

**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

8-10

December 20, 1994

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

From: General Manager

Subject: Resolution of Necessity Directing the General Counsel to Condemn Property Required for the Inland Feeder Project in San Bernardino County, California, identified by San Bernardino County Assessor's Parcel Number 299-111-02, MWD Right-of-Way Parcel Number INFED1-24-150 and Owners: Krikor and Zovag Guldalian, Trustees.

### Report

The Metropolitan Water District will require the real property described in Exhibits A and B, attached hereto, located in San Bernardino County, California, for portions of the Inland Feeder Pipeline Project. The pipeline, the proposed construction, the required property, and the public necessity for the project and for the property are discussed in the attached statement of Metropolitan's Chief Engineer, Gary M. Snyder. The location of the property is shown on the attached drawings designated as Exhibit B. An offer to purchase the property required by California Government Code section 7262.2 was made.

On November 10, 1994, notice of intention to adopt a resolution of necessity and of an opportunity to appear and be heard before the Land Committee on December 12, 1994, as to the necessity for the Project and for the taking of the property was mailed to the owners 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. No request for hearing was received and no appearance was made. A quorum of the Committee was present and a hearing was held. A written summary of the hearing and a written recommendation by the Land Committee as to whether the Board should adopt a resolution is attached hereto.

Transmitted herewith is a resolution declaring the necessity for 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 San Bernardino County to acquire the property.

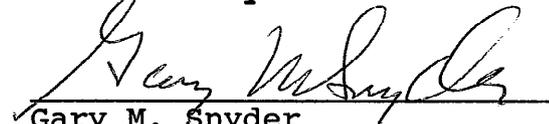
On February 9, 1993, your Board and its Advisory Committees acting on this matter certified that the Final Environmental Impact Report for the Inland Feeder Project had been completed in compliance with the California Environmental Quality Act (CEQA) and the State Guidelines, and that it had reviewed and considered the information contained in that document. Your action on the subject resolutions are therefore in compliance with CEQA. No further environmental documentation or review is necessary for your Board to act on this request.

Recommendation

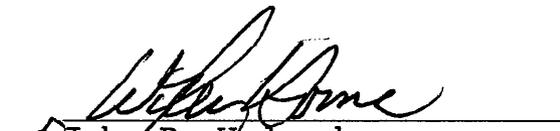
It is recommended that the Board of Directors, by a two-thirds vote, adopt the attached resolution declaring the necessity for the Project and for the property described in Exhibits A and B, attached thereto, and directing the General Counsel to commence condemnation proceedings in San Bernardino County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

John R. Wodraska  
General Manager

Submitted By:

  
Gary M. Snyder  
Chief Engineer

Concur:

  
John R. Wodraska  
General Manager

JV:ks  
KARSCH\jvboard\Inland1.bd  
Attm.

**SUMMARY OF DECEMBER 12, 1994 HEARING AND  
RECOMMENDATION OF THE LAND COMMITTEE REGARDING  
WHETHER THE BOARD OF DIRECTORS SHOULD ADOPT A  
RESOLUTION OF NECESSITY TO CONDEMN CERTAIN PROPERTY  
FOR THE INLAND FEEDER PROJECT**

On December 12, 1994, at the offices of The Metropolitan Water District of Southern California, a hearing was held by the Land Committee of Metropolitan's Board of Directors. Land Committee Chairman Doude Wysbeek presided. A quorum of the Committee was present.

Chairman Wysbeek requested that Deputy General Counsel Joseph Vanderhorst present the matter to the Committee. Mr. Vanderhorst advised the Committee that the Item 7b involved the hearing required by the eminent domain law prior to the commencement of a condemnation action. Mr. Vanderhorst further advised that Metropolitan had made an offer to purchase the property which is the subject of the resolution, and that a tentative agreement on acquisition has been reached. The resolution of necessity was still being sought to allow the condemnation process to move forward in the event that the voluntary acquisition is not completed.

Mr. Vanderhorst advised that the property owner was mailed a notice of the hearing, and no response to the notice had been received.

Assistant Chief Engineer Wayne Bousley made a presentation regarding the Inland Feeder Project, and the specific property that is the subject of the resolution of necessity. Mr. Bousley explained that the Project involves construction of a system to carry water from the Devil's Canyon facility, which is the terminus of the east branch of the California Aqueduct, to the Colorado River Aqueduct and ultimately to the Domenigoni Valley Reservoir. The project is necessary to improve system reliability and to increase utilize increased storage capacity. The project will also allow blending of water from different sources to increase quality.

Mr. Bousley identified the subject property which is located on Opal Avenue between Highland Avenue and Fifth Street, near the City of Redlands. The property will be utilized as a portal site for the San Timoteo Tunnel. The site is necessary because hydraulic and topographic considerations make it the best and most appropriate location for the portal site.

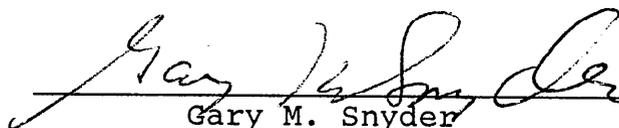
The Committee voted unanimously to recommend that the Board of Directors adopt, by a two-thirds vote, the Resolution of Necessity.

STATEMENT OF GARY M. SNYDER IN SUPPORT OF  
RESOLUTION OF NECESSITY (INLAND FEEDER 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 conveyance facility (Inland Feeder) to transport water from the California Department of Water Resources' Devil Canyon facility to the junction of the Colorado River Aqueduct and the San Diego Canal.
3. The Inland Feeder will be in the San Timoteo Tunnel from Opal Avenue east of Redlands to Eucalyptus Avenue east of Moreno Valley. A tunnel portal site is required to be located near the intersection of Opal Avenue and 5th Street east of Redlands.
4. The acquisition of the property described in the proposed resolution of necessity is necessary for the construction, operation and maintenance of the Inland Feeder as the location of the portal site.
5. Metropolitan will require entry upon the property in order to be able to commence construction of the project.
6. 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, California, on November  
20, 1994.

  
Gary M. Snyder

## EXHIBIT A

Fee simple interest in the property described herein  
as Parcel INFED1-24-150

EXHIBIT A

INFED1-24-150  
Krikor Guldalian and  
Zovag Guldalian  
Trustees of the  
Guldalian Family Trust

The south one-half of the east one-half of Lot 6,  
Block 77, Rancho San Bernardino, in the County of San  
Bernardino, State of California, as per map recorded in Book 7,  
page 2 of Maps, records of said County.

PGW\p\...\infed1\24\legal\150.doc

October 25, 1994

10-25-94

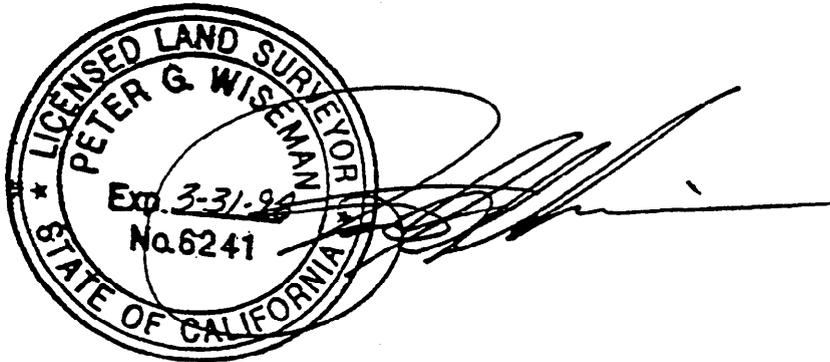
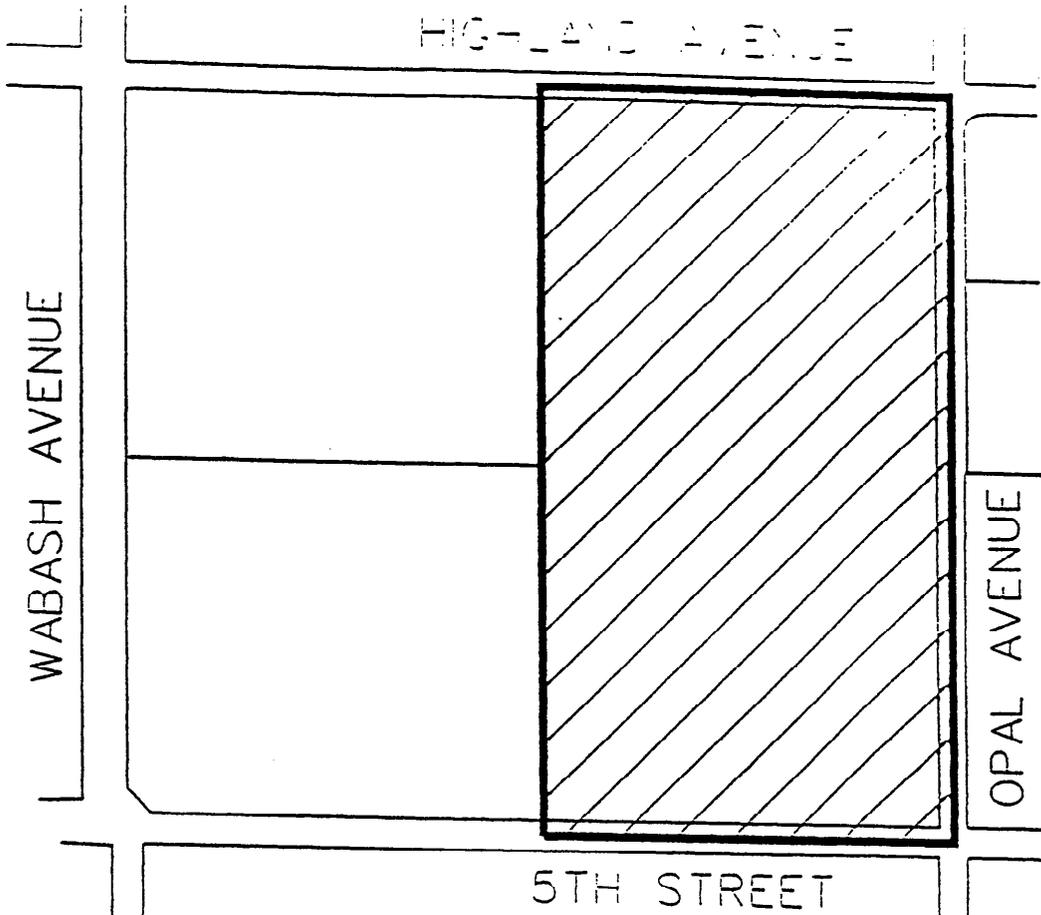


EXHIBIT B

POR. OF LOT 6, BLOCK 77, RANCHO SAN BERNARDINO, M.B. 7, PG. 12  
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA



LEGEND

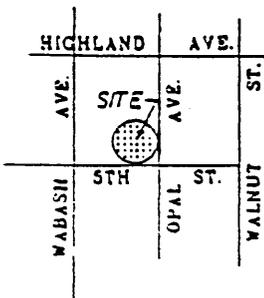


INFED1-24-150  
(19.389 AC. TOTAL)

10-25-94



VICINITY MAP



NOT TO SCALE



NOT TO SCALE

THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

INLAND FEEDER  
GRANT DEED

KIRKOR GULDALIAN & ZOVAG  
GULDALIAN TRUSTEES OF THE  
GULDALIAN FAMILY TRUST

TO  
MWD

PARCEL INFED1-24-150