

RESOLUTION NO. 2005- 04

A RESOLUTION BY
 THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1000
 ACCEPTING THE ASSIGNMENT OF EASEMENTS FROM
 SACRAMENTO AREA FLOOD CONTROL AGENCY
 AND
 ASSIGNING THOSE SAME EASEMENTS TO
 AMERICAN RIVER FLOOD CONTROL DISTRICT

WHEREAS, the SACRAMENTO AREA FLOOD CONTROL AGENCY ("SAFCA") is a joint exercise of powers agency established pursuant to the laws of the State of California; and

WHEREAS, RECLAMATION DISTRICT NO. 1000 ("RD 1000") is a reclamation district created by act of the legislature of the State of California, approved April 8, 1911; and

WHEREAS, the AMERICAN RIVER FLOOD CONTROL DISTRICT ("ARFCD") is a special district created under the laws of California pursuant to Stats 1927 ch 808 p. 1596, as amended; and

WHEREAS, on May 13, 1994, Ebara Technologies Inc., a California Corporation, executed a Grant of Easement to SAFCA, which easement was recorded in Book 94 1019, Page 0793 on October 19, 1994 ("Ebara Easement"); and

WHEREAS, on June 10, 1994, Nabisco, Inc, a New Jersey Corporation, executed a Grant of Easement to SAFCA, which easement was recorded in Book 94 1019, Page 0200 on October 19, 1994 ("Nabisco Easement"); and

WHEREAS, the SAFCA Executive Director is authorized to assign to RD 1000 the Nabisco Easement and the Ebara Easement by authority granted by Resolution Number 04-104 of the SAFCA Board of Directors adopted on November 18, 2004; and

WHEREAS, pursuant to Cal. Gov. Code §27281, the RD 1000 Board of Trustees has authority to accept such the assignment of easements from SAFCA upon the execution of the certificate of acceptance set forth below; and

WHEREAS, the Board of Trustees desires to authorize the RD 1000 District Engineer to assign to ARFCD the Nabisco Easement and the Ebara Easement on behalf of RD 1000.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Trustees hereby accepts the assigned easements from SAFCA as described above.
2. The Board of Trustees hereby authorizes the RD 1000 Secretary to certify such acceptance by executing the certificate of acceptance set forth below.

3. The Board of Trustees hereby authorizes the RD 1000 General Manager to assign the Nabisco Easement and Ebara Easement to ARFCD.

Approved this 8th day of April, 2005

Ayes: 6
Noes: 0
Absent: 1

Certification

I, Terry Figueroa, hereby certify that I am and at all times mentioned herein was duly elected, qualified and acting Secretary of Reclamation District 1000, organized and existing under and by virtue of the laws of the State of California, that the foregoing is a full, true and correct copy of a Resolution duly and regularly adopted at a meeting of the Board of Trustees of said District duly held on April 8th, 2005, a majority and quorum of the members of said Board of Trustees being present and voting in favor of said Resolution; and that said Resolution has not been modified, rescinded, altered or amended and is in full force and effect.

Terry Figueroa
Secretary
Reclamation District 1000

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Assignment Agreements described above from SAFCA to RD 1000 is hereby accepted by the undersigned officer on behalf of the Board of Trustees pursuant to authority conferred by the Board's Resolution No. 2005-04 adopted on April 8th, 2005, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: April 8, 2005.
By: Terry Figueroa
District Secretary

Approved as to form:
By: James M. Day Jr.
James M. Day Jr., District Counsel
Downey Brand LLP