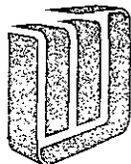


APPROVED  
by the Board of Directors of  
The Metropolitan Water District  
of Southern California  
at its meeting held

39555

APR 14 1992



**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

*Baron E. Duff*  
EXECUTIVE SECRETARY

March 18, 1992

To: Board of Directors (Legal and Claims Committee--Action)

From: General Manager

Subject: Resolution of Necessity Directing the General Counsel to Condemn Property for the Eastside Reservoir Project in Domenigoni Valley, Riverside County, California, Consisting of a Fee Parcel of Land identified as Riverside County Assessor's Parcel No. 465-210-002 and an Existing Easement Providing Access Thereto across contiguous and adjacent lands identified respectively as Riverside County Assessor's Parcel Nos. 466-080-023 and 466-080-011 (Portion), which Fee Parcel and Easement are owned by Dale W. Long, et al.

Report

The Metropolitan Water District will require property consisting of a 166.57-acre fee parcel of land and an existing 2.425-acre easement providing access thereto in Domenigoni Valley, Riverside County, California, for a portion of the Eastside Reservoir Project. The reservoir, the proposed construction, the required property, and the public necessity for the Project and for the property are discussed in the attached statement of the District's Chief Engineer, Gary M. Snyder. The location of the property is shown on the attached drawing designated Exhibit B. An offer to purchase the property was made in accordance with Government Code section 7267.2, and was rejected. On February 21, 1992, notice of intention to adopt a resolution of necessity and of an opportunity to appear and be heard before the Land Committee on March 9, 1992, as to the necessity for the Project and for the taking of the property was mailed to the property owners. Under the law, the District must have received a written request for a hearing within 15 days after the notice was mailed in order for a hearing to be required. No request was received. A quorum of the Committee, as required for such a hearing, was present at its March 9, 1992 meeting. The Committee proceeded with the hearing by staff presentation as to the necessity for the Project and the property, and thereafter voted to recommend to the Board of Directors that it adopt the form of resolution of necessity transmitted to the Committee with the General Manager's letter dated February 25, 1992.

March 18, 1992

Transmitted herewith is the form of resolution declaring the necessity for the Project and for the acquisition of the property described in Exhibit A attached thereto and directing the General Counsel to commence condemnation proceedings in Riverside County to acquire the property.

On October 8, 1991, your Board and its Advisory Committees acting on this matter certified that the Final Environmental Impact Report for the Eastside Reservoir Project had been completed in compliance with the California Environmental Quality Act (CEQA) and the State Guidelines, and that it had reviewed and considered the information contained in that document. Your action on the subject resolution is therefore in compliance with CEQA. No further environmental documentation or review is necessary for your Board to act on this request.

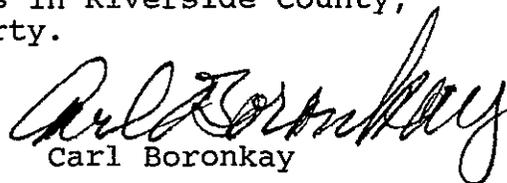
Board Committee Assignment

This letter is referred to the Legal and Claims Committee because of its authority to advise, study, and make recommendations with regard to litigation brought by the District, pursuant to Administrative Code section 2461(a).

Recommendation

**LEGAL AND CLAIMS COMMITTEE FOR ACTION.**

It is recommended that the Legal and Claims Committee recommend to the Board of Directors that the Board, by a two-thirds vote, adopt the attached resolution declaring the necessity for the Project and for the property described in Exhibit A attached thereto and directing the General Counsel to commence condemnation proceedings in Riverside County, California, to acquire the property.

  
Carl Boronkay

RDT:pmsm  
Eastland

Attachments

STATEMENT OF GARY M. SNYDER IN SUPPORT  
OF RESOLUTION NECESSARY (EASTSIDE RESERVOIR)

I, GARY M. SNYDER, declare:

1. I am chief engineer of The Metropolitan Water District of Southern California.

2. In order for Metropolitan to insure reliable delivery of water to its member public agencies for service to the public, it is necessary to construct, operate and maintain a water reservoir at a certain location in Domenigoni Valley, Riverside County, California.

3. The acquisition of property, consisting of one fee parcel of land and one existing easement providing access thereto described in the proposed resolution of necessity, is necessary for the construction, operation and maintenance of a portion of the reservoir for the storage and transportation of water for domestic and municipal uses within the District's boundaries. The property is located within the District's boundaries. The work to be performed includes clearing, grading and site preparation for the reservoir and necessary work for construction of a portion of a saddle dam on the property.

4. Metropolitan will require entry upon the property in order to be able to commence the work.

5. So that it may be assured that Metropolitan will have possession and may proceed with the work, it is necessary that the resolution be adopted in order that an action may be commenced to condemn the property described on the proposed resolution of necessity, and a court order obtained authorizing Metropolitan to take possession of the property.

Executed in Los Angeles, on February 25, 1992.

  
Gary M. Snyder

RDT:pmsm  
Eastland.sny

## RESOLUTION 8366

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
DIRECTING THE CONDEMNATION OF CERTAIN PROPERTY  
SITUATED IN RIVERSIDE COUNTY (EASTSIDE RESERVOIR PROJECT)

BE IT RESOLVED, by the Board of Directors of The  
Metropolitan Water District of Southern California (District):

Section 1. The District's Board finds and determines that the public interest and necessity require, for public use, the construction, operation, and maintenance of a reservoir in the County of Riverside, California, for the storage and transportation of water for domestic and municipal uses within the District's boundaries, and that certain property situated in the County of Riverside is necessary therefor.

Section 2. The property, the acquisition of which is required by the public interest and necessity for the uses set forth in Section 1 hereof, consisting of a fee parcel of land and an existing easement providing access thereto, is described in Exhibit A attached hereto and incorporated herein by reference. The property is located within the District's boundaries.

Section 3. The District's Board of Directors hereby declares its intention to acquire the property by proceedings in eminent domain as authorized by the Metropolitan Water District Act (Stats. 1969, Ch. 209, as amended).

Section 4. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

Section 5. The offer required by Section 7267.2 of the California Government Code has been made to the owners of record of the property.

Section 6. The District's General Counsel is hereby directed to commence proceedings in the Superior Court of California, County of Riverside, for the purpose of condemning and acquiring the property and to take such steps as may be necessary to secure an order of court permitting the District to take possession of the property for the uses and purposes herein described. He is authorized to take such action and steps as he deems necessary in connection with such proceedings, including the amending of the complaint to reduce the extent of the property to be acquired so as to reduce the compensation payable in the action where such change would not

substantially impair the construction and operation of the said public works, and to incur expenses necessary and incidental to the action.

I HEREBY CERTIFY, that the foregoing resolution was adopted at the meeting of the Board of Directors of The Metropolitan Water District of Southern California held the 14th day of April, 1992, by vote of two-thirds of all its members, and I further certify that the foregoing is a full, true and correct copy of the resolution.

---

Executive Secretary  
The Metropolitan Water District  
of Southern California

RDT:pmsm  
eastland.res

EXHIBIT A

1. Fee simple in property described as parcel 1 in the attached Appendix.
2. An existing easement to the above-referenced fee property described as Parcel 2 in the attached Appendix.

APPENDIX

144-1-41  
Embly, et al

PARCEL 1

Government Lots 1, 2, 7 and 8 in fractional Section 35, Township 5 South, Range 2 West, San Bernardino Base and Meridian, County of Riverside, State of California, according to the official plat of said land filed in the District Land Office, January 14, 1881.

PARCEL 2

A permanent non-exclusive right of way and easement for road purposes and for the purpose of installing, constructing, repairing, maintaining and removing power and telephone poles, cross arms, and lines and pipe lines for transporting water, oil products, gas or any other material or substance over the easterly 40 feet of the southwest quarter of the northeast quarter of Section 2, Township 6 South, Range 2 West, San Bernardino Base and Meridian, and the easterly 40 feet of Government Lot 2 in fractional Section 2, Township 6 South, Range 2 West, San Bernardino Base and Meridian, County of Riverside, State of California, according to the official plat of said land filed in the District Land Office, January 14, 1881.

GVG/ad3



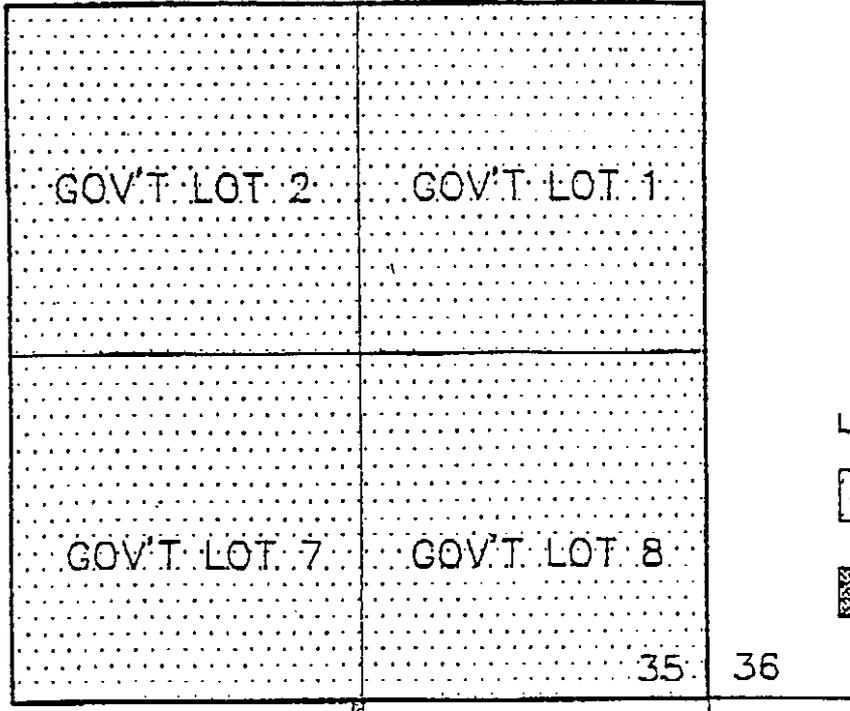
PREPARED UNDER  
MY SUPERVISION.

*Gerald L. Van Gompel*  
GERALD L. VAN GOMPEL

7-26-90  
DATE

EXHIBIT B

GOV'T LOTS 1, 2, 7 & 8, SEC. 35, T.5S., R.2W., S.B.M.  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

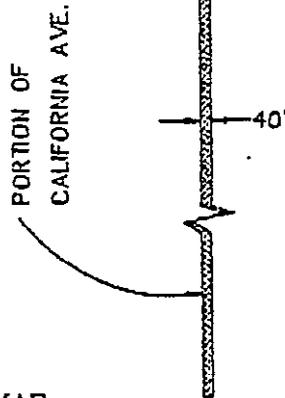


NOT TO SCALE

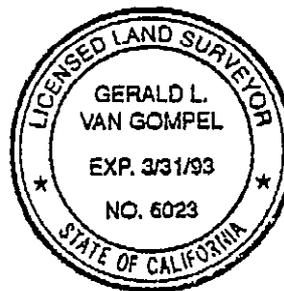
LEGEND:

 = FEE PARCEL  
144-1-41

 = EASEMENT PARCEL  
144-1-41  
NON-EXCLUSIVE  
EASEMENT FOR  
ROAD R/W



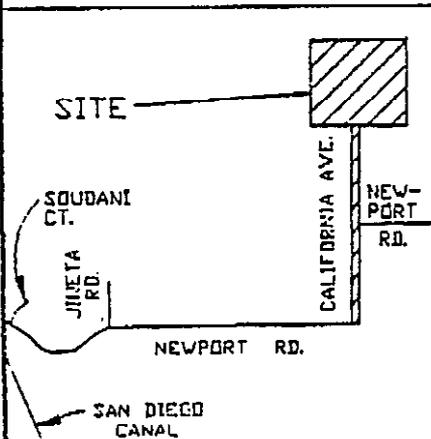
VICINITY MAP



PREPARED UNDER  
MY SUPERVISION.

*Gerald L. Van Gompel*  
GERALD L. VAN GOMPEL

7-26-90  
DATE



THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

DOMESTIC REGISTRY  
GRANT DEED

EDWARD E. EMBLY et al.  
TO  
M.W.D.

PARCEL 144-1-41