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Page 1 of 9

Recorded in Official Records
County of Riverside

Larry W. Ward
Assessor, County Clerk & Recorder



This instrument is for the benefit
of the City of Riverside and is
exempt from recording fees
(Government Code § 27383¹)

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JUDGMENT QUIETING TITLE
CASE NO. RIC10017778

D-16702

¹ Government Code § 27383: "No fee shall be charged by the recorder for services rendered to the State, to any municipality, county in the State or other political subdivision thereof, except for making a copy of a paper or record."

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JUL 28 2011

A. Reyes

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JUL 29 2011
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RECEIVED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

APR 25 2011

Attorneys for Plaintiff, City of Riverside

(Fee Exempt Gov't Code § 6103)

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

10 CITY OF RIVERSIDE, a California charter city)	Case No. RIC10017778
11 and municipal corporation,)	Assigned to Dept. 6 for case management
12)	
13 Plaintiff,)	
14)	
15 vs.)	JUDGMENT QUIETING TITLE
16 C&P HOUSE, LLC; et al.)	
17)	
18)	Complaint Filed: September 8, 2010
19)	CMC: June 13, 2011
20)	
21)	
22)	
23)	
24)	
25)	
26)	
27)	
28)	

18 It appearing to the court that Plaintiff City of Riverside ("City") has applied to this court
19 for entry of a judgment against the following Defendants, as set forth herein: Riverside II
20 Associates; Gary W. Stanhiser; Ruth Stanhiser; Kenneth E. Seals; John Masso, As Trustee Under
21 Irrevocable Declaration of Trust of Alicia Fajer Dated March 30, 1981; David Kimbrough;
22 Sixpence Inn of La Sierra Blvd., Ltd.; and All Persons Unknown, Claiming Any Legal or
23 Equitable Right, Title, Estate, Lien or Interest in the Property Described in the Complaint
24 Adverse to Plaintiff's Title, or Any Cloud on Plaintiff's Title Thereto, none of whom answered
25 or otherwise responded to the lawsuit, on the grounds that a default has been entered against said
26 Defendants, and that pursuant to statute, the City is entitled to 1) quiet plaintiff's fee simple title
27 to the real property described in the complaint herein ("Property") and 2) cancellation of the
28 recorded instruments referenced in plaintiff's complaint herein as they relate to APN 138-020-



16702

1 096 (formerly APN 138-020-043).

2
3 It further appearing to the court that Riverside II Associates holds an interest in the
4 Property; and

5 It further appearing to the court that Riverside II Associates, having been properly served
6 via publication of the Summons, failed to answer or otherwise respond to the complaint to quiet
7 title filed by plaintiff; and

8
9 It further appearing to the court that Gary W. Stanhiser holds an interest in the Property;
10 and

11
12 It further appearing to the court that Gary W. Stanhiser, having been properly served via
13 publication of the Summons, failed to answer or otherwise respond to the complaint to quiet title
14 filed by plaintiff; and

15
16 It further appearing to the court that Ruth Stanhiser holds an interest in the Property; and

17
18 It further appearing to the court that Ruth Stanhiser, having been properly served via
19 publication of the Summons, failed to answer or otherwise respond to the complaint to quiet title
20 filed by plaintiff; and

21
22 It further appearing to the court that Kenneth E. Seals holds an interest in the Property;
23 and

24
25 It further appearing to the court that Kenneth E. Seals, having been properly served via
26 publication of the Summons, failed to answer or otherwise respond to the complaint to quiet title
27 filed by plaintiff; and

28 It further appearing to the court that John Masso, As Trustee Under Irrevocable



1 Declaration of Trust of Alicia Fajer Dated March 30, 1981, holds an interest in the Property; and

2
3 It further appearing to the court that John Masso, As Trustee Under Irrevocable
4 Declaration of Trust of Alicia Fajer Dated March 30, 1981, having been properly served via
5 publication of the Summons, failed to answer or otherwise respond to the complaint to quiet title
6 filed by plaintiff; and

7
8 It further appearing to the court that David Kimbrough holds an interest in the Property;
9 and

10 It further appearing to the court that David Kimbrough, having been properly served via
11 publication of the Summons, failed to answer or otherwise respond to the complaint to quiet title
12 filed by plaintiff; and

13
14 It further appearing to the court that Sixpence Inn of La Sierra Blvd., Ltd. holds an
15 interest in the Property; and

16
17 It further appearing to the court that Sixpence Inn of La Sierra Blvd., Ltd., having been
18 properly served via publication of the Summons, failed to answer or otherwise respond to the
19 complaint to quiet title filed by plaintiff; and

20
21 It further appearing to the court that All Persons Unknown, Claiming Any Legal or
22 Equitable Right, Title, Estate, Lien or Interest in the Property Described in the Complaint
23 Adverse to Plaintiff's Title, or Any Cloud on Plaintiff's Title Thereto holds an interest in the
24 Property; and

25
26 It further appearing to the court that All Persons Unknown, Claiming Any Legal or
27 Equitable Right, Title, Estate, Lien or Interest in the Property Described in the Complaint
28 Adverse to Plaintiff's Title, or Any Cloud on Plaintiff's Title Thereto, having been properly



1 served via publication of the Summons, failed to answer or otherwise respond to the complaint to
2 quiet title filed by plaintiff; and
3

4 It further appearing to the court that defaults have been entered against Riverside II
5 Associates; Gary W. Stanhiser; Ruth Stanhiser; Kenneth E. Seals; John Masso, As Trustee Under
6 Irrevocable Declaration of Trust of Alicia Fajer Dated March 30, 1981; David Kimbrough;
7 Sixpence Inn of La Sierra Blvd., Ltd.; and All Persons Unknown, Claiming Any Legal or
8 Equitable Right, Title, Estate, Lien or Interest in the Property Described in the Complaint
9 Adverse to Plaintiff's Title, or Any Cloud on Plaintiff's Title Thereto, none of whom answered
10 or otherwise responded to the lawsuit; and
11

12 It further appearing to the court that the following defendants were dismissed by plaintiff
13 without prejudice on the dates indicated below:
14

<u>Defendant</u>	<u>Dismissal Filed</u>
C&P House, LLC	September 28, 2010
Premier Service Bank	April 22, 2011

18
19 It further appearing to the court that the following defendants filed disclaimers on the
20 dates indicated below and are entitled to no compensation:

<u>Defendant</u>	<u>Dismissal Filed</u>
Southern California Gas Company	March 11, 2011
Stewart Title of California, Inc.	March 30, 2011

24 ///
25 ///
26 ///
27 ///
28 ///



1 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that
2 the following instruments are hereby cancelled as to that real property described in Exhibit 'A'
3 hereto:

- 4 a) Covenant and Agreement for Private Street dated February 23, 1981, executed by
5 Riverside II Associates, subject to all the terms, provisions, and conditions therein
6 contained, recorded April 8, 1981, as Instrument No. 62525, of Official Records;
7 b) Covenants, conditions, and restrictions as set forth in the document recorded April
8 9, 1981, as Instrument No. 62526, of Official Records;
9 c) Easements provided for in Instrument No. 62526, of Official Records;
10 d) Modifications of said covenants, conditions, and restrictions recorded on i) July 2,
11 1982, as Instrument No. 115113, ii) December 30, 1982, as Instrument No.
12 227368, and iii) December 30, 1982, as Instrument No. 227369, all of Official
13 Records;
14 e) Declaration of Dedication for Public Road, Public Utility and Incidental Purposes,
15 recorded April 10, 1981, as Instrument No. 64656, of Official Records; and
16 f) Grant of Easement and Covenant and Agreement for Private Street executed by
17 and between David Kimbrough, Kenneth E. Seals, John Masso, As Trustee Under
18 Irrevocable Declaration of Trust of Alicia Fajer Dated March 30, 1981, and
19 Sixpence Inn of La Sierra Blvd., Ltd., a California limited partnership, subject to
20 all the terms, provisions, and conditions therein contained, recorded December 30,
21 1982, as Instrument No. 227370 and recorded December 30, 1982, as Instrument
22 No. 227371, both of Official Records.
23

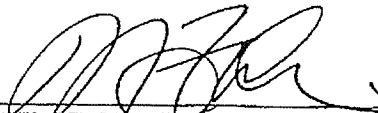
24 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff's fee simple
25 title to the real property commonly known as Assessor's Parcel Number 138-020-096 (formerly
26 138-020-043) is quieted.

27 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendants Southern
28 California Gas Company, Stewart Title of California, Inc., Riverside II Associates; Gary W.



1 Stanhiser; Ruth Stanhiser; Kenneth E. Seals; John Masso, As Trustee Under Irrevocable
2 Declaration of Trust of Alicia Fajer Dated March 30, 1981; David Kimbrough; Sixpence Inn of
3 La Sierra Blvd., Ltd.; and All Persons Unknown, Claiming Any Legal or Equitable Right, Title,
4 Estate, Lien or Interest in the Property Described in the Complaint Adverse to Plaintiff's Title, or
5 Any Cloud on Plaintiff's Title Thereto, own or possess no right, title, estate, interest, or lien,
6 whatever, in the property.

7
8 DATED: 7/27/11


JUDGE OF THE SUPERIOR COURT

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16702

EXHIBIT "A"

PARCEL 04
A.P.N. 138-020-043

Parcel 04 D - Fee Simple Absolute

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

That portion of Parcel 1 of Parcel Map 15999, as shown by map on file in Book 90 of Parcel Maps, at Pages 66 and 67 thereof, records of Riverside County, California, described as follows:

BEGINNING at the most easterly corner of said Parcel 1;

THENCE along the southwesterly line of said Parcel 1, North 75°00'00" West, a distance of 60.05 feet;

THENCE North 71°20'38" East, a distance of 21.70 feet to the beginning of a tangent curve concaving southerly and having a radius of 372.25 feet;

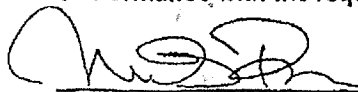

THENCE northeasterly to the right along said curve through a central angle of 2°59'35" an arc length of 19.45 feet to the northeasterly line of said Parcel 1;

THENCE along the northeasterly line of said Parcel 1, South 33°45'37" West, a distance of 33.95 feet to the POINT OF BEGINNING.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights including access rights, appurtenant to grantor's remaining property, in and to said freeway.

Area - 679 square feet.

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

 9/30/07 Date Prep. 
Mark S. Brown, L.S. 5655
License Expires 9/30/07



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