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CLERK, U.S. BANKRUPTCY COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
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NOT FOR PUBLICATION

UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

In re  
PALM-FORD VENTURES, LLC, a Limited Liability  
Company, aka HOLIDAY INN EXPRESS & SUITES,

Debtor.

RICHARD M KIPPERMAN, Chapter 7 Trustee,

Plaintiff,

v.

IRRISCAPE CONSTRUCTION, INC., a California  
corporation; ROBERT H. SMITH, an individual,

Defendants.

Case No. 01-12150-JH7

Adv. Proc. 05-90057-JH

**JUDGMENT AGAINST  
IRRISCAPE  
CONSTRUCTION, INC.**

Dept: Three  
Judge: Hon. John J. Hargrove

The Court having entered its Order Granting the Motion of Plaintiff Richard M Kipperman, chapter 7 Trustee for Summary Judgment or, in the Alternative, Summary Adjudication of Issues (the "Motion") as to the First and Second Claims for Relief in the above action, entered concurrently herewith, and good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

**A. As To The First Claim For Relief For Declaratory Judgment**

1. The Court declares that the Mechanic's Lien which Irriscape recorded on June 1, 2001 in the amount of \$107,900.50 as Instrument No. 2001-244843 in the Official Records of the

1 County of Riverside is not valid or enforceable against:

2 (a) Parcel 4 of Parcel Map No. 29370 recorded on September 13, 2000 as  
3 Instrument No. 2000-360139 in the Official Records of Riverside County  
4 ("Parcel 4.);

5 (b) The Holiday Inn Express & Suites and/or any other improvements located  
6 on Parcel 4;

7 (c) Any easements that the Debtor Palm-Ford Ventures LLC may have owned  
8 on Parcels 1, 2 and 3 of Parcel Map. No. 29370; or

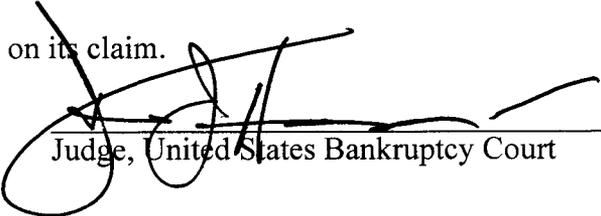
9 (d) The proceeds from the sale of (a), (b), and/or (c) above.

10 **B. As To The Second Claim For Relief For Objection To Claim**

11 2. Court Claim No. 6 filed by Irriscape in the underlying bankruptcy proceeding in  
12 the amount of One Hundred and Nineteen Thousand Nine Hundred and Thirty Five Dollars and  
13 Eighty-Eight Cents (\$119,935.88) is partially disallowed in the sum of One Hundred and Seven  
14 Thousand Nine Hundred Dollars and Fifty Cents (\$107,900.50), leaving Irriscape with an  
15 allowed secured claim of Twelve Thousand and Thirty Five Dollars and Thirty-Eight Cents  
16 (\$12,035.38).

17 3. Irriscape is not entitled to interest on its claim.

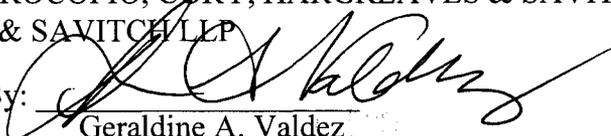
18 Dated:                     OCT 26 2005                    

19   
Judge, United States Bankruptcy Court

20 Signature by the attorney constitutes a certification under Fed. R. Bankr. P. 9001 that the  
21 relief provided by the order is the relief granted by the Court.

22 Submitted by:

23 PROCOPIO, CORY, HARGREAVES & SAVITCH LLP  
24 & SAVITCH LLP

25 By:   
26 Geraldine A. Valdez  
Attorneys for Plaintiff  
Richard M Kipperman, Chapter 7 Trustee