

1 CAROLINE D. CIRAOLO
Acting Assistant Attorney General

2 G. PATRICK JENNINGS
CHRISTIAN MEJIA
3 Trial Attorneys, Tax Division
U.S. Department of Justice
4 P.O. Box 683
Ben Franklin Station
Washington, D.C. 20044-0683
5 Telephone: (202) 307-6648
Telephone: (202) 305-7548
6 Email: guy.p.jennings@usdoj.gov
Email: Christian.Mejia@usdoj.gov

7 Benjamin B. Wagner
8 United States Attorney
Eastern District of California
9 *Of Counsel*

FILED

AUG 03 2015

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY  DEPUTY CLERK

10 **IN THE UNITED STATES DISTRICT COURT FOR THE**
11 **EASTERN DISTRICT OF CALIFORNIA**

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.)
16 RANDY KENT BARKER, CARL HANS,)
17 NEWPORT CAPITAL RECOVERY)
18 GROUP II, BUILDERS SUPPLY,)
19 CANYON OAKS PROPERTY)
OWNERS ASSOCIATION, INC., and)
20 BUTTE COUNTY TREASURER,)
Defendants.)

Case No. 2:15-cv-00062 JAM DAD

**STIPULATION BETWEEN THE
UNITED STATES OF AMERICA AND
BUTTE COUNTY TREASURER**

21 Plaintiff, the United States of America ("United States"), and Butte County
22 Treasurer ("County"), by and through undersigned counsel, hereby stipulate and agree
23 as follows:

1 1. The stipulation is made with regard to the subject real property in this case,
2 which is located at 3357 Summit Ridge Terrace, Chico, CA 95928. A legal description
3 of the property is found on the Grant Deed attached hereto as Exhibit A.

4 2. The United States claims that federal tax liens, which are identified in the
5 Complaint in the above-captioned matter, encumber the subject real property in this
6 case. These assessments are described in more detail in paragraph twenty eight of the
7 Complaint.

8 3. County may have a lien upon the subject real property for any unpaid property
9 taxes assessed against the real property at the time of any sale of the subject real
10 property in this case.

11 4. The United States and County agree that, pursuant to 26 U.S.C. § 6323(b)(6),
12 any Butte County property tax liens upon the subject real property in this case that are
13 entitled to priority over prior security interests under California state law will have priority
14 over the federal tax liens at issue in the above-captioned action.

15 5. In the event that the Court permits the sale of the subject real property, the
16 United States will include in its proposed order of sale a provision that the sale of the
17 subject real property shall be subject to Butte County's real property tax liens and that
18 such liens shall be satisfied from the net proceeds of sale (after the costs and expenses
19 of sale are paid) prior to any distribution to the United States or any other party to cover
20 their liens or other ownership interest, in an amount according to proof at the time of
21 sale.

22 6. Butte County Treasurer has been named as a defendant under 26 U.S.C. §
23 7403(b). The United States claims no monetary relief against County in this action.

1 Unless otherwise ordered by the Court, Butte County is excused from further
2 participation in this action. Butte County agrees to be bound by the judgment in this
3 case, which shall incorporate the terms of this stipulation and order.

4 7. The United States and the Butte County Treasurer shall bear their own costs and
5 fees associated with this issue.

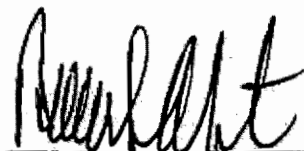
6 WHEREFORE the parties so agree and request an order confirming the foregoing.
7

8 DATED: July 1, 2015

DATED: July 16, 2015

9 CAROLINE D. CIRAOLO
10 Acting Assisting Attorney General

11 /s/ Christian Mejia
12 CHRISTIAN MEJIA
Trial Attorney, Tax Division


13 Bruce S. Alpert
14 County Counsel, Butte County

13 Benjamin B. Wagner
14 United States Attorney
15 Eastern District of California
16 *Of Counsel*
17
18
19
20
21
22
23

Exhibit A

2009-0010647

Chico
RECORDING REQUESTED BY
Mid Valley Title & Escrow Company

Recorded
Official Records
County of
Butte
CAMBICE J. BRIDGES
County Clerk-Recorder

REC FEE
TAX
32.00
544.50

09:06AM 01-Apr-2009 Page 1 of 9

AND WHEN RECORDED MAIL DOCUMENT
AND TAX STATEMENT TO:
Randy K. Barker and Tammy M. Barker
3357 Summit Ridge Terrace
Chico, CA 95928



Space Above This Line for Recorder's Use Only

A.P.N.: 018-590-026

File No.: 0401-3250651 (DMP)

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$544.50; CITY TRANSFER TAX \$-0-;
SURVEY MONUMENT FEE \$-0-

- computed on the consideration or full value of property conveyed, OR
- computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
- unincorporated area; City of Chico, and

9
SW

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Gallil Designs Inc., a California corporation

hereby GRANTS to Randy K. Barker and Tammy M. Barker, husband and wife as community property with right of survivorship

the following described property in the City of Chico, County of Butte, State of California:

PARCEL I:

LOT 60, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "SIENA AT CANYON OAKS, PHASE 2", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON NOVEMBER 19, 2007, IN BOOK 172 OF MAPS, AT PAGE(S) 93, 94, 95, 96, AND 97.

RESERVING THEREFROM OVERLAND SURFACE DRAINAGE EASEMENTS ACROSS ALL LOTS FOR THE BENEFIT OF ALL ADJOINERS DIRECTLY UPHILL; STORM DRAIN EASEMENTS; SANITARY SEWER EASEMENTS AND ACCESS EASEMENTS FOR THE BENEFIT OF ALL ADJOINERS WHERE SHOWN ON THE ANNEXED MAP; MEANDERING DRAINAGE EASEMENTS ALONG ALL EXISTING DRAINAGE'S AND SLOPES FOR THE BENEFIT OF ALL PROPERTY OWNERS IN THE SIENA AT CANYON OAKS, PHASE 2 SUBDIVISION.

PARCEL II:

AN EASEMENT FOR STORM DRAIN, UTILITIES, SEWAGE AND STORM DRAIN FLOWAGE OVER LOT 10, AS SHOWN ON THAT CERTAIN PARCEL MAP, RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON SEPTEMBER 4, 1987, IN BOOK 107 OF MAPS, AT PAGE(S) 87 AND 88.

PARCEL III:

AN EASEMENT FOR STORM DRAINS, UTILITIES, SEWER LINES, MANHOLES, LIFT STATIONS AND RELATED IMPROVEMENTS, PLUS THE RIGHT TO THE SURFACE OF THE PROPERTY FOR WATER DRAINAGE PURPOSES OVER PARCEL 10, AS SHOWN ON THAT CERTAIN PARCEL MAP, WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON SEPTEMBER 4, 1987, IN BOOK 107 OF MAPS, AT PAGE(S) 87 AND 88.

Mail Tax Statements To: SAME AS ABOVE

MP



Date: 03/23/2009

PARCEL IV:

EASEMENTS FOR ACCESS PURPOSES OVER THE FOLLOWING 4 PARCELS:

PARCEL 1:

COMMENCING AT THE INTERSECTION OF PARCELS 1, 3 AND 10, AS SHOWN ON THAT CERTAIN PARCEL MAP, RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON SEPTEMBER 4, 1987, IN BOOK 107 OF MAPS, AT PAGE(S) 87 AND 88; THENCE NORTH 57 DEG. 59' 41" WEST ALONG THE BOUNDARY COMMON TO SAID PARCELS 1 AND 10, A DISTANCE OF 120.00 FEET; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 88 DEG. 34' 04" WEST, A DISTANCE OF 114.57 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 88 DEG. 34' 04" WEST, A DISTANCE OF 285.56 FEET; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 69 DEG. 37' 25" WEST, A DISTANCE OF 100.00 FEET; THENCE LEAVING SAID BOUNDARY, SOUTH 44 DEG. 28' 17" EAST, A DISTANCE OF 876.09 FEET, TO A POINT ON THE BOUNDARY COMMON TO PARCELS 2 AND 10, AS SHOWN ON THE AFOREMENTIONED MAP; THENCE SOUTH 75 DEG. 57' 50" EAST, ALONG SAID BOUNDARY COMMON TO PARCELS 2 AND 10, A DISTANCE OF 164.92 FEET; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 75 DEG. 57' 50" EAST, A DISTANCE OF 248.03 FEET; THENCE LEAVING SAID BOUNDARY NORTH 44 DEG. 28' 17" WEST, A DISTANCE OF 906.64 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN LOT 40 OF PHASE I CANYON OAKS SUBDIVISION.

PARCEL 2:

COMMENCING AT THE INTERSECTION OF PARCELS 2, 4 AND 10, AS SHOWN ON THE AFOREMENTIONED MAP; THENCE NORTH 66 DEG. 17' 50" EAST ALONG THE BOUNDARY COMMON TO SAID PARCELS 4 AND 10, A DISTANCE OF 104.54 FEET; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 72 DEG. 53' 50" EAST, A DISTANCE OF 605.07 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 72 DEG. 53' 50" EAST, A DISTANCE OF 75.00 FEET; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 80 DEG. 05' 45" EAST, A DISTANCE OF 25.62 FEET; THENCE LEAVING SAID BOUNDARY NORTH 68 DEG. 48' 42" EAST, A DISTANCE OF 605.06 FEET; THENCE NORTH 21 DEG. 11' 18" WEST, A DISTANCE OF 210.00 FEET; THENCE SOUTH 68 DEG. 48' 42" WEST, A DISTANCE OF 704.99 FEET; THENCE SOUTH 21 DEG. 11' 18" EAST, A DISTANCE OF 199.64 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3:

COMMENCING AT THE INTERSECTION OF PARCELS 4, 5 AND 10, AS SHOWN ON THE AFOREMENTIONED MAP; THENCE NORTH 88 DEG. 05' 12" WEST ALONG THE BOUNDARY COMMON TO SAID PARCELS 4 AND 10, A DISTANCE OF 634.30 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID BOUNDARY COMMON TO PARCELS 4 AND 10 NORTH 21 DEG. 35' 43" WEST, A DISTANCE OF 154.87 FEET; THENCE LEAVING SAID BOUNDARY NORTH 60 DEG. 56' 22" EAST, A DISTANCE OF 347.61 FEET TO A POINT ON THE BOUNDARY COMMON TO PARCELS 3 AND 10, AS SHOWN ON THE AFOREMENTIONED MAP; THENCE ALONG SAID BOUNDARY COMMON TO PARCELS 3 AND 10, SOUTH 11 DEG. 35' 32" EAST, A DISTANCE OF 80.49 FEET; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 67 DEG. 37' 12" EAST, A DISTANCE OF 98.19 FEET; THENCE LEAVING SAID BOUNDARY COMMON TO PARCELS 3 AND 10, SOUTH 60 DEG. 56' 22" WEST, A DISTANCE OF 404.77 FEET TO A POINT ON THE BOUNDARY COMMON TO PARCELS 4 AND 10, SAID POINT BEING THE TRUE POINT OF BEGINNING.



Date: 03/23/2009

PARCEL 4:

COMMENCING AT THE INTERSECTION OF PARCELS 3, 7, 8 AND 10, AS SHOWN ON THE AFOREMENTIONED MAP; THENCE SOUTH 28 DEG. 44' 23" EAST ALONG THE BOUNDARY COMMON TO SAID PARCELS 8 AND 10, A DISTANCE OF 707.11 FEET; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 56 DEG. 18' 36" EAST, A DISTANCE OF 272.68 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 56 DEG. 18' 36" EAST, A DISTANCE OF 224.21 FEET; THENCE LEAVING SAID BOUNDARY COMMON TO PARCELS 8 AND 10 SOUTH 6 DEG. 49' 02" WEST, A DISTANCE OF 428.92 FEET TO A POINT ON THE BOUNDARY COMMON TO PARCELS 5 AND 10, AS SHOWN ON THE AFOREMENTIONED MAP; THENCE ALONG SAID BOUNDARY COMMON TO PARCELS 5 AND 10 NORTH 79 DEG. 33' 45" WEST, A DISTANCE OF 200.40 FEET; THENCE LEAVING SAID BOUNDARY COMMON TO PARCELS 5 AND 10 NORTH 6 DEG. 49' 02" EAST, A DISTANCE OF 517.61 FEET TO A POINT ON THE BOUNDARY COMMON TO PARCELS 8 AND 10, SAID POINT BEING THE TRUE POINT OF BEGINNING.

PARCEL V:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS, BOTH PEDESTRIAN AND VEHICULAR USE, SUPPORT AND ENJOYMENT THROUGH, OVER, UNDER, ACROSS AND ON LOT A, THE COMMON AREA, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "PHASE I CANYON OAKS SUBDIVISION", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON NOVEMBER 16, 1989, IN BOOK 116 OF MAPS, AT PAGE(S) 83, 84, 85, 86, 87 AND 88.

PARCEL VI:

ALL OVERLAND SURFACE FLOWAGE EASEMENTS, ACROSS ALL LOTS FOR THE BENEFIT OF ALL ADJOINERS DIRECTLY UPHILL; STORM DRAIN EASEMENTS FOR THE BENEFIT OF ALL ADJOINERS WHERE SHOWN HEREON; MEANDERING DRAINAGE EASEMENTS ALONG ALL EXISTING DRAINAGES FOR THE BENEFIT OF ALL ADJOINERS; AND SEWAGE EASEMENTS FOR THE BENEFIT OF ALL PROPERTY OWNERS IN PHASE I AND ALL FUTURE CONNECTIONS UPSTREAM OF SAID PHASE I, AS SAID EASEMENTS ARE SHOWN ON THAT CERTAIN MAP ENTITLED, "PHASE I CANYON OAKS SUBDIVISION", WHICH MAP WAS THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON NOVEMBER 16, 1989, IN BOOK 116 OF MAPS, AT PAGE(S) 83 THRU 88.

THE ABOVE MAP WAS AMENDED ON APRIL 29, 1991, IN BOOK 122 OF MAPS, AT PAGE(S) 46, BUTTE COUNTY RECORDS.

CERTIFICATE OF CORRECTION RECORDED JUNE 13, 1991, UNDER BUTTE COUNTY RECORDER'S SERIAL NO. 91-23645.

EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE BOUNDS OF PARCEL I, DESCRIBED HEREIN.

PARCEL VII:

EASEMENTS FOR PEDESTRIAN AND BICYCLES AND ROADWAY DRAINAGE EASEMENTS AS SAID EASEMENTS ARE SHOWN ON THAT CERTAIN MAP ENTITLED, "PHASE I CANYON OAKS SUBDIVISION", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON NOVEMBER 16, 1989, IN BOOK 116 OF MAPS, AT PAGE(S) 83 THRU 88.

THE ABOVE MAP WAS AMENDED ON APRIL 29, 1991, IN BOOK 122 OF MAPS, AT PAGE(S) 46,

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BUTTE COUNTY RECORDS.

CERTIFICATE OF CORRECTION RECORDED JUNE 13, 1991, UNDER BUTTE COUNTY RECORDER'S SERIAL NO. 91-23645.

EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE BOUNDS OF PARCEL I, DESCRIBED HEREIN.

PARCEL VIII:

A NON-EXCLUSIVE PRIVATE ROADWAY EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES OVER LOT A AND PERMANENT OPEN SPACE AND CONSERVATION EASEMENTS OVER LOTS B, C AND E, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "CANYON OAKS SUBDIVISION, PARCEL IV PHASE I", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON MAY 7, 2002, IN BOOK 154 OF MAPS, AT PAGE(S) 1, 2, 3, 4, 5, 6 AND 7.

PARCEL IX:

INGRESS AND EGRESS EASEMENTS ON ALL AREAS SHOWN AS P.U.E. FOR MAINTENANCE OF CURBS, DRAINAGE CHANNELS, CULVERTS, ROADWAY SHOULDERS, SLOPES AND PATHWAYS, AS SHOWN ON MAP ENTITLED "CANYON OAKS SUBDIVISION, PARCEL IV PHASE I", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON MAY 7, 2002, IN BOOK 154 OF MAPS, AT PAGE(S) 1, 2, 3, 4, 5, 6 AND 7.

PARCEL X:

OVERLAND SURFACE FLOWAGE EASEMENTS ACROSS ALL LOTS FOR THE BENEFIT OF ALL ADJOINERS DIRECTLY UPHILL; STORM DRAIN EASEMENTS FOR THE BENEFIT OF ALL ADJOINERS WHERE SHOWN HEREON; SANITARY SEWER EASEMENTS FOR THE BENEFIT OF ALL ADJOINERS WHERE SHOWN HEREON; ACCESS EASEMENTS FOR THE BENEFIT OF ALL ADJOINERS WHERE SHOWN HEREON; MEANDERING DRAINAGE EASEMENTS ALONG ALL EXISTING DRAINAGES FOR THE BENEFIT OF ALL PROPERTY OWNERS IN THE "CANYON OAKS SUBDIVISION, PARCEL IV PHASE I", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON MAY 7, 2002, IN BOOK 154 OF MAPS, AT PAGE(S) 1, 2, 3, 4, 5, 6 AND 7.

PARCEL XI:

A NON-EXCLUSIVE EASEMENT IN PERPETUITY FOR ACCESS PURPOSES TO AND OVER RIDGE HOLLOW LANE, SUMMIT RIDGE TERRACE AND HORIZON POINT PLACE, AS SUCH LANE, TERRACE AND PLACE ARE SHOWN ON THE THREE MAPS DESCRIBED BELOW, INCLUDING: INGRESS AND EGRESS; ACCESS TO AND FROM ALL ABUTTING STREETS AND RIGHTS OF WAY; AND USE FOR VEHICULAR (INCLUDING TRUCKS), CONSTRUCTION, BICYCLE AND PEDESTRIAN PURPOSES, SUCH THREE SUBDIVISION MAPS ARE:

(A) THE MAP ENTITLED "THE VIEWS SUBDIVISION PHASE 1" RECORDED IN THE OFFICIAL RECORDS OF BUTTE COUNTY, CALIFORNIA, ON MAY 21, 2003 IN BOOK 156 OF MAPS AT PAGES 98-100;

(B) THE MAP ENTITLED "THE VIEWS SUBDIVISION PHASE 2" RECORDED IN THE OFFICIAL RECORDS OF BUTTE COUNTY, CALIFORNIA ON SEPTEMBER 6, 2004 IN BOOK 161 OF MAPS AT PAGES 64-67; AND

(C) THE MAP ENTITLED "ROLLING HILLS SUBDIVISION, PHASE 4" RECORDED IN THE



Date: 03/23/2009

OFFICIAL RECORDS OF BUTTE COUNTY, CALIFORNIA ON JUNE 3, 2003 IN BOOK 157 OF MAPS AT PAGES 21-24 (CERTIFICATE OF CORRECTION RECORDED JUNE 30, 2003, UNDER BUTTE COUNTY RECORDER'S SERIAL NO. 2003-42735).

PARCEL XII:

AN ACCESS EASEMENT IN PERPETUITY TO AND OVER RIDGE HOLLOW LANE AND SUMMIT RIDGE TERRACE, AS SUCH LANE AND TERRACE ARE SHOWN ON THE FOLLOWING TWO MAPS, INCLUDING: INGRESS AND EGRESS; ACCESS TO AND FROM ALL ABUTTING STREETS AND RIGHTS OF WAY; AND USE FOR VEHICULAR (INCLUDING TRUCKS), CONSTRUCTION, BICYCLE AND PEDESTRIAN PURPOSES, SUCH TWO MAPS ARE:

A. THE MAP ENTITLED "THE VIEWS SUBDIVISION PHASE 1" RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON MAY 21, 2003 IN BOOK 156 OF MAPS AT PAGES 98-100; AND

B. THE MAP ENTITLED "THE VIEWS SUBDIVISION PHASE 2" RECORDED IN THE OFFICIAL RECORDS OF BUTTE COUNTY, CALIFORNIA ON SEPTEMBER 5, 2004 IN BOOK 161 OF MAPS AT PAGES 64-67.

PARCEL XIII:

OVERLAND SURFACE FLOWAGE EASEMENTS ACROSS ALL LOTS FOR THE BENEFIT OF ALL ADJOINERS DIRECTLY UPHILL; STORM DRAIN EASEMENTS, SANITARY SEWER EASEMENTS AND ACCESS EASEMENTS FOR THE BENEFIT OF ALL ADJOINERS WHERE SHOWN HEREIN; MEANDERING DRAINAGE EASEMENTS ALONG ALL EXISTING DRAINAGES FOR THE BENEFIT OF ALL PROPERTY OWNERS IN "THE VIEWS SUBDIVISION PHASE 1", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON MAY 21, 2003, IN BOOK 156 OF MAPS, AT PAGE(S) 98, 99 AND 100.

PARCEL XIV:

NON-EXCLUSIVE EASEMENTS FOR PRIVATE ROADWAYS, INCLUDING STORM DRAIN AND SANITARY SEWER FACILITIES OVER LOTS C AND D, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "ROLLING HILLS SUBDIVISION, PHASE 4", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON JUNE 3, 2003, IN BOOK 157 OF MAPS, AT PAGE(S) 21 THRU 24.

A CERTIFICATE OF CORRECTION RECORDED JUNE 30, 2003, UNDER BUTTE COUNTY RECORDER'S SERIAL NO. 2003-42735.

PARCEL XV:

PERMANENT OPEN SPACE AND CONSERVATION EASEMENTS OVER LOTS A AND B, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "ROLLING HILLS SUBDIVISION, PHASE 4", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON JUNE 3, 2003, IN BOOK 157 OF MAPS, AT PAGE(S) 21 THRU 24.

A CERTIFICATE OF CORRECTION RECORDED JUNE 30, 2003, UNDER BUTTE COUNTY RECORDER'S SERIAL NO. 2003-42735.

PARCEL XVI:

ALL OVERLAND SURFACE FLOWAGE EASEMENTS, ACROSS ALL LOTS FOR THE BENEFIT OF ALL ADJOINERS DIRECTLY UPHILL; STORM DRAIN EASEMENTS FOR THE BENEFIT OF ALL ADJOINERS WHERE SHOWN HEREIN; MEANDERING DRAINAGE EASEMENTS ALONG ALL

m.e.



EXISTING DRAINAGES FOR THE BENEFIT OF ALL ADJOINERS; AND SEWAGE EASEMENTS FOR THE BENEFIT OF ALL PROPERTY OWNERS IN "ROLLING HILLS SUBDIVISION, PHASE 4", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON JUNE 3, 2003, IN BOOK 157 OF MAPS, AT PAGE(S) 21 THRU 24.

A CERTIFICATE OF CORRECTION RECORDED JUNE 30, 2003, UNDER BUTTE COUNTY RECORDER'S SERIAL NO. 2003-42735.

PARCEL XVII:

A NON-EXCLUSIVE EASEMENT IN PERPETUITY FOR UTILITIES PURPOSES (I) ON, OVER AND UNDER ALL AREAS SHOWN AS P.U.E. OR PUE ON THE THREE MAPS DESCRIBED BELOW, AND (II) UNDER RIDGE HOLLOW LANE, SUMMIT RIDGE TERRACE AND HORIZON POINT PLACE, AS SUCH AREAS, LANE, TERRACE AND PLACE ARE SHOWN ON SUCH THREE MAPS DESCRIBED BELOW, INCLUDING THE CONSTRUCTION, OPERATION, MAINTENANCE, ALTERATION, IMPROVEMENT, REPLACEMENT, RELOCATION AND REMOVAL OF UTILITIES; INGRESS AND EGRESS FOR SUCH PURPOSES OVER AND ACROSS THE AREA OF SUCH EASEMENT; AND USE OF EACH EXISTING SANITARY SEWER, WATER, GAS, ELECTRIC, AND OTHER LINE AND ITS APPURTENANCES LOCATED IN SUCH EASEMENT WHICH SERVES TWO OR MORE HOMES TO THE EXTENT (Y) THE LINE HAS CAPACITY REMAINING AFTER SERVING ALL LOTS SHOWN ON SUCH THREE MAPS WHICH ARE INTENDED TO BE SERVED BY THE LINE, AND (Z) SUCH USE IS AUTHORIZED BY THE COMPANY OPERATING THE LINE, IF ANY. THE TERM "UTILITIES" IN THE PRECEDING SENTENCE INCLUDES WATER (POTABLE OR RECYCLED), ELECTRIC, GAS, SANITARY SEWER, STORM DRAIN, TELEPHONE, CABLE TELEVISION, DATA TRANSMISSION, OTHER COMMUNICATIONS AND ALL OTHER SIMILAR OR RELATED SERVICES, AND INCLUDES THE UTILITIES, APPURTENANCES AND OTHER RELATED IMPROVEMENTS. SUCH THREE SUBDIVISION MAPS ARE:

(A) THE MAP ENTITLED "THE VIEWS SUBDIVISION PHASE 1" RECORDED IN THE OFFICIAL RECORDS OF BUTTE COUNTY, CALIFORNIA, ON MAY 21, 2003 IN BOOK 156 OF MAPS AT PAGES 98-100;

(B) THE MAP ENTITLED "THE VIEWS SUBDIVISION PHASE 2" RECORDED IN THE OFFICIAL RECORDS OF BUTTE COUNTY, CALIFORNIA ON SEPTEMBER 6, 2004 IN BOOK 161 OF MAPS AT PAGES 64-67; AND

(C) THE MAP ENTITLED "ROLLING HILLS SUBDIVISION, PHASE 4" RECORDED IN THE OFFICIAL RECORDS OF BUTTE COUNTY, CALIFORNIA ON JUNE 3, 2003 IN BOOK 157 OF MAPS AT PAGES 21-24 (CERTIFICATE OF CORRECTION RECORDED JUNE 30, 2003, UNDER BUTTE COUNTY RECORDER'S SERIAL NO. 2003-42735).

PARCEL XVIII:

DRAINAGE EASEMENTS OVER ON AND UNDER THOSE STRIPS OF LAND SHOWN ON THE ANNEXED MAP AS "S.D.E" (STORM DRAIN EASEMENTS), INCLUDING ALL PERTINENT DRAINAGE FACILITIES, FOR REPAIR AND MAINTENANCE, AS SHOWN ON MAP ENTITLED "ROLLING HILLS SUBDIVISION, PHASE 4", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON JUNE 3, 2003, IN BOOK 157 OF MAPS, AT PAGE(S) 21 THRU 24.

A CERTIFICATE OF CORRECTION RECORDED JUNE 30, 2003, UNDER BUTTE COUNTY RECORDER'S SERIAL NO. 2003-42735.

PARCEL XIX:

RECIPROCAL ACCESS EASEMENTS, WITH EXACT LOCATIONS UNDETERMINED TO AND FROM



Date: 03/23/2009

EACH OF THE TEN PARCELS, AS SHOWN ON THAT CERTAIN PARCEL MAP, RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON SEPTEMBER 4, 1987, IN BOOK 107 OF MAPS, AT PAGE(S) 87 AND 88.

PARCEL XX:

ALL EASEMENTS DESCRIBED AS NUMBERS 1 THROUGH 6, AS CONTAINED IN EASEMENT GRANT DEED RECORDED OCTOBER 29, 2004, SERIAL NO. 2004-66659.

PARCEL XXI:

ALL EASEMENTS DESCRIBED AS NUMBERS 1 THROUGH 7, AS CONTAINED IN EASEMENT GRANT DEED RECORDED NOVEMBER 4, 2004, SERIAL NO. 2004-67650.

PARCEL XXII:

A NON-EXCLUSIVE EASEMENT IN PERPETUITY FOR SANITARY SEWER PURPOSES TO THE 12' SANITARY SEWER EASEMENT LOCATED ON LOT 16 AND SHOWN IN "DETAIL C," AS SUCH LOT 16 AND DETAIL C ARE SHOWN ON THAT CERTAIN MAP ENTITLED "THE VIEWS SUBDIVISION PHASE 2" RECORDED IN THE OFFICIAL RECORDS OF BUTTE COUNTY, CALIFORNIA ON SEPTEMBER 6, 2004 IN BOOK 161 OF MAPS AT PAGES 64-67, INCLUDING: THE CONSTRUCTION, OPERATION, MAINTENANCE, ALTERATION, IMPROVEMENT, REPLACEMENT, RELOCATION AND REMOVAL OF A SEWER SYSTEM AND ITS APPURTENANCES AND RELATED IMPROVEMENTS; INGRESS AND EGRESS FOR SUCH PURPOSES OVER AND ACROSS THE AREA OF SUCH EASEMENT AND SUCH LOT 16; AND USE OF THE EXISTING SANITARY SEWER LINE AND APPURTENANCES LOCATED IN SUCH EASEMENT.

PARCEL XXIII:

NON-EXCLUSIVE PRIVATE ROADWAY AND PUBLIC UTILITY EASEMENTS FOR THE COMMON USE AND ENJOYMENT OF THE OWNERS OVER SUMMIT RIDGE TERRACE AND SIENA RIDGE LOOP, KNOWN AS LOT A, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "SIENA AT CANYON OAKS, PHASE 1", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON DECEMBER 15, 2005, IN BOOK 165 OF MAPS, AT PAGE(S) 98, 99, 100 & 101.

PARCEL XXIV:

PERMANENT OPEN SPACE EASEMENTS, ALL FOR THE COMMON USE AND ENJOYMENT OF THE OWNERS, OVER LOTS B AND C, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "SIENA AT CANYON OAKS, PHASE 1", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON DECEMBER 15, 2005, IN BOOK 165 OF MAPS, AT PAGE(S) 98, 99, 100 & 101.

PARCEL XXV:

NON-EXCLUSIVE PRIVATE ROADWAY AND PUBLIC UTILITY EASEMENTS FOR THE COMMON USE AND ENJOYMENT OF THE OWNERS OVER SUMMIT RIDGE TERRACE AND SHALLOW SPRINGS TERRACE, KNOWN AS LOT A, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "SIENA AT CANYON OAKS, PHASE 2", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON NOVEMBER 19, 2007, IN BOOK 172 OF MAPS, AT PAGE(S) 93, 94, 95, 96 & 97.

PARCEL XXVI:



Grant Deed - continued

Date: 03/23/2009

PERMANENT OPEN SPACE EASEMENTS, ALL FOR THE COMMON USE AND ENJOYMENT OF THE OWNERS, OVER LOTS B, C AND D, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "SIENA AT CANYON OAKS, PHASE 2", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON NOVEMBER 19, 2007, IN BOOK 172 OF MAPS, AT PAGE(S) 93, 94, 95, 96 & 97.

PARCEL XXVII:

OVERLAND SURFACE DRAINAGE EASEMENTS ACROSS ALL LOTS FOR THE BENEFIT OF ALL ADJOINERS DIRECTLY UPHILL; STORM DRAIN EASEMENTS; SANITARY SEWER EASEMENTS AND ACCESS EASEMENTS FOR THE BENEFIT OF ALL ADJOINERS WHERE SHOWN ON THE ANNEXED MAP; MEANDERING DRAINAGE EASEMENTS ALONG ALL EXISTING DRAINAGE'S AND SLOPES FOR THE BENEFIT OF ALL PROPERTY OWNERS IN THE SIENA AT CANYON OAKS, PHASE 2 SUBDIVISION WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON NOVEMBER 19, 2007, IN BOOK 172 OF MAPS, AT PAGE(S) 93, 94, 95, 96 & 97.

see



Grant Deed - continued

Date: 03/23/2009

A.P.N.: 018-590-026

File No.: 0401-3250651 (DMP)

Dated: 03/23/2009

Galli Designs Inc., a California corporation

Michael Galli
By: Michael Galli, President

STATE OF Calif)SS
COUNTY OF Butte)

On 3-25-09, before me, Denise M Price, Notary Public, personally appeared Michael Galli

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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 [Signature]

My Commission Expires: _____

This area for official notarial seal

Notary Name: _____

Notary Phone: _____

Notary Registration Number: _____

County of Principal Place of Business: _____

Date: JUN 11 2013

This is to certify that, if bearing the purple seal of this office, this is a true copy of the document filed with the Butte County Clerk-Recorder's Office.

Candace J. Grubbs
Butte County Clerk-Recorder
By: [Signature], Deputy



1 CAROLINE D. CIRAULO
Acting Assistant Attorney General

2 G. PATRICK JENNINGS
CHRISTIAN MEJIA
3 Trial Attorneys, Tax Division
U.S. Department of Justice
4 P.O. Box 683
Ben Franklin Station
5 Washington, D.C. 20044-0683
Telephone: (202) 307-6648
Telephone: (202) 305-7548
6 Email: guy.p.jennings@usdoj.gov
Email: Christian.Mejia@usdoj.gov

7 Benjamin B. Wagner
8 United States Attorney
Eastern District of California
9 *Of Counsel*

10 **IN THE UNITED STATES DISTRICT COURT FOR THE**
11 **EASTERN DISTRICT OF CALIFORNIA**

13 UNITED STATES OF AMERICA,)

14 Plaintiff,)

15 v.)

16 RANDY KENT BARKER, CARL HANS,)
NEWPORT CAPITAL RECOVERY)
17 GROUP II, BUILDERS SUPPY,)
CANYON OAKS PROPERTY)
18 OWNERS ASSOCIATION, INC., and)
BUTTE COUNTY TREASURER,)

19 Defendants.)
20)

Case No. 2:15-cv-00062 JAM DAD

**ORDER APPROVING STIPULATION
BETWEEN THE UNITED STATES OF
AMERICA AND BUTTE COUNTY
TREASURER**

21 Plaintiff, the United States of America ("United States"), and defendant Butte
22 County Treasurer ("County"), have jointly filed a Stipulation regarding Butte County's
23 interest in the real property at issue in this action. The Stipulation provides that the
United States will include in its proposed order of sale a provision that the sale of the

1 subject property shall be subject to Butte County's real property tax liens and that such
2 liens shall be satisfied from the net proceeds of sale (after the costs and expenses of
3 sale are paid) prior to any distribution to the United States or any other party to cover
4 their liens or other ownership interest, in an amount according to proof at the time of
5 sale. The Stipulation further provides that Butte County should be excused from further
6 participation in this action and that Butte County agrees to be bound by the judgment in
7 this case.

8 Pursuant to the Stipulation between the parties, IT IS HEREBY ORDERED:

9 (1) The Stipulation between the United States and Butte County
10 Treasurer is hereby approved;

11 (2) If the United States succeeds in obtaining from the Court an Order
12 of Foreclosure and Judicial Sale of the real property at issue in this action, it shall
13 submit to the Court a proposed order of sale consistent with the terms of that
14 Stipulation;

15 (3) The United States and County shall each bear their own costs; and

16 (4) Butte County Treasurer is excused from further participation in this
17 action.

18 **IT IS SO ORDERED.**

19 DATED this 3rd day of August, 2015.

20 
21 _____
22 UNITED STATES DISTRICT COURT JUDGE
23