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8 DARSHAN SINGH, KULWINDER KAUR,  
9 KOMAL BROS., INC.

10 UNITED STATES BANKRPUTCY COURT  
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

12 In Re: City of Stockton, California, ) Case No.: 2012-32118  
13 Debtor. ) Chapter 9  
14 ) **DECLARATION OF DARSHAN SINGH**  
15 ) **IN SUPPORT OF MOTION FOR RELIEF**  
16 ) **FROM STAY TO PROCEED WITH THE**  
17 ) **PENDING SAN JOAQUIN COUNTY**  
18 ) **SUPERIOR COURT CASE**  
19 )

20 I, Darshan Singh, declare:  
21 1. I am a defendant in this action and the owner of the gas station, truck stop,  
22 convenience store and Togos restaurant on the subject property.  
23 2. CalTrans is taking access rights to the entire westerly property line, approximately  
24 39 feet of the southerly parcel line, and approximately 106 feet along the frontage of the parcel.  
25 As a result of this project, the West Driveway has be eliminated.  
26 3. The construction of the project has resulted in a significant decrease in business  
27 and sales of my business. Not only has the westerly driveway been closed already by CalTrans,  
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1 but the construction of the freeway off ramps and on ramps and all property in the vicinity of my  
2 property is causing an access nightmare for the service station. "Road Closed" signs are up.  
3 Tractors, big rigs, dirt moving equipment, etc. are all around my property. My station looks as if  
4 it is impossible to get to from the freeway.

5 4. The decrease in business and income is severe enough that the gas station may not  
6 be able to remain open and in business much longer. I am behind in my bills and was trying to  
7 survive until the trial date of May 2014. Now, I do not know if I can make it unless the trial date  
8 occurs very, very soon.

9 5. I did not fight the right of CalTrans to take the property so the only issue at trial is  
10 the fair market value of the property rights taken from me.

11 6. I hired the following experts to testify in my case:

- 12 A. Donald P. Pensotti, Certified General Appraiser;
- 13 B. Dave Girbovan, ASA, of Girbovan, Inc.,;
- 14 C. Arthur E. Gimmy, MAI, AGI VALUATIONS,;
- 15 D. Paul Singh, Westco Petroleum Distributors, Inc.;
- 16 E. Donald J. Basham, retired CHP Officer;
- 17 F. Edward R. Gillum, Professional Engineer;

18 7. In this case, I understand that CalTrans made a deposit of probable compensation  
19 in the amount of \$1,000.00. Even the CalTrans' appraisers now have said that the value of the  
20 property taken is \$1,814,000.00. My appraisers have said that the value of the property taken is  
21 \$4,180,000.00 (adding appraisers Pensotti for land and Girbovan for business).

22 8. Thus, as I understand the law, I am now entitled to at least \$1,814,000.00.

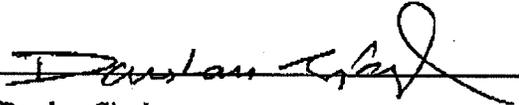
23 9. CalTrans therefore has taken my property rights, is constructing the project, and  
24 has not paid me the minimum of \$1,814,000.00 owed to me.

25 10. My case was set for trial in May of 2014 and I had my attorney make a motion to  
26 try to get it heard much sooner, but that was denied by the trial judge.

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1           11. I beg the Court to permit me to proceed with the eminent domain case against  
2 CalTrans as the risk of waiting much longer is that I may be bankrupted because of the  
3 interference with my business I have described.

4           I declare under penalty of perjury under the laws of the State of California that the above  
5 is true and correct and if called as a witness I could competently testify to the truth of the matters  
6 herein asserted. Executed this 29 of May, 2014 in Stockton, California.

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9 Darshan Singh

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