

When recorded mail to:

City Clerk's Office  
City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522

**DOC # 2002-396380**

07/19/2002 08:00A Fee:NC

Page 1 of 15

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



**FREE RECORDING**

This instrument is for the benefit of the City of Riverside and is entitled to be recorded without fee (Government Code [6103])

M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		15						2 <sup>nd</sup>
								✓	LC
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

∅



**FINAL JUDGMENT AND ORDER OF CONDEMNATION**

This document is being recorded as final order and judgment pertaining to Case No. RIC 351488 certified by Superior Court on May 15, 2002.

1 GREGORY P. PRIAMOS, Interim City Attorney #136766  
2 KATHLEEN M. GONZALES, Assistant City Attorney #80105  
3 HERIBERTO F. DIAZ, Deputy City Attorney #132821  
4 CITY OF RIVERSIDE  
5 City Attorney's Office  
6 City Hall, 3900 Main Street  
7 Riverside, California 92522  
8 Telephone (909)826-5567  
9 Facsimile (909)826-5540

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE  
**APR 26 2002**  
*GR*

6 Attorneys for Plaintiff  
7 City of Riverside

8 SUPERIOR COURT OF CALIFORNIA  
9 COUNTY OF RIVERSIDE

10 CITY OF RIVERSIDE, a municipal  
11 corporation,  
12 Plaintiff,

Case No. RIC 351488

**FINAL JUDGMENT AND ORDER OF  
CONDEMNATION**

13 vs.

Assessor's Parcel Nos. 189-250-018 (1A/1B) ✓  
189-250-015 (3A/3B)  
189-250-016 (3A/3B)  
189-250-030 (4A/4B)  
189-240-013 (5A/5B)  
189-240-022 (6A/6B)  
189-240-021 (7A/7B) ✓

14 WILLIAM DIETERLE, DALE W.  
15 SEXTON, VIVIAN METSCHKE, Trustee  
16 of the Metcshke Family Trust Established  
17 July 20, 1987; GEORGE W. COON JR.,  
18 HALLIE J. HANSEN, GERALDINE IHLI,  
19 MARY HELEN JOHNSON and JANET  
20 YOUNGLOVE, as Trustees of the CJYHI  
21 Trust; SAFECO TITLE INSURANCE  
22 COMPANY; KYLE MULLINS AND  
23 MABEL E. MULLINS; ALBERT NASH  
24 and OPAL H. NASH, Trustees of the Nash  
25 Family Trust, dated April 14, 1998; TED N.  
26 WILLIAMSON; ANTHONY J. VITULLI;  
27 UNION BANK OF CALIFORNIA, N.A.;  
UNION BANCAL MORTGAGE  
CORPORATION; INTERBANK FUNDING  
GROUP; FIRST BANK NATIONAL  
ASSOCIATION; GATEWAY TITLE  
COMPANY; EMPLOYMENT  
DEVELOPMENT DEPARTMENT;  
FRANCHISE TAX BOARD; DOES 1  
THROUGH 100; and ALL PERSONS  
CLAIMING AN INTEREST IN THE  
PROPERTIES,

Date: April 26, 2002  
Time: 8:30 a.m.  
Dept: 4

Defendants.

City Attorney's Office  
3900 Main Street  
Riverside, CA 92522  
(909) 826-5567



1 This matter came on regularly for hearing on April 26, 2002, at 8:30 a.m. in Department 4 of  
2 the above-entitled court pursuant to California Code of Procedure section 585(b) and California  
3 Rules of Court, rule 388 for a default prove-up hearing. Plaintiff, City of Riverside, appeared by  
4 and through its counsel, Heriberto F. Diaz, Deputy City Attorney. The court reviewed declarations  
5 and took oral testimony on the proposed public use and the issue of just compensation. Wherefore,  
6 the court now makes its judgment. In this judgment, the affected parcels are referred to by their nine  
7 digit County of Riverside Assessor's Parcel Number and the part taken is described by a  
8 parenthetical extension as shown above.

9 NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED:

10 1. Pursuant to its Charter, Sections 37350.5 and 40404 of the Government Code of the  
11 State of California, Section 4090 of the Streets and Highways Code of the State of California,  
12 Section 1240.010 of the Code of Civil Procedure of the State of California and Article I, Section 19  
13 of the Constitution of the State of California, Plaintiff CITY OF RIVERSIDE is authorized to  
14 acquire real property or interests therein for public uses and purposes, to wit: the widening and  
15 improving of Arlington Avenue, a public street, from Murray Street to Neil Street, and for related  
16 incidental improvements ("Project").

17 2. After a duly noticed public hearing and an opportunity to be heard in compliance  
18 with Code of Civil Procedure section 1245.235, on August 22, 2000, Plaintiff's City Council  
19 adopted Resolution No. 19756 authorizing Plaintiff to acquire the property described in the  
20 complaint on file herein, including Riverside County Assessor's Parcel Numbers ("APN") 189-250-  
21 018 (1A/1B), 189-250-015 (3A/3B), 189-250-016 (3A/3B), 189-250-030 (4A/4B), 189-240-013  
22 (5A/5B), 189-240-022 (6A/6B), and 189-240-021 (7A/7B) by eminent domain. In compliance with  
23 Section 1245.220 and 1245.230 of the Code of Civil Procedure, the City Council found and  
24 determined that: (a) the public interest and necessity require the proposed project; (b) the proposed  
25 project is planned and located in the manner that will be most compatible with the greatest public  
26 good and least private injury; (c) the acquisition and taking of permanent easements and lesser  
27 interests in the property sought to be acquired are necessary for the Project; and (d) the offer



1 required by Section 7267.2 of the Government Code has been made to the owners of record of the  
 2 subject properties. No party challenged the CITY OF RIVERSIDE's right to take the subject  
 3 property interests.

4 3. Plaintiff CITY OF RIVERSIDE commenced this eminent domain action to condemn  
 5 the following property interests: permanent easements over portions of APN 189-250-018 (1A),  
 6 189-250-015 (3A), 189-250-016 (3A), 189-250-030 (4A), 189-240-013 (5A), 189-240-022 (6A),  
 7 and 189-240-021 (7A); and temporary construction easements over APN 189-250-018 (1B), 189-  
 8 250-015 (3B), 189-250-016 (3B), 189-250-030 (4B), 189-240-013 (5B), 189-240-022 (6B), and  
 9 189-240-021 (7B).

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

<u>DEFENDANT</u>	<u>PARCEL</u>	<u>INTEREST</u>
12 WILLIAM DIETERLE	189-250-018 (1A/1B)	Possible Claimant
13 WILLIAM L. DIETERLE, as Trustee under the Dieterle Family 14 Trust Dated August 9, 1977	189-250-018 (1A/1B)	Fee Owner
15 DALE W. SEXTON	189-250-018 (1A/1B)	Fee Owner
16 JACQUELINE DIETERLE	189-250-018 (1A/1B)	Possible Claimant
17 JEANETTE L. SEXTON	189-250-018 (1A/1B)	Possible Claimant
18 VIVIAN M. METSCHKE, Trustee of the Metschke Family Trust, Established July 20, 1987	189-250-015 189-250-016 (3A/3B)	Fee Owner
19 GEORGE W. COON JR.	189-250-015 189-250-016 (3A/3B)	Fee Owner
21 HALLIE H. HANSEN	189-250-015 189-250-016 (3A/3B)	Fee Owner
23 GERALDINE IHLI	189-250-015 189-250-016 (3A/3B)	Fee Owner
25 MARY HELEN JOHNSON	189-250-015 189-250-016 (3A/3B)	Fee Owner

26 ///  
 27



	<u>DEFENDANT</u>	<u>PARCEL</u>	<u>INTEREST</u>
1			
2	JANET YOUNGLOVE	189-250-015	Fee Owner
3		189-250-016 (3A/3B)	
4	SAFECO TITLE INSURANCE COMPANY	189-250-015	Trustee under Deed of Trust
5		189-250-016 (3A/3B)	recorded November 13, 1980 as Instrument No. 212509 Official Records
6	KYLE MULLINS	189-250-015	Beneficiary under Deed of
7		189-250-016 (3A/3B)	Trust recorded November 13, 1980 as Instrument No. 212509 Official Records
8	MABEL E. MULLINS	189-250-015	Beneficiary under Deed of
9		189-250-016 (3A/3B)	Trust recorded November 13, 1980 as Instrument No. 212509 Official Records
10			
11	HENRY MUNKSGAARD	189-250-015	Beneficiary under Deed of
12		189-250-016 (3A/3B)	Trust recorded November 13, 1980 as Instrument No. 212509 Official Records
13	ICIE V. MUNKSGAARD	189-250-015	Beneficiary under Deed of
14		189-250-016 (3A/3B)	Trust recorded November 13, 1980 as Instrument No. 212509 Official Records
15			
16	VIVIAN M. METSCHKE, Trustee of the Metschke Family Trust, Established July 20, 1987	189-250-030 (4A/4B)	Fee Owner
17			
18	ALBERT NASH, Trustee of the Nash Family Trust Dated April 14, 1988	189-240-013 (5A/5B)	Fee Owner
19			
20	OPAL H. NASH, Trustee of the Nash Family Trust Dated April 14, 1988	189-240-013 (5A/5B)	Fee Owner
21			
22	TED N. WILLIAMSON	189-240-022 (6A/6B)	Fee Owner
23	ANTHONY J. VITULLI	189-240-021 (7A/7B)	Fee Owner
24	UNION BANK OF CALIFORNIA, N.A.	189-240-021 (7A/7B)	Beneficiary under Deed of Trust recorded on March 30, 1998 as Instrument No. 116921 Official Records
25			
26	///		
27	///		



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

<u>DEFENDANT</u>	<u>PARCEL</u>	<u>INTEREST</u>
GATEWAY TITLE COMPANY	189-240-021 (7A/7B)	Trustee under Deed of Trust recorded on October 31, 1996 as Instrument No. 418588 Official Records
INTERBANK FUNDING GROUP	189-240-021 (7A/7B)	Beneficiary under Deed of Trust recorded on October 31, 1996 as Instrument No. 418588 Official Records
FIRST BANK NATIONAL ASSOCIATION	189-240-021 (7A/7B)	Possible Claimant
FIRST BANK NATIONAL ASSOCIATION, as Indenture Trustee under the Sole and Servicing Agreement Dated as of February 1, 1997, Cityscape Home Loan Owner Trust 1997-1	189-240-021 (7A/7B)	Beneficiary under Deed of Trust recorded on August 31, 1998 as Instrument No. 367207 Official Records
FRANCHISE TAX BOARD	189-240-021 (7A/7B)	Lienholder under Tax Lien recorded on May 5, 2000 as Instrument No. 2000-170176
EMPLOYMENT DEVELOPMENT DEPARTMENT	189-240-021 (7A/7B)	Lienholder under Tax Lien recorded on September 25, 2000 as Instrument No. 2000-376107

5. On or about August 20, 2001, Defendant FIRST BANK NATIONAL ASSOCIATION, as Indenture Trustee under the Sole and Servicing Agreement Dated as of February 1, 1997, Cityscape Home Loan Owner Trust 1997-1 was served with process pursuant to Code of Civil Procedure Section 415.30. Pursuant to California Code of Civil Procedure section 1250.230, service was accepted and acknowledged by the successor trustee, as Defendant "U.S. BANK NATIONAL ASSOCIATION, f/k/a FIRST BANK NATIONAL ASSOCIATION" (hereinafter "U.S. BANK NATIONAL ASSOCIATION").

6. The following Defendants filed disclaimers on the dates indicated below, and are entitled to no compensation herein:

///  
///



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

DEFENDANT

DATE OF FILING

SAFECO TITLE INSURANCE COMPANY	January 22, 2001
MABEL E. MULLINS	August 15, 2001
ICIE V. MUNKSGAARD	September 12, 2001
UNION BANK OF CALIFORNIA, N.A.	September 26, 2001
UNION BANCAL MORTGAGE CORPORATION	September 26, 2001
GATEWAY TITLE COMPANY	February 2, 2001
INTERBANK FUNDING GROUP	January 12, 2001
FRANCHISE TAX BOARD	February 9, 2001
EMPLOYMENT DEVELOPMENT DEPARTMENT	February 13, 2001

7. The following Defendants were dismissed by Plaintiff without prejudice from this action on the dates indicated below:

DEFENDANT

DATE OF FILING

VIVIAN METSCHKE, Trustee of the Metschke Family Trust, Established July 20, 1987	July 26, 2001
GEORGE W. COON JR.	July 26, 2001
HALLIE H. HANSEN	July 26, 2001
GERALDINE IHLI	July 26, 2001
MARY HELEN JOHNSON	July 26, 2001
JANET YOUNGLOVE	July 26, 2001
KYLE MULLINS	January 11, 2002
HENRY MUNKSGAARD	September 14, 2001
ALBERT NASH, Trustee of the Nash Family Trust Dated April 14, 1988	July 26, 2001
OPAL H. NASH, Trustee of the Nash Family Trust Dated April 14, 1988	July 26, 2001

///



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

DEFENDANT

DATE OF FILING

TED N. WILLIAMSON

July 26, 2001

FIRST BANK NATIONAL ASSOCIATION

July 26, 2001

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

DEFENDANT

DATE OF FILING

WILLIAM L. DIETERLE, as Trustee under the Dieterle Family Trust Dated August 9, 1977

February 1, 2001

DALE W. SEXTON

February 1, 2001

JACQUELINE DIETERLE

October 10, 2001

JEANETTE L. SEXTON

October 10, 2001

U.S. BANK NATIONAL ASSOCIATION

October 11, 2001

9. Defendants named as ALL PERSONS CLAIMING AN INTEREST IN THE PROPERTIES were served with process pursuant to Code of Civil Procedure Section 415.50.

10. Only Defendant ANTHONY J. VITULLI appeared in this action seeking just compensation for the property interests alleged in the complaint. A Partial Judgment and Final Order of Condemnation was made and entered as to said defendant on March 6, 2002. Pursuant to said Partial Judgment and Final Order of Condemnation, Defendant VITULLI was to be paid outside of these court proceedings.

11. On December 1, 2000, Plaintiff deposited a total of \$11,513.00 with the Treasurer of the State of California, Condemnation Fund, as a deposit of probable just compensation for APN's 189-250-018 (1A/1B), 189-250-015 (3A/3B), 189-250-016 (3A/3B), 189-250-030 (4A/4B), 189-240-013 (5A/5B), 189-240-022 (6A/6B), and 189-240-021 (7A/7B). Said deposit was apportioned as follows:

///  
///





	<u>PARCEL</u>	<u>AMOUNT</u>
1		
2	189-250-018 (1A/1B)	\$1,279.00
3	189-250-015 and 189-250-016 (3A/3B)	\$600.00
4	189-250-030 (4A/4B)	\$265.00
5	189-240-013 (5A/5B)	\$281.00
6	189-240-022 (6A/6B)	\$365.00
7	189-240-021 (7A/7B)	\$8,723.00

8 None of the parties in this action have made an application to withdraw any portion of the  
9 deposit of probable compensation. All funds remain on deposit with the State Treasurer.

10 12. An Order for Prejudgment Possession was signed by the Honorable Judge Gloria  
11 Conner Trask on December 11, 2000, authorizing Plaintiff to take possession of APN's 189-250-  
12 018 (1A/1B), 189-250-015 (3A/3B), 189-250-016 (3A/3B), 189-250-030 (4A/4B), 189-240-013  
13 (5A/5B), 189-240-022 (6A/6B), and 189-240-021 (7A/7B), thirty (30) days from the date of service  
14 of said order. Pursuant to said order Plaintiff was authorized to take possession of the subject  
15 properties on the following dates:

	<u>PARCEL</u>	<u>POSSESSION DATE</u>
16		
17	189-250-018 (1A/1B)	January 31, 2001
18	189-250-015 and 189-250-016 (3A/3B)	February 1, 2001
19	189-250-030 (4A/4B)	February 1, 2001
20	189-240-013 (5A/5B)	February 1, 2001
21	189-240-022 (6A/6B)	February 1, 2001
22	189-240-021 (7A/7B)	January 18, 2001

23 13. On April 26, 2002, a default prove-up hearing was held pursuant to California Code  
24 of Civil Procedure section 585(b) and California Rules of Court, rule 388 to establish the fair market  
25 value of the interests of Defendants WILLIAM L. DIETERLE, as Trustee under the Dieterle Family  
26 Trust Dated August 9, 1997, DALE W. SEXTON, JACQUELINE DIETERLE, and JEANETTE L.  
27 SEXTON in and to APN 189-250-018 (1A/1B). Oral and documentary appraisal evidence was



1 received by the court. The fair market value of Defendants WILLIAM L. DIETERLE, as Trustee  
2 under the Dieterle Family Trust Dated August 9, 1997, DALE W. SEXTON, JACQUELINE  
3 DIETERLE, and JEANETTE L. SEXTON interests in and to APN 189-250-018 (1A/1B) is the sum  
4 of One Thousand Two Hundred Seventy-nine Dollars (\$1,279.00), plus statutory interest in the sum  
5 of Eighty-nine Dollars and Forty-five Cents (\$89.45), totaling One Thousand Three Hundred Sixty-  
6 eight Dollars and Forty-five Cents (\$1,368.45). Said sum represents the total award, just  
7 compensation and damages to be awarded herein, including interest calculated from the date of  
8 possession pursuant to California Code of Civil Procedure sections 1268.350 and 1268.360.

9 14. On April 26, 2001, a default prove-up hearing was held pursuant to California Code  
10 of Civil Procedure section 585(b) and California Rules of Court, rule 388 to establish the fair market  
11 value of the interest of Defendant U.S. BANK NATIONAL ASSOCIATION in and to APN 189-  
12 240-021 (7A/7B). Oral and documentary evidence was received into evidence by the court. Based  
13 on the evidence submitted, Defendant U.S. BANK NATIONAL ASSOCIATION is entitled to no  
14 compensation herein.

15 15. No current or delinquent general or special taxes are due and owing to the County of  
16 Riverside for APN's 189-250-018 (1A/1B), 189-250-015 (3A/3B), 189-250-016 (3A/3B), 189-250-  
17 030 (4A/4B), 189-240-013 (5A/5B), 189-240-022 (6A/6B), and 189-240-021 (7A/7B).

18 WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

19 1. The total compensation, award and damages to be paid as a result of the condemnation of  
20 the interests of Defendants WILLIAM L. DIETERLE, as Trustee under the Dieterle Family Trust  
21 Dated August 9, 1997, DALE W. SEXTON, JACQUELINE DIETERLE, and JEANETTE L.  
22 SEXTON in and to APN 189-250-018 (1A/1B) is the total sum of One Thousand Three Hundred  
23 Sixty-eight Dollars and Forty-five Cents (\$1,368.45).

24 2. Funds in the amount of One Thousand Three Hundred Sixty-eight Dollars and Forty-five  
25 Cents (\$1,368.45) shall remain on deposit with the Treasurer of the State of California,  
26 Condemnation Fund, for the benefit of Defendants WILLIAM L. DIETERLE, as Trustee under the  
27 Dieterle Family Trust Dated August 9, 1997, DALE W. SEXTON, JACQUELINE DIETERLE, and



1 JEANETTE L. SEXTON subject to further order of this Court, or until such time as said funds  
2 escheat to the State of California by operation of law.

3 3. That funds remaining on deposit with the Treasurer of the State of California,  
4 Condemnation Fund, in the amount of Ten Thousand One Hundred Forty-four Dollars and Fifty-five  
5 Cents (\$10,144.55), including all interest remaining on deposit be disbursed to Plaintiff CITY OF  
6 RIVERSIDE, forthwith and payable as follows:

7 Riverside City Attorney's Office  
8 3900 Main Street, Fifth Floor  
9 Riverside, California 92522  
10 Attention: Heriberto F. Diaz, Deputy City Attorney

11 4. Plaintiff's portion of taxes as to APN 189-250-018 (1A/1B) and 189-240-021 (7A/7B), if  
12 any, are cancelled as of the effective dates of possession herein, January 31, 2001 and January 18,  
13 2001, respectively.

14 WHEREFORE THE COURT NOW MAKES THE FOLLOWING ORDER OF  
15 CONDEMNATION:

16 1. The interests of Defendants WILLIAM L. DIETERLE, as Trustee under the Dieterle  
17 Family Trust Dated August 9, 1997, DALE W. SEXTON, JACQUELINE DIETERLE, and  
18 JEANETTE L. SEXTON, in real property designated in this Final Judgment as APN 189-250-018  
19 (1A/1B), are hereby condemned for the public use and purposes described in the Complaint herein,  
20 to wit, the widening and improving of public streets and rights of way; Plaintiff to take title to the  
21 interest(s) of said Defendants in said real property together with all improvements therein in which  
22 said Defendants have an interest, free and clear of any and all liens, encumbrances, easements, and  
23 leaseholds, of whatever kind or nature:

24 That permanent easement condemned to the City of Riverside in and to APN 189-250-018 is  
25 legally described as follows:

26 Parcel 1/A

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



1 Those portions of Lot 27 of Gafford Gardens, as shown by map on file in Book 12,  
2 Page 97 of Maps, records of Riverside County, California, more particularly  
described as follows:

3 Parcel 1

4 The northerly 7.00 feet of the southerly 15.00 feet of said Lot 27; the northerly line of  
5 said northerly 7.00 feet being in a line which is parallel with and distant 40.00 feet  
6 northerly, as measured at right angles, from the centerline of Arlington Avenue as  
shown by said map;

7 EXCEPTING THEREFROM that portion of said Lot 27, described in Grant Deed to  
8 Robert Mark Cirocco, et ux., by document recorded November 29, 1962, as  
Instrument No. 110093 of Official Records of said Riverside County.

9 Area - 455 square feet, more or less.

10 Parcel 2

11 BEGINNING at the intersection of the West line of said Lot 27 with a line which is  
12 parallel with and distant 40.00 feet northerly, as measured at right angles, from the  
centerline of Arlington Avenue as shown by said map;

13 THENCE East along said parallel line, a distance of 5.00 feet;

14 THENCE northwesterly, a distance of 7.07 feet to a point in said West line of Lot 27,  
distant 5.00 feet North from the Point of Beginning;

15 THENCE South along said West line, 5.00 feet to the POINT OF BEGINNING.

16 Area - 12.5 square feet.

17 That temporary construction easement condemned to the City of Riverside in and to APN  
18 189-250-018 is legally described as follows:

19 Parcel 1/B

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

22 A strip of land 10.00 feet in width lying within a portion of Lot 27 of Gafford  
23 Gardens, as shown by map on file in Book 12, Page 97 of Maps, records of Riverside  
County, California, the southerly line of said strip of land being described as follows:

24 BEGINNING at a point in the West line of said Lot 27, lying distant thereon, 45.00  
25 feet North, as measured at right angles, from the centerline of Arlington Avenue as  
shown by said map;

26 THENCE southeasterly, a distance of 7.07 feet to a point of intersection with a line  
27 which is parallel with and distant 40.00 feet northerly, as measured at right angles,  
from the centerline of Arlington Avenue distant 5.00 feet East from the West line of  
said Lot 27;



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

THENCE East along said parallel line, 60.00 feet to westerly line of that certain parcel of land described in Grant Deed to Robert Mark Cirocco, et ux., by document recorded November 29, 1962, as Instrument No. 110093 of Official Records of said Riverside County, and the END of this line description;

The sidelines of said strip of land shall be lengthened or shortened to terminate in said West line of Lot 27 or lengthened or shortened to terminate in said westerly line of the parcel of land described in said Grant Deed;

Area - 679 square feet.

2. The interests of Defendant U.S. BANK NATIONAL ASSOCIATION formally known as FIRST BANK NATIONAL ASSOCIATION, as Indenture Trustee under the Sole and Servicing Agreement Dated as of February 1, 1997, Cityscape Home Loan Owner Trust 1997-1, in the following described real property designated as APN 189-240-021 (7A/7B), are hereby condemned for the public use and purposes described in the Complaint herein, to wit, the widening and improving of public streets and rights of way; Plaintiff to take title to the interest(s) of said Defendant in said real property together with all improvements therein in which said Defendant has an interest, free and clear of any and all liens, encumbrances, easements, and leaseholds, of whatever kind or nature:

That permanent easement condemned to the City of Riverside in and to APN 189-240-021 is legally described as follows:

Parcel 7/A

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

The northerly 7.00 feet of the southerly 15.00 feet of Lot 41 of Gafford Gardens, as shown by map on file in Book 12, Page 97 of Maps, records of Riverside County, California; the northerly line of said northerly 7.00 feet being in a line which is parallel with and distant 40.00 feet northerly, as measured at right angles, from the centerline of Arlington Avenue as shown by said map;

EXCEPTING THEREFROM that portion of said Lot 41 described in Grant Deed to Ted N. Williamson, by document recorded December 27, 1994, as Instrument No. 478613 of Official Records of said Riverside County.

Area - 490 square feet, more or less.

///  
///



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

That temporary construction easement condemned to the City of Riverside in and to APN 189-240-021 is legally described as follows:

Parcel 7/B

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

That portion of Lot 41 of Gafford Gardens, as shown by map on file in Book 12, Page 97 of Maps, records of Riverside County, California, more particularly described as follows:

COMMENCING at the southeast corner of said Lot 41;

THENCE North, along the East line of said Lot 41, a distance of 15.00 feet to a line which is parallel with and distant 40.00 feet North, as measured at right angles, from the centerline of Arlington Avenue, and the POINT OF BEGINNING of the parcel of land being described;

THENCE West, along said parallel line, a distance of 70.00 feet to the easterly line of that portion of said Lot 41, described in Grant Deed to Ted N. Williamson, by document recorded December 27, 1994, as Instrument No. 478613 of Official Records of said Riverside County;

THENCE North, along said easterly line, a distance of 10.00 feet;

THENCE East, a distance of 9.75 feet;

THENCE North, a distance of 15.00 feet;

THENCE East, a distance of 27.00 feet;

THENCE South, a distance of 15.00 feet;

THENCE East, a distance of 33.25 feet to said East line of Lot 41;

THENCE South, along said East line, a distance of 10.00 feet to the POINT OF BEGINNING.

Area - 1,105 square feet, more or less.

Dated: 4/26, 2002

*Gloria C. Lewis*  
Judge of the Superior Court

O:\Cycorn\WPDocs\D017\001\00005909.WPD

