

1 DONALD A. DIEBOLD, Bar No. 151451  
ALSTON, ALSTON & DIEBOLD

2 Attorneys at Law  
27201 Puerta Real, Suite 300  
3 Mission Viejo, California 92691  
(714) 556-9400 – FAX (714) 556-9500

4 Attorney for Plaintiff  
5 MOBIFARM, LP dba CASA HERMOSA  
MOBILE HOME PARK

7 SUPERIOR COURT, STATE OF CALIFORNIA  
8 COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

10 MOBIFARM, LP dba CASA HERMOSA  
MOBILE HOME PARK

Case No.: 30-2023-01300248-CL-OR-CJC

Complaint filed January 3, 2023

11 ,  
12 Plaintiff,

VERIFIED FIRST AMENDED  
COMPLAINT FOR:

13 vs.

- 1: TRESSPASS TO REAL PROPERTY;
- 2: NUISANCE TO REAL PROPERTY;
- 3: NEGLIGENCE;
- 4: INJUNCTIVE RELIEF
- 5: DECLARATORY RELIEF

14 CITY OF ANAHEIM, a governmental entity;  
15 AMERICAN GOLF CORPORATION, a  
California Corporation; DAD MILLER GOLF  
16 COURSE, and unknown entity; and DOES 1 to  
10, inclusive,

17 Defendants.

LIMITED CIVIL ACTION

DOES NOT EXCEED \$25,000.00

21 COMES NOW, the Plaintiff herein, and alleges as follows:

23 GENERAL ALLEGATIONS

24  
25 1. The within action is an action for injunctive relief exempt from the Governmental  
26 Claim Filing Requirements under Gov't Code § 945.4. *Qwest Communications Corp. v. City of*  
27 *Berkeley* (2001) 145 F. Supp 2d 1081, 1-90; *Minsky v. City of Los Angeles* (1974) 11 Cal 3d 113, 121.  
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1           2,       Plaintiff, MOBIFARM, LP, is a California limited partnership, located in South  
2 Pasadena, State of California, under the fictitious name of Casa Hermosa Mobile Home Park.  
3 Petitioner has filed the statements and published the notices required by §§17900, *et seq.*, of the  
4 *Business and Professions Code*.

5           3.       Plaintiff is the owner of real property located at 525 North Gilbert Street, Anaheim,  
6 CA 92801. Plaintiff operates a mobile home park on the property known as Casa Hermosa Mobile  
7 Home Park. Attached hereto as **Exhibit "A"** is a true and correct diagram of Casa Hermosa Mobile  
8 Home park.

9           4.       Defendant CITY OF ANAHEIM is a governmental entity that owns real property at  
10 430 N. Gilbert Street, Anaheim, CA 92801, known as DAD MILLER GOLF COURSE.

11          5.       Defendant AMERICAN GOLF CORPORATION is a California Corporation. Upon  
12 information and belief, AMERICAN GOLF CORPORATION leases the property known as DAD  
13 MILLER GOLF COURSE from the CITY OF ANAHEIM and operates the property as a golf course.

14          6        Defendant DAD MILLER GOLF COURSE is an unknown entity that operates as a  
15 golf course at 430 N. Gilbert Street, Anaheim, CA 92801.

16          7.       Defendants Does 1 though 10, inclusive, whether individual, corporate, associate or  
17 otherwise are fictitious names of defendants whose true names and capacities, at this time are  
18 unknown to Plaintiff. Plaintiff is informed and believes and thereon alleges that at all times herein  
19 mentioned each of the Defendants sued herein as a DOE was the agent, servant, and employee of  
20 his or her codefendant, and in doing the things hereinafter mentioned was acting in the scope of his  
21 or her authority as such agent, servant, or employee, and with the permission and consent of his or  
22 her co-defendant; and that each of said fictitiously named Defendant, whether an agent,  
23 corporation, association, or otherwise, is in some way liable and responsible to the Plaintiff on the  
24 facts hereinafter alleged, and caused injuries and damages proximately thereby as hereinafter  
25 alleged. At such time as Defendant's true names become known to Plaintiff, Plaintiff will ask  
26 leave of this Court to amend this complaint to insert said true names and capacities.

1           8.       Plaintiff is informed and believes and thereon alleges that at all times herein  
2 material, Defendants, including DOES 1 through 10 and each of them, were either individual, sole,  
3 proprietorships, corporations, partnerships, business entities and/or organizations who conducted  
4 business in the County of Orange and/or participated in the maintenance, operation, changes and  
5 use of the real property and the structures thereon.

6           9.       That at the time the Plaintiff purchased Casa Hermosa Mobile Home Park, the DAD  
7 MILLER GOLF COURSE was present and operating as a golf course.

8           10.      That Casa Hermosa Mobile Home Park abuts the DAD MILLER GOLF COURSE.  
9 The 15<sup>th</sup> green of the DAD MILLER GOLF COURSE runs along space numbers 5 – 29 of the  
10 Casa Hermosa Mobile Home Park. Attached hereto as **Exhibit “B”** is a diagram of the DAD  
11 MILLER GOLF COURSE. Attached hereto as **Exhibit “C”** are photographs of the DAD  
12 MILLER GOLF COURSE taken from spaces 21 – 28 of the Casa Hermosa Mobile Home Park.

13          11.      The Casa Hermosa Mobile Home Park is not visible to golfers hitting golf balls  
14 from the tee box of the 15<sup>th</sup> hole of DAD MILLER GOLF COURSE. There is a community of  
15 traditional “stick built” homes beside the tee box of the 15<sup>th</sup> hole which are protected by large trees  
16 and a 20 foot high fence. The mobile homes of Casa Hermosa Mobile Home Park, primarily  
17 spaces 21-28, abut along the fairway area to the DAD MILLER GOLF COURSE, separated by a  
18 flood channel.

19          12.      That DAD MILLER GOLF COURSE and Casa Hermosa Mobile Home Park  
20 operated for years without substantial interference of errant golf balls hit from the DAD MILLER  
21 GOLF COURSE and landing on the Casa Hermosa Mobile Home Park.

22          13.      That Defendants made alterations to the tee box of the 15<sup>th</sup> green, as well as  
23 removing trees along the border between the DAD MILLER GOLF COURSE and Casa Hermosa  
24 Mobile Home Park in or about late 2020 and early 2021.

1           14.       That the trees that were removed along the border between DAD MILLER GOLF  
2 COURSE and Casa Hermosa Mobile Home Park protected the Casa Hermosa Mobile Home Park  
3 protected Casa Hermosa Mobile Home Park from errant golf balls. Attached hereto as **Exhibit**  
4 **“D”** is a photograph of the Casa Hermosa Mobile Home Park taken from the DAD MILLER  
5 GOLF COURSE after the alterations to the tee box of the 15<sup>th</sup> home of DAD MILLER GOLF  
6 COURSE and removal of the trees.

7           15.       The alterations resulted in a dramatic increase in errant golf balls hit from the DAD  
8 MILLER GOLF COURSE and landing in the Casa Hermosa Mobile Home Park, primarily in the  
9 area of spaces 21 – 28 of the Casa Hermosa Mobile Home Park, causing physical damage to the  
10 homes and property of the residents of the Casa Hermosa Mobile Home Park and threatening the  
11 safety and well being of the residents of the Casa Hermosa Mobile Home Park and their guests and  
12 employees.

13           16.       Plaintiffs investigated the cause of the dramatic increase in errant golf balls hit from  
14 the DAD MILLER GOLF COURSE onto Casa Hermosa Golf Course on or about February 10,  
15 2022. Plaintiffs representatives, including Andrew Rottenbacher, were advised that:

16                   A.       The Tee box on the 15<sup>th</sup> hole was moved forward and that large trees along  
17 the fairway to the 15<sup>th</sup> hole were removed.

18                   B.       That the tee box was intentionally placed closer to the Casa Hermosa Mobile  
19 Home Park in order to speed up play at the golf course. The 15<sup>th</sup> hole had been a source of  
20 slow play and the Dad Miller Golf Course wanted to increase capacity by reducing the  
21 allotted time for golfers to complete each hole.

22           17.       Defendant CITY OF ANAHEIM was put on notice of the design defect and  
23 negligent operation of the DAD MILLER GOLF COURSE on July 12, 2021. Representatives  
24 from the CITY OF ANAHEIM stated that the CITY OF ANAHEIM would put up netting to  
25 protect casa Hermosa Mobile Home Park, but that the netting would take several months due to  
26 supply shortages. Such netting has not been installed to protect Casa Hermosa Mobile Home Park  
27 even though new netting was installed for the DAD MILLER GOLF COURSE driving range in or  
28 about December 2021.

1 18. Defendant CITY OF ANAHEIM also advised that additional changes were made to  
2 the tee box of the 15<sup>th</sup> hole to DAD MILLER GOLF COURSE and that such changes should decrease  
3 the amount of errant golf balls hit from DAD MILLER GOLF COURSE on to Casa Hermosa Golf  
4 Course.

5 19. That the errant golf balls continue to be hit from the DAD MILLER GOLF COURSE  
6 onto the Casa Hermosa Mobile Home Park, causing the residents of the Casa Hermosa Mobile Home  
7 Park to live in fear for their personal safety as well as continued property damage. Attached hereto as  
8 **Exhibit "E"** are declarations from the residents at Spaces 22, 23, 24, 25, 28, 67, and 78 of the Casa  
9 Hermosa Mobile Home Park regarding the ongoing threat of errant golf balls.

10 20. Plaintiffs have repeated their requests to the DEFENDANTS that netting be installed  
11 to protect the Casa Hermosa Mobile Home Park, or that the operation of the 15<sup>th</sup> hole to the DAD  
12 MILLER GOLF COURSE should be closed.

13 21. Defendants refuse to take steps to prevent golf balls from being hit from DAD  
14 MILLER GOLF COURSE onto Casa Hermosa Mobile Home Park.

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16 **FIRST CAUSE OF ACTION**  
17 **(TRESPASS TO REAL PROPERTY)**

18 **As to all Defendants**

19 22. Plaintiff realleges and reincorporates each and every allegation contained in  
20 paragraphs 1 through 21 of this Complaint as though fully set forth below.

21 22. Defendants, and each of them, unlawfully, intentionally, recklessly and negligently  
22 interfered with Plaintiff's right to possession of Plaintiff's real property amounting to a Trespass.

23 23. Plaintiffs did not give permission to Defendants to allow errant golf balls to be hit  
24 from DAD MILLER GOLF COURSE onto Casa Hermosa Mobile Home Park.

25 24 As a proximate result of the continuing trespass by Defendants, and each of them,  
26 the Plaintiff, Plaintiff's residents, employees and guests were harmed and live in fear of bodily  
27 injury and property damage.

1 25. That DEFENDANTS conduct was a substantial factor in causing harm to Plaintiff.

2 26. Plaintiff has no adequate remedy at law for the ongoing and continuing injuries to  
3 its real property caused by the continuing trespass by Defendants. Defendants have refused, and  
4 will continue to refuse to address the errant golf balls hit from DAD MILLER GOLF COURSE  
5 onto Casa Hermosa.

6  
7 **SECOND CAUSE OF ACTION**  
8 **(NUISSANCE TO REAL PROPERTY)**

9 **As to all Defendants**

10 27. Plaintiff realleges and reincorporates each and every allegation contained in  
11 paragraphs 1 through 26 of this Complaint as though fully set forth below.

12 28. Defendants, and each of them, created a nuisance through Defendants' operation of  
13 the DAD MILLER GOLF COURSE and allowing errant golf balls to be hit from DAD MILLER  
14 GOLF COURSE onto Casa Hermosa which has unreasonably and substantially interfered with and  
15 injured Plaintiffs' use of its property and the use and enjoyment of the property by its residents,  
16 employees and guests.

17 29. Plaintiff requested Defendants, and each of them, to abate the nuisance and  
18 Defendants refused to abate the nuisance and said nuisance is likely to continue in the future.

19 30. Plaintiff demand abatement of the nuisance.  
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21 **THIRD CAUSE OF ACTION**  
22 **(NEGLIGENCE)**

23 **As to all Defendants**

24 31. Plaintiffs realleges and reincorporates each and every allegation contained in  
25 paragraphs 1 through 30 of this Complaint as though fully set forth below.  
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1 32. Defendants, and each of them, owed a duty to Plaintiff to use due care in the  
2 management, maintenance, operation and use of the DAD MILLER GOLF COURSE such that  
3 golf balls hit from the DAD MILLER GOLF COURSE do not go onto the Casa Hermosa Mobile  
4 Home Park.

5 33 Defendants, and each of them, failed to exercise due care in the management,  
6 maintenance, operation and use of the DAD MILLER GOLF COURSE such that golf balls hit  
7 from the DAD MILLER GOLF COURSE are going into Casa Hermosa Mobile Home Park and are  
8 threatening the safety, well being and property of Plaintiff and Plaintiff's residents, guests and  
9 employees.

10 34. As a proximate result of Defendants' failure to exercise due care, the real and  
11 personal property of Plaintiff's residents have been damaged and Plaintiff and Plaintiffs' residents,  
12 employees and guests fear for their safety and are unable to reasonably enjoy their homes.

#### 13 14 **FOURTH CAUSE OF ACTION**

##### 15 **(Injunctive Relief)**

##### 16 **As to all Defendants**

17 35. Plaintiff realleges and reincorporates each and every allegation contained in  
18 paragraphs 1 through 34 of this Complaint as though fully set forth below.

19 36. Plaintiff has no adequate remedy at law for the ongoing and continuing injuries to  
20 its real property caused by the continuing conduct by Defendants, and each of them. Defendants  
21 will continue in its operation of DAD MILLER GOLF COURSE and allow errant golf balls hit  
22 from the DAD MILLER GOLF COURSE onto CASA HERMOSA in such a manner that Plaintiff  
23 and its residents, employees and guests are unable to use and enjoy Plaintiff's real property.  
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1           37. Plaintiff demands a mandatory injunction requiring Defendants, and each of them,  
2 to discontinue their use of the 15<sup>th</sup> hole to DAD MILLER GOLF COURSE until such time as  
3 Defendants undertake steps to eliminate the threat of errant golf balls hit from DAD MILLER  
4 GOLF COURSE landing on Casa Hermosa Mobile Home Park, including but not limited to  
5 installing netting, fencing, trees or other barriers to protect Casa Hermosa Mobile Home Park from  
6 errant golf balls or redesigning the 15<sup>th</sup> hole to direct golf play away from Casa Hermosa Mobile  
7 Home Park.

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9 **FIFTH CAUSE OF ACTION**

10 **(Declaratory Relief)**

11 **As to all Defendants**

12           38. Plaintiff realleges and reincorporates each and every allegation contained in  
13 paragraphs 1 through 37 of this Complaint as though fully set forth below.

14           39. An actual and bonafide dispute has arisen and now exists between Plaintiff and  
15 Defendants, and each of them, concerning the contentions above alleged.

16           40. Plaintiff desires a judicial determination of the respective rights and duties of  
17 Plaintiff and each Defendant with respect to the allegations and damages claimed in Plaintiff's  
18 Complaint.

19           41. Such a declaration is necessary and appropriate at this time in order that Plaintiff  
20 may ascertain its rights and duties with respect to Plaintiff's claims herein.

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22           WHEREFORE, Plaintiff prays judgment against Defendants, and each of them, as follows:  
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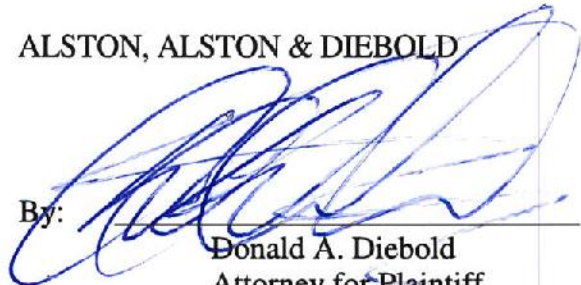


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- (1) For an injunction requiring Defendants to discontinue their use of the 15<sup>th</sup> hole to DAD MILLER GOLF COURSE until such time as Defendants undertake steps to eliminate the threat of errant golf balls hit from DAD MILLER GOLF COURSE landing on Casa Hermosa Mobile Home Park, including but not limited to installing netting, fencing, trees or other barriers to protect Casa Hermosa Mobile Home Park from errant golf balls or redesigning the 15<sup>th</sup> hole to direct golf play away from Casa Hermosa Mobile Home Park.
- (2) For an injunction requiring Defendants undertake steps to eliminate the threat of errant golf balls hit from DAD MILLER GOLF COURSE landing on Casa Hermosa Mobile Home Park, including but not limited to installing netting, fencing, trees or other barriers to protect Casa Hermosa Mobile Home Park from errant golf balls or redesigning the 15<sup>th</sup> hole to direct golf play away from Casa Hermosa Mobile Home Park;
- (3) For an injunction requiring Defendants to prevent errant golf balls hit from DAD MILLER GOLF COURSE landing on Casa Hermosa Mobile Home Park;
- (4) For attorneys' fees incurred herein;
- (5) For costs of suit incurred herein
- (6) For Expert costs and fees incurred herein; and
- (7) For such other and further relief as the Court may deem just and proper.

ALSTON, ALSTON & DIEBOLD

DATED: January <sup>25</sup> \_\_, 2023

By:   
Donald A. Diebold  
Attorney for Plaintiff

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**VERIFICATION**

I, Andrew Rottenbacher, declare:

That I am the managing member of 525 Casa Hermosa LLC, the General Partner of MOBIFARM, LP., the Plaintiff to the within action

That I reviewed the Verified First Amended Complaint and the facts alleged in the Verified First Amended Complaint are true and correct to the best of my knowledge.

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

Executed this 20<sup>th</sup> day of January, 2023 at South Pasadena, California.



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Andrew Rottenbacher  
Managing Member of 525 Casa  
Hermosa LLC, general partner of  
Plaintiff MOBIFARM, LP

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**EXHIBIT “A”**



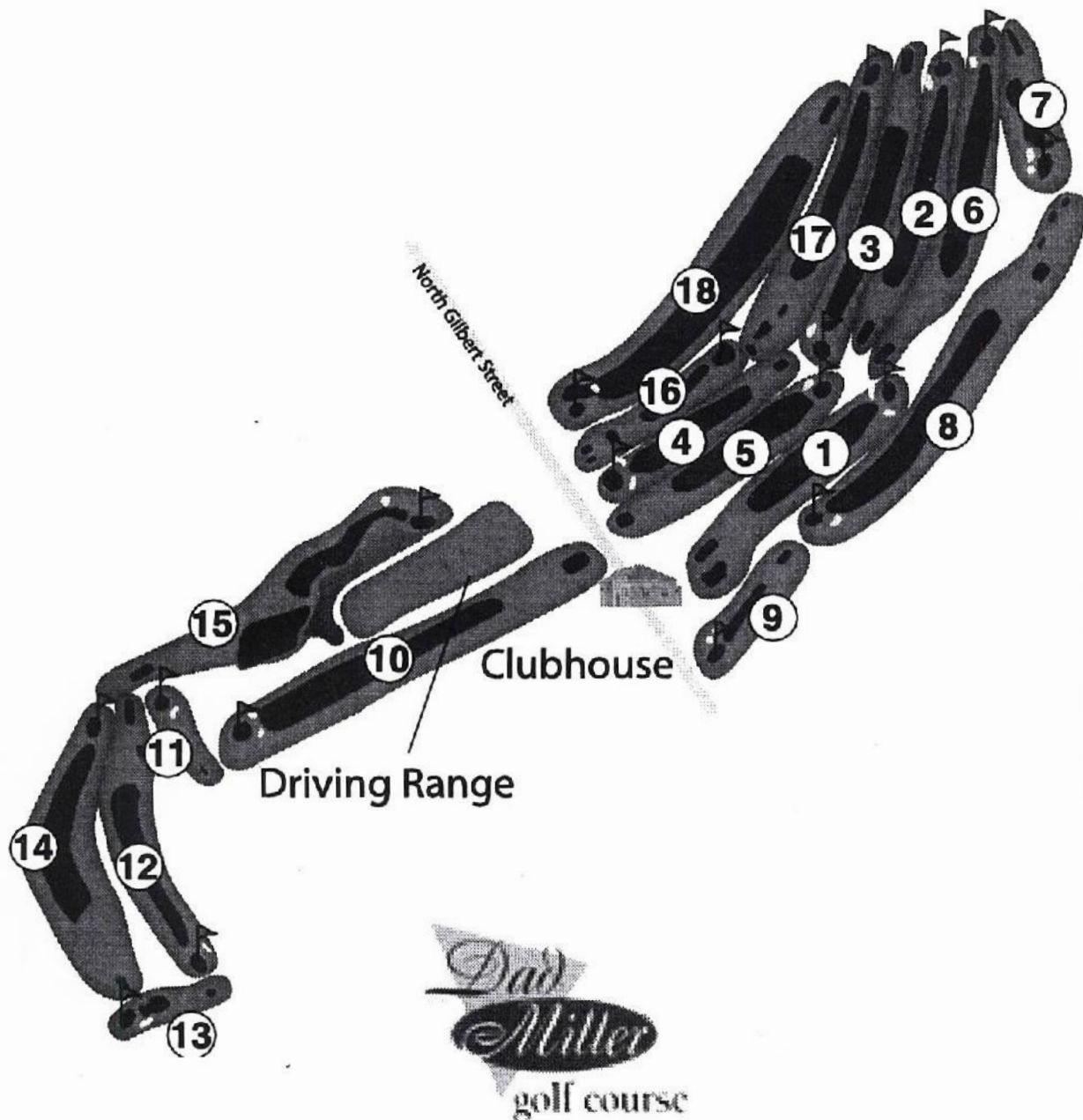
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# **EXHIBIT “B”**

## USGA Rules Apply

**Out of Bounds:** Defined by white stakes (except on #12) and perimeter fences. Ball coming to rest on opposite side of Gilbert Street is deemed to be out of bounds. Driving Range net defines out of bounds.

**Penalty Areas:** Lake on #15 and flood control channel on #11, #12, #14 and #15 are penalty areas. Proceed under Rule 17.



© Golf ScoreCards, Inc. 06/2021 1-800-238-7267

430 North Gilbert Street, Anaheim, CA 92801

Phone Number (714) 533-8015 ~ Golf Shop: ext 2 ~ Bar and Grill: ext 4

[www.dadmillergc.com](http://www.dadmillergc.com)



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**EXHIBIT “C”**











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**EXHIBIT “D”**



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# **EXHIBIT “E”**

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## Declaration of Van Glagola

I, Van Glagola, declare as follows:

1. I am a resident at Space 22 in Casa Hermosa Mobile Home Park located at 525 N. Gilbert, Anaheim, California, 92801.
2. I have lived in Space 22 since 2003.
3. Around May 2021, I began noticing an increase in errant golf balls from the Dad Miller Golf Course which abuts Casa Hermosa Mobile Home Park.
4. The increased frequency of the errant golf balls has not abated. I currently find 6-8 golf balls on my property per month. On September 8, 2022, a golf ball hit my storage shed while I was in the kitchen with a friend.
5. The errant golf balls are not just rolling onto my property. The errant golf balls arrive with force, are dangerous, and have a potential to cause grave bodily injury, as well as property damage.
6. The errant golf balls have caused damage to my property, including four broken windows, broken French door, dents to the siding of my mobile home, as well as holes in my fence., I have installed protective drapes over the exterior of my windows and French door to protect them from damage; the covering itself has been damaged by the errant golf balls, but has protected my French door.
7. I submitted a claim to the City of Anaheim for my property damage.
8. I am afraid that a guest, another resident or I may be hit and injured by the errant golf ball. I saw an errant golf ball hit a moving car in the Mobile Home Park during the summer of 2021. I observed a golf ball almost hit the maintenance man who was working on my home in September of 2021.

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9. I reported the problems to Dad Miller Golf Course. I was advised by Daniel in the golf course shop that "this is what you get when you move next to a golf course and Dad Miller Golf Course is not responsible."

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

Executed this 15th day of September, 2022 at Anaheim, California



**Van Glagola**, Declarant



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## Declaration of Patricia Kezios

I, Resident, declare as follows:

1. I am a resident at Space 23 in Casa Hermosa Mobile Home Park located at 525 N. Gilbert, Anaheim, California, 92801.
2. I have lived in Space 23 since 2011.
3. Around 2018, I notice an increase in the errant golf balls on my property from the Dad Miller Golf Course which abuts Casa Hermosa Mobile Home Park. The frequency of the golf balls increased ever since and remained constant since 2021. The errant golf balls are now more concentrated around my home rather than the year as experienced in prior years. I asked one of the landscape maintenance people at the Dad Miller Golf Course why there was an increase in the errant golf balls; I was advised that the tee on the 15<sup>th</sup> green was moved.
4. The increased frequency of the errant golf balls has not abated. I currently find approximately 5 golf balls on my property per week.
5. The errant golf balls are not just rolling onto my property. The errant golf balls arrive with force, are dangerous, and have a potential to cause grave bodily injury, as well as property damage.
6. The errant golf balls have caused damage to my property, including dings to the siding of my Mobile Home: one of dings completely penetrated the exterior wall of our home. The Errant golf balls broke a window. I have installed protective shades on two sides of my home to protect my home, as well as myself and my husband, from potential harm caused by the errant golf balls.

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7. I am afraid that a guest, another resident or I may be hit and injured by the errant golf ball.  
I am afraid to sit outside at my home due to the threat of errant golf balls. .

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

Executed this 15th day of September, 2022 at Anaheim, California

  
\_\_\_\_\_  
**Patricia Kezios**, Declarant

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## Declaration of Bobbie Crawford

I, Bobbie Crawford, declare as follows:

1. I am a resident at Space 24 in Casa Hermosa Mobile Home Park located at 525 N. Gilbert, Anaheim, California, 92801. I am also the Resident Manager of the Park.
2. I have lived in Space 22 since 2009.
3. Around late 2020 or early 2021, I began noticing an increase in errant golf balls hit from the Dad Miller Golf Course, which abuts Casa Hermosa Mobile Home Park, coming on to my property.
4. The increased frequency of the errant golf balls has not abated. I observed the golf balls hitting my home and ricocheting onto other properties or the road. I currently find 3-4 golf balls on my property every week.
5. The errant golf balls are not just rolling onto my property. The errant golf balls arrive with force, are dangerous, and have a potential to cause grave bodily injury, as well as property damage.
6. The errant golf balls have caused damage to my property, including divots to the siding of my Mobile Home. I frequently hear the sound of the golf balls hitting my home.
7. I am afraid that a guest, another resident or I may be hit and injured by the errant golf balls. On one occasion during 2021, I was outside on my back porch and an errant golf ball came close to hitting me.

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8. I am afraid to be outside of my home because of the threat from the errant golf balls hit from the Dad Miller Golf Course.

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

Executed this 15th day of September, 2022 at Anaheim, California

  
**Bobbie Crawford, Declarant**

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## Declaration of Gloria Reed

I, Gloria Reed, declare as follows:

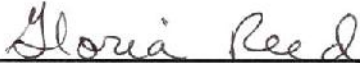
1. I am a resident at Space 25 in Casa Hermosa Mobile Home Park located at 525 N. Gilbert, Anaheim, California, 92801.
2. I have lived in Space 25 since April 1, 2021. I had a golf ball hit my home within the first two week of living at Casa Hermosa.
3. I am experiencing errant golf balls from the Dad Miller Golf Course, which abuts Casa Hermosa Mobile Home Park, landing on my property.
4. The errant golf balls have not abated. A copy of the current log of errant golf balls in attached hereto as Exhibit "A."
5. The errant golf balls are not just rolling onto my property. The errant golf balls arrive with force, are dangerous, and have a potential to cause grave bodily injury, as well as property damage.
6. The errant golf balls have caused damage to my property, including a hole in my shed, holes in my window awnings, dents to my mobile home siding, as well as dents to the hood of my car. I installed the window awnings after I observed damage to my mobile home from the errant golf balls from Dad Miller Golf Course.
7. I also observed an incident where an errant golf ball hit the car from Space 49 as the owner was backing out. I observed the golf ball rolling from the car.
8. I am afraid that a guest, another resident or I may be hit and injured by the errant golf ball. I saw two occasions where errant golf balls almost hit my brother while he was smoking in my back yard.

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9. I am afraid to sit outside and enjoy my home because of the constant threat of errant golf balls hit from Dad Miller Golf Course.

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

Executed this 15th day of September, 2022 at Anaheim, California



**Gloria Reed**, Declarant

July 29 - 1 - ON ROAD

Aug 6 BALL HIT the overhang  
ON my Home / DAMAGE  
" 31 golf course is picking up BALLS

TO Sept 9 - 2 - BETWEEN my  
REINFORCING WALL & fence then  
ON ROAD, LABOR DAY WEEKEND,  
CHANNEL WORKERS TOOK DAYS OFF.

Sept. 14 I behind #24 shed  
BALL HIT my Home HARD, I'M  
THANKFUL I WASN'T OUTSIDE! THE

BALL HIT THEN FLEW ACROSS THE  
STREET TO LAND IN FRONT ANOTHER  
Home #49 BIG DENT IN my Home.

THE golf course SENDS A guy to pick up the  
balls.

My Home WAS BUILT IN  
2021, IT UPSETS me  
THAT IT'S BEING  
DAMAGED. I HAD  
A MAN TAKE OUT  
golf balls IN THE RAIN  
GUTTER. I AM  
SCARED TO  
DEATH TO SIT ON  
my OWN BACK  
PATIO.



GOLF BALL LOG / GLORIA REED

PH# 949-633-3962 #25

4/22: 1 - ON ROAD

OUT OF STATE ON VACATION until  
MAY 14.

MAY 18: 2 - ON ROAD

" 19: 4 - ON ROAD # - between

" 21: 1 - ON ROAD (#24 + 25)

" 23: 1 - ON ROAD

" 24: 1 - ON ROAD / DAMAGE to  
HOME IN THE BACK

" 26: 1 - BETWEEN #24 + 25

" 28: 4 - ON ROAD / DAMAGE TO  
FRONT OF CAR BY WINDSHIELD!

JUN 3: 3 by fence 1 - by telephone  
POLE

" 8: 4 - ROAD

" 11: 1 - ROAD

" 13: 1 - by #24 SHED

" 26: 2 - ROAD near tractor,  
they are working on FLOOD CHANNEL

SINCE the 12<sup>th</sup>, STOPPED going back  
ON the PATIO because of the dirt.



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## Declaration of Maria Eisen

I, Maria Eisen, declare as follows:

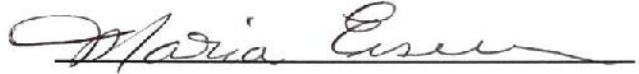
1. I am a resident at Space 28 in Casa Hermosa Mobile Home Park located at 525 N. Gilbert, Anaheim, California, 92801.
2. I have lived in Space 28 since 1999.
3. I notice an increase in the errant golf balls on my property from the Dad Miller Golf Course which abuts Casa Hermosa Mobile Home Park.
4. The increased frequency of the errant golf balls has not abated. I currently find approximately 3-4 golf balls per week on my property.
5. The errant golf balls are not just rolling onto my property. The errant golf balls arrive with force, are dangerous, and have a potential to cause grave bodily injury, as well as property damage.
6. The errant golf balls have caused damage to my property since 2021, including three broken windows and a broken skylight. My home has dents from errant golf balls all over the mobile home.
7. My husband submitted a claim for property damage with the City of Anaheim.

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8. I am afraid that a guest, another resident or I may be hit and injured by the errant golf ball. Years ago, I was hit in the leg by an errant golf ball from Dad Miller Golf Course. As a result of the injury, I installed a lattice fence to protect my home and myself. I am afraid to sit outside at my home due to the threat of errant golf balls.

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

Executed this 15th day of September, 2022 at Anaheim, California



**Maria Eisen**, Declarant

## Declaration of Michael Payan

I, Michael Payan, declare as follows:

1. I am a resident at Space 29 in Casa Hermosa Mobile Home Park located at 525 N. Gilbert, Anaheim, California, 92801.
2. I have lived in Space 29 since 2016.
3. I also perform handyman services to help other residents at the Park; I am not employed by Casa Hermosa Mobile Home Park.
4. Since the spring of 2020, I began noticing an increase in errant golf balls hit from the Dad Miller Golf Course, which abuts Casa Hermosa Mobile Home Park, landing in Casa Hermosa Mobile Home Park.
5. I have observed winds blowing across the Dad Miller Golf Course to the Casa Hermosa Mobile Home Park, which appears to blow more errant golf balls onto Casa Hermosa.
6. The increased frequency of the errant golf balls has not abated. I currently find a golf ball on my property at least once a week. I am aware of the errant golf balls landing in Casa Hermosa Mobile Home Park because the golf balls make a lot of noise when they ricochet off of mobile homes or other structures. I hear errant golf balls ricocheting off of property in Casa Hermosa at least once a week.
7. The errant golf balls are not just rolling onto my property. The errant golf balls arrive with force, are dangerous, and have a potential to cause grave bodily injury, as well as property damage.
8. The errant golf balls have caused damage to my property, including holes in the lattice/windscreen that protect my property.
9. I am afraid that a guest, another resident or I may be hit and injured by the errant golf ball. Around September 2021, I was working on Van Glagola's fence. While I was working, a golfer hit a line drive that almost hit my head and broke the kitchen window of Ms. Glagola's home. I did not have an opportunity to move out of the way if the golf ball was


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in my direct path. I told the golfer that he should leave his name for the owner, but he ran off.

10. I am very cautious when I am in my back yard, and limit the time that I am in the back yard area, due to the treat of errant golf balls from the Dad Miller Golf Course. The threat of errant golf balls has impaired my enjoyment of my home.

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

Executed this 15th day of September, 2022 at Anaheim, California



**Michael Payan**, Declarant

## Declaration of Jeanne Ployer

I, Jeanne Ployer, declare as follows:

1. I am a resident at Space 67 in Casa Hermosa Mobile Home Park located at 525 N. Gilbert, Anaheim, California, 92801.
2. I have lived in Space 67 since 2016.
3. In early 2021, I notice an increase in the errant golf balls on my property from the Dad Miller Golf Course which abuts Casa Hermosa Mobile Home Park. I heard from other residents that the increase in errant golf balls was due to the repositioning of the tee on the 15<sup>th</sup> green.
4. The increased frequency of the errant golf balls has not abated. I currently find approximately 2-3 golf balls on my property per week.
5. The errant golf balls are not just rolling onto my property. The errant golf balls arrive with force, are dangerous, and have a potential to cause grave bodily injury, as well as property damage.
6. The errant golf balls have caused damage to my property, including dings to the siding of my Mobile Home.
7. I am afraid that a guest, another resident or I may be hit and injured by the errant golf ball. I am afraid to sit outside at my home due to the threat of errant golf balls. There was an incident last year where I was almost hit by a golf ball while sitting on my porch. After the incident, I went to Dad Miller Golf Course to complain; I was advised by Dad Miller Golf Course that they were planning on installing netting to protect Casa Hermosa, but were unsure if the nets would eventually be installed.
8. I also saw an errant golf ball hit the car of space 49 while he was backing out of his residence.

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

Executed this 15th day of September, 2022 at Anaheim, California



**Jeanne Ployer**, Declarant

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## Declaration of Thomas Raub

I, Thomas Raub, declare as follows:

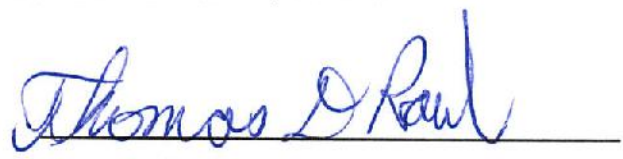
1. I am a resident at Space 78 in Casa Hermosa Mobile Home Park located at 525 N. Gilbert, Anaheim, California, 92801. I am also the Assistant Manager of the Park.
2. I have lived in Space 78 since 2008. I live away from the area that abuts the Dad Miller Golf Course.
3. As part of my job responsibilities, I walk the park daily to check for maintenance issues within the park.
4. Since early 2021, I began noticing a drastic increase in errant golf balls hit from the Dad Miller Golf Course, which abuts Casa Hermosa Mobile Home Park, on to the Casa Hermosa property.
5. After noticing the increase in errant golf balls from Dad Miller Golf Course, I approached what appeared to be the Golf Course Marshal. The owner of Casa Hermosa Mobile Home Park was also present. We asked the Marshal if there was a cause related to the increase of errant golf balls. The Marshal advised us that the tee box for the 15<sup>th</sup> hole was moved leading to the increase in errant golf balls hit into Casa Hermosa.
6. The increased frequency of the errant golf balls has not abated. I observed the golf balls hitting homes, yards and the streets. This primarily occurs along Spaces 21 – 28, but I also find errant golf balls along the street containing spaces 68-75 and 60-75. I typically find 2 or more golf balls per month in the gutters of the streets by these homes; I do not search the individual properties for golf balls.
7. The errant golf balls are not just rolling onto Casa Hermosa Mobile Home park. The errant golf balls arrive with force, are dangerous, and have a potential to cause grave bodily injury, as well as property damage.

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8. I am afraid that residents or other guests may be hit and injured by the errant golf balls. On one occasion in September 2021, an errant golf ball ricocheted off a home and almost hit me and a guest. I was able to catch the golf ball to prevent injury to my guest.
9. In my capacity as Assistant Manager, I receive complaints from the residents about the errant golf balls from Dad Miller Golf Course. The complaints from residents about errant golf balls from Dad Miller Golf Course, has not stopped.

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

Executed this 15th day of September, 2022 at Anaheim, California



**Thomas Raub**, Declarant