

RESOLUTION NO. 05-08

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 YUBA RIVER  
LEVEE SYSTEM  
(CODE CIV. PROC. § 1245.230)

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WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") proposes to repair, construct, install, and maintain the Yuba River Levee System (the "Project") affecting a portion of Assessor's Parcel Nos. 020-020-083 and 020-020-084, 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 July 5, 2005 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 Yuba River Levee System.

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 1250.140; 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 Exhibit 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.

PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 5th day of July, 2005 by a two-thirds (2/3) or greater vote as follows:

AYES: Directors Brown, Grieg, Logue, Webb  
NOES: None  
ABSTAIN: None  
ABSENT: None

  
\_\_\_\_\_  
CHAIRPERSON

ATTEST:

  
\_\_\_\_\_  
Donna Stottlemeyer, Secretary

APPROVED AS TO FORM  
DANIEL G. MONTGOMERY  
COUNTY COUNSEL

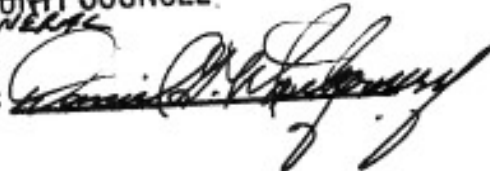
BY:   
\_\_\_\_\_  
GENERAL

EXHIBIT A

All that real property situate in the County of Yuba, State of California being a portion of Tract 10 of Yuba Gardens as shown on the Map thereof filed in Book 3 of Maps at Page 2, Yuba County Records, also being a portion of Parcel 3 of Parcel Map 97-12 as shown on the map thereof filed in Book 70 of Maps at Page 2, Yuba County Records described as follows:

Beginning at the 1¼" pipe marking the most northerly corner of said Parcel 3 thence along the northeasterly boundary of said Parcel 3 South 45°59'40" East 274.78 feet; thence leaving said northeasterly boundary North 89°36'23" West 259.57 feet to a point on the westerly boundary of said Parcel 3; thence along said westerly boundary North 18°07'57" East 198.99 feet, more or less, to said point of beginning. Containing 0.565 Acres, more or less.

APN 20-020-084

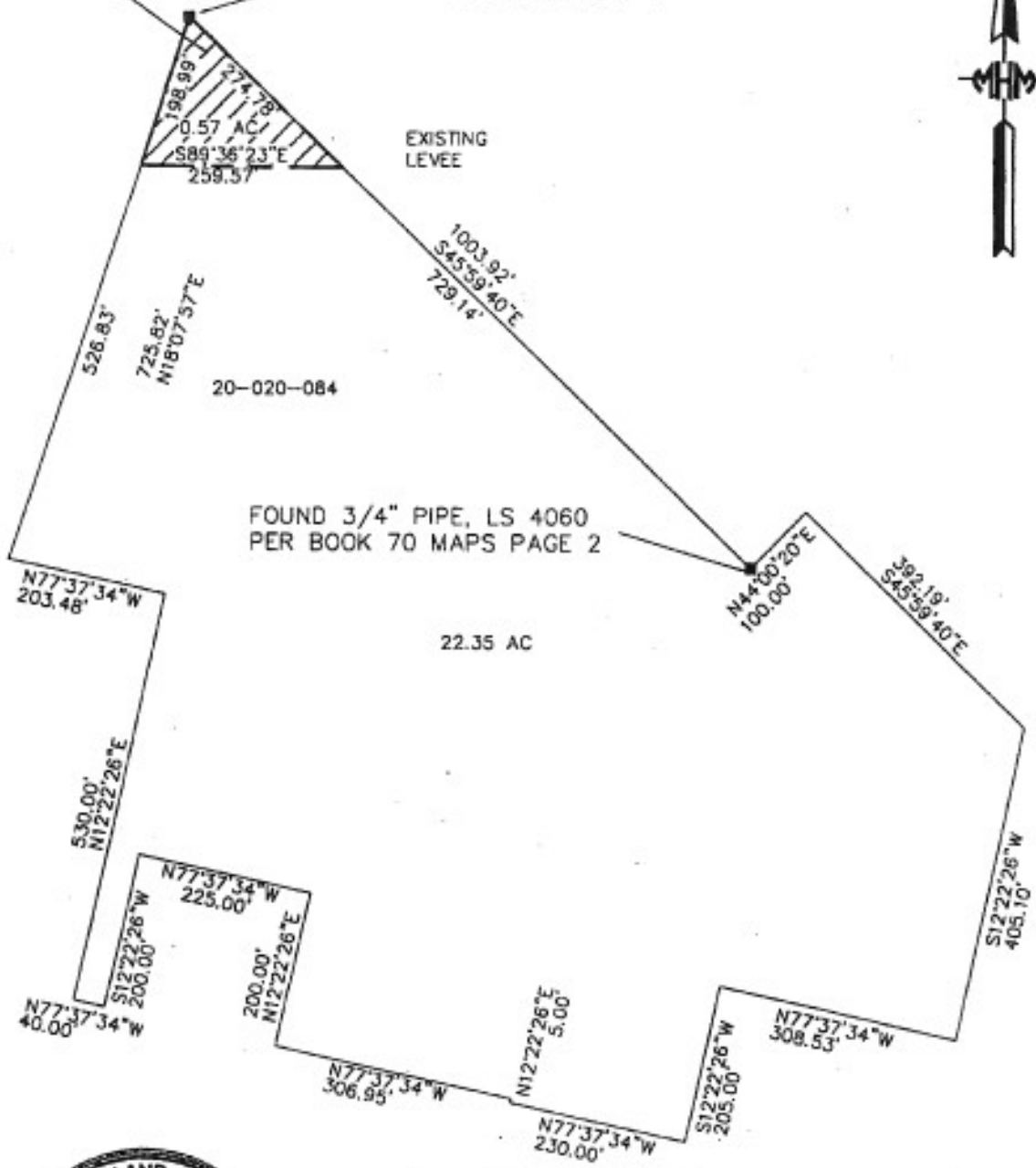
Subject to other easements and rights of Record.



*Edgar C. Hanlin*  
5/9/05

Proposed  
Additional  
Levee R/W

FOUND 1 1/4" PIPE PER  
BOOK 6 MAPS PAGE 46  
P.O.B. EXHIBIT 'A'



*Edgar C. Hanlin*  
6-1-05

<b>EXHIBIT 'B'</b>	
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY LEVEE IMPROVEMENTS	
PLAT FOR ACQUISITION OF LAND FOR LEVEE IMPROVEMENTS	
YUBA COUNTY CALIFORNIA	MARCH 28, 2005 SCALE 1"=200'
PREPARED BY: MHM, INC., MARYSVILLE CA.	
05123A	SHEET 1 OF 1