

RESOLUTION NO. 07-25

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 THREE  
RIVERS LEVEE IMPROVEMENT PROJECT  
(CODE CIV. PROC. § 1245.230)

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") proposes to repair, construct, install, and maintain the Three Rivers Phase 4 Levee Repair Project (the "Project") affecting a portion of Assessor's Parcel No. 014-250-029, 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 August 7, 2007 pursuant to section 1245.235 of the Code of Civil Procedure, State of California;

WHEREAS, the use of the property for its stated public use is scheduled to begin within two years of its acquisition; 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 Project.

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 Exhibits A and accompanying map attached hereto as Exhibit B, and incorporated herein by reference.

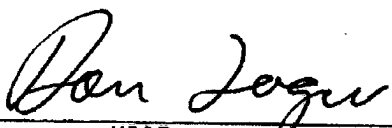
**SECTION 3.** The Board of Directors declares that it has found and determined as follows:

- 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.

- e. The use of the property for its stated public use is scheduled to begin within two years of its acquisition.

PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 7th day of August, 2007 by a two-thirds (2/3) or greater vote as follows:

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

  
 \_\_\_\_\_  
 VICE - CHAIRPERSON

ATTEST:

  
 \_\_\_\_\_  
 Donna Stottlemeyer, Secretary

Approved as to form:

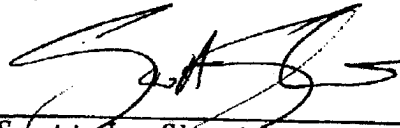
  
 \_\_\_\_\_  
 Scott L. Shapiro  
 TRLIA, General Counsel

Exhibit 'A'

**APN 014-250-029  
LEGAL DESCRIPTION  
FEE TITLE ACQUISITION**

All that Real property situated in the County of Yuba, State of California, being a portion of Real property conveyed by deed to Thomas A. Rice and Jeanette L. Young, Recorded in Document No. 200208953, Official Records of said County, lying within a portion of Parcel 1 of that certain Parcel Map No. 8.93, filed in the Office of the Recorder in said County and State in Book 30 of Maps at Page 29, being a portion Lot 14, Block 13 as shown upon that certain map entitled "Farmland Colony No. 1", filed in the Office of the Recorder in said County and State in Book 1 of maps at Page 23, and situated in the Southwest One Quarter of Section 13 Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

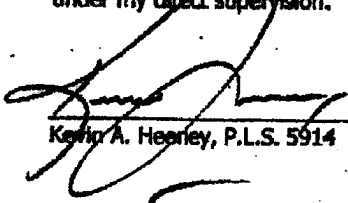
Beginning at the Northwest corner of said Parcel 1; thence along the North line of said Parcel 1 North 89°45'45" East 345.06 feet; thence leaving said North line South 00°02'52" West 635.11 feet to a point on the South line of said Parcel 1; thence along the South line of said Parcel 1 South 89°45'45" West 341.90 feet to the Southwest corner thereof; thence along the West line of said Parcel 1 North 00°14'15" West 635.10 feet to the Point of Beginning, containing an area of 218,145 Square Feet or 5.01 acres, more or less.

See Exhibit B attached hereto and made a part of this description.

**End of description**

The Basis of Bearings for this description is the California Coordinate System Zone 2.

This description has been prepared by me or under my direct supervision.

  
Kevin A. Heeney, P.L.S. 5914

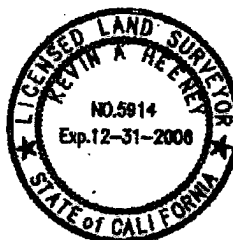


EXHIBIT 'B'



15A

FARM LAND COLONY NO. 1  
BLOCK 13  
BM 1-23

014250027 14 A  
NAUMES

PRIVATE ROAD

POINT OF BEGINNING  
N.W. CORNER  
PARCEL 1  
PARCEL MAP  
8.93

N89°45'45"E 345.06'

13B

014250027  
NAUMES

N00°14'15"W 635.10'

PARCEL 1

014250029  
RICE

S500°02'52"W  
635.11'

PARCEL 2

014250030  
RICE

PARCEL 3

014250031  
RICE

PARCEL MAP NO. 8.93

PLUMAS ROAD

S89°45'45"W  
341.90'

4 ARBOGA COLONY  
BM 1-31  
BLOCK 24

NON EXCLUSIVE ROAD & P.U.E.  
AND OFFER OF DEDICATION TO  
YUBA COUNTY PER BOOK 708,  
PAGE 669

014290004  
HIER 3



|   |   |                    |        |
|---|---|--------------------|--------|
| OWNER: RICE   | DATE: 07/20/2007  | DRAWN BY: JWG      | SHEET  |
| A.P.N. 014-250-029                                  | SCALE: 1"=200'  | JOB NO. 06-008-002 | 1 OF 1 |
| ACQUISITION AREAS:                                  | THREE RIVERS LEVEE IMPROVEMENT AUTHORITY  |                    |        |
| FEE TITLE ACQUISITION=218,145 SQ. FT.<br>5.01 ACRES | PHASE 4 FEATHER RIVER LEVEE<br>REPAIR PROJECT<br>RECLAMATION DISTRICT 784<br>SETBACK LEVEE RIGHT OF WAY |                    |        |
| CTA Engineering • Surveying                         | COUNTY OF YUBA CALIFORNIA   |                    |        |