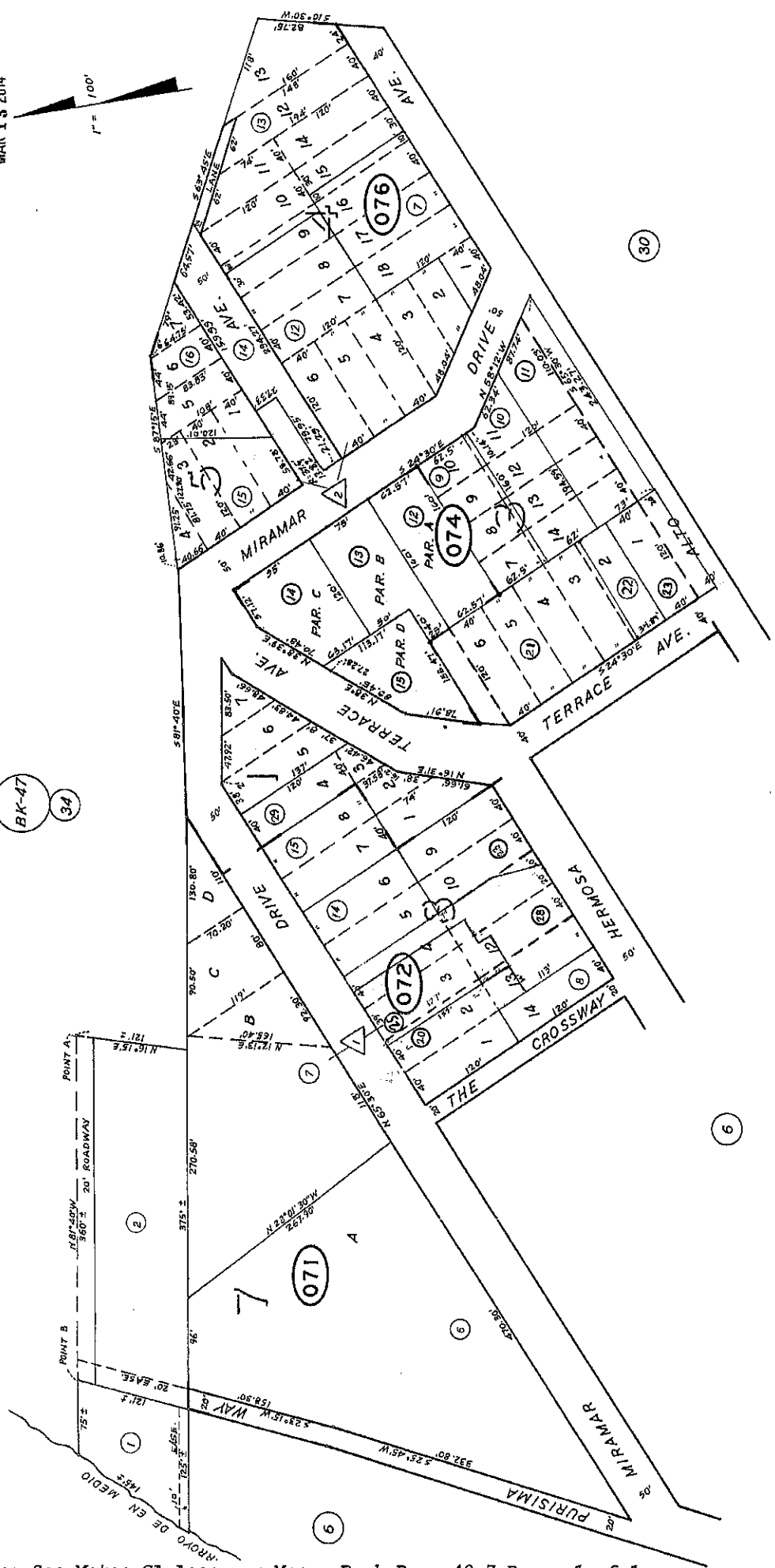


TAX CODE AREA

MAR 13 2014



- △ PARCEL MAP VOL 68/97-98
- △ MIRAMAR TERRACE RSM 4/12
- △ SUB. OF BLOCK 10 MIRAMAR TERRACE RSM 5/19

BK-47
34

2007-110170

03:35pm 07/20/07 NP Fee: 22.00

Count of pages 6

Recorded in Official Records

County of San Mateo

Warren Slocum

Assessor-County Clerk-Recorder



1 Recording requested by
2 Scott M. Toussaint, Esq.

3 Recording requested by
4 Scott M. Toussaint, Esq.
707 Leahy Street, #326
Redwood City, CA 94061

5 Superior Court of California

6 County of San Mateo

7 KEVIN E. RYAN and LISA S. RYAN,)

Case No. CIV464335

8 Plaintiffs,)

NOTICE OF PENDENCY OF ACTION
(LIS PENDENS)

9 vs.)

10 CITIBANK, N.A.; CITIBANK,)
11 NATIONAL ASSOCIATION; VERDUGO)
12 TRUSTEE SERVICE CORPORATION;)
13 CITIBANK (WEST), FSB; WEST,)
14 NATIONAL ASSOCIATION; CITIBANK)
15 SERVICE CORPORATION; KYMCO,)
16 INC.; all PERSONS UNKNOWN, claiming)
any legal or equitable right, title, estate, lien,)
or interest in the property described in the)
complaint adverse to Plaintiffs' title, or any)
cloud on Plaintiffs' title thereto; and DOES)
17 1 through 100, inclusive,)

18 Defendants.

19
20 NOTICE IS HEREBY GIVEN that the above-captioned action was commenced on
21 July 9, 2007, in the above-captioned court by Plaintiffs KEVIN E. RYAN and LISA S. RYAN
22 against Defendants CITIBANK, N.A.; CITIBANK, NATIONAL ASSOCIATION;
23 VERDUGO TRUSTEE SERVICE CORPORATION; CITIBANK (WEST), FSB; WEST,
24 NATIONAL ASSOCIATION; CITIBANK SERVICE CORPORATION; KYMCO, INC.; all
25 PERSONS UNKNOWN, claiming any legal or equitable right, title, estate, lien, or interest in

lepa

1 the property described in the complaint adverse to Plaintiffs' title, or any cloud on Plaintiffs'
2 title thereto; and DOES 1 through 100, inclusive. The action is now pending in the above-
3 captioned court.

4 The above-captioned action alleges a real property claim affecting certain real property
5 that is situated in an unincorporated area of San Mateo County, California, that is described as
6 follows:

7
8 Portion of HERMOSA AVENUE, as shown on that certain map entitled
9 "MAP OF SUBDIVISION OF BLOCK 10 MIRAMAR TERRACE",
10 filed in the office of the County Recorder of San Mateo County, State of
11 California, on August 5, 1907 in Book 5 of Maps at page 19 being more
12 particularly described as follows:

13 BEGINNING at the point of intersection of the Southerly line of Hermosa
14 Avenue and the Easterly line of Miramar Drive as said lines are shown on
15 the above mentioned Map;

16 THENCE North 24°30'00" West a distance of 21.29 feet to a point on a
17 curve;

18 THENCE along a curve to the right having a radius of 37.50 feet, a delta
19 of 21°06'51", an arc length of 13.82 feet, and a chord which bears North
20 57°34'57" East having a chord distance of 13.74 feet to a point on a line;

21 THENCE North 65°52'02" East a distance of 79.95 feet;

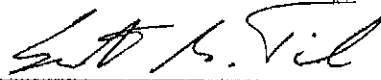
22 THENCE North 24°45'14" West a distance of 27.33 feet to the Northerly
23 line of Hermosa Avenue;

24 THENCE along said line North 65°30'00" East a distance of 159.99 feet
25 to a point on the Subdivision Boundary;

THENCE along said Boundary Line South 63°45'00" East a distance of
64.57 feet to a point on the prolongation of the Southerly line of Hermosa
Avenue;

THENCE along said line South 65°30'00" West a distance of 294.27 feet
to the POINT OF BEGINNING, and containing 11,157.42 square feet or
0.2561 acre(s) of land, more or less.

Dated: July 12, 2007



Scott M. Toussaint
Attorney for Plaintiffs
Kevin E. Ryan and Lisa S. Ryan

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ACKNOWLEDGMENT

State of California
County of San Mateo

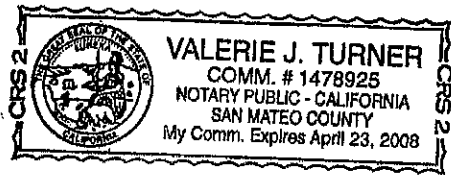
On July 12, 2007, before me, Valerie J. Turner, Notary Public, personally
(here insert name and title of the officer)

appeared Scott M. Toussaint----, 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 Valerie J. Turner



(Seal)

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Scott M. Toussaint, Esq. State Bar No. 197996 707 Leahy St., #326 Redwood City, CA 94061</p> <p>TELEPHONE NO.: (650) 679-9562 FAX NO. (Optional): (650) 249-0355 E-MAIL ADDRESS (Optional): scott@purpleacre.com ATTORNEY FOR (Name): Kevin E. Ryan and Lisa S. Ryan</p>	<p align="center">FOR COURT USE ONLY</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Mateo</p> <p>STREET ADDRESS: 400 County Center MAILING ADDRESS: 400 County Center CITY AND ZIP CODE: Redwood City 94063 BRANCH NAME: Southern Branch: Hall of Justice and Records</p>	
<p>PETITIONER/PLAINTIFF: KEVIN RYAN ET AL</p> <p>RESPONDENT/DEFENDANT: CITIBANK ET AL</p>	
<p align="center">PROOF OF SERVICE BY FIRST-CLASS MAIL—CIVIL</p>	<p>CASE NUMBER: CIV464335</p>

(Do not use this Proof of Service to show service of a Summons and Complaint.)

1. I am over 18 years of age and not a party to this action. I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is:
 707 Leahy St., #326
 Redwood City, CA 94061
3. On (date): July 20, 2007 I mailed from (city and state): Redwood City, CA the following documents (specify):
 Notice of Pendency of Action (Lis Pendens)

The documents are listed in the Attachment to Proof of Service by First-Class Mail—Civil (Documents Served) (form POS-030(D)).

4. I served the documents by enclosing them in an envelope and (check one):
 - a. **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.
 - b. **placing** the envelope for collection and mailing following our 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.
5. The envelope was addressed and mailed as follows:
 - a. Name of person served:
 - b. Address of person served:

The name and address of each person to whom I mailed the documents is listed in the Attachment to Proof of Service by First-Class Mail—Civil (Persons Served) (POS-030(P)).

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

Date: July 20, 2007

Scott M. Toussaint
 (TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)


 (SIGNATURE OF PERSON COMPLETING THIS FORM)

SHORT TITLE: KEVIN RYAN ET AL VS. CITIBANK ET AL	CASE NUMBER: CIV464335
--	---------------------------

ATTACHMENT TO PROOF OF SERVICE BY FIRST-CLASS MAIL—CIVIL (PERSONS SERVED)

(This Attachment is for use with form POS-030)

NAME AND ADDRESS OF EACH PERSON SERVED BY MAIL:

<u>Name of Person Served</u>	<u>Address (number, street, city, and zip code)</u>
CITIBANK, N.A.	3900 Paradise Road, Suite 127, Las Vegas, NV 89109
CITIBANK, N.A.	399 Park Avenue, New York, NY 10043
CITIBANK, NATIONAL ASSOCIATION	3900 Paradise Road, Suite 127, Las Vegas, NV 89109
CITIBANK, NATIONAL ASSOCIATION	399 Park Avenue, New York, NY 10043
VERDUGO TRUSTEE SERVICE CORPORATION	1000 TECJMP;PGY DR MS 822, O'Fallon, MO 63304
VERDUGO TRUSTEE SERVICE CORPORATION	1000 Technology Drive, O'Fallon, MO 63368-2240
VERDUGO TRUSTEE SERVICE CORPORATION	c/o CT Corporation System, 818 West Seventh St., Los Angeles, CA 90017
CITIBANK (WEST), FSB	One Sansome Street, San Francisco, CA 94104
CITIBANK (WEST), FSB	3900 Paradise Road, Suite 127, Las Vegas, NV 89109
CITIBANK (WEST), FSB	399 Park Avenue, New York, NY 10043
WEST, NATIONAL ASSOCIATION	One Sansome Street, San Francisco, CA 94104
WEST, NATIONAL ASSOCIATION	3900 Paradise Road, Suite 127, Las Vegas, NV 89109
WEST, NATIONAL ASSOCIATION	399 Park Avenue, New York, NY 10043

SHORT TITLE: KEVIN RYAN ET AL VS. CITIBANK ET AL	CASE NUMBER: CIV464335
--	---------------------------

ATTACHMENT TO PROOF OF SERVICE BY FIRST-CLASS MAIL—CIVIL (PERSONS SERVED)

(This Attachment is for use with form POS-030)

NAME AND ADDRESS OF EACH PERSON SERVED BY MAIL:

<u>Name of Person Served</u>	<u>Address (number, street, city, and zip code)</u>
CITIBANK SERVICE CORPORATION	One Sansome Street, San Francisco, CA 94104
CITIBANK SERVICE CORPORATION	500 W. Madison 7th Fl., Chicago, IL 60661
CITIBANK SERVICE CORPORATION	c/o CT Corporation System, 818 West Seventh St., Los Angeles, CA 90017
KYMCO, INC.	135 Montalvo Rd., Redwood City, CA 94062
KYMCO, INC.	c/o Donald Scherer, P.O. Box 696, Moss Beach, CA 94038

RECORDING REQUESTED BY:

Kevin E. and Lisa S. Ryan
681 Hermosa Avenue
Half Moon Bay, California 94019

WHEN RECORDED MAIL TO:

Kevin E. and Lisa S. Ryan
681 Hermosa Avenue
Half Moon Bay, California 94019

2008-101538

02:36pm 09/05/08 JU Fee: 21.00

Count of pages 5

Recorded in Official Records

County of San Mateo

Warren Slocum

Assessor-County Clerk-Recorder



57

JUDGMENT AFTER TRIAL

**Superior Court of California
County of San Mateo**

Case No. CIV464335

KEVIN E. RYAN and LISA S. RYAN,
Plaintiffs,

vs.

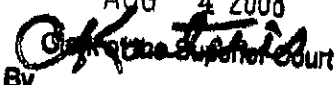
KYMCO, INC.; and DOES 1 through 100, inclusive,
Defendants.

Separate Page Pursuant to Government Code section 27361.6

1 Scott M. Toussaint, Esq.
2 Calif. State Bar No. 197996
3 707 Leahy Street, #326
4 Redwood City, CA 94061

Attorney for Plaintiffs

FILED
SAN MATEO COUNTY

AUG 4 2008
By 
DEPUTY CLERK

Superior Court of California
County of San Mateo

7 KEVIN E. RYAN and LISA S. RYAN,

8 Plaintiffs,

9 vs.

10 KYMCO, INC.; and DOES 1 through 100,
11 inclusive,

12 Defendants.

) Case No. CIV464335

) JUDGMENT AFTER TRIAL

) Complaint Filed: July 9, 2007
) Trial Date: August 4, 2008

14
15 The above entitled cause came on regularly for trial on August 4, 2008 and was tried on
16 that date.

17 Judgment is hereby entered that the Plaintiffs herein, Kevin E. Ryan and Lisa S. Ryan,
18 are the owners of the title in fee simple to the real property that is the subject of this action.

19 The legal description of said real property is attached hereto as Exhibit A and incorporated
20 herein.

21 This Court also finds that the Defendant herein, Kymco, Inc., owns no right, title,
22 estate, interest, or lien, whatever, in said real property.

23
24 Date: 8-4-08


Judge of the Superior Court

Exhibit A

LEGAL DESCRIPTION

Portion of HERMOSA AVENUE, as shown on that certain map entitled "MAP OF SUBDIVISION OF BLOCK 10 MIRAMAR TERRACE", filed in the office of the County Recorder of San Mateo County, State of California, on August 5, 1907 in Book 5 of Maps at page 19 being more particularly described as follows:

BEGINNING at the point of intersection of the Southerly line of Hermosa Avenue and the Easterly line of Miramar Drive as said lines are shown on the above mentioned Map;

THENCE North $24^{\circ}30'00''$ West a distance of 21.29 feet to a point on a curve;

THENCE along a curve to the right having a radius of 37.50 feet, a delta of $21^{\circ}06'51''$, an arc length of 13.82 feet, and a chord which bears North $57^{\circ}34'57''$ East having a chord distance of 13.74 feet to a point on a line;

THENCE North $65^{\circ}52'02''$ East a distance of 79.95 feet;

THENCE North $24^{\circ}45'14''$ West a distance of 27.33 feet to the Northerly line of Hermosa Avenue;

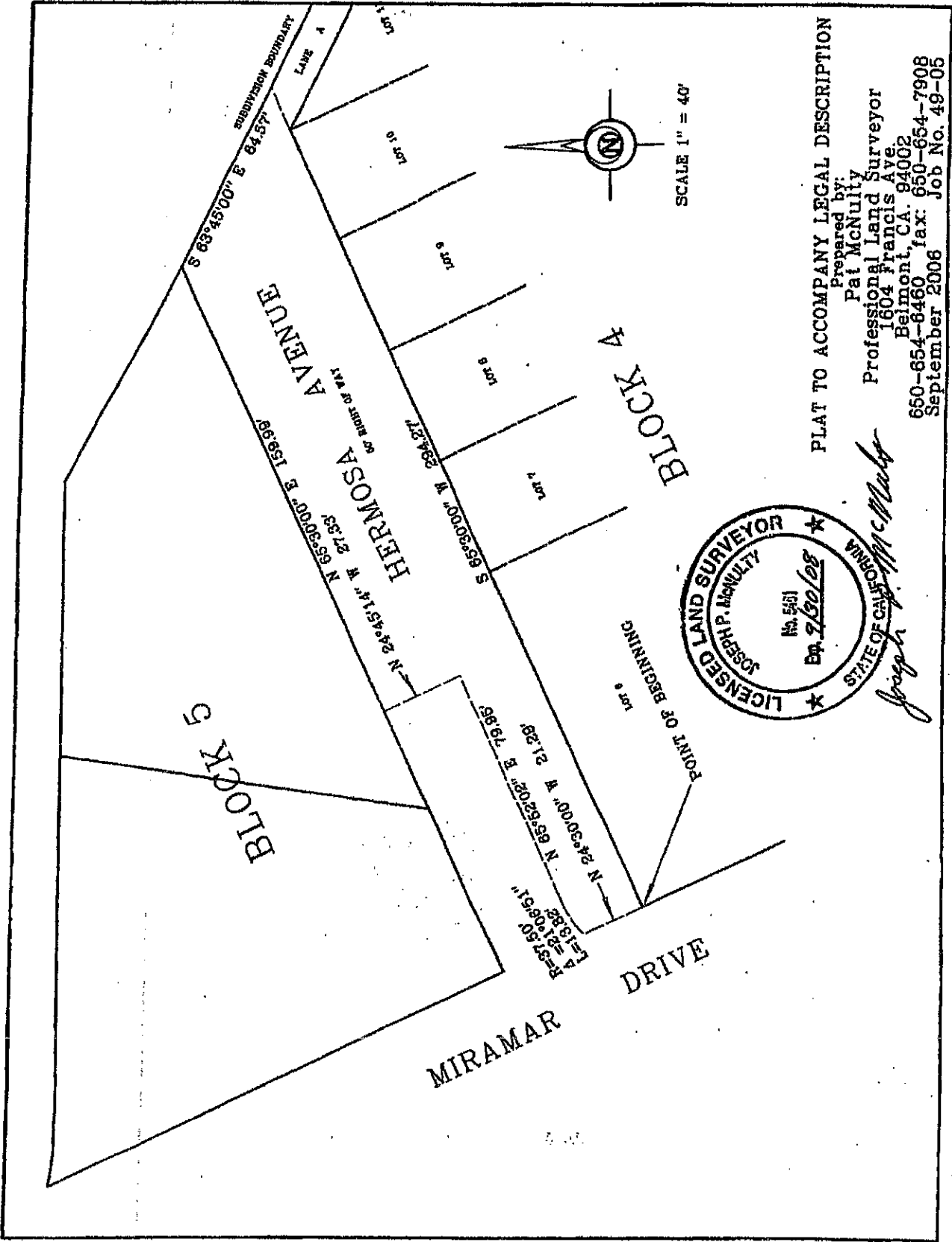
THENCE along said line North $65^{\circ}30'00''$ East a distance of 159.99 feet to a point on the Subdivision Boundary;

THENCE along said Boundary Line South $63^{\circ}45'00''$ East a distance of 64.57 feet to a point on the prolongation of the Southerly line of Hermosa Avenue;

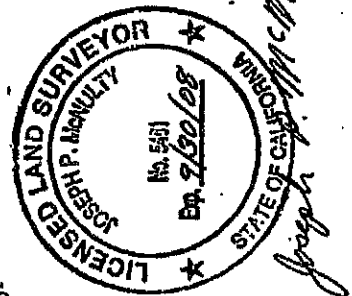
THENCE along said line South $65^{\circ}30'00''$ West a distance of 294.27 feet to the POINT OF BEGINNING, and containing 11,157.42 square feet or 0.2561 acre(s) of land, more or less.

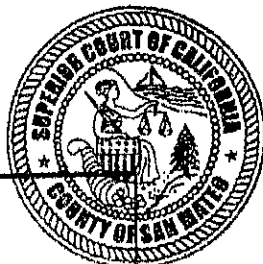


Joseph P. McNulty



PLAT TO ACCOMPANY LEGAL DESCRIPTION
 Prepared by:
 Pat McNulty
 Professional Land Surveyor
 1604 Francis Ave.
 Belmont, CA. 94002
 650-654-6460 fax: 650-654-7908
 September 2006





STATE OF CALIFORNIA }
COUNTY OF SAN MATEO } SS.

I, John C. Pitton, the Clerk of the Superior Court of the above
entitled County, do hereby certify that the foregoing is a full, true
and correct copy of the original on file in my office, and that I have
carefully compared same with the original.

Witness my hand and seal of said Superior Court

This 4th day of August 2008
Clerk of the Superior Court of California, County of San Mateo

By [Signature]
Deputy Clerk