

RESOLUTION NO. 08-05

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 Nos. 013-010-010, 013-010-034 and 013-010-035, 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 March 4, 2008 and March 18, 2008 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 Project.

TRLIA is authorized to acquire property for the Project pursuant to, among others, the following statutes: Government Code section 25350.5 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 scheduled to begin within two years of its acquisition.

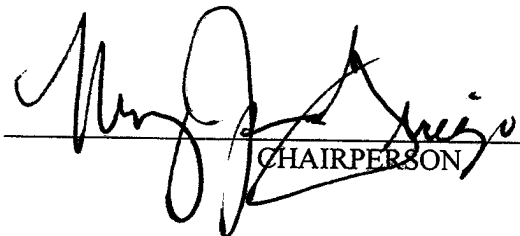
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES: Directors Brown, Crippen, Griego, Logue

NOES: None

ABSTAIN: Director Graham

ABSENT: None


CHAIRPERSON

ATTEST:


Donna Stottlemeier, Secretary

**APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL**

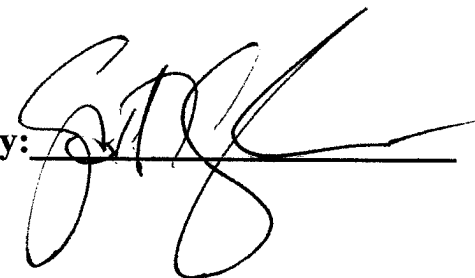
By: 

Exhibit 'A'

**APN 013-010-010
APN 013-010-034
APN 013-010-035
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 D.F. Danna and Company, a partnership, recorded in Book 90, Page 235 of deeds in said County and State, hereinafter referred to as "Danna property", lying within a portion of Lots 2, 3, 14, and 15, Block 1 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, also being a portion of Parcels 5 and 6, Parcel Map 80-65, filed in the Office of said Recorder in Book 36 of Maps, Page 28, and situated in the South Half of Section 1 and the North Half of Section 12 Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

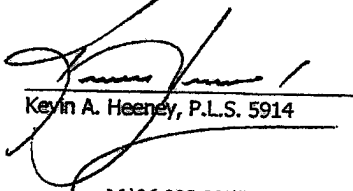
Beginning at an Iron Pipe marking the Southwest corner of Parcel 6 of said Parcel Map; Thence along the Westerly line of said Parcel 6 North $00^{\circ}15'56''$ West 1320.52 feet to the Northwest corner thereof; thence South $89^{\circ}45'45''$ West 847.35 feet to a point on the Easterly line of the land described in parcel 6 of deeds to Sacramento-San Joaquin Drainage District, recorded October 15, 1940 in Book 58, Official Records, Page 211 and April 11, 1941 in Book 61, Official Records, Page 76; thence Northerly along the Easterly line of said Sacramento-San Joaquin Drainage District Parcel the following courses, North $35^{\circ}04'23''$ East 240.06 feet; thence North $32^{\circ}48'01''$ East 255.37 feet; thence North $29^{\circ}19'17''$ East 186.52 feet; thence North $23^{\circ}25'29''$ East 211.38 feet; thence North $25^{\circ}37'47''$ East 338.26 feet; thence North $13^{\circ}27'01''$ East 134.32 feet; thence North $26^{\circ}58'12''$ East 721.79 feet; thence North $27^{\circ}34'03''$ East 154.85 feet to the Northwest corner of said Danna property; thence leaving the Easterly line of said Sacramento-San Joaquin Drainage District Parcel, along the Northerly line of said Danna property North $89^{\circ}43'30''$ East 619.31 feet; thence leaving said Northerly line, South $09^{\circ}43'59''$ West 4661.64 feet to a point on the West line of said Danna property, being a point on the Westerly line of Parcel 5 of said Parcel Map; thence along the Westerly line of Parcel 5 of said Parcel Map North $00^{\circ}15'56''$ West 1290.71 feet to the **Point of Beginning**, containing an area of 56.29 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



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3/8/2007