

1 BENJAMIN B. WAGNER
 United States Attorney
 2 KEVIN C. KHASIGIAN
 Assistant U. S. Attorney
 3 501 I Street, Suite 10-100
 Sacramento, CA 95814
 4 Telephone: (916) 554-2700
 5 Attorneys for the United States

6
 7
 8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11 UNITED STATES OF AMERICA,

2:12-CV-00706-TLN-AC

12 Plaintiff,

13 v.

FINAL JUDGMENT OF FORFEITURE
 AND APPOINTMENT OF A
 RECEIVER

14 REAL PROPERTY LOCATED AT 2541 ZUIDER ZEE
 CIRCLE, ELVERTA, CALIFORNIA, SACRAMENTO
 15 COUNTY, APN: 203-0211-030-0000, INCLUDING
 ALL APPURTENANCES AND IMPROVEMENTS
 16 THERETO,

17 REAL PROPERTY LOCATED AT 3908 FLORAL
 DRIVE, NORTH HIGHLANDS, CALIFORNIA,
 18 SACRAMENTO COUNTY, APN: 200-0301-003-0000,
 INCLUDING ALL APPURTENANCES AND
 19 IMPROVEMENTS THERETO,

20 REAL PROPERTY LOCATED AT 7230 ARUTAS
 DRIVE, NORTH HIGHLANDS CALIFORNIA,
 21 SACRAMENTO COUNTY, APN: 219-0123-006-0000,
 INCLUDING ALL APPURTENANCES AND
 22 IMPROVEMENTS THERETO,

23 REAL PROPERTY LOCATED AT 7354 WASHBURN
 WAY, NORTH HIGHLANDS, CALIFORNIA,
 24 SACRAMENTO COUNTY, APN: 219-0230-024-0000,
 INCLUDING ALL APPURTENANCES AND
 25 IMPROVEMENTS THERETO,

26 REAL PROPERTY LOCATED AT 2304
 MORTENSON COURT, ELVERTA, CALIFORNIA,
 27 SACRAMENTO COUNTY, APN: 203-0392-020-0000,
 INCLUDING ALL APPURTENANCES AND
 28 IMPROVEMENTS THERETO,

1 REAL PROPERTY LOCATED AT 7920
2 BELLINGRATH DRIVE, ELVERTA, CALIFORNIA,
3 SACRAMENTO COUNTY, APN: 203-0192-006-0000,
4 INCLUDING ALL APPURTENANCES AND
5 IMPROVEMENTS THERETO,

6 REAL PROPERTY LOCATED AT 2948 CANDIDO
7 DRIVE, SACRAMENTO, CALIFORNIA,
8 SACRAMENTO COUNTY, APN: 225-0765-008-0000,
9 INCLUDING ALL APPURTENANCES AND
10 IMPROVEMENTS THERETO,

11 REAL PROPERTY LOCATED AT 1550 KELLOGG
12 STREET, NEWCASTLE, CALIFORNIA, PLACER
13 COUNTY, APN: 032-163-070-000, INCLUDING ALL
14 APPURTENANCES AND IMPROVEMENTS
15 THERETO,

16 REAL PROPERTY LOCATED AT 1410 KELLOGG
17 STREET, NEWCASTLE, CALIFORNIA, PLACER
18 COUNTY, APN: 042-010-001-000, INCLUDING ALL
19 APPURTENANCES AND IMPROVEMENTS
20 THERETO, and

21 REAL PROPERTY LOCATED AT 439 ALA WAI
22 BOULEVARD, UNIT 94, SOUTH LAKE TAHOE,
23 CALIFORNIA, EL DORADO COUNTY, APN: 022-
24 281-10-100, INCLUDING ALL APPURTENANCES
25 AND IMPROVEMENTS THERETO,

26 Defendants.

27 Pursuant to the Stipulations for Final Judgment of Forfeiture filed herein, the Court finds:

28 1. This is a civil forfeiture action against the real properties listed below:

(a) 2541 Zuider Zee Circle, Elverta, California, Sacramento County, APN: 203-0211-030-0000, including all appurtenances and improvements thereto;

(b) 3908 Floral Drive, North Highlands, California, Sacramento County, APN: 200-0301-003-0000, including all appurtenances and improvements thereto;

(c) 7230 Arutas Drive, North Highlands, California, Sacramento County, APN: 219-0123-006-0000, including all appurtenances and improvements thereto;

(d) 7354 Washburn Way, North Highlands, California, Sacramento County, APN: 219-0230-024-0000, including all appurtenances and improvements thereto;

(e) 2304 Mortenson Court, Elverta, California, Sacramento County, APN: 203-0392-020-0000, including all appurtenances and improvements thereto;

(f) 7920 Bellingrath Drive, Elverta, California, Sacramento County, APN: 203-0192-006-0000, including all appurtenances and improvements thereto;

1 (g) 2948 Candido Drive, Sacramento, California, Sacramento County, APN: 225-0765-
2 008-0000, including all appurtenances and improvements thereto;

3 (h) 1550 Kellogg Street, Newcastle, California, Placer County, APN: 032-163-070-000,
4 including all appurtenances and improvements thereto;

5 (i) 1410 Kellogg Street, Newcastle, California, Placer County, APN: 042-010-001-000,
6 including all appurtenances and improvements thereto; and

7 (j) 439 Ala Wai Boulevard, Unit 94, South Lake Tahoe, California, El Dorado County,
8 APN: 022-281-10-100, including all appurtenances and improvements thereto.

9 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on March 20, 2012,
10 alleging that said defendant properties are subject to forfeiture to the United States pursuant to 18 U.S.C.
11 §§ 981(a)(1)(A) and (a)(1)(C).

12 3. On March 25, April 5, and April 9, 2012, the defendant properties were posted with a
13 copy of the Complaint and Notice of Complaint.

14 4. Beginning on April 22, 2012, for at least 30 consecutive days, the United States published
15 Notice of the Forfeiture Action on the official internet government forfeiture site www.forfeiture.gov. A
16 Declaration of Publication was filed on June 21, 2012.

17 5. In addition to the public notice on the official internet government forfeiture site
18 www.forfeiture.gov, actual notice or attempted notice was given to the following individuals or entities:

- 19 a. Gregory S. Baker,
- 20 b. Dawn Baker,
- 21 c. Darrell Hinz,
- 22 d. DG Ventures, LLC,
- 23 e. Celestia Hinz,
- 24 f. County of Sacramento, Department of Revenue Recovery,
- 25 g. County of Sacramento, Department of Public Works,
- 26 h. City of Sacramento, Department of Utilities,
- 27 i. E*Trade Bank,
- 28 j. Kelkris Associates, Inc., DBA,
- k. MERS, Inc.,
- l. Robert Ruffner Construction,
- m. Sacramento Suburban Water District.

29 6. On May 23, 2012, Federal National Mortgage Association filed a claim alleging a lien
30 holder interest in the defendant property at 439 Ala Wai Boulevard, Unit 94, South Lake Tahoe,
31 California, APN: 022-281-10-100¹ and filed an Answer to the Complaint on June 6, 2012.

32 ¹ This real property was sold on June 6, 2014. The lien holders were paid in full through escrow and the net proceeds of
33 \$66,857.22 were deposited with the United States.

1 7. On May 24, 2012, Gregory S. Baker filed a claim alleging a co-owner interest in the
2 following defendant properties with Darrell Hinz as co-partner of DG Ventures, LLC: (1) 2541 Zuider
3 Zee Circle, Elverta, California, APN: 203-0211-030-0000; (2) 3908 Floral Drive, North Highlands,
4 California, APN: 200-0301-003-0000; (3) 7230 Arutas Drive, North Highlands , California, APN: 219-
5 0123-006-0000; (4) 7354 Washburn Way, North Highlands, California, APN: 219-0230-024-0000;
6 (5) 2304 Mortenson Court, Elverta, California, APN: 203-0392-020-0000; (6) 7920 Bellingrath Drive,
7 Elverta, California, APN: 203-0192-006-0000; and (7) 2948 Candido Drive, Sacramento, California,
8 APN: 225-0765-008-0000. Gregory S. Baker also claimed a co-owner interest in the following defendant
9 properties with Dawn Baker: (1) 1550 Kellogg Street, Newcastle, California, APN: 032-163-070-000;
10 (2) 1410 Kellogg Street, Newcastle, California, APN: 042-010-001-000; and (3) 439 Ala Wai
11 Boulevard, Unit 94, South Lake Tahoe, California, APN: 022-281-10-100.

12 8. On May 24, 2012, Dawn Baker filed a claim alleging a co-owner interest in the following
13 defendant properties with Gregory S. Baker: (1) 1550 Kellogg Street, Newcastle, California, APN: 032-
14 163-070-000; (2) 1410 Kellogg Street, Newcastle, California, APN: 042-010-001-000; and (3) 439 Ala
15 Wai Boulevard, Unit 94, South Lake Tahoe, California, APN: 022-281-10-100.

16 9. On May 24, 2012, Darrell Hinz filed a claim alleging a co-owner interest in the following
17 defendant properties with Gregory S. Baker as co-partner of DG Ventures, LLC: (1) 2541 Zuider Zee
18 Circle, Elverta, California, APN: 203-0211-030-0000; (2) 3908 Floral Drive, North Highlands,
19 California, APN: 200-0301-003-0000; (3) 7230 Arutas Drive, North Highlands , California, APN: 219-
20 0123-006-0000; (4) 7354 Washburn Way, North Highlands, California, APN: 219-0230-024-0000;
21 (5) 2304 Mortenson Court, Elverta, California, APN: 203-0392-020-0000; (6) 7920 Bellingrath Drive,
22 Elverta, California, APN: 203-0192-006-0000; and (7) 2948 Candido Drive, Sacramento, California,
23 APN: 225-0765-008-0000.

24 10. The record owner of the defendant properties in paragraph 1(a)-(g) is DG ventures, LLC, a
25 California Limited Liability Company. As stated in their claims (ECF Nos. 15 and 17), Darrel Hinz and
26 Gregory S. Baker are co-partners in DG ventures, LLC.

27 11. On June 18, 2012, Federal National Mortgage Association and Mortgage Electronic
28 Registrattion Systems, Inc. (MERS) filed a claim alleging a lien holder interest in the defendant property

1 at 1410 Kellogg Street, Newcastle, California, APN: 042-010-001-000 and filed an Answer to the
2 Complaint on June 29, 2012.

3 12. No other parties have filed claims or answers in this matter, and the time for which any
4 person or entity may file a claim and answer has expired.

5 13. The Clerk of the Court entered a Clerk's Certificate of Entry of Default against Celestia
6 Hinz on August 21, 2012. The Clerk of the Court entered a Clerk's Certificate of Entry of Default against
7 the City of Sacramento, Department of Utilities; County of Sacramento, Department of Public Works;
8 County of Sacramento, Department of Revenue Recovery; Kelkris Associates, Inc., DBA Credit Bureau
9 Associates; and Sacramento Suburban Water District on December 1, 2015. Pursuant to Local Rule 540,
10 the United States thus requests that as part of this Final Judgment of Forfeiture the Court enter a default
11 judgment against the interests, if any, of Celestia Hinz, the City of Sacramento, Department of Utilities;
12 County of Sacramento, Department of Public Works; County of Sacramento, Department of Revenue
13 Recovery; Kelkris Associates, Inc., DBA Credit Bureau Associates; and Sacramento Suburban Water
14 District without further notice.

15 14. In August 2012, Hinz and Baker were each criminally indicted in the Eastern District of
16 California on wire fraud and money laundering crimes for their involvement in a multimillion dollar
17 construction fraud scheme, United States v. Volen, et al., Case No. 2:12-CR-00294-TLN.

18 15. On February 11, 2013, the Court entered a Stay in this case until the conclusion of the
19 related criminal case.

20 16. In November 2015, Baker and Hinz separately pleaded guilty to wire fraud and money
21 laundering relating to the construction fraud. See ECF Nos. 140 (*Baker*) and 150 (*Hinz*) in Case No.
22 2:12-CR-00294-TLN. As part of their plea agreements, Baker and Hinz agreed to sign Stipulations for
23 Final Judgments of Forfeiture regarding various real properties in this civil forfeiture action,
24 acknowledging that the properties were purchased with fraud proceeds.

25 17. The United States believes that in order to ensure that the equity of the properties is
26 preserved for the fraud victim(s), a receiver must be appointed to manage the real properties; coordinate
27 with tenants, vendors, and county tax officials; obtain necessary property and rental insurance; interact
28 with tax professionals; and market and sell the properties in a timely manner.

1 18. The Court has wide authority to preserve the availability of property for forfeiture under
2 18 U.S.C. § 983(j)(1)(A). That provision specifically provides:

3 (1) Upon application of the United States, the court may enter a restraining
4 order or injunction, require the execution of satisfactory performance
5 bonds, *create receiverships, appoint conservators, custodians, appraisers,*
accountants, or trustees, or take any other action to seize, secure, maintain,
or preserve the availability of property subject to civil forfeiture...

6 (A) upon the filing of a civil forfeiture complaint alleging that the property
7 with respect to which the order is sought is subject to civil forfeiture.

8 18 U.S.C. § 983(j)(1)(A) (emphasis added).

9 19. Here, the request to appoint a receiver serves the interests of § 983(j)(1)(A) directly,
10 installing an experienced financial and real estate professional to take certain steps to ensure that the eight
11 real properties remain available for forfeiture. The receiver would collect rents and stabilize the tenant
12 relationships, confirm the properties are well-maintained and fully insured, and ensure the value of the
13 properties is preserved until the forfeited properties are marketed and sold in a timely manner.

14 20. The United States recommends that the Court appoint David Flemmer as the receiver for
15 the real properties identified below in paragraph 3(a)-(h). Mr. Flemmer has over twenty years of
16 experience in accounting and forensic examinations, has served numerous appointments as a Chapter 7
17 and 11 Bankruptcy Trustee, and has managed many large assets and real properties held in receivership.
18 This Court has previously appointed Mr. Flemmer to provide financial oversight for an asset forfeited by
19 Darrell Hinz in a related civil forfeiture case, United States v. Approximately \$50,319.11 Seized From
20 49er Credit Union Bank, et al., Case No. 2:12-CV-01632-TLN, ECF No. 33 [Resume and Qualifications
21 attached at ECF No. 29.] Thus, Mr. Flemmer is familiar with the facts, individuals, and assets involved
22 in this case, as well as possessing the necessary financial and real estate background to preserve the value
23 of the real properties until they are sold. The United States proposes that Flemmer will be paid from the
24 rental proceeds from the defendant properties, but only with net rental proceeds exceeding the costs
25 associated with maintaining the properties.

26 ///

27 ///

28 ///

1 Based on the above findings, and the files and records of the Court, it is hereby ORDERED AND
2 ADJUDGED:

3 1. The Court adopts the Stipulations for Final Judgment of Forfeiture entered into by and
4 between the parties to this action.

5 2. That judgment is hereby entered against claimants Gregory S. Baker, Dawn Baker, Darrell
6 Hinz, and DG Ventures, LLC, and all other potential claimants who have not filed claims in this action.

7 3. All right, title, and interest of Gregory S. Baker, Dawn Baker, Darrell Hinz, and DG
8 Ventures, LLC, in the below listed the defendant properties shall be forfeited to the United States
9 pursuant to 18 U.S.C. §§ 981(a)(1)(A) and (a)(1)(C), to be disposed of according to law:

10 (a) Real property at 2541 Zuider Zee Circle, Elverta, California, Sacramento County,
11 APN: 203-0211-030-0000, including all appurtenances and improvements thereto, and
more fully described in Exhibit A attached hereto and incorporated herein by reference;

12 (b) Real property at 3908 Floral Drive, North Highlands, California, Sacramento County,
13 APN: 200-0301-003-0000, including all appurtenances and improvements thereto, and
more fully described in Exhibit B attached hereto and incorporated herein by reference;

14 (c) Real property at 7230 Arutas Drive, North Highlands, California, Sacramento
15 County, APN: 219-0123-006-0000, including all appurtenances and improvements
thereto, and more fully described in Exhibit C attached hereto and incorporated herein by
16 reference;

17 (d) Real property at 7354 Washburn Way, North Highlands, California, Sacramento
18 County, APN: 219-0230-024-0000, including all appurtenances and improvements
thereto, and more fully described in Exhibit D attached hereto and incorporated herein by
reference;

19 (e) Real property at 2304 Mortenson Court, Elverta, California, Sacramento County,
20 APN: 203-0392-020-0000, including all appurtenances and improvements thereto, and
more fully described in Exhibit E attached hereto and incorporated herein by reference;

21 (f) Real property at 7920 Bellingrath Drive, Elverta, California, Sacramento County,
22 APN: 203-0192-006-0000, including all appurtenances and improvements thereto, and
more fully described in Exhibit F attached hereto and incorporated herein by reference;

23 (g) Real property at 2948 Candido Drive, Sacramento, California, Sacramento County,
24 APN: 225-0765-008-0000, including all appurtenances and improvements thereto, and
more fully described in Exhibit G attached hereto and incorporated herein by reference;

25 (h) Real property at 1550 Kellogg Street, Newcastle, California, Placer County, APN:
26 032-163-070-000, including all appurtenances and improvements thereto, and more fully
described in Exhibit H attached hereto and incorporated herein by reference (See specific
27 instructions in paragraph 7 below); and

28 ///

1 (i) \$66,857.22, plus all accrued interest, in lieu of real property located at 439 Ala Wai
2 Boulevard, Unit 94, South Lake Tahoe, California, El Dorado County, APN: 022-281-10-
3 100.

4 4. Pursuant to 18 U.S.C. § 983(j)(1)(A), Mr. David Flemmer is APPOINTED as the Receiver
5 for the defendant properties listed above in paragraph 3 (a)-(h).

6 5. Upon entry of this Final Judgment of Forfeiture, the Receiver shall be authorized to do the
7 following regarding to the defendant properties listed above in paragraph 3 (a)-(h):

- 8 a. Consult and coordinate with existing rental tenants, accept rental payments, and
9 enter into leasehold agreements for continued tenancy;
- 10 b. Coordinate and hire vendors to provide maintenance, common area upkeep, and
11 yard maintenance;
- 12 c. Interview prospective tenants and enter into leasehold agreements;
- 13 d. Consult and coordinate with county tax officials and any local entities regarding
14 applicable property taxes, levies, penalties, or HOA dues;
- 15 e. Coordinate and obtain any insurance required to preserve the value of the real
16 properties, to include general liability and rental insurance;
- 17 f. Interact with tax professionals and execute associated tax returns and other tax
18 documents on behalf of DG Ventures, LLC;
- 19 g. Consult with any employees or independent contractors for DG Ventures LLC as
20 related to the defendant properties and introduce other reasonable measures to
21 prevent any potential mismanagement of DG Ventures LLC, rent proceeds from
22 the defendant properties, or the defendant properties;
- 23 i. Order appraisals, consult with valuation professionals, and take other necessary
24 and reasonable steps to properly value the real properties. The Receiver and the
25 appraiser may have access to the defendant properties and structures, buildings, or
26 storage sheds thereon upon 24 hours telephonic notice;
- 27 j. List the defendant properties for sale and have the sole authority to select
28 the means of sale, including sale by internet or through a licensed real estate
broker, and have the sole authority over the marketing and sale of the defendant
properties; and
- 29 k. The Receiver and/or the IRS shall deduct their costs incurred to date of close of
escrow, including the cost of posting, service, advertising, and maintenance from
the net proceeds after payment of the costs associated with selling each property,
unpaid property taxes, and any liens or judgments owed prior to recording of Lis
Pendens. The United States may pay any such lien or encumbrance at its sole
discretion.

30 6. The United States will receive the remaining net proceeds from the sale of the defendant
31 properties referenced above in paragraph 3 (a)-(g). All right, title, and interest in said funds shall be

1 substituted for the defendant properties and forfeited to the United States pursuant to 18 U.S.C. §§
2 981(a)(1)(A) and (a)(1)(C), to be disposed of according to law.

3 7. For the real property located at 1550 Kellogg Street, Newcastle, California, Placer County,
4 APN: 032-163-070-000, the United States will receive the remaining net proceeds up to the amount of
5 \$374,902.78 from the sale of this property.² All right, title, and interest in the \$374,902.78 shall be
6 substituted for the defendant property located at 1550 Kellogg Street, Newcastle, California and forfeited
7 to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(A) and (a)(1)(C), to be disposed of according to
8 law. Any net proceeds in excess of the \$374,902.78 from the sale of this property shall be paid to
9 Gregory S. Baker and Dawn Baker through their attorney Thomas A. Johnson.

10 8. Each party shall execute all documents necessary to close escrow, if such signatures are
11 required by the title insurer.

12 9. All payments to the United States shall be made in the form of checks made payable to the
13 U.S. Department of Treasury and sent to the U.S. Attorney's Office, Att: Asset Forfeiture Unit, 501 I
14 Street, Sacramento, CA 95814. The Receiver shall provide information to the United States itemizing
15 what properties the payments are for and shall provide all closing documents to the United States, once
16 the properties are sold.

17 10. Within thirty (30) days from entry of this Final Judgment of Forfeiture, the United States
18 shall record a withdrawal of lis pendens against the real property located at 1410 Kellogg Street,
19 Newcastle, California, APN: 042-010-001-000.

20 11. Claimants Gregory S. Baker, Dawn Baker, and Darrell Hinz represented that they will not
21 take any action, or cause any other person to take any action, to damage or modify the defendant
22 properties from their present condition or other action that may result in a reduction in value of the
23 defendant properties.

24 12. Claimants Gregory S. Baker, Dawn Baker, and Darrell Hinz shall remove all personal
25 possessions, and the personal possessions of any former occupant, including all vehicles, furniture, and

26 _____
27 ² This amount includes \$291,435.00 in forfeitable funds used to purchase this property; \$17,792.78 in lieu of real property
28 located at 1410 Kellogg Street, Newcastle, CA; \$17,000.00 in lieu of the Double Wide Mobile Home Trailer located at 6170
Nob Hill Drive, Space 76, Newcastle, CA; and \$48,675 in lieu of forfeiting Baker's interest in Double Creek Ranch, LLC.
The latter two assets are defendants in the related case, 2:12-CV-01632-TLN-AC.

1 trash, and will leave the properties clean and in the same state of repair as the properties were on the
2 dates they were posted. Any and all of claimant's personal possessions, and the personal possessions of
3 any former occupant, not removed upon 72 hours' notice by the Receiver will be disposed of by the
4 United States without further notice.

5 13. The United States and its servants, agents, and employees and all other public entities,
6 their servants, agents, and employees, are released from any and all liability arising out of or in any way
7 connected with the filing of the Complaint and the posting of the defendant properties with the Complaint
8 and Notice of Complaint. This is a full and final release applying to all unknown and unanticipated
9 injuries, and/or damages arising out of the filing of the Complaint and the posting of the defendant
10 properties with the Complaint, as well as to those now known or disclosed. Claimants waived the
11 provisions of California Civil Code § 1542.

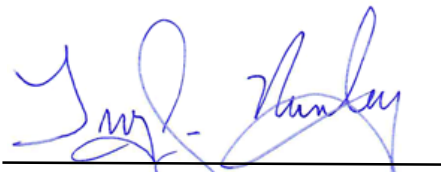
12 14. Each party shall bear his or her own costs and attorney's fees.

13 15. The U.S. District Court for the Eastern District of California, Hon. Troy L. Nunley,
14 District Judge, shall retain jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

15 16. Based upon the allegations set forth in the Complaint filed March 20, 2012, and the
16 Stipulations for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable
17 Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the posting of the defendant
18 properties and/or seizure of the sub *res*, and for the commencement and prosecution of this forfeiture
19 action.

20 SO ORDERED:

21
22 Dated: February 25, 2016

23
24 
25 Troy L. Nunley
26 United States District Judge
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

Exhibit A

Real property at 2541 Zuider Zee Circle, Elverta, CA

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA,
COUNTY OF SACRAMENTO, UNINCORPORATED AREA, AND IS DESCRIBED
AS FOLLOWS:

LOT 11, AS SHOWN ON THE "PLAT OF DUTCH HAVEN EAST", RECORDED IN
BOOK 121 OF MAPS, MAP NO.9, RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM ALL OIL, GAS, MINERALS, AND OTHER
HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND,
BUT WITH NO RIGHT OF SURFACE ENTRY, AS DISCLOSED IN DEEDS OF
RECORD.

APN: 203-0211-030-0000

Exhibit B

Real property at 3908 Floral Drive, North Highlands, CA

LOT 276, AS SHOWN ON THE "PLAT OF LARCHMONT VILLAGE UNIT NO.3,"
RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO
COUNTY ON OCTOBER 8, 1954, IN BOOK 38 OF MAPS, MAP NO. 28

EXCEPTING THEREFROM ALL MINERALS, OIL, GAS AND OTHER
HYDROCARBON SUBSTANCES WITHIN OR UNDERLYING SAID LAND, AS
EXCEPTED AND RECORDED IN THE DEED FROM MILTON J. BROCK, ET AL,
TO LARCHMONT VILLAGE, INC., A CORPORATION, DATED FEBRUARY 10,
1954, AND RECORDED FEBRUARY 23, 1954, IN BOOK 2558 OF OFFICIAL
RECORDS, PAGE 376, WHICH DEED FURTHER STATES: "PROVIDED,
HOWEVER, THE GRANTORS HEREIN SHALL NOT HAVE ANY RIGHT TO USE
THE SURFACE OF SAID LAND OR ANY OTHER PORTION THEREOF ABOVE
THE DEPTH OF 100 FEET FOR THE DEVELOPING OR EXTRACTING OF SUCH
SUBSTANCES, BUT THE GRANTORS SHALL HAVE THE RIGHT TO DEVELOP
SUCH SUBSTANCES BY LOCATIONS ON ADJACENT LAND, BY SLANT
DRILLING TO DEPTH OF 100 FEET BELOW AND IN SUCH A MANNER AS NOT
TO DISTURB THE SURFACE OF SAID LAND OR ANY OF THE IMPROVEMENTS
THEREON."

APN: 200-0301-003-0000

Exhibit C

Real property at 7230 Arutas Drive, North Highlands, CA

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA,
COUNTY OF SACRAMENTO, UNINCORPORATED AREA, AND IS DESCRIBED
AS FOLLOWS:

LOT 2847, AS SHOWN ON THE "PLAT OF LARCHMONT VILLAGE UNIT NO. 21",
RECORDED IN BOOK 77 OF MAPS, MAP NO. 37, RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM ALL OIL, GAS, MINERALS, AND OTHER
HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND,
BUT WITH NO RIGHT OF SURFACE ENTRY, AS DISCLOSED IN DEEDS OF
RECORD.

A.P.N. 219-0123-006-0000

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

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

Exhibit D

Real property at 7354 Washburn Way, North Highlands, CA

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA,
COUNTY OF SACRAMENTO, AND IS DESCRIBED AS FOLLOWS:

LOT 3404, AS SHOWN ON THE MAP ENTITLED, "LARCHMONT VILLAGE UNIT
NO. 30", FILED FOR RECORD IN BOOK 101 MAPS, PAGE 16.

APN: 219-0230-024-0000

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

Exhibit E

Real property at 2304 Mortenson Court, Elverta, CA

LOT 74, AS SHOWN ON THE OFFICIAL PLAT OF MIRANDA ESTATE, FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY ON MARCH 7, 1979, IN BOOK 128 OF MAPS, MAP NO. 25

APN: 203-0392-020-0000

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

Exhibit F

Real property at 7920 Bellingrath Drive, Elverta, CA

ALL THAT CERTAIN REAL PROPERTY LOCATED IN THE CITY OF ELVERTA, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA AS MORE PARTICULARLY DESCRIBED BELOW:

LOT 7 AS SHOWN ON THE "PLAT OF LINWOOD UNIT NO.1", RECORDED IN BOOK 71 OF MAPS, MAP NO.1, RECORDS OF SAID CITY.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES WITHIN OR UNDERLYING SAID LAND BELOW A DEPTH OF 200 FEET FROM THE SURFACE, WHETHER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, AS GRANTED TO BANKERS TITLE GUARANTY COMPANY, A CORPORATION, FROM SIERRA PACIFIC PROPERTIES, INC., A CALIFORNIA CORPORATION, RECORDED JUNE 24,1964 IN BOOK 4995, PAGE 719, OFFICIAL RECORDS

APN: 203-0192-006-0000

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

Exhibit G

Real property at 2948 Candido Drive, Sacramento, CA

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA,
COUNTY OF SACRAMENTO, AND IS DESCRIBED AS FOLLOWS:

LOT 224, AS SHOWN ON THE AMENDED PLAT OF FRATES RANCH UNIT NO.2,
RECORDED IN BOOK 139 OF MAPS, MAP NO. 17, RECORDS OF SAID COUNTY.

APN: 225-0765-008-0000

Exhibit H

Real property at 1550 Kellogg Street, Newcastle, CA

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF PLACER, UNINCORPORATED AREA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

PARCEL "B" OF PARCEL MAP NO. P-73338, FILED SEPTEMBER 14, 1979, IN BOOK 15 OF PARCEL MAPS, AT PAGE 46, PLACER COUNTY RECORDS.

PARCEL TWO:

A NON-EXCLUSIVE EASEMENT FOR ROADWAY AND UTILITY PURPOSES OVER, UNDER AND ACROSS A PORTION OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 12 NORTH, RANGE 7 EAST, THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 12 NORTH, RANGE 8 EAST, MOUNT DIABLO BASE AND MERIDIAN, INCLUDED WITHIN THE LAND SHOWN AND DESIGNATED AS AREA "J" OF PARCEL MAP NO. 73338, FILED IN THE OFFICE OF THE PLACER COUNTY RECORDER ON SEPTEMBER 14, 1979, IN BOOK 15 OF PARCEL MAPS, PAGE 46.

PARCEL THREE:

A NON-EXCLUSIVE EASEMENT FOR ROADWAY AND UTILITY PURPOSES OVER, UNDER AND ACROSS A PORTION OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 12 NORTH, RANGE 7 EAST, THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 12 NORTH, RANGE 8 EAST, MOUNT DIABLO BASE AND MERIDIAN, INCLUDED WITHIN THE LAND SHOWN AND DESIGNATED AS AREA "L" OF PARCEL MAP NO. 73338, FILED IN THE OFFICE OF PLACER COUNTY RECORDER ON SEPTEMBER 14, 1979, IN BOOK 15 OF PARCEL MAPS, PAGE 46.

APN: 032-163-070-000