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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 § 27383<sup>1</sup>)

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JUDGMENT AND FINAL ORDER OF CONDEMNATION  
CASE NO. RIC542627



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<sup>1</sup> 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."

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10 Attorneys for Plaintiff, City of Riverside

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

JUN 25 2012

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JUN 26 2012  
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(Fee Exempt Gov't Code § 6103)

11  
12 SUPERIOR COURT OF CALIFORNIA  
13 COUNTY OF RIVERSIDE

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

16 Plaintiff,

17 vs.

18 HECTOR T. DUARTE, etc.; et al,

19 Defendants.

) CASE NO. RIC542627  
) Assigned for Case Management  
) Purposes to the Hon. John W. Vineyard  
) Dept. 7

) **JUDGMENT AND FINAL ORDER OF  
20 CONDEMNATION**

) APNs: 146-231-017  
) 146-231-023  
) 146-231-024  
) 146-231-027  
) 146-242-018  
) 146-242-005  
) 146-242-006  
) 146-182-066  
) 146-182-069

25 Complaint filed: 12/21/2009  
26 OSC re Dismissal: 09/14/2012



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1 This Judgment and Final Order of Condemnation is hereby made following disposition  
2 through the court proceedings described below of all parties and property interests alleged in the  
3 Complaint in Eminent Domain.

4 IT IS HEREBY FOUND AND DETERMINED:

5 1. Pursuant to its Charter, sections 37350.5 and 40404 of the Government Code of  
6 the State of California, section 4090 of the Streets and Highways Code of the State of California,  
7 section 1240.010 of the Code of Civil Procedure of the State of California, and Article I, section  
8 19 of the Constitution of the State of California, plaintiff City of Riverside is authorized to  
9 acquire real property or interests therein for public uses and purposes, to wit: to realign La Sierra  
10 Avenue, Hole Avenue, and Pierce Street at Five Points.

11 2. Plaintiff City of Riverside ("City") commenced this eminent domain action to  
12 condemn the following property interests which are legally described in the attached exhibit  
13 "A":

14	<u>APN</u>	<u>Interest to be Acquired</u>
15	146-231-017	Fee Simple
16	146-231-023	Public Street & Highway Easement
17		Temporary Construction Easement
18	146-231-024	Public Street & Highway Easement
19		Temporary Construction Easement
20	146-231-027	Fee Simple
21	146-242-018	Temporary Construction Easement
22	146-242-005	Temporary Construction Easement
23	146-242-006	Temporary Construction Easement
24	146-182-066	Public Street & Highway Easement
25		Temporary Construction Easement
26	146-182-069	Public Street & Highway Easement
27		Temporary Construction Easement
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1           3.     After a duly noticed public hearing and an opportunity to be heard in compliance  
2 with Code of Civil Procedure section 1245.235, on November 17, 2009, plaintiff's City Council  
3 adopted Resolution Number 21937 authorizing plaintiff to acquire the property described in the  
4 attached exhibit "A" by eminent domain (collectively "Subject Property"). In compliance with  
5 sections 1245.220 and 1245.230 of the Code of Civil Procedure, the City Council found and  
6 determined that: (a) the public interest and necessity require the proposed project, (b) the  
7 proposed project is planned and located in the manner that will be the most compatible with the  
8 greatest public good and least private injury, (c) the acquisition and taking of interests in the  
9 property sought to be acquired are necessary for the Project, and (d) the offer required by section  
10 7267.2 of the Government Code has been made to the owners of record of the Subject Property.

11           4.     Plaintiff named the following defendants in this action:

<u>Defendant Name</u>	<u>Property Interest</u>
Hector T Duarte & Arleen Duarte, Trustees of the Hector T. Duarte and Arleen Duarte Family Trust Created on May 20 <sup>th</sup> , 1993	Owner
Peter Advent Voochen	Trustor, Beneficiary
Zora Voochen	Trustor, Beneficiary
Security First National Bank, a National Banking Association	Trustee
Clifford C. Meginnis	Beneficiary
Security Union Title Insurance Company fka Security Title Insurance Company	Trustee
Elizabeth Runck	Beneficiary
Norman R. Campbell & Carolyn M. Campbell, Trustees of Norman R. Campbell and Carolyn M. Campbell Family Trust dated 2/12/86	Potential Claimant
Hector T. Duarte, Individually	Trustor
Arlene Duarte, Individually	Trustor
Whelan Escrow Company	Trustee
Robert Heath dba Bob's Appliances	Tenant

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<u>Defendant Name</u>	<u>Property Interest</u>
Alex Giannetakis	Owner
Helen Giannetakis	Owner
Security Pacific Corporation as Successor in Interest to Security First National Bank of Los Angeles	Easement Holder
Southern California Edison Company	Easement Holder
Charlotte A. Boehm	Lessor
Tastee Products of California, Inc.	Lessee
Riverside County Tax Collector	Lien Holder
Paul A. Giannetakis	Potential Claimant
Jeffrey Sang-Ho Lee dba Johnny's Burgers	Tenant
11066 Hole Avenue Partners, LLC	Owner
Wells Fargo Bank, N.A., as Successor in Interest to Bank of Orange County	Trustee, Beneficiary
Raul Aragundi	Potential Claimant
J & R Motors	Potential Claimant
Manuel Prado dba Acapulco Express Travel	Tenant
Robert Hernandez dba Car Stereo City	Tenant
Manuel Topete dba Car Stereo City	Tenant
Amal F. Al-Hashimi dba Nour Check Cashed & Cash Advance	Tenant

5. The following defendants filed disclaimers on the dates indicated below and are entitled to no compensation:

<u>DEFENDANT</u>	<u>DATE OF FILING</u>
Security Union Title Insurance Company fka Security Title Insurance Company	01/21/2010
Riverside County Tax Collector	01/18/2012

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1           6.     The following defendants were dismissed by plaintiff without prejudice from this  
2 action on the dates indicated below:

<u>DEFENDANT</u>	<u>DATE OF FILING</u>
Robert Heath dba Bob's Appliances	07/12/2010
11066 Hole Avenue Partners, LLC	12/10/2010
Manuel Prado dba Acapulco Express Travel	06/09/2010
Robert Hernandez dba Car Stereo City	06/09/2010
Amal F. Al-Hashimi dba Nour Check Cashed & Cash Advance	06/09/2010

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10           7.     The following defendants have been regularly served with process herein and  
11 having failed to appear or answer within the time allowed by law, had their defaults taken on the  
12 dates indicated below:

<u>DEFENDANT</u>	<u>DATE OF FILING</u>
Peter Advent Voochen	04/19/2011
Zora Voochen	04/19/2011
Security First National Bank, a National Banking Association	04/19/2011
Clifford C. Meginnis	04/19/2011
Elizabeth Runck	04/19/2011
Norman R. Campbell & Carolyn M. Campbell, Trustees of Norman R. Campbell and Carolyn M. Campbell Family Trust dated 2/12/86	04/19/2011
Whelan Escrow Company	01/04/2011
Alex Giannetakis	11/30/2010
Helen Giannetakis	
Security Pacific Corporation as Successor in Interest to Security First National Bank of Los Angeles	05/05/2010

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Charlotte A. Boehm	04/19/2011
Tastee Products of California, Inc.	04/19/2011
Paul A. Giannetakis	11/30/2010
Jeffrey Sang-Ho Lee dba Johnny's Burgers	12/10/2010
Wells Fargo Bank, N.A., as Successor in Interest to Bank of Orange County	05/05/2010
Raul Aragundi	12/10/2010
J & R Motors	12/10/2010
Manuel Topete dba Car Stereo City	12/10/2010

8. On March 10, 2011, a Stipulation and Order for Interlocutory Judgment was entered as to defendant Southern California Edison Company.

9. On May 29, 2012, a Stipulation re Settlement and For Entry of Partial Judgment and Final Order of Condemnation ("Stipulation") was made and entered as to defendants Hector T. Duarte and Arleen Duarte, individually and as Trustees of the Hector T. Duarte and Arleen Duarte Family Trust Created on May 20th, 1993 (hereinafter "Duartes"). Pursuant to said Stipulation, the Duarte's are to be paid outside of these court proceedings.

10. On May 29, 2012, this court entered the Partial Judgment and Final Order of Condemnation ("Partial Judgment") as to the Duarte's.

12. On December 18, 2009, plaintiff deposited with the Office of the Treasurer for the state of California the amount of Five Hundred Eleven Thousand Three Hundred Eighty-one Dollars (\$511,381.00.00) as a deposit of probable just compensation for the property described in the attached exhibit "A."

13. On April 9, 2010, the court made and entered an order authorizing withdrawal of \$440,300.00 from funds on deposit with the State Treasurer for APNs 146-231-017, 146-231-023, 146-231-024, 146-231-027.

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1           14.    On June 14, 2010, the court made and entered an order authorizing withdrawal of  
2 \$68,481.00 from funds on deposit with the State Treasurer for APNs 146-182-066 and 146-182-  
3 069.

4           15.    On June 18, 2012, the court made and entered an order authorizing withdrawal of  
5 Five Hundred Dollars (\$500.00) from funds on deposit with the State Treasurer for APNs 146-  
6 242-005 and 146-242-006.

7           16.    Two Thousand One Hundred Dollars (\$2,100.00) remains on deposit with the  
8 State's Treasurer's Office for APN 146-242-018.

9           17.    An Order of Prejudgment Possession ("OPP") became effective in and to the  
10 property described in the attached exhibit 'A' on May 10, 2010.

11           18.    The use for which an interest in and to the property described in the attached  
12 exhibit "A" is being acquired is a use authorized by law and the acquisition of said interest is  
13 necessary to said use.

14           NOW THEREFORE IT IS ORDERED, ADJUDGED, AND DECREED that judgment in  
15 condemnation is hereby made in favor of the City of Riverside. The following defendants are  
16 entitled to no compensation or damages: Peter Advent Voochen; Zora Voochen; Security First  
17 National Bank, a National Banking Association; Clifford C. Meginnis; Elizabeth Runck;  
18 Norman R. Campbell & Carolyn M. Campbell, Trustees of Norman R. Campbell and Carolyn M.  
19 Campbell Family Trust dated 2/12/86; Whelan Escrow Company; Alex Giannetakis; Helen  
20 Giannetakis; Security Pacific Corporation as Successor in Interest to Security First National  
21 Bank of Los Angeles; Charlotte A. Boehm; Tastee Products of California, Inc.; Paul A.  
22 Giannetakis; Jeffrey Sang-Ho Lee dba Johnny's Burgers; Wells Fargo Bank, N.A., as Successor  
23 in Interest to Bank of Orange County; Raul Aragundi; J & R Motors; Manuel Topete dba Car  
24 Stereo City; Security Union Title Insurance Company fka Security Title Insurance Company;  
25 and Riverside County Tax Collector.

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1 WHEREFORE THE COURT NOW MAKES THE FOLLOWING ORDER OF  
2 CONDEMNATION:

3 The interests of defendants Peter Advent Voochen; Zora Voochen; Security First  
4 National Bank, a National Banking Association; Clifford C. Meginnes; Elizabeth Runck;  
5 Norman R. Campbell & Carolyn M. Campbell, Trustees of Norman R. Campbell and Carolyn M.  
6 Campbell Family Trust dated 2/12/86; Whelan Escrow Company; Alex Giannetakis; Helen  
7 Giannetakis; Security Pacific Corporation as Successor in Interest to Security First National  
8 Bank of Los Angeles; Charlotte A. Boehm; Tastee Products of California, Inc.; Paul A.  
9 Giannetakis; Jeffrey Sang-Ho Lee dba Johnny's Burgers; Wells Fargo Bank, N.A., as Successor  
10 in Interest to Bank of Orange County; Raul Aragundi; J & R Motors; Manuel Topete dba Car  
11 Stereo City; Security Union Title Insurance Company fka Security Title Insurance Company;  
12 and Riverside County Tax Collector in the real property described in the attached exhibit 'A' are  
13 hereby condemned for the public use and purpose described in the complaint herein, to wit, to  
14 realign La Sierra Avenue, Hole Avenue, and Pierce Street at Five Points, plaintiff to take title to  
15 the interest(s) of said defendants in said real property together with all improvements thereon in  
16 which said defendant has an interest, and except as otherwise described in the attached exhibit  
17 "A," free and clear of any and all liens, encumbrances, easements, and leaseholds of whatever  
18 kind or nature.

19 The interests condemned to the City of Riverside in and to Assessor's Parcel Numbers  
20 146-231-017, 146-231-023, 146-231-024, 146-231-027, 146-242-018, 146-242-005, 146-242-  
21 006, 146-182-066, and 146-182-069 are legally described in Exhibit 'A' hereto.

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23  
24 DATED: 6/05, 2012   
25 JUDGE OF THE SUPERIOR COURT

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# EXHIBIT A



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FIVE POINTS  
A.P.N. 146-231-017  
FEE SIMPLE INTEREST

ALL OF THAT CERTAIN REAL PROPERTY AS CONVEYED TO THE HECTOR T. DUARTE AND ARLEEN DUARTE FAMILY TRUST, AS PARCEL 2 BY GRANT DEED RECORDED MAY 24, 1993, AS INSTRUMENT NO. 191612 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, BEING DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 8 IN BLOCK 58 OF TRACT NO. 2 OF LA SIERRA HEIGHTS, AS SHOWN BY MAP ON FILE IN BOOK 7 PAGE 66 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, ALSO SHOWN AS A PORTION OF LOT 6 OF ASSESSOR'S MAP NO. 21, ON FILE IN BOOK 1 PAGE 26 OF ASSESSOR'S MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT 6;

THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 6, 80.17 FEET;

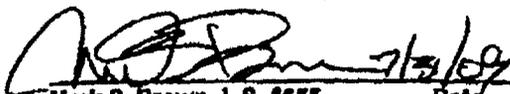
THENCE SOUTHERLY AND PARALLEL WITH THE EASTERLY LINE OF SAID LOT 6, 30.00 FEET;

THENCE EASTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 6, 65.48 FEET TO A POINT IN SAID EASTERLY LINE THAT IS 76.23 FEET SOUTHERLY FROM THE MOST NORTHERLY CORNER OF SAID LOT 6;

THENCE NORTHERLY ALONG THE SAID EASTERLY LINE, 76.23 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 0.080 ACRES, MORE OR LESS.

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

 7/3/09  
Mark S. Brown, L.S. 5655 Date  
License Expires 9/30/09 Prep. E.V.



FIVE POINTS  
PUBLIC STREET & HIGHWAY ESMT.  
POR. APN 146-231-023 & 024

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

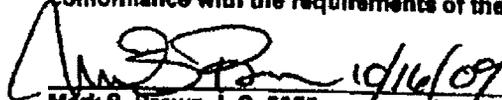
The Northwestern 10.00 feet of Lots 1 and 2 of Assessor's Map No. 21 on file in Book 1, Page 26 of Assessor's Map, Records of Riverside County, California, lying within Lot 8 in Block 58 of Tract No. 2 of La Sierra Heights as shown by map on file in Book 7 of Maps, at Page 66 thereof, Records of Riverside County, California.

**EXCEPTING THEREFROM** the Southwesterly 3.50 feet of said Lot 2.

The Southeasterly line of said Northwestern 10.00 feet being parallel and distant 30.00 feet Southeasterly, measured at right angles from the centerline of Bushnell Avenue as shown on La Sierra Gardens by map on file in Book 11 of Maps, at Pages 42 through 50 thereof, Records of Riverside County, California.

The above described parcel of land contains 790 square feet, more or less.

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      10/16/09      Prep. E.V.  
License Expires 9/30/11      Date



FIVE POINTS

APN: 146-231-023 & 024

T.C.E.

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

The Northwesterly 20.00 feet of Lots 1 and 2 of Assessor's Map No. 21 on file in Book 1, Page 26 of Assessor's Map, Records of Riverside County, California, lying within Lot 8 in Block 58 of Tract No. 2 of La Sierra Heights as shown by map on file in Book 7 of Maps, at Page 66 thereof, Records of Riverside County, California.

**EXCEPTING THEREFROM** the Southwesterly 3.50 feet of said Lot 2.

**ALSO EXCEPTING THEREFROM** the Northwesterly 10.00 feet of said Lots 1 and 2.

The Southeasterly line of said Northwesterly 20.00 feet being parallel and distant 40.00 feet Southeasterly, measured at right angles from the centerline of Bushnell Avenue as shown on La Sierra Gardens by map on file in Book 11 of Maps, at Pages 42 through 50 thereof, Records of Riverside County, California.

The above described parcel of land contains 790 square feet, more or less.

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

 10/7/09 Prep. E.V.  
Mark S. Brown, L.S. 5655 Date  
License Expires 9/30/11



FIVE POINTS  
A.P.N. 146-231-027  
FEE SIMPLE INTEREST

ALL OF THAT CERTAIN REAL PROPERTY AS CONVEYED TO HECTOR T. DUARTE AND ARLEEN DUARTE, TRUSTEES OF THE HECTOR T. DUARTE AND ARLEEN DUARTE FAMILY TRUST, CREATED ON MAY 20, 1993, BY GRANT DEED RECORDED MAY 24, 1993, AS INSTRUMENT NO. 191612 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, SAID REAL PROPERTY IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 8 IN BLOCK 58 OF TRACT NO. 2 OF LA SIERRA HEIGHTS, AS SHOWN BY MAP ON FILE IN BOOK 7 PAGE 66 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 6, AS SHOWN BY ASSESSOR'S MAP NO. 21, ON FILE IN BOOK 1 PAGE 26 OF ASSESSOR'S MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 6, 103.91 FEET, MORE OR LESS TO A POINT 76.23 FEET FROM THE NORTHEASTERLY CORNER OF SAID LOT 6;

THENCE WESTERLY, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 6, 65.48 FEET;

THENCE SOUTHERLY, PARALLEL WITH THE EASTERLY LINE OF SAID LOT 6, TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 6, DISTANT 65.48 FEET WESTERLY FROM THE SOUTHEASTERLY CORNER THEREOF;

THENCE EASTERLY, ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 0.143 ACRES, MORE OR LESS.

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 9/30/09

09/26/09 Date  
Prep. E.V.



APN: 146-242-018  
T.C.E.

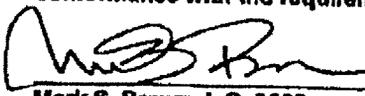
That certain real property in the City of Riverside, County of Riverside, State of California described as follows:

The Westerly 12.00 feet of Lot 18 in Block 35 of La Sierra Gardens, as shown by map on file in Book 11 of Maps at Pages 42 through 50 thereof, Records of Riverside County, California.

**EXCEPTING THEREFROM** that certain parcel of land described in Deed to the City of Riverside, recorded March 10, 1972 as Instrument No. 32729, Official Records of Riverside County, California.

The above described parcel of land contains 2,292 square feet, more or less.

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

 10/5/09 Prep. *ev.*  
Mark S. Brown, L.S. 5655 Date  
License Expires 9/30/11



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APN: 146-242-005 & 006  
T.C.E.

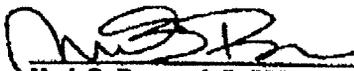
That certain real property in the City of Riverside, County of Riverside, State of California described as follows:

The Northerly 9.00 feet of Lots 5 and 6 in Block 35 of La Sierra Gardens, as shown by map on file in Book 11 of Maps at Pages.42 through 50 thereof, Records of Riverside County, California.

**EXCEPTING THEREFROM** that certain parcel of land described in Deed to the City of Riverside, recorded December 7, 1990 as Instrument No. 445690, Official Records of Riverside County, California.

The above described parcel of land contains 500 square feet, more or less.

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

 10/5/09 Prep. E.V.  
Mark S. Brown, L.S. 5855      Date  
License Expires 9/30/11



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FIVE POINTS  
PUBLIC STREET & HIGHWAY ESMT.  
POR. APN 146-182-066

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

That portion of Lot "P" in Block 59 of Tract No. 2 of La Sierra Heights as shown by map on file in Book 7 of Maps, at Page 66 thereof, Records of Riverside County, California, being a strip of land 5.00 feet in width, the Southwesterly line being described as follows:

Beginning at the most Northerly corner of that certain parcel of land as described by Deed to the City of Riverside recorded October 28, 1977 as Instrument no. 215670, Official Records of Riverside County, California, said corner being the intersection of a line that is parallel and 48.00 feet Northeasterly, as measured at right angles from the planned street centerline (P-19) of La Sierra Avenue (Holden Avenue) adopted by the City Council of the City of Riverside, by Resolution no. 13596 on January 16, 1979 and the Southwesterly prolongation of the Northwesterly line of Lot 2 of Assessor's Map No. 23 recorded in assessor's map Book 1, at Page 28 thereof, Records of said County,

Thence S.29°30'54"E. along the Northeasterly line of said parcel described to the City of Riverside, a distance of 80.65 feet to the Southwesterly prolongation of the Southeasterly line of Lot 2 of said Assessor's Map No. 23, also being the termination of said line description.

The sidelines of said strip of land 5.00 feet in width shall be prolonged or shortened to terminate in the Southwesterly prolongation of the Northwesterly line and the Southeasterly line of said Lot 2.

The above described parcel of land contains 302 square feet, more or less.

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: 10/16/09      Prep. E.V.  
License Expires 9/30/11



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FIVE POINTS  
APN: 146-182-066  
T.C.E.

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

That portion of Lot "P" in Block 59 of Tract No. 2 of La Sierra Heights as shown by map on file in Book 7 of Maps, at Page 66 thereof, Records of Riverside County, California, being a strip of land 10.00 feet in width, the Southwesterly line being described as follows:

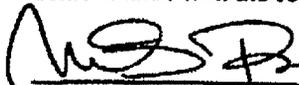
Beginning at the intersection of a line that is parallel with and distant 53.00 feet Northeasterly, as measured at right angles from the planned street centerline (P-19) of La Sierra Avenue (Holden Avenue) adopted by the City Council of the City of Riverside, by Resolution no. 13596 on January 16, 1979 and the Southwesterly prolongation of the Northwesterly line of Lot 2 of Assessor's Map No. 23 recorded in assessor's map Book 1, at Page 28 thereof, Records of said County;

Thence S.29°30'54"E. along said parallel line, a distance of 60.65 feet to the Southwesterly prolongation of the Southeasterly line of Lot 2 of said Assessor's Map No. 23, also being the termination of said line description.

The sidelines of said strip of land 10.00 feet in width shall be prolonged or shortened to terminate in the Southwesterly prolongation of the Northwesterly line and the Southeasterly line of said Lot 2.

The above described parcel of land contains 607 square feet, more or less.

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

 10/1/09 Prep. E.V.  
Mark S. Brown, L.S. 5655 Date  
License Expires 9/30/11



2012-0313579  
07/05/2012 03:55P  
18 of 24

16808

FIVE POINTS  
PUBLIC STREET & HIGHWAY ESMT.  
POR. APN 146-182-069

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

**Parcel "A"**

That portion of Lot "P" in Block 59 of Tract No. 2 of La Sierra Heights as shown by map on file in Book 7 of Maps, at Page 66 thereof, Records of Riverside County, California, being a strip of land 5.00 feet in width, the Southwesterly line being described as follows:

Beginning at the most Northerly corner of that certain parcel of land as described in Deed to the City of Riverside recorded November 4, 1977 as Instrument no. 221190, Official Records of Riverside County, California, said corner being the intersection of a line that is parallel and distant 48.00 feet Northeasterly, as measured at right angles from the planned street centerline (P-19) of La Sierra Avenue (Holden Avenue) adopted by the City Council of the City of Riverside, by Resolution No. 13596 on January 16, 1979 and the Southwesterly prolongation of the Northwesterly line of Lot 5 of Assessor's Map No. 23 recorded in Assessor's Map Book 1, at Page 28 thereof, Records of said County;

Thence S.29°30'54"E. along the Northeasterly line of said parcel described to the City of Riverside, a distance of 94.08 feet to the Northwesterly line of Bushnell Avenue as shown on La Sierra Gardens by map on file in Book 11 of Maps, at Pages 42 through 50 thereof, Records of Riverside County, California, being the termination of said line description.

The sidelines of said strip of land 5.00 feet in width shall be prolonged or shortened to terminate in the Southwesterly prolongation of the Northwesterly line of Lot 5 of said Assessor's Map No. 23 and the Southwesterly prolongation of the Northwesterly line of said Bushnell Avenue.

**EXCEPTING THEREFROM** that certain parcel of land as described in Deed to the City of Riverside recorded November 24, 1975 as Instrument No. 146286, Official Records of Riverside County, California.

The above described parcel of land contains 367 square feet, more or less.

**Parcel "B"**

That portion of Lot 2 in Block 59 of Tract No. 2 of La Sierra Heights as shown by map on file in Book 7 of Maps, at Page 66 thereof, Records of Riverside County, California, described as follows:

Beginning at the Easterly corner of Lot 8 of Assessor's Map No. 23 recorded in Assessor's Map Book 1, at Page 28 thereof, Records of said County;



Thence N.26°24'41"W. along the Northeasterly line of said Lot 8, a distance of 10.56 feet to a line parallel and distant 30.00 feet Northwesterly, measured at right angles from the centerline of Bushnell Avenue as shown on La Sierra Gardens by map on file in Book 11 of Maps, at Pages 42 through 50 thereof, Records of Riverside County, California;

Thence S.44°54'19"W. along said parallel line, a distance of 22.81 feet;

Thence Southwesterly on a curve concave Northwesterly, having a radius of 103.00 feet, through an angle of 15°00'00", an arc length of 26.97 feet;

Thence S.59°54'19"W., a distance of 49.67 feet;

Thence Westerly and Southerly on a curve concave Southeasterly, having a radius of 48.00 feet, through an angle of 80°22'32", an arc length of 67.34 feet to the Northwesterly line of said Bushnell Avenue;

Thence N.44°54'19"E. along said Northwesterly line, a distance of 150.12 feet to the point of beginning.

The above described parcel of land contains 2,684 square feet, more or less.

**Parcel "C" – Access Denial Line**

That portion of Lot "P" and Lot 2 in Block 59 of Tract No. 2 of La Sierra Heights as shown by map on file in Book 7 of Maps, at Page 66 thereof, Records of Riverside County, California, and Lots 5 and 6 of Assessor's Map No. 23, on file in Book 1, Page 28 of Maps, Records of Riverside County, California, shall have no rights of ingress and egress to and from La Sierra Avenue, a public street, over and across the following described line hereinafter referred to as Course "A":

Commencing at the most Northerly corner of that certain parcel of land as described in Deed to the City of Riverside recorded November 4, 1977 as Instrument No. 221180, Official Records of Riverside County, California, said corner being the intersection of a line that is parallel and distant 48.00 feet Northeasterly, as measured at right angles from the planned street centerline (P-19) of La Sierra Avenue (Holden Avenue) adopted by the City Council of the City of Riverside, by Resolution no. 13596 on January 16, 1979 and the Southwesterly prolongation of the Northwesterly line of said Lot 5;

Thence N.61°16'19"E. along said Southwesterly prolongation, a distance of 5.00 feet to a line that is parallel and distant 53.00 feet Northeasterly, as measured at right angles from said planned street centerline (P-19) of La Sierra Avenue (Holden Avenue), being the Point of Beginning of said line(Course "A") description;

Thence S.29°30'54"E. along said parallel line, a distance of 77.09 feet to the Northeasterly line of that certain parcel of land as described in Deed to the City of Riverside recorded November 24, 1975 as Instrument no. 146286, Official Records of Riverside County, California;

Thence S.62°50'20"E. along said Northeasterly line, a distance of 12.99 feet;

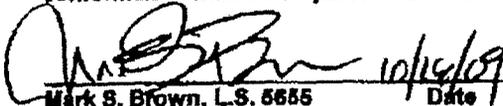


Thence N.89°54'19"E. along said Northeasterly line, a distance of 3.64 feet to the Northwesterly line of Bushnell Avenue as shown on La Sierra Gardens by map on file in Book 11 of Maps, at Pages 42 through 50 thereof, Records of Riverside County, California;

Thence N.44°54'19"E. along said Northwesterly line, a distance of 5.84 feet to the end of said line description.

Access Denial Line length – 99.56 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      Date 10/15/09      Prep. E.V.  
License Expires 9/30/11



FIVE POINTS  
APN: 146-182-069  
T.C.E.

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

That portion of Lot 2 and Lot "P" in Block 59 of Tract No. 2 of La Sierra Heights as shown by map on file in Book 7 of Maps, at Page 66 thereof, Records of Riverside County, California, being a strip of land 10.00 feet in width, the Southerly line being described as follows:

Commencing at the Easterly corner of Lot 8 of Assessor's Map No. 23 recorded in Assessor's Map Book 1, at Page 28 thereof, Records of said County;

Thence N.26°24'41"W. along the Northeasterly line of said Lot 8, a distance of 10.56 feet to a line parallel and distant 30.00 feet Northwesterly, measured at right angles from the centerline of Bushnell Avenue as shown on La Sierra Gardens by map on file in Book 11 of Maps, at Pages 42 through 50 thereof, Records of Riverside County, California, being the Point of Beginning of said line description;

Thence S.44°54'19"W. along said parallel line, a distance of 22.81 feet;

Thence Southwesterly on a curve concave Northwesterly, having a radius of 103.00 feet, through an angle of 15°00'00", an arc length of 26.97 feet;

Thence S.59°54'19"W., a distance of 49.67 feet;

Thence Westerly and Southerly on a curve concave Southeasterly, having a radius of 48.00 feet, through an angle of 80°22'32", an arc length of 67.34 feet to the Northwesterly line of said Bushnell Avenue;

Thence S.44°54'19"W. along said Northwesterly line, a distance of 5.84 feet to the most Easterly corner of that certain parcel of land as described in Deed to the City of Riverside recorded November 24, 1975 as Instrument No. 146286, Official Records of Riverside County, California;

Thence S.89°54'19"W. along the Northeasterly line of said parcel described in Deed to the City of Riverside, a distance of 3.64 feet;

Thence N.62°50'20"W. along said Northeasterly line, a distance of 12.99 feet to a line that is parallel and distant 53.00 feet Northeasterly, as measured at right angles from the planned street centerline (P-19) of La Sierra Avenue (Holden Avenue) adopted by the City Council of the City of Riverside, by Resolution No. 13596 on January 16, 1979;

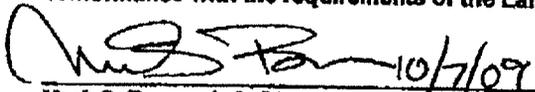


Thence N.29°30'54"W. along said parallel line, a distance of 77.09 feet to the Southwesterly prolongation of the Northwesterly line of Lot 5 of said Assessor's Map No. 23, being the termination of said line description.

The sidelines of said strip of land 10.00 feet wide shall be prolonged or shortened to terminate in the Southwesterly prolongation of the Northwesterly line of said Lot 5 and the Northeasterly line of said Lot 8.

The above described parcel of land contains 2,559 square feet, more or less.

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

 10/7/09 Prep. E.V.  
Mark S. Brown, L.S. 8855 Date  
License Expires 9/30/11

