

DOC # 2002-380095

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Page 1 of 11

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder

Recorded Requested by:

McCORMICK, KIDMAN & BEHRENS, LLP

When Recorded Mail to:

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DOCUMENT TITLE

FINAL ORDER OF CONDEMNATION

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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JUN 24 2002



1 WHEN RECORDED MAIL TO
2 McCORMICK, KIDMAN & BEHRENS, LLP
3 KEITH E. McCULLOUGH, Bar No. 142519
4 695 Town Center Drive, Suite 400
5 Costa Mesa, CA 92626
6 (714)755-3100

7 Attorneys for City of Riverside,
8 A Municipal Corporation

No Fee
(Gov. Code,
§ 6103)

FREE RECORDING REQUESTED
PER GOVERNMENT CODE 6103


KEITH E. MCCULLOUGH
Counsel to City of Riverside,
A Municipal Corporation

MCCORMICK, KIDMAN & BEHRENS, LLP
LAWYERS

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 FOR THE COUNTY OF RIVERSIDE

16 CITY OF RIVERSIDE, a)
17 municipal corporation,)
18 Plaintiff,)
19 v.)
20 LAURA J. PEARSON, FIRST HEMET)
21 CORPORATION, A CALIFORNIA)
22 CORPORATION, HEMET FEDERAL)
23 SAVINGS & LOAN, A CORPORATION,)
24 DOES I THROUGH 50, INCLUSIVE;)
25 AND ALL PERSONS UNKNOWN)
26 CLAIMING AN INTEREST IN THE)
27 PROPERTY(IES))
28 Defendants.)

CASE NO. RIC 353207
FINAL ORDER OF CONDEMNATION
PARCELS 79-PE AND 79-TCE



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Plaintiff in the above-entitled case obtained a Judgment, on file herein, authorizing the taking by condemnation of certain real property described in the complaint in eminent domain. The real property is also described as parcel nos. PARCELS 79-PE and 79-TCE in Exhibits "A" and "B" attached hereto and by this reference made a part hereof as though set forth at length. The complaint alleged that defendant LAURA J. PEARSON, (hereafter "DEFENDANT") and "unknown persons claiming an interest in the property" owned or had an interest in such real property. The Judgment further provides that defendant LAURA J. PEARSON has answered the complaint claiming fee ownership of the parcel; that all other defendants named in such complaint, or who have otherwise appeared herein, have either disclaimed, are in default or been dismissed. The Judgment states that upon payment into an escrow account for payment to defendant LAURA J. PEARSON, Plaintiff is entitled to a Final Order of Condemnation.

Plaintiff paid the award specified in the Judgment for the benefit of the named defendant LAURA J. PEARSON, as the owner of the property being taken, for parcels nos. 79-PE and 79-TCE. The award is the total amount of compensation awarded by the court for the taking of parcel nos. 79-PE AND 79-TCE and for all interest due such defendant by reason of plaintiff's prejudgment or post-judgment possession of such parcels. Such taking of parcel nos. 79-PE and 79-TCE herein is condemned for the following purpose, to wit: for the La Sierra Avenue Improvement Project for the purpose of constructing road and utility improvements between Gramercy Avenue and Arlington Avenue (hereinafter called the "La Sierra Project"). The La Sierra Project is authorized by law and is a public use, and the taking of Defendant's property by the PLAINTIFF is a necessary and public use.

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MCCORMICK, KIDMAN & BEHRENS, LLP.
LAWYERS

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NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that parcel nos. 79-PE and 79-TCE and the real property affected by these proceedings, which property is located in the County of Riverside, State of California, and which is more particularly described in Exhibits "A" and "B" attached hereto and by this reference made a part hereof as though set forth in length, is hereby condemned to Plaintiff, the City of Riverside.

IT IS FURTHER ORDERED that a certified copy of this final order be filed for recording in the Office of the Recorder of the county in which said property is located, and upon such recordation title to the property hereinabove described as Parcel Nos. 79-PE and 79-TCE shall vest in plaintiff.

DATED: June 24, 2002

Charles A. Field
Judge of the Superior Court

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Parcel 79 PE – 6322 La Sierra Avenue - A.P.N. 149-051-003

Permanent Easement for Street and Public Utility Purposes

A permanent easement and right of way right-of-way for public street and highway purposes, together with all rights to construct and maintain utilities, sewers, drains and other improvements consistent with the use as a public street and highway, in, under, upon, over and along the following described real property:

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

All that portion Lot 1 of Golden Terrace, as shown by map on file in Book 11, Page 83 of Maps, records of Riverside County, California, more particularly described as follows:

COMMENCING at the intersection of the centerline of Alhambra Avenue with the centerline of La Sierra Avenue (formerly Holden Avenue) as shown by said map;

THENCE North $31^{\circ}40'43''$ West, along the northwesterly prolongation of said centerline of La Sierra Avenue, a distance of 118.35 feet to the beginning of a tangent curve concaving southwesterly and having a radius of 2,000 feet;

THENCE northwesterly to the left along said curve through a central angle of $2^{\circ}18'45''$ an arc length of 80.72 feet to the northeasterly prolongation of the southeasterly line of that certain parcel of land described in deed to Lloyd O. Kesterson, et ux., by document recorded July 27, 1956, as Instrument No. 52825 of Official Records of said Riverside County; the preceding two courses are hereinafter referred to as "Course A";

THENCE South $59^{\circ}20'17''$ West, along said northeasterly prolongation of said southeasterly line, a distance of 37.68 feet to the most easterly corner of said parcel of land described in deed to the recorded July 27, 1956, and the POINT OF BEGINNING of the parcel of land being described; said point also being the most easterly corner of that certain parcel of land described in deed to the City of Riverside by document recorded March 4, 1977, as Instrument No. 36684 of Official Records of said Riverside County;

THENCE continuing South $59^{\circ}20'17''$ West, along said southeasterly line, a distance of 10.40 feet to a point in a line which is parallel with and distant 48.00 feet southwesterly, as measured at right angles, from said Course A; said point also being the beginning of a non-tangent curve concaving southwesterly, having a radius of 1952 feet and to which the radius bears South $55^{\circ}55'37''$ West;

THENCE southeasterly to the right along said last mentioned curve and along said parallel line, through a central angle of $2^{\circ}23'40''$ an arc length of 81.58 feet;

THENCE South $31^{\circ}40'43''$ East, continuing along said parallel line, a distance of 69.46 feet;

EXHIBIT "A" - Page 1



2002-388095
07/11/2002 08:00A
5 of 11

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THENCE South 13°19'38" West, a distance of 28.29 feet;

THENCE South 40°11'24" West, a distance of 28.51 feet to the southeasterly line of said Lot 1;

THENCE North 58°19'59" East, along said southeasterly line of Lot 1, a distance of 65 feet to the most easterly corner of said Lot 1; said corner being the beginning of a non-tangent curve concaving southwesterly, having a radius of 2148.50 feet and to which the radius bears South 57°47'16" West;

THENCE northwesterly to the left along northeasterly line of said Lot 1 and along said last mentioned curve through a central angle of 4°48'01" an arc length of 180.00 feet to the POINT OF BEGINNING.

Area – 3161 square 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 6/27/03 Prep. Kep
License Expires 9/30/03





LLOYD KESTERSON
7/27/56
#52825 O.R.

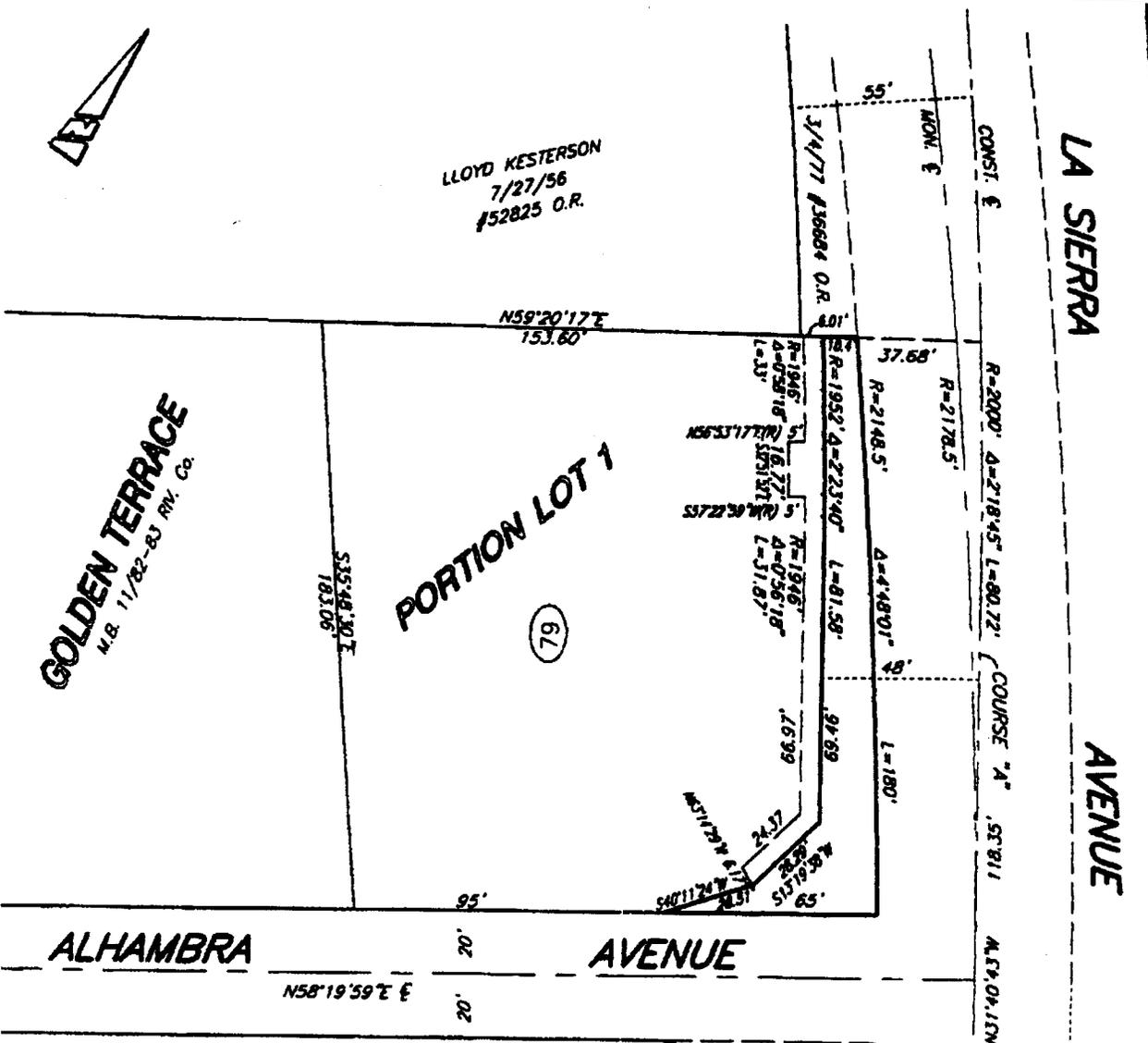
LA SIERRA

AVENUE

GOLDEN TERRACE
M.R. 11/82-83 RIV. CO.

PORTION LOT 1
(67)

2002-388995
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7 of 11



THE BASIS OF BEARINGS IS THE
CENTERLINE OF LA SIERRA AVENUE
(FORMERLY HOLDEN AVE.) AS
SHOWN BY MAP OF LA SIERRA
HEIGHTS TR. NO. 2 PER MAP
BOOK 7/56 RIV. CO. TAKEN
AS N 25°13'30" W BETWEEN
NORWOOD AVE. & GRAMERCY PL.

• 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: 6/28/00

SUBJECT: LA SIERRA AVENUE WIDENING - PARCEL 79

16037

Parcel 79 TCE - 6322 La Sierra Avenue - A.P.N. 149-051-003

Temporary Easement for Construction and Installation of Public Improvements

A temporary easement and right-of-way for the construction and installation of public improvements, together with all necessary appurtenances, including the rights of ingress and egress, the temporary deposit of tools, equipment, machinery, vehicles, materials and supplies used in the performance of the work of constructing and installing said improvements, and for similar and related purposes by the City of Riverside, its officers, employees, agents or contractors in, under, upon, over and along the real property described below:

Upon completion of construction, the City of Riverside shall remove all debris, waste or excess material, brush or other matter or material deposited or placed upon the land, and with the exception of vegetation, return the surface as near as possible to its condition before construction. This construction easement shall terminate upon completion of the work of constructing the public improvements or within one year of the date of recording the deed or other instrument of conveyance, whichever occurs first.

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

All that portion Lot 1 of Golden Terrace, as shown by map on file in Book 11, Page 83 of Maps, records of Riverside County, California, more particularly described as follows;

COMMENCING at the intersection of the centerline of Alhambra Avenue with the centerline of La Sierra Avenue (formerly Holden Avenue) as shown by said map;

THENCE North $31^{\circ}40'43''$ West, along the northwesterly prolongation of said centerline of La Sierra Avenue, a distance of 118.35 feet to the beginning of a tangent curve concaving southwesterly and having a radius of 2,000 feet;

THENCE northwesterly to the left along said curve through a central angle of $2^{\circ}18'45''$ an arc length of 80.72 feet to the northeasterly prolongation of the southeasterly line of that certain parcel of land described in deed to Lloyd O. Kesterson, et ux., by document recorded July 27, 1956, as Instrument No. 52825 of Official Records of said Riverside County; the preceding two courses are hereinafter referred to as "Course A";

THENCE South $59^{\circ}20'17''$ West, along said northeasterly prolongation of said southeasterly line, a distance of 48.08 feet to a line which is parallel with and distant 48.00 feet southwesterly, as measured at right angles, from said Course A, and the POINT OF BEGINNING of the parcel of land being described; said point also being the beginning of a non-tangent curve concaving southwesterly, having a radius of 1952 feet and to which the radius bears South $55^{\circ}55'37''$ West;

THENCE southeasterly to the right along said last mentioned curve and along said parallel line,

EXHIBIT "B" - PAGE 1



2002-380095
07/11/2002 08:00A
8 of 11

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through a central angle of 2°23'40" an arc length of 81.58 feet;

THENCE South 31°40'43" East, continuing along said parallel line, a distance of 69.46 feet;

THENCE South 13°19'38" West, a distance of 28.29 feet;

THENCE North 63°14'29" West, a distance of 6.17 feet;

THENCE North 13°19'38" East, a distance of 24.37 feet;

THENCE North 31°40'43" West, a distance of 66.97 feet to the beginning of a tangent curve concaving southwesterly, having a radius 1941 feet and being concentric with the previously described curve;

THENCE northwesterly to the left along said last mentioned curve through a central angle of 0°56'18" an arc length of 31.87 feet;

THENCE South 57°22'59" West, along a line radial to said curve, a distance of 5.00 feet;

THENCE North 31°51'52" West, a distance of 16.77 feet;

THENCE North 56°53'17" West, along a line radial to said last mentioned curve, a distance of 5.00 feet to a point on said mentioned curve having a radius of 1941 feet;

THENCE northwesterly to the left along said last mentioned curve, through a central angle of 0°58'18" an arc length of 33.00 feet to said southeasterly line of the parcel of land described in deed to Lloyd O. Kesterson, et ux.;

THENCE North 59°20'17" East, along said southeasterly line, a distance of 6.01 feet to the POINT OF BEGINNING.

Area – 1141 square feet.

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

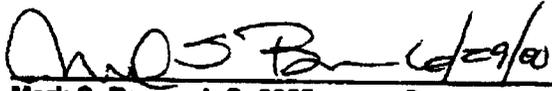
 6/29/00 Date Prep. 
Mark S. Brown, L.S. 5655
License Expires 9/30/03



EXHIBIT "B" - PAGE 2



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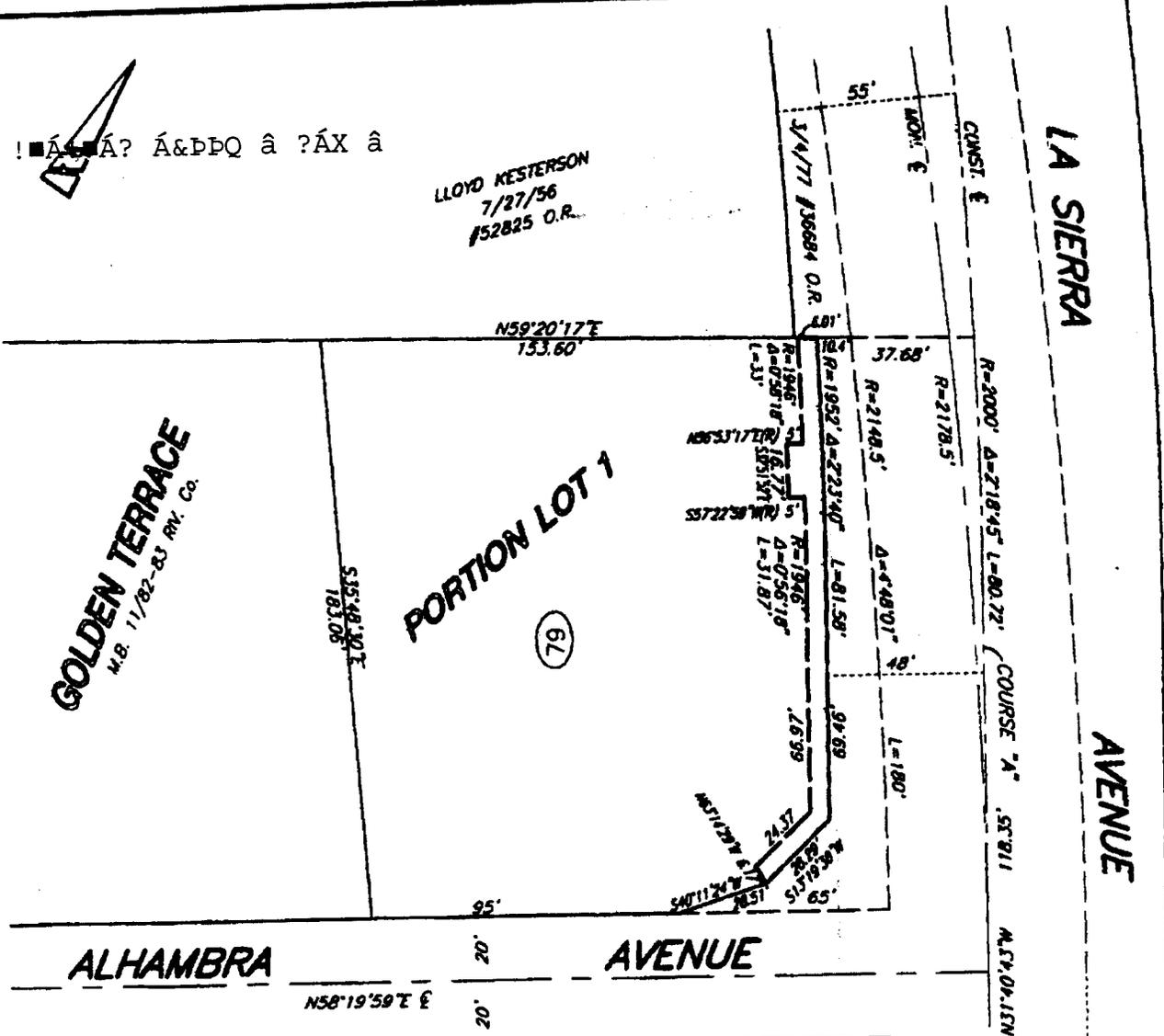
LLOYD KESTERSON
7/27/56
#52825 O.R.

LA SIERRA

AVENUE

GOLDEN TERRACE
M.B. 1/82-83 RIV. CO.

PORTION LOT 1
(67)



THE BASIS OF BEARINGS IS THE
CENTERLINE OF LA SIERRA AVENUE
(FORMERLY HOLDEN AVE.) AS
SHOWN BY MAP OF LA SIERRA
HEIGHTS TR. NO. 2 PER MAP
BOOK 7/66 RIV. CO. TAKEN
AS N 23°13'30" W BETWEEN
NORMOOD AVE. & GRAMERCY PL.

• CITY OF RIVERSIDE, CALIFORNIA •

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SCALE: N.T.S.	DRAWN BY: Kgs DATE: 6/28/00	SUBJECT: LA SIERRA AVENUE WIDENING - PARCEL 79



2002-380095
07/11/2002 09:00A
10 of 11

16037