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Larry W. Ward

Assessor, County Clerk & Recorder



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Riverside City Attorney's Office

3900 Main Street

Riverside, CA 92522

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**PARTIAL JUDGMENT AND FINAL ORDER OF CONDEMNATION AS
 TO DEFENDANTS THOMAS L. JONES AS TRUSTEE OF THE JONES
 FAMILY TRUST OF MAY 8, 1991, ROBERT E. JONES AS TRUSTEE OF THE
 JONES LIVING TRUST OF JUNE 9, 2004, AND MARGARET CAMERON AS
 TRUSTEE OF THE MARGARET M. CAMERON REVOCABLE TRUST**

CASE NO. RIC 444732

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1 GREGORY P. PRIAMOS, Agency General Counsel, #136766
2 HERIBERTO F. DIAZ, Deputy Agency General Counsel, #132821
3 REDEVELOPMENT AGENCY FOR THE CITY OF RIVERSIDE
4 City Hall, 3900 Main Street
5 Riverside, California 92522
6 Telephone (951) 826-5567
7 Facsimile (951) 826-5540

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

MAY 04 2006



5 Attorneys for Plaintiff, Redevelopment Agency
6 for the City of Riverside

(Fee Exempt Gov. Code § 6103)

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF RIVERSIDE

10 REDEVELOPMENT AGENCY FOR THE)
11 CITY OF RIVERSIDE, a public body,)
12 corporate and politic,)
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Plaintiff,

vs.

THOMAS LYON JONES, Trustee for the)
Estate of William Thomas Jones; MARGARET)
M. CAMERON, Trustee of the Margaret M.)
Cameron Revocable Trust Dated April 23,)
1993; THE HEIRS OR DEVISEES OF)
ROSALYN LYON JONES YARNELL;)
WATER DITCHES; S.P. I. DEVELOPMENT)
CORP., a corporation; W.R. AUSTIN;)
BARBARA AUSTIN; R.E. PHILBRICK;)
DORIS R. PHILBRICK; EXXON MOBIL)
CORPORATION; ALL PERSONS)
UNKNOWN CLAIMING AN INTEREST IN)
THE PROPERTY; and DOES 1 through 100,)

Defendants.

CASE NO. RIC 444732
Assigned for all purposes to the
Honorable Commissioner Joan F. Burgess
Department 6

**PARTIAL JUDGMENT AND FINAL
ORDER OF CONDEMNATION AS TO
DEFENDANTS THOMAS L. JONES AS
TRUSTEE OF THE JONES FAMILY
TRUST OF MAY 8, 1991, ROBERT E.
JONES AS TRUSTEE OF THE JONES
LIVING TRUST OF JUNE 9, 2004, AND
MARGARET CAMERON AS TRUSTEE
OF THE MARGARET M. CAMERON
REVOCABLE TRUST**

[Stipulation re Settlement and for Entry of
Partial Judgment and Final Order of
Condemnation filed concurrently
herewith]

Assessor Parcel No. 193-261-001

Complaint Filed: February 14, 2006

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1 GREGORY P. PRIAMOS, Agency General Counsel, #136766
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5 Attorneys for Plaintiff, Redevelopment Agency
6 for the City of Riverside

(Fee Exempt Gov. Code § 6103)

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10 REDEVELOPMENT AGENCY FOR THE)
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Plaintiff,

vs.

THOMAS LYON JONES, Trustee for the
Estate of William Thomas Jones; MARGARET
M. CAMERON, Trustee of the Margaret M.
Cameron Revocable Trust Dated April 23,
1993; THE HEIRS OR DEVISEES OF
ROSALYN LYON JONES YARNELL;
WATER DITCHES; S.P. I. DEVELOPMENT
CORP., a corporation; W.R. AUSTIN;
BARBARA AUSTIN; R.E. PHILBRICK;
DORIS R. PHILBRICK; EXXON MOBIL
CORPORATION; ALL PERSONS
UNKNOWN CLAIMING AN INTEREST IN
THE PROPERTY; and DOES 1 through 100,

Defendants.

CASE NO. RIC 444732
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**PARTIAL JUDGMENT AND FINAL
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1 and litigation expenses including, but not limited to those defined in California *Code of Civil*
2 *Procedure* § 1235.140.

3 5. Pursuant to said Stipulation and as further consideration herein, Agency shall
4 reimburse to defendants Jones/Cameron (i) the sum of Six Thousand Dollars (\$6,000.00), which
5 sum represents the costs of razing improvements on the property, and (ii) defendants
6 Jones/Cameron's first appearance fees in the amount of One Thousand One Hundred Eight Dollars
7 and Eighty-five Cents (\$1,108.85) (collectively "Reimbursement").

8 6. Pursuant to said Stipulation and as further consideration for the transfer of
9 possession and legal title, defendants Jones/Cameron hereby assign to the Agency their rights in
10 and to the "Site Access Agreement" dated July 15, 1996, and the "Amendment to Site Access
11 Agreement Dated July 15, 1996, Between Mobil Oil Corporation and Rosalyn Bowles," fully
12 executed on or about August 6, 2000 (collectively "Indemnity Agreement").

13 7. Pursuant to said Stipulation and as further consideration for the transfer of
14 possession and legal title, Agency hereby, in turn, agrees to defend and indemnify defendants
15 Jones/Cameron and their heirs, successors, and/or assigns pursuant to the terms and conditions of
16 the Indemnity Agreement and shall further defend and indemnify defendants Jones/Cameron and
17 their heirs, successors, and/or assigns for and against any third-party personal injury claims arising
18 solely out of the release of hazardous substances identified in the Agreement, and/or property
19 damage claims arising from and after the date Agency takes physical possession of the property.

20 8. Pursuant to said Stipulation, Agency further agrees to defend and indemnify
21 defendants Jones/Cameron and their heirs, successors, and/or assigns in any action brought by
22 Exxon to either invalidate or refuse to honor the assignment. Agency shall hold harmless
23 defendants Jones/Cameron and their heirs, successors, and/or assigns if this assignment is later
24 found to be ineffective.

25 9. An Order of Prejudgment Possession became effective as to the interests of
26 defendants Jones/Cameron in and to Assessor's Parcel Number 193-261-001 on February 15,
27 2006.

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1 10. On March 9, 2006, defendants Jones/Cameron submitted to the court an
2 application to withdraw funds deposited as probable compensation. Agency timely filed objections
3 on grounds that other parties may claim an interest to the deposit of probable compensation.
4 Following notice of said application, no other parties filed objections. Wherefore, on April 18,
5 2006, the court granted defendants Jones/Cameron's application to withdraw fund over Agency's
6 objections.

7 11. On February 10, 2006, Agency deposited the sum of Three Hundred Thirty-eight
8 Thousand Dollars (\$338,000.00) with the Treasurer of the State of California, Condemnation
9 Fund, as a deposit of probable just compensation as to Assessor's Parcel Number 193-261-001.

10 12. The use for which an interest in and to Assessor's Parcel Number 193-261-001 is
11 being acquired is a use authorized by law and the acquisition of said interest is necessary to said
12 use.

13 13. The total of all applicable unpaid taxes, penalties, and costs for prior, current, and
14 next succeeding tax years, prorated, to the date of possession are as follows:

<u>Assessor's Parcel Number</u>	<u>Total Unpaid Taxes, Penalties and Costs</u>
193-261-001	\$0.00

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

18 1. The total compensation, award, and damages to be paid as a result of the
19 condemnation of the interests of defendants Jones/Cameron in Assessor's Parcel Number 193-261-
20 001 is the total sum of Three Hundred Forty-five Thousand One Hundred Eight Dollars and
21 Eighty-five Cents (\$345,108.85).

22 2. Payment hereunder shall be deemed to expressly include all costs of suit pursuant
23 to California *Code of Civil Procedure* § 1268.710 and all litigation expenses including, but not
24 limited to, those defined in California *Code of Civil Procedure* § 1235.140. Payment hereunder
25 shall further be deemed to be the total just compensation and damages, if any, to which defendants
26 Jones/Cameron shall be entitled by reason of the condemnation of Assessor's Parcel Number 193-
27 261-001.



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1 3. The award remaining to be paid herein in the amount of Three Hundred Forty-five
2 Thousand One Hundred Eight Dollars and Eighty-five Cents (\$345,108.85) shall be paid outside of
3 these court proceedings as follows:

4 a) The funds remaining on deposit with the Treasurer of the State of
5 California, Condemnation Fund, in the amount of Three Hundred Thirty-
6 eight Thousand Dollars (\$338,000.00), including all interest remaining on
7 deposit, shall be disbursed to defendants Jones/Cameron forthwith and
8 made payable as follows:

9 HOGE, FENTON, JONES & APPEL, INC., CLIENT TRUST ACCOUNT
10 Ref: File # 76405
11 c/o James R. Hawley, Esq.
12 60 South Market Street, Suite 1400
13 San Jose, California 95113-2396

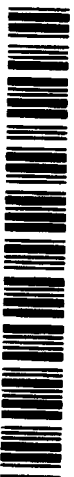
14 b) The sum of Six Thousand Dollars (\$6,000.00) shall be paid by plaintiff
15 outside these court proceedings to defendants Jones/Cameron as
16 reimbursement for the costs of razing improvements on the property and
17 made payable as follows:

18 HOGE, FENTON, JONES & APPEL, INC., CLIENT TRUST ACCOUNT
19 Ref: File # 76405
20 c/o James R. Hawley, Esq.
21 60 South Market Street, Suite 1400
22 San Jose, California 95113-2396

23 c) The sum of One Thousand One Hundred Eight Dollars and Eighty-five
24 Cents (\$1,108.85) shall be paid by plaintiff outside these court proceedings
25 to defendants Jones/Cameron as reimbursement for first appearance fees
26 and made payable as follows:

27 HOGE, FENTON, JONES & APPEL, INC.
 Ref: File # 76405
 c/o James R. Hawley, Esq.
 60 South Market Street, Suite 1400
 San Jose, California 95113-2396

 4. Payment to defendants Jones/Cameron of the sums herein above specified shall
constitute payment in full for the real property taken and for all damages of any kind and nature



1 whatsoever suffered by said defendants by reason of such taking.

2 5. Pursuant to stipulation between the parties, an Order for Prejudgment Possession
3 as to Assessor's Parcel Number 193-261-001 became effective on February 15, 2006.

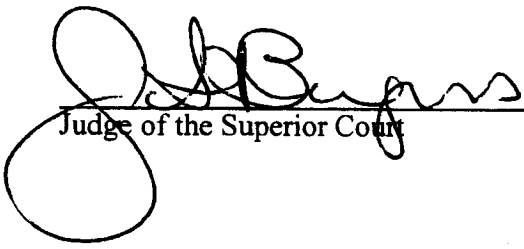
4 6. Plaintiff's portion of taxes, if any, are cancelled as of the effective date of
5 possession.

6 WHEREFORE THE COURT NOW MAKES THE FOLLOWING ORDER OF
7 CONDEMNATION:

8 The interests of defendants Thomas L. Jones as Trustee of the Jones Family Trust of May
9 8, 1991, Robert E. Jones as Trustee of the Jones Living Trust of June 9, 2004, and Margaret
10 Cameron as Trustee of the Margaret M. Cameron Revocable Trust, sued and served herein as
11 Thomas Lyon Jones, Trustee for the Estate of William Thomas Jones, Margaret M. Cameron,
12 Trustee of the Margaret M. Cameron Revocable Trust Dated April 23, 1993 and the Heirs or
13 Devises of Rosalyn Lyon Jones Yarnell, in the real property described in Exhibit "A" and
14 designated as Assessor's Parcel Number 193-261-001 are hereby condemned for the public use
15 and purposes described in the Complaint as fee simple absolute. Plaintiff Redevelopment Agency
16 of the City of Riverside to take title to the interests of said defendants in said real property,
17 together with all improvements thereon in which said defendants have an interest, free and clear of
18 any and all liens, encumbrances, easements, and leaseholds, of whatever kind or nature.

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DATED: 04-27-06


Judge of the Superior Court

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EXHIBIT "A"

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

That portion of Lot 4 in Block 14 of the Lands of the Riverside Land and Irrigating Company, as shown by map on file in Book 1, Page 72 (formerly Book 1, Page 70) of Maps, records of San Bernardino County, California, described as follows:

Beginning at the most westerly corner of said Lot 4;

THENCE southeasterly along the southwesterly line of said Lot, 4.00 feet;

THENCE northeasterly, parallel with the northwesterly line of said Lot, 28.00 feet to the TRUE POINT OF BEGINNING;


THENCE continuing northeasterly and parallel with the northwesterly line of said Lot, 125.00 feet;

THENCE southeasterly, parallel with the southwesterly line of said Lot, 125.00 feet;


THENCE southwesterly, parallel with the northwesterly line of said Lot, 125.00 feet;

THENCE northwesterly, parallel with the southwesterly line of said Lot, 125.00 feet to the TRUE POINT OF BEGINNING.

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 9/30/05

9/10/04
Date

Prep. 



EXA



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PROOF OF SERVICE BY MAIL--[1013a, (3) 2015.5 Code Civ. Proc.]

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

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

On April 25, 2006, I served the within **PARTIAL JUDGMENT AND FINAL ORDER OF CONDEMNATION AS TO DEFENDANTS THOMAS L. JONES AS TRUSTEE OF THE JONES FAMILY TRUST OF MAY 8, 1991, ROBERT E. JONES AS TRUSTEE OF THE JONES LIVING TRUST OF JUNE 9, 2004, AND MARGARET CAMERON AS TRUSTEE OF THE MARGARET M. CAMERON REVOCABLE TRUST** on the interested parties in said action addressed as follows:

SEE ATTACHED SERVICE LIST

- VIA MAIL** - In accordance with the regular mail collection and processing practices of this business office, with which I am familiar, by means of which mail is deposited with the United States Postal Service at Riverside, California, that same day in the ordinary course of business, I deposited such sealed envelope for collection and mailing on this same date following ordinary business practices.
- PERSONAL** - I caused such envelope to be delivered by hand to the above-listed addressee pursuant to Code Civ. Proc. § 1011.
- VIA OVERNIGHT DELIVERY** - I caused such envelope to be delivered by hand to the office of the addressee via overnight delivery pursuant to Code Civ. Proc. § 1013(c). Said document was deposited at the box regularly maintained by said express service carrier on the date set forth above.
- VIA FACSIMILE** - I caused such document to be delivered to the office of the addressee via facsimile machine pursuant to Code Civ. Proc. § 1013(e). Said document was transmitted from the office of City Attorney in Riverside, California, on the date set forth above.

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

Executed on April 25, 2006, at Riverside, California.

Kimberly Oehlert

Kimberly Oehlert



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SERVICE LIST

Redevelopment Agency for the City of Riverside v. Thomas Lyon Jones, et al.
Riverside County Superior Court Case Number RIC 444732

James R. Hawley, Esq.
HOGE, FENTON, JONES & APPEL, INC.
60 South Market Street, Suite 1400
San Jose, California 95113-2396
408-287-9501
408-287-2583 fax

Attorney for defendant:
Thomas L. Jones as Trustee of the Jones
Family Trust of May 8, 1991;
Margaret Cameron as Trustee of the Margaret
M. Cameron Revocable Trust; and
Robert E. Jones as Trustee of the Jones Living
Trust of June 9, 2004



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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.

Superior Court of California
County of Riverside

By *J. Mather*
DEPUTY

Dated: MAY 15 2006



Certification must be in red to be a
"CERTIFIED COPY"



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