARK THOMAS</b>	DATE	PREPARED BY	SHEET NO.	TOTAL SHEETS
	12/18/2024	LDW	1	2

# EXHIBIT "C2"

<b>LAWA</b>	TYPE OF INTEREST	AREA	APN
	TEMPORARY CONSTRUCTION EASEMENT	2,243 S.F.	4124-029-040



	DATE	PREPARED BY	SHEET NO.	TOTAL SHEETS
	12/18/2024	LDW	2	2

## Attachment 4

**EXHIBIT "D1"**  
**LEGAL DESCRIPTION**  
**ABUTTER'S RIGHT OF ACCESS**

FOR THE PURPOSE OF AN INTERMODAL TRANSIT FACILITY MEANS OF PRIVATE INGRESS/EGRESS, THE RELEASE AND RELINQUISHMENT OF THE ABUTTER'S RIGHT OF ACCESS, APPURTENANT TO THE PORTION OF REAL PROPERTY LOCATED IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS DESCRIBED IN THE GRANT DEED TO THE MIRKIN PARTNERSHIP, RECORDED MARCH 9, 1988 AS INSTRUMENT NUMBER 88-322643, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN AND TO SAID INTERMODAL TRANSIT FACILITY MEANS OF PRIVATE INGRESS/EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED LINE:

**COMMENCING (POC)** AT THE INTERSECTION OF THE WEST LINE OF LOT 175 OF TRACT NUMBER 13711, AS PER MAP RECORDED IN BOOK 276, PAGES 48 THROUGH 50, INCLUSIVE, OF MAPS, WITH THE SOUTH LINE OF 96<sup>TH</sup> STREET, BOTH SHOWN ON SAID TRACT NUMBER 13711.

**THENCE** ALONG THE SOUTH LINE OF SAID 96<sup>TH</sup> STREET, SOUTH 89°49'12" EAST 49.14 FEET TO A POINT ON THE NORTH LINE OF THAT PORTION OF 96<sup>TH</sup> STREET AS VACATED BY THE CITY OF LOS ANGELES PER RESOLUTION TO VACATE NUMBER 88-01574 AS DESCRIBED IN INSTRUMENT NUMBER 92-2102193, RECORDED NOVEMBER 12, 1992, SAID POINT IS ALSO THE WESTERLY TERMINUS OF THAT CERTAIN CURVE DESCRIBED IN SAID INSTRUMENT HAVING A RADIUS OF 779.96 FEET, CENTRAL ANGLE OF 20°28'38", AND AN ARC LENGTH OF 278.75 FEET.

**THENCE** ALONG THE NORTH LINE OF SAID VACATED PORTION OF 96<sup>TH</sup> STREET, SAID NORTH LINE IS ALSO A CURVE CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 15°56'34", AN ARC LENGTH OF 217.03 FEET TO THE **TRUE POINT OF BEGINNING (TPOB)**, SAID POINT IS ALSO THE INTERSECTION OF THE CENTERLINE OF 96<sup>TH</sup> STREET AS SHOWN ON SAID TRACT NUMBER 13711 WITH THE NORTH LINE OF SAID VACATED PORTION OF 96<sup>TH</sup> STREET.

**THENCE** CONTINUING ALONG SAID NORTH LINE OF THE VACATED PORTION OF 96<sup>TH</sup> STREET, THROUGH A CENTRAL ANGLE OF 4°32'01", AN ARC LENGTH OF 61.72 FEET TO THE **POINT OF TERMINATION (POT)**, SAID POINT IS ALSO THE EASTERLY TERMINUS OF SAID CERTAIN CURVE HAVING A RADIUS OF 779.96 FEET, CENTRAL ANGLE OF 20°28'38", AND AN ARC LENGTH OF 278.75 FEET, A RADIAL THROUGH SAID POINT BEARS SOUTH 20°17'46" EAST;

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), 2010.00 EPOCH, ZONE 5. THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 1.00001967.

SEE PLAT ATTACHED HERETO AS EXHIBIT "D2" AND BY THIS  
REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:



JOSHUA D. COSPER, P.L.S.  
P.L.S. 8774, EXP. 12-31-20

11-18-19

DATE






SECTION 31,  
T2S, R14W S.B.M.

**LEGEND**

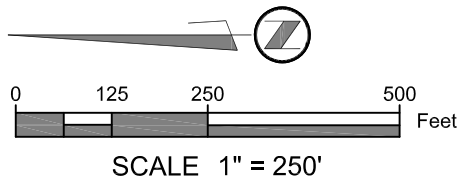
POC POINT OF COMMENCEMENT

TPOB POINT OF BEGINNING

POT POINT OF TERMINATION

 PARCEL TO BE TRANSFERRED

 ACCESS RESTRICTED



SEE SHEET 2

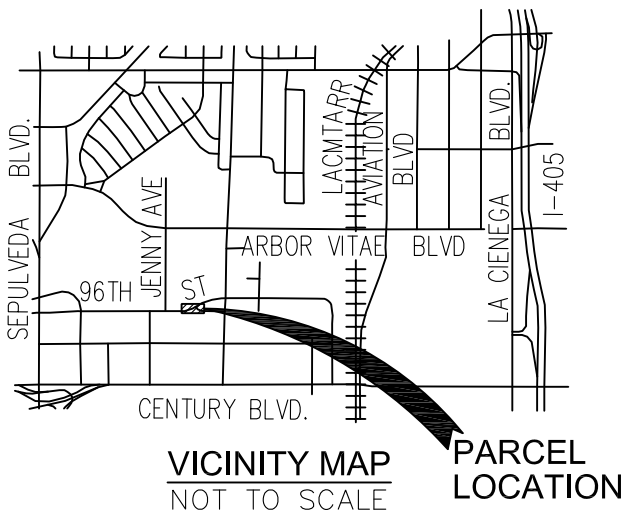
JENNY AVENUE

AIRPORT BLVD

W 96TH PLACE

W 96TH STREET

W 98TH STREET



THE BASIS OF BEARINGS FOR THIS SURVEY IS  
CCS83, ZONE 5 (2010.00)

DISTANCES SHOWN HEREIN ARE GRID  
DISTANCES. GROUND DISTANCES MAYBE  
OBTAINED BY DIVIDING GRID DISTANCES BY  
THE COMBINATION FACTOR OF 1.00001967

SHEET 1 OF 2

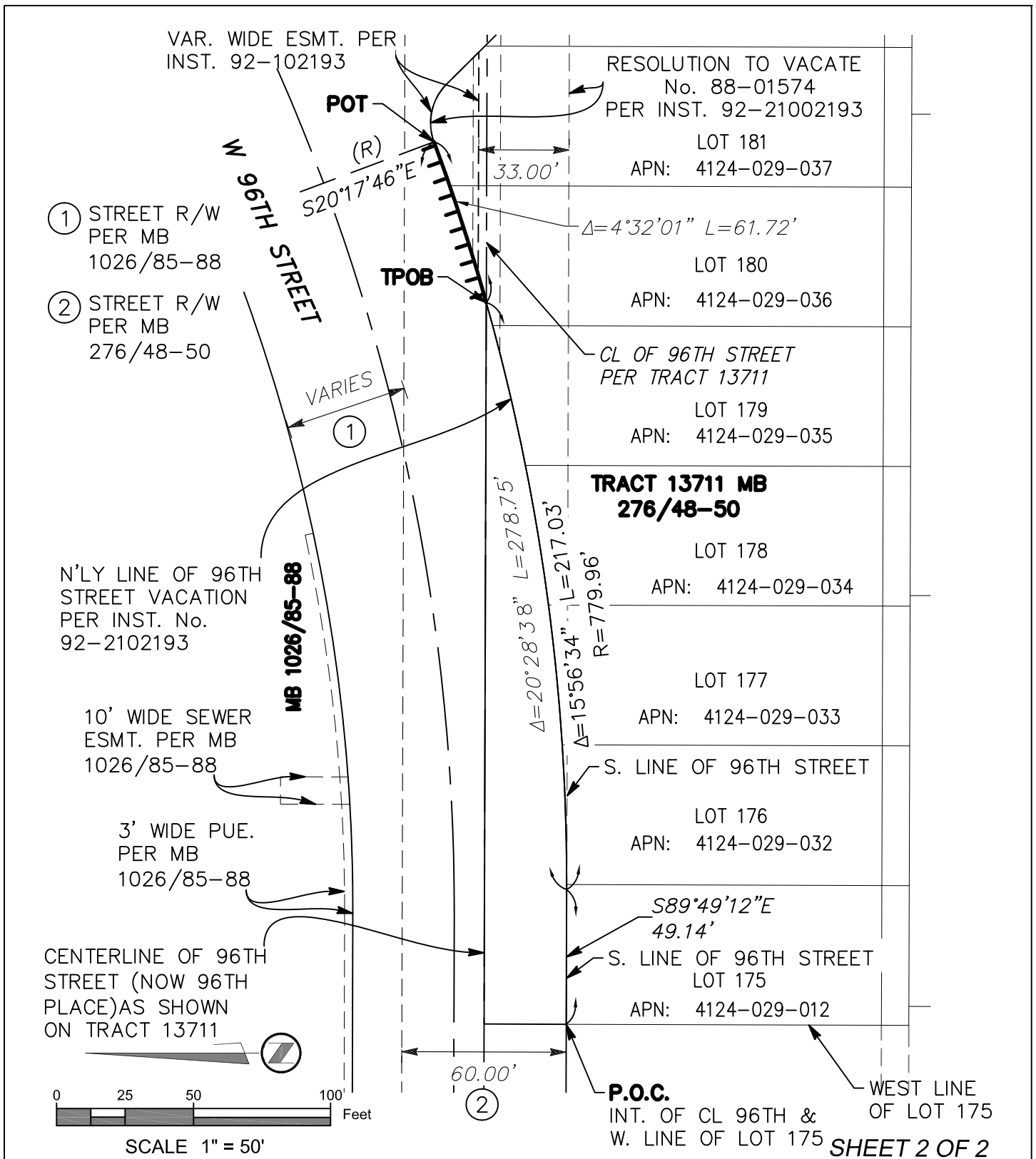


**MARK THOMAS**

Scale: 1" = 250'  
Date Sept., 2019  
Drawn By BJC  
Checked By JDC

**Exhibit D-2  
Access Denial**

APN 4124-029-037 & -038  
Plat to Accompany Legal Description  
In the City of Los Angeles  
Los Angeles County, California



**MARK THOMAS**

Scale: 1" = 50'  
Date Sept., 2019  
Drawn By BJC  
Checked By JDC

**Exhibit D-2**  
**Access Denial**  
**APN 4124-029-037 & -038**  
**Plat to Accompany Legal Description**  
**In the City of Los Angeles**  
**Los Angeles County, California**

Sec. 8. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By

 for  
CYNTHIA ALEXANDER  
Deputy City Attorney

Date

June 2, 2025

File No. \_\_\_\_\_

M:\Muni Counsel\ORDINANCES\LAWA\Final Ordinance (LAMP-LAX).docx

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than two-thirds** of all its members.

CITY CLERK

MAYOR

\_\_\_\_\_

\_\_\_\_\_

Ordinance Passed \_\_\_\_\_

Approved \_\_\_\_\_