

**PLEASANT VALLEY RECREATION & PARK DISTRICT  
ADMINISTRATION OFFICE, ROOM 6  
1605 E. BURNLEY ST., CAMARILLO, CALIFORNIA**

**LONG RANGE PLANNING COMMITTEE  
AGENDA**

**Thursday, March 17, 2022**

**4:00 P.M.**

Please Note: In keeping in alignment with current orders from the Ventura County Health Officer, face coverings are not required but are welcomed and encouraged in indoor public settings and businesses. PVRPD thanks you for your cooperation and understanding.

This meeting will take place both in person and remotely in accordance with Government Code section 54953(e) et seq. (AB 361). Members of the public can participate in the meeting by choosing one of the following options:

1. Attend in person or
2. Join via Zoom -

**Meeting Link: <https://us06web.zoom.us/j/81538366896>**

**Webinar ID: 815 3836 6896**

**Phone Number: 1-669-900-6833**

- a. Cell Phone/Computer with Microphone: Click on the Zoom link included above. Enter your name so we may call on you when it is your turn to speak. The Chair will ask if anyone wishes to speak on the item. At that time, raise your hand by clicking the “Raise Hand” button. Follow the instructions below regarding speaking.
- b. Phone – If you wish to make a comment by phone during the public comment section of the meeting or on a specific agenda item, please call in to the listed phone number above and when prompted, enter the Webinar ID. You will then be admitted to the meeting and your line will be muted. The Chair will ask if anyone wishes to speak on the item. At that time, raise your hand by dialing \*9. Then, follow the speaking instructions below.

**Speaking Instructions**

When it is your turn to speak, the Chair will call your name or the last four digits of the phone number you are calling from. You will have three minutes to address the Committee. **Please ensure all background noise is muted (TV, radio, etc.)** You will be prompted to unmute your microphone/phone. Unmute your device and begin by stating your name. After three minutes has elapsed your microphone will be muted and the next speaker will be invited to speak.

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
- 3. PUBLIC COMMENTS**
- 4. LAS POSAS EQUESTRIAN PARK UPDATE**
- 5. DISC GOLF DISCUSSION**
- 6. ORAL COMMUNICATIONS**
  - a. National Trails Day**
  - b. Bike Trail Update**
- 7. ADJOURNMENT**

**Note:** Written materials related to these agenda items are available for public inspection in the Office of the Clerk of the Board located at 1605 E. Burnley Street, Camarillo during regular business hours beginning the day preceding the Committee meeting.

**Announcement:** Should you need special assistance (i.e. a disability-related modification or accommodations) to participate in the Committee meeting or other District activities (including receipt of an agenda in an appropriate alternative format), as outlined in the Americans With Disabilities Act, or require further information, please contact the General Manager at 482-1996, extension 114. Please notify us 48 hours in advance to provide sufficient time to make a disability-related modification or reasonable accommodation.

**PLEASANT VALLEY RECREATION AND PARK DISTRICT  
STAFF MEMO**

**TO: LONG RANGE PLANNING COMMITTEE**

**FROM: MARY OTTEN, GENERAL MANAGER**  
**By: DYLAN GUNNING, MPA, CPRP,**  
**ADMINISTRATIVE ANALYST**

**DATE: MARCH 17, 2022**

**SUBJECT: LAS POSAS EQUESTRIAN PARK UPDATE STAFF  
REPORT**

**SUMMARY**

Pleasant Valley Recreation and Park District (District) has owned the land that Las Posas Equestrian Park occupies since 1972. The Park District developed and began operating the Park in 1979. Between 1979 and 1992, the District operated under the assumption that it was the owner of the trail system, which runs behind and beneath several neighboring residential properties. The local homeowners association sued the District, and it was established in 1993 that the Park District did not own certain sections of the trails and was given access to those areas via conveyance (the current status of these parcels is being researched with the County).

These conveyances are valid for 30 years, given that the District maintains their operation as equestrian trails. If the District fails to maintain the trails for equestrian use during this time, the conveyances will revert to the property owners. The District is approaching the end of this agreement and is exploring options regarding the status of the Park with the District.

**BACKGROUND**

Las Posas Equestrian Park is a park in the northwest quadrant of the District. Developed in 1979, the Park offers a riding arena and riding trails that run down into a wash behind several Las Posas Hills neighborhood homes. In addition to the trail system, two arenas offer the only enclosed public equestrian facilities in the Camarillo area. Throughout the years, common users have included hikers looking for a challenging urban trail site, urban horse owners including members of the Camarillo White Horses and Las Posas Rancheros, and equestrians from out of the area looking for a spot to stretch their horses.

Since the District took ownership of the land in 1972, it has been a source of concern for local residents and difficulty for District Staff. On multiple occasions, the trail portion has been blocked by residents seeking to limit access to the trail and prevent the public's use of the trail system. Additional problems were created through poor planning by developers in the surrounding areas who have cut the equestrian trails off at street thoroughfares without any means to cross into other trail sections. This has effectively turned the trails into islands, disconnected from each other and with little or no signage directing users to subsequent sections.

However, the largest point of contention for both residents and the District has stemmed from a lawsuit which was filed against the District and a variety of other defendants and was resolved

with an adjudicated Settlement reached in early 1993. The Settlement between the District and the Plaintiffs is the most current document that governs the disposition of land in the area and how the trails are to be used and maintained.

Within the Settlement, the District has been conveyed portions of eight properties, strips "4 and 5," (see attachments), to provide the public with access to uninterrupted equestrian trail areas and maintain the trail areas. Additionally, the District is to have been granted a license for the use of trail strips "1, 2, and 3" (see attachments) which the Association manages. The District is also obligated to maintain the trails through strips 4 and 5 at a minimum of twelve feet wide unless restricted by topography. This includes an identified need to address the erosion and damage of the barranca walls and toes within strips 4 and 5 (see Settlement pg. 12). Addressing any of the barranca walls or toes requires notification and approval by the adjoining property owner. If the District fails to maintain the trails, it is likely that the Las Posas Hills Owners Association will pursue legal action against the District.

However, the District maintains the right to close the trail at any time for the purposes of public safety if it finds that the adjoining homeowners are not maintaining the portions of their property which abut the trail or if they improperly block the trail. The back and forth status of the trail has caused the relationship between the District and the homeowner's Association to become contentious at times. This is evident by the almost annual letters received by the District from the homeowner's association attorney, threatening the District with legal action if the trail system is not maintained to their perceived standard. However, it must also be noted that the Settlement also stipulates that the Association must maintain trail portions 1, 2, and 3 in the same state or better than what was present in the three years between 1989 and 1992.

The last stipulation that affects the District's ability to maintain the park trail system is the expiration date of the conveyances and stipulations placed upon the trail's use. To maintain access to the conveyances and subsequent separated pieces of trails, the District is obligated to maintain the trail system for equestrian use for 30 years from the date of the Settlement. If this point is violated, the District will lose its right to use the conveyances and will be forced to return those properties to the adjacent owners.

If the Settlement is maintained until the end of the specified 30 years, the agreement will automatically renew for another irrevocable five years. Either party can unilaterally inform the other that they wish to not renew the current agreement, at which point the agreement would become null and void at the end of its term. The Park District would be compelled at that point to return the established conveyances to the adjacent property owners.

The Board voted at the December 2021 Board meeting to move forward on renegotiating the agreements with the residents along the District section of trail, negotiate agreements with property owners along the water basin, negotiate an agreement with Ventura County for the water basin access, and negotiate with the HOA for a modern agreement.

## **ANALYSIS**

The next step is working with the homeowner along the District's section of trail as the terms of the existing easements are set to expire.

The District could pursue two options: work with the homeowner to develop new easement agreements or amend the existing easements. After consulting with the District legal team, it was recommended that we work with the homeowners to make amendments to the existing easements rather than creating new easement agreements. The amendment easements would be a

simple 1-page document referencing the original easement and stating that the expiration date is removed, allowing the trails to remain open in perpetuity.

If the District and homeowners pursue new easement agreements, this process will take more time and legal counsel. This approach would also require each lender to execute and acknowledge a subordination agreement to be recorded with the easement. Most residential loans are sold by the originator to Fannie Mae or Freddie Mac or otherwise securitized by the bank and held in a securitized pool. Accordingly, it can be difficult, if not impossible, to get the subordination agreement executed by a residential lender.

It would be prudent to obtain a title insurance policy for each easement – whether by amendment or a new easement document. The title policy will provide insurance to the District for the easement's value, ensuring it is properly executed and valid and binding against the property subject to only the exceptions that the District approves. Obtaining a title policy will require that the homeowner execute some documents for the title company.

An alternative would be to obtain a title guarantee that would cost less but would provide some title assurance such as the name of the current owner, the validity of the recorded amendment, and the liens against the property when it is recorded.

The District plans to hold a separate meeting with the homeowners to present the idea of Amending the Existing Easement by removing the expiration date. These meetings would not be public meetings similar to the Long Range Planning Committee meetings, so the individual homeowner doesn't receive unnecessary pressure on their decisions from the public while reviewing their options.

### **FISCAL**

Based on estimates presented to the Board in December. The renegotiation of the easement is estimated at \$11,000.

### **RECOMMENDATION**

It is recommended the Long-Range Planning Committee provide guidance and direction for the Las Posas Equestrian trails item and next steps.

### **ADDITIONAL INFORMATION**

- 1) Easement Amendment Example

**RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:**

Pleasant Valley Recreation & Park District  
1605 East Burnley St.  
Camarillo, CA 93010

APN. \_\_\_\_\_

Space Above for Recorder's Use Only  
Exempt from filing/recording fees per Govt Code §27383

**EASEMENT AMENDMENT**

\_\_\_\_\_ and \_\_\_\_\_, trustees of the \_\_\_\_\_ TRUST DATED June 2, \_\_\_\_ (“**Owner**”) own that certain real property commonly known as \_\_\_\_\_, Camarillo, California which is legally described as “Lot \_\_, Tract \_\_ in the City of Camarillo, County of Ventura, State of California as per map recorded in Book 40, pages \_\_ and \_\_ of Maps, in the Office of the county Recorder of said county” (“**Owner’s Property**”).

The Property is subject to that certain Grant of Easement dated March \_\_\_\_, \_\_\_\_ in favor of Pleasant Valley Recreation and Park District, a governmental agency (“**District**”) which was recorded on March \_\_\_\_, \_\_\_\_ as Instrument No. \_\_\_\_\_ of the Official Records of Ventura County (“**Easement**”).

Owner and District hereby amend the Easement to delete Section 8 and agree that the Easement shall continue in effect unless jointly terminated by the Owner and District in writing recorded in the Official Records of Ventura County. Except as hereby amended, the Easement shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment has been executed as of the date first above written.

**OWNER:**

\_\_\_\_\_,  
trustee of the \_\_\_\_\_ LIVING TRUST DATED  
June 2, 2005

\_\_\_\_\_, trustee of the \_\_\_\_\_ LIVING TRUST DATED  
June 2, 2005

**DISTRICT:**

Pleasant Valley Recreation and Park District,  
a governmental agency

By: \_\_\_\_\_  
Robert Kelly, Chair

**ATTEST:**

\_\_\_\_\_  
Bev Dransfeldt, Secretary

**APPROVED AS TO FORM:**

ALESHIRE & WYNDER, LLP

By: \_\_\_\_\_  
Tiffany Israel, District Counsel



