

RESOLUTION NO. 07-24

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)

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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 No 013-010-014, 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 June 19, 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 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.



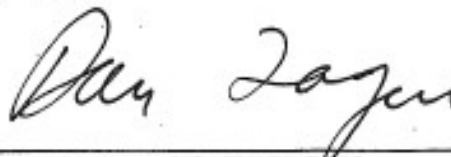
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 19th day of June, 2007 by a two-thirds (2/3) or greater vote as follows:

AYES: Directors Brown, Crippen, Griego, Logue

NOES: None


ABSTAIN: None

ABSENT: Director Webb



\_\_\_\_\_  
VICE - CHAIRPERSON

ATTEST:

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

Approved as to Form:

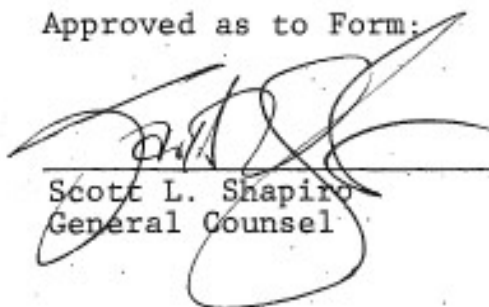
  
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Scott L. Shapiro  
General Counsel



Exhibit 'A'

**APN 013-010-014  
LEGAL DESCRIPTION  
FEE TITLE ACQUISITION  
AND REMAINING AREA**

All that Real property situated in the County of Yuba, State of California, being a portion of Real property conveyed by deed to Salinder N. Davit and Saroj K. Davit, recorded in Document No. 2005R-031262 of deeds in said County and State, hereinafter referred to as "Davit property", lying within a portion of Lots 11 and 14, Block 12 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 West Half of Section 12 Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

**Fee Take Area 1**

Commencing at an Iron Pipe marking the Northwest corner of Parcel 5 of Parcel Map 80-65, filed in the Office of said Recorder in Book 36 of Maps, Page 28; Thence along the Westerly line of said Parcel 5 South  $00^{\circ}15'56''$  East 659.74 feet to the Northeast corner of said Davit property and the Point of Beginning; thence Continuing along the West line of said Parcel 5, being coincident with the East line of said Davit property South  $00^{\circ}15'56''$  East 630.96 feet to a point hereinafter referred to as "Point A"; thence leaving the East line of said Davit property South  $09^{\circ}43'59''$  West 77.97 feet; thence South  $15^{\circ}20'46''$  West 1320.53 feet to a point on the South line of said Davit property; thence along said South line South  $89^{\circ}45'45''$  West 311.45 feet to a point hereinafter referred to as "Point B"; thence leaving said South line North  $15^{\circ}20'46''$  East 1389.49 feet; thence North  $09^{\circ}43'59''$  East 651.20 feet to a point on the North line of said Davit property; thence along said North line North  $89^{\circ}46'26''$  East 193.36 feet to the Point of Beginning, containing an area of 576,881 Square Feet or 13.24 acres, more or less.

**Fee Take Area 2**

All that Real property, being a portion of Real property conveyed by deed to Salinder N. Davit and Saroj K. Davit, recorded in Document No. 2005R-031262 of deeds in said County and State, hereinafter referred to as "Davit property", lying Westerly of the following described line;

Beginning at the aforementioned "Point B" thence North  $15^{\circ}20'46''$  East 1389.49 feet; thence North  $09^{\circ}43'59''$  East 651.20 feet to a point on the North line of said Davit property and the Point of Termination. Containing an area of 3,764,020 Square Feet or 86.41 acres, more or less.





013010012 MURPHY RD  
SSJDD

Exhibit 'B'  
POINT OF COMMENCEMENT  
IRON PIPE, N.W. CORNER  
PARCEL 5, P.M. 80-65  
BOOK 36 OF MAPS  
PAGE 26.  
013010013  
MANN

POINT OF BEGINNING  
N89°46'26"E  
193.36'

PARCEL 6

013010034  
DANNA  
PARCEL 5  
PARCEL MAP  
NO. 80-65

PG&E EASEMENT BOOK 503, PAGE 351

013010014  
DAVIT

FEE TAKE AREA 2

POINT "A"

S09°43'59"W  
77.97'

N15°20'46"E 1389.49'  
FEE TAKE AREA 1  
REMAINING AREA 1320.53'  
5.80 ACRES

4' WIDE PG&E  
EASEMENT BOOK  
670, PAGE 63

013010016  
MANN

POINT "B" S89°45'45"W  
311.45'

014250027  
NAUMES

014240022  
TERRY



OWNER: DAVIT  
A.P.N. 013-010-014  
FEE 1=576,734 SQ. FT. OR 13.24 ACRES  
FEE 2=3,784,020 SQ. FT. OR 86.41 ACRES  
REMAINING AREA=243,936 SQ. FT. OR 5.80 ACRES

DATE: 05/30/2007 DRAWN BY: JED  
SCALE: 1"=50' JOB NO. 06-008-002  
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

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

CTA Engineering - Surveying

COUNTY OF YUBA CALIFORNIA

APN 013-010-014 DAVIT FEE TAKE AREAS, 05/30/2007 10:27:45 AM

