

WHEN RECORDED MAIL TO:

City of Riverside
City Attorney Office
Attn: Kathleen M. Gonzales
City Hall, 3900 Main Street
Riverside, California 92522

FREE RECORDING

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

DOC # 2000-219892

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Page 1 of 15

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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D-14581



FINAL ORDER OF CONDEMNATION

City of Riverside v. Elise Anna Augusto, et al.
SBSC Case No. RCVRS 40524

1 STAN T. YAMAMOTO, City Attorney #92381
KATHLEEN M. GONZALES, Assistant City Attorney #80105
2 JUANDA LOWDER DANIEL, Deputy City Attorney #157210
CITY OF RIVERSIDE
3 City Attorney's Office
City Hall, 3900 Main Street
4 Riverside, California 92522
(909)826-5567

FILED-Rancho Cucamonga District
SAN BERNARDINO COUNTY
SUPERIOR COURT

MAY 10 2000

By Jim M. McEllen
DEPUTY

5 Attorneys for Plaintiff
6 City of Riverside

7
8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SAN BERNARDINO, WEST VALLEY DIVISION

10
11 CITY OF RIVERSIDE, a municipal corporation,
12
13 Plaintiff,
14 vs.
15 ELSIE ANNA AUGUSTO as Trustee under
Declaration of Trust dated June 30, 1992,
16 Establishing the Elsie Anna Augusto Living
Trust; et al.,
17 Defendants.

Case No. RCVRS 40524
FINAL ORDER OF CONDEMNATION
(CCP § 1268.030)

18
19 Judgment in Condemnation having been entered in the above-referenced action on March
20 15, 2000, adjudging that Plaintiff CITY OF RIVERSIDE is entitled to take by condemnation the
21 real property described in Plaintiff's Complaint on file herein as Parcels 5A, 5C, 6A, 6C, 37A, 37B
22 and 37C and more fully described hereinafter, pursuant to a Stipulation for Entry of Judgment and
23 the filing of a Receipt of Money Paid Pursuant to Stipulation and Judgment; and

24 It further appearing that pursuant to an Order for Prejudgment Possession, Plaintiff CITY OF
25 RIVERSIDE was entitled to take possession of Parcels 5A, 5C, 6A, 6C, 37A, 37B and 37C on or
26 about August 1, 1995;

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1 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the
2 real property located in the City of Riverside, County of Riverside, and described as Parcels 5A, 5C,
3 6A, 6C, 37A, 37B and 37C in the Complaint on file in this action, shall be condemned to Plaintiff as
4 follows:

5 a. The fee simple interest in the real property designated as Parcels 5A, 6A and 37A in
6 the Complaint on file herein and more particularly described in Exhibit "A", attached hereto and
7 incorporated herein by this reference, shall be and is condemned to Plaintiff for public street and
8 highway purposes, and related and incidental improvements;

9 b. A slope easement in the real property designated as Parcel 37B in the Complaint on
10 file herein and more particularly described in Exhibit "B", attached hereto and incorporated herein
11 by this reference, shall be and is condemned to Plaintiff for public street and highway purposes, and
12 related and incidental improvements;

13 c. A temporary construction easement in the real property designated as Parcels 5C, 6C
14 and 37C in the Complaint on file herein and more particularly described in Exhibit "C", attached
15 hereto and incorporated herein by this reference, shall be and is condemned to Plaintiff for a period
16 of time not to exceed three months after right-of-way possession is vested in Plaintiff, or until
17 completion of the improvements for the California Avenue Extension Project, whichever is sooner.

18 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff was
19 entitled to take possession of the above-described real property on or about August 1, 1995,
20 pursuant to an Order for Prejudgment Possession issued on July 20, 1995, and in accordance with
21 Section 5082 of the Revenue and Taxation Code, the real property taxes, assessments, interests and
22 penalties thereon shall be apportioned as of said date and shall be terminated, canceled and
23 extinguished from and after said date as may be authorized by law.

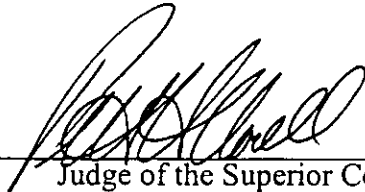
24 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that a certified
25 copy of this Final Order of Condemnation be filed with the County Recorder of the County of
26 Riverside, State of California, and thereupon, Plaintiff CITY OF RIVERSIDE shall take title to the
27 real property described herein, together with all improvements thereon, free and clear of any and all

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1 liens, encumbrances, easements, leaseholds, current and delinquent taxes and assessments of
2 whatever kind or nature.

3
4 Dated: 5/10/2000



Judge of the Superior Court

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PARCEL 5A

California Avenue Extension
Parcel Five

That portion of Lot 5 in Block 47 of La Granada, as shown by map on file in Book 12, Pages 42 through 51 of Maps, records of Riverside County, California, described as follows:

BEGINNING at the most westerly corner of said Lot 5;

THENCE South $33^{\circ}38'51''$ East, along the southwesterly line of said Lot 5, a distance of 135.09 feet to the most southerly corner of said Lot 5;

THENCE North $56^{\circ}19'43''$ East, along the southeasterly line of said Lot 5, a distance of 10.00 feet to a line parallel with and distant 50.00 feet northeasterly, as measured at right angles, from the centerline of Tyler Street (formerly Tyler Avenue) as shown by said map;

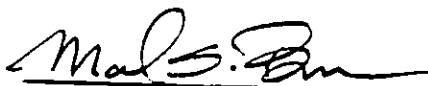
THENCE North $33^{\circ}38'51''$ West, along said parallel line, a distance of 104.75 feet to the beginning of a tangent curve concaving northeasterly and having a radius of 41.50 feet;

THENCE northwesterly to the right along said curve through a central angle of $46^{\circ}58'49''$ an arc length of 34.03 feet to the northwesterly line of said Lot 5;

THENCE South $56^{\circ}19'43''$ West, along said northwesterly line, a distance of 23.19 feet to the POINT OF BEGINNING.

Area - 1474.4 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
License Expires 9/30/95
Date 9/19/95 Prep. Kap



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PARCEL 6A

California Avenue Extension

That portion of Lot 6 in Block 47 of La Granada, as shown by map on file in Book 12, Pages 42 through 51 of Maps, records of Riverside County, California, lying northwesterly of a line parallel with and distant 39.00 feet southeasterly, as measured at right angles, from the following described line:

BEGINNING at the intersection of the centerline of Tyler Street with the northeasterly prolongation of the centerline of California Avenue all as shown by map on Tract No. 8006, on file in Book 94, Pages 59 through 63 of Maps, records of said Riverside County;

THENCE North $57^{\circ}55'23''$ East, continuing along said northeasterly prolongation of said centerline of California Avenue, a distance of 281.62 feet to the beginning of a tangent curve concaving southeasterly and having a radius of 680.00 feet;

THENCE northeasterly to the right along said curve through a central angle of $37^{\circ}21'40''$ an arc length of 443.41 feet to a line parallel with and distant 19.00 feet southerly, as measured at right angles, from the centerline of Tomlinson Avenue as shown by said map of La Granada;

THENCE South $84^{\circ}42'57''$ East, along said parallel line, a distance of 440.99 feet to the beginning of a tangent curve concaving northerly and having a radius of 680.00 feet;

THENCE easterly to the left along said last mentioned curve through a central angle of $45^{\circ}04'24''$ an arc length of 534.94 feet;

THENCE North $50^{\circ}12'39''$ East, a distance of 698.12 feet to the beginning of a tangent curve concaving northwesterly and having a radius of 680.00 feet;

THENCE northeasterly to the left along said last mentioned curve through a central angle of $16^{\circ}21'13''$ an arc length of 194.09 feet;

THENCE North $33^{\circ}51'26''$ East, a distance of 304.75 feet to the beginning of a tangent curve concaving southeasterly and having a radius of 680.00 feet; said curve also being the southwesterly prolongation of the centerline California Avenue as shown by map of Tract No. 8492, on file in Book 92, Pages 49 through 51 of Maps, records of said Riverside County;

THENCE northeasterly to the right along said last mentioned curve and along said southwesterly prolongation of the centerline of California Avenue through a central angle of $11^{\circ}40'51''$ an arc length of 138.63 feet to the intersection of said centerline

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of California Avenue with the centerline of Bolton Avenue as shown by said last mentioned map and the END of this line description.

Area - 98.9 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 6/19/95 Prep. Kap
Mark S. Brown, L.S. 5655 Date
License Expires 9/30/95

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PARCEL A

That portion of the Northeast Quarter of Section 12, Township 3 South, Range 6 West of the Rancho La Sierra, as shown by map on file in Book 6, Page 70 of Maps, records of Riverside County, California, described as follows:

COMMENCING at the intersection of the centerline of Bolton Avenue with the centerline of Lionhead Avenue, Lot "C", as shown by map of Tract No. 8583, on file in Book 142, Pages 81 through 84 of Maps, records of Riverside County, California;

THENCE North $0^{\circ}58'22''$ East, along said centerline of Lionhead Avenue, a distance of 535.44 feet to the northeast corner of said Lot "C"; said corner being the beginning of a non-tangent curve concaving southwesterly, having a radius of 47.00 feet and from which the radius bears South $0^{\circ}58'22''$ West;

THENCE easterly to the right along said curve through a central angle of $32^{\circ}08'06''$ an arc length of 26.36 feet to a line parallel with and distant 25.00 feet easterly, as measured at right angles from said centerline of Lionhead Avenue and the POINT OF BEGINNING of the parcel of land being described; the radial line to said point bears North $33^{\circ}06'28''$ East;

THENCE southeasterly continuing along said curve through a central angle of $72^{\circ}51'54''$ an arc length of 59.77 feet to the end of said curve;

THENCE South $15^{\circ}58'22''$ West, along a line tangent to said end of said curve, a distance of 16.84 feet to the northerly line of that certain parcel of land described in deed to Donald S. Cheney, et ux., by document recorded July 25, 1962, as Instrument No. 69578 of Official Records of said Riverside County;

THENCE North $89^{\circ}01'38''$ West, along said northerly line, a distance of 16.04 feet to said line parallel with and distant 25.00 feet easterly of the centerline of Lionhead Avenue;

THENCE North $0^{\circ}58'22''$ East, along said parallel line, a distance of 68.23 feet to the POINT OF BEGINNING

EXCEPTING THEREFROM that portion lying within Parcel 2 of Record of Survey on file in Book 89, Page 13 of Record of Surveys, records of said Riverside County.

Area - 800 square feet.

PARCEL B

That portion of the Northeast Quarter of Section 12, Township 3 South, Range 6 West of the Rancho La Sierra, as shown by map on file in Book 6, Page 70 of Maps, records of Riverside County, California, lying easterly of a line parallel with and distant 33.00 feet westerly, as measured at right angles, from the following described line:

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BEGINNING at the intersection of the centerline of Bolton Avenue with the centerline of Harrison Street, as shown by map of Tract No. 8583, on file in Book 142, Pages 81 through 84 of Maps, records of Riverside County, California;

THENCE North $0^{\circ}57'09''$ East, along said centerline of Harrison Street, a distance of 283.49 feet to the beginning of a tangent curve concaving easterly and having a radius of 368.26 feet;

THENCE northerly to the right along said curve through a central angle of $29^{\circ}50'42''$ an arc length of 191.82 feet to a point of reverse curvature with a tangent curve concaving westerly and having a radius of 370.00 feet; the radial line to said point bears South $59^{\circ}12'09''$ East;


THENCE northerly to the left along said last mentioned curve through a central angle of $33^{\circ}53'46''$ an arc length of 218.89 feet to the END of this line description;

EXCEPTING THEREFROM that portion lying easterly of a line parallel with and distant 20.00 feet westerly, as measured at right angles, from said centerline of Harrison Street as shown by said last mentioned map;

ALSO EXCEPTING THEREFROM that portion lying southerly of the northerly line of Parcel 3 of Record of Survey on file in Book 19, Page 51 of Record of Surveys, records of said Riverside County.

Area - 269.6 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 6/20/95 Prep. KPR
License Expires 9/30/95

2/30/95

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That portion of the Northeast Quarter of Section 12, Township 3 South, Range 6 West of the Rancho La Sierra, as shown by map on file in Book 6, Page 70 of Maps, records of Riverside County, California, described as follows:

BEGINNING at the northeast corner of Parcel 3 of Record of Survey on file in Book 19, Page 51 of Record of Surveys, records of said Riverside County;

THENCE North 0°57'09" East, along the westerly line of Harrison Street as shown by said Record of Survey, a distance of 115.00 feet;

THENCE North 89°02'51" West, at right angle to said westerly line, a distance of 25.00 feet to a line parallel with and distant 25.00 feet westerly, as measured at right angles, from said westerly line;

THENCE South 0°57'09" West, along said parallel line, a distance of 114.99 feet to the northerly line of said Parcel 3;

THENCE South 89°01'38" East, along said northerly line, a distance of 25.00 feet to the POINT OF BEGINNING;

EXCEPTING THEREFROM that portion lying easterly of a line parallel with and distant 33.00 feet westerly, as measured at right angles, from the following described line:

BEGINNING at the intersection of the centerline of Bolton Avenue with the centerline of Harrison Street, as shown by map of Tract No. 8583, on file in Book 142, Pages 81 through 84 of Maps, records of Riverside County, California;

THENCE North 0°57'09" East, along said centerline of Harrison Street, a distance of 283.49 feet to the beginning of a tangent curve concaving easterly and having a radius of 368.26 feet;

THENCE northerly to the right along said curve through a central angle of 29°50'42" an arc length of 191.82 feet to a point of reverse curvature with a tangent curve concaving westerly and having a radius of 370.00 feet; the radial line to said point bears South 59°12'09" East;

THENCE northerly to the left along said last mentioned curve through a central angle of 33°53'46" an arc length of 218.89 feet to the END of this line description.

Area - 2,605.3 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
Mark S. Brown, L.S. 5655
License Expires 9/30/95

Prep. [Signature]

1/30/95

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PARCEL 5C

California Avenue Extension
Parcel Five - TEMPORARY CONSTRUCTION EASEMENT

That portion of Lot 5 in Block 47 of La Granada, as shown by map on file in Book 12, Pages 42 through 51 of Maps, records of Riverside County, California, described as follows:

BEGINNING at the most westerly corner of said Lot 5;

THENCE North $56^{\circ}19'43''$ East, along the southeasterly line of said Lot 5, a distance of 10 feet to the POINT OF BEGINNING of the parcel of land being described;

THENCE North $33^{\circ}38'51''$ West, along a line parallel with the southwesterly line of said Lot 5, a distance of 104.75 feet to the beginning of a tangent curve concaving easterly and having a radius of 41.50 feet;

THENCE northwesterly to the right along said curve through a central angle of $46^{\circ}58'49''$ an arc length of 34.03 feet to the northwesterly line of said Lot 5;

THENCE North $56^{\circ}19'43''$ East, along said northwesterly line, a distance of 19.88 feet to the beginning of a non-tangent curve concaving easterly, having a radius of 31.50 feet and to which the radial line bears North $76^{\circ}40'02''$ West;

THENCE southwesterly to the left along said last mentioned curve through a central angle of $74^{\circ}28'06''$ an arc length of 40.94 feet;

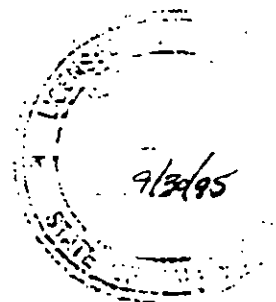
THENCE South $33^{\circ}38'51''$ East, along a line parallel with said southwesterly line of Lot 5, a distance of 104.75 feet to said southeasterly line of Lot 5;

THENCE South $56^{\circ}19'43''$ West, along said southeasterly line, a distance of 10 feet to the POINT OF BEGINNING.

Area - 1411 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 9/20/95 Prep. Yes
Mark S. Brown, L.S. 5655 Date
License Expires 9/30/95



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PARCEL 6C

California Avenue Extension
Parcel Six - TEMPORARY CONSTRUCTION EASEMENT

That portion of Lot 6 in Block 47 of La Granada, as shown by map on file in Book 12, Pages 42 through 51 of Maps, records of Riverside County, California, described as follows:

BEGINNING at the southwesterly corner of said Lot 6;

THENCE North $56^{\circ}19'43''$ East, along the northerly line of said Lot 6, a distance of 161.21 feet to the being the beginning of a non-tangent curve concaving southeasterly, having a radius of 641 feet to which the radial line bears North $25^{\circ}43'38''$ West;

THENCE northeasterly to the right along said curve through a central angle of $3^{\circ}03'14''$ an arc length of 34.17 feet to the easterly line of said Lot 6;

THENCE South $2^{\circ}56'00''$ West, along said easterly line, a distance of 10.65 feet to the beginning of a non-tangent curve concaving southeasterly, having a radius of 631 feet, being concentric with the previously described curve having a radius of 641 feet and to which the radial line bears North $22^{\circ}59'59''$ West;

THENCE southwesterly to the left along said last mentioned curve through a central angle of $2^{\circ}39'54''$ an arc length of 29.35 feet;

THENCE South $56^{\circ}19'43''$ West, a distance of 160.51 feet to the westerly line of said Lot 6;

THENCE North $33^{\circ}38'51''$ West, along said westerly line, a distance of 10 feet to the POINT OF BEGINNING.

Area - 1927 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 6/20/95 Prep. Var
Mark S. Brown, L.S. 5655 Date
License Expires 9/30/95

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PARCEL 37C

California Avenue Extension
Parcel Thirty-Seven - TEMPORARY CONSTRUCTION EASEMENT

That portion of the Northeast Quarter of Section 12, Township 3 South, Range 6 West of the Rancho La Sierra, as shown by map on file in Book 6, Page 70 of Maps, records of Riverside County, California, and that portion of Lot 16 in Block 10 of the Lands of the Riverside Land and Irrigating Company, as shown by map on file in Book 1, Page 70 of Maps, records of San Bernardino County, California, described as follows:

COMMENCING at the most easterly corner of Parcel 2 of Record of Survey on file in Book 89, Page 13 of Record of Surveys, records of said Riverside County;

THENCE South 56°21'37" West, along the northwesterly line of California Avenue as shown by said Record of Survey, a distance of 275.92 feet to the southwesterly line of said Parcel 2, and the POINT OF BEGINNING of the parcel of land being described;

THENCE South 56°21'37" West, along said northwesterly line and along the southwesterly prolongation of said northwesterly line, a distance of 90 feet;

THENCE North 33°36'29" West, along a line parallel with the southwesterly line of said Parcel 2, a distance of 25 feet;

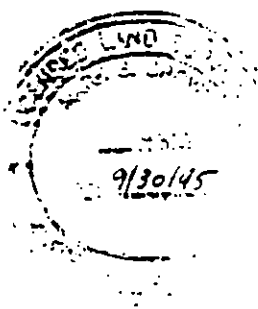
THENCE North 56°21'37" East, along a line parallel with said northwesterly line, a distance of 90 feet to said southwesterly line of Parcel 2;

THENCE South 33°36'39" East, along said southwesterly line, a distance of 25 feet to the POINT OF BEGINNING.

Area - 2250 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 6/19/95 Prep. [Signature]
Mark S. Brown, L.S. 5655 Date
License Expires 9/30/95



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1 PROOF OF SERVICE BY MAIL-- [1013a, (3) 2015.5 C.C.P.]

2 STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

3 I am a resident of the county aforesaid; I am over the age of
4 18 years and not a party to the within above-entitled action; my
business address is 3900 Main Street, Riverside, California 92522.

5 On May 8, 2000, I served the within:

6 FINAL ORDER OF CONDEMNATION

7 on the interested parties in said action, by placing a true copy
8 thereof enclosed in a sealed envelope(s) with postage thereon fully
9 prepaid, in the United States mail at Riverside, California,
addressed as follows:

10 Mark R. Fox
11 Driscoll & Fox
555 West Fifth Street, 31st Floor
Los Angeles, CA 90013

12 I caused such envelope(s) to be deposited in the mail at
13 Riverside, California. The envelope was mailed with postage thereon
fully prepaid.

14 I am "readily familiar" with this firm's practice of collection
15 and processing correspondence for mailing. It is deposited with the
16 U.S. Postal Service on the same day in the ordinary course of
17 business. I am aware that on motion of party served, service is
presumed invalid if postal cancellation date or postage meter dated
is more than one day after date of deposit for mailing affidavit.

18 I declare, under penalty of perjury, under the laws of the
State of California that the foregoing is true and correct.

19 Executed on May 8, 2000, at Riverside, California.

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21 
22 Sonya Baca Chavarria
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