

August 18, 2023

James H. Woodward  
17506 Hoot Owl Way  
Morgan Hill, CA 95037

Re: Conditional Entitlement Letter  
Santa Clara Valley Water District – Anderson Dam Tunnel Project (ADTP)  
Affected Property: 17506 Hoot Owl Way  
APN: 729-37-016

Dear Mr. Woodward:

Previously, the Santa Clara Valley Water District (Valley Water) notified you of its efforts to acquire the property that you own and occupy at 17506 Hoot Owl Way in Morgan Hill, California. Valley Water also notified you of your eligibility to receive relocation assistance under its Relocation Assistance Program. Valley Water has developed its Relocation Assistance Program to ensure that uniform, fair, and equitable treatment is afforded to all persons displaced from their homes as a result of its actions so that no person shall suffer disproportionate injury as a result of a project created to benefit the public as a whole.

Based upon the information provided to Valley Water and its relocation consultant, Associated Right of Way Services, Inc., it has been determined that you have been an occupant of the property noted above for 90 consecutive days or more immediately preceding the date Valley Water initiated negotiations with you. Therefore, you are eligible to receive assistance in accordance with the following laws and regulations governing relocation assistance:

**Law:** California Government Code §7260 et seq.

**Regulations:** California Code of Regulations, Title 25, Chapter 6

Your Relocation Advisor, Ms. Emily Plurkowski of Associated Right of Way Services, Inc., is available to explain these benefits to you if you have any questions. A more detailed description of this assistance is available in the enclosed Relocation Assistance Handbook. In general, these benefits include the following:

- I. **Relocation Advisory Services.** Your Relocation Advisor, Ms. Plurkowski, will help you find comparable replacement housing in the area. She will also help you file claims for payment with Valley Water and will deliver all necessary notices.

Your Relocation Advisor will identify comparable replacement dwellings within your financial means that are available to you and will provide assistance in obtaining comparable housing of your choice, including assistance in the referral of complaints of discrimination to the appropriate Federal, State or local fair housing enforcement agency. Please continue to

communicate with Ms. Plurkowski and provide her with information as requested so that she can provide you with assistance as needed.

All services will be provided to you in such a way as to ensure that the relocation process does not result in different or separate treatment on account of race, color, religion, national origin, sex, marital status, familial status, or any basis protected by state and federal anti-discrimination laws, or any other arbitrary circumstances.

**II. Payment for Moving Expenses.** You may choose one of the following options to cover costs related to moving your personal property to a replacement site;

- (A) pay a professional moving company to move your personal property and be reimbursed by Valley Water upon completion,
- (B) receive a fixed moving expense and dislocation allowance of \$2,690 to move eight (8) rooms worth of items if you choose to move your own personal property, or
- (C) choose a combination of the two moving options, depending upon your circumstances.

More detail on what is covered under Moving Expenses can be found in the enclosed Relocation Assistance Handbook.

**III. Replacement Housing Payment.** Since you have occupied the property as your primary residence for at least 90 days immediately prior to the initiation of negotiations, you are eligible to receive a replacement housing payment to help you rent or purchase a replacement dwelling. The payment will be based on the cost of a comparable replacement dwelling that has been determined, as well as the actual cost you pay to acquire a new permanent dwelling.

***Last Resort Housing.*** Based upon the current available market in the city of Morgan Hill in comparison to the acquisition price, Valley Water has determined that you are eligible to receive assistance under the Last Resort Housing Program so that the cost to purchase a comparable house is affordable to you.

***Comparable Replacement Dwelling.*** Valley Water will assist you with purchasing a comparable home that is Decent, Safe, and Sanitary<sup>1</sup>. Valley Water has determined that a comparable single-family residence (SFR) in the city of Morgan Hill would be \$988,000. In order to receive the maximum amount of relocation benefits of \$388,000, you would need to purchase a home for \$988,000 or greater. Your maximum benefit under this program is shown below.

Price Differential Calculations:

- |   |            |
|---|------------|
| 1. Most Comparable Replacement Property as Adjusted | \$ 988,000 |
| 2. Displaced Property Purchase as Adjusted          | \$ 600,000 |
| 3. Differential Payment                             | \$ 388,000 |

---

<sup>1</sup> State regulations define Decent, Safe, and Sanitary as housing that is sound, weather tight condition, and in good repair. It is housing that meets local occupancy codes, safe electrical wiring system for lighting and other devices; contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees). Please speak with your Relocation Advisor.

You may search for your own replacement housing. It is important that you maintain communication with your Relocation Advisor before making any commitments to rent or purchase replacement housing so that you do not jeopardize your claim for assistance in any way.

***Payment of Claims.*** You must move into a replacement rental dwelling within one year of the date you vacate the home acquired by Valley Water. You must file all claims for payment within 18 months of the date you vacate. If you purchase a replacement dwelling less than \$988,000 then your Replacement Housing Payment will be based on the actual cost of the replacement dwelling **and your total Replacement Housing Payment may be less than indicated above.**

Your Relocation Advisor can help you to prepare all claims for Moving and Replacement Housing Payments. You should submit all signed and documented claims to your Relocation Advisor for processing. All claims must be submitted to Valley Water within 18 months of the date that you move from the property that you now occupy.

***Your Right to Appeal.*** If you do not agree with a decision made by Valley Water related to the Relocation Assistance Program, you may appeal the decision. All appeals must be submitted within 18 months following the date you move from the property you currently occupy. Information on the Appeal Process is available upon request. Please speak with your Relocation Advisor for additional information on the appeal process.

***Relocation Payments are Not Considered Income.*** 42 U.S.C. 4636 states that payments are not to be considered as income for revenue purposes or for eligibility for assistance under Social Security Act or other Federal Law. No payment received under 49 CFR 24 shall be considered as income for the purposes of title 26, U.S. Code; or for the purposes of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act [42 U.S.C. 301 et seq.] or any other Federal law (except for any Federal law providing low-income housing assistance).

***This is not a notice to vacate.*** Valley Water will not require you to move until you have received at least 90 days advance written notice of the date by which you must vacate.

Please refer to the enclosed Relocation Assistance Handbook. It explains your rights and some things you must do to obtain relocation payments. Therefore, do not commit yourself to rent or buy a replacement dwelling until you arrange to have the home inspected by your Relocation Advisor. Your Relocation Advisor will be available to assist you in the relocation process and will explain your rights and help you obtain the relocation payments and other assistance for which you are eligible. If you have any questions, please call your Relocation Advisor, Ms. Plurkowski.



We appreciate your cooperation in this process as Valley Water continues its efforts to improve our community.

Sincerely,

Bill Magleby, SR/WA  
Senior Real Estate Agent  
Valley Water

Enclosures  
(1) Relocation Assistance Handbook

cc: Emily Plurkowski – AR/WS, Inc.

**Certification of Delivery**

- This letter was sent via first class and certified mail on \_\_\_\_\_.
- This letter was personally delivered on \_\_\_\_\_.

Signature:

Date: