

#36.23

4/17/70

Memorandum 70-40

Subject: Study 36.23 - Condemnation (The Right to Take--Extraterritorial Condemnation)

In Memorandum 70-39 (sent 4/10/70), the staff recommended codification of the general case law developed rule that extraterritorial condemnation authority exists only where expressly conferred by or necessarily implied from other powers conferred upon the public entity. We also recommended that no effort be made to adjust the statutes dealing with this problem.

Attached are two tables--Table VII and Table VIIa. These tables list the extraterritorial condemnation authorizations that the staff has found in its review of the California condemnation statutes. A review of these statutes by the staff indicates that it is a sound decision not to attempt to review each agency to determine whether it should be given express statutory authority for extraterritorial condemnation.

Respectfully submitted,

John H. DeMouilly  
Executive Secretary

TABLE VII. SPECIAL DISTRICTS: EXTRATERRITORIAL  
CONDEMNATION AUTHORITY

| District  | Acquisition Authority  | Limitations  |
|---|--|--|
| Air pollution control districts--Health & Saf. Code §§ 24198-24341  | No condemnation authority  | No condemnation authority  |
| Airport districts-- <u>see</u> California airport districts below   |  |  |
| Alameda County Flood Control and Water Conservation District--1949:1275, Water Code App. §§ 55-1 to 55-39           | <u>condemn</u> "within or without the district" (§55-5(4))               | consent of board of supervisors of affected county required (§ 55-5(13)) |
| Alameda County Water District--1961:1942 (additional powers granted to district organized as county water district) | acquire "within or outside the district" (§ 4(a))                        | consent of board of supervisors of affected county required (§ 4(d))     |
| Alpine County Water Agency--1961:1896, Water Code App. §§ 102-1 to 102-56   | "within or without the district by <u>condemnation</u> " (§ 102-7)       | consent of board of supervisors of affected county required (§ 102-7)    |
| Amador County Water Agency--1959:2137, Water Code App. §§ 95-1 to 95-29   | "within or without the agency by <u>condemnation</u> " (§ 95-3.4)        | consent of board of supervisors of affected county required (§ 95-3.4)   |
| American River Flood Control District--1927:808, Water Code App. §§ 37-1 to 37-31                                   | Not specified  | Not specified  |
| American River Reclamation District No. 1--1909:728, repealed with savings clause 1953:1006                         | No condemnation authority  | No condemnation authority  |
| Antelope Valley-East Kern Water Agency--1959:2146, Water Code App. §§ 98-49 to 98-96                                | Not specified  | consent of board of supervisors of affected county required (§98-61(7))  |
| Avenal Community Services District--1955:1702, Govt. Code § 61610   | "within or without the district by . . . <u>condemnation</u> " (§ 61610) | Not specified  |

| District   | Acquisition Authority  | Limitations   |
|--|--|---|
| Bay Area Pollution Control<br>District--Health & Saf. Code<br>§§ 24345-24374   | No condemnation<br>authority   | No condemnation<br>authority  |
| Bayside Reclamation District--<br>1927:792, repealed with savings<br>clause 1953:1005  | <u>condemn</u> specified<br>property "within<br>the district" (§ 9)                                    | Not specified   |
| Bear River District No. 1--<br>1877-78:470, repealed with<br>savings clause 1953:1015  | No condemnation<br>authority   | No condemnation<br>authority  |
| Bethel Island Municipal Improve-<br>ment District--1960 (1st Ex.<br>Sess.):22  | <u>condemn</u> "within but<br>not without the<br>county in which the<br>district is located"<br>(§ 80) | consent of board of<br>supervisors of<br>affected county<br>required (§ 81) |
| Bighorn Mountains Water<br>Agency--1969:1175, Water Code<br>App. §§ 112-1 to 112-54  | take "within or without<br>the Bighorn Mountains<br>Water Agency"<br>(§ 112-15(4))                     | Not specified   |
| Boulevard districts--Sts.&<br>Hwys. Code §§ 26000-26260  | <u>condemn</u> "within the<br>district" (§ 26113(b))   | Not specified   |
| Brannan-Andrus Levee Maintenance<br>District--1967:910, Water Code<br>App. §§ 106-1 to 106-17, Water<br>Code §§ 50910, 50930 | Not specified  | Not specified   |
| Bridge and highway districts--<br>Sts. & Hwys. Code §§ 27000-<br>27325   | take "within or<br>without the district"<br>(§ 27165)  | Not specified   |
| Brisbane County Water District--<br>1950 (1st Ex. Sess.):13,<br>Water Code App. §§ 57-1 to 57-7<br>Water Code §§ 31040-31132 | Not specified  | Not specified   |
| California airport districts--<br>Pub. Util. Code §§ 22001-22908   | Not specified  | Not specified   |
| California water districts--<br>Water Code §§ 34000-38501  | <u>condemn</u> "within or<br>without the district"<br>in the State" (§ 35600)                          | Not specified   |

| District   | Acquisition Authority   | Limitations   |
|--|---|---|
| California water storage districts--Water Code §§ 39000-48401                  | acquire "within or without the boundaries of the district" (§ 43500)  | Consent of board of supervisors of affected county required (§ 43532.5)   |
| Citrus pest control districts--Agri. Code §§ 8401-8759                         | take "within or without the district" (§ 8551(c))   | Not specified   |
| City maintenance districts--Sts. & Hwys. Code § 10108                          | No condemnation authority   | No condemnation authority   |
| City of Marysville Levee District--1875-76:134                                 | <u>Condemn</u> "within the boundaries of said city, or any land either in the city or in the county of Yuba, outside the city" (§ 8)  | Not specified   |
| Community Land Chest Corporations--Health & Saf. Code § 35130 <u>et seq.</u>   | No condemnation authority   | No condemnation authority   |
| Community Redevelopment Agencies--Health & Saf. Code §§ 33390-33396            | "within the survey area or for purposes of redevelopment . . . by <u>eminent domain</u> " (§ 33391)   | Not specified   |
| Community services districts--Govt. Code §§ 61000-61802                        | <u>condemn</u> "within or without the district" (§ 61610)   | Not specified   |
| Conservancy districts--1919:332, repealed with savings clause 1953:1023        | take "within or without such district" (§ 6), <u>condemn</u> certain property "in or out of said district" (§ 14), " <u>condemn</u> within or without said district" (§ 17) | "provided . . . the approval of the officer or officers in charge of public highways be first had before any public highway, alley, lane or bridge or appurtenance thereto be in any manner interfered with" (§ 14) |
| Contra Costa County Water Agency--1957:518<br>Water Code App. §§ 80-1 to 80-27 | "within the agency by <u>condemnation</u> " (§ 80-10)   | Not specified   |

| District   | Acquisition Authority  | Limitations               |
|--|--|---------------------------|
| Contra Costa County Flood Control and Water Conservation District--1951:1617, Water Code App. §§ 63-1 to 63-36 | " <u>eminent domain . . . within or without said district</u> " (§ 63-5(13)) | Not specified             |
| Contra Costa County Storm Drainage District--1953:1532 Water Code App. §§ 69-1 to 69-43                        | " <u>eminent domain within the district</u> " (§ 69-7)                       | Not specified             |
| Corporations to administer libraries--Educ. Code § 28706   | No condemnation authority  | No condemnation authority |
| Costa Mesa County Water District(merger)--Water Code §§ 33200-33250  | hold, etc. "within or without the district" (§ 31041)                        | Not specified             |
| Cotton pest abatement districts--Agri. Code §§ 6051-6084   | take "within or without the district" (§ 6062)                               | Not specified             |
| County drainage districts--Water Code §§ 56000-56130   | take "within or without the district" (§ 56041)                              | Not specified             |
| County flood control districts--Water Code § 8110  | Not specified  | Not specified             |
| County free library taxing districts--Educ. Code §§ 27151-27166  | No condemnation authority  | No condemnation authority |
| County maintenance districts--Sts. & Hwys. Code §§ 5820-5856   | No condemnation authority  | No condemnation authority |
| County power pumping districts--1915:745, repealed with savings clause 1953:1022                               | Not specified  | Not specified             |
| County recreation districts--former Pub. Res. Code § 5439  | Not specified  | Not specified             |

| District  | Acquisition Authority  | Limitations  |
|---|--|--|
| County sanitation districts--<br>Health & Saf. Code<br>§§ 4700-4858   | acquire certain specified properties<br>"within or without<br>the district" (§ 4741) | shall not "acquire"<br>land for "refuse<br>transfer or disposal"<br>without consent of city<br>council or county<br>board of supervisors of affected<br>city or county<br>(§ 4741) |
| County sewerage and water<br>districts--Health & Saf.<br>Code §§ 5500-5656 (pro-<br>visions repealed except<br>for Section 5617 without<br>affecting existing<br>districts) | Not specified  | Not specified  |
| County water authorities--<br>1943:545, Water Code App.<br>§§ 45-1 to 45-16   | take "within or with-<br>out the authority"<br>(§ 45-5(4))                           | Not specified  |
| County water districts--<br>Water Code §§ 30000-33901   | hold, etc., property<br>"within or without<br>the district"<br>(§ 31041)             | Not specified  |
| County waterworks districts--<br>Water Code §§ 55000-55991  | Not specified  | Not specified  |
| Crestline-Lake Arrowhead Water<br>Agency--1962 (1st Ex. Sess.):40<br>Water Code App. §§ 104-1 to<br>104-46  | Not specified  | consent of board of<br>supervisors of<br>affected county<br>required (§ 104-11(9))   |
| Del Norte County Flood Control<br>District--1955:166, Water<br>Code App. §§ 72-1 to 72-36   | " <u>eminent domain</u> . . .<br>within or without<br>said district"<br>(§ 72-7)     | Not specified  |

| District   | Acquisition Authority   | Limitations   |
|--|---|---------------|
| Delta Water Agency--1968:419<br>Water Code App. §§ 108-1.1<br>to 108-10.2                                | take "within or<br>without the agency"<br>(\$ 108-4.2(d))   | Not specified |
| Desert Water Agency--1961:1069<br>Water Code App. §§ 100-1 to<br>100-54                                  | no power of eminent<br>domain outside agency<br>except for certain<br>facilities partially<br>within and partially<br>without the boundaries<br>of the agency<br>(\$ 100-15(9)) | Not specified |
| District agricultural associ-<br>ations--Agri. Code §§ 4002,<br>4051, 4054                               | Not specified   | Not specified |
| Donner Summit Public Utility<br>District--1950 (1st Ex.<br>Sess.):15, Water Code App.<br>§§ 58-1 to 58-6 | Not specified   | Not specified |
| Drainage districts (Act of<br>1880)--1880:227, repealed<br>with savings clause 1953:<br>1021             | <u>Condemn</u> "within or with-<br>out the boundaries of<br>the district" (§ 11)  | Not specified |
| Drainage districts (Act of<br>1897)--1897:228, repealed<br>with savings clause 1953:<br>1020             | Not specified   | Not specified |
| Drainage districts (Act of<br>1923)--1923:102, repealed<br>with savings clause 1953:<br>1019             | Not specified   | Not specified |
| Drainage districts (Law of<br>1885)--1885:158, Water Code<br>App. §§ 5-1 to 5-21                         | "may take . . . outside<br>of as well as in the<br>limits of said<br>district" (§ 18)   | Not specified |
| Drainage districts (Law of<br>1903)--1903:238, Water<br>Code App. §§ 8-1 to 8-134                        | Not specified   | Not specified |

| District  | Acquisition Authority  | Limitations  |
|---|--|--|
| Drainage districts (Law of 1919)--1919:354, Water Code App. §§ 31-1 to 31-27              | Not specified  | Not specified  |
| El Dorado County Toll Tunnel Authority--Sts. & Hwys. Code §§ 31100-31246                  | Not specified  | Not specified  |
| El Dorado County Water Agency--1959:2139, Water Code App. §§ 96-1 to 96-104               | "within the agency by <u>condemnation</u> "<br>(\$ 96-8)   | Not specified  |
| Embarcadero Municipal Improvement District--1960 (1st Ex. Sess.):81                       | <u>condemnation</u> "within but not without the district" (\$ 81) acquire "within or without the district" (\$ 80) | consent of board of supervisors of affected county required (\$ 82)                          |
| Estero Municipal Improvement District--1960 (1st Ex. Sess.): 82                           | <u>condemnation</u> "within but not without the district" (\$ 81) acquire "within or without the district" (\$ 80) | consent of board of supervisors of affected county required (\$ 82)                          |
| Fairfield-Suisun Sewer District--1951:303   | Not specified  | Not specified  |
| Fire protection districts (Law of 1961)--Health & Saf. Code §§ 13801-13999                | "take . . . within the district" (\$ 13852(b))   | consent of board of governors of affected county required [for eminent domain] (\$ 13852(c)) |
| Flood control and water conservation districts--1931:641 Water Code App. §§ 38-1 to 38-13 | Not specified  | Not specified  |
| Folsom Lake Bridge Authority--Sts. & Hwys. Code §§ 30910-31041                            | Not specified  | Not specified  |



| District   | Acquisition Authority                             | Limitations  |
|--|---|--|
| Fresno Metropolitan Flood Control Act--1955:503, Water Code App. §§ 73-1 to 73-46                  | Not specified                                     | Not specified  |
| Fresno Metropolitan Transit District--1961:1932, Pub. Util. Code App. 2 §§ 1.1 to 11.1             | condemn "within or without the district" (§ 6.15) | consent of board of supervisors of affected county required (§ 6.3)  |
| Garbage and refuse disposal districts--Health & Saf. Code §§ 4170-4187                             | Not specified                                     | Not specified  |
| Garbage disposal districts--Health & Saf. Code §§ 4100-4135  | Not specified                                     | Not specified  |
| Guadalupe Valley Municipal Improvement District--1959:2037   | Not specified                                     | consent of board of supervisors of affected county required (§ 80.5) |
| Harbor districts--Harb. & Nav. Code §§ 6000-6110   | take "within or without the district" (§ 6074)    | Not specified  |
| Harbor improvement districts--Harb. & Nav. Code §§ 5800-5945                                       | take "within or without the district" (§ 5900.3)  | Not specified  |
| Highway interchange districts--Govt. Code §§ 66400-66403   | No condemnation authority                         | No condemnation authority  |
| Highway lighting districts--Sts. & Hwys. Code §§ 19000-19327                                       | No condemnation authority                         | No condemnation authority  |
| Horticultural Development Districts (Act of 1933)--1933:388, repealed with savings clause 1953:335 | No condemnation authority                         | No condemnation authority  |
| Horticultural protection districts--1935:756   | Not specified                                     | Not specified  |

| District   | Acquisition Authority  | Limitations  |
|--|--|--|
| Housing authorities--Health & Saf. Code §§ 34200-34402   | Not specified  | Not specified  |
| Humboldt County Flood Control District--1945:939, Water Code App. §§ 47-1 to 47-36   | " <u>eminent domain . . . within or without said district</u> " (§ 47-7) | Not specified  |
| Hunters Point Reclamation District--1955:1573, Water Code App. §§ 78-1 to 78-17, Water Code §§ 50910, 50930  | Not specified  | Not specified  |
| Irrigation districts--Water Code §§ 20500-29978  | Not specified  | Not specified  |
| Joint county jail districts--Penal Code §§ 4050-4067   | No condemnation authority  | No condemnation authority  |
| Joint county road camp districts--Penal Code §§ 4200-4227  | No condemnation authority  | No condemnation authority  |
| Joint highway districts--Sts. & Hwys. Code §§ 25000-25521  | Not specified  | Not specified  |
| Joint municipal sewage disposal districts--Health & Saf. Code §§ 5700-5830.08 (provisions repealed except for Section 5745 without affecting existing districts) | Not specified  | Not specified  |
| Joint powers contract agencies--Govt. Code §§ 6500-6514  | Not specified  | Not specified  |
| Kern County Water Agency--1961: 1003, Water Code App. §§ 99-1 to 99-29   | "within or without the agency by <u>condemnation</u> " (§ 99-3.4)        | consent of board of supervisors of affected county required (§ 99-3.4) |
| Kings River Conservation District--1951:931, Water Code App. §§ 59-1 to 59-51  | Not specified  | Not specified  |

| District   | Acquisition Authority  | Limitations   |
|--|--|---|
| Knights Landing Ridge Drainage District--1913:99, Water Code App. §§ 21-1 to 21-13                               | <u>condemn</u> "outside or within the limits of the district" (§ 21-5)                   | Not specified   |
| Lake County Flood Control and Water Conservation District--1951:1544, Water Code App. §§ 62-1 to 62-41           | " <u>eminent domain</u> . . . within or without said district" (§ 65-5(12))              | consent of governing board of affected county required (§ 65-5(12)) |
| Lake Cuyamaca Recreation and Park District--1961:1654  | " <u>eminent domain</u> . . . within the territory" (§ 35(c))                            | consent of supervising authority required (§ 35(c))                 |
| Lassen-Modoc County Flood Control and Water Conservation District--1959:2127, Water Code App. §§ 92-1 to 92-38   | <u>eminent domain</u> "only as against property located within the district" (§ 92-3(f)) | Not specified   |
| Levee districts--1905:310 Water Code App. §§ 9-1 to 9-25   | Not specified  | Not specified   |
| Levee districts (Law of 1959)--Water Code §§ 70000-70272   | Not specified  | Not specified   |
| Library districts--Educ. Code §§ 27751-27963   | No condemnation authority  | No condemnation authority   |
| Library districts in unincorporated towns and villages--Educ. Code §§ 27501-27707                                | No condemnation authority  | No condemnation authority   |
| Limited dividend housing corporations--Health & Saf. Code § 34874 <u>et seq.</u>                                 | Not specified  | Not specified   |
| Local health districts--Health & Saf. Code §§ 880-972 (provisions repealed without affecting existing districts) | purchase, etc., "within and without the limits of the district" (§ 936)                  | Not specified   |
| Local hospital districts--Health & Saf. Code §§ 32000-32492  | purchase, etc., "within the limits of the district" (§ 32121)                            | Not specified   |

| District   | Acquisition Authority   | Limitations                  |
|--|---|------------------------------|
| Local planning agencies--<br>Govt. Code §§ 65100-<br>65700   | No condemnation<br>authority  | No condemnation<br>authority |
| Los Angeles County Flood<br>Control District--1915:755<br>Water Code App. §§ 28-1 to<br>28-23                        | "within or without the<br>boundaries of said<br>district by . . .<br><u>condemnation</u> " (§ 28-16)                    | Not specified                |
| Los Angeles County Toll Tunnel<br>Authority--Sts. & Hwys. Code<br>§§ 31300-31332                                     | No condemnation<br>authority  | No condemnation<br>authority |
| Lower San Joaquin Levee<br>District--1955:1075   | Not specified   | Not specified                |
| Madera County Flood Control and<br>Water Conservation Agency--<br>1969:916, Water Code App.<br>§§ 110-100 to 110-950 | " <u>eminent domain</u> . . .<br>within or without said<br>agency" (§110-650)   | Not specified                |
| Marin County Flood Control and<br>Water Conservation District--<br>1953:666, Water Code App.<br>§§ 68-1 to 68-36     | " <u>eminent domain</u> , within<br>or without said district"<br>(§ 68-5(13))   | Not specified                |
| Marin County Transit District--<br>Pub. Util. Code §§ 70000-<br>80019  | <u>condemn</u> "within the<br>boundaries of the<br>district" (§ 70162)<br>"within or without the<br>district" (§ 70175) | Not specified                |
| Mariposa County Water Agency--<br>1959:2036, Water Code App.<br>§§ 85-1 to 85-25                                     | "within or without the<br>agency by <u>condemnation</u> "<br>(§85-3.4)  | Not specified                |
| Memorial districts--Mil. & Vets.<br>Code §§ 1170-1259  | Not specified   | Not specified                |
| Mendocino County Flood Control<br>and Water Conservation<br>District--1949:995, Water<br>Code App. §§ 54-1 to 54-113 | <u>condemn</u> "within or with-<br>out the district"<br>(§ 54-3(e))   | Not specified                |

| District   | Acquisition Authority   | Limitations   |
|--|---|---|
| Metropolitan water districts--<br>1969:209, Water Code App.<br>§§ 109-1 to 109-551                                   | take "within or without<br>the district and within<br>and without the State"<br>(\$ 109-140)  | Not specified   |
| Mojave Water Agency--1959:2146<br>Water Code App. §§ 97-1 to<br>97-38  | "within the agency by <u>con-</u><br><u>demnation</u> " and "In no<br>event shall the agency<br>have or exercise the<br>power of eminent domain<br>with respect to property<br>situated outside the<br>boundaries of the agency."<br>(\$ 97-14) | Not specified   |
| Montalvo Municipal Improvement<br>District--1955:549   | Not specified   | Not specified   |
| Monterey County Flood Control<br>and Water Conservation Dis-<br>trict--1947:699, Water Code<br>App. §§ 52-1 to 52-36 | " <u>eminent domain</u> . . .<br>within or without said<br>district" (\$ 52-6)  | condemnation outside<br>district for recre-<br>ation purposes re-<br>quires consent of<br>board of supervisors<br>of affected county<br>(\$ 52-4) |
| Monterey Peninsula Airport<br>District--1941:52  | Not specified   | Not specified   |
| Mormon Slough Reclamation<br>District--1871:72:481,<br>repealed with savings<br>clause 1953:1004                     | Not specified   | Not specified   |
| Mosquito abatement districts--<br>Health & Saf. Code §§ 2200-<br>2360  | Not specified   | Not specified   |
| Mt. San Jacinto Winter Park<br>Authority--1945:1040  | <u>condemn</u> "within the<br>territorial limits of<br>the authority as de-<br>fined in Section 3.3"<br>(\$ 4.8)  | Not specified   |

| District   | Acquisition Authority   | Limitations  |
|--|---|--|
| Mountain View Shoreline<br>Regional Park Community--<br>1969:1109  | <u>eminent domain</u> "within<br>its boundaries" (§ 51)           | consent of board of<br>supervisors of un-<br>incorporated por-<br>tions of the com-<br>munity required<br>(§ 51) |
| Municipal corporation tunnel<br>authorities--1951:1347   | take "within or without<br>the authority" (§ 7(4))                | Not specified  |
| Municipal lighting maintenance<br>districts--Sts. & Hwys. Code<br>§§ 18600-18781                               | No condemnation<br>authority                                      | No condemnation<br>authority   |
| Municipal Sewer and Water Facil-<br>ities Law of 1911--Health &<br>Saf. Code §§ 4600-4648                      | Not specified   | Not specified  |
| Municipal sewer districts of<br>1939--1939:24 (provisions<br>repealed without affecting<br>existing districts) | No condemnation<br>authority                                      | No condemnation<br>authority   |
| Municipal utility districts--<br>Pub. Util. Code §§ 11501-14401  | <u>condemn</u> "within or with-<br>out the district"<br>(§ 12771) | Not specified  |
| Municipal Utility District--<br>Pub. Util. Code §§ 13451-<br>13691   | No condemnation<br>authority                                      | No condemnation<br>authority   |
| Municipal water districts (Act<br>of 1909)--1909:724, repealed<br>with savings clause 1953:1011                | take "within or without<br>the district" (§ 12(4))                | Not specified  |
| Municipal water districts (Act<br>of 1911)--Water Code §§ 71000-<br>73001                                      | Not specified   | consent of board of<br>supervisors of affect-<br>ed county required<br>(§ 71694)                                 |
| Municipal water districts (Act<br>of 1935)--1935:78, Water Code<br>App. §§ 41-1 to 41-13                       | No condemnation<br>authority                                      | No condemnation<br>authority   |

| District  | Acquisition Authority  | Limitations  |
|---|--|--|
| Yuba County Flood Control and Water Conservation District-- 1951:1449, Water Code App. §§ 61-1 to 61-37 | <u>"eminent domain . . . within or without said district"</u> (§ 61-6)   | Not specified  |
| Nevada County Water Agency-- 1959:2122, Water Code App. §§ 90-1 to 90-56                                | <u>"eminent domain . . . within or without the agency"</u> (§ 90-7)  | consent of board of supervisors of affected county required (§ 90-7)   |
| North Lake Tahoe-Truckee River Sanitation Agency--1967:1503 Water Code App. §§ 107-1 to 107-600         | <u>condemn "inside or outside its boundaries"</u> (§ 146)  | consent of board of supervisors of affected county required (§ 146)  |
| Olivehurst Public Utility District--1950 (1st Ex. Sess.):12, Water Code App. §§ 56-1 to 56-7            | Not specified  | Not specified  |
| Open Space Maintenance Districts-- Govt. Code §§ 50575-50628  | No condemnation authority  | No condemnation authority  |
| Orange County Flood Control District--1927:723, Water Code App. §§ 36-1 to 36-23                        | <u>"eminent domain . . . within or without said district"</u> (§ 36-2(6))<br><u>"within or without the boundaries of said district, by . . . condemnation"</u> (§ 36-16) | "no right to take by condemnation any property shall exist on behalf of said district of a greater distance than 15 miles outside the exterior boundaries thereof" (§ 36-16) |
| Orange County Transit District-- Pub. Util. Code §§ 40000-40617   | <u>condemn "within the boundaries of the district"</u> (§ 40162) "within or without the district" (§ 40175)  | Not specified  |
| Orange County Water District-- 1933:924, Water Code App. §§ 40-1 to 40-78                               | <u>condemnation "within or without the district"</u> (§ 40-39)   | Not specified  |

| District   | Acquisition Authority   | Limitations  |
|--|---|--|
| Overflow Districts--1911:718,<br>repealed with savings clause<br>1953:1010   | condemn "whether said<br>land or material is<br>outside of, or within,<br>the limits of the<br>district" (§ 30) | Not specified  |
| Palo Verde Irrigation District--<br>1923:452, Water Code App.<br>§§ 33-1 to 33-77  | Not specified   | Not specified  |
| Park, recreation and parkway<br>districts--former Pub. Res.<br>Code § 5658 <u>et seq.</u> (re-<br>organized, see Pub. Res. Code<br>§ 5780) | No condemnation<br>authority  | No condemnation<br>authority   |
| Parking authorities--Sts. & Hwys.<br>Code §§ 32500-33552   | purchase, etc. "within<br>or outside the city"<br>(§ 32802(a))  | consent of affected<br>"state public body"<br>required (§ 32802(a))                |
| Parking districts--Sts. & Hwys.<br>Code §§ 35100-35708   | Not specified   | Not specified  |
| Permanent road divisions--Sts.<br>& Hwys. Code §§ 1160-1197  | No condemnation<br>authority  | No condemnation<br>authority   |
| Pest abatement districts--Health<br>& Saf. Code §§ 2800-2910   | Not specified   | Not specified  |
| Placer County Water Agency--<br>1957:1234, Water Code App.<br>§§ 81-1 to 81-25   | "within or without the<br>agency by <u>condemnation</u> "<br>(§ 81-3.4)   | consent of board of<br>supervisors of<br>affected county re-<br>quired (§ 81-3.4)  |
| Placer Mining Districts--Pub.<br>Res. Code §§ 2401-2512 (pro-<br>visions repealed without<br>affecting existing districts)                 | Not specified   | Not specified  |
| Planning districts--Govt. Code<br>§§ 66100-66390   | No condemnation<br>authority  | No condemnation<br>authority   |
| Plumas County Flood Control and<br>Water Conservation District--<br>1959:2114, Water Code App.<br>§§ 88-1 to 88-38                         | Not specified   | consent of board of<br>supervisors of<br>affected county re-<br>quired (§ 88-3(f)) |



| District   | Acquisition Authority                           | Limitations               |
|--|---|---------------------------|
| Police protection districts (in unincorporated territory)--Health & Saf. Code §§ 20300-20332 | No condemnation authority                       | No condemnation authority |
| Police protection districts (in unincorporated town)--Health & Saf. Code §§ 20000-20115      | No condemnation authority                       | No condemnation authority |
| Port districts--Harb. & Nav. Code §§ 6200-6372   | take "within or without the district" (§ 6294)  | Not specified             |
| Protection districts (Act of 1880)--1880:63, Water Code App. §§ 4-1 to 4-18                  | Not specified                                   | Not specified             |
| Protection districts (Act of 1895)--1895:201, Water Code App. §§ 6-1 to 6-29                 | Not specified                                   | Not specified             |
| Protection districts (Act of 1907)--1907:25, Water Code App. §§ 11-1 to 11-94                | Not specified                                   | Not specified             |
| Public cemetery districts--Health & Saf. Code §§ 8890-9309                                   | No condemnation authority                       | No condemnation authority |
| Public utility districts--Pub. Util. Code §§ 15501-17501                                     | take "within or without the district" (§ 16431) | Not specified             |
| Reclamation districts--Water Code §§ 50000-53660   | Not specified                                   | Not specified             |
| Reclamation District No. 10--1913:194, Water Code App. §§ 24-1 to 24-5                       | No condemnation authority                       | No condemnation authority |
| Reclamation District No. 70--1905:552, Water Code App. §§ 10-1 to 10-3                       | No condemnation authority                       | No condemnation authority |
| Reclamation District No. 252--1877-78:348, repealed with savings clause 1953:1009            | No condemnation authority                       | No condemnation authority |

| District   | Acquisition Authority   | Limitations                  |
|--|---|------------------------------|
| Reclamation District No. 254--<br>1877-78:567, repealed with<br>savings clause 1953:1008 | No condemnation<br>authority  | No condemnation<br>authority |
| Reclamation District No. 317--<br>1877-78:379, Water Code App.<br>§§ 3-1 to 3-6          | No condemnation<br>authority  | No condemnation<br>authority |
| Reclamation District No. 800--<br>1907:213, Water Code App.<br>§§ 12-1 to 12-3           | No condemnation<br>authority  | No condemnation<br>authority |
| Reclamation District No. 830--<br>1911:171, Water Code App.<br>§§ 15-1 to 15-3           | No condemnation<br>authority  | No condemnation<br>authority |
| Reclamation District No. 832--<br>1911:402, Water Code App.<br>§§ 16-1 to 16-3           | No condemnation<br>authority  | No condemnation<br>authority |
| Reclamation District No. 833--<br>1911:403, Water Code App.<br>§§ 17-1 to 17-4           | No condemnation<br>authority  | No condemnation<br>authority |
| Reclamation District No. 900--<br>1911:100, Water Code App.<br>§§ 14-1 to 14-3           | No condemnation<br>authority  | No condemnation<br>authority |
| Reclamation District No. 999--<br>1913:161, Water Code App.<br>§§ 23-1 to 23-3           | No condemnation<br>authority  | No condemnation<br>authority |
| Reclamation District No. 1000--<br>1911:412, Water Code App.<br>§§ 19-1 to 19-5          | <u>condemn</u> "within the<br>boundaries of said<br>district, or outside<br>thereof" (§ 19-2) | Not specified                |
| Reclamation District No. 1001--<br>1911:411, Water Code App.<br>§§ 18-1 to 18-5          | <u>condemn</u> "within the<br>boundaries of said<br>district, or outside<br>thereof" (§ 18-2) | Not specified                |
| Reclamation District No. 1400--<br>1913:384, repealed with sav-<br>ings clause 1953:1007 | No condemnation<br>authority  | No condemnation<br>authority |

| District  | Acquisition Authority  | Limitations  |
|---|--|--|
| Reclamation District No. 1500--<br>1913:100, Water Code App.<br>§§ 22-1 to 22-5                     | <u>condemn</u> "within the<br>boundaries of said<br>district, or outside<br>thereof" (§ 22-2)  | Not specified  |
| Reclamation District No. 1600--<br>1913:195, Water Code App.<br>§§ 25-1 to 25-2                     | No condemnation<br>authority   | No condemnation<br>authority                                   |
| Reclamation District No. 1660--<br>1915:591, Water Code App.<br>§§ 27-1 to 27-5                     | No condemnation<br>authority   | No condemnation<br>authority                                   |
| Reclamation District No. 2020--<br>1917:613, Water Code App.<br>§§ 29-1 to 29-3                     | No condemnation<br>authority   | No condemnation<br>authority                                   |
| Reclamation District No. 2031--<br>1919:338, Water Code App.<br>§§ 30-1 to 30-4                     | No condemnation<br>authority   | No condemnation<br>authority                                   |
| Recreation and park districts--<br>Pub. Res. Code §§ 5780-5788.13                                   | take "within or with-<br>out the district"<br>(\$ 5782.5(b)), <u>eminent</u><br><u>domain</u> . . . only<br>within the territory<br>of the district"<br>(\$ 5782.5(c)) | consent of supervising<br>authority required<br>(\$ 5782.5(c)) |
| Recreation and park districts<br>without power of eminent<br>domain--Pub. Res. Code<br>§§ 5790-5791 | No condemnation<br>authority   | No condemnation<br>authority                                   |
| Recreation, park and parkway<br>districts--former Pub. Res.<br>Code § 5402                          | Not specified  | Not specified  |
| Regional air pollution control<br>districts--Health & Saf. Code<br>§§ 39300-39570                   | No condemnation<br>authority   | No condemnation<br>authority                                   |
| Regional park districts--Pub.<br>Res. Code §§ 5500-5595   | <u>condemn</u> "within or with-<br>out the district"<br>(\$ 5540)  | Not specified  |

| District  | Acquisition Authority  | Limitations   |
|---|--|---|
| Regional planning districts--<br>Govt. Code §§ 65060-65069.5  | No condemnation<br>authority   | No condemnation<br>authority  |
| Regional sewage disposal dis-<br>tricts--Health & Saf. Code<br>§§ 5900-6110 (provisions re-<br>pealed except for § 6096<br>without affecting existing<br>districts) | "acquire . . . within<br>or without the region-<br>al district" (former<br>§ 5991) | Not specified   |
| Regional shoreline districts--<br>former Pub. Res. Code<br>§ 5719 <u>et seq.</u>  | <u>condemn</u> "within or with-<br>out the district"<br>(§ 5719)                   | Not specified   |
| Resort improvement districts--<br>Pub. Res. Code §§ 13000-13233   | Not specified  | Not specified   |
| River port districts--Harb. &<br>Nav. Code §§ 6800-6963   | take "within or with-<br>out the district"<br>(§ 6894)                             | Not specified   |
| Riverside County Flood Control<br>and Water Conservation Dis-<br>trict--1945:1122, Water Code<br>App. §§ 48-1 to 48-39  | " <u>eminent domain</u> . . .<br>within or without said<br>district" (§ 48-9)      | Not specified   |
| Sacramento County Levee District<br>No. 1--1877-78:551, repealed<br>with savings clause 1953:1014   | No condemnation<br>authority   | No condemnation<br>authority  |
| Sacramento County Water Agency--<br>1952 (1st Ex. Sess.):10, Water<br>Code App. §§ 66-1 to 66-31  | "within or outside the<br>agency by <u>condemna-<br/>tion</u> " (§ 66-3.4)         | consent of board of<br>supervisors of<br>affected county re-<br>quired (§ 66-3.4) |
| Sacramento River Drainage Dis-<br>trict--1877-78:643, repealed<br>with savings clause 1953:1018   | Not specified  | Not specified   |
| Sacramento River-West Side.<br>Levee District--1915:361, Water<br>Code App. §§ 26-1 to 26-11  | <u>condemn</u> "outside or with-<br>in the limits of the<br>district" (§ 26-5)     | Not specified   |

| District  | Acquisition Authority  | Limitations   |
|---|--|---|
| San Benito County Water Conservation and Flood Control District--1953:1598, Water Code App. §§ 70-1 to 70-40                | " <u>eminent domain</u> . . . within or without said district" (§ 70-8)  | Not specified   |
| San Bernardino County Flood Control District--1939:73 Water Code App. §§ 43-1 to 43-28                                      | " <u>eminent domain</u> . . . within or without said district" (§ 43-2(8))<br>"within or without the district" (§ 43-25) | Not specified   |
| San Diego County Flood Control District--1966 (1st Ex. Sess.): 55, Water Code App. §§ 105-1 to 105-48                       | " <u>eminent domain</u> within the County of San Diego, either within or without the district" (§ 105-6(12))             | Not specified   |
| San Diego County Transit District--Pub. Util. Code §§ 90000-93017   | <u>condemn</u> "within or without the district" (§ 90460)  | Not specified   |
| San Diego Unified Port District--1962 (1st Ex. Sess.):67 Harb. & Nav. Code App. 1 §§ 1-88                                   | Not specified  | Not specified   |
| San Francisco Bay Area Rapid Transit District--Pub. Util. Code §§ 28500-29757 (see also 1949:1239)                          | Not specified  | Not specified   |
| San Francisco Port Authority--Harb. & Nav. Code § 1775 <u>et seq.</u>   | Not specified  | Not specified   |
| San Geronio Pass Water Agency--1961:1435, Water Code App. §§ 101-1 to 101-52  | Not specified  | consent of board of supervisors of affected county required (§ 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 | " <u>eminent domain</u> within said district" (§ 79-5(13))   | Not specified   |
| Sanitary districts (Act of 1923)--Health & Saf. Code §§ 6400-6830   | <u>condemn</u> "within or without the limits of the district" (§ 6514)   | consent of board of supervisors of affected county required (§ 6514)      |

| District  | Acquisition Authority  | Limitations   |
|---|--|---|
| Sanitary district (Law of 1891)--<br>1891:161, repealed with savings<br>clause 1939:60; now Health &<br>Saf. Code § 6935                                  | <u>condemn</u> "within or with-<br>out the limits of the<br>district" (§ 5)      | Not specified   |
| San Luis Obispo County Flood Con-<br>trol and Water Conservation<br>District--1945:1294, Water Code<br>App. §§ 49-1 to 49-36.17                           | <u>"eminent domain</u> , either<br>within or without said<br>district" (§ 49-6)  | Not specified   |
| San Mateo County Flood Control<br>District--1959:2108, Water<br>Code App. §§ 87-1 to 87-35  | <u>"eminent domain . . .</u><br>within or without said<br>district" (§ 87-3(8))  | Not specified   |
| Santa Barbara County Flood Con-<br>trol and Water Conservation<br>District--1955:1057, Water<br>Code App. §§ 74-1 to 74-39                                | <u>"eminent domain . . .</u><br>within or without said<br>district" (§ 74-5(12)) | consent of board of<br>supervisors of<br>affected county re-<br>quired (§ 74-5.3) |
| Santa Barbara County Water<br>Agency--1945:1501, Water Code<br>App. §§ 51-1 to 51-19  | "within or outside the<br>agency by <u>condemnation</u> "<br>(§ 51-3.4)          | Not specified   |
| Santa Barbara Metropolitan<br>Transit District--Pub. Util.<br>Code §§ 95000-97100   | <u>condemn</u> "within or with-<br>out the district"<br>(§ 96090)                | Not specified   |
| Santa Clara County Flood Con-<br>trol and Water District--<br>1951:1405, Water Code App.<br>§§ 60-1 to 60-35  | <u>"eminent domain . . .</u><br>within or without said<br>district" (§ 60-6)     | Not specified   |
| Santa Clara County Irrigation<br>Districts--1923:479, repealed<br>with savings clause 1953:1002;<br>1921:822, repealed with sav-<br>ings clause 1953:1003 | Not specified  | Not specified   |
| Santa Clara County Rapid Transit<br>District--Pub. Util. Code<br>§§ 100000-100500   | <u>condemn</u> "within or with-<br>out the district"<br>(§ 100130)               | Not specified   |
| Santa Cruz County Flood Control<br>and Water Conservation Dis-<br>trict--1955:1489, Water Code<br>App. §§ 77-1 to 77-597                                  | <u>condemn</u> "within or with-<br>out the district or<br>county" (§ 77-41)      | Not specified   |

| District   | Acquisition Authority  | Limitations  |
|--|--|--|
| Santa Cruz Metropolitan Transit District--Pub. Util. Code §§ 98000-98407   | <u>condemn</u> "within or without the district" (§ 98233)                              | any action to acquire property or interest within an incorporated city or a county requires consent of legislative body of affected city or county (§ 98213) |
| Separation of grade districts-- Sts. & Hwys. Code §§ 8100-8297   | <u>condemn</u> "within the district" (§ 8145(c))                                       | Not specified  |
| Sewer districts in unincorporated territory (Act of 1899)-- Health & Saf. Code §§ 4659-4671 (provisions repealed without affecting existing districts) | No condemnation authority  | No condemnation authority  |
| Sewer maintenance districts-- Health & Saf. Code §§ 4860-4927  | Not specified  | Not specified  |
| Shasta County Water Agency-- 1957:1512, Water Code App. §§ 83-1 to 83-190  | <u>"eminent domain to acquire within or outside the agency"</u> (§ 83-65)              | consent of board of supervisors of affected county required (§ 83-65)  |
| Sierra County Flood Control and Water Conservation District-- 1959:2123, Water Code App. §§ 91-1 to 91-38  | Not specified  | consent of board of supervisors of affected county required (§ 91-3(f))  |
| Siskiyou County Flood Control and Water Conservation District-- 1959:2121, Water Code App. §§ 89-1 to 89-38  | <u>eminent domain</u> "only as against property located within the county" (§ 89-3(f)) | Not specified  |
| Small craft harbors districts-- Harb. & Nav. Code §§ 7000-7340   | take "within or without the district" (§ 7146)   | consent of governing body of the affected county or city required (§ 7147)   |
| Soil conservation districts-- Pub. Res. Code §§ 9074-9953  | No condemnation authority  | No condemnation authority  |

| District  | Acquisition Authority  | Limitations  |
|---|--|--|
| Solano County Flood Control and Water Conservation District--1951:1656, Water Code App. §§ 64-1 to 64-20.4  | acquire "within the district by <u>condemnation</u> " (§ 64-3.4)   | Not specified  |
| Solvang Municipal Improvement District--1951:1635   | take "within or without the district" (§ 44)   | Not specified  |
| 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) | <u>condemn</u> "within or without the district" (53-3(e))  | Not specified  |
| Southern California Rapid Transit District--Pub. Util. Code §§ 30000-31520  | <u>condemn</u> "within or without the district" (§ 30600)  | Not specified  |
| Special road maintenance districts--Sts. & Hwys. Code §§ 1550.1-1550.3  | No condemnation authority  | No condemnation authority  |
| Stockton Metropolitan Transit District--Pub. Util. Code §§ 50000-50507  | <u>condemn</u> "within or without the district" (§ 50175)  | any action to acquire property or interest therein within an incorporated city or a county requires consent of legislative body of affected city or county (§ 50162) |
| Storm drain maintenance districts--1937:265, Water Code App. §§ 42-1 to 42-22   | Not specified  | Not specified  |
| Storm drain maintenance district (Act of 1939)--1939:1100, repealed with savings clause 1953:1101   | "none of the work herein contemplated to be done shall be performed outside the boundaries of the district" (§ 10) | Not specified  |
| Storm water districts--1909:222, Water Code App. §§ 13-1 to 13-30   | Not specified  | Not specified  |



| District  | Acquisition Authority   | Limitations               |
|---|---|---------------------------|
| Street lighting districts (Act of 1919)--Sts. & Hwys. Code §§ 18000-18193                                 | No condemnation authority   | No condemnation authority |
| Street lighting districts (Act of 1931)--Sts. & Hwys. Code §§ 18300-18440                                 | No condemnation authority   | No condemnation authority |
| Student transportation districts-- Educ. Code §§ 16951-16978  | No condemnation authority   | No condemnation authority |
| Surplus Property Authority-- Govt. Code §§ 40500-40592  | No condemnation authority   | No condemnation authority |
| Sutter County Levee District No. 1--1873-74:349, Water Code App. §§ 1-1 to 1-12                           | Not specified   | Not specified             |
| Sutter County Levee District No. 2--1875-76:299, repealed with savings clause 1953:1013                   | No condemnation authority   | No condemnation authority |
| Sutter County Levee District No. 6--1891:166, repealed with savings clause 1953:1012                      | No condemnation authority   | No condemnation authority |
| Sutter County Water Agency-- 1959:2088, Water Code App. §§ 86-1 to 86-28                                  | "acquire within the agency by <u>condemnation</u> " (§ 86-3.4)                  | Not specified             |
| Swamp Land District No. 150-- 1873-74:629, Water Code App. §§ 2-1 to 2-7                                  | No condemnation authority   | No condemnation authority |
| Swamp Land, Levee, or Reclamation Districts--1909:346, repealed with savings clause 1953:1000             | Not specified   | Not specified             |
| Tehama County Flood Control and Water Conservation District-- 1957:1280, Water Code App. §§ 82-1 to 82-39 | <u>condemn</u> "only as against property located within the county" (§ 82-3(f)) | Not specified             |

| District  | Acquisition Authority   | Limitations  |
|---|---|--|
| Transit districts--Pub. Util.<br>Code §§ 24501-27302, 27501-27509   | <u>condemn</u> "within or without the district"<br>(\$ 25771)   | Not specified  |
| Tulare County Flood Control District--1969: 1149, Water Code App. §§ 111-1 to 111-41                                | <u>condemn</u> "within or without the district"<br>(\$ 111-5(4)), " <u>eminent domain</u> within said district (\$ 111-5(12))                   | Not specified  |
| Tuolumne County Water Agency--1969:1236, Water Code App. §§ 113-1 to 113-100  | "acquire within the agency by <u>condemnation</u> "<br>(\$ 113-8)   | Not specified  |
| Unified Air Pollution Control Districts--Health & Saf. Code §§ 24330-24341  | No condemnation authority   | No condemnation authority  |
| Union high school library districts--Educ. Code §§ 28001-28652  | No condemnation authority   | No condemnation authority  |
| Union Island Reclamation District Nos. 1 and 2--1903:36, Water Code App. §§ 7-1 to 7-10; Water Code §§ 59010, 59030 | Not specified   | Not specified  |
| Upper Santa Clara Valley Water Agency--1962 (1st Ex. Sess.):28, Water Code App. §§ 103-1 to 103-49                  | <u>condemn</u> "outside the boundaries of the agency" (\$ 103-15(7))  | consent of board of supervisors of affected county required (\$ 103-15(7)) |
| Vallejo Sanitation and Flood Control District--1952 (1st Ex. Sess.):17, Water Code App. §§ 67-1 to 67-28            | Not specified   | Not specified  |
| Vehicle parking districts--Sts. & Hwys. Code §§ 31500-31933   | Not specified   | Not specified  |
| Ventura County Flood Control District--1944 (2nd Ex. Sess.): 44, Water Code App. §§ 46-1 to 46-37                   | " <u>eminent domain</u> , either within or without said district" (\$ 46-7(8)), <u>condemnation</u> "within or without the district" (\$ 46-29) | Not specified  |

| District   | Acquisition Authority                                       | Limitations  |
|--|---|--|
| Ventura County Harbor District--1927:861, repealed with savings clause 1953:999  | take "within or without the district" (§ 3(D))              | Not specified  |
| Washington Drainage District of Yolo County--1867-68:381, repealed with savings clause 1953:1017   | No condemnation authority                                   | No condemnation authority  |
| Water conservation districts--1923:426, repealed with savings clause 1953:998  | Not specified   | Not specified  |
| Water conservation districts (Act of 1927)--1927:91, Water Code App. §§ 34-1 to 34-45  | <u>condemn</u> "within or without the district" (§ 34-2(D)) | Not specified  |
| Water conservation districts (Act of 1931)--Water Code §§ 74000-76501  | <u>condemn</u> "within or without the district" (§ 74550)   | Not specified  |
| Water replenishment districts--Water Code §§ 60000-60449   | take "within or without the district" (§ 60230(4))          | consent of board of supervisors of affected county required (§ 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 | <u>condemn</u> "within or without the district" (§ 20(4))   | Not specified  |
| West Bay Rapid Transit Authority--1964 (1st Ex. Sess.): 104, Pub. Util. Code App. 3 §§ 1.1 to 14.3   | Not specified   | Not specified  |
| Yolo Basin Drainage Districts--1909:680, repealed with savings clause 1953:1016  | No condemnation authority                                   | No condemnation authority  |

| District   | Acquisition Authority  | Limitations  |
|--|--|--|
| Yolo County Flood Control and Water Conservation District--1951:1657, Water Code App. §§ 65-1 to 65-35 | " <u>condemnation</u> . . . within or without the district" (§ 65-3(c))    | consent of board of supervisors of each affected county required (§ 65-3(f)) |
| Yuba-Bear River Basin Authority--1959:2131, Water Code App. §§ 93-1 to 93-54                           | "acquire within or without the authority by <u>condemnation</u> " (§ 93-8) | consent of board of supervisors of each affected county required (§ 93-8)    |
| Yuba County Water Agency--1959:788, Water Code App. §§ 84-1 to 84-28                                   | "acquire within or without the agency by <u>condemnation</u> " (§ 84-3.4)  | consent of board of supervisors of each affected county required (§ 84.3.4)  |

TABLE VIIa. EXTRATERRITORIAL CONDEMNATION AUTHORITY:

MISCELLANEOUS PROVISIONS

Note: This table supplements Table VII

| Purpose   | Acquisition Authority  | Limitations  |
|---|--|--|
| <u>State Reclamation Board</u>  |  |  |
| Sacramento and San Joaquin Drainage District (managed by State Reclamation Board) |  |  |
| "flood control works"   | "wholly or partly within" the drainage district (Water Code § 8590)  |  |
| <u>Cities</u>   |  |  |
| streets   | property "whether wholly or partly within or without" the boundary between two cities (Sts. & Hwys. Code § 4093) |  |
| facilities in aid of public utilities   | "within or without the city or the county where the city is located" (Govt. Code § 39792)                        |  |
| garbage disposal  | "within the county where the city is located" (Govt. Code § 38790)   |  |
| park or playground  | "wholly or partly outside the limits of the city" (Govt. Code § 38304)   |  |
| <u>Counties</u>   |  |  |
| boundary highway  | any property "within this state"   |  |
| industrial-penal farm   | "within or without the county"   | consent of board of supervisors of affected county |