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Mar 22, 2017 01:32 PM

OFFICIAL RECORDS  
Ernest J. Dronenburg, Jr.,  
SAN DIEGO COUNTY RECORDER  
FEES: \$24.00

PAGES: 4

**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego

**03/22/2017 at 03:07:00 PM**

Clerk of the Superior Court  
By Delia Velma, Deputy Clerk

Recorded and Requested By:

FERRIS & BRITTON  
A Professional Corporation  
Michael R. Weinstein (SBN 106464)  
Scott H. Toothacre (SBN 146530)  
501 West Broadway, Suite 1450  
San Diego, California 92101  
Telephone: (619) 233-3131  
Fax: (619) 232-9316  
mweinstein@ferrisbritton.com  
stoothacre@ferrisbritton.com

Attorneys for Plaintiff  
LARRY GERACI

**SUPERIOR COURT OF CALIFORNIA**  
**COUNTY OF SAN DIEGO, CENTRAL DIVISION**

LARRY GERACI, an individual,

Plaintiff,

v.

DARRYL COTTON, an individual; and  
DOES 1 through 10, inclusive,

Defendants.

Case No. 37-2017-00010073-CU-BC-CTL

**NOTICE OF LIS PENDENS**

**IMAGED FILE**

Dept: C-73  
Judge: Hon. Joel Wohlfeil

Complaint filed: March 21, 2017

NOTICE IS HEREBY GIVEN that the above-entitled action was filed on March 21, 2017, in the Superior Court of the State of California for the County of San Diego, Central Division, as Case No. 37-2017-00010073-CU-BC-CTL, by LARRY GERACI, an individual, Plaintiff, and against DARRYL COTTON, an individual, and DOES 1 through 10, inclusive, Defendants.

This action states a real property claim in that it affects title or a claim of title to specific real property which is located at 6176 Federal Blvd., in the City of San Diego, County of San Diego, State of California, Assessor's Parcel No. 543-020-02-00, and more particularly described in the following legal description (the "PROPERTY"):

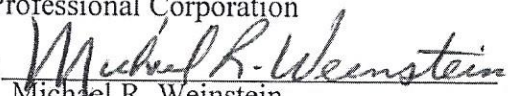
THAT PORTION OF BLOCK 25, TRACT NO. 2 OF ENCANTO HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1100, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 5, 1907, AS SHOWN ON MAP NO. 2121 OF JOFAINA VISTA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 20, 1928, NOW ABANDONED AND DESCRIBED AS LOT 20.

1 This action states causes of action for, among other things, (a) specific performance of a  
2 written agreement for the purchase and sale of the PROPERTY from DARRYL COTTON to  
3 LARRY GERACI or assignee; and (b) declaratory relief seeking a determination regarding the  
4 terms and conditions of said written agreement and the rights, duties, and obligations of the  
5 parties thereunder.

6  
7 Dated: March 22, 2017

FERRIS & BRITTON,  
A Professional Corporation

8  
9 By:

  
Michael R. Weinstein  
Scott H. Toothacre

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11 Attorneys for Plaintiff  
LARRY GERACI  
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1 ACKNOWLEDGEMENT

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3 A notary public or other officer completing this certificate verifies only  
4 the identity of the individual who signed the document to which this  
5 certificate is attached, and not the truthfulness, accuracy, or validity of  
6 that document. Cal.Civ.Code § 1189

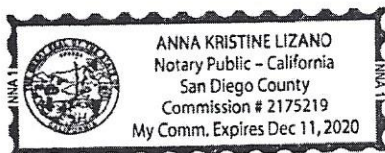
7 STATE OF CALIFORNIA )

8 COUNTY OF SAN DIEGO ) ss.

9 On March 22, 2017, before me, Anna K. Lizano the undersigned Notary  
10 Public, personally appeared MICHAEL R. WEINSTEIN, who proved to me on the basis of satisfactory  
11 evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he  
12 executed the same in his authorized capacity, and that by his signature on the instrument the person or  
13 the entity upon behalf of which the person acted, executed the instrument.

14 I certify under PENALTY OF PERJURY under the laws of the State of California that the  
15 foregoing paragraph is true and correct

16 WITNESS my hand and official seal.



Anna Kristine Lizano  
NOTARY PUBLIC IN AND FOR  
SAID COUNTY AND STATE



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**PROOF OF SERVICE  
BY MAIL**

I declare: I am over 18 years of age, employed in the County of San Diego, State of California, and not a party to this action. My business address is 501 West Broadway, Suite 1450, San Diego, CA 92101.

I served the following documents:

**Notice of Lis Pendens**

on each of the following persons and entities at their respective addresses as follows:

Darryl Cotton  
6176 Federal Blvd.  
San Diego, CA 92114

\_\_\_\_ (BY MAIL) By placing a true copy in a sealed envelope addressed to each party and placing said envelopes for collection and mailing on the date hereof following our ordinary business practices. I am readily familiar with our firm's practice for collection and processing of correspondence for mailing; correspondence is deposited on the same day with the U.S. Postal Service at San Diego, California, in the ordinary course of business.

XX (BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED) By placing a true copy in a sealed envelope addressed to each party and mailing each envelope by Certified Mail, Return Receipt Requested, with the United States Postal Service at San Diego, California, on the date set forth below.

\_\_\_\_ (BY FACSIMILE) Per written agreement between counsel, by sending said documents by facsimile transmission from telephone no. (619) 232-9316 to the above facsimile machine telephone number(s), on this date and at the time(s) set forth above. The transmission was reported as complete and without error, as stated in the transmission report properly issued by the transmitting facsimile machine and attached hereto.

XX (STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

\_\_\_\_ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on March 22, 2017, at San Diego, California.

  
ANNA LIZANO