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7 Attorneys for Plaintiff
 Wells Fargo Bank, N.A., successor by
 8 merger to Wells Fargo Bank
 Southwest, N.A., formerly known as
 9 Wachovia Mortgage FSB, formerly
 known as World Savings Bank, FSB
 10 (“Wells Fargo”)

11 UNITED STATES DISTRICT COURT
 12 CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION

13 Wells Fargo Bank, N.A., successor by
 merger to Wells Fargo Bank Southwest,
 14 NA, formerly known as Wachovia
 Mortgage, FSB, formerly known as
 15 World Savings Bank, FSB

CASE NO.: 8:10-cv-01633-JVS-RZ
 [Assigned to Hon. James V. Selna]

16 Plaintiff,
 17 vs.

JUDGMENT

18 KIRK HEINTZ, an individual; LARRY
 TODT, an individual; TODD J. SMITH,
 19 an individual; TODD SMITH, an
 individual; CARL WALLACE, an
 20 individual; GOLDEN WEST CAPITAL,
 TRUSTEE OF THE MARANA 16
 21 TRUST, an entity whose form is
 unknown; and all persons unknown,
 22 claiming any legal or equitable right,
 title, estate, lien or interest in that real
 23 property located in the County of
 Orange, commonly described as 16
 24 Marana Street, San Clemente, California,
 92673 which claim would be adverse to
 25 plaintiff’s title to or interest in said
 property, or any cloud on plaintiff’s title
 26 to or interest in said property; and DOES
 1 to 10, inclusive,

27 Defendants.
 28

1 GOLDEN WEST CAPITAL, LLC, a
2 California limited liability company, as
Trustee of The Marana 16 Trust,

3 Plaintiff,

4 vs.

5 WELLS FARGO BANK N.A., a
6 national banking association; ALL
PERSONS UNKNOWN CLAIMING
7 ANY LEGAL OR EQUITABLE
RIGHT, TITLE, ESTATE, LIEN, OR
8 INTEREST IN THAT REAL
PROPERTY LOCATED IN THE
9 COUNTY OF ORANGE COMMONLY
DESCRIBED AS 16 MARANA
10 STREET, SAN CLEMENTE
CALIFORNIA 92673, WHICH CLAIM
11 IS ADVERSE TO PLAINTIFF'S TITLE
TO OR INTEREST IN SAID
12 PROPERTY; and DOES 1 through 10
inclusive,

13 Defendants.
14

Case No. 8:11-cv-00200-JVS (RZx)

[Assigned to the Hon. James V. Selna,
District Judge]

15 The motion for partial summary judgment filed by plaintiff Wells Fargo
16 Bank, N.A., successor by merger to Wells Fargo Bank Southwest, N.A., formerly
17 known as Wachovia Mortgage, FSB, formerly known as World Savings Bank,
18 FSB ("Wells Fargo") came on regularly for hearing before the Honorable James V.
19 Selna on January 9, 2011, at 1:30 p.m. in Courtroom 10C of the above-captioned
20 Court.

21 The Court, having read and considered the motion, all opposition and reply
22 papers, and oral argument and good cause appearing issued its order granting the
23 motion in all respects on January 18, 2012. Wells Fargo having requested that the
24 court's order be confirmed as a judgment pursuant to FRCP 54(b) and the court
25 having found that there is no just reason for delay:

26 **IT IS HEREBY ORDERED AND ADJUDGED:**

27 1. The motion for partial summary judgment is granted in all respects,
28 without leave to amend;

1 2. The Notice of Rescission, recorded in the official records of Orange
2 County CA as Document No. 2010000207042, the Reconveyance recorded in the
3 official records of Orange County as Document No. 2010000216948, and the
4 Grant Deed from Kirk Heintz to Golden West LLC, trustee of the Marana 16 Trust
5 recorded in the official records of Orange County CA as Document No.
6 2010000395758 are hereby canceled as void; and

7 3. Title to the subject property, commonly known as 16 Marana Street,
8 San Clemente, California 92673-2742, the legal description of which is:

9 ALL THAT CERTAIN REAL PROPERTY SITUATED
10 IN THE COUNTY OF ORANGE STATE OF
 CALIFORNIA DESCRITBED AS FOLLOWS:

11 The land referred to is situated in the County of Orange,
12 City of San Clemente, State of California, and is
 described as follows:

13 That Portion of Lot 141 of Tract No. 8575, in the City of
14 San Clemente, County of Orange, State of California, as
15 shown on a Map recorded in Book 414 Pages 24 to 34
 inclusive of Miscellaneous Maps, in the office of the
 County recorder of said County, described as follows:

16 Parcel 141 as shown on that certain Line Adjustment
17 entitled "Amended Map of Tract No. 8575", recorded
18 January 20, 1983 as Instrument No. 83-029466, of
 Official Records.

19 is hereby quieted in favor of Wells Fargo Bank, N.A;

20 4. Plaintiff Wells Fargo recover its costs.

21 **IT IS SO ORDERED AND ADJUDGED.**

22
23 Dated: February 09, 2012

24 
25 _____
26 THE HONORABLE JAMES V. SELNA
27 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in the City of Pasadena, California; my business address is Anglin, Flewelling, Rasmussen, Campbell & Trytten LLP, 199 S. Los Robles Avenue, Suite 600, Pasadena, California 91101-2459.

On the date below, I served a copy of the foregoing document entitled:

[PROPOSED] JUDGMENT

Served Electronically Via the Court's CM/ECF System

Attorneys for Golden West Capital, Trustee of the Marana 16 Trust:

John P. Godsil
Terry J. Kent
FREEMAN, FREEMAN & SMILEY, LLP
1888 Century Park East, #1900
Los Angeles, CA 90069
Tel: (310) 255-6100
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**Served By Means Other than Electronically
Via the Court's CM/ECF System**

Defendant Kirk Heintz:

Kirk Heintz
307 Calle Villario
San Clemente CA 92672

on the interested parties in said case as follows:

BY MAIL: I am readily familiar with the firm's practice of collection and processing correspondence by mailing. Under that same practice it would be deposited with U.S. Postal Service on that same day with postage fully prepaid at Pasadena, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. This declaration is executed in Pasadena, California, on **February 7, 2012.**

Lina C. Velasquez
(Type or Print Name)

/s/ Lina C. Velasquez
(Signature of Declarant)

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