

Malibu Encinal Homeowners Association

Mary S. Jones Wilson, President

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June 18, 2008

RECEIVED
MOUNTAINS RECREATION

JUN 20 2008

& CONSERVATION
AUTHORITY MALIBU

Certified Return Receipt Requested

Mr. Joseph Edminston
Mountains Recreation and Conservation Authority
5750 Ramirez Canyon Road
Malibu, California 90265

Re: Notice of Required Lechuza Beach Property Repairs

Dear Mr. Edminston:

This letter is to advise you that there are hazardous conditions on your property that require your immediate attention to avoid injury to those using your property to access the beach.

Within the past couple months, several property owners in this tract and a public user of the beach, have brought to my attention, hazardous conditions and deferred maintenance within this tract. Upon investigation, I have learned that the conditions complained of are all on property owned by the Mountains Recreation and Conservation Authority (MRCA). The complaining individuals were asked to contact you directly and request that repairs be undertaken.

As with any other property owner in this tract, MRCA must maintain its property in a safe manner so as to prevent injury or harm to all who enter upon your property. In addition, MRCA's easement dated May 1, 2002, among other things, requires MRCA to maintain the Lot A locks and gates in good working condition.

Of utmost concern is the staircase at the end of West Sea Level Drive. The foundation is crumbling and very close to complete failure. The handrails and steel bracket steps need repairs. Cleanup and maintenance is also required on the surrounding area including the overlook benches.

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Other areas that require attention include:

- 1) Gate lock at Lot I near Broad Beach Road (once replaced by MRCA) still frequently does not work,
- 2) Lot I stairs, while functional, require regular maintenance and cleanup to remove sand and debris that accumulates creating a safety hazard. It is on these stairs MEHOA was advised a member of the public slipped and fell on accumulated debris,
- 3) Gate lock and fencing at the beach overlook near West Sea Level Drive, removed by MRCA after acquisition, has not been replaced,
- 4) Beach cleanup of trash and debris left by beachgoers,
- 5) Regular inspections and periodic maintenance on all of your property will ensure clean and safe conditions.

In addition, MEHOA is looking for your input on solutions to the following:

- 1) Increased vandalism of both East and West Sea Level pedestrian and vehicular gates by members of the public seeking a place on the beach to party after dark, and
- 2) Your distribution of keys to the Gate at Lot I, to MEHOA and all property owners within MEHOA.

Lastly, please provide me with evidence of MRCA's liability policy with minimum limits of \$1,000,000. I would appreciate receiving a certificate of insurance naming MEHOA as an additional insured under said policy, at your earliest convenience. Please send to Tony Giordano at 31579 Sea Level Drive, Malibu, CA 90265.

Please feel free to contact me if you have any questions or need additional information. I am happy to discuss this with you.

With the 2008 summer season already in full swing, MEHOA would like repairs complete by June 28, 2008. If this date cannot be met, please contact MEHOA's Vice President, Tony Giordano at 310- 457-3347 or Bill Keifer 805-320-1600, as I will be out of town beginning July 1st.

Thank you.

Sincerely,


Mary Jones Wilson
President, MEHOA

cc: Judi Tamasi