

July 31st, 2019

Planning and Land Use Management Committee
Los Angeles City Council

RE: BBS Board File No. 190011, 9249 West Crescent Drive
PLUM Notice of Hearing on August 6, 2019

Dear Committee,

As an immediate neighbor I would like to bring your attention to the fact and necessity that the address of the house and its associated lots had long been due to be changed to a ##### Wonderland Ave and not to be 9249 W. Crescent Dr., and/or 9137 W. Crescent Dr. as they currently are. Following are our arguments:

1. For 33 years since we became neighbor to this property, the official and day to day entrance have been via the asphalted private street off Wonderland Ave at block 9027. This private street goes right next to the house and its garage and it is the only public way to the house.

2. In 2007 there has been a Court Case about encroachment between the neighbors, retaining walls and other items. The Judge came to see the site in person. One of the items was that the owner of 9249/9137 W. Crescent Dr. had asked the Court to legalize his official entrance via the private street off Wonderland at block 9027 by proving that he does not have access via W. Crescent Dr.. The Judge ordered the owner to build a two-car garage, which he did, and then the Judge made his request legal by issuing a Court Judgement. In the Court proceedings the owner had officially renounced any access to the property via Crescent Dr. (he did not have any, anyway). The Court Case is: BC 306345 at Superior Court of the State of CA, County of LA, Honorable Rita J. Miller, Department 16 . Please see "Statement of Decision" filed at LA Superior Court Jan 30 2007, John A Clarke, Clerk by Sandra Switzer, Deputy, re: Dressler-Brando v. Luka Colombo) and "Judgement" filed APR 29 2008

3. Luca Colombo was the previous owner of 9137 W. Crescent Dr, where the current house sits on Lot 16 and parts of Lot D. Somehow, when the garage was built it received an independent address 9249 W. Crescent Dr. for the garage only. In reality the two addresses represent one property with one house and one two-car garage attached situated over Lot 16 and parts of Lot D.

4. To facilitate the PLUM, I am providing hereunder attached two quotes from the above mentioned "Statement of Decision" and "Judgement" of Judge Rita J. Miller, which obviously establish the necessity to legally and officially change the address for this property.


5. There are also multiple other factors which affect the general public safety, related to the correct use of the address of this property. The last 200 feet of W. Crescent Dr. had particularly deteriorated in the last 90 years or so, being left without any maintenance. At places, the road is 8 feet wide and at the edge is soft and sliding down the hill. The road dead-ends into our private property and it is impossible to do a u-turn. The theoretic address 9249/9137 W. Crescent Dr is in these 200 feet, but it is a steep hill without any public access. I have been a witness of multiple cars looking for that address to have maneuvering problems while trying unsuccessfully to do u-turns and then doing dangerous back ups. A few years ago, a car went down the ravine, we had to call the police and there was the whole effort of us assisting the operations in the ravine. Luckily, no one got seriously injured. That was not the case when, also a few years ago, on the exit route near the corner of W. Crescent Dr. to Wonderland Ave. a car with two people fell in the ravine, which resulted in death.

6. At the end of W. Crescent Dr., the land line of the property currently called 9249 W. Crescent Dr. touches the road. That is why originally it was given the theoretic address on W. Crescent Dr. But it was never developed, neither the City developed the street, nor the owners developed the property. The land is steep, almost vertical, the house is far away on the top and you have to be a rock climber to get to it. This creates the following dangerous issue of delivery to this particular address - sometimes the delivery people will not follow instructions associated with the order and instead they will use Google Maps. This will take them to the narrow dead-end and force them to do a back up. We have witnessed this on multiple occasions. The same could apply to, for example, to the UPS trucks for deliveries. This also applies for friends or other people who sometimes are neglecting a specific instruction from the owner or are unaware and are only using Google Maps to get to the house.

7. This Conditional Objection is addressed to PLUM in order to not authorize any hauling and building permits unless the owner of the property with the current addresses 9137 and 9249 W. Crescent Dr. obtain from the appropriate City Departments a new address or addresses on Wonderland Ave., for both of his old addresses.

I am available to assist you with any needs for pictures, maps or questions.

Kind Regards


Emile Razzopov
2105 Ridgemont Dr.
Los Angeles, CA 90046

emile.hgs@gmail.com
323 229-2283 mobile
323 848-3537 landline

Attached: Two Quotes from Statement of Decision and Judgement, Case No. BC 306345, 5 pgs

FILED
LOS ANGELES SUPERIOR COURT
JAN 30 2007
JOHN A. CLARKE, CLERK
BY SANDRA SWITZER, DEPUTY

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

LARRY DRESSLER, MIKE MEDAVOY AND
AVRA DOUGLAS AS THE PERSONAL
REPRESENTATIVES OF THE ESTATE OF
MARLON BRANDO,

Plaintiffs,

v.

LUCA COLOMBO, an individual; DOROTHY
J. REAMS, AS TRUSTEE OF THE REAMS
TRUST DATED DECEMBER 7, 1995, a
California living trust; ROBERT J. EMMONS
AS TRUSTEE OF THE LLOYD AND RENEE
GREIF TRUST, a California Living Trust,

Defendants.

LUCA COLOMBO,

Cross-Complainant,

v.

LARRY DRESSLER, MIKE MEDAVOY AND
AVRA DOUGLAS AS THE PERSONAL
REPRESENTATIVES OF THE ESTATE OF
MARLON BRANDO; ROBERT J. EMMONS
AS TRUSTEE OF THE LLOYD AND RENEE
GREIF TRUST, a California Living Trust,
and ROES 1 through 50, inclusive,

Cross-Defendants.

CASE NO. BC 306345

Assigned for all purposes to the
Honorable Rita J. Miller, Department 16

STATEMENT OF DECISION

STATEMENT OF DECISION

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However, it appears to the court that there is a possibility that Colombo may establish within 90 days that the back road has become "non-existent." The court will explain this view to assist the parties in determining how they wish to proceed.

The parties accepted at trial that Raspopov is the owner of the back road. Since the 1980s, Raspopov has maintained a locked gate barring use of the back road. He has allowed access to the owners of the old Colombo house only on showings of special circumstances. The owners of the old Colombo house have not disputed Raspopov's right to control access in this fashion. Indeed, there was no evidence at trial that the owners of the old Colombo house ever possessed any right of access via the back road. There was no deed produced. There was no showing of a prescriptive or other kind of easement.

Even if there had been a prescriptive easement shown, it was extinguished by more than 5 years of disuse before Colombo became the owner of the old Colombo house in 1997.

1 There is also sufficient evidence from which the court concludes that there was an intent to
2 abandon the easement by Colombo's predecessors. This intent is shown here by failure to use the
3 easement, use of an alternative route, failure to dispute Raspopov's exclusion of the alleged
4 easement holder, failure to maintain the road, and failure to repair the road after it was largely
5 "washed out." The court also considers as evidence of intent to abandon the economic reality: it
6 would have been costly to repair and maintain the road.

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8 Finally, if any easement once existed, Raspopov eradicated it through adverse possession of the
9 easement.

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11 Thus, it appears that the only way the back road can be viewed as "existent" for Colombo's
12 purposes is if Colombo can persuade the current owner, Raspopov, to sell him the property or give
13 him a license or easement allowing Colombo to use the road in exchange for money and
14 agreements of indemnity in case of injury. As noted above, Colombo did not bear his burden of
15 establishing that Raspopov will not do so. However, Colombo might do so if he can establish that
16 he made a good faith offer to Raspopov that is financially reasonable under the circumstances and
17 in line with market values for comparable uses and that Raspopov refused. It should be noted that
18 the court would examine any proposed offer carefully to determine if there were any collusion, as
19 Colombo may not feel it is in his economic interest to present an offer that Raspopov will accept.

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21 The second issue concerning the deed is that if the back road became "non-existent," it did so
22 "through no fault of Colombo's. This prong would be satisfied if Colombo complies with the
23 requirement in the preceding paragraph concerning a good faith offer that is financially reasonable.

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25 The third issue concerning the deed is that, if the back road became "non-existent through no fault"
26 of Colombo's, he will only have the right to use the Wonderland access road if he provides parking
27 for the old Colombo house.

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FILED

LOS ANGELES SUPERIOR COURT

APR 29 2008

JOHN A. CLARKE, CLERK

BY SANDRA SWITZER, DEPUTY

1 CHARLES D. CUMMINGS - Bar No. 60897
2 JOSEPH S. DZIDA - Bar No. 89459
3 D. DANIEL PRANATA - Bar No. 216052
4 SULLIVAN, WORKMAN & DEE, LLP
5 800 South Figueroa Street, Twelfth Floor
6 Los Angeles, California 90017-2521
7 Telephone: (213) 624-5544
8 Facsimile: (213) 627-7128

9 Attorneys for Cross-Complainants and Cross-Defendants LLOYD GREIF and ROBERT J.
10 EMMONS AS TRUSTEES OF THE LLOYD AND RENEE GREIF CHILDREN'S TRUST, a
11 California Living Trust, and Plaintiff and Cross-Defendant LLOYD GREIF as Trustee of the Greif
12 Revocable Trust dated February 22, 2002

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 FOR THE COUNTY OF LOS ANGELES

15

16 LARRY DRESSLER, MIKE MEDAVOY AND)
17 AVRA DOUGLAS AS THE PERSONAL)
18 REPRESENTATIVES OF THE ESTATE OF)
19 MARLON BRANDO,)

20 Plaintiffs,

21 v.

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23 J. REAMS, AS TRUSTEE OF THE REAMS)
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29

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39 and ROES 1 through 50, inclusive,)

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CASE NO. BC 306345

Assigned for all purposes to the
Honorable Rita J. Miller, Department 16

~~RECEIVED~~ JUDGMENT

24 The court declares that Colombo obtained a prescriptive easement over the Wonderland
25 Access Road that runs from Wonderland Avenue to the old Colombo house at 9137 Crescent
26 Drive for purposes of ingress and egress to and from the old Colombo house. This easement was
27 obtained through continuous use from May 1997 onward for 5 consecutive years. The court

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JUDGMENT

1 declares that the old Colombo house at 9137 Crescent Drive does not have an easement by
2 implication, easement by necessity or adverse possessory interest allowing it to use the
3 Wonderland Access Road.

4 The court finds that Colombo constructed a two-car garage (the "Garage") for the old
5 Colombo house at 9137 Crescent Drive on such property after the conclusion of the trial in this
6 action with the court's permission. As a result of the construction of the Garage, the court finds
7 that Colombo has established that he has a right under the 1956 deed to use the Wonderland
8 Access Road up to the Garage for ingress and egress to and from the old Colombo house at 9137
9 Crescent Drive.