

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

RON No.: 2012-23
Adoption Date: March 21, 2012
Project: Geotechnical Activities in support of the Bay Delta Conservation Plan (BDCP)
APN: 132-0210-001-0000
DWR Parcel No.: DCAE-5
Owner(s): George Tsakopoulos and Drosoula Tsakopoulos, Trustees of the Tsakopoulos Family Trust created August 5, 1991
Rights to be Acquired: Permanent Non-Exclusive Easement, Temporary Construction Easement, and Temporary Access 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 located in an unincorporated area of Sacramento County, south of Hood and northeast of Walnut Grove. The property is a polygonal shape consisting of 377.45 acres and is currently planted to irrigated field crops, irrigated via the flood method. The subject parcel has no road frontage; access is through the ownership's property to the north or through the levee road of Reclamation District 813.

Current Use: Agriculture – Irrigated Field Crops

FIDELITY NATIONAL TITLE COMPANY NO. CAFNT0934-0934-0010-005011224Z -FNTIC-2012-G 1

DATED MARCH 5, 2012, 07:30A.M.

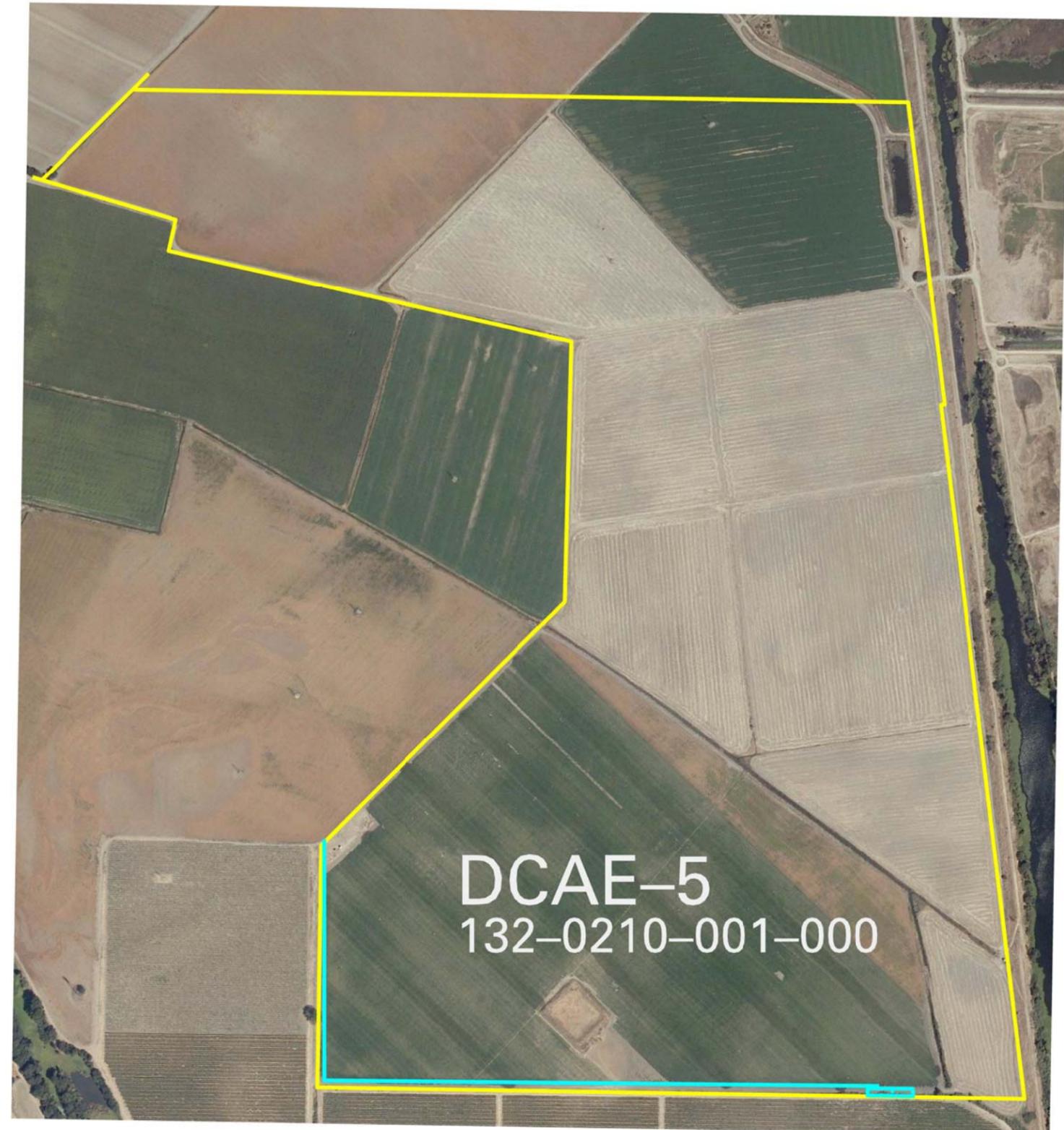
SCHEDULE B
PART I

1-2. PROPERTY TAXES

- 3. ANY UNPAID AMOUNTS NOW OWING FOR MUNICIPAL SERVICES
BLANKET TITLE COMPANY EXCEPTIONS
- 4. RIGHTS OF THE PUBLIC WITHIN STATE HIGHWAY 160 OR RIVER ROAD.**BLANKET TITLE COMPANY EXCEPTIONS**
- 5. ANY ADVERSE CLAIM THAT LAND HAS NOT BEEN WITHIN THE BOUNDARIES OF THE STATE OF CALIFORNIA AND COUNTY OF SACRAMENTO. **BLANKET TITLE COMPANY EXCEPTIONS**
- 6. ANY ADVERSE CLAIM BASED UPON THE HIGH WATERMARKS OF THE SACRAMENTO RIVER, ACCRETION OR AVULSION.
BLANKET TITLE COMPANY EXCEPTIONS
- 7. RIGHTS AND EASEMENTS FOR NAVIGATION AND FISHERY.
BLANKET TITLE COMPANY EXCEPTIONS
- 8. ANY RIGHTS IN FAVOR OF THE PUBLIC OVER THAT PORTION AT ANY TIME USED BY THE PUBLIC.
BLANKET TITLE COMPANY EXCEPTIONS
- 9. ANY ADVERSE CLAIM BASED UPON WITHIN A NAVIGABLE RIVER, SLOUGH, OR OTHER NAVIGABLE BODY OF WATER.
BLANKET TITLE COMPANY EXCEPTIONS
- 10. RIGHTS TO THE PUBLIC/ RECLAMATION DISTRICT #813 TO ALL LATERALS, DITCHES, CANALS, LEVEES AND ROAD.
BLANKET TITLE COMPANY EXCEPTIONS
- 11. COVENANTS AND RESTRICTIONS, IF ANY, APPEARING IN THE PUBLIC RECORDS, IMPOSED BY ANY LAND CONSERVATION CONTRACT EXECUTED PURSUANT TO GOVERNMENT CODE SECTIONS 51200 ET SEQ. (ALSO CALLED THE WILLIAMSON ACT).
BLANKET TITLE COMPANY EXCEPTIONS

SCHEDULE B
PART II

- 1. EASEMENT(S) FOR ELECTRICAL GRANTED TO GREAT WESTERN POWER COMPANY, A CALIFORNIA CORPORATION RECORDED JUNE 16, 1908, BOOK 270 OF DEEDS, PAGE 441 **UNABLE TO DETERMINE LOCATION WITH DATA AVAILABLE**
- 2. EASEMENT(S) FOR LEVEE GRANTED TO SACRAMENTO AND SAN JOAQUIN DRAINAGE DISTRICT RECORDED AUGUST 30, 1922, BOOK 611 OF DEEDS, PAGE 178 **UNABLE TO DETERMINE LOCATION WITH DATA AVAILABLE**
- 3. EASEMENT(S) FOR ELECTRICAL FACILITIES GRANTED TO SACRAMENTO MUNICIPAL UTILITY DISTRICT RECORDED SEPTEMBER 15, 1954, BOOK 2673, PAGE 318, OF OFFICIAL RECORDS **UNABLE TO DETERMINE LOCATION WITH DATA AVAILABLE**
- * 4. AN OIL AND GAS LEASE DATED JANUARY 28, 1993
LESSOR:GEORGE TSAKOPOULOS AND DROSOULA TSAKOPOULOS, AS TRUSTEES OF THE TSAKOPOULOS FAMILY TRUST
LESSEE: NAHAMA & WEAGANT ENERGY COMPANY
RECORDED APRIL 16, 1993, BOOK 930416, PAGE 652, OF OFFICIAL RECORDS
- * 5. AN OIL AND GAS LEASE DATED NOVEMBER 20, 2000
LESSOR:GEORGE TSAKOPOULOS AND DROSOULA TSAKOPOULOS, TRUSTEES OF THE TSAKOPOULOS FAMILY TRUST
LESSEE:STREAM RESOURCES LIMITED PARTNERSHIP
RECORDED:OCTOBER 29, 2001, BOOK 20011029, PAGE 469, OF OFFICIAL RECORDS
- * 6. AN OIL AND GAS LEASE DATED FEBRUARY 26, 2004
LESSOR:GEORGE TSAKOPOULOS AND DROSOULA TSAKOPOULOS, AS TRUSTEES OF THE TSAKOPOULOS FAMILY TRUST
LESSEE:ARCHER EXPLORATION, INC.
RECORDED:MAY 25, 2004, BOOK 20040525, PAGE 1270, OF OFFICIAL RECORDS



SACRAMENTO COUNTY
PREPARED 11/29/12

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

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

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