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7 ARIANA MADIX

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Superior Court of California,
County of Los Angeles
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David W. Slayton,
Executive Officer/Clerk of Court,
By A. Oliva, Deputy Clerk

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**
10 **NORTH CENTRAL - BURBANK COURTHOUSE**

12 ARIANA MADIX, an individual,

13 Plaintiff,

14 v.

15 THOMAS SANDOVAL, an individual;
CITY NATIONAL BANK; and DOES 1
16 through 50, inclusive,

17 Defendants.

Case No. **24BECV00046**

**VERIFIED COMPLAINT FOR
PARTITION OF REAL PROPERTY
BY SALE**

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Plaintiff Ariana Madix (“Plaintiff”) complains and alleges as follows.

THE PROPERTY

1. Plaintiff and defendant Thomas Sandoval (collectively the “Parties”), as joint tenants, hold title to a parcel of real property located in Los Angeles, California. The property is commonly known as and located at 5155 Bellaire Avenue, Valley Village, California 91607 (the “Property”). The legal description of the Property is:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOT 1 AND THE EASTERLY 60.42 FEET OF LOT 2 BOTH OF TRACT NO. 10749, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 184, PAGE(S) 26 AND 27 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WHICH LIE NORTHERLY OF THE NORTHERLY LINE OF THE SOUTHERLY 237.00 FEET OF SAID LOTS 1 AND 2

APN 2357-002-040

THE PARTIES

2. Plaintiff is an individual residing in Los Angeles County, California and is record title owner of an undivided fee simple interest in the Property.

3. Defendant Thomas Sandoval is an individual residing in Los Angeles County, California and is record title owner of an undivided fee simple interest in the Property.

4. Defendant City National Bank is a national bank that is named herein as a nominal defendant that is the beneficiary of two deeds of trust encumbering the Property.

5. Plaintiff does not know the true names and capacities of those defendants sued herein as Does 1 through 50, inclusive, and therefore sue those defendants by such fictitious names. Plaintiff will amend this Complaint to show the true names and capacities when that information is ascertained. Plaintiff is informed and believes, and on that basis alleges, that each of Does 1 through 50 has or claims to have some interest in or to the Property.

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VENUE

6. Venue in this Court is proper because the Property is located in the Valley Village area of the City of Los Angeles, County of Los Angeles, State of California, and it is the subject of this action.

FIRST CAUSE OF ACTION

(Partition against all Defendants)

7. As joint tenants in the Property, Plaintiff is entitled to partition of the Property.

8. Discord exists among the owners of the Property, which has had, and is continuing to have, a negative effect on the ownership of the Property and on Plaintiff's enjoyment of her interest in the Property.

9. Plaintiff requests that the Property be partitioned by sale. Partition by sale of the Property is more equitable than division in kind of the Property because, among other things, (a) the nature of the Property, a single family residence, renders a division in kind impracticable, (b) a division in kind would substantially diminish the value of each owner's interest in the Property, (c) title issues render a division in kind virtually impossible, and (d) a division in kind cannot legally be accomplished under the facts and circumstances present in this action.

WHEREFORE, Plaintiff Ariana Madix prays for judgment as follows:

1. For partition by sale of the Property according to the respective rights of the parties hereto;

2. For an equitable allocation of the proceeds of sale of the Property including the payment of debt secured by same and the costs of partition, including, but not limited to, reasonable attorneys' fees, title expenses and that the costs be secured by a lien against the proceeds of sale of the Property; and

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3. For such other and further relief as is just and proper.

DATED: January 4, 2024.

SHORELINE,
A Law Corporation

ANDREW S. PAULY
RICHARD G. STOLL

By: *Andrew S. Pauly*
ANDREW S. PAULY
Attorneys for Plaintiff
ARIANA MADIX



VERIFICATION

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES)

I have read the foregoing VERIFIED COMPLAINT FOR PARTITION OF REAL PROPERTY BY SALE and know its contents.



I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief and, as to those matters, I believe them to be true.

I am an officer a partner of a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason.

I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am one of the attorneys for , a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on December 21, 2023, at Los Angeles, California.

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

ARIANA MADIX

Type or Print Name

Ariana Madix
Signature