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FILED

entered JUL 24 1984
JOYCE RUSSELL SMITH, CLERK
By *[Signature]* DEPUTY

8
9 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO

10 COUNTY OF SACRAMENTO, a political)
11 subdivison of the State of California)

12 Plaintiff,)

13 vs.)

14 HERBERT NEILS, et al.,)

15 Defendants.)

NO. 299619

JUDGMENT

16 The motion of plaintiff County of Sacramento for permanent
17 injunctive relief was regularly heard on August 24, 1983, with
18 Richard G. Llata, Deputy County Counsel, appearing for
19 plaintiffs, and Charles J. Miller, appearing for defendants
20 Herbert W. Neils, Billy E. and Eleanor J. Morrison, Roger D. and
21 Bertha J. Cottrell, Alfred N. and Mary L. Ganz, Irvine D. and Ada
22 L. Palmer, Thomas J. and Mary L. Lester, Jack E. and Margaret F.
23 Whitfield, Owen F. and Donna G. Brosh, Leonard L. and Constance
24 A. Scott, Wesley G. and Maryanne Alcorn, Harvey C. and Patricia
25 A. Simpkins, Robert and Marlene A. Lore, William F. and Carol A.
26 Benard, David C. Henderson and Melanie S. Riegar, Ronald S. and
27 Deane A. Law, Robert G. and Sue M. Mosser, Don L. and Patsy A.
28 Welder, and Edgar Carp. The matter having come to trial and the

1 court having heard the testimony and evidence adduced, and the
2 matter having been submitted.

3 IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

4 1. As to Sunrise Farms, relating to lots 1 through 14, the
5 County of Sacramento does not own any easement over said lots and
6 therefore the County's request for permanent injunctive relief is
7 denied as to Sunrise Farms lots 1 through 14.

8 2. As to Farmette Hills, relating to Lots 1 through 9, a
9 permanent injunction is granted for a fifty (50) foot easement
10 for equestrian and pedestrian use only.

11 3. As to Sunrise Farms Unit No. 2, relating to Lots A and 30
12 through 44, a permanent injunction is granted for a twenty-five
13 (25) foot easement for hiking, equestrian trail and bikeway.

14 4. The County may install a six (6) foot fence on the
15 Farmette Hills easement line. Said fence shall have a four (4)
16 foot opening (entryway) in it for each of the Farmette Hills lots
17 1 through 9. The owners of said lots 1 through 9 may install
18 gates in their own respective entryways at their own expense and
19 in such a manner so as not to damage the County fence.

20 5. As to Farmette Hills, relating to Lots 1 through 9, and
21 as to Sunrise Farms Unit No. 2, relating to Lots 30 through 44,
22 the owners of the respective lots are hereby required to remove
23 any fences that they have built into the easement.

24 6. Other manmade obstructions that interfere with the use
25 of the County easement, e.g., Bar-B-Ques, decks, patios, pools,
26

1 etc., shall be removed by the respective homeowners from within
2 the County easement. The removal of manmade obstructions does
3 not include the removal of trees, shrubs, or other fauna.

4 7. Homeowner sprinkler or irrigation systems shall only be
5 required to be removed from the County easement if the systems,
6 or portions thereof, interfere with the use of the trails or pose
7 a safety hazard to travelers on the trails within the easement.

8 8. Prior to the construction of improvements in the
9 easement, the homeowners shall be given forty-five (45) days
10 written notice to remove obstructions from the easement by the
11 Sacramento County Department of Parks and Recreation.

12 9. Each side shall bear their own attorney's fees.

13 10. As to Farmette Hills defendants, no costs are awarded.

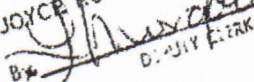
14 11. As to Sunrise Farms defendants, costs are awarded to
15 them in the amount of \$1,000.00 as stipulated by the parties.

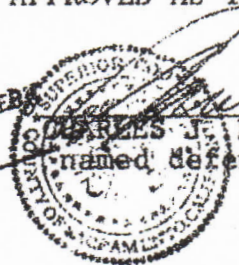
16 DATED: JUL 24 1984

17 
18 JUDGE OF THE SUPERIOR COURT

19
20 DATED: July 12, 1984 APPROVED AS TO FORM:

21
22 ATTEST:
23 JOYCE RUSSELL SMITH, CLERK

24 By: 
25 DEPUTY CLERK

26
27 
28 CHARLES J. MILLER, Attorney for
named defendants