

**NOTICE OF HEARING ON THE INTENT OF THE CITY OF  
COACHELLA TO ADOPT A RESOLUTION OF NECESSITY TO  
ACQUIRE PROPERTY BY EMINENT DOMAIN  
APN 763-020-021**

May 11, 2021

TO:           **AHD Limited Partnership**                         **Michael Kehoe & Michael Leifer**  
                 **422 Wier Road**                                       **PALMIERI, HENNESSEY LEIFER, LLP**  
                 **San Bernardino, California 92408**           **2 Park Plaza, Suite 550**  
  **Irvine, California 92614**

The City of Coachella ("City") intends to consider the adoption of a Resolution of Necessity on May 26, 2021, that, if adopted, will authorize the City to acquire the property located at Avenue 50 west of State Route 86, in Coachella, California (designated as Assessor's Parcel No. 763-020-021) by eminent domain for the State Route-86 / Avenue 50 New Interchange Project ("Project").

Your name appears on the last equalized assessment roll as Owner of the real property needed for the proposed project. As required by statute, this Notice of Hearing has been addressed to the name and address of the owner of the property, as it appears in the records of the Riverside County Assessor's office.

PLEASE TAKE NOTICE that the City, at a regular meeting to be held on **May 26, 2021, at 6:00 p.m.**, or as soon thereafter as the matter may be heard, in the City Council Chambers, located at 1515 Sixth Street, Coachella, California, will hold a hearing on whether a Resolution of Necessity should be adopted, as required by California Code of Civil Procedure section 1245.220, for the commencement of an eminent domain proceeding to acquire real property. Pursuant to Executive Order N-29-20, this meeting will be conducted by teleconference/electronically and there will be no in-person public access to the meeting location. The live stream of the meeting may be viewed online by accessing the city's website at [www.coachella.org](http://www.coachella.org), and clicking on the "Watch Council Meetings" tab located on the home page, and then clicking on the "live" button. **Spanish:** Para escuchar en Español, siga los pasos anteriores para ver la transmisión en vivo, haga clic en el botón "Live", apague el audio de su computadora y escuche por teléfono llamando al (667) 776-9077.

You have a right to be heard before the City Council of the City of Coachella at the above scheduled hearing on the following matters and issues, and to have the City consider your testimony on these issues prior to deciding whether or not to adopt the proposed Resolution of Necessity:

1. Whether the public interest and necessity require the proposed project;
2. Whether the proposed 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 by eminent domain and described in the Resolution of Necessity is necessary for the proposed project;

4. Whether you received the offer required by Government Code section 7267.2(a).

The statutes which authorize the City to acquire the property by eminent domain for this proposed project include Code of Civil Procedure sections 1240.110 and 1240.120.

In order to preserve your right to be heard at the hearing, you must file a written request to be heard within 15 days after this notice was mailed. The date of mailing appears at the top of this Notice.

Public comments may be received either via email, or telephonically, or via Zoom with a limit of 250 words, or three minutes: Written comments may be submitted to the City Council electronically via email to [cityclerk@coachella.org](mailto:cityclerk@coachella.org). Transmittal prior to the start of the meeting is required. Or, you may leave a message at (760)-262-6240 before 5:30 p.m. on the day of the meeting to be added to the public comment queue and requesting a Zoom link to the meeting. If speaking via Zoom, you must dial in by 5:45 p.m. The live stream of the meeting may be viewed online by accessing the city's website at [www.coachella.org](http://www.coachella.org), and clicking on the "Watch Council Meetings" tab located on the home page, and then clicking on the "live" button.

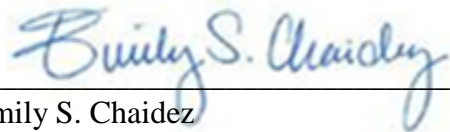
California Code of Civil Procedure section 1245.235(b)(3) provides that "[f]ailure to file a written request to appear and be heard within fifteen (15) days after the Notice was mailed will result in waiver of the right to appear and be heard" on the above matters and issues that are the subject of the hearing.

The amount of the compensation to be paid for the acquisition of the property is not a matter of issue being heard by the City at this time. Your nonappearance at this noticed hearing will not prevent you from claiming greater compensation in the eminent domain action in accordance with the laws of the State of California.

If you elect not to appear and not be heard, your failure to appear may be a waiver of your right to later challenge the right of the City to take the property by eminent domain.

If the City elects to adopt the Resolution of Necessity, then within six months of the adoption of the Resolution, the City will commence eminent domain proceedings in Superior Court. In that proceeding, the court will determine the amount of compensation to which you are entitled.

If you have any questions regarding this Notice, please call Emily Chaidez at (619) 525-1376.



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Emily S. Chaidez  
Best Best & Krieger LLP  
Special Counsel  
City of Coachella

PROOF OF MAILING NOTICE

I, Wanda Roybal, acting on behalf of the City of Coachella, hereby certify that on May 11, 2021, I mailed a copy of the attached notice by first-class mail to the following owners and interested parties of real property located in the County of Riverside, State of California, more particularly described as Assessor Parcel No. 736-020-021:

AHD Limited Partnership  
422 Wier Road  
San Bernardino, California 92408

Michael Kehoe & Michael Leifer  
Palmieri, Hennessey Leifer, LLP  
2 Park Plaza, Suite 550  
Irvine, California 92614

Dated: May 11, 2021



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Wanda Roybal