

5987-199

16809

RECORDED AT REQUEST OF COUNTY COUNSEL
IN OFFICIAL RECORDS OF ORANGE COUNTY, CALIF.
JAN 24 1962
RUBY McFARLAND, County Recorder

FREE

FILED

JAN 24 1962

L. B. WALLACE, County Clerk

*[Signature]*

GEORGE F. HOLDEN, COUNTY COUNSEL  
and ANGELO J. PALMIERI, DEPUTY  
308 Hall of Records  
Santa Ana, California

Telephone: Kimberly 7-3311

Attorneys for Plaintiff

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

ORANGE COUNTY FLOOD CONTROL DISTRICT,  
a body politic and corporate of the  
State of California,

Plaintiff,

vs.

THE CITY OF NEWPORT BEACH, et al,

Defendants.

No. 77428

AMENDED  
FINAL ORDER OF  
CONDEMNATION

Parcels E1-la03.1, E1-la08.1  
and E1-la09

It appearing to the Court that a Judgment in Condemnation was entered on December 27, 1961, condemning a perpetual easement in the following described real property to Plaintiff as against Defendant The City of Newport Beach; and

It further appearing to the Court that through a clerical mistake a Final Order in Condemnation was entered on January 19, 1962, which purported to condemn title in fee simple absolute to Plaintiff as against Defendant The City of Newport Beach when a perpetual easement should have been condemned; and

It further appearing to the Court that the Plaintiff in the above entitled proceeding, having paid into Court for the benefit of Defendant The City of Newport Beach the sum of \$19,603.76, the total amount of compensation awarded by the Court for the interests of said above named Defendant in and to the parcels of real property described in Plaintiff's Complaint as Parcels E1-la03.1, E1-la08.1 and E1-la09,

IN COUNTY  
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BOOK 5987 PAGE 200

1 together with any and all improvements thereon pertaining to the realty  
2 and for all interests and damages of every kind and nature suffered by  
3 said above named Defendant by reason of the taking of a perpetual  
4 easement for the establishment of a flood control channel;

5 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that  
6 the following described parcels of real property be, and the same are  
7 hereby condemned for the use and purposes set forth in said Complaint;  
8 to wit: a flood control channel for public use, the said real property  
9 being situate in the County of Orange, State of California, and more  
10 particularly described as follows:

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BOOK 5987 PAGE 201

PARCEL NO. E1-1a03.1

That portion of Block N1, in Seashore Colony Tract, in the city of Newport Beach, county of Orange, State of California, as per map recorded in Book 7, page 25, of Miscellaneous Maps, in the office of the county recorder of said county, that lies westerly of the following described line: beginning at the most northerly corner of said Block N1, thence S. 34° 47' 00" W. 87.00 feet along the westerly boundary of the City of Newport Beach, being also the southwesterly prolongation of the easterly line of Summit Street as per said map filed in Book 7, page 25; thence S. 15° 09' 30" W. approximately 185 feet to the line of the mean high tide of the Pacific Ocean.

OFFICE OF  
COUNTY COUNSELLOR  
ORANGE COUNTY

PARCEL NO. E1-1a08.1

BOOK 5987 PAGE 202

That certain offshore parcel of land adjacent to Block N1, in Seashore Colony Tract, in the City of Newport Beach, County of Orange, State of California, as per map recorded in Book 7, page 25, of Miscellaneous Maps, in the office of the County Recorder of said County, described as follows: bounded on the north by the line of ordinary high tide of the Pacific Ocean; bounded on the west by the southwesterly prolongation of the westerly boundary of the City of Newport Beach, being also the southwesterly prolongation of the easterly line of Summit Street as per said Book 7, page 25; bounded on the east by the southerly prolongation of the following described line: commencing at the most northerly corner of said Block N1; thence S. 34° 47' 00" W. 7.00 feet along the westerly boundary of the City of Newport Beach, being also the southwesterly prolongation of the easterly line of Summit Street as per said map filed in Book 7, page 25; thence S. 15° 09' 30" W. to the intersection with the south line of the herein described offshore parcel, said south line being described as follows: commencing at a point on the easterly line of Rancho Las Bolsas, as said line is shown on a map filed in Book 28, page 17, of Record of Surveys in the Office of the County Recorder of Orange County, California, said point being described on said map as "Fd. 1" iron rod Sta. 4+28.35"; thence S. 15° 48' 40" W. along said Rancho line, 202.47 feet to a point described on said map as "Sta. 6+30.82 Set 1" I.P.", said point being also at the intersection of the southerly line of the Pacific Electric Railway Company right of way as shown on said map; thence N. 53° 58' 30" W. along said southerly right of way line, 4.46 feet; thence S. 36° 01' 30" W., 374.00 feet; thence S. 24° 59' 14" W., 650.00 feet; thence S. 65° 00' 46" E., to the intersection with the easterly boundary of said herein described offshore parcel of land.

BOOK 5987 PAGE 203

## PARCEL NO. E1-1a09

That portion of Block N1, of the Seashore Colony Tract in the City of Newport Beach, Orange County, California, per map thereof filed in Book 7, page 25, Miscellaneous Maps of said County, and also that certain offshore parcel of land adjacent to said Block N1.

That is included within a strip of land of the uniform width of 37.00 feet, lying Easterly of and contiguous with a line bearing S. 15° 09' 30" W. which passes through a point on the Southwesterly prolongation of the Easterly line of Summit Street as shown on said map filed in Book 7, page 25 of Miscellaneous Maps, said line also being the Westerly boundary of the City of Newport Beach, and said point being distant S. 34° 47' 00" W. along said boundary line 87.00 feet from the most Northerly corner of said Block N1; the Southerly terminus of said 37 foot strip being a line described as follows:

Commencing at a point on the easterly line of Rancho Las Bolsas, as said line is shown on a map filed in Book 28, page 17, of Record of Surveys in the Office of the County Recorder of Orange County, California, said point being described on said map as "Pd. 1" iron rod Sta. 4+28.35"; thence S. 15° 48' 40" W. along said Rancho line, 202.47 feet to a point described on said map as "Sta. 6+30.82 Set 1" I.P.", said point being also at the intersection of the southerly line of the Pacific Electric Railway Company right of way as shown on said map; thence N. 53° 58' 30" W. along said southerly right of way line, 4.46 feet; thence S. 36° 01' 30" W., 374.00 feet; thence S. 24° 59' 14" W., 650.00 feet; thence S. 65° 00' 46" E., to the intersection with the easterly boundary of said herein described 37 foot strip.

BOOK 5987 PAGE 204

1 IT IS FURTHER ORDERED that a copy of this Order and Judgment  
2 be filed in the Office of the County Recorder of the County of Orange,  
3 State of California, and thereupon the real property as hereinabove  
4 described, together with any and all improvements thereon pertaining  
5 to the realty, and a perpetual easement shall vest in Plaintiff, and  
6 that, as to said real property, all liens, leaseholds and encumbrances  
7 of whatsoever kind and nature shall be, and they are, hereby canceled,  
8 discharged and extinguished forever.

9  
10 DATED: January 23, 1962

11  
12 ROBERT P. KNEELAND

13 Judge of the Superior Court

14 THE FOREGOING INSTRUMENT IS CORRECT COPY  
OF THE ORIGINAL ON FILE IN THIS OFFICE.

15 ATTEST: January 23 1962

16 J. B. WALLACE

17 County Clerk and ex-officio Clerk of the  
Superior Court of the State of California in and for  
the County of Orange.

18 D. Perry Maynard DEPUTY

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OFFICE OF  
COUNTY CLERK  
COUNTY OF ORANGE