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# LATHAM & WATKINS LLP

January 29, 2010

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File No. 047268-0001

## SIERRA CANYON SCHOOL EQUESTRIAN TRAILS – JANUARY 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.

We previously submitted to you timely reports for the months of November and December 2009.

In January, the Bureau of Engineering's survey staff advised that the dedication maps submitted by the survey company needed some modifications to the proposed street dedication along De Soto Avenue, required by Condition No. 53, which we filed in conjunction with the equestrian dedication offers. On January 22, revised maps were provided to the Bureau of Engineering. We inquired with the survey staff on January 27 by phone and email to determine if the revised maps were satisfactory and to confirm if the project file had moved forward to the real estate group for further processing. As of the date of this status report, we have not received a response to our tracking inquiry.

At this time and unless otherwise advised by City staff, the School believes it is complying with all procedural requirements to dedicate the two identified equestrian trails. The

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School will continue to monitor the process and submit its next monthly report at the end of February.

On behalf of Sierra Canyon School, if you have any questions or comments about the January 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  
Tom Glick, Department of City Planning  
James Arnone, Latham & Watkins, LLP

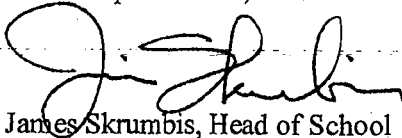
# SIERRACANYON

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