

1 RESOLUTION NO. 2275

2 RESOLUTION AND ORDER OF THE CITY OF REDLANDS FOR
3 CONDEMNATION OF PROPERTY AND ASSETS OF THE _____

4 REDLANDS HEIGHTS WATER COMPANY COMPANY,

5 BE IT HEREBY RESOLVED by the City Council of the City of
6 Redlands that:

7 1. The public interest and necessity require the acquisition of
8 property and property rights of the REDLANDS HEIGHTS WATER COMPANY
9 company, as described herein, by the CITY OF REDLANDS, a municipal
10 corporation of the State of California, hereinafter called "City" for public
11 use authorized by law, to-wit: use and operation of said property and
12 property rights for the development, production, and supply of water for
13 the use of said City and its inhabitants;

14 2. The taking of the said property and property rights is necessary
15 to such public use, and is necessary, suitable, and proper to supply water
16 for the use of said City and its inhabitants; that the use of all of said property
17 and property rights for such purposes is a public use authorized by law;

18 3. That the acquisition of said property and property rights is
19 planned by the City and located in the manner which is most compatible
20 with the greatest public good and necessity and the least private injury;

21 4. The City Attorney for the City of Redlands is hereby instructed,
22 authorized and empowered:

23 (a) To acquire in the name of and on behalf of the CITY, said
24 property and property rights by donation, purchase or con-
25 demnation in accordance with the provisions of the laws of the
26 State of California relating to eminent domain;

27 (b) To prepare and commence eminent domain proceedings in the
28 name of the CITY against the owners of said properties and of any and
29 all interests therein and claims thereto, in the proper court having
30 jurisdiction thereof.

31 The property and property rights herein mentioned are described
32 as follows:

I

All overlying, appropriative, prescriptive, and riparian water rights of Redlands Heights Water Company, a corporation, to take, divert, produce, extract, pump, receive, export, transport, appropriate and use, and all other water rights whether appurtenant or not appurtenant to the lands and real property hereinafter described of whatsoever kind or nature in and to the surface, subsurface, natural stream, underground basin, percolating ground, artesian and spring, stream underflow, underground stream, flood, drainage, percolating, artificial watercourse, channel and all natural and artificial water sources of the Santa Ana River Watershed, including but not limited to the waters of the Santa Ana River and its tributaries, Mill Creek Basin, Reservoir Basin, San Bernardino Basin, Bunker Hill Basin, and certain wells and all right, title and interest in and to water by virtue of the ownership of stock or shares in any water company or any contract.

II

All pipe lines, canals, conduits, ditches, waste ways, siphons, tunnels, flumes, reservoirs, diversion works, control structures and all appurtenances thereto, and all other facilities of the Redlands Heights Water Company, a corporation, used for transportation and distribution of water, together with all rights of way, easements, permits, licenses or franchises therefor, whether appurtenant or not appurtenant to the lands and real property and property interests hereinafter described.

III

All wells, casings, pumps, meters, motors, valves, electrical equipment, pump houses, and appurtenances, together with all other facilities of the Redlands Heights Water Company, a corporation, used in connection with the taking, pumping, extraction and diversion of water, whether appurtenant or not appurtenant to the lands and real property and property interests hereinafter described.

IV

All right, title and interest of the Redlands Heights Water Company, a corporation, in and to these properties and property rights particularly and specifically described as follows:

1. That portion of the Northwest quarter of Section 1, Township 2 South, Range 3 West, SAN BERNARDINO BASE AND MERIDIAN, in the City of Redlands, County of San Bernardino, State of California, according to Government Survey, described as follows:

COMMENCING at the Northwest corner of said Section 1; thence South $1^{\circ} 43'$ East 879.6 feet along the West line of said Section 1; thence South $54^{\circ} 13'$ East 281.0 feet; thence South $62^{\circ} 48'$ East 38.0 feet to the true point of beginning; thence from the true point of beginning North $45^{\circ} 12'$ East 90.0 feet; thence South $35^{\circ} 15'$ East 61.75 feet; thence South $45^{\circ} 12'$ West 60.0 feet; thence North $62^{\circ} 48'$ West 64.0 feet to the true point of beginning.

2. Lots 2, 3, and 16, Block 45, SMITH'S SUBDIVISION NO. 2, in the City of Redlands, County of San Bernardino, State of California, as per plat recorded in Book 9 of Maps, page 42, records of said County.

SAVING AND EXCEPTING therefrom these portions described as follows:

All of that portion of Lot 3, Block 45, SMITH'S SUBDIVISION NO. 2, in the City of Redlands, County of San Bernardino, State of California, as per plat recorded in Book 9 of Maps, page 42, records of said County, described as follows:

BEGINNING at a point on the East line of said Lot 3, South $1^{\circ} 16' 30''$ East (record South $1^{\circ} 09'$ East) 92.94 feet from the Northeast corner of said Lot 3; thence South $1^{\circ} 16' 30''$ East (record South $1^{\circ} 09'$ East) 280.45 feet along the East line of said Lot 3; thence South $52^{\circ} 01' 30''$ West 94.90 feet to the center line of a 40 foot road known as Kincaid Street; thence along said center line North $27^{\circ} 44'$ West 145.93 feet; thence North $59^{\circ} 36'$ West (record North $59^{\circ} 33'$ West) 119.2 feet; thence North $26^{\circ} 01'$ East 293.6 feet along the Northwesterly line of said Lot 3 to the Northwest corner thereof; thence along the Northerly line of said Lot 3, South $56^{\circ} 29'$ East 16.5 feet; thence South $42^{\circ} 48'$ East 143.30 feet to the point of beginning.

ALSO all that portion of Lot 2, Block 45, SMITH'S SUBDIVISION NO. 2, in the City of Redlands, County of San Bernardino, State of California, as per plat recorded in Book 9 of Maps, page 42, records of said County, described as follows:

BEGINNING at a point on the West line of said Lot 2, South $1^{\circ} 16' 30''$ East (record South $1^{\circ} 09'$ East) 92.94 feet from the most Northerly corner of said Lot 2; thence South $42^{\circ} 48'$ East 225.65 feet to the Easterly angle point of Lot 2; thence South $52^{\circ} 01' 30''$ West 186.59 feet to a point in the West line of said Lot 2; thence North $1^{\circ} 16' 30''$ West (record North $1^{\circ} 09'$ West) 280.45 feet to the point of beginning.

Note: Lot 3, Block 45 of SMITH'S SUBDIVISION NO. 2 is also shown as Lot 3, Block 44, of Map #9 of Redlands Heights, in the City of Redlands, County of San Bernardino, State of California, as per plat recorded in Book 9 of Maps, page 28, records of said County.

1 ADOPTED, SIGNED AND APPROVED this _____ day of _____,
2 19____.

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4
5 Mayor of the City of Redlands, California.
6

7 ATTEST:

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9
10 City Clerk

11
12 APPROVED FOR FORM:

13 Edward T Taylor
14 City Attorney
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17 I hereby certify that the above is a true and correct copy of a
18 resolution duly and regularly adopted by the City Council, City of Redlands,
19 at an adjourned regular meeting thereof held _____,
20 19____.

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23 City Clerk of the City of Redlands
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