

RESOLUTION NO. 2013- 4

**A RESOLUTION BY THE BOARD OF DIRECTORS OF
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
DECLARING THE BOARD'S INTENT TO SELL CERTAIN REAL PROPERTY
LOCATED ON THE SOUTH SIDE OF THE UPPER YUBA RIVER LEVEE PURSUANT
TO GOVERNMENT CODE SECTION 25526**

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") is the owner of approximately 72.822 acres of real property (the "Property") located on the south side of the Upper Yuba River Levee in Yuba County, California. The Property is more particularly described in Exhibit A and depicted in Exhibit B attached hereto and incorporated herein by reference; and

WHEREAS, on August 7, 2012, TRLIA's Board of Directors passed and adopted Resolution No. 2012-12 declaring the Property to be surplus and authorizing and directing TRLIA's Executive Director to commence the procedures for disposing of surplus lands pursuant to California Government Code sections 54220-54232; and

WHEREAS, TRLIA has complied with the requirements of California Government Code sections 54220-54232, and may now dispose of the Property without further regard to California Government Code sections 54220-54232; and

WHEREAS, TRLIA desires to sell the Property at a price of not less than \$218,460 on the terms and conditions set forth herein; and

WHEREAS, the Board of Directors of TRLIA adopts this Resolution in compliance with Government Code section 25526.

NOW, THEREFORE, BE IT RESOLVED THAT:

Based upon the evidence presented, the Board of Directors by vote of two-thirds or more of its members hereby declares each of the following:

1. The Board of Directors of TRLIA declares its intent to sell, pursuant to California Government Code section 25526, approximately 72.822 acres of real property (the "Property") located on the south side of the Upper Yuba River Levee in Yuba County, California, as more particularly described in Exhibit A and depicted in Exhibit B attached hereto and incorporated herein by reference.

2. The minimum price that will be accepted for the Property shall be \$218,460. The terms of the sale shall be:

- a. Payment of the sale price shall be in cash within 60 days of execution of the purchase and sale agreement on a form acceptable to TRLIA, which form will be available for review at TRLIA's office located at 1114 Yuba St., Suite 218, Marysville, CA 95901;

- b. TRLIA offers the Property for sale “as is” and makes no warranties or guarantees that the Property is fit for any particular purpose;
- c. Transfer of the Property to the successful bidder shall be by quitclaim deed.

3. To be eligible for consideration, all bids to purchase the Property, written or oral, must be accompanied by a cashier’s check payable to the Three Rivers Levee Improvement Authority in an amount no less than \$5,000. Funds paid by the successful bidder are non-refundable, and funds paid with bids that are not accepted will be returned.

4. TRLIA will not pay a broker’s commission on the sale.

5. All written bids to purchase the Property pursuant to this Resolution must be submitted to the office of TRLIA, 1114 Yuba St., Suite 218, Marysville, CA 95901, no later than 11:00 a.m. on November 12, 2013, with the \$5,000 cashier's check.

6. At 2:00 p.m. on November 12, 2013, at the Yuba County Government Center, Board Chambers, 915 Eighth Street, Suite 109A, Marysville, California, the Board of Directors of TRLIA will open, examine, and publicly declare all written bids received pursuant to this Resolution. Prior to accepting any written bid, the Board of Directors of TRLIA will call for oral bids. Oral bids must exceed the highest written bid by a minimum of 5% and must meet all other conditions stated in this Resolution to be accepted. A cashier's check of \$5,000 must accompany all oral bids at the time the bids are made.

7. At the Board meeting at 2:00 p.m. on November 12, 2012, the TRLIA Board of Directors will either determine the winning bid in conformity with sections 25530 and 25531 of the California Government Code, or reject all bids in conformity with section 25534 of the California Government Code.

PASSED AND ADOPTED this 17th day of September, 2013, by the Board of Directors of Three Rivers Levee Improvement Authority by the following vote:

AYES: Atwal, Brown Crippen, Nicoletti

NOES: None

ABSENT: Griego

ABSTAIN: None



Chairperson

ATTEST: DONNA STOTTLEMEYER,
CLERK OF THE BOARD



APPROVED AS TO FORM: GENERAL COUNSEL



Exhibit A

All that real property situate in the County of Yuba, State of California, being a portion of the lands being vested in Three Rivers Levee Improvement Authority, as described in the Final Order of Condemnation, dated May 2, 2011 and recorded in Document 2011-005293, Official Records of Yuba County and being more particularly described as follows:

Parcel A-1

Beginning at a point on the West line of Parcel 3, as shown on Parcel Map No. 95-11, filed in the office of the County Recorder of Yuba County in Book 66 of Maps, Page 45, marked by a 1-1/2" iron pipe tagged LS 3341, marking the center of Section 15, Township 15 North, Range 4 East, M.D.M. and from which a 1/2" rebar with plastic cap stamped LS 3341, marking the Northeast corner of said Section 15 bears North 44°52'09" East, 3787.33 feet; thence along the West line of said Parcel 3, South 00°33'30" East, 309.85 feet; thence leaving said West line, North 89°04'49" East, 885.08 feet; thence North 88°02'26" East, 742.04 feet; thence North 00°51'04" East, 303.92 feet; thence North 00°31'18" East, 423.19 feet; thence North 00°02'30" West, 270.95 feet to a point on the North line of said Parcel 3; thence along said North line, South 88°05'46" West, 1633.65 feet to the Northwest corner of said Parcel 3; thence along the West line of said Parcel 3, South 00°08'00" West, 673.49 feet to the Point of Beginning.

Parcel B-1

Beginning at the Northwest corner of Parcel 4, as shown on Parcel Map No. 95-11, filed in the office of the County Recorder of Yuba County in Book 66 of Maps, Page 45, from which a 1/2" rebar with plastic cap stamped LS 3341, marking the Northeast corner of Section 15, Township 15 North, Range 4 East bears North 68°20'12" East, 2020.42 feet, and from which a 1-1/2" iron pipe tagged LS 3341, marking the center of said Section 15 bears South 22°16'51" West, 2094.71 feet; thence along the Northwesterly, West and South lines of said Parcel 4, South 40°34'50" West, 1217.26 feet to the West line of said Parcel 4; thence along said West line, South 00°08'00" West, 340.32 feet to the Southwest corner of said Parcel 4; thence along the South line of said Parcel 4, North 88°05'46" East, 1633.65 feet; thence leaving said South line, North 00°02'30" West, 204.69 feet; thence North 00°37'23" West, 307.55 feet; thence North 00°33'11" West, 728.30 feet to a point on the North line of said Parcel 4; thence along said North line, South 87°55'58" West, 830.12 feet to the Point of Beginning.

EXCEPTING THEREFROM all that portion of the hereinabove described Parcel B-1 lying Northwesterly of the following described line:

Commencing at the Northwest corner of Parcel 4, as shown on Parcel Map No. 95-11, filed in the office of the County Recorder of Yuba County in Book 66 of Maps, Page 45 from which a 1/2" rebar with plastic cap stamped LS 3341, marking the Northeast corner of Section 15, Township 15 North, Range 4 East bears North 68°20'12" East, 2020.42 feet, and from which a 1-1/2" iron pipe tagged LS 3341, marking the center of said Section 15 bears South 22°16'51" West, 2094.71 feet; thence along said North line, North 87°55'58" East, 116.02 feet to the Point of Beginning and the Northerly terminus of the herein described line; thence leaving said North line of Parcel 4, South 39°26'53" West, 343.65 feet; thence South 42°45'22" West, 125.40 feet; thence South 40°46'44" West, 636.46 feet; thence South 43°01'04" West, 230.07 feet; thence South 42°37'03" West, 18.84 feet; thence South 38°47'00" West, 30.60 feet to a point on the West line of said Parcel 4 and the Southerly terminus of the line described herein.

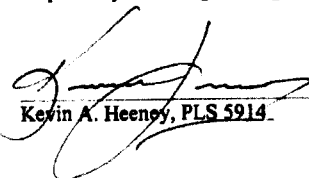
The parcels described herein contain an aggregate area of 72.822 acres, more or less.

See Exhibit 'B' 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 (Epoch 2007.00). Distances contained herein are ground distances. To obtain grid distances, multiply the distance by 0.99991703.

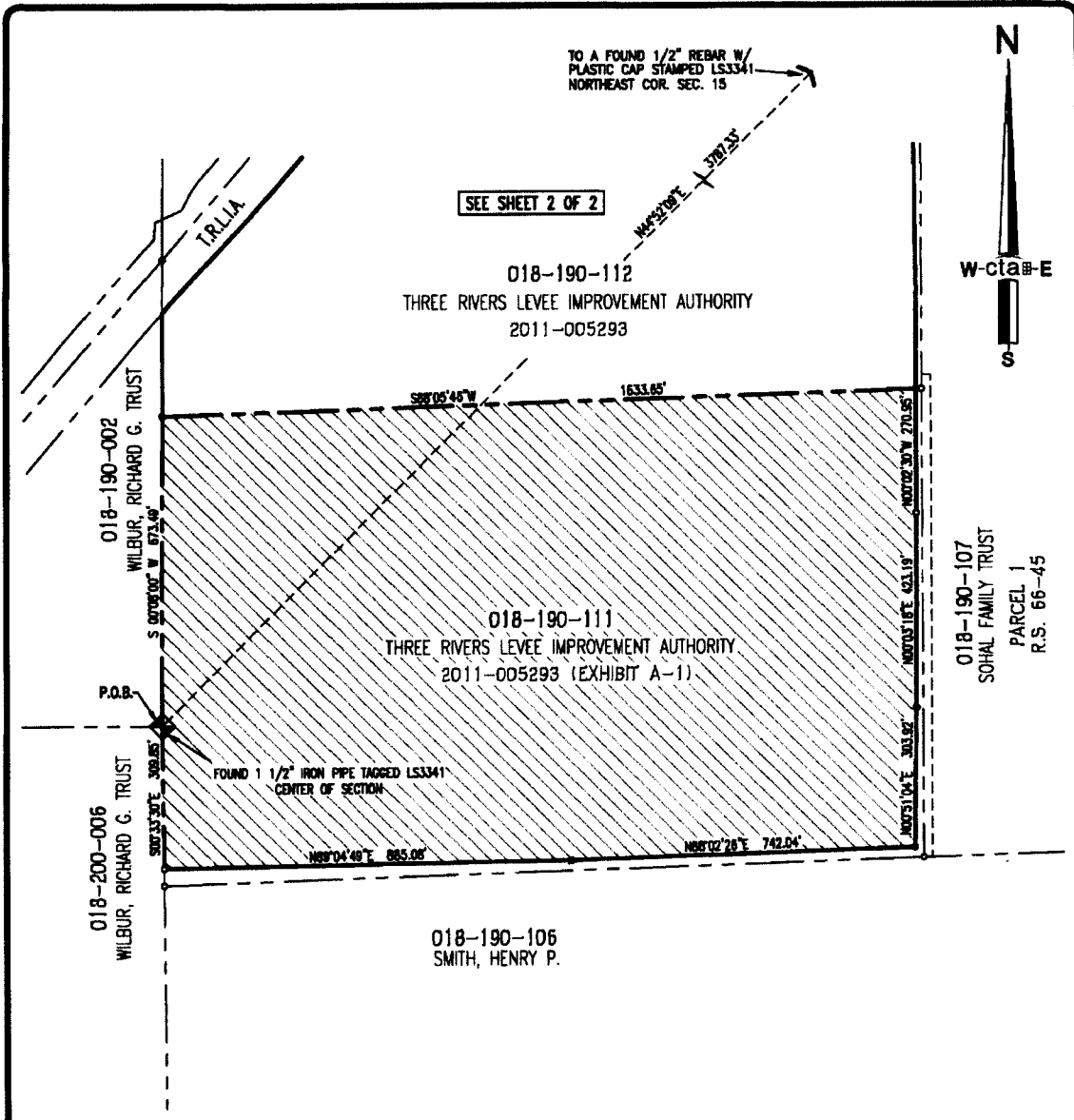
End of Description

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


Kevin A. Heeney, PLS 5914

06/01/2012
Date





THE BASIS FOR BEARINGS SHOWN HEREON IS THE CALIFORNIA COORDINATE SYSTEM, ZONE II, NAD 83 (EPOCH 2007.00). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY GROUND DISTANCE BY 0.99991703 TO OBTAIN GRID DISTANCES.

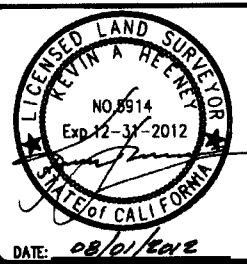
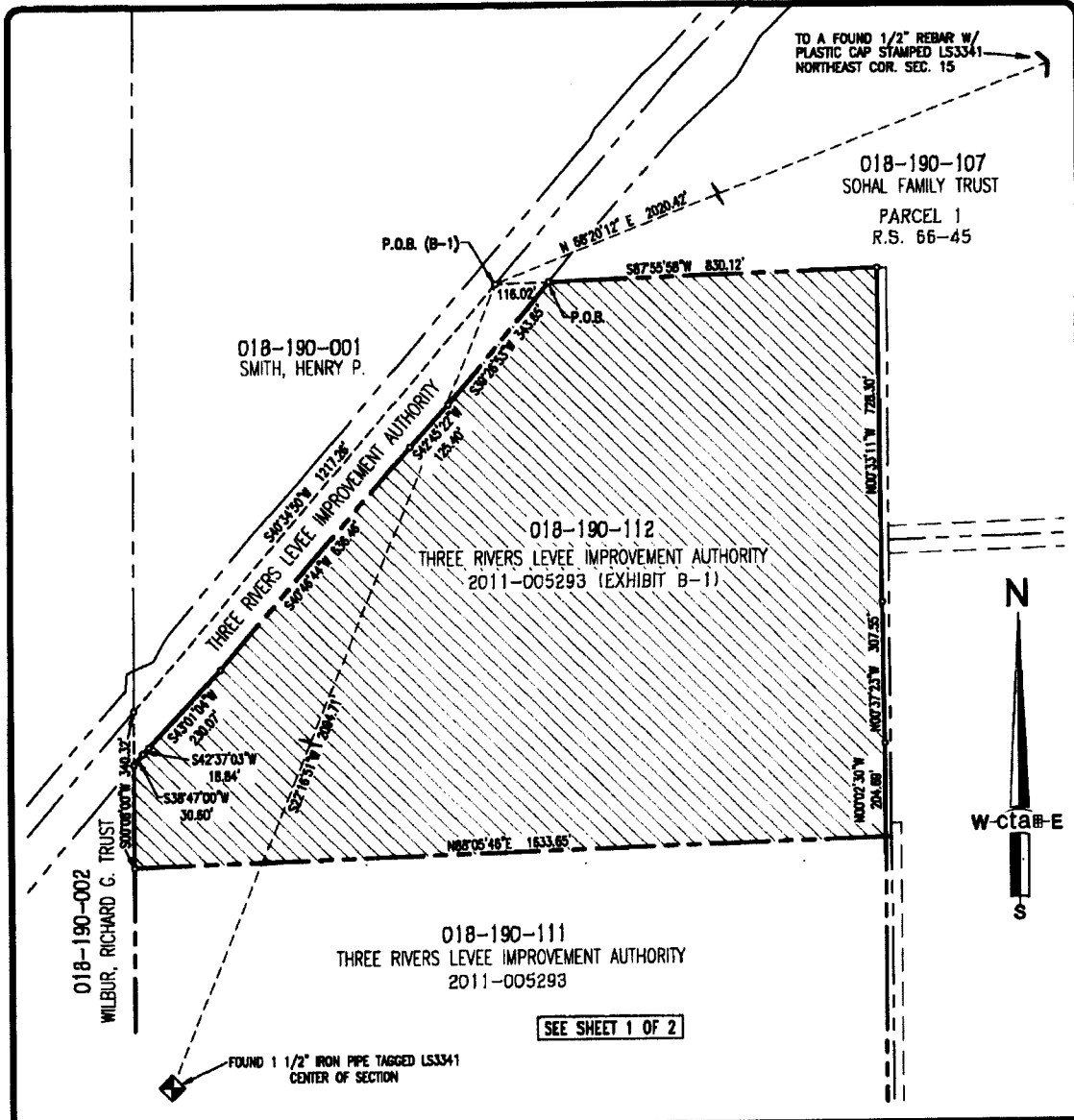


Exhibit 'b'		DATE: 08/01/2012	DRAWN BY: KAH	SHEET 1 OF 2
OWNER: THREE RIVERS LEVEE IMPROVEMENT AUTH.		SCALE: 1"=300'	JOB NO. 06-008-004	
A.P.N.: 018-190-111	THREE RIVERS LEVEE IMPROVEMENT AUTHORITY			
AREA: EXCESS LANDS = 37.264 Ac.	Excess Lands from the Upper Yuba Levee Improvement Project			
cta Engineering & Surveying		COUNTY OF YUBA, STATE OF CALIFORNIA		



THE BASIS FOR BEARINGS SHOWN HEREON IS THE CALIFORNIA COORDINATE SYSTEM, ZONE II, NAD 83 (EPOCH 2007.00). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY GROUND DISTANCE BY 0.99991703 TO OBTAIN GRID DISTANCES.

	Exhibit 'B'		DATE: 08/01/2012	DRAWN BY: KAH	SHEET 2 OF 2	
	OWNER: THREE RIVERS LEVEE IMPROVEMENT AUTH.		SCALE: 1"=300'	JOB NO. 06-008-004		
	A.P.N.: 018-190-112		THREE RIVERS LEVEE IMPROVEMENT AUTHORITY			
	AREA: EXCESS LANDS = 35.558 Ac.		Excess Lands from the Upper Yuba Levee Improvement Project			
		COUNTY OF YUBA		STATE OF CALIFORNIA		