

ATTORNEY (Name and Address): Community Legal Advisors Inc. 509 N Coast Hwy Oceanside, CA 92054	TELEPHONE NO.: (760) 529-5211 (Daytime)	LEVYING OFFICER (Name and Address): San Diego County Sheriff's Office San Diego County Sheriff Sheriff's Civil Office PO Box 85306 San Diego, CA 92186-5306
ATTORNEY FOR: Eureka Springs Homeowners Association, a nonprofit mutual benefit corporation	Ref #:	(619) 544-6401
NAME OF COURT, JUDICIAL DISTRICT OR CLERK OF COURT, IF ANY: San Diego County Superior Court 325 S Melrose Dr Vista, CA 92081 Vista		California Relay Service Number (800) 735-2929 TDD or 711
PLAINTIFF: Eureka Springs Homeowner's Association		COURT CASE NO.:
DEFENDANT: Joseph Joel S Mendoza, et al		37-2015-00016167
Sheriff's Sale Under Foreclosure (CCP 729.010)		LEVYING OFFICER FILE NO.:
		2017102310

Date: **05/01/2017**

In Favor of: **Eureka Springs Homeowners Association, a nonprofit mutual benefit corporation, C/O Community Legal Advisors, 509 N Coast Hwy, Oceanside, CA 92054**

And Against: **Joseph Joel S Mendoza, 3152 Beven Dr, , Escondido, CA 92027**

Under a Writ of Sale issued out of the above court on 03/14/2017, on a judgment rendered on 09/11/2015 for the sum of \$12,023.95, I have levied upon all the rights, title, claim and interest of the judgment debtor(s), Joseph Joel S Mendoza in the real property, in the County of San Diego, described as follows:

Physical Address: **3152 Beven Dr, Escondido, CA 92027**

Legal Description: **See Attachment A**

APN(s): **225-810-14-00**

The property to be sold is subject to the right of redemption.

The amount of the secured indebtedness with interest and costs: \$12,048.95(Estimated)

Minimum Bid (If applicable): 0.00

PROSPECTIVE BIDDERS SHOULD REFER TO SECTIONS 701.510 to 701.680, INCLUSIVE, OF THE CODE OF CIVIL PROCEDURE 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 rights, title and interest of said judgment debtor(s) in the above described property, or so much thereof as may be necessary to satisfy said Writ or Warrant, with accrued interest and costs on:

Date and Time of Sale	Location
6/28/2017 11:00:00 AM	South Courthouse Entrance, 325 S. Melrose Drive, Vista, CA 92081

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

William D Gore, Sheriff

R. McComb, Sheriff's Authorized Agent

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

PLAINTIFF: Eureka Springs Homeowners' Association

DEFENDANT: Joseph Joel S. Mendoza

CASE NUMBER: 37-2015-00016167-CL-CL-NC

JUDGMENT DEBTOR(S)/DEFENDANT(S) (whose interest in the real property is being levied/attached):

Joseph Joel S. Mendoza

THIRD PARTY RECORD OWNERS

N/A

COMMON STREET ADDRESS. (if any): 3152 Beven Drive, Escondido, CA 92027

ASSESSOR'S PARCEL NUMBER: 225-810-14-00

LEGAL DESCRIPTION: (Enter the full legal description below)

--SEE ATTACHMENT "A1"--

ATTACHMENT "A1"

PARCEL 1:

LOT 14 OF ESCONOIDO TRACT NO. 839, EUREKA RANCH UNIT NO. 5, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 15367, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ON JUNE 26, 2006, AS FILE NO. 2006-0449805.

RESERVING THEREFROM EASEMENTS FOR MAINTENANCE, ENCROACHMENT, SUPPORT, DRAINAGE AND REPAIR AND ALL OTHER PURPOSES AND EASEMENTS AS DESCRIBED IN THE DECLARATION REFERRED TO BELOW. FURTHER RESERVING THEREFROM SUCH EASEMENTS DESCRIBED IN THE DECLARATION DESCRIBED BELOW AND THE MAP OF RECORD REFERENCED ABOVE, AND SUCH OTHER EASEMENTS AS MAY BE OF RECORD AS OF THE DATE HEREOF.

[FURTHER RESERVING THEREFROM, A NON-EXCLUSIVE EASEMENT IN FAVOR OF THE ASSOCIATION FOR SIDE YARD MAINTENANCE PURPOSES OVER THE PORTION DESIGNATED AS SIDE YARD EASEMENT AREAS ON THE DECLARATION REFERENCED BELOW.] *IIUSE FOR LOT 10 ONLY.*

[FURTHER RESERVING THEREFROM, A NON-EXCLUSIVE EASEMENT IN FAVOR OF THE ASSOCIATION FOR MAINTENANCE PURPOSES OVER THE PORTION DESIGNATED AS MASONRY COMMUNITY WALLS ON THE DECLARATION REFERENCED BELOW.] *IIUSE FOR LOT 10 ONLY*

[FURTHER RESERVING THEREFROM, A NON-EXCLUSIVE EASEMENT IN FAVOR OF THE ASSOCIATION FOR MAINTENANCE PURPOSES OVER THE PORTION DESIGNATED AS TUBULAR STEEL FENCE ON THE DECLARATION REFERENCED BELOW.] *IIUSE FOR LOT 17 ONLY*

PARCEL 2:

A NON-EXCLUSIVE EASEMENT, IN COMMON WITH OTHER OWNERS, FOR ACCESS, INGRESS AND EGRESS, OVER, IN, TO, AND THROUGH CERTAIN PORTIONS OF THE COMMON AREA DESCRIBED IN THE DECLARATION, SUBJECT TO THE LIMITATIONS SET FORTH THEREIN, WHICH EASEMENT IS APPURTENANT TO THE RESIDENTIAL LOT DESCRIBED ABOVE.

RESERVING THEREFROM EASEMENTS OVER THE COMMON AREA LOCATED ON SUCH HOMEOWNERS LOTS, IF ANY, AS DESCRIBED IN THE DECLARATION REFERRED TO BELOW AND ANY SUPPLEMENTARY DECLARATION RECORDED AGAINST SUCH LOT.

SUBJECT TO THE EASEMENTS AND OTHER RIGHTS RESERVED IN FAVOR OF DECLARANT IN THE DECLARATION FOR MARKETING AND DEVELOPMENT INCLUDING WITHOUT LIMITATION, SUBJECT TO THE RIGHT OF GRANTOR TO MAINTAIN MARKETING HOMES IN THE RESIDENTIAL LOTS OWNED BY GRANTOR, AS WELL AS THE RIGHT OF ACCESS, INGRESS AND EGRESS FOR VISITORS TO THE SALES OFFICE AND MARKETING HOMES AND THE RIGHT TO MAINTAIN SIGNS OR OTHER MARKETING MATERIALS WITHIN THE COMMON AREA OF THE PROJECT.

SUBJECT TO, FOR THE BENEFIT OF GRANTOR AND ITS SUCCESSORS AND ASSIGNS, AN EASEMENT FOR INGRESS, EGRESS AND ACCESS IN, ON, OVER, THROUGH AND ACROSS THE

COMMON AREA TO PERMIT GRANTOR TO INSTALL IMPROVEMENTS THEREON, AND TO CONSTRUCT IMPROVEMENTS ON ADJACENT PROPERTY WITHIN FUTURE PHASES OF THE PROJECT. THE GRANTOR FURTHER RESERVES THE RIGHT TO PREVENT ACCESS OVER PORTIONS OF COMMON AREA BY PLACING A CONSTRUCTION FENCE OR OTHER BARRIER OVER COMMON AREA PRIOR TO COMPLETION OF CONSTRUCTION OF ALL OF THE IMPROVEMENTS WITHIN THE PROJECT. HOWEVER, NO SUCH BARRIER FENCE SHALL PREVENT INGRESS OR EGRESS BY GRANTEE TO AND FROM HIS OR HER RESIDENTIAL LOT.

THE REAL PROPERTY CONVEYED IN THIS GRANT DEED (THE "PROPERTY") IS CONVEYED TOGETHER WITH A MEMBERSHIP IN THE EUREKA SPRINGS HOMEOWNERS' ASSOCIATION ("ASSOCIATION") AND ACCEPTED SUBJECT TO THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR EUREKA SPRINGS, RECORDED IN THE OFFICIAL RECORDS OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA ON AUGUST 22, 2006 AS INSTRUMENT NO. 2006-0599807, AND ANY AMENDMENTS THERETO NOW OF RECORD OR WHICH WILL BE OF RECORD PRIOR TO THE RECORDATION OF THIS GRANT DEED (COLLECTIVELY, THE "DECLARATION"), ALL OF WHICH ARE INCORPORATED HEREIN BY REFERENCE TO THIS GRANT DEED WITH THE SAME EFFECT AS THOUGH FULLY SET FORTH HEREIN. AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION, THE PROPERTY IS CONVEYED SUBJECT TO SUCH EASEMENTS IN FAVOR OF THE ASSOCIATION AS ARE NECESSARY TO PERFORM THE DUTIES AND OBLIGATIONS OF THE ASSOCIATION AND CERTAIN EASEMENTS RESERVED BY GRANTOR. GRANTEE, IN ACCEPTING THIS GRANT DEED AND THE CONVEYANCE HEREUNDER, DOES HEREBY AGREE, JOINTLY AND SEVERALLY, FOR THE BENEFIT OF THE ASSOCIATION AND EACH AND EVERY ONE OF THE OTHER MEMBERS OF THE ASSOCIATION, THAT GRANTEE WILL PROMPTLY, FULLY AND FAITHFULLY COMPLY WITH AND CONFORM TO THE DECLARATION AND THE ARTICLES OF INCORPORATION AND BYLAWS OF THE ASSOCIATION AND THE RULES AND ARCHITECTURAL GUIDELINES REFERENCED IN THE DECLARATION. IN PARTICULAR, GRANTEE DOES HEREBY AGREE, JOINTLY AND SEVERALLY, PROMPTLY TO PAY IN FULL ANY DUES, FEES OR ASSESSMENTS LEVIED BY THE ASSOCIATION ON EACH OF THE MEMBERSHIPS CONVEYED HEREBY. THE OBLIGATIONS OF GRANTEE HEREIN SET FORTH SHALL BE COVENANTS RUNNING WITH THE PROPERTY IT BEING UNDERSTOOD THAT SAID MEMBERSHIP IN THE ASSOCIATION AND THE OBLIGATIONS THEREOF, WILL AUTOMATICALLY PASS TO GRANTEE'S SUCCESSOR IN TITLE IN THE ABOVE FORECLOSURE OR OTHERWISE, AND SHALL BE BINDING UPON THE GRANTEES ABOVE NAMED, THEIR HEIRS, DEVISEES, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.

THE PROPERTY IS ALSO CONVEYED AND ACCEPTED SUBJECT TO THAT CERTAIN NOTICE OF NON-ADVERSARIAL PROCEDURE UNDER CIVIL CODE SECTION 912(f) RECORDED IN THE OFFICIAL RECORDS OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA AND ANY AMENDMENTS THERETO NOW OF RECORD OR WHICH WILL BE OF RECORD PRIOR TO THE RECORDATION OF THIS GRANT DEED ("NOTICE"), ALL OF WHICH ARE INCORPORATED HERE BY REFERENCE WITH THE SAME EFFECT AS THOUGH FULLY SET FORTH HEREIN,

THE PROPERTY IS ALSO CONVEYED AND SUBJECT TO THE TERMS, PROVISIONS, AND CONDITIONS CONTAINED IN THE CHARITABLE HOUSING AGREEMENT IMPOSING ENDOWMENT FEE ON TRANSFER AND LIEN FOR EUREKA SPRINGS, RECORDED ON AUGUST 16, 2006, AS INSTRUMENT NO. 2006-0583003 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.