

EXECUTIVE SUMMARY:

The Metropolitan Water District will require the real property described in Exhibits A and B, attached hereto, located in Riverside County, California, for the relocation of Newport Road in connection with the Domenigoni Valley Reservoir Project. Offers to purchase the properties as required by California Government Code section 7262.2 were made. No final agreement on the purchase price has been reached on the McClure parcels (144-1-773, 144-1-773PEA1 and 144-773-PEA2). There is a tentative agreement to acquire the property owned by the Karubian Family Joint Venture (Parcels 144-1-771, 144-1-771PEA1 and 144-771PEA2), and this resolution is sought because the acquisition of the Karubian property has not become final. It is recommended that a Resolution of Necessity be adopted to authorize the commencing of eminent domain actions to acquire the properties.

DETAILED REPORT:

At its meeting on August 21, 1995, the Land Committee held a hearing on the adoption of a Resolution of Necessity to authorize the General Counsel to commence condemnation proceedings on the properties. At the conclusion of the hearing, the Land Committee voted unanimously recommended that the Resolution of Necessity be adopted.

In compliance with the provision of the California Eminent Domain Law, a summary of the hearing and the Land Committee's recommendation is attached hereto.

On October 8, 1991, your Board certified that the Final Environmental Impact Report for 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 April 13, 1993, your Board adopted Addendum No. 1 to the Final Environmental Impact Report and determined that the alignment of Relocated Newport Road 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.

**SUMMARY OF AUGUST 21, 1995 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
DOMENIGONI VALLEY RESERVOIR**

On August 21, 1994, at the offices of The Metropolitan Water District of Southern California, a hearing was held by the Land Committee of the 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 discussed the requirement in the eminent domain law that adoption of a Resolution of Necessity is a prerequisite to the filing of an action to condemn property. The properties being acquired are necessary for construction of the relocated Newport Road, which is part of the Domenigoni Valley Reservoir Project.

Mr. Vanderhorst advised the Committee that the property interests to be acquired are necessary for construction of a drainage ditch, relocation of utility lines, and installation of traffic signals at the intersection of the relocated Newport Road with State Street. Mr. Vanderhorst further advised that staff had reach a tentative agreement to acquire the property owned by Karubian Family Joint Venture (Parcels 144-1-771, 144-1-771PEA1 and 144-1-771PEA2), subject to Board approval. The resolution was still sought with regard to that property because the acquisition has not become final.

Mr. Vanderhorst further stated that the property owners had been mailed a notice of the hearing, and no request to appear and be heard had been received.

It was moved and seconded that the Land Committee recommend that the Board of Directors adopt the proposed resolution. The motion carried unanimously.

RESOLUTION 8483

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 (DOMENIGONI VALLEY RESERVOIR PROJECT)

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

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 relocation of Newport Road 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 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 12th day of September, 1995, 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

ATTACHMENT

**ASSESSOR'S
PARCEL NO.****MWD PARCEL NO.****OWNER'S NAME**

454-070-002

144-1-771, 144-1-771PEA1
144-1-771PEA2Karubian Family Joint
Venture

454-070-007

144-1-773, 144-1-773PEA1,
144-1-773PEA2

Nora P. McClure

Exhibit A

- 1) Fee interest in the property described as Parcels 144-1-771 and 144-1-773.
- 2) A permanent easement in, over and along the property described as Parcels 144-1-771PEA1 and 144-1-773PEA1, for purposes of installing, constructing, maintaining and operating underground telecommunication lines and overhead electric transmission lines, and all appurtenant facilities and structures necessary and convenient for such utility lines, and reserving to the owner the right, subject to the easement, of reasonable access over and across the property.
- 3) A permanent easement in, over and along the property described as Parcels 144-1-771PEA2 and 144-1-773PEA2, for purposes of constructing and maintaining a drainage ditch, reserving to owner the right, subject to the easement, of reasonable access over and across the property.

EXHIBIT A

144-1-771

Karubian Family Joint Venture,
A Partnership

That portion of Government Lot 2, Section 27, T5S, R1W, SBM, City of Hemet, County of Riverside, State of California, described as follows:

Commencing at the intersection of the centerlines of Gibbel Road, 60 feet wide, and State Street, 60 feet wide, as shown on Record of Survey filed in Book 94, pages 21 through 25, inclusive, of Records of Survey of said County; thence N 00° 01' 38" W along the centerline of said State Street 30.00 feet; thence S 89° 10' 29" E, parallel with the centerline of said Gibbel Road 30.00 feet to the point of intersection of the easterly right of way lines of State Street and the northerly right of way line of Gibbel Road, said point being THE TRUE POINT OF BEGINNING; thence continuing S 89° 10' 29" E along the right of way line of said Gibbel Road 44.54 feet; thence leaving said right of way line N 38° 23' 40" W 39.53 feet; thence S 89° 58' 22" W, perpendicular to the centerline of said State Street, 20.00 feet to the easterly right of way line of said State Street; thence S 00° 01' 38" E along said right of way line 30.33 feet to THE TRUE POINT OF BEGINNING.

Containing 0.023 acre, more or less.

PMO\p:\NPTRD\1441771



EXHIBIT A

144-1-771PEA1
 Karubian Family Joint Venture,
 A Partnership

That portion of Government Lot 2, Section 27, T5S,
 R1W, SBM, City of Hemet, County of Riverside, State of
 California, described as follows:

Commencing at the intersection of the centerlines of
 Gibbel Road, 60 feet wide, and State Street, 60 feet wide, as
 shown on Record of Survey filed in Book 94, pages 21 through
 25, inclusive, of Records of Survey of said County; thence
 N 00° 01' 38" W along the centerline of said State Street
 30.00 feet; thence S 89° 10' 29" E, parallel with the
 centerline of said Gibbel Road 80.00 feet to a point on the
 northerly right of way line of said Gibbel Road, said point
 being THE TRUE POINT OF BEGINNING; thence S 89° 10' 29" E along
 said right of way line 121.63 feet to the southwest corner of
 that parcel of land conveyed to Eastern Municipal Water
 District by Grant Deed recorded September 14, 1959 as
 Instrument No. 78510, Official Records of said County; thence N
 00° 49' 31" E along the westerly line of said parcel 15.00
 feet; thence leaving said westerly line N 89° 10' 29" W,
 parallel with said northerly right of way line of Gibbel Road,
 121.86 feet to a line parallel with and 50.00 feet easterly of,
 as measured at right angles to the easterly right of way line
 of said State Street; thence S 00° 01' 38" E along said
 parallel line 15.00 feet to THE TRUE POINT OF BEGINNING.

Containing 0.042 acre, more or less.

PMO\p:\NPTRD\771PEA1

Page 1 of 1

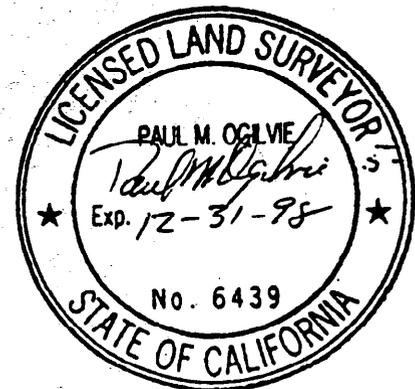


EXHIBIT A

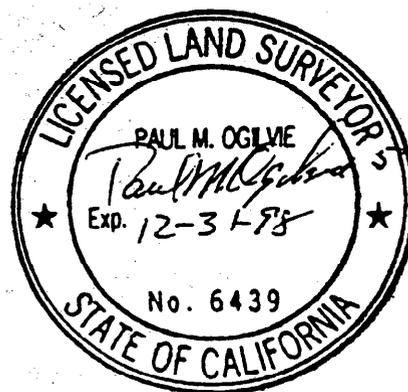
144-1-771PEA2
 Karubian Family Joint Venture,
 A Partnership

That portion of Government Lot 2, Section 27, T5S, R1W, SBM, City of Hemet, County of Riverside, State of California, described as follows:

Commencing at the intersection of the centerlines of Gibbel Road, 60 feet wide, and State Street, 60 feet wide, as shown on Record of Survey filed in Book 94, pages 21 through 25, inclusive, of Records of Survey of said County; thence N 00° 01' 38" W along the centerline of said State Street 30.00 feet; thence S 89° 10' 29" E, parallel with the centerline of said Gibbel Road, 74.54 feet to a point on the northerly right of way line of said Gibbel Road, said point begin THE TRUE POINT OF BEGINNING; thence leaving said right of way line N 38° 23' 40" W 39.53 feet; thence S 89° 58' 22" W 20.00 feet to the easterly right of way line of said State Street; thence N 00° 01' 38" W along said easterly right of way line 627.11 feet; thence leaving said right of way line, N 89° 58' 22" E 50.00 feet; to a line parallel with and 50.00 feet easterly of, as measured at right angles to the easterly right of way line of said State Street; thence S 00° 01' 38" E along said parallel line 658.19 feet to the northerly right of way line of said Gibbel Road; thence N 89° 10' 29" W along said northerly right of way line 5.46 feet to THE TRUE POINT OF BEGINNING.

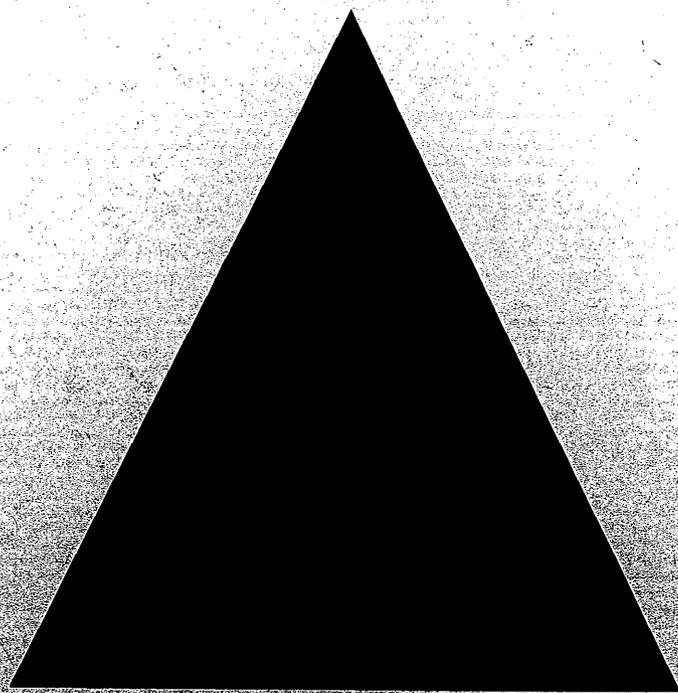
Containing 0.732 acre, more or less.

PMO\p:\NPTRD\771PEA2



This section uses the following tracking code : 1Ka

This section uses the following index code : 41577



Page Place Holder Sheet / Page Tracking Sheet

Page Place Holder Sheet

This sheet stands in for a section consisting of 3 total number of pages in this document, including those starting at page number _____ and ending with page number _____ as numbered in the document.

Page Tracking Sheet

This section of _____ total number of pages has been pulled from the document titled:

This section was pulled for seperate processing due to:

- Duplex Pages
- Simple Binding
- Special Binding
- Mounted Components
- Page Material
- Page Size
- Damaged Page
- Text on Screen
- Image Only Pages
- Page Rotation

EXHIBIT A

144-1-773

Nora P. McClure, Trustee

That portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, T5S, R1W, in the County of Riverside, State of California, included within the boundary lines of Tract XVI of the Rancho San Jacinto Viejo as shown on a map of the partition of said Rancho filed on November 22, 1882, in the Office of the County Clerk of San Diego County, California, in that certain action entitled "F.M. Bouton vs. Miguel Pedrorena, et. al.", said portion is described as follows:

Commencing at the intersection of the centerlines of Gibbel Road, 60 feet wide, and State Street, 60 feet wide as shown on Record of Survey filed in Book 94, pages 21 through 25, inclusive, of Records of Survey of Riverside County; thence S 00° 01' 38" E along the centerline of said State Street 30.00 feet; thence S 89° 10' 29" E, parallel with the centerline of said Gibbel Road 30.00 feet to the point of intersection of the southerly right of way line of said Gibbel Road and the easterly right of way line of said State Street, said point being THE TRUE POINT OF BEGINNING; thence S 89° 10' 29" E 45.47 feet along said southerly right of way line; thence leaving said right of way line S 39° 22' 49" W 40.11 feet; thence S 89° 58' 22" W 20.00 feet to the easterly right of way line of State Street; thence N 00° 01' 38" W along said easterly right of way line 31.67 feet to THE TRUE POINT OF BEGINNING.

Containing 0.024 acre, more or less.

PMO\p:\NPTRD\1441773

Page 1 of 1



EXHIBIT A

144-1-773PEA1

Nora P. McClure, Trustee

That portion of the SW¼ of the SE¼ of Section 27, T5S, R1W, in the County of Riverside, State of California, included within the boundary lines of Tract XVI of the Rancho San Jacinto Viejo as shown on a map of the partition of said Rancho filed on November 22, 1882, in the Office of the County Clerk of San Diego County, California, in that certain action entitled "F.M. Bouton vs. Miguel Pedrorena, et. al.", said portion is described as follows:

Commencing at the intersection of the centerlines of Gibbel Road, 60 feet wide, and State Street, 60 feet wide as shown on Record of Survey filed in Book 94, pages 21 through 25, inclusive, of Records of Survey of Riverside County; thence S 00° 01' 38" E along the centerline of said State Street 30.00 feet; thence S 89° 10' 29" E, parallel with the centerline of said Gibbel Road 80.00 feet to a point on the southerly right of way line of said Gibbel Road, said point being THE TRUE POINT OF BEGINNING; thence S 89° 10' 29" E 446.16 feet along said southerly right of way line; thence leaving said southerly right of way line S 00° 49' 31" W 15.00 feet; thence N 89° 10' 29" W, parallel with said southerly right of way line, 445.93 feet to a line parallel with and 50.00 feet easterly of, as measured at right angles to the easterly right of way of said State Street; thence N 00° 01' 38" W along said parallel line 15.00 feet to THE TRUE POINT OF BEGINNING.

Containing 0.154 acre, more or less.

PMO\p:\NPTRD\773PEA1

Page 1 OF 1



EXHIBIT A

144-1-773PEA2

Nora P. McClure, Trustee

That portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, T5S, R1W, in the County of Riverside, State of California, included within the boundary lines of Tract XVI of the Rancho San Jacinto Viejo as shown on a map of the partition of said Rancho filed on November 22, 1882, in the Office of the County Clerk of San Diego County, California, in that certain action entitled "F.M. Bouton vs. Miguel Pedorena, et. al.", said portion is described as follows:

Commencing at the intersection of the centerlines of Gibbel Road, 60 feet wide, and State Street, 60 feet wide as shown on Record of Survey filed in Book 94, pages 21 through 25, inclusive, of Records of Survey of Riverside County; thence S 00° 01' 38" E along the centerline of said State Street 30.00 feet; thence S 89° 10' 29" E, parallel with the centerline of said Gibbel Road 75.47 feet to a point on the southerly right of way line of said Gibbel Road; said point being THE TRUE POINT OF BEGINNING; thence leaving said southerly right of way line S 39° 22' 49" W 40.11 feet; thence S 89° 58' 22" W, perpendicular to the centerline of said State Street, 20.00 feet; thence S 00° 01' 38" E along said easterly right of way line 424.88 feet; thence leaving said easterly right of way line N 89° 58' 22" E 50.00 feet to a line 50.00 feet easterly of, as measured at right angles to the easterly right of way line of said State Street; thence N 00° 01' 38" W along said parallel line 455.81 feet to the southerly right of way line of Gibbel Road; thence N 89° 10' 29" W along said southerly right of way line 4.54 feet to THE TRUE POINT OF BEGINNING.

Containing 0.500 acre, more or less.

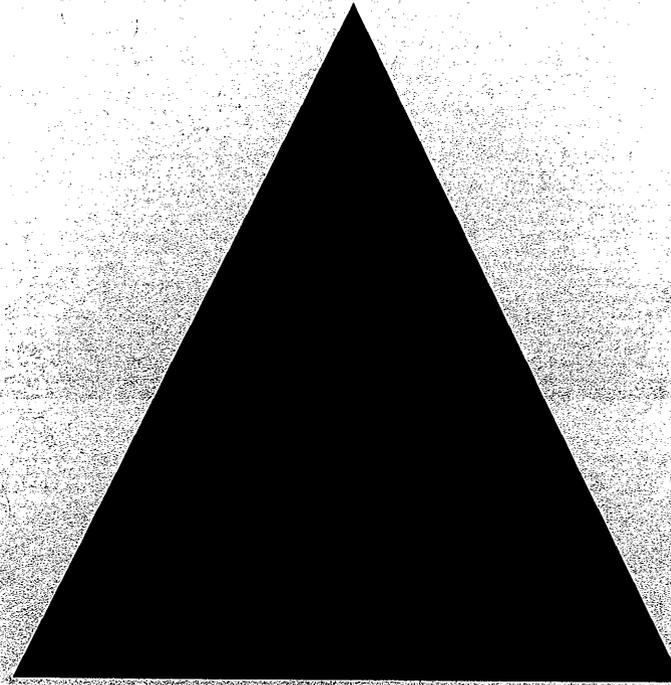
PMO\p:\NPTRD\773PEA2

Page 1 OF 1



This section uses the following tracking code : 1K6

This section uses the following index code : 41577



Page Place Holder Sheet / Page Tracking Sheet

Page Place Holder Sheet

This sheet stands in for a section consisting of 3 total number of pages in this document, including those starting at page number _____ and ending with page number _____ as numbered in the document.

Page Tracking Sheet

This section of _____ total number of pages has been pulled from the document titled:

This section was pulled for seperate processing due to:

Duplex Pages

Simple Binding

Special Binding

Mounted Components

Page Material

Page Size

Damaged Page

Text on Screen

Image Only Pages

Page Rotation

STATEMENT OF WALLY M. LIEU IN SUPPORT OF
RESOLUTION OF NECESSITY (EASTSIDE RESERVOIR PROJECT)

I, Wally M. Lieu, declare:

1. I am the Assistant 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 eastern Riverside County, California. Construction of the reservoir will result in the closure of existing roadways including Newport Road. Metropolitan will reconstruct Newport Road on an alignment north of the reservoir project.
3. The acquisition of the interests in the property described in the proposed resolution of necessity is necessary for the construction, operation and maintenance of the relocated Newport Road. The property is located within Metropolitan's boundaries.
4. Metropolitan will require entry upon the property in order to be able to complete 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 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 8, 1995.



Wally M. Lieu
Assistant Chief Engineer