CALL TO ORDER

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

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.

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 March 4, 2008.

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 (continued from March 4, 2008):

i) APN 013-010-010, 034, and 035 (Danna Investments)
ii) APN 014-370-017 (Heir Trust)
iii) APN 014-290-004 (Heir Family)
iv) APN 014-370-036 (Nordic)
v) APN 014-370-006 and 039 (Anderson)
vi) APN 014-370-007 (P.F. Rice)
vii) APN 014-370-020 (Hadley)

B. 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 016-010-006 (L. Nieschulz etc.)
ii) APN 016-010-016 (Susanna M. Nieschulz Trust)
iii) APN 016-010-009 (Herold)
iv) APN 016-010-010 (Flores)
v) APN 016-010-002, 016-010-007, 016-020-005, 014-370-029, 014-370-030 (Foster)
vi) APN 016-010-008 (Foster)
vii) APN 016-060-001 (Foster/Mitchell)
viii) APN 014-250-027, 014-240-008, 014 and Sutter County 23-180-007,009 (Naumes)

BOARD AND STAFF MEMBERS’ REPORTS

CLOSED SESSION

ADJOURN
A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 3:35 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Jerry Crippen, Don L. Graham, and Mary Jane Griego. Directors Rick Brown and Dan Logue were absent. Also present were Executive Director Paul Brunner, Counsel Scott Shapiro, and Clerk of the Board of Supervisors/Secretary Donna Stottlemyer. Chair Griego presided.

CONSENT AGENDA

Minutes: Upon motion of Director Crippen, seconded by Director Graham, and carried with Directors Brown and Logue being absent, the Board approved the minutes of the regular meeting of February 19, 2008, as written.

ACTION ITEMS

Resolutions of Public Necessity/Phase 4 Feather River Levee Repair Project: Following Chair Griego and Counsel Shapiro providing procedural information for proceeding, Right-of-way Manager Bob Morrison provided a Power Point presentation regarding necessity of project and the taking of certain property.

Ms. Berdina Anderson, property owner, requested consideration of specific trees located on her property.

Mr. Ray Anderson, on behalf of Ms. Berdina Anderson, read into the record written comments which are identified as Exhibit A and attached and made a part of the minutes.

Mr. David Anderson, property owner, felt the present offer on the property was inadequate and urged inclusion of costs for land, trees, and period of time to reach full production.
Chair Griego continued the following resolutions of necessity to 2:00 p.m. on March 18, 2008:

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)

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Executive Director Paul Brunner:
- Corps of Engineers public scoping meeting March 10, 2008 at 6:30 p.m. in Board chambers regarding 408 and 404 permits
- Early implementation project schedule
- Encroachment permit hearing on March 21, 2008

Director Griego:
- Presented proclamation to California Office of Emergency Deputy Director Paul Jacks on his retirement

CLOSED SESSION

The Board retired into closed session at 4:15 p.m. to discuss the following:


The Board returned from closed session at 4:39 p.m. with all Board and staff members present as indicated above.

There was no announcement from closed session.
ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 4:39 p.m. by Chair Griego.

________________________
Chairman

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

_______________________________  Approved: ______________________

Counter Proposal to TRILA  
Dina --- March 4, 2008  

This is a counterproposal to Three Rivers Levee Improvement Authority to recover projected loss of income due to purchase by TRILA of 18.2 acres from Mrs. Berdina Anderson, which includes 15.2 acres of 7 year old Howard walnuts planted in a hedge row configuration, and are just nearing full production, and 3 acres which could be called wildlife habitat.

Removal of this acreage from the total farm's approximately 35 producing acres will result in a major loss of income, which Mrs. Anderson needs to live on. The removal of this acreage would leave a balance of approximately 4.25 acres of the Howard walnuts and 15.5 acres of older walnuts, which, because of declining production, should be removed and replaced.

Because of this major loss of revenue, we propose that TRILA compensate Mrs. Anderson for the net cash income loss for the seven years that it would take to bring an equivalent acreage into the same level of production as those being removed. Using University of California 2007 walnut studies: 4400 lbs. per acre @ $0.80 per lb., would result in an estimated seven year total net loss of income of $217,694.00.

Just a little background on this property being affected: it was acquired by the Anderson family in 1908 - 100 years ago- and has been farmed continuously ever since, with the full intent of farming it well into the future. Mrs. Anderson, who has been widowed for a little over a year, has been relying on this orchard to provide income for her latter years.

In closing, I would like to point out to everyone what priorities apparently seem to be of prime importance in our society. In addition to 1550 acres of wildlife habitat produced as a result of the set back levee project, the U.S. Department of Fish and Wildlife and Army Corps of Engineers said that an additional 135 acres of Giant Garter Snake and other wildlife habitat would be destroyed by the project. To mitigate for this additional loss of habitat, TRILA has contracted with Wildlands, Inc. for property on the west side of Highway 113 in Sutter County, at a cost of $5,332,000.00, which equates to $39,496.00 per acre. This compares to $17,500.00 per acre offered for the Anderson property; plus an estimated
mitigation cost to replace an irrigation well and mini sprinkler system, for a total estimated price of $368,495, or $20,247 per acre - $19,249.00 per acre less than that paid for Giant Garter Snake and other wildlife habitat mitigation. You can draw your own conclusions, who or what has the top priority?
TO: THREE RIVERS LEVEE IMPROVEMENT BOARD OF DIRECTORS

FROM: PAUL BRUNNER, EXECUTIVE DIRECTOR

DATE: March 11, 2008

SUBJECT: CONSIDER ADOPTING RESOLUTIONS OF NECESSITY FOR ACQUISITION OF SEVEN 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. 014-370-017 (Heir Trust)
3. 014-290-004 (Heir Family)
4. 014-370-036 (Nordic)
5. 014-370-006 and 039 (Anderson)
6. 014-370-007 (P.F. Rice)
7. 014-370-020 (Hadley)

BACKGROUND:

The Three Rivers Levee Improvement Authority held its meeting of March 4, 2008 to consider adoption of the above seven resolutions of necessity. There was not however the quorum of the board of directors necessary to adopt the resolutions of necessity. The staff made its presentation and stenographically recorded the meeting for the Board's review. A transcript of those proceedings will be made available to the Board. The Naumes property which was originally scheduled to be presented at the March 4, 2008 was rescheduled to March 18, 2008.

* All references to Assessor's Parcel numbers are as to Yuba County unless otherwise specified.
The Three Rivers Levee Improvement Authority (TRL1A) 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 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 addition 200+ acres.

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 TRL1A 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 shown on Figure 2 and summarized in Table 1.

Table 1: Alternative Feather River Setback Levee Alignments

<table>
<thead>
<tr>
<th>Study Description</th>
<th>Workshop Description</th>
<th>Setback Levee Length</th>
<th>Setback Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above Star Bend (ASB) Setback Levee</td>
<td>Modified 2003 Setback Levee</td>
<td>30,000 ft.</td>
<td>1,600 acres</td>
</tr>
<tr>
<td>Intermediate Setback Levee</td>
<td>Intermediate Setback Levee</td>
<td>29,000 ft.</td>
<td>1,200 acres</td>
</tr>
<tr>
<td>Modified Intermediate Setback Levee</td>
<td>n/a</td>
<td>29,000 ft.</td>
<td>1,000 acres</td>
</tr>
</tbody>
</table>

1 Setback area includes the footprint of the setback levee.

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 seven 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>014-370-017</td>
<td>Heir Trust (Pritam Kaur)</td>
<td>.09 Acres</td>
</tr>
</tbody>
</table>
Owners of the seven 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 seven parcels are within the TRLIA Board approved (Feb. 6, 2007) land acquisition plan for Feather River Segment 2. The Prop 1E funding to acquire these seven parcels is in the TRLIA cash flow and is available to be deposited to the State Treasurer’s Condemnation Fund once the Prop 1E State agreement is signed.
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 and March 18, 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 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

CHAIRPERSON

ATTEST:

Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL
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 Pratam 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°15'35" 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]
Keith A. Heaney, P.L.S. 5914

(Stamp: MAPPERS-LAND SURVEYORS)
RESOLUTION NO. 1110-111

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 and March 18, 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 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  


CHAIRPERSON


ATTEST:


Donna Stottlemeyer, Secretary


APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL


By:
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 59, 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°40'01" 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 35°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 09°43'59" 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. Heaney, P.L.S. 5914

Page 1 of 1
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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.
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

CHAIRPERSON

ATTEST:

Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By:
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. 96000696, 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°46'19" East 412.97 feet; thence South 24°24'23" East 1112.27 feet to a point on the Southernly line of said "Hadley" property; thence along said Southernly 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 Westernly line of said "Hadley" property the following courses, North 07°05'15" 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 706.63 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.

[Signature]

Kevin A. Heeley, P.L.S., 8914

Licensed Land Surveyor
No. 5914
Exp. 12-31-2007
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. 014-370-007, 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 and March 18, 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 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

__________________________
CHAIRPERSON

ATTEST:

Donna Stottemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By:
Exhibit 'A'

APN 014-370-007
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 Department of "Veterans" Affairs, Recorded in Book 405, 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 1320.00 feet to the Northwest corner thereof; thence along the North line of said "Veterans" property North 89°45'45" East 675.60 feet; thence leaving said North line South 05°19'19" 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

Page 1 of 1
M:06-008-002\LEGALS\014-370-007\VETERANS-SETBACK-FEE.doc
3/20/2007
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 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 and March 18, 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
1077524v1 35662/0020
3/7/2008
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

______________
CHAIRPERSON

ATTEST:

Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By:
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 Southwesterly 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 18.16 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. Heenen, P.L.S. 5914

[Seal]
Licensed Land Surveyor

Page 1 of 1
M:\06-008-007\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 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 and March 18, 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. 3/7/2008
1077517v1 35662/0021
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

__________________________
CHAIRPERSON

ATTEST:

__________________________
Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL
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
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 and March 18, 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 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

_______________________________
CHAIRPERSON

ATTEST:

_______________________________
Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIO
GENERAL COUNSEL

By: __________________________

3/7/2008
Exhibit 'A'

APN 014-290-004
LEGAL DESCRIPTION
FEE TITLE ACQUISITION

All 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. 8.93, 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 417.38 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.

[Signature]

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

[ seal ]

[ seal ]

Page 1 of 1
M:\06-008-002\LEGAL\014-290-004-HIER-SETBACK-FEE.doc
3/20/2007
Exhibit 'B'

RICE
PARCEL 1
PARCEL MAP NO. 8.93

PLUMAS ROAD

PARCEL 2
PARCEL MAP NO. 8.93

PARCEL 3
PARCEL MAP NO. 8.93

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

2641.76'

2641.76'

589'.44 20'W
417.88'

014250027
NAUMES

014290004
HIER COLONY

20'-40' CASEMENT PER
PARCEL MAP NO. 8.93

014290033
DANG

014290005
HIER SCALE 1
JOB NO. 09-002

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

OWNER: HIER
APN: 014-290-004
ACQUISITION AREAS:
FEE TITLE ACQUISITION=959,234 SQ. FT.
22.02 ACRES

DATE: 03/20/2007
DRAWN BY: JWD

LICENSED LAND SURVEYOR FOR
CALIFORNIA SHEET 1 OF 1

CTA Engineering • Surveying
COUNTY OF YUBA
CALIFORNIA
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. L. Nieschulz etc. (016-010-006)
2. Susanna M. Nieschulz Trust (016-010-016)
3. Herold (016-010-009)
4. Flores (016-010-010)
5. Foster (016-010-002, 016-010-007, 016-020-005, 014-370-029 and 014-370-030)
6. Foster (016-010-008)
7. Foster/Mitchell (016-060-001)
8. Naumes (014-250-027, 014-240-008, 014 and Sutter County 23-180-007, 009)

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
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 addition 200+ acres

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 shown on Figure 2 and summarized in Table 1.
Table 1: Alternative Feather River Setback Levee Alignments

<table>
<thead>
<tr>
<th>Study Description</th>
<th>Workshop Description</th>
<th>Setback Levee Length</th>
<th>Setback Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above Star Bend (ASB) Setback Levee</td>
<td>Modified 2003 Setback Levee</td>
<td>30,000 ft.</td>
<td>1,600 acres</td>
</tr>
<tr>
<td>Intermediate Setback Levee</td>
<td>Intermediate Setback Levee</td>
<td>29,000 ft.</td>
<td>1,200 acres</td>
</tr>
<tr>
<td>Modified Intermediate Setback Levee</td>
<td>n/a</td>
<td>29,000 ft.</td>
<td>1,000 acres</td>
</tr>
</tbody>
</table>

*Setback area includes the footprint of the setback levee.

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 Nos.</th>
<th>Owner</th>
<th>Area to be acquired (Acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>016-010-006</td>
<td>Loyd R. Nieschulz and Patricia A. Nieschulz, his wife as community property, an undivided 50% interest; Dale D. Nieschulz and Susan Marie Nieschulz, his wife, as community property, an undivided 25% interest; and Susanna M. Nieschulz, as Trustee of the Susanna M. Nieschulz 1998 Revocable Trust as to an undivided 25% interest</td>
<td>1.48 Acres in Fee 1.014 Acres in TCE</td>
</tr>
<tr>
<td>016-010-016</td>
<td>Susanna M. Nieschulz, Trustee of the Susanna M. Nieschulz 1998 Revocable Trust</td>
<td>72.03 Acres in Fee</td>
</tr>
<tr>
<td>016-010-009</td>
<td>Eleanor Herold, an unmarried woman</td>
<td>0.45 Acres in Fee</td>
</tr>
<tr>
<td>Parcel Numbers</td>
<td>Ownership and Description</td>
<td>Acres in Fee</td>
</tr>
<tr>
<td>----------------</td>
<td>------------------------------------------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>016-010-010</td>
<td>Hermita Flores and Mark AldrinFlores</td>
<td>3.565</td>
</tr>
<tr>
<td>016-010-002, 016-010-007, 016-020-005, 014-370-029 and 014-370-030</td>
<td>Gregory Lynn Foster, as managing general partner of the Foster Ranch Limited Partnership, established December 18, 1997, Gregory Lynn Foster, a married man; and Gregory L. Foster and Mary Ann, husband and wife as co-community property</td>
<td>277.3</td>
</tr>
<tr>
<td>016-010-008</td>
<td>Gregory Lynn, as managing general partner of the Foster Ranch Limited Partnership, established December 18, 1997, Gregory Lynn Foster, a married man</td>
<td>0.37</td>
</tr>
<tr>
<td>016-060-001</td>
<td>Gregory Lynn, as managing general partner of the Foster Ranch Limited Partnership, established December 18, 1997, Gregory Lynn Foster, a married man, and Niell R. Mitchell and Sandra D. Mitchell, husband and wife as joint tenants</td>
<td>5.87</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</td>
</tr>
</tbody>
</table>

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 eight parcels are within the TRLIA Board approved (Feb. 6, 2007) land acquisition plan for Feather River Segment 2. The Prop 1E 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 once the Prop 1E State agreement is signed.
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 016-010-006 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 18, 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 descriptions attached hereto as Exhibits A-1, and A-2 and accompanying maps attached hereto as Exhibits B-1, B-2 and B-3, 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-1, A-2, B-1, B-2, and B-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. 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 18\textsuperscript{th} day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES: 
NOES: 
ABSTAIN: 
ABSENT: 

__________________________
CHAIRPERSON

ATTEST:

_______________________________
Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By: [Signature]
EXHIBIT A-1

APN 016-010-006
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 Nieschulz, Recorded in Document No. 9B010261, Official Records of said County, hereinafter referred to as "Nieschulz property", being a portion of Lots 5 and 12 of Block 31 and Lots 8 and 9 of Block 36, as shown upon that certain map entitled, "Arboga Colony No. 2", filed in the Office of the Recorder in said County and State in Book 2 of Maps at Page 15, situated in the East Half of Section 36, Township 14 North, Range 3 East and in the West Half of Section 31, Township 14 North, Range 4 East, M.D.M., and being more particularly described as follows:

Beginning at a point on the South line of said "Nieschulz" property from which the Southwest corner of said "Nieschulz" property, being a point on the centerline of Feather River Boulevard bears North 88°57'00" East, 358.59 feet; thence along said South line, South 88°57'00" West, 186.81 feet to the Southwest corner of said "Nieschulz" property; thence along the West line of said "Nieschulz" property, North 64°23'12" East, 87.21 feet; thence North 05°30'00" West, 500.00 feet; thence North 15°30'00" West, 300.00 feet; thence North 42°30'00" West, 600.00 feet; thence North 23°00'00" West, 233.84 feet to the Northwest corner of said "Nieschulz" property; thence along the North line of said "Nieschulz" property, North 89°45'45" East, 27.82 feet; thence leaving said North line, South 27°51'54" East, 298.26 feet; thence South 39°57'52" East, 40.60 feet; thence South 28°13'21" East, 44.53 feet; thence South 47°37'07" East, 217.98 feet; thence South 42°23'41" East, 141.72 feet; thence along the arc of a curve concave to the Southwest, having a radius of 320.14 feet, the chord of which bears South 27°49'17" East, 154.50 feet; thence South 12°42'04" East, 474.77 feet; thence along the arc of a curve concave to the Southwest, having a radius of 772.64 feet, the chord of which bears South 21°35'00" East, 175.06 feet to a point of compound curvature; thence along the arc of a curve to the right, having a radius of 1020.21 feet and being subtended by a chord bearing South 09°14'34" East, 130.12 feet; thence South 06°02'29" East, 2.15 feet to the Point of Beginning; containing an area of 64,591 square feet or 1.48 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. Heenan, P.L.S. 5914

12-20-07
Dated:
EXHIBIT A-2

APN 016-010-006
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

All that Real property situated in the County of Yuba, State of California, being a portion of Real property conveyed by deed to Nieschulz, Recorded in Document No. 98010261, Official Records of said County, hereinafter referred to as "Nieschulz property", being a portion of Lots 5 and 12 of Block 31 and Lots 8 and 9 of Block 36, as shown upon that certain map entitled, "Arboga Colony No. 2", filed in the Office of the Recorder in said County and State in Book 2 of Maps at Page 15, situated in the East Half of Section 36, Township 14 North, Range 3 East and in the West Half of Section 31, Township 14 North, Range 4 East, M.D.M., and being more particularly described as follows:

Commencing at the Southeast corner of said "Nieschulz property", being a point on the centerline of Feather River Road; thence along the South line of said "Nieschulz property", South 88°57'00" West, 30.04 feet to a point on the West line of Feather River Road; thence leaving the South line of said "Nieschulz property" along the West line of Feather River Road, North 01°57'00" East, 16.35 feet to the Point of Beginning; thence South 85°02'53" West, 113.44 feet; thence South 87°32'49" West, 101.41 feet; thence South 87°13'30" West, 94.87 feet; thence along the arc of a curve, concave to the Southwest, having a radius of 800.00 feet, the chord of which bears North 05°58'09" West, 15.02 feet; thence North 87°13'30" East, 95.75 feet; thence North 87°32'52" East, 101.10 feet; thence North 85°02'53" East, 114.96 feet to a point on the West line of Feather River Road; thence along the West line of said Feather River Road, South 01°57'00" West, 15.11 feet to the Point of Beginning, containing an area of 4,661 square feet, 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. Hemeny, P.L.S. 5914

Dated: 10-19-07
Note: Pole Line Easement to P.G.&E., Recorded June 8, 1929, in Book 5, Page 408 Official Records may affect the Property shown hereon.

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

OWNER: NIESCHULZ
APN: 016-010-006
ACQUISITION AREAS:
FEE TITLE ACQUISITION = 64,591 SQ FT.
OR 1.48 ACRES

CTA Engineering Surveying
COUNTY OF YUCAITI CALIFORNIA
M:\106-006\PLATS\APN 016 010 006 FEE dwg, APN-016-010-008-NIESCHULZ-FEE, 1/15/2008 9:51:29 AM, jchavez
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 016-010-016 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 18, 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 descriptions attached hereto as Exhibit A and accompanying maps attached hereto as Exhibits B-1, B-2 and B-3, 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-1, B-1, B-2, and B-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. The use of the property for its stated public use scheduled to begin within two years of its acquisition.

TRLIA/S. Nieschulz.
3/7/2008
1080959v1 35662/0028
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES: 
NOES: 
ABSTAIN: 
ABSENT: 

_________________________ 
CHAIRPERSON

ATTEST: 

_________________________
Donna Stottlemyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIO
GENERAL COUNSEL

By: ____________________
Exhibit ‘A’

APN 016-010-016
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 Susanna M. Nieschulz, Recorded in Document No. 98010251 Official Records of said County, hereinafter referred to as “Nieschulz” property, being a portion of Arboga Colony No. 2, Filed in the Office of the Recorder in said County and State in Book 2 of maps at Page 15, situated in Section 36 Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Beginning at a point on the North line of Lot 7, Block 35 of said Arboga Colony No. 2, being North 89°45'45" East 206.08 feet from the Northwest corner of said Lot 7; thence North 89°45'45" 128.91 feet; thence North 21°04'56" West 561.54 feet; thence North 89°49'04" East 751.85 feet; thence South 27°08'34" East 889.33 feet; thence North 89°50'48" East 345.65 feet; thence South 00°10'55" West 46.15 feet; thence North 89°49'04" East 196.78 feet; thence South 23°10'00" West 466.32 feet; thence South 04°00'00" East 400.00 feet; thence South 23°00'00" East 300.00 feet; thence South 54°23'12" West 102.95 feet; thence South 05°33'15" West 37.51 feet; thence North 53°30'00" West 970.00 feet; thence North 25°00'00" West 680.00 feet; thence North 45°00'00" West 700.00 feet; thence North 52°00'00" West 650.00 feet; thence North 12°30'00" East 720.00 feet to the Point of Beginning; containing an area of 3,137,447 Square Feet or 72.03 acres, more or less.

See Exhibit 8 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. Heesey, P.L.S. 5914

LICENCED LAND SURVOR
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 No. 016-010-009 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 18, 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 descriptions attached hereto as Exhibit A and accompanying maps 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 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

______________________________
CHAIRPERSON

ATTEST:

Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By:____________________________
Apn 016-010-009
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 eleanor herold, recorded in document no. 9507006, official
records of said county, hereinafter referred to as "herold property", being a portion of lot 16,
block 36 "arboga colony no. 2", filed in the office of the recorder in said county and state in
book 2 of maps at page 15, situated in section 16 township 14 north, range 3 east of the mount
diablo base and meridian, being more particularly described as follows:

Beginning at a point on the south line of said "herold property", being a point on the south line
of said lot 16 and being south 89°45'45" west 112.85 feet from the southeast corner of said lot
16; thence along the south line of said "herold property" and along the south line of said lot 16
south 89°45'45" west 203.51 feet; thence leaving said south line north 01°57'00" east
100.00
feet; thence parallel with said south line north 89°45'45" east 189.78 feet; thence south
05°54'06" east 100.42 feet to the point of beginning; containing an area of 19,651 square feet
or 0.45 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.

Licensed Land Surveyor
State of California
No. 5914
Exp. 12-31-2008
PHASE 4 FEATHER RIVER LEVEE REPAIR PROJECT
RECLAMATION DISTRICT 764
SETBACK LEVEE RIGHT OF WAY

OWNER: HEROLD
A.P.N 016-010-009
ACQUISITION AREAS:
FEE TITLE ACQUISITION= 19,651 SQ. FT. OR 0.45 ACRES

CTA Engineering - Surveying
COUNTY OF YUBA
CALIFORNIA

Exhibit 'B'

[Diagram of land with coordinates and boundaries]
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. 016-010-010 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 18, 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 descriptions attached hereto as Exhibit A and accompanying maps 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/Flores 3/7/2008
1081003v1 35662/0024
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

CHAIRPERSON

ATTEST:

Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By: [Signature]
All that Real property situated in the County of Yuba, State of California, being a portion of Real property conveyed by deed to Herminita Flores and Mark Aldrin Flores, Recorded in Document No. 200213699, Official Records of said County, hereinafter referred to as "Flores property", being a portion of Lot 1, Block 1, as shown upon that certain map entitled, "Arboga Colony No. 2", filed in the Office of the Recorder in said County and State in Book 2 of Maps at Page 15, situated in the Northeast One Quarter of Section 1, Township 13 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Beginning at a point on the North line of said "Flores property", being a point on the North line of said Lot 1 and being South 89°45'45" West 112.87 feet from the Northeast corner of said Lot 1; thence leaving said North line South 05°51'06" East 320.23 feet; thence South 60°24'09" East 23.03 feet to a point on the South line of said "Flores property”; thence along the South and West lines of said "Flores property" the following courses, South 89°47'20" West 205.13 feet; thence North 82°03'40" West 133.86 feet; thence North 49°44'15" West 478.86 feet to the Northwest corner of said "Flores property", being a point on the North line of said Lot 1; thence along the North line of said "Flores property" and along the North line of said Lot 1 North 89°45'45" East 650.17 feet to the Point of Beginning; containing an area of 155,280 Square Feet or 3.565 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

Page 1 of 1
F:\40-CTA OFFICE-06-008-002 Tran Feather River for Bender Rosenhah\Word\Legal Description\016-010-010-FLORES FEE.doc

1/24/2008
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. 016-010-002, 016-010-007, 016-020-005, 014-370-029 and 014-370-030 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 18, 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 descriptions attached hereto as Exhibits A-1, A-2, and A-3 and accompanying maps attached hereto as Exhibits B-1, B-2 and B-3, 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-1, A-2, A-3, B-1, B-2, and B-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. 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 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

__________________________
CHAIRPERSON

ATTEST:

__________________________
Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By:
EXHIBIT A-1

APN 016-010-002 & 007

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 Foster Ranch Limited Partnership, Recorded in Document No. 97013443 Official Records of said County, hereinafter referred to as "Foster" property, being a portion of Arboga Colony No. 2, filed in the Office of the Recorder in said County and State in Book 2 of maps at Page 15, situated in Sections 36, Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Beginning at a point on the Westerly line of said "Foster property", being the corner common to lots 10, 11, 14 and 15, Block 36 of said Arboga Colony No. 2, also being the Southeast corner of Parcel 16 of that certain Real property conveyed by deed to Sacramento San Joaquin Drainage District, Recorded in Book 61, Page 76, said Official Records, hereinafter referred to as "SSJDD property"; thence along the Easterly line of Parcel 16 of said SSJDD property, also being the line common to said Lots 10 and 11, North 00°15'56" West 536.70 feet; thence leaving the West line of said Lot 11 and continuing along the Easterly line of said "SSJDD property" the following courses, North 36°36'56" West 247.28 feet; thence North 39°37'56" West 500.66 feet; thence North 34°16'56" West 202.40 feet; thence North 62°59'10" East 65.69 feet; thence North 70°33'27" East 103.73 feet; thence North 73°00'00" East 200.00 feet; thence North 41°00'00" East 350.00 feet to a point on the line common to Lots 6 and 7, Block 36; thence along said common line North 00°37'35" West 262.92 feet to the Northwest corner of said "Foster property"; thence leaving said common line along the North and Easterly line of said "Foster property" the following courses, North 90°00'00" East 46.99 feet; thence South 62°00'00" East 650.00 feet; thence South 45°00'00" East 700.00 feet; thence South 25°00'00" East 680.00 feet; thence South 53°30'00" East 970.00 feet; thence North 05°33'15" East 37.51 feet; thence North 68°18'52" East 74.40 feet to a point on the line common to lots 9 and 16, said Block 36; thence North 64°23'12" East, 15.76 feet to a point on the North line of said "Foster" property; thence along said North line North 80°57'00" East 186.81 feet; thence leaving said common line South 06°02'29" East, 34.04 feet; thence South 05°24'18" East, 432.89 feet; thence South 03°39'25" East, 74.39 feet; thence South 05°34'46" East, 66.81 feet; thence South 06°50'06" West, 95.71 feet to a point on the Southerly line of said "Foster" property; thence along said Southerly line, South 89°45'45" West, 48.07 feet; thence South 00°14'15" East, 329.80 feet; thence North 89°45'45" East, 57.11 feet; thence leaving said Southerly line, South 04°54'53" East, 199.59 feet to a point on the Southerly line of said "Foster" property; thence along said Southerly line, South 89°45'45" West, 189.78 feet; thence South 01°57'00" West, 100.00 feet to the most Southerly, Southeast corner of said "Foster" property, being a point on the South line of said Lot 16; thence along the South line of said "Foster" property and along the South line of Lot 16 South 89°45'45" West 446.66 feet to the Southwest corner of said "Foster" property; thence leaving the South line of said Lot 16 along the Westerly line of said "Foster" property the following courses, North 49°44'15" West 293.61 feet; thence North 50°02'56" West 437.15 feet to a point on the East line of Parcel 15 of said "SSJDD property" and being a point on the line common to said Lots 15 and 16; thence along the East line of said Parcel 15 and along said common line North 00°15'56"
EXHIBIT A-1

West 48.43 feet; thence leaving said common line along the Westerly line of said "Foster" property the following courses, North 49°21'15" West 161.67 feet; thence North 45°40'37" West 50.20 feet; thence North 46°23'24" West 949.50 feet to a point on the North line of said Parcel 15 and being a point on the line common to said Lots 10 and 15; thence along the North line of said Parcel 15 and along said common line South 89°45'45" West 477.63 feet to the Point of Beginning; containing an area of 4,219,819 square feet or 96.87 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. Heesey, P.L.S. 5914

12-20-07

Dated
EXHIBIT A-2
APN 016-020-005
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 Gregory L. Foster and Mary Ann Foster, Recorded in Document No. 97013446 Official Records of said County, hereinafter referred to as “Foster” 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 Arboga Colony No. 2, Filed in the Office of the Recorder in said County and State in Book 2 of maps at Page 15, situated in Sections 25 and 36 Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Commencing at an Iron Pipe marking the Northwest corner of Lot 11, Block 25 of said “Arboga Colony”; thence North 89°45'45" East 95.00 feet; thence South 04°39'15" East 380.00 feet; thence South 26°16'15" East 525.00 feet; thence South 07°04'42" East 300.52 feet to the Point of Beginning; thence North 89°26'46" East 454.45 feet; thence South 28°34'11" East 138.43 feet; thence South 67°55'56" East 421.02 feet; thence South 24°24'23" East 50.27 feet; thence South 00°15'56" East 130.30 feet; thence North 89°45'45" East 58.41 feet; thence South 24°24'23" East 1862.44 feet; thence South 27°08'34" East 148.56 feet to a point on the Southerly line of said “Foster” property, said point hereinafter referred to as Point 'A'; thence South 89°49'04" West 751.85 feet; thence South 21°04'56" East 561.54 feet; thence South 89°45'45" West 128.91 feet; thence South 12°30'00" West 721.28 feet; thence North 90°00'00" West 46.70 feet; thence South 00°37'35" East 261.67 feet; thence South 41°00'00" West 350.00 feet; thence South 73°00'00" West 200.00 feet; thence South 70°33'27" West 103.73 feet; thence South 62°59'10" West 65.69 feet; thence North 34°14'44" West 35.70 feet; thence North 33°57'56" West 252.98 feet; thence North 35°11'56" West 266.44 feet; thence North 34°35'47" West 219.24 feet; thence North 19°02'00" West 226.26 feet; thence North 33°23'00" West 277.92 feet; thence North 14°41'00" West 191.76 feet; thence North 11°46'40" West 79.25 feet; thence South 89°49'12" West 17.90 feet; thence North 00°14'40" West 108.90 feet; thence North 10°30'07" West 298.56 feet; thence North 15°13'00" West 293.73 feet; thence North 26°28'30" West 330.21 feet; thence North 32°15'39" West 398.01 feet; thence North 89°45'45" East 485.19 feet; thence North 00°14'50" West 337.65 feet; thence North 89°44'04" East 892.79 feet; thence North 20°28'56" West 196.00 feet; thence North 29°24'56" West 133.00 feet; thence North 18°31'56" West 379.20 feet; thence North 48°35'56" West 194.50 feet; thence North 16°29'56" West 378.80 feet to the Point of Beginning; containing an area of 5,437,399 Square Feet or 124.83 acres, more or less.

Together with:

Commencing at the aforementioned Point 'A'; thence along the Southerly line of said “Foster” property, North 89°49'04" East, 748.85 feet to an angle point in said Southerly line; thence South 00°10'56" East, 839.00 feet to an angle point in said Southerly line, also being the Point of Beginning; thence along the Southerly line of said “Foster” property, North 89°49'04" East, 232.55 feet; thence North 37°15'44" East, 1.01 feet; thence leaving said Southerly line North 55°45'31" West, 60.65 feet; thence North 86°30'24" West, 172.32 feet; thence South 89°50'48" West, 11.17 feet to a point on the Southerly line of said “Foster” property; thence along said Southerly line, South 00°10'56" East, 46.15 feet to the Point of Beginning, containing an area of 0.193 acres, more or less.

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

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

9-10-07

Date
LEGAL DESCRIPTION

EXHIBIT A-3

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF YUBA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Parcel One:

All that certain real property situate in the County of Yuba, State of California, described as follows:

Portion of Lots 11 and 14, 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, and more particularly described as follows:

Beginning at the intersection of the North line of said Lot 11, with the East line of drain canal, said point being 1225.0 feet West of the Northeast corner of said lot; thence along said East line South 4° 25' East 380.00 feet; thence South 26° 02' East 525.00 feet; South 6° 51' East 298.00 feet; South 16° 14' East 378.00 feet; South 48° 20' East 194.50 feet; South 18° 16' East 379.20 feet; South 29° 09' East 133.00 feet; South 20° 13' East 196.00 feet; thence leaving said drain canal West and parallel with South line of said Lot 14, a distance of 693.9 feet, more or less, to the West line of said Lot 14; thence North along the West line of said Lots 14 and 11, a distance of 2390.30 feet, more or less, to the Northwest corner of Lot 11; thence East along North line of said Lot 95.0 feet to beginning.

Parcel Two:

Portion of Lot 13, in Block 25, as shown upon the map entitled, "Arboga Colony", filed in the office of the County Recorder of the County of Yuba, State of California in Book 1 of Maps, Page 31, and more particularly described as follows:

Beginning at the Southeast corner of said Lot 13, thence West along the South line of said lot, 602 feet; thence North 31° 55' 30" West 171.1 feet; thence North 31° 27' West 266.8 feet; thence North 37° 27' West 279.18 feet; thence East 1002.18 feet to the East line of said lot; thence South 594.47 feet to the point of beginning.

Parcel Three:

Portion of Lot 13, in Block 25, and portion of Lot 16, in Block 26, as shown upon the map entitled, "Arboga Colony", filed in the office of the County Recorder of the County of Yuba, State of California, in Book 1 of Maps, page 31, and more particularly described as follows:

Beginning on the East line of said Lot 13 at a point 320.7 feet South of the Northeast corner of said Lot 13; thence West 1335.61 feet; thence South 39° 51' East 453.8 feet; thence South 37° 27' East 71.12 feet; thence East 1335.61 feet; thence North 320.7 feet to the point of beginning.

Parcel Four:

Portion of Lot 13, in Block 25, and portion of Lot 16, in Block 26, as shown upon the map entitled, "Arboga Colony", filed in the office of the County Recorder of the County of Yuba, State of California, in Book 1 of Maps, page 31, and more particularly described as follows:

Beginning at the Northeast corner of said Lot 13; thence West along the North lines of said Lots 13 and 16, a distance of 1594.72 feet; thence South 40° 44' 30" East 47.4 feet; thence 37° 50' East 209.4 feet (which was erroneously described in the Deed to Robert Anderson recorded April 23, 1912 in Volume 63 of Deeds, Page 1 as South 37° 50' West a distance of 209.4 feet; thence South 39° 51' East 155.6 feet (which was erroneously described in the Deed to said Anderson, as South 39° 51' West 155.6 feet); thence East 1335.61 feet; thence North 320.7 feet to the point of beginning.

APN: 014-370-029 & 030
PHASE 4 FEATHER RIVER LEVEE REPAIR PROJECT
RECLAMATION DISTRICT 784
SETBACK LEVEE RIGHT OF WAY

CIA Engineering - Surveying

CTA Engineering - Surveying
COUNTY OF YUBA CALIFORNIA

016020005
Foster

N00°00'00"N-46.99'

87°31'35"W-262.92'

N7°10'00"W-203.00'

59°59'10"N-65.68'

14°16'56"W-202.49'

17N 16°36'56"W

POINT OF BEGINNING

LINE DATA TABLE

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EXHIBIT B-2

ACQUISITION AREAS

FEE TITLE ACQUISITION-5,445,797 SQ FT OR 125.02 ACRES

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

CTA Engineering - Surveying

COUNTY OF YUBA
STATE OF CALIFORNIA
NOTE: This map was prepared for assessment purposes only and is not intended to illustrate legal boundaries or establish precedence over local ordinances. Offsets, lots, and acreages shown in ellipses or circles should be determined from recorded documents and local governing agencies.

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

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

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles
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. 016-010-008 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 18, 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 descriptions attached hereto as Exhibit A and accompanying maps 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 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

__________________________
CHAIRPERSON

ATTEST:

Donna Stottlemyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By: [Signature]
All that Real property situated in the County of Yuba, State of California, being a portion of
Real property conveyed by deed to Foster Ranch Limited Partnership, Recorded in Document No.
97013444 Official Records of said County, hereinafter referred to as "Foster" property, being a
portion of Lot 15, Block 36, and Lot 13, Block 31 Ar'oga Colony No. 2, Filed in the Office of the
Recorder in said County and State in Book 2 of maps at Page 15, situated in Sections 36,
Township 14 North, Range 3 East and Section 31, Township 14 North, Range 4 East, M.D.M.,
being more particularly described as follows:

Commencing at the Southwest corner of said Lot 13; thence along the West line of said Lot 13
North 00°15'56" West 298.85 feet to a point on the South line of said "Foster property"; thence
along the South line of said "Foster property" South 89°45'45" West 138.39 feet to the Point of
Beginning of the herein described real property; thence continuing along said South line, South
89°45'45" West 60.56 feet to the Southwest corner of said "Foster" property; thence along the
West line of said "Foster" property North 00°14'15" West, 329.80 feet to the Northwest corner of
said "Foster" property; thence along the North line of said "Foster" property, North 89°45'45" East, 48.07 feet; thence leaving said North line, South 06°50'06" West, 57.36 feet; thence South
04°45'22" East, 263.77 feet to the Point of Beginning; containing an area of 16,129 Square Feet or 0.37 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. 6944

Dated: 12-20-07

[Stamp]
PROOF OF SERVICE

I am employed in the County of Yuba; my business address is 915 Eighth Street, Marysville, California. I am over the age of 18 years and not a party to the foregoing action.

On March 3, 2008, I served the following document:

NOTICE OF THREE RIVERS LEVEE IMPROVEMENT AUTHORITY'S INTENT TO ADOPT A RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN TO GREGORY LYNN FOSTER, as managing general partner of the FOSTER RANCH LIMITED PARTNERSHIP, established December 18, 1997, GREGORY LYNN FOSTER, A MARRIED MAN

by certified mail, return receipt requested on the following parties in said action, by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. In the ordinary course of business at the County of Yuba, mail placed in that designated area is given the correct amount of postage and is deposited that same day in the United States mailbox in the City of Marysville, California.

Foster Ranch Limited Partnership
 c/o Gregory Lynn Foster, General Partner
 2160 Feather River Boulevard
  Marysville, CA 95901

Gary Liviach, Esq.
Desmond Miller Nolan & Livaich
15th & S Building, 1830 15th Street
Sacramento, CA 95814

Gregory Lynn Foster
 2160 Feather River Boulevard
  Marysville, CA 95901

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed on March 3, 2008.

DONNA STOTTLEMEYER
Secretary
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. 016-060-001 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 18, 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 descriptions attached hereto as Exhibit A and accompanying maps 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/Foster 001
1080998v1 35662/0001

3/7/2008
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

__________________________
CHAIRPERSON

ATTEST:

__________________________
Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By:
APN 016-060-001  
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 Gregory Lynn Foster, Managing General Partner of the FOSTER RANCH LIMITED PARTNERSHIP, Recorded in Document No. 97013445, Official Records of said County, hereinafter referred to as "Foster property", being a portion of "Arboga Colony No. 2", filed in the Office of the Recorder in said County and State in Book 2 of Maps at Page 15, situated in Section 1 Township 13 North, Range 3 East and in Section 6, Township 13 North, Range 4 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Beginning at a point on the North line of said "Foster property", Being a point on the East line of Lot 1, Block 1 of said "Arboga Colony No. 2", and being South 00°15'57" East 330.15 feet from the Northeast corner of said Lot 1; thence along the North line of said "Foster property" North 89°47'20" East 130.47 feet to a point in the Centerline of Feather River Boulevard; thence along said centerline South 03°05'45" East 623.39 feet to the intersection of said centerline with the Easterly line of Parcel 5 of the easement conveyed to San Joaquin Drainage District, recorded in Book 59, Page 52, said Official Records; thence along the Easterly line of said easement the following courses, North 15°37'56" West 230.21 feet; thence North 13°12'56" West 85.77 feet; thence North 45°00'56" West 446.95 feet to the intersection of the Easterly line of said easement with the North line of said "Foster property"; thence along said North line North 89°47'20" East 233.63 feet to the Point of Beginning; containing an area of 78,419 square feet or 1.800 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  
Jan. 17, 2008  
Date
Exhibit 'B'

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

OWNER: FOSTER RANCH LIMITED PARTNERSHIP
APN: 016-060-001

ACQUISITION AREAS:
FEE TITLE ACQUISITION = 78,419 SQ. FT. OR 1.800 ACRES

CTA Engineering - Surveying

COUNTY OF YUBA

DATE: 01/17/2008
DRAWN BY: KAH

SCALE: 1'=200'
JOB NO. 06-008-002
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

M 106-008-002/PLATSAPN 016-060-001 FEE dwg, APN 016-060-001 FOSTER RANCH FEE, 11/17/2008 10:04:05 AM kheeney
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 and March 18, 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.
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority
this 18th day of March, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

___________________________
CHAIRPERSON

ATTEST:

___________________________
Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By:
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 4006.94 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 4006.94 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 8 as said Parcel 8 is described in the deed to the Sacramento and San Joaquin Drainage District, recorded as Instrument No. 200305663.
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.

[Signature]

Kevin A. Heaney, P.L.S.-5914

Dated 7/31/07

[Seal]
**LINE DATA TABLE**

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**OWNER:** NAUMENTS

**DATE:** 01/21/2007

**DRAWN:**

**SCALE:** 1"= 200'

**Acquisition Areas:**

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<tr>
<td>'B'</td>
<td>128.72 ACRES</td>
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<tr>
<td>'C'</td>
<td>473.62 ACRES</td>
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</tbody>
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**PHASE 4 FEATHER RIVER LEVEE REPAIR PROJECT**

**RECLAMATION DISTRICT 784 SETBACK LEVEE RIGHT OF WAY**

**CTA Engineering - Surveying**

**COUNTY OF YUCA CALIFORNIA**
PROOF OF SERVICE

I am employed in the County of Yuba; my business address is 915 Eighth Street, Marysville, California. I am over the age of 18 years and not a party to the foregoing action.

On February 29, 2008, I served the following document:

NOTICE OF THREE RIVERS LEVEE IMPROVEMENT AUTHORITY'S INTENT TO ADOPT RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN TO ELEANOR HEROLD, an unmarried woman

☑ by certified mail, return receipt requested on the following party(ies) in said action, by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. In the ordinary course of business at the County of Yuba, mail placed in that designated area is given the correct amount of postage and is deposited that same day in a United States mailbox in the City of Marysville, California.

Eleanor Herold
2052 Feather River Boulevard
Olivehurst, CA 95961-9626

Gary Livaich
Desmond Nolan Livaich & Cunningham
1830 15th Street
Sacramento, CA 95814

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed on February 29, 2008.

DONNA STOTTLEMEYER
Secretary