

**PREPARED FOR THE CALIFORNIA WATER COMMISSION
AMENDED RESOLUTION OF NECESSITY
DEPARTMENT OF WATER RESOURCES (DWR) STAFF REPORT – ENCUMBRANCES
March 20, 2013**

RON No.: 2012-24
Adoption Date: February 15, 2012
Project: Geotechnical Activities in support of the Bay Delta Conservation Plan (BDCP)
APN: 119-0230-067-0000
DWR Parcel No.: DCAE-110
Owner(s): Mark Scribner, Jr. Successor Trustee, Grace M. Scribner Living Trust
Rights to be Acquired: Permanent Non-Exclusive Easement and Temporary Construction Easement

AMENDMENT PURPOSE

The purpose of this amendment is to include additional findings in the Resolution of Necessity regarding the impacts of the acquisition on the existing encumbrances as identified in California Code of Civil Procedure Sections 1240.510 and 1240.610.

“Any person authorized to acquire property for a particular use by eminent domain may exercise the power of eminent domain to acquire for that use property appropriated to public use if the proposed use will not unreasonably interfere with or impair the continuance of the public use as it then exists or may reasonably be expected to exist in the future. Where property is sought to be acquired pursuant to this section, the complaint, and the resolution of necessity if one is required, shall refer specifically to this section.” California Code Civil Procedure Section 1240.510.

“Any person authorized to acquire property for a particular use by eminent domain may exercise the power of eminent domain to acquire for that use the property appropriated to public use if the use for which the property is sought to be taken is a more necessary public use than the use to which the property is appropriated. Where property is sought to be acquired pursuant to this section, the complaint, and the resolution of necessity if one is required, shall refer specifically to this section.” California Code Civil Procedure Section 1240.610.

PARCEL INFORMATION

Detailed Parcel Description: The subject property is a 58± acre irregular shaped parcel currently planted to irrigated field crops. The property is located in an unincorporated area of Sacramento County, north of Hood and fronting the slough feeding into Stone Lakes. The property is accessed from State Route 160, a two-lane maintained local thoroughfare connecting the Sacramento Delta communities and the Sacramento Metropolitan area.

Current Use: Agriculture – Irrigated Field Crops

FIDELITY NATIONAL TITLE CO.
NO.
CAFNT0934-0934-0010-005011203Z-FNTIC-2012-G1
DATED: FEB 15, 2012
PART I

1-4. MISC TAXES

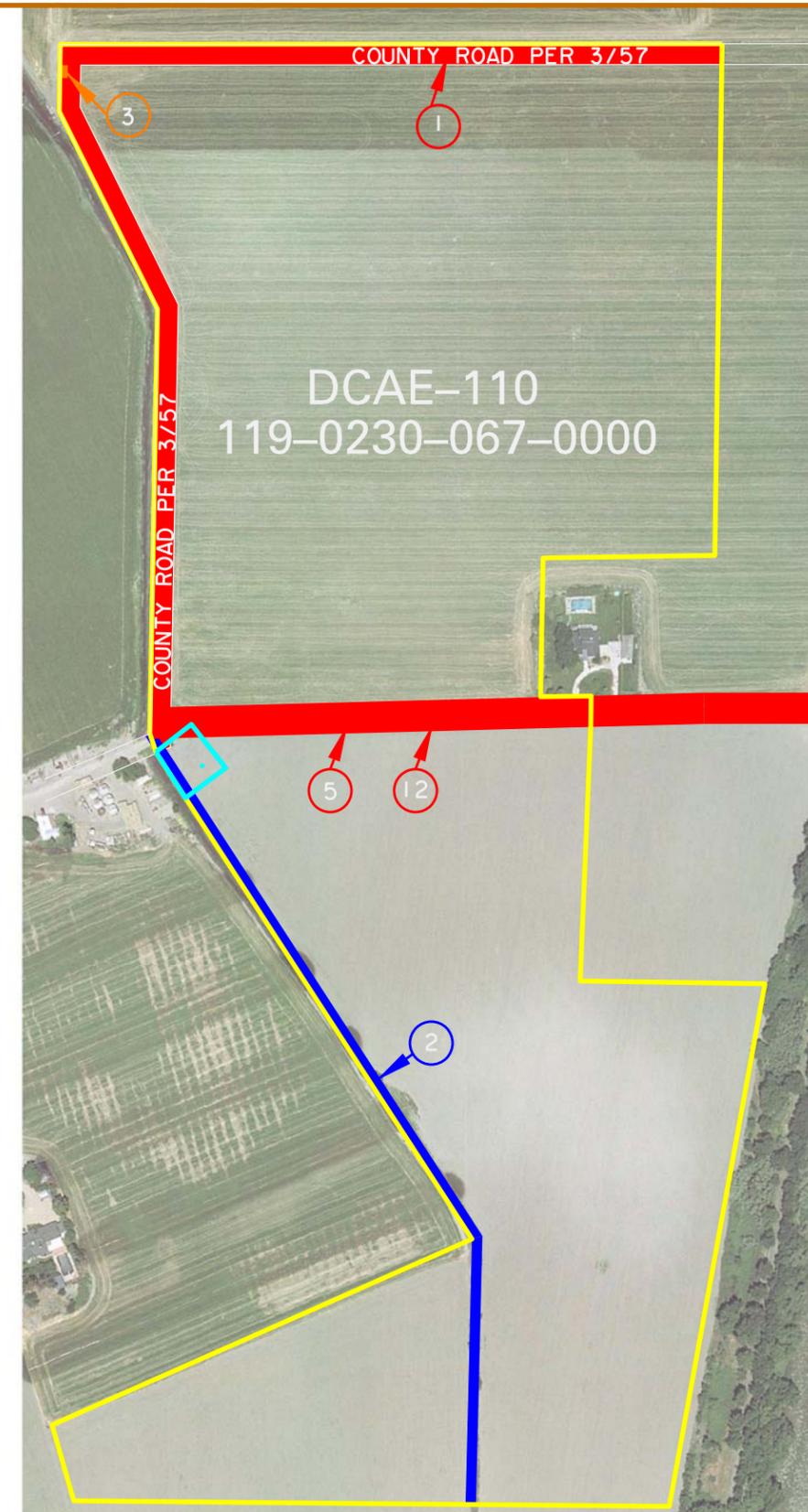
PART II

1. EASEMENT(S) FOR COUNTY OF SACRAMENTO FOR ROAD PURPOSES RECORDED APRIL 2, 1912, BOOK 109 OF DEEDS, PG 300
2. EASEMENT(S) FOR DRAINAGE CANAL AND DITCH PURPOSE TO RECLAMATION DIST NO.744 RECORDED FEB 9, 1916, BOOK 442 OF DEEDS, PG 245
3. EASEMENT(S) FOR ELECTRICAL FACILITIES TO GREAT WESTERN POWER COMPANY RECORDED JULY 31, 1925, BOOK 25, PG 343
4. AGREEMENT BETWEEN RECLAMATION DISTRICT NO.744 AND SOPHIE SCRIBNER ET AL RECORDED DECEMBER 3, 1943, BOOK 1042, PG 1
NOT ON THIS PARCEL
5. AN IRREVOCABLE OFFER TO DEDICATE AN EASEMENT OVER A PORTION OF THE LAND FOR PUBLIC PURPOSES RECORDED JAN 24, 1972, BOOK 720124, PG 289
- *6. EASEMENT(S) FOR COMMUNICATION FACILITIES TO GENERAL TELEPHONE COMPANY RECORDED SEPT 23, 1976, BOOK 760923, PG 907
- *7. RESOLUTION NO. 78-AP-027 TO ESTABLISH AN AGRICULTURAL PRESERVE BY COUNTY OF SAC RECORDED FEB 27, 1978, BOOK 780227, PG 1017
- *8. C.C.& R'S IMPOSED BY A LAND CONSERVATION CONTRACT BETWEEN GRACE SCRIBNER, M.A. PRIEST AND OWEN PRIEST AND THE COUNTY OF SACRAMENTO RECORDED FEB 27, 1978, BOOK 780227, PG 1024
- *9. CONVEYANCE AND DEVELOPEMENT RIGHTS AND OPEN AREA EASEMENT BETWEEN GRACE SCRIBNER AND COUNTY OF SACRAMENTO RECORDED JUNE 7, 1985, BOOK 850607, PG 1070
10. EASEMENT(S) FOR COMMUNICATIONS FACILITIES TO GENERAL TELEPHONE COMPANY RECORDED AUGUST 12, 1985, BOOK 850812, PG 830
NOT ON THIS PARCEL
- *11. AGREEMENT BETWEEN GRACE M. SCRIBNER ET AL AND THE COUNTY OF SACRAMENTO RECORDED MAY 11, 1992, BOOK 920511, PG 1394
12. EASEMENT(S) FOR INGRESS/ENGRESS TO MARILYN JEAN ORE AND JOSEPH PHILLIP ORE RECORDED SEPTEMBER 15, 1993, BOOK 930915, PG 264
- *13. A DEED OF TRUST
- *14. GRANT OF LIEN

LEGEND:
PROPERTY LINE ———
ACQUISITION LINE ———
* AFFECTS ENTIRE PARCEL

PREPARED 11/30/12

STATE OF CALIFORNIA
THE NATURAL RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES
DIVISION OF ENGINEERING – GEODETIC BRANCH
THIS EXHIBIT DOES NOT REPRESENT A SURVEY AND IS FOR INFORMATIONAL PURPOSES ONLY



SACRAMENTO COUNTY

**DELTA HABITAT CONSERVATION
AND CONVEYANCE PROGRAM
PARCEL TITLE EXCEPTIONS**