

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

2007000258064 09:32am 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. 2004-321  
CONDOMINIUM PLAN**

**SHEET 1 OF 9**

**LEGAL DESCRIPTION**

BEING ALL OF PARCEL 1 OF PARCEL MAP NO. 2004-321, IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON THE MAP RECORDED IN BOOK 354, PAGES 12 AND 13, OF PARCEL MAPS, RECORDS OF SAID COUNTY. ALSO KNOW AS 5009 RIVER AVENUE.

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930 10 99-12

**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 9<sup>TH</sup> DAY OF APRIL, 2007.

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



# 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

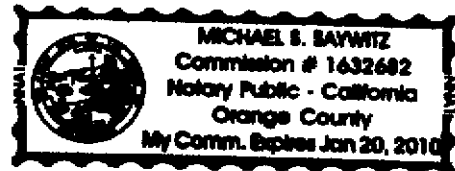
## NOTARY ACKNOWLEDGEMENT

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 Michael S. Saywitz



# RECORD OWNER (cont'd)

PFF BANK & TRUST, A CORPORATION, BENEFICIARY UNDER A DEED OF TRUST RECORDED  
11/30/04 AS INSTRUMENT NO. 2004001059361 OF OFFICIAL RECORDS.

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

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

## NOTARY ACKNOWLEDGEMENT

STATE OF California,  
COUNTY OF San Bernardino <sup>SS:</sup> alino

ON 4-2-2007 BEFORE ME, Nelga C. Hughes, Notary Public  
APPEARED SHARON STATLER AND MARY NICHOLSON, PERSONALLY  
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 Nelga 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.**

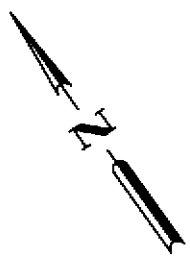
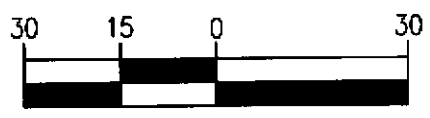
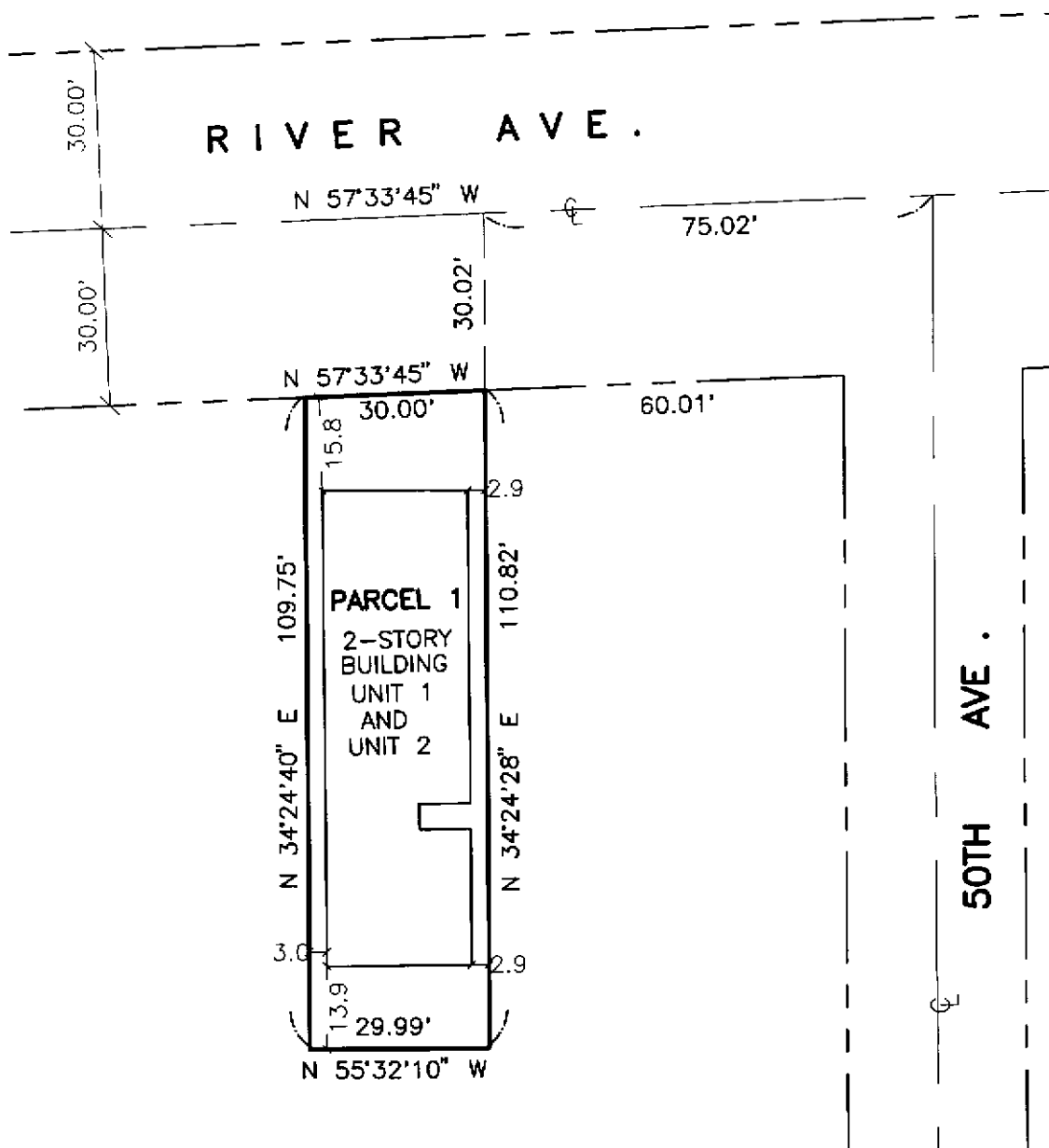
**"Unit" does not include the wall between any conjoined Units, including the "wall" which acts as the ceiling of one Unit and the floor of another Unit (except for the surface area of any such Wall as described above), nor any plumbing within any such wall. Neither the roof nor the garage door shall 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

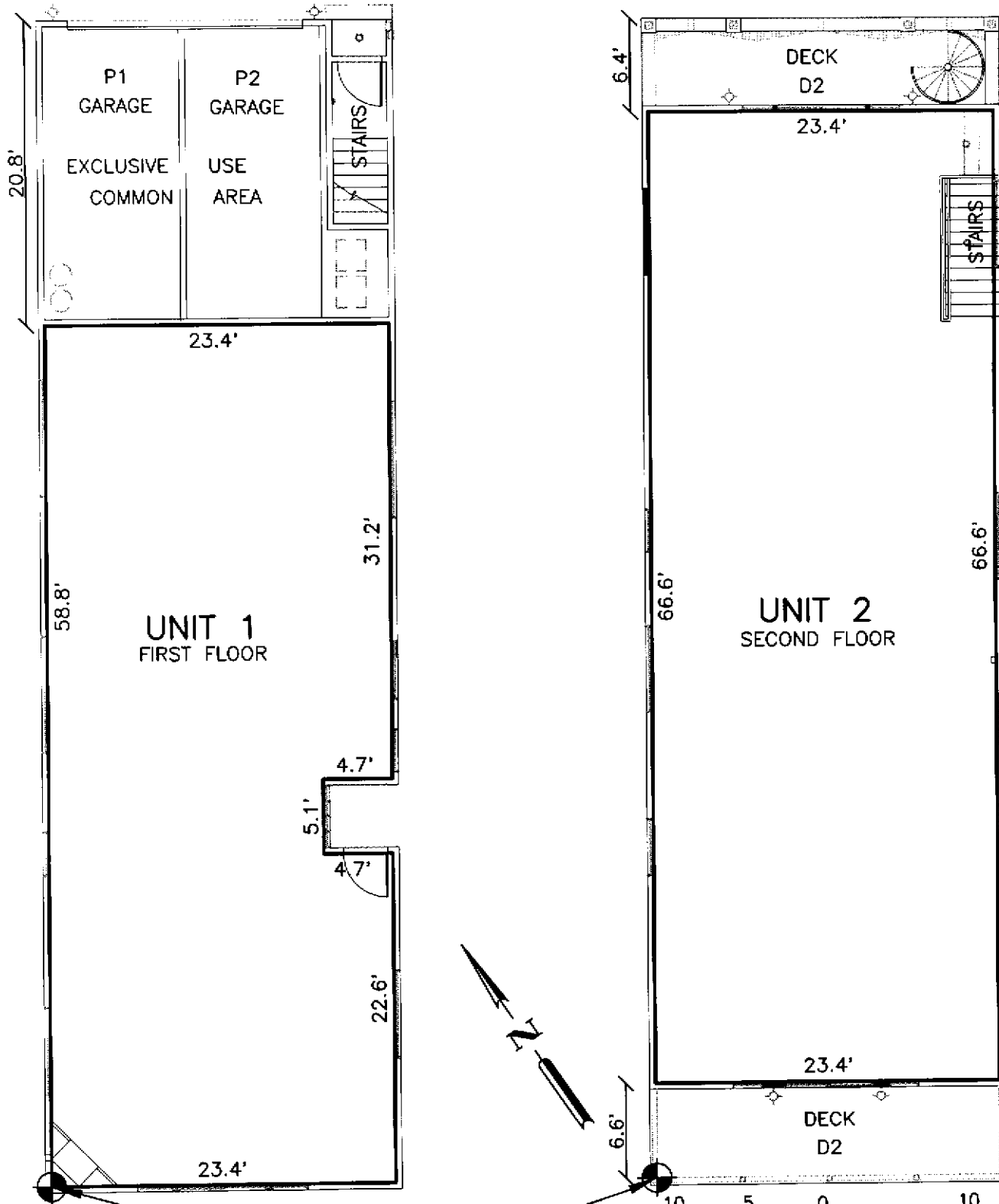
- 1) This Condominium Project is composed of the Common Area, and two Units, which are shown and identified herein as Units 1 and 2.
- 2) Each Unit shall have a non-exclusive easement appurtenant to their condominium for ingress, egress use and enjoyment on and over the Common Area.
- 3) Basis of Bearings:  
  
As noted on the Parcel Map No. 2004-321, 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. 2004-321 recorded in Book 354 Pages 12 through 13, inclusive, of Parcel Maps, records of Orange County California.

**CONDOMINIUM PLAN  
 PARCEL 1, PARCEL MAP 2004-321  
 BUILDING LOCATION PLAN**

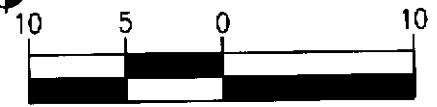
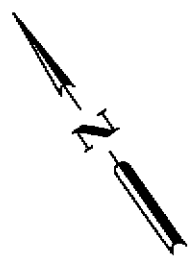


NOTE:  
 ALL BUILDING DIMENAIIONS ARE TO OUTSIDE FACE OF WALL  
 FOR BOUNDARY AND MONUMENTATION SEE PARCEL MAP 2004-321

# CONDOMINIUM PLAN PARCEL 1, PARCEL MAP 2004-321 UNIT AIRSPACE DIMENSIONS



NOTE:  
ALL BUILDING DIMENSIONS ARE  
TO INTERIOR FACE OF WALL.



SCALE IN FEET  
1 inch = 10 ft. SHEET 8 OF 9

**CONDOMINIUM PLAN  
 PARCEL 1, PARCEL MAP 2004-321  
 UNIT AIRSPACE DIMENSIONS  
 VERTICAL DETAIL**

PARCEL 1 PROPERTY LINE

PARCEL 1 PROPERTY LINE

**PARCEL 1**

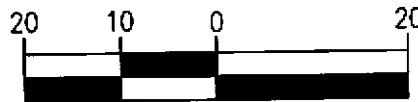
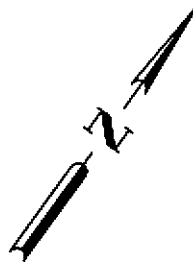
COMMON AREA

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

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.