

RESOLUTION NO. 2010- 4

**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 UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT
(CODE CIV. PROC. § 1245.230)**

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") proposes to repair, construct, install, and maintain the Upper Yuba River Levee Improvement Project (the "Project"); and

WHEREAS, TRLIA has determined that it needs to acquire certain property interests from the parcels currently bearing Assessor's Parcel No.'s 018-200-001 and 018-220-030 (the "Property") in order to complete the Project; and

WHEREAS, TRLIA has advised the owners of the Property of the need for the Project and offered the owners an opportunity for a hearing before the TRLIA Board on September 28, 2010, pursuant to Section 1245.235 of the California Code of Civil Procedure; 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 is to be acquired for 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 set forth in the legal descriptions attached hereto as Exhibit A-1-1, Exhibit A-2-1, Exhibit B-1-1, Exhibit C-1-1 and Exhibit C-2-1, the accompanying parcel maps attached hereto as Exhibit A-1-2, Exhibit A-2-2, Exhibit B-1-2, Exhibit C-1-2 and Exhibit C-2-2, and the accompanying definitions attached hereto as Exhibit B-1-3, Exhibit C-1-3 and Exhibit C-2-3, which are incorporated herein by this reference.

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

- a. The public interest and necessity require the Project.
- b. The 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 Exhibit A-1-1, Exhibit A-2-1, Exhibit B-1-1, Exhibit C-1-1 and Exhibit C-2-1, depicted in Exhibit A-1-2, Exhibit A-2-2, Exhibit B-1-2, Exhibit C-1-2 and Exhibit C-2-2, and defined in Exhibit B-1-3, Exhibit C-1-3 and Exhibit C-2-3, 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. All conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the Property described herein have been complied with by TRLIA.

f. TRLIA possesses the statutory authority to acquire the Property by eminent domain.

PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 28th day of September, 2010, by a two-thirds (2/3) or greater vote as follows:

AYES: Directors Brown, Crippen, Griego, Nicoletti

NOES: None

ABSTAIN: Director Graham

ABSENT: None



CHAIRPERSON

ATTEST:



Donna Stottlemeyer, Secretary

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



By: _____

EXHIBIT "A-1-1"

All that real property situate in the County of Yuba, State of California, being a portion of Lot 1 as shown on the plat of Boyer Tract 2; filed in the office of the County Recorder of Yuba County in Book 3 of Maps, Page 31, and being more particularly described as follows:

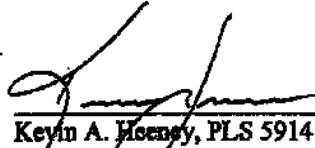
Beginning at a point on the Southerly line of said Lot 1, from which a 1-1/2" iron pipe tagged LS 3341, marking the center of Section 15, Township 15 North, Range 4 East, M.D.M. bears North 56°56'27" East, 2384.34 feet, and from which a 3/4" iron pipe marking the Southwest corner of said Section 15 bears South 25°31'29" West, 1557.80 feet; thence from said Point of Beginning, along said Southerly line, South 40°35'50" West, 722.10 feet; thence South 44°00'50" West, 194.17 feet to the Southwest corner of said Lot 1; thence along the West line of said Lot 1, North 01°55'26" East, 49.83 feet; thence leaving said West line, North 42°48'20" East, 47.72 feet; thence North 44°47'29" East, 98.39 feet; thence North 40°19'09" East, 257.07 feet; thence North 38°27'06" East, 68.82 feet; thence North 40°20'01" East, 106.62 feet; thence North 38°04'01" East, 131.26 feet; thence North 44°10'30" East, 78.66 feet; thence North 39°48'39" East, 58.64 feet; thence North 44°27'55" East, 73.74 feet; thence North 41°43'11" East, 14.95 feet; thence South 09°56'00" West, 67.48 feet to the Point of Beginning, containing 0.782 acres, more or less.

See Exhibit 'A-1-2' attached hereto and made a part of this description.

The basis of bearings for this description is the California Coordinate System, Zone II, NAD 83. Distances contained herein are ground distances. To obtain grid distances, multiply the distance by 0.9999115.

End of Description

Prepared by CTA Engineering & Surveying under the supervision of the undersigned


Kevin A. Hoensy, PLS 5914

03/16/2010
Date



Portion of
APN 018-200-001

EXHIBIT "A-2-1"

All that real property situate in the County of Yuba, State of California, being a portion of the South half of Sections 15 and 16, Township 15 North, Range 4 East, M.D.M. and being more particularly described as follows:

Commencing at a point on the North line of Lot 1, as shown on the plat of the Boyer Tract 1, as filed in the office of the County Recorder of Yuba County in Book 3 of Maps, Page 25, and from which a brass cap set in a monument well at the intersection of Dantoni Road and Hampton-Smartsville Road bears South 38°58'32" West, 4167.94 feet and from which a 3/4" iron pipe marking the corner common to Sections 15, 16, 21 and 22, Township 15 North, Range 4 East, M.D.M. bears South 00°42'39" East, 467.90 feet; thence North 64°05'06" East, 50.73 feet; thence South 89°58'54" East, 18.97 feet more or less to a point on the West line of the Boyer Tract 2, as filed in the office of the County Recorder of Yuba County in Book 3 of Maps, Page 31; thence along said West line, North 01°55'26" East, 151.77 feet to the Point of Beginning; thence continuing along said West line, North 01°55'26" East, 125.98 feet; thence leaving said West line, South 42°48'20" West, 67.89 feet; thence South 53°27'40" West, 109.81 feet; thence South 04°11'47" West, 21.86 feet; thence South 54°56'27" West, 52.59 feet; thence South 57°10'41" West, 97.76 feet; thence South 61°17'14" West, 71.45 feet; thence South 65°56'22" West, 95.77 feet; thence South 70°01'46" West, 71.49 feet; thence South 74°28'49" West, 171.51 feet; thence South 77°53'54" West, 49.43 feet; thence South 78°49'45" West, 123.97 feet; thence South 79°37'49" West, 99.57 feet; thence South 80°47'09" West, 149.06 feet; thence South 81°04'37" West, 124.84 feet; thence South 81°11'20" West, 175.81 feet; thence South 79°59'18" West, 29.37 feet; thence South 08°34'35" East, 12.02 feet; thence South 82°52'40" West, 116.76 feet; thence South 82°06'40" West, 401.00 feet; thence South 77°27'40" West, 169.43 feet more or less to the Southeasterly line of former Southern Pacific Railroad Dantoni Branch; thence along said Southeasterly line and the arc of a curve, concave to the Northwest, having a radius of 603.14 feet, the chord of which bears South 56°55'51" West, 177.44 feet; thence parallel and 30.00 feet distant from a Southern Pacific Taper 3 curve to the right, South 68°22'13" West, 92.33 feet; thence South 20°47'32" East, 19.97 feet; thence South 75°56'43" West, 71.27 feet; thence South 71°29'38" West, 135.21 feet more or less to a point on the North line of said Boyer Tract 1; thence along said North line, North 76°46'58" East, 1146.10 feet; thence North 81°26'37" East, 666.34 feet; thence North 76°02'50" East, 403.45 feet; thence leaving said North line, North 58°01'06" East, 163.49 feet; thence North 53°27'00" East, 94.64 feet; thence North 47°40'26" East, 136.68 feet to the Point of Beginning, containing 4.445 acres, more or less.

See Exhibit 'A-2-2' attached hereto and made a part of this description.

The basis of bearings for this description is the California Coordinate System, Zone II, NAD 83. Distances contained herein are ground distances. To obtain grid distances, multiply the distance by 0.9999115.

End of Description

Prepared by CTA Engineering & Surveying under the supervision of the undersigned

Kevin A. Heeneey
Kevin A. Heeneey, PLS 5914

03/10/2010
Date



Portion of
APN 018-220-030

EXHIBIT "B-1-1"

All that real property situate in the County of Yuba, State of California, being a portion of Lot 1 as shown on the plat of Boyer Tract 2, filed in the office of the County Recorder of Yuba County in Book 3 of Maps, Page 31, and being more particularly described as follows:

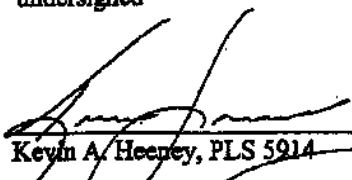
Commencing at a point on the Southerly line of said Lot 1, from which a 1-1/2" iron pipe tagged LS 3341, marking the center of Section 15, Township 15 North, Range 4 East, M.D.M. bears North 56°56'27" East, 2384.34 feet, and from which a 3/4" iron pipe marking the Southwest corner of said Section 15 bears South 25°31'29" West, 1557.80 feet; thence North 09°56'00" East, 67.48 feet to the Point of Beginning; thence from said Point of Beginning, continuing North 09°56'00" East, 82.88 feet; thence South 40°26'17" West, 37.91 feet; thence along the arc of a non-tangent curve, concave to the Northwest, having a radius of 100.00 feet, the chord of which bears South 39°10'33" West, 73.85 feet; thence South 60°50'45" West, 93.73 feet; thence along the arc of a curve to the left, having a radius of 100.00 feet, the chord of which bears South 44°13'31" West, 57.21 feet; thence South 27°36'18" West, 168.51 feet; thence South 23°18'02" West, 119.12 feet; thence North 40°20'01" East, 106.62 feet; thence North 38°04'01" East, 131.26 feet; thence North 44°10'30" East, 78.66 feet; thence North 39°48'39" East, 58.64 feet; thence North 44°27'55" East, 73.74 feet; thence North 41°43'11" East, 14.95 feet to the Point of Beginning, containing 0.499 acres, more or less.

See Exhibit "B-1-2" attached hereto and made a part of this description.

The basis of bearings for this description is the California Coordinate System, Zone II, NAD 83. Distances contained herein are ground distances. To obtain grid distances, multiply the distance by 0.9999115.

End of Description

Prepared by CTA Engineering & Surveying under the supervision of the undersigned


Kevin A. Heeneey, PLS 5914
Portion of
APN 018-200-001

04/16/2010
Date



EXHIBIT "C-1-1"

All that real property situate in the County of Yuba, State of California, being a portion of Lot 1 as shown on the plat of Boyer Tract 2, filed in the office of the County Recorder of Yuba County in Book 3 of Maps, Page 31, and being more particularly described as follows:

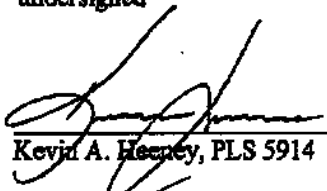
Beginning at the Northwest corner of said Lot 1, from which a 1 1/2" iron pipe tagged LS 3341, marking the center of Section 15, Township 15 North, Range 4 East, M.D.M. bears North 89°59'50" East, 2536.35 feet; thence from said Point of Beginning, along the North line of said Lot 1, North 89°59'50" East, 765.79 feet; thence leaving said North line, South 09°56'00" West, 9.27 feet; thence South 89°28'49" West, 764.76 feet to a point on the West line of said Lot 1; thence along said West line, North 01°55'26" East, 16.04 feet to the Point of Beginning, containing 0.221 acres, more or less.

See Exhibit 'C-1-2' attached hereto and made a part of this description.

The basis of bearings for this description is the California Coordinate System, Zone II, NAD 83. Distances contained herein are ground distances. To obtain grid distances, multiply the distance by 0.9999115.

End of Description

Prepared by CTA Engineering & Surveying under the supervision of the undersigned


Kevin A. Heaney, PLS 5914

08/23/2010
Date



Portion of
APN 018-200-001

EXHIBIT "C-2-1"

All that real property situate in the County of Yuba, State of California, being a portion of Lot 37 of "Part of the New Helvetia Rancho" as described in the deed to Ajit S. Bains and Maria Del Carmen Bains, recorded in Document No. 2008-014771, Official Records of Yuba County, herein referred to as the "Bains" property, and lying within a portion of the South half of projected Sections 15 and 16, Township 15 North, Range 4 East, M.D.M. and being more particularly described as follows:

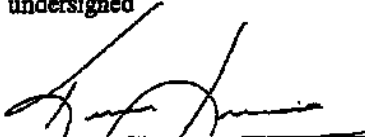
Beginning at the Northwest corner of Lot 1, as shown on the plat of the Boyer Tract 2, filed in the office of the County Recorder of Yuba County in Book 3 of Maps, Page 31 and from which a 1 1/2" iron pipe tagged LS 3341, marking the center of said Section 15 bears North 89°59'50" East, 2536.35 feet; thence along the West line of said Lot 1, South 01°55'26" West, 16.04 feet; thence leaving said West line, South 89°44'37" West, 435.21 feet; thence North 89°29'19" West, 1009.64 feet; thence South 82°00'05" West, 298.30 feet; thence North 88°55'36" West, 64.19 feet to a point on the Southeasterly line of that certain road as described in the deed to Yuba County, recorded in Book 81 of Deeds, Page 46, Official Records of Yuba County; thence along said Southeasterly line, North 20°44'40" East, 37.17 feet; thence leaving said Southeasterly line, South 88°55'36" East, 48.90 feet; thence North 82°00'05" East, 111.45 feet; thence South 89°59'50" East, 1632.50 feet to the Point of Beginning, containing 0.713 acres, more or less.

See Exhibit 'C-2-2' attached hereto and made a part of this description.

The basis of bearings for this description is the California Coordinate System, Zone II, NAD 83. Distances contained herein are ground distances. To obtain grid distances, multiply the distance by 0.9999115.

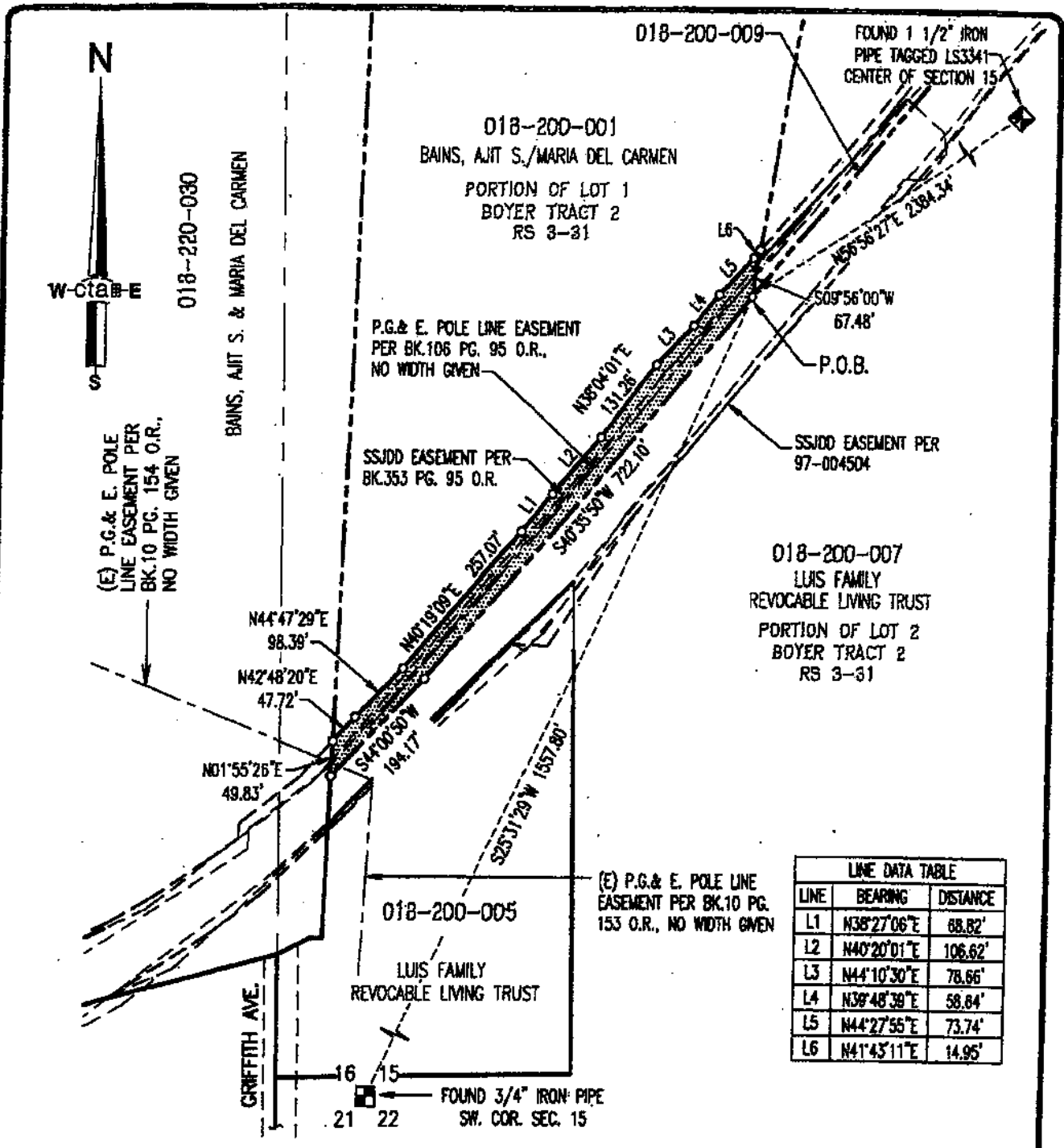
End of Description

Prepared by CTA Engineering & Surveying under the supervision of the undersigned


Kevin A. Heeney, PLS 5914
Portion of:
APN 018-220-030

01/22/2010
Date





THE BASIS FOR BEARINGS SHOWN HEREON IS THE CALIFORNIA COORDINATE SYSTEM, ZONE II, NAD 83. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY GROUND DISTANCE BY 0.9999115 TO OBTAIN GRID DISTANCES.



EXHIBIT "A-1-2"

OWNER: Bains, Ajit S. & Maria Del Carmen

A.P.N.: 018-200-001

AREA: FEE TITLE = 0.782 Ac.

cta Engineering & Surveying

DATE: 02/25/2010

SCALE: 1"=200'

DRAWN BY: KAH

JOB NO. 06-008-004

SHEET 1 OF 1

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

Proposed Acquisition for
Upper Yuba Levee Improvement Project

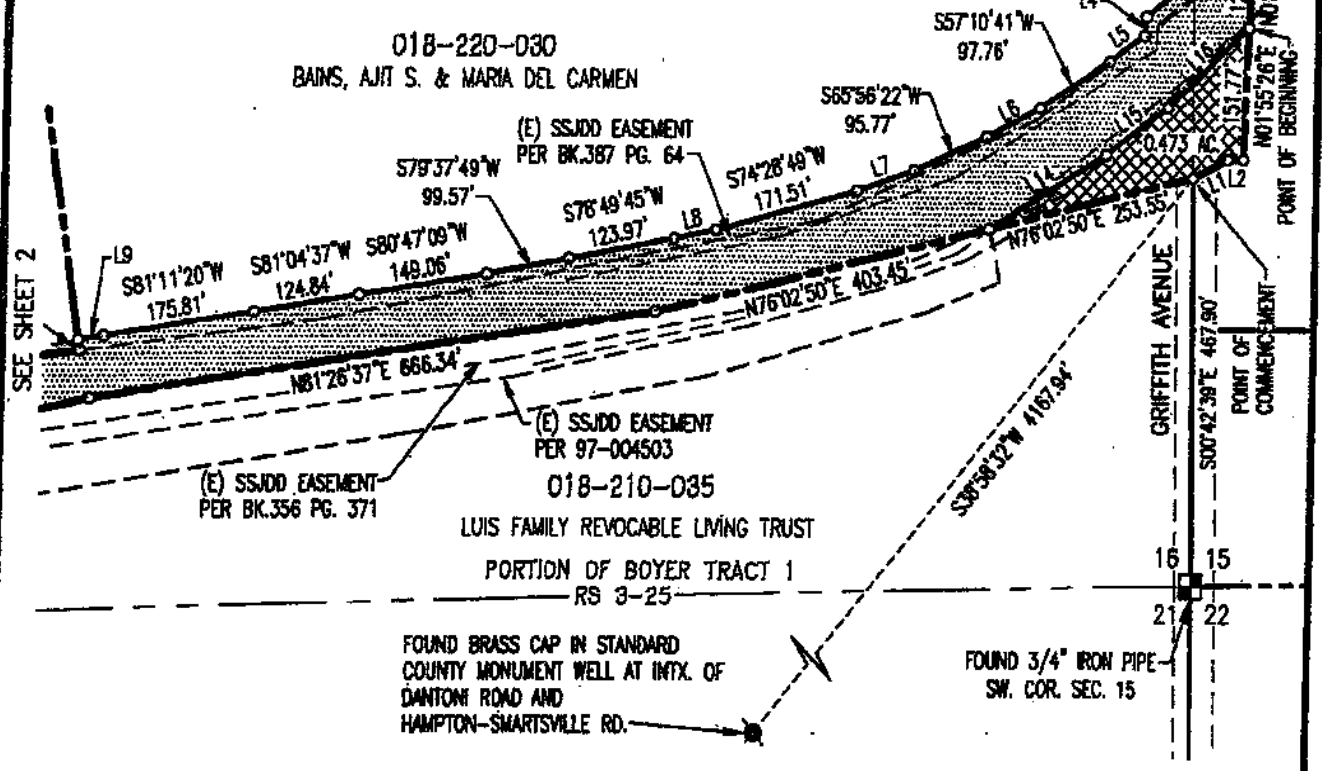
COUNTY OF YUBA STATE OF CALIFORNIA



LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N64°05'06"E	50.73'
L2	S89°58'54"E	18.97'
L3	S42°48'20"W	67.89'
L4	S04°11'47"W	21.86'
L5	S54°56'27"W	52.59'
L6	S61°17'14"W	71.45'
L7	S70°01'46"W	71.49'
L8	S77°53'54"W	49.43'
L9	S79°59'18"W	29.37'
L10	S08°34'35"E	12.02'
L11	S82°52'40"W	116.76'
L12	S20°47'32"E	19.97'
L13	S75°56'43"W	71.27'
L14	N58°01'06"E	163.49'
L15	N53°27'00"E	94.64'
L16	N47°40'26"E	136.68'

CURVE DATA TABLE				
CURVE	RADIUS	DELTA	CH. BEARING	CH. DISTANCE
C1	603.14'	16°55'02"	S56°55'51"W	177.44'

(E) P.G. & E. POLE
LINE EASEMENT PER
BK.10 PG. 154 O.R."
NO WIDTH GIVEN



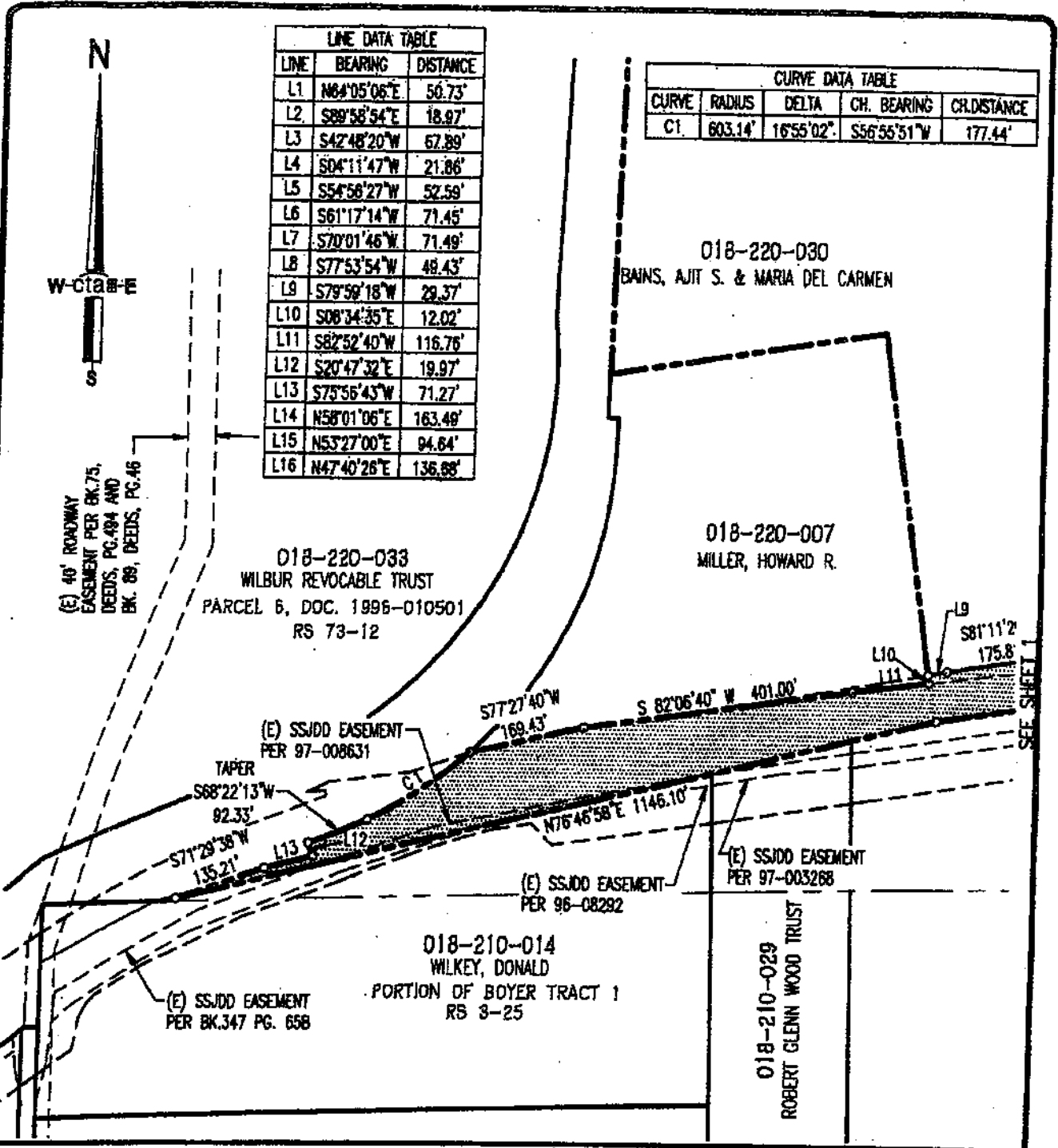
THE BASIS FOR BEARINGS SHOWN HEREON IS THE CALIFORNIA COORDINATE SYSTEM, ZONE II, NAD 83. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY GROUND DISTANCE BY 0.9998115 TO OBTAIN GRID DISTANCES.



EXHIBIT "A-2-2"	
OWNER:	Bains, Ajit S. & Maria Del Carmen
A.P.N.:	018-220-030
AREA:	FEE TITLE = 4.445 Ac. AREA WITHIN SSJDD ESMT'S = 3.854 Ac.

DATE:	03/10/2010	DRAWN BY:	KAH	SHEET	1 OF 2
SCALE:	1"=200'	JOB NO.:	06-008-064		
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY Proposed Acquisition for Upper Yuba Levee Improvement Project					
COUNTY OF YUBA			STATE OF CALIFORNIA		

DATE: 03/10/2010



THE BASIS FOR BEARINGS SHOWN HEREON IS THE CALIFORNIA COORDINATE SYSTEM, ZONE II, NAD 83. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY GROUND DISTANCE BY 0.9999115 TO OBTAIN GRID DISTANCES.



EXHIBIT "A-2-2"

OWNER: Bains, Ajit S. & Maria Del Carmen

A.P.N.: 018-220-030

AREA: FEE TITLE = 4.445 Ac.
AREA WITHIN SSJDD ESM'TS. = 3.854 Ac.

DATE: 03/10/2010 DRAWN BY: KAH SHEET 2 OF 2

SCALE: 1"=200' JOB NO. 06-008-004

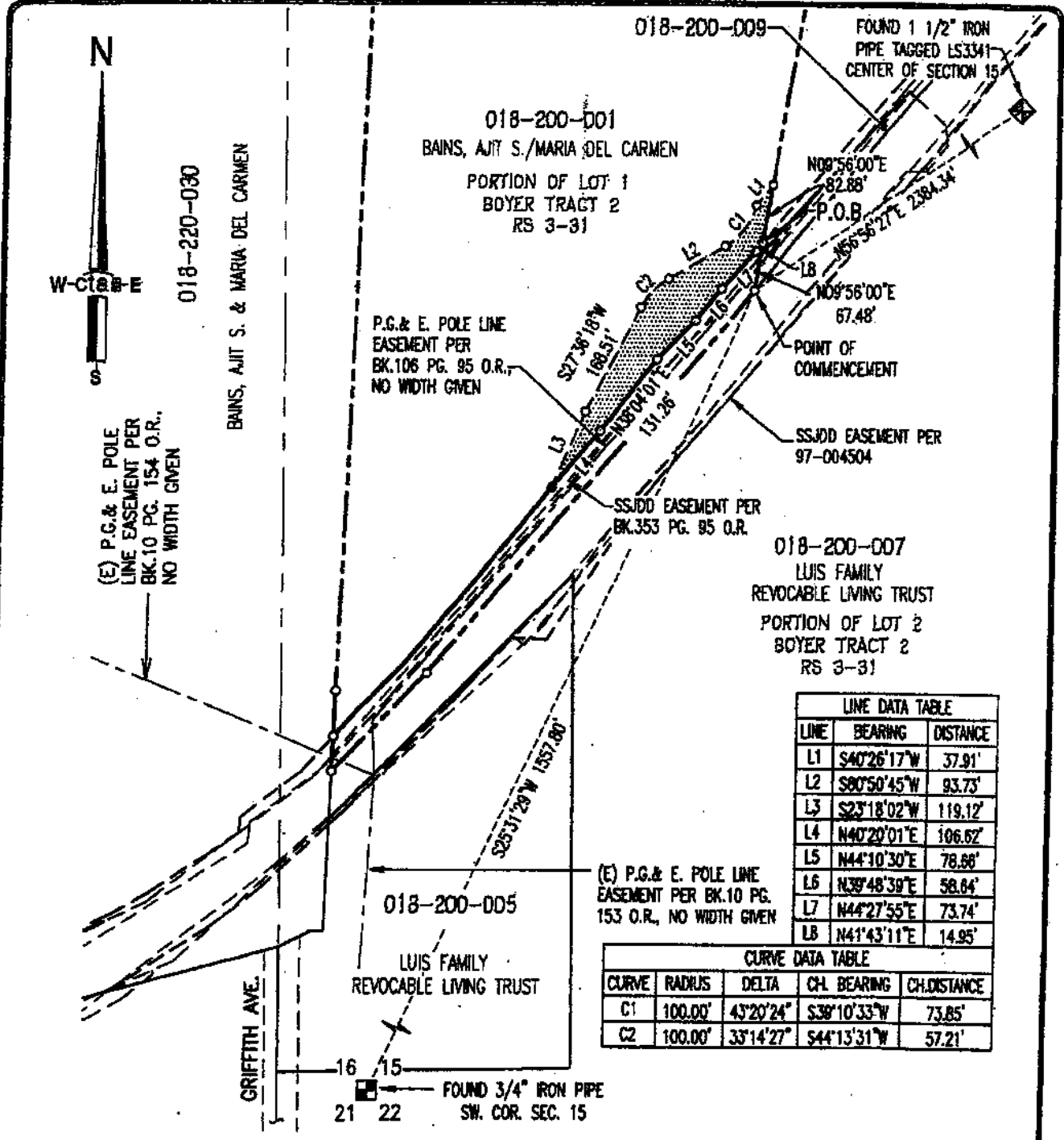
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

Proposed Acquisition for
Upper Yuba Levee Improvement Project



DATE: 03/10/2010

COUNTY OF YUBA STATE OF CALIFORNIA



LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	S40°26'17"W	37.91'
L2	S80°50'45"W	93.73'
L3	S23°18'02"W	119.12'
L4	N40°20'01"E	106.62'
L5	N44°10'30"E	78.86'
L6	N39°48'39"E	58.84'
L7	N44°27'55"E	73.74'
LB	N41°43'11"E	14.95'

CURVE DATA TABLE				
CURVE	RADIUS	DELTA	CHL BEARING	CHL DISTANCE
C1	100.00'	43°20'24"	S38°10'33"W	73.85'
C2	100.00'	33°14'27"	S44°13'31"W	57.21'

THE BASIS FOR BEARINGS SHOWN HEREON IS THE CALIFORNIA COORDINATE SYSTEM, ZONE II, NAD 83. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY GROUND DISTANCE BY 0.9999115 TO OBTAIN GRID DISTANCES.

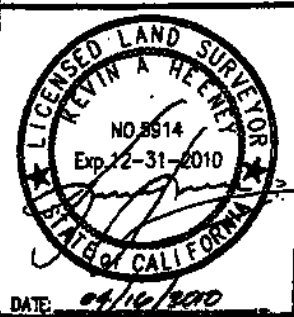


EXHIBIT "B-1-2"

OWNER: Bains, Ajit S. & Maria Del Carmen

A.P.N.: 018-200-001

AREA: TEMPORARY CONSTRUCTION ESMT. = 0.499 Ac.

cta Engineering & Surveying

DATE: 04/16/2010

SCALE: 1"=200'

DRAWN BY: KAH

JOB NO.: 06-008-004

SHEET 1 OF 1

THREE RIVERS LEVEL IMPROVEMENT AUTHORITY

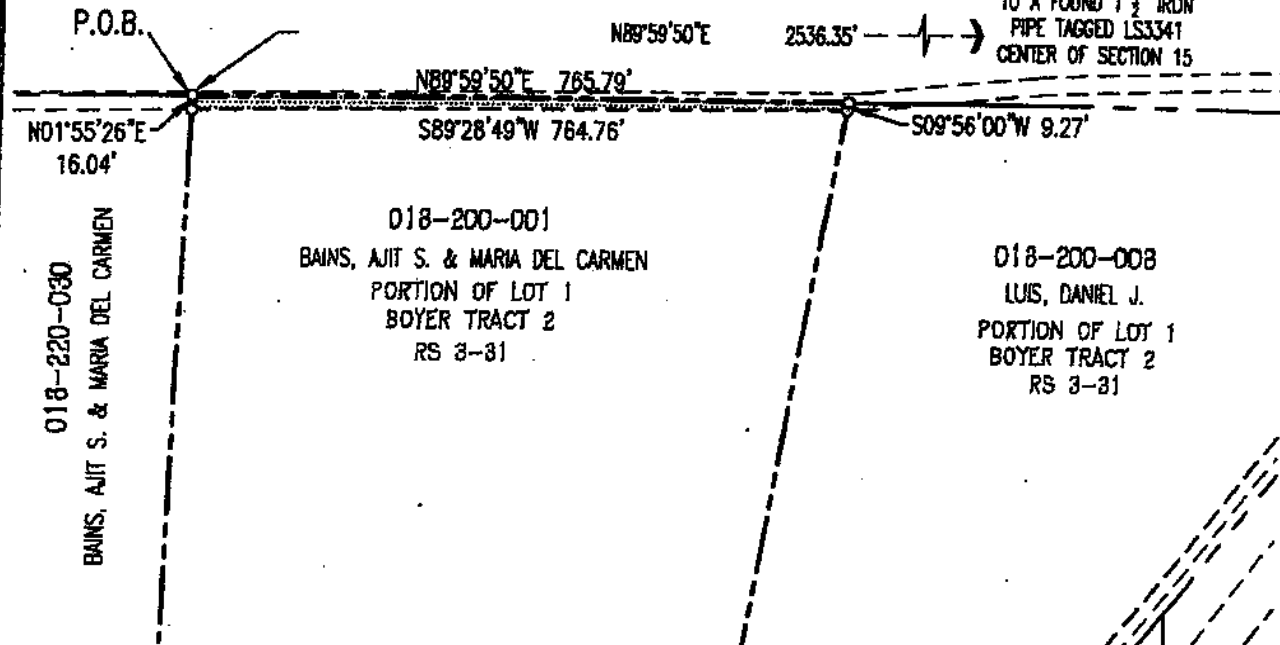
Proposed Acquisition for
Upper Yuba Levee Improvement Project

COUNTY OF YUBA STATE OF CALIFORNIA



018-140-040
 WILBUR, RICHARD G. TRUST

TO A FOUND 1 1/2" IRON
 PIPE TAGGED LS3341
 CENTER OF SECTION 15



THE BASIS FOR BEARINGS SHOWN HEREON IS THE CALIFORNIA COORDINATE SYSTEM, ZONE 1, NAD 83. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY GROUND DISTANCE BY 0.9999115 TO OBTAIN GRID DISTANCES.



EXHIBIT "C-1-2"
 OWNER: Bains, Ajit S. & Maria Del Carmen
 A.P.N.: 018-200-001
 AREA:
 TEMPORARY ACCESS EASEMENT = 0.221 Ac.

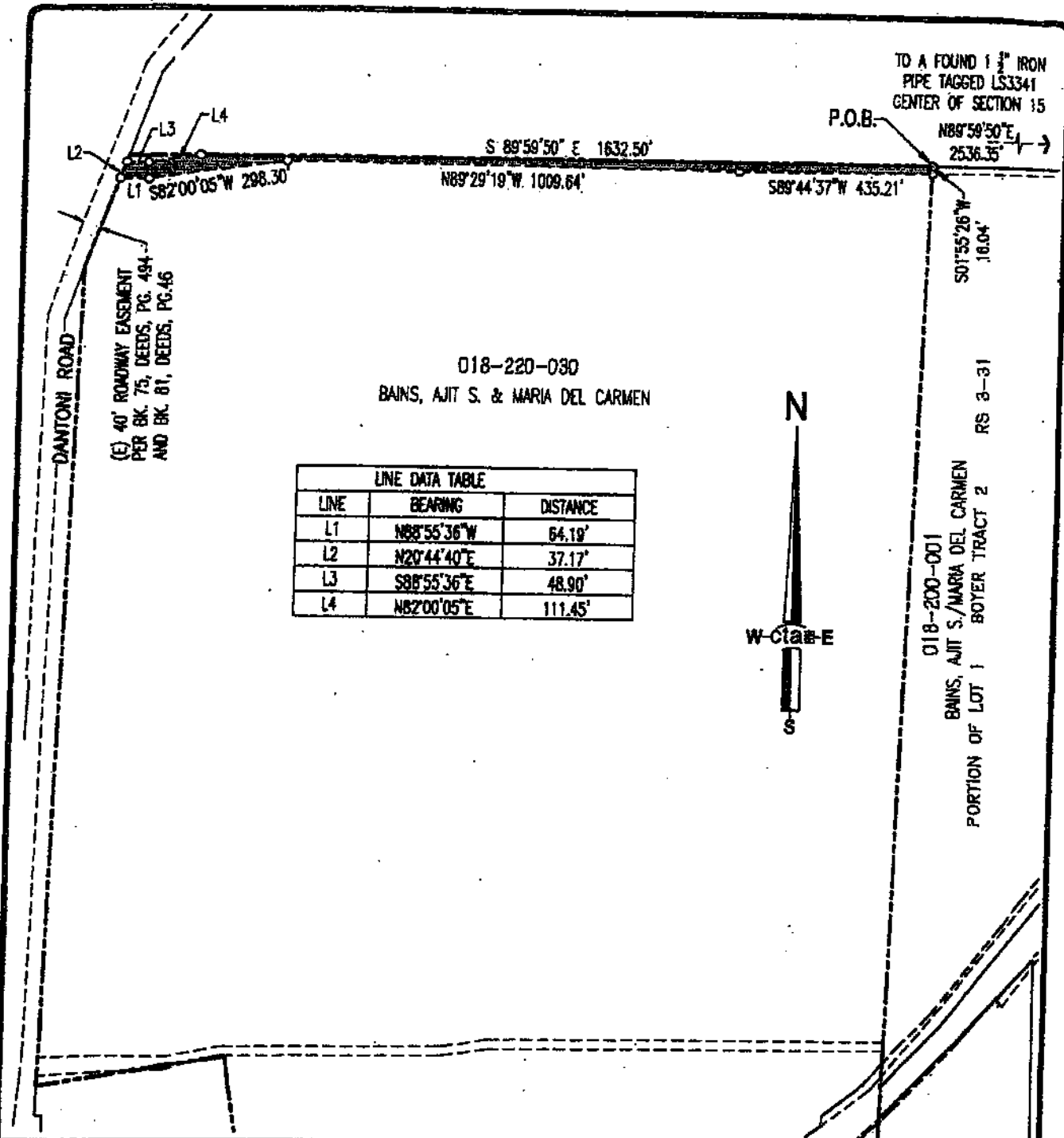
DATE: 03/16/2010 DRAWN BY: KAH SHEET 1 OF 1
 SCALE: 1"=200' JOB NO. 06-006-004

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
 Proposed Acquisition for
 Upper Yuba Levee
 Improvement Project



DATE: 03/15/2010

COUNTY OF YUBA STATE OF CALIFORNIA



(E) 40' ROADWAY EASEMENT
PER BK. 75, DEEDS, PG. 484
AND BK. 81, DEEDS, PG. 46

018-220-030
BAINS, AJIT S. & MARIA DEL CARMEN

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N88°55'36\"W	64.19'
L2	N20°44'40\"E	37.17'
L3	S88°55'36\"E	48.90'
L4	N82°00'05\"E	111.45'



TO A FOUND 1 1/2\" IRON
PIPE TAGGED LS3341
CENTER OF SECTION 15
P.O.B. N89°58'50\"E
2536.35'

018-200-001
BAINS, AJIT S./MARIA DEL CARMEN
PORTION OF LOT 1 BOYER TRACT 2 RS 3-31

THE BASIS FOR BEARINGS SHOWN HEREON IS THE CALIFORNIA COORDINATE SYSTEM, ZONE 11, NAD 83. DISTANCES SHOWN HEREON ARE GROUND DISTANCES.
MULTIPLY GROUND DISTANCE BY 0.9999115 TO OBTAIN GRID DISTANCES.

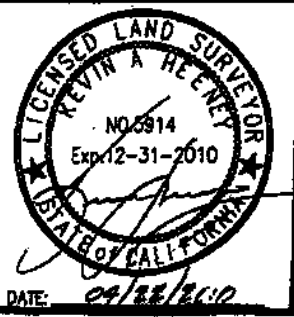


EXHIBIT "C-2-2"
OWNER: Bains, Ajit S. & Maria Del Carmen
A.P.N.: 018-220-030
AREA: TEMPORARY ACCESS EASEMENT = 0.713 Ac.

DATE: 04/22/2010 DRAWN BY: KAH SHEET 1 OF 1
SCALE: 1"=200' JOB NO. 06-008-004

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
Proposed Acquisition for
Upper Yuba Levee
Improvement Project

cta Engineering & Surveying

COUNTY OF YUBA STATE OF CALIFORNIA

EXHIBIT "B-1-3"

TEMPORARY CONSTRUCTION EASEMENT

An exclusive temporary construction easement for ingress and egress, construction staging areas, storage of machinery and equipment, parking of vehicles and all other activities whatsoever in nature incidental to the construction of the Upper Yuba Levee Improvement Project, on, over, and across certain real property owned by AJIT S. BAINS AND MARIA DEL CARMEN BAINS ("OWNERS"), located in Yuba County, California and as more particularly described on Exhibits "B-1-1" and "B-1-2" ("TCE Area"), attached hereto for the purpose of installing, constructing and/or improving certain levee and other public facilities located on adjacent and nearby property, and demolition of structures thereon, and accomplishing all necessary incidents and appurtenances thereto ("Project"). THREE RIVERS LEVEE IMPROVEMENT AUTHORITY ("TRLIA") shall move structures and fences and replace "in like kind" all fences, gates, irrigation facilities, and driveways that are destroyed or damaged. TRLIA, from time to time, may erect and maintain temporary fences and may exclude persons or other uses of all or a portion of the TCE Area if, in TRLIA's sole discretion, the presence of said persons or other uses would be hazardous or would hinder TRLIA's activities related to the Project. The construction easement herein described on Exhibits "B-1-1" and "B-1-2", shall extend for a period of fifteen months, limited to periods of time consisting of the annual construction season which spans from April 1 through November 15 of each year, beginning on the date so ordered by the Court.

EXHIBIT "C-1-3"

TEMPORARY ACCESS EASEMENT

A non-exclusive temporary access easement for ingress and egress on, over, and across certain real property owned by AJIT S. BAINS AND MARIA DEL CARMEN BAINS ("OWNERS"), located in Yuba County, California and as more particularly described on Exhibits "C-1-1" and "C-1-2" ("TAE Area"), attached hereto for the purpose of installing, constructing and/or improving certain levee and other public facilities located on adjacent and nearby property, and demolition of structures thereon, and accomplishing all necessary incidents and appurtenances thereto ("Project"). THREE RIVERS LEVEE IMPROVEMENT AUTHORITY ("TRLIA") shall move structures and fences and replace "in like kind" all fences, gates, irrigation facilities, driveways, and private roadways that are destroyed or damaged. The access easement herein described on Exhibits "C-1-1" and "C-1-2", shall extend for a period of fifteen months, limited to periods of time consisting of the annual construction season which spans from April 1 through November 15 of each year, beginning on the date so ordered by the Court.

EXHIBIT "C-2-3"

TEMPORARY ACCESS EASEMENT

A non-exclusive temporary access easement for ingress and egress on, over, and across certain real property owned by AJIT S. BAINS AND MARIA DEL CARMEN BAINS ("OWNERS"), located in Yuba County, California and as more particularly described on Exhibits "C-2-1" and "C-2-2" ("TAE Area"), attached hereto for the purpose of installing, constructing and/or improving certain levee and other public facilities located on adjacent and nearby property, and demolition of structures thereon, and accomplishing all necessary incidents and appurtenances thereto ("Project"). THREE RIVERS LEVEE IMPROVEMENT AUTHORITY ("TRLIA") shall move structures and fences and replace "in like kind" all fences, gates, irrigation facilities, driveways, and private roadways that are destroyed or damaged. The access easement herein described on Exhibits "C-2-1" and "C-2-2", shall extend for a period of fifteen months, limited to periods of time consisting of the annual construction season which spans from April 1 through November 15 of each year, beginning on the date so ordered by the Court.