

FILED
ENDORSED
02 MAY 29 PM 1:53
LEGAL PROCESS #4

1 LYNN TRINKA ERNCE (State Bar No. 179212)
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2 Sacramento, California 95818
Telephone: (916) 457-4967

3 Attorney for Petitioners
4 David E. Ernce and Lynn Trinka Ernce

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SACRAMENTO

ORIGINAL

11 DAVID E. ERNCE AND LYNN TRINKA
12 ERNCE,

Case No. 01CS01368

13 Petitioners,

NOTICE OF ENTRY OF JUDGMENT

14 v.

15 MJB/BIXBY CONSTRUCTION, INC.,

16 Respondent.

17
18 PLEASE TAKE NOTICE that on November 6, 2001, the court, the Honorable Joe
19 S. Gray presiding, entered its Judgment Decreeing Property Released From Mechanic's Lien in
20 the above-captioned matter. On April 25, 2002, the clerk inserted the amount of \$292.50 as costs
21 of suit into the judgment. A copy of the judgment, as modified, is attached hereto as Exhibit "A".

22 Dated: May 23, 2002.

LYNN TRINKA ERNCE

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25 Lynn Trinka Ernce
26 Attorney for Petitioners
27 David E. Ernce and Lynn Trinka Ernce
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FILED
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01 NOV -6 AM 11:36
SACRAMENTO COURTS
DEPT. #54

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SACRAMENTO

11 DAVID E. ERNCE AND LYNN TRINKA
12 ERNCE,
13 Petitioners,
14 v.
15 MJB/BIXBY CONSTRUCTION, INC.,
16 Respondent.

Case No. 01CS01368

**JUDGMENT DECREERING PROPERTY
RELEASED FROM MECHANIC'S LIEN**

Date: October 9, 2001
Time: 9:00 a.m.
Department: 54

17 The Petition For Release Of Mechanic's Lien filed by petitioners David E. Ernce
18 and Lynn Trinka Ernce (together, "Ernces") against respondent MJB/Bixby Construction, Inc.
19 ("Bixby") was set for hearing on October 9, 2001 at 9:00 a.m. Prior to the hearing on the
20 petition, a statement of non-opposition by Bixby was filed with the Court, and the Court issued
21 its tentative ruling granting the petition. No party requested a hearing, so no hearing was held.

22 Having considered the pleadings and papers on file in connection with the
23 petition, the Court finds as follows:

- 24 1. A copy of the petition and the order fixing the hearing were served on
25 Bixby in compliance with the law;
- 26 2. On June 22, 2000, Bixby caused to be recorded in the Official Records of
27 the County of Sacramento, Book 20010622, Page 1543, a claim of lien against that certain real
28 property located in the City and County of Sacramento, 2811 3rd Avenue, Sacramento, California

1 95818, Assessor's Parcel Num 13-0052-026, further described as Lot 27 shown on the map
2 entitled Heilbron Oaks, recorded on April 23, 1923 in Book 17 of maps, page 17; and

3 3. No action to foreclose the lien has been filed and the time period during
4 which the action can be brought has expired.

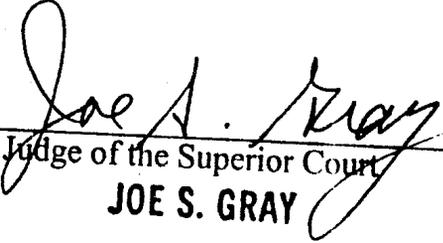
5 WHEREFORE, IT IS ADJUDGED AND DECREED that, on recordation of a
6 certified copy of this decree, the above-described property is released from the claim of lien of
7 Bixby herein.

8 IT IS FURTHER ADJUDGED AND DECREED that the Ernces shall recover
9 from Bixby their costs of suit according to proof in the amount of \$ 292.50

for 4/25/00

10 **LET JUDGMENT BE ENTERED ACCORDINGLY.**

11
12 Dated: NOV - 6 2001

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14 
15 Judge of the Superior Court
16 **JOE S. GRAY**

1 **PROOF OF SERVICE via U.S. MAIL**

2 I am a citizen of the United States, more than eighteen years old and not a
3 party to this action. My place of employment and business address is 400 Capitol Mall, Suite
4 3000, Sacramento, California 95814.

5 On May 29, 2002, I served a copy of the **NOTICE OF ENTRY OF**
6 **JUDGMENT** by placing a true copy of this letter in an envelope addressed to:

7 MJB/Bixby Construction, Inc. Respondent
8 1513 18th Street
9 Sacramento, CA 95814

10 Allan Owen Registered Agent for MJB/Bixby Construction, Inc.
11 906 G Street, Suite 610
12 Sacramento, CA 95814

13 and then sealing the envelope, affixing adequate first-class postage and depositing it in the
14 United States mail at Sacramento, California.

15 Executed on May 29, 2002 at Sacramento, California.

16 I declare under penalty of perjury under the laws of the State of California and
17 the United States that the foregoing is true and correct.

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Svetlana Peshkoff