

RECORD WITHOUT FEE UNDER
CALIFORNIA GOVERNMENT CODE
SECTION 6103

AFTER RECORDING RETURN TO:
REAL ESTATE SERVICES UNIT
SANTA CLARA VALLEY WATER
DISTRICT
5750 ALMADEN EXPRESSWAY
SAN JOSE, CALIFORNIA 95118

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 477-12-024 (portion of)

DOCUMENT NO.: 4021-282

WATER MANAGEMENT EASEMENT DEED

SAN JOSE WATER COMPANY, formerly known as San Jose Water Works, a California corporation, hereinafter "Grantor," does hereby grant, convey and dedicate to the SANTA CLARA VALLEY WATER DISTRICT, a Special District created by the California Legislature, hereinafter "Grantee," 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, described in Exhibit A attached hereto and made a part hereof by this reference (collectively, the "Easement").

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

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 Grantee, its officers, agents, and employees, and by persons under contract with Grantee 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 in Exhibit A, 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 area. Grantee shall provide reasonable advance notification of its intent to enter Grantor's property.

Grantee shall be responsible for any damages proximately caused by Grantee's use of the Easement, and Grantee will, at its option, either repair or pay for such damage.

The provisions of this Easement shall inure to the benefit of, and bind, the successors and assigns, heirs, and devisees of the respective parties.

As used above, the term "grantor" shall include the plural as well as the singular number. The words "himself" and "his" shall include the feminine gender as the case may be.

Dated this _____ day of _____ 20__

GRANTOR:

SAN JOSE WATER COMPANY,
a California Corporation

Tanya Moniz-Witten
President

ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE §1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } SS

On this ___ day of _____, in the year 20__, before me _____,

Notary Public, personally appeared _____
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public in and for said County and State

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- Individual, Corporate Officer(s), Partner(s), Attorney-In-Fact, Trustee(s), Guardian/Conservator, Other

Signer is Representing (Name of Person(s) or Entity(ies))

CERTIFICATE OF CONSENT AND ACCEPTANCE

This is to certify that the interest in real property conveyed by the attached Deed or Grant to the Santa Clara Valley Water District, also referred to herein as the Grantee, is hereby accepted by the undersigned duly authorized agent on behalf of the Board of Directors of said Santa Clara Valley Water District, pursuant to authority conferred by Resolution No. 14-79 of said Board of Directors adopted on the 9th day of September 2014, and the Grantee consents to recordation thereof by its said duly authorized agent.

Dated: _____, 20__

Santa Clara Valley Water District

By: _____
Chief Executive Officer/Clerk of the Board of Directors
(Strike out inapplicable one)

Exhibit "A"

Legal Description and Plat of
Easement (5 pages to follow)

EXHIBIT A

Santa Clara Valley Water District
San Jose, Ca 95118

PROJECT: COYOTE CREEK FLOOD
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-282
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 1810064 filed on April 18, 1960, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

Permanent Easement (P.E.)

COMMENCING at an iron pipe, located on the most northerly corner of the lands designated as "5.4207 ACRES" on that certain Record of Survey filed in Book 119 of Maps at Page 39, on April 27, 1960, in the Office of the Recorder, Santa Clara County, State of California;

Thence along the general northerly line of said lands, S56°39'49"W, 55.46 feet, to the **POINT OF BEGINNING**;

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

- 1) S37°27'49"E, 38.69 feet;
- 2) S52°28'52"W 548.75 feet;
- 3) S05°39'38"W 64.84 feet;
- 4) S10°18'08"W 51.29 feet, to a point on the westerly line of said lands;

Thence along said westerly line, N39°25'02"W 30.01 feet;

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

- 1) N10°42'07"E 20.11 feet;
- 2) N08°08'17"E 16.86 feet;
- 3) N04°10'57"E 47.70 feet;
- 4) N21°32'09"W 29.84 feet;
- 5) N30°42'29"E 63.19 feet;
- 6) N51°19'05"E 305.01 feet, to a point on the general northerly line of said lands;

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

- 1) N85°21'26"E 29.00 feet;
- 2) N56°39'49"E, 177.64 feet to the **POINT OF BEGINNING**

Containing 34,374 square feet or 0.79 acres of land, more or less.

BASIS OF BEARINGS:

The bearing of S56°39'49"W, shown as N55°04'50"E along the northwesterly line of the lands designated as "5.4207 ACRES" on that certain Record of Survey filed in Book 119 of Maps at Page 39, on April 27, 1960, 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.

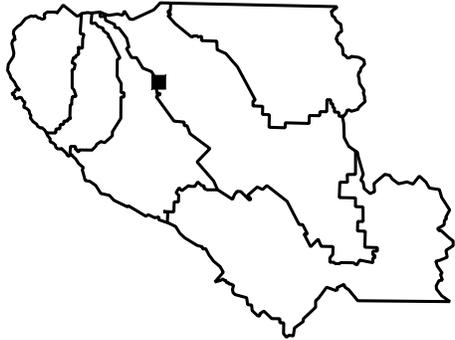




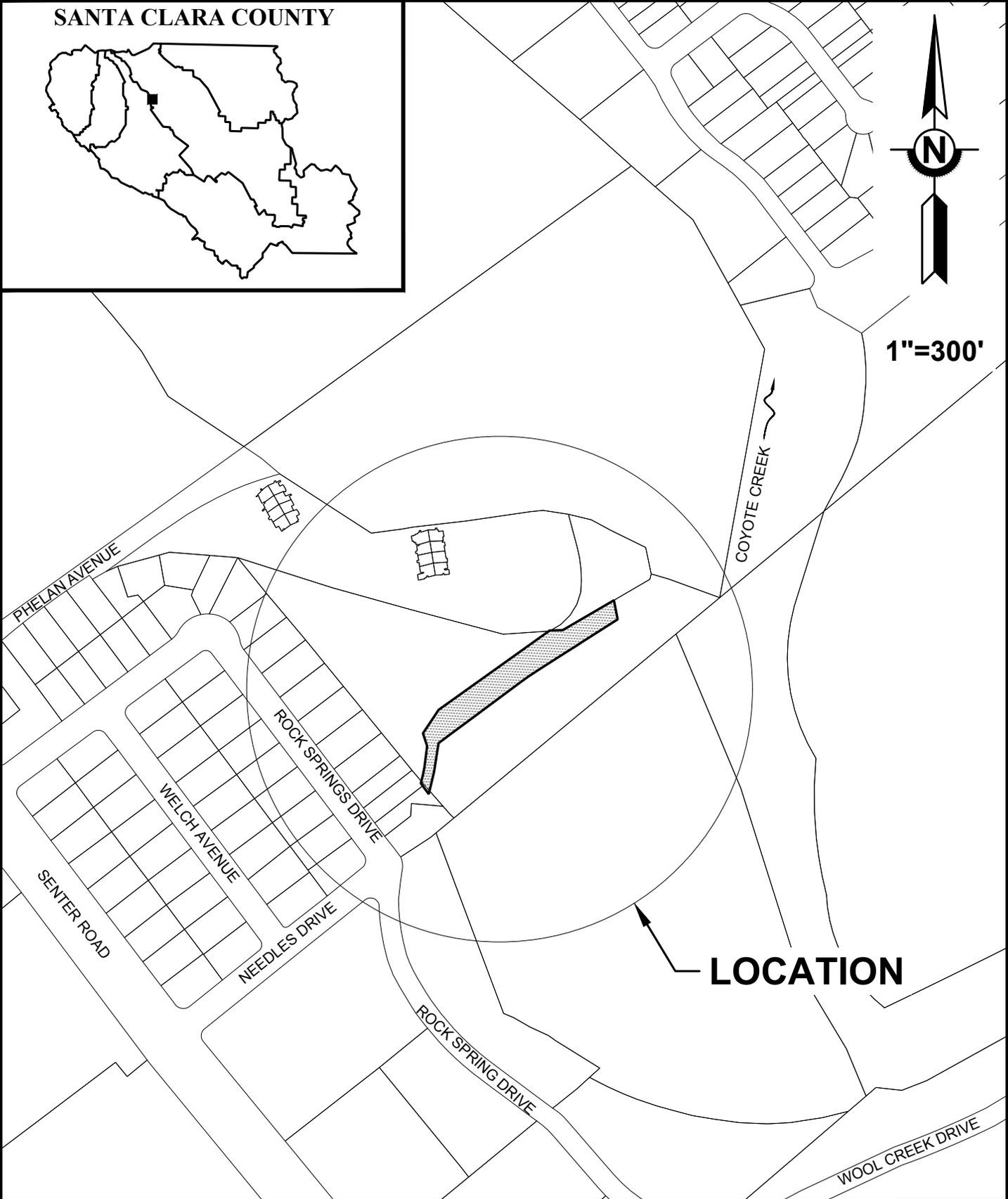
Jessica DeMartini, PLS 9095

10/21/24
Date

SANTA CLARA COUNTY



1"=300'



SANTA CLARA VALLEY WATER DISTRICT

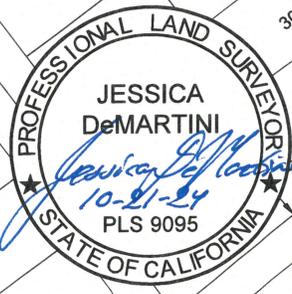
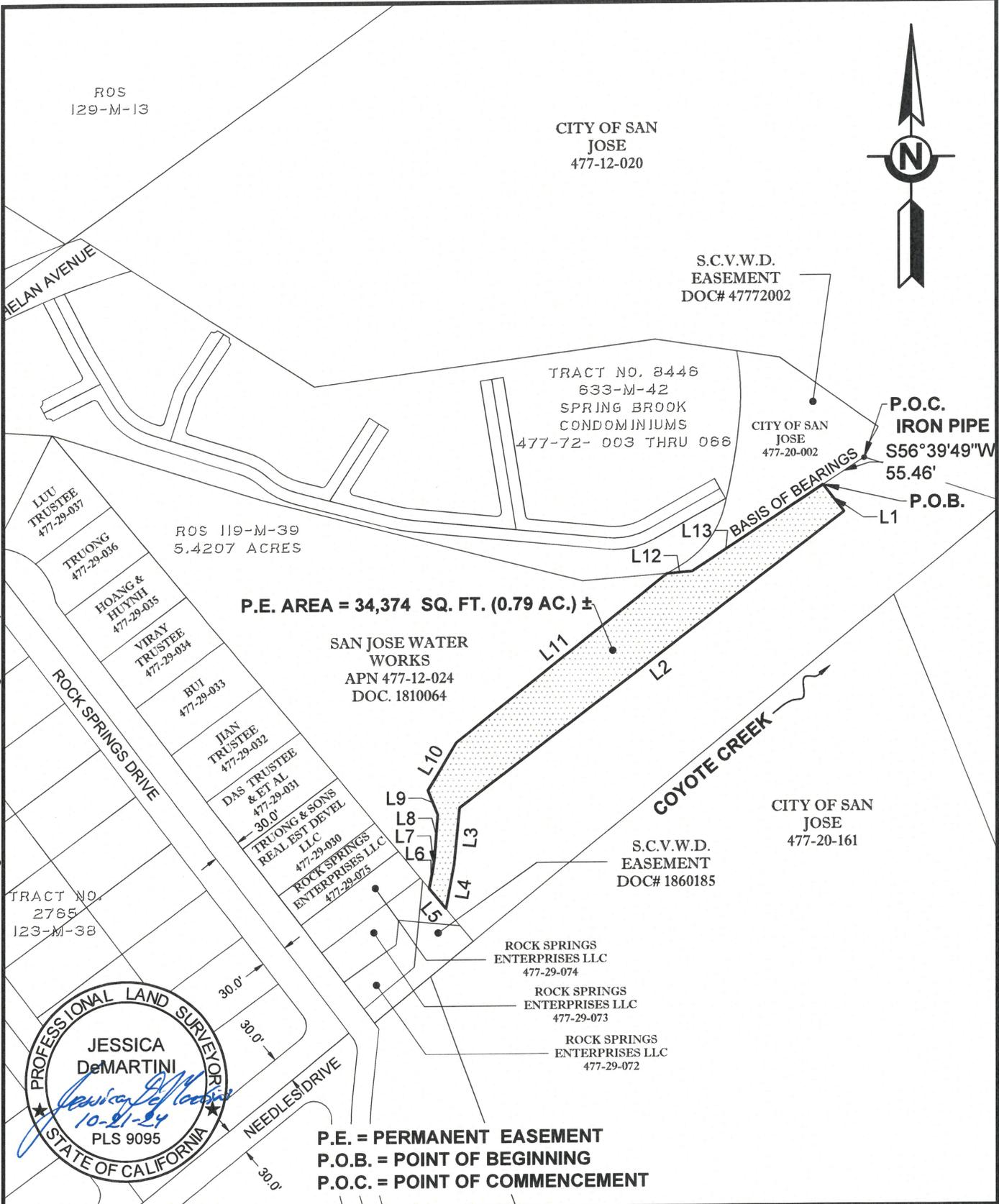


COYOTE CREEK FLOOD PROTECTION PROJECT

RESU FILE NO.	4021-282
APN	472-12-024
LSMU REQUEST NO.	2023-147
DRAWN	Attachment 3

SCVWD S:\REQUESTS\COYOTE CREEK\2023_147\2 Working\Office\ROW\Plats and Legal Descriptions\Reach 8\477-12-024 SAN JOSE WATER WORKS\4021-282 PE\2023-147_4021-282 PE-Map.dwg

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P.E. = PERMANENT EASEMENT
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT

SANTA CLARA VALLEY WATER DISTRICT 	SCALE: 1" = 150'	RESU FILE NO.	4021-282
		APN	477-12-024
		LSMU REQUEST NO.	2023-147
		DRAWN	A.Ruiz



Line Table		
Line #	Bearings	Distance
L1	S37°27'49"E	38.69'
L2	S52°28'52"W	548.75'
L3	S05°39'38"W	64.84'
L4	S10°18'08"W	51.29'
L5	N39°25'02"W	30.01'
L6	N10°42'07"E	20.11'
L7	N08°08'17"E	16.86'
L8	N04°10'57"E	47.70'
L9	N21°32'09"W	29.84'
L10	N30°42'29"E	63.19'
L11	N51°19'05"E	305.01'
L12	N85°21'26"E	29.00'
L13	N56°39'49"E	177.64'



SANTA CLARA VALLEY WATER DISTRICT



SCALE: N/A

RESU FILE NO.	4021-282
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DRAWN	A.Ruiz

SCVWD S:\REQUESTS\COYOTE CREEK\2023_147\2 Working\Office\ROW\Plats and Legal Descriptions\Reach 8477-12-024 SAN JOSE WATER WORKS\4021-282 PE\2023-147_4021-282 PE.dwg