

File: 4021-305

December 22, 2022

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

John Garcia
San Jose Flea Market Office
1590 Berryessa Road
San Jose, CA 95133

Subject: COURTESY NOTICE OF INTENTION TO CONSIDER THE ADOPTION OF A
RESOLUTION OF NECESSITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN

Dear Mr. Garcia:

This courtesy notice is to inform you that it is the intention of the Board of Directors of the Santa Clara Valley Water District to consider the adoption of a Resolution declaring the public necessity for the acquisition of real property or interest therein required for purposes of the Coyote Creek Flood Management Measures Project.

The resolution will authorize staff and counsel to commence an eminent domain proceeding to acquire the property described in the attached draft Resolution and its accompanying attachments.

Notice is further given that the Board is scheduled to meet to consider adoption of the Resolution of Necessity at the **January 24, 2023** meeting which begins at **1:00 PM** at the District's Headquarters building, 5700 Almaden Expressway, San Jose, California. The meeting will also be live streamed on the district's website.

As a potentially interested party, Berryessa FM Development LLC may appear at the place and time set forth above to comment on this agenda item.

Please be advised that, notwithstanding the statutory language indicating that there is an "intent" to condemn, the Directors have not in fact made a determination whether to condemn and will not so determine except in accordance with evidence and disclosures which will be heard at the time and place noted above.

Sincerely,



Michele L. King, CMC
Clerk/Board of Directors

Enclosures



John Garcia, San Jose Flea Market Office
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December 22, 2022

Gerald Murphy, Esq.
Lubin Olson & Niewiadomski LLP
The Transamerica Pyramid
600 Montgomery Street, 14th Floor
San Francisco, CA 94111

Bart Hechtman
Matteoni, O'Laughlin & Hechtman
848 The Alameda, Suite 1
San Jose, CA 95126

File

ec: K. Bradley, B. Magleby, A. Beaman, M. King, B. Yerrapotu, M. Thummaluru

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December 22, 2022

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Kevin Ice
Senior Manager, Real Estate Services
Office of Economic Development
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Subject: COURTESY NOTICE OF INTENTION TO CONSIDER THE ADOPTION OF A
RESOLUTION OF NECESSITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN

Dear Mr. Ice:

This courtesy notice is to inform you that it is the intention of the Board of Directors of the Santa Clara Valley Water District to consider the adoption of a Resolution declaring the public necessity for the acquisition of real property or interest therein required for purposes of the Coyote Creek Flood Management Measures Project.

The resolution will authorize staff and counsel to commence an eminent domain proceeding to acquire the property described in the attached draft Resolution and its accompanying attachments.

Notice is further given that the Board is scheduled to meet to consider adoption of the Resolution of Necessity at the **January 24, 2023** meeting which begins at **1:00 PM** at the District's Headquarters building, 5700 Almaden Expressway, San Jose, California. The meeting will also be live streamed on the district's website.

As a potentially interested party, the City of San Jose may appear at the place and time set forth above to comment on this agenda item.

Please be advised that, notwithstanding the statutory language indicating that there is an "intent" to condemn, the Directors have not in fact made a determination whether to condemn and will not so determine except in accordance with evidence and disclosures which will be heard at the time and place noted above.

Sincerely,



Michele L. King, CMC
Clerk/Board of Directors

Enclosures



Kevin Ice, City of San Jose
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Gerald Murphy, Esq.
Lubin Olson & Niewiadomski LLP
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CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Terreno Berryessa LLC
Attn: Cody Saunders
101 Montgomery St #2
San Francisco CA 94104

Subject: COURTESY NOTICE OF INTENTION TO CONSIDER THE ADOPTION OF A
RESOLUTION OF NECESSITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN

Dear Mr. Saunders:

This courtesy notice is to inform you that it is the intention of the Board of Directors of the Santa Clara Valley Water District to consider the adoption of a Resolution declaring the public necessity for the acquisition of real property or interest therein required for purposes of the Coyote Creek Flood Management Measures Project.

The resolution will authorize staff and counsel to commence an eminent domain proceeding to acquire the property described in the attached draft Resolution and its accompanying attachments.

Notice is further given that the Board is scheduled to meet to consider adoption of the Resolution of Necessity at the **January 24, 2023** meeting which begins at **1:00 PM** at the District's Headquarters building, 5700 Almaden Expressway, San Jose, California. The meeting will also be live streamed on the district's website.

As a potentially interested party, Terreno Berryessa LLC may appear at the place and time set forth above to comment on this agenda item.

Please be advised that, notwithstanding the statutory language indicating that there is an "intent" to condemn, the Directors have not in fact made a determination whether to condemn and will not so determine except in accordance with evidence and disclosures which will be heard at the time and place noted above.

Sincerely,



Michele L. King, CMC
Clerk/Board of Directors

Enclosures



Cody Saunders, Terreno Berryessa LLC
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December 22, 2022

Gerald Murphy, Esq.
Lubin Olson & Niewiadomski LLP
The Transamerica Pyramid
600 Montgomery Street, 14th Floor
San Francisco, CA 94111

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