



Valley Water

**When Valley Water
Buys Your Property**

Dear Property Owner:

As Valley Water (Santa Clara Valley Water District) embarks upon commencing its projects, it must often purchase real property on which to complete these projects.

If you own real property to be acquired for a Valley Water project, you are protected by the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (Federal Uniform Act), the California Relocation Assistance and Real Property Acquisition Guidelines, and the eminent domain laws of the State of California.

The enclosed Frequently Asked Questions (FAQ) document is intended to provide general information with some specifics on Valley Water's Land Acquisition Program. Further details regarding acquisition for public purposes are set forth in the Federal Uniform Act and California Relocation Assistance and Real Property Acquisition Guidelines, California Administrative Code, Title 25, Chapter 6, prepared by the Department of Housing and Community Development (State Guidelines). In the event of any conflict with the enclosed information, the Federal Uniform Act and State Guidelines are controlling.

We are available to answer your questions and to assist you in understanding the acquisition program.

Thank you,
Valley Water's Real Estate Service Unit
(408) 265-2600
RealEstateUnit@valleywater.org

Frequently Asked Questions

What is Valley Water (Santa Clara Valley Water District) and is it part of Santa Clara County?

The Santa Clara Valley Water District, also known as Valley Water, is a special district created under the laws of California. Valley Water's mission is to provide safe, clean water, flood protection and stewardship of streams for Santa Clara County. Valley Water's governing body is comprised of seven board members, each elected from equally-divided districts drawn through a formal process.

What gives Valley Water the right to buy my property if I don't want to sell?

Every public agency, including Valley Water, has certain powers which are necessary for it to operate effectively. For example, states have the power to levy taxes and the power to maintain order. Another power is the power to acquire private property for public purposes. This is known as the power of eminent domain, which guarantees that if a public agency takes private property it must pay just compensation to the owner. The power of eminent domain is exercised when private property is required for public purposes, and the property owner and the public agency cannot agree on the terms of sale. In cases where negotiations have reached an impasse and possession of the property is required in order to allow a project to proceed, both the Federal and State Constitutions allow Valley Water, as a public agency, to purchase property for public use, even if the owner does not wish to sell. It is the earnest hope of Valley Water to avoid a proceeding in eminent domain with the added time, concerns and costs to everyone involved.

Further, under the Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970 and the California Relocation Assistance and Real Property Acquisition Guidelines, the owner has additional protections, some of which are explained in this FAQ.

If Valley Water staff decides to exercise the power of eminent domain, it will request authority from the Valley Water Board of Directors to file a condemnation action. You will be given an opportunity to appear before the Board to question whether public interest, necessity, planning and location require the proposed project and your property. The Board does not hear arguments regarding valuation. Condemnation suit documents will be prepared by Valley Water and filed with the court. Summons and Complaint will then be served on all persons having a property interest in the parcel. The persons

served must answer within 30 days. Counsel for the parties will then prepare for trial and the court will set dates for preliminary motions and the trial.

How does Valley Water determine which property should be acquired?

The decision to acquire a property for a public project usually involves input from many persons. Among them are:

Environmental Specialists: Evaluate the effect of the proposed project on social and environmental factors.

Advance Planners: Predict the needs of Santa Clara County residents for raw and potable water, study the potential for flooding, and recommend the type of project which will be of the most benefit to the public.

Design Engineers: Prepare detailed design plans and determine which properties will be needed for the project.

Relocation Specialists: Make early studies of the needs of the people who will have to be relocated and the kind of replacement housing which will be required. A detailed replacement housing study will be completed before Valley Water requires anyone to move.

Valley Water Real Estate Agents: Trained in the protections that State and Federal law provide property owners. Valley Water Real Estate Agents are salaried employees of Valley Water and do not work on a commission basis.

Qualified Appraisers: Are either Valley Water Real Estate Agents or independent contractors who are licensed by the State of California Office of Real Estate Appraisers.

Many months are spent in preliminary study and investigation to consider the environmental, social, engineering and cost effects of a project.

When funds are provided for a project, the final decision to proceed with the project is made by the Valley Water Board of Directors after a thorough review, which includes public hearings to obtain the views of interested citizens. The Board may decide to proceed with a project only after considering written and oral testimony through the public hearing process.

As a result of this team effort, the best possible project is selected, after thorough social, economic, engineering and environmental analysis, as well as consideration of expressed public desires. The goal is the greatest public good and the least private injury or inconvenience while delivering the best possible service.

What is Fair Market Value?

Fair market value is sometimes defined as that amount of money which would probably be paid for a property in a sale between a willing seller, who does not have to sell, and a willing buyer, who does not have to buy. The fair market value of a property is generally considered to be just compensation. Fair market value does not take into account intangible elements such as sentimental value, goodwill, business profits, or any special value that your property may have for you as an individual or for Valley Water.

How does an appraiser determine the fair market value of my property?

Each parcel or real property is different and therefore no single formula can be devised to appraise all properties. Among the factors an appraiser typically considers in estimating the value of real property are:

- How it compares with similar properties in the area that have been sold recently.
- How much it would cost to reproduce the buildings and other structures, less any depreciation.
- How much rental income it could produce.

Valley Water cannot buy your property for more than its worth but it can and will assure you that you do not have to sell your property for less than its fair market value. If the property is an owner-occupied residential property containing no more than four residential units, California law provides that the owner, upon request, may review a copy of the appraisal upon which the offer is based.

May I obtain my own appraisal?

You may obtain an independent appraisal of your property that is being considered for acquisition for a public use. Should you elect to obtain an independent appraisal, Valley Water will pay for the actual reasonable costs up to \$5,000 subject to the following conditions:

- You, not Valley Water, must order the appraisal. Should you enter into a contract with the selected appraiser, Valley Water will not be a party to the contract;
- The selected appraiser must be licensed with the California Office of Real Estate Appraisers, and the costs incurred to prepare the appraisal must be justified for the costs to be considered reasonable and subject to

reimbursement; and

- Appraisal cost reimbursement requests must be made in writing, and submitted to Valley Water, Attention: (your Valley Water Real Estate Agent), 5750 Almaden Expressway, San Jose, CA 95118) within 30 days of the earliest of the following dates: (1) The date the selected appraiser requests payment from you for the appraisal; or (2) The date upon which you, or someone on your behalf, remitted full payment to the selected appraiser for the appraisal. Copies of the contract (if a contract was made) and invoice for completed work by the appraiser must be provided to Valley Water concurrent with submission of the appraisal cost reimbursement request.

If your appraiser does not complete the appraisal you have ordered, there will be no reimbursement. Written verification from the appraiser that the appraisal was completed and delivered and payment in full received will be required. This reimbursement is not payable for partial appraisal completion or appraisal consultation. It is a one time payment of up to a maximum in \$5,000 of reasonable costs regardless of changes which may occur during the course of planning, design or engineering for the project. A copy of the completed appraisal report may be submitted as evidence for reimbursement but this is not required.

Notice of Land Use Acquisition Procedures

The basic objectives of Valley Water's land acquisition program is to:

- i. Make every reasonable effort to acquire real property expeditiously by agreements with owners at its fair market value so as to avoid litigation;
- ii. Assure consistent treatment of all owners of property located within a proposed project;
- iii. Conduct its acquisition in a manner that minimizes hardship to you and your tenants, if applicable, and
- iv. Promote public confidence in our land acquisition practices.

Land Acquisition Procedures

1. The amount that you will be offered for the property described herein will be what Valley Water determined to be just compensation after consideration of an approved appraisal of the fair market value of the property.
2. Valley Water will complete a hazardous substance liability assessment

("HSLA" also referred to as a due diligence site assessment) in accordance with the Comprehensive Environmental Response, Compensation and Liability Act to provide Valley Water with information that enables the determination of risks from potential hazardous substance associated with the property and provides information necessary to negotiate cleanup actions with responsible parties if hazardous substance cleanup is necessary.

3. Valley Water will request written permission to enter the property to complete the HSLA from you, the Property Owner, or your representative. The permission to enter agreement will provide advance notification to you when the site evaluations will be completed and copies of the report conclusions will be made available upon request. If an agreement to enter the property cannot be reached, Valley Water will obtain a court order to complete the assessment in accordance with the provisions of the Eminent Domain Law, including without limitation California Code of Civil Procedure section 1245.010.
4. If you are not satisfied with Valley Water's offer of just compensation, you, as the Property Owner, may obtain an independent appraisal of your property and you will be given a reasonable opportunity to present relevant material, which Valley Water will carefully consider.
5. If a voluntary agreement cannot be reached, Valley Water, as soon as feasible, will either institute a formal condemnation proceeding or, in the alternative, decide not to acquire the property and give you notice in the form of a Notice of Public Entity's Decision Not to Acquire, served not later than ten days following the date of the decision not to acquire pursuant to Section 6190 of Title 25 of the California Code of Regulations.
6. In a condemnation proceeding to determine the amount of just compensation and acquire the property, actual possession of the property by Valley Water will not be obtained by court order until Valley Water has deposited with the court an amount that Valley Water's appraiser determined to be just compensation for the property.
7. The construction of the proposed project shall be scheduled so that no person, business or farm operation lawfully occupying the property shall be required to move from a dwelling (assuming in the case of a dwelling that a replacement dwelling as required by the California Relocation Assistance and Real Property Acquisition Guidelines will be available) or to move such person's business or farming operation without at least ninety (90) days written notice from Valley Water of the date by which the move is required, unless a court finds that Valley Water has an urgent need for possession of the property and that possession will not displace or unreasonably affect

any person in actual and lawful possession of the property to be acquired, or unless there is an emergency situation which threatens the general health or safety of the community.

8. In addition to receiving compensation for the property proposed to be acquired, occupants of the property may be eligible to receive relocation benefits if they are displaced by the acquisition of this property right. A booklet briefly describing relocation assistance services and benefits available to eligible persons, businesses, and farm operations may be obtained from Valley Water's Real Estate Services Unit. Please contact the Real Estate Services Unit, at **(408) 265-2600** or at ***RealEstateUnit@valleywater.org***.
9. If Valley Water acquires any part of the property that leaves you, the Property Owner, with an uneconomic remnant as defined in subsection 6182(g) of Title 25 of the California Code of Regulations, Valley Water will offer to acquire the uneconomic remnant, if you so desire.
10. If you, as the Property Owner, are also the owner of a business conducted on the property to be acquired on the remainder of the property, you may be entitled to compensation for loss of business goodwill in accordance with Sections 1263.510 and 1263.520 of the California Code of Civil Procedure. However, an owner of the business should take such steps and adopt such procedures as a reasonably prudent person would take and adopt in preserving the business goodwill.

What happens if Valley Water condemns my property?

You will be notified of the action and given at least 15 days notice to attend a public hearing with the Valley Water Board of Directors to determine the need and necessity for the project. After the hearing, assuming need and necessity have been substantiated, Valley Water will file a condemnation suit.

What happens in a condemnation proceeding?

The purpose of the condemnation proceeding is to determine the amount of compensation. Usually the trial is conducted before a judge and jury. Both the property owner and Valley Water will have the opportunity to present evidence of value. The jury will determine the amount of compensation, after being instructed as to the law by the judge. In those cases where the parties choose not to have a jury, the judge will decide the amount of compensation.

The judgment is then prepared by counsel and signed by the judge. It will state that, upon deposit of the amount of the verdict with the court for the benefit of

the property owner, title will be transferred to public ownership.

When Valley Water makes the deposit, as required by the judgment, the final order of condemnation is signed by the judge and recorded. This is the actual transfer of title.

To help you in presenting your case in a condemnation proceeding, you may wish to consider employing an attorney and an appraiser. However, the costs of these professional services and other costs which you incur in presenting your case to the court are your responsibility.

Who pays the condemnation proceeding costs?

Valley Water pays the costs of its attorney and its engineering and appraisal witnesses. It will also pay the jury fees and certain of your incidental costs which are determined by law to be allowable costs. The fee for filing your answer with the court is an example of such costs.

If the judge feels that Valley Water's offer of settlement was unreasonable and the demand of the property owner was reasonable, viewed in the light of the verdict, the property owner may receive litigation expenses. The judgment is then prepared by counsel and signed by the judge.

Must I have an attorney and expert witnesses at the condemnation proceeding?

Most property owners will be represented by an attorney, although they have the right to represent themselves. You may wish to consult your personal attorney. You and your attorney must decide what type of case you will present and what witnesses will be needed.

What is an Order for Possession?

An Order for Possession is a process within a condemnation action which allows Valley Water to have the use of your property prior to a negotiated settlement or an award of just compensation by the court. This procedure is used typically only where the use of your property is necessary to accomplish timely construction of the project for which your property is required.

To obtain an Order for Possession, Valley Water must deposit with the court (or in an escrow account) an amount not less than its appraisal of the fair market value of the property. Ordinarily, the owner is then permitted to withdraw their share of this amount, minus any amounts necessary to pay off any mortgage or other liens on the property and sums necessary to resolve

any special ownership problems. Early withdrawal of your share of the money will not affect your right to seek additional compensation for your property. It is recommended that you have the help of an attorney if you intend to do this. Should the negotiated settlement or court award exceed the amount deposited by Valley Water, you will be paid the difference, plus any interest that may be provided by State law.

What can I do if I am not satisfied with the court's determination?

If you are not satisfied with the court's determination of the amount for just compensation, you may file an appeal with the appropriate appellate court for the area in which your property is located. Valley Water may also file an appeal if it believes the amount of the court judgment is too high.

Who will contact me?

Appraisal and purchase of properties needed for this project are the responsibility of Valley Water's Real Estate Services Unit. The Real Estate Services Unit provides a Relocation Assistance Program for businesses and persons who must move because of the project. A Valley Water Real Estate Agent will assist you and give you general information about the project.

If you are an owner or tenant of a business or house which is scheduled to be acquired, one of the first people you will meet is a Relocation Advisor from Valley Water's staff who will collect data in your neighborhood on the numbers and types of businesses and residences which will be relocated to make way for the project.

Your next contact will probably be from an appraiser hired by Valley Water to collect valuation data in your neighborhood. The appraiser will invite you to accompany him or her on the inspection of your property, and will analyze your property and examine all of the features which contribute to its value. Information about improvements you have made and any other special features that you believe may affect the value of your property should be given to the appraiser to ensure that a fair value is assigned to your property.

Are there advantages to me if I sell my property to Valley Water?

A real estate purchase by Valley Water is handled in the same way as any private sale of property. However, there can be financial advantages in selling to Valley Water.

You will receive the market value of your property in cash. Nothing will be deducted for real estate commissions, title costs, preparation of documents, title policy or recording fees required in closing the sale. Valley Water will pay these expenses. You will only be responsible for paying current taxes and monetary liens encumbering the property.

Additionally, you may be eligible for relocation payments and benefits when you move. These benefits are described in supplemental booklets which will be provided to you.

Will my taxes go up because I buy a new property?

California law provides that under certain conditions a person may transfer the base year value of his or her property to a comparable replacement property if that original property has been taken by eminent domain proceedings, acquisition by a public entity, or governmental action resulting in a judgment of inverse condemnation.

To be considered comparable, replacement property acquired by a person displaced under one of the three conditions above must be similar in size, utility, and function to the taken property. Replacement property is similar in size if its full cash value does not exceed 120 percent of the award or purchase price paid for the property taken. Replacement property is similar in utility and function if it is, or intended to be, used in the same manner as the property taken. Property is similar in utility and function if the property taken and the replacement property fall into the same category: Category A—single family and duplex; Category B—commercial, investment, income, or vacant property; Category C—agricultural property. If replacement property is not similar in size, function, and utility, the excess portion is considered to have undergone a change in ownership and will be subject to reappraisal.

For example, if the purchase price of the replacement property exceeds the amount of the property which is being acquired by more than 20 percent, the tax assessor will compute a new property tax based on the amount in excess.

Example of no increase in property taxes:

\$500,000	Acquisition price
\$600,000	Replacement Property cost
\$100,000	Increase does not exceed 20%

Example of an increase in property taxes:

\$500,000	Acquisition price
\$650,000	Replacement property cost

\$150,000 Increase exceeds 20%

The assessor will compute an increase in property taxes for the amount in excess over the 20%. Contact the assessor for further information on the new property taxes.

The displaced person must claim the base year value transfer from the county assessor's office where the replacement property is located.

Will I have to pay tax on my relocation payment?

No. Relocation benefits are not taxable.

What about when you only take a part of my property?

When only a part of your property is needed, every reasonable effort is made to ensure that you do not suffer a financial loss. The total payment by Valley Water will be for the property Valley Water purchases and for any loss in value to your remaining property.

The determination of any loss in value is an appraisal problem involving variables in which a brief explanation might not adequately cover all situations. Should this situation be involved, the Valley Water Real Estate Agent will fully explain the effect of a partial purchase on your remaining property, and will offer to purchase any uneconomic remnant if you so desire.

May I retain and move my home, business building, machinery, or equipment?

The Valley Water Real Estate Agent who has been assigned to buy your property will help you to determine whether you can or should move your house or machinery and equipment to another location, if this is what you wish. There are cases where, because of age, size, or condition, the cost of moving would exceed the value of an existing comparable building or equipment. In such a case, moving your house or equipment would, of course, be an unwise expenditure.

Will I have time to select another home after Valley Water makes its purchase?

Valley Water starts to appraise properties early enough so that you will have ample time to move prior to project construction. Like any other real estate transaction, it requires a month or two to close escrow after a right of way contract and deed have been signed. You will not be required to move until

reasonable replacement housing is available.

If you don't want to buy another home right away, you may sell to Valley Water and rent back temporarily for a period of up to one year unless the Valley Water states, in writing, that it will use the property for public purposes within two years of its acquisition. Generally, such rent will not be more than that charged as rent for the use of a property similar to yours in a similar area, or that which is within the occupant's financial means (defined by California Code of Regulations), whichever is less. It is in your best interest, however, to look for a new place in which to live as soon as possible. Finding a home early that best suits your needs, before you are required to move, will minimize your personal inconvenience and you will avoid having to make a choice of housing under pressure when you are required to move.

If you wish, Valley Water will, at no cost to you, provide you with assistance in finding a new place in which to live. Valley Water will give you at least 90 days notice in writing before asking you to move.

What happens to the loan on my property?

After the property purchase agreement and deed have been signed, a Valley Water Real Estate Agent will contact all other parties having an interest in the property. Payment to satisfy outstanding loans or liens will be made through a title company escrow just as in any other real estate transaction.

What will happen to my GI or Cal-Vet loan?

The Veterans Administration and the California Department of Veterans Affairs allow your veteran loan privileges to be transferred and to become available for coverage on another property.

Your Valley Water Real Estate Agent will assist you; however, it is to your benefit and it is your responsibility to check with the Veterans Administration or the California Department of Veterans Affairs for procedural instructions.

If the value of my property is higher today than when I purchased it, do I have to pay capital gains tax on this difference when I convey to Valley Water?

According to the Internal Revenue Service, the sale of property to a governmental agency for public purposes comes under the definition of an "involuntary conversion." In these cases, it is not necessary to pay income tax or capital gains tax if the money you receive is used to buy a similar property within a limited period of time. In every case, however, you should check with your local Internal Revenue Service Office.

Will I have to pay any settlement costs?

You will be responsible for the payment of the balance on any mortgage on your property. Also, if your ownership is not clear, you may have to pay the cost of clearing it. You will not be responsible for the reasonable and necessary costs of:

- Typical legal and other services required to complete the sale, recording fees, transfer taxes and any similar expenses which are incidental to transferring ownership to Valley Water.
- Penalty costs and other charges necessary to permit prepayment of an earlier recorded mortgage on the property which was entered into in good faith.
- Real property taxes covering the period after Valley Water acquires your property.

Will I be paid any moving expenses or any other relocation assistance benefit even though I go to court?

A decision to go to court has no effect on your right to moving expenses and other relocation benefits to which you may be entitled. Payment of moving expenses is made separately from the condemnation action. You will be provided details of additional assistance to help displaced persons, businesses, farms or nonprofit organizations in finding, purchasing or renting, and moving to a new location. These are explained in various booklets prepared for homeowners, tenants, businesses and farm operators, and are made available by Valley Water.

Will I have to pay rent to Valley Water after my property is acquired?

If you or your tenants remain in the property after acquisition, you or the tenants will be required to pay fair market rent. Generally, such rent will not be more than that charged as rent for the use of a property similar to yours in a similar area, or that which is within the occupant's financial means (defined by California Code of Regulations), whichever is less.

How long can I leaseback my property?

This usually depends on when Valley Water will begin public use of the property. Valley Water is required to offer a property owner a one-year leaseback agreement for continued use of the property, that will be acquired

(i) through eminent domain, (ii) following adoption of a resolution of necessity, or (iii) prior to the adoption of a resolution of necessity, but subsequent to a written notice that it might take the property by eminent domain, subject to the property owner's payment of fair market rent and other conditions unless Valley Water states in writing that the public use will begin within two years of its acquisition (California Code of Civil Procedure 1263.615).

If the commendation proceeding is conducted before the property is needed for Valley Water to commence public use activities, including any construction related activities, you may stay on the property and rent the property from Valley Water for fair market rent.

If public use activities, including any construction related activities, must begin before the commendation proceeding, Valley Water will seek a court Order for Possession (See "What is an Order for Possession?" above).

Valley Water will serve all persons having a property interest in your property with the Order for Possession.

Subject to the rights of any other persons having a property interest, you may withdraw all or part of the security deposit. If you do not make a withdrawal, Valley Water will pay interest on the eventual court award of compensation from the time it occupied your property until the date of final payment to you. The current legal rate of interest will be paid at the time of final settlement.

The Valley Water Real Estate Agent assigned to purchase your property will assist you in the transaction and will be happy to answer any additional questions you may have.

What are some of the commonly used terms used in eminent domain (i.e., commendation) proceedings?

The language used in relation to eminent domain proceedings may be new to you. These are some terms you may hear and their general meaning (i.e., these definitions are for illustrative purposes only and are not intended to constitute legal advice. Please consult with your legal representative for how these terms may be defined in context of your particular circumstances).

Acquire: To purchase

Answer: The property owner's written reply, in appropriate legal form, filed with the court in response to the complaint as requested by the summons.

Appraisal: The act or process of estimating the monetary value of a property or an interest in property. The appraisal is to be independent and impartial and prepared by a qualified appraiser. It must set forth an opinion of defined value

for an adequately described property. The value will be assigned as of a specific date and will be supported by the presentation and analysis of relevant market data. The term appraisal is also frequently used as a synonym for the written appraisal report.

Qualified Appraiser: A person who, by education, experience, ability, and licensing or certification requirements, is capable of preparing an appraisal of a particular piece of real estate.

Compensation: The amount of money to which a property owner is entitled under the law for the purchase or damage to the property.

Complaint: The document filed with the court by Valley Water.

Condemnation: The legal process by which a proceeding in eminent domain is accomplished.

Counsel: An attorney or attorneys.

Valley Water: The Santa Clara Valley Water District.

Easement: In general, the right of one person to use all or part of the property of another person for some specific purpose. Easements can be permanent or temporary (i.e., limited to a stated period of time). The term may be used to describe either the right itself or the document conferring the right.

Eminent Domain: The right of government to purchase private property for public use.

Final Order of Condemnation: The instrument which, when recorded, transfers title to public ownership.

Judgment: The court's formal decision based on applicable law and the verdict.

Lien: A charge against a property in which the property is the security for payment of a debt. A mortgage is a lien—so are taxes. Customarily, liens must be paid in full when the property is sold.

Loss of Goodwill: A loss in the value of a business caused by Valley Water's acquisition of property that cannot be reasonably prevented by relocation of the business or the owner adopting prudent or reasonable steps that preserve the value of the business goodwill.

Fair Market Value: The highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonable adaptable and available.

Negotiations: The process used by acquiring agencies to reach amicable agreements with property owners for the acquisition of needed property. An offer is made for the purchase of property in person or by mail, and the offer is discussed with the owner.

Parcel: Usually means the property that is being acquired. **Plaintiff:** The public agency that desires to purchase the property. **Possession:** Legal control; to have the right to use.

Property: The right or interest which an individual has in land, including the rights to use or possess. Property is ownership; the exclusive right to use, possess or dispose of a thing.

Right of Entry: An agreement between an owner and Valley Water which allows Valley Water to utilize the property while continuing to negotiate the terms of settlement.

Summons: Notification of filing of a lawsuit in eminent domain and of the necessity to file an answer or other responsive pleading.

Title: Legal ownership.

Trial: The hearing of the facts from plaintiff and defendant in court, either with or without a jury.

Uneconomic Remnant: The portion of an owner's property that remains after the agency acquires the property needed for a project that Valley Water determines has little or no value or utility to the owner. Valley Water must offer to purchase the remnant, but the owner may refuse the offer and keep it.

Verdict: The amount of compensation to be paid for the property.

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Notes:

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Valley Water

Clean Water • Healthy Environment • Flood Protection

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