

SETTLEMENT AGREEMENT AND
CONSENT CEASE AND DESIST ORDER CCC-23-CD-01

1. CONSENT CEASE AND DESIST ORDER CCC-23-CD-01

In light of the desire of the parties to resolve this matter amicably and to avoid costs and delays in effectuating the resolution, the parties have reached a proposed settlement as described herein. This settlement agreement and Consent Order represents the agreement between these parties and reflects the commitment to resolve any outstanding claims. Pursuant to its authority under California Public Resource Code ("PRC") Section 30810, the California Coastal Commission ("the Commission") hereby orders and authorizes 1205-1207 Wooster Street LLC and Henri Levy, in his individual capacity and as the principal of the aforementioned LLC, and all of their successors in interest, assigns, future owners of the property identified in Section 4 below ("the Property"), (hereinafter collectively referred to as "Respondent") to take all actions required by this settlement agreement/Consent Cease and Desist Order ("Consent Order")¹, in compliance with its terms, including by complying with the following:

- a. Cease and desist from engaging in any further development, as that term is defined in the Coastal Act (PRC Section 30106), that requires a Coastal Development Permit ("CDP") on any of the Property, unless authorized pursuant to the Coastal Act (PRC Sections 30000 to 30900), which includes pursuant to this Cease and Desist Order.
- b. In accordance with CDP No. A-381-78, as amended, ("the CDP"), including Special Condition 7 of CDP amendment No. A-381-78-A1, Special Condition 2 of CDP amendment No. A-381-78-A9, and Special Conditions 2 and 4 of CDP amendment No. A-381-78-A11, by, among other things, transfer title to by a public or not-for-profit entity identified by the Commission's Executive Director (the "Executive Director") in compliance with the explicit conditions of the CDP, as described in more detail in Section 1.d, below.
- c. Clean-up: Within 60 days of the effective date of this Consent Order, Respondent shall do the following and/or cause a third party, to do the following, acting on behalf of the Respondent:
 - i. Leave the entrance gate unlocked so that there are no impediments to the public's vehicular and pedestrian access to the Property, and going forward take no new action that prevents the public from parking in and using the public parking lot and facilities on the Property, with the exception described in Section 1.c.iii, below.

¹ Provisions of this Consent Order have been specifically tailored to reflect the short-term nature of the work to be undertaken pursuant hereto.

- ii. Remove all trash and debris from the Property, including from the public parking lot and public restrooms.
 - iii. Clean and sanitize the public restrooms on the Property, to the extent possible remove graffiti from surfaces of the restrooms and parking lot, and lock the bathrooms and keep them locked (except as necessary to comply with any provision of this Consent Order, such as Section 13), and provide the necessary keys to the entity that receives the Property.
 - iv. Within ten (10) days of finishing the steps outlined in Sections 1.c.i through 1.c.iii, submit, to the address provided below in Section 4, photographic evidence documenting that the Property has been cleaned and left open as required by sections (i) through (iii) above. Upon receipt of the photographic evidence, the Commission shall have ten days to object to Respondent's claim of compliance and shall give Respondent 45 days to correct any perceived deficiencies.
- d. Title: Respondent will represent that they have not taken any action purporting to transfer title to the Property, and Respondent will not do so other than in compliance with this section. Within twenty (20) days of the Executive Director identifying for Respondent a public entity or not for profit entity designated to hold title to the Property ("Approved Entity") and providing the quitclaim or other form of grant deed necessary to do so, Respondent shall execute the deed provided by the Executive Director to transfer ownership to the entity identified by the Executive Director.
- i. If Respondent is unable to effectuate a transfer to the Approved Entity, Respondent shall, within 10 days of receipt of notice of the failure to effectuate the transfer, request that the Executive Director identify another public entity or not for profit entity as an alternative recipient of the Property, consistent with the CDP, which entity will then become the Approved Entity. Within 15 days of receiving the identification of the alternative recipient from the Executive Director, Respondent shall effectuate the transfer of the Property to that new Approved Entity, and the entirety of this paragraph will apply to that new Approved Entity.
 - ii. Within 30 days of executing the deed, Respondent shall submit, for the review and approval of the Executive Director, a certified copy of the deed, and a preliminary report on title showing that Respondent had not transferred or otherwise encumbered the Property prior to effectuating the transfer required by this Section 1.d.
- e. Within 20 days of the effective date of this Consent Order, Respondent agrees to dismiss the Commission only, with prejudice, from the action now pending and entitled in *Levy, et al. v. City of Los Angeles, et al.*, Los Angeles County Superior Court Case number 21SMCV00964 ("the

litigation"). Additionally, the quiet title cause of action shall be dismissed with prejudice as to all defendants.

- f. Respondent also agrees not to undertake any actions that interfere with or otherwise delay compliance with Cease and Desist Order CCC-22-CD-02, issued to Headland Properties Associates LLC, Headland Properties Associates LP, Cal Coast Companies, Headland Properties Inc, Edward Miller and Joseph Guarrasi. The litigation referenced in paragraph 1.e. (immediately above) continuing to trial, appeal, etc. without a quiet title cause of action, and without the Commission or any of its commissioners, staff, or agents as a party, shall not be deemed an action causing interference or that otherwise delays compliance.

2. PERSONS SUBJECT TO THIS CONSENT ORDER

The persons and entities subject to this Consent Order are 1205-1207 Wooster Street LLC, in which record title to the Property is vested, and Henri Levy in his individual capacity and as principal of the aforementioned entity, and all of their successors, assigns.

3. PROPERTY SUBJECT TO THIS CONSENT ORDER

The defined term, "the Property," refers to the property at 16701 Via La Costa, City of Los Angeles, Los Angeles County, also identified by the Los Angeles County Assessor's Office as APN 4421-039-029.

4. **Unpermitted Development.** (1) Unpermitted locking of a gate and placement of appurtenant development that blocked public access to a public parking lot and public restroom facility on the Trailhead Property; (2) causing a reduction in the intensity of use of that property (from that of a public park to that of unwelcoming, private land) through the development listed above and also by locking of public restrooms at the Trailhead Property, (3) the failure to transfer the Trailhead Property to the City of Los Angeles or other not-for-profit entity approved by the Executive Director, as required by a CDP condition; and (4) the failure to maintain the public trailhead, public parking lot, and public restroom, as required by a CDP condition.

5. DELIVERABLES

All documents submitted to the Commission pursuant to this Consent Order shall be sent to both of the following addresses, unless and until Commission staff informs Respondent of an updated mailing address:

California Coastal Commission
Attn: Heather Johnston

California Coastal Commission
Attn: Andrew Willis

89 S California Street, Ste 200
Ventura, CA 93001

301 E. Ocean Blvd, Ste 300
Long Beach, CA 90802

All documents shall additionally be sent via electronic mail to Heather Johnston (heather.johnston@coastal.ca.gov) with a copy sent to Andrew Willis (Andrew.willis@coastal.ca.gov).

6. COMMISSION JURISDICTION

The Commission has jurisdiction over resolution of these Coastal Act violations pursuant to PRC Sections 30810. In light of the desire of the parties to settle these matters, Respondent agrees not to contest the Commission's jurisdiction to issue or enforce this Consent Order.

7. RESOLUTION OF MATTER VIA SETTLEMENT

In light of the intent of the parties to resolve these matters in settlement and avoid protracted procedures and a contested hearing, Respondent has not submitted a "Statement of Defense" form as provided for in Section 13181 of Title 14 of the California Code of Regulations. As long as this consent order is approved by the Commission in its current form and not rescinded, Respondent has agreed not to contest the legal and factual bases, the terms, or the issuance of this Consent Order, including the allegations of Coastal Act violations contained in the Notice of Intent to Record Notices of Violation, and to Commence Cease and Order and Administrative Civil Penalties Proceedings dated February 15, 2018 ("Notice of Intent"). Specifically, Respondent has agreed not to contest the issuance or enforcement of this Consent Order at a public hearing or any other proceeding as long as this consent order is approved by the Commission in its current form and is not rescinded. Nevertheless, Respondent denies having violated any law, statute, or ordinance in connection with the Property, does not admit or concede any allegations to the contrary, and is entering into this Settlement Agreement solely to finally and fully resolve the Coastal Act violations alleged in the Notice of Intent.

8. EFFECTIVE DATE AND TERMS OF THESE CONSENT ORDERS

The effective date of this Consent Order is the date this Consent Order is approved by the Commission. This Consent Order shall remain in effect permanently unless and until rescinded by the Commission. This Consent Order cannot be modified or amended without the express agreement of both parties. If the Commission does not adopt/approve/issue this Consent Order in the form reflected in this document, or with modifications to which Respondent agrees between the time of signing this document and the time of the Commission vote to issue this Consent Order as modified, this Consent Order shall not become operative, and as such, it shall not impose any obligations on Respondent.

9. FINDINGS

This Consent Order is issued on the basis of the findings adopted by the Commission, as set forth in the document entitled "STAFF REPORT: Recommendations and Findings for Cease and Desist Orders and Administrative Civil Penalty Assessments". The Commission has authorized the activities required in this Consent Order as being consistent with the resource protection policies set forth in Chapter 3 of the Coastal Act.

10. SETTLEMENT/COMPLIANCE OBLIGATION

- a. Strict compliance with this Consent Order by all parties subject thereto is required. Failure to comply with paragraph 1(a), (b), (d), (e), or (f) of this Consent Order, or section 13, including any deadline contained in this Consent Order, unless the Executive Director grants an extension under Section 12, will constitute a violation of this Consent Order and shall result in Respondent being liable for stipulated penalties in the amount of \$1,000 per day per violation. Respondent shall pay stipulated penalties regardless of whether Respondent have subsequently complied. If Respondent violates paragraph 1(a), (b), (d), (e), or (f) this Consent Order, or section 13, nothing in this agreement shall be construed as prohibiting, altering, or in any way limiting the ability of the Commission to seek any other remedies available, including imposition of civil penalties and other remedies pursuant to Public Resources Code Sections 30820, 30821, 30821.6, or 30822 as a result of the lack of compliance with the Consent Order and for the underlying Coastal Act violations described herein.

11. DEADLINES

Prior to the expiration of any of the deadlines established by this Consent Order, Respondent may request from the Executive Director an extension of any such deadline. Such a request shall be made in writing, ten days in advance of the deadline, and directed to the Executive Director, care of Heather Johnston, in the Ventura office of the Commission at the address provided in Section 5, above. All requests shall additionally be sent via electronic mail to Heather Johnston heather.johnston@coastal.ca.gov. A violation of deadlines established pursuant to this Consent Order will result in stipulated penalties, as provided for in Section 11, above.

12. SEVERABILITY

Should any provision of this Consent Order be found invalid, void, or unenforceable, such illegality or unenforceability shall not invalidate the whole, but this Consent Order shall be construed as if the provision(s) containing the illegal or unenforceable part were not a part hereof.

13. SITE ACCESS

Respondent shall provide access to the Property to Commission staff. Nothing in this Consent Order is intended to limit in any way the right of entry or inspection that any agency may otherwise have by operation of any law. The Commission staff may enter and move freely about the portions of the Property on which the violations are located, including, but not limited to: viewing the areas where activities are being performed pursuant to the requirements of this Consent Order; inspecting records, operating logs and contracts relating to the work or obligations required by this Consent Order; and overseeing, inspecting and reviewing the progress of Respondent's implementation of any requirements required by these Consent Orders.

14. GOVERNMENT LIABILITIES

Neither the State of California, the Commission, nor its employees shall be liable for injuries or damages to persons or property resulting from acts or omissions by Respondent in carrying out activities pursuant to this Consent Order, nor shall the State of California, the Commission or its employees be held as a party to any contract entered into by Respondent or their agents in carrying out activities pursuant to this Consent Order.

15. SETTLEMENT VIA CONSENT ORDER

In light of the desire to settle this matter via this Consent Order and avoid litigation, pursuant to the agreement of the parties as set forth in this Consent Order, and as long as this Agreement is approved by the Commission in its current form and is not subsequently rescinded by the Commission. Respondent hereby agrees not to seek a stay pursuant to PRC Section 30803(b) or to challenge the issuance and enforceability of this Consent Order in a court of law or equity.

16. SETTLEMENT OF CLAIMS

The Commission and Respondent agree that this Consent Order settles the Commission's monetary claims for relief from Respondent for the violations of the Coastal Act specifically enumerated in Section 4, above, occurring prior to the date of this Consent Order (specifically including claims for civil penalties, fines, or damages under the Coastal Act, including under PRC Sections 30805, 30820, 30821, and 30822), provided that, among other requirements of this Consent Order, the Property is transferred consistent with Section 1, above, and the litigation against the Commission is dismissed, and with the exception that, if Respondent fails to comply with paragraph 1(a), (b), (d), (e), or (f) of this Consent Order, the Commission may bring monetary or other claims for both the underlying violations of the Coastal Act and for the violation of this Consent Order. In addition, this Consent Order does not limit the Commission from taking enforcement action due to Coastal

Act violations on the Property beyond those that are the subject of the violations of the Coastal Act enumerated in Section 4, above.

17. SUCCESSORS AND ASSIGNS

This Consent Order shall run with the land, binding Respondent, including successors in interest, heirs, assigns, and future owners of the Property. Respondent agrees that they shall provide notice to all successors, assigns, and potential purchasers of the Property, including new members associated with Respondent, of any remaining obligations under this Consent Order. This Consent Order binds the parties listed in Section 2, and Respondent is responsible for the activities required by this Consent Order. This Consent Order constitutes both an administrative order issued to Respondent and a contractual obligation between Respondent and the Commission, and therefore shall remain in effect and binding upon Respondent until all terms are fulfilled, regardless of whether Respondent own or live on the Property.

18. MODIFICATIONS AND AMENDMENTS

Minor, non-substantive modifications to this Consent Order may be made subject to agreement between the Executive Director and Respondent. Otherwise, except as provided for in Section 12, above, this Consent Order may be amended or modified only in accordance with the standards and procedures set forth in Sections 13188(b) of Title 14 of the California Code of Regulations.

19. GOVERNMENT JURISDICTION

This Consent Order shall be interpreted, construed, governed, and enforced under and pursuant to the laws of the State of California.

20. LIMITATION OF AUTHORITY

- a. Except as expressly provided herein, nothing in this Consent Order shall limit or restrict the exercise of the Commission's enforcement authority pursuant to Chapter 9 of the Coastal Act, including the authority to require and enforce compliance with this Consent Order.
- b. Correspondingly, Respondent has entered into this Consent Order and waived its right to contest the factual and legal bases for issuance of this Consent Order, and the enforcement thereof according to its terms. Respondent has agreed not to contest the Commission's jurisdiction to issue and enforce this Consent Order as long as this Agreement is approved by the Commission.

21. INTEGRATION

This Consent Order constitutes the entire agreement between the parties and may not be amended, supplemented, or modified except as provided in this Consent Order.

22. CERTIFICATION OF AUTHORITY

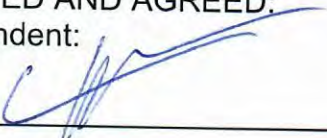
The person(s) who sign this document on behalf of 1205-1207 Wooster Street LLC and Henri Levy attest that they have the legal authority to bind 1205-1207 Wooster Street LLC and Henri Levy.

23. STIPULATION

Respondent acknowledges, represents, and declares that it has carefully read this Consent Order, knows the content and executes the same voluntarily and without duress or pressure. Respondent and its respective counsel have reviewed this Consent Order, and the rule of construction to the effect that any ambiguities in an agreement are to be resolved against the drafting party will not be employed in the interpretation of this Consent Order. Respondent understands that its consent is final and stipulate to issuance of this Consent Order by the Commission.

IT IS SO STIPULATED AND AGREED:

On behalf of Respondent:



MANAGER HENRI LEVY

3/13/2023

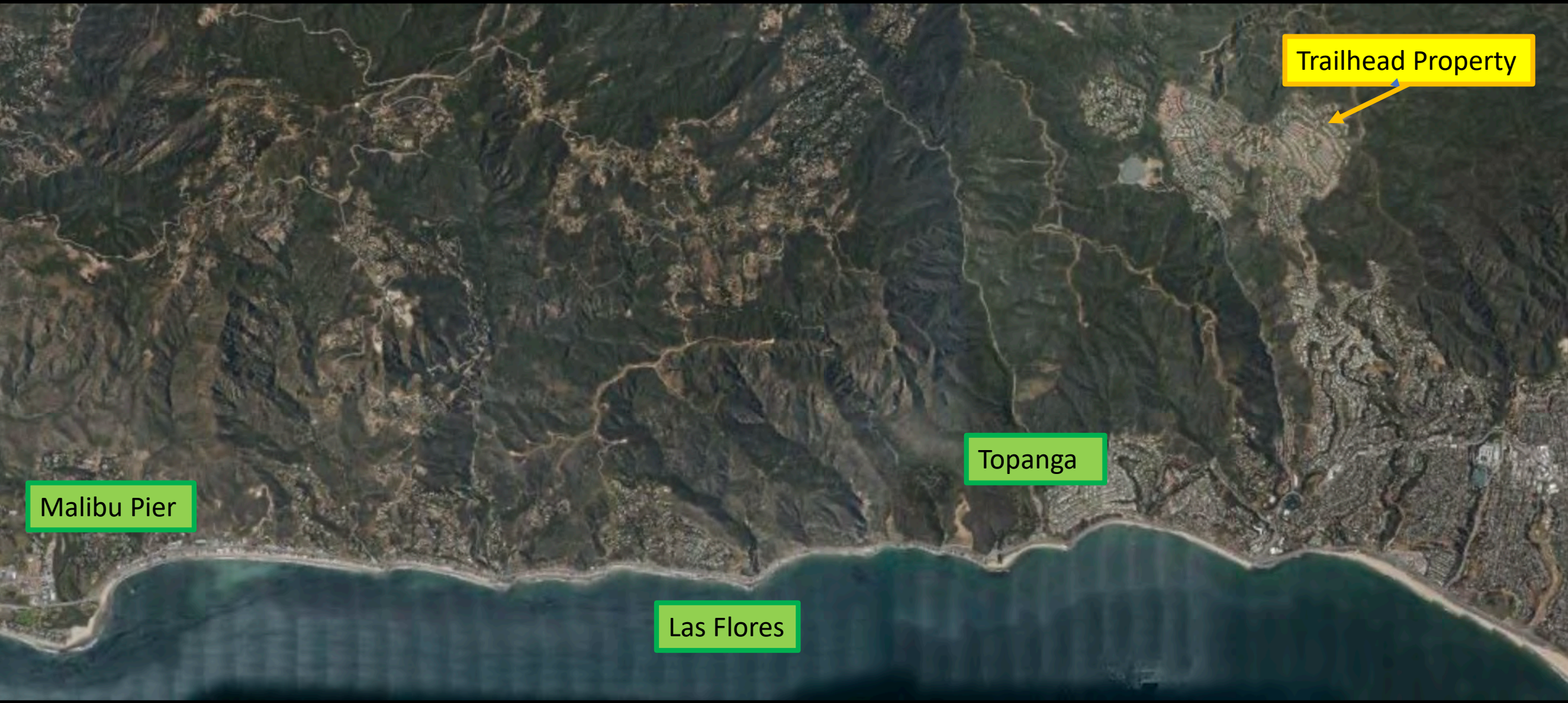
Date

Executed in _____ on behalf of the California Coastal
Commission

Kate Huckelbridge, Executive Director

Date

Trailhead Property: General Location



Malibu Pier

Las Flores

Topanga

Trailhead Property

Palisades Highlands Development



8

CALIFORNIA COASTAL COMMISSION
631 Howard Street, San Francisco 94105 — (415) 543-8555

NOTICE OF INTENT TO ISSUE PERMIT

On July 17, 1979, by a vote of 12 to 0, the California Coastal Commission granted to Headland Properties, Inc.

Permit A- 381-78, subject to the attached conditions, for development consisting of division of 101 acres into single-family residential lots, condominium lots, and an open-space lot; grading and installation of streets, drainage facilities and utilities

more specifically described in the application file in the Commission offices.

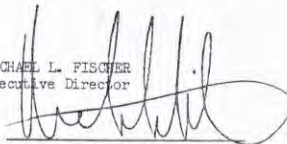
The development is within the coastal zone in Los Angeles County at south of terminus of Palisades Drive, north of Lachman Lane, Palisades Highlands, Pacific Palisades, City of Los Angeles

The actual development permit is being held in the Commission office until fulfillment of the Special Conditions 1, 2, 3, imposed by the Commission. Once these conditions have been fulfilled, the permit will be issued. For your understanding, all the imposed conditions are attached.

Issued on behalf of the California Coastal Commission on August 2, 1979.

NO CONSTRUCTION IS AUTHORIZED BY THIS
DOCUMENT—THIS IS NOT A PERMIT

MICHAEL L. FISCHER
Executive Director



By Thomas Ray Lerman

The undersigned permittee acknowledges receipt of this notice of the California Coastal Commission determination on Permit A- 381-78, and fully understands its contents, including all conditions imposed.

Date

Permittee

Please sign and return one copy of this form to the Commission office at the above address.

Exhibit 3

Permit A-381-78, is subject to the following conditions:

A. Standard Conditions.

1. Assignment of Permit. This permit may not be assigned to another person except as provided in the California Administrative Code, Title 14, Section 13170.

2. Notice of Receipt and Acknowledgment. Construction authorized by this permit shall not commence until a copy of this permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of its contents, is returned to the Commission.

3. Expiration. If construction has not commenced, this permit will expire two (2) years from the date on which the Commission voted on the application. Application for extension of this permit must be made prior to the expiration date.

4. Construction. All construction must occur in accord with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviations from the approved plans must be reviewed by the Commission pursuant to California Administrative Code, Title 14, Sections 13164-13168.

5. Interpretation. Interpretation or revisions of the terms or conditions of this permit must be reviewed by the State Coastal Commission or its Executive Director. All questions regarding this permit should be addressed to the State Commission office in San Francisco unless a condition expressly authorizes review by the Regional Commission or its staff.

B. Special Conditions.

1. Prior to recordation of final subdivision maps or start of construction, the applicant shall submit for the review and written approval of the Executive Director revised plans providing:

a. A survey performed by a Licensed Surveyor or Registered Professional Engineer describing an urban limit line enclosing (1) the areas in Tract 31935 approved for residential development in this action and (2) the areas in the balance of the 968 acre, Phase II site found generally appropriate for residential development (for consideration in future permit applications) - as generally shown in Exhibit 11.

b. Tract 31935 shall be limited to a maximum of 180 dwelling units, 30 single-family dwellings, and 150 multiple-unit dwellings each located entirely within the urban limit line as generally shown in Exhibit 11. The applicant may reduce the number of multiple-unit dwellings and replace them with single-family dwellings but shall not locate units outside of the urban limit line. No grading or other development, except as provided below shall be performed outside of the urban limit line.

c. An emergency access road and pedestrian-bicycle path shall be provided as generally indicated in Exhibit 11, between the southern terminus of public roadways serving Tract 31935 and the southern boundary of such tract. The road shall be designed and constructed so as to require the minimum amount of land form alteration and to provide an emergency entry to and exit from the Palisades Highlands development. The road shall be wide enough to accommodate two lanes of vehicles, but at no point shall the graded width exceed 40 ft. Except as necessary to accommodate pedestrian and bicycle use, the road shall not be paved. Non-emergency use by vehicles shall be precluded.

Permit A-381-78

d. Subject to the review and approval of the Executive Director, in areas outside of urban limit line, minor grading may be performed to re-contour previously graded land; paved or unpaved pathways and other incidental improvements for low intensity recreation may be constructed; minor facilities to provide public or utility services which do not require significant grading may be installed if alternative locations are not feasible; vegetation within 100 ft. of any residential structure may be removed or altered for fire protection purposes.

e. Slope areas exposed by grading or other construction shall be revegetated with primarily endemic drought and fire resistant vegetation. Landscaping shall be provided to reduce visibility of future residential units from Topanga State Park.

2. All construction shall be in conformance with the approved plans. A Registered Professional Engineer or Licensed Engineering Geologist shall certify that all grading is in conformance with the approved plans.

3. Prior to the recordation of final subdivision maps, the applicant shall record instruments in a form approved in writing by the Executive Director. Such instruments shall be considered covenants running with the land in favor of the people of the State of California, shall be recorded free of prior liens and encumbrances except tax liens and shall bind the applicants and all successors in interest. The content of such instruments shall provide specifically as follows:

a. Prevent further division of lands for residential purposes outside of the urban limit line.

b. Prevent development outside of the urban limit line except as permitted by this permit.

c. Waive all claims against the public for damages due to flood, fire or geologic instability which may arise as a consequence of approval of development of Tracts 30453 and 21601.

d. Offer to grant a scenic conservation or open space easement to preserve the natural open space and scenic values of undeveloped and ungraded lands in (1) Tract 31935 which are not within lots created for residential use, and (2) in that portion of the balance of the 968-acre Phase II site which is outside of the urban limit line. The offer shall be irrevocable for a term of 21 years and be made in favor of a public agency or private non-profit association approved by the Executive Director.

e. Offer to grant easements to allow public non-motorized recreational use of the emergency access road in Tract 31935. The offer shall be irrevocable for a term of 21 years and be made in favor of a public agency or private non-profit association approved by the Executive Director.

f. Offer to grant fee title to the 100-acre park site designated by the developer and located between Tracts 31073 and 31074 as shown on Exhibit 4. The offer shall be irrevocable for a term of 21 years and shall be made in favor of a public agency or private non-profit association approved by the Executive Director.

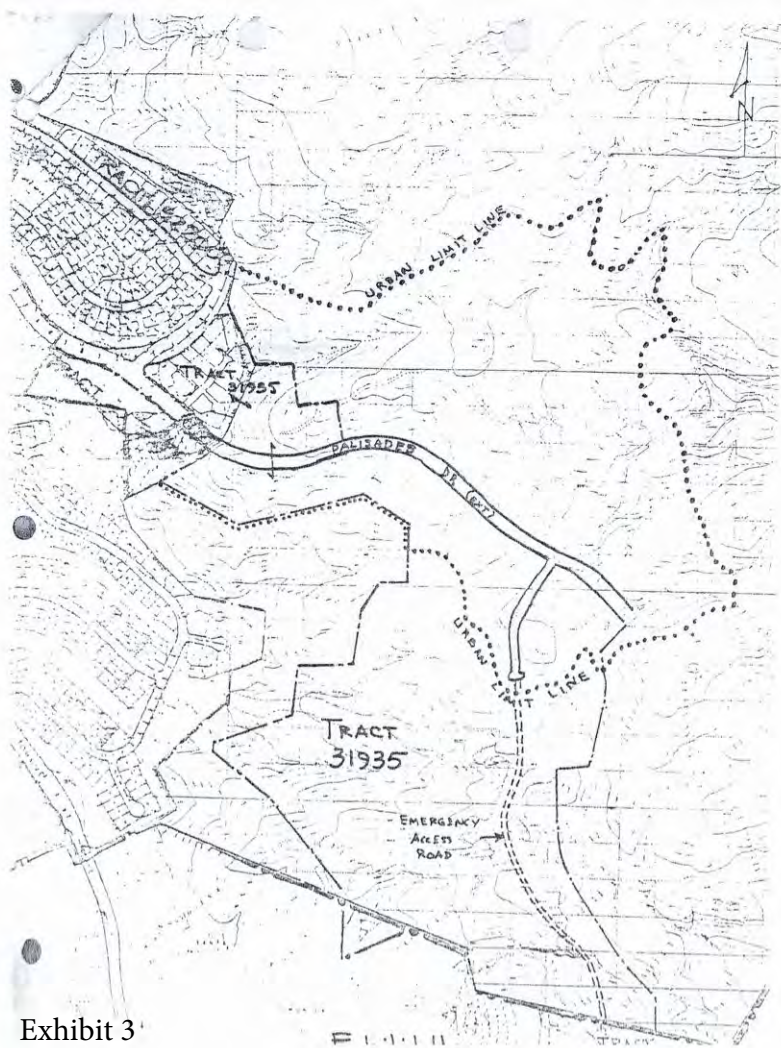


Exhibit 3

Grading and Construction of Palisades Highlands Development (1977)



An Ordinance authorizing acceptance of dedication or conveyance of real property for park and recreational purposes to serve future inhabitants of proposed subdivisions and providing that the land so dedicated may be credited against dedications or fees required for said proposed subdivisions, and consenting to the relinquishment of an agreement right to obtain a dedication of certain other real properties for park and recreational purposes.

THE PEOPLE OF THE CITY OF LOS ANGELES

DO ORDAIN AS FOLLOWS:

Section 1. Headland Properties, Incorporated and Palisades Resources Incorporated have filed tentative tract maps and preliminary Parcel maps and will file additional tentative tract maps and preliminary parcel maps and will file final subdivision maps and parcel maps for the subdivision of certain lands located in the Pacific Palisades area of the City of Los Angeles. Said lands proposed for subdivision are shown on the map attached to Council File No. 73-2040 S which number appears at the end of this ordinance, and which map is identified as "Master Plan, Palisades Highlands" and is dated February 4, 1981. The said lands proposed subdivision are outlined in red on said map and are also identified by the following numbers:

Tract No. 41661, P.M. 14109, P.M. 14108

Tract No. 41662, P.M. 3947 Tract No.

41709, Tract No. 41710, Tract No. 31935,

Tract No. 32184, and unnumbered "P.M."

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A-381-78-A13

EXHIBIT # 13
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1 lying between Tract No. 41710 and 31934,

2 Tract 34923, and Tract No. 31070.

3 Sec. 2. As a condition of said subdivisions, Headland
4 Properties must dedicate or convey to the City of Los Angeles 25
5 acres of real property for park and recreational purposes, which
6 25 acres are identified on said map as "to be dedicated to L.A.
7 City Park." It must also dedicate or convey to the State of
8 California 95.4 acres of real property, which real property is
9 identified on said map as "to be dedicated to State of California,"
10 and an additional approximately 857 acres identified on the map
11 with the letters "A," "B," "D," "E," and "G." The 25 acres of
12 land to be dedicated or conveyed to the City of Los Angeles will
13 satisfy all requirements of California Government Code Section
14 66477 and Los Angeles Municipal Code Section 17.12 (known as
15 "Quimby" statute and ordinance) for dedication of land for park
16 and recreational purposes as a condition of subdivision of the
17 lands proposed for subdivision. Pursuant to Los Angeles Municipal
18 Section 17.12-F-2, it is intended that the dedication or conveyance
19 of said 25 acre parcel as a condition of the first subdivision of
20 any of the lands proposed for subdivision shall also satisfy the
21 park and recreational dedication requirement for all of the lands
22 proposed for subdivision. It is, however, the desire of the City
23 that should the dedications or conveyances to the State of
24 California not be made, revoked, terminated, or rejected, then the
25 City shall have the opportunity to obtain all of the parcels or any
26 portions thereof which were "to be dedicated to the State of
27 California" or which are identified with the "D,"
28 "E," and "G" as City-owned recreation and park or open space land,

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EXHIBIT # 13

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1 should it choose to obtain same.

2 Sec. 3. The Council of the City of Los Angeles hereby
3 finds and determines that the public interest and convenience
4 requires the dedication or conveyance of the said 25 acre parcel
5 of real property to the City of Los Angeles for park and recreational
6 purposes; and pursuant to Section 17.12-F-2 of the Los Angeles
7 Municipal Code the Council authorizes the acceptance of said land
8 as a credit for the dedication requirement for all of the parcels
9 proposed for subdivision, as identified above, or any resubdivision
10 or subsidiary subdivision thereof; and if the City of Los Angeles
11 receives clear title to said 25 acre parcel of land for park and
12 recreational purposes as a condition of the first subdivision,
13 no further dedication of lands or payment of fees in lieu thereof
14 shall be required as a condition of subdivision of any of the
15 other parcels identified on said map as proposed for subdivision.
16 Provided, that this acceptance is authorized only if concurrently
17 with the conveyance or offer of dedication of the 25-acre parcel,
18 an offer is made to the City of Los Angeles for recreation and park
19 and/or open space purposes describing all of the land identified
20 as "A," "B," "C," "D," "E," and "G" on said map, said offer to be
21 irrevocable, but said offer shall provide that it may be accepted
22 only as to such portions of the land for which the conveyance or
23 offer of dedication to the State of California is revoked, expired,
24 or rejected by the State of California.

25 Sec. 4. The Council of the City of Los Angeles further
26 approves of the release of a promise made by Headland Properties
27 Incorporated in April, 1969 to donate approximately 150 acres of
28 land to the Department of Recreation and Parks.

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EXHIBIT # 13
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1 the Board of Recreation and Park Commissioners on September, 1969,
2 as the conveyances to the City and State mentioned above all satisfy
3 the objectives of said promise.

4 Sec. 5. The Department of Recreation and Parks and/or
5 the City Engineer are authorized to receive and record a grant
6 deed or deeds to the real property identified as "to be dedicated
7 for L.A. City Park" conveying same to the City of Los Angeles
8 for park or recreational purposes and to receive and record offers
9 of dedication of the land which is "to be dedicated to the State
10 of California" and also which is identified with the letters "A,"
11 "B," "D," "E," and "G," which offers of dedication shall be
12 conditioned as described above.

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COASTAL COMMISSION

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Sec. 6 The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles at its meeting of MAY 7 - 1981

REX E. LAYTON, City Clerk,

By Edward W. Ackerman
Deputy.

Approved _____

Sam R. Bradley
Mayor.

Approved as to Form and Legality

April 23 1981
BURT PINES, City Attorney,

By Norman L. Roberts
NORMAN L. ROBERTS, Asst. City Attorney

File No. 73-2040 S

City Clerk Form 23

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REPORT OF GENERAL MANAGER

NO. 370-89


DATE June 26, 1989

C.D. _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: Santa Ynez Canyon Park: Acceptance of
Offer of Dedication and Grant Deed for
a Trailhead Facility Site and Trail
Easement from Headland Properties Associates

*JB GWR
SNJ DG
SEK JT
JR



General Manager

Approved _____ Disapproved _____ Further Report _____

RECOMMENDATION:

That the Board:

1. Accept the Grant Deed and proposed improvements as listed in this report from Headland Properties Associates for a Trailhead Facility Site and Trail Easement within Tract 32184 in the Palisades Highlands and adjacent to our Santa Ynez Canyon Park; and,
2. Direct the Board Secretary to transmit the Grant Deed to the Department of Public Works, Title Officer, for recordation, and subsequently to transmit a copy of the recorded deed to Headland Properties Associates.

SUMMARY:

In conjunction with their development of the Palisades Highlands located northerly of Sunset Boulevard off of Palisades Drive and adjacent to our Santa Ynez Canyon Park, the developers, Headland Properties Associates have offered to dedicate and have provided the Department with a Grant Deed (on file in the Board Office) for a Trailhead Facility Site and a Trail Easement over a portion of their Tract 32184. The subject trailhead and easement were a condition of the Tentative Tract Map imposed by the City's Planning Department and the California Coastal Commission permit to be used as a hiking trail connection to the adjacent Topanga State Park.

REPORT OF GENERAL MANAGER

PG. 2

NO. 370-89

The Trailhead Facility Site and pedestrian hiking trail are being graded by the developer in accordance with a plan approved by the City's Department of Building and Safety.

Staff recommends acceptance of the Trailhead Facility Site subject to Headland Properties Associates agreeing to provide the following:

1. Provide plans for the Trailhead Facility for our Department's review and approval which will include paving and striping of the parking lot, sanitary facilities, drinking fountain, wrought iron fencing and rolling gates, trees and benches.
2. Homeowners association for the Palisades Highlands to be totally responsible for the maintenance of the pedestrian hiking trail and to insure inclusion of this item in the Covenants, Conditions and Restrictions (CC&R's) of the Homeowners Association.
3. Provide arrangements with the homeowners association for their security officers to open and close the parking lot gates between dawn and dusk.

The Trailhead Facility Site will accommodate up to six (6) passenger vehicles and upon acceptance of the Grant Deed, our Department will be responsible for its operation, maintenance and repair. Representatives of Headland Properties Associates have tentatively agreed to the above conditions for acceptance of the grant deed.

The Assistant General Manager, Pacific Region, and Councilman Marvin Braude of the Eleventh Council District concur with staff's recommendation.

CITY PLANNING
COMMISSION

WILLIAM G. LUDDY
PRESIDENT

THEODORE STEIN, JR.
VICE-PRESIDENT

WILLIAM R. CHRISTOPHER

SUZETTE NEIMAN

FERNANDO TORRES-GIL

RAMONA HARO
SECRETARY

ROOM 503, CITY HALL
(213) 485-5071

CITY OF LOS ANGELES
CALIFORNIA



RECEIVED
MAYOR

JUN 18 1993

DEPARTMENT OF
CITY PLANNING

ROOM 561, CITY HALL
200 N. SPRING ST.
LOS ANGELES, CA 90012-4801

KENNETH C. TOPPING
DIRECTOR

MELANIE FALLON
CHIEF DEPUTY DIRECTOR

FRANKLIN P. EBERHARD
DEPUTY DIRECTOR

ROBERT Q. JENKINS
DEPUTY DIRECTOR

(213) 485-5073
FAX (213) 237-0552

DECISION DATE:

FEB 27 1991

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

Headlands Properties Assoc.
P.O. Box 705
Pacific Palisades, CA 90272

VTN West Inc.
8540 Balboa Boulevard, Suite 200
Northridge, CA 91325

MODIFICATION OF RECORDED MAP

Tract No. 32184

Council District No. 11

Date of Recordation June 1, 1989

In accordance with the provision of Sections 17.03C, 17.11 and 17.14 of the Los Angeles Municipal Code, the Advisory Agency considered a modification request concerning the conditions of approval and a revised map of recorded Tract No. 32184, located at the northeast end of Palisades Drive in the Brentwood-Pacific Palisades District.

The subdivider's representative has requested: the modification of Conditions of Approval and the approval of a revised map to permit to recordation of 36 single family lots in lieu of 37 condominium units on the site shown on lot 44 of Tract No. 32184, changes in street names, conversion of public streets to private streets and increase in street widths.

After a thorough review of the request and the recommendations of the Subdivision Committee, it was the determination of the Advisory Agency to grant the request, approve the revised map stamp-dated February 8, 1991 and to revise the conditions of approval as follows:

Revise the opening paragraph to read:

1. Revise Condition No. 4 to read:

4. That 3-foot sidewalk, street tree and street lighting easements be dedicated along all public streets and around the cul-de-sacs.

2. Revise Condition No. 12m to read:

12m. Where not in conflict with the above, the recommendations contained in the reports dated October 13, 1980, by the consulting geologist, James E. Slosson (CEG 22) of Slosson and Associates and

7. Add a new Condition No. 48 to read:

48. That the private street easement width for proposed Calle Montecito and Calle Alicante east of Calle Deborah be increased to minimum 34 feet together with minimum 39-foot radius easement line cul-de-sacs.

8. Add a new Condition No. 49 to read:

49. That the private street easement width for proposed Avenida Ashley be increased to minimum 44 feet with a minimum 39-foot radius easement line cul-de-sac.

9. Add a new Condition No. 50 to read:

50. That an amended map showing the revised layout be recorded satisfactory to the City Engineer.

10. Add a new Condition No. S-3(n) to read:

- S-3(n) Improve the 44-foot private street (Avenida Ashley) being provided by the construction of the following:

- (1) Concrete curbs, concrete gutters and 4-foot concrete sidewalks adjacent to the curbs with trees and lights behind the sidewalks. Additional sidewalk construction shall be required at the locations of all fire hydrants to provide 7-foot concrete walks with transitions on each side.
- (2) Suitable surfacing to provide a 36-foot roadway.
- (3) Suitable improvement of the cul-de-sac.

11. Add a new Condition No. S-3(o) to read:

- S-3(o) Improve the 34-foot private street (Calle Montecito and Calle Alicante east of Calle Deborah) being provided by the construction of the following:

- (1) Concrete curbs, concrete gutters, a 4-foot concrete sidewalk adjacent to the curb adjoining the side of the street being developed with direct access to the lots and a 2-foot concrete area on the opposite side for maintenance purposes. Trees and lights shall be located behind the sidewalk. Additional sidewalk construction shall be required at the locations of all fire hydrants to provide 7-foot concrete walks with transitions on each side.
- (2) Suitable surfacing to provide minimum 28-foot roadways.
- (3) Suitable improvement of the cul-de-sacs.

12. Add a new Condition No. S-3(p) to read:

S-3(p) Improve the 56-foot private street (Calle Del Cielo) being provided by the construction of the following:

- (1) Concrete curbs, concrete gutters, and 4-foot concrete sidewalk along the westerly side. Trees and lights shall be located adjacent to the sidewalk. Additional sidewalk construction shall be required at the locations of all fire hydrants to provide 7-foot concrete walks with transitions on each side.
- (2) Suitable surfacing to provide minimum 20-foot roadways on each side of an 8-foot landscaped median island.
- (3) Suitable improvement of the street intersections.

13. Add a new condition No. S-3(q) to read:

S-3(q) Improve the 54-foot private street (Calle Deborah) being provided by the construction of the following:

- (1) Concrete curbs, concrete gutters, and 4-foot concrete sidewalk along the easterly side southerly of Calle de Nancy and along the westerly side northerly of Calle de Nancy. Trees and lights shall be located adjacent to the sidewalk. Additional sidewalk construction shall be required at the locations of all fire hydrants to provide 7-foot concrete walk with transitions on each side.
- (2) Suitable surfacing to provide minimum 20-foot roadways on each side of a 6-foot landscaped median island.
- (3) Suitable improvements of the intersection with Calle Alicante.

14. Add new Condition No. 51 to read:

That satisfactory arrangements shall be made with the Department of Building and Safety with respect to grading in conformance with the Grading Ordinance of the Los Angeles Building Code prior to the recordation of the final map.*

- a. All previous conditions of the tract, Department letter dated October 4, 1989, March 23, 1990, July 26, 1990, and the Modification Approval dated December 24, 1990 shall be followed during grading.
- b. The graded slope within the off-site Open-Space lot is classified as non-structural and shall be planted in accordance with the Landform Planting plan dated December 14, 1990 by the L.A. Group, Inc., and the Landform Grading Guidelines.
- c. The Homeowner Association requirement shall include all necessary repairs and maintenance to the off-site fill slope adjoining lots 53 and 54.

- d. A valid permit shall be obtained for all past and future grading.
- e. An all-weather paved access roadway at a minimum width of 10 feet shall be constructed which provides vehicular access to the subject slope for purposes of repair and maintenance.
- f. The access to the slopes below Lots 53 and 54 and debris basins above Lots 53 and 67 shall be included within an access and maintenance easement recorded as part of the CC & Rs for the tract. The CC & Rs shall contain a map to define the area of maintenance and access.

*

NOTE:

It is the intention of the Deputy Advisory Agency that all grading requirements be complete prior to the sale of any individual lot and prior to the issuance of any building permit on this site, unless building permits are required as part of the grading of the property.

15. Add new Condition No. 13r to read:

- 13r. The design and location of all security gates shall be reviewed to the satisfaction of the Advisory Agency, Department of Transportation and the Fire Department prior to recordation of the amended final map. Gates shall be designed to automatically open should there be a power failure in the area, so that Fire Department personnel will have immediate access through the gate systems.

16. Revise Condition No. 24 to read:

- 24. That prior to recordation of Units III and IV, the subdivider shall offer to dedicate the trail head facilities shown on the tentative tract map to the same agency that accepts land stipulated in Condition No. 20.

Concurrent with the recording of Unit V, the subdivider shall dedicate either the necessary land or an acceptable easement for use of the trail and trail head facilities in a manner acceptable to the Advisory Agency.

That covenants and agreements be recorded to ensure that access to the trail head be open to the public at large between the hours of dawn and dusk seven days a week, per provisions of Section 63.44B14 of the Los Angeles Municipal code.

17. Add new Condition No. 52 to read:

- 52. That prior to the recordation of the amended final map, the applicant provide the Advisory Agency with a certification of the lot averaging undertaken for the project, along with a list of the lot areas and dimensions and the benefits to be derived from such averaging as provided for in Section 17.05 of the Los Angeles Municipal Code and thereafter the Advisory Agency will determine which lot(s) may be averaged. (Hillside cases).

18. Add new Condition No. 53 to read:

53. That sanitary sewer easements be dedicated full-width of the proposed private streets.

19. Add new Condition No. 54 to read:

54. That the private street easements be made part of the adjoining lots to the satisfaction of the City Engineer.

20. Add new Condition No. 55 to read:

55. That the streets be posted in a manner prescribed in Section 18.07 of the Los Angeles Municipal Code (Private Street regulations).

Retain all of the other conditions currently in effect without any change.

RECORDED MAP FINDINGS:

The following findings are made pursuant to Subsection 17.59D of the Los Angeles Municipal Code.

1. That there are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary.

In the course of grading and preparing for this site, in conjunction with the entire grading of the tract area, it has become apparent that single family lots in this location would be preferable to condominiums from a land use point of view.

2. That the modifications do not impose any additional burden on the fee owner of the property.

This change is being made at the owner's request.

3. That the modifications do not alter any right, title or interest in the real property reflected on the record map.

The Advisory Agency is not aware of any right, title or interest alterations in the real property that may result from these modifications.

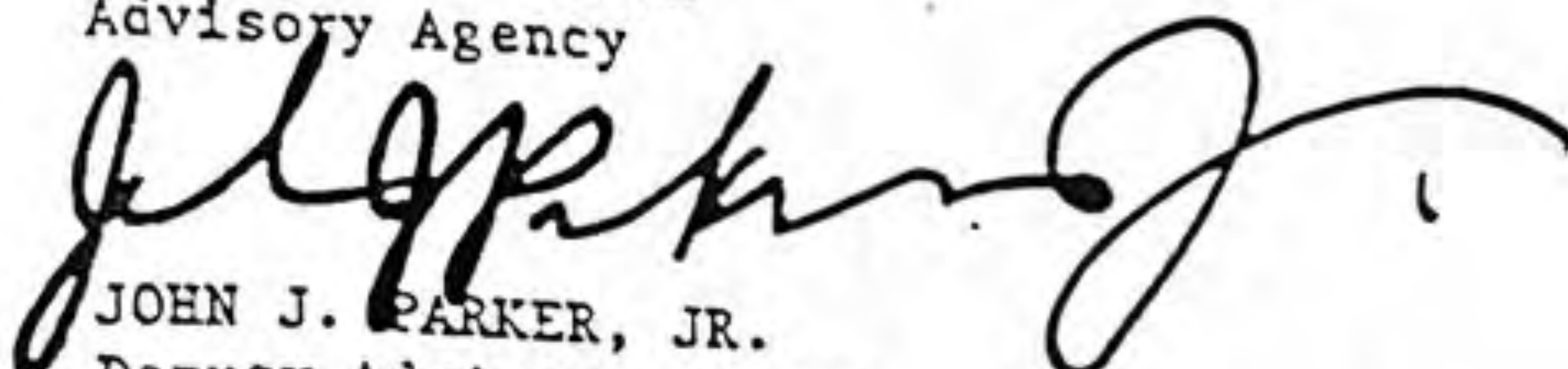
4. That the map and conditions as modified conform to the provisions of Government Code Section 66474 and of the Los Angeles Municipal Code.

The project as modified will be consistent with the intent and purpose of the Subdivision Map Act and Municipal Code.

5. That the decision maker has given consideration, among other factors, to the effects of the modifications on surrounding properties.

The site is a portion of a larger tract project predominantly developed with similar characteristics.

Melanie S. Fallon
Advisory Agency



JOHN J. PARKER, JR.
Deputy Advisory Agency

JJP:AC:ca

NOTE: This modification action will become effective 10 days from the decision date as noted in this letter unless an appeal to the City Planning Commission has been received, accepted as complete and appeal fees paid at a public office of the Department of City Planning prior to the above 10-day time limit. Such appeal must be submitted in triplicate on Form CP-6500 and approved by the City Planning Division of Land Section.

Any question should be directed to Subdivision staff at (213)485-6171.

City of Los Angeles
DEPARTMENT OF BUILDING AND SAFETY
REQUEST FOR TEMPORARY
CERTIFICATE OF OCCUPANCY

DISTRICT OFFICE:
☐ LA
☐ VN
☒ WLA
☐ SP

DISTRIBUTION

☐ Owner
☒ Petitioner
☐ M.S.S.
☐ M.S.
☒ B.I. KOPP
☐ B.M.I.
☐ Other
☐ ELEC.
☐ PLBG.
☐ HTG/A.C.
☐ ELEV.
☐ D.A.D.
☐ F.D.
☐ P.V.

REQUIRED INFORMATION: Please print in ink or type.

✓ Owner: HEADLAND PROPERTIES
 ✓ Address: P.O. Box 705
PACIFIC PALISADES Zip 90272
 Phone: (310) 457-2351
 ✓ Petitioner: JERRY SHERMAN
 ✓ Address: 14852 VENTURA BLVD #201
SHERMAN OAKS Zip 91403
 Phone: (818) 501-3391

JOB ADDRESS: 16701 Calle ALICANTE

PMT.#: 93LA04422 TYPE: V:W
 USE(S): Restrooms OCC. B-2
(2)

STORIES: 1 # SUB-LEVELS: —

Request is for: ☒ Entire Building OR ☐ Portion of Building Described as:

FEES:
☐ Each I, H, & B Occupancy per floor = \$ 65.00
1 floors X \$ 65.00 fee
☐ R-1 Occupancy per floor = \$ —
— floors X \$ — fee
☐ Each A Occupancy per area per floor = \$ —
— rooms/areas X \$ — fee
 Issuance Fee (Incl. Core/Shell, R-3 Occ.) = \$ 100.00
 Subtotal = \$ 165.00
 O.S.S. Fee (2% of Subtotal) = \$ 9.90
 Fees Verified 9.90 TOTAL = \$ 178.20

ENTIRE BUILDING DESCRIPTION: # Stories-
 Type- VN Size- 16 X 16
 Occupancy- B-2 Use- Restrooms
 Occ. Load-

DESCRIPTION OF PORTION TO BE OCCUPIED:

Floor #-
 Suite #-
 Core & Shell ONLY-
 Other-
 Occ. Load-

With an Expiration Date of:
JULY 6, 1994 (SIX MONTHS)
 (May Not Exceed 6 Months)

I CERTIFY THAT:

- (1) All handicap requirements are provided in and to the spaces to be occupied under this request.
- (2) All fire resistive-construction & apparatuses are complete and operable.
- (3) All exiting, fire protection and life safety systems are complete and unobstructed.
- (4) All required parking is provided for the space(s) to be occupied under this request.
- (5) All building systems required for occupancy are safe (including gas, electrical, elevators etc.)
- (6) All public works improvements are completed.

Signature of Applicant

Date

Position

01/06/94 09:22:25AM WLD1 T-5807 C 06
 TEMP C OF 0 165.00
 SYS DEV FEE 9.90
 ONE STOP SURCH 3.30
 TOTAL 178.20
 CHECK 178.20

— CASHIER USE ONLY —

Department Action: In accordance with Section 91.0315(e) the request is granted in as much as the Superintendent of Building finds that no substantial hazard will exist from the occupancy.

Division Concurrence	Print Name	Sign Name	Date
✓ Building Inspector	* R. KOPP	R. Kopp	1-6-94
✓ Electrical	SEE B-8		
✓ Plumbing	* W. WULF	W. Wulf	1/6/94
Heating & A.C.	NA		
Fire Sprinkler	NA		
Elevator	NA		
Pressure Vessel	NA		
✓ Grading	* L. PORTER	L. Porter	1-6-94
Fire Department	NA		
✓ P.W. Engineering	M. ISK. R. C. S.	M. Isk. R. C. S.	1-6-94
✓ Disabled Access	SEE B-8		

When all required endorsements are obtained submit this application to the office specified above in Room _____ prior to 8:30 a.m. for approval/authorization to occupy the space requested. ALSO, be prepared to pay the fee indicated above. (Make checks payable to Dept. of Building and Safety).

Approved By

Date

Position

RECORDING REQUESTED BY

L.A. Dept. Recreation & Parks

MAIL TAX STATEMENT TO

L.A. Dept. Recreation & Parks

200 N. Main Street

1200 City Hall East

Los Angeles, CA 90012

WHEN RECORDED MAIL TO

Name
Street
Address
City
State
Zip

Los Angeles Dept. of
Recreation & Parks
1200 City Hall East
200 North Main Street
Los Angeles, California 90012

ORDER NO.

ESCROW NO.

RECORDERS USE ONLY

GRANT DEED

(PARTNERSHIP)

The undersigned grantor(s) declare(s) :

Documentary transfer tax is \$_____.

() Computed on full value of property conveyed, or

() Computed on full value less value of liens and encumbrances remaining at time of sale.

() Unincorporated area () City of _____

Tax Parcel No. _____

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
HEADLAND PROPERTIES ASSOCIATES, A CALIFORNIA LIMITED PARTNERSHIP
hereby GRANTS to the City of Los Angeles Department of Recreation
and Parks

the real property in the County of Los Angeles, State of California, described as:

Parcel No. 1

Lot 77 Tract 32184 as per the map of said Tract filed in
Book 1182, Pages 20 through 27 inclusive, of Maps in the
Official Records of the County of Los Angeles, State of California

Parcel No. 2

An easement for pedestrians and bicycle trail purposes over
the real property described on Exhibit "A" attached hereto and
incorporated herein by this reference

HEADLAND PROPERTIES ASSOCIATES, A
California Limited Partnership

By: HEADLAND DEVELOPMENT CORPORATION,
A California Corporation

Its: General Partner

Dated: February 16, 1994

By:

W. Charles Chastain
W. Charles Chastain, Vice President

STATE OF CALIFORNIA
COUNTY OF Los Angeles
On February 16, 1994

} s.s.

By:

Brett LaShelle
Brett LaShelle, Assistant Secretary

before me, the undersigned, a Notary Public in and for said
County and State, personally appeared

W. CHARLES CHASTAIN
AND BRETT LASHELLE

known to me to be _____ of the partners of the partnership
that executed the within instrument, and acknowledged to
me that said partnership executed the same.

WITNESS my hand and official seal.

Naomi H. Meadows
Notary Public in and for said County and State.

Notary Seal



OFFICIAL NOTARY SEAL
NAOMI H. MEADOWS
Notary Public - California
LOS ANGELES COUNTY
My Comm. Expires AUG 25, 1995

EXHIBIT "A"

February 15, 1994
W. O. # 2532-06
VTN LGL # 94-03

Legal Description

That portion of Lots 41 and 42, Tract No. 32184 as per the map of said tract filed in Book 1182, pages 20 through 27 inclusive, of Maps and that portion of Rancho San Vicente Y Santa Monica per the map recorded in Book 3, pages 30 and 31 of patents, Official Records of the County of Los Angeles all being in the City of Los Angeles, County of Los Angeles and State of California, described as follows:

Being a 10 foot wide strip of land lying 5 feet on each side of the following described centerline:

Beginning at a point on the Easterly line of that 28 foot and variable width easement to the City of Los Angeles and the Department of Water and Power of the City of Los Angeles as shown on the map of said Tract No. 32184, said point being distant 138.45 feet Northeasterly along the arc of a curve concave Northwesterly having a radius of 289.00 feet from its Southwesterly terminus through which a radial line bears North $46^{\circ}56'01''$ West, a radial line through said Point of Beginning bears North $74^{\circ}22'53''$ West: thence leaving said easement sideline and said curve

1. South $73^{\circ}27'01''$ East 8.70 feet; thence
2. South $1^{\circ}39'26''$ West 31.91 feet; thence
3. South $8^{\circ}35'57''$ West 45.11 feet; thence
4. South $19^{\circ}10'30''$ West 106.36 feet to the beginning of a tangent curve concave Easterly having a radius of 40.00 feet; thence Southerly
5. along the arc of said curve through a central angle of $55^{\circ}10'59''$ an arc distance of 38.53 feet; thence tangent to said curve
6. South $36^{\circ}00'29''$ East 153.95 feet; thence
7. South $42^{\circ}35'31''$ East 120.76 feet; thence
8. North $47^{\circ}39'48''$ East 15.27 feet; thence
9. North $17^{\circ}01'30''$ West 57.14 feet; thence

EXHIBIT "A"

Page 2

10. North $8^{\circ}44'21''$ West 49.20 feet; thence
11. North $58^{\circ}50'03''$ East 6.69 feet; thence
12. South $53^{\circ}35'37''$ East 14.18 feet; thence
13. South $41^{\circ}34'34''$ East 81.36 feet to a point on the Easterly boundary line of said Tract No. 32184, said point being distant South $9^{\circ}04'02''$ West 143.78 feet from the Northerly terminus of that certain course shown as bearing North $9^{\circ}04'02''$ East 882.02 feet on the map of said tract; thence continuing along said last course
14. South $41^{\circ}34'34''$ East 1.03 feet; thence
15. North $63^{\circ}16'08''$ East 7.69 feet; thence
16. North $11^{\circ}53'12''$ West 19.67 feet to a point on said Easterly boundary line of Tract No. 32184, said point being distant South $9^{\circ}04'02''$ West 121.57 feet from the Northerly terminus of said course bearing North $9^{\circ}04'02''$ East 882.02 feet on said map; thence continuing along said last course
17. North $11^{\circ}53'12''$ West 88.29 feet to the beginning of a tangent curve concave Easterly having a radius of 20.00 feet; thence Northerly
18. along the arc of said curve through a central angle of $72^{\circ}44'51''$ an arc distance of 25.40 feet; thence tangent to said curve
19. North $60^{\circ}51'39''$ East 31.60 feet to a point on the Easterly tract boundary of said Tract No. 32184, being distant 3.33 feet from the Southerly terminus of that certain course along said boundary shown as bearing North $1^{\circ}27'00''$ East 693.50 feet on said map; thence continuing along said course
20. North $60^{\circ}51'39''$ East 52.29 feet to a point distant South $35^{\circ}19'05''$ East 75.20 feet from the intersection of the common line between said Lots 41 and 42 of Tract No. 32184 and said Tract No. 32184 boundary, said point of ending also being on the Southeasterly line of a future dedication to City of Los Angeles for park, bearing North $35^{\circ}19'05''$ West 160.05 feet.

The sidelines of said easement shall be prolonged or foreshortened so as to terminate Westerly in the Easterly line of said easement to the City of Los Angeles per the map of said Tract No. 32184 and Easterly in said Southeasterly line of future dedication to the City of Los Angeles for park.



Order No.
Escrow No.
Loan No.

WHEN RECORDED MAIL TO:
ATTN JOAN A THOMAS
Los Angeles Dept. of
Recreation & Parks
1330 City Hall East
200 North Main Street
Los Angeles, California 90012

MAIL TAX STATEMENTS TO:

Los Angeles Dept. of
Recreation & Parks
1290 City Hall East
200 North Main Street
Los Angeles, California 90012

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DOCUMENTARY TRANSFER TAX \$

..... Computed on the consideration or value of property conveyed; OR

..... Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

Signature of Declarant or Agent determining tax — Firm Name

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Headland Properties Associates, A California Limited Partnership

hereby GRANT(S) to The City of Los Angeles Department of Recreation and Parks

the real property in the City of Los Angeles
County of Los Angeles

, State of California, described as

Parcel No. 1: Lot 77 Tract 32184 as per the map of said Tract filed in Book 1182, Pages
20 through 27 inclusive, of Maps in the Official Records of the County of Los Angeles,
State of California.

Parcel No. 2: An easement for pedestrian hiking trail purposes only over the real property
described on Exhibit "A" attached hereto and incorporated herein by this reference.

Dated August 29, 1995

STATE OF CALIFORNIA }
COUNTY OF Los Angeles } ss.

On August 29, 1995 before me,

personally appeared W. Charles Chastain
and Brett La Shelle

personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signa-
ture(s) on the instrument the person(s) or the entity upon behalf of which
the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Naomi H. Mendez

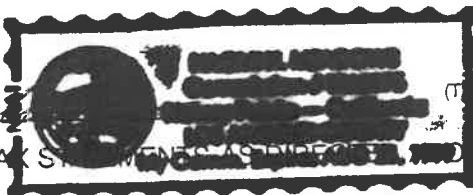
HEADLAND PROPERTIES ASSOCIATES, A
California Limited Partnership

By: HEADLAND DEVELOPMENT CORPORATION,
A California Corporation

Its: General Partner

By: W. Charles Chastain, Vice President

By: Brett La Shelle, Assistant Secretary

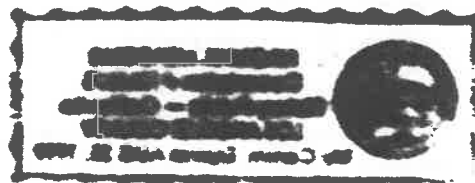


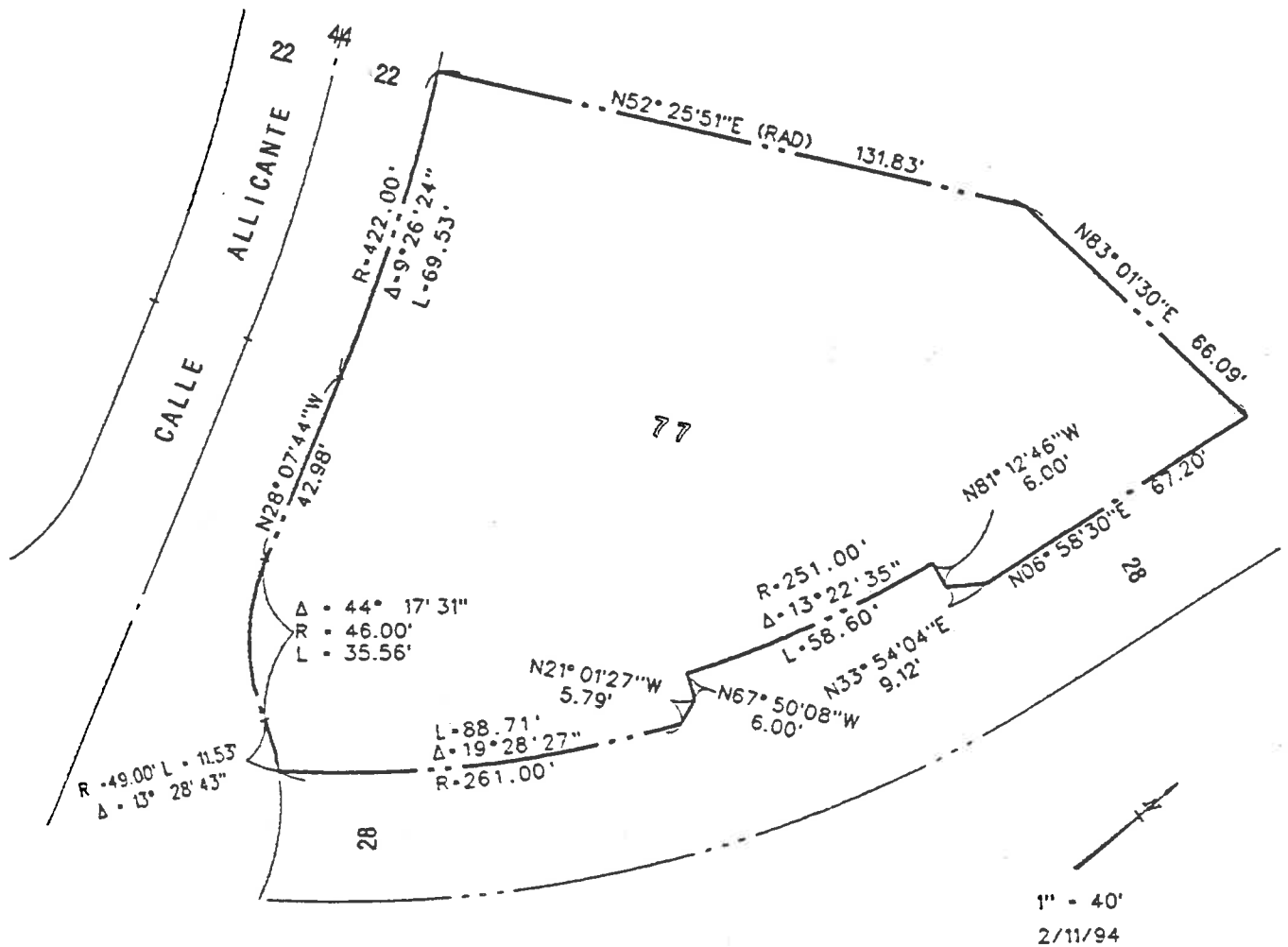
(This area for official notarial seal)



First American Title Insurance Company

A subsidiary of The First American Financial Corporation





LOT 77 TR. NO. 32184 MB 1182 2027

PLAT TO ACCOMPANY LEGAL DESCRIPTION

(Signature)

E'ly line of easement to
the City of Los Angeles
per Tr No. 32184

Rancho San Vicente
Y Santa Monica
Bk 3 pg 30/31 Patents

SE'ly line of Future
dedication to
City of Los Angeles
for park
N35° 19' 05" W
75.20'

Lot 77

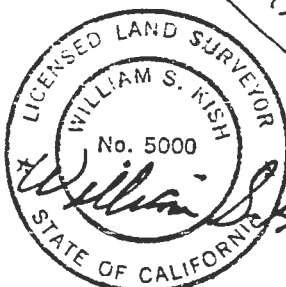
Lot 42

Tract No. 32184
MB 1182-20/27

Lot 41

Calle Alicante (private street)

Scale: 1"=50'



PLAT TO ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "A"

Portion of Tr. No. 32184 MB1182 20/27 & Rancho San Vicente Y Santa Monica per 3 30/31 Pat.

EXHIBIT "A"

February 15, 1994
W. O. # 2532-06
VTN LGL # 94-03

Legal Description

That portion of Lots 41 and 42, Tract No. 32184 as per the map of said tract filed in Book 1182, pages 20 through 27 inclusive, of Maps and that portion of Rancho San Vicente Y Santa Monica per the map recorded in Book 3, pages 30 and 31 of patents, Official Records of the County of Los Angeles all being in the City of Los Angeles, County of Los Angeles and State of California, described as follows:

Being a 10 foot wide strip of land lying 5 feet on each side of the following described centerline:

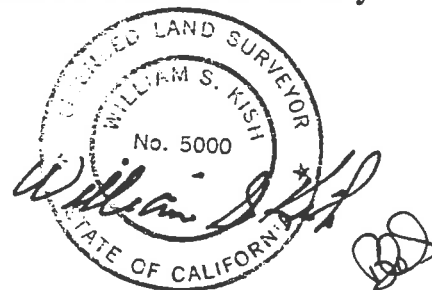
Beginning at a point on the Easterly line of that 28 foot and variable width easement to the City of Los Angeles and the Department of Water and Power of the City of Los Angeles as shown on the map of said Tract No. 32184, said point being distant 138.45 feet Northeasterly along the arc of a curve concave Northwesterly having a radius of 289.00 feet from its Southwesterly terminus through which a radial line bears North $46^{\circ}56'01''$ West, a radial line through said Point of Beginning bears North $74^{\circ}22'53''$ West: thence leaving said easement sideline and said curve

1. South $73^{\circ}27'01''$ East 8.70 feet; thence
2. South $1^{\circ}39'26''$ West 31.91 feet; thence
3. South $8^{\circ}35'57''$ West 45.11 feet; thence
4. South $19^{\circ}10'30''$ West 106.36 feet to the beginning of a tangent curve concave Easterly having a radius of 40.00 feet; thence Southerly
5. along the arc of said curve through a central angle of $55^{\circ}10'59''$ an arc distance of 38.53 feet; thence tangent to said curve
6. South $36^{\circ}00'29''$ East 153.95 feet; thence
7. South $42^{\circ}35'31''$ East 120.76 feet; thence
8. North $47^{\circ}39'48''$ East 15.27 feet; thence
9. North $17^{\circ}01'30''$ West 57.14 feet; thence

EXHIBIT "A"

10. North 8°44'21" West 49.20 feet; thence
11. North 58°50'03" East 6.69 feet; thence
12. South 53°35'37" East 14.18 feet; thence
13. South 41°34'34" East 81.36 feet to a point on the Easterly boundary line of said Tract No. 32184, said point being distant South 9°04'02" West 143.78 feet from the Northerly terminus of that certain course shown as bearing North 9°04'02" East 882.02 feet on the map of said tract; thence continuing along said last course
14. South 41°34'34" East 1.03 feet; thence
15. North 63°16'08" East 7.69 feet; thence
16. North 11°53'12" West 19.67 feet to a point on said Easterly boundary line of Tract No. 32184, said point being distant South 9°04'02" West 121.57 feet from the Northerly terminus of said course bearing North 9°04'02" East 882.02 feet on said map; thence continuing along said last course
17. North 11°53'12" West 88.29 feet to the beginning of a tangent curve concave Easterly having a radius of 20.00 feet; thence Northerly
18. along the arc of said curve through a central angle of 72°44'51" an arc distance of 25.40 feet; thence tangent to said curve
19. North 60°51'39" East 31.60 feet to a point on the Easterly tract boundary of said Tract No. 32184, being distant 3.33 feet from the Southerly terminus of that certain course along said boundary shown as bearing North 1°27'00" East 693.50 feet on said map; thence continuing along said course
20. North 60°51'39" East 52.29 feet to a point distant South 35°19'05" East 75.20 feet from the intersection of the common line between said Lots 41 and 42 of Tract No. 32184 and said Tract No. 32184 boundary, said point of ending also being on the Southeasterly line of a future dedication to City of Los Angeles for park, bearing North 35°19'05" West 160.05 feet.

The sidelines of said easement shall be prolonged or foreshortened so as to terminate Westerly in the Easterly line of said easement to the City of Los Angeles per the map of said Tract No. 32184 and Easterly in said Southeasterly line of future dedication to the City of Los Angeles for park.



REPORT OF GENERAL MANAGER

NO. 405-95

DATE September 6, 1995

CD 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SANTA YNEZ CANYON PARK: PROPERTY ADJUSTMENTS AND
REJECTION OF ADDITIONAL PROPERTY

J. Andervich _____
D. Gonzalez _____
R. Sessinghaus _____
M. Mollinedo _____

P. Bryant _____
*D. Zamrzla DRZ
S. Klippel _____
E. Porter _____

9638
Kurtie
General Manager

Approved 10-18-95 Disapproved _____ Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

- 6-26-95
30-minute
marked
- 1) ✓ Rescind previous Board Report 370-89 and adopt the Resolution and draft ordinance (on file in the Board Office) approving a Quitclaim Deed for the reconveyance of property referenced in the above action back to Headland Properties Associates; and,
 - 2) Accept a new Grant Deed from Headland Properties Associates for a revised location for a Trailhead Facility Site and Trail Easement within Tract 32184 in the Palisades Highlands as dedicated park property; and,
 - 3) Direct the Board Secretary to forward the Resolution, draft ordinance and a copy of this report to the City Attorney and the Mayor, and request that the City Attorney prepare necessary action for the City Council to adopt the Resolution by ordinance; and,
 - 4) Authorize the Board President and Secretary to execute the quitclaim deed upon adoption of the ordinance, and direct the Board Secretary to have the Grant Deed and the Quitclaim Deed recorded and subsequently transmit a copy of the recorded Deeds to Headland Properties Associates; and,
 - 5) Reject the offer from Headland Properties Associates for the dedication of an additional 74.5 acres of steep hillside chaparral land located between the Palisades Highlands development and Topanga State Park.

SUMMARY:

On June 26, 1989 (Report 370-89), the Board accepted a Grant Deed from Headland Properties Associates of a 0.05 acre site proposed

REPORT OF GENERAL MANAGER

PG. 2

No. 405-95

for the Temescal Ridge Trailhead facility, and a trail easement over a portion of Headland's Tract 32184 development in Pacific Palisades referred to as the Palisades Highlands. The dedication, development and construction of the trailhead facility as well as the trail easement which connects with the trail system leading to the Topanga State Park, were environmental mitigation measures imposed by the California Coastal Commission in order for Headland to obtain a Coastal Development Permit. The trailhead facility was to include a paved parking lot including handicap spaces, sanitary facilities, a drinking fountain, wrought iron fencing, gates, trees and benches.

Shortly after acceptance, the deed for the trailhead property and the easement were recorded with the Los Angeles County Registrar Recorder. Headland subsequently notified the Department that they were proposing to change the location of the trailhead facility site, due to soil erosion problems, to another lot of equal size and value which was across from and closer to the Temescal Ridge Trailhead. Headland obtained approval from Department staff, the City's Planning Department, and all other concerned agencies to relocate the proposed trailhead facility to the new site location. The trailhead facility was subsequently constructed at its current site in accordance with plans approved by our Department, the completed facility inspected by staff and found to be in order.

In accordance with City Charter Section 170 (b)(1), the City Attorney advised that the appropriate procedure for the reconveyance is to rescind the Board's previous action and approve a Resolution for a Quitclaim Deed to reconvey the original deeded trailhead property and trail easement back to Headland Properties Associates. The reconveyance will require approval of the Resolution by the City Council via ordinance. Concurrently, the Board should accept and dedicate for park purposes the new trailhead facility site and trail easement.

Additionally, Headlands Properties Associates has offered to deed to our Department 74.50 acres of hillside property which surrounds their Palisades Highlands development and acts as a buffer zone between their tract and Topanga State Park. The proposed property is virtually inaccessible steep hillside chaparral which is unusable for recreation purposes and only creates additional liability and maintenance problems for our Department in regards to erosion problems and Fire Department brush clearance requirements. The State turned down an offer from Headlands on acceptance of this property because of its proximity to the private residences and the additional maintenance burden.

REPORT OF GENERAL MANAGER

PG. 3

No. 405-95

Ordinance 155,203 (May 7, 1981) which pertains to the subject tract development and proposed subdivision, authorizes acceptance of dedication or conveyance of real property for park and recreational purposes. The ordinance required that Headland Properties dedicate 25 acres to the City for park and recreational purposes in order to satisfy all Quimby requirements for the entire tract. In 1972, Headland deeded 48.46 acres to the Department which was dedicated as Santa Ynez Canyon Park, and in 1981, they deeded an additional adjacent 25.17 acres. In 1989, the Department accepted 264.76 acres of steep hillside property which abuts the easterly and westerly sides of Palisades Drive northerly of Sunset Boulevard for a total of 338.39 acres. Headland Properties was also required to dedicate 95.4 acres to the State, which has also been accomplished.

The ordinance further states that if the State does not accept the other remaining properties, that the City shall have "the opportunity" to obtain or "may" accept all or a portion of the remaining property as City-owned recreation and park or open space land, "should it choose to obtain same". Additionally, in reviewing the Tract Conditions for Tract 32184, staff determined that Headland Properties was required to include a 150 foot fire buffer zone easement in the Covenants, Conditions and Restrictions (CC&R's) for the homeowners association. A review of the CC&R's and Reservation of Easements for the Summit at Palisades Highlands revealed that there are no requirements for the homeowners to maintain the subject fire buffer zone easement.

Based upon the above information, staff recommends that the Board reject the offer of dedication of 74.5 acres from Headland Properties Associates.

The Assistant General Manager, Pacific Region, and Councilmember Marvin Braude within whose Council District Santa Ynez Canyon Park is located, were consulted and concur with staff's recommendations.

This page is part of your document - DO NOT DISCARD



20100262929



Pages:
0011

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

02/26/10 AT 11:34AM

FEES:	46.00
TAXES:	NEPR
OTHER:	0.00
PAID:	NEPR



LEADSHEET



201002260030016

00001983941



002558981

SEQ:
01

DAR - Counter (Hard Copy)



THIS FORM IS NOT TO BE DUPLICATED

E534541

Exhibit 12
Order: 00088655

1

Page 1 of 11

Requested By: Srivasu. J , Printed: 4/10/2018 10:37 AM

Doc: 2010-262929 DED 02-26-2010

RECORDING REQUESTED BY:

Chicago Title Company

Mail Tax Statements to *File*
WHEN RECORDED MAIL TO:

HEADLAND PROPERTIES ASSOCIATES, LLC
11726 San Vicente Boulevard, Suite 235
Los Angeles, California 90029



SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

TITLE(S)

Grant Deed

TITLE ORDER NO.: 71066439-X49

APN's

4431-040-012; -017; -019
4431-008-005; -094
4431-014-010
4431-039-010; -012
4431-035-018
4431-042-025
4431-039-029

4431-023-012, 67, 11.

3

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

HEADLAND PROPERTIES ASSOCIATES, LLC
11726 San Vicente Boulevard, Suite 235
Los Angeles, California 90049

GRANT DEED

The undersigned grantor declares:



Documentary transfer tax shown by unrecorded separate affidavit pursuant to R&T Code §11932

() computed on full value of property conveyed, or

() computed on full value, less value of liens and encumbrances remaining at time of sale

x *City of Los Angeles*

FOR VALUE RECEIVED, HEADLAND PROPERTIES ASSOCIATES, A CALIFORNIA LIMITED PARTNERSHIP ("Grantor"), grants to HEADLAND PROPERTIES ASSOCIATES, LLC, a California limited liability company ("Grantee"), all that certain real property (the "Property") situated in the County of Los Angeles, State of California, described on Exhibit A attached hereto and by this reference incorporated herein.

THE PROPERTY IS CONVEYED TO GRANTEE SUBJECT TO:

(a) All liens, encumbrances, easements, covenants, conditions and restrictions of record, including any matters shown on any subdivision or parcel map affecting the Property;

(b) All exceptions appearing in a certain policy of title insurance for the Property issued to the Grantee as of the date hereof;

(c) All matters which would be revealed or disclosed in an accurate survey of the Property;

(d) All matters which would be revealed or disclosed by a physical inspection of the Property;

(e) Interests of tenants in possession;

(f) Liens for taxes for real property and personal property, and any general or special assessments against the Property; and

(g) Zoning ordinances and regulations and any other laws, ordinances, or governmental regulations restricting or regulating the use, occupancy or enjoyment of the Property.

4

IN WITNESS WHEREOF, Grantor has executed this Grant Deed effective as of the date it is recorded in the Official Records of Los Angeles County.

HEADLAND PROPERTIES ASSOCIATES,
A CALIFORNIA LIMITED PARTNERSHIP

By: Headland-Pacific Palisades, LLC,
a California limited liability company
Sole General Partner

By: Metropolitan Life Insurance Company,
a New York corporation
Managing Member

By: [Signature]
Title: Director

State of California

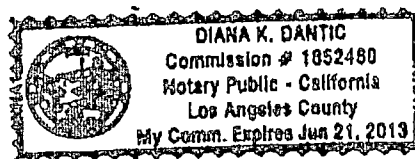
County of Los Angeles

On February 5, 2010, before me, Diana K. Dantic, NOTARY PUBLIC, personally appeared John D. Menne who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



5

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

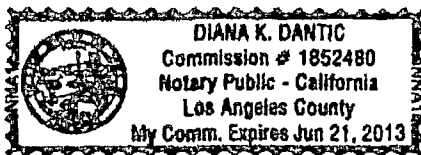
State of California

County of Los Angeles

On February 5, 2010 before me, Diana K. Dantic, Notary Public

personally appeared John D. Menne

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature Diana K. Dantic
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document

Description of Attached Document

Title or Type of Document _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing: _____

6

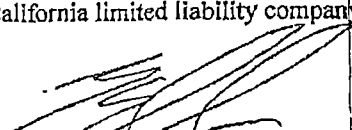
NOTICE OF ACCEPTANCE

The real property conveyed by the attached Grant Deed is hereby accepted by Grantee.

HEADLAND PROPERTIES ASSOCIATES, LLC,
a California limited liability company

By:

Its


Edward Miller
Manager

State of California

County of Los Angeles (ESP)

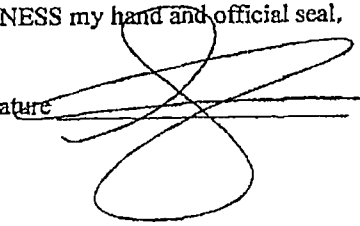
On February 10th, 2010, before me, Elma F. Barrow (Notary Public), personally appeared Edward John Miller, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

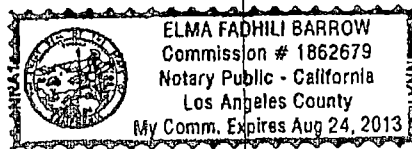
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal,

Signature

(Seal)





CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Los Angeles

On 02/17/2010 before me, Elma Fadhilli Barrow (Notary Public)
(Here insert name and title of the officer)

personally appeared Edward Miller

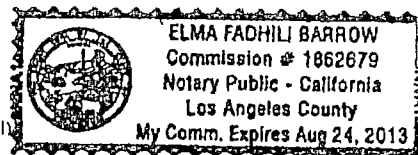
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Quitclaim Deed

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date _____

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits; otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - Indicate title or type of attached document, number of pages and date.
 - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

EXHIBIT A

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PARCEL 1:

LOTS "C" AND "D" OF TRACT NO. 31071, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 817 PAGES 58 THROUGH 75 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL UNDERLYING MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES WITHOUT, HOWEVER, THE RIGHT OF ENTRY ON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME FROM ANY PORTION OF SAID LAND WHICH IS 500 FEET OR MORE BELOW THE GROUND SURFACE AND ALSO WITH THE FULL RIGHT TO DRILL UNDER OR THROUGH SAID LAND AT ANY POINT OR POINTS 500 FEET OR MORE BELOW THE GROUND SURFACE FOR THE EXPLORATION, DEVELOPMENT, AND REMOVAL OF THE SAME, AS EXCEPTED AND RESERVED BY GEORGE E. VOLLMERS, TRUSTEE, IN DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 528, OFFICIAL RECORDS, AND BY DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 532, OFFICIAL RECORDS.

PARCEL 2:

LOT 129 OF TRACT NO. 31075, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 838, PAGES 7 TO 15 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL UNDERLYING MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES WITHOUT, HOWEVER, THE RIGHT OF ENTRY ON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME FROM ANY PORTION OF SAID LAND WHICH IS 500 FEET OR MORE BELOW THE GROUND SURFACE AND ALSO WITH THE FULL RIGHT TO DRILL UNDER OR THROUGH SAID LAND AT ANY POINT OR POINTS 500 FEET OR MORE BELOW THE GROUND SURFACE FOR THE EXPLORATION, DEVELOPMENT, AND REMOVAL OF THE SAME, AS EXCEPTED AND RESERVED BY GEORGE E. VOLLMERS, TRUSTEE, IN DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 528, OFFICIAL RECORDS, AND BY DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 532, OFFICIAL RECORDS.

PARCEL 3:

LOT 52 OF TRACT NO. 32186, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1122 PAGES 58 TO 65 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

9

EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY TERMINUS OF THE NORTHERLY LINE OF LOT 3 OF AMENDED MAP OF TRACT NO. 32184, AS PER MAP RECORDED IN BOOK 1182 PAGES 20 TO 27 INCLUSIVE OF MAPS, IN SAID COUNTY RECORDER'S OFFICE AS BEARING NORTH 89° 13' 53" EAST 124.72 FEET ON SAID MAP; THENCE CONTINUING ALONG THE WESTERLY PROLONGATION OF SAID NORTHERLY LINE

1. SOUTH 89° 13' 53" WEST 6.50; THENCE
2. SOUTH 5° 49' 05" EAST 55.84 FEET; THENCE
3. SOUTH 19° 01' 42" EAST 45.82 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 3; THENCE ALONG THE WESTERLY BOUNDARY OF SAID LOT 3
4. NORTH 12° 42' 08" WEST 67.34 FEET; THENCE
5. NORTH 1° 03' 00" EAST 33.28 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY TERMINUS OF THE NORTHEASTERLY LINE OF LOT 4 OF SAID AMENDED MAP OF TRACT NO. 32184, SHOWN AS BEARING NORTH 72° 05' 22" WEST 117.12 FEET ON SAID MAP; THENCE ALONG THE NORTHWESTERLY PROLONGATION OF SAID NORTHEASTERLY LINE

1. NORTH 72° 05' 22" WEST 7.00 FEET; THENCE
2. SOUTH 16° 55' 14" WEST 49.97 FEET TO THE SOUTHWESTERLY TERMINUS OF THAT COURSE SHOWN AS BEARING SOUTH 24° 54' 44" WEST ALONG THE WESTERLY BOUNDARY LINE OF SAID LOT 4; THENCE ALONG SAID COURSE
3. NORTH 24° 54' 44" EAST 50.34 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY TERMINUS OF THE NORTHEASTERLY LINE OF LOT 5 OF SAID AMENDED MAP OF TRACT NO. 32184, SHOWN AS BEARING NORTH 49° 42' 09" WEST 101.18 FEET ON SAID MAP; THENCE ALONG THE NORTHWESTERLY PROLONGATION OF SAID LINE

10

1. NORTH 49° 42' 09" WEST 4 00 FEET, THENCE
2. SOUTH 38° 58' 23" WEST 82 92 FEET TO THE SOUTHWESTERLY TERMINUS OF THAT COURSE SHOWN AS BEARING NORTH 41° 44' 14" EAST ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID LOT 5; THENCE ALONG SAID COURSE
3. NORTH 41° 44' 14" EAST 82 92 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM ALL UNDERLYING MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES WITHOUT, HOWEVER, THE RIGHT OF ENTRY ON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME FROM ANY PORTION OF SAID LAND WHICH IS 500 FEET OR MORE BELOW THE GROUND SURFACE AND ALSO WITH THE FULL RIGHT TO DRILL UNDER OR THROUGH SAID LAND AT ANY POINT OR POINTS 500 FEET OR MORE BELOW THE GROUND SURFACE FOR THE EXPLORATION, DEVELOPMENT, AND REMOVAL OF THE SAME, AS EXCEPTED AND RESERVED BY GEORGE E. VOLLMERS, TRUSTEE, IN DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 528, OFFICIAL RECORDS, AND BY DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 532, OFFICIAL RECORDS.

PARCEL 4:

LOT 65 OF TRACT NO. 44651, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1131 PAGES 7 TO 14 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL UNDERLYING MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES WITHOUT, HOWEVER, THE RIGHT OF ENTRY ON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME FROM ANY PORTION OF SAID LAND WHICH IS 500 FEET OR MORE BELOW THE GROUND SURFACE AND ALSO WITH THE FULL RIGHT TO DRILL UNDER OR THROUGH SAID LAND AT ANY POINT OR POINTS 500 FEET OR MORE BELOW THE GROUND SURFACE FOR THE EXPLORATION, DEVELOPMENT, AND REMOVAL OF THE SAME, AS EXCEPTED AND RESERVED BY GEORGE E. VOLLMERS, TRUSTEE, IN DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 528, OFFICIAL RECORDS, AND BY DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 532, OFFICIAL RECORDS.

PARCEL 5.

LOTS 41, 42, 43 AND 77 OF AMENDED TRACT NO. 32184, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1182 PAGES 20 TO 27 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL UNDERLYING MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES WITHOUT, HOWEVER, THE RIGHT OF ENTRY ON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME FROM ANY PORTION OF SAID LAND WHICH IS 500 FEET OR MORE BELOW THE GROUND SURFACE AND ALSO WITH THE FULL RIGHT TO DRILL UNDER OR THROUGH SAID LAND AT ANY POINT OR POINTS 500 FEET OR MORE BELOW THE GROUND SURFACE FOR THE EXPLORATION, DEVELOPMENT, AND REMOVAL OF THE SAME, AS EXCEPTED AND RESERVED BY GEORGE E. VOLLMERS, TRUSTEE, IN DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 528, OFFICIAL RECORDS, AND BY DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 532, OFFICIAL RECORDS.

PARCEL 6:

LOT "L", SHOWN AS CALLE NANCY (NOW KNOWN AS VIA PACIFICA), AND LOT "H", SHOWN AS CALLE ALICANTE (NOW KNOWN AS VIA LA COSTA), AS SHOWN ON THE MAP OF AMENDED TRACT NO. 32184, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1182 PAGES 20 TO 27 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT FROM LOT "H", THAT PORTION LYING NORTHERLY OF THE WESTERLY PROLONGATION OF LOT 41 OF SAID AMENDED TRACT NO. 32184.

ALSO EXCEPT THEREFROM ALL UNDERLYING MINERALS, OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES WITHOUT, HOWEVER, THE RIGHT OF ENTRY ON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME FROM ANY PORTION OF SAID LAND WHICH IS 500 FEET OR MORE BELOW THE GROUND SURFACE AND ALSO WITH THE FULL RIGHT TO DRILL UNDER OR THROUGH SAID LAND AT ANY POINT OR POINTS 500 FEET OR MORE BELOW THE GROUND SURFACE FOR THE EXPLORATION, DEVELOPMENT, AND REMOVAL OF THE SAME, AS EXCEPTED AND RESERVED BY GEORGE E. VOLLMERS, TRUSTEE, IN DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 528, OFFICIAL RECORDS, AND BY DEED RECORDED DECEMBER 30, 1960 IN BOOK D-1079 PAGE 532, OFFICIAL RECORDS.

END OF LEGAL DESCRIPTION

This page is part of your document - DO NOT DISCARD



20131775032



Pages:
0002

Recorded/Filed In Official Records
Recorder's Office, Los Angeles County,
California

12/17/13 AT 02:59PM

FEES:	15.00
TAXES:	1,960.00
OTHER:	0.00
PAID:	1,975.00



LEADSHEET



201312172890009

00008657575



005938691

SEQ:
79

DAR - Mail (Hard Copy)



THIS FORM IS NOT TO BE DUPLICATED

E492160

RECORDING REQUESTED BY

COUNTY OF LOS ANGELES
DEPARTMENT OF TREASURER
AND TAX COLLECTOR

AND WHICH RECORDED MAIL TO

HENRI LEVY
810 CORD CIRCLE
BEVERLY HILLS, CA 90210

12/17/2013



20131775032

2

Document Transfer Tax - computed on full value of property conveyed \$ 385.00
City Transfer Tax \$ 1,575.00
Survey Fee \$ 0.00

Leah Gibson
Signature of Declarant

TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY

On which the legally levied taxes were a lien for FISCAL YEAR 1999 - 2000
and for nonpayment were duly declared to be in default. DEFAULT NUMBER 4431-039-029

This deed, between the Treasurer and Tax Collector of Los Angeles County ("SELLER") and
HENRI LEVY - A MARRIED MAN AS HIS SOLE & SEPARATE PROPERTY

("PURCHASER"), conveys to the PURCHASER the real property described herein which the SELLER sold to the
PURCHASER BY AGREEMENT on **October 22, 2013** pursuant to a statutory power of sale in accordance with the
provisions of Division 1, Part 6, Chapter 7, Revenue and Taxation Code, for the sum of \$ 350,000.00
No taxing agency objected to the sale.

In accordance with the law, the SELLER hereby grants to the PURCHASER that real property situated in said county,
State of California, last assessed to, **HEADLAND PROPERTIES ASSOCIATES L LC**

described as follows: **ASSESSOR'S PARCEL NUMBER 4431-039-029**

TR=32184A LOT 77

STATE OF CALIFORNIA } ss.
County of Los Angeles

EXECUTED ON **December 5, 2013**

MARK J. SALADINO
TREASURER AND TAX COLLECTOR
of the County of Los Angeles,
State of California

By *[Signature]*
Deputy Tax Collector

On **December 5, 2013**, before me personally appeared **KATHLEEN GLOSTER** who proved to me on
the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument
and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that
by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s)
acted, executed the instrument. I certify under penalty of perjury under the laws of the State of California that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Location: City of LOS ANGELES

Sale No. 2013A Item No. 06834

Exhibit 13

Dean C. Logan
REGISTRAR-RECORDER/COUNTY CLERK
of the County of Los Angeles,
State of California

By *Leah Gibson*
Deputy County Clerk



This page is part of your document - DO NOT DISCARD



20140047667



Pages:
0005

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

01/15/14 AT 02:08PM

FEES:	31.00
TAXES:	0.00
OTHER:	0.00
PAID:	31.00



LEADSHEET



201401150940018

00008762358



005986998

SEQ:
01

DAR - Counter (Upfront Scan)



THIS FORM IS NOT TO BE DUPLICATED

RECORDING REQUESTED BY:

1205-1207 Wooster Street, LLC

AND WHEN RECORDED MAIL TO
& MAIL TAX STATEMENT TO:

1205-1207 Wooster Street, LLC
4936 Triggs Street
Commerce, CA 90022

APN: 4431-039-029

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

Recording Requested by:

1205-1207 Wooster Street, LLC

When Recorded Mail To:

1205-1207 Wooster Street, LLC

4936 Triggs Street

Commerce, CA 90022

| Space above this line for Recorder's use

APN: 4431-039-029

GRANT DEED

THE UNDERSIGNED GRANTOR DECLARES:

DOCUMENTARY TRANSFER TAX IS \$-0-*****

(X) COMPUTED ON FULL VALUE OF PROPERTY CONVEYED, OR

() COMPUTED ON FULL VALUE, LESS VALUE OF LIENS AND ENCUMBRANCES

REMAINING AT THE TIME OF THE SALE

() UNINCORPORATED AREA: (X) CITY OF LOS ANGELES, AND

FOR VALUABLE CONSIDERTAION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED,

HENRI LEVY, A MARRIED MAN, AS HIS SOLE AND SEPARATE PROPERTY

HEREBY GRANTS TO

1205-1207 WOOSTER STREET, LLC, a CALIFORNIA LIMITED LIABILITY COMPANY

THE FOLLOWING DESCRIBED REAL PROPERTY IN THE CITY OF BEVERLY HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT A

**** THE GRANTOR AND GRANTEE IN THIS CONVEYANCE ARE COMPRISED OF THE SAME PARTIES WHO CONTINUE TO HOLD THE SAME PROPORTIONATE INTEREST IN THE PROPERTY, R&T CODE § 11923(D)

DATED: January 14, 2014

GRANTOR'S SIGNATURE:


HENRI LEVY

* See attached California All-purpose Acknowledgment

EXHIBIT A

LEGAL DESCRIPTION

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

PARCEL 1:

LOT 77, OF TRACT NO. 32184, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1182 PAGE(S) 20 TO 27 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. EXCEPT THEREFROM, TOGETHER WITH THE RIGHT TO GRANT AND TRANSFER ALL OR A PORTION OF THE SAME.

I. ALL OIL RIGHTS, MINERAL RIGHTS, NATURAL GAS RIGHTS AND RIGHTS TO ALL OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN, TO ALL GEOTHERMAL HEAT AND TO ALL PRODUCTS DERIVED FROM ANY OF THE FOREGOING (COLLECTIVELY, "SUBSURFACE RESOURCES"); AND

II. THE PERPETUAL RIGHT TO DRILL, MINE, EXPLORE AND OPERATE FOR AND TO PRODUCE, STORE AND REMOVE ANY OF THE SUBSURFACE RESOURCES ON OR FROM SAID LOT, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN SAID LOT, WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF SAID LOT, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS WITHIN OR BEYOND THE EXTERIOR LIMITS OF SAID LOT, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, BUT WITHOUT THE RIGHT TO DRILL, MINE EXPLORE, OPERATE, PRODUCE, STORE OR REMOVE ANY OF THE SUBSURFACE RESOURCES THROUGH OR IN THE SURFACE OF THE UPPER FIVE HUNDRED FIFTY FEET (550') OF THE SUBSURFACE OF SAID LOT, AS RESERVED IN DEEDS.

PARCEL 2:

NONEXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, EGRESS, DRAINAGE, MAINTENANCE, REPAIRS AND FOR OTHER PURPOSES, ALL AS DESCRIBED IN THE DECLARATION, THE MASTER DECLARATION AND THE DRIVE DECLARATION, ANY AMENDMENTS THERETO.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of Los Angeles

On January 14, 2013 before me, Stacy Song-Yi Han, Notary Public

personally appeared Henri Levy

Here Insert Name and Title of the Officer

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Signature]

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Grant Deed APN: 4431-039-029

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here



JOSEPH KELLY
TREASURER AND TAX COLLECTOR

COUNTY OF LOS ANGELES TREASURER AND TAX COLLECTOR

KENNETH HAHN HALL OF ADMINISTRATION
225 NORTH HILL STREET, ROOM 130
LOS ANGELES, CALIFORNIA 90012
TELEPHONE: (213) 974-7245 FAX: (213) 680-3648



HOME PAGE
TTC.LACOUNTY.GOV

March 31, 2016

PROPERTY TAX PORTAL
LACOUNTYPROPERTYTAX.COM

Headland Properties Associates, LLC
c/o Joseph P. Guarrasi, Chief Financial Officer and Secretary
11726 San Vicente Blvd., #235
Los Angeles, CA 90049

Dear Mr. Guarrasi:

RE: EXCESS PROCEEDS
ASSESSOR'S IDENTIFICATION NUMBER: 4431-039-029
SALE NUMBER 2013A ITEM NUMBER 6834

This is to inform you that your claim for excess proceeds resulting from the sale of the above-referenced property at the Tax Collector's Public Auction held on October 21, 2013 **has been approved for the amount of \$329,521.79.**


The distribution was according to the California Revenue and Taxation Code Section 4675. The excess proceeds is distributed in order of priority of parties of interest who submitted a claim prior to expiration of one year following the recordation of the tax collector's deed to the purchaser.

If you do not agree with our approval, you have **90 days from the date of this letter to file legal action with the Superior Court. Otherwise, the excess proceeds will be released to all approved claimants pursuant to California Revenue and Taxation Code Section 4674.** If any action or proceeding is filed, the Treasurer and Tax Collector's Office must be notified in writing immediately.

Should you have questions, please contact the Excess Proceeds Unit at (213) 974-7245, Monday through Friday, between the hours of 8:00 a.m. to 5:00 p.m.

Very truly yours,

JOSEPH KELLY
Treasurer and Tax Collector


Belen Panganiban
Tax Defaulted Land Unit
Secured Property Tax Division

7012 3050 0001 7570 3553

SM:bp
D: EP APPROVED 90DAY/REV 02-15
LTR 3-16-16

Exhibit 15



COUNTY OF LOS ANGELES
AUDITOR CONTROLLER'S SPECIAL WARRANT
WARRANT CLEARANCE FUND, LOS ANGELES, CALIFORNIA

TS 0023553217

THE TREASURER OF THE COUNTY OF LOS ANGELES
500 W. TEMPLE ST. ROOM 502, LOS ANGELES, CA 90012

June 02, 2016

NOT PAYABLE AFTER TWO
YEARS FROM DATE ISSUED

CONTROLLED DISBURSEMENT
PAYABLE THROUGH BANK OF AMERICA, N.A.
NORTH BROOK, ILLINOIS

PAY TO THE ORDER OF:

70-2328
0719

HEADLAND PROPERTIES ASSOC. LLC
11726 SAN VICENTE BLVD., #235
LOS ANGELES, CA 90049

Amount

\$*****333,114.65

MISC-TRT

528

PAY: Three Hundred Thirty Three Thousand One Hundred Fourteen
And 65/100 Dollars

APPROVED
JOHN NAIMO, AUDITOR-CONTROLLER BY

⑈0023553217⑈ ⑆071923284⑆ 87659⑈ 15848⑈

DETACH HERE ↑

↑ DETACH HERE ↑

↑ DETACH HERE ↑

↑ DETACH HERE ↑

COUNTY OF LOS ANGELES REMITTANCE ADVICE

PAYEE NAME

HEADLAND PROPERTIES ASSOC. LLC

PAYEE NUMBER

MISC-TRT

HANDLING CODE

7

PAYMENT REFERENCE NUMBER

TWR-TT-R1615200021

DISB CAT

528

ISSUE DATE

06/02/2016

AMOUNT

\$333,114.65

WARRANT NUMBER

0023553217

REFUND DUE TO EXCESS PROCEEDS TO A TAX SALE ITEM
NUMBER REFERENCED:

4431039029

FOR INFORMATION CALL (213) 893-0102

NOT NEGOTIABLE

NOT NEGOTIABLE

NOT NEGOTIABLE

received
6/7/2016

For more information about this payment, please contact
Treasurer-Tax Collector Default Land Unit AT (213) 974-7245.

NOT NEGOTIABLE

NOT NEGOTIABLE

NOT NEGOTIABLE

TEMESCAL RIDGE TRAILHEAD
PARK FACILITY INSPECTED (Print)

M. BERTRAND
COMPLETED BY (PRINT)

9-23-15 11:00
DATE/TIME

Score	ITEM	COMMENTS	SAFETY CONCERNS	ACTION ITEMS
30 (1-4)	Field	Condition/Safety Concerns		
	Restrooms	Floors		
		Fixtures		
0 (1-4)	Play Area	Condition/Safety Concerns		
		Equipment		
		Sand		
	**Building Maintenance: ←(place Building Average Score total from reverse here)			
30 (1-4)	Litter and Trash			
		Overall Appearance		
0 (1-4)	Ball Diamonds/Sports Fields/Sports Courts			
		Condition/Safety Concerns		
		Surfaces and Equipment		
0 (1-4)	Turf	Color, Edged and Trimmed		
		Condition/Safety Concerns		
		Holes or Bare Spots		
0 (1-4)		Gophers		
	Picnic Area	Condition/Safety Concerns		
		Furniture: Tables, benches, BBQ Grills		
0 (1-4)	Irrigation	Wet/Dry Areas		
	Management	Condition		
		Safety Concerns		
2.5 (1-4)	Hardscapes	Free of sand, debris, weeds		
	Parking Lot	Condition/Safety Concerns		
2.5 (1-4)	Landscaping	Condition		
		Pruned		
		Weeded		
FINAL AVERAGE SCORE (1-4): Add total scores. Divide by number of applicable categories with a score. 4 = Excellent 3 = Good 2 = Poor 1 = Fail				

Drinking Fountain Assessment: GOOD

Park Furniture Assessment: N/A

Lake Assessment: N/A

Trees (hangers, branch obstructions, stakes):

NONE PRESENT

Follow Up (comments, job orders, disposition):

TEMECAL RIDGE TRAILHEAD
PARK FACILITY INSPECTED (Print)

M. BARTMAN
COMPLETED BY (PRINT)

12-11-14 12:00
DATE/TIME

Score	ITEM	COMMENTS	SAFETY CONCERNS	ACTION ITEMS
2.0 (1-4)	Field	Condition/Safety Concerns		
	Restrooms	Floors		
		Fixtures		
0 (1-4)	Play Area	Condition/Safety Concerns		
		Equipment		
		Sand		
	**Building Maintenance: ← (place Building Average Score total from reverse here)			
3.0 (1-4)	Litter and Trash			
	Overall Appearance			
0 (1-4)	Ball Diamonds/Sports Fields/Sports Courts			
		Condition/Safety Concerns		
		Surfaces and Equipment		
0 (1-4)	Turf	Color, Edged and Trimmed		
		Condition/Safety Concerns		
		Holes or Bare Spots		
		Gophers		
0 (1-4)	Picnic Area	Condition/Safety Concerns		
		Furniture: Tables, benches,		
		BBQ Grills		
0 (1-4)	Irrigation	Wet/Dry Areas		
	Management	Condition		
		Safety Concerns		
2.5 (1-4)	Hardscapes	Free of sand, debris, weeds		
	Parking Lot	Condition/Safety Concerns		
2.5 (1-4)	Landscaping	Condition		
		Pruned		
		Weeded		
2.5	FINAL AVERAGE SCORE (1-4): Add total scores. Divide by number of applicable categories with a score. 4 = Excellent 3 = Good 2 = Poor 1 = Fail			

Drinking Fountain Assessment: GOOD

Park Furniture Assessment: NR

Lake Assessment:

Trees (hangers, branch obstructions, stakes): NONE PRESENT

Follow Up (comments, job orders, disposition):

Temescal Ridge Trailhead
PARK FACILITY INSPECTED (Print) *RH's.*

P. Robideau
COMPLETED BY (PRINT)

1/15/14
DATE/TIME

Score	ITEM	COMMENTS	SAFETY CONCERNS	ACTION ITEMS
<i>3.0</i> (1-4)	Field	Condition/Safety Concerns		
	Restrooms	Floors		
		Fixtures		
<i>(1-4)</i>	Play Area	Condition/Safety Concerns		
		Equipment		
		Sand		
<i>3.0</i>	**Building Maintenance: ←(place Building Average Score total from reverse here)			
<i>(1-4)</i>	Litter and Trash			
	Overall Appearance			
<i>(1-4)</i>	Ball Diamonds/Sports Fields/Sports Courts			
		Condition/Safety Concerns		
		Surfaces and Equipment		
<i>(1-4)</i>	Turf	Color, Edged and Trimmed		
		Condition/Safety Concerns		
		Holes or Bare Spots		
		Gophers		
<i>(1-4)</i>	Picnic Area	Condition/Safety Concerns		
		Furniture: Tables, benches,		
		BBQ Grills		
<i>(1-4)</i>	Irrigation	Wet/Dry Areas		
	Management	Condition		
		Safety Concerns		
<i>3.0</i> (1-4)	Hardscapes	Free of sand, debris, weeds		
	Parking Lot	Condition/Safety Concerns		
<i>2.5</i> (1-4)	Landscaping	Condition		
		Pruned		
		Weeded		
<i>3.0</i>	FINAL AVERAGE SCORE (1-4): Add total scores. Divide by number of applicable categories with a score.			
	4 = Excellent 3 = Good 2 = Poor 1 = Fail			

Drinking Fountain Assessment: *good*

Park Furniture Assessment: *N/A*

Trees (hangers, branch obstructions, stakes): *none present*

Follow Up (comments, job orders, disposition):

TAMERSON RIDGE TRAILHEAD

MIKE FUSANO
COMPLETED BY (PRINT)3/24/15
DATE/TIME

PARK FACILITY INSPECTED (Print)

Score	ITEM	COMMENTS	SAFETY CONCERNS	ACTION ITEMS
2.5	Field	Condition/Safety Concerns		
(1-4)	Restrooms	Floors		
		Fixtures		
0	Play Area	Condition/Safety Concerns		
(1-4)		Equipment		
		Sand		
0	**Building Maintenance:			
	← (place Building Average Score total from reverse here)			
3.0	Litter and Trash			
(1-4)		Overall Appearance		
0	Ball Diamonds/Sports Fields/Sports Courts			
(1-4)		Condition/Safety Concerns		
		Surfaces and Equipment		
0	Turf			
(1-4)		Color, Edged and Trimmed		
		Condition/Safety Concerns		
		Holes or Bare Spots		
		Gophers		
0	Picnic Area			
(1-4)		Condition/Safety Concerns		
		Furniture: Tables, benches.		
		BBQ Grills		
0	Irrigation			
(1-4)		Wet/Dry Areas		
	Management			
		Condition		
		Safety Concerns		
2.5	Hardscapes			
(1-4)		Free of sand, debris, weeds		
	Parking Lot			
		Condition/Safety Concerns		
2.0	Landscaping			
(1-4)		Condition		
		Pruned		
		Weeded		
2.5	FINAL AVERAGE SCORE (1-4): Add total scores. Divide by number of applicable categories with a score.			
	4 = Excellent 3 = Good 2 = Poor 1 = Fail			

Drinking Fountain Assessment: GOOD

Park Furniture Assessment: MA

Lake Assessment: MA

Trees (hangers, branch obstructions, stakes): NONE

Follow Up (comments, job orders, disposition):

TEMESCAL RIDGE TRAILHEAD
PARK BUILDING INSPECTED (Print)

M. BERTRAND
COMPLETED BY (PRINT)

12-17-11 12:00
DATE/TIME

Score	ROOM	COMMENTS	SAFETY CONCERNS	ACTION ITEMS
0 (1-4)	Restrooms Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
0 (1-4)	Kitchen Floors, Walls, Ceilings: Windows & Screens: Fixtures: Cabinets: Condition:	N/A		
0 (1-4)	Clubroom Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
0 (1-4)	Gym Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Stage: Condition:	N/A		
0 (1-4)	Office Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
0 (1-4)	Other Room Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
2.5 (1-4)	Outside Walls and Ceilings: Porch & Walks: Drinking Fountain: Windows & Screens: Fixtures: Condition:	POOL / NEEDS WASHING GOOD GOOD N/A GOOD GOOD		
1-4 C (1-4)	Other Structures Specify Structure: Condition:			
2.5 (total)	<p>**BUILDING AVERAGE SCORE (1-4): Add individual scores. Divide by number of applicable categories.</p> <p>4 = Excellent 3 = Good 2 = Poor 1 = Fail</p>			

mesa/medina/shared/forms/1-07

Follow Up (comments, job orders, disposition):

TEMBESCAL RIDGE TRAILHEAD
PARK FACILITY INSPECTED (Print)

M. BERTRAND
COMPLETED BY (PRINT)

6-26-11 11:30
DATE/TIME

Score	ITEM	COMMENTS	SAFETY CONCERNS	ACTION ITEMS
3.0 (1-4)	Field Restrooms Condition/Safety Concerns Floors Fixtures	GOOD GOOD / NEED A WASHING GOOD		
0 (1-4)	Play Area Condition/Safety Concerns Equipment Sand	N/A		
0 (1-4)	**Building Maintenance: ←(place Building Average Score total from reverse here)	N/A		
3.0 (1-4)	Litter and Trash Overall Appearance	NONE / PRESENT		
0 (1-4)	Ball Diamonds/Sports Fields/Sports Courts Condition/Safety Concerns Surfaces and Equipment	N/A		
0 (1-4)	Turf Color, Edged and Trimmed Condition/Safety Concerns Holes or Bare Spots Gophers	N/A		
0 (1-4)	Picnic Area Condition/Safety Concerns Furniture: Tables, benches, BBQ Grills	N/A		
0 (1-4)	Irrigation Management Wet/Dry Areas Condition Safety Concerns	N/A		
2.5 (1-4)	Hardscapes Free of sand, debris, weeds	NEEDS WEEDING AND PRUNING		
2.5 (1-4)	Parking Lot Condition/Safety Concerns	GOOD		
2.5 (1-4)	Landscaping Condition Pruned Weeded	POOR POOR POOR		
2.3	FINAL AVERAGE SCORE (1-4): Add total scores. Divide by number of applicable categories with a score. 4 = Excellent 3 = Good 2 = Poor 1 = Fail			

Drinking Fountain Assessment: GOOD

Park Furniture Assessment: N/A

Lake Assessment: N/A

Trees (hangers, branch obstructions, stakes):

NONE PRESENT

Follow Up (comments, job orders, disposition):

TEMESCAL RIDGE TRAILHEAD
PARK BUILDING INSPECTED (Print)

M. BERTRAND
COMPLETED BY (PRINT)

1
DATE/TIME

Score	ROOM	COMMENTS	SAFETY CONCERNS	ACTION ITEMS
6 (1-4)	Restrooms Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
6 (1-4)	Kitchen Floors, Walls, Ceilings: Windows & Screens: Fixtures: Cabinets: Condition:	N/A		
0 (1-4)	Clubroom Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
0 (1-4)	Gym Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Stage: Condition:	N/A		
0 (1-4)	Office Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
0 (1-4)	Other Room Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
3.0 (1-4)	Outside Walls and Ceilings: Porch & Walks: Drinking Fountain: Windows & Screens: Fixtures: Condition:	POOR / LOTS OF COBWEBS GOOD GOOD N/A GOOD GOOD		
(1-4)	Other Structures Specify Structure: Condition:			
3.0 (total)	**BUILDING AVERAGE SCORE (1-4): Add individual scores. Divide by number of applicable categories. 4 = Excellent 3 = Good 2 = Poor 1 = Fail			

mesa/medina/shared/forms/1-07

Follow Up (comments, job orders, disposition):

DUBESAL RIDGE TRAIL HEAD

MIKE PUSANO

3/24/15

PARK BUILDING INSPECTED (Print)

COMPLETED BY (PRINT)

DATE/TIME

Score	ROOM	COMMENTS	SAFETY CONCERNS	ACTION ITEMS
0 (1-4)	Restrooms Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
0 (1-4)	Kitchen Floors, Walls, Ceilings: Windows & Screens: Fixtures: Cabinets: Condition:	N/A		
0 (1-4)	Clubroom Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
0 (1-4)	Gym Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Stage: Condition:	N/A		
0 (1-4)	Office Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
0 (1-4)	Other Room Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
0 (1-4)	Outside Walls and Ceilings: Porch & Walks: Drinking Fountain: Windows & Screens: Fixtures: Condition:	N/A		
0 (1-4)	Other Structures Specify Structure: Condition:	N/A		
(total)	BUILDING AVERAGE SCORE (1-4): Add individual scores. Divide by number of applicable categories. 4 = Excellent 3 = Good 2 = Poor 1 = Fail			

mesa/medina/shared/forms/1-07

Follow Up (comments, job orders, disposition):

Temescal Ridge Trailhead
PARK BUILDING INSPECTOR (Print) *rrr's*

P. Robideaux
COMPLETED BY (PRINT)

1/15/14
DATE/TIME

Score	ROOM	COMMENTS	SAFETY CONCERNS	ACTION ITEMS
0 (1-4)	Restrooms Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
0 (1-4)	Kitchen Floors, Walls, Ceilings: Windows & Screens: Fixtures: Cabinets: Condition:	N/A		
0 (1-4)	Clubroom Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
0 (1-4)	Gym Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Stage: Condition:	N/A		
0 (1-4)	Office Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
0 (1-4)	Other Room Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
3.0 (1-4)	Outside Walls and Ceilings: Porch & Walks: Drinking Fountain: Windows & Screens: Fixtures: Condition:	good / clean good good N/A N/A good		
(1-4)	Other Structures Specify Structure: Condition:			
(total) 3.0	**BUILDING AVERAGE SCORE (1-4): Add individual scores. Divide by number of applicable categories. 4 = Excellent 3 = Good 2 = Poor 1 = Fail			

mesa/medina/shared/forms/1-07

Follow Up (comments, job orders, disposition):

TEMEXCAL RIDGE TRAILHEADM. BERTON
COMPLETED BY (PRINT)12-17-11 12:00
DATE/TIME

PARK BUILDING INSPECTED (Print)

Score	ROOM	COMMENTS	SAFETY CONCERNS	ACTION ITEMS
0 (1-4)	Restrooms Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
0 (1-4)	Kitchen Floors, Walls, Ceilings: Windows & Screens: Fixtures: Cabinets: Condition:	N/A		
0 (1-4)	Clubroom Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
0 (1-4)	Gym Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Stage: Condition:	N/A		
0 (1-4)	Office Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
0 (1-4)	Other Room Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
2.5 (1-4)	Outside Walls and Ceilings: Porch & Walks: Drinking Fountain: Windows & Screens: Fixtures: Condition:	POOL / NEEDS WASHING GOOD GOOD N/A GOOD GOOD		
1-4) C	Other Structures Specify Structure: Condition:			
2.5 total	**BUILDING AVERAGE SCORE (1-4): Add individual scores. Divide by number of applicable categories. 4 = Excellent 3 = Good 2 = Poor 1 = Fail			

mesa/medina/shared/forms/1-07

Follow Up (comments, job orders, disposition):

TEMESCAL RIDGE TRAILHEAD

M. BERNARD

8-23-15 11:00

PARK BUILDING INSPECTED (Print)

COMPLETED BY (PRINT)

DATE/TIME

Score	ROOM	COMMENTS	SAFETY CONCERNS	ACTION ITEMS
(1-4) 0	Restrooms Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
(1-4) 0	Kitchen Floors, Walls, Ceilings: Windows & Screens: Fixtures: Cabinets: Condition:	N/A		
(1-4) 0	Clubroom Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
(1-4) 0	Gym Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Stage: Condition:	N/A		
(1-4) 0	Office Floors, Walls, Ceilings: Windows & Screens: Fixtures: Furniture: Cabinets: Condition:	N/A		
(1-4) 0	Other Room Floors, Walls, Ceilings: Windows & Screens: Fixtures: Condition:	N/A		
(1-4) 3.0	Outside Walls and Ceilings: Porch & Walks: Drinking Fountain: Windows & Screens: Fixtures: Condition:	POOR / NEED TO BE WASH DOWN GOOD GOOD GOOD GOOD GOOD		
(1-4) 0	Other Structures Specify Structure: Condition:			
(total)	**BUILDING AVERAGE SCORE (1-4): Add individual scores. Divide by number of applicable categories. 4 = Excellent 3 = Good 2 = Poor 1 = Fail			

mesa/medina/shared/forms/1-07

Follow Up (comments, job orders, disposition):

Location	Type	Meter info	Record Period
16701 Via La Costa	Water	49104722	Bill Date: 11/1/2010 to Present
16701 Via La Costa	Sewer	N/A	Bill Date: 11/1/2010 to Present
16701 1/2 Via Las Palmas	Electric	FM00009-01099396	Bill Date: 9/28/2010 to Present

*500 ft away from 16701 Via La Costa, Not sure if this address relate it

			Location	16701 Via La Costa	16701 Via La Costa
			Type	Water	Sewer
IET 15*175	Bill Date	4/14/2014		4.11	\$ 10.49
IET 15*282 JV 15*45	Bill Date	5/12/2014		-	\$ -
IET 15*300	Bill Date	6/3/2014		-	\$ -
IET 15*306	Bill Date	7/3/2014		9.44	\$ 24.46
IET 15*464	Bill Date	8/5/2014		-	\$ -
IET 15*754	Bill Date	9/4/2014		(0.19)	\$ 0.76
IET 15*1082	Bill Date	10/1/2014		2.59	\$ 7.43
IET15*1490	Bill Date	11/1/2014			
IET15*1743	Bill Date	12/3/2014		(4.84)	\$ 14.87
IET 15*1855	Bill Date	1/5/2015		5.17	\$ 14.87
IET 15*1999	Bill Date	2/2/2015		(0.01)	\$ -
IET15*2164	Bill Date	3/4/2015		3.97	\$ 11.16
IET15*2572	Bill Date	4/6/2015		2.64	\$ 7.43
IET15*2636	Bill Date	5/4/2015		3.97	\$ 11.16
IET15*2949	Bill Date	6/2/2015		2.70	\$ 7.43
IET16*118	Bill Date	7/6/2015		4.05	\$ 11.16
IET16*319	Bill Date	8/3/2015		9.46	\$ 26.02
IET16*550	Bill Date	9/1/2015		(4.01)	\$ (10.68)
IET16*742	Bill Date	10/2/2015		5.50	\$ 15.84
IET16*971	Bill Date	11/3/2015			
IET16*1218	Bill Date	12/4/2015		2.79	\$ 7.92
IET16*1618	Bill Date	1/6/2016		1.38	\$ 3.96
IET16*1723	Bill Date	2/3/2016		4.21	\$ 11.88
IET16*2012	Bill Date	3/2/2016			
IET16*2285	Bill Date	4/6/2016		(0.04)	\$ -
IET16*2680	Bill Date	5/4/2016		-	
IET17*0018	Bill Date	6/2/2016		5.83	\$ 11.88
IET17*135	Bill Date	6/30/2016			
IET17*463	Bill Date	8/1/2016		4.22	\$ 7.92
IET17*687	Bill Date	8/31/2016		11.21	\$ 16.84
IET17*1085	Bill Date	10/5/2016		(11.58)	\$ (20.28)
IET17*1892	Bill Date	11/2/2016		-	\$ -
IET17*1898	Bill Date	12/3/2016			
IET17*1964	Bill Date	1/5/2017		-	\$ -
IET17*2091	Bill Date	2/3/2017		2.83	\$ 4.22
	Bill Date	3/6/2017		2.84	\$ 4.22
IET17*2341	Bill Date	4/4/2017		(0.01)	\$ -
IET17*2789	Bill Date	5/4/2017		-	\$ -
IET17*2931	Bill Date	6/2/2017		8.48	\$ 12.66
IET18*113	Bill Date	7/3/2017		2.81	\$ 4.22
IET18*360	Bill Date	8/1/2017		2.83	\$ 4.22
IET18*622	Bill Date	9/1/2017		10.44	\$ 13.43
IET18*904	Bill Date	10/2/2017		-	\$ -
IET18*1131	Bill Date	10/31/2017		3.50	\$ 4.49
IET18*1379	Bill Date	12/4/2017		6.98	\$ 8.98
IET18*1590	Bill Date	1/3/2018			
IET18*1790	Bill Date	1/31/2018		3.50	\$ 4.49
IET18*2073	Bill Date	3/5/2018		-	\$ -
IET18*2260	Bill Date	3/30/2018		3.47	\$ 4.49
IET18*2622	Bill Date	5/2/2018		3.50	\$ 4.49
IET18*2925	Bill Date	6/1/2018		3.50	\$ 4.49
IET19*122	Bill Date	6/30/2018		3.49	\$ 4.49
IET19*368	Bill Date	7/31/2018		-	\$ -
IET19*615	Bill Date	8/30/2018		4.36	\$ 4.78
IET19*813	Bill Date	10/1/2018		4.37	\$ 4.78
IET19*1041	Bill Date	10/30/2018		4.36	\$ 4.78
IET19*1195	Bill Date	11/30/2018			
IET19*1472	Bill Date	12/31/2018		8.73	\$ 9.55
IET19*1714	Bill Date	1/31/2019		(0.02)	\$ 0.01
IET19*1974	Bill Date	3/1/2019		4.35	\$ 4.78
IET19*2233	Bill Date	4/1/2019		4.37	\$ 4.77
IET19*2525	Bill Date	5/1/2019		4.35	\$ 4.78
IET20*14	Bill Date	6/3/2019		8.72	\$ 9.55
IET20*214	Bill Date	7/2/2019		4.37	\$ 4.78
IET20*472	Bill Date	7/31/2019			
IET20*907	Bill Date	8/30/2019		15.79	\$ 15.13
IET20*981	Bill Date	9/30/2019		5.41	\$ 5.09
IET20*1162	Bill Date	10/30/2019		5.42	\$ 5.09
IET20*1387	Bill Date	12/4/2019			
IET20*1534	Bill Date	1/2/2020		5.41	\$ 5.08
IET20*1876	Bill Date	1/30/2020		5.41	\$ 5.09
IET20*2108	Bill Date	3/2/2020		5.47	\$ 5.09
IET20*	Bill Date	3/31/2020		84.71	\$ 81.36
IET20*	Bill Date	5/1/2020		5.46	\$ 5.09

			Location	16701 1/2 Via Las Palmas
			Type	Electric
IET15*00157	Bill Date	4/14/2014		\$ 41.10
IET15*0280	Bill Date	5/12/2014		\$ 41.10
IET15*0296	Bill Date	6/3/2014		\$ 80.72
IET15*0305	Bill Date	7/1/2014		\$ 41.13
IET 15*476	Bill Date	8/5/2014		
IET15*765	Bill Date	9/4/2014		\$ 40.97
IET15*1105	Bill Date	10/1/2014		\$ 81.21
IET15*1481	Bill Date	11/1/2014		
IET15*1737 JV GEN15*155	Bill Date	12/3/2014		\$ 41.39
IET15*1854	Bill Date	1/5/2015		\$ 40.97
IET15*2002	Bill Date	2/2/2015		\$ 41.24
IET15*2242	Bill Date	3/4/2015		\$ 41.11
IET15*2554	Bill Date	4/7/2015		\$ 41.37
IET15*2633	Bill Date	5/4/2015		\$ 41.37
IET15*2946	Bill Date	6/2/2015		\$ 41.37
IET16*143	Bill Date	7/6/2015		\$ 41.37
IET16*326	Bill Date	8/3/2015		\$ 41.29
IET16*560	Bill Date	9/1/2015		\$ 81.37
IET16*747	Bill Date	10/2/2015		\$ 41.29
IET16*976	Bill Date	11/3/2015		
IET16*1223	Bill Date	12/4/2015		\$ 41.38
IET16*1623	Bill Date	1/6/2016		\$ 41.38
IET16*1728	Bill Date	2/3/2016		\$ 51.09
IET16*2017	Bill Date	3/2/2016		\$ 41.37
IET16*2290 & GEN16*192	Bill Date	4/5/2016		\$ 41.37
IET16*2685	Bill Date	5/4/2016		\$ 41.37
IET17*23	Bill Date	6/4/2016		\$ 79.23
IET17*139	Bill Date	6/30/2016		
IET17*468	Bill Date	8/1/2016		\$ 41.97
IET17*692 & GEN17*114	Bill Date	8/31/2016		\$ 81.86
IET17*1090	Bill Date	10/5/2016		
IET17*1542	Bill Date	11/2/2016		\$ 41.54
IET17*1548	Bill Date	12/5/2016		\$ 41.67
IET17*1720	Bill Date	1/5/2017		\$ 41.66
IET17*2097	Bill Date	2/3/2017		\$ 41.79
IET17*2197	Bill Date	3/6/2017		\$ 41.94
IET17*2337	Bill Date	4/4/2017		\$ 41.66
IET17*2795	Bill Date	5/4/2017		\$ 41.66
IET17*2937	Bill Date	6/2/2017		\$ 41.67
IET18*119	Bill Date	7/3/2017		\$ 41.66
IET18*366	Bill Date	8/1/2017		\$ 41.69
IET18*628	Bill Date	9/1/2017		\$ 87.18
IET18*910	Bill Date	10/2/2017		\$ 42.84
IET18*1137	Bill Date	10/31/2017		\$ 42.84
IET18*1385	Bill Date	12/4/2017		\$ 42.98
IET18*1596	Bill Date	1/3/2018		
IET18*1796	Bill Date	1/31/2018		\$ 42.98
IET18*2079	Bill Date	3/5/2018		\$ 42.98
IET18*2266	Bill Date	3/30/2018		\$ 43.12
IET18*2628	Bill Date	5/2/2018		\$ 81.68
IET18*2931	Bill Date	6/1/2018		\$ 42.98
IET19*128	Bill Date	6/30/2018		\$ 43.00
IET19*374	Bill Date	7/31/2018		\$ 45.16
IET19*621	Bill Date	8/30/2018		\$ 45.41
IET19*819	Bill Date	10/1/2018		\$ 45.57
IET19*1047	Bill Date	10/30/2018		\$ 45.41
IET19*1201	Bill Date	11/30/2018		
IET19*1478	Bill Date	12/31/2018		\$ 45.56
IET19*1719	Bill Date	1/31/2019		\$ 45.87
IET19*1979	Bill Date	3/1/2019		\$ 45.72
IET19*2238	Bill Date	4/1/2019		\$ 45.87
IET19*2530	Bill Date	5/1/2019		\$ 45.87
IET20*11	Bill Date	6/3/2019		\$ 93.11
IET20*215	Bill Date	7/2/2019		
IET20*483	Bill Date	7/31/2019		\$ 45.96
IET20*903	Bill Date	8/30/2019		\$ 95.39
IET20*971	Bill Date	9/30/2019		\$ 47.67
IET20*1124	Bill Date	10/30/2019		\$ 47.48
IET20*1381	Bill Date	12/4/2019		\$ 429.91
IET20*1533	Bill Date	1/2/2020		\$ 58.87
IET20*1801	Bill Date	1/30/2020		\$ 47.63
IET20*2071	Bill Date	3/2/2020		\$ 47.63
IET20*	Bill Date	3/31/2020		\$ 47.63
IET20*	Bill Date	5/1/2020		\$ 47.79

			Location	16701 Via La Costa	16701 Via La Costa
			Type	Water & Sewer	Water & Sewer
IV30288431	Bill Date	8/31/2010			
IV30288431	Bill Date	9/30/2010			
IV30288431	Bill Date	11/1/2010	\$	9.43	\$ 38.89
IV30288453	Bill Date	12/2/2010	\$	14.15	
IV30288453	Bill Date	1/4/2011	\$	14.15	
IV30288467	Bill Date	2/2/11	\$	14.24	
IV 30288494	Bill Date	3/4/2011	\$	14.24	
IV30288516	Bill Date	4/1/11	\$	14.24	
IV30288544	Bill Date	5/2/11	\$	19.06	
IV30288565	Bill Date	6/1/11	\$	23.84	
IET12*0164	Bill Date	6/30/11	\$	14.30	
IET12*0398	Bill Date	8/1/11	\$	14.19	
IET12*0820	Bill Date	8/30/11	\$	18.91	
IET12*1219	Bill Date	9/29/11	\$	18.91	
IET12*1399	Bill Date	10/31/11	\$	18.82	
IET12*1449	Bill Date	12/2/11	\$	14.11	
IET12*1787	Bill Date	1/4/12	\$	14.11	
IET12*2387	Bill Date	2/2/12	\$	18.87	
IET12*2578	Bill Date	3/2/12	\$	18.87	
IET12*2848	Bill Date	4/2/12	\$	18.87	
IET 12*3200	Bill Date	5/1/12	\$	19.37	
IET12*3496	Bill Date	5/31/12	\$	14.63	
IET13*0176	Bill Date	6/29/12	\$	19.51	
IET12*404	Bill Date	7/31/12	\$	19.87	
IET 13*0778	Bill Date	8/29/2012	\$	9.95	
IET 13*1059	Bill Date	9/28/2012	\$	14.93	
IET 13*1293	Bill Date	10/30/2012	\$	19.91	
IET 13*1716	Bill Date	12/1/2012	\$	14.93	
IET 13*2301	Bill Date	1/3/2013	\$	14.93	
IET 13*2041	Bill Date	2/1/2013	\$	14.97	
IET 13*2277	Bill Date	3/4/2013	\$	14.97	
IET 13*2636	Bill Date	4/2/2013	\$	14.97	
IET13*2870	Bill Date	5/1/2013	\$	20.00	
IET13*3144	Bill Date	5/31/2013	\$	10.00	
IET13*0139	Bill Date	7/1/2013	\$	15.00	
IET 14*0532	Bill Date	7/31/2013	\$	10.28	
IET 14*1781 JV 14*121	Bill Date	8/29/2013	\$	10.30	
IET 14*2592 JV 14*190	Bill Date	10/22/2013			
IET 14*2592 JV 14*191	Bill Date	12/20/2013	\$	14.67	
IET 15*84	Bill Date	2/7/2014	\$	53.71	
IET 15*151 JV 15*32	Bill Date	3/21/2014	\$	14.60	

			Location	16701 1/2 Via Las Palma
			Type	Electric
IV 30288432	Bill Date	9/28/2010	\$	72.55
IV 30288432	Bill Date	10/28/2010	\$	36.47
IV30288454	Bill Date	11/30/2010	\$	47.80
IV30288454	Bill Date	12/30/2010	\$	48.75
IV30288466	Bill Date	1/31/2011	\$	46.51
IV30288495	Bill Date	3/2/11	\$	48.52
IV30288517	Bill Date	3/30/11	\$	45.06
IV30288545	Bill Date	4/28/11	\$	36.43
IV30288566	Bill Date	5/27/11	\$	36.43
IET 12*0171	Bill Date	6/28/11	\$	36.32
IET 12*0402	Bill Date	7/28/11	\$	36.34
IET 12*0824	Bill Date	8/26/11	\$	36.35
IET 12*1251	Bill Date	9/27/11	\$	36.35
IET 12*1398	Bill Date	10/27/11	\$	36.20
IET 12*1447	Bill Date	11/30/11	\$	36.32
IET 12*1786	Bill Date	12/30/11	\$	36.43
IET 12*2401	Bill Date	1/31/12	\$	36.54
IET 12*2588	Bill Date	2/29/12	\$	36.32
IET12*2845	Bill Date	3/29/12	\$	36.54
IET12*3199	Bill Date	4/27/12	\$	36.43
IET 12*3505	Bill Date	5/29/12	\$	36.32
IET 13*0174	Bill Date	6/27/12	\$	36.43
IET 13*0409	Bill Date	7/27/12	\$	36.34
IET 13* 0774	Bill Date	8/27/2012	\$	36.20
IET 13* 1027	Bill Date	9/26/2012	\$	36.35
IET 13*1290	Bill Date	10/26/2012	\$	36.20
IET 13*1732	Bill Date	11/29/2012	\$	36.33
IET13*1714	Bill Date	12/31/2012	\$	37.95
IET 13* 2036	Bill Date	1/30/2013	\$	39.48
IET 13*2264	Bill Date	2/28/2013	\$	39.36
IET 13*2635	Bill Date	3/29/2013	\$	39.36
IET 13*2868	Bill Date	4/29/2013	\$	39.25
IET 13*3111	Bill Date	5/29/2013	\$	39.36
IET 14*0140	Bill Date	6/27/2013	\$	39.13
IET 14* 0508	Bill Date	7/29/2013	\$	39.27
IET*1871GEN14*128	Bill Date	8/29/2013	\$	40.79
IET14*2484GEN14*181	Bill Date	10/24/2013	\$	40.97
IET14*2752GEN14*193	Bill Date	12/16/2013	\$	41.10
IET15*025GEN15*09	Bill Date	2/7/2014	\$	91.89
IET15*120	Bill Date	3/12/2014	\$	41.10

Unmaintained Trailhead Property (2017)



CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

**NOTICE OF VIOLATION OF THE CALIFORNIA COASTAL ACT
REGULAR AND CERTIFIED MAIL**

August 3, 2016

1205-1207 Wooster Street LLC
c/o Adam S. Rossman
4936 Triggs Street
Commerce, CA 90022

Sent Via Email to mkrief@charter.net and adamrossman66@gmail.com

Violation File Number: V-5-16-0106

Property location: 16701 Via La Costa, Los Angeles CA; Los Angeles County
(APN 4431-039-029)

Permit Violation and
Unpermitted Development¹: The placement of a locked gate or other structure that
blocks access to a public parking lot and public restroom
facility and the locking of the public restrooms, at the
Temescal Ridge Trailhead, and in violation of CDP No. A-
381-78, as amended.

Dear Mr. Rossman

As you may know, the California Coastal Act² was enacted by the State Legislature in 1976 to provide long-term protection of California's 1,100-mile coastline through implementation of a comprehensive planning and regulatory program designed to manage conservation and development of coastal resources. The California Coastal Commission ("Commission") is the state agency created by, and charged with administering, the Coastal Act. In making its permit and land use planning decisions, the Commission carries out Coastal Act policies, which, amongst other goals, seek to protect and restore sensitive habitats; protect natural landforms; protect scenic landscapes and views of the sea; protect against loss of life and property from coastal hazards; and provide maximum public access to the sea.

¹ Please note that the description herein of the violation at issue is not necessarily a complete list of all development on the subject property that is in violation of the Coastal Act and/or that may be of concern to the Commission. Accordingly, you should not treat the Commission's silence regarding (or failure to address) other development on the subject property as indicative of Commission acceptance of, or acquiescence in, any such development.

² The Coastal Act is codified in sections 30,000 to 30,900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

This letter is to confirm our August 2, 2016 phone conversation with Mr. Marc Krief, realtor for the owner of the property located at 16701 Via La Costa in the Pacific Palisades area of the City of Los Angeles, Los Angeles County Assessor's Parcel Number ("APN") 4431-039-029 ("subject property"), in which we explained that the locked gates and restrooms constitute a violation of the Coastal Act and Coastal Development Permit No. A-381-78, as amended. We also explained that the subject property must remain as open space and pursuant to CDP No. A-381-78 as amended the public parking lot and restrooms must remain open for public use and I informed Mr. Krief that under California Real Estate Law he is required to disclose this information to any potential buyers. This letter is also to notify you of the Coastal Act violations on the subject property and to inform you of the Coastal Development Permit history associated with this property and the surrounding subdivision, including that the Commission required, through its approval of CDP No. A-381-78, as amended ("the Permit"), that the applicant construct a public parking lot and public restroom facilities on the subject property, and that the subject property be included in the public park system. We understand that the subject property is currently in escrow and this letter is to also inform you that the closure of the public amenities on the subject property are a violation of the Coastal Act and the Permit, and the development of a single family home or any other structure would also be inconsistent with the terms and conditions of the Permit and could not be approved. The subject property must remain as open space and the public amenities must remain open and available for public use, as discussed in more detail below.

Our staff has confirmed that unpermitted development activities and development inconsistent with the Permit have occurred on the above-listed property owned by 1205-1207 Wooster Street LLC including, but not limited to, the placement of a locked gate or other structure that blocks access to a public parking lot and public restroom facility and the locking of the public restrooms, at the Temescal Ridge Trailhead, and in violation of CDP No. A-381-78, as amended. These activities occurred on the subject property in violation of the terms and conditions of the Permit. The subject property is located within the Coastal Zone.

Unpermitted Development

Commission staff has researched our permit files and finds no evidence that coastal development permits have been issued to close the public restroom and parking facilities that were required to be built, and were built, as a condition of the Permit. Pursuant to Section 30600(a), any person wishing to perform or undertake development in the Coastal Zone must obtain a coastal development permit in addition to any other permit required by law. Any development activity conducted in the Coastal Zone, unless otherwise exempt, which is not the case here, without a valid coastal development permit constitutes a violation of the Coastal Act.

"Development" is defined, in relevant part, by Coastal Act Section 30106 as:

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought

about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvest of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations....(emphasis added)

The above-described activities involve unpermitted closure of a public parking lot and restroom facility and placement or erection of solid materials, including locked fencing that blocks entry to the public area, all of which involve violations of the access policies of the Coastal Act. Thus, the above-described activities constitute development under the Coastal Act.

Background

The Commission granted Coastal Development Permit No. A-381-78 to Headlands Properties in 1979 for grading, construction of roads and placement of utilities to accommodate a 230-unit residential tract within an "Urban Limit Line" established by the CDP, in the Santa Monica Mountains in the Pacific Palisades area of the City of Los Angeles. There were several subsequent amendments to this permit, the most pertinent of which is addressed below.

The underlying CDP was amended on May 21, 1980, and authorized four tracts, established the total number of dwelling units at 740, created an extended Urban Limit Line, allowed massive grading for roadways and building pads within that Urban Limit Line, authorized the construction of a church and two sites for commercial development (2 acres total), and required the dedication in fee of approximately 1,000 acres of public open space, the area outside the Urban Limit Line, to State Parks, the City of Los Angeles Department of Recreation and Parks, and/or a private, non-profit corporation acceptable to the Executive Director. Special Condition 7 of CDP A-381-78-A required the applicant to construct public trailhead facilities, including a 6-10 car public parking lot, gates, public access signs, and public restroom facilities, so as to provide foot trail access to Temescal Ridge and the Temescal Ridge Trail. All facilities were to be constructed to specifications of the State Department of Parks and Recreation and turned over to the Department for operation and maintenance. Later amendments to the Permit reaffirmed this requirement to construct the public improvements on the subject property.

Because the Trailhead facilities were not located on lands contiguous to the Topanga State Park Acquisition, the applicant requested to amend the condition to substitute the City of Los Angeles as the recipient of the Trailhead area, along with responsibility for its maintenance. As a result, the Commission imposed Special Condition 8d of A-381-78-A7 and later strengthened it through Special Condition 2 of A-381-78-A11, which states:

Temescal Ridge Trailhead: *Concurrent with the construction of streets and utilities approved in this tract, the applicant shall construct the improvements proposed for the Temescal Ridge Trail head, including signs, a 12 car parking facility and public restroom. The final designs must be reviewed by the accepting agency prior to construction. The trailhead may be transferred to the City of Los Angeles Department of Recreation and Parks for purposes of maintenance and liability, or other public or non-profit agency approved by the Executive Director. The applicant or its successor in interest shall maintain the trail and engineered slope to Temescal Ridge from Calle Nancy as part of the other open space maintenance agreed to in this permit. More*

specifically the applicant shall provide a public access/recreation signage program subject to the review and approval of the Executive Director, that provides that, at a minimum, signs will be conspicuously and appropriately placed to adequately identify the location of the Temescal Ridge Trailhead. The program shall include, at a minimum, posted signs located on both sides of Chastain Parkway West at the intersection of Calle Deborah. Signs shall also be posted at the intersections of Chastain Parkway West/Palisades Road, Calle Deborah/Calle Nancy and Calle Deborah/Calle Allicante.

The applicant submitted the proposed plans on June 18, 1993 for the construction of the public parking lot, restroom, and signage on the subject property, as required by the Permit, and the Executive Director approved these plans. The applicant then constructed the public amenities on the subject property thereafter and, up until the unpermitted activities occurred, these facilities were open and available to the public and were heavily used by the public to access the Temescal Ridge Trail.

Public Access Violation

The unpermitted development at issue is inconsistent with the public access policies of the Coastal Act, including the following policy:

Section 30210 states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

The subject unpermitted development obstructs public access because the parking lot that is obstructed by the unpermitted gate at issue affords public pedestrian access to the Temescal Ridge Trail and other heavily used public hiking trails in the adjacent Topanga State Park. In fact, conditions of the Permit effectuated an obligation on the part of the owner of the subject property to maintain the recreational facilities located on the property and to keep those facilities open and available to the public. This requirement runs with the land regardless of whether the City accepted the conveyance and regardless of transfers of the property to subsequent owners. Section 30821 authorizes the Commission to impose civil penalties on anyone who violates the Coastal Act's public access provisions, with exceptions not applicable here. The penalties imposed can be up to \$11,250 per day for each day that each violation persists. We would like to resolve these issues and secure the removal of the above-described impediments to public access.

Resolution

In some cases, violations involving unpermitted development may be resolved administratively by removal of the unpermitted development and restoration of any damaged resources. Therefore, in order to resolve this matter administratively, you must remove the unpermitted development and restore the site to its pre-violation condition by removing the locked gate to the parking lot and unlocking the restrooms. In addition, as noted above, Section 30821 authorizes

the Commission to impose civil penalties on anyone who violates the Coastal Act's public access provisions. The penalties imposed can be up to \$11,250 per day for each day that each violation persists, for up to five years.

In order to resolve this matter in a timely manner and reduce the possibility of a monetary penalty or fine, we are requesting the immediate removal of the unpermitted development and restoration of the site. Please contact me by no later August 10, 2016, regarding how you intend to resolve this violation.

Enforcement Remedies

Although we would prefer to resolve this matter amicably, please be aware that Coastal Act Section 30809 states that if the Executive Director of the Commission determines that any person has undertaken, or is threatening to undertake, any activity that requires a permit from the Coastal Commission without first securing a permit, the Executive Director may issue an order directing that person to cease and desist.

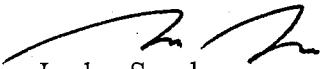
A cease and desist order may be subject to terms and conditions that are necessary to avoid irreparable injury to the area or to ensure compliance with the Coastal Act. Section 30811 also provides the Coastal Commission the authority to issue a restoration order to address violations at a site. A violation of a cease and desist order or restoration order can result in civil fines of up to \$6,000 for each day in which the violation persists.

Additionally, Sections 30803 and 30805 authorize the Commission to initiate litigation to seek injunctive relief and an award of civil fines in response to any violation of the Coastal Act. Section 30820(a)(1) provides that any person who undertakes development in violation of the Coastal Act may be subject to a penalty amount that shall not exceed \$30,000 and shall not be less than \$500 per violation. Section 30820(b) states that, in addition to any other penalties, any person who "knowingly and intentionally" performs or undertakes any development in violation of the Coastal Act can be subject to a civil penalty of not less than \$1,000 nor more than \$15,000 per violation for each day in which each of the violations persist.

Furthermore, this letter is to provide you with notice that there are unresolved Coastal Act violations on the subject property. While liability for Coastal Act violations attaches to the person or persons originally responsible for said violations (and continues to do so even if they no longer own the property), liability additionally attaches to whomsoever owns the property upon which a Coastal Act violation persists (see *Leslie Salt Co. v. San Francisco Bay Conservation and Development Com.* [1984], 153 Cal. App.3d 605, 622). Therefore, any new owner(s) of the subject property will assume liability for, and the duty to correct, any remaining violations. Under California Real Estate law, if you plan to sell the subject property, it is incumbent upon you to inform any potential new owner(s) of the same. To that end, Section 30812 authorizes the Executive Director to record a Notice of Violation against any property determined to have been developed in violation of the Coastal Act. If the Executive Director chooses to pursue that course, you will first be given notice of the Executive Director's intent to record such a notice. If a notice of violation is ultimately recorded against your property, it will serve as notice of the violation to all successors in interest in that property.

Thank you for your attention to this matter. We look forward to working with you to resolve this matter. If you have any questions regarding this letter or the pending enforcement case, please feel free to contact me at 562-590-5071.

Sincerely,



Jordan Sanchez
Enforcement Officer
California Coastal Commission

cc: Lisa Haage, Chief of Enforcement, CCC
Andrew Willis, Enforcement Supervisor, CCC
Al Padilla, Regulatory Permit Supervisor, CCC
Ralph Avila, Senior Planner, City of Los Angeles
Marc Krief, Realtor for property owner

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



**NOTICE OF VIOLATION OF THE CALIFORNIA COASTAL ACT
SENT VIA REGULAR AND CERTIFIED MAIL**

August 10, 2016

Cal-Coast Companies
Edward J. Miller and Joseph P. Guarrasi
11726 San Vicente Blvd., Suite 235
Los Angeles, CA 90049
Certified Mail No. 70012510000158720953
Sent via email to jguarrasi@cal-coast.com

Violation File Number: V-5-16-0106

Property location: 16701 Via La Costa, Los Angeles CA; Los Angeles County
(APN 4431-039-029)

Permit Violation and
Unpermitted Development¹:

1) Failure to transfer property (as identified above) to a public or non-profit agency approved by the Executive Director of the Commission and 2) placement of a locked gate or other structure that blocks access to a public parking lot and public restroom facility, and the locking of the public restrooms, in violation of CDP No. A-381-78, as amended.

Dear Mr. Miller and Mr. Guarrasi:

As you likely know, the California Coastal Act² was enacted by the State Legislature in 1976 to provide long-term protection of California's 1,100-mile coastline through implementation of a comprehensive planning and regulatory program designed to manage conservation and development of coastal resources. The California Coastal Commission ("Commission") is the state agency created by, and charged with administering, the Coastal Act. In making its permit and land use planning decisions, the Commission carries out Coastal Act policies, which, amongst other goals, seek to protect and restore sensitive habitats; protect natural landforms; protect scenic landscapes and views of the sea; protect against loss of life and property from coastal hazards; and provide maximum public access to the sea.

¹ Please note that the description herein of the violation at issue is not necessarily a complete list of all development on the subject property that is in violation of the Coastal Act and/or that may be of concern to the Commission. Accordingly, you should not treat the Commission's silence regarding (or failure to address) other development on the subject property as indicative of Commission acceptance of, or acquiescence in, any such development.

² The Coastal Act is codified in sections 30,000 to 30,900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

This letter is to bring to your attention that unpermitted development and development inconsistent with Coastal Development Permit ("CDP") No. A-381-78, as amended ("the Permit") has occurred on property located at 16701 Via La Costa in the Pacific Palisades area of the City of Los Angeles, Los Angeles County Assessor's Parcel Number ("APN") 4431-039-029 (referred to herein as, "subject property"), including the failure to comply with conditions requiring that the subject property be held by an entity appropriate to ensure public access and public amenities were maintained, as required by the Permit. As you know, the Permit required the owner and developer, Headlands Properties Associates LLC (and its successors in interest), to deed this property to the City of Los Angeles Department of Recreation and Parks ("the City"), or if needed, to transfer the subject property to another public or non-profit agency approved by the Executive Director of the Commission.

Unfortunately, it appears that you did not comply with this condition, which has resulted in the sale of the subject property to a private entity via a tax default sale, in direct conflict with the permit requirements. In addition, at some time after that sale, gates at the entrance to the public parking lot were locked and the public restrooms were closed, resulting in loss of public access and public amenities, in violation of the Coastal Act and the Permit.

This letter is to notify you of the Coastal Act violations on the subject property and to remind you of the Coastal Development Permit history associated with the subject property and the surrounding subdivision. As you know, the Commission required, through its approval of the Permit, that Headland Properties Associates LLC, now known as Cal-Coast Companies ("the Applicant"), construct a public parking lot and public restroom facility on the subject property, and that the subject property be transferred in fee to the City of Los Angeles or other public or non-profit agency, and be included in the public park system. Despite this, we understand that the subject property is currently owned by a private individual wishing to develop the property with residential development, and it appears that the City did not record the Grant Deed offered by Headlands dated February 16, 1994. After this time, it appears that the Applicant did not comply with the specific provisions in the Permit which would apply in such an event. The Permit required Headlands to transfer the subject property to another public or non-profit agency approved by the Executive Director if the City chose not to accept it, and the failure to do so constitutes a violation of the Permit and the Coastal Act. To that end, even if the City did not accept the offer, the Applicant was, and still is, responsible for complying with the Permit and in doing so ensure that the subject property is transferred to another public or non-profit agency approved by the Executive Director.

Based on the Tax Deed to Purchaser of Tax Defaulted Property by the County of Los Angeles Department of Treasurer and Tax Collector ("Department"), dated December 5, 2013, the subject property was last assessed as being owned by the Applicant, providing support that the subject property was never transferred to another public or non-profit agency pursuant to the Permit. Furthermore, it appears that the Applicant failed to pay property taxes on the subject property, and although the Department sent written notices to the Applicant informing them of an eminent seizure of the subject property, the Applicant failed to notify the Executive Director of this matter, or take steps to transfer the property to an alternate public or non-profit agency, as required. As the Applicant was the last listed owner of the subject property, and if it was their intent to cease payment of property taxes, the Applicant should have complied with the permit condition, as discussed above. To that end, and as discussed in more detail below, Commission

staff remains very concerned over the Tax Default Sale that has occurred and subsequent closure of public access to the trailhead facilities, and the violations of the Permit.

Unpermitted Development

Commission staff has researched our permit files and finds no evidence that CDPs have been issued to close the public restroom and public parking facilities that were required to be built, and were built, as a condition of the Permit. Moreover, since this unpermitted activity involves actions inconsistent with a condition of a CDP, to authorize such development would require an amendment to that CDP. We note that under Section 13166 of the Commission's regulations, it appears that staff could not even accept such an amendment application. Section 13166(a) reads as follows:

The executive director shall reject an application for an amendment to an approved permit if he or she determines that the proposed amendment would lessen or avoid the intended effect of an approved or conditionally approved permit unless the applicant presents newly discovered material information, which he could not, with reasonable diligence, have discovered and produced before the permit was granted.

Clearly any such amendment request would lessen or avoid the intended purpose of the original public access provisions. Pursuant to Section 30600(a), any person wishing to perform or undertake development in the Coastal Zone must obtain a coastal development permit in addition to any other permit required by law. Any development activity conducted in the Coastal Zone, unless otherwise exempt, which is not the case here, without a valid coastal development permit constitutes a violation of the Coastal Act.

"Development" is defined, in relevant part, by Coastal Act Section 30106 as:

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvest of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations....

Our staff has confirmed that unpermitted development and development inconsistent with the Permit have occurred on the subject property, including, but not limited to, the failure of the Applicant to comply with the public access provisions of the Permit, including the requirements to transfer the subject property to another public or non-profit agency approved by the Executive Director, placement of a locked gate or other structure that blocks access to a public parking lot and public restroom facility, and the locking of the public restrooms, at the subject property, all

in violation of the Permit. These activities occurred on the subject property in violation of the terms and conditions of the Permit. The subject property is located within the Coastal Zone.

The above-described activities involve unpermitted closure of a public parking lot and public restroom facility and placement or erection of solid materials, including locked fencing that blocks entry to the public area, all of which are development requiring authorization under the Coastal Act. Yet, as noted above, the development was not only unpermitted, it was directly inconsistent with the requirements of the Permit for the larger subdivision. Thus, the above-described activities constitute development under the Coastal Act.

Background

The Commission granted Coastal Development Permit No. A-381-78 to Headland Properties Associates LLC in 1979 for grading, construction of roads and placement of utilities to accommodate a 230-unit residential tract within an "Urban Limit Line" established by the CDP, in the Santa Monica Mountains in the Pacific Palisades area of the City of Los Angeles. There were several subsequent amendments to this permit, some of which are summarized below.

The underlying CDP was first amended on May 21, 1980, and authorized four tracts, established the total number of dwelling units at 740, created an extended Urban Limit Line, allowed very large and significant grading for roadways and building pads within that Urban Limit Line, authorized the construction of a church and two sites for commercial development (2 acres total), and required the dedication in fee of approximately 1,000 acres of public open space, the area outside the Urban Limit Line, to State Parks. Special Condition 7 of CDP A-381-78-A required Headlands to construct public trailhead facilities, including a 6-10 car public parking lot, gates, public access signs, and public restroom facilities, so as to provide foot trail access to Temescal Ridge and the Temescal Ridge Trail. All facilities were to be constructed to specifications of the State Department of Parks and Recreation and turned over to the State Parks for operation and maintenance. Later amendments to the Permit reaffirmed this requirement to construct the public improvements on the subject property.

Because the Trailhead facilities were not located on lands contiguous to the Topanga State Park acquisition, the applicant requested to amend the condition to substitute the City of Los Angeles as the recipient of the Trailhead area, including the subject property, along with responsibility for its maintenance. As a result, the Commission imposed Special Condition 8d of A-381-78-A7 and later strengthened it through Special Condition 2 of A-381-78-A11, which states:

Temescal Ridge Trailhead: Concurrent with the construction of streets and utilities approved in this tract, the applicant shall construct the improvements proposed for the Temescal Ridge Trail head, including signs, a 12 car parking facility and public restroom. The final designs must be reviewed by the accepting agency prior to construction. The trailhead may be transferred to the City of Los Angeles Department of Recreation and Parks for purposes of maintenance and liability, or other public or non-profit agency approved by the Executive Director. The applicant or its successor in interest shall maintain the trail and engineered slope to Temescal Ridge from Calle Nancy as part of the other open space maintenance agreed to in this permit. More specifically the applicant shall provide a public access/recreation signage program subject to the review and approval of the Executive Director, that provides that, at a minimum, signs will be conspicuously and appropriately placed to adequately identify the location of the Temescal

Ridge Trailhead. The program shall include, at a minimum, posted signs located on both sides of Chastain Parkway West at the intersection of Calle Deborah. Signs shall also be posted at the intersections of Chastain Parkway West/Palisades Road, Calle Deborah/Calle Nancy and Calle Deborah/Calle Allicante.

The Applicant submitted to the Executive Director the proposed plans on June 18, 1993, for the construction of the public parking lot, restroom, and signage on the subject property, as required by the Permit. The Applicant then constructed the public amenities on the subject property and, up until the unpermitted activities occurred, these facilities were open and available to the public and were heavily used by the public to access the Temescal Ridge Trail.

Public Access Violation

The unpermitted development at issue is inconsistent with the public access policies of the Coastal Act, including the following policy:

Section 30210 states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

The subject unpermitted development completely blocks public access because the parking lot that is obstructed by the unpermitted gate at issue provides the ability for the public to access the Temescal Ridge Trail and other heavily used public hiking trails in the adjacent Topanga State Park. In fact, conditions of the Permit effectuated an obligation on the part of the owner of the subject property to maintain the recreational facilities located on the subject property and to keep those facilities open and available to the public. This requirement runs with the land regardless of whether the City accepted the conveyance and regardless of transfers of the property to subsequent owners.

Section 30821 authorizes the Commission to impose civil penalties on anyone who violates the Coastal Act's public access provisions, with exceptions not applicable here. The penalties imposed can be up to \$11,250 per day for each day that each violation persists.

Resolution

In some cases, violations involving unpermitted development may be resolved administratively by removal of the unpermitted development and restoration of any damaged resources. Therefore, in order to resolve this matter administratively, you must comply with the Permit and fulfill your responsibility to transfer the subject property to another public or non-profit agency acceptable to the Executive Director, pursuant to Special Condition 2 of CDP No. A-381-78-A11. In addition, as noted above, Section 30821 authorizes the Commission to impose civil penalties on anyone who violates the Coastal Act's public access provisions. The penalties imposed can be up to \$11,250 per day for each day that each violation persists, for up to five years.

In order to resolve this matter in a timely manner and reduce the possibility of or limit the accrual of a monetary penalty, we are requesting the immediate removal of the unpermitted development and opening of the public parking lot and public restroom facility. Please contact me by no later than **August 15, 2016**, regarding how you intend to fully resolve these violations.

Enforcement Remedies

Although we would prefer to resolve this matter amicably, please be aware that Coastal Act Section 30809 states that if the Executive Director of the Commission determines that any person has undertaken, or is threatening to undertake, any activity that requires a permit from the Coastal Commission without first securing a permit, the Executive Director may issue an order directing that person to cease and desist.

Coastal Act section 30810 states that the Coastal Commission may also issue a cease and desist order. A cease and desist order may be subject to terms and conditions that are necessary to avoid irreparable injury to the area or to ensure compliance with the Coastal Act. Section 30811 also provides the Coastal Commission the authority to issue a restoration order to address violations at a site. A violation of a cease and desist order or restoration order can result in civil fines of up to \$6,000 (Coastal Act section 30821.6(a)) for each day in which the violation persists.

Additionally, Sections 30803 and 30805 authorize the Commission to initiate litigation to seek injunctive relief and an award of civil fines in response to any violation of the Coastal Act. In addition to the penalties provided for in Section 30821, as discussed above, Section 30820(a)(1) provides that any person who undertakes development in violation of the Coastal Act may be subject to a penalty amount that shall not exceed \$30,000 and shall not be less than \$500 per violation. Section 30820(b) states that, in addition to any other penalties, any person who "knowingly and intentionally" performs or undertakes any development in violation of the Coastal Act can be subject to a civil penalty of not less than \$1,000 nor more than \$15,000 per violation for each day in which each of the violations persist, in addition to exemplary damages pursuant to Section 30822 of the Coastal Act.

Furthermore, this letter is to provide you with notice that there are unresolved Coastal Act violations on the subject property. While liability for Coastal Act violations attaches to the person or persons originally responsible for said violations (and continues to do so even if they no longer own the property), liability additionally attaches to whomsoever owns the property upon which a Coastal Act violation persists (see *Leslie Salt Co. v. San Francisco Bay Conservation and Development Com.* [1984], 153 Cal. App.3d 605, 622). Therefore, any new owner(s) of the subject property will assume liability for, and the duty to correct, any remaining violations. To that end, Section 30812 authorizes the Executive Director to record a Notice of Violation against any property determined to have been developed in violation of the Coastal Act. If the Executive Director chooses to pursue that course, you will first be given notice of the Executive Director's intent to record such a notice. If a notice of violation is ultimately recorded against your property, it will serve as notice of the violation to all successors in interest in that property.

Again, we would like to work with you to resolve this matter amicably and as quickly as possible to restore the public access amenities that are required by the Permit. Thank you for your

August 10, 2016

Page 7 of 7

attention to this matter. We look forward to working with you to resolve this matter. If you have any questions regarding this letter or the pending enforcement case, please feel free to contact me at 562-590-5071.

Sincerely,



Jordan Sanchez
Enforcement Officer
California Coastal Commission

cc: Lisa Haage, Chief of Enforcement, CCC
Aaron McLendon, Deputy Chief of Enforcement, CCC
Andrew Willis, Enforcement Supervisor, CCC
Al Padilla, Regulatory Permit Supervisor, CCC
Ralph Avila, Senior Planner, City of Los Angeles
Son Leao, Tax Services Specialist, LA County Tax Assessor

KRISHEL LAW FIRM
Daniel L. Krishel, Esq. (SBN 149633)
4500 Park Granada, Suite 202
Calabasas, CA 91302
(818) 883-8759

Attorney for Plaintiffs
Henri Levy and
1205-1205 Wooster Street, LLC

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

HENRI LEVY; 1205-1207 WOOSTER
STREET, LLC

Plaintiff,

v.

CITY OF LOS ANGELES; COUNTY
OF LOS ANGELES; STATE OF
CALIFORNIA; HEADLAND
PROPERTIES ASSOCIATES LLC;
METROPOLITAN LIFE INSURANCE
COMPANY (form of entity unknown);
METLIFE, INC. AND DOES 1-100

Defendants.

CASE NO. 21SMCV00964

**FIRST AMENDED COMPLAINT FOR
DAMAGES AND EQUITABLE RELIEF
FOR:**

**1. DECLARATORY RELIEF
2. DECLARATORY RELIEF
3. DECLARATORY RELIEF
4. QUIET TITLE
5. NEGLIGENCE
6. NEGLIGENCE
7. QUANTUM MERUIT
8. TRESPASS TO PERSONAL
PROPERTY**

Plaintiffs allege as follows:

1. Plaintiff Henry Levy ("Levy") is a resident of Los Angeles County, California.
2. Plaintiff 1205-1207 WOOSTER STREET, LLC ("Wooster") is the owner of the property located at 16701 Via La Costa, Pacific Palisades, CA 90272.
3. Defendant Headland Properties Associates, LLC ("HPA, LLC") is a limited liability company doing business in Los Angeles County California. HPA, LLC is 99% owned by defendant Metropolitan Life Insurance Company (form of entity unknown)

1 (“MLIC”). Defendant MetLife, Inc. (“MLI”) is listed as the “ultimate controlling entity” over
2 MLIC and/or HPA, LLC.

3 4. Defendant County of Los Angeles (“County”) is responsible for the acts and
4 omissions of its agents, including but not limited to, the Office of Finance and LA. County
5 Tax Collector as described herein, all of which occurred in Los Angeles County. Prior to
6 filing this action, Plaintiff submitted a formal claim to the County pursuant to the California
7 Government Claims Act. Within six months prior to the filing of this complaint, the County
8 rejected the claim or is deemed under the law, to have rejected the claim.

9 5. Defendant City of Los Angeles (“City”) is responsible for the acts and
10 omissions of its agents, all of which occurred in Los Angeles County. Prior to filing this
11 action, Plaintiff submitted a formal claim to the City pursuant to the California Government
12 Claims Act. Within six months prior to the filing of this complaint, the City rejected the
13 claim or is deemed under the law, to have rejected the claim.

14 6. Defendant State of California (“State”) is responsible for the acts and
15 omissions of its agents, including but not limited to, the California Natural Resources
16 Agency and the California Coastal Commission as described herein, all of which occurred in
17 Los Angeles County. Prior to filing this action, Plaintiff submitted a formal claim to the
18 State pursuant to the California Government Claims Act. Within six months prior to the
19 filing of this complaint, the State rejected the claim or is deemed under the law, to have
20 rejected the claim.

21 7. The true names and capacities, whether individual, corporate, partnership,
22 associate, or otherwise, of defendants DOES 1 through 100, inclusive, are unknown to Cross
23 Complainant, who therefore sues these defendants by such fictitious names. Cross
24 Complainant is informed and believes and therein alleges that each DOE defendant herein is
25 liable to Plaintiffs for the acts and omissions alleged herein below, and the resulting injuries
26 to Plaintiffs, and damages sustained by Plaintiffs.

27 8. Plaintiffs are informed and believes, and based upon this information and belief
28 alleges, that each Defendant is, and at all relevant times was, the agent, servant, employee,

1 and/or co-conspirator of the other Defendants, and that each defendant and unnamed co-
2 conspirator was acting within the course and scope of his or its authority as the agent,
3 servant, employee, and/or co-conspirator of the other Defendants; that each Defendant is
4 jointly and severally liable to Complainant for the damages sustained as a proximate result of
5 his or its conduct and that each and every act or omission of any defendant herein was
6 ratified, expressly and/or impliedly, by each of the other Defendants herein. Therefore,
7 Defendants refers to all Defendants in this complaint, named or unnamed, collectively, as
8 “Defendants.”

9 COMMON ALLEGATIONS

10 10. According to public records, Defendant Headland Properties Associates LLC
11 (“HPA-LLC”) purported to obtain title to a property located at 16701 Via La Costa, Pacific
12 Palisades, CA 90272 (“the Property”) via grant deed in 2010, from a developer of the
13 Property called “Headland Properties Associates a California limited partnership” (“HPA-
14 LP”) (“the HPA to HPA grant deed”).

15 11. On October 22, 2013, Plaintiff Henri Levy (“Levy”) purchased the property at
16 a Los Angeles County tax-defaulted real property auction for \$350,000.00 (“the Auction”).
17 About one month later, on or about January 14, 2014, Levy transferred the property to his
18 limited liability company, Plaintiff “1205-1207 Wooster Street, LLC.”

19 12. According to Defendant State of California (“State”) by and through the
20 California Natural Resources Agency and the California Coastal Commission (collectively,
21 “CCC”) some time after the Auction, HPA-LLC, filed an Excess Proceeds claim with
22 Defendant County and received \$333,114.56 from Defendant County; those proceeds
23 represented the purported value of the property, less back taxes paid at the Auction by
24 Plaintiff Levy.

25 13. In or about July 2016, Plaintiffs Levy/Wooster agreed to sell the Property to a
26 third party buyer for \$1,300,000.00. In the midst of this sale, Levy/Wooster were contacted
27 by Defendant CCC. On or about August 3, 2016, the CCC issued a “Notice of Violation of
28 the California Coastal Act” to Wooster. In this notice, the CCC, by and through “Jordan

1 Sanchez Enforcement Officer” told Wooster that the Property was subject to the jurisdiction
2 of CCC. Mr. Sanchez also stated in that letter that Coastal Development Permit “A-381-78”
3 (“the Permit”) was violated as a result of Levy/Wooster’s “unpermitted development” which
4 consisted of the installation of a gate placed on the property, and the locking of restrooms on
5 the Property. At no time prior to the Auction were Plaintiffs aware of the alleged Permit or
6 its alleged restrictions.

7 14. By letter dated September 23, 2016, Mr. Sanchez added a new violation and
8 now stated that pursuant to the Permit, the Property was “required to be transferred to a
9 public or non-profit agency” and that “until the Property is transferred to a public or non-
10 profit agency” Wooster would be liable for daily fines of up to \$11,250 per day. The CCC
11 letter concluded by stating “failure to transfer the property to a public or non-profit agency
12 acceptable to the...Coastal Commission constitutes a violation of the Coastal Act” and that
13 “penalties...will continue to accrue until the issue at hand is resolved.”

14 15. By letter dated March 15, 2017, Mr. Sanchez stated that “It is our
15 understanding that the City of Los Angeles operated and maintained the public restroom and
16 parking lot as the Permit required for 17 years.” In this letter, Mr. Sanchez stated that as a
17 result of Wooster’s actions, the Property “remains privatized, constituting a continuing
18 violation of the Coastal Act as long as Wooster refused to transfer the Property to a public or
19 non-profit agency approved by CCC.”

20 16. In a letter dated February 15, 2018, the CCC by and through “John Ainsworth,
21 Chief of Enforcement” demanded the Property be transferred to a public or non-public
22 agency and that failure to so transfer constituted a Coastal Act violation.

23 17. In a letter dated December 12, 2018 to Levy, the CCC by and through “Heather
24 Johnston, Chief of Enforcement” stated “No mistake has been made by the Commission; the
25 ongoing obligations to comply with the coastal development permit are clear...” In a letter
26 dated March 4, 2019 Ms. Johnston wrote “I can assure you no mistake by Commission staff
27 has been found...” That letter also stated and informed Plaintiffs: “...after the sale of
28 the...Property at tax auction, HPA (the entity that had record title to the property prior to the

1 foreclosure, and which had defaulted on the property taxes) filed an Excess Proceeds claim
2 with the Los Angeles County Treasurer and Tax Collector and received \$333,114.56 from the
3 sale – the value of the property at this sale, less back taxes. This is both law and standard
4 practice after a tax sale and was not, in fact, done in error...” The letter ended by once again
5 demanding that Wooster transfer the Property “to the City of Los Angeles...” By letter dated
6 December 5, 2019, Ms. Johnston wrote to Mr. Levy and stated: “the restrictions...imposed by
7 ...[the Permit]...do in fact persist and apply to you as current owner of [the Property].”

8 18. In September 2020, for the first time ever, the CCC provided Plaintiffs with a
9 copy of an unrecorded grant deed that Plaintiffs had never before seen; this grant deed was
10 concealed by the City, the County and the State from public view at all time prior to the
11 Auction and to this date, has never been recorded. **The grant deed purports to show HPA-**
12 **LP transferring title to the Property to “the City of Los Angeles Department of**
13 **Recreation and Parks” in 1994 (“the City grant deed”) – 19 years prior** to the Auction and
14 **22 years prior** to CCC’s demands that Levy/Wooster transfer that exact same proper to the
15 City. CCC admitted the City grant deed was executed and delivered in furtherance of the
16 Permit requirements that allegedly requires the property to be deeded to the City or another
17 public agency.

18 19. From 1994 until the present, neither Defendant City, County nor State, ever
19 recorded any document with the Los Angeles County Recorders’ Office that would notify
20 potential purchasers (like Plaintiffs) of the existence of the City grant deed. The existence of
21 the City grant deed would have notified the world, including Plaintiffs:

22 1) the Auction never should have taken place because the Property was potentially
23 owned by the City;

24 2) the Property was tax exempt and not even subject to any County initiated tax
25 delinquent auctions;

26 3) the existence of the alleged CCC Permit “requirements” on the Property.

27 Because the City grant deed was never recorded, Plaintiffs were unaware of its
28 existence when it purchased the property and unaware of the above items 1-3.

1 20. Despite the existence of the City grant deed, neither the City of Los Angeles,
2 County of Los Angeles nor State of California, by and through the CCC ever took any action,
3 nor objected or questioned the validity of the HPA-HPA grant deed executed some sixteen
4 years *after* the City grant deed. Had either the City, County or State initiated any court action
5 or recorded any public notices against the Property concerning the invalidity of the HPA-
6 HPA grant deed or that the City grant deed existed, the entire world, including Plaintiffs
7 would have know the property was not subject to a tax delinquent auction. Instead, all of
8 these governmental entities chose to stay silent and to affirmatively conceal, the City grant
9 deed's existence which by definition, concealed the invalidity of the Auction and the alleged
10 permit "requirements." As a result of this to take any action, Plaintiffs were unaware of the
11 Permit requirements or the City grant deed when they purchased the property at the tax lien
12 auction

13 21. Although the State contends the Coastal Development Permit required the
14 property to be transferred to a governmental entity or approved non-profit entity, at no time
15 did either the State or the CCC ever record a notice of violation on the subject property with
16 the Los Angeles County Recorder's Office, that would have informed potential purchasers
17 (like Plaintiffs) about the existence of the alleged CCC violation that allegedly existed on the
18 property, to wit, the prior property owners' (HPA) alleged failure to transfer the property to a
19 governmental entity. As a result of this failure to record, Plaintiffs were unaware of any such
20 requirement when they purchased the property at the tax lien auction.

21 22. If the CCC's violation notices sent to Plaintiffs Levy/Wooster are determined
22 to be accurate, the Property is tax exempt and the Auction never should have taken place and
23 Levy never should have been allowed to purchase the Property at the Auction. Furthermore,
24 the City, County, State and CCC were all on notice that an unsuspecting person like Levy
25 could potentially buy the property at the Auction because the exact same fiasco had already
26 occurred affecting at least one and possibly two previous unsuspecting buyers during at least
27 one and possibly two prior tax default auctions on the same property. The County was
28

required to refund the purchase price to these buyers and rescind the auctions because the property was tax exempt and never should have been auctioned. (“the rescinded auctions”).

23. Notwithstanding the rescinded auctions, neither the City, County, or State ever took any remedial or corrective action, including recording the City grant deed, recording of any notices of violations for HPA's failure to convey the property to a governmental entity or approved non-profit entity, or any other notice, or took any steps to insure yet *another* improper auction did not take place and to insure yet another unsuspecting bidder (like Levy) did not become entangled in the chaos surrounding the subject property. Had Levy known of the facts asserted by the CCC in their notices of violations, or that HPA was required to transfer the property, or had it known of the City grant deed, or that the auction was improper and never should have taken place, he never would have bid at the Auction and taken title to the Property.

24. As of this date, Plaintiff Wooster continue to pay yearly property taxes on the Property, has never disclaimed possession of the property and is the record owner of the Property.

FIRST CAUSE OF ACTION

Declaratory Relief

(By all Plaintiffs Against State of California and DOES 1-10)

25. Plaintiffs incorporates by reference paragraphs 1 through 24 as though set forth in full.

26. Plaintiffs contend and Defendant State, by and through the Natural Resources Agency and the CCC, deny the following:

a) From 1994 until the present, the State never recorded any document with the Los Angeles County Recorders' Office that would notify potential purchasers (like Plaintiffs) of the existence of the City grant deed. The State never took any action (since at least 1994) to enforce the transfer of title "requirement" in the Permit, despite knowing the City grant deed was never recorded and/or that the City grant deed did not comply with the transfer of title requirement stated in the Permit.

1 b) The existence of the City grant deed would have notified all potential bidders at
2 the auction, including Plaintiffs that: 1) the Auction never should have taken place; 2) the
3 Property was tax exempt and not subject to any County initiated tax delinquent auctions;

4 c) The alleged Coastal Development Permit was so convoluted, vague, ambiguous
5 and unintelligible, that it was and is impossible for a reasonable person/buyer investigating
6 the subject property, to decipher the permit's purported "requirement" that the subject
7 property is allegedly required to be conveyed to a governmental entity or an approved non-
8 profit entity; therefore, the purported restriction is invalid and unenforceable pursuant to
9 among other things, *Government Code* Section 27281.5(a)(b), *Civil Code* 1468, *Code of Civil*
10 *Procedure* Section 336(b), *Civil Code* Section 784. The State is also estopped from
11 enforcing any such permit requirements on the subject property as a result.

12 d) Despite the existence of the City grant deed, neither the City of Los Angeles,
13 County of Los Angeles nor State of California, by and through the CCC ever took any action,
14 nor objected or questioned the validity of the HPA-HPA grant deed executed some sixteen
15 years *after* the City grant deed. Had either the City, County or State initiated any court action
16 or recorded any public notices against the Property concerning the invalidity of the HPA-
17 HPA grant deed, the entire world, including Plaintiffs would have know the property was not
18 subject to a tax delinquent auction. Instead, all of these governmental entities chose to stay
19 silent and to affirmatively conceal, the City grant deed's existence which by definition,
20 concealed the invalidity of the Auction and the alleged permit "requirements."

21 e) Neither the State nor CCC ever recorded a notice of violation with the Los
22 Angeles County Recorder's Office alleging the prior owner's (HPA) failure to convey the
23 property to a governmental entity or non-profit entity, which according to CCC is a violation
24 of Coastal Development Permit "A-381-78"; and they also failed to record any other
25 document that would have otherwise notified potential bidders at the Auction, that the CCC
26 was claiming a violation of the Permit had occurred and was continuing.

27 e) Had Levy known of the facts asserted by the CCC in its their notices of
28 violations or had it known of the City grant deed, or that the auction was improper and never

1 should have taken place, or that the Permit allegedly required the property to be transferred to
2 a governmental or non-profit entity, or that HPA was in violation for failure to transfer the
3 property to an approved entity, he never would have bid at the Auction and taken title to the
4 Property.

5 f) As a result of all of the foregoing, Plaintiffs are entitled to a preliminary and
6 permanent injunction against the State from attempting to in any manner enforce the alleged
7 permit requirements, including the restrictions on development that may be contained in the
8 Permit, the imposition of any penalties, fines, mandating transfer of title to any governmental
9 or other entity, or any other enforcement actions relating to the Permit.

10 g) Plaintiffs are entitled to use and/or sell the Property free and clear of all CCC
11 alleged permit requirements.

12 h) Plaintiffs are not obligated to maintain the property in its current condition nor
13 obligated to transfer the Property as allegedly required by the Permit.

14 i) If the court determines Plaintiffs are subject to the permit requirements, then to
15 prevent a grave injustice from occurring, Defendants are required to compensate Plaintiffs in
16 an amount to be determined at trial.

17 27. Declaratory relief is necessary and appropriate at this time so that the parties
18 may ascertain their rights under the Tax Deed and the CCC Permit.

19 **SECOND CAUSE OF ACTION**

20 **Declaratory Relief**

21 (By all Plaintiffs Against County of Los Angeles and DOES 11-20)

22 28. Plaintiffs incorporates by reference paragraphs 1 through 27 as though set forth
23 in full.

24 29. In the alternative to the claims set forth herein, Plaintiff seeks declaratory relief
25 against the County so that it may ascertain its rights pertaining in and to the property.
26 Plaintiffs contend and Defendant County denies, the following:

27 a) The Auction was improper and never should have occurred because of the
28 Property's tax exempt status. (Cal. Const., art. XIII, § 3, subds. (a), (b).)

b) If in fact the subject property is deemed to be exempt from taxation, the tax deed purporting to convey such property for nonpayment of taxes, is void. If the tax deed as alleged herein is declared void, a jurisdictional defect in the tax deed exists, thereby entitling Plaintiffs to a refund of the property's purchase price pursuant to *Rev. & Tax. Code* Section 3729, 905(a). If the tax deed contains a jurisdiction defect, any statute of limitations that would otherwise apply to Plaintiffs' claim against the County, is wholly inapplicable.

THIRD CAUSE OF ACTION

Declaratory Relief

(By all Plaintiffs Against City of Los Angeles and DOES 21-30)

30. Plaintiffs incorporate by reference paragraphs 1 through 29 as though set forth in full.

31. In the alternative to the relief sought in this Complaint, Plaintiff seeks declaratory relief against the City that it may ascertain its rights pertaining in and to the property. Plaintiffs contend and Defendant City denies, the following:

a) The Auction never should have occurred because the City was in possession of the City grant deed, but never recorded it or any other notice alerting the public of its existence and/or effect on the Property or that it otherwise disclaimed ownership of the Property.

b) Plaintiffs have continued to pay taxes on the property and continue to hold title to the property

c) The City grant deed is subordinate to the Tax Deed.

FOURTH CAUSE OF ACTION

Quiet Title

(By Wooster Against Defendant City and State and DOES 31-40)

32. Plaintiffs incorporates by reference paragraphs 1 through 31 as though set forth in full.

33. Because of the potential for conflicting claims to title pertaining to all or a portion of the subject property, Plaintiffs are entitled to an order that its title is superior to

1 any interest that is claimed by Defendant City or State and that whatever claims either of
2 these entities may have are subordinate to Plaintiffs title, including but not limited to a ruling
3 that Plaintiffs are entitled to use and or sell the Property free and clear of all alleged Permit
4 requirements and that the City grant deed is subordinate to Plaintiff's tax deed.

5 **FIFTH CAUSE OF ACTION**

6 Negligence

7 (By all Plaintiffs Against State and DOES 41-50)

8 34. Plaintiffs incorporates by reference paragraphs 1 through 33 as though set forth
9 in full.

10 35. Prior to the auction, Defendant State was all fully aware that the Property was
11 tax-exempt and not subject to a tax default auction. The unrecorded City grant deed was not
12 actually discovered by Plaintiffs until September 2020. Given the existence of the city grant
13 deed, and the State's knowledge of it, the State owed a duty to inform the public of the
14 property's tax exempt status and of the City grant deed's existence, because among other
15 things, the Property had been previously improperly auctioned to other unsuspecting
16 members of the public at least one, and possibly twice.

17 36. Furthermore, and despite the existence of the City grant deed, the State never
18 took any action, nor objected or questioned the validity of the HPA-HPA grant deed executed
19 some sixteen years *after* the City grant deed – a transfer that itself, according to the CCC was
20 a violation of the Permit. Had the State initiated any court action or recorded any public
21 notices against the Property concerning the invalidity of the HPA-HPA grant deed or that
22 HPA was in violation of the Permit because of its failure to transfer the property to an
23 approved governmental or non-profit entity, Plaintiffs would have known the property was
24 not subject to a tax delinquent auction. Instead, the State chose to stay silent and to
25 affirmatively conceal, the City grant deed's existence which by definition, concealed the
26 invalidity of the Auction and the alleged permit "requirements."

27 37. As a result of the foregoing, the State breached its duty to inform the public
28 that the property was tax exempt and was subject to the City grant deed and that the property

1 was in violation of the Permit because of HPA's failure to properly transfer title. As a
2 proximate result of the State's breach, Plaintiff Levy purchased the property fully unaware of
3 the property's tax exempt status and the City grant deed.

4 38. If it is determined by the court that the restrictions and permit requirements
5 claimed by the CCC are valid and enforceable, then Plaintiff will have paid \$350,000.00 for a
6 Property that never should have been auctioned. The CCC has refused to allow Plaintiffs to
7 sell or develop the property or to do anything with the property except execute a grant deed
8 of the Property to the City or some other approved entity for exactly *zero consideration* in
9 return. As a result, Plaintiffs have been damaged in the amount of at least \$2 million dollars,
10 which includes loss of the purchase price, loss of profits on the planned sale of the Property,
11 loss of rental or other income that could have been generated by the property, plus interest.

12 SIXTH CAUSE OF ACTION

13 Negligence

14 (By all Plaintiffs Against City, and DOES 51-60)

15 39. Plaintiffs incorporates by reference paragraphs 1 through 38 as though set forth
16 in full.

17 40. Prior to the auction, Defendant City was aware the Property was tax-exempt
18 and not subject to a tax default auction given the existence of the unrecorded City grant deed.
19 That unrecorded City grant deed was not seen (and therefore actually discovered) by
20 Plaintiffs until September 2020. The City owed a duty to inform the public of the property's
21 tax exempt status and the City grant deed especially given the fact that the Property had been
22 improperly auctioned to other unsuspecting members of the public at least one, and possibly
23 twice.

24 41. Despite the existence of the City grant deed, the City of Los Angeles never
25 took any action, nor objected or questioned the validity of the HPA-HPA grant deed executed
26 some sixteen years *after* the City grant deed. Had either the City initiated any court action or
27 recorded any public notices against the Property concerning the invalidity of the HPA-HPA
28 grant deed, the entire world, including Plaintiffs would have know the property was not

1 subject to a tax delinquent auction. Instead, the City chose to stay silent and to affirmatively
2 conceal, the City grant deed's existence which by definition, concealed the invalidity of the
3 Auction and the alleged permit "requirements."

4 42. The City breached its duty to inform the public that the property was tax
5 exempt and was subject to the City grant deed. As a proximate result of that breach, Plaintiff
6 Levy purchased the property fully unaware of the property's tax exempt status.

7 43. If it is determined by the court that the restrictions and permit requirements
8 claimed by the CCC are valid and enforceable or that the City, then Plaintiff will have paid
9 \$350,000.00 for a Property that never should have been auctioned. The CCC has refused to
10 allow Plaintiffs to sell or develop the property or to do anything with the property except
11 execute a grant deed of the Property to the City or some other approved entity for exactly
12 *zero consideration* in return. As a result, Plaintiffs have been damaged in the amount of at
13 least \$2 million dollars, which includes loss of the purchase price, loss of profits on the
14 planned sale of the Property, loss of rental or other income that could have been generated by
15 the property, plus interest.

16 **SEVENTH CAUSE OF ACTION**

17 Quantum Meruit

18 (By all Plaintiffs Against HPA LLC, MLIC, MLI and DOES 61-70)

19 44. Plaintiffs incorporates by reference paragraphs 1 through 43 as though set forth
20 in full.

21 45. HPA, LLC unjustly received a benefit that it is not entitled to retain because it
22 had no lawful right or claim to the Excess Proceeds. HPA was fully aware the Property was
23 tax exempt and that the auction never should have taken place. Indeed, HPA had previously
24 delivered the City Grant Deed so when the auction took place, it did not even believe it
25 owned own the property when the auction took place.

26 46. Plaintiff Levy paid the property taxes on the property that never should have
27 been auctioned. HPA received the Excess Proceeds only because of the Plaintiff's payment
28 of the taxes. The Excess Proceeds should have been paid to Plaintiffs because they were

1 entitled not only to a return of the Excess Proceeds, they were entitled to the return of the
2 property taxes they paid. It was the Plaintiffs payment of the taxes that allowed HPA, LP and
3 HPA, LLC to receive the Excess Proceeds.

4 47. In documents filed with the New York Insurance Department of the State of
5 New York, Defendant MetLife, Inc. is listed as the “ultimate controlling entity” over MLIC
6 and/or HPA, LLC.

7 48. Based on the foregoing, Defendants HPA, LLC as directed, instructed and/or
8 ratified after the fact, by defendant MLI and MLIC, improperly received the Excess Proceeds
9 in the amount of \$333,114.56 and that should be restored to Plaintiffs.

10 **EIGHTH CAUSE OF ACTION**

11 **Trespass to Personal Property**

12 (By all Plaintiffs Against HPA LLC, MLIC, MLI and DOES 71-80)

13 49. Plaintiffs incorporates by reference paragraphs 1 through 48 as though set forth
14 in full.

15 50. HPA, LLC unjustly received a benefit that it is not entitled to retain because it
16 had no lawful right or claim to the Excess Proceeds. HPA was fully aware the Property was
17 tax exempt and that the auction never should have taken place. Indeed, HPA had previously
18 delivered the City Grant Deed so when the auction took place, it did not even believe it
19 owned own the property when the auction took place.

20 51. Plaintiff Levy paid the property taxes on the property that never should have
21 been auctioned. HPA received the Excess Proceeds only because of the Plaintiff’s payment
22 of the taxes. The Excess Proceeds should have been paid to Plaintiffs because they were
23 entitled not only to a return of the Excess Proceeds, they were entitled to the return of the
24 property taxes they paid. It was the Plaintiffs payment of the taxes that allowed HPA, LP and
25 HPA, LLC to receive the Excess Proceeds.

26 52. In documents filed with the New York Insurance Department of the State of
27 New York, Defendant MetLife, Inc. is listed as the “ultimate controlling entity” over MLIC
28 and/or HPA, LLC.

1 53. Based on the foregoing, Defendants HPA, LLC as directed, instructed and/or
2 ratified after the fact, by defendant MLI and MLIC, improperly received the Excess Proceeds
3 in the amount of \$333,114.56 and that should be restored to Plaintiffs.

4 **ON THE FIRST CAUSE OF ACTION:**

5 1. For a declaration that:

6 a) Plaintiffs are entitled to a preliminary and permanent injunction against the State
7 from attempting to in any manner enforce the alleged permit requirements, including the
8 restrictions on development that may be contained in the Permit, the imposition of any
9 penalties, fines, mandating transfer of title to any governmental or other entity, or any other
10 enforcement actions relating to the Permit.

11 b) Plaintiffs are entitled to use and/or sell the Property free and clear of all CCC
12 alleged permit requirements.

13 c) Plaintiffs are not obligated to maintain the property in its current condition nor
14 obligated to transfer the Property as allegedly required by the Permit.

15 d) If the court determines Plaintiffs are subject to the permit requirements, then to
16 prevent a grave injustice from occurring, Defendants are required to compensate Plaintiffs in
17 an amount to be determined at trial.

18 **ON THE SECOND CAUSE OF ACTION:**

19 2. For a declaration that:

20 A jurisdictional defect in the tax deed exists, thereby entitling Plaintiffs to a refund of
21 the property's purchase price pursuant to *Rev. & Tax. Code* Section 3729, 905(a).

22 **ON THE THIRD CAUSE OF ACTION:**

23 3. For a declaration that:

24 a) The City grant deed is subordinate to the Tax Deed.

25 **ON THE FOURTH CAUSE OF ACTION:**

26 4. For an order quieting title to the Property stating that:

27 a) Plaintiffs are entitled to use and or sell the Property free and clear of alleged
28 Permit requirements.

1 b) the City grant deed is subordinate to Plaintiff's tax deed.

2 **ON THE FIFTH and SIXTH CAUSE OF ACTION:**

3 5. For an award of general and special damages exceeding \$2 million

4 **ON THE SEVENTH AND EIGHTH CAUSE OF ACTION:**

5 6. For an award of damages in the amount of \$333,114.56 plus interest at the legal rate.

6 **ON ALL CAUSES OF ACTION**

7 7. For an order confirming Cross complainant's interest in the property.

8 8. For costs of suit incurred herein;

9 9. For such other relief the court deems proper and appropriate;

10 10. For attorneys' fees permitted by law.

11

12

DATED: January 21, 2022

KRISHEL LAW FIRM

13

//Daniel Krishel

14

By: _____
DANIEL L. KRISHEL
Attorney for Plaintiffs

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1 **PROOF OF SERVICE**
2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in County of Los Angeles, State of California. I am over the age of 18 and
4 not a party to the within action. On 1/21/22, I served the document(s) described as **FIRST**
5 **AMENDED SUMMONS AND COMPLAINT** on interested parties in this action by placing a
6 true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United
7 States Postal Service mail at Los Angeles, California addressed as follows:

8 **VIA EMAIL**

9 Nicholas R. Colletti
10 ncolletti@ccmslaw.com

11 PJ Shemtoob
12 pj.shemtoob@lacity.org

13 Hayley Peterson
14 Hayley.Peterson@doj.ca.gov

15 — (BY MAIL) I am readily familiar with this business's practice for collection and processing
16 of correspondence for mailing, and that correspondence will be deposited with the United
17 States Postal Service on the date hereinabove in the ordinary course of business at Los
18 Angeles, California.

19 (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the above
20 addressee.

21 — (FEDERAL) I declare that I am employed in the office of this Court at whose direction
22 the service was made.

23 X (STATE) I declare under penalty of perjury under the laws of the State of California that
24 the above is true and correct.

25 Executed on 1/21/22, at Los Angeles, California.

26 // Daniel Krishel

27 DANIEL KRISHEL

AMENDED
SUMMONS
(CITACION JUDICIAL)

SUM-100

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

CITY OF LOS ANGELES; COUNTY OF LOS ANGELES; (See attachment)

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

HENRI LEVY; 1205-1207 WOOSTER STREET, LLC

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Los Angeles Superior Court, 1725 Main Street
Santa Monica, CA 90401

CASE NUMBER: (Número del Caso):
21SMCV00964

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Daniel Krishel, 4500 Park Granada, Suite 202, Calabasas, CA 91302 818 883 8759

DATE:

(Fecha)

Clerk, by

(Secretario)

, Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)

[SEAL]

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☐ on behalf of (specify):
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):
4. ☐ by personal delivery on (date)

Page 1 of 1

SHORT TITLE:

CASE NUMBER:

INSTRUCTIONS FOR USE

- This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
- If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

☐

Plaintiff

☒

Defendant

☐

Cross-Complainant

☐

Cross-Defendant

STATE OF CALIFORNIA; HEADLAND PROPERTIES ASSOCIATES LLC; METROPOLITAN LIFE INSURANCE COMPANY (form of entity unknown); METLIFE, INC. AND DOES 1-100

Page ____ of ____

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ADDITIONAL PARTIES ATTACHMENT
Attachment to Summons

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

**CEASE AND DESIST ORDER NO. CCC-22-CD-02 AND
ADMINISTRATIVE CIVIL PENALTY ASSESSMENT NO. CCC-22-AP-02
(Headlands)**

1. CEASE AND DESIST ORDER CCC-22-CD-02

Pursuant to its authority under California Public Resource Code (“PRC”) Section 30810, the California Coastal Commission (“the Commission”) hereby orders and authorizes Headland Properties Associates LLC, Headland Properties Associates LP, Cal Coast Companies, Headland Properties Inc, and Edward Miller and Joseph Guarrasi, in their individual capacities and in their roles related to the foregoing entities, and all of their successors in interest, assigns, employees, agents, contractors, and anyone acting in concert with any of the foregoing (hereinafter collectively referred to as “Headlands”) to take all actions required by this Cease and Desist Order, in compliance with its terms, including by complying with the following:

- a. Cease and desist from engaging in any development, as that term is defined in the Coastal Act (PRC Section 30106), that requires a Coastal Development Permit (“CDP”) on any of the property identified in Section 4, below (“the Property”), unless authorized pursuant to the Coastal Act (PRC Sections 30000 to 30900), which includes pursuant to this Cease and Desist Order.
- b. Fully and completely comply with CDP No. A-381-78, as amended (“the CDP”), including by complying with Special Condition 7 of CDP amendment No. A-381-78-A1, Special Condition 2 of CDP amendment No. A-381-78-A9, and Special Conditions 2 and 4 of CDP amendment No. A-381-78-A11, by, among other things, taking any and all steps within its power to resolve any and all outstanding issues regarding the title to the Property and ensure that title is held by the City of Los Angeles Department of Recreation and Parks (“City”) or another public or not-for-profit entity approved by the Commission’s Executive Director in compliance with the explicit conditions of the CDP, as described in more detail in Section 1.d, below.
- c. Operation and Maintenance: If Headlands comes to have any claim to holding any legal interest in the Property sufficient to allow Headlands to manage the Property, including, but not necessarily limited to, via a conveyance from the current record owner, 1205-1207 Wooster Street LLC (“Wooster”), or based on the issuance of a court order directing conveyance of the Property to Headlands or ruling that Headlands is the owner, then, within ten (10) days from the date of obtaining such control, Headlands shall take the steps listed in subsections i through iii, immediately below; and within twenty (20) days of regaining such control of the Property, Headlands shall take the step listed in subsection iv; and it shall continue to maintain the property as indicated below, and to provide evidence, every ninety (90) days and upon demand, demonstrating that it is doing so, for the duration of the period during which Headlands holds such an interest:

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Headlands

- i. Remove any impediments to the public's vehicular and pedestrian access to the Property and take no new action that prevents the public from parking in and using the public parking lot and facilities on the Property.
 - ii. Remove all trash and debris from the Property, including from the public parking lot and public restrooms, and do so on a continuing basis until such time as the transfer of the Property is finalized pursuant to the CDP and this Cease and Desist Order.
 - iii. Clean and sanitize the public restrooms on the Property, ensure that toilets and sinks are fully functional and make any plumbing or other repairs that are needed, fully stock the restrooms with all necessary amenities, such as toilet paper, hand soap, and paper towels, and continue to clean and stock the restrooms until such time as the transfer of the Property is finalized pursuant to the CDP and this Cease and Desist Order. If the locks on the restroom doors are non-functional at the time that Headlands re-acquires the Property, Headlands shall also repair both locks and keep them unlocked from dawn to dusk.
 - iv. Submit, to the address provided below in Section 5, or to whatever updated address the Commission may subsequently indicate has become the current address, photographic evidence documenting that the Property has been cleaned and maintained in accordance with Section 1.c.i through iii.
- d. Title: Within one hundred and twenty (120) days of the effective date of this Cease and Desist Order, Headlands shall take any and all steps within its power (including working with Wooster, as necessary) to ensure that title is held by the City, as required by and consistent with the CDP, at no cost to the City, including by providing an executed quitclaim deed to the City. If, at any point in the future, subsequent developments may suggest that Headlands may once again possess any ownership interest in the Property, within sixty (60) days thereof, Headlands shall once again quitclaim any interest it may have in the Property to the City or other entity approved by the Executive Director. In carrying out either of the requirements listed immediately above, Headlands shall take any and all steps necessary to ensure that the City has all of the physical and legal effects necessary to actuate ownership, operation, and maintenance as required by the CDP.
 - i. If Headlands is unable to effectuate a transfer to the City only because the City elects not to accept the Property, Headlands shall, within 60 days of the City's election not to accept the Property or 180 days of the effective date of this Cease and Desist Order, whichever occurs first, submit, for the Executive Director's review and approval, the name and specifications of a government entity or not-for-profit entity that Headlands proposes as an alternative recipient of the Property, consistent with the CDP. Within 30 days of receiving approval of the entity by the Executive Director Headlands shall ensure the transfer of the Property to the approved entity.

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- e. Headlands shall not undertake any actions that interfere with or otherwise delay compliance with Cease and Desist Order CCC-22-CD-01, issued to 1205-1207 Wooster Street LLC and Henri Levy.
- f. Submit documentation evidencing compliance with Section 1 of this Cease and Desist Order to the addresses listed below in Section 5, or to whatever updated address the Commission may subsequently indicate has become the current address, within one hundred and thirty (130) days of the effective date of this Cease and Desist Order.

2. ADMINISTRATIVE CIVIL PENALTY ASSESSMENT CCC-22-AP-02

- a. Pursuant to its authority under PRC Section 30821, the Commission hereby imposes on Headlands an administrative civil penalty of \$6,000,000.
- b. To maximize the likelihood of (i) expeditious compliance with the requirements in these orders and (ii) the rectification of the Permit violation associated with the title to the Property, if (1) Headlands complies with the requirements of Section 1.d, above (other than the perpetual requirements in the second sentence) within the time frames allotted therein; (2) the pending quiet title claim, as well as the other claims against the Commission, in *Levy, et al. v. City of Los Angeles, et al.*, Los Angeles County Superior Court Case number 21SMCV00964, have, within the same timeframes, been dismissed or resolved through a stipulated judgment not inconsistent with the requirements and goals listed above and in the CDP for the disposition of the Property, as confirmed by the Executive Director; and (3) if it is allowed to do so despite not having any claim to any legal interest in the Property sufficient to allow Headlands to manage the Property, Headlands nevertheless undertakes the actions listed in Sections 1.c.ii-iv, above, within the timeframes listed in Section 1.c., but running from the date such authorization is provided; one sixth of the administrative civil penalty, i.e., \$1,000,000, shall be stayed for as long as Headlands continues to do so. If Headlands continues to perform this function until the vesting of title to the Property is completed, including any necessary acceptance of the title and the recordation of documentation with the County Recorder's Office, such that the Property is unambiguously and unassailably vested in the City or a public or not-for-profit entity approved by the Commission's Executive Director, as confirmed by the Executive Director, that remaining third of the penalty shall be waived, so that the penalty shall be reduced to \$5,000,000.
- c. Within one hundred and thirty five (135) days of the effective date of this Administrative Penalty Assessment (if the City has accepted the Property) or one hundred and ninety five (195) days (if the City elects not to accept the Property), Headlands shall submit a plan for the review and approval of the Commission's Executive Director for the payment of the applicable penalty amount, as follows:

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The initial payment deadline shall be one year from the effective date of this Administrative Civil Penalty Assessment or within 60 days of issuance of any final judgment upholding the requirement for payment of this penalty, whichever comes first. If, upon reaching that initial deadline, the vesting process, as described in that paragraph, is complete, and one sixth of the original penalty amount was stayed continuously pursuant to the prior paragraph until that vesting process was completed, so that the penalty amount has been reduced to \$5,000,000, Headlands shall, by that initial deadline, pay that reduced penalty amount of \$5,000,000. If, by the initial deadline, one sixth of the original penalty amount has been stayed pursuant to the prior paragraph, but the vesting process, as described in that paragraph, is not complete, Headlands shall, by that initial deadline, pay the initial \$5,000,000 penalty, and it shall pay the remaining \$1,000,000 upon the expiration of the stay unless that amount has been eliminated as indicated in the prior paragraph. If however, at any point prior to the expiration of the stay. Headlands takes any steps that would interfere with the vesting process, as described in the prior paragraph, or that could call into question the successful disposition of the Property pursuant to the requirements and goals listed above and in the CDP, including any attempt to transfer the Property to another entity without the Executive Director's approval, the stay of the remaining one sixth of the penalty shall immediately expire, the penalty amount shall not be reduced, and Headlands shall be required to pay any remaining penalty amount to bring the full payment up to \$6,000,000. Headlands shall implement the approved version of the plan.

- d. The monetary penalty shall be deposited in the Violation Remediation Account administered by the California State Coastal Conservancy (see PRC Section 30823) and as designated by the Executive Director. The monetary penalty shall be submitted to the Commission's Ventura Office, at the address provided in Section 11, to the attention of Heather Johnston of the Commission, payable to the account designated under the Coastal Act, and include a reference to this Administrative Penalty by number.

PROVISIONS COMMON TO BOTH THE CEASE AND DESIST ORDER AND ADMINISTRATIVE PENALTY¹

3. PERSONS SUBJECT TO THIS CEASE AND DESIST ORDER AND ADMINISTRATIVE PENALTY ASSESSMENT

The persons and entities subject to this Cease and Desist Order and Administrative Penalty Assessment (hereinafter collectively referred to as "these Orders") are Headland Properties Associates LLC, Headland Properties Associates LP, Cal Coast Companies, Headland Properties Inc, Edward Miller and Joseph Guarrasi, in their individual capacities and as members of the foregoing entities; all of their successors in interest,

¹ The following provisions apply to both the Cease and Desist Order and the Administrative Penalty assessment unless specifically stated otherwise.

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assigns, employees, agents, and contractors, and anyone acting in concert with the foregoing.

4. PROPERTY SUBJECT TO THIS CEASE AND DESIST ORDER AND ADMINISTRATIVE PENALTY ASSESSMENT

The term “the Property,” as used throughout these Orders, refers to the property at 16701 Via La Costa, City of Los Angeles, Los Angeles County, also identified by the Los Angeles County Assessor’s Office as APN 4431-039-029, and on Tract Map 32184A (recorded with the Los Angeles County Recorder’s Office on November 12, 1991, as Book 1182 Page 20, Document Number 91 1788234) as Parcel 77.

5. SUBMITTAL OF DOCUMENTS

All documents and funds submitted to the Commission pursuant to these Orders shall be sent to both of the following addresses, with the original sent to the Ventura office, unless and until Commission staff informs Headlands of an updated mailing address:

California Coastal Commission
Attn: Heather Johnston
89 S. California Street, Ste 200
Ventura CA 93001

California Coastal Commission
Attn: Andrew Willis
301 E. Ocean Blvd, Ste 300
Long Beach CA 90802

6. REVISION OF DELIVERABLES

The Executive Director may require revisions to deliverables under these Orders, as necessary to satisfy the requirements established in these Orders, and Headlands shall revise any such deliverable consistent with the requested specifications and resubmit it for review and approval by the Executive Director, by the deadline established by the modification request from the Executive Director.

7. COMMISSION JURISDICTION

The Commission has jurisdiction to issue the Cease and Desist Order pursuant to PRC Section 30810, and jurisdiction to impose the Administrative Civil Penalties pursuant to PRC Section 30821.

8. EFFECTIVE DATE AND TERMS OF THIS CEASE AND DESIST ORDER AND ADMINISTRATIVE PENALTY

The effective date of these Orders is the date the Commission votes to issue these Orders. This Cease and Desist Order and Administrative Penalty Assessment shall remain in effect permanently unless and until either is rescinded or modified by the Commission.

9. FINDINGS

This Cease and Desist Order and Administrative Penalty Assessment are issued on the basis of the findings adopted by the Commission, as set forth in the document entitled “STAFF REPORT: RECOMMENDATIONS AND FINDINGS FOR CEASE AND DESIST ORDERS AND ADMINISTRATIVE CIVIL PENALTY ASSESSMENTS,” as amended by the addendum thereto. The Commission has ordered and authorized the activities required in this Cease and Desist Order and Administrative Penalty Assessment and has determined them to be consistent with the resource protection policies set forth in Chapter 3 of the Coastal Act, if carried out in compliance with the terms of this Cease and Desist Order and Administrative Penalty.

10. COMPLIANCE OBLIGATION

Strict compliance with this Cease and Desist Order and Administrative Penalty Assessment by all parties subject hereto is required. Failure to resolve violations addressed herein or comply with any term or condition of this Cease and Desist Order, including any deadline contained herein, will constitute a violation of said Cease and Desist Order, and may result in the imposition of civil penalties under PRC Section 30821.6 of up to SIX THOUSAND DOLLARS (\$6,000) per day for each day in which each violation persists. In addition, failure to comply with any terms or conditions of these Orders may result in the Commission seeking judicial relief and additional penalties as authorized under Chapter 9 of the Coastal Act, including PRC Sections 30820, 30821(d), and 30822.

11. SITE ACCESS

Headlands shall take no action to prevent access to the Property by staff of the Coastal Commission, staff of any agency having jurisdiction over the work being performed under this Cease and Desist Order, or staff of any entity having an ownership interest in, or maintenance obligation with respect to, the Property. If Headlands comes to acquire the Property, Headlands shall provide access to the Property for staff of the Coastal Commission, staff of any agency having jurisdiction over the work being performed under this Cease and Desist Order, and staff of any entity having an ownership interest in, or maintenance obligation with respect to, the Property. Nothing in this Cease and Desist Order (or in the penalty assessment) is intended to limit in any way the right of entry into, or inspection of, the Property that any agency may otherwise have by operation of any law.

12. GOVERNMENT LIABILITY

Neither the State of California, nor the Commission, nor its employees shall be liable for injuries or damages to persons or property resulting from acts or omissions by Headlands in carrying out activities required and/or authorized under these Orders; nor shall the

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State of California, the Commission or its employees be held as a party to any contract entered into by Headlands or their agents in carrying out activities pursuant to these Orders.

13. DEADLINES

The Executive Director may extend deadlines specified herein. Any extension request must be made in writing to the Executive Director and received by Commission staff ten (10) days prior to the expiration of the subject deadline. Any such request shall be sent to the attention of the staff and to the addresses listed in Section 5, above.

14. SEVERABILITY

Should any provision of these Orders be found invalid, void, or unenforceable, such illegality or unenforceability shall not invalidate the whole, but these Orders shall be construed as if the provision(s) containing the illegal or unenforceable part were not part thereof.

15. SUCCESSORS AND ASSIGNS

This Cease and Desist Order shall bind Headlands and all its successors in interest, newly created LLCs and corporations, heirs, and assigns.

16. MODIFICATIONS AND AMENDMENTS

Except as provided in Section 13 of these Orders, or for ministerial corrections, these Orders may be amended or modified only in accordance with the standards and procedures set forth in Section 13188(b) of Title 14 of the California Code of Regulations.

17. APPEAL

Pursuant to PRC Section 30803(b), any person or entity against whom this Cease and Desist Order, under Section 1, is issued may file a petition with the Superior Court for a stay of this Cease and Desist Order.

18. GOVERNMENT JURISDICTION

These Orders shall be interpreted, construed, governed, and enforced under and pursuant to the laws of the State of California.

19. NO LIMITATION OF AUTHORITY

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Except as expressly provided herein, nothing herein shall limit or restrict the exercise of the Commission's enforcement authority pursuant to Chapter 9 of the Coastal Act (PRC Sections 30800 to 30824), including the authority to require and enforce compliance with these Orders.

20. COMPLIANCE WITH OTHER LAWS

All work to be done under this Cease and Desist Order shall be done in compliance with all other applicable laws.

Executed in Costa Mesa, CA on behalf of the California Coastal Commission.

By: 

Date: 5/11/2022

John Ainsworth,
California Coastal Commission
Executive Director

Trailhead Property Location



Trailhead Property Amenities

