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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES

10 Coordination Proceeding Special Title)
11 (Rule 1550 (b)))

12 **ANTELOPE VALLEY GROUNDWATER**)
13 **CASES**)

14 Included **CONSOLIDATED** Actions:)

15 Los Angeles County Waterworks District No.)
16 40 vs. Diamond Farming Company)
17 Los Angeles Superior Court Case No.)
BC325201)

18 Los Angeles County Waterworks District No.)
19 40 vs. Diamond Farming Company)
20 Kern County Superior Court Case No. S-1500-)
CV-254348 NFT)

21 Diamond Farming Company vs. City of)
22 Lancaster)
23 Riverside County Superior Court Lead Case)
24 No. RIC 344436 [Consolidated w/ Case Nos.)
344668 & 353840]

25 Willis v. Los Angeles County Waterworks)
26 District No. 40; Los Angeles Superior Court)
Case No. BC 364553)

27 Wood v. Los Angeles County Waterworks)
28 District No. 40; Los Angeles Superior Court)
Case No. BC 391869)

Judicial Council Coordination No. 4408
[Assigned to Hon. Jack Komar; Dept 17]

Santa Clara Case No.: 1-05-CV-049053

**LANDINV, INC.'S REQUEST FOR
JUDICIAL NOTICE; DECLARATION
THEODORE A. CHESTER, JR. IN
SUPPORT THEREOF**

Trial Date: May 28, 2013
Time: 1:00 p.m.
Dept.: 322
Central Civil West

1 TO THE HONORABLE Jack Komar, Judge of the above-entitled Court.

2 Landinv Inc. requests under the provisions of California Evidence Code
3 Sections 452 (h), and 453, that the Court take judicial notice of the following Exhibits
4 submitted on its behalf:

- 5
- 6 (i) 4-Landinv-1, which is a Certified Copy of November 2, 1999 Grant
7 Deed from Diamond Farming Company to Gesten Fonciere, S.A.,
8 Assessor's Parcel No. ("APN"): 359-051-01; 359-051-02; 351-011-
9 28, recorded in the Kern County Recorder's Office 11/30/1999,
10 Document No. 0199170079;
- 11
- 12 (ii) 4-Landinv-2, which is a Certified Copy of November 1, 2001
13 Certificate of Ownership (Geston A), recorded in the Kern County
14 Recorder's Office 11/31/2002, Document No. 0202015352, and filed
15 with the State of California Secretary of State, setting forth
16 ownership by Landinv Inc. of Daygrove Limited, Delfern Properties
17 N.V., and Geston Fonciere SA, and merger of those entities into
18 Landinv Inc., leaving Landinv Inc. as the surviving entity;
- 19
- 20 (iii) 4-Landinv-3, which is a Certified Copy of September 23, 1997
21 Trustee's Deed Upon Sale from the Trustee, McNeal Asset
22 Servicing Inc. to Daygrove Limited, APN No. 358-030-03-00-6,
23 recorded in the Kern County Recorder's Office 11/14/1997,
24 Document No. 0197150757;
- 25
- 26 (iv) 4-Landinv-4, which is a Certified Copy of August 14, 1980
27 Corporation Grant Deed from Cal Fruit International Inc. Limited to
28 Delfern Properties N.V. , with respect to three parcels of land as

1 described in Exhibit A to the Corporation Grant Deed, recorded in
2 the Los Angeles County Recorder's Office 1/08/1981, Document
3 No. 81-16066;

4
5 (v) 4-Landinv-5, July 26, 1984 Quitclaim Deed from John O. Lewis,
6 and individual and John O. Lewis Inc., dba The Lewis Company to
7 Delfern properties N.V., with respect to three parcels of land as
8 described in Exhibit A to the Quitclaim Deed, recorded in the Los
9 Angeles County Recorder's Office 11/05/1984, Document No. 84
10 131562; and,

11
12 (vi) 4-Landinv-6, which is a Certified Copy of Certificate of Ownership
13 (Delfern Properties N.V.), recorded in the Los Angeles County
14 Recorder's Office 2/11/2002, Document No. 02-0319233, and filed
15 with the State of California Secretary of State, setting forth
16 ownership by Landinv Inc. of Daygrove Limited, Delfern Properties
17 N.V., and Geston Fonciere SA, and merger of those entities into
18 Landinv Inc., leaving Landinv Inc. as the surviving entity.
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21 Dated: May 23, 2013

SMILAND CHESTER LLP

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23 By: /s/ Theodore A. Chester, Jr.
24 Theodore A. Chester, Jr.,
25 Attorneys for Landinv, Inc.
26 Bruce Burrows and 300 A 40
27 H, LLC
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1 **DECLARATION OF THEODORE A. CHESTER, JR.**

2 I, Theodore A. Chester, Jr. declare:

3 I am an attorney at law duly licensed to practice before the bar of this Court,
4 and am a partner of the law firm of Smiland Chester LLP, counsel for Landinv in this
5 action. If called upon as a witness, I could and would competently testify as follows.

6 1. Submitted as 4-Landinv-1 is a true and correct certified copy of
7 November 2, 1999 Grant Deed from Diamond Farming Company to Gesten Fonciere,
8 S.A., Assessor’s Parcel No. (“APN”): 359-051-01; 359-051-02; 351-011-28, recorded
9 in the Kern County Recorder’s Office 11/30/1999, Document No. 0199170079;
10

11 2. Submitted as 4-Landinv-2 is a true and correct certified copy of
12 November 1, 2001 Certificate of Ownership (Geston A), recorded in the Kern County
13 Recorder’s Office 11/31/2002, Document No. 0202015352, and filed with the State of
14 California Secretary of State, setting forth ownership by Landinv Inc. of Daygrove
15 Limited, Delfern Properties N.V., and Geston Fonciere SA, and merger of those
16 entities into Landinv Inc., leaving Landinv Inc. as the surviving entity;
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18 3. Submitted as 4-Landinv-3 is a true and correct certified copy of
19 September 23, 1997 Trustee’s Deed Upon Sale from the Trustee, McNeal Asset
20 Servicing Inc. to Daygrove Limited, APN No. 358-030-03-00-6, recorded in the Kern
21 County Recorder’s Office 11/14/1997, Document No. 0197150757.
22

23 4. Submitted as 4-Landinv-4, is a true and correct certified copy of
24 August 14, 1980 Corporation Grant Deed from Cal Fruit International Inc. Limited to
25 Delfern Properties N.V. , with respect to three parcels of land as described in Exhibit
26


1 A to the Corporation Grant Deed, recorded in the Los Angeles County Recorder's
2 Office 1/08/1981, Document No. 81-16066.

3 5. Submitted as 4-Landinv-5, is a true and correct copy of July 26, 1984
4 Quitclaim Deed from John O. Lewis, and individual and John O. Lewis Inc., dba The
5 Lewis Company to Delfern properties N.V., with respect to three parcels of land as
6 described in Exhibit A to the Quitclaim Deed, recorded in the Los Angeles County
7 Recorder's Office 11/05/1984, Document No. 84 131562.

8
9 6. Submitted as 4-Landinv-6, is a true and correct certified copy of
10 Certificate of Ownership (Delfern Properties N.V.), recorded in the Los Angeles
11 County Recorder's Office 2/11/2002, Document No. 02-0319233, and filed with the
12 State of California Secretary of State, setting forth ownership by Landinv Inc. of
13 Daygrove Limited, Delfern Properties N.V., and Geston Fonciere SA, and merger of
14 those entities into Landinv Inc., leaving Landinv Inc. as the surviving entity.
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17 I declare under penalty of perjury, under the laws of the State of California,
18 that the foregoing is true and correct.

19 Executed this 27th day of May, 2013 in Los Angeles, California

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22 Theodore A. Chester, Jr.

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PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I, Felicia Herbstreith am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 601 West Fifth Street, Suite 1100, Los Angeles, California 90071.

On **May 27, 2013**, I served the foregoing document described as: **LANDINV, INC.’S REQUEST FOR JUDICIAL NOTICE AND DECLARATION OF THEODORE A. CHESTER, JR. IN SUPPORT THEREOF** on the interested parties in this action by posting the document listed above to the Santa Clara County Superior website in regard to the Antelope Valley Groundwater Adjudication matter, pursuant to the Electronic Filing and Service Standing Order of Judge Komar.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on **May 27, 2013**, at Los Angeles, California.

/s/ Felicia Herbstreith
Felicia Herbstreith