

RESOLUTION NO. 2013-5

**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 ANDERSON AVENUE PURSUANT TO GOVERNMENT CODE  
SECTION 25526**

**WHEREAS**, Three Rivers Levee Improvement Authority ("TRLIA") is the owner of approximately 23.406 acres of real property (the "Property") located on Anderson Avenue in Marysville, California. The Property is more particularly described in Exhibit A-1 and depicted in Exhibit A-2 attached hereto and incorporated herein by reference; and

**WHEREAS**, on October 18, 2011, TRLIA's Board of Directors passed and adopted Resolution No. 2011-10 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 \$70,230 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 23.406 acres of real property (the "Property") located on Anderson Avenue in Marysville, California, as more particularly described in Exhibit A-1 and depicted in Exhibit A-2 attached hereto and incorporated herein by reference.

2. The minimum price that will be accepted for the Property shall be \$70,230. 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 written bids to purchase the Property must be accompanied by a cashier’s check payable to the Three Rivers Levee Improvement Authority in an amount no less than \$5,000.

4. To be eligible for consideration, all oral bids to purchase the Property must be accompanied by a cashier’s check payable to the Three Rivers Levee Improvement Authority in an amount no less than \$5,000, unless the bidder has already submitted a \$5,000 cashier’s check with a prior written or oral bid.

5. Funds paid by the successful bidder are non-refundable, and funds submitted with bids that are not accepted will be returned.

6. To be eligible for consideration, all written and oral bids to purchase the Property must include a brief description of the bidder’s anticipated use of the Property.

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

8. All written bids to purchase the Property pursuant to this Resolution must be received at the office of TRLIA, 1114 Yuba St., Suite 218, Marysville, CA 95901, no later than 11:00 a.m. on November 12, 2013.

9. 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, unless the bidder has already submitted a cashier’s check of \$5,000 with a prior written or oral bid.

10. 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.

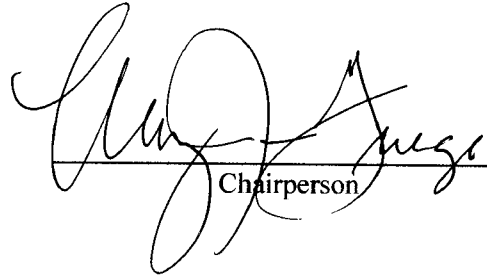
**PASSED AND ADOPTED** this 1st day of October, 2013, by the Board of Directors of Three Rivers Levee Improvement Authority by the following vote:

AYES: Directors Brown, Crippen Griego, Nicoletti

NOES: None

ABSENT: Director Atwal

ABSTAIN: None

  
Chairperson

ATTEST: DONNA STOTTLEMEYER,  
CLERK OF THE BOARD

  
\_\_\_\_\_

APPROVED AS TO FORM: GENERAL COUNSEL

  
\_\_\_\_\_

Exhibit 'A-1'

All that Real property situated in the County of Yuba, State of California, being a portion of the real property described in the Final Order of Condemnation, recorded in Document No. 2008R-016140, Official Records of said County, being a portion Lot 14, Block 24 as shown upon that certain map entitled "Arboga Colony", filed in the Office of the Recorder in said County and State in Book 1 of maps at Page 31, and situated in the Southwest One Quarter of Section 24 Township 14 North, Range 3 East of the Mount Diablo Meridian, being more particularly described as follows:

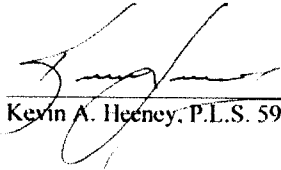
**Beginning** at an Iron Pipe marking the Southeast corner of said Lot 14; thence along the South line of said Lot 14, South 89°45'45" West, 588.73 feet; thence leaving said South line, North 00°17'03" West, 230.00 feet; thence parallel with said South line, South 89°45'45" West, 200.00 feet; thence North 00°17'03" West, 92.56 feet; thence North 03°03'55" West, 998.65 feet more or less to a point on the North line of said Lot 14; thence along said North line, North 89°45'45" East, 837.61 feet to the Northeast corner of said Lot 14; thence along the East line of said Lot 14, South 00°15'56" East, 1320.00 feet more or less to the Point of Beginning, containing 23.406 acres, more or less.

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

**End of description**

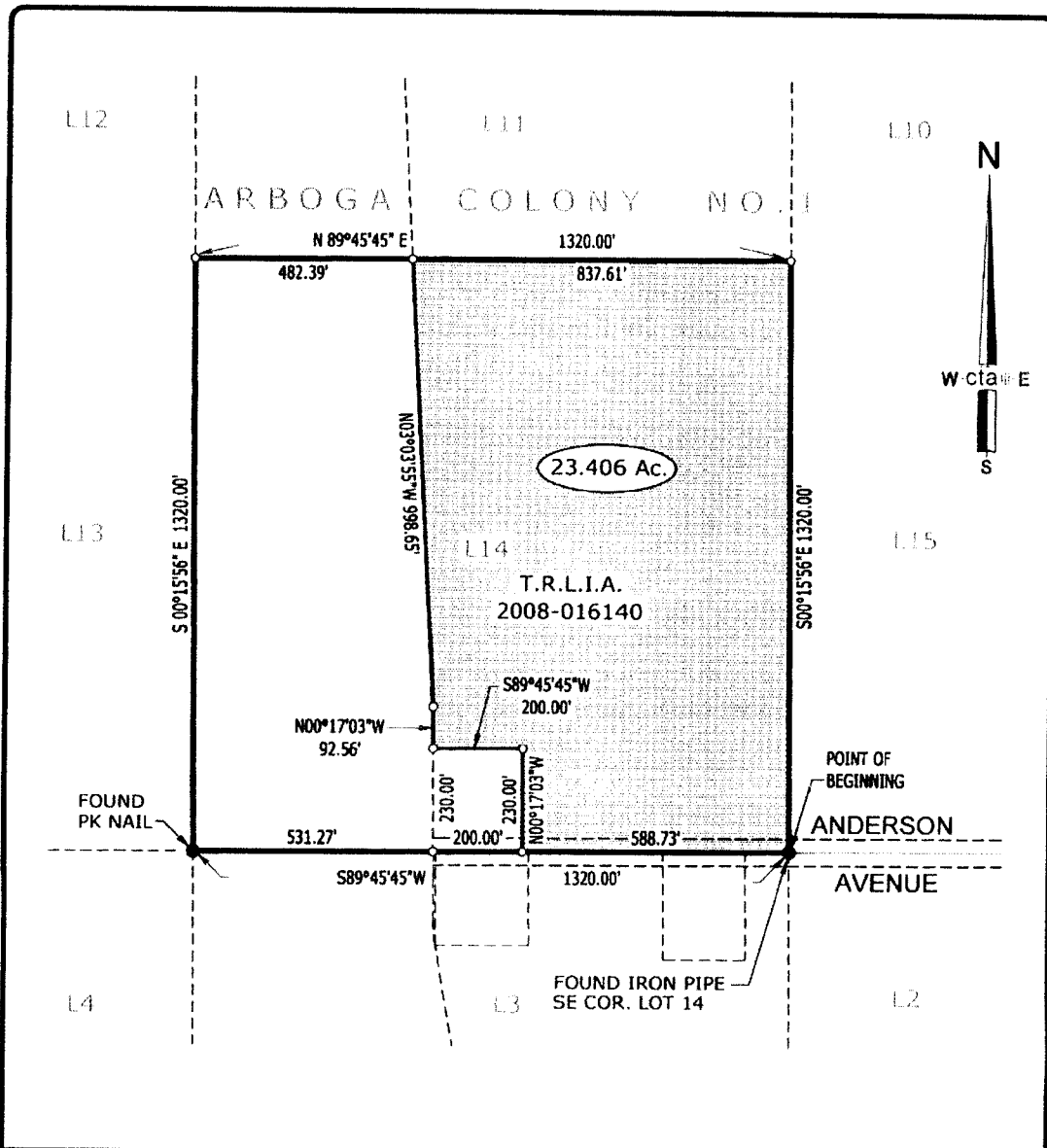
The Basis of Bearings for this description is the California Coordinate System Zone 2.

This description has been prepared by me or under my direct supervision.

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

10/13/2011  
Date





<p>DATE: 10/18/2011</p>	Exhibit 'A-2'		DATE: 11/13/2011	DRAWN BY: KAH	SHEET 1 OF 1	
	OWNER: Three Rivers Levee Imp. Auth.		SCALE: 1"=300'	JOB NO. 06-008-005		
	A.P.N. 014-290-034		THREE RIVERS LEVEE IMPROVEMENT AUTHORITY			
	AREAS: 23.406 Ac.		FEATHER RIVER SETBACK LEVEE Reclamation District 784			
cta Engineering & Surveying		A PORTION OF LOT 14, BLOCK 24, ARBOGA COLONY NO. 1 BK. 1 MAPS, PG. 31				
		COUNTY OF YUBA, STATE OF CALIFORNIA				