

FREE

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO

10 19 30 41 45
Meganumber: 9
Jackpot: \$16 Million

FANTASY 5

6 9 26 34 39

DAILY 3

Daytime: 5 8 9
Evening: 6 8 8

DAILY DERBY

1st: 02 Lucky Star
2nd: 09 Winning Spirit
3rd: 11 Money Bags

RACE TIME: 1:47.02

NEWS OF THE WEIRD BY CHUCK SHEPARD

News of the Weird reported as far back as 1998 on optimistic pet owners preparing to pay large sums for a cloned model of a deceased dog or cat, mentioning a lab at Texas A&M University planning to clone a collie-husky named Missy (who was, of course, according to her owners, "perfect"). The lab's Dr. Mark Westhusin and his team managed to clone its first dog, "cc," in 2001, and has subsequently cloned cattle, goats, pigs and a cat. In December 2004, another outfit, Genetic Savings and Clone (of Sausalito, Calif., and Madison, Wis.), announced that it had delivered a kitten to a woman for \$50,000 that is a DNA replica of Nicky, a cat that died last year at age 17.

TODAY IN HISTORY

In 1876, the National League of Professional Baseball Clubs was formed in New York.

In 1882, Irish poet and novelist James Joyce was born near Dublin.

In 1897, fire destroyed the Pennsylvania state capitol in Harrisburg. (A new statehouse was dedicated on the same site nine years later.)

QUOTE OF THE DAY

"Absence is to love what wind is to fire; it extinguishes the small, it inflames the great."

BUSSY-RABUTIN
FRENCH SOLDIER AND WRITER (1618-1693).

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Charity case



Nicky Five Aces/Five Aces Photo

Field training officer Leone, a four-year veteran of the Santa Monica Police Department, checks the credentials of two people soliciting charitable donations on the Third Street Promenade last week. Recent complaints of overly aggressive collectors seeking money from passersby have prompted police to take names and numbers in order to ensure only bona fide benevolent groups solicit.

Wary schools issue lockdown

By Daily Press staff

Erring on the side of caution, district officials locked down both John Muir Elementary and the nearby SMASH Alternative School for roughly two hours on Tuesday afternoon after a nearby resident reported seeing a man carrying a gun.

The resident called the Santa Monica Police Department at 12:21 p.m., and officers dispatched to the

See **LOCKDOWN**, page 5

Toys 'Were' Us: Store leaving SM

By Daily Press staff

Toys "R" Us is closing up shop in downtown Santa Monica.

The two-story big box retailer at 402 Santa Monica Blvd. will close its doors in April 2005. The 52,423-square-foot-building is being acquired by CIM Group through its CIM Urban Real Estate Fund. It's unknown what retailer will move in.

"CIM Group made a compelling proposal for our store in Santa Monica," said Chris Kay, chief operating officer of Toys

Even city can't fight City Hall

BY JOHN WOOD

Daily Press Staff Writer

CITY HALL — The city sued itself and lost over a voter-approved initiative two years ago. It appealed the decision and, last week, lost again.

The California Second District Court of Appeals deemed that City Hall sued itself over the political reform initiative without solid legal footing. The court refused to consider a range of constitutional concerns raised by the city.

Nearly 60 percent of Santa Monica voters in November of 2000 voted in favor of Prop. LL, which was designed to stop city workers and elected leaders from collecting cash, gifts and other perks from individuals who are affected by their decisions.

Officials at City Hall immedi-

ately criticized the new proposition, calling it poorly written, overly broad and a threat to the constitutional rights of everyone from low-level city clerks to elected leaders sitting on the Santa Monica City Council.

Just how to avoid those problems without blatantly ignoring the will of voters was a major concern to city officials. In May 2001, City Attorney Marsha Moutrie recommended, and the City Council agreed, that the city file a lawsuit against itself. It sued City Clerk Maria Stewart, who, on Moutrie's advice, had refused to implement the law for fear of treading on the constitution.

What followed was a legal struggle that has lasted more than four years, consumed untold hours

See **LOSING APPEAL**, page 5

Yahoo! sets SM as homepage

BY CORTNEY FIELDING

Special to the Daily Press

COLORADO AVE. — Add Yahoo! to the growing list of entertainment companies who have found a home in Santa Monica.

The Internet giant announced last week that it will join companies like HBO, MGM and CBS, when it moves to Colorado Center this summer.

The Santa Monica location will

become Yahoo!'s entertainment hub as it turns its focus to developing more of its own web content, Yahoo! spokeswoman Joanna Stevens said. Colorado Center's close proximity to other entertainment and "creative-type" businesses, both on its campus and throughout Los Angeles, made it an attractive area for the company.

"It's a great environment for

See **YAHOO!**, page 6

Jacquie Banks

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ARIES (March 21-April 19)

★★★ Make sure you clear all the cobwebs out of your mind before you launch into any major decisions, projects or calls. Others have a way of charming you into thinking their way. Normally you aren't vulnerable, but at the moment you could be. Tonight: Make it OK to work late.



TAURUS (April 20-May 20)

★★★ Others run with the ball. Your job will be to sit back, observe and maybe follow. Understand that you don't have all the answers right now. You don't have to tell others that they don't have all the facts either. Tonight: Accept a special invitation.



GEMINI (May 21-June 20)

★★★ You are an all-or-nothing sign, and right now, you give your all to a work project. Though someone might be withholding key information, you breeze right through a hassle or problem. Use your keen sense of timing. Tonight: Design a relaxing weekend away.



CANCER (June 21-July 22)

★★★★ Your efforts stem from a creative need and desire to please. You don't feel satisfied unless you have given to others. Recognize that your giving stems from your own need. Be realistic about your altruistic ways. Tonight: Midweek romp.



LEO (July 23-Aug. 22)

★★★ Your instincts could take you down strange paths. You might want to hold on to your opinions for now, as judgments run high. The key factor is more what you don't say. A partner might be a soft touch when it comes to you. Tonight: Remember, your home is your castle.



VIRGO (Aug. 23-Sept. 22)

★★★★ The way you say what you think, as well as the words you choose, tell someone you mean business. Associates might drag their heels at first, but they do come through for you. Good will marks a budding relationship. Tonight: Curb a self-indulgent streak.



LIBRA (Sept. 23-Oct. 22)

★★★★ Add a touch of imagination and drama, and bosses will respond. At first you could find someone overly serious and touchy. Walk a conservative line financially while doing your best work. Curb how far out your mind spins. Tonight: Pay bills.



SCORPIO (Oct. 23-Nov. 21)

★★★★ The Moon in your sign stops you short, especially with a difficult person. Grant this person the space to moan and groan all he or she wants. Just be thrilled it isn't you who feels this negative. Tonight: Wherever you are, there is contentment.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★ Knowing when to say you are defeated could be critical right now. Others respond to your sense of fatigue or weariness. Everyone likes some attention here and there. Why not you right now? Tonight: Share with a confidante.



CAPRICORN (Dec. 22-Jan. 19)

★★★★ Zero in on what you want, encouraging even a reticent associate to join in. The positive power of teamwork can make all the difference in your life. Indulge others more often, even if it is simply bringing cookies to work. Tonight: Zero in on your friends.



AQUARIUS (Jan. 20-Feb. 18)

★★★★ Venus tumbles into your sign for several weeks. Though you might not walk on water, others admire your spirit, work or whatever unique quality you possess that appeals to them. You are on top of your game right now. You command respect. Tonight: Lead, don't follow.



PISCES (Feb. 19-March 20)

★★★★ Often you might not be sure about someone unusual or a concept that could be brand-new. Being somewhat cautious is a positive trait. Use it to your benefit. Your laughter often covers a more timid side. Tonight: A mental getaway.



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LOCAL



COMMUNITY BRIEFS

Planning department reaches out to public

By Daily Press staff

Under heavy scrutiny and criticism in the past, City Hall's planning department is reporting to be on time with approvals and has improved customer service.

The Santa Monica City Council last year hired a consultant for \$75,000 to determine how the planning department could be more efficient.

Data collected by the department shows the city is meeting timeline goals.

"We are very pleased to report that our four-week goal for single family home building permits and six-week goal for new multifamily/commercial construction have been met 100 percent of the time since October," said Suzanne Frick, director of planning and community development.

Also, the decision to re-open City Hall every other Friday with limited staff appears to have been met by the public with open arms.

It's proving helpful to applicants, their architects and particularly contractors who can get plans reviewed and site inspections completed in anticipation of the weekend. More than 130 additional customers were served on Jan. 7, the first Friday of the new schedule, and 253 on the second "light" Friday, Jan. 21, between 8 a.m. and 5 p.m.

Services available on the first floor of City Hall on the light Fridays are plan check, building and safety inspections; public works, building, film and preferential parking permits; and business license, permit fee and parking ticket payments. Additionally, the city's water resources office at 1212 Fifth St., third floor, is now open every Friday, 8 a.m. to 5 p.m., for water and sewer customers, and solid waste management staff is available at 458-8719 for contractors to contact refuse and recycling enclosures and at 458-8739 for construction and demolition waste management plans.

The planning and community development department has a Web site at www.smgov.net (click on City Departments Index), where users can find frequently updated information on planning projects, commission agendas, parking, historic preservation and more.

Smoke and mirrors



Kim Calvert/Special to the Daily Press

The first person to describe where this was taken will win a gift certificate to Izzy's Deli. E-mail responses to sack@smdp.com.



SURF REPORT

New NW swell arrived on schedule Tuesday, and increased surf along the coast. Most west-facing breaks are seeing chest-head high sets. South facing breaks are running below waist high. Smaller surf is on the horizon with some minor SW due around Feb. 7, and some NW potential around Feb. 8 or Feb. 9.

Today the water is:

60°

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

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	5:01	2.0	5:36	0.3	10:51	4.7	N/A	N/A
SUNDAY	5:55	1.9	11:32	4.0	5:55	1.9	6:00	0.8
MONDAY	12:47	4.3	12:27	3.3	7:06	1.8	6:26	1.3
TUESDAY	8:42	1.6	6:57	1.8	1:29	4.5	2:03	2.7
WEDNESDAY	10:25	1.0	7:47	2.3	2:24	4.8	4:50	2.5
THURSDAY	11:40	0.2	9:30	2.6	3:31	5.1	6:45	2.8
FRIDAY	11:40	0.2	9:30	2.6	3:31	5.1	6:45	2.8

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The Q Line

With all the rain Southern California has endured lately, the water quality of the bay has steadily declined. Officials have warned people to stay out of the water as bacteria levels will surely make them sick. But many people looking to catch a wave have ignored the warnings.

So this week, Q-Line wants to know,

"How concerned are you about the water quality of the Santa Monica Bay? Why?"

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses in the 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.

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LETTERS TO THE EDITOR

To err is human, but take the heat

Editor:

John Wood’s article on Danny Harris was well done (SMDP, Jan. 21, page 1). The judge in the case apologized to Danny Harris, because she concluded that Harris was obviously innocent and should not have been imprisoned. The arrogance of Santa Monica city government never ceases to amazes me. In this case, Police Chief Butts denying that a mistake was made. If you imprison the wrong guy because you get the evidence wrong, that’s a mistake. Chief Butts, your department made a mistake. Why not admit it, and make changes to prevent it from happening again to somebody else?

For the police chief to say that no mistake was made means that the same system of building cases against people will be in place, and that more innocent people will be deprived of their lives through false imprisonment. Learning should not be just for school children in Santa Monica. Public officials and police chiefs should be forced to learn, too. I suppose because Harris is black and a former addict, it does not matter much to the City Council that the police have in place a series of procedures designed — almost guaranteed — to produce erroneous results.

The City Council needs to realize that the public is best protected by imprisoning the right person who did the crime, not just any handy old black man to prove that the police department is on the job. Mistakes have been made, which is only human, but this lack of accountability and unwillingness to learn from mistaken policies and make changes is the real problem with Santa Monica city government.

Joel Grossman
Santa Monica

Knock down the idea of towers

Editor:

(Editor’s note: This letter was originally addressed to the Santa Monica City Council).

Being long-time residents of Santa Monica, my family and I are writing to object to any development of the downtown Third Street area regarding towers of any size. The area is already overcrowded and hard enough to transit. Further development of any size will only burden the city even worse with congestion, not to mention destroy the skyline. We, as residents, enjoy and are entitled to view freely without bulbous obstructions. It, quite frankly, surprises us that the city would even consider such a project given the city’s current condition in this particular area.

A couple years back, the city turned away Target based upon the impact that it would have created for the area although it would have benefited the residents who now have to shop Targets outside the city. Think about it a moment.

This latest consideration is a no-brainer. Don’t do it, please.

If the city wants to take on a redevelopment project, take on Lincoln Boulevard, which is an eyesore. Being Sunset Park residents, we have to deal with its unsightly, unkempt businesses lining the street, not to mention all of the massage parlors, motels, transients and prostitutes walking the street on our urine stained sidewalks around the clock.

Nicely planted center medians such as the ones on Wilshire Boulevard would look

nice on the street in addition to mandating that area businesses be kept to certain standards, within reason. It might even bring in an anchor business or two that would benefit residents as well as existing businesses. Drive the street from Rose Avenue north and be the judge for yourself.

But please, no towers of any sort. The city has enough issues and doesn’t need this high rise burden.

Your consideration is appreciated.

Matt Schwabe
Santa Monica

Welcome to Santa Monica

Editor:

I moved to Santa Monica in October 2004. I was glad to be able to move to such a nice little town. It is cooler than up close by Glendale, and my children thought that it was safer, too. I am also living closer to my son and daughter-in-law, and that is a plus should I get ill or need them for any reason.

I thought that I would be able to take nice walks without any problems, but I hadn’t visited Santa Monica and walked around for sometime. Imagine my consternation when I took my first walk down from Sixth Street on Arizona Avenue to Third Street, and over to and up Wilshire Boulevard. When I came to an empty store, some man unzipped his pants probably to urinate. I quickly walked away, up Wilshire to Sixth Street. I realize that some of these people are sick, and those we should take care of, but the drunks and druggies are something else.

I am handicapped by health problems and have to rest many times when I walk and always feel a little reluctant to sit on the benches and chairs provided on the Promenade but I do it. I thought I’d seen everything in my 78 years, but one day while sitting resting, a homeless man walked up behind a couple of chairs in front of the bench I was sitting on, unzipped his pants and started pleasuring himself. The two ladies sitting on the chairs went on talking to each other. The people sitting at the Coffee Bean and Tea Leaf watched. It seemed like forever before a young man came and told the man to stop what he was doing and move on, and he did but not without a string of profanity. How can things like that happen in a civilized society? Are these the things that your children must witness? I’m hoping that somehow all this is going to change.

I can’t believe that there is even talk about building three towers at Santa Monica Place. I know that I’m not the only one to drive here, but if the traffic is so bad in the winter, what is it like when summer comes and the people flock in to go to the beach? Like I say, it had been a long, long time since I had spent any time in Santa Monica and I don’t like what I am seeing and hearing.

I have no intention of moving because I think that the town can be saved for the good people that I have met and respect so much. I only wish that I was able to be a more positive influence but I think that at this point, my vote is the only weapon that I have to fight the things I don’t like.

Evelyn Elliot
Santa Monica

Maybe some of us haven’t evolved quite as much



INCITES
BY ED SILVERSTEIN

■ A youngster becomes so saddened by his mother’s death that he stops eating and dies.

■ Two males form an alliance to take down a bully so they will be more appealing to the opposite sex.

■ A father passes his unique knowledge of tool making to his children.

■ A psychotic mother forces her daughter to become an accomplice in a murderous spree in which dozens of infants are brutally killed then consumed by the pair.

What all of these events have in common is that none of them involve humans. They are all examples of chimpanzee behavior recorded by primate researcher Jane Goodall. But despite such evidence of evolution, the religious right has renewed their efforts to insert creationism into the educational curriculum.

This time creationists have repackaged their beliefs under the new moniker, “intelligent design.” “Intelligent design-

ers” believe that life forms are far too complex to have randomly evolved. Therefore, there must have been a superior intelligence that designed them. And while “intelligent design” carefully avoids the mention of God, it’s really nothing but a transparent subterfuge designed to circumvent constitutional prohibitions against teaching religion in public schools.

Their theory is wrong.

In February’s Discover magazine, Carl Zimmer describes an experiment being carried out at Michigan State University’s Digital Evolution Laboratory.

Led by director Charles Ofria, the scientific team has been working with a computer program called Avida that has all the aspects found in Darwinism. Digital organisms are allowed to compete with each other, randomly mutate and replicate, though at speeds millions of times faster than nature.

Zimmer points out that DNA and computer code are remarkably similar. Both are just a set of instructions, one telling how to assemble proteins, the other how to process information.

In natural selection, organisms that mutate in a positive way are able to reproduce faster and pass on that trait. For example, a bigger stronger lion will take over the pride and produce many

offspring, thus passing on those genes. The digital organisms in Avida work the same way. Positive mutations in the computer code are rewarded with increased replication.

Avida’s initial test was to see if the digital organisms could evolve the ability to do simple addition. When the organism replicated there would be occasional mutations in the computer code. In rare cases these mutations would be positive, for instance, allowing the organism to process a number in a simple way such as recognizing and reproducing a single number. These organisms were rewarded with faster reproduction. The eventual recognition of two numbers was rewarded with even faster reproduction and so on. In every test, the organisms eventually evolved the ability to add.

The researchers went on to prove that complex systems could also evolve from simple precursors. They set up a test to see if the digital organisms could evolve a program called “equals,” in which binary numbers are compared to determine if they are the same. This program requires a minimum of 19 lines of computer code and the odds of it occurring by chance are a thousand trillion, trillion. Yet Avida’s digital organisms evolved to solve the problem in 23 of 50 trials. And none of

the solutions were the same.

Even more amazing is what happened when Ofria tried to stop the evolutionary process by removing all the organisms that mutated in a positive manner. Not only did the organisms continue to evolve, but they also created a defense in which they stopped processing when they knew they were being tested.

Creationists downloaded the program by the thousands — which is free to the public — but to date have been unable to find any major flaws.

Avida’s success clearly proves that evolution exists and negates “intelligent design’s” underlying premise that evolution can not result in complex organisms.

Negative mutations can even gain dominance for a time as is observable in Goodall’s chimp communities. There is little intellectual curiosity. Their language is limited, consisting mostly of grunts and beating of their chests. Males are bullies and treat the females as inferiors, or ignore them. They are suspicious of, and violent to, outsiders. And they make a regular practice of crapping all over their environment.

In other words, much like the red states where the creationists live.

(Ed can be reached at edincites@aol.com).

LOCAL



City Hall may ask Supreme Court to review case

LOSING APPEAL, from page 1

of city attorney time, and cost tens of thousands of taxpayer dollars, which were spent on hiring outside law firms to help handle the case.

The law has never been implemented. "The case was very heavily litigated in the trial court. We set out to file a fairly simple lawsuit and ... this was derailed into a procedural battle," said City Attorney Marsha Moutrie, who added the total legal bills were unknown, but significant.

While the city sued, the advocacy group that put the initiative on the ballot steamed. Carmen Balber, from the Foundation for Taxpayer and Consumer Rights, which is headquartered in Sunset Park, called the city's suit against itself a trumped-up attempt to circumvent voter will. She rebuffed claims the initiative was unconstitutional.

"It's a very narrow circumstance, where you can see the direct line between the award of a public benefit by a city official and the thank you, the personal benefit paid by a company to that city official," she said Tuesday. "It's very narrowly tailored."

City Hall has several major problems with the initiative. Among them are the city's contention the language of the law would unnecessarily affect low-level workers; put too stringent fundraising limitations on local officials running for state and federal office; unfairly keep officials from taking certain types of jobs after leaving their posts; put too heavy a burden on officials to know the economic interests of outside parties; and conflict with state and federal law. They also contend that civil and criminal penalties spelled out in the initiative are vague and overly broad, and that the initiative unfairly hinders donations from nonprofit groups.

To illustrate the impracticality of the law, the city argues a zoning administrator, an appointed official who has discretion to approve routine applications for zoning permits, would violate the law if he accepted sports tickets from a family friend who happens to be a partial owner of a construction company that does business in Santa Monica.

"I think there are a lot of drafting errors in the initiative," said Deputy City Attorney Anthony Serritella. "A more careful process of drafting could have

avoided some of these problems."

Examples of the law's faults, Serritella said, go on and on.

"What we believe is that the standards that are set forth in the initiative are indefinite or uncertain," added Serritella, illustrating his point with a portion of the law that forbids officials from being swayed by members of the public with substantial interest in a company that may benefit from an official decision.

"How does the public official know the identity of all those persons?" Serritella said. "Let's say Corporation X applies for some type of a permit. How are elected officials to know that Citizen A holds 11 percent interest in the corporation that's applied for the benefit?"

Though the appellate court refused to consider many of the concerns raised in the city's suit, arguing, in part, that there was no legal footing for City Hall to sue itself, it did recognize that the law raises issues of constitutionality.

"As both the city and the clerk point out, significant substantive issues remain and must, at some point, be addressed on their merits," the Jan. 28 decision reads. "Strong public policy and public interest principles are at stake, issues which are of

great interest to the parties to the litigation and the public at large. That is not enough ... Courts are not free to render advisory opinions regarding controversies which the parties fear will arise, but which do not presently exist."

City Hall's responding course of action has not yet been decided on, though Serritella said officials could either request another hearing, where the appeals court would reconsider or clarify its position, or officials could ask the California Supreme Court to review the case. Other additional alternatives may come up as time progresses, he added.

"There are still unresolved issues that need to be resolved," Serritella said Tuesday. "Obviously, on our end, we're disappointed that the court failed to reach those issues, that the courts instead side-stepped those issues on highly technical grounds.

"We think the court should have resolved those issues and both the city and the city clerk had standing to raise those issues, but at this point we're left with the court of appeals decision," Serritella continued. "We're just in the process of digesting the decision and have not made a decision how to proceed."

Schools lock down doors after report of gun-toting

LOCKDOWN, from page 1

area surrounding Los Amigos Park stopped a male suspect matching the description more than an hour later. No weapon was found.

The lockdown, initiated by school officials and not the SMPD, required students

to stay indoors at their respective school campuses. John Muir Elementary is located at 2526 6th St., and SMASH Alternative is situated at 2525 5th St.

"We did a precautionary lockdown that went flawlessly," said John Deasy, schools superintendent for the Santa Monica-Malibu Unified District.

Store's closure puts childish things behind Sa

PLAYTIME OVER, from page 1

the CIM Urban Real Estate Fund, LP. With the California Public Employees' Retirement System and the California State Teachers' Retirement System as lead investors, the fund has \$676 million in equity, allowing for the investment of over \$1.6 billion in real estate. The fund

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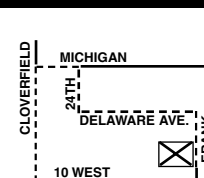
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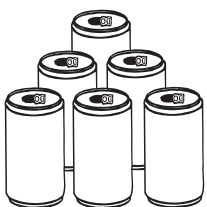


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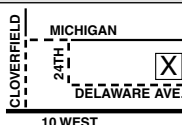


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Yahoo! just latest entertainment firm to move in

YAHOO!, from page 1

entertainment,” said Stevens. “Look at how many other companies are there.”

Yahoo! signed a 10-year lease for 229,728 square feet in the Colorado Center, which will be renamed Yahoo! Center. The \$100 million deal with complex owner Equity Office is the largest and most expensive in Santa Monica in recent years.

“I can’t think of anything within 100,000 square feet of that,” said CRESA Partners broker Jerry Porter, who represented Yahoo in the deal.

Yahoo!’s presence in the complex is second only to anti-virus company Symantec, which will vacate its space in 2008. Yahoo! has over 100,000 square feet more than the complex’s next largest tenant, Rubin Postaer, an advertising firm.

But to lessen the company’s financial impact and control expansion, Yahoo! won’t take over the entire leased space at once, according to Dennis Kaiser, an Equity Office representative. Instead, it will make the shift over a three-year period, beginning by moving into 64,671 square feet this August.

“Ultimately, they hope to take the space and grow into it,” said Santa Monica Economic Director Mariam Mack.

The concentration of media companies within the Colorado Center has increased substantially in recent years — HBO, CBS and Rubin Postaer all moved there within the last three years.

Matthew Miller, a broker for CRESNA

Partners who closely tracks the area, said architecture is one of the biggest factors in drawing entertainment and creative type businesses to the Colorado Center.

“Yahoo! Center is exactly what the Westside business community wants,” he said.

The complex is comprised of six buildings designed in an open-air campus, which differs from the traditional contained office building.

Frank Campbell, Equity’s vice president of leasing, said creative businesses fit well in that model.

“It’s a highly sought after product type,” he said. “It has real knowledge worker appeal because there is plenty of open space.”

The Water Gardens, the office building next door, is built in a more traditional enclosed style and is largely made up of financial services and a law firm.

“They are almost identical on paper,” Miller said, “but in real life they couldn’t be more different.”

Miller said the Water Gardens is not experiencing the leasing success its neighbor enjoys.

“They are starting to fill up now, because there is no other open space left,” he said. “But they were the last to fill up in the last cycle, and they will be the last to fill up in this cycle.”

The Colorado Center is surrounded by other expanding media companies that have been moving into Santa Monica for more than a decade. MTV, Universal Music, Sony Music, Lucas Productions and Bruckheimer films are some of the

big name companies situated within a half-mile.

In addition to the larger companies, many smaller production studios are filling up office space in the area. Last fall, the City Council approved a Lantana-Hines development on Olympic Boulevard, which includes two three-story entertainment buildings. A 64,105-square-foot production/post-production studio building and a separate three-story, 130,000-square-foot building is set to be constructed at 3131 Exposition Blvd. The two buildings will complete the Lantana Media Campus, which already is home to many entertainment businesses, including IMAX headquarters, Revolution Studios, Lawrence Gordon Productions and such shows as “Crime & Punishment” and “Curb Your Enthusiasm.”

“It’s clear this area is becoming a central hub for entertainment companies,” Miller said.

While the entertainment and media industries are growing in Santa Monica, he acknowledged the trend is not altogether new.

“About 15 years ago, the studios realized they didn’t have to have their offices right next to the lot,” he said. “They could move closer to the decision-makers.”

City officials don’t yet know how Yahoo!’s move will affect City Hall revenues, but Mack said any new employees working and spending money in Santa Monica should benefit Santa Monica.

“Basically, we are excited about anything that takes up space,” she said. “It’s a major catalyst for economic activity.”

While the company didn’t release any numbers, the space Yahoo! leased — most of which is currently unoccupied — can hold up to 1,000 employees.

Companies like Yahoo! have an influence on the amount of services the city can provide residents because sales tax revenue is likely to increase with more people spending money here, according to Santa Monica Economic Development analyst Gwen Pentecost.

“Things like Yahoo! really help our economy,” she said, referring to the hundreds of potential new employees that will be working and spending money in the city. “When offices are filled, our retail and restaurants also survive better.”

“Those new employees will eat and shop here.”

While many of the jobs moving to Santa Monica will be transfers from Yahoo!’s headquarters in Sunnyvale, Calif., Stevens said not everyone will be able to transfer to Santa Monica. New positions also will be created if expansion goes as planned.

Yahoo! has about 200 employees already working in other Santa Monica offices and some of them will be among the first to move into the new offices. While all of Yahoo!’s entertainment offices will be located in Santa Monica, Stevens said the technical branches will remain in Sunnyvale.

City Councilman Kevin McKeown thinks Yahoo!’s presence will be an asset.

“Santa Monica is fulfilling its prophecy and becoming a town of yahoos,” he said.

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STATE



Libel charges cost Schwarzenegger camp \$500K

BY TOM CHORNEAU

Associated Press Writer

SACRAMENTO — Gov. Arnold Schwarzenegger rang up private legal bills of more than a half million dollars last year to defend himself and campaign aides in libel cases related to groping allegations made during the final days of the 2003 recall election.

Records released Monday show that Schwarzenegger has paid almost \$116,618 last year to prominent British attorney Keith Schilling — known in the English press as “the most feared lawyer in Britain.”

Schwarzenegger and two campaign aides are fighting a libel suit in a London court brought by a former British television host who claims she was once groped by Schwarzenegger and was later defamed by the governor’s campaign staff when they commented about the incident during the recall campaign.

The governor is spending money donated to his Californians for Schwarzenegger committee to pay for the legal work. He organized that committee to support his election in the recall campaign.

Records show the committee paid more than \$200,000 to a pair of California-based attorneys who helped settle a separate libel suit last summer brought against the governor and his aides by a movie stuntwoman who claimed Schwarzenegger’s campaign lied about another groping incident.

Martin Singer, a Los Angeles-based litigator who has served for years as a private attorney to Schwarzenegger and who helped represent the governor and his staff on the libel case brought by Rhonda Miller, the movie stuntwoman, said all the of billing related directly to the two libel cases.

“The only fees paid by CFS (Californians for Schwarzenegger) related to the campaign and the two libel cases,” said Singer, who also recently represented the governor in a skirmish last summer between one of Schwarzenegger’s production companies and an Ohio company that wanted to produce bobblehead dolls

in the governor’s image.

“I have many, many other issues involving Arnold Schwarzenegger that are not paid for by CFS,” he said.

California law allows an officeholder to use campaign contributions to defend the candidate or aides against legal action stemming out of campaign activity, said Bob Stern, president of the Center for Governmental Studies and a former counsel to the California Fair Political Practices Commission.

In both libel cases, women accused Schwarzenegger campaign aides of wrongdoing in response to allegations of unwanted advances from Schwarzenegger in the past. The allegations were part of a broad assault on candidate Schwarzenegger and were set off by a Los Angeles Times story five days before the recall election that threw the race into turmoil.

Still pending in England is a complaint from television host Anna Richardson, who was one of six women who accused Schwarzenegger in the Times story.

Richardson said Schwarzenegger made lewd comments and touched her breast when she was interviewing him in 2000 on a movie promotional tour. She claimed in her suit that Schwarzenegger later falsely painted her as the instigator of the incident in an account delivered by his aides to the press.

Earlier this month, a British judge cleared the way for Richardson’s case to move forward, dismissing an argument from attorneys representing one of Schwarzenegger’s aides that British courts do not have jurisdiction.

Singer said Schwarzenegger has made the same motion, arguing that he did not make any of the allegedly libelous statements nor did he order them to be made. No ruling has yet been issued on Schwarzenegger’s motion and no trial date has been set.

Schilling, who could not be reached Monday, is the same lawyer that won an apology and undisclosed settlement two years ago for actress Nicole Kidman from an English tabloid that had alleged she had an adulterous affair.

Campaign records show that Schilling was paid \$116,618 last year and is still owed over \$150,000 from the Schwarzenegger campaign.

Miller’s suit was dismissed in July, when a judge ruled there was not enough evidence to support her contention that Schwarzenegger aides knowingly spread false information about her to reporters.

One day before the recall election, Miller called a new conference to claim that Schwarzenegger, while on a movie set, had lifted her shirt and assaulted her.

Only hours after her announcement, then-Schwarzenegger spokesman Sean

Walsh sent e-mails to reporters covering the campaign directing them to court records of a Rhonda Miller who had a history of drug crimes, prostitution and disorderly conduct. Those charges were made against a different woman named Rhonda Miller.

Singer, who has represented Schwarzenegger for years on a variety of issues, was paid nearly \$180,000 by the governor’s political campaign last year.

Attorney Neil Shapiro of Monterey, who at times has represented Walsh on the Miller case, also received \$37,840 from Schwarzenegger’s campaign fund.

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STATE BRIEFS

Court sides with suspicious tenants

By The Associated Press

SANTA ANA — An appellate court ruled a Buena Park law requiring landlords to evict tenants when the police chief suspects illegal drug activity in an apartment is defective and cannot be enforced.

More than 120 evictions have attempted under the law, which also covers apartments suspected to be used in gang activities. The 4th District Court of Appeal ruled unanimously Monday to throw out the law.

Landlord Don Cook, who was ordered to evict a tenant whose roommate had been caught with drug paraphernalia and was sentenced to a drug rehabilitation program, brought the case to the appellate court. Landlords can be fined up to \$1,000 for repeated violations.

The three-judge panel said the law was defective because it requires the landlord to evict the tenant even though a court order is required to enforce an eviction. It also fails to require the police chief to provide the landlord with enough information to get an eviction order from the court.

“I am concerned about its sweeping requirement that all occupants of the premises must be evicted for the sins of one,” Justice William Bedsworth said in a separate opinion that he had additional reasons for throwing out the ordinance.

Bedsworth also said the ordinance gave unequal treatment because it applied only to renters and not to homeowners.

City floats offer to Queen Mary

By The Associated Press

LONG BEACH — The operator of the Queen Mary harbor tourist attraction was given two more weeks to consider a final city offer to settle a \$3 million rent credit dispute.

The extension announced Monday comes after city officials met Friday with Barney Ng, a man who loaned \$25 million to keep the ship financially afloat. Details about Ng’s role in the dispute weren’t disclosed by either side.

The city and Queen’s Seaport Development Inc., which leases the city-owned attraction, have been battling over rent credits the company has taken since 2000.

The disagreement continues to focus on two letters in November 2002, including one from Ng, that appeared to authorize different levels of rent credits to the ship’s operator, city negotiator Amy Bodek said.

Both sides have tried to avoid a court battle that could threaten future finances or surrounding development plans for the city landmark.

Queen’s Seaport Development pays a \$25,000 monthly rent, plus up to 5 percent of its annual gross revenue to run the dry-docked ship. But its 66-year lease allows the company to seek rent credits for improvements it makes to the Queen Mary’s surrounding 55 acres.

The company claims that nearly \$3 million in credits taken since 2000 complied with provisions of the lease, but the city argues the credits were inappropriate.

Assistant City Attorney Heather Mahood said the city will consider declaring QSDI in default of its lease if a settlement isn’t reached within two weeks.

Queen’s Seaport Development chief Joseph Prevratil said he was optimistic a settlement would be reached.

Since QSDI first leased the ship’s operation in 1993, Ng has lent the company nearly \$25 million to pay for ship-related improvements and to refinance prior loans. Ng would gain control of the Queen Mary lease if Prevratil could not repay the loans.

‘Inept’ jailers cough up \$54K

By The Associated Press

LOS ANGELES — A judge ordered the county to pay \$54,000 for “ineptitude” because it failed to turn over evidence about jail inmates allegedly held in county jail beyond their release dates.

Superior Court Judge Margaret Ann Nagle’s scathing ruling and sanction was announced Monday as a civil trial began for W.E. Green, who claimed he was detained for seven days after the parole board ordered him freed.

In 2001, the county paid \$27 million to settle five class action suits claiming 400,000 inmates had been overdetained, were the victims of mistaken identity or were illegally strip-searched.

When Green sought records for his overdetention claim, the county said it was unaware of any relevant documents. But Nagle’s ruling disclosed the county had the records in both digital and paper form.

"Given the prior litigation regarding over-detentions in which the county has been named as a defendant, it is shocking to this court that the county apparently does not have an accountable official charged with carefully monitoring the over-detention of prisoners and ameliorating this problem in the county jail system," Nagle wrote in her ruling.

The judge added, “the quest for relevant documents regarding over-detention was painstakingly slow as a consequence of the ineptitude of the county or its counsel.”



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NATIONAL



Bush repackages old proposals for State of Union

BY TERENCE HUNT
AP White House Correspondent

WASHINGTON — President Bush is ready to challenge Congress to approve a stack of politically divisive measures he has proposed before without success, from major changes in Social Security to a loosening of the nation's immigration laws.

Bush will go before Congress and the nation with his annual State of the Union message Wednesday night with the lowest approval rating of any second-term president since Richard Nixon. Yet he is in a feisty mood, insisting that his re-election has given him a mandate for change and political capital to spend in pursuing his agenda.

Even though Republicans control both houses of Congress, Bush's proposals face major obstacles. Democrats are deeply suspicious of the president, feeling he has ignored them and refused to compromise.

Republicans are wary about Bush's ambitious Social Security plan because of the political risks of tampering with one of the government's most popular programs. Facing re-election next year as Bush moves toward lame duck status, GOP lawmakers can't be counted on for rock-solid unity.

The poisonous relationship between Republicans and Democrats on Capitol Hill also complicates Bush's task.

"We have the most polarized Congress maybe since the 1930s," said Terry Madonna, a professor and pollster at Franklin & Marshall College in Lancaster, Pa. "I don't think there's any way Democrats are going to roll over on these issues that they feel very strongly about. Bipartisanship is virtually obsolete in Congress."

Another problem that could weaken Bush's hand is Iraq. If the situation there deteriorates, it could sap the president's political strength.

Bush will use the State of the Union address to update the nation on Iraq after Sunday's successful elections, discussing the way forward, aides said.

He will also appeal to other nations to "seize on this opportunity to find ways to show tangible public support" for Iraqis and their government, said a senior administration official who spoke on the condition of anonymity because he didn't want to upstage the president.

First lady Laura Bush, meanwhile, said Tuesday that among those sitting with her in the House gallery as special guests during her husband's speech will be two voters, one from Iraq and another from Afghanistan, who had participated in those countries' elections.

She told NBC's "Today" show they would serve as "a sign that people the world over want to live in freedom and want to have a democracy in their country."

The key ingredients of Bush's domestic package are repackaged from years past.

"These are oldies, golden oldies," said Norman Ornstein, a political analyst at the conservative American Enterprise Institute. "Much of what is on the agenda in domestic policy are things that made it around the track in the first four years but didn't get to the finish line."

"Deciding that you want to go for a big hit like Social Security is a change, although we're getting mixed signals in terms of how much he really is going to push for this and how bold it will be," Ornstein said. "I think an expectation that we're going to get a burst of legislative activity would be a misguided expectation."

Social Security restructuring, Bush's top proposal, has been around since before he entered the White House. In 2000 he campaigned on the idea of allowing younger workers to divert some of their Social Security payroll taxes into private investment accounts, a move that might offer higher returns but also would deplete money for guaranteed benefits in the future.

Bush raised the idea in his first address to a joint session of Congress and has renewed it in every State of the Union since. He never put any political muscle behind it, and Congress ignored it. The president says this time will be different, that it will be his No. 1 priority and that he will provide political cover for Republicans willing to stick their necks out.

Democrats are equally determined to block the president's initiative, which calls for partially privatizing Social Security by adding individual investment accounts to the government's nearly 70-year-old retirement system.

"We can solve this long-term challenge without dismantling Social Security and without allowing this administration's false declaration of a crisis to justify a privatization plan that is unnecessary," House Democratic Leader Nancy Pelosi said Monday.

The president will "talk in certainly greater detail" on Wednesday than he has in the past about his plan to restructure Social Security, White House spokesman Scott McClellan said.

It was not clear whether Bush would go far enough to satisfy some skittish congressional Republicans who have urged Bush to produce a detailed plan and try to sell it to the nation before attempting to push it through Congress.

Wet winter could mean later start to Southwest's fire season

BY BETH DEFALCO
Associated Press Writer

PHOENIX — Heavy winter rains that have drenched the Southwest made a dent in the drought and may mean a delayed, less severe fire season, according to a preliminary report from the Southwest Interagency Coordination Center in New Mexico.

"Assuming the prediction for the remainder of winter is accurate, the Southwest area is in the enviable position of not having to depend on unreliable spring precipitation to avert a potentially severe fire season," the report said.

A weak El Nino was expected to bring above-average precipitation across much of the Southwest accompanied by average to above-average temperatures in the next few months, the report said. A later-than-normal beginning to the 2005 fire season was expected, with the season possibly intensifying in May.

Forecasters pushed the season start back because both live and dead fuel components are wetter than usual, and

as a result, fewer tree-killing bark beetles are expected to make an appearance. The fuels are also likely to remain wet considering the above-average snowpack readings, the report said.

In addition to a reduced wildfire risk, the rain has also provided other short-term benefits, including groundwater recharge and has helped to slightly ease drought conditions.

Northern Arizona saw the most precipitation over the past two months. Flagstaff recorded 6.58 inches of rainfall in January. The normal is 2.18 inches, said meteorologist Keith Kincaid with the National Weather Service in Phoenix.

Still, the recent rains don't mean an end to the almost decade-long drought.

"In the long term it's going to take a while to replenish what the drought has done," Kincaid said. "But this certainly helps."

While the recent rains are good news for the high country and are expected to produce dramatic wildflow-

ers in the spring, the wet weather also poses a greater threat of brush fires in lower elevations.

"It may complicate our job," said state forester Kirk Rowdabaugh.

Rowdabaugh said that a lot of the risk for brush fires will depend on how much moisture the remaining winter and spring months bring. The longer the moisture lingers, the taller and thicker the brush will grow. And the more brush, or fine fuel, the more likely brush fires are to ignite.

"For the first time, we have the potential for a desert fire season," he said. "They spread way more rapidly, because the fuels are much finer fuels," he said. "They are hard to chase."

The desert fires are especially dangerous because the lower elevations are so much more densely populated. A lot will depend on how fast the new vegetation dries out.

"I don't make a living predicting the weather," Rowdabaugh said, "but my guess is that it'll be hot and dry in Arizona this summer."

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Will the real estate bubble burst?



**BUYING
AND SELLING**
BY THOMAS KHAMMAR
& BRENT PARSONS

The talk around town has been that property values were going to decrease during this last year. However, the California Association of Realtors published a report on Jan. 25 noting that the median home price for 2004 increased 18.1 percent.

So what are the considerations that need to be looked at in order to understand how the areas we live in are affected by outside influences such as interest rates, number of jobs, etc.?

Location is a big key. People want to live in sunny California. There is always someone interested in purchasing here. Although the homes have been staying on the market a little longer than they were last summer, they are still desirable.

In addition, the number of jobs in California are increasing. The number of residences needed will increase accordingly. Therefore, the demand will still be there in the upcoming year.

So, we are fortunate to live in a state that has improving economic growth and is a great place to live.

Another factor to consider when trying to forecast a bubble burst — interest rates can slow down purchases and cause a drop in home prices to compensate for the higher mortgage payments.

In a separate report from the California Association of Realtors, dated Jan. 24, their economists projected that interest rates for the 30-year fixed loans will hit the mid 6

Santa Monica Single Family Home Sales January 2005			
Total Sold Dollar Volume:	\$ 25,284,888	Median Price:	\$ 1,012,000
Average Selling Price:	\$ 1,404,716	Average Days on Market:	49
Average List Price:	\$ 1,439,826	Number of Listings Sold:	18
Avg Sales Price/Avg. List Price:	97.6%		
Sold Listings:			
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2. 3053 DELAWARE AVE	\$ 720,000	11. 823 YALE ST	\$ 1,345,000
3. 1638 FRANKLIN ST	\$ 722,000	12. 2303 26TH ST	\$ 1,375,000
4. 714 MARINE ST	\$ 775,000	13. 714 16TH ST	\$ 1,550,000
5. 1834 EUCLID ST	\$ 790,000	14. 1050 CENTINELA AVE	\$ 1,788,888
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9. 2325 32ND ST	\$ 899,000	18. 544 EUCLID ST	\$ 3,420,000

percent interest rates this year, and depending on the economic growth of the country, they could hit 7 percent by the end of the year. These rates are still low enough to encourage purchases, mainly from investors. However, it could prohibit some first-time buyers to be able to come up with higher down payments, which could lower first-time home purchases.

Another consideration should be the type of property. Increases in value are not equal across the board. There are differences between income property, single family homes, condos and commercial property. There are additional differences between the cost of the home. Homes within the median price range will hold their value better than the luxury homes because the majority of purchases are made in the median price range. When the class of property has fewer prospective buyers, any small change in the environment can have an effect.

Single-family homes maintain value more than condominiums. Condominiums are mostly purchased by first time home buyers.

With condominium fees in addition to the mortgage, higher interest rates put a damper on the condo market. Single-family homes are more desirable for the growing family. They hold their value better because a larger part of the market is interested in purchasing them.

Commercial property values are based on the economic growth in the area. A good economy provides for higher prices for commercial property. With the job growth in California anticipated to continue through 2005, we can expect the commercial property to hold its value this year.

All in all, 2005 will look fairly similar to 2004. If the job growth occurs quickly and the interest rates hit 7 percent early, there may be some slow down in first-time home buying opportunities. However, like 2004, we will continue to see investors pick up that slack.

(Call Brent Parsons or Thomas Khammar (310) 943-7656 or e-mail to thomas1@georgechungrealtors.com or brent1@georgechungrealtors.com.)

SANTA MONICA RESIDENTIAL REAL ESTATE TRANSACTIONS: SINGLE FAMILY HOMES, CONDOS AND INCOME HOMES				
Sold	1050 CENTINELA AVE	SANTA MONICA	90403	
Santa Monica	SqFt: 2,514	List Price: \$1,880,000	Bed: 5	
01/07/2005	Lot Size: 12,000	Sold Price: \$1,788,888	Bath: 4.00	
Sold	714 16TH ST	SANTA MONICA	90402	
Santa Monica	SqFt: N/A	List Price: \$1,559,000	Bed: 3	
01/10/2005	Lot Size: 7,496	Sold Price: \$1,550,000	Bath: 1.75	
Sold	714 MARINE ST	SANTA MONICA	90405	
Santa Monica	SqFt: 660	List Price: \$825,000	Bed: 1	
01/25/2005	Lot Size: 4,996	Sold Price: \$775,000	Bath: 1.00	
Sold	2525 6TH ST	SANTA MONICA	90405	
Santa Monica	SqFt: N/A	List Price: \$899,000	Bed: 2	
12/31/2004	Lot Size: 2,897	Sold Price: \$850,000	Bath: 1.00	
Sold	1321 CHELSEA AVE	SANTA MONICA	90404	
Santa Monica	SqFt: 1,602	List Price: \$899,000	Bed: 2	
01/04/2005	Lot Size: 1,642	Sold Price: \$840,000	Bath: 2.50	
Sold	2325 32ND ST	SANTA MONICA	90405	
Santa Monica	SqFt: 1,216	List Price: \$899,000	Bed: 2	
01/05/2005	Lot Size: 9,600	Sold Price: \$899,000	Bath: 1.50	
Sold	823 YALE ST	SANTA MONICA	90403	
Santa Monica	SqFt: N/A	List Price: \$1,399,876	Bed: 3	
01/20/2005	Lot Size: 8,000	Sold Price: \$1,345,000	Bath: 1.75	
Sold	1834 EUCLID ST	SANTA MONICA	90404	
Santa Monica	SqFt: 1,303	List Price: \$819,000	Bed: 3	
01/07/2005	Lot Size: 7,497	Sold Price: \$790,000	Bath: 2.00	
Sold	103 WINNETT PL	SANTA MONICA	90402	
Santa Monica	SqFt: 1,953	List Price: \$2,050,000	Bed: 3	
01/03/2005	Lot Size: 8,616	Sold Price: \$2,150,000	Bath: 2.00	
Sold	1309 CEDAR ST	SANTA MONICA	90405	
Santa Monica	SqFt: 1,523	List Price: \$1,125,000	Bed: 3	
01/04/2005	Lot Size: 6,355	Sold Price: \$1,125,000	Bath: 1.75	
Sold	2303 26TH ST	SANTA MONICA	90405	
Santa Monica	SqFt: 2,047	List Price: \$1,395,000	Bed: 3	
01/14/2005	Lot Size: 7,497	Sold Price: \$1,375,000	Bath: 2.00	
Sold	2005 19TH ST	SANTA MONICA	90404	
Santa Monica	SqFt: 0	List Price: \$845,000	Bed: 3	
01/27/2005	Lot Size: 7,998	Sold Price: \$850,000	Bath: 2.00	
Sold	1748 BRYN MAWR AVE	SANTA MONICA	90405	
Santa Monica	SqFt: N/A	List Price: \$899,000	Bed: 2	
01/27/2005	Lot Size: 5,558	Sold Price: \$880,000	Bath: 1.00	
THOMAS KHAMMAR AT GEORGE CHUNG REALTORS: (310) 863-7643 thomas1@georgechungrealtors.com Information received as per the MLS on 12/03/04. Not all transactions may have been represented by George Chung Realtors.				



PROPERTY OF THE WEEK

Traditional 3 bedroom 1 bathroom home Garage converted to 2 bedrooms without permit. Electric updated 1998 roof approximately 3yrs old. Multiple fruit trees in spacious front yard. Carport with 2 car driveway. Open House this Sunday from 1-4PM.

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\$989,000

13001 ROSE AVE , LOS ANGELES 90066

Completely renovated Mar Vista Hill home with view toward ocean Large entry Hall Large brand new kitchen with granite counter and new cabinets Vaulted ceiling in living room with fireplace Step down Family room with fireplace 3 bedrooms downstairs Wood and metal bannister Master bedroom and bathroom suite upstairs: special spa tub with skylights, balcony with view, 2 car detached garage with alley access



\$929,000

3259 ROSEWOOD AVE , LOS ANGELES 90066

Completely remodeled home; new roof in Apr/2000, 200amp, copper plumbing from street to all fixtures, 100gal water heater, central heating, all new maple cabinets, granite counters, laundry rm in the garage w/mop sink; hardwood floors; family rm; living room w/wood burning fire place; Dining Room; wired internet to bedrm, living rm & office; Rm addition done in 2000. To view this or any home call Thomas or Brent today 310-943-7656.



\$625,000

12506 WAGNER ST , LOS ANGELES 90066

A curb appeal exquisite 1 story home in quiet neighborhood; 2bdrm, 1.75 ba; classy living rm w/bay window & delightful cherrywood color hardwood flr; kitchen w/garden window, granite counter top w/custom built cabinets trimmed petite board; cute charming dining area surrounded w/ vertical window in designer painted wall; flagstone driveway, 1car garage; copper plumbing throughout, 200 amp for your future spa, 1yr old roof; lush landscaping front/back yard w/sprinklers; wood deck off dining area.



\$925,000

3457 ROSEWOOD AVE , LOS ANGELES 90066

Lovely 2 story, contemporary home located on a quiet Mar Vista street which features living room with brick, gas burning fire place, formal dining room with pass through window to kitchen, kitchen with built-ins and plenty of cabinet space.



1.395 Million

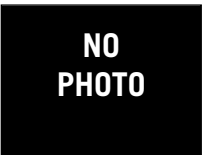
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\$399,000.00

341 47th Place

2 Bedroom+1 Bath front house with a 1 bedroom 1 bath in the back. Great investment property to live in or to purchase fix up and rent out. Near USC and many other conveniences. Let us tell you more about this and other great investment opportunity. To view this or any home call Thomas or Brent today 310-943-7656.



\$587,000

2614 Chariton Street

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\$675,500

8462 STANFORD AVE , LOS ANGELES 90001

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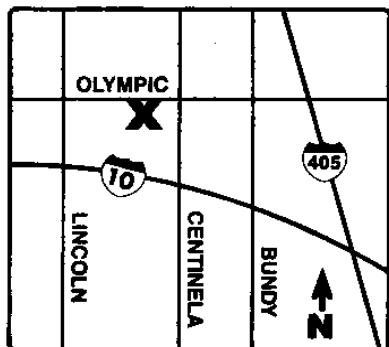
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Trials and tribulations of a teardown remodel



DAYS ON THE MARKET

BY JODI SUMMERS

Joel and Susie are doing what so many people only talk about — remodeling a home and making it uniquely their own. As architects, they longed to take a beat-up bungalow by the beach and turn it into their vision. So they found a place that happened to be in the neighborhood of renowned local architect Michael Folonis. They took a 1924, 622-foot mold and termite-infested teardown on a 2,000-square-foot lot and turned it into an oasis. This week, we talk with them about their vision. Next week, we will talk about the details of executing their plans.

Jodi Summers: Are you satisfied with the effort? Are you happy with your decision to buy a teardown home and remodel?

Joel: "Yes. Sometimes I have nightmares. There are many factors that are not under my control, and those are the scary ones. We have a lot of experience with architecture and we are very organized, so we thought in three months we are going to be done. We had a budget and we had a philosophy of what we wanted to achieve by remodeling and possibly selling for a profit."

But once we started, a few things went wrong immediately. We miscalculated. We thought the house was in bad shape, but we didn't realize the house was in such bad shape. Today, 90 percent of the house is new. We realized that our vision, which included adding one more story, was not going to work with our budget. We had to shift gears and forget about the original plan. We decided we were going to have some fun designing because if we're going to lose money at least we should have fun while we do it."

Susie: "Everything has been completely upgraded structurally to today's standard. Like when we put in the skylights — the original roof couldn't carry the additional weight, so all the roof rafters are new. The biggest challenge was to make this place look as big as possible because of the size of the lot and the size of the house."

JS: You took the European concept of doing very high ceilings.

Susie: "Exactly. We were trying to



imply the concept of space."

Joel: "We were thinking more in terms of volume than square footage. That was the first approach. The second approach was thinking that the setbacks are very precious in this house, so you might as well take advantage of that, at least visually. Why not have large expanses of glass that incorporate the outside, adding to the feeling that you have of space."

JS: How did your budgeting on the project work?

Joel: "The budget has doubled, for several reasons. The first one is because of the state of the house. The second was because we went through many teams of workmen, and many times the quality wasn't what we wanted so you have to do it over and over again. Thirdly, because the house was so old, things were not straight. We hid about 90 percent of that, but it took a very long time and a lot of effort."

Susie: "We put siding on all the exterior walls to ferret it out, and we put strips of blocking on it to make it level. The house is all level right now."

Joel: "We had to figure out at each location how thick the wood would be. It took a lot of time."

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

**Bitch!
Whine!
Complain!**

Check Out the Question of the Week on Page 3 and let us hear what you have to say

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IN YOUR SPACE

BY CHRISTINA S. PORTER

Conditions in the Los Angeles office market improved significantly in 2004. Vacancy rates dropped to the low teens and rental rates began to inch upward. As of year-end, construction activity was minimal and demand was building. Vacancy rates are projected to drop to single-digit levels by the end of 2005 in the San Fernando Valley and in Orange County, and in West Los Angeles and the tri-cities area — Glendale, Pasadena, Burbank and Ventura County by the end of 2006. As they do, rental rates are expected to climb sharply. 2005 appears to be an opportune time for tenants to lock in space before availability becomes limited and rents climb. The strong market dynamics also offer a number of investment opportunities, although prices are relatively high right now.

Driving the strong improvement in market conditions was a combination of:

■ A strengthening economy: Approximately 150,000 jobs were added in the Los Angeles Basin in 2004 for growth of 2 percent.

■ Relatively low rental rates: Rates were the same at year-end 2004 as they were at year-end 2000.

■ Limited growth in supply: In 2004, only 1 million square feet came online, expanding the base by just 0.3 percent.

In 2004, net absorption totaled 7.5 million square feet. This represented growth in the pool of occupied space within the basin of 2.8 percent — a strong pace. It was more than double the level witnessed in 2003 (+ 3.1 million square feet) and also exceeded the long-term average for the Los Angeles Basin (+6.4 million square feet per year, 1985 to present). Most (78 percent) of the net absorption in 2004 was in class A buildings, reflecting the strengthening financial position of local firms as well as recognition of the value that class A space offered. There also was particularly strong growth in demand in South Orange County (+ 2.3 million square feet) and West L.A. (+ 1.7 million square feet) — both high-rent areas — and in the San Fernando Valley (+ 1.1 million square feet). There was strong demand from firms in professional-services and finance, as well as from firms in communication, entertainment and high-tech.

The total vacancy rate for the entire Los Angeles Basin fell to 13.8 percent, down from 15.3 percent as of year-end 2003 and 16.4 percent as of year-end 2002. If sublet space is subtracted from this statistic, the vacancy rate was 12.5 percent. These are still somewhat high numbers, but are approaching healthy levels — considered to be in the high-single-digits. Vacancy rates as of year-end were highest in class A buildings (15.2 percent), followed by class B buildings (13.3 percent) and class C (6.3 percent). This pattern was due to: (1) the fact that

COMMERCIAL REAL ESTATE PROPERTIES LEASED

Location	Type	Date Leased	Sq. Ft.	Price
1919 Broadway	Retail	6/24/2004	11,000	\$2.25/nnn
1919 Broadway	Retail	6/24/2004	1,800	\$2.25/nnn
1919 Broadway	Retail	6/24/2004	1,200	\$2.25/nnn
903 Colorado Ave	Office	6/30/2004	2,105	\$1.75/nnn
903 Colorado Ave	Office	7/1/2004	1,407	\$1.75/nnn
2425 Olympic Blvd	Office	6/30/2004	2,354	\$3.00/fs
1630 Stewart St	Office	6/30/2004	4,500	\$2.00/nnn
1811 Wilshire Blvd	Office	6/30/2004	1,344	Negotiable
1831 Wilshire Blvd	Office	6/30/2004	1,848	\$2.85/fs
3130 Wilshire Blvd	Office	7/1/2004	3,694	\$2.25/fs

most of the new construction in recent years had been in class A buildings, and this space had not yet filled up. (2) tenants shifted requirements toward lower-cost space during the economic downturn in 2001 and 2002, and this space had not yet been reabsorbed. Vacancy rates were lowest in the San Fernando Valley and North Orange County, and highest in the South Bay.

Asking rental rates began to inch upward in 2004 in most markets. As of year-end 2004, rates were highest in West Los Angeles and lowest in the South Bay.

Construction activity as of year-end 2004 was modest, and only 1.3 million square feet was underway. When complete, this new space will expand the base by just 0.4 percent or two months worth of demand under normal economic conditions. Market conditions are projected to tighten substantially in 2005 and 2006. Additional projects will start construction in 2005, including 790,000 square feet in Century City at 2000 Avenue of the Stars. However, this space will not come on line until 2007 and, thus far, the amount of proposed space is relatively restrained. From a tenant's perspective, the window of opportunity to expand or to lock in low rental rates will soon be closing. These also are excellent times for firms to take advantage of low mortgage rates to purchase office buildings that meet their long-term needs. However, prices are now relatively high.

One segment of the office market that has been the healthiest in recent years is the medical office niche. Demand for this space remained strong and vacancy rates at year-end were low — just 7.8 percent. There was particularly strong demand for medical condominiums. Rental rates and sale prices climbed in almost all sub markets. Demand is projected to grow at a strong pace in future years — approximately 3 percent to 4 percent per year — and supply will be limited, given the unique requirements of this product type (at least five parking spaces per 1,000 square feet of office space, locations near other medical providers, and a high level of tenant improvements).

(The above is an excerpt from NAI Capital's Year End 2004 Market Report. The above is 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 buildings, she can be reached at (310) 806-6104 or at cporter@naicapital.com)

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NATIONAL



Bush wants to bolster 'death gratuity' payments

BY ROBERT BURNS

AP Military Writer

WASHINGTON — President Bush will propose that families of U.S. troops killed in Iraq, Afghanistan and war zones of the future receive an extra \$250,000 in government payments.

The plan, which includes retroactive payments to the spouses or surviving relatives of the more than 1,500 who have died in Iraq and Afghanistan since October 2001, will be part of the 2006 budget proposal submitted to Congress next week, the Pentagon's personnel chief said.

A tax-free "death gratuity," now \$12,420, would grow to \$100,000. The government would also pay for \$150,000 in life insurance for troops. Veterans groups and many in Congress have been pushing for such increases.

"We think the nation ought to make a larger one-time payment, quite apart from insurance, should you be killed in a combat area of operations," David Chu, the undersecretary of defense for personnel and readiness, said in an interview in his Pentagon office.

"We can never in any program give someone back their loved one," he added. "There is nothing we can do about the hurt, to make it go away. But we can make your circumstances reasonable, in terms of finances."

Chu was unveiling the administration's full proposal in congressional testimony Tuesday.

Sen. Jeff Sessions, R-Ala., who is sponsoring a bill with the same provisions, said in an interview Monday that the first-year cost of the increased benefits would be \$459 million, including more than \$280 million in retroactive payments of the higher gratuity and the extra life insurance payouts.

"The American people want to be generous to the families of service people who give their lives for their country. It's not a nickel-and-dime issue," he said.

In addition to the higher gratuity, the Pentagon would substantially increase life insurance benefits, Chu said. The current \$250,000 coverage offered to all service members at a subsidized rate under the Servicemen's Group Life Insurance program would be raised to \$400,000, and for troops in a combat zone the government would pay the premiums on the extra \$150,000 coverage.

Even in the case of a service member who did not participate in the basic life insurance program, the surviving spouse would receive a \$150,000 settlement if the death happened in a designated combat zone, since the Pentagon is proposing to pay the premiums on that

amount of coverage for everyone in a war zone. The spouse or other surviving family member also would get the \$100,000 gratuity.

Chu said the extra \$150,000 in life insurance and the higher death gratuity would be retroactive to Oct. 7, 2001, the date the United States launched its invasion of Afghanistan in response to the Sept. 11 terrorist attacks.

Some bills in Congress would make the higher gratuity retroactive but not the extra life insurance.

Under the administration's proposal, the 53 military members who were killed in the Sept. 11 attack on the Pentagon would not get the higher gratuity, a spokeswoman said.

As of Monday, 1,415 Americans had died in the Iraq war, according to the Pentagon's count, and 156 had died in Afghanistan and other locations deemed part of the war on terrorism.

The death gratuity is a one-time payment intended to be given to the family immediately after a service mem-

ber's death; it is in addition to an array of other survivor benefits such as housing aid.

The \$100,000 would apply only in cases where the service member died in a war zone as designated by the secretary of defense. Thus, a soldier killed in a training accident in the United States would get the current \$12,420, Chu said. Some in Congress have proposed paying an increased gratuity for all deaths.

In 2003 the military gratuity was doubled, from \$6,000, where it had stood since 1991, to \$12,000, with subsequent increases to account for inflation, bringing it to \$12,420 on Jan. 1, 2005. The 2003 legislation also made the payment fully tax-free. Before that, half was taxable.

In the aftermath of the Sept. 11 attacks, the current death payments for troops killed in battle has looked less generous compared to government settlements paid to Sept. 11 families. The government paid an average \$2.1 million to the families of those killed in those attacks.

Polygamist Green's appeal denied by Utah Supreme Court

BY DEBBIE HUMMEL

Associated Press Writer

SALT LAKE CITY — The Utah Supreme Court on Tuesday upheld the child rape conviction of Tom Green, one of Utah's most prominent polygamists.

Green, 56, was convicted in June 2002 and sentenced to up to life in prison for having sex with his first wife, Linda Kunz, in 1985 when she was 13 years old.

Green appealed, arguing the statute of limitations had run out. He also claimed the trial court lacked jurisdiction because the alleged rape occurred in Mexico.

The high court ruled Tuesday the statute had not run out because the 1985 incident wasn't reported to law enforcement until 1999.

The court also said the case was decided in the right jurisdiction because Juab County was Green's residence at the time of his arrest.

Green also has appealed his prison terms of zero to five years each on four counts of bigamy for having four other wives.

He has appealed his bigamy conviction, saying a U.S. Supreme Court ruling decriminalizing gay sex supports his case that the government is violating his privacy rights by trying to regulate what happens in his bedroom.

The state Supreme Court has yet to rule on that appeal.

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INTERNATIONAL

Iraqi president wants U.S. troops to hang around

BY MARIAM FAM

Associated Press Writer

BAGHDAD, Iraq — Iraq's president said Tuesday it would be "complete nonsense" to ask foreign troops to leave the country now, although some could depart by year's end. Officials began the final vote tally from elections to produce a government to confront the insurgency.

A militant group claimed in a Web statement that it had taken an American soldier hostage and threatened to kill him within 72 hours unless Iraqi prisoners are freed. The Web posting included a photo of a bound man in desert fatigues with an automatic rifle pointed at his head.

The claim's authenticity could not be immediately verified. A U.S. military spokesman in Baghdad, Marine Sgt. Salju K. Thomas, said "we are currently looking into" the claim.

If confirmed, the abduction would be the second of a

U.S. soldier during the wave of kidnappings over the past year, in which more than 180 foreigners were snatched.

A statement posted with the picture on a Web site where militant claims are frequently posted suggested the group was holding other soldiers.

"Our mujahadeen heroes of Iraq's Jihadi Battalion were able to capture American military man John Adam after killing a number of his comrades and capturing the rest," said the statement, signed by the "Mujahedeen Brigades."

At least 10 hostages, including three American civilians, remain in the hands of their kidnappers, and at least 35 foreign hostages have been killed, including three Americans. The only American soldier known to have been taken hostage is Pfc. Keith M. Maupin, 20, of Batavia, Ohio, who was shown in a video in April being held by militants. Another video aired in June showed what purported to be Maupin's slaying, but the picture was too unclear to confirm it was him and the military still lists him as missing.

Despite scattered clashes in rebel areas across the country, Iraq reopened its borders Tuesday and commercial flights took off from Baghdad International Airport as authorities eased security restrictions imposed to protect last weekend's landmark voting.

In Baghdad, about 200 election workers Tuesday began the second stage of the count. They reviewed tally sheets prepared by workers who counted ballots starting Sunday night at the 5,200 polling centers across the country and began crunching the numbers into 80 computer terminals. Officials said no figures were expected to be released Tuesday.

The ballots themselves have also been sent to Baghdad, but will not be recounted unless there are challenges or discrepancies in the tally sheets, officials said.

Sunday's election, which occurred without catastrophic rebel attacks, raised hopes that a new Iraqi government would be able to assume greater responsibility for security, hastening the day when the 170,000 U.S. and other foreign troops can go home.

During a news conference, President Ghazi al-Yawer was asked whether the presence of foreign troops might be fueling the Sunni Arab revolt by encouraging rebel attacks.

"It's only complete nonsense to ask the troops to leave in this chaos and this vacuum of power," al-Yawer, a Sunni Arab, said.

He said foreign troops should leave only after Iraq's security forces are built up, the country's security situation has improved and some pockets of terrorists are eliminated.

"By the end of this year, we could see the number of foreign troops decreasing," al-Yawer said.

Al-Yawer had been a strong critic of some aspects of the U.S. military's performance in Iraq, including the three-week Marine siege of the Sunni rebel city of Fallujah in April.

Al-Yawer helped negotiate an end to that siege. But the city fell into the hands of insurgents and religious zealots, forcing the Marines to recapture Fallujah last November in some of the heaviest urban combat for American forces since the Vietnam war.

"There were some mistakes" in the occupation "but to be fair ... I think all in all it was positive, the contribution of the foreign forces in Iraq," al-Yawer said. "It was worth it."

Later Tuesday, Defense Minister Hazem Shaalan said Iraq would only ask U.S. and other forces to leave when the country's own troops were capable of taking on insurgents.

"We don't want to have foreign troops in our country, but at the same time we believe that these forces should stay for some time until we are able to control the borders and establish a new modern army and we have efficient intelligence," Shaalan told reporters. "At that time ... we'll ask them to leave."

In the latest violence, clashes broke out early Tuesday in the eastern Mosul neighborhood of Nablus between insurgents and Iraqi National Guards, officials said. One person was killed and another injured. A roadside bomb killed four Iraqi National Guardsmen in the northwest of the city, Lt. Khalil Rashid said.

Two policemen were killed when a bomb they were trying to defuse exploded on a street in the Kurdish-run city of Irbil.

U.S. troops clashed with insurgents Tuesday near the main market in Qaim near the Syrian border, sending crowds fleeing, witnesses said. There was no report of casualties.

With the election complete and the ballots safely in Baghdad, Iraqi authorities eased the severe security measures that had been put in place to protect the voters and polling centers. The hours of nighttime curfew were eased, now covering 11 p.m. to 5 a.m.

Royal Jordanian Airlines and Iraqi Airways resumed flights to and from Baghdad. Cars, trucks and buses began crossing the border between Iraq and Syria at Tanaf. A five-mile line of trucks loaded with goods was waiting on the Syrian side to cross.

The Yarubiya crossing point which leads to the northern Iraqi city of Mosul remained closed.

Security measures for Sunday's vote, including a ban on most private vehicles, were credited with preventing rebels from pulling off catastrophic attacks, although more than 40 people were killed in about 100 attacks on or near polling stations.

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6 MO./6 MO. ARM 3.75%
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*Rates subject to change
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2ND \$100,000 @ 6.875% \$572.00 PMO
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* Not Including Tax & Insurance

\$650,000
1ST \$520,000 @ 4.375% \$1,895 PMO
2ND \$130,000 @ 6.875% \$744.00 PMO
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2nd - \$100,000.00 @ 6.875%
\$572.00 Per Month

Total \$2,030.00 Per Month
*Not Including Tax & Insurance

\$650,000.00

1st - \$520,000.00 @ 4.375%
\$1,895.00 Per Month

2nd - \$130,000.00 @ 6.875%
\$744.00 Per Month

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10 year/1 arm 5.25%

7 year/1 arm 5.125%

5 year/1 arm 4.5%**

3 year/1 arm 4.25%**

1 year/1 arm 3.6%

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