

Watershed:	Coyote
Project:	26174043
Real Estate File No.:	4021-321, -334, -345, -350, -356, -357, -366, -414, -448, -457, -469, -470, -471, -491, -508, -510, & -523

**BOARD OF DIRECTORS  
SANTA CLARA VALLEY WATER DISTRICT**

**RESOLUTION NO. 2025-**

**DETERMINING AND DECLARING THE PUBLIC NECESSITY FOR THE  
ACQUISITION OF CERTAIN REAL PROPERTY OR INTERESTS IN REAL  
PROPERTY BY EMINENT DOMAIN FOR THE COYOTE CREEK FLOOD  
PROTECTION PROJECT (PROJECT NO. 26174043)  
(CODE OF CIVIL PROCEDURE SECTIONS 1245.220, et seq.)**

WHEREAS, the Santa Clara Valley Water District ("Valley Water") intends to complete the Coyote Creek Flood Protection Project ("Project") to implement flood improvements along Coyote Creek to, collectively with the constructed Coyote Creek Flood Management Measures Project ("CCFMMP"), protect against a 20-year flood event, similar to the one that inundated areas in San Jose in February 2017; and

WHEREAS, the Project limits comprise approximately 9 miles of Coyote Creek, between Montague Expressway and Tully Road, all within the City of San Jose; and

WHEREAS, completion of the Project will coincide with completion of the Anderson Dam Stage 2 Diversion Tunnel, expected in October 2028; and

WHEREAS, the overall flood risk reduction objective of protecting areas of Coyote Creek against a flood event approximately equivalent to the February 2017 flood event will be met by the completion of both the CCFMMP and the Project; and

WHEREAS, the final Environmental Impact Report ("EIR") for the Project was certified by Valley Water on March 11, 2025; and

WHEREAS, Valley Water is authorized to condemn property for the Project pursuant to Article I, Section 19 of the California Constitution, Part 3, Title 7 of the California Code of Civil Procedure, Section 6 of the Santa Clara Valley Water District Act, and other provisions and principles of law; and

WHEREAS, the property interests to be acquired for the Project are described and shown in more detail in the plat map and legal description attached hereto as Exhibits A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, and Q incorporated herein (collectively, the "Property"); and

WHEREAS, the Project cannot be completed without the Property, and acquisition of the Property is accordingly necessary and in the public interest; and

WHEREAS, the use of the Property for the Project will not interfere with or impair any known, existing public uses and, therefore, is compatible with any other public uses pursuant to Code of Civil Procedure Section 1240.510; and

WHEREAS, Valley Water made an offer to purchase the Property from the owner of record on June 16, 2025, based on a current appraisal and in compliance with Government Code section 7267.2; and

WHEREAS, the owners of the Property have refused the offer citing the Article XVII, Section 1700 of the City of San Jose Charter, which restricts their ability to convey the Property absent a vote of the people or court proceedings; and

WHEREAS, on July 23, 2025, Valley Water provided by certified mail to all persons whose names appear on the last Equalized County Assessment Roll as having an interest in the Property a notice that Valley Water's Board of Directors would hold a hearing on August 26, 2025, to consider the adoption of a resolution of necessity authorizing Valley Water to acquire the Property by eminent domain; and

WHEREAS, Valley Water's notice of intent letter advised all such interested persons of the time and place for the hearing, their right to be heard in relation to that matter, and that their failure to file a written request to appear and be heard at the hearing by August 7, 2025, would result in a waiver of their right to be heard; and

WHEREAS, Valley Water has calendared consideration of this Resolution as an item on its Agenda and invited public comment prior to the meeting; and

WHEREAS, Valley Water's Board of Directors held a public hearing on August 26, 2025, to consider the adoption of this Resolution, and all interested parties were given an opportunity to be heard.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Santa Clara Valley Water District finds, determines, and hereby declares:

1. The public interest and necessity require the Project;
2. The Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury;
3. The Property described herein in plat maps and legal descriptions attached hereto as Exhibits A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, and Q are necessary for the Project;
4. Valley Water made the offer required by Government Code section 7267.2 to the owners of record;
5. Valley Water has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the Property;
6. Valley Water has complied with the requirements of the California Environmental Quality Act ("CEQA") for the Project, the final EIR for the Project was certified by Valley Water on March 11, 2025; and

7. Valley Water's Office of the District Counsel and/or its designee is hereby authorized to commence and prosecute an eminent domain proceeding to acquire the Property, to deposit the amount of probable compensation pursuant to Code of Civil Procedure Section 1255.010, and to acquire prejudgment possession of the Property as may be necessary for the Project.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following, two-thirds majority vote, on August 26, 2025:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

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TONY ESTREMER  
Chair, Board of Directors

ATTEST: CANDICE KWOK-SMITH

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Clerk, Board of Directors

# **EXHIBIT A COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION WATER MANAGEMENT EASEMENT, FILE NO. 4021-321**

No. of Pages: 4

Exhibit Attachments: None



## **EXHIBIT A**

### **WATER MANAGEMENT AND/OR STORM WATER DRAINAGE EASEMENT, File No. 4021-321**

An easement for water management and/or storm water drainage purposes in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly land depicted below.

Said easement area shall be kept clear of any type of building, fences, structure, pavement, or trees unless prior written approval is obtained from Valley Water.

The easement shall include the right to construct, reconstruct, inspect, maintain, and repair a channel, protection works, and appurtenant structures, together with the right to trim or remove such trees or brush within the easement area as may constitute a hazard to persons or property or may interfere with the use of said area for the purpose granted. It also shall include the right to enter upon said land with vehicles, tools, implements, and other materials, take there from and use earth, rock, sand, and gravel for construction, maintenance, and repair of said channel, protections work, and appurtenant structures by Valley Water, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control or storm drainage purposes.

The easement shall also include the non-exclusive right of ingress from and egress to public streets to the easement area described below, over and across the property of the Grantor by such route or routes as shall occasion the least practicable damage to the property and inconvenience to Grantor for the purposes of routine inspection and maintenance of the improvements within the easement. Valley Water shall provide reasonable advance notification of its intent to enter Grantor's property.

**Exhibit A**

**Santa Clara Valley Water District**  
San Jose, Ca 95118

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-321  
BY: B. Bains

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands described in that certain Deed recorded in Book 1200 of Official Records at Page 311 filed on June 10, 1944, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Permanent Easement (P.E.)**

**COMMENCING** at the most northerly corner of the lands shown as LOT 31 on that certain NAGLEE TERRACE file in Book P of Maps Page 38, on September 2, 1919, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general northwesterly line of said lands, S22°52'14"W, 21.66 feet, to the **POINT OF BEGINNING**;

Thence leaving said general northwesterly line, the following eighteen (18) courses:

- 1) S68°07'41"E, 14.70 feet;
- 2) S21°47'00"W, 86.37 feet;
- 3) N68°09'47"W, 3.62 feet;
- 4) S21°47'00"W, 66.75 feet;
- 5) N68°13'00"W, 3.99 feet;
- 6) S22°52'14"W, 37.32 feet;
- 7) S30°46'10"E, 10.35 feet;
- 8) S45°03'27"W, 22.07 feet;
- 9) S22°52'14"W, 20.31 feet;
- 10) S60°07'14"W, 116.17 feet;
- 11) S09°51'10"E, 96.80 feet;
- 12) S54°37'55"W, 123.30 feet;
- 13) S35°41'20"E, 147.33 feet;
- 14) S42°28'49"E, 174.88 feet;
- 15) S35°37'26"E, 129.26 feet;
- 16) S23°07'19"E, 275.27 feet;
- 17) N83°19'14"E, 128.62 feet;
- 18) S06°40'46"E, 7.50 feet to the southerly line of said lands;

Thence along said southerly line, S83°19'14"W, 138.17 feet to the southwesterly corner of said lands, said point also being the beginning of a non-tangent curve, concave northeasterly and having radius of 1539.89 feet, a radial line to said point bears S63°34'02"W;

Page 1 of 2

## Exhibit A

Thence along the general westerly line of said lands, northwesterly along said curve thru a central angle of  $05^{\circ}52'42''$ , an arc distance of 157.99 feet, to the beginning of a reverse curve concave southwesterly and having a radius of 776.66 feet;

Thence continuing along said general westerly line, northwesterly along said curve thru a central angle of  $24^{\circ}11'33''$ , an arc distance of 327.93 feet, to the beginning of a reverse curve concave northeasterly and having a radius of 1086.66 feet;

Thence continuing along said general westerly line, northwesterly along said curve thru a central angle of  $13^{\circ}43'31''$ , an arc distance of 260.31 feet;

Thence leaving said general westerly line, the following two (2) courses:

- 1)  $N54^{\circ}37'55''E$ , 122.69 feet;
- 2)  $N09^{\circ}51'10''W$ , 98.04 feet, to a point on the general northwesterly line of said lands;

Thence along said general northwesterly line, the following two (2) courses:

- 1)  $N60^{\circ}07'14''E$ , 135.91 feet;
- 2)  $N22^{\circ}52'14''E$ , 220.60 feet, to the **POINT OF BEGINNING**;

Containing 19,762 square feet of land, more or less.

### BASIS OF BEARINGS:

The bearing of  $N22^{\circ}52'14''E$ , shown as  $N22^{\circ}00'E$  along the general northwesterly line of the lands shown as LOT 31 on that certain map entitled "NAGLEE TERRACE" filed in Book P of Maps Page 38, on September 2, 1919, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

### SURVEYOR'S STATEMENT:

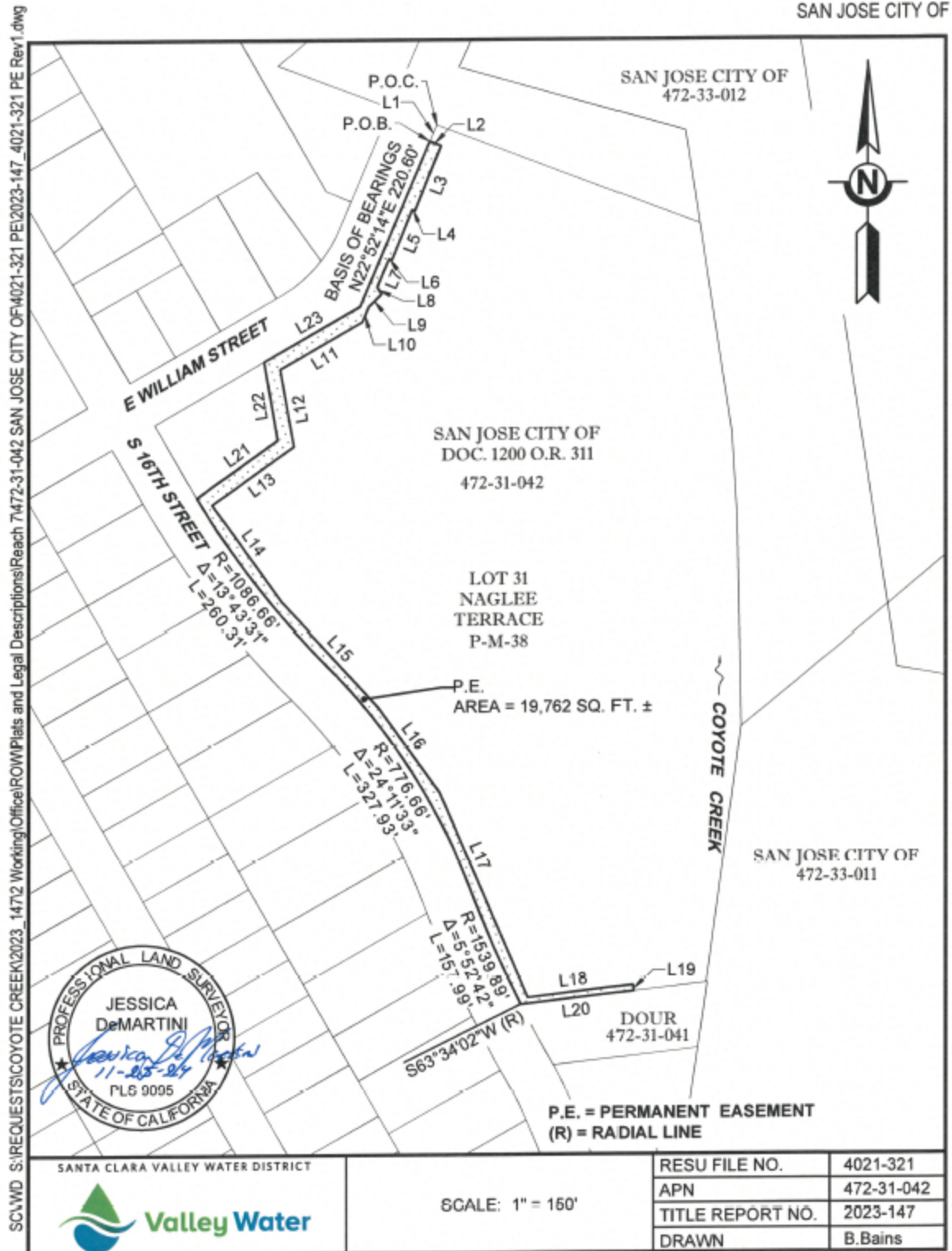
The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
Jessica DeMartini, PLS 9095

11/25/24  
Date



# Exhibit A



# **EXHIBIT B COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION WATER MANAGEMENT EASEMENT, FILE NO. 4021-334**

No. of Pages: 3

Exhibit Attachments: None

## **EXHIBIT B**

### **WATER MANAGEMENT AND/OR STORM WATER DRAINAGE EASEMENT, File No. 4021-334**

An easement for water management and/or storm water drainage purposes in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly land depicted below.

Said easement area shall be kept clear of any type of building, fences, structure, pavement, or trees unless prior written approval is obtained from Valley Water.

The easement shall include the right to construct, reconstruct, inspect, maintain, and repair a channel, protection works, and appurtenant structures, together with the right to trim or remove such trees or brush within the easement area as may constitute a hazard to persons or property or may interfere with the use of said area for the purpose granted. It also shall include the right to enter upon said land with vehicles, tools, implements, and other materials, take there from and use earth, rock, sand, and gravel for construction, maintenance, and repair of said channel, protections work, and appurtenant structures by Valley Water, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control or storm drainage purposes.

The easement shall also include the non-exclusive right of ingress from and egress to public streets to the easement area described below, over and across the property of the Grantor by such route or routes as shall occasion the least practicable damage to the property and inconvenience to Grantor for the purposes of routine inspection and maintenance of the improvements within the easement. Valley Water shall provide reasonable advance notification of its intent to enter Grantor's property.

Exhibit B

Santa Clara Valley Water District  
San Jose, Ca 95118

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-334  
BY: B. Bains

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands described in that certain Deed recorded as Document Number 1672731 filed on June 11, 1959, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Permanent Easement (P.E.)**

**BEGINNING** at the most southerly corner of the lands described in that certain Deed recorded as Document Number 1672731 filed on June 11, 1959, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the southwesterly line, N38°31'13"W, 279.50 feet;

Thence leaving said southwesterly line, the following two (2) courses:

- 1) N51°24'43"E, 7.33 feet;
- 2) S38°31'13"E, 279.50 feet, to a point on the southeasterly line of said lands;

Thence along said southeasterly line, S51°27'22"W, 7.33 feet, to the **POINT OF BEGINNING**;

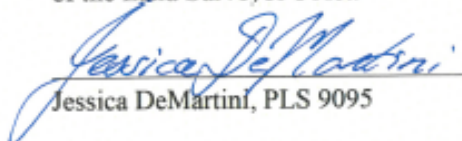
Containing 2,046 square feet of land, more or less.

**BASIS OF BEARINGS:**

The bearing of N38°31'13"W, shown as S39°28'E along the southwesterly line of the lands described in that certain Deed recorded as Document Number 1672731 filed on June 11, 1959, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
Jessica DeMartini, PLS 9095

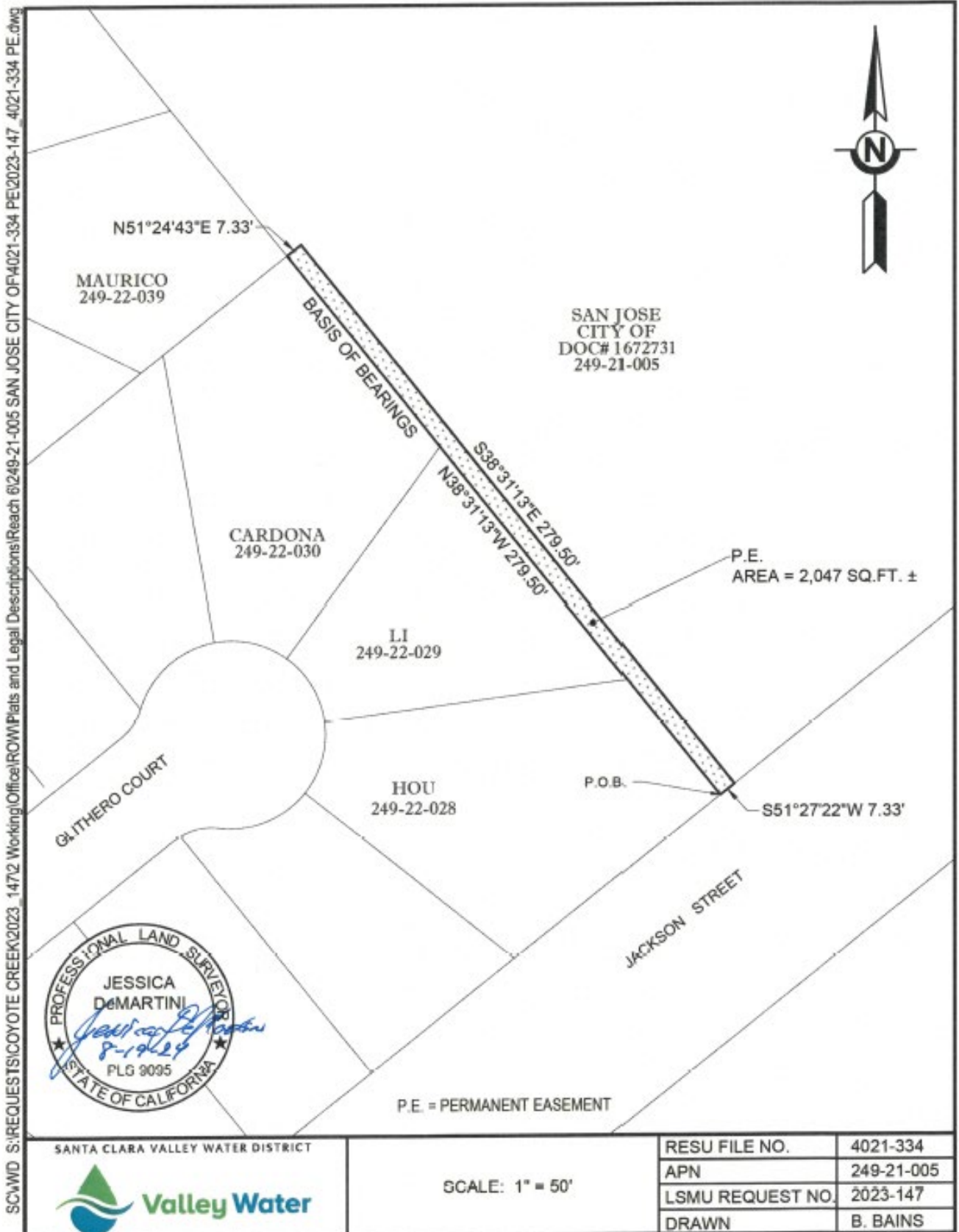
8/19/24  
Date





Exhibit B

SAN JOSE CITY OF





# **EXHIBIT C COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION WATER MANAGEMENT EASEMENT, FILE NO. 4021-345**

No. of Pages: 6

Exhibit Attachments: None

## **EXHIBIT C**

### **WATER MANAGEMENT AND/OR STORM WATER DRAINAGE EASEMENT, File No. 4021-345**

An easement for water management and/or storm water drainage purposes in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly land depicted below.

Said easement area shall be kept clear of any type of building, fences, structure, pavement, or trees unless prior written approval is obtained from Valley Water.

The easement shall include the right to construct, reconstruct, inspect, maintain, and repair a channel, protection works, and appurtenant structures, together with the right to trim or remove such trees or brush within the easement area as may constitute a hazard to persons or property or may interfere with the use of said area for the purpose granted. It also shall include the right to enter upon said land with vehicles, tools, implements, and other materials, take there from and use earth, rock, sand, and gravel for construction, maintenance, and repair of said channel, protections work, and appurtenant structures by Valley Water, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control or storm drainage purposes.

The easement shall also include the non-exclusive right of ingress from and egress to public streets to the easement area described below, over and across the property of the Grantor by such route or routes as shall occasion the least practicable damage to the property and inconvenience to Grantor for the purposes of routine inspection and maintenance of the improvements within the easement. Valley Water shall provide reasonable advance notification of its intent to enter Grantor's property.

Exhibit C

Santa Clara Valley Water District  
San Jose, Ca 95118

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-345  
BY: B. Bains

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands shown on that certain map entitled "PIONEER HOMESTEAD ASSOCIATION TRACT" and filed in Book C of Miscellaneous Records at Page 342, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Permanent Easement (P.E.)**

**PARCEL A**

**COMMENCING** at a "Fd. Brass Plug" at the intersection of the center lines of Empire Street (40' wide ) and North Twenty Second Street (50' wide ) of the lands as shown on that certain Parcel Map recorded in Book 213 of page 38, filed on August 22, 1966, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the center line of North Twenty-Second Street, N38°35'34"W, 169.30 feet;

Thence leaving said center line, N10°19'05"W, 73.45 feet, to the **POINT OF BEGINNING**;

Thence the following fifteen (15) courses:

- 1) N06°30'23"E, 12.03 feet;
- 2) S87°31'32"E, 134.50 feet;
- 3) N77°17'05"E, 142.64 feet;
- 4) S12°42'55"E, 7.26 feet;
- 5) N77°17'05"E, 26.46 feet;
- 6) S72°06'52"E, 24.90 feet;
- 7) S12°42'55"E, 37.69 feet;
- 8) S77°08'11"W, 11.66 feet;
- 9) N12°51'49"W, 30.72 feet;
- 10) N72°06'52"W, 10.66 feet;
- 11) S77°17'05"W, 149.04 feet;
- 12) S12°32'42"E, 11.05 feet;
- 13) S77°29'25"W, 17.50 feet;
- 14) N12°32'42"W, 19.21 feet;
- 15) N87°31'32"W, 141.81 feet, to the **POINT OF BEGINNING**;

**Exhibit C**

Containing 5,867 square feet of land, more or less.

**BASIS OF BEARINGS:**

The bearing of N38°35'34"W, shown as S39°20'45"W along the center line of Twenty Second Street of the lands shown on that certain Parcel Map recorded in Book 213 of page 38, filed on August 22, 1966, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

**PARCEL B**

**COMMENCING** at the "3/4" Iron Pipe" at the southeasterly corner of the lands shown as "LOT 29", on that certain Map entitled "TRACT NO. 6157" filed in Book 401 of Maps at Page 52, on August 21, 1977, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the southeasterly line of said lands, S51°24'26"W, 105.28 feet, to the most southerly corner of said lands;

Thence leaving said southeasterly line, S09°16'46"E, 91.62 feet, to the **POINT OF BEGINNING**;

Thence the following four (4) courses:

- 1) S25°40'34"E, 70.76 feet;
- 2) S43°36'41"W, 18.18 feet;
- 3) N65°38'53"W, 80.29 feet;
- 4) N51°27'22"E, 70.35 feet, to the **POINT OF BEGINNING**;

Containing 3,116 square feet of land, more or less.

**BASIS OF BEARINGS:**

The bearing of S51°24'26"W, shown as S50°37'12"W along the southeasterly line of the lands shown as LOT 29, on that certain Map entitled "TRACT NO. 6157" filed in Book 401 of Maps at Page 52, on August 21, 1977, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
Jessica DeMartini, PLS 9095

10/29/24  
Date



# Exhibit C

CITY OF SAN JOSE

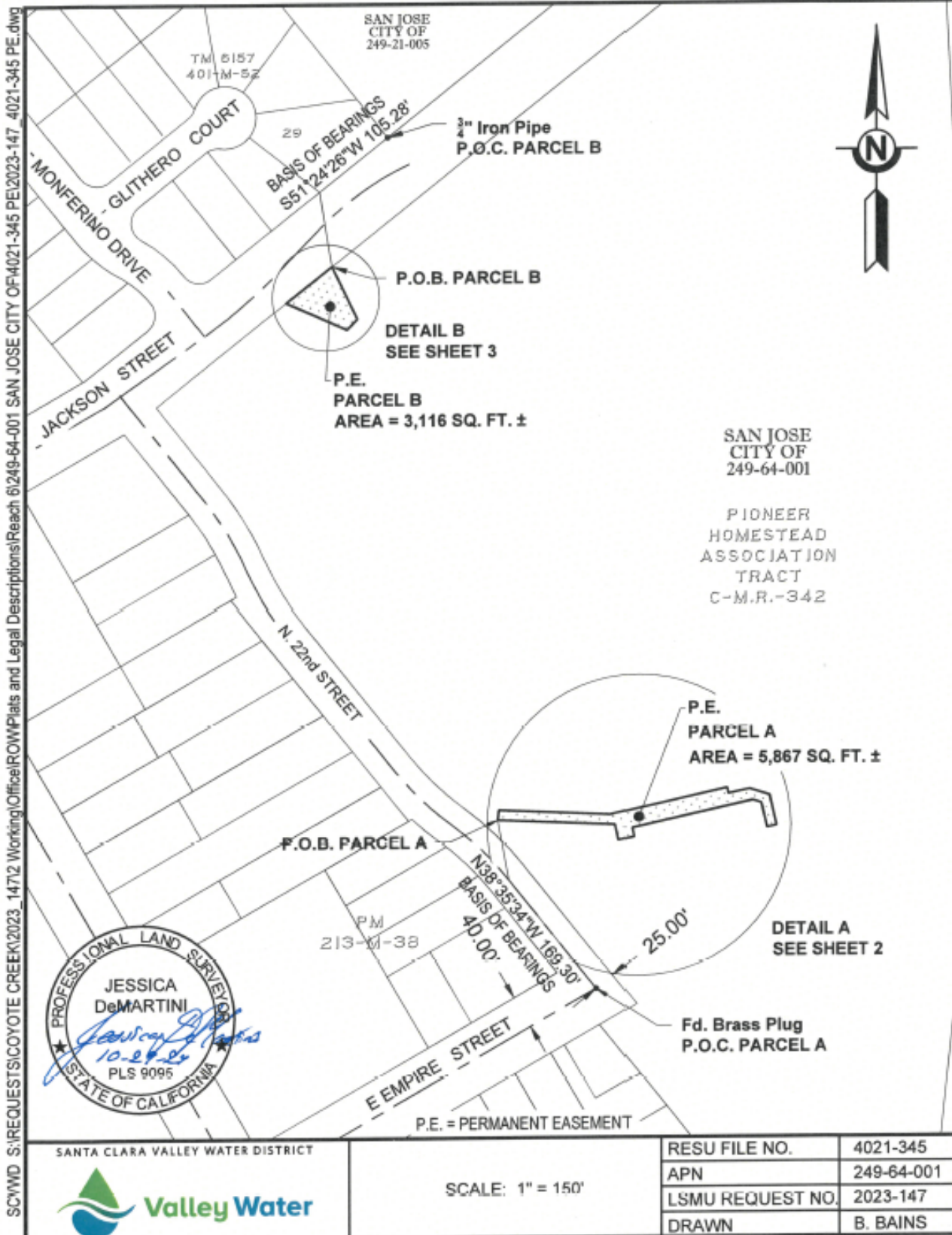


Exhibit C

CITY OF SAN JOSE

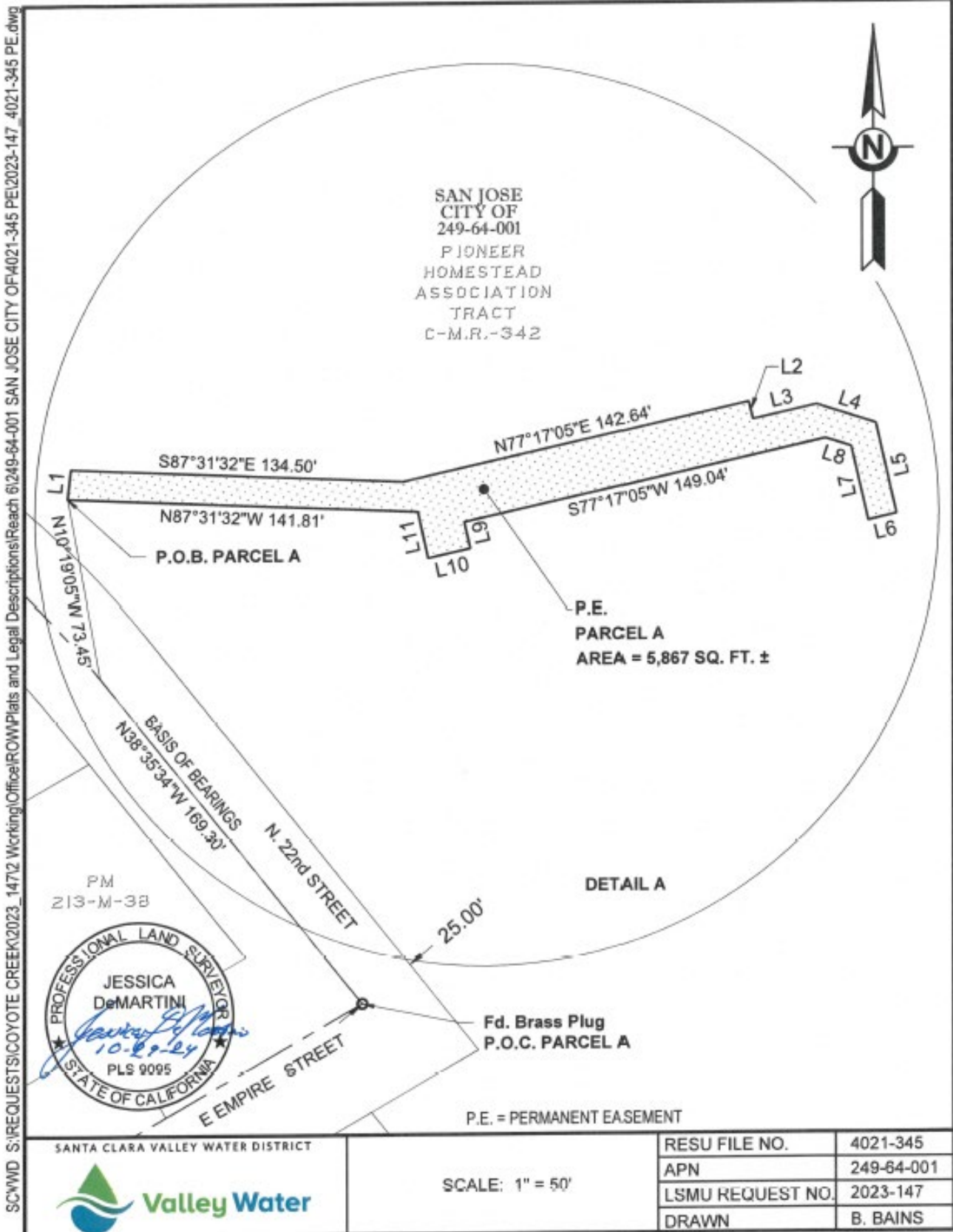
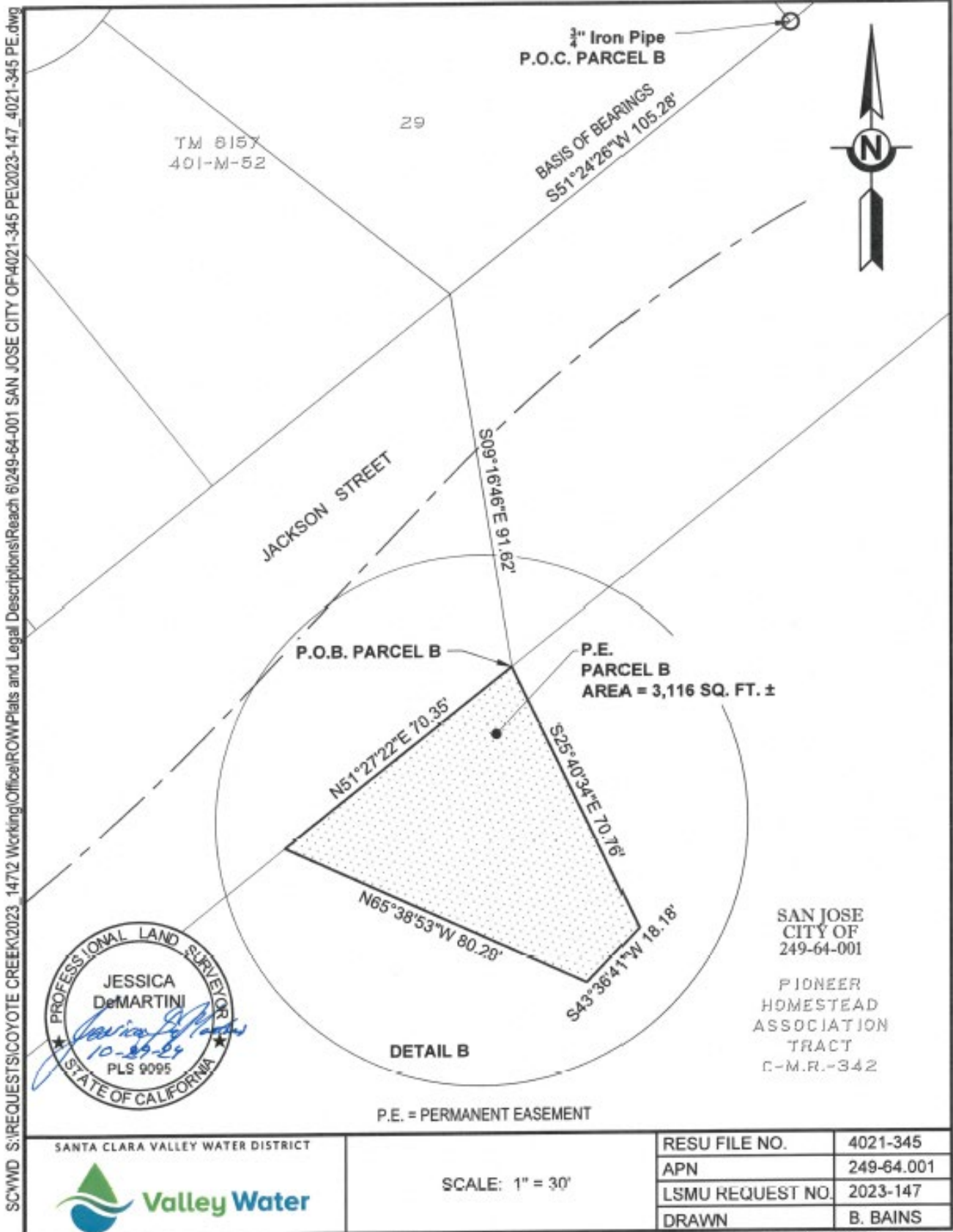




Exhibit C

CITY OF SAN JOSE



# **EXHIBIT D COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION WATER MANAGEMENT EASEMENT, FILE NO. 4021-350**

No. of Pages: 5

Exhibit Attachments: None



## **EXHIBIT D**

### **WATER MANAGEMENT AND/OR STORM WATER DRAINAGE EASEMENT, File No. 4021-350**

An easement for water management and/or storm water drainage purposes in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly land depicted below.

Said easement area shall be kept clear of any type of building, fences, structure, pavement, or trees unless prior written approval is obtained from Valley Water.

The easement shall include the right to construct, reconstruct, inspect, maintain, and repair a channel, protection works, and appurtenant structures, together with the right to trim or remove such trees or brush within the easement area as may constitute a hazard to persons or property or may interfere with the use of said area for the purpose granted. It also shall include the right to enter upon said land with vehicles, tools, implements, and other materials, take there from and use earth, rock, sand, and gravel for construction, maintenance, and repair of said channel, protections work, and appurtenant structures by Valley Water, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control or storm drainage purposes.

The easement shall also include the non-exclusive right of ingress from and egress to public streets to the easement area described below, over and across the property of the Grantor by such route or routes as shall occasion the least practicable damage to the property and inconvenience to Grantor for the purposes of routine inspection and maintenance of the improvements within the easement. Valley Water shall provide reasonable advance notification of its intent to enter Grantor's property.

Exhibit D

Santa Clara Valley Water District  
San Jose, Ca 95118

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-350  
BY: A. Ruiz

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands as described in that certain Deed recorded as Document Number 3346094, filed on December 29, 1967, and also a portion of the lands as described in that certain Deed recorded as Document Number 21467326, filed on December 22, 2011, both documents in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Permanent Easement (P.E.)**

**COMMENCING** at a 3/4" iron pipe, located on the most northeasterly corner of the lands designated as "Lot 14", said most northeasterly corner also being on the southeasterly line of "Lot 14A," both as shown on that certain Record of Survey, filed in Book 633 of Maps at Page 37, on February 4, 1992, in the Office of the Recorder, Santa Clara County, State of California;

Thence along the general northerly line of said "Lot 14A" as shown on said map, the following two (2) courses:

- 1) S89°58'49"W 97.54 feet;
- 2) N78°31'11"W 88.81 feet, to the most northwesterly corner of said "Lot 14A" as shown on said map; said point also being on the westerly line of aforesaid lot as shown on said map.

Thence leaving said westerly line, the following two (2) courses:

- 1) N81°56'43"W 71.93 feet;
- 2) N69°17'57"W 57.71 feet, to the **POINT OF BEGINNING**;

Thence, the following two (2) courses:

- 1) S20°42'26"W 5.50 feet;
- 2) N69°17'34"W 36.87 feet, to a point on the easterly line of the lands as described in that certain Deed recorded as Document Number 20141382, filed on February 20, 2009, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the easterly line of said lands, N05°59'36"W 6.15 feet, to the most northeasterly corner of said lands, said corner also being a point on the southerly line of the lands described in that certain Deed recorded as Document Number 3346094, filed on December 29, 1967, in the Office of the Recorder, County of Santa Clara, State of California;

Exhibit D

Thence along the southerly line of said lands, N69°17'02"W 44.57 feet, to a point on the southwesterly line of said lands;

Thence along the southwesterly line of said lands, N36°47'18"W 64.20 feet;

Thence leaving said southwesterly line of said lands, the following two (2) courses:

- 1) S69°17'34"E 138.35 feet;
- 2) S20°42'26"E 34.50 feet, to the **POINT OF BEGINNING**.

Containing 4,050 square feet of land, more or less.

**BASIS OF BEARINGS:**

The bearing of S89°58'49"W, shown as N89°27'4"E along the southeasterly line of the lands designated as "Lot 14A" as shown on that certain Record of Survey, filed in Book 633 of Maps at Page 37, on February 4, 1992, in the Office of the Recorder, Santa Clara County, State of California, was used as Basis of Bearings shown hereon.

**SURVEYOR'S STATEMENT:**

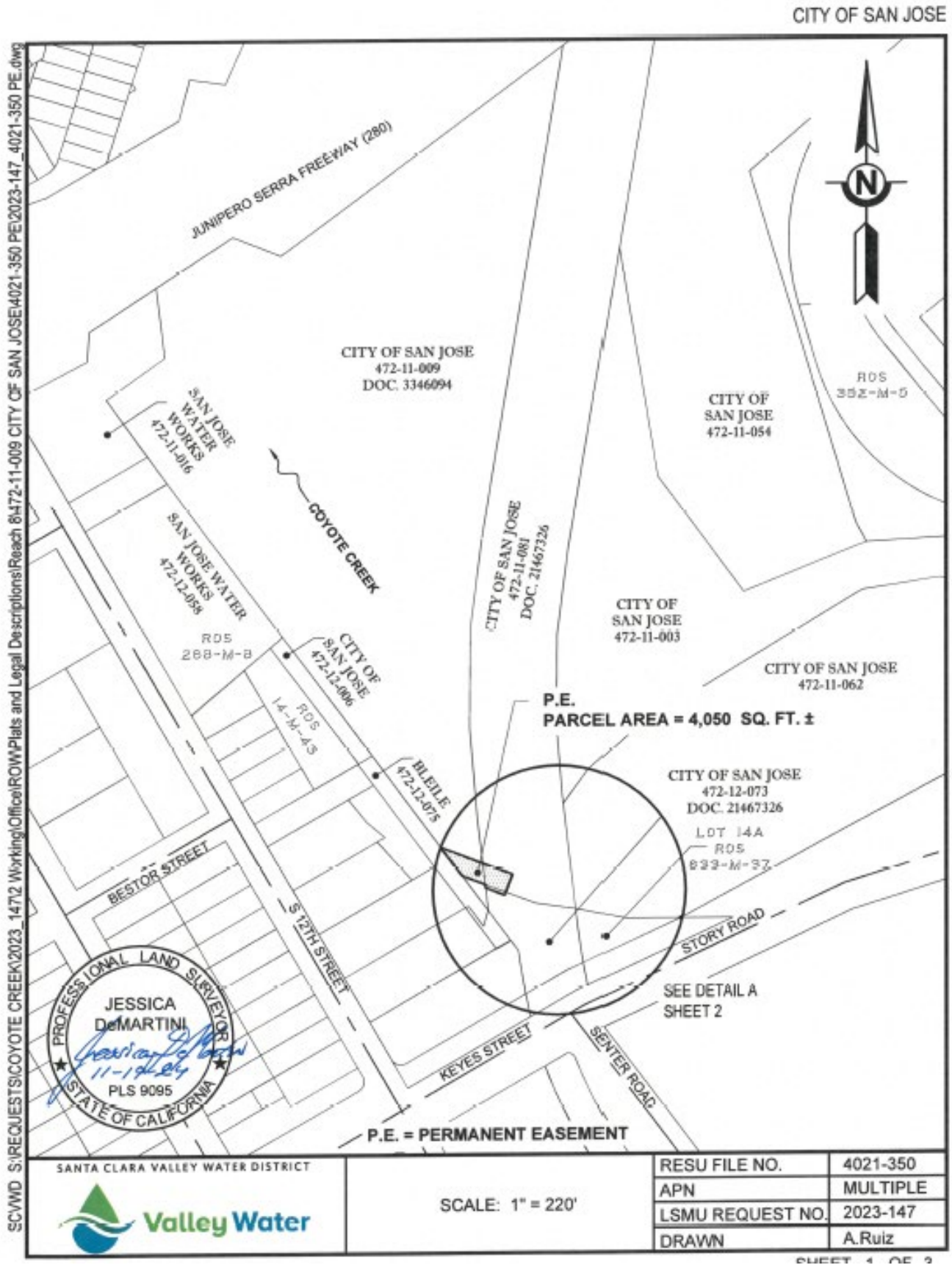
The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
\_\_\_\_\_  
Jessica DeMartini, PLS 9095

11/19/24  
Date

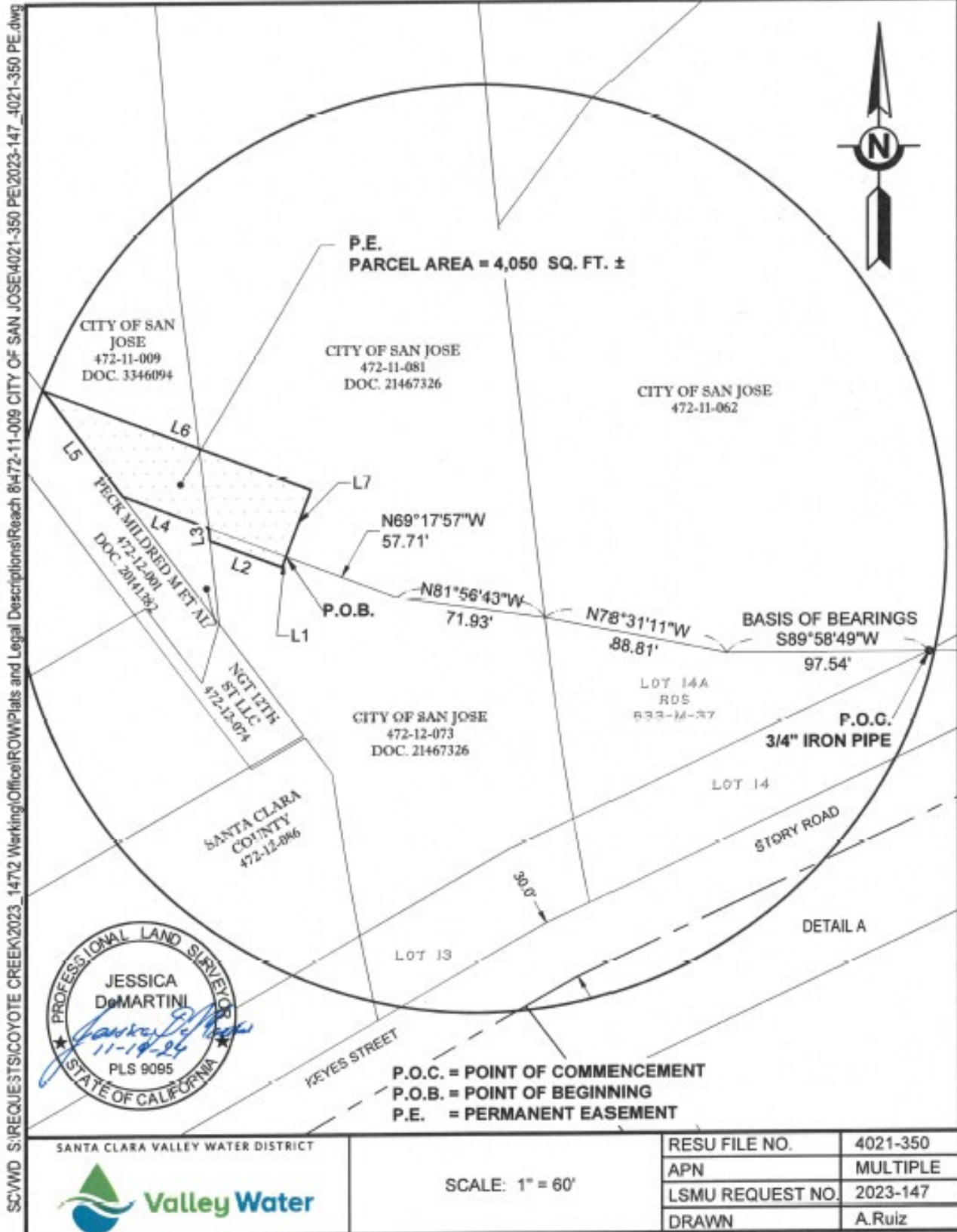


# Exhibit D



# Exhibit D

CITY OF SAN JOSE



# **EXHIBIT E COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT, FILE NO. 4021-356**

No. of Pages: 6

Exhibit Attachments: None



## **EXHIBIT E**

### **(TEMPORARY CONSTRUCTION EASEMENT, File No. 4021-356)**

A temporary construction easement in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly described below.

This temporary construction easement is granted under the express conditions listed below:

1. Grantor represents and warrants that it is the owner of the property described as the Easement Area and that Grantor has the exclusive right to convey the Easement to the Grantee.
2. This Easement is necessary for the purpose of constructing the Coyote Creek Flood Protection Project and related activities incident to construction. The Easement shall not be revoked and shall continue in full force and effect beginning on January 1, 2026, until June 30, 2029, at which time the temporary construction easement shall terminate.
3. Grantor and Grantee acknowledge that the duration of the construction activity authorized herein within the Easement Area will likely be shorter than the term described in Section 2. Grantee agrees to notify Grantor in writing at least 1 week prior to exercising the rights granted herein to enter the Easement Area. The written notification to the Grantor shall include an estimate of the expected duration of the Grantee's contractors and/or subcontractors use of the Easement Area.
4. Grantee agrees to use all reasonable efforts to keep any roadway covered by this easement open to traffic and to not interfere with Grantor utility operations or construction activity of Grantor on site. Grantee will keep Easement Area clean and remove all debris related to its construction.
5. Grantee agrees to indemnify and hold harmless Grantor from and against any and all claims, damages, liabilities, costs or any expenses whatsoever, arising from or caused, directly or indirectly by the entry onto the property by Grantee or its agent's, employees, invitees, contractors and subcontractors.
6. The provisions of this Easement shall inure to the benefit of, and bind, the successors and assigns, heirs, and devisees of the respective parties.

**EXHIBIT E**

**Santa Clara Valley Water District  
San Jose, CA 95118**

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-356  
BY: H. Zaeri

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands described in that certain Deed recorded as Document number 1778206, filed on March 4, 1990, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Temporary Construction Easement (T.C.E.)**

**PARCEL A**

**BEGINNING** at the southeasterly corner of the lands as shown on that certain Amended Record of Survey filed in Book 343 of Maps at Page 56, on August 2, 1974, said point also being on the westerly line of "WOODBOROUGH PLACE" as shown on that certain map entitled "TRACT NO. 9134", filed in Book 712 of Maps at Page 53, on February 25, 1999, all in the Office of the Recorder, County of Santa Clara, State of California;

Thence along said westerly line, S09°49'10"W, 207.49 feet;

Thence leaving said westerly line, the following two (2) courses:

- 1) N10°43'36"W, 190.89 feet;
- 2) N43°16'33"E, 34.46 feet to a point on the southerly line of said lands as shown on that said Amended Record of Survey;

Thence along said southerly line, S80°10'50"E, 48.00 feet to the **POINT OF BEGINNING**;

Containing 7,640 square feet of land, more or less.

**PARCEL B**

**COMMENCING** at the southeasterly corner of the lands shown on that certain Amended Record of Survey filed in Book 343 of Maps at Page 56, on August 2, 1974, said point also being on the westerly line of "WOODBOROUGH PLACE" as shown on certain map entitled "TRACT NO. 9134", filed in Book 712 of Maps at Page 53, on February 25, 1999, all in the Office of the Recorder, County of Santa Clara, State of California;



## EXHIBIT E

Thence along the southerly line of said lands as shown on said Amended Record of Survey, N80°10'50"W, 83.19 feet, to the **POINT OF BEGINNING**;

Thence leaving said southerly line, the following six (6) courses:

- 1) S19°00'42"W, 26.06 feet;
- 2) S10°43'36"E, 214.70 feet;
- 3) S09°49'10"W, 581.18 feet;
- 4) N80°10'50"W, 28.00 feet;
- 5) S09°49'10"W, 180.99 feet;
- 6) S80°10'50"E, 40.00 feet, to a point on the westerly line of "LOT B" as shown on said certain map entitled "TRACT No. 9134";

Thence along said westerly line, S09°49'10"W, 15.00 feet;

Thence leaving said westerly line, the following eighteen (18) courses:

- 1) N80°10'50"W, 55.00 feet
- 2) N09°46'28"E, 109.15 feet;
- 3) N80°10'50"W, 51.91 feet;
- 4) N09°49'10"E, 227.91 feet;
- 5) N80°10'50"W, 53.00 feet;
- 6) N09°49'10"E, 200.00 feet;
- 7) S80°10'50"E, 53.00 feet;
- 8) N09°49'10"E, 70.93 feet;
- 9) N81°30'42"E, 50.52 feet;
- 10) N47°46'49"E, 37.27 feet;
- 11) N07°49'47"W, 83.73 feet;
- 12) N08°04'30"W, 23.61 feet;
- 13) N02°32'53"W, 20.16 feet;
- 14) N19°16'05"W, 28.32 feet;
- 15) N08°45'07"W, 43.21 feet;
- 16) N00°16'37"E, 21.74 feet;
- 17) N16°15'27"E, 12.57 feet;
- 18) N19°00'42"E, 27.61 feet, to a point on said southerly line as shown on said Amended Record of Survey;

Thence along said southerly line, S80°10'50"E, 15.20 feet, to the **POINT OF BEGINNING**;

Containing 70,708 square feet of land, more or less.

### **BASIS OF BEARINGS:**

The bearing of N80° 10' 50"W, shown as N81°15'09"W along the southerly line of the lands shown on that certain Amended Record of Survey filed in Book 343 Maps of Page at 56, on August 2, 1974, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

EXHIBIT E

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

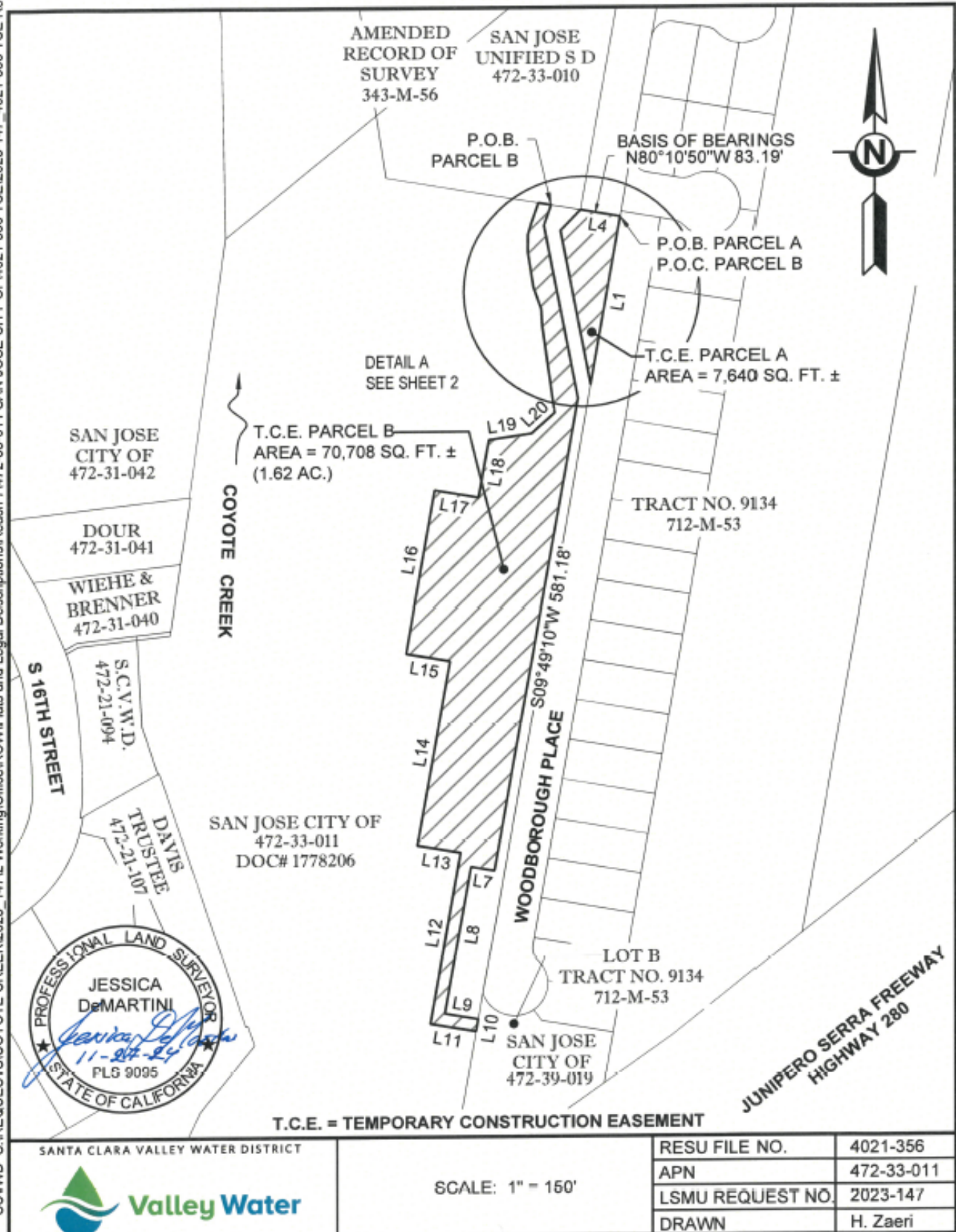
  
\_\_\_\_\_  
Jessica DeMartini, PLS 9095

11/27/24  
Date



## EXHIBIT E

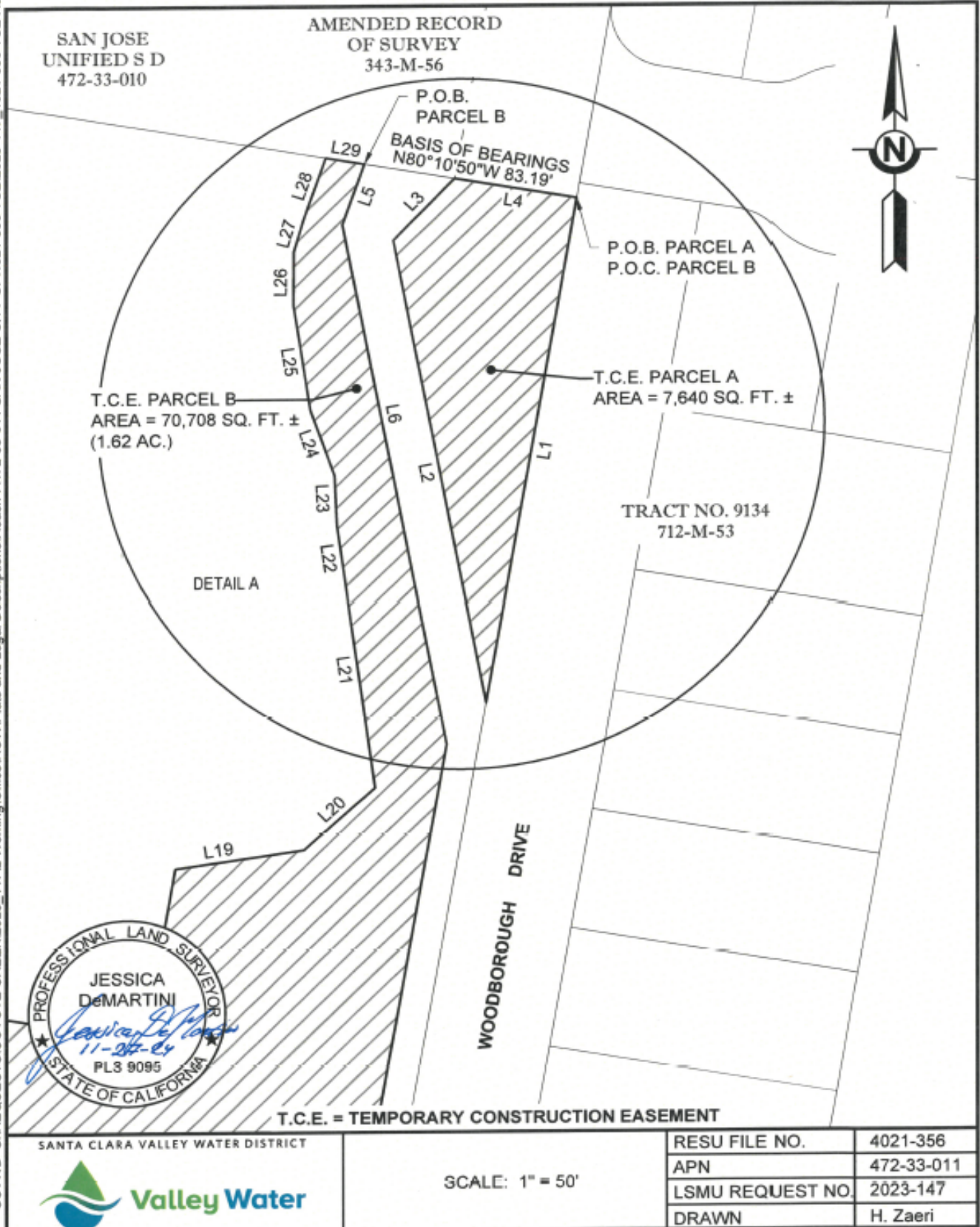
SAN JOSE CITY OF





# EXHIBIT E

SAN JOSE CITY OF



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# **EXHIBIT F COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT, FILE NO. 4021-357**

No. of Pages: 7

Exhibit Attachments: None

## **EXHIBIT F**

### **(TEMPORARY CONSTRUCTION EASEMENT, File No. 4021-357)**

A temporary construction easement in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly described below.

This temporary construction easement is granted under the express conditions listed below:

1. Grantor represents and warrants that it is the owner of the property described as the Easement Area and that Grantor has the exclusive right to convey the Easement to the Grantee.
2. This Easement is necessary for the purpose of constructing the Coyote Creek Flood Protection Project and related activities incident to construction. The Easement shall not be revoked and shall continue in full force and effect beginning on January 1, 2026, until June 30, 2029, at which time the temporary construction easement shall terminate.
3. Grantor and Grantee acknowledge that the duration of the construction activity authorized herein within the Easement Area will likely be shorter than the term described in Section 2. Grantee agrees to notify Grantor in writing at least 1 week prior to exercising the rights granted herein to enter the Easement Area. The written notification to the Grantor shall include an estimate of the expected duration of the Grantee's contractors and/or subcontractors use of the Easement Area.
4. Grantee agrees to use all reasonable efforts to keep any roadway covered by this easement open to traffic and to not interfere with Grantor utility operations or construction activity of Grantor on site. Grantee will keep Easement Area clean and remove all debris related to its construction.
5. Grantee agrees to indemnify and hold harmless Grantor from and against any and all claims, damages, liabilities, costs or any expenses whatsoever, arising from or caused, directly or indirectly by the entry onto the property by Grantee or its agent's, employees, invitees, contractors and subcontractors.
6. The provisions of this Easement shall inure to the benefit of, and bind, the successors and assigns, heirs, and devisees of the respective parties.

**EXHIBIT F**

**Santa Clara Valley Water District**  
San Jose, CA 95118

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-357  
BY: H. Zaeri

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands described in that certain Deed recorded in Book 986 of Official Records at Page 152, filed on January 8, 1940, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Temporary Construction Easement (T.C.E.)**

**PARCEL A**

**COMMENCING** at the northwesterly corner of the lands shown on that certain Amended Record of Survey filed in Book 343 of Maps at Page 56, on August 2, 1974, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general westerly line of said lands, the following three (3) courses:

- 1) S39°26'59"E, 140.00 feet;
- 2) S50°33'01"W, 94.85 feet;
- 3) S08°42'37"E, 150.21 feet, to the **POINT OF BEGINNING**;

Thence along said general westerly line, S08°42'37"E, 29.44 feet;

Thence leaving said general westerly line, the following three (3) courses:

- 1) N39°20'34"W, 265.21 feet;
- 2) S50°48'47"W, 211.27 feet;
- 3) N71°22'42"W, 37.44 feet, to a point on the general northwesterly line of the lands as described in that certain Deed recorded in Book 986 of Official Records at Page 152, filed on January 8, 1940, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general northwesterly line, the following two (2) courses:

- 1) N23°33'01"E, 3.19 feet;
- 2) N50°33'25"E, 243.29 feet;

Thence leaving said general northwesterly line, the following three (3) courses:

- 1) S39°20'34"E, 100.00 feet
- 2) S50°39'26"W, 40.00 feet
- 3) S39°20'34"E, 174.07 feet, to the **POINT OF BEGINNING**;

## EXHIBIT F

Containing 15,761 square feet of land, more or less.

### PARCEL B

**COMMENCING** at the northwesterly corner of the lands shown on that certain Amended Record of Survey filed in Book 343 of Maps at Page 56, on August 2, 1974, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general westerly line of said lands, the following three (3) courses:

- 1) S39°26'59"E, 140.00 feet;
- 2) S50°33'01"W, 94.85 feet;
- 3) S08°42'37"E, 341.38 feet, to the **POINT OF BEGINNING**;

Thence along said general westerly line, S08°42'37"E, 23.74 feet;

Thence leaving said general westerly line, the following twelve (12) courses:

- 1) N85°00'14"W, 87.97 feet;
- 2) N38°42'35"W, 328.76 feet;
- 3) S50°48'47"W, 86.11 feet;
- 4) N76°32'07"W, 54.83 feet;
- 5) N47°50'22"E, 31.76 feet;
- 6) S71°22'42"E, 44.41 feet;
- 7) N38°40'55"E, 34.98 feet;
- 8) N50°48'45"E, 148.07 feet;
- 9) S84°36'49"E, 21.77 feet;
- 10) S39°19'49"E, 239.32 feet;
- 11) S08°42'59"E, 136.58 feet;
- 12) S69°44'47"E, 14.28 feet, to the **POINT OF BEGINNING**;

Containing 48,789 square feet (1.12 Acres) of land, more or less.

### BASIS OF BEARINGS:

The bearing of S08°42'37"E, shown as N09°46'56"W along the westerly line of the lands shown on that certain amended Record of Survey filed in Book 343 of Maps Page 56, on August 2, 1974, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.



EXHIBIT F

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
\_\_\_\_\_  
Jessica DeMartini, PLS 9095

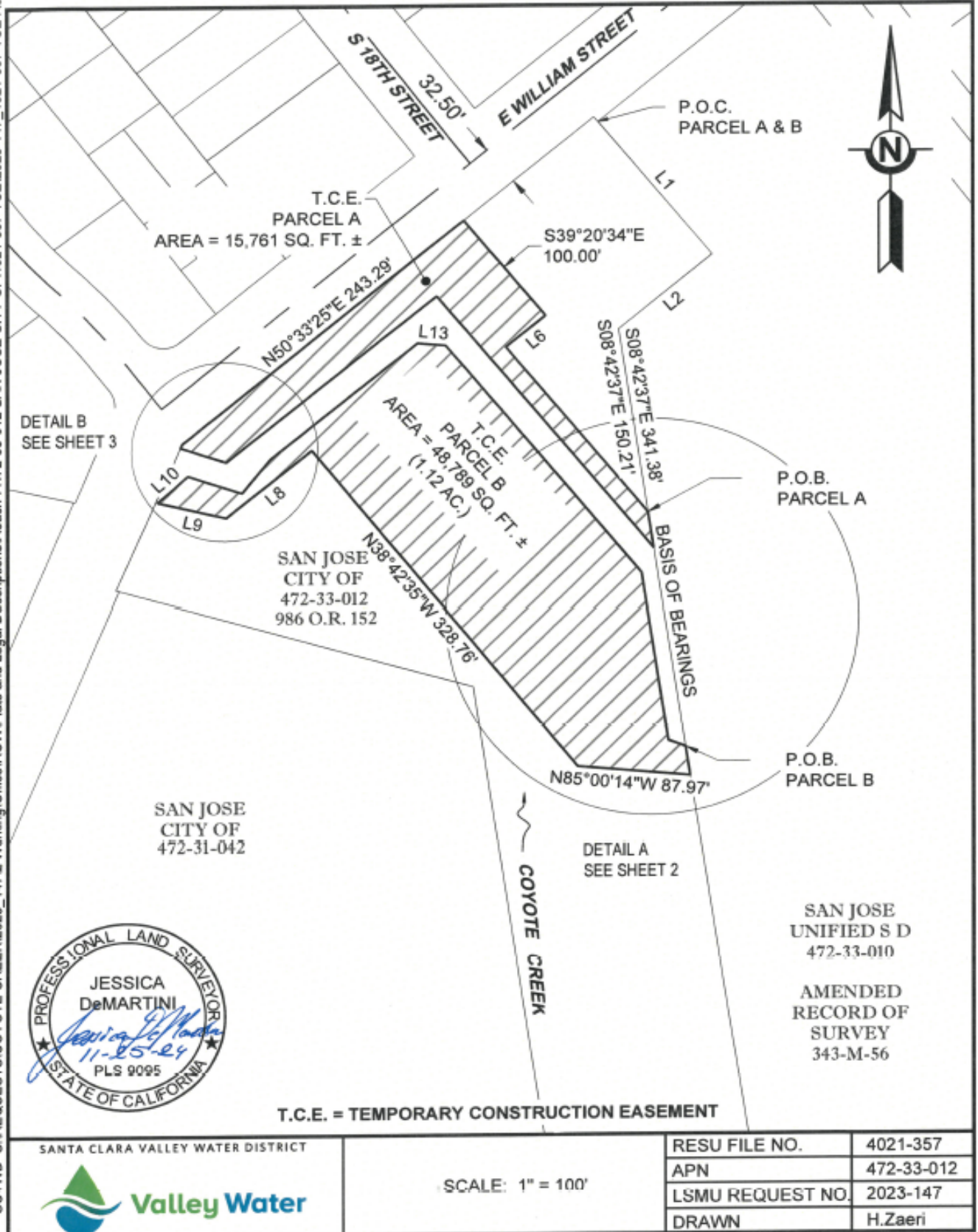
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# EXHIBIT F

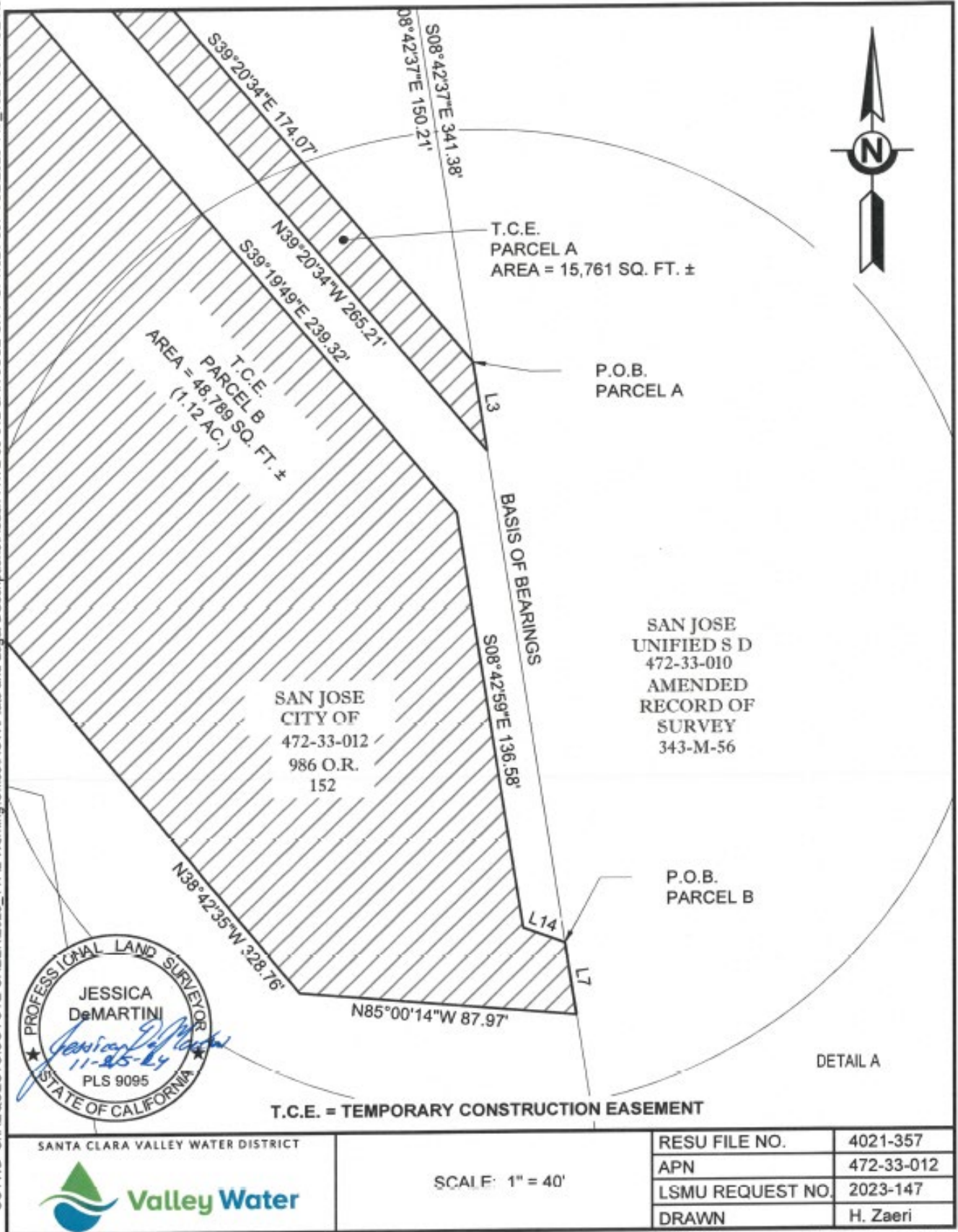
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SAN JOSE CITY OF



# EXHIBIT F

SAN JOSE CITY OF



SANTA CLARA VALLEY WATER DISTRICT



SCALE: 1" = 40'

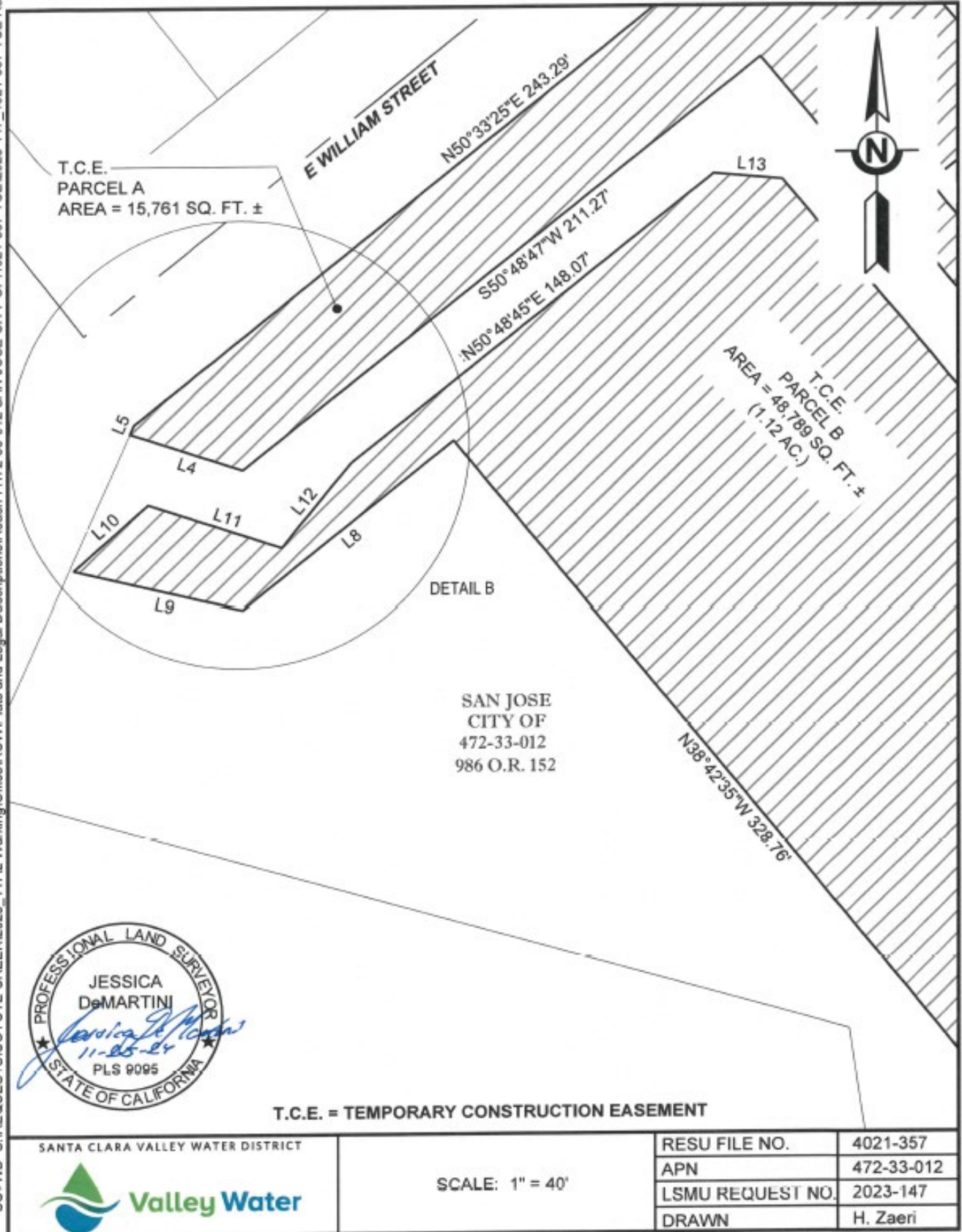
RESU FILE NO.	4021-357
APN	472-33-012
LSMU REQUEST NO.	2023-147
DRAWN	H. Zaeri



# EXHIBIT F

SCVWD S:\REQUESTS\COYOTE CREEK\2023\_147\2 Working\Office\ROW\Plats and Legal Descriptions\Reach 7\472-33-012 SAN JOSE CITY OF\4021-357 TCE\2023-147\_4021-357 TCE Rev2.dwg

SAN JOSE CITY OF



# **EXHIBIT G COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION WATER MANAGEMENT EASEMENT, FILE NO. 4021-366**

No. of Pages: 4

Exhibit Attachments: None

## **EXHIBIT G**

### **WATER MANAGEMENT AND/OR STORM WATER DRAINAGE EASEMENT, File No. 4021-366**

An easement for water management and/or storm water drainage purposes in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly land depicted below.

Said easement area shall be kept clear of any type of building, fences, structure, pavement, or trees unless prior written approval is obtained from Valley Water.

The easement shall include the right to construct, reconstruct, inspect, maintain, and repair a channel, protection works, and appurtenant structures, together with the right to trim or remove such trees or brush within the easement area as may constitute a hazard to persons or property or may interfere with the use of said area for the purpose granted. It also shall include the right to enter upon said land with vehicles, tools, implements, and other materials, take there from and use earth, rock, sand, and gravel for construction, maintenance, and repair of said channel, protections work, and appurtenant structures by Valley Water, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control or storm drainage purposes.

The easement shall also include the non-exclusive right of ingress from and egress to public streets to the easement area described below, over and across the property of the Grantor by such route or routes as shall occasion the least practicable damage to the property and inconvenience to Grantor for the purposes of routine inspection and maintenance of the improvements within the easement. Valley Water shall provide reasonable advance notification of its intent to enter Grantor's property.

**Exhibit G**

**Santa Clara Valley Water District**  
San Jose, California

**PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)**

**RESU File No.: 4021-366  
By: B. Bains**

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands as described in that certain Deed recorded as Document Number 3438665, filed on June 26, 1968, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Permanent Easement (P.E.)**

**COMMENCING** at the most northerly corner of the lands shown as "LOT 1" on that certain "TRACT NO. 8446", filed in Book 633 of Maps at Page 42, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general northerly line, of said "LOT 1", S57°02'22"E, 75.60 feet to the **POINT OF BEGINNING**;

Thence leaving said general northerly line, the following five (5) courses:

- 1) N32°57'38"E, 11.00 feet;
- 2) S57°02'22"E, 166.89 feet;
- 3) N82°24'38"E, 386.92 feet;
- 4) S81°15'22"E, 107.51 feet;
- 5) S08°35'10"E, 11.52 feet, to a point on said general northerly line;

Thence along said general northerly line, the following three (3) courses;

- 1) N81° 15' 22"W, 109.37 feet;
- 2) S82° 24' 38"W, 389.40 feet;
- 3) N57° 02' 22"W, 170.95 feet to the **POINT OF BEGINNING**.

Containing 7,321 square feet of land, more or less.

**BASIS OF BEARINGS:**

The bearing of N57°02'22"W, shown as S57°34'24"E along the general northerly line of the lands shown as "LOT 1" on that certain map entitled "TRACT NO. 8446", filed in Book 633 of Maps at Page 42, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.



Exhibit G

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

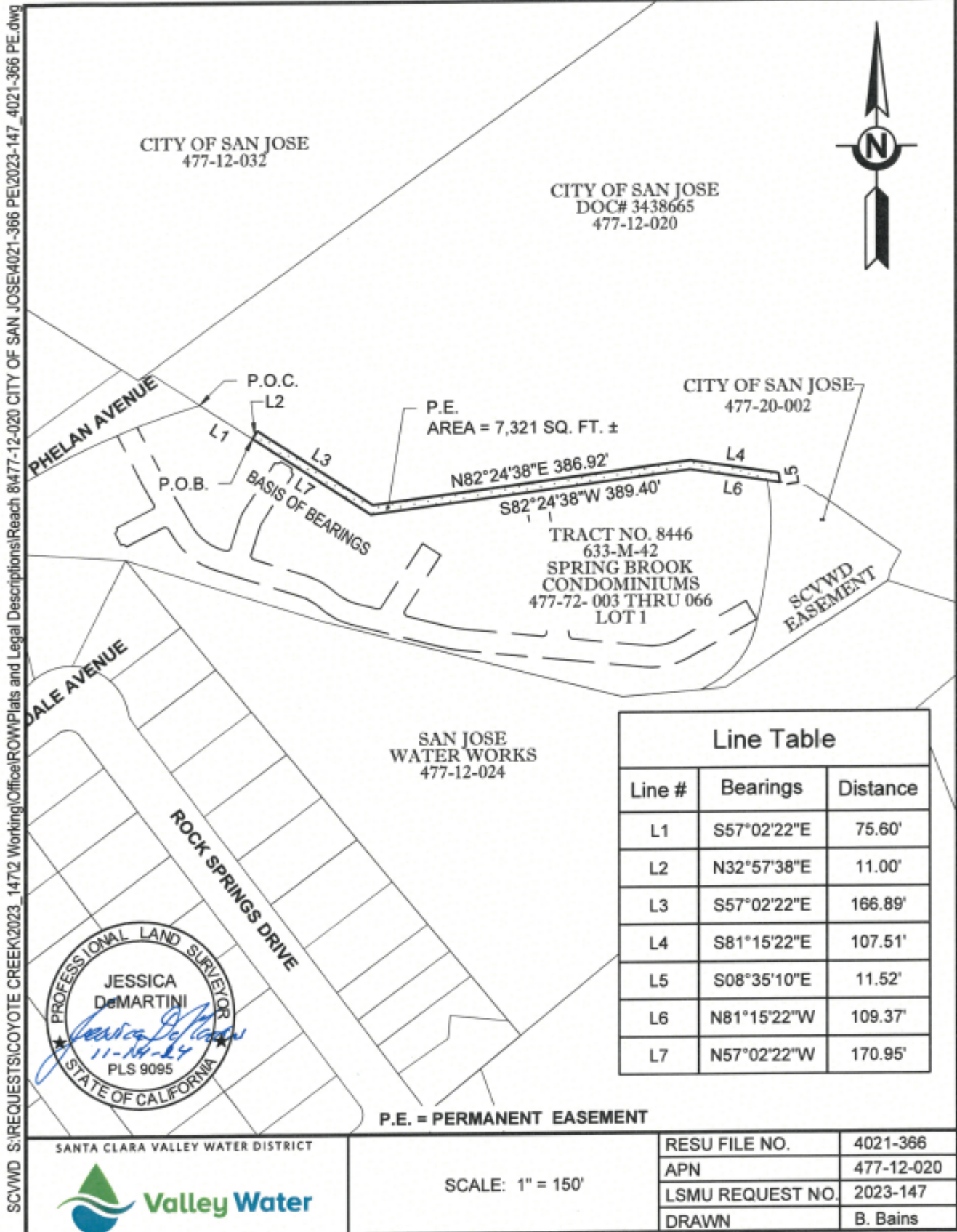
  
Jessica DeMartini, PLS 9095

11/14/24  
Date



Exhibit G

CITY OF SAN JOSE



# **EXHIBIT H COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT, FILE NO. 4021-414**

No. of Pages: 10

Exhibit Attachments: None

## **EXHIBIT H**

### **(TEMPORARY CONSTRUCTION EASEMENT, File No. 4021-414)**

A temporary construction easement in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly described below.

This temporary construction easement is granted under the express conditions listed below:

1. Grantor represents and warrants that it is the owner of the property described as the Easement Area and that Grantor has the exclusive right to convey the Easement to the Grantee.
2. This Easement is necessary for the purpose of constructing the Coyote Creek Flood Protection Project and related activities incident to construction. The Easement shall not be revoked and shall continue in full force and effect beginning on January 1, 2026, until June 30, 2029, at which time the temporary construction easement shall terminate.
3. Grantor and Grantee acknowledge that the duration of the construction activity authorized herein within the Easement Area will likely be shorter than the term described in Section 2. Grantee agrees to notify Grantor in writing at least 1 week prior to exercising the rights granted herein to enter the Easement Area. The written notification to the Grantor shall include an estimate of the expected duration of the Grantee's contractors and/or subcontractors use of the Easement Area.
4. Grantee agrees to use all reasonable efforts to keep any roadway covered by this easement open to traffic and to not interfere with Grantor utility operations or construction activity of Grantor on site. Grantee will keep Easement Area clean and remove all debris related to its construction.
5. Grantee agrees to indemnify and hold harmless Grantor from and against any and all claims, damages, liabilities, costs or any expenses whatsoever, arising from or caused, directly or indirectly by the entry onto the property by Grantee or its agent's, employees, invitees, contractors and subcontractors.
6. The provisions of this Easement shall inure to the benefit of, and bind, the successors and assigns, heirs, and devisees of the respective parties.

**EXHIBIT H**

**Santa Clara Valley Water District  
San Jose, California**

**PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)**

**RESU File No.: 4021-414  
By: H. Zaeri**

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands as described in that certain Deed recorded as Document Number 205294, filed on January 6, 1978, all in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Temporary Construction Easement (T.C.E.)  
PARCEL 1**

**COMMENCING** at the most southeasterly corner of the lands described in that certain Deed recorded as Document number 4253947, filed on May 10, 1972, said point also being on the northerly line of "BAYSHORE FREEWAY", as shown on that certain Record of Survey, filed in Book 821 of Maps, page 1, all in the Office of the Recorder, County of Santa Clara, State of California, and said point also being the beginning of a non-tangent curve concave southwesterly and having a radius of 5000.00 feet, a radial line to said point bears, N31°18'58"E;

Thence along said northerly line, southeasterly along said curve thru a central angle of 1°39'29", an arc distance of 144.68 feet, to the **POINT OF BEGINNING**;

Thence leaving said northerly line, the following twenty-one (21) courses:

- 1) N24°01'12"W, 19.74 feet;
- 2) N00°55'24"W, 60.40 feet;
- 3) N02°29'36"W, 167.18 feet, to the beginning of a curve concave easterly, and having a radius of 492.00 feet;
- 4) Northerly along said curve thru a central angle of 03°13'51", an arc distance of 27.74 feet;
- 5) N00°44'15"E, 68.67 feet;
- 6) N62°26'07"E, 17.21 feet;
- 7) N23°51'07"W, 14.71 feet;
- 8) S71° 14' 05"W, 48.22 feet;
- 9) N42° 39' 26"E, 27.09 feet;
- 10) N65° 52' 34"E, 12.19 feet, to the beginning of a non-tangent curve concave northwesterly, and having a radius of 22.00 feet, a radial line to said point bears N23°51'11"W;
- 11) Northeasterly along said curve thru a central angle of 78°14'07", an arc distance of 30.04 feet, to the beginning of a curve a concave northeasterly, and having a radius of 128.00 feet;
- 12) Northerly along said curve thru a central angle of 16°24'00", an arc distance of 36.64 feet;

## EXHIBIT H

- 13) N04° 18' 42"E, 42.15 feet;
- 14) S87° 24' 59"E, 20.13 feet;
- 15) S00° 58' 31"W, 196.40 feet;
- 16) S03° 36' 51"E, 209.46 feet, to the beginning of a curve concave easterly, and having a radius of 60.00 feet;
- 17) Southeasterly along said curve thru a central angle of 27°33'33", an arc distance of 28.86 feet;
- 18) S31° 10' 24"E, 18.74 feet;
- 19) S34° 43' 28"E, 57.49 feet;
- 20) S54° 50' 23"E, 59.65 feet;
- 21) S34° 28' 02"W, 20.75 feet, to said northerly line, said point also being the beginning of a non-tangent curve concave southwesterly, and having radius of 5000.00 feet, a radial line to said point bears N34° 28' 13"E;

Thence along said northerly line, northwesterly along said curve, thru a central angle of 1°29'47", an arc distance of 130.59 feet, to the **POINT OF BEGINNING**;

Containing 15,931 square feet of land, more or less.

### **BASIS OF BEARINGS:**

The bearing of S00°17'34"E, described as S00°17'34"E along the easterly line of the lands described in that certain Deed recorded as Document number 4253947, filed on May 10, 1972, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

### **PARCEL 2**

**COMMENCING** at the most northwesterly corner of the lands described as "PARCEL THREE", said point also being on the northeasterly line of the lands described as "PARCEL ONE", in that certain Deed recorded as Document Number 205294, filed on January 06, 1978, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the northeasterly line of said "PARCEL ONE", the following two (2) courses:

- 1) N27°37'25"W, 88.68 feet;
- 2) N31°56'25"W, 34.37 feet, to the **POINT OF BEGINNING**;

Thence leaving said northeasterly line, the following six (6) courses:

- 1) S21° 53' 40"E, 23.27 feet;
- 2) S67° 33' 35"W, 35.24 feet;
- 3) N22° 41' 05"W, 76.49 feet, to the beginning of a curve concave southwesterly and having a radius of 152.00 feet;
- 4) Northwesterly along said curve thru a central angle of 5°54'20", an arc distance of 15.67 feet;
- 5) N28° 35' 25"W, 28.98 feet;
- 6) N67° 18' 59"E, 23.41 feet to said northeasterly line of said "PARCEL ONE";

## EXHIBIT H

- 11) Northwesternly along said curve thru a central angle of  $17^{\circ}34'36''$ , an arc distance of 179.33 feet;
- 12)  $N21^{\circ}49'39''W$ , 152.43 feet;
- 13)  $N21^{\circ}53'40''W$ , 23.27 feet, to a point on the northeasterly line of said "PARCEL ONE" in said Deed

Thence along said northeasterly line, the following two (2) courses:

- 1)  $S31^{\circ}56'25''E$ , 34.37 feet;
- 2)  $S27^{\circ}37'25''E$ , 88.68 feet, to the **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** the following lands thereof described as follows:

**COMMENCING** at the most northwesterly corner of the lands described as "PARCEL TWO", in that certain Deed recorded as Document Number 205294, filed on January 06, 1978, in the Office of the Recorder, County of Santa Clara, State of California;

Thence leaving said corner,  $N69^{\circ}51'35''W$ , 16.37 feet, to the **POINT OF BEGINNING**;

Thence the following twelve (12) courses:

- 1)  $S22^{\circ}42'18''E$ , 10.58 feet;
- 2)  $S17^{\circ}26'14''E$ , 181.74 feet;
- 3)  $S15^{\circ}29'59''E$ , 340.71 feet;
- 4)  $S20^{\circ}45'48''E$ , 254.65 feet;
- 5)  $S06^{\circ}23'50''E$ , 109.68 feet, to the beginning of a curve concave northwesterly and having a radius of 42.00 feet;
- 6) Southwesterly along said curve, thru a central angle of  $132^{\circ}53'38''$ , an arc distance of 97.42 feet, to the beginning of a curve concave northeasterly and having a radius of 5034.00 feet;
- 7) Northwesternly along said curve thru a central angle of  $2^{\circ}18'36''$ , an arc distance of 202.94 feet;
- 8)  $N34^{\circ}43'54''W$ , 108.87 feet;
- 9)  $N03^{\circ}27'26''W$ , 229.29 feet;
- 10)  $N01^{\circ}07'52''E$ , 106.58 feet;
- 11)  $N00^{\circ}58'17''E$ , 345.51 feet, to the beginning of a non-tangent curve concave southerly and having radius of 25.00 feet, a radial line to said point bears  $N89^{\circ}01'51''W$ ;
- 12) northeasterly, easterly and southeasterly along said curve thru a central angle of  $156^{\circ}19'25''$ , an arc distance of 68.21 feet, to the **POINT OF BEGINNING**;

Containing 51,441 square feet (1.18 Acres) of land, more or less.

### **BASIS OF BEARINGS:**

The bearing of  $S27^{\circ}37'25''E$ , shown as  $S28^{\circ}32'E$  along the northeasterly line of the lands described as "PARCEL ONE", in that certain Deed recorded as Document Number 205294, filed on January 06, 1978, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.



EXHIBIT H

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
Jessica DeMartini, PLS 9095

12/12/24  
Date



EXHIBIT H

CITY OF SAN JOSE

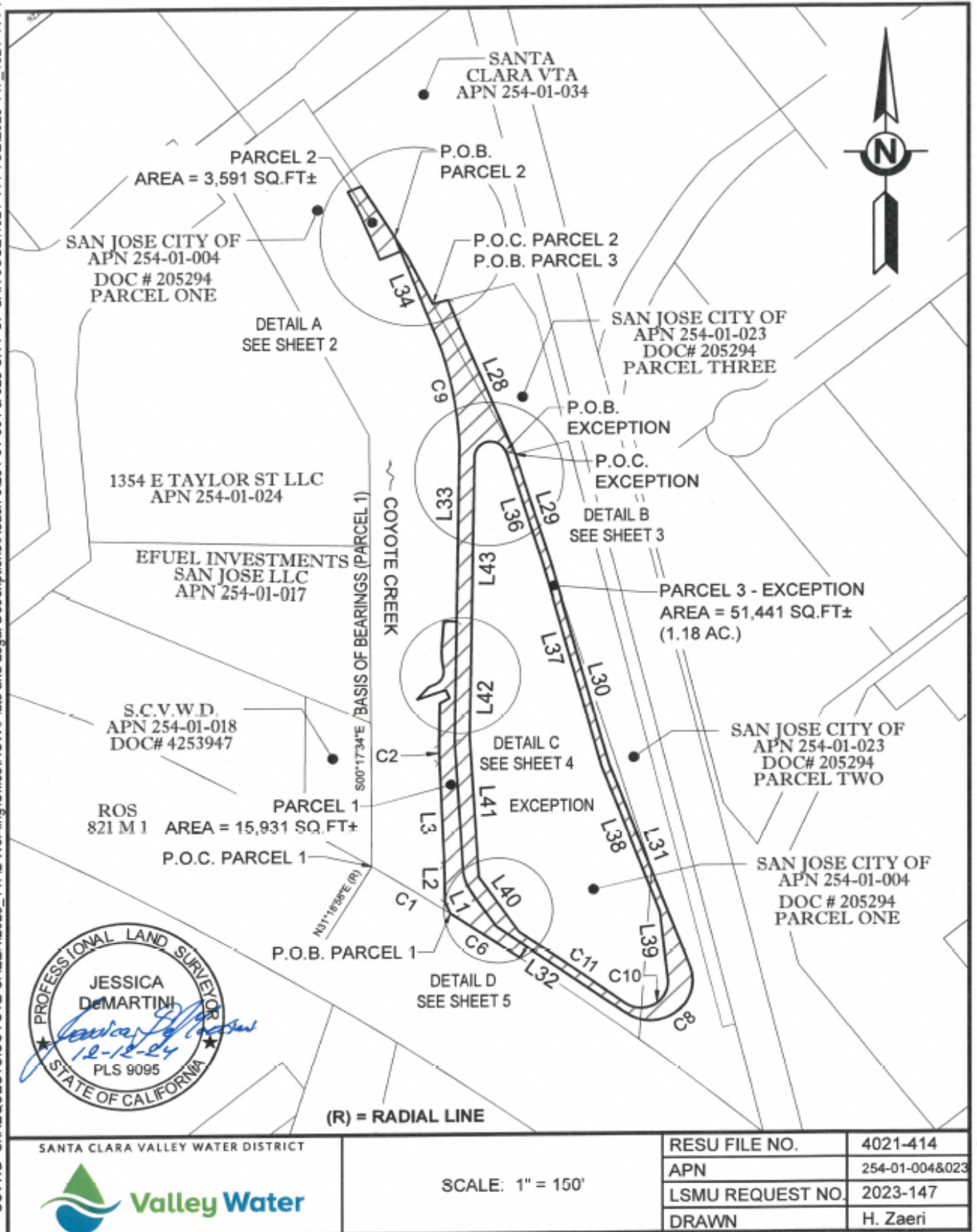
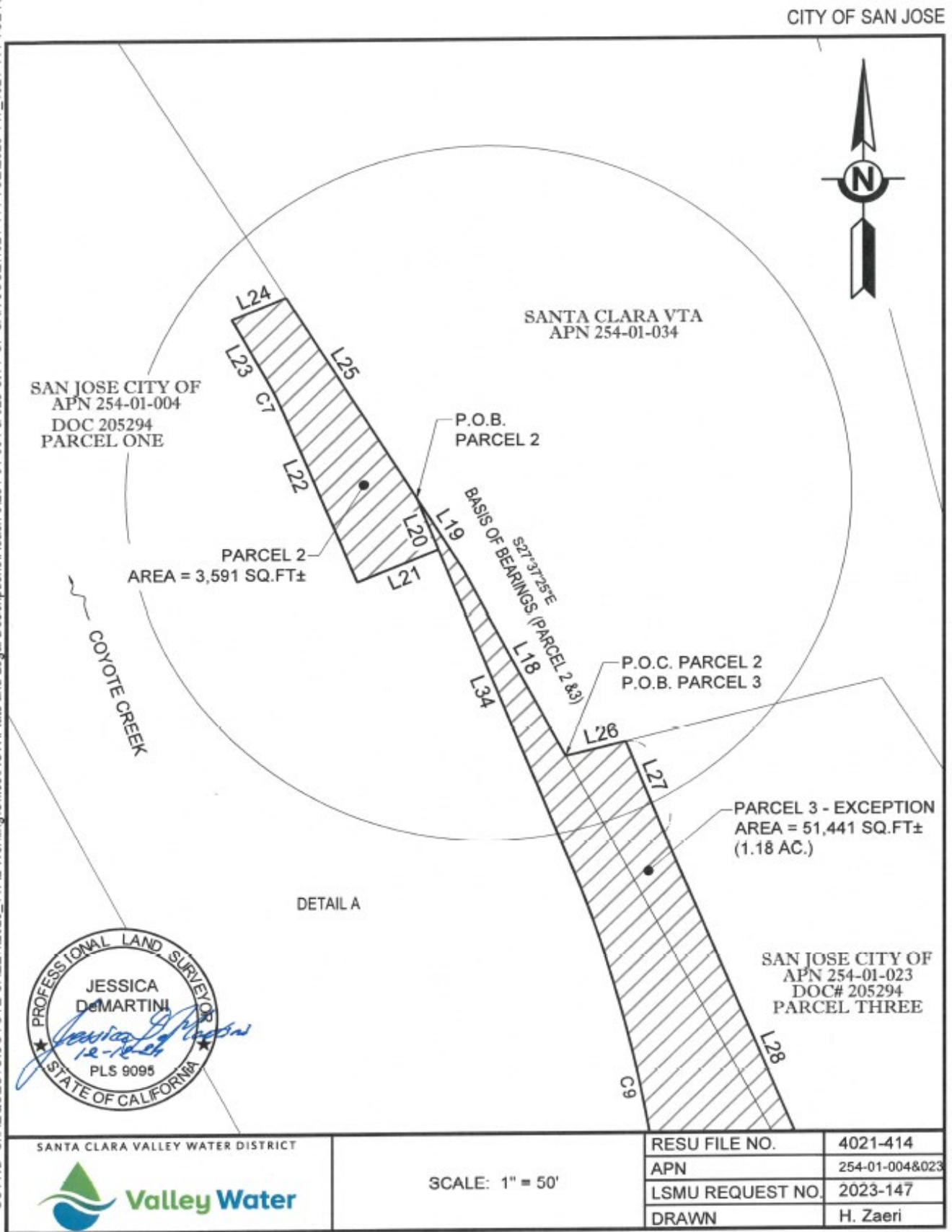


EXHIBIT H

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# EXHIBIT H

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CITY OF SAN JOSE

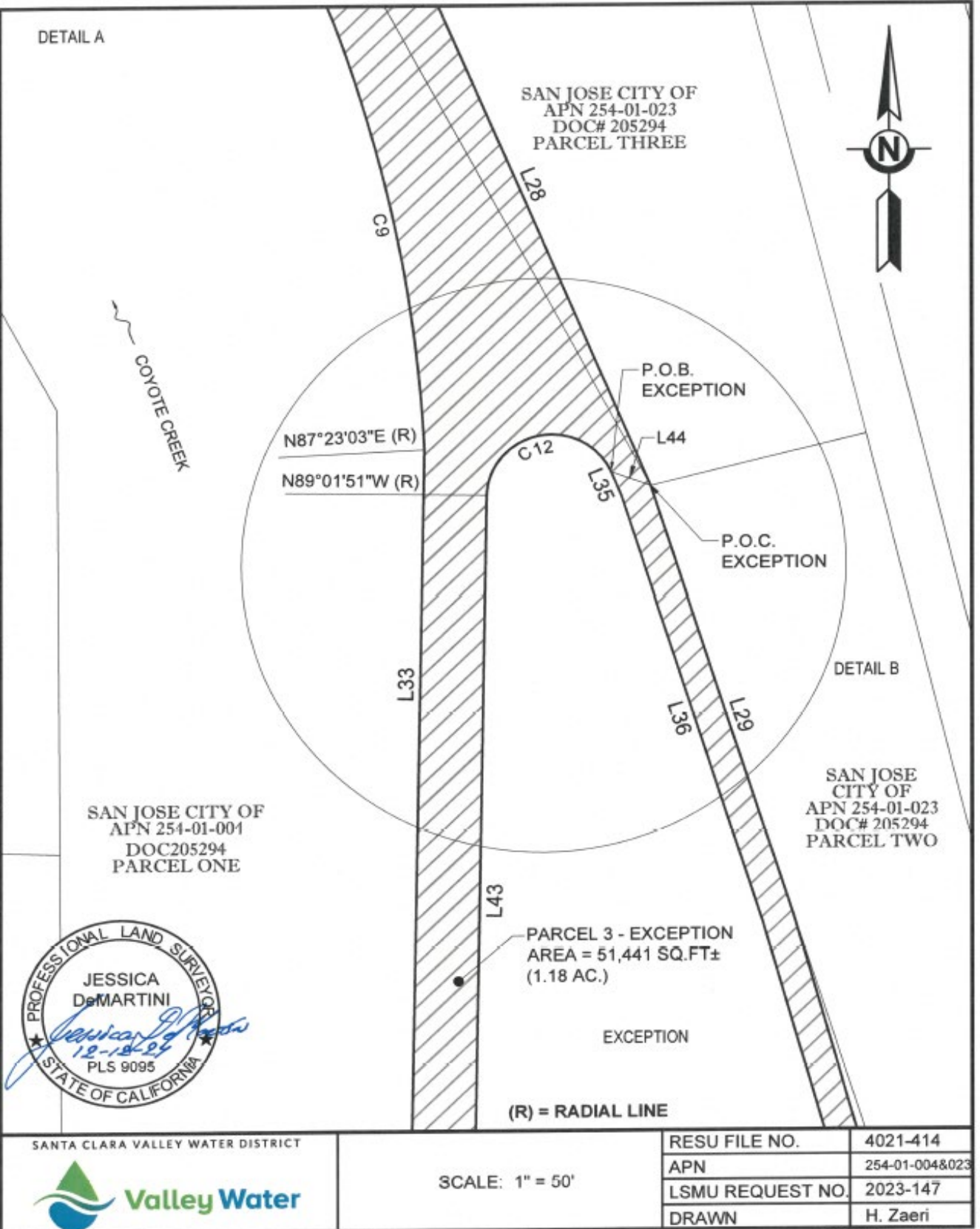


EXHIBIT H

CITY OF SAN JOSE

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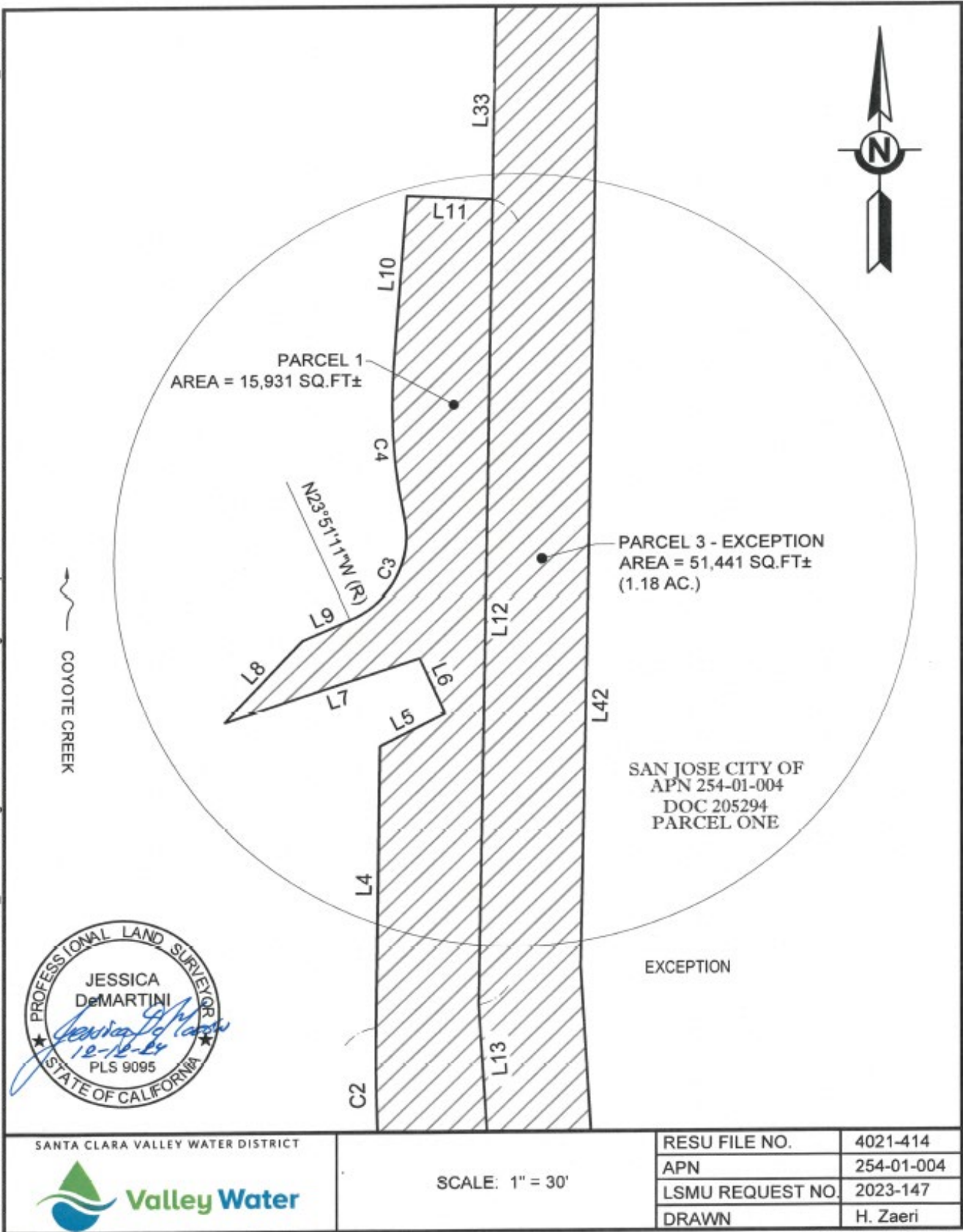
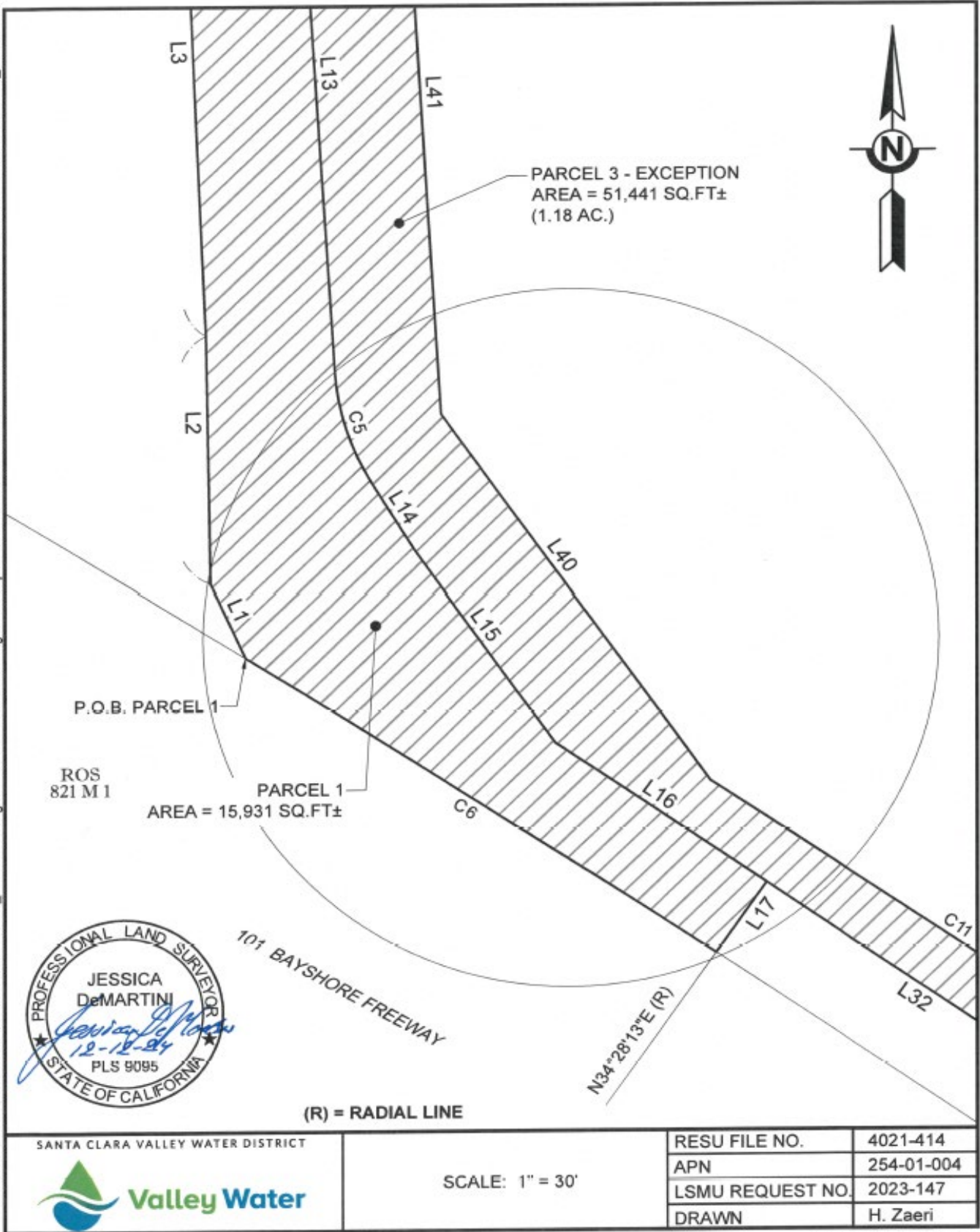


EXHIBIT H

CITY OF SAN JOSE



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# **EXHIBIT I COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT, FILE NO. 4021-448**

No. of Pages: 6

Exhibit Attachments: None



## **EXHIBIT I**

### **(TEMPORARY CONSTRUCTION EASEMENT, File No. 4021-448)**

A temporary construction easement in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly described below.

This temporary construction easement is granted under the express conditions listed below:

1. Grantor represents and warrants that it is the owner of the property described as the Easement Area and that Grantor has the exclusive right to convey the Easement to the Grantee.
2. This Easement is necessary for the purpose of constructing the Coyote Creek Flood Protection Project and related activities incident to construction. The Easement shall not be revoked and shall continue in full force and effect beginning on January 1, 2026, until June 30, 2029, at which time the temporary construction easement shall terminate.
3. Grantor and Grantee acknowledge that the duration of the construction activity authorized herein within the Easement Area will likely be shorter than the term described in Section 2. Grantee agrees to notify Grantor in writing at least 1 week prior to exercising the rights granted herein to enter the Easement Area. The written notification to the Grantor shall include an estimate of the expected duration of the Grantee's contractors and/or subcontractors use of the Easement Area.
4. Grantee agrees to use all reasonable efforts to keep any roadway covered by this easement open to traffic and to not interfere with Grantor utility operations or construction activity of Grantor on site. Grantee will keep Easement Area clean and remove all debris related to its construction.
5. Grantee agrees to indemnify and hold harmless Grantor from and against any and all claims, damages, liabilities, costs or any expenses whatsoever, arising from or caused, directly or indirectly by the entry onto the property by Grantee or its agent's, employees, invitees, contractors and subcontractors.
6. The provisions of this Easement shall inure to the benefit of, and bind, the successors and assigns, heirs, and devisees of the respective parties.

**EXHIBIT I**

**Santa Clara Valley Water District  
San Jose, Ca 95118**

**PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)**

**RESU FILE NO.: 4021-448  
BY: B. Bains**

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands of that certain map entitled "PIONEER HOMESTEAD ASSOCIATION TRACT" and filed in Book C of Miscellaneous Records at Page 342, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Temporary Construction Easement (T.C.E.)**

**PARCEL A**

**COMMENCING** at the "Fd. Brass Plug" at the intersection of the center line of Empire Street (40' wide) and North Twenty Second Street (50' wide) of the lands shown on that certain Parcel Map recorded in Book 213 of page 38, filed on August 22, 1966, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the center line of North Twenty-Second Street, N38°35'34"W, 169.30 feet;

Thence leaving said center line, N77°14'33"E, 119.64 feet, to the **POINT OF BEGINNING**;

Thence the following seventeen (17) courses:

- 1) N12°32'42"W, 41.62 feet;
- 2) S87°31'32"E, 20.89 feet;
- 3) S12°32'42"E, 19.21 feet;
- 4) N77°29'25"E, 17.50 feet;
- 5) N12°32'42"W, 11.05 feet;
- 6) N77°17'05"E, 149.04 feet;
- 7) S72°06'52"E, 10.66 feet;
- 8) S12°51'49"E, 30.72 feet;
- 9) N77°08'11"E, 11.66 feet;
- 10) N12°42'55"W, 37.69 feet;
- 11) S51°08'13"E, 29.08 feet;
- 12) S13°01'16"E, 33.28 feet;
- 13) S79°29'17"W, 31.21 feet;
- 14) N12°54'21"W, 48.63 feet;
- 15) S77°17'29"W, 155.56 feet;

## EXHIBIT I

- 16) S12°32'55"E, 23.42 feet;
- 17) S77°29'25"W, 38.99 feet, to the **POINT OF BEGINNING**;

Containing 2,895 square feet of land, more or less.

### PARCEL B

**COMMENCING** at the "Fd. Brass Plug" at the intersection of the center line of Empire Street (40' wide) and North Twenty Second Street (50' wide) of the lands shown on that certain Parcel Map recorded in Book 213 of page 38, filed on August 22, 1966, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the center line of North Twenty-Second Street, N38°35'34"W, 169.30 feet;

Thence leaving said center line, N07°58'17"W, 85.04 feet, to the **POINT OF BEGINNING**;

Thence the following nine (9) courses:

- 1) N06°30'23"E, 2.74 feet;
- 2) S87°55'02"E, 106.80 feet;
- 3) N02°04'58"E, 20.47 feet;
- 4) N78°10'28"E, 105.30 feet;
- 5) S11°49'32"E, 23.96 feet;
- 6) N77°17'05"E, 58.13 feet;
- 7) S12°42'55"E, 4.74 feet;
- 8) S77°17'05"W, 142.64 feet;
- 9) N87°31'32"W, 134.50 feet, to the **POINT OF BEGINNING**;

Containing 3,728 square feet of land, more or less.

### BASIS OF BEARINGS for PARCEL A & B:

The bearing of N38°35'34"W, shown as S39°20'45"W along the center line of North Twenty Second Street of the lands as shown on that certain Parcel Map recorded in Book 213 of page 38, filed on August 22, 1966, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

### PARCEL C

**COMMENCING** at the "3/4" Iron Pipe" at the southeasterly corner of the lands shown as "LOT 29", on that certain Map entitled "TRACT NO. 6157" filed in Book 401 of Maps at Page 52, on August 21, 1977, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the southerly line of said lands, S51°24'26"W, 105.28 feet, to the most southerly corner of said lands;

**EXHIBIT I**

Thence leaving said southerly line, S09°16'46"E, 91.62 feet, to the **POINT OF BEGINNING**;

Thence the following eight (8) courses:

- 1) N51°27'22"E, 25.24 feet;
- 2) S46°23'19"E, 77.75 feet;
- 3) S43°36'41"W, 119.63 feet;
- 4) N46°23'19"W, 94.23 feet;
- 5) N51°27'22"E, 25.17 feet;
- 6) S65°38'53"E, 80.29 feet;
- 7) N43°36'41"E, 18.18 feet;
- 8) N25°40'34"W, 70.76 feet, feet to the **POINT OF BEGINNING**;

Containing 7,171 square feet of land, more or less.

**BASIS OF BEARINGS for PARCEL C:**

The bearing of S51°24'26"W, shown as S50°37'12"W along the southerly line of the lands shown as "LOT 29", on that certain Map entitled "TRACT NO. 6157" filed in Book 401 of Maps at Page 52, on August 21, 1977, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

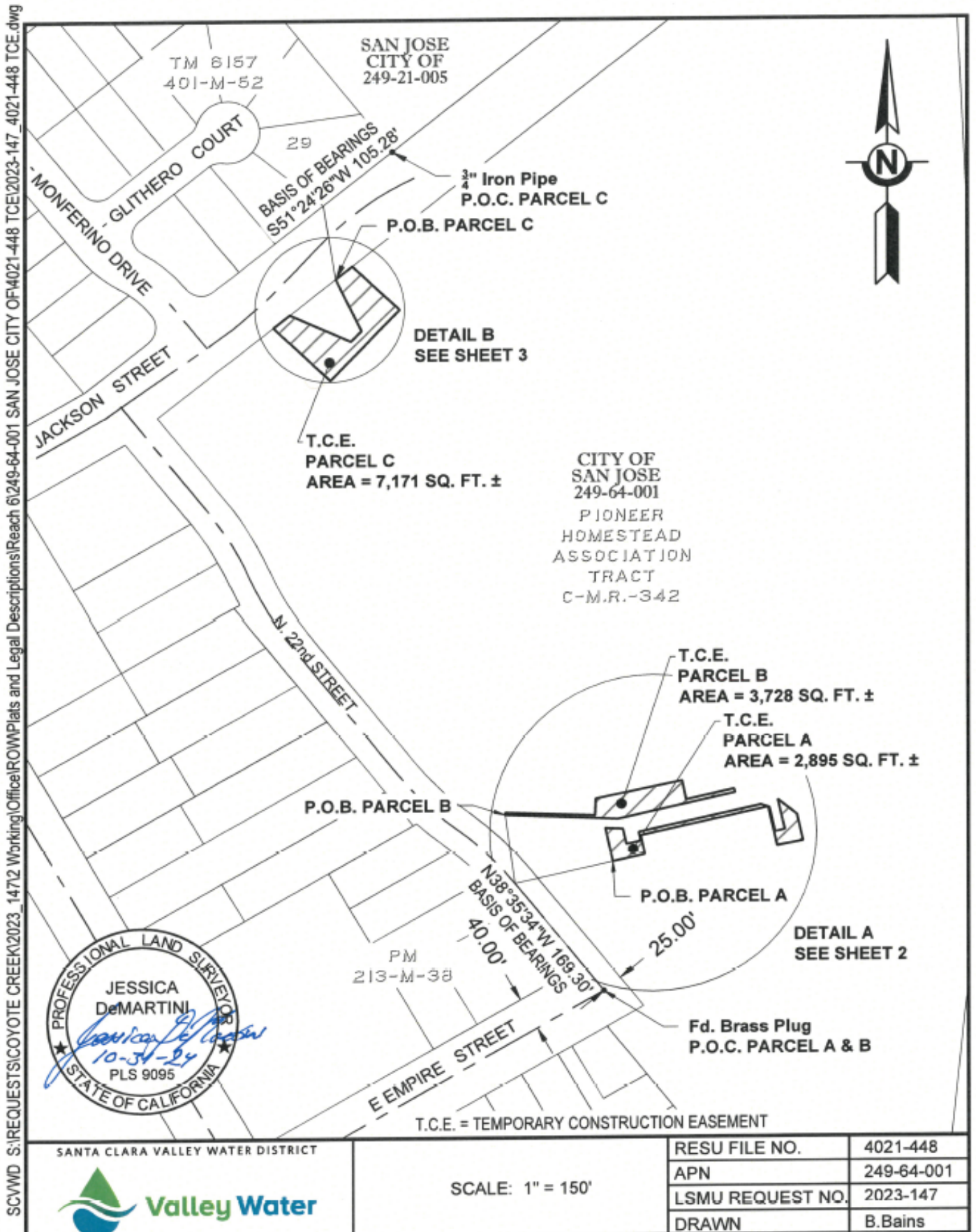
  
Jessica DeMartini, PLS 9095

10/31/24  
Date



# EXHIBIT I

CITY OF SAN JOSE



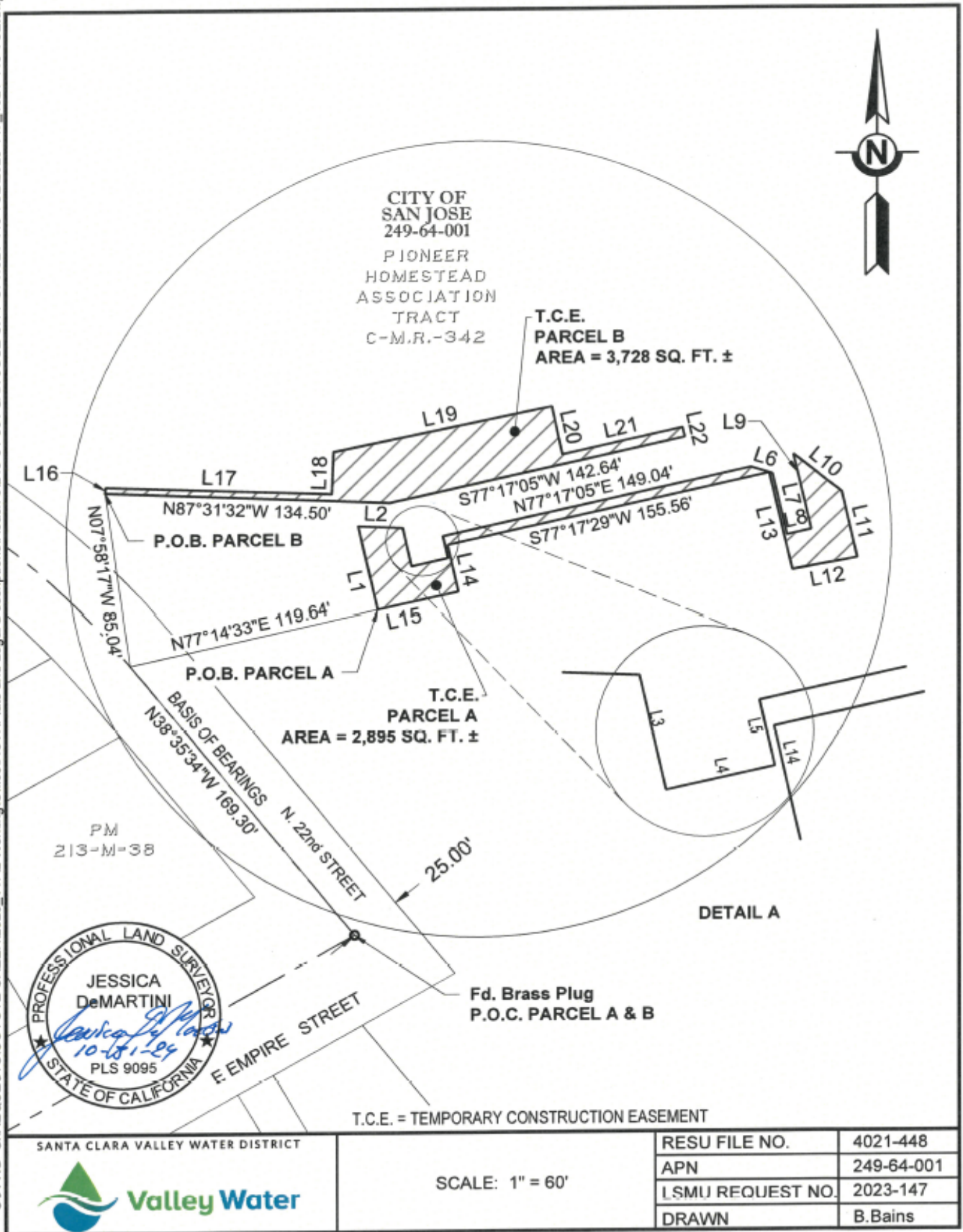
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# EXHIBIT I

CITY OF SAN JOSE

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# **EXHIBIT J COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT, FILE NO. 4021-457**

No. of Pages: 8

Exhibit Attachments: None



## **EXHIBIT J**

### **(TEMPORARY CONSTRUCTION EASEMENT, File No. 4021-457)**

A temporary construction easement in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly described below.

This temporary construction easement is granted under the express conditions listed below:

1. Grantor represents and warrants that it is the owner of the property described as the Easement Area and that Grantor has the exclusive right to convey the Easement to the Grantee.
2. This Easement is necessary for the purpose of constructing the Coyote Creek Flood Protection Project and related activities incident to construction. The Easement shall not be revoked and shall continue in full force and effect beginning on January 1, 2026, until June 30, 2029, at which time the temporary construction easement shall terminate.
3. Grantor and Grantee acknowledge that the duration of the construction activity authorized herein within the Easement Area will likely be shorter than the term described in Section 2. Grantee agrees to notify Grantor in writing at least 1 week prior to exercising the rights granted herein to enter the Easement Area. The written notification to the Grantor shall include an estimate of the expected duration of the Grantee's contractors and/or subcontractors use of the Easement Area.
4. Grantee agrees to use all reasonable efforts to keep any roadway covered by this easement open to traffic and to not interfere with Grantor utility operations or construction activity of Grantor on site. Grantee will keep Easement Area clean and remove all debris related to its construction.
5. Grantee agrees to indemnify and hold harmless Grantor from and against any and all claims, damages, liabilities, costs or any expenses whatsoever, arising from or caused, directly or indirectly by the entry onto the property by Grantee or its agent's, employees, invitees, contractors and subcontractors.
6. The provisions of this Easement shall inure to the benefit of, and bind, the successors and assigns, heirs, and devisees of the respective parties.

**EXHIBIT J**

**Santa Clara Valley Water District  
San Jose, Ca 95118**

**PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)**

**RESU FILE NO.: 4021-457  
BY: A. Ruiz**

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands as described in that certain Deed recorded as Document Number 1097738, filed on April 26, 1955, and also a portion of the lands as described in that certain Deed recorded as Document Number 21467326, filed on December 22, 2011, both documents in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Temporary Construction Easement (T.C.E.)**

**BEGINNING** at a 3/4" iron pipe, located on the most northeasterly corner of the lands designated as "Lot 14", said most northeasterly corner also being on the southeasterly line of "Lot 14A," both as shown on that certain Record of Survey, filed in Book 633 of Maps at Page 37, on February 4, 1992, in the Office of the Recorder, Santa Clara County, State of California;

Thence along the southeasterly line of said "Lot 14A" as shown on said map, the following two courses:

- 1) S64°55'19"W 222.65 feet;
- 2) S60°05'13"W 46.81 feet, to a point on the general northwesterly line of the lands designated as "Lot 13" as shown on said map;

Thence leaving said general northwesterly line of said "Lot 13" as shown on said map, the following two courses:

- 1) N17°31'45"W 134.63 feet;
- 2) N69°17'34"W 65.30 feet, to a point on the easterly line of the lands as described in that certain Deed recorded as Document Number 20141382, filed on February 20, 2009, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the easterly line of said lands, N05°59'36"W 22.39 feet;

Thence leaving said easterly line of said lands, the following seven (7) courses:

- 1) S69°17'34"E 36.87 feet;
- 2) N20°42'26"E 25.97 feet;
- 3) S49°20'03"E 59.95 feet;
- 4) N64°55'39"E 68.39 feet;
- 5) N25°04'21"W 28.29 feet;
- 6) N64°55'39"E 115.12 feet;

**EXHIBIT J**

- 7) S45°57'54"E 172.82 feet, to a point on the southeasterly line of said "Lot 14A" as shown on that certain Record of Survey filed on February 4, 1992 in Book 633 of Maps at Page 38;

Thence along the southeasterly line of said lands, S61°50'50"W 24.28 feet, to the **POINT OF BEGINNING**.

Containing 40,659 square feet (0.93 acres) of land, more or less.

**BASIS OF BEARINGS:**

The bearing of S64°55'19"W, shown as N64°23'46"E along the southeasterly line of the lands designated as "Lot 14A" as shown on that certain Record of Survey, filed in Book 633 of Maps at Page 37, on February 4, 1992, in the Office of the Recorder, Santa Clara County, State of California, was used as Basis of Bearings shown hereon.

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
Jessica DeMartini, PLS 9095

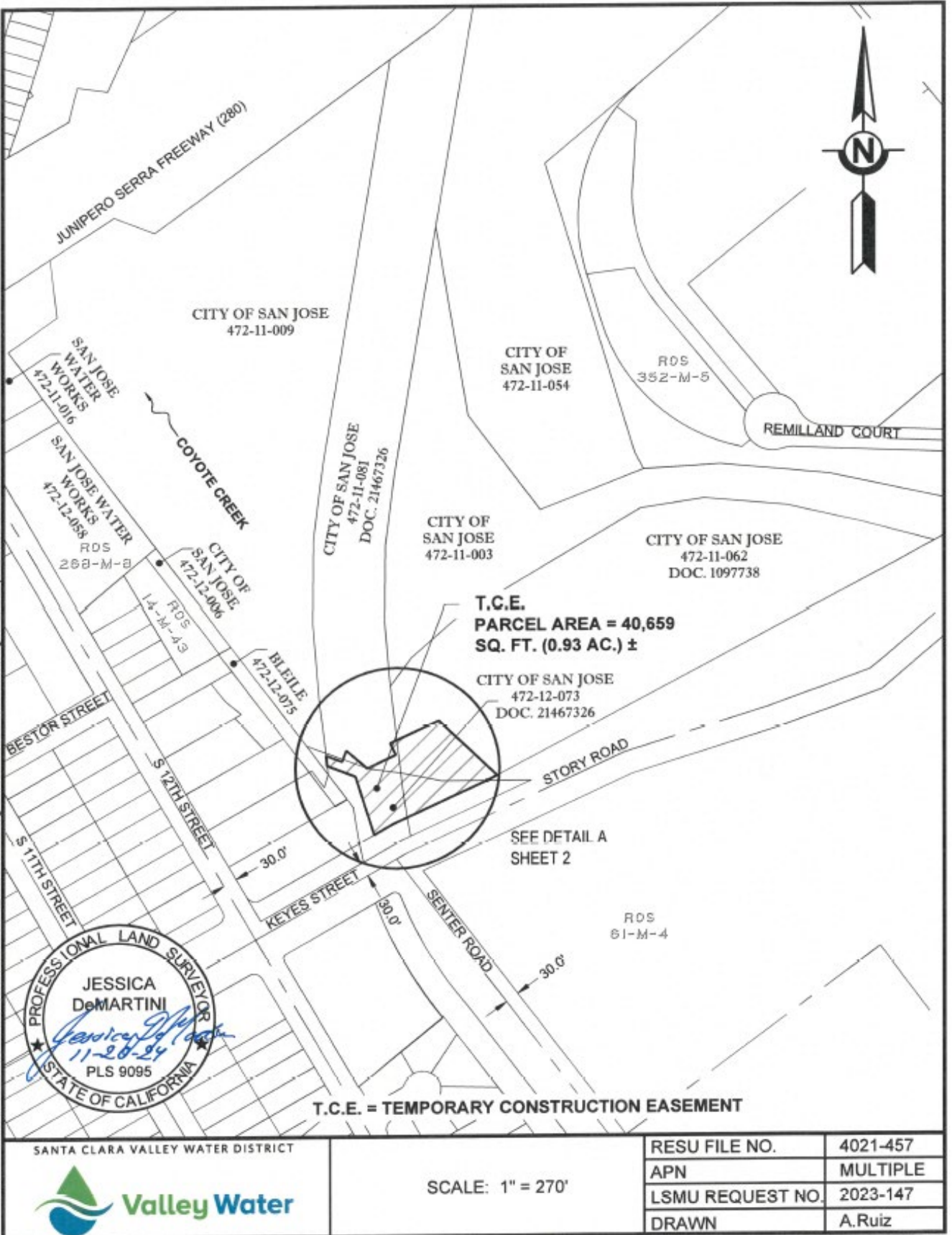
11/20/24  
Date



# EXHIBIT J

CITY OF SAN JOSE

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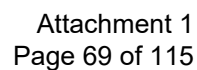


SANTA CLARA VALLEY WATER DISTRICT



SCALE: 1" = 270'

## CITY OF SAN JOSE





## EXHIBIT J

CITY OF SAN JOSE

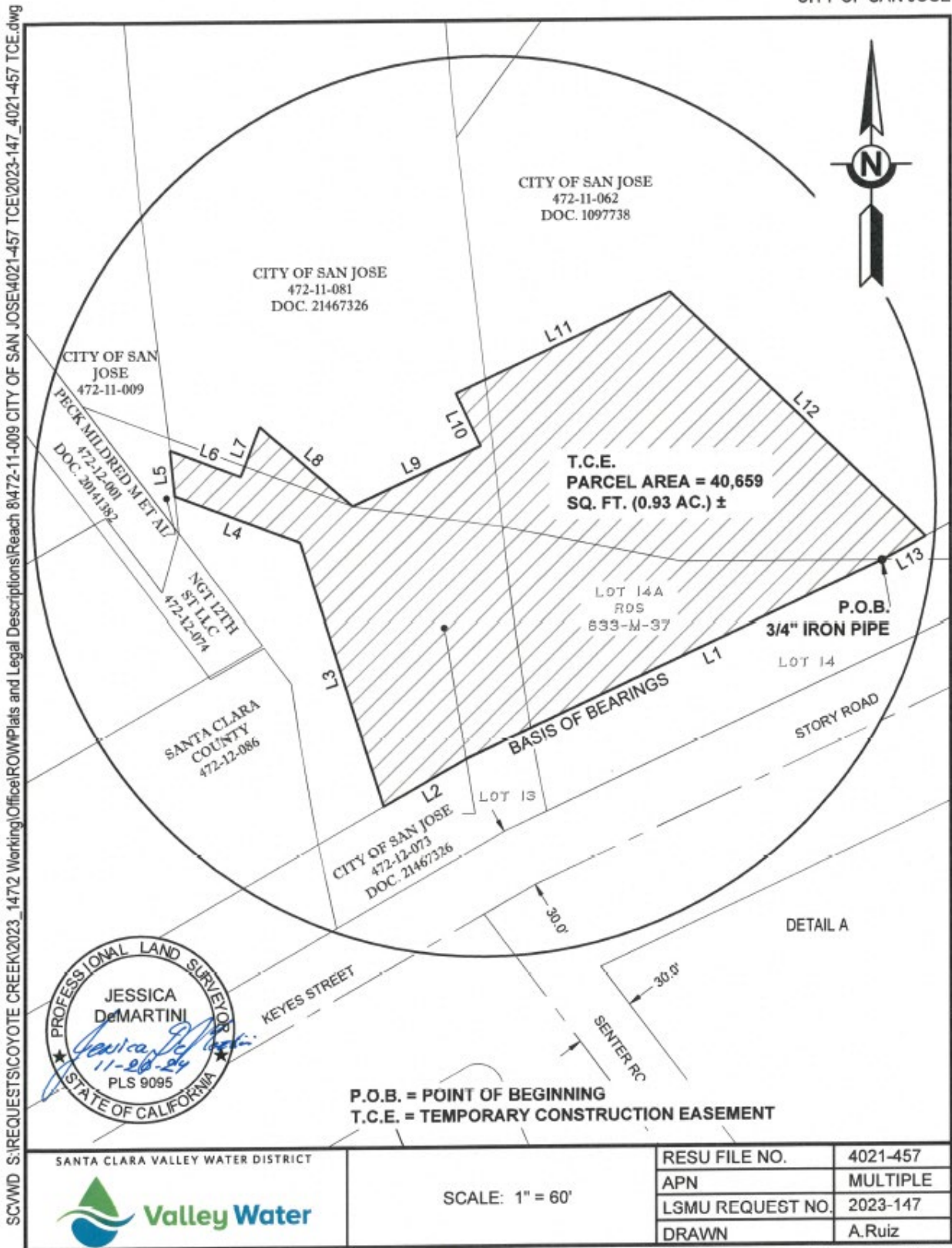




EXHIBIT J

CITY OF SAN JOSE

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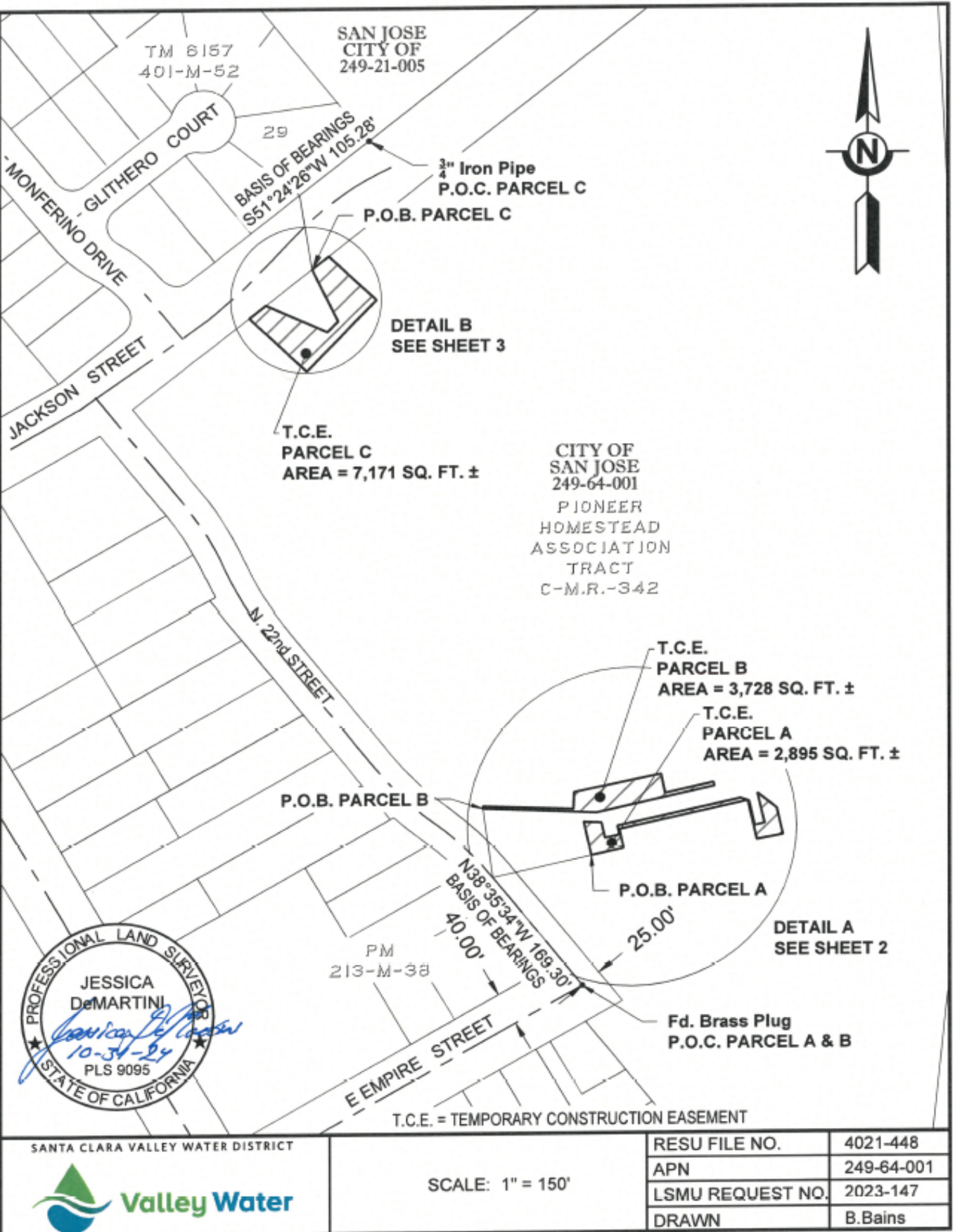
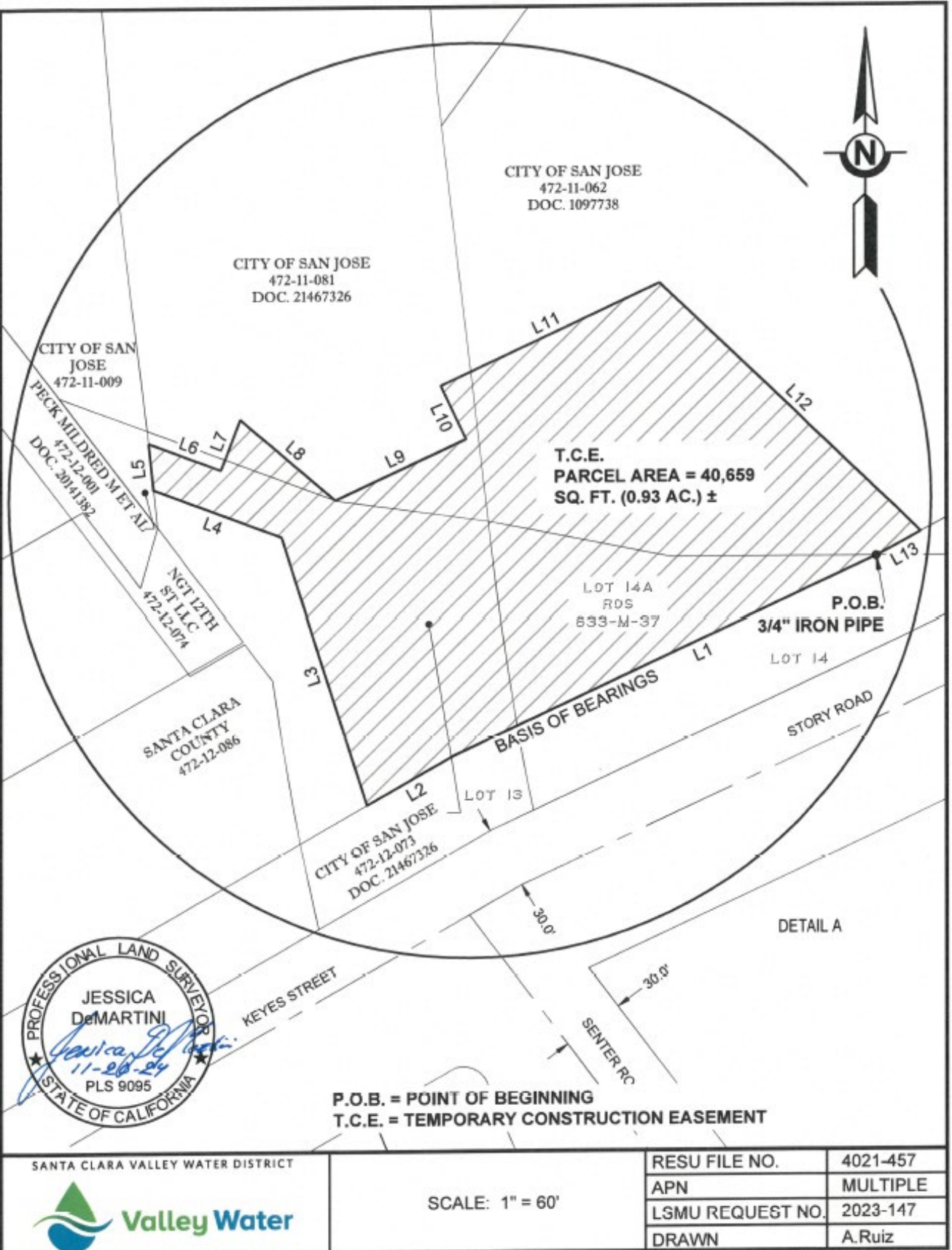


EXHIBIT J

CITY OF SAN JOSE

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# **EXHIBIT K COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION WATER MANAGEMENT EASEMENT, FILE NO. 4021-469**

No. of Pages: 4

Exhibit Attachments: None

## **EXHIBIT K**

### **WATER MANAGEMENT AND/OR STORM WATER DRAINAGE EASEMENT, File No. 4021-469**

An easement for water management and/or storm water drainage purposes in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly land depicted below.

Said easement area shall be kept clear of any type of building, fences, structure, pavement, or trees unless prior written approval is obtained from Valley Water.

The easement shall include the right to construct, reconstruct, inspect, maintain, and repair a channel, protection works, and appurtenant structures, together with the right to trim or remove such trees or brush within the easement area as may constitute a hazard to persons or property or may interfere with the use of said area for the purpose granted. It also shall include the right to enter upon said land with vehicles, tools, implements, and other materials, take there from and use earth, rock, sand, and gravel for construction, maintenance, and repair of said channel, protections work, and appurtenant structures by Valley Water, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control or storm drainage purposes.

The easement shall also include the non-exclusive right of ingress from and egress to public streets to the easement area described below, over and across the property of the Grantor by such route or routes as shall occasion the least practicable damage to the property and inconvenience to Grantor for the purposes of routine inspection and maintenance of the improvements within the easement. Valley Water shall provide reasonable advance notification of its intent to enter Grantor's property.

**Exhibit K**

**Santa Clara Valley Water District  
San Jose, Ca 95118**

**PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)**

**RESU FILE NO.: 4021-469  
BY: B. Bains**

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands described in that certain Deed recorded as Document number 1778206, filed on March 4, 1990, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Permanent Easement (P.E.)**

**COMMENCING** at the southeasterly corner of the lands shown on that certain Amended Record of Survey filed in Book 343 of Maps at Page 56, on August 2, 1974, said point also being on the westerly line of "WOODBOROUGH PLACE" as shown on that certain map entitled "TRACT NO. 9134", filed in Book 712 of Maps at Page 53, on February 25, 1999, all in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the southerly line of said lands, N80°10'50"W, 48.00 feet, to the **POINT OF BEGINNING**;

Thence leaving said southerly line, the following two (2) courses:

- 1) S43°16'33"W, 34.46 feet;
- 2) S10°43'36"E, 190.89 feet, to a point on said westerly line;

Thence along said westerly line, S09°49'10"W, 749.17 feet, to the northwesterly corner of "LOT B", as shown on said map;

Thence along the westerly line of said "LOT B", S09°49'10"W, 32.28 feet;

Thence leaving said westerly line, the following six (6) courses

- 1) N80°10'50"W, 40.00 feet;
- 2) N09°49'10"E, 180.99 feet;
- 3) S80°10'50"E, 28.00 feet;
- 4) N09°49'10"E, 581.18 feet;
- 5) N10°43'36"W, 214.70 feet;
- 6) N19°00'42"E, 26.06 feet, to a point on said southerly line;

Thence along said southerly line, N80°10'50"E, 35.19 feet, to the **POINT OF BEGINNING**;

**Exhibit K**

Containing 18,754 square feet of land, more or less.

**BASIS OF BEARINGS:**

The bearing of N80° 10' 50"W, shown as N81°15'09"W along the southerly line of the lands shown on that certain amended Record of Survey filed in Book 343 Maps Page 56, on August 2, 1974, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

**SURVEYOR'S STATEMENT:**

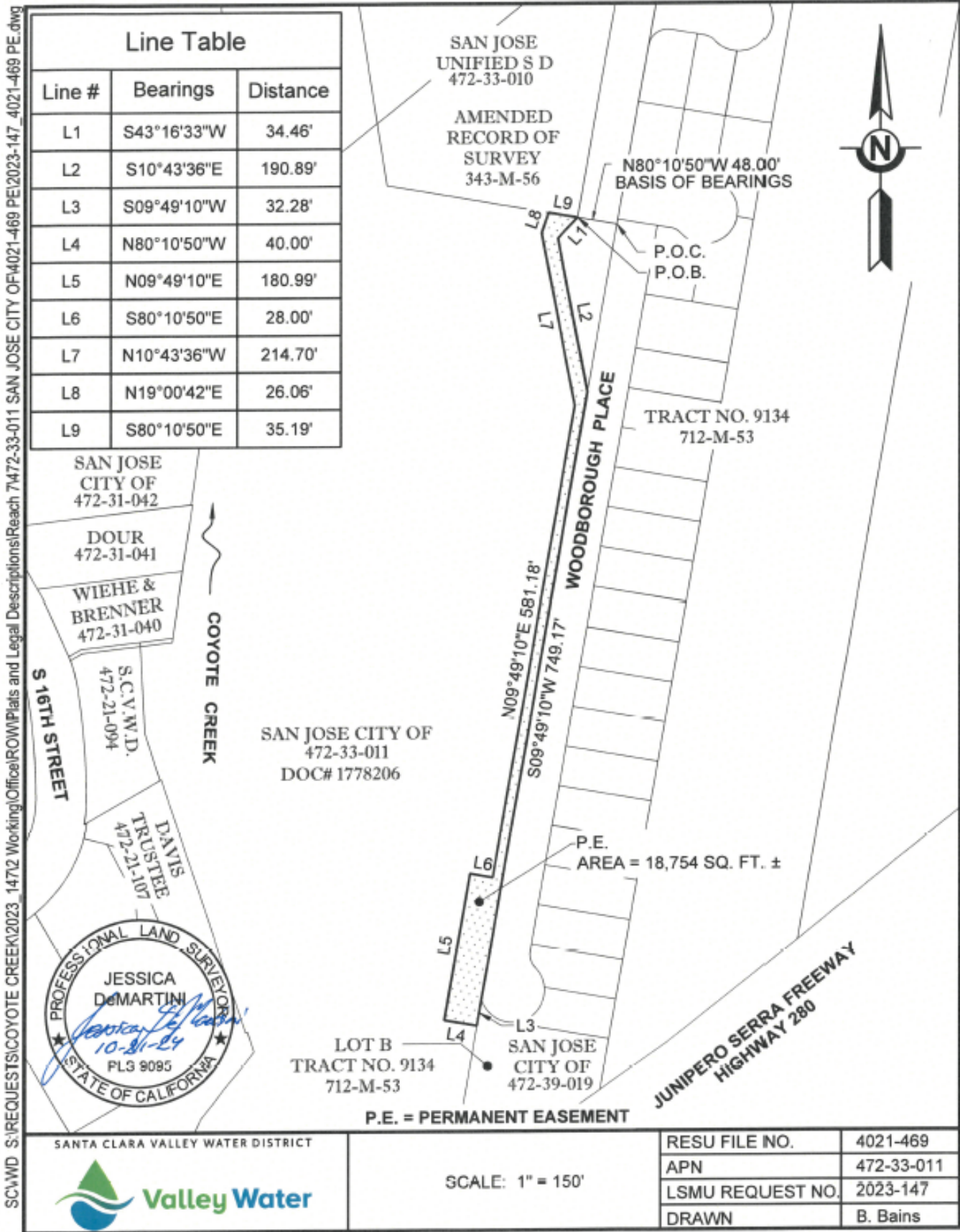
The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
\_\_\_\_\_  
Jessica DeMartini, PLS 9095

10/21/24  
Date







# **EXHIBIT L COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION WATER MANAGEMENT EASEMENT, FILE NO. 4021-470**

No. of Pages: 4

Exhibit Attachments: None

## **EXHIBIT L**

### **WATER MANAGEMENT AND/OR STORM WATER DRAINAGE EASEMENT, File No. 4021-470**

An easement for water management and/or storm water drainage purposes in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly land depicted below.

Said easement area shall be kept clear of any type of building, fences, structure, pavement, or trees unless prior written approval is obtained from Valley Water.

The easement shall include the right to construct, reconstruct, inspect, maintain, and repair a channel, protection works, and appurtenant structures, together with the right to trim or remove such trees or brush within the easement area as may constitute a hazard to persons or property or may interfere with the use of said area for the purpose granted. It also shall include the right to enter upon said land with vehicles, tools, implements, and other materials, take there from and use earth, rock, sand, and gravel for construction, maintenance, and repair of said channel, protections work, and appurtenant structures by Valley Water, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control or storm drainage purposes.

The easement shall also include the non-exclusive right of ingress from and egress to public streets to the easement area described below, over and across the property of the Grantor by such route or routes as shall occasion the least practicable damage to the property and inconvenience to Grantor for the purposes of routine inspection and maintenance of the improvements within the easement. Valley Water shall provide reasonable advance notification of its intent to enter Grantor's property.

Exhibit L

Santa Clara Valley Water District  
San Jose, Ca 95118

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-470  
BY: B. Bains

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands described in that certain Deed recorded in Book 986 of Official Records at Page 152, filed on January 8, 1940, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Permanent Easement (P.E.)**

**COMMENCING** at the northwesterly corner of the lands shown on that certain Amended Record of Survey filed in Book 343 of Maps at Page 56, on August 2, 1974, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general westerly line of said lands, the following three (3) courses:

- 1) S39°26'59"E, 140.00 feet;
- 2) S50°33'01"W, 94.85 feet;
- 3) S08°42'37"E, 179.65 feet, to the **POINT OF BEGINNING**;

Thence along said general westerly line, S08°42'37"E, 161.73 feet;

Thence leaving said general westerly line, the following nine (9) courses:

- 1) N69°44'47"W, 14.28 feet;
- 2) N08°42'59"W, 136.58 feet;
- 3) N39°19'49"W, 239.32 feet;
- 4) N84°36'49"W, 21.77 feet;
- 5) S50°48'45"W, 148.07 feet;
- 6) S38°40'55"W, 34.98 feet;
- 7) N71°22'42"W, 44.41 feet;
- 8) S47°50'22"W, 31.76 feet;
- 9) N74°51'54"W, 1.37 feet, to a point on the general northwesterly line of the lands as described in that certain Deed recorded in Book 986 of Official Records at Page 152, filed on January 8, 1940, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along said general northwesterly line, N23°33'01"E, 47.98 feet;

Thence leaving said general northwesterly line, the following three (3) courses:

- 1) S71°22'42"E, 37.44 feet;
- 2) N50°48'47"E, 211.27 feet;

Exhibit L

3) S39°20'34"E, 265.21 feet, to the **POINT OF BEGINNING**;

Containing 12,562 square feet of land, more or less.

**BASIS OF BEARINGS:**

The bearing of S08°42'37"E, shown as N09°46'56"W along the westerly line of the lands shown on that certain Amended Record of Survey filed in Book 343 Maps Page 56, on August 2, 1974, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
\_\_\_\_\_  
Jessica DeMartini, PLS 9095

11/25/24  
Date

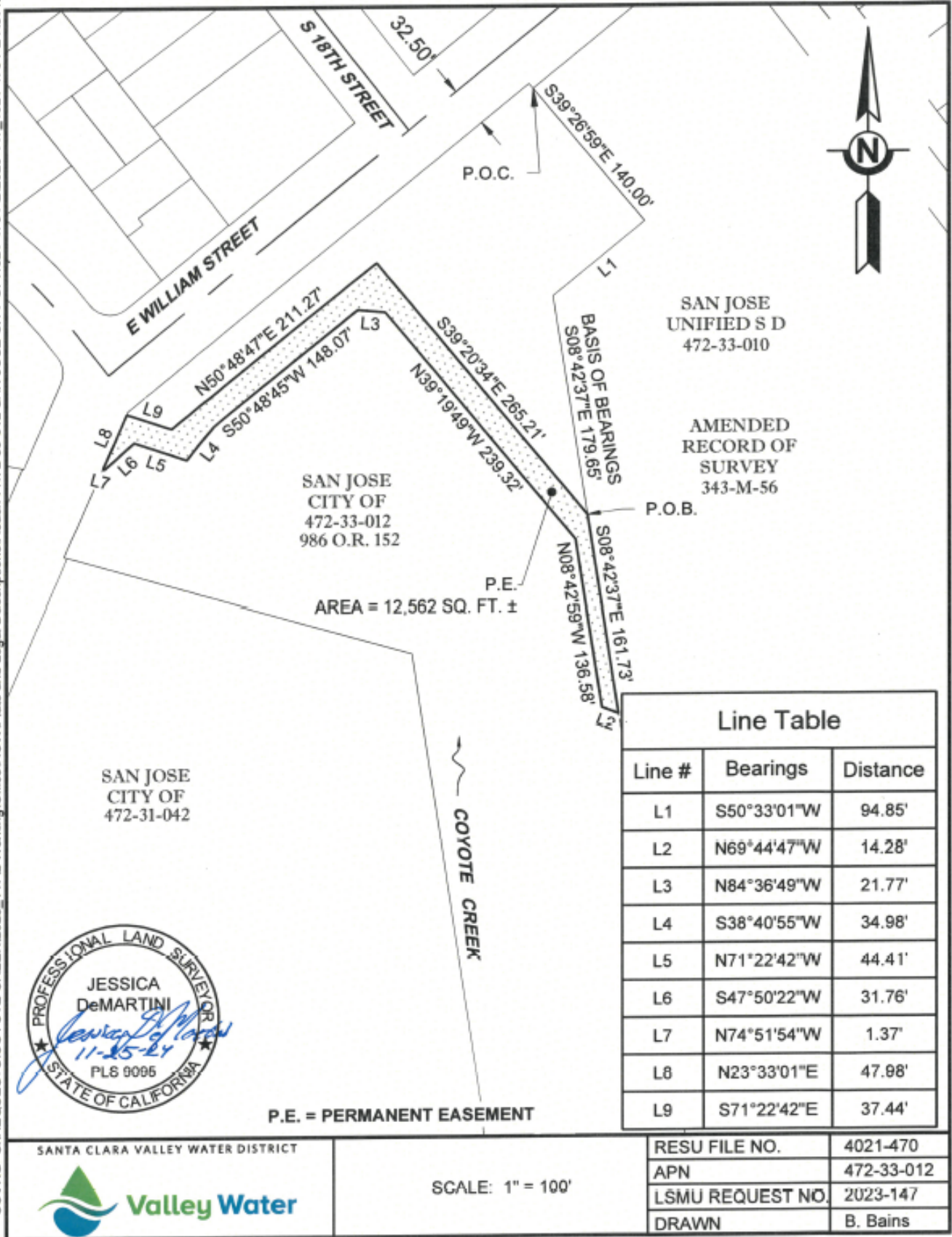




Exhibit L

SCVWD S:\REQUESTS\COYOTE CREEK\2023\_1472 Working\Office\ROW\Plats and Legal Descriptions\Reach 7472-33-012 SAN JOSE CITY OF\4021-470 PE Rev1.dwg

SAN JOSE CITY OF





# **EXHIBIT M COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT, FILE NO. 4021-471**

No. of Pages: 6

Exhibit Attachments: None

## **EXHIBIT M**

### **(TEMPORARY CONSTRUCTION EASEMENT, File No. 4021-471)**

A temporary construction easement in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly described below.

This temporary construction easement is granted under the express conditions listed below:

1. Grantor represents and warrants that it is the owner of the property described as the Easement Area and that Grantor has the exclusive right to convey the Easement to the Grantee.
2. This Easement is necessary for the purpose of constructing the Coyote Creek Flood Protection Project and related activities incident to construction. The Easement shall not be revoked and shall continue in full force and effect beginning on January 1, 2026, until June 30, 2029, at which time the temporary construction easement shall terminate.
3. Grantor and Grantee acknowledge that the duration of the construction activity authorized herein within the Easement Area will likely be shorter than the term described in Section 2. Grantee agrees to notify Grantor in writing at least 1 week prior to exercising the rights granted herein to enter the Easement Area. The written notification to the Grantor shall include an estimate of the expected duration of the Grantee's contractors and/or subcontractors use of the Easement Area.
4. Grantee agrees to use all reasonable efforts to keep any roadway covered by this easement open to traffic and to not interfere with Grantor utility operations or construction activity of Grantor on site. Grantee will keep Easement Area clean and remove all debris related to its construction.
5. Grantee agrees to indemnify and hold harmless Grantor from and against any and all claims, damages, liabilities, costs or any expenses whatsoever, arising from or caused, directly or indirectly by the entry onto the property by Grantee or its agent's, employees, invitees, contractors and subcontractors.
6. The provisions of this Easement shall inure to the benefit of, and bind, the successors and assigns, heirs, and devisees of the respective parties.

EXHIBIT M

Santa Clara Valley Water District  
San Jose, California

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT

RESU File No.: 4021-471  
By: B. Bains

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands as described in that certain Deed recorded as Document Number 3438665, filed on June 26, 1968, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**PARCEL 1**

**Temporary Construction Easement**

**COMMENCING** at the most northerly corner of the lands shown as "LOT 1" on that certain "TRACT NO. 8446", filed in Book 633 of Maps at Page 42, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general northerly line, of said "LOT 1", S57°02'22"E, 65.60 feet to the **POINT OF BEGINNING**;

Thence leaving said general northerly line, the following fourteen (14) courses:

- 1) N32°57'38"E, 49.82 feet;
- 2) N83°48'03"E, 179.25 feet;
- 3) N50°12'33"W, 43.71 feet;
- 4) N39°47'27"E, 15.00 feet;
- 5) S50°12'33"E, 56.99 feet;
- 6) S05°19'48"E, 15.97 feet;
- 7) S71°52'01"E, 63.55 feet;
- 8) S84°05'33"E, 60.79 feet;
- 9) S87°19'43"E, 121.54 feet;
- 10) S74°06'31"E, 103.73 feet;
- 11) S68°41'44"E, 61.70 feet;
- 12) S74°56'20"E, 22.24 feet;
- 13) S48° 31' 36"E, 11.95 feet;
- 14) S16° 02' 42"E, 18.88 feet, to a point on said general northerly line;

Thence along said general northerly line, N81°15'22"W, 16.04 feet;

Thence leaving said general northerly line, the following five (5) courses:

- 1) N08°35'10"W, 11.52 feet,
- 2) N81°15'22"W, 107.51 feet;

## EXHIBIT M

- 3) S82°24'38"W, 386.92 feet;
- 4) N57°02'22"W, 166.89 feet;
- 5) S32°57'38"W, 11.00 feet, to a point on said general northerly line;

Thence along said general northerly line, N57°02'22"W, 10.00 feet to the **POINT OF BEGINNING**.

Containing 50,690 square feet (1.16 Acres) of land, more or less.

### **PARCEL 2**

#### **Temporary Ingress and Egress Easement**

**COMMENCING** at the most northerly corner of the lands shown as "LOT 1" on that certain "TRACT NO. 8446", files in Book 633 of Maps at Page 42, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general northerly line, of said "LOT 1", S57°02'22"E, 65.60 feet to the **POINT OF BEGINNING**;

Thence leaving said general northerly line, the following ten (10) courses:

- 1) N32°57'45"E, 20.03 feet;
- 2) N53°43'30"W, 55.11 feet;
- 3) N83°29'00"E, 105.58 feet;
- 4) N72°52'30"E, 49.83 feet;
- 5) N63°43'49"E, 48.29 feet;
- 6) S48°35'08"E, 12.57 feet;
- 7) N39°47'31"E, 15.00 feet;
- 8) N50°12'33"W, 69.07 feet;
- 9) S69°17'19"W, 100.25 feet;
- 10) S73°57'13"W, 146.46 feet to a point on said general northerly line;

Thence along said general northerly line, S57°02'22"E, 44.87 feet;

Thence leaving said general northerly line the following two (2) courses:

- 11) N80°10'28"E, 6.56 feet;
- 12) S53°43'30"E, 77.11 feet to the **POINT OF BEGINNING**;

Containing 13,889 square feet of land, more or less.

#### **BASIS OF BEARINGS:**

The bearing of N57°02'22"W, shown as S57°34'24"E along the general northerly line of the lands shown as "LOT 1" on that certain "TRACT NO. 8446", files in Book 633 of Maps at Page 42, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

EXHIBIT M

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
Jessica DeMartini, PLS 9095

11/13/24  
Date



EXHIBIT M

CITY OF SAN JOSE

SCVWD S:\REQUESTS\COYOTE CREEK\2023\_14712 Working\Office\ROW\Plats and Legal Descriptions\Reach 8477-12-020 CITY OF SAN JOSE\4021-471 TCE\2023-147\_4021-471 TCE.dwg

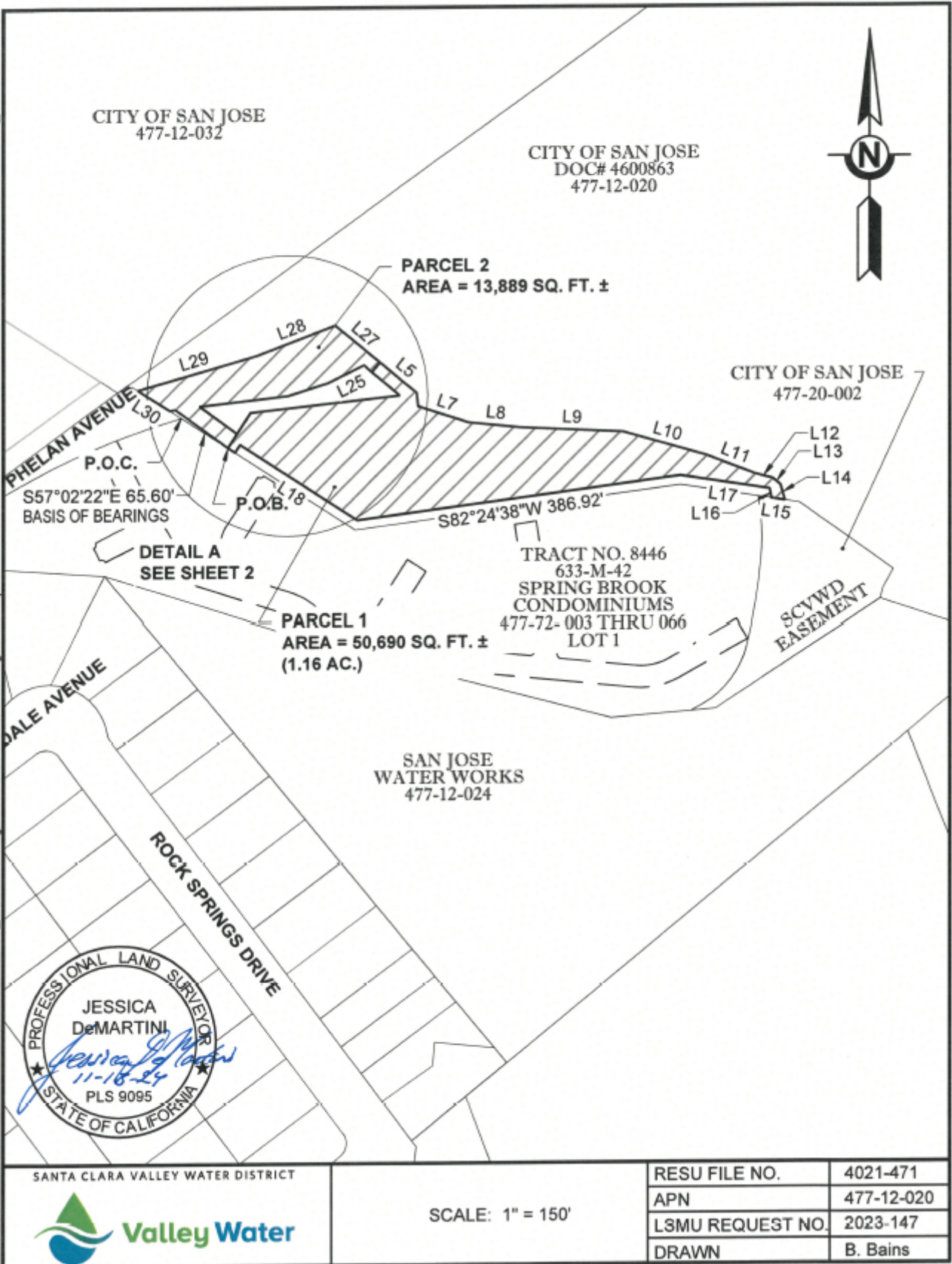
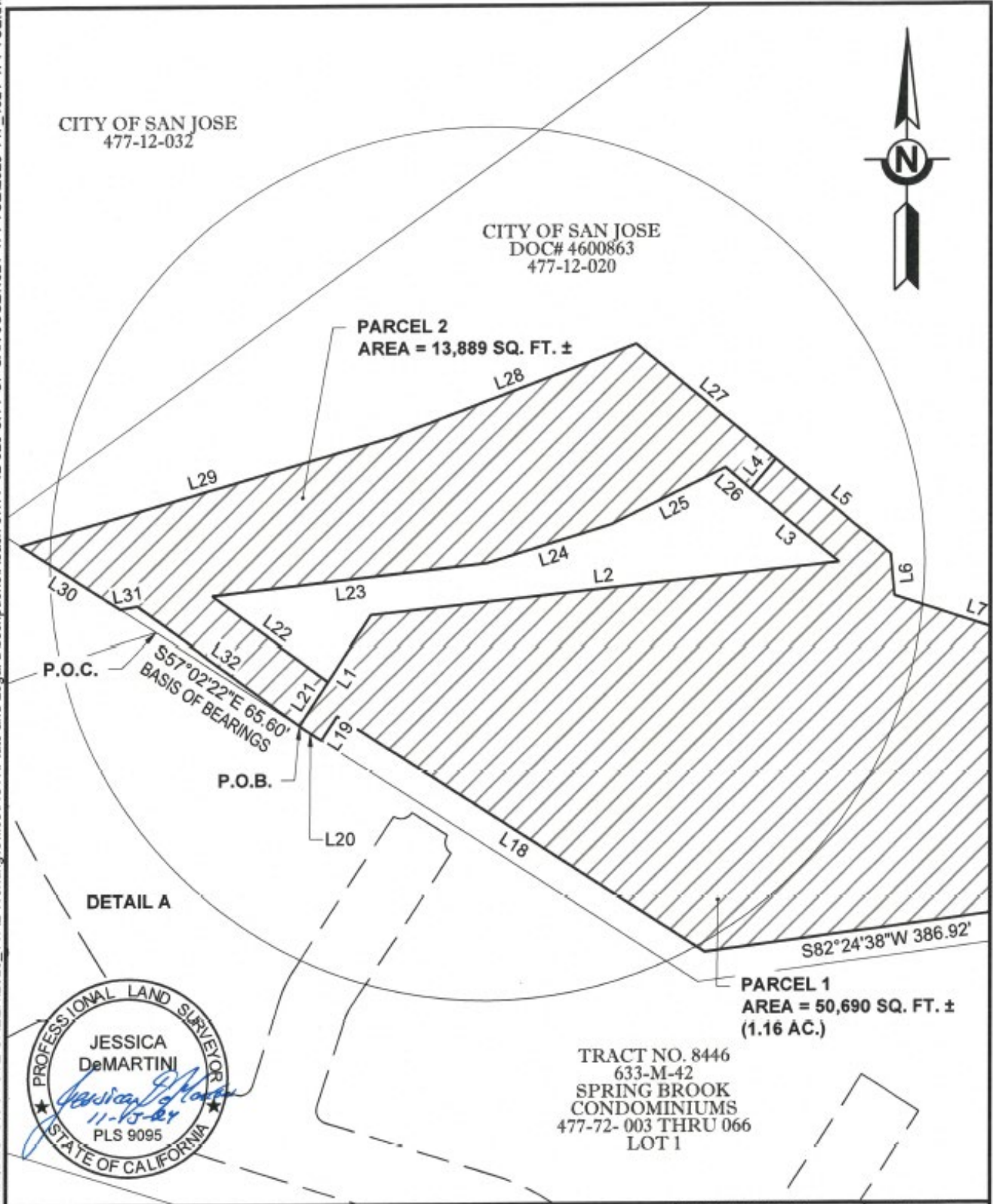




EXHIBIT M

CITY OF SAN JOSE

SC\WVD\_S\REQUESTS\COYOTE CREEK\2023\_147\2 Working\Office\ROW\Plats and Legal Descriptions\Reach 8\477-12-020 CITY OF SAN JOSE\4021-471 TCE\2023-147\_4021-471 TCE.dwg



SANTA CLARA VALLEY WATER DISTRICT



SCALE: 1" = 150'

RESU FILE NO.	4021-471
APN	477-12-020
LSMU REQUEST NO.	2023-147
DRAWN	B. Bains

# **EXHIBIT N COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION WATER MANAGEMENT EASEMENT, FILE NO. 4021-491**

No. of Pages: 5

Exhibit Attachments: None

## **EXHIBIT N**

### **WATER MANAGEMENT AND/OR STORM WATER DRAINAGE EASEMENT, File No. 4021-491**

An easement for water management and/or storm water drainage purposes in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly land depicted below.

Said easement area shall be kept clear of any type of building, fences, structure, pavement, or trees unless prior written approval is obtained from Valley Water.

The easement shall include the right to construct, reconstruct, inspect, maintain, and repair a channel, protection works, and appurtenant structures, together with the right to trim or remove such trees or brush within the easement area as may constitute a hazard to persons or property or may interfere with the use of said area for the purpose granted. It also shall include the right to enter upon said land with vehicles, tools, implements, and other materials, take there from and use earth, rock, sand, and gravel for construction, maintenance, and repair of said channel, protections work, and appurtenant structures by Valley Water, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control or storm drainage purposes.

The easement shall also include the non-exclusive right of ingress from and egress to public streets to the easement area described below, over and across the property of the Grantor by such route or routes as shall occasion the least practicable damage to the property and inconvenience to Grantor for the purposes of routine inspection and maintenance of the improvements within the easement. Valley Water shall provide reasonable advance notification of its intent to enter Grantor's property.

Exhibit N

Santa Clara Valley Water District  
San Jose, California

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)

RESU File No.: 4021-491  
By: H. Zaeri

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands as described in that certain Deed recorded as Document number 205294, filed on January 6, 1978, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Permanent Easement (P.E.)**

**PARCEL 1**

**COMMENCING** at the most southeasterly corner of the lands described in that certain Deed recorded as Document number 4253947, filed on May 10, 1972, said point also being on the northerly line of "BAYSHORE FREEWAY", as shown on that certain Record of Survey, filed in Book 821 of Maps, page 1, all in the Office of the Recorder, County of Santa Clara, State of California, and said point also being the beginning of a non-tangent curve concave southwesterly and having a radius of 5000.00 feet, a radial line to said point bears, N31°18'58"E;

Thence along said northerly line, southeasterly along said curve thru a central angle of 00°49'54", an arc distance of 72.59 feet, to the **POINT OF BEGINNING**;

Thence leaving said northerly line, the following eleven (11) courses:

- 1) N00°19'15"W, 297.82 feet;
- 2) N42°39'26"E, 15.14 feet;
- 3) N71°14'05"E, 48.22 feet;
- 4) S23°51'07"E, 14.71 feet;
- 5) S62°26'07"W, 17.21 feet;
- 6) S00°44'15"W, 68.67 feet, to the beginning of a curve concave easterly, and having a radius of 492.00 feet;
- 7) Southerly along said curve thru a central angle of 03°13'51", an arc distance of 27.74 feet;
- 8) S02°29'36"E, 167.18 feet;
- 9) S00°55'24"E, 60.40 feet;
- 10) S24°01'12"E, 19.74 feet, to a point on said northerly line, said point also being the beginning of a non-tangent curve concave southwesterly, and having radius of 5000.00 feet, a radial line to said point bears N32° 58' 26"E;

## Exhibit N

Thence along said northerly line, northwesterly along said curve, thru a central angle of  $00^{\circ}49'34''$ , an arc distance of 72.09 feet, to the **POINT OF BEGINNING**;

Containing 16,221 square feet of land, more or less.

### **BASIS OF BEARINGS:**

The bearing of  $S00^{\circ}17'34''E$ , described as  $S00^{\circ}17'34''E$  along the easterly line of the lands described in that certain Deed recorded as Document number 4253947, filed on May 10, 1972, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

### **PARCEL 2**

**COMMENCING** at the most northwesterly corner of the lands described as "PARCEL THREE", said point also being on the northeasterly line of the lands described as "PARCEL ONE", in that certain Deed recorded as Document Number 205294, filed on January 06, 1978, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the northeasterly line of said "PARCEL ONE", the following two (2) courses:

- 1)  $N27^{\circ}37'25''W$ , 88.68 feet;
- 2)  $N31^{\circ}56'25''W$ , 10.78 feet;

Thence leaving said northeasterly line,  $S67^{\circ}33'40''W$ , 4.20 feet to the **POINT OF BEGINNING**;

Thence the following eight (8) courses:

- 1)  $S21^{\circ}49'39''E$ , 152.43 feet, to the beginning of a curve concave southwesterly, and having a radius of 584.59 feet;
- 2) Southwesterly along said curve thru a central angle of  $17^{\circ}34'36''$ , an arc distance of 179.33 feet;
- 3)  $S01^{\circ}00'07''W$ , 283.78 feet;
- 4)  $N87^{\circ}24'59''W$ , 19.10 feet;
- 5)  $N00^{\circ}30'47''W$ , 276.31 feet, to the beginning of a curve concave southwesterly, and having a radius of 392.00 feet;
- 6) Northwesterly along said curve thru a central angle of  $22^{\circ}10'18''$ , an arc distance of 151.69 feet;
- 7)  $N22^{\circ}41'05''W$ , 175.65 feet;
- 8)  $N67^{\circ}33'34''E$ , 35.24 feet to the **POINT OF BEGINNING**;

Containing 16,584 square feet of land, more or less.

### **BASIS OF BEARINGS:**

The bearing of  $S27^{\circ}37'25''E$ , shown as  $S28^{\circ}32'E$  along the westerly line of the lands described as "PARCEL THREE", in that certain Deed recorded as Document Number 205294, filed on January 06, 1978, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

Exhibit N

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
\_\_\_\_\_  
Jessica DeMartini, PLS 9095

11/26/24  
Date

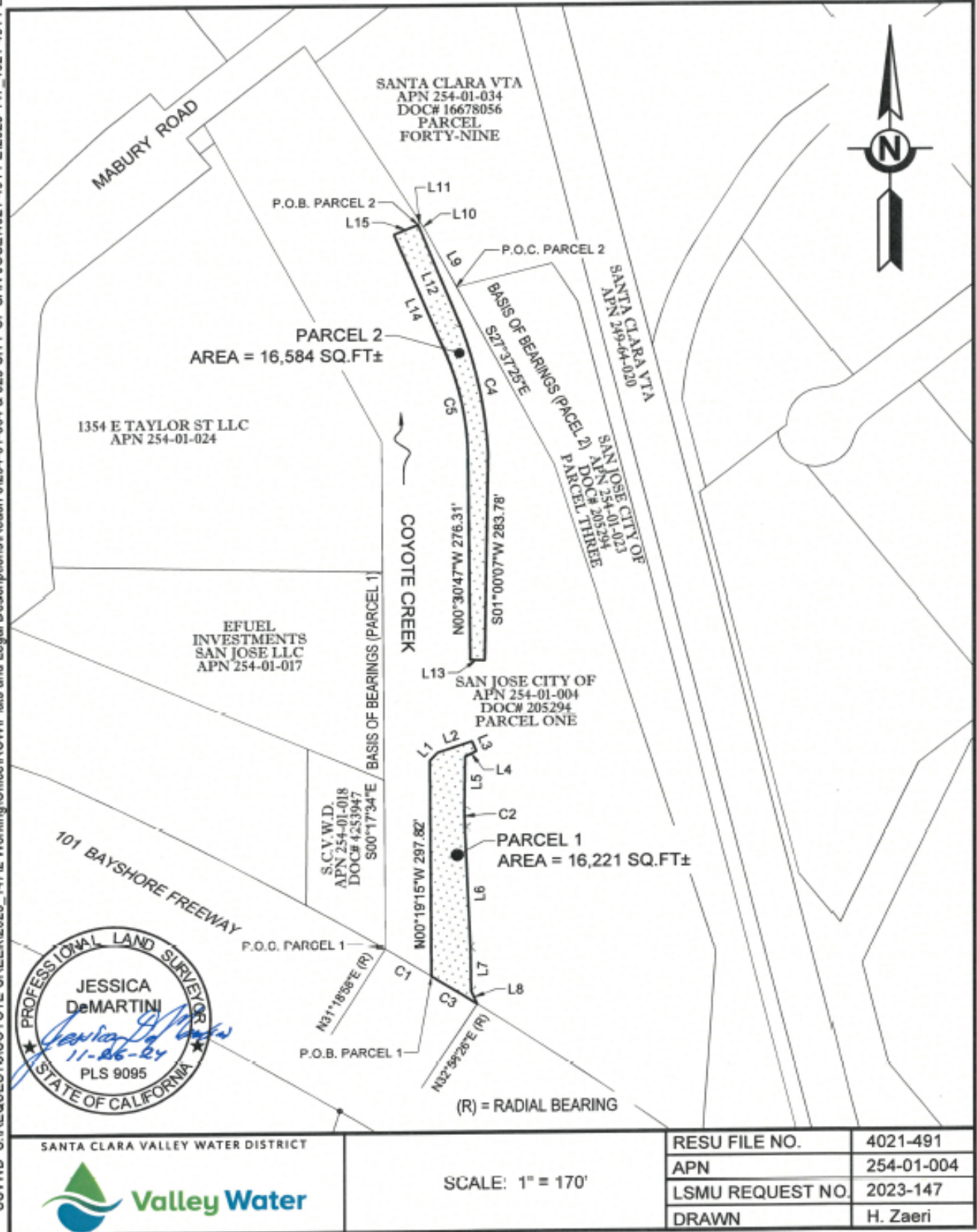




# Exhibit N

SCVWD S:\REQUESTS\COYOTE CREEK\2023\_147\2 Working\Office\ROW\Plats and Legal Descriptions\Reach 6\254-01-004 & 023 CITY OF SAN JOSE\4021-491 PE\2023-147\_4021-491 PE Rev2.dwg

SAN JOSE CITY OF



# **EXHIBIT O COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT, FILE NO. 4021-508**

No. of Pages: 8

Exhibit Attachments: None

## **EXHIBIT O**

### **(TEMPORARY CONSTRUCTION EASEMENT, File No. 4021-508)**

A temporary construction easement in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly described below.

This temporary construction easement is granted under the express conditions listed below:

1. Grantor represents and warrants that it is the owner of the property described as the Easement Area and that Grantor has the exclusive right to convey the Easement to the Grantee.
2. This Easement is necessary for the purpose of constructing the Coyote Creek Flood Protection Project and related activities incident to construction. The Easement shall not be revoked and shall continue in full force and effect beginning on January 1, 2026, until June 30, 2029, at which time the temporary construction easement shall terminate.
3. Grantor and Grantee acknowledge that the duration of the construction activity authorized herein within the Easement Area will likely be shorter than the term described in Section 2. Grantee agrees to notify Grantor in writing at least 1 week prior to exercising the rights granted herein to enter the Easement Area. The written notification to the Grantor shall include an estimate of the expected duration of the Grantee's contractors and/or subcontractors use of the Easement Area.
4. Grantee agrees to use all reasonable efforts to keep any roadway covered by this easement open to traffic and to not interfere with Grantor utility operations or construction activity of Grantor on site. Grantee will keep Easement Area clean and remove all debris related to its construction.
5. Grantee agrees to indemnify and hold harmless Grantor from and against any and all claims, damages, liabilities, costs or any expenses whatsoever, arising from or caused, directly or indirectly by the entry onto the property by Grantee or its agent's, employees, invitees, contractors and subcontractors.
6. The provisions of this Easement shall inure to the benefit of, and bind, the successors and assigns, heirs, and devisees of the respective parties.

**EXHIBIT O**

**Santa Clara Valley Water District**  
San Jose, Ca 95118

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-508  
BY: B. Bains

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands described in that certain Deed recorded in Book 1200 of Official Records at Page 311, filed on June 10, 1944, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Temporary Construction Easement (T.C.E.)**

**PARCEL A**

**COMMENCING** at the most westerly corner of the lands shown as LOT 31 on that certain map entitled "NAGLEE TERRACE" filed in Book P of Maps Page 38, on September 2, 1919, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general northwesterly line of said lands, N60°07'14"E, 139.54 feet, the **POINT OF BEGINNING**;

Thence along said general northwesterly line, N60°07'14"W, 15.97 feet;

Thence leaving said general northwesterly line, the following two (2) courses:

- 1) S09°51'10"E, 98.04 feet;
- 2) S54°37'55"W, 122.69 feet, to a point on the general westerly line of said lands, said point also being the beginning of a non-tangent curve concave northeasterly and having radius of 1086.66 feet, a radial line to said point bears S58°58'57"W;

Thence along said general westerly line, northwesterly along said curve thru a central angle of 00°47'37", an arc distance of 15.05 feet;

Thence leaving said general westerly line the following two (2) courses:

- 1) N54°37'55"E, 111.99 feet;
- 2) N09°51'10"W, 83.11 feet to the **POINT OF BEGINNING**;

Containing 3,119 square feet of land, more or less.

## EXHIBIT O

### BASIS OF BEARINGS:

The bearing of N60°07'14"E, shown as N59°18'E along the general northwesterly line of the lands shown as LOT 31 on that certain map entitled "NAGLEE TERRACE" filed in Book P of Maps Page 38, on September 2, 1919, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

### PARCEL B

**BEGINNING** at the most northerly corner of the lands shown as LOT 31 on that certain map entitled "NAGLEE TERRACE" filed in Book P of Maps Page 38, on September 2, 1919, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the northeasterly line of said lands, S69°07'46"E, 35.02 feet;

Thence leaving said northeasterly line, the following fourteen (14) courses:

- 1) S22°52'14"W, 63.27 feet;
- 2) S69°07'46"E, 50.03 feet;
- 3) S22°52'14"W, 59.84 feet;
- 4) S69°46'55"E, 131.11 feet;
- 5) N82°52'12"E, 99.33 feet;
- 6) S31°08'27"E, 67.97 feet;
- 7) S01°46'50"W, 52.66 feet;
- 8) S33°01'07"W, 19.64 feet;
- 9) S68°05'59"W, 59.90 feet;
- 10) S12°58'52"W, 165.29 feet;
- 11) S78°02'22"E, 145.05 feet;
- 12) S11°21'40"W, 514.56 feet;
- 13) N83°23'12"E, 20.24 feet;
- 14) S05°17'06"E, 45.96 feet, to a point on the southerly line of said lands;

Thence along said southerly line, S83°19'14"W, 8.28 feet;

Thence leaving said southerly line, the following eighteen (18) courses:

- 1) N06°40'46"W, 7.50 feet;
- 2) S83°19'14"W, 128.62 feet;
- 3) N23°07'19"W, 275.27 feet;
- 4) N35°37'26"W, 129.26 feet;
- 5) N42°28'49"W, 174.88 feet;
- 6) N35°41'20"W, 147.33 feet;
- 7) N54°37'55"E, 123.30 feet;
- 8) N09°51'10"W, 96.80 feet;
- 9) N60°07'14"E, 116.17 feet;
- 10) N22°52'14"E, 20.31 feet;
- 11) N45°03'27"E, 22.07 feet;
- 12) N30°46'10"W, 10.35 feet;

## EXHIBIT O

- 13) N22°52'14"E, 37.32 feet;
- 14) S68°13'00"E, 3.99 feet;
- 15) N21°47'00"E, 66.75 feet;
- 16) S68°09'47"E, 3.62 feet;
- 17) N21°47'00"E, 86.38 feet;
- 18) N68°07'41"W, 14.70 feet to a point on the general northwesterly line of said lands;

Thence along said general northwesterly line, N22°52'14"E, 21.66 feet, to the **POINT OF BEGINNING**;

**EXCEPT** the portion of lands thereof described as follows:

### **PARCEL C**

**COMMENCING** at the most northerly corner of the lands shown as LOT 31 on that certain map entitled "NAGLEE TERRACE" filed in Book P of Maps Page 38, on September 2, 1919, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general northwesterly line of said lands, S22°52'14"W, 21.66 feet

Thence leaving said general northwesterly line, the following four (4) courses:

- 1) S68°07'41"E, 14.70 feet;
- 2) S21°47'00"W, 86.38 feet;
- 3) N68°09'47"W, 3.62 feet;
- 4) S21°47'00"W, 40.67 feet;

Thence leaving said general northwesterly line, S69°46'55"E, 21.53 feet, to the **POINT OF BEGINNING**;

Thence the following fourteen (14) courses:

- 1) S69°46'55"E, 182.48 feet;
- 2) S28°28'39"E, 117.73 feet;
- 3) S12°58'52"W, 220.60 feet;
- 4) S13°12'29"E, 278.36 feet;
- 5) S11°53'20"W, 84.92 feet;
- 6) S67°43'10"W, 139.61 feet;
- 7) N23°07'19"W, 135.63 feet;
- 8) N35°37'26"W, 131.80 feet;
- 9) N42°28'49"W, 174.89 feet;
- 10) N35°41'20"W, 131.36 feet;
- 11) N54°37'55"E, 117.68 feet;
- 12) N09°51'10"W, 82.99 feet;
- 13) N60°07'14"E, 115.84 feet;



**EXHIBIT O**

14) N22°52'14"E, 123.08 feet to the **POINT OF BEGINNING**;

Containing 112,252 square feet (2.58 acres) of land, more or less.

**BASIS OF BEARINGS:**

The bearing of S22°52'14"W, shown as N22°00'E along the general northwesterly line of the lands shown as LOT 31 on that certain map entitled "NAGLEE TERRACE" filed in Book P of Maps Page 38, on September 2, 1919, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

**SURVEYOR'S STATEMENT:**

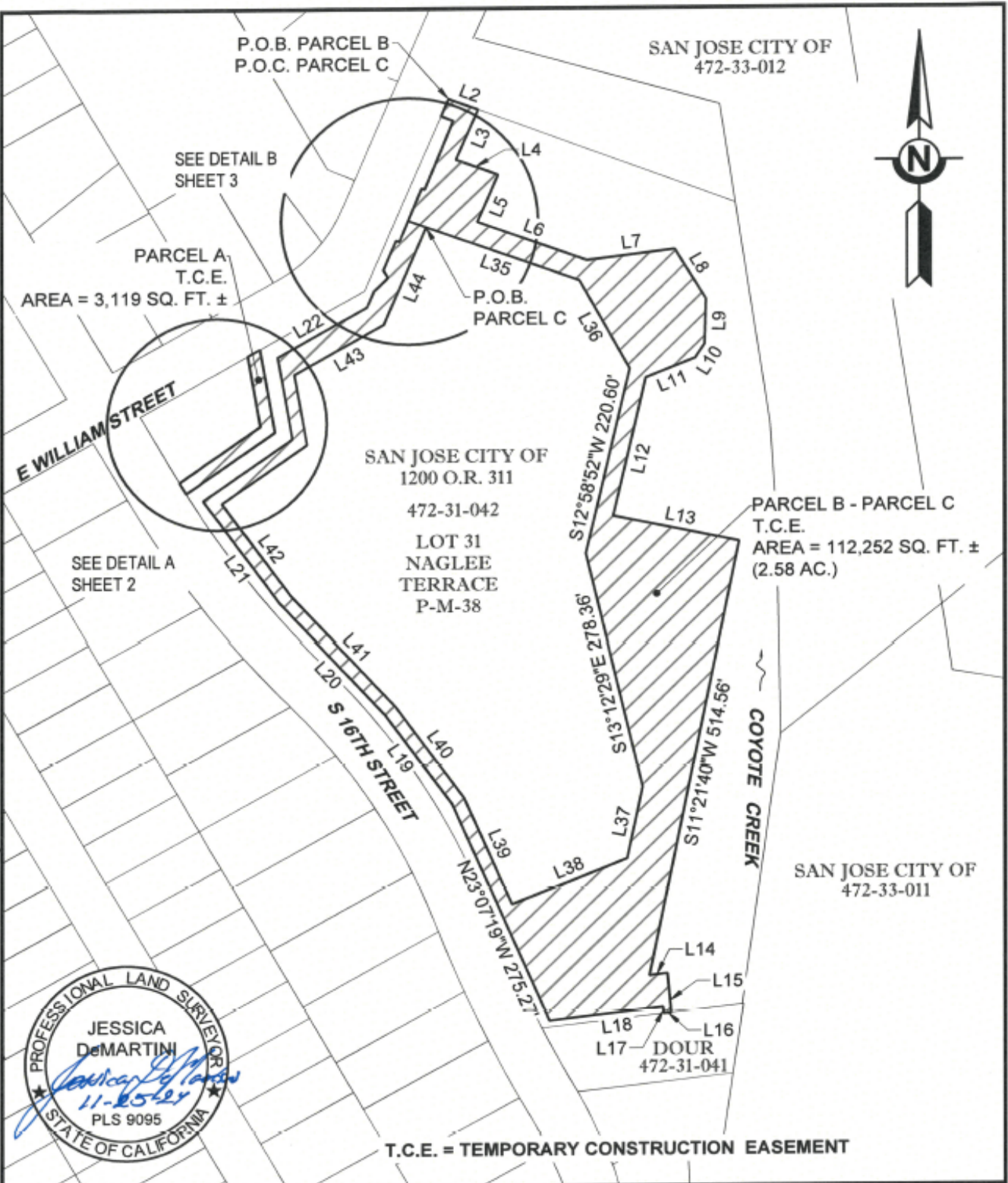
The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
\_\_\_\_\_  
Jessica DeMartini, PLS 9095

11/25/24  
Date



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SANTA CLARA VALLEY WATER DISTRICT



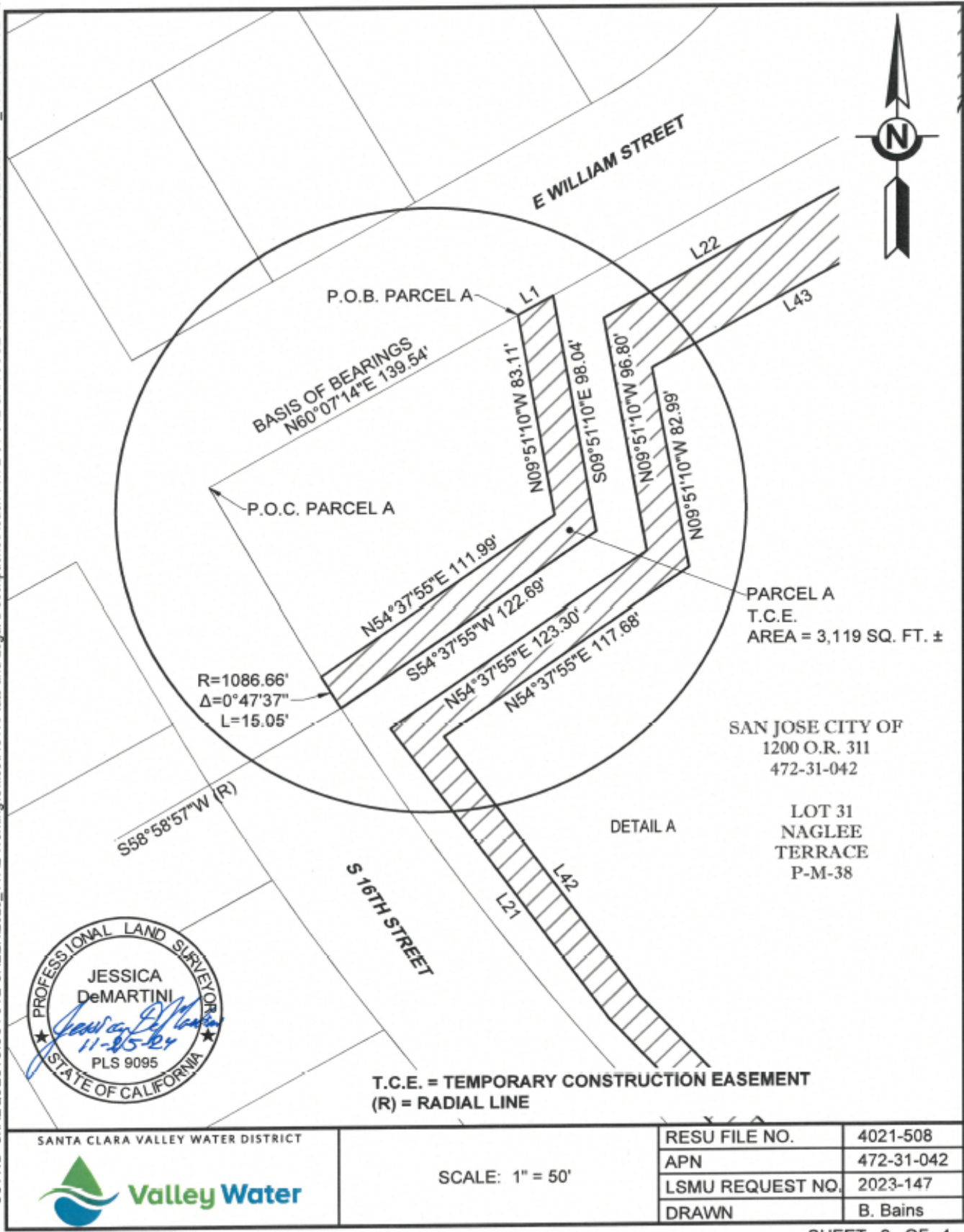
SCALE: 1" = 150'

RESU FILE NO.	4021-508
APN	472-31-042
LSMU REQUEST NO	2023-147
DRAWN	B. Bains

SHEET 4 OF 4

EXHIBIT O

SAN JOSE CITY OF



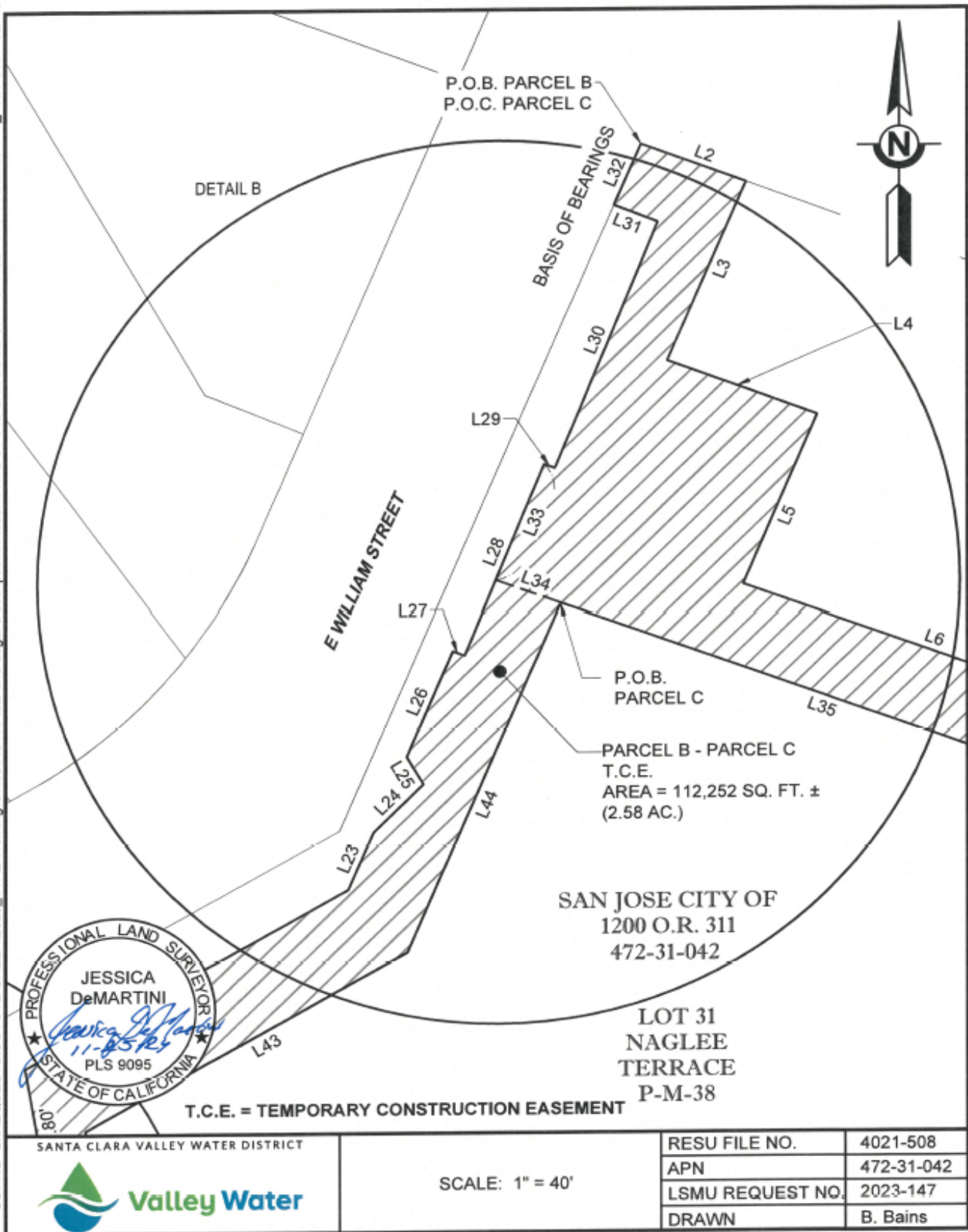
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EXHIBIT O

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SAN JOSE CITY OF



# **EXHIBIT P COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT, FILE NO. 4021-510**

No. of Pages: 5

Exhibit Attachments: None

## **EXHIBIT P**

### **(TEMPORARY CONSTRUCTION EASEMENT, File No. 4021-510)**

A temporary construction easement in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly described below.

This temporary construction easement is granted under the express conditions listed below:

1. Grantor represents and warrants that it is the owner of the property described as the Easement Area and that Grantor has the exclusive right to convey the Easement to the Grantee.
2. This Easement is necessary for the purpose of constructing the Coyote Creek Flood Protection Project and related activities incident to construction. The Easement shall not be revoked and shall continue in full force and effect beginning on January 1, 2026, until June 30, 2029, at which time the temporary construction easement shall terminate.
3. Grantor and Grantee acknowledge that the duration of the construction activity authorized herein within the Easement Area will likely be shorter than the term described in Section 2. Grantee agrees to notify Grantor in writing at least 1 week prior to exercising the rights granted herein to enter the Easement Area. The written notification to the Grantor shall include an estimate of the expected duration of the Grantee's contractors and/or subcontractors use of the Easement Area.
4. Grantee agrees to use all reasonable efforts to keep any roadway covered by this easement open to traffic and to not interfere with Grantor utility operations or construction activity of Grantor on site. Grantee will keep Easement Area clean and remove all debris related to its construction.
5. Grantee agrees to indemnify and hold harmless Grantor from and against any and all claims, damages, liabilities, costs or any expenses whatsoever, arising from or caused, directly or indirectly by the entry onto the property by Grantee or its agent's, employees, invitees, contractors and subcontractors.
6. The provisions of this Easement shall inure to the benefit of, and bind, the successors and assigns, heirs, and devisees of the respective parties.



**EXHIBIT P**

**Santa Clara Valley Water District**  
San Jose, Ca 95118

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-510  
BY: B. Bains

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands described in that certain Deed recorded as Document Number 1672731 filed on June 11, 1959, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Temporary Construction Easement (T.C.E.)**

**PARCEL A**

**COMMENCING** at the most westerly corner of the lands described in that certain Deed recorded as Document Number 1672731 filed on June 11, 1959, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general northwesterly line, the following three (3) courses:

- 1) N51°27'22"E, 29.99 feet;
- 2) S38°32'38"E, 137.50 feet;
- 3) N51°27'22"E, 502.50 feet, to the **POINT OF BEGINNING**;

Thence continuing along said general northwesterly line, the following two (2) courses:

- 1) N38°32'38"W, 137.50 feet;
- 2) N51°27'22"E, 78.06 feet;

Thence leaving said general northwesterly line the following four (4) courses:

- 1) S61°36'38"E, 258.52 feet;
- 2) S32°01'08"W, 74.53 feet to the beginning of a of a non-tangent curve, concave southerly, and having a radius of 257.65 feet, a radial line to said point bears N17°15'40"E;
- 3) Northwesterly along said curve thru a central angle of 31°59'19", an arc distance of 143.85 feet;
- 4) N38°32'38"W, 34.24 feet, to the **POINT OF BEGINNING**;

Containing 28,284 square feet (0.65 Acres) of land, more or less.

**BASIS OF BEARINGS:**

The bearing of N51°27'22"E, shown as S50°32'W along the general northwesterly line of the lands described in that certain Deed recorded as Document Number 1672731 filed on June 11, 1959, in

## EXHIBIT P

the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

### PARCEL B

**BEGINNING** at the most westerly corner of the lands described in that certain Deed recorded as Document Number 1672731 filed on June 11, 1959, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the general northwesterly line, the following three (3) courses:

- 1) N51°27'22"E, 29.99 feet;
- 2) S38°32'38"E, 137.50 feet;
- 3) N51°27'22"E, 170.42 feet;

Thence leaving said general northwesterly line, the following two (2) courses:

- 1) S38°32'38"E, 60.00 feet;
- 2) S51°27'22"W, 200.50 feet; to a point on the southwesterly line of said lands;

Thence along said southwesterly line, N38°31'13"W, 197.50 feet, to the **POINT OF BEGINNING**;

Containing 16,157 square feet of land, more or less.

### BASIS OF BEARINGS:

The bearing of N51°27'22"E, shown as S50°32'W along the general northwesterly line of the lands described in that certain Deed recorded as Document Number 1672731 filed on June 11, 1959, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

### PARCEL C

**COMMENCING** at the most westerly corner of the lands described in that certain Deed recorded as Document Number 1672731 filed on June 11, 1959, in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the southwesterly line, S38°31'13"E, 514.04 feet, to the **POINT OF BEGINNING**;

Thence leaving said southwesterly line the following four (4) courses:

- 1) N51°28'35"E, 30.14 feet;
- 2) N38°31'58"W, 316.55 feet;
- 3) N51°27'22"E, 100.00 feet;
- 4) S38°33'18"E, 627.33 feet, to a point on the southeasterly line of said lands;

Thence along said southeasterly line, S51°27'22"W, 123.00 feet;

**EXHIBIT P**

Thence leaving said southeasterly line, the following two (2) courses:

- 1) N38°31'13"W, 279.50 feet;
- 2) S51°24'43"W, 7.33 feet to a point on the southwesterly line of said lands;

Thence along said southwesterly line, N38°31'13"W, 31.30 feet, to the **POINT OF BEGINNING**;

Containing 70,082 square feet (1.61 Acres.) of land, more or less.

**BASIS OF BEARINGS:**

The bearing of S38°31'13"E, shown as S39°28'E along the southwesterly line of the lands described in that certain Deed recorded as Document Number 1672731 filed on June 11, 1959, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

  
\_\_\_\_\_  
Jessica DeMartini, PLS 9095

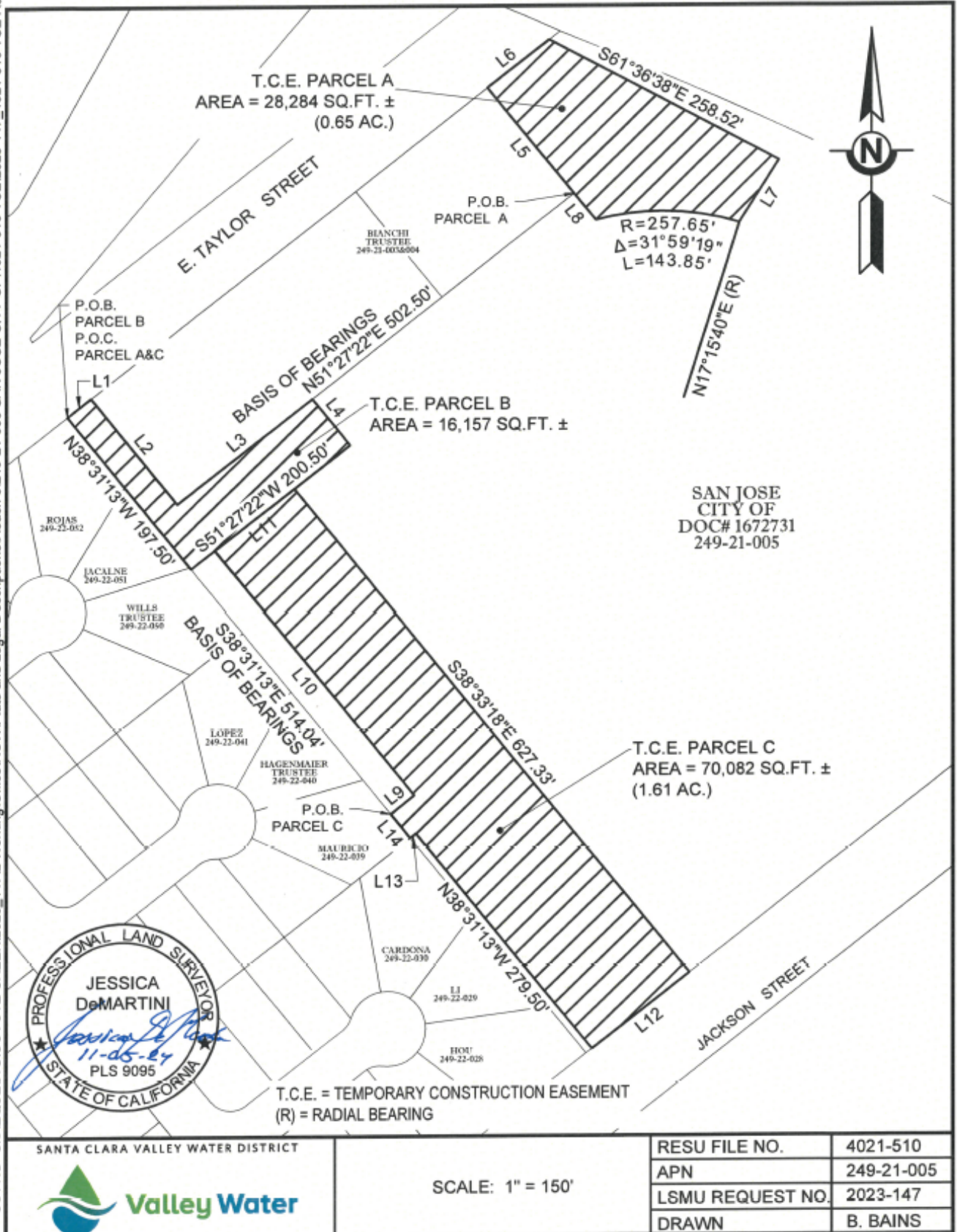
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# EXHIBIT P

SAN JOSE CITY OF

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# **EXHIBIT Q COVERSHEET**

## **PLAT MAP AND LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT, FILE NO. 4021-523**

No. of Pages: 4

Exhibit Attachments: None

## **EXHIBIT Q**

### **(TEMPORARY CONSTRUCTION EASEMENT, File No. 4021-523)**

A temporary construction easement in, upon, over, and across that certain real property in the City of San Jose, County of Santa Clara, State of California, herein after more particularly described below.

This temporary construction easement is granted under the express conditions listed below:

1. Grantor represents and warrants that it is the owner of the property described as the Easement Area and that Grantor has the exclusive right to convey the Easement to the Grantee.
2. This Easement is necessary for the purpose of constructing the Coyote Creek Flood Protection Project and related activities incident to construction. The Easement shall not be revoked and shall continue in full force and effect beginning on January 1, 2026, until June 30, 2029, at which time the temporary construction easement shall terminate.
3. Grantor and Grantee acknowledge that the duration of the construction activity authorized herein within the Easement Area will likely be shorter than the term described in Section 2. Grantee agrees to notify Grantor in writing at least 1 week prior to exercising the rights granted herein to enter the Easement Area. The written notification to the Grantor shall include an estimate of the expected duration of the Grantee's contractors and/or subcontractors use of the Easement Area.
4. Grantee agrees to use all reasonable efforts to keep any roadway covered by this easement open to traffic and to not interfere with Grantor utility operations or construction activity of Grantor on site. Grantee will keep Easement Area clean and remove all debris related to its construction.
5. Grantee agrees to indemnify and hold harmless Grantor from and against any and all claims, damages, liabilities, costs or any expenses whatsoever, arising from or caused, directly or indirectly by the entry onto the property by Grantee or its agent's, employees, invitees, contractors and subcontractors.
6. The provisions of this Easement shall inure to the benefit of, and bind, the successors and assigns, heirs, and devisees of the respective parties.



## EXHIBIT Q

**Santa Clara Valley Water District**  
San Jose, CA 95118

PROJECT: COYOTE CREEK FLOOD  
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-523  
BY: H. Zaeri

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of the lands described in that certain Deed recorded as Document Number 25705275 filed on September 30, 2024, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

**Temporary Construction Easement (T.C.E.)**

A strip of land 10.00 feet wide parallel with and lying easterly of the westerly line of the lands described in that certain Deed recorded as Document Number 25705275, the westerly sideline being coincident with the westerly line of said land, more particularly described as follows:

**BEGINNING** at the most westerly corner of said lands as described in said Deed;

Thence along the westerly line of said lands, S38°32'38"E, 137.50 feet to the **POINT OF TERMINATION**.

The sidelines of said strip shall be lengthened or shortened as to commence and terminate at the northerly and southerly line of said lands.

Containing 1,375 square feet of land, more or less.

**BASIS OF BEARINGS:**

The bearing of S38°32'38"E, shown as S38° 28'E along the westerly line of the lands described in that certain Deed recorded as Document Number 25705275 filed on September 30, 2024, in the Office of the Recorder, County of Santa Clara, State of California,, was used as Basis of Bearings shown hereon.

EXHIBIT Q

**SURVEYOR'S STATEMENT:**

The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.

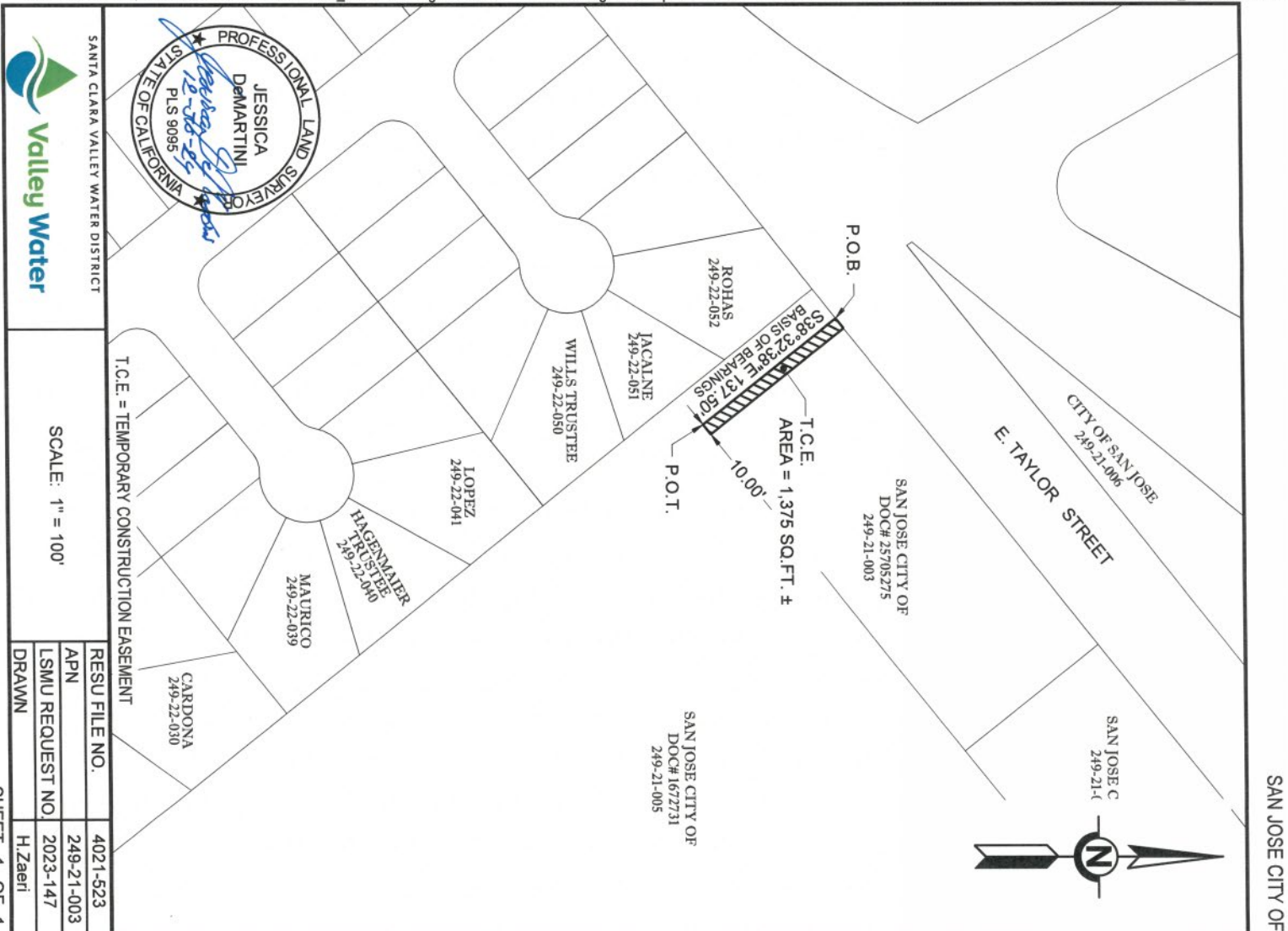
  
Jessica DeMartini, PLS 9095

12/30/24  
Date



# EXHIBIT Q

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