



RESOLUTION No. 2017-20

OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

DECLARING NECESSITY AND AUTHORIZING EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF REAL PROPERTY FOR A PUBLIC PROJECT KNOWN AS THE *CHICAGO PARK POWERHOUSE ROAD EASEMENT ACQUISITION PROJECT* – on Placer County APNs 063-150-014 and 063-150-008 owned by George Back and Placer County APNs 063-320-001 and 063-320-002 owned by George Back & Dorothy R. Back

After duly convened public hearing on the matter of the acquisition by eminent domain of property interests for the ***CHICAGO PARK POWERHOUSE ROAD EASEMENT ACQUISITION PROJECT*** (CPPH RD Acquisition Project), the Board of Directors determines and declares as follows:

1. The Nevada Irrigation District (District) owns and operates the Chicago Park Power House, Rollins Reservoir and related systems and facilities as integral parts of the District's Yuba-Bear Hydroelectric Project (Yuba-Bear Project).
2. A portion of District's Yuba-Bear Project consists of integrated systems of hydraulic conduits, hydroelectric powerhouses and appurtenant facilities and real property interests extending from the District's Dutch Flat No. 2 Flume Intake at the Drum Afterbay to the District's Rollins Reservoir and Rollins Powerhouse located along the Bear River in the Counties of Nevada and Placer, State of California.
3. Following the Federal Energy Regulatory Commission (FERC) approval of the District's Yuba-Bear Project license 2266 in 1963, the District has constructed and operated the Yuba-Bear Project systems and facilities.
4. The District's Yuba-Bear Project systems and facilities are and will continue to be necessary to the District's beneficial use of water for consumptive purposes and for the generation of electric power and to otherwise carry out the District's purposes.
5. The District's operation of the Yuba-Bear Project systems and facilities are necessary for, related to and required by FERC license 2266.
6. CPPH RD Acquisition Project will secure for the District certain easement real property interests, which are necessary for the District's operation of the Yuba-Bear Project and the implementation of FERC license 2266.
7. The District is authorized to exercise the right of eminent domain to acquire property necessary to carry out its purposes, including the furnishing of water for consumptive use (Division 11, Part 5, Chapter 1, Article 1 of the California Water Code) and the generation of hydroelectric power (Division 11, Part 5, Chapter 1, Article 3 of the California Water Code) under California Water Code section 22456.

8. The property interests to be acquired are situate in the county of Placer.
9. The property interests to be acquired are situate outside of the District boundaries.
10. The District is authorized to acquire property by eminent domain outside of the territorial limits of the District for water or electric supply purposes, under California Code of Civil Procedure section 1240.125.
11. The property interests to be acquired will be used for road purposes, including but not limited to the following:
 - a. Access to DISTRICT's lands, facilities and improvements;
 - b. Transporting people, tools, equipment, materials, debris, sediment, aggregate, and deposits; and
 - c. Public access for recreational use as required by federal, state, or local law, regulation, or permit or license.
12. The extent and location of the property interests to be acquired for the CPPH RD Acquisition Project are set forth in the road easement deeds attached to this resolution as Exhibits A through D, and are more particularly described and depicted in Exhibits 1 through 8, attached hereto.
13. George Back and Dorothy R. Back are the owners of the property to be acquired whose names and address appear on the last equalized county assessment roll.
14. Notice has been given each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll notice and a reasonable opportunity to appear and be heard on the matters referred to in Section 1240.030,, in accordance with California Code of Civil Procedure section 1245.235.
15. The CPPH RD Acquisition Project involves negligible or no expansion of an existing use of the property to be acquired and will not result in a direct or reasonably foreseeable indirect physical change in the environment. The District's use of the road easement will comply with the California Environmental Quality Act, and all applicable local, state and federal laws and regulation.
16. The public interest and necessity require the CPPH RD Acquisition Project.
17. The CPPH RD Acquisition Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
18. The property sought to be acquired is necessary for the CPPH RD Acquisition Project.
19. The offer required by section 7267.2 of the California Government Code could not be made because the District could not with reasonable diligence locate the owners of record of the property interests to be acquired, George Back and Dorothy R. Back. An offer to acquire the property interests for the amount established as just compensation was directed to the persons whose name and address appear on the last equalized county assessment roll; and

BE IT FURTHER RESOLVED by this Board of Directors that NEVADA IRRIGATION DISTRICT be, and is, authorized and empowered as follows:

1. To acquire in the name of Nevada Irrigation District property interests referred to above and described in Exhibits A through D, and 1 through 8 attached hereto, pursuant to the provisions of Division 11 of the California Water Code, Section 22456, and the provisions of Title 7 of the California Code of Civil Procedure commencing with Section 1230.010, et seq., and the Constitution of the State of California relating to eminent domain.
2. To prepare and prosecute in the name of Nevada Irrigation District such proceeding or proceedings in the proper court having jurisdiction thereof as are necessary for such adjudication.
3. To move the Court for an order for possession prior to judgment, pursuant to Code of Civil Procedure sections 1255.410 and following.
4. To deposit the probable amount of compensation based on an appraisal, which will be awarded in the proceeding, pursuant to Code of Civil Procedure sections 1255.010 and following
5. To make deposits of security out of proper funds under the control of Nevada Irrigation District, in such amounts so fixed and determined and in such a manner as the Nevada Irrigation District General Manager or his designee may direct.

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting of said Board, held on the 12 day of July, 2017 by the following vote of said Board:

AYES:	Directors: Weber, Miller, Drew, Morebeck, Wilcox
NOES:	Directors: None
ABSENT:	Directors: None
ABSTAINS:	Directors: None



President of the Board of Directors

Attest:



Secretary to the Board of Directors

RECORDING REQUESTED BY:

Nevada Irrigation District

WHEN RECORDED MAIL TO:

Nevada Irrigation District
1036 W. Main Street
Grass Valley, CA 95945

Exhibit "A"

Placer County APN 063-150-014

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Project: Chicago Park Powerhouse Road
Map No. 216/234
Index No. 13

Documentary Transfer Tax: \$-0-
() Computed on full value of property conveyed
() Unincorporated area () City of _____
() Recordation requested by Nevada Irrigation District,
a political Subdivision of the State of California,
pursuant to Government Code Section 6103.

Signature of Agent Determining Tax

ROAD EASEMENT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

GEORGE BACK,

hereinafter called GRANTOR, hereby grants to **NEVADA IRRIGATION DISTRICT**, hereinafter called DISTRICT, a permanent easement and right-of-way for pedestrian, vehicle, and equipment ingress to and egress from DISTRICT facilities and property interests, on, over, under and across that certain real property and improvements, hereinafter called Easement Area, situated in the unincorporated area, County of Placer, State of California, described in Exhibit "1" and shown on Exhibit '2' attached hereto, for any and all lawful purposes, including, but not limited to:

- a. Access to DISTRICT's Chicago Park Powerhouse and related lands and improvements;
- b. Transporting and hauling sediment, aggregate, and deposits, including soil, clay, sand, gravel, and rock removed from the Bear River, Steephollow Creek, or Rollins Reservoir; and
- c. Public access for recreational use as required by federal, state, or local law, regulation, or permit or license.

GRANTOR hereby grants to DISTRICT the right, privilege and authority to excavate for, install, replace, relocate, inspect, operate, patrol, maintain, use and protect such facilities and appurtenances, for roadway, access and drainage control purposes, as DISTRICT shall from time to time elect.

Subject to the following conditions:

OBLIGATIONS OF GRANTOR

GRANTOR further grants to the DISTRICT:

- a) the right to grade the full width of said Easement Area;
- b) the right to pave the surface of the entire Easement Area;
- c) the right to install guard rails, signage and any other improvements as DISTRICT shall from time to time elect to make DISTRICT's use of said Easement Area safe and convenient;

- d) the right from time to time to trim and to cut down and clear away any and all trees and brush now or hereafter within or encroaching on said Easement Area;
- e) the right to install, maintain and use gates in all fences which now or hereafter cross said Easement Area;
- f) the right to use the entire Easement Area for full enjoyment of the rights granted hereby, as DISTRICT shall from time to time elect, even if DISTRICT does not do so initially, and GRANTOR shall not make any changes or improvements in said Easement Area that obstruct DISTRICT's right to use the entire Easement Area.

OBLIGATIONS OF THE DISTRICT

The DISTRICT hereby covenants and agrees to indemnify GRANTOR against claims or actions for bodily injury or damage to property arising out of the use of GRANTOR's property by DISTRICT or its contractors.

ENCROACHMENT BY GRANTOR

GRANTOR may make use of said Easement Area for purposes which will not interfere with the DISTRICT'S full enjoyment of the rights granted hereby, subject to approval of the DISTRICT and subject to the rules and regulations of the DISTRICT regarding encroachments upon DISTRICT facilities and easements, as adopted and modified from time to time.

ASSIGNMENT

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Date: _____

George Back

ACCEPTANCE

This is to certify that the interest in real property conveyed by this document to the Nevada Irrigation District, a governmental agency, is hereby accepted by the undersigned on behalf of the Board of Directors of the Nevada Irrigation District pursuant to authority conferred by Resolution No. 2015-07 of said Board adopted on March 11, 2015.

Date: _____

Remleh Scherzinger, General Manager

EXHIBIT "1"

Road Easement Description

Three (3) easement strips 60.00 feet in width, traversing portions of Lots 1, 2 and 3 of the southwest quarter, and Lots 5 and 8 of the northwest quarter of Section 7, Township 15 North, Range 10 East, M.D.M., Placer County, California, said easement strips being portions of the lands of George Back, as said lands are described by Book 2373 of Official Records, Page 477, Placer County Records through reference therein to Book 2143, of Official Records, Page 566, recorded April 2, 1981 and July 10, 1979 respectively, said strips being delineated on Exhibit "2" attached hereto and made a part hereof.

EXCEPTING THEREFROM, all that portion lying within the southeast quarter of Lot 2 of the northwest quarter of said Section 7.

This description has been prepared by me, in conformance with the Professional Land Surveyors Act on December 16, 2016.





Michael W. Caston, P.L.S. 6304

End of Description

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

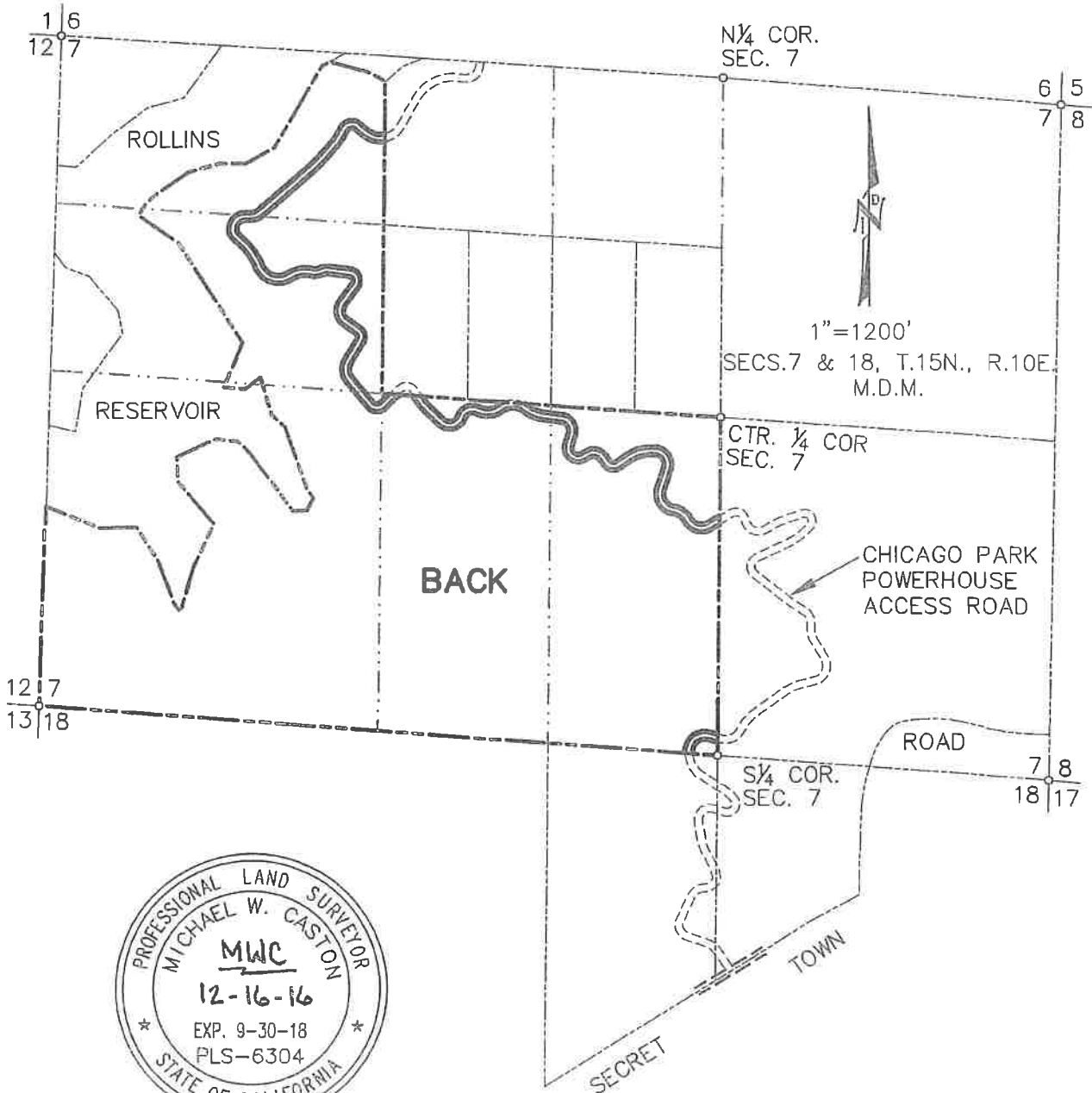
EXHIBIT '2'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back AP 063-150-014

SCALE: 1"=1200'



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

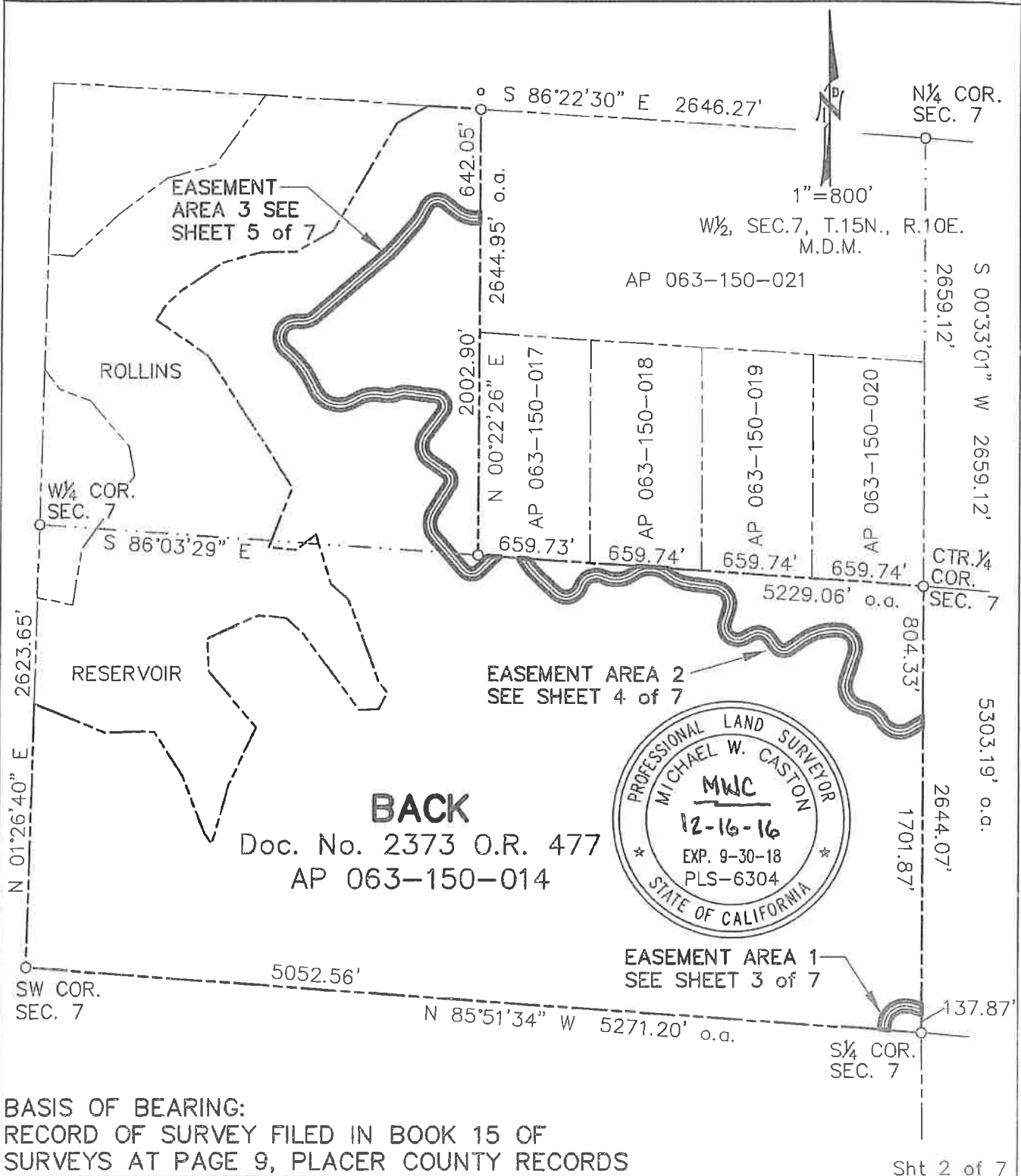
EXHIBIT '2'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

SCALE: 1"=800'



BASIS OF BEARING:
RECORD OF SURVEY FILED IN BOOK 15 OF
SURVEYS AT PAGE 9, PLACER COUNTY RECORDS

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NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '2'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

SCALE: 1"=60'

BACK

Doc. No. 2373 O.R. 477

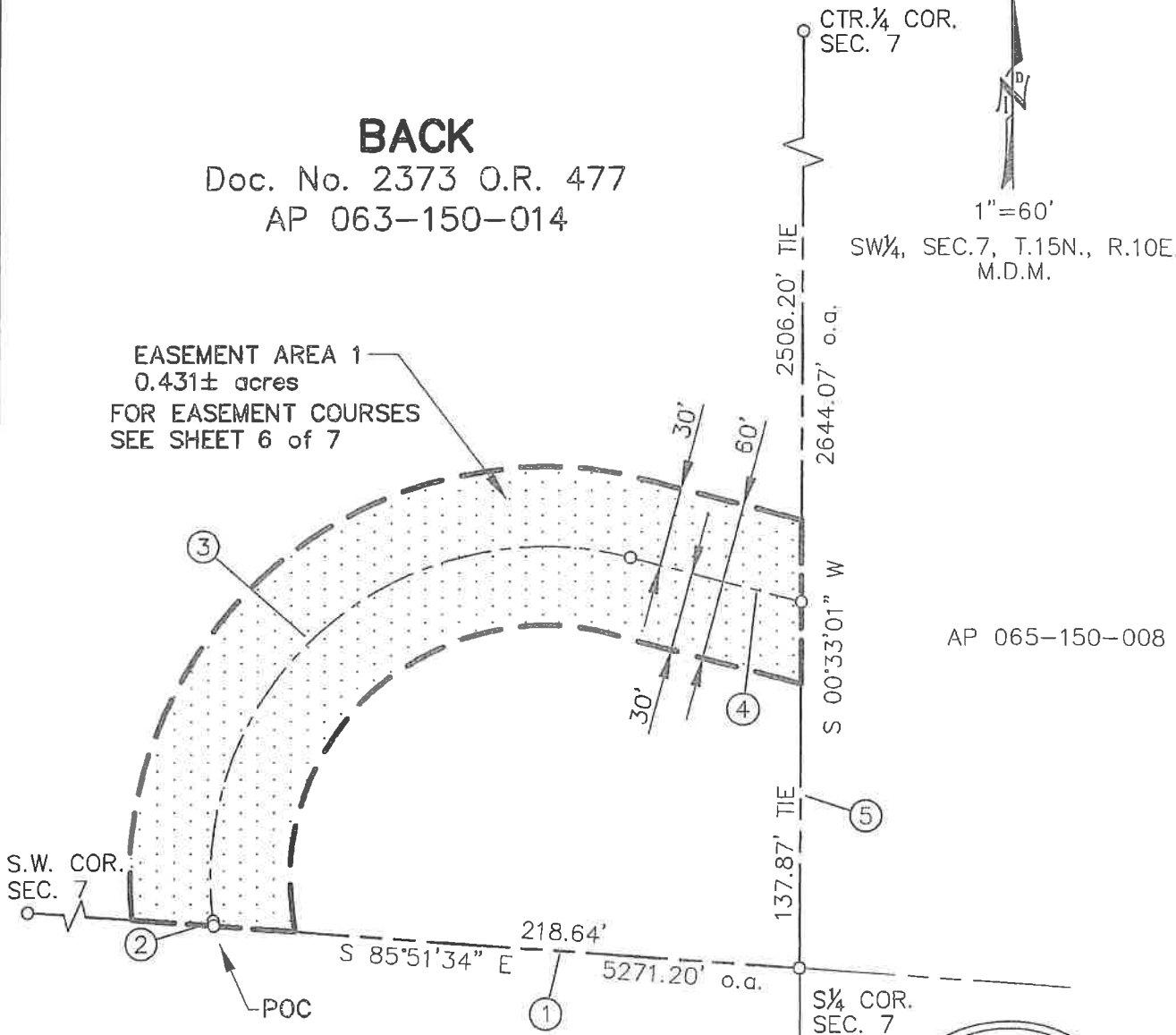
AP 063-150-014

EASEMENT AREA 1
0.431± acres
FOR EASEMENT COURSES
SEE SHEET 6 of 7



1"=60'

SW¹/₄, SEC.7, T.15N., R.10E.
M.D.M.



AP 065-150-008



BASIS OF BEARING:
RECORD OF SURVEY FILED IN BOOK 15 OF
SURVEYS AT PAGE 9, PLACER COUNTY RECORDS

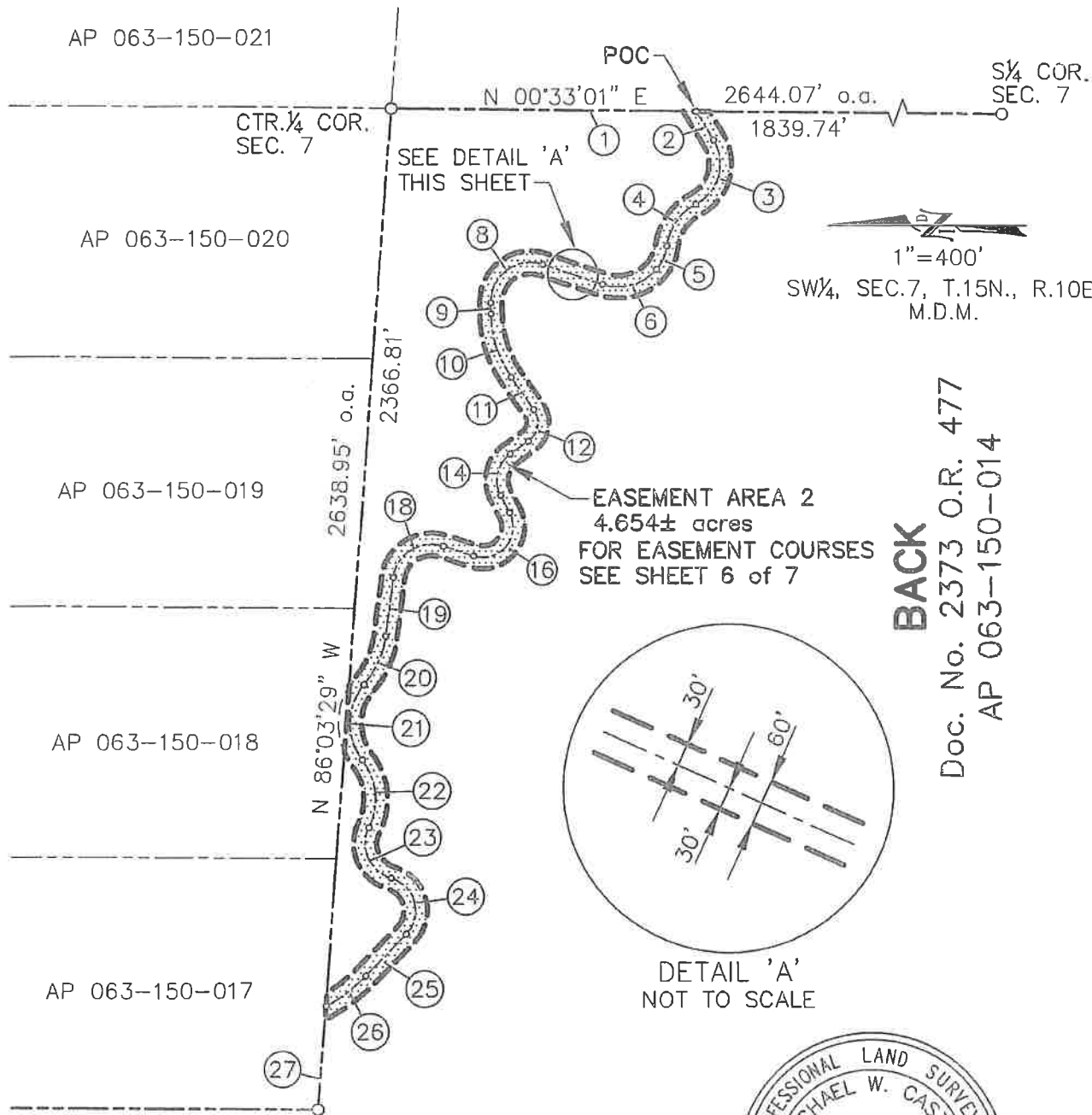
NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

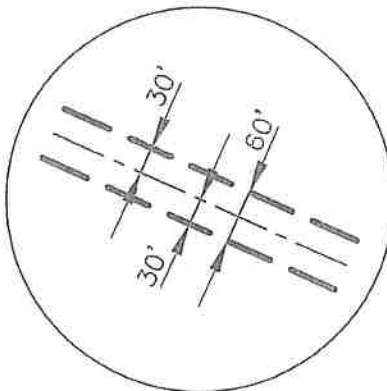
EXHIBIT '2'

PROJECT FOR Chicago Park Powerhouse Access Road
THROUGH LAND OF Back

DATE December 16, 2016
SCALE: 1"=400'



BACK
 Doc. No. 2373 O.R. 477
 AP 063-150-014



BASIS OF BEARING:
 RECORD OF SURVEY FILED IN BOOK 15 OF
 SURVEYS AT PAGE 9, PLACER COUNTY RECORDS

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NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

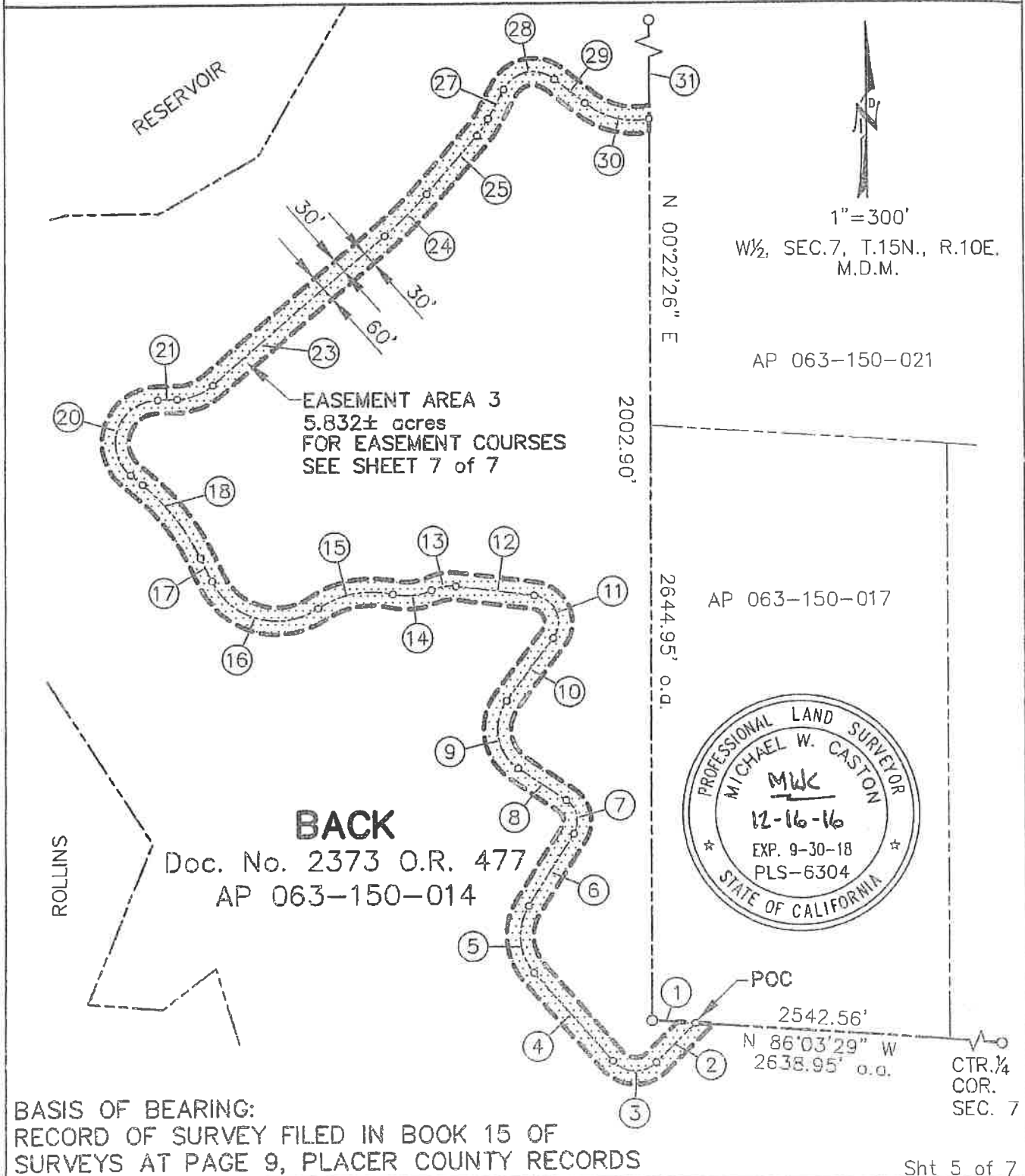
EXHIBIT '2'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

SCALE: 1"=300'



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '2'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

SCALE: N\A

EASEMENT COURSES - AREA 1

NO.	COURSE	DISTANCE
1	S 85°51'34" E	218.64' TIE
2	N 07°31'53" W	1.80'
3	R=125.00' Δ =112°24'42" L=245.24'	
4	S 75°07'10" E	65.81'
5	S 00°33'01" W	137.87' TIE

EASEMENT COURSES - AREA 2

NO.	COURSE	DISTANCE
1	N 00°33'01" E	804.33' TIE
2	S 58°46'00" W	87.53'
3	R=120.00' Δ =93°49'00" L=196.49'	
4	R=145.00' Δ =54°51'00" L=138.81'	
5	R=120.00' Δ =32°26'03" L=67.93'	
6	R=130.00' Δ =68°13'57" L=154.81'	
7	N 18°24'00" E	165.83'
8	R=105.00' Δ =109°05'27" L=199.92'	
9	S 89°18'33" W	28.51'
10	R=300.00' Δ =34°00'28" L=178.06'	
11	S 55°18'04" W	104.42'
12	R=60.00' Δ =89°04'01" L=93.27'	
13	N 35°37'55" W	59.24'
14	R=85.00' Δ =82°21'31" L=122.18'	
15	S 62°00'34" W	51.84'
16	R=80.00' Δ =135°55'11" L=189.78'	
17	N 17°55'45" E	83.24'
18	R=100.00' Δ =100°54'45" L=176.13'	
19	N 82°59'00" W	156.15'
20	R=250.00' Δ =32°19'08" L=141.02'	
21	R=160.00' Δ =76°25'08" L=213.40'	
22	R=170.00' Δ =63°03'00" L=187.07'	
23	R=95.00' Δ =98°39'00" L=163.57'	
24	R=90.00' Δ =116°00'00" L=182.21'	
25	N 46°41'00" W	149.78'
26	R=430.00' Δ =17°23'41" L=130.55'	
27	N 86°03'29" W	272.14' TIE



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '2'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

SCALE: N\A

EASEMENT COURSES - AREA 3

NO.	COURSE	DISTANCE
1	N 86°03'29" W	96.39' TIE
2	S 45°10'00" W	123.66'
3	R=65.00' Δ =94°12'07" L=106.87'	
4	N 40°37'53" W	260.56'
5	R=125.00' Δ =72°32'53" L=158.28'	
6	N 31°55'00" E	188.29'
7	R=55.00' Δ =87°29'00" L=83.98'	
8	N 55°34'00" W	126.93'
9	R=105.00' Δ =92°24'00" L=169.33'	
10	N 36°50'00" E	173.24'
11	R=60.00' Δ =119°49'00" L=125.47'	
12	N 82°59'00" W	174.99'
13	R=100.00' Δ =31°57'43" L=55.78'	
14	R=130.00' Δ =38°07'43" L=86.51'	
15	R=205.00' Δ =47°33'00" L=170.13'	
16	R=160.00' Δ =98°14'00" L=274.32'	
17	N 26°08'00" W	57.55'
18	R=500.00' Δ =24°04'00" L=210.02'	
19	N 50°12'00" W	33.46'
20	R=95.00' Δ =139°05'02" L=230.61'	
21	N 88°53'02" E	43.56'
22	R=125.00' Δ =39°52'04" L=86.98'	
23	N 49°00'59" E	503.70'
24	R=1000.00' Δ =7°32'51" L=131.73'	
25	N 41°28'08" E	171.88'
26	R=200.00' Δ =12°50'50" L=44.85'	
27	N 28°37'18" E	73.56'
28	R=75.00' Δ =100°18'06" L=131.29'	
29	S 51°04'36" E	85.01'
30	R=175.00' Δ =49°31'46" L=151.28'	
31	N 00°22'26" E	642.05' TIE



RECORDING REQUESTED BY:

Nevada Irrigation District

WHEN RECORDED MAIL TO:

Nevada Irrigation District
1036 W. Main Street
Grass Valley, CA 95945

Exhibit "B"

Placer County APN 063-150-008

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Project: Chicago Park Powerhouse Road
Map No. E of 234; S of 217
Index No. 13

Documentary Transfer Tax: \$-0-
() Computed on full value of property conveyed
() Unincorporated area () City of _____
() Recordation requested by Nevada Irrigation District,
a political Subdivision of the State of California,
pursuant to Government Code Section 6103.

Signature of Agent Determining Tax

ROAD EASEMENT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

GEORGE H. BACK,

hereinafter called GRANTOR, hereby grants to **NEVADA IRRIGATION DISTRICT**, hereinafter called DISTRICT, a permanent easement and right-of-way for pedestrian, vehicle, and equipment ingress to and egress from DISTRICT facilities and property interests, on, over, under and across that certain real property and improvements, hereinafter called Easement Area, situated in the unincorporated area, County of Placer, State of California, described in Exhibit "3" and shown on Exhibit '4' attached hereto, for any and all lawful purposes, including, but not limited to:

- a. Access to DISTRICT's Chicago Park Powerhouse and related lands and improvements;
- b. Transporting and hauling sediment, aggregate, and deposits, including soil, clay, sand, gravel, and rock removed from the Bear River, Steephollow Creek, or Rollins Reservoir; and
- c. Public access for recreational use as required by federal, state, or local law, regulation, or permit or license.

GRANTOR hereby grants to DISTRICT the right, privilege and authority to excavate for, install, replace, relocate, inspect, operate, patrol, maintain, use and protect such facilities and appurtenances, for roadway, access and drainage control purposes, as DISTRICT shall from time to time elect.

Subject to the following conditions:

OBLIGATIONS OF GRANTOR

GRANTOR further grants to the DISTRICT:

- a) the right to grade the full width of said Easement Area;
- b) the right to pave the surface of the entire Easement Area;
- c) the right to install guard rails, signage and any other improvements as DISTRICT shall from time to time elect to make DISTRICT's use of said Easement Area safe and convenient;

- d) the right from time to time to trim and to cut down and clear away any and all trees and brush now or hereafter within or encroaching on said Easement Area;
- e) the right to install, maintain and use gates in all fences which now or hereafter cross said Easement Area;
- f) the right to use the entire Easement Area for full enjoyment of the rights granted hereby, as DISTRICT shall from time to time elect, even if DISTRICT does not do so initially, and GRANTOR shall not make any changes or improvements in said Easement Area that obstruct DISTRICT's right to use the entire Easement Area.

OBLIGATIONS OF THE DISTRICT

The DISTRICT hereby covenants and agrees to indemnify GRANTOR against claims or actions for bodily injury or damage to property arising out of the use of GRANTOR's property by DISTRICT or its contractors.

ENCROACHMENT BY GRANTOR

GRANTOR may make use of said Easement Area for purposes which will not interfere with the DISTRICT'S full enjoyment of the rights granted hereby, subject to approval of the DISTRICT and subject to the rules and regulations of the DISTRICT regarding encroachments upon DISTRICT facilities and easements, as adopted and modified from time to time.

ASSIGNMENT

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Date: _____

George H. Back

ACCEPTANCE

This is to certify that the interest in real property conveyed by this document to the Nevada Irrigation District, a governmental agency, is hereby accepted by the undersigned on behalf of the Board of Directors of the Nevada Irrigation District pursuant to authority conferred by Resolution No. 2015-07 of said Board adopted on March 11, 2015.

Date: _____

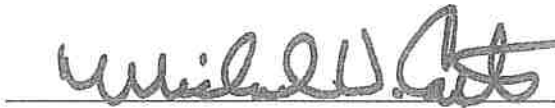
Remleh Scherzinger, General Manager

EXHIBIT "3"

Road Easement Description

An easement strip 60.00 feet in width, traversing a portion of the southeast quarter of Section 7, Township 15 North, Range 10 East, M.D.M., Placer County, California, said easement strip being a portion of the lands of George Back, as said lands are described by Book 2347 of Official Records, Page 5, Placer County Records through reference therein to Book 2143, of Official Records, Page 565, recorded January 14, 1981 and July 10, 1979 respectively, said strip being delineated on Exhibit "4" attached hereto and made a part hereof.

This description has been prepared by me, in conformance with the Professional Land Surveyors Act on December 16, 2016.



Michael W. Caston, P.L.S. 6304

End of Description

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

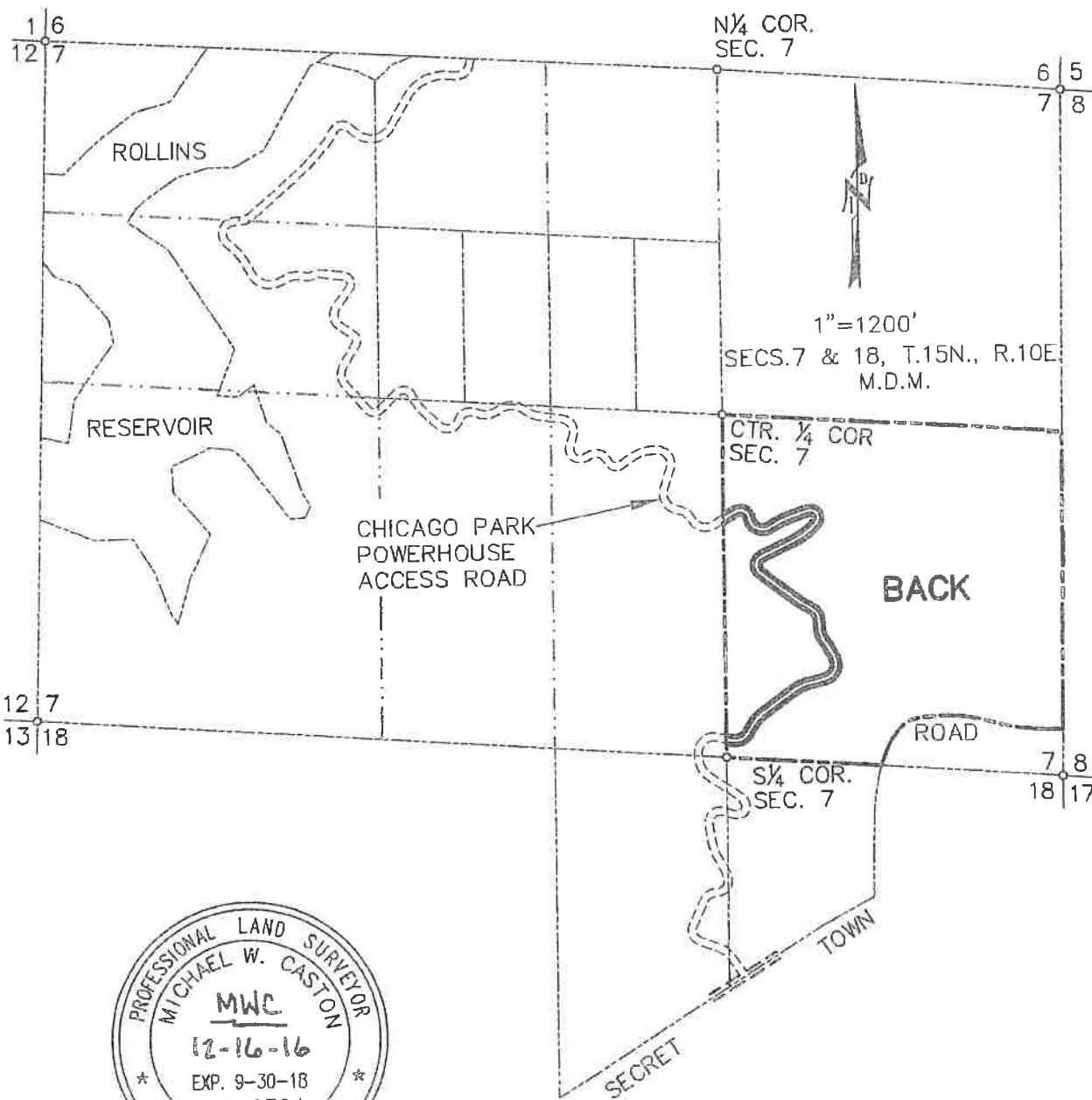
EXHIBIT '4'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back AP 063-150-008

SCALE: 1"=1200'



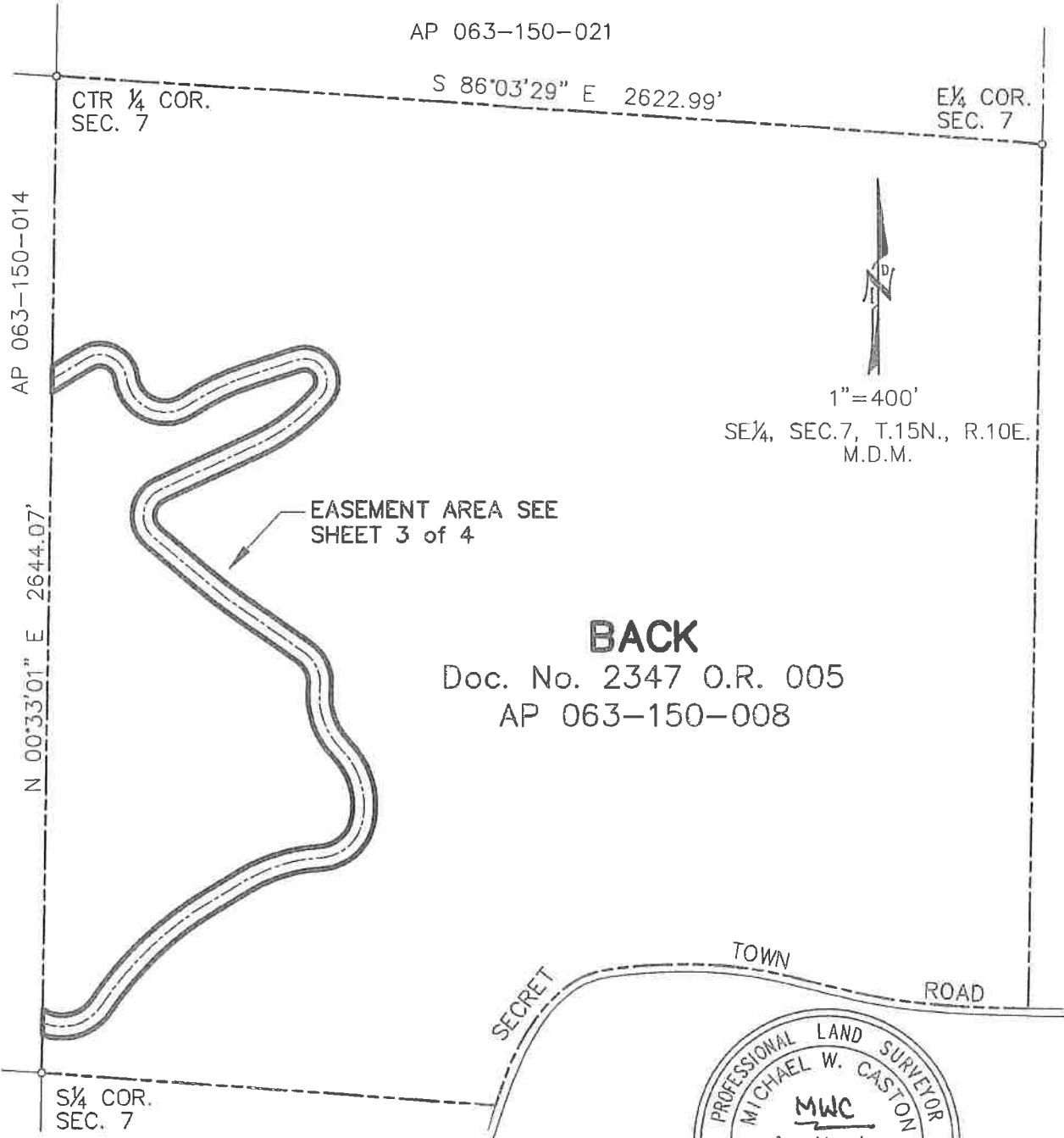
NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '4'

PROJECT FOR Chicago Park Powerhouse Access Road
THROUGH LAND OF Back

DATE December 16, 2016
SCALE: 1"=400'



BASIS OF BEARING:
RECORD OF SURVEY FILED IN BOOK 15 OF
SURVEYS AT PAGE 9, PLACER COUNTY
RECORDS



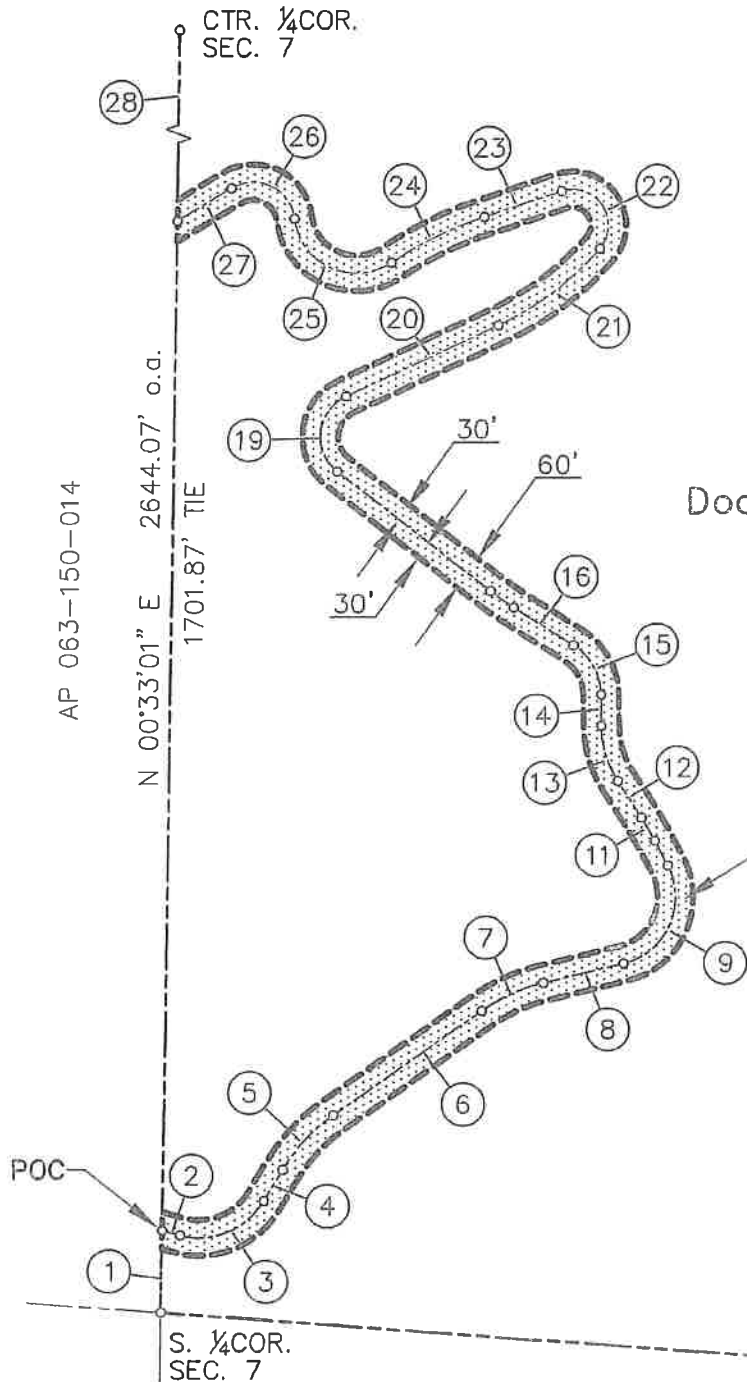
NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '4'

PROJECT FOR Chicago Park Powerhouse Access Road
THROUGH LAND OF Back

DATE December 16, 2016
SCALE: 1"=300'



1"=300'

SE 1/4, SEC. 7, T.15N., R.10E.
M.D.M.

BACK

Doc. No. 2347 O.R. 005
AP 063-150-008

EASEMENT AREA
5.001± acres
FOR EASEMENT COURSES
SEE SHEET 4 of 4



BASIS OF BEARING:
RECORD OF SURVEY FILED IN BOOK 15 OF
SURVEYS AT PAGE 9, PLACER COUNTY RECORDS

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '4'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

SCALE: N/A

EASEMENT COURSES

NO.	COURSE	DISTANCE
1	S 0°33'01" W	137.87' TIE
2	S 75°07'10" E	31.25'
3	R=125.00' Δ =74°25'21" L=162.36'	
4	N 30°27'29" E	60.64'
5	R=300.00' Δ =23°53'18" L=125.08'	
6	N 54°20'08" E	302.71'
7	R=300.00' Δ =21°45'39" L=113.94'	
8	N 76°06'26" E	137.47'
9	R=115.00' Δ =103°35'22" L=207.92'	
10	N 27°28'56" W	47.20'
11	R=500.00' Δ =5°10'14" L=45.12'	
12	N 32°39'10" W	73.36'
13	R=175.00' Δ =32°09'02" L=98.20'	
14	N 00°30'08" W	52.47'
15	R=100.00' Δ =56°56'39" L=99.39'	
16	N 57°26'47" W	118.69'
17	R=500.00' Δ =5°29'45" L=47.96'	
18	N 51°57'02" W	326.43'
19	R=75.00' Δ =116°43'02" L=152.78'	
20	N 64°46'00" E	282.37'
21	R=515.00' Δ =24°05'46" L=216.59'	
22	R=60.00' Δ =149°06'14" L=156.14'	
23	S 71°34'00" W	137.00'
24	R=640.00' Δ =15°42'53" L=175.54'	
25	R=105.00' Δ =117°00'11" L=214.42'	
26	R=70.00' Δ =114°05'18" L=139.39'	
27	S 58°46'00" W	106.30'
28	N 00°33'01" E	804.33' TIE



RECORDING REQUESTED BY:

Nevada Irrigation District

WHEN RECORDED MAIL TO:

Nevada Irrigation District
1036 W. Main Street
Grass Valley, CA 95945

Exhibit "C"

Placer County APN 063-320-001

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Project: Chicago Park Powerhouse Road
Map No. E of 234; S of 217
Index No. 13

Documentary Transfer Tax: \$-0-
() Computed on full value of property conveyed
() Unincorporated area () City of _____
() Recordation requested by Nevada Irrigation District,
a political subdivision of the State of California,
pursuant to Government Code Section 6103.

Signature of Agent Determining Tax

ROAD EASEMENT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

GEORGE BACK and DOROTHY BACK,

hereinafter called GRANTOR, hereby grants to **NEVADA IRRIGATION DISTRICT**, hereinafter called DISTRICT, a permanent easement and right-of-way for pedestrian, vehicle, and equipment ingress to and egress from DISTRICT facilities and property interests, on, over, under and across that certain real property and improvements, hereinafter called Easement Area, situated in the unincorporated area, County of Placer, State of California, described in Exhibit "5" and shown on Exhibit '6' attached hereto, for any and all lawful purposes, including, but not limited to:

- a. Access to DISTRICT's Chicago Park Powerhouse and related lands and improvements;
- b. Transporting and hauling sediment, aggregate, and deposits, including soil, clay, sand, gravel, and rock removed from the Bear River, Steephollow Creek, or Rollins Reservoir; and
- c. Public access for recreational use as required by federal, state, or local law, regulation, or permit or license.

GRANTOR hereby grants to DISTRICT the right, privilege and authority to excavate for, install, replace, relocate, inspect, operate, patrol, maintain, use and protect such facilities and appurtenances, for roadway, access and drainage control purposes, as DISTRICT shall from time to time elect.

Subject to the following conditions:

OBLIGATIONS OF GRANTOR

GRANTOR further grants to the DISTRICT:

- a) the right to grade the full width of said Easement Area;
- b) the right to pave the surface of the entire Easement Area;
- c) the right to install guard rails, signage and any other improvements as DISTRICT shall from time to time elect to make DISTRICT's use of said Easement Area safe and convenient;

- d) the right from time to time to trim and to cut down and clear away any and all trees and brush now or hereafter within or encroaching on said Easement Area;
- e) the right to install, maintain and use gates in all fences which now or hereafter cross said Easement Area;
- f) the right to use the entire Easement Area for full enjoyment of the rights granted hereby, as DISTRICT shall from time to time elect, even if DISTRICT does not do so initially, and GRANTOR shall not make any changes or improvements in said Easement Area that obstruct DISTRICT's right to use the entire Easement Area.

OBLIGATIONS OF THE DISTRICT

The DISTRICT hereby covenants and agrees to indemnify GRANTOR against claims or actions for bodily injury or damage to property arising out of the use of GRANTOR's property by DISTRICT or its contractors.

ENCROACHMENT BY GRANTOR

GRANTOR may make use of said Easement Area for purposes which will not interfere with the DISTRICT'S full enjoyment of the rights granted hereby, subject to approval of the DISTRICT and subject to the rules and regulations of the DISTRICT regarding encroachments upon DISTRICT facilities and easements, as adopted and modified from time to time.

ASSIGNMENT

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Date: _____

George Back

Date: _____

Dorothy Back

ACCEPTANCE

This is to certify that the interest in real property conveyed by this document to the Nevada Irrigation District, a governmental agency, is hereby accepted by the undersigned on behalf of the Board of Directors of the Nevada Irrigation District pursuant to authority conferred by Resolution No. 2015-07 of said Board adopted on March 11, 2015.

Date: _____

Remleh Scherzinger, General Manager

EXHIBIT "5"

Road Easement Description

Two (2) easement strips 60.00 feet in width, traversing portions of Lot 1 of the northwest quarter of Section 18, Township 15 North, Range 10 East, M.D.M., Placer County, California, said easement strips being portions of the lands of George and Dorothy R. Back, as said lands are described by Book 2557 of Official Records, Page 18, Placer County Records through reference therein to Book 2512, of Official Records, Page 377, recorded January 13, 1983 and July 9, 1982 respectively, said strips being delineated on Exhibit "6" attached hereto and made a part hereof.

EXCEPTING THEREFROM, all that portion lying within the northeast quarter of said Section 18.

This description has been prepared by me, in conformance with the Professional Land Surveyors Act on December 16, 2016.





Michael W. Caston, P.L.S. 6304

End of Description

NEVADA IRRIGATION DISTRICT

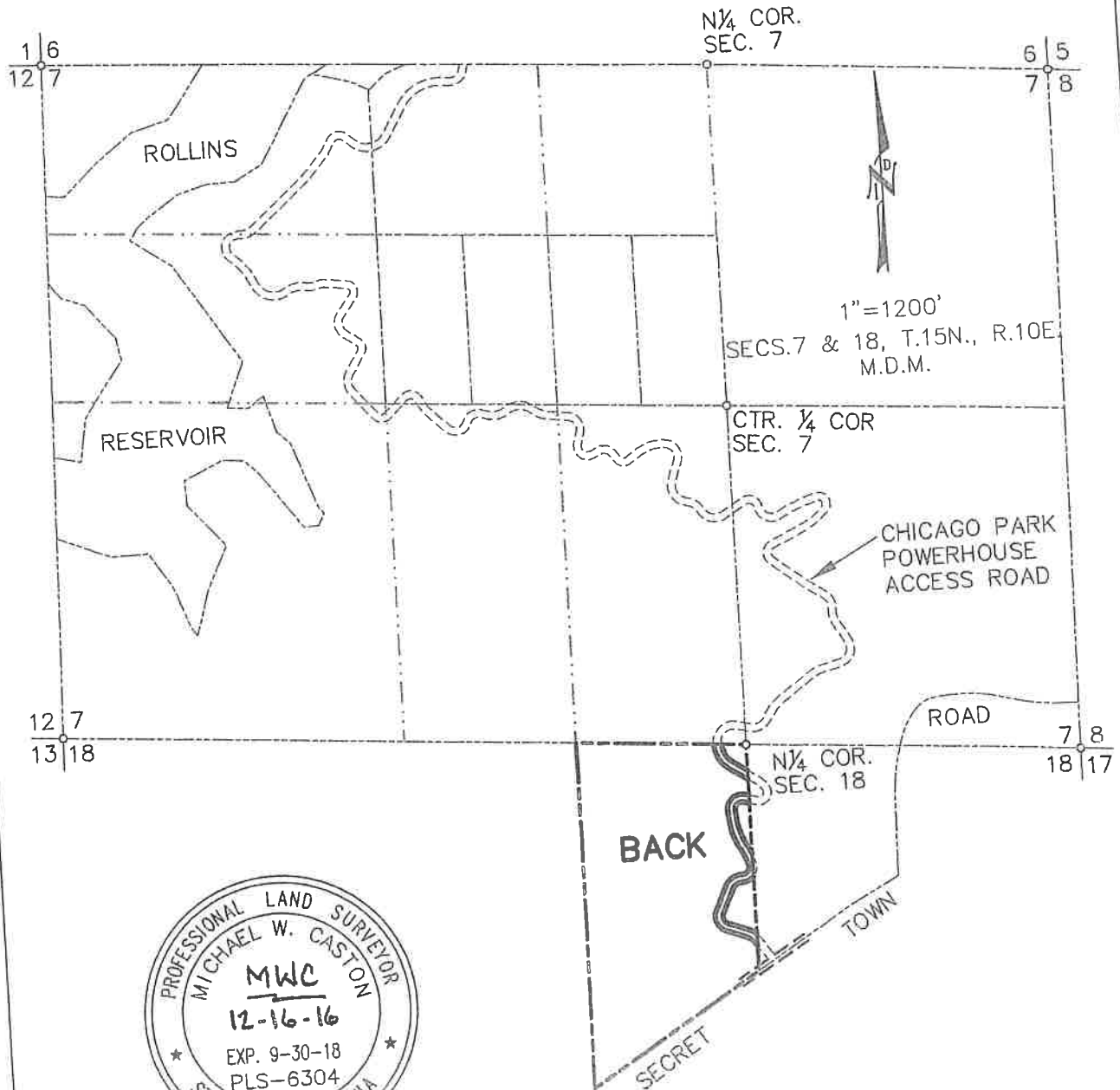
NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '6'

DATE December 16, 2016

SCALE: 1"=1200'

PROJECT FOR Chicago Park Powerhouse Access Road
THROUGH LAND OF Back AP 063-320-001



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

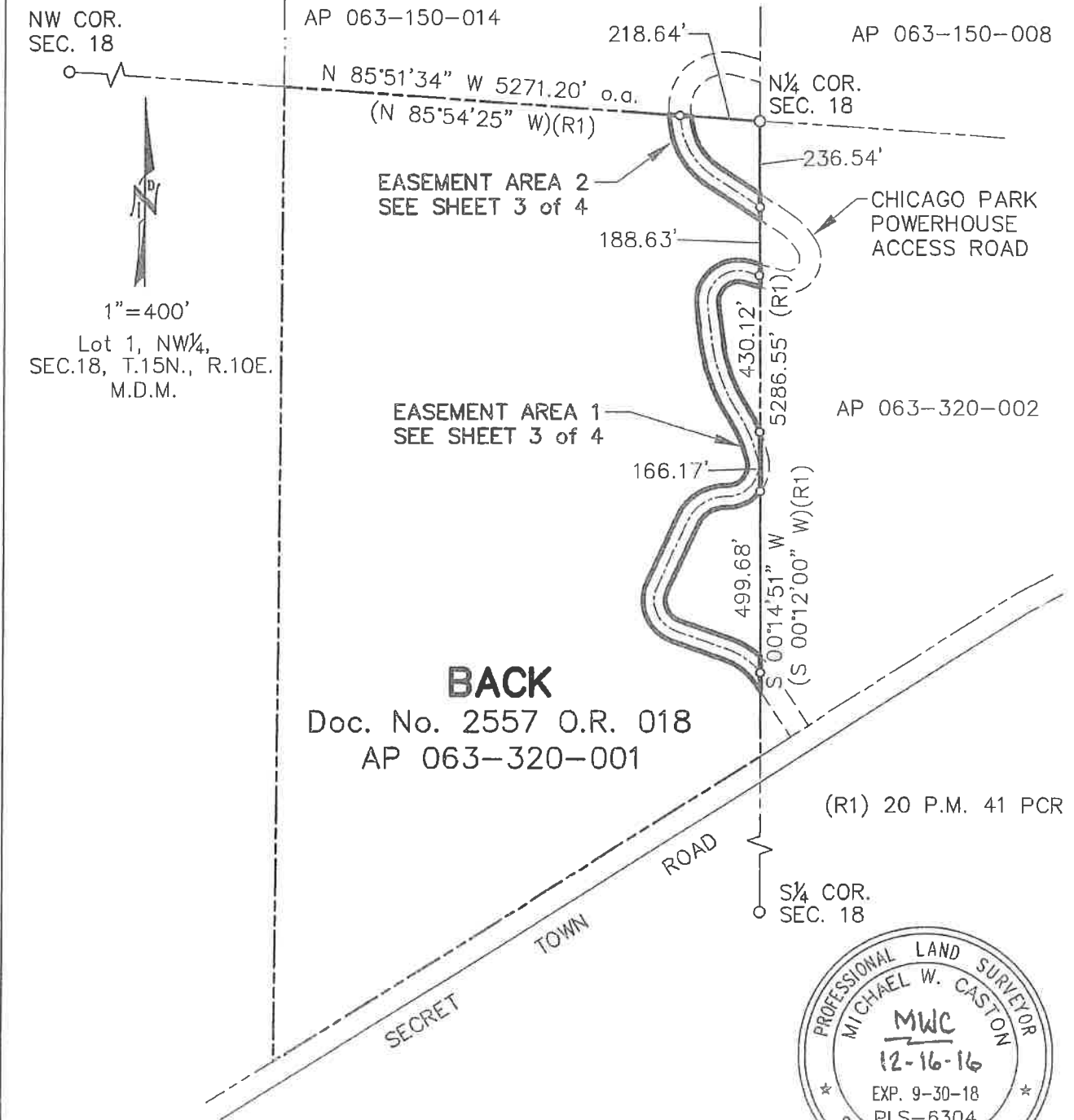
EXHIBIT '6'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

SCALE: 1"=400'



BASIS OF BEARING:
RECORD OF SURVEY FILED IN BOOK 15 OF
SURVEYS AT PAGE 9, PLACER COUNTY RECORDS

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '6'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

SCALE: 1" = 200'

NW COR. SEC. 18
 N 85°51'34" W 5271.20' o.d.
 5052.56'

N¼ COR. SEC. 18



1" = 200'

Lot 1, NW¼, SEC.18,
 T.15N., R.10E.
 M.D.M.

EASEMENT AREA 2
 .483± acres
 FOR EASEMENT COURSES
 SEE SHEET 4 of 4

BACK

Doc. No. 2557 O.R. 018
 AP 063-320-001

SEE DETAIL 'B'
 SHEET 4 of 4

EASEMENT AREA
 2.078± acres
 FOR EASEMENT COURSES
 SEE SHEET 4 of 4

SEE DETAIL 'A'
 SHEET 4 of 4

FOR EASEMENT COURSES
 SEE SHEET 4 of 4

POC AREA 2

AP 063-320-002

N 51°19'32" E
 RADIAL

POC AREA 1



BASIS OF BEARING:
 RECORD OF SURVEY FILED IN BOOK 15 OF
 SURVEYS AT PAGE 9, PLACER COUNTY RECORDS

Sht 3 of 4

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '6'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

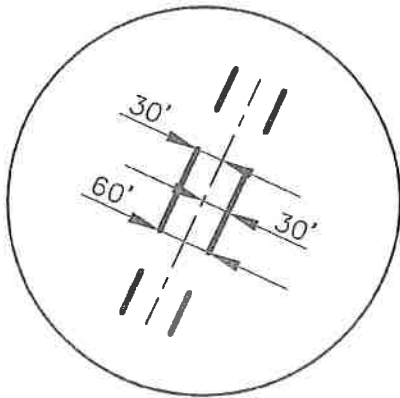
SCALE: N\A

EASEMENT COURSES – AREA 1

NO.	COURSE	DISTANCE
1	N 00°14'51" E	1521.14' TIE
2	R=200.00' Δ=31°15'32" L=109.11'	
3	N 69°56'00" W	150.36'
4	R=90.00' Δ=94°44'00" L=148.81'	
5	N 24°48'00" E	205.25'
6	R=110.00' Δ=67°02'00" L=128.69'	
7	R=85.00' Δ=104°47'07" L=155.45'	
8	R=400.00' Δ=19°35'24" L=136.76'	
9	R=475.00' Δ=26°23'31" L=218.80'	
10	N 06°09'00" W	94.96'
11	R=85.00' Δ=112°06'32" L=166.32'	
12	S 74°02'28" E	37.48'
13	N 00°14'51" E	425.17' TIE

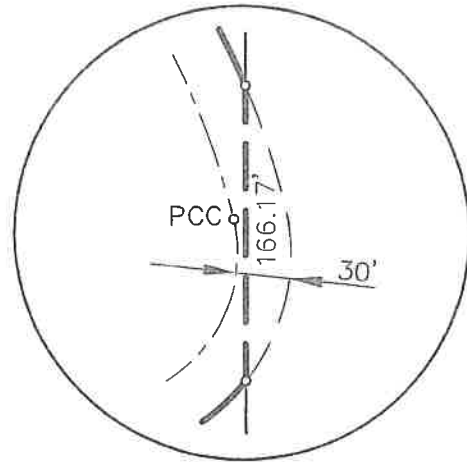
EASEMENT COURSES – AREA 2

NO.	COURSE	DISTANCE
14	N 00°14'51" E	236.54' TIE
15	N 56°41'00" W	149.27'
16	R=200.00' Δ=49°09'07" L=171.57'	
17	N 07°31'53" W	29.68'
18	S 85°51'34" E	218.64' TIE



DETAIL 'A'

NOT TO SCALE



DETAIL 'B'

NOT TO SCALE



RECORDING REQUESTED BY:

Nevada Irrigation District

WHEN RECORDED MAIL TO:

Nevada Irrigation District
1036 W. Main Street
Grass Valley, CA 95945

Exhibit "D"

Placer County APN 063-320-002

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Project: Chicago Park Powerhouse Road
Map No. E of 234; S of 217
Index No. 13

Documentary Transfer Tax: \$-0-

() Computed on full value of property conveyed

() Unincorporated area () City of _____

() Recordation requested by Nevada Irrigation District,
a political subdivision of the State of California,
pursuant to Government Code Section 6103.

Signature of Agent Determining Tax

ROAD EASEMENT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

GEORGE BACK and DOROTHY BACK,

hereinafter called GRANTOR, hereby grants to **NEVADA IRRIGATION DISTRICT**, hereinafter called DISTRICT, a permanent easement and right-of-way for pedestrian, vehicle, and equipment ingress to and egress from DISTRICT facilities and property interests, on, over, under and across that certain real property and improvements, hereinafter called Easement Area, situated in the unincorporated area, County of Placer, State of California, described in Exhibit "7" and shown on Exhibit '8' attached hereto, for any and all lawful purposes, including, but not limited to:

- a. Access to DISTRICT's Chicago Park Powerhouse and related lands and improvements;
- b. Transporting and hauling sediment, aggregate, and deposits, including soil, clay, sand, gravel, and rock removed from the Bear River, Steephollow Creek, or Rollins Reservoir; and
- c. Public access for recreational use as required by federal, state, or local law, regulation, or permit or license.

GRANTOR hereby grants to DISTRICT the right, privilege and authority to excavate for, install, replace, relocate, inspect, operate, patrol, maintain, use and protect such facilities and appurtenances, for roadway, access and drainage control purposes, as DISTRICT shall from time to time elect.

Subject to the following conditions:

OBLIGATIONS OF GRANTOR

GRANTOR further grants to the DISTRICT:

- a) the right to grade the full width of said Easement Area;
- b) the right to pave the surface of the entire Easement Area;
- c) the right to install guard rails, signage and any other improvements as DISTRICT shall from time to time elect to make DISTRICT's use of said Easement Area safe and convenient;

- d) the right from time to time to trim and to cut down and clear away any and all trees and brush now or hereafter within or encroaching on said Easement Area;
- e) the right to install, maintain and use gates in all fences which now or hereafter cross said Easement Area;
- f) the right to use the entire Easement Area for full enjoyment of the rights granted hereby, as DISTRICT shall from time to time elect, even if DISTRICT does not do so initially, and GRANTOR shall not make any changes or improvements in said Easement Area that obstruct DISTRICT's right to use the entire Easement Area.

OBLIGATIONS OF THE DISTRICT

The DISTRICT hereby covenants and agrees to indemnify GRANTOR against claims or actions for bodily injury or damage to property arising out of the use of GRANTOR's property by DISTRICT or its contractors.

ENCROACHMENT BY GRANTOR

GRANTOR may make use of said Easement Area for purposes which will not interfere with the DISTRICT'S full enjoyment of the rights granted hereby, subject to approval of the DISTRICT and subject to the rules and regulations of the DISTRICT regarding encroachments upon DISTRICT facilities and easements, as adopted and modified from time to time.

ASSIGNMENT

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Date: _____

George Back

Date: _____

Dorothy Back

ACCEPTANCE

This is to certify that the interest in real property conveyed by this document to the Nevada Irrigation District, a governmental agency, is hereby accepted by the undersigned on behalf of the Board of Directors of the Nevada Irrigation District pursuant to authority conferred by Resolution No. 2015-07 of said Board adopted on March 11, 2015.

Date: _____



Remleh Scherzinger, General Manager

EXHIBIT "7"

Road Easement Description

An easement strip varying in width, together with two (2) easement strips 60.00 feet in width, traversing portions of the northeast quarter of Section 18, Township 15 North, Range 10 East, M.D.M., Placer County, California, said easement strips being portions of the lands of George Back, as said lands are described by Book 2584 of Official Records, Page 653, Placer County Records through reference therein to Book 2512, of Official Records, Page 378, recorded May 6, 1983 and July 9, 1982 respectively, said strips being delineated on Exhibit "8" attached hereto and made a part hereof.

This description has been prepared by me, in conformance with the Professional Land Surveyors Act on December 16, 2016.

Michael W. Caston, P.L.S. 6304

End of Description

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

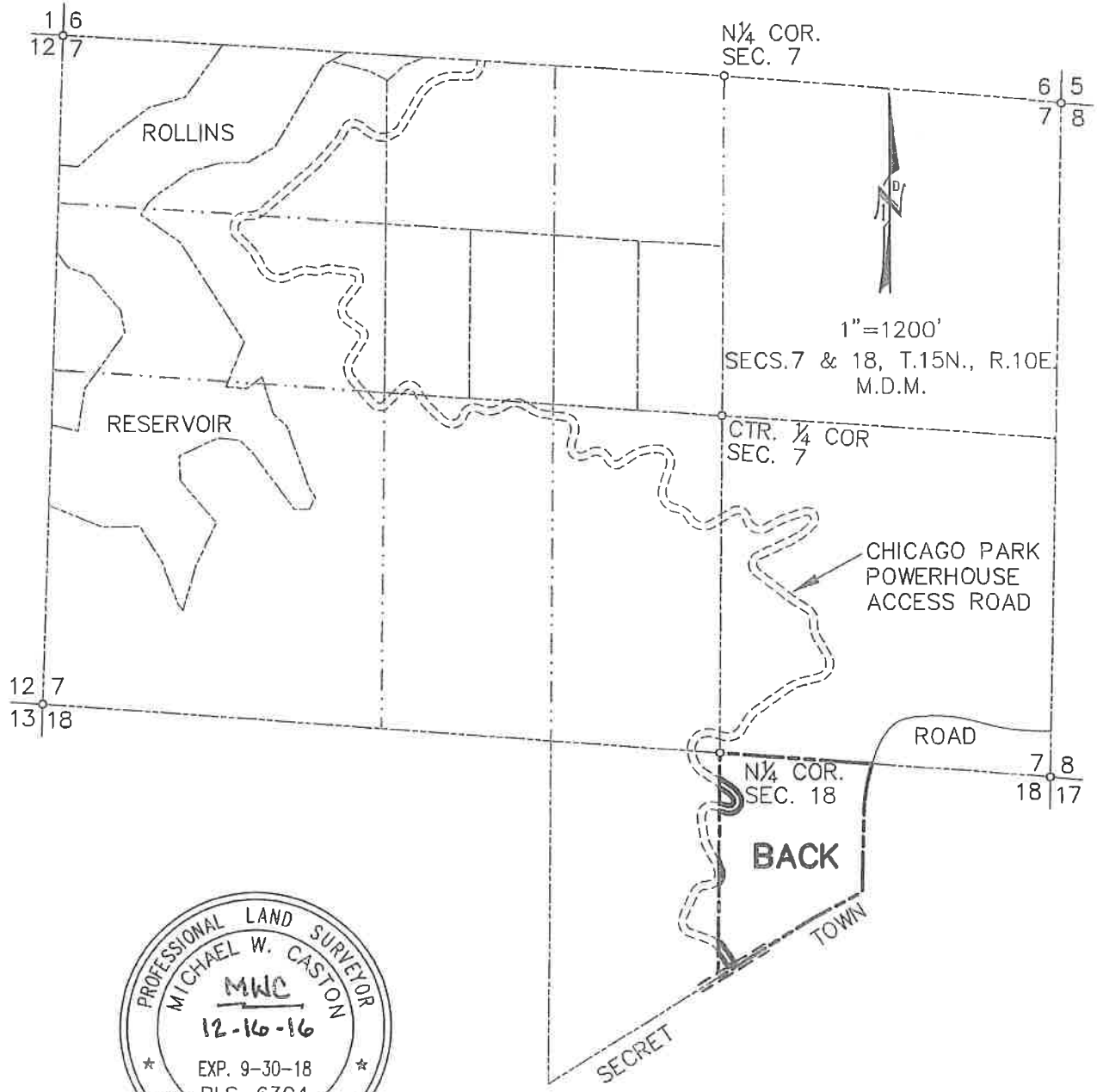
EXHIBIT '8'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back AP 063-320-002

SCALE: 1"=1200'



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

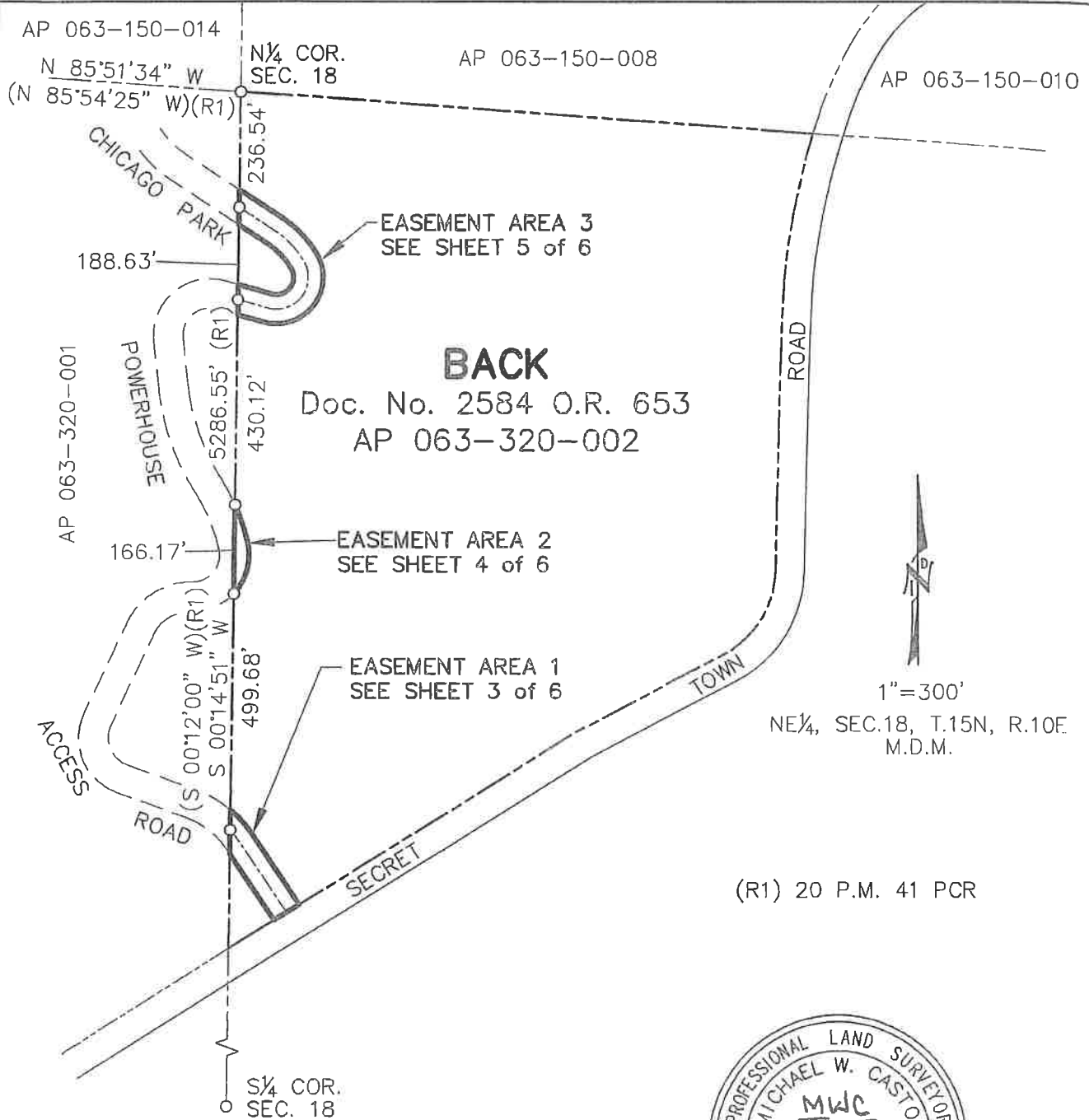
EXHIBIT '8'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

SCALE: 1"=300'



BASIS OF BEARING:
RECORD OF SURVEY FILED IN BOOK 15 OF
SURVEYS AT PAGE 9, PLACER COUNTY RECORDS



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '8'

PROJECT FOR Chicago Park Powerhouse Access Road
THROUGH LAND OF Back

DATE December 16, 2016
SCALE: 1"=60'



AP 063-320-001

N¼ COR.
SEC. 18

BACK

Doc. No. 2584 O.R. 653
AP 063-320-002

①
N 51°19'32" E
RADIAL



1"=60'

NE¼, SEC.18, T.15N, R.10E
M.D.M.

EASEMENT AREA 1
.279± acres
FOR EASEMENT COURSES
SEE SHEET 6 of 6



NOTE 1: THE LOCATION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SECRET TOWN ROAD SHOWN HEREON IS ASSUMED AT 30.00' NORTHWESTERLY OF AND PARALLEL WITH THE PHYSICAL CENTERLINE OF SAID ROAD AS LOCATED BY SURVEY IN JULY 2010 AND USED HEREIN ONLY FOR APPROXIMATING THE AREA OF THIS SEGMENT OF THE CHICAGO PARK POWERHOUSE ACCESS ROAD. PER PLACER COUNTY RIGHT OF WAY DEPT., SECRET TOWN ROAD (PLA. CO. ROAD H5005) IS PRESCRIPTIVE IN THIS AREA WITH VARYING WIDTHS.

BASIS OF BEARING:
RECORD OF SURVEY FILED IN BOOK 15 OF
SURVEYS AT PAGE 9, PLACER COUNTY RECORDS

S¼ COR.
SEC. 18

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

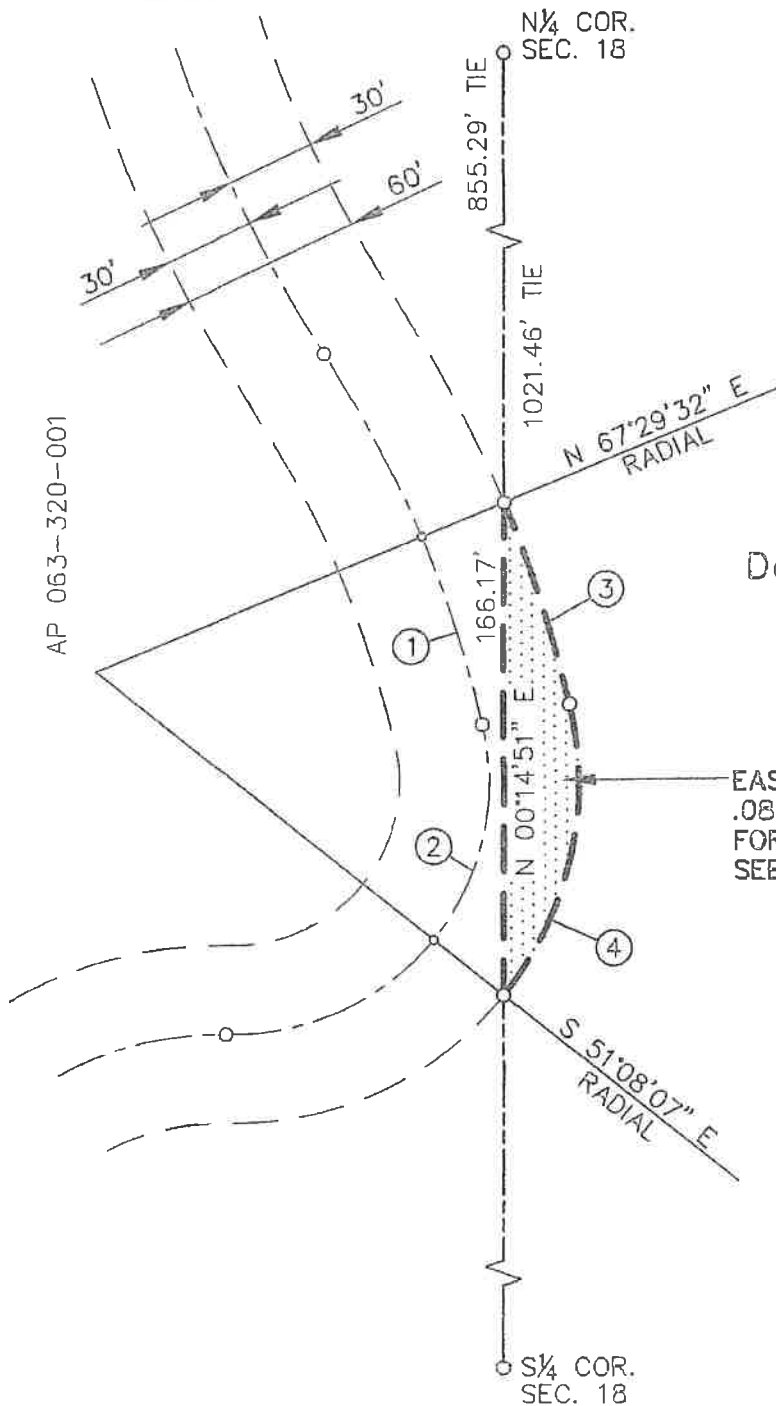
EXHIBIT '8'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

SCALE: 1"=60'



1"=60'

NE 1/4, SEC. 18, T. 15N, R. 10E
M.D.M.

BACK

Doc. No. 2584 O.R. 653

AP 063-320-002

EASEMENT AREA 2
.082± acres
FOR EASEMENT COURSES
SEE SHEET 6 of 6



BASIS OF BEARING:
RECORD OF SURVEY FILED IN BOOK 15 OF
SURVEYS AT PAGE 9, PLACER COUNTY RECORDS

NEVADA IRRIGATION DISTRICT

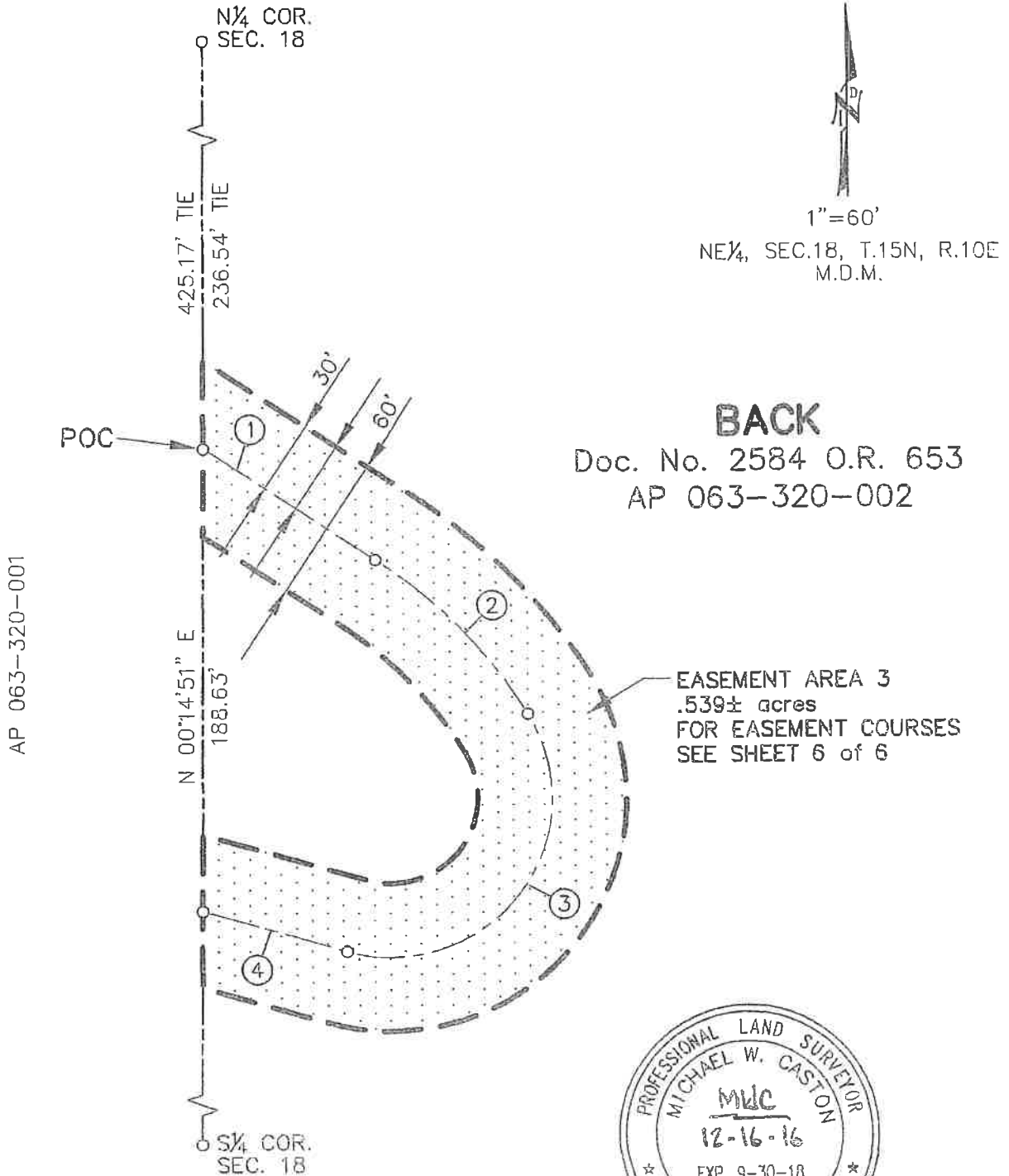
NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '8'

PROJECT FOR Chicago Park Powerhouse Access Road
THROUGH LAND OF Back

DATE December 16, 2016

SCALE: 1"=60'



BASIS OF BEARING:
RECORD OF SURVEY FILED IN BOOK 15 OF
SURVEYS AT PAGE 9, PLACER COUNTY RECORDS

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT '8'

PROJECT FOR Chicago Park Powerhouse Access Road

DATE December 16, 2016

THROUGH LAND OF Back

SCALE: N/A

EASEMENT COURSES - AREA 1

NO.	COURSE	DISTANCE
1	N 00°14'51" E	1521.14' TIE
2	R=200.00' Δ =5°06'36" L=17.84'	
3	S 33°33'52" E	176.47'
4	N 03°27'08" W	1685.63' TIE

EASEMENT COURSES - AREA 2

NO.	COURSE	DISTANCE
1	R=400.00' Δ =9°33'21" L=66.71'	
2	R=85.00' Δ =51°49'00" L=76.87'	
3	R=430.00' Δ =9°33'21" L=71.72'	
4	R=115.00' Δ =51°49'00" L=104.00'	

EASEMENT COURSES - AREA 3

NO.	COURSE	DISTANCE
1	S 56°41'00" E	83.00'
2	R=200.00' Δ =25°25'39" L=88.76'	
3	R=65.00' Δ =137°12'53" L=155.67'	
4	N 74°02'28" W	60.18'



Sht 6 of 6