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## LATHAM & WATKINS LLP

December 23, 2009

The Honorable Greig Smith  
Councilmember, Twelfth District  
200 North Spring Street, Room 405  
Los Angeles, CA 90012

Ms. S. Gail Goldberg  
Director of Planning  
Department of City Planning  
City Hall – Room 525  
Los Angeles, CA 90012

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File No. 047268-0001

### **SIERRA CANYON SCHOOL EQUESTRIAN TRAILS – DECEMBER PROGRESS REPORT**

Dear Greig and Gail:

Condition No. A.1 of CPC-2008-3537-CU (CF 09-0985) requires the dedication of an equestrian trail along Rinaldi Street within the School's athletic fields site as part of the project's Phase One development. Condition No. A.1.j requires dedication of the "Variel" trail on the elementary school site. The School filed offers to dedicate these trails on August 6 and September 14, respectively.

On September 22, 2009, the City issued a temporary use of land permit for the athletic fields site to conduct physical education and team practice. In conjunction with that permit, the School is required to submit monthly progress reports to the Planning Department and to Council District 12, beginning on November 1, 2009, that detail the School's activities and progress toward completing to the City's satisfaction the dedications required by these conditions. A complete copy of the text is attached.

The offers to dedicate filed by the School must understandably take their respective places in the queue of other cases submitted to the Bureau of Engineering. In that context, the School could have allowed the processing of these applications to take their normal course. Instead, the School's representative took the initiative to meet with Tawfik Shafik of the Bureau of Engineering's Survey unit two days after the offer to dedicate was filed for the Variel trail. At that meeting, Mr. Shafik advised that certain data points needed to be added to the survey drawings. The representative also advised Engineering survey staff the Bureau's Land Development Group issued a revised recommendation for De Soto Avenue, necessitating a revision to the survey map field for the combined Rinaldi trail and De Soto Avenue dedications. Without waiting for official

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correspondence from the City advising of the need to submit revised maps, the School immediately engaged its surveyor to update the drawings. These drawings were hand carried by the School's representative to the survey unit of Engineering on October 2. This initiative resulted in avoiding what otherwise would have been a lengthy delay in processing the offers to dedicate.

Since then, the School has made phone calls on a weekly basis to various City staff involved in the dedication process to check on the status of both equestrian trails and stands ready to assist wherever appropriate. Specifically, Sal Hassan of the Department of Public Works asked us on October 28 to provide a map highlighting the areas (trails on both sites) that we were offering to dedicate. We sent that map to Mr. Hassan the following week.

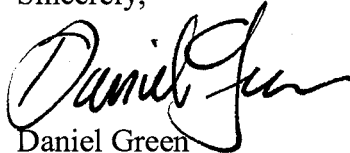
During the month of November, David Castillo of the Bureau of Engineering's Real Estate Division, was sent a certified copy of an "Irrevocable Offer to Dedicate" document, which includes the original, executed Consent of Lien Holder from Zions First National Bank. A call to Mr. Castillo confirmed receipt of the documents. Mr. Castillo noted it would be recorded on November 24. Mr. Hassan confirmed he had received a map of the areas to be dedicated. The areas were not highlighted but he said it would be sufficient and that he would call if he needed anything else. In an effort to move the process forward, Phyllis Winger agreed to call Mr. Hassan to inquire about timing.

**In the month of December, the School and/or its representative contacted Mr. Shafik, Mr. Hassan and Phyllis Winger to determine if any additional information or assistance from the School is required. Mr. Shafik confirmed that the application materials submitted by the School remain in the queue at the Survey unit and requested no new information. The School will continue to monitor the process and submit its next monthly report at the end of January 2010.**

We have been asked by the School to submit this December report on their behalf.

If you have any questions or comments about the December progress report, please contact me. Any assistance you can provide to expedite the dedication process would be welcomed.

Sincerely,



Daniel Green  
Land Use Project Manager  
LATHAM & WATKINS LLP

Attachment

cc: Mitch Englander, Chief Deputy, Council District 12  
Phyllis Winger, Chief Planning Deputy, Council District 12  
Dan Scott, Principal City Planner, Department of City Planning  
James Arnone, Latham & Watkins, LLP  
Tom Glick, Department of City Planning

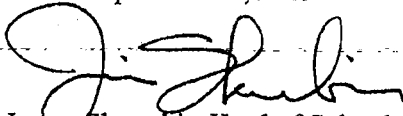
# SIERRACANYON

Attachment:

## Applicant Volunteered Condition

This use of land permit is limited in time and in allowed use. This permit only allows use of the site for physical education classes and practice athletic fields. To keep this permit in effect, the owner shall submit monthly progress reports to the Planning Department and to the Office of Council District 12 starting on November 1, 2009, that detail the owner's activities and progress toward completing to the City's satisfaction the dedications required by Condition Nos. 1.a, 1.i and 1.j of Case No. CPC-2008-3537-CU. If the owner fails to submit any such monthly report or if any such monthly report fails to demonstrate that the owner is exercising reasonable steps to expedite and complete the dedications required by Condition Nos. 1.i and 1.j of Case No. CPC-2008-3537-CU, then this permit shall terminate immediately upon the Planning Department and the Office of Council District 12 notifying the owner and the Department of Building and Safety in writing that they have determined that the owner has failed to exercise reasonable steps to expedite and complete the dedications required by Condition Nos. 1.i and 1.j of Case No. CPC-2008-3537-CU. Unless terminated earlier pursuant to the preceding sentence, this permit shall automatically terminate on May 1, 2010, without further City action, and that no further use of land permit will be granted absent completion of the dedication. Nothing herein shall be interpreted as preventing any further permit from being issued.

Date: September 22, 2009



James Skrubis, Head of School