

APPEAL TO TORRANCE CITY COUNCIL

RE: PRE06-00025 WAV06-00016

ADDRESS/LOCATION/SUBJECT PROPERTY

149 VIA LA SOLEDAD

DECISION OF PLANNING COMMISSION

DATE OF APPEAL 09-20-06

ADDITIONAL COMMENTS: SUMMARY OF DOCUMENT PACKAGES

PART 3

**SILHOUETTE #1, 2, 3 COLOR PHOTOS WITH
RULER/EASEMENT NON ISSUE**

APPEAL TO TORRANCE CITY COUNCIL

RE: PRE06-00025WAVO6-00016

ADDRESS/LOCATION OF SUBJECT PROPERTY

149 VIA LA SOLEDAD

DECISION OF THE PLANNING COMMISSION

DATE OF DECISION 9-20-06 APPEALING APPROVAL

REASON FOR THE APPEAL-ADDITIONAL COMMENTS THREE (3) SILHOUETTES & PHOTOS

THE FIRST SILHOUETTE BROUGHT BY THE APPLICANT SHOWED A DESIGN THAT PLACED STRUCTURES OVER THE TWENTY-SEVEN (27 FEET) MAXIMUM LEGAL HEIGHT ALLOWED.

THE ARCHITECT KNEW THESE PLANS WOULD NOT BE ALLOWED AND SIMPLY ELIMINATED THESE ITEMS TO APPEAR AS IF THE APPLICANT WENT TO "GREAT LENGTHS TO REDESIGN THE PROPOSAL"(PAGE 3 AGENDA ITEM NO.10B BACKGROUND AND/OR COMMENTS). (2 PAGES WHITE & BLUE DUAL COLOR FLAGS)

THE SECOND SILHOUETTE WAS SET AT TWENTY-SEVEN (27 FEET).(1PAGE MULTI COLOR FLAGS)

THE THIRD SILHOUETTE OR CURRENT ONE IS AT TWENTY-SIX (26 FEET).(7 PAGES

ORIGINAL PHOTOS SAME MULTI COLOR FLAGS WITH ALL FORMER SILHOUETTE FRAMING REMOVED)

ONE (1) FOOT TOTAL NEGOTIATION.

ACTIVE USE AND ENJOYMENT IN A HOME CAN BE CHARACTERIZED AS TWENTY-FIVE PERCENT(25%) STANDING OR MOVING AND SEVENTY-FIVE PERCENT (75%) SITTING. PRIMARY ROOMS OF ENJOYMENT IN A HOME ARE LIVING AND DINING ROOMS. THE TWENTY-SIX (26 FEET) HEIGHT OF THIS PROJECT SIGNIFICANTLY AFFECTS THE USE AND ENJOYMENT OF SEVENTY-FIVE PERCENT (75%) OF MY SIT DOWN VIEW. THE ROOF STRUCTURE INCREASES BY TWO THIRDS (2/3) AT THE RIDGE LINE AND CREATES A BLOCKING WALL IN FRONT OF MY ORIGINAL LIVING AND DINING ROOM SIT DOWN VIEWS.

THE HEIGHT NEEDS TO BE REDUCED BY FIVE (5 FEET). SEE THE ATTACHED DRAWING.

SUBMITTED BY:

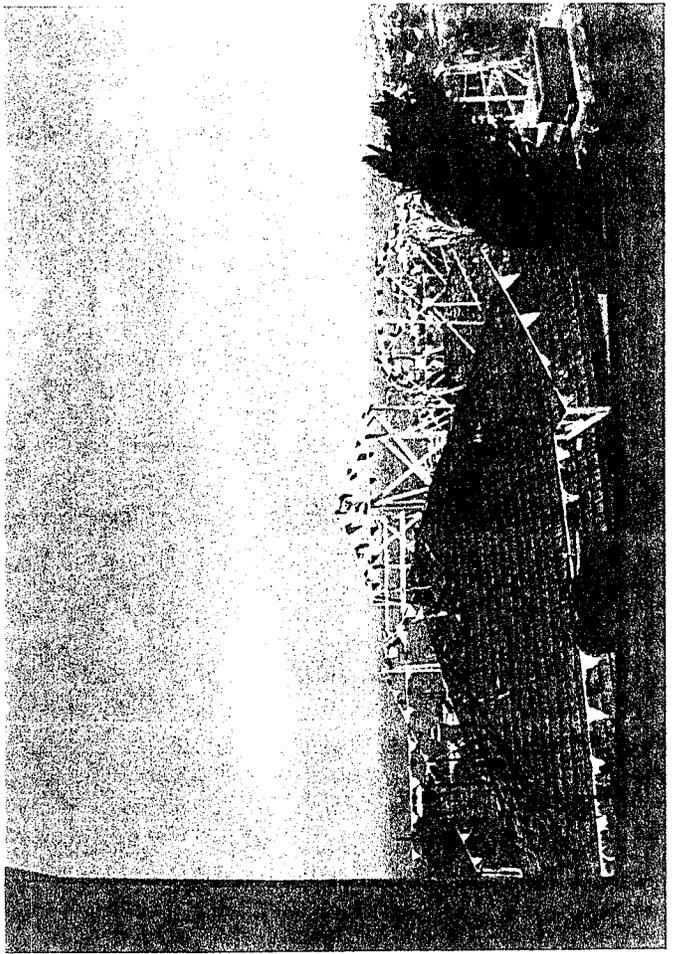
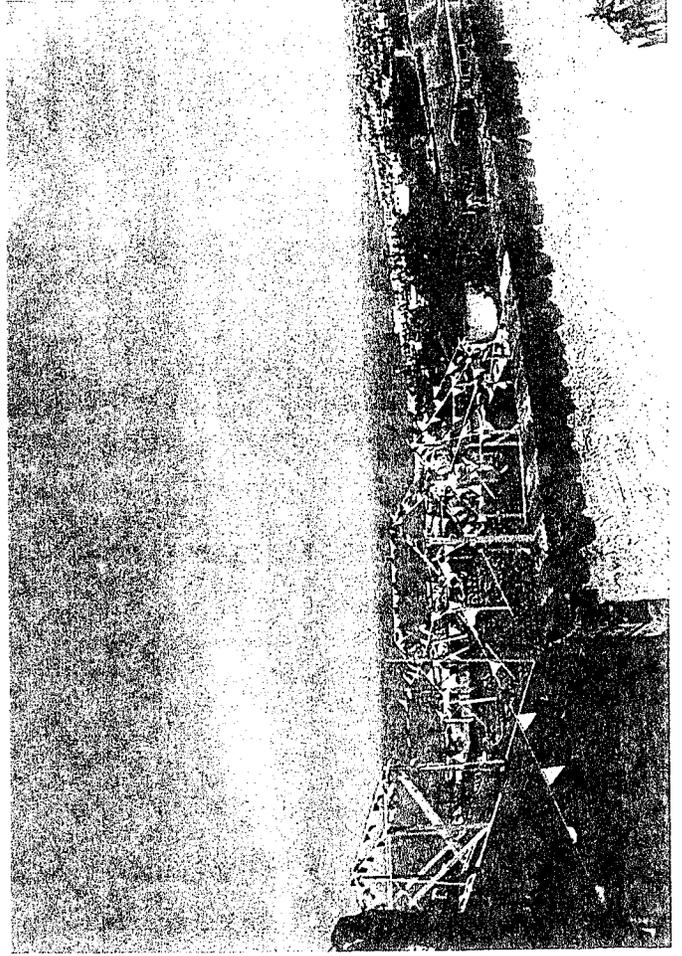
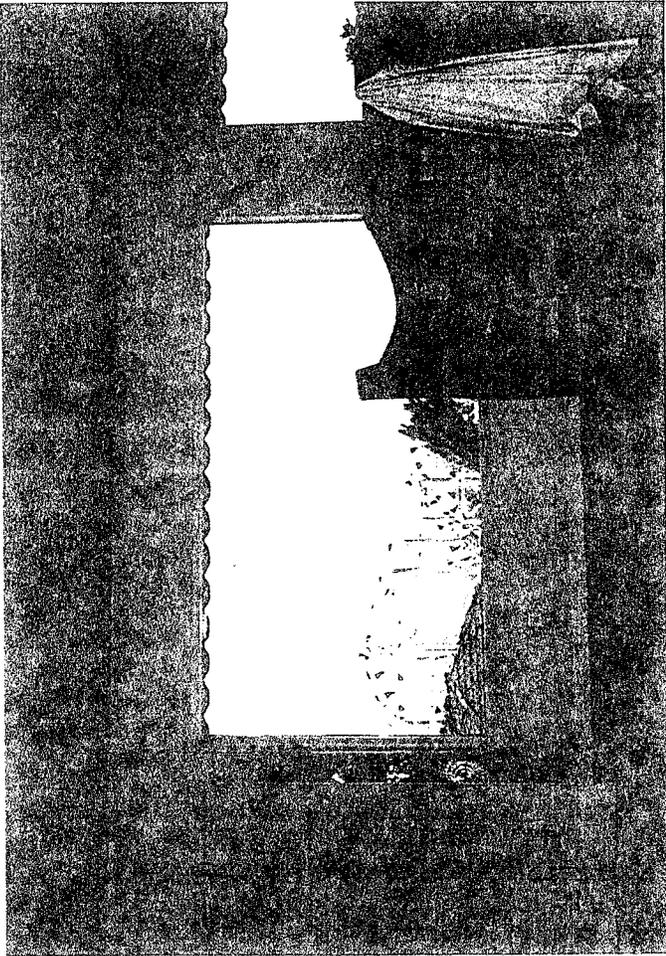


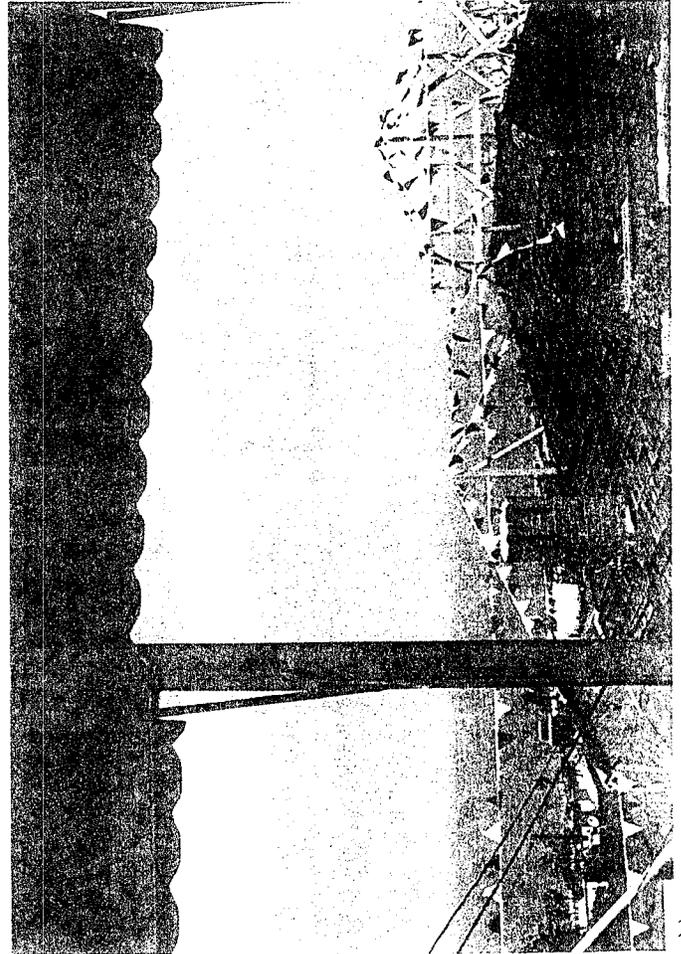
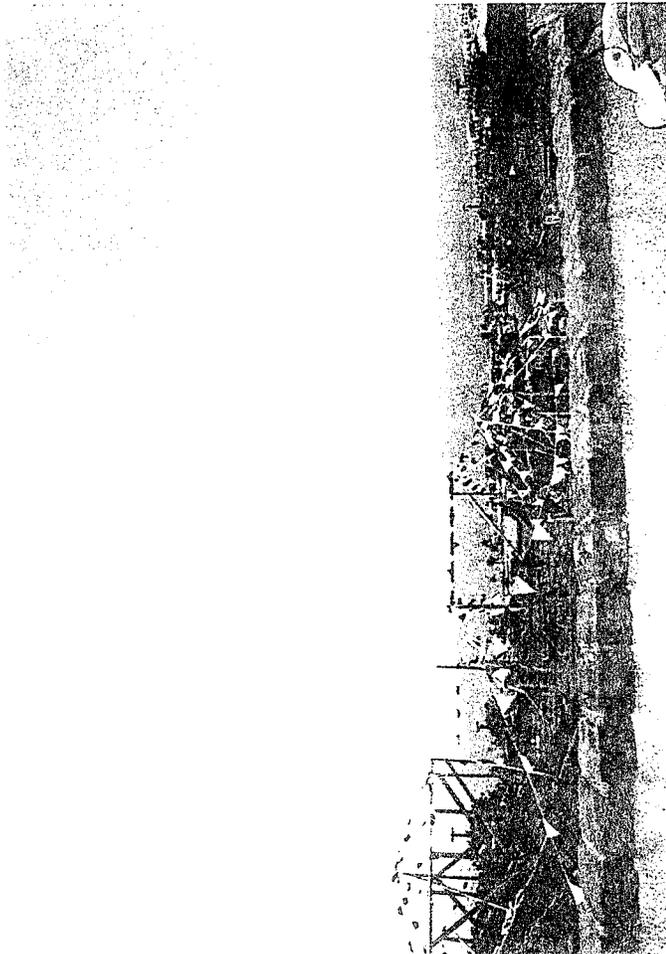
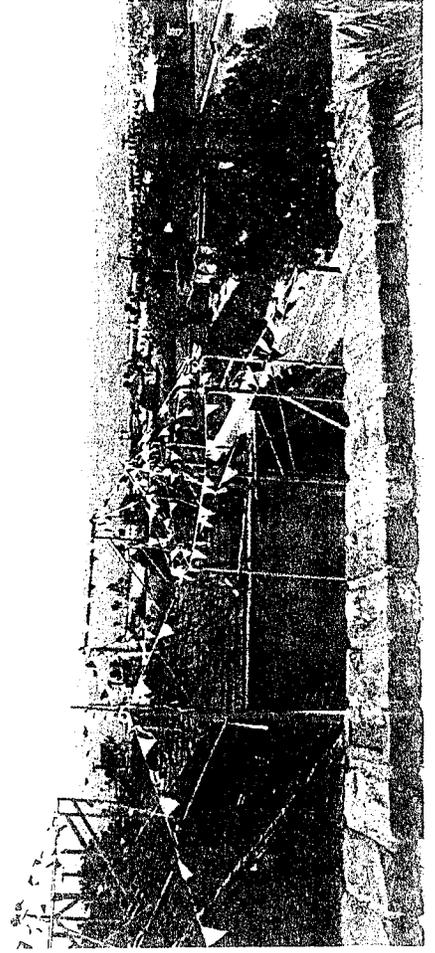
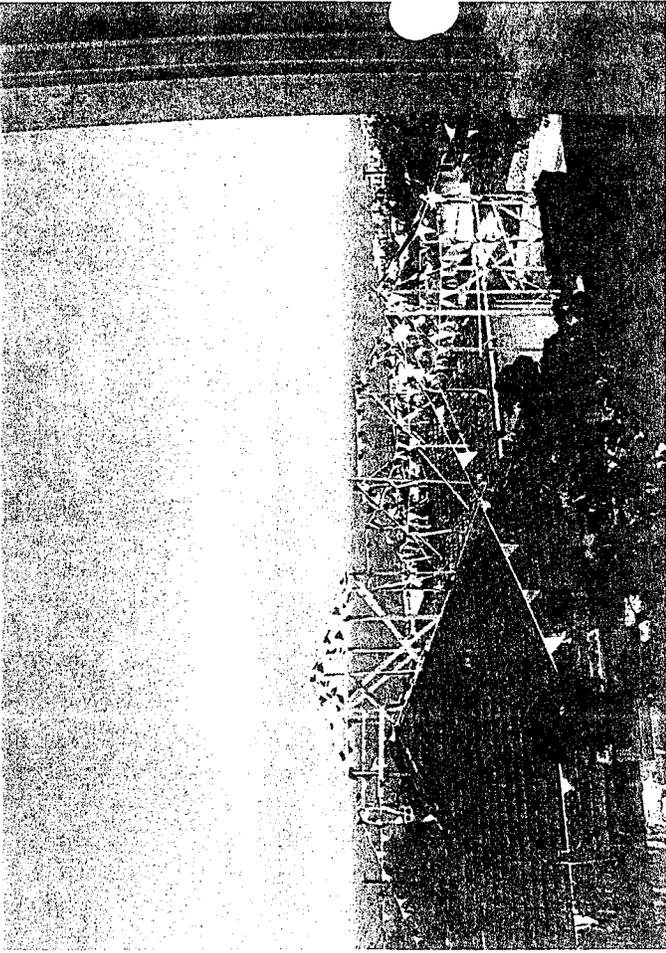
MICHAEL LAMPASI

525 VIA LOS MIRADORES

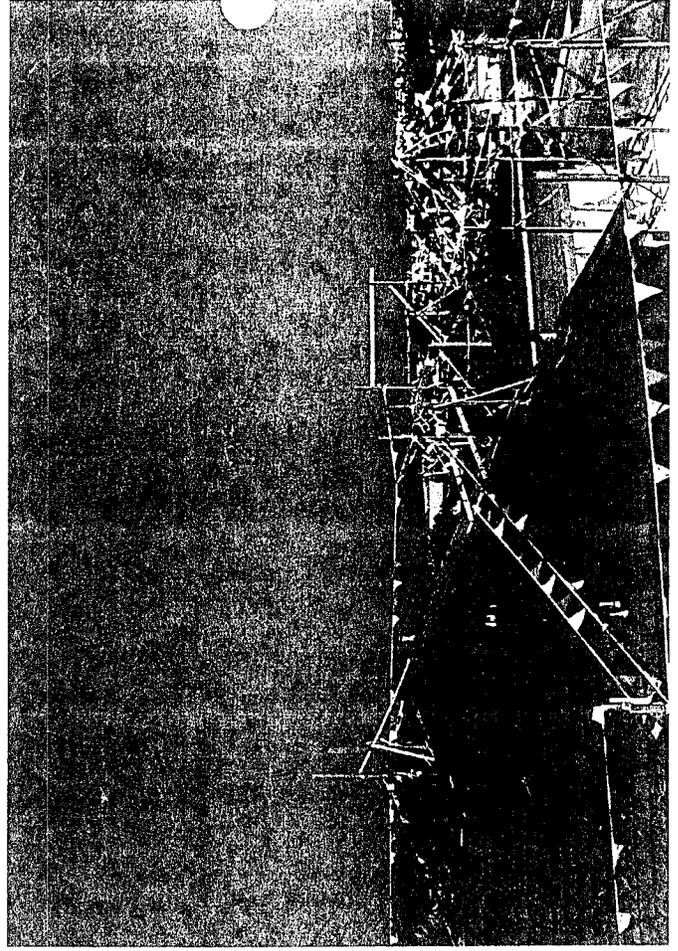
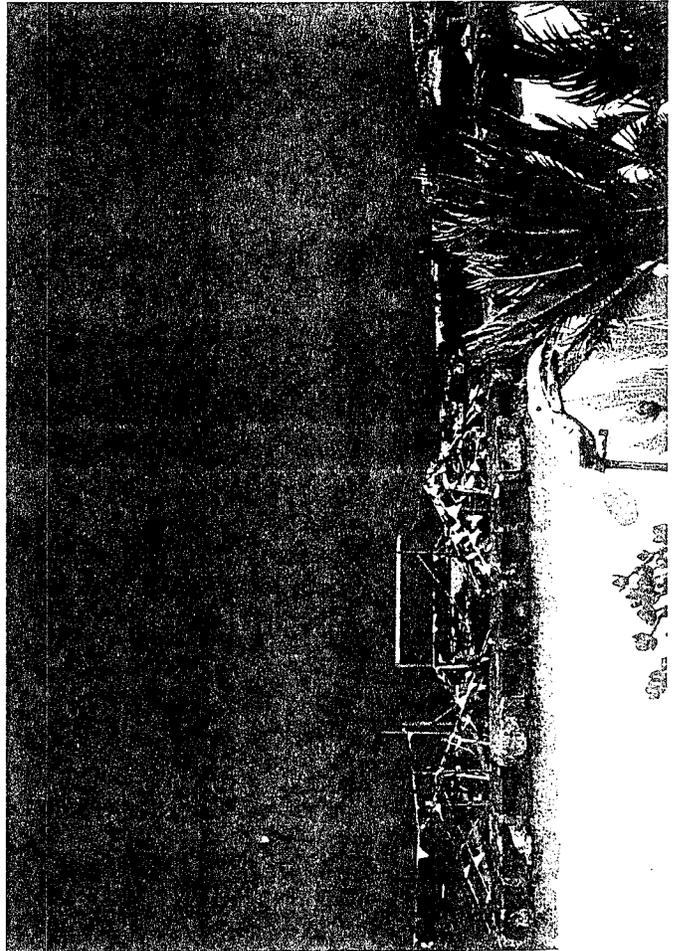
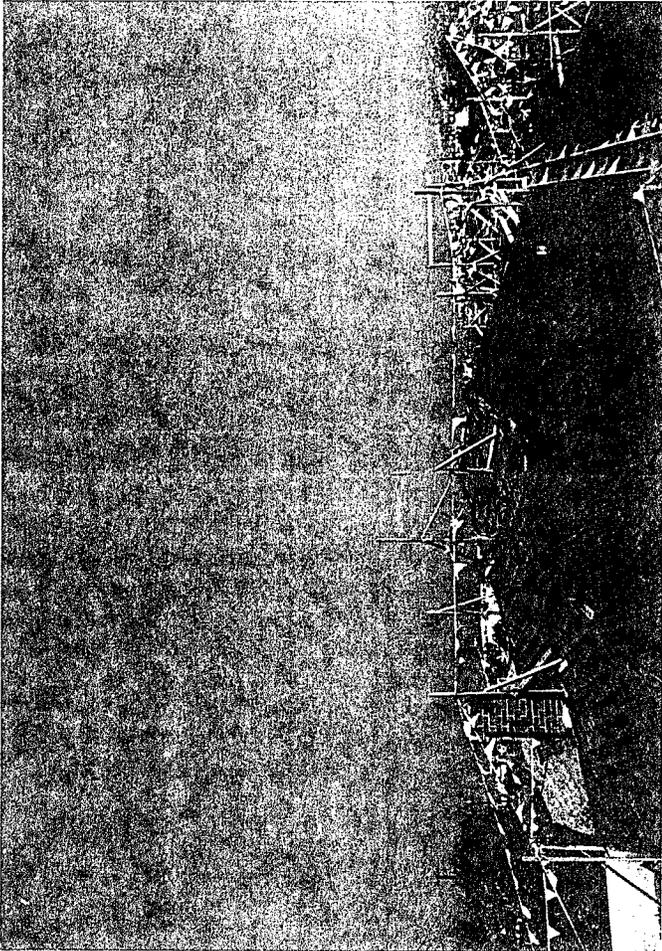
REDONDO BEACH CA 90277

RE: PRE06-00025 WAV06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ADDITIONAL COMMENTS: PHOTOS & SILHOUETTE
#1 OVER 27 FEET HIGH

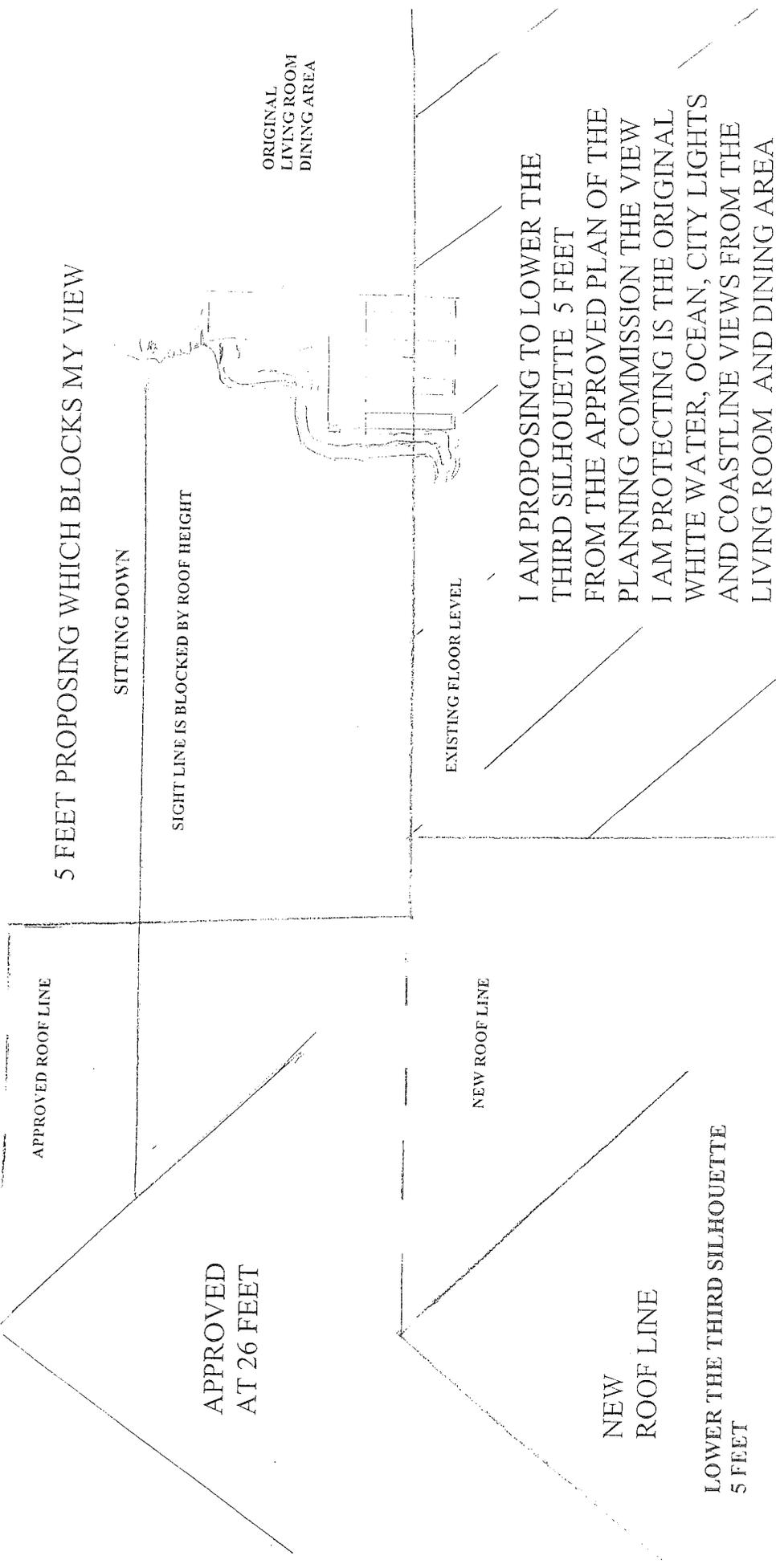




APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WA V06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ADDITIONAL COMMENTS: PHOTOS & SILHOUETTE # 2 27 FEET HIGH



APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WAV06-00016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ADDITIONAL COMMENTS:
PROPOSED MAXIMUM ROOF HEIGHT 21 FEET

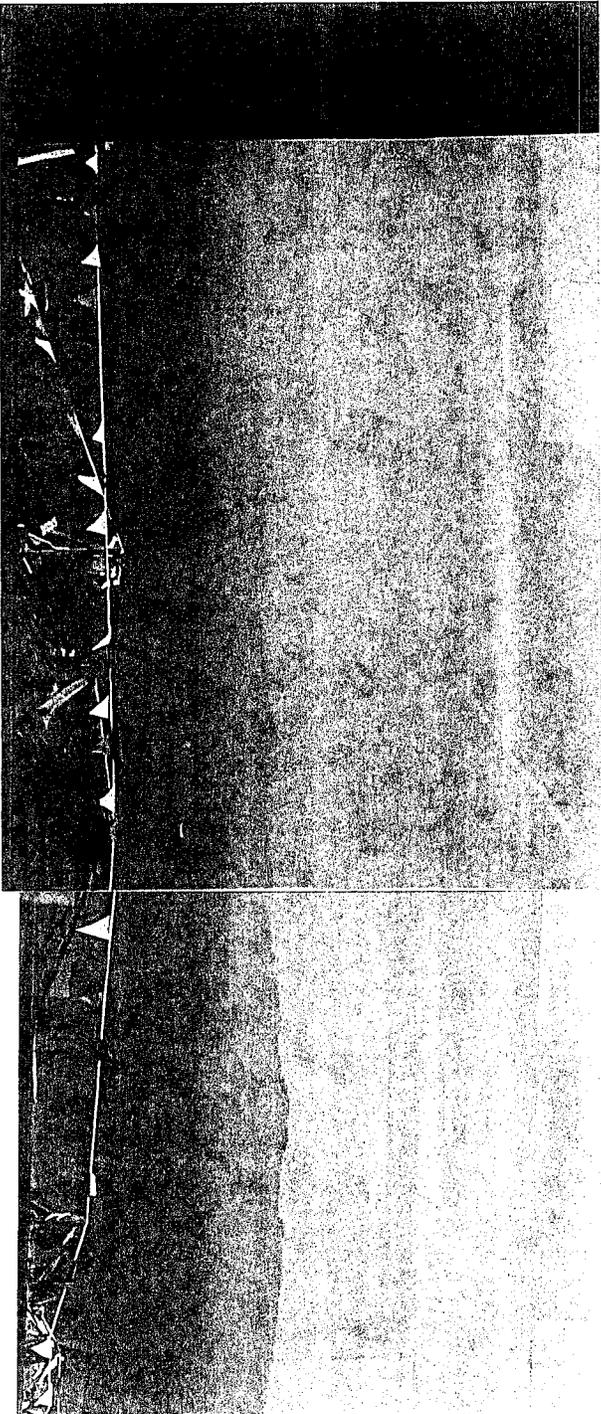


I AM PROPOSING TO LOWER THE THIRD SILHOUETTE 5 FEET FROM THE APPROVED PLAN OF THE PLANNING COMMISSION THE VIEW I AM PROTECTING IS THE ORIGINAL WHITE WATER, OCEAN, CITY LIGHTS AND COASTLINE VIEWS FROM THE LIVING ROOM AND DINING AREA

APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WAY06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ADDITIONAL COMMENTS: PHOTOS

ORIGINAL LIVING ROOM
VIEW LOSS OF CLOSE OCEAN VIEW
SITTING DOWN

ROOF LINE CREATES A WALL THAT
BLOCKS THE SIT DOWN VIEW

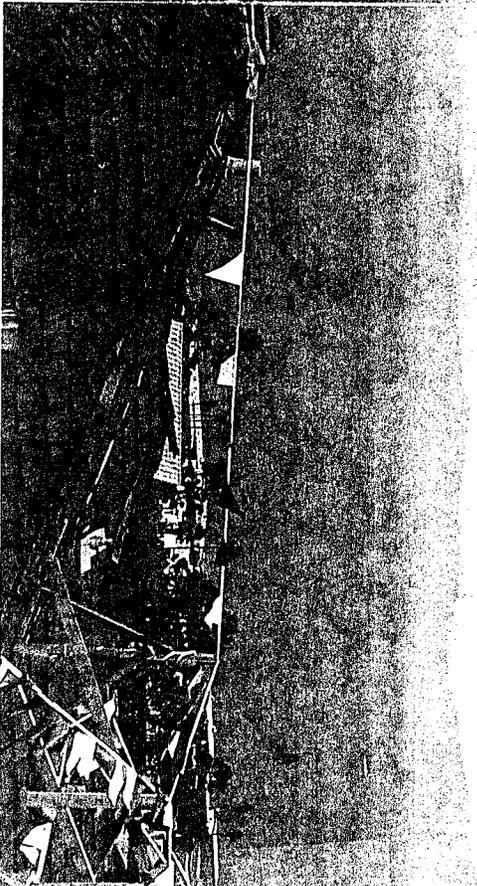
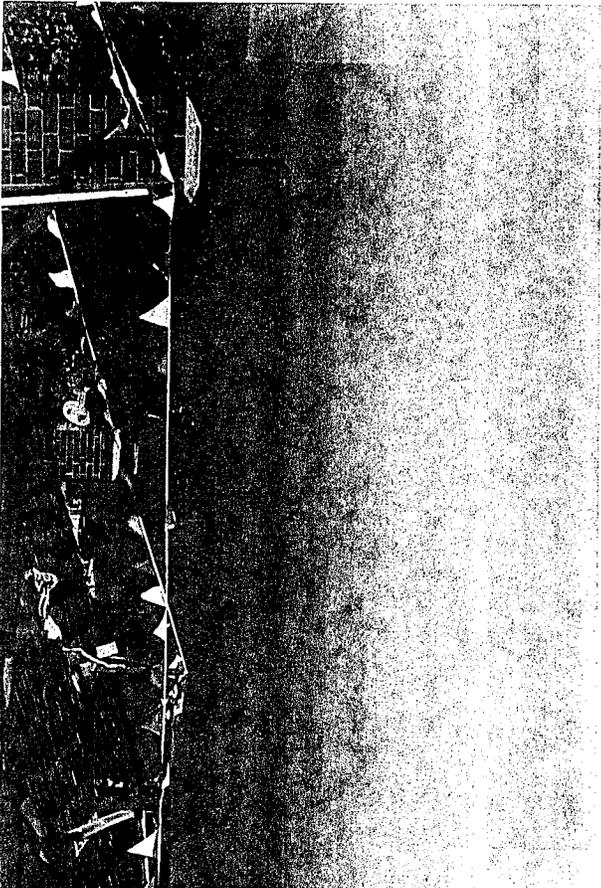


ORIGINAL LIVING ROOM ONE THIRD (1/3) VIEW LOSS
USING THE MATH RULER-MEASURE
ONE HALF INCH (1/2") VIEW LOSS OF COAST WHITE WATER,
OR CLOSE OCEAN (1/2") TO MID BAY (1/2") ACROSS
THE BAY

APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WAY06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ADDITIONAL COMMENTS: PHOTOS

ORIGINAL DINING ROOM
VIEW LOSS OF COAST WHITE WATER
COASTAL LIGHTS & COASTAL OCEAN
SITTING DOWN

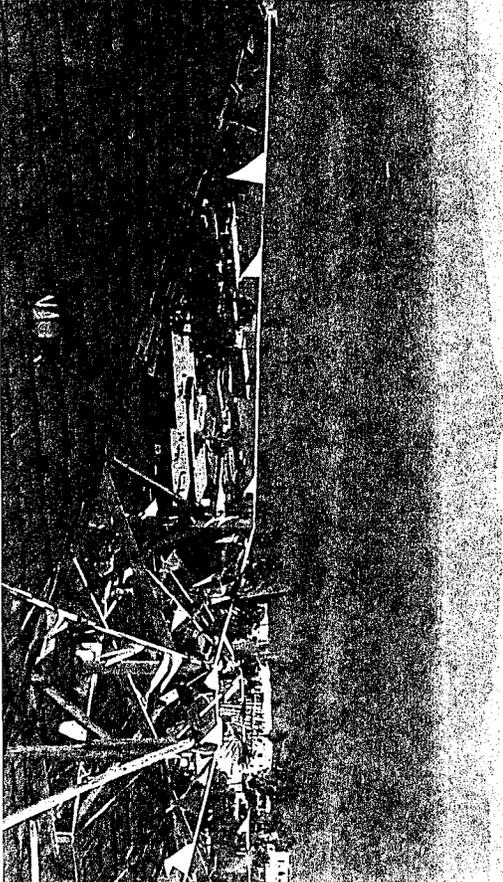
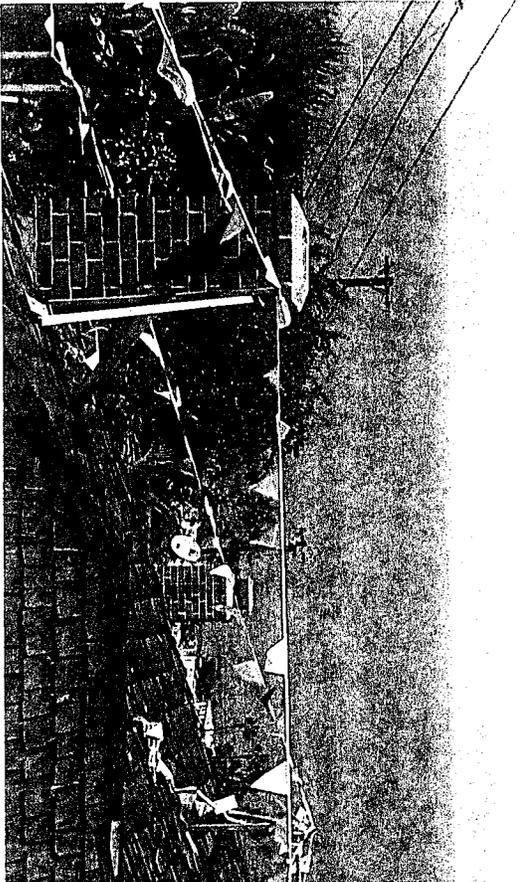
ROOF LINE CREATES A WALL THAT
BLOCKS THE SIT DOWN VIEW



APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WAV06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ADDITIONAL COMMENTS: PHOTOS

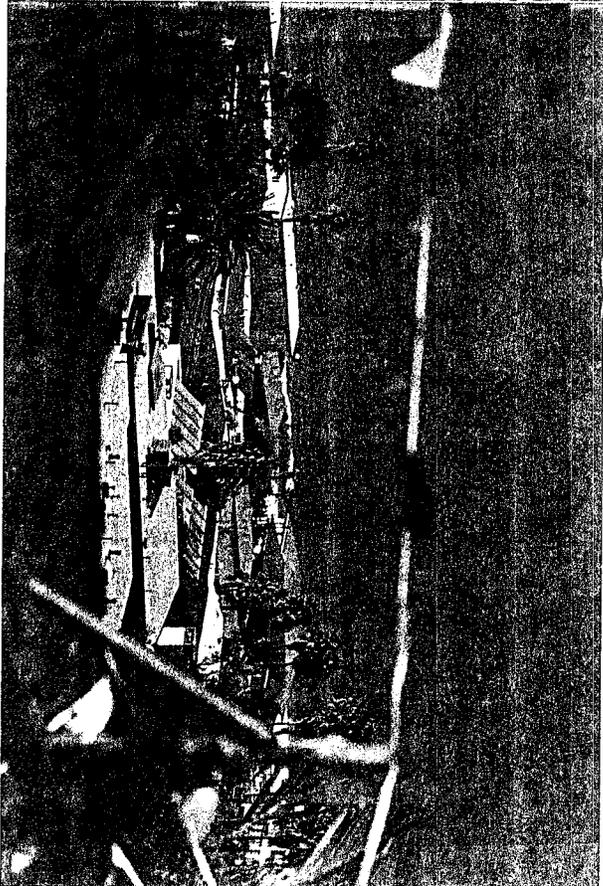
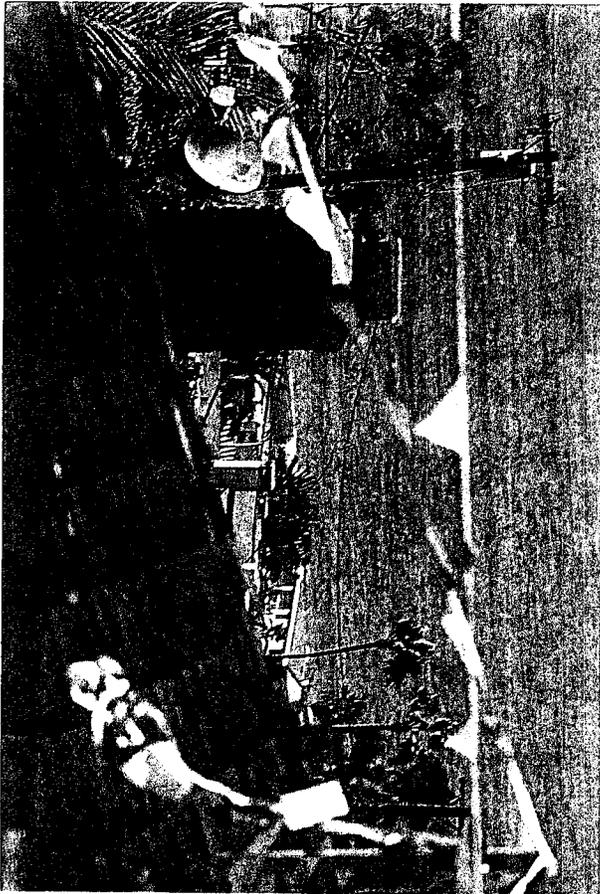
ORIGINAL DINING ROOM
VIEW LOSS OF COAST WHITE WATER
COASTAL LIGHTS & COASTAL OCEAN
SITTING DOWN

ROOF LINE CREATES A WALL THAT
BLOCKS THE SIT DOWN VIEW



APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WAY/06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ADDITIONAL COMMENTS: PHOTOS

ORIGINAL LIVING/DINING ROOM
VIEW LOSS OF COAST WHITE WATER,
COASTAL LIGHTS & COASTAL OCEAN
SITTING DOWN

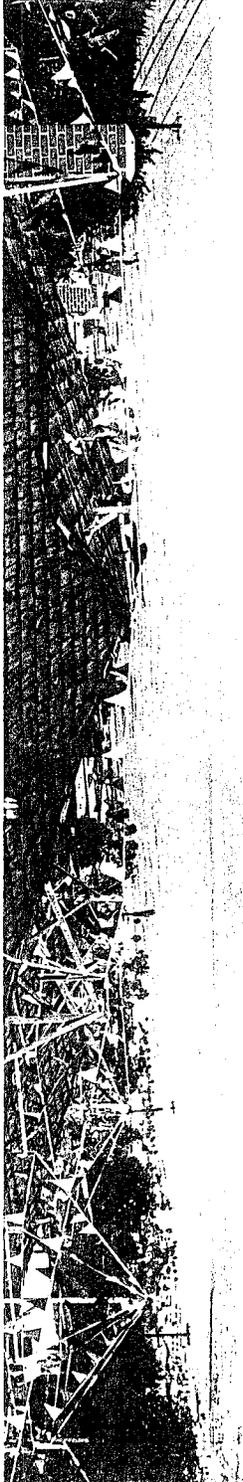


ROOF LINE CREATES A WALL THAT
BLOCKS THE SIT DOWN VIEW

APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WAV06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ADDITIONAL COMMENTS: PHOTOS

ORIGINAL LIVING /DINING ROOM
VIEW LOSS OF COAST WHITE WATER,
COASTAL LIGHTS & COASTAL OCEAN
SITTING DOWN

ROOF LINE CREATES A WALL THAT
BLOCKS THE SIT DOWN VIEW



APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WAV06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ADDITIONAL COMMENTS: PHOTOS

ORIGINAL LIVING/DINING ROOM
VIEW LOSS OF COAST WHITE WATER,
COASTAL LIGHTS & COASTAL OCEAN
SITTING DOWN

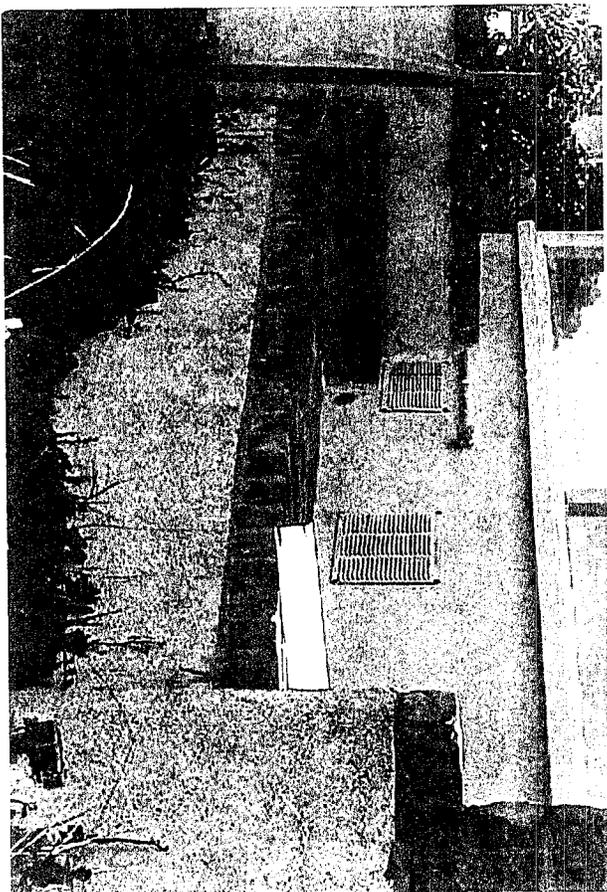
ROOF LINE CREATES A WALL THAT
BLOCKS THE SIT DOWN VIEW



APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WAY06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ADDITIONAL COMMENTS: PHOTOS

QUESTIONABLE BOUNDARY LINE
NOT AFFECTING THE DEVELOPMENT PROJECT
A MATTER OF LAND SURVEYOR OPINION
2-IRREGULAR LOTS WITH ONE BOUNDARY LINE
THAT JOINS THE PROPERTIES ON THE UNBUILDABLE
HILLSIDE SLOPE- NOT AN ISSUE FOR THE CITY OF
TORRANCE TO DETERMINE

QUESTIONABLE ENCROACHMENT
12 FEET LONG 24 INCHES WIDE
15 TO 30 INCHES HIGH FLAT HARDSCAPE
ON TOP OF UNBUILDABLE HILLSIDE SLOPE
IN PLACE AT TIME OF PURCHASE 20 YEARS AGO



APPEAL TO TORRANCE CITY COUNCIL

RE: PRE06-00025WAVO6-00016

ADDRESS/LOCATION OF SUBJECT PROPERTY

149 VIA LA SOLEDAD

DECISION OF THE PLANNING COMMISSION

DATE OF DECISION 9-20-06 APPEALING APPROVAL

ADDITIONAL COMMENTS ENCROACHMENT/ EASEMENT (4) FOUR ATTACHMENTS

I HAVE NEVER RECEIVED A WRITTEN NOTICE FROM THE APPLICANT 'S FAMILY, ORIGINAL OWNER'S OF 149 VIA LA SOLEDAD, OR THE APPLICANT'S THEMSELVES OCCUPANTS SINCE 1993 REGARDING ANY BOUNDARY DISPUTE , ENCROACHMENT , SIDE YARD SET BACKS, ZONING OR BUILDING CODE ISSUES OR ANY OTHER COMPLAINTS RELATED TO THE ABOVE , UNTIL OLYMPIA GREER ON BEHALF OF THE APPLICANT PRESENTED PRECISE PLAN OF DEVELOPMENT, PRE-06-00025 MAY 15, 2006.

MEMORANDUM ATTACHED AS ATTACHMENT ONE. I PURCHASED THE HOME IN SEPTEMBER 1985 AND THE BOUNDARY WALL & HARDSCAPE WERE IN PLACE. SEE ATTACHMENT TWO. MY FAMILY ROOM ADDITION AND KITCHEN REMODEL WERE PERMITTED AND FINALED IN 1979 & 1987 RESPECTIVELY AND THERE ARE NO ZONING AND BUILDING CODE VIOLATIONS. PAGES 25-30 PRE-060600025 MAY 15, 2006.

IN ORDER TO BUILD THE PROJECT, THE APPLICANT HIRED A LOT SURVEYOR CHI MING GONG (310 779-5402 – 287-0427). I CALLED MR. GONG AND HE REFUSED TO DISCUSS ALL SURVEY MATTERS. MY PHONE CELL BILL SEE ATTACHMENT THREE. THE ARCHITECT IS ATTEMPTING TO CLOUD THE VIEW PRESERVATION ISSUE WITH A QUESTIONABLE BOUNDARY LINE BASED ON THE OPINION OF ONE SURVEYOR. THIS ISSUE IS NOT AFFECTING THE DEVELOPMENT. THE FACT IS TWO IRREGULAR LOTS SHARE AN E/W BOUNDARY AT THE TOP OF AN UNBUILDABLE HILLSIDE SLOPE. I MAY HAVE PRESCRIPTIVE EASEMENT RIGHTS SEE ATTACHMENT FOUR PAGES 1-3. IN ANY CASE, THIS IS A NON ISSUE FOR THIS FORUM WHERE THE APPLICANT'S VIEW BLOCKING DESIGN IS THE ONLY ISSUE THE CITY MUST DECIDE.

SUBMITTED BY:



MICHAEL LAMPASI

525 VIA LOS MIRADORES

REDONDO BEACH CA 90277

APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WAV06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ENCROACHMENT & EASEMENT



MEMORANDUM

Re: 149 Via La Soledad, Redondo Beach, CA

Property Owner: Mr. & Mrs. Ruckdaschel

To: Aquilla Hurd, Planning Assistant - City of Torrance, CA

Date: May 15, 2006

From: Olympia P. Greer, AIA

1. The attached drawings reflect the changes noted on the previously submitted plans.
2. We would like to request a side yard Waiver for the west side from 7 to 5 ft.
3. With regard to the Height Waiver we wish to have a review of the silhouette with the Planner assigned to this project and with my clients and then make the best determination as to the course of action.
4. In response to a question mark at the property line trespassing on the east side by the house at 525 Via Los Miradores, we have provided a separate copy of the survey which shows in red marks those portions of the residence which do not comply with standard City setback requirements and with that portion of that residence which trespasses into my client's property. This constitutes not only a violation of my clients' privacy but it is a fire hazard and a violation of the City's Zoning and Building Codes. We have serious concerns about this issue.

We also do not feel that any view impairment from that portion of their residence which trespasses on my client's property can be considered as legitimate or valid.

Thank you,

Olympia P. Greer, AIA

RECORDING REQUESTED BY
COMMONWEALTH LAND
 THE COMPANY
 AND WHEN RECORDED MAIL THIS DEED AND OTHERS OTHER
 WIRE SHOWN BELOW. MAIL TAX STATEMENTS TO

NAME: Michael Laxpasi
 ADDRESS: 525 Via Los Miradores
 CITY & STATE: Torrance, CA

Title Order No. 8508925 Escrow No. 449

~~1068001~~ 85-1367104

RECORDED IN OFFICIAL RECORDS
 OF LOS ANGELES COUNTY, CA
 SEP 12 1985 AT 8 A.M.
 Recorder's Office

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APPEAL TO TORRANCE CITY COUNCIL
 RE: PRE06-00025 WA/V06-0016
 ADDRESS/LOCATION/SUBJECT PROPERTY
 149 VIA LA SOLEDAD
 DECISION OF PLANNING COMMISSION
 DATE OF APPEAL 9-20-06
 ENCROACHMENT & EASEMENT

GRANT DEED A.F.N.F. (75)
 FEE \$29.00 T
 3

The undersigned declares that the documentary transfer tax is \$30.50
 computed on the full value of the interest or property conveyed, or is
 computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land,
 tenement, or realty is located in _____ and
 unincorporated area city of _____

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
 WILLIAM A. SHORNBORN, a married man

hereby GRANTS to
 MICHAEL LAXPASI, a single man

RECORDED IN OFFICIAL RECORDS
 RECORDER'S OFFICE
 LOS ANGELES COUNTY
 CALIFORNIA
 31 MIN. 3 PM NOV 18 1985
 PAST.

the following described real property in the City of Torrance
 county of Los Angeles, State of California:

Lot 31 and that portion of Lot 30 of Tract 19305 as per map recorded in Book
 526 pages 12 to 16 of Maps, in the office of the county recorder of Los Angeles
 county, more particularly described in the legal description attached hereto and
 made a part hereof.

A.F.N.F. THIS DEED IS BEING RE-RECORDED TO CORRECT THE LEGAL DESCRIPTION.

Dated August 2, 1985

William A. Shornborn
 WILLIAM A. SHORNBORN

85-08925

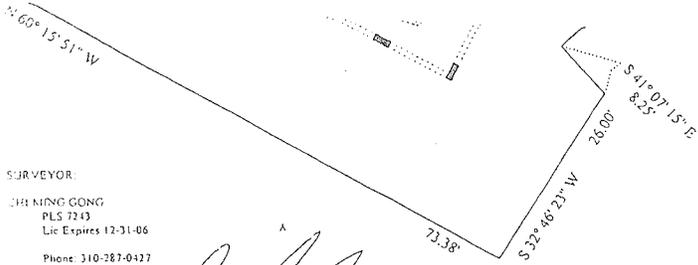
EXHIBIT "1"

Lot 31 and that portion of Lot 30 of Tract No. 19305, in the City of Torrance,
 County of Los Angeles, State of California, as per map recorded in Book 526,
 Pages 12 to 16 inclusive of Maps, in the office of the County Recorder of said
 County, described as follows:

Beginning at a point in the southeasterly line of said Lot 30, distant South 32°
 46' 23" West 80.16 feet from the most easterly corner of said Lot 30; thence
 North 32° 46' 23" East 21.66 feet; thence North 57° 13' 37" West 2.90 feet;
 thence South 48° 25' 30" West 20.12 feet, more or less to a point which is North
 41° 07' 15" West 8.25 feet from the point of beginning; thence South 41° 07' 15"
 East 8.25 feet to the point of beginning.

EXCEPTING therefrom the interest in all oil, gas and other hydrocarbon
 substances underlying said land, but upon the express understanding and
 agreement that no operations of any kind or character may at any time be
 conducted upon said land in exploration for or in the production of any such
 material and no facilities of any kind or character shall ever be erected or
 maintained upon said premises in connection with any such operation, as reserved
 in the deed from Ocean View Properties, Inc., recorded in Book 24179, Page 114,
 Official Records.

APPEAL TO TORRANCE CITY COUNCIL
 RE: PRE06-00025 WAY06-0016
 ADDRESS/LOCATION/SUBJECT PROPERTY
 149 VIA LA SOLEDAD
 DECISION OF PLANNING COMMISSION
 DATE OF APPEAL 9
 ENCROACHMENT ?



SURVEYOR
 CHI MING GONG
 PLS 7243
 Lic Expires 12-31-06
 Phone: 310-287-0427

BENCHMARK FOUND LEAD PLUG AS
 ELEVATION 100.00
 (ASSUMED DATUM)



SILHOUETTE CERTIFICATION

OF A PORTION OF LOT 30, TRACT No. 19035, MB 526 - 12/16
 RUCKDASHEL RESIDENCE, 149 Via la Soledad, Torrance, CA 9



Page: 22 of 26
 Billing Cycle Date: 09/08/06 - 10/07/06
 Account Number: 194168066



Call Detail (Continued) 310-809-1812

User Name: MICHAEL J. LAMPASI

Rate Code: RM13=1350 Rollover Mins, 5KNW=5000 N&W, M2M5=500 M2M Minutes
 Rate Period (PD): DT=Daytime, NW=Nwkd
 Feature: VM=VOICE MAIL, CW=Call Waiting, MOBM=M2M MINUTES

Item	Day	Date	Time	Number Called	Call To	Min	Rate Code	Rate Pd	Feature	Alrtime Charge	LD/Add'l Charge	Total Charge
887		10/02	6:20PM	310-378-1810	REDOND CA	2	RM13	DT				0.00
888		10/02	6:21PM	310-809-1812	CALL WAIT	4	RM13	DT	CW			0.00
889		10/02	6:26PM	714-425-6642	SANTA CA	18	RM13	DT				0.00
890		10/02	6:57PM	310-809-1812	INCOMI CL	1	RM13	DT				0.00
891		10/02	7:03PM	310-378-8249	REDOND CA	2	5KNW	NW				0.00
892		10/02	7:06PM	310-809-1812	VMAIL CL	2	5KNW	NW	VM			0.00
893		10/02	7:22PM	310-378-8249	REDOND CA	1	5KNW	NW				0.00
894		10/02	8:16PM	310-378-8249	REDOND CA	1	5KNW	NW				0.00
895		10/02	8:33PM	310-809-1812	INCOMI CL	1	5KNW	NW				0.00
896		10/02	8:41PM	310-373-4500	INCOMI CL	1	5KNW	NW				0.00
897		10/02	9:08PM	714-425-6642	SANTA CA	2	5KNW	NW				0.00
898	TUE	10/03	7:31AM	949-586-5200	SADLEB CA	10	RM13	DT				0.00
899		10/03	7:42AM	310-600-3524	BEVERL CA	4	RM13	DT				0.00
900		10/03	7:46AM	310-533-1281	TORRAN CA	1	RM13	DT				0.00
901		10/03	7:47AM	310-542-9433	REDOND CA	1	RM13	DT				0.00
902		10/03	7:47AM	310-533-4955	TORRAN CA	5	RM13	DT				0.00
903		10/03	7:53AM	714-957-8144	SANTA CA	36	RM13	DT				0.00
904		10/03	9:17AM	310-600-3524	BEVERL CA	1	RM13	DT				0.00
905		10/03	10:05AM	626-252-2396	INCOMI CL	3	RM13	DT				0.00
906		10/03	10:14AM	310-600-3524	BEVERL CA	1	RM13	DT				0.00
907		10/03	10:40AM	310-809-1812	INCOMI CL	8	RM13	DT				0.00
908		10/03	11:10AM	310-600-3524	INCOMI CL	6	RM13	DT				0.00
909		10/03	11:19AM	310-809-1812	INCOMI CL	7	RM13	DT				0.00
910		10/03	11:26AM	714-425-6642	SANTA CA	3	RM13	DT				0.00
911		10/03	11:29AM	626-252-2396	COV-BA CA	3	RM13	DT				0.00
912		10/03	12:47PM	714-381-9574	INCOMI CL	1	RM13	DT				0.00
913		10/03	2:07PM	310-809-1812	INCOMI CL	3	RM13	DT				0.00
914		10/03	2:37PM	310-377-0180	REDOND CA	3	RM13	DT				0.00
915		10/03	2:42PM	310-418-9262	GARDEN CA	5	RM13	DT				0.00
916		10/03	2:53PM	714-425-1714	SANTA CA	1	RM13	DT				0.00
917		10/03	2:55PM	714-425-6642	SANTA CA	4	RM13	DT				0.00
918		10/03	5:11PM	714-425-6642	SANTA CA	1	RM13	DT				0.00
919		10/03	5:19PM	310-378-2670	REDOND CA	2	RM13	DT				0.00
920		10/03	5:21PM	310-373-1716	REDOND CA	2	RM13	DT				0.00
921		10/03	5:23PM	714-425-6642	SANTA CA	2	RM13	DT				0.00
922		10/03	5:25PM	310-378-2670	REDOND CA	1	RM13	DT				0.00
923		10/03	5:28PM	310-493-2670	GARDEN CA	3	RM13	DT				0.00
924		10/03	5:30PM	310-377-0035	REDOND CA	1	RM13	DT				0.00
925		10/03	5:31PM	310-378-4991	REDOND CA	3	RM13	DT				0.00
926		10/03	5:44PM	310-809-1812	INCOMI CL	1	RM13	DT				0.00
927		10/03	5:50PM	310-427-9720	INCOMI CL	1	RM13	DT				0.00
928		10/03	5:58PM	310-493-2670	INCOMI CL	1	RM13	DT				0.00
929		10/03	6:03PM	714-425-6642	SANTA CA	2	RM13	DT				0.00
930		10/03	6:06PM	310-378-4138	REDOND CA	7	RM13	DT				0.00
931		10/03	6:26PM	714-425-6642	SANTA CA	1	RM13	DT				0.00
932		10/03	6:28PM	310-378-4991	REDOND CA	1	RM13	DT				0.00
933		10/03	6:36PM	714-425-6642	SANTA CA	1	RM13	DT				0.00
934		10/03	6:41PM	714-425-6642	SANTA CA	3	RM13	DT				0.00
935		10/03	6:45PM	310-619-5474	TORRAN CA	2	RM13	DT				0.00
936		10/03	6:55PM	310-809-1812	INCOMI CL	27	RM13	DT				0.00
937		10/03	7:56PM	310-221-0349	SAN PE CA	6	5KNW	NW				0.00
938		10/03	8:01PM	310-809-1812	INCOMI CL	1	5KNW	NW				0.00
939	WED	10/04	8:32AM	310-287-0427	CULVER CA	2	RM13	DT				0.00
940		10/04	8:37AM	310-653-1366	INCOMI CL	1	RM13	DT				0.00
941		10/04	8:38AM	310-287-0427	CULVER CA	2	RM13	DT				0.00

ATTACHMENT THREE

APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WAV06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ENCROACHMENT & EASEMENT

What are the three types of easements?

Page 1 of 3

 Real Estate Closing Software
Automates preparation and printing of HUD-1, HUD-1A RESPA;
Escrow Disclosure; 1099-S; Amortization Schedule. We do the math!

EscrowHelp.com
A Complete Guide to Real Estate Closings
Escrow Publishing Company



- Home
- The Complete Guide**
- Q & A
- Articles
- Mortgage Calculator
- Links
- Books
- Survey
- Closing Software
- Order
- Search This Site
- Suggestions
- About Us
- Email



Sandy Gadow, a featured guest on CNN's "Open House," and a speaker on national radio as the escrow expert, has more than 25 years experience in escrow, title and real estate. A licensed mortgage broker and real estate sales associate, Sandy is a member of the American Land Title Association, the California Escrow Association, the National Association of Real Estate Editors and on the advisory council for the [Escrow Career Center](#). She is the author of *The Complete Guide to Your Real Estate Closing* and a featured columnist at [realestatejournal.com](#). If you have questions for Sandy see our [Ask Sandy page](#). Here are a few recent articles."

What are the three types of easements?

Many properties have easements, often laid out when the subdivision was created. These easements may be for public utility or power lines, phone lines, water pipes, sewers pipes, gas lines and often cable TV. There are three common types of easements.

1. Easement in gross

In this type of easement, only property is involved, and the rights of other owners are not considered. For example, a public utility line easement would be an easement in gross and would be recorded in the public records.

If for any reason the title insurer fails to disclose a properly recorded easement in gross, and which then causes a problem later, then the title insurer must either pay you the diminished value of your property, or have the easement moved.

2. Easement appurtenant

An example of an easement appurtenant would be an easement allowing you to drive over your neighbor's property to in order to reach your property.

An easement by necessity can be created for a landlocked parcel that has no public road access. To create an easement appurtenant by necessity, the owner of the



Order Now!



User Reviews

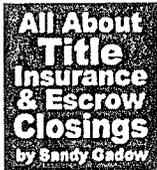
APPEAL TO TORRANCE CITY COUNCIL
RE: PRE06-00025 WAV06-0016
ADDRESS/LOCATION/SUBJECT PROPERTY
149 VIA LA SOLEDAD
DECISION OF PLANNING COMMISSION
DATE OF APPEAL 9-20-06
ENCROACHMENT & EASEMENT

What are the three types of easements?

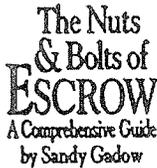
Page 2 of 3



Real Estate
Closing Software



An Online Course



An Online Course

landlocked parcel must be able to prove in court that there was common ownership with one of the joining parcels that has public access.

3. Prescriptive Easement

A prescriptive easement arises if someone uses part of your property with your permission. It can also occur when you use part of your neighbor's property without approval. A prescriptive easement involves only the loss of use of part of a property, for example a pathway or driveway.

Adverse possession of a prescriptive easement involves the loss of an entire property by open, notorious, hostile adverse and continuous use.

The legal test to acquire a prescriptive easement of another owner is that the use must be open, not secret, notorious, clearly observable, hostile, without the landowner's consent and continuous without interruption for the number of years required by state law. For example, the minimum hostile use varies from 5 years in California to 30 years in Texas.

The most common prescriptive easement arises when a fence is erected several feet on the wrong side of a boundary line. If the hostile user meets all the requirements, after the required number of years, a permanent prescriptive easement results for the strip of land.

To perfect a legal prescriptive easement, the hostile user must bring a quiet title lawsuit against the property owner and prove all the open, notorious, hostile and continuous use requirements.

If, after purchasing your property, you suspect that a neighbor is using land with belongs to you, that person or neighbor being a "hostile user", you can choose to grant permission to your neighbor thus preventing a permanent prescriptive easement from arising. Permission should be documented such as by a letter to the hostile user.

Copyright © 2003 Sandy Gadow. This column may not be resold, reprinted, resyndicated or redistributed without the written permission from Escrow Publishing Company.

Related Information

[Title Insurance Glossary](#)

Look up title insurance terms and definitions

[Back to Previous Page](#)

[Ads by Google](#)

Owner Finance Contract
Download your Free
Guide to Owner Financing
Real Estate Today.
www.circlelending.com

Real Estate Contract
Over 1250+ Document
Templates to Download
and Print Instantly!
www.envision-sbs.com

**Only - Real Estate
Forms**
Quality always costs more
Easy Down Load On-Line
Forms
kaktus.com

Property Foreclosure
Buy Homes Cheaper than
Foreclosed! 100%
Guaranteed by US
Government.
www.TaxLiensDirect.com

**Refinance Your Home
Loan**
Lock in Low Mortgage
Rates. Find Loans for All
Types of Credit!
www.eloan.com

[Advertise on this site](#)

APPEAL TO TORRANCE CITY COUNCIL

RE: PRE06-00025 WAV06-0016

ADDRESS/LOCATION/SUBJECT PROPERTY

149 VIA LA SOLEDAD

DECISION OF PLANNING COMMISSION

DATE OF APPEAL 9-20-06

ENCROACHMENT & EASEMENT

What are the three types of easements?

Page 3 of 3

[[Home](#)] [[About Us](#)] [[All About Escrow](#)] [[Articles](#)] [[Ask Sandy](#)] [[Books](#)] [[Glossary](#)]
[[Contact Us](#)] [[Links](#)] [[Mortgage Calculator](#)] [[Order](#)] [[Q & A](#)] [[Reviews of *The Complete Guide*](#)]
[[Schools](#)] [[Search Site](#)] [[Suggestions](#)] [[Survey](#)]

Copyright 1999-2006 © Sandy Gadow--All rights reserved.
All information is deemed reliable but is not guaranteed and should be independently verified.