

THE LISTINGS

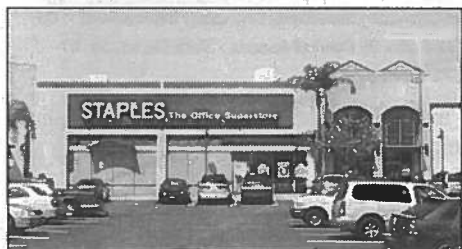
THE WEEK'S SALES, LEASES, LOANS, NOTICES OF DEFAULT AND UPCOMING INDUSTRY EVENTS

daily deals

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Compiled by Carla Pineda. Deals are listed in order of dollar amount, then square footage.

RETAIL

OROVILLE — The 164,905-square-foot Las Plumas Plaza shopping center at the northwest corner of Oro Dam Boulevard and Veatch Street traded hands for \$11.8 million. Fouy Ly of **Sperry Van Ness** represented the seller, while **Golden Pacific Realty & Investment** represented the buyer.



Staples The Office Superstore, San Diego

SAN DIEGO — Staples The Office Superstore LLC, doing business as Staples, signed a 72-month, \$2.3 million lease renewal for 24,238 square feet of retail space in Hawthorne Crossings at the southwest corner of Kearny Mesa Road and Armour Street from American Fund US Investments LP. John Jennings and Aaron Hill of **Cushman & Wakefield** represented the lessor, while Ron Pepper of **Retail Insite** represented the lessee.

SAN DIEGO — Yogurt Rave signed a five-year, \$228,000 lease for 2,920 square feet of retail space at 8333 Clairemont Mesa Blvd. from **Pacific Realty Advisors**. Nick Bonner of **CB Richard Ellis** represented the lessor, while the tenant represented itself.

SAN DIEGO — Eda-Mami Japanese Restaurant signed a five-year lease for 6,593 square feet of retail space in Westfield UTC at 4545 La Jolla Village Drive from UTC Venture LLC. The lessor represented itself, while David Strauss and Corinna Gattasso of **Cushman & Wakefield** represented the lessee.

WEST HOLLYWOOD — E.C. Group signed a five-year lease renewal for 2,062 square feet at 8734 Melrose Ave. Christopher V. Bonbright of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented the lessor.

SANTA MARIA — Wingstop leased 1,400 square feet of retail space at 560 E. Betteravia Road from Santa Maria Exchange Partners. Michael Martz and Kristopher Roth of **Hayes Commercial Group** represented the lessee.

SAN DIEGO — Carolyn's Designer Resale signed a three-year lease for 1,380 square feet of retail space in Crown Bay at 310 K St. from AGF LLC. Corinna Gattasso, David Strauss and Bill Shrader of **Cushman & Wakefield** represented the lessor, while the lessee represented itself.

OFFICE

LOS ANGELES — Saltzberg, Ray & Bergman signed a 68-month, \$2.6 million lease renewal for 14,060 square feet of office space on the sixth floor of Wilshire Bundy Plaza at 12121 Wilshire Blvd. from Wilbur 7 LLC. Mitchell Stokes of **Madi-**
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son Partners represented landlord, while the tenant represented itself.

SAN DIEGO — Masar-Johnston Advertising & Design signed a 65-month, \$314,000 lease for 2,807 square feet of office space at 8885 Rio San Diego Drive from GRE Rio Vista LP. Richard Gonor of **Grubb & Ellis BRE | Commercial** represented the lessor, while Nick Bonner of **CB Richard Ellis** represented the tenant.

SAN DIEGO — Construction Management Software Inc., doing business as ProEst, signed a five-year, \$298,000 lease for 3,956 square feet of office space at 17065 Camino San Bernardo from MIS Limited LLC. Marc Posthumus of **Cushman & Wakefield** and Matt Kelly of **Voit Real Estate Services** represented the lessor, while David Harper of **Colliers International** represented the lessee.

SAN DIEGO — DigitalMojo Inc. signed a three-year, \$250,000 lease for 2,623 square feet of office space at 8910 University Center Lane from Glenborough Aventure LLC. Steve Wolf and Brunson Howard of **Cushman & Wakefield** represented the lessor, while Tom Wilcox of **Colliers International** represented the lessee.

SAN DIEGO — Dawn Holman signed a three-year, \$55,000 lease for 1,285 square feet of office space at 8333 Clairemont Mesa Blvd. from **Pacific Realty Advisors**. Nick Bonner of **CB Richard Ellis** represented the lessor, while the tenant represented itself.



8333 Clairemont Mesa Blvd., San Diego

SAN DIEGO — The Door Church signed a nine-month, \$29,000 lease for 1,020 square feet of office space at 8333 Clairemont Mesa Blvd. from **Pacific Realty Advisors**. Nick Bonner of **CB Richard Ellis** represented the lessor, while the tenant represented itself.

SAN DIEGO — Million Real Estate Inc. signed a two-year, \$25,000 lease for 848 square feet of office space at 8333 Clairemont Mesa Blvd. from **Pacific Realty Advisors**. Nick Bonner of **CB Richard Ellis** represented the lessor, while the tenant represented itself.

SAN DIEGO — Computer Technology Resources signed a six-month, \$12,000 lease for 1,597 square feet of office space at 8333 Clairemont Mesa Blvd. from **Pacific Realty Advisors**. Nick Bonner of **CB Richard Ellis** represented the lessor, while the tenant represented itself.

SAN DIEGO — Procopio, Cory, Hargreaves & Savitch signed a long-term lease for 100,000 square feet of office space at 525 B St. from Hines. Matthew T. Carlson of **Cushman & Wakefield** represented the lessor, while Craig Irving of **Irving Hughes** represented the tenant.

BURBANK — Deluxe Digital Studios signed a six-year lease renewal for 62,235 square feet of office space at 2400 Empire Ave. from **CB Richard Ellis Investors**. Nico Vilgiate and Paul Stockwell of **CB Richard Ellis** represented the landlord, while Roy Longman of **CRESAPartners** represented the tenant.

CUPERTINO — Home of Christ Church in Cu-

pertino LLC purchased a 50,830-square-foot office building at 10420 Bubba Road from Bradford Financial. Bing Heckman, Warren Sattler and Carla Lindorff of **Colliers International** represented the buyer.



610 W. Ash, San Diego

SAN DIEGO — The U.S. General Services Administration, doing business as the Department of Homeland Security, signed a five-year lease renewal and expansion totaling 44,760 square feet of office space at 610 W. Ash from Glenborough West Ash LLC. Pascal Aubry-Dumand of **Cushman & Wakefield** and Ron Miller of **CRESA-Partners** represented the lessor, while the lessee represented itself.

BEVERLY HILLS — Bloom Hergott Diemer Rosenthal LaViolette Feldman & Goodman LLP signed a five-year lease for 24,282 square feet of office space at 150 S. Rodeo Drive from BHP Holdings LLC. **Lincoln Property Co.**, **Cushman & Wakefield** and **Allen Matkins** represented the landlord. The tenant was represented by Chris Houge and Hunt Barnett of **Madison Partners** and Michael Meyer of **DLA Piper**.

ROSEVILLE — Sedgwick Claims Management Services leased 20,078 square feet of office space at 1410 Rocky Ridge Drive in Roseville from Oire California C LP. Chris Lemmon and Tom Heacox of **Cornish & Carey Commercial** represented the lessor.

SACRAMENTO — Jackson Lewis leased 16,277 square feet of office space at 801 K St. from Sacramento Equities. Dan Chamberlain of **Grubb & Ellis** represented the lessee.

SAN FRANCISCO — The State of the Netherlands leased 12,969 square feet of office space in Port Montgomery Center at One Montgomery St. from Post-Montgomery Associates. Bob Kraynak and Matt Griffin of **Cushman & Wakefield** represented the lessor, while Charles Hine and Ben Allott of **Grubb & Ellis** represented the lessee.

SACRAMENTO — Acclamation Insurance Management leased 11,500 square feet of office space at 10360 Old Placerville Road from C&S Marketing. Michael Muljat, Kirk Lange and Kristoffer Kalmbach of **Cornish & Carey Commercial** represented the landlord.

CARPINTERIA — Lynda.com signed a sublease expansion for 11,006 square feet of office/industrial space at 6410 Via Real for a total of 15,404 square feet from QAD. Francois DeJohn and Steve Hayes of **Hayes Commercial Group** represented the sublessor, while Christos Celmayester of **Pacifica Commercial** represented the sublessee.

LOS ALTOS — Tan Group purchased a 10,317-square-foot office building at 240 Third Street from 240 Third Los Altos LLC. Steve Henry and Randy Gabrielson of **Cornish & Carey Commercial** represented both parties.

SAN MATEO — InterComponentWare Inc. leased 9,717 square feet of office space at 1820 Gateway Drive from Equity Office Properties. Graham Woodall and Brenton Wickam of **Cornish & Carey Commercial** represented the tenant.

CONCORD — Towill Inc. leased 9,238 square feet of office space at 5099 Commercial Circle from Gonsalves & Santucci Inc. Graden Travis of **Cornish & Carey Commercial** represented both parties.

SAN MATEO — Silicon Valley Community Foundation leased 7,218 square feet of office space at 1300 El Camino Real from TA Associates. Rick Knauf and Luke Wilson of **Colliers International** represented the landlord.

SAN JOSE — Kaufman & Global Inc. leased 5,996 square feet of office space at 160 West Santa Clara St. from Boston Properties. Dave Buchholz and Carla Lindorff of **Colliers International** represented the landlord, while **CPS** represented the tenant.

SACRAMENTO — Harris & Associates leased 5,963 square feet of office space at 3900 Lennane Drive from 2900 Lennane LLC. Dan Chamberlain of **Grubb & Ellis** represented the lessee.

SAN DIEGO — A law firm leased 4,908 square feet of office space in the Centwest Plaza at 9740 Scranton Road from an affiliate of Hackman Capital Partners LLC.

VALENCIA — Hubbard Enterprises signed a two-year lease for 3,770 square feet of office space at 28368 Constellation Road. Steve Robertson of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented the lessor.

FOLSOM — Peterson Brustad leased 3,383 square feet of office space at 1180 Iron Point Road from CoWIFI Iron Point. Kris Reilly and Thomas Walcott of **Grubb & Ellis** represented the lessor.

SAN JOSE — Willis Insurance leased 3,197 square feet of office space at 2055 Gateway Place from Landmark Regal Professionals. Patrice DeLorey of **Colliers International** represented the landlord.

SAN BRUNO — West Coast Conference renewed a 3,136-square-foot lease of office space in Lake Amir Office Park at 1250 Bayhill Drive from The Realty Associates Fund VII. Simon Clark of **Grubb & Ellis** represented the lessor, while Ryan Atkinson of **Jones Lang LaSalle** represented the lessee.

LOS ANGELES — Playa Vista Job Opportunities and Business Services Inc. signed a 36-month lease for 3,004 square feet of office space at 1201 W. 5th St. from Los Angeles Center Studios. Christopher V. Bonbright, John Tronson and Tom Barich of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented both parties.

SAN FRANCISCO — Global Viral Forecasting Initiative subleased 2,742 square feet of office space in the Flatiron Building at 1 Sutter St. from GLP Inc. Kristin Higby of **Cushman & Wakefield** represented the sublessor, while Andrew Thompson and Julie Down of **Grubb & Ellis** represented the sublessee.

See **DEALS**, page 24

DEALS

Continued from page 23

SACRAMENTO — Capital Nephrology Medical Group leased 2,480 square feet of office space at 6620 Coyle Ave. from Beta Consulting Group. Jason Rutherford, Scott Bennett, Kris Reilly and Thomas Walcott of **Grubb & Ellis** represented the lessee.

PASADENA — Juris Productions signed a five-year lease extension for 2,420 square feet of office space at 44 N. Marengo Ave. Andrew Berk of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented the lessee.

SAN FRANCISCO — Towne Exploration leased 2,398 square feet of office space at 100 Spear St. from 100 Spears Street Owners Corp. Scott Nykodym, Phillip Tippett and Brooke D'Acquisto of **CB Richard Ellis** represented the lessor, while Andrew Thompson and Julie Down of **Grubb & Ellis** represented the lessee.

FRESNO — Dan Avila leased 2,386 square feet of office space at 2517 W. Shaw Ave. from Patrick and Bernice Corcoran. Eric Jans of **Colliers International** represented the landlord, while Jim Graham and Scott Christensen Ellsworth of **Grubb & Ellis | Pearson Commercial** represented the tenant.

HOLLYWOOD — Liquid Theory signed a five-year lease for 2,300 square feet of office space at 6725 Sunset Blvd. John Tronson and Christopher V. Bonbright of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented the landlord.

BEVERLY HILLS — Steven Greco DDS signed a five-year lease for 2,228 square feet of office space at 9100 Wilshire Blvd. from **Douglas Emmett**. The lessor represented itself, while Helga Weinbach of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented the tenant.

SACRAMENTO — Heery International leased 2,090 square feet of office space at 1180 Iron Point Road from CoWiFi Iron Point. Kris Reilly and Thomas Walcott of **Grubb & Ellis** represented the lessee.

SANTA BARBARA — Wells Fargo leased 2,000 square feet of office space at 115 E. Micheltorena. Brad Frohling of **Radius Group** represented the lessor, while Mike Chenoweth, also of **Radius**, represented the lessee.

HOLLYWOOD — Outlook Amusement Inc signed an 18-month lease for 1,568 square feet of office space at 6725 Sunset Blvd. John Tronson and Christopher V. Bonbright of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented the landlord.

FRESNO — Eben Sherwood leased 1,400 square feet of office space at 7257 N. Maple from Cedar Plaza Inc. Dick Ellsworth of **Grubb & Ellis | Pearson Commercial** represented both parties.

FRESNO — Floodgate Productions LLC leased 1,146 square feet of office space at 7075 N. Howard St. from Roy McKenney. Scott Christensen and Jim Graham of **Grubb & Ellis | Pearson Commercial** represented both parties.

FRESNO — New Kingdom Church leased 1,132 square feet of office space at 4930 E. Yale Ave. from Gregory Family Properties. Jim Graham and Scott Christensen of **Grubb & Ellis | Pearson Commercial** represented both parties.

PASADENA — Morse Upshaw DPM signed a seven-year lease for 1,129 square feet of medical office space at 301 S. Fair Oaks Ave. **AT Dickens Property Management** represented the landlord, while Michael Dettling and Howard Strom

of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented the tenant.

VICTORVILLE — Intern Psychiatric signed a one-year lease for 1,062 square feet of office space at 14318 California Ave. Elizabeth Brown and Carol Randall of **Lee & Associates** represented the landlord.

SANTA ROSA — Interfaith Shelter leased 600 square feet of office space at 2500 Vallejo St. from John Plough. Bill Faherty of **Keegan & Coppin Co. Inc.** represented both parties.

INDUSTRIAL



6911 Bickmore Ave., Chino

CHINO — Motivational Fulfillment & Logistics Services signed a three-year, \$2.2 million lease expansion for 297,107 square feet of industrial space in the Watson Commerce Center Chino at 6911 Bickmore Ave. from Watson Land Co. Tom Taylor, Steve Bellitti and Josh Hayes of **Colliers International** represented both parties.

ONTARIO — Golden State Container leased 215,000 square feet of distribution space in the ProLogis Park Ontario Airport facility from **ProLogis**.

ONTARIO — Inland Empire Moving and Storage signed a 65-month lease for 53,981 square feet of industrial space at 13170 Marlay Ave. from Marlay Partners LLC. Mark Kegans, Ron Washle and Milo Lipson of **Grubb & Ellis** represented the lessor, while Jeff White and Michael Arens, also of **Grubb & Ellis**, represented the tenant.

BURBANK — The Global Asylum signed a five-year lease for 11,094 square feet of industrial space at 72 E. Palm Ave. Chris Baer and Branden Moll of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented the lessor, while Elizabeth Seong of **Re/Max Marquest Partners** represented the lessee.

SUNNYVALE — Mudynamics leased 8,857 square feet of research-and-development space at 686 W. Maude Ave. from Silicon Valley CA-I LLC, in care of RREEF. Rod Scherba, Ben Stern, Jack Troedson, Phil Mahoney and Liz Hart of **Cornish & Carey Commercial** represented both parties.

LOS ANGELES — Playa Vista Job Opportunities and Business Services Inc. signed a three-year lease for 3,004 square feet of office space at 1201 W. 5th St. from Los Angeles Center Studios. Christopher V. Bonbright, John Tronson and Tom Barich of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented both parties.

LOS ANGELES — Serves You Right! purchased a 3,600-square-foot flex building at 3923 W. Jefferson Blvd. Matt Benjamins of **Dorin Realty Co.** represented the seller, while Kathleen A. Silver of **Colliers International** represented the buyer.

VALENCIA — Advanced Motorsports signed a two-year lease for 2,804 square feet of industrial space at 27833 Avenue Hopkins. Steve Robertson of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented the landlord.

VALENCIA — Exeter Commercial Corp. signed a two-year lease for 2,220 square feet of industrial space at 27811 Avenue Hopkins. Steve Robertson of **Ramsey-Shilling Commercial Real Estate Services Inc.** represented the lessor.

REAL ESTATE in the courts

Government

■ County is entitled to 'design immunity' where approval of wall for landslide debris removal was supported by substantial evidence.

Alvis v. County of Ventura, California Courts of Appeal - 2nd District, No. B212337, Oct. 20, 2009

In 1995, a landslide occurred above La Conchita in Ventura County, burying part of Vista Del Rincon Road. The County sought to clear the road without affecting the stability of the landslide. In 1999, the board of supervisors approved a plan to build a "pile lagging wall" per recommendation of William Brit, a registered civil engineer. The plan bore the professional stamps of geotechnical and civil engineers and was the result of two in-depth studies. Construction was completed in 2001. On Jan. 10, 2005, a landslide overwhelmed the wall, buried 16 homes, and killed 10 people. The family of Mike Alvis, one of the landslide's victims, and 22 other plaintiffs (Alvis) sued the County. Alvis offered the declaration of Awtar Singh, a geotechnical and civil engineer, who stated that the design of the wall prevented proper drainage, causing the landslide. The trial court granted the County summary judgment, finding that it was entitled to design immunity.

The decision was affirmed. Government Code Section 830.6 grants immunity to public entities for injuries caused by a plan that was approved by the entity's legislative body in advance of construction. A public entity claiming "design immunity" must show that there was substantial evidence supporting the reasonableness of the plan. It is not required that the substantial evidence be undisputed. Here, there was ample evidence of the reasonableness of the plan. It was approved by Brit, it bore the professional stamps of geotechnical and civil engineers, and it was the product of two studies. It is irrelevant that Alvis offered evidence of one expert's disagreement. Thus, the County showed that it was entitled to design immunity.

Opinion by Justice Gilbert.

— Meryl Chambers

Environmental Law

■ Fee regulating pollution emissions by developers constitutes valid regulatory fee where fee did not exceed reasonable costs of program.

California Building Industry Association v. San Joaquin Valley Air Pollution Control District, California Courts of Appeal - 5th District, No. F055448, Oct. 6, 2009

The San Joaquin Valley Air Pollution Control District (District) enacted rules to encourage developers to reduce pollution by allowing them to incorporate pollution-reducing features in their developments or by paying a fee to fund off-site projects that will reduce emissions, or by a combination of the two. California Building Industry Association and other entities sued the District, claiming that the fees were invalid. The trial court found that the fees were valid regulatory fees.

The decision was affirmed. When a fee is charged for the associated costs of regulatory activities and does not exceed the reasonable cost of carrying out the purposes of the regulation, it is a regulatory fee. This requires the calculation of the fee to bear a reasonable relationship between the fee and the burden posed by the activity. Also, this requires the fee program to have an estimated total cost that is related to adequately apportioned fees among

the payers. Here, the District implemented fees associated with the cost of regulating emissions of pollutants. Calculations of the fees were properly determined by a computer model on a dollar-per-ton estimate of pollution — the greater the emissions, the higher the fees. This reflected a reasonable relationship between the fees and the burden posed by polluting. Also, the total cost of the program was estimated by this court to be the cost per ton of the emission reduction necessitated by developments, which was inherently related to how much was to be apportioned to each developer based on the aforementioned model's reasonable calculations. Thus, the District imposed valid regulatory fees.

Opinion by Justice Levy.

— Edward Chang

Civil Rights

■ Fair Housing Act applies to claim by homeowners that law enforcement took longer to respond to emergencies in Latino neighborhoods.

The Committee Concerning Community Improvement v. City of Modesto, US Court of Appeals - Ninth Circuit, No. 07-16715, Oct. 8, 2009

In 2004, residents of predominantly Latino neighborhoods outside of the City of Modesto sued the City and Stanislaus County for the disparate provision of municipal services, including law enforcement services. Among other claims, the plaintiffs alleged violations of the Fair Housing Act (FHA). Although the neighborhoods were not incorporated into the City, they fell within the City's sphere of influence because they were partly or completely surrounded by the City. The plaintiffs alleged that County law enforcement personnel took longer to respond to calls within the plaintiffs' neighborhoods than for predominantly white unincorporated neighborhoods. The district court dismissed the plaintiffs' FHA claims, holding that the FHA was limited to "discrimination in the provision of services in connection with the acquisition of a dwelling" and that the plaintiffs were existing homeowners.

The decision was reversed in part. The FHA prohibits discrimination in the sale of a dwelling or the provision of services and privileges associated with a dwelling based on race, color or national origin. Further, the FHA does apply to discrimination occurring after an owner has acquired possession of a dwelling. This is because there are many "services" needed after an owner has acquired possession, such as maintenance or repair. Here, the plaintiffs showed that police took longer to respond to emergencies in their neighborhoods than in white neighborhoods. The fact that the plaintiffs had already acquired their homes was irrelevant to this showing of discrimination. Thus, the district court erred by dismissing the plaintiffs' claim regarding law-enforcement services.

Opinion by Judge Louis H. Pollak.

— Seena Nikravan

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