

1 ERIC N. ROBINSON, State Bar No. 191781  
*erobinson@kmtg.com*  
2 STANLEY C. POWELL, State Bar No. 254057  
*spowell@kmtg.com*  
3 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation  
4 400 Capitol Mall, 27<sup>th</sup> Floor  
Sacramento, California 95814  
5 Telephone: (916) 321-4500  
Facsimile: (916) 321-4555  
6  
7 Attorneys for Defendants and Cross-  
Complainants, BISHOP, MCINTOSH &  
MCINTOSH  
8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
10 **COUNTY OF MONTEREY**  
11

12 CALIFORNIA AMERICAN WATER ,  
13 Plaintiff,  
14 v.  
15 CITY OF SEASIDE, et al.,  
16 Defendants.

Case No. M66343

**STIPULATION AND [PROPOSED]  
ORDER MODIFYING EXHIBIT C TO  
AMENDED DECISION**

Assigned for All Purposes to the Honorable  
Leslie C. Nichols

Action Filed: August 14, 2003

17 MONTEREY PENINSULA WATER  
18 MANAGEMENT DISTRICT,  
19 Intervenor.

20 MONTEREY COUNTY WATER  
21 RESOURCES AGENCY,  
22 Intervenor.

23 AND RELATED CROSS-ACTIONS.  
24

25  
26 **RECITALS**

27 A. On May 15, 2018, Defendant and Cross-Complaint Bishop, McIntosh and McIntosh  
28 (“Bishop”) filed a Notice of Motion and Motion to Modify Exhibit C to Amended Judgment

1 (“Motion”).

2 B. The Motion was made upon the grounds that Bishop mistakenly omitted four parcels  
3 of land from Exhibit C to the Court’s March 27, 2006, Decision (which Exhibit C remained  
4 unchanged in the Court’s February 9, 2007, Amended Decision), and that this Court has continuing  
5 jurisdiction to correct that oversight under section III(O)(1)(a) of the Amended Decision.

6 C. The four mistakenly omitted parcels are described in the deeds attached hereto as  
7 Exhibit 1.

8 D. Correcting Exhibit C to include the four mistakenly omitted parcels will not change  
9 the amount, or quantity, of the Alternative Production Allocation specified for Bishop in Table 2 of  
10 the Amended Decision’s section III(B)(3)(e).

11 **STIPULATION**

12 1. Exhibit C to the Court’s February 9, 2007, Amended Decision should be modified to  
13 include the four mistakenly omitted parcels described in the deeds attached hereto as Exhibit 1

14 2. This stipulation may be entered in counterparts.

15

16 DATED: May 23, 2018

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation

17

18

19

By: 

Eric N. Robinson  
Attorneys for Defendants and Cross-  
Complainants, BISHOP, MCINTOSH &  
MCINTOSH

20

21

22

23

24

25

26

27

28

1 DATED: <sup>June</sup> ~~May~~ 1, 2018

CALIFORNIA-AMERICAN WATER COMPANY

2  
3 By: *Lori W. Girard*  
4 Lori W. Girard  
5 Anthony J. Cerasuolo  
6 Attorneys for CALIFORNIA-AMERICAN  
7 WATER COMPANY

8 DATED: May \_\_, 2018

ELLISON, SCHNEIDER & HARRIS L.L.P.

9  
10  
11 By: \_\_\_\_\_  
12 Robert E. Donlan  
13 Attorneys for CALIFORNIA-AMERICAN  
14 WATER COMPANY

15 DATED: May \_\_, 2018

DELAY & LAREDO

16  
17  
18 By: \_\_\_\_\_  
19 David Laredo  
20 Attorneys for MONTEREY PENINSULA  
21 WATER MANAGEMENT DISTRICT

22 DATED: May \_\_, 2018

PERRY & FREEMAN

23  
24 By: \_\_\_\_\_  
25 Donald Gary Freeman  
26 Attorneys for CITY OF SEASIDE  
27  
28

1 DATED: May \_\_, 2018

CALIFORNIA-AMERICAN WATER COMPANY

2

3

By: \_\_\_\_\_

Lori W. Girard  
Anthony J. Cerasuolo  
Attorneys for CALIFORNIA-AMERICAN  
WATER COMPANY

4

5

6

7

8 DATED: May \_\_, 2018

~~ELLISON, SCHNEIDER & HARRIS L.L.P.~~

9

10

By: \_\_\_\_\_

~~Robert E. Donlan  
Attorneys for CALIFORNIA-AMERICAN  
WATER COMPANY~~

11

12

13

14

15 DATED: May 24, 2018

DELAY & LAREDO

16

17

By: \_\_\_\_\_

  
David Laredo  
Attorneys for MONTEREY PENINSULA  
WATER MANAGEMENT DISTRICT

18

19

20

21

22 DATED: May \_\_, 2018

PERRY & FREEMAN

23

24

By: \_\_\_\_\_

Donald Gary Freeman  
Attorneys for CITY OF SEASIDE

25

26

27

28

1 DATED: May \_\_, 2018

CALIFORNIA-AMERICAN WATER COMPANY

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: \_\_\_\_\_  
Lori W. Girard  
Anthony J. Cerasuolo  
Attorneys for CALIFORNIA-AMERICAN  
WATER COMPANY

DATED: May \_\_, 2018

~~ELMSON, SCHNEIDER & HARRIS L.L.P.~~

~~By: \_\_\_\_\_  
Robert E. Donlan  
Attorneys for CALIFORNIA-AMERICAN  
WATER COMPANY~~

DATED: May \_\_, 2018

DELAY & LAREDO

By: \_\_\_\_\_  
David Laredo  
Attorneys for MONTEREY PENINSULA  
WATER MANAGEMENT DISTRICT

DATED: May \_\_, 2018

PERRY & FREEMAN

By: Donald A. Freeman  
Donald Gary Freeman  
Attorneys for CITY OF SEASIDE

1 DATED: May 30 2018

MONTEREY CITY ATTORNEY'S OFFICE

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: Christine Davi  
Christine Davi  
Attorneys for CITY OF MONTEREY

DATED: May \_\_, 2018

HEISINGER, BUCK & MORRIS

By: \_\_\_\_\_  
James G. Heisinger, Jr.  
Attorneys for CITY OF SAND CITY

DATED: May \_\_, 2018

DEL REY OAKS CITY MANAGER

By: \_\_\_\_\_  
Deano Pick  
Attorneys for In Pro Per

DATED: May \_\_, 2018

SECURITY NATIONAL GUARANTY, INC.

By: \_\_\_\_\_  
Ed Ghandour  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

1 DATED: May \_\_, 2018

MONTEREY CITY ATTORNEY'S OFFICE

2

3

By: \_\_\_\_\_

4

Christine Davi  
Attorneys for CITY OF MONTEREY

5

6

7 DATED: <sup>late</sup> May 5, 2018

HEISINGER, BUCK & MORRIS

8

9

By: James G. Heisinger, Jr.

James G. Heisinger, Jr.  
Attorneys for CITY OF SAND CITY

10

11

12

13 DATED: May \_\_, 2018

DEL REY OAKS CITY MANAGER

14

15

By: \_\_\_\_\_

Deano Pick  
Attorneys for In Pro Per

17

18

19

20 DATED: May \_\_, 2018

SECURITY NATIONAL GUARANTY, INC.

21

22

By: \_\_\_\_\_

Ed Ghandour  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

23

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_, 2018

MONTEREY CITY ATTORNEY'S OFFICE

By:

\_\_\_\_\_  
Christine Davi  
Attorneys for CITY OF MONTEREY

DATED: May \_\_, 2018

HEISINGER, BUCK & MORRIS

By:

\_\_\_\_\_  
James G. Heisinger, Jr.  
Attorneys for CITY OF SAND CITY

DATED: May \_\_, 2018

DEL REY OAKS CITY MANAGER

By:



\_\_\_\_\_  
Danial Pick  
Attorneys for In Pro Per

DATED: May \_\_, 2018

SECURITY NATIONAL GUARANTY, INC.

By:

\_\_\_\_\_  
Ed Ghandour  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_, 2018

MONTEREY CITY ATTORNEY'S OFFICE

By: \_\_\_\_\_  
Christine Davi  
Attorneys for CITY OF MONTEREY

DATED: May \_\_, 2018

HEISINGER, BUCK & MORRIS

By: \_\_\_\_\_  
James G. Heisinger, Jr.  
Attorneys for CITY OF SAND CITY

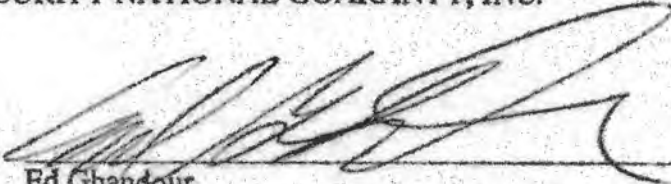
DATED: May \_\_, 2018

DEL REY OAKS CITY MANAGER

By: \_\_\_\_\_  
Deano Pick  
Attorneys for In Pro Per

DATED: May 24, 2018

SECURITY NATIONAL GUARANTY, INC.

By:   
Ed Ghandour  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

1 DATED: May 31, 2018

DAMON LAW OFFICES

2  
3 By:   
4 Sheri L. Damon  
5 Attorneys for SECURITY NATIONAL  
6 GUARANTY, INC.

7  
8 DATED: May \_\_\_, 2018

FENTON & KELLER

9  
10 By: \_\_\_\_\_  
11 David C. Sweigert  
12 Attorneys for DEVELOPMENT COMPANY NO.  
13 30

14 DATED: May \_\_\_, 2018

GRANITE ROCK COMPANY

15  
16  
17 By: \_\_\_\_\_  
18 Lisa A. Cole  
19 Attorneys for GRANITE ROCK COMPANY

20  
21 DATED: May \_\_\_, 2018

LARSON, GARRICK & LIGHTFOOT, LLP

22  
23 By: \_\_\_\_\_  
24 John M. Garrick  
25 Attorneys for ALDERWOOD GROUP, INC. dba  
26 MISSION MEMORIAL PARK  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_, 2018

DAMON LAW OFFICES


By:

\_\_\_\_\_  
Sheri L. Damon  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

DATED: May \_\_, 2018

FENTON & KELLER

By:

  
\_\_\_\_\_  
David C. Sweigert  
Attorneys for DEVELOPMENT COMPANY NO.  
30  
D.B.O.

DATED: May \_\_, 2018

GRANITE ROCK COMPANY

By:

\_\_\_\_\_  
Lisa A. Cole  
Attorneys for GRANITE ROCK COMPANY

DATED: May \_\_, 2018

LARSON, GARRICK & LIGHTFOOT, LLP

By:

\_\_\_\_\_  
John M. Garrick  
Attorneys for ALDERWOOD GROUP, INC. dba  
MISSION MEMORIAL PARK

1 DATED: May \_\_, 2018

DAMON LAW OFFICES

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: \_\_\_\_\_  
Sheri L. Damon  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

DATED: May \_\_, 2018

FENTON & KELLER

By: \_\_\_\_\_  
David C. Sweigert  
Attorneys for DEVELOPMENT COMPANY NO.  
30

DATED: May 29, 2018

GRANITE ROCK COMPANY

By: Lisa A. Cole  
Lisa A. Cole  
Attorneys for GRANITE ROCK COMPANY

DATED: May \_\_, 2018

LARSON, GARRICK & LIGHTFOOT, LLP

By: \_\_\_\_\_  
John M. Garrick  
Attorneys for ALDERWOOD GROUP, INC. dba  
MISSION MEMORIAL PARK

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: ~~May~~ \_\_, 2018


*JUNE 19, 2018*

JOHNSON FANTL & KENNIFER LLP

By:   
Frederick L. Kennifer  
Attorneys for YORK SCHOOL, INC.

DATED: May \_\_, 2018

DOWNEY BRAND, LLP

By:   
Kevin O'Brien  
Steven P. Saxton  
Attorneys for COUNTY OF MONTEREY

DATED: May \_\_, 2018

ANTHONY LOMBARDO & ASSOCIATES, INC.

By: \_\_\_\_\_  
Anthony L. Lombardo  
Attorneys for LAGUNA SECA RESORT, INC.  
and PASADERA COUNTRY CLUB, LLC

DATED: May \_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

By: \_\_\_\_\_  
Charles J. McKee  
Irven L. Grant  
Attorneys for COUNTY OF MONTEREY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_, 2018

JOHNSON FANTL & KENNIFER LLP

By: \_\_\_\_\_  
Frederick L. Kennifer  
Attorneys for YORK SCHOOL, INC.

DATED: May \_\_, 2018

~~DOWNEY BRAND, LLP~~

By: \_\_\_\_\_  
~~Kevin O'Brien  
Steven P. Saxton  
Attorneys for COUNTY OF MONTEREY~~

DATED: May 28, 2018  
*gmc*

ANTHONY LOMBARDO & ASSOCIATES, INC.

By:  \_\_\_\_\_  
Anthony L. Lombardo  
Attorneys for LAGUNA SECA RESORT, INC.  
and PASADERA COUNTRY CLUB, LLC

DATED: May \_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

By: \_\_\_\_\_  
Charles J. McKee  
Attorneys for COUNTY OF MONTEREY

1 DATED: May \_\_, 2018

JOHNSON FANTL & KENNIFER LLP

2

3

By: \_\_\_\_\_

Frederick L. Kennifer  
Attorneys for YORK SCHOOL, INC.

4

5

6

7 DATED: May \_\_, 2018

DOWNEY BRAND, LLP

8

9

By: \_\_\_\_\_

~~Kevin O'Brien  
Steven P. Saxton  
Attorneys for COUNTY OF MONTEREY~~

10

11

12

13

14 DATED: May \_\_, 2018

ANTHONY LOMBARDO & ASSOCIATES, INC.

15

16

By: \_\_\_\_\_

Anthony L. Lombardo  
Attorneys for LAGUNA SECA RESORT, INC.  
and PASADERA COUNTRY CLUB, LLC

17

18

19

20

21 DATED: May 24, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

22

23

By: \_\_\_\_\_

*Charles J. McKee*  
Charles J. McKee  
Irven L. Grant  
Attorneys for COUNTY OF MONTEREY

24

25

26

27

28

1 DATED: May 23, 2018

CYPRESS PACIFIC INVESTORS, LLC

2  
3 By: 

4 Paul Bruno  
5 Attorneys for CYPRESS PACIFIC INVESTORS,  
6 LLC, Successor in Interest to MURIEL  
7 CALABRESE 1987 TRUST

8 DATED: May \_\_\_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

9  
10  
11 By: \_\_\_\_\_

12 Charles J. McKee  
13 Jesse J. Avila  
14 Attorneys for MONTEREY COUNTY WATER  
15 RESOURCES AGENCY

16 DATED: May \_\_\_\_, 2018

BROWNSTEIN HYATT FARBER SCHRECK, LLP

17  
18  
19 By: \_\_\_\_\_

20 Russell McGlothlin  
21 Attorneys for SEASIDE GROUNDWATER  
22 BASIN WATERMASTER

23 DATED: May \_\_\_\_, 2018

WATERMASTER EXECUTIVE OFFICER

24  
25 By: \_\_\_\_\_

26 Laura Dadiw  
27 SEASIDE GROUNDWATER BASIN  
28 WATERMASTER



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28


DATED: May \_\_, 2018

CYPRESS PACIFIC INVESTORS, LLC

By: \_\_\_\_\_  
Paul Bruno  
Member of CYPRESS PACIFIC INVESTORS,  
LLC, Successor in Interest to MURIEL  
CALABRESE 1987 TRUST

DATED: May 24, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

By:  \_\_\_\_\_  
Charles J. McKee  
Jesse J. Avila  
Attorneys for MONTEREY COUNTY WATER  
RESOURCES AGENCY


DATED: May \_\_, 2018

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: \_\_\_\_\_  
Russell McGlothlin  
Attorneys for SEASIDE GROUNDWATER  
BASIN WATERMASTER

DATED: May 29, 2018

*Administrative*  
WATERMASTER ~~EXECUTIVE~~ OFFICER

By:  \_\_\_\_\_  
Laura Dadiw  
SEASIDE GROUNDWATER BASIN  
WATERMASTER

1 DATED: May \_\_, 2018

CYPRESS PACIFIC INVESTORS, LLC

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: \_\_\_\_\_  
Paul Bruno  
Attorneys for CYPRESS PACIFIC INVESTORS,  
LLC, Successor in Interest to MURIEL  
CALABRESE 1987 TRUST

DATED: May \_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

By: \_\_\_\_\_  
Charles J. McKee  
Jesse J. Avila  
Attorneys for MONTEREY COUNTY WATER  
RESOURCES AGENCY

DATED: May \_\_, 2018

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By:  \_\_\_\_\_  
Russell McGlothlin  
Attorneys for SEASIDE GROUNDWATER  
BASIN WATERMASTER

DATED: May \_\_, 2018

WATERMASTER EXECUTIVE OFFICER

By: \_\_\_\_\_  
Laura Dadiw  
SEASIDE GROUNDWATER BASIN  
WATERMASTER

1 **[PROPOSED] ORDER**

2 Good cause appearing the Stipulation is **APPROVED** and **IT IS ORDERED, ADJUDGED**  
3 **AND DECREED** that the Judgment in *California American Water v. City of Seaside, et al.*  
4 (Monterey County Superior Court Case No. Case No. M66343 (Seaside Basin Judgment) shall be  
5 amended as follows:

6 Exhibit C to the Amended Decision entered on February 9, 2007, is modified to correct the  
7 place of use for the Alternative Production Allocation that Section III(B)(3)(a) of the Amended  
8 Decision specifies for Defendant/Cross-Complainant Bishop, McIntosh and McIntosh (“Bishop”).  
9 The place of use for Bishop’s Alternative Production Allocation is amended to add the real property  
10 described in **Exhibit 1** to this Order to the place of use described in the Amended Decision.

11  
12  
13 DATED:

14  
15 \_\_\_\_\_  
16 Honorable Leslie C. Nichols  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

**California American Water v. City of Seaside, et al.  
Monterey County Superior Court Case No.: M66343**

**STATE OF CALIFORNIA, COUNTY OF SACRAMENTO**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814.

On June 28, 2018, I served true copies of the following document(s) described as **STIPULATION AND [PROPOSED] ORDER MODIFYING EXHIBIT C TO AMENDED DECISION** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY ELECTRONIC SERVICE:** I served the document(s) on the person listed in the Service List by submitting an electronic version of the document(s) to One Legal, LLC, through the user interface at [www.onelegal.com](http://www.onelegal.com).

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

Executed on June 28, 2018, at Sacramento, California.



\_\_\_\_\_  
Terri Whitman

1 **SERVICE LIST**

2 **California American Water v. City of Seaside, et al.**  
3 **Monterey County Superior Court Case No.: M66343**

3 Lori W. Girard **Attorneys for California-American Water**  
4 Anthony J. Cerasuolo **Company**  
5 California-American Water Company  
6 511 Forest Lodge Road, Suite 100  
7 Pacific Grove, CA 93950  
8 Telephone: (831) 646-3240  
9 Facsimile: (831) 375-4367  
10 Email: Lori.Girard@amwater.com  
11 Email: acerasuolo@amwater.com

8 Robert E. Donlan **Attorney for California-American Water**  
9 Ellison, Schneider & Harris L.L.P. **Company**  
10 2600 Capitol Avenue, Suite 400  
11 Sacramento, CA 95816  
12 Telephone: (916) 447-2166  
13 Facsimile: (916) 447-3512  
14 Email: Red@eslawfirm.com

12 David Laredo **Attorney for Monterey Peninsula Water**  
13 DeLay & Laredo **Management District**  
14 606 Forest Avenue  
15 Pacific Grove, CA 93950  
16 Telephone: (831) 646-1502  
17 Facsimile: (831) 646-0377  
18 Email: dave@laredolaw.net

16 Donald Gary Freeman **Attorney for City of Seaside**  
17 Perry & Freeman  
18 P.O. Box 805  
19 Carmel, CA 93921-0805  
20 Telephone: (831) 624-5339  
21 Facsimile: (831) 624-5839  
22 Email: kllegal@hotmail.com

20 Christine Davi, Esq. **Attorney for City of Monterey**  
21 Monterey City Attorney's Office  
22 512 Pierce Street  
23 Monterey, CA 93940  
24 Telephone: (831) 646-3915  
25 Facsimile: (831) 373-1634  
26 Email: davi@monterey.org

24 James G. Heisinger, Jr. **Attorney for City of Sand City**  
25 Heisinger, Buck & Morris  
26 P.O. Box 5427  
27 Carmel, CA 93921-5427  
28 Telephone: (831) 624-3891  
Facsimile: (831) 625-0145  
Email: jim@carmellaw.com

1 Danial Pick  
Del Rey Oaks City Manager  
2 650 Canyon Del Rey Road  
Del Rey Oaks, CA 93940  
3 Telephone: (831) 394-8511  
Email: citymanager@delreyoaks.org

**City of Del Rey Oaks (Pro Per)**

4 Ed Ghandour  
5 Security National Guaranty, Inc.  
505 Montgomery Street, 11th Floor  
6 San Francisco, CA 94111  
Telephone: (415) 874-3121  
7 Facsimile: (415) 874-3001  
Email: edg.sng@equus-capital.com

**Attorneys for Security National Guaranty,  
Inc.**

8 Sheri L. Damon  
9 Damon Law Offices  
618 Swanton Road  
10 Davenport, CA 95017  
Telephone: (831) 345-3610  
11 Facsimile: (831) 337-5212  
Email: sheri\_damon@comcast.net

12 David C. Sweigert  
13 Fenton & Keller  
2801 Monterey Salinas Highway  
14 P.O. Box 791  
Monterey, CA 93942-0791  
15 Telephone: (831) 373-1241  
Email: dsweigert@fentonkeller.com  
16 Email: esalameh@fentonkeller.com

**Attorney for Development Company No. 30**

17 Lisa A. Cole  
Granite Rock Company  
18 350 Technology Drive  
Watsonville, CA 95076  
19 Telephone: (831) 768-2107  
Facsimile: (831) 768-2201  
20 Email: Legal@graniterock.com

**Attorney for Granite Rock Company**

21 John M. Garrick  
Larson, Garrick & Lightfoot, LLP  
22 801 South Figueroa Street, Suite 1750  
Los Angeles, CA 90017-5504  
23 Telephone: (213) 404-4106  
Facsimile: (213) 404-4123  
24 Email: igarrick@lgl-law.com

**Attorney for Alderwood Group, Inc. dba  
Mission Memorial Park**

1 Fredrick L. Kennifer  
Johnson Fantl & Kennifer LLP  
2 500 Camino El Estero  
Monterey, CA 93940  
3 Telephone: (831) 373-2800  
Facsimile: (831) 887-3951  
4 Email: rkennifer@johnsonfantl.com

**Attorney for York School, Inc.**

5 Kevin O'Brien  
Steven P. Saxton  
6 Downey Brand, LLP  
621 Capitol Mall, 18th Floor  
7 Sacramento, CA 95814  
Telephone: (916) 444-1000  
8 Facsimile: (916) 444-2100  
Email: kobrien@downeybrand.com  
9 Email: ssaxton@downeybrand.com

**Attorneys for County of Monterey**

10 Anthony L. Lombardo  
Anthony Lombardo & Associates, Inc.  
11 144 W. Gabilan Street  
Salinas, CA 93901  
12 Telephone: (831) 751-2330  
Facsimile: (831) 751-2331  
13 Email: tony@alombardolaw.com

**Attorney for Laguna Seca Resort, Inc. and  
Pasadera Country Club, LLC**

14 Charles J. McKee  
Irvn L. Grant  
15 Office of the County Counsel  
County of Monterey  
16 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
17 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
18 Email: mckeecj@co.monterey.ca.us  
Email: granti@co.monterey.ca.us

**Attorney for County of Monterey**

19 Paul Bruno, Member  
20 Cypress Pacific Investors, LLC  
P.O. Box 400  
21 Marina, CA 93933  
Telephone: (831) 384-4081  
22 Email: paul@mpe2000.com

**For Cypress Pacific Investors, LLC,  
Successor in Interest to Muriel Calabrese  
1987 Trust**

23 Charles J. McKee  
Jesse J. Avila  
24 Office of the County Counsel  
County of Monterey  
25 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
26 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
27 Email: mckeecj@co.monterey.ca.us  
28 Email: avilaji@co.monterey.ca.us

**Attorney for Monterey County Water  
Resources Agency**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Russell McGlothlin  
Brownstein Hyatt Farber Schreck, LLP  
1020 State Street  
Santa Barbara, CA 93101-2711  
Telephone: (805) 963-7000  
Facsimile: (805) 965-4333  
Email: Rmcglothlin@bhfs.com

**Attorney for Seaside Groundwater Basin  
Watermaster**

Laura Dadiw  
Watermaster Executive Officer  
P.O. Box 51502  
Pacific Grove, CA 93950  
Telephone: (831) 641-0113  
Email: watermasterseaside@sbcglobal.net

**Seaside Groundwater Basin Watermaster**



# **EXHIBIT 1**

**EXHIBIT 'A':  
DESCRIPTION OF LOT 4**

Lot 4 of Tract No. 1068, "Laguna Seca Office Park", in the County of Monterey, State of California, as shown on the map recorded in Volume 16 of Cities and Towns at Page 32 in the Office of the County Recorder of said county.

Date: February 13th, 2018

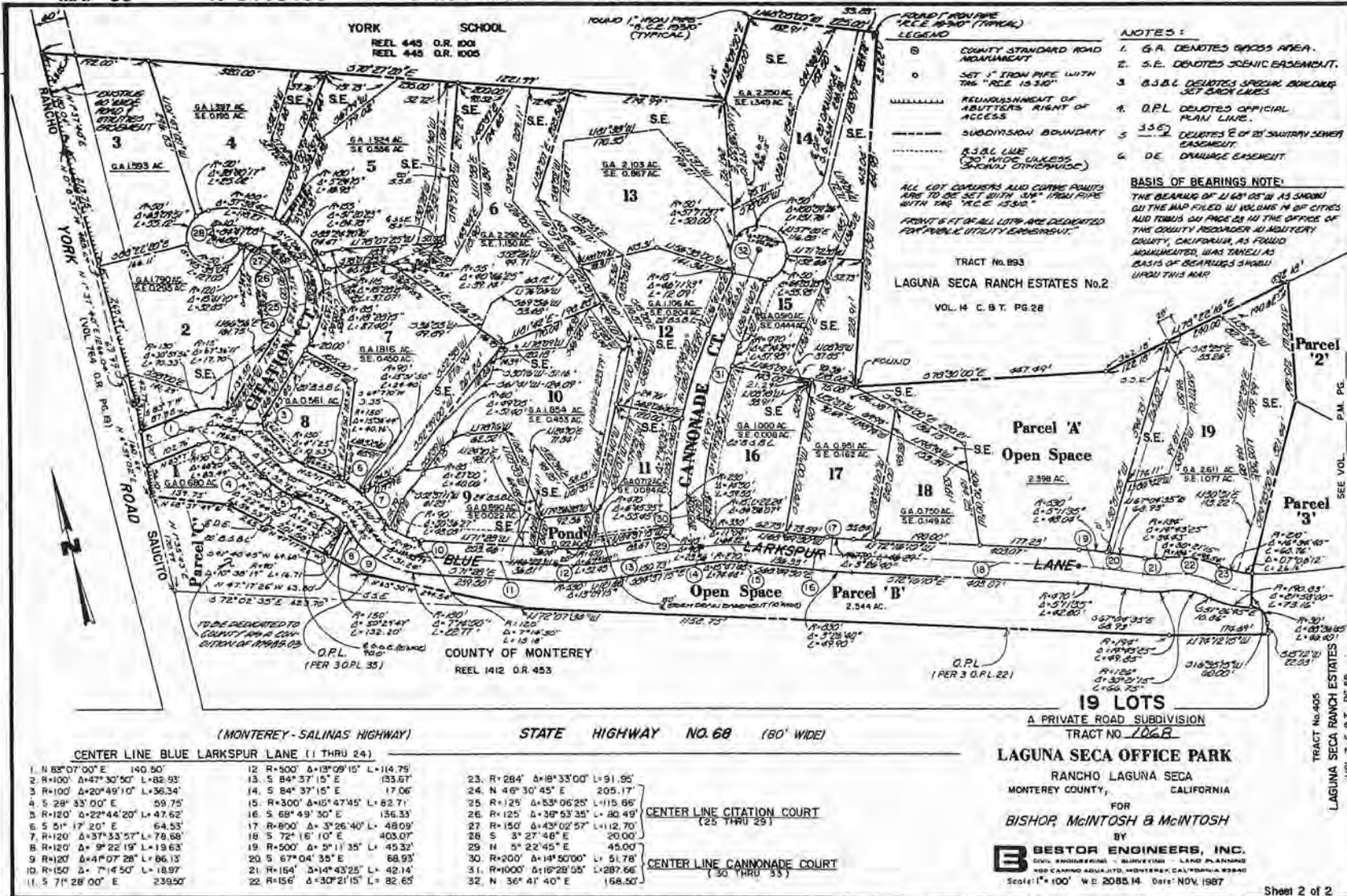
Bestor Engineers

**EXHIBIT 'A':  
DESCRIPTION OF LOT 5**

Lot 5 of Tract No. 1068, "Laguna Seca Office Park", in the County of Monterey, State of California, as shown on the map recorded in Volume 16 of Cities and Towns at Page 32 in the Office of the County Recorder of said county.

Date: February 13th, 2018

Bestor Engineers



**LEGEND**

- ⊖ COUNTY STANDARD ROAD MONUMENT
- SET 1" IRON PIPE WITH TAG "R.C.E. 1930"
- ⋮ REINFORCEMENT OF ABUTTERS RIGHT OF ACCESS
- SUBDIVISION BOUNDARY
- ⋯ B.S.B.L. LINE (20' WIDE UNLESS SHOWN OTHERWISE)

**NOTES:**

1. G.A. DENOTES GROSS AREA.
2. S.E. DENOTES SCENIC EASEMENT.
3. B.S.B.L. DENOTES SPECIAL BUILDING SET BACK LINES.
4. O.P.L. DENOTES OFFICIAL PLAIN LINE.
5. 35.0' DENOTES E OF 21' SCOURY SEWER EASEMENT.
6. D.E. DENOTES DRAINAGE EASEMENT.

**BASIS OF BEARINGS NOTE:**  
THE BEARING OF 21° 05' 10" AS SHOWN ON THE MAP FILED IN VOLUMES 14 OF CITIES AND TOWNS ON PAGE 28 IN THE OFFICE OF THE COUNTY RECORDER IN MONTEREY COUNTY, CALIFORNIA, AS FOUND MONUMENTED, WAS TAKEN AS BASIS OF BEARINGS SHOWN UPON THIS MAP.

TRACT No. 193  
LAGUNA SECA RANCH ESTATES No. 2  
VOL. 16 C. & T. PG. 28

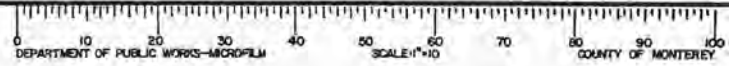
(MONTEREY - SALINAS HIGHWAY) STATE HIGHWAY NO. 68 (60' WIDE)

CENTER LINE BLUE LARKSPUR LANE (1 THRU 24)

1. N 88° 07' 00" E 140.50'	12. R=500' Δ=13° 09' 15" L=114.75'	23. R=284' Δ=18° 33' 00" L=91.95'
2. R=100' Δ=7° 30' 30" L=82.53'	13. S 84° 37' 15" E 153.57'	24. N 49° 30' 45" E 205.17'
3. R=100' Δ=20° 49' 10" L=36.34'	14. S 84° 37' 15" E 17.06'	25. R=125' Δ=53° 06' 25" L=115.65'
4. S 29° 33' 00" E 59.75'	15. R=300' Δ=10° 47' 45" L=82.71'	26. R=125' Δ=39° 53' 35" L=80.49'
5. R=120' Δ=22° 44' 20" L=47.62'	16. S 68° 49' 30" E 136.33'	27. R=150' Δ=43° 02' 57" L=112.70'
6. S 51° 17' 20" E 64.53'	17. R=800' Δ=3° 26' 40" L=48.09'	28. S 3° 27' 48" E 20.00'
7. R=120' Δ=37° 33' 57" L=78.68'	18. S 72° 16' 10" E 403.07'	29. N 5° 22' 45" E 45.00'
8. R=120' Δ=9° 22' 19" L=19.63'	19. R=500' Δ=5° 11' 35" L=45.32'	30. R=200' Δ=14° 50' 00" L=51.78'
9. R=120' Δ=4° 07' 28" L=86.13'	20. S 67° 04' 35" E 68.93'	31. R=1000' Δ=16° 28' 05" L=287.66'
10. R=150' Δ=7° 45' 0" L=18.97'	21. R=164' Δ=14° 43' 25" L=42.14'	32. N 36° 41' 40" E 168.50'
11. S 71° 28' 00" E 239.50'	22. R=156' Δ=30° 21' 15" L=82.65'	

CENTER LINE CITATION COURT (25 THRU 29)

CENTER LINE CANNONADE COURT (30 THRU 33)



**19 LOTS**  
A PRIVATE ROAD SUBDIVISION  
TRACT NO. 193

**LAGUNA SECA OFFICE PARK**  
RANCHO LAGUNA SECA  
MONTEREY COUNTY, CALIFORNIA

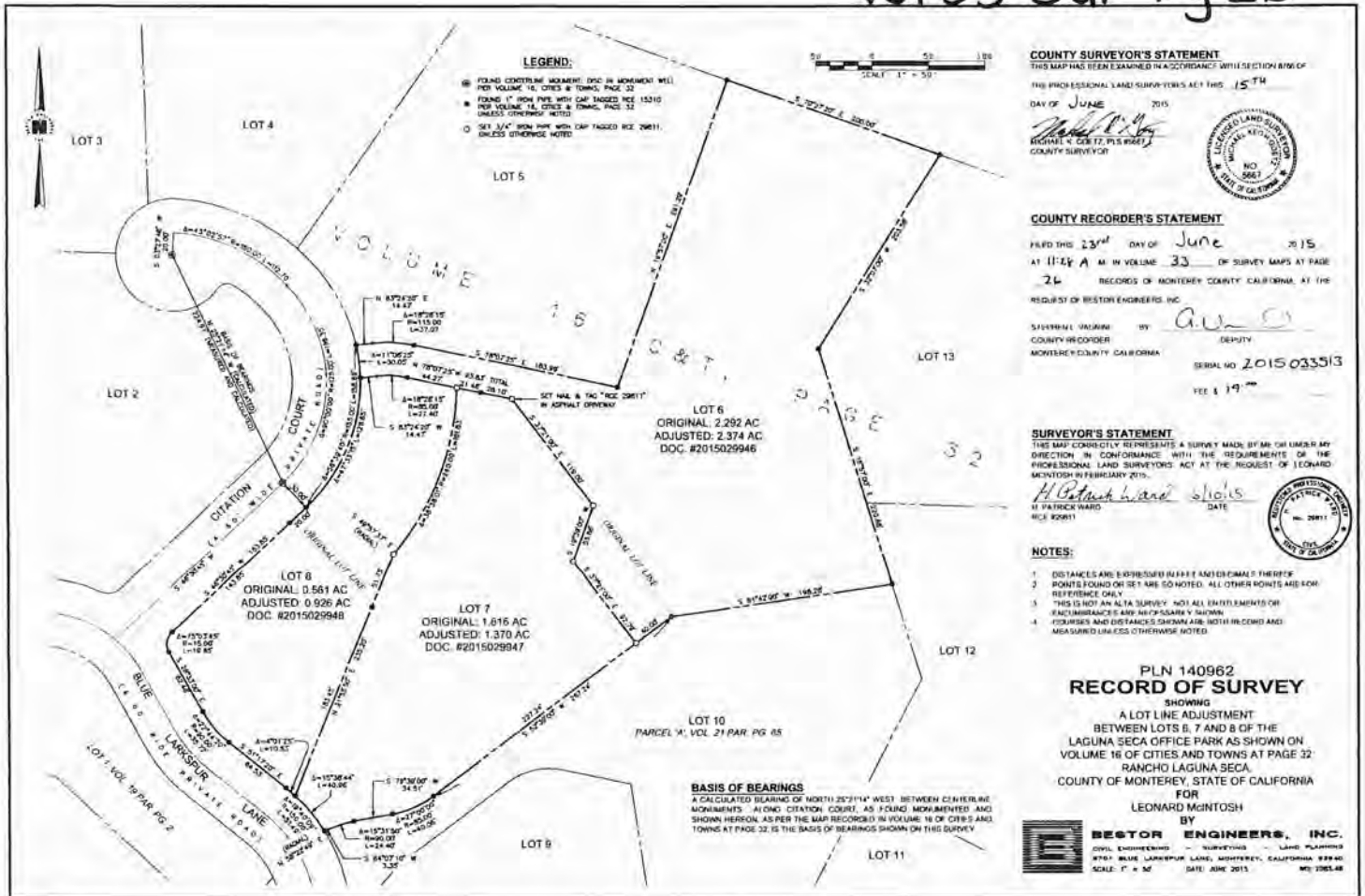
FOR  
**BISHOP MCINTOSH & MCINTOSH**  
BY

**BESTOR ENGINEERS, INC.**  
CIVIL ENGINEERING - SURVEYING - LAND PLANNING  
400 CANNONADE AVENUE, MONTEREY, CALIFORNIA 93940  
Scale: 1"=100' N.E. 2085.M. Date: NOV. 1987

TRACT No. 405  
LAGUNA SECA RANCH ESTATES  
VOL. 7 C. & T. PG. 68

Sheet 2 of 2

# Vol 33 Sur Pg 26



**EXHIBIT 'A':  
DESCRIPTION OF LOT 6**

Lot 6 in the County of Monterey, State of California, as shown on the map recorded 23 June 2015 in Volume 33 of Surveys at Page 26 in the Office of the County Recorder of said county.

Date: February 13<sup>th</sup>, 2018

Bestor Engineers, Inc.

**EXHIBIT 'A':  
DESCRIPTION OF LOT 7**

Lot 7 in the County of Monterey, State of California, as shown on the map recorded 23 June 2015 in Volume 33 of Surveys at Page 26 in the Office of the County Recorder of said county.

Date: February 13<sup>th</sup>, 2018

Bestor Engineers, Inc.

1 ERIC N. ROBINSON, State Bar No. 191781  
*erobinson@kmtg.com*  
2 STANLEY C. POWELL, State Bar No. 254057  
*spowell@kmtg.com*  
3 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation  
4 400 Capitol Mall, 27<sup>th</sup> Floor  
Sacramento, California 95814  
5 Telephone: (916) 321-4500  
Facsimile: (916) 321-4555

6 Attorneys for Defendants and Cross-  
7 Complainants, BISHOP, MCINTOSH &  
MCINTOSH  
8  
9

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF MONTEREY**  
12

13 CALIFORNIA AMERICAN WATER ,  
14 Plaintiff,  
15 v.  
16 CITY OF SEASIDE, et al.,  
17 Defendants.

18 MONTEREY PENINSULA WATER  
19 MANAGEMENT DISTRICT,  
20 Intervenor.

21 MONTEREY COUNTY WATER  
22 RESOURCES AGENCY,  
23 Intervenor.

24 AND RELATED CROSS-ACTIONS.  
25  
26  
27  
28

Case No. M66343

**REPLY MEMORANDUM IN SUPPORT  
OF NOTICE OF MOTION AND MOTION  
OF DEFENDANTS AND CROSS-  
COMPLAINANTS, BISHOP, MCINTOSH  
& MCINTOSH TO MODIFY EXHIBIT C  
TO AMENDED DECISION**

Date: July 6, 2018  
Time: 9:00 a.m.  
Dept.: 13

Assigned for All Purposes to the Honorable  
Leslie C. Nichols

Action Filed: August 14, 2003



1 Defendant and Cross-complainant Bishop, McIntosh & McIntosh (“Bishop”) filed and  
2 served a Motion to Modify Exhibit C to the Amended Decision and associated Judgment on May  
3 15, 2018.

4 June 22, 2018, was the last day to file opposition, and no opposition was filed or served.

5 The Seaside Basin Watermaster and fifteen of this action’s sixteen Parties have signed a  
6 stipulation supporting entry of the proposed order granting the Motion. (*See* Stipulation and  
7 [Proposed] Order Modifying Exhibit C to the Amended Judgment. [filed contemporaneously with  
8 this Reply].)


9 The sixteenth Party – Alderwood Group, Inc., dba Mission Memorial Park – has not  
10 responded to the Stipulation because its ownership has changed and the new owner has been non-  
11 responsive. (*See* Declaration of Anthony Lombardo Supporting Motion to Modify Exhibit C to  
12 Amended Decision [describing stipulation outreach effort]; *see* Declaration of Rose Perez  
13 Supporting Motion to Modify Exhibit C to Amended Decision [describing stipulation outreach  
14 effort].)

15 Given the absence of any opposition and the affirmative support of the Watermaster and  
16 fifteen of the action’s sixteen parties, Bishop respectfully requests that the Court vacate the July 6  
17 hearing and grant the Motion based on the papers.

18 DATED: June 28, 2018

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation

19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By:   
Eric N. Robinson  
Attorneys for Defendants and Cross-  
Complainants, BISHOP, MCINTOSH &  
MCINTOSH

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

**California American Water v. City of Seaside, et al.  
Monterey County Superior Court Case No.: M66343**

**STATE OF CALIFORNIA, COUNTY OF SACRAMENTO**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814.

On June 28, 2018, I served true copies of the following document(s) described as **REPLY MEMORANDUM IN SUPPORT OF NOTICE OF MOTION AND MOTION OF DEFENDANTS AND CROSS-COMPLAINANTS, BISHOP, MCINTOSH & MCINTOSH TO MODIFY EXHIBIT C TO AMENDED DECISION** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY ELECTRONIC SERVICE:** I served the document(s) on the person listed in the Service List by submitting an electronic version of the document(s) to One Legal, LLC, through the user interface at [www.onelegal.com](http://www.onelegal.com).

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

Executed on June 28, 2018, at Sacramento, California.

---

Terri Whitman

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SERVICE LIST**  
**California American Water v. City of Seaside, et al.**  
**Monterey County Superior Court Case No.: M66343**

Lori W. Girard  
Anthony J. Cerasuolo  
California-American Water Company  
511 Forest Lodge Road, Suite 100  
Pacific Grove, CA 93950  
Telephone: (831) 646-3240  
Facsimile: (831) 375-4367  
Email: Lori.Girard@amwater.com  
Email: acerasuolo@amwater.com

**Attorneys for California-American Water  
Company**

Robert E. Donlan  
Ellison, Schneider & Harris L.L.P.  
2600 Capitol Avenue, Suite 400  
Sacramento, CA 95816  
Telephone: (916) 447-2166  
Facsimile: (916) 447-3512  
Email: Red@eslawfirm.com

**Attorney for California-American Water  
Company**

David Laredo  
DeLay & Laredo  
606 Forest Avenue  
Pacific Grove, CA 93950  
Telephone: (831) 646-1502  
Facsimile: (831) 646-0377  
Email: dave@laredolaw.net

**Attorney for Monterey Peninsula Water  
Management District**

Donald Gary Freeman  
Perry & Freeman  
P.O. Box 805  
Carmel, CA 93921-0805  
Telephone: (831) 624-5339  
Facsimile: (831) 624-5839  
Email: klglegal@hotmail.com

**Attorney for City of Seaside**

Christine Davi, Esq.  
Monterey City Attorney's Office  
512 Pierce Street  
Monterey, CA 93940  
Telephone: (831) 646-3915  
Facsimile: (831) 373-1634  
Email: davi@monterev.org

**Attorney for City of Monterey**

James G. Heisinger, Jr.  
Heisinger, Buck & Morris  
P.O. Box 5427  
Carmel, CA 93921-5427  
Telephone: (831) 624-3891  
Facsimile: (831) 625-0145  
Email: jim@carmellaw.com

**Attorney for City of Sand City**

1 Danial Pick  
Del Rey Oaks City Manager  
2 650 Canyon Del Rey Road  
Del Rey Oaks, CA 93940  
3 Telephone: (831) 394-8511  
Email: citymanager@delrevoaks.org

**City of Del Rey Oaks (Pro Per)**

4 Ed Ghandour  
5 Security National Guaranty, Inc.  
505 Montgomery Street, 11th Floor  
6 San Francisco, CA 94111  
Telephone: (415) 874-3121  
7 Facsimile: (415) 874-3001  
Email: edg.sng@equus-capital.com

**Attorneys for Security National Guaranty, Inc.**

8 Sheri L. Damon  
9 Damon Law Offices  
618 Swanton Road  
10 Davenport, CA 95017  
Telephone: (831) 345-3610  
11 Facsimile: (831) 337-5212  
Email: sheri\_damon@comcast.net

12 David C. Sweigert  
13 Fenton & Keller  
2801 Monterey Salinas Highway  
14 P.O. Box 791  
Monterey, CA 93942-0791  
15 Telephone: (831) 373-1241  
Email: dsweigert@fentonkeller.com  
16 Email: esalameh@fentonkeller.com

**Attorney for Development Company No. 30**

17 Lisa A. Cole  
Granite Rock Company  
18 350 Technology Drive  
Watsonville, CA 95076  
19 Telephone: (831) 768-2107  
Facsimile: (831) 768-2201  
20 Email: Legal@graniterock.com

**Attorney for Granite Rock Company**

21 John M. Garrick  
Larson, Garrick & Lightfoot, LLP  
22 801 South Figueroa Street, Suite 1750  
Los Angeles, CA 90017-5504  
23 Telephone: (213) 404-4106  
Facsimile: (213) 404-4123  
24 Email: igarrick@lgl-law.com

**Attorney for Alderwood Group, Inc. dba Mission Memorial Park**

25  
26  
27  
28

1 Fredrick L. Kennifer  
Johnson Fantl & Kennifer LLP  
2 500 Camino El Estero  
Monterey, CA 93940  
3 Telephone: (831) 373-2800  
Facsimile: (831) 887-3951  
4 Email: rkennifer@johnsonfantl.com

**Attorney for York School, Inc.**

5 Kevin O'Brien  
Steven P. Saxton  
6 Downey Brand, LLP  
621 Capitol Mall, 18th Floor  
7 Sacramento, CA 95814  
Telephone: (916) 444-1000  
8 Facsimile: (916) 444-2100  
Email: kobrien@downeybrand.com  
9 Email: ssaxton@downeybrand.com

**Attorneys for County of Monterey**

10 Anthony L. Lombardo  
Anthony Lombardo & Associates, Inc.  
11 144 W. Gabilan Street  
Salinas, CA 93901  
12 Telephone: (831) 751-2330  
Facsimile: (831) 751-2331  
13 Email: tony@alombardolaw.com

**Attorney for Laguna Seca Resort, Inc. and  
Pasadera Country Club, LLC**

14 Charles J. McKee  
Irven L. Grant  
15 Office of the County Counsel  
County of Monterey  
16 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
17 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
18 Email: mckeecj@co.monterey.ca.us  
Email: granti@co.monterey.ca.us

**Attorney for County of Monterey**

19 Paul Bruno, Member  
20 Cypress Pacific Investors, LLC  
P.O. Box 400  
21 Marina, CA 93933  
Telephone: (831) 384-4081  
22 Email: paul@mpe2000.com

**For Cypress Pacific Investors, LLC,  
Successor in Interest to Muriel Calabrese  
1987 Trust**

23 Charles J. McKee  
Jesse J. Avila  
24 Office of the County Counsel  
County of Monterey  
25 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
26 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
27 Email: mckeecj@co.monterey.ca.us  
Email: avilajj@co.monterey.ca.us  
28

**Attorney for Monterey County Water  
Resources Agency**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Russell McGlothlin  
Brownstein Hyatt Farber Schreck, LLP  
1020 State Street  
Santa Barbara, CA 93101-2711  
Telephone: (805) 963-7000  
Facsimile: (805) 965-4333  
Email: Rmcglothlin@bhfs.com

**Attorney for Seaside Groundwater Basin  
Watermaster**

Laura Dadiw  
Watermaster Executive Officer  
P.O. Box 51502  
Pacific Grove, CA 93950  
Telephone: (831) 641-0113  
Email:  
watermasterseaside@sbcglobal.net

**Seaside Groundwater Basin Watermaster**

1 Anthony L. Lombardo, Esq. #104650  
ANTHONY LOMBARDO & ASSOCIATES, P.C.  
2 144 W. Gabilan Street  
Salinas, California 93901  
3 Telephone: 831.751.2330  
Facsimile: 831.751.2331  
4 tony@alombardolaw.com

5 Attorneys for LAGUNA SECA RESORT, INC.  
and PASADERA COUNTRY CLUB, LLC  
6  
7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF MONTEREY**  
10

11 CALIFORNIA AMERICAN WATER,

12 Plaintiff,

13 v.

14 CITY OF SEASIDE, et al.,

15 Defendants.

16 MONTEREY PENINSULA WATER  
17 MANAGEMENT DISTRICT,

18 Intervenor.

19 MONTEREY COUNTY WATER  
20 RESOURCES AGENCY,

21 Intervenor.

22 AND RELATED CROSS-ACTIONS.  
23

Case No. M66343

**DECLARATION OF ANTHONY L.  
LOMBARDO SUPPORTING MOTION  
TO MODIFY EXHIBIT C TO AMENDED  
DECISION**

Assigned for All Purposes to the Honorable  
Leslie C. Nichols

Action Filed: August 14, 2003

24 I, Anthony L. Lombardo, declare as follows:

25 1. I am an attorney with Anthony Lombardo & Associates, Inc., attorney of record in  
26 this matter for LAGUNA SECA RESORT, INC. ("Laguna Seca") and PASADERA COUNTRY  
27 CLUB, LLC ("Pasadera").

28 2. In my capacity as attorney for Laguna Seca and Pasadera, I participated in the Seaside

1 Basin groundwater rights adjudication lawsuit that was initiated in 2003 and resulted in entry of a  
2 Decision and Judgment on March 27, 2006 (the “Decision”). I have reviewed the Decision, whose  
3 Section III(B)(3)(a) grants to Bishop, McIntosh & McIntosh (“Bishop”), a general partnership  
4 located in Monterey County, California, an Alternative Production Allocation (“APA”) whose place  
5 of use is described in Exhibit C to the Decision. I have also reviewed the Court’s February 9, 2007,  
6 Amended Decision, whose Exhibit C remained unchanged with respect to Bishop’s APA.

7       3.       The Amended Decision’s Exhibit C identifies two parcels of land within the Seaside  
8 Basin’s Laguna Seca Subarea as the place of use for Bishop’s APA. When the Decision and  
9 Amended Decision were entered, Bishop members owned four other parcels of land within the  
10 Laguna Seca Subarea that were omitted from the place of use that Decision Exhibit C specified for  
11 Bishop’s APA.

12       4.       The four parcels are described in Exhibit 1 to the Declaration of Leonard H. McIntosh  
13 filed on or about May 15, 2018, and include: Lots 4, 5, 6 and 7 of Laguna Seca Office Park Tract  
14 1068.

15       5.       Amended Decision Exhibit C should be corrected to include the preceding parcels  
16 within the place of use for Bishop’s APA, because the ability to produce water under Bishop’s APA  
17 for use on this land is necessary for its economically viable use. Use of Bishop’s APA water within  
18 the corrected place of use would not increase Bishop’s APA amount, which would remain as  
19 specified in Section III(B)(3)(a) of the Court’s Amended Decision.

20       6.       Our office obtained signatures on a stipulation to modify the Amended Decision's  
21 Exhibit C. A true and correct copy of the executed stipulation is attached hereto as **Exhibit A**. The  
22 parties that signed the attached stipulation all agreed that the Amended Decision Exhibit C should  
23 be corrected to include the additional 4 parcels referenced above. As shown on Exhibit A, only one  
24 party did not sign the stipulation. Specifically, Alderwood Group, Inc. dba Mission Memorial Park  
25 did not sign the stipulation.

26       7.       I left a voicemail message for John Garrick, the attorney of record in this matter for  
27 Alderwood Group, Inc., asking that he execute the stipulation. On June 18, 2018, Mr. Garrick left  
28 a voicemail message for me in which he stated that Alderwood Group, Inc. had sold the property to



1 Foundation Partners Group, which might be represented by a different attorney named David  
2 Drummond.

3 8. I looked at David Drummond's California State Bar profile, and using the address  
4 on that profile, on June 20, 2018, I emailed Mr. Drummond to ask that he please execute the  
5 stipulation. Later that day, Mr. Drummond emailed me to let me know that he had never represented  
6 Foundation Partners Group and did not know anything about this matter.

7 9. On June 25, 2018, I attempted to contact Richard Benton, the CFO of Foundation  
8 Partners Group. I left a voicemail message for him, asking him to contact me regarding the  
9 stipulation that Rose Perez from our office sent to him. I have not heard back from him.

10 10. Our office obtained a copy of the grant deeds pursuant to which Alderwood Group,  
11 Inc. transferred the property which was part of this litigation to FPG California, Inc., a Delaware  
12 corporation. True and correct copies of those grant deeds are attached hereto as **Exhibit B**.

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

15 Executed on this 28 day of June, 2018, at Salinas, California.

16  
17   
18 Anthony L. Lombardo

19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# EXHIBIT A

1 ERIC N. ROBINSON, State Bar No. 191781  
*erobinson@kmtg.com*  
 2 STANLEY C. POWELL, State Bar No. 254057  
*spowell@kmtg.com*  
 3 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
 A Professional Corporation  
 4 400 Capitol Mall, 27<sup>th</sup> Floor  
 Sacramento, California 95814  
 5 Telephone: (916) 321-4500  
 Facsimile: (916) 321-4555  
 6  
 Attorneys for Defendants and Cross-  
 7 Complainants, BISHOP, MCINTOSH &  
 MCINTOSH  
 8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
 10 **COUNTY OF MONTEREY**

12 CALIFORNIA AMERICAN WATER ,  
 13 Plaintiff,  
 14 v.  
 15 CITY OF SEASIDE, et al.,  
 16 Defendants.

Case No. M66343

**STIPULATION AND [PROPOSED]  
 ORDER MODIFYING EXHIBIT C TO  
 AMENDED DECISION**

Assigned for All Purposes to the Honorable  
 Leslie C. Nichols

Action Filed: August 14, 2003

17 MONTEREY PENINSULA WATER  
 18 MANAGEMENT DISTRICT,  
 19 Intervenor.

20 MONTEREY COUNTY WATER  
 21 RESOURCES AGENCY,  
 22 Intervenor.

23 AND RELATED CROSS-ACTIONS.  
 24

26 **RECITALS**

27 A. On May 15, 2018, Defendant and Cross-Complaint Bishop, McIntosh and McIntosh  
 28 (“Bishop”) filed a Notice of Motion and Motion to Modify Exhibit C to Amended Judgment

1 DATED: <sup>June</sup> ~~May~~ 1, 2018

CALIFORNIA-AMERICAN WATER COMPANY

2  
3 By: *Lori W. Girard*  
4 Lori W. Girard  
5 Anthony J. Cerasuolo  
6 Attorneys for CALIFORNIA-AMERICAN  
7 WATER COMPANY

8 DATED: May \_\_, 2018

ELLISON, SCHNEIDER & HARRIS L.L.P.

9  
10  
11 By: \_\_\_\_\_  
12 Robert E. Donlan  
13 Attorneys for CALIFORNIA-AMERICAN  
14 WATER COMPANY

15 DATED: May \_\_, 2018

DELAY & LAREDO

16  
17  
18 By: \_\_\_\_\_  
19 David Laredo  
20 Attorneys for MONTEREY PENINSULA  
21 WATER MANAGEMENT DISTRICT

22 DATED: May \_\_, 2018

PERRY & FREEMAN

23  
24 By: \_\_\_\_\_  
25 Donald Gary Freeman  
26 Attorneys for CITY OF SEASIDE  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_, 2018

CALIFORNIA-AMERICAN WATER COMPANY

By:

\_\_\_\_\_  
Lori W. Girard  
Anthony J. Cerasuolo  
Attorneys for CALIFORNIA-AMERICAN  
WATER COMPANY

DATED: May \_\_, 2018

ELLISON, SCHNEIDER & HARRIS L.L.P.


By:

\_\_\_\_\_  
Robert E. Donlan  
Attorneys for CALIFORNIA-AMERICAN  
WATER COMPANY

DATED: May 24, 2018

DELAY & LAREDO

By:

  
\_\_\_\_\_  
David Laredo  
Attorneys for MONTEREY PENINSULA  
WATER MANAGEMENT DISTRICT

DATED: May \_\_, 2018

PERRY & FREEMAN

By:

\_\_\_\_\_  
Donald Gary Freeman  
Attorneys for CITY OF SEASIDE

1 DATED: May 30, 2018

MONTEREY CITY ATTORNEY'S OFFICE

2  
3 By: Christine Davi  
4 Christine Davi  
5 Attorneys for CITY OF MONTEREY

6  
7 DATED: May \_\_, 2018

HEISINGER, BUCK & MORRIS

8  
9 By: \_\_\_\_\_  
10 James G. Heisinger, Jr.  
11 Attorneys for CITY OF SAND CITY

12  
13 DATED: May \_\_, 2018

DEL REY OAKS CITY MANAGER

14  
15 By: \_\_\_\_\_  
16 Deano Pick  
17 Attorneys for In Pro Per

18  
19 DATED: May \_\_, 2018

SECURITY NATIONAL GUARANTY, INC.

20  
21 By: \_\_\_\_\_  
22 Ed Ghandour  
23 Attorneys for SECURITY NATIONAL  
24 GUARANTY, INC.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_, 2018

MONTEREY CITY ATTORNEY'S OFFICE

By: \_\_\_\_\_  
Christine Davi  
Attorneys for CITY OF MONTEREY

DATED: <sup>June</sup> May 5, 2018

HEISINGER, BUCK & MORRIS

By: James G. Heisinger, Jr.  
James G. Heisinger, Jr.  
Attorneys for CITY OF SAND CITY

DATED: May \_\_, 2018

DEL REY OAKS CITY MANAGER

By: \_\_\_\_\_  
Deano Pick  
Attorneys for In Pro Per

DATED: May \_\_, 2018

SECURITY NATIONAL GUARANTY, INC.

By: \_\_\_\_\_  
Ed Ghandour  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

1 DATED: May \_\_\_\_, 2018

MONTEREY CITY ATTORNEY'S OFFICE

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: \_\_\_\_\_  
Christine Davi  
Attorneys for CITY OF MONTEREY

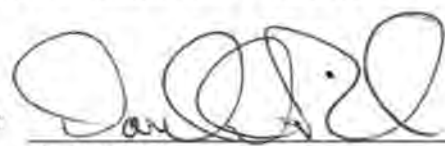
DATED: May \_\_\_\_, 2018

HEISINGER, BUCK & MORRIS

By: \_\_\_\_\_  
James G. Heisinger, Jr.  
Attorneys for CITY OF SAND CITY

DATED: May \_\_\_\_, 2018

DEL REY OAKS CITY MANAGER

By:  \_\_\_\_\_  
Danial Pick  
Attorneys for In Pro Per

DATED: May \_\_\_\_, 2018

SECURITY NATIONAL GUARANTY, INC.

By: \_\_\_\_\_  
Ed Ghandour  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.



1 DATED: May \_\_, 2018

MONTEREY CITY ATTORNEY'S OFFICE

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: \_\_\_\_\_  
Christine Davi  
Attorneys for CITY OF MONTEREY

DATED: May \_\_, 2018

HEISINGER, BUCK & MORRIS

By: \_\_\_\_\_  
James G. Heisinger, Jr.  
Attorneys for CITY OF SAND CITY

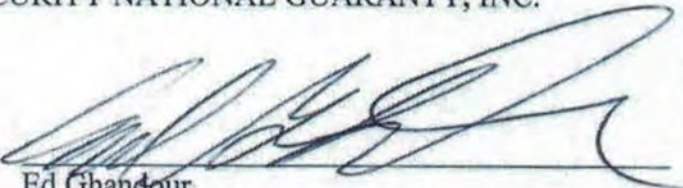
DATED: May \_\_, 2018

DEL REY OAKS CITY MANAGER

By: \_\_\_\_\_  
Deano Pick  
Attorneys for In Pro Per


DATED: May 24, 2018

SECURITY NATIONAL GUARANTY, INC.

By:   
Ed Ghandour  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

1 DATED: May 31, 2018

DAMON LAW OFFICES

2  
3 By:   
4 Sheri L. Damon  
5 Attorneys for SECURITY NATIONAL  
6 GUARANTY, INC.

7  
8 DATED: May \_\_\_, 2018

FENTON & KELLER

9  
10 By: \_\_\_\_\_  
11 David C. Sweigert  
12 Attorneys for DEVELOPMENT COMPANY NO.  
13 30

14 DATED: May \_\_\_, 2018

GRANITE ROCK COMPANY

15  
16  
17 By: \_\_\_\_\_  
18 Lisa A. Cole  
19 Attorneys for GRANITE ROCK COMPANY

20  
21 DATED: May \_\_\_, 2018

LARSON, GARRICK & LIGHTFOOT, LLP

22  
23 By: \_\_\_\_\_  
24 John M. Garrick  
25 Attorneys for ALDERWOOD GROUP, INC. dba  
26 MISSION MEMORIAL PARK

1 DATED: May \_\_, 2018

DAMON LAW OFFICES

2

3

By: \_\_\_\_\_

Sheri L. Damon  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

4

5

6

7

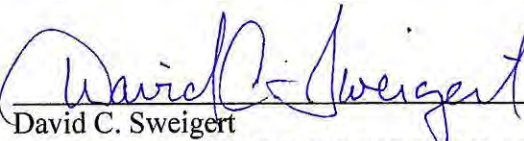
8 DATED: May \_\_, 2018

FENTON & KELLER

9

10

By: \_\_\_\_\_

  
David C. Sweigert  
Attorneys for DEVELOPMENT COMPANY NO.  
30  
D.B.O.

11

12

13

14

15 DATED: May \_\_, 2018

GRANITE ROCK COMPANY

16

17

By: \_\_\_\_\_

Lisa A. Cole  
Attorneys for GRANITE ROCK COMPANY

18

19

20

21 DATED: May \_\_, 2018

LARSON, GARRICK & LIGHTFOOT, LLP

22

23

By: \_\_\_\_\_

John M. Garrick  
Attorneys for ALDERWOOD GROUP, INC. dba  
MISSION MEMORIAL PARK

24

25

26

27

28

1 DATED: May \_\_, 2018

DAMON LAW OFFICES

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: \_\_\_\_\_  
Sheri L. Damon  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

DATED: May \_\_, 2018

FENTON & KELLER

By: \_\_\_\_\_  
David C. Sweigert  
Attorneys for DEVELOPMENT COMPANY NO.  
30

DATED: May 29, 2018

GRANITE ROCK COMPANY

By: Lisa A. Cole  
Lisa A. Cole  
Attorneys for GRANITE ROCK COMPANY

DATED: May \_\_, 2018

LARSON, GARRICK & LIGHTFOOT, LLP

By: \_\_\_\_\_  
John M. Garrick  
Attorneys for ALDERWOOD GROUP, INC. dba  
MISSION MEMORIAL PARK

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: ~~May~~, 2018

*JUNE 19, 2018*

JOHNSON FANTL & KENNIFER LLP

By:   
Frederick L. Kennifer  
Attorneys for YORK SCHOOL, INC.

DATED: May \_\_, 2018

DOWNEY BRAND, LLP

By: \_\_\_\_\_  
Kevin O'Brien  
Steven P. Saxton  
Attorneys for COUNTY OF MONTEREY

DATED: May \_\_, 2018

ANTHONY LOMBARDO & ASSOCIATES, INC.

By: \_\_\_\_\_  
Anthony L. Lombardo  
Attorneys for LAGUNA SECA RESORT, INC.  
and PASADERA COUNTRY CLUB, LLC

DATED: May \_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

By: \_\_\_\_\_  
Charles J. McKee  
Irven L. Grant  
Attorneys for COUNTY OF MONTEREY

1 DATED: May \_\_, 2018

JOHNSON FANTL & KENNIFER LLP

2  
3  
4 By: \_\_\_\_\_  
Frederick L. Kennifer  
Attorneys for YORK SCHOOL, INC.

5  
6  
7 DATED: May \_\_, 2018

DOWNEY BRAND, LLP

8  
9  
10 By: \_\_\_\_\_  
Kevin O'Brien  
Steven P. Saxton  
Attorneys for COUNTY OF MONTEREY

11  
12  
13  
14 DATED: May \_\_, 2018

ANTHONY LOMBARDO & ASSOCIATES, INC.

15  
16  
17 By: \_\_\_\_\_  
Anthony L. Lombardo  
Attorneys for LAGUNA SECA RESORT, INC.  
and PASADERA COUNTRY CLUB, LLC

18  
19  
20  
21 DATED: May 24, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

22  
23  
24 By: Charles J. McKee  
Charles J. McKee  
Iven L. Grant  
Attorneys for COUNTY OF MONTEREY

1 DATED: May \_\_\_, 2018

JOHNSON FANTL & KENNIFER LLP

2

3

By: \_\_\_\_\_

4

Frederick L. Kennifer  
Attorneys for YORK SCHOOL, INC.

5

6

7 DATED: May \_\_\_, 2018

DOWNEY BRAND, LLP

8

9

By: \_\_\_\_\_

10

Kevin O'Brien  
Steven P. Saxton  
Attorneys for COUNTY OF MONTEREY

11

12

13

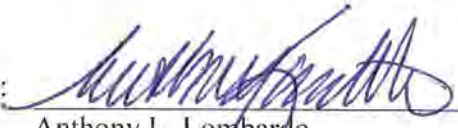
14 DATED: May 28, 2018

ANTHONY LOMBARDO & ASSOCIATES, INC.

15

16

By: \_\_\_\_\_

  
Anthony L. Lombardo  
Attorneys for LAGUNA SECA RESORT, INC.  
and PASADERA COUNTRY CLUB, LLC

17

18

19

20

21 DATED: May \_\_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

22

23

By: \_\_\_\_\_

24

Charles J. McKee  
Attorneys for COUNTY OF MONTEREY

25

26


27

28

1 DATED: May 24, 2018

CYPRESS PACIFIC INVESTORS, LLC

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By:   
\_\_\_\_\_  
Paul Bruno  
Member of CYPRESS PACIFIC INVESTORS,  
LLC, Successor in Interest to MURIEL  
CALABRESE 1987 TRUST

DATED: May \_\_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

By: \_\_\_\_\_  
Charles J. McKee  
Jesse J. Avila  
Attorneys for MONTEREY COUNTY WATER  
RESOURCES AGENCY

DATED: May \_\_\_, 2018

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: \_\_\_\_\_  
Russell McGlothlin  
Attorneys for SEASIDE GROUNDWATER  
BASIN WATERMASTER

DATED: May \_\_\_, 2018

WATERMASTER EXECUTIVE OFFICER

By: \_\_\_\_\_  
Laura Dadiw  
SEASIDE GROUNDWATER BASIN  
WATERMASTER



1 DATED: May \_\_, 2018

CYPRESS PACIFIC INVESTORS, LLC

2

3

By: \_\_\_\_\_

4

Paul Bruno  
Member of CYPRESS PACIFIC INVESTORS,  
LLC, Successor in Interest to MURIEL  
CALABRESE 1987 TRUST

5

6

7

8 DATED: May 24, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

9

10

11

By:  \_\_\_\_\_

12

Charles J. McKee  
Jesse J. Avila  
Attorneys for MONTEREY COUNTY WATER  
RESOURCES AGENCY

13

14

15

16 DATED: May \_\_, 2018

BROWNSTEIN HYATT FARBER SCHRECK, LLP

17

18

By: \_\_\_\_\_

19

Russell McGlothlin  
Attorneys for SEASIDE GROUNDWATER  
BASIN WATERMASTER

20

21

22 DATED: May 29, 2018

*Administrative*  
WATERMASTER ~~EXECUTIVE~~ OFFICER

23

24

By:  \_\_\_\_\_

25

Laura Dadiw  
SEASIDE GROUNDWATER BASIN  
WATERMASTER

26

27

28

1 DATED: May \_\_\_\_, 2018

CYPRESS PACIFIC INVESTORS, LLC

2

3

By: \_\_\_\_\_

Paul Bruno  
Attorneys for CYPRESS PACIFIC INVESTORS,  
LLC, Successor in Interest to MURIEL  
CALABRESE 1987 TRUST

4

5

6

7

8 DATED: May \_\_\_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

9

10

11

By: \_\_\_\_\_

Charles J. McKee  
Jesse J. Avila  
Attorneys for MONTEREY COUNTY WATER  
RESOURCES AGENCY

12

13

14

15

16 DATED: May \_\_\_\_, 2018

BROWNSTEIN HYATT FARBER SCHRECK, LLP

17

18

By: \_\_\_\_\_



Russell McGlothlin  
Attorneys for SEASIDE GROUNDWATER  
BASIN WATERMASTER

19

20

21

22

23 DATED: May \_\_\_\_, 2018

WATERMASTER EXECUTIVE OFFICER

24

25

By: \_\_\_\_\_

Laura Dadiw  
SEASIDE GROUNDWATER BASIN  
WATERMASTER

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**[PROPOSED] ORDER**

Good cause appearing the Stipulation is **APPROVED** and **IT IS ORDERED, ADJUDGED AND DECREED** that the Judgment in *California American Water v. City of Seaside, et al.* (Monterey County Superior Court Case No. Case No. M66343 (Seaside Basin Judgment) shall be amended as follows:

Exhibit C to the Amended Decision entered on February 9, 2007, is modified to correct the place of use for the Alternative Production Allocation that Section III(B)(3)(a) of the Amended Decision specifies for Defendant/Cross-Complainant Bishop, McIntosh and McIntosh (“Bishop”). The place of use for Bishop’s Alternative Production Allocation is amended to add the real property described in **Exhibit 1** to this Order to the place of use described in the Amended Decision.

DATED:

\_\_\_\_\_  
Honorable Leslie C. Nichols

# **EXHIBIT 1**

**EXHIBIT 'A':  
DESCRIPTION OF LOT 4**

Lot 4 of Tract No. 1068, "Laguna Seca Office Park", in the County of Monterey, State of California, as shown on the map recorded in Volume 16 of Cities and Towns at Page 32 in the Office of the County Recorder of said county.

Date: February 13th, 2018

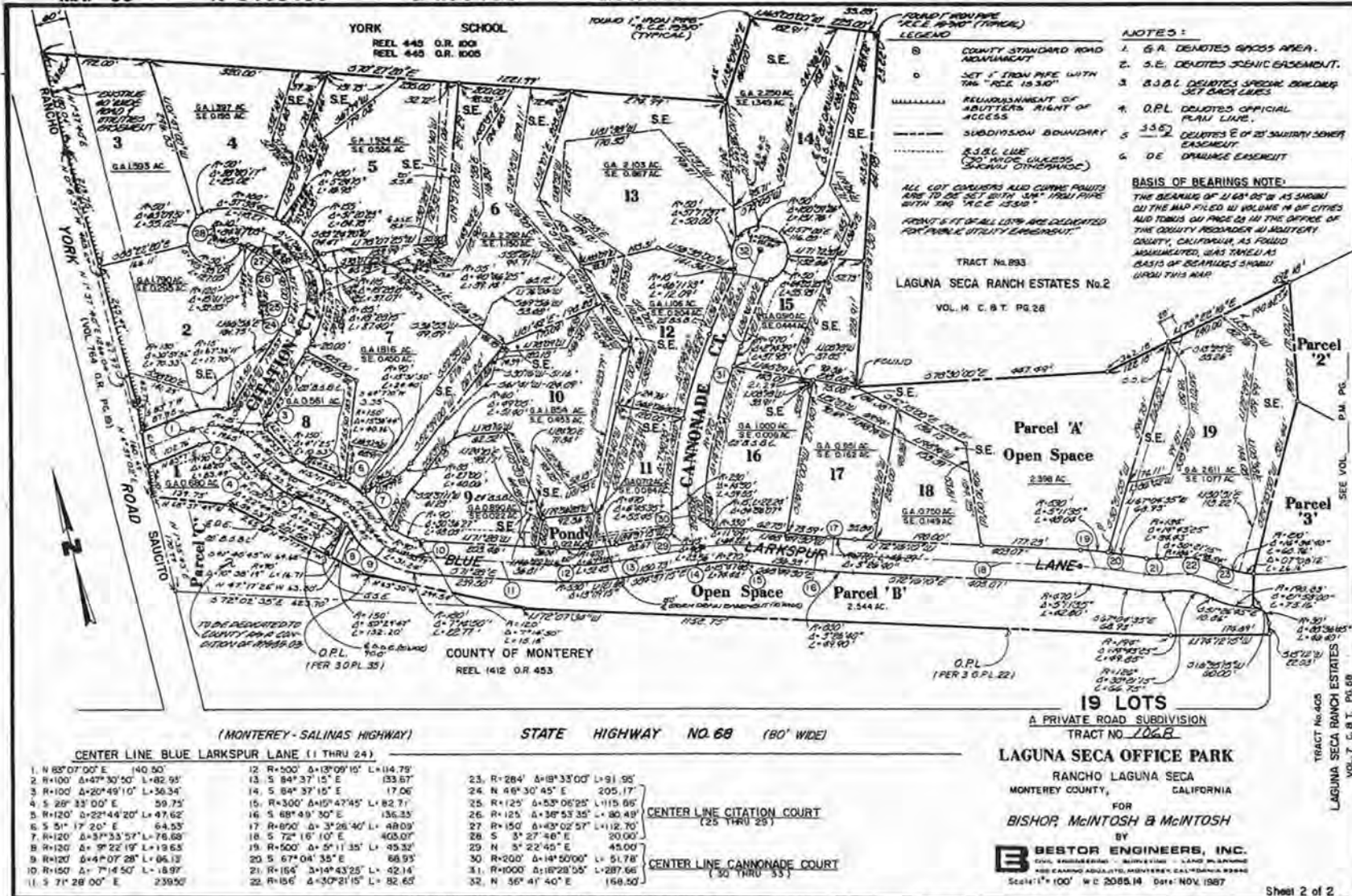
Bestor Engineers

**EXHIBIT 'A':  
DESCRIPTION OF LOT 5**

Lot 5 of Tract No. 1068, "Laguna Seca Office Park", in the County of Monterey, State of California, as shown on the map recorded in Volume 16 of Cities and Towns at Page 32 in the Office of the County Recorder of said county.

Date: February 13th, 2018

Bestor Engineers



(MONTEREY - SALINAS HIGHWAY) STATE HIGHWAY NO. 68 (60' WIDE)

CENTER LINE BLUE LARKSPUR LANE (11 THRU 24)

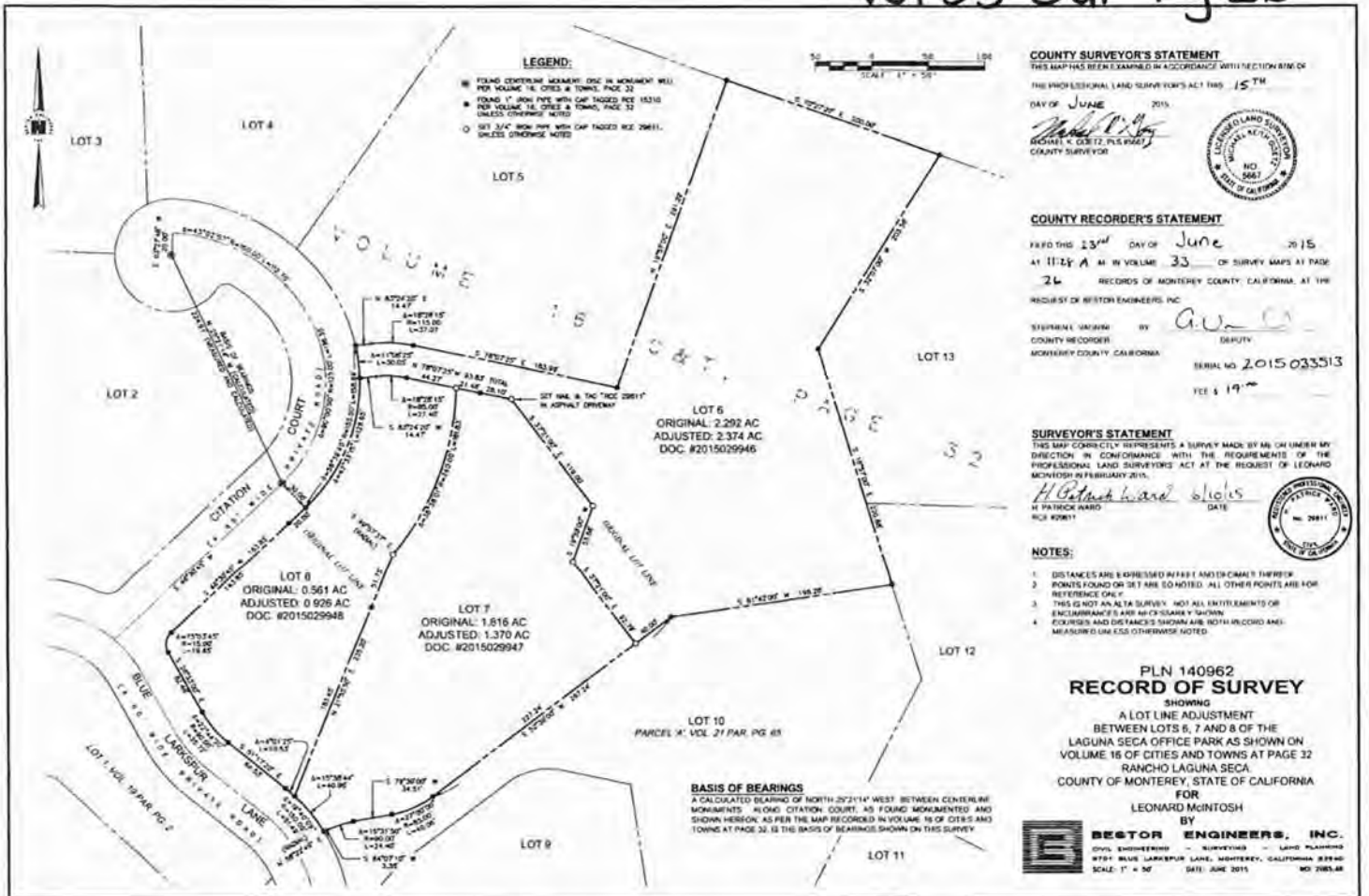
1. N 85°07'00" E 140.50'	12. R=500' Δ=13°09'15" L=114.79'	23. R=284' Δ=18°33'00" L=91.95'
2. R=100' Δ=47°30'50" L=82.95'	13. S 84°37'15" E 133.57'	24. N 49°30'45" E 205.17'
3. R=100' Δ=20°49'10" L=36.34'	14. S 84°37'10" E 17.06'	25. R=125' Δ=53°06'25" L=115.05'
4. S 25°33'00" E 59.75'	15. R=300' Δ=10°47'45" L=82.71'	26. R=125' Δ=38°53'35" L=80.49'
5. R=120' Δ=22°44'20" L=47.62'	16. S 68°49'30" E 136.35'	27. R=150' Δ=43°02'57" L=112.70'
6. S 51°17'20" E 64.53'	17. R=870' Δ=3°26'40" L=480.07'	28. S 3°27'40" E 20.00'
7. R=120' Δ=37°33'57" L=76.68'	18. S 72°16'10" E 403.07'	29. N 3°22'45" E 45.00'
8. R=120' Δ=9°22'19" L=19.63'	19. R=500' Δ=5°11'35" L=45.32'	30. R=200' Δ=14°50'00" L=51.78'
9. R=120' Δ=4°07'28" L=16.13'	20. S 67°04'35" E 66.93'	31. R=1000' Δ=18°28'05" L=287.66'
10. R=150' Δ=7°14'50" L=18.97'	21. R=164' Δ=14°43'25" L=42.14'	32. N 56°41'40" E 168.50'
11. S 71°28'00" E 239.50'	22. R=156' Δ=30°21'15" L=82.60'	

CENTER LINE CITATION COURT (25 THRU 29)

CENTER LINE CANNONADE COURT (30 THRU 33)



# Vol 33 Sur Pg 26





**EXHIBIT 'A':  
DESCRIPTION OF LOT 6**

Lot 6 in the County of Monterey, State of California, as shown on the map recorded 23 June 2015 in Volume 33 of Surveys at Page 26 in the Office of the County Recorder of said county.

Date: February 13<sup>th</sup>, 2018

Bestor Engineers, Inc.

**EXHIBIT 'A':  
DESCRIPTION OF LOT 7**

Lot 7 in the County of Monterey, State of California, as shown on the map recorded 23 June 2015 in Volume 33 of Surveys at Page 26 in the Office of the County Recorder of said county.

Date: February 13<sup>th</sup>, 2018

Bestor Engineers, Inc.

## EXHIBIT B

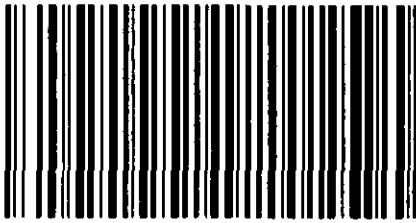
12

RECORDING REQUESTED BY:  
FIRST AMERICAN TITLE COMPANY  
NATIONAL HOMEOWNER SERVICES  
SUBDIVISION DEPARTMENT

MAIL TAX STATEMENTS AND  
WHEN RECORDED MAIL TO:  
Steve Shaffer  
FPG California, Inc.  
400 N. Ashley Drive, Suite 1900  
Tampa, FL 33602

Order No.: 345 2246-50  
Escrow No.:

APN#s: 011-061-007-000; 011-061-009-000;  
011-061-010-000; 011-061-011-000; 011-061-  
012-000, 011-061-018-000; 011-061-020-000  
AND 011-061-022-000

Stephen L. Vagnini Monterey County Recorder Recorded at the request of <b>Filer</b>		RANJELIQUE 7/14/2010 10:25:00
<b>DOCUMENT: 2010038295</b>		Titles: 1/ Pages: 5
		Fees . . . . . 21.00 Taxes . . . . . 1,749.00 Other . . . . . AMT PAID \$1,770.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

THE UNDERSIGNED GRANTOR DECLARE:

DOCUMENTARY TRANSFER TAX IS \$ 1,749.00  
 Computed on full value of property conveyed, or  
 Computed on full value less liens and encumbrances remaining at time of sale.  
 Unincorporated area  City of Seaside

**GRANT DEED**

For valuable consideration, receipt of which is hereby acknowledged,

**ALDERWOODS GROUP (CALIFORNIA), INC., a California corporation**

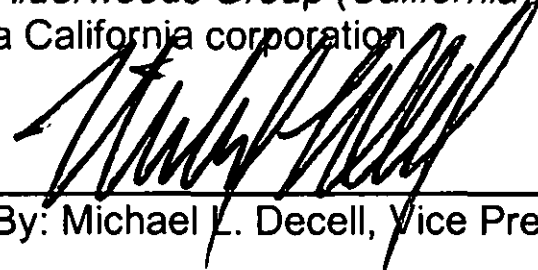
hereby GRANT(S) to **FPG CALIFORNIA, INC., a Delaware corporation**

the real property situated in the County of Monterey, State of California, more particularly described as follows (the "Real Property"):

**See Exhibit "A" attached hereto and made a part hereof.**

Subject to the following: (i) encroachments, protrusions, boundary line discrepancies, easements, covenants, rights-of-way and other encumbrances or restrictions which are not material and which do not, individually or in the aggregate, materially restrict or interfere with the use of the Real Property as the same is currently being used, (ii) inchoate liens, encumbrances or restrictions arising as a matter of law, (iii) liens, encumbrances or restrictions related to taxes not yet due or payable or which are being contested in good faith by Grantors and for which Grantors remain liable, (iv) any matters of record or otherwise reflected on the title commitment issued in relation to this conveyance and (v) liens, encumbrances or restrictions that are created or assumed by Grantee,

Alderwoods Group (California), Inc.,  
a California corporation



By: Michael L. Decell, Vice President

Dated: June 29, 2010

STATE OF TEXAS )  
 ) SS.  
COUNTY OF HARRIS )

On June 29, 2010, before me, Marjorie L. Runnels, personally appeared Michael L. Decell, personally known to me to be the person whose 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 which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Marjorie L. Runnels  
FOR NOTARY STAMP

MAIL TAX STATEMENTS AS DIRECTED ABOVE

## Exhibit "A"

REAL PROPERTY IN THE CITY OF SEASIDE, COUNTY OF MONTEREY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT NUMBERED 1 OF THE RANCHO NOCHE BUENA, MONTEREY COUNTY, CALIFORNIA, AND RUNNING THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT NUMBERED 1, SOUTH 89° 9' 50" WEST, 1308.1'; THENCE LEAVING THE LOT LINE AND RUNNING SOUTH 0° 42' 35" EAST, 1837.61' TO THE SOUTHERLY LINE OF SAID LOT NUMBERED 1; THENCE EASTERLY ALONG THE SAID SOUTHERLY LINE NORTH 89° 25' EAST, 604.10' TO A POINT ON THE EASTERLY LINE OF SAID RANCHO AT THE SOUTHEASTERLY CORNER OF SAID LOT NUMBERED 1; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID RANCHO NORTH 20° 5' EAST, 1983.27' TO THE POINT OF BEGINNING, AND BEING A PORTION OF THE SAID LOT NUMBERED 1 OF THE RANCHO NOCHE BUENA, ACCORDING TO THE MAPS THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH A GRANITE MONUMENT STANDING AT THE NORTHEAST CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA, BEARS NORTH 89° 33' 30" EAST, 143.74' TO A POINT ON THE EASTERLY LINE OF SAID LOT NUMBERED 1 AND THENCE ALONG SAID LINE NORTH 20° 05' EAST, 1016.51', SAID GRANITE MONUMENT BEING ALSO THE NORTHEASTERLY CORNER OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH AND OTHERS BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187; THENCE FROM SAID POINT OF BEGINNING SOUTH 0° 26' 30" EAST, 160.92'; THENCE SOUTH 89° 33' 30" WEST, 235.56'; THENCE 25.70' ALONG THE ARC OF A CURVE CONCAVE TO THE EAST OF RADIUS 50' (CENTER OF SAID CURVE BEARS SOUTH 74° 23' 30" EAST, LONG CHORD BEARS NORTH 30° 20' EAST, 25.42'); THENCE 255.65' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE WEST OF RADIUS 195' (CENTER OF SAID CURVE BEARS NORTH 44° 56' 30" WEST, LONG CHORD BEARS NORTH 7° 30' EAST, 237.73'); THENCE 31.32' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE SOUTHEAST OF RADIUS 15' (CENTER OF SAID CURVE BEARS NORTH 59° 56' 30" EAST, LONG CHORD BEARS NORTH 30° EAST, 25.93'); THENCE 48.69' ALONG THE ARC OF A TANGENT COMPOUND CURVE OF RADIUS 90' (CENTER OF SAID CURVE BEARS SOUTH 0° 26' 30" EAST, LONG CHORD BEARS SOUTH 74° 56' 30" EAST, 48.10'); THENCE NON-TANGENTIALLY SOUTH 59° 26' 30" EAST, 134.00'; THENCE 17.28' ALONG THE ARC OF A TANGENT CURVE OF RADIUS OF 110' (CENTER OF SAID CURVE BEARS NORTH 30° 33' 30" EAST, LONG CHORD BEARS SOUTH 63° 56' 30" EAST, 17.26'); THENCE NON-TANGENTIALLY SOUTH 0° 26' 30" EAST, 29.20' TO THE POINT OF BEGINNING AND BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH, ET AL, BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187, FROM WHICH POINT OF BEGINNING A GRANITE MONUMENT AT THE NORTHEASTERLY CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA, BEARS NORTH 1° 01' WEST, 98.91' TO A POINT ON THE NORTHERLY LINE OF SAID LOT NUMBERED 1, AND THENCE ALONG SAID NORTHERLY LINE NORTH 89° 09' 50" EAST, 1307.36' (BY SAID 1308.18'); THENCE

FROM SAID POINT OF BEGINNING AND FOLLOWING SAID WESTERLY LINE OF SAID TRACT OF LAND SOUTH 1° 01' EAST, 831.90' (IN SAID DEED SAID LINE IS GIVEN A BEARING OF SOUTH 0° 42' 35" EAST); THENCE LEAVING SAID LINE SOUTH 89° 43' EAST, 97.72'; THENCE 36.29' ALONG THE ARC OF A TANGENT CURVE OF RADIUS 25' (LONG CHORD BEARS NORTH 48° 36' 40" EAST, 33.19'); THENCE 184.40' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 255' (CENTER OF SAID CURVE BEARS SOUTH 82° 58' 40" EAST, LONG CHORD BEARS NORTH 27° 44' 20" EAST, 180.41'); THENCE 164.72' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 125' (CENTER OF SAID CURVE BEARS NORTH 41° 32' 40" WEST, LONG CHORD BEARS NORTH 10° 42' 20" EAST, 153.05'); THENCE 109.11' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 235' (CENTER OF SAID CURVE BEARS NORTH 62° 57' 20" EAST, LONG CHORD BEARS NORTH 13° 44' 35" WEST, 108.13'); THENCE TANGENTIALLY NORTH 0° 26' 30" WEST, 398.30'; THENCE SOUTH 89° 09' 50" WEST, 221.04' TO THE POINT OF BEGINNING AND BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SHOWN ON THAT CERTAIN MAP ENTITLED, MAP OF "TRACT NO. 344, ORD TERRACE NO. 10", A PORTION OF LOT NUMBERED 1, RANCHO NOCHE BUENA, SEASIDE, MONTEREY COUNTY, CALIFORNIA, ETC., FILED IN VOLUME 6 OF MAPS, "CITIES AND TOWNS", AT PAGE 154, MONTEREY COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SHOWN ON THAT CERTAIN MAP ENTITLED; MAP OF "TRACT NO. 355, ORD TERRACE NO. 11", A PORTION OF LOT NUMBERED 1, RANCHO NOCHE BUENA, SEASIDE, MONTEREY COUNTY, CALIFORNIA, ETC., FILED IN VOLUME 7 OF MAPS, "CITIES AND TOWNS", AT PAGE 1, MONTEREY COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY DESCRIBED IN THE DEED FROM MISSION MEMORIAL PARK, A CORPORATION, TO CITY OF SEASIDE, A MUNICIPAL CORPORATION, DATED JULY 1965 AND RECORDED OCTOBER 20, 1965 IN REEL 429 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 920.

ALSO EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF SEASIDE, COUNTY OF MONTEREY, STATE OF CALIFORNIA, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF MISSION MEMORIAL PARK, WHICH BEARS ALONG SAID BOUNDARY, NORTH 1° 01' WEST, 405.00' FROM THE SOUTHWESTERLY CORNER OF SAID PARK, AS SAID BOUNDARY AND CORNER ARE SHOWN ON THAT CERTAIN MAP ENTITLED "LICENSED SURVEYOR'S MAP, MISSION MEMORIAL PARK, ETC.", FILED JANUARY 12, 1953 IN VOLUME 4 OF "SURVEYS", AT PAGE 104, RECORDS OF MONTEREY COUNTY, CALIFORNIA; THENCE ALONG SAID BOUNDARY SOUTH 1° 01' EAST, 370.00' TO THE NORTHWESTERLY CORNER OF THAT CERTAIN 0.385 ACRE PARCEL DESCRIBED IN DEED FROM MISSION MEMORIAL PARK TO THE CM' OF SEASIDE RECORDED OCTOBER 20, 1965 IN REEL 429 AT PAGE 920, OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL NORTH 89° 25' EAST (DESCRIBED AS NORTH 89° 24' 30" EAST, IN SAID DEED), 479.87' TO THE NORTHEASTERLY CORNER OF SAID PARCEL; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL SOUTH, 35.00' TO THE SOUTHEASTERLY CORNER OF SAID 0.385 ACRE PARCEL, AS SAID CORNER ALSO BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN 0.069 ACRE PARCEL DESCRIBED IN DEED FROM THE CITY OF SEASIDE TO MISSION MEMORIAL PARK, INC., RECORDED DECEMBER 1, 1965 IN REEL 436 AT PAGE 90, OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA; THENCE ALONG THE WESTERLY LINE OF LAST SAID PARCEL SOUTH

25.00' TO THE SOUTHWESTERLY CORNER OF SAID 0.069 ACRE PARCEL; THENCE ALONG THE SOUTHERLY LINE OF LAST SAID PARCEL NORTH 89° 25' EAST, (DESCRIBED AS NORTH 89° 24' 30" EAST, IN LAST SAID DEED); 115.68' TO THE SOUTHWESTERLY CORNER OF SAID 0.069 ACRE PARCEL, AS SAID CORNER ALSO BEING A PORTION ON THE WESTERLY BOUNDARY OF FORT ORD MILITARY RESERVATION; THENCE ALONG SAID WESTERLY BOUNDARY NORTH 20° 05' EAST, (DESCRIBED AS NORTH 20° 16' 30" EAST, IN LAST SAID DEED); 459.56' (AT 26.72', TO THE SOUTHEASTERLY CORNER OF SAID PARK, AS SAID CORNER ALSO BEING THE MOST EASTERLY CORNER OF SAID 0.069 ACRE PARCEL); THENCE LEAVING SAID WESTERLY BOUNDARY SOUTH 89° 25' WEST, 759.93' TO THE POINT OF BEGINNING, AND BEING THE SOUTHERLY PORTION OF SAID MISSION MEMORIAL PARK.

PARCEL 2:

CERTAIN REAL PROPERTY SITUATE, LYING AND BEING IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN 4.000 ACRES OF LAND CONVEYED BY MISSION MEMORIAL PARK, INC., TO JOHN H. MONCIVICH AND WALTER EHRLICH BY DEED DATED AUGUST 10, 1955 IN VOLUME 1647 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 261, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID 4.000 ACRE PARCEL, BEING ALSO A PORTION ON THE WESTERLY LINE OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM WALTER ENRLICH, ET AL, TO MISSION MEMORIAL PARK BY DEED DATED FEBRUARY 25, 1953 AND RECORDED OCTOBER 30, 1953 IN VOLUME 1487 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 420, FROM WHICH POINT OF BEGINNING A CONCRETE MONUMENT STANDING AT THE NORTHEASTERLY CORNER OF TRACT NO. 303, ORD TERRACE NO. 9, AS SHOWN ON THAT CERTAIN MAP FILED IN VOLUME 6 OF MAPS, "CITIES AND TOWNS", AT PAGE 104, MONTEREY COUNTY RECORDS, BEARS NORTH 0° 42' 35" WEST 830.75' (DEED NORTH 1° 01' WEST 831.9'); THENCE ALONG THE SOUTHERLY LINE OF SAID 4,000 ACRE PARCEL, SOUTH 89° 48' EAST 102.71' (DEED SOUTH 89° 48' EAST 97.72'); THENCE 36.29' ALONG THE ARC OF A TANGENT CURVE TO THE LEFT OF RADIUS 25.00' (LONG CHORD BEARS NORTH 48° 36' 40" EAST 33.19' AND CENTRAL ANGLE OF 83° 10' 40"); THENCE 184.40' ALONG THE ARC OF A TANGENT REVERSE CURVE TO THE RIGHT OF RADIUS 255.00' (LONG CHORD BEARS NORTH 27° 44' 20" EAST 180.41' AND CENTRAL ANGLE OF 41° 26'); THENCE LEAVING THE EASTERLY LINE OF SAID 4.000 ACRE PARCEL NORTH 41° 32' 40" WEST, 125.00'; THENCE SOUTH 89° 09' 50" WEST 132.07' TO A POINT ON THE WESTERLY LINE OF SAID 4.000 ACRE PARCEL AND THE EASTERLY LINE OF SAID ORD TERRACE NO. 9; THENCE FOLLOWING SAID LINE, SOUTH 0° 42' 35" EAST 272.91' TO THE POINT OF BEGINNING.

PARCEL 3:

BEGINNING AT A POINT FROM WHICH A GRANITE MONUMENT STANDING AT THE NORTHEAST CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA, BEARS NORTH 89° 33' 30" EAST, 143.74' TO A POINT ON THE EASTERLY LINE OF SAID LOT NUMBERED 1, AND THENCE ALONG SAID LINE NORTH 20° 05' EAST, 1016.51', SAID GRANITE MONUMENT BEING ALSO THE NORTHEASTERLY CORNER OF THE CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH AND OTHERS BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187; THENCE, FROM SAID POINT OF BEGINNING SOUTH 0° 26' 30" EAST, 160.92'; THENCE SOUTH 89° 33' 30" WEST, 235.56'; THENCE 25.70' ALONG THE ARC OF A CURVE CONCAVE TO THE EAST OF RADIUS 50' (CENTER OF SAID CURVE BEARS SOUTH 74° 23' 30" EAST, LONG CHORD BEARS NORTH 30° 20' EAST, 25.42'); THENCE 255.65' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE WEST OF RADIUS 195' (CENTER OF SAID CURVE BEARS NORTH 44° 56' 30" WEST, LONG CHORD BEARS NORTH 7° 30' EAST, 237.73'); THENCE 31.32' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE SOUTHEAST, OF RADIUS 15' (CENTER OF SAID CURVE BEARS NORTH 59° 56' 30" EAST, LONG CHORD BEARS NORTH 30° 20' EAST, 25.93');

THENCE 48.69' ALONG THE ARC OF A TANGENT COMPOUND CURVE TO RADIUS 90' (CENTER OF SAID CURVE BEARS SOUTH 74° 56' 30" EAST, 48.10'; THENCE TANGENTIALLY SOUTH 59° 26' 30" EAST, 134.00'; THENCE 17.28' ALONG THE ARC OF A TANGENT CURVE OF RADIUS 110' (CENTER OF SAID CURVE BEARS NORTH 30° 33' 30" EAST, LONG CHORD BEARS SOUTH 63° 56' 30" EAST, 17.26'); THENCE, NON-TANGENTIALLY (9) SOUTH 0° 26' 30" EAST, 29.20' TO THE POINT OF BEGINNING, BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

PARCEL 4:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH, ET AL, BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187, FROM WHICH POINT OF BEGINNING, A GRANITE MONUMENT AT THE NORTHEASTERLY CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA BEARS NORTH 1° 01' WEST, 98.91' TO A POINT ON THE NORTHERLY LINE OF SAID LOT NUMBERED 1, AND THENCE ALONG SAID NORTHERLY LINE NORTH 89° 09' 50" EAST, 1307.36' (BY SAID DEED 1308.18'); THENCE FROM SAID POINT OF BEGINNING, AND FOLLOWING SAID WESTERLY LINE OF SAID TRACT OF LAND SOUTH 1° 01' EAST, 831.90' (IN SAID DEED SAID LINE IS GIVEN A BEARING OF SOUTH 0° 42' 35" EAST), THENCE LEAVING SAID LINE SOUTH 89° 48' EAST, 97.72'; THENCE 36.29' ALONG THE ARC OF A TANGENT CURVE OF RADIUS 25' (LONG CHORD BEARS NORTH 48° 36' 40" EAST, 33.19'); THENCE 184.40' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 255' (CENTER OF SAID CURVE BEARS SOUTH 82° 58' 40" EAST, LONG CHORD BEARS NORTH 27° 44' 20" EAST, 180.41'); THENCE 164.72' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 125' (CENTER OF SAID CURVE BEARS NORTH 41° 32' 40" WEST, LONG CHORD BEARS NORTH 10° 42' 20" EAST, 153.05'); THENCE 109.11' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 235' (CENTER OF SAID CURVE BEARS NORTH 62° 57' 20" EAST, LONG CHORD BEARS NORTH 13° 44' 35" WEST, 108.13'); THENCE TANGENTIALLY NORTH 0° 26' 30" WEST, 398.30'; THENCE SOUTH 89° 09' 50" WEST, 221.04' TO THE POINT OF BEGINNING AND BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY DESCRIBED IN THE DEED FROM JOHN H. MONCOVICH, ET AL, TO MISSION MEMORIAL PARK, A CORPORATION, DATED AUGUST 22, 1958 AND RECORDED OCTOBER 28, 1958 IN VOLUME 1905 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 268.

ALSO EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY DESCRIBED IN THE DEED FROM JOHN H. MONCOVICH, ET AL, TO R. I. GORRELL AND A. VON DRACHENFELS, A PARTNERSHIP, COMPOSED OF R. I. GORRELL AND A. VON DRACHENFELS, DATED OCTOBER 27, 1958 AND RECORDED NOVEMBER 25, 1958 IN VOLUME 1912 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 150.

APN: 011-061-007-000; 011-061-009-000; 011-061-010-000; 011-061-011-000; 011-061-012-000, 011-061-018-000; 011-061-020-000 AND 011-061-022-000

**END OF DOCUMENT**



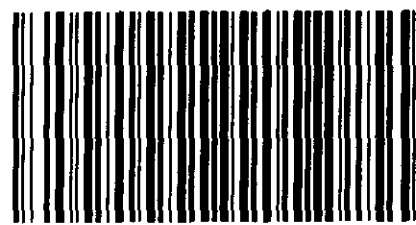
Stephen L. Vagnini  
Monterey County Recorder  
Recorded at the request of

CRSUSY  
12/01/2010  
15:15:44

**Filer**

DOCUMENT: **2010070979**

Titles: 1/ Pages: 11



Fees....	62.00
Taxes...	
Other...	
AMT PAID	\$62.00

RECORDING REQUESTED BY  
3452246-50

FIRST AMERICAN TITLE CO.  
National Home Builders / Subdivision

WHEN RECORDED MAIL TO:

FPG California, Inc.  
400 N. Ashley Drive  
Suite 1900  
Tampa, FL 33602  
Attn: Steve Schaffer

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**Grant Deed**

011-061-007-000; 011-061-009-000;  
011-061-010-000; 011-061-011-000;  
011-061-012-000; 011-061-018-000;  
011-061-020-000 and 011-061-022-000

**THIS DEED IS RE-RECORDING TO CORRECT SCRIBNER'S ERRORS  
IN THE LEGAL DESCRIPTION**

Document being re-recorded to correct legal in Deed recorded on 7-14-10  
Under Document No. 2010038295.

12

RECORDING REQUESTED BY:  
FIRST AMERICAN TITLE COMPANY  
NATIONAL HOME INSURANCE SERVICES  
SUBDIVISION DEPARTMENT

MAIL TAX STATEMENTS AND  
WHEN RECORDED MAIL TO:  
Steve Shaffer  
FPG California, Inc.  
400 N. Ashley Drive, Suite 1900  
Tampa, FL 33602

Order No.: 345 2246-50  
Escrow No.:

Stephen L. Vagnini  
Monterey County Recorder  
Recorded at the request of  
**Filer**

RANJELIQUE  
7/14/2010  
10:25:00

DOCUMENT: **2010038295** Titles: 1/ Pages: 5

Fees... 21.00  
Taxes... 1,749.00  
Other...  
AMT PAID \$1,770.00

APN#s: 011-061-007-000; 011-061-009-000;  
011-061-010-000; 011-061-011-000; 011-061-  
012-000, 011-061-018-000; 011-061-020-000  
AND 011-061-022-000

SPACE ABOVE THIS LINE FOR RECORDER'S USE

\* Documentary Transfer Tax paid with Grant  
Deed recorded on 7-14-10 under Doc # 2010038295

THE UNDERSIGNED GRANTOR DECLARE:

DOCUMENTARY TRANSFER TAX IS \$ 1,749.00  
 Computed on full value of property conveyed, or  
 Computed on full value less liens and encumbrances remaining at time of sale.  
 Unincorporated area  City of Seaside

**GRANT DEED**

For valuable consideration, receipt of which is hereby acknowledged,

**ALDERWOODS GROUP (CALIFORNIA), INC., a California corporation**


hereby GRANT(S) to **FPG CALIFORNIA, INC., a Delaware corporation**

the real property situated in the County of Monterey, State of California, more particularly described as follows (the "Real Property"):

**See Exhibit "A" attached hereto and made a part hereof.**

Subject to the following: (i) encroachments, protrusions, boundary line discrepancies, easements, covenants, rights-of-way and other encumbrances or restrictions which are not material and which do not, individually or in the aggregate, materially restrict or interfere with the use of the Real Property as the same is currently being used, (ii) inchoate liens, encumbrances or restrictions arising as a matter of law, (iii) liens, encumbrances or restrictions related to taxes not yet due or payable or which are being contested in good faith by Grantors and for which Grantors remain liable, (iv) any matters of record or otherwise reflected on the title commitment issued in relation to this conveyance and (v) liens, encumbrances or restrictions that are created or assumed by Grantee,

Alderwoods Group (California) Inc.,  
a California corporation

  
By: Michael L. Decell, Vice President

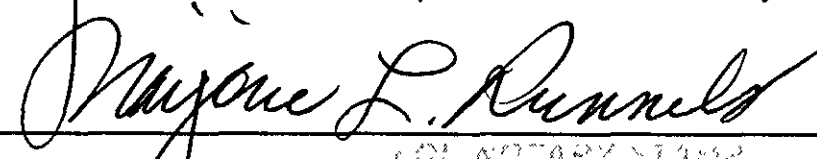
Dated: June 29, 2010

STATE OF TEXAS )  
COUNTY OF HARRIS )

\* Re-executed & re-recorded to By: Michael L. Decell, Vice President 8-18-10  
correct legal in Deed recorded on 7-14-10 under Document No. 2010038295

On June 29, 2010, before me, Marjorie L. Runnels, personally appeared Michael L. Decell, personally known to me to be the person whose 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 which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature   
NOTARY PUBLIC

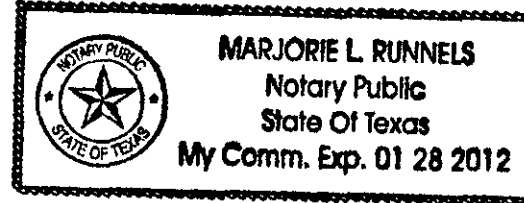
MAIL TAX STATEMENTS AS DIRECTED ABOVE

STATE OF TEXAS                    )  
  ) SS.  
COUNTY OF HARRIS                )

On August 18, 2010, before me, Marjorie L. Runnels, personally appeared Michael L. Decell, personally known to me to be the person whose 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 which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature *Marjorie L. Runnels*  
FOR NOTARY STAMP



**Exhibit "A"**

REAL PROPERTY IN THE CITY OF SEASIDE, COUNTY OF MONTEREY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT NUMBERED 1 OF THE RANCHO NOCHE BUENA, MONTEREY COUNTY, CALIFORNIA, AND RUNNING THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT NUMBERED 1, SOUTH 89° 9' 50" WEST, 1308.1'; THENCE LEAVING THE LOT LINE AND RUNNING SOUTH 0° 42' 35" EAST, 1837.61' TO THE SOUTHERLY LINE OF SAID LOT NUMBERED 1; THENCE EASTERLY ALONG THE SAID SOUTHERLY LINE NORTH 89° 25' EAST, 604.10' TO A POINT ON THE EASTERLY LINE OF SAID RANCHO AT THE SOUTHEASTERLY CORNER OF SAID LOT NUMBERED 1; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID RANCHO NORTH 20° 5' EAST, 1983.27' TO THE POINT OF BEGINNING, AND BEING A PORTION OF THE SAID LOT NUMBERED 1 OF THE RANCHO NOCHE BUENA, ACCORDING TO THE MAPS THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH A GRANITE MONUMENT STANDING AT THE NORTHEAST CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA, BEARS NORTH 89° 33' 30" EAST, 143.74' TO A POINT ON THE EASTERLY LINE OF SAID LOT NUMBERED 1 AND THENCE ALONG SAID LINE NORTH 20° 05' EAST, 1016.51', SAID GRANITE MONUMENT BEING ALSO THE NORTHEASTERLY CORNER OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH AND OTHERS BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187; THENCE FROM SAID POINT OF BEGINNING SOUTH 0° 26' 30" EAST, 160.92'; THENCE SOUTH 89° 33' 30" WEST, 235.56'; THENCE 25.70' ALONG THE ARC OF A CURVE CONCAVE TO THE EAST OF RADIUS 50' (CENTER OF SAID CURVE BEARS SOUTH 74° 23' 30" EAST, LONG CHORD BEARS NORTH 30° 20' EAST, 25.42'); THENCE 255.65' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE WEST OF RADIUS 195' (CENTER OF SAID CURVE BEARS NORTH 44° 56' 30" WEST, LONG CHORD BEARS NORTH 7° 30' EAST, 237.73'); THENCE 31.32' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE SOUTHEAST OF RADIUS 15' (CENTER OF SAID CURVE BEARS NORTH 59° 56' 30" EAST, LONG CHORD BEARS NORTH 30° EAST, 25.93'); THENCE 48.69' ALONG THE ARC OF A TANGENT COMPOUND CURVE OF RADIUS 90' (CENTER OF SAID CURVE BEARS SOUTH 0° 26' 30" EAST, LONG CHORD BEARS SOUTH 74° 56' 30" EAST, 48.10'); THENCE NON-TANGENTIALLY SOUTH 59° 26' 30" EAST, 134.00'; THENCE 17.28' ALONG THE ARC OF A TANGENT CURVE OF RADIUS OF 110' (CENTER OF SAID CURVE BEARS NORTH 30° 33' 30" EAST, LONG CHORD BEARS SOUTH 63° 56' 30" EAST, 17.26'); THENCE NON-TANGENTIALLY SOUTH 0° 26' 30" EAST, 29.20' TO THE POINT OF BEGINNING AND BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH, ET AL, BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187, FROM WHICH POINT OF BEGINNING A GRANITE MONUMENT AT THE NORTHEASTERLY CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA, BEARS NORTH 1° 01' WEST, 98.91' TO A POINT ON THE NORTHERLY LINE OF SAID LOT NUMBERED 1, AND THENCE ALONG SAID NORTHERLY LINE NORTH 89° 09' 50" EAST, 1307.36' (BY SAID 1308.18'); THENCE

FROM SAID POINT OF BEGINNING AND FOLLOWING SAID WESTERLY LINE OF SAID TRACT OF LAND SOUTH 1° 01' EAST, 831.90' (IN SAID DEED SAID LINE IS GIVEN A BEARING OF SOUTH 0° 42' 35" EAST); THENCE LEAVING SAID LINE SOUTH 89° 43' EAST, 97.72'; THENCE 36.29' ALONG THE ARC OF A TANGENT CURVE OF RADIUS 25' (LONG CHORD BEARS NORTH 48° 36' 40" EAST, 33.19'); THENCE 184.40' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 255' (CENTER OF SAID CURVE BEARS SOUTH 82° 58' 40" EAST, LONG CHORD BEARS NORTH 27° 44' 20" EAST, 180.41'); THENCE 164.72' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 125' (CENTER OF SAID CURVE BEARS NORTH 41° 32' 40" WEST, LONG CHORD BEARS NORTH 10° 42' 20" EAST, 153.05'); THENCE 109.11' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 235' (CENTER OF SAID CURVE BEARS NORTH 62° 57' 20" EAST, LONG CHORD BEARS NORTH 13° 44' 35" WEST, 108.13'); THENCE TANGENTIALLY NORTH 0° 26' 30" WEST, 398.30'; THENCE SOUTH 89° 09' 50" WEST, 221.04' TO THE POINT OF BEGINNING AND BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SHOWN ON THAT CERTAIN MAP ENTITLED, MAP OF "TRACT NO. 344, ORD TERRACE NO. 10", A PORTION OF LOT NUMBERED 1, RANCHO NOCHE BUENA, SEASIDE, MONTEREY COUNTY, CALIFORNIA, ETC., FILED IN VOLUME 6 OF MAPS, "CITIES AND TOWNS", AT PAGE 154, MONTEREY COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SHOWN ON THAT CERTAIN MAP ENTITLED; MAP OF "TRACT NO. 355, ORD TERRACE NO. 11", A PORTION OF LOT NUMBERED 1, RANCHO NOCHE BUENA, SEASIDE, MONTEREY COUNTY, CALIFORNIA, ETC., FILED IN VOLUME 7 OF MAPS, "CITIES AND TOWNS", AT PAGE 1, MONTEREY COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY DESCRIBED IN THE DEED FROM MISSION MEMORIAL PARK, A CORPORATION, TO CITY OF SEASIDE, A MUNICIPAL CORPORATION, DATED JULY 1965 AND RECORDED OCTOBER 20, 1965 IN REEL 429 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 920.

ALSO EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF SEASIDE, COUNTY OF MONTEREY, STATE OF CALIFORNIA, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF MISSION MEMORIAL PARK, WHICH BEARS ALONG SAID BOUNDARY, NORTH 1° 01' WEST, 405.00' FROM THE SOUTHWESTERLY CORNER OF SAID PARK, AS SAID BOUNDARY AND CORNER ARE SHOWN ON THAT CERTAIN MAP ENTITLED "LICENSED SURVEYOR'S MAP, MISSION MEMORIAL PARK, ETC.", FILED JANUARY 12, 1953 IN VOLUME 4 OF "SURVEYS", AT PAGE 104, RECORDS OF MONTEREY COUNTY, CALIFORNIA; THENCE ALONG SAID BOUNDARY SOUTH 1° 01' EAST, 370.00' TO THE NORTHWESTERLY CORNER OF THAT CERTAIN 0.385 ACRE PARCEL DESCRIBED IN DEED FROM MISSION MEMORIAL PARK TO THE CM' OF SEASIDE RECORDED OCTOBER 20, 1965 IN REEL 429 AT PAGE 920, OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL NORTH 89° 25' EAST (DESCRIBED AS NORTH 89° 24' 30" EAST, IN SAID DEED), 479.87' TO THE NORTHEASTERLY CORNER OF SAID PARCEL; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL SOUTH, 35.00' TO THE SOUTHEASTERLY CORNER OF SAID 0.385 ACRE PARCEL, AS SAID CORNER ALSO BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN 0.069 ACRE PARCEL DESCRIBED IN DEED FROM THE CITY OF SEASIDE TO MISSION MEMORIAL PARK, INC., RECORDED DECEMBER 1, 1965 IN REEL 436 AT PAGE 90, OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA; THENCE ALONG THE WESTERLY LINE OF LAST SAID PARCEL SOUTH

25.00' TO THE SOUTHWESTERLY CORNER OF SAID 0.069 ACRE PARCEL; THENCE ALONG THE SOUTHERLY LINE OF LAST SAID PARCEL NORTH 89° 25' EAST, (DESCRIBED AS NORTH 89° 24' 30" EAST, IN LAST SAID DEED); 115.68' TO THE SOUTHWESTERLY CORNER OF SAID 0.069 ACRE PARCEL, AS SAID CORNER ALSO BEING A PORTION ON THE WESTERLY BOUNDARY OF FORT ORD MILITARY RESERVATION; THENCE ALONG SAID WESTERLY BOUNDARY NORTH 20° 05' EAST, (DESCRIBED AS NORTH 20° 16' 30" EAST, IN LAST SAID DEED); 459.56' (AT 26.72', TO THE SOUTHEASTERLY CORNER OF SAID PARK, AS SAID CORNER ALSO BEING THE MOST EASTERLY CORNER OF SAID 0.069 ACRE PARCEL); THENCE LEAVING SAID WESTERLY BOUNDARY SOUTH 89° 25' WEST, 759.93' TO THE POINT OF BEGINNING, AND BEING THE SOUTHERLY PORTION OF SAID MISSION MEMORIAL PARK.

PARCEL 2:

CERTAIN REAL PROPERTY SITUATE, LYING AND BEING IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN 4.000 ACRES OF LAND CONVEYED BY MISSION MEMORIAL PARK, INC., TO JOHN H. MONCIVICH AND WALTER EHRLICH BY DEED DATED AUGUST 10, 1955 IN VOLUME 1647 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 261, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID 4.000 ACRE PARCEL, BEING ALSO A PORTION ON THE WESTERLY LINE OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM WALTER EHRLICH, ET AL, TO MISSION MEMORIAL PARK BY DEED DATED FEBRUARY 25, 1953 AND RECORDED OCTOBER 30, 1953 IN VOLUME 1487 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 420, FROM WHICH POINT OF BEGINNING A CONCRETE MONUMENT STANDING AT THE NORTHEASTERLY CORNER OF TRACT NO. 303, ORD TERRACE NO. 9, AS SHOWN ON THAT CERTAIN MAP FILED IN VOLUME 6 OF MAPS, "CITIES AND TOWNS", AT PAGE 104, MONTEREY COUNTY RECORDS, BEARS NORTH 0° 42' 35" WEST 830.75' (DEED NORTH 1° 01' WEST 831.9'); THENCE ALONG THE SOUTHERLY LINE OF SAID 4,000 ACRE PARCEL, SOUTH 89° 48' EAST 102.71' (DEED SOUTH 89° 48' EAST 97.72'); THENCE 36.29' ALONG THE ARC OF A TANGENT CURVE TO THE LEFT OF RADIUS 25.00' (LONG CHORD BEARS NORTH 48° 36' 40" EAST 33.19' AND CENTRAL ANGLE OF 83° 10' 40"); THENCE 184.40' ALONG THE ARC OF A TANGENT REVERSE CURVE TO THE RIGHT OF RADIUS 255.00' (LONG CHORD BEARS NORTH 27° 44' 20" EAST 180.41' AND CENTRAL ANGLE OF 41° 26'); THENCE LEAVING THE EASTERLY LINE OF SAID 4.000 ACRE PARCEL NORTH 41° 32' 40" WEST, 125.00'; THENCE SOUTH 89° 09' 50" WEST 132.07' TO A POINT ON THE WESTERLY LINE OF SAID 4.000 ACRE PARCEL AND THE EASTERLY LINE OF SAID ORD TERRACE NO. 9; THENCE FOLLOWING SAID LINE, SOUTH 0° 42' 35" EAST 272.91' TO THE POINT OF BEGINNING.

PARCEL 3:

BEGINNING AT A POINT FROM WHICH A GRANITE MONUMENT STANDING AT THE NORTHEAST CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA, BEARS NORTH 89° 33' 30" EAST, 143.74' TO A POINT ON THE EASTERLY LINE OF SAID LOT NUMBERED 1, AND THENCE ALONG SAID LINE NORTH 20° 05' EAST, 1016.51', SAID GRANITE MONUMENT BEING ALSO THE NORTHEASTERLY CORNER OF THE CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH AND OTHERS BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187; THENCE, FROM SAID POINT OF BEGINNING SOUTH 0° 26' 30" EAST, 160.92'; THENCE SOUTH 89° 33' 30" WEST, 235.56'; THENCE 25.70' ALONG THE ARC OF A CURVE CONCAVE TO THE EAST OF RADIUS 50' (CENTER OF SAID CURVE BEARS SOUTH 74° 23' 30" EAST, LONG CHORD BEARS NORTH 30° 20' EAST, 25.42'); THENCE 255.65' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE WEST OF RADIUS 195' (CENTER OF SAID CURVE BEARS NORTH 44° 56' 30" WEST, LONG CHORD BEARS NORTH 7° 30' EAST, 237.73'); THENCE 31.32' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE SOUTHEAST, OF RADIUS 15' (CENTER OF SAID CURVE BEARS NORTH 59° 56' 30" EAST, LONG CHORD BEARS NORTH 30° 20' EAST, 25.93');

THENCE 48.69' ALONG THE ARC OF A TANGENT COMPOUND CURVE TO RADIUS 90' (CENTER OF SAID CURVE BEARS SOUTH 74° 56' 30" EAST, 48.10'; THENCE TANGENTIALLY SOUTH 59° 26' 30" EAST, 134.00'; THENCE 17.28' ALONG THE ARC OF A TANGENT CURVE OF RADIUS 110' (CENTER OF SAID CURVE BEARS NORTH 30° 33' 30" EAST, LONG CHORD BEARS SOUTH 63° 56' 30" EAST, 17.26'); THENCE, NON-TANGENTIALLY (9) SOUTH 0° 26' 30" EAST, 29.20' TO THE POINT OF BEGINNING, BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

PARCEL 4:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH, ET AL, BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187, FROM WHICH POINT OF BEGINNING, A GRANITE MONUMENT AT THE NORTHEASTERLY CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA BEARS NORTH 1° 01' WEST, 98.91' TO A POINT ON THE NORTHERLY LINE OF SAID LOT NUMBERED 1, AND THENCE ALONG SAID NORTHERLY LINE NORTH 89° 09' 50" EAST, 1307.36' (BY SAID DEED 1308.18'); THENCE FROM SAID POINT OF BEGINNING, AND FOLLOWING SAID WESTERLY LINE OF SAID TRACT OF LAND SOUTH 1° 01' EAST, 831.90' (IN SAID DEED SAID LINE IS GIVEN A BEARING OF SOUTH 0° 42' 35" EAST), THENCE LEAVING SAID LINE SOUTH 89° 48' EAST, 97.72'; THENCE 36.29' ALONG THE ARC OF A TANGENT CURVE OF RADIUS 25' (LONG CHORD BEARS NORTH 48° 36' 40" EAST, 33.19'); THENCE 184.40' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 255' (CENTER OF SAID CURVE BEARS SOUTH 82° 58' 40" EAST, LONG CHORD BEARS NORTH 27° 44' 20" EAST, 180.41'); THENCE 164.72' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 125' (CENTER OF SAID CURVE BEARS NORTH 41° 32' 40" WEST, LONG CHORD BEARS NORTH 10° 42' 20" EAST, 153.05'); THENCE 109.11' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 235' (CENTER OF SAID CURVE BEARS NORTH 62° 57' 20" EAST, LONG CHORD BEARS NORTH 13° 44' 35" WEST, 108.13'); THENCE TANGENTIALLY NORTH 0° 26' 30" WEST, 398.30'; THENCE SOUTH 89° 09' 50" WEST, 221.04' TO THE POINT OF BEGINNING AND BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY DESCRIBED IN THE DEED FROM JOHN H. MONCOVICH, ET AL, TO MISSION MEMORIAL PARK, A CORPORATION, DATED AUGUST 22, 1958 AND RECORDED OCTOBER 28, 1958 IN VOLUME 1905 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 268.

ALSO EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY DESCRIBED IN THE DEED FROM JOHN H. MONCOVICH, ET AL, TO R. I. GORRELL AND A. VON DRACHENFELS, A PARTNERSHIP, COMPOSED OF R. I. GORRELL AND A. VON DRACHENFELS, DATED OCTOBER 27, 1958 AND RECORDED NOVEMBER 25, 1958 IN VOLUME 1912 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 150.

APN: 011-061-007-000; 011-061-009-000; 011-061-010-000; 011-061-011-000; 011-061-012-000, 011-061-018-000; 011-061-020-000 AND 011-061-022-000

END OF DOCUMENT

**Exhibit "A"**

REAL PROPERTY IN THE CITY OF SEASIDE, COUNTY OF MONTEREY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT NUMBERED 1 OF THE RANCHO NOCHE BUENA, MONTEREY COUNTY, CALIFORNIA, AND RUNNING THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT NUMBERED 1, SOUTH 89° 9' 50" WEST, 1308.1'; THENCE LEAVING THE LOT LINE AND RUNNING SOUTH 0° 42' 35" EAST, 1837.61' TO THE SOUTHERLY LINE OF SAID LOT NUMBERED 1; THENCE EASTERLY ALONG THE SAID SOUTHERLY LINE NORTH 89° 25' EAST, 604.10' TO A POINT ON THE EASTERLY LINE OF SAID RANCHO AT THE SOUTHEASTERLY CORNER OF SAID LOT NUMBERED 1; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID RANCHO NORTH 20° 5' EAST, 1983.27' TO THE POINT OF BEGINNING, AND BEING A PORTION OF THE SAID LOT NUMBERED 1 OF THE RANCHO NOCHE BUENA, ACCORDING TO THE MAPS THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH A GRANITE MONUMENT STANDING AT THE NORTHEAST CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA, BEARS NORTH 89° 33' 30" EAST, 143.74' TO A POINT ON THE EASTERLY LINE OF SAID LOT NUMBERED 1 AND THENCE ALONG SAID LINE NORTH 20° 05' EAST, 1016.51', SAID GRANITE MONUMENT BEING ALSO THE NORTHEASTERLY CORNER OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH AND OTHERS BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187; THENCE FROM SAID POINT OF BEGINNING SOUTH 0° 26' 30" EAST, 160.92'; THENCE SOUTH 89° 33' 30" WEST, 235.56'; THENCE 25.70' ALONG THE ARC OF A CURVE CONCAVE TO THE EAST OF RADIUS 50' (CENTER OF SAID CURVE BEARS SOUTH 74° 23' 30" EAST, LONG CHORD BEARS NORTH 30° 20' EAST, 25.42'); THENCE 255.65' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE WEST OF RADIUS 195' (CENTER OF SAID CURVE BEARS NORTH 44° 56' 30" WEST, LONG CHORD BEARS NORTH 7° 30' EAST, 237.73'); THENCE 31.32' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE SOUTHEAST OF RADIUS 15' (CENTER OF SAID CURVE BEARS NORTH 59° 56' 30" EAST, LONG CHORD BEARS NORTH 30° EAST, 25.93'); THENCE 48.69' ALONG THE ARC OF A TANGENT COMPOUND CURVE OF RADIUS 90' (CENTER OF SAID CURVE BEARS SOUTH 0° 26' 30" EAST, LONG CHORD BEARS SOUTH 74° 56' 30" EAST, 48.10'); THENCE NON-TANGENTIALLY SOUTH 59° 26' 30" EAST, 134.00'; THENCE 17.28' ALONG THE ARC OF A TANGENT CURVE OF RADIUS OF 110' (CENTER OF SAID CURVE BEARS NORTH 30° 33' 30" EAST, LONG CHORD BEARS SOUTH 63° 56' 30" EAST, 17.26'); THENCE NON-TANGENTIALLY SOUTH 0° 26' 30" EAST, 29.20' TO THE POINT OF BEGINNING AND BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH, ET AL, BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187, FROM WHICH POINT OF BEGINNING A GRANITE MONUMENT AT THE NORTHEASTERLY CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA, BEARS NORTH 1° 01' WEST, 98.91' TO A POINT ON THE NORTHERLY LINE OF SAID LOT NUMBERED 1, AND THENCE ALONG SAID NORTHERLY LINE NORTH 89° 09' 50" EAST, 1307.36' (BY SAID 1308.18'); THENCE



FROM SAID POINT OF BEGINNING AND FOLLOWING SAID WESTERLY LINE OF SAID TRACT OF LAND SOUTH 1° 01' EAST, 831.90' (IN SAID DEED SAID LINE IS GIVEN A BEARING OF SOUTH 0° 42' 35" EAST); THENCE LEAVING SAID LINE SOUTH 89° 43' EAST, 97.72'; THENCE 36.29' ALONG THE ARC OF A TANGENT CURVE OF RADIUS 25' (LONG CHORD BEARS NORTH 48° 36' 40" EAST, 33.19'); THENCE 184.40' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 255' (CENTER OF SAID CURVE BEARS SOUTH 82° 58' 40" EAST, LONG CHORD BEARS NORTH 27° 44' 20" EAST, 180.41'); THENCE 164.72' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 125' (CENTER OF SAID CURVE BEARS NORTH 41° 32' 40" WEST, LONG CHORD BEARS NORTH 10° 42' 20" EAST, 153.05'); THENCE 109.11' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 235' (CENTER OF SAID CURVE BEARS NORTH 62° 57' 20" EAST, LONG CHORD BEARS NORTH 13° 44' 35" WEST, 108.13'); THENCE TANGENTIALLY NORTH 0° 26' 30" WEST, 398.30'; THENCE SOUTH 89° 09' 50" WEST, 221.04' TO THE POINT OF BEGINNING AND BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SHOWN ON THAT CERTAIN MAP ENTITLED, MAP OF "TRACT NO. 344, ORD TERRACE NO. 10", A PORTION OF LOT NUMBERED 1, RANCHO NOCHE BUENA, SEASIDE, MONTEREY COUNTY, CALIFORNIA, ETC., FILED IN VOLUME 6 OF MAPS, "CITIES AND TOWNS", AT PAGE 154, MONTEREY COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SHOWN ON THAT CERTAIN MAP ENTITLED; MAP OF "TRACT NO. 355, ORD TERRACE NO. 11", A PORTION OF LOT NUMBERED 1, RANCHO NOCHE BUENA, SEASIDE, MONTEREY COUNTY, CALIFORNIA, ETC., FILED IN VOLUME 7 OF MAPS, "CITIES AND TOWNS", AT PAGE 1, MONTEREY COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY DESCRIBED IN THE DEED FROM MISSION MEMORIAL PARK, A CORPORATION, TO CITY OF SEASIDE, A MUNICIPAL CORPORATION, DATED JULY 1965 AND RECORDED OCTOBER 20, 1965 IN REEL 429 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 920.

ALSO EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF SEASIDE, COUNTY OF MONTEREY, STATE OF CALIFORNIA, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF MISSION MEMORIAL PARK, WHICH BEARS ALONG SAID BOUNDARY, NORTH 1° 01' WEST, 405.00' FROM THE SOUTHWESTERLY CORNER OF SAID PARK, AS SAID BOUNDARY AND CORNER ARE SHOWN ON THAT CERTAIN MAP ENTITLED "LICENSED SURVEYOR'S MAP, MISSION MEMORIAL PARK, ETC.", FILED JANUARY 12, 1953 IN VOLUME 4 OF "SURVEYS", AT PAGE 104, RECORDS OF MONTEREY COUNTY, CALIFORNIA; THENCE ALONG SAID BOUNDARY SOUTH 1° 01' EAST, 370.00' TO THE NORTHWESTERLY CORNER OF THAT CERTAIN 0.385 ACRE PARCEL DESCRIBED IN DEED FROM MISSION MEMORIAL PARK TO THE CITY OF SEASIDE RECORDED OCTOBER 20, 1965 IN REEL 429 AT PAGE 920, OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL NORTH 89° 25' EAST (DESCRIBED AS NORTH 89° 24' 30" EAST, IN SAID DEED), 479.87' TO THE NORTHEASTERLY CORNER OF SAID PARCEL; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL SOUTH, 35.00' TO THE SOUTHEASTERLY CORNER OF SAID 0.385 ACRE PARCEL, AS SAID CORNER ALSO BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN 0.069 ACRE PARCEL DESCRIBED IN DEED FROM THE CITY OF SEASIDE TO MISSION MEMORIAL PARK, INC., RECORDED DECEMBER 1, 1965 IN REEL 436 AT PAGE 90, OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA; THENCE ALONG THE WESTERLY LINE OF LAST SAID PARCEL SOUTH

25.00' TO THE SOUTHWESTERLY CORNER OF SAID 0.069 ACRE PARCEL; THENCE ALONG THE SOUTHERLY LINE OF LAST SAID PARCEL NORTH 89° 25' EAST, (DESCRIBED AS NORTH 89° 24' 30" EAST, IN LAST SAID DEED); 115.68' TO THE SOUTHWESTERLY CORNER OF SAID 0.069 ACRE PARCEL, AS SAID CORNER ALSO BEING A PORTION ON THE WESTERLY BOUNDARY OF FORT ORD MILITARY RESERVATION; THENCE ALONG SAID WESTERLY BOUNDARY NORTH 20° 05' EAST, (DESCRIBED AS NORTH 20° 16' 30" EAST, IN LAST SAID DEED); 459.56' (AT 26.72', TO THE SOUTHEASTERLY CORNER OF SAID PARK, AS SAID CORNER ALSO BEING THE MOST EASTERLY CORNER OF SAID 0.069 ACRE PARCEL); THENCE LEAVING SAID WESTERLY BOUNDARY SOUTH 89° 25' WEST, 759.93' TO THE POINT OF BEGINNING, AND BEING THE SOUTHERLY PORTION OF SAID MISSION MEMORIAL PARK.

PARCEL 2:

CERTAIN REAL PROPERTY SITUATE, LYING AND BEING IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN 4.000 ACRES OF LAND CONVEYED BY MISSION MEMORIAL PARK, INC., TO JOHN H. MONCIVICH AND WALTER EHRLICH BY DEED DATED AUGUST 10, 1955 IN VOLUME 1647 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 261, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID 4.000 ACRE PARCEL, BEING ALSO A PORTION ON THE WESTERLY LINE OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM WALTER EHRLICH, ET AL, TO MISSION MEMORIAL PARK BY DEED DATED FEBRUARY 25, 1953 AND RECORDED OCTOBER 30, 1953 IN VOLUME 1487 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 420, FROM WHICH POINT OF BEGINNING A CONCRETE MONUMENT STANDING AT THE NORTHEASTERLY CORNER OF TRACT NO. 303, ORD TERRACE NO. 9, AS SHOWN ON THAT CERTAIN MAP FILED IN VOLUME 6 OF MAPS, "CITIES AND TOWNS", AT PAGE 104, MONTEREY COUNTY RECORDS, BEARS NORTH 0° 42' 35" WEST 830.75' (DEED NORTH 1° 01' WEST 831.9'); THENCE ALONG THE SOUTHERLY LINE OF SAID 4.000 ACRE PARCEL, SOUTH 89° 48' EAST 102.71' (DEED SOUTH 89° 48' EAST 97.72'); THENCE 36.29' ALONG THE ARC OF A TANGENT CURVE TO THE LEFT OF RADIUS 25.00' (LONG CHORD BEARS NORTH 48° 36' 40" EAST 33.19' AND CENTRAL ANGLE OF 83° 10' 40"); THENCE 184.40' ALONG THE ARC OF A TANGENT REVERSE CURVE TO THE RIGHT OF RADIUS 255.00' (LONG CHORD BEARS NORTH 27° 44' 20" EAST 180.41' AND CENTRAL ANGLE OF 41° 26'); THENCE LEAVING THE EASTERLY LINE OF SAID 4.000 ACRE PARCEL NORTH 41° 32' 40" WEST, 125.00'; THENCE SOUTH 89° 09' 50" WEST 132.07' TO A POINT ON THE WESTERLY LINE OF SAID 4.000 ACRE PARCEL AND THE EASTERLY LINE OF SAID ORD TERRACE NO. 9; THENCE FOLLOWING SAID LINE, SOUTH 0° 42' 35" EAST 272.91' TO THE POINT OF BEGINNING.

PARCEL 3:

BEGINNING AT A POINT FROM WHICH A GRANITE MONUMENT STANDING AT THE NORTHEAST CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA, BEARS NORTH 89° 33' 30" EAST, 143.74' TO A POINT ON THE EASTERLY LINE OF SAID LOT NUMBERED 1, AND THENCE ALONG SAID LINE NORTH 20° 05' EAST, 1016.51', SAID GRANITE MONUMENT BEING ALSO THE NORTHEASTERLY CORNER OF THE CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH AND OTHERS BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187; THENCE, FROM SAID POINT OF BEGINNING SOUTH 0° 26' 30" EAST, 160.92'; THENCE SOUTH 89° 33' 30" WEST, 235.56'; THENCE 25.70' ALONG THE ARC OF A CURVE CONCAVE TO THE EAST OF RADIUS 50' (CENTER OF SAID CURVE BEARS SOUTH 74° 23' 30" EAST, LONG CHORD BEARS NORTH 30° 20' EAST, 25.42'); THENCE 255.65' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE WEST OF RADIUS 195' (CENTER OF SAID CURVE BEARS NORTH 44° 56' 30" WEST, LONG CHORD BEARS NORTH 7° 30' EAST, 237.73'); THENCE 31.32' ALONG THE ARC OF A TANGENT REVERSE CURVE CONCAVE TO THE SOUTHEAST, OF RADIUS 15' (CENTER OF SAID CURVE BEARS NORTH 59° 56' 30" EAST, LONG CHORD BEARS NORTH 30° 20' EAST, 25.93');

THENCE 48.69' ALONG THE ARC OF A TANGENT COMPOUND CURVE TO RADIUS 90' (CENTER OF SAID CURVE BEARS SOUTH 74° 56' 30" EAST, 48.10'); THENCE TANGENTIALLY SOUTH 59° 26' 30" EAST, 134.00'; THENCE 17.28' ALONG THE ARC OF A TANGENT CURVE OF RADIUS 110' (CENTER OF SAID CURVE BEARS NORTH 30° 33' 30" EAST, LONG CHORD BEARS SOUTH 63° 56' 30" EAST, 17.26'); THENCE, NON-TANGENTIALLY (9) SOUTH 0° 26' 30" EAST, 29.20' TO THE POINT OF BEGINNING, BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

PARCEL 4:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THAT CERTAIN 40 1/3 ACRE TRACT OF LAND CONVEYED FROM THE CITY OF MONTEREY TO WALTER EHRLICH, ET AL, BY A DEED DATED JULY 23, 1952 AND RECORDED JULY 25, 1952 IN VOLUME 1395 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 187, FROM WHICH POINT OF BEGINNING, A GRANITE MONUMENT AT THE NORTHEASTERLY CORNER OF LOT NUMBERED 1, RANCHO NOCHE BUENA BEARS NORTH 1° 01' WEST, 98.91' TO A POINT ON THE NORTHERLY LINE OF SAID LOT NUMBERED 1, AND THENCE ALONG SAID NORTHERLY LINE NORTH 89° 09' 50" EAST, 1307.36' (BY SAID DEED 1308.18'); THENCE FROM SAID POINT OF BEGINNING, AND FOLLOWING SAID WESTERLY LINE OF SAID TRACT OF LAND SOUTH 1° 01' EAST, 831.90' (IN SAID DEED SAID LINE IS GIVEN A BEARING OF SOUTH 0° 42' 35" EAST), THENCE LEAVING SAID LINE SOUTH 89° 48' EAST, 97.72'; THENCE 36.29' ALONG THE ARC OF A TANGENT CURVE OF RADIUS 25' (LONG CHORD BEARS NORTH 48° 36' 40" EAST, 33.19'); THENCE 184.40' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 255' (CENTER OF SAID CURVE BEARS SOUTH 82° 58' 40" EAST, LONG CHORD BEARS NORTH 27° 44' 20" EAST, 180.41'); THENCE 164.72' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 125' (CENTER OF SAID CURVE BEARS NORTH 41° 32' 40" WEST, LONG CHORD BEARS NORTH 10° 42' 20" EAST, 153.05'); THENCE 109.11' ALONG THE ARC OF A TANGENT REVERSE CURVE OF RADIUS 235' (CENTER OF SAID CURVE BEARS NORTH 62° 57' 20" EAST, LONG CHORD BEARS NORTH 13° 44' 35" WEST, 108.13'); THENCE TANGENTIALLY NORTH 0° 26' 30" WEST, 398.30'; THENCE SOUTH 89° 09' 50" WEST, 221.04' TO THE POINT OF BEGINNING AND BEING A PORTION OF SAID 40 1/3 ACRE TRACT OF LAND.

EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY DESCRIBED IN THE DEED FROM JOHN H. MONCOVICH, ET AL, TO MISSION MEMORIAL PARK, A CORPORATION, DATED AUGUST 22, 1958 AND RECORDED OCTOBER 28, 1958 IN VOLUME 1905 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 268.

ALSO EXCEPTING THEREFROM THAT CERTAIN REAL PROPERTY DESCRIBED IN THE DEED FROM JOHN H. MONCOVICH, ET AL, TO R. I. GORRELL AND A. VON DRACHENFELS, A PARTNERSHIP, COMPOSED OF R. I. GORRELL AND A. VON DRACHENFELS, DATED OCTOBER 27, 1958 AND RECORDED NOVEMBER 25, 1958 IN VOLUME 1912 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 150.

APN: 011-061-007-000; 011-061-009-000; 011-061-010-000; 011-061-011-000; 011-061-012-000, 011-061-018-000; 011-061-020-000 AND 011-061-022-000

**END OF DOCUMENT**

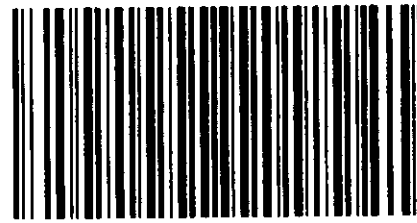
Stephen L. Vagnini  
Monterey County Recorder  
Recorded at the request of  
**Filer**

CRSUSY  
12/01/2010  
15:15:44

**RECORDING REQUESTED BY:**  
First American Title Company  
National Homebuilder Services  
Subdivision Department

**WHEN RECORDED MAIL TO:**  
FPG California, Inc.  
Attn. Steve Schaffer  
400 N. Ashley Drive, Suite 1900  
Tampa, FL 33602

**DOCUMENT: 2010070980**



Titles: 1/ Pages: 3  
Fees.... 38.00  
Taxes...  
Other...  
AMT PAID \$38.00

Title Order Escrow: 3452246-50

No.

No.

\*(space above for recorder's use only)

\*\*\*\*\*

**QUITCLAIM DEED**

\* The Grantors and Grantees are comprised of the same parties who hold the same interest in the property, R& T 11925(d)  
*The undersigned Grantor Declares*

DOCUMENTARY TRANSFER TAX is \$ 0\*  
Assessor's Parcel Nos: 011-061-007-000; 011-061-009-000; 011-061-010-000;  
011-061-011-000; 011-061-012-000, 011-061-018-000;  
011-061-020-000 AND 011-061-022-000

   *unincorporated area*    *City of Seaside*  
   *computed on full value of property conveyed, or*  
   *computed on full value less value of liens or encumbrances remaining*  
*at time of sale, and*

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

**ALDERWOODS GROUP (CALIFORNIA), INC., a California corporation**

hereby REMISES, RELEASES AND FOREVER QUITCLAIMS to

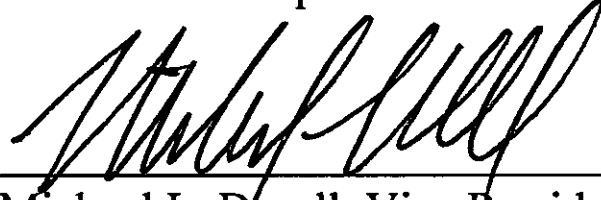
**FPG CALIFORNIA, INC., a Delaware corporation**

the following described real property in the City of Seaside, County of Monterey, State of California:

See attached Exhibit "A", incorporated by reference to this document.

Dated: August 19, 2010

**ALDERWOODS GROUP (CALIFORNIA), INC.,**  
a California corporation



Michael L. Decell, Vice President

**CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC**

STATE OF TEXAS  
COUNTY OF HARRIS} S.S.

On August 19, 2010, before me, Marjorie L. Runnels, personally appeared Michael L. Decell, Vice President of Alderwoods Group (California), Inc., who proved to me on the basis of satisfactory evidence to be the person whose 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 which the person 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 Marjorie L. Runnels (Seal)

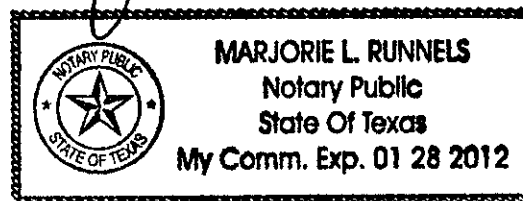


Exhibit "A"

Real property in the City of Seaside, County of Monterey, State of California, described as follows:

Commencing at the northeasterly corner of Lot Number 1 of Rancho Noche Buena, Monterey County, California, said point also being the northeasterly corner of Tract No. 355, Ord Terrace No. 11, filed in Volume 7 of Maps, "Cities and Towns", at Page 1, Official Records of said County;

Thence, along the southeasterly line of said Tract and aforementioned Lot 1, South 20°06'20" West, 545.27 feet to the southeast corner of said Tract, said point also being the **Point of beginning**;

Thence, continuing along the southeasterly line of the aforementioned Lot 1, South 20°06'20" West, 1003.05 feet to the northeasterly corner of Parcel B of that particular Parcel Map filed in Book 14 of Parcel maps at Page 142, Official Records of said County;

Thence, leaving the southeasterly line of the aforementioned Lot 1 and along the northerly line of said Parcel B, South 89°12'51" West, 754.90 feet, to the northwesterly corner of said Parcel B, said point also being on the southerly prolongation of the easterly line of Tract No. 303, Ord Terrace No. 9, filed in Volume 6 of Cities and Towns at Page 104, Official Records of said County;

Thence, along said easterly line and its southerly prolongation, North 00°48'35" West, 935.63 feet to the southwest corner of Tract No. 344, Ord Terrace No. 10, filed in Volume 6 of Maps at Page 154, Official Records of said County;

Thence, along the southerly line of said Tract No. 344, North 88°30'19" East, 218.81 feet;

Thence continuing along said southerly line, North 89°17'31" East, 693.57 feet to the southeast corner of said Tract No. 344, said point also being the southwest corner of the aforementioned Tract No. 355;

Thence, along the southerly line of said Tract No. 355, North 89°17'31" East, 200.62 feet to the **Point of Beginning**.

The lands surveyed, shown and described hereon are the same lands as described in the Title Commitment provided by First American Title Insurance Company, Commitment No. 3452246, dated January 2, 2010.

**END OF DOCUMENT**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

**California American Water v. City of Seaside, et al.  
Monterey County Superior Court Case No.: M66343**

**STATE OF CALIFORNIA, COUNTY OF SACRAMENTO**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814.

On June 28, 2018, I served true copies of the following document(s) described as **DECLARATION OF ANTHONY L. LOMBARDO SUPPORTING MOTION TO MODIFY EXHIBIT C TO AMENDED DECISION** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY ELECTRONIC SERVICE:** I served the document(s) on the person listed in the Service List by submitting an electronic version of the document(s) to One Legal, LLC, through the user interface at [www.onelegal.com](http://www.onelegal.com).

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

Executed on June 28, 2018, at Sacramento, California.



---

Terri Whitman

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SERVICE LIST**  
**California American Water v. City of Seaside, et al.**  
**Monterey County Superior Court Case No.: M66343**

Lori W. Girard  
Anthony J. Cerasuolo  
California-American Water Company  
511 Forest Lodge Road, Suite 100  
Pacific Grove, CA 93950  
Telephone: (831) 646-3240  
Facsimile: (831) 375-4367  
Email: Lori.Girard@amwater.com  
Email: acerasuolo@amwater.com

**Attorneys for California-American Water Company**

Robert E. Donlan  
Ellison, Schneider & Harris L.L.P.  
2600 Capitol Avenue, Suite 400  
Sacramento, CA 95816  
Telephone: (916) 447-2166  
Facsimile: (916) 447-3512  
Email: Red@eslawfirm.com

**Attorney for California-American Water Company**

David Laredo  
DeLay & Laredo  
606 Forest Avenue  
Pacific Grove, CA 93950  
Telephone: (831) 646-1502  
Facsimile: (831) 646-0377  
Email: dave@laredolaw.net

**Attorney for Monterey Peninsula Water Management District**

Donald Gary Freeman  
Perry & Freeman  
P.O. Box 805  
Carmel, CA 93921-0805  
Telephone: (831) 624-5339  
Facsimile: (831) 624-5839  
Email: klglegal@hotmail.com

**Attorney for City of Seaside**

Christine Davi, Esq.  
Monterey City Attorney's Office  
512 Pierce Street  
Monterey, CA 93940  
Telephone: (831) 646-3915  
Facsimile: (831) 373-1634  
Email: davi@monterev.org

**Attorney for City of Monterey**

James G. Heisinger, Jr.  
Heisinger, Buck & Morris  
P.O. Box 5427  
Carmel, CA 93921-5427  
Telephone: (831) 624-3891  
Facsimile: (831) 625-0145  
Email: jim@carmellaw.com

**Attorney for City of Sand City**



1 Danial Pick  
Del Rey Oaks City Manager  
2 650 Canyon Del Rey Road  
Del Rey Oaks, CA 93940  
3 Telephone: (831) 394-8511  
Email: citymanager@delrevoaks.org

**City of Del Rey Oaks (Pro Per)**

4 Ed Ghandour  
5 Security National Guaranty, Inc.  
505 Montgomery Street, 11th Floor  
6 San Francisco, CA 94111  
Telephone: (415) 874-3121  
7 Facsimile: (415) 874-3001  
Email: edg.sng@equus-capital.com

**Attorneys for Security National Guaranty, Inc.**

8 Sheri L. Damon  
9 Damon Law Offices  
618 Swanton Road  
10 Davenport, CA 95017  
Telephone: (831) 345-3610  
11 Facsimile: (831) 337-5212  
Email: sheri\_damon@comcast.net

12 David C. Sweigert  
13 Fenton & Keller  
2801 Monterey Salinas Highway  
14 P.O. Box 791  
Monterey, CA 93942-0791  
15 Telephone: (831) 373-1241  
Email: dsweigert@fentonkeller.com  
16 Email: esalameh@fentonkeller.com

**Attorney for Development Company No. 30**

17 Lisa A. Cole  
Granite Rock Company  
18 350 Technology Drive  
Watsonville, CA 95076  
19 Telephone: (831) 768-2107  
Facsimile: (831) 768-2201  
20 Email: Legal@graniterock.com

**Attorney for Granite Rock Company**

21 John M. Garrick  
Larson, Garrick & Lightfoot, LLP  
22 801 South Figueroa Street, Suite 1750  
Los Angeles, CA 90017-5504  
23 Telephone: (213) 404-4106  
Facsimile: (213) 404-4123  
24 Email: igarrick@lgl-law.com

**Attorney for Alderwood Group, Inc. dba Mission Memorial Park**

25  
26  
27  
28

1 Fredrick L. Kennifer  
Johnson Fantl & Kennifer LLP  
2 500 Camino El Estero  
Monterey, CA 93940  
3 Telephone: (831) 373-2800  
Facsimile: (831) 887-3951  
4 Email: rkennifer@johnsonfantl.com

**Attorney for York School, Inc.**

5 Kevin O'Brien  
Steven P. Saxton  
6 Downey Brand, LLP  
621 Capitol Mall, 18th Floor  
7 Sacramento, CA 95814  
Telephone: (916) 444-1000  
8 Facsimile: (916) 444-2100  
Email: kobrien@downeybrand.com  
9 Email: ssaxton@downeybrand.com

**Attorneys for County of Monterey**

10 Anthony L. Lombardo  
Anthony Lombardo & Associates, Inc.  
11 144 W. Gabilan Street  
Salinas, CA 93901  
12 Telephone: (831) 751-2330  
Facsimile: (831) 751-2331  
13 Email: tony@alombardolaw.com

**Attorney for Laguna Seca Resort, Inc. and  
Pasadera Country Club, LLC**

14 Charles J. McKee  
Irven L. Grant  
15 Office of the County Counsel  
County of Monterey  
16 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
17 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
18 Email: mckeecj@co.monterey.ca.us  
Email: granti@co.monterey.ca.us

**Attorney for County of Monterey**

19 Paul Bruno, Member  
20 Cypress Pacific Investors, LLC  
P.O. Box 400  
21 Marina, CA 93933  
Telephone: (831) 384-4081  
22 Email: paul@mpe2000.com

**For Cypress Pacific Investors, LLC,  
Successor in Interest to Muriel Calabrese  
1987 Trust**

23 Charles J. McKee  
Jesse J. Avila  
24 Office of the County Counsel  
County of Monterey  
25 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
26 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
27 Email: mckeecj@co.monterey.ca.us  
Email: avilajj@co.monterey.ca.us  
28

**Attorney for Monterey County Water  
Resources Agency**

1 Russell McGlothlin  
Brownstein Hyatt Farber Schreck, LLP  
2 1020 State Street  
Santa Barbara, CA 93101-2711  
3 Telephone: (805) 963-7000  
Facsimile: (805) 965-4333  
4 Email: Rmcglothlin@bhfs.com

**Attorney for Seaside Groundwater Basin  
Watermaster**

5 Laura Dadiw  
Watermaster Executive Officer  
6 P.O. Box 51502  
Pacific Grove, CA 93950  
7 Telephone: (831) 641-0113  
8 Email:  
watermasterseaside@sbcglobal.net

**Seaside Groundwater Basin Watermaster**

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 Anthony L. Lombardo, Esq. #104650  
ANTHONY LOMBARDO & ASSOCIATES, P.C.  
2 144 W. Gabilan Street  
Salinas, California 93901  
3 Telephone: 831.751.2330  
Facsimile: 831.751.2331  
4 tony@alombardolaw.com

5 Attorneys for LAGUNA SECA RESORT, INC.  
and PASADERA COUNTRY CLUB, LLC  
6  
7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF MONTEREY**  
10

11 CALIFORNIA AMERICAN WATER,

12 Plaintiff,

13 v.

14 CITY OF SEASIDE, et al.,

15 Defendants.

16 MONTEREY PENINSULA WATER  
17 MANAGEMENT DISTRICT,

18 Intervenor.

19 MONTEREY COUNTY WATER  
20 RESOURCES AGENCY,

21 Intervenor.  
22

23 AND RELATED CROSS-ACTIONS.  
24

I, Rose Perez, declare as follows:

25 1. I am a legal assistant, employed by Anthony Lombardo & Associates, Inc., attorney  
26 of record in this matter for LAGUNA SECA RESORT, INC. and PASADERA COUNTRY  
27 CLUB, LLC.

28 2. On or about June 20, 2018, I performed on-line research regarding Foundation

Case No. M66343

**DECLARATION OF ROSE PEREZ  
SUPPORTING MOTION TO MODIFY  
EXHIBIT C TO AMENDED DECISION**

Assigned for All Purposes to the Honorable  
Leslie C. Nichols

Action Filed: August 14, 2003

1 Partners Group of California, LLC to determine whether this entity had purchased Mission  
2 Memorial Park from Alderwood Group, Inc. I found a telephone number for Foundation Partners  
3 Group, and I called that number and spoke with Richard Benton. Mr. Benton identified himself as  
4 the CFO of Foundation Partners Group. He confirmed that Foundation Partners Group had  
5 purchased Mission Memorial Park from Alderwood Group, Inc.

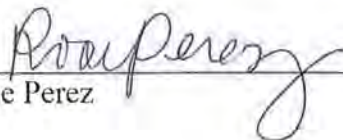
6 3. I explained to Mr. Benton that we were requesting a signature on a stipulation. He  
7 gave me his email address, and I sent an email to him, with a copy of the stipulation. A true and  
8 correct copy of my June 20<sup>th</sup> email to Mr. Benton is attached hereto as **Exhibit A**.

9 4. On June 27, 2018, I called Mr. Benton again because I had not heard back from  
10 him. I left a voicemail message for him, asking him to call me. I followed up with an email to  
11 him, sending the stipulation to him again. A true and correct copy of my June 27<sup>th</sup> email to Mr.  
12 Benton is attached hereto as **Exhibit B**. To date, he has not responded.

13 5. A true and correct copy of the FPG's website page showing its leadership group is  
14 attached hereto as **Exhibit C**. Mr. Benton is shown as the CFO of FPG. A true and correct copy  
15 of the FPG's website page showing its locations include the location previously owned by  
16 Alderwood Group, Inc. (1915 Ord Grove Avenue, Seaside, CA 93955) is attached hereto as  
17 **Exhibit D**.

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

20 Executed on this 28 day of June, 2018, at Salinas, California.

21  
22   
23 \_\_\_\_\_  
24 Rose Perez

# EXHIBIT A

**From:** Rose Perez  
**To:** ["rbenton@foundationpartners.com"](mailto:rbenton@foundationpartners.com)  
**Cc:** [Tony Lombardo](#)  
**Subject:** Mission Memorial Park  
**Date:** Wednesday, June 20, 2018 3:35:00 PM  
**Attachments:** [2018-05-15 Bishop, McIntosh & McIntosh's Notice of Motion & Motion to Modify Exhibit C to Amended Judgment.pdf](#)  
[2018-06-05 UPDATED FINAL Stipulation and \[Proposed\] Order Modifying Exhibit C to Amended Decision.pdf](#)

---

Good afternoon Mr. Benton:

Thank you for taking the time to speak with me today. As I mentioned in our conversation defendant, Bishop, McIntosh & McIntosh would like to amend the judgment (California American Water vs. City of Seaside) to include 4 parcels that were previously not included. The Motion to Amend the Judgment was filed on May 15, 2018 and the hearing on that Motion is scheduled for July 6, 2018. In order to avoid an appearance by any party, the Court has asked for us to circulate the attached Stipulation for signature. Mission Memorial is the last signature that is needed as all other parties have signed.

To reiterate, including these 4 parcels does not increase the water allocation to Bishop McIntosh or take away from any of the other defendants' water allocations.

If you could kindly forward this to the appropriate person for signature or provide us with their contact information, it would be much appreciated.

Should you have any questions or need more information, please contact our office. You can also direct your inquires to Tony Lombardo, copied herein.

Thank you for your time and attention to this matter

**Rose Perez**  
ANTHONY LOMBARDO & ASSOCIATES  
A Professional Corporation  
144 W. Gabilan Street  
Salinas, CA 93901  
Tel: (831) 751-2330  
Fax: (831) 751-2331  
[rose@alombardolaw.com](mailto:rose@alombardolaw.com)

***PRIVILEGED & CONFIDENTIAL--ATTORNEY CLIENT PRIVILEGE--ATTORNEY WORK PRODUCT***

The information contained in this electronic transmission is legally privileged and confidential, and it is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, please take notice that any form of dissemination, distribution or photocopying of this electronic transmission is strictly prohibited. If you have received this electronic transmission in error, please immediately contact our receptionist at (831) 751-2330 or [rose@alombardolaw.com](mailto:rose@alombardolaw.com) and immediately delete the electronic transmission.

1 ERIC N. ROBINSON, State Bar No. 191781  
*erobinson@kmtg.com*  
2 STANLEY C. POWELL, State Bar No. 254057  
*spowell@kmtg.com*  
3 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation  
4 400 Capitol Mall, 27<sup>th</sup> Floor  
Sacramento, California 95814  
5 Telephone: (916) 321-4500  
Facsimile: (916) 321-4555  
6  
7 Attorneys for Defendants and Cross-  
Complainants, BISHOP, MCINTOSH &  
MCINTOSH  
8  
9

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF MONTEREY**  
12

13 CALIFORNIA AMERICAN WATER ,  
14 Plaintiff,  
15 v.  
16 CITY OF SEASIDE, et al.,  
17 Defendants.

Case No. M66343

**NOTICE OF MOTION AND MOTION OF  
DEFENDANTS AND CROSS-  
COMPLAINANTS, BISHOP, MCINTOSH  
& MCINTOSH TO MODIFY EXHIBIT C  
TO AMENDED JUDGMENT; AND  
SUPPORTING MEMORANDUM OF  
POINTS AND AUTHORITIES**

18 MONTEREY PENINSULA WATER  
19 MANAGEMENT DISTRICT,  
20 Intervenor.

Date: July 6, 2018  
Time: 9:00 a.m.  
Dept.: 13

Assigned for All Purposes to the Honorable  
Leslie C. Nichols

21 MONTEREY COUNTY WATER  
22 RESOURCES AGENCY,  
23 Intervenor.

Action Filed: August 14, 2003

24 AND RELATED CROSS-ACTIONS.  
25

26 **TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:**

27 **PLEASE TAKE NOTICE THAT** on July 6, 2018 at 9 a.m., or as soon thereafter as counsel  
28 may be heard, in Department 13 of the above-captioned Court, located at 1200 Aguajito Rd.,



1 Monterey, CA 93940, Defendants and Cross-Complainants, BISHOP, MCINTOSH & MCINTOSH  
2 (“Bishop”) will and hereby does move this Court to modify Exhibit C to the amended judgment.

3 This Motion is made upon the following grounds: Bishop mistakenly omitted four parcels  
4 of land from Exhibit C to the Court’s March 27, 2006, Decision, and this Court has continuing  
5 jurisdiction to correct that oversight under section III(O)(1)(a) of the Decision, as amended on  
6 February 9, 2007 (“Amended Decision”).

7 This Motion is based on this Notice of Motion, the attached Memorandum of Points and  
8 Authorities, the Declaration of Leonard McIntosh filed concurrently herewith, all of the pleadings,  
9 files, and records in this proceeding, all other matters of which the Court may take judicial notice,  
10 and any argument or evidence that may be presented to or considered by the Court prior to its ruling.

11  
12 DATED: May 11, 2018

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation

13  
14  
15 By:



Eric N. Robinson  
Attorneys for Defendants and Cross-  
Complainants, BISHOP, MCINTOSH &  
MCINTOSH

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 Bishop, McIntosh & McIntosh (“Bishop”) files this motion to correct its mistaken omission  
4 of four parcels of land from the place where its Alternative Production Allocation (“Allocation”)  
5 may be used.

6 **II. FACTS**

7 In 2003, California American Water Company (“Cal-Am”) filed a complaint initiating the  
8 Seaside Basin groundwater rights adjudication lawsuit. Bishop, McIntosh & McIntosh (“Bishop”)  
9 was named a defendant in the lawsuit, which resulted in entry of a Decision and Judgment on March  
10 27, 2006. Section III(B)(3)(a) of the Decision grants to Bishop an Alternative Production Allocation  
11 (“Allocation”) whose place of use is described in Exhibit C to the Decision. On February 9, 2007,  
12 the Court entered an Amended Decision, whose Exhibit C remained unchanged with respect to  
13 Bishop’s Allocation.

14 The Amended Decision’s Exhibit C identifies two separate parcels of land within the Seaside  
15 Basin’s Laguna Seca Subarea as the place of use for Bishop’s Allocation. The two separate parcels  
16 originated from a single ranch owned by the family of Bishop’s general partner, Leonard McIntosh.  
17 When the Decision and Amended Decision were entered, Mr. McIntosh and other family members  
18 in the Bishop partnership owned four other parcels of land from the family ranch in the Laguna Seca  
19 Subarea. Bishop mistakenly omitted those four other parcels from the place of use that Exhibit C  
20 to the Decision and Amended Decision specified for Bishop’s Allocation. Bishop now seeks to  
21 correct that mistake by including the four parcels within Amended Decision Exhibit C.

22 The four parcels are contiguous, originate from a single ranch, and are located within about  
23 2,640 feet of the existing place of use for Bishop’s Allocation. The four parcels are described in  
24 Exhibit 1 to the Declaration of Leonard McIntosh (“Declaration”) as Lots 4, 5, 6 and 7 of Tract 1068  
25 that Mr. McIntosh recorded in 1988. In June 2015, Mr. McIntosh recorded lot-line adjustments  
26 shifting the boundaries between Lots 7 and 8, on one hand, and between Lots 6 and 7, on the other  
27 hand. That adjustment reduced the total acreage of Lots 6 and 7 to 3.749 acres, down from the  
28 original 4.108 acres, while Lots 4 (1.397 acres) and Lot 5 (1.924 acres) remained unchanged. Thus,

1 with respect to Lots 4, 5, 6 and 7, the acreage we owned at the time of the 2006 Court Decision was  
2 0.359 acres larger than the acreage we now own after the Decision. That means we are seeking to  
3 add to the place of use for Bishop's Allocation less acreage than we owned when the Decision was  
4 first entered.

5 Lot 5 is owned by the Leonard H. McIntosh Family Trust under Restated Agreement March  
6 19, 2009. From 2005 to 2013, the lot was owned by my limited liability company, McIntosh Villas  
7 LLC. In 2013, my LLC granted Lot 5 to my family trust. The grant deeds showing that ownership  
8 pattern are attached as Declaration Exhibit 2. Lot 4 is owned by the Constance H. Bishop Trust  
9 dated July 3, 1983, and the Leonard H. McIntosh Trust dated February 28, 1983 – both for the  
10 benefit of Clifton H. McIntosh, and the grant deed is attached as Declaration Exhibit 3. Lots 6 and  
11 7 are owned by Henry P. McIntosh IV and Susan R. McIntosh, and the grant deed is attached as  
12 Declaration Exhibit 4.

### 13 **III. ANALYSIS**

14 This Court has authority to modify Exhibit C to the Amended Decision, which states:

15 *Jurisdiction Reserved.* Full jurisdiction, power and authority are  
16 retained by and reserved by the Court upon the application of any  
17 Party or by the Watermaster, by a noticed motion to all Parties, to  
18 make such further or supplemental orders or directions as may be  
19 necessary or appropriate for interpretation, enforcement, or  
implementation of this Decision. *The Court may also modify, amend  
or amplify any of the provisions of this Decision upon noticed motion  
to all the Parties.*

20 (Amended Decision § III(O)(1)(a) at p. 44 [emphasis added].)

21 This Court should exercise the preceding authority to correct Bishop's mistaken omission  
22 from Exhibit C of four parcels owned by Bishop's family members at the time the Decision was  
23 entered in 2006 and which remain owned by Bishop's family members now.

24 Correcting Bishop's oversight will not increase the amount of Bishop's water Allocation,  
25 which would remain unchanged.

26 Correcting the oversight would allow Bishop's existing Allocation to be used on the four  
27 Bishop family parcels, which would help to ensure their economically viable use.

28 Absent the oversight correction, the four parcels lack a water supply.

1 **IV. CONCLUSION**

2 For all the preceding reasons, this Court should grant the motion to correct Amended  
3 Decision Exhibit C to include the four Bishop family parcels within the place of use for Bishop's  
4 Allocation.

5  
6 DATED: May 11, 2018

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation

7  
8  
9 By:



Eric N. Robinson  
Attorneys for Defendants and Cross-  
Complainants, BISHOP, MCINTOSH &  
MCINTOSH

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

**California American Water v. City of Seaside, et al.  
Monterey County Superior Court Case No.: M66343**

**STATE OF CALIFORNIA, COUNTY OF SACRAMENTO**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814.

On May 15, 2018, I served true copies of the following document(s) described as **NOTICE OF MOTION AND MOTION OF DEFENDANTS AND CROSS-COMPLAINANTS, BISHOP, MCINTOSH & MCINTOSH TO MODIFY EXHIBIT C TO AMENDED JUDGMENT; AND SUPPORTING MEMORANDUM OF POINTS AND AUTHORITIES** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY ELECTRONIC SERVICE:** I served the document(s) on the person listed in the Service List by submitting an electronic version of the document(s) to One Legal, LLC, through the user interface at [www.onelegal.com](http://www.onelegal.com).

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

Executed on May 15, 2018, at Sacramento, California.

---

Terri Whitman

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SERVICE LIST**  
**California American Water v. City of Seaside, et al.**  
**Monterey County Superior Court Case No.: M66343**

Lori W. Girard  
Anthony J. Cerasuolo  
California-American Water Company  
511 Forest Lodge Road, Suite 100  
Pacific Grove, CA 93950  
Telephone: (831) 646-3240  
Facsimile: (831) 375-4367  
Email: Lori.Girard@amwater.com  
Email: acerasuolo@amwater.com

**Attorneys for California-American Water Company**

Robert E. Donlan  
Ellison, Schneider & Harris L.L.P.  
2600 Capitol Avenue, Suite 400  
Sacramento, CA 95816  
Telephone: (916) 447-2166  
Facsimile: (916) 447-3512  
Email: Red@eslawfirm.com

**Attorney for California-American Water Company**

David Laredo  
DeLay & Laredo  
606 Forest Avenue  
Pacific Grove, CA 93950  
Telephone: (831) 646-1502  
Facsimile: (831) 646-0377  
Email: dave@laredolaw.net

**Attorney for Monterey Peninsula Water Management District**

Donald Gary Freeman  
Perry & Freeman  
P.O. Box 805  
Carmel, CA 93921-0805  
Telephone: (831) 624-5339  
Facsimile: (831) 624-5839  
Email: klglegal@hotmail.com

**Attorney for City of Seaside**

Christine Davi, Esq.  
Monterey City Attorney's Office  
512 Pierce Street  
Monterey, CA 93940  
Telephone: (831) 646-3915  
Facsimile: (831) 373-1634  
Email: davi@monterey.org

**Attorney for City of Monterey**

James G. Heisinger, Jr.  
Heisinger, Buck & Morris  
P.O. Box 5427  
Carmel, CA 93921-5427  
Telephone: (831) 624-3891  
Facsimile: (831) 625-0145  
Email: jim@carmellaw.com

**Attorney for City of Sand City**

1 Deano Pick  
Del Rey Oaks City Manager  
2 650 Canyon Del Rey Road  
Del Rey Oaks, CA 93940  
3 Telephone: (831) 394-8511  
Email: citymanager@delrevoaks.org

**City of Del Rey Oaks (Pro Per)**

4 Ed Ghandour  
5 Security National Guaranty, Inc.  
505 Montgomery Street, 11th Floor  
6 San Francisco, CA 94111  
Telephone: (415) 874-3121  
7 Facsimile: (415) 874-3001  
Email: edg.sng@equus-capital.com

**Attorneys for Security National Guaranty, Inc.**

8 Sheri L. Damon  
9 Damon Law Offices  
618 Swanton Road  
10 Davenport, CA 95017  
Telephone: (831) 345-3610  
11 Facsimile: (831) 337-5212  
Email: sheri\_damon@comcast.net

12 David C. Sweigert  
13 Fenton & Keller  
2801 Monterey Salinas Highway  
14 P.O. Box 791  
Monterey, CA 93942-0791  
15 Telephone: (831) 373-1241  
Email: dsweigert@fentonkeller.com  
16 Email: esalameh@fentonkeller.com

**Attorney for Development Company No. 30**

17 Lisa A. Cole  
Granite Rock Company  
18 350 Technology Drive  
Watsonville, CA 95076  
19 Telephone: (831) 768-2107  
Facsimile: (831) 768-2201  
20 Email: Legal@graniterock.com

**Attorney for Granite Rock Company**

21 John M. Garrick  
Larson, Garrick & Lightfoot, LLP  
22 801 South Figueroa Street, Suite 1750  
Los Angeles, CA 90017-5504  
23 Telephone: (213) 404-4106  
Facsimile: (213) 404-4123  
24 Email: igarrick@lgl-law.com

**Attorney for Alderwood Group, Inc. dba Mission Memorial Park**

25  
26  
27  
28

1 Fredrick L. Kennifer  
Johnson Fantl & Kennifer LLP  
2 500 Camino El Estero  
Monterey, CA 93940  
3 Telephone: (831) 373-2800  
Facsimile: (831) 887-3951  
4 Email: rkennifer@johnsonfantl.com

**Attorney for York School, Inc.**

5 Kevin O'Brien  
Steven P. Saxton  
6 Downey Brand, LLP  
621 Capitol Mall, 18th Floor  
7 Sacramento, CA 95814  
Telephone: (916) 444-1000  
8 Facsimile: (916) 444-2100  
Email: kobrien@downeybrand.com  
9 Email: ssaxton@downeybrand.com

**Attorneys for County of Monterey**

10 Anthony L. Lombardo  
Anthony Lombardo & Associates, Inc.  
11 144 W. Gabilan Street  
Salinas, CA 93901  
12 Telephone: (831) 751-2330  
Facsimile: (831) 751-2331  
13 Email: tony@alombardolaw.com

**Attorney for Laguna Seca Resort, Inc. and  
Pasadera Country Club, LLC**

14 Charles J. McKee  
Irven L. Grant  
15 Office of the County Counsel  
County of Monterey  
16 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
17 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
18 Email: mckeecj@co.monterey.ca.us  
Email: granti@co.monterey.ca.us

**Attorney for County of Monterey**

19 Paul Bruno, Member  
20 Cypress Pacific Investors, LLC  
P.O. Box 400  
21 Marina, CA 93933  
Telephone: (831) 384-4081  
22 Email: paul@mpe2000.com

**For Cypress Pacific Investors, LLC,  
Successor in Interest to Muriel Calabrese  
1987 Trust**

23 Charles J. McKee  
Jesse J. Avila  
24 Office of the County Counsel  
County of Monterey  
25 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
26 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
27 Email: mckeecj@co.monterey.ca.us  
Email: avilajj@co.monterey.ca.us  
28

**Attorney for Monterey County Water  
Resources Agency**



1 Russell McGlothlin  
Brownstein Hyatt Farber Schreck, LLP  
2 1020 State Street  
Santa Barbara, CA 93101-2711  
3 Telephone: (805) 963-7000  
Facsimile: (805) 965-4333  
4 Email: Rmcglothlin@bhfs.com

**Attorney for Seaside Groundwater Basin  
Watermaster**

5 Laura Dadiw  
Watermaster Executive Officer  
6 P.O. Box 51502  
Pacific Grove, CA 93950  
7 Telephone: (831) 641-0113  
Email:  
8 watermasterseaside@sbcglobal.net

**Seaside Groundwater Basin Watermaster**

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 ERIC N. ROBINSON, State Bar No. 191781  
*erobinson@kmtg.com*  
2 STANLEY C. POWELL, State Bar No. 254057  
*spowell@kmtg.com*  
3 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation  
4 400 Capitol Mall, 27<sup>th</sup> Floor  
Sacramento, California 95814  
5 Telephone: (916) 321-4500  
Facsimile: (916) 321-4555  
6  
7 Attorneys for Defendants and Cross-  
Complainants, BISHOP, MCINTOSH &  
MCINTOSH  
8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
10 **COUNTY OF MONTEREY**

12 CALIFORNIA AMERICAN WATER ,  
13 Plaintiff,  
14 v.  
15 CITY OF SEASIDE, et al.,  
16 Defendants.

Case No. M66343

**STIPULATION AND [PROPOSED]  
ORDER MODIFYING EXHIBIT C TO  
AMENDED DECISION**

Assigned for All Purposes to the Honorable  
Leslie C. Nichols

Action Filed: August 14, 2003

17 MONTEREY PENINSULA WATER  
18 MANAGEMENT DISTRICT,  
19 Intervenor.

20 MONTEREY COUNTY WATER  
21 RESOURCES AGENCY,  
22 Intervenor.

23 AND RELATED CROSS-ACTIONS.  
24

25  
26 **RECITALS**

27 A. On May 15, 2018, Defendant and Cross-Complaint Bishop, McIntosh and McIntosh  
28 (“Bishop”) filed a Notice of Motion and Motion to Modify Exhibit C to Amended Judgment

1 (“Motion”).

2 B. The Motion was made upon the grounds that Bishop mistakenly omitted four parcels  
3 of land from Exhibit C to the Court’s March 27, 2006, Decision (which Exhibit C remained  
4 unchanged in the Court’s February 9, 2007, Amended Decision), and that this Court has continuing  
5 jurisdiction to correct that oversight under section III(O)(1)(a) of the Amended Decision.

6 C. The four mistakenly omitted parcels are described in the deeds attached hereto as  
7 Exhibit 1.

8 D. Correcting Exhibit C to include the four mistakenly omitted parcels will not change  
9 the amount, or quantity, of the Alternative Production Allocation specified for Bishop in Table 2 of  
10 the Amended Decision’s section III(B)(3)(e).

11 **STIPULATION**

12 1. Exhibit C to the Court’s February 9, 2007, Amended Decision should be modified to  
13 include the four mistakenly omitted parcels described in the deeds attached hereto as Exhibit 1

14 2. This stipulation may be entered in counterparts.

15  
16 DATED: May \_\_\_\_, 2018

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation

17  
18  
19 By: \_\_\_\_\_  
Eric N. Robinson  
Attorneys for Defendants and Cross-  
20 Complainants, BISHOP, MCINTOSH &  
21 MCINTOSH  
22  
23  
24  
25  
26  
27  
28

1 DATED: May \_\_\_\_, 2018

CALIFORNIA-AMERICAN WATER COMPANY

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: \_\_\_\_\_  
Lori W. Girard  
Anthony J. Cerasuolo  
Attorneys for CALIFORNIA-AMERICAN  
WATER COMPANY

DATED: May \_\_\_\_, 2018

ELLISON, SCHNEIDER & HARRIS L.L.P.

By: \_\_\_\_\_  
Robert E. Donlan  
Attorneys for CALIFORNIA-AMERICAN  
WATER COMPANY

DATED: May \_\_\_\_, 2018

DELAY & LAREDO

By: \_\_\_\_\_  
David Laredo  
Attorneys for MONTEREY PENINSULA  
WATER MANAGEMENT DISTRICT

DATED: May \_\_\_\_, 2018

PERRY & FREEMAN

By: \_\_\_\_\_  
Donald Gary Freeman  
Attorneys for CITY OF SEASIDE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_\_\_, 2018

MONTEREY CITY ATTORNEY'S OFFICE

By: \_\_\_\_\_  
Christine Davi  
Attorneys for CITY OF MONTEREY

DATED: May \_\_\_\_, 2018

HEISINGER, BUCK & MORRIS

By: \_\_\_\_\_  
James G. Heisinger, Jr.  
Attorneys for CITY OF SAND CITY

DATED: May \_\_\_\_, 2018

DEL REY OAKS CITY MANAGER

By: \_\_\_\_\_  
Danial Pick  
Attorneys for In Pro Per

DATED: May \_\_\_\_, 2018

SECURITY NATIONAL GUARANTY, INC.

By: \_\_\_\_\_  
Ed Ghandour  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_\_\_, 2018

DAMON LAW OFFICES

By: \_\_\_\_\_  
Sheri L. Damon  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

DATED: May \_\_\_\_, 2018

FENTON & KELLER

By: \_\_\_\_\_  
David C. Sweigert  
Attorneys for DEVELOPMENT COMPANY NO.  
30

DATED: May \_\_\_\_, 2018

GRANITE ROCK COMPANY

By: \_\_\_\_\_  
Lisa A. Cole  
Attorneys for GRANITE ROCK COMPANY

DATED: May \_\_\_\_, 2018

LARSON, GARRICK & LIGHTFOOT, LLP

By: \_\_\_\_\_  
John M. Garrick  
Attorneys for ALDERWOOD GROUP, INC. dba  
MISSION MEMORIAL PARK

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_\_\_, 2018

JOHNSON FANTL & KENNIFER LLP

By: \_\_\_\_\_  
Frederick L. Kennifer  
Attorneys for YORK SCHOOL, INC.

DATED: May \_\_\_\_, 2018

DOWNEY BRAND, LLP

By: \_\_\_\_\_  
Kevin O'Brien  
Steven P. Saxton  
Attorneys for COUNTY OF MONTEREY

DATED: May \_\_\_\_, 2018

ANTHONY LOMBARDO & ASSOCIATES, INC.

By: \_\_\_\_\_  
Anthony L. Lombardo  
Attorneys for LAGUNA SECA RESORT, INC.  
and PASADERA COUNTRY CLUB, LLC

DATED: May \_\_\_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

By: \_\_\_\_\_  
Charles J. McKee  
Attorneys for COUNTY OF MONTEREY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_\_\_, 2018

CYPRESS PACIFIC INVESTORS, LLC

By: \_\_\_\_\_  
Paul Bruno  
Member of CYPRESS PACIFIC INVESTORS,  
LLC, Successor in Interest to MURIEL  
CALABRESE 1987 TRUST

DATED: May \_\_\_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

By: \_\_\_\_\_  
Jesse J. Avila  
Attorneys for MONTEREY COUNTY WATER  
RESOURCES AGENCY

DATED: May \_\_\_\_, 2018

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: \_\_\_\_\_  
Russell McGlothlin  
Attorneys for SEASIDE GROUNDWATER  
BASIN WATERMASTER

DATED: May \_\_\_\_, 2018

WATERMASTER EXECUTIVE OFFICER

By: \_\_\_\_\_  
Laura Dadiw  
SEASIDE GROUNDWATER BASIN  
WATERMASTER



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**[PROPOSED] ORDER**

Good cause appearing the Stipulation is **APPROVED** and **IT IS ORDERED, ADJUDGED AND DECREED** that the Judgment in *California American Water v. City of Seaside, et al.* (Monterey County Superior Court Case No. Case No. M66343 (Seaside Basin Judgment) shall be amended as follows:

Exhibit C to the Amended Decision entered on February 9, 2007, is modified to correct the place of use for the Alternative Production Allocation that Section III(B)(3)(a) of the Amended Decision specifies for Defendant/Cross-Complainant Bishop, McIntosh and McIntosh (“Bishop”). The place of use for Bishop’s Alternative Production Allocation is amended to add the real property described in **Exhibit 1** to this Order to the place of use described in the Amended Decision.

DATED:

---

Honorable Leslie C. Nichols

# **EXHIBIT 1**

**EXHIBIT 'A':  
DESCRIPTION OF LOT 4**

Lot 4 of Tract No. 1068, "Laguna Seca Office Park", in the County of Monterey, State of California, as shown on the map recorded in Volume 16 of Cities and Towns at Page 32 in the Office of the County Recorder of said county.

Date: February 13th, 2018

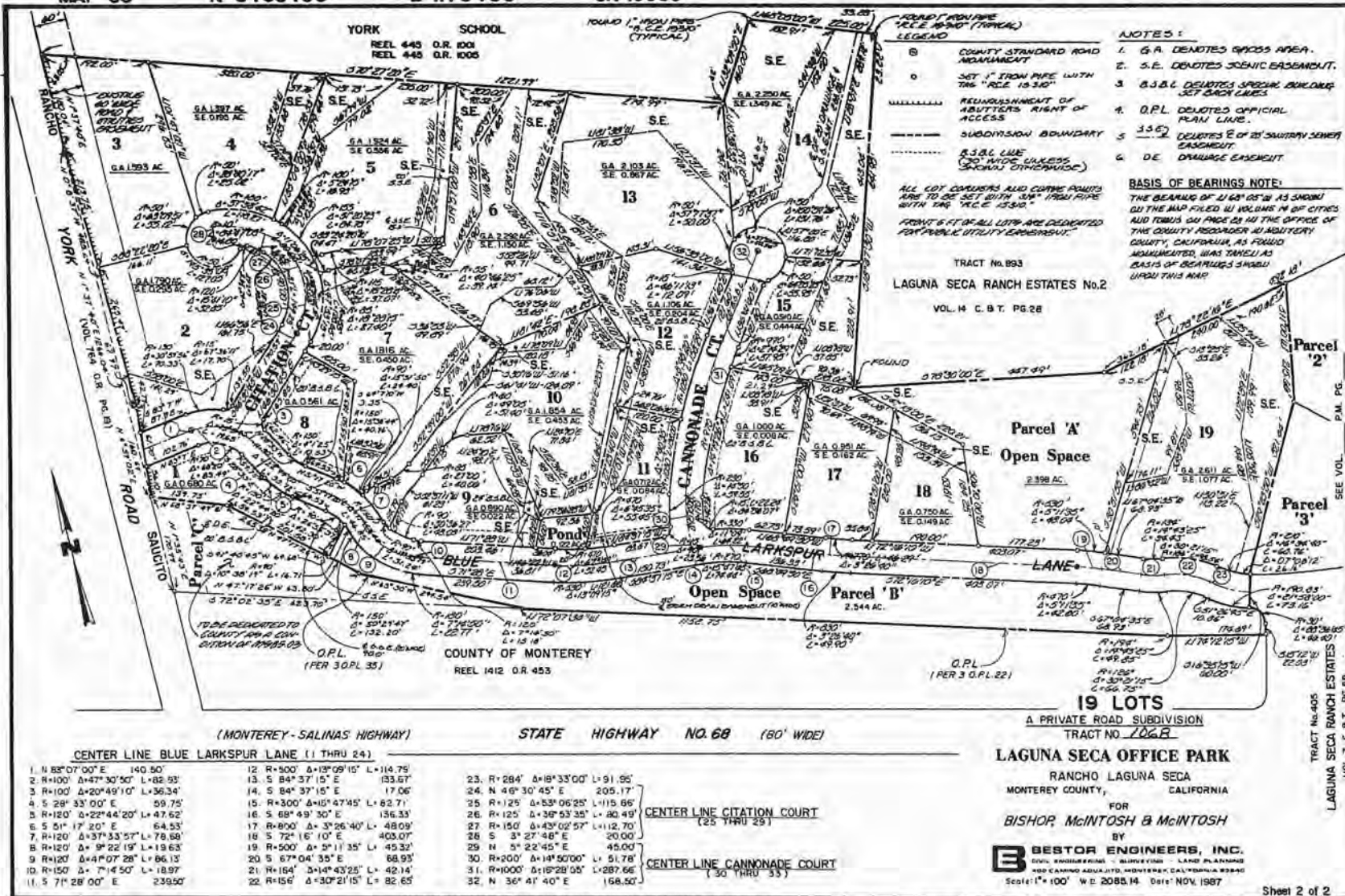
Bestor Engineers

**EXHIBIT 'A':  
DESCRIPTION OF LOT 5**

Lot 5 of Tract No. 1068, "Laguna Seca Office Park", in the County of Monterey, State of California, as shown on the map recorded in Volume 16 of Cities and Towns at Page 32 in the Office of the County Recorder of said county.

Date: February 13th, 2018

Bestor Engineers



**LEGEND**

- ⊖ COUNTY STANDARD ROAD MONUMENT
- SET 1" IRON PIPE WITH TAG "R.C.E. 1930"
- ⋯ REINFORCEMENT OF ABUTTERS RIGHT OF ACCESS
- SUBDIVISION BOUNDARY
- ⋯ B.S.B.L. LINE (20' WIDE UNLESS SHOWN OTHERWISE)

**NOTES:**

1. G.A. DENOTES GROSS AREA.
2. S.E. DENOTES SCENIC EASEMENT.
3. B.S.B.L. DENOTES SPECIAL BUILDING SET BACK LINES.
4. O.P.L. DENOTES OFFICIAL PLAIN LINE.
5. 35' DENOTES E OF 20' SCOURY SETBACK EASEMENT.
6. D.E. DENOTES DRAINAGE EASEMENT.

**BASIS OF BEARINGS NOTE:**  
THE BEARING OF 216° 05' 10" AS SHOWN ON THE MAP FILED IN VOLUMES 14 OF CITIES AND TOWNS ON PAGE 28 IN THE OFFICE OF THE COUNTY RECORDER IN MONTEREY COUNTY, CALIFORNIA, AS FOUND MONUMENTED, WAS TAKEN AS BASIS OF BEARINGS THEREON UPON THIS MAP.

TRACT No. 193  
LAGUNA SECA RANCH ESTATES No. 2  
VOL. 16 C. & T. PG. 28

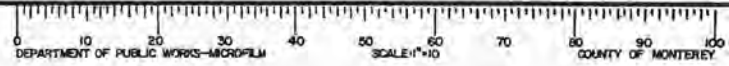
(MONTEREY - SALINAS HIGHWAY) STATE HIGHWAY NO. 68 (60' WIDE)

CENTER LINE BLUE LARKSPUR LANE (1 THRU 24)

1. N 88° 07' 00" E 140.50'	12. R=500' Δ=13° 09' 15" L=114.75'	23. R=284' Δ=18° 33' 00" L=91.95'
2. R=100' Δ=7° 30' 30" L=82.53'	13. S 84° 37' 15" E 153.57'	24. N 49° 30' 45" E 205.17'
3. R=100' Δ=20° 49' 10" L=36.34'	14. S 84° 37' 15" E 17.06'	25. R=125' Δ=53° 06' 25" L=115.65'
4. S 29° 33' 00" E 59.75'	15. R=300' Δ=10° 47' 45" L=82.71'	26. R=125' Δ=39° 53' 35" L=80.49'
5. R=120' Δ=22° 44' 20" L=47.62'	16. S 68° 49' 30" E 136.33'	27. R=150' Δ=43° 02' 57" L=112.70'
6. S 51° 17' 20" E 64.53'	17. R=800' Δ=3° 26' 40" L=480.9'	28. S 3° 27' 48" E 20.00'
7. R=120' Δ=37° 33' 57" L=78.68'	18. S 72° 16' 10" E 403.07'	29. N 5° 22' 45" E 45.00'
8. R=120' Δ=9° 22' 19" L=19.63'	19. R=500' Δ=5° 11' 35" L=45.32'	30. R=200' Δ=14° 50' 00" L=51.78'
9. R=120' Δ=4° 07' 28" L=86.13'	20. S 67° 04' 35" E 68.93'	31. R=1000' Δ=16° 28' 05" L=287.66'
10. R=150' Δ=7° 14' 50" L=18.97'	21. R=164' Δ=14° 43' 25" L=42.14'	32. N 36° 41' 40" E 168.50'
11. S 71° 28' 00" E 239.50'	22. R=156' Δ=30° 21' 15" L=82.65'	

CENTER LINE CITATION COURT (25 THRU 29)

CENTER LINE CANNONADE COURT (30 THRU 33)



**19 LOTS**  
A PRIVATE ROAD SUBDIVISION  
TRACT NO. 193

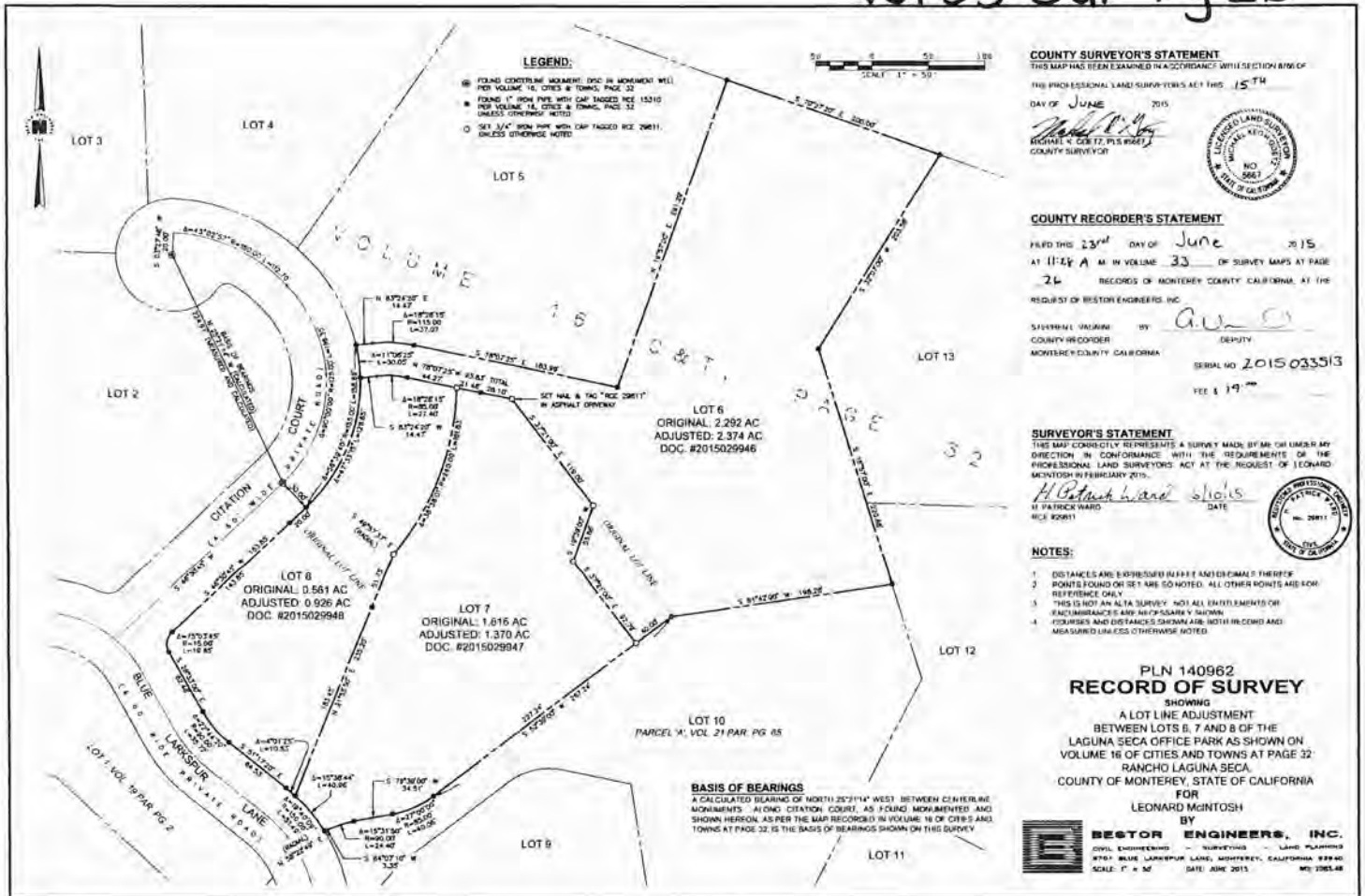
**LAGUNA SECA OFFICE PARK**  
RANCHO LAGUNA SECA  
MONTEREY COUNTY, CALIFORNIA

FOR  
**BISHOP McINTOSH & McINTOSH**  
BY  
**BESTOR ENGINEERS, INC.**  
CIVIL ENGINEERS - SURVEYING - LAND PLANNING  
400 CANNON ADELL RD., MONTEREY, CALIFORNIA 93940  
Scale: 1"=100' N.E. 2085.M. Date: NOV. 1987

TRACT No. 405  
LAGUNA SECA RANCH ESTATES  
VOL. 7 C. & T. PG. 68

Sheet 2 of 2

# Vol 33 Sur Pg 26



**EXHIBIT 'A':  
DESCRIPTION OF LOT 6**

Lot 6 in the County of Monterey, State of California, as shown on the map recorded 23 June 2015 in Volume 33 of Surveys at Page 26 in the Office of the County Recorder of said county.

Date: February 13<sup>th</sup>, 2018

Bestor Engineers, Inc.

**EXHIBIT 'A':  
DESCRIPTION OF LOT 7**

Lot 7 in the County of Monterey, State of California, as shown on the map recorded 23 June 2015 in Volume 33 of Surveys at Page 26 in the Office of the County Recorder of said county.

Date: February 13<sup>th</sup>, 2018

Bestor Engineers, Inc.



## EXHIBIT B

**From:** Rose Perez  
**To:** [rbenton@foundationpartners.com](mailto:rbenton@foundationpartners.com)  
**Cc:** [Tony Lombardo](mailto:Tony Lombardo)  
**Subject:** FW: Mission Memorial Park  
**Date:** Wednesday, June 27, 2018 9:32:00 AM  
**Attachments:** [2018-05-15 Bishop, McIntosh & McIntosh's Notice of Motion & Motion to Modify Exhibit C to Amended Judgment.pdf](#)  
[2018-06-05 UPDATED FINAL Stipulation and \[Proposed\] Order Modifying Exhibit C to Amended Decision.pdf](#)

---

Good morning Mr. Benton,

As mentioned in my voice mail this morning, I wanted to follow up with you on the status of either you or your organization's representative executing the attached stipulation.

The hearing for this matter is scheduled for July 6. In order to avoid an appearance by you or your representative, please contact Mr. Lombardo as soon as possible. He can be reached at [tony@alombardolaw.com](mailto:tony@alombardolaw.com) or 831-751-2330.

Thank you for your anticipated cooperation in this matter.

**Rose Perez**

ANTHONY LOMBARDO & ASSOCIATES  
A Professional Corporation  
144 W. Gabilan Street  
Salinas, CA 93901  
Tel: (831) 751-2330  
Fax: (831) 751-2331  
[rose@alombardolaw.com](mailto:rose@alombardolaw.com)

***PRIVILEGED & CONFIDENTIAL--ATTORNEY CLIENT PRIVILEGE--ATTORNEY WORK PRODUCT***

The information contained in this electronic transmission is legally privileged and confidential, and it is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, please take notice that any form of dissemination, distribution or photocopying of this electronic transmission is strictly prohibited. If you have received this electronic transmission in error, please immediately contact our receptionist at (831) 751-2330 or [rose@alombardolaw.com](mailto:rose@alombardolaw.com) and immediately delete the electronic transmission.

---

**From:** Rose Perez  
**Sent:** Wednesday, June 20, 2018 3:35 PM  
**To:** 'rbenton@foundationpartners.com'  
**Cc:** Tony Lombardo  
**Subject:** Mission Memorial Park

Good afternoon Mr. Benton:

Thank you for taking the time to speak with me today. As I mentioned in our conversation defendant, Bishop, McIntosh & McIntosh would like to amend the judgment (California American Water vs. City of Seaside) to include 4 parcels that were previously not included. The Motion to Amend the Judgment was filed on May 15, 2018 and the hearing on that Motion is scheduled for July 6, 2018. In order to avoid an appearance by any party, the Court has asked for us to circulate

the attached Stipulation for signature. Mission Memorial is the last signature that is needed as all other parties have signed.

To reiterate, including these 4 parcels does not increase the water allocation to Bishop McIntosh or take away from any of the other defendants' water allocations.

If you could kindly forward this to the appropriate person for signature or provide us with their contact information, it would be much appreciated.

Should you have any questions or need more information, please contact our office. You can also direct your inquires to Tony Lombardo, copied herein.

Thank you for your time and attention to this matter

**Rose Perez**

ANTHONY LOMBARDO & ASSOCIATES

A Professional Corporation

144 W. Gabilan Street

Salinas, CA 93901

Tel: (831) 751-2330

Fax: (831) 751-2331

[rose@alombardolaw.com](mailto:rose@alombardolaw.com)

***PRIVILEGED & CONFIDENTIAL--ATTORNEY CLIENT PRIVILEGE--ATTORNEY WORK PRODUCT***

The information contained in this electronic transmission is legally privileged and confidential, and it is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, please take notice that any form of dissemination, distribution or photocopying of this electronic transmission is strictly prohibited. If you have received this electronic transmission in error, please immediately contact our receptionist at (831) 751-2330 or [rose@alombardolaw.com](mailto:rose@alombardolaw.com) and immediately delete the electronic transmission.

1 ERIC N. ROBINSON, State Bar No. 191781  
*erobinson@kmtg.com*  
2 STANLEY C. POWELL, State Bar No. 254057  
*spowell@kmtg.com*  
3 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation  
4 400 Capitol Mall, 27<sup>th</sup> Floor  
Sacramento, California 95814  
5 Telephone: (916) 321-4500  
Facsimile: (916) 321-4555  
6  
7 Attorneys for Defendants and Cross-  
Complainants, BISHOP, MCINTOSH &  
MCINTOSH  
8  
9

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF MONTEREY**  
12

13 CALIFORNIA AMERICAN WATER ,  
14 Plaintiff,  
15 v.  
16 CITY OF SEASIDE, et al.,  
17 Defendants.

Case No. M66343

**NOTICE OF MOTION AND MOTION OF  
DEFENDANTS AND CROSS-  
COMPLAINANTS, BISHOP, MCINTOSH  
& MCINTOSH TO MODIFY EXHIBIT C  
TO AMENDED JUDGMENT; AND  
SUPPORTING MEMORANDUM OF  
POINTS AND AUTHORITIES**

18 MONTEREY PENINSULA WATER  
19 MANAGEMENT DISTRICT,  
20 Intervenor.

Date: July 6, 2018  
Time: 9:00 a.m.  
Dept.: 13

Assigned for All Purposes to the Honorable  
Leslie C. Nichols

21 MONTEREY COUNTY WATER  
22 RESOURCES AGENCY,  
23 Intervenor.

Action Filed: August 14, 2003

24 AND RELATED CROSS-ACTIONS.  
25

26 **TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:**

27 **PLEASE TAKE NOTICE THAT** on July 6, 2018 at 9 a.m., or as soon thereafter as counsel  
28 may be heard, in Department 13 of the above-captioned Court, located at 1200 Aguajito Rd.,

1 Monterey, CA 93940, Defendants and Cross-Complainants, BISHOP, MCINTOSH & MCINTOSH  
2 (“Bishop”) will and hereby does move this Court to modify Exhibit C to the amended judgment.

3 This Motion is made upon the following grounds: Bishop mistakenly omitted four parcels  
4 of land from Exhibit C to the Court’s March 27, 2006, Decision, and this Court has continuing  
5 jurisdiction to correct that oversight under section III(O)(1)(a) of the Decision, as amended on  
6 February 9, 2007 (“Amended Decision”).

7 This Motion is based on this Notice of Motion, the attached Memorandum of Points and  
8 Authorities, the Declaration of Leonard McIntosh filed concurrently herewith, all of the pleadings,  
9 files, and records in this proceeding, all other matters of which the Court may take judicial notice,  
10 and any argument or evidence that may be presented to or considered by the Court prior to its ruling.

11  
12 DATED: May 11, 2018

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation

13  
14  
15 By: \_\_\_\_\_



Eric N. Robinson  
Attorneys for Defendants and Cross-  
Complainants, BISHOP, MCINTOSH &  
MCINTOSH

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION**

Bishop, McIntosh & McIntosh (“Bishop”) files this motion to correct its mistaken omission of four parcels of land from the place where its Alternative Production Allocation (“Allocation”) may be used.

**II. FACTS**

In 2003, California American Water Company (“Cal-Am”) filed a complaint initiating the Seaside Basin groundwater rights adjudication lawsuit. Bishop, McIntosh & McIntosh (“Bishop”) was named a defendant in the lawsuit, which resulted in entry of a Decision and Judgment on March 27, 2006. Section III(B)(3)(a) of the Decision grants to Bishop an Alternative Production Allocation (“Allocation”) whose place of use is described in Exhibit C to the Decision. On February 9, 2007, the Court entered an Amended Decision, whose Exhibit C remained unchanged with respect to Bishop’s Allocation.

The Amended Decision’s Exhibit C identifies two separate parcels of land within the Seaside Basin’s Laguna Seca Subarea as the place of use for Bishop’s Allocation. The two separate parcels originated from a single ranch owned by the family of Bishop’s general partner, Leonard McIntosh. When the Decision and Amended Decision were entered, Mr. McIntosh and other family members in the Bishop partnership owned four other parcels of land from the family ranch in the Laguna Seca Subarea. Bishop mistakenly omitted those four other parcels from the place of use that Exhibit C to the Decision and Amended Decision specified for Bishop’s Allocation. Bishop now seeks to correct that mistake by including the four parcels within Amended Decision Exhibit C.

The four parcels are contiguous, originate from a single ranch, and are located within about 2,640 feet of the existing place of use for Bishop’s Allocation. The four parcels are described in Exhibit 1 to the Declaration of Leonard McIntosh (“Declaration”) as Lots 4, 5, 6 and 7 of Tract 1068 that Mr. McIntosh recorded in 1988. In June 2015, Mr. McIntosh recorded lot-line adjustments shifting the boundaries between Lots 7 and 8, on one hand, and between Lots 6 and 7, on the other hand. That adjustment reduced the total acreage of Lots 6 and 7 to 3.749 acres, down from the original 4.108 acres, while Lots 4 (1.397 acres) and Lot 5 (1.924 acres) remained unchanged. Thus,

1 with respect to Lots 4, 5, 6 and 7, the acreage we owned at the time of the 2006 Court Decision was  
2 0.359 acres larger than the acreage we now own after the Decision. That means we are seeking to  
3 add to the place of use for Bishop's Allocation less acreage than we owned when the Decision was  
4 first entered.

5 Lot 5 is owned by the Leonard H. McIntosh Family Trust under Restated Agreement March  
6 19, 2009. From 2005 to 2013, the lot was owned by my limited liability company, McIntosh Villas  
7 LLC. In 2013, my LLC granted Lot 5 to my family trust. The grant deeds showing that ownership  
8 pattern are attached as Declaration Exhibit 2. Lot 4 is owned by the Constance H. Bishop Trust  
9 dated July 3, 1983, and the Leonard H. McIntosh Trust dated February 28, 1983 – both for the  
10 benefit of Clifton H. McIntosh, and the grant deed is attached as Declaration Exhibit 3. Lots 6 and  
11 7 are owned by Henry P. McIntosh IV and Susan R. McIntosh, and the grant deed is attached as  
12 Declaration Exhibit 4.

### 13 **III. ANALYSIS**

14 This Court has authority to modify Exhibit C to the Amended Decision, which states:

15 *Jurisdiction Reserved.* Full jurisdiction, power and authority are  
16 retained by and reserved by the Court upon the application of any  
17 Party or by the Watermaster, by a noticed motion to all Parties, to  
18 make such further or supplemental orders or directions as may be  
19 necessary or appropriate for interpretation, enforcement, or  
implementation of this Decision. *The Court may also modify, amend  
or amplify any of the provisions of this Decision upon noticed motion  
to all the Parties.*

20 (Amended Decision § III(O)(1)(a) at p. 44 [emphasis added].)

21 This Court should exercise the preceding authority to correct Bishop's mistaken omission  
22 from Exhibit C of four parcels owned by Bishop's family members at the time the Decision was  
23 entered in 2006 and which remain owned by Bishop's family members now.

24 Correcting Bishop's oversight will not increase the amount of Bishop's water Allocation,  
25 which would remain unchanged.

26 Correcting the oversight would allow Bishop's existing Allocation to be used on the four  
27 Bishop family parcels, which would help to ensure their economically viable use.

28 Absent the oversight correction, the four parcels lack a water supply.

1 **IV. CONCLUSION**

2 For all the preceding reasons, this Court should grant the motion to correct Amended  
3 Decision Exhibit C to include the four Bishop family parcels within the place of use for Bishop's  
4 Allocation.

5  
6 DATED: May 11, 2018

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation

7  
8  
9 By:



Eric N. Robinson  
Attorneys for Defendants and Cross-  
Complainants, BISHOP, MCINTOSH &  
MCINTOSH

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

**California American Water v. City of Seaside, et al.  
Monterey County Superior Court Case No.: M66343**

**STATE OF CALIFORNIA, COUNTY OF SACRAMENTO**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814.

On May 15, 2018, I served true copies of the following document(s) described as **NOTICE OF MOTION AND MOTION OF DEFENDANTS AND CROSS-COMPLAINANTS, BISHOP, MCINTOSH & MCINTOSH TO MODIFY EXHIBIT C TO AMENDED JUDGMENT; AND SUPPORTING MEMORANDUM OF POINTS AND AUTHORITIES** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY ELECTRONIC SERVICE:** I served the document(s) on the person listed in the Service List by submitting an electronic version of the document(s) to One Legal, LLC, through the user interface at [www.onelegal.com](http://www.onelegal.com).

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

Executed on May 15, 2018, at Sacramento, California.

\_\_\_\_\_  
Terri Whitman

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SERVICE LIST**  
**California American Water v. City of Seaside, et al.**  
**Monterey County Superior Court Case No.: M66343**

Lori W. Girard  
Anthony J. Cerasuolo  
California-American Water Company  
511 Forest Lodge Road, Suite 100  
Pacific Grove, CA 93950  
Telephone: (831) 646-3240  
Facsimile: (831) 375-4367  
Email: Lori.Girard@amwater.com  
Email: acerasuolo@amwater.com

**Attorneys for California-American Water Company**

Robert E. Donlan  
Ellison, Schneider & Harris L.L.P.  
2600 Capitol Avenue, Suite 400  
Sacramento, CA 95816  
Telephone: (916) 447-2166  
Facsimile: (916) 447-3512  
Email: Red@eslawfirm.com

**Attorney for California-American Water Company**

David Laredo  
DeLay & Laredo  
606 Forest Avenue  
Pacific Grove, CA 93950  
Telephone: (831) 646-1502  
Facsimile: (831) 646-0377  
Email: dave@laredolaw.net

**Attorney for Monterey Peninsula Water Management District**

Donald Gary Freeman  
Perry & Freeman  
P.O. Box 805  
Carmel, CA 93921-0805  
Telephone: (831) 624-5339  
Facsimile: (831) 624-5839  
Email: klglegal@hotmail.com

**Attorney for City of Seaside**

Christine Davi, Esq.  
Monterey City Attorney's Office  
512 Pierce Street  
Monterey, CA 93940  
Telephone: (831) 646-3915  
Facsimile: (831) 373-1634  
Email: davi@monterey.org

**Attorney for City of Monterey**

James G. Heisinger, Jr.  
Heisinger, Buck & Morris  
P.O. Box 5427  
Carmel, CA 93921-5427  
Telephone: (831) 624-3891  
Facsimile: (831) 625-0145  
Email: jim@carmellaw.com

**Attorney for City of Sand City**

1 Deano Pick  
Del Rey Oaks City Manager  
2 650 Canyon Del Rey Road  
Del Rey Oaks, CA 93940  
3 Telephone: (831) 394-8511  
Email: citymanager@delrevoaks.org

**City of Del Rey Oaks (Pro Per)**

4 Ed Ghandour  
5 Security National Guaranty, Inc.  
505 Montgomery Street, 11th Floor  
6 San Francisco, CA 94111  
Telephone: (415) 874-3121  
7 Facsimile: (415) 874-3001  
Email: edg.sng@equus-capital.com

**Attorneys for Security National Guaranty, Inc.**

8 Sheri L. Damon  
9 Damon Law Offices  
618 Swanton Road  
10 Davenport, CA 95017  
Telephone: (831) 345-3610  
11 Facsimile: (831) 337-5212  
Email: sheri\_damon@comcast.net

12 David C. Sweigert  
13 Fenton & Keller  
2801 Monterey Salinas Highway  
14 P.O. Box 791  
Monterey, CA 93942-0791  
15 Telephone: (831) 373-1241  
Email: dsweigert@fentonkeller.com  
16 Email: esalameh@fentonkeller.com

**Attorney for Development Company No. 30**

17 Lisa A. Cole  
Granite Rock Company  
18 350 Technology Drive  
Watsonville, CA 95076  
19 Telephone: (831) 768-2107  
Facsimile: (831) 768-2201  
20 Email: Legal@graniterock.com

**Attorney for Granite Rock Company**

21 John M. Garrick  
Larson, Garrick & Lightfoot, LLP  
22 801 South Figueroa Street, Suite 1750  
Los Angeles, CA 90017-5504  
23 Telephone: (213) 404-4106  
Facsimile: (213) 404-4123  
24 Email: igarrick@lgl-law.com

**Attorney for Alderwood Group, Inc. dba Mission Memorial Park**

25  
26  
27  
28

1 Fredrick L. Kennifer  
Johnson Fantl & Kennifer LLP  
2 500 Camino El Estero  
Monterey, CA 93940  
3 Telephone: (831) 373-2800  
Facsimile: (831) 887-3951  
4 Email: rkennifer@johnsonfantl.com

**Attorney for York School, Inc.**

5 Kevin O'Brien  
Steven P. Saxton  
6 Downey Brand, LLP  
621 Capitol Mall, 18th Floor  
7 Sacramento, CA 95814  
Telephone: (916) 444-1000  
8 Facsimile: (916) 444-2100  
Email: kobrien@downeybrand.com  
9 Email: ssaxton@downeybrand.com

**Attorneys for County of Monterey**

10 Anthony L. Lombardo  
Anthony Lombardo & Associates, Inc.  
11 144 W. Gabilan Street  
Salinas, CA 93901  
12 Telephone: (831) 751-2330  
Facsimile: (831) 751-2331  
13 Email: tony@alombardolaw.com

**Attorney for Laguna Seca Resort, Inc. and  
Pasadera Country Club, LLC**

14 Charles J. McKee  
Irven L. Grant  
15 Office of the County Counsel  
County of Monterey  
16 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
17 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
18 Email: mckeecj@co.monterey.ca.us  
Email: granti@co.monterey.ca.us

**Attorney for County of Monterey**

19 Paul Bruno, Member  
20 Cypress Pacific Investors, LLC  
P.O. Box 400  
21 Marina, CA 93933  
Telephone: (831) 384-4081  
22 Email: paul@mpe2000.com

**For Cypress Pacific Investors, LLC,  
Successor in Interest to Muriel Calabrese  
1987 Trust**

23 Charles J. McKee  
Jesse J. Avila  
24 Office of the County Counsel  
County of Monterey  
25 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
26 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
27 Email: mckeecj@co.monterey.ca.us  
Email: avilajj@co.monterey.ca.us  
28

**Attorney for Monterey County Water  
Resources Agency**

1 Russell McGlothlin  
Brownstein Hyatt Farber Schreck, LLP  
2 1020 State Street  
Santa Barbara, CA 93101-2711  
3 Telephone: (805) 963-7000  
Facsimile: (805) 965-4333  
4 Email: Rmcglothlin@bhfs.com

**Attorney for Seaside Groundwater Basin  
Watermaster**

5 Laura Dadiw  
Watermaster Executive Officer  
6 P.O. Box 51502  
Pacific Grove, CA 93950  
7 Telephone: (831) 641-0113  
Email:  
8 watermasterseaside@sbcglobal.net

**Seaside Groundwater Basin Watermaster**

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 ERIC N. ROBINSON, State Bar No. 191781  
*erobinson@kmtg.com*  
2 STANLEY C. POWELL, State Bar No. 254057  
*spowell@kmtg.com*  
3 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation  
4 400 Capitol Mall, 27<sup>th</sup> Floor  
Sacramento, California 95814  
5 Telephone: (916) 321-4500  
Facsimile: (916) 321-4555  
6

7 Attorneys for Defendants and Cross-  
Complainants, BISHOP, MCINTOSH &  
MCINTOSH  
8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **COUNTY OF MONTEREY**

11  
12 CALIFORNIA AMERICAN WATER ,

13 Plaintiff,

14 v.

15 CITY OF SEASIDE, et al.,

16 Defendants.

17 MONTEREY PENINSULA WATER  
MANAGEMENT DISTRICT,

18 Intervenor.

19  
20 MONTEREY COUNTY WATER  
RESOURCES AGENCY,

21 Intervenor.  
22

23 AND RELATED CROSS-ACTIONS.  
24

Case No. M66343

**STIPULATION AND [PROPOSED]  
ORDER MODIFYING EXHIBIT C TO  
AMENDED DECISION**

Assigned for All Purposes to the Honorable  
Leslie C. Nichols

Action Filed: August 14, 2003

25  
26 **RECITALS**

27 A. On May 15, 2018, Defendant and Cross-Complaint Bishop, McIntosh and McIntosh  
28 (“Bishop”) filed a Notice of Motion and Motion to Modify Exhibit C to Amended Judgment

1 (“Motion”).

2 B. The Motion was made upon the grounds that Bishop mistakenly omitted four parcels  
3 of land from Exhibit C to the Court’s March 27, 2006, Decision (which Exhibit C remained  
4 unchanged in the Court’s February 9, 2007, Amended Decision), and that this Court has continuing  
5 jurisdiction to correct that oversight under section III(O)(1)(a) of the Amended Decision.

6 C. The four mistakenly omitted parcels are described in the deeds attached hereto as  
7 Exhibit 1.

8 D. Correcting Exhibit C to include the four mistakenly omitted parcels will not change  
9 the amount, or quantity, of the Alternative Production Allocation specified for Bishop in Table 2 of  
10 the Amended Decision’s section III(B)(3)(e).

11 **STIPULATION**

12 1. Exhibit C to the Court’s February 9, 2007, Amended Decision should be modified to  
13 include the four mistakenly omitted parcels described in the deeds attached hereto as Exhibit 1

14 2. This stipulation may be entered in counterparts.

15  
16 DATED: May \_\_\_\_, 2018

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation

17  
18  
19 By: \_\_\_\_\_  
Eric N. Robinson  
Attorneys for Defendants and Cross-  
20 Complainants, BISHOP, MCINTOSH &  
21 MCINTOSH  
22  
23  
24  
25  
26  
27  
28

1 DATED: May \_\_\_\_, 2018

CALIFORNIA-AMERICAN WATER COMPANY

2

3

By: \_\_\_\_\_

4

Lori W. Girard

5

Anthony J. Cerasuolo

6

Attorneys for CALIFORNIA-AMERICAN  
WATER COMPANY

7

8 DATED: May \_\_\_\_, 2018

ELLISON, SCHNEIDER & HARRIS L.L.P.

9

10

By: \_\_\_\_\_

11

Robert E. Donlan

12

Attorneys for CALIFORNIA-AMERICAN  
WATER COMPANY

13

14

15 DATED: May \_\_\_\_, 2018

DELAY & LAREDO

16

17

By: \_\_\_\_\_

18

David Laredo

19

Attorneys for MONTEREY PENINSULA  
WATER MANAGEMENT DISTRICT

20

21

22 DATED: May \_\_\_\_, 2018

PERRY & FREEMAN

23

24

By: \_\_\_\_\_

25

Donald Gary Freeman

26

Attorneys for CITY OF SEASIDE

27

28



1 DATED: May \_\_\_\_, 2018

MONTEREY CITY ATTORNEY'S OFFICE

2

3

By: \_\_\_\_\_  
Christine Davi  
Attorneys for CITY OF MONTEREY

4

5

6

7 DATED: May \_\_\_\_, 2018

HEISINGER, BUCK & MORRIS

8

9

By: \_\_\_\_\_  
James G. Heisinger, Jr.  
Attorneys for CITY OF SAND CITY

10

11

12

13 DATED: May \_\_\_\_, 2018

DEL REY OAKS CITY MANAGER

14

15

16

By: \_\_\_\_\_  
Danial Pick  
Attorneys for In Pro Per

17

18

19 DATED: May \_\_\_\_, 2018

SECURITY NATIONAL GUARANTY, INC.

20

21

22

By: \_\_\_\_\_  
Ed Ghandour  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

23

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_\_\_, 2018

DAMON LAW OFFICES

By: \_\_\_\_\_  
Sheri L. Damon  
Attorneys for SECURITY NATIONAL  
GUARANTY, INC.

DATED: May \_\_\_\_, 2018

FENTON & KELLER

By: \_\_\_\_\_  
David C. Sweigert  
Attorneys for DEVELOPMENT COMPANY NO.  
30

DATED: May \_\_\_\_, 2018

GRANITE ROCK COMPANY

By: \_\_\_\_\_  
Lisa A. Cole  
Attorneys for GRANITE ROCK COMPANY

DATED: May \_\_\_\_, 2018

LARSON, GARRICK & LIGHTFOOT, LLP

By: \_\_\_\_\_  
John M. Garrick  
Attorneys for ALDERWOOD GROUP, INC. dba  
MISSION MEMORIAL PARK

1 DATED: May \_\_\_\_, 2018

JOHNSON FANTL & KENNIFER LLP

2

3

By: \_\_\_\_\_

Frederick L. Kennifer  
Attorneys for YORK SCHOOL, INC.

4

5

6

7 DATED: May \_\_\_\_, 2018

DOWNEY BRAND, LLP

8

9

By: \_\_\_\_\_

Kevin O'Brien  
Steven P. Saxton  
Attorneys for COUNTY OF MONTEREY

10

11

12

13

14 DATED: May \_\_\_\_, 2018

ANTHONY LOMBARDO & ASSOCIATES, INC.

15

16

By: \_\_\_\_\_

Anthony L. Lombardo  
Attorneys for LAGUNA SECA RESORT, INC.  
and PASADERA COUNTRY CLUB, LLC

17

18

19

20

21 DATED: May \_\_\_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

21

22

23

By: \_\_\_\_\_

Charles J. McKee  
Attorneys for COUNTY OF MONTEREY

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May \_\_\_\_, 2018

CYPRESS PACIFIC INVESTORS, LLC

By: \_\_\_\_\_  
Paul Bruno  
Member of CYPRESS PACIFIC INVESTORS,  
LLC, Successor in Interest to MURIEL  
CALABRESE 1987 TRUST

DATED: May \_\_\_\_, 2018

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF MONTEREY

By: \_\_\_\_\_  
Jesse J. Avila  
Attorneys for MONTEREY COUNTY WATER  
RESOURCES AGENCY

DATED: May \_\_\_\_, 2018

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: \_\_\_\_\_  
Russell McGlothlin  
Attorneys for SEASIDE GROUNDWATER  
BASIN WATERMASTER

DATED: May \_\_\_\_, 2018

WATERMASTER EXECUTIVE OFFICER

By: \_\_\_\_\_  
Laura Dadiw  
SEASIDE GROUNDWATER BASIN  
WATERMASTER

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**[PROPOSED] ORDER**

Good cause appearing the Stipulation is **APPROVED** and **IT IS ORDERED, ADJUDGED AND DECREED** that the Judgment in *California American Water v. City of Seaside, et al.* (Monterey County Superior Court Case No. Case No. M66343 (Seaside Basin Judgment) shall be amended as follows:

Exhibit C to the Amended Decision entered on February 9, 2007, is modified to correct the place of use for the Alternative Production Allocation that Section III(B)(3)(a) of the Amended Decision specifies for Defendant/Cross-Complainant Bishop, McIntosh and McIntosh (“Bishop”). The place of use for Bishop’s Alternative Production Allocation is amended to add the real property described in **Exhibit 1** to this Order to the place of use described in the Amended Decision.

DATED:

---

Honorable Leslie C. Nichols

# **EXHIBIT 1**

**EXHIBIT 'A':  
DESCRIPTION OF LOT 4**

Lot 4 of Tract No. 1068, "Laguna Seca Office Park", in the County of Monterey, State of California, as shown on the map recorded in Volume 16 of Cities and Towns at Page 32 in the Office of the County Recorder of said county.

Date: February 13th, 2018

Bestor Engineers

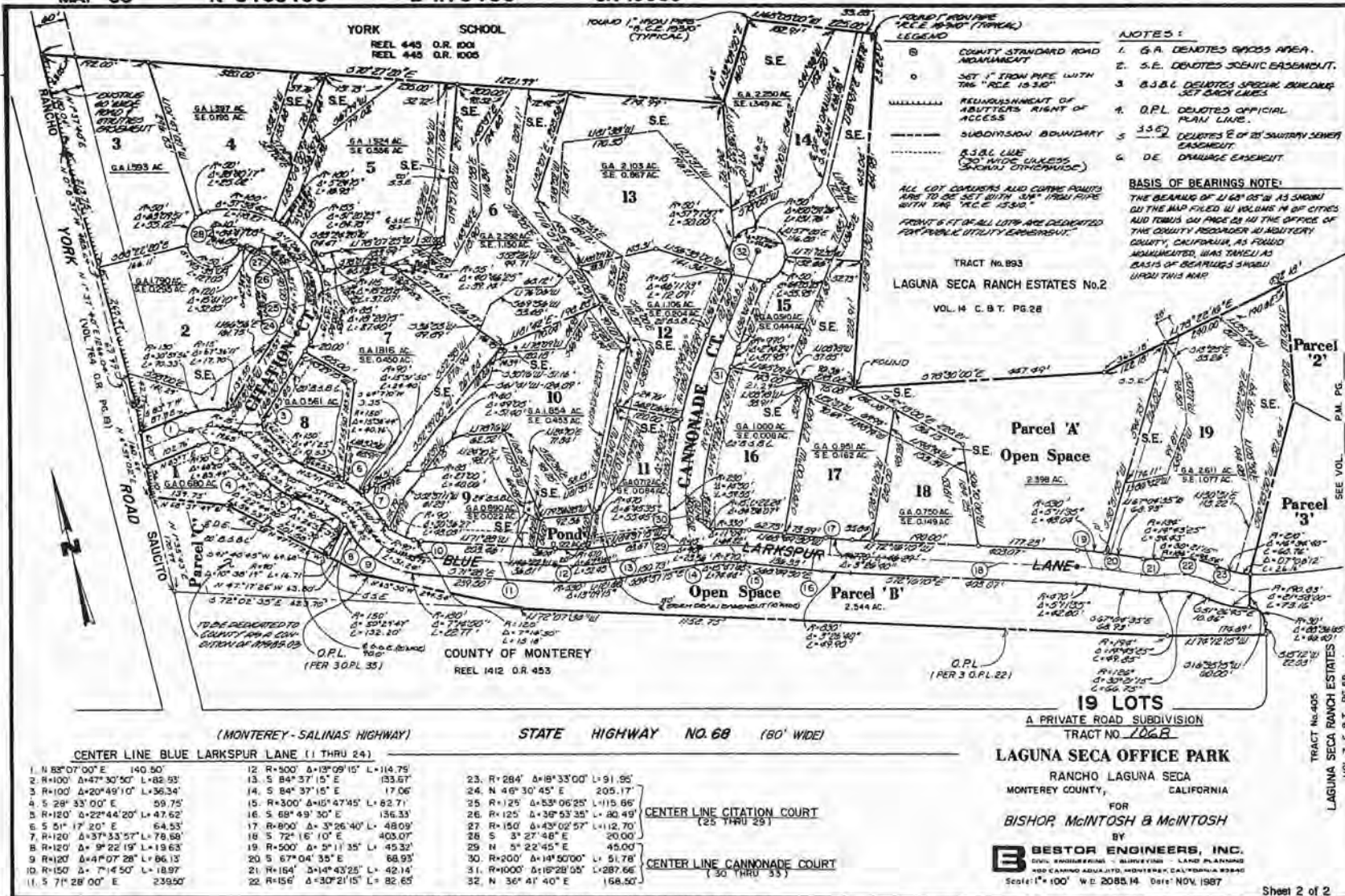
**EXHIBIT 'A':  
DESCRIPTION OF LOT 5**

Lot 5 of Tract No. 1068, "Laguna Seca Office Park", in the County of Monterey, State of California, as shown on the map recorded in Volume 16 of Cities and Towns at Page 32 in the Office of the County Recorder of said county.

Date: February 13th, 2018

Bestor Engineers





**LEGEND**

- ⊖ COUNTY STANDARD ROAD MONUMENT
- SET 1" IRON PIPE WITH TAG "R.C.E. 1930"
- ⋯ REINFORCEMENT OF ABUTTERS RIGHT OF ACCESS
- SUBDIVISION BOUNDARY
- ⋯ B.S.B.L. LINE (20' WIDE UNLESS SPECIALLY OTHERWISE)

**NOTES:**

1. G.A. DENOTES GROSS AREA.
2. S.E. DENOTES SCENIC EASEMENT.
3. B.S.B.L. DENOTES SPECIAL BUILDING SET BACK LINES.
4. O.P.L. DENOTES OFFICIAL PLAN LINE.
5. 35.0' DENOTES E OF 21' SCOURY SEWER EASEMENT.
6. D.E. DENOTES DRAINAGE EASEMENT.

**BASIS OF BEARINGS NOTE:**  
THE BEARING OF 216° 05' 10" AS SHOWN ON THE MAP FILED IN VOLUMES 14 OF CITIES AND TOWNS ON PAGE 28 IN THE OFFICE OF THE COUNTY RECORDER IN MONTEREY COUNTY, CALIFORNIA, AS FOUND MONUMENTED, WAS TAKEN AS BASIS OF BEARINGS THEREAFTER UNLESS THIS MAP

ALL LOT CORNERS AND CORNER POINTS ARE TO BE SET WITH 3/4" IRON PIPE WITH TAG "R.C.E. 1930".  
FRONT 5 FT. OF ALL LOTS ARE DEDICATED FOR PUBLIC UTILITY EASEMENT.

TRACT No. 193  
LAGUNA SECA RANCH ESTATES No. 2  
VOL. 16 C. & T. PG. 28

(MONTEREY - SALINAS HIGHWAY) STATE HIGHWAY NO. 68 (60' WIDE)

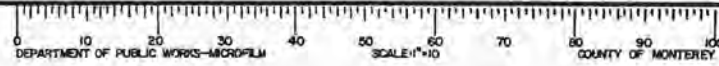
CENTER LINE BLUE LARKSPUR LANE (1 THRU 24)

1. N 88° 07' 00" E 140.50'	12. R=500' Δ=13° 09' 15" L=114.75'	23. R=284' Δ=18° 33' 00" L=91.95'
2. R=100' Δ=7° 30' 30" L=82.53'	13. S 84° 37' 15" E 153.57'	24. N 49° 30' 45" E 205.17'
3. R=100' Δ=20° 49' 10" L=36.34'	14. S 84° 37' 15" E 17.06'	25. R=125' Δ=53° 06' 25" L=115.65'
4. S 29° 33' 00" E 59.75'	15. R=300' Δ=10° 47' 45" L=82.71'	26. R=125' Δ=39° 53' 35" L=80.49'
5. R=120' Δ=22° 44' 20" L=47.62'	16. S 68° 49' 30" E 136.33'	27. R=150' Δ=43° 02' 57" L=112.70'
6. S 51° 17' 20" E 64.53'	17. R=800' Δ=3° 26' 40" L=48.09'	28. S 3° 27' 48" E 20.00'
7. R=120' Δ=37° 33' 57" L=78.68'	18. S 72° 16' 10" E 403.07'	29. N 5° 22' 45" E 45.00'
8. R=120' Δ=9° 22' 19" L=19.63'	19. R=500' Δ=5° 11' 35" L=45.32'	30. R=200' Δ=14° 50' 00" L=51.78'
9. R=120' Δ=4° 07' 28" L=86.13'	20. S 67° 04' 35" E 68.93'	31. R=1000' Δ=16° 28' 05" L=287.66'
10. R=150' Δ=7° 14' 50" L=18.97'	21. R=164' Δ=14° 43' 25" L=42.14'	32. N 36° 41' 40" E 168.50'
11. S 71° 28' 00" E 239.50'	22. R=156' Δ=30° 21' 15" L=82.65'	

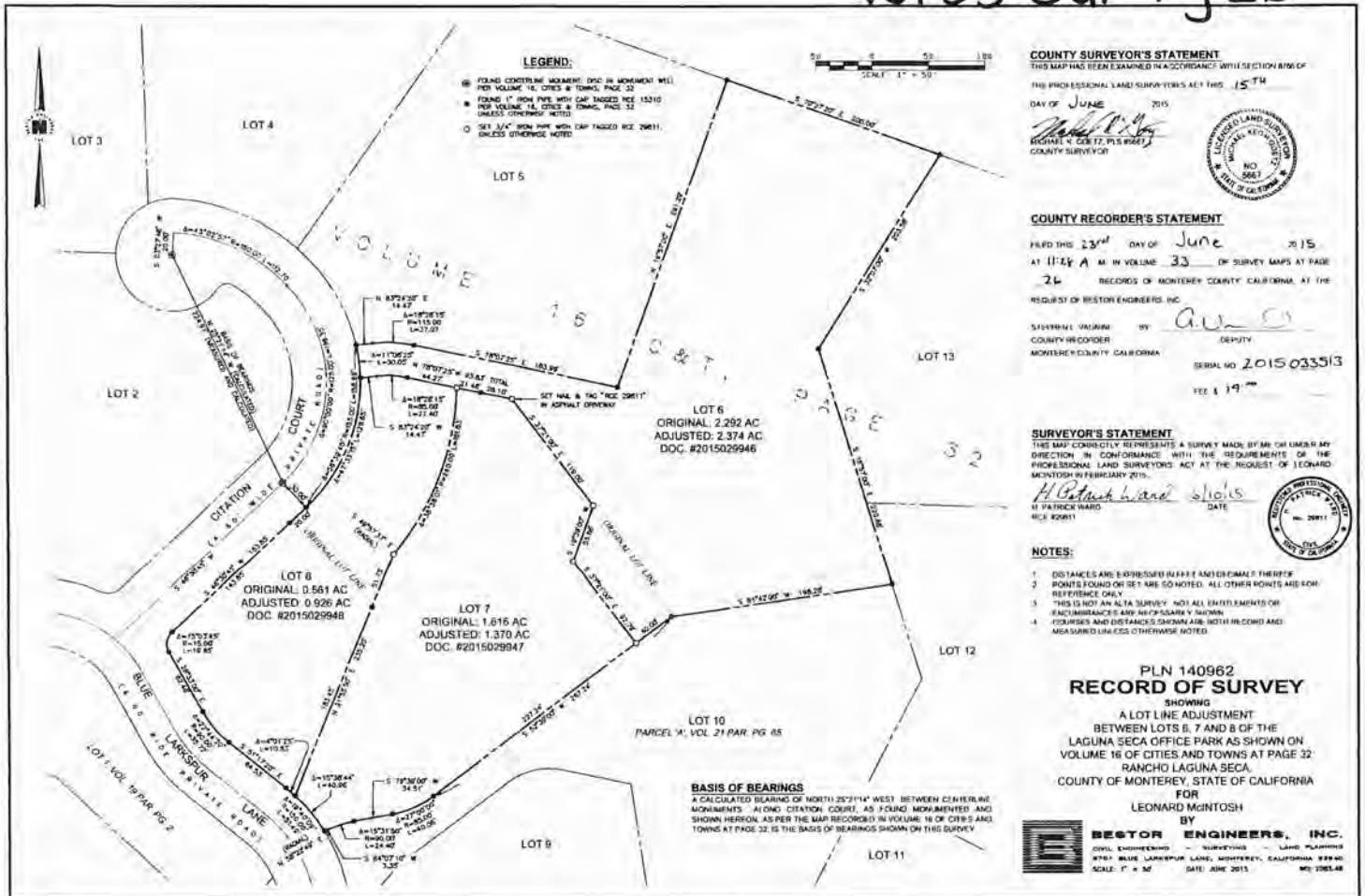
CENTER LINE CITATION COURT (25 THRU 29)

CENTER LINE CANNONADE COURT (30 THRU 33)

19 LOTS  
A PRIVATE ROAD SUBDIVISION  
TRACT NO. 193B  
LAGUNA SECA OFFICE PARK  
RANCHO LAGUNA SECA  
MONTEREY COUNTY, CALIFORNIA  
FOR  
BISHOP MCINTOSH & MCINTOSH  
BY  
BESTOR ENGINEERS, INC.  
CIVIL ENGINEERS - SURVEYING - LAND PLANNING  
400 CANNON ADELL RD., MONTEREY, CALIFORNIA 93940  
Scale: 1" = 100' N.E. 2008.14. Date: NOV. 1987



# Vol 33 Sur Pg 26



**EXHIBIT 'A':  
DESCRIPTION OF LOT 6**

Lot 6 in the County of Monterey, State of California, as shown on the map recorded 23 June 2015 in Volume 33 of Surveys at Page 26 in the Office of the County Recorder of said county.

Date: February 13<sup>th</sup>, 2018

Bestor Engineers, Inc.

**EXHIBIT 'A':  
DESCRIPTION OF LOT 7**

Lot 7 in the County of Monterey, State of California, as shown on the map recorded 23 June 2015 in Volume 33 of Surveys at Page 26 in the Office of the County Recorder of said county.

Date: February 13<sup>th</sup>, 2018

Bestor Engineers, Inc.

## EXHIBIT C



(<http://www.foundationpartners.com/>)

-Leadership

## Leadership

Combining industry leaders and business savvy.

Experienced business executives and veteran funeral home owners lead the Foundation Partners team, bringing their years of experience to the table. They combine their business expertise and innovative vision to help their Partners and Team Members navigate through the challenging waters of the changing funeral industry. Their invaluable insight and compassionate approach propels our Partners and Team Members to success as they care for Families across the country.

## Executive Leadership Team

**Robert Bukala**  
President and CEO



Bob graduated from DePaul University with an MBA in Finance. During his 7-year tenure at Knightsbridge, he helped the company grow from 55 employees, to a 700-employee industry leader with \$140M in revenue. He served as the CFO of Worldwide Consulting & Integration for Hewlett Packard, where he consolidated the company's global consulting operations. He then served as the Vice President-Finance for EDS-Americans, a division of Hewlett Packard. Prior to joining Foundation Partners in 2012, Bob was Chief Financial & Administrative Officer for Geomentum Inc. (an Interpublic Group agency). Bob focused on strengthening the financial and administrative disciplines of all related businesses in addition to spearheading an industry-leading joint venture with a competitor organization and leading the integration of acquired agencies into the holding company. Bob brings to his role over 30 years of financial and managerial expertise backed by stellar results.

## **Richard Benton, CPA** **Senior Vice President, Chief Financial Officer**



As CFO Richard's primary responsibilities include accounting, treasury, mergers and acquisitions and budgeting. Prior to serving as CFO, Richard served as VP FP&A, his primary responsibilities included support of the company's merger and acquisition strategy and all financial, planning and analysis functions. Prior to his VP of FP&A role he served as the company's Chief Accounting Officer for 6 years overseeing both internal and external financial reporting, internal controls, risk management and both treasury & equity sponsor relationships.

Prior to joining Foundation Partners at its inception in June 2010, Richard served as Keystone North America (KNA) Corporate Controller following the merger between KNA and Service Corporation (SCI) in early 2010. During their FTC mandated "held-for-sale" process, he simultaneously lead the accounting conversion project between KNA and SCI. Richard held various other accounting positions with increasing responsibility including Accounting Manager during his time at KNA. Prior to joining KNA in 2007, Richard was a Senior Auditor for Deloitte and Touche. Richard graduated with Honors from Florida State University with a Bachelor of Science degree in Accounting. He is a Certified Public Accountant in Florida and is a member of the American Institute of Certified Public Accountants and Florida Institute of Certified Public Accountants.

## **Mike Doyle** **Senior Vice President, Operations Finance**



(<http://www.foundationpartners.com/wp->

[content/uploads/2015/03/mike\\_doyle\\_resize.png](http://www.foundationpartners.com/wp-content/uploads/2015/03/mike_doyle_resize.png))

Mike graduated from the University of Notre Dame with a degree in Mathematics and has an MBA in Finance, Strategy and Operations from the University of Chicago Booth School of Business. Mike first joined Foundation Partners in 2011 as Director of Strategic Planning and has held a number of different responsibilities across the organization, focused on improving profitability through strategy, marketing, operations and finance. Mike currently serves as VP Revenue Management and Business Analytics. Prior to Foundation Partners, Mike was a consultant with Mercer in their Retirement, Risk and Finance Practice. From late 2014 through early 2017, Mike served as SVP Ecommerce and Analytics at HomeTeam Marketing where he led the creation of the technology solutions business line and oversaw the company's analytics strategy.

## **Julie Judge** **Vice President, Human Resources**





Julie graduated from Hood College with a degree in Management and Human Resources. She has led Human Resources teams in the retail, financial services, hospital, senior living and home health industries. Most notably she served Citi Group as a Senior HR leader, the Cleveland Clinic as their VP of Human Resources and Erickson Living as their SVP of Human Resources. Julie came to Foundation Partners in 2017 from Maxim Healthcare where she served as the first Chief Experience Officer(CXO) in the home health industry. Julie has 25 years of domestic and international Human Resources experience and a passion for improving both the employee and customer/patient experience.

## Field Advisory Board

### Marie Henry



Marie has more than 20-years of experience in the funeral services industry progressing from accounting and corporate training roles to general manager at Service Corporation International (SCI). In 2016, she was recruited to the Chief Operations Officer position at OM Stone, a national monument company. Marie joined Foundation Partners in 2017 as a Market Leader responsible for managing their 5 businesses in Portland, Oregon. Marie has been a Certified Funeral Celebrant for nearly a decade and continues to share her passion for helping families create unique expressive ceremonies that honor the life story of their loved one. Marie holds a bachelor's degree in business administration with a human resources minor from Warner Pacific College. She was a member of the State of Oregon Mortuary and Cemetery Board from 2015 to 2016 and currently serves on the Metro Cemetery Advisory Committee since 2014. Marie's strong operational and leadership background, along with her passion for creating meaningful experiences, provides a perfect sounding board for evaluating and operationalizing innovative products and services at Foundation Partners.

## **Danny Jefferson**



A native of North Carolina, Danny has dedicated over 40 years of his life to helping families and mentoring future leaders in the funeral services industry. A graduate of Gupton-Jones College of Mortuary Science, Danny was selected to the dean's list every semester and earned a Scholastic Achievement Award. He is a nationally licensed funeral director/embalmer as well as a licensed life insurance agent. Danny serves on numerous community boards and foundations in Kernersville, NC where he is the Managing Director of Pierce-Jefferson Funeral Home. He currently serves as a District Director for the North Carolina Funeral Directors Association and was recently elected to the office of Secretary/Treasurer. Danny has been recognized with numerous awards by his local community as well as his peers having been selected as the 2017 National Funeral Director of the Year. Danny provides his unrivaled operational experience and his insights on optimizing the customer experience to the Foundation Partners team to help ensure all locations can exceed their families' expectations.

## **John T. McQueen, CFSP**



John is a third generation native of St. Petersburg, FL with roots dating back to the days when Spain controlled Florida. As a second-generation funeral director / embalmer, John grew up working alongside his father in the family funeral home, Anderson McQueen. Upon the death of his father in 1987, John, along with his siblings, took over running the family business. John graduated Valedictorian from Gupton-Jones College of Funeral Service and in 2010 became the President and CEO of Anderson McQueen upon buying out his siblings. Under his leadership, the firm continued to grow into the largest family-owned funeral home in Florida with six funeral homes, a cemetery, an onsite private crematory and a pet cremation division. John has been active in numerous professional association on a state, national and international basis, serving in a variety of capacities from committee member to board member to president. John is well-known throughout funeral service as an innovator, speaker and leader. John's expertise in brand segmentation, culture building and pet cremation is invaluable to Foundation Partners' ongoing growth initiatives.

## **Paul Neville**



Paul grew up in Colorado Springs, Colorado where his father was stationed at the U.S. Air Force Academy. He attended the University of Colorado at Colorado Springs and is a 1984 graduate of the Pittsburgh Institute of Mortuary Science in Pittsburgh, PA. During his career, Paul has held several leadership positions with Service Corporation International (SCI), the Keystone Group and Foundation Partners. In 2011, when Foundation Partners purchased Bring's Broadway Chapel in Tucson, Paul became the General Manager. He is past president of

the Arizona Funeral, Cemetery & Cremation Association and is currently on the Board of Directors for the association. Paul is able to provide direct and honest feedback from a location level experience that is invaluable for the success of Foundation Partners' initiatives going forward.

## **Kevin Waterston**



Kevin grew up in Minneapolis, Minnesota where his family established a funeral home in 1955. After attending the University of Minnesota, he became a licensed funeral director in 1981. Having lived above the funeral home until age 21, he became keenly aware of every aspect of operations, from car washing to marketing. In 1980, Kevin and his brother Mark traveled around the country looking at a variety of cremation businesses searching for a model they could emulate back home. After learning all they could, they founded the Cremation Society of Minnesota (CSM) and a system of doing business that is still in place today. Kevin is currently leading CSM as Managing Director and is a past president of the Cremation Association of North America (CANA) & Funeral and Memorial Information Council (FAMIC). Kevin brings a wealth of experience and innovative ideas to Foundation Partners as well as a passion for growing cremation businesses.

## **Cole Waybright**



A native of West Virginia, Cole is a graduate of Alderson-Broaddus University and the Cincinnati College of Mortuary Science. After starting his career as a funeral director at independent funeral homes in Ohio and West Virginia, Cole quickly moved to Service Corporation International (SCI) where he advanced from Managing Funeral Director to Corporate Trainer to Senior Area Sales Director covering four states. Throughout his career Cole has held a variety of leadership positions in both at need and preneed sales, as well as cemetery sales. Cole is the former chair of the West Virginia Funeral Directors Association PAC and was on the board of the West Virginia Cemetery and Funeral Home Association. His strong background in sales and sales training, along with his deep understanding of preneed marketing, will help Foundation Partners successfully integrate innovative products and services into field operations.

©2018 Foundation Partners Group, LLC. All rights reserved.

Web Design by John Van Horn (<http://www.johnvanhorn.com>)

[Terms & Conditions \(http://www.foundationpartners.com/terms-conditions/\)](http://www.foundationpartners.com/terms-conditions/)

## EXHIBIT D



Discover FPG (<http://www.foundationpartners.com/discover-fpg/>) The FPG Difference (<http://www.foundationpartners.com/the-fpg-difference/>)  
 Partner with FPG (<http://www.foundationpartners.com/join-us/partner-with-us/>)  
 Careers (<http://www.foundationpartners.com/join-us/join-our-team/>) Our Brands (<http://www.foundationpartners.com/our-brands/>)  
 Contact (<http://www.foundationpartners.com/contact/>)  
<http://www.foundationpartners.com/>

# Locations

Address / Zip

Within

**FIND LOCATIONS**



- Mission Memorial Park and Seaside Funeral Home** 0.3 miles  
 1915 Ord Grove Avenue Seaside, CA 93955 (831) 394-1481  
 Website (<http://www.seasidefunerals.com/>)  
 Email (<mailto:Ellen.Medina@seasidefunerals.com>) Directions (<https://maps.google.com/maps?addr=Seaside%2C%20CA&data=!1s15%2DOrd+Grove%20Avenue%2C%20Seaside%2C%20CA%2C%2093955>)
- Mission Mortuary** 3.8 miles  
 450 Camino El Estero Monterey, CA 93940 (831) 375-4129  
 Website (<http://www.missionmortuary.com/>)  
 Email (<mailto:Ellen.Medina@seasidefunerals.com>) Directions (<https://maps.google.com/maps?addr=Seaside%2C%20CA&data=!1s450%20Camino+El+Estero%2C%20Monterey%2C%20CA%2C%2093940>)

©2018 Foundation Partners Group, LLC. All rights reserved.  
Web Design by John Van Horn (<http://www.johnvanhorn.com>)

[Terms & Conditions \(http://www.foundationpartners.com/terms-conditions/\)](http://www.foundationpartners.com/terms-conditions/)



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

**California American Water v. City of Seaside, et al.  
Monterey County Superior Court Case No.: M66343**

**STATE OF CALIFORNIA, COUNTY OF SACRAMENTO**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814.

On June 28, 2018, I served true copies of the following document(s) described as **DECLARATION OF ROSE PEREZ SUPPORTING MOTION TO MODIFY EXHIBIT C TO AMENDED DECISION** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY ELECTRONIC SERVICE:** I served the document(s) on the person listed in the Service List by submitting an electronic version of the document(s) to One Legal, LLC, through the user interface at [www.onelegal.com](http://www.onelegal.com).

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

Executed on June 28, 2018, at Sacramento, California.



---

Terri Whitman

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SERVICE LIST**  
**California American Water v. City of Seaside, et al.**  
**Monterey County Superior Court Case No.: M66343**

Lori W. Girard  
Anthony J. Cerasuolo  
California-American Water Company  
511 Forest Lodge Road, Suite 100  
Pacific Grove, CA 93950  
Telephone: (831) 646-3240  
Facsimile: (831) 375-4367  
Email: Lori.Girard@amwater.com  
Email: acerasuolo@amwater.com

**Attorneys for California-American Water Company**

Robert E. Donlan  
Ellison, Schneider & Harris L.L.P.  
2600 Capitol Avenue, Suite 400  
Sacramento, CA 95816  
Telephone: (916) 447-2166  
Facsimile: (916) 447-3512  
Email: Red@eslawfirm.com

**Attorney for California-American Water Company**

David Laredo  
DeLay & Laredo  
606 Forest Avenue  
Pacific Grove, CA 93950  
Telephone: (831) 646-1502  
Facsimile: (831) 646-0377  
Email: dave@laredolaw.net

**Attorney for Monterey Peninsula Water Management District**

Donald Gary Freeman  
Perry & Freeman  
P.O. Box 805  
Carmel, CA 93921-0805  
Telephone: (831) 624-5339  
Facsimile: (831) 624-5839  
Email: klglegal@hotmail.com

**Attorney for City of Seaside**

Christine Davi, Esq.  
Monterey City Attorney's Office  
512 Pierce Street  
Monterey, CA 93940  
Telephone: (831) 646-3915  
Facsimile: (831) 373-1634  
Email: davi@monterev.org

**Attorney for City of Monterey**

James G. Heisinger, Jr.  
Heisinger, Buck & Morris  
P.O. Box 5427  
Carmel, CA 93921-5427  
Telephone: (831) 624-3891  
Facsimile: (831) 625-0145  
Email: jim@carmellaw.com

**Attorney for City of Sand City**

1 Danial Pick  
Del Rey Oaks City Manager  
2 650 Canyon Del Rey Road  
Del Rey Oaks, CA 93940  
3 Telephone: (831) 394-8511  
Email: citymanager@delrevoaks.org

**City of Del Rey Oaks (Pro Per)**

4 Ed Ghandour  
5 Security National Guaranty, Inc.  
505 Montgomery Street, 11th Floor  
6 San Francisco, CA 94111  
Telephone: (415) 874-3121  
7 Facsimile: (415) 874-3001  
Email: edg.sng@equus-capital.com

**Attorneys for Security National Guaranty, Inc.**

8 Sheri L. Damon  
9 Damon Law Offices  
618 Swanton Road  
10 Davenport, CA 95017  
Telephone: (831) 345-3610  
11 Facsimile: (831) 337-5212  
Email: sheri\_damon@comcast.net

12 David C. Sweigert  
13 Fenton & Keller  
2801 Monterey Salinas Highway  
14 P.O. Box 791  
Monterey, CA 93942-0791  
15 Telephone: (831) 373-1241  
Email: dsweigert@fentonkeller.com  
16 Email: esalameh@fentonkeller.com

**Attorney for Development Company No. 30**

17 Lisa A. Cole  
Granite Rock Company  
18 350 Technology Drive  
Watsonville, CA 95076  
19 Telephone: (831) 768-2107  
Facsimile: (831) 768-2201  
20 Email: Legal@graniterock.com

**Attorney for Granite Rock Company**

21 John M. Garrick  
Larson, Garrick & Lightfoot, LLP  
22 801 South Figueroa Street, Suite 1750  
Los Angeles, CA 90017-5504  
23 Telephone: (213) 404-4106  
Facsimile: (213) 404-4123  
24 Email: igarrick@lgl-law.com

**Attorney for Alderwood Group, Inc. dba Mission Memorial Park**

25  
26  
27  
28

1 Fredrick L. Kennifer  
Johnson Fantl & Kennifer LLP  
2 500 Camino El Estero  
Monterey, CA 93940  
3 Telephone: (831) 373-2800  
Facsimile: (831) 887-3951  
4 Email: rkennifer@johnsonfantl.com

**Attorney for York School, Inc.**

5 Kevin O'Brien  
Steven P. Saxton  
6 Downey Brand, LLP  
621 Capitol Mall, 18th Floor  
7 Sacramento, CA 95814  
Telephone: (916) 444-1000  
8 Facsimile: (916) 444-2100  
Email: kobrien@downeybrand.com  
9 Email: ssaxton@downeybrand.com

**Attorneys for County of Monterey**

10 Anthony L. Lombardo  
Anthony Lombardo & Associates, Inc.  
11 144 W. Gabilan Street  
Salinas, CA 93901  
12 Telephone: (831) 751-2330  
Facsimile: (831) 751-2331  
13 Email: tony@alombardolaw.com

**Attorney for Laguna Seca Resort, Inc. and  
Pasadera Country Club, LLC**

14 Charles J. McKee  
Irven L. Grant  
15 Office of the County Counsel  
County of Monterey  
16 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
17 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
18 Email: mckeecj@co.monterey.ca.us  
Email: granti@co.monterey.ca.us

**Attorney for County of Monterey**

19 Paul Bruno, Member  
20 Cypress Pacific Investors, LLC  
P.O. Box 400  
21 Marina, CA 93933  
Telephone: (831) 384-4081  
22 Email: paul@mpe2000.com

**For Cypress Pacific Investors, LLC,  
Successor in Interest to Muriel Calabrese  
1987 Trust**

23 Charles J. McKee  
Jesse J. Avila  
24 Office of the County Counsel  
County of Monterey  
25 168 W. Alisal Street, 3rd Floor  
Salinas, CA 93901-2680  
26 Telephone: (831) 755-5045  
Facsimile: (831) 755-5283  
27 Email: mckeecj@co.monterey.ca.us  
Email: avilajj@co.monterey.ca.us  
28

**Attorney for Monterey County Water  
Resources Agency**

1 Russell McGlothlin  
Brownstein Hyatt Farber Schreck, LLP  
2 1020 State Street  
Santa Barbara, CA 93101-2711  
3 Telephone: (805) 963-7000  
Facsimile: (805) 965-4333  
4 Email: Rmcglothlin@bhfs.com

**Attorney for Seaside Groundwater Basin  
Watermaster**

5 Laura Dadiw  
Watermaster Executive Officer  
6 P.O. Box 51502  
Pacific Grove, CA 93950  
7 Telephone: (831) 641-0113  
8 Email:  
watermasterseaside@sbcglobal.net

**Seaside Groundwater Basin Watermaster**

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28