THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
Yuba County Government Center, Board Chambers
915 Eighth Street, Suite 109A
Marysville, California

MARCH 4, 2008 – 3:30 P.M.

I  CALL TO ORDER

II  ROLL CALL – Directors Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, Dan Logue

III  PUBLIC COMMUNICATIONS: Any person may speak about any subject of concern provided it is within the jurisdiction of the Levee Improvement Authority and is not already on today’s agenda. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes.

IV  CONSENT AGENDA: All matters listed under the consent agenda are considered to be routine and can be enacted by one motion.

A. Approve minutes of the regular meeting of February 19, 2008.

V  ACTION ITEMS

A. Adopt resolutions declaring the public necessity for acquisition of property along the Feather River for Phase 4 Levee Repair Project identified as the following:

i) APN 013-010-010, 034, and 035 (Danna Investments)

ii) APN 014-250-027, 028, 014-240-008, 014 and Sutter County APN 23-180-007, 009 (Naumes)

iii) APN 014-370-017 (Heir Trust)

iv) APN 014-290-004 (Heir Family)

v) APN 014-370-036 (Nordic)

vi) APN 014-370-006 and 039 (Anderson)

vii) APN 014-370-007 (P.F. Rice)

viii) APN 014-370-020 (Hadley)

VI  BOARD AND STAFF MEMBERS’ REPORTS

VII  CLOSED SESSION


VIII ADJOURN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

FEBRUARY 19, 2008

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 2:00 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Jerry Crippen, Don L. Graham, Mary Jane Griego, and Dan Logue. Also present were Executive Director Paul Brunner, Counsel Scott Shapiro, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chair Griego presided.

CONSENT AGENDA

Minutes: Upon motion of Director Logue, seconded by Director Brown, and unanimously carried, the Board approved the minutes of the special meeting of January 29, 2008, as written.

ACTION ITEMS

A. Funding Program/Phase 4 Feather River and Yuba River Levee Improvements: Executive Director Paul Brunner, Counsel Scott Shapiro, Consultant Seth Wurzel provided a Power Point presentation recapping funding and project elements for Phase 4 Improvements and responded to Board inquiries.

Upon motion of Director Logue, seconded by Director Crippen, and unanimously carried, the Board took the following actions:

i) Adopted Resolution No. 2008-01, which is entitled: "A RESOLUTION BY THE BOARD OF DIRECTORS OF THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AUTHORIZING SPECIFIC ACTIONS IN REGARD TO THE FUNDING PROGRAM FOR PHASE 4 FEATHER RIVER AND YUBA RIVER LEVEE IMPROVEMENTS"; and

ii) Adopted Resolution No. 2008-02, which is entitled: "A RESOLUTION BY THE BOARD OF DIRECTORS OF THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AUTHORIZING THE AUTHORITY TO ACCEPT FUNDS FROM THE STATE OF CALIFORNIA"; and
iii) Approved an agreement with Reclamation District 784 to seek responsibility for operation and maintenance and authorized the Executive Director to execute same; and

iv) Approved an agreement with Yuba County Water Agency to seek credit or reimbursement and authorized the Executive Director to execute upon review and approval of Counsel; and

v) Approved the First Amendment to the Second Funding Agreement for advance funding and reimbursement of costs for levee improvements and authorized the Executive Director to execute upon review and approval of Counsel; and

vi) Approved a funding agreement with the State Department of Water Resources and authorized the Executive Director to execute upon review and approval of Counsel.

B. Peterson Consulting, Inc. /Lobbyist Contract: Upon motion of Director Logue, seconded by Director Crippen, and unanimously carried, the Board approved an extension of the lobbying contract with Peterson Consulting, Inc. through December 31, 2008 and authorized the Chair to execute same.

C. Feather River Setback Levee/Alignment Shift: Upon motion of Director Logue, seconded by Director Crippen, and unanimously carried, the Board adopted Resolution No. 2008-03, which is entitled: "A RESOLUTION BY THE BOARD OF THREE RIVERS LEVEE IMPROVEMENT AUTHORITY IN REGARD TO LACK OF SIGNIFICANT IMPACTS FROM ALIGNMENT SHIFT OF THE FEATHER RIVER SETBACK LEVEE."

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Executive Director Paul Brunner:
- Receiving American Society of Civil Engineers award for Bear River Setback Levee project
- National Environmental Process Act and Environmental Impact Study Process and alignment of setback levee

Counsel Scott Shapiro:
- Various meetings held in Washington, DC regarding levee funding and permits

CLOSED SESSION
The Board retired into closed session at 3:18 p.m. to discuss the following:


The Board returned from closed session at 3:33 p.m. with all Board and staff members present as indicated above.

Right-of-way Manager Bob Morrison made the following announcement:

"The Board directed to staff to settle the agreement and gave authority to the Executive Director to sign the agreement."

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 3:34 p.m. by Chair Griego.

__________________________
Chair

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS
AND SECRETARY OF THE PUBLIC AUTHORITY

__________________________
Approved: ____________________
TO: Three Rivers Levee Improvement Authority Board  
FROM: Paul G. Brunner, Executive Director  
Bob Morrison, Right of Way Consultant  
DATE: February 27, 2008  
SUBJECT: Consider Adopting Resolutions of Necessity for Acquisition of Eight Properties Along the Feather River for the Phase 4 Levee Repair Project

RECOMMENDATION:

That the Board of Directors adopt the attached Resolutions of Necessity for the acquisition of certain properties bearing the following Assessor’s Parcel Numbers* for the Three Rivers Phase 4 Levee Repair Project (the "Project"):

1. 013-010-010, 034 and 035 (Danna Investments)  
2. 014-250-027, 028, 014-240-008, 014 & Sutter County 23-180-007, 009 (Naumes)  
3. 014-370-017 (Heir Trust)  
4. 014-290-004 (Heir Family)  
5. 014-370-036 (Nordic)  
6. 014-370-006 and 039 (Anderson)  
7. 014-370-007 (P.F. Rice)  
8. 014-370-020 (Hadley)

BACKGROUND:

The Three Rivers Levee Improvement Authority (TRLIA) is preparing to carry out the construction, improvement and repair work along certain sections of the flood control levees along the Feather River in Yuba County. A major portion of the levee improvements includes a new setback levee.

The proposed setback levee is part of a larger flood control project that includes 29.3 miles of levee improvements in Yuba County. The proposed setback levee is about 5.7 miles long and will replace approximately 6.2 miles of existing Feather River levee. At the North end the new levee begins about 2,000 feet downstream of the Linda County Water District wastewater treatment plant and is West of the Yuba County airport. The Northern tie-in station with the existing Feather River levee is at approximately Project Levee Mile (PLM) 23.4. The Southern

* All references to Assessor’s Parcel numbers are as to Yuba County unless otherwise specified.
tie-in with the existing levee is just North of the Star Bend boat ramp, at about PLM 17.2. The levee height generally ranges between 18 and 30 feet, with an average height of about 24 feet, and the setback area (the area between the existing levee and the new setback levee, including the footprint of the new levee) is about 1,550 acres. An additional 200+ acres will be acquired for borrow.

Selection of Current Alignment

The selection of the current alignment is based on previous planning studies, hydraulic analysis, and geotechnical analysis. A summary of the planning studies, hydraulic and geotechnical conditions that were considered before selecting the existing Feather River setback levee alignment are described below.

Previous Planning Studies

Setbacks of the Feather River left (East) bank levee within RD 784 have been the subject of several studies and projects by the Yuba County Water Agency and TRLIA during the last seven years. These studies have evaluated levee deficiencies, deficiency remediation measures, and setback levee options. The significant findings of these studies are documented in the following reports:

**Yuba – Feather Supplemental Flood Control Project (2003 Feasibility Report)** – The 2003 Feasibility Report included Feather River setback levees as options to reduce flooding impacts in Marysville, Yuba City, and RD 784. The study included drilling a total of nine borings to investigate soil conditions in the project area. The Feather River levee was divided into two segments, above Start Bend and below Star Bend. Recommendations included continued development of setback levee options for both reaches.

**RD 784 Supplemental Flood Control Improvements (2004 Feasibility Report)** – The 2004 Feasibility Report evaluated an alternative that included a combined setback levee for the lower Bear River and the lower (below Star Bend) Feather River. The study recommended a Southern alignment for a Bear River setback levee over the combined Feather-Bear Rivers setback levee alternative. It was found that the Southern Bear River setback levee could accomplish some of the benefits of a below-Star-Bend Feather setback levee. Construction of the Bear River setback levee has been completed.

**Phase 4 Feather River Levee Repair Project Alternatives Analysis (2006 Alternatives Analysis Report)** - While the 2003 Feasibility Report considered a single setback levee alignment extending from Star Bend to about one mile North of Murphy Road, the 2006 Alternatives Analysis Report evaluated that alignment plus two additional alignments farther to the West. The alternative setback levee alignments for study were selected by a range of project stakeholders in an Alternatives Identification Workshop held in January 2006. The workshop participants identified two alignments to include in the alternatives analysis. Subsequent to the workshop a third alternative setback levee alignment was identified to address property owner concerns at the Northern end of Segment 2. These alignments are summarized in Table 1.
The study assessed the impact of the three alignments on lowering of flood stages in the Feather and Yuba Rivers and evaluated the geotechnical conditions along the alignments, inundation reduction benefits, impact on private property, comparative costs, and opportunities for habitat restoration. As part of the geotechnical evaluation, 13 additional soil borings were drilled to investigate soils conditions along the alternative alignments. Combined with the nine borings from the 2003 Feasibility Report, and several borings from earlier Corps studies, over 25 borings were included in the geotechnical evaluation. Based on the hydraulic, geotechnical, environmental, inundation damage reduction, and cost evaluations documented in the 2006 Alternatives Analysis Report, the Above Star Bend (ASB) setback levee was determined to provide the greatest total benefits and greatest net benefit of the identified alternatives and was therefore determined to be the economically superior alternative.

**DISCUSSION:**

Undertaking the proposed construction work along the Feather and Yuba River bank levee will necessitate the acquisition of the eight properties illustrated below:

<table>
<thead>
<tr>
<th>Assessor's Parcel No.</th>
<th>Owner</th>
<th>Area to be acquired (Acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>013-010-010, 034 and 035</td>
<td>Danna Investments Company, a California partnership</td>
<td>56.29 Acres</td>
</tr>
<tr>
<td>014-250-027, 028, 014-240-008, 014 &amp; Sutter County 23-180-007, 009</td>
<td>Naumes, Inc., an Oregon Corporation</td>
<td>637.40 Acres</td>
</tr>
<tr>
<td>014-370-017</td>
<td>Heir Trust (Pritam Kaur Heir, Surviving Trustee)</td>
<td>.09 Acres</td>
</tr>
<tr>
<td>014-290-004</td>
<td>Heir Family in splintered interests</td>
<td>22.02 Acres</td>
</tr>
<tr>
<td>014-370-036</td>
<td>Nordic Industries, Inc., a Nevada Corporation</td>
<td>80 Acres</td>
</tr>
<tr>
<td>014-370-007</td>
<td>Pat Freeman Rice and Vera Maurine Rice</td>
<td>22.41 Acres</td>
</tr>
</tbody>
</table>

*Setback area includes the footprint of the setback levee*
Owners of the eight properties were offered the appraised value for their property. TRLIA has not yet negotiated a successful purchase agreement with the owners. In case TRLIA is unable to reach an amicable agreement and to protect the schedule of the Project, we are recommending moving forward with the eminent domain proceedings. The first step in these proceedings is to adopt a Resolution of Necessity for acquiring the property.

**FISCAL IMPACT**

The appraised values for these nine parcels are within the TRLIA Board approved (Feb. 6, 2007) land acquisition plan for Feather River Segment 2. The funding to acquire these eight parcels is in the TRLIA cash flow and is available to be deposited to the State Treasurer's Condemnation Fund.
RESOLUTION NO. __________

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. 014-370-017, 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 4, 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 description attached hereto as Exhibits A and accompanying map 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 4th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

______________________________
CHAIRPERSON

ATTEST:

______________________________
Donna Stottlemyer, Secretary
Exhibit ‘A’

APN 014-370-017
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 Sewa Singh and Pritam Kaur Heir, Recorded in Document No. 20000978, Official Records of said County, hereinafter referred to as “Heir” property, being a portion Lots 9, 10, 15 and 16, Block 25 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 Southeast One Quarter of Section 25 Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Beginning at the Southwest corner of said “Heir” property; thence along the West line of said “Heir” property North 00°15'55" West 130.30 feet; thence leaving said West line South 24°24'23" East 142.82 feet to a point on the South line of said “Heir” property; thence along said South line South 89°45'45" West 58.41 feet to the Point of Beginning, containing an area of 3,805 Square Feet or 0.09 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.

[Signature]

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

[Seal]

Page 1 of 1
M:\06-006-012.\2GAJN014-370-017-HEIR-SETBACK-FEE.doc
6/27/2007
RESOLUTION NO. ________

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 Assessor's Parcel No. 014-370-036, 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 4, 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 description attached hereto as Exhibits A and accompanying map 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.

TRLIA/Nordic Industries, Inc.
1077517v1 35662/0021

2/25/2008
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 4th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

__________________________
CHAIRPERSON

ATTEST:

__________________________
Donna Stottlemeyer, Secretary
LEGAL DESCRIPTION

EXHIBIT "A"

The land referred to herein below is situated in the unincorporated area, County of Yuba, State of California, and is described as follows:

Lots 4 and 5, in Block 25, as shown upon the map entitled, "Arboga Colony", on file in the office of the County Recorder of the County of Yuba, State of California, in Book 1 of Maps, at Page 31.

APN: 014-370-036-000
Exhibit B

BLOCK 25, 26, ARBOGA COLONY

Assessor's Map Bk.14, Pg.37
County of Yuba, Calif.

NOTE: Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

R.S. - Bk. 7, Pg. 28 (Ditch R/W)
R.S. - Bk. 1, Pg. 31 (Arboga Colony)

NOTE: This map was prepared for assessment purposes only
and is not intended to delineate property lines or establish
ownership for legal purposes. (Changes in property
boundaries may occur as a result of construction or
land use changes.)

Tax Area Code
64-347
64-140

Assessor's Map Bk.14, Pg.37
County of Yuba, Calif.
RESOLUTION NO. __________

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. 014-370-007, 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 4, 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 description attached hereto as Exhibits A and accompanying map 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.

TRLIA/Rice
1077536v1 35662/0022

2/25/2008
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 4th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

__________________________
CHAIRPERSON

ATTEST:

__________________________
Donna Stottlemeyer, Secretary
All that Real property situated in the County of Yuba, State of California, being a portion of Real property conveyed by deed to Department of "Veterans" Affairs, Recorded in Book 408, Page 134, Official Records of said County, hereinafter referred to as "Veterans" property, being a portion Lot 6, Block 25 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 Northwest One Quarter of Section 25 Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Commencing at a Brass Disk marking the Southeast corner of said "Veterans" property; thence along the South line of said "Veterans" property South 89°45'45" West 516.37 feet to the Point of Beginning; thence continuing along said South line South 89°45'45" West 803.63 feet to the Southwest corner of said "Veterans" property; thence along the West line of said "Veterans" property North 00°15'56" West 675.60 feet; thence along the North line of said "Veterans" property North 89°45'45" East 675.60 feet; thence leaving said North line South 67°48'19" East 1326.26 feet to the Point of Beginning, containing an area of 976,297 Square Feet or 22.41 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

Licensed Land Surveyor
NO.5914
Exp.12-31-2008
STATE OF CALIFORNIA
RESOLUTION NO. ____________

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 Nos. 014-250-027; 014-250-028; 014-240-008 and 014-250-014, in the County of Yuba, California and a portion of Assessor's Parcel Nos. 23-180-007 and 23-180-009, in the County of Sutter, 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 4, 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, Code of Civil Procedure section 1240.125 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 description attached hereto as Exhibits A and accompanying map 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.

TRLIA/Naumes, Inc.
1077014v1 35662/0001
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 4th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

_______________________________
CHAIRPERSON

ATTEST:

Donna Stottlemyer, Secretary
Exhibit 'A'

APN 014-250-027
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 Naumes of Oregon, Inc., an Oregon corporation, Recorded in Book 671, Page 302, Official Records of said County, hereinafter referred to as "Naumes" property, being a portion of "Arboga Colony", filed in the Office of the Recorder in said County and State in Book 1 of Maps at Page 31, also being a portion of Farmland Colony No. 1, Filed in the Office of the Recorder in said County and State in Book 1 of maps at Page 23, situated in Sections 13, 14, 23 and 24 Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Parcel "A"

Commencing at an Iron Pipe marking the Northwest corner of Lot 11, Block 24 of said "Arboga Colony", being a point on the East line of said "Naumes" property; thence along said East line North 00°15'56" West 1377.73 feet to the Point of Beginning; thence leaving said East line North 03°04'07" West 276.19 feet; thence North 00°02'52" East 4008.94 feet; thence North 15°20'46" East 2026.01 feet to a point on the Northerly line of said "Naumes" property; thence along said Northerly line South 59°09'11" East 363.21 feet; thence leaving said Northerly line South 15°20'46" West 1881.93 feet; thence South 00°02'52" West 2336.76 feet to a point on the East line of said "Naumes" property; thence along said East line South 89°45'45" West 345.37 feet to an angle point thereon; thence South 00°15'56" East 1899.26 feet to the Point of Beginning, containing an area of 35.05 acres, more or less.

Parcel "B"

Commencing at an Iron Pipe marking the Northwest corner of Lot 11, Block 24 of said "Arboga Colony", being a point on the East line of said "Naumes" property; thence along said East line South 00°15'56" East 521.88 feet to the Point of Beginning; thence continuing along said East line South 00°15'56" East 2118.49 feet to an Iron Pipe marking the Southeast corner thereof, being the Southeast corner of Lot 5, Block 24 of said "Arboga Colony"; thence along the South line of said "Naumes" property South 89°45'45" West 2640.00 feet to the Southwest corner thereof; thence along the West line of said "Naumes" property North 00°15'56" West 2129.43 feet; thence leaving said West line North 90°00'00" East 2640.03 feet to the Point of Beginning, containing an area of 128.72 acres, more or less.

Parcel "C"

Beginning at an Iron Pipe marking the Northwest corner of Lot 11, Block 24 of said "Arboga Colony", being a point on the East line of said "Naumes" property; thence along said East line, North 00°15'56" West, 1377.73 feet; thence leaving said East line, North 03°04'07" West 276.19 feet; thence North 00°02'52" East 4008.94 feet; thence North 15°20'46" East 2026.01 feet to a point on the Northerly line of said "Naumes" property; thence along said Northerly line, North 59°09'11" West, 2257.40 feet to a point on the West line of Parcel 2, as described in the Easement Deed to Sacramento and San Joaquin Drainage District, recorded as Instrument No. 200305663, records of said County; thence along said Westerly line, South 20°10'14" West, 418.11 feet; thence South 14°10'14" West, 483.28 feet; thence South 14°06'14" West, 505.75 feet; thence South 10°28'14" West, 1666.75 feet; thence South 69°03'22" East, 1.73 feet; thence South 10°13'34" West, 877.66 feet; thence South 04°56'32" West, 424.72 feet to a point on the East line of Parcel 1 as said Parcel 1 is described in the deed to the Sacramento and San Joaquin
Exhibit 'A'

Drainage District recorded in Book 61 of Official Records, Page 76, records of said County; thence along said East line, South 05°01'33" West, 374.05 feet; thence South 03°17'33" West, 965.43 feet; thence South 04°18'33" West, 435.13 feet; thence South 05°01'33" West, 800.31 feet; thence South 02°52'33" West, 400.24 feet; thence South 04°18'39" West, 400.18 feet; thence South 02°01'33" West, 800.47 feet; thence South 00°40'33" West, 223.97 feet; thence South 03°32'48" West, 3.34 feet; thence South 89°44'49" West, 46.00 feet to the corner common to Lots 7, 8, 9 and 10, Block 23 of said "Arboga Colony"; thence along the line common to said Lots 9 and 10, South 00°15'56" East, 509.85 feet; thence leaving said common line, North 00°00'00" East, 2640.03 feet to a point on the East line of said "Naumes" property; thence along said East line, North 00°15'56" West, 521.88 feet to the Point of Beginning, containing 473.62 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. Heeneay, P.L.S. 5914

1/31/07 Dated
BLOCK 13

POINT OF BEGINNING
PARCEL 'C'
IRON PIPE
N.W. CORNER LOT 11,
BLOCK 24
ARBONA COLONY

DATA TABLE

<table>
<thead>
<tr>
<th>LINE</th>
<th>BEARING</th>
<th>DISTANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>S20°10'14&quot;W</td>
<td>418.11'</td>
</tr>
<tr>
<td>L2</td>
<td>S14°10'14&quot;W</td>
<td>483.28'</td>
</tr>
<tr>
<td>L3</td>
<td>S14°06'14&quot;W</td>
<td>505.75'</td>
</tr>
<tr>
<td>L4</td>
<td>S10°28'14&quot;W</td>
<td>1666.75'</td>
</tr>
<tr>
<td>L5</td>
<td>S09°33'22&quot;T</td>
<td>1.75</td>
</tr>
<tr>
<td>L6</td>
<td>S01°13'34&quot;W</td>
<td>877.86'</td>
</tr>
<tr>
<td>L7</td>
<td>S04°56'32&quot;W</td>
<td>424.72'</td>
</tr>
<tr>
<td>L8</td>
<td>S05°01'33&quot;W</td>
<td>374.05'</td>
</tr>
<tr>
<td>L9</td>
<td>S03°17'33&quot;W</td>
<td>965.43'</td>
</tr>
<tr>
<td>L10</td>
<td>S04°18'33&quot;W</td>
<td>435.13'</td>
</tr>
<tr>
<td>L11</td>
<td>S02°57'33&quot;W</td>
<td>400.24'</td>
</tr>
<tr>
<td>L12</td>
<td>S04°18'39&quot;W</td>
<td>400.18'</td>
</tr>
<tr>
<td>L13</td>
<td>S02°01'53&quot;W</td>
<td>800.47'</td>
</tr>
<tr>
<td>L14</td>
<td>S03°32'46&quot;W</td>
<td>1.34</td>
</tr>
<tr>
<td>L15</td>
<td>S09°44'40&quot;W</td>
<td>46.00'</td>
</tr>
<tr>
<td>L16</td>
<td>S00°15'56&quot;T</td>
<td>509.85'</td>
</tr>
</tbody>
</table>

OWNER: NAUMES
ACQUISITION AREAS:
PARCEL 'A' = 35.05 ACRES
PARCEL 'B' = 128.72 ACRES
PARCEL 'C' = 473.62 ACRES

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

CTA Engineering - Surveying
COUNTY OF YUBA
CALIFORNIA

DAIL: 02/22/2007
DRAWN BY: J. SHID

L: 014-250-027
APN: 014-250-027-NAUMES-FEE.dwp, APN-014-250-027-NAUMES-SHT 2, 7/21/2007 7:13:54 AM, kheaney
RESOLUTION NO. __________

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 Nos. 013-010-010, 013-010-034 and 013-010-035, 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 4, 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 description attached hereto as Exhibits A and accompanying map 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 4th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

______________________________
CHAIRPERSON

ATTEST:

______________________________
Donna Stottlemeyer, Secretary
Exhibit ‘A’

APN 013-010-010
APN 013-010-034
APN 013-010-035
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 D.F. Danna and Company, a partnership, recorded in Book 90, Page 235 of deeds in said County and State, hereinafter referred to as "Danna property", lying within a portion of Lots 2, 3, 14, and 15, Block 1 as shown upon that certain map entitled "Farmland Colony No. 1", filed in the Office of the Recorder in said County and State in Book 1 of maps at Page 23, also being a portion of Parcels 5 and 6, Parcel Map 80-65, filed in the Office of said Recorder in Book 36 of Maps, Page 28, and situated in the South Half of Section 1 and the North Half of Section 12 Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Beginning at an Iron Pipe marking the Southwest corner of Parcel 6 of said Parcel Map; Thence along the Westerly line of said Parcel 6 North 00°15'56" West 1320.52 feet to the Northwest corner thereof; thence South 89°45'45" West 847.35 feet to a point on the Easterly line of the land described in parcel 6 of deeds to Sacramento-San Joaquin Drainage District, recorded October 15, 1940 in Book 58, Official Records, Page 211 and April 11, 1941 in Book 61, Official Records, Page 76; thence Northerly along the Easterly line of said Sacramento-San Joaquin Drainage District Parcel the following courses, North 35°04'23" East 240.06 feet; thence North 32°48'01" East 255.37 feet; thence North 29°19'17" East 186.52 feet; thence North 23°25'29" East 211.38 feet; thence North 25°37'47" East 338.26 feet; thence North 13°27'01" East 134.32 feet; thence North 26°58'12" East 721.79 feet; thence North 27°34'03" East 154.85 feet to the Northwest corner of said Danna property; thence leaving the Easterly line of said Sacramento-San Joaquin Drainage District Parcel, along the Northerly line of said Danna property North 89°43'30" East 519.31 feet; thence leaving said Northerly line, South 89°43'30" West 4661.64 feet to a point on the West line of said Danna property, being a point on the Westerly line of Parcel 5 of said Parcel Map; thence along the Westerly line of Parcel 5 of said Parcel Map North 00°15'56" West 1290.71 feet to the Point of Beginning, containing an area of 56.29 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.

[Signature]

Kevin A. Heeney, P.L.S. 5914
Exhibit 'B'

013010026 J. SMITH

ACQUISITION AREAS:

- Three Rivers Levee Improvement Authority

OWNER: DANNA

DATE: 03/08/2007

DRAWN BY: JWG

SHEET 1

ACQUISITION AREAS:

- A.P.N. 013-010-010, 013-010-034 & 035

PROPERTY BOUNDARY

- Eastery Line Permanent Easement to SSJDD Doc. No. 97003832

- Datum WGS 84

- Map Parcels

- NAD 83

- North
RESOLUTION NO. _____

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 014-290-004, 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 4, 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 description attached hereto as Exhibits A and accompanying map 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.

TRLIA/Heir Family
1077453v2 35662/0001

2/25/2008
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 4th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

______________________________  CHAIRPERSON

ATTEST:

______________________________
Donna Stottlemeyer, Secretary

TRLIA/Heir Family
1077453v2 35662/0001  2  2/25/2008
All that Real property situated in the County of Yuba, State of California, being a portion of
Real property conveyed by deed to Baldev S. Heir and Patricia L. Wiggins, Recorded in Document
No. 20005875, Official Records of said County, hereinafter referred to as "Heir" property, being a
portion Lots 3 and 6, 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 Northwest One Quarter of Section 24 Township 14 North, Range 3 East of the Mount
Diablo Base and Meridian, being more particularly described as follows:

Beginning at the Northwest corner of said "Heir" property, being the Southwest corner of Parcel
1 of that certain Parcel Map No. 893, filed in the Office of the Recorder in said County and State
in Book 30 of Maps at Page 29; thence along the North line of said "Heir" property being coincident to the South line of said Parcel 1 North 89°45'45" East 341.90 feet; thence leaving said North line South 00°02'52" West 980.44 feet; thence South 03°04'07" East 1663.22 feet to a point on the South line of said "Heir" property; thence along the South line of said "Heir" property South 89°44'20" West 417.88 feet to the Southwest corner thereof; thence along the West line of said "Heir" property North 00°15'56" West 2641.79 feet to the Point of Beginning,
containing an area of 959,234 Square Feet or 22.02 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. Heaney, P.L.S. 5914

Page 1 of 1
M:\06-008-002\LEGAL\S014-290-004-HEIR-SETBACK-FEE.doc
3/20/2007
PLUMAS ROAD

POINT OF BEGINNING
S.W. CORNER
PARCEL 1
PARCEL MAP 8.93

40' EASEMENT PER
PARCEL MAP NO. 8.93

BROADWAY ROAD

PARCEL 1

PARCEL 2

PARCEL 3

RICE PARCEL MAP NO. 8.93

014250027
NAUMES

014290004
HIER COLONY

014290033 DANG

ACQUISITION AREAS:

FEE TITLE ACQUISITION=959,234 SQ. FT.
22.02 ACRES

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

CTA Engineering · Surveying

COUNTY OF YUBA
CALIFORNIA

DRAWN BY: JWG

SHEET: 1

JOB NO. 06-008-002

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

SCALE: 1"=400'

DATE: 03/25/2007

LICENSED LAND SURVEYOR

REMNANT RIVERS SURVEYING CORP.
RESOLUTION NO. ________

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 Nos. 014-370-006 and 014-370-039, 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 4, 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 description attached hereto as Exhibits A and accompanying map 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.

TRLIA/Anderson 2/25/2008
1077524v1 35662/0020
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 4th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

________________________
CHAIRPERSON

ATTEST:

________________________
Donna Stottlemyer, Secretary
Exhibit ‘A’

APN 014-370-006  
APN 014-370-039  
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 Gene R. Anderson, Recorded in Book 553, Page 583, Official Records of said County, hereinafter referred to as "Anderson" property, being a portion Lot 3, Block 25 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 Northwest One Quarter of Section 25 Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Beginning at an Iron Pipe marking the Northwest corner of said "Anderson" property; thence along the North line of said "Anderson" property North 89°45'45" East 531.27 feet; thence leaving said North line South 00°17'03" East 57.29 feet; thence South 00°15'56" East 96.88 feet; thence along the arc of a 300.00 foot radius curve concave Easterly and being subtended by a chord bearing South 05°09'24" East 51.16 feet; thence South 10°02'53" East 402.15 feet; thence along the arc of a 700.00 foot radius curve concave Southwest and being subtended by a chord bearing South 07°55'36" East 51.82 feet; thence South 05°48'19" East 670.40 feet to a point on the South line of said "Anderson" property; thence along the South line of said "Anderson" property South 89°45'45" West 675.60 feet to the Southwest corner thereof; thence along the West line of said "Anderson" property North 00°15'56" West 1320.00 feet to the Point of Beginning, containing an area of 795,272 Square Feet or 18.26 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.

Keven A. Heene, P.L.S. 5914

Page 1 of 1
M:\06-008-002\LEGALS\014-370-039-ANDERSON-SETBACK-FEE-REVISED.doc 4/27/2007
RESOLUTION NO. _________

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. 014-370-020, 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 4, 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 description attached hereto as Exhibits A and accompanying map 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.

TRLIA/Hadley
1077553vl 35662/0019 2/25/2008
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 4th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

______________________________
CHAIRPERSON

ATTEST:

______________________________
Donna Stottlemeyer, Secretary
Exhibit ‘A’

APN 014-370-020
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 “Hadley”, Brieden and Beal, Recorded in Document No.
98000696, Official Records of said County, hereinafter referred to as “Hadley” property, being a
portion Lots 11 and 14, Block 25 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 25 Township 14 North, Range 3 East of the
Mount Diablo Base and Meridian, being more particularly described as follows:

Commencing at a Brass Disk marking the Northeast corner of said “Hadley” property; thence
along the North line of said “Hadley” property South 89°45'45" West 516.37 feet to the Point of
Beginning; thence leaving said North line South 05°48'19" East 412.97 feet; thence South
24°24'23" East 1112.27 feet to a point on the Southerly line of said “Hadley” property; thence
along said Southerly line the following courses, North 67°54'15" West 420.31 feet; thence North
28°54'15" West 136.30 feet; thence South 89°45'45" West 454.70 feet to the Southwest corner
of said “Hadley” property; thence along the Westerly line of said “Hadley” property the following
courses, North 07°08'15" West 298.00 feet; thence North 26°16'15" West 525.00 feet; thence
North 04°39'15" West 380.00 feet to the Northwest corner of said “Hadley” property; thence
along the North line of said “Hadley” property North 89°45'45" East 708.63 feet to the Point of
Beginning, containing an area of 879,664 Square Feet or 20.19 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. Heaney, P.L.S. 8914

Page 1 of 1
M:\06-005-002\LEGALS\014-370-020-HADLEY-SETBACK-FEE.doc
3/20/2007