



Files: 4021-436
Coyote Creek Flood Protection Project

November 7, 2025

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

AJS Investment Group, LLC
Attn: Amrik Atwal
2233 Paragon Drive
San Jose, CA 95131-1307

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

Dear Property Owner:

Notice is hereby given pursuant to Code of Civil Procedure, Section 1245.235, that it is the intention of the Board of Directors ("Board") of the Santa Clara Valley Water District ("Valley Water") to consider the adoption of a resolution declaring the public necessity for the acquisition of real property interests therein required for purposes of the Coyote Creek Flood Protection Project ("Project").

The resolution, if adopted, will authorize staff and counsel to commence an eminent domain proceeding to acquire the real property interests described in the attached Exhibit A ("Property").

Notice is further given that the Board is scheduled to meet to consider adoption of the Resolution of Necessity at its **December 9, 2025**, meeting which begins at **1:00 PM** at Valley Water's Headquarters Building, 5700 Almaden Expressway, San Jose, California. The meeting will also be live streamed on Valley Water's website.

Notice of Your Right to Appear and Be Heard

You 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;
4. Whether Valley Water made the offer required by Government Code section 7267.2 to the owners of record;
5. Whether Valley Water has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the Property; and



AJS Investment Group, LLC

November 7, 2025

Page 2

6. Whether Valley Water has complied with the requirements of the California Environmental Quality Act 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 at Valley Water, 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 AWARE THE PRICE TO BE PAID FOR THE PROPERTY WILL NOT BE CONSIDERED BY THE BOARD AT THIS HEARING, AND IF YOU ELECT NOT TO APPEAR AND BE HEARD, YOUR NON-APPEARANCE WILL NOT BE A WAIVER OF YOUR RIGHT TO CLAIM GREATER COMPENSATION IN A COURT OF LAW.

Please be advised that, notwithstanding the statutory language indicating that there is an "intent" to condemn, the Board has 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.

Santa Clara Valley Water District

By: 
Nicole Merritt
Acting Clerk, Board of Directors

By Certified Mail: 7022 0410 0001 3793 8164

Enclosures: Exhibit A

Date Mailed: November 7, 2025

Notice of Intention to Appear must be filed on or before: November 22, 2025

cc: C. Achdjian, K. Anderssohn, J. Carrasco, R. Ruiz, C. Kwok-Smith, B. Yerrapotu, M. Thummaluru, R. Yamane, C. Kin-McAlpine, File

cc: AJS Investment Group, LLC
Attn: Amrik Atwal
2202 Deer Crest Ct.
San Jose, CA 95138

Exhibit A

(4 pages to follow)

Temporary Construction Easement, File No. 4021-436

A temporary construction easement over, upon and across a portion of that 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 she/he is the owner of the property described in Easement Area and that Grantor has the exclusive right to convey the temporary easement rights to the Grantee.
2. This temporary construction easement is necessary for the purpose of constructing the Coyote Creek Flood Protection Project and related activities incident to construction. This temporary construction easement shall not be revoked and shall continue in full force and effect beginning on July 1, 2026 until December 31, 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 exercise of 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 residential occupants or construction activity of Grantor on site. Grantee will keep area covered by the easement clean and remove all debris related to its construction.
5. Grantee agrees to indemnify and hold harmless Grantor from and against any 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.

Santa Clara Valley Water District
San Jose, Ca 95118

PROJECT: COYOTE CREEK FLOOD
PROTECTION PROJECT (CCFPP)

RESU FILE NO.: 4021-436
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 24665307 filed on October 21, 2020, 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 1" iron pipe at the southwesterly corner of the lands shown as PARCEL "A", on that certain Parcel Map, filed in Book 328 of Maps at Page 46, on August 21, 1973, in the Office of the Recorder, Santa Clara County, State of California, said point also being the beginning of a non-tangent curve concave easterly and having a radius of 890.05 feet, a radial line to said point bears N76°46'58"W;

Thence along the northwesterly line of said lands, northeasterly along said curve thru a central angle of 1°34'35", an arc distance of 24.49 feet;

Thence leaving said northwesterly line, S75°12'34"E, 220.34 feet to a point on the southeasterly line of said lands, said point also being the beginning of a non-tangent curve concave easterly and having a radius of 430.00 feet, a radial line to said point bears N77°34'53"W;

Thence along said southeasterly line, southwesterly along said curve thru a central angle of 3°12'22", an arc distance of 24.06 feet, to a 1" iron pipe at the most southerly corner of said lands;

Thence along said southwesterly line, N75°20'05"W, 221.67 feet to the **POINT OF BEGINNING**.

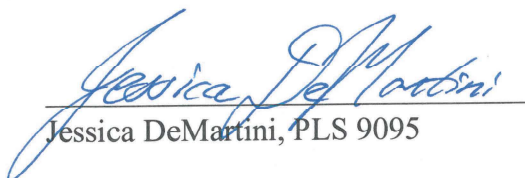
Containing 5,356 square feet of land, more or less.

BASIS OF BEARINGS:

The bearing of N75°20'05"W, shown as N76°08'07"W along the southwesterly line of the lands shown as PARCEL "A" on that certain Parcel Map, filed in Book 328 of Maps at Page 46, on August 21, 1973, in the Office of the Recorder, State of California, was used as Basis of Bearings shown hereon.

SURVEYOR'S STATEMENT:

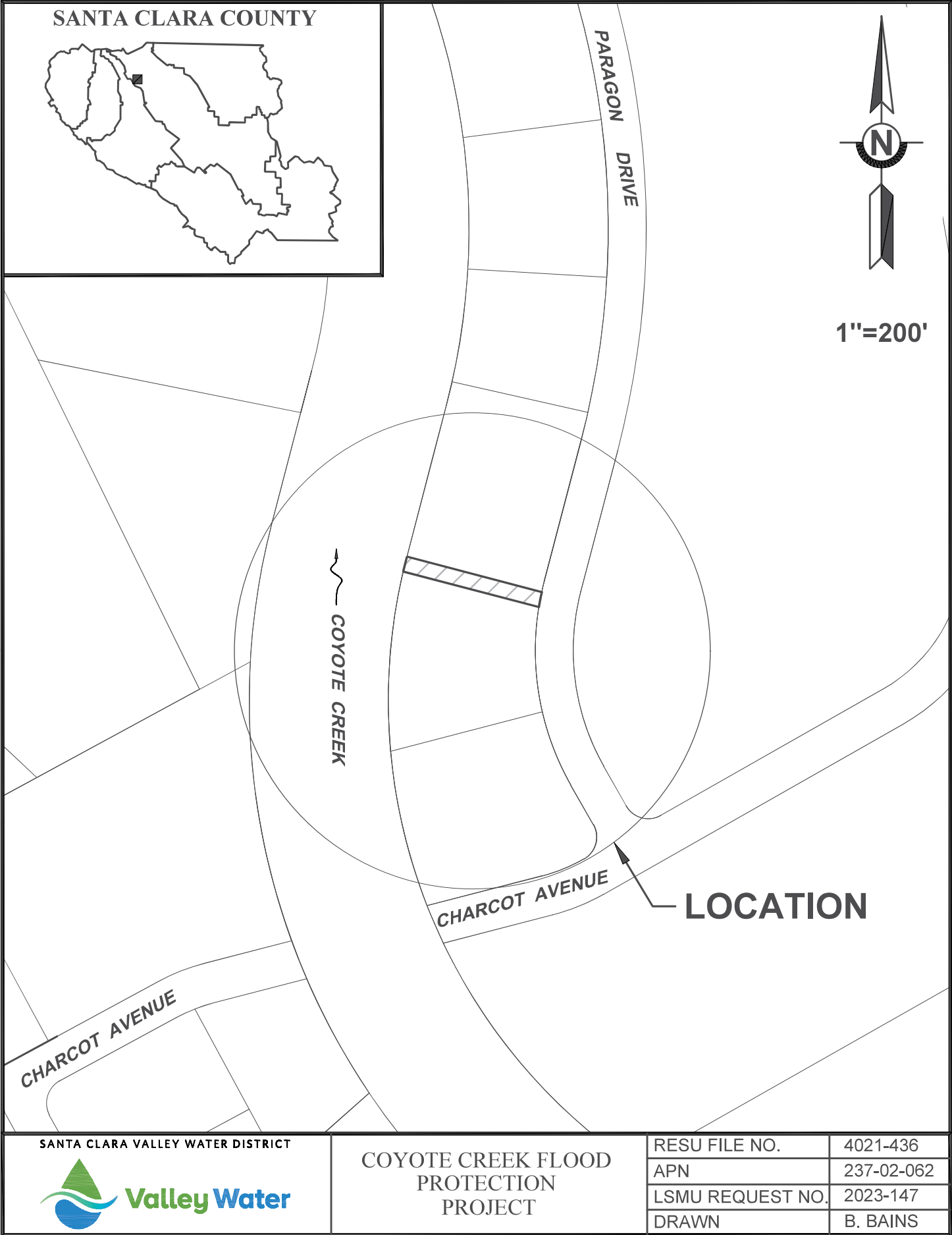
The description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.


Jessica DeMartini, PLS 9095

7/15/25
Date



SCVWD S:\REQUESTS\COYOTE CREEK\2023_147\2 Working\Office\ROW\Plats and Legal Descriptions\Reach 4\237-02-062 AJS IINVESTMENT\4021-436 TCE\2023-147_4021-436 TCE.dwg



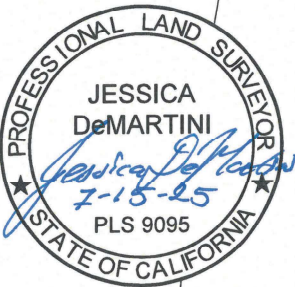
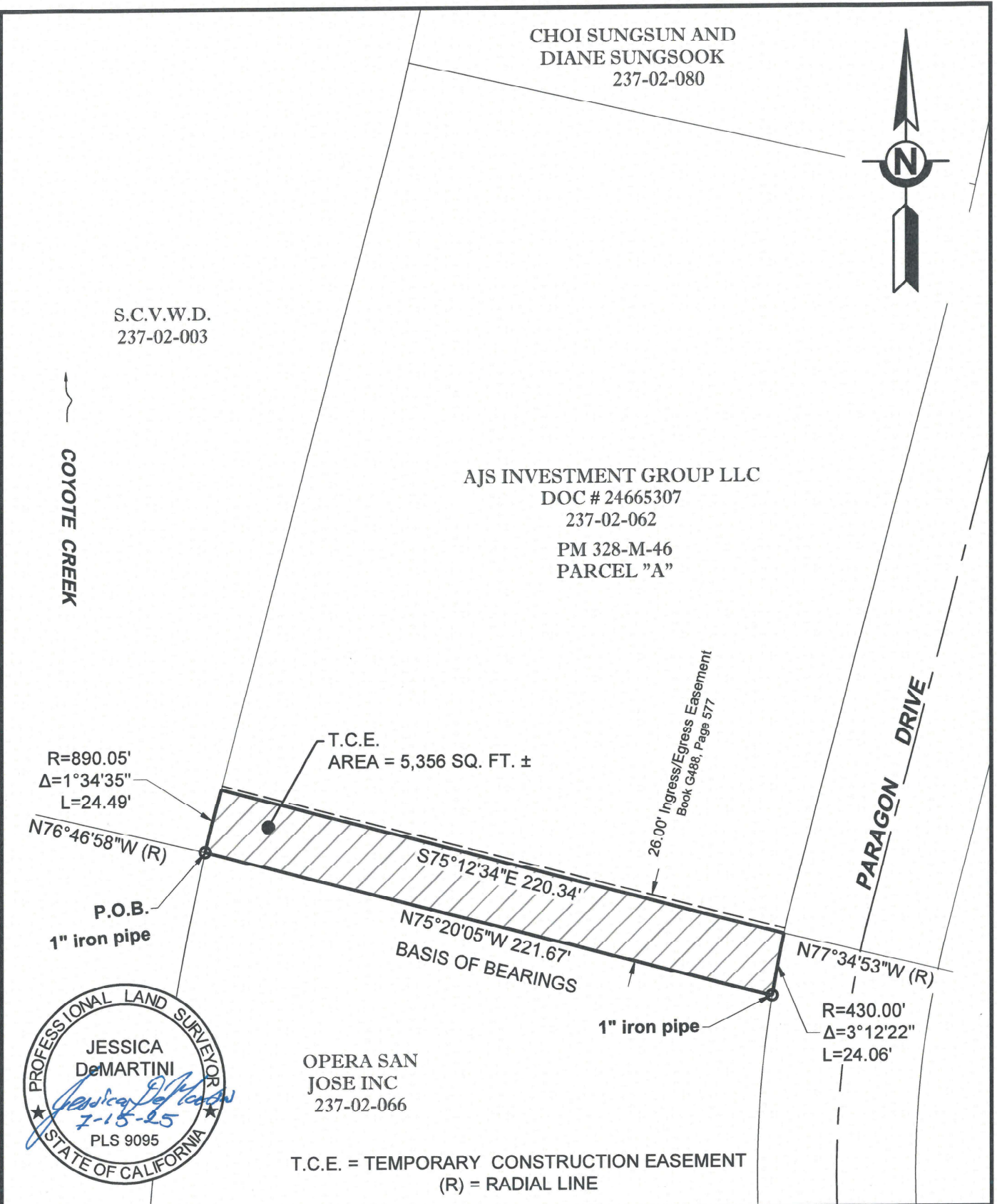
SANTA CLARA VALLEY WATER DISTRICT



COYOTE CREEK FLOOD
PROTECTION
PROJECT

RESU FILE NO.	4021-436
APN	237-02-062
LSMU REQUEST NO.	2023-147
DRAWN	B. BAINS

SCVWD S:\REQUESTS\COYOTE CREEK\2023_147\2 Working\Office\FROM\Plats and Legal Descriptions\Reach 4\237-02-062 AJS INVESTMENT\4021-436 TCE\2023-147_4021-436 TCE.dwg



SANTA CLARA VALLEY WATER DISTRICT



SCALE: 1" = 50'

RESU FILE NO.	4021-436
APN	237-02-062
LSMU REQUEST NO.	2023-147
DRAWN	B. BAINS

SHEET 1 OF 1

Attachment 2

Page 7 of 7

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