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09/02/2010 08:00A Fee:NC
Page 1 of 4

Recorded in Official Records
County of Riverside

Larry W. Ward
Assessor, County Clerk & Recorder



This instrument is for the benefit
of the City of Riverside and is
exempt from recording fees
(Government Code § 27383¹)

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**INTERLOCUTORY JUDGMENT IN CONDEMNATION
AS TO DEFENDANT PACIFIC BELL TELEPHONE COMPANY
CASE NO. RIC506079**

D-16511



¹ Government Code § 27383: "No fee shall be charged by the recorder for services rendered to the State, to any municipality, county in the State or other political subdivision thereof, except for making a copy of a paper or record."

AUG 27 2010

NFD

AAA

AUG 31 2010

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

AUG 30 2010

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

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

Plaintiff,

vs.

RICHARD C. HUNSAKER, TRUSTEE OF
THE HUNSAKER FAMILY TRUST, ET AL.

Defendants.

CASE NO. RIC506079

~~PROPOSED~~ INTERLOCUTORY
JUDGMENT IN CONDEMNATION
AS TO DEFENDANT PACIFIC BELL
TELEPHONE COMPANY

APNs: :

- 249-070-028
- 249-070-029
- 249-060-009
- 249-060-010
- 249-060-015
- 249-060-016
- 249-060-017
- 249-040-011
- 249-060-021
- 249-060-022
- 249-040-005
- 249-040-010
- 249-040-013
- 249-040-012

HONORABLE JUDGE DOUGLAS E.
WEATHERS

DEPARTMENT 03

Complaint Filed: August 14, 2008

Plaintiff City of Riverside ("City") and Defendant Pacific Bell Telephone Company
("Pacific") have stipulated to all the facts, terms, and conditions herein with respect to the

INTERLOCUTORY JUDGMENT



1 property described in Plaintiff's complaint on file herein, which is incorporated herein by
2 reference.

3
4 GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY ORDERED, ADJUDGED,
5 AND DECREED AS BETWEEN PLAINTIFF AND DEFENDANT PACIFIC BELL
6 TELEPHONE COMPANY AS FOLLOWS:

7 1. The subject property is located in the City of Riverside and more specifically
8 described in the complaint on file herein ("Property"). The Property is being taken by plaintiff
9 for the purpose described as the widening and improving of 0.75 miles of Columbia Avenue and
10 0.5 miles of Iowa Avenue including the intersect (Columbia and Iowa Avenues Street
11 Improvement Project) and is necessary for that use. The City is authorized to exercise the power
12 of eminent domain for road widening purposes under Government Code §§ 37350.5, 39792,
13 40404, and Code of Civil Procedure §1240.010.

14 2. Pacific has an interest in the Property consisting of an easement and appurtenant
15 rights as memorialized in the documents recorded with the office of the County with the office of
16 the County Recorder for the County of Riverside as Instrument Number 44639 ("Pacific's
17 Easement").

18 3. The Property condemned to City as against Pacific is subject to Pacific's Easement,
19 which shall remain valid and continue to exist as an interest in the Property in favor of Pacific
20 pursuant to its terms. In the event City requests, as a result of the project and this condemnation
21 proceeding, Pacific to remove, relocate, or modify any of Pacific's facilities within Pacific's
22 easement on the Property, City shall pay to Pacific all expenses thereof. In the event City
23 requires, as a result of the project and this condemnation proceeding, Pacific to remove, relocate,
24 or modify any of Pacific's facilities constructed and maintained on the Property pursuant to
25 Pacific's Easement, City shall, at its expense, provide Pacific a replacement easement or right of
26 way sufficient to accommodate the relocated facilities with substantially the same terms and
27 conditions as Pacific Easement.

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4. Other than as set forth above, Pacific waives all compensation of any kind arising from the exercise of eminent domain by plaintiff against the property.

DATED: 8-30-10

Gregory Lim
JUDGE OF THE SUPERIOR COURT

3 pages This must be in red to be a "CERTIFIED COPY"

Each document to which this certificate is attached is certified to be a full, true and correct copy of the original on file and of record in my office.

Superior Court of California
County of Riverside

By K. Deatm
DEPUTY

Dated: 9/2/2010



Certification must be in red to be a "CERTIFIED COPY"

