

PARCEL MAP NO. 2004-323

IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE
STATE OF CALIFORNIA

BEING A SUBDIVISION OF A PORTION OF LOT 11, BLOCK 50, RIVER SECTION,
AS PER MAP RECORDED IN BOOK 4, PAGE 25 OF MISCELLANEOUS MAPS OF
THE OFFICE OF THE RECORDER OF ORANGE COUNTY, AND A PORTION OF
SECTION 29, TOWNSHIP 6 SOUTH, RANGE 10 WEST, OF THE SAN BERNARDINO MERIDIAN,
AS PER THE OFFICIAL PLAT OF SAID LAND, FILED IN THE DISTRICT LAND OFFICE, AUGUST 4, 1890.

FOR CONDOMINIUM PURPOSES

WALDEN & ASSOCIATES
JEFFREY A. WALDEN, P.L.S. 7914
AUGUST 2005

ACCEPTED AND FILED AT
THE REQUEST OF
LAWYERS TITLE INS. CO
DATE APRIL 3, 2007
TIME 1:49 PM FEE \$ 10.00
INSTRUMENT # 2007-214461
BOOK 353 PAGE 40-41
TOM DALY
COUNTY CLERK-RECORDER
BY [Signature]
DEPUTY

SHEET 1 OF 2
NUMBER OF PARCELS: 1
ACREAGE: 0.077 ACRES
DATE OF SURVEY: DECEMBER 2004
BEING ALL OF TENTATIVE
PARCEL MAP NO. 2004-323

SUBDIVIDER'S CERTIFICATE:

WE, THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE
LAND COVERED BY THIS MAP DO HEREBY CONSENT TO THE PREPARATION AND
RECORDATION OF SAID MAP, AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

RECORD OWNERS:

BARRY SAYWITZ PROPERTIES ONE, LP, A CALIFORNIA LIMITED PARTNERSHIP

[Signature]
BARRY SAYWITZ Managing Partner

MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC., ("MERS"), SOLELY AS NOMINEE FOR AMERICA'S
WHOLESALE LENDER, A CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS, BENEFICIARY UNDER DEED
OF TRUST RECORDED FEBRUARY 28, 2005 AS INSTRUMENT NO. 2005000148854, OF OFFICIAL RECORDS.

PFF BANK & TRUST, A CORPORATION, BENEFICIARY UNDER DEED OF TRUST RECORDED MARCH 18,
2005 AS INSTRUMENT NO. 2005000202841 OF OFFICIAL RECORDS.

EASEMENT HOLDERS:

MINERAL RIGHTS RECORDED NOVEMBER 16, 1959 IN BOOK 4972, PAGE 62, OFFICIAL RECORDS.

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF Orange } SS

ON June 27, 2006 BEFORE ME, Michael S. Saywitz, Notary Public
PERSONALLY APPEARED Barry Saywitz
PERSONALLY KNOWN TO ME (OR 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/IT/ET
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.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE [Signature]

Michael S. Saywitz
my principal Place of Business
is in Orange County
My Comm. Expires Jan 29, 2010

STATEMENT OF PURPOSE:

THE PURPOSE OF THIS PARCEL MAP IS TO CREATE ONE PARCEL FROM AN EXISTING LOT FOR
RESIDENTIAL CONDOMINIUM DEVELOPMENT.

IMPROVEMENT CERTIFICATE:

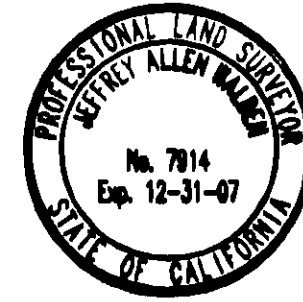
PURSUANT TO THE PROVISIONS OF SECTION 66411.1 OF THE SUBDIVISION MAP ACT, NOTICE IS
HEREBY GIVEN THAT THE FOLLOWING IMPROVEMENTS ARE REQUIRED TO BE CONSTRUCTED PRIOR
TO ISSUANCE OF A PERMIT OR OTHER GRANT OF APPROVAL:

1. ADDITIONAL STREET TREES SHALL BE PROVIDED.
2. EACH DWELLING SHALL BE SERVED WITH INDIVIDUAL WATER SERVICE AND SEWER LATERAL
CONNECTING TO THE PUBLIC WATER AND SEWER SYSTEM UNLESS OTHERWISE APPROVED BY
THE CITY PUBLIC WORKS DEPARTMENT AND THE BUILDING DEPARTMENT.
3. EACH DWELLING SHALL BE SERVED WITH INDIVIDUAL GAS AND ELECTRICAL SERVICE CONNECTION.

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY
IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES
AT THE REQUEST OF BARRY SAYWITZ ON NOVEMBER 2004. I HEREBY STATE THAT ALL MONUMENTS
ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN
SUCH POSITIONS ON OR BEFORE OCTOBER 31, 2006 ON OF THIS MAP; AND THAT SAID MONUMENTS
ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. I HEREBY STATE THAT THIS PARCEL MAP
SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

[Signature]
JEFFREY A. WALDEN
P.L.S. 7914
EXPIRATION DATE: 12-31-07



CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND HAVE FOUND IT TO BE SUBSTANTIALLY IN
CONFORMANCE WITH THE TENTATIVE MAP, IF REQUIRED, AS FILED WITH, AMENDED AND APPROVED
BY THE CITY PLANNING COMMISSION; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND
CITY SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH, AND I AM SATISFIED SAID MAP IS
TECHNICALLY CORRECT.

DATED THIS 31st DAY OF January, 2007.

[Signature]
LLOYD R. DALTON
R.C.E. NO. 19111
EXPIRATION DATE: 9/30/07
CITY ENGINEER OF NEWPORT BEACH

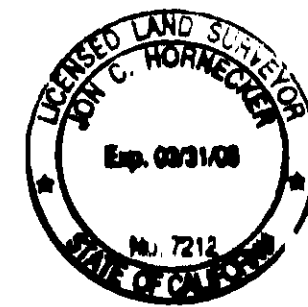


COUNTY SURVEYOR'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND HAVE FOUND THAT ALL MAPPING PROVISIONS
OF THE SUBDIVISION MAP ACT HAVE BEEN COMPLIED WITH AND I AM SATISFIED SAID MAP IS
TECHNICALLY CORRECT.

DATED THIS 30th DAY OF MARCH, 2007

BY: [Signature] DEPUTY
RAYMOND L. MATHE, COUNTY SURVEYOR
L.S. 8185, EXPIRATION DATE: 03-31-08



COUNTY TREASURER-TAX COLLECTOR'S CERTIFICATE:

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF MY OFFICE, THERE ARE NO LIENS AGAINST
THE LAND COVERED BY THIS MAP OR ANY PART THEREOF FOR UNPAID STATE, COUNTY, MUNICIPAL OR
LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL
ASSESSMENTS COLLECTED AS TAXES NOT YET PAYABLE.

AND DO CERTIFY TO THE RECORDER OF ORANGE COUNTY THAT THE PROVISIONS OF THE SUBDIVISION
MAP ACT HAVE BEEN COMPLIED WITH REGARDING DEPOSITS TO SECURE PAYMENT OF TAXES OR
SPECIAL ASSESSMENTS COLLECTED AS TAXES ON THE LAND COVERED BY THIS MAP.

DATED THIS 22nd DAY OF March, 2007

[Signature]
CHRIS W. STROT
COUNTY TREASURER-TAX COLLECTOR

BY: [Signature]
DEPUTY TREASURER-TAX COLLECTOR

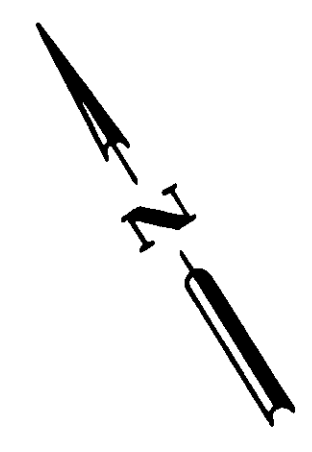
THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY
IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT
COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

SHEET 2 OF 2
NUMBER OF PARCELS: 1
ACREAGE: 0.077 ACRES
DATE OF SURVEY: DECEMBER, 2004
BEING ALL OF TENTATIVE
PARCEL MAP NO. 2004-323

PARCEL MAP NO. 2004-323

IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE
STATE OF CALIFORNIA
FOR CONDOMINIUM PURPOSES

WALDEN & ASSOCIATES
JEFFREY A. WALDEN, P.L.S. 7914
AUGUST 2005



SCALE: 1"=20'

MONUMENT NOTES:

- INDICATES MONUMENT AS NOTED BELOW:
 - 1 FOUND PUNCHED 2" BRASS DISK, DOWN 0.9' IN WELL MONUMENT, PER ORANGE COUNTY MONUMENT RECORD DOCUMENT NO. 6286. GPS STA. NO. 6286 PER RECORDS ON FILE IN THE ORANGE COUNTY SURVEYOR'S OFFICE. STATION LOCATED THE CENTERLINE INTERSECTION OF PACIFIC COAST HIGHWAY AND 61ST STREET.
 - 2 FOUND CONC. NAIL, FLUSH PER ORANGE COUNTY MONUMENT RECORD DOCUMENT NO. 6287, GPS STA. NO. 6287 PER RECORDS ON FILE IN THE ORANGE COUNTY SURVEYOR'S OFFICE. STATION IS LOCATED AT CENTERLINE INTERSECTION OF WEST BALBOA BLVD. AND 38TH STREET.
 - 3 FOUND SPIKE & WASHER STAMPED "LS 3347" PER PARCEL MAP NO. 2003-123, PM. BOOK 344/39-40.
 - 4 ESTABLISHED PER CITY OF NEWPORT BEACH TIE BOOK VII, PAGE 115, SET SPIKE & WASHER STAMPED "PLS 7914".
 - 5 FOUND SPIKE, NO WASHER. ACCEPTED AS CENTERLINE INTERSECTION OF RIVER AVE., PER PM. 2003-123, PM. BOOK 344/39-40.
 - 6 FOUND SPIKE AND WASHER, STAMPED "LS 5662", FLUSH, NO REFERENCE. ACCEPTED AS CENTERLINE INTERSECTION OF RIVER AVE., PER PM. 2003-123, PM. BOOK 344/39-40.
- SET LEAD & TAG STAMPED "PLS 7914" ON 1.00' OFFSET NE'LY, IN CONCRETE SIDEWALK.
SET 1" IRON PIPE STAMPED "PLS 7914" ON 1.00' OFFSET NE'LY.

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING BETWEEN O.C.S. HORIZONTAL CONTROL STATION GPS NO. 6286 AND STATION GPS NO. 6287 BEING NORTH 52°41'22" EAST PER RECORDS ON FILE IN THE OFFICE OF THE ORANGE COUNTY SURVEYOR.

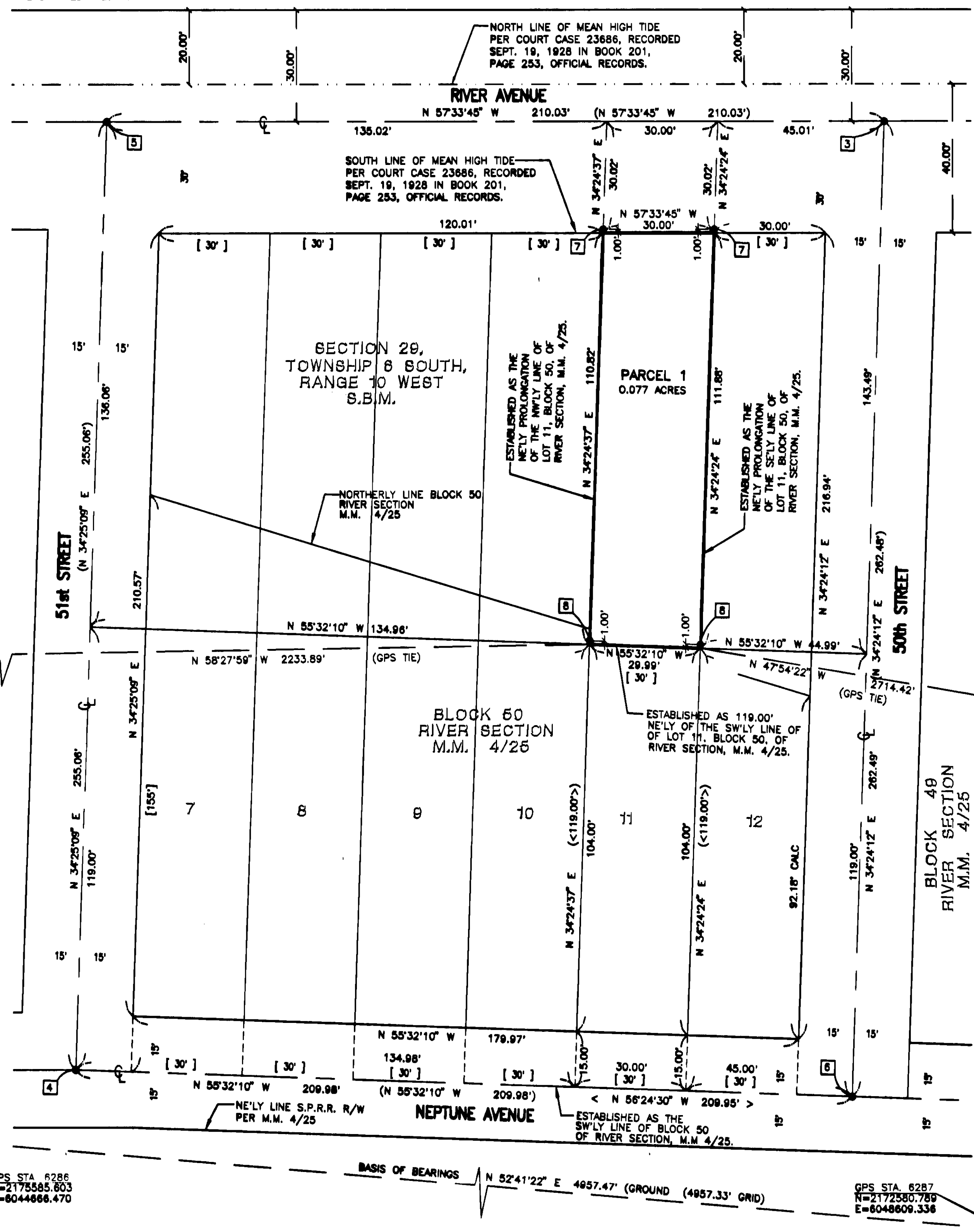
DATUM STATEMENT:

COORDINATES SHOWN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE VI, 1983 NAD, (1991.35 EPOCH OCS GPS ADJUSTMENT). ALL DISTANCES SHOWN ARE GROUND UNLESS OTHERWISE NOTED. TO OBTAIN GRID DISTANCE MULTIPLY GROUND DISTANCE BY 0.99997191.

GENERAL NOTES:

- () INDICATES RECORD DATA PER PM. 2003-123, PMB. 334/39-40.
- [] INDICATES RECORD DATA PER M.M. 4/25.
- < > INDICATES RECORD DATA PER TRACT NO. 3813, M.M. 162, PAGE 11-19
- < > INDICATES RECORD & MEASURED DATA PER INSTRUMENT NO. 2005000202841, OF OFFICIAL RECORDS.

THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.



RECORDING REQUESTED BY
BARRY SAYWITZ

WHEN RECORDED MAIL TO:

WALDEN & ASSOCIATES
2552 WHITE ROAD, SUITE B
IRVINE, CA 92614-6274

Recorded in Official Records, Orange County

Tom Daly, Clerk-Recorder



36.00

2007000258340 10:40am 04/23/07

103 27 C32 11

0.00 0.00 0.00 0.00 30.00 0.00 0.00 0.00

**PARCEL MAP NO. 2004-323
CONDOMINIUM PLAN**

SHEET 1 OF 9

LEGAL DESCRIPTION

BEING ALL OF PARCEL 1 OF PARCEL MAP NO. 2004-323, IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON THE MAP RECORDED IN BOOK 353, PAGES 40 AND 41, OF PARCEL MAPS, RECORDS OF SAID COUNTY. ALSO KNOW AS 5005 RIVER AVENUE.

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SURVEYOR'S STATEMENT

I HEREBY STATE THAT I AM PROFESSIONAL LAND SURVEYOR OF THE STATE OF CALIFORNIA, THAT THIS CONDOMINIUM PLAN WAS MADE UNDER MY SUPERVISION AND THAT THIS CONDOMINIUM PLAN: (1) CORRECTLY REPRESENTS THE BOUNDARY OF THE LAND INCLUDED WITHIN THIS PROJECT; (2) SUBJECT TO MINOR VARIANCES AND SUBJECT TO THE NOTES AND DEFINITIONS HEREIN, SHOWS THE LOCATION OF THE UNITS THEREIN AS SHOWN ON SHEETS 7 THROUGH 9.

DATED THIS 9TH DAY OF APRIL, 2007.


JEFFREY A. WALDEN, P.L.S. 7914
REGISTRATION EXPIRES: 12/31/07



9301100-12

OWNER'S CERTIFICATE

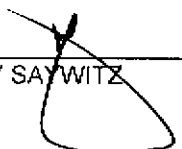
WE, THE UNDERSIGNED, BEING THE RECORD OWNER AND RECORD HOLDER OF SECURITY INTEREST IN THE REAL PROPERTY HEREINABOVE DESCRIBED, DO HEREBY CERTIFY THAT WE CONSENT TO THE RECORDATION OF THIS PLAN OF CONDOMINIUM PURSUANT TO THE PROVISIONS OF SECTION 1351 (E) OF THE CALIFORNIA CIVIL CODE, CONSISTING OF:

1. THE DESCRIPTION OR THE SURVEY MAP OF THE SURFACE OF THE LAND INCLUDED WITHIN THIS PROJECT AS SET FORTH HEREIN.
2. THIS CERTIFICATE.

RECORD OWNER

OWNER:

BARRY SAYWITZ, A SINGLE MAN



BARRY SAYWITZ

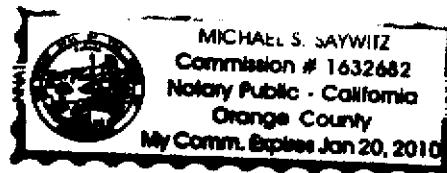
NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
) SS
COUNTY OF ORANGE)

ON 3-30-07 BEFORE ME, Michael S. Saywitz, PERSONALLY APPEARED **BARRY SAYWITZ**, PERSONALLY KNOWN TO ME (~~OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE~~) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE 



RECORD OWNER (cont'd)

PFF BANK & TRUST, A CORPORATION, BENEFICIARY UNDER A DEED OF TRUST RECORDED
3/18/05 AS INSTRUMENT NO. 2005000202841 OF OFFICIAL RECORDS.

BY: Sharon L. Statler
NAME: SHARON L. STATLER
TITLE: Vice President

BY: Mary Nicholson
NAME: MARY NICHOLSON
TITLE: ASST. VICE PRESIDENT

NOTARY ACKNOWLEDGEMENT

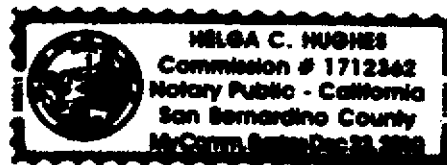
STATE OF California

COUNTY OF San Bernardino) SS

ON 4-2-2007 BEFORE ME, Helga C. Hughes, Notary Public, PERSONALLY
APPEARED SHARON L. STATLER AND MARY NICHOLSON, PERSONALLY KNOWN
TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S)
WHOSE NAME(S) IS 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.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE Helga C. Hughes



DEFINITIONS

"COMMON AREA" means the entire Property except the Units as defined in the Declaration and as shown in this Condominium plan.

"CONDOMINIUM" shall, in accordance with California Civil Code Section 1351(f), mean and refer to an interest in the Property which shall include a separate interest in a Unit (together with such Exclusive Use Area and/or such other easements as may be appurtenant thereto) and an undivided interest in common in the Common Area.

"CONDOMINIUM PLAN" shall mean this plan, as amended from time to time, consisting of (1) a description or survey map of the project or portion thereof, which shall refer to or show monumentation on the ground, (2) a three-dimensional description of the project or portion thereof, one or more dimensions of which may extend for an indefinite distance upwards or downwards in sufficient detail to identify the common area, and each separate interest, and (3) a certificate consenting to the recordation thereof signed and acknowledged by the record owner of fee title to the project or portion thereof, and by either the trustee or the beneficiary of each recorded deed of trust, and the mortgagee of each recorded mortgage encumbering the project or portion thereof.

"DECLARATION" shall mean and refer to the Declaration of Covenants, Conditions, and Restrictions that encumbers the real property covered by this Condominium Plan, both of which may be amended from time to time.

"EXCLUSIVE USE COMMON AREA" means that portion of the Common Area that is reserved for the exclusive use of a particular Owner for the purposes described in the Declaration, Paragraph 6.1, Exclusive Right to Parking Space; Paragraph 6.2 Patios/Decks; and Paragraph 6.3, Internal or External Telephone Wiring.

Exclusive Use Parking Space is shown by "P" and the Unit number assigned to that Space. Exclusive Use Patios/Decks is shown by "D" and the Unit number assigned to that patio/Deck.

Each such Exclusive Use Common Area shall be appurtenant to the Owner's Unit and may not be conveyed or transferred apart therefrom.

"MUTUAL RECIPROCAL EASEMENTS" shall be and refer to the right of entry, ingress and egress over, on and under the Common Area for access, emergency access and for drainage, sewers, and utilities and the maintenance of the same. Said Mutual Reciprocal Easements are part of the Common Area.

"PROPERTY" shall mean and refer to that certain property hereinabove described.

CONTINUED ON NEXT SHEET

DEFINITIONS

CONTINUED

"UNIT" shall mean and refer to those elements of a Condominium that are not owned in common with the other Owners of Condominiums on the Property. The respective boundaries of the Unit, being shown and particularly described in this Condominium plan, deeds conveying the Condominiums, and the Declaration, include the interior unfinished surfaces of the perimeter walls and doors, windows, floors, and ceilings.

"Unit" does not include the wall between any conjoined Units, including the "wall" which acts as the ceiling of one Unit and the floor of another Unit (except for the surface area of any such Wall as described above), nor any plumbing within any such wall. Neither the roof nor the garage door shall be deemed to be within any Unit. Further, "Unit" does not include other interests in real property that are less than estates in real property such as exclusive or nonexclusive use rights or easements.

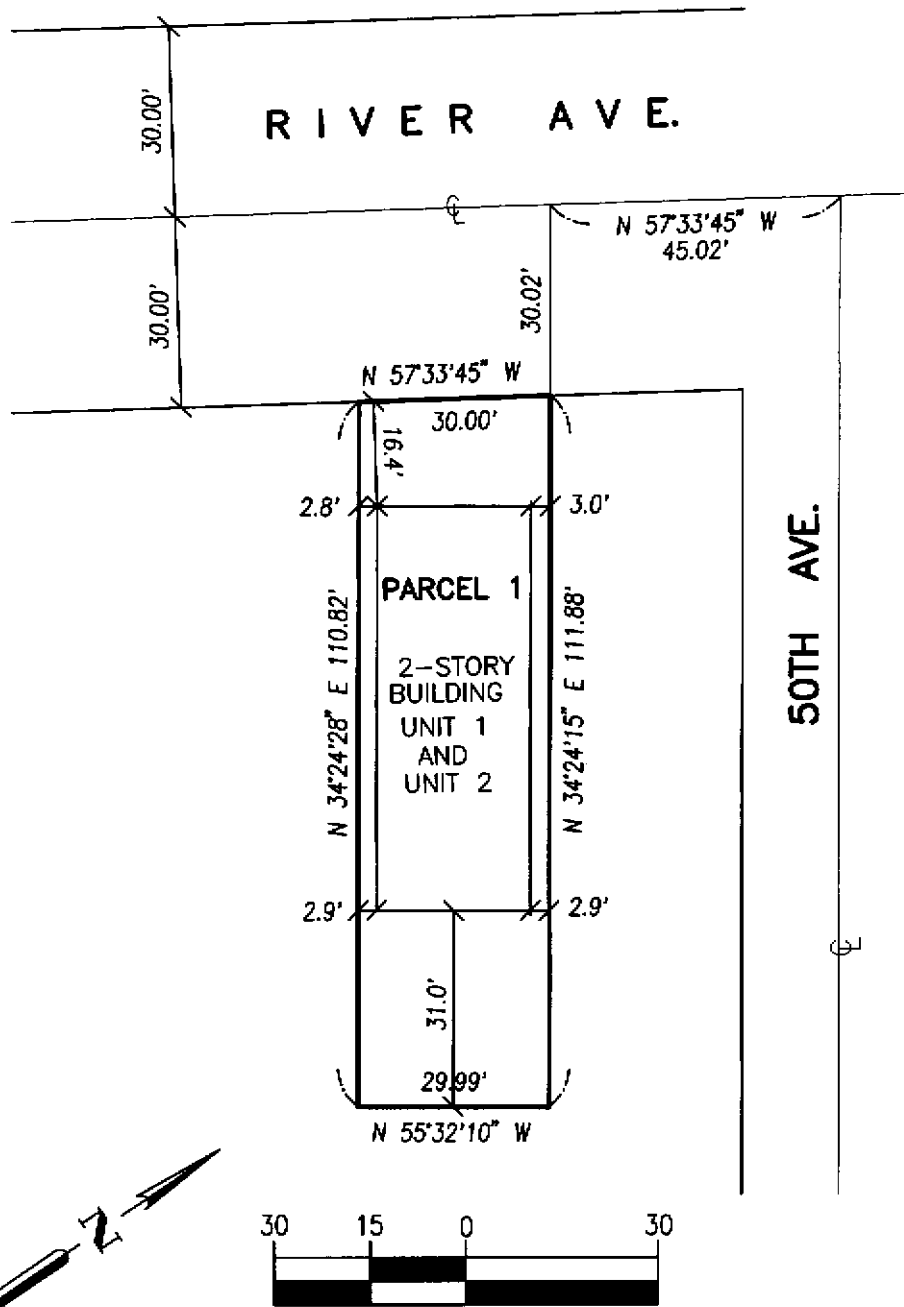
In interpreting deeds and plans, the existing physical boundaries of a Unit or of a Unit reconstructed in substantial accordance with the original plan shall be conclusively presumed to be its boundaries, rather than the description expressed in the deed or this Condominium plan, regardless of minor variance between the physical boundaries and those expressed in deeds or shown on the Condominium plan. Whenever reference to a Unit is made in the Declaration, in this Condominium plan, in any deed, or elsewhere, it shall be assumed that such reference is made to the Unit as a whole, including each of its component elements.

GENERAL NOTES

- 1) This Condominium Project is composed of the Common Area, and two Units, which are shown and identified herein as Units 1 and 2.
- 2) Each Unit shall have a non-exclusive easement appurtenant to their condominium for ingress, egress use and enjoyment on and over the Common Area.
- 3) **Basis of Bearings:**

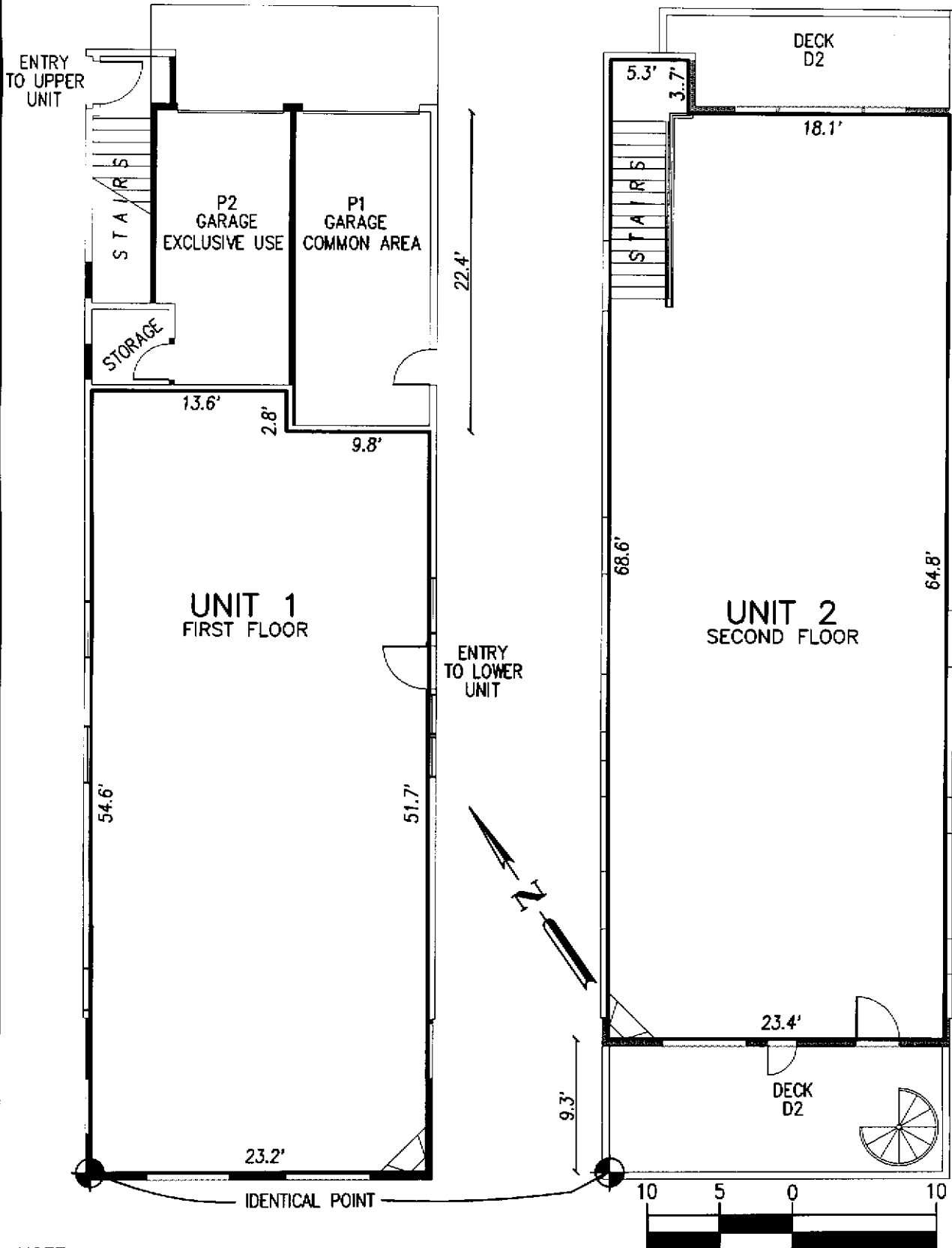
As noted on the Parcel Map No. 2004-323, bearings shown hereon are based upon the bearing between O.C.S. Horizontal Control Station GPS No. 6286 and Station GPS No. 6287 being North 52°41'22" East per records on file in the office of the Orange County Surveyor.
- 4) For Boundary and Monumentation information, see Parcel Map No. 2004-323 recorded in Book 353, Pages 40 and 41, of Parcel Maps, records of Orange County California.

**CONDOMINIUM PLAN
PARCEL 1, PARCEL MAP 2004-323
BUILDING LOCATION PLAN**

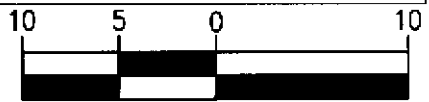


NOTE:
ALL BUILDING DIMENSIONS ARE TO OUTSIDE FACE OF WALL
FOR BOUNDARY AND MONUMENTATION SEE PARCEL MAP 2004-323

**CONDOMINIUM PLAN
 PARCEL 1, PARCEL MAP 2004-323
 UNIT AIRSPACE DIMENSIONS**



NOTE:
 ALL DIMENSIONS ARE TO INTERIOR
 FACE OF WALL.



SCALE IN FEET
 1 inch = 10 ft.

**CONDOMINIUM PLAN
 PARCEL 1, PARCEL MAP 2004-323
 VERTICAL ELEVATIONS AND COMMON AREA**

PARCEL 1 PROPERTY LINE

PARCEL 1

COMMON AREA

PARCEL 1 PROPERTY LINE

DECK D2	UNIT 2	DECK D2
PARKING P1 & P2	UNIT 1	

VAULTED CEILING

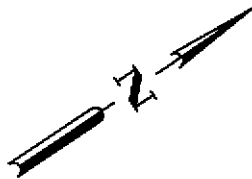
UPPER ELEVATION = 27.00'

LOWER ELEVATION = 18.70'

UPPER ELEVATION = 18.00'

LOWER ELEVATION = 10.00'

COMMON AREA



SCALE IN FEET
 1 inch = 20 ft.

NOTE:
 TOP OF TILE FLOOR IN UNIT 1 ASSUMED AT 10.00 FEET.