

Santa Monica Daily Press

A newspaper with issues

THIS WEEK IS NATIONAL FARM ANIMALS AWARENESS WEEK

DAILY LOTTERY

2 19 44 45 56
Meganumber: 43
Jackpot: \$12M

17 24 30 31 36
Meganumber: 12
Jackpot: \$17M

6 11 20 33 35

MIDDAY: 1 5 6
EVENING: 4 9 6

1st: 06 Whirl Win
2nd: 04 Big Ben
3rd: 03 Hot Shot
RACE TIME: 1:41.14

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NEWS OF THE WEIRD
BY CHUCK SHEPARD

Weird disorders in the news recently included prosopagnosia, the inability of a person to remember people by their faces, even one's immediate family, and trimethylaminuria, the inability to process a chemical that, left in the body, causes a putrid odor. Researchers will soon declare that prosopagnosia (which also, obviously, inhibits sufferers' ability to enjoy movies) is less rare than previously believed, according to a June Boston Globe story. Trimethylaminuria remains basically untreatable (although bathing several times a day and ingesting chlorophyll reduce the stink, according to an August ABC News report).

TODAY IN HISTORY

Today is the 263rd day of 2006.
There are 102 days left in the year.

1519 Portuguese navigator Ferdinand Magellan set out from Spain on a voyage to find a western passage to the Spice Islands in Indonesia. (Magellan was killed en route, but one of his ships eventually circled the world.)

QUOTE OF THE DAY

"Ninety-nine percent of the failures come from people who have the habit of making excuses."

GEORGE WASHINGTON CARVER
AMERICAN BOTANIST (1864-1943)

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Witnesses say Weller had control of vehicle

BY JESSICA ROBERTS

Special to the Daily Press

DOWNTOWN LA — The prosecution on Tuesday continued to build its case against the elderly driver who is on trial for killing 10 and injuring dozens of others while shopping at the Santa Monica Farmers' Market three years ago.

Several witnesses testified that they saw George Russell Weller, then 86 years old, drive at accelerated speeds through the busy market on Arizona Avenue and appeared to have control of his vehicle as horrified shoppers attempted to get out of his way.

The prosecution called to the witness stand several people who had been standing at various points along Arizona Avenue from Fourth to Second streets on July 16, 2003 when Weller, a longtime Santa Monica resident, careened through the open market. He faces 10 counts of vehicular manslaughter with gross negligence.

Multiple witnesses testified that Weller's car sounded as if it was accelerating and that his hands were on the wheel until the vehicle came to a stop. They were asked about the speed and direction of the car and the sound of the engine, as well as Weller's posture and hand position on the wheel, building a case for Deputy District Attorney Ann Ambrose that Weller had control of the car during the crash.

Michael Harris, who was standing on Arizona Avenue between Third and Fourth streets at the time of the crash, said he saw Weller through the passenger window as he drove by. Harris described Weller's posture and demonstrated how he was sitting, with his shoulders pressed back against the driver's seat, his hips lifted forward, and his arms extended straight out.

"Both hands were on the steering wheel — at the 10 o'clock and 2

See **WELLER**, page 6



Sax sells

Fabian Lewkowicz/Daily Press

Naela Bullet, 33, who hails from Zurich, Switzerland, plays 'Ain't no sunshine when she's gone,' on her sax at the Santa Monica Pier.

Historical society seeks financial support

BY KEVIN HERRERA

Daily Press Staff Writer

MAIN LIBRARY — As it currently sits, the future home of the Santa Monica Historical Society Museum is nothing more than an empty box waiting to be filled with the more than 500,000 images, artifacts and documents detailing the city's rich history.

There are no display cases, no gift shop, nor the wiring needed to illuminate the many treasures collected since 1975, when the Santa Monica Centennial Committee created the non-profit, currently located at a temporary site at 1539 Euclid St.

See **MUSEUM**, page 7



Courtesy of the Santa Monica Historical Society

HISTORY IN THE MAKING: The future entrance to the new Santa Monica Historical Society Museum on the Seventh Street side of the Main Library.

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Horoscopes

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Do only what you must, Sag

Santa Monica Daily Press

JACQUELINE BIGAR'S STARS

The stars show the kind of day you'll have:

★★★★★DYNAMIC ★★★★★ POSITIVE ★★★★★ AVERAGE ★★★★★ SO-SO ★★★★★ DIFFICULT



ARIES (March 21-April 19)

★★★★ The unexpected occurs when you least expect it. Isn't that how it always is — especially lately? You might want to think through a decision more carefully. You want concepts and actions to be as grounded as possible. Tonight: Easy works. Don't push yourself or anyone else right now.

TAURUS (April 20-May 20)

★★★★ A lot is going on around you that has an impact. Think carefully about what you want and need to do to shore up key details involving a project. Though you cannot control everything, you can at least make sure that your planning is as tight as possible. Tonight: Ever playful.

GEMINI (May 21-June 20)

★★★★ You come from a centered space. Much happiness can occur if you don't try to program or control situations. How you see others might not be exact or as they really are. Stay open to potential and growth. Much occurs when you least expect it. Tonight: Expect this to be a late night.

CANCER (June 21-July 22)

★★★★★ Your ability to understand what is happening takes you in a new direction. For many, it is as if you have reversed course. Help fill in the blanks with a discussion or conversation. Tonight: Catch up with friends.

LEO (July 23-Aug. 22)

★★★★ Knowing how you want to spend money and where you are heading could make a big difference. Allow yourself greater flow if you suddenly decide that your choices were off or that you need to reverse course. Tonight: Happy as can be.

VIRGO (Aug. 23-Sept. 22)

★★★★ You might be somewhat different from in the past. How you understand someone and how he or she really is could be in direct conflict. Listen carefully to what is being shared with you. You don't have to vocalize an opinion. Tonight: Make it your night on the town.

LIBRA (Sept. 23-Oct. 22)

★★★★ Establish stronger ground rules. You might not be sure of what you want to do yet, but once you are, let others know. Sometimes wavering can cause more problems than you realize. Listen to what is being shared. Tonight: Do some long-overdue thinking.

SCORPIO (Oct. 23-Nov. 21)

★★★★★ Aim for what you want, and expect to achieve just those results. You might not be sure of what to do about a swift change. What you can be sure of is change. Don't try to hang on to the tried-and-true. Tonight: With friends.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Keep on top of a situation and don't let it get out of control, if possible. At the same time, recognize that you aren't Superman or Superwoman, so what will be will be. Answer a question with openness. Tonight: Do only what you must.

CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Events, discussions and people force you to stretch beyond your limits. You see a situation in a much clearer and more direct light. You might want to see life from another perspective. Tonight: Read between the lines.

AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Deal with others directly and with care. Just the same, if you are witness to a mini upset, don't become overly concerned. Let the air clear, and you will come to terms with an inevitable change. Tonight: Happy with one special person.

PISCES (Feb. 19-March 20)

★★★★ The only mistake you can make is being stuck in a situation. Your way of looking at things could rapidly change if you relax. Listen to someone more closely. This person needs to have you hear him. Tonight: Out and about.

BORN TODAY Author **Upton Sinclair** (1878), actress **Sophia Loren** (1934)

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PUBLISHER

Ross Furukawa
ross@smdp.com

EDITOR

Carolyn Sackariason
editor@smdp.com

ASSOCIATE EDITOR

Michael Tittinger
miket@smdp.com

Lori Bartlett
lorib@smdp.com

STAFF WRITER

Kevin Herrera
kevinh@smdp.com

SANTA MONICA PARENTING

Nina Furukawa
nina@smdp.com

STAFF PHOTOGRAPHER

Fabian Lewkowicz
FabianLewkowicz@aol.com

ADVERTISING ACCOUNT EXECUTIVES

Robbie P. Piubeni
rob@smdp.com

Rob Schwenker
schwenker@smdp.com

Andrew Swadling
andrews@smdp.com

ADVERTISING ASSISTANT

Cynthia Vazquez
advertising@smdp.com

TRAFFIC MANAGER

Connie Somerville
connies@smdp.com

PRODUCTION MANAGER

Alejandro Cesar Cantarero de la Torre II
alex@smdp.com

PRODUCTION ARTIST

Jo Still
production@smdp.com

CLASSIFIEDS SALES MANAGER

Annie Kotok
anniek@smdp.com

CIRCULATION

Keith Wyatt
Glenn Bolan

SPECIAL PROJECTS

Dave Danforth
dave@smdp.com

GENERAL INQUIRIES

ross@smdp.com

PUBLISHED MONDAY THROUGH SATURDAY

PHONE (310) 458-PRESS (7737) FAX (310) 576-9913

1427 Third Street Promenade, Ste. #202, Santa Monica, CA 90401

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COMMUNITY BRIEFS

Palisades Park play area under discussion

By Daily Press staff

Sounds of children playing may fill Palisades Park if a new play area is approved at the Santa Monica Recreation and Parks Commission meeting on Thursday, Sept. 21.

The Commission wants to know if residents support the idea of having a children's play area built somewhere in the north end of the park. The idea was brought to City Hall's attention by parents of young children living near the park. Suggestions will be taken at the Commission's meeting. Preliminary research by city staff shows that that area of town has had an increase in births over the last five years, and that it is one of only a few areas in Santa Monica more than mile from a city park play area.

Palisades Park is Santa Monica's oldest park, with many historic features and monuments. There is limited space in the linear-shaped park, and a play area would need to be relatively small, low-scale and designed with appropriate materials and perhaps custom features to be compatible with the park's unique setting, city officials said. A specific location in the park has not been identified, but the general area being considered extends from Idaho Avenue north to the park's border at Inspiration Point.

Community members are encouraged to share thoughts on the concept at the meeting, which begins at 7:30 p.m. at the Ken Edwards Center, 1527 Fourth St. Comments also can be submitted to commservices@smgov.net or faxed to (310) 576-1539. Comments received by Sept. 20 will be presented to the Recreation and Parks Commission for consideration. The Commission's recommendation will be forwarded to the City Council for final consideration. If the community and the City Council support the concept, city staff will proceed with selecting a design team, completing a cost estimate, identifying a specific location in the park and formulating a more detailed concept design for further review.

SMC's Theatre Arts building unveiled

By Daily Press staff

The revamped Theatre Arts Building at Santa Monica College is ready to start the show.

The ribbon at the new \$17 million Theatre Arts Building will be cut at a ceremony celebrating the state-of-the-art facility at 2:30 p.m. on Wednesday, Sept. 27.

Wednesday's festivities are free and open to the public and will include tours, light refreshments and entertainment showcasing theatre arts student.

"The opening of this building marks an important milestone in the history of this college," said SMC President Dr. Chui L. Tsang. "This beautiful facility will catapult our already outstanding theatre arts program to new heights."

The complex is 20,000 square feet and was designed by the internationally-renowned architecture firm, Leo A Daly, Los Angeles. It features a 264-seat theater with full back-stage capabilities, a "black box" performance space, lobby, shop, dressing rooms, classrooms and offices. The new facility is replacing the former, overcrowded, old structure that was originally built as a children's theater in the early 1950s.

The new building, which opened for classes Aug. 28, the first day of the fall semester, was funded by Measure U, the \$160 million bond that was approved by Santa Monica and Malibu voters in 2002.

"Our new theater is already renewing and revitalizing our program," said Perviz Sawoski, theatre arts department chair. "We're excited about filling this facility with outstanding plays, beginning with 'Evita' in October, with excellent production values."

The project marks a new chapter for a department known for its excellence and for a list of distinguished alumni that includes two-time Oscar winner Dustin Hoffman, James Dean, Doug McClure and Oscar nominee Gloria Stuart of "Titanic."

SMC has transferred drama students to universities worldwide, including Juilliard, New York University and the Guildford School of Drama/University of Surrey in England.

In recent years, the college has garnered top honors in the prestigious Kennedy Center/American College Theater Festival. In 2002, "Slavery," a play with music by then-SMC student Jonathan Payne, was selected from more than 360 plays at colleges and universities throughout the nation for the festival. In 1997, the SMC production of "Once on this Island" also made it to the Kennedy Center finals. In both cases, the plays were

See BRIEFS, page 5



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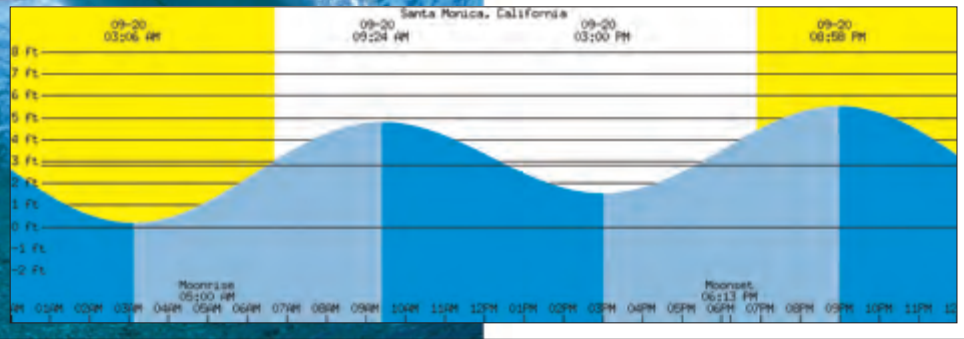
SURF REPORT

SURF CONDITIONS **WATER TEMP: 66°**

SWELL FORECAST (5-8 FT)
Today we should see consistent chest to shoulder high sets at south facing spots (pluses to head high or slightly bigger at standouts) as the periods shorten a bit, helping to even out the shoaling effect at all south facing breaks. Wednesday will also see some NW ground swell come into the mix.

LONG RANGE SYNOPSIS
SW PEAKS WEDNESDAY...
NW GROUND SWELL MIXES IN WEDNESDAY, THURSDAY...

TIDE FORECAST FOR TODAY IN SANTA MONICA



The Q-Line

Tourism and city officials spent last week at the beach racking their brains trying to figure out just what makes Santa Monica so special. As part of creating a "brand," they were asking themselves how they can improve the "beach experience" for visitors. City leaders know that our coastline is one of SM's greatest assets and by not bringing it to its fullest potential, Santa Monica is missing out. So this week, Q-Line wants to know, **"What do you think are the best things about the beach and what can be improved upon?"**

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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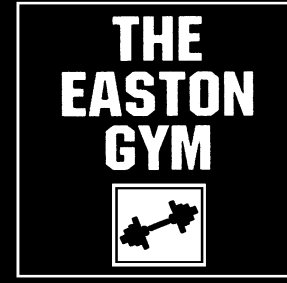
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LETTERS TO THE EDITOR

NIMBYism and ignorance alive and well in SM

Editor:
Let there be no mistake: I have been a resident of Santa Monica since 1986. I am a graduate of Santa Monica College; I was a substitute teacher in SMMUSD elementary schools for several years; my ex-husband owns a condo in the city; and my 19-year-old daughter, a member of Daniel's Place, was born in Santa Monica Hospital, attended Santa Monica elementary, middle and high schools, and is now at SMC.

We are not the only Westside members of Daniel's Place, which serves as a wonderful, comprehensive support program for young people with mental illness. In the parent support groups I have attended, I have met many families from Santa Monica and West LA, contrary to Mr. Bender's assessment (SMDP, Sept. 12, page 4). But does this really matter? Is there really any hope for reasoned discourse with Mr. Bender and his wild-eyed, terrified crew? I'm enclosing an excerpt from an e-mail I sent to my husband, when I returned home after the Sunset Park meeting:

"I went to support the proposed Daniel's Place housing project tonight — a community meeting — and heard the insufferable attacks, NIMBY ignorance and reactionary vomit from the Sunset Park neighbors. I'm so glad I didn't bring "S" (our daughter). One set of Westside parents and two of her male peers spoke so poignantly about their battle with mental illness and how they'd found a home at Daniel's Place and most importantly, how well they were doing — stable, working, studying, educated, productive people. I was then shocked and horrified to hear the responses from the vicious, frightened neighbors. They shouted out from the audience, describing "these people" as if they weren't in the room. I was truly ashamed to be a member of the Santa Monica community. We were in a church. These young people were guests. I felt like I was living a scene out of Shirley Jackson's 'The Lottery,' or living in a racist '60s neighborhood the first time an African American family tried to move in. And so it was nearly impossible to consider the neighbors' concerns, which seemed based solely on the fear that the future residents — carefully screened young people, pursuing their college education, working part time, fully compliant with medication and case management — were hair-triggered psychos who at any moment might assault and perhaps cannibalize the local school children who walk by the house each day. I sat next to one of S's friends from her Daniel's Place women's support group, who murmured, sadly, 'My God, we're mentally ill, we're not pedophiles.'

I was heartbroken. "They don't see you," I tried to explain. "They're operating out of fear and ignorance."

Ironically, the most patient responses came from the kids themselves when I spoke to some of them at Daniel's Place the next day.

"What if they came here and met us, and saw the program? Maybe they'd understand better," one young man suggested tolerantly.

And speaking of tolerance ... the one bright light of the meeting was a City Councilman I have opposed on just about every other issue in Santa Monica — Herb Katz. His honorable, no-nonsense response to his neighbors' vulgarity was wonderful.

It's ironic that Mr. Bender finds Herb's behavior a reason to force his resignation.

As a supporter and mother of one of the "dogs" and "ponies" that Mr. Bender is skeptical about, I can only say: They are our children. They are our neighbors. Educate yourself. There has been groundbreaking work in the area of early intervention in mental illness — these young people will never be wandering the streets of our cities, as long as Daniel's Place and the other similar programs that are blossoming around the U.S. and internationally are allowed to grow. I have tried to look beyond the cruelty and think about what legitimate issues the neighbors bring up. I hope, therefore, we can meet again, but this time with firm, ethical boundaries that demand a commitment of respectful behavior on the part of the only crazy people I witnessed that night: The neighbors.

Kathy Kartiganer
Santa Monica

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Ad Council

IF YOU'RE NOT VOTING, THEN WHO ARE YOU ELECTING?

The winds of war are becoming gusty



Am I alone in the belief that certain events in the last week seem to have whipped up the winds of war we all have been feeling recently to become, at the very least, increasingly "gusty," giving rise to the possibility that they could soon achieve hurricane status?

There are two reasons this concerns me. First, if history has taught us anything, it is that most wars seem to have been the products of miscalculations.

And secondly, because I have four sons, the miscalculations I am now witnessing remind me with extreme clarity of the truism that the best time not to become a father is 18 years before a war.

First off, the secular mass media types would have us believe that the Pope pulled a Gibson last week by saying some things about the Islamic faith that he now regrets, to the effect that Islam is a religion with some inherent tendencies towards violence. I'm not sure why he took it upon himself to make those remarks, but they did spark some interesting responses from those within the Islamic community. For example, while some were proclaiming the pacifist nature of their beliefs, others, like the Mujahideen Shura Council, put the following statement on the Internet:

"We tell the worshipper of the cross (the Pope) that you and the West will be defeated, as is the case in Iraq, Afghanistan, Chechnya ... We shall break the cross and spill the wine ... God will (help) Muslims to conquer Rome ... (May) God enable us to slit their throats, and make their money and descendants the bounty of the mujahideen."

Doesn't such talk warm the cockles of your heart? What could the Pope possibly have been thinking? Isn't it obvious to him that people such as this only desire, ever so ardently, to build bridges that will bring all of us of different faiths together? Should it really matter if those bridges are apparently only to bring us together to engage in some kind of hand-to-hand combat involving sharp blades? So what if we won't all be there to sing kumbayah? At least we'll all be together, and if that happens, won't there then be an increased possibility of productive inter-faith dialogue? Not. Just ask the Italian nun who was shot this week in Somalia and whose death, for whatever reason, is being linked to the Pope's remarks. Oh, sorry, we can't. She's dead. I guess that's just one of those darned unanticipated miscalculations.

Another would have to be how many in the Islamic community have morphed the Pope's remarks into statements that they claim reveal the evil of the U.S.-Israeli alliance. No kidding. Iran's supreme leader, Ali Khamenei, said the Pope's remarks on Islam and violence were just the latest "links in the chain" of a U.S.-Israeli conspiracy aimed at creating conflict between religions. Let's ignore the extraordinary leap in logic required for him to reach that conclusion, because, however he did it,

the fact is somehow he got there. The result? Islamic protesters last week burned U.S. and Israeli flags to protest the Pope's remarks. Oh, and let's not overlook the fact that German flags were also being burned, but that appears only to be because the Pope's remarks were made while he was in Germany. Another in the series of miscalculations that could lead us into some kind of full-scale global war? I guess we'll have to wait and see. Of course, time will tell, but my sense right now is that we may not have to wait very long.

This last Monday there was a photo of Iran's president, Ahmadinejad, being hugged by Venezuela's anti-U.S. president Chavez. Maybe I'm alone, but to me it seemed to reveal the possible birth of another alliance that could bode ill for those of us who reside in the West. Meanwhile, I see the Washington Times has reported that:

"Developing countries (including Iran and Venezuela) Sunday wrapped up a multinational summit with North Korea charging that U.S. threats drove it to acquire deterrent atomic weapons and Iran winning solid support for its nuclear ambitions.

"Iran, Venezuela and Cuba joined North Korea in leading efforts to forge an anti-U.S. alliance. Summit leaders, in a statement on Iran, reaffirmed the basic and inalienable right of all states to develop research, production and use of atomic energy for peaceful purposes."

Right. Could it be only a coincidence that those are some of the very countries that also have indicated a desire to wipe both Israel and the United States off the map? Somehow I suppose it could be, but then again, I tend to think, maybe not. And if not, maybe we should at least consider the possibility that such nations could be willing to use such nuclear capabilities for purposes that, shall we say, could be adverse to our pursuit of life, liberty and justice for all.

At the very least, shouldn't we consider the possibility to be one more in the possible series of miscalculations constituting the strong gusts occurring with increasing frequency among the winds of war that seem to be moving us toward a world war?

And that brings us to today. As you read this column, none other than Iranian president Ahmadinejad is scheduled to speak at the U.N. in New York, and of one thing there can be no doubt. The events of last week have lent to his visit a frightening significance that will cause many around the world to be listening carefully to his every word. Who could have anticipated that random events would empower him so quickly so that the mere force of his breath as he speaks could possibly cause the winds of war to become transformed into a perfect storm if he so chooses? What a miscalculation. My only prayer now is that he will use the opportunity wisely. Unfortunately for those among us who are around the ages of my sons, however, the remarks he has recently issued to the world suggest it is more likely he will choose to do otherwise. But I guess we'll see soon enough, won't we?

(Cliff Nichols is an attorney practicing criminal defense in Santa Monica. He may be contacted at either (310) 917-1083, cliff@cliffnicholslaw.com or www.cliffnicholslaw.com. You may join his blog at www.thedailystand.com.)

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Law unconstitutional, local developers, attorneys claim

LAWSUIT, from page 1

structing 16 or more units, the requirement jumps to 25 percent. The U.S. Department of Housing classifies low income as \$41,580 annually for a family of four in the Los Angeles area; moderate individuals make \$69,300 for a family of four.

If developers choose to build the affordable housing off-site, they are required under the law to set aside 25 percent more than what is required for one-site development. The units also will have to be located within a one-quarter mile radius of the market rate units being built.

Attorneys for AAA claim the ordinance is a violation of the Fifth Amendment to the U.S. Constitution, which prohibits the seizure of property without just compensation. They also charge elected officials with violating due process by not submitting the ordinance for approval by the state Department of Housing and Community Development, which must review action that constrains the production of new housing.

"The money that builders lose constructing below-market residences will be passed along in higher prices for the new housing that isn't price-controlled," said James S. Burling, an attorney with the Pacific Legal Foundation, which filed the suit on behalf of AAA. "This will discourage home construction and raise costs for most home buyers."

"It is unconscionable that the city of Santa Monica is further exacerbating the shortage of workforce housing by driving up prices for new and replacement housing," Burling added. "The costs of home ownership in Santa Monica should not be increased by forcing families that buy mar-

ket-rate housing to subsidize the homes of their neighbors."

City officials said they are currently reviewing the lawsuit and could not comment on AAA's claims.

Instead of building affordable housing, condominiums developers could pay \$26.08 per square foot of development as an in-lieu fee. But that changed when the new law was passed earlier this year.

While the construction of more affordable housing is the goal of the ordinance, AAA said the best way to make more housing available is through market mechanisms and not by government influence, according to the lawsuit.

"Santa Monica has not adequately demonstrated any nexus or rough proportionality between the construction of new or replacement market-rate housing and a significant increased need for subsidized housing," the lawsuit reads. "Because (City Hall) failed to meet their burden ... these provisions are an unconstitutional taking under the takings clause of the Fifth Amendment to the United States Constitution ... (and) fail to substantially advance a legitimate governmental purpose ..."

The suit claims the ordinance will discourage new housing, which will exacerbate any shortage of affordable housing in the city.

"Action's members contend that the 'inclusive' requirement makes it impossible to build a financially-sound residential project," said Rosario Perry, a Santa Monica-based land-use attorney and spokesman for AAA. "Action bases this conclusion on calculations related to the size of the typical lot, the existing setback and parking requirements, the availability of a density bonus, and the costs of compliance."

COMMUNITY BRIEFS

BRIEFS, from page 3

the only community college productions to be selected for performance at the Kennedy Center in Washington, D.C.

Over the years, the department has staged a wide variety of dramas, comedies and musicals, ranging from such classics as "Medea" to popular Broadway musicals like "Cabaret" to new works such as "Tibet."

During the three-year construction of the new building, the department held classes and staged its plays in a temporary theater at SMC's satellite campus at Santa Monica Airport.

The design of the new building's exterior is distinguished by a unique, origami-like, angular roof hanging over the theater's lobby and outdoor balcony. From an entry plaza sheltered under two large coral trees that are campus landmarks, visitors enter a two-story high lobby and ascend a grand staircase to an upper lobby with an outdoor balcony covered by the wing-like roof. The balcony overlooks what will be the main quad of the campus, making it a gathering spot during intermission for relaxation, reflection and conversation.

The interior of the theater is sloped at a steep angle, providing every seat in the house a nice view and sense of intimacy with the stage. The full backstage capabilities include lighting and sound, as well as a full fly-loft, shop, service dock, dressing rooms and costume areas.

The building's exterior is wrapped in a metal skin with a silver metallic finish, combined with industrial-style materials, such as concrete for walls, and exposed-steel structural beams and columns.

For more information, call (310) 434-4203 or visit www.smc.edu.



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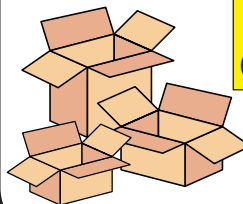
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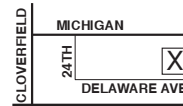
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Witnesses remember fateful day at market

WELLER, from page 1

o'clock position," Harris testified.

He said Weller's hands were making "a slight back and forth motion" with the wheel.

"(His face) was very focused," Harris said. "The face was almost rigid and frozen ... the head was pointing ahead."

On cross-examination, defense attorneys challenged Harris' statement to police, in which he had said it appeared Weller was not in control of the car. Harris responded, "he appeared to be in control of the steering wheel, but the car was out of control."

Weller's hands are a key point for his defense lawyers, who contend that his hands were knocked off the wheel by the deployment of the air bag.

Larry Davis, who had been standing half a block away from Harris, said Weller's hands were on the wheel at the "10 and 2 position," but that he was "hunched for-

ward" over the wheel.

Each witness was asked about the sound of the engine as it passed, describing for jurors a revving or roaring sound associated with acceleration.

"I heard the roar of an engine as if someone had floored it, had hit the accelerator," Harris said.

Another witness, Debra Hope, was standing at the corner of Arizona Avenue and Third Street. She testified that the engine made a sound "like you hear from a cop car as it takes off."

"It just shot like a rocket," she said.

Defense attorneys claim that Weller suffered a moment of pedal error and mistook the gas pedal for the brake.

Ambrose asked the witnesses not only about the sound of the car's engine, but also whether they had heard a car horn. Each of them said they had not heard a horn. Sounds were brought up repeatedly during testimony as part of the prosecution's case and also the

witnesses' recollection of the freakish incident.

"For a second or two, the only sound was the sound of the automobile crashing into the stalls and the bodies," Harris said. "Seconds passed before the screaming started."

Hope said there was "a very eerie silence when he finally came to a stop."

A key witness for the prosecution was Susan Watkins, who said she was giving a statement to police when she and Andy Fisher, another witness who testified Monday, heard Weller say, "If you saw me coming, why didn't you get out of the way?"

Defense attorneys asked Watkins in cross-examination about the deposition she made related to the civil lawsuits against Weller and also her testimony as recorded in a police report, pointing out inconsistencies in how far she was from the curb — six or 10 feet — and whether she had leaned in toward the fruit stand or jumped onto the curb.

The defense team questioned the witnesses about the car's windshield, whether it was

cracked or shattered and to what extent. Most witnesses said it was shattered, although they could not say how badly because the car passed by too quickly.

Testimony was sometimes emotional as witnesses recounted a scene of chaos, describing bodies, tents and tables "flying" as the car careened through the stalls, hitting a woman and her baby carriage, tossing two people over the car and finally stopping over the body of a woman.

Stephanie Cortes was pressed against the front of a fruit stand by the car and escaped with a cut leg and bruises. Jennifer Shinler was pinned to the ground by a fallen table.

Shinler, who had been at the market buying oranges, was asked to tell the jury how far from her a man had been standing before he was killed. She reached her right arm out to the side and cried as she said, "right here."

The trial continues today with testimony, through a Farsi interpreter, from a woman who was trapped under the car.



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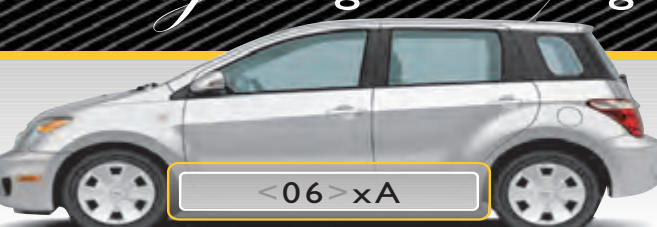
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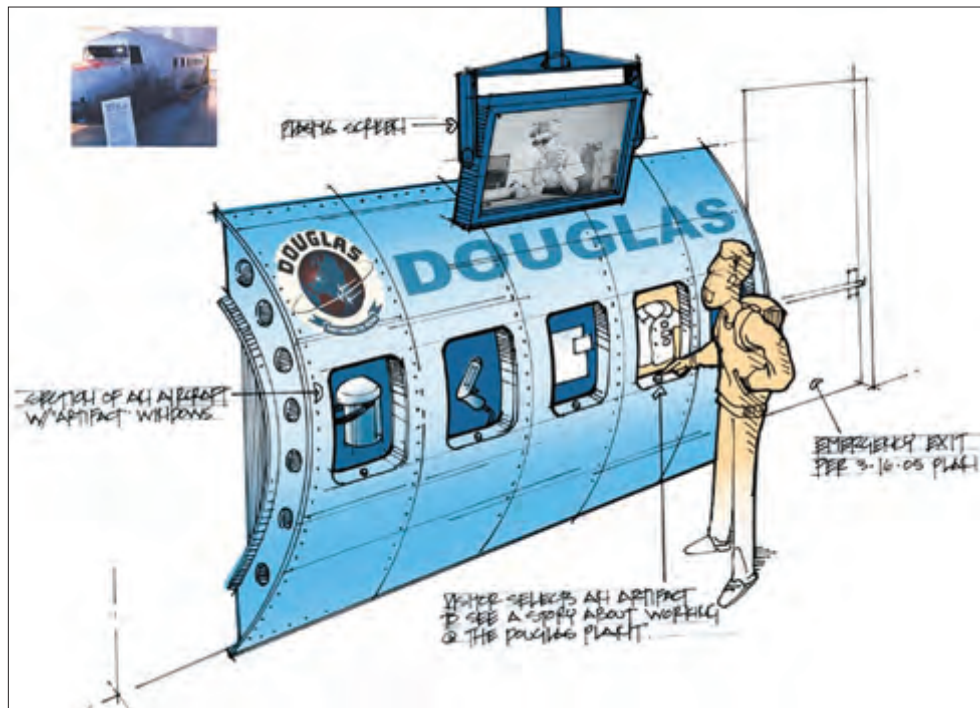
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Courtesy of West Office Exhibition Design

PLANE TO SEE: A section of aircraft created by Douglas Aircraft Co. is just of one of five interactive exhibits that will be on display at the new Santa Monica Historical Society Museum.

Society will rent public space for \$1 a year

MUSEUM, from page 1

To ensure that the new location has all of the amenities expected by the grand opening, scheduled sometime in the summer of 2007, museum supporters have embarked on a \$5 million capital campaign.

Roughly \$1.5 million will help pay for the completion of the 5,000-square-foot facility, to be located adjacent to the new Main Library on Seventh Street, while the remainder will go towards creating an endowment, bolster programming, historical preservation and day-to-day operations, said Louise Gabriel, president and CEO of the museum.

"The museum is where Santa Monica's rich history comes alive," Gabriel said. "We hope the community will join us in celebrating our city's legacy by contributing to this worthy cause. It will ensure that our past is preserved for future generations to learn from, appreciate and enjoy."

"Murphy Brown" star Joe Regalbuto, a long-time Santa Monica resident, is the hon-

orary spokesperson for the campaign.

Gabriel said the museum's collection has grown along with its popularity, creating the need for a larger space and staff.

"With this money we are hoping to not only create a new, wonderful facility for the community to enjoy, but also expand our research library and offer more programs and workshops," she said. "People will also be able to explore the past and their imaginations with hands-on exhibits."

City Hall is renting the space to the historical society for \$1 a year.

Those who donate \$500 or more will receive special recognition on the "Wall of Legacy," a permanent fixture in the new museum. To contribute, the public is asked to call (310) 395-2290, or visit www.santamonicahistory.org.

"Our goal is to keep the history of Santa Monica alive for everyone," Gabriel said. "We have new people moving in here all the time and it would be a shame for them to not have an opportunity to learn about their new home."

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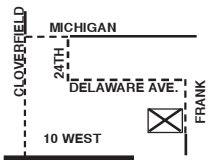


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La La Land: Assistants doing the dirty work

BY CYNTHIA H. CHO

Associated Press writer

LOS ANGELES — June Saruwatari is so organized that she has made a business of it. The owner of Organizing Maniac clocks 12- to 16-hour days helping other people eliminate clutter, set up filing systems and learn to manage their time. But even the tidier-than-thou have their limits.

Saruwatari didn't have time the other day to hang around home waiting for a repairman. So she summoned Gofer Girls, a Los Angeles company that does errands for \$30 an hour.

"I run a business," Saruwatari said. "I value my time."

The rich and famous have long understood the value of hiring people to handle their chores. They call them servants or, in Hollywood, personal assistants. But now regular people are doing the math and increasingly outsourcing life's tedious tasks.

Need someone to drive your pet around town? There's the pet chauffeur service that promises to lug Fifi to the vet or the airport.

Need help working through the honey-do list around the house? Rent a husband. For a small fee, he can rearrange the living room furniture or clean out the rain gutters. And you don't have to worry about fighting him for the remote.

Some people are so lacking in time or social skills that they can't find their own dates for a night on the town. A "female wingman" is ready to come to the rescue.

Long workdays and two-career couples have created a market for all sorts of service providers. The assistance business is becoming so common that Working Mother magazine's September issue printed a tip sheet for moms seeking professional errand help.

Using companies such as Gofer Girls can be an efficient use of talent and time, academics say.

It's the classic Economics 101 example of opportunity cost: Michael Jordan can probably mow his lawn faster than anyone else, but is doing so the best use of his time? (You answered correctly if you selected: No, he should hire someone to mow so that he could do something else, such as film a Hanes underwear commercial.)

Lisa Ristorucci came up with the idea for Gofer Girls when she was an English literature major at UCLA. She worked summers in medical offices booking appointments, dealing with patients and picking up the doctors' dry cleaning.

"That was where the seed was planted," Ristorucci said. "I saw how busy professionals are."

Retrieving dry cleaning is one of Gofer Girls' most-requested services, along with shopping for groceries and picking up goods at department stores.

Susan George's Marina del Rey-based company, Pet Taxi, shuffles animals wherever their owners want them to go, including veterinarian offices, dog parks or grooming salons.

Most trips within Los Angeles County start at \$55 an hour. A chauffeur can wait for a pet outside a vet's office or bring a pet to the airport and send it away. Pet Taxi also whisks pets to owners who are on vacation.

George, 57, said her company makes nine to 15 trips daily. Although she wouldn't disclose financial information, she said Pet Taxi had been more successful than she thought it would be when she bought it seven years ago.

"It's been paying the mortgage ever since," she said.

John de Graaf, editor of a collection of essays titled "Take Back Your Time: Fighting

Overwork and Time Poverty in America," is disturbed by the upswing in such services.

"I don't think this is a good idea," said De Graaf, a Seattle television producer of the PBS specials "Running Out of Time" and "Affluenza." "We will be much better rounded and happier people if we work less and grow some of our own food, cook some of our own food, learn to do things ourselves."

Kaile Warren believes that people these days don't have the "time, tools or talent" to do some things for themselves. In 1996, he founded Rent-A-Husband with those people in mind.

"People used to be do-it-yourself homeowners," he said. "But now, they're do-it-for-me homeowners."

The South Portland, Maine-based company's selling point is that one of its employees — the "husband" — will be "the perfect part-time partner for those jobs that never get done" around the house. That includes simple jobs such as moving furniture or more labor-intensive tasks such as repairing a roof, at a cost of about \$50 to \$100 an hour. Warren said Rent-A-Husband's annual sales amounted to "several million dollars."

The company has 14 franchises in seven states, mainly in the Northeast, but will enter California this month, operating out of Ace Hardware Corp. stores near Huntington Beach and Oakland.

Michael Chau's plunge into the service industry two years ago began with a leisure-time observation. Whenever the San Francisco resident would hang out with the guys, they'd ask Chau to bring his wife, Sarah, who would talk to other women at bars and clubs and then introduce them to Chau's buddies.

Watching those interactions, Chau thought, "Hey, this is something."

That something became Lady Wingmen, the Gainesville, Fla.-based company Chau co-founded in 2004 with a Florida business partner.

In the military world, a wingman is a pilot who backs up another during a dangerous mission. In the dating world, a wingman typically is a male friend who will help a guy pick up women — a sidekick who will help break the ice, sing his friend's praises and talk to the target woman's friends.

Chau's innovation was to pair men with women who provide dating tips and, more important, introduce them to other women at bars, clubs and other social functions. Lady Wingmen operates in Los Angeles and eight other cities.

On a normal weekend, Chau said, there are five to 10 Lady Wingmen at work nationwide, including three California cities (Los Angeles, San Francisco and San Jose). The service costs \$50 an hour.

Gofer Girls founder Ristorucci has dreams for her errand empire.

Although Gofer Girls hasn't advertised much since its March 2005 birth, demand has been growing, the 32-year-old entrepreneur said.

Ristorucci once was the lone Gofer Girl, and she had to take a part-time job to make ends meet. Now, she runs her company full time, overseeing five employees and more than 50 regular clients. Other signs that her business is expanding: She recently hired an attorney and an accountant.

ON THE NET

Gofer Girls

<http://www.gofergirls.com>

Rent-A-Husband

<http://www.rent-a-husband.com/>

Lady Wingmen

<http://www.ladywingmen.com/>

Uranium sales go boom, but see no explosion in profits

BY CATHERINE TSAI

Associated Press Writer

CANON CITY, Colo. — It's dead silent at the Cotter Corp. uranium mill outside this southern Colorado prison town just one driveway down from a golf course. Steam should be rising from the boiler. A loader should be moving ore to the mill to be turned into yellowcake.

But the mill is shut down and there are just 34 employees here instead of 115. Trucks that once hauled ore 300 miles from southwestern Colorado have been idled. The mines are on standby, despite a growing interest in uranium across the West and around the world.

While uranium prices have roughly tripled from \$15 per pound in 2002, Cotter officials figure the price will have to reach \$60 before the mill is up and running again.

Uranium potentially could hit that price as soon as early next year, if prices keep rising at the same pace as they have been, said Nick Carter of The Ux Consulting Co., a consultant to the uranium mining industry.

Industry observers say everything from world events to uranium production and expansion worldwide will affect how high uranium prices go, but for now demand is outstripping supply. Given how much time it can take to ramp up production, demand is expected to stay strong at least for the next year or two.

Cotter Corp. President Amory Quinn, vice president of uranium operations for Cotter parent General Atomics, said the Canon City mill has aging equipment that needs tens of millions of dollars in upgrades — work that won't be done any time soon.

"Today the price of uranium is not high enough to make it profitable," Quinn said.

The surge in demand for clean, inexpensive electricity, particularly in Asia, has led to the sudden new interest in uranium. New mining claims are being staked, old mills are being revived and the government recently licensed what will be the nation's second uranium enrichment plant in New Mexico.

But as old uranium hotspots like Uravan, Colo., Jeffrey City, Wyo., and Ticaboo, Utah, get another look, veteran private companies like Cotter are on the outside looking in. Public companies like International Uranium Corp. and the juggernaut Cameco Corp. — along with their eager investors — are going full speed.

The hundreds of new, small companies trying to get in on the uranium boom are mostly led by entrepreneurs raising cash through the stock market, said Tom Pool, an industry consultant with International Nuclear Inc. in Golden.

Those companies either have to acquire old uranium assets or start from scratch, meaning it could take years for them to begin recovering or processing ore.

Cotter's mill and mines have been around for decades, finding and processing uranium and an accompanying metal, vanadium, that is used to harden other metals.

Uranium was selling for above \$60 per pound in today's dollars when Cotter's mill began running in 1958. Uranium prices plummeted to the single digits in the 1980s and 1990s amid a recession and the end of the Cold War, before they rebounded and Cotter reopened four mines in Colorado in 2003 and 2004.

In 2005, the mines produced 255,000 pounds of uranium and 1.37 million pounds of vanadium found in the same ore, said Jim Cappa, chief of the mineral and mineral fuels section of the Colorado Geological Survey. As recently as last fall, there were 115 workers here processing uranium and vanadium, mill manager John Hamrick said.

But vanadium prices have been volatile. The average price was \$17.52 a pound in 2005 but was hovering around half that earlier this summer. And rising gasoline costs took their toll, making it more and more expensive to haul ore from mines in the Uravan area of southwest Colorado.

"Any time you transport ore by truck 300 miles and fuel costs are \$3 per gallon, it's a problem," Quinn said. "We know uranium is going up and the boom is near, but we're not going to jump on the bandwagon and lose another \$30 million or \$40 million."

Cotter closed its mines in November. The mill got its last shipment of ore in February.

Mayor Bill Jackson remembers when Cotter first put up the mill about 50 years ago. Tourism and state prisons drive the local economy now, but back then, the town had 14 operating coal mines, he said.

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Roofing should be inspected for damaged, loose or missing shingles, or open seams. If your property has tenants, don't be surprised to find strange items such as mattresses, barbecues, tables, etc. on the roof. Clear off the junk. Accumulated debris inhibits water from flowing off the roof to the ground.

It can cause pooling, which leads to leaks, or can redirect the flow of water to unintended areas which may be vulnerable to water intrusion. Special attention should be paid to high-wear areas where there is significant foot traffic. Flashings at dormers, plumbing stacks, valleys and air conditioning units should be carefully inspected. Years of sun can cause the seals of vent pipes to become brittle and crack. A little sealer applied before the rains can prevent damage to ceilings and walls from water intrusion. Supports for television antennas or satellite dishes should be checked. Electric cables should be well secured and properly powered. Leaves and debris should be cleared, as well as to minimize trapped moisture. Tree branches should be kept cut back to avoid damaging the roof surface. Insects, especially carpenter ants, use limbs as bridges to enter your home.

GUTTERS AND DOWNSPOUTS

Clean your gutters and downspouts.

Overflow due to build-up of leaves and debris in gutters is the leading cause of rotting trim boards at the edge of the roof. Clogged gutters are mosquito-breeding sites, clearing them of leaves will reduce the risk of bites and weird diseases. Excess water against the foundation wall can weaken the footing and lead to cracks. Avoid these ugly issues. Gutters and downspouts should be checked for blockage, leakage and areas requiring re-securing or re-sloping. Make sure that downspouts discharge onto splash blocks or pipes that are directed well away from the building to avoid foundation problems. Keep your foundation dry. Bugs love moisture. Keeping the soil dry around the foundation perimeter can force bugs to go elsewhere to snack on a dampened two-by-fours.

"What's required to maintain a building will vary from one property to the next. But, generally, roofs need to be kept free of debris," notes real estate author Dian Hymer. "Broken tiles, shakes or shingles need to be replaced. Vent pipes and chimneys need to be properly sealed. Drainage systems require periodic upkeep. This starts with the gutters and downspouts, which should be cleaned and flushed."

LEAKS

Even with good property maintenance, it's easy to get a leak. For the better part of the year, the blistering Southern California sun has been beating down on our roofs, drying out caulking, cracking paint and causing most roofing materials to degrade. A poorly vented attic can easily reach 150 degrees. Not only is it uncomfortable, it takes its toll on exterior surfaces.

"While many leaks are easy to repair, they can be difficult to locate. Water can leak through the surface in one place and finally come into the attic several feet away, then run farther down the rafters before finally causing a stain on the ceiling," observes Garet Denise of Cornerstone Inspection. "The most common causes of leaks are deteriorated, missing or broken shingles, and improper flashing around penetrations such as plumbing stacks, skylights or chimneys."

A visit to the attic or crawl space below the roof can show early signs of a leaking roof. Indicators include staining or discoloration on framing and the underside of the roof sheathing, and insulation, not to mention crumbling mortar around chimneys. Pay close attention to any penetration areas like plumbing stacks, skylights and chimneys. Also look where the roof surface meets an adjacent wall.

If the roof is under warranty, be sure to have the roofer who installed it do the inspection and preventative maintenance work. Allowing other contractors to work on a roof may invalidate some or all of the warranty.

CHIMNEYS

Stay warm, inspect your chimney for loose or deteriorated bricks or mortar. If covered

with stucco, look for cracks or loose sections. Chimney caps should be inspected for loose or broken sections, as should the protruding clay chimney liners. Chimney flashings should be scrutinized for leakage. Efflorescence — a white salt build-up on the chimney — indicates moisture within the chimney and further investigation is required.

SUMP PUMP

If your property has below-grade parking or a basement, you probably have a sump pump whose job it is to remove water and keep it from pooling. Flooding not only can damage the structure but wreaks havoc with personal property that may be in the area. During the dry months, dirt and other debris can accumulate to inhibit the proper functioning of the device. The electrical wires can become loose or severed. To test, take a garden hose and run water directly into the drain to which the pump is connected. You will know right away whether it is working or not. It is advisable to have your gardener run water into the sump pump pit each time they visit the property. This will alleviate the smell of stagnant water and will ensure continual operation of the device.

DECKS AND WALKWAYS

Cracks and chips in magnesite decking should be repaired and sealed. Water leaks, which penetrate magnesite, can, among other things, damage the wood frame members underneath causing dry rot, which can spread and in extreme cases compromise the structural safety of the support system.

WEATHER PROOFING

Check the weather-proofing around doors and windows. Leaks at these points usually cause expensive interior damage to ceilings, walls and flooring.

HEATER

The gas company will do this free and will actually do some types of repairs, however the actual tenant must request the service. The heaters have to be turned on to be checked.

Do some rainy season preventative maintenance, and you may lessen the risk of leaks, dry rot, mold and other roof issues. Minimizing repair bills, extending the life expectancy of many components and perhaps reducing energy consumption are other up sides to preventative home maintenance.

For information on Southern California investment properties there is a great Web site at www.SoCalInvestmentRealEstate.com.

(Jodi Summers is director of the investment division at Boardwalk Realty. For your real estate needs, e-mail Jodi Summers at jodis@boardwalkrealty.com, or call (310) 309-4219, or visit her Web site at www.santamonicalandmarks.com.)

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THE HOA ADVISOR

BY MICHAEL CHULAK

Q How can I determine if my homeowner's association has been suspended by the California Secretary of State?

A First, go to the California Secretary of State Web site: www.ss.ca.gov. Then click on the "California Business Portal." Next, click on "California Business Search." Type the exact name of your association into the "corporations search bar" and click on search. The exact name will be found in the bylaws. When the name comes up on the screen, click on it. The "status" will indicate either active or suspended.

Q What happens if our homeowner's association has been suspended by the Secretary of State?

A This is a serious problem. Most importantly, your association may not be able to defend itself in court or use the courts to assert its rights. There are also fines to pay and other legal consequences. You should have your association attorney or a CPA resolve any deficiencies and most importantly, determine the reason for the suspension. Usually, suspensions result from the failure to file tax returns. If your management company is solely at fault, it should pay any fines and costs.

Q My rental home was built before shower doors and sliding glass doors were required to have safety glass. My property has standard glass in both the shower doors and sliding glass door. I prefer not to spend the money to replace the glass. Is it necessary?

A I strongly recommend that you replace the ordinary (annealed) glass with tempered glass or laminated glass, both of which are considered safety glass. Ordinary glass can break into dangerous shards that can cause horrific lacerations, resulting in major injuries and possibly death. The cost of replacement is nominal when contrasted to the possible harm from an accident.

(Michael T. Chulak is the founder of Michael T. Chulak & Associates, a Law Corporation, based in Agoura Hills. Questions can be sent by e-mail to info@MTCLaw.com. Answers are general in nature. An attorney should always be consulted when legal advice is needed. For more information visit www.MTCLaw.com and www.HOAQandA.com. Mr. Chulak also schedules free legal seminars throughout Los Angeles and Ventura counties. To look for a legal seminar closest to you, visit www.LegalSeminars.net.)

Like, exchange the land in kind for better gains



IN YOUR SPACE

BY CHRISTINA S. PORTER

A properly structured 1031 Exchange provides real estate investors with the opportunity to defer 100 percent of both federal and state capital gains taxes on the sale of their existing properties.

The 1031 Exchange is a tax-free loan that allows the investor to continue to reposition assets and build wealth with money that would otherwise be lost to taxes as they exchange into progressively more desirable properties.

The key to a successful exchange is a clear understanding of the rules, a well-defined investment and exchange strategy and access to replacement properties that fit your needs.

A failed exchange is one where the investor ends up paying capital gains taxes when their intention was to defer payment. This can happen for several reasons but the most frequent are listed below:

■ The property being sold or exchanged into is not "like kind." In order for a property to qualify for a 1031 exchange it must be like kind, meaning it was or will be held for investment or use in a trade or business.

■ The property being sold was not held long enough. There are no set rules regarding the amount of time a property should be held, but a general guideline provided by most tax advisors is that the property be held for at least a year and a day.

■ The replacement property was not identified within the 45-day identification period. The property being exchanged into must be identified within 45 days following the close of the sale of the property being sold to qualify for a 1031 exchange.

■ The escrow for the purchase of the replacement property identified did not close within 180 days following the close of escrow of the property being sold.

If your exchange fails not all is necessarily lost.

Sample Properties For Sale

Net Leases

Tenant	State	Price	Cap Rate
Wendy's	GA	\$972,778	7.20%
Sherwin Williams	SD	\$1,395,800	6.00%
Vitamin Shoppe	NY	\$1,715,000	7.00%
McDonalds	CA	\$4,100,000	5.30%

Tenant In Common/Alternatives (No Management)

Type	State	Minimum Investment	Year 1/Year 5 Cash On Cash
Office	GA	\$100,000	7.50/8.60%
Condo conv	MS	\$208,000	8.00/10.00%
New Retail	NV	\$250,000	7.25/9.14%
Office	NV	\$500,000	7.13/7.09%

Depending on the details of your situation you could still defer taxes owed into the following year by using the Installment Sale Rules contained in Section 453 of the Internal Revenue Code.

With proper planning and the right resources, investors can navigate the waters of a 1031 exchange unscathed and frequently double or triple their spendable income, while at the same time diversifying their portfolio and reducing risk.

Completing a successful 1031 exchange does not have to be difficult or stressful. Avoiding a failed exchange can be done by simply making a plan and following through.

(Contact **Christina Porter** at 1 877 4 TM 1031 or e-mail her at Christina@TM1031Exchange.com for further assistance. TM 1031 Exchange specializes in assisting investors in planning and executing successful real estate investment strategies. Visit www.TM1031Exchange.com for a complete list of investment properties and to download a free 1031 Exchange Tool Kit.)

Santa Monica land owners have a bundle of rights



REAL ESTATE 101

BY MIKE HEAYN

As a land owner, you have many rights. Those rights are a theory known as the "bundle of rights." The bundle of rights can be thought of as a bundle of paper with each sheet representing a separate right. The bundle of rights theory says that you have the right to sell, mortgage, bequeath, lease, use, occupy, grade, fill or excavate, install new roads, install new lake(s), occupy/use existing improvements, subdivide and develop, farm, etc. Some rights are different in other parts of the world. For example in Malaysia a person who owns land owns it to the center of the earth, which means if the city wants to build a subway they must build under an existing road in order to not infringe on a person's land.

All real property is subject to four powers of government — taxation, eminent domain, police power and escheat. Taxation means that the government has the right to tax the land. If the government takes private property for public use by the state or municipality with just compensation, it is known as eminent domain. Police power means to impose restrictions on private rights for the sake of public welfare,

order, and security.

As a fee-simple land owner you have the right to divide up all or none of your bundle of rights how ever you feel fit as long as each right abides with the law. Fee-simple title means a person has title without limits or restrictions. For example, a person who has fee-simple title could lease mineral rights to a gas company, surface rights to another individual and lease air rights for construction to a developer. Specific rights can be sold or gifted, which could make the salability of property more difficult in the future.

As a fee-simple owner you have many rights, which are part of your bundle of rights. One right is selling, which means to transfer or exchange land for money. Another right is placing property up as collateral or security as long as the property is not encumbered by another lien. This is known as mortgaging. The bundle of rights also allows the willing of property, known as bequeathing. The benefits of the bundle of rights extends to leasing, which allows someone to use the land or improvement for a set amount of time at a set price. You have the right to use and occupy the land however you feel fit within legal boundaries.

Rights extend above and below ground. If minerals such as granite or marble are found on your property you have the right, within legal boundaries, to excavate it. And if you

wanted to grade your land so rain water flows around your house you can.

Many developers use the right to install or widen new roads for subdivisions. Some even install lakes. If you bought a property with a barn, which is considered an improvement, you have the right to use it or tear it down. And if you owned a great deal of land and wanted to subdivide it, you could if the city allowed it. What about developing the land and placing a Wal-Mart on it? If the city allowed improvements to your land, you could since development is part of your bundle of rights. Many other rights exist with the bundle of rights. All rights are limited to the city ordinances and zoning laws, in which they sit.

The bundle of rights gives people constitutionally guaranteed freedoms to do what they want with their land within legal limits. Although the bundle of rights are intrinsic with real property they can be affected by municipal changes. However, since many rights are guaranteed to land owners it is unlikely that any major changes will ever be made to the bundle of rights.

(Mike Heayn is a Washington Mutual multi-family loan consultant. He can be reached at (310) 428-1342, or e-mailed at michael.heayn@wamu.net. Visit his Web site at www.re101.net.)



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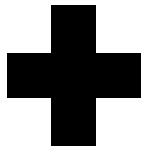
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General Assembly brings warnings, hope for future

BY NICK WADHAMS

Associated Press Writer

UNITED NATIONS — Addressing world leaders for the last time as secretary-general, Kofi Annan painted a grim picture Tuesday of an unjust world economy, global disorder and widespread contempt for human rights, and appealed for nations and peoples to truly unite.

As the annual General Assembly ministerial meeting got under way, the 192 U.N. member states faced an ambitious agenda including trying to promote Mideast peace, curb Iran's nuclear ambitions, get U.N. peacekeepers into conflict-racked Darfur, and promote democracy.

In a new blow to global stability, Thailand's military launched a coup against Prime Minister Thaksin Shinawatra even as Annan spoke. The Thai prime minister, who was in New York, switched speaking slots with Montenegro so he could address the General Assembly on Tuesday evening, a day earlier than planned.

President Bush took the podium for a speech aimed at building bridges with people in the Middle East angry with the United States over Iraq and Lebanon.

On the sidelines, Bush pressed Iran to return at once to international talks on its nuclear program and threatened consequences if they do not.

His speech was less confrontational on that subject, but Iranian President Mahmoud Ahmadinejad was not in the hall during the U.S. address.

Annan, whose second five-year term ends on Dec. 31, said the past decade had seen progress in development, security and the rule of law.

The secretary-general said too many people are still exposed to brutal conflict, and the fear of terrorism has increased a clash of civilizations and religions. Terrorism is being used as a pretext to limit or abolish human rights, and globalization risks driving richer and poorer peoples apart, he said.

"The events of the last 10 years have not resolved, but sharpened, the three great challenges I spoke of — an unjust world economy, world disorder, and widespread contempt for human rights and the rule of law," Annan said. "As a result, we face a world whose divisions threaten the very notion of an international community, upon which this institution stands."

"I remain convinced that the only answer to this divided world must be a truly United Nations," he said.

In his annual report, Annan touched on some of the most difficult issues confronting the leaders from countries large and small assembled in front of him.

He said the Arab-Israeli conflict is the most potent and emotionally charged conflict in the world today.

"As long as the Palestinians live under occupation, exposed to daily frustration and humiliation, and as long as Israelis are blown up in buses or in dance halls, so long will pas-

sions everywhere be inflamed," Annan said.

The secretary-general warned that as long as the U.N. Security Council is unable to end the conflict and Israel's 40-year occupation by bringing both sides to accept and implement its resolutions "so long will respect for the United Nations continue to decline."

"So long, too, will our impartiality be questioned," he said. "So long will our best efforts to resolve other conflicts be resisted, including those in Iraq and Afghanistan, whose peoples need our help just as badly, and are entitled to it," he said.

Annan also decried the continuing conflict in Sudan's western Darfur region, "where the continued spectacle of men, women and children driven from their homes by murder, rape and the burning of their villages makes a mockery of our claim, as an international community, to shield people from the worst abuses."

As he neared the end of his speech, Annan's voice rose with emotion, describing his "difficult and challenging but at times also thrillingly rewarding" job.

"Together we have pushed some big rocks to the top of the mountain, even if others have slipped from our grasp and rolled back. But this mountain with its bracing winds and global views is the best place on earth to be," Annan said.

He said he would "miss the mountain" and "when all is said and done, the world's most exalting job."

"I yield my place to others with an obstinate feeling — a real obstinate feeling — of hope for our common future," Annan said, again visibly moved.

The presidents, prime ministers, foreign ministers, ambassadors and other diplomats in the chamber then burst into loud applause and rose to give Annan a sustained standing ovation.

Even before the start of the so-called General Debate, ministers were meeting on some of the key issues.

A Security Council meeting on Monday focused on overcoming Sudan's resistance to allowing the United Nations to take control over peacekeepers in Darfur. Israeli Foreign Minister Tzipi Livni met Palestinian President Mahmoud Abbas late Monday, and the Security Council was to hold a meeting Thursday that Arab leaders hope will help revive the Mideast peace process.

Shortly before coming to New York, France's President Jacques Chirac proposed a compromise to kick-start talks between Iran and the international community, suggesting the threat of U.N. sanctions be suspended in exchange for Tehran halting its uranium enrichment program.

The African Union's Peace and Security Council is scheduled to meet Wednesday in New York to discuss breaking the deadlock over Darfur, with the Sudanese government refusing to allow U.N. peacekeepers to take over the security situation from the AU.

The undercurrent of this year's debate will be the race to succeed Annan. The six candidates were already making appearances Monday, and many more were planned.

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Eminem divorces Kim

EMINEM continued divorce proceedings with his wife, Kimberley Mathers, in an hour-long private hearing. Macomb County Circuit Judge Antonio Viviano told reporters after the hearing Tuesday that the case was being referred to a mediator. Lawyers for Eminem and Mathers said a date for media-

tion hasn't been set. Eminem's lawyer, Harvey Hauer, and Mathers' lawyer, Michael J. Smith, said they hoped the case would be settled amicably. Mathers, who is seeking financial support, attorney fees and joint custody of the couple's 10-year-old daughter, Hailie Jade Scott, declined comment on her

way out of the courthouse. The 33-year-old Grammy-winning rapper, whose real name is Marshall Bruce Mathers III, wasn't seen leaving the building. Eminem filed for divorce April 5. The couple remarried in Rochester on Jan. 14, a month after announcing they were getting back together. Their first marriage lasted

from 1999 to 2001. Eminem has won nine Grammy Awards, including best rap album for "The Slim Shady LP," "The Marshall Mathers LP" and "The Eminem Show." He won an Oscar for the song "Lose Yourself" from "8 Mile," the semi-autobiographical 2002 film in which he starred. **ASSOCIATED PRESS**

Diddy presents speech to student crowd

The principal at Benjamin Franklin High School wanted a speaker who would get students' attention. He succeeded. Some 750 students erupted in cheers when **SEAN "DIDDY" COMBS** walked out on stage. "This is a really important time for you all right now," Combs said. "This is the time that is

going to dictate your future." The 36-year-old founder of Bad Boy Records looked the part in sunglasses and flashy jewelry. He called some students on stage and talked to them one on one about their goals. His advice: work hard and stay in school. "Take responsibility for your

future. No excuses!" Combs said. The school district also plans to use Diddy's message in an anti-truancy campaign, said Cecilia Cummings, senior vice president for communications and community relations. "We wanted someone whom they would sit down and listen

to, someone who comes from the same type of background," said Principal Christopher Johnson. "To have a superstar come in to talk is extremely powerful." Combs' new album, "Press Play," is scheduled for release next month. **AP**

PEPPERS HOT THIS YEAR

THE RED HOT CHILI PEPPERS were nominated in four categories, including best album, for the 2006 MTV Europe Music Awards, to be hosted by Justin Timberlake on Nov. 2. Madonna, Shakira, Nelly Furtado, Christina Aguilera, Kanye West and Muse had three nominations each, the music network said Tuesday.

Nominations in the best album category included the Red Hot Chili Peppers for "Stadium Arcadium," Madonna for "Confessions on a Dance Floor" and Nelly Furtado for "Loose." The Red Hot Chili Peppers also were nominated in the best rock and best group categories. Madonna and Shakira were nominated in the best pop category. **AP**

Santa Monica Daily Press

MOVIEGUIDE

SHOWTIMES: SEPTEMBER 9-10, 2006

AERO THEATRE

1328 Montana Avenue
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Tuesday

All the King's Men 7:30

Wednesday

Rebel Without a Cause 7:30

Thursday

River's Edge, The Chocolate War 7:30

Friday

American Graffiti 7:30

AMC LOEWS BROADWAY 4

1441 3rd Street
(310) 458-6232

The Black Dahlia (R)

2:00, 3:00, 4:45, 7:30, 8:00, 10:15, 10:45

Confetti (R)

2:30, 5:15, 8:00, 10:40

Hollywoodland (R)

2:15, 5:00, 7:45, 10:30

AMC 7 SANTA MONICA

1310 3rd Street
(310) 289-4262

The Covenant (PG-13)

2:40, 5:10, 7:30, 10:10

Everyone's Hero (G)

2:20, 4:40, 7:20, 9:30

Gridiron Gang (PG-13)

1:00, 2:00, 4:00, 5:00, 7:00, 7:50, 9:50, 10:30

Invincible (PG)

1:50, 4:30, 7:10, 10:00

The Last Kiss (R)

2:10, 4:50, 7:50, 10:20

The Protector (R)

1:40, 3:45, 5:40, 7:40, 9:45

LANDMARK NUWILSHIRE

1314 Wilshire Blvd
(310) 281-8228

Factotum (R)

2:00, 4:45, 7:30, 10:00

The Illusionist (PG-13)

1:40, 4:30, 7:15, 9:50

LAEMMLE'S MONICA FOURPLEX

1332 2nd Street
(310) 394-9741

Half Nelson (R)

11:30am, 2:05, 4:40, 7:20, 9:55

Little Miss Sunshine (R)

12:00, 2:30, 5:05, 7:40, 10:10

Quinceanera (R)

1:55, 7:10

Sherrybaby (NR)

11:30am, 4:30, 9:30

The U.S. vs. John Lennon (PG-13)

11:45am, 2:15, 4:50, 7:30, 10:00

MANN'S CRITERION THEATRE

1313 3rd Street
(310) 395-1599

Beerfest (R)

1:30

Crank (R)

12:40, 3:00, 5:10, 7:20, 9:40

Haven (R)

12:00, 2:30, 5:00, 7:30, 10:00

How to Eat Fried Worms (PG)

12:30, 2:40

Idiocracy (R)

12:10, 2:20, 4:40, 7:00, 9:20

Pirates of the Caribbean:

Dead Man's Chest (PG-13)

3:10, 9:30

Talladega Nights: The Ballad

of Ricky Bobby (PG-13)

4:50, 7:40, 10:10

The Wicker Man (PG-13)

4:20, 7:10, 9:50

World Trade Center (PG-13)

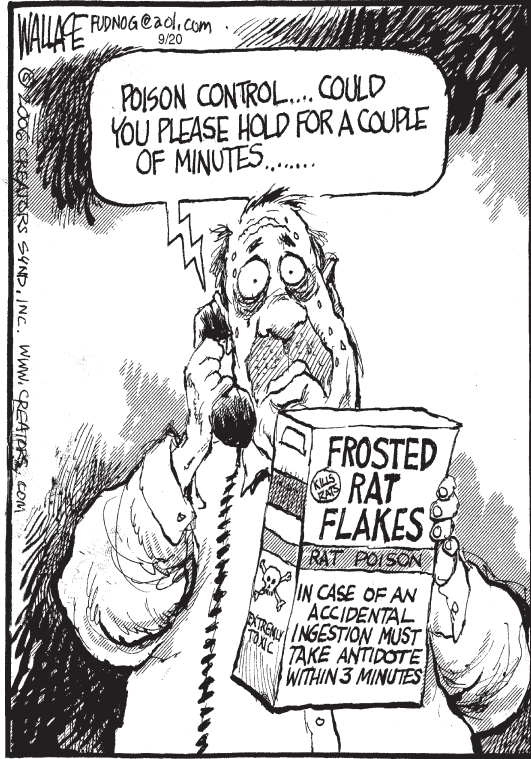
12:20, 6:30



This Is No Bull

"If you're gonna play the game you're gonna need the energy"

By Russ Wallace



I WONDER WHERE YOUR MOM'S BUS IS?

WHO KNOWS? WHY DIDN'T SHE JUST TAKE THE GREYHOUND?

SHE SAYS IT'S TOO CORPORATE.

WELL, WHAT LONG-DISTANCE BUS LINES AREN'T OWNED BY CORPORATIONS?

SORRY I'M SO LATE. WE KEPT STOPPING TO GROOVE.

BLUE TURTLE BUS

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LIZ LAUGHED AT ALL MY JOKES TONIGHT

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IN YOUR CASE, NO

JIM DAVIS 9-20

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6 Surgery
souvenir
7 Like most
bread
8 Gets by
chance
9 Binary
digit
10 Gum
mass
16 Ocean
trench
17 Flower
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9-20



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NOTICE OF PETITION TO AD-MINISTER ESTATE OF AR-THUR R. EMMONS, III Case No. BP100551

To all heirs, beneficiar-ies, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of ARTHUR R. EMMONS, III

A PETITION FOR PRO-BATE has been filed by Nelson R. Em-mons in the Superior Court of Cali-fornia, County of LOS ANGE-LES.

THE PETITION FOR PRO-BATE requests that Nelson R. Emmons be appointed as personal representative to administer the es-tate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administra-tion of Estates Act. (This authority will allow the personal repre-senta-tive to take many actions without obtaining court approval. Before taking certain very important ac-tions, however, the personal repre-sentative will be required to give notice to interested persons unless they have waived notice or con-sented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the peti-tion and shows good cause why the court should not grant the authority.

A HEARING on the peti-tion will be held on Nov. 6, 2006 at 8:30 AM in Dept. No. 11 located at 111 N. Hill St., Los Angeles, CA 90012.

IF YOU OBJECT to the grant-ing of the petition, you should ap-pear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDI-TOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

YOU MAY EXAMINE the file kept by the court. If you are a per-son interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and ap-praisal

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of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner:
EVERY M COOPER ESQ
COOPER-GORDON LLP
2530 WILSHIRE BLVD
3RD FLOOR
SANTA MONICA CA 90403-4643
Santa Monica Daily Press
CN761575 EMMONS Sep 20,21,27,
2006

NOTICE OF PETITION TO ADMINISTER ESTATE OF CASSIUS C. BLAKELY, JR.
Case No. BP100415

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of CASSIUS C. BLAKELY, JR.

A PETITION FOR PROBATE has been filed by Ruth Jeanne Blakely in the Superior Court of California, County of LOS ANGELES.

THE PETITION FOR PROBATE requests that Ruth Jeanne Blakely be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on Oct. 16, 2006 at 8:30 AM in Dept. No. 9 located at 111 N. Hill St., Los Angeles, CA 90012.

IF YOU OBJECT to the grant-ing of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner:
STANLEY P GRAHAM ESQ
6701 CENTER DR W
STE 925
LOS ANGELES CA 90045
Santa Monica Daily Press
CN761528 BLAKELY Sep 13,14,20,
2006

NOTICE OF PETITION TO ADMINISTER ESTATE OF:
ARAM J. DERVY AKA MAX DERVY
CASE NO. BP100477

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the WILL or estate, or both of ARAM J. DERVY AKA MAX DERVY. A PETITION FOR PROBATE has been filed by JERRY AVAKIAN in the Superior Court of California, County of LOS ANGELES.

THE PETITION FOR PROBATE requests that JERRY AVAKIAN be appointed as Special Administrator with general powers to administer the estate of the decedent.

THE PETITION requests authority to

Notices

administer the estate under the Independent Administration of Estates Act with limited authority. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority. A HEARING on the petition will be held on 10/17/06 at 8:30AM in Dept. 11 located at 111 N. HILL ST., LOS ANGELES, CA 90012

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code Section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for Petitioner
DEIDRA L. STAUFF, ESQ.
LAW OFFICES OF DEIDRA L. STAUFF, PROF. CORP.
2800 28TH ST., #315
SANTA MONICA, CA 90405
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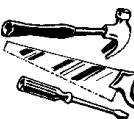
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\$425,000

**OFFICE SPACE
TO USE/RENT**

2212 Lincoln Blvd.
\$1,699,000

**2+2 CONDO
1,300 SQ FT**

6771 Spring Park Ave
#203
Ladera Heights
\$465,000

**COFFEE
SHOP SPACE
FOR LEASE**

2957 Lincoln Blvd.
Santa Monica

**IN ESCROW
NO
PHOTO
AVAILABLE**

7912 Osage
Westchester
\$630,000

**BUILD TWO
TOWNHOUSES PLANS
AND PERMITS
\$6,700 PER
MO/GROSS INCOME**

Venice Canals
**\$1,900,000 or
\$4,400,000
When built**

**NEW LISTING
NO
PHOTO
AVAILABLE**

522 W. Sunview
Palm Springs
\$305,000



5601 W. 83rd St.
3BR, 1BA, POOL
Los Angeles
\$720,000

GOING TO AUCTION



8314 Blewett Ave.,
North Hills
\$539,000

**NO
PHOTO
AVAILABLE**

3565 Lindon Ave.
Long Beach
\$329,000

**INCOME PROPERTY
\$7,900 PER/MO
GROSS INCOME
IN ESCROW**

Saviers Rd.
Oxnard
\$900,000



2432 21st St. SM
4BR, 2BA
\$1,300,000

**3 UNITS FOR RENT
1BD - \$1,200
1BD \$1,600
2BD - \$2,300**

760-762 Milwood
Venice

**NO
PHOTO
AVAILABLE**

601 35TH ST.
Manhattan Beach
IN ESCROW

Pacific Ocean Properties Broker Rob Schultz, #01218743

Department of Real Estate Phone - (916) 227-0864

END OF SUMMER SPECIAL! RATES AS LOW AS 6.5%

Buy it, Finance it & Build it!

Pacific Ocean Properties is proud to
announce the grand opening of PACIFIC
OCEAN CONSTRUCTION AND DESIGN.



Rob Schultz
Broker
Licensed California Broker
#01381120

NEW CONFORMING LOAN AMOUNTS

1 UNIT	\$417,000
2 UNIT	\$533,850
3 UNIT	\$645,300
4 UNIT	\$801,950

VERY AGGRESSIVE RATES

30 year fixed 6.5%	10 year/1 arm 6.375%
7 year/1 arm 6.25%	5 year/1 arm 6.0%**
3 year/1 arm 5.875%**	1 year/1 arm 5.625%
6 mos./6 mo. arm 5.375%	1 mo./1 mo. arm 1.0%***

* Rates subject to change * As of August 14, 2006 ** Denotes an interest only loan *** Denotes Neg Am

Pacwest Mortgage

2212 Lincoln Blvd. SM, CA (310) 392-9223

1(888)FOR-LOAN

(367-5626)

