

SEP 13 1994

8-8



**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

*[Signature]*  
EXECUTIVE SECRETARY

August 22, 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 Number, MWD Right-of-Way  
Parcel Number and Owner's Name, 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 Number, MWD Right-of-Way Number, and Owner's Name is set forth in the Parcel List attached hereto. The location of the property is shown on the attached drawing 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 September 12, 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 September 13, 1994.

On August 22, 1994 a notice of intention to adopt a resolution of necessity and of an opportunity to appear and be heard before the Land Committee on September 12, 1994, as to the necessity for the Project and the taking of the property was served on the owner of the property 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.

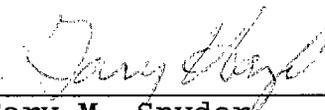
On October 8, 1991, your Board and its Advisory Committees acting on this matter certified that the Final Environmental Impact Report for the Eastside Reservoir Project, herein referred to as the Domenigoni Valley Reservoir Project, had been completed in compliance with the California Environmental Quality Act (CEQA) and the State Guidelines, and that it had reviewed and considered the information contained in that document. 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.

Recommendation

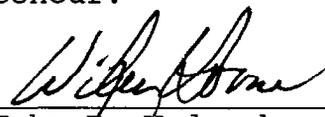
**LAND AND LEGAL AND CLAIMS COMMITTEES FOR ACTION.**

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.

John R. Wodraska  
General Manager

By:   
Gary M. Snyder  
Chief Engineer

Concur:

  
John R. Wodraska  
General Manager

JV:ks  
KARSCH\JVBOARD\RESNLT24  
Attm.

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.

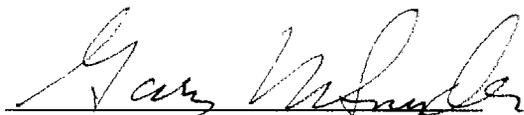
2. In order for Metropolitan to insure reliable delivery of water to its member public agencies for service to the public, it is necessary to construct, operate and maintain a water reservoir in Domenigoni Valley, Riverside County, California. Construction of the reservoir includes installation of a landscape screen as required by the Mitigation Plan for the Project.

3. The acquisition of the property described in the proposed resolution of necessity is necessary for the construction, operation and maintenance of the landscape screen. The property is located within Metropolitan's boundaries.

4. Metropolitan will require entry upon the property 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 may be commenced to condemn the property described in the proposed resolution of necessity, and a court order obtained authorizing Metropolitan to take possession of the property.

Executed in Los Angeles, on August 29, 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>
466-170-004	144-1-30	Frederick E. Domenigoni,
466-170-005	144-1-525	Elsa E. Barton, Francis
466-180-006		Domenigoni, Jean
466-180-013		Domenigoni
466-260-005		
466-170-001		

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RESOLUTION 8453A 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 installation of a landscape screen in connection with the reservoir, in the County of Riverside, California, and that certain property situated in the County of Riverside is necessary therefor.

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

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 owner 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 13th day of September, 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.

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Executive Secretary  
The Metropolitan Water District  
of Southern California

## EXHIBIT A

(1) Fee simple interest in the westerly 32 feet of the strip of land described herein as Parcel 144-1-30, reserving to owner the right of ingress and egress over and across such property at such locations as are authorized by the governmental agency with authority to regulate access to Winchester Road (State Highway 79).

(2) Fee simple interest in the westerly 32 feet of the strip of land described herein as Parcel 144-1-525, reserving to owner the right of ingress and egress over and across such property at such locations as are authorized by the governmental agency with authority to regulate access to Winchester Road (State Highway 79).

(3) Permanent easement in the easterly 30 feet of the strip of land described herein as Parcel 144-1-30 for purposes of planting and maintaining landscaping, including placement of fill and construction of irrigation facilities, reserving to owner the right of ingress and egress over and across such property at such locations as are authorized by the governmental agency with authority to regulate access to Winchester Road (State Highway 79).

(4) Permanent easement in the easterly 30 feet of the strip of land described herein as Parcel 144-1-525, for purposes of planting and maintaining landscaping, including placement of fill and construction of irrigation facilities, reserving to owner the right of ingress and egress over and across such property at such locations as are authorized by the governmental agency with authority to regulate access to Winchester Road (State Highway 79).

## EXHIBIT A

144-1-30  
Frederick Domenigoni, et al

All that portion of the west half of Section 10, T6S, R2W, SBM, in the County of Riverside, State of California, lying within a strip of land, 62 feet wide, the westerly line of said 62 foot wide strip being parallel with and distant 50 feet easterly, as measured at right angles and radially to the center line of Winchester Road (State Highway 79), 100 feet wide, as described in a deed to said County, recorded on January 18, 1949 in Book 1045, Page 57 et seq., of Official Records, in the office of the County Recorder of said County.

The sidelines of said strip of land, 62 feet wide, shall be prolonged or shortened so as to terminate southerly and northerly on the southerly and northerly lines of said west half of said Section 10.

EXCEPTING therefrom that portion of said strip of land, 62 feet wide, lying northerly of the southerly line of the northwest quarter of the northwest quarter of said Section 10.

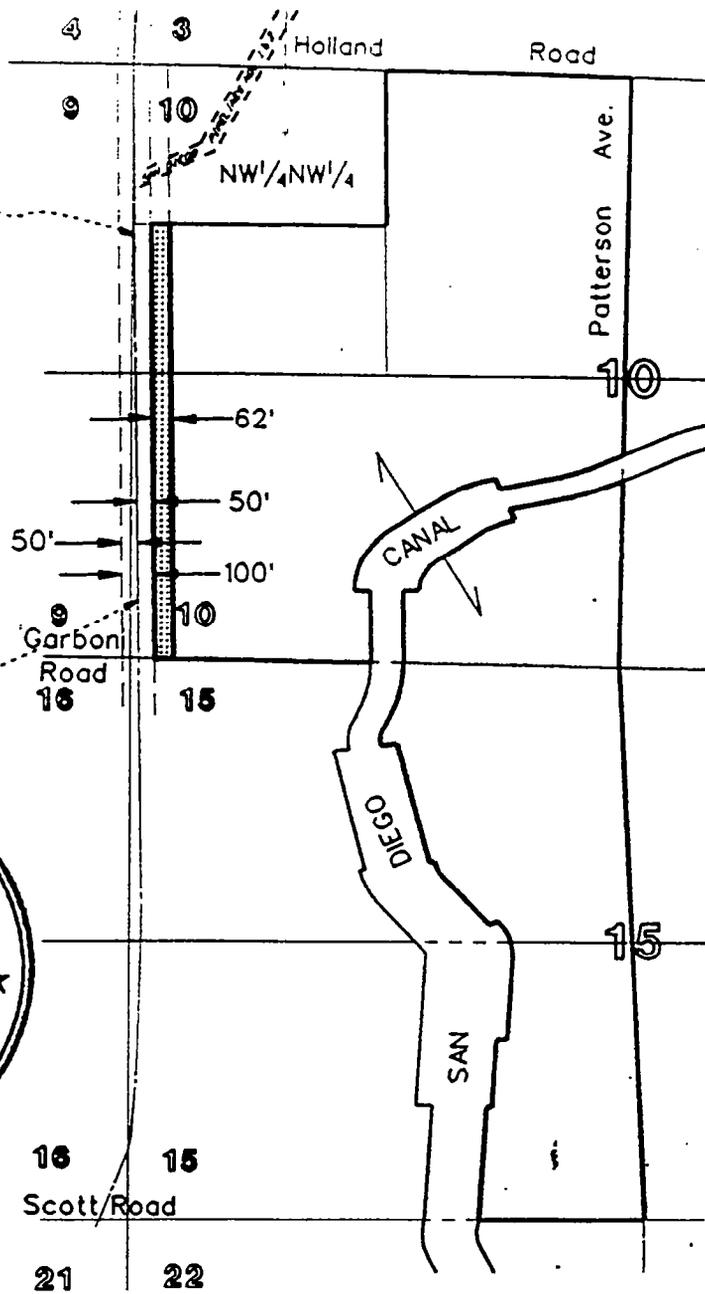
T.B./1441030



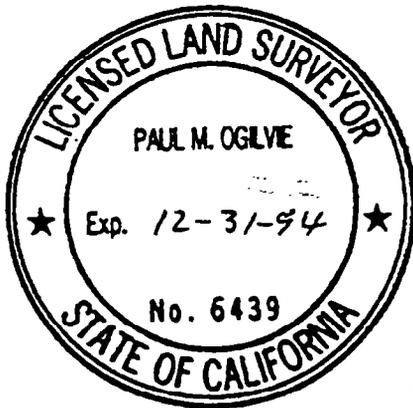
EXHIBIT B

41023

W 1/2, SECTION 10, T6S, R2W, S.B.M.  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

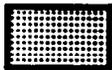


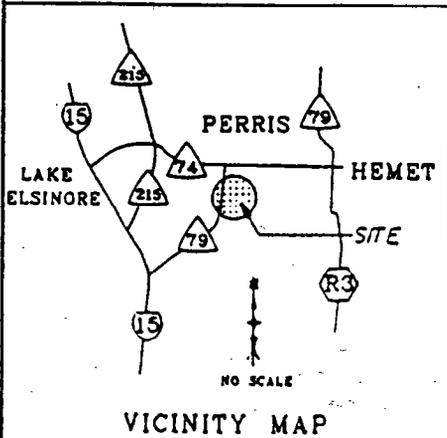
☉ of Winchester Road (State Hwy 79)  
 per deed to County of Riverside  
 O.R. 1045/57, Rec. 01-18-1949



NO SCALE

LEGEND

 = FEE TAKE  
 144-1-30



PREPARED UNDER MY SUPERVISION

*Paul M. Ogilvie*  
 PAUL M. OGILVIE P.L.S. 6439

10-13-93  
 DATE

THE METROPOLITAN WATER DISTRICT  
 OF SOUTHERN CALIFORNIA  
 DOMENIGONI VALLEY RESERVOIR PROJECT  
 GRANT DEED  
 FREDERICK DOMENIGONI, et al  
 TO  
 MWD  
 PARCEL 144-1-30

## EXHIBIT A

144-1-525

Francis Domenigoni, trustee

All that portion of the northwest quarter of the northwest quarter of Section 10, T6S, R2W, SBM, in the County of Riverside, State of California, lying within a strip of land, 62 feet wide, the westerly line of said 62 foot wide strip being parallel and concentric with and distant 50 feet easterly, as measured at right angles and radially to the center line of Winchester Road (State Highway 79), 100 feet wide, as described in a deed to said County, recorded on January 18, 1949 in Book 1045, Page 57 et seq., of Official Records, in the office of the County Recorder of said County.

The sidelines of said strip of land, 62 feet wide, shall be prolonged or shortened so as to terminate southerly on the southerly line of said northwest quarter of the northwest quarter and be continued or shortened so as to terminate northerly on the northerly line of said northwest quarter of the northwest quarter.

T.B./1441525

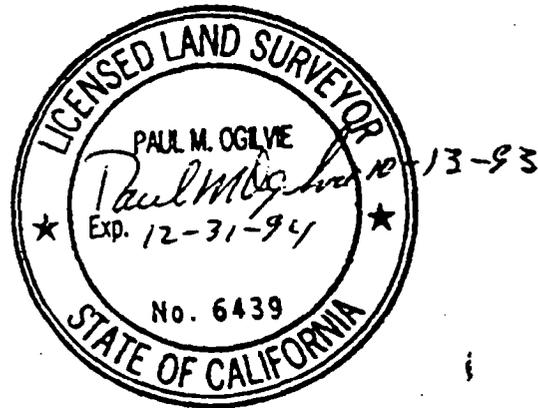
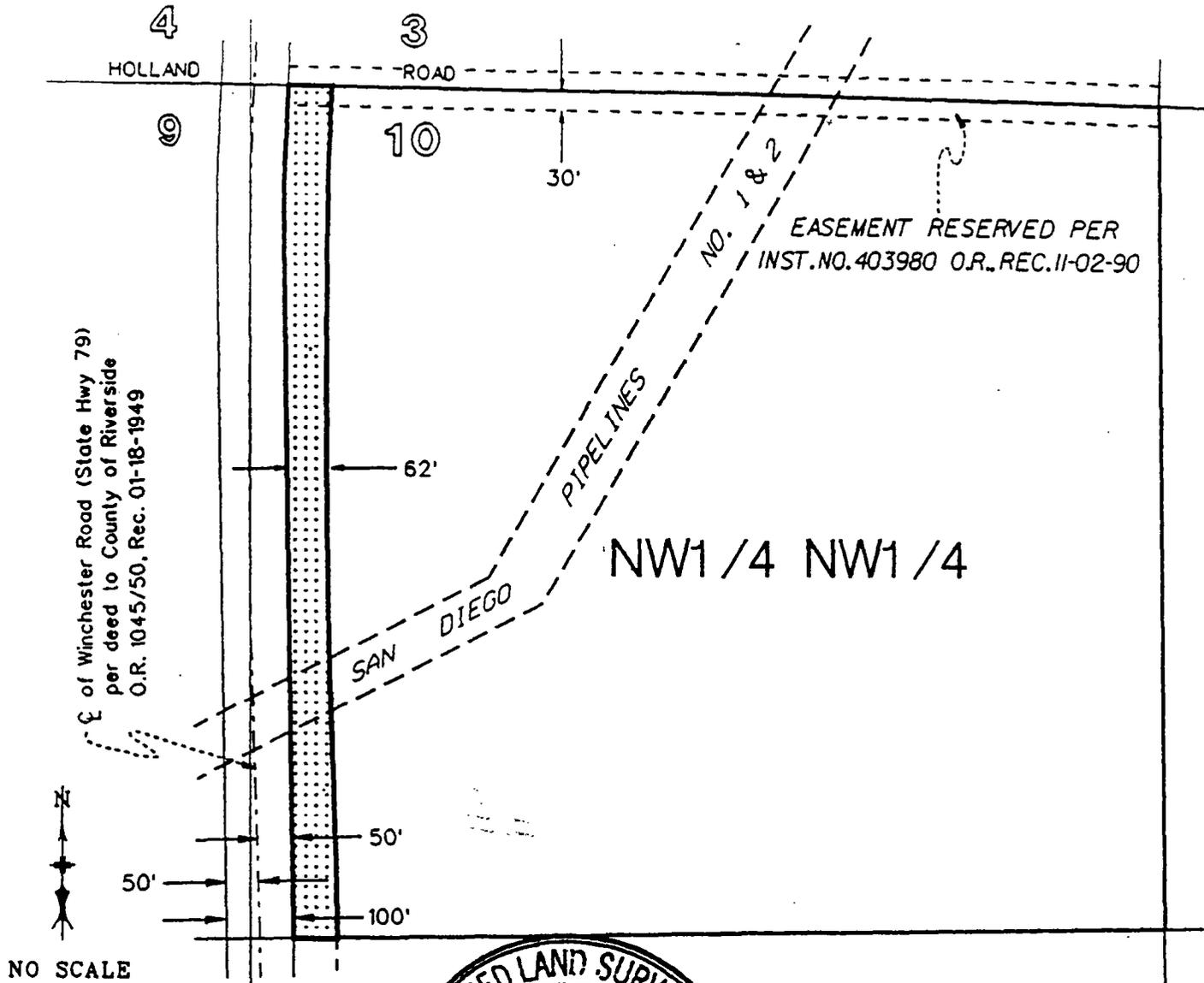


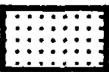
EXHIBIT B

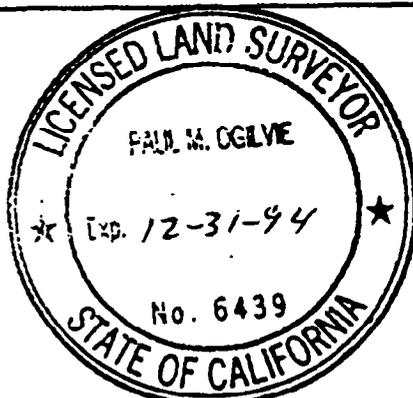
41023

NW 1/4 NW 1/4, SECTION 10, T6S, R2W, S.B.M.  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



LEGEND

 = FEE TAKE  
= 144-1-525



PREPARED UNDER MY SUPERVISION

*Paul M. Ogilvie*  
PAUL M. OGILVIE P.L.S. 6439

10-13-93  
DATE

THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA  
DOMENIGONI VALLEY RESERVOIR PROJECT  
GRANT DEED  
FRANCIS DOMENIGONI, TRUSTEE  
TO  
MWD  
PARCEL 144-1-525

