

RESOLUTION NO. 05-06

A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY
FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE YUBA RIVER
LEVEE SYSTEM
(CODE CIV. PROC. § 1245.230)

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") proposes to repair, construct, install, and maintain the Yuba River Levee System (the "Project") affecting a portion of Assessor's Parcel No. 020-020-080, in the County of Yuba, California (the "Property"); and

WHEREAS, TRLIA has advised the owners of the Property of the need for the Project and offered said owners an opportunity for a hearing before the TRLIA Board on July 5, 2005 pursuant to section 1245.235 of the Code of Civil Procedure, State of California; and

WHEREAS, the Board of Directors of TRLIA adopts this resolution in compliance with Section 1245.230 of the Code of Civil Procedure.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Property to be acquired is for the repair, construction, installation and maintenance of the Yuba River Levee System.

TRLIA is authorized to acquire property for the Project pursuant to, among others, the following statutes: Government Code section 25350.5; Code of Civil Procedure section 1250.140; and Water Code section 50930.

SECTION 2. The general location and extent of the Property to be acquired is as set forth in the legal description attached hereto as Exhibit A and accompanying map attached hereto as Exhibit B, and incorporated herein by reference.

SECTION 3. The Board of Directors declares that it has found and determined as follows:

- a. The public interest and necessity require the proposed Project.
- b. The proposed Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. The Property described in Exhibits A and B is necessary for the proposed Project.
- d. The offer of just compensation required by Government Code Section 7267.2 has been made to the owners of record of the Property.

PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 5th day of July, 2005 by a two-thirds (2/3) or greater vote as follows:

AYES: Directors Brown, Griego, Logue, Webb
NOES: None
ABSTAIN: None
ABSENT: None



CHAIRPERSON

ATTEST:



Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
DANIEL G. MONTGOMERY
COUNTY COUNSEL
GENERAL

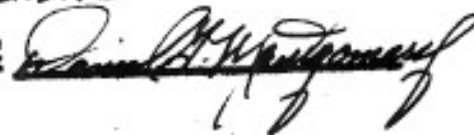
BY: 

EXHIBIT A

All that real property situate in the County of Yuba, State of California being a portion of Tract 10 of Yuba Gardens as shown on the Map thereof filed in Book 3 of Maps at Page 2, Yuba County Records, described as follows:

Commencing at the 1¼" pipe marking the intersection of the northerly boundary of that certain 36.47 acre parcel of land as shown in Book 6 of Maps at page 46, Yuba County Records with the southwesterly boundary of the Southern Pacific (now Union Pacific) Railroad thence North 89°43'11" West 1946.86 feet to the northeast corner of the parcel of land described in deed to Steve E. Raetz and Jackie J. Raetz, husband and wife and Joint Tenants, recorded in Document No. 2002-02592, Yuba County Official Records and the true point of beginning of the herein described easement; thence along the easterly boundary of said Raetz parcel South 0°21'02" West 102.00 feet; thence South 73°06'58" West 56.00 feet; thence South 27°38'56" West 9.86 feet; thence leaving said easterly boundary South 89°59'33" West 212.68 feet to a point on the westerly boundary of said Raetz parcel; thence along the westerly and northerly boundary of said Raetz parcel North 28°11'58" East 142.72 feet; thence North 89°38'58" East 202.78 feet, more or less, to said point of beginning. Containing 0.666 Acres more or less.

APN 20-020-080

Subject to other easements and rights of Record.

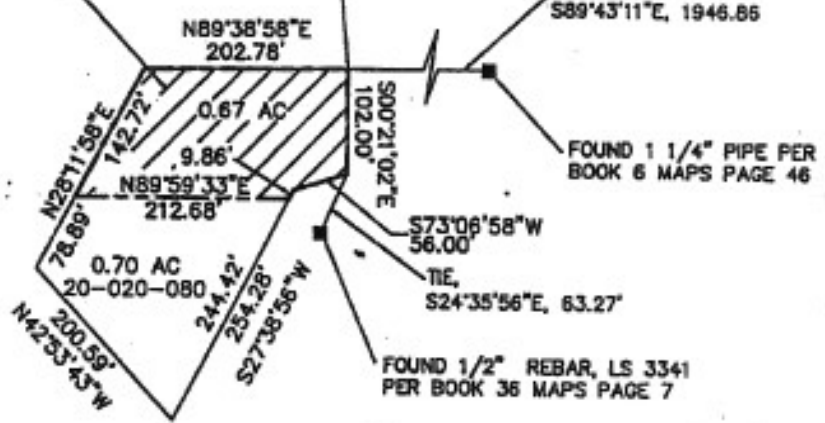


Edgar C. Manly
5/9/05

PROPOSED
ACQUISITION
LEVEE
IMPROVEMENTS

EXISTING LEVEE

P.O.B. EXHIBIT 'A'



Edgard C. Hanley
5/9/05

EXHIBIT 'B'	
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY LEVEE IMPROVEMENTS	
PLAT FOR ACQUISITION OF LAND FOR LEVEE IMPROVEMENTS	
YUBA COUNTY CALIFORNIA	MARCH 28, 2005 SCALE 1"=160'
PREPARED BY: MHM, INC., MARYSVILLE CA.	
05123A	SHEET 1 OF 1