

ORIGINAL

Recording requested by the
REDEVELOPMENT AGENCY
OF THE CITY OF RIVERSIDE
when recorded return to:

BEST BEST & KRIEGER LLP
400 Mission Square
3750 University Avenue
P.O. Box 1028
Riverside, CA 92502
Attention: Lisa E. Geiss

DOC # 2008-0264624

05/16/2008 08:00A Fee:NC

Page 1 of 18

Recorded in Official Records
County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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This document is recorded at the request of the REDEVELOPMENT AGENCY OF THE CITY OF RIVERSIDE pursuant to Section 27383 of the Government Code. No fee shall be charged therefore.

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FINAL ORDER OF CONDEMNATION AS TO THE INTERESTS OF DEFENDANTS
STEVEN C. KOVELY, JR., TRUSTEE OF THE EXEMPTION TRUST UNDER THE WILL
OF STEVEN C. KOVELY, SR., DECEASED AND JOHN P. MUIR AND ELIZABETH M.
MUIR, AS TRUSTEES OF JOHN P. MUIR AND BETTY M. MUIR REVOCABLE LIVING
TRUST INITIALLY CREATED ON SEPTEMBER 15, 1993, AS TO ASSESSOR PARCEL
NUMBERS 213-022-001, 213-022-004, 213-022-005, 213-022-006, 213-022-008 AND
213-072-001

REDEVELOPMENT AGENCY OF THE CITY OF RIVERSIDE

v.

STEVEN C. KOVELY, JR., Trustee of the Exemption Trust Under the will of Steven C. Koveloy,
et. al.

Riverside Superior Court Case No. RIC 459947

ORIGINAL

APR 28 2008

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2 HERIBERTO F. DIAZ, Bar No. 132821
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4 CITY OF RIVERSIDE
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15 Telephone: (951) 686-1450
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17 Attorneys for Plaintiff,
18 REDEVELOPMENT AGENCY OF THE CITY
19 OF RIVERSIDE

FILED DMR
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE
MAY 06 2008
MAY 06 2008
OC

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

20 SUPERIOR COURT OF THE STATE OF CALIFORNIA
21 COUNTY OF RIVERSIDE

22 REDEVELOPMENT AGENCY OF THE
23 CITY OF RIVERSIDE, a public body,
24 corporate and politic

25 Plaintiff,

26 v.

27 STEVEN C. KOVELY, JR., as Trustee of
28 the Exemption Trust Under the Will of
Steven C. Kovely, et al.,

Defendants.

Case No. RIC 459947
Judge: Gloria Connor Trask
Dept. 4

FINAL ORDER OF CONDEMNATION AS
TO THE INTERESTS OF DEFENDANTS
STEVEN C. KOVELY, JR., TRUSTEE AND
JOHN P. MUIR AND BETTY ELIZABETH
MAY MUIR, AS TRUSTEES AS TO
ASSESSOR PARCEL NUMBERS 213-022-
001, 213-022-004, 213-022-005, 213-022-006,
213-022-008 and 213-072-001

[Filed concurrently with:
1. Order to Disburse Funds
2. Stipulation and Order for Judgment;
3. Judgment in Condemnation.]

Complaint Filed: November 2, 2006

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FINAL ORDER OF CONDEMNATION AGAINST THE INTERESTS OF DEFENDANTS STEVEN C KOVELY, JR.,
TRUSTEE AND JOHN P MUIR AND BETTY ELIZABETH MAY MUIR, AS TRUSTEES

16250

1 FINAL ORDER OF CONDEMNATION

2
3 Judgment having been entered in the above-entitled action, and it appearing to the
4 satisfaction of the Court that Plaintiff Redevelopment Agency of the City of Riverside (the
5 "Agency"), pursuant to said judgment, has paid Steven C. Kovely, Jr., Trustee of the Exemption
6 Trust Under the Will of Steven C. Kovely, Sr., Deceased and John P. Muir and Elizabeth M.
7 Muir, as Trustees of John P. Muir and Betty M. Muir Revocable Living Trust Initially Created on
8 September 15, 1993 ("Kovely and Muir Defendants"), the total sum of \$2,913,705.00, plus
9 agreed upon statutory interest in the sum of \$134,449.38 and costs in the sum of \$3,225.18, for a
10 total amount of \$3,062,931.11, plus statutory interest accruing at \$412.55 per diem after May 1,
11 2008, as just compensation and payment for all claims or demands against the Agency by the
12 Kovely and Muir Defendants, pursuant to the Stipulation and Order for Judgment in
13 Condemnation, for all claims or demands against the Agency on account of the taking of the real
14 property located in Riverside, California, Riverside County Assessor Parcel Nos. 213-022-001,
15 213-022-004, 213-022-005, 213-022-006, 213-022-008 and 213-072-001, as more particularly
16 described in Exhibit "A" attached hereto.

17
18 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Property, described
19 in the attached Exhibit "A", is given for and condemned to the Agency for the elimination of
20 blight, assemblage and development of underutilized parcels between First and Third Street, east
21 of Market, and west of the alley between Main Street and Orange Street, in the City of Riverside,
22 State of California, and such other uses as are permitted by sections 33020, 33021 and 33391 of
23 the California Health and Safety Code, which is a public use authorized by law, and the taking of
24 said Property is necessary for said use and purpose.

25
26 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all liens, charges,
27 conditions and restrictions upon the Property being condemned, including all real property taxes,
28 assessments, penalties and costs, are hereby ordered canceled from and after April 12, 2007, the

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LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

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1 date plaintiff was entitled to and did take possession of the Property. Title to the Property
2 described in the attached Exhibit "A", condemned in fee simple absolute, shall vest in Plaintiff
3 on the date that a certified copy of this Final Order of Condemnation is recorded in the Office of
4 the Recorder of Riverside County, California.

5
6 DATED: 5/6/08

Alvin B. Lead
7 JUDGE OF THE SUPERIOR COURT

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LAW OFFICES OF
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3750 UNIVERSITY AVENUE
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

16250

EXHIBIT "A"

A.P.N. 213-022-001
FEE SIMPLE INTEREST

That certain real property located in the City of Riverside, County of Riverside,
State of California, described as follows:

Lot 1 of Oppenheimer's Subdivision, as shown by map on file in Book 4, Page 45
of Maps, records of San Bernardino County, California.

DESCRIPTION APPROVAL:

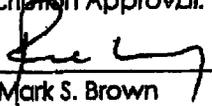
By: K. Stuart 8/9/2006
For Mark Brown Date
City Surveyor

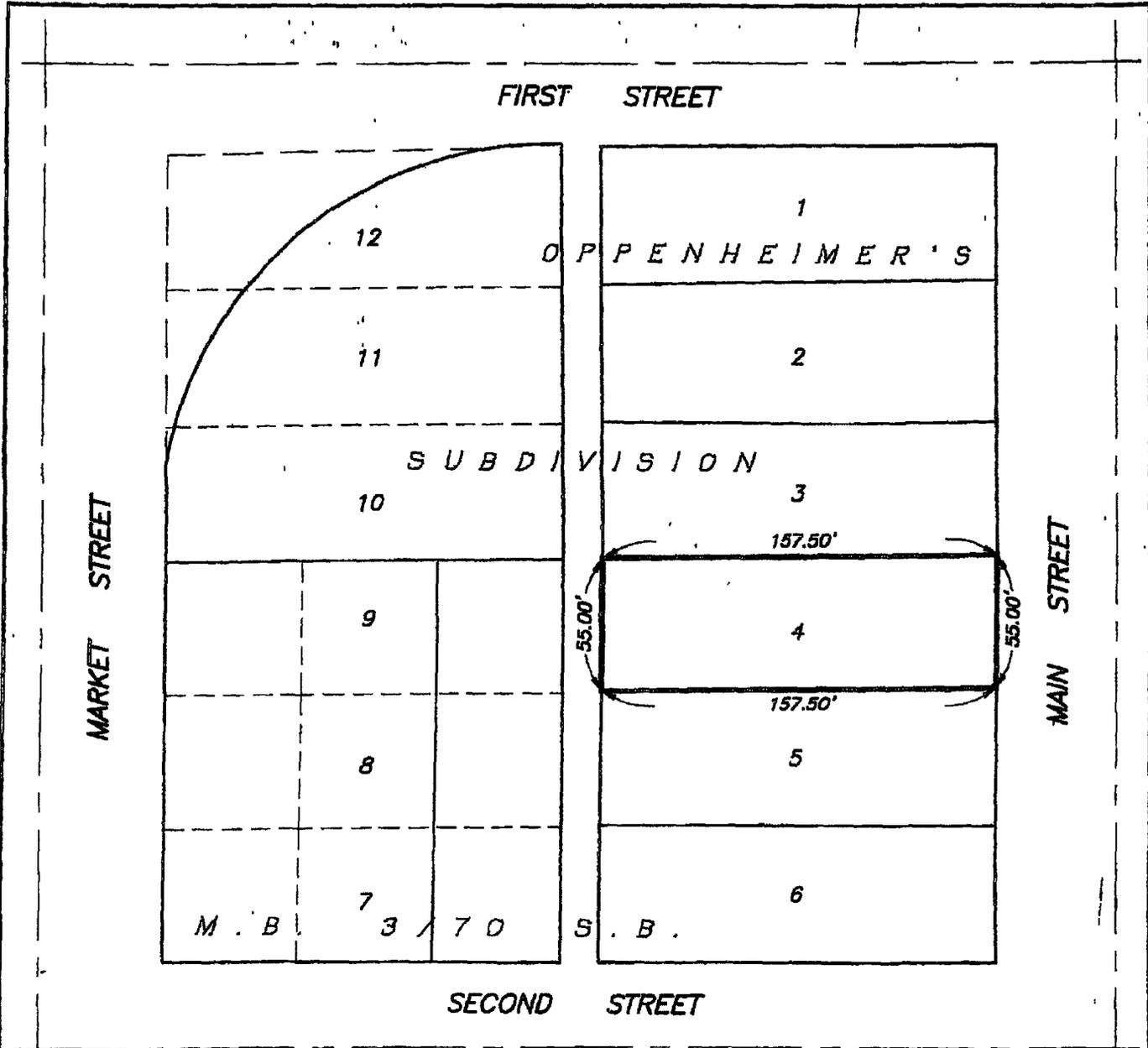
EXHIBIT A

A.P.N. 213-022-004
Fee Simple

Lot 4 in Block 1, Range 7 of Oppenheimer's Subdivision, in the City of Riverside, County of Riverside, State of California, as shown by map filed in Map Book 3, Page 70 and Map Book 4, Page 45, records of San Bernardino County.

Description Approval:

By:  08-28-06
For: Mark S. Brown Date
City Surveyor



TOWN OF RIVERSIDE
M.B. 7/17 S.B.

• CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SCALE: 1" = 60' DRAWN BY: RICH DATE: 08/07/06 SUBJECT: 1st-3rd REDEVELOPMENT PROJECT (APN 213-022-004)

SHEET 1 OF 1

EXHIBIT A

A.P.N. 213-022-005
Fee Simple

Lot 5 in Block 1, Range 7 of Oppenheimer's Subdivision, in the City of Riverside, County of Riverside, State of California, as shown by map filed in Map Book 3, Page 70 and Map Book 4, Page 45, records of San Bernardino County, more particularly described as follows:

BEGINNING at point on the westerly line of Main Street, a distance of 55.00 feet northeasterly from the southeasterly corner of said Block 1, Range 7;

Thence northwesterly, at a right angle to said Main Street, a distance of 157.50 feet to a point on the southeasterly line of an alley;

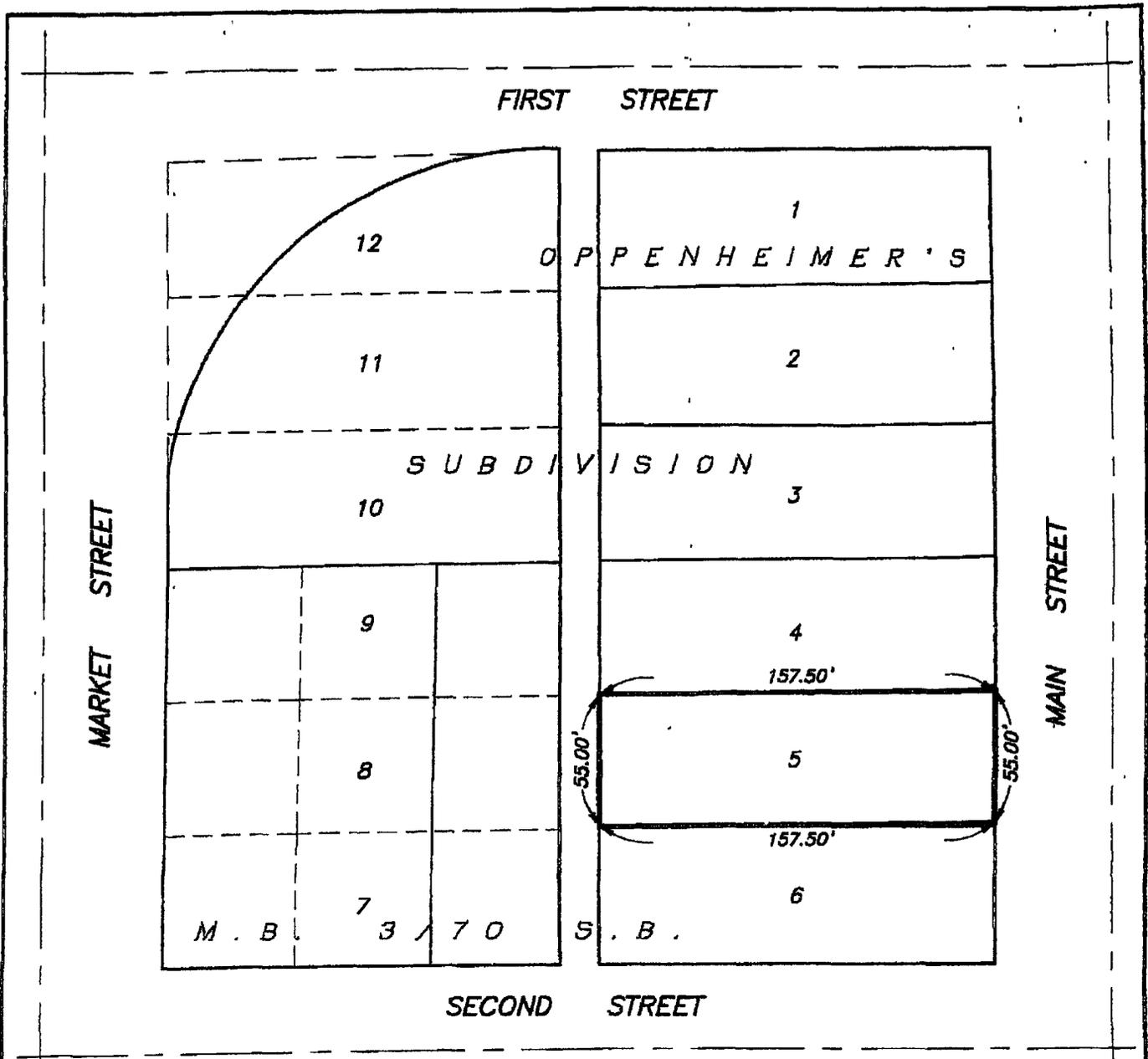
Thence northeasterly at a right angle, along said southeasterly line of said alley, a distance of 55.00 feet;

Thence southeasterly, at a right angle, a distance of 157.50 feet to a point on the northwesterly line of said Main Street;

Thence southwesterly along said northwesterly line, a distance of 55.00 feet to the **POINT OF BEGINNING**.

Description Approval:

By: Mark S. Brown 08-07-06
For: Mark S. Brown Date
City Surveyor



TOWN OF RIVERSIDE
M.B. 7/17 S.B.

• CITY OF RIVERSIDE, CALIFORNIA •

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SHEET 1 OF 1

SCALE: 1" = 60' DRAWN BY: RICH DATE: 08/07/06 SUBJECT: 1st-3rd REDEVELOPMENT PROJECT (APN 213-022-005)

16250

EXHIBIT A

A.P.N. 213-022-006

Fee Simple

Lot 6 in Block 1, Range 7 of Oppenheimer's Subdivision, in the City of Riverside, County of Riverside, State of California, as shown by map filed in Map Book 3, Page 70 and Map Book 4, Page 45, records of San Bernardino County, more particularly described as follows:

BEGINNING at the southeasterly corner of said Block 1, Range 7;

Thence northeasterly along the northwesterly line of Main Street, a distance of 55.43 feet;

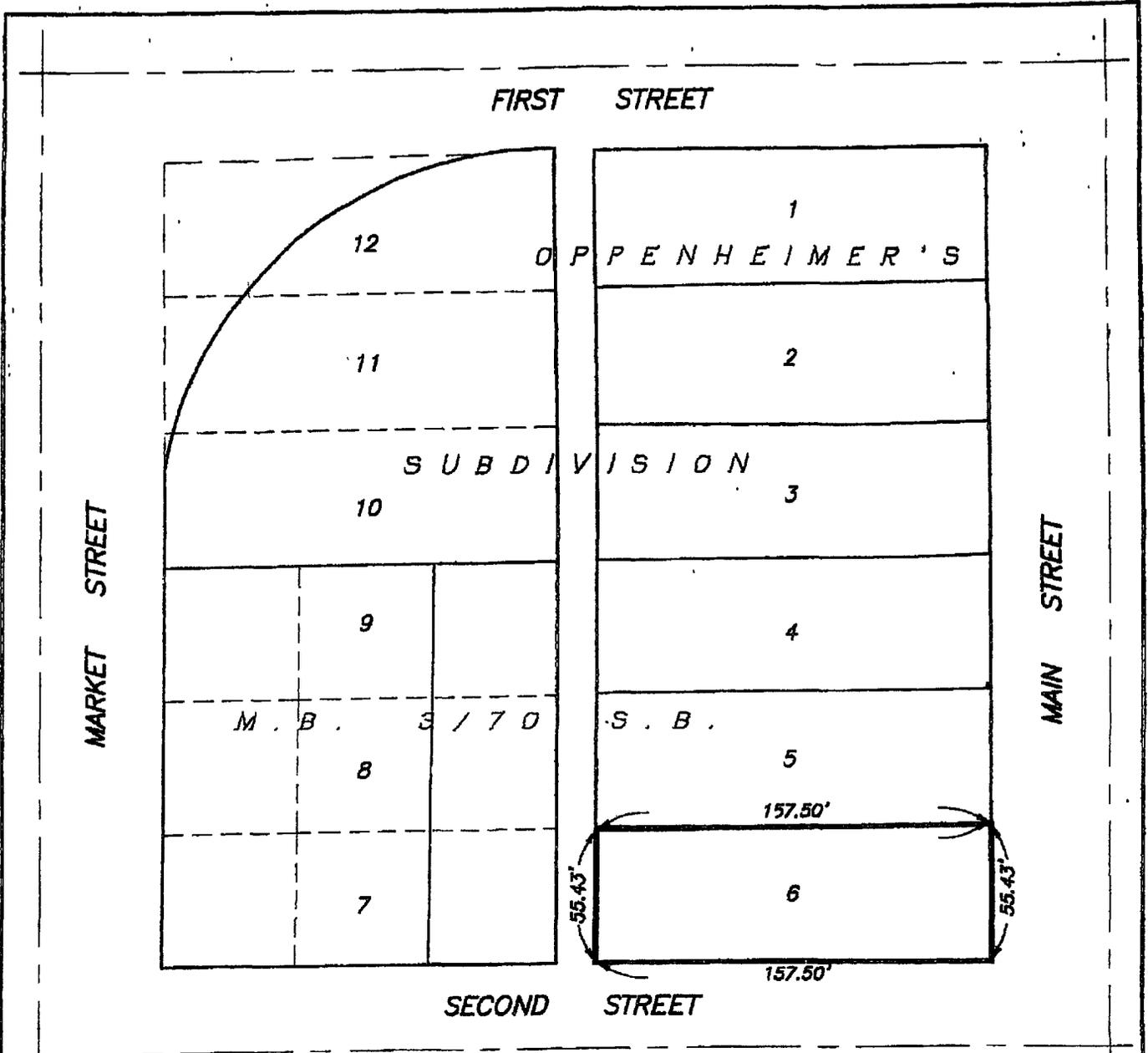
Thence northwesterly at a right angle and parallel with the northeasterly line of Second Street, a distance of 157.50 feet to a point on the southeasterly line of an alley;

Thence southwesterly, at a right angle, along said southeasterly line, a distance of 55.43 feet to a point on the northeasterly line of Second Street;

Thence southeasterly along said northeasterly line, a distance of 157.50 feet to the **POINT OF BEGINNING**.

Description Approval:

By: Mark S. Brown 08-28-06
For: Mark S. Brown Date
City Surveyor



TOWN OF RIVERSIDE
M.B. 7/17 S.B.

• CITY OF RIVERSIDE, CALIFORNIA •

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SHEET 1 OF 1

SCALE: 1" = 60' DRAWN BY: RICH DATE: 08/07/06 SUBJECT: 1st-3rd REDEVELOPMENT PROJECT (APN 213-022-006)

16250

EXHIBIT A

A.P.N. 213-022-008
Fee Simple

Those portions of Lots 7, 8 and 9 in Block 1, Range 7 of Oppenheimer's Subdivision, in the City of Riverside, County of Riverside, State of California, as shown by map filed in Map Book 3, Page 70 and Map Book 4, Page 45, records of San Bernardino County, more particularly described as follows:

BEGINNING at a point on the northeasterly line of Second Street, a distance of 52.50 feet southeasterly from the southwesterly corner of said Block 1, Range 7;

Thence southeasterly along said northeasterly line, a distance of 52.50 feet;

Thence northeasterly at a right angle and parallel with the southeasterly line of Market Street, a distance of 165.00 feet;

Thence northwesterly at a right angle and parallel with the northeasterly line of Second Street, a distance of 52.50 feet;

Thence southwesterly at a right angle and parallel with said southeasterly line of Market Street, a distance of 165.00 feet to the **POINT OF BEGINNING**;

TOGETHER WITH those portions of said Lots 7, 8 and 9 more particularly described as follows:

BEGINNING at the southwesterly corner of said Block 1, Range 7;

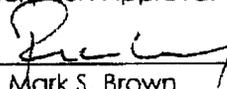
Thence southeasterly along the southwesterly line of said Block 1, Range 7, a distance of 52.50 feet;

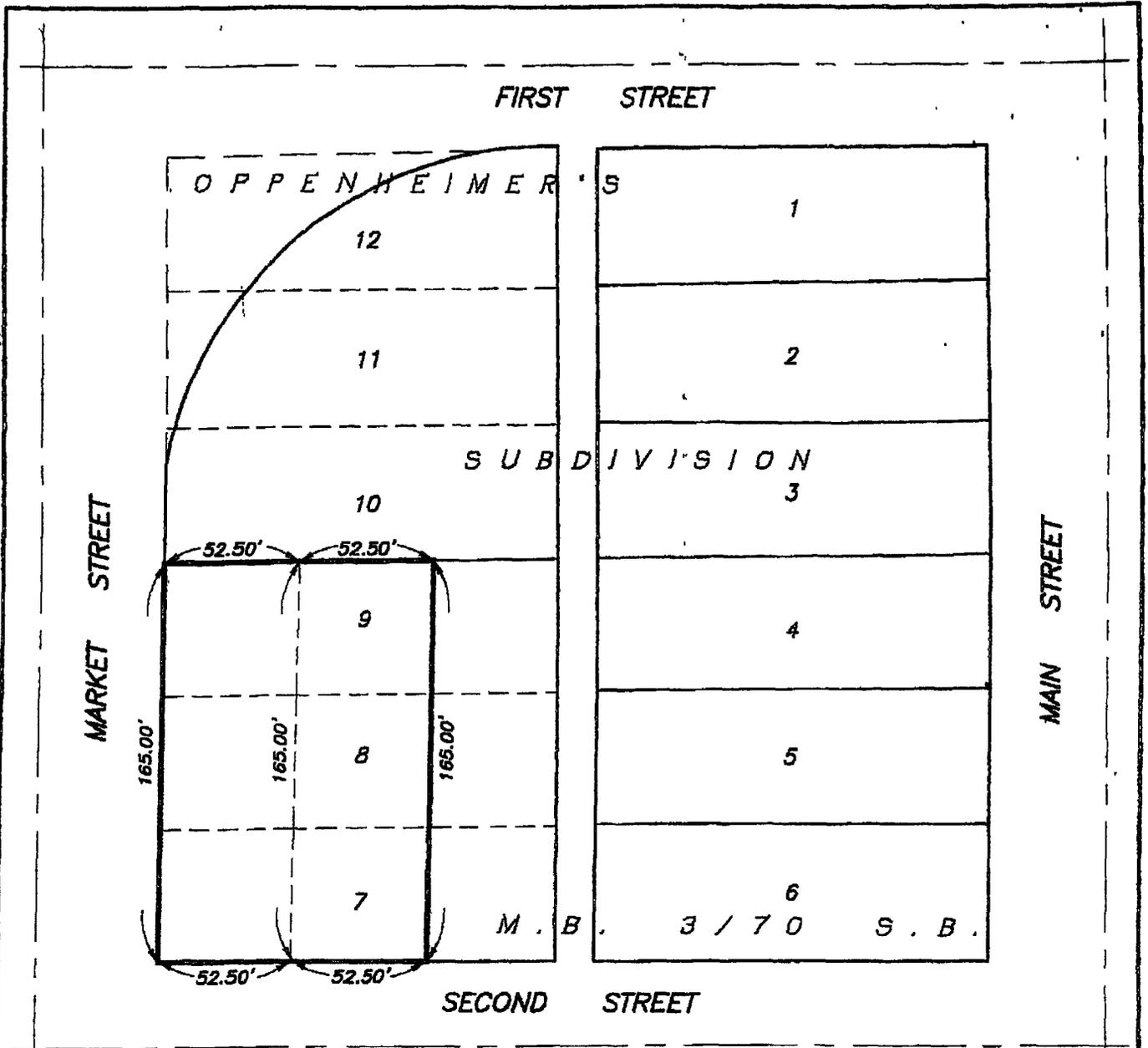
Thence northeasterly at a right angle with Second Street and parallel with the southeasterly line of Market Street, a distance of 165.00 feet;

Thence northwesterly at a right angle and parallel with the northeasterly line of Second Street, a distance of 52.50 feet to a point on the northwesterly line of said Block 1, Range 7;

Thence southwesterly along said northwesterly line, a distance of 165.00 feet to the **POINT OF BEGINNING**;

Description Approval:

By:  08 07 06
For Mark S. Brown Date
City Surveyor



TOWN OF RIVERSIDE
M.B. 7/17 S.B.

• CITY OF RIVERSIDE, CALIFORNIA •

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SHEET 1 OF 1

SCALE: 1" = 60' DRAWN BY: RICH DATE: 08/07/06 SUBJECT: 1st-3rd REDEVELOPMENT PROJECT (APN 213-022-008)

16250

EXHIBIT A

A.P.N. 213-072-001

Fee Simple

That portion of Block 2, Range 7 of the Town of Riverside, in the City of Riverside, County of Riverside, State of California, as shown by map filed in Map Book 7, Page 17, records of San Bernardino County, more particularly described as follows:

BEGINNING at the northwesterly corner of said Block 2, Range 7;

Thence southeasterly along the southwesterly line of Second Street, a distance of 55.00 feet;

Thence southwesterly at a right angle and parallel with the southeasterly line of Market Street, a distance of 110.00 feet;

Thence northwesterly at a right angle and parallel with the southwesterly line of said Second Street, a distance of 55.00 feet to a point on said southeasterly line of Market Street;

Thence northeasterly along said southeasterly line of Market Street, a distance of 110.00 feet to the **POINT OF BEGINNING**;

TOGETHER WITH that portion of said Block 2, Range 7 more particularly described as follows:

BEGINNING at a point on said southwesterly line of Second Street, 55.00 feet southeasterly from said northwesterly corner of said Block 2, Range 7 to the **TRUE POINT OF BEGINNING**;

Thence southeasterly along the southwesterly line of Second Street, a distance of 60.00 feet;

Thence southwesterly at a right angle and parallel with said southeasterly line of Market Street, a distance of 110.00 feet;

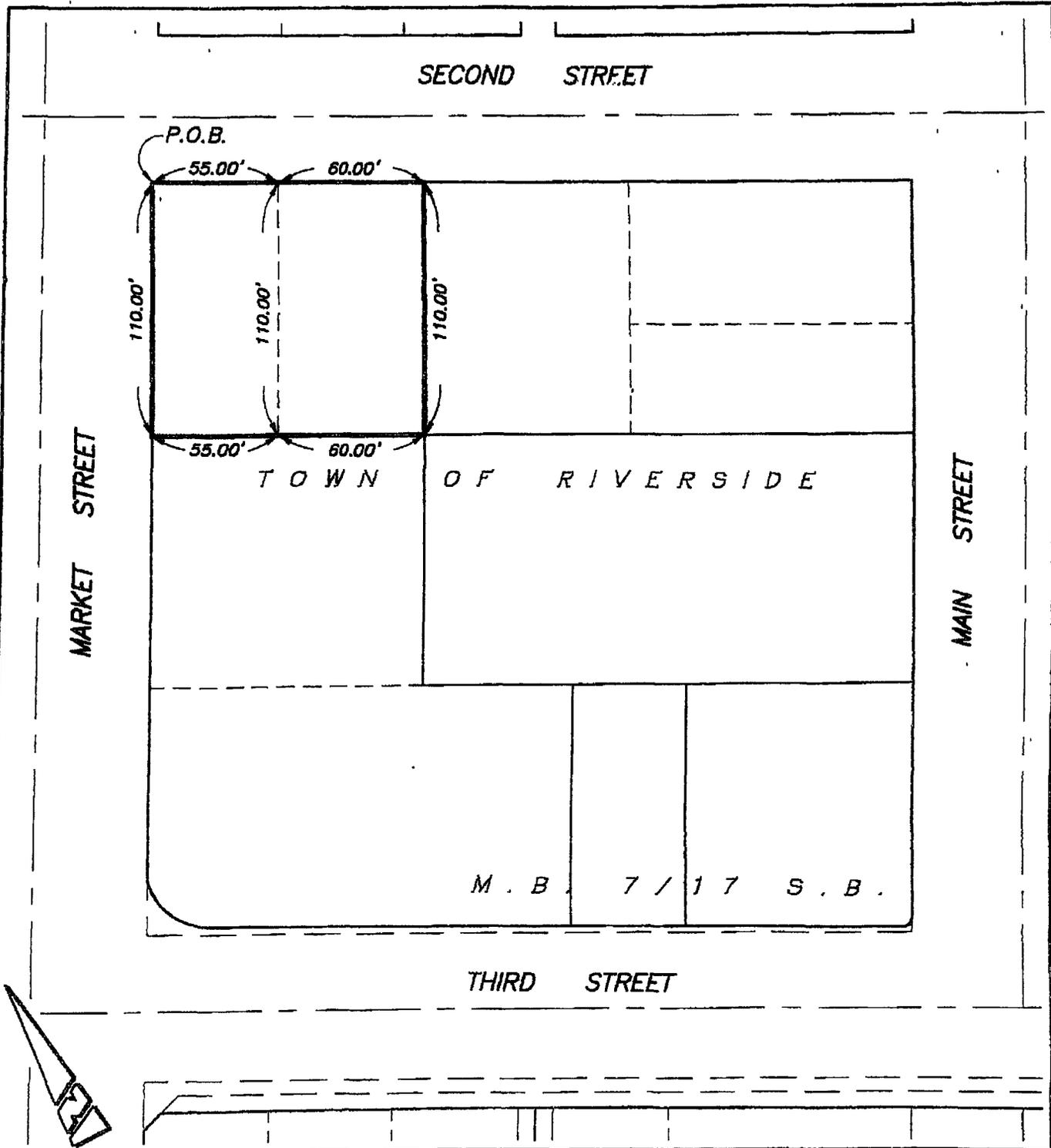
Thence northwesterly at a right angle and parallel with said southwesterly line of said Second Street, a distance of 60.00 feet;

Thence northeasterly at a right angle and parallel with said southeasterly line of Market Street, a distance of 110.00 feet to the **POINT OF BEGINNING**.

Description Approval:

By: Mark S. Brown 08.28.06
For: Mark S. Brown Date
City Surveyor

9



• CITY OF RIVERSIDE, CALIFORNIA •

24-6
25-5

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SHEET 1 OF 1

SCALE: 1" = 60' DRAWN BY: RICH DATE: 08/07/06 SUBJECT: 1st-3rd REDEVELOPMENT PROJECT (APN 213-072-001)

PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in Riverside County, California. I am over the age of eighteen years and not a party to this action. My business address is Best Best & Krieger LLP, 3750 University Avenue, P.O. Box 1028, Riverside, California 92502. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On April 29, 2008, I placed, with the firm, at the above address, for deposit with the United States Postal Service, a true and correct copy of the within document(s):

FINAL ORDER OF CONDEMNATION AS TO THE INTERESTS OF DEFENDANTS STEVEN C. KOVELY, JR., TRUSTEE AND JOHN P. MUIR AND BETTY ELIZABETH MAY MUIR, AS TRUSTEES AS TO ASSESSOR PARCEL NUMBERS 213-022-001, 213-022-004, 213-022-005, 213-022-006, 213-022-008 and 213-072-001

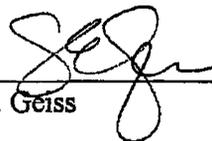
in a sealed envelope, postage fully paid, addressed as follows:

<p>Thomas A. Freiberg, Jr., Esq. Mitchell, Silberberg, & Knupp 11377 West Olympic Boulevard Los Angeles, CA 90064</p>	<p>Karen Larson, Esq. Century Law Group 5200 W. Century Blvd., Ste. 940 Los Angeles, CA 90045</p>
<p>Attorneys for Kovely/Muir Defendants</p>	<p>Attorneys for Alfredo Cuevas Pedroza, dba Los Compadres Auto Center and Esquivel Auto Sales, Inc.</p>

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 29, 2008, at Riverside, California.



Lisa E. Geiss

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502