

1 ANDREW JANZ, City Attorney
2 CITY OF FRESNO
3 By: Jennifer L. Wolfe, Special Assistant City Attorney (284511)
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E-FILED
1/22/2026 11:58 AM
Superior Court of California
County of Fresno
By: A. Hoffman, Deputy

*Exempt From Filing Fees Pursuant
To Government Code Section 6103*

6 Attorneys for Defendant CITY OF FRESNO

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF FRESNO

11 CITY OF FRESNO, a municipal corporation) Case No.: 26CECG00387
12 Petitioner,)
13 vs.) **COMPLAINT FOR QUIET TITLE,
14 MANUEL RICHARD ORRANTIA, an)
15 individual; and DOES 1 -10,)
16 Defendant.)
17)**
18)

TO THE COURT, DEFENDANT MANUEL RICHARD ORANTIA:

19 Plaintiff, CITY OF FRESNO, a municipal corporation (“Plaintiff” or “City”) complains of
20 Defendant, MANUEL RICHARD ORRANTIA (“Defendant”), and DOES 1 through 10, inclusive,
21 and each of them as follows:

PARTIES, JURISDICTION, AND VENUE

23 1. Plaintiff is now, and at all times herein mentioned a municipal corporation organized
24 and operating as a chartered city under the law of the State of California.

25 2. Plaintiff is informed and believes that Defendant is a resident of the State of California,
26 County of Fresno and is current owner of Lot 96 APN 436-134-03 also known as 4005 N. First Street,
27 Fresno, California 93726, the neighboring property in which this complaint is brought forth.

28 | //

1 3. The property in this complaint is legally described as follows: the subdivided land of
2 4005 N. First Street into a 0.13 acre Lot 96 APN 436-134-04T recorded Parcel Map No. 2001-14,
3 Plat bk 14 pages 76-77 with the County of Fresno Recorder and the Right-of-Way (“easement”)
4 legally described as beginning at A Point on the West line of said Lot 96, 120 feet North of the
5 Southwest corner of Lot 96, thence 110 feet Northeasterly along the Southeasterly line of said Lot 96;
6 thence Northwesterly in a direct line to the point of beginning, recorded in volume 14 or Plats at pages
7 76-77 with the Fresno County Recorder (“subject property”), see **Exhibit A**.

8 4. Defendants Does 1 through 10 are persons or business entities currently unknown to
9 Plaintiff who claim some right, title, or interest in the subject property and matter of this action.

10 5. The allegations set forth in this complaint arise out of an easement at the subject
11 property for which the Department of Public Utilities, Water Division, by and through Plaintiffs, have
12 been occluded to its passage and subject property.

13 6. Venue for this action is with the Superior Court for the State of California in and for
14 the County of Fresno, in that the real property that is the subject of this action is located in said County
15 and State.

FACTS

17 7. On or about June 23, 2003, Plaintiff's Director of the Planning and Development
18 Department along with the then owners' The Stephens Family Trust August 1, 2000, of Parcel A, Lot
19 96 of University Terrace APN 436-134-03, recorded Parcel Map No. 2001-14 also known as
20 subdivided land at 4005 N. First Street, Fresno, CA 93726, with the County of Fresno Recorder and
21 more fully described in Parcel Map **Exhibit B**.

22 8. Parcel Map No. 2001-14 Recorded on June 23, 2003, reflects Plaintiff's access via
23 easement for the water facility located at the Southwest corner of Lot 96 of University Terrace APN
24 436-34-04T, more fully described in **Exhibits A & B**.

25 9. Parcel Map No. 2001-14 reflects Plaintiff's water facility located on the subject
26 property described as the Southwest corner of Lot 96 of University Terrace, APN 436-34-04T, which
27 is *not* included in the APN 436-134-03 to then owners' THE STEPHENS FAMILY TRUSTED, more
28 fully described in **Exhibit A & B.**

10. On or about June 29, 2016, Defendant MANUEL RICHARD ORRANTIA, purchased the property Parcel A, Lot 96 of University Terrace APN 436-134-03, more fully described in the Grant Deed, attached hereto as **Exhibit C**.

11. University Terrace Tract No. 1096 Plat bk 14 pages 76-77 clearly reflects the subdivided land 134, Parcel A, Parcel B, and APN 436-134-04T identified as City of Fresno in the Assessor's Map **Exhibit D**.

GENERAL ALLEGATIONS

12. On November 10, 2020, Plaintiff's personnel attempted to gain access to the property, when an employee was confronted by a hysterical and aggressive Defendant, claiming the property belonged to him and forced the City employee out of the property denying him further access.

13. On May 16, 2023, City personnel confirmed they will need to obtain readings from the current well and a new well will possibly need to be drilled at the Subject Property. However, it had come to Plaintiff's attention that the Defendant has absorbed the property and will ward off any City employee trying to enter the site. Furthermore, Defendant had removed the City locks and installed a private lock denying entrance to the subject property.

14. On March 19, 2025, Plaintiff's personnel was able to access the property and took photos of Defendant's personal items encroaching Plaintiff's property, causing safety and hazardous concerns for any non-City employee.

15. On March 19, 2025, Defendant contacted the Plaintiff's via telephone requesting if they would be interested in selling its "parcel" identified as APN 436-134-04T to him. The City employee advised Defendant she would look into the option and will advise. Upon review of APN 436-134-04T, the Department of Public Utilities confirmed its purpose for monitoring the well and its inability to sell the land. The department proceeded to inform City personnel of their employees' prior attempts to gain access to monitor the well at the Subject Property, only to be ran-off the property and denied access.

16. On March 19, 2025, when the City employee returned Defendant's call and advised that employees from the Department of Public Works had been trying to access the property and were being blocked from doing so. Defendant did not dispute the allegations and offered Plaintiff's to

send their employees over “now” and he would allow them onto the property.

17. On May 14, 2025, when Plaintiff's employees attempted to access the subject property via Plaintiff's easement, they were denied access by an iron gate blocking their entrance. This prompted the multiple attempts of City employees to be reported to the Right of Way Manager of the Capital Projects Department for further direction.

18. On May 14, 2025, Plaintiff's mailed a letter via certified mail to Defendant requesting that he restore access to the subject property and to remove his personal items from said property see **Exhibit E.**

19. On June 2, 2025, Plaintiff's contacted Defendant via telephone requesting once again, he restore access to the subject property and to remove his personal items. Defendant stated he would not remove his property from the subject property and stated the City had abandoned their subject property. He claimed he now owned the property and continued to deny Plaintiff access.

20. On July 8, 2025, Plaintiffs mailed a final notice via certified mail to Defendant requesting that he restore access to the subject property and remove his personal items from said property. Additionally, the letter provided a deadline date of July 18, 2025, to remove all personal items from the subject property, otherwise the City will initiate legal proceedings without further notice see **Exhibit E**.

18 21. As of the filing of this complaint, Defendant has not complied with Plaintiff's request.

FIRST CLAIM

(Quiet Title against Defendant)

21 ||| 22. Plaintiff hereby incorporates by reference all proceeding paragraphs.

22 23. Plaintiff claims a valid and enforceable easement for access to the water facility
23 located at the Subject Property.

24 24. Plaintiff's claims a valid ownership of the Subject Property APN 436-134-04T.

25 25. A dispute has arisen concerning the respective rights and interests in the Subject Property
26 APN 436-134-04T.

27 26. The Defendant claims an interest adverse to Plaintiff's easement.

28 | //

1 27. The Defendant claims an interest adverse to Plaintiff's ownership of the Subject Property
2 APN 436-134-04T.

3 28. Plaintiff seeks a judgment quieting title to the easement and Subject Property
4 APN 436-134-04T in favor of Plaintiff against all adverse claims of Defendants pursuant
5 to California Code of Civil Procedure §760.010 et esq.

6 **SECOND CLAIM FOR RELIEF**

7 **(Declaratory Relief against Defendant)**

8 29. Plaintiff hereby incorporates by reference all proceeding paragraphs.

9 30. An actual and present controversy exists between Plaintiff and Defendants concerning
10 their rights and duties pursuant to the easement and subject property APN 436-134-04T.

11 31. Plaintiff submits that the easement is valid and enforceable and that Defendant's actions
12 constitute unlawful interference with Plaintiff's valid use of that easement to the subject property
13 APN 436-134-04T.

14 32. Plaintiff submits that the Subject Property APN 436-134-04T is owned solely by the
15 Plaintiff and Defendant's use of the property constitutes unlawful interference with Plaintiff's valid
16 property interest.

17 33. Plaintiff requests a judicial determination of the parties' rights and a declaration that
18 Plaintiff maintains a valid easement and ownership of the Subject Property APN 436-134-04T and
19 that Defendant has no right to interfere with its use.

20 34. Plaintiff requests that the Defendant be required to restore City's access to the City's water
21 facility located within the Plaintiff's subject property APN 436-34-04T.

22 35. Plaintiff requests that the Defendant be required to remove all personal property from
23 Plaintiff's property located at the subject property APN 436-34-04T.

24 **THIRD CLAIM FOR RELIEF**

25 **(Injunctive Relief against Defendant)**

26 36. Plaintiff hereby incorporates by reference all previous paragraphs.

27 37. Plaintiff contends that Defendant's interference with the easement is a continuing and
28 unlawful act that has caused irreparable harm to Plaintiff.

1 38. Plaintiff has no adequate remedy at law to prevent Defendant's continuing interference
2 with the easement.

3 39. Plaintiff will suffer great and irreparable injury unless Defendant is permanently enjoined
4 from blocking or interfering with the easement.

5 40. Plaintiff requests that Defendant restore Plaintiff's access to the City's water facility
6 located at the Southwest corner of Lot 96 of University Terrace APN 436-34-04T.

7 41. Plaintiff requests that the Defendant be required to remove all personal property from
8 Plaintiff's property located at the Southwest corner of Lot 96 of University Terrace,
9 APN 436-34-04T.

10 42. Plaintiff requests that the Defendant be required to not prevent further access to Plaintiff's
11 property located at the Southwest corner of Lot 96 of University Terrace, APN 436-34-04T.

12 43. Plaintiff requests that the Defendant be refrained from placing any/all personal property
13 on or within Plaintiff's property and passage located at the Southwest corner of Lot 96 of University
14 Terrace, APN 436-34-04T in the future.

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PRAAYER

WHEREFORE, Plaintiff CITY OF FRESNO, prays:

1. For a judgment quieting title to the easement in favor of the Plaintiff since the day of inception recognized as March 24, 1950, to present day;

5 2. For a declaration that the easement is valid and enforceable and that the Defendant
6 has no right to interfere with it;

7 3. For a declaration that the Subject Property APN 436-134-04T is owned solely by
8 Plaintiff since the day of inception recognized as March 24, 1950, to present day;

9 4. For permanent injunction restraining Defendant from obstructing or otherwise
10 interfering with Plaintiff's use of the easement;

11 5. For such costs and attorneys' fees to which Plaintiff may be entitled by law; and

6. For such other, further or different relief as this Court may deem just and proper.

14 | DATED: January 22, 2026

Respectfully submitted,

ANDREW JANZ
City Attorney

By: JENNIFER L. WOLFE
JENNIFER L. WOLFE
Special Assistant City Attorney
Attorneys for Defendant, CITY OF FRESNO

EXHIBIT “A”

1326

NID

DEED

O. R. Vol. 2838 pg. 219

Rec. Mar. 24, 1950 Mar. 16, 1950
Res. # 2831

STATE COLLEGE FOUNDATION
TO
CITY OF FRESNO

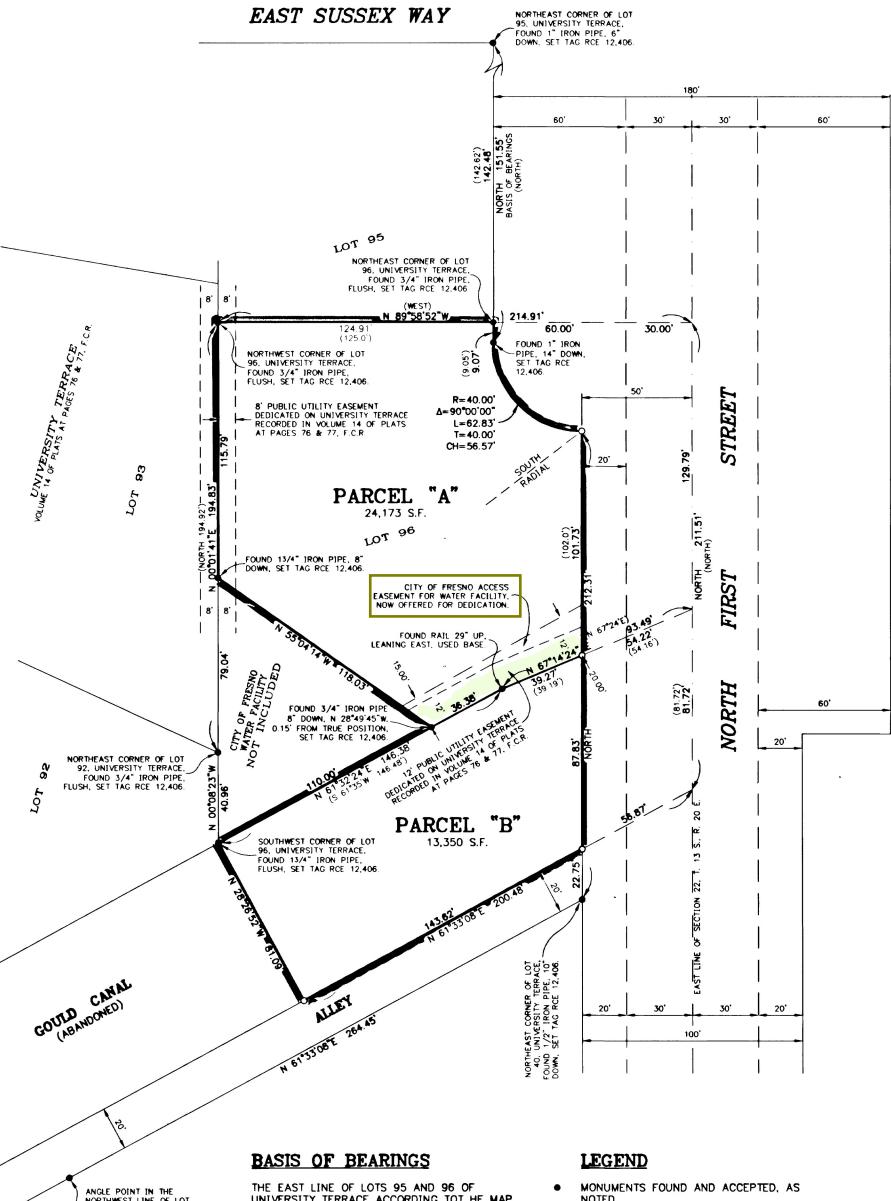
Port. of lot 96, University Terrace, described as follows;
Beg. at a pt. on the W line of lot 96, 120' N of the SW cor.;
thence S to the SW cor. of lot 96; thence 110' NE'ly along the
SE'ly line of lot 96; thence NW'ly in a direct line to the pt.
of beg.

J-2596
15A-4688 - ACCESS ROAD

City Clerk # 1382

EXHIBIT “B”

EAST SUSSEX WAY



ALL GRADING, EROSION, AND SEDIMENTATION CONTROL SHALL BE AS PROVIDED BY SECTION 12-1210 OF THE FRESNO MUNICIPAL CODE.

LEGAL DESCRIPTION

Lot 96 of University Terrace according to the map thereof recorded in Volume 14 of Plats at Pages 76 and 77, Fresno County Records. In addition, that portion of the Gould Canal right of way abandoned February 8, 1984 and recorded as Document No. 84014703, Fresno County Records, being more particularly described as follows:

COMMENCING at the Southerly corner of Lot 96 of Tract No. 1096, University Terrace as said property is shown on the map thereof recorded in Book 14, Pages 76 and 77 of Plats, Fresno County Records; thence South 00°00'00" West 87.96 feet to the Southerly line of Block "A" of said Tract; thence South 61°35'00" West a distance of 143.61 feet along the Southerly line of Block "A"; thence North 28°25'00" West a distance of 81.33 feet to the Southerly corner of said Lot 96; thence North 61°35'00" East a distance of 146.48 feet along the Southerly line of said Lot 96; thence North 67°24'00" East a distance of 39.19 feet along the Southerly line of said Lot 96 to the POINT OF BEGINNING.

EXCEPTING that portion described as follows:

BEGINNING at a point on the West line of said Lot 96, 120 feet North of the Southwest corner thereof; thence South along the West line of said Lot to the Southwest corner thereof; thence 110 feet Northeast along the Southerly line of said Lot; thence Northeastward to the POINT OF BEGINNING.

NOTARY ACKNOWLEDGMENT

State of California
County of Fresno *ss*

On this 6th day of November, 2003, before me, the undersigned Notary Public, in and for said County and State, personally appeared **EUGENE STEPHENS**, *EUGENE STEPHENS*, *Elizabeth R. Stephens*, *R. Stephens*, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged to me that **EUGENE STEPHENS** signed the same in **THEIR** authorized capacity(ies), and that by **THEIR** signature(s) on the instrument the person(s), or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand.

Gloria D. Adams
Signature of Notary

Gloria D. Adams
Print Notary's Name

IN THE COUNTY OF *Fresno*
MY COMMISSION EXPIRES *April 29, 2006*

GOULD CANAL
(ABANDONED)

RECORDER'S CERTIFICATE

Document No. 2003-0142325
Filed this 13 day of June, 2003, at 8:00 A.M.
in Book 82 of Parcel Maps, at Page 82, at the
request of STEWART TITLE COMPANY.
Fee \$8.00

Robert C. Werner
County Recorder

Robert C. Werner
By *John G. Campbell*
Deputy

ENGINEER'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 the ordinances of the record of **EUGENE STEPHENS** on **APRIL 11, 1986**. I hereby state that this Parcel Map substantially conforms to the approved or conditionally approved Subdivision Map Act and the ordinances of the character and in the locations shown herein and are sufficient to enable the survey to be refaced.

Ronald W. Greenwood
RONALD W. GREENWOOD R.C.E. 12,406
REGISTERED PROFESSIONAL ENGINEER
No. 12,406
Expires 3-31-05
CIVIL STATE OF CALIFORNIA
Dated *8/2/02*

CITY ENGINEER'S CERTIFICATE

I, **Mark J. Williamson**, City Engineer of the City of Fresno, do hereby certify that I have examined this map, that the same is in accordance with the Subdivision Map Act and the ordinances on the approved tentative map, if required, and any approved alterations thereof. That all provisions of the Subdivision Map Act and local ordinances applicable at the time of the original tentative map, if required, have been complied with and that I am satisfied that the map is technically correct.

Date: *6/17/03*

CITY ENGINEER OF THE CITY OF FRESNO
Eric Froberg PE, PLS#4780
ERIC FROBERG
DEPUTY CITY ENGINEER
RECEIVED
NO. 4000
16/10/03
CITY OF FRESNO
CORPORATED OCT. 12, 1856

CITY CLERK'S CERTIFICATE

I, hereby certify that the Director of the Planning and Development Department did approve the within map and accepted on behalf of the Public, all parcels of land and easements offered for dedication to the public use in conformity with the terms of the offer of dedication.

Date: *June 17, 2003*

REBECCA E. KLISCH
By *Telvia Sommerville*
Deputy

DIRECTOR OF THE PLANNING AND DEVELOPMENT DEPARTMENT CERTIFICATE
THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND CHAPTER 12, ARTICLE 12 OF THE FRESNO MUNICIPAL CODE.

DATE: *June 17, 2003*

By *Robert C. Werner*
DIRECTOR OF THE PLANNING AND DEVELOPMENT DEPARTMENT

PARCEL MAP No. 2001-14

CONSISTING OF ONE SHEET

IN THE CITY OF FRESNO, FRESNO COUNTY CALIFORNIA

Prepared for

EUGENE STEPHENS

Prepared by

R. W. Greenwood Associates, Inc.

CIVIL ENGINEERING LAND SURVEYING
2558 EAST OLIVE AVENUE, FRESNO, CALIFORNIA, PHONE (559) 268-7831

EXHIBIT “C”

RECORDING REQUESTED BY:
Stewart Title of California, Inc.

WHEN RECORDED MAIL TO:
MAIL TAX STATEMENT TO:

Manuel Richard Orrantia
4005 North First Street
Fresno, CA 93726

ORDER NO.
ESCROW NO. 01180-221209
APN: 436-134-03

FRESNO County Recorder
Paul Dictos, C.P.A.

DOC-
2016-0084102-00
Acct 73-Stewart Title Bakersfield
Wednesday, JUN 29, 2016 14:21:03
NPC \$20.00||
Ttl Pd \$287.00 Rcpt # 0004561782
CRR/R2/1-2

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

THE UNDERSIGNED GRANTOR(s) DECLARE(s)

DOCUMENTARY TRANSFER TAX is: \$253.00

CITY TAX \$

Monument Preservation Fee is: \$

computed on full value of property conveyed, or
computed on full value less value of liens or encumbrances
remaining at time of sale.

City of Fresno

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Elizabeth R. Stephens, Successor Trustee of the Stephens Family Trust dated August 1, 2000

hereby GRANT(S) to Manuel Richard Orrantia, a married man as his sole and separate property
the following described real property in the City of Fresno, County of Fresno, State of California:

Parcels A of Parcel Map No. 2001-14 according to the Map thereof recorded in Book 62 Page 82 of Parcel Maps Fresno
County Records.

APN: 436-134-03

Date: June 13, 2016

ELIZABETH R. STEPHENS, SUCCESSOR TRUSTEE
OF THE STEPHENS FAMILY TRUST DATED AUGUST 1,
2000

Elizabeth R. Stephens
Elizabeth R. Stephens,
Successor Trustee

MAIL TAX STATEMENT AS DIRECTED ABOVE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

State of California
County of Fresno

On June 20, 2016 before me C. Froehlich, Notary Public personally appeared Elizabeth R. Stephens, who 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/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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature C. Froehlich

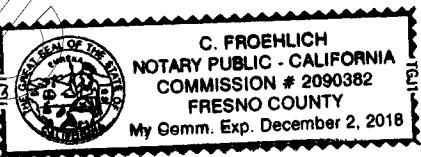
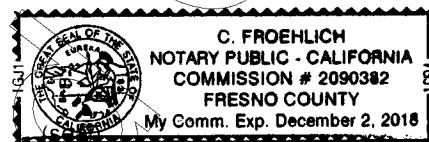


EXHIBIT “D”

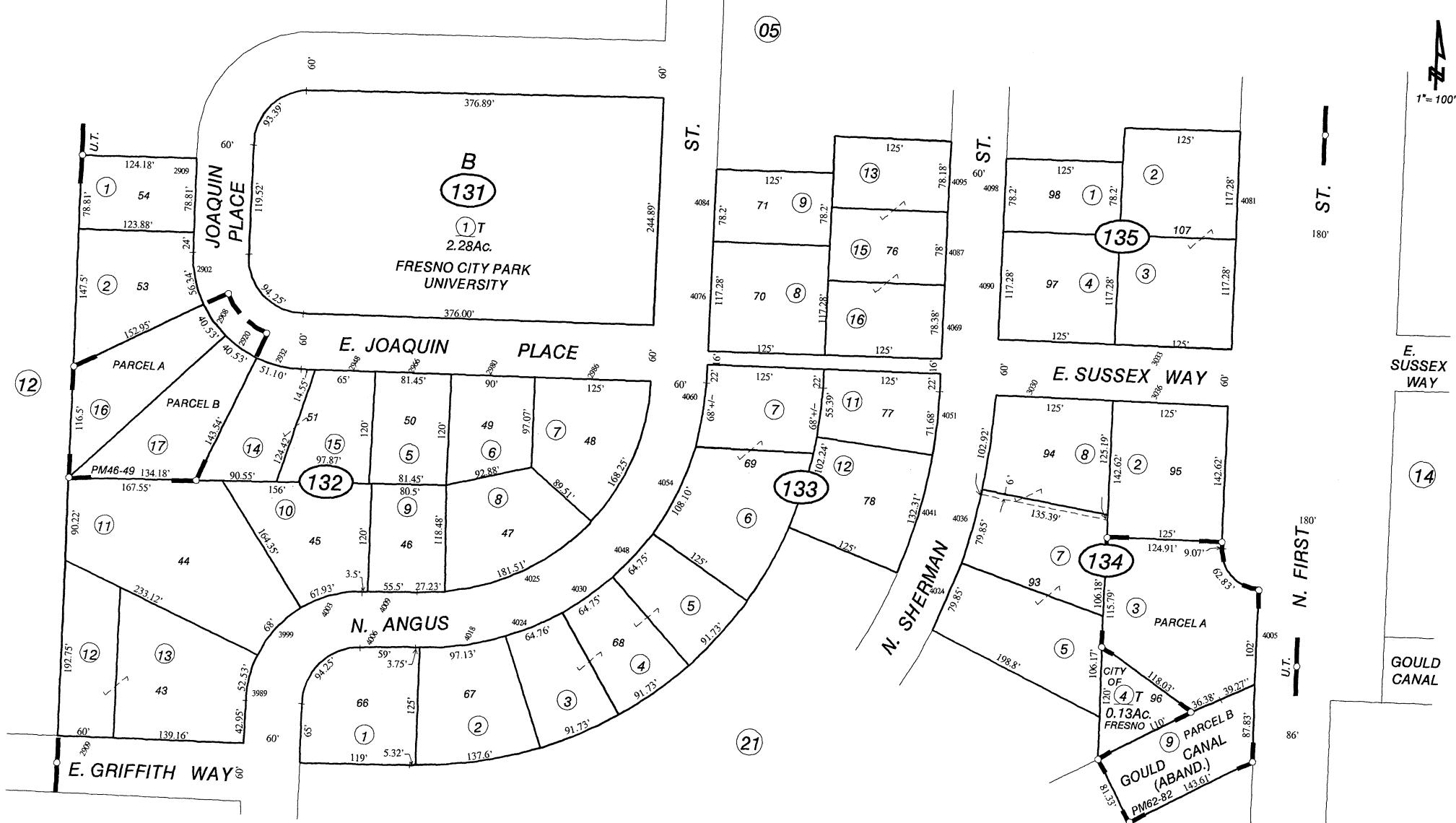
--- NOTE ---

This map is for Assessment purposes only.
It is not to be construed as portraying
legal ownership or divisions of land for
purposes of zoning or subdivision law.

SUBDIVIDED LAND IN POR. SEC. 22, T. 13 S., R. 20 E., M.D.B. & M.

Tax Rate Area
5-003

436-13



University Terrace Tract No. 1096 - Plat Bk. 14, Pgs. 76-77
Parcel Map No. 84-72, Bk. 46, Pg. 49
Parcel Map No. 2001-14, Bk. 62, Pg. 82

EXHIBIT “E”

State Center Warehouse Building
747 R Street, 2nd Floor
Fresno, California 93721
Ph. (559) 621-8880
www.fresno.gov

Nicholas D. Mascia, P.E.
Assistant City Manager
Capital Projects Interim Director

May 14, 2025

via USPS Certified Mail: 9589-0710-5270-2344-5122-77

Manuel Richard Orrantia
4005 North First Street
Fresno, CA 93726-4307

RE: City of Fresno Pump Station 041, APN 436-134-04T
Demand to Restore City's access to APN 436-134-04T

Dear Manual Richard Orrantia:

Thank you for your time on the phone on March 11, 2025, where you expressed interest in purchasing the City's property, identified as Assessor's Parcel Number ("APN") 436-134-04T (the "Water Lot"), located along the southwest boundary of your parcel, APN 436-134-03, situated at 4005 North First Street in Fresno, California. The City appreciates your offer to purchase the Water Lot but must respectfully decline the offer at this time. The Water Lot contains an active, critical monitoring site for a water well used by the Department of Public Utilities. If in the future the City determines it no longer needs to monitor the Well Site, the City will revisit the option of selling the Water Lot.

On June 17, 2003, an access easement permitting permanent access to the Water Lot was dedicated to the City by the previous owner, Eugene Stephens and Elizabeth R. Stephens, Trustees of the Stephens Family Trust, dated August 1, 2000. The City accepted this dedication and recorded Parcel Map Number 2001-14 with the Fresno County Recorder as Document Number 2003-0142325. The purpose of the dedication, among other things, was to permit access to a water facility, which later became Pump Station 041 located on the Water Lot. Accepting a dedication of property means that the property owner formally relinquishes their private rights over the land for public use. Enclosed please find the Parcel Map, which identifies the easement located at the south/southeastern boundary of your property leading from the City's parcel to North First Street.

Pursuant to Parcel Map No. 2001-14, the defined access route that the City must use to enter the Water Lot begins at the roadway on North First Street and leads back to the City-owned parcel. The City's Department of Public Utilities continues to monitor the water well located on the parcel and needs to ensure access will be uninterrupted at all times going forward.

City of Fresno Pump Station 041, APN 436-134-04T
May 14, 2025
Page 2

Over the last several years, the City has had difficulty accessing the Water Lot through the easement, reportedly having City employees deterred from entry, the Water Lot gate being blocked by vehicles, and the City's locks being removed from the gate and replaced with other locks. In addition, your personal property is being stored on the Water Lot without the City's permission and must be removed within 30 days of this letter.

By way of this letter, the City demands that any and all acts to prevent the City's access cease immediately. Should access to the Water Lot through the easement continue to be blocked, the City will be required to take the necessary legal action to restore access. This includes seeking recovery of all costs and legal fees associated with regaining access to the Water Lot from you.

If you have any questions, please contact me at (559) 621-8696 or by email at Nancy.Bruno@fresno.gov.

Thank you for your cooperation in this matter.

Sincerely,

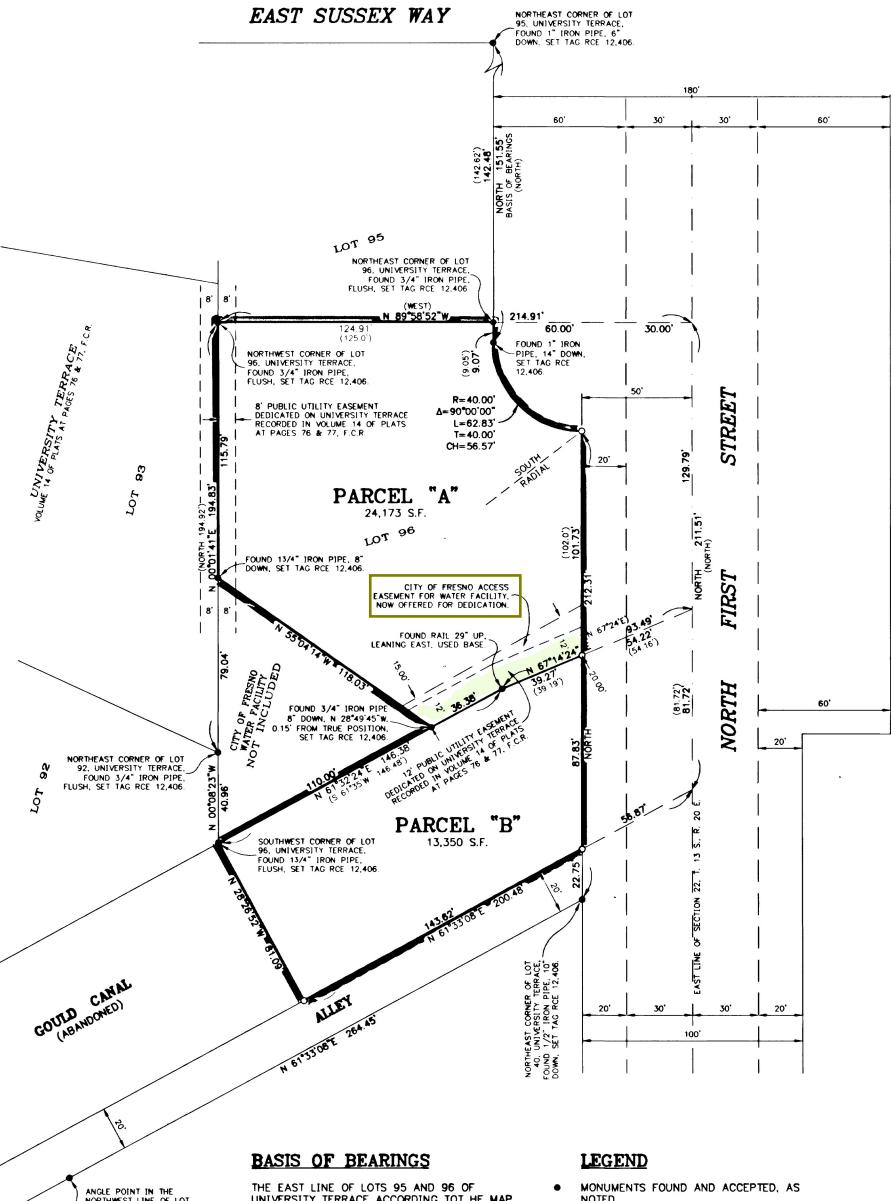


Nancy Bruno
Capital Administration Division
Right of Way Manager
(559) 621-8696
Nancy.Bruno@Fresno.gov

Encl: Parcel Map No. 2001-14

Cc: DPU Project Manager

EAST SUSSEX WAY



ALL GRADING, EROSION, AND SEDIMENTATION CONTROL SHALL BE AS PROVIDED BY SECTION 12-1210 OF THE FRESNO MUNICIPAL CODE.

LEGAL DESCRIPTION

Lot 96 of University Terrace according to the map thereof recorded in Volume 14 of Plats at Pages 76 and 77, Fresno County Records. In addition, that portion of the Gould Canal right of way abandoned February 8, 1984 and recorded as Document No. 84014703, Fresno County Records, being more particularly described as follows:

COMMENCING at the Southerly corner of Lot 96 of Tract No. 1096, University Terrace as said property is shown on the map thereof recorded in Book 14, Pages 76 and 77 of Plats, Fresno County Records; thence South 00°00'00" West 87.96 feet to the Southerly line of Block "A" of said Tract; thence South 61°35'00" West a distance of 143.61 feet along the Southerly line of Block "A"; thence North 28°25'00" West a distance of 81.33 feet to the Southerly corner of said Lot 96; thence North 61°35'00" East a distance of 146.48 feet along the Southerly line of said Lot 96; thence North 67°24'00" East a distance of 39.19 feet along the Southerly line of said Lot 96 to the POINT OF BEGINNING.

EXCEPTING that portion described as follows:

BEGINNING at a point on the West line of said Lot 96, 120 feet North of the Southwest corner thereof; thence South along the West line of said Lot to the Southwest corner thereof; thence 110 feet Northeast along the Southerly line of said Lot; thence Northeastward to the POINT OF BEGINNING.

NOTARY ACKNOWLEDGMENT

State of California
County of Fresno *ss*

On this 6th day of November, 2003, before me, the undersigned Notary Public, in and for said County and State, personally appeared **EUGENE STEPHENS**, *EUGENE STEPHENS*, *Elizabeth R. Stephens*, *R. Stephens*, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged to me that **EUGENE STEPHENS** signed the same in **THEIR** authorized capacity(ies), and that by **THEIR** signature(s) on the instrument the person(s), or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand.

Gloria D. Adams
Signature of Notary

Gloria D. Adams
Print Notary's Name

IN THE COUNTY OF *Fresno*
MY COMMISSION EXPIRES *April 29, 2006*

GOULD CANAL
(ABANDONED)

RECORDER'S CERTIFICATE

Document No. 2003-0142325
Filed this 13 day of June, 2003, at 8:00 A.M.
in Book 82 of Parcel Maps, at Page 82, at the
request of STEWART TITLE COMPANY.
Fee \$8.00

Robert C. Werner
County Recorder

Robert C. Werner
By *John G. Campbell*
Deputy

ENGINEER'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 the ordinances of the record of **EUGENE STEPHENS** on **APRIL 11, 1986**. I hereby state that this Parcel Map substantially conforms to the approved or conditionally approved Subdivision Map Act and the ordinances of the character and in the locations shown herein and are sufficient to enable the survey to be refaced.

Ronald W. Greenwood
RONALD W. GREENWOOD R.C.E. 12,406
REGISTERED PROFESSIONAL ENGINEER
No. 12,406
Expires 3-31-05
CIVIL STATE OF CALIFORNIA
Dated *8/2/02*

CITY ENGINEER'S CERTIFICATE

I, **Mark J. Williamson**, City Engineer of the City of Fresno, do hereby certify that I have examined this map, that the same is in accordance with the Subdivision Map Act and the ordinances on the approved tentative map, if required, and any approved alterations thereof. That all provisions of the Subdivision Map Act and local ordinances applicable at the time of the original tentative map, if required, have been complied with and that I am satisfied that the map is technically correct.

Date: *6/17/03*

CITY ENGINEER OF THE CITY OF FRESNO
Eric Froberg PE, PLS#4780
ERIC FROBERG
DEPUTY CITY ENGINEER
RECEIVED
NO. 4000
16/10/03
CITY OF FRESNO
CORPORATED OCT. 12, 1856

CITY CLERK'S CERTIFICATE

I, hereby certify that the Director of the Planning and Development Department did approve the within map and accepted on behalf of the Public, all parcels of land and easements offered for dedication to the public use in conformity with the terms of the offer of dedication.

Date: *June 17, 2003*

REBECCA E. KLISCH
By *Telvia Sommerville*
Deputy

DIRECTOR OF THE PLANNING AND DEVELOPMENT DEPARTMENT CERTIFICATE
THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND CHAPTER 12, ARTICLE 12 OF THE FRESNO MUNICIPAL CODE.

DATE: *June 17, 2003*

By *Robert C. Werner*
DIRECTOR OF THE PLANNING AND DEVELOPMENT DEPARTMENT

PARCEL MAP No. 2001-14

CONSISTING OF ONE SHEET

IN THE CITY OF FRESNO, FRESNO COUNTY CALIFORNIA

Prepared for

EUGENE STEPHENS

Prepared by

R. W. Greenwood Associates, Inc.

CIVIL ENGINEERING LAND SURVEYING
2558 EAST OLIVE AVENUE, FRESNO, CALIFORNIA, PHONE (559) 268-7831

EXHIBIT “F”



CAPITAL PROJECTS DEPARTMENT

State Center Warehouse Building
747 R Street, 2nd Floor
Fresno, California 93721
Ph. (559) 621-8880
www.fresno.gov

Nicholas D. Mascia, P.E.
Assistant City Manager
Capital Projects Interim Director

July 8, 2025

Via FedEx: 8822-4569-6896

Manuel Richard Orrantia
4005 North First Street
Fresno, CA 93726-4307

RE: City of Fresno Pump Station 041, APN 436-134-04T
Demand to Restore City's access to APN 436-134-04T

Dear Manual Richard Orrantia:

This letter serves as the City of Fresno's **final notice** regarding its right to access the City-owned parcel identified as Assessor's Parcel Number 436-134-04T (the "Water Lot"), located adjacent to your property at 4005 North First Street (APN 436-134-03).

As previously stated in the City's letter dated May 14, 2025, the Water Lot contains an active monitoring site for a municipal water well operated by the Department of Public Utilities. The City holds a permanent access easement, recorded with the Fresno County Recorder as part of Parcel Map No. 2001-14 (Document No. 2003-0142325), which legally entitles City personnel and their contractors to enter and access the Water Lot via the easement on your property.

Despite this notice and our request for cooperation, you have continued to interfere with the City's lawful access to its property. Reports of blocked access and the continued storage of personal property on the Water Lot constitute a **clear violation of the City's property rights and legal easement**.

This letter is to advise you that unless full access is restored and all unauthorized personal property is removed from the Water Lot no later than Friday, July 18, 2025, the City will initiate legal proceedings without further notice.

The City will seek:

- A court order enforcing its access rights;
- Removal of all obstructions and unauthorized property;
- Recovery of all associated legal costs, attorney's fees, and any damages incurred.

City of Fresno Pump Station 041, APN 436-134-04T

July 8, 2025

Page 2

This is not a step the City takes lightly. However, the ongoing obstruction of City operations and violation of property rights leaves no alternative.

We strongly encourage you to take this final opportunity to comply voluntarily. If you have questions or wish to confirm compliance before the deadline, please contact me at (559) 621-8696 or Nancy.Bruno@fresno.gov.

Sincerely,



Nancy Bruno
Right of Way Manager
Capital Administration Division

CC: City Attorney's Office
DPU Project Manager

Enclosure: Letter dated May 14, 2025
Parcel map No. 2001-14

State Center Warehouse Building
747 R Street, 2nd Floor
Fresno, California 93721
Ph. (559) 621-8880
www.fresno.gov

Nicholas D. Mascia, P.E.
Assistant City Manager
Capital Projects Interim Director

May 14, 2025

via USPS Certified Mail: 9589-0710-5270-2344-5122-77

Manuel Richard Orrantia
4005 North First Street
Fresno, CA 93726-4307

RE: City of Fresno Pump Station 041, APN 436-134-04T
Demand to Restore City's access to APN 436-134-04T

Dear Manual Richard Orrantia:

Thank you for your time on the phone on March 11, 2025, where you expressed interest in purchasing the City's property, identified as Assessor's Parcel Number ("APN") 436-134-04T (the "Water Lot"), located along the southwest boundary of your parcel, APN 436-134-03, situated at 4005 North First Street in Fresno, California. The City appreciates your offer to purchase the Water Lot but must respectfully decline the offer at this time. The Water Lot contains an active, critical monitoring site for a water well used by the Department of Public Utilities. If in the future the City determines it no longer needs to monitor the Well Site, the City will revisit the option of selling the Water Lot.

On June 17, 2003, an access easement permitting permanent access to the Water Lot was dedicated to the City by the previous owner, Eugene Stephens and Elizabeth R. Stephens, Trustees of the Stephens Family Trust, dated August 1, 2000. The City accepted this dedication and recorded Parcel Map Number 2001-14 with the Fresno County Recorder as Document Number 2003-0142325. The purpose of the dedication, among other things, was to permit access to a water facility, which later became Pump Station 041 located on the Water Lot. Accepting a dedication of property means that the property owner formally relinquishes their private rights over the land for public use. Enclosed please find the Parcel Map, which identifies the easement located at the south/southeastern boundary of your property leading from the City's parcel to North First Street.

Pursuant to Parcel Map No. 2001-14, the defined access route that the City must use to enter the Water Lot begins at the roadway on North First Street and leads back to the City-owned parcel. The City's Department of Public Utilities continues to monitor the water well located on the parcel and needs to ensure access will be uninterrupted at all times going forward.

City of Fresno Pump Station 041, APN 436-134-04T
May 14, 2025
Page 2

Over the last several years, the City has had difficulty accessing the Water Lot through the easement, reportedly having City employees deterred from entry, the Water Lot gate being blocked by vehicles, and the City's locks being removed from the gate and replaced with other locks. In addition, your personal property is being stored on the Water Lot without the City's permission and must be removed within 30 days of this letter.

By way of this letter, the City demands that any and all acts to prevent the City's access cease immediately. Should access to the Water Lot through the easement continue to be blocked, the City will be required to take the necessary legal action to restore access. This includes seeking recovery of all costs and legal fees associated with regaining access to the Water Lot from you.

If you have any questions, please contact me at (559) 621-8696 or by email at Nancy.Bruno@fresno.gov.

Thank you for your cooperation in this matter.

Sincerely,

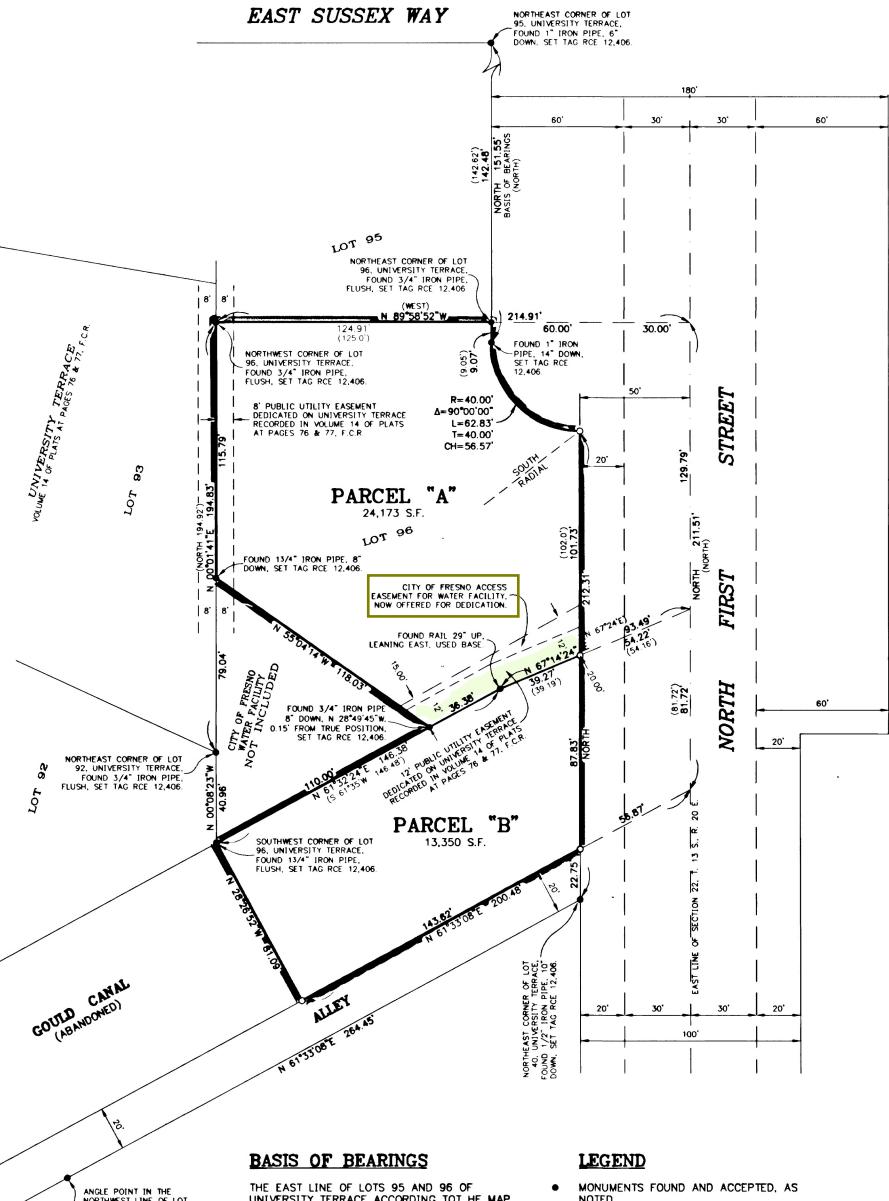


Nancy Bruno
Capital Administration Division
Right of Way Manager
(559) 621-8696
Nancy.Bruno@Fresno.gov

Encl: Parcel Map No. 2001-14

Cc: DPU Project Manager

EAST SUSSEX WAY



ALL GRADING, EROSION, AND SEDIMENTATION CONTROL SHALL BE AS PROVIDED BY SECTION 12-1210 OF THE FRESNO MUNICIPAL CODE.

LEGAL DESCRIPTION

Lot 96 of University Terrace according to the map thereof recorded in Volume 14 of Plats at Pages 76 and 77, Fresno County Records. In addition, that portion of the Gould Canal right of way abandoned February 8, 1984 and recorded as Document No. 84014703, Fresno County Records, being more particularly described as follows:

COMMENCING at the Southerly corner of Lot 96 of Tract No. 1096, University Terrace as said property is shown on the map thereof recorded in Book 14, Pages 76 and 77 of Plats, Fresno County Records; thence South 00°00'00" West 87.96 feet to the Southerly line of Block "A" of said Tract; thence South 61°35'00" West a distance of 143.61 feet along the Southerly line of Block "A"; thence North 28°25'00" West a distance of 81.33 feet to the Southerly corner of said Lot 96; thence North 61°35'00" East a distance of 146.48 feet along the Southerly line of said Lot 96; thence North 67°24'00" East a distance of 39.19 feet along the Southerly line of said Lot 96 to the POINT OF BEGINNING.

EXCEPTING that portion described as follows:

BEGINNING at a point on the West line of said Lot 96, 120 feet North of the Southwest corner thereof; thence South along the West line of said Lot to the Southwest corner thereof; thence 110 feet Northeast along the Southerly line of said Lot; thence Northeastward to the POINT OF BEGINNING.

NOTARY ACKNOWLEDGMENT

State of California
County of Fresno *ss*

On this 6th day of November, 2003, before me, the undersigned Notary Public, in and for said County and State, personally appeared **EUGENE STEPHENS**, *EUGENE STEPHENS*, *Elizabeth R. Stephens*, *R. Stephens*, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged to me that **EUGENE STEPHENS** signed the same in **THEIR** authorized capacity(ies), and that by **THEIR** signature(s) on the instrument the person(s), or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand.

Gloria D. Adams
Signature of Notary

Gloria D. Adams
Print Notary's Name

IN THE COUNTY OF *Fresno*
MY COMMISSION EXPIRES *April 29, 2006*

GOULD CANAL
(ABANDONED)

RECORDER'S CERTIFICATE

Document No. 2003-0142325
Filed this 13 day of June, 2003, at 8:00 A.M.
in Book 82 of Parcel Maps, at Page 82, at the
request of STEWART TITLE COMPANY.
Fee \$8.00

Robert C. Werner
County Recorder

Robert C. Werner
By *John G. Campbell*
Deputy

ENGINEER'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 the ordinances of the record of **EUGENE STEPHENS** on **APRIL 11, 1986**. I hereby state that this Parcel Map substantially conforms to the approved or conditionally approved Subdivision Map Act and the ordinances of the character and in the locations shown herein and are sufficient to enable the survey to be refaced.

Ronald W. Greenwood
RONALD W. GREENWOOD R.C.E. 12,406
REGISTERED PROFESSIONAL ENGINEER
No. 12,406
Expires 3-31-05
CIVIL STATE OF CALIFORNIA
Dated *8/2/02*

CITY ENGINEER'S CERTIFICATE

I, **Mark J. Williamson**, City Engineer of the City of Fresno, do hereby certify that I have examined this map, that the same is in accordance with the Subdivision Map Act and the ordinances on the approved tentative map, if required, and any approved alterations thereof. That all provisions of the Subdivision Map Act and local ordinances applicable at the time of the original tentative map, if required, have been complied with and that I am satisfied that the map is technically correct.

Date: *6/17/03*

CITY ENGINEER OF THE CITY OF FRESNO
Eric Froberg PE, PLS#4780
ERIC FROBERG
DEPUTY CITY ENGINEER
RECEIVED
NO. 4000
16/10/03
CITY OF FRESNO
CORPORATED OCT. 12, 1856

CITY CLERK'S CERTIFICATE

I, hereby certify that the Director of the Planning and Development Department did approve the within map and accepted on behalf of the Public, all parcels of land and easements offered for dedication to the public use in conformity with the terms of the offer of dedication.

Date: *June 17, 2003*

REBECCA E. KLISCH
City Clerk
Telvia Sommerville
Deputy

DIRECTOR OF THE PLANNING AND DEVELOPMENT DEPARTMENT CERTIFICATE
THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND CHAPTER 12, ARTICLE 12 OF THE FRESNO MUNICIPAL CODE.

DATE: *June 17, 2003*

Robert C. Werner
DIRECTOR OF THE PLANNING AND DEVELOPMENT DEPARTMENT

PARCEL MAP No. 2001-14

CONSISTING OF ONE SHEET

IN THE CITY OF FRESNO, FRESNO COUNTY CALIFORNIA

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