

RESOLUTION NO. 08-08

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)

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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 Assessor's Parcel No. 014-370-036, 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.

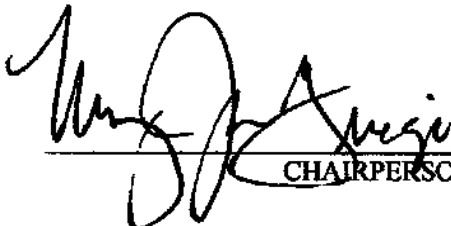
**PASSED AND ADOPTED** by the Board of Directors of the Three Rivers Levee Improvement Authority this 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

**AYES:** Directors Brown, Crippen, Griego, Logue.

**NOES:** None

**ABSTAIN:** Director Graham

**ABSENT:** None




CHAIRPERSON

**ATTEST:**

  
Donna Stottlemeyer, Secretary

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

By: 

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

**THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF YUBA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:**

**Lots 4 and 5, in Block 25, as shown upon the map entitled, "Arboga Colony", on file in the office of the County Recorder of the County of Yuba, State of California, in Book 1 of Maps, at Page 31.**

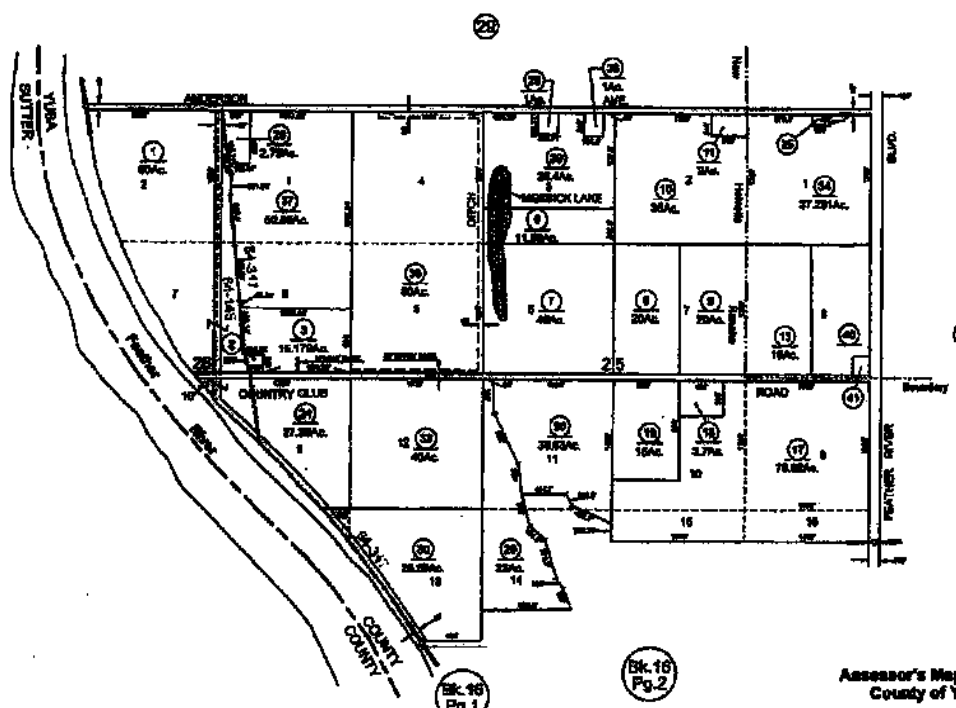
**APN: 014-370-036-000**

NOTE: This map is prepared for assessment purposes only, and is intended to provide legal notice of the assessment procedure over land contained. Other than the information shown on this map, no other information should be obtained from recorded documents and fieldwork reports.

### BLOCK 25, 26, ARBOGA COLONY

Tax Area Code  
04-047  
04-145

14-37



R.S. - Blk. 7, Pg. 28 (Ditch R/W)  
R.S. - Blk. 1, Pg. 31 (Arboaga Colony)

NOTE - Assessor's Block Numbers Shown in Ellipse  
Assessor's Parcel Numbers Shown in Circle

Assessor's Map Blk. 14, Pg. 37  
County of Yuba, Calif.

04/07  
MAY 1 1 2008