

DOC # 2011-0052413

02/02/2011 11:34A Fee:NC

Page 1 of 15

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder

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

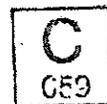


BEST BEST & KRIEGER LLP
400 Mission Square
3750 University Avenue
P.O. Box 1028
Riverside, CA 92502
Attention: Lisa E. Dunham

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

D- 16534



FINAL ORDER OF CONDEMNATION AS TO
ASSESSOR PARCEL NUMBERS 233-022-051, 233-022-012 and 233-022-014

CITY OF RIVERSIDE, a municipal corporation,

vs.

ROBERT VACCHER, et al.

Riverside Superior Court Case No. RIC 437555

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Attorneys for Plaintiff
City of Riverside

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

CITY OF RIVERSIDE, a municipal
corporation,

Plaintiff,

v.

ROBERT VACCHER, a.k.a. ROBERT G.
VACCHER, et al.

Defendants.

Case No. RIC 437555
Judge: Honorable Gloria Connor-Trask

FINAL ORDER OF CONDEMNATION AS
TO APNS 233-022-051, 233-022-012 and 233-
022-014, ONLY

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

Trial Date: Vacated
Complaint Filed: September 21, 2005

EXEMPT FROM RECORDING FEES
PURSUANT TO GOVERNMENT
CODE SECTION 27383

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE
JAN 14 2011

GD
JAN 20 2011
GD

21501.00005\5710005.1

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

1 Judgment having been entered in the above-entitled action, and it appearing to the
2 satisfaction of the Court that Plaintiff City of Riverside, pursuant to said Judgment, has paid to
3 Defendants AAR Properties, LLC, Robert Vaccher, a/k/a Robert G. Vaccher and Anita Husted,
4 a/k/a Anita M. Husted, individually and as Principals of AAR Properties, LLC and as Trustees of
5 the Bypass Trust Created Under the Vaccher Family 1999 Administrative Trust, Aldo Vaccher,
6 individually and as a Principal of AAR Properties and as Trustee of the Vaccher Survivor's Trust,
7 Bypass Trust and Marital Trust created under the Vaccher Family 1999 Administrative Trust
8 (formerly known as the Aldo and Rose Vaccher Family 1999 Revocable Trust) as to APNs 233-
9 022-012, 233-022-014 and 233-022-051, the total sum awarded by the Court as just compensation
10 and payment for all claims or demands against the City for the taking of the real property located
11 in Riverside County, described in the City's Complaint as a public street, permanent and
12 temporary easement interests in Assessor Parcel Nos: 233-022-012, 233-022-014 and 233-022-
13 051.

14
15 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Properties,
16 described in the attached Exhibit "A," attached hereto and incorporated by reference, and
17 identified as a public street, permanent and temporary construction easement interests in Assessor
18 Parcel Nos. 233-022-012, 233-022-014 and 233-022-051, shall be condemned in fee simple
19 absolute to the City.

20
21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the use and purpose
22 for which said Property is condemned is for the widening and improvement of Van Buren Avenue
23 from Garfield Street to Andrew Street, in Riverside, California, and for such other uses as are
24 permitted by sections 37350.5, 39792 and 40404 of the California Government Code, among
25 others, which is a public use authorized by law, and the taking of said Property is necessary for
26 said use and purpose.

27
28 21501.00005\5710005.1

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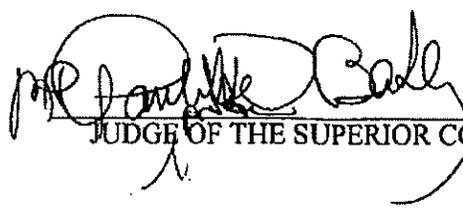
FINAL ORDER OF CONDEMNATION AS TO APNS 233-022-051, 233-022-012 and 233-022-014, ONLY

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all liens, charges, conditions and restrictions upon the Property being condemned, including all real property taxes, assessments, penalties and costs, are hereby ordered canceled from and after February 20, 2006, the date the City was entitled to and did take possession of the Property.

DATED: 12/3/10



JUDGE OF THE SUPERIOR COURT

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

16534

EXHIBIT "A"

PARCEL 014
A.P.N. 233-022-051

Parcel 014 A – *Public Street Easement*

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

The southwesterly 38.00 feet of Lots 1 and 2 in Block 25 of the Village of Arlington, as shown by map recorded in Book 1, Page 62 of Maps, records of San Bernardino County, California;

EXCEPTING THEREFROM that portion of said Lots 1 and 2 lying southeasterly of the northwesterly line of that certain parcel of land described in deed to Nguyen T. Ngoc-Lien, by document recorded December 6, 1993, as Instrument No. 484729 of Official Records of Riverside County, California;

ALSO EXCEPTING THEREFROM that portion of said Lot 1, lying northwesterly of the southeasterly line of that certain parcel of land described in deed Aldo Vaccher, et ux., by Grant Deed recorded November 30, 1954, in Book 1660, Page 438 of Official Records of Riverside County, California.

Area – 3,650 square feet.

Parcel 014 B – *Temporary Construction Easement*

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

The northeasterly 77.00 feet of the southwesterly 115.00 feet of Lots 1 and 2 in Block 25 of the Village of Arlington, as shown by map recorded in Book 1, Page 62 of Maps, records of San Bernardino County, California;

EXCEPTING THEREFROM that portion of said Lots 1 and 2 lying southeasterly of the northwesterly line of that certain parcel of land described in deed to Nguyen T. Ngoc-Lien, by document recorded December 6, 1993, as Instrument No. 484729 of Official Records of Riverside County, California;

ALSO EXCEPTING THEREFROM that portion of said Lot 1, lying northwesterly of the southeasterly line of that certain parcel of land described in deed Aldo Vaccher, et ux., by Grant

11-31

Deed recorded November 30, 1954, in Book 1660, Page 438 of Official Records of Riverside County, California.

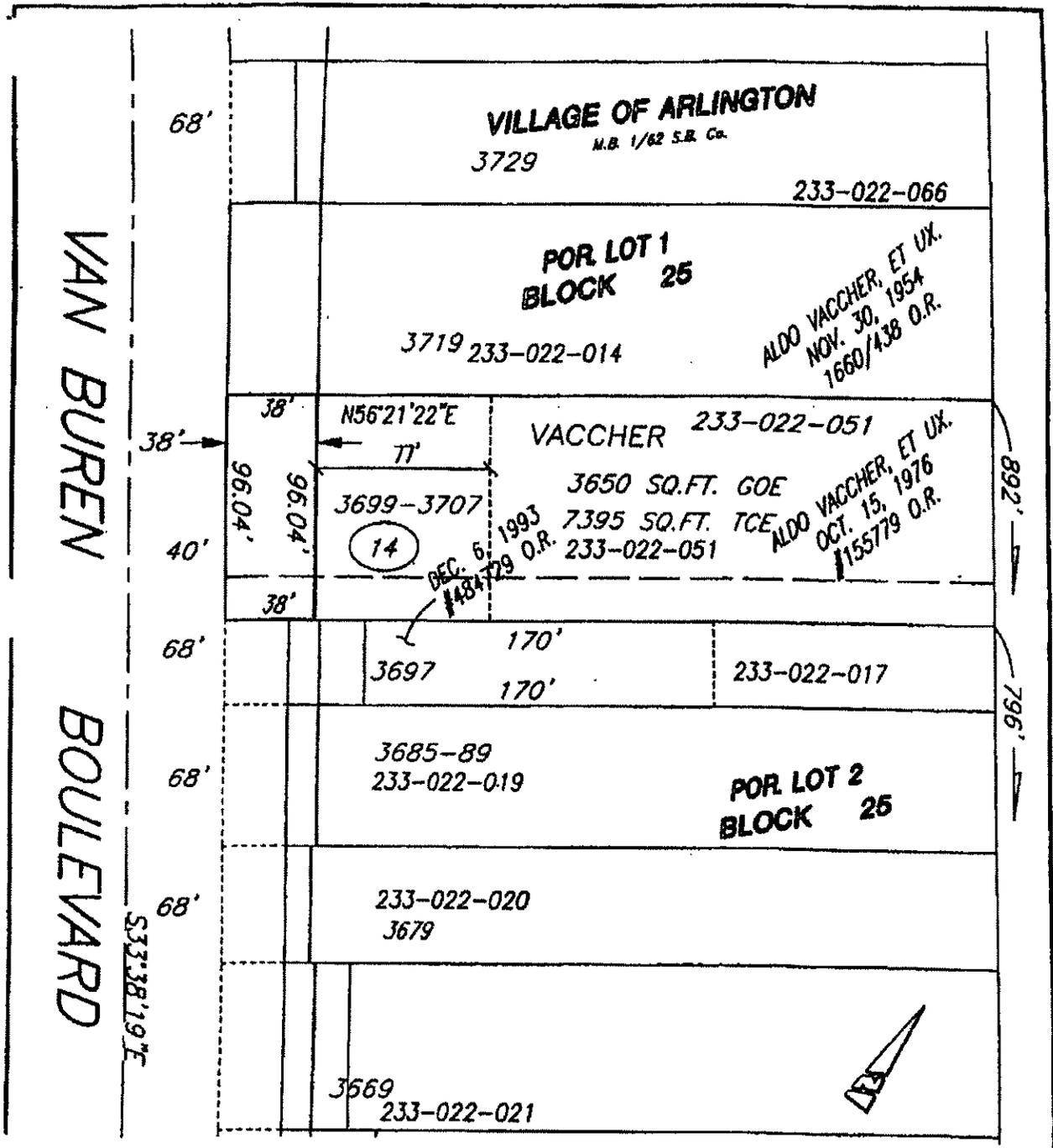
Area - 7,395 square feet.

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

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



11-32



• 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

SCALE: N.T.S.

DRAWN BY: Kgs DATE: 7/07/05

SUBJECT: VAN BUREN BOULEVARD WIDENING 1-73'

EXHIBIT "A"

PARCEL 017
A.P.N. 233-022-012

Parcel 017 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 1 in Block 25 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 Lot "A" of Parcel Map 19719, as shown by map on file in Book 121, Pages 48 and 49 of Parcel Maps, records of Riverside County, California;

THENCE North 56°19'47" East, along the southeasterly line of said Lot "A" and along the southeasterly line of Parcel 2 of said Parcel Map 19719, a distance of 47.57 feet to a point in a non-tangent curve concaving southwesterly, having a radius of 1312.00 feet, and to which the radius bears South 57°49'15" West;

THENCE southeasterly to the right along said curve through a central angle of 3°30'38" an arc length of 80.38 feet;

THENCE South 28°40'08" East, a distance of 2.60 feet to the beginning of a tangent curve concaving northeasterly and having a radius of 1288.00 feet;

THENCE southeasterly to the left along said last mentioned curve through a central angle of 1°31'14" an arc length of 34.18 feet to the southeasterly line of that certain parcel of land described in deed to the Giachetti Family 1990 Living Trust, by document recorded March 22, 1990, as Instrument No. 102550 of Official Records of said Riverside County;

THENCE South 56°21'22" West, along said last mentioned southeasterly line, a distance of 40.33 feet to the southwesterly line of said Lot 1;

THENCE North 33°38'19" West, along said southwesterly line of Lot 1, a distance of 116.90 feet to the POINT OF BEGINNING.

Area – 5,195 square feet.

Parcel 017 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 1 in Block 25 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 southwesterly line of which is described as follows:

COMMENCING at the most southerly corner of Lot "A" of Parcel Map 19719, as shown by map on file in Book 121, Pages 48 and 49 of Parcel Maps, records of Riverside County, California;

THENCE North 56°19'47" East, along the southeasterly line of said Lot "A" and along the southeasterly line of Parcel 2 of said Parcel Map 19719, a distance of 47.57 feet to the POINT OF BEGINNING; said point being a point in a non-tangent curve concaving southwesterly, having a radius of 1312.00 feet, and to which the radius bears South 57°49'15" West;

THENCE southeasterly to the right along said curve through a central angle of 3°30'38" an arc length of 80.38 feet;

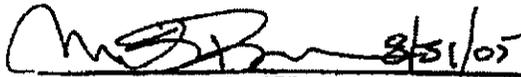
THENCE South 28°40'08" East, a distance of 2.60 feet to the beginning of a tangent curve concaving northeasterly and having a radius of 1288.00 feet;

THENCE southeasterly to the left along said last mentioned curve through a central angle of 1°31'14" an arc length of 34.18 feet to the southeasterly line of that certain parcel of land described in deed to the Giachetti Family 1990 Living Trust, by document recorded March 22, 1990, as Instrument No. 102550 of Official Records of said Riverside County, and the END of this line description.

The sidelines of said strip of land shall be lengthened or shortened to terminate in said southeasterly line of Parcel 2 of Parcel Map 19719 and lengthened or shortened to terminate in said southeasterly line of the parcel of land described in document recorded March 22, 1990.

Area - 586 square feet.

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

 8/5/05 Date Prep. 
Mark S. Brown, L.S. 5655 License Expires 9/30/05



11-38

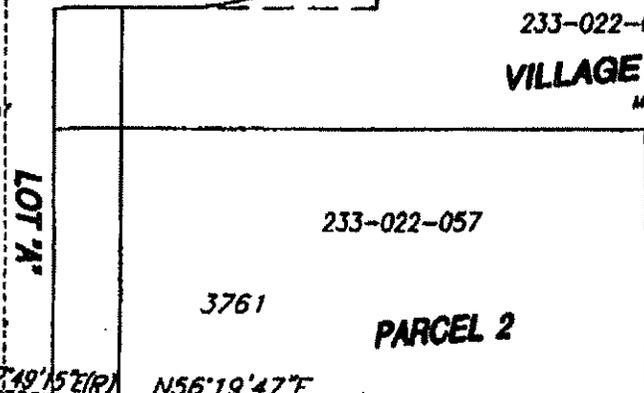
MAGNOLIA AVENUE

VAN BUREN BOULEVARD



POR LOT 1
BLOCK 25

233-022-058
VILLAGE OF ARLINGTON
M.B. 1/82 S.B. CO.



233-022-057

3761

PARCEL 2

P.M. 19719
P.M.B. 121/48-49

N57°49'15"E(R) N56°19'47"E

47.57'
R=1312'
Δ=530°38'
L=80.38'
116.90'

(17) GIACHETTI TRUST
233-022-012

3741-53 5195 SQ.FT. GOE
528°40'08"E 586 SQ.FT. TCE

GIACHETTI FAMILY TRUST
MAR. 22, 1990
#102550 O.R.

2.6 S61°19'52"W(R)
R=1285'
Δ=151°14"
L=34.18' S56°21'22"W

40.33'

68'

233-022-066

3729

MARY ROLLE TRUST
MAR. 1, 1994
#85289 O.R.

1030'

• 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

SCALE: N.T.S.

DRAWN BY: Kgs DATE: 7/07/05

SUBJECT: VAN BUREN BOULEVARD WIDENING

11-76

16534

EXHIBIT "A"

PARCEL 015
A.P.N. 233-022-014

Parcel 015 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 1 in Block 25 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 a point on the northeasterly line of said Lot 1, distant 892 feet northwesterly from the right of way of the lower canal of the Riverside Water Company; said point being the most easterly corner of that certain parcel of land described in deed to Aldo Vaccher, et ux., by Grant Deed recorded November 30, 1954, in Book 1660, Page 438 of Official Records of Riverside County, California;

THENCE South 56°21'22" West, along the southeasterly line of said parcel of land described in document recorded November 30, 1954, a distance of 292.32 feet to a line that is parallel with and distant 78.00 feet northeasterly, as measured at right angles, from the centerline of Van Buren Boulevard, and the POINT OF BEGINNING of the parcel of land being described;

THENCE North 33°38'19" West, along said parallel line, a distance of 60.60 feet to the beginning of a tangent curve concaving northeasterly and having a radius of 1288.00 feet;

THENCE northwesterly to the right along said curve through a central angle of 0°51'58" an arc length of 19.47 feet to the southeasterly line of that certain parcel of land described in deed to the Mary Rolle Trust, by deed recorded March 1, 1994, as Instrument No. 85289 of Official Records of Riverside County, California;

THENCE South 56°21'22" West, along said southeasterly line of parcel of land described in document recorded March 1, 1994, a distance of 38.15 feet to the southwesterly line of Lot 1;

THENCE South 33°38'19" East, along said southwesterly line, a distance of 80.03 feet to said southeasterly line of the parcel of land described in document recorded November 30, 1954;

THENCE North 56°21'22" East, along said last mentioned southeasterly line, a distance of 38.00 feet to the POINT OF BEGINNING.

Area – 3042 square feet.

Parcel 015 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 1 in Block 25 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 a point on the northeasterly line of said Lot 1, distant 892 feet northwesterly from the right of way of the lower canal of the Riverside Water Company; said point being the most easterly corner of that certain parcel of land described in deed to Aldo Vaccher, et ux., by Grant Deed recorded November 30, 1954, in Book 1660, Page 438 of Official Records of Riverside County, California.

THENCE South 56°21'22" West, along the southeasterly line of said parcel of land described in document recorded November 30, 1954, a distance of 292.32 feet to a line that is parallel with and distant 78.00 feet northeasterly, as measured at right angles, from the centerline of Van Buren Boulevard, and the POINT OF BEGINNING of the parcel of land being described;

THENCE North 33°38'19" West, along said parallel line, a distance of 60.60 feet to the beginning of a tangent curve concaving northeasterly and having a radius of 1288.00 feet;

THENCE northwesterly to the right along said curve through a central angle of 0°51'58" an arc length of 19.47 feet to the southeasterly line of that certain parcel of land described in deed to the Mary Rolle Trust, by deed recorded March 1, 1994, as Instrument No. 85289 of Official Records of Riverside County, California;

THENCE North 56°21'22" East, along said southeasterly line of parcel of land described in document recorded March 1, 1994, a distance of 14.85 feet;

THENCE South 33°38'19" East, a distance of 20.08 feet;

THENCE South 56°21'41" West, a distance of 10 feet;

THENCE South 33°38'19" East, a distance of 36.80 feet;

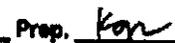
THENCE North 56°21'41" East, a distance of 10 feet;

THENCE South 33°38'19" East, a distance of 23.16 feet to said southeasterly line of the parcel of land described in document recorded November 30, 1954;

THENCE South 56°21'22" West, along said last mentioned southeasterly line, a distance of 15 feet to the POINT OF BEGINNING.

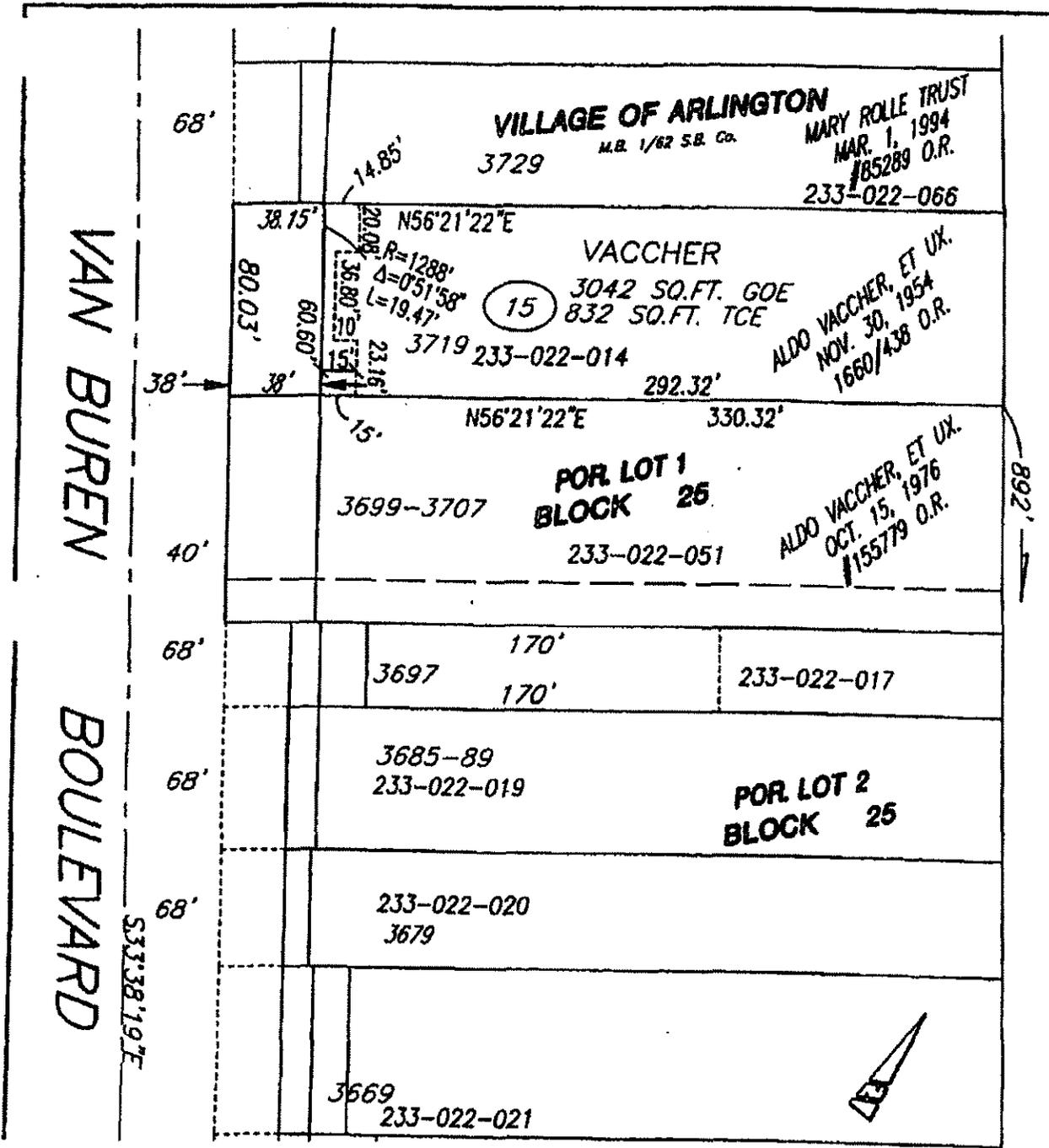
Area – 832 square feet.

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

 7/11/05 Prep. 
Mark S. Brown, L.S. 5655 Date
License Expires 3/30/05

11-34





• 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.

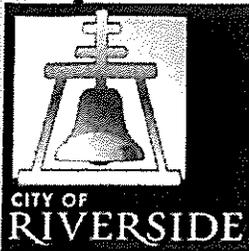
SHEET 1 OF 1

SCALE: N.T.S.

DRAWN BY: Kgs DATE: 7/07/05

SUBJECT: VAN BUREN BOULEVARD WIDENING

11-74



MEMORANDUM

REAL PROPERTY SERVICES
DEVELOPMENT DEPARTMENT

RECEIVED

FEB 17 2011

City of Riverside
City Clerk's Office

DATE: FEBRUARY 16, 2010

TO: COLLEEN NICOL, CITY CLERK

FROM: LISA ANDRESEN, REAL PROPERTY AGENT

RE: DOCUMENT FILING – FINAL ORDER OF CONDEMNATION FOR VAN BUREN
STREET WIDENING PROJECT, ANDREW TO GARFIELD (RIC 437555)
APNS 233-022-051, 233-022-012, AND 233-022-014

D-16534

Attached is the originally recorded Final Order of Condemnation.

If you have any questions, please call me at x5115.

Attachment

CC: Eddie Diaz, Deputy City Attorney
Mark Brown, Surveyor

16534