

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, and Address): Law Offices of S. Henslee Smith 1578 North Batavia Street Orange, CA 92867 TELEPHONE NO.: Daytime: (714) 730-0220 FAX NO.: Fax: (714) 832-6009 E-MAIL ADDRESS: ATTORNEY FOR (Name): Ryan Peterson and Christopher Fortelny	LEVYING OFFICER (Name and Address): San Diego County Sheriff's Department PO Box 85306 San Diego, CA 92186-5306 Phone:(619) 544-6401 Fax: (619) 236-2007
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego STREET ADDRESS: 325 S Melrose Dr. MAILING ADDRESS: CITY AND ZIP CODE: Vista, CA 92081 BRANCH NAME: San Diego County Superior Court	California Relay Service Number (800) 735-2929 TDD or 711
PLAINTIFF/PETITIONER: Ryan Peterson and Christopher Fortelny DEFENDANT/RESPONDENT: Danyta Sophia Moray	COURT CASE NUMBER: 37-2019-00046751
Notice of Sheriff's Sale of Real Property (CCP 701.540)	LEVYING OFFICER FILE NUMBER: 2023103223

Date **08/06/2024**

Writ of Execution

Under a Writ of Sale for Partition

Warrant Issued by the State of California

Issued out of the above court on 05/22/2023, on the Judgment rendered on 02/17/2021.

for the sum of \$350,304.69 (estimated); I have levied upon all the rights, title, and interest of the judgment debtor(s),
Danyta Sophia Moray

in the real property, in the county of San Diego, described as follows: 5605 Friars Road #312, San Diego, CA 92110, See Attachment A APN: 436-611-15-44

Minimum Bid Amount (if applicable): \$32,332.92

PROSPECTIVE BIDDERS SHOULD REFER TO SECTIONS 701.510 to 701.680, INCLUSIVE, OF THE CODE OF CIVIL PROCEDURE FOR PROVISIONS GOVERNING THE TERMS, CONDITIONS, AND EFFECT OF THE SALE AND THE LIABILITY OF DEFAULTING BIDDERS.

PUBLIC NOTICE IS HEREBY GIVEN that I will proceed to sell at public auction to the highest bidder, for cash in lawful money of the United States, all the rights, title, and interest of said judgment debtor(s) in the above described property, or so much thereof as may be necessary to satisfy said execution, with accrued interest and costs on:

Date/Time of Sale	Location of Sale
10/16/2024 11:00AM	Main Courthouse Entrance 250 E Main Street El Cajon CA 92020

Directions to the property location can be obtained from the levying officer upon oral or written request .

Kelly A. Martinez, Sheriff

M. Pizzuti 5046, Sheriff's Authorized Agent

LIENS MAY BE PRESENT WHICH MAY OR MAY NOT SURVIVE THIS LEVY.

Attachment "A" Page 1

PLAINTIFF: Ryan Peterson and Christopher Fortelny

DEFENDANT: Danyta Sophia Moray

CASE NUMBER: 37-2019-00046751

JUDGMENT DEBTOR(S)/DEFENDANT(S) (whose interest in the real property is being levied/attached):

Danyta Sophia Moray

THIRD PARTY RECORD OWNERS

COMMON STREET ADDRESS (If any): 5605 Friars Road, #312, San Diego, California 92110

ASSESSOR'S PARCEL NUMBER: 436-611-15-44

LEGAL DESCRIPTION: (Enter the full legal description below)

SEE ATTACHMENT "A", PAGE 2

LEGAL DESCRIPTION – ATTACHMENT “A”, PAGE 2

Real property in the City of San Diego, County of San Diego, State of California, described as follows:

A CONDOMINIUM COMPRISED OF:

PARCEL 1:

AN UNDIVIDED .3167% INTEREST IN AND TO LOT 1 OF PRESIDIO PLACE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 9084, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 12, 1979,

EXCEPTING THEREFROM THE FOLLOWING:

- (A) ALL UNITS INCLUDING LIVING AREA, PATIO OR BALCONY AS SHOWN UPON THE CONDOMINIUM PLAN OF PRESIDIO PLACE PHASE II RECORDED ON AUGUST 30, 1979 AS FILE/PAGE NO. 79-365511 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY.
- (B) THE EXCLUSIVE RIGHT TO POSSESSION OF ALL THOSE AREAS DESIGNATED AS PARKING SPACES AND STORAGE ROOMS, AS SHOWN UPON THE CONDOMINIUM PLAN ABOVE REFERRED TO.

PARCEL 2:

UNIT 312 CONSISTING OF LIVING AREA AND PATIO OR BALCONY, AS SHOWN UPON THE CONDOMINIUM PLAN ABOVE REFERRED TO.

PARCEL 3:

THE EXCLUSIVE ROIGHT TO POSSESSION AND OCCUPANCY OF THOSE PORTIONS OF LOT 1 DESCRIBED IN PARCEL 1 ABOVE, DESIGNATED AS P-312 AND STOR-312 AS APPURTENANT TO PARCELS 1 AND 2 ABOVE DESCRIBED.

PARCEL 4:

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND RECREATIONAL USE OVER THE COMMON AREA OF LOTS 2 AND 3 OF PRESIDIO PLACE, MAP NO. 9084, WHICH EASEMENT IS APPURTENANT TO PARCELS 1 AND 2 DESCRIBED ABOVE. THIS EASEMENT SHALL BE EFFECTIVE AS TO LOT 3 UPON RECORDATION OF A DECLARATION OF ANNEXATION SUCH LOT TO BE SUBJECT TO THE DECLARATION OF RESTRICTIONS TO WHICH REFERENCE IS HEREAFTER MADE OR A SEPARATE DECLARATION OF RESTRICTIONS WHICH REQUIRES THE OWNERS OF SAID LOT TO BE MEMBERS OF THE PRESIDIO PLACE CONDOMINIUM ASSOCIATION, ALL AS MORE FULLY SET FORTH IN THE DECLARATION TO WHICH REFERENCE IS HEREAFTER MADE. THE COMMON AREA REFERRED TO HEREIN AS TO SUCH LOT SHALL BE SHOWN AND DESCRIBED ON THE CONDOMINIUM PLAN COVERING SUCH LOT RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, EXCEPTING THEREFROM ANY RESIDENTIAL BUILDINGS THEREON AND ANY PORTION THEREOF WHICH MAY BE DESIGNATED AS AN EXCLUSIVE USE AREA.

APN: 436-611-15-44