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CITY OF RIVERSIDE
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Page 1 of 12

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County of Riverside

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Assessor, County Clerk & Recorder



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

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

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FINAL ORDER OF CONDEMNATION, NUNC PRO TUNC, AS TO
ASSESSOR PARCEL NUMBERS 191-311-016, 191-311-017
AND 191-311-018

CITY OF RIVERSIDE, a California charter city and municipal corporation

vs.

DANIEL KWANGOK KIM, et al.

Riverside Superior Court Case No. RIC 437554

ORIGINAL

RCV JUL 22 2009

NFD

EXEMPT FROM FILING FEES PURSUANT TO
GOVERNMENT CODE SECTION 6103

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17 Attorneys for Plaintiff
18 CITY OF RIVERSIDE

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JUL 26 2009

ESC

AUG 03 2009

19 SUPERIOR COURT OF THE STATE OF CALIFORNIA
20 COUNTY OF RIVERSIDE

21 CITY OF RIVERSIDE, a California
22 charter city and municipal corporation,

23 Plaintiff,

24 v.

25 DANIEL KWANGOK KIM, et al.

26 Defendants.

27 Case No. RIC 437554
28 Hon. Gloria Connor Trask

AMENDED FINAL ORDER OF CONDEMNATION,
NUNC PRO TUNC AS TO THE INTERESTS OF
DEFENDANTS STEVEN L. FRANCIS, ELIZABETH
ROSE FRANCIS, FARA DEE FRANCIS,
INDIVIDUALLY, FARA D. FRANCIS AS
TRUSTEE OF THE FRANCIS TRUST B
ESTABLISHED JANUARY 1, 1999, FARA D.
FRANCIS, TRUSTEE OF THE FAMILY TRUST OF
WARREN M. FRANCIS AND FARA D. FRANCIS
(AKA THE FRANCIS TRUST DATED FEBRUARY
24, 1986), FARA D. FRANCIS AS TRUSTEE OF
THE FRANCIS FAMILY TRUST DATED
FEBRUARY 24, 1986, AND THE FRANCIS
FAMILY DENTISTRY AS TO APNS 191-311-016,
191-311-017 AND 191-311-018

[Filed concurrently with:

1. Stipulation and Order to Amend Judgment in
Condemnation and Final Order of
Condemnation; and
2. Amended Judgment in Condemnation, *Nunc Pro
Tunc*]

Complaint Filed: September 21, 2005

RVLITMEASTER\746284 1

AMENDED FINAL ORDER OF CONDEMNATION, NUNC PRO TUNC, AS TO APN 191-311-016, 017 AND 018

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

16397

AMENDED FINAL ORDER OF CONDEMNATION

Judgment having been entered in the above-entitled action, and it appearing to the satisfaction of the Court that Plaintiff City of Riverside (the "City"), pursuant to said judgment, has paid Steven L. Francis, Elizabeth Rose Francis, Fara Dee Francis, individually, Fara D. Francis as Trustee of the Francis Trust B Established January 1, 1999, Fara D. Francis as Trustee of the Family Trust of Warren M. Francis and Fara D. Francis (aka the Francis Trust Dated February 24, 1986), Fara D. Francis as Trustee of the Francis Family Trust Dated February 24, 1986, and the Francis Family Dentistry (the "Francis Defendants"), the total sum of Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00), as just compensation for all claims or demands against the City by the Francis Defendants, pursuant to the Stipulation and Order for Judgment in Condemnation, for the taking of the fee, public street easement and temporary construction easement interests in a portion of the real property identified as Assessor Parcel Numbers 191-311-016 and 191-311-017, and the public street easement and temporary construction easement interest in a portion of the real property described in plaintiff's complaint as Assessor Parcel Number 191-311-018, and more particularly described and depicted in Exhibit "A" attached hereto (the "Subject Property").

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Property, described in the attached Exhibit "A", is given for and condemned to the City for the widening and improvement of Van Buren Boulevard from Garfield Street to Andrew Street, in the City of Riverside, California, and for such other uses as are permitted by sections 37350.5, 39792 and 40404 of the California Government Code, which is a public use, and the taking of said Property is necessary for said use and purpose.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all liens, charges, conditions and restrictions upon the Property being condemned, including all real property taxes, assessments, penalties and costs, are hereby ordered canceled from and after September 21, 2006, the date Plaintiff took possession of the Subject Property. Title to the Subject Property described

1 as fee and easement interests in the attached Exhibit "A", shall vest in Plaintiff on the date that a
2 certified copy of this Final Order of Condemnation is recorded in the Office of the Recorder of
3 Riverside County, California.
4

5
6 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Amended Final
7 Order of Condemnation is to correct the legal description attached as Exhibit "A" of the original
8 Final Order of Condemnation, and shall be effective *nunc pro tunc* as of September 21, 2006, the
9 date the Final Order of Condemnation was first entered in this matter.

10
11 DATED: 7.24.07


12 _____
13 JUDGE OF THE SUPERIOR COURT
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LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

EXHIBIT "A"

PARCEL 201
A.P.N. 191-311-016

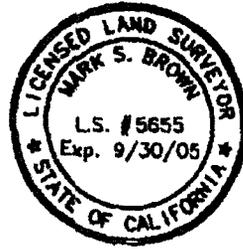
Parcel 201 E - *Fee Simple Interest*

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

The southeasterly 70 feet of the southwesterly 120 feet of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California.

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 7/11/05 Prep. Kop
License Expires 8/30/05



191-311-024

VAN BUREN BOULEVARD

N33°38'46"W

120' N56°23'44"E

191-311-018

68.5'

191-311-017

N33°38'46"W

VILLAGE OF ARLINGTON
M.B. 1/62 S.B. Co.

POR. LOT 41
BLOCK 12

70'

120'
FRANCIS

(201)

FULL PURCHASE - FEE
191-311-016

70'

120'

40'

N56°23'44"E

HAYES STREET

• 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

11-84

SCALE: N.T.S.

DRAWN BY: Kjs DATE: 7/07/05

SUBJECT: VAN BUREN BOULEVARD WIDENING

EXHIBIT A PAGE 4

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EXHIBIT "A"

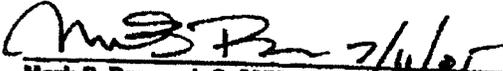
PARCEL 202
A.P.N. 191-311-017

Parcel 202 E -- *Fee Simple Interest*

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

The northwesterly 68.5 feet of the southeasterly 138.5 feet of the southwesterly 120 feet of Lot 41 in Block 12 of the Village of Arlington, as shown by map recorded in Book 1, Page 62 of Maps, records of San Bernardino County, California.

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

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



11-54

EXH. A FILED 6

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191-311-024

VAN BUREN BOULEVARD

N33°38'46"W

120' N56°23'44"E

191-311-018

FRANCIS

202

191-311-017

FULL PURCHASE - FEE

120'

191-311-016

120'

N33°38'46"W

70'

VILLAGE OF ARLINGTON
M.B. 1/62 S.B. Co.

POR. LOT 41
BLOCK 12



40'

68.5'

70'

40'

N56°23'44"E

HAYES STREET

• 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

11-86

SCALE: N.T.S.

DRAWN BY: Kgs DATE: 7/07/05

SUBJECT: VAN BUREN BOULEVARD WIDENING

EXHIBIT A PAGE 9

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EXHIBIT "A"

PARCEL 203
A.P.N. 191-311-018

Parcel 203 A – *Public Street Easement*

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

That portion of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California, described as follows:

BEGINNING at the intersection of the southeasterly line of Parcel 1 of Record of Survey on file in Book 23, Page 96 of Record of Surveys, records of Riverside County, California, with the northeasterly line of Van Buren Boulevard as shown by said Record of Survey;

THENCE North 56°23'44" East, along said southeasterly line of Parcel 1, a distance of 25.64 feet;

THENCE South 35°38'19" East, a distance of 61.72 feet to the southeasterly line of that certain parcel of land described in document recorded January 14, 2004, per Document No. 2004-0025154 of Official Records of Riverside County, California;

THENCE South 56°23'44" West, along the southeasterly line of said parcel of land described in document recorded January 14, 2004, a distance of 27.79 feet to said northeasterly line of Van Buren Boulevard;

THENCE North 33°38'46" West, along said northeasterly line of Van Buren Boulevard, a distance of 61.68 feet to the POINT OF BEGINNING.

Area – 1,648 square feet.

Parcel 203 B – *Temporary Construction Easement*

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

That portion of Lot 41 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California, described as follows:

COMMENCING at the intersection of the southeasterly line of Parcel 1 of Record of Survey on file in Book 23, Page 96 of Record of Surveys, records of Riverside County, California, with the northeasterly line of Van Buren Boulevard as shown by said Record of Survey;

THENCE North 56°23'44" East, along said southeasterly line of Parcel 1, a distance of 25.64

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EXHIBIT A PAGE 11

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feet to the POINT OF BEGINNING of the parcel of land being described;

THENCE South 35°38'19" East, a distance of 61.72 feet to the southeasterly line of that certain parcel of land described in document recorded January 14, 2004, per Document No. 2004-0025154 of Official Records of Riverside County, California;

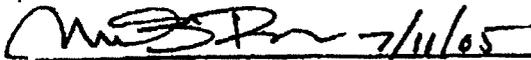
THENCE North 56°23'44" East, along the southeasterly line of said parcel of land described in document recorded January 14, 2004, a distance of 1.21 feet;

THENCE North 33°38'46" West, a distance of 61.68 feet to said southeasterly line of Parcel 1;

THENCE South 56°23'44" West, along the southeasterly line of Parcel 1, a distance of 3.36 feet to the POINT OF BEGINNING.

Area - 141 square feet.

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

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



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EX. A. PAGE 12

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191-311-024

R/S 23/96

PARCEL 1

VAN BUREN BOULEVARD

N33°38'46"W

3.56'

120' N56°23'44"E

25.64'
61.72'
61.68'
61.68'

203 FRANCIS TRUST
191-311-018
1648 SQ.FT. GOE
141 SQ.FT. TCE
92.21'

61.68'

27.79'
68.5'

N56°23'44"E

630 of 630
THIS MUST BE RECORDED TO BE A
"CERTIFIED COPY"

191-311-017

VILLAGE OF ARLINGTON

POR. LOT 41
BLOCK 12

40'

N33°38'46"W

70'

120'

191-311-016

120'

N56°23'44"E

HAYES STREET

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

11-88

SCALE: N.T.S.

DRAWN BY: Kgs DATE: 7/07/05

SUBJECT: VAN BUREN BOULEVARD WIDENING

EXHIBIT A PAGE 13

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