

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, and Address):</p> <p><b>Burke, Williams &amp; Sorensen, LLP (247224)</b>  <b>1770 Iowa Avenue, Suite 240</b>  <b>Riverside, CA 92507-2479</b></p> <p>TELEPHONE NO.: <b>Daytime: (951) 788-0100</b>      FAX NO.: <b>Fax: (951) 788-5785</b>  E-MAIL ADDRESS: <b>mkosla@bwslaw.com</b></p> <p>ATTORNEY FOR (Name): <b>WESTERN HILLS WATER DISTRICT, an agency of the State of California</b></p>	<p>LEVYING OFFICER (Name and Address):</p> <p><b>Stanislaus County Sheriff's Office</b>  <b>Sheriff Civil Division</b>  <b>P.O. Box 3288</b>  <b>801 11th Street, Suite 2200</b>  <b>Modesto, CA 95354</b></p> <p><b>(209) 491-8762</b>  <b>Fax #: (209) 491-8766</b></p> <p><b>California Relay Service Number</b>  <b>(800) 735-2929 TDD or 711</b></p>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Stanislaus</b></p> <p>STREET ADDRESS: <b>801 10th St, 4th fl</b>  MAILING ADDRESS: <b>PO Box 1098</b>  CITY AND ZIP CODE: <b>Modesto, CA 95354</b>  BRANCH NAME: <b>Stanislaus Superior Court</b></p>	<p>COURT CASE NUMBER:</p> <p><b>662072</b></p>
<p>PLAINTIFF/PETITIONER: <b>WESTERN HILLS WATER DISTRICT, ETC.</b>  DEFENDANT/RESPONDENT: <b>RWHS DIABLO GRANDE, LEGENDS, LLC, ET AL.</b></p>	<p>LEVYING OFFICER FILE NUMBER:</p> <p><b>2022004232</b></p>
<p><b>Sheriff's Sale Under Foreclosure</b></p>	

Date: 12/14/2022

In favor of: **WESTERN HILLS WATER DISTRICT, an agency of the State of California, on behalf of the owners of its Community Facilities District No. 1 Bonds, C/O Martin Kosla, Esq. Burke, Williams & Sorensen, 1770 Iowa Avenue, Suite 240, Riverside, CA 92507-2479**

And against: **Donald Edward Crouse, Trustee of the Crouse Family Living Trust Dated September 26, 2005**  
**Patricia Joan Crousel, Trustee of the Crouse Family Living Trust Dated September 26, 2005, 23807 Towish Drive, Corona, CA 92883-9395, East West Bank, a California corporation Atty Mary Whitney Kenney, 135 N Los Robles Ave 6th Fl, Pasadena, CA 91101, RWHS Diablo Grande, Legends, LLC a California Limited Liability Company, Att: Ron Woolsey Hertel, 2419 Harbor Blvd #133, Ventura, CA 93001-3904, Frank Coelho & Delores O. Coelho, 8644 Acadia Drive, Cypress, CA 90630-2146, East West Bank, A California Corporation Att: Douglas P Krause, 135 N Los Robles Ave 7th Fl, Pasadena, CA 91101, Anthony J. De Lellis, De Lellis & Associates, 1565 Hotel Circle, Ste. 370, San Diego, CA 92108, William L. Foster, Jr., Trustee of the William L. Foster, Jr. and Leslie B. Foster Community Property Trust Dated March 1, 2000, 2314 Hogan Way, Oceanside, CA 92056, Point Center Financial, a California Corporation Att: Alan Bergfeld, 7 Argonaut, Aliso Viejo, CA 92656, Robert A. Pomeroy, Trustee of the Pomeroy Family Revocable Living Trust, UTD September 8, 2003 Jacqueline K. Pomeroy, Trustee of the Pomeroy Family Revocable Living Trust, UTD September 8, 2003, 9794 Red River Circle, Fountain Valley, CA 92708-7325, Rita Tsai, 1280 Huntington Drive, San Marino, CA 91108-1807, Dallas C. Wicke, 6877 Danvers Drive, Garden Grove, CA 92845-2950, Jon A. Vicars and Nobuko Mukai Vicars, 2406 Grant Street, Berkeley, CA 94703-1926, Doug Anderson and Peggy Anderson, 1241 Euclid Street, Apt. C, Santa Monica, CA 90404-1039, Randolph Ray Smith, Trustee of the Randolph Ray Smith 2006 Trust, 740 Anna Place, El Dorado Hills, CA 95762-7686, Southwest Marketing, LLC, a Wyoming Limited Liability Company Agent: Brian MacKenzie, 629 Camino De Los Mares, San Clemente, CA 92673, Philip W. Payne, Trustee of the Payne Family Trust Dated February 10, 1992 & Successor Trustee to Helga G. Payne, Trustee of the Payne Family Trust Dated February 10, 1992, 1401 San Miguellito Road, Apt. 8, Lompoc, CA 93436, The Church of the Movement of Spiritual Inner Awareness a California Non-Profit Religious corporation Agent: Mark Lurie, 3500 W. Adams Blvd., Los Angeles, CA 90018, Charles E. Stratton and Nina A. Stratton, 2900 Hillcrest Drive, Napa, CA 94558-1261, Bradford Street, LLC, a California Limited Liability Company Agent: James G. Brakke, 30729 Paseo Elegancia, San Juan Capistrano, CA 92675, David E. Mont & Suzanne L. Mont, 5320 Los Monteros, Yorba Linda, CA 92887-5107, Edward V. Waters, Trustee of the Water Family Trust Rose E. Waters, Trustee of the Water Family Trust, 895 Cambridge Drive, Santa Barbara, CA 93111-1422, Walter C. White & Phyllis L. White, 15290 Greenworth Drive, La Mirada, CA 90638-2407, Douglas L. Loop & Bettina A. Loop, 131 S. Irena Avenue, Redondo Beach, CA 90277-3425, Thomas L. Uniack & Ann Uniack, 72 Yolanda Drive, San Anselmo, CA 94960-1732, Paul John Croxton, Trustee of the Croxton Family Trust Date April 19, 2002 & Valeria Lynn Croxton, Trustee of the Croxton Family Trust Date April 19, 2002, 30132 Hillside Terrace, Apt. 33, San Juan Capistrano, CA 92675-1540, Kim W. Schulze & Bianca Reis, 814 W. Newell Street, Seattle, WA 98119-2245**

Under a Writ of Sale issued out of the above court on 09/29/2022, on a judgment rendered on 01/25/2012 for the sum of \$537,202.46, I have levied upon all the rights, title, and interest of the judgment debtor(s), Donald Edward Crouse, Trustee of the Crouse Family Living Trust Dated September 26, 2005 Patricia Joan Crousel, Trustee of the Crouse Family Living Trust Dated September 26, 2005, East West Bank, a California corporation Atty Mary Whitney Kenney, Frank Coelho & Delores O. Coelho, RWHS Diablo Grande, Legends, LLC a California Limited Liability Company, Anthony J. De Lellis, De Lellis & Associates, East West Bank, A California Corporation Att: Douglas P Krause, Doug Anderson and Peggy Anderson, Randolph Ray Smith, Trustee of the Randolph Ray Smith 2006 Trust, Dallas C. Wicke, Jon A. Vicars and Nobuko Mukai Vicars, Rita Tsai, Robert A. Pomeroy, Trustee of the Pomeroy Family Revocable Living Trust, UTD September 8, 2003 Jacqueline K. Pomeroy, Trustee of the Pomeroy Family Revocable Living Trust, UTD September 8, 2003, William L. Foster, Jr., Trustee of the William L. Foster, Jr. and Leslie B. Foster Community Property Trust Leslie B. Foster, Jr., Trustee of the William L. Foster, Jr. and Leslie B. Foster-Community Property Trust Dated March 1, 2000, Point Center Financial, a California Corporation Att: Alan Bergfeld, Philip W. Payne, Trustee of the Payne Family Trust Dated February 10, 1992 & Successor Trustee to Helga G. Payne, Trustee of the Payne Family Trust Dated February 10, 1992, The Church of the Movement of Spiritual Inner Awareness a California Non-Profit Religious corporation Agent: Mark Lurie, Southwest Marketing, LLC, a Wyoming Limited Liability Company Agent: Brian MacKenzie, Kim W. Schulze & Bianca Reis, Douglas L. Loop & Bettina A. Loop, Paul John Croxton, Trustee of the Croxton Family Trust Date April 19, 2002 & Valeria Lynn Croxton, Trustee of the Croxton Family Trust Date April 19, 2002, Walter C. White & Phyllis L. White, Thomas L. Uniack & Ann Uniack, Bradford Street, LLC, a California Limited Liability Company Agent: James G. Brakke, Edward V. Waters, Trustee of the Water Family Trust Rose E. Waters, Trustee of the Water Family Trust, Charles E. Stratton and Nina A. Stratton, David E. Mont & Suzanne L. Mont

in the real property, in the County of Stanislaus, described as follows:

Physical Address: 12 Vacant Parcels, Patterson, CA 95363

Legal Description: See attachment 25 e.

APN(s): 025-050-001-000, 025-050-002-000, 025-050-003-000, 025-050-004-000, 025-050-013-000, 025-051-001-000, 025-051-002-000, 025-051-003-000, 025-051-004-000, 025-051-005-000, 025-051-006-000, 025-051-007-000

The property to be sold is NOT subject to the right of redemption.

The amount of the secured indebtedness with interest and costs: \$585,042.84 (estimated)

Minimum Bid (If applicable): \$585,042.84 (estimated)

PROSPECTIVE BIDDERS SHOULD REFER TO SECTIONS 701.510 to 701.680, INCLUSIVE, OF THE CODE OF CIVIL PROCEDURE FOR PROVISIONS GOVERNING THE TERMS, CONDITIONS, AND EFFECT OF THE SALE AND THE LIABILITY OF DEFAULTING BIDDERS. (CCP 701.547)

PUBLIC NOTICE IS HEREBY GIVEN that I will proceed to sell at public auction to the highest bidder, for cash in lawful money of the United States, all the rights, title and interest of said judgment debtor(s) in the above described property, or so much thereof as may be necessary to satisfy said Writ or Warrant, with accrued interest and costs on:

Date and Time of Sale	Location
01/19/2023 10:00AM	Courthouse Entrance, 1100 I Street Entrance, Modesto CA 95354

Directions to the property location can be obtained from the levying officer upon oral or written request.

Jeff Dirkse, Sheriff-Coroner

Sgt. Wade Carr, Sheriff's Authorized Agent

**LIENS MAY BE PRESENT WHICH MAY OR MAY NOT SURVIVE THIS LEVY**

<b>SHORT TITLE:</b> <b>WESTERN HILLS WATER DISTRICT, ETC. v. RWHS DIABLO GRANDE, LEGENDS, LLC, ET AL.</b>	<b>CASE NUMBER:</b> <b>662072</b>
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**ATTACHMENT (Number): 25 e.**

*(This Attachment may be used with any Judicial Council form.)*

— Items continued from page 2—

**25e. Description of property:**

Legal Descriptions:

**APN: 025-050-001**

ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

LOT 161, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS

PARCEL NO.2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.

PARCEL NO.3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS.

APN: 025-050-001-000

**APN: 025-050-002**

ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

LOT 162, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS

PARCEL NO.2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.

PARCEL NO.3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS.

APN: 025-050-002-000

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

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*(Add pages as required)*

<b>SHORT TITLE:</b> WESTERN HILLS WATER DISTRICT, ETC. v. RWHS DIABLO GRANDE, LEGENDS, LLC, ET AL.	<b>CASE NUMBER:</b> 662072
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**ATTACHMENT (Number): 25 e.**

*(This Attachment may be used with any Judicial Council form.)*

— Items continued from page 2—

**25e. Description of property:**

Legal Descriptions:

**APN: 025-050-003**

ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

LOT 163, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS

PARCEL NO.2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.  
 A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS.

APN: 025-050-003-000

**APN: 025-050-004**

ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS

NO. 1:

LOT 164, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS

PARCEL NO.2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.

PARCEL NO.3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS.

APN: 025-050-004-000

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

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*(Add pages as required)*

<b>SHORT TITLE:</b> WESTERN HILLS WATER DISTRICT, ETC. v. RWHS DIABLO GRANDE, LEGENDS, LLC, ET AL.	<b>CASE NUMBER:</b> 662072
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**ATTACHMENT (Number):** 25 e.

*(This Attachment may be used with any Judicial Council form.)*

— Items continued from page 2—

**25e. Description of property:**

**Legal Descriptions:**

**APN: 025-050-013**

ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

**PARCEL NO. 1:**

LOT 173, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS

**PARCEL NO.2:**

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.

**PARCEL NO.3:**

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS.

APN: 025-050-013-000

**APN: 025-051-001**

ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

**PARCEL NO. 1:**

LOT 160, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS

**PARCEL NO.2:**

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.

**PARCEL NO.3:**

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS

APN: 025-051-001-000

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

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*(Add pages as required)*

<b>SHORT TITLE:</b> <b>WESTERN HILLS WATER DISTRICT, ETC. v. RWHS DIABLO GRANDE, LEGENDS, LLC, ET AL.</b>	<b>CASE NUMBER:</b> <b>662072</b>
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**ATTACHMENT (Number): 25 e.**

— Items continued from page 2—

**25e. Description of property:**

Legal Descriptions:

**APN: 025-051-002**

**ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:**

**PARCEL NO. 1:**

**LOT 159, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS**

**PARCEL NO.2:**

**A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.**

**PARCEL NO.3:**

**A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS.**

**APN: 025-051-002-000**

**APN: 025-051-003**

**ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:**

**PARCEL NO. 1:**

**LOT 158, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS**

**PARCEL NO.2:**

**A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.**

**PARCEL NO.3:**

**A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS.**

**APN: 025-051-003-000**

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

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*(Add pages as required)*

<b>SHORT TITLE:</b> WESTERN HILLS WATER DISTRICT, ETC. v. RWHS DIABLO GRANDE, LEGENDS, LLC, ET AL.	<b>CASE NUMBER:</b> 662072
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ATTACHMENT (Number): 25 e.

— Items continued from page 2—

25e. Description of property:

Legal Descriptions:

**APN: 025-051-004**

ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

LOT 157, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS

PARCEL NO.2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.

PARCEL NO.3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS.

APN: 025-051-004-000

**APN: 025-051-005**

ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

LOT 156, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS

PARCEL NO.2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.

PARCEL NO.3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS.

APN: 025-051-005-000

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

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*(Add pages as required)*

SHORT TITLE:	CASE NUMBER:
WESTERN HILLS WATER DISTRICT, ETC .v. KITCO HOLDINGS, LLC, ET ..	662071

ATTACHMENT (Number): 25 e.

— Items continued from page 2—

**25e. Description of property:**

Legal Descriptions:

**APN: 025-051-006**

ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

LOT 155, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS.

PARCEL NO.2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.

PARCEL NO.3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS.

APN: 025-051-006-000

**APN: 025-051-007**

ALL THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

LOT B, AS SHOWN ON THE MAP OF DIABLO GRANDE, THE LEGENDS, UNIT NO. 1 FILED FOR RECORD ON APRIL 10, 2008 IN BOOK 43 OF MAPS, AT PAGE 84, STANISLAUS COUNTY RECORDS.

PARCEL NO.2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE PRIVATE ROADS SHOWN ON THAT CERTAIN MAP ENTITLED, "DIABLO GRANDE, UNIT NO. 1A", RECORDED MAY 13, 2001, IN BOOK 40 OF MAPS, AT PAGE 94, STANISLAUS COUNTRY RECORDS.

PARCEL NO.3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THAT CERTAIN 100' WIDE PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT SHOWN ON THAT CERTAIN PARCEL MAP FILE FOR RECORD ON MARCH 31, 2005 IN BOOK 53 OF PARCEL MAPS, AT PAGE 70, STANISLAUS COUNTY RECORDS.

APN: 025-051-007-000

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

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*(Add pages as required)*



**STANISLAUS COUNTY  
SHERIFF'S OFFICE**

**P.O. BOX 3288 /801 11<sup>TH</sup> ST., STE 2200  
MODESTO, CA 95353  
(209) 491-8762 FAX 491-8766**

**JEFF DIRKSE  
SHERIFF CORONER  
PUBLIC ADMINISTRATOR**

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**CIVIL DIVISION  
TERMS AND CONDITIONS OF SHERIFF'S SALE**

1. IF YOU ARE THE HIGHEST BIDDER, YOU MUST BE PREPARED TO PAY IN CASH, CERTIFIED CHECK OR CASHIER'S CHECK. PERSONAL CHECKS, COMPANY CHECKS, TRAVELER'S CHECKS OR MONEY ORDERS ARE NOT ACCEPTABLE (701.590(A) CCP.)
2. IF YOU PAY CERTIFIED CHECK OR CASHIER'S CHECK, THE CHECK MUST BE PAYABLE TO "STANISLAUS COUNTY SHERIFF." YOU MAY NOT ENDORSE A CHECK, PAYABLE TO YOU OR ANYONE ELSE OVER TO THE SHERIFF'S DEPARTMENT.
3. THE HIGHEST BIDDER MUST BE PREPARED TO PAY THE FULL AMOUNT OF HIS/HER BID AT THE TIME OF SALE WHEN:
  - a) THE BID AMOUNT ON REAL PROPERTY IS \$5,000.00 OR LESS, OR,
  - b) THE BID AMOUNT ON PERSONAL PROPERTY IS \$2,500.00 OR LESS.
4. IF THE HIGHEST BID FOR AN INTEREST IN REAL PROPERTY SOLD EXCEEDS \$5,000.00, HIGHEST BIDDER MAY ELECT TO DEPOSIT AT LEAST \$5,000.00 OR 10% OF THE BID, WHICHEVER IS GREATER AND WITHIN 10 DAYS AFTER THE DATE OF SALE, PAY THE BALANCE DUE PLUS INTEREST ON THE BALANCE AND COSTS ACCRUING WITH REGARD TO THE PROPERTY SOLD.

IF THE HIGHEST BID FOR AN ITEM, GROUP OR LOT OF PERSONAL PROPERTY SOLD EXCEEDS \$2,500.00, THE HIGHEST BIDDER MAY ELECT TO DEPOSIT AT LEAST \$2,500.00 OR 10% OF THE BID, WHICHEVER IS GREATER AND WITHIN 10 DAYS AFTER THE DATE OF SALE, PAY THE BALANCE DUE PLUS INTEREST ON THE BALANCE AND COSTS ACCRUING WITH REGARD TO THE PROPERTY SOLD.

THE HIGHEST BIDDER IS NOT ENTITLED TO POSSESSION OF THE PROPERTY SOLD UNTIL THE AMOUNT OF BID PLUS COSTS AND INTEREST HAVE BEEN PAID.

IF THE HIGHEST BIDDER DOES NOT PAY THE AMOUNT BID AS PRESCRIBED ABOVE, HE/SHE WILL FORFEIT THEIR DEPOSIT. (701.590, 701.600 CCP.)

5. THE JUDGMENT CREDITOR MAY BID AGAINST ALL OR PART OF THE JUDGMENT. HOWEVER, UNPAID LEVYING COSTS, PREFERRED LABOR CLAIMS, EXEMPT PROCEEDS AND ANY OTHER CLAIM REQUIRED TO BE SATISFIED SHALL BE PAID IN CASH OR BY CERTIFIED CHECK OR CASHIER'S CHECK. (701.590 CCP.)
6. PROSPECTIVE BIDDERS SHOULD REFER TO SECTION 701.600(C) OF THE CODE OF CIVIL PROCEDURE REGARDING THE LIABILITY OF DEFAULTING BIDDERS.
7. ANY PERSON MAY BID ON AND PURCHASE PROPERTY AT A SHERIFF'S SALE, EXCEPT EMPLOYEES OF THE STANISLAUS COUNTY SHERIFF'S OFFICE AND THEIR IMMEDIATE FAMILIES.
8. DURING THE BIDDING YOU MAY BE ASKED TO QUALIFY YOURSELF AS A BIDDER. YOU WILL BE ASKED HOW YOU INTEND TO PAY FOR THE PROPERTY AND TO SHOW SOME EVIDENCE OF YOUR ABILITY TO PAY. THIS IS DONE FOR THE BENEFIT OF THE OTHER BIDDERS.
9. IF YOU ARE THE HIGHEST BIDDER, YOU MUST BE PREPARED TO DO BUSINESS IMMEDIATELY. THE AUCTIONEER WILL NOT WAIT WHILE YOU GO TO THE BANK FOR MONEY.

## **SALES SUBJECT TO THE RIGHT OF REDEMPTION**

THE RIGHT TO REDEMPTION APPLIES ONLY TO **REAL PROPERTY**. WHEN AN INTEREST IN REAL PROPERTY IS SOLD SUBJECT TO THE RIGHT OF REDEMPTION, IT MEANS THAT THE DEBTOR, WHOSE INTEREST IN THE PROPERTY IS BEING SOLD, WILL HAVE A CERTAIN AMOUNT OF TIME TO REDEEM OR BUY BACK HIS/HER PROPERTY INTEREST. IN THE MEANTIME, THE PURCHASER WILL BE ISSUED A CERTIFICATE OF SALE AND A DUPLICATED COPY OF THE CERTIFICATE WILL BE RECORDED. (729.030 CCP.) THIS CERTIFICATE DOES NOT CONSTITUTE A TRANSFER OF TITLE, BUT IT DOES GRANT THE PURCHASER CERTAIN RIGHTS (729.090 CCP.)

THE REDEMPTION PERIOD WILL DEPEND ON THE SELLING PRICE AS FOLLOWS: (709.030 CCP)

- A. **THREE MONTHS** AFTER THE DATE OF SALE IF THE PROCEEDS OF THE SALE ARE SUFFICIENT TO SATISFY THE SECURED INDEBTEDNESS WITH INTEREST AND COSTS.
- B. **ONE YEAR** AFTER THE DATE OF SALE IF THE PROCEEDS OF THE SALE ARE NOT SUFFICIENT TO SATISFY THE SECURED INDEBTEDNESS WITH INTEREST AND COSTS.

THE **REDEMPTION PRICE** IS THE TOTAL OF THE FOLLOWING:

- A. THE PURCHASE PRICE AT THE TIME OF SALE.
- B. THE AMOUNT OF ANY ASSESSMENTS OR TAXES AND REASONABLE AMOUNTS FOR FIRE INSURANCE, UPKEEP AND REPAIR OR IMPROVEMENTS ON THE PROPERTY.
- C. ANY AMOUNT PAID BY THE PURCHASER ON A PRIOR OBLIGATION SECURED BY THE PROPERTY TO THE EXTENT THAT THE PAYMENT WAS NECESSARY FOR THE PROTECTION OF THE PURCHASER'S INTEREST.
- D. INTEREST ON THE AMOUNTS DESCRIBED ABOVE FROM THE TIME SUCH AMOUNT WAS PAID UNTIL THE DATE OF THE DEPOSIT IS MADE.
- E. IF THE PURCHASER HAS ANY LIENS SUBORDINATE TO THE LIEN UNDER WHICH THE PROPERTY WAS SOLD, THE AMOUNT OF THE PURCHASER'S LIEN, PLUS INTEREST FROM THE DATE OF THE SALE UNTIL THE DATE THE DEPOSIT IS MADE.

RENTS AND PROFITS FROM THE PROPERTY PAID TO THE PURCHASER OR THE VALUE OF THE USE AND OCCUPATION OF THE PROPERTY TO THE PURCHASER MAY BE OFFSET AGAINST THE AMOUNTS DESCRIBED ABOVE. (729 CCP)

IF A DISPUTE SHOULD ARISE BETWEEN THE PURCHASER OF THE PROPERTY AND THE PERSON SEEKING TO REDEEM REGARDING THE REDEMPTION PRICE OR WHETHER THE PERSON IS ENTITLED TO REDEEM, THE PERSON SEEKING TO REDEEM MAY FILE A PETITION WITH THE COURT FOR A HEARING TO SETTLE THE DISPUTE. THE PETITION MUST BE FILED BEFORE THE EXPIRATION OF THE REDEMPTION PERIOD. THE LEVYING OFFICER MUST ALSO BE GIVEN WRITTEN NOTICE OF THE HEARING (729.060 CCP.)

CONCERNED PARTIES SHOULD REFER TO SECTIONS 729.090 OF THE CALIFORNIA CODE OF CIVIL PROCEDURE FOR MORE DETAILED INFORMATION CONCERNING THE REDEMPTION PROCESS.

**A COPY OF THIS BULLETIN CAN BE OBTAINED FROM THE SHERIFF'S CIVIL DIVISION**