

Stewart Title of CA, Inc. L.A.

Order: 7

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<i>CA</i>	<i>Orange</i>	<i>Document - Book.</i>	<i>11093.1811</i>	<i>Complete 7 Page(s)</i>

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RECORDED BY CLERK, REC'D
OF ORANGE COUNTY, CALIFORNIA

37 11 AM MAR 13 1974
J. WYLE CARLILE County Recorder

FILED

MAR 12 1974

WILLIAM L. S. S.

By

ADRIAN KUYPER, COUNTY COUNSEL
and ARTHUR C. WAHLSTEDT, JR., DEPUTY
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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

COUNTY OF ORANGE, etc.,

No. 194245

Plaintiff,

STIPULATION FOR JUDGMENT
QUIETING TITLE TO REAL
PROPERTY

vs.

THE IRVINE COMPANY, et al.,

Defendants.

IT IS HEREBY STIPULATED by and between Plaintiff COUNTY OF ORANGE, on behalf of the People of the State of California, and Defendants MARY C. BAYLESS, JOHN CONNELL, and MICHAEL J. CONNELL, individually and as Trustees for the MARY C. BAYLESS Trust dated February 27, 1950, as amended, by and between their respective counsel, the undersigned, that Findings of Fact, Conclusions of Law and Notice of Entry of Judgment are hereby waived and that the proposed Judgment Quieting Title to Real Property attached hereto, marked Exhibit "A," and by this reference made a part hereof, may be entered in the form and containing the terms and conditions of the proposed said Judgment.

DATED: March 6, 1974

ADRIAN KUYPER, COUNTY COUNSEL
and ARTHUR C. WAHLSTEDT, JR., DEPUTY

By

Arthur C. Wahlstedt, Jr., Deputy

Attorneys for Plaintiff

DATED: February 25, 1974

PAUL, HASTINGS, JANOFKY & WALKER

By

Michael J. Connell

Attorneys for Defendants above-named

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Attorneys for Plaintiff

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

COUNTY OF ORANGE, etc.,	)	No. 194245
Plaintiff,	)	JUDGMENT QUIETING TITLE
vs.	)	TO REAL PROPERTY
THE IRVINE COMPANY, et al.,	)	
Defendants.	)	

It appearing to the Court that Plaintiff COUNTY OF ORANGE, on behalf of the People of the State of California, and Defendants MARY C. BAYLESS, JOHN CONNELL, and MICHAEL J. CONNELL, individually and as Trustees for the MARY C. BAYLESS Trust dated February 27, 1950, as amended, through their respective counsel, have stipulated to Judgment as set forth hereinafter and have waived Findings of Fact, Conclusions of Law and Notice of Entry of Judgment; and

It appearing to the Court that the stipulation of the parties is as follows:

1. Defendants above-named own or have an interest in that real property described in Exhibit "A" attached hereto and by this reference made a part hereof. Said real property shall be referred to hereinafter as "Larger Parcel." Title to "Larger Parcel" is presently affected by the existence of the Lis Pendens recorded by Plaintiff in the above-entitled action on July 18, 1972.

2. The parties hereby agree that title to that portion of

"Larger Parcel" described in Exhibit "B" attached hereto and by this reference made a part hereof and hereinafter referred to as "Transferred Property" may be quieted in Plaintiff in fee simple absolute subject to all matters of record as against said Stipulating Defendants.

3. The title of Defendants above-named may be quieted in said Defendants as their interests appear as against Plaintiff as to all portions of "Larger Parcel" other than "Transferred Property" except as to all easements of record and real property taxes, city taxes and special taxes.

GOOD CAUSE APPEARING THEREFOR,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. Title to all that real property described in Exhibit "B" attached hereto and known as "Transferred Property" is quieted in Plaintiff in fee simple absolute subject to all matters of record as against Defendants MARY C. BAYLESS, JOHN CONNELL and MICHAEL J. CONNELL, individually and as Trustees for the MARY C. BAYLESS Trust dated February 27, 1950, as amended.

2. Title to all that real property described in Exhibit "A" attached hereto known as "Larger Parcel" less that real property described in Exhibit "B" attached hereto and known as "Transferred Property" ^{is} ~~shall be~~ quieted in Defendants MARY C. BAYLESS, JOHN CONNELL and MICHAEL J. CONNELL, as Trustees for the MARY C. BAYLESS Trust dated February 27, 1950, as amended, as their interests may appear as against Plaintiff except for easements of record and real property taxes, city taxes and special taxes which may be a lien against the realty.

3. Title to said real property ^{is} ~~shall be~~ quieted in the parties referred to hereinabove in the manner described hereinabove, and each party is perpetually enjoined and restrained from setting up or

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making any claim to or upon the respective parcels of real property of
the other party by reason of implied dedication to the public or other-
wise, except as set forth hereinabove.

DATED: MAR 12 1974

ROBERT A. BANYARD

Judge of the Superior Court



THIS INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ONE

MAR 12 1974

ATTEST:

WILLIAM E. ST. JOHN

County Clerk of the County of Orange, California

William E. St. John

THIS CERTIFICATE IS GIVEN FREE OF CHARGE
SO LONG AS THE CONDITION THAT IT IS TO
BE USED FOR OFFICIAL BUSINESS UNDER THE
PROVISIONS OF THE GOVERNMENT CODE OF
THE STATE OF CALIFORNIA.

OFFICE OF
COUNTY CLERK
ORANGE COUNTY

LARGER PARCEL

110931815

DESCRIPTION:

PARCEL 1:

THAT PORTION OF LOT 152 IN BLOCK 51 OF IRVINE'S SUBDIVISION IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGE 88 OF MISCELLANEOUS RECORD MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH PORTIONS OF LOTS 104 TO 115 INCLUSIVE AND OF LOTS 120 AND 121 AND OF BIRCH STREET AND BAYVIEW DRIVE AS SHOWN ON A MAP OF TRACT NO. 700, RECORDED IN BOOK 21 PAGE 25 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINES OF MESA DRIVE AND CYPRESS STREET AS SHOWN ON SAID MAP OF TRACT NO. 700; THENCE NORTH $50^{\circ} 11' 45''$ WEST 310.62 FEET ALONG THE CENTERLINE OF SAID MESA DRIVE, THENCE SOUTH $36^{\circ} 12' 05''$ WEST 250.00 FEET TO THE MOST SOUTHERLY CORNER OF THE LAND DESCRIBED IN PARCEL 1 OF THE DEED TO ROLAND H. GAPP AND WIFE, RECORDED JANUARY 11, 1952 IN BOOK 2273 PAGE 175 OF OFFICIAL RECORDS; THENCE NORTH $50^{\circ} 11' 45''$ WEST 324.24 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LAND OF ROLAND H. GAPP, TO THE TRUE POINT OF BEGINNING; THENCE SOUTH $36^{\circ} 13' 05''$ WEST 705.18 FEET TO A POINT ON A NON-TANGENT CURVE ON THE SOUTHERLY LINE OF THE LAND DESCRIBED IN THE DEED TO JAMES L. RUBEL AND WIFE, RECORDED JULY 23, 1951 IN BOOK 2207 PAGE 198, OFFICIAL RECORDS, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 800.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH $15^{\circ} 21' 53''$ WEST, THENCE NORTHWESTERLY 342.17 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE $24^{\circ} 34' 40''$ THENCE NORTH $50^{\circ} 03' 27''$ WEST 52.05 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 2080.00 FEET, THE RADIAL LINE OF WHICH BEARS NORTH $43^{\circ} 07' 17''$ WEST, SAID POINT ALSO BEING THE MOST WESTERLY CORNER OF THE LAND DESCRIBED IN SAID DEED TO RUBEL AND WIFE; THENCE NORTHEASTERLY 19.61 FEET ALONG SAID CURVE AND THE WESTERLY LINE OF THE LAND DESCRIBED IN SAID DEED TO RUBEL AND WIFE, THROUGH A CENTRAL ANGLE OF $0^{\circ} 32' 25''$, THENCE NORTH $46^{\circ} 20' 18''$ EAST 244.34 FEET CONTINUING ALONG SAID WESTERLY LINE TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY 89.50 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $10^{\circ} 15' 20''$.

THENCE NORTH $56^{\circ} 35' 38''$ EAST 418.18 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY 25.99 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $2^{\circ} 58' 45''$, TO THE MOST WESTERLY CORNER OF THE LAND DESCRIBED IN THE HEREINAFORE MENTIONED DEED TO ROLAND H. GAPP AND WIFE; THENCE SOUTH $50^{\circ} 11' 45''$ EAST 165.99 FEET ALONG THE SOUTHERLY LINE OF ROLAND H. GAPP TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PORTION DESCRIBED IN THE DEED TO THE COUNTY OF ORANGE RECORDED FEBRUARY 15, 1961 IN BOOK 5629 PAGE 45 OF OFFICIAL RECORDS.

EXHIBIT "A"

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PARCEL 2:

AN EASEMENT FOR INGRESS AND EGRESS, 16.00 FEET WIDE, OVER THOSE PORTIONS OF LOTS 115, 119 AND 120 OF TRACT NO. 706, IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 21 PAGE 25 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LEAVING 8.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE NORTHERLY CORNER OF THE LAND DESCRIBED IN A DEED TO DONALD C. DUNCAN AND WIFE, RECORDED SEPTEMBER 26, 1955 IN BOOK 3223 PAGE 70, OFFICIAL RECORDS. THENCE SOUTH $36^{\circ} 13' 05''$ WEST 30.06 FEET, ALONG THE NORTHWESTERLY LINE OF SAID LAND; THENCE NORTH $50^{\circ} 11' 45''$ WEST 71.28 FEET ALONG A LINE THAT IS PARALLEL WITH AND 30.00 FEET SOUTHWESTERLY OF THE NORTHEASTERLY LINE OF THE LAND DESCRIBED IN A DEED TO LEROY L. CARVER, JR., AND FRANCIS H. CARVER, HUSBAND AND WIFE, RECORDED MAY 8, 1961 IN BOOK 5714 PAGE 1 OF OFFICIAL RECORDS, TO THE TRUE POINT OF BEGINNING; THENCE NORTH $69^{\circ} 27' 55''$ WEST 38.02 FEET; THENCE NORTH $36^{\circ} 54' 56''$ WEST 36.24 FEET; THENCE SOUTH $74^{\circ} 43' 58''$ WEST, 38.11 FEET TO A POINT IN THE NORTHWESTERLY LINE OF SAID LAND DESCRIBED TO LEROY L. CARVER, JR., AND FRANCIS H. CARVER, HUSBAND AND WIFE, SAID POINT BEING SOUTH $36^{\circ} 13' 05''$ WEST 95.65 FEET FROM THE MOST NORTHERLY CORNER OF THE LAND DESCRIBED TO LEROY L. CARVER, JR., AND FRANCIS H. CARVER, HUSBAND AND WIFE.

TRANSFERRED PROPERTY

1110931817

DESCRIPTION

PROJECT NO: GA 1008
 PROJECT: Upper Newport Bay
 PARCEL NO: 27.01
 A.P. NO: Ptn. 120-210-20

DATE: 1/25/74
 WRITTEN BY: P.D.P. *000*
 CHECKED BY: R.F.D. *1/25/74*
 APPROVED BY: F.L.H. *FLH*

Parcel GA 1008-27.01

A strip of land 30 feet in width lying within a portion of Lot 152 in Block 51 of Irvine's subdivision in the City of Newport Beach, County of Orange, State of California, as per map recorded in Book 1, Page 88 of Miscellaneous Maps, in the office of the County Recorder of said county, together with portions of Lots 104 to 115 inclusive and of Lots 120 and 121 and those portions of Birch Street and Bayview Drive as shown on a map of Tract No. 706, recorded in Book 21, Page 25 of Miscellaneous Maps, in the office of the County Recorder of said county, said strip being the Northwesterly 30 feet of the following described land:

Beginning at the intersection of the centerlines of Mesa Drive and Cypress Street as shown on said map of Tract No. 706; thence N 50° 11' 45" W 310.62 feet along the centerline of said Mesa Drive; thence S 36° 13' 05" W 250.06 feet to the most southerly corner of the land described in Parcel 1 of the Deed to Roland H. Gapp and wife, recorded January 11, 1952 in Book 2273, Page 175 of Official Records; thence N 50° 11' 45" W 324.24 feet along the southwesterly line of said land of Roland H. Gapp, to the TRUE POINT OF BEGINNING; thence S 36° 13' 05" W 705.18 feet to a point on a non-tangent curve on the southerly line of the land described in the Deed to James L. Rubel and wife, recorded July 23, 1951 in Book 2207, Page 198, Official Records, concave northeasterly having a radius of 800.00 feet, a radial line through said point bears S 15° 21' 53" W; thence northwesterly 343.17 feet along said curve through a central angle 24° 34' 40" thence N 50° 03' 27" W 52.06 feet to a point on a non-tangent curve concave northwesterly having a radius of 2080.00 feet, the radial line of which bears N 43° 07' 17" W, said point also being the most westerly corner of the land described in said Deed to Rubel and wife; thence Northeasterly 19.61 feet along said curve and the westerly line of the land described in said Deed to Rubel and wife, through a central angle of 0° 32' 25", thence N 46° 20' 18" E 244.34 feet continuing along said westerly line to the beginning of a curve concave southeasterly having a radius of 500.00 feet; thence northeasterly 89.50 feet along said curve through a central angle of 10° 15' 20" thence N 56° 36' 38" E 418.18 feet to the beginning of a curve concave northwesterly having a radius of 500.00 feet; thence Northeasterly 25.99 feet along said curve through a central angle of 2° 58' 43", to the most westerly corner of the land described in the hereinabove mentioned Deed to Roland H. Gapp, and wife; thence S 50° 11' 45" E 165.09 feet along the southerly line of Roland H. Gapp to the TRUE POINT OF BEGINNING.

EXCEPTING FROM said strip a portion of land described in the Deed to the Orange County Flood Control District recorded February 15, 1961 in Book 5629, Page 45 of Official Records.

EXHIBIT "B"