COPY

NO FEE DUE
GOV'T CODE § 6103

MARY C. WICKHAM, Interim County Counsel
LAWRENCE L. HAFETZ, Assistant County Counsel
TRACY SWANN, Senior Deputy County Counsel
(SBN 172899) • *tswann@counsel.lacounty.gov*
648 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012-2713
Telephone: (213) 974-1935 · Fax: (213) 613-4751

Attorneys for COUNTY OF LOS ANGELES and the PEOPLE OF THE STATE OF CALIFORNIA

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles
DEC 23 2015
Sherri R. Carter, Executive Officer/Clerk
By Adrina Chebishyan, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES, NORTH VALLEY DISTRICT

PEOPLE OF THE STATE OF CALIFORNIA, by and through Mary C. Wickham, Interim County Counsel for the County of Los Angeles, and COUNTY OF LOS ANGELES, Plaintiffs, vs. BARTON WAYNE FISHBACK, an individual and doing business as, ALPHA, BRAVO, COCA WASTE MANAGEMENT CORP, a California Corporation, CHARLES LEE, an individual, CEPHEID V, LLC., and DOES 1 THROUGH 50, inclusive, Defendants.	CASE NO. PC 056481 **[~~PROPOSED~~] ORDER GRANTING PRELIMINARY INJUNCTION** Assigned to the Honorable Stephen P. Pfahler DATE: October 30, 2015 TIME: 8:31 a.m. DEPT.: F49

The motion of the PEOPLE OF THE STATE OF CALIFORNIA ("People") and the COUNTY OF LOS ANGELES ("County") (collectively "Plaintiffs") for a preliminary injunction came on for hearing on October 30, 2015 in Department F49 of the Los Angeles County Superior Court before the Honorable Stephen P. Pfahler presiding. Senior Deputy County Counsel Tracy Swann appeared on behalf of Plaintiffs. Mainak D'Attaray, Esq., and Jesse Terrell, Esq., appeared on behalf of Defendants BARTON WAYNE FISHBACK ("Wayne Fishback"), ALPHA,

BRAVO, COCA WASTE MANAGEMENT CORP ("ABC Waste Management"), CHARLES LEE, ("Charles Lee"), and CEPHEID V, LLC. ("Cepheid"), (collectively hereinafter "Defendants") with defendant Wayne Fishback present. Todd Fishback was also present for ABC Waste Management.

Having taken this matter under submission on October 30, 2015 and after having read the application/motion, objection, reply, and having heard the testimony and having ruled on the evidence presented, the court grants Plaintiffs' request for preliminary injunction as set forth in the court's minute order entered and served by the court on the parties on November 2, 2015, which is attached hereto as Exhibit "A".

The court finds that the work Defendants are doing on the subject land falls within the definition of a "land reclamation project" as defined by Los Angeles County Code ("County Code") section 22.08.120 L as "a project established to restore otherwise unsuitable land to useful purposes through the use of fill materials such as rubbish, waste, soil and other unwanted materials" and "includes a dump or waste disposal facility" and that County Code section 22.08.230 W defines "waste disposal facility" as "any dump, transfer station, land reclamation project, ..., or other similar site or facility which is used or intended to be used for the transfer, salvage or disposal of rubbish, garbage or industrial waste." As such, the court finds that Defendants were required to obtain the appropriate conditional use and/or grading permits before beginning their project which Defendants failed to do.

NOW THEREFORE, IT IS ADJUDGED, ORDERED, AND DECREED THAT:

Defendants Wayne Fishback, ABC Waste Management, Charles Lee, Cepheid, and their officers, agents, servants, managers, representatives, principals, employees, partners, assigns, successors in interest, aiders and abettors, and all persons acting in concert with, under and/or participating with and/or for Defendants are HEREBY ENJOINED and RESTRAINED pending adjudication of the above referenced matter and until further order of the above-entitled court from depositing and/or allowing to be deposited fill material consisting of concrete, brick, demolition and construction debris, and construction waste material, at certain real properties located in the unincorporated areas of the County, identified herein below and more particularly described by

their respective Assessor's Parcel Numbers ("APN") (collectively, "Properties") and from any other property within the unincorporated area of the County unless and until all County permits and approvals for a "land reclamation project" as defined by County Code section 22.08.120 L which includes a "waste disposal facility" as defined by County Code section 22.08.230 W are obtained and are in full force and effect.

IT IS FURTHER ORDERED AND DECREED THAT:

Defendants Wayne Fishback, ABC Waste Management, Charles Lee, Cepheid, and their officers, agents, servants, managers, representatives, principals, employees, partners, assigns, successors in interest, aiders and abettors, and all persons acting in concert with, under and/or participating with and/or for Defendants are HEREBY ENJOINED and RESTRAINED pending adjudication of the above referenced matter and until further order of the above-entitled court from performing and allowing to be performed any grading and excavation without grading permits from the County at the Properties and at any other property in the unincorporated County.

The Properties that are the subject to and governed by this order are:

a. APN 2821-009-030 ("Parcel 30"), and as legally described in Exhibit "B";

b. APN 2821-009-031 ("Parcel 31"), and as legally described in Exhibit "C";

c. APN 2821-002-023 ("Parcel 23"), and as legally described in Exhibit "D";

d. APN 2821-002-025 ("Parcel 25"), and as legally described in Exhibit "E" and any other property located within the unincorporated County.

DATED: DEC 23 2015

JUDGE OF THE SUPERIOR COURT

STEPHEN R. PFAHLER

EXHIBIT A

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 11/02/15			DEPT. F49
HONORABLE STEPHEN P. PFAHLER	JUDGE	C. THOMAS	DEPUTY CLERK
HONORABLE	JUDGE PRO TEM		ELECTRONIC RECORDING MONITOR
V. KRBOYAN, C.A.	Deputy Sheriff	NONE	Reporter

1:30 pm	PC056481 PEOPLE OF THE STATE OF CALIFORN VS. BARTON WAYNE FISHBACK	Plaintiff Counsel Defendant Counsel	NO APPEARANCES

NATURE OF PROCEEDINGS:

RULING ON MATTER SUBMITTED ON OCTOBER 30, 2015

Court, having taken this matter under submission on October 30, 2015 and after having read the Application/Motion, Objection, Reply and having heard the testimony, now rules as follows:

The Request for Preliminary Injunction is granted.

Plaintiffs' Request for Judicial Notice is granted.

Where a government entity seeks to enjoin a violation of an ordinance which specifically provides for injunctive relief, the government entity need only show a reasonable probability that its arguments will prevail at trial. Once this showing is made, a rebuttal presumption arises that the potential harm to the public outweighs the potential harm to the defendant and the burden shifts to defendant to show defendant will suffer grave or irreparable injury if the preliminary injunction is issued. IT CORPORATION (1983) 35 C3d 63,69.

Plaintiffs, public entities, seek to enjoin defendants' violations of Zoning Code and Building Code violations during the pendency of this action and injunctive relief is available under these codes for such violations. SEE Zoning Code (ZC) 22.60.350; L.A. County Code 1.23.040 of Title 26.

MINUTES ENTERED
11/02/15
COUNTY CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 11/02/15			DEPT. F49
HONORABLE STEPHEN P. PFAHLER	JUDGE	C. THOMAS	DEPUTY CLERK
HONORABLE	JUDGE PRO TEM		ELECTRONIC RECORDING MONITOR
V. KRBOYAN, C.A.	Deputy Sheriff	NONE	Reporter

1:30 pm	PC056481 PEOPLE OF THE STATE OF CALIFORN VS. BARTON WAYNE FISHBACK	Plaintiff Counsel Defendant Counsel	NO APPEARANCES

NATURE OF PROCEEDINGS:

Plaintiffs have established a reasonable probability that they will prevail at trial as the declaration of defendant Fishback shows that the work defendants are doing on the subject land falls within the definition of a "land reclamation project" as defined by the Zoning Code. SEE ZC 22.08.120 L; ZC 22.08.230 W; (Fishback Decl. paragraphs 8,10). As such, defendants were required to obtain the appropriate conditional use and/or grading permits before beginning their project which they have failed to do.

Defendants have failed to establish that they are exempt or excused from obtaining the required permits. Defendants misinterpret and/or fail to acknowledge portions of the code sections they rely on for their exemption arguments.

Defendants have failed to meet their burden of showing grave or irreparable harm if the preliminary injunction is granted. Any harm/loss of income defendants will suffer as a result of the issuance of the preliminary injunction is the result of defendants' own failure to comply with applicable laws regarding permits for certain uses of the property.

Additionally, plaintiffs have made a sufficient showing that the hardships weigh in favor of granting the relief becasue defendants are committing a nuisance per se.

MINUTES ENTERED
11/02/15
COUNTY CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 11/02/15			DEPT. F49
HONORABLE STEPHEN P. PFAHLER	JUDGE	C. THOMAS	DEPUTY CLERK
HONORABLE	JUDGE PRO TEM		ELECTRONIC RECORDING MONITOR
V. KRBOYAN, C.A.	Deputy Sheriff	NONE	Reporter

1:30 pm	PC056481 PEOPLE OF THE STATE OF CALIFORN VS. BARTON WAYNE FISHBACK	Plaintiff Counsel Defendant Counsel	NO APPEARANCES

NATURE OF PROCEEDINGS:

Defendants' objections to plaintiffs Request for Judicial Notice EX.35-38 are overruled.

Defendants' objections to portions of the Declaration of Shawn Skeries, Ron Dockery and Tracy Swann are overruled.

Plaintiffs' objections to portions of the J. Nicholas Brouwer, Barton Wayne Fishback, Glenn Hawks and Bruce Schofield declartions are overruled.

Defendants request to present the oral testimony at the hearing is denied.

CLERK'S CERTIFICATE OF MAILING

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the
minute order
upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Chatsworth, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

MINUTES ENTERED
11/02/15
COUNTY CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 11/02/15			DEPT. F49
HONORABLE STEPHEN P. PFAHLER	JUDGE	C. THOMAS	DEPUTY CLERK
HONORABLE	JUDGE PRO TEM		ELECTRONIC RECORDING MONITOR
V. KRBOYAN, C.A.	Deputy Sheriff	NONE	Reporter

1:30 pm	PC056481 PEOPLE OF THE STATE OF CALIFORN VS. BARTON WAYNE FISHBACK	Plaintiff Counsel Defendant Counsel	NO APPEARANCES

NATURE OF PROCEEDINGS:

Dated: November 2, 2015

Sherri R. Carter, Executive Officer/Clerk

By: _C. Thomas_____

Tracy Swann
OFFICE OF THE COUNTY COUNSEL
648 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012-2713

Jesse Terrell
LAW OFFICE OF MAINAK D'ATTARAY
111 West Ocean Blvd., #400
Long Beach, CA 90802

MINUTES ENTERED
11/02/15
COUNTY CLERK

EXHIBIT B

This page is part of your document - DO NOT DISCARD

20072131550

Pages: 006

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

09/17/07 AT 08:00AM

Fee: 33.00
Tax: 242.00
Other: 0.00
Total: 275.00

Title Company

TITLE(S) : DEED

LEAD SHEET

Assessor's Identification Number (AIN)
To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

THIS FORM IS NOT TO BE DUPLICATED

FATCOLA/RE

RECORDING REQUESTED BY:
All Escrow Services, Inc.

AND WHEN RECORDED MAIL TO:
AND MAIL TAX STATEMENT TO:

David Allen Krewson
3106 Calusa Ave
Simi Valley,CA 93063-5709

Order No. 2253086
Escrow No. 07-02510-MH
Parcel No. 2821-009-030

09/17/07
20072131550

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS $ 242.00
__X__ computed on full value of property conveyed, or
_____ computed on full value less liens or encumbrances remaining at the time of sale.
_____ unincorporated area: _____ Unincorporated Area Of The _____ and County Of Los Angeles

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Linda Susan Corbridge,

hereby GRANTS to Barton Wayne Fishback, a married man as his sole and separate property

the following described real property in the County of **Los Angeles**, State of California:

Legal description attached hereto and made a part hereof as Exhibit "A"

Date **June 12, 2007**

Linda Susan Corbridge

STATE OF CALIFORNIA }
COUNTY OF Los Angeles } S.S.

On June 20, 2007, before me, MARCIA HUNT, a Notary Public in and for said County and State, personally appeared Linda Susan Corbridge personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Marcia Hunt

MARCIA HUNT
COMM. # 1827233
NOTARY PUBLIC - CALIFORNIA
COUNTY OF LOS ANGELES
MY COMM. EXP. DEC. 28, 2009

EXHIBIT "A"

LEGAL DESCRIPTION

Real property in the unincorporated area of the County of Los Angeles, State of California, described as follows:

PARCEL 1:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 17 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AND UTILITIES ACROSS THE BELOW DESCRIBED PARCEL, AS PER DEED RECORDED JANUARY 30, 2006 AS INSTRUMENT NO. 06-212726:

THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 17 WEST, SAN BERNARDINO MERIDIAN, EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 36; THENCE NORTHERLY ALONG THE EASTERLY LINE 0 DEGREES 38' 40" WEST 946.54 FEET; THENCE LEAVING THE EASTERLY LINE, SOUTH 89 DEGREES 48' 42" WEST 1,314 56 FEET TO THE WESTERLY LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 36; THENCE SOUTHERLY ALONG THE LAST MENTIONED WESTERLY LINE, SOUTH 01 DEGREES 24' 54" WEST 944.70 TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 36; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF THE NORTHEAST QUARTER OF SECTION 36, NORTH 89 DEGREES 54' 02" EAST 1,301.87 TO THE POINT OF BEGINNING. (APN: 2821-002-022)

PARCEL 3:

AN EASEMENT FOR INGRESS AND EGRESS, PRIVATE UTILITIES, PUBLIC UTILITIES AND INCIDENTAL PURPOSES WITH A MINIMUM WIDTH AS REQUIRED BY THE COUNTY OF LOS ANGELES FOR RESIDENTIAL DEVELOPMENT PER THE CURRENT ZONING, AS PER DEED RECORDED _____, 2007 AS INSTRUMENT NO. 07-_____DESCRIBED AS FOLLOWS:

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 17 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE UNINCORPORATED TERRITORY OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

APN: 2821-009-030

07 2131550

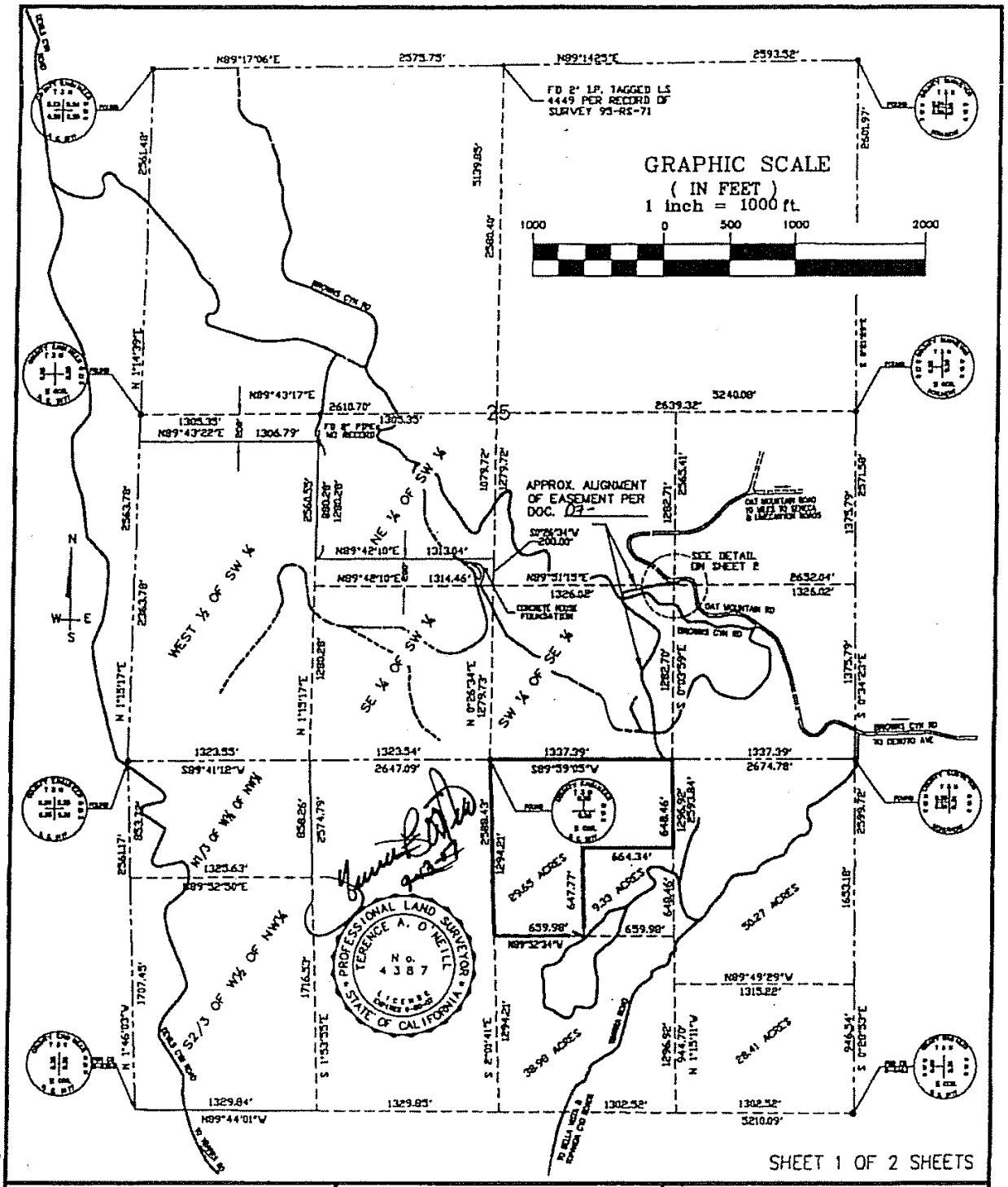
4

LINDA SUE CORBRIDGE QUITCLAIMS TO WAYNE FISHBACK ALL AND EVERY INTEREST ACQUIRED OR CLAIMED AND ANY INTEREST, PRESCRIPTIVE OR OTHERWISE, TO THOSE ROADS KNOWN AS: BROWNS CANYON ROAD, IMPROVED; BROWNS CANYON ROAD, UNIMPROVED; OAT MOUNTAIN ROAD, IMPROVED, DEVILS CANYON ROAD, UNIMPROVED; AND YBARRA ROAD, UNIMPROVED, TOGETHER WITH ANY AND ALL TRAILS AND/OR DIRT ROADS TRAVELED AND USED BY SAID CORBRIDGE AND/OR HER PREDECESSORS INTEREST, TO ACCESS HER LANDS OVER THE LANDS ADJACENT TO THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 17 WEST, SAN BERNARDINO MERIDIAN EXCEPT THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER THEREOF IN THE UNINCORPORATED TERRITORY OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

LSC

07 2131550

5



SHEET 1 OF 2 SHEETS

PREPARED FOR: WAYNE FISHBACK 3106 CALUSA AVENUE SIMI VALLEY, CA 93063	TERENCE O'NEILL & ASSOCIATES CONSULTING CIVIL ENGINEERS-LAND SURVEYORS 150 EAST LOS ANGELES AVENUE # 105 MOORPARK, CALIFORNIA 93021 PHONE (805) 402-6935	COLBRIDGE 30 ACRES PROPERTY SURVEY BROWNS CANYON - CHATSWORTH SECTION 25, T3N, R17W, SBM

07 2131550

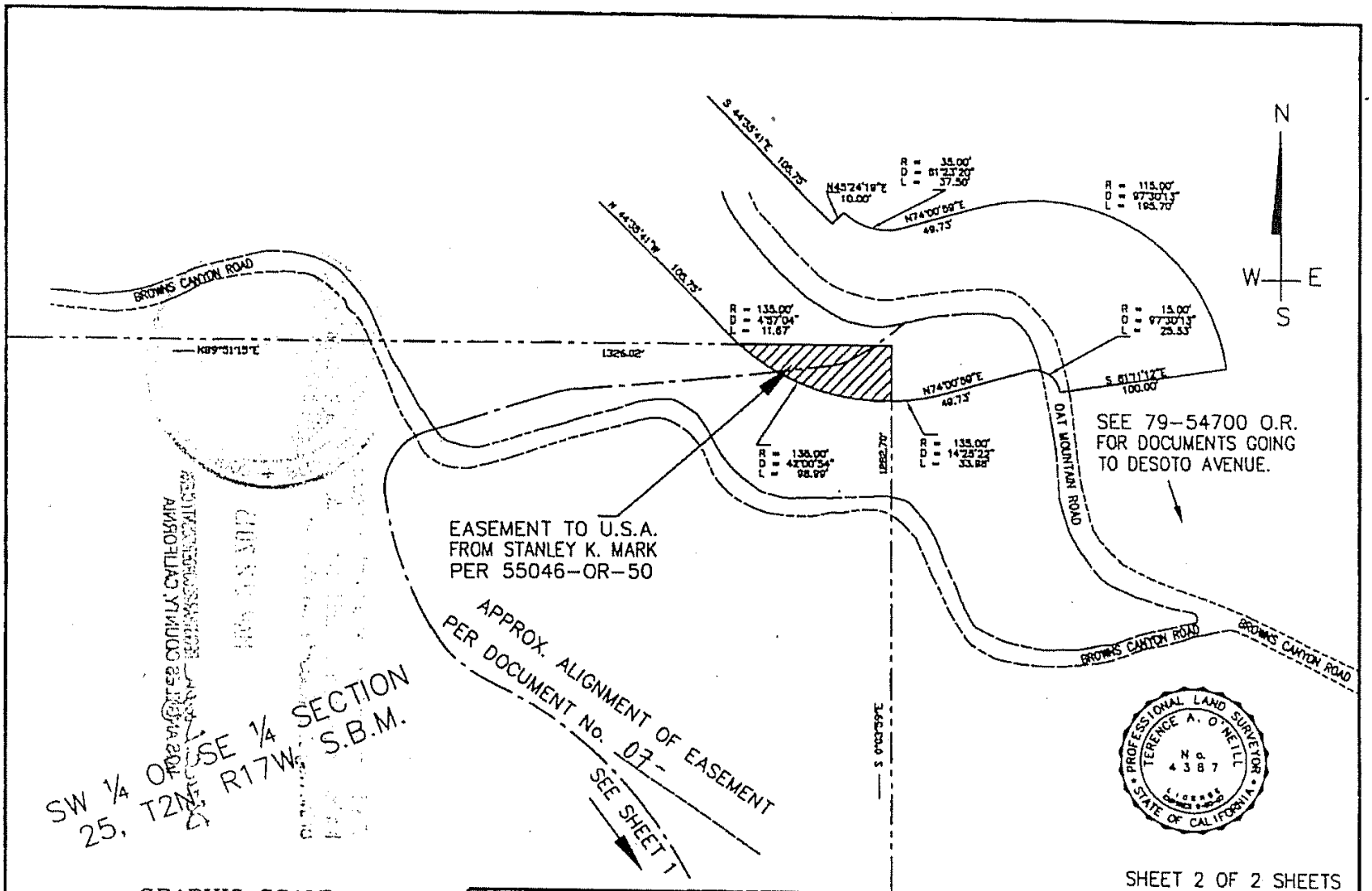

N
W
E
S
BROWNS CANYON ROAD
S 44°39'41"E 106.75'
N 44°39'41"W 106.75'
N45°24'19"E 10.00'
R = 35.00'
D = 61°23'20"
L = 37.50'
N74°00'59"E 49.73'
R = 115.00'
D = 97°30'13"
L = 195.70'
R = 15.00'
D = 97°30'13"
L = 25.53'
S 61°11'12"E 100.00'
R = 135.00'
D = 4°57'04"
L = 11.67'
N89°31'15"E
1326.02'
N74°00'59"E 49.73'
R = 135.00'
D = 42°00'54"
L = 98.99'
1252.70'
R = 135.00'
D = 14°25'22"
L = 33.98'
S 0°03'56"E
DIAT MOUNTAIN ROAD
SEE 79-54700 O.R.
FOR DOCUMENTS GOING
TO DESOTO AVENUE.
EASEMENT TO U.S.A.
FROM STANLEY K. MARK
PER 55046-OR-50
APPROX. ALIGNMENT OF EASEMENT
PER DOCUMENT No. 07-
SEE SHEET 1
BROWNS CANYON ROAD
BROWNS CANYON ROAD
SW ¼ OF SE ¼ SECTION
25, T2N, R17W, S.B.M.
PROFESSIONAL LAND SURVEYOR
TERENCE A. O'NEILL
No. 4387
STATE OF CALIFORNIA
SHEET 2 OF 2 SHEETS
GRAPHIC SCALE
1 inch = 80 ft.
80
0
40
80
160
PREPARED FOR:
WAYNE FISHBACK
3106 CALUSA AVENUE
SIMI VALLEY, CA 93063
TERENCE O'NEILL & ASSOCIATES
CONSULTING CIVIL ENGINEERS-LAND SURVEYORS
150 EAST LOS ANGELES AVENUE # 105
MOORPARK, CALIFORNIA 93021
PHONE (805) 402-6935
FISHBACK PROPERTY
DETAIL - N.E. CORNER
BROWNS CANYON - CHATSWORTH
SECTION 25, T3N, R17W, SBM

EXHIBIT C

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20120557530

Pages:
0004

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

04/13/12 AT 11:30AM

FEES:	35.00
TAXES:	0.00
OTHER:	0.00
PAID:	35.00

LEADSHEET

201204130720023

00005654071

003922830

SEQ:
02

DAR - Counter (Upfront Scan)

THIS FORM IS NOT TO BE DUPLICATED

E527957

RECORDING REQUEST BY:

AND WHEN RECORDED MAIL THIS DEED
AND MAIL TAX STATEMENTS TO:

BIG HORN LAND AND CATTLE COMPANY, LLC
37 West Delta Green, Port Hueneme, CA. 93041

A.P.N. 2821-009-031 Space above this line is for recorder's use.

GRANT DEED

THIS CONVEYANCE IS TO SECURE A DEBT. R+T 11921

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX IS $0 CITY TAX $____
__Computed on full value of property conveyed.
__Computed on full value less value of liens or encumbrances remaining at time of sale.
__Unincorporated area __City of AND
FOR VALUABLE CONSIDERATION Receipt of which is hereby acknowledged,

NET FUNDING CONSORTIUM, a NEVADA CORPORATION
hereby GRANT(S) to:
CEPHEID V, LLC

The following real property consisting of ten acres located in the County of Los Angeles as described in attached Exhibit "A".

CHARLES LEE
PRES. 4/13/2012

Charles Lee, President Net Funding Consortium Dated

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
ON April 13, 2012, **before me on the basis of satisfactory evidence to be the person witness name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of the signatory has acted, executed the instrument.**

Witness my hand and official seal.

Andrea Prince

(this area for official seal)

ANDREA PRINCE
Commission # 1885943
Notary Public - California
Ventura County
My Comm. Expires May 13, 2014

State of California)
County of Los Angeles)

On Apr. 13, 2012 before me, Rod Elyson, Notary Public,
personally appeared Charles Lee

who proved to me on the basis of satisfactory evidence) to be
the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or the entity upon behalf of which the person(s) acted, executed the instrument.

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

Witness my hand and official seal.

Signature Rod Elyson (seal)

ROD ELYSON
COMM. #1812417
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires Sep. 7, 2012

Exhibit "A"

The Southwest Quarter of the Northwest Quarter of the Northeast Quarter of Section 36, Township 3 North, Range 17 West, San Bernardino Base and Meridian, in the County of Los Angeles, State of California, according to the official plat thereof.

Assessor's Parcel Number: **2821-009-031**

EXHIBIT D

This page is part of your document - DO NOT DISCARD

20080420617 Pages: 006

Recorded/Filed In Official Records
Recorder's Office, Los Angeles County,
California

03/12/08 AT 08:00AM

Fee: 29.00
Tax: 0.00
Other: 0.00
Total: 29.00

Title Company

TITLE(S) : DEED

L E A D S H E E T

Assessor's Identification Number (AIN)
To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

THIS FORM IS NOT TO BE DUPLICATED

2

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

Barton Wayne Fishback
3106 Calusa
Simi Valley, CA 93063
03/20BA

03/12/08
20080420617

THIS SPACE FOR RECORDER'S USE ONLY:

Title Order No.:
Escrow No.:

GRANT DEED

THIS INSTRUMENT FILED FOR RECORD BY FIRST AMERICAN TITLE CO. OF L.A AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EXECUTION OR AS TO ITS EFFECT UPON TITLE

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX is $ CITY TRANSFER TAX $0
[ ] computed on full value of property conveyed, or
[ ] computed on full value less value of liens or encumbrances remaining at time of sale.
[ ] Unincorporated area [X] City of Chatsworth

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Barton Wayne Fishback, a Married Man as his sole and separate property

hereby GRANT(s) to:

Barton Wayne Fishback, a Married Man, as his sole and separate property

the real property in the City of Chatsworth, County of Los Angeles, State of California, described as:
LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND "B" AND MADE A PART HEREOF
Also Known as: Vacant Land, AP#2821-002-022, Chatsworth, CA 91311
AP#: 2821-002-022

"The Grantors and the Grantees in this Conveyance are comprised of the same parties who continue to hold the same proportionate interest in the property. R & T 11923 (d)."

DATED February 25, 2008
STATE OF CALIFORNIA
COUNTY OF Los Angeles
On 3/10/08
Before me, Kelly Pacheco,
a Notary Public in and for said State personally appeared
Barton Wayne Fishback

Barton Wayne Fishback

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

KELLY PACHECO
Commission # 1723136
Notary Public - California
Los Angeles County
My Comm. Expires Feb 2, 2011

Signature
(This area for official notarial seal)
MAIL TAX STATEMENTS TO PARTY SHOWN BELOW; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE:

3

EXHIBIT "A"

THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 17 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

EXCEPT THEREFROM ALL OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND, BUT WITH NO RIGHT OF SURFACE ENTRY, AS PROVIDED IN DEED RECORDED IN BOOK 17 PAGE 126 OF PATENTS, OF THE RECORDS OF LOS ANGELES COUNTY.

08 0420617

Title Order Number:
File Number: 2927676

Exhibit B

Real property in the unincorporated area of the County of Los Angeles, State of California, described as follows:

PARCEL 1:

THE SOUTH TWO-THIRDS OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 17 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLOT THEREOF. THE PLOT OF THE INDEPENDENT RE-SURVEY OF A PORTION OF SAID LAND WAS FILED IN THE DISTRICT LAND OFFICE JUNE 29, 1897.

PARCEL 1A:

TOGETHER WITH ALL INTEREST IN ALL OIL, GAS, MINERALS, HYDROCARBONS, ASPHALTUM AND OTHER KINDRED SUBSTANCES, IN AND UNDER SAID LAND.

PARCEL 2:

AN EASEMENT FOR INGRESS & EGRESS AND INCIDENTAL PURPOSES DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF SECTIONS 5, 6, 7 AND 8, TOWNSHIP 2 NORTH, RANGE 16 WEST AND SECTIONS 31 TOWNSHIP 3 NORTH , RANGE 16 WEST, AND 25, TOWNSHIP 3 NORTH, RANGE 17 WEST, ALL OF SAN BERNARDINO MERIDIAN, IN THE CITY OF LOS ANGELES AND UNINCORPORATED TERRITORY OF LOS ANGELES COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY TERMINUS OF THE CENTERLINE OF THE 40-FOOT WIDE STRIP SHOWN AS "ROAD EASEMENT PER OR-83-165220" ON SHEET 2 OF RECORD OF SURVEY FILED IN RECORD OF SURVEY BOOK 103, PAGES 90 THROUGH 99, INCLUSIVE, SAID 40-FOOT WIDE STRIP WAS RELINQUISHED TO THE CITY OF LOS ANGELES PER FINAL ORDER OF CONDEMNATION RECORDED JANUARY 13, 1983 AS INSTRUMENT NO. 83-165220 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE,

NORTHERLY OVER THE LAND DESCRIBED IN JOINT USE EASEMENT IN THE DECLARATION OF TAKING OF THE UNITED STATES OF AMERICA AS TRACT NO. E-419-E-2 RECORDED MARCH 3, 1956, IN BOOK D-523, PAGE 962, OF OFFICIAL RECORDS OF SAID COUNTY TO THE SOUTHERLY BOUNDARY OF TRACT MAP NO. 50512 PER MAP RECORDED IN MAP BOOK 1280, PAGES 52 THROUGH 61, INCLUSIVE, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE,

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NORTHERLY AND NORTHWESTERLY OVER THAT VARIABLE WIDTH STRIP ENTITLED "BROWNS CANYON ROAD" SHOWN ON SHEET 7 OF SAID TRACT MAP NO. 50512, ALSO BEING THE LAND DESCRIBED IN JOINT USE EASEMENT IN THE DECLARATION OF TAKING OF THE UNITED STATES OF AMERICA AS TRACT NO. E-419-E-2 RECORDED MARCH 3, 1959, IN BOOK D-523, PAGE 962, OF OFFICIAL RECORDS OF SAID COUNTY, TO THE NORTHERLY BOUNDARY OF SAID TRACT NO. 50512, TOGETHER WITH OVER LINE THE LAND IN SAID SECTION 7 DESCRIBED IN JOINT USE EASEMENT IN THE DECLARATION OF TAKING OF THE UNITED STATES OF AMERICA AS TRACT NO. D-418-E-2 RECORDED MARCH 13, 1959 IN BOOK D-523, PAGE 962, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE

CONTINUING NORTHERLY AND NORTHWESTERLY FROM SAID NORTHERLY BOUNDARY OF TRACT NO. 50512, ALSO BEING THE SOUTHERLY BOUNDARY OF TRACT NO. 50511-01 PER MAP RECORDED IN MAP BOOK 1288, PAGES 63 THROUGH 72, INCLUSIVE, OF OFFICIAL RECORDS OF SAID COUNTY OVER THAT 50-FOOT WIDE STRIP ENTITLED THEREON AS "BROWNS CANYON ROAD", BEING A RELOCATION OF A PORTION OF JOINT USE EASEMENT IN THE DECLARATION OF TAKING OF THE UNITED STATES OF AMERICA RECORDED APRIL 21, 1959, IN BOOK D-76, PAGE 650, OF OFFICIAL RECORDS OF SAID COUNTY AS DISCLOSED BY A NOTE ON SHEET 1 OF LAST SAID TRACT MAP, TO THE WESTERLY BOUNDARY OF LAST SAID TRACT MAP; THENCE,

CONTINUING NORTHWESTERLY AND NORTHERLY THROUGH SECTION 6 OVER THE LAND DESCRIBED IN JOINT USE EASEMENT IN THE DECLARATION OF TAKING OF THE UNITED STATES OF AMERICA AS TRACT D-400-E-5, E-6 & E-7 RECORDED AUGUST 25, 1957, IN BOOK 55440, PAGE 43, OF OFFICIAL RECORDS OF SAID COUNTY TO THE SOUTHERLY LINE OF AMENDED MAP OF DEERLAKE HIGHLANDS UNIT NO. 1 SHOWN ON LICENSED SURVEYORS MAP FILED IN BOOK 24, PAGE 14 OF MISCELLANEOUS RECORDS OF SAID COUNTY; THENCE,

CONTINUING NORTHERLY OVER THE LANDS WITHIN SAID DEERLAKE HIGHLANDS DESCRIBED IN JOINT USE EASEMENT IN THE DECLARATION OF TAKING THE UNITED STATES OF AMERICA RECORDED AUGUST 25, 1957 IN BOOK 55440, PAGE 43, MORE PARTICULARLY DESCRIBED ON PAGES 62 THROUGH 135, INCLUSIVE THEREOF, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE,

CONTINUING NORTHWESTERLY AND NORTHERLY THROUGH LOT 8 AND LOT 1 OF SAID SECTION 31 OVER THE LAND DESCRIBED IN JOINT USE EASEMENT N THE DECLARATION OF TAKING OF THE UNITED STATES OF AMERICA DESCRIBED AS TRACT C-305-E-2 THEREIN RECORDED AUGUST 25, 1957, IN BOOK 55440, PAGE 43, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE,

CONTINUING NORTHERLY AND NORTHWESTERLY THROUGH LOT 17 AND LOT 16 OF SAID SECTION 31 OVER THE LAND DESCRIBED IN JOINT USE EASEMENT GRANT TO THE UNITED STATES OF AMERICA AS TRACT C-304-E-2 RECORDED OCTOBER 7, 1957, IN BOOK 55781, PAGE 313, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE,

CONTINUING NORTHWESTERLY THROUGH LOT 15 OF SAID SECTION 31 OVER THE LAND DESCRIBED IN JOINT USE EASEMENT IN THE DECLARATION OF TAKING OF THE UNITED STATES OF AMERICA DESCRIBED AS TRACT C-302-E-4 THEREIN RECORDED AUGUST 25, 1957, IN BOOK 55440, PAGE 43, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE,

CONTINUING NORTHWESTERLY THROUGH LOT 10 OF SAID SECTION 31 OVER THE LAND DESCRIBED IN JOINT USE EASEMENT IN THE DECLARATION OF TAKING OF THE UNITED STATES OF AMERICA DESCRIBED AS TRACT C-302-E-2 THEREIN RECORDED AUGUST 25, 1957, IN BOOK 55440, PAGE 43, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE,

CONTINUING NORTHWESTERLY THROUGH LOT 11 OF SAID SECTION 31 OVER THE LAND DESCRIBED IN JOINT USE EASEMENT IN THE DECLARATION OF TAKING OF UNITED STATES OF AMERICA DESCRIBED AS TRACT C-302-E-3 THEREIN RECORDED AUGUST 25, 1957, IN BOOK 55440, PAGE 43, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE,

CONTINUING NORTHERLY, NORTHWESTERLY AND WESTERLY THROUGH LOT 6 AND LOT 3 OF SAID SECTION 31 OVER THE LAND DESCRIBED IN JOINT USE EASEMENT IN THE DECLARATION OF TAKING OF THE UNITED STATES OF AMERICA DESCRIBED AS TRACT C-301-E-3 THEREIN RECORDED AUGUST 25, 1957, IN BOOK 55440, PAGE 43, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE,

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CONTINUING NORTHWESTERLY AND WESTERLY THROUGH LOT 4 OF SAID SECTION 31 OVER THE LAND DESCRIBED IN JOINT USE EASEMENT IN THE DECLARATION OF TAKING OF THE UNITED STATES OF AMERICA DESCRIBED AS TRACT C-300-E-3 THEREIN RECORDED AUGUST 25, 1957, IN BOOK 55440, PAGE 43, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE,

CONTINUING WESTERLY, SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY THROUGH EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 25 OVER THE LAND DESCRIBED IN JOINT USE EASEMENT IN THE DECLARATION OF TAKING THE UNITED STATES OF AMERICA DESCRIBED AS TRACT B-208-E-2 RECORDED AUGUST 25, 1957, IN BOOK 55440, PAGE 43, OF OFFICIAL RECORDS OF SAID COUNTY, TO THE WESTERLY LINE OF SAID EAST HALF AND THE NORTHEAST CORNER OF THE LANDS OF STANLEY K. MARK AS PER DOCUMENT RECORDED _____ IN BOOK _____, PAGE _____, OF OFFICIAL RECORDS OF SAID COUNTY.

THE INTERESTS OF THE UNITED STATES OF AMERICA IN THE ABOVE DOCUMENTS AND OTHER DOCUMENTS, WAS QUITCLAIMED TO THE CITY OF LOS ANGELES PER DOCUMENT RECORDED AUGUST 23, 1978 AS INSTRUMENT NO. 78-933665.

THE INTEREST, IF ANY, OF THE UNITED STATES OF AMERICA IN THE ABOVE DOCUMENTS WAS QUITCLAIMED TO THE COUNTY OF LOS ANGELES BY QUITCLAIM DEED RECORDED JANUARY 12, 1979 AS INSTRUMENT NO. 79-54700.

THE INTEREST OF THE COUNTY OF LOS ANGELES ARE DISCLOSED IN A LETTER FROM THE COUNTY OF LOS ANGELES TO CHARLES LEE RECORDED MAY 5, 2005 AS INSTRUMENT NO. 05-1136461.

PARCEL 3:

THE WEST ½ OF THE SOUTHWEST ¼ AND THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 17 SAN BERNARDINO BASE AND MERIDIAN.

EXCEPT THEREFROM THE NORTHERLY 200 FEET OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 17 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

ALSO EXCEPT THEREFROM ALL OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND, BUT WITH NO RIGHT OF SURFACE ENTRY, AS PROVIDED IN DEED RECORDED IN BOOK 17 PAGE 126 OF PATENTS, OF THE RECORDS OF LOS ANGELES COUNTY.

PARCEL 3A:

THE SOUTHERLY 200 FEET OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 17 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

EXCEPT THEREFROM ALL OIL, GAS, PETROLEUM, NAPTHA AND OTHER HYDROCARBON SUBSTANCES, AS RESERVED IN THE DEED RECORDED DECEMBER 20, 1948 AS INSTRUMENT NO. 208, OF OFFICIAL RECORDS.

PARCEL 3B:

THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 17 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

EXCEPT THEREFROM ALL OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND, BUT WITH NO RIGHT OF SURFACE ENTRY, AS PROVIDED IN DEED RECORDED IN BOOK 17 PAGE 126 OF PATENTS, OF THE RECORDS OF LOS ANGELES COUNTY.

APN: 2821-009-020 and 2821-009-029 and 2821-002-022

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EXHIBIT E

This page is part of your document - DO NOT DISCARD

20080420618

Pages: 003

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

03/12/08 AT 08:00AM

Fee: 20.00
Tax: 0.00
Other: 0.00
Total: 20.00

Title Company

TITLE(S) : DEED

LEAD SHEET

Assessor's Identification Number (AIN)
To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

THIS FORM IS NOT TO BE DUPLICATED

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

Barton Wayne Fishback
3106 Calusa
Simi Valley, CA 93063

03/2008

03/12/08

20080420618

THIS SPACE FOR RECORDER'S USE ONLY:

Title Order No.:
Escrow No.:

GRANT DEED

THIS INSTRUMENT FILED FOR RECORD TITLE CO. OF L.A. AS AN ACCOMMODATION BEEN EXAMINED AS TO ITS EXECUTION EFFECT UPON TITLE

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX is $ CITY TRANSFER TAX $0
[ ] computed on full value of property conveyed, or
[ ] computed on full value less value of liens or encumbrances remaining at time of sale.
[ ] Unincorporated area [X] City of Chatsworth

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Barton Wayne Fishback, a Married Man as his sole and separate property

hereby GRANT(s) to:

Barton Wayne Fishback, a Married Man, as his sole and separate property

the real property in the City of Chatsworth, County of Los Angeles, State of California, described as:
LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF
Also Known as: Vacant Land, AP#2821-002-022, Chatsworth, CA 91311
AP#: 2821-002-022

"The Grantors and the Grantees in this Conveyance are comprised of the same parties who continue to hold the same proportionate interest in the property, R & T 11923 (d)."

DATED February 25, 2008
STATE OF CALIFORNIA
COUNTY OF Los Angeles
On 3/10/08
Before me, Kelly Pacheco,
a Notary Public in and for said State personally appeared
Barton Wayne Fishback

Barton Wayne Fishback

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

KELLY PACHECO
Commission # 1723135
Notary Public - California
Los Angeles County
My Comm. Expires Feb 2, 2011

Signature

(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN BELOW; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE:

3

EXHIBIT "A"

THE WEST 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 14 OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 17 SAN BERNARDINO BASE AND MERIDIAN.

EXCEPT THEREFROM THE NORTHERLY 200 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 17 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

ALSO EXCEPT THEREFROM ALL OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND, BUT WITH NO RIGHT OF SURFACE ENTRY, AS PROVIDED IN DEED RECORDED IN BOOK 17 PAGE 126 OF PATENTS, OF THE RECORDS OF LOS ANGELES COUNTY.

PREA .10/31/97bk

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PROOF OF SERVICE
Case No. PC 056481

STATE OF CALIFORNIA, County of Los Angeles:

Stephanie Serrano states: I am employed in the County of Los Angeles, State of California, over the age of eighteen years and not a party to the within action. My business address is 648 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012-2713

That on November 13, 2015 I served the attached

[PROPOSED] ORDER GRANTING PRELIMINARY INJUNCTION

upon Interested Party(ies) by placing ☐ the original ☒ a true copy thereof enclosed in a sealed envelope addressed ☒ as follows ☐ as stated on the attached service list:

Mainak D'Attaray, Esq. Jesse D. Terrell, Esq. Law Office of Mainak D'Attaray 111 West Ocean Boulevard, Suite 400 Long Beach, California 90802	

☒ **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses on the attached service list (specify one):

(1) ☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

(2) ☒ placed the envelope for collection and mailing, following ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Los Angeles, California:

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

Executed on November 13, 2015, at Los Angeles, California.

Stephanie Serrano
(NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)