

<b>TO (Name and Address):</b> <b>OCCUPANT</b> <b>2703 Mathews Street</b> <b>Berkeley, CA 94702</b>  <b>EMAIL:</b>		<b>LEVYING OFFICER (Name and Address):</b> <b>Alameda County Sheriff's Office</b> <b>Sheriff Civil Division</b> <b>1225 Fallon Street #104</b> <b>Oakland, CA 94612</b>  <b>Phone: (510) 272-6910</b> <b>Fax #: (510) 272-6811</b>
<b>NAME OF COURT, JUDICIAL DISTRICT or BRANCH COURT, IF ANY:</b> <b>Alameda County Superior Court - Rene C Davidson</b> <b>1225 Fallon Street</b> <b>Oakland, CA 94612</b>		<b>California Relay Service Number</b> <b>(800) 735-2929 TDD or 711</b>
<b>PLAINTIFF:</b> <b>Breckenridge Property Fund 2016 LLC</b>  <b>DEFENDANT:</b> <b>Renee Shizue Ramos</b>		<b>COURT CASE NO:</b> <b>RG19038318</b>
<b>Notice to Vacate</b>		<b>LEVYING OFFICER FILE NO:</b> <b>2023001877</b>

By virtue of the Writ of Execution for Possession/Real Property (eviction), issued out of the above court, you are hereby ordered to vacate the premises described on the writ.

<b>Eviction Address:</b>	<b>2703 Mathews Street</b> <b>Berkeley, CA 94702</b>
<b>Final notice is hereby given that possession of the property must be turned over to the landlord on or before:</b>	<b>Tuesday, May 16, 2023 06:01 am</b>

Should you fail to vacate the premises within the allotted time, I will immediately enforce the writ by removing you from the premises. All personal property upon the premises at the time will be turned over to the landlord, who must return said personal property to you upon your payment of the reasonable cost incurred by the landlord in storing the property from the date of eviction to the date of payment. If the property is stored on the landlord's premises, the reasonable cost of storage is the fair rental value of the space necessary for the time of storage. If you do not pay the reasonable storage costs and take possession within fifteen (15) days, the landlord may either sell your property at a public sale and keep from the proceeds of the sale the costs of storage and of the sale (1988 CIV), or, if the property is valued at less than \$700.00, the landlord may dispose of your property or retain it for his own use. (715.010(b)(3), 1174 CCP)

If you claim a right of possession of the premises that accrued prior to the commencement of this action, or if you were in possession of the premises on the date of the filing of the action and you are not named on the writ, complete and file the attached Claim of Right of Possession form with this office. No claim of right to possession can be filed if the prejudgment claim of right to possession was served as indicated on the writ unless the eviction is the result of a foreclosure.



**Yesenia L Sanchez**  
**Sheriff-Coroner**

By: \_\_\_\_\_

*BA #2147*

Sheriff's Authorized Agent

**Original**

(c) CountySuite Sheriff, Telesoft, Inc.

**714982**

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: <b>Pamela C. Jackson, Esq. SBN 87502</b> FIRM NAME: <b>Pamela C. Jackson, Inc.</b> STREET ADDRESS: <b>409 Boyd Street</b> CITY: <b>Vacaville</b> STATE: <b>CA</b> ZIP CODE: <b>95688</b> TELEPHONE NO.: <b>(707) 446-2333</b> FAX NO.: <b>(707) 446-2393</b> EMAIL ADDRESS: <b>jackson@pcjlawinc.com</b> ATTORNEY FOR (name): <b>Plaintiff</b>		RECEIVED SHERIFF'S OFFICE 2023 APR 26 PM 12:59 ALAMEDA COUNTY, CA
<input checked="" type="checkbox"/> ATTORNEY FOR: <input checked="" type="checkbox"/> ORIGINAL JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>Alameda</b> STREET ADDRESS: <b>1225 Fallon Street</b> MAILING ADDRESS: CITY AND ZIP CODE: <b>Oakland, CA 94612</b> BRANCH NAME: <b>Rene C. Davison County Courthouse</b>		
PLAINTIFF/PETITIONER: <b>BRECKENRIDGE PROPERTY FUND 2016, LLC</b> DEFENDANT/RESPONDENT: <b>RENEE SHIZUE RAMOS et al</b>		CASE NUMBER: <b>RG19 038318</b>
<input type="checkbox"/> EXECUTION (Money Judgment) WRIT OF <input checked="" type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input type="checkbox"/> SALE <input checked="" type="checkbox"/> Real Property		<input checked="" type="checkbox"/> Limited Civil Case (including Small Claims) <input type="checkbox"/> Unlimited Civil Case (including Family and Probate)

1. To the Sheriff or Marshal of the County of: **Alameda**

You are directed to enforce the judgment described below with daily interest and your costs as provided by law.

2. To any registered process server: You are authorized to serve this writ only in accordance with CCP 699.080 or CCP 715.040.

3. (Name): **BRECKENRIDGE PROPERTY FUND 2016, LLC**

is the ☒ original judgment creditor ☐ assignee of record whose address is shown on this form above the court's name.

4. Judgment debtor (name, type of legal entity if not a natural person, and last known address):

**RENEE SHIZUE RAMOS also known as RENEE SHIZUE YAMAGISHI**  
**2703 Mathews Street**  
**Berkeley CA 94702**

☒ Additional judgment debtors on next page

5. Judgment entered on (date): **8/25/2021**

(See type of judgment in item 22.)

6. ☐ Judgment renewed on (dates):

7. Notice of sale under this writ:

- a. ☒ has not been requested.  
 b. ☐ has been requested (see next page).

8. ☐ Joint debtor information on next page.

9. ☒ Writ of Possession/Writ of Sale information on next page.

10. ☐ This writ is issued on a sister-state judgment.

For items 11–17, see form MC-012 and form MC-013-INFO.

11. Total judgment (as entered or renewed)	\$
12. Costs after judgment (CCP 685.090)	\$
13. Subtotal (add 11 and 12)	\$ 0.00
14. Credits to principal (after credit to interest)	\$
15. Principal remaining due (subtract 14 from 13)	\$ 0.00
16. Accrued Interest remaining due per CCP 685.050(b) (not on GC 6103.5 fees)	\$
17. Fee for issuance of writ (per GC 70626(a)(1))	\$ 40.00
18. Total amount due (add 15, 16, and 17)	\$ 40.00

19. Levying officer:

- a. Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) \$
- b. Pay directly to court costs included in 11 and 17 (GC 6103.5, 68637; CCP 699.520(i)) \$

20. ☐ The amounts called for in items 11–19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.



Date: **04/17/2023**

Clerk, by **Chad Finke, Executive Officer / Clerk of the Court**, Deputy  
 NOTICE TO PERSON SERVED: SEE PAGE 3 FOR IMPORTANT INFORMATION.

WRIT OF EXECUTION

Plaintiff/Petitioner: **BRECKENRIDGE PROPERTY FUND 2016, LLC**  
 Defendant/Respondent: **RENEE SHIZUE RAMOS et al**

CASE NUMBER:  
**RG19 038318**

21. ☒ Additional judgment debtor(s) (name, type of legal entity if not a natural person, and last known address):

**AVELINO RAMOS**  
**2703 Mathews Street**  
**Berkeley CA 94702**

22. The judgment is for (check one):

- a. ☐ wages owed.  
 b. ☐ child support or spousal support.  
 c. ☒ other.

23. ☐ Notice of sale has been requested by (name and address):

24. ☐ Joint debtor was declared bound by the judgment (CCP 989-994)

- a. on (date):  
 b. name, type of legal entity if not a natural person, and last known address of joint debtor:

- a. on (date):  
 b. name, type of legal entity if not a natural person, and last known address of joint debtor:

- c. ☐ Additional costs against certain joint debtors are itemized: ☐ below ☐ on Attachment 24c.

25. ☒ (Writ of Possession or Writ of Sale) Judgment was entered for the following:

- a. ☒ Possession of real property: The complaint was filed on (date): **10/18/2019**

*(Check (1) or (2). Check (3) if applicable. Complete (4) if (2) or (3) have been checked.)*

- (1) ☒ The Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.  
 (2) ☐ The Prejudgment Claim of Right to Possession was NOT served in compliance with CCP 415.46.  
 (3) ☒ The unlawful detainer resulted from a foreclosure sale of a rental housing unit. (An occupant not named in the judgment may file a Claim of Right to Possession at any time up to and including the time the levying officer returns to effect eviction, regardless of whether a Prejudgment Claim of Right to Possession was served.) (See CCP 415.46 and 1174.3(a)(2).)

- (4) If the unlawful detainer resulted from a foreclosure (item 25a(3)), or if the Prejudgment Claim of Right to Possession was not served in compliance with CCP 415.46 (item 25a(2)), answer the following:

- (a) The daily rental value on the date the complaint was filed was \$ **145.33**  
 (b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):

**Monday through Friday 8:30 AM to 2:30 PM**  
**Rene C. Davidson County Courthouse**  
**1225 Fallon Street**  
**Oakland, CA 94612**

Item 25 continued on next page

Plaintiff/Petitioner: BRECKENRIDGE PROPERTY FUND 2016, LLC  
 Defendant/Respondent: RENEE SHIZUE RAMOS et al

CASE NUMBER:  
 RG19 038318

25. b. ☐ Possession of personal property.  
       ☐ If delivery cannot be had, then for the value (*itemize in 25e*) specified in the judgment or supplemental order.
- c. ☐ Sale of personal property.
- d. ☐ Sale of real property.
- e. The property is described ☒ below ☐ on Attachment 25c.  
 2703 Mathews Street Berkeley CA 94702  
 Alameda County

#### NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will demand that you turn over the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, you may remain in the property until the term is up. If you have a periodic lease or tenancy, such as from month-to-month, you may remain in the property for 90 days after receiving a notice to quit. A blank form *Claim of Right to Possession and Notice of Hearing* (form CP10) accompanies this writ. You may claim your right to remain on the property by filling it out and giving it to the sheriff or levying officer.

EXCEPTION IF YOU WERE NOT SERVED WITH A FORM CALLED PREJUDGMENT CLAIM OF RIGHT TO POSSESSION. If you were not named in the judgment for possession and you occupied the premises on the date on which the unlawful detainer case was filed, you may object to the enforcement of the judgment against you. You must complete the form *Claim of Right to Possession and Notice of Hearing* (form CP10) and give it to the sheriff or levying officer. A blank form accompanies this writ. You have this right whether or not the property you are renting was sold in a foreclosure.