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(SPACE BELOW PROVIDED FOR FILING STAMP ONLY)

**FILED**  
LOS ANGELES SUPERIOR COURT

JUL 28 2004

JOHN A. CLARKE, CLERK *MD*

Paul R. Ayers Esq. - SB#155212

6 Attorney for Plaintiffs, SAVE THE ALTADENA TRAILS, SHARI ASP-LUND,  
EVANGELINE A. WHITEHEAD and SCOTT BAGGS

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF LOS ANGELES - PASADENA DISTRICT  
10 [UNLIMITED JURISDICTION]

11 SAVE THE ALTADENA TRAILS, a  
12 California unincorporated association  
13 organized and existing under Corporation  
14 Code sections 21000 et seq., SHARI ASP-  
LUND, EVANGELINE A.  
15 WHITEHEAD, and SCOTT BAGGS,

Case No.: GC 030922  
[Assigned to Judge: C. Edward Simpson  
- Department R]

[PROPOSED] JUDGMENT

16 Plaintiffs,

Trial Date: May 24, 2004  
Complaint Filed: December 11, 2002

17 vs.

18 WAYNE TRAYLOR and MARY TRA-  
19 YLOR, JEROME COOPER and VERNA  
20 COOPER, JOHN MITCHELL and  
21 MELODY MITCHELL, and all persons  
22 unknown, claiming any legal or equitable  
23 right, title, estate, lien, or interest in the  
24 property described in the complaint  
adverse to Plaintiffs' title or any cloud on  
25 Plaintiffs' title thereto, and DOES 1-100,

26 Defendants.

27 AND RELATED ACTIONS.  
28

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1 The above-entitled cause came on regularly for trial on May 24, 2004, in  
 2 Department "R" of the above-entitled court, the Honorable C. Edward Simpson,  
 3 presiding without a jury, and was tried on that date and on May 25 through May 26,  
 4 2004. Paul R. Ayers, Esq., of the Law Offices of Michael Thomas, and Jeffrey E.  
 5 Zinder, Esq., of Zinder & Park, appeared as counsel for plaintiffs, SAVE THE  
 6 ALTADENA TRAILS, SHARI ASPLUND, SCOTT BAGGS and EVANGELINE  
 7 WHITEHEAD (collectively "plaintiffs"). Michaeline A. Re, Esq., appeared as  
 8 counsel for defendants WAYNE TRAYLOR, MARY TRAYLOR, VERNA  
 9 COOPER, JEROME COOPER, JOHN MITCHELL and MELODY MITCHELL  
 10 (collectively "defendants").

11 Oral and documentary evidence was introduced on behalf of the respective  
 12 parties and the cause was argued and submitted for decision. The court, having  
 13 considered the evidence and heard the arguments of counsel, and having issued its  
 14 statement of decision, now enters judgment for quiet title, declaratory and injunctive  
 15 relief in this action as follows:

16 There exists in favor of the public and the court hereby quiets title to, an  
 17 easement for public right-of-way and recreational purposes across the property  
 18 presently owned by defendants, which property is described as follows:  
 19

20 **1. Property owned by Wayne Traylor and Mary Traylor ("Traylor**  
 21 **Property")**

22 Legal Description: TRACT # 21066 LOT 10  
 23 Assessor Parcel No.: 5863-020-010  
 24 Address: 4549 El Prieto Road, Altadena, CA 91001-3733

25 **2. Property owned by Verna Cooper and Jerome Cooper**  
 26 **("Cooper Property")**

27 Legal Description: TRACT # 21066 LOT COM AT MOST W COR OF  
 28 LOT 11 TH SE ON NE LINE OF PRIETO RD 32.50 FT TH S  
 33 $\phi$ 53'20" E 110.98 FT TH N 33 $\phi$ 59'40" E 138.18 FT TH N 49 $\phi$ 44'43"  
 W 119.72 FT TH S 40 $\phi$ 15'17" W 93 FT TO BEG PART OF LOT 11

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1 Assessor Parcel No.: 5863-019-002  
2 Address: 4550 El Prieto Road, Altadena, CA 91001-3734

3 **3. Property owned by John Mitchell and Melody Mitchell** ("Mitchell  
4 Property")

5 Legal Description: TRACT # 21066 LOT COM AT MOST E COR OF  
6 LOT 11 TH S 33°59'40" W 184.32 FT TH N 49°44'43" W 119.72 FT  
7 TH N 40°15'17" E 106.07 FT TH S 87°30'01" E 126 FT TO BEG  
8 PART OF LOT 11

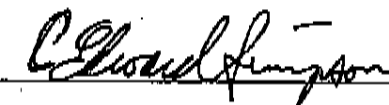
9 Assessor Parcel No.: 5863-019-001  
10 Address: 4552 El Prieto Road, Altadena, CA 91001-3734

11 The physical extent of the public's easement across the defendants' property  
12 consists of the entirety of that portion of the approximately 30'- 0" wide El Prieto  
13 Fire Road, also known as the "common driveway", that traverses the easterly portion  
14 of the Traylor Property, and the westerly portions of the Cooper and Mitchell  
15 properties, as shown on Exhibit "A" to this judgment and depicted thereon as  
16 "Subject Roadway"

17 The public's easement is for non-motorized right-of-way and recreational uses  
18 by the public, being walking, jogging, riding bicycles and horses.

19 Defendants, and their agents, servants, employees, and successors in interest  
20 to the real property, and all persons acting under, in concert with, or for them, are  
21 permanently enjoined from interfering with or obstructing the public's free exercise  
22 of its easement rights described above, and are hereby ordered to dismantle and  
23 remove, at their own expense, the western 6'- 0" feet of any barriers erected and  
24 maintained by them on the El Prieto Fire Road/common driveway during or since  
25 1999.

26 Dated: JUL 28 2004



27 The Honorable C. Edward Simpson  
28 Los Angeles County Superior Court

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