

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

FEB 21 2018

BY Melissa White
MELISSA WHITE, DEPUTY

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11 **ARROWHEAD LAKE ASSOCIATION**

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF SAN BERNARDINO

14 HUSAM SAMARAH, an individual; and
15 HERMINE MURRA, an individual,
16
17 Plaintiffs,

18 v.

19 ARROWHEAD WOODS ARCHITECTURAL
20 COMMITTEE, INC., a Nonprofit Public
21 Benefit Corporation, and all known and
22 unknown "DIRECTORS of
23 CORPORATION" inclusive, named as
24 DOES 1 to 50;

25 ARROWHEAD LAKE ASSOCIATION, a
26 California Nonprofit Corporation; and all
27 known and unknown "DIRECTORS of
28 CORPORATION" inclusive, named as
DOES 1 to 50;

And all known and unknown "Lot Owners of
Tract 53" inclusive; and all persons unknown
claiming any legal or equitable right, title, estate
lien, or interest in the property described in the
Complaint, named as DOES 1 - 95,

Defendants.

Case No. CIVDS1717319

[Assigned for all purposes to Honorable
Keith D. Davis, Dept. S-25]

**STIPULATION FOR ENTRY OF
JUDGMENT AND JUDGMENT ON
FIRST AMENDED COMPLAINT FOR
PLAINTIFFS FOR QUIET TITLE ON
THE FIFTH CAUSE OF ACTION
AGAINST ARROWHEAD LAKE
ASSOCIATION (ALA) AND OR ITS
SUCCESSORS OR ASSIGN**

180213-0127 \$20-ly

Complaint Filed: September 7, 2017
FAC Filed: December 15, 2017
Trial Date: TBD

1 Plaintiffs HUSAM SAMARAH, an individual, and HERMINE MURRA, an individual,
2 (collectively "Plaintiffs"), on the one hand, and Defendant ARROWHEAD LAKE
3 ASSOCIATION, a California Nonprofit Corporation ("ALA"), on the other hand, hereby
4 stipulate and agree as follows:

5 1. Plaintiffs' real property that is the subject of this Stipulation is commonly known as
6 28051 Lakes Edge Road aka (State Hwy 189) in an unincorporated area known as, Lake
7 Arrowhead California, Zip Code 92352, and legally described as:

8 *(Lot 13 of Tract No. 53, in County of San Bernardino, State of California, as per*
9 *Map recorded in Book 22, Page(s) 7 and 8 of Maps, in the Office of the County*
10 *Recorder of said County. Assessor's Parcel Numbers(s): 0335-113-16-0-000*
(Plaintiff's Property").

11 2. The Committee known as ARROWHEAD WOODS ARCHITECTURAL
12 COMMITTEE ("AWAC") functions to uphold the purposes of ALA, and is empowered to act in
13 matters relating to the manner of construction of the trees, roots, branches and parts thereof, and
14 other matters referred to in the Covenants, Conditions and Restrictions (CC&Rs) established for
15 Arrowhead Woods. Pursuant to Stipulation between Plaintiffs and AWAC, dated December 29,
16 2017, and approved by the Court on January 8, 2018, AWAC stipulated that it has not pursued,
17 and does not seek to assert any jurisdiction or enforcement of any Deed Restrictions over
18 Any Properties.

19 3. Neither Plaintiffs nor ALA admit any fault or liability concerning the allegations
20 alleged in the Complaint or First Amended Complaint ("FAC") brought by Plaintiffs against
21 ALA.

22 4. Plaintiffs and ALA stipulate that Judgment be entered for Plaintiffs on their Fifth
23 Cause of Action for Quiet Title against ALA and/or its Successors or assign, and that ALA will
24 not enforce any CC&Rs or Deed Restrictions or Interest in, against, Any Properties as described
25 in the following recorded instruments:

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1 a) Document recorded on August 09, 1922 in Book 764 of Deeds, Page 17
2 Grant Deed from Robert G. Lester to TITLE INSURANCE AND TRUST COMPANY;

3
4 b) Document recorded on August 09, 1922 in Book 758 of Deeds, Page 308
5 Grant of Easement to Arrowhead Mutual Service Company from Robert G. Lester for
6 maintenance and care of the trees, roots, branches, etc., growing on property herein;

7 c) Document recorded on September 08, 1922 as Book 764, Page 220
8 Official Records, Grant Deed from Robert Lester to TITLE INSURANCE AND TRUST
9 COMPANY, A California Corporation, declaring modifications thereof to permit other condition;

10 d) Document recorded on January 27, 1926 as Book 47, Page 462 of Official
11 Records, Corporate Grant Deed from TITLE INSURANCE AND TRUST COMPANY, A
12 California Corporation to J. O. Knapp, subject to Exclusions and Covenants, conditions,
13 restrictions and easements Declaring modifications thereof recorded;

14 e) Document recorded on July 7, 1965 in Book 6425, Page 729, Corporate
15 Quitclaim Deed from Arrowhead Mutual Service Company to Lot Owner with preservation and
16 rights and care of the trees, roots, branches, etc.;

17 f) Document recorded on August 31, 1990, Number 90-349482, Titled
18 Corporation Quitclaim Deed executed by ALA;

19 g) Document recorded on January 21, 1992 Number 92-022583, Titled
20 Assignment and Quitclaim Deed was executed by Boise Cascade on March 10, 1989, and two (2)
21 years later recorded and became effective on January 21, 1992.

22 5. Plaintiffs and ALA stipulate that the First, Second, Third, Fourth, Sixth, and
23 Seventh Causes of Action in Plaintiffs' FAC are dismissed with prejudice as to ALA.

24 6. Each side to bears his, her, and its own costs and attorney's fees.

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1 **IT IS SO STIPULATED:**

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3 **ARROWHEAD LAKE ASSOCIATION**

4 Dated: February 9, 2018 By: Roberta Rindenow
5 Roberta Rindenow
6 President, Arrowhead Lake Association

7 Dated: February 9, 2018 By: Husam Samarah
8 Husam Samarah
9 Plaintiff

10 Dated: February 9, 2018 By: Herrine Murra
11 Herrine Murra
12 Plaintiff

13 **APPROVED AS TO FORM:**

14 **WINGET SPADAFORA & SCHWARTZBERG LLP**

15 Dated: February 2, 2018 By: Brandon S. Reif
16 Brandon S. Reif
17 Jeffrey F. Kagan
18 Christina M. Vier

19 Attorneys for Defendant
20 ARROWHEAD LAKE ASSOCIATION
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JUDGMENT

Judgment is entered as set forth above.

Dated: 2/21/18



Keith D. Davis

Honorable Keith D. Davis
Judge of the Superior Court