

## MEMORANDUM

To: Oakridge Board Members and Property Manager  
From: Larry Riggs  
Date: September 21, 2022  
Subject: Lot 235

### 1. Introduction

At the September 15, 2022, board meeting, members discussed Lot 235. As a long-time Oakridge Estates homeowner (and former board member), as I listened to the discussion, I made a note to “look up any documents on Lot 235” that I might have. Shortly thereafter, the board asked me to see what information I might be able to provide on this subject.

The need at this moment is to clear the drainage ditches behind the west walls of homeowners at 3940 and 3957 Calle Alta Vista. See Figure 1. The cost of cleaning them could approach, even exceed, \$10,000.

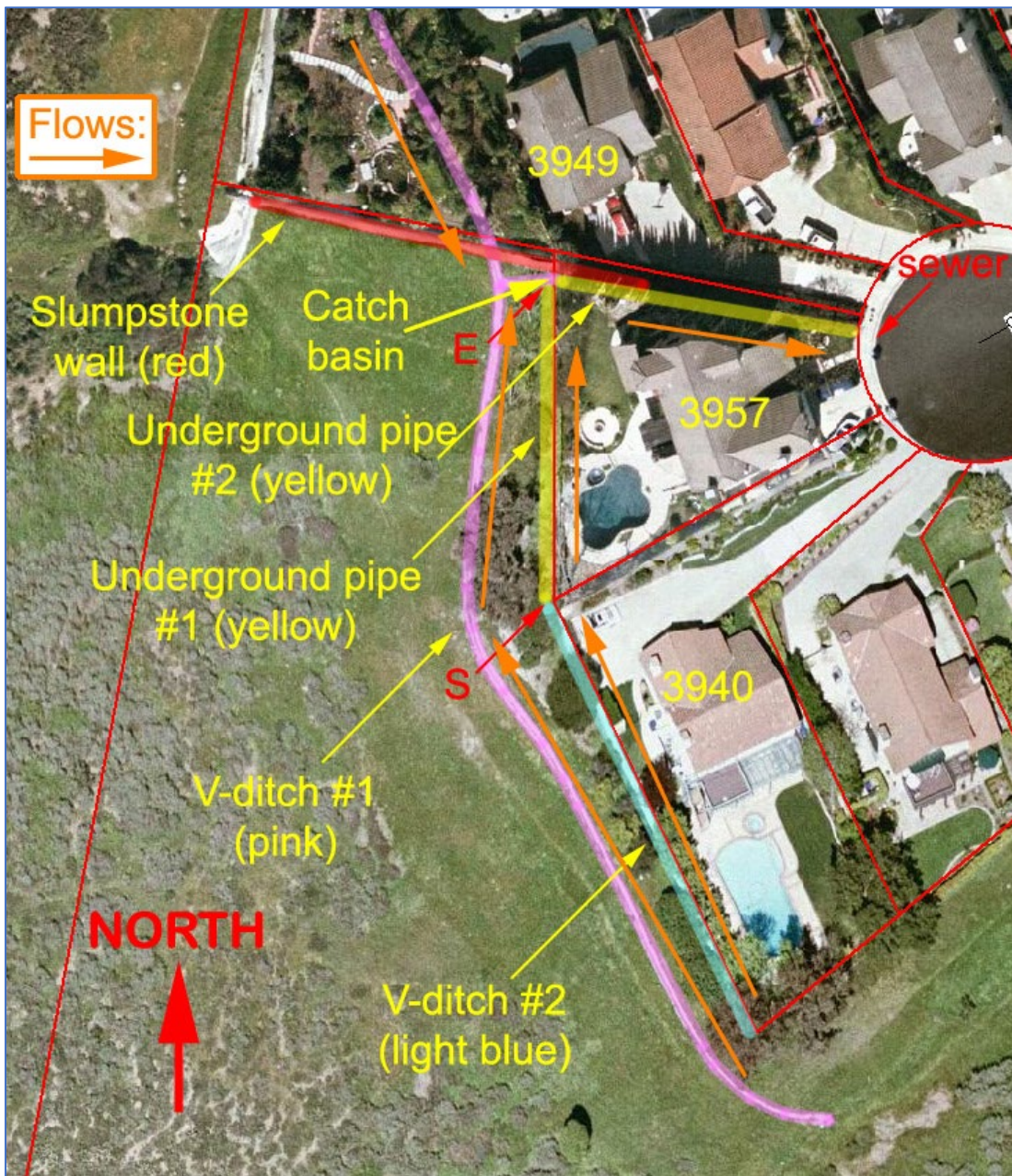


Figure 1 Lot 235 Drainage Ditches

This document, then, contains background information on Lot 235.

## 2. What Is Lot 235?

Figure 3 is a Ventura County Assessor's Map, dated October 20, 1977, showing the location of Lot 235 within Oakridge Estates. Figure 4 is the same map with Lot 235 highlighted in blue. Note the following:

- ✚ **It's huge.** The map says it occupies 11.3 acres.
- ✚ **It's a parcel.** Homes on Calle Alta Vista are numbered from 1 to 25. A 26 appears near the center of Lot 235. What does this mean? The information in the lower right corner of the map says that "Assessor's Parcel Numbers Shown in Circles." No home exists on this parcel. The historical documents suggest that our Homeowners Association may have paid property taxes until 1986, but this is no longer the case.

*Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.*

- ✚ **There are three entrances.** Oakridge homeowners and others often hike the area, entering Lot 235 from our streets. There are two entries from Lesser Drive and one from Calle Alta Vista. They are labeled in Figure 4. **Entry A** is gated near Calle Alta Vista, but the gate is left unlocked. **Entry B** is grassed behind parcels 24 and 25 and Oakridge landscapers maintain it. **Entry C** is likewise grassed and maintained by Oakridge landscapers.
- ✚ **Lot 235 trees must be maintained.** I've not done a tree inventory since 2019. However, we maintain most but not all trees in Lot 235. There are four areas within Lot 235 in which there are trees that are maintained by Oakridge landscapers. These areas are identified in Figure 2. There are other trees within Lot 235 that are ignored by our landscapers.



Figure 2 Locations where trees exist and are pruned

- ✚ **There is a 3-year-old tree count.** In 2019, there were 26 trees that we maintained in these areas. See Table 1. However, it's likely that the number is different now, likely smaller.

Area	Tree Location Description	No of Trees
Entry A	Calle Alta Vista Open Space greenbelt	5
Entry B	Lesser Drive greenbelt	8
Entry C	San Telmo Circle greenbelt	4
Area D	Top of Calle Alta Vista greenbelt	9
TREE TOTALS		26

Table 1 Tree Inventory Summary by Area in 2019



### 3. What historical Information exists?

#### a. An April 2005 email I sent to the board

A portion of an email I sent on April 17, 2005, is reproduced below. It deals with the area of Lot 235 at the top of Calle Alta Vista.

**Date:** Sun 4/17/2005 10:02 pm  
**Subject:** Oakridge Estates HOA Issues  
**From:** Larry Riggs ([larry@riggsca.com](mailto:larry@riggsca.com))  
**To:** Alvin Schultz ([alvinschultz@adelphia.net](mailto:alvinschultz@adelphia.net)); Diane Doria ([diane.doria@fbol.com](mailto:diane.doria@fbol.com)); Kathy Jasper ([kpjasper@verizon.net](mailto:kpjasper@verizon.net)); Suzy Wilson ([bankcardis@aol.com](mailto:bankcardis@aol.com)); Colleen Scott ([colleen@anchorcommunitymgt.com](mailto:colleen@anchorcommunitymgt.com))

To the Board and Management:

I want to minimize your time on Wednesday during the meeting. To that end, I am sending this email to solicit your views and keep you informed on several issues.

***FYI: A Discussion with John Thompson at 3949 Calle Alta Vista Re: Open Space Maintenance***

Suzy Wilson and I spoke with Joanna and John Thompson for over an hour today. The Thompsons are original owners and live at the top of Calle Alta Vista (3949). John was Board President in 1978. The purpose of our visit was to get some background on the area behind their home and behind the one next door.

The question we want answered is this: Who is responsible for maintaining the area between the culvert (**V-ditch #1 in Figure 1**) and the back walls of these two homes?

In the past the HOA has paid for maintenance of brush clearance, weedwhacking, and some tree trimming. We have done so infrequently, but we have spent HOA funds to do so.

We learned from John that it is conceivable that the maintenance responsibility of the area in question is actually that of COSCA (Conejo Open Space Conservation Agency), which owns the adjacent open space (the area above the culvert). You may wish to look at their website. The City used to own the space but deeded it to COSCA some years ago.

John provided so much history and information at such a fast pace, that I finally asked him if he wouldn't mind writing it all down. He said he would do so. He is working a job on the East Coast and commuting weekly and I didn't ask him when he could give us such a document. I am just grateful we have him as a resource. When he does give it to us, I will of course pass it on so everyone is equally informed.

He also gave me a foot-high stack of Board documents from that era, which I also plan to go through.

In the meantime, until we resolve these issues, I think we should take no action regarding any maintenance of this area.

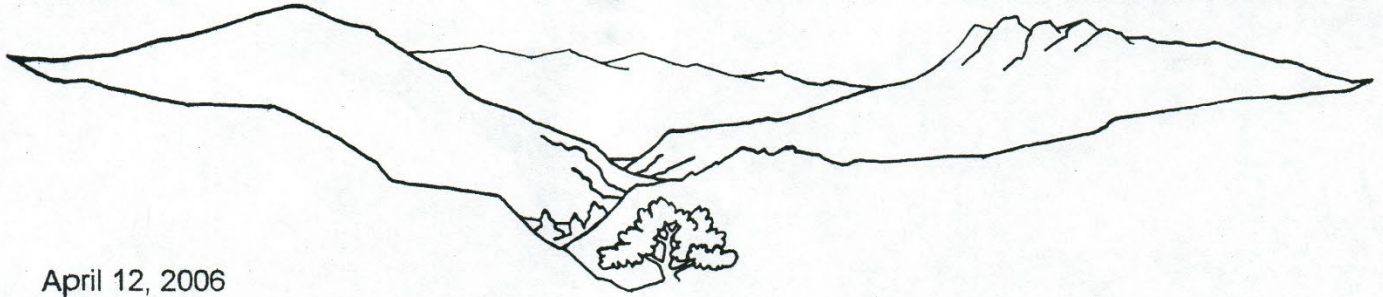
#### b. An April 12, 2006, letter sent by Shelly Austin of COSCA to David Tritz

COSCA is the Conejo Open Space Conservation Agency and David Tritz was our Property Manager at the time. David was the head of Tandem Property Management. The letter was accompanied by the agreement signed on November 5, 1991, between the City of Thousand Oaks and Oakridge Estates, regarding Lot 235, here called an "Easement." This agreement appears in this document on pages 47 to 53.

The letter requests that ***"the Oakridge Estates Homeowners Association immediately resume maintenance of the landscaping, irrigation and brush clearance within Lot 235 for which it is responsible pursuant to this easement."***

Copies of the letter were sent to HOA president Suzy Wilson and Mark Towne, COSCA manager.

# CONEJO OPEN SPACE CONSERVATION AGENCY



April 12, 2006

David Tritz, Manager  
Oakridge Estates Homeowners Association  
Tandem Property Management  
3275 East Thousand Oaks Blvd., Suite 200  
Thousand Oaks, CA 91362

Subject: Landscape & Brush Clearance Maintenance Easement, for Lot 235 of Tract 2491-4.

Dear Mr. Tritz,

Please find attached a copy of an easement between the City of Thousand Oaks and the Oakridge Estates Homeowners Association, recorded on December 11, 1991. Through this easement, the City granted to the Oakridge Estates Homeowners Association a nonexclusive easement for ingress, egress, landscaping, maintenance and brush clearance over a portion of Lot 235 of Tract 2491-4. Exhibit "B" of the attached document shows the location of the easement.

The purpose of this letter is to remind you of the existence of this easement and to request that the Oakridge Estates Homeowners Association immediately resume maintenance of the landscaping, irrigation and brush clearance within Lot 235 for which it is responsible pursuant to this easement.

I appreciate your cooperation and assistance in this matter. Please call me at (805) 449-2339 if you have any questions.

Sincerely,

Shelly Austin  
Associate Planner

C: Susie Wilson, President, Oakridge Estates Homeowners Association  
Mark Towne, COSCA Manager

H:common/cosca/Oakridge Easement letter

A Joint Agency  
City of Thousand Oaks / Conejo Recreation and Park District  
2100 E. Thousand Oaks Blvd., Thousand Oaks, CA 91362



### c. Two April 2006 emails sent to the board

An email I sent on April 23, 2006, is reproduced below.

**Date:** Sun 4/23/2006 9:41 pm

**Subject:** Lot 235 Easement Document

**From:** Larry Riggs ([larry@riggsca.com](mailto:larry@riggsca.com))

**To:** Alvin Schultz ([alvinschultz@adelphia.net](mailto:alvinschultz@adelphia.net)); Bobby Williams ([wbps@verizon.net](mailto:wbps@verizon.net)); Kathy Jasper ([kpjasper@verizon.net](mailto:kpjasper@verizon.net)); Suzy Wilson ([bankcardis@aol.com](mailto:bankcardis@aol.com)); Anita Gulrajani ([anita@tandempropertymgmt.com](mailto:anita@tandempropertymgmt.com)); David Tritz ([dtritz@tpms.net](mailto:dtritz@tpms.net))

According to the document, we are asked to **immediately** resume maintenance behind the 21 lots, including compliant brush clearance (required by sometime in June).

So:

1. Do we now have to do the 100-foot brush clearance (mostly soil tilling, I think) that the City has done for free in the past? If so, how much would this cost? If we are responsible for it, would it be cheaper for the City to do it and bill us?
2. I walked the area in question this afternoon and found trees behind:
  - a. Lot 237: 1 eucalyptus
  - b. Lot 244: 1 pine and 2 pepper
  - c. Lot 245: 2 eucalyptus
  - d. Lot 246: 3 sycamore and 2 eucalyptusDo we need to trim these? Can we cut them down to reduce future maintenance costs? Would we want to cut them down?
3. In the past Barry has cleared the brush behind lot 245 (the Eichenbergs). I suggest we consider dealing with this right away, but we have two choices: (a) Clear as in the past, or (b) Remove everything growing behind the wall. There is an enormous amount of growth back there. Perhaps we should cost out both.
4. There is also brush and trees behind lot 246. There is brush behind 234 and 236 which may be a candidate for removal.
5. I agree with Alvin and Kathy with respect to paragraph 4, which states that we **may maintain** existing landscaping and improvements including irrigation but we cannot improve any without **written consent of Grantor**. On that basis, I would **not** repair or reactivate irrigation behind lots 245 and 246 (ka-ching!). I would also suggest that we not re-enable irrigation behind lots 233 (Suzy), 234, 236, and 237, because doing so benefits only single homeowners. (Sorry, Suzy.)
6. But overall we need a plan. What? When? How much?

As we know, getting vehicles back in that area is—I believe—near impossible, increasing costs of any maintenance. I believe it cost the City \$5,000 to remove the debris from the treehouse behind lot 245 because it was so labor-intensive.

Suzy or somebody, I suggest we get the answers to the questions above ASAP and try to have all the issues resolved before the next meeting.

We must be certain to meet our obligations, but do no more.

Final comment: I would really like to know **why** this document was ever signed in the first place! **It makes absolutely no rational sense to me!**

- Larry

I sent the following email to the board five days later. Suzy Wilson's responses to paragraphs are interspersed.

**Date:** Sun 4/28/2006 9:02 pm

**Subject:** Lot 235 Easement Document

**From:** Larry Riggs ([larry@riggsca.com](mailto:larry@riggsca.com))

**To:** Alvin Schultz ([alvinschultz@adelphia.net](mailto:alvinschultz@adelphia.net)); Bobby Williams ([wbps@verizon.net](mailto:wbps@verizon.net)); Kathy Jasper ([kpjasper@verizon.net](mailto:kpjasper@verizon.net)); Suzy Wilson ([bankcardis@aol.com](mailto:bankcardis@aol.com))

**Cc:** Anita Gulrajani ([anita@tandempropertymgmt.com](mailto:anita@tandempropertymgmt.com)); David Tritz ([dtritz@tpms.net](mailto:dtritz@tpms.net))

Suzy, Alvin, and I have agreed to cancel next Tuesday's meeting with Shelly Austin, Associate Planner at COSCA. The primary reason is that we don't need a meeting to deal with brush clearance, which is high priority; the other issues having to do with Lot 235 can be dealt with in a less hurried fashion after Alvin returns. (I will be gone from June 6 to 13.)

For the moment, we're going to proceed with brush clearance with weedwhackers. Clearance must be completed by June 1. Clearance will occur in the 100-foot easement area. Suzy has left voicemail with the company that did it last year for the City. David Tritz is getting bids as well, including one from SeaBreeze.

Suzy and Alvin both agreed that we will need to call a special Board meeting—I suggested between our next two meetings, perhaps around mid-June—at which we walk the area and discuss other issues, including:

- Disposition (removal/trimming) of trees.
- Erosion of the slopes immediately behind some walls—apparently the City has regulations dealing with these.

*Suzy wrote: I have just received from the city the original landscaping blueprints. It has information containing erosion control, plantings etc. At our “emergency meeting” we will discuss the findings, view the blueprints, etc. Should you want to review them sooner, please contact me. Looks like the HOA may have some responsibility to maintain those areas to prevent erosion from happening, potentially causing lawsuits to the HOA, if not maintained.*

- Disposition of the growth behind homes at the top of Alta Vista—the Eichenbergs and the Thompsons.

*Suzy wrote: Fuel Modification (the City’s term): At the suggestion of the city, the HOA may choose to remove/trim trees and brush to keep the area clear. We do not need to get approval if the plants/trees are non-native, i.e. eucalyptus trees were planted, etc. are non-native; pines/oaks are native. Any plants hanging over walls should be trimmed back. City suggests that the HOA take responsibility to clear lot 235, as if homeowners were to get involved, could cause liability to HOA if homeowners were injured. According to the blueprints, plantings should be erosion control as well as fire retardant. Should a home burn down and the area behind the home was not cleared, the HOA could be responsible. It would be in the best interest of the HOA that as much as possible be cleared, trees, plants, brush, vines etc. This is for lot 235. Other HOAs, like ours (with open spaces behind homes) in Ventura County are clearing as much as possible.*

- The “native” v. the “non-native” growth issue—we can remove the latter but not the former
- Brush control at other times of the year—do we need to consider it?

*Suzy wrote: Brush clearance is done once a year. I believe it should be started as close to the 1<sup>st</sup> of June as possible; any sooner could cause the HOA to have to clear the area again. HOA is responsible for once-a-year removal.*

- Vine growth over the top and down the rear of several walls along Alta Vista—in some cases it may be up to 3 feet thick. Is this a fire hazard? Should homeowners be directed to remove it?
- Irrigation lines now disabled behind Suzy’s house and behind homes at the top of Alta Vista.

*Suzy wrote: Discing: Usually is done once in five years. However, I haven’t seen it done since I lived here, and my neighbors haven’t heard it done in some time. Discing is where holes are ground into the earth via tractor. It helps with erosion control, taking the holes dug by rodents and replacing them elsewhere, so the waters will be redirected during the winter months. Shelly is addressing the whos and whens to that question and who pays for it. I have understood that the landowner who is landlocked behind Alvin’s house was the one who used to do the discing; however, since he cannot obtain [access?] his land he does not do the discing anymore. He had the expensive equipment to do so. City does not own this equipment.*

*Suzy wrote: Should you have further comments or questions, please do not hesitate to contact me. We may be able to answer a lot of questions without having to have a special meeting with Shelly, which would have to be after hours for her and she feels she does not need to get involved with our board discussion if need be. I do believe that the board needs to meet and review, and walk the lot 235, quickly. Thanks.*

I would like to have Shelly be present during our walk, because she has already weighed in on the issues of tree removal, erosion, vine growth, native/non-native plants, and the history of Lot 235. I think it would be helpful to have her share her knowledge with the Board in a forum where we can all ask questions. At the same time, we can raise other issues with Shelly and among ourselves, perhaps including whether periodic tractor discing is appropriate, whether the City will clear beyond 100 feet, whether there is vehicle access to the area, etc.

*Suzy wrote: The city will not clear beyond the 100 feet of our clearing. In parts, [they will not clear] beyond [where] the terrain starts going up the mountain/hill. No need.*

*Vehicle access: According to Alvin, at the end of the mobile park is an opening to the back open space. I also believe that there is access off of Los Vientos [I did not see any access].*

In the meantime, we’ll proceed with the brush clearance.

- Larry

#### **d. June 2006 email exchanges re: Lot 235**

Four emails are reproduced below. Two were sent on June 25, 2006, and one sent on June 27, 2006. Suzy Wilson sent one entitled **Brush Clearance**, and Alvin Schultz responded. Then I responded.

- ① This is Suzy Wilson’s email.

**Date:** Sunday, 6/25/2006 7:55 pm

**Subject:** Brush Clearance

**From:** Suzy Wilson ([bankcardis@aol.com](mailto:bankcardis@aol.com))

**To:** Alvin Schultz ([alvinschultz@adelphia.net](mailto:alvinschultz@adelphia.net)); Bobby Williams ([wbps@verizon.net](mailto:wbps@verizon.net)); Kathy Jasper ([kpjasper@verizon.net](mailto:kpjasper@verizon.net)); Larry Riggs ([larry@riggsca.com](mailto:larry@riggsca.com))



Cc: David Tritz ([dtritz@tpms.net](mailto:dtritz@tpms.net))

Mike Pepo, who is doing the city's brush clearance, called me on Friday. Apparently the city had another location they forgot and I guess he had to go and do that portion. He has promised to start our area this Monday, (as I gave concern to the city about the upcoming fourth of July and was worried about the dryness of our area). He has also asked to meet with us regarding removal of some "fuel modification" on the lot. I asked him to give us a call when he was already back there, as he said that he would give us a better cost to remove bushes, trees, etc.

He's thinking sometime on Monday afternoon. Alvin, do we have a budget, now that we "may" have to pay for the brush clearance from the city on top of this? How should we handle this? I know we all thought we should "take a hike" back there, and I believe he will be over this way for at least couple of days, or maybe we set a side "X" amount of money and have him clear as much as he can, then do more when we have the funds? Larry and I can handle this if nobody else wants to do this. We all basically know what needs to be done. Either way I need to call him back. Everyone weigh in!!!

Suz

② This is Alvin Schultz's reply.

Date: Sun 6/25/2006 7:55 pm

Subject: RE: Brush Clearance

From: Alvin Schultz ([alvinschultz@adelphia.net](mailto:alvinschultz@adelphia.net))

To: Bobby Williams ([wbps@verizon.net](mailto:wbps@verizon.net)); Kathy Jasper ([kpjasper@verizon.net](mailto:kpjasper@verizon.net)); Suzy Wilson ([bankcardis@aol.com](mailto:bankcardis@aol.com)); Larry Riggs ([larry@riggsca.com](mailto:larry@riggsca.com))

Cc: David Tritz ([dtritz@tpms.net](mailto:dtritz@tpms.net))

I am confused. The last conversation I remember regarding lot 235, was that the city or COSCA was going to pick up the cost of brush clearance this year. I saw the minutes from the last meeting, but all they say is we now have to pay?? What happened (for my own curiosity)? Second, why do we have to remove the trees now? Or at all?

None of this is in the current budget.

There is the money we have carried over from year to year. I don't know what is currently available. The tree trimming cost (about \$7,400) was planned to be taken from that pot of money. It's really hard to answer the question "do we have enough money" without some idea how much is required.

Alvin

③ This is my reply.

Date: Tue 6/27/2006 4:12 pm

Subject: RE: Brush Clearance

From: Larry Riggs ([larry@oakridgenp.org](mailto:larry@oakridgenp.org))

To: Alvin Schultz ([alvinschultz@adelphia.net](mailto:alvinschultz@adelphia.net)); Bobby Williams ([wbps@verizon.net](mailto:wbps@verizon.net)); Kathy Jasper ([kpjasper@verizon.net](mailto:kpjasper@verizon.net)); Suzy Wilson ([bankcardis@aol.com](mailto:bankcardis@aol.com))

Cc: David Tritz ([dtritz@tpms.net](mailto:dtritz@tpms.net))

Alvin, I'm confused.

You wrote. "The tree trimming cost (about \$7,400) was planned to be taken from that pot of money." Yet I clearly see a \$7,835 tree trimming item budgeted for the current year.

Can you explain?

I do understand that any additional Lot 235 expenses must be included in our 2007 budget. But it is my understanding that this year we could pay any such expenses from our approximately \$20,000 operating account balance carried forward from 2006.

#### *Some food for thought*

One of the reasons we the Board need to walk the area comprising Lot 235 is to discuss the issues you raised, and to decide on what to do regarding the trees and brush in that area. Some are a fire hazard. Do we remove or trim them? Every tree we remove is money in the bank—we won't have to pay for its trimming in future years, although the initial removal cost is a hit.

Incidentally, there are 11 trees behind Lot 235 homes (2006 trimming costs are shown):

- Lot 237: 1 eucalyptus: \$133
- Lot 244: 1 pine and 2 pepper: \$100 + 2\*\$100
- Lot 245: 2 eucalyptus: 2\*\$133
- Lot 246: 3 sycamore and 2 eucalyptus: 3\*200 + 2\*133

Total cost = \$1,565. If we assume we trim them every 2 years, that's about \$785/year.

**Next year's HOA dues observations**

Next year's budget will need to include:

- \$2,731 (2.02 acres or 91,040 sq ft. x \$0.03/sq ft) for Lot 235 clearance, which is \$1.94 per quarter or 2.6% increase.
- Extra tree trimming costs of \$785/year, which is \$0.56 per quarter or 0.7%

The City initially said they would pay for this year's clearance. Then their legal beagles said that is wrong. We are liable for the cleanup. Therefore, we are responsible for paying for it.

- Larry

④ This is Alvin's reply.

**Date:** Wed 6/28/2006 5:23 pm

**Subject:** RE: Brush Clearance

**From:** Alvin Schultz ([alvinschultz@adelphia.net](mailto:alvinschultz@adelphia.net))

**To:** Bobby Williams ([wbps@verizon.net](mailto:wbps@verizon.net)); Kathy Jasper ([kpjasper@verizon.net](mailto:kpjasper@verizon.net)); Suzy Wilson ([bankcardis@aol.com](mailto:bankcardis@aol.com)); Larry Riggs ([larry@riggsca.com](mailto:larry@riggsca.com))

**Cc:** David Tritz ([dtritz@tpms.net](mailto:dtritz@tpms.net))

Larry,

You are correct. When we put the budget together, we projected costs based on expenses in 2005. At that time, we projected a legal cost of \$12,000. However, the legal projection in combination with the tree trimming would have forced us to increase the dues [additional \$6,000 per year divided between 352 homes divided by 4 quarters] by \$4.26. We decided not to do that. Instead, we would take any legal costs, over the amount budgeted, out of the money we have been carrying over each year. If we estimate the legal costs to run an additional \$6,000 then that would leave about \$14,000 to pay for brush clearance expenses.

Hopefully this makes more sense.

Alvin

**e. June 2006 email re: Lot 235 Walkthrough**

This is an important email as it describes a meeting between us and the City regarding Lot 235 clearance responsibilities.

**Date:** Thu 6/29/2006 6:56 pm

**Subject:** Lot 235 Walkthrough—Brush Clearance

**From:** Larry Riggs ([larry@riggsca.com](mailto:larry@riggsca.com))

**To:** Alvin Schultz ([alvinschultz@adelphia.net](mailto:alvinschultz@adelphia.net)); Bobby Williams ([wbps@verizon.net](mailto:wbps@verizon.net)); Kathy Jasper ([kpjasper@verizon.net](mailto:kpjasper@verizon.net)); Suzy Wilson ([bankcardis@aol.com](mailto:bankcardis@aol.com)); Anita Gulrajani ([anita@tandempropertymgmt.com](mailto:anita@tandempropertymgmt.com)); David Tritz ([dtritz@tpms.net](mailto:dtritz@tpms.net))

Everyone:

This is a brief report addressing only one aspect—Brush Clearance—of our walkthrough today. Additional topics may be addressed in the future.

There are no pictures. Use your imagination.

This morning a group of six walked Lot 235:

- Suzy and I, representing the Board
- David and Anita, representing Management
- Barry, representing SeaBreeze; we asked him to evaluate the sprinkler setup behind the top of Calle Alta Vista
- Mike Pepo, who did the brush clearance; we asked him to give us a quote on bush and small plant clearance (he doesn't do trees)

**Background**

Suzy and David spent much of Tuesday at the Civic Center, talking with City officials, including Shelly Austin, about our responsibility for maintenance of Lot 235. Shelly is an Associate Planner for COSCA. The City informed us that they will be sending out a letter shortly to our Association, asking us to clean up Lot 235, i.e., restore it to its state when Oakridge Estates was built. This is to include:

- Having operational sprinklers to prevent erosion control where there are excessive slopes—these are in two areas: behind the four houses near Suzy, and around the top of Alta Vista.
- Clearing away non-native plants.



- Removing trees, especially those that are deemed a real fire hazard (see [Ventura County Fire Department guidelines](#))—Acacia, Cedar, Cypress, Eucalyptus, Juniper, Pine. The tree count could be around 14, including 3 along the walkway (by the Community Bulletin Board) used to get to the area behind Alta Vista homes (see area 6 on page 7 in our [Tree Inventory](#)).
- Replanting all slopes to minimize future erosion.
- Performing annual brush clearance.

Our goal in walking the area, which incidentally is very easy to walk on now, with the chest-high grass all cut down, was to assess the effort require to comply with the City's requirements.

## **Findings**

### **Brush Clearance**

Mike Pepo did a good job of brush clearance. The area cleared seemed a bit narrow behind the homes along Lesser Drive. So to check whether he had cleared the required 100 feet from a structure, I performed some measurements.

With a tape measure I measured the distance from an object that is visible on the City's air photos (i.e., v-ditch or block wall) to the edge of the cleared area. I went to the Web and determined whether that point is 100 feet from the nearest structure.

Mike and I discussed this process; he confirmed that "structure" includes a patio cover, but he added that if a shed is the back yard, that becomes the reference point. I didn't notice any sheds, but he told me this after I had done my measurements, I hadn't been looking for them.

I also have aerial views of Lot 235 homes prepared by the City to which a dashed line representing the 100-foot delimiter has been added. Using computer tools, and the Website, I was able to measure distances from the edge of the cleared area to the nearest structure to within inches.

Due to a lack of time, I only measured in five places, all behind these Lesser homes. I cannot say definitely that the area cleared behind Alta Vista homes meets the 100-foot criterion.

My five measurements showed:

- Behind 3846 Lesser (next to Lesser Park): 100 ft
- Behind 3854: 97 ft
- Behind 3862: 85 ft
- Behind 3870: 80 ft and 88 ft

These samples do not in any way intend to suggest that he did not do his job. I believe they are close enough. Mike told me that in the past the City placed stakes demarking the 100 foot line. To my knowledge no stakes are present now, but I could be wrong. I suggest that someone—not I—should go and place stakes at the 100 ft point to ensure that in future years the brush is cleared to the 100-foot limit.

This is not a trivial task, because the measurements are difficult.

Future emails will address additional findings.

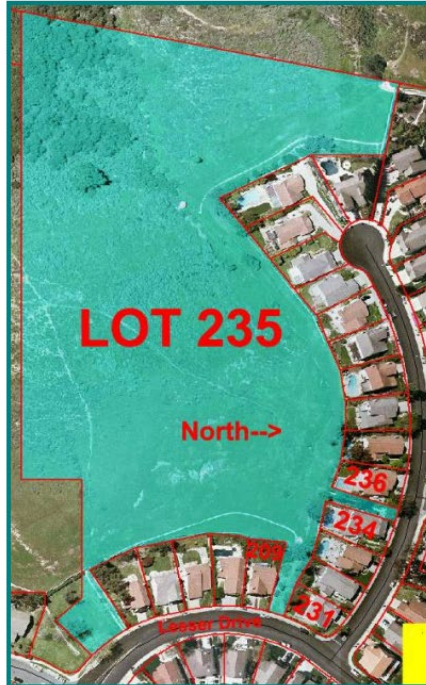
- Larry

## **f. July 2006 newsletter article**

In the July 2006 newsletter (see [https://oakridgenp.org/docs/newsletter\\_2006-07.pdf](https://oakridgenp.org/docs/newsletter_2006-07.pdf)) the following article exists concerning Lot 235.

## LOT 235—A NEW EXPENSE

In December 1976, our developer filed tract maps with the City that showed the layout of then-future Oakridge Estates, which was designated "Tract No. 2491 in the City of Thousand Oaks." The maps included a parcel called Lot 235, shown below.



Lot 235: 11.3 Acres

The area includes open space behind 20 homes, along with the right half of the Lesser Drive/San Telmo Circle greenbelt, the access by the Community Bulletin Board, and the grassy area between lots 209 and 231.

For years the City has performed weed abatement on our behalf in the open space shown. However, they recently informed us that starting this year we are responsible for brush clearance and reducing fire hazards in the area.

Weed abatement is carried out within 100 feet of any structure. According to the City, this constitutes 2.09 acres within Lot 235.

Your Board is in the process of clarifying and documenting all aspects of Lot 235 maintenance. Homeowners will be informed of our findings.

## ATTENTION, CALLE ALTA VISTA HOMEOWNERS

A number of homes that back up against Lot 235 have thick vines that drape over the back wall. These vines, which in some cases are several feet thick, are fire hazards. Homeowners are requested, prior to the coming fire season, to remove any vines, bushes, trees—any brush that might catch on fire—that has migrated beyond the top of the back wall. Thanks for your help!

### g. July 2006 email exchanges re: Lot 235

Two emails are reproduced below, both sent on July 1, 2006. The first is an email sent to Suzy Wilson from SeaBreeze's Barry Horwitz. The second is one I sent to the board; it included the email sent by Barry to Suzy to ensure the rest of the board was in the loop.

① This is the email that Barry Horwitz sent to Suzy Wilson.

**Date:** Sat 7/1/2006 2:25 pm

**Subject:** Lot 235

**From:** Barry Horwitz ([seabreezelc@sbcglobal.netmailto:larry@oakridgenp.org](mailto:seabreezelc@sbcglobal.netmailto:larry@oakridgenp.org))

**To:** Suzy Wilson ([bankcardis@aol.com](mailto:bankcardis@aol.com))

**Cc:** Larry Riggs ([larry@riggsca.com](mailto:larry@riggsca.com))

Suzy,

Per our meeting, I have done the following:

- Determined that the valve at the top of property is not under pressure. Two bleeder nuts were opened, as well as the top of the valve.
- Dug out the valve box to determine the direction of the outgoing (non-pressure side) line. The PVC pipe is a few inches long and is connected to a metal elbow fitting which faces the direction of the slope towards the block wall.

The pressure side PVC line has several fittings leading into the valve, which indicates that there was work done on the PVC line after their installation of the valve. We will trench along the line within this area to try to find a disconnection point. This will be done next week.

- Dug down on the non-pressure side of the back flow device to determine the direction of the line. The line is at least 4-5 feet down. I will need help in doing this work. This will be done next week.



If we can't locate where the valve was capped off, it would be very helpful if we had the landscape blueprints of the property when it was first built. If the valve was not capped, it may have been shut off at an isolation valve somewhere between the back flow and the valve. I will know more next week.

Barry

② This is my email to the other members of the board. I included Barry's email above, although it is not reproduced below.

**Date:** Sat 7/1/2006 7:13 pm

**Subject:** Lot 235

**From:** Larry Riggs ([larry@oakridgenp.org](mailto:larry@oakridgenp.org))

**To:** Suzy Wilson ([bankcardis@aol.com](mailto:bankcardis@aol.com))

**Cc:** Alvin Schultz ([alvinschultz@adelphia.net](mailto:alvinschultz@adelphia.net)); Bobby Williams ([wbps@verizon.net](mailto:wbps@verizon.net)); Kathy Jasper ([kpiasper@verizon.net](mailto:kpiasper@verizon.net)); Anita Gulrajani ([anita@tandempropertymgmt.com](mailto:anita@tandempropertymgmt.com)); David Tritz ([dtritz@tpms.net](mailto:dtritz@tpms.net))

*[Suzy: I'm writing this to fill in the rest of the Board on this irrigation issue. Please correct any facts I may have wrong.]*

Alvin, Bobby, and Kathy:

When Barry and the rest of us walked Lot 235 on Thursday, one of the issues we tried to resolve was how to get water to the area behind the Thompsons and Eichenbergs at the top of Alta Vista in order to meet the City's requirement that we restore the maintenance of Lot 235 to its state when the tract was built.

In the photo below I have drawn in the approximate location where there already exist a horizontal sprinkler line (thick red line) and a valve box (marked with a blue X).



Along the horizontal sprinkler line, which is 25+-year old galvanized pipe, there are some metal risers and some holes where metal risers once existed.

The line is above ground. Its right-end terminus is shown below.



During the walkthrough Barry attempted to determine if there is any water under pressure to the Valve Box. His report in the first email below shows that there is no water under pressure to the box.

For any valve box, there will be an input water line, (normally) always under pressure. When the valve is turned on, of course, the water will flow out and the sprinklers will go on.

Here are the findings and the issues so far:

- The battery in the valve box has long been inoperable. The valve itself would need to be replaced, it is so old. These are observations that Barry made to me on Thursday.
- The output water line should exit the box, go to a T-fitting, and then branch left and right to feed the two branches of the line. The line is a 1" line in places, and about a ¾" line toward the ends.
- Since galvanized pipe corrodes very heavily over time, the entire line would need to be replaced with Schedule 40 PVC. New risers and fittings would be required.
- The big issue, however, is where can we get a water source? Suzy has said that she recalls a statement by John Thompson that at some point long ago when John's sprinklers went on, this horizontal line in the Open Space also went on. He may have said that he did not want to pay for watering the Open Space, and may have capped off the line to prevent this from occurring. Suzy has contacted Joanne Thompson and has asked her to have John call Suzy.
- In my humble opinion, we have three ways to get water.
  1. Barry may dig around the valve, find the input water source capped off for whatever reason, uncap it, and we've got water.
  2. John may recall where the water line was capped off within his yard, uncap it, and we've got water.
  3. We can run a water line from the output side of the backflow behind 3868 Calle Alta Vista to the area in question. A valve would be installed near the backflow device so that the line coming out is not under pressure, a problem if someone damaged it.
- Each solution has a fatal flaw:
  1. I would be very surprised if there happens to be a dedicated water meter for this input line. We need to be billed separately for this water usage.
  2. If the line actually had been capped off because John did not want to pay for watering Open Space, the City would need to get involved. They would need to install a new separate meter at the curb in front of the Thompsons or Eichenbergs, and someone would need to pay for connecting the meter up with the line that eventually goes to the Open Space hillside. It is my recollection that Suzy may have already brought up this possibility with the City.
  3. This is a costly enterprise. See the picture below. We know there is water under pressure flowing out of the backflow. Barry tested it and showed us a powerful stream of water there. We would install a valve box nearby and run a line (see thick blue line) to connect up with the existing line (see thinner red line). Of course all materials would need to be new. Can we run water that distance out of a valve near the backflow? Barry seemed to think so. The line would be at least 1"



or maybe even 2" for a good part of the run. Suzy pointed out that the City has insisted on approving anything we do to Lot 235, from plantings to sprinkler work. After all, they own it. (We just pay for it.)



So in his email, Barry states that he plans to dig down 4-5 feet from the backflow device shown above to determine where the output from the backflow goes.

- Larry

#### **h. November 2017 Nextdoor post**

I wrote a Nextdoor post on November 9, 2017, that mentioned Lot 235. The portion that does so is reproduced below.

Last night the Oakridge Board of Directors met for the last time in 2017. Here are some takeaways from the meeting, held locally at L.J. Fay's house on Cayo Grande Court.

Because the board has opted not to have a December meeting, there was a lengthy discussion about determining the association's dues for 2018. The state of the funding of our legal reserves came up, along with the potential impact of California's gradual increase of the minimum wage to \$15 over the next several years. The extremely remote possibility of an earthquake or downhill flooding came up, as well as our legal responsibility for drainage and maintenance of Lot 235 (see our July 2006 newsletter at [http://oakridgenp.org/docs/newsletter\\_2006-07.pdf](http://oakridgenp.org/docs/newsletter_2006-07.pdf)).

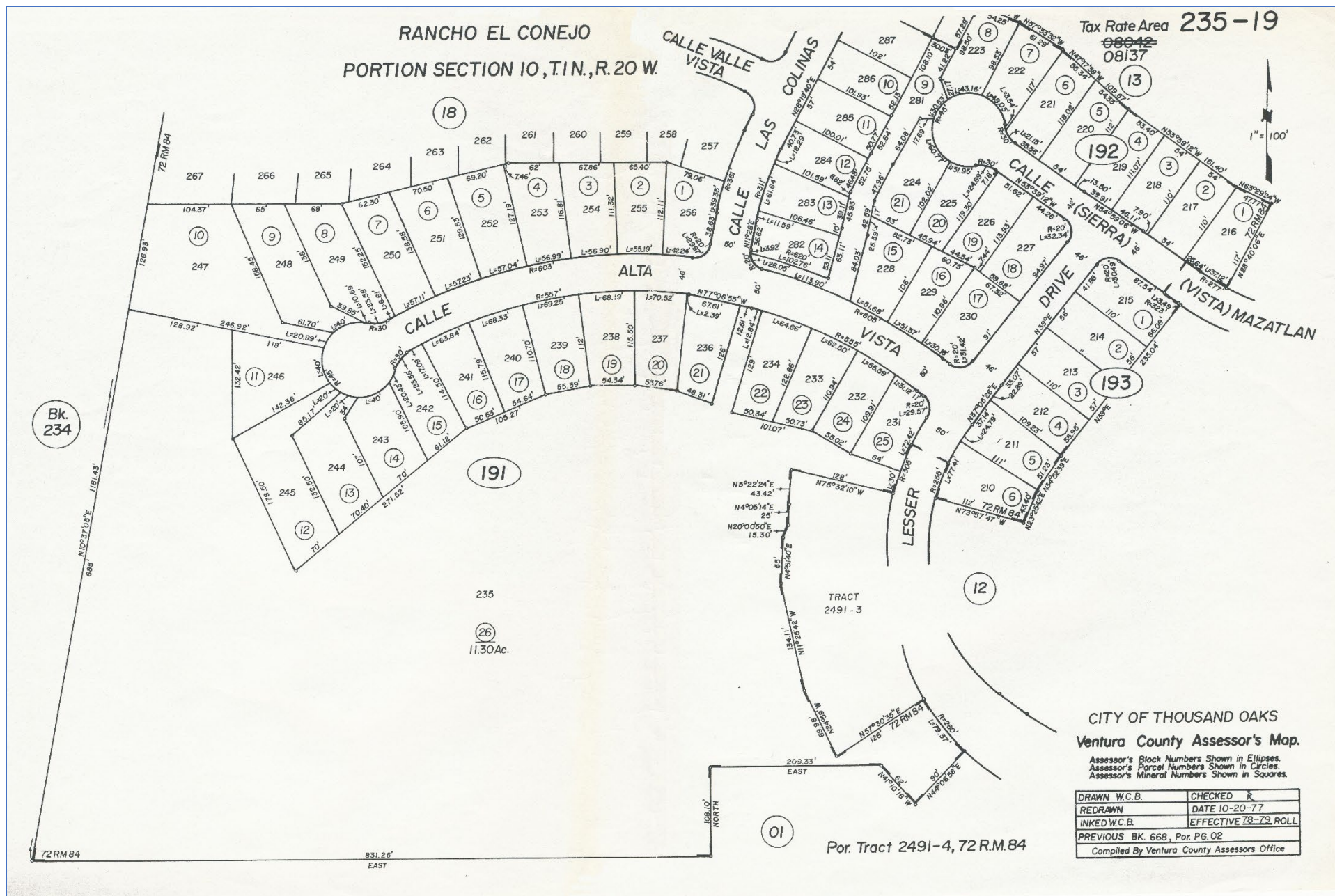


Figure 3 Ventura County Assessor's dated Oct 20, 1977, that shows the location of Lot 235 within Oakridge Estates



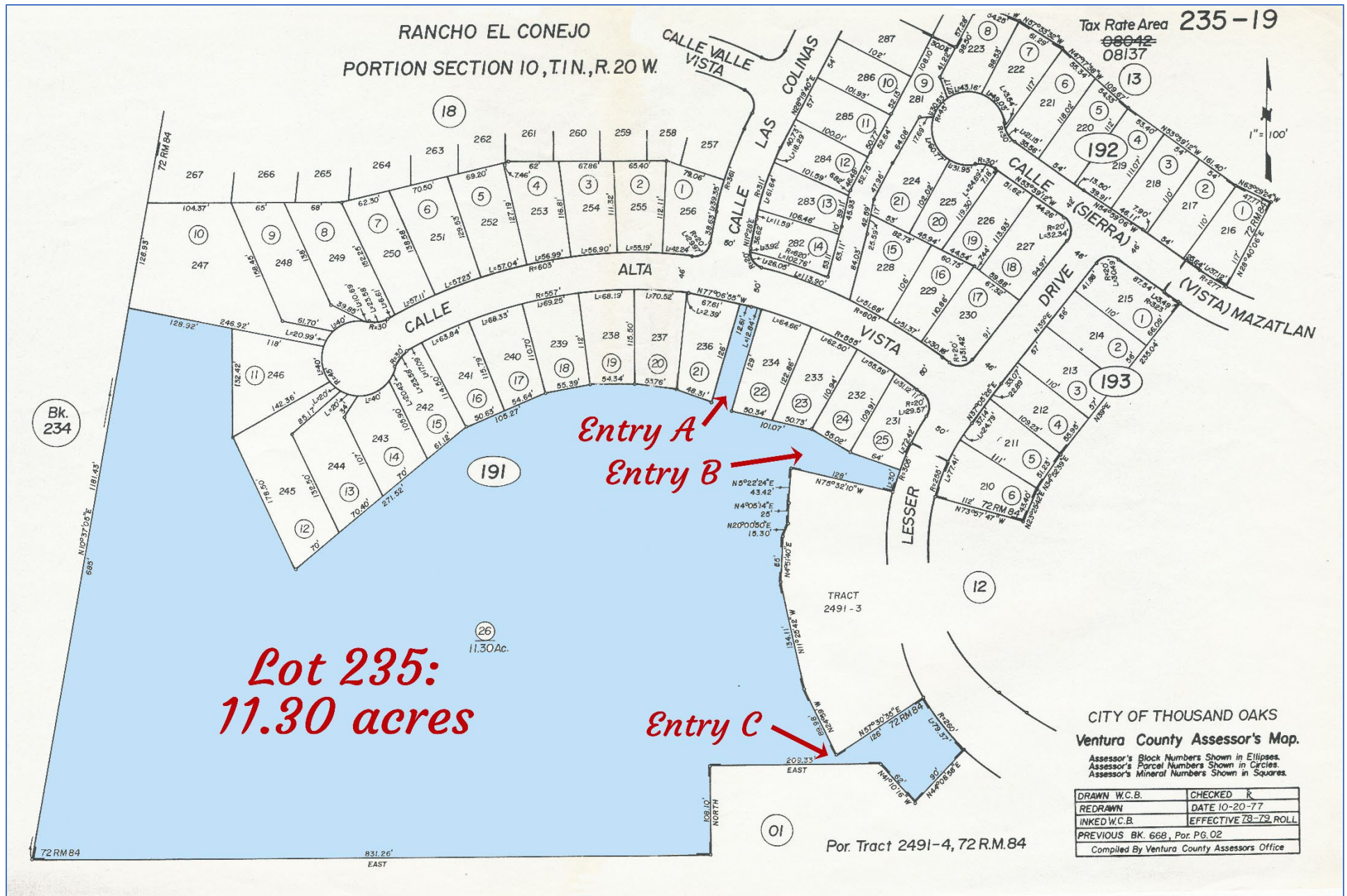


Figure 4 Same map as in Figure 3, but with Lot 235 highlighted in blue, and entry points identified






Figure 5 Lesser Drive Greenbelt Area with lines identifying Lot 235 portion

## ADDENDUM

The 40 pages of correspondence that follow date back to 1977. All pertain to Lot 235. The terms “HOA” and “Association” refers to the Oakridge Estates Homeowners Association.

You’ll see the “**SW**” notation shown right on many pages. This represents Suzy Wilson’s initials and were written on the pages by her.



Senders and recipients of the correspondence are:

NAME	COMPANY	ROLE
Ted Youman	City of Thousand Oaks	Principal engineer
Craig Dingman	Community Property Management	Property manager
James Allen	James G. Allen, Inc.	Lawyer retained by the Association
Patricia Kennedy	Community Property Management	Property manager
Armando B. Miranda	Dean Davidson Insurance Agency	Employee
Sean Mason	City of Thousand Oaks	Assistant city attorney
Douglas Nickles	City of Thousand Oaks	Assistant planner
Steve Horn	Gold Coast Association Management	Property manager
Frank Schillo	City of Thousand Oaks	Mayor
Diane C. Doria	Oakridge Estates Homeowners Association	President
Maggie Erickson Kildee	Ventura County Board of Supervisors	Third District County Supervisor
Kenneth E. Cruz(?)	Casas de la Senda Homeowners Association	President?
Marilee Marsh	Oakridge Estates Homeowners Association	Property manager
Ralph Silbert		Owner of 3956 Calle Valle Vista
Shelly Austin	Conejo Open Space Conservation Agency	Associate planner

The contents of these pages are summarized below.

PAGE NUMBERS	DATE	CONTENTS
20	Nov 2, 1987	<b>Letter from Ted Youman to Craig Dingman</b> , stating that: <ul style="list-style-type: none"> <li>No taxes will be assessed on Lot 235, which is Parcel 26 on Oakridge Estates maps,</li> <li>The City will perform annual weed abatement within “100 feet of any structure” and maintain storm drains,</li> <li>The Association will maintain portions of the lot that contain “ornamental landscaping,” and</li> <li>A draft is attached for the Association’s review that describes a “license agreement” to use a portion of Lot 235 for “ornamental landscaping.”</li> </ul>
21-24	undated	<b>Attachment to Ted Youman’s letter</b> , entitled “EASEMENT.” A document entitled “EASEMENT” was eventually signed in 1991. See pages 47-53.
25	Feb 15, 1990	<b>Letter from James Allen to Patricia Kennedy</b> , stating that the City “is accepting the dedication of [Lot 235] pursuant to the conditions of the tract map issued.” I’m only guessing that this refers to the idea of an “easement” which will be jointly maintained by the City and the Association.
26	Mar 5, 1990	Another <b>letter from James Allen to Patricia Kennedy</b> , confirming that the City has accepted the dedication of Lot 235. However, although the City will maintain the lot at this time, it would be willing to sign an agreement to transfer responsibility for the lot’s maintenance to the Association, if the Association will maintain it yet continue to keep it as open space. The Association might have been paying property taxes on Lot 235 up to 1986 and James requests that such monies, if any, be returned to the Association.
27	April 24, 1990	<b>Letter from Patricia Kennedy to the Dean Davidson Insurance Agency</b> , requesting confirmation by May 4, 1990, that taking title to 11.3-acre Lot 235 will result in no increase in liability insurance. The letter states that the Association will likely gain title to the property which it had been previously maintaining anyhow, and assumes therefore that the insurance will not increase.
28	May 16, 1990	<b>Letter from Armando B. Miranda to Patricia Kennedy</b> , representing a response to the previous letter. It states that the insurance will not increase as long as “the land is not developed with an amenity.” [A building would be an “amenity.”]

PAGE NUMBERS	DATE	CONTENTS
29	May 25, 1990	Another <b>letter from James Allen to Patricia Kennedy</b> , requesting that she provide him with Oakridge Estates CC&Rs, Bylaws, and Articles of Incorporation. James states that he would review them as part of his investigation of the “cost of acquiring and maintaining Lot 235.”
30-31	May 25, 1990	<b>Letter from James Allen to Sean Mason</b> , asking on behalf of the Association (1) what the process is for acquiring Lot 235, and (2) what the cost might be. James mentions that the City’s preference is that this open space lot be owned and maintained by the Association rather than the City.
32-38	July 1991	<b>Draft prepared by Douglas Nickles</b> for the City Council to consider. It is a request that Lot 235 be conveyed by the City to the Association. It contains two pages called Exhibit A and Exhibit B; however, only “Exhibit A” is mentioned in the document yet the reference seems to be directed at “Exhibit B.” (I have highlighted Lot 235 in blue in “Exhibit A” for convenience.) The document states that the Association believed it was the owner because it had received property tax bills through 1986, although Lot 235 was offered and accepted by the City in 1977. In 1986, the City recognized that it was the owner, but now the HOA would like to own and “control the development potential of the open space lot.” However, “it is City Council policy to retain natural open space under public ownership.” Lot 235 contains a Fuel Modification Zone (FMZ), which is a 100-ft wide “buffer zone between the open space and residential area” whose responsibility for maintenance belongs to the Association. The apparent conclusion of the draft is that the City retain ownership of Lot 235, that the Association maintain the FMZ, and “that the City adopt a resolution that preserves Lot 235 as natural open space in perpetuity.” The Association would be given a right to prohibit construction within this FMZ area.
39	Aug 1, 1991	<b>Letter from Steve Horn to Doug Nickles</b> , stating that the draft above is acceptable with some minor changes: (1) Mention that the City has never done weed abatement, (2) Specify that transfer to COSCA be done within 12 months to ensure Lot 235 remain open space for perpetuity, (3) Request help from the City to get back any Lot 235 property taxes paid through 1986, and (4) Receive notification when Lot 235 is to be on the City Council agenda.
40-45	Sep 10, 1991	(Rewrite of the July 1991 draft on pages 32-38, but with <b>Alternative Solutions</b> replaced with <b>Recommendation</b> ) <b>Memorandum prepared by Douglas Nickles</b> for the City Council to accept. It states that the Association is willing “to accept the responsibility for maintenance of the proposed 100-foot wide FMZ between the residential area and the natural open space.” It recommends that the City “at least adopt a resolution that preserves Lot 235 as natural open space in perpetuity and transfer title of the property to COSCA in exchange for their acceptance of the FMZ parcel.” The City suggests that the Association be granted a “Right to Prohibit Construction” and any back taxes paid be refunded.
46	Oct 24, 1991	<b>COSCA meeting agenda</b> at which the following New Item was discussed and accepted: “Acceptance of Open Space Lot 235 of Tract 2491-4 from the City of Thousand Oaks.” The following item was signed as a result of this meeting.
47-53	Nov 5, 1991	<b>Agreement between Frank Schillo and Diane Doria</b> signed on Oct 25, 1991, and recorded on Dec 11, 1991. It contains notarized signatures of Frank dated Nov 8, 1991, and Diane dated Dec 4, 1991. It states that the Association is the “Grantee” and that the grantee agrees to “cause all brush and undergrowth within the easement area and lying within 100 feet of any structure to be cleared.” If the grantee fails to do so, the grantor has the right to perform this function, and charge the grantee the cost of doing so together with 10% interest. The grantee may maintain the area and may replace existing landscaping and improvements with comparable landscaping and improvements.
54	Mar 19, 1992	<b>Start of a letter from Diane Doria to Maggie Erickson Kildee</b> . Only page 1 has been retained. Two attachments are referenced. The letter requests help from the County Supervisor in getting assistance and cooperation from the Assessors Office, presumably to get reimbursement for any back taxes on Lot 235 that may have been paid.
55-57	Dec 19, 1992	<b>Agreement between Oakridge Estates president (name illegible) and Kenneth Cruz</b> , in which Casas de la Senda will permit Oakridge Estates to use the Casas Lounge rent-free to conduct the Oakridge Estates Homeowner Association meetings and will agree to maintain the portion of the greenbelt that it owns at the corner of Lesser Drive and San Telmo Circle (also see Figure 5). The signatures are not perfectly legible. I don’t know who signed for Oakridge Estates and I am guessing that the other signature is “Cruz.”
58	Jun 1, 1999	<b>Letter from Marilee Marsh to Conejo Recreation and Parks District, cc-ing Ralph Silbert</b> , thanking CRPD for performing weed abatement at the west end of Lot 235 at the tops of Calle Alta Vista and Calle Valle Vista. It contains a complaint about weeds and paper left on Ralph Silbert’s driveway.



PAGE NUMBERS	DATE	CONTENTS
59	Oct 21, 2005	<b>Map from Shelly Austin to Suzy Wilson</b> illustrating the greenbelt area at the corner of Lesser Drive and San Telmo Circle. It shows which portion of the area is part of Lot 235 ("COSCA owned") and which part is owned by the Casas de la Senda HOA (also see Figure 5).



JANIE x259

# City of Thousand Oaks

A handwritten signature, possibly "JANIE", is written in a cursive style to the right of the city name.

## DEPARTMENT OF PUBLIC WORKS

November 2, 1987

Community Property Management  
888 West Ventura Boulevard  
Camarillo, California 93010

Attention: Craig Dingman

Subject: Tract No. 2491-4, Lot 235

*Oakridge*

Gentlemen:

After having investigated this situation, the following solution has been approved by the Department of Public Works.

Tax Bills - All tax bills on this parcel should be immediately cancelled effective January 26, 1987. I shall notify the tax collector by this letter that the City owns and has owned AP No. 235-0-191-265 since July 26, 1977.

The City will request the Tax Collector to repay the association any monies for prior taxes that the association paid by mistake.

Weed Abatement - Those portions of Lot 235 that are within 100 feet of structures as determined by the Fire Department (exclusive of ornamental landscaping) shall be weed abated by the City annually.

Ornamental Landscaping - Those portions of Lot 235 currently covered by ornamental landscaping are a local benefit and shall not be maintained by the City. The association must enter into a license agreement to use that portion of Lot 235. The attached draft is for your review and execution.

Storm Drain Facilities - These shall be maintained by the City.

I hope this addresses all of the issues. If I may be of further assistance please call.

Very truly yours,

Ted J. Youman  
Principal Engineer

TJY/cmc  
CMC35/46  
Attachments  
xc: Ventura County Tax Collector



LOT 235

DRAFT

SW

RECORDING REQUESTED BY  
City of Thousand Oaks

AND WHEN RECORDED MAIL TO

Name City of Thousand Oaks  
Street Planning Department  
Address attn: John Prescott  
City, State & 2150 W. Hillcrest Drive  
Zip Code Thousand Oaks CA 91320

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## EASEMENT GENERAL

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by and between the City of Thousand Oaks, a municipal corporation whose address is 2150 W. Hillcrest Drive, Thousand Oaks, California (hereinafter called "Grantor"), and Oakridge Estates Homeowners Association whose address is c/o Gold Coast Association Management 576 E. Thousand Oaks Blvd., Thousand Oaks, California (hereinafter called "Grantee"),

WITNESSETH:

WHEREAS, the Grantor owns and has fee simple title to that certain parcel of real property located in the City of Thousand Oaks, County of Ventura, State of California, legally described as follows:

(Here insert legal description of the real property or that portion thereof to be subject to the easement, right of way or rights desired by the Grantee)

As described in Exhibit "A" attached hereto.

AND WHEREAS, the Grantee desires to use said real property for the purpose of\*  
\*(Insert here nature and type of easement, right-of-way or right desired by the Grantee)

Ingress, egress, landscape and improvement maintenance, and brush clearance.

NOW, THEREFORE, it is hereby agreed between the parties hereto as follows:

The Grantor does hereby grant, assign and set over to the Grantee\*

\*(Insert here nature and type of easement, right-of-way or right granted to Grantee on the real property or any portion thereof)

A nonexclusive easement for ingress, egress, landscaping, maintenance, and brush clearance over those portions of property owned by Grantor as described on Exhibit "A" attached hereto and by this reference incorporated herein in its entirety.

Except as to the rights granted herein, the Grantor shall continue to have the full use, occupancy and enjoyment of said real property. The Grantee hereby agrees to hold and save the Grantor harmless from any and all claims, liability and damages arising from the use, possession and occupancy of the real property as herein granted and hereby further agrees to pay for



su

any and all damage or damages which may occur to the real property, or rights of the Grantor or any other person or property through Grantee's use, occupation and possession of the real property or the rights herein granted.

TO HAVE AND TO HOLD said easement, right and right-of-way unto the Grantee, his successors or assigns for a period of in perpetuity

subject to the following specific conditions and restrictions:

As set forth in Exhibit "A" attached hereto.

This agreement shall be binding upon and inure to the benefit of the Parties hereto, and their respective heirs, administrators, executors, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this \_\_\_\_\_

day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF CALIFORNIA

COUNTY OF \_\_\_\_\_

} ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 19\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person\_\_\_\_ whose name\_\_\_\_ subscribed to the within instrument, and acknowledged to me that \_\_\_\_he\_\_ executed it.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public in and for said State.

STATE OF CALIFORNIA

COUNTY OF \_\_\_\_\_

} ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 19\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person\_\_\_\_ whose name\_\_\_\_ subscribed to the within instrument, and acknowledged to me that \_\_\_\_he\_\_ executed it.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public in and for said State.

If executed by a Corporation the Corporation Form of Acknowledgment must be used



gze


EXHIBIT "A"

1. Description of Easement. The easement granted is nonexclusive, and is granted for the purpose of ingress, egress, landscaping, maintenance of landscaping and improvements, and brush clearance within a portion of Lot 235 of Tract 2491-4, in the City of Thousand Oaks, County of Ventura, as recorded in Book 72, pages 84 through 89 of Miscellaneous Records (Maps), Records of Ventura County, which easement area is more precisely described as follows:

Insert Legal Description

2. Maintenance. By acceptance hereof, Grantee covenants, for its heirs, successors and assigns, that it will, at all times, cause all brush and undergrowth within the easement area and lying within 100 feet of any structure (other than walls and fences) to be cleared in accordance with the requirements of the Ventura County Fire Protection District or any other governmental agency having fire safety jurisdiction over the easement area. Grantee further covenants, for its heirs, successors, and assigns, that, should Grantee or any successor in interest to Grantee fail to perform the covenants herein set forth, Grantor or its designee shall have the right to enter onto said easement area and perform the necessary brush clearance and that Grantee or its then successor in interest in this easement shall reimburse Grantor for all costs thereof, together with interest at the rate of ten percent (10%) per annum and all costs of collection, including reasonable attorney's fees.
3. Indemnity. The Grantee shall defend, indemnify, and hold the Grantor harmless from any claims, demands, actions, liability, or judgments arising out of, directly or indirectly, the Grantee's use of the easement area, or Grantee's failure to maintain or provide brush clearance in the easement area.



- 
4. Easement Area Improvements. Grantee may maintain existing landscaping and improvements within the easement area, including walls, fences, irrigation system, and drainage devices. No additional or alternative landscaping or improvements may be installed without the express written consent of Grantor in advance. Provided, however, that existing landscaping and improvements may be replaced as necessary with comparable landscaping and improvements. No structures, storage, or vehicles will be allowed in the easement area.

Acknowledged and accepted by:

\_\_\_\_\_  
President  
Oakridge Estates Homeowners  
Association

\_\_\_\_\_  
Date

JP402



*James G. Allen, Inc.*

A Law Corporation

James G. Allen

Diane Pappas

88 Long Court, Suite C  
Thousand Oaks, CA 91360  
(805) 494-4409  
Fax: (805) 497-2855

SW

February 15, 1990

Ms. Patricia Kennedy  
Community Property Management  
888 West Ventura Blvd.  
Camarillo, CA 93010-0897

Re: Oakridge Estates and Lot No. 235 (Tract 2491-4)

Dear Ms. Kennedy:

Further to your request for an update relative to Tract No. 2491-4, Lot No. 235, we are advised by the city attorney that the city is accepting the dedication of the above-referenced lot pursuant to the conditions of the tract map issued. Sean Mason, with the city attorney's office, has indicated that he will advise us when the city's acceptance of the dedication is complete. We are to immediately follow-up with the city at this time to determine whether they have finalized their action. I will advise you when I am in receipt of further information relative to the city's action in that regard.

Sincerely,

JAMES G. ALLEN, INC.

James G. Allen

JGA:kam



*James G. Allen, Inc.*

A Law Corporation

James G. Allen  
Diane Pappas

RECEIVED

MAR 08 1990

Community Property Management

88 Long Court, Suite C  
Thousand Oaks, CA 91360  
(805) 494-4409  
Fax: (805) 497-2855

*(Handwritten initials "SW" inside a circle)*

March 5, 1990

Ms. Patricia Kennedy  
Community Property Management  
888 West Ventura Blvd.  
Camarillo, CA 93010-0897

Re: Oakridge Estates and Lot No. 235 (Tract 2491-4)

Dear Ms. Kennedy:

Please be advised that we were advised by the city attorney that the city of Thousand Oaks has accepted the dedication of the above-referenced lot pursuant to the terms and conditions of the tract map issued. We are further advised that the county assessors' office has corrected the assessment rolls so as to indicate that all assessments for that lot are to be billed to the city of Thousand Oaks.

Our discussions with the city attorney's office lead us to believe that the city will continue to maintain the lot as open space but would be willing to enter into an agreement to transfer the property, and responsibility therefore, to the homeowners association should the association be willing to maintain it and covenant to continue to maintain it as open space.

Please advise, by return mail, whether there are monies due the association for monies paid for taxes or for the maintenance of the subject lot. Also advise whether the association wishes to take any further steps to acquire the subject property or, now that the city's records and assessors' records are corrected, whether they would like the file closed in this matter.

I look forward to hearing from you in this regard in the near future.

Sincerely,

JAMES G. ALLEN, INC.

*(Handwritten signature of James G. Allen)*  
James G. Allen

JGA:kam



# cpm

## COMMUNITY PROPERTY MANAGEMENT

April 24, 1990

Dean Davidson Insurance Agency  
4620 N. 16th St. #200  
Phoenix, AZ. 85016

RE: Oakridge Estates

The Board of Directors would like to confirm in writing that if they take title to approximately 11.3 areas known as Lot 235 which is open space per enclosed map there will not be an increase in their liability insurance.

The Association previously was maintaining this area & then found that the City of Thousand Oaks was suppose to have obtained title to this as open space.

The City of Thousand Oaks is willing to have the Association retain title but the Association wants to confirm the liability insurance would not increase.

We'd appreciate this information by May 4, 1990.

Sincerely,

Patricia Kennedy  
Association Manager

PK/cdg

cc: BOD-PRESIDENT  
BOD-SECRETARY

Corporate Headquarters:  
888 West Ventura Blvd., Camarillo, CA 93010-0897 • (805) 987-8945 • (800) 999-6468 • FAX: (805) 987-7906  
Field Office: Woodland Hills





## DEAN S. DAVIDSON INSURANCE AGENCY, INC.

4041 N. CENTRAL AVE. / STE. 1400 / PHOENIX, AZ 85012-3214 (602) 277-6672  
Toll Free In Arizona 1-800-821-8387 Toll Free Out of Arizona 1-800 223-7840  
FAX (602) 266-7510

RECEIVED  
MAY 24 1990

May 16, 1990

(SW)

Community Property Mgt.  
888 West Ventura Blvd.  
Camarillo, California 93010-0897

RE: Oakridge Estate

Dear Pat:

This letter is in response to your letter dated April 24, 1990 with regards to the liability exposure and premium by adding the approx. 11.3 acres of common area.

The annual premium at this point would not increase if the land is not developed with an amenity. If it is kept as is then no increase in liability premium. The policy would cover this land as part of the associations common area.

If you have any questions please do not hesitate to contact me directly. Sorry I didn't respond sooner I have been out of town for over a week and just now getting a chance to catch up.

Sincerely,

Armando B. Miranda  
DEAN S. DAVIDSON AGENCY, INC.



*James G. Allen, Inc.*

A Law Corporation

James G. Allen

Diane Pappas

RECEIVED

MAY 28 1990

88 Long Court, Suite C  
Thousand Oaks, CA 91360  
(805) 494-4409  
Fax: (805) 497-2855

*SW*

May 25, 1990

Ms. Patricia Kennedy  
Community Property Management  
888 West Ventura Blvd.  
Camarillo, CA 93010-0897

Re: Oakridge Estates

Dear Ms. Kennedy:

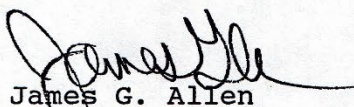
Further to your April 27, 1990 request, I am investigating the process and anticipated cost of acquiring and maintaining Lot 235 of Tract 2491-4.

In response to your inquiry relative to notification to the homeowners, I need to undertake further investigation prior to giving you a definite answer. I also need to review the documents pursuant to which the Oakridge Estates Homeowners Association was formed and operates. These documents would include the CC&R's for the tract, by-laws of the association, the articles (including articles of incorporation, if incorporated) under which the association operates, and any further documents creating or defining the association. I would appreciate your providing me with those documents at your convenience. I hope to be in a position to fully respond to your April 27, 1990 correspondence shortly after receiving those documents from you.

I look forward to hearing from you in this regard in the near future.

Very truly yours,

JAMES G. ALLEN, INC.

  
James G. Allen

JGA:jpk



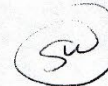
*James G. Allen, Inc.*

A Law Corporation

James G. Allen

Diane Pappas

88 Long Court, Suite C  
Thousand Oaks, CA 91360  
(805) 494-4409  
Fax: (805) 497-2855



May 25, 1990

Mr. Sean Mason  
Assistant City Attorney  
City of Thousand Oaks  
2150 West Hillcrest Drive  
Thousand Oaks, CA 91360

Re: Tract No. 2491-4, Lot 235  
Oakridge Estates

Dear Mr. Mason:

As you are aware from our prior communications, this firm represents the Oakridge Estates Homeowners Association.

Please recall that in our recent discussions relative to the city's acceptance of the dedication of Lot 235 in the above-referenced tract, you indicated that the city's preference relative to the maintenance of open space dedicated lots within a tract had changed since the dedication of Lot 235, and that the city now prefers that such open space lots be owned and maintained by the homeowners associations of the tract in which the open space lots are located. You indicated that this type of arrangement relieves the city of the burden of maintaining and managing small parcels of open space which provide no use or benefit to the city. You indicated that the city might entertain conveying Lot 235 to the homeowners association of the tract in which that lot is located, all parties understanding and agreeing that such lot would be maintained as open space.

The board of directors of the Oakridge Estates Homeowners Association has directed me to contact you and to ascertain the process through which the homeowners association could acquire title to Lot 235 and assume the responsibility for the taxes, insurance, and maintenance of that lot. Specifically, we would be interested in learning the process under which title to Lot 235 could be acquired, the form of the application for such acquisition, and what documentation would be required by the city in order to process such an application.

Secondly, the association has requested that I provide them with an estimate of the cost of applying to acquire, acquiring, and maintaining said Lot 235. Any information you can provide in this regard would be greatly appreciated. The Oakridge Estates



May 25, 1990  
Mr. Sean Mason  
Page 2

SW

Homeowners Association Board of Directors has requested that I report back to them on these matters prior to formally beginning the acquisition process. I would sincerely appreciate the benefit of your input relative to these matters.

Thank you for your anticipated courtesies and cooperation in addressing this inquiry.

Very truly yours,

JAMES G. ALLEN, INC.

James G. Allen

JGA:jpk



32

## DRAFT

TO: City Council  
FROM: Department of Planning and Community Development  
DATE: July , 1991  
SUBJECT: Request from Oakridge Estates Homeowners Association to acquire City-owned open space (Lot 235, Tract 2491-4)

### ISSUE:

The Oakridge Estates Homeowners Association has expressed an interest in acquiring the title to Lot 235 in Tract 2491-4, which is owned by the City in fee simple.

### RECOMMENDATION:

Retain City ownership of open space Lot 235, Tract 2491-4, and deed a "Right to Prohibit Construction" and an easement for landscape maintenance and brush clearance purposes over the 100' wide fuel modification zone to the Oakridge Estates Homeowners Association.

### BACKGROUND:

Fee simple ownership of lot 235 in tract 2491-4 (AP No. 235-0-191-265) was offered to the City of Thousand Oaks when the tract was recorded in 1977. The City accepted the 11.30 acre lot via the tract map dated July 27, 1977.



# DRAFT

an

The Oakridge Estates HOA believed that it was the owner of Lot 235, since it received property tax bills for the lot through 1986. It was not until 1986 that it was determined the City was the legal owner of the lot, even though the county records did not depict that. On January 26, 1987 the City notified the County of Ventura to correct the records and reflect the ownership as offered on the tract map, retroactive to July 26, 1977.

According to representatives from the HOA, the County Assessor was notified of the change and attempts were made seeking reimbursement for the taxes paid. No reimbursement has been made to date and the HOA would like assistance from the City to correct this situation.

The HOA now wishes to acquire ownership of the lot to preserve it as open space. It is the feeling of the HOA that in order to guarantee preservation of the lot, it would be in their best interest to obtain it as HOA common property. A driving force for this feeling appears to be the development of the Dos Vientos Ranch to the west. In order to protect their neighborhood, the HOA feels they must be able to control the development potential of the open space lot.

At the time when Tract 2491 was designed, open space lots were not separated by landscape or brush clearance lots for fuel modification and other maintenance. Lot 235 was accepted by the City as designed, including all responsibilities for maintenance.

## Existing Conditions

The open space lot adjoins open space which will be transferred to the City (per the Development Agreement) in Dos Vientos Ranch on the west, residential development in Tract 2491-2 to the north and Tract 2491-3 to the east, and private open space in Tract 2549-1 to the south (See Exhibit A).

33



# DRAFT

According to the Public Works Department, weed abatement on Lot 235 is currently being performed by the City. Maintenance of the improved landscaped areas along Lesser Drive and Calle Alta Vista have been undertaken by the HOA. The area has been previously annexed to a maintenance district. Some dumping of refuse has occurred, and one homeowner appears to have planted several eucalyptus trees behind a lot in Tract 2491-3 on Lot 235.

Currently, a V-ditch runs along the fence line of the downhill (east) side of the property. A wood and barbed wire fence runs north - south in the eastern portion of the property, and a seasonal ravine runs through the northwestern portion of the lot into a concrete box culvert constructed under Lesser Drive. Pedestrian ingress and egress occur through a landscaped greenbelt between houses on Calle Alta Vista. The entrance is narrow and well concealed.

Several trails traverse the property, occasionally used by off-road vehicles. This unauthorized use has damaged the native vegetation and increased the soil erosion in the area. The formal trails for the area are being planned in conjunction with the Dos Vientos Ranch Trail Master Plan. As there are trail access points from public streets in the neighborhood, local trailheads may be proposed for the site. However, it may be necessary to install additional roadside fencing and trailhead entry structures to prevent continued misuse of this open space.

## Current Policy

While it is the desire of the Oakridge Estates HOA to own this lot, it is City Council policy to retain natural open space under public ownership. As this lot meets this criterion, and is currently being considered for the new Open Space Zone (OS), it should be retained as public open space. As mentioned above, the lot is



# DRAFT

adjacent to land in the Dos Vientos Ranch which is committed as public open space. This being the case, this open space lot becomes an integral part of the contiguous open space "ring" envisioned by the General Plan in the Newbury Park area.

It is also Council policy to provide fuel modification zones (FMZ) in all new tracts to separate brush clearance maintenance responsibilities from natural open space areas. The zones are placed in separate parcels with title transferred to the homeowners association for maintenance purposes. A benefit assessment district is also formed to assume the maintenance in the event the homeowners association fails or neglects its responsibilities.

## Alternative Solutions

Representatives for the Oakridge Estates HOA have indicated that they are willing to accept the responsibility for maintenance of the proposed 100 foot wide FMZ between the residential area and the natural open space. The HOA feels that ownership of the FMZ would act as a valuable buffer zone between the open space and residential area to afford additional protection and security to the homeowners. However, the HOA is requesting that the City adopt a resolution that preserves Lot 235 as natural open space in perpetuity in exchange for their acceptance of the FMZ parcel.

In order to transfer the maintenance obligation to the HOA, the FMZ could be detached as a separate lot, deed restricted for open space and landscaping purposes only, and ownership transferred to the HOA. Easements for trail access would be reserved through the FMZ parcel. The HOA would pay all expenses connected with processing and title transfer. This practice is consistent with existing City Council policy regarding maintenance of landscape and open space areas.

As an alternative to this approach, the Public Works Department



# DRAFT

2

has suggested that the HOA be deeded a "Right to Prohibit Construction" over the FMZ portion of Lot 235. If the HOA is agreeable, an easement could be granted to permit access for landscape maintenance and brush clearance purposes for the 100' wide FMZ area. This approach would not require the delineation of a separate lot, and the City would retain ownership of the entire Lot 235. Also, the HOA would obtain partial control over any proposed future construction on the lot.

Prepared by:

Submitted by:

---

Douglas V. Nickles  
Assistant Planner

---

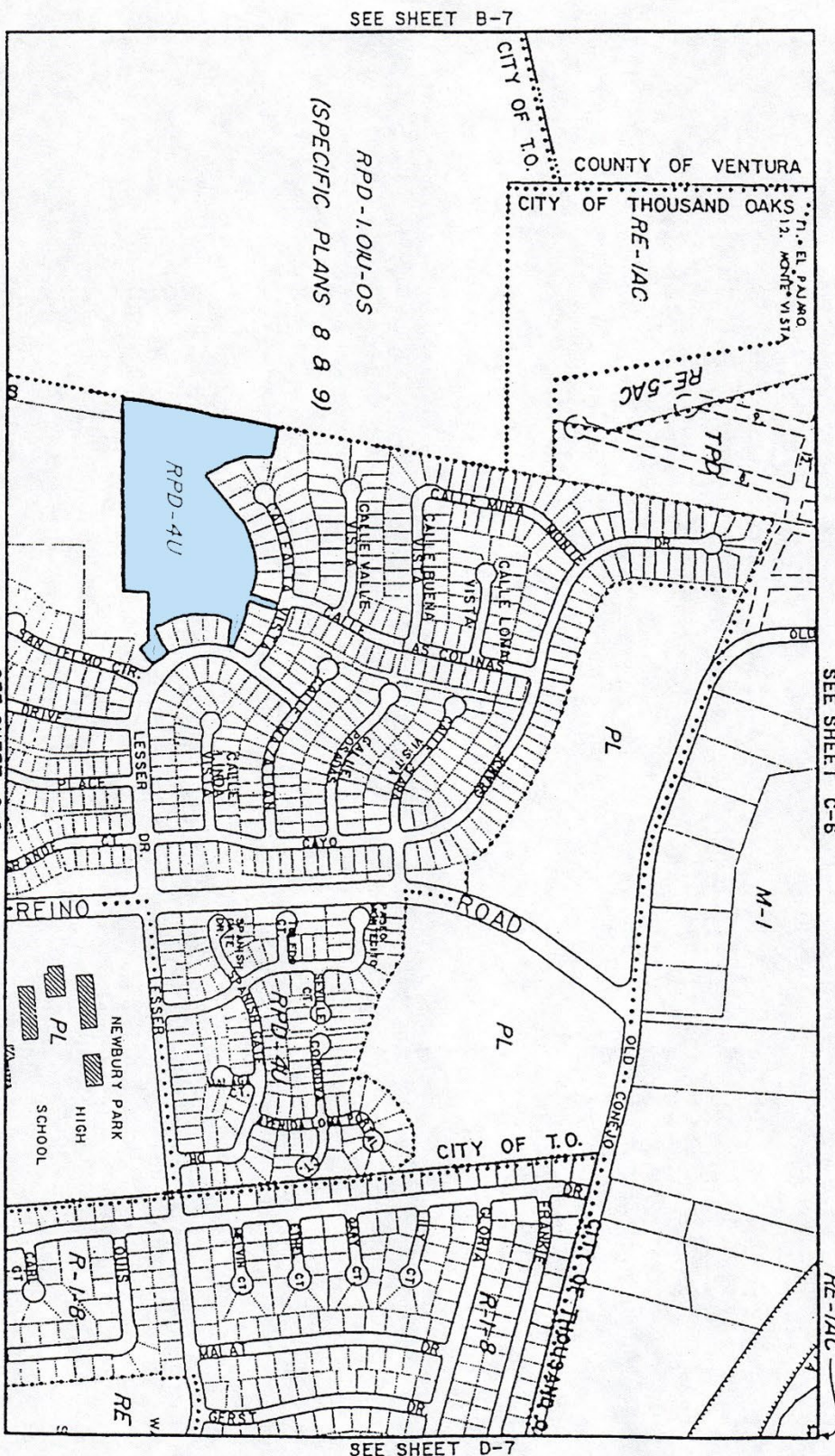
Philip E. Gatch, Director  
Planning and Community  
Development

ccref\235-2491.1

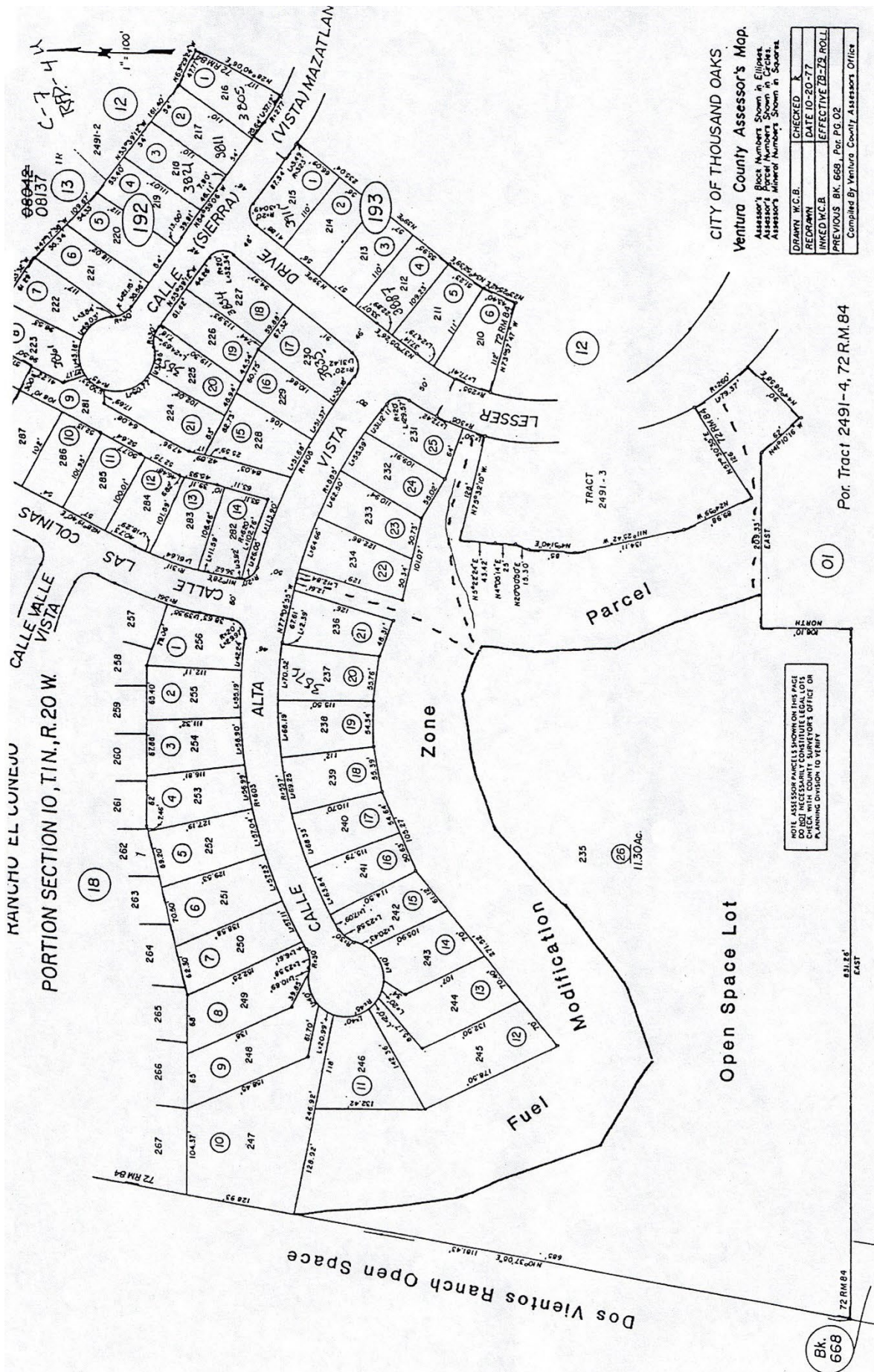
36



# EXHIBIT A







Por. Tract 2491-4, 72 R.M. 84

Tract 2549-1 Open Space

EXHIBIT B





## Gold Coast Association Management

576 Thousand Oaks Blvd., Thousand Oaks, Ca., 91360, (805) 379-2120

August 1, 1991

City of Thousand Oaks  
Planning Department  
2150 West Hillcrest Drive  
Thousand Oaks, CA 91320



Subject: DRAFT of letter to City Council  
Regarding Lot 235, Tract 2491-4

Attention: Doug Nickles

The Board of Directors of Oakridge Estates Homeowners Association reviewed the report to the City Council regarding Lot 235, Tract 2491-4. The Board believes the Draft is acceptable with the following changes:

1. Clarification: Regarding page 3, existing conditions, the Public Works Department has never done weed abatement on the lot. Weed abatement has been done and paid for by the Homeowners Association.
2. Condition: The Board asks that a condition be added stating that transfer of title to COSCA be completed within 12 months to insure designation of lot 235 as "Open Space" in perpetuity.
3. Requests: 1) Assistance from the City in obtaining reimbursement for property taxes paid by the Homeowners Association from July 27, 1977 up to and including December 1986. 2) Please notify all homeowners of Oakridge Estates HOA when Lot 235 is slated to be on the City Council agenda.

As always, it has been a pleasure to work with you. We look forward to seeing you in the future.

Very truly yours,

Steve Horn  
Manager  
Oakridge Estates HOA

cc: BOD  
file





# M E M O R A N D U M

*City of Thousand Oaks • Thousand Oaks, California*  
*Planning and Community Development*

TO: City Council

FROM: Department of Planning and Community Development

DATE: September 10, 1991

SUBJECT: Request from Oakridge Estates Homeowners Association to acquire City-owned open space (Lot 235, Tract 2491-4)

## ISSUE:

The Oakridge Estates Homeowners Association has expressed an interest in acquiring the title to Lot 235 in Tract 2491-4, which is owned by the City in fee simple.

## RECOMMENDATION:

That the City retain public ownership of open space Lot 235, Tract 2491-4. Direct Staff to prepare a deed granting a "Right to Prohibit Construction" to the Oakridge Estates Homeowners Association including an easement for landscape maintenance and brush clearance purposes over the 100' wide fuel modification zone. In addition, direct Staff to prepare a letter to the County Assessor requesting reimbursement be made to the Oakridge Estates HOA for any possible tax refund due to them.

## BACKGROUND:

Fee simple ownership of Lot 235 in Tract 2491-4 (Assessors Parcel No. 235-0-191-265) was offered to the City of Thousand Oaks when the tract was recorded in 1977 (Exhibit A). The City accepted the 11.30 acre lot via the tract map dated July 27, 1977.

The Oakridge Estates HOA believed that it was the owner of Lot 235, since it received property tax bills for the lot through 1986. It was not until 1986 that it was revealed the City was actually the legal owner of the lot, even though the county records did not reflect that. On January 26, 1987, the City notified the County of Ventura to correct the records and ownership as offered on the tract map, retroactive to July 26, 1977.

According to representatives from the HOA, the County Assessor was notified of the change and attempts were made seeking reimbursement for the taxes paid. No reimbursement has been made to date, and the HOA would like assistance from the City to



Su

Acquisition of City-owned  
Open Space (Lot 235, T 2491-1)  
September 10, 1991

correct this situation.

The HOA now wishes to acquire ownership of the lot in an effort to preserve it as open space. It is the feeling of the HOA that in order to guarantee preservation of the lot, it would be in their best interest to obtain it as HOA common property. A driving force for this feeling appears to be the development of Dos Vientos Ranch to the west. In order to protect their neighborhood, the HOA feels they must be able to control the development potential of the open space lot.

At the time when Tract 2491 was designed and approved by the City, open space lots were not separated by landscape or brush clearance lots for fuel modification and other maintenance. Lot 235 was accepted by the City as designed, including all responsibilities for maintenance.

#### Existing Conditions

The open space lot adjoins open space which will be transferred to the City (per the Development Agreement) in Dos Vientos Ranch on the west, residential development in Tract 2491-2 to the north and Tract 2491-3 to the east, and private open space in Tract 2549-1 to the south (See Exhibit A).

According to the Public Works Department, weed abatement on Lot 235 is currently being performed by the City. It appears, however, that the HOA has also been undertaking similar maintenance for the area. Maintenance of the improved landscaped areas along Lesser Drive and Calle Alta Vista are the responsibility of the HOA. The area has been previously annexed to a maintenance district.

Formal trails for the area are being planned in conjunction with the Dos Vientos Ranch Trail Master Plan. As there are trail access points from public streets in the neighborhood, future trailheads may be proposed for the site.

#### Current Policy

While it is the desire of the Oakridge Estates HOA to own this lot, it is current City Council policy to retain natural open space under public ownership. As this lot meets this criterion, and is currently being considered for the new Open Space Zone (OS), it should be retained as public open space. As mentioned above, the lot is adjacent to land in the Dos Vientos Ranch which is committed as public open space. This being the case, this lot



8

Acquisition of City-owned  
Open Space (Lot 235, T 2491-1)  
September 10, 1991

becomes an integral part of the contiguous open space "ring" envisioned by the General Plan in the Newbury Park area.

It is also Council policy to provide fuel modification zones (FMZ) in all new tracts to separate brush clearance maintenance responsibilities from natural open space areas. The zones are placed in separate parcels with title transferred to the homeowners association for maintenance purposes. A benefit assessment district is also formed to assume the maintenance in the event the homeowners association fails or neglects its responsibilities.

#### Recommendation

Representatives for the Oakridge Estates HOA have indicated that they are willing to accept the responsibility for maintenance of the proposed 100 foot wide FMZ between the residential area and the natural open space (Exhibit B). The HOA would prefer to obtain ownership of the FMZ, as it would act as a valuable buffer zone between the open space and residential area to afford additional protection and security to the homeowners. However, the HOA is requesting that the City at least adopt a resolution that preserves Lot 235 as natural open space in perpetuity and transfer title of the property to COSCA in exchange for their acceptance of the FMZ parcel.

In order to transfer the maintenance obligation to the HOA, the FMZ could be detached as a separate lot, deed restricted for open space and landscaping purposes only, and ownership transferred to the HOA. Easements for trail access would be reserved through the FMZ parcel. The HOA would pay all expenses connected with processing and title transfer. This practice is consistent with existing City Council policy regarding maintenance of landscape and open space areas.

As an alternative to this approach, the Public Works Department has suggested that the HOA be deeded a "Right to Prohibit Construction" over the FMZ portion of Lot 235. The HOA has also agreed to this alternative proposal, whereby an easement could be granted to permit access for landscape maintenance and brush clearance purposes for the 100' wide FMZ area. This approach would not require the delineation of a separate lot, and the City



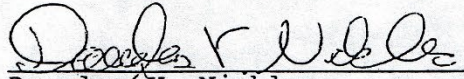
(SV)

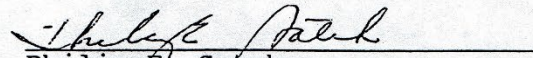
Acquisition of City-owned  
Open Space (Lot 235, T 2491-1)  
September 10, 1991

would retain ownership of the entire Lot 235. The HOA would obtain the ability to prohibit construction over any proposed future developments on the lot.

Prepared by:

Submitted by:

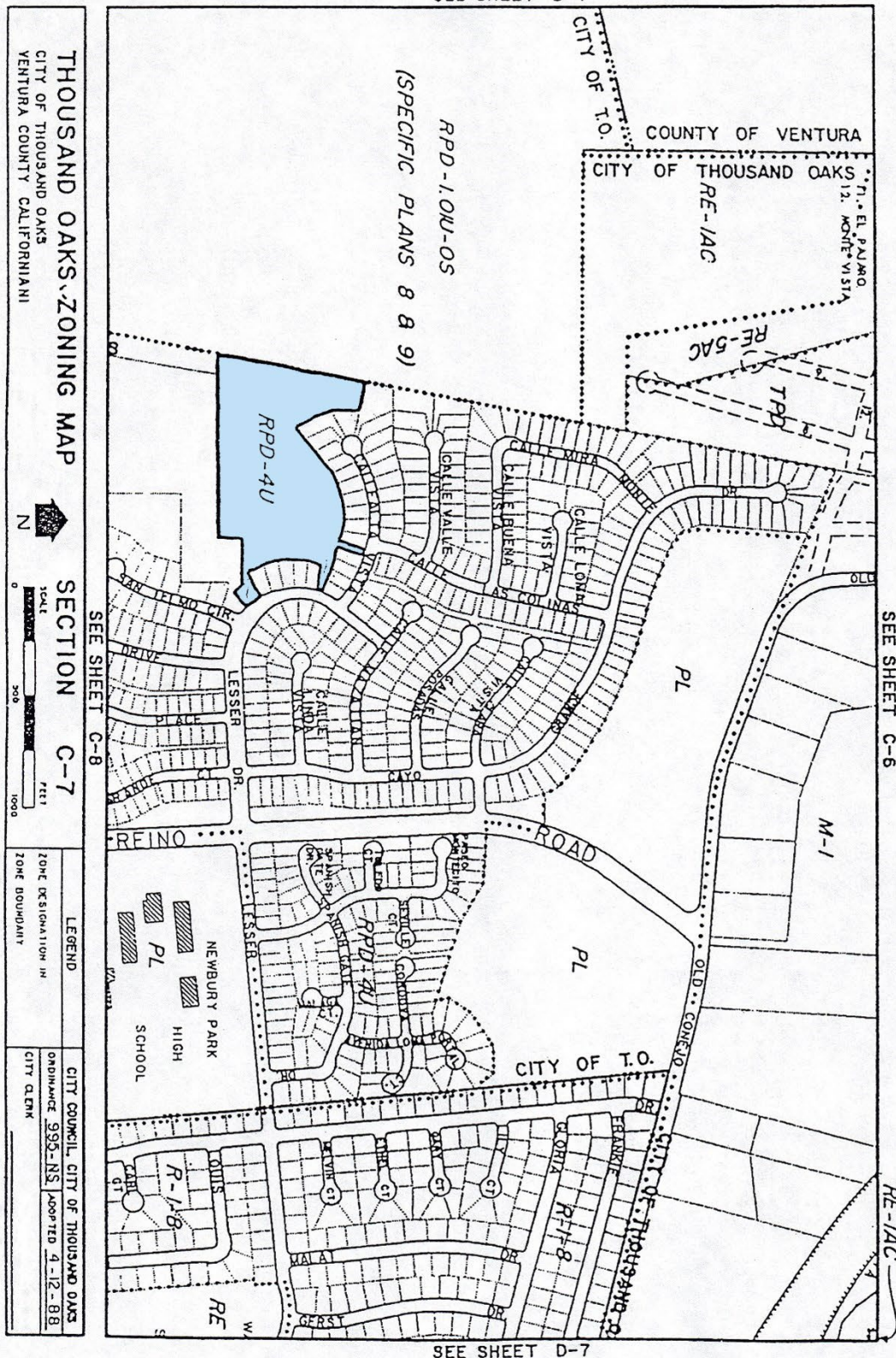
  
Douglas V. Nickles  
Assistant Planner

  
Philip E. Gatch  
Director of Planning and  
Community Development

ccref\235-2491.1

18.271





10/9/91

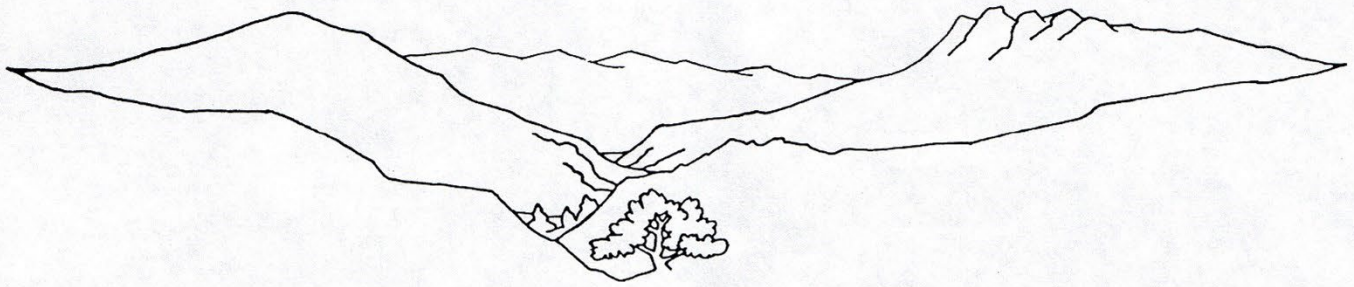
The Walk thru by city Planner John Hecox shows Green belt (long one) is made by less than 2000 ft of width and there is absolutely no way to build a big building on this area than a single or people taking







# CONEJO OPEN SPACE CONSERVATION AGENCY



BOARD OF DIRECTORS' MEETING  
October 24, 1991, 6:00 P.M.  
Thousand Oaks City Hall West  
Council Chambers

## AGENDA

1. CALL TO ORDER AND FLAG SALUTE: 6:00 P.M.
2. ROLL CALL: Directors Lewis, Schillo, Berger, Jacobsen, and Chairperson Skei
3. SPECIAL PRESENTATIONS:
4. ITEMS FROM THE PUBLIC:
5. CONSENT CALENDAR:
  - A. Approval of Minutes of July 25, 1991.
6. DEFERRED MATTERS:
  - A. Approval of Volunteer Trail Patrol Program
7. NEW ITEMS:
  - A. Acceptance of Open Space Lot 235 of Tract 2491-4 from the City of Thousand Oaks.
  - B. Offer of Landscape Maintenance Easement to the Westlake Ranch HOA along Windy Mountain Drive.
8. REPORTS AND ANNOUNCEMENTS:
  - A. Potential Sites for Use of Flood Control Channels for Trail Purposes.
  - B. Plan and Project Informational Items (verbal report)

Wilma Pacific Open Space Dedication  
Whole Access Trail Grant Approval  
Linfin

A Joint Agency  
City of Thousand Oaks Conejo Recreation and Park District  
Civic Center/P.O. Box 1496, Thousand Oaks, CA 91358



RECORDING REQUESTED BY	91-185023	Rec Fee	.00
City of Thousand Oaks	Recorded	Total	.00
AND WHEN RECORDED MAIL TO	Official Records		
Name City of Thousand Oaks	County of		
Street City Clerk's Dept.	Ventura		
Address Nancy A. Dillon	Richard D. Dean		
City, State & Zip Code 2150 W. Hillcrest Drive	Recorder		
Thousand Oaks, CA. 91320	8:02am 11-Dec-91	CL	7

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## EASEMENT

### GENERAL

THIS AGREEMENT is made and entered into this 5th day of November, 1991, by and between the City of Thousand Oaks, a municipal corporation whose address is 2150 W. Hillcrest Drive, Thousand Oaks, California (hereinafter called "Grantor"), and Oakridge Estates Homeowners Association

whose address is c/o Gold Coast Association Management  
576 E. Thousand Oaks Blvd., Thousand Oaks, California (hereinafter called "Grantee"),

WITNESSETH:

WHEREAS, the Grantor owns and has fee simple title to that certain parcel of real property located in the City of Thousand Oaks, County of Ventura

State of California, legally described as follows:  
(Here insert legal description of the real property or that portion thereof to be subject to the easement, right of way or rights desired by the Grantee)

As described in Exhibit "A" attached hereto, and depicted on Exhibit "B" attached hereto.

AND WHEREAS, the Grantee desires to use said real property for the purpose of\*

\*(Insert here nature and type of easement, right-of-way or right desired by the Grantee)

Ingress, egress, landscape and improvement maintenance, and brush clearance.

"No Fee Required"  
(Govt. Code Sec 6103 & 27383)  
Recorded for the Benefit

at City of Thousand Oaks  
Carol Clement  
Authorized Representative

NOW, THEREFORE, it is hereby agreed between the parties hereto as follows:

The Grantor does hereby grant, assign and set over to the Grantee\*

\*(Insert here nature and type of easement, right-of-way or right granted to Grantee on the real property or any portion thereof)

A nonexclusive easement for ingress, egress, landscaping, maintenance, and brush clearance over those portions of property owned by Grantor as described on Exhibit "A" attached hereto and by this reference incorporated herein in its entirety.

Except as to the rights granted herein, the Grantor shall continue to have the full use, occupancy and enjoyment of said real property. The Grantee hereby agrees to hold and save the Grantor harmless from any and all claims, liability and damages arising from the use, possession and occupancy of the real property as herein granted and hereby further agrees to pay for



any and all damage or damages which may occur to the real property, or rights of the Grantor or any other person or property through Grantee's use, occupation and possession of the real property or the rights herein granted.

TO HAVE AND TO HOLD said easement, right and right-of-way unto the Grantee, his successors or assigns for a period of in perpetuity subject to the following specific conditions and restrictions:

As set forth in Exhibit "A" attached hereto.

This agreement shall be binding upon and inure to the benefit of the Parties hereto, and their respective heirs, administrators, executors, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this 25th

day of October, 1991.

Diane C. Doria

Diane C. Doria

President, Oakridge Estates Homeowner Association (Grantee)

Frank Schillo

Frank Schillo, Mayor

Mayor, City of Thousand Oaks (Grantor)

STATE OF CALIFORNIA

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 19\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name \_\_\_\_\_ subscribed to the within instrument, and acknowledged to me that he executed it.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public in and for said State

STATE OF CALIFORNIA

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 19\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name \_\_\_\_\_ subscribed to the within instrument, and acknowledged to me that he executed it.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public in and for said State.

If executed by a Corporation the Corporation Form of Acknowledgment must be used.



EXHIBIT "A"

1. Description of Easement. The easement granted is nonexclusive, and is granted for the purpose of ingress, egress, landscaping, maintenance of landscaping and improvements, and brush clearance within a portion of Lot 235 of Tract 2491-4, in the City of Thousand Oaks, County of Ventura, as recorded in Book 72, pages 84 through 89 of Miscellaneous Records (Maps), Records of Ventura County, which easement area is more precisely described as follows:

A strip of land within said lot 235 of Tract 2491-4, approximately 100 feet wide immediately adjacent to the rear and sides of lots 205, 206, 207, 208, and 209 of Tract 2491-3 (71 RM 74), and lots 231, 232, 233, 234, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, and 247 of Tract 2491-4 (71 RM 74).

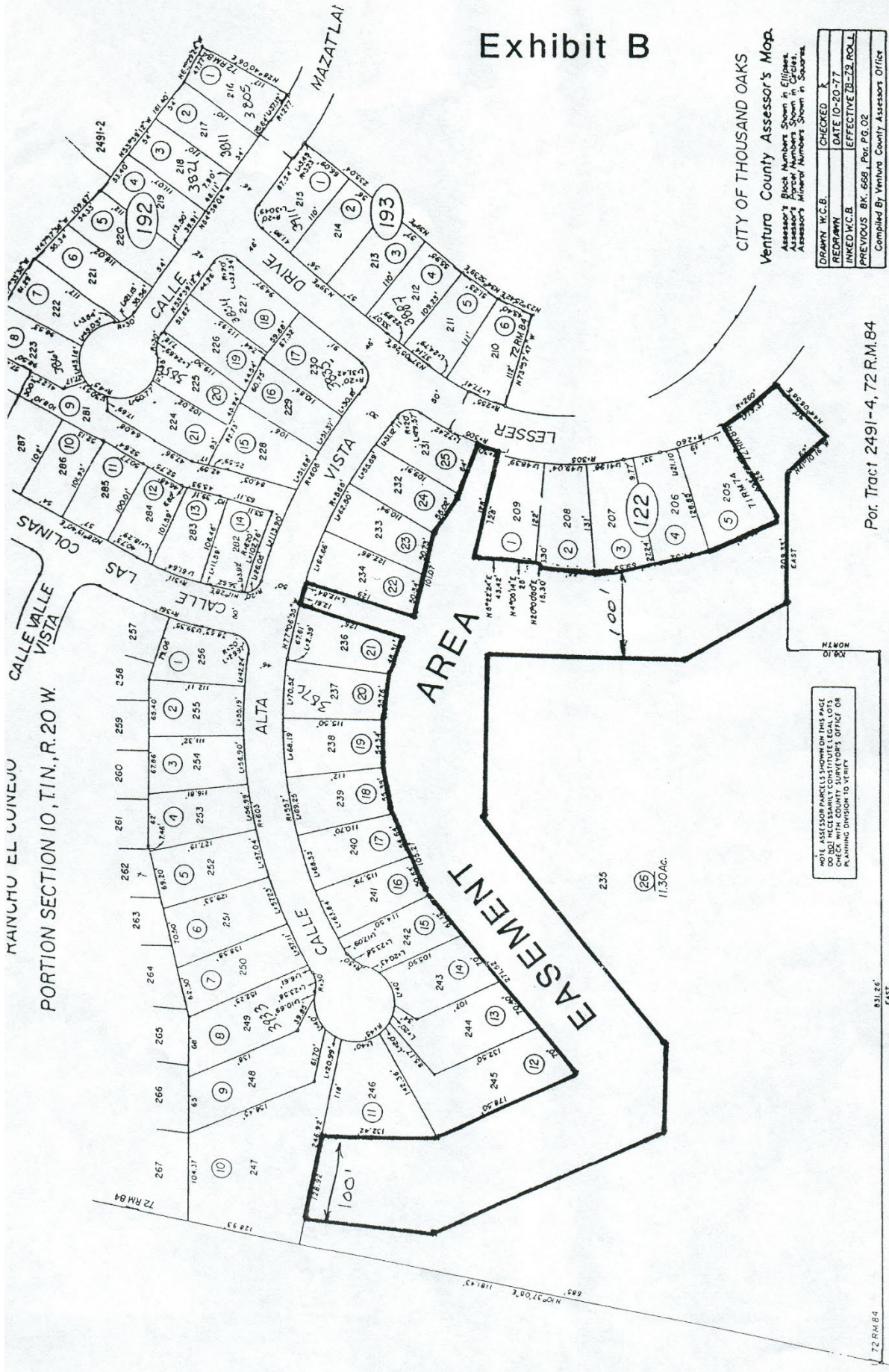
2. Maintenance. By acceptance hereof, Grantee covenants, for its heirs, successors and assigns, that it will, at all times, cause all brush and undergrowth within the easement area and lying within 100 feet of any structure (other than walls and fences) to be cleared in accordance with the requirements of the Ventura County Fire Protection District or any other governmental agency having fire safety jurisdiction over the easement area. Grantee further covenants, for its heirs, successors, and assigns, that, should Grantee or any successor in interest to Grantee fail to perform the covenants herein set forth, Grantor or its designee shall have the right to enter onto said easement area and perform the necessary brush clearance and that Grantee or its then successor in interest in this easement shall reimburse Grantor for all costs thereof, together with interest at the rate of ten percent (10%) per annum and all costs of collection, including reasonable attorney's fees.
3. Indemnity. The Grantee shall defend, indemnify, and hold the Grantor harmless from any claims, demands, actions, liability, or judgments arising out of, directly or indirectly, the Grantee's use of the easement area, or Grantee's failure to maintain or provide brush clearance in the easement area.
4. Easement Area Improvements. Grantee may maintain existing landscaping and improvements within the easement area, including walls, fences, irrigation system, and drainage



devices. No additional or alternative landscaping or improvements may be installed without the express written consent of Grantor in advance. Provided, however, that existing landscaping and improvements may be replaced as necessary with comparable landscaping and improvements. No structures, storage, or vehicles will be allowed in the easement area.



# Exhibit B



CITY OF THOUSAND OAKS  
Ventura County Assessor's Map  
Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Squares  
Assessor's Mineral Numbers Shown in Squares

DRAWN: W.C.B.	CHECKED: K.
REDRAWN:	DATE 10-20-77
LINKED W.C.B.	EFFECTIVE 78-79 ROLL
PREVIOUS BK. 668, Pgs. PG. 02	
Compiled By Ventura County Assessors Office	

Por. Tract 2491-4, 72 R.M. 84



PUBLIC AGENCY

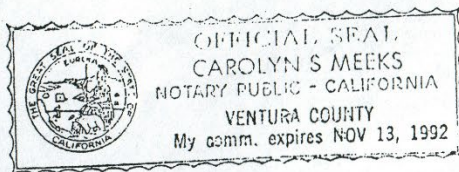
CC1191

STATE OF CALIFORNIA )  
                                  ) SS.  
COUNTY OF VENTURA )

On this 8<sup>th</sup> day of November 1991, before me, the undersigned, a Notary Public in and for said County and State,

personally appeared Frank Schillo, personally known to be the person who executed this instrument as Mayor for the City of Thousand Oaks, and acknowledged to me that the City of Thousand Oaks executed it.

WITNESS my hand and official seal.



Carolyn S. Meeks  
NOTARY PUBLIC IN AND FOR SAID STATE



(Universal)

STATE OF CALIFORNIA }  
COUNTY OF VENTURA } SS.

Before me LANCE D. MARSH, on this 4 day of  
DECEMBER, In the year 1991, a Notary Public in and for the said County and State, residing  
therein, duly commissioned and sworn, personally appeared DIANE C. DORIA

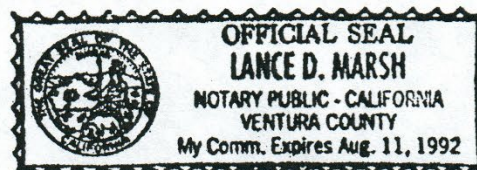
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s);  
(☐ INDIVIDUAL) Whose name is subscribed to this instrument,  
and acknowledged that he (she or they) executed it.

(☒ CORPORATION) Who executed the within instrument as  
TDE president and  
secretary, on behalf of the corporation therein named and  
acknowledged to me that such corporation executed the within  
instrument pursuant to its articles and by-laws and a resolution of  
its Board of Directors.

(☐ PARTNERSHIP) That  
executed the within instrument on behalf of the partnership, and  
acknowledged to me that the partnership executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed my official seal, in and for said County and State, the day  
and year first above written.

Lance D. Marsh  
Notary Public in and for said County and State of California My commission expires:  
4/89 2KPADS

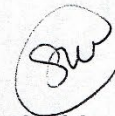


(This area for official notarial seal)

This form furnished by Lincoln Title Company

STAPLE HERE





March 19, 1992

TO: Supervisor Erickson-Kildee  
FROM: Diane C. Doria, President  
Oakridge Estates Homeowner Assoc.

RE: ASSESSORS PARCEL #235-0-191-265

Dear Maggie:

Our association has been trying to gain cooperation from the Assessors Office since 1987 with absolutely no success. So, frustration with the never ending run-a-round necessitates our asking for assistance from you. The City of Thousand Oaks nor the HOA has never been able to get anything in writing from the Assessors Office (not even acknowledgement that they are working on the problem).

**BACKGROUND:**

Fee simple ownership of Lot 235 in Tract 2491-4 (Assessors Parcel No. 235-0-191-265) was offered to the City of Thousand Oaks when the tract was recorded in 1977. The City accepted the 11.30 acre lot via the tract map dated July 27, 1977.

The Oakridge Estates HOA believed that it was the owner of Lot 235, since it received property tax bills for the lot from 1977 through and including 1986. It was not until 1986 that it was revealed the City was actually the legal owner of the lot, even though the county records did not reflect that. On January 26, 1987 (see attached), the City notified the County of Ventura to correct the records and ownership as offered on the tract map, retroactive to July 26, 1977 and make the appropriate reimbursements to the HOA.

In November of 1991, the Association went back to the City of Thousand Oaks to request additional assistance. Consequently, the City Attorney, Mark Sellers, dispatched a letter on our behalf to Mr. Pittman dated November 12, 1991 (see attached). A follow-up call to Mark on January 13, 1992 to see if I could have a copy of



MEMORANDUM OF AGREEMENT

BETWEEN

OAKRIDGE ESTATES

HOMEOWNERS ASSOCIATION

AND

CASA DE LA SENDA

HOMEOWNERS ASSOCIATION

page 1 of 3



SUMMARY:

This Memorandum of Agreement establishes **Quid Pro Quo** relationships between Oakridge Estates and Casa de la Senda with respect to management of communal property lying at the intersection of San Telmo Circle and Lesser Drive, and to the use of the Lounge facilities owned by Casa de la Senda.

WHEREAS:

That portion of Oakridge Estates and Casa de la Senda lying to the West of the intersection of Lesser Drive and San Telmo Circle, and situated between 3846 Lesser Drive and the concrete culvert adjacent to 667 San Telmo Circle has been maintained by Oakridge Estates at a substantial expense since 1977, including water, landscaping and maintenance, and;

WHEREAS:

Oakridge Estates did build, in 1986 and at its own expense, a wall to control access to the more Westerly open spaces, which wall today is identified as being almost totally on Casa de la Senda land, and;

WHEREAS:

Casa de la Senda historically has rented its Lounge facilities to Oakridge Estates for the purpose of conducting Homeowner Association meetings at a fee of **\$30.00** per diem;

THEREFORE, BE IT AGREED:

Casa de la Senda hereby grants Oakridge Estates access to the property and the wall that extends onto their property, for maintenance purposes;

Casas de la Senda HOA, upon mutual agreement of both associations:

1. Will maintain the slump stone wall, and accept the transfer of ownership,
2. Transfer the Cal-Am water billing account to Casa de la Senda, on the date of the agreement,
3. Accept the cost of maintenance and upkeep of the landscaped area to Casa de la Senda.



Casa de la Senda shall:

1. Permit Oakridge Estates to use the Casas Lounge facilities rent free to conduct the homeowners association business meetings each month, subject to the current Casas de la Senda Board of Directors discretion and subject to availability and priority schedule set up in the Casas de la Senda HOA governing documents.

This memorandum of agreement shall automatically renew every year unless either Board of Directors make a written notification to the other in writing.

President  
Oakridge Estates  
4/19/92  
date

Casa de la Senda  
12/19/92  
date



# *Oakridge Estates Community Association*

P. O. Box 1007, Thousand Oaks, CA, 91358-0007 (805) 379-2120  
100 E. Thousand Oaks Blvd., Suite 229, Thousand Oaks, CA 91360

SW

June 1, 1999

Conejo Recreation and Park District  
COSCA Rangers  
155 E Wilbur Road  
Thousand Oaks, CA 91360

Gentlemen,

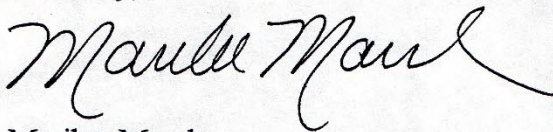
Thank you for taking care of the weed abatement on the property behind Oakridge Estates in Newbury Park, along Calle Alta Vista and Calle Valle Vista.

While I appreciate you getting this done in a timely manner, one of the property owners called this morning to complain about the condition of his property after the abatement was accomplished. Weeds and paper were left on his driveway, and the gate from his property at 3956 Calle Valle Vista to the open space was used without his permission and left open.

Mr. Silbert does not necessarily object to you using his property to gain access to the open space, but feels a better clean up was in order.

If you would like to speak to Mr. Silbert about this, he can be reached at 498-6551.

Sincerely,



Marilee Marsh  
Manager

Cc: Mr. Silbert

49



Post-it® Fax Note	7671	Date	10-21-05	# of pages	1
To	Susie Wilson	From	Shelly Austin		
Co./Dept.		Co.	LOSCA		
Phone #		Phone #	449-2339		
Fax #	375.5926	Fax #			

