

RESOLUTION NO. 08-15

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. 016-010-010 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 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 descriptions attached hereto as Exhibit A and accompanying maps 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**

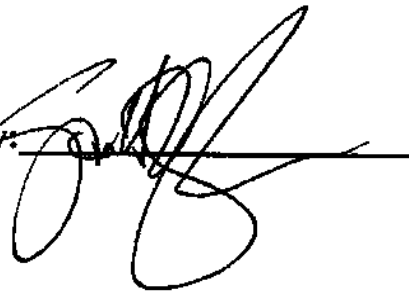
By: 

Exhibit 'A'

**APN 016-010-010
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 Herminita Flores and Mark Aldrin Flores, Recorded in Document No. 200213699, Official Records of said County, hereinafter referred to as "Flores property", being a portion of Lot 1, Block 1, as shown upon that certain map entitled, "Arboga Colony No. 2", filed in the Office of the Recorder in said County and State in Book 2 of Maps at Page 15, situated in the Northeast One Quarter of Section 1, Township 13 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

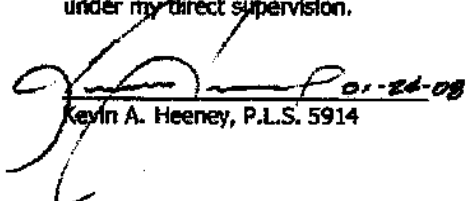
Beginning at a point on the North line of said "Flores property", being a point on the North line of said Lot 1 and being South 89°45'45" West 112.87 feet from the Northeast corner of said Lot 1; thence leaving said North line South 05°54'06" East 320.23 feet; thence South 60°24'09" East 23.03 feet to a point on the South line of said "Flores property"; thence along the South and West lines of said "Flores property" the following courses, South 89°47'20" West 205.13 feet; thence North 82°03'40" West 133.86 feet; thence North 49°44'15" West 478.86 feet to the Northwest corner of said "Flores property, being a point on the North line of said Lot 1"; thence along the North line of said "Flores property" and along the North line of said Lot 1 North 89°45'45" East 650.17 feet to the **Point of Beginning**; containing an area of 155,280 Square Feet or 3.565 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.

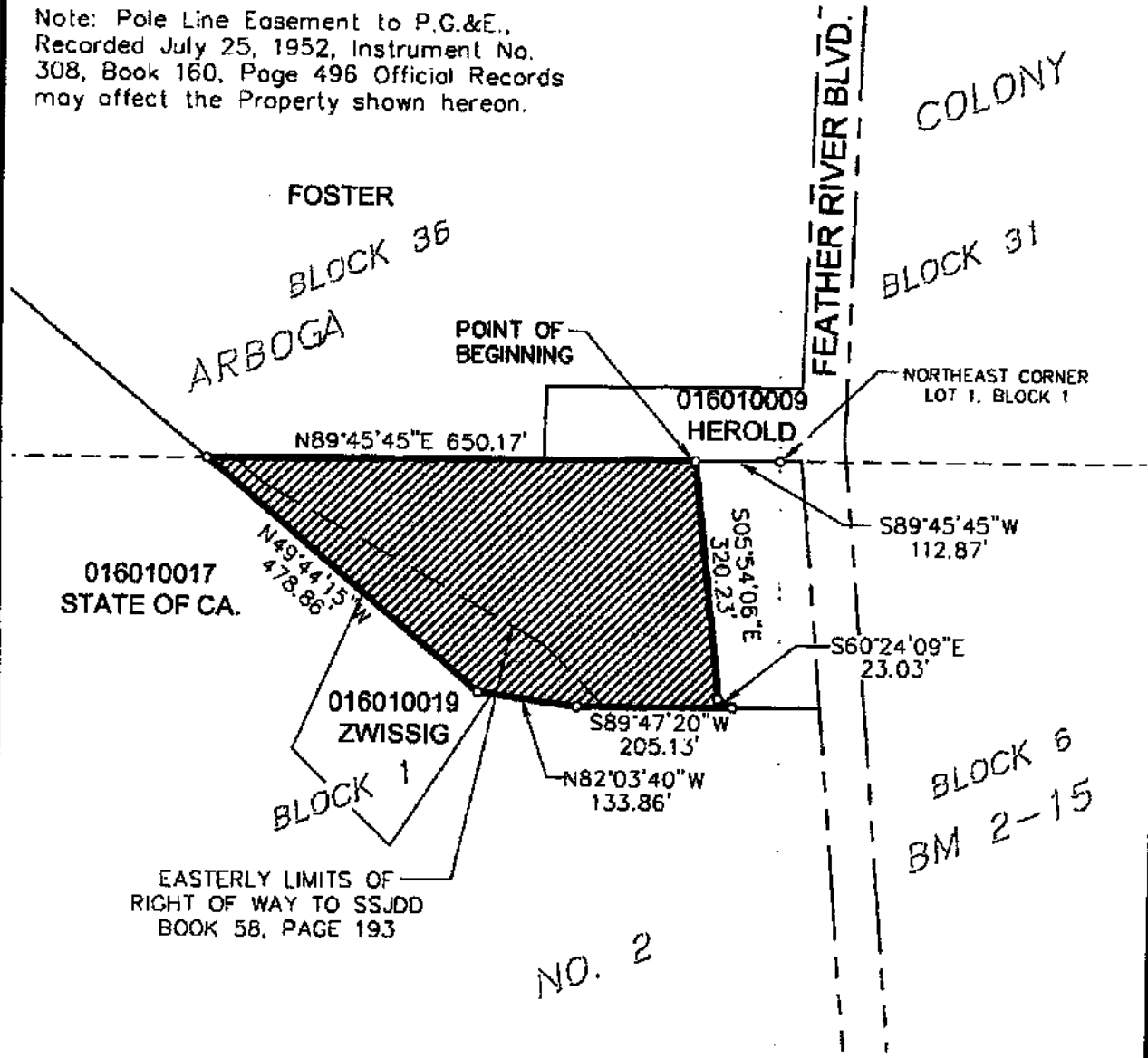

Kevin A. Heeney, P.L.S. 5914



NORTH

Exhibit 'B'

Note: Pole Line Easement to P.G.&E.,
Recorded July 25, 1952, Instrument No.
308, Book 160, Page 496 Official Records
may affect the Property shown hereon.



OWNER: FLORES

APN: 016-010-010

ACQUISITION AREAS:
FEE TITLE ACQUISITION=155,280 SQ. FT.
OR 3.565 ACRES

CTA Engineering • Surveying

01/24/08
SCALE: 1"=200'
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

DRAWN BY: JCC
JOB NO. 06-008-002

SHEET 1 OF 1

PHASE 4 FEATHER RIVER LEVEE
REPAIR PROJECT
RECLAMATION DISTRICT 784
SETBACK LEVEE RIGHT OF WAY

COUNTY OF YUBA CALIFORNIA