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DR. RONALD PATRICK

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA, UNLIMITED JURISDICTION

DR. RONALD PATRICK, an individual,
Plaintiff.

vs.

2354 CALLE DEL MUNDO, LLC, a
Delaware Limited Liability Company; DOES
1 through 25, inclusive; all persons unknown
claiming legal or equitable right, title, estate,
lien, or interest in the real property described
in the Complaint adverse to Plaintiff's title /
interest, or creating any cloud upon Plaintiff's
title/ interest thereto, named herein as DOES
26 through 100; the testate and intestate
successors of any Defendants believed to be
deceased, and all persons claiming by,
through, or under such person, named herein
as DOES 100-200,
Defendants.

No.

NOTICE OF LIS PENDENS

[Civil Procedure Code §§761.010; 405.4;
405.20; Civ. Code §1007; Civ. Code §5975]

Dept.:
Judge:
Trial Date:

To: Defendant 2354 Calle Del Mundo, LLC, and All Others Whom It May Concern,

1. Plaintiff Dr. RONALD PATRICK gives notice that he has commenced an action
in the Superior Court of California for the County of Santa Clara, by Plaintiff, to enforce the
terms of recorded easements and recorded CC&Rs, and to quiet title to prescriptive easements

burdening the following real property (the “**Burdened Property**”) commonly known as 2354 Calle Del Mundo, Santa Clara, Santa Clara County, California 95054-1007, APN 097-46-002, which is legally described as follows:

PARCEL ONE:

Being Parcel B in the City of Santa Clara, County of Santa Clara, State of California, as shown on the Parcel Map recorded July 6, 1978 in Book 422 of Maps, Pages 2 and 3, in the office of the County Recorder of said County..

PARCEL TWO:

An easement for ingress and egress proposes over and across that portion of Parcel A of hereinabove referred to map described as follows:

Beginning at the most Easterly corner of said Parcel A; thence South 61 deg. 13’ 43” West 78.37 feet along the Southeasterly line of said Parcel A; thence North 50 deg. 36’ 52” East 81.44 feet to a point on the Northeasterly line of said Parcel A, said point being on a line parallel with and Northwesterly 15.00 feet from said Southeasterly line; thence South 22 deg. 24’ 12” East 15.09 feet along said Northeasterly line of the point of beginning.

PARCEL THREE:

An easement for ingress and egress purposes over and across that portion of Parcel K of hereinabove referred to map designated as follows:

Beginning at the most Easterly corner of Parcel A of said Map; thence South 61 deg. 13' 43" West 78.37 feet along the Southeasterly line of said Parcel A; thence South 50 deg. 36' 52" West 16.25 feet; thence South 61 deg. 13' 43" West 10.00 feet to the Southwesterly line of said Parcel K; thence South 28 deg. 24' 33" East 24.00 feet along said Southwesterly line; thence North 61 deg. 13' 43" East 10.00 feet; thence North 53 deg. 51;55" East 93.62 feet to a line parallel with and Southeasterly 15.00 feet from the Southeasterly line of said Parcel B; thence along said last above mentioned parallel line, the following courses: North 61 deg. 13' 43" East 99.58 feet and North 67 deg. 35' 48" East 12.67 feet to the Northeasterly line of said Parcel K; thence North 22 deg. 24' 12" West 15.00 feet along said Northeasterly line to the Southeasterly line of said Parcel B; thence along said Southeasterly line, the following courses: South 67 deg. 35' 48" West 13.51 feet and south 61 deg. 13' 43" West 88.73 feet to the point of beginning.

PARCEL FOUR:

An easement for ingress and egress purposes over and across the Westerly 13.00 feet of Parcel C of hereinabove referred to map.

PARCEL FIVE:

An easement for ingress and egress purposes over and across the Northerly 15.00 feet of the Westerly 13.00 feet of Parcel J of hereinabove referred to map.

2. Plaintiff has made actual, exclusive, continuous, hostile, and adverse use of portions of the Burdened Property for ingress and egress to Plaintiff's own property and to access Plaintiff's recorded easement areas under claim of right as specified in Plaintiff's Complaint within the meaning of Civil Code section 1007 for a period of more than 5 years (2011 to present).

3. Plaintiff seeks to enjoin Defendant's proposed development over Plaintiff's recorded parking easement.

4. Plaintiff seeks to enforce Covenants, Conditions, and Restrictions that prohibit the development proposed for 2354 Calle Del Mundo.

DATED: May 6, 2021

HARPER & ARMSTRONG, LLP

By: _____
Shona Armstrong
Attorney for Plaintiff

VERIFICATION

I, Dr. Ronald Patrick, am the Plaintiff in the above-entitled action. I have read the foregoing COMPLAINT (VERIFIED) TO QUIET TITLE TO EASEMENTS ACQUIRED BY PRESCRIPTION AND TO ENJOIN DEVELOPMENT THAT INFRINGES UPON RECORDED PARKING EASEMENT and know the contents thereof. The same is true of my own knowledge, except as to those matters that are therein alleged on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at _____, Santa Clara, California.

DATED: April 9, 2021

Dr. Ronald Patrick

VERIFICATION – DR. RONALD PATRICK
Patrick v. Ensemble Investements/2354 Calle Del Mundo LLC; et al.
Complaint (Verified) to Quiet Title To Easement Acquired by Prescription