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4 UNITED STATES DISTRICT COURT
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA
6 OAKLAND DIVISION
7

8 BIGHORN CAPITAL, INC.,

9 Plaintiff,

10 vs.

11 SECURITY NATIONAL GUARANTY,
12 INC., AND DOES 1 through 10,

13 Defendant.
14

Case No: C 15-03083 SBA

**AMENDMENT TO ORDER
GRANTING DEFENDANT'S
MOTION TO EXPUNGE LIS
PENDENS**

15 Pursuant to the request by Defendant Security National Guaranty, Inc. ("SNG"),
16 Dkt. 52, the Court's order, dated August 20, 2015, granting SNG's Motion to Expunge Lis
17 Pendens, Dkt. 51, is hereby modified in include, at page 10, line 20, a legal description of
18 the property, as follows:

19 SNG's Motion to Expunge Lis Pendens is GRANTED. The Notice of Pendency of
20 Action (Lis Pendens) recorded by Plaintiff Bighorn Capital, Inc. on July 2, 2015, as
21 Document No. 2015035966 in the Recorder's Office for the County of Monterey, shall be,
22 and hereby is, expunged. The Lis Pendens pertains to real property located at Rancho
23 Noche Buena and Monterey City Lands Tract No. 1, County of Monterey, California,
24 bearing Assessor Parcel Number 011-501-014, and is legally described as:

25 That portion of Rancho Noche Buena and Monterey City Lands Tract No. 1
26 in County of Monterey, State of California, being a portion of that certain
27 86.75 acre tract of land conveyed in the Deed by T.A. Work, et ux, to Mrs. E.
28 Roberts, dated May 116, 1921 and recorded in Volume 13, Page 444, Official
Records of Monterey County, described as follows:

Beginning at a 4" x 4" post standing at northeasterly corner of the above mentioned 86.75 acre tract of land and in the westerly boundary of that certain strip of land 100 feet wide as conveyed in the Deed by David Jacks to Monterey Railroad Company, dated May 1, 1880 and recorded in Volume Z, page 472, of Deeds Monterey County Records (now known as the right of way of the Southern Pacific Railroad, Monterey Branch and from which point of beginning the S.P.R.R. Engineer's Station 594 + 60.0 – C.C.T.2-1/2 in centerline of tract bears S. 60° 10' E., 50.3 feet; thence along westerly boundary of said 100 foot strip,

(1) Southerly, 1570 feet, a little more or less, to a 4" x 4" post marked "AT 1386.6" "SPRR LINE" from which SPRR Engineer's Station 610 + 51.0C.C.T2 in centerline of tract bears S. 63° 21'E., 61.1 feet; thence leave said westerly boundary and running

(2) N. 53° 06' W., 1386.6 feet (at 765.6 feet to a 4" x 4" post marked "A +621.0" "LINE", at 1243.1 feet a 4" x 4" post marked "AT 143.5" "LINE" "WP") to a point in the mean high water line of Monterey Bay; thence along mean high water of Monterey Bay,

(3) N. 32° 08 ½'E., 1500.0 feet to a point in the northerly boundary of said 86.75 acre tract; thence along said northerly boundary up middle of canyon,


(4) S. 53° 06'E., 1115.0 feet (at 132.6 feet a 4" x 4" post marked "AT 132.6" WP" at 523.8 feet to a 4" x 6" post marked "AT 523.8" at 905.0 feet a 4"x 4" fence post), to the point of beginning. Courses all true, declination of magnetic needle being 17°30' East.

EXCEPT THEREFROM all that certain real property described in the Final Order of Condemnation issued out of the Superior Court of the State of California for the County of Monterey, Case No. 55706, entitled, The People of the State of California, acting by and through the Department of Public Works, plaintiff, vs. Bank of America National Trust and Savings Association, et al., defendants, recorded April 1, 1966 in Reel 455, Page 620, Official Records of Monterey County.

APN 011-501-014

IT IS SO ORDERED.

Dated: 8/21/15


SAUNDRA BROWN ARMSTRONG
United States District Judge