

**CALIFORNIA SUPERIOR COURT
RIVERSIDE COUNTY**

**CANYON LAKE PROPERTY OWNERS
ASSOCIATION,**

Plaintiff,

v.

**ELSINORE VALLEY MUNICIPAL WATER
DISTRICT**

Defendant

AND RELATED CROSS-ACTION

CASE NO. RIC 1503428

**NOTICE OF ORDER GRANTING FINAL
APPROVAL OF CLASS SETTLEMENT
AND CERTIFICATION OF SETTLEMENT
CLASS**

**NOTICE TO OWNERS OF PROPERTY ADJACENT TO RAILROAD CANYON
RESERVOIR, IN CANYON LAKE, CALIFORNIA**

If you are an owner of property adjacent to the Railroad Canyon Reservoir (aka “Canyon Lake” or “the Lake”), or otherwise have legal access to the Lake from your separate interest property, please read this notice.

Background of Lawsuit

There is now pending a case titled Canon Lake Property Owners Association v. Elsinore Valley Municipal Water District, Case No. RIC 1503428, in California Superior Court, Riverside County (the "Lawsuit"). The Lawsuit is being prosecuted by Canyon Lake Property Owners Association ("CLPOA") against Elsinore Valley Municipal Water District (“EVMWD”) – EVMWD is also prosecuting claims against the Association in the Lawsuit. CLPOA is the homeowners association for the residential community known as “Canyon Lake” located in the City of Canyon Lake, County of Riverside, California (the "Project").

CLPOA is the homeowners association for the Canyon Lake community, which surrounds the Railroad Canyon Reservoir (“Lake”). The Lake is owned by EVMWD. CLPOA leases the Lake for recreational purposes, which includes a narrow strip of land that

circumscribes the Lake, called the “Shoreline” or “Shorezone”, from EVMWD pursuant to a long term lease agreement (“Lake Lease.”)

CLPOA includes approximately 4,800 lots, owned by individual members. Approximately 1,096 of these lots are adjacent to the Shoreline, or the owners thereof otherwise have legal access to the Shoreline from their separate interest properties, (collectively, such lots will be referred to as “Lakefront Lots” and the owners thereof will be referred to as “Lakefront Owners.”) Both CLPOA, and nearly all Lakefront Owners, maintain property improvements in the Shoreline and / or the Lake, including, for example, docks, seawalls, piers, stairs, boathouses, and other property improvements (“Shoreline Improvements.”) The Lawsuit concerns the Shoreline Improvements.

In the Lawsuit, CLPOA contended CLPOA and the Lakefront Owners, have the right to maintain, use, and enjoy all their respective Shoreline Improvements, as such Shoreline Improvements exist currently, and thereafter for as long as the Lake Lease is in effect, among other related allegations, as set forth in CLPOA’s operative complaint. CLPOA’s operative complaint is available through the Riverside Superior Court, or on CLPOA’s website – please refer to it for further details on CLPOA’s contentions in the Lawsuit. For its part in the Lawsuit, EVMWD sought, among other relief, a judicial declaration regarding the parties’ rights with respect to the Shoreline Improvements. EVMWD’s cross-complaint is available through the Riverside Superior Court – please refer to it for further details on EVMWD’s contentions in the Lawsuit.

Settlement

CLPOA and EVMWD settled the Lawsuit (“Settlement”) on the terms described in a prior, Court-approved, notice to you (“Class Notice”). The Settlement was subject to the Court’s certification of a class for settlement purposes only. The settlement class is defined as: "All entities who own real property contiguous with, and fronting the land in Canyon Lake California owned by Elsinore Valley Municipal Water District that circumscribes the Railroad Canyon Reservoir, or who otherwise have legal access to such land, from their separate interest properties." (“Settlement Class”).

On January 28, 2020, the Court issued an Order Granting Preliminary Approval of Class Settlement and Certification of Provisional Settlement Class (“Preliminary Order”). Following the Court’s Preliminary Order, the Class Notice was sent to you, and all other members of the Settlement Class, giving you the option of remaining in the Settlement Class without objection, remaining in the Settlement Class subject to objection, or excluding yourself from the Settlement Class.

Final Order

On July 6, 2020, the Court issued an Order Granting Final Approval of Class Settlement and Certification of Settlement Class (“Final Order”). The Final Order modifies the Settlement slightly, as set forth in the Final Order. A copy of the Final Order is available on CLPOA’s website:

<https://www.canyonlakepoa.com/MyAccount?from=url&url=/DocumentCenter/View/3736/07062020--Final-Approval-of-Class-Settlement--Certification-Settlement-PDF>

Relevant filed documents in the Lawsuit are also available on CLPOA’s website:

<https://www.canyonlakepoa.com/376/Lake-Lease-Legal-Documents>

All filed documents in the Lawsuit are available through Riverside Superior Court’s website:

<http://public-access.riverside.courts.ca.gov/OpenAccess/CivilMainMenu.asp>

Judgment will soon be entered consistent with the Final Order. When judgment is entered, you will receive notice of the same. If you have any questions, please contact Class Counsel below. Please do not contact Riverside Superior Court.

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