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FILED
SUPERIOR COURT of CALIFORNIA
COUNTY OF SANTA BARBARA

JUL 0 9 2008

GARY M. BLAIR, EXEC. OFFICER
By ~~Tim~~
Deputy Clerk

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SANTA BARBARA**

10
11 COUNTY OF SANTA BARBARA,

12 Plaintiff,

13 vs.

14 AGLAND PROPERTIES, INC., a California
15 corporation; THE EQUITABLE LIFE
16 ASSURANCE SOCIETY OF THE UNITED
17 STATES; STATE OF CALIFORNIA,
18 FRANCHISE TAX BOARD; UNITED
19 STATES OF AMERICA, INTERNAL
20 REVENUE SERVICE; PACIFIC GAS &
21 ELECTRIC COMPANY; SANTA MARIA
22 VALLEY RAILROAD COMPANY, a
23 California corporation; SOUTHERN
24 COUNTIES GAS COMPANY OF
25 CALIFORNIA; HRUBERTZ OIL
26 COMPANY, a Texas corporation; P.
27 GIACOMINI; SCARBOROUGH FARMS,
28 INC.; EMILIO SUTTI; IRENE SUTTI;
EDWARD SUTTI; DOE ONE THROUGH
DOE ONE HUNDRED, Inclusive, and ALL
PERSONS UNKNOWN CLAIMING ANY
TITLE OR INTEREST IN OR TO THE
PROPERTY,

Defendants.

NO. 1269496

**PROPOSED ORDER FOR
PREJUDGMENT POSSESSION**

[Submitted concurrently with County's
ex parte application for issuance of unopposed
order for prejudgment possession]

(Parcel Nos. 113-210-004 and 113-210-013)

[Exempt from filing fees – Government Code
6103]

Honorable Timothy Staffel

Department 1

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Plaintiff County of Santa Barbara, having made a deposit of probable compensation pursuant to California Code of Civil Procedure section 1255.010, having filed a Motion for Order for Prejudgment Possession pursuant to Code of Civil Procedure section 1255.410, and there having been no opposition within 30 days of service of County's Motion, having requested an Order for Prejudgment Possession, and the Court being fully advised, IT IS HEREBY ORDERED:

County may take possession of the property which is the subject of this action ten (10) days following the date this Order is served upon the record owner and occupants of the property sought to be condemned in the Complaint herein.

Service of this Order shall be made in the manner specified in California Code of Civil Procedure Section 1255.450(d) and (f).

DATED: July 9, 2008

BENJAMIN J. STAFFEL

JUDGE OF THE SUPERIOR COURT

1 **PROOF OF SERVICE**

2 I am a resident of the State of California, over the age of eighteen years, and not a
3 party to the within action. My business address is 281 S. Figueroa Street, Second Floor, Los
4 Angeles, California 90012-2501. On July 9, 2008, I served the within documents:

4 **ORDER FOR PREJUDGMENT POSSESSION**

5

BY FACSIMILE: By transmitting via facsimile the document(s) listed above
6 to the fax number(s) set forth below on this date before 5:00 p.m.

7

BY MAIL: By placing the document(s) listed above in a sealed envelope with
8 postage thereon fully prepaid, in the United States mail at Los Angeles,
9 California addressed as set forth below.

9

OVERNIGHT DELIVERY: By overnight delivery, I placed such document(s)
10 listed above in a sealed envelope, for deposit in the designated box or other
11 facility regularly maintained by United Postal Service for overnight delivery,
12 caused such envelope to be delivered to the office of the addressee via overnight
13 delivery pursuant to C.C.P. §1013(c), with delivery fees fully prepaid or
14 provided for.

12

PERSONAL SERVICE: By personally delivering the document(s) listed
13 above to the person(s) at the address(es) set forth below.

14 SEE ATTACHED LIST

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

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

20 Executed on July 9, 2008, at Los Angeles, California.

21 
22 _____
23 Stephanie K. Chin
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1 **PROOF OF SERVICE**

2 **COUNTY OF SANTA BARBARA v. AGLAND PROPERTIES, INC.**

3 **Case No. 1269496**

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- 4 Dolores Lortz, Insolvency Agent
Internal Revenue Service
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- 6 Mary Montoya
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- 8 Scarborough Farms, Inc.
11153 Encino Drive
- 9 Oakview, California 93022
Attn: Wayne Jansen, Agent
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- 11 Hrubertz Oil Company
5949 Sherry Lane, #800
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- 13 The Equitable Life Assurance Society of the
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