

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY (NON-FORECLOSURE) CCP 701.540

Court Case #: **CIVSB2300696**

Sheriff's File Levy # **25006542**

Date: 06/11/2025

In Favor of: THE HEIGHTS AT HAVEN VIEW ESTATES
And against: TITO Y. JOHNSON, AN INDIVIDUAL AND TRUSTEE, ET AL

Under a WRIT OF SALE issued by the Superior Court, County of San Bernardino, State of California on 02/26/2025 on a judgment rendered on 07/22/2022 for the sum of \$63,631.81, I have levied upon all the right, title, claim and interest of the judgment debtor(s) TITO Y. JOHNSON, AN INDIVIDUAL AND TRUSTEE, ET AL in the real property, in the county of San Bernardino, described as follows:

Physical Address: 4962 BUCKSKIN COURT RANCHO CUCAMONGA CA 91737
APN(s): 1074-621-04

Legal Description: 4962 BUCKSKIN COURT RANCHO CUCAMONGA, CA 91737. APN # 1074-621-04. SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

PROSPECTIVE BIDDERS SHOULD REFER TO SECTIONS 701.510 TO 701.680 INCLUSIVE OF THE CODE OF CIVIL PROCEDURES FOR PROVISIONS GOVERNING THE TERMS, CONDITIONS AND EFFECT OF THE SALE AND THE LIABILITY OF DEFAULTING BIDDERS. (CCP 701.547)

PUBLIC NOTICE IS HEREBY GIVEN that I will proceed to sell at public auction to the highest bidder, for cash in lawful money of the United States, all the right, title, claim and interest of said judgment debtor(s) in the above described property, or so much thereof as may be necessary to satisfy said judgment, with accrued interest and costs on:

Date and Time of Sale: 08/04/2025 at 9:00 am
at the following location:

San Bernardino County Superior Court
351 N Arrowhead Avenue
San Bernadino, CA 92415-0245

Directions to property location may be obtained from the levying officer upon written or oral request.

SHANNON D. DICUS, Sheriff

By: 

S. Bierman, Sheriff's Authorized Agent



LIENS MAY BE PRESENT WHICH MAY OR MAY NOT SURVIVE THIS LEVY



SHANNON D. DICUS, SHERIFF-CORONER

Terms and Conditions of a Sheriff's Sale

1. If you are the winning bidder, you must be prepared to pay in cash, certified check, or cashier's check. Personal checks, company checks, traveler's checks, or money orders are not acceptable (CCP 701.590(a)).
2. If you pay by certified check or cashier's check, the check must be payable to "Sheriff's Court Services." You may not endorse a check payable to you or anyone else over to the Sheriff's Department.
3. The winning bidder must be prepared to pay the full amount at the time of sale when:
 - a) The bid amount on real property is \$5,000.00 or less, or,
 - b) The bid amount on personal property is \$2,500.00 or less.
4. If the winning bid for an interest in the real property exceeds \$5,000.00, the bidder shall deposit at least \$5,000.00 or 10% of the bid, whichever is greater; and within 10 days after the date of sale, pay the balance plus interest on the balance and costs accruing related to the sale.

If the winning bid for an item, group, or a lot of personal property sold exceeds \$2,500.00, the winning bidder shall deposit at least \$2,500.00 or 10% of the bid, whichever is greater; and within 10 days after the date of the sale, pay the balance plus interest on the balance and costs accruing related to the sale. The winning bidder is also responsible for transfer taxes and fees.

The winning bidder is not entitled to possession of the property until the bid, plus costs and interest, have been paid.

If the winning bidder does not pay the bid amount as prescribed above, they will forfeit their deposit (CCP 701.590, 701.600).

5. The judgment creditor may bid against all or part of the judgment. Unpaid levying costs, preferred labor claims, exempt proceeds, and any other claims required to be satisfied shall be paid in cash or by certified check or cashier's check (CCP 701.590).
6. If a minimum is required and not received, provisions of CCP 701.620 will apply.
7. Prospective bidders should refer to CCP 701.600(c) regarding the liability of defaulting bidders.
8. Any person may bid on and purchase property at a Sheriff's Sale except employees of the San Bernardino County Sheriff's Department and their immediate families.
9. All bidders shall say how they intend to pay for the property and show evidence of their ability to pay. We do this for the benefit of all bidders.
10. The winning bidder shall be prepared to do business immediately. The auctioneer will not wait while you go to the bank for money.

Terms and Conditions of a Sheriff's Sale (continued)

Sales Subject to the Right of Redemption

The Right of Redemption applies only to real property. When an interest in real property is sold subject to the Right of Redemption, it means that the debtor, whose interest in the property is being sold, will have a certain amount of time to redeem or buy back their property interest. The purchaser will be issued a Certificate of Sale, and a duplicated copy of the certificate will be recorded (CCP 729.040). This certificate does not constitute a transfer of title but grants the purchaser specific rights (CCP 729.090).

The redemption period will depend on the selling price as follows (CCP 709.030):

- A. 3 months after the sale date if the sale proceeds are sufficient to satisfy the secured indebtedness with interest and costs.
- B. 1 year after the sale date if the sale proceeds are not sufficient to satisfy the secured indebtedness with interest and costs.

The redemption price is the total of the following:

- a) The purchase price at the time of the sale.
- b) The amount of any assessments or taxes and reasonable amounts for fire insurance, upkeep, and repair or improvements on the property.
- c) Any amount paid by the purchaser on a prior obligation secured by the property to the extent that the payment was necessary to protect the purchaser's interest.
- d) Interest on the amounts described above from the time such amounts were paid and until the deposit date.
- e) If the purchaser has any liens subordinate to the lien under which the property was sold, the amount of the purchaser's lien, plus interest from the sale date to the deposit date.

Rents and profits from the property paid to the purchaser or the value of the property's use and occupation to the purchaser may be offset against the amounts described above (CCP 729.060).

Disputes related to the right to redeem the property shall be resolved in court. The petitioner must petition the court before the redemption period expires. The petitioner must supply our office with the written notice of the hearing (CCP 729.070).

Refer to sections within CCP 729.010 for more information concerning the redemption process.

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO. 281329 NAME DANIEL MEDIONI FIRM NAME WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP STREET ADDRESS 11400 West Olympic Boulevard, 9th Floor CITY Los Angeles STATE CA ZIP CODE 90064-1582 TELEPHONE NO (310) 478-4100 FAX NO (310) 479-1422 EMAIL ADDRESS dmedioni@wrslawyers.com ATTORNEY FOR (name) The Heights at Haven View Estates ☒ ATTORNEY FOR ☒ ORIGINAL JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD		FOR COURT USE ONLY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO STREET ADDRESS 247 West Third Street MAILING ADDRESS 247 West Third Street CITY AND ZIP CODE San Bernardino, 92415-0210 BRANCH NAME San Bernardino District - Civil Division		CASE NUMBER CIVSB2300696	
PLAINTIFF/PETITIONER: THE HEIGHTS AT HAVEN VIEW ESTATES DEFENDANT/RESPONDENT: TITO Y. JOHNSON, AN INDIVIDUAL AND TRUSTEE, et al		☒ Limited Civil Case (including Small Claims) ☐ Unlimited Civil Case (including Family and Probate)	
☐ EXECUTION (Money Judgment) WRIT OF ☐ POSSESSION OF ☐ Personal Property ☒ SALE ☒ Real Property			

- 1 To the Sheriff or Marshal of the County of: San Bernardino
 You are directed to enforce the judgment described below with daily interest and your costs as provided by law.
- 2 To any registered process server: You are authorized to serve this writ only in accordance with CCP 699.080 or CCP 715.040
- 3 (Name): The Heights at Haven View Estates
 is the ☒ original judgment creditor ☐ assignee of record whose address is shown on this form above the court's name
- 4 Judgment debtor (name, type of legal entity if not a natural person, and last known address)
 Tito Y. Johnson, an individual and Trustee of the Johnson Family Trust
 4926 Buckskin Court
 Rancho Cucamonga, CA 91737
☒ Additional judgment debtors on next page
- 5 Judgment entered on (date) 1/14/13
 (See type of judgment in item 22.)
- 6 ☒ Judgment renewed on (dates): 7/22/22
- 7 Notice of sale under this writ:
 a. ☐ has not been requested.
 b. ☒ has been requested (see next page).
- 8 ☐ Joint debtor information on next page.
- 9 ☒ Writ of Possession/Writ of Sale information on next page
- 10 ☐ This writ is issued on a sister-state judgment.
- For items 11-17, see form MC-012 and form MC-013-INFO.
- | | | |
|---|----|-----------|
| 11. Total judgment (as entered or renewed) | \$ | 44,671.26 |
| 12. Costs after judgment (CCP 685.090) | \$ | 10,827.75 |
| 13. Subtotal (add 11 and 12) | \$ | 55,499.01 |
| 14. Credits to principal (after credit to interest) | \$ | 0.00 |
| 15. Principal remaining due (subtract 14 from 13) | \$ | 55,499.01 |
| 16. Accrued interest remaining due per CCP 685.050(b) (not on GC 6103.5 fees) | \$ | 8,092.80 |
| 17. Fee for issuance of writ (per GC 70626(a)(1)) | \$ | 40.00 |
| 18. Total amount due (add 15, 16, and 17) | \$ | 63,631.81 |
19. Levying officer:
 a. Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) \$ 15.20
 b. Pay directly to court costs included in 11 and 17 (GC 6103.5, 68637 CCP 699.520(j)) \$ 0.00
- 20 ☐ The amounts called for in items 11-19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.



Date: FEB 26 2025

Clerk, by

 Patrick B. Pierson
 Deputy

NOTICE TO PERSON SERVED: SEE PAGE 3 FOR IMPORTANT INFORMATION.

Page 1 of 3

Plaintiff/Petitioner: THE HEIGHTS AT HAVEN VIEW ESTATES	CASE NUMBER:
Defendant/Respondent: TITO Y. JOHNSON, AN INDIVIDUAL AND TRUSTEE, et al	CIVSB2300696

21. ☒ Additional judgment debtor(s) (name, type of legal entity if not a natural person, and last known address):

Eloisa M. Johnson, an individual and Trustee of the
Johnson Family Trust
4962 Buckskin Court
Rancho Cucamonga, CA 91737

22. The judgment is for (check one):

- a. ☐ wages owed.
b. ☐ child support or spousal support.
c. ☒ other.

23. ☒ Notice of sale has been requested by (name and address):

The Heights at Haven View Estates
c/o Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP
11400 West Olympic Blvd., 9th Fl.
Los Angeles, CA 90064

24. ☐ Joint debtor was declared bound by the judgment (CCP 989-994)

- a. on (date):
b. name, type of legal entity if not a natural person, and last known address of joint debtor:

- a. on (date):
b. name, type of legal entity if not a natural person, and last known address of joint debtor:

- c. ☐ Additional costs against certain joint debtors are itemized: ☐ below ☐ on Attachment 24c.

25. ☒ (Writ of Possession or Writ of Sale) Judgment was entered for the following:

- a. ☐ Possession of real property: The complaint was filed on (date):

(Check (1) or (2). Check (3) if applicable. Complete (4) if (2) or (3) have been checked.)

- (1) ☐ The Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.
(2) ☐ The Prejudgment Claim of Right to Possession was NOT served in compliance with CCP 415.46.
(3) ☐ The unlawful detainer resulted from a foreclosure sale of a rental housing unit. (An occupant not named in the judgment may file a Claim of Right to Possession at any time up to and including the time the levying officer returns to effect eviction, regardless of whether a Prejudgment Claim of Right to Possession was served.) (See CCP 415.46 and 1174.3(a)(2).)
(4) If the unlawful detainer resulted from a foreclosure (item 25a(3)), or if the Prejudgment Claim of Right to Possession was not served in compliance with CCP 415.46 (item 25a(2)), answer the following:
(a) The daily rental value on the date the complaint was filed was \$
(b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):

Item 25 continued on next page

Plaintiff/Petitioner: THE HEIGHTS AT HAVEN VIEW ESTATES
 Defendant/Respondent: TITO Y. JOHNSON, AN INDIVIDUAL AND TRUSTEE, et al

CASE NUMBER:
 CIVSB2300696

25. b. ☐ Possession of personal property.
 ☐ If delivery cannot be had, then for the value (*itemize in 25e*) specified in the judgment or supplemental order.
- c. ☐ Sale of personal property.
- d. ☒ Sale of real property.
- e. The property is described ☐ below ☐ on Attachment 25e.
 Lot 9 of Tract 14771, as shown on the applicable recorded Tract Map in the records of San Bernardino County, California and more particularly described in that certain grant Deed recorded in the San Bernardino County Recorder's office on April 7, 2008, as instrument number 2008-0151721, which is commonly known as 4926 Buckskin Court Rancho Cucamonga, California 91737.

NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will demand that you turn over the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, you may remain in the property until the term is up. If you have a periodic lease or tenancy, such as from month-to-month, you may remain in the property for 90 days after receiving a notice to quit. A blank form *Claim of Right to Possession and Notice of Hearing* (form CP10) accompanies this writ. You may claim your right to remain on the property by filling it out and giving it to the sheriff or levying officer.

EXCEPTION IF YOU WERE NOT SERVED WITH A FORM CALLED PREJUDGMENT CLAIM OF RIGHT TO POSSESSION. If you were not named in the judgment for possession and you occupied the premises on the date on which the unlawful detainer case was filed, you may object to the enforcement of the judgment against you. You must complete the form *Claim of Right to Possession and Notice of Hearing* (form CP10) and give it to the sheriff or levying officer. A blank form accompanies this writ. You have this right whether or not the property you are renting was sold in a foreclosure.

Scanned

ORIGINAL

1 RICARDO ROZEN (State Bar No. 279151)
2 WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP
3 11400 West Olympic Boulevard, 9th Floor
4 Los Angeles, California 90064-1582
5 Telephone: (310) 478-4100
6 Facsimile: (310) 479-1422

FILED-West District
San Bernardino County Clerk

FEB 01 2013

7
8 Attorneys for Plaintiff The Heights at Haven
9 View Estates

BY Stacey Briandt
STACEY BRIANDT, DEPUTY

10
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF SAN BERNARDINO, RANCHO CUCAMONGA COURTHOUSE

13 THE HEIGHTS AT HAVEN VIEW
14 ESTATES,

15 Plaintiff,

16 vs.

17 TITO Y. JOHNSON, AN INDIVIDUAL
18 AND TRUSTEE OF THE JOHNSON
19 FAMILY TRUST, ELOISA M.
20 JOHNSON, AN INDIVIDUAL AND
21 TRUSTEE OF THE JOHNSON FAMILY
22 TRUST, and DOES 1 through 5, inclusive,

23 Defendants.

Case No. CIVRS1204413

Limited Civil Case

**[PROPOSED] ORDER GRANTING
SUMMARY JUDGMENT**

DATE: January 14, 2013

TIME: 8:30 a.m.

PLACE: R8

Trial Date: None

COURT SERVICES
CENTRAL DIVISION
2025 JUN -3 PM 2:30
SAN BERNARDINO CO
SHERIFF

24 The motion of plaintiff, The Heights at Haven View Estates (hereinafter the
25 "Association") for summary judgment came on for hearing on January 14, 2013, in
26 Department R8 of the above-entitled court, the Honorable GILBERT OCAÑA
27 presiding. The Association appeared by Ricardo Rozen of Wolf, Rifkin, Shapiro,
28 Schulman & Rabkin, LLP. Defendants Tito Y. Johnson and Eloisa M. Johnson,
individuals and Trustees of the Johnson Family Trust Dated (hereinafter "the Johnsons")
appeared by [Signature]

After full consideration of the evidence, and the separate statements of the parties,

[PROPOSED] ORDER GRANTING SUMMARY JUDGMENT

1 and the authorities submitted by counsel, as well as counsel's oral argument, the Court
2 finds that the Association has shown that there is no triable issue of fact as to the entire
3 complaint and that the Association is entitled to summary judgment as a matter of law.

4 Pursuant to California Code of Civil Procedure Section 437c(g), summary judgment
5 is granted for the following reasons:

6 1. The Association is the governing body for the Association's residential
7 complex (the "Complex") located in Rancho Cucamonga, California. Jennifer Carlton
8 declaration, 2:5-6.

9 2. A Declaration of Covenants, Conditions & Restrictions (the "CC&Rs") was
10 established for the Complex and recorded with the San Bernardino County Recorder's
11 office on January 10, 2005, bearing instrument number 17824. Jennifer Carlton
12 declaration, 2:8-12; Ex. 1 to Jennifer Carlton declaration.

13 3. The Complex, and all of the owners of residential units located within the
14 Complex, are governed and controlled by the CC&Rs. The Association, through its Board
15 of Directors, is authorized to enforce the terms and conditions of the CC&Rs. Jennifer
16 Carlton declaration, 2:14-18; Ex. 1 to Jennifer Carlton declaration.

17 4. Article 3, Section 3.5a (page 11) of the CC&Rs requires, among other things,
18 that each owner of a unit located within the Complex pay certain assessments. Jennifer
19 Carlton declaration, 2:19-20; Ex. 1 to Jennifer Carlton declaration.

20 5. Article 3, Section 3.5b (page 18) of the CC&Rs provides, among other
21 things, that the failure by any unit owner to pay assessments creates an assessment lien on
22 that owner's residential unit. Jennifer Carlton declaration, 2:21-23; Ex. 1 to Jennifer
23 Carlton declaration.

24 6. Article 3, Section 3.5a (page 18) of the CC&Rs provides, among other
25 things, that if an action is initiated by the Association to enforce the provisions of the
26 corporate documents relating to assessments, any judgment rendered against the defaulting
27 owners shall include the full amount of the delinquent assessments, costs and expenses in
28 connection therewith, including late charges, interest, all lien, sale and foreclosure fees,

1 and reasonable attorney's fees. Jennifer Carlton declaration, 2:24-3:2; Ex. 1 to Jennifer
2 Carlton declaration.

3 7. On or about May 26, 2006, defendants Tito Y. Johnson and Eloisa M.
4 Johnson, as individuals and Trustees of the Johnson Family Trust Dated became the record
5 owners of a residential unit which is located within the Complex, commonly known as
6 4926 Buckskin Court, Rancho Cucamonga, California 91737. The deeds which show
7 owners of the Unit to the Johnsons were recorded with the San Bernardino County
8 Recorder's office on May 26, 2006, and April 7, 2008, bearing instrument numbers 2006-
9 036184 and 2208-0151721. Jennifer Carlton declaration, 3:3-10; Ex. 2 to Jennifer Carlton
10 declaration.

11 8. Since January 1, 2008, the Johnsons have failed to pay several assessments
12 and other charges, including, but not limited to, late charges, and attorney's fees. The total
13 amount due excluding attorney's fees and costs is \$14,871.87. Jennifer Carlton declaration,
14 3:16-18, 4:14-16; Ex. 5 to Jennifer Carlton declaration.

15 9. As of October 15, 2012, the amount of \$14,871.87 is due and owing from the
16 Johnsons. Jennifer Carlton declaration; 4-17; Ex. 5 to Jennifer Carlton declaration.

17 10. Prior to the recording of a notice of delinquent assessment, a majority of the
18 Association's Board of Directors in open session approved a resolution to record a lien.
19 Said resolution was then published in the minutes of the Board of Directors' meetings.
20 Jennifer Carlton declaration, 3:22-26; Ex. 3 to Jennifer Carlton declaration.

21 11. In May, 2011, the Association retained counsel to commence foreclosure
22 proceedings to recover the unpaid charges, and on July 28, 2011, a letter was sent to the
23 Johnsons by certified mail. Ricardo Rozen declaration, 2:12-14; Ex. 6 to Ricardo Rozen
24 declaration.

25 12. The Association recorded a notice of assessment lien with the San
26 Bernardino County Recorder's office. The notice of assessment lien was recorded on
27 February 21, 2012, bearing instrument number 2012-0066253. Ricardo Rozen declaration,
28 2:19-21 Ex. 7 to Ricardo Rozen declaration.

1 13. On February 29, 2012, a letter was sent to the Johnsons by certified mail
2 enclosing a copy of the recorded lien. Ricardo Rozen declaration, 2:26-27; Ex. 8 to
3 Ricardo Rozen declaration.

4 14. The Johnsons did not pay the total amount due to the Association within
5 thirty (30) days of sending the Johnsons a copy of the recorded lien by certified mail.
6 Jennifer Carlton declaration, 4:4-5.

7 15. Prior to the filing of this action and after more than \$1,800.00 in assessments
8 were due or assessment were more than twelve (12) months delinquent, a majority of the
9 Association's Board of Directors in executive session approved a resolution to foreclose on
10 the notice of delinquent assessment. Said resolution was then published in the minutes of
11 the Board of Directors' meetings. Jennifer Carlton declaration, 4:6-10; Ex. 4 to Jennifer
12 Carlton declaration.

13 16. Prior to the filing of this action, a majority of the Association's Board of
14 Directors in executive session approved a resolution to foreclose on the notice of
15 delinquent assessment. Said resolution was then served on defendants Tito Y. Johnson and
16 Eloisa M. Johnson, as individuals and Trustees of the Johnson Family Trust Dated
17 Ricardo Rozen declaration, 3:6-8; Ex. 9 to Ricardo Rozen declaration.

18 17. Monthly statements, are sent to each owner (including the Johnsons), in the
19 Association's Complex which sets forth the current balance due (excluding all attorney's
20 fees and costs). To date, the Johnsons, have not objected to the amounts stated in the
21 monthly statements. Jennifer Carlton declaration, 4:13-26; Ex. 5 to Jennifer Carlton
22 declaration.

23 18. The Association has timely and repeatedly demanded that the Johnsons cure
24 their default. Ricardo Rozen declaration, 3:27-4:1; Ex. 12 to Ricardo Rozen declaration.

25 IT IS HEREBY FURTHER ORDERED that judgment be entered in favor of The
26 Heights at Haven View Estates and against defendants Tito Y. Johnson and Eloisa M.
27 Johnson, as individuals and Trustees of the Johnson Family Trust Dated, jointly and
28 severally, as follows:

1 **FORECLOSURE OF ASSESSMENT LIEN AND AWARD OF DAMAGES**

2 The Association is entitled to judgment pursuant to the Davis-Stirling Common
3 Interest Development Act, California Civil Code Sections 1350 et seq. (the "Act") and the
4 recorded Declaration of Covenants, Conditions and Restrictions (the "CC&Rs"), i.e., the
5 equitable servitudes running with the Johnson's property at the Association complex (the
6 "Complex"). Both the Act and the CC&Rs provide that maintenance assessments, late
7 charges, reasonable costs of collection, and interest shall be a lien on an owner's interest in
8 the Complex from and after the time the Association causes a notice of delinquent
9 assessments to be recorded with the County Recorder, and that a lien created under the Act
10 and the CC&Rs may be enforced in any manner permitted by law, including sale by the
11 Court.

12 Therefore,

13 1. The notice of assessment lien for homeowners association maintenance
14 assessments and related charges, recorded with the San Bernardino County Recorder's
15 office on February 21, 2012, bearing instrument number 2012-0066253, and all recorded
16 amendments thereto, shall be foreclosed and/or enforced as a money judgment in the full
17 and current amount of the delinquency, including late charges and interest in the amount of
18 \$14,871.87 for the period to and including October 15, 2012;

19 2. Attorney's fees in the amount of \$3,680.00;

20 3. Costs in the amount of \$1,227.79;

21 4. Actual costs of foreclosure and sale;

22 5. Interest on said judgment as provided by law;

23 6. The real property which is the subject matter of this action, or as much of it
24 as may be necessary, is hereby ordered to be sold in the manner prescribed by law, and an
25 order of sale will issue to the Sheriff of the County of San Bernardino, California, ordering
26 and directing him to conduct such sale. Any party to this action may purchase at the sale;

27 7. From the proceeds of this sale, the Sheriff shall pay to the Association, after
28 deducting the expenses of sale, the sum adjudged due, together with interest at the

1 maximum rate allowed by law from the date of this judgment;

2 8. If any surplus remains after making these payments, the surplus shall be paid
3 in accordance with the priority set forth in Code of Civil Procedure Section 701.810, and
4 defendants shall not receive any sum until all superior claims have been paid, including
5 plaintiff's secured claim for assessments and related charges accruing after the date of
6 judgment herein, if any;

7 9. Defendants Tito Y. Johnson and Eloisa M. Johnson, individuals and Trustees
8 of the Johnson Family Trust Dated are personally liable for payment of the sum secured by
9 the Notice of Assessment and are defendants against whom a deficiency judgment may be
10 ordered. The Court retains jurisdiction to determine the amount of deficiency, if any;

11 10. After the time allowed by law for redemption has expired, if any, the Sheriff
12 shall execute a deed to the purchaser(s) at the sale, who may then take possession, if
13 necessary, with the assistance of the Sheriff of the County of San Bernardino, California;

14 11. Defendants Tito Y. Johnson and Eloisa M. Johnson, individuals and Trustees
15 of the Johnson Family Trust Dated and all persons claiming from and under them, and all
16 persons having any lien subsequent to the Notice of Assessment by any judgment on the
17 real property hereinafter described, and their personal representatives, and all persons
18 claiming to have acquired any estate or interest in the premises subsequent to the recording
19 of the Notice of Pendency of this action with the County Recorder, are forever barred and
20 foreclosed from all equity of redemption in and claims to the premises, and every part of
21 the premises, from and after delivery of the deed by the Sheriff;

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1 12. The property which is the subject of this Judgment and Order is legally
2 described as:

3 Lot 9 of Tract 14771, as shown on the applicable recorded Tract Map in the
4 records of San Bernardino County, California

5 and more particularly described in that certain grant Deed recorded in the San
6 Bernardino County Recorder's office on April 7, 2008, as instrument number 2208-
7 0151721, which is commonly known as 4926 Buckskin Court
8 Rancho Cucamonga, California 91737.

9 Dated: 2-1-13


JUDGE OF THE SUPERIOR COURT

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THE DOCUMENT TO WHICH THIS CERTIFICATION
IS ATTACHED, CONSISTING OF 7 PAGE(S), IS A
FULL, TRUE AND CORRECT COPY OF THE ORIGINAL
ON FILE AND OF RECORD IN MY OFFICE.

ATTEST NANCY CS EBERHARDT

Clerk of the Superior Court of the State of California,
in and for the County of San Bernardino.

Date SEP 14 2021

By Chris Goldstein Deputy

Chris Goldstein



THE DOCUMENT TO WHICH THIS CERTIFICATION
IS ATTACHED, CONSISTING OF 8 PAGE(S), IS A
FULL, TRUE AND CORRECT COPY OF THE ORIGINAL
ON FILE AND OF RECORD IN MY OFFICE.

ATTEST ANABEL Z. ROMERO

Clerk of the Superior Court of the State of California,
in and for the County of San Bernardino.

Date

5/30/2025
Karli H. Stewart

Deputy

Karli Stewart