

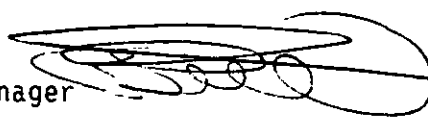
CITY OF RIVERSIDE

INTEROFFICE MEMO

TO: Karen Lindquist
City Clerk

DATE: October 1, 1991

FROM: Bill Holsinger
Real Property Services Manager



RECEIVED
OCT 01 1991

SUBJECT: CORPORATION YARD EXPANSION

Karen E. Lindquist
CITY CLERK

Attached is a certified copy of the Final Order of Condemnation covering the four acre parcel acquired from Atomic Investments and Leonard E. Teyssier. This document was recorded July 17, 1991, however, the original has never been returned to this office and I understand you have not received it either. We have therefore obtained this certified copy for your files. Please treat this as the original document. It should be assigned a deed number since it is the conveyance by which this property was acquired.

When I have received the Policy of Title Insurance it will be forwarded for attachment to this document. Please call me if you have any questions.

BH/8547M/a
Attachment

242732

Place record for the benefit of the City of Riverside Property Services Manager

JOHN WOODHEAD, CITY ATTORNEY
LAW OFFICES
OLIVER, STOEVER, BARR & VOSE
A PROFESSIONAL CORPORATION
1000 SUNSET BOULEVARD
LOS ANGELES, CALIFORNIA 90012
TELEPHONE 213-280-1043

(SPACE BELOW FOR FILING STAMP ONLY)

FILED

JUL 15 1991

GARY L. GRANVILLE, County Clerk
By _____ DEPUTY

Attorneys for Plaintiff

After Recording Mail to: City of Riverside, Property Services Department
3900 Main Street
Riverside, CA 92522

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

13064

CITY OF RIVERSIDE,)	CASE NUMBER: 64 89 86
)	
Plaintiff,)	JUDGEMENT AND FINAL ORDER OF
)	CONDEMNATION
vs.)	
)	
LEONARD E. TEYSSIER, et al.,)	Case Assigned to:
)	Judge Jonathan Cannon
Defendants.)	Dept. 19

Pursuant to written stipulation filed by the plaintiff, CITY OF RIVERSIDE, by its attorneys John Woodhead, City Attorney and Oliver, Stoever, Barr & Vose, Special Counsel, by Janice R. Miyahira, and defendants LEONARD E. TEYSSIER, MONICA E. TEYSSIER and ATOMIC INVESTMENTS, INC., by their attorneys Gray, Cary, Ames & Frye, by Charles L. Deem and defendants EVELYN B. ADLER, and STEWART L. ADLER by their attorney John Adler, that a Judgment and Final Order of Condemnation may be made and entered in accordance with these terms and conditions, and without further notice to the defendants:

////

5/30
13064

1 It further appearing that defendant PACIFIC TELEPHONE &
2 TELEGRAPH COMPANY has been dismissed and defendant SAN DIEGO TRUST
3 & SAVINGS BANK has disclaimed any right to compensation, said
4 defendants are entitled to no compensation herein.

5 IT IS HEREBY FOUND AND DETERMINED:

6 Defendants LEONARD E. TEYSSIER, MONICA E. TEYSSIER AND ATOMIC
7 INVESTMENTS, INC. are the owners in fee of the property described
8 in the complaint herein and hereinafter described as the subject
9 property. Defendants EVELYN B. ADLER, and STEWART L. ADLER are
10 beneficiaries under a Deed of Trust dated December 30, 1986, and
11 recorded December 30, 1986 as Instrument No. 334477. The total
12 amount of principal and interest due and owing on the note secured
13 by said Deed of Trust is \$226,859.38 as of July 15, 1991 with
14 interest accruing thereafter at the rate of \$53.125 per day.

15 The use for which the subject property is being acquired is a
16 use authorized by law and the acquisition of the parcel is
17 necessary to the use.

18 There are no current, general and special county taxes due and
19 owing to the County of Riverside as to the subject property as of
20 June 17, 1991. The subject property shall be taken off the tax
21 rolls as of June 17, 1991, and all real property taxes on the
22 subject property after said date shall be canceled, pursuant to
23 provisions of Revenue & Taxation Code Sections 5081, 5082, 5086 and
24 5086.1. In the event any unpaid property taxes are determined to
25 be due and owing as of June 17,, 1991, defendants LEONARD E.
26 TEYSSIER, MONICA E. TEYSSIER and ATOMIC INVESTMENTS, INC. shall
27 provide plaintiff with a check, payable to the Riverside County Tax
28 Collector in the amount of such unpaid taxes.

1 By execution of the Stipulation, defendants LEONARD E.
2 TEYSSIER, MONICA E. TEYSSIER, ATOMIC INVESTMENTS, INC., EVELYN B.
3 ADLER AND STEWART L. ADLER waive the right to jury trial, Statement
4 of Decision, Notice of Entry of Judgment in Condemnation and Notice
5 of Final Order of Condemnation as to the subject property, and the
6 right and time for appeal.

7 An Order for Prejudgment Possession was signed by Judge
8 Jonathan H. Cannon on April 24, 1991 and became effective on
9 June 17, 1991, authorizing plaintiff to take possession of the
10 subject property. Plaintiff deposited the sum of \$1,496,000.00 as
11 a security deposit. Plaintiff is entitled to a refund of said
12 deposit together with accrued interest thereon.

13 The fair market value of the property described in the
14 complaint herein, inclusive of all land and improvements, accrued
15 interest and costs, is the sum of \$1,900,000. The total award,
16 compensation and damages to be paid herein is the sum of
17 \$1,900,000. Plaintiff will not for any reason delay payment of the
18 award to defendants. In the event that payment of the award is not
19 received prior to August 1, 1991, interest shall accrue on the sum
20 of \$1,900,000.00 from June 27, 1991 through the date of payment in
21 full at the rate of 8.339% per annum.

22 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

23 That the Clerk of the Court shall pay the sum of \$1,496,000.00
24 from the funds on deposit with the court, together with all
25 interest accrued on said funds while on deposit as follows:

26 TO: THE CITY OF RIVERSIDE
27 3900 Main Street
28 Riverside, California 92522
Attention: William Holsinger,
Real Property Services

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

2 That the amount of \$113,423.69 plus interest at the rate of
3 \$26.5625 per day after July 15, 1991 is for the benefit of and
4 shall be paid and distributed outside of these court proceedings as
5 follows:

6 TO: JOHN A. ADLER, TRUST ACCOUNT
7 In Trust for
8 EVELYN B. ADLER
9 3800 Glenneyre Street, Suite G
10 Laguna Beach, California 92651

11 IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

12 That the sum of \$113,429.69 plus interest at the rate of
13 \$26.5625 per day after July 15, 1991 is for the benefit of and
14 shall be paid and distributed outside of these court proceedings as
15 follows:

16 TO: JOHN A. ADLER, TRUST ACCOUNT
17 In Trust for
18 STEWART L. ADLER
19 3800 Glenneyre Street, Suite G
20 Laguna Beach, California 92651

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

22 That the balance of the award of \$1.9 Million Dollars, after
23 the aforesaid sums have been paid to EVELYN B. ADLER and STEWART L.
24 ADLER, is for the benefit of and shall be paid and distributed
25 outside of these court proceedings by wire transfer by plaintiff as
26 follows:

27 TO: SAN DIEGO TRUST & SAVINGS BANK, MAIN BRANCH
28 540 Broadway
San Diego, California 92101
Wire Transfer No. ABA 1222/00 526
ATTN: W.T.Stephens, Sr. V.P.
For Account of Atomic Investments, Inc/Leonard E.Teyssier
Account No. 101-19-863

1
2 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED:

3 That payment to said defendants of the sums hereinabove
4 specified shall constitute payment in full for the real property
5 taken, for costs, accrued interest as provided by law, and for all
6 damages of any kind or nature whatsoever suffered by said
7 defendants by reason of such taking.

8 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED:

9 That the following described real property is hereby condemned
10 in fee simple for the public use and purposes described in the
11 complaint herein, to wit, for the expansion of the City of
12 Riverside Corporation Yard and construction of public utilities
13 department facilities, plaintiff to take title to said real
14 property, together with all improvements thereon, free and clear of
15 any and all liens, encumbrances, easements, leaseholds, current and
16 delinquent taxes and assessments of whatever kind or nature.

17 **TEVETIER PARCEL**

18 That portion of Lots 5, 6 and 7 (storm ditch) in Block 41, as
19 shown by map entitled "Map of Subdivision of Lots 3, 4, 5 and 6,
20 Block 41, Arlington Heights", on file in Book 6, Page 86 of Maps,
21 records of Riverside County, California, described as follows:

22 COMMENCING at the most southerly corner of said Lot 5;

23 THENCE North 34° 00' West, along the southwesterly line of
24 said Lot 5, a distance of 457.80 feet to a point in a line parallel
25 with and distant 78.00 feet northwesterly, as measured at right
26 angle, from the northwesterly line of that certain parcel of land
27 conveyed to Russell E. Walling, et ux., as Parcel D of Grant Deed
28

1 recorded November 8, 1982, as Instrument No. 193781 of Official
2 Records of said Riverside County;

3 THENCE North 56° 00' East, along said parallel line, a
4 distance of 15.00 feet to a point in a line parallel with and
5 distant 15.00 northeasterly as measured at right angle, from said
6 southwesterly line of Lot 5; said point being the POINT OF
7 BEGINNING;

8 THENCE continuing North 56° 00' East, parallel with the
9 southeasterly line of said Lot 5, a distance of 565.00 feet;

10 THENCE North 34° 00' West, parallel with the southwesterly
11 line of said Lot 5, a distance of 202.20 feet to a point in the
12 southeasterly line of Lot 3 of said map;

13 THENCE South 56° 00' West, along said southeasterly line of
14 Lot 3 and the southwesterly prolongation thereof, a distance of
15 206.44 feet to a point in the southwesterly line of said Lot 7
16 (storm ditch);

17 THENCE North 46° 30' West, along said southwesterly line of
18 Lot 7, a distance of 42.37 feet to the beginning of a tangent curve
19 concaving southwesterly and having a radius of 90.00 feet;

20 THENCE westerly along said curve through a central angle of
21 50° 54' 00", an arc length of 79.95 feet;

22 THENCE, South 82° 36' West, a distance of 310.70 feet to the
23 beginning of a tangent curve concaving northerly and having a
24 radius of 85.00 feet;

25 THENCE westerly along said last mentioned curve through a
26 central angle of 18° 18' 03", an arc length of 27.15 feet to a
27 point in a line parallel with and distant 15.00 feet northeasterly,
28 as measured at right angle, from the southwesterly line of said Lot

1 5; the preceding three courses being along the southerly line of
2 said Lot 7;

3 THENCE South 34° 00' East, along said last mentioned parallel
4 line to said POINT OF BEGINNING;

5 EXCEPTING THEREFROM that portion of said Lot 5 lying
6 northwesterly of the following described line:

7 COMMENCING at the most easterly corner of Parcel 3 of Parcel
8 Map on file in Book 9, Page 23 of Parcel Maps, records of Riverside
9 County, California;

10 THENCE North 34° 00' 00" West, along the northeasterly line of
11 said Parcel 3, a distance of 93.57 feet to the POINT OF BEGINNING;

12 THENCE South 56° 00' 00" West, a distance of 729.57 feet to a
13 point in the southwesterly line of said Lot 5, said point being the
14 termination of said line description.

15 ATOMIC INVESTMENTS PARCEL

16 Parcel 3 of Parcel Map on file in Book 9, Page 23 of Parcel
17 Maps, records of Riverside County, California, together with that
18 portion of Lot 7 (storm ditch) in Block 41, as shown by map
19 entitled "Map of Subdivision of Lots 3, 4, 5 and 6, Block 41,
20 Arlington Heights," on file in Book 6, Page 86 of Maps, records of
21 said Riverside County, said portion of Lot 7 more particularly
22 described as follows:

23 BEGINNING at the most southerly corner of Lot 3 in said Block
24 41; said corner also being in the northerly line of said Lot 7;

25 THENCE North 46° 30' West, 46.80 feet to the beginning of a
26 tangent curve, having a radius of 110.00 feet and concaving
27 southwesterly;

28 THENCE northwesterly along said curve an arc length of 97.72

1 feet through a central angle of $50^{\circ} 54' 00''$;

2 THENCE South $82^{\circ} 36'$ West, 110.70 feet to the beginning of a
3 tangent curve having a radius of 65.00 feet and concaving
4 northeasterly;

5 THENCE northwesterly along the last mentioned curve an arc
6 length of 46.26 feet through a central angle of $40^{\circ} 46' 48''$ to a
7 line which is parallel with and distant 55.00 feet northeasterly as
8 measured at right angle from the centerline of Adams Street; the
9 preceding four courses being along said northerly line of Lot 7;

10 THENCE South $34^{\circ} 00'$ East, along said parallel line 35.21 feet
11 to the beginning of a non-tangent curve having a radius of 85.00
12 feet, concaving northeasterly and being concentric with hereinabove
13 described curve having a radius of 65.00 feet; the radial line of
14 said non-tangent curve at said beginning bears South $10^{\circ} 54' 03''$
15 West;

16 THENCE easterly along said non-tangent curve an arc length of
17 27.15 feet through a central angel of $18^{\circ} 18' 03''$;

18 THENCE North $82^{\circ} 36'$ East, 110.70 feet to the beginning of a
19 tangent curve having a radius 90.00 feet, concaving southwesterly
20 and being concentric with hereinabove described curve having a
21 radius of 110.00 feet;

22 THENCE southeasterly along the last mentioned curve an arc
23 length of 79.95 feet through a central angle of $50^{\circ} 54' 00''$;

24 THENCE South $46^{\circ} 30'$ East, 42.37 feet to the southwesterly
25 prolongation of the southeasterly line of said Lot 3; the preceding
26 four courses being along the southerly line of said Lot 7;

27 THENCE North $56^{\circ} 00'$ East, along said southwesterly
28 prolongation of the southeasterly line of Lot 3, a distance of

20.49 feet to the POINT OF BEGINNING.

EXCEPTING therefrom those portions of said Parcel 3 and said Lot 7 lying northwesterly of the following described line:

COMMENCING at the most easterly corner of said Parcel 3;

THENCE North 34° 00' 00" West along the northeasterly line of said Parcel 3, a distance of 93.57 feet to the POINT OF BEGINNING.

THENCE South 56° 00' 00" West, a distance of 400.70 feet to a point in the southerly line of said Lot 7, said point being the termination of said line description.

DATED: JUL 15 1991

IN THE COUNTY OF LOS ANGELES

By: JUDGE OF THE SUPERIOR COURT

OLIVER, STOEVER, BARR & VOSE
A PROFESSIONAL CORPORATION
1000 Sunset Boulevard
LOS ANGELES, CALIFORNIA 90024
TELEPHONE: (213) 290-3043

THIS INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL
ON FILE IN JUL 16 1991

4231

ATTEST

GARY L GRANVILLE

Julian Turner
BY: JULIAN TURNER
DEPUTY CLERK



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JUL 17 1991

Department of Social Services
of the Commonwealth of Massachusetts
Records Section
Page 2

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