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MCCORMICK, KIDMAN & BEHRENS, LLP
KEITH E. MCCULLOUGH,
CSBN:142519
695 TOWN CENTER DRIVE, SUITE
1400
COSTA MESA, CA 92626



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Order No. 6056196 - K26

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FINAL ORDER OF CONDEMNATION

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WHEN RECORDED MAIL TO:

McCORMICK, KIDMAN & BEHRENS, LLP
KEITH E. McCULLOUGH, CSBN: 142519
695 Town Center Drive
Suite 1400
Costa Mesa, California 92626
Telephone: (714)755-3100
Facsimile: (714) 755-3110

Attorneys for City of Riverside,
A Municipal Corporation

FILED
SUPERIOR/MUNICIPAL COURT
OF RIVERSIDE COUNTY

DEC 16 1999

FREE RECORDING REQUESTED
PER GOVERNMENT CODE 6103

Keith E. McCullough
KEITH E. MCCULLOUGH
Attorney and authorized agent for
City of Riverside, A Municipal
Corporation

D -

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

CITY OF RIVERSIDE, a
municipal corporation,

Plaintiff,

v.

ROBERT ROY ROBINSON AND
MARGARET ROSE ROBINSON,
TRUSTEES OF THE ROBINSON
FAMILY TRUST DATED
JANUARY 27, 1994, ET AL

Defendants.

CASE NO. 303330

HON. GLORIA CONNER TRASK
DEPARTMENT 4

FINAL ORDER OF CONDEMNATION

PARCELS 9A, 9B, 9C, 9D, 10A, 10B,
10C, 11 AND 12

ASSESSOR PARCEL NOS.
229-161-015, 229-161-016
229-161-017, 229-161-018

McCORMICK, KIDMAN & BEHRENS, LLP
LAWYERS



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Plaintiff in the above-entitled case obtained a Judgment, on file herein, authorizing the taking by condemnation of certain real property described in the complaint in eminent domain. The real property is also described as PARCELS 9A, 9B, 9C, 9D, 10A, 10B, 10C, 11 and 12 in Exhibit "A" attached hereto and by this reference made a part hereof as though set forth at length. The complaint alleged that defendants ROY ROBINSON AND MARGARET ROSE ROBINSON, TRUSTEES OF THE ROBINSON FAMILY TRUST DATED JANUARY 27, 1994, ROBERT ROY ROBINSON, INDIVIDUALLY, and MARGARET ROSE ROBINSON, INDIVIDUALLY ("Robinson" herein) and "unknown persons claiming an interest in the property" owned or had an interest in such real property. The Judgment further provides that defendants ROY ROBINSON AND MARGARET ROSE ROBINSON, TRUSTEES OF THE ROBINSON FAMILY TRUST DATED JANUARY 27, 1994, ROBERT ROY ROBINSON, INDIVIDUALLY, and MARGARET ROSE ROBINSON, INDIVIDUALLY have answered the complaint claiming fee ownership of the parcel; that all other defendants named in such complaint, or who have otherwise appeared herein, have either disclaimed, are in default or been dismissed; and that no person unknown has claimed any interest in the property or the award provided for in such Judgment. The Judgment states that upon payment directly to defendants the award specified therein, plaintiff is entitled to a Final Order of Condemnation.

Plaintiff paid the award specified in the Judgment for the benefit of the named defendants ROY ROBINSON AND MARGARET ROSE ROBINSON, TRUSTEES OF THE ROBINSON FAMILY TRUST DATED JANUARY 27, 1994, ROBERT ROY ROBINSON, INDIVIDUALLY, and MARGARET ROSE ROBINSON, INDIVIDUALLY, as owners of the property being taken for Parcel Nos. 9A, 9B, 9C, 9D, 10A, 10B, 10C, 11 and 12. The award



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is the total amount of compensation awarded by the court for the taking of Parcel Nos. 9A, 9B, 9C, 9D, 10A, 10B, 10C, 11 and 12 and for all interest due such defendant by reason of plaintiff's prejudgment or post-judgment possession of such parcels. Such taking of parcel nos. 9A, 9B, 9C, 9D, 10A, 10B, 10C, 11 and 12 being for the purpose of constructing a grade separation at Arlington Avenue and the Burlington Northern Santa Fe railroad tracks generally located between Maude Street and Indiana Avenue which authorized by law and is a public use, and that the taking of said property by the plaintiff is necessary for said public use.

Plaintiff now applies to the court pursuant to Code of Civil Procedure section 1268.030 for a Final Order of Condemnation:

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that parcel nos. 9A, 9B, 9C, 9D, 10A, 10B, 10C, 11 and 12, the real property affected by these proceedings, which property is located in the County of Riverside, State of California, and which is more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof as though set forth in length, is hereby condemned to plaintiff;

IT IS FURTHER ORDERED that a certified copy of this final order be filed for recording in the Office of the Recorder of the county in which said property is located, and upon such recordation title to the property hereinabove described as Parcel Nos. 9A, 9B, 9C, 9D, 10A, 10B, 10C, 11 and 12 shall vest in plaintiff CITY OF RIVERSIDE.

Dated: DEC 16 1999, 1999

GLORIA CONNOR TRASK

HONORABLE GLORIA CONNER TRASK
JUDGE OF THE SUPERIOR COURT

This must be in red to be a "CERTIFIED COPY"
Each document to which this certificate is attached is certified to be a full, true and correct copy of the original on file and of record in my office.
[Signature]
ARTHUR A. SIMS, CLERK
Superior/Municipal Courts
County of Riverside
State of California
Dated: 12/16/99



A.P.N. 229-161-018

*Arlington Avenue Underpass
@ B.N.S.F. RR.
Parcel 9A - Sanitary Sewer Facilities Easement*

A permanent easement and right-of-way for the construction of sanitary sewer facilities, together with all necessary appurtenances, in, under, over and along that certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

A strip of land 10.00 feet in width, lying within that portion of Lot 2 in Block 71 of Arlington Heights, as shown by map on file in Book 11, Pages 20 and 21 of Maps, records of San Bernardino, California, the centerline of said strip of land being described as follows:

COMMENCING at the northeasterly corner of said Lot 2;

THENCE South 0°21'30" East, along the easterly line of said Lot 2, a distance of 199.79 feet to the **POINT OF BEGINNING** of this centerline description;

THENCE North 57°23'56" West, a distance of 169.37 feet to the southeasterly line of the B.N.S.F. Railroad right-of-way and the **END** of this centerline description;

EXCEPTING THEREFROM that portion lying southwesterly of the southwesterly line of Parcel 2 of that certain parcel of land described in Quitclaim Deed to THE ROBINSON FAMILY TRUST by document recorded February 15, 1994, as Instrument No. 64796 of Official Records of said Riverside County.

Area - 622 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 10/1/97 Date Prep. Kap
Mark S. Brown, L.S. 5655 License Expires 9/30/99



A.P.N. 229-161-018

*Arlington Avenue Underpass
@ B.N.S.F. RR.
Parcel 9B - Roadway Slopes & Retaining Wall Facilities*

A permanent easement and right-of-way for the construction and installation of roadway slopes and retaining wall facilities, together with all necessary appurtenances, in, under, over and along that certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of Lot 2 in Block 71 of Arlington Heights, as shown by map on file in Book 11, Pages 20 and 21 of Maps, records of San Bernardino, California, described as follows:

BEGINNING at the point of intersection of the southeasterly line of the B.N.S.F. Railroad right-of-way with a line parallel with and distant 60.00 feet southerly, as measured at right angles, from the centerline of Arlington Avenue, as shown by map of Heers Subdivision No. 5, on file in Book 25, Pages 23 and 24 of Maps, records of Riverside County, California;

THENCE North 89°46' East, along said parallel line, a distance of 64.11 feet to the easterly line of said Lot 2;

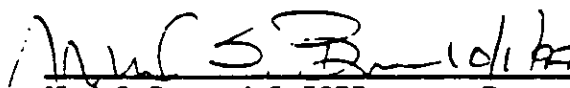
THENCE South 0°21'30" East, along said easterly line, a distance of 35.14 feet to a line parallel with and distant 95.14 feet southerly, as measured at right angles, from said centerline of Arlington Avenue;

THENCE South 89°46' West, along said last mentioned parallel line, a distance of 93.80 feet to a point said southeasterly line of the B.N.S.F. Railroad right-of-way; said point being in a non-tangent curve concaving northwesterly, having a radius of 1482.4 feet and from which the radius bears North 49°13'52" West;

THENCE northeasterly to the right along said curve through a central angle of 1°46'34" an arc length of 45.96 feet to the **POINT OF BEGINNING**.

Area - 2769 square feet.

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

 Prep. 1/2/99
Mark S. Brown, L.S. 5655 Date
License Expires 9/30/99



A.P.N. 229-161-018

*Arlington Avenue Underpass
@ B.N.S.F. RR.*

Parcel 9C - T.C.E. (Construction and Installation of Street and Public Utility Improvements)

A temporary easement and right-of-way for the construction and installation of street and public utility improvements, together with all necessary appurtenances, in, under, over and along that certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of Lot 2 in Block 71 of Arlington Heights, as shown by map on file in Book 11, Pages 20 and 21 of Maps, records of San Bernardino, California, described as follows:

COMMENCING at the northeasterly corner of said Lot 2;

THENCE South $0^{\circ}21'30''$ East, along the easterly line of said Lot 2, a distance of 113.42 feet to the **POINT OF BEGINNING** of the parcel of land being described;

THENCE continuing South $0^{\circ}21'30''$ East, along said easterly line, a distance of 110.24 feet to the southerly line of Parcel 2 of that certain parcel of land described in Quitclaim Deed to THE ROBINSON FAMILY TRUST by document recorded February 15, 1994, as Instrument No. 64796 of Official Records of said Riverside County;

THENCE South $89^{\circ}38'30''$ West, along said southerly line, a distance of 14.7 feet to the southwesterly line of said Parcel 2;

THENCE North $33^{\circ}21'30''$ West, along said southwesterly line, a distance of 131.44 feet;

THENCE North $89^{\circ}38'23''$ East, a distance of 86.29 feet to the **POINT OF BEGINNING**;

EXCEPTING THEREFROM that portion lying within a strip of land 10.00 feet in width, the centerline of which is described follows:

COMMENCING at said northeasterly corner of Lot 2;

THENCE South $0^{\circ}21'30''$ East, along said easterly line of Lot 2, a distance of 199.79 feet to the **POINT OF BEGINNING** of this centerline description;



THENCE North 57°23'56" West, a distance of 169.37 feet to the southeasterly line of the B.N.S.F. Railroad right-of-way and the END of this centerline description.

Area - 4945 square feet.

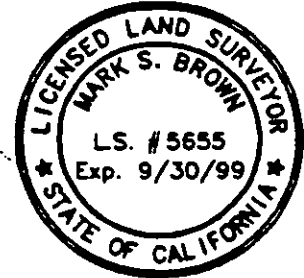
This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

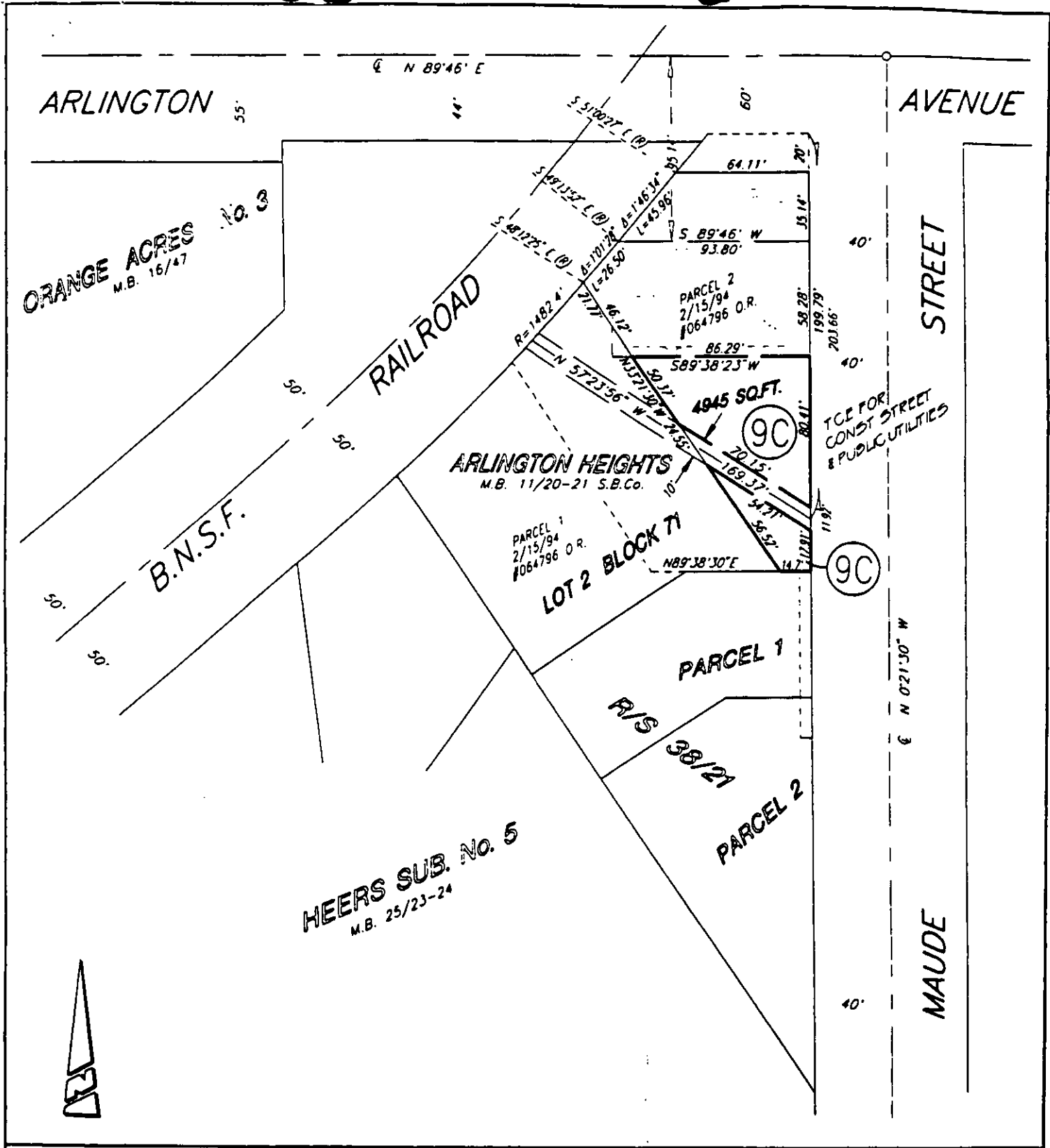
Mark S. Brown 10/17/97 Prep. kgz

Mark S. Brown, L.S. 5655

Date

License Expires 9/30/99





• 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

SCALE: N.T.S.

DRAWN BY: Kgs 9/29/97

SUBJECT: ARLINGTON AVENUE UNDERPASS - ROB. PAR. 2



A.P.N. 229-161-018

Arlington Avenue Underpass

@ B.N.S.F. RR.

Parcel 9D - T.C.E. (Removal & Reconstruction of N'ly ± 800 sf of a Building)

A temporary easement and right-of-way for the removal of the northerly ± 800 square feet of a building and to enclose and reconstruct the affected portion of the building, including the rights of ingress and egress, in, under, upon, over and along that certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of Lot 2 in Block 71 of Arlington Heights, as shown by map on file in Book 11, Pages 20 and 21 of Maps, records of San Bernardino, California, described as follows:

BEGINNING at the point of intersection of the southeasterly line of the B.N.S.F. Railroad right-of-way with a line parallel with and distant 95.14 feet southerly, as measured at right angles, from the centerline of Arlington Avenue, as shown by map of Heers Subdivision No. 5, on file in Book 25, Pages 23 and 24 of Maps, records of Riverside County, California;

THENCE North 89° 46' East, along said parallel line, a distance of 93.80 feet to the easterly line of said Lot 2;

THENCE South 0° 21' 30" East, along said easterly line, a distance of 58.28 feet;



THENCE South 89° 38' 23" West, a distance of 86.29 feet to the southwesterly line of Parcel 2 of that certain parcel of land described in Quitclaim Deed to THE ROBINSON FAMILY TRUST by document recorded February 15, 1994, as Instrument No. 64796 of Official Records of said Riverside County;

THENCE North 33° 21' 30" West, along said southwesterly line, a distance of 46.12 feet to a point in said southeasterly line of the B.N.S.F. Railroad right-of-way; said point being in a curve concaving northwesterly, having a radius of 1482.4 feet and from which the radius bears North 48° 12' 25" West;

THENCE northeasterly to the left along said curve through a central angle of 1° 01' 28" an arc length of 26.50 feet to the **POINT OF BEGINNING**.

Area - 5845 square feet.

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

 10/1/97 Prep. 
Mark S. Brown, L.S. 5655 Date
License Expires 9/30/99



14647

A.P.N. 229-161-017

Arlington Avenue Underpass
@ B.N.S.F. RR.
Parcel 10A - Sanitary Sewer Facilities Easement

A permanent easement and right-of-way for the construction of sanitary sewer facilities, together with all necessary appurtenances, in, under, over and along that certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

A strip of land 10.00 feet in width, lying within that portion of Lot 2 in Block 71 of Arlington Heights, as shown by map on file in Book 11, Pages 20 and 21 of Maps, records of San Bernardino, California, the centerline of said strip of land being described as follows:

COMMENCING at the northeasterly corner of said Lot 2;


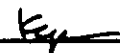
THENCE South $0^{\circ}21'30''$ East, along the easterly line of said Lot 2, a distance of 199.79 feet to the POINT OF BEGINNING of this centerline description;

THENCE North $57^{\circ}23'56''$ West, a distance of 169.37 feet to the southeasterly line of the B.N.S.F. Railroad right-of-way and the END of this centerline description;

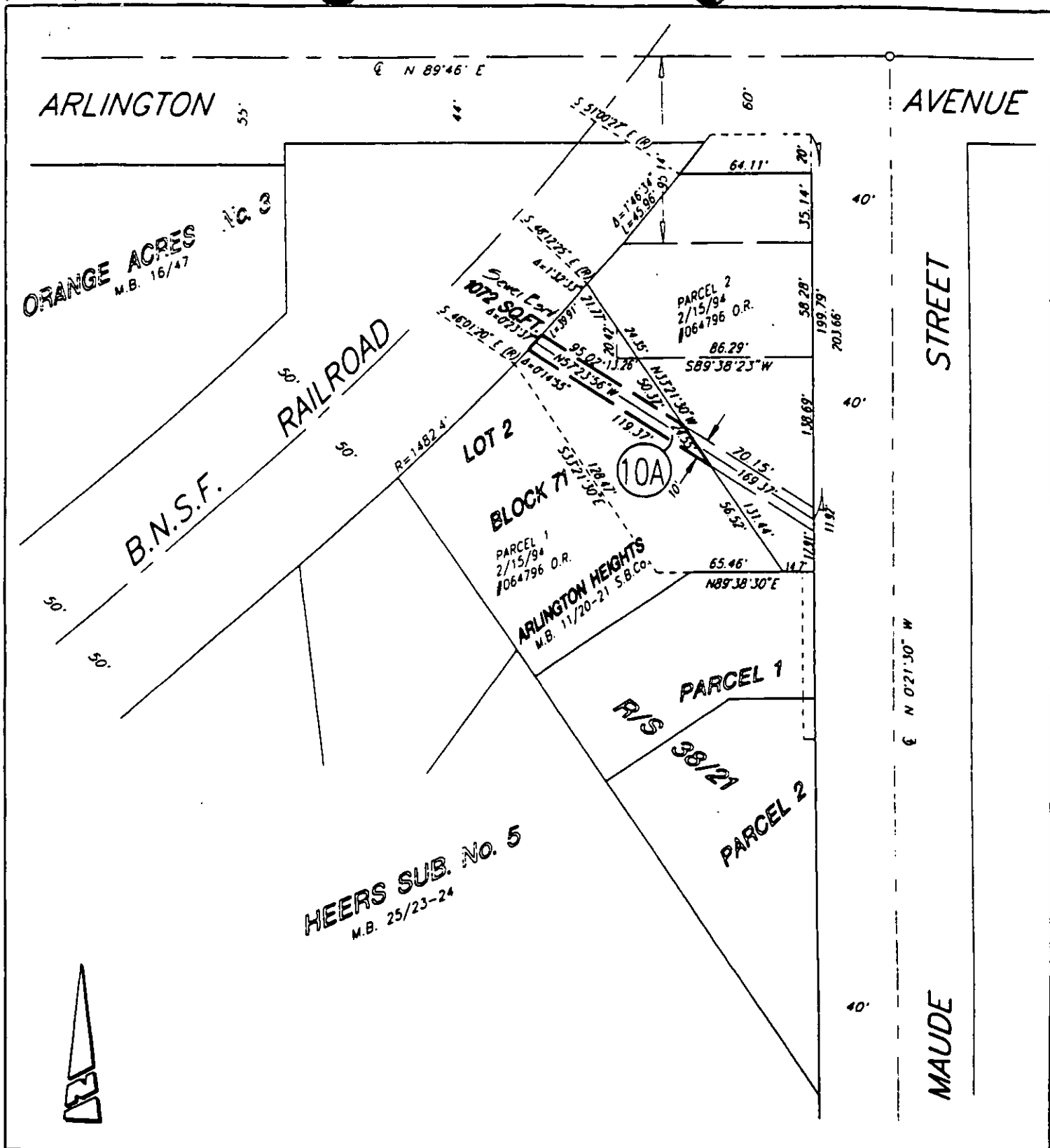
EXCEPTING THEREFROM that portion lying northeasterly of the southwesterly line of Parcel 2 of that certain parcel of land described in Quitclaim Deed to THE ROBINSON FAMILY TRUST by document recorded February 15, 1994, as Instrument No. 64796 of Official Records of said Riverside County.

Area - 1072 square feet.

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

 10/1/97 Date Prep. 
Mark S. Brown, L.S. 5655 License Expires 9/30/99





● CITY OF RIVERSIDE, CALIFORNIA ●

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SHEET 1 OF 1

SCALE: N.T.S.

DRAWN BY: Kgs 9/29/97

SUBJECT: ARLINGTON AVENUE UNDERPASS - ROB. PAR. 1



A.P.N. 229-161-017

Arlington Avenue Underpass

@ B.N.S.F. RR.

Parcel 10B - T.C.E. (Construction and Installation of Street and Public Utility Improvements)

A temporary easement and right-of-way for the construction and installation of street and public utility improvements, together with all necessary appurtenances, in, under, over and along that certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of Lot 2 in Block 71 of Arlington Heights, as shown by map on file in Book 11, Pages 20 and 21 of Maps, records of San Bernardino, California, described as follows:

COMMENCING at the northeasterly corner of said Lot 2;

THENCE South $0^{\circ}21'30''$ East, along the easterly line of said Lot 2, a distance of 203.66 feet to the southeasterly corner of Parcel 2 of that certain parcel of land described in Quitclaim Deed to THE ROBINSON FAMILY TRUST by document recorded February 15, 1994, as Instrument No. 64796 of Official Records of said Riverside County;

THENCE South $89^{\circ}38'30''$ East, along the southerly line of said Parcel 2, a distance of 14.70 feet to the most easterly corner of Parcel 1 as described in said Quitclaim Deed and the **POINT OF BEGINNING** of the parcel of land being described;

THENCE North $33^{\circ}21'30''$ West, along the southwesterly line of said Parcel 2, a distance of 131.44 feet;

THENCE South $89^{\circ}38'23''$ West, a distance of 13.26 feet;

THENCE North $0^{\circ}21'37''$ West, a distance of 20.42 feet to said southwesterly line of Parcel 2;

THENCE North $33^{\circ}21'30''$ West, along said southwesterly line of Parcel 2, a distance of 21.77 feet to a point the southeasterly line of the B.N.S.F. Railroad right-of-way; said point being in a non-tangent curve concaving northwesterly, having a radius of 1482.4 feet and from which the radius bears North $48^{\circ}12'25''$ West;

THENCE southwesterly along said curve through a central angle of $2^{\circ}11'05''$ an arc length of 56.52 feet;

THENCE South $33^{\circ}21'30''$ East, a distance of 128.47 feet to the westerly prolongation of the southerly line of said Parcel 1;



THENCE North 89°38'30" East, along said westerly prolongation and along said southerly line, a distance of 65.46 feet to the POINT OF BEGINNING;

EXCEPTING THEREFROM that portion lying within a strip of land 10.00 feet in width, the centerline of which is described as follows:

COMMENCING at said northeasterly corner of Lot 2;

THENCE South 0°21'30" East, along said easterly line of Lot 2, a distance of 199.79 feet to the POINT OF BEGINNING of this centerline description;

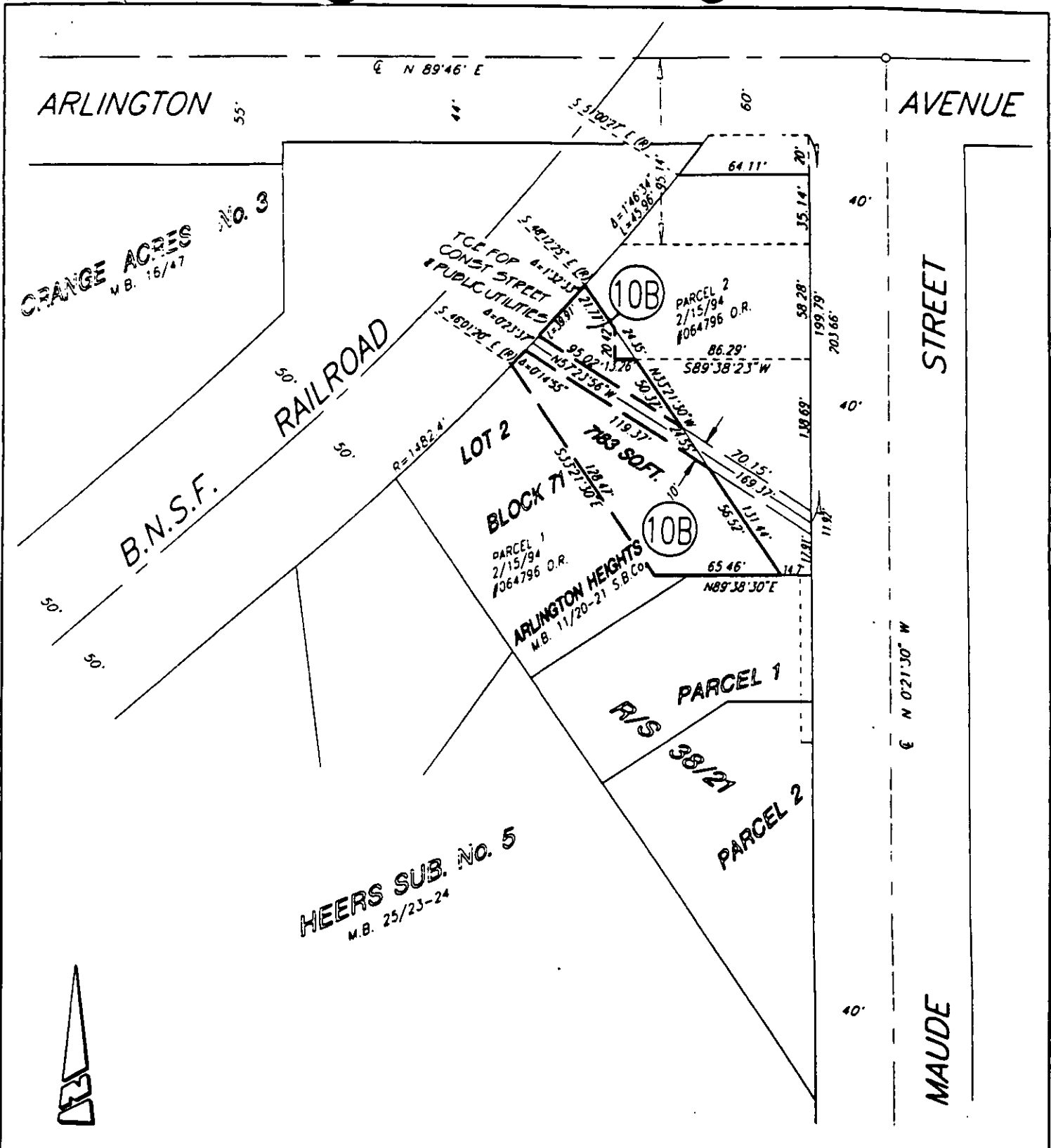
THENCE North 57°23'56" West, a distance of 169.37 feet to the southeasterly line of the B.N.S.F. Railroad right-of-way and the END of this centerline description.

Area - 7183 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 10/1/97 Prep. Kap
Mark S. Brown, L.S. 5655 Date
License Expires 9/30/99





● CITY OF RIVERSIDE, CALIFORNIA ●

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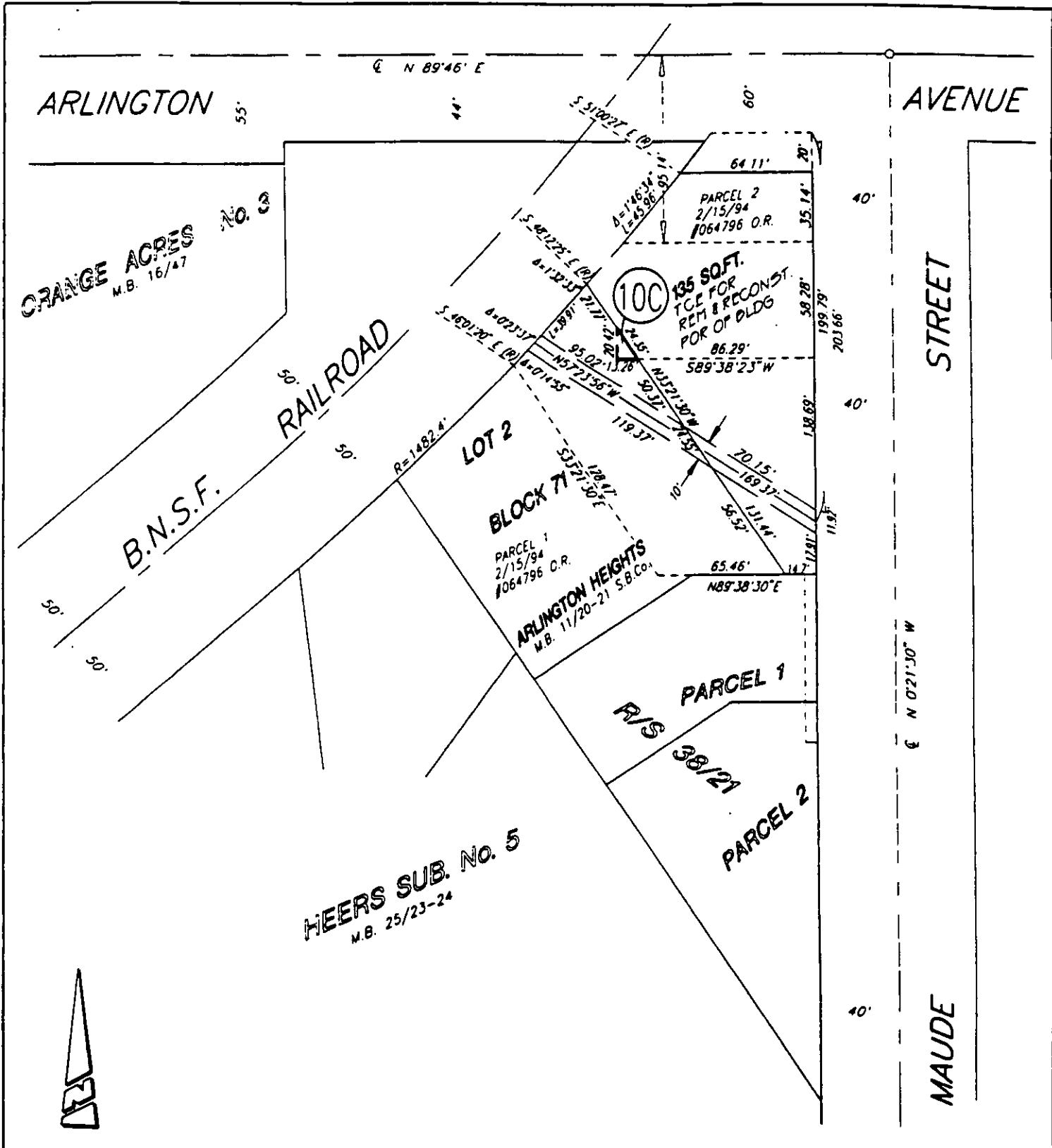
SHEET 1 OF 1

SCALE: N.T.S.

DRAWN BY: Kgs 9/29/97

SUBJECT: ARLINGTON AVENUE UNDERPASS - ROB. PAR. 1





• CITY OF RIVERSIDE, CALIFORNIA •

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SCALE: N.T.S.	DRAWN BY: Kgs 9/29/97	SUBJECT: ARLINGTON AVENUE UNDERPASS - ROB. PAR. 1



A.P.N. 229-161-016

*Arlington Avenue Underpass
@ B.N.S.F. RR.*

Parcel 11 - T.C.E. (Construction and Installation of Street and Public Utility Improvements)



A temporary easement and right-of-way for the construction and installation of street and public utility improvements, together with all necessary appurtenances, in, under, over and along that certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of Lot 2 in Block 71 of Arlington Heights, as shown by map on file in Book 11, Pages 20 and 21 of Maps, records of San Bernardino County, California, described as follows:

The easterly 6.00 feet of Parcel 1 of Record of Survey on file in Book 38, Page 21 of Record of Surveys, records of Riverside County, California, together with the easterly 6.00 feet of the northerly 5.00 feet of Parcel 2 of said Record of Survey.

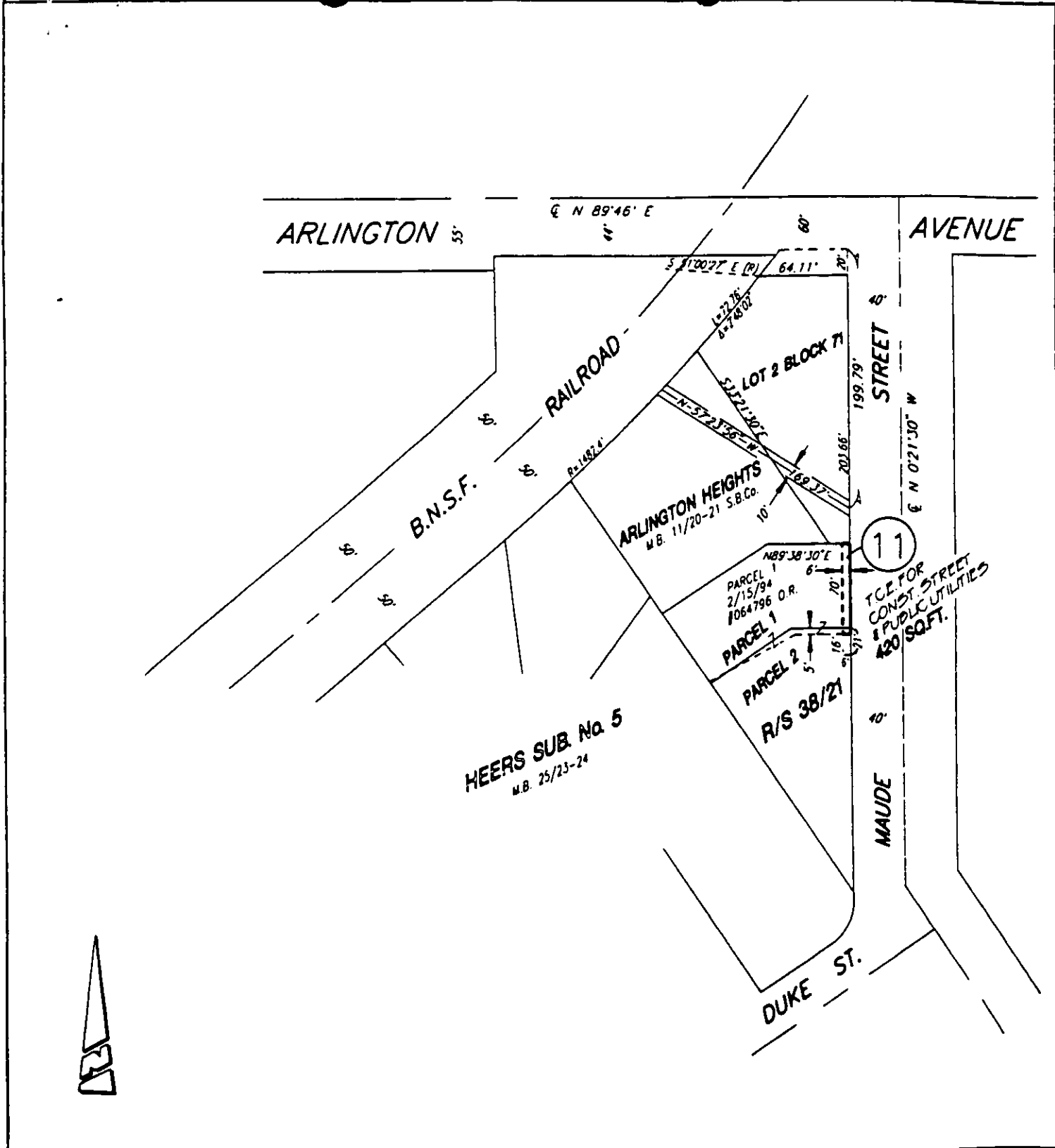
Area - 420 square feet.

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

 10/1/97 Date Prep. 
Mark S. Brown, L.S. 5655 License Expires 9/30/99



2000-043133
02/04/2000 08:00A
21 of 24



● CITY OF RIVERSIDE, CALIFORNIA ●

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SHEET 1 OF 1

SCALE: N.T.S.

DRAWN BY: Kgs 8/20/96

SUBJECT: ARLINGTON AVENUE UNDERPASS



14647

A.P.N. 229-161-015

Arlington Avenue Underpass

@ B.N.S.F. RR.

Parcel 12 - T.C.E. (Construction and Installation of Street and Public Utility Improvements)

A temporary easement and right-of-way for the construction and installation of street and public utility improvements, together with all necessary appurtenances, in, under, over and along that certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of Lot 2 in Block 71 of Arlington Heights, as shown by map on file in Book 11, Pages 20 and 21 of Maps, records of San Bernardino County, California, described as follows:

The easterly 6.00 feet of the southerly 16.00 feet of the northerly 21.00 feet of Parcel 2 of Record of Survey on file in Book 38, Page 21 of Record of Surveys, records of Riverside County, California.

Area - 96 square feet.

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

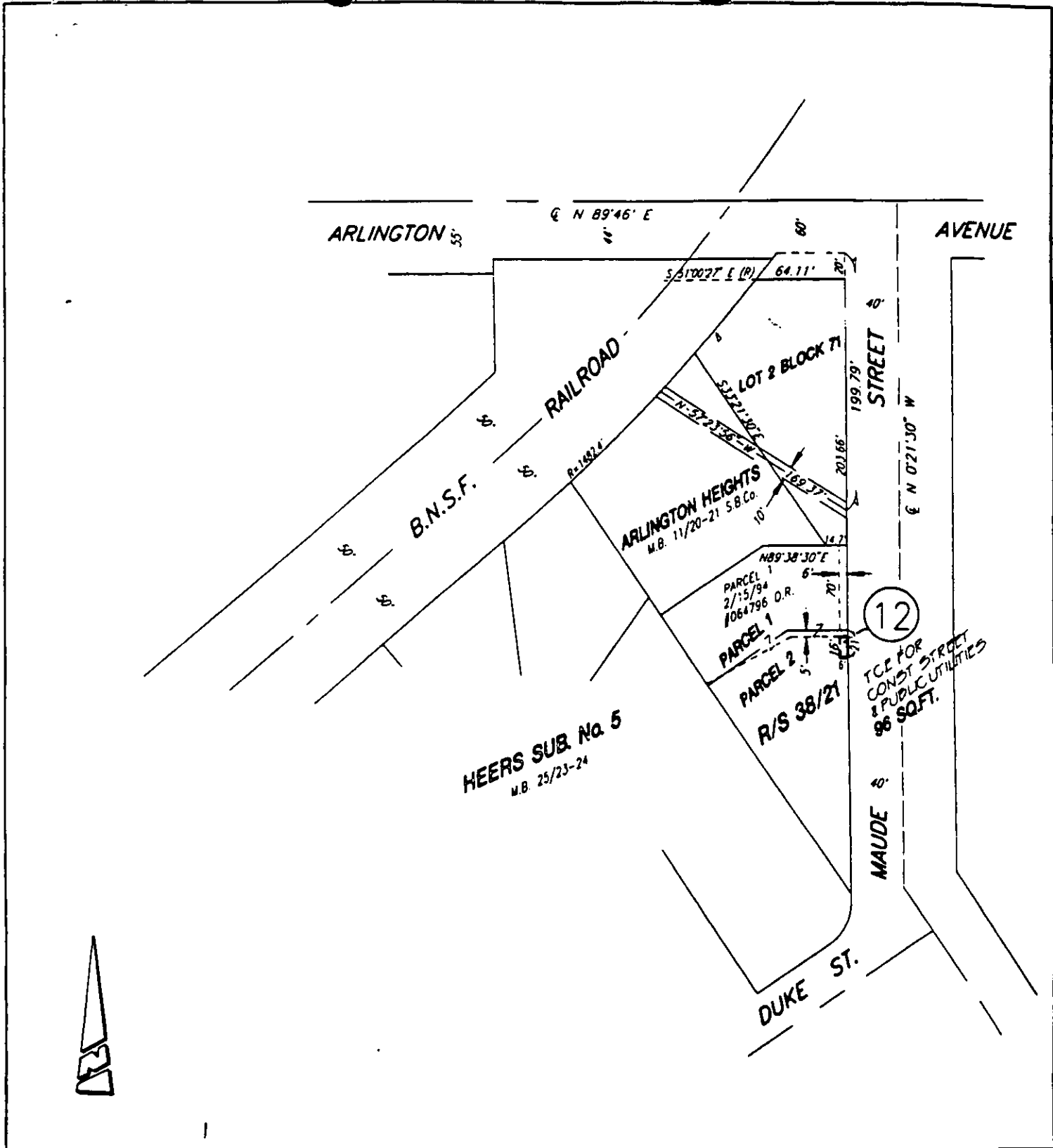


Mark S. Brown 10/12/99 Prep. KG
- Mark S. Brown, L.S. 5655 Date
License Expires 9/30/99



2000-043133
02/04/2000 08:00A
23 of 24

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• 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

54-5

SCALE: N.T.S.

DRAWN BY: Kgs 8/20/96

SUBJECT: ARLINGTON AVENUE UNDERPASS

