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ORIGINAL FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

SEP 15 2011

John A. Clarke, Executive Officer/Clerk  
BY Mary Flores, Deputy

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

10  
11 FRIENDS OF THE HASTAIN TRAIL,  
12 an unincorporated association;  
13 ELLEN SCOTT, an individual,

14 Plaintiffs,

15 vs.

16 COLDWATER DEVELOPMENT LLC,  
17 a California limited liability company,  
18 LYDDA LUD, LLC, a California limited  
19 liability company, and DOES 1  
20 through 25, inclusive,

21 Defendants.

CASE NO. BC 469573

COMPLAINT FOR DECLARATORY  
RELIEF TO QUIET TITLE  
TO PUBLIC EASEMENT FOR  
RECREATIONAL PURPOSES  
BY IMPLIED DEDICATION  
AND INJUNCTIVE RELIEF

22 Plaintiffs FRIENDS OF THE HASTAIN TRAIL, an unincorporated association,  
23 ELLEN SCOTT, an individual, and each of them (collectively, "Plaintiffs"), for causes of  
24 action against Defendants COLDWATER DEVELOPMENT LLC, a California limited  
25 liability company, LYDDA LUD, LLC, a California limited liability company and DOES 1  
26 through 25, inclusive, allege as follows:

27 **COMMON ALLEGATIONS.**

28 1. Plaintiff FRIENDS OF THE HASTAIN TRAIL is an unincorporated  
association of persons who have hiked the Hastain Trail in Franklin Canyon, Los Angeles,  
California and who desire that it remain a public hiking trail.

1           2.     Plaintiff ELLEN SCOTT is, and at all times relevant hereto has been, a  
2 resident of the County of Los Angeles, California. She has regularly hiked the Hastain  
3 Trail for twenty years. She desires that it remain a public hiking trail.

4           3.     Plaintiffs are informed and believe, and on that basis alleges, that Defendant  
5 COLDWATER DEVELOPMENT LLC is a California limited liability company with its  
6 principal place of business in the County of Los Angeles, California. Plaintiffs are also  
7 informed and believe, and on that basis allege, that Defendant COLDWATER  
8 DEVELOPMENT LLC is the owner of two certain parcels of real property in the Santa  
9 Monica Mountains, County of Los Angeles, known as Assessor's Parcel Numbers 4387-  
10 021-018 and 4387-021-019.

11           4.     Plaintiffs are informed and believe, and on that basis alleges, that Defendant  
12 LYDDA LUD, LLC is a California limited liability company with its principal place of business  
13 in the County of Los Angeles, California. Plaintiffs are also informed and believe, and on  
14 that basis alleges, that Defendant LYDDA LUD LLC is the owner of three certain parcels  
15 real property in the Santa Monica Mountains, County of Los Angeles, known as  
16 Assessor's Parcel Numbers 4387-020-001, 4387-022-001, and 4387-022-002.

17           5.     The identities and capacities of respondents and defendants named herein  
18 as DOES 1 through 25, inclusive, are unknown to Plaintiffs who therefore sue said  
19 defendants as DOES 1 through 25, inclusive. Plaintiffs will seek leave to amend this  
20 Complaint when the identities and capacities of such defendants become known to them.

21           6.     The Hastain Trail is a hiking trail in Franklin Canyon, Los Angeles, California.  
22 The majority of Franklin Canyon is a public park owned by the National Park Service and  
23 maintained by the Mountains Recreation and Conservation Authority as part of the Santa  
24 Monica Mountains National Recreation Area.

25           7.     A portion of the Hastain Trail is outside of the public park and, in fact, is on  
26 the Defendants' properties known as Assessors Parcel Numbers 4387-021-018, 4387-  
27 021-019, 4387-020-001, 4387-022-001, and 4387-022-002. A general description of the  
28

1 Hastain Trail which is on Defendants' properties is shown on the map attached hereto as  
2 Exhibit A and incorporated hereat by this reference.

3 8. The location and legal description of that portion of the Hastain Trail on the  
4 property of Defendant LYDDA LUD LLC, which is identified as Assessor's Parcel Number  
5 4387-020-001, is shown on Exhibit B and incorporated herein by this reference.

6 9. The location and legal description of that portion of the Hastain Trail on the  
7 properties of Defendant LYDDA LUD LLC, which are identified as Assessor's Parcel  
8 Numbers 4387-022-001 and 4387-022-002, is shown on Exhibit C and incorporated herein  
9 by this reference.

10 10. The location and legal description of that portion of the Hastain Trail on the  
11 property of Defendant COLDWATER DEVELOPMENT LLC, which is identified as  
12 Assessor's Parcel Number 4387-021-018 and 4387-021-019, is shown on Exhibit D and  
13 incorporated herein by this reference.

14 11. Plaintiffs are informed and believe, and on that basis allege that, except for  
15 the northern portion of the Hastain Trail as shown on Exhibit D, the trail is, more or less,  
16 15 feet wide. The northern portion of the Hastain Trail as shown on Exhibit D is, more or  
17 less, 5 feet wide.

18 12. Plaintiffs are informed and believe, and on that basis allege, that the general  
19 public has hiked and otherwise used the Hastain Trail for hiking and recreational purposes  
20 continuously for in excess of 50 years without objection or interference until recently.

21 13. Within the past eight months, Defendants have erected fences and gates  
22 blocking and interfering with the continued use by the public of those portions of the  
23 Hastain Trail which are on the Defendants' properties. Although these obstructions to the  
24 public use of the Hastain Trail have been temporary removed, Defendants assert their  
25 right to block the Trail and prohibit public use thereof.

26 14. Said public recreational use prior to 1972 of the Hastain Trail on the  
27 Defendants' properties was open, continuous, and for a period of more than five years  
28 with full knowledge of the owners, without the public asking or receiving permission to do

1 so and without objection being made by anyone. The Hastain Trail on the Defendants'  
2 properties was used as a public hiking trail and for other recreational uses, by all who had  
3 occasion to use it.

4 **FIRST CAUSE OF ACTION.**

(Quiet Title as to implied dedication for public recreational use  
5 against Defendant COLDWATER DEVELOPMENT LLC, and DOES 1-5)

6 15. Plaintiffs incorporate by this reference each and every one of the allegations  
7 of Paragraphs 1 through 14, inclusive, of this Complaint as though fully set forth hereat.

8 16. Prior to 1972, the general public openly used the Hastain Trail for hiking and  
9 recreation where it traverses the property known as Assessor's Parcel Numbers 4387-  
10 021-018 and 4387-021-019, as shown in Exhibit D of Defendant COLDWATER  
11 DEVELOPMENT LLC continuously in excess of five (5) years for recreational purposes.  
12 This use has been known to Defendants and their predecessors and has been, until  
13 recently, without objection. Therefore, there has been an implied dedication to public use  
14 for recreational purposes of the Hastain Trail where it traverses the said Defendant's  
15 Properties.

16 18. A dispute has arisen between the Plaintiffs, and each of them, on the one  
17 hand, and Defendant COLDWATER DEVELOPMENT LLC and DOES 1 through 5,  
18 inclusive, and each of them on the other hand, as to the public rights to use the Hastain  
19 Trail on the Defendant's properties for recreational purposes. The parties desire a judicial  
20 determination of this dispute.

21 **SECOND CAUSE OF ACTION.**

(Quiet Title as to implied dedication for public recreational use  
22 against Defendant LYDDA LUD LLC, and DOES 6-10)

23 19. Plaintiffs incorporate by this reference each and every one of the allegations  
24 of Paragraphs 1 through 14, inclusive, of this Complaint as though fully set forth hereat.

25 20. Prior to 1972, the general public openly used the Hastain Trail for hiking and  
26 recreation where it traverses the property known as Assessor's Parcel Numbers 4387-  
27 020-001, 4387-022-001, and 4387-022-002, as shown in Exhibits B and C, of Defendant  
28 LYDDA LUD LLC continuously in excess of five (5) years for recreational purposes. This

1 use has been known to Defendants and their predecessors and has been, until recently,  
2 without objection. Therefore, there has been an implied dedication to public use for  
3 recreational purposes of the Hastain Trail where it traverses the said Defendant's  
4 Properties.

5 22. A dispute has arisen between the Plaintiffs and each of them, on the one  
6 hand, and Defendant LYDDA LUD LLC and DOES 6 through 10, inclusive, and each of  
7 them on the other hand, as to the public rights to use the Hastain Trail on said  
8 Defendant's properties for recreational purposes. The parties desire a judicial  
9 determination of this dispute.

10 **THIRD CAUSE OF ACTION.**  
11 (Injunctive Relief by Plaintiffs against  
12 Defendant COLDWATER DEVELOPMENT LLC, and DOES 1-5)

13 23. Plaintiffs incorporate by this reference each and every one of the allegations  
14 of Paragraphs 1 through 14 inclusive, and Paragraphs 15 through 18, inclusive, of this  
15 Complaint as though fully set forth hereat.

16 24. Within the past eight months, Defendant COLDWATER DEVELOPMENT  
17 LLC has erected, or has caused to be erected, fences and gates on its properties blocking  
18 the Hastain Trail where it traverses said Defendant's properties as shown in Exhibit D.  
19 Although the gates have been temporarily opened or removed, Defendant COLDWATER  
20 DEVELOPMENT LLC asserts that it has a right to prevent public access to the Hastain  
21 Trail. Said fences and gates were public and private nuisances and any further blockage  
22 of public recreational use of the Hastain Trail would be public and private nuisances.  
23 Plaintiffs are entitled to an injunction restraining and preventing Defendant COLDWATER  
24 DEVELOPMENT LLC from further interfering with the public recreational use of the  
25 Hastain Trail where it traverses said Defendant's property.

1 **FOURTH CAUSE OF ACTION.**  
2 (Injunctive Relief by Plaintiffs against  
3 Defendant LYDDA LUD LLC, and DOES 6-10)

4 25. Plaintiffs incorporate by this reference each and every one of the allegations  
5 of Paragraphs 1 through 14 inclusive, and Paragraphs 19 through 22, inclusive, of this  
6 Complaint as though fully set forth hereat.

7 26. Within the past eight months, Defendant LYDDA LUD LLC has erected, or  
8 has caused to be erected, fences and gates on its properties blocking the Hastain Trail  
9 where it traverses said Defendant's properties. Although the gates have been temporarily  
10 opened or removed, Defendant LYDDA LUD LLC asserts that it has a right to prevent  
11 public access to the Hastain Trail. Said fences and gates were public and private  
12 nuisances and any further blockage of public recreational use of the HASTAIN TRAIL  
13 would be public and private nuisances. Plaintiffs are entitled to an injunction restraining  
14 and preventing Defendant LYDDA LUD LLC from further interfering with public  
15 recreational use of the Hastain Trail where it traverses said Defendant's property.

16 **PRAYER FOR RELIEF**

17 WHEREFORE, Plaintiffs, and each of them, pray for judgment in their favor as  
18 follows:

19 **First Cause of Action.**

20 1. For a determination that Defendant COLDWATER DEVELOPMENT LLC by  
21 and through themselves and their predecessors has impliedly dedicated the Hastain Trail  
22 where it traverses its properties to public recreational use, as well as a determination of the  
23 location and dimensions of the public easement, as set forth in Exhibit D hereof;

24 **Second Cause of Action.**

25 2. For a determination that Defendant LYDDA LUD LLC by and through  
26 themselves and their predecessors has impliedly dedicated the Hastain Trail where it  
27 traverses its properties to public recreational use, as well as a determination of the location  
28 and dimensions of the public easement, as set forth in Exhibits B and C;

Third Cause of Action.

3. For a permanent injunction restraining and preventing Defendant COLDWATER DEVELOPMENT LLC from interfering with the public recreational use of the Hastain Trail on its properties as shown in Exhibit D hereof;

Fourth Cause of Action.

4. For a permanent injunction restraining and preventing Defendant LYDDA LUD LLC from interfering with the public recreational use of the Hastain Trail on its properties as shown in Exhibits B and C;

All Causes of Action.

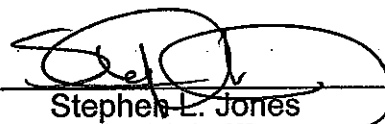
5. For reasonable costs and fees, including attorney's fees pursuant to Section 1021.5 of the Code of Civil Procedure, incurred in connection with this litigation;

6. For such other and further relief as the Court may deem just and proper.

Dated: August 28, 2011

OVERTON, LYMAN & PRINCE, LLP

By

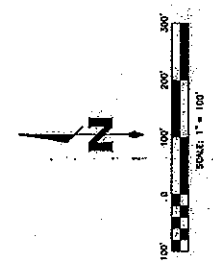
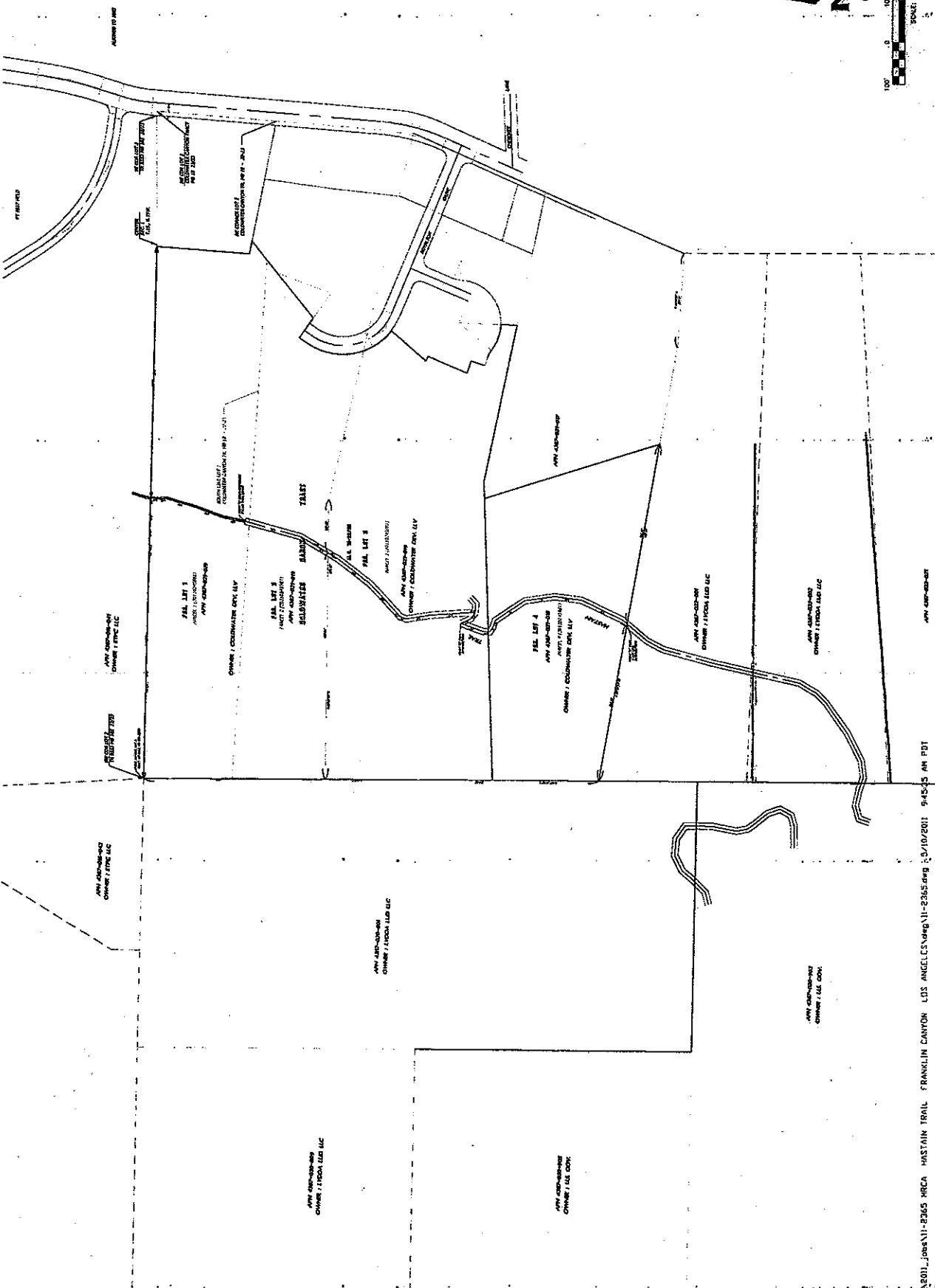


Stephen L. Jones

Attorneys for Plaintiffs

# EXHIBIT A





042801\_104611-2365-PRCA FRANKLIN TRAIL FRANKLIN CANYON LIS ANGELES0611-2365.dwg 13/10/2011 9:45:55 AM PDT

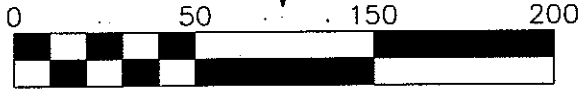
# EXHIBIT B

# EXHIBIT "B"



LEGEND:

- - EASEMENT BOUNDARY  
15' TRAIL EASEMENT
- ⊕ — - CENTERLINE  
15' TRAIL

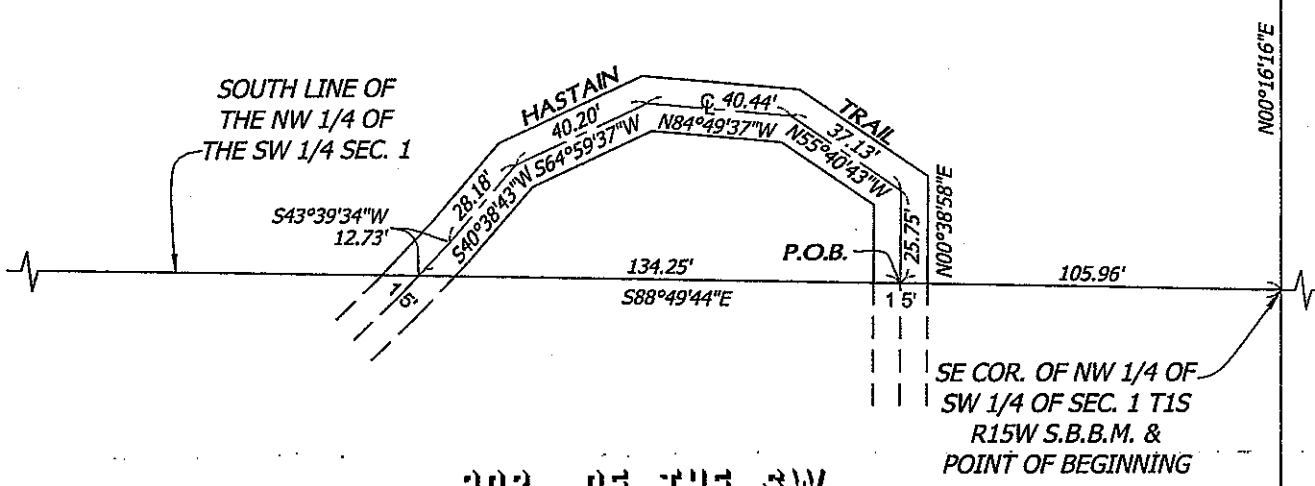


GRAPHIC SCALE

**E 1/2 OF THE NW  
1/4 OF THE SW 1/4  
SEC. 1 T1S R15W S.B.B.M.**

**APN 4387-020-001  
OWNER : LYDDA LUD LLC**

EAST LINE OF THE NW 1/4  
OF THE SW 1/4 SEC. 1



**POR. OF THE SW  
1/4 OF THE SW 1/4  
SEC. 1 T1S R15W S.B.B.M.**

**APN 4387-020-902  
OWNER : US GOV'T**

**EXHIBIT "A"**  
**TRAIL EASEMENT**

AN EASEMENT FOR HIKING, TRAIL AND ALL INCIDENTAL PURPOSES THERETO OVER THE HASTAIN TRAIL WITHIN THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF HASTAIN TRAIL BEING 15.00 FEET WIDE WITH THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 15 WEST, SAN BERNARDINO BASE AND MERIDIAN AS SHOWN ON THE OFFICIAL PLAT THEREOF, LYING 7.50 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

**BEGINNING** AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION, THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION, NORTH 88°49'44" WEST, A DISTANCE OF 105.96 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING LAST MENTIONED LINE, NORTH 00°38'58" EAST, A DISTANCE OF 25.75 FEET;

THENCE NORTH 55°40'43" WEST, A DISTANCE OF 37.13 FEET;  
THENCE NORTH 84°49'37" WEST, A DISTANCE OF 40.44 FEET;  
THENCE SOUTH 64°59'37" WEST, A DISTANCE OF 40.20 FEET;  
THENCE SOUTH 40°38'43" WEST, A DISTANCE OF 28.18 FEET;  
THENCE SOUTH 43°39'34" WEST, A DISTANCE OF 12.73 FEET TO A POINT IN THE SAID SOUTH LINE, SAID POINT BEING NORTH 88°49'44" WEST, A DISTANCE OF 240.21 FEET FROM THE POINT OF BEGINNING.

CONTAINS 2766.5 SQUARE FEET.

THE ABOVE DESCRIBED EASEMENT IS DELINEATED ON THE ATTACHED EXHIBIT "B" AND BY REFERENCE MADE A PART HEREOF.

THIS EASEMENT HAS BEEN DESCRIBED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

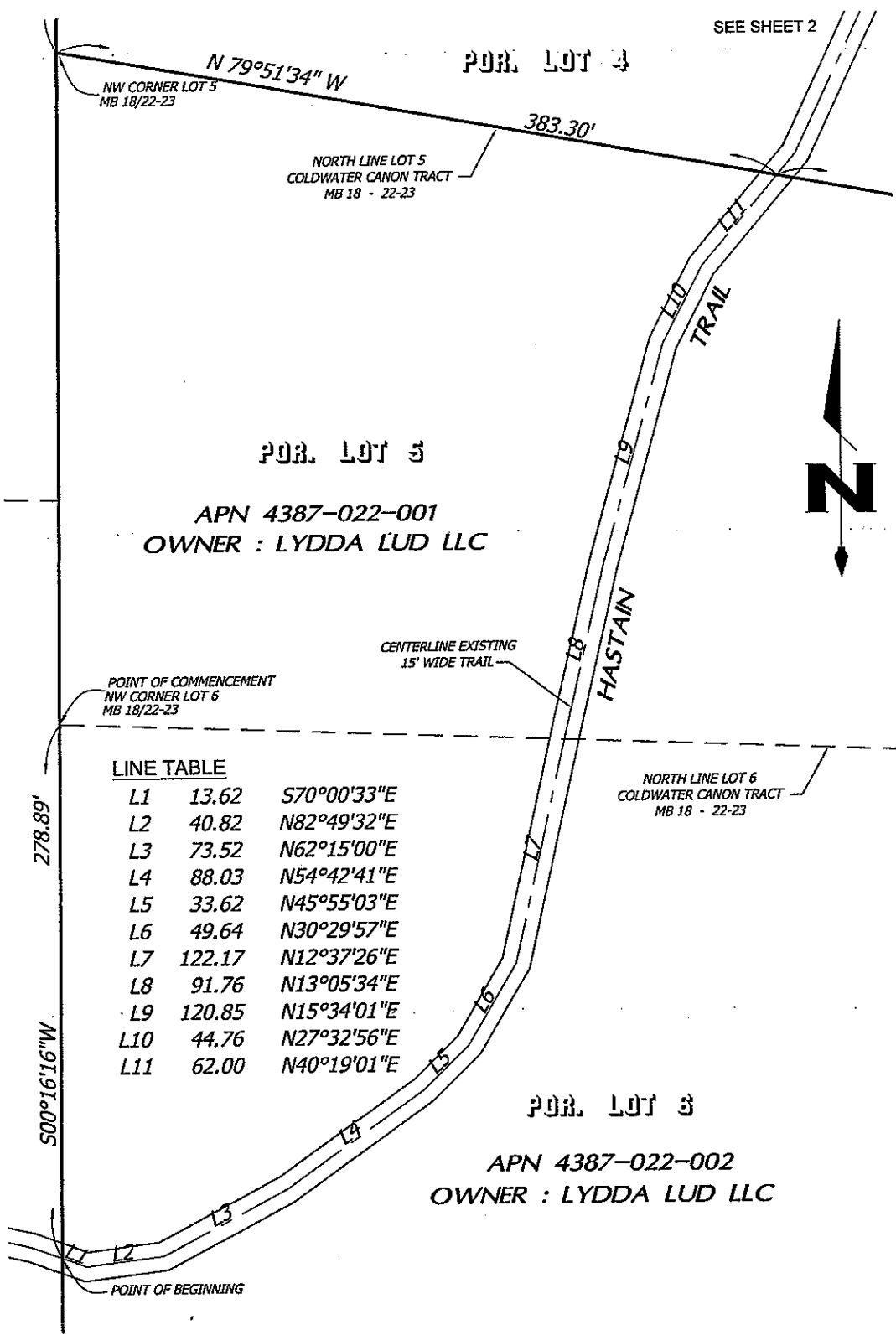
\_\_\_\_\_  
Chris D. Nelson  
PLS 6385, Exp. 12-31-2012

\_\_\_\_\_  
Date



# EXHIBIT C

**EXHIBIT "B"**



**LINE TABLE**

L1	13.62	S70°00'33"E
L2	40.82	N82°49'32"E
L3	73.52	N62°15'00"E
L4	88.03	N54°42'41"E
L5	33.62	N45°55'03"E
L6	49.64	N30°29'57"E
L7	122.17	N12°37'26"E
L8	91.76	N13°05'34"E
L9	120.85	N15°34'01"E
L10	44.76	N27°32'56"E
L11	62.00	N40°19'01"E

**EXHIBIT "A"**  
**TRAIL EASEMENT**

A 15.00 FOOT WIDE EASEMENT FOR HIKING, TRAIL AND ALL INCIDENTAL PURPOSES THERETO OVER THE HASTAIN TRAIL WITHIN THE FOLLOWING DESCRIBED PROPERTY:

PORTIONS OF LOTS 5 AND 6 OF COLDWATER CAÑON TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 18, PAGES 22 AND 23 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE CENTERLINE OF SAID EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID LOT 6, THENCE SOUTH 00°16'16" WEST, A DISTANCE OF 278.89 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE THE ALONG SAID HASTAIN TRAIL BEING 15.00 FEET WIDE AND LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE THE FOLLOWING COURSES:

1<sup>ST</sup> SOUTH 70°00'33" EAST, 13.62 FEET THENCE;  
2<sup>ND</sup> NORTH 82°49'32" EAST, 40.82 FEET THENCE;  
3<sup>RD</sup> NORTH 62°15'00" EAST, 73.52 FEET THENCE;  
4<sup>TH</sup> NORTH 54°42'41" EAST, 88.03 FEET THENCE;  
5<sup>TH</sup> NORTH 45°55'03" EAST, 33.62 FEET THENCE;  
6<sup>TH</sup> NORTH 30°29'57" EAST, 49.64 FEET THENCE;  
7<sup>TH</sup> NORTH 12°37'26" EAST, 122.17 FEET THENCE;  
8<sup>TH</sup> NORTH 13°05'34" EAST, 91.76 FEET THENCE;  
9<sup>TH</sup> NORTH 15°34'01" EAST, 120.85 FEET THENCE;  
10<sup>TH</sup> NORTH 27°32'56" EAST, 44.76 FEET THENCE;  
11<sup>TH</sup> NORTH 40°19'01" EAST, 62.00 FEET TO A POINT THAT IS DISTANT SOUTH 79°51'34" EAST, 383.30 FEET FROM THE NORTHWEST CORNER OF SAID LOT 5.

THE SIDELINES OF THE ABOVE DESCRIBED HIKING TRAIL ARE TO BE LENGTHENED OR SHORTENED AS TO **TERMINATE** ON THE WESTERLY LINE OF SAID LOT 6 AND THE NORTHERLY LINE OF SAID LOT 5.

THE ABOVE DESCRIBED EASEMENT IS DELINEATED ON THE ATTACHED EXHIBIT "B" AND BY REFERENCE MADE A PART HEREOF.





# EXHIBIT D

# EXHIBIT "B"

## INDEX SHEET

NW COR. LOT 1,  
M.B. 18/22-23

APN 4387-016-041  
OWNER : ETPC LLC

**COLDWATER**

POB. LOT 1  
PARCEL 1 (20110245981)  
APN 4387-021-019  
OWNER : COLDWATER DEV. LLC

SEE

P.O.B. CENTERLINE  
5' WIDE TRAIL ESMNT

EXIST. 5' WIDE TRAIL  
SHEET  
POINT "E"

POB. LOT 2  
PARCEL 2 (20110245981)  
APN 4387-021-019  
OWNER : COLDWATER DEV. LLC

EXIST. 15' WIDE TRAIL

SEE

**CANYON**

HASTAIN

POB. LOT 3  
PARCEL 3 (20110245981)  
APN 4387-021-019  
OWNER : COLDWATER DEV. LLC

SHEET



NOT TO SCALE

**TRAIL**

TRAIL

POB. LOT 4  
APN 4387-021-018  
PARCEL 4 (20110245981)  
OWNER : COLDWATER DEV. LLC

EXIST. 15' WIDE TRAIL

SEE

SHEET

HASTAIN

APN 4387-021-017

**M.B. 18/22-23**

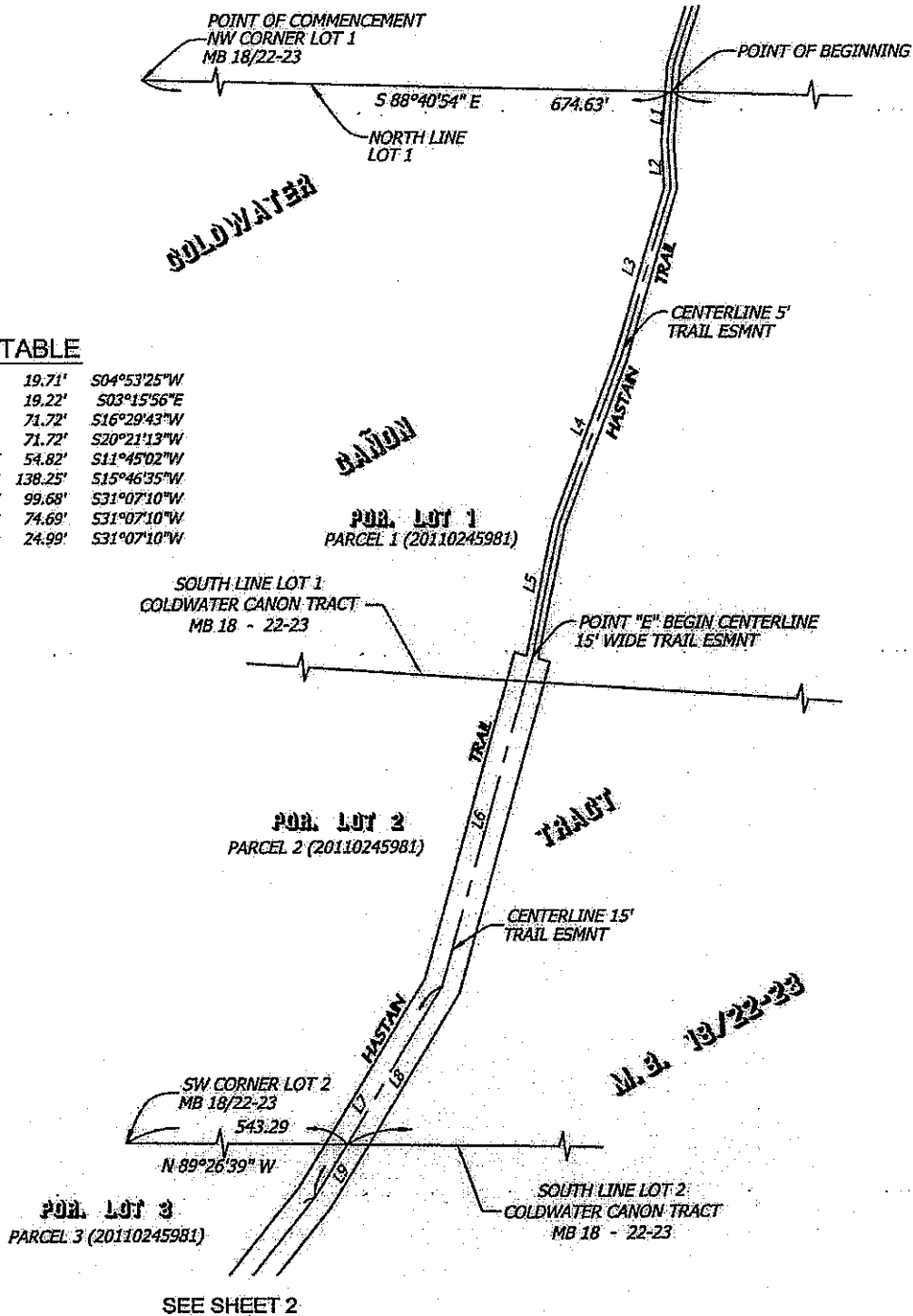
APN 4387-022-001  
OWNER : LYDDA LUD LLC

# EXHIBIT "B"



### LINE TABLE

L1	19.71'	S04°53'25"W
L2	19.22'	S03°15'56"E
L3	71.72'	S16°29'43"W
L4	71.72'	S20°21'13"W
L5	54.82'	S11°45'02"W
L6	138.25'	S15°46'35"W
L7	99.68'	S31°07'10"W
L8	74.69'	S31°07'10"W
L9	24.99'	S31°07'10"W



# EXHIBIT "B" (CONT.)



SEE SHEET 2

**POB. LOT 2**  
PARCEL 2 (20110245981)

NW CORNER LOT 3  
MB 18/22-23

543.29

N 89°26'39" W

NORTH LINE LOT 3  
COLDWATER CANON TRACT  
MB 18 - 22-23

**COLDWATER**

**POB. LOT 3**  
PARCEL 3 (20110245981)

**CANON**

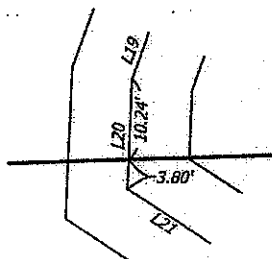
**HASTAN**

### LINE TABLE

L9	24.99	S31°07'10"W
L10	98.16	S38°04'01"W
L11	92.28	S46°45'46"W
L12	15.98	S49°09'09"W
L13	15.45	S18°57'00"W
L14	59.10	S08°44'01"E
L15	95.96	S03°49'45"E
L16	13.28	S05°59'11"W
L17	18.10	N49°04'03"W
L18	25.26	N25°03'24"W
L19	59.87	S19°27'57"W
L20	14.04	S02°17'40"W
L21	13.81	S55°48'52"E
L22	17.09	S70°32'49"E
L34	53.34	S69°06'18"W
L35	47.27	N84°46'59"W
L36	48.86	S89°53'24"W
L37	30.97	N32°25'10"W
L38	57.51	N30°08'39"W
L39	41.95	N17°32'26"W
L40	20.59	N12°20'32"W

**TRACT**

**M.B. 18/22-23**



**DETAIL**  
NTS

SEE DETAIL  
ABOVE

SW CORNER LOT 3  
MB 18/22-23

356.83'

NORTH LINE LOT 4  
COLDWATER CANON TRACT  
MB 18 - 22-23

**POB. LOT 4**  
PARCEL 3 (20110245981)

SEE SHEET 4

# EXHIBIT "B" (CONT.)

**COLDWATER**

**PAR. LOT 3**  
PARCEL 4 (20110245981)

**NORTH LINE LOT 4**  
COLDWATER CANON TRACT  
MB 18 - 22-23

SEE SHEETS 2 & 3

356.83'

**NW CORNER LOT 4**  
MB 18/22-23

**CANON**

**TRACT**

**PAR. LOT 4**  
PARCEL 4 (20110245981)

**LINE DATA:**

LINE	BEARING	DISTANCE
L21	S 55°48'52" E	13.81'
L22	S 70°32'49" E	17.09'
L23	S 32°56'41" E	85.78'
L24	S 08°03'05" E	72.61'
L25	S 07°24'53" W	65.59'
L26	S 25°29'34" W	108.21'
L27	S 40°19'01" W	15.03'

**M.B. 18/22-23**

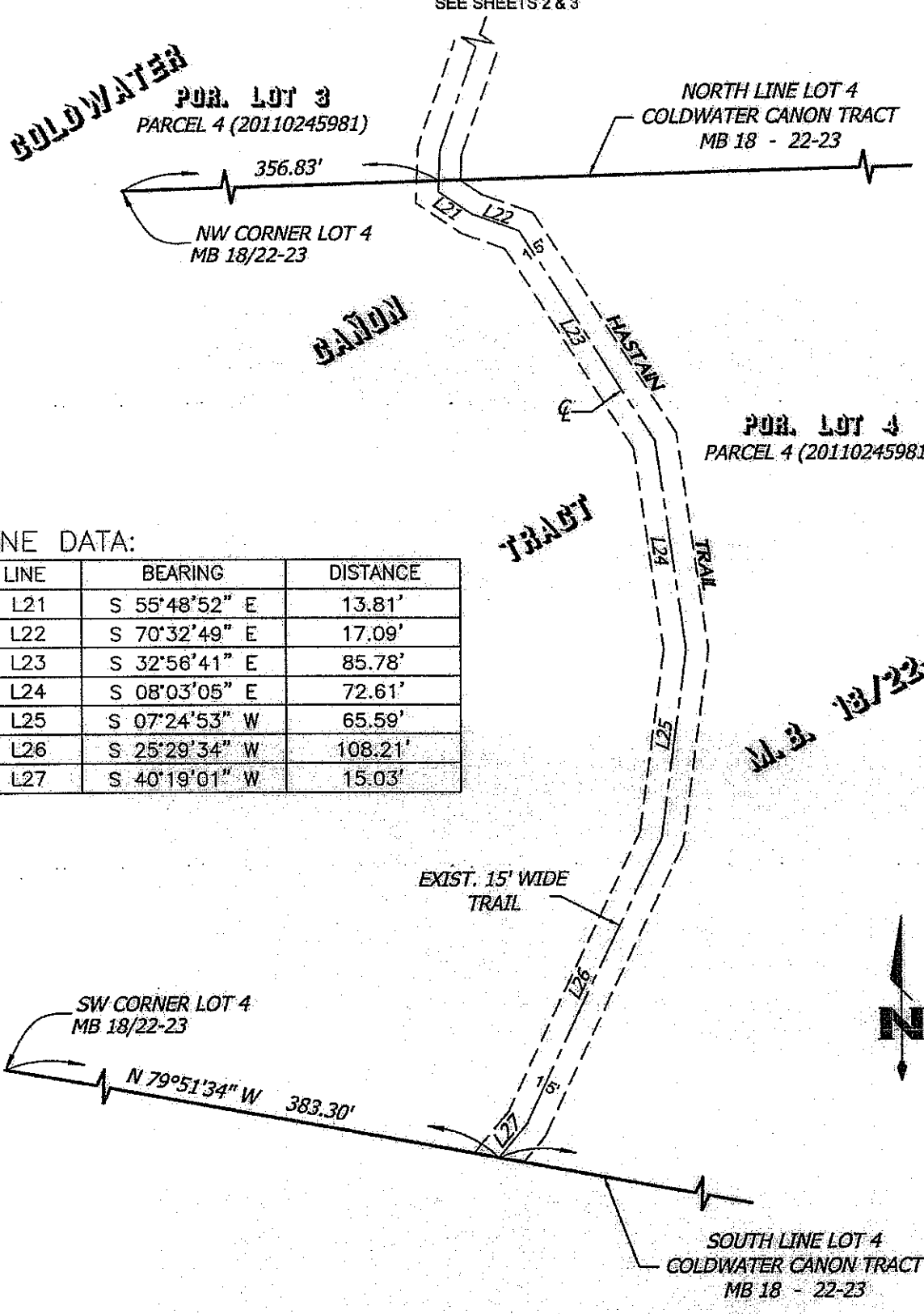
EXIST. 15' WIDE TRAIL

**SW CORNER LOT 4**  
MB 18/22-23

N 79°51'34" W 383.30'



**SOUTH LINE LOT 4**  
COLDWATER CANON TRACT  
MB 18 - 22-23



**EXHIBIT "A"**  
**VARIABLE WIDTH EASEMENT**

A VARIABLE WIDTH EASEMENT FOR HIKING, TRAIL AND ALL INCIDENTAL PURPOSES THERETO OVER THE HASTAIN TRAIL WITHIN THE FOLLOWING DESCRIBED PROPERTY:

PORTIONS OF LOTS 1, 2, 3 AND 4 OF COLDWATER CAÑON TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 18, PAGES 22 AND 23 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED IN THE GRANT DEED TO COLDWATER DEVELOPMENT LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED 02/15/2011 AS INSTRUMENT NO 20010245981 RECORDS OF SAID COUNTY, THE CENTERLINE OF SAID VARIABLE WIDTH EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID LOT 1, THENCE ALONG THE NORTHERLY LINE OF LOT 1, SOUTH 88°40'54 EAST, 674.63 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING THE CENTERLINE OF A 5.00 FOOT WIDE TRAIL, KNOWN AS THE HASTAIN TRAIL, THENCE ALONG THE HASTAIN TRAIL BEING 5.00 FEET WIDE AND LYING 2.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE THE FOLLOWING COURSES;

- 1<sup>ST</sup> SOUTH 04°53'25" WEST, 30.54 FEET THENCE
- 2<sup>ND</sup> SOUTH 03°15'56" EAST, 19.22 FEET THENCE
- 3<sup>RD</sup> SOUTH 16°29'43" WEST, 71.72 FEET THENCE
- 4<sup>TH</sup> SOUTH 20°21'13" WEST, 71.72 FEET THENCE
- 5<sup>TH</sup> SOUTH 11°45'02" WEST, 54.82 FEET TO A POINT, SAID POINT  
HEREINAFTER REFERRED TO AS **POINT "E"**, SAID POINT BEING THE  
TERMINATION OF THE 5.00 FOOT WIDE TRAIL AND THE BEGINNING OF  
THE 15.00 FOOT WIDE TRAIL;

THENCE, **CONTINUING** ALONG HASTAIN TRAIL BEING 15.00 FEET WIDE AND LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE THE FOLLOWING COURSES:

- 6<sup>TH</sup> SOUTH 15°46'35" WEST, 138.25 FEET THENCE
- 7<sup>TH</sup> SOUTH 31°07'10" WEST, 99.68 FEET THENCE
- 8<sup>TH</sup> SOUTH 38°04'10" WEST, 98.16 FEET THENCE
- 9<sup>TH</sup> SOUTH 46°45'46" WEST, 92.28 FEET THENCE
- 10<sup>TH</sup> SOUTH 49°09'09" WEST, 15.98 FEET THENCE
- 11<sup>TH</sup> SOUTH 18°57'00" WEST, 15.45 FEET THENCE
- 12<sup>TH</sup> SOUTH 08°44'01" EAST, 59.10 FEET THENCE
- 13<sup>TH</sup> SOUTH 03°49'45" EAST, 95.96 FEET THENCE

14<sup>TH</sup> SOUTH 05°59'11" WEST, 13.28 FEET THENCE  
15<sup>TH</sup> NORTH 49°04'03" WEST, 18.10 FEET THENCE  
16<sup>TH</sup> NORTH 25°03'24" WEST, 25.26 FEET TO A POINT, SAID POINT  
HEREINAFTER REFERRED TO AS **POINT "C"**;

THENCE, **CONTINUING** ALONG HASTAIN TRAIL BEING 15.00 FEET WIDE  
AND LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED  
CENTERLINE THE FOLLOWING COURSES:

17<sup>th</sup> SOUTH 19°27'57" WEST, 59.87 FEET THENCE;  
18<sup>th</sup> SOUTH 02°17'40" WEST, 10.24 FEET TO ITS INTERSECTION  
WITH THE NORTH LINE OF SAID LOT 4, SAID POINT BEING  
356.83 FEET EASTERLY, ALONG SAID NORTH LINE FROM THE  
NORTHWEST CORNER OF SAID LOT 4;

THENCE, **CONTINUING** ALONG THE CENTERLINE OF HASTAIN TRAIL  
BEING 15.00 FEET WIDE, LYING 7.50 FEET ON EITHER SIDE OF THE  
FOLLOWING DESCRIBED CENTERLINE, THE FOLLOWING COURSES:

19<sup>TH</sup> SOUTH 02°17'40" WEST, 3.80 FEET THENCE;  
20<sup>TH</sup> SOUTH 55°48'52" EAST, 13.81 FEET THENCE;  
21<sup>ST</sup> SOUTH 70°32'49" EAST, 17.09 FEET THENCE;  
22<sup>ND</sup> SOUTH 32°56'41" EAST, 85.78 FEET THENCE;  
23<sup>RD</sup> SOUTH 08°03'05" EAST, 72.61 FEET THENCE;  
24<sup>TH</sup> SOUTH 07°24'53" WEST, 65.59 FEET THENCE;  
25<sup>TH</sup> SOUTH 25°29'34" WEST, 108.21 FEET THENCE;  
26<sup>TH</sup> SOUTH 40°19'01" WEST, 15.03 FEET TO ITS INTERSECTION  
WITH THE SOUTH LINE OF SAID LOT 4;

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID LOT 1, THENCE  
ALONG THE NORTHERLY LINE OF LOT 1, SOUTH 00°16'16" WEST, 696.05  
FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING THE CENTERLINE  
OF A 5.00 FOOT WIDE TRAIL, KNOWN AS THE HASTAIN TRAIL, THENCE  
ALONG THE HASTAIN TRAIL BEING 5.00 FEET WIDE AND LYING 2.50 FEET  
ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE THE  
FOLLOWING COURSES:

1<sup>ST</sup> NORTH 66°24'05" EAST, 56.69 FEET THENCE  
2<sup>ND</sup> NORTH 80°21'24" EAST, 35.25 FEET THENCE  
3<sup>RD</sup> NORTH 81°35'17" EAST, 14.30 FEET THENCE  
4<sup>TH</sup> NORTH 71°18'52" EAST, 10.16 FEET THENCE  
5<sup>TH</sup> NORTH 72°44'38" EAST, 29.90 FEET THENCE  
6<sup>TH</sup> NORTH 64°35'41" EAST, 32.13 FEET

7<sup>TH</sup> NORTH 69°06'18" EAST, 53.34 FEET THENCE TO A POINT, SAID POINT HEREINAFTER REFERRED TO AS **POINT "F"**, SAID POINT BEING THE TERMINATION OF THE 5.00 FOOT WIDE TRAIL AND THE BEGINNING OF THE 15.00 FOOT WIDE TRAIL;

THENCE, **CONTINUING** ALONG HASTAIN TRAIL BEING 15.00 FEET WIDE AND LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE THE FOLLOWING COURSES:

8<sup>TH</sup> SOUTH 84°46'59" EAST, 47.27 FEET THENCE  
9<sup>TH</sup> NORTH 89°53'24" EAST, 48.86 FEET THENCE  
10<sup>TH</sup> SOUTH 32°25'10" EAST, 30.97 FEET THENCE;  
11<sup>TH</sup> SOUTH 30°08'39" EAST, 57.51 FEET THENCE;  
12<sup>TH</sup> SOUTH 17°32'26" EAST, 41.95 FEET THENCE;  
13<sup>TH</sup> SOUTH 12°20'32" EAST, 20.59 FEET TO SAID **POINT "C"**;

TOGETHER WITH THAT PORTION OF HASTAIN TRAIL DESCRIBED AS FOLLOWS:

THE SIDELINES OF THE ABOVE DESCRIBED HIKING TRAIL ARE TO BE LENGTHENED OR SHORTENED AS TO TERMINATE ON THE NORTHERLY, SOUTHERLY AND WESTERLY BOUNDARIES OF THE AFOREMENTIONED LANDS DESCRIBED WITHIN INSTRUMENT NO. 20010245981.

THE ABOVE DESCRIBED EASEMENT IS DELINEATED ON THE ATTACHED EXHIBIT "B" AND BY REFERENCE MADE A PART HEREOF.

THIS EASEMENT HAS BEEN DESCRIBED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

Chris D. Nelson  
PLS 6385, Exp. 12-31-2012

Date





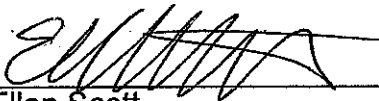
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**VERIFICATION**

I declare that I am one of the Plaintiffs herein and further declare that I have read the foregoing **COMPLAINT TO QUIET TITLE TO PUBLIC EASEMENT FOR RECREATIONAL PURPOSES BY IMPLIED DEDICATION; DECLARATORY; AND INJUNCTIVE RELIEF** and know its contents. It is true of my knowledge except as to the matters that are stated in it on my information and belief, and as to those matters I believe them to be true.

I certify under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Executed this 29<sup>TH</sup> day of August, 2011, in the City of Los Angeles, California.

  
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Ellen Scott