

#H-406

10/22/84

First Supplement to Memorandum 84-63

Subject: Study H-406 - Abandoned Easements (Comments on Staff Draft)

Attached to this memorandum is a letter from Ronald P. Denitz of Tishman Corp. concerning the staff draft of abandoned easement legislation (Memorandum 84-63). Mr. Denitz believes the draft would promote marketability of title and urges the Commission to circulate the tentative recommendation for comment.

Respectfully submitted,

Nathaniel Sterling
Assistant Executive Secretary

Tishman West Management Corp.10960 Wilshire Boulevard
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October 16, 1984

Mr. John H. DeMouilly, Executive Director
California Law Revision Commission
4000 Middlefield Road, Suite D-2
Palo Alto, California 94303

Re: Study H-406-Abandoned Easements

Dear John:

It was a pleasure to have attended the Commission meeting in September 1984, at which time I was prepared to add my support to the Tentative Recommendation proposed by your Staff with respect to Abandoned Easements in the captioned matter. Regretably, the Commission was unable to get to the matter as calendared.

Although I will be unable to attend the November meeting in Sacramento, please convey to the Commissioners the support for the Tentative Recommendation which I give on behalf of all those who wish to reduce congestion in the courts by way of clearing from record-title those "exceptions" which are, in fact, abandoned.

The Tentative Recommendation will, if enacted by the California legislature, provide a more ready means for promoting greater usefulness and productivity of real property, our great but limited resource. As development takes place throughout urban areas we frequently encounter easements which earlier-subdividers placed against real property in southern California and, as I earlier explained to you and to the Commission (as it stood when the matter first was presented by Staff), our Company as well as other commercial real estate developers need a way to assure that abandoned easements do not remain on title as a costly and time consuming deterrent to economic progress.

We highly recommend that the Commissioners approve and circulate, for comment, the Tentative Recommendation sent August 9, 1984.

Very truly yours,



Ronald P. Denitz,
Corporate Counsel

RPD:fn