Dave Holbrook - RE: Miramar lots

From: Dave Holbrook
To: Kevin Ryan
Date: 7/28/2010 9:51 AM
Subject: RE: Miramar lots

I spoke with our Co. Council (CC); the court document didn't go into what the background was or what the other party claimed or why the title (resulting in the way the line was drawn) was divided up as it was. I can't find my notes or that document, but I do recall that CC stated that while you my have title to that portion, the quiet title action did NOT resolve the interest that ALL the other property owners have in access across that end of the Hermosa Rd ROW. All I can tell you is that you should drop off some tentative plan of what it is you now want to do. That you own 048-076-160 AND - by the court action - 048-076-140 (Hermosa ROW) does not mean that you'll have full rights of use - from a zoning point of view - of that ROW you've been given title to. Again, to get FULL use of that ROW, CC opined that you'd have to go through a civil Quiet Title action to resolve & extinguish the rights of all other property owners of right of use of that ROW. Only then can you be considering whatever your next proposal is, i.e. a Lot Line Adjustment or Subdivision (the latter if the total area of BOTh your parcels is 20,000 s/f or greater.

David Holbrook

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>>> "Kevin Ryan" < ast.net> 7/27/2010 9:52 PM >>>

David,

I have not heard back from you. Let me know if there is anything I need to do to close out this matter.

Regards,

Kevin Ryan

From: Dave Holbrook [mailto:DHolbrook@co.sanmateo.ca.us]
Sent: Thursday, July 08, 2010 8:14 AM
To: Kevin Ryan
Subject: RE: Miramar lots

I got a copy from Records already. I need to discuss with our Co. Counsel first to confirm what you may (or may not) need to do. Once that's established, if you have any further proposals for another LLA, you should have a surveyor tentatively submit a schematic plan of what you propose. We'll evaluate to see if it's plausible. IF so, we can provide you the necessary application forms.

David Holbrook

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>>> "Kevin Ryan" · 7/8/2010 7:46 AM >>>

Yes, it was a quiet title action. If you can not get a copy of the doc from Records – I can scan and send a copy – let me know.

Kevin

From: Dave Holbrook [mailto:DHolbrook@co.sanmateo.ca.us]
Sent: Wednesday, July 07, 2010 8:24 AM
To: Kevin Ryan
Subject: RE: Miramar lots

What was the nature of the court case? Was it a quiet title action? Just so you're aware, even when a court renders any such decision, there can be the need to retroactively go through a Planning action to rectify the course of action on our ends pursuant to our regulations. I'll see if Records can get me a copy of that doc. #.

David Holbrook

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>>> "Kevin Ryan" et> 7/6/2010 7:55 PM >>>

Thanks David,

The detail can be found under:

Superior Court of California

County of San Mateo

Case No. CIV464335

Dated August 4 2008

The recorded ID (if I have the terminology right....) is 2008-101538

I will try and stop by during your counter hours next Wednesday. That may be tough due to work schedule, but I would like to stop by and discuss the previous email chain to make sure I understand the current state of the proposed development – at least proposed to the neighbors by Mr. Ewell, if not to you and your office. If you would like to discuss – my cell number is listed below.

Regards,

Kevin Ryan

650-766-0570

From: Dave Holbrook [mailto:DHolbrook@co.sanmateo.ca.us]
Sent: Tuesday, July 06, 2010 6:15 PM
To: Kevin Ryan
Cc: Jim Eggemeyer
Subject: Miramar lots

Also, I see you're the owner of 048-076-140, the tail end of a portion of the old paper street right-of way (ROW) of Hermosa Ave. By what document did you record to get that APN assigned? Legally, you'd have to have first gone through a road abandonment process, which starts with us & needs approval by the Planning Commission. Second, you'd have to have applied for & gotten approval & recordation of a lot line adjustment

that created that new line within the Hermosa ROW. So it's a mystery how that parcel line was legally established; we don't consider it so. But please provide the paper work & case number IF such files were applied for, approved & recorded.

David Holbrook

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