

RESOLUTION NO. 2016- 2

**A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY
FOR SEGMENT 3 OF THE FEATHER RIVER LEVEE IMPROVEMENT PROJECT
(CODE CIV. PROC. § 1245.230)**

Property Owner: R.B. Satori, LP (APNs 020-330-007 and 020-330-010)

WHEREAS, Three Rivers Levee Improvement Authority (“TRLIA”) has determined that it needs to acquire certain property interests from the parcels currently bearing Assessor’s Parcel Nos. 020-330-007 and 020-330-010 for Segment 3 of the Feather River Levee Improvement Project (the “Project”); and

WHEREAS, The property interests that TRLIA needs to acquire for the Project are more specifically described and depicted in Exhibits “A” and “B” attached hereto (the “Property”); and

WHEREAS, TRLIA has advised the owner of the Property of the need for the Project and offered the owner an opportunity for a hearing before the TRLIA Board on February 2, 2016, pursuant to Section 1245.235 of the California Code of Civil Procedure; and

WHEREAS, TRLIA is authorized to acquire Property for the Project pursuant to, among other statutes, the California Constitution and California Eminent Domain Law, Code of Civil Procedure section 1240.410, Government Code section 25350.5, and Water Code section 50930; 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, BE IT RESOLVED THAT:

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

1. The public interest and necessity require the Project.
2. The Project proposed is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The property interests described and depicted in Exhibits “A” and “B” attached hereto are necessary for the proposed Project.
4. The offer of just compensation required by Government Code section 7267.2 has been made to the owner of record of the Property.

5. All conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the property interests described and depicted in Exhibits "A" and "B" attached hereto have been complied with by TRLIA.

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

The Board of Directors hereby authorizes and empowers legal counsel retained or employed by TRLIA to take the following actions:

1. To acquire in the name of TRLIA, by condemnation, the property interests described and depicted in Exhibits "A" and "B" attached hereto in accordance with the provisions of the Constitution of California and the Eminent Domain Law of California;

2. To prosecute in the name of TRLIA such proceedings in the proper court as necessary for such acquisition; and

3. To deposit the probable amount of compensation, based on an appraisal, and to apply to the court for an order permitting TRLIA to take possession of the property for public uses and purposes.

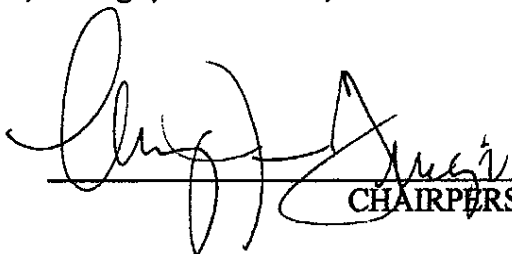
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 2nd day of February, 2016, by a two-thirds (2/3) or greater vote as follows:

AYES: Directors Atwal, Brown, Griego, Nicoletti, Ritchie

NOES: None

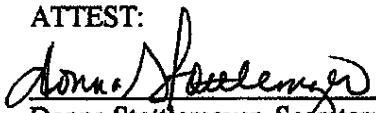
ABSTAIN: None

ABSENT: None



CHAIRPERSON

ATTEST:



Donna Stottlemeyer, Secretary

**APPROVED AS TO FORM
ANDREA CLARK
GENERAL COUNSEL**

By: Andrea P. Clark

EXHIBIT A

Exhibit 'A'

All that real property situated in the County of Yuba, State of California, being a portion of the property conveyed by deed to R.B. Satori L.P, a California limited partnership, recorded in Document No. 2013-015596 in the Official Records of said County, situated in the Northeast Quarter of Section 36, Township 15 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

PARCEL NO. 14029

Commencing at the intersection of the North line of that certain parcel conveyed to the State of California, recorded in Document No. 93-03209, Official Records and the landward toe of a levee and easement to Reclamation District 784, recorded in Book 61, Page 170, Official Records, said point being also the Southwest corner of that certain parcel of land described in the deed to Reclamation District Number 784, hereinafter referred to as "RD784" property, dated May 9, 2007 and recorded in Document No. 2008-008120, Official Records and from which a 4" concrete monument at the Northwest corner of Lot 9, Block 36 as shown on the plat of Farm Land Colony No. 1 recorded in the office of the County Recorder of Yuba County in Book 1 of Maps, Page 23 bears South 07°41'14" East, 1913.54 feet and from which a 5/8" rebar stamped RCE 16000 at the Northwest corner of Parcel 2 as shown on that certain Parcel Map recorded in the office of the County Recorder of Yuba County in Book 61 of Maps, Page 2 bears North 03°29'31" West, 3384.83 feet; thence along the toe of said levee the following two (2) courses:

1. North 26°23'56" East 427.00 feet; thence
2. North 65°53'59" East 26.59 feet to the Point of Beginning, being also the Northeast corner of said "RD784" property; thence

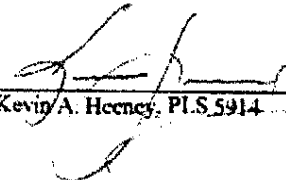
continuing along the toe of said levee, North 65°53'59" East, 50.84 feet to a point on the Westerly line of that certain parcel of land conveyed to Reclamation District Number 784 by deed dated March 3, 1978 and recorded in Book 672, Page 143, Official Records of Yuba County; thence along said Westerly line, South 17°46'33" East, 428.51 feet to an angle point in said Westerly line; thence continuing along said Westerly line, North 89°07'00" West, 27.17 feet to an angle point in said Westerly line and the Northeast corner of said State of California parcel; thence along the North line of said State of California parcel, North 89°07'00" West, 27.56 feet to the Southeast corner of said "RD784" property; thence along the Easterly line of said "RD784" property, North 17°31'00" West, 407.01 feet to the Point of Beginning, containing 0.494 acres, more or less.

See Exhibit B attached hereto and made a part of this description.

End of description

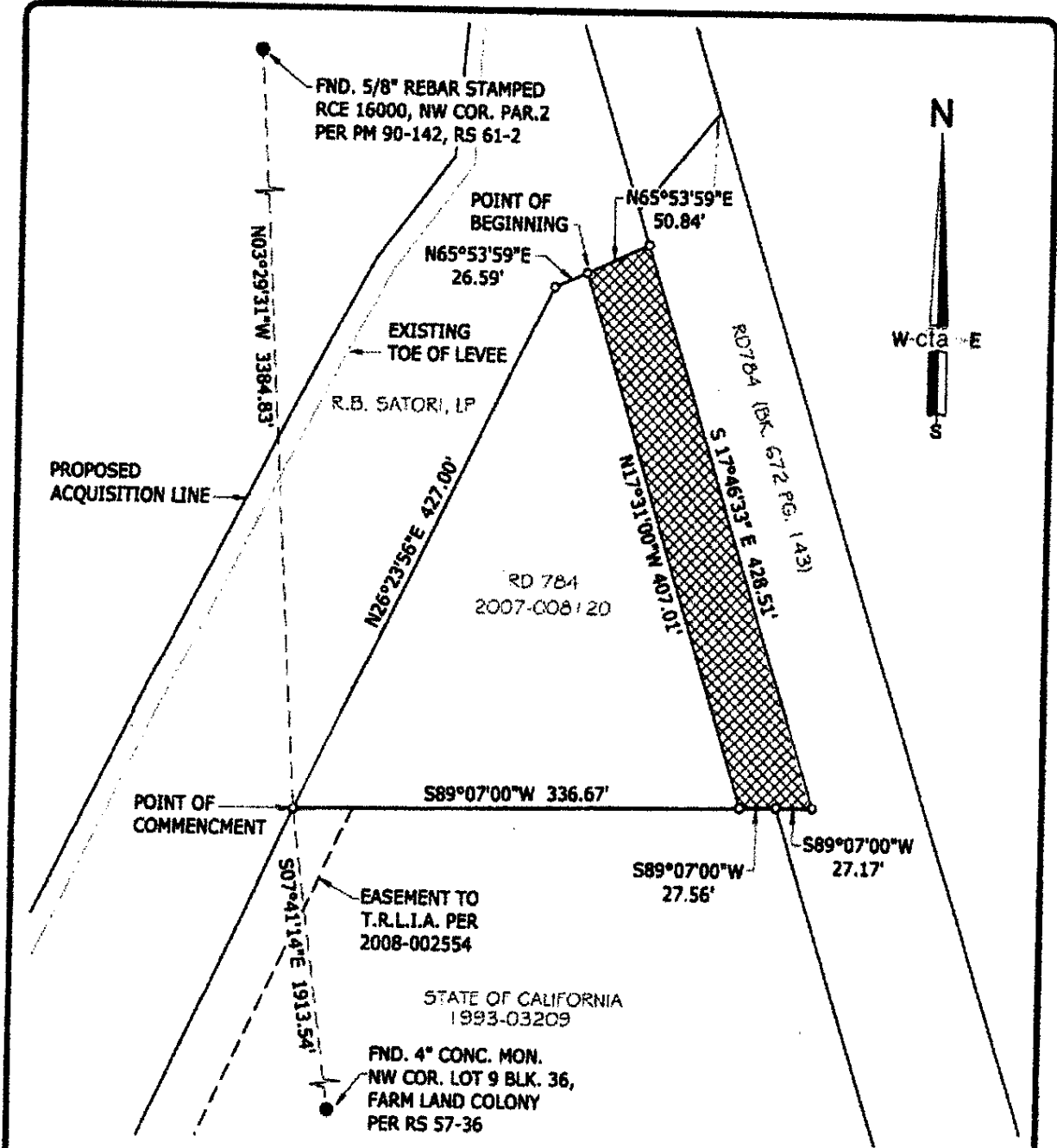
The Basis of Bearings for this description is the California Coordinate System, CCS83 (2007.00), Zone 2, based on observations between NGS Stations Rio Oso, Algodon and HPGN D CA 03 GH. Distances contained herein are ground distances. Multiply the ground distances by 0.99991703 to obtain grid distances.



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


Kevin A. Heaney, PLS 5914



11/23/2016
Date



	EXHIBIT 'B'		DATE: 11/20/2015	DRAWN BY: KAH	SHEET 1 OF 1
	OWNER:	R.B. SATORI, LP	SCALE: 1"=100'	JOB NO. 06-008-005	
	A.P.N.	020-330-007	THREE RIVERS LEVEE IMPROVEMENT AUTHORITY		
	ACQUISITION AREAS:	0.494 Ac.	Proposed Acquisition for PHASE 4 FEATHER RIVER LEVEE REPAIR PROJECT Reclamation District 784		
 Engineering & Surveying Civil Engineering • Land Surveying • Land Planning		COUNTY OF YUBA		STATE OF CALIFORNIA	

DATE: 11/23/2015

EXHIBIT B

Exhibit 'A-1'

All that real property situate in the County of Yuba, State of California, being a portion of the property conveyed by deed to R.B. Satori LP, a California limited partnership, recorded in Document No. 2013-015596, Official Records of said County, being a portion of Section 36, Township 15 North, Range 3 East, M.D.M., and being more particularly described as follows:

PARCEL NO.14029

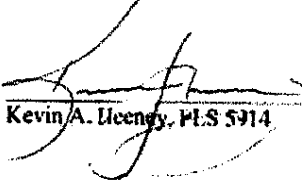
Beginning at a point on the North line of Lot 10, Block 36, as shown on the plat of "Farmland Colony No. 1", filed in the office of the County Recorder of Yuba County in Book 1 of Maps, Page 23, said point being the Southwest corner of that parcel of land granted to the State of California in Document No. 1993-3209, records of said County, said point lying South 89°07'00" West, 765.58 feet from a concrete monument at the Northeast corner of said Lot 10 and also lying North 27°59'59" West, 4483.27 feet from a 3/4" iron pipe marking the Southeast corner of Lot 1, Block 1 of said Farmland Colony No. 1 as shown on that certain Parcel Map recorded in the office of the County Recorder of Yuba County in Book 65 of Maps, Page 30; thence from said Point of Beginning, along the North line of said Lot 10, South 89°07'00" West, 133.65 feet; thence leaving said North line, North 06°02'35" West, 550.27 feet; thence North 07°53'14" East, 232.37 feet; thence North 18°33'49" East, 134.66 feet; thence North 17°59'09" East, 243.70 feet; thence North 32°35'49" East, 120.96 feet; thence North 25°42'24" East, 282.74 feet; thence North 26°10'54" East, 364.45 feet; thence North 26°56'58" East, 190.17 feet; thence North 27°45'53" East, 201.64 feet; thence North 28°25'21" East, 161.93 feet; thence North 37°27'14" East, 95.64 feet; thence North 05°10'39" East, 108.51 feet; thence North 17°46'46" West, 44.90 feet more or less to a point on the South line of Lot 9 of the map entitled "Partition of the 1373 acre Tract", filed in Book 12 of Deeds, Page 569, Official Records of Yuba County; thence along said South line, North 89°46'36" East, 83.07 feet to a point on the Westerly line of that parcel of land, described in the deed to the Sacramento San Joaquin Drainage District, recorded in Book 267, Page 509, Official Records of Yuba County; thence along the Westerly line of said Sacramento San Joaquin Drainage District parcel and the Southerly projection thereof, South 17°46'33" East, 224.39 feet; thence leaving the projection of said Westerly line, South 65°53'59" West, 77.43 feet; thence South 26°23'56" West, 427.00 feet, more or less to the Northwesterly corner of said State of California parcel; thence along the Westerly line of said State of California parcel, South 25°38'21" West, 427.89 feet; thence South 26°31'28" West, 610.75 feet; thence South 15°43'47" West, 283.96 feet; thence South 10°05'51" West, 159.64 feet; thence South 01°09'56" East, 123.10 feet; thence South 06°33'20" East, 347.97 feet; thence South 08°14'46" East, 77.76 feet to the Point of Beginning, containing 8.562 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, CCS83 (2007.00), Zone 2, based on observations between NGS Stations Rio Oso, Algodon and HPGN D CA 03 GH. Distances contained herein are ground distances. Multiply the ground distances by 0.99991703 to obtain grid distances.

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

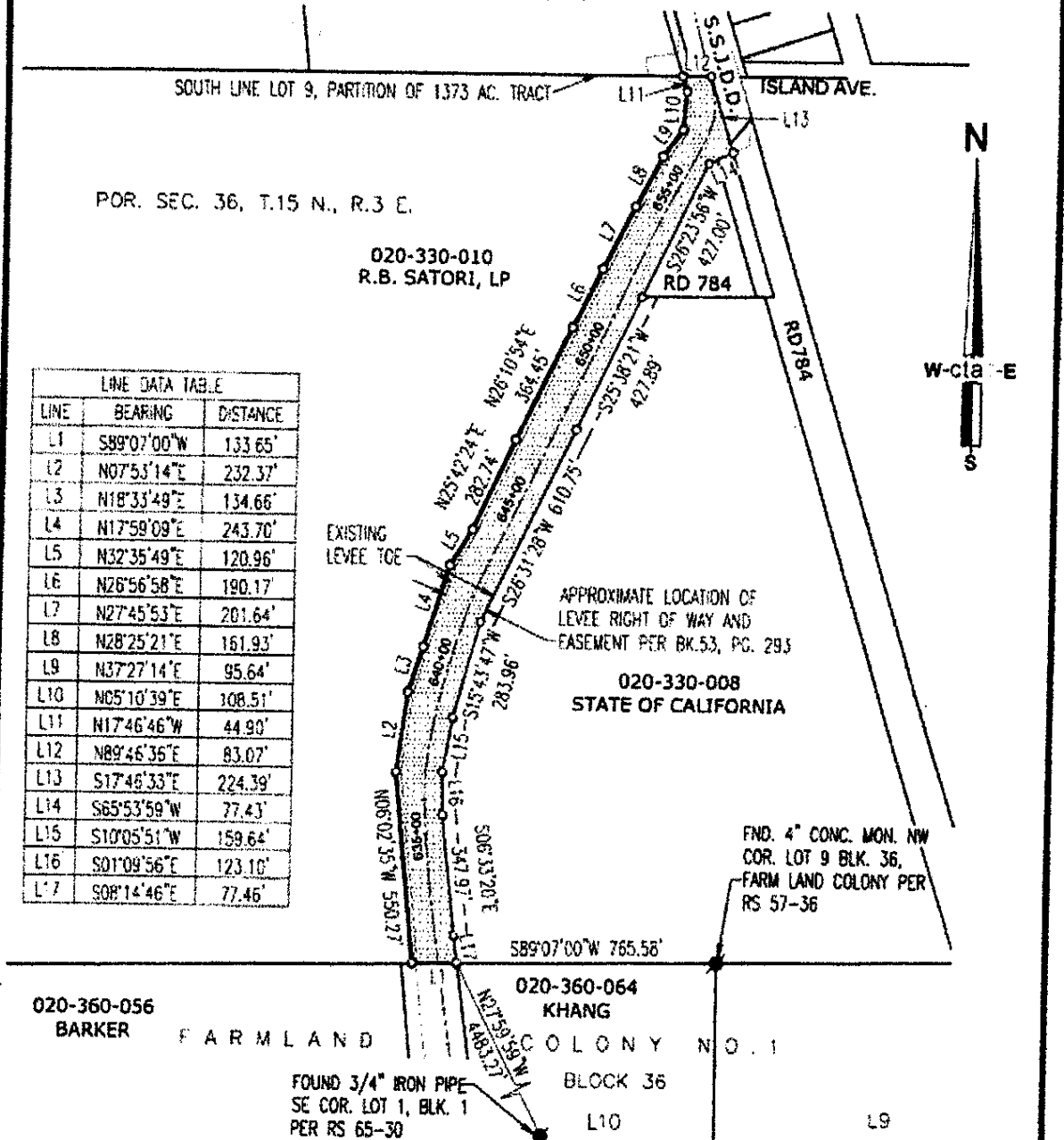

Kevin A. Heeney, PLS 5914



11/23/2015
Date

Portion of:
APN 020-330-010

EXHIBIT A-2



LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	S89°07'00"W	133.65'
L2	N07°53'14"E	232.37'
L3	N18°33'49"E	134.66'
L4	N17°58'09"E	243.70'
L5	N32°35'49"E	120.96'
L6	N26°56'58"E	190.17'
L7	N27°45'53"E	201.64'
L8	N28°25'21"E	161.93'
L9	N37°27'14"E	95.64'
L10	N05°10'39"E	108.51'
L11	N17°46'46"W	44.90'
L12	N89°46'35"E	83.07'
L13	S17°46'33"E	224.39'
L14	S65°53'59"W	77.43'
L15	S10°05'51"W	159.64'
L16	S01°09'56"E	123.10'
L17	S08°14'46"E	77.46'

	OWNER: R.B. SATORI, LP	DATE: 11/20/2015	DRAWN BY: KAH	SHEET 1 OF 1
	A.P.N. 020-330-010	SCALE: 1"=400'	JOB NO. 06-008-005	
	ACQUISITION AREAS: ENCUMBERED AREA= 7.631 AC. UNENCUMBERED AREA= 0.931 AC. TOTAL ACQUISITION= 8.562 ACRES	THREE RIVERS LEVEE IMPROVEMENT AUTHORITY		
	 Chief Engineering - Land Surveying - Land Planning	PHASE 4 FEATHER RIVER LEVEE REPAIR PROJECT RECLAMATION DISTRICT 784		

DATE: 11/23/2015

COUNTY OF YUBA STATE OF CALIFORNIA