

# 36.21

4/15/70

Memorandum 70-32

Subject: Study 36.21 - Condemnation (The Right to Take--The Right to Take a Fee or Any Lesser Interest)

At the April meeting, the Commission approved a broad definition of "property" and the principle that a public entity should be permitted to acquire any interest in property that is necessary for the particular public improvement. Who was to have the ultimate authority to determine what interest is necessary--the public entity or the court--was left for future discussion and decision.

The staff reported that we plan to go through all the condemnation statutes and to substitute "property" for phrases that attempt to describe the interest that may be acquired. We attach two tables--Table IV and Table IVa which list the various statutory provisions that describe the interest that may be acquired. When we are conforming the various provisions of the various codes to our general comprehensive eminent domain statute, we will substitute "property" for the more descriptive terms now included in the statutes listed in the attached tables unless for some reason we conclude that such substitution not be made. We bring these tables to your attention now, but we do not plan to attempt to conform the various sections to the decision made at the April meeting until we have formulated the substance of the general provisions on the right to take. We do, however, request that you approve the approach suggested--that is, that you approve the idea of substituting "property" or a similar phrase for the more detailed language now contained in the various statutes unless some reason exist why such substitution should not be made. You will recall that, under the statutory

scheme approved at the last meeting, the specific listings of various interests in property in a particular statute will operate restrictively because the particular listing will be an exception to the general rule that a public entity can acquire whatever interest is necessary.

At the time we actually prepare drafts to make the substitution of "property" for the detailed listing in the particular statutes in Table IV and Table IVa, the Commission will have an opportunity to discuss whether the substitution should be made in the particular statute.

Respectfully submitted,

John H. DeMouly  
Executive Secretary

Revised 4/15/70

TABLE IV. SPECIAL DISTRICTS:  
PROPERTY INTEREST THAT MAY BE ACQUIRED

District	Property Interest That May Be Acquired
Air pollution control districts-- Health & Saf. Code §§ 24198-24341	No condemnation authority
Airport districts--see California airport districts below	
Alameda County Flood Control and Water Conservation District--1949:1275 Water Code App. §§ 55-1 to 55-39	"real and personal property of every kind" (§ 55-5(4)), "all lands and water and water rights and other property" (§ 55-5(9)), "any property" and "the fee simple or any lesser estate, easement, or interest in any real property" (§ 55-5(13))
Alameda County Water District--1961:1942 (additional powers granted to district organized as county water district)	"any property" (§ 4(d))
Alpine County Water Agency--1961:1896 Water Code App. §§ 102-1 to 102-56	"all property or interest therein" (§§ 3(7), 102-7), "fee simple or any lesser estate or interest" (§ 102-7), "rights-of-way and other property" (§ 102-19)
Amador County Water Agency--1959:2137 Water Code App. §§ 95-1 to 95-29	"all property or any interest therein" and "fee simple or any lesser estate or interest in any property" (§ 95-3.4), "rights of way and other property" (§ 95-4.9)
American River Flood Control District 1927:808, Water Code App. §§ 37-1 to 37-31	"private property" (§ 37-2(f)), "property, lands, rights of way, easements or materials" (§ 37-23)

District	Property Interest That May Be Acquired
American River Reclamation District No. 1-- 1909:728, repealed with savings clause 1953:1006	No condemnation authority
Antelope Valley-East Kern Water Agency-- 1959:2146, Water Code App. §§ 98-49 to 98-96	"any property" and "any existing waterworks or system . . . or any water or water rights" (§ 98-61(7))
Avenal Community Services District-- 1955:1702, Govt. Code § 61610	"real or personal property of every kind" (§ 61610)
Bay Area Pollution Control District-- Health & Saf. Code §§ 24345-24374	No condemnation authority
Bayside Reclamation District-- 1927:792, repealed with savings clause 1953:1005	"fills, drains, canals, sluices, bulkheads, watergates, levees, embankments, drains, pipes or pumping plants" (§ 9), "all property, easements, and rights of way, and the right to take materials" (§ 10)
Bear River District No. 1--1877-78:470, repealed with savings clause 1953:1015	No condemnation authority
Bethel Island Municipal Improvement District--1960 (1st Ex. Sess.):22	"property" (§ 80)
Bighorn Mountains Water Agency-- 1969:1175, Water Code App. §§ 112-1 to 112-54	"any property" and "any existing waterworks or system . . . or any waters or water rights" (§ 112-15(9))
Boulevard districts--Sts. & Hwys. Code §§ 26000-26260	"easements" (§ 26002), "real and personal property and rights of way" and "easement" (§ 26113(b))

District	Property Interest That May Be Acquired
Brannan-Andrus Levee Maintenance District--1967:910, Water Code App. §§ 106-1 to 106-17, Water Code §§ 50910, 50930	"whole or any part of any irrigation system" (§ 50910), "real or personal property" (§ 50930)
Bridge and highway districts-- Sts. & Hwys. Code §§ 27000-27325	"lands, rights of way, or rights in, over or across lands, or water" (§ 27165), "any property" and "any existing highway, or right of way, or any portion thereof" (§ 27166), "any works" (§ 27168)
Brisbane County Water District-- 1950 (1st Ex. Sess.):13, Water Code App. §§ 57-1 to 57-7, Water Code §§ 31040-31132	"property" (§ 31040)
California airport districts-- Pub. Util. Code §§ 22001-22908	"real or personal property" (§ 22553(d))
California water districts--Water Code §§ 34000-38501	"all property or rights in property" (§ 35600), "use of all water" (§ 35626)
California water storage districts-- Water Code §§ 39000-48401	"necessary works" (§ 43000), "any property or interest in property" and "property" (§ 43500), "property and rights" (§ 43500(b)), "stocks" (§ 43500(c)), "rights to store water" (§ 43500(d)), "rights to carry water" (§ 43500(e)), "all property" (§ 43530), "property" (§ 43532.5), "part of a parcel" (§ 43533), "fee title to, or interest in, land" and "property or any part thereof or interest therein" (§ 43555)
Citrus pest control districts-- Agri. Code §§ 8401-8759	Not specified
City maintenance districts--Sts. & Hwys. Code § 10108	No condemnation authority
City of Marysville Levee District-- 1875-76:134	"any land" (§ 8)

District	Property Interest That May Be Acquired
Community Land Chest Corporations-- Health & Saf. Code § 35130 <u>et seq.</u>	No condemnation authority
Community Redevelopment Agencies-- Health & Saf. Code §§ 33390-33396	"real property" (§ 33391)
Community services districts-- Govt. Code §§ 61000-61802	"real or personal property of every kind" (§ 61610)
Conservancy districts--1919:332, repealed with savings clause 1953:1023	"real and personal property, and any easement, riparian rights, railroad right of way, canal, sluice, reservoir, settling basin, holding basin, mill dam, water power, wharf or franchise" (§ 14), "any land or property" (§ 17), "property" and "lands" (§ 31)
Contra Costa County Water Agency-- 1957:518, Water Code App. §§ 80-1 to 80-27	"real and personal property of every kind, including lands, structures, buildings, rights of way, easements, and privileges" (§ 80-9(3)), "all property or interests therein" and "fee simple or any lesser estate or interest in any property" (§ 80-10)
Contra Costa County Flood Control and Water Conservation District--1951:1617 Water Code App. §§ 63-1 to 63-36	"real and personal property of every kind, including lands, structures, buildings, rights of way, easements, and privileges" (§ 63-5(4)), "all lands and water and water rights" (§ 63-5(9)), "any property" and "any existing works or improvements" and "property, lands, rights-of-way, easements, or materials" and "fee simple or any lesser estate, easement, or interest in any real property" (§ 63-5(13))
Contra Costa County Storm Drainage District--1953:1532, Water Code App. §§ 69-1 to 69-43	"real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements, and privileges" (§ 69-5(4)), "all lands and other property" (§ 69-5(7)), "any property" and "fee simple or any lesser estate, easement or interest in any real property" and "any existing works or improvements" and "property, lands, rights of way, easements or materials" (§ 69-7)

District	Property Interest That May Be Acquired
Corporations to administer libraries-- Educ. Code § 28706	No condemnation authority
Costa Mesa County Water District (merger)--Water Code §§ 33200-33250	"property" (§ 31040)
Cotton pest abatement districts-- Agri. Code §§ 6051-6084	Not specified
County drainage districts--Water Code §§ 56000-56130	Not specified
County flood control districts-- Water Code § 8110	Not specified
County free library taxing districts-- Educ. Code §§ 27151-27166	No condemnation authority
County maintenance districts--Sts. & Hwys. Code §§ 5820-5856	No condemnation authority
County power pumping districts-- 1915:745, repealed with savings clause 1953:1022	"lands, rights of way, water, water rights and electric and water services" (§ 3(3)), "all the lands, water and water rights, and other property" (§ 12(4))
County recreation districts--former Pub. Res. Code § 5439	"all lands, or use thereof or interest therein, and any other property or rights " (§ 5439)
County sanitation districts--Health & Saf. Code §§ 4700-4858	"any interest in real or personal property" (§ 4740), "sewerage system, or any sewage or refuse disposal or treatment plant, or any combination" (§ 4760)
County sewerage and water districts-- Health & Saf. Code §§ 5500-5656 (pro- visions repealed except for § 5617 with- out affecting existing districts)	"any interest in real or personal property" (§ 5440), "any sewerage system, or any sewage disposal or treatment plant" (§ 5560)

District	Property Interest That May Be Acquired
County water authorities--1943:545, Water Code App. §§ 45-1 to 45-16	"any property" (§ 45-5(5))
County water districts--Water Code §§ 30000-33901	"property" (§ 31040)
County waterworks districts--Water Code §§ 55000-55991	"lands, rights of way, water, water rights, and water service" (§ 55104(b)), "property" (§ 55370)
Crestline-Lake Arrowhead Water Agency-- 1962 (1st Ex. Sess.):40, Water Code App. §§ 104-1 to 104-46	"any property" and "any existing waterworks or system, or any portion thereof, or any waters or water rights" (§ 104-1(9))
Del Norte County Flood Control District-- 1955:166, Water Code App. §§ 72-1 to 72-36	"real and personal property of every kind, including lands, struc- tures, buildings, rights-of-way, easements, and privileges" (§ 72-6(4)), "lands and water and water rights and other prop- erty" (§ 72-6(9)), "any property" and "any existing works or improvements" and "property, lands, rights of way, easements, or materials" and "the fee simple or any lesser estate, ease- ment, or interest in any real property" and "fee simple or any lesser estate or easement, or interest" (§ 72-7)
Delta Water Agency--1968:419, Water Code App. §§ 108-1.1 to 108-10.2	Not specified
Desert Water Agency--1961:1069, Water Code App. §§ 100-1 to 100-54	"any property" (§ 100-15(9)), "any existing waterworks or system . . . or any waters or water rights" (§ 100-15(9))
District agricultural associations-- Agri. Code §§ 4002, 4051, 4054	Not specified
Donner Summit Public Utility District-- 1950 (1st Ex. Sess.):15, Water Code App. §§ 58-1 to 58-6	Not specified

District	Property Interest That May Be Acquired
Drainage districts (Act of 1880)-- 1880:227, repealed with savings clause 1953:1021	"the right of way for any work" and "material" and "such lands as may be . . . necessary" and "property, such as right of way and lands" (§ 11)(see § 12)
Drainage districts (Act of 1897)-- 1897:228, repealed with savings clause 1953:1020	"any land, or other property" and "property" (§ 12)
Drainage districts (Act of 1923)-- 1923:102, repealed with savings clause 1953:1019	"all lands and other property" (§ 15), "property" (§ 26)
Drainage districts (Law of 1885)-- 1885:158, Water Code App. §§ 5-1 to 5-21	"right of way for canals, drains, embankments, and other works" (§ 18)
Drainage districts (Law of 1903)-- 1903:238, Water Code App. §§ 8-1 to 8-134	"any land or other property" (§ 14), "property" (§ 16)
Drainage districts (Law of 1919)-- 1919:354, Water Code App. §§ 31-1 to 31-27	"right of way, or any lands" (§ 22)
El Dorado County Toll Tunnel Authority-- Sts. & Hwys. Code §§ 31100-31246	"any franchise, rights, privileges, easements, or other property, either real or personal" (§ 31200)(also § 31201), "in fee or otherwise . . . any real estate, personal property, franchises, rights, privileges, or easements" (§ 31202), "in fee or otherwise . . . any real property" (§ 31204), "property . . . in fee or in any lesser estate or interest" (§ 31208)
El Dorado County Water Agency--1959:2139, Water Code App. §§ 96-1 to 96-104	"all property or interest therein" and "fee simple or any lesser estate or interest in any property" (§ 96-8), "all rights of way and other property" (§ 96-20)
Embarcadero Municipal Improvement District--1960 (1st Ex. Sess.):81	"property" (§ 81)

District	Property Interest That May Be Acquired
Estero Municipal Improvement District-- 1960 (1st Ex. Sess.):82	"property" (§ 81)
Fairfield-Suisun Sewer District-- 1951:303	"property" (§ 44)
Fire protection districts (Law of 1961)-- Health & Saf. Code §§ 13801-13999	"property or interests therein" (§ 13852(c))
Flood control and water conservation districts--1931:641, Water Code App. §§ 38-1 to 38-13	"land or other property" (§ 38-7.5)
Folsom Lake Bridge Authority--Sts. & Hwys. Code §§ 30910-31041	"any franchise, rights, privileges, easements or other property, either real or personal" (§ 31000)(see § 31001), "in fee or otherwise . . . any real estate, personal property, franchises, rights, privileges, or easements" (§ 31002)(see § 31004), "in fee or in any lesser estate or interest" (§ 31008)
Fresno Metropolitan Flood Control Act-- 1955:503, Water Code App. §§ 73-1 to 73-46	"real or personal property of every kind" (§ 73-8(4)), "property of every kind and nature" (§ 73-8(5)), "fee simple or any lesser estate or interest in any real property" (§ 73-26)
Fresno Metropolitan Transit District-- 1961:1932, Pub. Util. Code App. 2 §§ 1.1 to 11.1	"any property" (§ 6.3), "real and personal property of every kind" (§ 6.15)
Garbage and refuse disposal districts-- Health & Saf. Code §§ 4170-4187	"any interest and real or personal property" (§ 4180(d))
Garbage disposal districts--Health & Saf. Code §§ 4100-4135	"any interest in real or personal property" (§ 4120(c))
Guadalupe Valley Municipal Improvement District--1959:2037	"private property" (§ 80), "property" (§ 80.5)

District	Property Interest That May Be Acquired
Harbor districts--Harb. & Nav. Code §§ 6000-6110	"any property" (§ 6076)
Harbor improvement districts--Harb. & Nav. Code §§ 5800-5945	"any property" (§ 5900.4)
Highway interchange districts--Govt. Code §§ 66400-66403	No condemnation authority
Highway lighting districts--Sts. & Hwys. Code §§ 19000-19327	No condemnation authority
Horticultural Development Districts (Act of 1933)--1933:388, repealed with savings clause 1953:335	No condemnation authority
Horticultural protection districts--1935:756	"real and personal property of every kind and description" (§ 7(4))
Housing authorities--Health & Saf. Code §§ 34200-34402	"real property" (§§. 34315, 34325)
Humboldt County Flood Control District--1945:939, Water Code App. §§ 47-1 to 47-36	"real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements and privileges" (§ 47-6(4)), "all lands and water and water rights and other property" (§ 47-6(9)), "any property" and "any existing works or improvements" and "property, lands, rights of way, easements, or materials" and "the fee simple or any lesser estate, easement, or interest in any real property" and "fee simple or any lesser estate or easement, or interest" (§ 47-7)
Hunters Point Reclamation District--1955:1573, Water Code App. §§ 78-1 to 78-17, Water Code §§ 50910, 50930	"all property, easements, rights of way and the right to take material" and "any works of reclamation, including drains, canals, sluices, bulkheads, water gates, levees, embankments and pumping plants" (§ 78-11), "any part of any irrigation system" (§ 50910), "real or personal property" (§ 50930)

District	Property Interest That May Be Acquired
Irrigation districts--Water Code §§ 20500-29978	"water" and "property" (§ 22456), "land, easement, or franchise" (§ 22457), "right to . . . interfere with . . . property" (§ 22458)
Joint county jail districts--Penal Code §§ 4050-4067	No condemnation authority
Joint county road camp districts-- Penal Code §§ 4200-4227	No condemnation authority
Joint highway districts--Sts. & Hwys. Code §§ 25000-25521	"lands or rights of way" (§ 25050(d)), "lands or rights of way" (§ 25052), "property or rights of way" (§§ 25052(b), 25280)
Joint municipal sewage disposal districts-- Health & Saf. Code §§ 5700-5830.08 (provisions repealed except for § 5745 without affecting existing districts)	"any property" (§ 5740.06)
Joint powers contract agencies--Govt. Code §§ 6500-6514	Not specified
Kern County Water Agency--1961:1003, Water Code App. §§ 99-1 to 99-29	"all property or any interest therein" and "fee simple or any lesser estate or interest in any property" (§ 99-3.4), "rights-of-way and other property" (§ 99-4.9)
Kings River Conservation District-- 1951:931, Water Code App. §§ 59-1 to 59-51	"all property" (§ 59-26(12))
Knights Landing Ridge Drainage District-- 1913:99, Water Code App. §§ 21-1 to 21-13	"all rights of way, easements, property and material" (§ 21-5)

District	Property Interest That May Be Acquired
Lake County Flood Control and Water Conservation District--1951:1544, Water Code App. §§ 62-1 to 62-41	"real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements, water and water rights, and privileges" (§ 62-5(4)), "all lands and other property" (§ 62-5(8)), "any property" and "works or improvements" and "property, lands, rights-of-way, easements, or materials" and "fee simple or any lesser estate, easement, or interest in any real property" and "fee simple or any lesser estate or easement or interest" (§ 62-5(12))
Lake Cuyamaca Recreation and Park District--1961:1654	Not specified
Lassen-Modoc County Flood Control and Water Conservation District--1959:2127, Water Code App. §§ 92-1 to 92-38	"property" and "property, lands, rights-of-way, easements or materials" (§ 92-3(f))
Levee districts--1905:310, Water Code App. §§ 9-1 to 9-25	"rights of way . . . material . . . including drains, levees and embankments" (§ 9-8), "land, or other property" (§ 9-15)
Levee districts (Law of 1959)--Water Code §§ 70000-70272	"drains, canals, sluices, bulkheads, watergates, levees, embankments, pumping plants and pipelines" (§ 70150)
Library districts--Educ. Code §§ 27751-27963	No condemnation authority
Library districts in unincorporated towns and villages--Educ. Code §§ 27501-27707	No condemnation authority
Limited dividend housing corporations--Health & Saf. Code § 34874 <u>et seq.</u>	"property" (§§ 34874, 34876)
Local health districts--Health & Saf. Code §§ 880-972 (provisions repealed without affecting existing districts)	"real or personal property of every kind" (§ 936(h))

District	Property Interest That May Be Acquired
Local hospital districts--Health & Saf. Code §§ 32000-32492	"real or personal property of every kind" (§ 32121(d))
Local planning agencies--Govt Code §§ 65100-65700	No condemnation authority
Los Angeles County Flood Control District--1915:755, Water Code App. §§ 28-1 to 28-23	"any property" and "existing works or improvements" (§ 28-2), "all lands, rights of way, easements, property or materials" and "property, lands, rights of way, easements, or materials" (§ 28-16), "fee simple or any lesser estate or interest in any real property" and "fee simple or easement" (§ 28-16 1/2), "whole parcel" and "an easement" (§ 28-16 5/8), "entire house" (§ 28-16 3/4)
Los Angeles County Toll Tunnel Authority-- Sts. & Hwys. Code §§ 31300-31332	No condemnation authority
Lower San Joaquin Levee District-- 1955:1075	Not specified
Madera County Flood Control and Water Conservation Agency--1969:916, Water Code App. §§ 110-100 to 110-950	"property" and "right to . . . interfere with any . . . property" (§ 110-260), "any property" and "existing works or improvements" and "property, lands, rights-of-way, easements, or materials" and "fee simple or any lesser estate, easement, or interest in any real property" and "fee simple or any lesser estate or easement, or interest" (§ 110-650), "rights-of-way and other property" (§ 110-651)
Marin County Flood Control and Water Conservation District--1953:666, Water Code App. §§ 68-1 to 68-36	"real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements and privileges" (§ 68-5(4)), "all lands and water and water rights and other property" (§ 68-5(9)), "any property" and "existing works or improvements" and "property, lands, rights-of-way, easements, or materials" and "the fee simple or any lesser estate, easement, or interest in any real property" and "fee simple or any lesser estate or easement" (§ 68-5(13)), "rights of way and other property" (§ 68-28)

District	Property Interest That May Be Acquired
Marin County Transit District--Pub. Util. Code §§ 70000-80019	"any property" (§ 70162), "real and personal property of every kind" (§ 70175)
Mariposa County Water Agency--1959:2036, Water Code App. §§ 85-1 to 85-25	"all property or interest therein" and "fee simple or any lesser estate or interest in any property" (§ 85-3.4), "rights-of-way and other property" (§ 85-4.9)
Memorial districts--Mil. & Vets. Code §§ 1170-1259	"real or personal property" (§ 1191(b))
Mendocino County Flood Control and Water Conservation District--1949:995, Water Code App. §§ 54-1 to 54-113	"lands, rights of way, easements, privileges, material, and property of every kind" (§ 54-3(e)), "property, lands, rights of way, easements or materials" (§ 54-3(f))
Metropolitan water districts--1969:209, Water Code App. §§ 109-1 to 109-551	"property" (§ 109-141)
Mojave Water Agency--1959:2146, Water Code App. §§ 97-1 to 97-38	"real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements, and privileges" (§ 97-13(3)), "all property or interests therein" and "fee simple or any lesser estate or interest in any property" (§ 97-14)
Montalvo Municipal Improvement District--1955:549	"property" (§ 45)
Monterey County Flood Control and Water Conservation District--1947:699, Water Code App. §§ 52-1 to 52-36	"real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements, and privileges" (§ 52-5(4)), "all lands and water and water rights and other property" (§ 52-5(9)), "any property" and "existing works or improvements" and "property, lands, rights of way, easements, or materials" and "the fee simple or any lesser estate, easement or interest in any real property" and "fee simple or any lesser estate or easement, or interest" (§ 52-6), "all rights of way and other property" (§ 52-29)

District	Property Interest That May Be Acquired
Monterey Peninsula Airport District-- 1941:52	"any property" and "any existing works" (§ 3(6))
Mormon Slough Reclamation District-- 1871-72:481, repealed with savings clause 1953:1004	"one hundred feet wide on each side of said channels" (§ 12), "any of the lands or improvements" (§ 13)
Mosquito abatement districts--Health & Saf. Code §§ 2200-2360	"any lands, rights of way, easements, property, or material" (§ 2270(d))
Mt. San Jacinto Winter Park Authority-- 1945:1040	"any real and personal property" (§ 4.3), "private property or any right or interest therein" (§ 4.8)
Mountain View Shoreline Regional Park Community--1969:1109	"property" (§ 51)
Municipal corporation tunnel authorities-- 1951:1347	"any property" (§ 7(5))
Municipal lighting maintenance districts-- Sts. & Hwys. Code §§ 18600-18781	No condemnation authority
Municipal Sewer and Water Facilities Law of 1911--Health & Saf. Code §§ 4600-4648	"any property" and "such property" (§ 4627)
Municipal sewer districts of 1939-- 1939:24 (provisions repealed without affecting existing districts)	No condemnation authority
Municipal utility districts--Pub. Util. Code §§ 11501-14401	"property" and "any property" (§ 12703), "real and personal property of every kind" (§ 12771)
Municipal Utility District--Pub. Util. Code §§ 13451-13691	No condemnation authority

District	Property Interest That May Be Acquired
Municipal water districts (Act of 1909)-- 1909:724, repealed with savings clause 1953:1011	"any property" and "any existing water works or system, or any portion thereof" (§ 12(7))
Municipal water districts (Act of 1911)-- Water Code §§ 71000-73001	"any property" and "any existing waterworks or system . . . or any waters or water rights" (§ 71693), "property" and "any property" (71694)
Municipal water districts (Act of 1935)-- 1935:78, Water Code App. §§ 41-1 to 41-13	No condemnation authority
Napa County Flood Control and Water Conservation District--1951:1449, Water Code App. §§ 61-1 to 61-37	"real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements, and privileges" (§ 61-5(4)), "all lands and water and water rights and other property" (§ 61-5(4)), "any property" and "existing works or improvements" and "property, lands, rights of way, easements, or materials" and "fee simple or any lesser estate, easement, or interest in any real property" and "fee simple or any lesser estate or easement, or interest" (§ 61-6)
Nevada County Water Agency--1959:2122, Water Code App. §§ 90-1 to 90-56	"all property or interest therein" and "fee simple or any lesser estate or interest in any property" (90-7), "rights-of-way and other property" (§ 90-19)
North Lake Tahoe-Truckee River Sanitation Agency--1967:1503, Water Code App. §§ 107-1 to 107-600	"any property" (§ 107-146)
Olivehurst Public Utility District-- 1950 (1st Ex. Sess.):12, Water Code App. §§ 56-1 to 56-7	Not specified
Open Space Maintenance Districts-- Govt. Code §§ 50575-50628	No condemnation authority

District	Property Interest That May Be Acquired
Orange County Flood Control District-- 1927:723, Water Code App. §§ 36-1 to 36-23	"any property" and "existing works or improvements" (§ 36-6), "all lands, rights-of-way, easements, property or materials" and "property, lands, rights-of-way, easements, or materials" (§ 36-16), "the whole parcel" and "an easement" (§ 36-16.1)
Orange County Transit District--Pub. Util. Code §§ 40000-40617	"any property" (§ 40162), "real and personal property of every kind" (§ 40175)
Orange County Water District--1933:924, Water Code App. §§ 40-1 to 40-78	"any property" (§ 40-2(8)), "right to . . . interfere with . . . property" and "rights of way and other property" (§ 40-39)
Overflow districts--1911:718, repealed with savings clause 1953:1010	"any lands, or materials" (§ 30)
Palo Verde Irrigation District--1923:452, Water Code App. §§ 33-1 to 33-77	"all lands and waters or water rights and other property" (§ 33-10(3)), "the water rights" (§ 33-11 subd. 1), "stock" and "stock or water rights" (§ 33-11 subd. 2), "water rights and water system" and "water rights and water system" (§ 33-11 subd. 3)
Park, recreation and parkway districts-- former Pub. Res. Code § 5658 et seq. (reorganized see Pub. Res. Code § 5780)	No condemnation authority
Parking authorities--Sts. & Hwys. Code §§ 32500-33552	"any property" (§ 32802(b))
Parking districts--Sts. & Hwys. Code §§ 35100-35708	"property" and "fee simple" (§ 35108(j)), "property" (§§ 35402.3, 35702)
Permanent road divisions--Sts. & Hwys. Code §§ 1160-1197	No condemnation authority
Pest abatement districts--Health & Saf. Code §§ 2800-2910	"any lands, rights of way, easements or other real property" (§ 2853(c))

District	Property Interest That May Be Acquired
Placer County Water Agency--1957:1234, Water Code App. §§ 81-1 to 81-25	"all property or interest therein" and "fee simple or any lesser estate or interest in any property" and "property" (§ 81-3.4), "all rights of way and other property" (§ 81-4.9)
Placer mining districts--Pub. Res. Code §§ 2401-2512 (provisions repealed without affecting existing districts)	"all lands, waters, water rights, and other property" (§ 2433(b)), "right to . . . interfere with . . . property" (§ 2499)
Planning districts--Govt. Code §§ 66100-66390	No condemnation authority
Plumas County Flood Control and Water Conservation District--1959:2114, Water Code App. §§ 88-1 to 88-38	"property" and "property, lands, rights-of-way, easements or materials" (§ 88-3(f))
Police protection districts (in unincor- porated territory)--Health & Saf. Code §§ 20300-20332	No condemnation authority
Police protection districts (in unincorporated town)--Health & Saf. Code §§ 20000-20115	No condemnation authority
Port districts--Harb. & Nav. Code §§ 6200-6372	"property" and "any property" (§ 6296)
Protection districts (Act of 1880)-- 1880-63, Water Code App. §§ 4-1 to 4-18	"any real or personal property" (§ 4-4)
Protection districts (Act of 1895)-- 1895:201, Water Code App. §§ 6-1 to 6-29	"land" (§ 6-5), "any rights of way or other real property" (§ 6-6)
Protection districts (Act of 1907)-- 1907:25, Water Code App. §§ 11-1 to 11-94	"any land or other property" (§ 11-13), "property" (§ 11-15)

District	Property Interest That May Be Acquired
Public cemetery districts--Health & Saf. Code §§ 8890-9309	No condemnation authority
Public Utility districts--Pub. Util. Code §§ 15501-17501	"property" and "any property" (§ 16404)
Reclamation districts--Water Code §§ 50000-53660	"real or personal property" (§ 50930), "any irrigation system" (§ 50910)
Reclamation District No. 10--1913:194, Water Code App. §§ 24-1 to 24-5	No condemnation authority
Reclamation District No. 70--1905:552, Water Code App. §§ 10-1 to 10-3	No condemnation authority
Reclamation District No. 252--1877-78:348, repealed with savings clause 1953:1009	No condemnation authority
Reclamation District No. 254--1877-78:567, repealed with savings clause 1953:1008	No condemnation authority
Reclamation District No. 317--1877-78:379, Water Code App. §§ 3-1 to 3-6	No condemnation authority
Reclamation District No. 800--1907:213, Water Code App. §§ 12-1 to 12-3	No condemnation authority
Reclamation District No. 830--1911:171, Water Code App. §§ 15-1 to 15-3	No condemnation authority
Reclamation District No. 832--1911:402, Water Code App. §§ 16-1 to 16-3	No condemnation authority
Reclamation District No. 833--1911:403, Water Code App. §§ 17-1 to 17-4	No condemnation authority

District	Property Interest That May Be Acquired
Reclamation District No. 900--1911:100, Water Code App. §§ 14-1 to 14-3	No condemnation authority
Reclamation District No. 999--1913:161, Water Code App. §§ 23-1 to 23-3	No condemnation authority
Reclamation District No. 1000--1911:412, Water Code App. §§ 19-1 to 19-5	"real and personal property and rights of way" (§ 19-2)
Reclamation District No. 1001--1911:411, Water Code App. §§ 18-1 to 18-5	"real and personal property and rights of way" (§ 18-2)
Reclamation District No. 1400--1913:384, repealed with savings clause 1953:1007	No condemnation authority
Reclamation District No. 1500--1913:100, Water Code App. §§ 22-1 to 22-5	"real and personal property and rights of way" (§ 22-2)
Reclamation District No. 1600--1913:195, Water Code App. §§ 25-1 to 25-2	No condemnation authority
Reclamation District No. 1660--1915:591, Water Code App. §§ 27-1 to 27-5	No condemnation authority
Reclamation District No. 2020--1917:613, Water Code App. §§ 29-1 to 29-3	No condemnation authority
Reclamation District No. 2031--1919:338, Water Code App. §§ 30-1 to 30-4	No condemnation authority
Recreation and park districts--Pub. Res. Code §§ 5780-5788.13	Not specified
Recreation and park districts without power of eminent domain--Pub. Res. Code §§ 5790-5791	No condemnation authority

District	Property Interest That May Be Acquired
Recreation, park, and parkway districts-- Former Pub. Res. Code § 5402	"all necessary and proper lands" (§ 5402)
Regional air pollution control districts-- Health & Saf. Code §§ 39300-39570	No condemnation authority
Regional park districts--Pub. Res. Code §§ 5500-5595	"real and personal property of every kind, and rights in real and personal property" (§ 5540), "private property" and "any property" (§ 5542), "property" (§ 5566)
Regional planning districts--Govt. Code §§ 65060-65069.5	No condemnation authority
Regional sewage disposal districts--Health & Saf. Code §§ 5900-6110 (provisions repealed except for § 6096 without affecting existing districts)	"property" and "any property" (§ 5998)
Regional shoreline districts--former Pub. Res. Code § 5719 <u>et seq.</u>	"real and personal property of every kind and rights in real and personal property" (§ 5719), "private property" and "any property" (§ 5722)
Resort improvement districts--Pub. Res. Code §§ 13000-13233	Not specified
River port districts--Harb. & Nav. Code §§ 6800-6963	"property" and "any property" (§ 6896)
Riverside County Flood Control and Water Conservation District-- 1945:1122, Water Code App. §§ 48-1 to 48-39	"any property" and "existing works or improvements" and "property, lands, rights of way, easements, or materials" and "fee simple or any lesser estate or interest in any real property" and "fee simple or any lesser estate or interest in such property" (§ 48-9(9)), "all lands and water and water rights and other property" (§ 48-9(10)), "the whole parcel" and "a right-of-way or real property" (§ 48-9.2), "all rights of way and other property" (§ 48-35)

District	Property Interest That May Be Acquired
Sacramento County Levee District No. 1-- 1877-78:551, repealed with savings clause 1953:1014	No condemnation authority
Sacramento County Water Agency--1952 (1st Ex. Sess.):10, Water Code App. §§ 66-1 to 66-31	"all property or interests therein" and "the fee simple or any lesser estate or interest in any property" and "private property" (§ 66-3.4), "all rights of way and other property" (§ 66-4.9)
Sacramento River Drainage District-- 1877-78:643, repealed with savings clause 1953:1018	Unclear
Sacramento River-West Side Levee District-- 1915:361, Water Code App. §§ 26-1 to 26-11	"all rights of way, easements, existing levees, property and material" (§ 26-5)
San Benito County Water Conservation and Flood Control District--1953:1598, Water Code App. §§ 70-1 to 70-40	"real and personal property of every kind, including lands, struc- tures, buildings, rights of way, easements and privileges" (§ 70-6(4)), "all lands and water and water rights and other property" (§ 70-6(9)), "any property" and "any existing works : or improvements" and "property, lands, rights of way, ease- ments, or materials" and "fee simple or any lesser estate, easement or interest in any real property" and "fee simple or any lesser estate or easement, or interest" (§ 70-8)
San Bernardino County Flood Control District--1939:73, Water Code App. §§ 43-1 to 43-28	"any property" and "existing works or improvements" and "prop- erty, lands, rights of way, easements, or materials" (§ 43-2(8)), "right to . . . interfere with . . . property" and "all rights of way and other property" (§ 43-25)
San Diego County Flood Control District-- 1966 (1st Ex. Sess.):55, Water Code App. §§ 105-1 to 105-48	"real and personal property of every kind, including lands, struc- tures, buildings, rights of way, easements, and privileges" (§ 105-6(4)), "any property" and "property, lands, rights-of- way, easements or materials" and "fee simple or any lesser estate, easement or interest in any real property" (§ 105-6(12))

District	Property Interest That May Be Acquired
San Diego County Transit District-- Pub. Util. Code §§ 90000-93017	"any property" (§ 90402), "real and personal property of every kind" (§ 90460)
San Diego Unified Port District-- 1962 (1st Ex. Sess.):67, Harb. & Nav. Code App. 1, §§ 1-88	"property" and "any property" (§ 27)
San Francisco Bay Area Rapid Transit District--Pub. Util. Code §§ 28500- 29757 (see also 1949:1239)	"any property" (§ 28953), "real and personal property of every kind" (§ 29010), "real property in fee simple or any lesser estate or interest" and "transit facilities, stations, terminal facilities and other property or interest therein" (§ 9(5))
San Francisco Port Authority--Harb. & Nav. Code § 1775 <u>et seq.</u>	No general condemnation authority
San Geronio Pass Water Agency-- 1961:1435, Water Code App. §§ 101-1 to 101-52	"any property" and "any existing waterworks or system, or any portion thereof, or any waters or water rights" (§ 101-15(9))
San Joaquin County Flood Control and Water Conservation District--1956 (1st Ex. Sess.):46, Water Code App. §§ 79-1 to 79-43	"real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements, and privileges" (§ 79-5(4)), "all lands and water and water rights and other property" (§ 79-5(9)), "any property" and "existing works or improvements" and "property, lands, rights-of-way, easements, or materials" and "fee simple or any lesser estate, easement, or interest in any real property" and "fee simple or any lesser estate or easement or interest" (§ 79-5(13)), "all rights of way and other property" (§ 79-33)
Sanitary districts (Act of 1923)--Health & Saf. Code §§ 6400-6830	"real and personal property and rights of way" (§ 6514)
Sanitary district (Law of 1891)--1891:161, repealed with savings clause 1939:60; now Health & Saf. Code § 6935	"real and personal property and rights of way" (§ 5)

District	Property Interest That May Be Acquired
San Luis Obispo County Flood Control and Water Conservation District--1945:1294, Water Code App. §§ 49-1 to 49-36.17	"real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements, and privileges" (§ 49-5(4)), "all lands and water and water rights and other property" (§ 49-5(9)), "any property" and "any existing works or improvements" and "property, lands, rights of way, easements, or materials" and "fee simple or any lesser estate, easement, or interest in any real property" and "fee simple or any lesser estate or easement, or interest" (§ 49-6), "whole parcel" and "an easement" (§ 49-6.1), "all rights of way and other property" (§ 49-29)
San Mateo County Flood Control District--1959:2108, Water Code App. §§ 87-1 to 87-35	"lands, rights-of-way, easements, privileges and property of any kind, whether real, personal or mixed" (§ 87-3(4)), "any property" and "any existing works or improvements" and "property, lands, rights-of-way, easements, or materials" and "fee simple or any lesser estate or interest in any real property" and "fee simple or any lesser estate or interest" (§ 87-3(8)), "all lands and water and water rights and other property" (§ 87-3(9)), "all rights of way and other property" (§ 87-31)
Santa Barbara County Flood Control and Water Conservation District--1955:1057, Water Code App. §§ 74-1 to 74-39	"real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements, and privileges" (§ 74-5(4)), "all lands and water or water rights and other property" (§ 74-5(8)), "any property" and "any existing works or improvements" and "property, lands, rights-of-way, easements, or materials" and "fee simple or any lesser estate, easement, or interest in any real property" (§ 74-5(12)), "the whole parcel" and "an easement" (§ 74-5(12.1)), "all rights of way and other property" (§ 74-30)
Santa Barbara County Water Agency--1945:1501, Water Code App. §§ 51-1 to 51-19	"all property or interests therein" and "fee simple or any lesser estate or interest in any property" and "the whole parcel" and "an easement" (§ 51-3.4), "all rights of way and other property" (§ 51-4.9)

District	Property Interest That May Be Acquired
Santa Barbara Metropolitan Transit District--Pub. Util. Code §§ 95000-97100	"any property" (§ 96002), "real and personal property of every kind" (§ 96090)
Santa Clara County Flood Control and Water District--1951:1405, Water Code App. §§ 60-1 to 60-35	"real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements, and privileges" (§ 60-5(4)), "all lands and water or water rights and other property" (§ 60-5(7)), "any property" and "existing works or improvements" and "property, lands, rights of way, easements, or materials" and "fee simple or any lesser estate, easement, or interest in any real property" and "fee simple or any lesser estate or easement, or interest" (§ 60-6), "whole parcel" and "an easement" (§ 60-6.1), "all rights of way and other property" (§ 60-29)
Santa Clara County Irrigation Districts--1923:479, repealed with savings clause 1953:1002, 1921:822, repealed with savings clause 1953:1003	"all lands, and waters, and water rights, and other property" (§ 13), "the irrigation system, canals and works" (§ 88)
Santa Clara County Rapid Transit District--Pub. Util. Code §§ 100000-100500	"real and personal property of every kind" (§ 100130), "any property" (§§ 100131, 100135)
Santa Cruz County Flood Control and Water Conservation District--1955:1489, Water Code App. §§ 77-1 to 77-597	"property" (§ 77-23), "property, lands, rights of way, easements or materials" (§ 77-24), "lands, rights of way, easements, privileges, material and property of every kind" (§ 77-41)
Santa Cruz Metropolitan Transit District--Pub. Util. Code §§ 98000-98407	"any property" (§ 98212), "real and personal property of every kind" (§ 98233)
Separation of grade districts--Sts. & Hwys. Code §§ 8100-8297	"real and personal property and rights of way" (§ 8145(c))
Sewer districts in unincorporated territory (Act of 1899)--Health & Saf. Code §§ 4659-4671 (provisions repealed without affecting existing districts)	No condemnation authority

District	Property Interest That May Be Acquired
Sewer maintenance districts--Health & Saf. Code §§ 4860-4927	"real and personal property" (§ 4886)
Shasta County Water Agency--1957:1512, Water Code App. §§ 83-1 to 83-190	"real and personal property of every kind, including lands, structures, buildings, rights of way, easements and privileges" (§ 83-42), "all rights of way and other property" (§ 83-58), "all property or interests therein" (§ 83-65), "fee simple or any lesser estate or interest in any property" (§ 83-67)
Sierra County Flood Control and Water Conservation District--1959:2123, Water Code App. §§ 91-1 to 91-38	"property" and "property, lands, rights-of-way, easements or materials" (§ 91-3(f)).
Siskiyou County Flood Control and Water Conservation District--1959:2121, Water Code App. §§ 89-1 to 89-38	"property" and "property, lands, rights-of-way, easements or materials" (§ 89-3(f))
Small craft harbors districts--Harb. & Nav. Code §§ 7000-7340	"lands and properties" (§ 7147)
Soil conservation districts--Pub. Res. Code §§ 9074-9953	No condemnation authority
Solano County Flood Control and Water Conservation District--1951:1656, Water Code App. §§ 64-1 to 64-20.4	"all property or interest therein" and "fee simple or any lesser estate or interest in any property" (§ 64-3.4), "rights of way and other property" (§ 64-4.8)
Solvang Municipal Improvement District--1951:1635	"property" (§ 45)
Sonoma County Flood Control and Water Conservation District--1949:994, Water Code App. §§ 53-1 to 53-35, renamed Sonoma County Water Agency (see 1969:656)	"lands, rights-of-way, easements, privileges, material, and property of every kind" (§ 53-3(e))

District	Property Interest That May Be Acquired
Southern California Rapid Transit District --Pub. Util. Code §§ 30000-31520	"real and personal property of every kind" (§§ 30503, 30600)
Special road maintenance districts-- Sts. & Hwys. Code §§ 1550.1-1550.3	No condemnation authority
Stockton Metropolitan Transit District-- Pub. Util. Code §§ 50000-50507	"any property" (§ 50162), "real and personal property of every kind" (§ 50175)
Storm drain maintenance districts--1937: 265, Water Code App. §§ 42-1 to 42-22	"any real or personal property" (§ 42-5)
Storm drain maintenance district (Act of 1939)--1939:1100, repealed with savings clause 1953:1001	"any real or personal property" (§ 11)
Storm water districts--1909:222, Water Code App. §§ 13-1 to 13-30	"any rights of way or other real or personal property" (§ 13-8)
Street lighting districts (Act of 1919)-- Sts. & Hwys. Code §§ 18000-18193	No condemnation authority
Street lighting districts (Act of 1931)-- Sts. & Hwys. Code §§ 18300-18440	No condemnation authority
Student transportation districts-- Educ. Code §§ 16951-16978	No condemnation authority
Surplus Property Authority--Govt. Code §§ 40500-40592	No condemnation authority
Sutter County Levee District No. 1-- 1873-74:349, Water Code App. §§ 1-1 to 1-12	"drains, canals, sluices, bulkheads, water-gates, levees, embankments, pumping plants, and pipe lines . . . and all things" (§ 1-12)

District	Property Interest That May Be Acquired
Sutter County Levee District No. 2-- 1875-76:299, repealed with savings clause 1953:1013	No condemnation authority
Sutter County Levee District No. 6-- 1891:166, repealed with savings clause 1953:1012	No condemnation authority
Sutter County Water Agency--1959:2088, Water Code App. §§ 86-1 to 86-28	"all property or interests therein" and "fee simple or any lesser estate or interest in any property" (§ 86-3.4), "rights-of-way and other property" (§ 86-4.9)
Swamp Land District No. 150--1873-74:629, Water Code App. §§ 2-1 to 2-7	No condemnation authority
Swamp Land, Levee, or Reclamation Districts--1909:346, repealed with savings clause 1953:1000	Unclear
Tehama County Flood Control and Water Conservation District--1957:1280, Water Code App. §§ 82-1 to 82-39	"property, lands, rights-of-way, easements or materials" (§ 82-3(f))
Transit districts--Pub. Util. Code §§ 24501 27302, 27501-27509	"facilities" (§ 25054), "property" (§ 25703), "real and personal property of every kind" (§ 25771), "facilities of a private transit company" (§ 25805)
Tulare County Flood Control District-- 1969:1149, Water Code App. §§ 111-1 to 111-41	"real and personal property of every kind, including lands, struc- tures, buildings, rights-of-way, easements, and privileges" (§ 111-5(4)), "all lands and other property" (§ 111-5(8)), "any property" and "existing works or improvements" and "property, lands, rights-of-way, easements, or materials" and "fee simple or any lesser estate, easement or interest in any real property " (§ 111-5(12)), "all rights-of-way and other property" (§ 111-32)

District	Property Interest That May Be Acquired
Tuolumne County Water Agency--1969:1236, Water Code App. §§ 113-1 to 113-100	"all property or interest therein" and "fee simple or any lesser estate or interest in any property" (§ 113-8), "rights-of-way and other property" (§ 113-20)
Unified Air Pollution Control Districts-- Health & Saf. Code §§ 24330-24341	No condemnation authority
Union high school library districts-- Educ. Code §§ 28001-28652	No condemnation authority
Union Island Reclamation District Nos. 1 and 2--1903:36, Water Code App. §§ 7-1 to 7-10, Water Code §§ 50910, 50930	"the whole or any part of any irrigation system" (§ 50910), "real or personal property" (see §§ 6, 8, incorporating Water Code § 50930)
Upper Santa Clara Valley Water Agency-- 1962 (1st Ex. Sess.):28, Water Code App. §§ 103-1 to 103-49	"any property" (§ 103-15(7))
Vallejo Sanitation and Flood Control District--1952 (1st Ex. Sess.):17, Water Code App. §§ 67-1 to 67-28	"property" (§ 67-2(f)), "property, lands, rights of way, easements or materials" (§ 67-23)
Vehicle parking districts--Sts. & Hwys. Code §§ 31500-31933	"fee simple" (§ 31506(d)), "property or any interest therein" and "any lands or property" and "fee simple title of any land" (§ 31591), "property" (§ 31592), "real property" (§ 31852)
Ventura County Flood Control District-- 1944 (2nd Ex. Sess.):44, Water Code App. §§ 46-1 to 46-37	"any property" and "any existing works or improvements" and "property, lands, rights of way, easements, or materials" and "fee simple or any lesser estate or interest in any real property" (§ 46-7(8)), "all lands and water or water rights and other property" (§ 46-7(9)), "right to . . . flood . . . property" and "rights of way and other property" (§ 46-29)
Ventura County Harbor District-- 1927:861, repealed with savings clause 1953:999	"any property" (§ 3F)

District	Property Interest That May Be Acquired
Washington Drainage District of Yolo County--1867-68:381, repealed with savings clause 1953:1017	No condemnation authority
Water conservation districts--1923:426, repealed with savings clause 1953:998	"all lands, waters, water rights, or any use thereof, or interest therein, and any other property or rights" (§ 19)
Water conservation districts (Act of 1927) --1927:91, Water Code App. §§ 34-1 to 34-45	"real and personal property of every kind" (§ 34-2(D)), "any property" (§ 34-2(G))
Water conservation districts (Act of 1931)--Water Code §§ 74000-76501	"real and personal property of every kind" (§ 74550(a)), "property" and "any property" (§ 74553), "lands" (§ 75230)
Water replenishment districts-- Water Code §§ 60000-60449	"property" and "any property" (§ 60230(8))
Water storage and conservation districts-- 1941:1253 (provisions repealed without affecting existing districts), formerly Water Code App. §§ 44-1 to 44-191; Deerings Calif. Codes-Water (uncodified acts-part two) Act 9126a §§ 20(4), (6), 21, 28, 29	"real and personal property of every kind" (§ 20(4)), "property" (§ 20(6))
West Bay Rapid Transit Authority-- 1964 (1st Ex. Sess.):104, Pub. Util. Code App. 3, §§ 1.1 to 14.3	"real or personal property or any right or interest therein . . . in fee simple or any lesser estate or interest for rights-of-way" (§ 4.6), "any property" (§ 6.6)
Yolo Basin Drainage Districts-- 1909:680, repealed with savings clause 1953:1016	No condemnation authority
Yolo County Flood Control and Water Conservation District--1951:1657, Water Code App. §§ 65-1 to 65-35	"lands, rights-of-way, easements, privileges, material, and property of every kind" (§ 65-3(e)), "property, lands, rights-of-way, easements or materials" (§ 63-3(f)), "all lands and water and water rights and other property" (§ 65-3(t))

District	Property Interest That May Be Acquired
Yuba-Bear River Basin Authority--1959:2131, Water Code App. §§ 93-1 to 93-54	"all property or interest therein" and "fee simple or any lesser estate or interest in any property" (§ 93-8), "rights-of-way and other property" (§ 93-19).
Yuba County Water Agency--1959:788, Water Code App. §§ 84-1 to 84-28	"all property or interests therein" and "fee simple or any lesser estate or interest in any property" (§ 84-3.4), "all rights of way and other property" (§ 84-4.9)

TABLE IVa: PUBLIC ENTITIES GENERALLY:

PROPERTY INTEREST THAT MAY BE ACQUIRED

Note: The basic statement of condemnation authority applicable to special districts is found in Table IV. Table IVa includes provisions applicable to other public entities and some miscellaneous provisions applicable to special districts.

Public Entity	Property Interest That May Be Acquired
<u>FEDERAL GOVERNMENT</u>	
	"any lands lying below an elevation known and described as minus 230-foot elevation and below sea level" [as a migratory bird reservation] (Fish & Game Code § 10685)
	"any tide, submerged, or reclaimed lands of the city, . . . or any interest therein" (Govt. Code § 37360)
<u>STATE</u>	
	one state may have another acquire "property rights" for it (Water Code § 5901--Klamath River Basin Compact)
	"properties of nonconsenting owners of interests in oil and gas" [for repressuring operations to ameliorate subsidence and compaction of land](Pub. Res. Code § 3315)
	"all frontages on the navigable waters of this State" (Cal. Const., Art. 15, § 1)
	"the property and franchises of incorporated companies" [for public use] (Cal. Const., Art. 12, § 8)
Board of State Harbor Commissioners	"structures" (Harb. & Nav. Code § 3061), "the estates and rights" [for laying out and opening of thoroughfare](Harb. & Nav. Code § 3136), "rights of way and lands" [for extension of state railroad in San Francisco] (Harb. & Nav. Code § 3155), "certain tract or parcel of land" [described](Harb. & Nav. Code § 1775; §§ 1776 and 1778 also describe certain "lands" that may be condemned), "any lands or property" (Harb. & Nav. Code § 1785)
California Highway Commission	"abutting lands" [for converting highway into a freeway] (Sts. & Hwys. Code § 100.3), "property" [for military highways](Sts. & Hwys. Code § 820.5)

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Public Entity

Property Interest That May Be Acquired

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Department of  
Aeronautics

"real or personal property, or any interest therein including easements in airport hazards or land outside the boundaries of an airport" [to permit safe and efficient operation of the airport] (Pub. Util. Code § 21633), "removal or relocation of rail-ways, highways, mains, pipes, conduits, wires, cables, poles, and all other facilities . . . which may inter-ferere" (Pub. Util. Code §§ 21634, 21635), "property" (Pub. Util. Code § 21635)

Department of  
General Services

"any land" (Govt. Code § 14661), "any easements or rights-of-way" [necessary for the proper utilization of property owned by the state] (Govt. Code § 14662) "rights-of-way" [for conveying surplus water] (Govt. Code § 14715)

Department of Parks  
and Recreation

"easements in property" [for access to public beach] (Govt. Code § 54093), "title to or any interest in real and personal property" [for the state park system], "any real or personal property or any interest therein" (Pub. Res. Code § 5006), "any interest, including options, in those properties known as Aptos Forest, Santa Cruz County" [for development as a state park](Pub. Res. Code § 5006.2), "property" (Pub. Res. Code § 5096.25), "fee or any lesser interest or right in real property" [for a parkway](Sts. & Hwys. Code § 887.2)

Department of Public  
Works

"property or interests in property" [to replace riding and hiking trail in the vicinity of Alhambra Avenue in Martinez](Pub. Res. Code § 5077.1), "any real property or interest therein" (Sts. & Hwys. Code § 102), "real property" and "any property dedicated to park purposes" [for state highway purposes](Sts. & Hwys. Code § 103.5), "real property dedicated to park purposes" (Sts. & Hwys. Code § 103.7), "real property" (Sts. & Hwys. Code § 104.2), "real property or any interest therein ["for reservations in and about and along and leading to any state highway"] and "land" (Sts. & Hwys. Code § 104.3), "any buildings or improvements" (Sts. & Hwys. Code § 104.4), "any right of way" [for construction] (Water Code § 8304)

Department of Mental  
Hygiene

"all lands" [for the use of state hospitals] (Welf. & Inst. Code § 4104)

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Public Entity

Property Interest That May Be Acquired

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Department of Water Resources	"any real property or interest therein" [for state water and dam purposes](Water Code § 250), "real property . . . any property dedicated to park purposes" [for water and dam purposes](Water Code § 252), "real property" [to be exchanged to aid water and dam purposes] (Water Code § 255), "real property or any interest therein" ["for reservations in and about and along and leading to any state dam or water facility"] and "real property or interest therein" and "land" (Water Code § 256), "property of any common carrier railroad" (Water Code § 259), "in fee or in any lesser estate or interest, any real property"[for recreational development](Water Code § 346), "any and all water, water rights, rights of way, easements, land, electric power, power resources and facilities, and property or appurtenances thereto of every kind and description and any appurtenances to any such property" (Water Code § 11575), "any property" (Water Code § 11577), "property" (Water Code §§ 11580, 11581), "any property" (Water Code § 11587), "any buildings or improvements" [on condemned land](Water Code § 11588)
Public Utilities Commission	"property and interest in or to property" [for railroads] (Pub. Util. Code § 1207), "property and interest" (Pub. Util. Code § 1208), "property or interest therein" (Pub. Util. Code § 1215), "property or interest in or to property" (Pub. Util. Code § 1217)
State College System	"The Regents of the University of California may condemn any property or interest therein for the public buildings and grounds of the University of California" (Educ. Code § 23151), Board of Trustees of the California State Colleges may condemn "any real or personal property" (Educ. Code § 24503(a)), "property or any right or interest therein" (Educ. Code § 24503(g))
State Lands Commission	"any right of way or easement, including surface rights" [for the development and production of oil and gas from State-owned land and for their removal] and "interest in lands" (Pub. Res. Code § 6808), "any interest in lands, or lands in fee simple" (Pub. Res. Code § 6809), "right of way or easement" [to provide access to public lands] (Pub. Res. Code § 6210.9)
State Militia	"any property" [for armory purposes](Mil. & Vets. Code § 437), "property" (Mil. & Vets. Code § 438)

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Public Entity

Property Interest That May Be Acquired

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State Public Works Board	"public buildings" [for use by state agencies] (Govt. Code § 15808), "any property" (Govt. Code § 15809), "property" (Govt. Code § 15854), "real property or interest" (Govt. Code § 15855), "real property" (Govt. Code § 15856)
State Reclamation Board	"all lands, rights of way, easements, property or material" [for flood control] (Water Code § 8590), "any property or interest in property" (Water Code §§ 8593, 8594), "land, right of way, or easement" [for channel work] (Water Code § 8619)
Toll Bridge Authority	"toll bridge or other highway crossing" (Sts. & Hwys. Code §§ 30201, 30202), "transportation facilities" (Sts. & Hwys. Code §§ 30202, 30203), "any bridge, transportation facilities, or additional transportation facilities, and any franchise, rights, privileges, easements, or other property either real or personal appurtenant thereto" [for toll bridge facilities] (Sts. & Hwys. Code § 30400), "property" and "toll bridge or other toll highway crossing, real property, personal property, franchises, rights, easements, or other property or privileges appurtenant thereto" (Sts. & Hwys. Code § 30401), "any transportation facilities, additional transportation facilities, real property, personal property, franchises, rights, easements, or other property or privileges appurtenant thereto" (Sts. & Hwys. Code § 30402), "in fee or otherwise . . . any bridge or highway crossing . . . any transportation facilities or additional transportation facilities . . . and any real estate, personal property, franchises, rights, privileges, or easements" [for bridge or highway crossing or transportation facilities] (Sts. & Hwys. Code § 30403), "in fee or otherwise . . . any real property" [for exchange] (Sts. & Hwys. Code § 30405), "property" and "in fee or in any lesser estate or interest" (Sts. & Hwys. Code § 30410)
Wildlife Conservation Board	"property" [for access roads or rights of way] (Fish & Game Code § 1348)

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Public Entity

Property Interest That May Be Acquired

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COUNTIES

- "all lands and rights whatsoever" (Govt. Code § 25431)
- "the right [of passage]" (Govt. Code § 25662)
- "water rights" (Govt. Code § 25691)
- "real and personal property and rights of way" (Govt. Code § 25822)
- "real or personal property" [for airports](Govt. Code §§ 26020(a), 26021)
- "right of way and other necessary incidental uses of any . . . lands" [for construction of wharf, chute, etc.] (Harb. & Nav. Code § 4009)
- "real and personal property" [for veterans' home](Mil. and Vets. Code § 1121), "real or personal property" [for use of veterans' association](Mil. & Vets. Code § 1262(a))
- "as many acres of land suitable for agriculture as may be necessary for the purposes of the [industrial-penal] farm" (Penal Code § 4106)
- "all lands and rights" [for National park purposes] (Pub. Res. Code § 8402)
- "real property or interest therein" (Sts. & Hwys. Code § 760)
- "right of access to freeway" [when highway is converted] (Sts. & Hwys. Code § 941.2)
- "real property adjacent to property being condemned" [for county highways](Sts. & Hwys. Code § 943), "real property to be exchanged" (Sts. & Hwys. Code §§ 943.2, 943.4), "property or incidents" (Sts. & Hwys. Code § 948)
- "right of way for . . . flumes, ditches or canals" [for carrying off storm or flood waters](Sts. & Hwys. Code § 964), "real property or any interest therein" [for protection of a county highway](Sts. & Hwys. Code § 965)

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Public Entity

Property Interest That May Be Acquired

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COUNTIES cont.

"property" (Sts. & Hwys. Code § 976)

"any lands or rights-of-way" [for boundary highway]  
(Sts. & Hwys. Code § 1626)

"rights of way" [for county highways](Sts. & Hwys. Code  
§ 1627)

CITIES

"any property interest" (Govt. Code § 25550.7)

"lands, rights of way, or other property" [for street  
widening, etc.](Govt. Code § 34610)

"real or personal property" [for buildings](Govt. Code  
§ 37462)

"land" (Govt. Code § 37501)

"land" [for improvements](Govt. Code § 38010)

"land" (Govt. Code § 38024)

"property" [for improvements](Govt. Code § 38059),  
"parcel of property" (Govt. Code § 38092), "property"  
(Govt. Code § 38101), "lands" (Govt. Code § 38193)  
(Park and Playground Act of 1909)

"any land or rights of way" (Govt. Code § 38304)

"water, water rights, reservoir sites, rights of way for  
pipes, aqueducts, flumes, or other conduits, and all  
other property and appliances" [to supply water for  
the city](Govt. Code § 38730)

"land" [for garbage disposal sites and rights of way  
for roadways to the site](Govt. Code § 38790)

"all property, easements, and rights of way" [for sewers  
and drainage](Govt. Code § 39040)

"property, easements, or rights of way" (Govt. Code  
§ 39110)

CITIES cont.

"lands" (Govt. Code § 39371)

"any existing ferry system, including any franchise or license, boats and vessels, land and interest in land, slips, wharves, piers, landing places, approaches, and equipment and facilities used or for use in the maintenance and operation thereof" (Govt. Code § 39731)

"any land, rights of way, water, water rights, quarry, gravel bed, other mineral deposits, or any other property" [for the purpose of constructing, equipping, using, maintaining, or operating any facility](Govt. Code § 39793)

"property" [for various public works](Govt. Code § 40404)

"rights of access" (Sts. & Hwys. Code § 1801)

"any and all property . . . or any interest therein including an easement or easements" [for streets] (Sts. & Hwys. Code § 4090(b)), "any and all property, rights of way or easements, or any interest therein" (Sts. & Hwys. Code § 4090(c)), "property" (Sts. & Hwys. Code §§ 4093, 4185), "lands" (Sts. & Hwys. Code § 4201), "property" (Sts. & Hwys. Code § 4206(a)), "parcel of property" (Sts. & Hwys. Code § 4206(b)), "property" (Sts. & Hwys. Code § 4217), "parcel" (Sts. & Hwys. Code § 4220), "interest in any parcel" (Sts. & Hwys. Code § 4221), "parcels" (Sts. & Hwys. Code § 4222), "interests in the land" (Sts. & Hwys. Code § 4233), "property" (Sts. & Hwys. Code § 4235), "parcel of land" (Sts. & Hwys. Code § 4240), "lands" (Sts. & Hwys. Code § 4372)(Street Opening Act of 1903)

"real property, rights-of-way, easements or interests in real property" (Sts. & Hwys. Code § 10010), "land, rights of way, and easements" (Sts. & Hwys. Code § 10102), "land, real property, or rights-of-way" [for a city street](Sts. & Hwys. Code § 11101.5), "right or rights in real property" (Sts. & Hwys. Code § 11400)

"property or any interest therein. Any lands or property . . . in fee simple" [for parking districts] (Sts. & Hwys. Code § 31506(d)), "property" (Sts. & Hwys. Code § 31590), "fee simple title of any land" (Sts. & Hwys. Code § 31591), "any property" (Sts. & Hwys. Code § 31593), "land" (Sts. & Hwys. Code § 31705), "real property" (Sts. & Hwys. Code § 31852)

"property [of the grantee of a franchise](Pub. Util. Code § 6262)

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Public Entity

Property Interest That May Be Acquired

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CITIES cont.

Municipal Utility  
District

"property" (Pub. Util. Code § 12703), "real and personal  
property of every kind" (Pub. Util. Code § 12771)

"LOCAL AGENCIES"

"real property" [site for public buildings and grounds]  
(Govt. Code § 50333)

"lands and rights" [for federal purposes](Govt. Code  
§ 50366)

"property" [for airports] (Govt. Code § 50470)

"property" [for parking motor vehicles](Govt. Code  
§ 54031)

"any enterprise" (Govt. Code § 54340), "any real or  
personal property, or any interest in or improvement on  
any such property, or any water rights for an enterprise"  
(Govt. Code § 54341)

MISCELLANEOUS

SPECIAL DISTRICTS

Benefit Assessment  
Improvement District

"lands" (Water Code § 75230)

Cemetery Authority

"roadways, alleys, walks, avenues, driveways, streets  
and parks" [for preserving cemeteries](Health & Saf.  
Code § 8715)

Community Redevelopment  
Agency

"all or part of the real property" (Health & Saf. Code  
§ 33342), "real property" (Health & Saf. Code §§ 33367,  
33391(b)), "property" (Health & Saf. Code § 33395)

County Board of  
Education

"the site or sites" [for buildings for a natural  
resource conservation school](Educ. Code § 6726)

Housing Authority

"real property" (Health & Saf. Code § 36059(i))

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Public Entity	Property Interest That May Be Acquired
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MISCELLANEOUS  
SPECIAL DISTRICTS cont.

Joint Sanitation Projects	"property" (Govt. Code § 55003)
Public Utility	"real property" (Pub. Util. Code § 600)
Railroad Corporations	"lands" (Pub. Util. Code § 7526), "rights of way" [for additional track or tracks](Pub. Util. Code § 7533), "right of way over the one for the use of the other road" (Pub. Util. Code § 7535), "lands" [for relocation of road or highway](Pub. Util. Code § 7536)
Renewal Area Agency	"property" [for rebuilding](Health & Saf. Code §§ 33703, 33719, 33721, 33723)
Sewer District	"lands, rights of way, or other property" (Health & Saf. Code § 5001)
School Districts	"any real or personal property" and "property or any right or interest therein" [for junior colleges](Educ. Code § 25545.03)

MISCELLANEOUS  
DIVERSIFIED AUTHORITY

"any state agency"	"water or property" and "right to use such property" (Water Code § 11586)
"state departments"	"fee or any lesser interest, development right, easement, covenant or other contractual right" (Govt. Code § 7001)
"any political subdivision"	"lands, property, and rights of any character whatsoever" and "lands, property, and rights of any character" (Pub. Util. Code § 1403), "lands, property, and rights" (see Pub. Util. Code §§ 1405, 1413, 1419, 1421)
"municipal corporation or other public agency"	"property" and "such oil production properties or facilities" and "the property" [for the maintenance of such pressures as will ameliorate subsidence](Pub. Res. Code § 3341)
"public agency"	"fee title of an entire parcel of land" (Govt. Code § 51295)

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Public Entity

Property Interest That May Be Acquired

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MISCELLANEOUS

DIVERSIFIED AUTHORITY cont.

- "State or any county, city and county, incorporated city or town, municipal water district, irrigation district or other public corporation or district" "any property" (Cal. Const. Art. 12, § 23a)
- "State or any of its cities or counties" "lands" [for memorial grounds](Cal. Const. Art 1, § 14 1/2)
- "state, city, city and county, municipal water district, irrigation district, lighting district, political subdivision, or any person" "property" (Water Code § 1007), "rights and property" (Water Code § 1392), "property" (Water Code § 1463), "rights and property" (Water Code § 1629), "property" (Water Code § 1631)
- "state, city, county including bridge and highway district and joint highway district" "toll roads, or toll bridges" (Sts. & Hwys. Code §§ 30812, 30813)
- "State, or a county, or a municipal corporation, or metropolitan water district, municipal utility district, municipal water district, drainage, irrigation, levee, reclamation or water conservation district, or similar public corporation" and "any person, firm, company or corporation" "right of way or lands" [for reservoir purposes], "property" [for a railroad] (Cal. Const. Art. 1, § 14)
- "school district . . . with . . . any public agency" joint acquisition of real property as a single parcel (Educ. Code § 15007.5)

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Public Entity

Property Interest That May Be Acquired

MISCELLANEOUS

DIVERSIFIED AUTHORITY cont.

city, county, or  
city and county

"property of any public utility" (Pub. Util. Code § 6267)

"properties" [for repressuring], "land, including oil  
and gas rights therein, and personal property" and  
"properties" (Pub. Res. Code § 3320.1)

"real or personal property, with or without improvements"  
(Mil. & Vets. Code § 439)

"lands" [for public parks, or public boulevards, or both]  
(Pub. Res. Code § 5301)

"air right, air navigation easement or other estate or  
interest in the property or nonconforming structure"  
and "any easement or estate or interest therein"  
[in lieu of airport zoning regulations](Govt. Code  
§ 50485.13)

"interests in public square" and "titles, reversions,  
easements, or other interest in or to the public square"  
(Govt. Code § 50531)

"city, county, city  
and county and  
municipal corpora-  
tions"

"land, rights-of-way or easements" and "sewage disposal  
facilities" and "drainage systems or facilities" and  
"payment of all amounts necessary to eliminate liens"  
(Sts. & Hwys. Code § 5023.1), "premises damaged"  
(Sts. & Hwys. Code § 6121)

"reclamation district,  
levee district,  
drainage district, or  
municipal corporation"

"any right of way or other easement" [for controlling  
flood waters](Water Code § 8995)

"Department of Water  
Resources, Parks and  
Recreation, Fish and  
Game, and Finance, of  
the State of California"

"the fee or any lesser interest or right in real property"  
[for protection of specified land of scenic value]  
(Govt. Code § 7000)

"State or some municipal  
or public corporation"

"all property" [used in franchise](Pub. Util. Code § 6264)