

When Recorded Mail To:

Riverside City Attorney's Office
3900 Main Street
Riverside, CA 92522
Ref: CA# L14-0033.11

DOC # 2014-0339015

09/08/2014 11:10A Fee:NC

Page 1 of 8

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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

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JUDGMENT AND FINAL ORDER OF CONDEMNATION

APN 143-140-052

CASE NO. RIC1403441

D- 17088



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."

D-17088

AUG 20 2014

MFA

AUG 28 2014

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

AUG 27 2014

E. Usher

R

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5 bmercer@riversideca.gov

6 Attorneys for Plaintiff, City of Riverside

(Fee Exempt Gov't Code § 6103)

8 SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

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

11 Plaintiff,

12 vs.

13 SALVADOR VALADEZ; et al.,

14 Defendants.

) Case No. RIC1403441

) ASSIGNED TO THE HONORABLE

) JUDGE DANIEL A. OTTOLIA

) Dept. 4 – Case Management

) JUDGMENT AND FINAL ORDER OF
CONDEMNATION

) APN 143-140-052

16 Complaint Filed: 04/08/2014

17 CMC: 10/08/2014

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

21 IT IS HEREBY FOUND AND DETERMINED:

22 1. Pursuant to its Charter, sections 37350.5 and 40404 of the Government Code of
23 the State of California, section 1240.010 of the Code of Civil Procedure of the State of
24 California, and Article I, section 19 of the Constitution of the State of California, plaintiff City of
25 Riverside ("City") is authorized to acquire real property or interests therein for public uses and
26 purposes, to wit: to widen approximately one mile of Tyler Street between Hole and Wells
27 Avenues.

28 ///

///



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Alonso Valadez

07/15/2014

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2 7. On March 27, 2014, plaintiff deposited with the Office of the Treasurer for the
3 state of California the amount of Five Hundred Dollars (\$500.00) as a deposit of probable just
4 compensation ("Condemnation Deposit") for the property described in the attached exhibit "A."

5 8. The Condemnation Deposit has not been withdrawn and remains on deposit with
6 the State's Treasurer's Office.

7 9. An Order of Prejudgment Possession ("OPP") as to the property described in the
8 attached exhibit "A" was filed by the court herein on August 5, 2014. Said OPP will be effective
9 on September 5, 2014.

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

13 NOW THEREFORE IT IS ORDERED, ADJUDGED, AND DECREED that judgment in
14 condemnation is hereby made in favor of the City of Riverside. The following defendant is
15 entitled to no compensation or damages: County of Riverside. The Condemnation Deposit
16 remains on deposit with the State Treasurer's office for the benefit of Salvador Valadez and
17 Alonso Valadez as owners of the Subject Property.

18 WHEREFORE THE COURT NOW MAKES THE FOLLOWING ORDER OF
19 CONDEMNATION:

20 The interests of defendants Salvador Valadez, Alonso Valadez, and County of Riverside,
21 in the real property described in the attached exhibit "A" are hereby condemned for the public
22 use and purpose described in the complaint herein, to wit, to widen approximately one mile of
23 Tyler Street between Hole and Wells Avenues, plaintiff to take title to the interest(s) of said
24 defendants in said real property together with all improvements thereon in which said defendant

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27 ///

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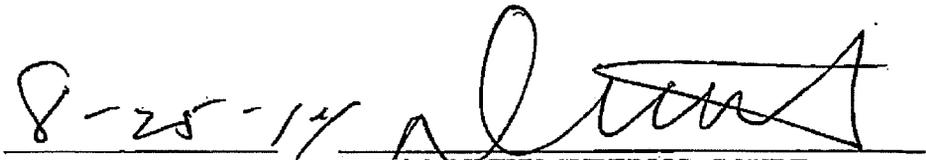


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has an interest, and except as otherwise described in the attached exhibit "A," free and clear of any and all liens, encumbrances, easements, and leaseholds of whatever kind or nature.

The interest condemned to the City of Riverside in and to Assessor's Parcel Number 143-140-052 is legally described in Exhibit "A" hereto.

DATED: 8-25-14 
JUDGE OF THE SUPERIOR COURT

Daniel A. Ottolia

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Exhibit A

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POR. A.P.N. 143-140-052
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 Block 7 of Tract No. 3 of La Sierra Heights, as shown by map filed in Map Book 8, Page 27, records of said Riverside County, described as follows:

BEGINNING at the most easterly corner of Lot 41 of Tract No. 8006-1, as shown by map filed in Map Book 94, Pages 54 through 58, records of said Riverside County;

THENCE South 57°55'00" West, along the southeasterly line of said Lot 41, a distance of 5.00 feet to a line that is parallel with and distant 60.00 feet southwesterly, as measured at right angles, from the centerline of Tyler Street, as shown by said map of Tract No. 8006-1;

THENCE South 34°20'30" East, along said parallel line, 90.00 feet to the southwesterly prolongation of the southeasterly line of that certain parcel of land conveyed to the City of Riverside by Grant Deed recorded July 11, 1969, as Instrument No. 70916 of Official Records of said Riverside County;

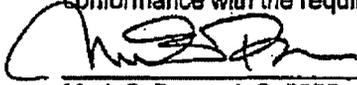
THENCE North 57°55'00" East, along said southwesterly prolongation of said southeasterly line, 5.00 feet to the most southerly corner of said parcel of land described in said Grant Deed; said corner being in a line that is parallel with and distant 55.00 feet southwesterly, as measured at right angles, from said centerline of Tyler Street;

THENCE North 34°20'30" West, along said last mentioned parallel line and along the southwesterly line of said parcel of land described in said Grant Deed, a distance of 90.00 feet to the **POINT OF BEGINNING**.

Area - 450 square feet, more or less.

This temporary easement and right-of-way shall terminate 9 months after issuance of the notice to proceed or upon completion of the public improvements and acceptance by the City as demonstrated by recordation of a notice of completion, whichever occurs first.

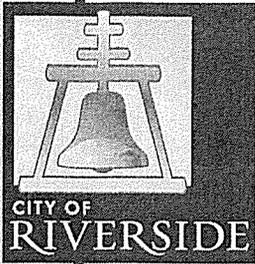
This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

 8/12/2012 Prep. Kep
Mark S. Brown, L.S. 5655 Date



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MEMORANDUM

CITY ATTORNEY'S OFFICE

TO: City Clerk
FROM: Kimberly Oehlert
DATE: October 7, 2014
RE: CITY V. VALADEZ (TYLER AVENUE STREET WIDENING); CA L14-0033.11; RIVERSIDE SUPERIOR COURT CASE NO. RIC1403441

Enclosed is the original recorded Judgment and Final Order of Condemnation regarding the above-referenced eminent domain matter.

Please retain this document as the City's official record.

If you have any questions regarding the foregoing, please do not hesitate to call me.

A handwritten signature in black ink, appearing to read "Kimberly Oehlert".

Kimberly Oehlert
Paralegal
Ext. 5768

D-17028