

82-17459

83-108586

RECORDED IN OFFICIAL RECORDS  
 RECORDER'S OFFICE  
 LOS ANGELES COUNTY  
 CALIFORNIA  
 12 MIN. PAST. 4 P.M. JAN 6 1982

Return Original To and  
 Recording Requested By:  
 STATE COASTAL CONSERVANCY  
 1330 BROADWAY, SUITE 1100  
 OAKLAND, CA 94612

1  
 2  
 3  
 4  
 Final 9.3

5  
 6 IRREVOCABLE OFFER TO DEDICATE

FREE C  
 12

FREE C  
 12

7 I. WHEREAS, Dr. Roger S. Wolk, Kenneth R. Chiate, Jeanette Chiate,  
 8 Marilyn S. Wolk are the record owners, hereinafter referred to as "owners,"  
 9 of the real property located at 27900 Pacific Coast Highway, Malibu,  
 10 Los Angeles County, California, legally described as particularly set forth  
 11 in attached Exhibit A hereby incorporated by reference and hereinafter  
 12 referred to as the "subject property"; and

13 II. WHEREAS, the California Coastal Commission, hereinafter referred to  
 14 as "the Commission," is acting on behalf of the People of the State of  
 15 California; and

16 III. WHEREAS, the People of the State of California have a legal interest  
 17 in the lands seaward of the mean high tide line; and

18 IV. WHEREAS, pursuant to the California Coastal Act of 1976, the owners  
 19 applied to the Commission for a coastal development permit for construction  
 20 of a two-story, 6,800 -sq. ft. single-family residence with three-car garage,  
 21 two-car carport, swimming pool, and tennis court on the subject property; and

22 V. WHEREAS, a coastal development permit no. 5-81-35 was granted on  
 23 July 22, 1981, by the Commission in accordance with the provisions of the  
 24 Staff Recommendation and Findings shown in Exhibit B attached hereto and  
 25 hereby incorporated by reference, subject to the following condition:

26 //  
 27 //

RECORDED IN OFFICIAL RECORDS  
 RECORDER'S OFFICE  
 LOS ANGELES COUNTY  
 CALIFORNIA  
 31 MIN. PAST. 9 A.M. JAN 26 1983

RECEIVED  
 FEB 3 1982  
 CALIFORNIA  
 COASTAL COMMISSION

omitted acknowledgment by notary public.

Prior to issuance of the permit, the applicant shall execute and record  
 2 a document in a form and content approved by the Executive Director of the  
 3 Commission irrevocably offering to dedicate an easement to be used for public  
 4 parking to a public agency or private association acceptable to the Executive  
 5 Director. The easement shall be 25 ft. wide and located adjacent to and  
 6 parallel to the existing right-of-way within the area designated as "FUTURE  
 7 STREET" on recorded parcel map "7543. The offer or the accepted easement  
 8 shall be extinguished when construction of the street commences. The offer  
 9 shall run for a period of 21 years from the date of recordation and shall  
 10 be prior to all liens except tax liens and all encumbrances the Executive  
 11 Director determines may affect the interest being conveyed.

12 VI. WHEREAS, the subject property is a parcel located between the first  
 13 public road and the shoreline; and

14 VII. WHEREAS, under the policies of Sections 30210 through 30212 of  
 15 the California Coastal Act of 1976, public access to the shoreline and along  
 16 the coast is to be maximized, and in all new development projects located  
 17 between the first public road and the shoreline shall be provided; and

18 VIII. WHEREAS, under the policy of Section 30223 of the California  
 19 Coastal Act of 1976 upland areas necessary to support recreational uses  
 20 shall be reserved for such uses where feasible.

21 IX. WHEREAS, the Commission found that but for the imposition of the  
 22 above condition, the proposed development could not be found consistent with  
 23 the public access policies of Section 30210 through 30212 and Section 30233  
 24 of the California Coastal Act of 1976 and that therefore in the absence of such  
 25 a condition, a permit could not have been granted;

26 //  
 27 //

~~82-11159~~

83- 108580

1 NOW, THEREFORE, in consideration of the granting of permit no. 5-81-35  
 2 to the owners by the Commission, the owners hereby offer to dedicate to the  
 3 People of California an easement for the purposes of public parking located  
 4 on the subject property adjacent to and parallel to the existing highway  
 5 and within the same area previously offered for dedication for future  
 6 highway use and as specifically set forth by attached Exhibit C hereby  
 7 incorporated by reference. The parking space is offered subject to the owners'  
 8 right to subsequently locate reasonable access and egress to the subject  
 9 property.

10 With the offering of this easement and the easements for vertical and  
 11 lateral access as offered in Documents 80-1161953 and 80-1161952 recorded  
 12 on November 18, 1980, in the County of Los Angeles, reasonable beach access  
 13 shall be deemed to have been provided so that no further conditions regarding  
 14 parking, access, or improvements thereon shall be imposed in connection with  
 15 further improvements to the subject property as set forth in Exhibit A.

16 This offer of dedication shall be irrevocable for a period of twenty-one  
 17 (21) years, measured forward from the date of recordation, and shall be  
 18 binding upon the owners, their heirs, assigns, or successors in interest  
 19 to the subject property described above. The People of the State of California  
 20 shall accept this offer through the County of Los Angeles, the local government  
 21 in whose jurisdiction the subject property lies, or through a public agency or  
 22 a private association acceptable to the Executive Director of the Commission  
 23 or its successor in interest. The easement shall not be improved, opened  
 24 for public use, or posted until such time as it is accepted by the public  
 25 agency or private association. The offer or accepted easement shall be  
 26 extinguished when construction of the "FUTURE STREET" commences.

27 //

~~82-11159~~

83- 108520

1 Acceptance of the offer is subject to a covenant which runs with the land,  
2 providing that the offeree to accept the easement may not abandon it but  
3 must instead offer the easement to other public agencies or private associations  
4 acceptable to the Executive Director of the Commission for the duration of  
5 the term of the original offer to dedicate. The grant of easement once made  
6 shall run with the land and shall be binding on the owners, their heirs, and  
7 assigns.

8 Executed on this 11 day of December, 1981, in the  
9 City of Los Angeles, County of Los Angeles, Cal

10 Signed: Kenneth R. Chiate Dated: 12/11/81

11 Kenneth R. Chiate  
12 Type or Print Name of Above

Signed: Roger S. Walk by  
Kenneth R. Chiate, attorney in fact

13 Signed: Marilyn S. Walk Type or Print Name of Above  
14 by Kenneth R. Chiate, attorney in fact

15 Type or Print Name of Above Signed: Jeanette Chiate by  
Kenneth R. Chiate, attorney in fact

16 Type or Print Name of Above

17 STATE OF CALIFORNIA

18 COUNTY OF

19 On \_\_\_\_\_, before the undersigned, a  
20 Notary Public in and for said State, personally appeared \_\_\_\_\_

21 \_\_\_\_\_,  
22 whose names are subscribed to the within instrument, and acknowledge that they  
23 executed the same.

25 Notary Public in and for said County and  
26 State

TO 444 C  
(Attorney in Fact)

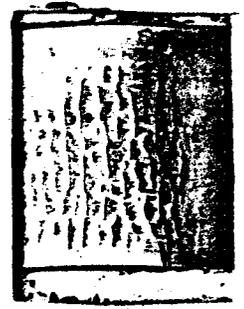
TI 5

STATE OF CALIFORNIA } SS. ~~82-~~ 108580  
COUNTY OF Los Angeles

On December 11, 1981 before me, the undersigned, a Notary Public in and for said State, personally appeared Kenneth R. Chiata known to me to be the person whose name is subscribed to the within instrument, as the Attorney in fact of Janelle Chiata and acknowledged to me that he subscribed the name of Kenneth R. Chiata thereto as principal and his own name as Attorney in fact.

WITNESS my hand and official seal.

Signature Marlyn A. Garant  
MARLYN A. GARANT  
Name (Typed or Printed)



TO 444 C  
(Attorney in Fact)

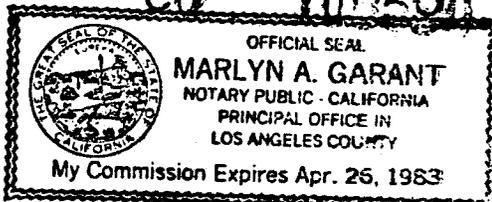
TI 5

STATE OF CALIFORNIA } SS. ~~82-~~ 11159  
COUNTY OF LOS ANGELES

On December 11, 1981 before me, the undersigned, a Notary Public in and for said State, personally appeared Kenneth R. Chiata known to me to be the person whose name is subscribed to the within instrument, as the Attorney in fact of Roger S. Walk and Marlyn S. Walk and acknowledged to me that he subscribed the name of Roger S. Walk and Marlyn S. Walk thereto as principals and his own name as Attorney in fact.

WITNESS my hand and official seal.

Signature Marlyn A. Garant  
MARLYN A. GARANT  
Name (Typed or Printed)



1944 CA (8-74)  
Individual)

STATE OF CALIFORNIA } SS. ~~82-~~ 11159  
COUNTY OF LOS ANGELES



On December 11, 1981 before me, the undersigned, a Notary Public in and for said State, personally appeared Kenneth R. Chiata

\_\_\_\_\_, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

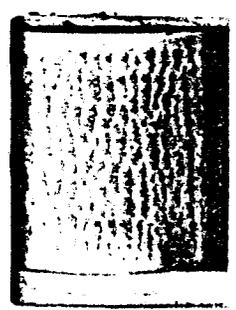
WITNESS my hand and official seal.

Signature Marlyn A. Garant



~~82-~~ 108580

(This area for official notarial seal)



1 This is to certify that the offer of dedication set forth above dated  
 2 Dec. 11, 1981, and signed by Kenneth R. Chiate for  
 3 himself, Dr. Rogers. Wolk,  
 4 Marilyn S. Wolk &, owner(s), is hereby acknowledged by the  
 5 Jeanette Chiate  
 6 undersigned officer on behalf of the California Coastal Commission pursuant  
 7 to authority conferred by the California Coastal Commission when it granted  
 8 Coastal Development Permit No. 5-81-35 on July 22, 1981 and the  
 9 California Coastal Commission consents to recordation thereof by its duly  
 10 authorized officer.

11 Dated: December 18, 1981

12 Cynthia K Long  
 13 CYNTHIA K LONG, LEGAL COUNSEL  
 14 California Coastal Commission

15 STATE OF CALIFORNIA

16 COUNTY OF SAN FRANCISCO

17 On December 18, 1981, before the undersigned, a Notary Public in  
 18 and for said State, personally appeared Cynthia K. Long,  
 19 Legal Counsel known to me to be the authorized representative  
 20 of the California Coastal Commission and known to me to be the person who  
 21 executed the within instrument on behalf of said Commission, and acknowledged  
 22 to me that such Commission executed the same.

23 Witness my hand and official seal.

24 Fay Thomas  
 25 Notary Public in and for said County and  
 26 State

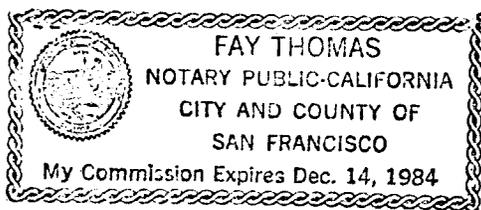


EXHIBIT A

County of Los Angeles, State of California,

Parcel 2 of Parcel Map No. 7543 as per map thereof filed  
in Book 135 Pages 58 and 59 of Parcel Maps, in the Office  
of the County Recorder of Said County.

~~82- 11159~~

83- 108580

EXHIBIT A