

RESOLUTION NO. 2007-22

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 IV Levee Repair Project (the "Project") affecting a portion of Assessor's Parcel Nos. 020-360-047, 020-360-050, and 020-360-053, 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 April 17, 2007 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 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 17th day of April, 2007 by a two-thirds (2/3) or greater vote as follows:

AYES: Directors Brown, Griego, Logue, Webb

NOES: None

ABSTAIN: None

ABSENT: Director Crippen



CHAIRPERSON

ATTEST:



Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
DANIEL G. MONTGOMERY
COUNTY-COUNSEL

BY: 

Exhibit 'A'

APN 020-360-047, 050&053
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 to Trumon G. Cooper Family Trust Dated November 13, 1998, hereinafter referred to as "Cooper property", lying within a portion of Parcels 1 & 4 of Parcel Map No. 6.35 filed in the Office of the County Recorder, Yuba County California in Book 21 of Maps at Page 37, also lying within a portion of Lot 15 Block 36 and Lot 2 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, situated in the Northeast Quarter of Section 36, Township 15 North, range 3 East and the Northeast Quarter of Section 1, Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

A 20.00 foot wide strip of land described as follows;

Parcel "A"

Beginning at the Northwest corner of the aforementioned Parcel 1, thence along the Northerly line of said Parcel 1 South 89°12'44" East 20.00 feet; thence leaving said Northerly line South 00°57'46" West 274.62 feet to a point on the Northerly line of a 60.00 foot wide easement as shown on said Parcel Map; thence along the Northerly line of said easement South 89°43'46" West 20.00 feet to a point on the Westerly line of said Parcel 1, hereinafter referred to as "Point A"; thence along the Westerly line of said Parcel 1 North 00°18'20" East 275.00 feet to the Point of Beginning, containing an area of 5,496 square Feet or 0.12 acres, more or less.

Parcel "B"

Commencing at said "Point A"; thence South 00°18'07" West 60.00 feet to the Point of Beginning, being the intersection of the Northerly line of the aforementioned Parcel 4 with the Southerly line of said 60.00 foot wide easement; thence along the Southerly line of said easement North 89°43'46" East 20.00 feet; thence leaving said Southerly line South 00°21'33" East 271.44 feet; thence South 06°13'49" East 140.32 feet; thence South 63°58'50" West 36.45 feet; thence South 18°16'50" West 55.55 feet to a point on the southerly line of said Cooper property; thence along said Southerly line South 89°44'04" West 20.07 feet to the Southwest corner thereof; thence along the Westerly line of said Cooper property North 04°46'04" West 67.66 feet; thence North 63°58'50" East 36.35 feet; thence North 06°13'49" West 127.28 feet; thence North 00°21'33" West 271.43 feet to the Point of Beginning, containing an area of 10,039 square Feet or 0.23 acres, more or less.

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

End of description

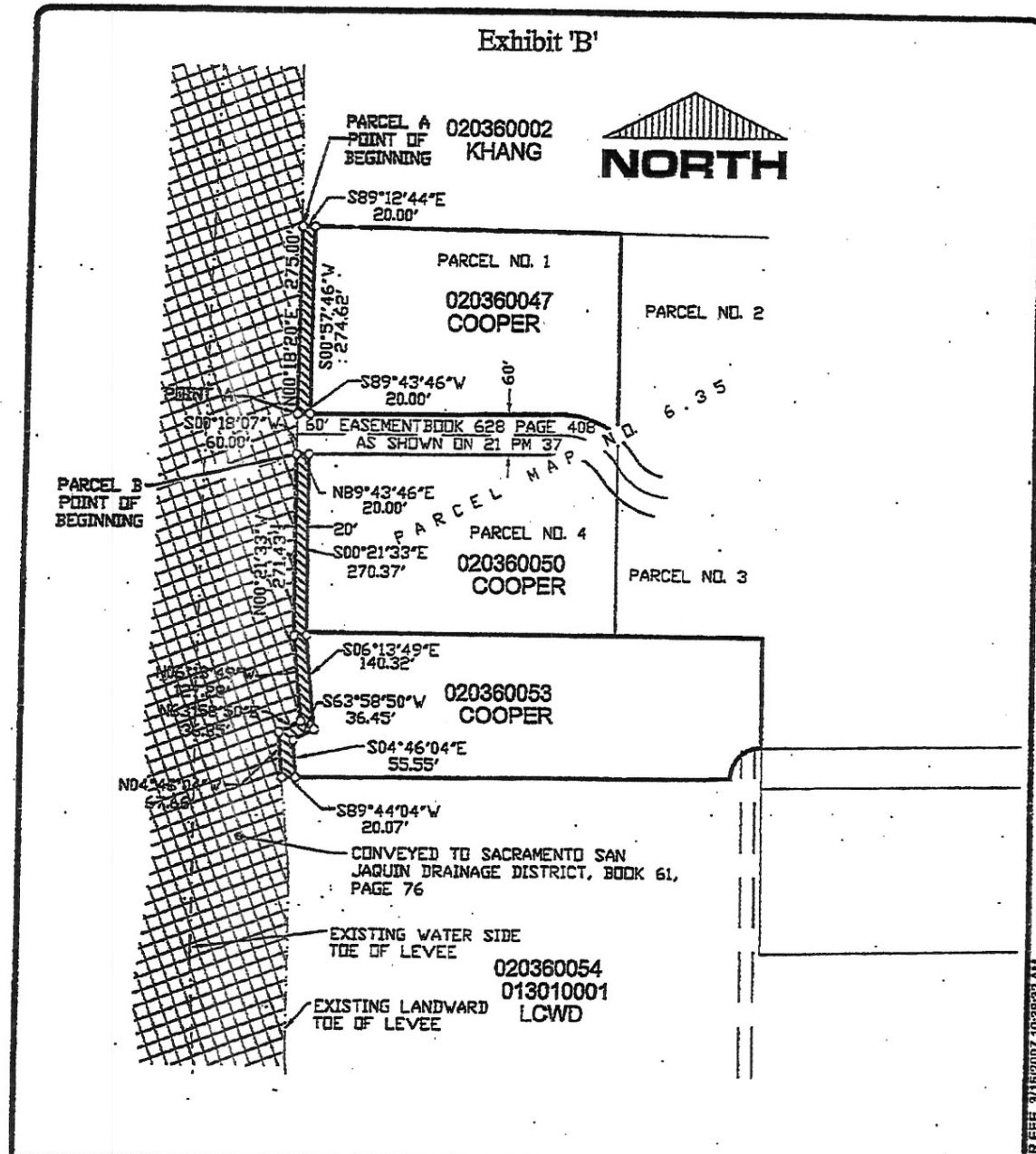
The Basis of Bearings for this description is the California Coordinate System Zone 2.

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


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



Exhibit 'B'



OWNER: TRUMAN G. COOPER FAMILY TRUST	DATE: 03/15/2007	DRAWN BY: JRG	SHEET
A.P.N. 020-360-047, 050 & 053	SCALE: 1"=200'	JOB NO. 06-008-002	1 OF 1
ACQUISITION AREAS:	THREE RIVERS LEVEE IMPROVEMENT AUTHORITY		
FEE TITLE ACQUISITION:	PHASE 4 FEATHER RIVER LEVEE REPAIR PROJECT		
PARCEL 1 5,496 SQ. FT. (0.12 ACRES)	RECLAMATION DISTRICT 784		
PARCEL 2 10,039 SQ. FT. (0.23 ACRES)	COUNTY OF YUBA CALIFORNIA		
CTA Engineering - Surveying			

The foregoing instrument is a correct copy of the original on file in this office

ATTEST: DONNA STOTTEMEYER
Clerk of the Board of Supervisors of the County of Yuba, State of California

By Donna Stottlemyer
April 18, 2007 ds

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