

File 4021- 527

Coyote Creek Flood Protection Project

September 11, 2025

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

Notice is hereby given pursuant to Code of Civil Procedure, Section 1245.235, 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 Protection Project.

The resolution, if adopted, will authorize staff and counsel to commence an eminent domain proceeding to acquire the property, which is described in the attached Exhibit A.

Notice is further given that the Board is scheduled to meet to consider adoption of the Resolution of Necessity at its **October 14, 2025** 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.

Notice of Your Right to Appear and Be Heard

Interested Persons or Parties are entitled to appear at the place and time set forth above and be heard on the following matters:

1. Whether public interest and necessity require the project;
2. Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. Whether the property sought to be acquired is necessary for the project;

If you wish to appear and be heard, you must file a written request to appear and be heard with the Clerk of the Board of Directors at the Santa Clara Valley Water District, 5750 Almaden Expressway, San Jose, California, 95118 within 15 days after this notice was mailed.

Failure to file such written request within the time specified constitutes a waiver of the right to appear and be heard.

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.

If the Board elects to adopt the Resolution of Necessity, then within six months of the adoption of the Resolution, Valley Water would commence eminent domain proceedings in the Santa Clara County Superior Court. In that proceeding, the Superior Court will determine the amount of compensation to which you would be entitled.

FEE TITLE, File No. 4021-527

Santa Clara Valley Water District
San Jose, California

PROJECT: COYOTE CREEK FLOOD
PROTECTION PROJECT (CCFPP)

RESU File No.: 4021-527
By: A. Ruiz

All that certain real property situate in the City of San Jose, County of Santa Clara, State of California, more particularly described as follows:

All that portion of East St. John Street bounded on the north by the southerly boundary of the lands shown as "ASS'M'T LOT NO 248", on the south by the northerly boundary of the lands shown as "ASS'M'T LOT NO 247", on the east by the prolongation of the easterly line of lands shown as "ASS'M'T LOT NO 248" to the northerly line of the lands shown as "ASS'M'T LOT NO 247", and on the west by the prolongation of the westerly line of lands shown as "ASS'M'T LOT NO 248" to the northerly line of the lands shown as "ASS'M'T LOT NO 247", shown on that certain Record of Survey, filed for record on February 4, 1964, in Book 172 of Maps at Page 55, in the Office of the Recorder, County of Santa Clara, State of California.

Containing 8,878 square feet of land, more or less.

BASIS OF BEARINGS:

The bearing of N60°04'14"E, shown as N59°18'30"E along the southerly line of the lands shown as "ASS'M'T LOT NO 248" on that certain Record of Survey, filed for record on February 4, 1964, in Book 172 of Maps at Page 55, in the Office of the Recorder, County of Santa Clara, State of California, was used as Basis of Bearings shown hereon.

SURVEYOR'S STATEMENT:

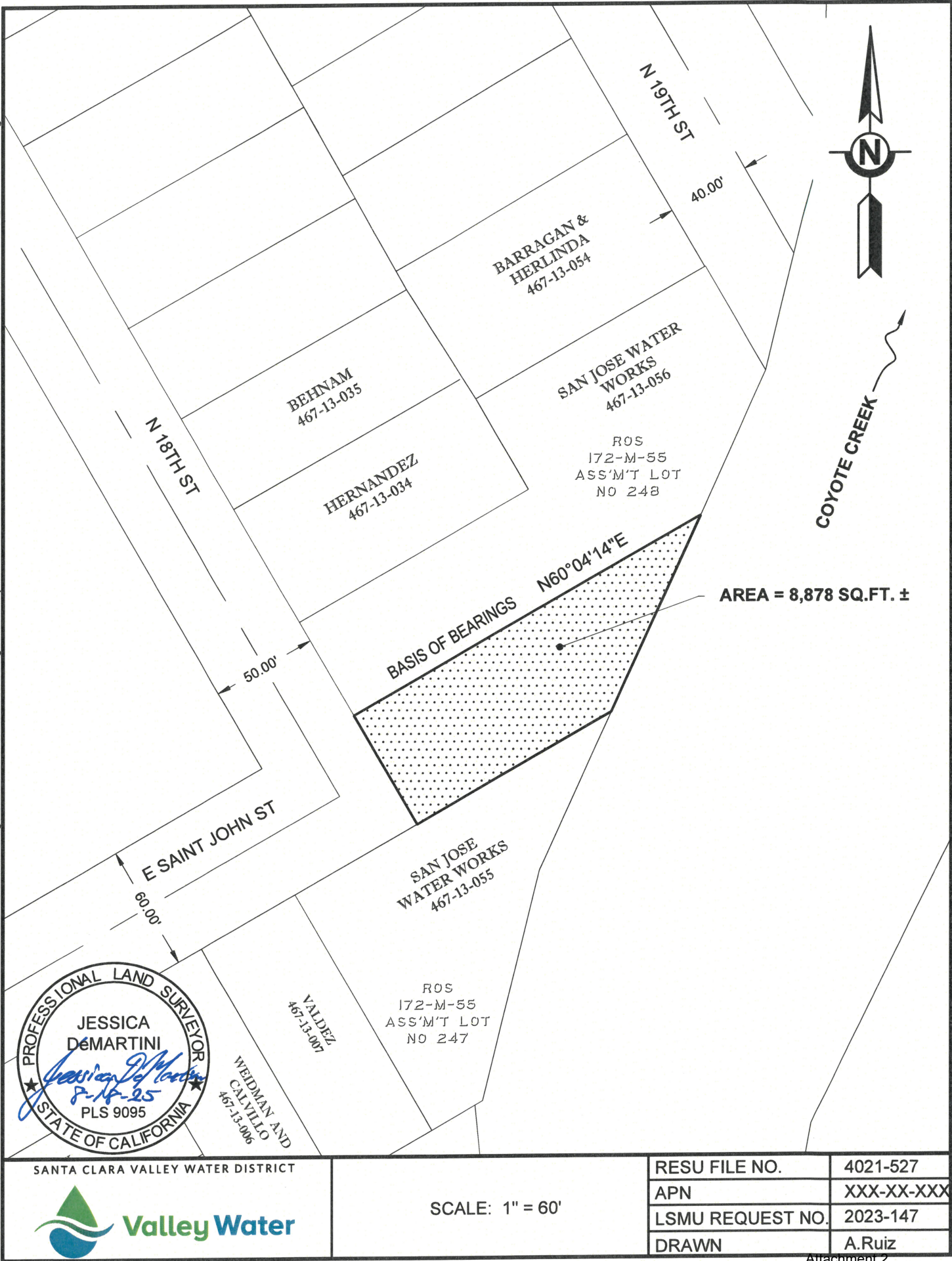
The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.


Jessica DeMartini, PLS 9095

8/18/25
Date
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SCVWD S:\REQUESTS\COYOTE CREEK\2023_14712 Working\Office\ROW\Plats and Legal Descriptions\Reach 6\467-13-xx UNKNOWN\4021-527\2023-147_4021-527.dwg



SANTA CLARA VALLEY WATER DISTRICT



SCALE: 1" = 60'

RESU FILE NO.	4021-527
APN	XXX-XX-XXX
LSMU REQUEST NO.	2023-147
DRAWN	A.Ruiz