

DOC # 2013-0397673

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Recorded in Official Records
County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



When Recorded Mail To:

Riverside City Attorney's Office

3900 Main Street

Riverside, CA 92522

Ref: CA# L10-0223.3

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

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Space above this line reserved for Recorder's use.

**FINAL ORDER OF CONDEMNATION AS TO
DEFENDANT PSIP MAGELLAN RIVERSIDE I LLC
CASE NO. RIC10022394**



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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."

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JUL 18 2013

FILED E20
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JUL 19 2013

[Handwritten Signature]

JUL 22 2013
B

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10 Attorneys for Plaintiff, City of Riverside

(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 PSIP MAGELLAN RIVERSIDE I LLC; et al,

19 Defendants.

20 AND CONSOLIDATED CASE
21

) Case Nos. RIC10022394 MF
) RIC10022420
) Assigned for Case Management Purposes
) to Dept. 4

) **FINAL ORDER OF CONDEMNATION**
) **AS TO DEFENDANT PSIP MAGELLAN**
) **RIVERSIDE I LLC**

) APNs: 247-170-030
) 247-170-040

) Complaint Filed: 11/18/2010
) OSC: 09/18/2013

24 Final Judgment ("Judgment") having been entered in the above-entitled action as to
25 defendant PSIP Magellan Riverside I LLC ("Defendant"), and it appearing to the satisfaction of
26 the court that plaintiff City of Riverside ("City"), pursuant to said Judgment, has paid to
27 Defendant the total sum awarded by the court as just compensation and payment for all claims
28 or demands against the City for (1) a public street and highway easement; (2) slope easements;
(3) temporary construction easements; and (4) a waterline facilities easement, in portions of real



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1 property located in the County of Riverside, State of California, and described in the City's
2 complaint for the purpose of construction of a grade separation across the existing Burlington
3 Northern Santa Fe railroad tracks at Iowa Avenue, between Palmyrita Avenue and Spring Street,
4 identified as Assessor's Parcel Nos. 247-170-030 and 247-170-040 and legally described in
5 Exhibit 1 hereto.

6 WHEREFORE THE COURT NOW MAKES THE FOLLOWING ORDER OF
7 CONDEMNATION:

8 The interest of PSIP Magellan Riverside I LLC ("Defendant") in the real property
9 described in Exhibit 1 as to Assessor's Parcel Numbers 247-170-030 and 247-170-040 is hereby
10 condemned for the public use and purposes described in plaintiff's Complaint as construction of
11 a grade separation across the existing Burlington Northern Santa Fe railroad tracks at Iowa
12 Avenue, between Palmyrita Avenue and Spring Street. Plaintiff City of Riverside to take title to
13 the interests of Defendant in said real property, together with all improvements thereon in which
14 said defendants have an interest, free and clear of any and all liens, encumbrances, easements,
15 and leaseholds, of whatever kind or nature.

16
17
18 DATED: 7-19, 2013

19 
JUDGE OF THE SUPERIOR COURT

20 Daniel A. Ottolia

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22 L10-0223.3



EXHIBIT 1



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SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JUN 13 2013

G. Reyes

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10 Attorneys for Plaintiff, City of Riverside

(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
municipal corporation,

15 Plaintiff,

16 vs.

17 PSIP MAGELLAN RIVERSIDE I LLC; et al,

18 Defendants.
19

) Case Nos. RIC10022394 MF
) RIC10022420

) Assigned for Case Management Purposes
) to Dept. 4

) ~~REDACTED~~ FINAL JUDGMENT IN
) CONDEMNATION BY AND BETWEEN
) PLAINTIFF CITY OF RIVERSIDE AND
) DEFENDANT PSIP MAGELLAN
) RIVERSIDE I, LLC

20 AND CONSOLIDATED CASE
21

) APNs: 247-170-030
) 247-170-040

[Submitted concurrently herewith:

- 22
23 1. Stipulation for Entry of Final
24 Judgment in Condemnation; and
25 2. Final Order of Condemnation]

26 Complaint Filed: 11/18/2010
27 Trial Date: 04/12/2013
28

CITY ATTORNEY'S OFFICE
3900 MAIN STREET
RIVERSIDE, CA 92522
(951) 826-5567

~~REDACTED~~ FINAL JUDGMENT IN CONDEMNATION

Exhibit 1 to Final Order of Condemnation
as to PSIP Magellan Riverside I LLC



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1 Plaintiff City of Riverside (the "City"), on the one hand, and defendant PSIP
2 Magellan Riverside I, LLC ("Magellan"), on the other, having executed a Stipulation For Entry of
3 Final Judgment in Condemnation ("Stipulation") as to the entire consolidated action, including
4 Riverside County Superior Court case numbers RIC 10022394 and RIC 10022420 ("Consolidated
5 Action"); having requested the Court to enter a Final Judgment in Condemnation ("Judgment")
6 consistent with the Stipulation regarding the entire Consolidated Action; and having waived a
7 Statement of Decision, Notice of Entry of Judgment, and the right to appeal from judgment
8 after entry:

9 **NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND**
10 **DECREED AS FOLLOWS:**

11
12 **1. The City's Action to Acquire the Property.**

13 **A.** The City commenced the above-entitled action in eminent domain to
14 acquire: (1) a permanent public street and highway easement; (2) a slope easement; (3) a
15 temporary construction easement for the City's Iowa Avenue Grade Separation Project; (4) a
16 waterline facilities easement; and (5) a temporary construction easement for the City's Water
17 Facilities Relocation Project (collectively, the "Property"). The Property represents portions
18 of the real property assigned Riverside County Assessor's Parcel Numbers 247-170-040 ("Parcel
19 A") and 247-170-030 ("Parcel B"), located in the County of Riverside, State of California.

20 The real property or interests in real property the City acquires by this Judgment are
21 further described in the attached Exhibit "A," incorporated by this reference.

22 **B.** The Property is required for construction of the City's Iowa Avenue Grade
23 Separation Project and the City's Water Facilities Relocation Project (collectively, the
24 "Project"), and for public uses.

25
26 **2. Disposition of The Entire Case.**

27 **A.** The following defendants filed a disclaimer on the date indicated below
28 and are entitled to no compensation:

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DEFENDANT DATE OF FILING

Stewart Title of California, Inc. 12/08/2010
Far East National Bank 12/08/2010
East West Bank as Successor In Interest 03/30/2011
to United Commercial Bank

B. The following defendants were regularly served with process herein, failed to appear or answer within the time allowed by law, and had their defaults taken on the dates indicated below:

DEFENDANT DATE DEFAULT ENTERED

GIE/Riverside, LLC 01/31/2011
Ancon Marine 01/31/2011
Tsui Su S. Lin, Trustee of the Pi Chao Yeh 08/09/2011
1994 Trust for Issue dated August 24, 1994
Oakmont Riverside Hunter Park, LLC 02/17/2011
Tsui South S. Lin, Trustee 08/09/2011
All Persons Unknown Claiming an Interest 10/05/2011
in the Property

C. On December 2, 2010, a Request for Dismissal was entered as to defendant American Lighting Industry Inc. dba American Lighting.

D. On August 1, 2011, a Stipulation and Order for Interlocutory Judgment was entered as to defendant Southern California Edison Company.

E. An Interlocutory Judgment in Condemnation has been entered in this Consolidated Action against defendant Pacific Bell Telephone Company on or about April 30, 2012.

3. Terms of Settlement.

A. Magellan shall be paid \$1,250,000, plus statutory interest as allowed by law and costs, as just compensation for the acquisition of its interests in the Property. Magellan

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1 accepts the sum of \$1,250,000, plus statutory interest as allowed by law and costs, as the full
2 amount of just compensation for Magellan's interests in the Property and for all damages resulting
3 from the taking of the Property.

4 **B.** The sum of \$1,250,000, plus statutory interest as allowed by law and costs,
5 shall consist of the following:

6 (1) On or about November 18, 2010, the City deposited in the State of
7 California Condemnation Deposits Fund, pursuant to Code of Civil Procedure section
8 1255.010 *et seq.*, the total sum of \$438,000 as probable compensation for the property
9 interests the City sought to acquire in Riverside County Superior Court case number 10022394.
10 The sum of \$438,000 was withdrawn by Magellan on or about January 4, 2011 and shall act as a
11 credit toward the total settlement amount.

12 (2) On or about November 18, 2010, the City deposited in the State of
13 California Condemnation Deposits Fund, pursuant to Code of Civil Procedure section
14 1255.010 *et seq.*, the total sum of \$85,200 for the property interests the City sought to acquire
15 in Riverside County Superior Court case number 10022420. The sum of \$85,200 was
16 withdrawn by Magellan on or about January 4, 2011 and shall act as a credit toward the total
17 settlement amount.

18 (3) The sum of \$726,800, constituting the remaining settlement balance
19 (\$1,250,000 minus \$438,000 minus \$85,200), plus statutory interest at the apportionment
20 rate on \$726,800 from April 21, 2011 (the Court ordered effective date of prejudgment
21 possession) until this amount is paid, shall be paid by the City to Magellan by check as follows:

22 Murphy & Evertz LLP Client Trust Account
23 c/o John C. Murphy, Esq.
24 Murphy & Evertz LLP
25 650 Town Center Drive, Suite 550
26 Costa Mesa, California 92626

27 (4) The sum of \$19,329.43 for ordinary court costs shall be paid by
28 the City to Magellan by check as follows:

Murphy & Evertz LLP Client Trust Account
c/o John C. Murphy, Esq.
Murphy & Evertz LLP

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650 Town Center Drive, Suite 550
Costa Mesa, California 92626

1
2 C. Payment of the remaining settlement balance of \$726,800, plus statutory
3 interest as allowed by law, and \$19,329.43 for costs shall be made by the City to Magellan
4 no later than 30 days from the date of entry of Judgment. If payment is not made within 30 days
5 from the date of entry of Judgment, the City shall pay Magellan accrued interest at the rate of
6 10% per annum on the unpaid amount from the date of entry of judgment until Magellan is
7 paid. (Code Civ. Proc., § 685.010.)

8 D. Each party shall bear its own attorneys' fees and litigation expenses (except as
9 provided for herein).

10 E. At the end of construction on the Property, the City shall replace the wrought
11 iron fencing that was removed from the Property when the City took possession of the
12 Property. The City shall either (a) put back in place the original wrought iron fencing or (b)
13 erect wrought iron fencing that is substantially similar to the wrought iron fencing that was in
14 place before the City took possession of the Property.

15 F. The scope of the waterline facilities easement the City is acquiring over the
16 Property is as follows:

17 A permanent easement and right-of-way for the construction,
18 reconstruction, maintenance, operation, inspection, repair,
19 replacement, relocation, renewal and removal of waterline
20 facilities, together with all necessary appurtenances. Together with the
21 right to clear and keep clear said easement and right-of-way from any
22 structures or trees, to enter upon and to pass and repass over and along
23 said real property, and to deposit tools, implements and other material
24 thereon whenever and wherever necessary for the purpose of
25 construction, reconstructing, maintaining, operating, inspecting, repairing,
26 replacing, relocating, renewing and removing said waterline facilities.

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[REDACTED] FINAL JUDGMENT IN CONDEMNATION

Exhibit 1 to Final Order of Condemnation
as to PSIP Magellan Riverside I LLC



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1 The waterline facilities easement does not impede the ability of Magellan to
2 landscape, drive over or park vehicles over the Property subject to the waterline facilities
3 easement. Except as needed for the City to exercise its easement rights to conduct waterline
4 repairs, the City will not impede or prevent Magellan from landscaping, driving over or parking
5 over the portion of Property subject to the waterline facilities easement. The above definition
6 shall be incorporated into the legal description of the waterline facilities easement attached to the
7 Final Order of Condemnation to be entered pursuant to this Judgment.

8 G. The City agrees that Magellan may, at its own expense, install a driveway on the
9 east side of Iowa Avenue on Parcel B that substantially matches the alignment of the
10 driveway providing access to 981 and 891 Iowa Avenue, directly across the street from
11 Parcel B on the west side of Iowa Avenue.

12 H. The City agrees that Magellan may request and is entitled to a lot line
13 adjustment between Parcel A and Parcel B.

14 I. The City agrees that it is the current expectation of the City that a stoplight
15 will be installed at the Citrus-Iowa connector, as part of a future project.

16

17 4. Mutual Release.

18 A. Magellan, for itself, and for all of its predecessors, successors,
19 successors-in-interest, assigns, partners, partnerships, companies, corporations, trusts,
20 trustees, beneficiaries, heirs, executors, and designees, and each of its agents, employees,
21 attorneys, and representatives hereby releases and forever discharges the City and all of its past,
22 present, future agents, employees, partners, partnerships, co-ventures, owners, co-owners,
23 contractors, subcontractors, business entities or divisions, attorneys, administrators, predecessors,
24 successors, successors-in-interest, and assigns from any and all liability whatsoever,
25 including all claims, demands, causes of action, obligations, agreements, costs, fees,
26 expenses, and damages of whatever kind or nature arising out of the Consolidated Action,
27 construction of the Project in the manner proposed, and the condemnation by the City of the
28 Property for the Project.

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1 B. The City, for itself, and for all of its past, present, and future agents,
2 employees, partners, partnerships, co-ventures, owners, co-owners, contractors,
3 subcontractors, business entities or divisions, attorneys, administrators, predecessors,
4 successors, successors-in-interest, and assigns hereby releases and forever discharges
5 Magellan and each of its predecessors, successors, successors-in-interest, assigns, partners,
6 partnerships, companies, corporations, trusts, trustees, beneficiaries, heirs, executors, and
7 designees, and each of its agents, employees, attorneys and representatives from any and all
8 liability whatsoever, including all claims, demands, causes of action, obligations, agreements,
9 costs, fees, expenses, and damages of whatever kind or nature arising out of the Consolidated
10 Action, the Project, and the condemnation by the City of the Property for the Project.

11
12 **5. Condemnation of Magellan's Interest.**

13 Upon payment as described in Section 3, the following interests in and to the Property shall
14 be condemned to the City for the public uses and purposes comprising the Project as follows:

- 15 • A permanent public street and highway easement;
- 16 • a slope easement;
- 17 • a temporary construction easement for the City's Iowa Avenue Grade
18 Separation Project;
- 19 • a waterline facilities easement; and
- 20 • a temporary construction easement for the City's Water Facilities
21 Relocation Project.

22 Title to these interests in the Property shall vest in the City on the date that a Final
23 Order of Condemnation is recorded by the Recorder's Office of the County of Riverside,
24 California.

25
26 **6. Purpose and Authority of the Taking.**

27 A. The City is and was authorized and entitled to exercise the power of
28 eminent domain for public uses under Article I, section 19 of the California Constitution;

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1 California Government Code sections 37350.5, 39792 and 40404; and California Code of Civil
2 Procedure section 1240.0 10.

3 **B.** The use for which the City seeks to condemn the Property, to wit, in
4 connection with the Project, is and was authorized by law and is and was a public use; the public
5 interest, safety and necessity require the Project; the Project is and was planned and located in the
6 manner that will be the most compatible with the greatest public good and the least private
7 injury; and the Property is necessary for the Project.

8

9 **7. Entry of Judgment and Final Order.**

10 Upon entry of this Judgment and after payment of the sums in Section 3, the Court
11 shall, on application of any party and without further notice to any party, make a Final Order
12 of Condemnation. The terms of this Judgment shall be incorporated into the Final Order of
13 Condemnation.

14

15 DATED: **JUN 12 2013**

Daniel A. Ottolia

JUDGE OF THE SUPERIOR COURT

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~~SECRET~~ FINAL JUDGMENT IN CONDEMNATION

Exhibit 1 to Final Order of Condemnation
as to PSIP Magellan Riverside I LLC



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IOWA AVENUE OVERPASS
POR. APN: 247-170-030
Slope Easement

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

That portion of Parcel 1 of Parcel Map 31897 on file in Book 210 of Parcel Maps, at Pages 38 through 40 thereof, Records of Riverside County, California, described as follows:

Beginning at the Northwest corner of said Parcel 1, also being the Southwest corner of Parcel 4 of said Parcel Map 31897;

Thence S.89°25'54"E. along the Northerly line of said Parcel 1, a distance of 11.64 feet;

Thence S.03°22'41"W., a distance of 235.71 feet to the Westerly line of said Parcel 1;

Thence N.00°32'48"E. along said Westerly line, a distance of 235.42 feet to the point of beginning.

The above described parcel of land contains 1,371 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
License Expires 9/30/11

3/2/10 Date
Prep. E.V.



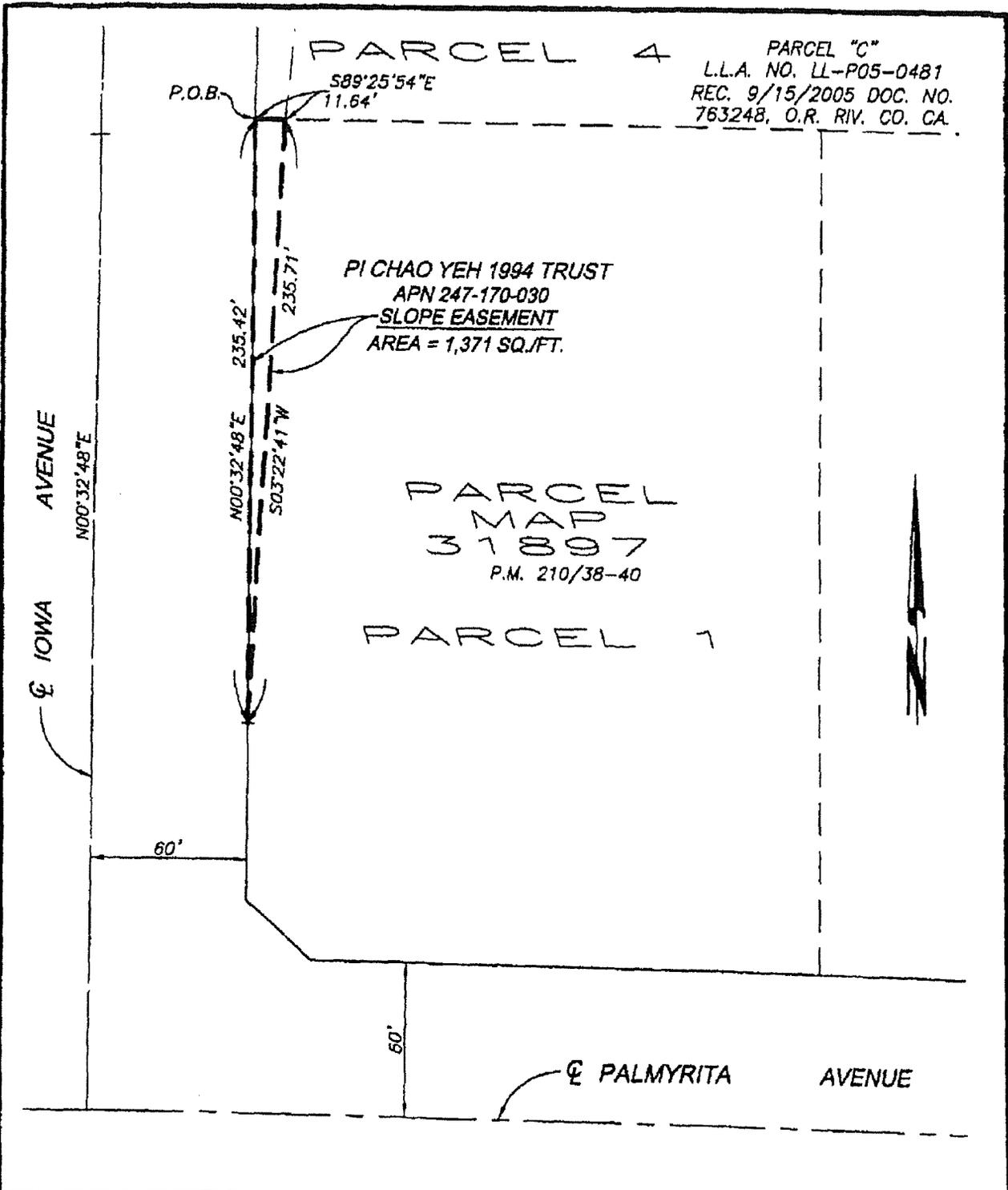
APN247-170-030 IOWA (Slope).doc

Exhibit 1 to Final Order of Condemnation
as to PSIP Magellan Riverside I LLC



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• 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: 1"=50'	DRAWN BY: EV	DATE: 2/22/10
SUBJECT: IOWA AVENUE OVERPASS		

Exhibit 1 to Final Order of Condemnation
as to PSIP Magellan Riverside I LLC



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IOWA AVENUE OVERPASS
POR. APN: 247-170-030
TEMPORARY CONSTRUCTION EASEMENT

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

That portion of Parcel 1 of Parcel Map 31897 on file in Book 210 of Parcel Maps, at Pages 38 through 40 thereof, Records of Riverside County, California, lying within a strip of land 10.00 feet in width, the Easterly line being described as follows:

Commencing at the Northwest corner of said Parcel 1, also being the Southwest corner of Parcel 4 of said Parcel Map 31897;

Thence S.89°25'54"E. along the Northerly line of said Parcel 1, a distance of 21.66 feet to the Point of Beginning of said Easterly line description;

Thence S.03°22'41"W., a distance of 309.90 feet to the Southwesterly line of said Parcel 1;

The sidelines of said strip of land 10.00 feet wide shall be prolonged or shortened to terminate in the Southwesterly, Westerly and the Northerly line of said Parcel 1.

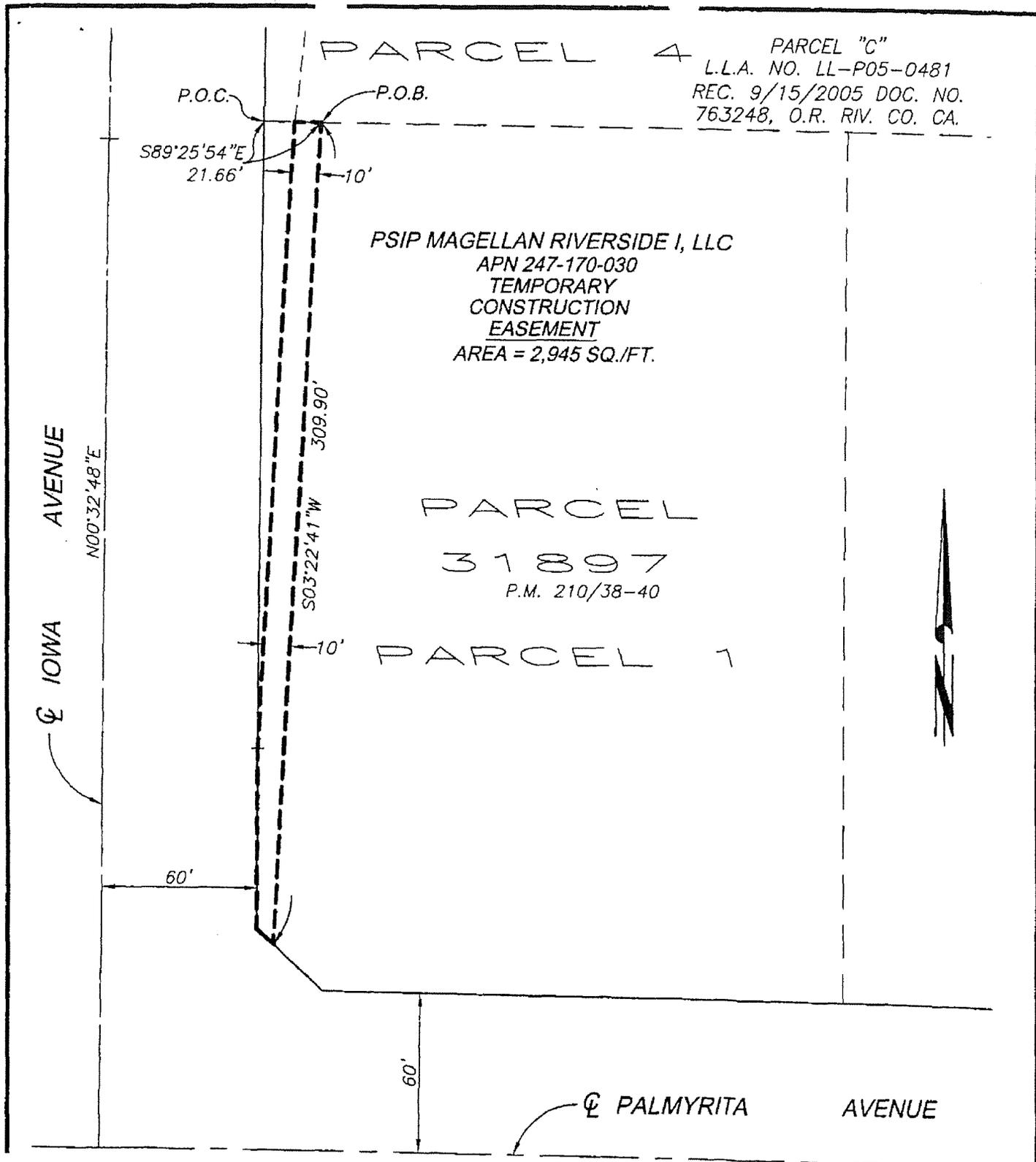
The above described parcel of land contains 2,945 square feet, more or less.

This temporary easement and right-of-way shall terminate 16 months after issuance of the notice to proceed or upon completion of the public improvements and acceptance by City as demonstrated by recordation of a notice of completion, whichever occurs first.

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 10/5/2010 Date Prep. E.V.
License Expires 9/30/11





PARCEL "C"
 L.L.A. NO. LL-P05-0481
 REC. 9/15/2005 DOC. NO.
 763248, O.R. RIV. CO. CA.

PSIP MAGELLAN RIVERSIDE I, LLC
 APN 247-170-030
 TEMPORARY
 CONSTRUCTION
 EASEMENT
 AREA = 2,945 SQ./FT.

PARCEL
 31897
 P.M. 210/38-40

PARCEL 1



Exhibit 1 to Final Order of Condemnation
 as to PSIP Magellan Riverside I LLC

• 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: 1"=50' DRAWN BY: EV DATE: 9/27/10 SUBJECT: IOWA AVENUE OVERPASS



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IOWA AVENUE OVERPASS
POR. APN: 247-170-040
Public Street & Highway Esmt.

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

Parcel "A"

That portion of Parcel 4 of Parcel Map 31897 on file in Book 210 of Parcel Maps, at Pages 38 through 40 thereof, Records of Riverside County, California, more particularly described as Parcel "C" of Lot Line Adjustment No. LL-P05-0481 recorded September 15, 2005 as Document No. 763248, Official Records of Riverside County, California, described as follows:

Commencing at the Northwest corner of Parcel 1 of said Parcel Map 31897, also being the Southwest corner of said Parcel 4;

Thence N.00°32'48"E. along the Westerly line of said Parcel 4, a distance of 69.16 feet to the Point of Beginning of the parcel of land to be described;

Thence continuing N.00°32'48"E. along said Westerly line, a distance of 183.30 feet;

Thence Easterly along said Westerly line on a non-tangent curve concave Southeasterly having a radius of 35.00 feet, through an angle of 52°18'07", an arc length of 31.95 feet (the initial radial line bears N.58°27'18"W.) to a point of reverse curvature on said Westerly line;

Thence Northeasterly along said Westerly line on a curve concave Northwesterly having a radius of 85.00 feet, through an angle of 06°02'20", an arc length of 8.96 feet (the initial radial line bears S.06°09'11"E.) to a point of cusp;

Thence S.46°51'12"W., a distance of 28.02 feet;

Thence Southerly on a non-tangent curve concave Westerly having a radius of 2058.50 feet, through an angle of 01°24'52", an arc length of 50.82 feet (the initial radial line bears S.84°43'14"E.) to a point of reverse curvature;

Thence Southerly on a curve concave Easterly having a radius of 1941.50 feet, through an angle of 03°53'41", an arc length of 131.98 feet (the initial radial line bears N.83°18'22"W.) to the point of beginning.

The above described parcel of land contains 1,441 square feet, more or less.

APN247-170-040 (Easement).doc



Parcel "B"

That portion of Parcel 4 of Parcel Map 31897 on file in Book 210 of Parcel Maps, at Pages 38 through 40 thereof, Records of Riverside County, California, more particularly described as Parcel "C" of Lot Line Adjustment No. LL-P05-0481 recorded September 15, 2005 as Document No. 763248, Official Records of Riverside County, California, described as follows:

Commencing at the Northwest corner of Parcel 1 of said Parcel Map 31897, also being the Southwest corner of said Parcel 4;

Thence N.00°32'48"E. along the Westerly line of said Parcel 4, a distance of 252.46 feet;

Thence Easterly along said Westerly line on a non-tangent curve concave Southeasterly having a radius of 35.00 feet, through an angle of 52°18'07", an arc length of 31.95 feet (the initial radial line bears N.58°27'18"W.) to a point of reverse curvature on said Westerly line;

Thence Northeasterly along said Westerly line on a curve concave Northwesterly having a radius of 85.00 feet, through an angle of 38°06'55", an arc length of 56.55 feet (the initial radial line bears S.06°09'11"E.) to the Point of Beginning of the parcel of land to be described;

Thence the following eight (8) courses along said Westerly line and Northerly line of said Parcel 4;

Northerly on a curve concave Westerly having a radius of 85.00 feet, through an angle of 74°37'23", an arc length of 110.71 feet (the initial radial line bears S.44°16'06"E.);

N.28°53'29"W., a distance of 78.66 feet;

Northerly on a curve concave Easterly having a radius of 150.00 feet, through an angle of 29°26'17", an arc length of 77.07 feet;

N.00°32'48"E., a distance of 177.70 feet;

Northeasterly on a curve concave Easterly having a radius of 100.35 feet, through an angle of 35°10'00", an arc length of 61.59 feet;

N.35°42'48"E., a distance of 102.48 feet;

Easterly on a curve concave Southeasterly having a radius of 93.00 feet, through an angle of 55°06'19", an arc length of 89.44 feet to the Northerly line of said Parcel 4;

S.89°10'53"E. along said Northerly line, a distance of 54.87 feet to a point of cusp;

Thence leaving said Northerly line, Westerly and Southerly on a non-tangent curve concave Southeasterly having a radius of 181.50 feet, through an angle of 101°31'45", an arc length of 321.62 feet (the initial radial line bears N.03°26'07"W.);

APN247-170-040 (Easement).doc

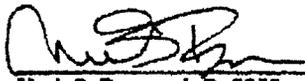


Thence S.14°57'52"E., a distance of 258.41 feet;

Thence Southwesterly on a curve concave Northwesterly having a radius of 100.50 feet, through an angle of 90°57'38", an arc length of 159.55 feet to the point of beginning.

The above described parcel of land contains 31,472 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.

 03/24/10 Prep. EV
Mark S. Brown, L.S. 5655 Date
License Expires 9/30/11



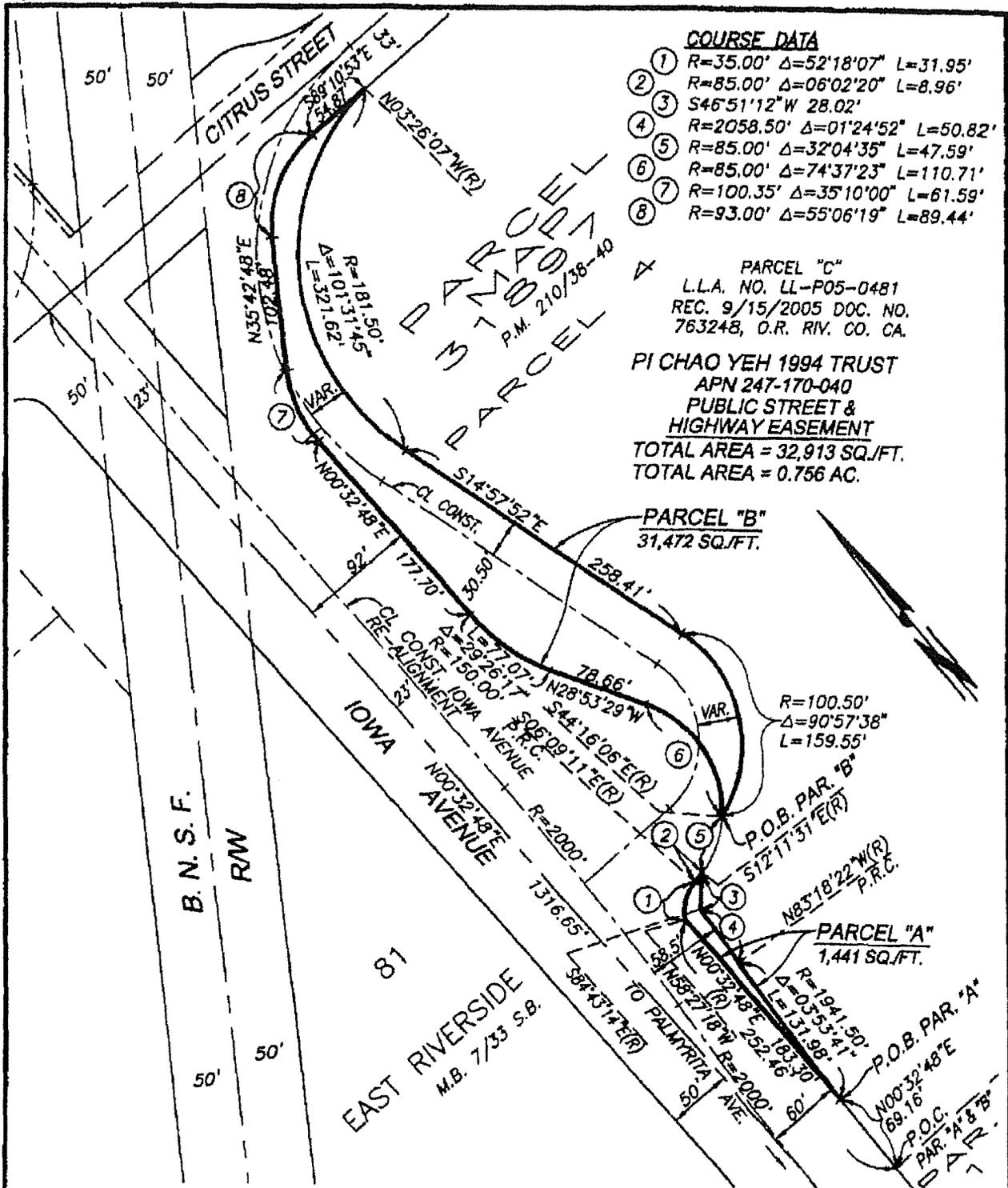
APN247-170-040 (Easement).doc

Exhibit 1 to Final Order of Condemnation
as to PSIP Magellan Riverside I LLC



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08/14/2013 03:44P
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COURSE DATA

- ① R=35.00' Δ=52°18'07" L=31.95'
- ② R=85.00' Δ=06°02'20" L=8.96'
- ③ S46°51'12"W 28.02'
- ④ R=2058.50' Δ=01°24'52" L=50.82'
- ⑤ R=85.00' Δ=32°04'35" L=47.59'
- ⑥ R=85.00' Δ=74°37'23" L=110.71'
- ⑦ R=100.35' Δ=35°10'00" L=61.59'
- ⑧ R=93.00' Δ=55°06'19" L=89.44'

PARCEL "C"
 L.L.A. NO. LL-P05-0481
 REC. 9/15/2005 DOC. NO. 763248, O.R. RIV. CO. CA.

PI CHAO YEH 1994 TRUST
 APN 247-170-040
 PUBLIC STREET &
 HIGHWAY EASEMENT
 TOTAL AREA = 32,913 SQ./FT.
 TOTAL AREA = 0.756 AC.

PARCEL "B"
 31,472 SQ./FT.

R=100.50'
 Δ=90°57'38"
 L=159.55'

PARCEL "A"
 1,441 SQ./FT.

R=1941.50'
 Δ=0°53'41"
 L=151.98'

• 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: 1"=100' DRAWN BY: EV DATE: 2/22/10 SUBJECT: IOWA AVENUE OVERPASS

Exhibit 1 to Final Order of Condemnation as to PSIP Magellan Riverside I LLC



16922

IOWA AVENUE OVERPASS
POR. APN: 247-170-040
Slope Easement

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

Parcel "A"

That portion of Parcel 4 of Parcel Map 31897 on file in Book 210 of Parcel Maps, at Pages 38 through 40 thereof, Records of Riverside County, California, more particularly described as Parcel "C" of Lot Line Adjustment No. LL-P05-0481 recorded September 15, 2005 as Document No. 763248, Official Records of Riverside County, California, described as follows:

Beginning at the Northwest corner of Parcel 1 of said Parcel Map 31897, also being the Southwest corner of said Parcel 4;

Thence N.00°32'48"E. along the Westerly line of said Parcel 4, a distance of 69.16 feet;

Thence Northerly on a non-tangent curve concave Southeasterly having a radius of 1941.50 feet, through an angle of 03°53'42", an arc length of 131.98 feet (the initial radial line bears N.87°12'04"W.) to a point of reverse curvature;

Thence Northerly on a curve concave Northwesterly having a radius of 2058.50 feet, through an angle of 01°24'52", an arc length of 50.82 feet (the initial radial line bears S.83°18'22"E.);

Thence N.46°51'12"E., a distance of 28.02 feet to the Westerly line of said Parcel 4;

Thence Northeasterly along said Westerly line on a curve concave Northwesterly having a radius of 85.00 feet, through an angle of 32°04'35", an arc length of 47.59 feet (the initial radial line bears S.12°11'31"E.);

Thence leaving said Westerly line, Northeasterly on a non-tangent curve concave Northwesterly having a radius of 100.50 feet, through an angle of 90°57'38", an arc length of 159.55 feet (the initial radial line bears S.14°00'14"E.);

Thence N.14°57'52"W., a distance of 198.26 feet to a point hereinafter referred to as Point "A";

Thence N.72°13'45"E., a distance of 6.71 feet;

Thence S.17°46'15"E., a distance of 200.13 feet;

Thence Southwesterly on a curve concave Northwesterly having a radius of 123.00 feet, through an angle of 90°00'00", an arc length of 193.21 feet;

APN247-170-040 IOWA (Slope).doc



Thence S.72°13'45"W., a distance of 9.65 feet;

Thence Southerly on a curve concave Southeasterly having a radius of 55.00 feet, through an angle of 62°14'37", an arc length of 59.75 feet;

Thence S.09°59'08"W., a distance of 101.85 feet;

Thence S.05°55'35"W., a distance of 119.02 feet to a point on the Southerly line of said Parcel 4, distant 11.64 feet Southeasterly, measured along said Southerly line from the Southwest corner of said Parcel 4;

Thence N.89°25'54"W. along said Southerly line, a distance of 11.64 feet to the point of beginning.

The above described parcel of land contains 13,309 square feet, more or less.

Parcel "B"

That portion of Parcel 4 of Parcel Map 31897 on file in Book 210 of Parcel Maps, at Pages 38 through 40 thereof, Records of Riverside County, California, more particularly described as Parcel "C" of Lot Line Adjustment No. LL-P05-0481 recorded September 15, 2005 as Document No. 763248, Official Records of Riverside County, California, described as follows:

Commencing at the herein before mentioned Point "A";

Thence N.14°57'52"W., a distance of 33.04 feet to the Point of Beginning of the parcel of land to be described;

Thence continuing N.14°57'52"W., a distance of 27.11 feet;

Thence Northerly and Easterly on a curve concave Southeasterly having a radius of 181.50 feet, through an angle of 88°05'34", an arc length of 279.06 feet;

Thence S.16°52'18"E., a distance of 2.00 feet to a line concentric with and distant 2.00 feet Southeasterly, measured radially from the above described curve having a radius of 181.50 feet;

Thence Southwesterly along said concentric line on a non-tangent curve concave Southeasterly having a radius of 179.50 feet, through an angle of 75°31'22", an arc length of 236.60 feet (the initial radial line bears N.16°52'18"W.);

Thence S.09°26'59"E., a distance of 30.72 feet;

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Exhibit 1 to Final Order of Condemnation
as to PSIP Magellan Riverside I LLC



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Thence S.18°11'16"E., a distance of 35.39 feet;

Thence S.72°14'22"W., a distance of 5.35 feet to the point of beginning;

The above described parcel of land contains 723 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
License Expires 9/30/11

7/2/10 Date
Prep. E.V.



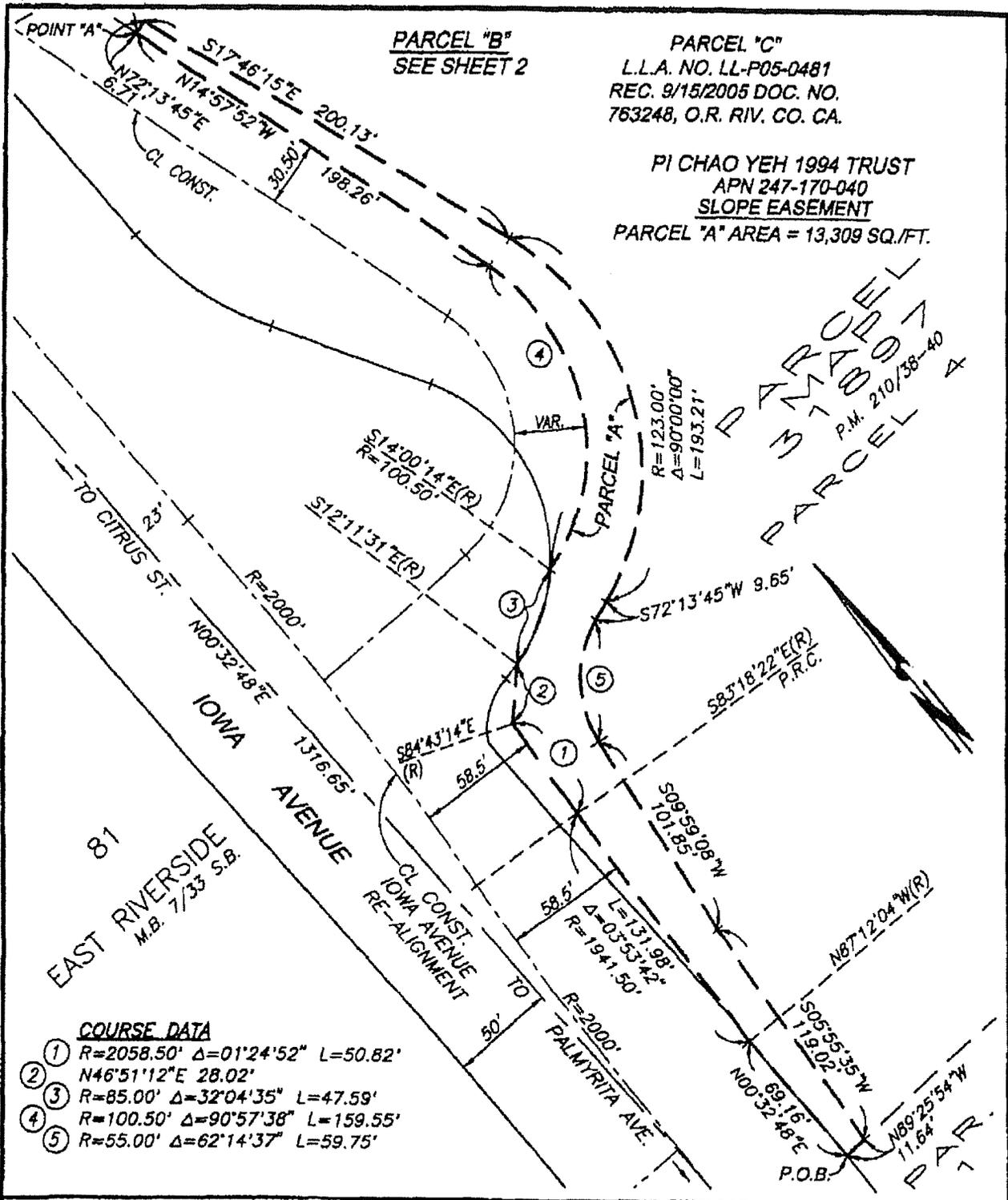
APN247-170-040 IOWA (Slope).doc

Exhibit 1 to Final Order of Condemnation
as to PSIP Magellan Riverside I LLC



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08/14/2013 03:44P
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PARCEL "B"
SEE SHEET 2

PARCEL "C"
L.L.A. NO. LL-P05-0481
REC. 9/15/2005 DOC. NO.
763248, O.R. RIV. CO. CA.

PI CHAO YEH 1994 TRUST
APN 247-170-040
SLOPE EASEMENT
PARCEL "A" AREA = 13,309 SQ./FT.

PARCEL A
P.M. 210/38-40
PARCEL A

COURSE DATA

- ① R=2058.50' Δ=01°24'52" L=50.82'
N46°51'12"E 28.02'
- ② R=85.00' Δ=32°04'35" L=47.59'
- ③ R=100.50' Δ=90°57'38" L=159.55'
- ④ R=55.00' Δ=62°14'37" L=59.75'

• 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 2

SCALE: 1"=60'

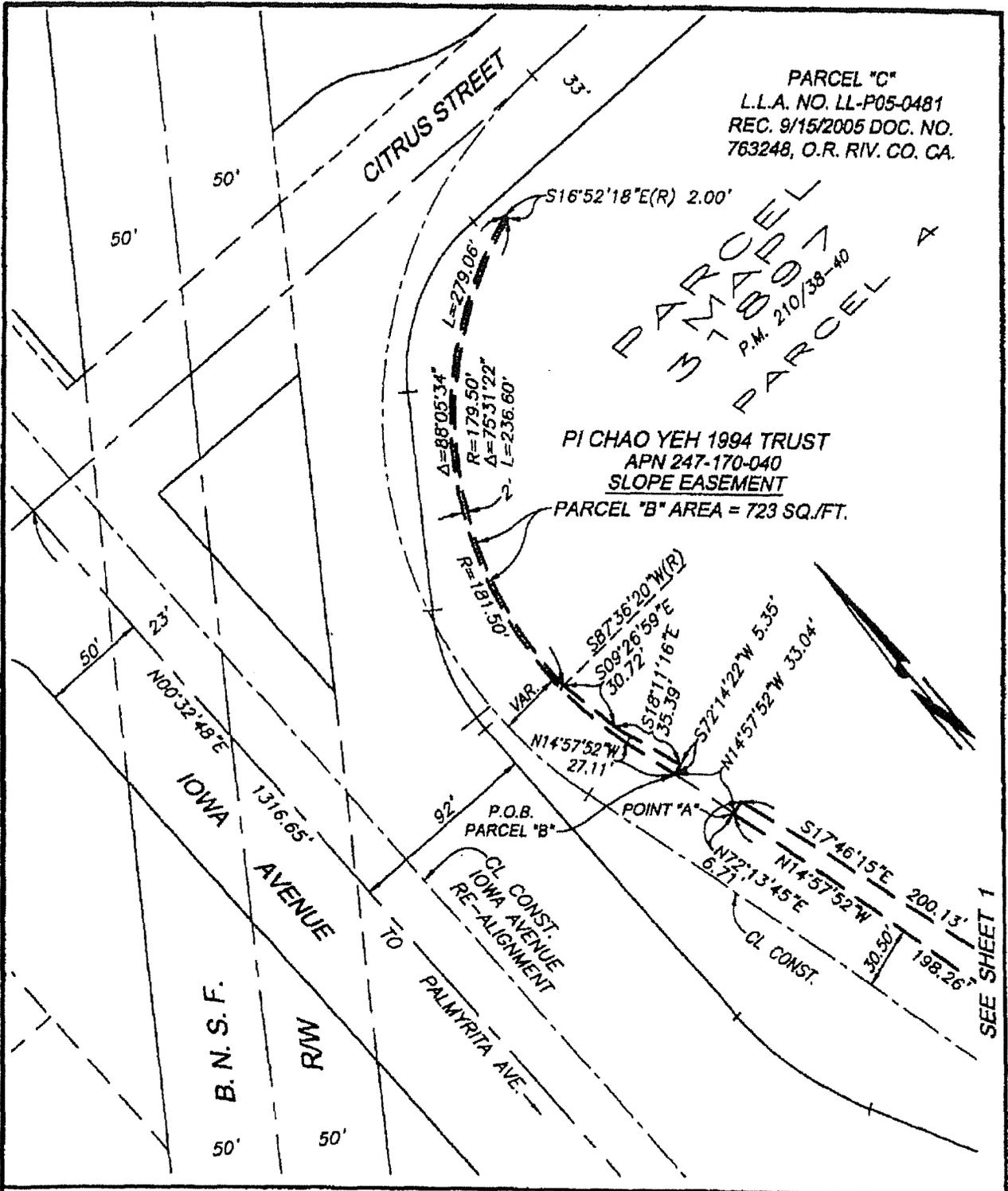
DRAWN BY: EV

DATE: 2/22/10

SUBJECT: IOWA AVENUE OVERPASS

Exhibit 1 to Final Order of Condemnation
as to PSIP Magellan Riverside I LLC





PARCEL "C"
 L.L.A. NO. LL-P05-0481
 REC. 9/15/2005 DOC. NO.
 763248, O.R. RIV. CO. CA.

PARCEL A
 PARCEL B
 P.M. 210/38-40
 PARCEL A

PI CHAO YEH 1994 TRUST
 APN 247-170-040
 SLOPE EASEMENT
 PARCEL "B" AREA = 723 SQ./FT.

• 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 2 OF 2

SCALE: 1"=60'

DRAWN BY: EV

DATE: 2/22/10

SUBJECT: IOWA AVENUE OVERPASS

Exhibit 1 to Final Order of Condemnation as to PSIP Magellan Riverside I LLC



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 98/14/2013 02:44P
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IOWA AVENUE OVERPASS
POR. APN: 247-170-040
TEMPORARY CONSTRUCTION EASEMENT

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

Parcel "A"

That portion of Parcel 4 of Parcel Map 31897 on file in Book 210 of Parcel Maps, at Pages 38 through 40 thereof, Records of Riverside County, California, more particularly described as Parcel "C" of Lot Line Adjustment No. LL-P05-0481 recorded September 15, 2005 as Document No. 763248, Official Records of Riverside County, California, described as follows:

Commencing at the Northwest corner of Parcel 1 of said Parcel Map 31897, also being the Southwest corner of said Parcel 4;

Thence S.89°25'54"E. along the Southerly line of said Parcel 4, a distance of 11.64 feet to the Point of Beginning of the parcel of land to be described;

Thence continuing S.89°25'54"E. along said Southerly line, a distance of 10.04 feet;

Thence N.05°55'35"E., a distance of 117.73 feet;

Thence N.09°59'08"E., a distance of 101.50 feet;

Thence Northeasterly on a curve concave Southeasterly having a radius of 45.00 feet, through an angle of 62°14'37", an arc length of 48.89 feet;

Thence N.72°13'45"E., a distance of 9.65 feet;

Thence Northwesterly on a curve concave Northwesterly having a radius of 133.00 feet, through an angle of 90°00'00", an arc length of 208.92 feet;

Thence N.17°46'15"W., a distance of 187.90 feet;

Thence Northwesterly on a non-tangent curve concave Northeasterly having a radius of 35.93 feet, through an angle of 90°21'45", an arc length of 56.66 feet (the initial radial line bears S.21°39'51"W.);

Thence N.18°11'16"W., a distance of 22.91 feet;

Thence S.71°48'44"W., a distance of 5.00 feet to a point hereinafter referred to as Point "A";

Thence S.18°11'16"E., a distance of 28.39 feet;



Thence S.72°14'22"W., a distance of 5.35 feet;

Thence S.14°57'52"E., a distance of 33.04 feet;

Thence N.72°13'45"E., a distance of 6.71 feet;

Thence S.17°46'15"E., a distance of 200.13 feet;

Thence Southwesterly on a curve concave Northwesterly having a radius of 123.00 feet, through an angle of 90°00'00", an arc length of 193.21 feet;

Thence S.72°13'45"W., a distance of 9.65 feet;

Thence Southerly on a curve concave Southeasterly having a radius of 55.00 feet, through an angle of 62°14'37", an arc length of 59.75 feet;

Thence S.09°59'08"W., a distance of 101.85 feet;

Thence S.05°55'35"W., a distance of 119.02 feet to the point of beginning.

The above described parcel of land contains 7,051 square feet, more or less.

Parcel "B"

That portion of Parcel 4 of Parcel Map 31897 on file in Book 210 of Parcel Maps, at Pages 38 through 40 thereof, Records of Riverside County, California, more particularly described as Parcel "C" of Lot Line Adjustment No. LL-P05-0481 recorded September 15, 2005 as Document No. 763248, Official Records of Riverside County, California, lying within a strip of land 5.00 feet in width, the Westerly line being described as follows:

Commencing at the herein before mentioned Point "A";

Thence N.18°11'16"W., a distance of 7.01 feet;

Thence N.09°26'59"W., a distance of 30.72 feet;

Thence Northerly on a non-tangent curve concave Northeasterly having a radius of 179.50 feet, through an angle of 02°52'31", an arc length of 9.01 feet (the initial radial line bears S.87°36'20"W.) to the Point of Beginning of said Westerly line description;



Thence Northerly along the Northerly prolongation of the above described curve concave Northeasterly having a radius of 179.50 feet, through an angle of 05°15'12", an arc length of 16.46 feet to the termination of said Westerly line description.

The above described parcel of land contains 81 square feet, more or less.

This temporary easement and right-of-way shall terminate 16 months after issuance of the notice to proceed or upon completion of the public improvements and acceptance by City as demonstrated by recordation of a notice of completion, whichever occurs first.

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 10/5/2010 Date Prep. EV.
License Expires 9/30/11



Exhibit 1 to Final Order of Condemnation
as to PSIP Magellan Riverside I LLC



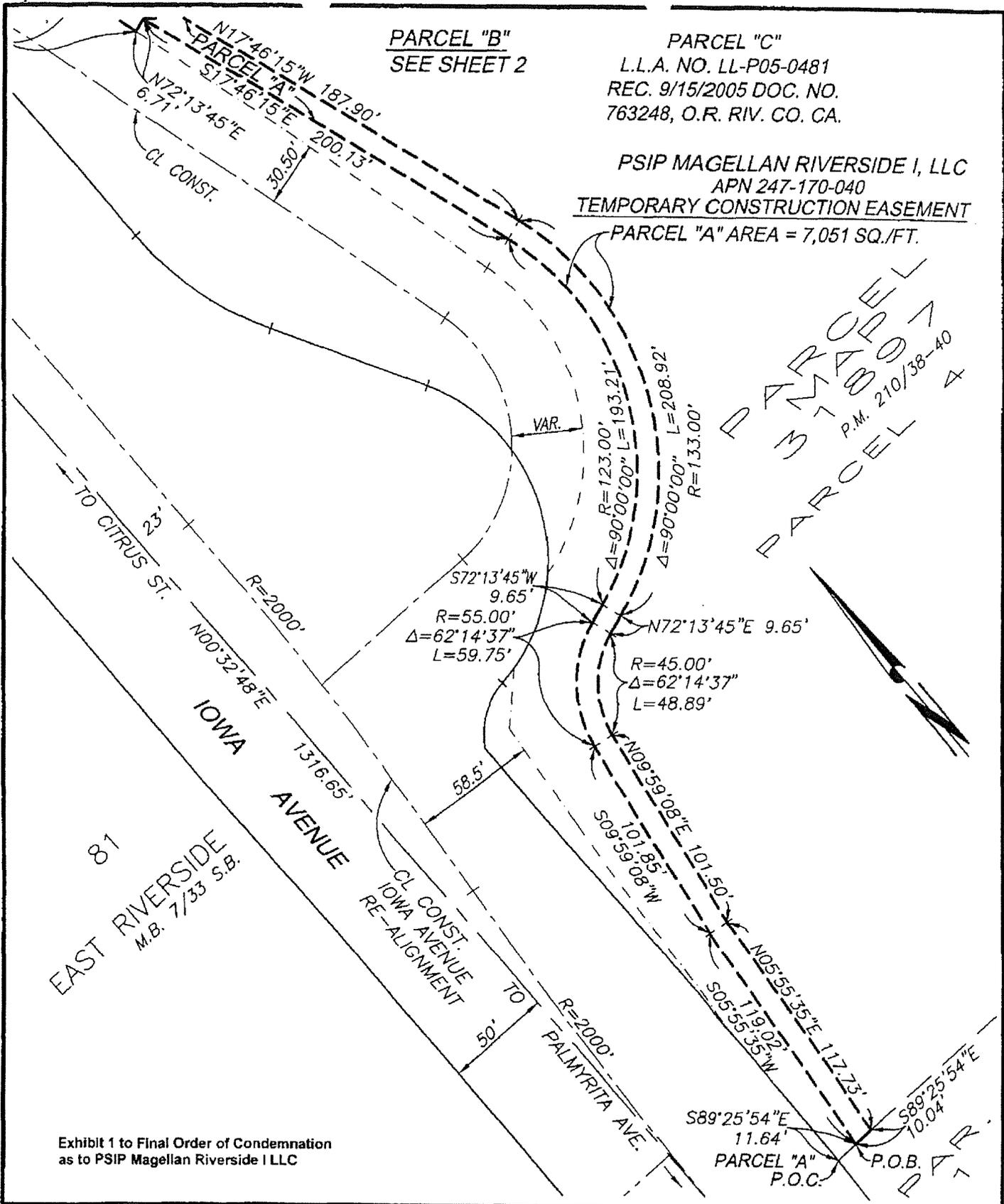


Exhibit 1 to Final Order of Condemnation
 as to PSIP Magellan Riverside I LLC

• 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 2

SCALE: 1"=60'

DRAWN BY: EV

DATE: 9/27/10

SUBJECT: IOWA AVENUE OVERPASS

10922



PARCEL "C"
 L.L.A. NO. LL-P05-0481
 REC. 9/15/2005 DOC. NO.
 763248, O.R. RIV. CO. CA.

COURSE DATA

① R=179.50' Δ=02°52'31" L=9.01'
 ② R=179.50' Δ=05°15'12" L=16.46'

PSIP MAGELLAN RIVERSIDE I, LLC
 APN 247-170-040
 TEMPORARY
CONSTRUCTION EASEMENT
 PARCEL "B" AREA = 81 SQ./FT.

PARCEL "A"
 M 210/38-40
 P.M.

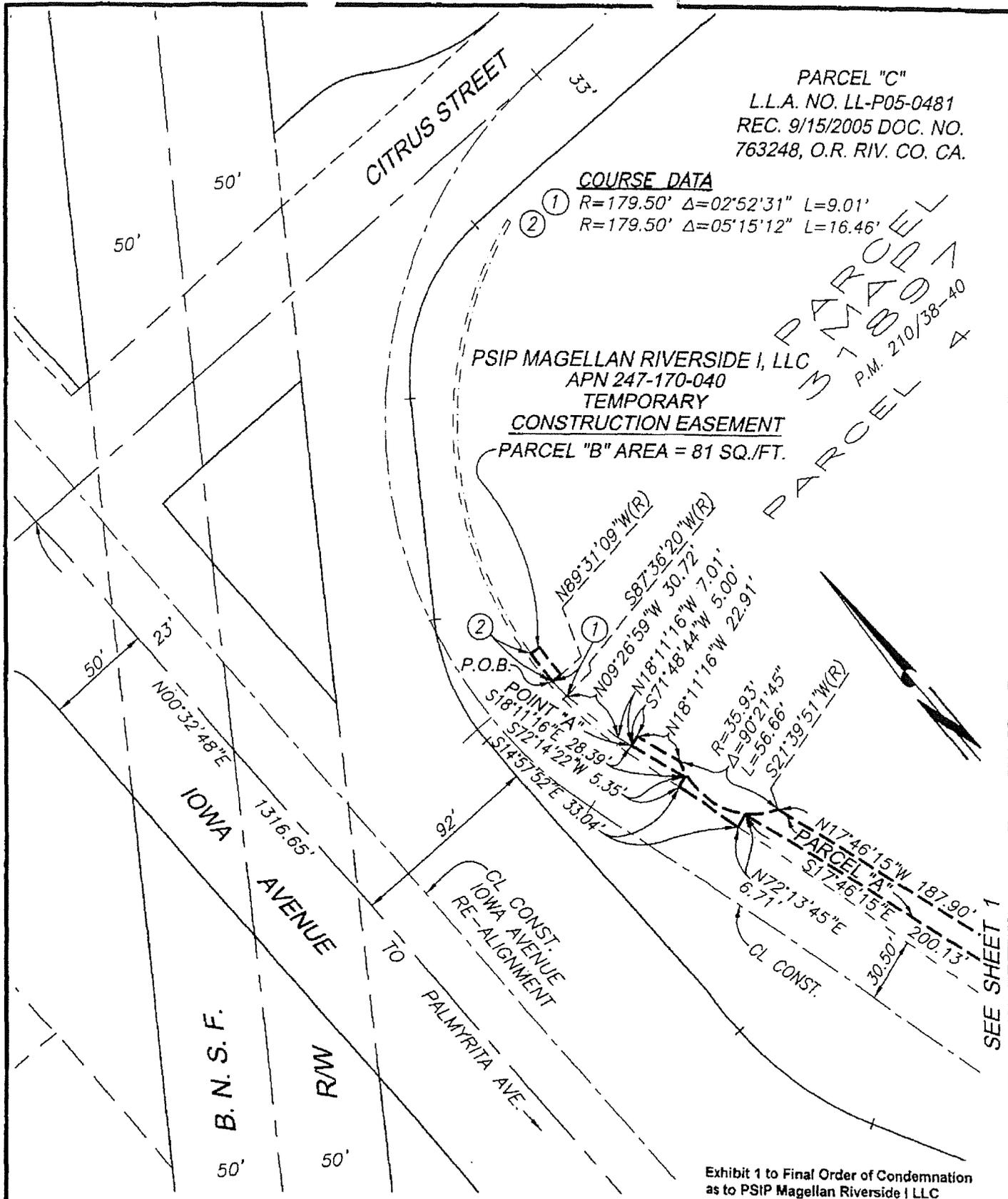


Exhibit 1 to Final Order of Condemnation
 as to PSIP Magellan Riverside I LLC

• 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 2 OF 2

SCALE: 1"=60'

DRAWN BY: EV

DATE: 9/27/10

SUBJECT: IOWA AVENUE OVERPASS

16922

Iowa Over Pass
APN: 247-170-030 & 040
Waterline Facilities Easement

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

Parcel "A"

That portion of Parcel 1 of Parcel Map 31897, as shown by map on file in Book 210 of Parcel Maps at Pages 38 through 40 thereof, Records of Riverside County, California, described as follows:

Commencing at the Northwest corner of said Parcel 1, said corner also being the Southwest corner of Parcel 4 as shown on said Parcel Map 31897;

Thence S.89°25'54"E. along the Northerly line of said Parcel 1, also being the Southerly line of said Parcel 4, a distance of 11.48 feet to the Point of Beginning of the parcel of land to be described;

Thence continuing S.89°25'54"E. along said Northerly line, a distance of 38.89 feet;

Thence S.04°42'56"W., a distance of 230.72 feet;

Thence S.40°32'48"W., a distance of 52.27 feet to the Westerly line of said Parcel 1;

Thence N.00°32'48"E. along said Westerly line, a distance of 176.68 feet;

Thence N.07°32'48"E., a distance of 94.19 feet to the point of beginning.

The above described parcel of land contains 0.225 of an acre, more or less.

Parcel "B"

That portion of Parcel 4 of Parcel Map 31897, as shown by map on file in Book 210 of Parcel Maps at Pages 38 through 40 thereof, Records of Riverside County, California, described as follows:

Commencing at the Southwest corner of said Parcel 4, said corner also being the Northwest corner of Parcel 1 as shown on said Parcel Map 31897;

Thence S.89°25'54"E. along the Northerly line of said Parcel 1, also being the Southerly line of said Parcel 4, a distance of 11.48 feet to the Point of Beginning of the parcel of land to be described;

Thence continuing S.89°25'54"E. along said Northerly line, a distance of 50.37 feet;

800 & 950 Iowa Ave Waterline Easement.doc

