

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attorney for Plaintiffs 1 and 2

**SUPERIOR COURT, STATE OF CALIFORNIA
COUNTY OF**

Plaintiff 1)
Plaintiff 2)
)
Plaintiffs,)
)
v.)
Defendant 1,)
and all persons)
unknown, claiming any legal or equitable)
right, title, estate, lien, or interest in the)
property described in the complaint)
adverse to Plaintiff's title, or any cloud on)
Plaintiff's title thereto;)
And DOES 1-20,)
Defendants,)

Case No.

COMPLAINT TO QUIET TITLE

Plaintiffs allege:

GENERAL ALLEGATIONS

1. Plaintiffs 1 and 2, ("1 and 2") husband and wife, are individuals residing in Sacramento County.
2. a. Defendants 1 and 2, ("1 and 2") husband and wife, are individuals residing in Sacramento County.

1 3. The real property that is the subject of this case is located at 111 Jackpot
2 Lane, Folsom, County of Sacramento, California, APN: 211-0000-0000, as more
3 fully described in Grant Deed attached as **Exhibit A** (“PROPERTY”).
4

5 4. The defendants herein named as “all persons unknown, claiming any legal
6 or equitable right, title, estate, lien, or interest in the property described in the
7 complaint adverse to plaintiff’s title, or any cloud on plaintiff’s title thereto”
8 (hereinafter sometimes referred to as “the unknown defendants”) are unknown to
9 plaintiff. These unknown defendants, and each of them, claim some right, title,
10 estate, lien, or interest in the hereinafter-described property adverse to plaintiff’s
11 title; and their claims, and each of them, constitute a cloud on plaintiff’s title to that
12 property.
13

14 5. The true names and capacities, whether individual, corporate, associate or
15 otherwise of Defendants named herein as Doe 1 through Doe 20 are unknown to
16 Plaintiff who therefore sues these Defendants by their fictitious names. Plaintiff will
17 ask leave to amend this complaint to show their true names and capacities when they
18 have been ascertained. Plaintiff is informed and believes and thereon alleges that
19 some of these fictitious named Defendants claim some right, title, estate, lien, or
20 interest in the hereinafter-described PROPERTY adverse to plaintiff’s title and their
21 claims, and each of them, constitute a cloud on Plaintiff’s title to that PROPERTY.
22 The allegations of this complaint have evidentiary support or are likely to have
23 evidentiary support after a reasonable opportunity for further investigation or
24 discovery.
25
26
27
28

1 6. Plaintiff is informed and believes, and thereon alleges, that at all times
2 herein mentioned, defendants were acting on their own behalf and as agents or
3 employees of each of the other Defendants, and the acts described hereinafter were
4 done in the course and scope of such agency or employment, as well as on their own
5 behalf. Further, Defendants were authorized by Defendant principals in the doing
6 and the manner of the acts alleged, and ratified said behavior. (Hereafter, unless
7 otherwise specified, defendants including Doe 1 through Doe 20 will be referred to
8 collectively as "Defendants")
9

10
11 7. This is not an action on a retail installment contract or on a retail
12 installment account, subject to the provisions of section 1812.10 of the California
13 Civil Code, nor on a motor vehicle contract or purchase order subject to the
14 provisions of section 2984.4 of the California Civil Code. The allegations herein
15 stated on information and belief have evidentiary support or are likely to have
16 evidentiary support after a reasonable opportunity for further investigation or
17 discovery.
18

19 8. [describe in detail how title was acquired and the problem arose] Plaintiffs
20 decided to invest in real estateDefendant greedy lender recorded a lien....
21

22 9. The basis of plaintiff's title is the sequence of events described above.

23 10. Plaintiff was possessed of the above-described property within five years
24 of the commencement of this action.

25 11. Plaintiff is informed and believes and on such information and belief
26 alleges that Defendants claim an interest adverse to plaintiffs in the above-
27 described properties as the holder of record title. Some of the unknown defendants
28

1 claim interests in the property adverse to plaintiffs' as assignees and successors of
2 Defendant 1.

3
4
5 **FIRST CAUSE OF ACTION**
6 **(QUIET TITLE)**
7

8 12. Plaintiffs incorporate paragraphs 1-11 herein.

9 13. Plaintiffs are seeking to quiet title against the claims of defendants as
10 follows: the claims of defendants are without any right whatever and such
11 defendants have no right , title, estate, lien, or interest whatever in the above-
12 described property or any part thereof.
13

14 14. Plaintiffs seek to quiet title as of the date this complaint is filed with the
15 court.
16

17 **PRAYER**
18

19 WHEREFORE, Plaintiff prays judgment as follows:
20

- 21 1. For a judgment that Plaintiff is the owner in fee simple of the property
22 and that defendants have no interest in the property adverse to the Plaintiff;
23 2. For costs of suit according to proof; and,
24 3. For other such relief be granted to Plaintiff as the Court deems just.
25

26 Dated: June 7, 2013
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION

I am the plaintiff in the above-entitled action. I have read the foregoing complaint and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and as to those matters, I believe it to be true.

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

Dated: June 20, 2012

Plaintiff 1