

Attachment 2

RECORDING REQUESTED BY OLD
REPUBLIC TITLE CO.

RECORD WITHOUT FEE UNDER
SECTION 6103 GOVERNMENT CODE OF
THE STATE OF CALIFORNIA

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: 472-31-041

DOCUMENT NO.: 4021-320

EASEMENT DEED

Michele A. Dour, hereinafter "Grantor," do(es) 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.

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

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 works, and appurtenant structures by said District, 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.

(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 12 day of March 2024.

Michele A. Dour
Michele A. Dour

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 12th day of March, in the year 2024, before me Jeremy Lee Cunningham,

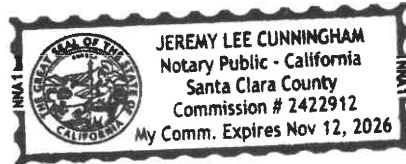
Notary Public, personally appeared Michele A. Daur
Name(s) of Signer(s)

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.

[Signature]
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: _____
Rick L. Callender, Esq., Chief Executive Officer

EXHIBIT A

Santa Clara Valley Water District
San Jose, California

PROJECT: COYOTE CREEK FLOOD
MANAGEMENT MEASURE
PROJECTS

RESU File No.: 4021-320
By: B. Bains

An easement over that certain real property situate in the City of San Jose, County of Santa Clara, State of California, as described in that certain Deed, recorded as Document Number 21715455, filed on June 20, 2012, 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 northeasterly corner of the lands as described in that certain Deed, recorded as Document Number 21715455, filed on June 20, 2012, all in the Office of the Recorder, County of Santa Clara, State of California;

Thence along the easterly line of the lands described in said Deed, S08° 24' 14"W, 81.87 feet to the southeasterly corner of said lands;

Thence along the southerly line, S83° 19' 14"W, 92.74 feet;

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

- 1) N03° 22' 40"W, 17.48 feet;
- 2) N01° 16' 07"E, 62.20 feet, to a point on the northerly line of said lands

Thence along said northerly line N83° 19' 14"E, 104.44 feet, to the **POINT OF BEGINNING**.

Containing 7837 square feet of land, more or less.

BASIS OF BEARINGS:

The bearing of N83° 19' 14"E, described as N82° 25"E along the northwesterly line of the lands as described in that certain Deed, recorded as Document Number 21715455, filed on June 20, 2012, all 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.

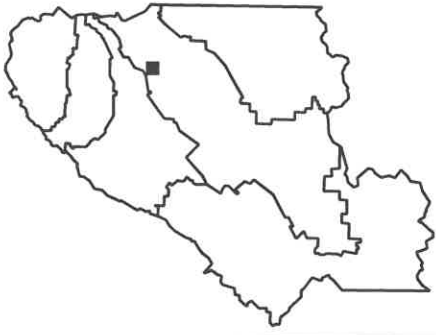


Jessica DeMartini, PLS 9095

6/30/23
Date



SANTA CLARA COUNTY



1"=200'

LOCATION

SCVWD S:\REQUESTS\COYOTE CREEK\2022_137\2 Working\Office\ROW\Plats and Legal Descriptions\Reach 7472-31-041 Dour\4021-320 PE\2022-137_4021-320 PE Rev1.dwg

REED STREET

FIFTEENTH STREET

FOURTEENTH STREET

MARGARET STREET

SIXTEENTH STREET

COYOTE CREEK

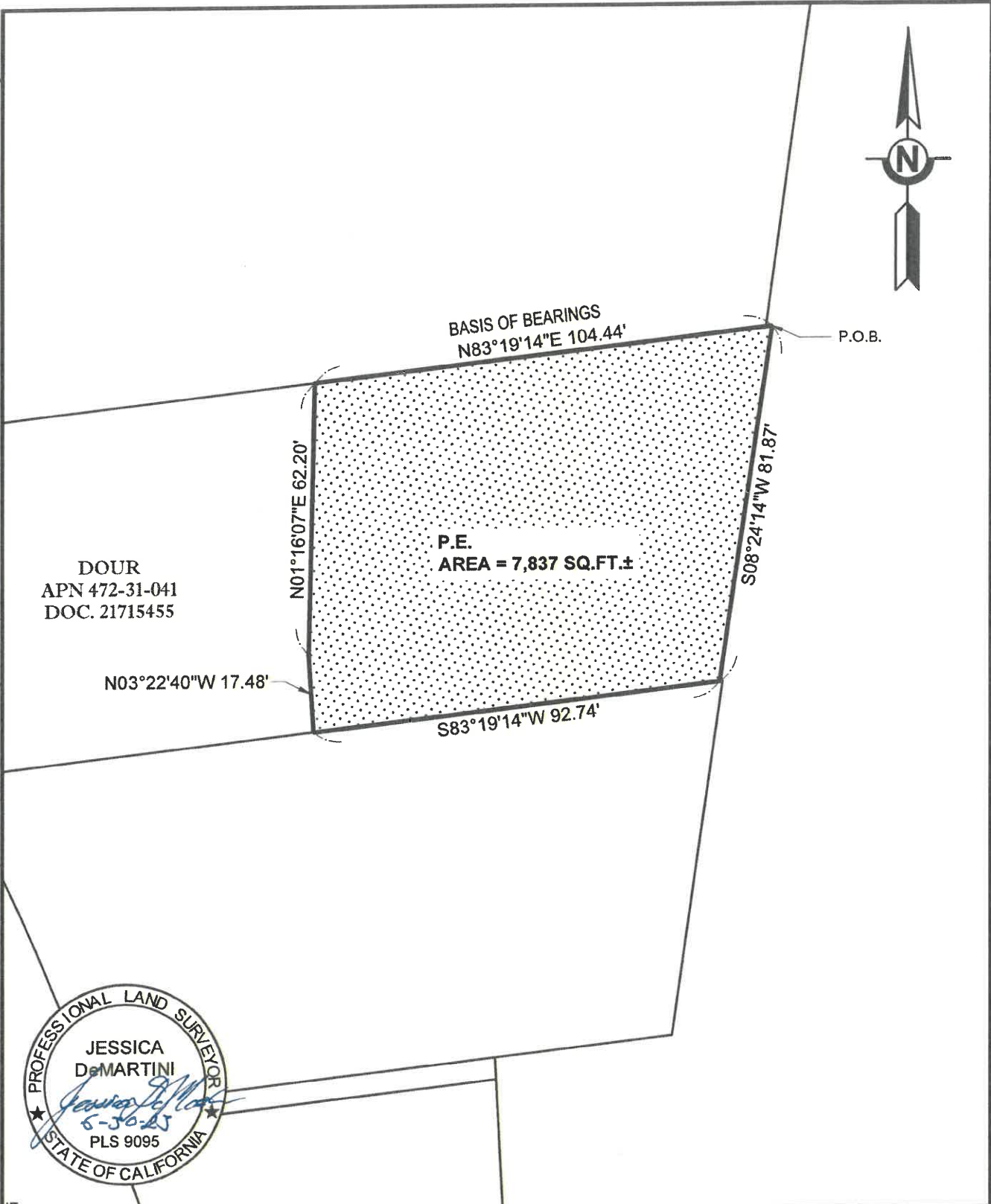
SANTA CLARA VALLEY WATER DISTRICT



COYOTE CREEK FLOOD MANAGEMENT MEASURE PROJECTS

RESU FILE NO.	4021-320
APN	472-31-041
TITLE REPORT NO.	616019592
DRAWN	B. BAINS

SCVWD S:\REQUESTS\COYOTE CREEK\2022_13712 Working\Office\ROW\Plats and Legal Descriptions\Reach 7472-31-041 Dour\4021-320 PE\2022-137_4021-320 PE Rev1.dwg



DOUR
APN 472-31-041
DOC. 21715455

N03°22'40\"W 17.48'

N01°16'07\"E 62.20'

BASIS OF BEARINGS
N83°19'14\"E 104.44'

P.O.B.

P.E.
AREA = 7,837 SQ.FT.±

S08°24'14\"W 81.87'

S83°19'14\"W 92.74'



SANTA CLARA VALLEY WATER DISTRICT



SCALE: 1" = 30'

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