

EXEMPT PURSUANT TO
GOV'T. CODE Sec. 6103

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

JAN - 6 1995

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$

[Signature]

ek

5022

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

STAN T. YAMAMOTO, City Attorney
BARBARA PURVIS, Assistant City
Attorney
CITY OF RIVERSIDE
City Hall, 3900 Main Street
Riverside, California 92522
(909) 782-5567

Attorneys for Plaintiff City of Riverside

13786

IN THE CONSOLIDATED SUPERIOR/MUNICIPAL COURTS
OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

CITY OF RIVERSIDE, a municipal,
corporation,

Plaintiff,

vs.

DELBERT SCOTT, et al.,

Defendants.

) Case No. 158578

) JUDGMENT AND FINAL
) ORDER OF CONDEMNATION

) (Parcels 10A and 10B)

[Handwritten initials]

1 STAN T. YAMAMOTO, City Attorney, Bar #92381
2 BARBARA PURVIS, Assistant City
3 Attorney, Bar #49708
4 CITY OF RIVERSIDE
5 City Hall, 3900 Main Street
6 Riverside, California 92522
7 (909) 782-5567

FILED
RIVERSIDE COUNTY

DEC 28 1994

8 Attorneys for Plaintiff City of Riverside By

ARTHUR A. SIMS, Clerk

P. Santucci

P. Santucci
Deputy

9 IN THE CONSOLIDATED SUPERIOR/MUNICIPAL COURTS
10 OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

11	CITY OF RIVERSIDE, a municipal,)	Case No. 158578
	corporation,)	
12)	JUDGMENT AND FINAL
	Plaintiff,)	ORDER OF CONDEMNATION
13)	
	vs.)	
14)	
	DELBERT SCOTT, et al.,)	(Parcels 10A and 10B)
15)	
	Defendants.)	
16)	

17
18 Pursuant to written Stipulation filed by and between
19 plaintiff CITY OF RIVERSIDE, a municipal corporation of the State
20 of California, through its attorney of record, and defendant
21 DELBERT SCOTT, and his attorney NORMA SCOTT, that a Judgment and
22 Final Order of Condemnation as to the real property described in
23 the Complaint on file herein as Parcels 10A and 10B, may be made
24 and entered in accordance with these terms and conditions, and
25 without further notice to said defendant,

26 IT IS HEREBY FOUND AND DETERMINED:

27 1. The use for which the fee simple interest in Parcel

1 10A is being acquired is a use authorized by law and the
2 acquisition of the property is necessary to the use, to wit: the
3 widening and improvement of that portion of Sedgwick Avenue, a
4 public street, located between University Avenue and Fourteenth
5 Street, and for related and incidental improvements and uses
6 including the installation or relocation of utilities, storm
7 drains and sanitary sewer facilities. The use for which Parcel
8 10B was required was a necessary use, to wit: a temporary
9 construction easement for the construction of the above-noted
10 work of improvement, which temporary construction easement has
11 now expired and been terminated by its own terms.

12 2. That pursuant to an Order for Prejudgment Possession
13 issued in the above-entitled action, plaintiff was authorized to
14 take possession of the real property designated as Parcels 10A
15 and 10B in the Complaint on file herein on or after October 1,
16 1983.

17 3. That defendant Delbert Scott by execution of the
18 Stipulation filed herein waives the right to trial, Statement of
19 Decision, Notice of Entry of Judgment in Condemnation and Notice
20 of Entry of Final Order of Condemnation, and the right and time
21 for appeal.

22 4. That \$7,625 constitutes the total just compensation
23 for the acquisition by the plaintiff of the real property
24 described as Parcels 10A and 10B in the Complaint on file herein,
25 including fair market value and any damages to the remainder of
26 the property not sought to be condemned, and all other damages
27 and sums to which the defendant is entitled to receive including

1 interest, attorney's fees and expert witness fees.

2 5. That defendant Delbert Scott was the fee owner of the
3 real property described in the Complaint on file at the
4 commencement of such action, and that by agreement with the
5 present fee owner of the larger parcel from which Parcel 10A is
6 taken, is entitled to the payment of such award for the
7 acquisition of Parcels 10A and 10B by plaintiff.

8 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
9 DECREED that the award herein of SEVEN THOUSAND SIX HUNDRED
10 TWENTY-FIVE DOLLARS (\$7,625) shall be paid by the County Clerk,
11 Auditor and/or Treasurer of the County of Riverside from the
12 funds now on deposit with the County Treasury in this case as
13 follows:

14 DELBERT SCOTT
15 c/o Norma Scott, Attorney at Law
16 2520 Glenhaven Avenue
17 Anaheim, California 92801

18 and that such funds as may then be remaining, if any, in said
19 account shall be returned to plaintiff as follows:

20 CITY OF RIVERSIDE
21 c/o City Attorney
22 3900 Main Street
23 Riverside, California 92522

24 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that
25 the payment of said \$7,625 to defendant Delbert Scott as
26 specified shall constitute payment in full for the acquisition by
27 plaintiff of the fee in the real property described as Parcel 10A
and for the temporary construction easement in the real property
described as Parcel 10B, and for all damages or any kind or

1 nature whatsoever suffered by defendant be reason of such taking.

2 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that a
3 temporary construction easement in the real property designated
4 as Parcel 10B in the Complaint on file herein was acquired by
5 plaintiff for a period not to exceed one (1) year from October 1,
6 1983, which temporary construction easement has now expired.

7 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that
8 the following described real property designated as Parcel 10A in
9 the Complaint on file herein and in the possession of plaintiff
10 since October 1, 1983 pursuant to an Order for Prejudgment
11 Possession, is hereby condemned in fee simple interest for the
12 public use and purposes described in the Complaint herein, to
13 wit: the widening and improvement of that portion of Sedgwick
14 Avenue, a public street, located between University Avenue and
15 Fourteenth Street, and for related and incidental improvements
16 and uses including the installation or relocation of utilities,
17 storm drains and sanitary sewer facilities; plaintiff CITY OF
18 RIVERSIDE to take title to such property, together with all
19 improvements thereon, free and clear of any and all liens and
20 encumbrances of whatever kind or nature:

21 That portion of that certain unnumbered lot lying
22 adjacent to the east line of Lot 18 in Block 18 of Whites
23 Addition as shown by map on file in Book 6 of Maps, at
Page 48 thereof, records of San Bernardino County,
California, being more particularly described as follows:

24 COMMENCING at the northeast corner of said Lot 18;
25 THENCE South 00° 21' 09" West along the east line
thereof 108.48 feet to the true point of beginning;
26 THENCE continuing South 00° 21' 09" West along said
east line 75.02 feet to the southeast corner of said
27 unnumbered lot;
THENCE North 60° 46' 32" West along said south line

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

5.71 feet to a line which is parallel with and distant
5.00 feet west as measured at right angle to the west
line of said unnumbered lot;
THENCE North 00° 21' 09" East along said parallel
line 75.02 feet to the south line of that certain parcel
of land conveyed to Fred Edsell, et ux. by deed recorded
November 18, 1977 as Instrument No. 230487, Official
Records of Riverside County, California;
THENCE South 60° 46' 32" East along said south line
5.71 feet to the True Point of Beginning.

Dated: ~~DEC 28 1994~~

WILLIAM H. SULLIVAN

JUDGE OF THE SUPERIOR COURT

5023

When Recorded Mail To:

City Clerk
City of Riverside
City Hall, 3900 Main Street
Riverside, CA 92522

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

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

JAN - 6 1995

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$

FOR RECORDER'S OFFICE USE ONLY

Project: HCD Sedgwick Avenue
Parcel 10

QUITCLAIM DEED

MARY YOUNG, an unmarried woman, does hereby remise, release and forever quitclaim to the CITY OF RIVERSIDE, a municipal corporation of the State of California, its successors and assigns, the real property located in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of that certain unnumbered lot lying adjacent to the east line of Lot 18 in Block 18 of Whites Addition as shown by map on file in Book 6 of Maps, at Page 48 thereof, records of San Bernardino County, California, being more particularly described as follows:

COMMENCING at the northeast corner of said Lot 18;

THENCE South 00° 21' 09" West along the east line thereof 108.48 feet to the true point of beginning;

THENCE continuing South 00° 21' 09" West along said east line 75.02 feet to the southeast corner of said unnumbered lot;

THENCE North 60° 46' 32" West along said south line 5.71 feet to a line which is parallel with and distant 5.00 feet west as measured at right angle to the west line of said unnumbered lot;

THENCE North 00° 21' 09" East along said parallel line 75.02 feet to the south line of that certain parcel of land conveyed to Fred Edsell, et ux. by deed recorded November 18, 1977 as Instrument No. 230487, Official Records of Riverside County, California;

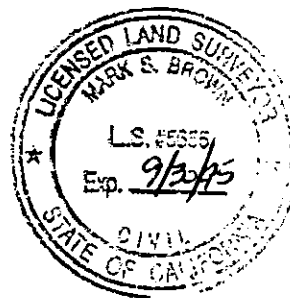
THENCE South 60° 46' 32" East along said south line 5.71 feet to the True Point of Beginning.

Area - 375.10 square feet.

Dated 12-22-94

Mary Young
MARY YOUNG

DESCRIPTION APPROVAL 12/20/94
M.S. Brown by GP
SURVEYOR, CITY OF RIVERSIDE



State of California)
County of RIVERSIDE) ss

On December 22, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared **MARY YOUNG**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Rosario A. Zeeb
Rosario A. Zeeb, Notary Public
Signature



CERTIFICATE OF ACCEPTANCE
(Government Code §27281)

THIS IS TO CERTIFY that the interest in real property conveyed by the within instrument to the City of Riverside, a municipal corporation of the State of California, is hereby accepted by the undersigned officer of behalf of the City Council of said City pursuant to authority conferred by Resolution No. 18233 of said City Council adopted May 11, 1993, and the grantee consents to recordation thereof by its duly authorized officer.

Dated

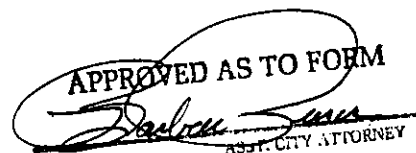
1/5/95

CITY OF RIVERSIDE



Real Property Service Manager
of the City of Riverside

APPROVED AS TO FORM


ASSISTANT CITY ATTORNEY

CITY OF RIVERSIDE

INTEROFFICE MEMO

RECEIVED

JAN 27 1995



Karen E. Lindquist
CITY CLERK

TO: Karen E. Lindquist
City Clerk

DATE: January 26, 1995

FROM: Barbara Purvis *Barbara Purvis*
Assistant City Attorney

SUBJECT: CITY OF RIVERSIDE V. DELBERT SCOTT, ET AL.; RIVERSIDE SUPERIOR COURT
CASE NO. 158578; SEDGWICK AVENUE WIDENING PROJECT

Enclosed herewith is the original of the Judgment and Final Order of Condemnation (Parcels 10A and 10B) as recorded on January 6, 1995, as Instrument No. 5022, Official Records of Riverside County, California. This document should be given a City Deed Number as the City acquired real property, or an interest in real property, by the recorded Judgment and Final Order of Condemnation.

Also enclosed is the original Quitclaim Deed from Mary Young to the City involving the same property as condemned in the above-referenced case. The Quitclaim was recorded on January 6, 1995, as Instrument No. 5023, Official Records of Riverside County, California.

By a copy of this memorandum, a copy of each document is being forwarded to the Real Property Services Manager so that she may close out her files.

Attachments

cc: Kathi Head, Real Property Services Manager

LB 3/10
13786