

**RESOLUTION OF THE BOARD OF SUPERVISORS OF ORANGE COUNTY,
CALIFORNIA, PARTIALLY RESCINDING RESOLUTION OF NECESSITY 25-007 TO
REVISE DURATION OF SUBJECT PROPERTY INTERESTS BEING ACQUIRED**

August 11, 2026

WHEREAS, on January 14, 2025, the Board of Supervisors (“Board”) adopted Resolution of Necessity 25-007 related to certain real property interests consisting of a 60-month temporary construction easement described and depicted therein (“Subject Property Interests”), which allowed for the acquisition of the Subject Property Interests through eminent domain for the OC Loop Segments O, P, Q Coyote Creek Bikeway (“Project”);

WHEREAS, after this Board's adoption of Resolution of Necessity 25-007 for the Subject Property Interests, on March 21, 2025, the firm, BDG Law Group, filed a Complaint in Eminent Domain on behalf of the County seeking to condemn the Subject Property Interests, which is entitled *County of Orange v. Dolly Investment Properties, et. al.*, Orange County Superior Court Case No. 30-2025-01470145 (the “Eminent Domain Action”). A First Amended Complaint (“FAC”) was filed on July 25, 2025;

WHEREAS, prior to the Board’s adoption of Resolution of Necessity 25-007 for the Subject Property Interests, staff determined, based on the construction schedule and phasing, the temporary construction easement will not be used for staging for the full 60-month period and instead will be used for only a portion of that time, not to exceed a period of twelve (12) consecutive months ***and the County shall mitigate any parking lost by the Owner during the use of the Temporary Easement***

ATTACHMENT B

by obtaining City approval to provide alternative replacement parking such that up to 32 parking spaces may be available. Additionally, the construction activities within the temporary easement may be completed in stages such that at most only 15 parking spaces are made unavailable for a maximum period of 6 consecutive months;

WHEREAS, on or about July 16, 2026, notice was provided to the owners of record of the Subject Property Interests of the intention of the Board to adopt this Resolution to partially amend Resolution of Necessity 25-007 to clarify the duration for the actual use for construction of the temporary construction easement being acquired by the County through eminent domain proceedings, as of the date set for a hearing thereon of August 11, 2026;

NOW, THEREFORE, after consideration of the information contained above as well as in the January 14, 2025, Agenda Staff Report and the August 11, 2026, Agenda Staff Report,

IT IS HEREBY RESOLVED that this Board finds, determines, and directs:

1. The public interest, convenience, and necessity require possession of the temporary construction easement for a period of 60-months.
2. The public interest, convenience and necessity require clarification of the actual use of the temporary construction easement will be for a 12-month period within the 60-month period.
3. The Board hereby partially amends that portion of Resolution of Necessity 25-007 that describes the Subject Property Interest to be acquired and replaces that statement as follows:

A twelve-month temporary construction easement interest in and to that parcel of land identified as Project Parcel TR05B-800.2 a portion of Orange County Assessor's Parcel Number 066-584-09 ("Temporary Easement"), that may be used during the 60-month temporary construction easement period. At least three months' notice shall be given to

ATTACHMENT B

property owner, Tenbrix LTD, prior to usage of the 12-month TCE. The County shall mitigate any parking lost by the Owner during the use of the Temporary Easement by obtaining City approval to provide alternative replacement parking such that up to 32 parking spaces may be available. Additionally, the construction activities within the temporary easement may be completed in stages such that at most only 15 parking spaces are made unavailable for a maximum period of 6 consecutive months. The Temporary Easement is more particularly described in Exhibit A and depicted in Exhibit B attached hereto and by this reference made a part hereof.

4. The Board directs and authorizes County Counsel and outside counsel including BDG Law Group to take the actions necessary to file an amended complaint regarding the Eminent Domain Action consistent with this Resolution.

IT IS FURTHER RESOLVED that this Resolution shall be effective immediately upon its adoption, and that the Clerk of the Board shall certify the adoption of this Resolution and certify this record to be a full true, correct copy of the action taken.

ATTACHMENT B

EXHIBIT "A" LEGAL DESCRIPTION

COYOTE CREEK RIDING AND HIKING TRAIL Facility No. TR05B Parcel No. 800.2

That portion of Parcel 1, in the City of Buena Park, County of Orange, State of California, as shown on a map filed in Book 101, pages 41 and 42 of Parcel Maps in the office of the County Recorder of said County, described as follows:

Beginning at the most northerly corner of said Parcel;

thence along the northeasterly line of said Parcel, South 49°00'43" East 5.01 feet to a line that is parallel with and 5.00 feet southeasterly of the northwesterly line of said Parcel;

thence along said parallel line South 37°53'28" West 126.95 feet;

thence South 52°06'32" East 15.00 feet to a line that is parallel with and 20.00 feet southeasterly of the northwesterly line of said Parcel;

thence along said parallel line South 37°53'28" West 281.11 feet;

thence North 52°06'32" West 7.00 feet to a line that is parallel with and 13.00 feet southeasterly of the northwesterly line of said Parcel;

thence along said parallel line South 37°53'28" West 54.50 feet;

thence North 52°06'32" West 5.23 feet;

thence South 28°55'21" West 69.79 feet to the southwesterly line of said Parcel, also being the northeasterly line of Stage Road, 80.00 feet wide, as shown on said Parcel Map, also being a point on a non-tangent curve, concave southwesterly having a radius of 840.00 feet, a radial line to said curve bears North 21°20'49" East;

thence northwesterly 19.53 feet along said curve and said northeasterly line through a central angle of 01°19'55" to the most westerly corner of said Parcel;

thence along the northwesterly line of said Parcel, North 37°53'28" East 537.54 feet to the **Point of Beginning**;

ATTACHMENT B

Containing 7,930 square feet or 0.18 acres, more or less.

The Basis of Bearings for this survey is based on the California Coordinate System (CCS83), Zone VI, NAD 83, OCS (2017.50 Epoch Adjustment, as determined locally by a line between continuous global positioning stations CGPS Stations BLSA and CCCS, being North 66°06'41" East as derived from the coordinates published by the California Spatial Reference Center (CSRC) along with data sheets on file in the office of the Orange County Surveyor.

All distances shown are Grid, unless otherwise noted. To obtain ground distances multiply grid distance by a combined factor of 1.00000051.

As shown on the attached EXHIBIT "B" and by this reference made a part hereof.

This real property description has been prepared at Mark Thomas, by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Teri Kahlen 11/27/2023
Teri Kahlen, PLS 8746 Date

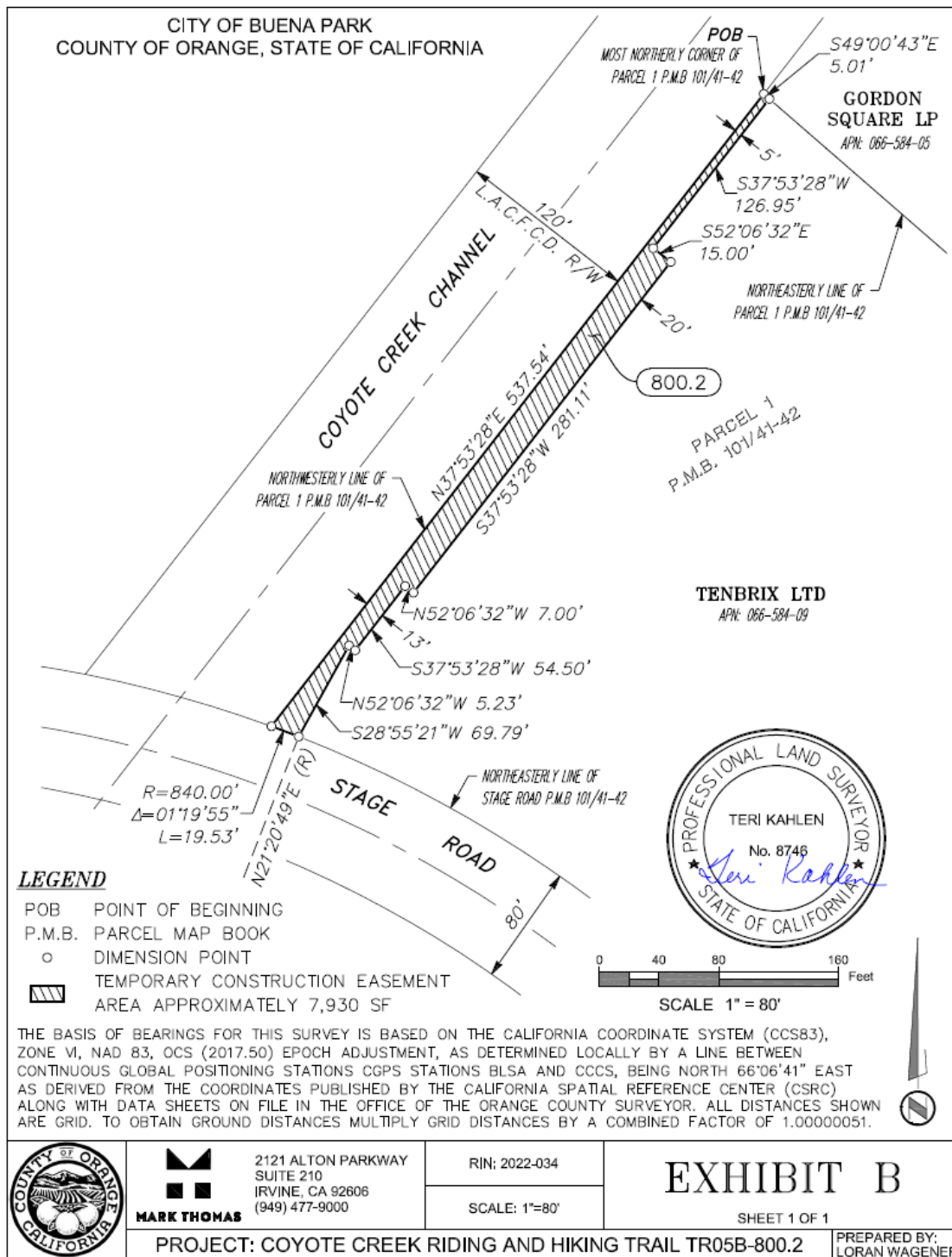


Resolution No. 26-_____, Item No. ____

OC Loop Segments O, P, and Q

Partial Rescission of Resolution of Necessity 25-007 and Revise Duration of Subject Property Interests Being Acquired

ATTACHMENT B



Resolution No. 26-_____, Item No. ____

OC Loop Segments O, P, and Q

Partial Rescission of Resolution of Necessity 25-007 and Revise Duration of Subject Property Interests Being Acquired