

WHEREAS, the Los Angeles Department of Water and Power (LADWP) is obligated to provide reliable electricity service to its customers in the City of Los Angeles and other service areas; and

WHEREAS, the California Renewable Energy Resources Act (Senate Bill 2[1X]) and its implementing regulations set Renewables Portfolio Standard (RPS) goals for procurement of electricity from renewable resources and require the LADWP to attain a minimum of 25 percent RPS by 2016 and 33 percent RPS by 2020; and

WHEREAS, the Board of Commissioners of the Department of Water and Power (Board) adopted its revised RPS Policy and Enforcement Program in December 2013 to implement the RPS requirements; and

WHEREAS, the Beacon Solar Project (BSP) consists of a 250-megawatts (MWs) project and will be located on approximately 2,300 acres of LADWP-owned land near the community of Cantil in unincorporated Kern County, California. LADWP is constructing the infrastructure of the solar facility which includes the Beacon Substation, the 230-kiloVolt (kV) transmission line that connects the Beacon Substation to the Barren Ridge Switching Station, access roads and the 34.5-kV collector system. Construction of infrastructure has already commenced and is expected to be completed by October 2015; and

WHEREAS, the BSP is intended to access renewable energy sources in the Tehachapi Mountains and Mojave Desert Areas of Southern California and will be crucial and necessary for meeting the City of Los Angeles' RPS requirements; and

WHEREAS, on May 20, 2014, the Board considered the Final Environmental Impact Report (EIR) certified by Kern County on September 27, 2012, adopted the Mitigation Measure Monitoring Program, Findings of Fact, and Statements of Overriding Consideration, fulfilling the requirements of a Responsible Agency under the California Environmental Quality Act (CEQA) and approved the BSP; and

WHEREAS, Notices of this Public Hearing informing the owners of the "Properties" subject to acquisition described in Exhibit A and depicted in Exhibit B (both attached hereto and incorporated herein) (the "Properties") of the Board's intent to adopt this Resolution and their right to be heard were mailed to the owners of the Properties not less than 15 days prior to the date of the hearing; and

WHEREAS, LADWP has commissioned separate appraisals of each of the property interests (Appraisals), has approved those appraisals and has determined that the full fair market value of each property interest as established by said Appraisals constitutes "just compensation" for each respective property interest; and

WHEREAS, representatives of LADWP have conveyed in writing to the owners of each of the Properties LADWP's offer to purchase the respective Properties for the

BE IT FURTHER RESOLVED that the Board hereby declares that potential impacts related to acquiring the Mineral Rights at the BSP site were previously evaluated under CEQA and no further documentation is required.

BE IT FURTHER RESOLVED that the Board hereby declares that it has found and determined each of the following:

1. The public interest and necessity require the BSP.
2. The BSP is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The Properties described in the Resolution are necessary for the BSP.
4. That either the offer required by Section 7267.2 of the *Government Code* has been made to the owner or owners of record, or the offer has not been made because the owner cannot be located with reasonable diligence.

BE IT FURTHER RESOLVED that the Los Angeles City Council is requested to approve this Resolution of Necessity and the exercise of eminent domain by the LADWP in accordance with Charter Section 675(d)(1).

BE IT FURTHER RESOLVED that upon approval by Los Angeles City Council, the City Attorney is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Properties by eminent domain. Counsel is also authorized and directed to seek and obtain Orders for Prejudgment Possession of said Properties in accordance with the Eminent Domain law. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real properties that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Properties. Counsel is further authorized, subject to the approval of LADWP's Board when required, to compromise and settle such eminent domain proceedings, if such negotiated settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including entering into stipulations as to a judgment and final order of condemnation and other matters, and to cause all payments for such settlements to be made.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP, upon proper certification and instruction from the Manager of Real Estate and City Attorney, is authorized and directed to draw demands on the Power Revenue Fund, 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 to pay the purchase prices for the acquisition of the Properties through negotiated settlements or court judgments.

EXHIBIT A

PARCEL 11: (APN 469-022-09)

AN UNDIVIDED $\frac{1}{4}$ TH INTEREST IN AND TO ALL OF SECTION 9, TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACORDING TO THE PLAT THEREOF.

INCLUDING AN UNDIVIDED $\frac{1}{4}$ INTEREST OF ALL MINERALS, OIL, GAS PETROLEUM AND OTHER HYDROCARBON SUBSTANCES AS RESERVED IN DEED RECORDED MARCH 3, 1953, AS INSTRUMENT NO. 9987 IN BOOK 2047, PAGE 343, OF OFFICIAL RECORDS.

INCLUDING AN UNDIVIDED 50% INTEREST IN ALL MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBONS SUBSTANCES AS RESERVED IN DEED RECORDED JULY 15, 1981 AS INSTRUMENT NO. 004522 IN BOOK 5389, PAGE 733 OF OFFICIAL RECORDS.

EXHIBIT A

PARCEL 14: (APN 469-022-09)

AN UNDIVIDED 3/4TH INTEREST IN AND TO ALL OF SECTION 9, TOWNSHIP 31, SOUTH, RANGE 37 EAST, MOUNT DIABLO MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

INCLUDING AN UNDIVIDED ¼TH INTEREST IN ALL, MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBONS SUBSTANCES AS RESERVED IN DEED RECORDED MARCH 3, 1953 IN BOOK 2047, PAGE 343, OF OFFICIAL RECORDS.

INCLUDING THE REMAINING ALL MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBONS SUBSTANCES AS RESERVED IN DEED RECORDED FEBRUARY 25, 1959 AS INSTRUMENT NO. 12453 IN BOOK 3088, PAGE 122, OF OFFICAL RECORDS.

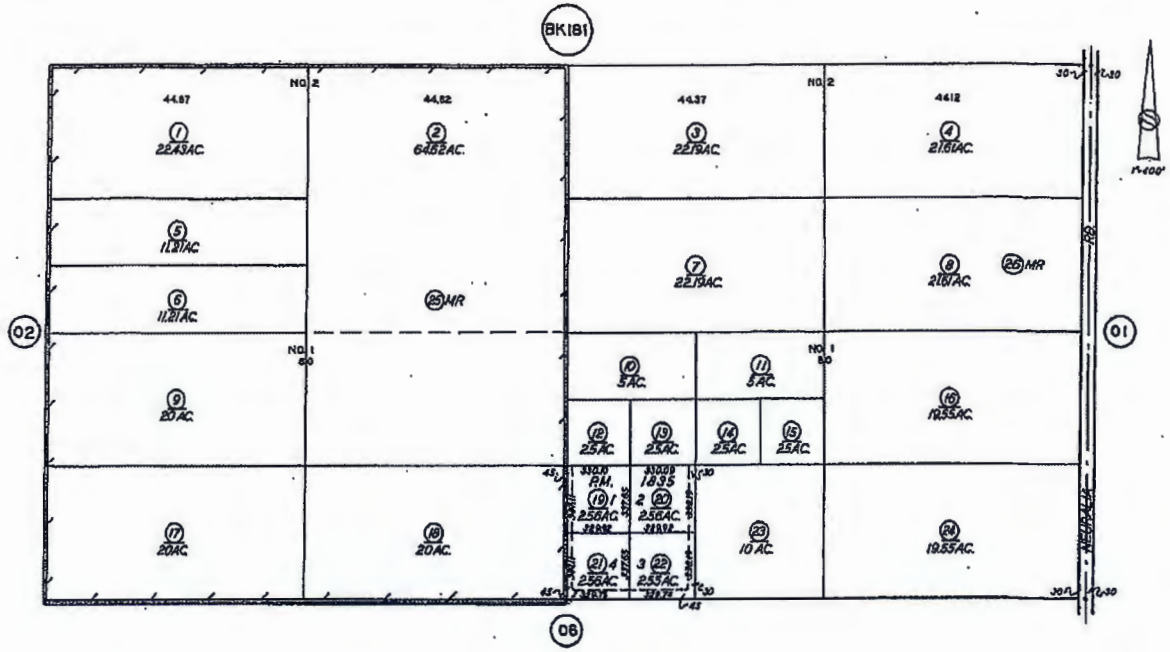
EXHIBIT A

PARCEL 12: (APN 469-050-01-02-05-06-09-17-18 AND 469-060-01-02-12-13-16 AND 17)

THE WEST HALF OF SECTION 3, TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO MERIDIAN, IN THE UNINCORPORATED AREA COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

INCLUDING AN UNDIVIDED $\frac{1}{2}$ INTEREST IN ALL MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBONS SUBSTANCES AS RESERVED IN DEED RECORDED JULY 21, 1952 AS INSTRUMENT NO. 33622 IN BOOK 1965, PAGE 345 OF OFFICIAL RECORDS.

INCLUDING THE REMAINING UNDIVIDED $\frac{1}{2}$ INTEREST IN ALL MINERALS, OIL, GAS, PETROLEUM AND HYDROCARBONS SUBSTANCES AS RESERVED IN DEED RECORDED MARCH 25, 1959 AS INSTRUMENT NO. 12453 IN BOOK 3088 PAGE 122 OFFICIAL RECORDS.



Note: This map is for assessment purposes only. It is not to be construed as purporting legal ownership or division of land for purposes of zoning or subdivision law.

ASSESSORS MAP NO. 469-05...
COUNTY OF KERN

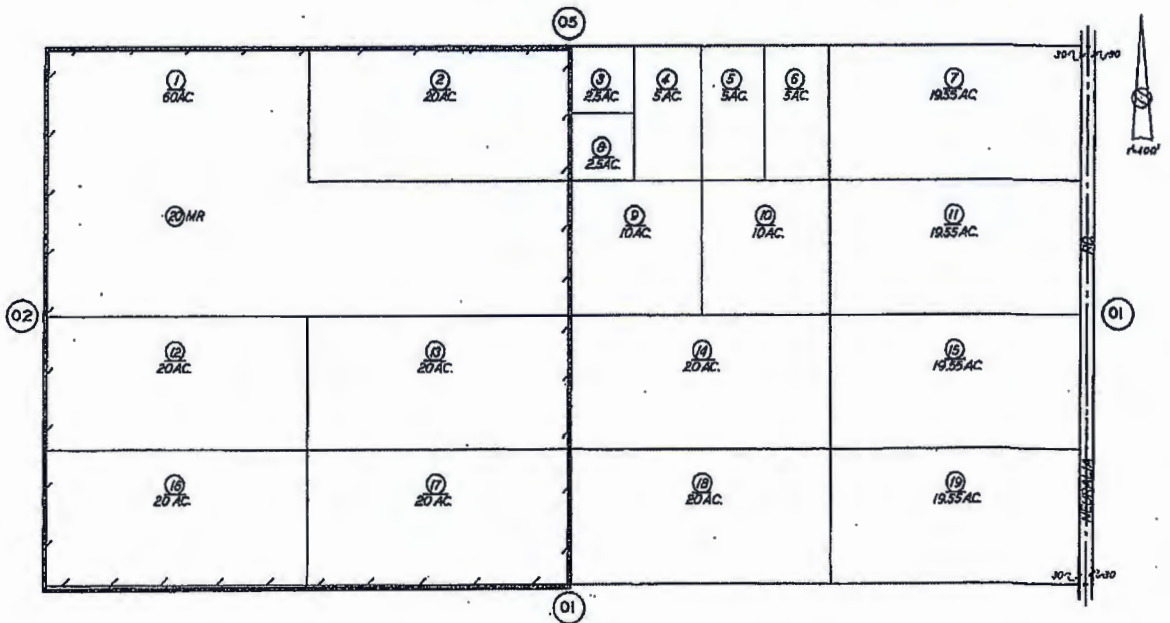


EXHIBIT B

Note: This map is for assessment purposes only. It is not to be construed as purporting legal ownership or division of land for purposes of zoning or subdivision law.

ASSESSORS MAP NO. 469-06...
COUNTY OF KERN

EXHIBIT A

PARCEL 13:

PARCEL 13A: (APN 469-022-01, 02 AND 03)

NOW ALL THAT PORTION OF SECTION 8, TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA AS SET FORTH IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED AUGUST 01, 2012 A DOCUMENT NO. 0212104845 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE N 00°11'40" E ALONG THE WEST LINE OF SAID SECTION 8, A DISTANCE OF 4266.50 FEET TO A POINT ON THE EAST RIGHT OF WAY OF STATE HIGHWAY 14 AS CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED IN BOOK 6654, PAGE 439 OF OFFICIAL RECORDS;

THENCE N16°46'55" E ALONG SAID EAST RIGHT OF WAY, A DISTANCE OF 1136.51 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 8,

THENCE N 89°57'32" E ALONG SAID NORTH LINE, A DISTANCE OF 1,081.58 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, SAID CURVE BEING CONCAVE NORTHEASTERLY HAVING A RADIUS OF 5,675.15 FEET TO WHICH POINT A RADIAL LINE BEARS S 85°57'43" W, SAID POINT ALSO BEING ON THE EAST LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY;

THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY THROUGH A CENTRAL ANGLE OF 27°43'59" AN ARC LENGTH OF 2,746.97 FEET;

THENCE S 31°46'16" E, A DISTANCE OF 1509.64 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 2948.15 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°00'45", AN ARC LENGTH OF 1,544.29 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 8;

THENCE DEPARTING FROM SAID RAILROAD RIGHT OF WAY S 89°38'43" W ALONG THE SOUTH LINE OF SAID SECTION, 3,495.75 FEET TO THE POINT OF BEGINNING.

INCLUDING ALL MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES AS RESERVED IN DEED RECORDED FEBRUARY 25, 1959 AS INSTRUMENT NO. 12453 IN BOOK 3088, PAGE 122, OF OFFICIAL RECORDS.

PARCEL 13B: (APN 469-022-06)

ALL THAT PORTION OF SECTION 8, TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA AS SET FORTH IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED AUGUST 1, 2012 AS DOCUMENT NO. 0212104845 OF OFFICIAL RECORDS.

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 8, THENCE S 89°38'43" W ALONG THE SOUTH LINE OF SAID SECTION, 1,776.84 FEET TO THE

EXHIBIT A

BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2948.15 FEET TO WHICH POINT A RADIAL LINE BEARS NORTH $88^{\circ}14'29''$ EAST, SAID POINT ALSO BEING ON THE EAST LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY;

THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY THROUGH A CENTRAL ANGLE OF $30^{\circ}00'45''$ AN ARC LENGTH OF 1544.29 FEET;

THENCE N $31^{\circ}46'16''$ W, 1509.64 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 5675.15;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $27^{\circ}43'59''$ AN ARC LENGTH OF 2746.97 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 8;

THENCE DEPARTING FROM SAID UNION PACIFIC RAILROAD RIGHT OF WAY, N $89^{\circ}57'32''$ E ALONG THE NORTH LINE OF SAID SECTION, 3877.92 FEET TO THE NORTHEAST CORDER OF SAID SECTION;

THENCE S $00^{\circ}19'06''$ W ALONG THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 5325.60 FEET TO THE POINT OF BEGINNING.

INCLUDING ALL MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES AS RESERVED IN DEED RECORDED FEBRUARY 25, 1959 AS INSTRUMENT NO. 12453 IN BOOK 3088, PAGE 122, OF OFFICIAL RECORDS.

469-02

T. 31 S. R. 37 E.

SCHOOL DIST. 94-6
94-34

469-02

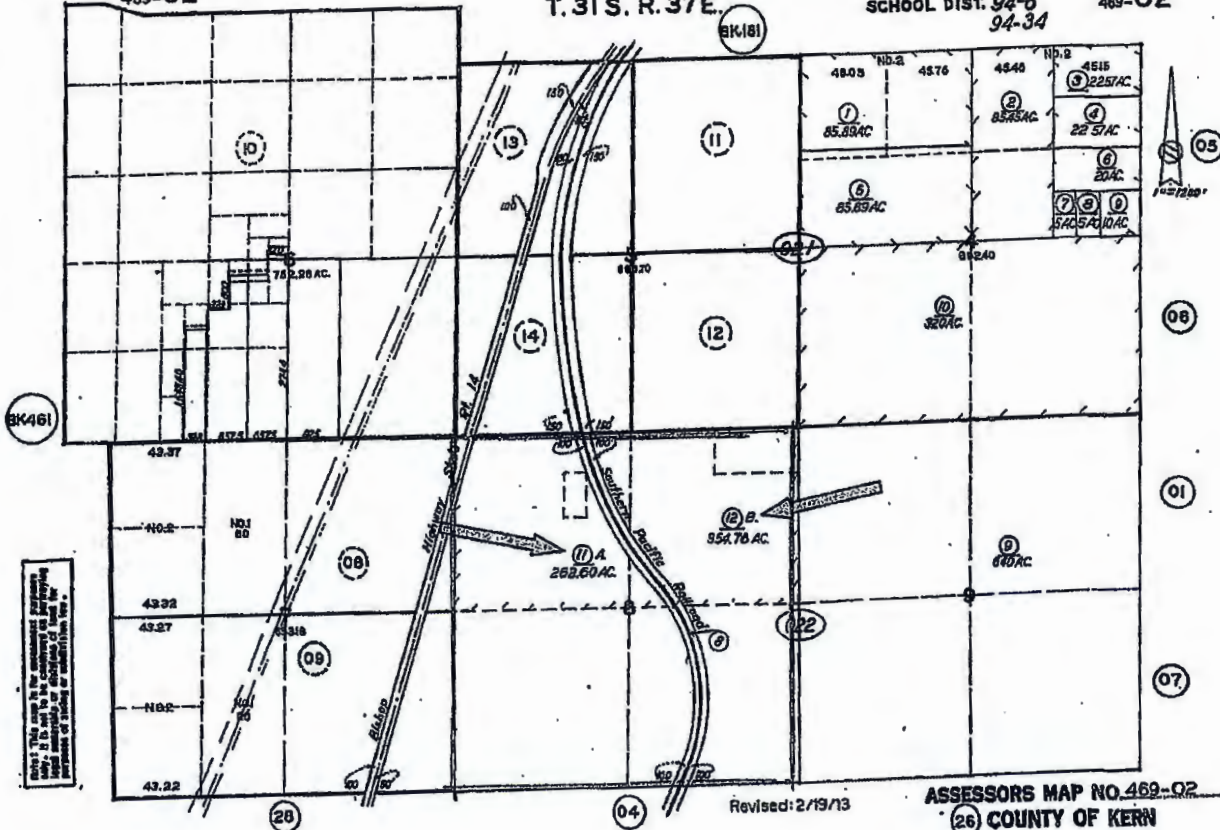


EXHIBIT B

EXHIBIT A

PARCEL 20: (APN 469-021-05)

THE SOUTH HALF OF THE NORTHWEST QUARTER OF FRACTIONAL SECTION 4,
TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO MERIDIAN, IN THE
UNINCORPORATED AREA COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO
THE OFFICIAL PLAT THEREOF.

SAID SOUTH HALF BEING THAT PORTION OF SAID NORTHWEST LYING SOUTHERLY
OF A LINE RUNNING EAST AND WEST THROUGH SAID NORTHWEST QUARTER AND
DIVIDING EQUALLY THE ACREAGE IN THE NORTHWEST QUARTER SO THAT $\frac{1}{2}$ OF THE
ACREAGE IN SAID NORTHWEST QUARTER LIES NORTH OF SAID LINE AND $\frac{1}{2}$ OF THE
ACREAGE IN SAID NORTHWEST QUARTER LIES SOUTH OF SAID LINE.

INCLUDING ALL MINERALS, OIL, GAS, PETROLEUM AND OTHER
HYDROCARBONS SUBSTANCES AS RESERVED IN DEED RECORDED JANUARY 02, 1973
AS INSTRUMENT NO. 100314 IN BOOK 4763, PAGES 856 THRU 864, OF OFFICIAL
RECORDS.

EXHIBIT A

PARCEL 21: (APN 469-021-01)

THE NORTH HALF OF THE NORTHWEST QUARTER OF UNINCORPORATED AREA FRACTIONAL SECTION 4, TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO MERIDIAN, IN THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, SAID NORTH HALF BEING THAT PORTION OF SAID NORTHWEST QUARTER LYING NORTHERLY OF A LINE RUNNING EAST AND WEST THROUGH SAID NORTHWEST QUARTER AND DIVIDING EQUALLY THE ACREAGE IN THE NORTHWEST QUARTER SO THAT $\frac{1}{2}$ OF THE ACREAGE IN SAID NORTHWEST QUARTER LIES NORTH OF SAID LINE AND $\frac{1}{2}$ OF THE ACREAGE IN SAID NORTHWEST QUARTER LIES SOUTH OF SAID LINE.

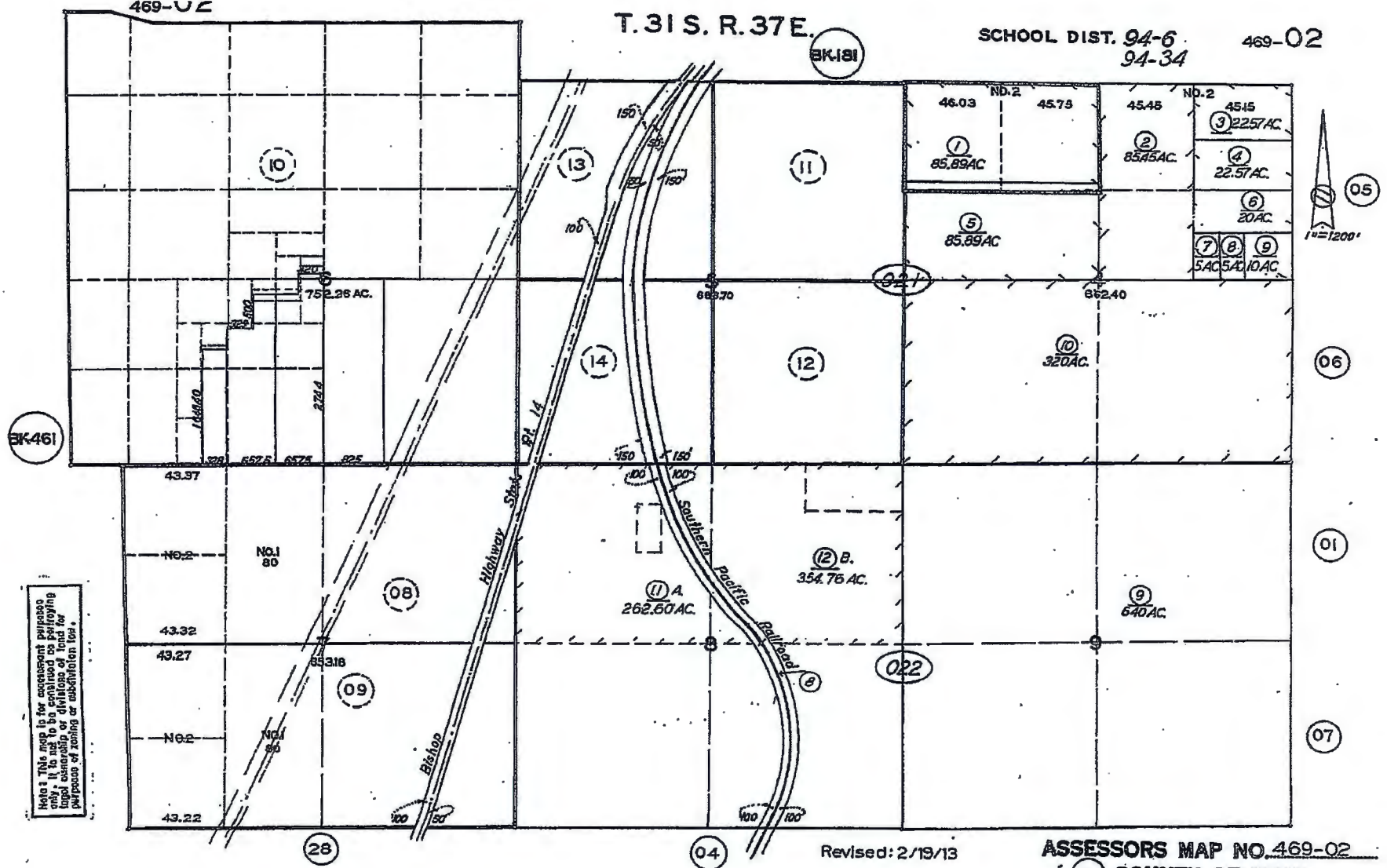
INCLUDING ALL MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBONS SUBSTANCES AS RESERVED IN DEED RECORDED JANUARY 02, 1973. AS INSTRUMENT NO. 100311 IN BOOK 4763, PAGE 801 THRU 809, OF OFFICIAL RECORDS.

469-02

T. 31 S. R. 37 E.

SCHOOL DIST. 94-6
94-34

469-02



BK-461

BK-181

Note: This map is for assessment purposes only. It is not to be construed as creating legal ownership or divisions of land for purposes of zoning or subdivision law.

Revised: 2/19/13

ASSESSORS MAP NO. 469-02
26 COUNTY OF KERN

EXHIBIT B

EXHIBIT A

TRACT 2 (527274-2)

PARCEL 22:

THE NORTH HALF OF THE EAST HALF OF LOT 1 OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 4, TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO MERIDIAN, IN THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

INCLUDING AN UNDIVIDED 1/2 OF ALL OIL, GAS AND OTHER HYDROCARBONS IN AND UNDER SAID LAND AS EXCEPTED IN THE DEED FROM CORINTH SEELY RECORDED NOVEMBER 12, 1959 IN BOOK 3211 PAGE 409 OF OFFICIAL RECORDS, KERN COUNTY, CALIFORNIA.

APN: 469-021-06-00-8

TRACT 3 (527274-3):

PARCEL 23:

EAST HALF OF THE WEST HALF OF THE SOUTH HALF OF THE EAST HALF OF LOT 1 OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 4, TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF. BEING 5 ACRES MORE OR LESS.

APN: 469-021-08-00-4

EXHIBIT A

TRACT 5 (527274-5):

PARCEL 25:

THE NORTH HALF OF THE EAST HALF OF LOT 2 OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 4, TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

INCLUDING ONE-HALF OF ALL OIL, GAS AND OTHER HYDROCARBONS IN AND UNDER SAID LAND AS EXCEPTED IN DOCUMENT RECORDED NOVEMBER 12, 1959 AS INSTRUMENT NO. 66963, BOOK 3211, PAGE 409 OF OFFICIAL RECORDS OF SAID COUNTY.

APN: 469-021-03-00-9

TRACT 6 (527274-6):

PARCEL 26:

THE SOUTH HALF OF THE EAST HALF OF LOT 2 OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 4, TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO MERIDIAN, IN THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

INCLUDING AN UNDIVIDED 1/2 OF ALL OIL, GAS AND OTHER HYDROCARBONS IN AND UNDER SAID LAND, AS EXCEPTED IN THE DEED FROM CORINTH SEELY, RECORDED NOVEMBER 12, 1959 IN BOOK 3211 PAGE 409 OF OFFICIAL RECORDS.

APN: 469-021-04-00-2

TRACT 7 (527274-7):

PARCEL 27:

THE SOUTH HALF OF THE EAST HALF OF LOT 1 OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 4, TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THE EAST HALF OF THE WEST HALF OF THE SOUTH HALF OF THE EAST HALF OF LOT 1 OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 4, TOWNSHIP 31 SOUTH, RANGE 37 EAST, MOUNT DIABLO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

INCLUDING ONE-HALF OF ALL OIL, GAS AND OTHER HYDROCARBONS IN AND UNDER SAID LAND AS EXCEPTED IN DOCUMENT RECORDED NOVEMBER 12, 1959 AS INSTRUMENT NO. 66963, BOOK 3211, PAGE 409 OF OFFICIAL RECORDS OF SAID COUNTY.

APN: 469-021-07-00-1 AND 469-021-09-00-7

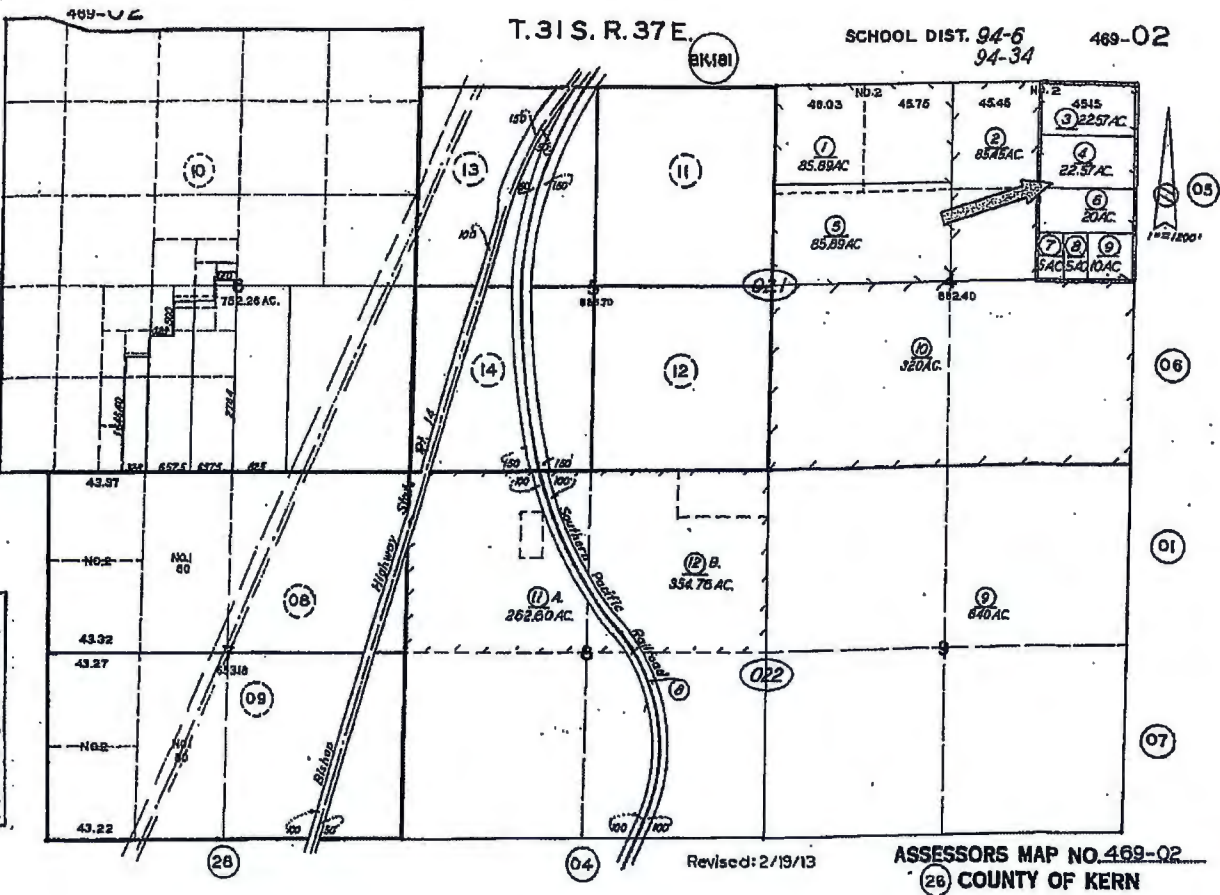


EXHIBIT B