

December 6, 2004; Agenda Item No. 18

Resolution No. 04-104

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY CONFIRMING  
ACCEPTANCE OF AN OPEN SPACE DEDICATION, LA VIÑA PROJECT, ALTADENA,  
UNINCORPORATED LOS ANGELES COUNTY

WHEREAS, Section 33207 of the Santa Monica Mountains Conservancy Act provides, in part: “(a) Areas offered for open-space dedication or trail easement by any person, . . . shall not be lost to public use if they are necessary to meet any of the provisions of this division [*i.e.*, the Santa Monica Mountains Conservancy Act],” and

WHEREAS, The open space and trail dedication area of the La Viña project in Millard Canyon, Altadena, unincorporated Los Angeles County, is within the Rim of the Valley Trail Corridor as depicted on the map filed with the Secretary of State pursuant to subdivision (c) of Section 33204.3 of the Conservancy Act, and

WHEREAS, The Final Supplemental Environmental Impact Report and the Los Angeles County Board of Supervisors conditions of approval of the La Viña project required a land dedication to the Santa Monica Mountains Conservancy and the establishment of public riding and hiking trails, and

WHEREAS, The La Viña project trails and open-space required to be dedicated constitute an important part of the regional trail and open space system within the Rim of the Valley Trail Corridor, and the acceptance of such dedications is in the public interest and required by Section 33207 of the Santa Monica Mountains Conservancy Act, and

WHEREAS, By the actions of the La Viña project applicant an offer of dedication was made to the Santa Monica Mountains Conservancy, and the statements of La Viña developer, including those in sales promotional literature upon which buyers and the public were entitled to rely, constituted a constructive offer of dedication and evidence of the acceptance thereof, and

WHEREAS, The actions of the public in using the open-space and trails so offered for dedication, and the actions of the Conservancy’s authorized officers, constituted an acceptance of such dedications, which such dedications are to be confirmed by this resolution, and

WHEREAS, The proposed action is exempt from the Environmental Impact Report requirements of the California Environmental Quality Act (CEQA); Now

*Therefore Be It Resolved*, That the Santa Monica Mountains Conservancy hereby:

1. FINDS that the proposed action is consistent with the Santa Monica Mountains Comprehensive Plan and is necessary to implement the Rim of the Valley Trail Corridor Master Plan.
2. ADOPTS the staff report dated December 6, 2004 for this item.
3. CONFIRMS the acceptance of the open-space dedication and trail easement dedications required by the conditions of approval of the La Viña project as constructively offered to the public and the Santa Monica Mountains Conservancy and accepted by them.
4. AUTHORIZES AND DIRECTS the Executive Director pursuant to the final sentence of subdivision (e) of Section 33207.5 of the Santa Monica Mountains Conservancy Act to file a certificate of acceptance on behalf of the Conservancy and to take any and all such other actions as may, in his discretion, be necessary to effectuate the La Viña project open-space and trail dedications.

*~ End of Resolution ~*

I HEREBY CERTIFY that the foregoing resolution was adopted at a meeting of the Santa Monica Mountains Conservancy, duly noticed and held according to law, on the 6<sup>th</sup> day of December, 2004 at Glendale, California.

Dated:

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Executive Director