

**WHEATLAND CITY COUNCIL
RESOLUTION NO. XX-25**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHEATLAND
DECLARING THE NECESSITY FOR AND AUTHORIZING THE
COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS
CONCERNING REGIONAL SEWER PROJECT PROPERTY
INTERESTS**

WHEREAS, the City of Wheatland (“City”) is authorized by Government Code section 37350.5 to acquire by eminent domain any property necessary to carry out any of its powers or functions;

WHEREAS, the real property described herein is required for the construction of the Wheatland Regional Sewer Pipeline Project (the “Project”);

WHEREAS, as part of the Project, the City must construct, operate and maintain raw and treated water conveyance pipelines and related valves, fittings, facilities and appurtenances;

WHEREAS, to construct and operate the Project, it is necessary for the City to acquire fee simple, temporary easements, and permanent easement rights in private properties, which include the rights of ingress and egress from those properties sufficient to allow for the construction, operation and maintenance of the Project;

WHEREAS, the City Council finds and determines that notice of its intention to adopt this Resolution of Necessity was duly given as required by Code of Civil Procedure section 1245.235, and on the date and at the time and place fixed for the hearing, this City Council did hear and consider all of the evidence presented.

NOW, THEREFORE, BE IT RESOLVED, by at least a two-thirds vote of this City Council under Code of Civil Procedure sections 1240.030 and 1245.230, that this City Council finds and determines each of the following:

1. The public interest and necessity require the Project.
2. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The property sought to be acquired is necessary for the Project.
4. The offer required by Government Code section 7267.2 has been made to the property owner or owners of record.

AND BE IT FURTHER RESOLVED, that the City Attorney is authorized and directed to take and prosecute to completion any action necessary or convenient for the

City of Wheatland, including, without limitation, filing and prosecuting an eminent domain action in the Superior Court of California, County of Yuba, for the City of Wheatland to acquire the fee simple, temporary easement, and permanent easement property interests in that certain real property, more particularly described as:

SEE EXHIBIT A ATTACHED

BE IT FURTHER RESOLVED, that the City Attorney is hereby authorized and directed to make an application to the Court for an Order for Possession Before Judgement in these proceedings;

BE IT FURTHER RESOLVED, the City Manager is hereby authorized to pay any deposit of City funds necessary to obtain the Order for Possession Before Judgement.

PASSED AND ADOPTED by the City Council of City of Wheatland on this 25th day of November 2025, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

Angela Teter, Mayor

ATTEST: _____
Lisa Thomason, City Clerk