

RESOLUTION NO. 08-34

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. 020-360-059, 060 and 061, in the County of Yuba, California (the "Property"); and

WHEREAS, TRLIA has advised the owner of the Property of the need for the Project and offered said owners an opportunity for a hearing before the TRLIA Board on December 9, 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 1250.140; and Water Code section 50930.

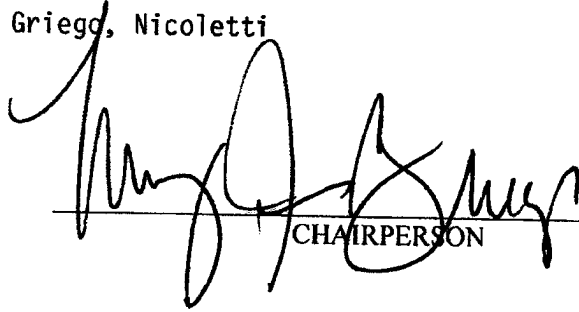
SECTION 2. The general location and extent of the Property to be acquired is as set forth in the legal description attached hereto as Exhibit A and accompanying map attached hereto as Exhibit B, and incorporated herein by reference.

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.
- e. The use of the property for its stated use is 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 9th day of December, 2008 by a two-thirds (2/3) or greater vote as follows:

AYES: Directors Brown Crippen, Griego, Nicoletti  
NOES: None  
ABSTAIN: None  
ABSENT: Director Graham

  
\_\_\_\_\_  
CHAIRPERSON

ATTEST:

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

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

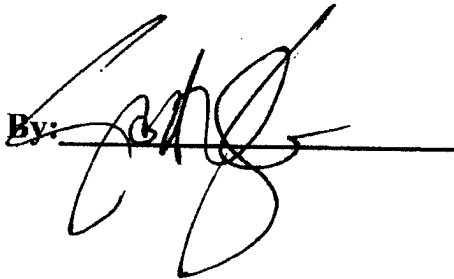
By:   
\_\_\_\_\_

Exhibit 'A'

**APN 020-360-059, 060 & 061  
LEGAL DESCRIPTION  
FEE TITLE ACQUISITION**

All that Real property situated in the County of Yuba, State of California, being a portion of the real property conveyed to the "Trumon G. Cooper Family Trust Dated November 13, 1998", hereinafter referred to as "Cooper" property, lying within a portion of Parcel 1 of Parcel Map No. 6.35 filed in the Office of the County Recorder of said County in Book 21 of Maps at Page 37, being more particularly described as follows:

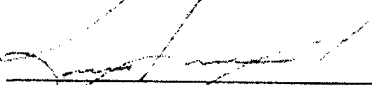
Beginning at a point on the North line of said "Cooper" property, said point being the Northeast corner of Parcel 'A' as described in the Amended Final Order of Condemnation, filed for record as Document No. 2007-17710, records of said County; thence leaving said North line and along the East line of said Parcel 'A', South 00°57'46" West, 41.04 feet; thence leaving the East line of said Parcel 'A', South 89°12'44" East, 86.51 feet; thence North 02°14'57" East, 41.05 feet to a point on the North line of said "Cooper" property; thence along said North line, North 89°12'44" West, 87.43 feet to the Point of Beginning, containing an area of 0.082 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.

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

Dated: 08-29-08

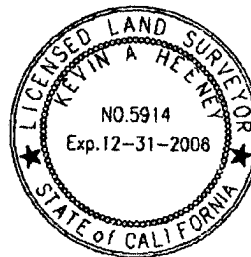
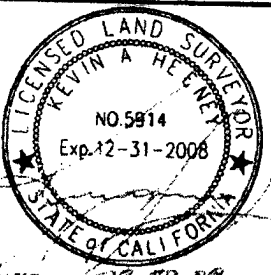
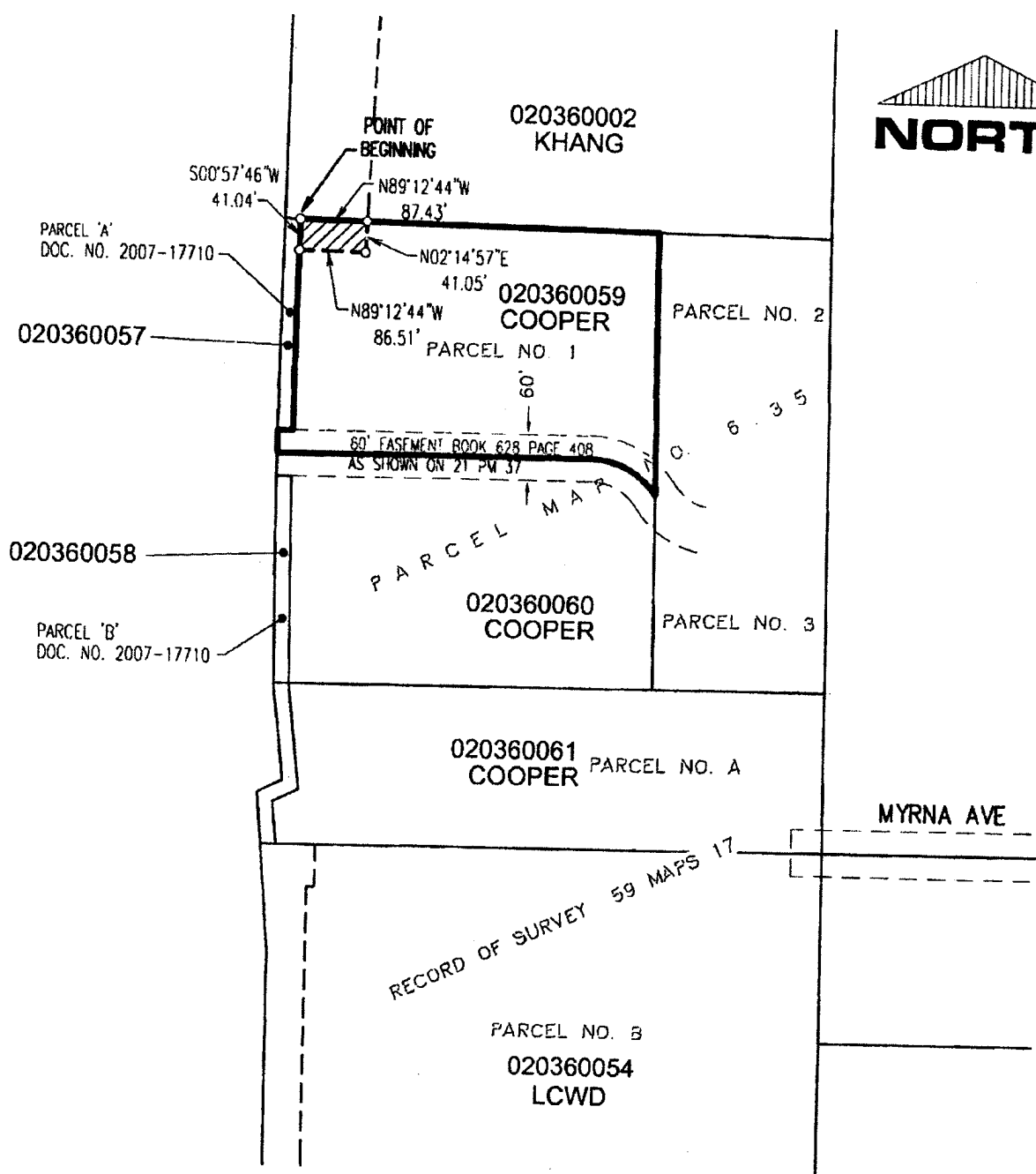


Exhibit 'B'



OWNER: TRUMAN G. COOPER FAMILY TRUST	DATE: 08/27/2008	DRAWN BY: KAH	SHEET: 1 OF 1
A.P.N.: 020-360-059	SCALE: 1"=200'	JOB NO: 06-008-002	
THREE RIVERS LEVEL IMPROVEMENT AUTHORITY			

ACQUISITION AREAS:

FEE TITLE ACQUISITION: 0.082 ACRES

PHASE 4 FEATHER RIVER LEVEL REPAIR PROJECT  
RECLAMATION DISTRICT 784

CTA Engineering - Surveying

COUNTY OF YUBA CALIFORNIA

M.06-008-002N LATS&P/N 020-360-059-01 COOPER 62708 LEV DWG. COOPER TEL. 028/2008 10:04:16 AM. JASHIER.DS