

ORIGINAL

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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 # 2009-0058246

02/06/2009 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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FINAL ORDER OF CONDEMNATION AS TO  
ASSESSOR PARCEL NUMBERS 191-311-016, 191-311-017  
AND 191-311-018

CITY OF RIVERSIDE, a California charter city and municipal corporation

vs.

DANIEL KWANGOK KIM, et al.

Riverside Superior Court Case No. RIC 437554

1 GREG PRIAMOS, Bar No. 136766  
 2 HERIBERTO F. DIAZ, Bar No. 132821  
 3 DEPUTY CITY ATTORNEY  
 4 CITY OF RIVERSIDE  
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EXEMPT FROM FILING FEES PURSUANT TO  
 GOVERNMENT CODE SECTION 6103

**FILED**  
 SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF RIVERSIDE

Jan 28 2009

9 MARK A. EASTER, Bar No. 143435  
 10 SCOTT W. DITFURTH, Bar No. 238127  
 11 BEST BEST & KRIEGER LLP  
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17 Attorneys for Plaintiff  
 18 CITY OF RIVERSIDE

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

21 CITY OF RIVERSIDE, a California  
 22 charter city and municipal corporation,

23 Plaintiff,

24 v.

25 DANIEL KWANGOK KIM, et al.

26 Defendants.

Case No. RIC 437554

Hon. Michael B Donner

FINAL ORDER OF CONDEMNATION AS TO  
 THE INTERESTS OF DEFENDANTS STEVEN  
 L. FRANCIS, ELIZABETH ROSE FRANCIS,  
 FARA DEE FRANCIS, INDIVIDUALLY,  
 FARA D. FRANCIS AS TRUSTEE OF THE  
 FRANCIS TRUST B ESTABLISHED  
 JANUARY 1, 1999, FARA D. FRANCIS,  
 TRUSTEE OF THE FAMILY TRUST OF  
 WARREN M. FRANCIS AND FARA D.  
 FRANCIS (AKA THE FRANCIS TRUST  
 DATED FEBRUARY 24, 1986), FARA D.  
 FRANCIS AS TRUSTEE OF THE FRANCIS  
 FAMILY TRUST DATED FEBRUARY 24,  
 1986, AND THE FRANCIS FAMILY  
 DENTISTRY AS TO ASSESSOR PARCEL  
 NUMBERS 191-311-016, 191-311-017 AND  
 191-311-018

Complaint Filed: September 21, 2005

Trial Date: December 8, 2008

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

2009 FEB 03

1 FINAL ORDER OF CONDEMNATION

2 Judgment having been entered in the above-entitled action, and it appearing to the  
3 satisfaction of the Court that Plaintiff City of Riverside (the "City"), pursuant to said judgment,  
4 has paid Steven L. Francis, Elizabeth Rose Francis, Fara Dee Francis, individually, Fara D.  
5 Francis as Trustee of the Francis Trust B Established January 1, 1999, Fara D. Francis as Trustee  
6 of the Family Trust of Warren M. Francis and Fara D. Francis (aka the Francis Trust Dated  
7 February 24, 1986), Fara D. Francis as Trustee of the Francis Family Trust Dated February 24,  
8 1986, and the Francis Family Dentistry (the "Francis Defendants"), the total sum of Two Million  
9 Seven Hundred Fifty Thousand Dollars (\$2,750,000.00), as just compensation for all claims or  
10 demands against the City by the Francis Defendants, pursuant to the Stipulation and Order for  
11 Judgment in Condemnation, for the taking of the fee, public street easement and temporary  
12 construction easement interests in a portion of the real property described in plaintiff's complaint  
13 of Assessor Parcel Numbers 191-311-016 and 191-311-007, and the public street easement and  
14 temporary construction easement interest in a portion of the real property described in plaintiff's  
15 complaint as Assessor Parcel Number 191-311-018, and more particularly described and depicted  
16 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 City for the widening and  
20 improvement of Van Buren Boulevard from Garfield Street to Andrew Street, in the City of  
21 Riverside, California, and for such other uses as are permitted by sections 37350.5, 39792 and  
22 40404 of the California Government Code, which is a public use, and the taking of said Property  
23 is necessary for said use and purpose.

24  
25 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all liens, charges,  
26 conditions and restrictions upon the Property being condemned, including all real property taxes,  
27 assessments, penalties and costs, are hereby ordered canceled from and after September 21, 2006,  
28 the date Plaintiff took possession of the Property. Title to the Property described as fee and

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

1 easement interests in the attached Exhibit "A", shall vest in Plaintiff on the date that a certified  
2 copy of this Final Order of Condemnation is recorded in the Office of the Recorder of Riverside  
3 County, California.

4 DATED: 1.12.09

5   
6 \_\_\_\_\_  
7 JUDGE OF THE SUPERIOR COURT  
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LAW OFFICES OF  
BEST BEST & KRIEGER LLP  
3750 UNIVERSITY AVENUE  
P.O. BOX 1028  
RIVERSIDE, CALIFORNIA 92502

EXHIBIT "A"

PARCEL 201  
A.P.N. 191-311-016

Parcel 201 E – *Fee Simple Interest*

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

The southeasterly 70 feet of the southwesterly 120 feet of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

  
\_\_\_\_\_  
Mark S. Brown, L.S. 5655      Date 7/11/05      Prep. Vop  
License Expires 9/30/05



EXHIBIT "A"

PARCEL 201  
A.P.N. 191-311-016  
**OPTIONAL ACQUISITION**

Parcel 201 A – *Public Street Easement*

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

That portion of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California, described as follows:

BEGINNING at the most southerly corner of said Lot 41;

THENCE North 33°38'46" West, along the southwesterly line of said Lot 41, a distance of 70.00 feet to the northwesterly line of the southeasterly 70.00 feet of said Lot 41;

THENCE North 56°23'44" West, along said northwesterly line, a distance of 33.17 feet;

THENCE South 35°38'19" East, a distance of 54.31 feet;

THENCE South 78°44'39" East, a distance of 22.20 feet to the southeasterly line of said Lot 41;

THENCE South 56°23'44" West, along said southeasterly line, a distance of 50.85 feet to the POINT OF BEGINNING.

Area – 2527 square feet.

Parcel 201 B – *Temporary Construction Easement*

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

That portion of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California, lying within a strip of land 5.00 feet in width, the westerly and southerly line of which is described as follows:

COMMENCING at the most southerly corner of said Lot 41;

THENCE North 33°38'46" West, along the southwesterly line of said Lot 41, a distance of 70.00 feet to the northwesterly line of the southeasterly 70.00 feet of said Lot 41;

THENCE North 56°23'44" West, along said northwesterly line, a distance of 33.17 feet to the POINT OF BEGINNING of this line description;

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THENCE South 35°38'19" East, a distance of 54.31 feet;

THENCE South 78°44'39" East, a distance of 22.20 feet to the southeasterly line of said Lot 41, and the END of this line description.

The sidelines of said strip of land 5.00 feet in width, shall be lengthened or shortened to terminate in said northwesterly line and lengthened or shortened to terminate in said southeasterly line.

Area – 385 square feet.

**Parcel 201 C – Temporary Construction Easement (1 Month)**

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

The southeasterly 70 feet of the southwesterly 120 feet of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California;

EXCEPTING THEREFROM that portion of said Lot 41, lying southerly and southwesterly of a line that is parallel with and distant 5.00 feet easterly and northerly, as measured at right angles, from the following described line;

COMMENCING at the most southerly corner of said Lot 41;

THENCE North 33°38'46" West, along the southwesterly line of said Lot 41, a distance of 70.00 feet to the northwesterly line of the southeasterly 70.00 feet of said Lot 41;

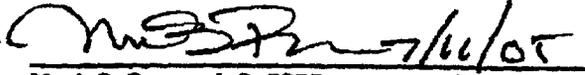
THENCE North 56°23'44" West, along said northwesterly line, a distance of 33.17 feet to the POINT OF BEGINNING of this line description;

THENCE South 35°38'19" East, a distance of 54.31 feet;

THENCE South 78°44'39" East, a distance of 22.20 feet to the southeasterly line of said Lot 41, and the END of this line description.

Area – 5483 square feet.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

 / 11/16/05  
Mark S. Brown, L.S. 5655      Date      Prep. 



191-311-024

VAN BUREN BOULEVARD

N33°38'46"W

120' N56°23'44"E

191-311-018

191-311-017

120' FRANCIS

(201)

FULL PURCHASE - FEE  
191-311-016

VILLAGE OF ARLINGTON  
M.B. 1/62 S.B. Co.  
POR. LOT 41  
BLOCK 12



N56°23'44"E

HAYES STREET

• 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.

SHEET 1 OF 1

11-84

LIBIT A PAGE 4

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191-311-024

VAN BUREN BOULEVARD

N33°38'46"W

191-311-018

VILLAGE OF ARLINGTON  
M.B. 1/62 S.B. Co.

POR LOT 41  
BLOCK 12

40'

68.5'

191-311-017  
N56°23'44"E

N33°38'46"W  
68.5'

33.17'

FRANCIS

OPTIONAL ACQUISITION  
2527 SQ.FT. GOE  
385 SQ.FT. TCE-1  
5483 SQ.FT. TCE-2

(201)

70.5'

54.31'

70.5'

50.85'

S35°38'19"E  
5'

191-311-016

120'

40'

N56°23'44"E

HAYES

40'

STREET

• 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.

SHEET 1 OF 1

11-85

SCALE: N.T.S. DRAWN BY: KTS DATE: 7/07/05 SUBJECT: VAN BUREN BOULEVARD IMPROVEMENT

16340

EXHIBIT A PAGE 5

EXHIBIT "A"

PARCEL 202  
A.P.N. 191-311-017

Parcel 202 E - *Fee Simple Interest*

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

The northwesterly 68.5 feet of the southeasterly 138.5 feet of the southwesterly 120 feet of Lot 41 in Block 12 of the Village of Arlington, as shown by map recorded in Book 1, Page 62 of Maps, records of San Bernardino County, California.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

 7/11/05 Prep. MB  
Mark S. Brown, L.S. 5655                      Date  
License Expires 9/30/05



EXHIBIT "A"

PARCEL 202  
A.P.N. 191-311-017  
**OPTIONAL ACQUISITION**

*Parcel 202 A – Public Street Easement*

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

That portion of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California, described as follows:

COMMENCING at the most southerly corner of said Lot 41

THENCE North 33°38'46" West, along the southwesterly line of said Lot 41, a distance of 70.00 feet to the northwesterly line of the southeasterly 70.00 feet of said Lot 41, and the POINT OF BEGINNING of the parcel of land being described;

THENCE North 56°23'44" West, along said northwesterly line, a distance of 33.17 feet;

THENCE North 35°38'19" West, a distance of 68.54 feet to the northwesterly line of the northwesterly 68.5 feet of the southeasterly 138.5 feet of said Lot 41;

THENCE South 56°23'44" West, along said last mentioned northwesterly line, a distance of 30.79 feet to said southwesterly line of Lot 41;

THENCE South 33°38'46" West, along said southwesterly line, a distance of 68.50 feet to the POINT OF BEGINNING.

Area – 2191 square feet.

*Parcel 202 B – Temporary Construction Easement*

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

That portion of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California, lying within a strip of land 5.00 feet in width, the westerly line of which is described as follows:

COMMENCING at the most southerly corner of said Lot 41;

THENCE North 33°38'46" West, along the southwesterly line of said Lot 41, a distance of 70.00 feet to the northwesterly line of the southeasterly 70.00 feet of said Lot 41;

THENCE North 56°23'44" West, along said northwesterly line, a distance of 33.17 feet to the POINT OF BEGINNING of this line description;

THENCE North 35°38'19" West, a distance of 68.54 feet to the northwesterly line of the northwesterly 68.5 feet of the southeasterly 138.5 feet of said Lot 41, and the END of this line description.

The sidelines of said strip of land 5.00 feet in width, shall be lengthened or shortened to terminate in said northwesterly line of the southeasterly 70.00 feet of Lot 41 and lengthened or shortened to terminate in said northwesterly line of the northwesterly 68.5 feet of the southeasterly 138.5 feet of Lot 41.

Area - 343 square feet.

*Parcel 202 C - Temporary Construction Easement (1 Month)*

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

The northwesterly 68.5 feet of the southeasterly 138.5 feet of the southwesterly 120 feet of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California;

EXCEPTING THEREFROM that portion of said Lot 41, lying southwesterly of a line that is parallel with and distant 5.00 feet easterly, as measured at right angles, from the following described line;

COMMENCING at the most southerly corner of said Lot 41;

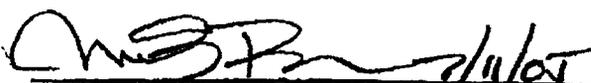
THENCE North 33°38'46" West, along the southwesterly line of said Lot 41, a distance of 70.00 feet to the northwesterly line of the southeasterly 70.00 feet of said Lot 41;

THENCE North 56°23'44" West, along said northwesterly line, a distance of 33.17 feet to the POINT OF BEGINNING of this line description;

THENCE North 35°38'19" West, a distance of 68.54 feet to the northwesterly line of the northwesterly 68.5 feet of the southeasterly 138.5 feet of said Lot 41, and the END of this line description.

Area - 5686 square feet.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

  
Mark S. Brown, L.S. 5655  
License Expires 9/30/05  
Date 11/10/05 Prep. [Signature]



11-56

EXHIBIT A PAGE 8

11.240

191-311-024

VAN BUREN BOULEVARD

N33°38'46"W

120' N56°23'44"E

191-311-018

FRANCIS

202

191-311-017  
FULL PURCHASE - FEE

N33°38'46"W

VILLAGE OF ARLINGTON  
M.B. 1/62 S.B. Co.

POR. LOT 41  
BLOCK 12

40'

68.5'

120'

70'

70'

191-311-016

120'

40'

N56°23'44"E

HAYES STREET

• 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.

SHEET 1 OF 1

11-86

SCALE: N.T.S.

DRAWN BY: KDS

DATE: 7/07/05

SUBJECT: VAN BUREN BOULEVARD WIDENING

PLAT A PAGE 9

11.21.05

191-311-024

VILLAGE OF ARLINGTON

M.B. 1/62 S.B. Co.

POR. LOT 41  
BLOCK 12

VAN BUREN BOULEVARD

N33°38'46"W

191-311-018

N56°23'44"E

30.79'

68.5'

68.54'

5'

33.17'

70'

N35°38'19"W

FRANCIS

202

191-311-017

N56°23'43"E

120'

191-311-016

120'

40'

N33°38'46"W 68.5'

70'

OPTIONAL ACQUISITION  
2191 SQ.FT. GOE  
343 SQ.FT. TCE-1  
5686 SQ.FT. TCE-2

N56°23'44"E

HAYES

40'

STREET

• 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.

SHEET 1 OF 1

11-87

SCALE: N.T.S.

DRAWN BY: Kgs DATE: 7/07/05

SUBJECT: VAN BUREN BOULEVARD WIDENING

01 PAGE A EXHIBIT

110240

EXHIBIT "A"

PARCEL 203  
A.P.N. 191-311-018

Parcel 203 A – *Public Street Easement*

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

That portion of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California, described as follows:

BEGINNING at the intersection of the southeasterly line of Parcel 1 of Record of Survey on file in Book 23, Page 96 of Record of Surveys, records of Riverside County, California, with the northeasterly line of Van Buren Boulevard as shown by said Record of Survey;

THENCE North 56°23'44" East, along said southeasterly line of Parcel 1, a distance of 25.64 feet;

THENCE South 35°38'19" East, a distance of 61.72 feet to the southeasterly line of that certain parcel of land described in document recorded January 14, 2004, per Document No. 2004-0025154 of Official Records of Riverside County, California;

THENCE South 56°23'44" West, along the southeasterly line of said parcel of land described in document recorded January 14, 2004, a distance of 27.79 feet to said northeasterly line of Van Buren Boulevard;

THENCE North 33°38'46" West, along said northeasterly line of Van Buren Boulevard, a distance of 61.68 feet to the POINT OF BEGINNING.

Area – 1,648 square feet.

Parcel 203 B – *Temporary Construction Easement*

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

That portion of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California, described as follows:

COMMENCING at the intersection of the southeasterly line of Parcel 1 of Record of Survey on file in Book 23, Page 96 of Record of Surveys, records of Riverside County, California, with the northeasterly line of Van Buren Boulevard as shown by said Record of Survey;

THENCE North 56°23'44" East, along said southeasterly line of Parcel 1, a distance of 25.64

110340

Set to the POINT OF BEGINNING of the parcel of land being described;

THENCE South 35°38'19" East, a distance of 61.72 feet to the southeasterly line of that certain parcel of land described in document recorded January 14, 2004, per Document No. 2004-0025154 of Official Records of Riverside County, California;

THENCE North 56°23'44" East, along the southeasterly line of said parcel of land described in document recorded January 14, 2004, a distance of 1.21 feet;

THENCE North 33°38'46" West, a distance of 61.68 feet to said southeasterly line of Parcel 1;

THENCE South 56°23'44" West, along the southeasterly line of Parcel 1, a distance of 3.36 feet to the POINT OF BEGINNING.

Area - 141 square feet.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

Mark S. Brown 7/11/05 Prep. Kap  
Mark S. Brown, L.S. 5655 Date  
License Expires 9/30/05



191-311-024

R/S 23/96

PARCEL 1

VAN BUREN BOULEVARD

N33°38'46"W

3.36'

120' N56°23'44"E

25.64'

S35°38'19"E

61.68'

27.79'

S68°5'12"E

40'

191-311-017

N56°23'44"E

61.68'

N33°38'46"W

68.5'

VILLAGE OF ARLINGTON  
M.B. 1/62 S.B. Co.

120' N56°23'44"E  
This must be returned to the  
120' N56°23'44"E  
CERTIFIED COPY  
POR. LOT 41  
BLOCK 12



191-311-016

County of Riverside  
Superior Court of California  
Original copy of record in the  
is certified to be a true and  
correct copy of the original  
Each document filed in this  
court is certified to be a  
true and correct copy of the  
original.

HAYES STREET

• 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.

SHEET 1 OF 1 11-88

DATE: 7/27/95 SUBJECT: VAN BUREN BOULEVARD WIDENING

110240

EXHIBIT A PAGE 13