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Riverside, CA 92501  
Ref: CA# L16-0089.18

**2019-0337678**

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Page 1 of 11

Recorded in Official Records  
County of Riverside  
Peter Aldana  
Assessor-County Clerk-Recorder



This instrument is for the benefit  
of the City of Riverside and is  
exempt from recording fees  
(Government Code § 27383<sup>1</sup>)

110  
Space above this line reserved for Recorder's use.


**FINAL ORDER OF CONDEMNATION**  
**CASE NO. RIC1613595**

D- 17552

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<sup>1</sup> 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."

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

<p>CITY OF RIVERSIDE  Plaintiff/Petitioner</p> <p>vs.</p> <p>PATRICK MICHAEL MCRAE; ET AL.  Defendant/Respondent</p>	<p>FOR COURT USE ONLY</p> <p><b>FILED</b> CA1 SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE</p> <p>AUG 05 2019</p> <p>E. Usher </p> <p>CASE NUMBER: RIC1613595</p> <p>AUG 08 2019</p>
<p><b>DOCUMENT COVERSHEET</b></p>	

Full Document Title: FINAL ORDER (EMINENT DOMAIN) OF CONDEMNATION, PARCEL #189-150-008

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*(If the document is not officially titled, please provide the description of what is being filed.)*

Other File Clerk Notes: \_\_\_\_\_

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**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

AUG 05 2019  
E. Usher *[Signature]*

1 GARY G. GEUSS, City Attorney, SBN 128022  
2 ROBERT L. HANSEN, Assistant City Attorney, SBN 130677  
3 BRANDON S. MERCER, Deputy City Attorney, SBN 244413  
4 OFFICE OF THE CITY ATTORNEY  
5 3750 University Avenue, Suite 250  
6 Riverside CA 92501  
7 Tel: (951) 826-5567  
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9 rmckee@riversideca.gov

10 Attorneys for Plaintiff, City of Riverside (Fee Exempt Gov't Code § 6103)

11 SUPERIOR COURT OF CALIFORNIA  
12 COUNTY OF RIVERSIDE

13 CITY OF RIVERSIDE, a California charter city and ) Case No. RIC1613595  
14 municipal corporation, )  
15 Plaintiff, ) Parcel: 189-150-008  
16 vs. ) ~~PROPOSED~~ FINAL ORDER OF  
17 ) CONDEMNATION  
18 PATRICK MICHAEL MCRAE; et al., ) Complaint filed: 10/18/2016  
19 Defendants. ) OSC: 11/05/2019

20 IT IS HEREBY FOUND AND DETERMINED:

21 Final Judgment has been entered in the above-entitled action, and it appears to the  
22 satisfaction of the Court that plaintiff City of Riverside ("City") has given sufficient  
23 consideration as just compensation for all claims and demands against the City on account of its  
24 acquisition of a public utility easement in certain real property located at 5942 Acorn Street,  
25 Riverside, California, identified as Assessor Parcel No. 189-150-008 ("Subject Property"). The  
26 interests condemned to the City in and to the Subject Property is legally described in Exhibit "A"  
27 attached hereto.

28 NOW, THEREFORE, IT IS HEREBY ORDERED that the interests in the Subject  
Property as described in Exhibit A are condemned to the City as against defendants Patrick  
Michael McRae; Elizabeth H. M. McRae; Brian H. Mendoza; Indira Mendoza; P.T.M. General

1 Engineering Services, Inc.; Stearns Ranchos Company; Jurupa Land and Water Company; H.  
2 W. Heers, Inc.; LandAmerica Lawyers Title; CDC Small Business Finance Corp.; United States  
3 Small Business Administration; Pacific Premier Bank as Successor-in-Interest to Premier  
4 Service Bank; Grandpoint Bank; and All persons unknown claiming an interest in the property  
5 (collectively "Defendants").

6 IT IS FURTHER ORDERED that the use and purposes for which the property interest  
7 are condemned is for the public use and purposes described in the Complaint as installing  
8 approximately 10 miles of 69kV sub-transmission lines, construction of a new 230kV to 69kV  
9 substation, improvements to five existing substations, relocation of existing distribution lines,  
10 and installation of new telecommunication lines, from Riverside's Energy Resource Center  
11 (RERC) to Riverside Public Utilities' (RPU) Harvey Lynn and Freeman Substations, and for  
12 such other uses as are permitted pursuant to Article 1, section 19 of the California Constitution,  
13 sections 37350.5, 39792, and 40404 of the California Government Code, and section 1240.010 of  
14 the California Code of Civil Procedure, which is a public use authorized by law, and the taking  
15 of said interests as described in Exhibit A are necessary for said use and purpose.

16  
17  
18 DATED: July 26, 2019


  
\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT  
CHAD W. FIRETAG

EXHIBIT A

## **Exhibit A**

### **Easement**

An **overhead easement** ("Easement") that is no less than 40 feet above the ground surface and situated over and above that portion of the real property having Assessor's Parcel Number 189-150-008 (the "Subject Property") that is described in **Exhibit "1"** hereto.

The Easement shall be for construction, reconstruction, maintenance, operation, inspection, repair, replacement, relocation, renewal and removal of electrical energy distribution and transmission facilities and telecommunications facilities, together with all necessary appurtenances, over and above (but not on, upon or under the surface of) the above-described portion of the Subject Property.

EXCEPTING AND RESERVING therefrom Grantor's right to keep and maintain existing driveways, ramps and walkways accessing said parcel, across said easement and right-of-way for vehicle and pedestrian ingress and egress purposes, and any facilities installed by Grantee under this easement shall be located so as not to impede with the vehicle or pedestrian traveled portion of said easement and right-of-way.

EXHIBIT 1

**Public Utility Easement  
POR. A.P.N. 189-150-008**

All that certain real property situated in the City of Riverside, County of Riverside, State of California, and is described as follows:

That portion of lots 8 and 8-A of McClaskey Tract, as shown by map on file in Book 10, Pages 36 and 37 of Maps, records of Riverside County, California, lying easterly of Acorn Street and being a portion of Parcel 1 of record of survey on file in Book 38, Page 4 of Record of Surveys, records of Riverside County, California, and is further described as follows:

**BEGINNING** at the southwest corner of said Parcel 1;

**THENCE** North  $0^{\circ}17'30''$  East along the west line of said Parcel 1, a distance of 62.00 feet to the beginning of a tangent curve concave westerly having a radius of 314.11 feet;

**THENCE** along said curve to the left and through a central angle of  $20^{\circ}07'10''$ , a distance of 110.30 feet to the northwest corner of said Parcel 1;

**THENCE** South  $89^{\circ}36'00''$  East along the north line of said Parcel 1, a distance of 27.96 feet;

**THENCE** South  $0^{\circ}15'58''$  East, a distance of 170.02 feet to a point on the south line of said Parcel 1;

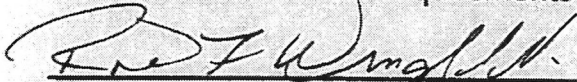


THENCE North 89°36'00" West along the south line of said Parcel 1, a distance of 10.45 feet to the **POINT OF BEGINNING**;

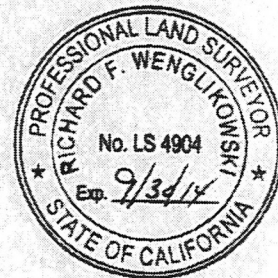
Containing 0.05 acres or 2317 square feet more or less.

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

  
Richard F. Wenglikowski, L.S. 4904

8/15/14  
Date



DESCRIPTION APPROVAL:

BY:   
9/15/2014  
DATE

FOR: CURTIS C. STEPHENS, L.S. 7519  
CITY SURVEYOR

**PROOF OF SERVICE**  
City of Riverside v. McRae  
RIC1613595

*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 3750 University Avenue, Suite 250, Riverside, California 92501.

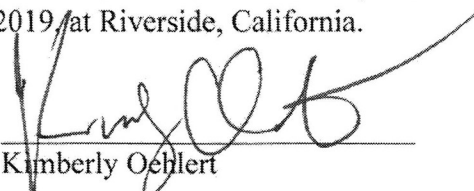
On July 24, 2019, I served the within [PROPOSED] FINAL ORDER OF CONDEMNATION on the interested parties in said action addressed as follows:

Brendan W. Brandt, Esq.  
Scott R. Heil, Esq.  
VARNER & BRANDT, LLP  
3750 University Avenue, Suite 610  
Riverside CA 92501-3323  
Tel: (951) 274-7777  
Fax: (951) 274-7770

Attorneys for defendant:  
Patrick Michael McRae, Elizabeth H.  
M. McRae, Brian H. Mendoza,  
Indira Mendoza, and P.T.M. General  
Engineering Services, Inc.

(XX) **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.

I declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct. Executed on July 24, 2019, at Riverside, California.

  
\_\_\_\_\_  
Kimberly Oehlert