

DATED 6-13-94

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MWD

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Loren E. Duff
EXECUTIVE SECRETARY

May 24, 1994

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

From: General Manager

Subject: Resolution of Necessity Directing the General Counsel to
Condemn Property Required for the Domenigoni Valley Reservoir
Project in Riverside County, California, identified by
Riverside County Assessor's Parcel Numbers, MWD Right-of-Way
Parcel Numbers and Owners' Names, on the Attachment hereto.

Report

The Metropolitan Water District will require the real property or interests in real property described in Exhibits A and B, attached hereto, located in Domenigoni Valley, Riverside County, California, for portions of the Domenigoni Valley Reservoir Project. A list of Assessor's Parcel Numbers, MWD Right-of-Way Numbers, and Owners' Names is set forth in the Parcel List attached hereto. The location of each property is shown on the attached drawings designated as Exhibit B. Offers to purchase the property as required by California Government Code section 7262.2 were made.

A hearing for resolution of necessity is scheduled to be held by the Land Committee regarding these properties at its meeting on June 13, 1994. If the Land Committee recommends that the resolution of necessity be adopted, the matter will be presented to the Legal and Claims Committee and to the Board at its meeting on June 14, 1994.

On May 24, 1994, notices of intention to adopt a resolution of necessity and of an opportunity to appear and be heard before the Land Committee on June 13, 1994, as to the necessity for the Project and the taking of the property were served on the owners of the properties identified in Exhibits A and B. Under the law, we must have received a written request for a hearing within 15 days after the notice was served in order for a hearing to be required. A quorum of the Committee is required for such a hearing. Following the hearing a written summary of the hearing and a written recommendation by the Land Committee as to whether the Board

should adopt a resolution will be provided to the Board and to each person who received notice and appeared before the Committee.

Transmitted herewith is the form of resolution declaring the necessity of the Project and for the acquisition of the property described in Exhibits A and B, attached hereto, 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, herein referred to as the Domenigoni Valley 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. On February 8, 1994, your Board adopted a final Supplemental Environmental Impact Report and determined that the alignment of the Eastside Pipeline will not have a significant impact on the environment. 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 Assignments

This letter is referred for action to:

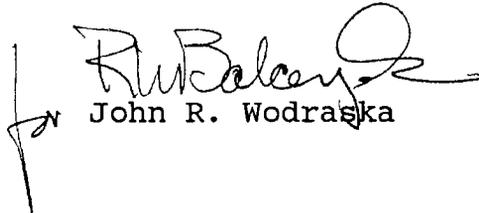
The Land Committee because of its authority (1) to advise, study, and make recommendations with regard to the initiation of condemnation proceedings under Administrative Code section 2451(g); and (2) to hold the hearing and make the recommendation required by Code of Civil Procedure section 1245.135(c) concerning adoption by the Board of a resolution of necessity to acquire property under Administrative Code section 8225; and

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

Recommendation

LAND AND LEGAL AND CLAIMS COMMITTEES FOR ACTION.

It is recommended that the Board of Directors, by a two thirds vote, adopt the attached resolution declaring the necessity for the project and for the property described in Exhibits A and B, attached thereto, and directing the General Counsel to commence condemnation proceedings in Riverside County to acquire the property.


for John R. Wodraska

JV:ks
KARSCH\JVBOARD\RESNLT19
Attn.

STATEMENT OF GARY M. SNYDER IN SUPPORT OF
RESOLUTION OF NECESSITY (DOMENIGONI VALLEY RESERVOIR PROJECT)

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 in Domenigoni Valley, Riverside County, California. Construction of the reservoir requires construction of the Eastside Pipeline and Secondary Inlet Pipeline which will transport water to the reservoir.
3. The acquisition of the interests in the properties described in the proposed resolution of necessity is necessary for the construction, operation and maintenance of the Eastside Pipeline and Secondary Inlet Pipeline. The properties are located within Metropolitan's boundaries.
4. Metropolitan will require entry upon the properties in order to be able to commence construction of the project.
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 or actions may be commenced to condemn the properties described in the proposed resolution of necessity, and a court order or orders obtained authorizing Metropolitan to take possession of the properties.

Executed in Los Angeles, on May 26, 1994.



Gary M. Snyder

A T T A C H M E N T

<u>ASSESSOR'S PARCEL NO.</u>	<u>MWD PARCEL NO.</u>	<u>OWNER'S NAMES</u>
465-110-013	144-2-10 144-2-10TEA1	FN Development Company Alpha
465-030-006	144-3-2 144-3-2TEA1	George H. Dilworth
465-100-004	144-2-18 144-2-18TEA1	James W. Dilworth
465-100-005	144-2-16 144-2-16TEA1	Nelson S. Dilworth, Jr.
465-110-008	144-2-110 144-2-110TEA1	George H. Dilworth Nelson S. Dilworth James H. Dilworth

RESOLUTION 8443

A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
DIRECTING THE CONDEMNATION OF CERTAIN PROPERTIES SITUATED
IN RIVERSIDE COUNTY (DOMENIGONI VALLEY 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 for the storage and transportation of water, and for the construction of the Eastside Pipeline and Secondary Inlet Pipeline in connection with the reservoir, in the County of Riverside, California, and that certain properties situated in the County of Riverside are necessary therefor.

Section 2. The properties to be acquired for the public use set forth in Section 1 hereof consist of the interests in the parcels of land described in Exhibit A attached hereto and incorporated herein by reference. The properties are located within the District's boundaries at the locations shown on Exhibit B attached hereto and incorporated herein by reference. The District's Board finds and determines that the properties are necessary for the proposed project.

Section 3. The District's Board of Directors hereby declares its intention to acquire the properties 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 properties.

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 properties and to take such steps as may be necessary to secure an order of court permitting the District to take possession of the properties 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 June, 1994, 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

EXHIBIT A

(1) Fee simple interest in the properties described herein as Parcels 144-2-10, 144-3-2, 144-2-18, 144-2-16 and 144-2-110.

(2) Temporary construction easement commencing on the effective date of an order for possession and terminating on June 30, 1999, in the properties described herein as Parcels 144-2-10TEA1, 144-3-2TEA1, 144-2-18TEA1, 144-2-16TEA1, and 144-2-110TEA1 for the purpose of constructing a water pipeline and related facilities on land other than such parcels, and reserving to the owners the right of reasonable access over and across the easement area. The easement area shall be returned to its pre-existing condition upon completion of the construction work.

EXHIBIT A

144-2-10
FN Projects, Inc.

A strip of land 55 feet wide in the southwest quarter of Section 24, Township 5 South, Range 2 West, San Bernardino Meridian, in the County of Riverside, State of California, bounded as follows:

The easterly line of said 55 foot wide strip being 55 feet easterly, as measured at right angles to the easterly line of that certain real property as conveyed to The Metropolitan Water District of Southern California by Grant Deed recorded on May 4, 1960, in Book 2689, pages 19 et seq., of Official Records of said County. The northerly line of said 55 foot wide strip being bounded by the southerly 55 foot wide right of way line as conveyed in Parcel 4210-14B to the Riverside County Flood Control and Water Conservation District by Final Order of Condemnation recorded June 12, 1973 in Book 1973, page 76240, of Official Records of said County. The southerly line of said 55 foot wide strip being bounded by the southerly line of said southwest quarter.

Containing 2.297 acres, more or less.

R.B./EP-2-10

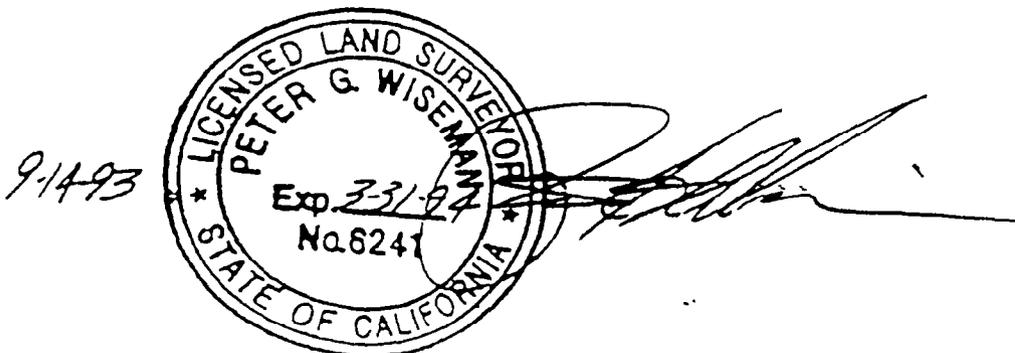
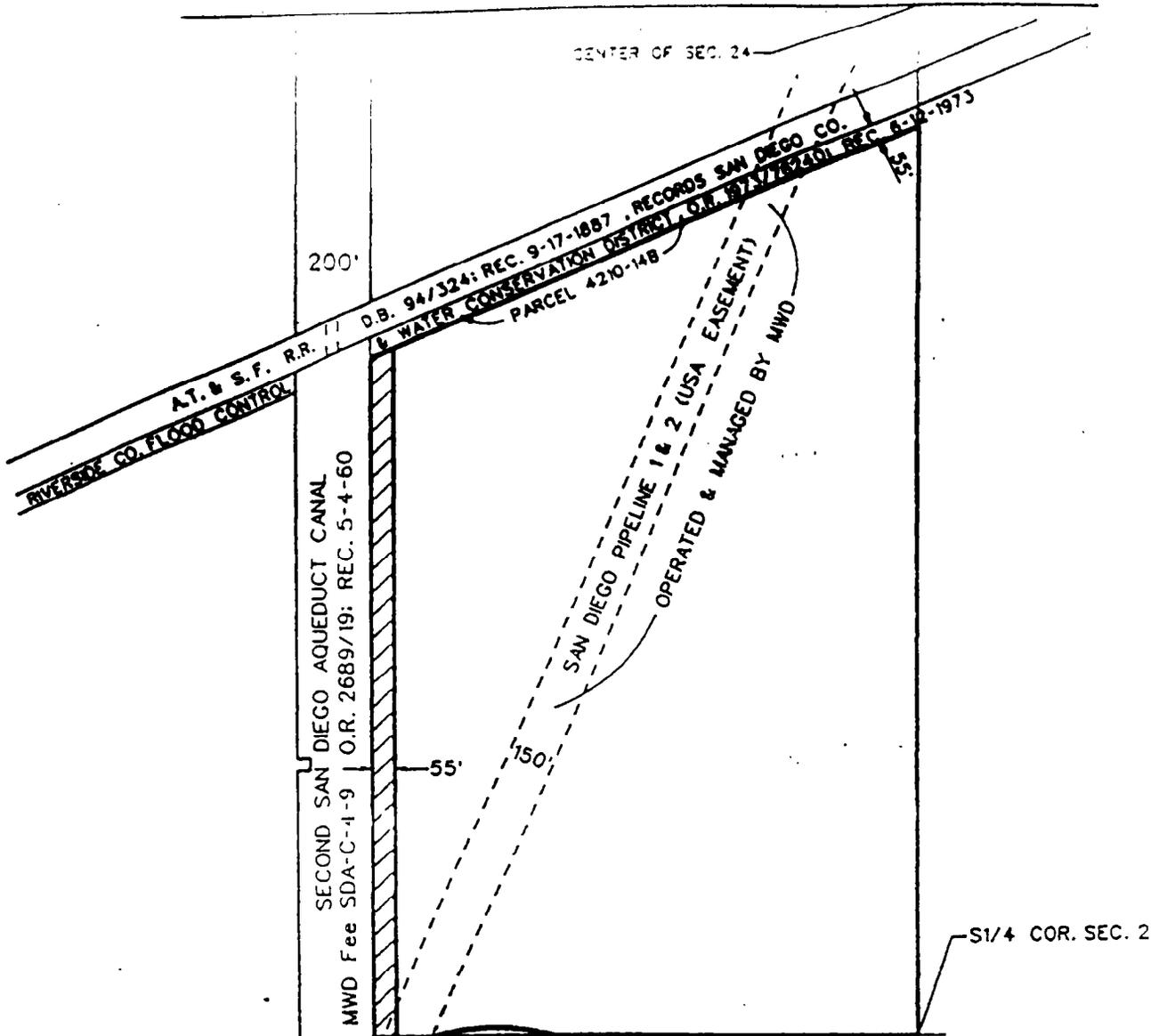


EXHIBIT B

40879

SW 1/4 SEC. 24, T.5S. R.2W., S.B.M.
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

CENTER OF SEC. 24



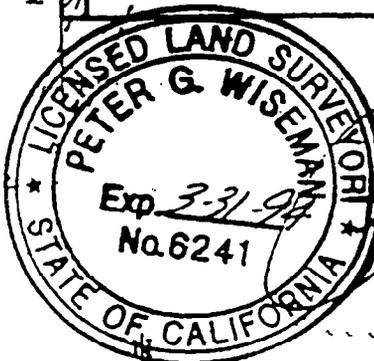
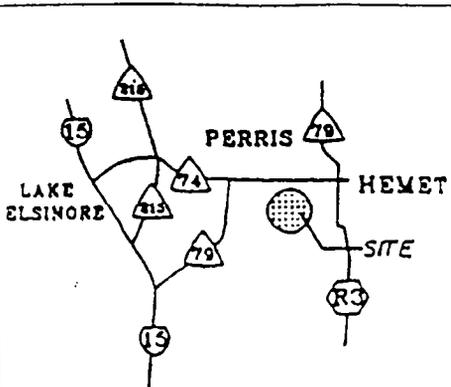
LEGEND



GRANT DEED
144-2-10
(2.297 ac. TOTAL)

VICINITY MAP
NOT TO SCALE

9-14-93



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NOT TO SCALE

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

EASTSIDE PIPELINE PROJECT
GRANT DEED
FN PROJECTS INC.
TO
MWD
PARCEL 144-2-10

144-2-10TEA1
FN Projects, Inc.

A strip of land 95 feet wide in the southwest quarter of Section 24, Township 5 South, Range 2 West, San Bernardino Meridian, in the County of Riverside, State of California, bounded as follows:

The easterly line of said 95 foot wide strip being 150 feet easterly, as measured at right angles to the easterly line of that certain real property as conveyed to The Metropolitan Water District of Southern California by Grant Deed recorded on May 4, 1960, in Book 2689, pages 19 et seq., of Official Records of said County. The northerly line of said 95 foot wide strip being bounded by the southerly 55 foot wide right of way line as conveyed in Parcel 4210-14B to the Riverside County Flood Control and Water Conservation District by Final Order of Condemnation recorded June 12, 1973 in Book 1973, page 76240, of Official Records of said County. The southerly line of said 95 foot wide strip being bounded by the southerly line of said southwest quarter.

Containing 4.041 acres, more or less.

R.B./EP-2-10T

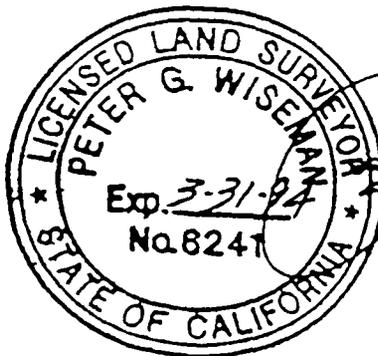
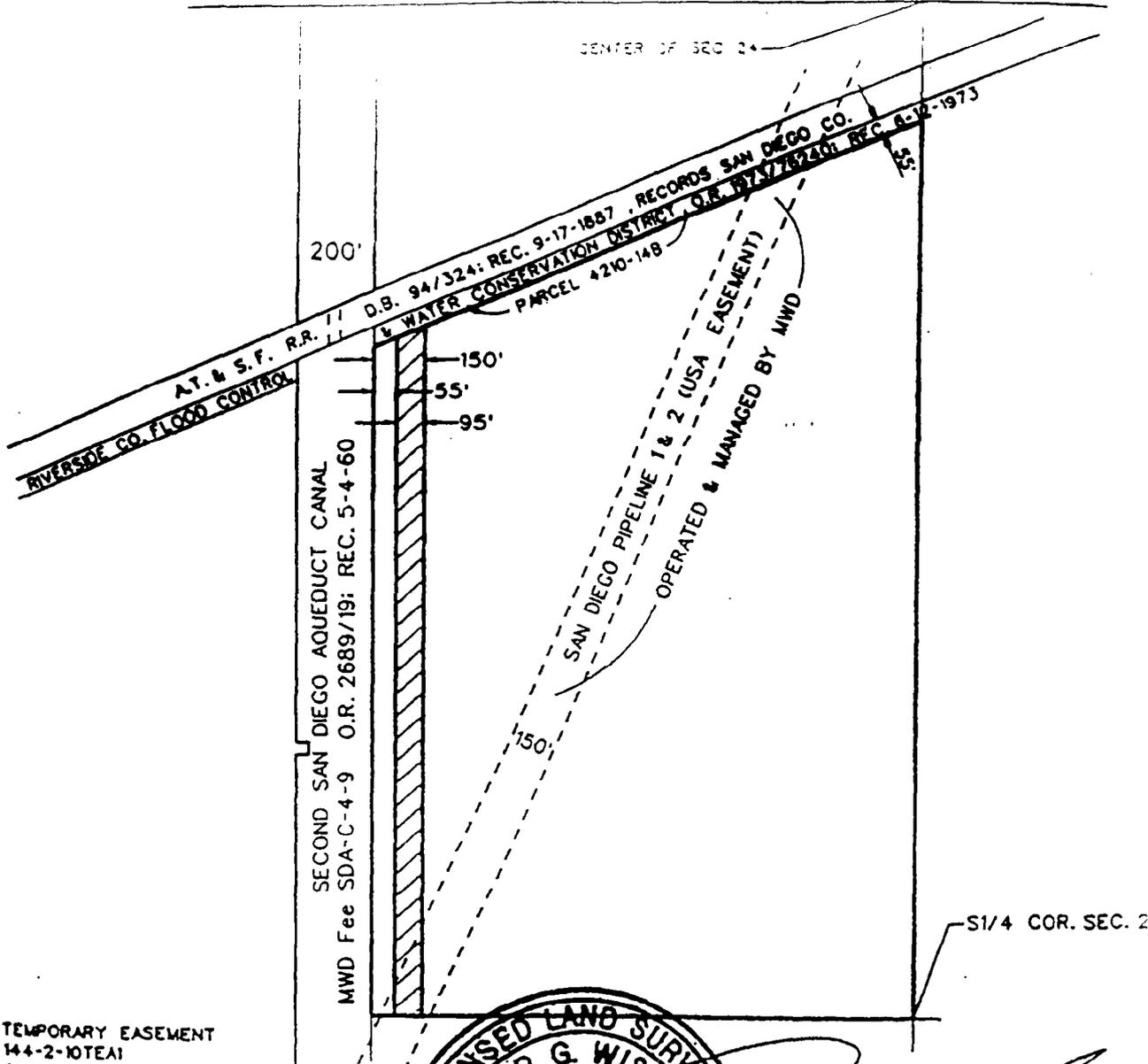


EXHIBIT B

40879

SW1/4 SEC. 24, T.5S. R.2W. S.B.M.
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

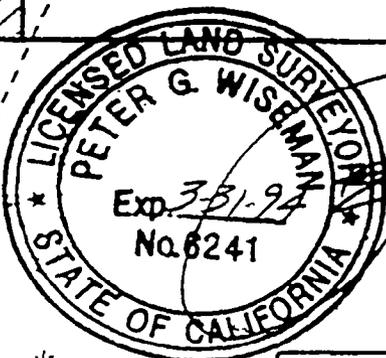
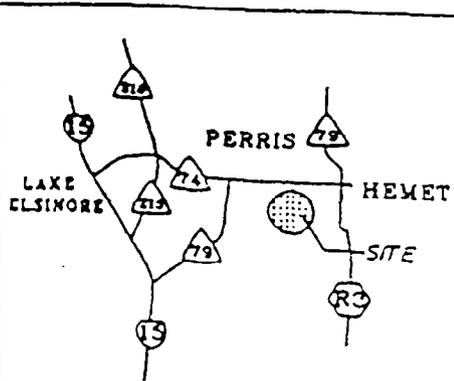


LEGEND



TEMPORARY EASEMENT
144-2-10TEA1
(4.041 ac. TOTAL)

VICINITY MAP
NOT TO SCALE



9-14-93



NOT TO SCALE

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

EASTSIDE PIPELINE PROJECT
TEMPORARY EASEMENT

FN PROJECTS INC.

TO
MWD

PARCEL 144-2-10TEA1

EXHIBIT A

144-3-2

George H. Dilworth

A strip of land 65 feet wide, in the west half of the southeast quarter of the southwest quarter of Section 13, Township 5 South, Range 2 West, San Bernardino Meridian, in the County of Riverside, State of California, the southeasterly line of said strip of land 65 feet wide, being parallel with and distant southeasterly 65 feet, as measured at right angles, from the southeasterly line of that certain parcel conveyed to The Metropolitan Water District of Southern California by Grant Deed recorded August 25, 1960, as Instrument No. 74953, of Official Records in the office of the County Recorder of said County.

The sidelines of said strip of land shall be prolonged or shortened so as to terminate northeasterly on the east line of said west half of the southeast quarter of the southwest quarter of Section 13, and so as to terminate southwesterly on the south line of said west half of the southeast quarter of the southwest quarter.

Containing 1.180 acres, more or less.

R.B./EP-3-2

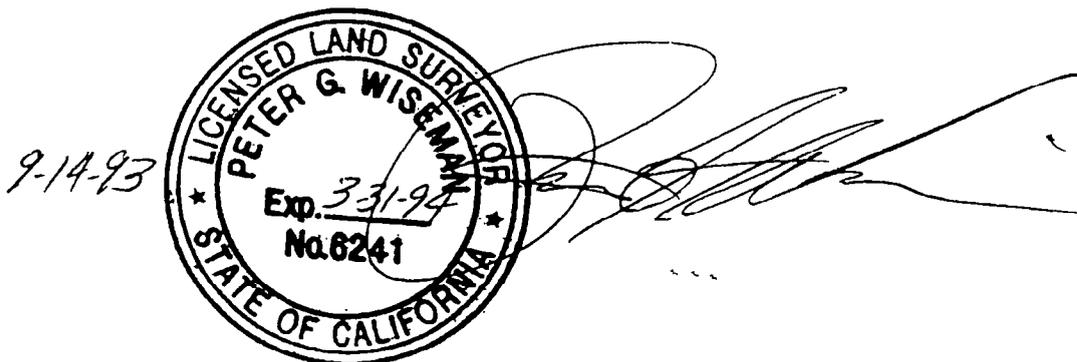
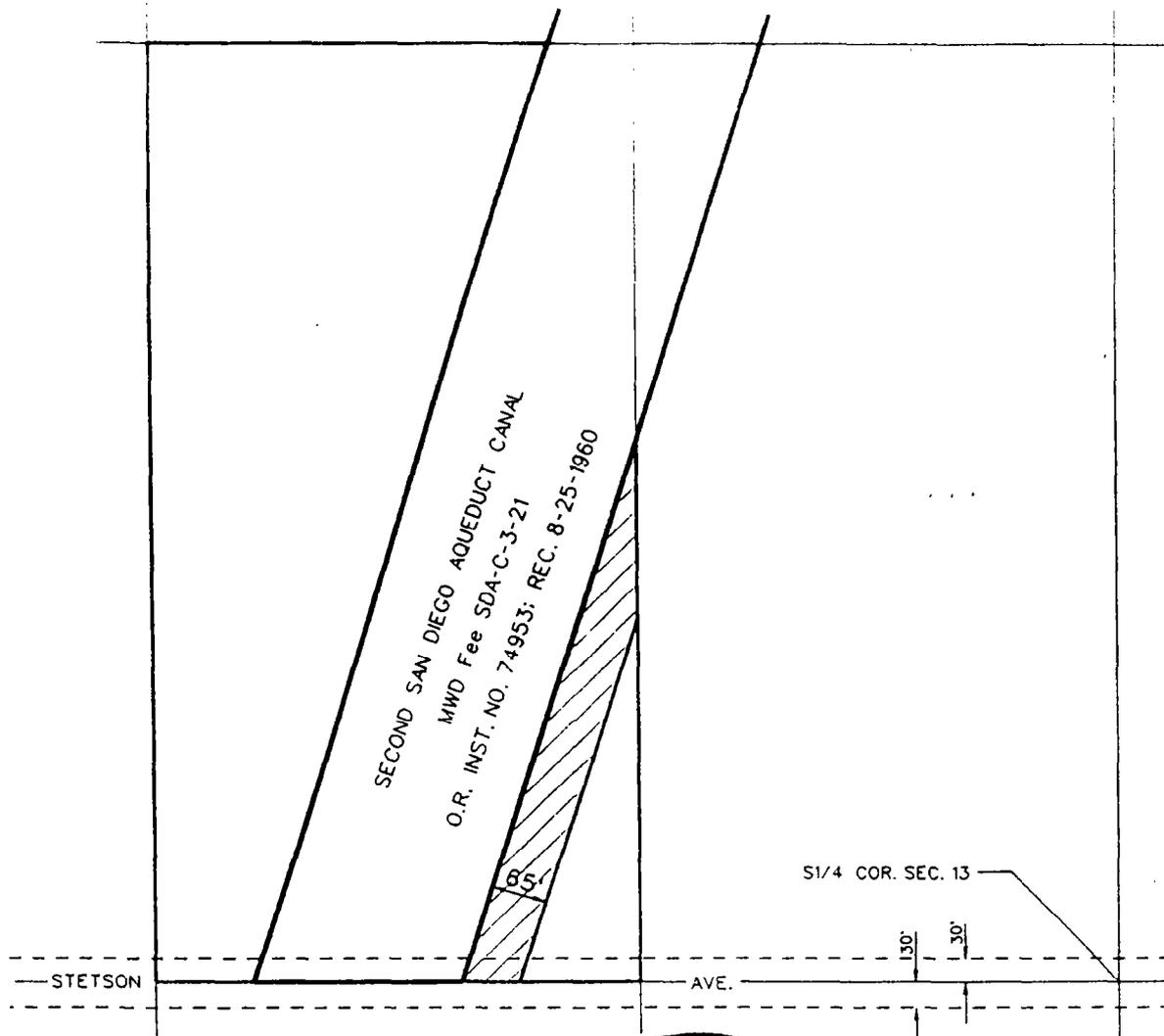


EXHIBIT B

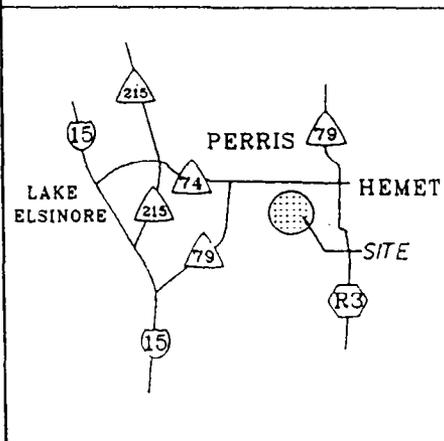
A PORTION OF THE W1/2SE1/4SW1 + SEC 13, T 5S, R. 2W, S B M
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



LEGEND

 GRANT DEED
144-3-2
(1.180 ac. TOTAL)

VICINITY MAP
NOT TO SCALE



9-14-93



NOT TO SCALE

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

EASTSIDE PIPELINE PROJECT
GRANT DEED
GEORGE H. DILWORTH
TO
MWD
PARCEL 144-3-2

EXHIBIT A

144-3-2TEA1
George H. Dilworth

A strip of land 85 feet wide, in the west half of the southeast quarter of the southwest quarter of Section 13, Township 5 South, Range 2 West, San Bernardino Meridian, in the County of Riverside, State of California, the southeasterly line of said strip of land 85 feet wide, being parallel with and distant southeasterly 150 feet, as measured at right angles, from the southeasterly line of that certain parcel conveyed to The Metropolitan Water District of Southern California by Grant Deed recorded August 25, 1960, as Instrument No. 74953, of Official Records in the office of the County Recorder of said County of Riverside.

The sidelines of said strip of land shall be prolonged or shortened so as to terminate northeasterly on the east line of said west half of the southeast quarter of the southwest quarter of Section 13, and so as to terminate southwesterly on the south line of said west half of the southeast quarter of the southwest quarter.

Containing 1.035 acres, more or less.

R.B./EP-3-2T



EXHIBIT A

144-2-18
James W. Dilworth

The westerly 55 feet, as measured at right angles to the west line, of the north half of the southeast quarter of the northwest quarter of Section 24, Township 5 South, Range 2 West, San Bernardino Meridian, in the County of Riverside, State of California.

Containing 0.824 acres, more or less.

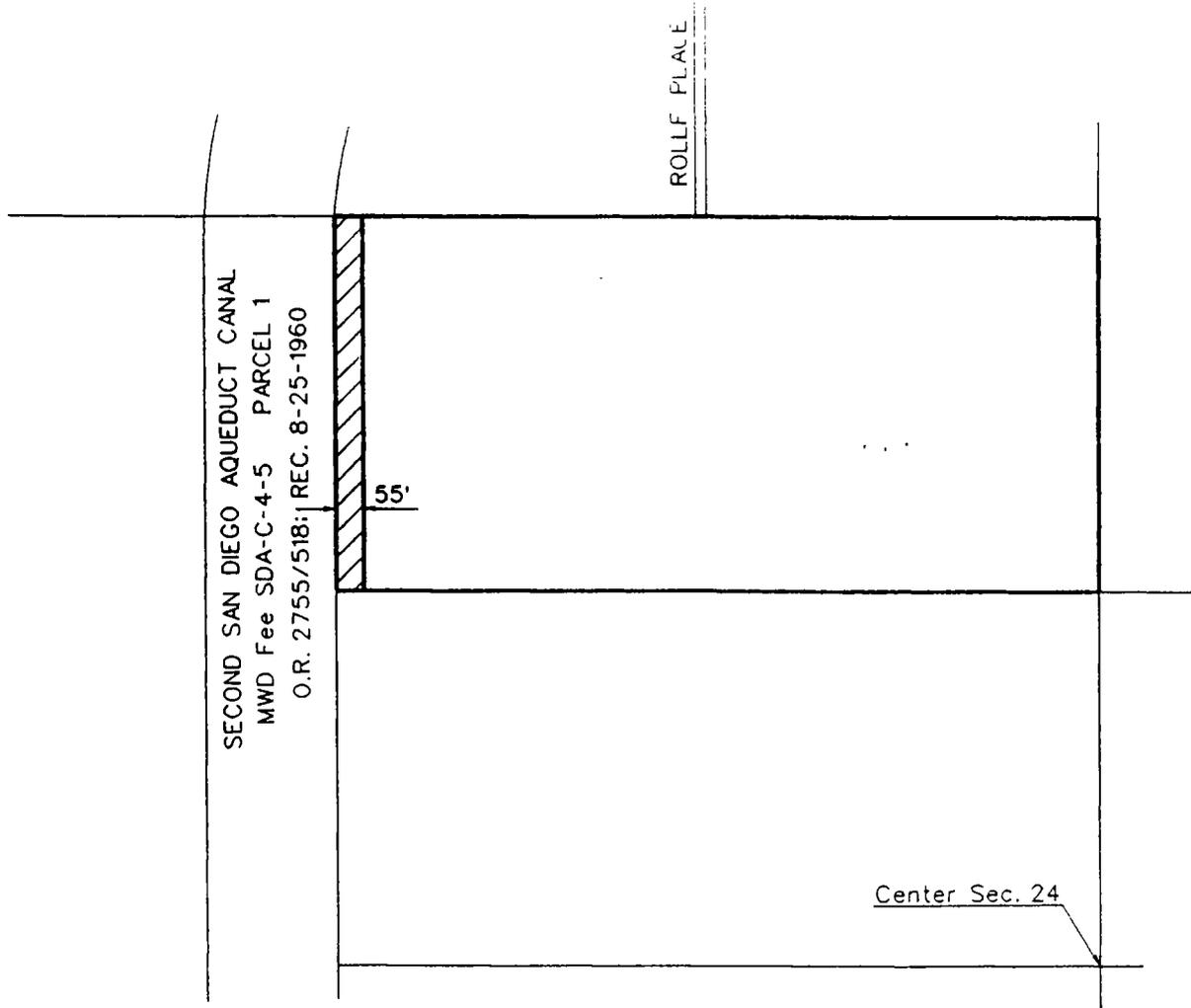
R.B./EP-2-18

9-1A-93



EXHIBIT B

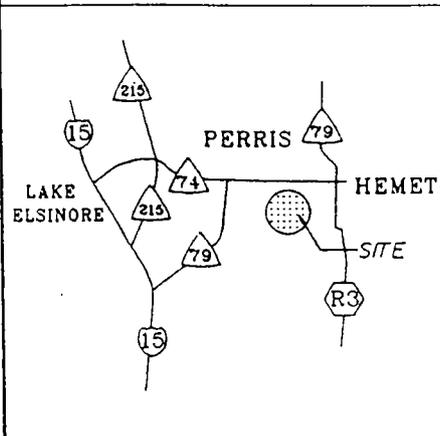
A PORTION OF THE N1/2SE1/4NW1/4 SEC 24, T.5S R.2W S B M
COUNTY OF RIVERSIDE STATE OF CALIFORNIA



LEGEND

 GRANT DEED
144-2-18
(0.824 ac. TOTAL)

VICINITY MAP
NOT TO SCALE



NOT TO SCALE

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

EASTSIDE PIPELINE PROJECT
GRANT DEED
JAMES W. DILWORTH
TO
MWD
PARCEL 144-2-18

EXHIBIT A

144-2-18TEA1
James W. Dilworth

The westerly 150 feet, as measured at right angles to the west line, of the north half of the southeast quarter of the northwest quarter of Section 24, Township 5 South, Range 2 West, San Bernardino Meridian, in the County of Riverside, State of California.

EXCEPTING therefrom the westerly 55 feet, as measured at right angles, to said west line.

Containing 1.423 acres, more or less.

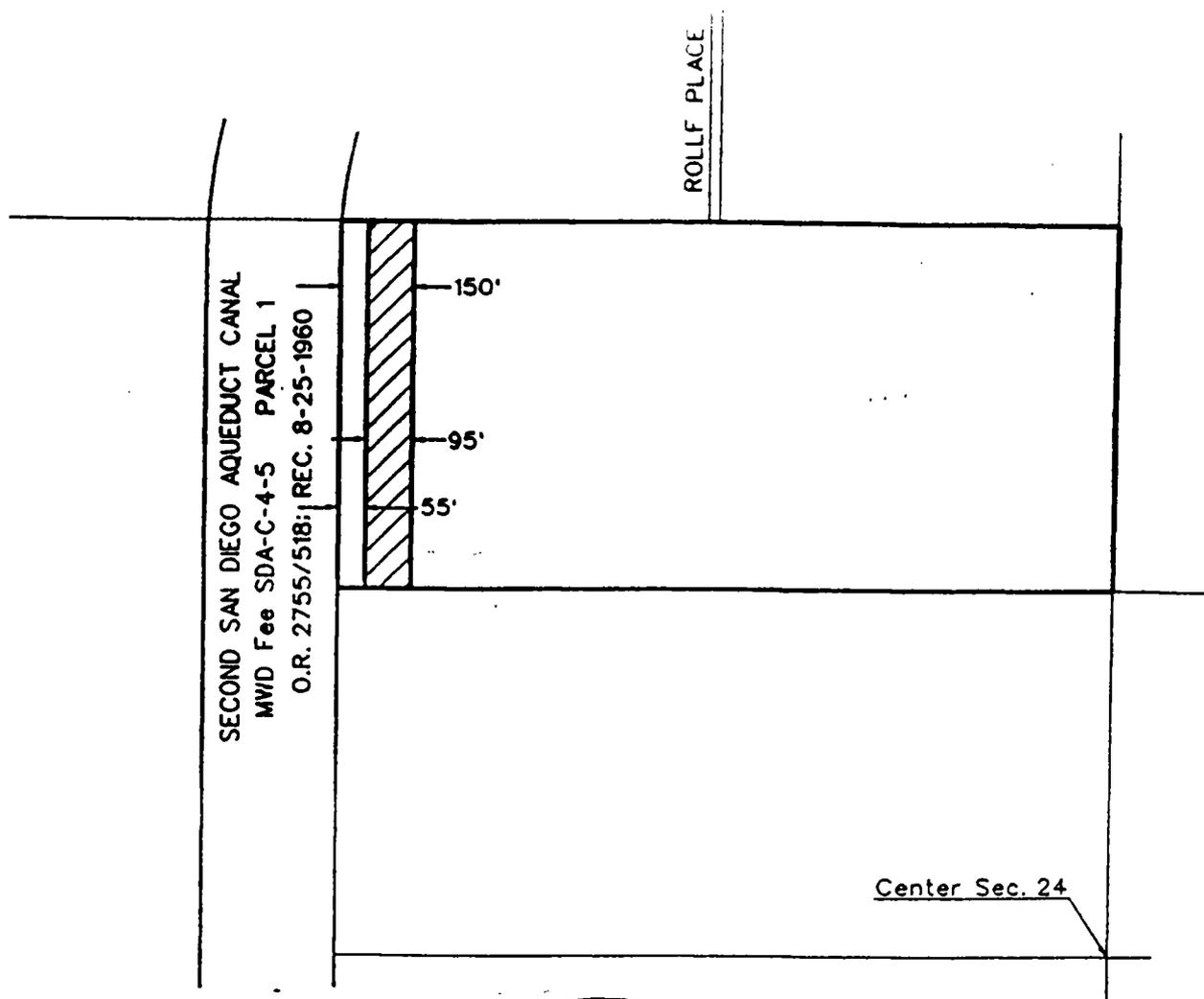
R.B./EP-2-18T

9-14-93



EXHIBIT B

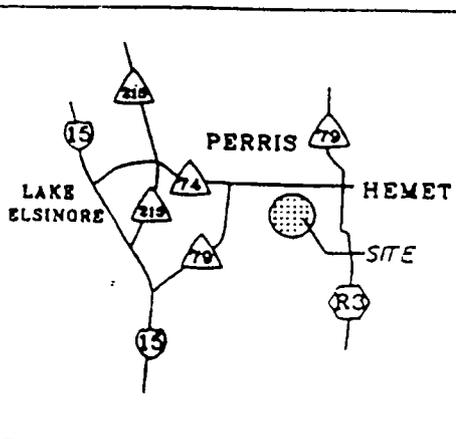
A PORTION OF THE N1/2SE1/4NW1/4 SEC. 24, T 5S R. 2W, S B M.
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



LEGEND

 TEMPORARY EASEMENT
144-2-18TEA1
(1.423 ac. TOTAL)

VICINITY MAP
NOT TO SCALE



9/14/93



NOT TO SCALE

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

EASTSIDE PIPELINE PROJECT
TEMPORARY EASEMENT
JAMES W. DILWORTH
TO
MWD
PARCEL 144-2-18TEA1

EXHIBIT A

144-2-16

Nelson S. Dilworth Jr.

The west 55 feet, as measured at right angles to the west line, of the south half of the southeast quarter of the northwest quarter of Section 24, Township 5 South, Range 2 West, San Bernardino Meridian, in the County of Riverside, State of California.

Containing 0.824 acres, more or less.

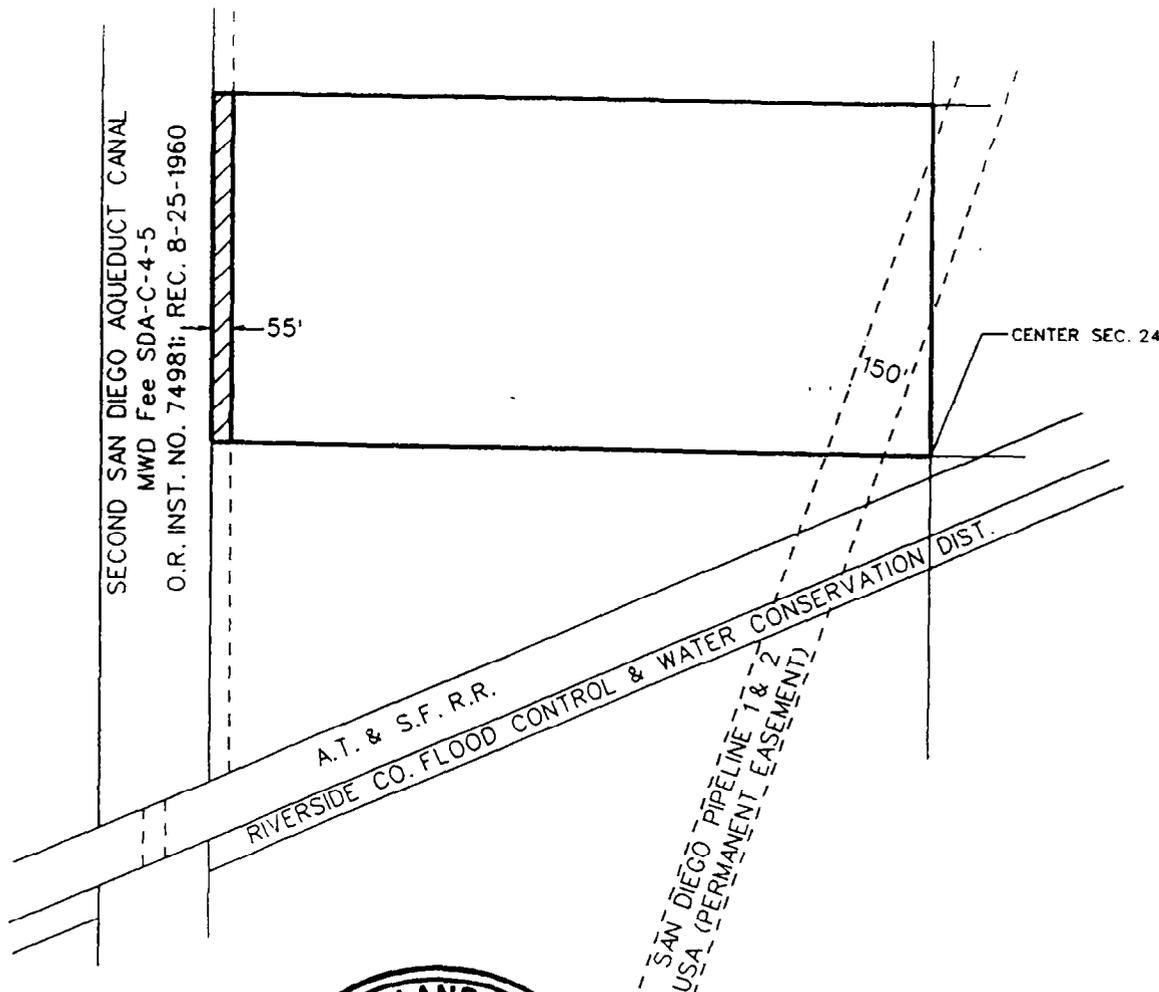
R.B./EP-2-16



EXHIBIT B

SI 2SE1 4NW1 + SEC 24, T 5S R.2W, S.B.M
COUNTY OF RIVERSIDE STATE OF CALIFORNIA

40879

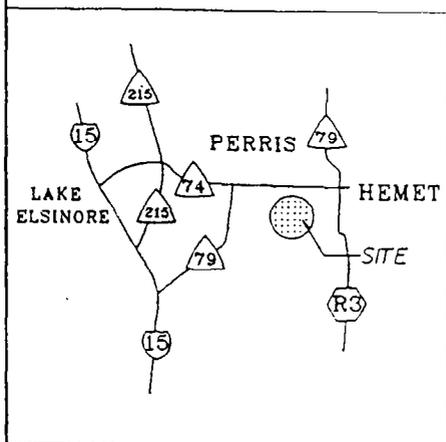


LEGEND

 GRANT DEED
144-2-16
(0.824 ac. TOTAL)

VICINITY MAP
NOT TO SCALE

9-14-93

NOT TO SCALE

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

EASTSIDE PIPELINE PROJECT
GRANT DEED
NELSON S. DILWORTH Jr
TO
MWD
PARCEL 144-2-16

EXHIBIT A

144-2-16TEA1
Nelson S. Dilworth Jr.

The west 150 feet, as measured at right angles to the west line, of the south half of the southeast quarter of the northwest quarter of Section 24, Township 5 South, Range 2 West, San Bernardino Meridian, in the County of Riverside, State of California.

EXCEPTING therefrom all that portion lying westerly of a line that is parallel with and distant 55 feet easterly, as measured at right angles, to the west line of said south half.

Containing 1.423 acres, more or less.

R.B./EP-2-16T

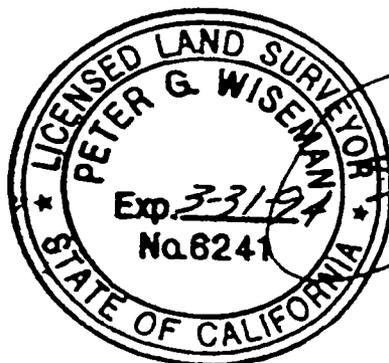
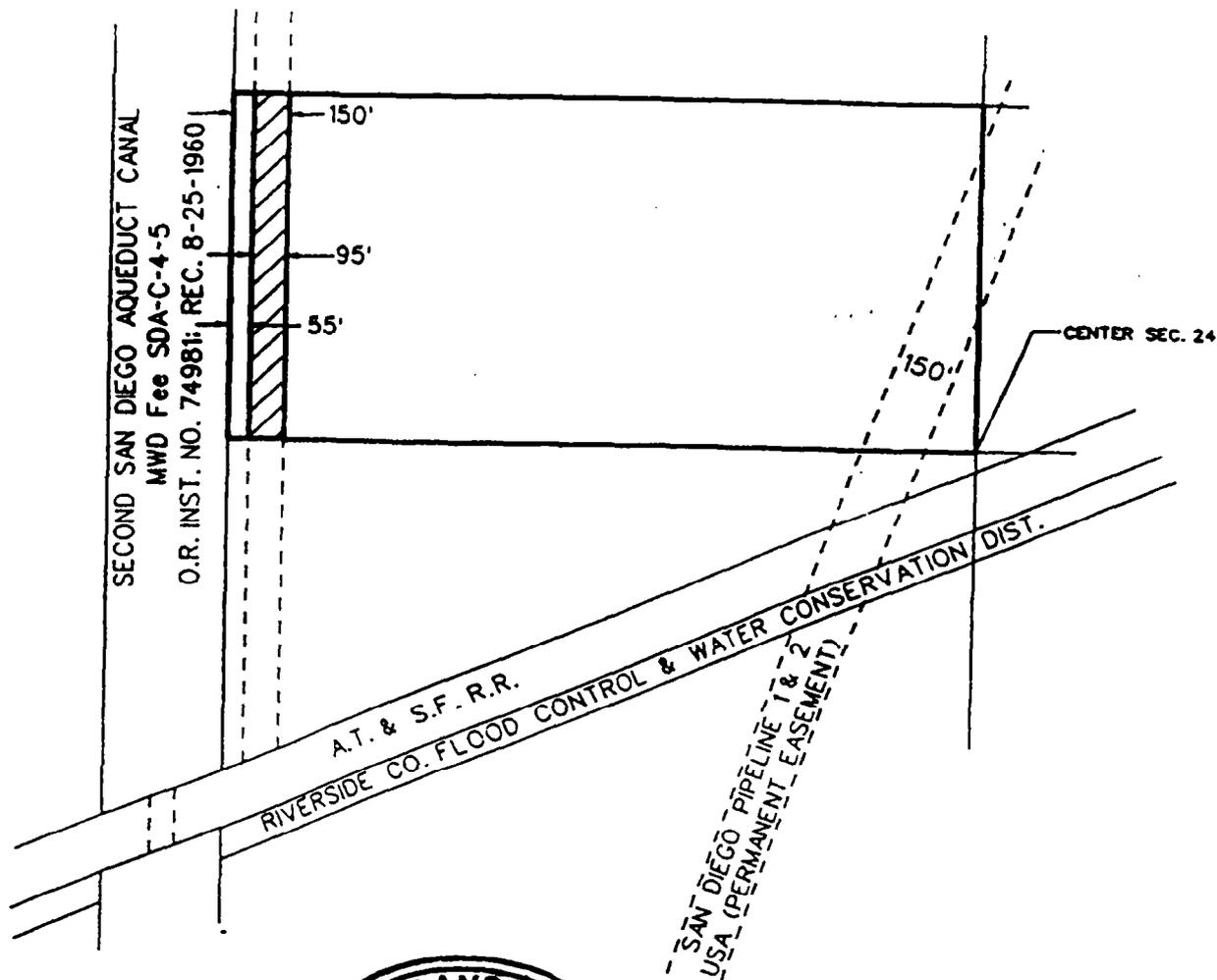


EXHIBIT B

S1/2SE1/4NW1/4 SEC. 24, T.5S R.2W, S.B.M.
COUNTY OF RIVERSIDE STATE OF CALIFORNIA



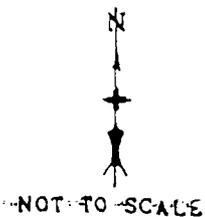
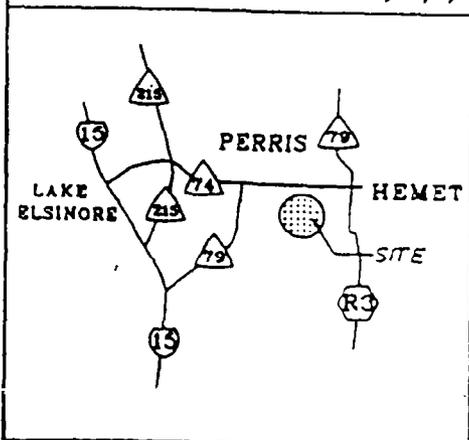
LEGEND



TEMPORARY EASEMENT
144-2-16TEA1
(1.423 ac. TOTAL)

VICINITY MAP
NOT TO SCALE

9-14-93



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

EASTSIDE PIPELINE PROJECT
TEMPORARY EASEMENT

NELSON S. DILWORTH Jr.

TO
MWD

PARCEL 144-2-16TEA1

EXHIBIT A

144-2-110

James W. Dilworth et al

A strip of land 55 feet wide in the southwest quarter of Section 24, Township 5 South, Range 2 West, San Bernardino Meridian, in the County of Riverside, State of California, described as follows:

The easterly line of said 55 foot wide strip being 55 feet easterly of, as measured at right angles to the easterly line of Parcel 2 as conveyed to The Metropolitan Water District of Southern California by Grant Deed recorded August 25, 1960 in Book 2755, page 518 of Official Records of said County. The southerly line of said 55 foot wide strip being bounded by the northerly 100 foot wide right of way line of the Atchinson Topeka and Santa Fe Railway Company, successor in interest to said 100 foot wide strip conveyed to the California Central Railway Company by deed recorded September 17, 1887 in Book 92, page 324 of Deeds, in the office of the County Recorder of the County of San Diego. The northerly line of said 55 foot wide strip being bounded by the northerly line of said southwest quarter.

Containing 0.784 acres, more or less.

R.B./EP-2-110

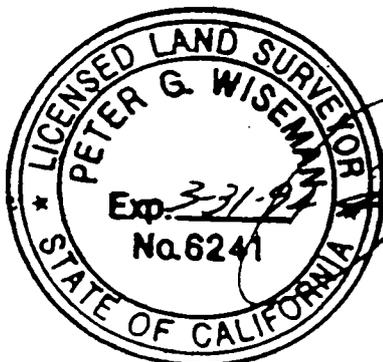
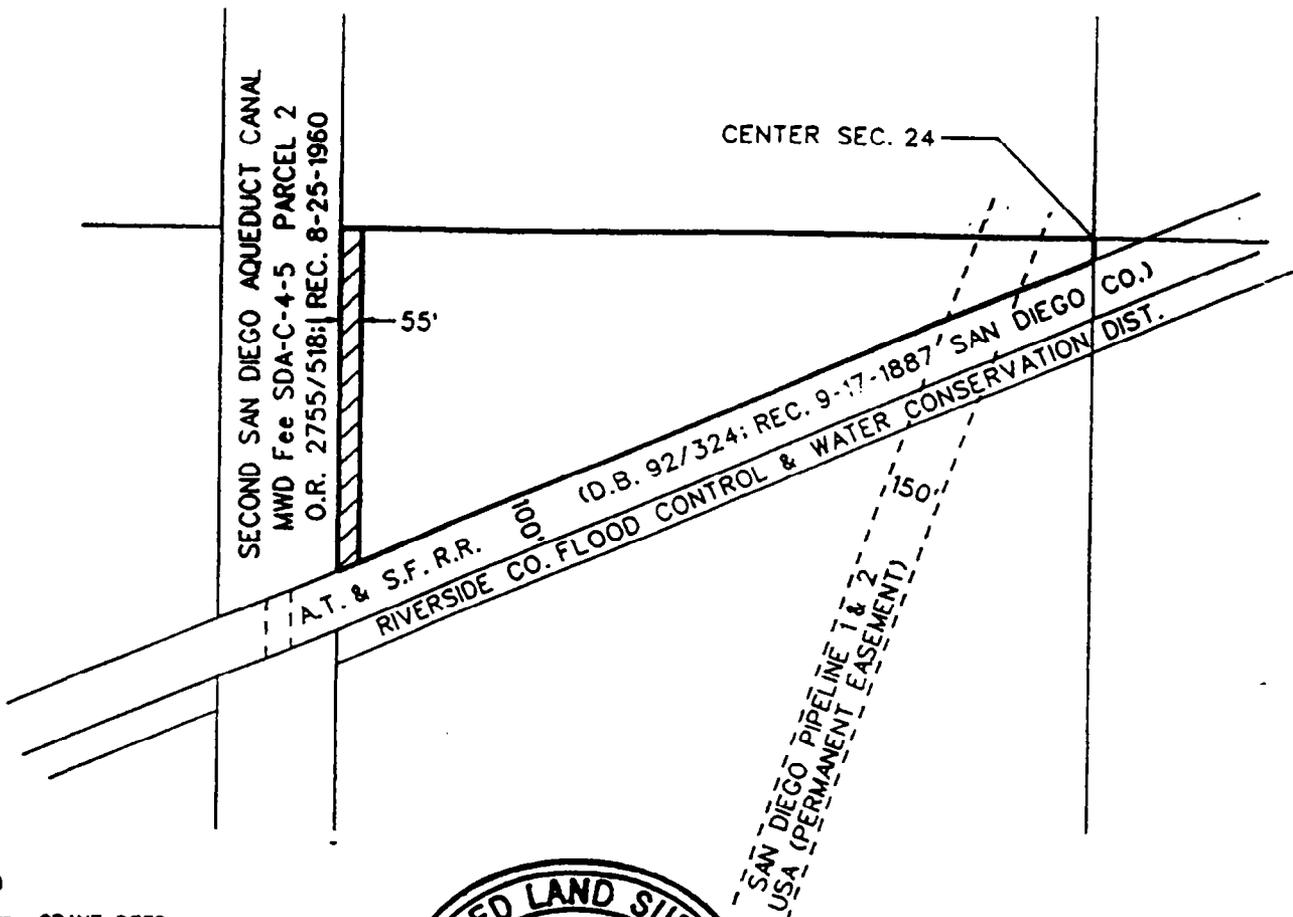
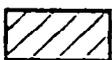


EXHIBIT B

SW 1/4 SEC 24, T 5 S R 2 W, S B M
COUNTY OF RIVERSIDE STATE OF CALIFORNIA



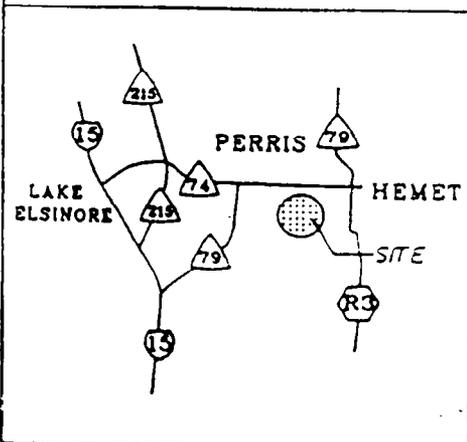
LEGEND



GRANT DEED
144-2-110
(0.784 ac. TOTAL)

VICINITY MAP
NOT TO SCALE

9-14-93



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NOT TO SCALE

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

EASTSIDE PIPELINE PROJECT
GRANT DEED

JAMES W. DILWORTH et al
TO
MWD

PARCEL 144-2-110

EXHIBIT A

144-2-110TEA1

James W. Dilworth et al

A strip of land 95 feet wide in the southwest quarter of Section 24, Township 5 South, Range 2 West, San Bernardino Meridian, in the County of Riverside, State of California, described as follows:

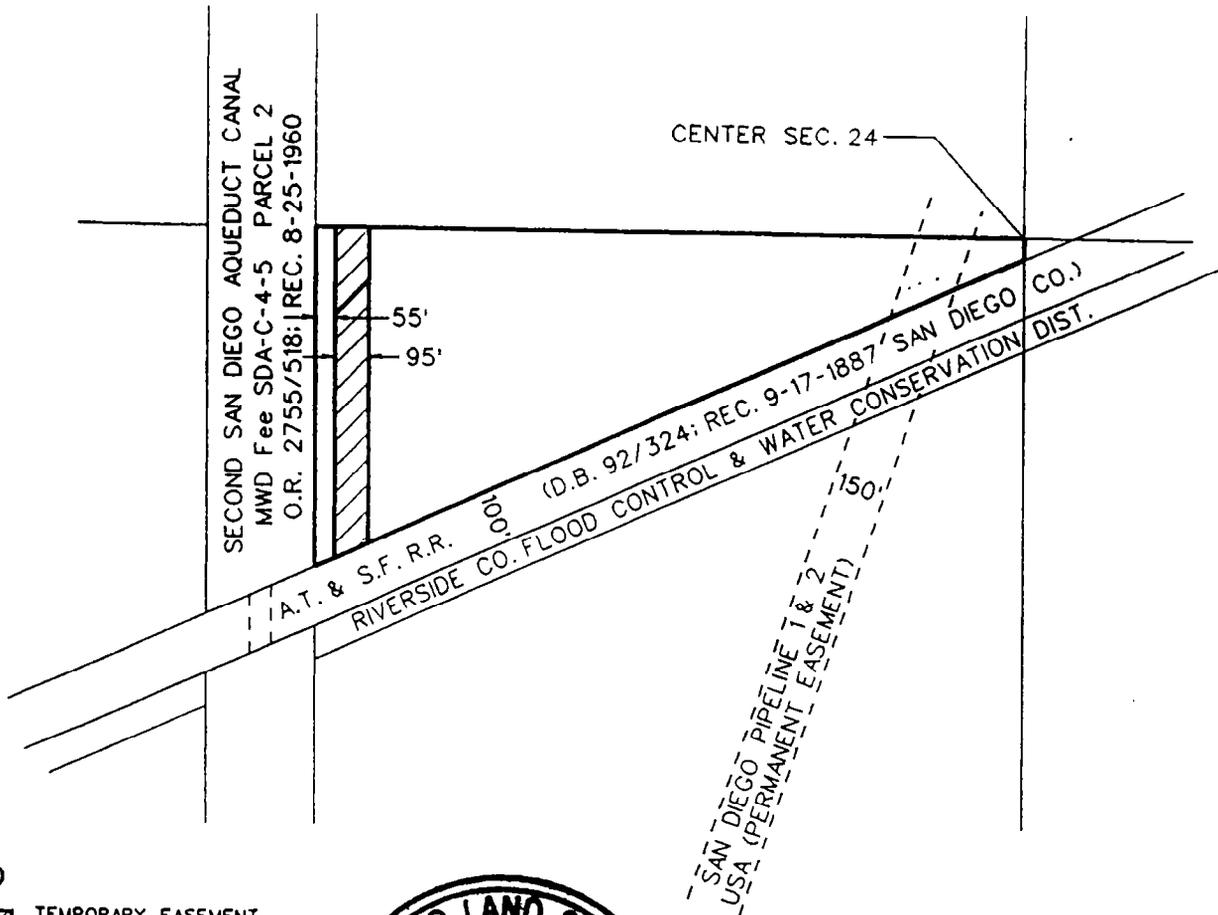
The easterly line of said 95 foot wide strip being 150 feet easterly of, as measured at right angles to the easterly line of Parcel 2 as conveyed to The Metropolitan Water District of Southern California by Grant Deed recorded August 25, 1960 in Book 2755, page 518 of Official Records of said County. The southerly line of said 95 foot wide strip being bounded by the northerly 100 foot wide right of way line of the Atchinson Topeka and Santa Fe Railway Company, successor in interest to said 100 foot wide strip conveyed to the California Central Railway Company by deed recorded September 17, 1887 in Book 92, page 324 of Deeds, in the office of the County Recorder of the County of San Diego. The northerly line of said 95 foot wide strip being bounded by the northerly line of said southwest quarter.

Containing 1.282 acres, more or less.

R.B./EP2-110T



SW1/4 SEC. 24 T.5S R.2W S.B.M.
COUNTY OF RIVERSIDE STATE OF CALIFORNIA



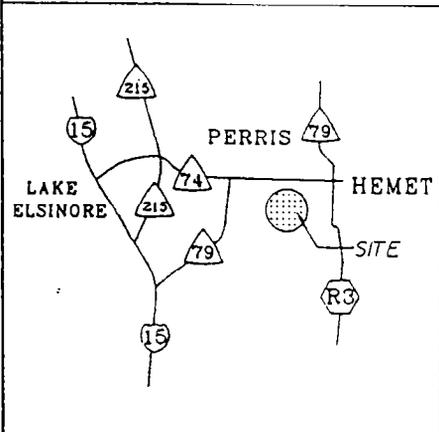
LEGEND



TEMPORARY EASEMENT
144-2-110TEA1
(1.282 ac. TOTAL)

VICINITY MAP
NOT TO SCALE

9-14-93



[Handwritten signature]

NOT TO SCALE

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

EASTSIDE PIPELINE PROJECT
TEMPORARY EASEMENT

JAMES W. DILWORTH et al
TO
MWD

PARCEL 144-2-110TEA1