

RESOLUTION NO. 08-26

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. 014-370-037 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 May 6, 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 Exhibit A and map attached hereto as Exhibit B, 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.

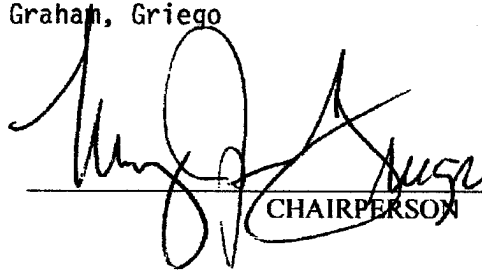
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 6<sup>th</sup> day of May, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES: Directors Brown, Crippen, Graham, Griego

NOES: None

ABSTAIN: None

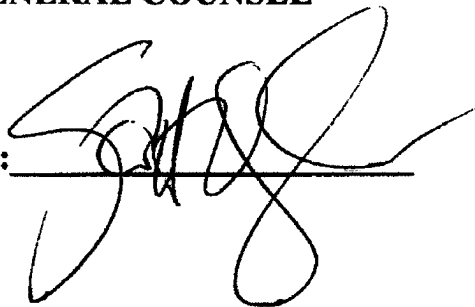
ABSENT: Director Logue

  
\_\_\_\_\_  
CHAIRPERSON

ATTEST:

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

**APPROVED AS TO FORM  
SCOTT L. SHAPIRO  
GENERAL COUNSEL**

By:   
\_\_\_\_\_

Title No. 06-7007999-A  
Locate No. CAFNT0946-0934-0010-0007007999

**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:

Portion of Lot 1 and portion of the North one-half of Lot 8, in Block 26, 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, and more particularly described as follows:

Beginning at the Southeast corner of the North one-half of said Lot 8; thence North 0° 02' East along the East line of said Lots 8 and 1, a distance of 1983.54 feet, more or less, to the Northeast corner of said Lot 1; thence West along the North line of said Lot 1, a distance of 1280.93 feet to the Easterly line of the property conveyed to the Sacramento-San Joaquin Drainage District by Deed recorded April 11, 1941 in Book 61 of Official Records, at Page 76, Yuba County Records; thence along said Easterly line South 5° 28' East 339.66 feet, South 10° 42' East, 301.03 feet, South 1° 29' West 201.69 feet, South 6° 17' East, 500.01 feet, South 5° 13' East, 556.05 feet and South 6° 48' East 97.94 feet to the South line of the North one-half of said Lot 8, thence East along said South line of said North one-half of said Lot 8, 1079.00 feet to the point of beginning.

EXCEPTING THEREFROM portion of Lot 1, in Block 26, 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, and being more particularly described as follows:

Beginning at a point on the Northerly line of said Lot 1, distant thereon Westerly, a distance of 1017.93 feet from the Northeasterly corner of said Lot 1; thence from said point of beginning Westerly along the Northerly line of said Lot 1, a distance of 263 feet to the Easterly line of that certain parcel of land described in Deed to Sacramento-San Joaquin Drainage District, recorded April 11, 1941 in Book 61 of Official Records, at Page 76; thence Southerly along the Easterly line of the said drainage district Parcel the following two courses and distances: South 5° 28' East, a distance of 339.66 feet and South 10° 42' East, a distance of 185.14 feet; thence leaving the said drainage district parcel, South 89° 58' East, a distance of 195.97 feet; thence North 0° 02' East, a distance of 520 feet to the point of beginning.

APN: 014-370-037-000

14-37

Tax Area Code  
64-347  
64-145

BLOCK 25, 26, ARBOGA COLONY

NOTE: This map was prepared for assessment purposes only, and is not intended to determine legal building sites or establish precedence over local ordinances. Official information concerning site or use of any parcel should be obtained from recorded documents and local governing agencies.

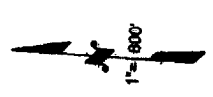
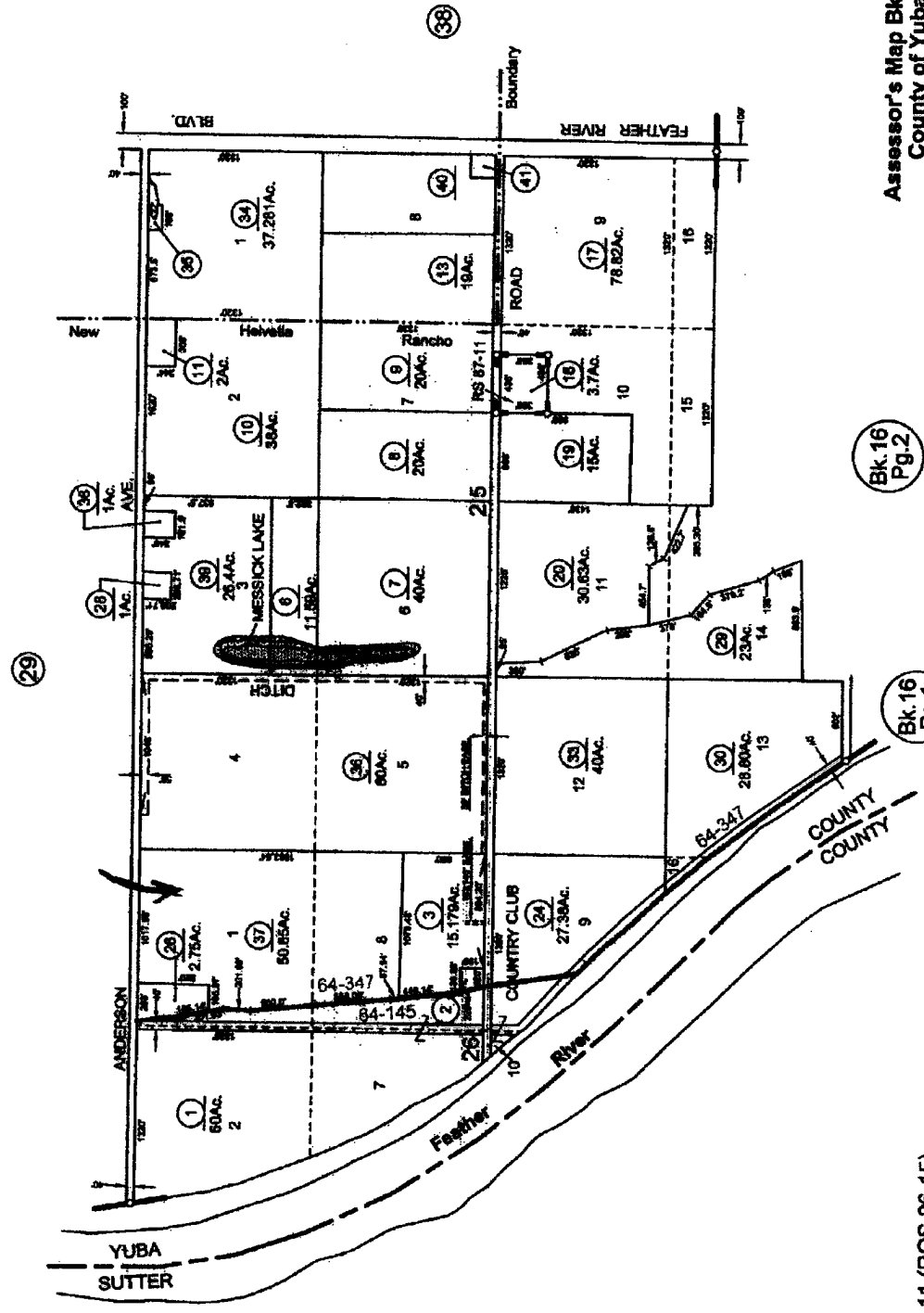


EXHIBIT B



Bk. 16  
Pg. 2

Bk. 16  
Pg. 1

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

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

07/07

R.S. - Bk. 87, Pg. 11 (ROS 06-15)  
R.S. - Bk. 7, Pg. 28 (Ditch R/W)  
R.S. - Bk. 1, Pg. 31 (Arboaga Colony)