

1 **RECORDING REQUESTED BY/RETURN TO:**  
2 HANSON BRIDGETT LLP  
3 JOHN W. KLOTSCH, SBN 257992  
4 jklotsche@hansonbridgett.com  
5 500 Capitol Mall, Suite 1500  
6 Sacramento, California 95814  
7 Telephone: (916) 442-3333  
8 Facsimile: (916) 442-2348

9 Attorneys for Paul S. Ugenti

10  
11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **COUNTY OF SANTA CLARA**

13 PAUL S. UGENTI, an individual,

14 Plaintiff,

15 v.

16 RONALD LAVALLEY, an individual;  
17 JANET LAVALLEY, and individual;  
18 MARYLOU ORAYANI, an individual;  
19 HELEN ELIASI, an individual; STEVEN  
20 ZAREA and ROBERTA MARIE ZAREA as  
21 Trustees of The Zarea Family Trust;  
22 EDWARD HUANG, an individual; JOHN  
23 LOWE, an individual; ANTOINETTE  
24 LOWE, an individual; CHARLES CHIOU,  
25 an individual; JANE CHIOU, an individual;  
26 RAYMOND TSENG, an individual; ROSE  
27 TSENG, an individual; LEE TRUST, an  
28 individual; RICHARD OLEARY, an  
individual; KRISTIN OLEARY, an  
individual; CARL BAILEY, an individual;  
JUDITH BAILEY, an individual; EARLE G.  
SCHWEIZER III and STEPHANIE J.  
SCHWEIZER as Trustees of The  
Schweizer Family Trust; WILLIAM  
STACY, an individual; BARBARA STACY,  
an individual; JOHN ABSALOM, an  
individual; NICHOLAS CABI, an individual;  
KAREN CABI, an individual; JOHN  
MCCARTHY, an individual; TERESA  
MCCARTHY, an individual; JOHN  
BURKE, an individual; LORE BURKE, an  
individual; THOMAS MARTELL, an  
individual; CLAIRE MARTELL, an  
individual; ROBERT NAGLE, an

CASE NO. 1-15-CV-277698

**NOTICE OF PENDENCY OF ACTION**  
**[C.C.P. § 761.010]**

1 individual; LISA NAGLE, an individual;  
2 LIEH WANG, an individual; YEE-LING  
3 SETO, an individual; WILLIAM SETO, an  
4 individual; THOMAS LAUSTEN, an  
5 individual; GENEVIEVE LAUSTEN, an  
6 individual; ALBERT TSANG, an individual;  
7 ELAINE TSANG, an individual; BOK  
8 SHIN, an individual; JUNG SHIN, an  
9 individual; BENJAMIN ANGILERI, an  
10 individual; JAMES THROCKMORTON, an  
11 individual; RICHARD BOYLE, an  
12 individual; VIOLET BOYLE, an individual;  
13 CHRISTOPHER GREENE, an individual;  
14 OLIVER WOODWORTH, an individual;  
15 KENT HIURA, an individual; DEBBIE  
16 HIURA, an individual; HASAN ENJAVI, an  
17 individual; NEGAR ENJAVI, an individual;  
18 HELEN GEWARGIS, an individual;  
19 STEPHEN ABELY, an individual; DENISE  
20 ABELY, an individual; SING-PUI LAM, an  
21 individual; JEREMY HALL, an individual;  
22 JOSEPH BRONSON, an individual;  
23 WILLIAM LAUGENOUR, an individual;  
24 JOAN LAUGENOUR, an individual;  
25 JOSEPH AVAKOFF, an individual;  
26 THEODORA AVAKOFF, an individual;  
27 RANDALL PRESUHN, an individual;  
28 GREGORY FANT, an individual; DEBRA  
FANT, an individual; THOMAS BURKE,  
an individual; MARY BURKE, an individual  
KONSTANTINE IOURCHA, an individual;  
ELENA IOURCHA, an individual;  
STEPHEN LAUGHLIN, an individual;  
SUSAN LAUGHLIN, an individual;  
MICHAEL APPLEBAUM, an individual;  
MARILYN SHEA, an individual; MICHAEL  
SHEA, an individual; HENRY CHANG, an  
individual; ELIZABETH CHANG, an  
individual; REZA YAZDANFAR, an  
individual; WILLIAM DEL BIAGGIO and  
HELEN DEL BIAGGIO as Trustees of the  
William J. Del Biaggio Jr. And Helen Del  
Biaggio Trust; CHANDRASEKHAR  
NARAYAN, an individual; RANI  
NARAYAN, an individual; HOSEYN  
RAHBAR, an individual; SOHEILA  
RAHBAR, an individual; MARIE TSANG,  
an individual; VICTOR TSANG, an  
individual; AUGUSTINO CARCIONE, an  
individual; DANIEL MARTINSON, an  
individual; JESSICA MARTINSON, an  
individual; RONALD SWENSON, an  
individual; BONNIE SWENSON, an  
individual; DAVID MEIDINGER, an  
individual; THOMAS ROUSE, an

1 individual; ANDREE ROUSE, an  
individual; PETER SMYTH, an individual;  
2 ANITA SMYTH, an individual; THEO  
WINARSKE, an individual; BARBARA  
3 WINARSKE, an individual; CHUNG YEY,  
an individual; MIAOYIN YEY, an  
4 individual; DOUGLAS NEILSSON, an  
individual; LINDA NEILSSON, an  
5 individual; FATIMAH ABUZAYYAD, an  
individual; DONALD MACDONALD and  
6 NANCY MACDONALD as Trustees of The  
MacDonald Living Trust; STEVEN JOLLY,  
7 an individual; KIMBERLY JOLLY, an  
individual; EMERSON YEE, an individual;  
8 YIN-GAIL YEE, an individual;  
FREDERICK EBERLE, an individual; DEE  
9 EBERLE, an individual; DAVID  
OHANNESON, an individual; JOAN  
10 STEINBECK, an individual; TED  
BARIKMO, an individual; HITESH  
11 SAIJPAL, an individual; JOHN WHITE, an  
individual; ALFRED MENINI, an individual;  
12 BARBARA MENINI, an individual; AMIR  
AGAH, an individual; JAMES GANSON,  
13 an individual; PEGGY GANSON, an  
individual; VIOLET SEQUEIRA, an  
14 individual; MAXIMUS SEQUEIRA, an  
individual; ROBERT CUDDIE, an  
15 individual; CHIH-HSIN WANG, an  
individual; BRUCE WALICEK, an  
16 individual; JENNY WALICEK, an  
individual; THOMAS KENNEDY, an  
17 individual; MARGARET KENNEDY, an  
individual; ANTHONY GIACOBBE, an  
18 individual; ROSELIE GIACOBBE, an  
individual; DON DINH TRAN, an  
19 individual; KEVYN MOSHER, an  
individual; RAFAEL CAVANNA, an  
20 individual; DIANE CAVANNA, an  
individual; P. MICHAEL TRUDEAU and  
21 GLENNA TRUDEAU as Trustees of the  
Trudeau Living Trust; KURT  
22 CARRASQUILLA, an individual; TED  
OMURA, an individual; JENNIFER  
23 OMURA, an individual; DENNIS  
WAGNER, an individual; VICKI WAGNER,  
24 an individual; ABBAS ZAKERANI, an  
individual; NAHID ZAKERANI, an  
25 individual; JUNGHI AHN, an individual;  
KUMSIL AHN, an individual; ALI  
26 BAREKAT, an individual; KIM BAREKAT,  
an individual; PETER HAAS, an individual;  
27 LAURA HAAS, an individual; RONALD  
BARBER, an individual; SUE BARBER, an  
28 individual; ARTHUR COURVILLE, an

1 individual; CAROL COURVILLE, an  
individual; ROBERT MIKOLIC, an  
2 individual; PATRICIA MIKOLIC, an  
individual; DAVID NOBLEZA, an  
3 individual; SIMON CUONGNHI CHEN, an  
individual; SIAMAK MOHSEN, an  
4 individual; NAZY MOHSEN, THOMAS  
CUDDIE, an individual, CELIA CUDDIE,  
5 an individual; NORMAN HULBERG, an  
individual; LISA HULBERG, an individual;  
6 AHMAD JAVID, an individual; SAFOORA  
JAVID, an individual; GREGORY HEARN,  
7 an individual; REGINA HEARN, an  
individual; DAVID LEWIS MYRON and  
8 MICHELE SEGAL MYRON as Trustees of  
The Myron Family 2003 Trust; JEFFERY  
9 ZONTOS, an individual; DONNA  
ZONTOS, an individual; JAMES A.  
10 HEISCH AND RUTH E. HEISCH as  
Trustees of The Heisch 1992 Trust;  
11 JASON GEE, an individual; DARRELL  
GEE, an individual; and all other persons  
12 unknown, claiming any legal, or equitable  
right, title, estate, lien or interest in the  
13 property described in the complaint, which  
is adverse to The Almaden Golf & Country  
14 Club's title or creates any cloud on that  
title, inclusive,

15  
16 Defendants.

17  
18 NOTICE IS HEREBY GIVEN that Paul S. Ugenti has filed a proceeding against all  
19 known owners of property comprising a tract of land situated in Santa Clara County,  
20 California, commonly known as Tract 5472 Almaden Villa Book 340. The proceeding  
21 affects the title to the hereinafter described property ("Property"), which said proceeding  
22 is now pending in the above-captioned action.

23 The purpose of the proceedings is to, among other things, obtain a declaration that  
24 (1) under the Declaration of Covenants, Conditions, Restrictions and Easements (the  
25 "CC&Rs") that was recorded in the office of the County Recorder of Santa Clara County,  
26 in Volume B155, page 723, the defendants have no have no ownership, rights or  
27 privileges in or in relation to the Property and, therefore, have no standing to prevent the  
28 Property from being used for any lawful purpose, including without limitation, residential

1 purposes, or, in the alternative, (2) if the defendants have such standing, under the  
2 CC&Rs, the Property may be used for any purpose that is approved by the City of San  
3 Jose, including, without limitation, residential purposes. The proceedings also seek to  
4 quiet title against any of the defendants claims of right, title, estate, lien or interest in and  
5 to the Property based on the CC&Rs and consisting of an alleged equitable servitude that  
6 burdens the Property for the benefit of the lot of each defendant, and with the right of  
7 enforcement of the restrictions contained in the CC&Rs allegedly vested in each  
8 defendant.

9 The Property subject to and affected by said proceeding is located in the City of  
10 San Jose, and the County of Santa Clara, California and is legally described as  
11 Assessor's Parcel Nos. 581-46-019, 581-46-020, 581-42-018.

12  
13 DATED: March 6, 2015

HANSON BRIDGETT LLP

14  
15 By: 

16 JOHN W. KLOTSCHKE  
17 Attorneys for Paul S. Ugenti  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28