

KENT G. WASHBURN
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VOICE: (408) 458-9777
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331 SOQUEL AVENUE, SUITE 210
SANTA CRUZ, CALIFORNIA 95062

December 23, 1997

Joan Van der Hoeven, AICP
COUNTY OF SANTA CRUZ PLANNING DEPT.
701 Ocean Street, Room 400
Santa Cruz, CA 95060

Re: Mount Hermon Roads
File No: 96-0541

Dear Ms. Van der Hoeven:

I have confirmed with my client that public equestrian and pedestrian access along Conference Drive (once it has been abandoned) is acceptable. Therefore the proposed, revised condition of approval would read as follows:

"At the time of recording the resolution of abandonment Applicant shall record a document granting the public a right-of-way for pedestrian, equestrian, and bicycle travel over the abandoned portion of Conference Drive in a form satisfactory to the Santa Cruz County Counsel."

The proposed legal descriptions for the roads to be abandoned are as follows:

1. "The entirety of Pine Avenue, Summit Road, Forest Road, and Prospect Road as the same **are shown** on the original subdivision maps of Mount Hermon Park and/or a's the same now are 'or have been constructed, improved, repaired, used, and/or **travelled**."

2. "Conference Drive as the same is shown on the original subdivision maps of Mount Hermon Park **and/or as** the same now is or has been constructed, improved, - repaired, used, and/or travelled from the easternmost edge of **the bridge** over Zayante --Road and Zayante Creek owned and maintained by the County of Santa Cruz to the westernmost edge of the landslide which blocks vehicular access from Mount Hermon to Scotts Valley via Conference Drive."

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These descriptions have been drafted professionally and are acceptable to Mount Hermon's officers, attorneys, engineers and title insurer.

I realize that it is customary in cases of rather small abandonments where land has been engineered to have fully surveyed description with points, angles, distances, etc. Here, because we are dealing with such a massive abandonment of roadways which have never been surveyed or engineered, the cost of surveying, and describing with engineered precision, each little twist and turn of these roadways would easily run into six figures! Obviously that is impractical, unreasonable and cost prohibitive. Hence the above referenced solution.

Please let me hear from you at your next convenience with your approval, your questions, or suggestions for reasonable amendments.

Very truly yours,



KENT G. WASHBURN

KGW/srh
cc: client
c:\letters\mthermon.rds\vander.223

-KENT G. WASHBURN
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VOICE: (408) 458-9777
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July 27, 1998

Joan Van der Hoeven, AICP
COUNTY OF SANTA CRUZ PLANNING DEPT.
701 Ocean Street, Room 400
Santa Cruz, CA 95060

Re: Mount Hermon Roads
File No: 96-0541

Dear Ms. Van der Hoeven:

I recently contacted Samuel Torres and Donna McRae of the County Counsel's office. Please find enclosed my July 20, 1998 letter confirming that conversation.

You will note that everything seems to be approved now with one addition. The resolution should specify that no public utility easements are being abandoned.

Please place this in the flow of work for an October hearing date with the Board of Supervisors. I would suggest Tuesday, October 13 if possible, since the key man for Mount Hermon will be away on a long trip before that.

Please contact me or my secretary, Sue, with any comments or questions.

Very truly yours,



KENT G. WASHBURN

KGW/srh
cc: client
c:\letters\mthermon.rds\vander.727

ATTACHMENT 4
COPY

KENT G. WASHBURN
ATTORNEY AT LAW

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331 SOQUEL AVENUE, SUITE 210
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VOICE: (408) 458-9777
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July 20, 1998

Dana McRae, Esq.
Assistant County Counsel
Santa Cruz County Counsel's Office
701 Ocean Street
Santa Cruz, CA 95062

Re: **Mount Hermon/ Road Abandonment**

Dear Ms. McRae:

Thank you for responding to my recent letter to Mr. Torres. Wish him luck for me in his current trial.

I want to confirm two things that you and I discussed and agreed upon:

1. The descriptions I have sent meet with his approval. No survey is necessary.
2. Any and all public utility easements in the streets to be 'abandoned **shall** survive abandonment.

I appreciate the cooperation and look forward to meeting you in person.

Very truly yours,

KENT G. WASHBURN

KGW/srh
cc: client
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