

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO

12 15 23 32 37
Meganumber: 18
Jackpot: \$81 Million

FANTASY 5

11 20 28 35 38

DAILY 3

Daytime: 7 9 8
Evening: 3 9 2

DAILY DERBY

1st: 04 Big Ben
2nd: 12 Lucky Charms
3rd: 11 Money Bags

RACE TIME: 1:41.24

NEWS OF THE WEIRD BY CHUCK SHEPARD

According to a female bailiff in Tampa, Fla., county judge Gaspar Ficarrota (during a hotel-room tryst with the bailiff) laid out his robe on their bed for her to wear so that she could "feel the power that his black robe possessed." "Why do you think successful attorneys strive to become judges?" he asked. (The bailiff's remarks were written in her private diary, introduced by her husband at their divorce trial in November.) [St. Petersburg Times, 11-18-04]

TODAY IN HISTORY

In 1773, the first public museum in America was established, in Charleston, S.C.

In 1915, the U.S. House of Representatives rejected a proposal to give women the right to vote.

In 1932, Hattie W. Caraway became the first woman elected to the U.S. Senate.

In 1942, President Roosevelt created the National War Labor Board.

In 1964, leftist rebels in Zanzibar began their successful revolt against the government.

In 1966, President Johnson said in his State of the Union address that the United States should stay in South Vietnam until Communist aggression there was ended.

QUOTE OF THE DAY

"That is happiness; to be dissolved into something completely great."

WILLA CATHER
AMERICAN AUTHOR (1873-1947)

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City to landlord: Hand over the keys



John Wood/Daily Press

After the courts seized control of his Sunset Park apartment building from him Tuesday afternoon, Guillermo Gonzalez holds up official documents he says prove he made required repairs to his building. For the past eight years, Gonzalez' case has been mired in the legal system over health and safety violations.

Officials label apartment building a 'dangerous blight to the community'; owner says he was given mixed signals

BY JOHN WOOD

Daily Press Staff Writer

SUNSET PARK — A court-appointed lawyer took control of a Santa Monica apartment building Tuesday, nearly eight years after the building's owner was first charged with a host of health and safety violations.

Guillermo Gonzalez, 55, a retired construction worker, may be forced to sell the three-unit building he's lived in for 31 years, which city officials called a "dangerous blight to the community" that has been "the site of chronic criminal activity for many years."

City Hall requested that the courts intervene, alleging the property was overrun with garbage, flammable materials and junk, and that a single upstairs bedroom had some 14 bunkbeds rented out by the week. In 1997, Gonzalez was charged with 85 misdemeanor counts for violations of building, fire, plumbing and electrical codes, and has had ongoing legal problems since then, according to Deputy City Attorney Adam Radinsky.

See KEYS SEIZE, page 5

Hiring of special ed administrator causes rancor

BY CORTNEY FIELDING

Special to the Daily Press

DISTRICT HDQTRS. — With an annual expense of more than \$150,000 a year, the school district's newest staff position will also prove to be one of its costliest.

The Santa Monica-Malibu school board sided with schools superintendent John Deasy when, in a rare closed session, it voted to hire a new administrator to look over the special education department's \$3.5 million budget.

District officials on Tuesday announced their pick for the position, Dr. Tim Walker, most recently the director of special education for the Glendale Unified School District. With a \$153,000 annual

salary, he will become the district's second-highest paid administrator. Deasy commands an annual salary of \$172,350.

Because the school board didn't allow public comment before taking a vote, the 5-2 decision to hire a new employee while the district is still involved in a hiring freeze drew criticism from the community.

The price tag that went along with the position also caused tension between Deasy and members of the Special Education Advisory Board, who felt the expense could be spent in other areas of special education that desperately need attention.

The advisory board, which weighs in on matters pertaining to special education in the district,

The advisory board's apprehension about the expense was heightened because of the opposition it had when the district was approving its strategic plan.

urged the board to oppose the new position because it required trimming a budget they felt was already terribly underfunded.

Tricia Crane, the advisory board's chair, said the funds were needed more at the "student-teacher level." Almost 15 percent of the district's children require special education services and new educators are needed to meet the demand, she said.

"That \$150,000 could have hired many more new teachers," Crane said.

The advisory board's apprehension about the expense was heightened because of the opposition it had when the district was approving its strategic plan.

Crane said school board members expressed concerns over adopting the plan due to lack of

See SPECIAL ED, page 6

Plans for newest SMC campus ready for takeoff

The Bundy Campus is expected to be used for nursing, teacher training and career development classes

By Daily Press staff

SMC — The Santa Monica College Board of Trustees voted unanimously Monday night to push ahead plans for a new satellite campus at the Santa Monica Airport.

Planning for the SMC Bundy Campus will include both the drafting of a master plan and an environmental study, and will address concerns raised during the first phase of renovation, college

officials said. It also will include extensive community outreach in Sunset Park and Mar Vista.

"This action demonstrates our commitment to being good neighbors," trustee chairwoman Carole Currey said, in a prepared statement.

Consultants hired for the project will collectively be paid up to \$362,000, money that will come

from Measure U, the \$160 million bond measure passed by Santa Monica and Malibu voters in 2002.

The board voted to hire WWCOT, a Santa Monica planning and architectural firm, to prepare the educational and facility master plan for the Bundy site. WWCOT is currently planning

See SATELLITE, page 6

Jacquie Banks

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ARIES (March 21-April 19)

★★★★★ You have the ability to read between the lines with others, but perhaps you don't want to look a gift horse in the mouth. Interpersonal relationships flourish. News or a person from a distance could revitalize your perspective. Tonight: Visit with a friend, but call it an early night.

TAURUS (April 20-May 20)

★★★★ Your ability to get the job done plays into your day once more. Accept the limelight but also accept the praise for your efforts. A partner or dear loved one could hassle you. Work with this person. Tonight: A responsibility turns into a pleasure.

GEMINI (May 21-June 20)

★★★★★ Others tap into your solution-finding skills. Use your ability to detach as well. Maintain a perspective even if others attempt to, or actually do, trigger you. Hop over a power play by not playing into the game. Tonight: Relax to good music.

CANCER (June 21-July 22)

★★★★ Deal with a wise or inspiring associate or friend. In fact, together you make a powerful team no matter what you take on. Reorganize a project. Look to effective shortcuts that don't hurt the end results. Tonight: Talk to a trusted friend.

LEO (July 23-Aug. 22)

★★★★ Others dominate, but someone close serves as a muse. Brainstorming, even if it looks like a playful repartee, adds to your creativity, wit and energy. Are you seeing someone through rose-colored glasses? That could be a problem later on. Tonight: Go with another's plans.

VIRGO (Aug. 23-Sept. 22)

★★★ Dig into work. In fact, you'll get a lot done at home as well. Others might not be able to keep up with your pace. Avoid a quarrel, please. Be honest with yourself about your day-to-day life and work. If you are not satisfied, make an adjustment. Tonight: Relax, please.

LIBRA (Sept. 23-Oct. 22)

★★★★★ You are still in fifth gear. Be careful that you don't run someone over, figuratively at least. You might not be as thoughtful as you think you are. Your creativity adds to the moment. A relationship warms up. Tonight: Schedule a midweek break.

SCORPIO (Oct. 23-Nov. 21)

★★★★ Carefully check out an expenditure. If you're involved with property or real estate, you cannot be too careful. You could be dealing with some type of financial sieve. Curb impulsiveness. Touch base with an older relative. Tonight: Snuggle in.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ You cannot help but keep yourself busy. A meeting or get-together proves even more successful than you thought possible. Adjust. Give up rigidity. Being determined is one thing; being stubborn is another. Tonight: Chat over dinner.

CAPRICORN (Dec. 22-Jan. 19)

★★★ Your money skills come forward. Follow through on a hunch. If you can, check it out. Gains come through your work and commitments. If you haven't received a pay raise or promotion, expect one soon. Tonight: Your treat.

AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Once more, your vision and perspective come through. A trip or workshop could open up your eyes even more. Your perspective is unusual as it is. Doors continue to open as a result. A friend needs your coaxing. Tonight: Smile, ask, and you'll receive.

PISCES (Feb. 19-March 20)

★★ Continue to avoid a conflict. Others push your buttons, but you don't have to react. Claim your power. Observe and listen. You don't need to explain a whole lot. In fact, the less you say, the better off you are. Tonight: Nap and then decide.

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1427 Third Street Promenade, Ste. #202 • Santa Monica, CA 90401 • www.smdp.com

PUBLISHER
Ross Furukawa ross@smdp.com

EDITOR
Carolyn Sackariason sack@smdp.com

STAFF WRITER
John Wood wood@smdp.com

ADVERTISING SALES MANAGER
Robbie P. Plubeni rob@smdp.com

ADVERTISING ACCOUNT EXECUTIVE
Rob Schwenker schwenker@smdp.com

ADVERTISING ACCOUNT EXECUTIVE
Stewart O'Dell stewarto@smdp.com

PRODUCTION MANAGER
Alejandro Cesar Cantarero II alex@smdp.com

PRODUCTION DESIGNER
Mary Hoang maryh@smdp.com

EXECUTIVE TRAFFIC MANAGER
Brenda Casas brenda@smdp.com

CLASSIFIED REPRESENTATIVE
Mitch Troy mitch@smdp.com

CLASSIFIED REPRESENTATIVE
Mirella Reyes mirella@smdp.com

NIGHT EDITOR
Lori Luechtefeld lori@smdp.com

NIGHT EDITOR
Michael Tittinger moneysurf@smdp.com

CIRCULATION
Keith Wyatt keith@smdp.com

CIRCULATION
Glenn Bolan glenn@smdp.com

SPECIAL PROJECTS
Dave Danforth dave@smdp.com

MASCOT
Maya Furukawa maya@smdp.com

LOCAL



At this point in tide



Carolyn Sackariason/Daily Press
The tide was unusually high and the water unusually dirty Tuesday morning, following days of steady downpours.

COMMUNITY BRIEFS

Local students win scholarships, for God's sake

By Daily Press staff

Four local students are continuing their educational careers courtesy of a Santa Monica church.

The Blanche N. Carter Scholarship Committee of Calvary Baptist Church of Santa Monica has announced its 2005 scholarship recipients. Receiving the top honor of a \$1,000 stipend is Ruth Legesse, a New Roads High School senior. Other recipients include Santa Monica High School students Julia Lembrikova, Marlene Gobrial and Jared Morgan.

The BNC Scholarship was established in 1989 to honor the legacy of the late Blanche N. Carter, the wife of former pastor Welford P. Carter, who was instrumental in the building of the church and center at 20th St. and Broadway. The BNC scholarships are awarded annually and are open to high school seniors who attend school, church or live in the Santa Monica Bay area.

The awards banquet will be held Jan. 15 at 7 p.m. in the Welford P. Carter Center, 1502 20th St. Tickets are \$40 for adults and \$20 for children and must be purchased by Jan. 13. For more information, call (310) 829-3291 or (323) 567-0787.

Madison Theater hits the ground running

By Daily Press staff

A new performing arts complex on the westside is about to become a reality.

The Madison Project, an arts education and community outreach organization based at Santa Monica College, has announced that on Jan. 19, at 4 p.m. on the Madison campus at Santa Monica Boulevard and 11th Street, various dignitaries, officials, celebrities and arts patrons will gather to break ground for its new visual and performing arts theater. Expected to be in attendance are actor and SMC alum Dustin Hoffman and Madison Project director soprano Dale Franzen, among others.

With performances and speeches, the event celebrates the start of construction on a state-of-the-art facility that will educate and entertain students and residents of Los Angeles. Renzo Zecchetto of Santa Monica, renowned for the creation of many performing arts centers and churches, designed the venue.



SURF REPORT

Expect brown water but otherwise clean to semi-clean conditions for the dawn patrol with quickly dropping WNW wind waves — and meager SSW swell. The mid-am high tide of near 7ft is a wave-killer! Most breaks are below waist high, while top combo breaks in south county see sets waist to chest high. NW winds increase late morning 5-15 knots and continue through the afternoon.

Write us at wood@smdp.com and tell us what the surf is doing today at your local break.

Today the water is:

59°

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	12:15	2.3	2:15	1.6	6:45	6.7	8:52	3.7
SUNDAY	1:08	2.2	3:00	1.9	7:33	7.1	9:34	3.9
MONDAY	2:00	2.0	3:43	2.0	8:21	7.2	10:16	4.0
TUESDAY	2:51	1.9	4:27	1.8	9:09	7.1	10:58	4.1
WEDNESDAY	3:45	1.8	5:10	1.5	9:58	6.7	11:42	4.3
THURSDAY	4:42	1.8	5:52	0.9	10:48	6.0	N/A	N/A
FRIDAY	N/A	N/A	1:31	1.0	5:57	6.2	8:07	3.5

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The Q Line

It's the beginning of the new year, and with it comes a whole new set of issues.

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your response in our weekend edition. Please try to limit your comments to a minute or less. It might help to think first about the wording of your response.

This week, the SMDP would like to give residents an opportunity to sound off. So this week, Q-Line asks, "What's on your mind in this city by the sea?"

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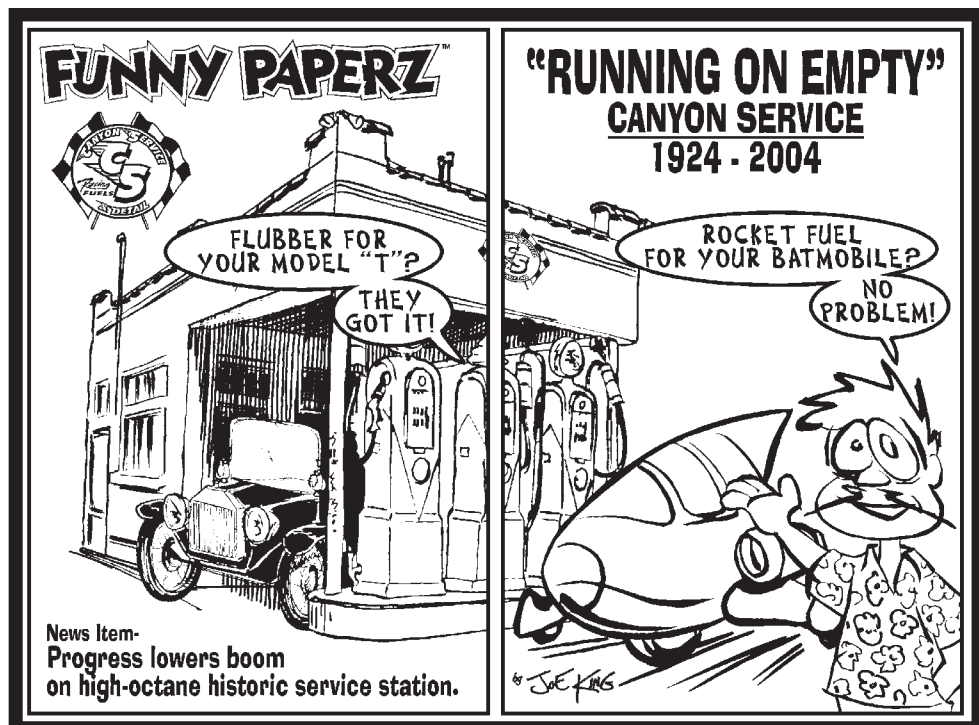
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OPINION



Bragging rights and egos aside, Mr. Hoffman - Please reconsider!

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LETTERS TO THE EDITOR

Be afraid of lie-based patriotism

Editor:

According to Tom Petrino, writing in the LA Times, in the last five years many people's "equity portfolios haven't yet made a dime." Most prospects for the future look good only to Pollyanna analysts. You'd have to be dumb or greedy to support Chicken Little Bush's "reforms" masking the destruction of Social Security for the sake of Wall Street.

Thanks to real reforms by Alan Greenspan, signed into law by President Reagan in 1983, the sky is not falling on Social Security.

How dare the right wingers, supporting Bush's fiscally irresponsible deficits, call themselves conservative!

These nice looking, Orwellian-talking Isnots will enronesque us to our graves. Imminent danger from Iraq? Imminent failure of Social Security? Be more afraid of patriotism based on lies and the desire for profits hidden behind the dress of religiosity.

John Wisdom Dancer
Canoga Park, Calif.

America should stay off of Muslim soil

Editor:

Osama bin Laden issued the fatwa to destroy America after the first Gulf War in 1991. It wasn't because we had just spent the past 10 years protecting Afghanistan and the rest of the Middle East from the Soviet Union. It wasn't because we prevented Saddam Hussein from annexing Kuwait and Saudi Arabia and allowed the Sunni Muslims to worship openly for the first time in decades.

It wasn't because we fed starving Muslims in Somalia despite Osama's warlords' best efforts. It wasn't because we ended the genocide of Muslims in Serbia. And it wasn't because we selflessly sent aid to the victims of a terrible earthquake in Iran — even though their Islamic Republic stole most of it.

It was because we put our unworthy, infidel feet on their holy Muslim soil while doing it. This is a hard fact, not theory. What future penalty will we pay for sending our Marines and Navy into the country with the highest Muslim population on Earth?

I'm sure the Indonesians with the bin Laden T-shirts really appreciate the little American boys and girls selling lemonade to raise money for them.

And I'm sure Muslim charities like Hamas are sending every penny to aid their brethren ... or kill Jews. It's a tough call for them.

Thomas Kenney
Los Angeles

Confessions of a killer aren't hard to come by



INCITES

BY ED SILVERSTEIN

I killed Nicole Simpson.

I murdered Laci Peterson.

I conspired with al Qaeda to blow up the World Trade Center.

What would make me say such things?

I haven't slept a wink for several days. No, it's not because I have a guilty conscience. It's because next door they're blasting rock 'n' roll music so loud that my ears are ringing. And just outside, there's a bright light that's on 24 hours a day.

Also, I'm cold. All the time. Colder than I've ever been. Sometimes my teeth chatter so hard I'm afraid they'll crack. I would give just about anything for a blanket.

Now, I am kneeling naked on the concrete. A hood is placed over my head and I am plunged into an airless, heartless and darkness that is soon filled with unimaginable pain. I can hear them — a human wolf pack, circling, darting in to bark their vicious threats. It goes on for an eternity and I am ever more certain that I will never again see the sun, take a breath of untainted air, or tell my family that I love them.

Please, let it stop.

Naked, they tie my hands and hoist me into the air until I am forced onto my toes. Hours pass, legs in agony. My calf muscles clench into balls of horrific pain and I try to collapse, only to be jerked up by the ropes that bite into my wrists and threaten to tear my shoulders from their sockets.

Their women parade past, laughing, poking at me like I was some witless zoo animal. A snarling attack dog is led in and allowed to lunge at my exposed testicles. My tormentors find humor in the searing agony that comes from my desperate attempts to jerk away from its attacks. But their greatest amusement is reserved for a misjudgment that allows the beast to tear a wound in my thigh.

Now the beatings: boots slamming into my ribs, clubs against the soles of my feet, fists pounding my face. A lit cigarette is placed deep into my ear — my shrieks are music to their ears.

But the pain is nothing compared to the crippling shame when these soldiers, these animals in whose care I have been entrusted, force us, force two men to ... God, please let me die.

Finally, I am made to stand on a crate, blindfolded, wires attached to my naked

flesh. I am told that I have been convicted of a terrible crime and that unless I confess I have been condemned to death. They say that sometimes it takes hours, even days to die.

And while the Secretary of Defense who promoted, the soon-to-be Attorney General who justified and the President who shaped executive orders — allowing my torture — relax in their warm, safe, faraway homes, sit down with their loved ones, linger over sumptuous feasts, I admit to killing Nicole Simpson.

And as the administration continues to deny pre-scandal knowledge of prisoner abuse and adheres to claims that it was limited to a few disturbed individuals, all the time ignoring the increasing revelations that multiple sources, including the Red Cross, the FBI and assorted military personnel had reported the abuse, not only at Abu Ghraib, but at Guantanamo and many other locations for more than two years, I confess to murdering Laci Peterson.

And as Rush Limbaugh and conservative politicians dismiss my treatment as college pranks and horsing around, and attack the Red Cross for their temerity in reporting my fate, and as the Administration systematically guts any dissenting voice from the intelligence community, I admit to conspiring to blow up the World Trade Center.

And even as I say whatever they want to hear to make the pain go away, the president and his horde of "compassionate conservatives" make judicial arguments to allow the admission of torture — induced confessions in court. Further, they argue, that I, like the American couple who spent 10 years in a Mexican prison, like the Russian cold war dissidents who were shipped off to labor camps in Siberia, like those who were buried in mass graves in Saddam's Iraq, should be imprisoned indefinitely strictly on the strength of these ill-gotten "admissions."

Of course, now it is imperative that they keep me locked away forever, that is if they don't kill me. Because, unlike the prisoners of the Vietnam War who were treated well and went on to become some of their captors' greatest allies, I will never forget or forgive. I will spend the rest of my life preaching against the corrupt, totalitarian country that condoned my torture even as they hid behind a noble, but forsaken past.

And I will not rest until I have spread my hatred to the next generation ... and the next ... and the next.

(Comments or requests for copies of this column can be e-mailed to incites@incites.net).



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LOCAL



Lacking landlord could find himself in hot water

KEYS SEIZE, from page 1

Gonzalez, who lives in the Sunset Park building with his girlfriend and their daughter, maintained he has complied with all of City Hall's requests. He accused inspectors of giving him conflicting directions.

"Now that I correct all the violations, they want to take it away from me," said Gonzalez, who wore a yellow hard hat as he walked through his building at 2438 Ocean Park Blvd. on Tuesday. "They've been lying, and I have proof. We corrected everything and still they say it's not up to code."

As to the alleged overcrowding in one of the bedrooms, Gonzalez said that claim also was untrue.

"You cannot have 14 people here, it's impossible," he said, standing in the middle of the bedroom in question. "We only have two bathrooms."

Seven bunk beds lined the walls of the spacious bedroom, though renters said only four bottom bunks were being used, and the top bunks appeared to be reserved for storage.

Radinsky said Gonzalez has repeatedly refused court orders to fix a host of code violations, landing him in county jail for nine months in 1998. City Hall twice pressed criminal charges against Gonzalez, who is scheduled to be sentenced later this month on a probation violation related to the most recent criminal charges, Radinsky said.

In a separate civil matter, Beverly Hills Superior Court Judge Lisa Hart Cole last week appointed attorney David Pasternak to take control of the property and determine whether it can conform to health and safety codes, or if it is in such disrepair that it needs to be demolished.

Making that determination will require several inspections, contractor estimates and assessments from real estate agents, according to Pasternak, adding the costs will be paid for by Gonzalez, who likely will either have to sell his property or refinance his mortgage. Pasternak said Gonzalez and the building's other tenants would be allowed to stay in the property, for now.



John Wood/Daily Press

David Thigpen rents one of seven bunkbeds in a large bedroom at 2438 Ocean Park Blvd. He criticized the courts for taking away control of the building from its owner, who has been under fire for nearly eight years to fix health and safety violations.

Asked to make an informal assessment of the building, Pasternak, who visited the building Tuesday with a legal assistant and a locksmith, in case there was any trouble getting Gonzalez to grant access to the property, said, "It's a building that needs quite a bit of work. I wouldn't want to live in it."

City Hall has not sought to take control of a property from its owner for more than 15 years and has never done so for health and safety code violations, according to Radinsky. Nonetheless, Radinsky warned owners of the possibility, which is known legally as a "receivership."

"Owners need to know that their buildings can be taken away if they have code violations and they refuse to fix them after the city gives them a fair chance," he said.

"The receivership remedy is drastic medicine, but we won't hesitate to use it in proper cases to protect the well-being of the community."

In addition to the code violations, Radinsky said there had been 32 calls to police within a one-year period for complaints related to excessive noise and other alleged criminal wrongdoing. Gonzalez credited a disgruntled neighbor with making the calls.

A different neighbor who lives in an apartment complex next door said Tuesday the property is unappealing, but added its tenants were always courteous and respectful.

"Clearly, it's a little unaesthetic, but I don't think it's hurting anybody," said the

neighbor, who asked to be identified only as "Mark."

In addition to Gonzalez and his family, who live in a front unit, four renters pay between \$50 and \$65 a week to rent bunk beds in a large upstairs bedroom. Another family of three pays \$650 monthly to rent the building's rear unit, Gonzalez said. Tracy Condon, a spokeswoman for the Rent Control Board said the building is not under rent control because its owner lives in it and he filed for an exemption in 1980.

One of the bunkbed renters, David Thigpen, expressed frustration with City Hall's actions. He wondered aloud where he and the others would go if the house were razed, adding he didn't have the money to move. Asked what he does for work, Thigpen said, "I'm drawing Social Security. I'm a mental case, a nut."

Apparently, Thigpen is not the only person down on their luck who has stayed in the Ocean Park Boulevard building. Beatriz Zustovich, girlfriend to Gonzalez for the past nine years, said Gonzalez frequently opens up his home and his kitchen to homeless people.

"He has a good heart, he helps people," Zustovich said. "He doesn't like people to suffer."

Zustovich urged Gonzalez on Tuesday to let the property be sold and make a fresh start.

"Don't be greedy," she said. "It's time to move on."

Gonzalez said he was attached emotionally to the property, where he's lived since 1973 and where he raised his first son, who has since moved out.

"Don't be greedy?" he asked. "Where are you going to sleep? You can't sleep on the money."

It is unclear whether Gonzalez, his family and renters at the property will be evicted while Pasternak evaluates the property, a process that is expected to take several weeks or more. In the meantime, Stacey Gonzalez, the couple's 5-year-old daughter, said change would be OK with her.

"I don't like this house," she said. "It's old."

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Plans for law school at airport campus grounded

SATELLITE, from page 1

and designing the college’s new student services building for its main campus. In addition, Christopher A. Joseph & Associates will prepare a related environmental study; Kaku Associates will conduct a full-traffic study; and Urban Dimensions will handle community outreach, according to SMC spokesman Bruce Smith.

The college already is working on the first phase of its Bundy Campus, a 10.4-

acre site at 3171 S. Bundy Dr. that SMC purchased from BAE Systems in December 2001 for \$30 million. The four-story West Building is currently undergoing a major renovation and will be open for classes in mid-June when the summer session begins.

SMC has spent more than \$1 million to improve the property aesthetically and to shield adjacent residents from noise, officials said. It has put utilities underground, built a sound wall with landscaping on the south side of the property, demolished an unsightly 100,000-square-foot manufac-

turing building and added a new driveway from Bundy Drive. The college has also closed to traffic the rear entrance to the campus, on Stewart Street, which goes through a residential area.

In addition, SMC has held more than a dozen meetings with neighbors over the past year or so, seeking input and listening to concerns.

Aside from nursing and teacher training programs, the college plans to move its Continuing and Community Education program, which offers career development and

other classes, to the Bundy site. General education classes also will be offered.

Meanwhile, negotiations to rent a second, two-story building at the Bundy Campus to a West Los Angeles law school apparently fell through. Smith said officials would not seek another group to lease the space.

“It was only going to be (rented) temporarily anyway,” Smith said. “The particular time we were looking at it as a potential revenue stream was at the height of our budget problems, and now our budget is not so bad.”

School board expected to appoint Walker to post this month

SPECIAL ED, from page 1

funds “before the idea to add a special education position was brought up.”

“It was real difficult for us to hear that they didn’t want to approve a proposal you’ve

worked so hard on because there isn’t enough money, and then hear about \$150,000 being spent one month later,” she said.

Still, now that the decision has been made, the advisory board hopes Walker will help the troubled department.

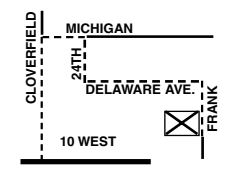
“We always need more talent in education,” Crane said.

Before Walker can get started, he must first receive formal approval from the board. On Jan. 20, the school board will hear the recommendation to appoint

Walker and make its final decision.

Phone calls to Deasy went unreturned, but in a press statement released Tuesday, he said “Tim Walker has the knowledge, skills and abilities to implement the strategic plan for special education.”

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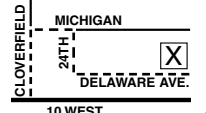


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STATE



When the levee broke, so did dreams of farmers

BY JULIANA BARBASSA

Associated Press Writer

FRESNO — When farmers Rudy Mussi and Bob Silva look out over their fields, they see nothing but mud.

The farmers, like many others on Jones Tract island in the San Joaquin-Sacramento River Delta, lost just about everything they had on their land — crops, buildings, equipment — when a levee broke June 3, unleashing a flood.

After months under an average of 12 feet of water, their fields are mostly clear, and they're getting back to work, fixing what they can, hoping to plant in the spring.

But what used to be rich agricultural land is now desolate. Drainage ditches are choked with mud. Clogged irrigation systems and ruined tractors litter the area. Entire buildings, shoved off their foundations, lie abandoned. Migrating birds flock to the nearly 400 acres that are still under water, swimming among great, jagged concrete boulders — pieces of what used to be a local road.

While the state has already poured up to \$44 million into stopping the flood, closing the breach and pumping out the lake that covered Jones Tract, about 20,000 gallons of water per minute still flow through the rocks used to shore the faulty levee, estimates attorney Dante Nomellini, who represents farmers on Lower Jones Tract.

The cleanup and repair job is not done yet. "Someone's going to have to work on it," said attorney Richard Johnson, who represents farmers on Upper Jones Tract.

After meetings with farmers' representatives last week, the state Department of Water Resources has agreed to make one last effort to shore up the levee. Next week the water department plans to hammer out the details, including how much more money it will spend, said Les Harder, chief of the department's flood management division.

But that "won't solve their leakage problem," Harder said. "They all leak anyway."

That's because farming in the delta is done mostly below sea level, and that will always be a risky proposition, said Jeffrey Mount, a geologist with the University

of California, Davis.

"This is not sustainable," Mount said, explaining that area levees have a maintenance backlog that threatens the integrity of the whole system. He found there is a two-in-three chance that a major catastrophe — a flood or an earthquake — will wipe out several levees within the next 50 years.

Total damage and loss from the levee break on Jones Tract alone is estimated at nearly \$90 million. The state hopes to recover at least part of the funds it spent on shoring up the levy from the Federal Emergency Management Agency.

Local farmers, many of whom have been on the islands for generations, know the walls that protect them are fragile. This isn't the first time they've have lost their livelihood to rushing water. Numerous delta islands have flooded at least in part in the last 25 years.

Silva's land flooded in 1980, a year in which it rained a lot. But this time it was worse, he said, because his biggest cash crop — asparagus — was killed, and his buildings, including communal housing used by migrant workers, were destroyed.

"There sure is a lot of frustration in this business," Silva said.

Last year, Silva's 285 acres of asparagus brought in \$700,000. This year, there's nothing — not even crop insurance money, since asparagus isn't eligible for coverage, he said.

San Joaquin County produces most of California's asparagus, and many of the delicate spears are grown on delta islands like Jones Tract. Asparagus fetches a lot of money for growers, but it takes three years from planting to the time of first harvest.

Mussi also lost 500 acres of asparagus, and several buildings — corn storage silos, three houses and five trailers that housed permanent employees, and a big communal housing building for the dozens of temporary migrant workers who harvested the asparagus in the spring. When he adds in the broken irrigation pipes, damaged drainage system and the equipment shops that were destroyed, his loss comes to between \$12 million and \$15 million, he said.

Farmers recognize they're taking their chances farming in the area.

Any farmer lives "at Mother Nature's whim," Mussi says. "In Florida, it's hurricanes. In the Midwest, it might be drought. Here, we've got floods."

But like many others in the area, he's quick to point out that farmers are not the only ones with a stake in keeping the often decades-old levees sturdy.

Endangered fish like the winter-run Chinook salmon and the threatened delta smelt swim through the canals and marshes. Massive pumps in the southern delta send water to farmers in the San Joaquin Valley and to about 22 million users as far south as Los Angeles.

In the narrow channels that meander past the low-lying farm islands, fresh water from the San Joaquin and the Sacramento Rivers meets the salty water that reaches in from the San Francisco Bay. That equilibrium is upset when a levee breaks, and sea water is allowed to seep farther into the delta, endangering wildlife, farms and water for consumers.

But the state seems to only look at the delta when there are catastrophes, farmers said.

"After a flood, there will be concern for a year or two," said Mussi. "There'll be a lot of promises from the state that they'll redo the levees. But then delta's forgotten again."

Silva hopes the area will dry out in time to plant at least corn — a crop that can be planted as late as April — so he can start recouping some of his loss.

The flood nearly knocked him out of the business, but the second-generation farmer's not ready to give up.

"It'll take me years to get the asparagus back, but I hope to be able to keep going," Silva said. "I sure hope so."

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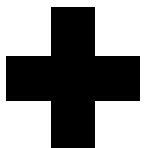
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NATIONAL

Groups cite sprawl as threat to 1,200 rare plants

BY JOHN HEILPRIN
 Associated Press Writer

WASHINGTON — Urban sprawl is gobbling up open spaces in fast-growing metropolitan areas so quickly that it could spell extinction for nearly 1,200 species of plants and animals, environmental groups say.

The National Wildlife Federation, Smart Growth America and NatureServe projected that over the next 25 years, more than 22,000 acres of natural resources and habitat will be lost to development in 35 of the largest and most rapidly growing metropolitan areas.

According to the groups, as many as 553 of the nearly 1,200 at-risk species are found only in those areas.

“The bottom line is that these species are at risk of extinction due to habitat destruction,” said John Kostyack, a National Wildlife Federation attorney and

report co-author. “And in these metro areas, the leading cause of habitat destruction is sprawl — development of homes and office buildings and roads in outlying forests and farm fields.”

The government lists 1,264 U.S. species — 518 animals and 746 plants — as endangered or, to a lesser degree, threatened by extinction and in need of federal protections. The environmental groups cited a larger group of species they said were in trouble.

The NatureServe’s database identified about 6,400 “imperiled” species in the United States, including more than 4,000 in the lower 48 states. The groups say they excluded Hawaii and Alaska from their analysis because each has special circumstances.

They found that 60 percent of the lower 48 states’ species live within metropolitan areas, and about half of those — 1,196 — are in the 35 metropolitan areas with

both the fastest growth rates and more than 1 million people.

California has 16 of the 20 counties the groups said have the most imperiled species, led by San Diego, Los Angeles, San Bernardino and Sonoma counties. Other counties with the most imperiled species are Clark in Nevada; Miami-Dade in Florida; and Bibb and Shelby in Alabama.

Don Chen, executive director of Smart Growth America, said to turn back urban sprawl, developers should be given incentives to build in existing city areas and to create higher-density projects. He said more land also should be set aside as natural open space.

Donna Reichle, spokeswoman for the National Association of Home Builders, said the group has focused on building affordable homes and hasn’t researched endangered species protection in any scientific way.

Western ski resorts view heavy snowfalls as icing on the cake

BY ROBERT WELLER
 Associated Press Writer

DENVER — American ski resorts are primed for their best season in years, helped by a bonanza of snow in the West, a weak U.S. dollar and a warm winter in Europe.

“All in all, if things layer together nicely, we could see a record year,” said Michael Berry, president of the National Ski Areas Association in suburban Lakewood.

The Sierra Nevada mountains on the California-Nevada line have seemingly been buried for the past two weeks and resort managers say they don’t mind.

The snow guarantees a strong base for the rest of the year, said Katja Dahl of Squaw Valley near Lake Tahoe. The area had a 185-inch base this week _ three times what most resorts would be happy with _ while Mammoth Mountain has recorded 330 inches already this season.

The U.S. ski industry is coming off a year in which it reported 56.8 million skier-days, a dip from a record 57.6 million the year before. A skier-day is one person buying and using a lift ticket for at least half a day.

Most resorts do not release skier numbers until later in the year, but the heavy snow _ and the TV coverage of the endless storms _ may be bringing more people out already.

“We had our best December ever at Jackson Hole. People in the major markets in the East or Texas or Florida see all this snow and say if I am going to go, this may be the year,” said Anna Olson, a spokeswoman for the Wyoming resort.

Colorado and Utah resorts have seen 5 feet of snow recently and the timing was perfect, said Kip Pitou of Ski Utah. The heaviest snow fell after the Christmas holiday skiers were gone, drawing locals to the mountains in what can traditionally be a slower time.

“It is unbelievable to get all this snow after the tourists are gone. They probably wouldn’t enjoy it anyway,” said Pat Wild, a snowboarder in Crested Butte. “I took a couple of runs this morning. It was like water skiing on a glass lake.”

Added telemarker Chris Moon: “It is absolutely the best thing ever. It is why I work and live in this town.”

The industry has also benefited from European visitors.

“This year everyone is coming to America because the dollar is weak,” said Cameron Wegemund, a Qantas Airline pilot from Byron Bay, Australia, who is spending five weeks at Crested Butte. In addition, a large swath of Europe is snowless.

Not all the news is good: Resorts in the Northern Rockies aren’t faring as well and the season has been mixed so far in New England. At Red Lodge, Mont., the resort is still making snow after getting less than a foot over the past week.

General manager Rob Ringer said smaller amounts are easier to handle but he wouldn’t mind a good dump: “We’d be set for the season.”

Dax Schieffer, a spokesman at the Big Sky Resort south of Bozeman, Mont., agreed.

“If you talk to anybody in the ski industry, they will always say they want more snow,” he said. “That’s the tricky part of the business.”

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INTERNATIONAL



Canada confirms new case of mad cow in Alberta

BY COLIN MCCLELLAND

Associated Press Writer

TORONTO — The Canadian government confirmed its second case of mad cow disease in 10 days Tuesday, possibly threatening the reopening of the U.S. border for Canadian cattle imports.

Canadian Agriculture Minister Andy Mitchell said the latest case of mad cow, or bovine spongiform encephalopathy, was discovered in an Alberta cow under 7 years old. That means it was born after a 1997 feed ban in Canada removed the use of ruminants in feed, commonly believed to be the cause of the disease.

Officials stressed that no part of the animal entered the human or animal feed system. Mitchell said the case was unrelated to the Jan. 2 case, also in an Alberta cow.

Canada's first case of mad cow surfaced in May 2003, prompting Washington to close the border to Canadian beef imports. Concerns persisted after a Canadian-born cow in Washington state was found in December 2003 to have the disease, which attacks the animal's nervous system.

All three cases have involved animals from Alberta.

The case "is not unexpected, as we have already acknowledged that there is a low level of incidence of BSE in North America," Mitchell said. "The rules upon which beef should move between countries should be based on science, and we

believe that Canada has clearly followed a scientific approach."

U.S. officials suggested they would re-evaluate the recent decision to resume imports of Canadian cattle after their own investigation of this latest case. Those imports were to be allowed again beginning March 7.

"We will expedite sending a technical team to Canada to evaluate the circumstances surrounding these recent finds," said Ron DeHaven, administrator of the Agriculture Department's Animal and Plant Health Inspection Service.

The agency is confident that protections in place in Canada and the United States will safeguard U.S. consumers and livestock, DeHaven said.

A group of cattlemen has sued to block the lifting of the ban saying it will hurt producers and put consumers at risk.

Mad cow disease eats holes in the brains of cattle. Food contaminated with BSE can afflict humans with a variant of Creutzfeldt-Jakob disease, which is usually fatal.

Mad cow disease appeared in Britain in 1986 and spread through Europe and Asia, prompting massive destruction of herds and devastating the European beef industry. So far 147 people in Britain, and another 10 elsewhere, are known to have contracted variant Crutzfeld-Jakob Disease since first identified.

Dr. Brian Evans of the Canadian Food Inspection Agency said the cow in the lat-

est case was most likely exposed to feed before the ban came into effect in the fall of 1997, and his agency was investigating.

The Alberta farm feed may had some illegal materials as the system was flushed out, he said.

Mitchell pledged to toughen Canada's measures to prevent mad cow cases, saying CFIA, with an independent third party, would conduct an audit of the country's animal feed safety.

The border closure by the United States has cost the Canadian beef industry at least \$3 billion. Before the trade ban, animals regularly crossed the border and Canada sold more than 70 percent of its live cattle to the United States.

Imports of some packaged beef resumed in the fall of 2003, but it was not until this month that Washington said it would resume trade in live animals under 30 months of age on March 7.

The USDA ruling declared Canada a "minimal-risk region" so that cattle could be shipped into the United States under certain restrictions. The cattle must be slaughtered by the age of 30 months, which scientists say is too young to contract mad cow disease, and they must also be transported in sealed containers to a feedlot or slaughter house.

Under World Health Organization guidelines, a country can still have 11 cases of mad cow disease in a year and still be considered a minimal-risk country.

A U.S. cattlemen's group sued the

USDA on Monday to stop it from allowing live cattle and expanded beef imports from Canada. The lawsuit by R-CALF United Stockgrowers of America said the USDA's plan would pose a risk to consumers and U.S. producers.

Allowing the "commingling" of Canadian cattle and beef products with U.S. cattle and products, with no requirement that the beef products be labeled with their country of origin, "will likely interfere with or preclude the resumption of exports of edible bovine products from the United States," the lawsuit said.

Investors appeared to take the news in stride.

Cattle futures closed modestly higher on the Chicago Mercantile Exchange. Shares of big U.S. hamburger chains, other restaurant operators and meat processor Tyson Foods Inc. — all of which had tumbled in 2003 following the disclosure of the first case of mad cow in Canada in a decade — were trading higher for the most part on Tuesday afternoon.

McDonald's Corp. stock fell 52 cents to close at \$31.15 but showed no change in direction after the latest mad-cow announcement. Shares in other companies that took big dives on the 2003 news — Wendy's International Inc., Tyson, Outback Steakhouse Inc., Jack in the Box Inc., Applebee's International Inc., Bob Evans Farms Inc. and drive-in operator Sonic Corp. — all were trading fractionally higher for the day.



Real Estate

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State's lack of income growth could be decisive default factor



BUYING AND SELLING
BY THOMAS KHAMMAR & BRENT PARSONS

(Editor's note: This is the final article of a three-part series).

With news of the real estate market leveling out, it's not surprising that most people will not find the huge equity increases in their homes in the next year as they have in the last couple of years. For those that are currently holding adjustable rate mortgages (ARMs), this could pose a problem. However, a problem for one person can be good luck for another. For investors, this may be your golden opportunity to purchase homes at a value rate.

It's apparent that many households in California are in heavy debt. Income is not proportionate to the cost of living — there are higher demands to have the big house and the nice car, and the prices just keep going up. A survey released on Nov. 18, 2004 by the Public Policy Institute of California showed that 31 percent of Californians say that housing costs put a financial strain on their households today.

We hope that this 31 percent are all in 30-year fixed loans and that their housing costs will not increase, but chances are that they took advantage of the low-interest rate ARMs in order to save money. With

A survey released on Nov. 18, 2004 by the Public Policy Institute of California showed that 31 percent of Californians say that housing costs put a financial strain on their households today.

many of the ARMs coming due in the next year, these families will have to refinance if they can. If they already are loaning the full value of their home, any dip in housing prices and they won't qualify for a mortgage. Unfortunately, this is the situation that will lead to mortgage defaults and the opportunity for more investors to purchase homes through foreclosure proceedings.

According to research by Foreclosures.com, an investment advisory company that specializes in foreclosures, Californians have almost nonexistent income growth, which when combined with rising interest rates on adjustable mortgages in 2005, will strain these already-maxed out household budgets to the breaking point and create an increase in mortgage defaults.

When will this opportunity be flourishing for you? For those of you looking to buy properties in foreclosure, your time is coming soon. If these homeowners can't refinance, they will be selling on their own or losing their homes at the auctions. The owners that are in this predicament will start selling their homes when they receive the Notice of Default. The lenders report that many of these notices will be issued during the first quarter of this year. The Notice of Default will then start the 90-day countdown to the courthouse sales, which will start increasing in number in the second quarter.

To get ready for this increase in foreclosures, you will want to keep up to date on the real estate market in your area. It's always important to know where the good investment locations are and to know the home values in these areas. A good tip to get ready for the sales is to have a specific area that you like to work in. This area would have good resale values, quick sales, and it would be close to you so that you can inspect the homes easily.

(Should you have any questions pertaining to real estate or foreclosure, or if you would like a list of foreclosures in a specific area, call Thomas Khammar at (310) 943-7656 or Brent Parsons at (310) 943-7657).

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Sold Santa Monica 01/07/2005	3124 BROADWAY SqFt: 515 HOD: \$214	SANTA MONICA 90404 List Price: \$379,000 Sold Price: \$415,000	Bed: 1 Bath: 1.00
Sold Santa Monica 01/03/2005	1751 CENTINELA AVE #5 SqFt: N/A HOD: \$121	SANTA MONICA 90404 List Price: \$349,000 Sold Price: \$357,000	Bed: 1 Bath: 1.00
Sold Santa Monica 01/07/2005	1517 HARVARD ST #4 SqFt: 913 HOD: \$209	SANTA MONICA 90404 List Price: \$459,000 Sold Price: \$475,000	Bed: 2 Bath: 1.00
Sold Santa Monica 01/04/2005	128 GEORGINA AVE #3 SqFt: 2,587 HOD: \$400	SANTA MONICA 90402 List Price: \$1,695,000 Sold Price: \$1,550,000	Bed: 3 Bath: 3.50
Sold Santa Monica 01/04/2005	629 IDAHO AVE #7 SqFt: 437 HOD: \$140	SANTA MONICA 90403 List Price: \$349,000 Sold Price: \$335,000	Bed: 0 Bath: 1.00
Sold Santa Monica 01/04/2005	1319 PRINCETON ST SqFt: N/A Lot Size: 5,597	SANTA MONICA 90404 List Price: \$1,249,000 Sold Price: \$1,185,700	Gl: \$0 GRM: 0.00

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3 Year Fixed	6.250%	1.0	80%	30/30	\$ 2,824.00	\$ 13.00	\$ 60.00	\$ 2,897.00
5 Year Fixed	6.375%	1.0	80%	30/30	\$ 2,848.00	\$ 13.00	\$ 60.00	\$ 2,921.00
7 Year Fixed	6.500%	1.0	80%	30/30	\$ 2,872.00	\$ 13.00	\$ 60.00	\$ 2,945.00
10 Year Fixed	6.625%	1.0	80%	30/30	\$ 2,896.00	\$ 13.00	\$ 60.00	\$ 2,969.00

These rates have been provided by Graham Wong at Affiliated Capital, 310-315-2175 x105, these are indicative rates. These rates are subject to change resulting daily bond market volatility. Rates are not final until you issue an interest rate lock commitment and subject to final lender approval.



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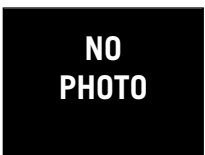
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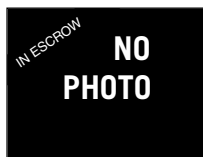
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Another banner year expected in real estate



**DAYS ON
THE MARKET**
BY JODI SUMMERS

The recent run up in real estate values has been one of the most remarkable fortune-building factors in history. The rewards have been spread around democratically, with as much as \$10 trillion in home equity being created in the last 25 years for everyday homeowners. It's been a beautiful thing to watch. Popular consensus has it that the end of power real estate appreciation is near.

In modern times, interest rates have been at their lowest level in 40 years. People with visions of buying property believed it was better to borrow now, anticipating that interest rates would rise and money would get more expensive.

"Consumers thought it would be better to buy in advance of expected increases in interest rates and home prices," noted Richard Curtin, the director of the University of Michigan's Surveys of Consumers. The study showed that in December 2004, 25 percent of consumers emphasized the need to act before rates and prices rose. Three-quarters of all consumers expect interest rates to increase during 2005. Consumer confidence remains high.

"Consumers have shown a remarkable degree of resilience throughout the past year and, as a consequence, their behavior has added a good deal of stability to the overall economy," Curtin said. "While consumers expect some improvement during the year ahead, they anticipate only modest increases in employment during 2005."

December data simply confirms that confidence has remained largely unchanged at positive levels for the entire year. The index of consumer sentiment was 97.1 in a December 2004 survey, up from 92.6 last December. During 2004, the sentiment index averaged 95.2, with minimal variation. The expectations index, a closely watched component of the index of leading economic indicators, was 90.9 in December, just ahead of last year's 89.8.

All property owners on this side of the country should be happy. According to

Freddie Mac's Conventional Mortgage Home Price Index, for the sixth quarter in a row, the Pacific states — which include Alaska, California, Hawaii, Oregon and Washington — lead the nation in annual house-price appreciation. During the last five years, home values have increased 76.8 percent.

"The house price gains lead to the natural question of whether these gains are sustainable," said Amy Crews Cutts, Freddie Mac's deputy chief economist. "Thus far, the annual growth rates are largely consistent with the market fundamentals of low interest rates, a lack of buildable land that restricts the amount of new supply hitting the market, and jobs growth. I am hesitant to use the word 'bubble' because the fundamentals are still strong, but it is hard to believe that these very large increases will continue."

"However, absent significant job losses in a region, like we saw in California in the early 1990s when Los Angeles and San Diego together saw more than 575,000 jobs disappear over a period of three and a half years, house prices should not see significant declines," she added.

As the stock market improves, speculators assume investors will turn some of their dollars away from real estate and back toward stocks and bonds. An underperforming stock market will continue to keep investors interested in real estate.

Internationally, economists have their knickers in a twist over the dollar's continuing weakness in foreign markets. Meantime, foreign investors are getting more bang for the buck as they continue to invest in real estate around the country. Ever priced out real estate in Tokyo, Paris or Frankfurt? Los Angeles is a bargain.

Those in the know say 2005 will see a greater emphasis on minorities and immigrant sales. Lenders are viewing those groups as the real estate and mortgage products customers of the future.

"An increasingly diverse range of mortgage products will help more people in those groups become homeowners," confirmed said Richard Sommer, CEO of HomeGain.

Feel confident. 2005 looks to be another solid year for the real estate market.

(For your real estate needs, e-mail Jodi Summers at jodis@boardwalkrealty.com or call (310) 309-4219).

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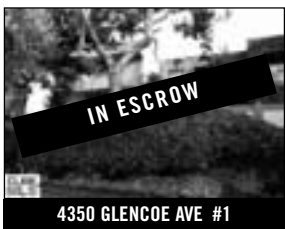
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The feudal heritage of today's commercial lease



IN YOUR SPACE
BY CHRISTINA S. PORTER

Just what is a commercial lease?

The best definition of a lease that I could find is “the separation of ownership and possession.” The tenant effectively buys the right to possess the property from the owner. Believe it or not, commercial leasing has been going on for 800 years. It seems that the practice began in feudal England where the landowners leased their land to farmers. Although it has the same name, the term “lease” we use today has changed significantly. In feudal England, a lease was considered a conveyance of the property for a specified term, at the end of which possession of the property reverted back to the owner. This reversion was the owner’s only interest in the property during the term of the lease. Other than assuring the tenant of what we today call the right to “quiet enjoyment,” meaning that the lessor will protect the tenant’s right to possess the property, the owner had no other obligations to the tenant. That is clearly not the case today. According to Mark A. Senn, Esq., an expert on commercial real estate leases, the lease today has evolved into a hybrid conveyance and contract and seems to be leaning more toward being simply a contract.

The evolution began with the industrial revolution. In feudal England the only thing being leased was land. When the industrial revolution came about not only was land being leased but commercial buildings were being leased and many times, as part of the lease agreement, the landlord would make promises to the tenants to provide electricity, among other things. For many years, if the landlord failed to perform the duties promised in a lease the tenant would still be obligated to pay the rent because of the court’s reliance on the feudal idea of conveyance rather than contract law. When the land was “conveyed” and possession transferred, the owner had no other obligations, even if he promised to provide other things. Hence, the lease’s evolution to a contract. Although there are benefits to owners having a contract as opposed to a conveyance of the property, this evolution benefits the tenant for the most part. For example, the landlord’s obligation to mitigate damages from a tenant breach. This means that the landlord cannot collect damages because of a tenant’s breach if he could have avoided the damages by attempting to release the space immediately if the tenant has moved out and refused to or cannot pay. When the lease was considered a conveyance, the landlord was not obligated to do anything and the damages would simply accumulate.

There are several other benefits to the lease being a contract instead of a conveyance. One of them is the “implied doctrine” in a contract of good faith and fair

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3015 Main St	Office	12/21/2004	3,712	\$3.00/fs
2850 Ocean Park Blvd	Office	12/23/2004	3,248	\$2.35/fs
2850 Ocean Park Blvd	Office	12/23/2004	4,710	\$2.35/fs
2850 Ocean Park Blvd	Office	12/23/2004	1,943	\$2.35/fs
2425 Olympic Blvd	Office	12/22/2004	500	\$3.00-\$3.60/fs
2425 Olympic Blvd	Office	12/22/2004	500	\$3.00-\$3.60/fs
2425 Olympic Blvd	Office	12/22/2004	1,000	\$3.00-\$3.60/fs
401 Wilshire Blvd	Office	12/21/2004	8,816	\$3.45/fs *
2202 Wilshire Blvd	Office	12/22/2004	9,450	\$3.50/nnn
2202 Wilshire Blvd	Office	12/22/2004	4,250	\$3.50/nnn
1740 Stewart St	Industrial	1/3/2005	100,000	\$1.25/nnn
1453 14th St	Office	1/4/2005	t 2,400	\$1.65/fs
1304 15th St	Office	1/7/2005	1,241	\$3.15/fs
1304 15th St	Office	1/7/2005	1,088	\$3.15/fs
1304 15th St	Office	1/7/2005	1,435	\$3.15/fs
902-934 Broadway	Office	1/7/2005	4,000	\$2.25-\$2.75/fs
2115 Colorado Ave	Office	1/7/2005	16,000	\$1.85/mg
625 Montana Ave	Retail	1/5/2005	1,800	\$4.00/nnn
1299 Ocean Ave	Office	1/4/2005	182	\$4.00/fs
506 Santa Monica Blvd	Office	1/6/2005	850	\$3.25/fs

dealing, meaning you are obligated and expected to tell the truth. Another is one that is very important is in the consent area of the lease. A “landlord’s consent shall not be unreasonably withheld” would never have been part of a conveyance but is a great benefit to tenants today, particularly when they might need to sublease.

Interestingly enough, you could say that the evolution of the lease has come full circle in the form of an absolute triple net lease. In an absolute triple net lease the landlord’s entire burden of ownership is passed on to the tenant. An interesting comparison is between a mortgage and a lease.

(The above information is meant for informational purposes only and not meant to be taken as advice. Christina S. Porter is in the business of leasing and selling office and industrial building and can be reached at (310) 806-6104 or at cporter@naicapital.com).

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INTERNATIONAL



Tsunami survivor picked up after 15 days at sea

BY JOCELYN GECKER

Associated Press Writer

BANDA ACEH, Indonesia — A tsunami survivor rescued after 15 days adrift in the Indian Ocean recounted Tuesday how he lived on coconuts that floated by, tearing them open with his teeth. Indonesia said it hoped to ease the bottleneck of aid flights by opening a second airport north of Sumatra island.

Also Tuesday, Indonesia's military chief extended a new cease-fire offer to rebels in Aceh province, the region hit hardest by the Dec. 26 earthquake and tsunami that killed more than 150,000 people across southern Asia.

Rebels in the area welcomed the proposal made by Gen. Endriartono Sutarto during a news conference in Banda Aceh. "We have to work together to help Aceh," Sutarto said.

The 21-year-old survivor, Ari Afrizal, was picked up Sunday by a container ship after being swept out to sea by the tsunami from a beachfront construction site in Aceh. He is the third Indonesian to be rescued and brought to Malaysia.

"The earthquake lasted about 15 minutes," Ari said after the ship docked at Port Klang near the capital of Kuala Lumpur. "Then the waves came, big, big waves that slammed down hard on us."

Ari, who appeared fit despite the ordeal, said he saw four of his friends grab pieces of debris or uprooted trees, "but we drifted away from each other as the waves rolled us out further into the sea."

For a while, he lay on a 5-foot-long plank, weak and exhausted.

"My throat was burning. The sun was hot. I had cuts all over my body. The salt water was stinging. I couldn't even find

my voice to call out to other survivors. Eventually they all drifted away and I was all alone," he said in an interview with The Associated Press from his hospital bed.

"I prayed and prayed. I told God I don't want to die. ... I worried about my elderly parents and asked for a chance to take care of them. As if my prayers were answered, a broken (boat) floated toward me a few days later."

He ended up staying on the listing boat for five days before spotting a large unmanned raft with a hut on it. He swam up to it and found a gallon bottle of water aboard.

On the 15th day, Ari said he awoke and saw the container ship bearing down on him. He attracted its attention by waving his shirt, whistling and shouting in Malay "Tolong! Tolong!" — "Help! Help!"

The captain of the Al Yamamah, John Kennedy of New Zealand, said he was surprised to see "a frail-looking man" emerge from the hut of the raft.

Hoping to relieve pressure on the tiny airport outside the provincial capital of Banda Aceh, Indonesia opened up a new airport on the island of Sabang, north of Sumatra, said Budi Atmaji, chief of staff for the country's relief operations. The airport at Banda Aceh has only one landing strip and is struggling to cope with about 200 flights per day.

A U.S. Seahawk helicopter crashed in a rice paddy near Banda Aceh airport as it was trying to land Monday, injuring two sailors. The U.S. military blamed the crash on a "possible mechanical failure" and said it was being investigated.

Atmaji also reiterated the government's concern for foreign aid workers' security in a province where Indonesia's military has battled separatist rebels for

more than 20 years.

Speaking from Sweden, the rebels' spokesman, Baktiar Abdullah, said the Indonesian government's cease-fire offer "has come a bit late, but still, it is something that is positive and good." He expressed skepticism about the proposal, noting that the government had sent thousands of soldiers to the region since the tsunami.

Sutarto repeated claims that the guerrillas, who have fought for years for a separate homeland on Sumatra island's northern tip, had tried to hijack relief supplies. The Free Aceh Movement, known by its Indonesian acronym GAM, "is trying to stop food assistance and they are trying to rob the food away," Sutarto said. "If they ask for food, we will give it to them. They do not have to do this."

The military has long been accused of rights abuses in Aceh and offered no evidence to back up its claim. The rebels denied it and said their supporters are among the thousands of victims of the disaster who need help.

Indonesia Cabinet Secretary Sudi Silalahi said the country hopes to take over full responsibility for humanitarian efforts by March 26.

As aid poured in for survivors, the United Nations made the unusual move of turning to an outside accounting firm to track billions of dollars in relief funds and to investigate any credible allegations of fraud.

The U.N. and 80 donor nations meeting in Geneva tackled how to best use the more than \$4 billion in aid money pouring in from around the world.

Japan pledged an additional \$40 million in aid Tuesday through the World Bank and via trust funds at the Asian Development Bank. Asked if the United States would give more than the \$350 mil-

lion it has already announced, President Bush said Monday, "We'll see."

Hoping to prevent future loss of life, Sri Lanka outlawed construction close to the coast after losing more than 30,000 people to the tsunami disaster. President Chandrika Kumaratunga told the state-run Daily News that the law would be strictly enforced.

Kumaratunga, who is from the Sinhalese majority, also said she planned to adopt a Tamil child orphaned by last month's tsunami.

Officials in Thailand said the tsunami caused \$500 million in damage to the country's shrimp-farming industry and killed more than 100 workers. Thailand sends abroad more than 250,000 tons annually and is among the world's top four exporters.

Despite fears of epidemics, the World Health Organization said Tuesday there were no signs of impending outbreaks of serious disease in the disaster zones.

The U.N. health organization will need one month to say with confidence that the worst is over, the organization's southeast Asia chief, Samlee Plianbangchang, said in Sri Lanka.

The fragility of the health of the victims was clear at a Singaporean field hospital on the outskirts of Banda Aceh, where one man waited for his daughter after walking for four days to get help. He said she began suffering from diarrhea after she drank from a river where corpses were floating.

"My daughter was crying for water. I didn't know where to find it except there," said Syamsuddin, 35. "Maybe that's what made her sick."

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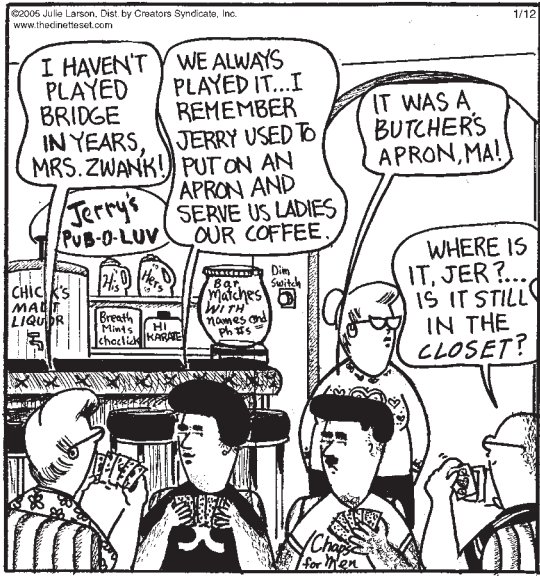


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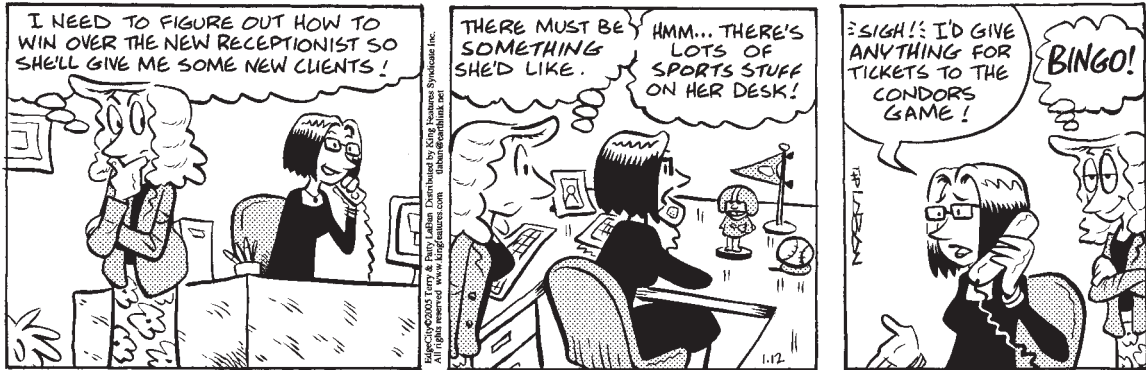


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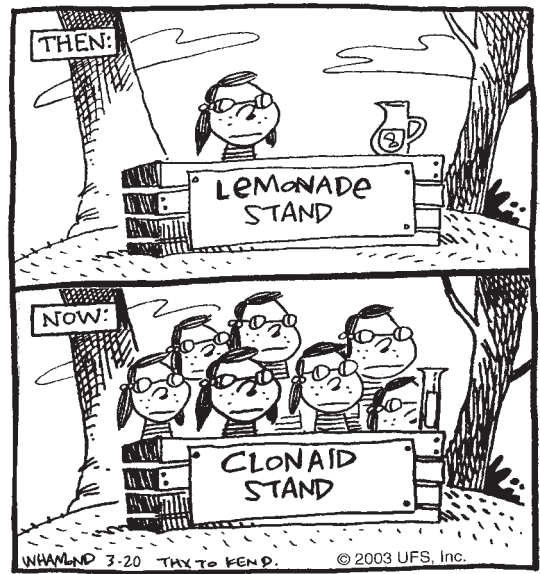
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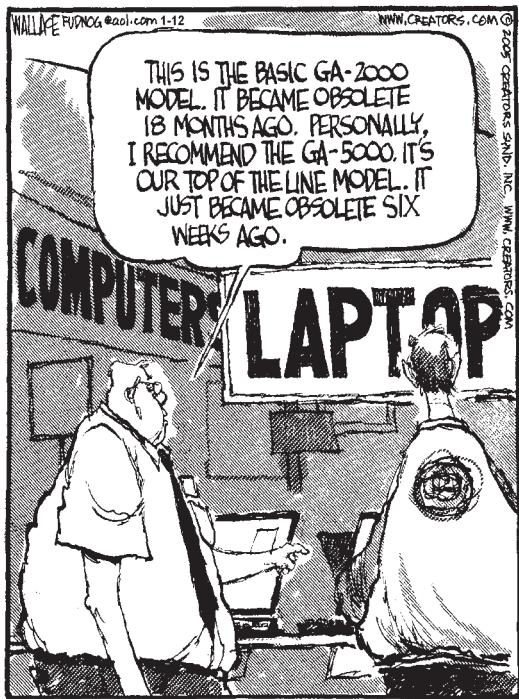
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- 15 One of the black keys
- 17 Ceremony
- 20 Stews
- 23 First numero
- 24 Fortress
- 26 Driver's aid
- 27 High card
- 28 Unbroken
- 29 Theoretically
- 31 Purpose
- 32 "Superman" star
- 33 Flight unit
- 34 Mock
- 37 Monopoly token
- 39 Mopping need
- 43 Football's Flutie
- 44 Whole
- 45 Pot contribution
- 46 Checked out

DOWN

- 1 Scenery chewer
- 2 Big head
- 3 Gun
- 4 Kept in reserve
- 5 March time
- 6 Poet Ogden
- 7 Western range
- 8 Avoided responsibility
- 9 Wonder
- 10 "Norma —"
- 16 Following
- 17 Bit of gossip
- 18 Laughable
- 19 Ceased rising
- 21 Far from relaxed
- 22 Catch some z's
- 24 Frolic
- 25 Driving hazard
- 30 Redress
- 33 Splinter groups

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Yesterday's answer

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- 37 Rhoda's mother
- 38 Friend of Harry and Hermione
- 40 Young fox
- 41 Afore
- 42 Media mogul Turner

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