

Homeowner's Guide

May 2007

Compliments of Ted Bosley, Your Neighbor and RE Professional

Issue 16



Edward "Ted" Bosley
(949) 294-2126
TedBosley@yahoo.com

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OC Homeowner's Guide
Newsletter

Ted Bosley Appointed to SAH Project Advisory Committee

I started attending the SAH PAC meetings 5 years ago, mostly so that I could learn as much as possible about events affecting our community.

You, the readers of my periodic newsletters, have been the benefactors since I have shared with you much of what was learned in that forum as well as Supervisor, City Council and LAFCO meetings. Many of you have also been in attendance at those same meetings.

I appreciate being appointed to serve on the SAH Project Advisory Committee. This gives me the opportunity to serve on critical sub-committees that make recommendations to the Bd of Supervisors and the NB City Council on matters that have significant impact on our community.

Waterpointe to Start Development on Orchard

In a recent response to my inquiry about the timeline for this Westside SAH project, I received the following statement:

"We are still processing our final map with the County of Orange. Once recordation of the map occurs we are planning on starting the project. ... Once again I thank you for your assistance in getting this project approved."

Garrett Calacci,
Waterpointe Development Principal



Westside SAH Annexation Update

The next LAFCO hearing date is May 9th at 9:00 AM. The meeting will be held in the Hall of Administration, 12 Civic Center Plaza, Santa Ana, in the Planning Commission Hearing Room.

The City of Newport Beach's application for a sphere of influence change and concurrent annexation of West Santa Ana Heights and the City of Costa Mesa's application for a sphere of influence change for the Banning Ranch property will be considered by LAFCO on this date.

Staff reports for both proposals will be available for review on Wednesday afternoon, May 2, 2007, on the Orange County LAFCO website: www.orange.lafco.ca.gov. Click on the "Agenda and Minutes" link, then click on agenda item.

This is the meeting we all have been waiting for. LAFCO is suppose to come to a final resolution on the West Side Annexation to Newport at this meeting. PAC will be there to support Annexation as always.

Source of this information is www.SAHPAC.com
If you would like more information relating to the history of this effort please visit
www.sahpac.com/sys-tmpl/westsideannexation.

Sober Living Homes Make Their Community Christmas Contribution

Were you as surprised as I by the amazing decorations exhibited by the residents of the 3 (at that time) Yellowstone Recovery homes during the Christmas holidays? One of the reasons was a little competition between the 3 homes along with the help the men's home provided to the other 2 women's homes.

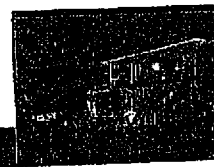
Their effort also brought out the competitive spirit in some of the other homes in the neighborhood ...

Congratulations!!



Indus Street
Women's Home

Redlands St.
Men's Home



Pegasus Street
Women's Home

Their Last
"Contribution"
to Westside SAM
5th Sober Living Home
Indus Cul-de-Sac
Women's Home



Golf Course or Parking Lot?

Daily Pilot Article on April 18th discusses this subject. If you do not take the Pilot you can go to www.dailypilot.com/articles/2007/04/18/politics/dpt-golfcourse18.txt to view it.

What I cannot understand is why anyone on the Airport Committee would suggest that a Car Rental Auto Storage facility should replace the Newport Beach Golf Course Back 9, that brings so much pleasure to so many, when their lease is up at the end of July, 2007.

(Continued on page 2)

Send an email to John.Moorlach@ocgov.com AND TedBosley@yahoo.com with your opinion of the possibility of not extending the lease for the NB Golf Course! ... AND to let me know of your interest in participating in this season's \$100 draw!oll

City of Newport Beach
GROUP RESIDENTIAL USES - USE PERMIT APPLICATION
STANDARD GROUP RESIDENTIAL USE PERMIT APPLICATION
(Form 100 - Revised March 2008)

1. APPLICANT/FACILITY PROGRAM INFORMATION

STEP 1: Completely fill out Form 150 (attached).

STEP 2: Fill out the following:

TYPE OF ORGANIZATION:

☐ For Profit

☒ Nonprofit

☐ Other, please explain: _____

PROPERTY OWNERSHIP:

☐ Own

☐ Rent

☒ Lease

☐ Other (specify): _____

IS THE OPERATOR/MANAGER ALSO THE LESSEE OF THIS PROPERTY?

☒ Yes

☐ No

☐ If no, please explain: _____

IS THE APPLICANT OR PROGRAM OPERATOR PART OF A PARTNERSHIP, CORPORATION, FIRM, OR ASSOCIATION?

☒ Yes

☐ No

If yes, please fill out and attach either Form 200C (if 200C, applicants must fill out Form 200D) or Form 200P, whichever is applicable.

2. PROPERTY OWNER INFORMATION

Stephen Thames

Name of Property Owner where facility is proposed (if Corporation, legal name of Corporation)

3569 Meder Rd.

(Mailing Address of Property Owner)

Shingle Springs, CA

(City/State)

95682

(Zip)

(530) 672-6908

(Telephone)

(530) 672-6909

(Fax number)

(E-Mail address)

20172 Redlands Dr., Newport Beach

(Subject Property Address)

119-362-07

Assessor's Parcel Number (APN)

3. SIMILAR USES

A. Your Firm's Current Uses. Do you or your firm (or any entity or person affiliated with you or your firm) currently operate, manage, or own other group residential uses in Newport Beach?

☒ Yes ☐ No

If yes, cite address(es) of facility(ies) (attach more pages if necessary):

EXAMPLE:

1234 Main Street, Newport Beach	Unlicensed "Sober Living"	7
Site Address	Type of Use	Bed Capacity
1571 Pegasus, Newport Beach	Cert. Sober Living	18
Site Address	Type of Use	Bed Capacity
1621 Indus, Newport Beach	Cert. Sober Living	18
Site Address	Type of Use	Bed Capacity
1561 Indus, Newport Beach	Oxford Sober Living	12
Site Address	Type of Use	Bed Capacity
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Site Address	Type of Use	Bed Capacity

B. Other Similar Uses. What uses, not operated by or affiliated with you or your firm, are of a similar type as your proposed use here in Newport Beach? Please cite address(es) of facility(ies) (attach more pages if necessary):

EXAMPLE:

1234 Main Street, Newport Beach	Unlicensed "Sober Living"	7
Site Address	Type of Use	Bed Capacity
Site Address	Type of Use	Bed Capacity
Site Address	Type of Use	Bed Capacity
Site Address	Type of Use	Bed Capacity
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Site Address	Type of Use	Bed Capacity
Site Address	Type of Use	Bed Capacity
Site Address	Type of Use	Bed Capacity

C. Evidence of Need for this Extent of Use. Per NBMC §20.91A.030 (E), please attach Evidence of Capacity and Need by residents of Newport Beach for this capacity based on published sources.

4. YOUR FIRM'S HISTORIC USES

Per the requirements of NBMC §20.91A.030.G & H, in the past five (5) years, have you or your firm or any entity or person affiliated with you or your firm operated, managed, or owned other group residential uses in California?

☒ Yes ☐ No

If yes, show the site address(es) of each facility(ies) and show whether the facility(ies) have ever been in violation of Federal, State or local law (attach additional pages if necessary):

EXAMPLE:

1234 Main Street, Santa Barbara	ADP-Licensed Facility	8
---------------------------------	-----------------------	---

Street Address, City

Type of Use

Bed Capacity

Has this facility or your operations at this facility, ever been in violation of State or local law?

☐ Yes

☒ No

If Yes, please explain: Applicant has not operated any other group residential uses in Newport Beach during the last 5 years. No home has been in violation of state or local law.

Facility #1

Street Address, City

Type of Use

Bed Capacity

Has this facility or your operations at this facility, ever been in violation of State or local law?

☐ Yes

☐ No

If Yes, please explain: _____

Facility #2

Street Address, City

Type of Use

Bed Capacity

Has this facility or your operations at this facility, ever been in violation of State or local law?

☐ Yes

☐ No

If Yes, please explain: _____

Facility #3

Street Address, City

Type of Use

Bed Capacity

Has this facility or your operations at this facility, ever been in violation of State or local law?

☐ Yes

☐ No

If Yes, please explain: _____

Facility #4

Street Address, City

Type of Use

Bed Capacity

Has this facility or your operations at this facility, ever been in violation of State or local law?

☐ Yes

☐ No

If Yes, please explain: _____

5. **LOCATION MAP AND SIMILAR USES**

Provide a Location Map showing the location of the proposed use plus all known conditional uses within a three-block radius. Include the property addresses of the proposed use and known conditional uses. Please consult the Newport Beach Planning Department (949-644-3225) for nearby conditional uses.

6. **SITE PLAN**

Provide a Site Plan that shows the facility's building footprint and property lines. Include property lines and building footprints on immediately adjacent parcels. Note the uses (i.e. *single family use, group residential use, or other*) on adjacent parcels.

7. **LICENSE AND PERMIT HISTORY OF APPLICANT**

A. Per NBMC §20.91A.030(H), please summarize the license and permit history of each facility applicant or operator has managed, owned, or operated in the State of California within the last five (5) years which require either a license or a permit by the State or by a locality (attach additional sheets if necessary):

Name of Facility

(Facility Address)

(City)

(Zip)

Please describe the nature of the license or use permit, the issuing agency, its reference number (if applicable), and any enforcement actions by any agency against the license or use permit:

B. Has the applicant ever voluntarily surrendered, had a denial, suspension, or revocation of a residential license for an alcoholism or drug abuse recovery or treatment facility or a facility licensed by the California Department of Alcohol and Drug Programs (ADP) or the California Department of Social Services - Community Care Licensing?

☐ Yes ☒ No

If yes, the date license was surrendered, denied, suspended, or revoked: _____

Reason for revocation, surrender, denial, or suspension: _____

C. Has the applicant ever voluntarily surrendered, had a denial, suspension, or revocation of a Use Permit or similar permit for a group residential use in this community or another community?

☐ Yes ☒ No

If yes, the date Use Permit (or similar) was surrendered, denied, suspended, or revoked: _____

Reason for revocation, surrender, denial, or suspension: _____

D. Has the applicant ever voluntarily surrendered, had a denial, suspension or revocation of a certification by any public or private agency other than ADP or the California Department of Social Services-Community Care Licensing for a group residential use in this community or another community?

☐ Yes ☒ No

If yes, the date Use Permit (or similar) was surrendered, denied, suspended, or revoked: _____

Reason for revocation, surrender, denial, or suspension: _____

8. NATURE AND CHARACTERISTICS OF PROPOSED USE

Per NBMC §20.91A.030(A-D), please provide the following information about each proposed facility (attach additional sheets if necessary). The components of this Section 8 (and other sections) comprise the *Operations and Management Plan* and *Rules of Conduct* envisioned by NBMC §20.91A.050.B:

A. TYPE OF ALCOHOL AND/OR OTHER DRUG RECOVERY OR TREATMENT SERVICES PROVIDED (for ADP-licensed facilities only -- check all that apply):

☐ Non-Medical Detoxification

☐ Group Sessions

☐ One-on-One Sessions

☐ Educational Sessions

☐ Recovery or Treatment Planning

☒ Other: None

B. NUMBERS AND TYPES OF FACILITY USERS & STAFF:

TOTAL OCCUPANCY OF FACILITY (This is the maximum number of individuals who live at the facility and are approved by the fire safety inspector.) These individuals include the residents receiving recovery, treatment or detoxification services, children of the residents, and staff. Staff includes individuals who work for the applicant in exchange for either monetary or in-kind compensation (e.g., room and board). Total occupancy cannot be exceeded for any reason. 18

MAXIMUM REQUESTED ADULT RESIDENT CAPACITY OF THE FACILITY (The number of adult residents that receive recovery, treatment or detoxification services at any one time, which cannot be greater than the total occupancy shown above): 0

MAXIMUM NUMBER AND AGE RANGE OF DEPENDENT CHILDREN WHO ARE SUPERVISED BY THEIR PARENT(S) IN THE FACILITY. This includes temporary residing (i.e., overnight, weekend visits) of dependent children. (Since there must always be at least one adult being served, the maximum number of dependent children housed must be at least one less than the total occupancy, determined by the fire inspector, as shown above): 0

Are all clients who reside on-site disabled persons? Yes

Number of staff who will reside on-site: 2

Maximum number of staff who will provide services during any one week to clients at the facility: 2

Provide the Facility Staffing Form shown as Form 400 to this Application.

Total number of employees of provider:

Please characterize the nature of staff services to the facility (i.e., nutritionists, massage therapists, counselors, maids, cooks, etc):

House Manager

Assist Manager

Maximum number of clients who will use the facility on any one day but reside elsewhere: 0

Maximum number of client visitors who will visit the facility during any one week: 0

Maximum number of others who will visit the facility during any one week: 0. Please explain:

C. BUILDING DIAGRAM/FLOOR PLAN

Include a Building Diagram showing all building(s) to be occupied, including a floor plan of all rooms intended for residents' use. Include the grounds showing buildings, setbacks, driveways, fences, storage areas, pools, gardens, recreational area and other spaces. All sketches shall show dimensions but need not be to scale. Identify the number of residents per bedroom and the location and the number of beds for all residents, including the location of beds for infants and other non-ambulatory persons. The Building Diagram supplied with this application must be accurate as to existing conditions in the building and must be consistent with the building plans currently on file with the Newport Beach Building Department for permitted construction.

D. DURATION OF TYPICAL CLIENT STAY IN FACILITY (in days): 180

If you wish, please explain:

E. IS THE FACILITY ACCESSIBLE TO INDIVIDUALS IN WHEELCHAIRS OR OTHER NONAMBULATORY CONDITIONS?

☐ Yes ☒ No

NOTE: The Americans with Disabilities Act of 1990 (ADA) is a comprehensive federal anti-discrimination law for people with disabilities. The City reminds all providers of residential recovery facilities that discrimination against persons with disabilities is prohibited. Please contact Newport Beach's Building Department (949-644-3275) for specific ADA requirements that may apply to your facility.

F. ACTIVITY INFORMATION

Hours which facility will be in use:

☒ 24/7 ☐ Other (please describe) _____

Will there be a curfew? If so, please note quiet hours:

☒ 10 p.m. – 8 a.m. ☐ Other (please describe) _____

Besides household activities, what types of care-related activities will occur on-site, and how many residents and non-residents (including staff and clients from other facilities) will attend?

☐ "AA"-type meetings _____

☐ Physical Fitness (gym, yoga, etc) _____

☐ ADP-Treatment (see 5A) _____

☐ Other wellness (massage, etc) _____

☐ Meal preparation/delivery _____

☐ Other: _____

Provide the Weekly Schedule of Services shown as Form 500 to this Application.

G. DELIVERY INFORMATION:

What types of deliveries will occur at the facility and how often (per day or per week – circle whichever is applicable) will they occur?

☐ Laundry Services: _____ /day or week

☒ Trash disposal or recycling: 1 /day or week

☐ Meals: _____ /day or week

☐ Business products: _____ /day or week

☐ Correspondence, packages (other than USPS): _____ /day or week

☐ Medical Products/Medical Waste Pickup: _____ /day or week

☐ Other: _____ /day or week

H. TRANSPORTATION AND PARKING:

Will clients residing on-site be allowed to use personal vehicles and/or keep them on-site or nearby?

☐ Yes ☒ No

If Yes, describe where clients will park personal vehicles (garage, carport, on-street location, other – if on-street, be specific about which streets)

If No, describe other modes of transportation that clients will use (bus, other transit, bicycle, other).

Bus – Carpools, bikes

Please provide a **Route Map** showing transit and travel routes that will be used to transport clients off-site, showing destinations of travel and approximate times of departure and return.

Will staff serving the facility be allowed to drive personal vehicles to the site?

☒ Yes ☐ No

If Yes, describe where staff will park personal vehicles (garage, carport, on-street location, other – if on-street, be specific about which streets)

In driveway _____

NOTE: The City may not authorize on-street parking for clients or staff depending upon how impacted the facility's streets are.

I. MEDICAL AND BIO-WASTE

NBMC §6.04.120 (Health and Sanitation: Prohibited Materials) prohibits the disposal of certain medical waste or bio-waste into the City's refuse disposal system. Syringes, needles, urinalysis cups, and other waste must be disposed of in accordance with the NBMC and other applicable laws. If you are uncertain as to what wastes can be disposed of in the City's disposal system, contact the City's General Services Department at 949-644-3066.

Applicants who will be disposing medical waste or other bio-waste must provide a Disposal Plan for Medical and Bio-Waste showing how and where these wastes are disposed of (required by NBMC §20.91A.030.I).

Please attach the **Disposal Plan** if applicable.

J. RULES OF CONDUCT – GOOD NEIGHBOR PRINCIPLES

If you have them, please include any documents that describe rules of client conduct and/or *Good Neighbor Principles* that your facility's staff and clients will adhere to if the City issues a Use Permit for this facility.

The City of Newport Beach has developed *Good Neighbor Principles* for these uses (see the City's website under Group Residential Uses).

Please state whether you agree voluntarily to comply with the City's *Good Neighbor Principles*:

☒ Yes ☐ No

K. OTHER AVAILABLE CERTIFICATIONS

NBMC §20.91A.050.C.4 directs that applicants shall attain certification (or similar validation), where available, from a governmental agency or qualified non-profit organization. This includes:

- The Orange County Sheriff's Department's Orange County Adult Alcohol and Drug Sober Living Facilities Certification Program (see www.ocsd.org for more information or contact Certificate Coordinator Lt. Jeff Bardzik at 714-773-4523 or jbardzik@ocsd.org or Margo Grise at 714-773-4521 at mgrise@ocsd.org. This certification is required.
- The Orange County Sober Living Network (see http://www.soberhousing.net/orange_county.html or contact Grant McNiff at 714-875-2954. This certification is recommended.

You do not have to attain the OCSD certification to apply for a Use Permit, but we suggest that you attain the certification within a reasonable amount of time (twelve [12] months) following your application submittal. Should a Use Permit be issued, it may include a condition that certification be obtained within a stated time period. If you have attained this certification prior to applying for the Use Permit, verify here that you have attained this certification, and attach the verifying document from the certifying entity:

☐ Orange County Adult Alcohol and Drug Sober Living Facilities Certification (required)

☒ Orange County Sober Living Network (recommended)

☐ Other (please describe) _____

L. SECONDHAND SMOKE LIMITATIONS

NBMC §20.91A.050.A directs that "no staff, clients, guests, or any other uses of the facility may smoke in an area from which the secondhand smoke may be detected on any parcel other than the parcel upon which the facility is located. Check and sign here to acknowledge this requirement and your use's adherence to it:

☒ I acknowledge that I will control secondhand smoke on my facility such that no secondhand smoke may be detected on any parcel other than the parcel upon which my facility is located.

Signature: _____

Date: _____

9. APPLICANT OBLIGATIONS

- A. The "owner of record" of the property or an authorized agent must sign this Application. Signing the application under Section 10 means that the applicant certifies, under penalty of perjury, that the information provided within the Application and its attachments is true and correct. Per NBMC §20.90.030.C, false statements are grounds for denial or revocation.
- B. The Applicant acknowledges that he or she must comply with all other Federal, State, and local laws and regulations relating to this use. The Applicant understands that a violation of Federal, State, and local laws and regulations is grounds for revocation of the Permit. The Applicant understands and acknowledges that it is against California law to provide treatment (as defined) in an unlicensed facility.
- C. If the City issues a Use Permit based on the information provided in this Application, the Applicant's signature below certifies his or her agreement to comply with the terms of the Use Permit. The Applicant understands and acknowledges that non-compliance with the terms of the Use Permit is grounds for revocation of the Permit.

Revocation of the Use Permit. NBMC §20.96.040.E provides that the City can revoke a Use Permit if:

- The permit was issued under erroneous information or misrepresentation; or
- The applicant made a false or misleading statement of material fact, or omitted a material fact; or
- The conditions of use or other regulations or laws have been violated; or
- There has been a discontinuance of use for 180 days or more.

10. AUTHORIZED SIGNATURE(S) OF APPLICANT

THE UNDERSIGNED ASSURES THAT THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT AND THAT THE APPLICANT HAS READ AND UNDERSTOOD HIS OR HER OBLIGATIONS UNDER ANY USE PERMIT ISSUED BASED ON THIS APPLICATION.

- A. If the applicant is a sole proprietor, the application shall be signed by the proprietor.
- B. If the applicant is a partnership, the application shall be signed by each partner.
- C. If the applicant is a firm, association, corporation, county, city, public agency or other governmental entity, the application shall be signed by the chief executive officer or the individual legally responsible for representing the agency.

D. The applicant(s) affirms that the facts contained in this application and supporting documents are true and correct.

Leisha Mello 5/20/08 Administrator
(Signature) (Title)
(Date)

Dr. Am Thomas 5/20/08 CEO
(Signature) (Title)
(Date)

(Signature) (Title)
(Date)

Quality Sober Living Homes in Southern California

THE SOBER LIVING NETWORK

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The Sober Living Network

A SOBER HOUSING VISION

Someday there will be **recovery supportive housing and community centers throughout the United States**. These clusters will be developed with a variety that will include individual houses, apartments, and congregate living accommodations. There will be a mixture of housing with normal-cost apartments for recovery veterans and low-cost, supervised shared housing for those in early recovery. In many accommodations there will be specially designed housing sections for women and/or men with children that have play areas and childcare. Sober housing clusters will be designed to accommodate persons who are physically and mentally challenged.

Sober housing clusters will be **recovery-promoting incubators**. The clusters will include meeting spaces to host self-help and educational meetings, recreational, and social events. They will be operated within a democratic culture and a high level of recovery enthusiasm.

These clusters will become **islands of sobriety in our alcohol and drug using society**. Sober housing and community centers will become continuously available as a recovery assistance resource for alcoholics, addicts, and family members. They will be available and noticeable not only to those who are fully into their addiction, but those who are in their earlier or experimental stages. Communities of stable recovering persons can easily absorb newly recovering persons into their community.

Currently many sober living homes are trying to meet the needs of newly recovering persons without the benefit of having a core of stable recovering residents or the management resources to meet their recovery service needs.

The rationale for cluster housing is that the **self-help learning process comes in bits and pieces**. The greater the exposure to a comprehensive recovery environment with many recovery activities and a predominance of recovering people, the greater chance a person has to learn recovery. The need for a balance of recovery experiences became evident when twelve-step meetings dominated by newcomers were not as effective in assisting recovery as those meetings where most members have long-term stable recovery.

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Quality Sober Living Homes in Southern California

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Find Sober Housing in Your SoCal Community | [Search By Area](#)**The Sober Living Network****COMMUNITY RECOVERY SUPPORT RESOURCES**

Community recovery resources offer a practical and cost-efficient way to assist alcoholics, addicts and family members to enter and maintain long-term recovery.

The current alcohol and drug treatment system does not have the capacity to meet the long-term recovery assistance needs required to meet the needs of the many. The treatment system is too heavily invested in short-term treatment and too little invested in the development of safe and healthy community recovery promoting environments and activities that are constantly available to support recovery and life style enhancements.

Alcohol and drug treatment programs have been formatted by government and academic institutions into quality "people processing" treatment stations that are now too costly per person assisted to significantly reduce addiction problems.

Community recovery is based on the postulate that safe and sober places filled with healthy recovery activities provide the environments, motivation and recovery tools for alcoholics, addicts and family members to assist (process) themselves. Operators maintain healthy and safe environments and promote individual recovery responsibility. Community recovery resources include self-help meetings, Alano clubs-which host self-help activity, community recovery centers, sober living housing, and sober recreational and social events. Community recovery centers are self-service spaces that offer education sessions, host self-help groups, hold social/recreational events and have counseling and therapy available by self-selection. Community recovery centers, activities and housing are easily adaptable to meet the broad ethnic, cultural and physically challenged needs.

Community recovery resources are assisting millions of alcoholics, addicts and family members in recovery from alcoholism and other drug addictions with little or no support from government and health insurance funding sources. Sober living homes, Alano clubs and community recovery centers are primarily created and supported by recovering persons motivated by a call to be of service to others.

The Sober Living Network
 P.O. Box 5235, Santa Monica, CA 90409
 (310) 396-5270

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The National Council on Alcoholism and Drug Dependence fights the stigma and the disease of alcoholism and other drug addictions.

Facts and Information

Alcoholism and Drug Dependence Are America's Number One Health Problem

The cost and consequences of alcoholism and drug dependence place an enormous burden on American society. As the nation's number one health problem, addiction strains the health care system, the economy, harms family life and threatens public safety.

Substance abuse crosses all societal boundaries, affects both genders, every ethnic group, and people in every tax bracket. Scientific documentation defines alcoholism and drug dependence as a disease that has roots in both genetic susceptibility and personal behavior.

THE SCOPE OF THE PROBLEM

- *There are more deaths and disabilities each year in the U.S. from substance abuse than from any other cause.* ¹
- *About 18 million Americans have alcohol problems; about 5 to 6 million Americans have drug problems.* ²
- *More than half of all adults have a family history of alcoholism or problem drinking.* ³
- *More than nine million children live with a parent dependent on alcohol and/or illicit drugs.* ⁴

THE CONSEQUENCES

- *One-quarter of all emergency room admissions, one-third of all suicides, and more than half of all homicides and incidents of domestic violence are alcohol-related.* ⁵

- *Heavy drinking contributes to illness in each of the top three causes of death: heart disease, cancer and stroke.* ⁶

- *Almost half of all traffic fatalities are alcohol-related.* ⁷
- *Between 48% and 64% of people who die in fires have blood alcohol levels indicating intoxication.* ⁸
- *Fetal alcohol syndrome is the leading known cause of mental retardation.* ⁹

THE COST

- *Alcohol and drug abuse costs the American economy an estimated \$276 billion per year in lost productivity, health care expenditures, crime, motor vehicle crashes and other conditions.* ¹⁰
- *Untreated addiction is more expensive than heart disease, diabetes and cancer combined.* ¹¹
- *Every American adult pays nearly \$1,000 per year for the damages of addiction.* ¹²

SO, WHAT CAN BE DONE?

Like other diseases, addiction can be overcome with proper treatment, prevention and more research. By increasing access to care, the costly toll on society and the burden it places on families can be reduced. Research shows conclusively that successful prevention and treatment leads to reductions in traffic fatalities, crime, unwanted pregnancy, child abuse, HIV, cancer and heart disease. Treatment reduces drug use, improves health, improves job performance, reduces involvement with the criminal justice system, reduces family dysfunction and improves quality of life.

The Comprehensive Assessment Treatment Outcomes Registry Data in Ohio have documented dramatic results in decreasing occupational problems, including the following reductions after treatment:

- *Absenteeism decreased by 89%*

- *Tardiness decreased by 92%*
- *Problems with supervisors decreased by 56%*
- *Mistakes in work decreased by 70%*
- *Incomplete work decreased by 81%* ¹³

Additionally, a California Study found significant decreased health care costs from before to after treatment in:

- *Hospitalizations for physical health problems (-36%)*
- *Drug overdose hospitalizations (-58%)*
- *Mental health hospitalizations (-44%)*
- *The number of emergency room visits (-36%)*
- *The total number of hospital days (-25%)* ¹⁴

Americans increasingly recognize that alcoholism and drug dependence is a disease with consequences that affect both physical and behavioral health. Diagnostic and treatment services have changed in recent years and modern treatment, when adequately provided, enables a great many people to recover and rebuild productive lives.

It is important that the public be aware of evidence generated by scientific inquiry, clinical evaluation and clinical experience. The evidence demonstrates that treatment for alcohol and other drug abuse works. Treatment not only saves lives, it also saves dollars that would otherwise be spent in other areas of medical care and social services. For every dollar spent on addiction treatment, seven dollars is saved in reduced health care costs. ¹⁵

The National Council on Alcoholism and Drug Dependence is dedicated to fighting the stigma and the disease of alcoholism and other drug addictions by providing education, information, help and hope to the public. NCADD advocates prevention, intervention, and treatment through a network of 97 affiliates across the United States. For more information, visit: www.ncadd.org.

Alcoholism and drug dependence are treatable and millions of people achieve recovery.

SOURCES

1. "Substance Abuse: The Nation's Number One Health Problem," Institute for Health Policy, Brandeis University, 1993.

2. "Substance Abuse: The Nation's Number One Health Problem," Institute for Health Policy, Brandeis University, 2001.
3. Position Paper on Drug Policy, Physician Leadership on National Drug Policy (PLNDP), Brown University Center for Alcohol and Addiction Studies, 2000.
4. Ibid.
5. "Sobering Facts on the Dangers of Alcohol," NY Newsday, April 24, 2002.
6. Position Paper on Drug Policy, Physician Leadership on National Drug Policy (PLNDP), Brown University Center for Alcohol and Addiction Studies, 2000.
7. National Highway Traffic Safety Administration, Annual Report, 1992.
8. "Substance Abuse: The Nation's Number One Health Problem," Institute for Health Policy, Brandeis University, 1993.
9. E. Abel, "Incidence of Fetal Alcohol Syndrome and Economic Impact of FAS-Related Anomalies," Drug and Alcohol Dependence, 1987.
10. "Substance Abuse: The Nation's Number One Health Problem," Institute for Health Policy, Brandeis University, 2001.
11. Ibid.
12. The National Drug Control Strategy, The White House, 1997.
13. Ohio Dept. of Alcohol and Drug Addiction Services, New Standards, Inc., St. Paul, MN, 1994.
14. Gerstein, et al, "Evaluating Recovery Services: the California Drug and Alcohol Assessment," Sacramento, 1994.
15. Ibid.

Compiled 6/02



National Council on Alcoholism and Drug Dependence, Inc.

244 East 58th Street, 4th Floor, New York, NY 10022
phone: 212/269-7797 fax: 212/269-7510
email: national@ncadd.org <http://www.ncadd.org>
HOPE LINE: 800/NCA-CALL (24-hour Affiliate referral)

General population

According to data from the 2005 National Household Survey on Drug Use and Health (NSDUH) –

- 112 million Americans age 12 or older (46% of the population) reported illicit drug use at least once in their lifetime
- 14% reported use of a drug within the past year
- 8% reported use of a drug within the past month.

Data from the 2005 survey showed that marijuana and cocaine use is the most prevalent among persons age 18 to 25.

Drug use	Age of respondent, 2004		
	12-17	18-25	26 or older
Marijuana			
Last month	6.8%	16.6%	4.1%
Last year	13.3	28.0	6.9
Cocaine			
Last month	0.6%	2.6%	0.8%
Last year	1.7	6.9	1.5

Source: SAMHSA, Office of Applied Studies, *2005 National Survey on Drug Use and Health: National Findings*, September 2006.

The *Drug Abuse Warning Network* (DAWN) monitors drug-related emergency department (ED) visits for the nation and for selected metropolitan areas. DAWN also collects data on drug-related deaths investigated by medical examiners and coroners in selected metropolitan areas and States.

In 2005, DAWN estimates that nearly 1.4 million emergency department visits nationwide were associated with drug misuse or abuse.

An estimated 816,696 drug-related emergency department visits involved a major substance of abuse. DAWN estimates that:

- Cocaine was involved in 448,481 ED visits.
- Marijuana was involved in 242,200 ED visits.
- Heroin was involved in 184,572 ED visits.
- Stimulants, including amphetamines and methamphetamine, were involved in 138,950 ED visits.
- Other illicit drugs, such as PCP, Ecstasy, and GHB, were much less frequent than any of the above.

Source: U. S. Department of Health and Human Services, SAMHSA, Office of Applied Studies, *Drug Abuse Warning Network, 2005: National Estimates of Drug-Related Emergency Department Visits*. DAWN Series D-29, DHHS Publication No. (SMA) 07-4256, Rockville, MD, 2007.

In 2003, 122 jurisdictions in 35 metropolitan areas and 6 States submitted mortality data to DAWN. The States, which are all new to DAWN, are Maine, Maryland, New Hampshire, New Mexico, Utah, and Vermont. DAWN cannot provide national estimates of drug-related deaths.

In the metropolitan areas, nearly half of drug misuse deaths, on average, involved a major substance of abuse (cocaine, heroin, marijuana, stimulants, club drugs, hallucinogens, or non-pharmaceutical inhalants). Across the 8 States, major substances were reported in about a third of misuse deaths. Still, major substances were reported in 40% to 45% of drug misuse deaths in Maryland, New Mexico, and Utah. Descriptions of drug abuse deaths in the participating metropolitan areas are available in the *Mortality Data from the DAWN, 2003* report.

According to data from the *2003 Mortality Data from DAWN* – Cocaine was the most frequently reported illicit drug. In the drug misuse deaths, cocaine was among the top 5 drugs in 28 of the 32 metropolitan areas and all of the 6 States. On average, cocaine alone or in combination with other drugs was reported in 39% of drug misuse deaths (range 8% to 70%). Alcohol was one of the 5 most common drugs in 30 of the 32 metropolitan areas and 5 of the 6 States. In 29 of the 32 metropolitan areas, more drug misuse deaths involved an opiate/opioid than any other drug.

Source: U. S. Department of Health and Human Services, SAMHSA, Office of Applied Studies, *Drug Abuse Warning Network, 2003: Area Profiles of Drug-Related Mortality*. DAWN Series D-27, DHHS Publication No. (SMA) 05-4023, Rockville, MD, 2005.

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Page last revised on April 11, 2007

U.S. Department of Justice Office of Justice Programs
Bureau of Justice Statistics



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 home page

Drugs and Crime Facts

Drug use

Youth | General population

Youth

- Use
- Perceived risk
- Student reports of availability of drugs

Use

The Monitoring the Future Study asked high school seniors, "On how many occasions, if any, have you used drugs or alcohol during the last 12 months or month?"

Reported drug and alcohol use by high school seniors, 2006

Drugs	Used within the last:	
	12 months*	30 days
Alcohol	68.5%	45.3%
Marijuana	31.5	18.3
Other opiates	9.0	3.8
Stimulants	8.1	3.7
Sedatives	6.8	3.0
Tranquilizers	6.8	2.7
Cocaine	5.7	2.5
Hallucinogens	4.9	1.5
Inhalants	4.5	1.5
Steroids	1.8	1.1
Heroin	0.8	0.4

*Including the last month.

Source: Press release: *Teen drug use continues down in 2006, particularly among older teens; but use of prescription-type drugs remains high*, University of Michigan News and Information Services, December 21, 2006. (Acrobat file 578.81KB)

Self-reports of drug use among high school seniors may under represent drug use among youth of that age because high school dropouts and truants are not included, and these groups may have more involvement with drugs than those who stay in school.

Percent of all college students, 1995-2005

Drug use	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Marijuana											
Daily within											
last month	3.7%	2.8%	3.7%	4.0%	4.0%	4.6%	4.5%	4.1%	4.7%	4.5%	4.0%
Last month	18.6	17.5	17.7	18.6	20.7	20.0	20.2	19.7	19.3	18.9	17.1
Last year	31.2	33.1	31.6	35.9	35.2	34.0	35.6	34.7	33.7	33.3	33.3
Cocaine											
Daily within											
last month	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	*	0.0%	0.1%
Last month	0.7	0.8	1.6	1.6	1.2	1.4	1.9	1.6	1.9	2.4	1.8
Last year	3.6	2.9	3.4	4.6	4.6	4.8	4.7	4.8	5.4	6.6	5.7

* Less than 0.05%

Rates of past year cocaine use by college students have varied over the past 10 years from a low of 2.9% in 1996 to a high of 5.7% in 2005. Past year marijuana use has ranged from a low of 31.2% in 1995 to a high of 35.9% in 1998.

Source: University of Michigan, *Monitoring the Future National Survey Results on Drug Use, 1975-2005, Volume II: College Students and Adults Ages 19-45, 2005*, October 2006. (Acrobat file 2.31 MB)

Of high school seniors in 2005 --

- 44.8% reported having ever used marijuana/hashish
- 8.0% reported having ever used cocaine
- 1.5% reported having ever used heroin.

Source: University of Michigan, *Monitoring the Future National Results on Adolescent Drug Use: Overview of Key Findings 2006*, April 2006. (Acrobat file 442.77KB)

The increase in the use of marijuana has been especially pronounced. Between 1992 and 2005 past-month use of marijuana increased from:

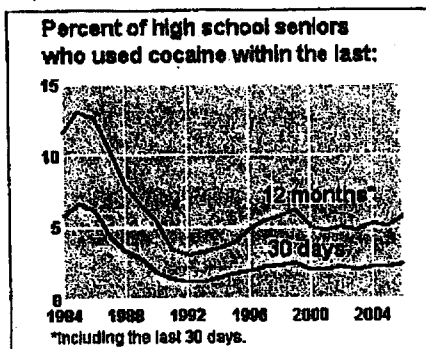
- 12% to 20% among high school seniors.
- 8% to 16% among 10th graders.
- 4% to 7% among 8th graders.

Reported use of marijuana by high school seniors during the past month peaked in 1978 at 37% and declined to its lowest level in 1992 at 12%.

The use of cocaine within the past month of the survey by high school seniors peaked in 1985 at 6.7%, up from 1.9% in 1975 at the survey's inception. Cocaine use declined to a low of 1.3% in 1992 and 1993. In 2005, 2.3% of high school seniors reported past-month cocaine use.

Source: University of Michigan, *Monitoring the Future National Results on Adolescent Drug Use: Overview of Key Findings 2006*, April 2006. (Acrobat file 442.77KB).

Cocaine use among high school seniors peaked in 1985.



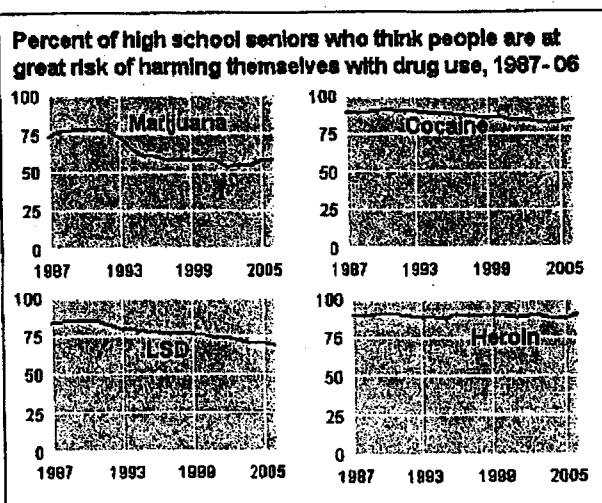
[D]

Click on the chart to view the data.

Source: Press release: *Teen drug use continues down in 2006, particularly among older teens; but use of prescription-type drugs remains high*, University of Michigan News and Information Services, December 21, 2006. (Acrobat file 576.81KB).

Perceived risk

From 1987 to 2006 the percentage of high school seniors that were asked, "How much do you think people risk harming themselves?" remained virtually stable. Those students answering "great risk" in regular use accounted for the following --



[D]

Click on the chart to view the data.

Source: Press release: *Teen drug use continues down in 2006, particularly among older teens; but use of prescription-type drugs remains high*, University of Michigan News and Information Services, December 21, 2006. (Acrobat file 576.81KB)

Student reports of availability of drugs

Percent of high school seniors reporting they could obtain drugs fairly easily or very easily, 2006

Marijuana	84.9%
Amphetamines	52.9
Cocaine	46.6
Barbiturates	43.8
Crack	38.8
LSD	29.0
Heroin	27.4
Crystal methamphetamine	28.7
Tranquilizers	24.4
PCP	23.1
Amyl/butyl nitrites	18.4

Source: Press release: *Teen drug use continues down in 2006, particularly among older teens; but use of prescription-type drugs remains high*, University of Michigan News and Information Services, December 21, 2006. (Acrobat file 576.81KB)

In 2005, 26% of all students in grades 9 through 12 reported someone had offered, sold, or given them an illegal drug on school property. There was no measurable change with the percentage of students who reported that drugs were offered, sold, or given to them at school between 2003 and 2005.

Males were more likely than females to report that drugs were offered, sold, or given to them on school property in each survey year between 1993 and 2005. In 2005, 29% of males and 22% of females reported availability of drugs.

Source: BJS jointly with the U.S. Department of Education, *Indicators of School Crime and Safety, 2006*, NCJ 214282, December 2006.

↑ To the top

General population

According to data from the 2005 *National Household Survey on Drug Use and Health (NSDUH)* --

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Homeowner's Guide

May 2007

Compliments of Ted Bosley, Your Neighbor and RE Professional

Issue 16



Edward "Ted" Bosley
(949) 294-2126

TedBosley@yahoo.com

Service • Integrity • Commitment



WWW.TEDBOSLEY.COM

Great source for RE information,
tools plus Bi-monthly

OC Homeowner's Guide
Newsletter

Ted Bosley Appointed to SAH Project Advisory Committee

I started attending the SAH PAC meetings 5 years ago, mostly so that I could learn as much as possible about events affecting our community.

You, the readers of my periodic newsletters, have been the benefactors since I have shared with you much of what was learned in that forum as well as Supervisor, City Council and LAFCO meetings. Many of you have also been in attendance at those same meetings.

I appreciate being appointed to serve on the SAH Project Advisory Committee. This gives me the opportunity to serve on critical sub-committees that make recommendations to the Bd of Supervisors and the NB City Council on matters that have significant impact on our community.

Waterpointe to Start Development on Orchard

In a recent response to my inquiry about the timeline for this Westside SAH project, I received the following statement:

"We are still processing our final map with the County of Orange. Once recordation of the map occurs we are planning on starting the project. ... Once again I thank you for your assistance in getting this project approved."

Garrett Calacci,

Waterpointe Development Principal



Westside SAH Annexation Update

The next LAFCO hearing date is May 9th at 9:00 AM. The meeting will be held in the Hall of Administration, 12 Civic Center Plaza, Santa Ana, in the Planning Commission Hearing Room.

The City of Newport Beach's application for a sphere of influence change and concurrent annexation of West Santa Ana Heights and the City of Costa Mesa's application for a sphere of influence change for the Banning Ranch property will be considered by LAFCO on this date.

Staff reports for both proposals will be available for review on Wednesday afternoon, May 2, 2007, on the Orange County LAFCO website: www.orange.LAFCO.ca.gov. Click on the "Agenda and Minutes" link, then click on agenda item.

This is the meeting we all have been waiting for. LAFCO is suppose to come to a final resolution on the West Side Annexation to Newport at this meeting. PAC will be there to support Annexation as always.

Source of this information is www.SAHPAC.com

If you would like more information relating to the history of this effort please visit www.sahpac.com/sys-tmpl/westsideannexation.

Sober Living Homes Make Their Community Christmas Contribution

Were you as surprised as I by the amazing decorations exhibited by the residents of the 3 (at that time) Yellowstone Recovery homes during the Christmas holidays? One of the reasons was a little competition between the 3 homes along with the help the men's home provided to the other 2 women's homes.

Their effort also brought out the competitive spirit in some of the other homes in the neighborhood ...

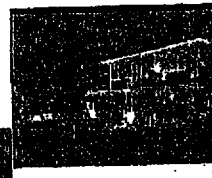
Congratulations!!



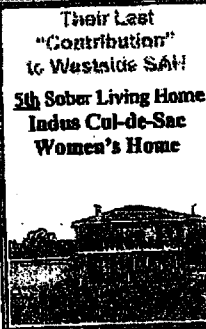
Indus Street
Women's Home



Redlands St.
Men's Home



Pegasus Street
Women's Home



Their Last
"Contribution"
to Westside SAH
5th Sober Living Home
Indus Col-de-Sac
Women's Home

Golf Course or Parking Lot?

Daily Pilot Article on April 18th discusses this subject. If you do not take the Pilot you can go to www.daily-pilot.com/articles/2007/04/18/politics/dpt-golfcourse18.txt to view it.

What I cannot understand is why anyone on the Airport Committee would suggest that a Car Rental Auto Storage facility should replace the Newport Beach Golf Course Back 9, that brings so much pleasure to so many, when their lease is up at the end of July, 2007.

(Continued on page 2)

Send an email to John.Moorlach@ocgov.com AND TedBosley@yahoo.com with your opinion of the possibility of not extending the lease to the 12th Golf Course ... 12/06 let us know if your interest in participating in this season's \$100 drawing!!

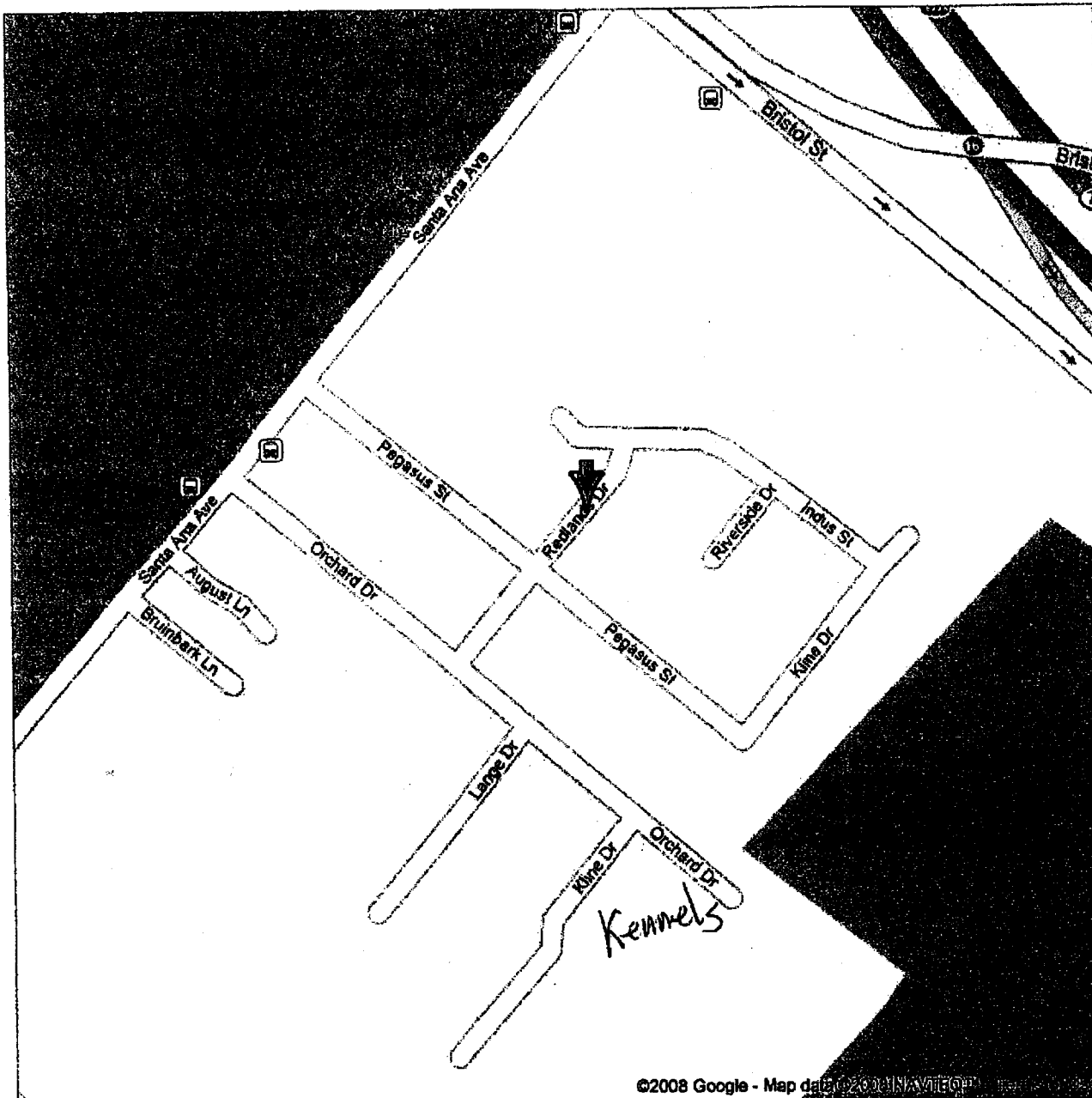
YS 00924



Address **20172 Redlands Dr**
Santa Ana, CA 92707

Get Google Maps on your phone

Text the word "GMAPS" to 466453

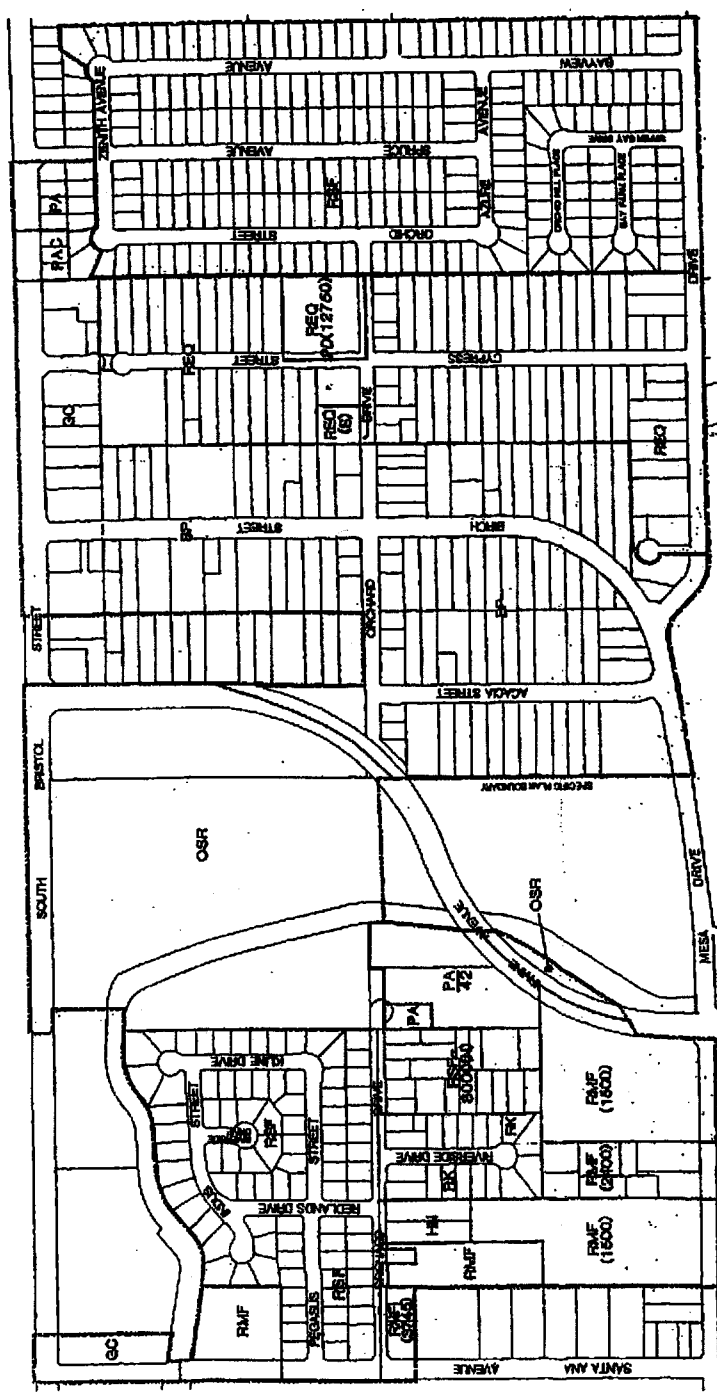


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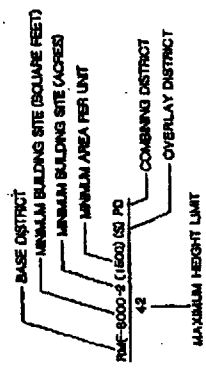
BK 2

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BK 2



- Seventh Amendment**
- OSR OPEN SPACE/RECREATION
 - REQ RESIDENTIAL EQUESTRIAN
 - RK RESIDENTIAL KENNEL
 - RSP RESIDENTIAL SINGLE FAMILY
 - RMF RESIDENTIAL MULTIPLE FAMILY
 - RN HORTICULTURAL NURSERY
- Zone Change ZC 00-05**
- GC GENERAL COMMERCIAL
 - BP BUSINESS PARK
 - PA PROFESSIONAL AND ADMINISTRATIVE OFFICE
 - PAG PROFESSIONAL AND ADMINISTRATIVE CONSOLIDATION
 - PD PLANNED DEVELOPMENT
 - CS COMMERCIAL STABLE
 - CO COMMERCIAL NURSERY



LAND USE DISTRICT MAP

SANTA ANA HEIGHTS SPECIFIC PLAN

ACCEPTED AND FILED AT THE
REQUEST OF
PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT
DATE APRIL 30, 2001
TIME 3:30 A.M. PER ORDER
INSTRUMENT 2001-0010 MM
BOOK 2 PAGE 310
COUNTY CLERK - RECORDER
COUNTY OF ORANGE
Shirley Johnson

WE HEREBY CERTIFY THAT THIS
LAND USE DISTRICT MAP
WAS APPROVED BY THE ORANGE
COUNTY PLANNING COMMISSION IN December, 2000
AND ADOPTED BY ORDINANCE NO. 51-51
BY THE ORANGE COUNTY BOARD OF SUPERVISORS
ON JANUARY 23, 2001

Thomas E. Mathews
BY THOMAS E. MATHEWS
DIRECTOR OF PLANNING
AND DEVELOPMENT SERVICES
DEPARTMENT

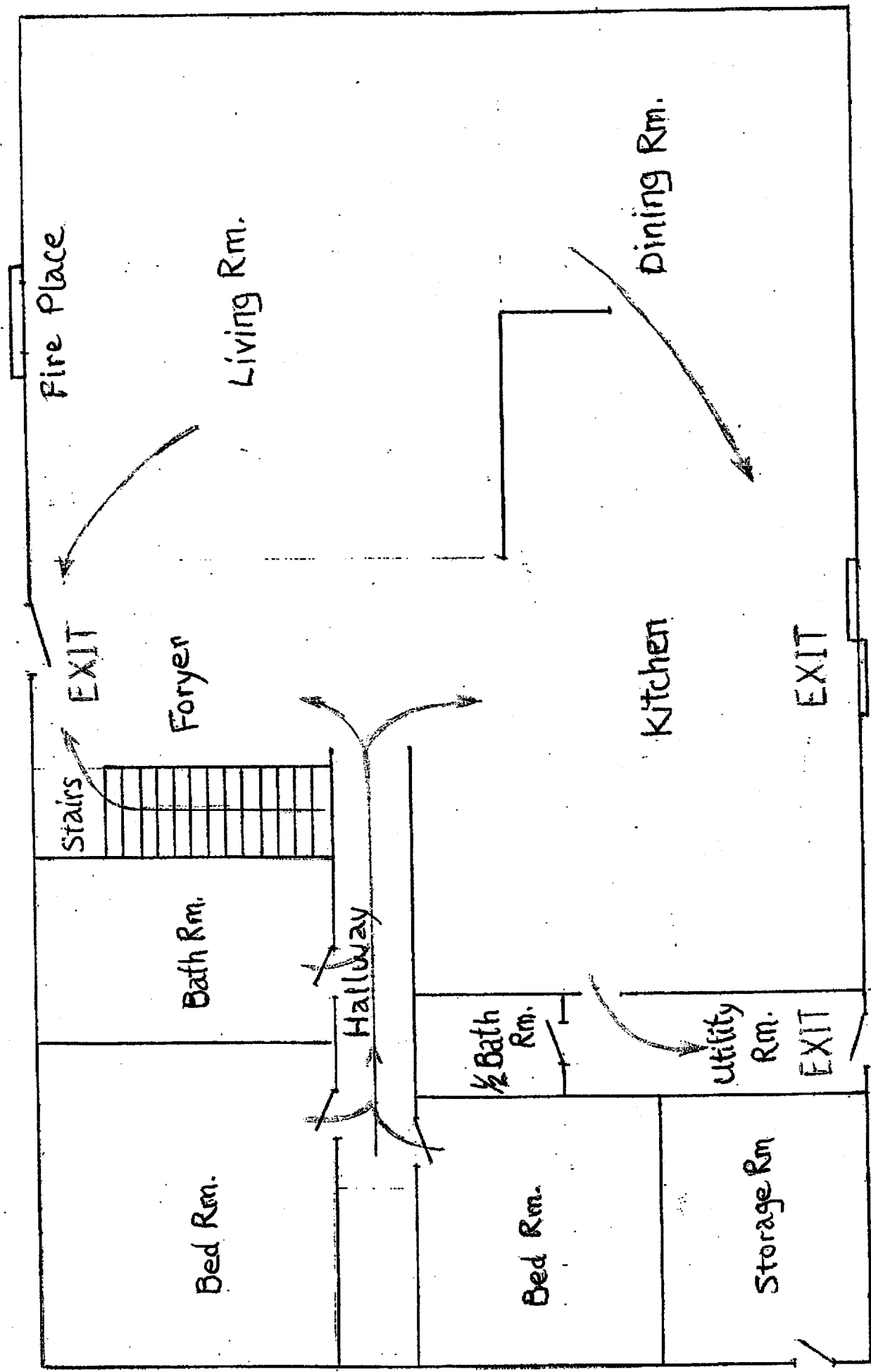
Attachment 7A

1. 1571 Pegasus, Newport Beach, CA 92707
 - a. Certified Sober Living Home
 - b. Original Certification: April, 2005
2. 1621 Indus St., Newport Beach, CA 92707
 - a. Certified Sober Living Home
 - b. Original Certification: April, 2005
3. 20172 Redlands Dr., Newport Beach, CA 92707
 - a. Certified Sober Living Home
 - b. Original Certification: April, 2005
4. 1561 Indus, Newport Beach, CA 92707
 - a. Certified Sober Living Home
 - b. Original Certification: April, 2005

Y⁹²⁸ S⁰⁰⁹²⁸

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EVALUATION
First Floor

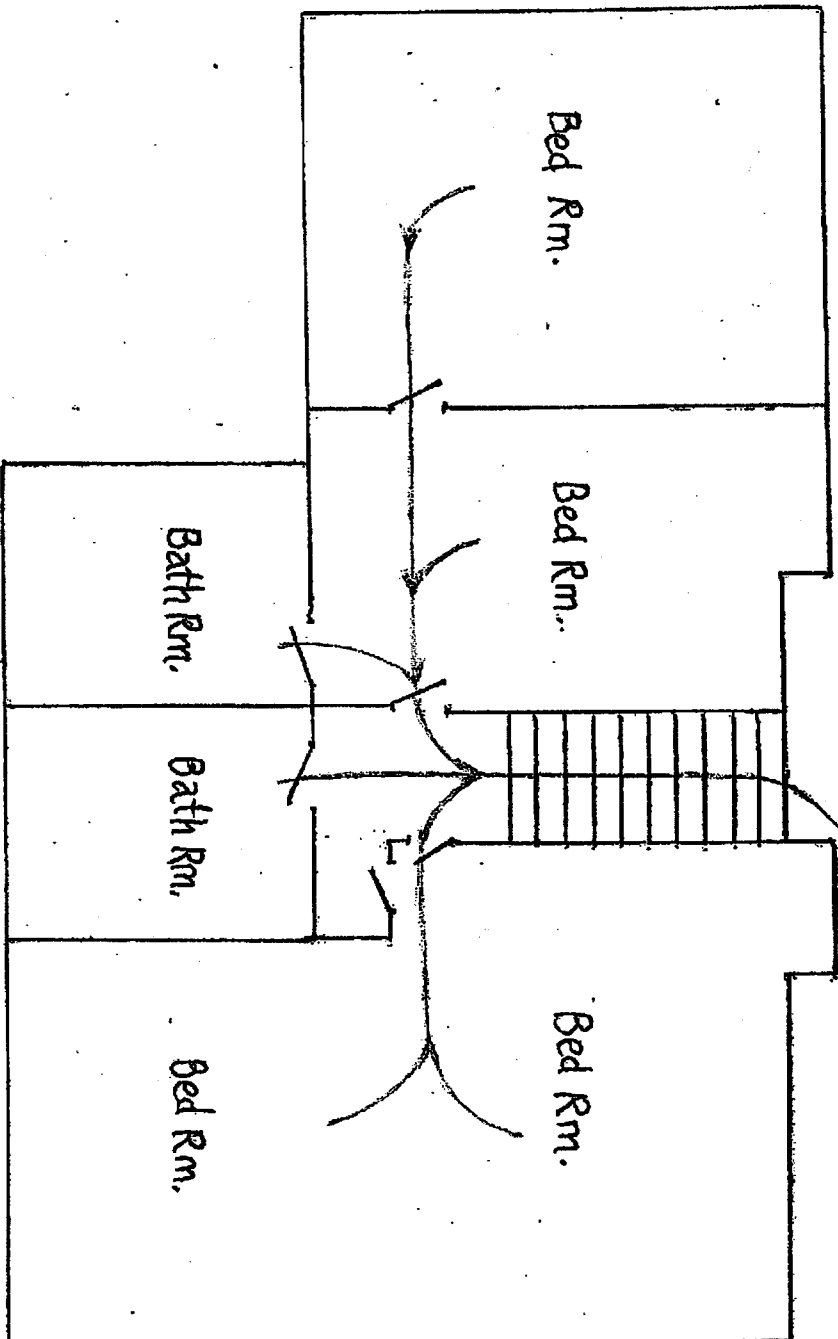


Hardy B. Jr

EVACUATION
Second Floor

EXIT

Stairs



City of Newport Beach
 GROUP RESIDENTIAL USES - USE PERMIT APPLICATION
 ADMINISTRATOR/DIRECTOR INFORMATION
 (Form 150 - February 2008)

IDENTIFYING INFORMATION

NAME <u>Dr. Anna Marie Thames</u>	TELEPHONE NUMBER AT WHICH OPERATOR MAY BE CONTACTED AT ALL TIMES (NBMC \$20.91A.050.B) <u>(949) 678-9000</u>
TITLE <u>CEO</u>	
ADDRESS <u>28 Ima loa Newport Bch, Ca</u>	
OTHER NAME(S) USED BY ADMINISTRATOR/DIRECTOR <u>Honey Thames</u>	

EDUCATION

EDUCATION	CIRCLE THE HIGHEST GRADE YOU COMPLETED 1 2 3 4 5 6 7 8 9 10 11 12	HIGH SCHOOL GRADUATE		YES ☒	NO ☐
		PASSED HIGH SCHOOL EQUIVALENCY TESTS		YES ☒	YES ☒
NAME AND LOCATION OF COLLEGE OR UNIVERSITY	COURSE OF STUDY	COMPLETED SEMESTER UNITS	COMPLETED QUARTER UNITS	DEGREE OBTAINED	DATE COMPLETED
<u>UCLA</u>	<u>Education</u>			<u>PHD</u>	<u>1976</u>
<u>Univ. of Houston</u>	<u>Business</u>			<u>B.A.</u>	<u>1967</u>
<u>Univ. of Texas</u>	<u>Literature</u>			<u>M.A.</u>	<u>1969</u>

MANAGEMENT EXPERIENCE

Type	Title	Date Started	Date Ended	Reason for Leaving
<u>Yellowstone</u>	<u>CEO</u>	<u>1997</u>		<u>Still in operation</u>
<u>Alta Systems</u>	<u>CEO</u>	<u>1990</u>	<u>1996</u>	<u>New Company</u>

DO YOU HAVE A PROFESSIONAL LICENSE OR CERTIFICATE? ☒ Yes ☐ No IF YES, COMPLETE THE FOLLOWING

Type	Period Held	Issuing Agency
<u>Lifetime teaching Credentials</u>	<u>Lifetime</u>	<u>State of California</u>

WORK EXPERIENCE. BEGIN WITH YOUR MOST RECENT WORK EXPERIENCE. LIST ALL EXPERIENCE RELEVANT TO THIS TYPE OF USE PERMIT.

Dates	Name and Address of Employer	Duties	Reason for Leaving
FROM <u>1997</u> TO <u>Current</u>	<u>Yellowstone</u> <u>1546 Bay St</u> <u>Costa Mesa, Ca</u>	<u>CEO</u>	<u>Still in operation</u>
FROM <u>1969</u> TO <u>2007</u>	<u>Coast Community College</u>	<u>Professor of Literature and Language</u>	<u>retired</u>
FROM			
TO			

Signed A. Thames Date 5/20/2008

City of Newport Beach
 GROUP RESIDENTIAL USES - USE PERMIT APPLICATION
 ADMINISTRATIVE ORGANIZATION & DELEGATION INFORMATION - CORPORATIONS
 (Form 200 - February 2008)

INSTRUCTIONS: This form must be updated and submitted to the City each time there is a change in officers or change in the corporation.

Yellowstone Women's first Step House CORPORATION Dr. A.M. Thames
 Name (as listed with the Secretary of State) Chief Executive Officer
 Incorporation Date 1997 Place of Incorporation Costa Mesa, Ca
 Principal office of business:
 Address 154 E. Bay St. City Costa Mesa, Zip Code 92627 Telephone 949-646-4494
 Contact Person Leisha Mello Title Admin Coord. Telephone 949-678-0761
 Names and addresses of all persons who own ten per cent (10%) or more of stock in corporation.
N/A

Governing Board of Directors

a. Number of Board Members 12

b. Term of Office 5 years

c. Frequency of Meetings Bimonthly

d. Method of Selection Voted

Board Officers and Members

USE A SEPARATE SHEET FOR ADDITIONAL NAMES

Office	Name	Business Address & City & Zip Code	Telephone Number	Term Expiration
President	<u>Dr. A.M. Thames</u>	<u>154 E. Bay St, Costa Mesa, Ca</u>	<u>949-678-9000</u>	<u>2010</u>
Vice-President	<u>Dexter Cohen</u>	<u>15 Lucene, Newport Bch, Ca</u>	<u>949-</u>	<u>2010</u>
Secretary	<u>Leisha Mello</u>	<u>165 Virginia Pl. Costa Mesa, Ca 92627</u>	<u>949-678-0761</u>	<u>2010</u>
Treasurer	<u>Joan Franco</u>	<u>476 Trause Dr Costa Mesa, Ca 92627</u>	<u>949-678-0762</u>	<u>2010</u>
Other				

City of Newport Beach
GROUP RESIDENTIAL USES - USE PERMIT APPLICATION
DELEGATION FORM - CORPORATIONS
(Form 200D - February 2008)

STATEMENT OF CORPORATE DELEGATION

Applicants who are corporations shall attach board resolutions authorizing a delegation to the Program Director and/or Administrator or other appropriate staff.

1. Applicant Name: Dr. A. M. Thames
2. Program Name: Yellowstone First Step House, Inc.
3. Program Address: 20172 ~~th~~ Redlands Dr.
4. City: Newport Bch County: Orange Zip Code: 92707
5. Telephone: (949) 646-4494
6. _____
(Name of person(s) authorized by applicant)

...is hereby designated as administrator, program manager, or agent of the above-named program and is authorized to receive at the above named program on my behalf, any documents including reports of inspections and consultations, accusations, and civil and administrative processes.

I WILL NOTIFY THE CITY WITHIN 10 WORKING DAYS OF ANY CHANGE OF THE ADMINISTRATOR OF THE FACILITY.

7. D. A. M. Thames
Signature of applicant(s)
8. Title: CEO
9. Address: 28 Imahoa
10. City: Newport Bch County: Orange Zip Code: 92707

City of Newport Beach

GROUP RESIDENTIAL USES – USE PERMIT APPLICATION

ADMINISTRATIVE ORGANIZATION -

PARTNERSHIPS, SOLE PROPRIETOR, AND OTHER ASSOCIATIONS

(Form 200P – February 2008)

PARTNERSHIPS

1. Attach a copy of the partnership agreement

N/A

2. Partners

	Type of Partnership	Name	Business Address, City and Zip Code
1st Partner	☐ General ☐ Limited		
2nd Partner	☐ General ☐ Limited		
3rd Partner	☐ General ☐ Limited		
4th Partner	☐ General ☐ Limited		

Contact Person _____ Title _____ Telephone # _____

SOLE PROPRIETOR/OTHER ASSOCIATIONS

Sole Proprietors/other associations must also provide a list of all person(s) legally responsible for the organization, the contact person, and appropriate legal documents (fictitious name statement, business license) which set forth legal responsibility of the organization and accountability for opening the program. Use the following space or attach a separate sheet.

City of Newport Beach
GROUP RESIDENTIAL USES – USE PERMIT APPLICATION
WEEKLY ACTIVITIES SCHEDULE
 (Form 500 – February 2008)

WEEKLY SCHEDULE OF SERVICES

Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
6-7 a.m.							
7-8 a.m.							
8-9 a.m.							
9-10 a.m.							
10-11 a.m.							
11 a.m.-12							
12-1 p.m.							
1-2 p.m.							
2-3 p.m.							
3-4 p.m.							
4-5 p.m.							
5-6 p.m.							
6-7 p.m.							
7-8 p.m.							

NA Sober living

TOTAL HOURS PER WEEK OF INDIVIDUAL/GROUP/EDUCATION SESSIONS, RECOVERY OR TREATMENT PLANNING, AND DETOXIFICATION SERVICES (IF PROVIDED): _____

Comments:

EXHIBIT 3

**CORRESPONDENCE AND SUBSEQUENT
APPLICATION SUBMITTALS**



CITY OF NEWPORT BEACH
PLANNING DEPARTMENT
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92658
(949) 644-3200; FAX (949) 644-3229

June 19, 2008

YELLOWSTONE WOMEN'S FIRST STEP HOUSE, INC.

c/o Isaac R. Zfaty

SGSA Lawyers

19800 MacArthur Blvd., Suite 1000

Irvine, CA 92612

Dear Mr. Zfaty:

Subject: **NOTICE OF INCOMPLETE APPLICATION**
Use Permit No. 2008-037
Property located at 20172 Redlands Drive

This letter serves as notification that the Planning Department is in receipt of your application submittal regarding the proposed Use Permit for property located at the above referenced address. Upon review of your submitted application, documents and exhibits, the application has been deemed incomplete. Please provide the following clarifications and/or additional information:

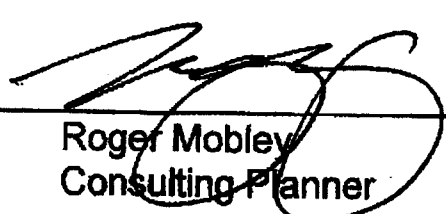
1. Application Form 100, Item 2, Property Owner Information: Please provide a copy of a Preliminary Title Report or property profile that is less than 60 days old that verifies the legal owner of the property, and written authorization from the legal owner authorizing filing of this application.
2. Application Form 100, Item 3B, Other Similar Uses: Information on other Similar Use permits within the City is not provided, but will be provided by City staff from City records. However, the application is not complete until this information is included in application package.
3. Application Form 100, Item 4, Firm's Historic Uses: Other managed group residential uses are checked yes but are not subsequently listed. Please list these uses.
4. Application Form 100, Item 5, Conditional Uses Within 3 Block Radius: Information on other Use permits within the 3 block radius area is not provided, but will be provided by City staff from City records. However, the application is not complete until this information is included in application package.
5. Application Form 100, Item 6, Site Plan: Please provide a site plan which shows the building footprint and property lines and the building footprints and property lines for immediately adjacent properties. Show dimensions and setbacks.

6. Application Form 100, Item 8B, Facility Users and Staff: The maximum resident capacity is stated as zero (0) but the total occupancy is stated as 18. As two staff residents are indicated does that mean the resident capacity is 16? Please clarify.
7. Application Form 100, Item 8C, Floor Plan: The floor plan needs to identify the number of residents per bedroom. The diagram must also show setbacks, driveways, and usable outdoor spaces.
8. Application Form 100, Item 8L, Secondhand Smoke: As Dr. Anna Marie Thames is indicated as facility Administrator/Director, please have her sign the acknowledgement to control secondhand smoke. It is not clear what role Leisha Mello plays at the facility.
9. Application Form 200, Corporate Delegation: Please provide corporate board resolution(s) authorizing delegation of corporate representation to the person indicated on line 6 of the form, and provide the persons name on that line.
10. Application Form 850, Fire Marshall Clearance: Please provide evidence (Form 850) of recent Fire Marshall clearance.
11. Filing Fee: Please remit the Use permit filing fee of \$2,200.00.
12. Request For Reasonable Accommodation: Please provide additional information regarding the Request for Reasonable Accommodation using the enclosed forms.

Should you have any questions regarding the requested clarifications or additional information, please do not hesitate to contact me at (949) 266-7548.

Sincerely,

By


Roger Mobley
Consulting Planner

cc: Janet Brown, Associate Planner
Dr. Anna Marie Thames, Yellowstone Women's First Step House



DAVIS • RAYBURN
A PROFESSIONAL LAW CORPORATION

July 25, 2008

RECEIVED BY
PLANNING DEPARTMENT

JUL 29 2008

VIA FIRST CLASS MAIL

CITY OF NEWPORT BEACH
Planning Department
3300 Newport Boulevard
Newport Beach, CA 92658-8915

CITY OF NEWPORT BEACH

Re: Use Permit Applications; 2008-034; 2008-035; 2008-036; and 2008-037

To Whom It May Concern:

This firm is general counsel for **Yellowstone Women's First Step House, Inc.** This correspondence is in response to your notices of incomplete application concerning the above-referenced Use Permit Applications for the following properties: 1561 Indus, 1621 Indus, 1571 Pegasus, and 20172 Redlands.

Our office is currently gathering the required information referenced in your notices in order to complete our applications. We should have the information forwarded to you within the next twenty-one (21) days.

Thank you for your courtesy and if you have any questions regarding this correspondence, please feel free to contact us.

Very truly yours,

DAVIS & RAYBURN
a professional corporation

ISAAC R. ZFATY

IRZ:jdb



DAVIS • RAYBURN
A PROFESSIONAL LAW CORPORATION

RECEIVED BY
PLANNING DEPARTMENT

AUG 26 2008

CITY OF NEWPORT BEACH

August 22, 2008

8005-003

VIA FIRST CLASS MAIL

Ms. Janet Brown
CITY OF NEWPORT BEACH
3300 Newport Boulevard
Newport Beach, CA 92658-8915

Re: Notice of Incomplete Application: 20172 Redlands Dr.

Dear Ms. Brown:

As you know, this firm is general counsel for **Yellowstone Women's First Step House, Inc. ("Yellowstone")**. We are in receipt of the City of Newport Beach's Notice of Incomplete Application for the property located at 20172 Redlands Dr. (the "Property").

In response to that notice, we provide herewith the following:

1. Application Form 100, Item 2, Property Owner Information: the requested information is enclosed herewith.
2. Item 3B: We have no information regarding other similar uses and we appreciate the City's offer to provide this information.
3. Item 4: We cross-reference and incorporate the other applications, which are being provided concurrently under separate cover.
4. Item 5: We have no information regarding other conditional uses and we appreciate the City's offer to provide this information.
5. Item 6: A site plan is enclosed herewith.
6. Item 8B: Resident capacity is 16. Total capacity is 18.
7. Item 8C: A floor plan is enclosed herewith.
8. Item 8L: The acknowledgement re secondhand smoke is enclosed herewith.
9. Item 10D: Dr. Thames is the facility Director.
10. Form 200: A board resolution is enclosed herewith.
11. Form 850: Fire Marshall Clearance is enclosed herewith.
12. Request for reasonable accommodation: See the enclosed form.

The one item that we have not included in this correspondence is the requested \$2,200.00 fee. After reviewing the code, we have been unable to locate any discussion of such fee. We mention this not to question the City's authority to impose such a fee, but rather because we have not seen any statutory scheme that should provide for a hardship exception. We would respectfully request that the City furnish such authority, and also provide us with any exemption

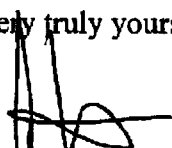
City of Newport Beach
August 22, 2008
Page 2

application. Alternatively, we would request an extension of time to remit such fee so that we might be able to raise the funds necessary to accommodate the City's request.

As a final note, it is worth mentioning that it is our understanding that the Property is still currently located in an unincorporated area of Orange County known as Santa Ana Heights, and that the Newport Beach annex of the property is not yet complete. If this is true, then we would submit that the city of Newport Beach does not have jurisdiction over this property. Any response that the City can provide regarding this matter would be greatly appreciated. To the extent that our understanding is correct, we would ask that the City simply hold our application until such time as the annexation is complete, so that the parties are not required to reinitiate this process.

Please accept our apologies for the delay in providing the enclosed information. As always, if you have any questions regarding these applications, please feel free to contact us.

Very truly yours,



ISAAC R. ZFATY

IRZ/jmk

cc: Yellowstone (attn: Dr. Anna Marie Thames)

RECORDING REQUESTED BY:
Anna Thames

AND WHEN RECORDED MAIL TO:
Anna Thames

28 IMA LOA
Newport Beach
Cal 92663

Recorded in Official Records, Orange County
Tom Daly, Clerk-Recorder

2006000539234 03:45pm 08/11/06

106 200 002 2
0.00 0.00 0.00 0.00 3.00 0.00 0.00 0.00

A.P.N. 119-362-07

(SPACE ABOVE THIS LINE IS FOR RECORDER'S USE)

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS \$0.00
(X) computed on full value of property conveyed, or
() computed on full value less liens or encumbrances remaining at time of sale
(X) City of Santa Ana

FOR A VALUABLE CONSIDERATION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED,

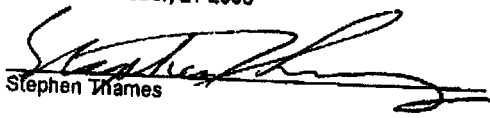
Stephen Thames, an unmarried man

hereby GRANT(S) to Anna Thames, an unmarried woman and Stephen Thames, an unmarried man as joint tenants

the following described real property in the City of Santa Ana, County of Orange, State of California:

See Exhibit A attached hereto and made a part hereof

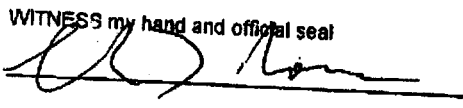
DATED: October, 21 2005

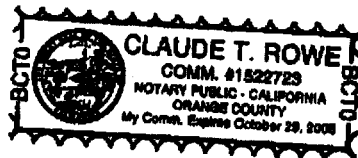

Stephen Thames

STATE OF CALIFORNIA
COUNTY OF San Diego

On 11/14/05 before me, the undersigned, a notary public in and for said County and State,
personally appeared Stephen Thames
Personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or entity upon behalf of
which the person acted, executed the instrument.

WITNESS my hand and official seal


Claude T. Rowe



MAIL TAX STATEMENTS TO RETURN ADDRESS ABOVE

ORANGE, CA Document: DD 2006.539234

Printed on 8/22/2008 3:46:40 PM Provided by Data Trace System

Page 1 of 2

942 00942

EXHIBIT "A"

All that certain real property situated in the County of Orange, State of California, described as follows:

Lot 36 of Tract No. 4307, in the County of Orange, State of California, as per map recorded in Book 153, Pages 18 through 20, inclusive, of Miscellaneous Maps, in the Office of the County Recorder of said County.

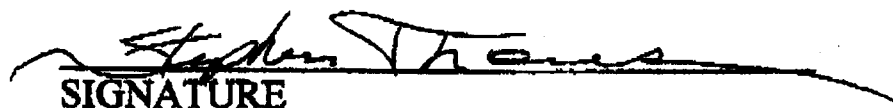
Assessor's Parcel Number: **119-362-07**

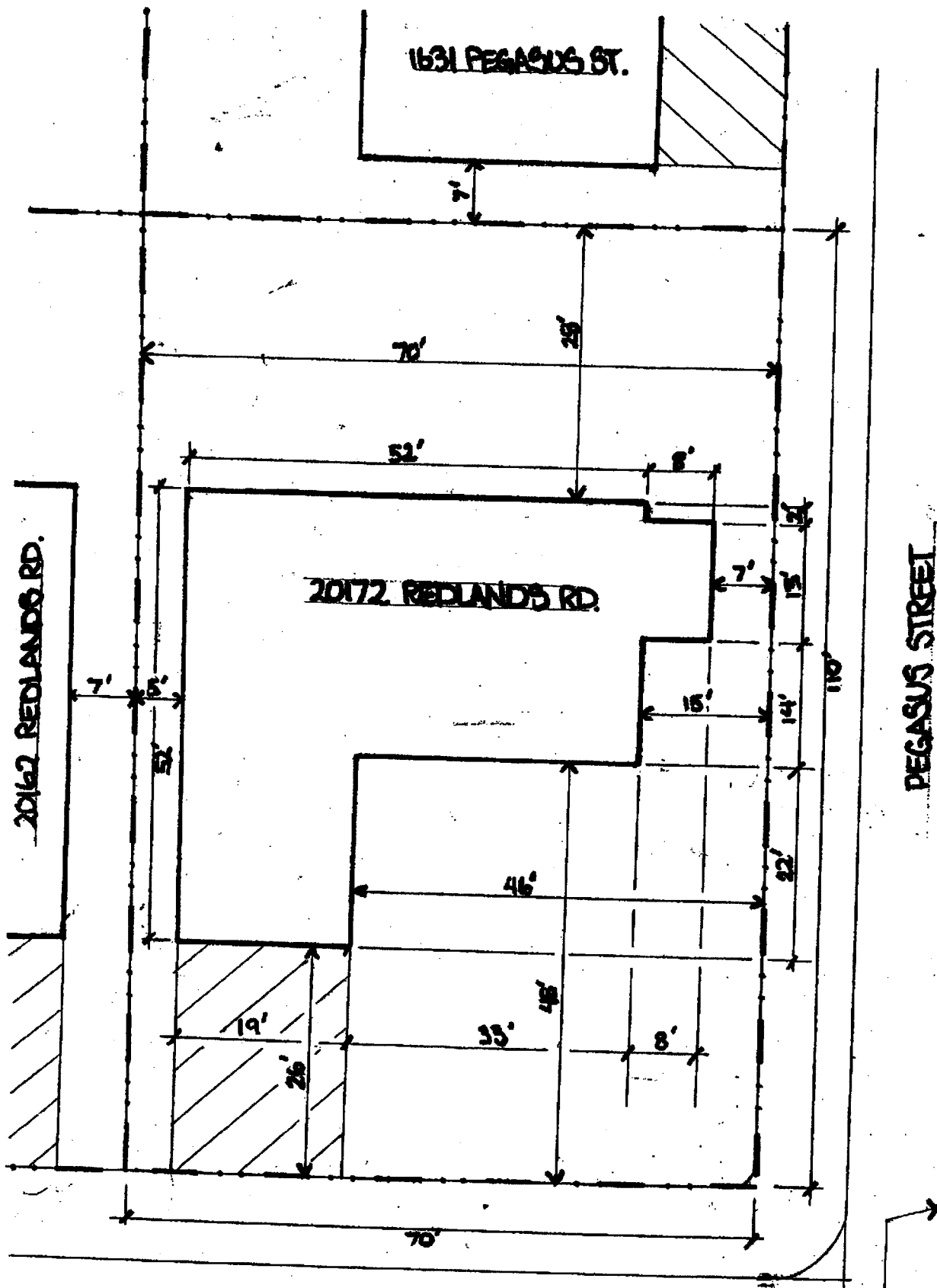
TO: CITY OF NEWPORT BEACH
FROM: STEPHEN THAMES
RE: AUTHORIZATION

THIS IS AN OFFICIAL AUTHORIZATION TO MAKE
APPLICATIONS FOR MY RESIDENCE AT
20172 REDLANDS
SANTA ANA HEIGHTS, CAL

IT IS CURRENTLY LICENSED WITH THE STATE OF
CALIFORNIA, ALOCOHOL AND DRUG PROGRAMS

DATE AUTHORIZED: APRIL 30, 2008


SIGNATURE



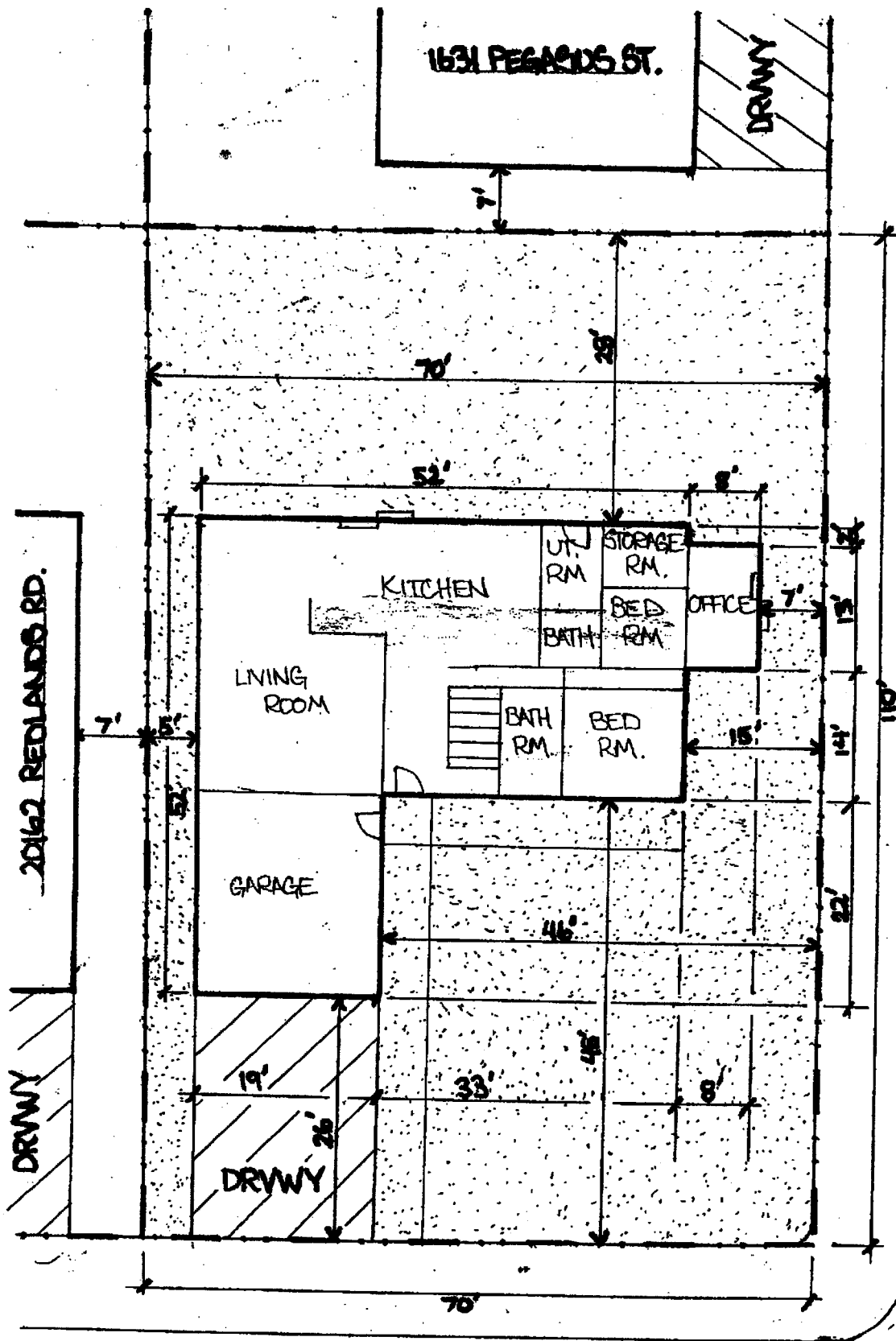
NEWPORT HOUSE
REDLANDS ROAD

NOTE: 3 STORY
RESIDENCE @
1622 PEGASUS ST

SITE PLAN

YS 00945

945



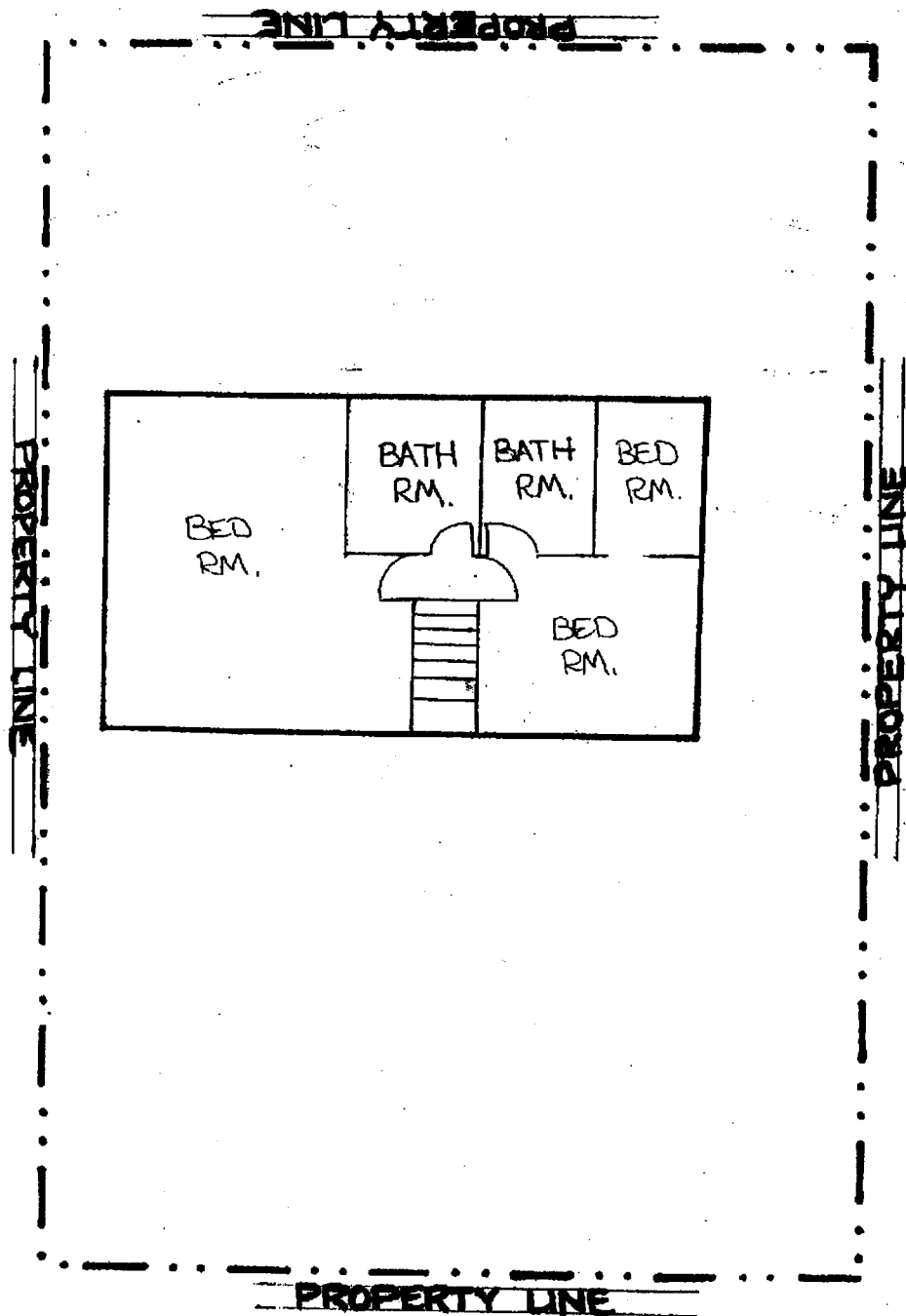
LEGEND	
	SETBACKS
	DRIVEWAYS
	USABLE OUTDOOR

NEWPORT HOUSE

REDLANDS ROAD

1 ST. FLOOR PLAN

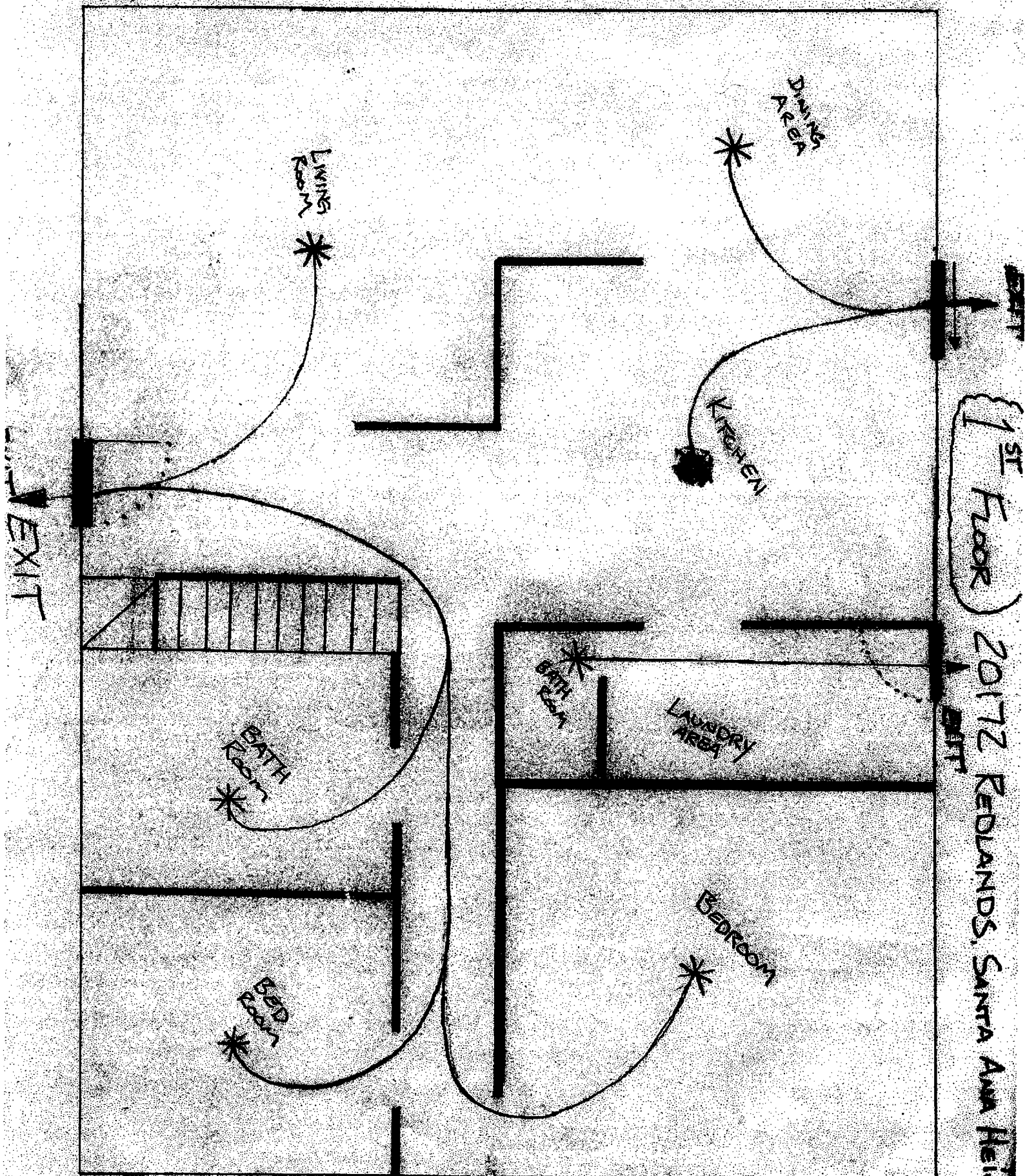
SCALE:



NEWPORT HOUSE

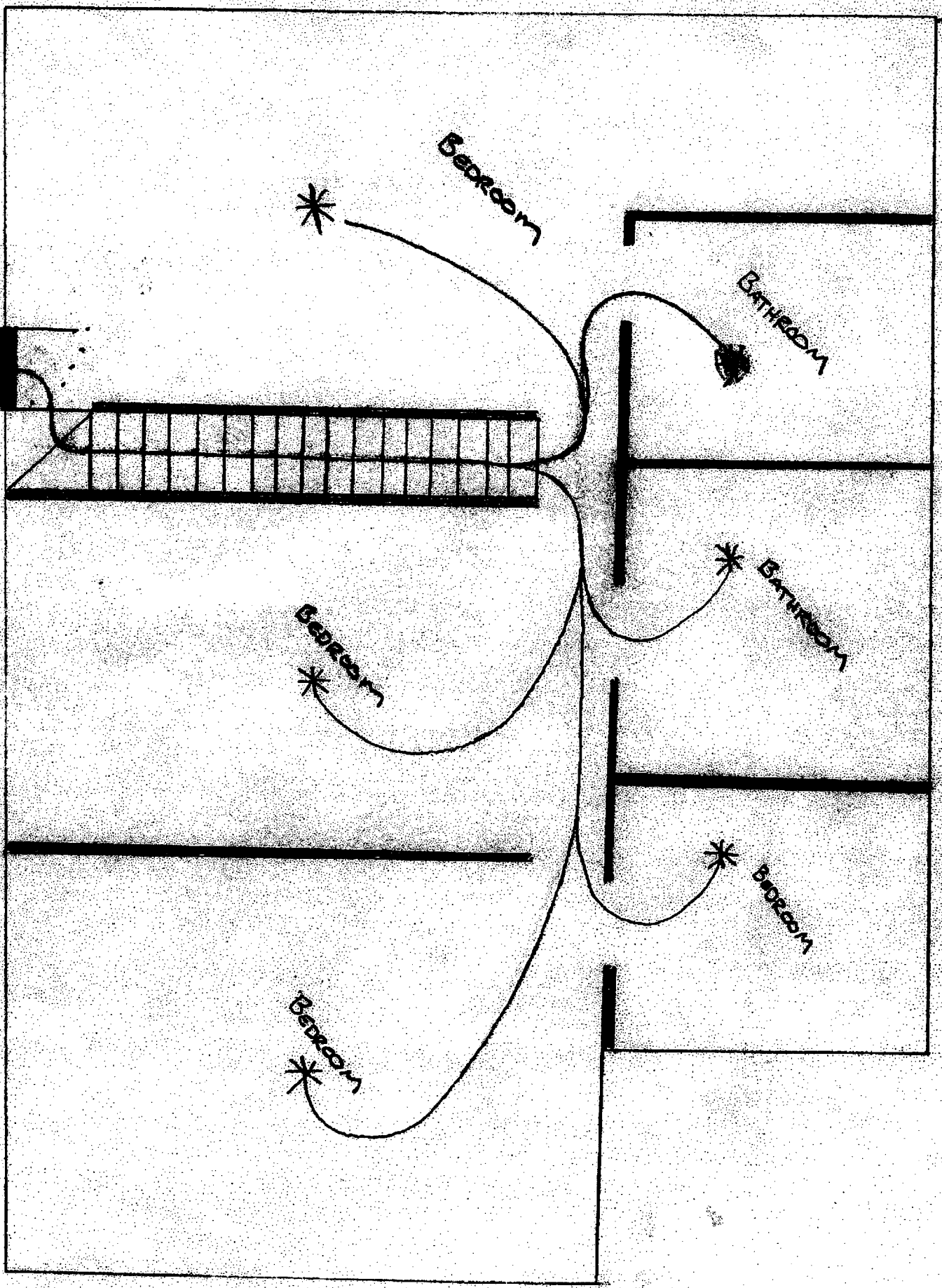
2ND FLOOR PLAN

YS 00947



2ND Floor

20172 REDLANDS, SANTA ANA HEIGHTS



☐ Orange County Adult Alcohol and Drug Sober Living Facilities Certification (required)

☐ Orange County Sober Living Network (recommended)

☐ Other (please describe) _____

L. SECONDHAND SMOKE LIMITATIONS

NBMC §20.91A.050.A directs that "no staff, clients, guests, or any other uses of the facility may smoke in an area from which the secondhand smoke may be detected on any parcel other than the parcel upon which the facility is located. Check and sign here to acknowledge this requirement and your use's adherence to it:

☒ I acknowledge that I will control secondhand smoke on my facility such that no secondhand smoke may be detected on any parcel other than the parcel upon which my facility is located.

Signature: _____

Date: _____

9. APPLICANT OBLIGATIONS

A. The "owner of record" of the property or an authorized agent must sign this Application. Signing the application under Section 10 means that the applicant certifies, under penalty of perjury, that the information provided within the Application and its attachments is true and correct. Per NBMC §20.90.030.C, false statements are grounds for denial or revocation.

B. The Applicant acknowledges that he or she must comply with all other Federal, State, and local laws and regulations relating to this use. The Applicant understands that a violation of Federal, State, and local laws and regulations is grounds for revocation of the Permit. The Applicant understands and acknowledges that it is against California law to provide treatment (as defined) in an unlicensed facility.

C. If the City issues a Use Permit based on the information provided in this Application, the Applicant's signature below certifies his or her agreement to comply with the terms of the Use Permit. The Applicant understands and acknowledges that non-compliance with the terms of the Use Permit is grounds for revocation of the Permit.

Revocation of the Use Permit. NBMC §20.96.040.E provides that the City can revoke a Use Permit if:

- The permit was issued under erroneous information or misrepresentation; or
- The applicant made a false or misleading statement of material fact, or omitted a material fact; or
- The conditions of use or other regulations or laws have been violated; or
- There has been a discontinuance of use for 180 days or more.

10. AUTHORIZED SIGNATURE(S) OF APPLICANT

THE UNDERSIGNED ASSURES THAT THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT AND THAT THE APPLICANT HAS READ AND UNDERSTOOD HIS OR HER OBLIGATIONS UNDER ANY USE PERMIT ISSUED BASED ON THIS APPLICATION.

A. If the applicant is a sole proprietor, the application shall be signed by the proprietor.

B. If the applicant is a partnership, the application shall be signed by each partner.

C. If the applicant is a firm, association, corporation, county, city, public agency or other governmental entity, the application shall be signed by the chief executive officer or the individual legally responsible for representing the agency.

YELLOWSTONE BOARD RESOLUTION:

THE SIGNATURES BELOW REPRESENT AGREEMENT AND ENDORSEMENT OF THE BOARD OF TRUSTEES OF YELLOWSTONE FOR THE FOLLOWING:

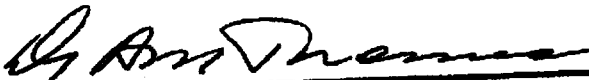
DR. A.M. THAMES IS THE CEO OF THE BOARD AND AGREES TO REPRESENT YELLOWSTONE IN ALL NEGOTIATIONS WITH THE CITY OF NEWPORT BEACH. SHE WILL SIGN ANY AND ALL FINAL AGREEMENTS.

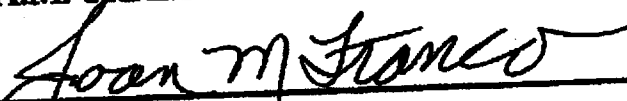
ATTORNEY ISAAC ZFATY, WILL PROVIDE LEGAL REPRESENTATION IN ALL MATTERS IN THE AGREEMENTS WITH THE CITY OF NEWPORT BEACH

LEISHA MELLO, AS ADMINISTRATOR FOR YELLOWSTONE WILL ALSO BE AVAILABLE FOR DISCUSSIONS RELATED TO THE AGREEMENTS WITH THE CITY OF NEWPORT BEACH.

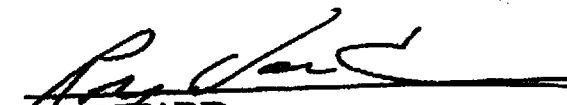
THESE AGREEMENTS AND ENDORSEMENTS ARE APPROVED BY THE BOARD OF TRUSTEES AS OF JULY 1, 2008.

BOARD MEMBERS SIGNING:


DR. A.M. THAMES


JOAN FRANCO


JOHN ZEIDEMA


ROY WARD


LISA TUMAN

FIRE AND LIFE SAFETY INSPECTION NOTICE

SUPPLEMENTAL SHEET

ORANGE COUNTY FIRE AUTHORITY

180 S. Water St., Orange, CA 92666

Page 1 of 1

Inspection No. _____

ADDRESS: 20172 Redlands

(714) 744-0400

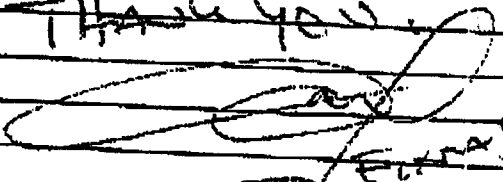
Date: 5-25-08

OCC/MGR: Leisha Mello

DEA: WHITE HOUSE RE-HAB PHONE: 749 646-4494

RECEIVED BY: Leisha Mello

MEASURES SHALL BE TAKEN IMMEDIATELY TO CORRECT ALL VIOLATIONS LISTED HEREIN. FAILURE TO COMPLY WITHIN THE SPECIFIED TIME WILL RESULT IN LEGAL ACTION.

CLEAR DATE	VIO. CODE	CODE REFERENCE
	(1)	PLEASE PROVIDE APPROVED DOCUMENTATION FOR ALL CONSTRUCTION, REMODELING AND ELECTRICAL WORK.
	X	PLEASE CHECK FOR KITCHEN GAS LINE, EXTRA BED ROOMS AND GARAGE CONDITIONS, AND LIN-APPROVED ELECTRICAL THROUGHOUT THE HOME AND GARAGE.
	(2)	PLEASE PROVIDE AN APPROVED PULL STATION AND BELL.
	(3)	PLEASE REMOVE SECONDARY LOCKS FROM THE EXITS AND PROVIDE A "SINGLE ACTION" DOOR KNOB.
	(4)	PLEASE PROVIDE A HANDRAIL ON THE NORTH SIDE OF STAIRWELL.
		Thank you.
		
		X Final occupant count will be determined on final.

REINSPECTION DATE: Prior to Final IF YOU ARE UNABLE TO CORRECT VIOLATIONS INDICATED ABOVE BY THE
 REINSPECTION DATE, CONTACT (INSP NAME) Dorey Verdone
 AT (PHONE) 949 347-2240 IMMEDIATELY TO AVOID ANY ADDITIONAL FEES, FINES OR LEGAL ACTION.



**County of Orange
Planning Development Services Department
Permit Inspection Request**

Inspection Date - Friday, Sep 23 2005

Permit Number EL050728

Contact Yellowstone Women, 949 678-0761

Comments

Inspection Item

915, TEMPORARY ELECTRICAL FOR TESTING

Your inspection request was accepted.

Your confirmation number is 162446

Please print this page for your reference.

You will need this number to update or cancel your inspection request.

[Return to Inspection Request Home](#)

ZONING APPROVAL

Planning Department - ORANGE COUNTY - PDSD
Local Planning Department Name

300 N FLOWER, SANTA ANA, CA 92702
Address

714 - 834 - 5057
Telephone Number

RESIDENTIAL ALCOHOL AND DRUG TREATMENT PROGRAM

(Name of program)

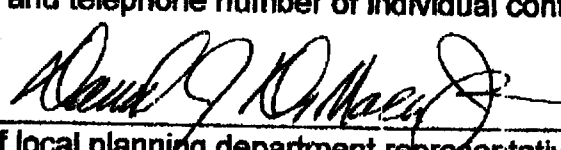
☒ this document indicates local approval for building use (S1050059)
☐ is not required to obtain a use permit

to operate ☒ a residential or ☐ an outpatient alcohol and/or other drug treatment program at:

20172 REDLANDS DR, NEWPORT BEACH

(Address of program)

DANIEL J DEMARA, SENIOR PLANNER - DPC
(Name, title, and telephone number of individual confirming compliance [typed or printed])


(Signature of local planning department representative)

17 November 2005
(Date signed)



(714) 834-5057
FAX (714) 834-4776

Official seal here

DANIEL J. DEMARA
PLANNER
CURRENT PLANNING SERVICES/DEVELOPMENT PROCESSING CENTER
PLANNING & DEVELOPMENT SERVICES DEPARTMENT

LOCATION:
300 N FLOWER ST, 1ST FLOOR
SANTA ANA, CA 92703

MAILING ADDRESS:
PO BOX 4048
SANTA ANA, CA 92702-4048



CITY OF NEWPORT BEACH

**Supplemental Information
for
Reasonable Accommodation**

Planning Department
3300 Newport Boulevard
Newport Beach, California 92658-8915
(949) 644-3200

Application Number _____

To aid staff in determining that the necessary findings can be made in this particular case as set forth in Chapter 20.98 of the Municipal Code, please answer the following questions with regard to your request (Please attach on separate sheets, if necessary):

Please see attached sheet

Name of Applicant

If provider of housing, name of facility, including legal name of corporation

(Mailing Address of Applicant)

(City/State)

(Zip)

(Telephone)

(Fax number)

(E-Mail address)

(Subject Property Address)

Assessor's Parcel Number (APN)

1. Is this application being submitted by a person with a disability, that person's representative, or a developer or provider of housing for individuals with a disability?

2. Does the applicant, or individual(s) on whose behalf the application is being made, have physical or mental impairments that substantially limit one or more of such person's major life activities? If so, please state the impairment(s) and provide documentation of such impairment(s).

3. From which specific Zoning Code provisions, policies or practices are you seeking an exception or modification?

4. Please explain why the specific exception or modification requested is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy the residence. Please provide documentation, if any, to support your explanation.

5. Please explain why the requested accommodation will affirmatively enhance the quality of life of the individual with a disability. Please provide documentation, if any, to support your explanation.

6. Please explain how the individual with a disability will be denied an equal opportunity to enjoy the housing type of their choice absent the accommodation? Please provide documentation, if any, to support your explanation.

7. If the applicant is a developer or provider of housing for individuals with a disability, please explain why the requested accommodation is necessary to make your facility economically viable in light of the relevant market and market participants. Please provide documentation, if any, to support your explanation.

8. If the applicant is a developer or provider of housing for individuals with a disability, please explain why the requested accommodation is necessary for your facility to provide individuals with a disability an equal opportunity to live in a residential setting taking into consideration the existing supply of facilities of a similar nature and operation in the community. Please provide documentation, if any, to support your explanation.

Application Number _____

9. Please add any other information that may be helpful to the applicant to enable the City to determine whether the findings set forth in Chapter 20.98 can be made (Use additional pages if necessary.) _____

20172 Redlands Attachment

Name of applicant: Yellowstone, Woman's First Step House, Inc., 20172 Redlands, Santa Ana Heights, CA 92701; Phone: 888.941.9048; Fax: 949.646.5296; APN: 119-362-07.

1. This application is provided by a provider of housing for individuals with a disability.
2. The individuals are alcoholics.
3. Single family residence to multi-family residence.
4. The applicant provides the residents of the Property with housing where same is otherwise unavailable to them. Most residents are long-term residents who are able to live with their disability, and in a sober environment, as a result of the provision of the facility by the applicant. The success of sober living homes in assisting these disabled individuals throughout the United States is well documented. Similar success has been realized at the Property addressed herein. A sample of the literature on sober living homes was attached to the original application. Without the home addressed in this application, the individuals who live at this home would not have access to sober living homes, and would not be able to afford to live in such a home in Orange County. Yellowstone provides this home to satisfy the otherwise unaddressed need by these disabled individuals for an equal opportunity to use and enjoy a dwelling. There is no question that, with their current use, this property affirmatively enhances the lives of many individuals with disabilities. Importantly, the rent charged to these individuals simply covers Yellowstone's costs; no profit is realized. In fact, without charitable contributions, Yellowstone would operate at a loss. By no means is Yellowstone, or any individual involved with Yellowstone, a profiteer. Yellowstone simply makes available a sober living environment in an effort to help these disabled individuals, and with a view toward enhancing the community. To the extent that Yellowstone is forced to remove its operations from this property, it will suffer extreme economic hardship. Moreover, with any prospective closure of the property as a sober living home, the individuals with disabilities who live in the home will be without accommodation. Yellowstone is compliant with all of the requirements in the City of Newport Beach's Good Neighbor Principles, and is tenacious in ensuring that all residents at the Property strictly observe these requirements. Approval of this application would not alter the nature of the municipal code or impose any financial or administrative burden on the City. This property has been operating under these same general guidelines for years without imposing any burden upon the County or City. The residential character of the neighborhoods in which this property is located will not be altered in any way with the approval of this application. In fact, there is no non-residential use at the property. Moreover, there is no campus established through the grant of this application. Residents this property are not allowed at any of other property operated by Yellowston, and there are no functions that include all residents. Yellowstone has never been cited by any municipality at this property for any of the complaints set forth specifically in Ordinance 2008-5,

Page 4, Paragraph 13. No health, safety or physical damage issues are presented with granting of these applications.

5. See response to No. 4.
6. See response to No. 4.
7. See response to No. 4. The applicant is not a developer. The applicant has operated at the Property for years and currently can afford this property. Due to the economic decline, and specifically as it pertains to residential housing, the forced sale of this property would cause an extreme economic hardship.
8. See responses to No. 4 and 7.
9. The applicant is a long-standing tenant in the community, and has had a presence in Santa Ana Heights for years. The applicant prides itself in acting as a good neighbor. As noted above, the applicant has an extremely high success rate in assisting disabled individuals live and integrate into Orange County. The applicant affirmatively enhances the lives of its residents. Any abatement of this facility would be harmful to the community.



PLANNING DEPARTMENT

3300 Newport Boulevard, Building C, Newport Beach, CA 92663
(949) 644-3200 Fax: (949) 644-3229 website: www.city.newport-beach.ca.us

November 7, 2008

YELLOWSTONE WOMEN'S FIRST STEP HOUSE, INC.
c/o Isaac R. Zfaty
Davis & Rayburn, Attorneys at Law
580 Broadway Street, Suite 301
Laguna Beach, CA 92651

Dear Mr. Zfaty:

Subject: **NOTICE OF INCOMPLETE APPLICATION**
Use Permit No. 2008-037
Property located at 20172 Redlands Drive

I am writing as the City of Newport Beach's consulting case planner for this use permit application. This letter is a response to your letter dated August 22, 2008, in which you responded to the City's Notice of Incomplete Application dated June 19, 2008, and is also a follow-up to our October 8, 2008, meeting at the City. The City appreciates your responses and the opportunity to meet with you. However, at this time your application for Use Permit No. 2008-037 for property located at 20172 Redlands Drive remains incomplete.

As we discussed at our October 8th meeting, the area of West Santa Ana Heights was formally annexed to the City of Newport Beach, effective January 1, 2008, and the property located at 20172 Redlands Drive is therefore subject to the City's land use regulations, including the Residential Care provisions of the Newport Beach Municipal Code (NBMC).

With respect to the items that continue to be deficient or missing from the use permit application submittal, please provide the following:

1. A Preliminary Title Report that is less than 60 days old. This requirement is necessary to not only verify the ownership of record, but also will verify any deed restrictions (or lack thereof) such as CC&Rs that may place restrictions on the use of the property.

2. The site plan submitted does not appear to be accurately drawn when reviewing it against aerial photographs, and the site plan and floor plans are not drawn to scale. The site plan must show the property line dimensions, distance or setback from property lines to the building, usable outdoor spaces, and the location of driveways. The site plan must also include the property lines and building footprints on immediately adjacent parcels. The floor plans must provide an accurate count of bedrooms and number of beds/residents within each bedroom, as well as all rooms intended for residents' use, and the location and dimension of the garage.
3. As noted at the meeting of October 8th you are required to provide the City of Newport Beach Fire Marshal with a comprehensive code analysis prepared by a licensed architect. Requirements for the code analysis were provided to you at the meeting. However, should you have any questions regarding these requirements, please contact Steve Bunting, Fire Marshal, at (949) 644-3106. In addition, please provide the Fire Marshal with the year the home began to be used for sober living purposes. The plans that are required to be prepared for the code analysis may also be used to satisfy the requirement for a site plan and floor plans as noted above.
4. Please provide an explanation of the number of parking spaces provided on site and information regarding the maximum number of employees or others on site at any one time that will have autos. Include an explanation of the use of vans to transport residents to treatment facilities and other activities and provide a transportation route diagram.
5. You have discussed the unlicensed status of the Yellowstone facility at this address with our City Attorney's Office. Please review the Disclosure Statement and revise the licensing statement made in the application if necessary.
6. If certification specific to the type of facility is available from a governmental agency or qualified nonprofit organization, the facility shall receive such certification including without limitation, certification by Orange County under its Adult Alcohol and Drug Sober Living Facilities Certification Program. Please provide evidence of any certifications held for this address.

You also have requested information regarding the City's authority to impose an Application Fee of \$2,200 and have asked for evidence of such City authority. Please note Section 20.90.030(D) (Application Filing) of Title 20 of the NBMC states that "Applications for discretionary approvals shall be accompanied by a fee as established by resolution of the City Council." In addition, Chapter 3.36 of the NBMC provides the basis for recovering actual costs for application processing.

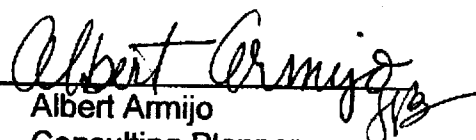
On the basis of the foregoing requirements, you may wish to reevaluate and amend the Reasonable Accommodation application you have submitted with the use permit application. In addition, Item 2 on the Reasonable Accommodation supplemental form

requests documentation of the disability for which the request for a reasonable accommodation is being made. That documentation has not been provided. Please provide documentation that the individuals on whose behalf the application is made are disabled under the governing law. The City leaves to the discretion of Yellowstone Women's First Step House and/or the individuals the nature of the documentation to be submitted. Understanding the concerns about privacy, the City will accept documentation disclosing only the person's first name or initials (with all other identifying information redacted).

Please be advised that failure to obtain a use permit for the residential care facility use of the subject property shall render the use of property nonconforming. Nonconforming uses of property are subject to abatement, per Section 20.62.090 of the NBMC, and if the required use permit is not obtained by February 9, 2009, the use will be subject to abatement in accordance with the Code.

City staff appreciates your continuing cooperation. However, we are unable to process your Use Permit application and Reasonable Accommodation application and schedule a public hearing until we receive the pending submittal items outlined above. Should you have questions regarding the aforementioned, please contact me at 949.466.0038 or by email at AGARMIJO@aol.com.

Sincerely,

By 
Albert Armijo
Consulting Planner

Cc: Janet Brown, Associate Planner
Dr. Anna Marie Thames, Yellowstone Women's First Step House

DEC 30 2008


DAVIS • ZFATY
A PROFESSIONAL LAW CORPORATION

December 23, 2008

CITY OF NEWPORT BEACH

Z175.1

VIA FIRST CLASS MAIL

Ms. Janet Brown
City of Newport Beach
3300 Newport Boulevard
Newport Beach, California 92658

Re: Notice of Incomplete Application: Yellowstone – 20172 Redlands

Dear Ms. Brown:

This firm is general counsel for Yellowstone Women's First Step House, Inc. ("Yellowstone"). We are in receipt of the City of Newport Beach's Notice of Incomplete Application dated November 7, 2008 in which the City asked Yellowstone to address six deficiencies in its Use Permit Application for 20172 Redlands. Enclosed herewith is the documentation you requested. Below is a brief description of the enclosed materials.

Preliminary Title Reports

A preliminary title report for 20172 Redlands is included. As requested, the preliminary title report is less than 60 days old.

Site Plans

The site plans for 20172 Redlands show the property dimensions, setback from the property line to the buildings, useable outdoor space, and the location of driveways. The site plans also include the property lines and building footprints on immediately adjacent parcels. Finally, the site plans include an accurate count of bedrooms in the home, the number of residents within each bedroom, the rooms intended to be used by residents, and the location and dimension of the garage.

Ms. Janet Brown
December 23, 2008

Code Analysis

A code analysis is provided herewith. The code analysis discusses the property, which is compliance with the R4 Building and Fire Code Requirements. Also, your November 7, 2008 letter requested that we provide the Fire Marshal with the year each of the homes began to be used for sober living purposes.

Those dates are as follows:

1561 Indus – 2007
1621 Indus – 2003
20172 Redlands – 2005
1571 Pegasus – 2005

Parking and Transportation

The documentation enclosed provides the number of available parking spaces at 20172 Redlands and the number of employees who park on site. Route maps from the home to treatment and from the home to St. John church are also provided.

With respect to transportation to and from 20172 Redlands, we would like to address variations in previous submittals that have since been resolved. Paragraph 12 of the Request for Reasonable Accommodation for 20172 Redlands states that Yellowstone does not provide transportation. Though this is generally true, upon further review, we feel that it is important to note that the home provides some basic transportation to other non-Newport Beach facilities and to St. John church. Both locations are within ten minutes of the home and, as stated above, we have included route maps for your convenience. Finally, the vans that transport the residents are not parked on site. When not in use, the vans are kept in another city.

Licensing Status

As we have discussed, none of the four homes is ADP licensed. To the extent that any prior representations regarding ADP licensing were made, we have learned that same were incorrect. If you have any questions regarding this item, or need any further explanation as to the reasons for our error, we are more than happy to provide same. As we have never provided treatment in these facilities (nor represented that in any prior communication with the City), this does not represent a material change to our application.

Certifications

Enclosed is a copy of the certification for 20172 Redlands. The home is certified a member of the Orange County Sober Living Coalition.

Ms. Janet Brown
December 23, 2008

I hope that the enclosed materials complete Yellowstone's Application and clarify any ambiguities in our previous submissions to the city regarding 20172 Redlands. As always, if you have any questions regarding this correspondence, please feel free to contact me.

Very truly yours,

DAVIS ZFATY,
a professional corporation

A handwritten signature in black ink, appearing to read "N. Cohrs", written in a cursive style.

NICOLE COHRS

<u>YELLOWSTONE – 20172 REDLANDS</u>	
1.	Preliminary Title Report
2.	Code Analysis
3.	Parking and Route Maps
4.	Certification

RECEIVED BY
PLANNING DEPARTMENT

DEC 30 2008

CITY OF NEWPORT BEACH



CHICAGO TITLE COMPANY

PRELIMINARY REPORT

Dated as of: November 18, 2008 at 7:30 AM
Order No.: 880523123 - S04

Regarding: 20172 REDLANDS DRIVE
NEWPORT BEACH, CALIFORNIA

In response to the application for a policy of title insurance referenced herein, Chicago Title Insurance Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

The form of Policy or Policies of title insurance contemplated by this report is:
AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (6-17-06)

Visit Us On The Web: ChicagoTitle.com

Title Department:



CHICAGO TITLE COMPANY

16969 VON KARMAN
IRVINE, CA 92606
(949) 263-6800

Fax: (949) 263-0872

JOHN ALLEN
Title Officer

SCHEDULE A

Order No: 880523123 804

Your Ref:

1. The estate or interest in the land hereinafter described or referred to covered by this report is:

A FEE

2. Title to said estate or interest at the date hereof is vested in:

ANNA THAMES, AN UNMARRIED WOMAN AND STEPHEN THAMES, AN UNMARRIED MAN AS JOINT
TENANTS

3. The land referred to in this report is situated in the State of California, County of ORANGE
and is described as follows:

LOT 36 OF TRACT NO. 4307, AS PER MAP RECORDED IN BOOK 153, PAGES 18 THROUGH
20, OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID
COUNTY

SCHEDULE B

Page 1

Order No: 880523123 804

Your Ref:

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in the policy form designated on the face page of this Report would be as follows:

- A 1. PROPERTY TAXES, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES, TO BE LEVIED FOR THE FISCAL YEAR 2009-2010 THAT ARE A LIEN NOT YET DUE.
- B 2. PROPERTY TAXES FOR THE FISCAL YEAR SHOWN BELOW ARE PAID. FOR INFORMATION PURPOSES THE AMOUNTS ARE:
- FISCAL YEAR: 2008-2009
1ST INSTALLMENT: \$4,110.51
2ND INSTALLMENT: \$4,110.51
EXEMPTION: \$NOT SHOWN
CODE AREA: 07212
ASSESSMENT NO: 119-362-07
- C 3. SUPPLEMENTAL OR ESCAPED TAXES FOR THE FISCAL YEAR 2005-2006 ASSESSED PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 (COMMENCING WITH SECTION 75) OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA.
- 1ST INSTALLMENT: \$371.00 (NOT PAID- DELINQUENT)
PENALTY: \$37.10
DELINQUENT: DECEMBER 10, 2005
2ND INSTALLMENT: \$371.00 (NOT PAID- DELINQUENT)
PENALTY: \$47.10
DELINQUENT: APRIL 10, 2006
CODE AREA: 07212
ASSESSMENT NO.: 119-362-07
- D 4. SAID PROPERTY HAS BEEN DECLARED TAX-DEFAULTED FOR NON-PAYMENT OF DELINQUENT TAXES FOR FISCAL YEAR 2006-2007 (AND SUBSEQUENT YEARS, IF ANY)
- AMOUNT TO REDEEM: \$20,588.32
IF PAID BY: NOVEMBER 30, 2008
- AMOUNT TO REDEEM: \$20,832.04
IF PAID BY: DECEMBER 31, 2008
- E 5. THE LIEN OF SUPPLEMENTAL OR ESCAPED ASSESSMENTS OF PROPERTY TAXES, IF ANY, MADE PURSUANT TO THE PROVISIONS OF PART 0.5, CHAPTER 3.5 OR PART 2, CHAPTER 3, ARTICLES 3 AND 4 RESPECTIVELY (COMMENCING WITH SECTION 75) OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA AS A RESULT OF THE TRANSFER OF TITLE TO THE VESTEE NAMED IN SCHEDULE A; OR AS A RESULT OF CHANGES IN OWNERSHIP OR NEW CONSTRUCTION OCCURRING PRIOR TO DATE OF POLICY.

**SCHEDULE B
(continued)**

Order No: 880523123 804

Your Ref:

- F 6. COVENANTS, CONDITIONS AND RESTRICTIONS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW AS SET FORTH IN THE DOCUMENT

RECORDED: NOVEMBER 27, 1961 IN BOOK 5923 PAGE 378 OF OFFICIAL RECORDS

- G SAID COVENANTS, CONDITIONS AND RESTRICTIONS PROVIDE THAT A VIOLATION THEREOF SHALL NOT DEFEAT THE LIEN OF ANY MORTGAGE OR DEED OF TRUST MADE IN GOOD FAITH AND FOR VALUE.

- H SAID INSTRUMENT ALSO PROVIDES FOR THE LEVY OF ASSESSMENTS, THE LIEN OF WHICH IS STATED TO BE SUBORDINATE TO THE LIEN OF CERTAIN MORTGAGES OR DEEDS OF TRUST MADE IN GOOD FAITH AND FOR VALUE.

- I 7. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: SOUTHERN CALIFORNIA EDISON COMPANY
PURPOSE: PUBLIC UTILITIES
RECORDED: FEBRUARY 14, 1962 IN BOOK 6009 PAGE 242 OF OFFICIAL RECORDS
AFFECTS: SOUTHEASTERLY 6 FEET

- J 8. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY
PURPOSE: PUBLIC UTILITIES
RECORDED: FEBRUARY 28, 1962 IN BOOK 6023 PAGE 2 OF OFFICIAL RECORDS
AFFECTS: NORTHEASTERLY 5 FEET OF THE SOUTHEASTERLY 5 FEET

- K 9. A DOCUMENT ENTITLED "CERTIFICATE OF COMPLETION, WEST SANTA ANA HEIGHTS REORGANIZATION TO THE CITY OF NEWPORT BEACH (RO 06-25)", DATED JANUARY 1, 2008 EXECUTED BY ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION, SUBJECT TO ALL THE TERMS, PROVISIONS AND CONDITIONS THEREIN CONTAINED, RECORDED SEPTEMBER 17, 2007 AS INSTRUMENT NO. 2007000566527 OF OFFICIAL RECORDS.

- L 10. A DEED OF TRUST TO SECURE AN INDEBTEDNESS IN THE ORIGINAL AMOUNT SHOWN BELOW

AMOUNT: \$650,000.00
DATED: AUGUST 18, 2006

**SCHEDULE B
(continued)**

Order No: 880523123 S04

Your Ref:

TRUSTOR: STEPHEN THAMES A UNMARRIED MAN AND ANNA MARIE THAMES,
AN UNMARRIED WOMAN, AS JOINT TENANTS
TRUSTEE: RON MORRISON, GENERAL COUNSEL
BENEFICIARY: IMPAC FUNDING CORPORATION DBA IMPAC LENDING GROUP, A
CALIFORNIA CORPORATION
RECORDED: AUGUST 30, 2006 AS INSTRUMENT NO. 2006000583234 OF
OFFICIAL RECORDS
ORIGINAL LOAN
NUMBER: 2503176319

N 11. A DEED OF TRUST TO SECURE AN INDEBTEDNESS IN THE ORIGINAL AMOUNT SHOWN
BELOW

AMOUNT: \$96,400.00
DATED: AUGUST 18, 2006
TRUSTOR: STEPHEN THAMES A UNMARRIED MAN AND ANNA MARIE THAMES,
AN UNMARRIED WOMAN, AS JOINT TENANTS
TRUSTEE: RON MORRISON, GENERAL COUNSEL
BENEFICIARY: IMPACT FUNDING CORPORATION DBA IMPAC LENDING GROUP, A
CALIFORNIA CORPORATION
RECORDED: AUGUST 30, 2006 AS INSTRUMENT NO. 2006000583235 OF
OFFICIAL RECORDS
ORIGINAL LOAN
NUMBER: 2503177442

N 12. RIGHTS OF OTHERS, NOT SHOWN IN THE PUBLIC RECORDS, IN POSSESSION OF SAID
LAND.

O END OF SCHEDULE B

P NOTE NO. 1: THERE ARE NO CONVEYANCES AFFECTING SAID LAND, RECORDED WITHIN
TWENTYFOUR (24) MONTHS OF THE DATE OF THIS REPORT.

O NOTE NO. 2: WE WILL REQUIRE A STATEMENT OF INFORMATION FROM THE PARTIES
NAMED BELOW IN ORDER TO COMPLETE THIS REPORT, BASED ON THE EFFECT OF
DOCUMENTS, PROCEEDINGS, LIENS, DECREES, OR OTHER MATTERS WHICH DO NOT
SPECIFICALLY DESCRIBE SAID LAND, BUT WHICH, IF ANY DO EXIST, MAY AFFECT THE
TITLE OR IMPOSE LIENS OR ENCUMBRANCES THEREON.

PARTIES: ALL PARTIES

(NOTE: THE STATEMENT OF INFORMATION IS NECESSARY TO COMPLETE THE SEARCH
AND EXAMINATION OF TITLE UNDER THIS ORDER. ANY TITLE SEARCH INCLUDES
MATTERS THAT ARE INDEXED BY NAME ONLY, AND HAVING A COMPLETED STATEMENT OF
INFORMATION ASSISTS THE COMPANY IN THE ELIMINATION OF CERTAIN MATTERS WHICH
APPEAR TO INVOLVE THE PARTIES BUT IN FACT AFFECT ANOTHER PARTY WITH THE
SAME OR SIMILAR NAME. BE ASSURED THAT THE STATEMENT OF INFORMATION IS

**SCHEDULE B
(continued)**

Order No: 880523123 804

Your Ref:

ESSENTIAL AND WILL BE KEPT STRICTLY CONFIDENTIAL TO THIS FILE.)

R

NOTE NO. 3: IF THIS COMPANY IS REQUESTED TO DISBURSE FUNDS IN CONNECTION WITH THIS TRANSACTION, CHAPTER 598, STATUTES OF 1989 MANDATES HOLD PERIODS FOR CHECKS DEPOSITED TO ESCROW OR SUB-ESCROW ACCOUNTS. THE MANDATORY HOLD PERIOD FOR CASHIER'S CHECKS, CERTIFIED CHECKS AND TELLER'S CHECKS IS ONE BUSINESS DAY AFTER THE DAY DEPOSITED. OTHER CHECKS REQUIRE A HOLD PERIOD OF FROM TWO TO FIVE BUSINESS DAYS AFTER THE DAY DEPOSITED. IN THE EVENT THAT THE PARTIES TO THE CONTEMPLATED TRANSACTION WISH TO RECORD PRIOR TO THE TIME THAT THE FUNDS ARE AVAILABLE FOR DISBURSEMENT (AND SUBJECT TO COMPANY APPROVAL), THE COMPANY WILL REQUIRE THE PRIOR WRITTEN CONSENT OF THE PARTIES. UPON REQUEST, A FORM ACCEPTABLE TO THE COMPANY AUTHORIZING SAID EARLY RECORDING MAY BE PROVIDED TO ESCROW FOR EXECUTION.

WIRE TRANSFERS

THERE IS NO MANDATED HOLD PERIOD FOR FUNDS DEPOSITED BY CONFIRMED WIRE TRANSFER. THE COMPANY MAY DISBURSE SUCH FUNDS THE SAME DAY.

WIRE-IN INSTRUCTIONS::

BANK: COUNTRYWIDE BANK FSB
1199 W. FAIRFAX ST., SUITE 500
ALEXANDRIA, VA 22314

BANK ABA: 056009110

ACCOUNT NAME: CHICAGO TITLE COMPANY
ORANGE MARKET CENTER

ACCOUNT NO.: 412684

FOR CREDIT TO: CHICAGO TITLE COMPANY
16969 VON KARMAN
IRVINE, CA 92606

FURTHER CREDIT TO: ORDER NO.: 880523123

FEDERAL RESERVE WIRE SHORT NAME:
COUNTRYWIDE BKFSB ALEXANDRIA, VIRGINIA

S

NOTE NO. 4: ON THE DATE YOU FUND THE LOAN AND WIRE FUNDS TO CHICAGO TITLE AND REFERENCE THE ABOVE ORDER NUMBER, YOU MUST SEND WRITTEN NOTICE TO THE TITLE OFFICER'S UNIT BY MESSENGER OR E-MAIL THAT YOU SENT THE FUNDS.

CHICAGO TITLE WILL SEND AN EMAIL ACKNOWLEDGING RECEIPT OF THE FUNDS AS SOON AS PRACTICABLE.

CHICAGO TITLE WILL NOT BE RESPONSIBLE FOR ANY DELAY IN CLOSING AND

**SCHEDULE B
(continued)**

Order No: 880523123 S04

Your Ref:

RECORDING THE TRANSACTION, NOR WILL CHICAGO TITLE BE LIABLE FOR ANY CLAIM OF LOST INTEREST UNLESS SUCH WRITTEN NOTICE IS SENT THE DAY OF FUNDING AND CHICAGO TITLE HAS ACKNOWLEDGED RECEIPT OF FUNDS.

- T NOTE NO. 5: NONE OF THE ITEMS SHOWN IN THIS REPORT WILL CAUSE THE COMPANY TO DECLINE TO ATTACH CLTA ENDORSEMENT FORM 100 TO AN ALTA LOAN POLICY, WHEN ISSUED.
- U NOTE NO. 6: THERE IS LOCATED ON SAID LAND SINGLE FAMILY RESIDENCE KNOWN AS: 20172 REDLANDS DRIVE, NEWPORT BEACH AREA, SANTA ANA, COUNTY OF ORANGE, STATE OF CALIFORNIA
- V NOTE NO. 7: IF A COUNTY RECORDER, TITLE INSURANCE COMPANY, ESCROW COMPANY, REAL ESTATE BROKER, REAL ESTATE AGENT OR ASSOCIATION PROVIDES A COPY OF A DECLARATION, GOVERNING DOCUMENT OR DEED TO ANY PERSON, CALIFORNIA LAW REQUIRES THAT THE DOCUMENT PROVIDED SHALL INCLUDE A STATEMENT REGARDING ANY UNLAWFUL RESTRICTIONS. SAID STATEMENT IS TO BE IN AT LEAST 14-POINT BOLD FACE TYPE AND MAY BE STAMPED ON THE FIRST PAGE OF ANY DOCUMENT PROVIDED OR INCLUDED AS A COVER PAGE ATTACHED TO THE REQUESTED DOCUMENT. SHOULD A PARTY TO THIS TRANSACTION REQUEST A COPY OF ANY DOCUMENT REPORTED HEREIN THAT FITS THIS CATEGORY, THE STATEMENT IS TO BE INCLUDED IN THE MANNER DESCRIBED.
- W NOTE NO. 8: NO EXAMINATION OF THE COMPANY'S RECORDS HAS BEEN MADE FOR, NOR IS REPORT MADE IN THIS PRELIMINARY REPORT OF, MONETARY LIENS, OR ENCUMBRANCES, IF ANY, WHICH MAY AFFECT TITLE TO AN ESTATE OR INTEREST IN THE LAND DESCRIBED HEREIN ACQUIRED BY A PROSPECTIVE PURCHASER OR PURCHASERS.
- X NOTE NO. 9: THE CURRENT OWNER DOES NOT QUALIFY FOR THE \$20.00 DISCOUNT PURSUANT TO THE COORDINATED STIPULATED JUDGMENTS ENTERED IN ACTIONS FILED BY BOTH THE ATTORNEY GENERAL AND PRIVATE CLASS ACTION PLAINTIFFS FOR THE HEREIN DESCRIBED PROPERTY.
- Y NOTE NO. 10: THE CHARGE FOR A POLICY OF TITLE INSURANCE, WHEN ISSUED THROUGH THIS TITLE ORDER, WILL BE BASED ON THE SHORT-TERM RATE.
- Z TR-T/R

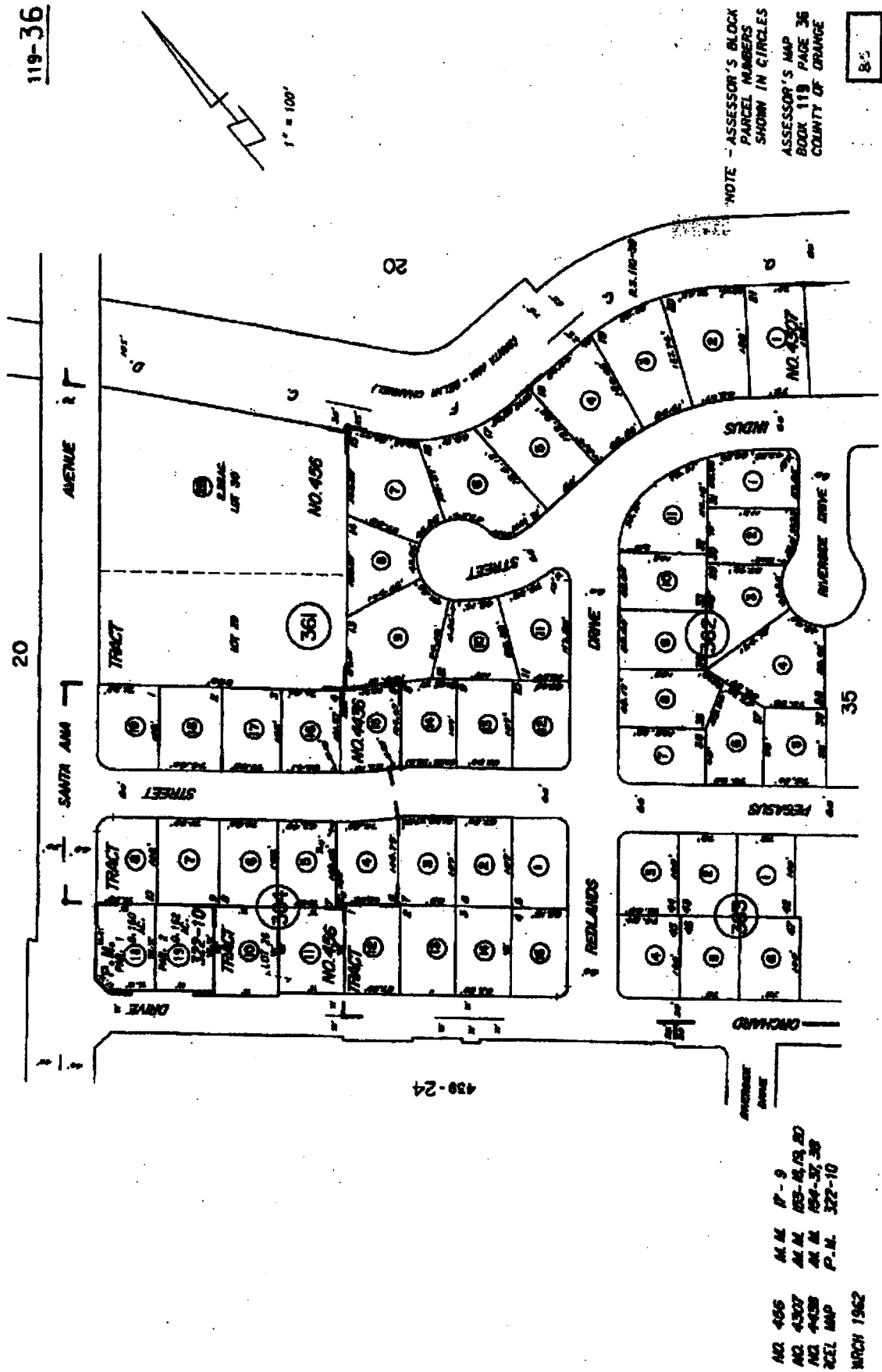
Notice

You may be entitled to receive a \$20.00 discount on escrow services if you purchased, sold or refinanced residential property in California between May 19, 1995 and November 1, 2002. If you had more than one qualifying transaction, you may be entitled to multiple discounts.

If your previous transaction involved the same property that is the subject of your current transaction, you do not have to do anything; the Company will provide the discount, provided you are paying for escrow or title services in this transaction.

If your previous transaction involved property different from the property that is subject of your current transaction, you must - prior to the close of the current transaction - inform the Company of the earlier transaction, provide the address of the property involved in the previous transaction, and the date or approximate date that the escrow closed to be eligible for the discount.

Unless you inform the Company of the prior transaction on property that is not the subject of this transaction, the Company has no obligation to conduct an investigation to determine if you qualify for a discount. If you provide the Company information concerning a prior transaction, the Company is required to determine if you qualify for a discount which is subject to other terms and conditions.



Fidelity National Financial, Inc. Privacy Statement

Fidelity National Financial, Inc. and its subsidiaries ("FNF") respect the privacy and security of your non-public personal information ("Personal Information") and protecting your Personal Information is one of our top priorities. This Privacy Statement explains FNF's privacy practices, including how we use the Personal Information we receive from you and from other specified sources, and to whom it may be disclosed. FNF follows the privacy practices described in this Privacy Statement and, depending on the business performed, FNF companies may share information as described herein.

Personal Information Collected

- We may collect Personal Information about you from the following sources:
- Information we receive from you on applications or other forms, such as your name, address, social security number, tax identification number, asset information and income information;
- Information we receive from you through our Internet websites, such as your name, address, Internet Protocol address, the website links you used to get to our websites, and your activity while using or reviewing our websites.
- Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transactions, account balances, and credit card information; and
- Information we receive from consumer or other reporting agencies and publicly recorded.

Disclosure of Personal Information

- We may provide your Personal Information (excluding information we receive from our consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:
- To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connections with an insurance transactions.
- To third-party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested.
- To an insurance regulatory, or law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation
- To companies that perform marketing services on our behalf or to other financial institutions with which we have had joint marketing agreements and/or
- To lenders, lien holders, judgement creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing

We may also disclose your Personal Information to others when we believe, in good faith, that such disclosure is reasonably necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with a judicial proceeding, court order or legal process.

Disclosure to Affiliated Companies - We are permitted by law to share your name, address and facts about your transaction with other FNF companies, such as insurance companies, agents, and other real estate service providers to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

Disclosure to Nonaffiliated Third Parties - We do not disclose Personal Information about our customers or former customers to nonaffiliated third parties, except as outlined herein or as otherwise permitted by law.

Confidentiality and Security of Personal Information

We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulation to guard Personal Information.

Access to Personal Information/

Requests for Correction, Amendment, or Deletion of Personal Information

As required by applicable law, we will afford you the right to access your Personal Information, under certain circumstances to find out to whom your Personal Information has been disclosed, and request correction or deletion of your Personal Information. However, FNF's current policy is to maintain customers' Personal Information for no less than your state's required record retention requirements for the purpose of handling future coverage claims.

For your protection, all requests made under this section must be in writing and must include your notarized signature to establish your identity. Where permitted by law we may charge a reasonable fee to cover the costs incurred in responding to such requests. Please send requests to:

Chief Privacy Officer
Fidelity National Financial, Inc.
601 Riverside Drive
Jacksonville, FL 32204

Changes to this Privacy Statement

This Privacy Statement may be amended from time to time consistent with applicable privacy laws. When we amend this Privacy Statement, we will post a notice of such changes on our website. The effective date of this Privacy Statement, as stated above, indicates the last time this Privacy Statement was revised or materially changed.

ATTACHMENT ONE

AMERICAN LAND TITLE ASSOCIATION RESIDENTIAL TITLE INSURANCE POLICY (6-1-87) EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
 - land use
 - improvements on the land
 - land division
 - environmental protectionThis exclusion does not apply to violations or the enforcement of these matters which appear in the public records at policy date.
This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.
2. The right to take the land by condemning it, unless:
 - a notice of exercising the right appears in the public records on the Policy Date
 - the taking happened prior to the Policy Date and is binding on you if you bought the land without knowledge of the taking

In addition to the Exclusions, you are not insured against loss, costs, attorneys' fees, and the expenses resulting from:

1. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
2. Any easements or liens not shown by the public records. This does not limit the lien coverage in Item 8 of Covered Title Risk.

3. Title Risks:
 - that are created, allowed, or agreed to by you
 - that are known to you, but not to us, on the Policy Date unless they appeared in the public records
 - that result in no loss to you
 - that first affect your title after the Policy Date this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
 - to any land outside the area specifically described and referred to in Item 3 of Schedule A
 - or
 - in streets, alleys, or waterways that touch your landThis exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

3. Any facts about the land which a correct survey would disclose and which are not shown by the public records. This does not limit the forced removal coverage in Item 12 of Covered Title Risks.
4. Any water rights or claims or title to water in or under the land, whether or not shown by the public records.

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990 EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to the occupancy, use, or enjoyment of the land; (b) the character, dimensions or location of any improvement now or hereafter erected on the land; (c) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (d) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.

3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the insolvency or failure of the insured at Date of Policy, or the insolvency or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

SCHEDULE B, PART I EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters exempted under (a), (b), or (c) are shown by the public records.

ATTACHED ONE

(Continued)

AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-17-92) WITH A.L.T.A. ENDORSEMENT-FORM COVERAGE EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
- Defects, liens, encumbrances, adverse claims, or other matters:
 - created, suffered, assumed or agreed to by the insured claimant;
 - not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - resulting in no loss or damage to the insured claimant;
 - attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material or to the extent insurance is afforded herein as to assessments for street

improvements under construction or completed at Date of Policy); or

- (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
- Unenforceability of the lien of the insured mortgage because of the insolvency or failure of the insured at Date of Policy, or the insolvency or failure of any subsequent owner of the indebtedness, to comply with applicable doing-business laws of the state in which the land is situated.
- Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
- Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is constructed for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
- Any claim, which arises out of the transaction creating the interest of the mortgage insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - the transaction creating the interest of the insured mortgage being deemed a fraudulent conveyance or fraudulent transfer; or
 - the subordination of the interest of the insured mortgage as a result of the application of the doctrine of equitable subordination; or
 - the transaction creating the interest of the insured mortgage being deemed a preferential transfer except where the preferential transfer results from the failure:
 - to timely record the instrument of transfer; or
 - of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
- Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
- Easements, liens or encumbrances, or claims thereof, not shown by the public records.
- Discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
- (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to:
 - the occupancy, use, or enjoyment of the Land;
 - the character, dimensions, or location of any improvement erected on the Land;
 - the subdivision of land; or
 - environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters:
 - created, suffered, assumed, or agreed to by the Insured Claimant;
 - not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

(c) resulting in no loss or damage to the Insured Claimant;

- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
- Unenforceability of the lien of the Insured Mortgage because of the insolvency or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
- Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
- Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is:
 - a fraudulent conveyance or fraudulent transfer; or
 - a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
- Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

- (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
- Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
- Any encroachment, encumbrance, violation, violation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
- (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.

ATTACHMENT ONE

(CONTINUED)

AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-17-92) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.

3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (a) to timely record the instrument of transfer; or
 - (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters exempted under (a), (b) or (c) are shown by the public records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to:
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection; or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but

Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
(c) resulting in no loss or damage to the Insured Claimant;
(d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
(e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.

4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is:
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that may arise by reason of:

- (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown in the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.

3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and that are not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters exempted under (a), (b), or (c) are shown by the Public Records.

ATTACHMENT ONE

(Continued)

CLTA HOMEBOWNER'S POLICY OF TITLE INSURANCE (10-22-03) ALTA HOMEBOWNER'S POLICY OF TITLE INSURANCE (10-22-03) EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
 - a. building
 - b. zoning
 - c. Land use
 - d. improvements on Land
 - e. Land division
 - f. environmental protection
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.
3. The right to take the Land by condemning it, unless:
 - a. notice of exercising the right appears in the Public Records at the Policy Date; or
 - b. the taking happened before the Policy Date and is binding on You if You bought the Land

4. without Knowing of the taking.
 - a. that are crossed, allowed, or agreed to by You, whether or not they appear in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they appear in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date. This does not limit the coverage described in Covered Risk 7, 8, 22, 23, 24 or 25.
 5. Failure to pay value for Your Title.
 6. Lack of a right:
 - a. to any Land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streams, alleys, or waterways that touch the Land.
- This Exclusion does not limit the coverage described in Covered Risk 11 or 18.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 14, 15, 16 and 18, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 14:	1.00% of Policy Amount or \$2,500.00 (whichever is less)	\$10,000.00
Covered Risk 15:	1.00% of Policy Amount or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 16:	1.00% of Policy Amount or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 18:	1.00% of Policy Amount or \$2,500.00 (whichever is less)	\$5,000.00

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (10-13-01) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the Land; (ii) the character, dimensions or location of any improvements now or hereafter erected on the Land; (iii) a separation in ownership or a change in the dimensions or areas of the Land or any parcel of which the Land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 16 of this policy.
 - (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 16 of this policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the Public Records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without Knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (this paragraph does not limit the coverage provided under Covered Risks 8, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26); or

- (e) resulting in loss or damage which would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of the Insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the Land is situated.
5. Invalidity or unenforceability of the lien of the Insured Mortgage, or claim thereof, which arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, except as provided in Covered Risk 27, or any consumer credit protection or truth in lending law.
6. Real property taxes or assessments of any governmental authority which become a lien on the Land subsequent to Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 7, 8(e) and 26.
7. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to advances or modifications made after the Insured has Knowledge that the vendor shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This exclusion does not limit the coverage provided in Covered Risk 8.
8. Lack of priority of the lien of the Insured Mortgage as to each and every advance made after Date of Policy, and all interest charged thereon, over liens, encumbrances and other matters affecting the title, the existence of which are Known to the Insured at:
 - (a) The time of the advance; or
 - (b) The time a modification is made to the terms of the Insured Mortgage which changes the rate of interest charged, if the rate of interest is greater as a result of the modification than it would have been before the modification. This exclusion does not limit the coverage provided in Covered Risk 8.
9. The failure of the residential structure, or any portion thereof to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at Date of Policy.

December 15, 2008

Mr. Steve Bunting
Fire Marshall
CITY OF NEWPORT BEACH
FIRE AND MARINE DEPARTMENT
3300 Newport Boulevard
P.O. Box 1768
Newport Beach, Ca 92658-8915

RE: Yellowstone Recovery ("Newport House" Residence)
Coda Analysis For The Existing Building

Dear Mr. Bunting,

Alfred J. Boder, Architect has been contracted by Yellowstone Recovery to review details of their existing building, titled "Newport House", located at 20172 Redlands, Santa Ana, Ca 92707. Yellowstone Recovery intends to change the use of the building from a single-family residence to a Residential Facility for the non-medical rehabilitation of drug abuse and alcoholism. We have surveyed the existing building and the summary of our findings and conclusions are as follows:

- A. The existing building was constructed in 1961, and was built as a single-family residence, occupancy type R-3. The building is a two-story structure with an attached garage.
- B. The building is set back from the front property line 26'-0". The side yard set back is 5'-0" clear on both sides of the structure.
- C. As the attached plans indicate, the residence is entered through the front door that faces the addressed street. The first floor consists of a living room, dining room, kitchen, bathroom, and two bedrooms. The second floor consists of four bedrooms, and two bathrooms.

Based on this research, the following code issues are in compliance with the current code requirements of the California Building Code, CBC 2007.

- 01. **Location On The Property:** As indicated on the attached plans, the building setbacks for the side yards is five (5) feet from the property line. This distance includes the attached garage. Per CBC section 6, Table 602, the minimum fire separation distance is five feet. This setback is achieved to the property line and from the property line; the

adjacent R-3 residence is also setback five (5) feet from the property line for a total of a ten (10) foot separation from the two buildings.

Conclusion: The wall of the garage at the side yard is not required to be of fire rated construction and there are no penetrations or openings in the attached garage wall.

02. **Section 419, Group I-1, R-1, R-2, R-3, R-3.1, R-4:** 419.2, Separation walls. Section does not apply. Note that the common wall between the attached garage is of one-hour fire rated construction to the bottom of the roof diaphragm and there are no penetrations in this wall.
03. **Section 419.3, Horizontal Separation:** This section does not apply per section 711.1.
04. **Section 425, Special Provisions For Licensed 24-Hour Care Facilities in Group R-1, R-3.1 or R-4 Occupancy (SFM):** Per section 425.3.5, Limitations – Seven or More Clients; The second floor area is less than three thousand (3,000) square feet and therefore a one-hour fire rated construction is not required.
05. **Section 425.7, Fire Protection System Provisions:** Section 425.7.1, Automatic Fire Sprinkler Systems. Per section 903.2.7, Group R, an automatic fire sprinkler system is not required per exceptions 1 and 3.

Section 425.7.2, Fire Alarm Systems: Per section 907.2.8 an approved, hard-wired fire alarm system is installed as required per section 907.2.8.2.

Section 427.7.3, Smoke Alarms: Per section 907.2.8.3, battery powered smoke detectors/alarms are installed in the required areas per section 907.2.10.

Section 906.1, Portable Fire Extinguishers: Portable fire extinguishers are installed and located per the California Fire Code.
06. **Chapter 10 Means Of Egress:** Section 1006, means of egress illumination. There is illumination at the top, middle, and bottom of the staircase.

Section 1009, Stairways: Per section 1009.1, exception 1, the staircase complies with the code requirement.

I believe that this is a complete analysis of the code related items which apply to this building during the change of occupancy. Please call Anthony Grillo, my representative, at (949) 678-3214 if you have any questions.

Sincerely,

Alfred Bodor – Architect

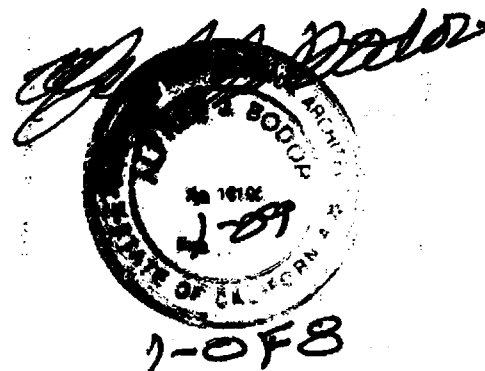
A handwritten signature in black ink, appearing to read 'Alfred Bodor', written in a cursive style.

Attachments; Scale as-built plans

CODE ANALYSIS: DECEMBER 1, 2008 PROPERTY: 20172 REDLANDS,
SANTA HEIGHTS, CAL. 92707

ARCHITECT: ALFRED BODOR, LICENSE #16190

EXPIRATION: JANUARY 2009



After review of applicable codes for an existing structure, the following analysis is provided:

GENERAL PROVISIONS FOR GROUP R4 OCCUPANCIES:

419.1 GENERAL: Occupancies in Group R-4 shall comply with the provisions of this section....

419.2 SEPARATION WALLS: RESPONSE: DOES NOT APPLY

419.3 HORIZONTAL SEPARATION: RESPONSE: IT DOES COMPLY (see section 711.1)

DEFINITION: R 4 RESIDENTIAL OCCUPANCIES shall meet the requirements for construction as defined for Group R 3 except as otherwise provided for in this code

HEALTH AND SAFETY CODE SECTION 13133: APPLIES ONLY TO ELDERLY CARE (ATTACHED)

EXTERIOR WALLS:

704.5 Fire-resistance ratings

For Group R occupancies and other applications listed in Section 111...

Exterior walls shall be fire-resistance rated in accordance with

Tables 601 and 602.... RESPONSE: IT DOES COMPLY (see table 602, occupancy group R "f")

425.7.1, TO 425.8.6 RESPONSE: THESE DID NOT APPLY) (see section 903)

AUTOMATIC FIRE SPRINKLER SYSTEMS IN GROUP I-1, R-3.1 AND R4 OCCUPANCIES

"An Automatic sprinkler shall be installed where required in section 903."

903: GENERAL. Automatic sprinkler systems shall comply with this section

903.2 WHERE REQUIRED: "Approved automatic sprinkler systems in new buildings and structures"

FIRE WALLS

705.1 General

Each portion of a building separated by one or more fire walls that comply with the provisions of this section shall be considered a separate building.... **RESPONSE: IT IS IN COMPLIANCE**

717.3.2 R-4 DRAFTSTOPPING **RESPONSE: THIS DOES NOT APPLY**

907.2.8 Group R 4: Fire alarm systems shall be installed in Group R 4 occupancies as required in Sections 907.2.8.1 through 907.2.8.4.

907.2.8.1. MANUAL FIRE ALARM SYSTEM is not required in buildings not more than two stories in height... **RESPONSE: MANUAL FIRE ALARM SYSTEM INSTALLED AND OPERATIONAL**

907.2.8.3 SMOKE ALARMS shall be installed as required by Section 907.2.10.

RESPONSE: SMOKE ALARMS INSTALLED AND OPERATIONAL

MEANS OF EGRESS

1205.4 Stairway Illumination. Stairways within dwelling units and exterior stairways serving a dwelling unit shall have an illumination level on tread runs of not less than 1 foot-candle (11 lux)....

RESPONSE: STAIRWAY ILLUMINATION WILL BE ADDRESSED AT TIME OF INSPECTION.

FIRE CODE

404. Fire safety and Evacuation plans

RESPONSE: THESE ARE COMPLETED(INSTALLED) AND PART OF THIS APPLICATION

408.10.2 STAFF TRAINING

408.10.3. RESIDENT TRAINING

408.10.4 DRILL FREQUENCY

408.10.5 RESIDENT PARTICIPATION

Exception: Actual exiting from windows shall not be required.

806.1.1 NATURAL CUT HOLIDAY TREES

906.1. PORTABLE FIRE EXTINGUISHERS

**RESPONSE: ALL OF THESE REQUIREMENTS ARE IN COMPLIANCE AS INDICATED
BY THE SECTIONS ABOVE.**

NOTE: EACH FLOOR IS LESS THAN 3000 FEET. (IBC CODES)

**PREPARED BY: ROY WARD. NEWPORT BEACH RESIDENTIAL/COMMERCIAL
BUILDING INSPECTOR**

LICENSE: ICC #1030730

poses and accessible to the public. Mercantile occupancies shall include, but not be limited to, the following:

- Department stores
- Drug stores
- Markets
- Motor fuel-dispensing facilities
- Retail or wholesale stores
- Sales rooms

309.2 Quantity of hazardous materials. The aggregate quantity of nonflammable solid and nonflammable or noncombustible liquid hazardous materials stored or displayed in a single control area of a Group M occupancy shall not exceed the quantities in Table 414.2.5(1).

SECTION 310 RESIDENTIAL GROUP R

310.1 Residential Group R. Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I. Residential occupancies shall include the following:

R-1 Residential occupancies containing sleeping units where the occupants are primarily transient in nature, including:

- Boarding houses (transient)
- Hotels (transient)
- Motels (transient)

[HCD 1] Efficiency dwelling units (transient)

R-2 Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including:

- Apartment houses
- Boarding houses (not transient)
- Convents
- Dormitories
- Fraternities and sororities
- Hotels (nontransient)
- Monasteries
- Motels (nontransient)
- Vacation timeshare properties

[HCD 1] Efficiency dwelling units (nontransient)

Congregate living facilities with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3.

R-3 Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-3.1, R-4 or I, including:

- Buildings other than townhouses that do not contain more than two dwelling units.
- Townhouses not more than three stories above grade in height with a separate means of egress.

[SFM] Adult care facilities that provide accommodations for clients of any age for less than 24 hours. Licensing categories that may use this classification include, but are not limited to: Adult Day-care Facilities, Adult Day-support Center.

[SFM] Child care facilities that provide accommodations for clients of any age for less than 24 hours. Licensing categories that may use this classification include, but are not limited to:

- Family Day-care Homes, Day-care Center for Mildly Ill Children, Infant Care Center and School Age Child Day-care Center.*
- Congregate living facilities with 16 or fewer persons.

R-3.1. [SFM] This occupancy group may include facilities licensed by a governmental agency for a residentially based 24-hour care facility providing accommodations for six or fewer clients of any age. Clients may be classified as ambulatory, nonambulatory or bedridden. A Group R-3.1 occupancy shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in Section 425, Special Provisions For Licensed 24-Hour Care Facilities in a Group I-1, R-3.1 or R-4 Occupancy. This group may include:

- Adult Residential Facilities*
- Congregate Living Health Facilities*
- Foster Family Homes*
- Group Homes*
- Intermediate Care Facilities for the Developmentally Disabled Habilitative*
- Intermediate Care Facilities for the Developmentally Disabled Nursing*
- Nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 310*
- Residential Care Facilities for the Elderly*
- Small Family Homes and Residential Care Facilities for the Chronically Ill*

Exception: Group Homes licensed by the Department of Social Services which provide nonmedical board, room and care for six or fewer ambulatory children or children two years of age or younger, and which do not have any nonambulatory clients shall not be subject to regulations found in Section 425.

Pursuant to Health and Safety Code Section 13143 with respect to these exempted facilities, no city, county, or public district shall adopt or enforce any requirement for the prevention of fire or for the protection of life and property against fire and panic unless the requirement would be applicable to a structure regardless of the special occupancy. Nothing shall restrict the application of state or local housing standards to such facilities if the standards are applicable to residential occupancies and are not based on the use of the structure as a facility for ambulatory children. For the purpose of this exception, "ambulatory children" does not include relatives of the licensee or the licensee's spouse.

R-4 Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living facilities including more than six ambulatory clients, excluding staff.

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code.

This occupancy classification may include a maximum six nonambulatory or bedridden clients (see Section 425, Special Provisions For Licensed 24-Hour Care Facilities in a Group I-1, R-3.1, or R-4 Occupancy). Group R-4 occupancies shall include the following:

Assisted living facilities such as: Residential care facilities, Residential Care Facilities for the Elderly (RCFE's), Adult Residential Facilities, Congregate Living Health facilities, and Group homes.

Social rehabilitation facilities such as: Halfway houses, Community Correctional Centers, Community Correction Reentry Centers, Community Treatment Programs, Work Furlough Programs, and Alcoholism or drug abuse recovery or treatment facilities.

310.2 Definitions. The following words and terms shall, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein.

AGED HOME OR INSTITUTION [SFM] is a facility used for the housing of persons 65 years of age or older in need of care and supervision. (See definition of "Care and supervision.")

BEDRIDDEN PERSON [SFM] means a person, requiring assistance in turning and repositioning in bed, or being unable to independently transfer to and from bed, except in facilities with appropriate and sufficient care staff, mechanical devices if necessary, and safety precautions as determined in Title 22 regulations, by the Director of Social Services or his or her designated representative.

The Director of Social Services or his or her designated representative shall make the determination of the bedridden status of persons with developmental disabilities, in consultation with the Director of Developmental Services or his or her designated representative.

The Director of Social Services or his or her designated representative shall make the determination of the bedridden status of all other persons with disabilities who are not developmentally disabled.

BOARDING HOUSE. A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit.

CARE AND SUPERVISION [SFM] means any one or more of the following activities provided by a person or facility to meet the needs of the clients:

Assistance in dressing, grooming, bathing and other personal hygiene.

Assistance with taking medication.

Central storage and/or distribution of medications.

Arrangement of and assistance with medical and dental care.

Maintenance of house rules for the protection of clients.

Supervision of client schedules and activities.

Maintenance and/or supervision of client cash resources or property.

Monitoring of food intake or special diets.

Providing basic services required by applicable law and regulation to be provided by the licensee in order to obtain and maintain a community-care facility license.

CATASTROPHICALLY INJURED, [SFM] as termed, means a person whose origin of disability was acquired through trauma or nondegenerative neurologic illness, for whom it has been determined by the Department of Health Services Certification and Licensing that active rehabilitation would be beneficial.

CHILD-CARE CENTER [SFM] is any facility of any capacity other than a large or small family day-care home as defined in these regulations in which less than 24-hour-per-day nonmedical supervision is provided for children in a group setting.

CHILD OR CHILDREN [SFM] is a person or persons under the age of 18 years.

CHRONICALLY ILL. [B] [SFM] See "Terminally ill."

CONGREGATE LIVING HEALTH FACILITY (CLHF), [SFM] as termed, is a residential home with a capacity of no more than six beds, which provides inpatient care, including the following basic services: medical supervision, 24-hour skilled nursing and supportive care, pharmacy, dietary, social recreational, and at least provides services for persons who are diagnosed with a terminal illness or who are catastrophically and severely disabled.

CONGREGATE LIVING FACILITIES. A building or part thereof that contains sleeping units where residents share bathroom and/or kitchen facilities.

CONGREGATE RESIDENCE [SFM] is any building or portion thereof that contains facilities for living, sleeping and sanitation, as required by this code, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity or sorority house, but does not include jails, hospitals, nursing homes, hotels or lodging houses.

DAY CARE [SFM] shall, for the purposes of these regulations, mean the care of persons during any period of a 24-hour day where permanent sleeping accommodations are not provided.

Note: "Day care" shall not be construed to preclude the use of cots or mats for napping purposes, provided all employees, attendants and staff personnel are awake and on duty in the area where napping occurs.

DAY-CARE HOME, LARGE FAMILY [SFM] is a provider's own home which is licensed to provide day care for periods less than 24 hours per day for nine to 14 persons, including children under the age of 10 years who reside at the home.

DAY-CARE HOME, SMALL FAMILY [SFM] is a home which provides family day care to eight or fewer children, including children under the age of 10 years who reside at the home, in the provider's own home, for periods of less than 24 hours per day. Small-family day-care homes are exempted from state fire and life safety regulations other than those state and

local standards applicable to Group R, Division 3 occupancies. [See Health and Safety Code, Section 13143 (b).]

DORMITORY. A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories or fraternity houses.

FULL-TIME CARE [B] [SFM] shall mean the establishment and routine care of persons on an hourly, daily, weekly, monthly, yearly or permanent basis, whether for 24 hours per day or less, and where sleeping accommodations are provided.

INFANT, [B] [SFM] for the purpose of these regulations, shall mean any child who because of age only, is unable to walk and requires the aid of another person to evacuate the building. In no case shall the term "infant" mean a child beyond two years of age.

MENTALLY RETARDED PERSONS, PROFOUNDLY OR SEVERELY [B] [SFM] shall mean any retarded person who is unable to evacuate a building unassisted during emergency conditions.

Note: The determination as to such incapacity shall be made by the Director of the State Department of Public Health or his or her designated representative pursuant to Health and Safety Code Section 13131.3.

NONAMBULATORY PERSONS [B] [SFM] are persons unable to leave a building unassisted under emergency conditions. It includes, but is not limited to, persons who depend on mechanical aids such as crutches, walkers and wheelchairs and any person who is unable to physically and mentally respond to a sensory signal approved by the State Fire Marshal or an oral instruction relating to fire danger.

The determination of ambulatory or nonambulatory status of persons with developmental disabilities shall be made by the Director of Social Services or his or her designated representative, in consultation with the director of Developmental Services or his or her designated representative. The determination of ambulatory or nonambulatory status of all other disabled persons placed after January 1, 1984, who are not developmentally disabled shall be made by the Director of Social Services or his or her designated representative.

RESIDENTIAL CARE FACILITY FOR THE CHRONICALLY ILL (RCF/CI) [SFM] as termed, means a housing arrangement with a maximum capacity of 25 residents that provides a range of services to residents who have chronic, life-threatening illnesses.

RESIDENTIAL CARE FACILITY FOR THE ELDERLY (RCFE) [SFM] as defined in Health and Safety Code Section 1569.2, shall mean a facility with a housing arrangement chosen voluntarily by persons 60 years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision or personal care are provided, based on their varying needs, as determined in order to be admitted and to remain in the facility. Persons under 60 years of age with compatible needs, as determined by

the Department of Social Services in regulations, may be allowed to be admitted or retained in a residential care facility for the elderly.

Pursuant to Health and Safety Code Section 13133, regulations of the state fire marshal pertaining to Group R, Division 2 occupancies classified as Residential Facilities (RF) and Residential Care Facilities for the Elderly (RCFE) shall apply uniformly throughout the state and no city, county, city and county, including a charter city or charter county, or fire protection district shall adopt or enforce any ordinance or local rule or regulation relating to fire and panic safety which is inconsistent with these regulations. A city, county, city and county, including a charter city or charter county may pursuant to Health and Safety Code Section 13143.5, or a fire protection district may pursuant to Health and Safety Code Section 13869.7, adopt standards more stringent than those adopted by the state fire marshal that are reasonably necessary to accommodate local climate, geological, or topographical conditions relating to roof coverings for Residential Care Facilities for the Elderly.

RESIDENTIAL FACILITY (RF) [SFM] as defined in Section 1502 of the Health and Safety Code, shall mean any family home, group care facility, or similar facility determined by the director of Social Services, for 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual. Such facilities include small family homes and social rehabilitation facilities.

Pursuant to Health and Safety Code Section 13133, regulations of the State Fire Marshal pertaining to Group R Occupancies classified as Residential Facilities (RF) and Residential Care Facilities for the Elderly (RCFE) shall apply uniformly throughout the state and no city, county, city and county, including a charter city or charter county, or fire protection district shall adopt or enforce any ordinance or local rule or regulation relating to fire and panic safety which is inconsistent with these regulations. A city, county, city and county, including a charter city or charter county may pursuant to Health and Safety Code Section 13143.5, or a fire protection district may pursuant to Health and Safety Code Section 13869.7, adopt standards more stringent than those adopted by the state fire marshal that are reasonably necessary to accommodate local climate, geological, or topographical conditions relating to roof coverings for Residential Care Facilities for the Elderly.

TERMINALLY ILL [SFM] as termed for an individual, means the individual has a life expectancy of six months or less as stated in writing by his or her attending physician and surgeon.

TRANSIENT. Occupancy of a dwelling unit or sleeping unit for not more than 30 days.

310.3 Large-family day care homes. [SFM]

310.3.1 For purposes of clarification, Health and Safety Code Section 1597.46 is repeated.

- (a) A city, county, or city and county shall not prohibit large-family day-care homes on lots zoned for sin-

replacement of nonfire retardant wood roof covering material, as complying with the requirement in Section 2695.9 of Title 10 of the California Code of Regulations relative to matching replacement items in quality, color, and size.

(1) No common interest development, as defined in Section 1351 of the Civil Code, may require a homeowner to install or repair a roof in a manner that is in violation of this section. The governing documents, as defined in Section 1351 of the Civil Code, of a common interest development within a very high fire severity zone shall allow for at least one type of fire retardant roof covering material that meets the requirements of this section.

13133. (a) The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, as defined in Section 1502, and residential care facilities for the elderly, as defined in Section 1569.2. Notwithstanding Sections 13143.2, 13143.5, and 13869.7, building standards adopted by the State Fire Marshal pursuant to this section and published in the State Building Standards Code relating to fire and panic safety, and other regulations adopted by the State Fire Marshal pursuant to this section, shall apply uniformly throughout the state, and no city, county, city and county, including a charter city or charter county, or fire protection district shall adopt or enforce any ordinance or local rule or regulation relating to fire and panic safety in buildings or structures subject to this section that is inconsistent with building standards adopted by the State Fire Marshal pursuant to this section and published in the State Building Standards Code relating to fire and panic safety, or other regulations adopted by the State Fire Marshal pursuant to this section.

(b) Notwithstanding subdivision (a), a city, county, city and county, including a charter city or charter county may pursuant to Section 13143.5, or a fire protection district may pursuant to Section 13869.7, adopt standards more stringent than those contained in subdivision (a) that are reasonably necessary to accommodate local climate, geological, or topographical conditions relating to roof coverings for residential care facilities for the elderly.

13135. The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities, as defined in Section 11834.11, based on whether the residents or patients of the facilities are nonambulatory, as defined in Section 13131, and not based on the age of residents or patients of the facilities.

**TABLE 602
FIRE-RESISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE^{a,c}**

FIRE SEPARATION DISTANCE = X (feet)	TYPE OF CONSTRUCTION	OCCUPANCY GROUP H, L	OCCUPANCY GROUP F-1, M, S-1	OCCUPANCY GROUP A, B, E, F-2, I, H, S-2, U ^d
$x < 5^e$	All	3	2	1
$5 \leq x < 10$	IA Others	3 2	2 1	1 1
$10 \leq x < 30$	IA, IB IIB, VB Others	2 1 1	1 0 1	1 ^d 0 1 ^d
$x \geq 30$	All	0	0	0

For SI: 1 foot = 304.8 mm.

a. Load-bearing exterior walls shall also comply with the fire-resistance rating requirements of Table 601.

b. For special requirements for Group U occupancies see Section 406.1.2

c. See Section 705.1.1 for party walls.

d. Open parking garages complying with Section 406 shall not be required to have a fire-resistance rating.

e. The fire-resistance rating of an exterior wall is determined based upon the fire separation distance of the exterior wall and the story in which the wall is located.

f. Group R-3, and Group U when used as accessory to Group R-3, shall not be required to have a fire-resistance rating where the fire separation distance is 5 feet or more.

**TABLE 602.4
WOOD MEMBER SIZE**

MINIMUM NOMINAL SOLID SAWN SIZE		MINIMUM GLUED-LAMINATED NET SIZE	
Width, inch	Depth, inch	Width, inch	Depth, inch
8	8	6 ³ / ₄	8 ¹ / ₄
6	10	5	10 ¹ / ₂
6	8	5	8 ¹ / ₄
6	6	5	6
4	6	3	6 ¹ / ₈

For SI: 1 inch = 25.4 mm.

PARKING AND TRANSPORTATION

There is room for four cars to park on the property; however, residents are not permitted to park there. Only the house manager and assistant manager are permitted to park onsite. Thus, the maximum number of cars parked onsite at any time will be two. Most residents ride the bus and there is a bus stop located near the home.

The home does not provide general transportation throughout Newport Beach and other neighboring cities. The home provides transportation to only two locations: the treatment facility and St. John church. Both are within ten minutes of the home. St. John is located at 183 East Bay Street in Costa Mesa. The treatment facility is located at 154 East Bay Street in Costa Mesa. Route maps from the home to the treatment facility and from the home to St. John church are attached.

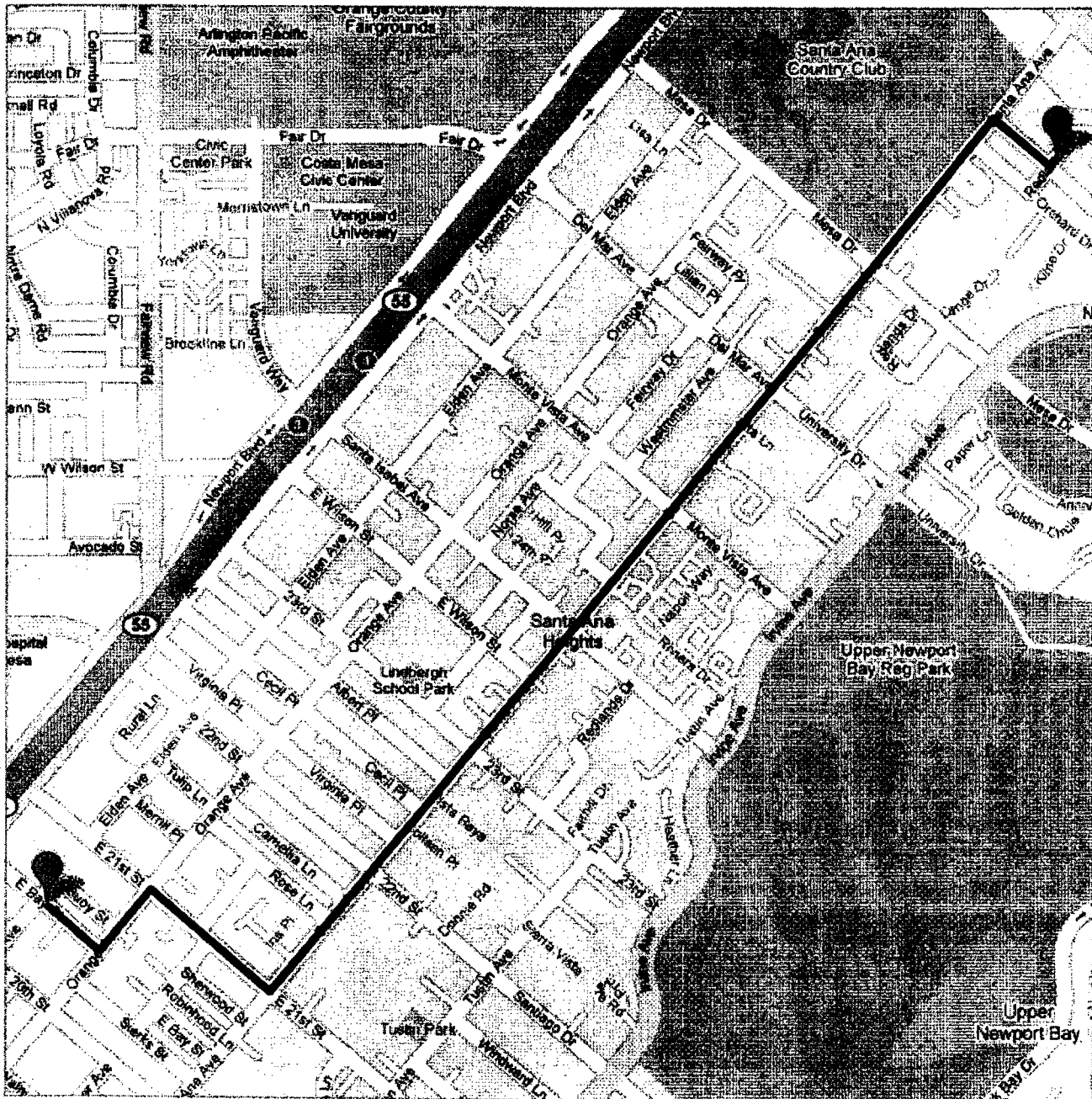
In the morning, residents are transported to either church or treatment. All residents are prohibited from being in the house between 8:00 a.m. and 3:00 p.m. Additionally, all residents must return to the house by 4:00 p.m. Finally, the vans that transport the residents are not parked onsite. When not in use, the vans are kept in another city.



**Directions to 154 E Bay St, Costa
Mesa, CA 92627**

2.4 mi – about 8 mins

From HOME to TREATMENT



YS 00993

 20172 Redlands Dr, Santa Ana, CA 92707

-
- | | |
|---|---------------------------|
| 1. Head southwest on Redlands Dr toward Pegasus St | go 75 ft
total 75 ft |
|  2. Turn right at Pegasus St | go 0.1 mi
total 0.1 mi |
|  3. Turn left at Santa Ana Ave
About 6 mins | go 1.8 mi
total 1.9 mi |
|  4. Turn right at E 21st St
About 1 min | go 0.2 mi
total 2.2 mi |
|  5. Turn left at Orange Ave | go 0.1 mi
total 2.3 mi |
|  6. Turn right at E Bay St
Destination will be on the right | go 0.1 mi
total 2.4 mi |

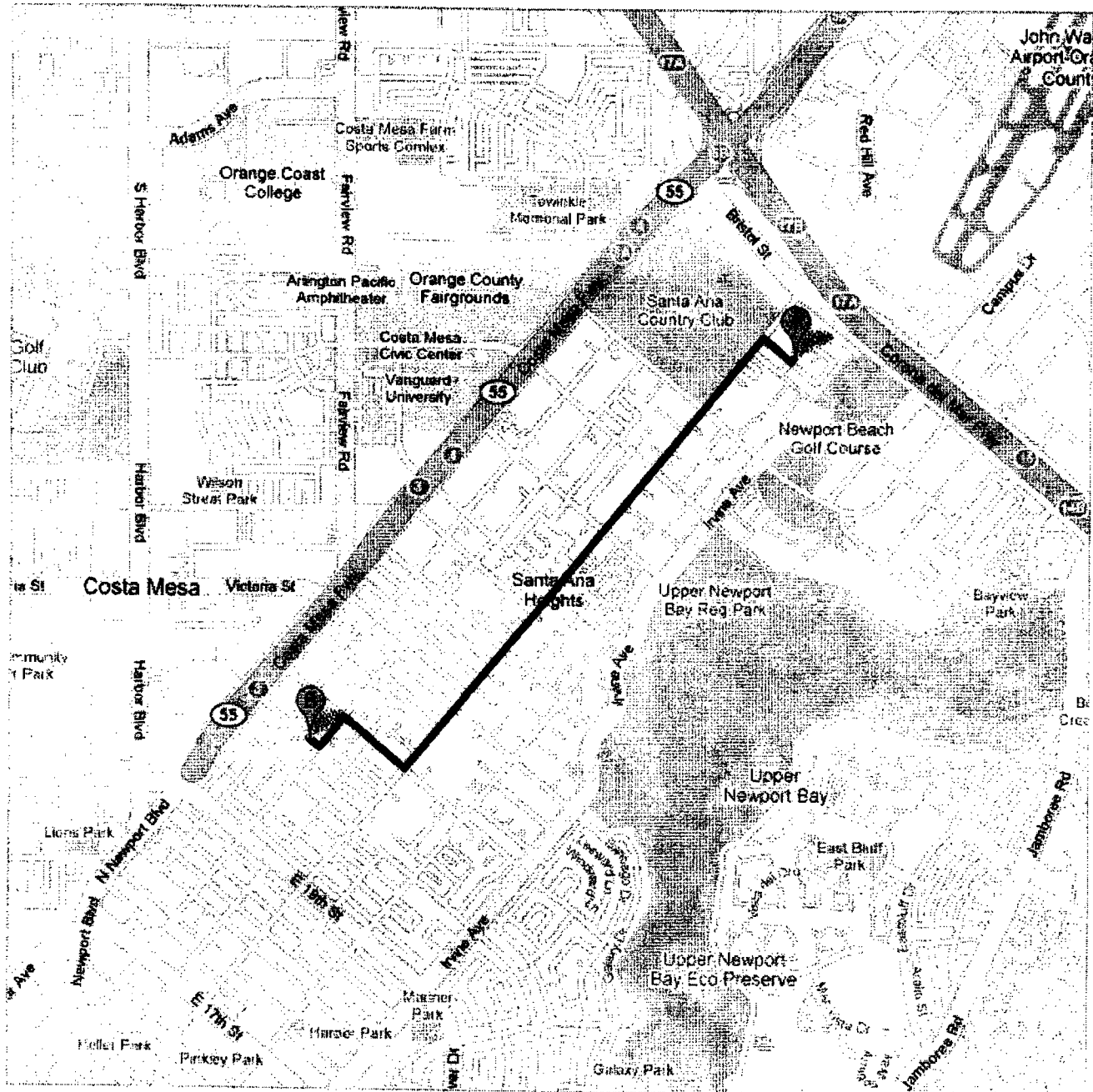
 154 E Bay St, Costa Mesa, CA 92627

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2008 , Tele Atlas



Directions to 183 E Bay St, Costa Mesa, CA 92627
2.4 mi – about 8 mins
From HOME to CHURCH



 20172 Redlands Dr, Santa Ana, CA 92707

-
- | | |
|--|----------------------------------|
| 1. Head southwest on Redlands Dr toward Pegasus St | go 75 ft
total 75 ft |
|  2. Turn right at Pegasus St | go 0.1 mi
total 0.1 mi |
|  3. Turn left at Santa Ana Ave
About 6 mins | go 1.8 mi
total 1.9 mi |
|  4. Turn right at E 21st St
About 1 min | go 0.2 mi
total 2.2 mi |
|  5. Turn left at Orange Ave | go 0.1 mi
total 2.3 mi |
|  6. Turn right at E Bay St
Destination will be on the left | go 223 ft
total 2.4 mi |

 183 E Bay St, Costa Mesa, CA 92627

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2008 , Tele Atlas

Orange County Sober Living Coalition

Affiliated with the Sober Living Network

THE NEWPORT HOUSE

The Newport Sober Living House at 20172 Redlands Drive, Newport Beach, CA

Is approved as a member in good standing
Meets the health and safety standards, as well as the management ability
and ethical guidelines in the operation of a quality sober living home.



Coalition inspection completed 4/15/08
Expires 4/14/09



OC Coalition Chair

OC Coalition Secretary

PROVIDING EQUAL RECOVERY OPPORTUNITIES FOR ALL



PLANNING DEPARTMENT

3300 Newport Boulevard, Building C, Newport Beach, CA 92663
(949) 644-3200 Fax: (949) 644-3229 website: www.city.newport-beach.ca.us

January 21, 2009

Davis & Rayburn, Attorneys at Law
Attention: Isaac R. Zfaty
580 Broadway Street, Suite 301
Laguna Beach, CA 92651

Dear Mr. Zfaty:

Subject: Yellowstone Women's First Step House, Inc.
Property Located at 20172 Redlands Street
Use Permit No. 2008-037 (PA2008-108)

Thank you for your follow-up submittal dated December 23, 2008, received by the City on December 29, 2008. After reviewing the resubmittal material, the following items are incorrect or otherwise incomplete:

1. Please revise the Site Plan (Sheet A-1) to depict building footprints on adjacent parcels, including the distances of those improvements from the property lines. Please note that your original submittal included a site plan showing portions of adjacent structures, but those plans were not accurately drawn, not drawn to scale, and the dimensions indicated were incorrect.
2. Please add the driveway, street curb line (as distinguished from the property line), and adjacent street names to the Site Plan (Sheet A-1).
3. Municipal Code Section 20.91A.050 (C.2) states that the maximum number of residents is restricted to a total of two per bedroom plus one additional resident, resulting in a total of 13 residents for this six-bedroom house. Your plans indicate a total seventeen (17) beds are within the dwelling for an equal number of residents. Therefore, a justification for the additional beds/residents must be submitted, or the number of beds reduced to the amount allowed by the Code. Please refer to page 3 of the application for those items to be considered in determining if a different occupancy limit is to be considered.
4. The architect's letter dated December 15, 2008, is not stamped and is not signed by the architect. Please correct this.

In addition to the above items, the application filing fee of \$2,200 remains unpaid. However, per e-mail correspondence with both the City Attorney's Office and the Planning Department, it is our understanding you will be applying for a reasonable accommodation for a fee waiver based on disability-related financial hardship. This is in addition to the separate request for a reasonable accommodation to be treated as a single housekeeping unit.

Pursuant to Chapter 20.98 of the Zoning Code, if the project for which the request for a reasonable accommodation is made requires another discretionary permit or approval (in this case, a use permit), the applicant may request that the Hearing Officer hear the request for a reasonable accommodation at the same time as the use permit. If you do not request a simultaneous hearing, the request for reasonable accommodation will not be heard until after a final decision has been made regarding the use permit.

Please inform us of whether or not you wish to schedule the requests for reasonable accommodation to be treated as a single housekeeping unit and/or for a fee waiver at the same hearing as the use permit or at a later date. We will need this information by January 27, 2009, so that we may proceed appropriately with preparation of the staff report.

Please be advised that the City of Newport Beach will proceed with the use permit application hearing for the above referenced property on Thursday, February 12, 2009, at 4:00 p.m. in the City Council Chambers. This will be a public hearing and will take place before a third-party hearing officer.

The City has scheduled this hearing despite the fact that your use permit application remains incomplete. Please be advised that by scheduling your application for a public hearing, the City is not deeming your application complete.

We will send a copy of the staff report which addresses your application to you and the hearing officer for review four to seven days in advance of the hearing date.

If you have any questions regarding the process, please do not hesitate to contact me at 949-466-0038, AGARMIJJO@aol.com, or Janet Brown, Associate Planner, at 949-644-3236, jbrown@city.newport-beach.ca.us.

Sincerely,



Albert Armijo
Contract Planner

cc: Dr. Anna Marie Thames, Yellowstone Recovery Programs


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A PROFESSIONAL LAW CORPORATION

RECEIVED BY
PLANNING DEPARTMENT

JAN 27 2009

CITY OF NEWPORT BEACH

January 23, 2009

VIA FIRST CLASS MAIL

Ms. Janet Brown
CITY OF NEWPORT BEACH
3300 Newport Boulevard
Newport Beach, CA 92658-8915

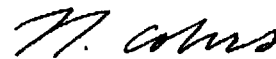
Re: *Hearing for Use Permit Application and Reasonable Accommodations*

Dear Janet:

I received your letters regarding the February 12, 2009 hearing date for the Use Permit Application for the Yellowstone properties. We would like to have both our fee-waiver and our Single Housekeeping Unit Requests for Reasonable Accommodation heard on February 12, 2009 for all of the Yellowstone properties as well. As always, please feel free to contact me if you have any questions.

Very truly yours,

DAVIS ZFATY



NICOLE COHRS


DAVIS • ZFATY
A PROFESSIONAL LAW CORPORATION

RECEIVED BY
PLANNING DEPARTMENT

FEB 02 2009

CITY OF NEWPORT BEACH

January 29, 2009

Z175.1

VIA FIRST CLASS MAIL

Ms. Janet Brown
City of Newport Beach
3300 Newport Boulevard
Newport Beach, CA 92658-8915

Re: Request for Reasonable Accommodation: 20172 Redlands

Dear Ms. Brown:

As you know, this firm is general counsel for Yellowstone Women's First Step House, Inc. ("Yellowstone"). I recently spoke with Cathy Walcott of the City Attorney's office. She informed me of a few ambiguities in our Request for Reasonable Accommodation Worksheet for the 20172 Redlands property (the "Property"). The purpose of this letter is to clarify these ambiguities.

(Question 5) Impairments Substantially Limiting Major Life Activities: Do the clients have physical or mental impairments that substantially limit one or more of such person's major life activities? What are those impairments?

The residents of the Property are recovering from alcohol addiction. They manifest physical and mental symptoms which have prevented them from engaging in at least one of their major life activities.

Although the residents work, they are recovering from a physical dependence on alcohol. Mentally, the residents are recovering from the inability to make healthy choices like the average person in the general population regarding their consumption of alcohol. Their impairments affect their ability to think, concentrate, and interact with others as compared to the ability of the average person in the general population to do the same. Thus, their disability is substantially limiting.

Enclosed with this letter is a Declaration under penalty of perjury from the applicant, Honey Thames, manager of the Property, that every resident in the Property has physical or mental impairments that substantially limit one or more of the residents' major life activities. Cathy Walcott mentioned that this would be acceptable given that the privacy concerns of the residents limit our ability to provide medical records or signatures of the residents.

Ms. Janet Brown
January 29, 2009

(Question 10) Parking: Describe the on-site parking resources and the staff and visitor parking plans.

Parking on the Property is reserved for the manager and assistant manager, thus the maximum number of cars on the Property at any one time will be two. Residents are not permitted to park on the Property. Visitors are not permitted on the Property therefore there are no visitor parking issues.

(Question 11) Operation of Vehicles: Describe client's availability to drive and operate a vehicle while residing at facility.

The residents do not use cars. Instead, they rely on public transportation to and from the Property.

(Question 12) Transportation: Does the facility provide transportation services? If yes, please describe the frequency, duration, and schedule of services and where the vehicles are stored

Though the home generally does not provide transportation services, the home does provide some basic transportation to the nearby treatment facility and to St. John church. Both locations are within ten minutes of the home. There is a morning pickup at 8 a.m. and an evening drop off at 4 p.m. This is the only transportation provided. The vans that transport the residents are not parked on site. When not in use, the vans are kept in another city.

(Question 16) Interaction Within the Property: How do the clients interact with each other within the unit? Is there joint use of common areas? Do clients share household activities and responsibilities? Will delivery trucks be provided at the facility?

The Property provides the residents with a network of support to encourage recovery from the symptoms of alcoholism. The residents reside separately at the Property. There is a common area however each resident is responsible for their own meals, expenses, and chores. There is no individual treatment, group treatment, or group therapy sessions that occur on the Property. The sole purpose of each resident living on the Property is to live in a house with other sober individuals with similar disabilities. Also, there are no delivery vehicles going to and from the Property. Finally, although Yellowstone owns four such homes in the Newport Beach area, there is no interaction between the homes. In other words, residents of the Property do not meet with the residents of other Yellowstone properties for dinners or other gatherings. Each home has its own residents and the residents of one home never interact with residents of a different home.

Ms. Janet Brown
January 29, 2009

(Question 19) Necessity of the Requested Accommodation: Please explain why the requested accommodation is necessary.

Yellowstone hereby requests that a Reasonable Accommodation be made to Ordinance 2008-5 such that Yellowstone is treated as a Single Housekeeping Unit as the term is defined in Section 20.03.030 of the Newport Beach Municipal Code.

The Reasonable Accommodation is necessary because the Property is not transient or institutional in nature such that it fits the definition of a non-licensed residential care facility. Instead, the Property more accurately fits the definition of a Single Housekeeping Unit as the term is defined in Section 20.03.030. Residents are the functional equivalent of a traditional family, whose members are an interactive group of persons jointly occupying a single dwelling unit. Like a Single Housekeeping Unit, there is a common area and each resident is responsible for their own meals, expenses, and chores. There is no individual treatment, group treatment, or group therapy sessions that occur on the Property. The sole purpose of each resident living on the Property is to live in a house with other sober individuals with similar disabilities. Also, the makeup of the Property is determined by the residents of the unit rather than the property manager. In conformity with our request for a Reasonable Accommodation, we would like to request that we get an exemption from Section 20.91A. 050 of the Newport Beach Municipal Code which states that there shall be no more than two residents per bedroom plus one additional resident.

I hope that this clarifies any ambiguity with respect to our previous request for a Reasonable Accommodation. Please let me know if our responses need to be supplemented further and as always, feel free to contact me if you have any questions.

Very truly yours,

DAVIS ZFATY
a professional corporation



NICOLE COHRS

cc: Yellowstone (attn: Dr. Anna Marie Thames)

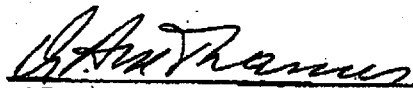
DECLARATION OF ANNA MARIE THAMES

I, Dr. Anna Marie Thames, hereby declare as follows:

1. The matters stated herein are known to me personally and if called upon to testify, I could and would competently testify thereto as follows.
2. All individuals residing in the property located at 20172 Redlands in Newport Beach are recovering from alcohol addiction.
3. Although the residents are recovering, they manifest physical and mental symptoms of their addiction which substantially limit one or more of the residents major life activities

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 28th day of January 2009, at Newport Beach, California.


ANNA MARIE THAMES

Redlands



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RECEIVED
FEB 02 2009

FEB 02 2009

January 29, 2009

CITY OF NEWPORT BEACH

VIA FIRST CLASS MAIL

Ms. Janet Brown
CITY OF NEWPORT BEACH
3300 Newport Boulevard
Newport Beach, CA 92658-8915

Re: *Affidavits for Fee Waiver Reasonable Accommodation*

Dear Janet:

Enclosed are the signed Affidavits of Disability Related Financial Hardship. There is a separate Affidavit for each of the four Yellowstone properties. As we discussed, our responses to the questions relating to the income of the residents pre and post-disability are based on the average resident for each of the homes.

Please feel free to contact me if you have any questions.

Very truly yours,

DAVIS ZFATY

A handwritten signature in dark ink, appearing to read "N. Cohrs".

NICOLE COHRS

Enclosure

AFFIDAVIT OF DISABILITY-RELATED FINANCIAL HARDSHIP
20172 Redlands, Newport Beach

I, Anna Marie Thames, declare:

1. I am an authorized representative of disabled individuals;
2. I am submitting information specific to the financial status of a group of disabled individuals who reside in a household;
3. I am submitting the financial information herein voluntarily because I have requested a reasonable accommodation from the City of Newport Beach, which I believe is necessary because of financial hardship to the disabled individuals I represent;
4. Severe financial constraints which arose as a direct result of the disabled individuals I represent prevent them from complying with one or more provision or provisions of the City of Newport Beach's Municipal Code, Council Policies or usual and customary procedures generally applicable to the type of dwelling in which disabled persons I represent reside or wish to reside;
5. Such provisions of the City of Newport Beach's Municipal Code, Council Policies or usual and customary procedures, if applied to the dwelling in which the disabled individuals I represent reside, will deprive disabled individuals of the opportunity to reside in the dwelling of his or her choice;
6. In order to afford the disabled individuals the opportunity to reside in the dwelling of his or her choice, the permanent or temporary waiver of a fee, tax, nuisance abatement, code enforcement action, repair, zoning, building construction or other requirement of the Newport Beach Municipal Code, Council Policy or customary procedure is necessary;
7. The requested waiving of such fee, tax, nuisance abatement, code enforcement action, repair, zoning, building construction or other requirement is necessary because of financial limitations which are the direct result of the disability of the individuals that I represent;

8. If the disabled individual on whose behalf a financial reasonable accommodation is requested was able to work prior to becoming disabled, please provide information on such individual's pre- and post disability income:
- A. On the following dates, the disability of the persons I represent, rendered such persons severely limited in their ability to work or entirely unable to work:
- The individuals residing in the home were all affected by their disability at different times. During addiction, residents are unable to work. In sober living, however, all residents must find a job.
- B. Prior to the dates on which such disability rendered the disabled individuals I represent unable or severely limited in their ability to work, their annual household income from all sources was approximately \$50,000 (on average).
- C. After the dates on which such disability rendered the disabled individuals I represent unable or severely limited in their ability to work, their annual income from all sources was approximately \$20,000 (on average). Typically, household income is cut approximately in half because of alcoholism. As a result of alcoholism, the residents of the home have been rendered financially disabled. In sober living, the residents must find a job, however, the jobs the residents seeks are near minimum wage (\$8.00 per hour).
9. If the disabled individuals on whose behalf a financial reasonable accommodation is requested were not employed prior to becoming disabled, please state why any financial limitations which render the disabled individuals unable to meet the financial requirements of complying with the Newport Beach Municipal Code are a direct result of such their disability.
- All residents were employed in some manner prior to their addiction.
10. Please provide any additional information you feel would enable City staff and/or hearing officers to determine whether disability-related financial hardship requires an exception from the application of the City's Municipal Code, Council Policies, or usual and customary procedures in order to afford the disabled individuals an opportunity to reside in a dwelling.
- The residents cannot afford their own places to live. Their income is based on near minimum wage hourly rates. Thus, if forced to live elsewhere they could not afford to pay rent, a security deposit for an apartment, food, or utilities. Yellowstone provides a fresh start for recovering alcoholics to begin their life with a clean slate. Our fees are low and donors in the community provide individual scholarships for residents who qualify.

Yellowstone is a non-profit organization. Yellowstone has no investors and no loans. The organization uses the income from residents to cover its costs and Yellowstone makes no profit from the residents. The organization is run by a group of volunteers who are committed to returning the residents back to the community alive and sober as the paying citizens who can help other addicts. As a result, Yellowstone's small budget cannot accommodate the \$2,200 application fee. Yellowstone respectfully requests that the City make a reasonable accommodation in accordance.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this 29th day of January, 2009, in Newport Beach, California.


ANNA MARIE THAMES

COST ANALYSIS OF OUR HOMES IN SANTA ANA HEIGHTS

IN GENERAL, OUR WEEKLY FEES ARE BASED ON A SLIDING SCALE FROM \$50.00 TO \$160 PER WEEK

OUR MORTGAGES AVERAGE \$4500 PER MONTH

A MINIMUM OF 15 RESIDENTS IS NEEDED TO PAY ALL THE EXPENSES FOR EACH HOUSE, INCLUDING
LIGHTS, GAS, WATER AND TRASH.

RENTS: SLIDING SCALE: \$50.00 TO \$160.00 PER WEEK

AVERAGE: RESIDENTS: 16

AVERAGE RENT \$100

MONTHLY AVERAGE: \$6400 INCOME

EXPENSES: FOR EACH HOUSE

AVERAGE UTILITIES \$ 800 LIGHTS, GAS, WATER, PHONE

FOOD: \$ 900

MORTGAGES: AVERAGE \$4500

MONTHLY AVERAGE \$6200 EXPENSES

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PLANNING DEPARTMENT

FEB 05 2009

CITY OF NEWPORT BEACH

VS 01009


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February 13, 2009

LOGGED BY
PLANNING DEPARTMENT

FEB 13 2009

CITY OF NEWPORT BEACH

VIA EMAIL AND FIRST CLASS MAIL

Ms. Cathy Wolcott
Ms. Janet Brown
City of Newport Beach
3300 Newport Boulevard
Newport Beach, California 92658-8915

Re: *Yellowstone Use Permit Applications and Reasonable Accommodation Requests*

Dear Ms. Wolcott and Ms. Brown:

It has recently come to my attention there may be discrepancies between materials Yellowstone submitted with respect to its use permit applications and requests for reasonable accommodation for each of the four Yellowstone properties. Although this firm and the representatives of Yellowstone have made our best efforts to be clear and consistent, the materials submitted to the City in May 2008 reflect some inaccurate information. The purpose of this correspondence is to clarify these inconsistencies.

Group Meetings

Neither group treatment meetings nor individual treatment meetings occur on any of the four Yellowstone properties. All treatment is performed off site in Costa Mesa. The only meetings that occur at each of the four homes are weekly house meetings with the residents to discuss potential new residents and other administrative matters.

Visitors

Visitation with family and friends occurs on Sundays at Yellowstone's Costa Mesa facility located at 154 East Bay Street.

Ms. Cathy Wolcott
Ms. Janet Brown
February 13, 2009
Page 2 of 2

Contractual Arrangements with Residents and Resident Selection

In May 2008, Yellowstone submitted a request for reasonable accommodation that each of the four homes be treated as a Single Housekeeping Unit. It was recently brought to my attention that Yellowstone's response to Question 16, regarding resident interaction, needs clarification.

Yellowstone does not have a contractual relationship with the residents of its properties. With respect to the residents of the four Yellowstone homes in Santa Ana Heights, Yellowstone's position is correctly stated in a letter to the City dated January 29, 2009: "the makeup of the Property is determined by the residents of the unit rather than the property manager." More specifically, Yellowstone's Board of Directors does not determine who resides in each of the four homes. New residents are introduced and approved by the current residents during house meetings or they are not accepted. Many of Yellowstone's residents transition to sober living directly from treatment. Other residents learn about Yellowstone from other recovery centers or by community referral.

Parking

In May 2008, when the original Yellowstone use permit and reasonable accommodation applications were submitted to the City, Yellowstone requested that four cars be permitted to park at the 1561 Indus property. There is adequate room for four cars to park at 1561 Indus, however only the two resident managers for the home park on site. With respect to the three other Yellowstone properties, it has consistently been Yellowstone's position that only the two resident managers of the homes are allowed to park vehicles on site.

I hope that this clarifies the ambiguities in our previous submissions to the City. As always, if you have any questions regarding this correspondence, please feel free to contact me.

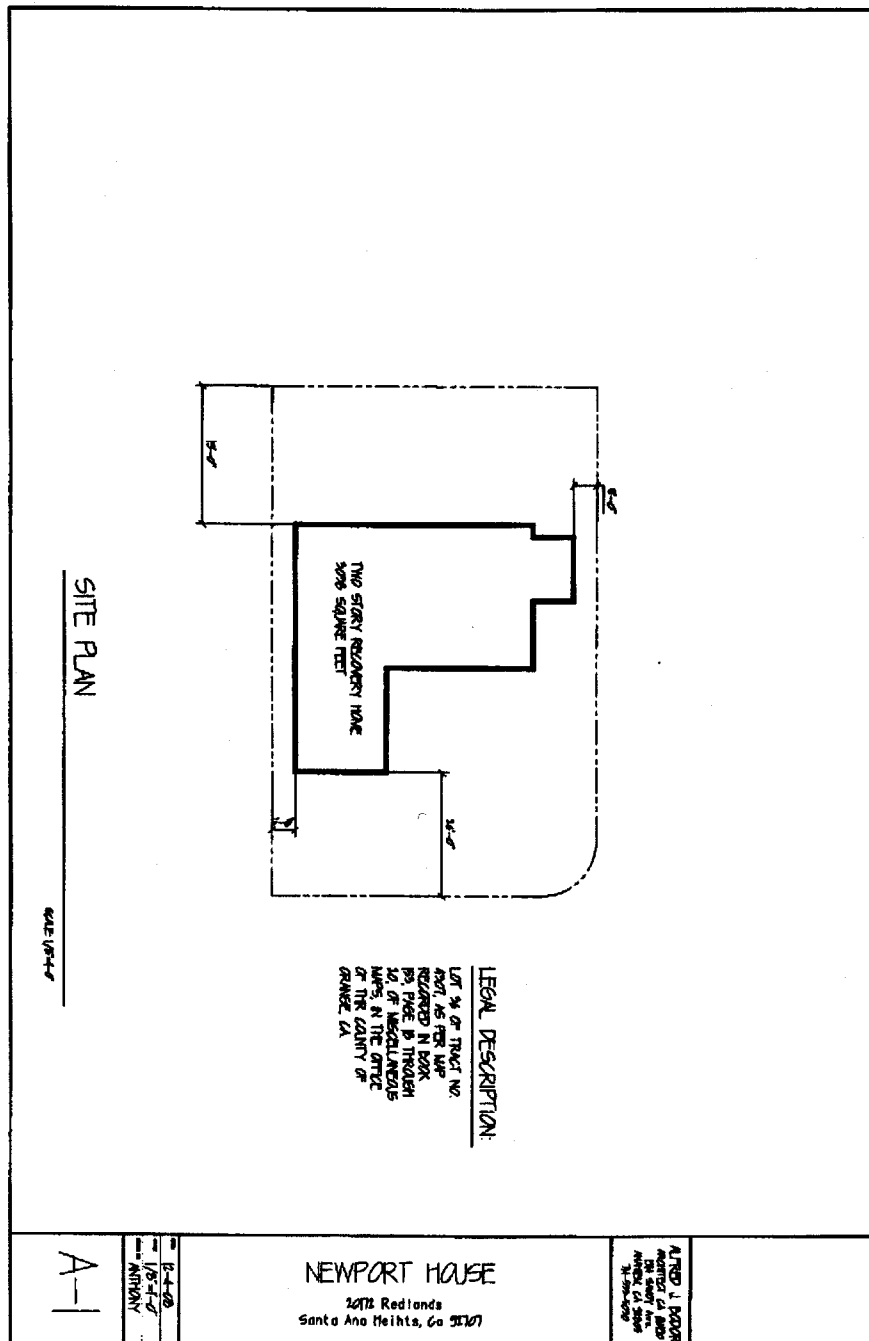
Very truly yours,

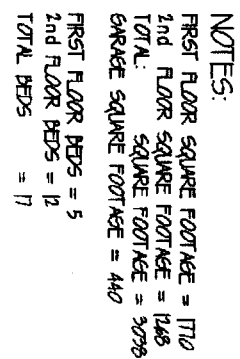
DAVIS ZFATY
a professional corporation


NICOLE COHRS, ESQ.

EXHIBIT 4

SITE PLAN AND FLOOR PLANS



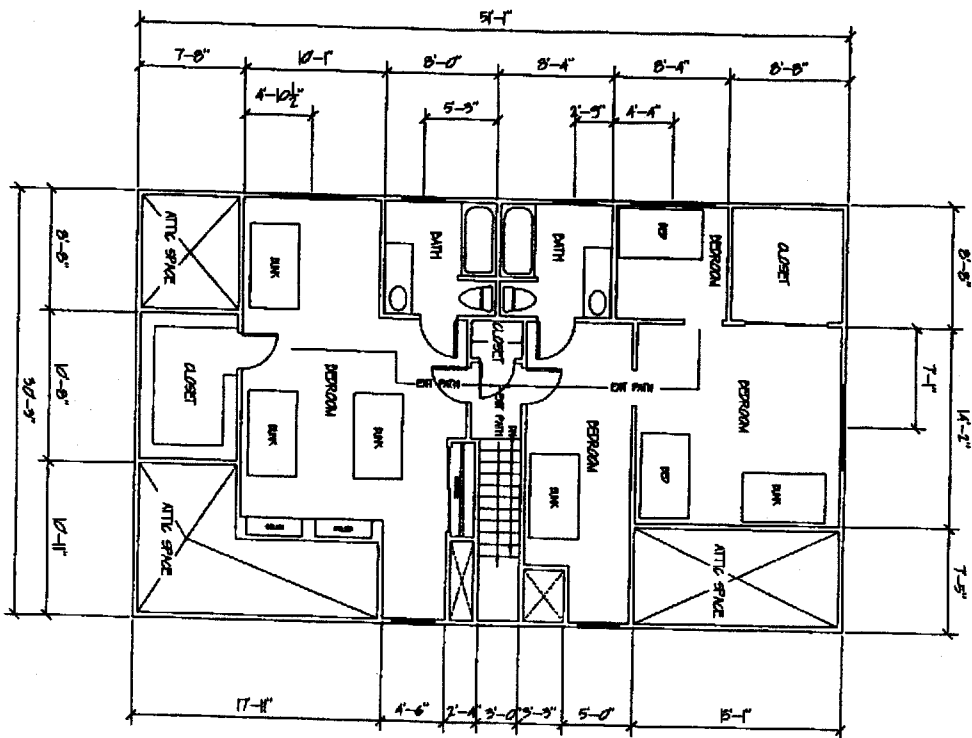


SCALE 1/8"=1'-0"

DATE	12-4-08
TIME	1/4"=1'-0"
NAME OF	ANTHONY

NEWPORT HOUSE
20712 Redlands
Santa Ana Heights, Ca 92707

ALFRED J. PODOR
ARCHITECT CA #4430
164 SANVOY AVE.
NORTHEN, CA 91805
714-533-5030



SECOND FLOOR PLAN

SCALE 1/8"=1'-0"

NOTES:

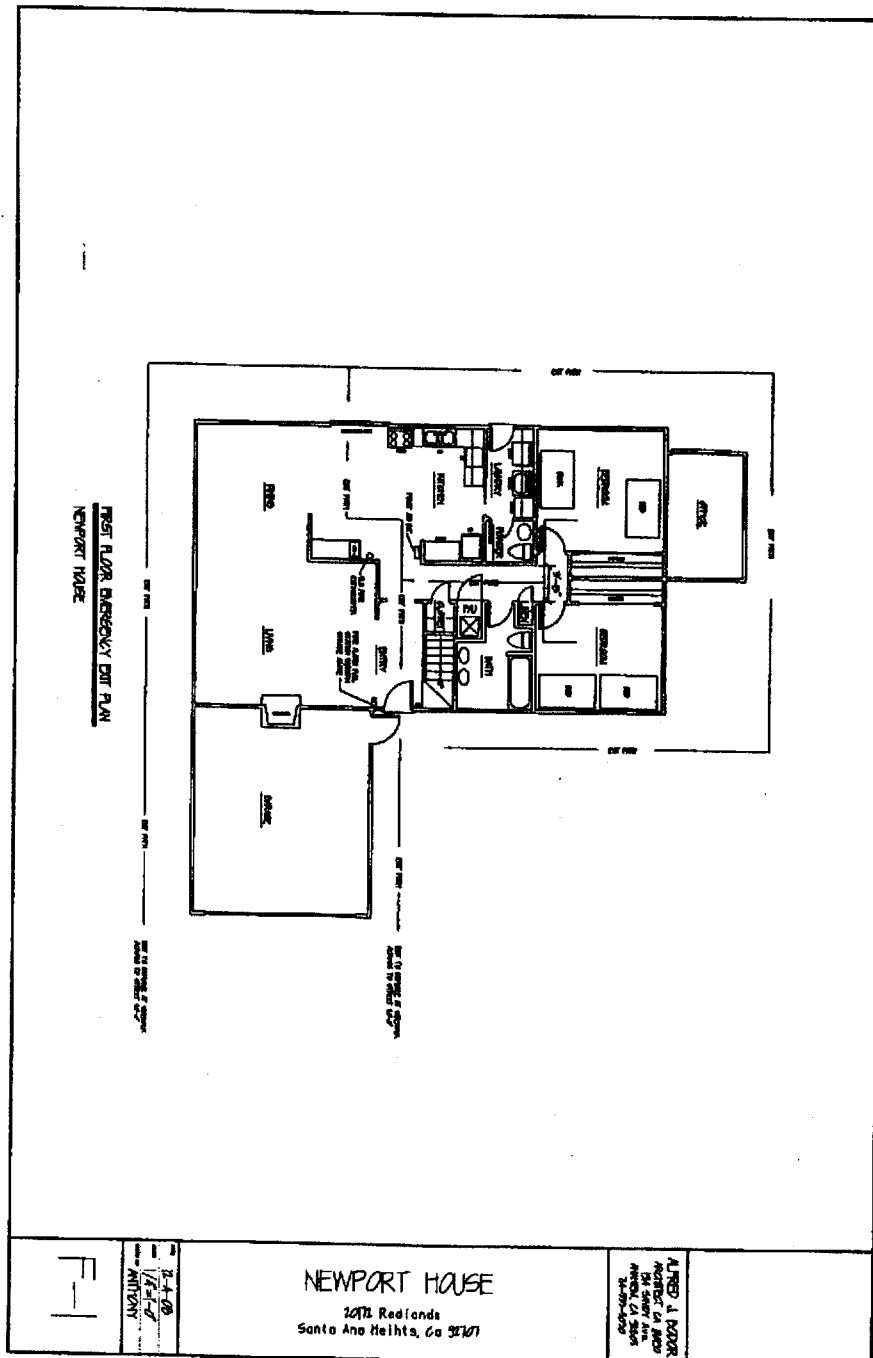
SECOND FLOOR SQUARE FOOTAGE = 1245
SECOND FLOOR BEDS = 12

NEWPORT HOUSE
20172 Redlands
Santa Ana Heights, Ca 92707

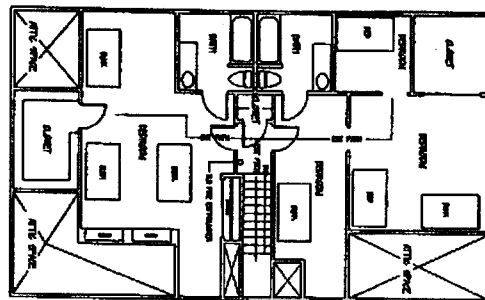
ALFRED J. BOOR
ARCHITECT CA 0000
154 SANJOSE AVE.
ANTHONY, CA 94005
714-295-6000

A-3

DATE 12-4-08
SCALE 1/8"=1'-0"
DRAWN BY ANTHONY



SECOND FLOOR EGRESS EXIT PLAN
NEWPORT HOUSE



F-2	1012 Redlands Santa Ana Heights, Ca 92707	ALFRED J. BOOR 1012 Redlands Santa Ana Heights, Ca 92707
	1012 Redlands Santa Ana Heights, Ca 92707	1012 Redlands Santa Ana Heights, Ca 92707

EXHIBIT 5

FIRE MARSHAL CORRESPONDENCE AND FIRE CODE ANALYSIS SUBMITTAL



NEWPORT BEACH FIRE DEPARTMENT
P.O. Box 1788, 3300 Newport Blvd., Newport Beach, CA 92658-8915

STEVE LEWIS, FIRE CHIEF

January 29, 2009

Dr. Honey Thames
154 East Bay Drive
Costa Mesa, CA 92627

Re: Code Analysis for Yellowstone Recovery: 1561 Indus Street; 1621 Indus Street; 1571 Pegasus; 20172 Redlands, Newport Beach

Dear Dr. Thames:

Thank you for submitting the code analysis and floor plans for the above referenced properties. After reviewing the analysis, we have identified the following areas which will require further clarification:

1561 Indus Street

1. Item # 5: Exception 1 to California Building Code (CBC) Section 903.2.7 excludes single family homes "unless...classified as Group R4". Recovery or treatment facilities for more than 6 clients are classified as Group R4 by Section 310 of the CBC.
2. Item # 6: Stairwell and other components of the means of egress must be illuminated at all times. A switched circuit is not permitted. CBC Section 1006.3 requires back-up emergency lighting for the means of egress. The back-up illumination shall operate automatically and shall last for a minimum of 90 minutes. Please indicate how the illumination will be accomplished.
3. Bedroom egress windows shall be in accordance with CBC Section 1026. Please indicate the net clear opening dimensions as well as the height above the floor for each bedroom window opening.

1621 Indus Street

1. Item # 5: Exception 1 to California Building Code (CBC) Section 903.2.7 excludes single family homes "unless...classified as Group R4."
2. Item # 6: Stairwell and other components of the means of egress must be illuminated at all times. A switched circuit is not permitted. CBC Section 1006.3 requires back-up emergency lighting for the means of egress. The back-up illumination shall operate automatically and shall last for a minimum of 90 minutes. Please indicate how the illumination will be accomplished.
3. Bedroom egress windows shall be in accordance with CBC Section 1026. Please indicate the net clear opening dimensions as well as the height above the floor for each bedroom window opening.

1571 Pegasus Street

1. Item # 5: Exception 1 to California Building Code (CBC) Section 903.2.7 excludes single family homes "unless...classified as Group R4."
2. Item # 6: Stairwell and other components of the means of egress must be illuminated at all times. A switched circuit is not permitted. CBC Section 1006.3 requires back-up emergency lighting for the means of egress. The back-up illumination shall operate automatically and shall last for a minimum of 90 minutes. Please indicate how the illumination will be accomplished.
3. Bedroom egress windows shall be in accordance with CBC Section 1026. Please indicate the net clear opening dimensions as well as the height above the floor for each bedroom window opening.

January 29, 2009

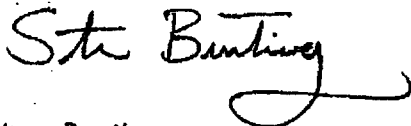
Code Analysis for Yellowstone Recovery: 1561 Indus Street; 1621 Indus Street;
1571 Pegasus; 20172 Redlands, Newport Beach.

20172 Redlands Drive

1. Item # 5: Exception 1 to California Building Code (CBC) Section 903.2.7 excludes single family homes "unless...classified as Group R4."
2. Item # 6: Stairwell and other components of the means of egress must be illuminated at all times. A switched circuit is not permitted. CBC Section 1006.3 requires back-up emergency lighting for the means of egress. The back-up illumination shall operate automatically and shall last for a minimum of 90 minutes. Please indicate how the illumination will be accomplished.
3. Bedroom egress windows shall be in accordance with CBC Section 1026. Please indicate the net clear opening dimensions as well as the height above the floor for each bedroom window opening.

If you have any questions regarding these issues, please call me at 949-644-3106.

Sincerely,



Steve Bunting
Fire Marshal

January 29, 2009

Mr. Steve Bunting
Fire Marshall
CITY OF NEWPORT BEACH
FIRE AND MARINE DEPARTMENT
3300 Newport Boulevard
P.O. Box 1768
Newport Beach, Ca 92658-8915

RECEIVED BY
PLANNING DEPARTMENT

JAN 29 2009

CITY OF NEWPORT BEACH

RE: Yellowstone Recovery ("Newport House" Residence)
Coda Analysis For The Existing Building

Dear Mr. Bunting,

Alfred J. Boder, Architect has been contracted by Yellowstone Recovery to review details of their existing building, titled "Newport House", located at 20172 Redlands, Santa Ana, Ca 92707. Yellowstone Recovery intends to change the use of the building from a single-family residence to a Residential Facility for the non-medical rehabilitation of drug abuse and alcoholism. We have surveyed the existing building and the summary of our findings and conclusions are as follows:

- A. The existing building was constructed in 1961, and was built as a single-family residence, occupancy type R-3. The building is a two-story structure with an attached garage.
- B. The building is set back from the front property line 26'-0". The side yard set back is 5'-0" clear on both sides of the structure.
- C. As the attached plans indicate, the residence is entered through the front door that faces the addressed street. The first floor consists of a living room, dining room, kitchen, bathroom, and two bedrooms. The second floor consists of four bedrooms, and two bathrooms.

Based on this research, the following code issues are in compliance with the current code requirements of the California Building Code, CBC 2007.

- 01. **Location On The Property:** As indicated on the attached plans, the building setbacks for the side yards is five (5) feet from the property line. This distance includes the attached garage. Per CBC section 6, Table 602, the minimum fire separation distance is five feet. This setback is achieved to the property line and from the property line; the

adjacent R-3 residence is also setback five (5) feet from the property line for a total of a ten (10) foot separation from the two buildings.

Conclusion: The wall of the garage at the side yard is not required to be of fire rated construction and there are no penetrations or openings in the attached garage wall.

02. **Section 419, Group I-1, R-1, R-2, R-3, R-3.1, R-4:** 419.2, Separation walls. Section does not apply. Note that the common wall between the attached garage is of one-hour fire rated construction to the bottom of the roof diaphragm and there are no penetrations in this wall.
03. **Section 419.3, Horizontal Separation:** This section does not apply per section 711.1.
04. **Section 425, Special Provisions For Licensed 24-Hour Care Facilities in Group R-1, R-3.1 or R-4 Occupancy (SFM):** Per section 425.3.5, Limitations – Seven or More Clients; The second floor area is less than three thousand (3,000) square feet and therefore a one-hour fire rated construction is not required.

Section 425.7, Fire Protection System Provisions: Section 425.7.1, Automatic Fire Sprinkler Systems. Per section 903.2.7, Group R, an automatic fire sprinkler system is not required per exceptions 1 and 3.

Section 425.7.2, Fire Alarm Systems: Per section 907.2.8 an approved, hard-wired fire alarm system is installed as required per section 907.2.8.2.

Section 427.7.3, Smoke Alarms: Per section 907.2.8.3, battery powered smoke detectors/alarms are installed in the required areas per section 907.2.10.

Section 906.1, Portable Fire Extinguishers: Portable fire extinguishers are installed and located per the California Fire Code.
06. **Chapter 10 Means Of Egress:** Section 1006, means of egress illumination. There is illumination at the top, middle, and bottom of the staircase.

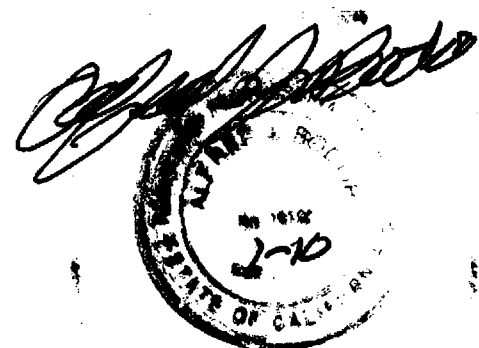
Section 1009, Stairways: Per section 1009.1, exception 1, the staircase complies with the code requirement.

I believe that this is a complete analysis of the code related items which apply to this building during the change of occupancy. Please call Anthony Grillo, my representative, at (949) 678-3214 if you have any questions.

Sincerely,

Alfred Bodor – Architect

Attachments; Scale as-built plans



YS 01024

EXHIBIT 6

**LETTERS IN SUPPORT
(Submitted by Applicant)
AND
LETTERS IN OPPOSITION**

DATE: 01/24/09

TO WHOM IT MAY CONCERN

FROM: THE CROSSING CHURCH, JACKIE DAVIS

THE CROSSING CHURCH IS JUST A MILE AWAY FROM YELLOWSTONE.

WE ALL NOTICE WOMEN COMING TO OUR MEETINGS AND GETTING INVOLVED.
THEY HELP WITH HANDLING OUT THE CHURCH BULLETINS, FOR EXAMPLE.

LAST YEAR THEY HELPED US SERVE FOOD TO THE HOMELESS.

YELLOWSTONE WOMEN AND MEN STAY INVOLVED WITH OUR CHURCH

WE ARE VERY PROUD THAT YELLOWSTONE IS PART OF OUR COMMUNITY.

WE DO WHAT WE CAN TO HELP OUR NEIGHBOR YELLOWSTONE

JUST AS THEY HELP US.

PLEASE CALL IF WE CAN ANSWER ANY QUESTIONS:



JACKIE DAVIS, THE CROSSING CHURCH, 949 566 7901.

RECEIVED BY
PLANNING DEPARTMENT

JAN 29 2009

CITY OF NEWPORT BEACH

YS 01026


DAVIS • ZFATY
A PROFESSIONAL LAW CORPORATION

RECEIVED BY
PLANNING DEPARTMENT
FEB 02 2009
CITY OF
NEWPORT BEACH

January 29, 2009

VIA FIRST CLASS MAIL

Ms. Janet Brown
CITY OF NEWPORT BEACH
3300 Newport Boulevard
Newport Beach, CA 92658-8915

Re: *Yellowstone – Letters of Support*

Dear Janet:

I noticed that the Exhibits to previous Use Permit Applications included letters from neighbors surrounding the homes. Enclosed are copies of letters from alumni of the Yellowstone homes showing their support. I thought you may like to include these as exhibits to our Use Permit Application. As always, please feel free to contact me if you have any questions.

Very truly yours,

DAVIS ZFATY



NICOLE COHRS

Enclosures

cc: Cathy Walcott, City of Newport Beach

My name is Angie and I checked into Yellowstone in 2002. My using and drinking had really spun my life out of control, I was completely lost and felt like I was being eaten alive from the inside out, I was so empty and broken down in the final days of my disease. I couldn't imagine my life any other way. Yellowstone introduced me to A.A. and Recovery and to a higher power. My life has surely been turned around in a way I could have never thought possible. I feel free today and not a slave to a life that had no promise what so ever nor a purpose. I will forever be grateful to have the days and years that Yellowstone taught me how to live sober.....I built my foundation at Yellowstone, I learned how to be a friend again, how to be honest again, how to be dependable again, how to be a good sister, auntie, and daughter.....I have made TRUE and REAL FRIENDS through Yellowstone.....I trade in my old friends for these new sober ones. My life has a real purpose today and Yellowstone helped me find my way to it.

I could go on and on about all the wonderful things that recovery and Yellowstone has given me but I doubt any words could ever truly express what I've been given by being freed from my disease. I come to Yellowstone every week and am still apart of this place still to this day....6 years later.

I hope it is here for other girls to come back and work with the new comers the way I have been given the chance too. It saves me in times when I need it most.

Truly Blessed,

Angela M.
Angela M.

Sobriety Date 11-16-02

My name is Gina and I have been sober for 92 days.

I came to Yellowstone because my life was going nowhere and I couldn't get sober on my own.

Yellowstone has helped me in so many ways. I'm learning the program of Alcoholics Anonymous and how to live as a sober woman. I'm learning how to be responsible. I've met wonderful people here that care about me and support me.

My relationship with my family and my son is being restored and I'm working again.

I am forever grateful to Yellowstone for teaching me a new way of life ONE DAY AT A TIME.

Sincerely,

Gina 

Gina G

Sobriety Date 10/20/08

Hi my name is Gloria I have been sober for two and a half years. I went through Yellowstone and truly believe that had this home not provided me with the foundation that I needed in AA I would not have a life today, nor would my daughter have her mother or my husband her wife. When I decided to get help I couldn't think of going anywhere else. This is where I had seen women come back from the gates of hell and learn to become women of dignity with a joy for life that was unimaginable to me. Had I not found Yellowstone I would have never known that there was a way out of the misery and despair my life had become.

Yours Truly



Sobriety Date
8-21-2006

My name is Erika and I have been sober for 2 ½ years. If it wasn't for a place like Yellowstone, I would probably be dead today. I lived at Yellowstone for over a year where I was able to build a foundation upon how to live life on life's terms. Because of the opportunity that I got at Yellowstone I no longer have that hopelessness that I lived with for so long. I am able to be present in the lives of my children who I now have joint custody of.

Yellowstone is the place that I will continue to come back to and visit the new girls who are struggling the same way I once did. Thank God for Yellowstone.

A handwritten signature in cursive script, followed by a large blacked-out redaction mark.

Sincerely Yours,

Erika [redacted]

7/15/06 - sobriety date.

MY NAME IS MEGHAN DOYLE AND I HAVE BEEN
SOBER FOR FOUR YEARS.

I CAME TO YELLOWSTONE AFTER BEING LOCKED OUT
OF MY MOM'S HOUSE.

I STAYED AT YELLOWSTONE 13 ½ MONTHS.

I LEARNED HOW TO WORK, LIVE A SOBER LIFE,
SUIT UP AND SHOW UP EVERY DAY TO MY JOB,
AND HANDLE LIFE SITUATIONS FOR THE FIRST TIME.

I AM VERY GRATEFUL TO YELLOWSTONE AND
THE PROGRAM OF ALCHOLICS ANONYMOUS.

I AM SELF SUPPORTING NOW AND MAKE AMENDS.

I CAN BE OF SERVICE TO OTHERS TODAY.

SINCERELY

MEGHAN D. [REDACTED] Meghan D. [REDACTED]

SOBRIETY DATE: 04/18/05

MEMO TO: JANET BROWN, CITY OF NEWPORT BEACH

FROM: HONEY THAMES, YELLOWSTONE

SUBJECT: LETTERS OF SUPPORT

COULD YOU PLEASE ADD THESE LETTERS OF SUPPORT TO
OUR APPLICATION.

ONE IS FROM ST. JOHN THE DIVINE CHURCH AND THE OTHER IS FROM
A MOTHER WHOSE SON COMPLETED OUR PROGRAM TWO YEARS AGO.

FINALLY, WE HAVE A PETITION FROM OUR NEAREST NEIGHBORS
(WITHIN 300 FEET) SUPPORTING US AS A GOOD NEIGHBOR.

THANKS IN ADVANCE FOR YOUR HELP



DATE: 2/03/09

RECEIVED BY
PLANNING DEPARTMENT

FEB 05 2009

CITY OF NEWPORT BEACH

*FROM THE DESK
OF
Kimberly Black*

February 3, 2009

Dear Yellowstone Staff,

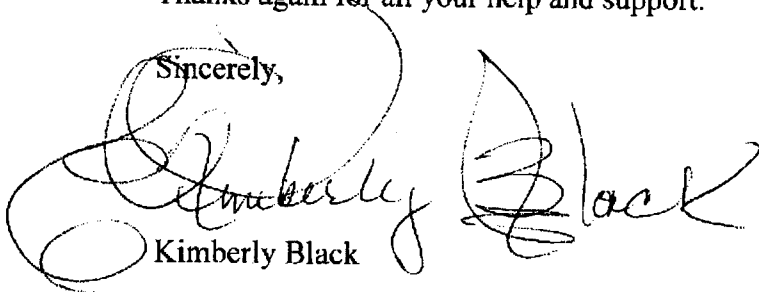
I wanted to take a few minutes to thank you all for the wonderful care my son received while at Yellowstone, as well as the continued support during his time in your sober living program.

Today, I am proud to say my son is **clean and sober**! It's been almost three years since I called you on the telephone, desperate for help. Not only did you open your doors to us, but your hearts as well. I delivered to your doorstep a young man addicted to heroin (among other things) and suicidal. A few short months later I had my son back. You gave him the tools he needed to succeed. He worked very hard and today he is healthy and happy. I know his continued success will be in part to the support he still receives. He in turn gives back by helping others in their sobriety.

I don't know where we would have turned had you not been there for us. I wish for families like ours that your doors will always be open and those arms that so warmly embraced us will never turn away a parent whose child is in danger.

Thanks again for all your help and support.

Sincerely,


Kimberly Black

RECEIVED BY
PLANNING DEPARTMENT

FEB 05 2009

CITY OF NEWPORT BEACH

YS 01034

St. John the Divine Episcopal Church

A parish of the Diocese of Los Angeles
A congregation of the Episcopal Church in the United States
A part of the world-wide Anglican Communion

The Rev. Dr. Barbara R. Stewart, Rector

183 E. Bay Street phone 949-548-2237
Costa Mesa, CA 92627-2145 fax 949-548-2238
www.stjohncm.org
bstewart@stjohncm.org

January 31, 2009

To Whom It May Concern:

I write in support of Yellowstone. The services offered by Yellowstone, helping people live sober and clean lives, are necessary in our society and important to the establishment and ongoing welfare not only of the individuals involved, but our community as well. To begin the process of reclaiming lives lost to alcohol and drugs is something to be valued and appreciated. St. John's is pleased to be able to support the work done by Yellowstone by offering our facility for some of their work.

Sincerely,

Barbara R. Stewart +

The Rev. Dr. Barbara Stewart

RECEIVED BY
PLANNING DEPARTMENT

FEB 05 2009

CITY OF NEWPORT BEACH
YS 01035

YELLOWSTONE IS A GOOD NEIGHBOR

NAME WAYNE ROGALLA

ADDRESS 1561 PEGASUS

S. A. PLYMOUTH 714 429 7474
NEWPORT BEACH

YELLOWSTONE
IS A GREAT
NEIGHBOR

NAME Brian Wecklich

ADDRESS 1552 PEGASUS

Newport Beach 714-662-1406

NAME SEAN JAVIS

ADDRESS 1601 PEGASUS ST.

Newport Beach

NAME Michelle Morahan

ADDRESS 1592 PEGASUS ST

RECEIVED BY
PLANNING DEPARTMENT

FEB 05 2000

CITY OF NEWPORT BEACH

DATE: 2/5/09

TO: Dave Kiff, Asst. City Manager

FROM: Rita Bosley, Resident in Pegasus Tract, NB

RE" Yellow stone Women's First Step House
Public Hearing on group residential use permits
1561 Indus, 1621 Indus, 1571 Pegasus, 20172 Redlands, NB

We have four sober living homes within a few hundred feet of each other in the Pegasus Tract, and I am fed up with my rights being subordinated to theirs. I am not a special interest group, so I have to rely on those who represent me to make sure the right thing happens. Can I rely on the City of NB?

I oppose each of the four applications for permits and exempt status. The laws were put into effect for the purpose of keeping residential neighborhoods for families. These homes are not families, nor do the owners and residents of them care about the people who live here. Their only interest is making money as indicated by the request for three residents/ bedroom instead of 2. This is a single family neighborhood and even rentals are not officially lawful.

To justify my strong feelings, just look what their presence is doing to aggravate the precarious situation the local residents are suffering. We have lived with the noise of the airport and have fallen into the problems of the slacking economy about which we can do very little. But to add insult to injury, we are forced to accept our rights being trampled with the current situation with the sober living homes. This places undue hardship on our properties.

First, their presence in such great numbers for a very small area have changed the family nature of our neighborhood. Families are reluctant to let their children ride around the block on their bikes because of encounters their children may have with "recovering" people.

Secondly, selling a property in this tract requires disclosing the presence of these homes so close to each other and other properties. Therefore, property values and sales have been affected. Getting refinancing is impossible because the last homes sold were sober living homes which went for forced sale prices.

Third, we have cigarette butts and beer cans in front of our homes, even though the homes are supposed to be alcohol/drug free. Not only are the SL residents using, but so are their families who visit. SL residents also travel around the neighborhood in "gangs" as they go from home to home.

Fourth, cars line the street on nights and weekends, leaving no parking for regular residents' cars and their guests. It is an invasion of our neighborhood.

ENOUGH IS ENOUGH!!! If these requests are granted and the homes become such cash cows, why wouldn't every home in the neighborhood be a potential SL residence. Our large homes are even more attractive in this economy.

Maybe the State should reimburse each local resident for undue hardship on us if these exceptions are enacted. The decision is yours! I hope the City uses its power wisely. And I am aware of the City's efforts to find a workable solution. Thank you, Dave, for your efforts towards our community in the past.

Brown, Janet

From: Kiff, Dave
Sent: Friday, February 06, 2009 11:24 AM
To: Brown, Janet; Wolcott, Cathy
Subject: FW: Re: Hearing February 12, 2009 - Group Residential Permits - Yellowstone Women's First Step House, Inc.

For the record. We appear to be having assembly uses out there, too, among other things.

From: Chet Groskreutz [mailto:Chet@IvankoBarbell.com]
Sent: Friday, February 06, 2009 11:23 AM
To: Kiff, Dave
Cc: Victoria Groskreutz; Rita Bosley; Prodancer1@aol. com
Subject: FW: Re: Hearing February 12, 2009 - Group Residential Permits - Yellowstone Women's First Step House, Inc.

-----Original Message-----

From: Chet Groskreutz [mailto:Chet@IvankoBarbell.com]
Sent: Friday, February 06, 2009 11:13 AM
To: Dave Kiff
Cc: Prodancer1@aol. com; Victoria Groskreutz; Rita Bosley
Subject: Re: Hearing February 12, 2009 - Group Residential Permits - Yellowstone Women's First Step House, Inc.

Re: 1561 INDUS STREET
1621 INDUS STREET
1571 PEGASUS STREET
20172 REDLANDS DRIVE
Applications for the above use permits

Dear Dave:

I met you sometime ago at one of the annexation hearings when Santa Ana Heights annexation was being discussed.

I wanted to e-mail and voice my opposition to all (4) of the applications Yellowstone has applied for based on the following complaints:

1. Vehicles that are not being used:

I oppose all (4) applications.

Although we have been told by Yellowstone officials at their own meetings that none of their residents are allowed to drive, we have evidence that the exact opposite is true, there are residents who are driving cars or trucks and parking them on our streets, many times loaded with personal possessions for extended periods of time. They just move the vehicles from street to street to avoid being ticketed or towed.

2. Parking problems:

I oppose all (4) applications.

On their meeting nites and during the day and on weekends, we cannot use any parking in front of our own homes because the spaces are full of attendees for these meetings. I have posted notes on vehicles on several occasions during their meetings in the past years, telling the owners that the next time they park illegally I am going to have their car towed because it was blocking my driveway. Additionally, I have picked up soda cans, cigarette butts, even beer bottles (

interesting since these are supposed to be sober living homes) and other trash all over the street and on the sidewalk after these "meeting nites". The meetings break up around 9:00 pm but often the attendees stand around in the street until 10:00 p.m. or later talking loudly and disturbing my granddaughters who are asleep.

3. Residential requirements exemption request for more than two residents per bedroom plus one additional resident:

I oppose all (4) applications.

I oppose any variance from the existing NBMC. As it is, there is no control over the massive influx of visitors to the residents of these homes, day and nite, visitors are constantly going back and forth from vehicles to these houses... This means that in one of these 4-5 bedroom homes, they could have as many as they want per bedroom.... all it says is that they are asking for more than two residents per bedroom, it could be 3, 4, or even 5 or more residents per bedroom and that would mean in one 5 bedroom home, they could stick up to 25 people or more in the house! If 1 or 2 visitors come daily per resident, there's another potentially 100 people per day coming into our neighborhood, plus the 100 or so living in the houses, that's a potential of 200 more people in our neighborhood... and the potential public health and safety impact should be obvious and in my view is a blatant disregard for the rights of taxpaying residents by Yellowstone Inc., it's nothing personal to them, it's just business!

4. Unlicensed adult alcohol and/or drug abuse facilities:

I oppose all (4) applications.

I oppose any applications for the approval of the above use permits for operation of unlicensed adult alcohol and/or drug abuse facilities. Right now... these homes are unlicensed and therefore are not under any licensing regulations. They are exempt. They should not be exempt. They should apply for the proper licenses that all other facilities of this kind is required by law to have. Their impact as a business on our residential community is and has been devastating.

5. Public safety :

I oppose all (4) applications.

Last week, I think it was January 28th, when I came home, at about 9:50 pm. out complete tract was blocked off and I could not get into Pegasus Street because the police officer told me that there "was a man with a gun" in our neighborhood. It took a half an hour before I was finally let into my own neighborhood to go to bed, due to some wacko who allegedly had a gun. We never had in the 30 years I have lived in my house, ~~ever~~ anything like this happen. I do not think that this was coincidental and I believe that sooner or later, there will be one of these residents from an unlicensed adult facility or a relative or acquaintance of one of them, who will successfully commit some serious crime against someone. Statistically, to have this many (4) homes in such a small concentrated area, it's no surprise that there has only been (1) situation like what happened on Wednesday. Fortunately, no one was hurt.... but I fear the next time and there most assuredly will be a next time, if these unlicensed homes are allowed to go unchecked, we may not be so lucky.

6. 100% cost recovery approval:

I oppose all (4) applications.

I oppose this request on the grounds that this is a residential neighborhood and not zoned for business. 100% cost recovery translates to pay for services rendered at these homes... and thus Yellowstone is running (4) run for profit businesses out of our residential neighborhood.

7. Decline in property values:

I oppose all (4) applications.

Recently, we attempted to refinance our home and we were told that the appraised value of our home was affected by neighborhood properties. These values had fallen drastically. We believe the decline in values has been caused in great measure, by the operation of these (4) homes in our neighborhood. We believe that these home have had a negative impact on our property values and that we have suffered financial damages up to and including the inability to receive a

fair appraisal of the value of our home due to the impact caused by the operation of the (4) Yellowstone properties as per above mentioned.

In summary, I oppose all (4) applications for the YELLOWSTONE WOMEN'S FIRST STEP HOUSE, INC.

Sincerely,

Chet P. Groskreutz
1551 Pegasus Street
Newport Beach, Ca.
Ph.(714) 545-1832
Bus.:(310) 514-1155

Brown, Janet

From: Kiff, Dave
Sent: Monday, February 09, 2009 7:21 PM
To: Brown, Janet
Subject: FW: Yellowstone Group Homes, West Santa Ana Heights

From: mike mcdonough [mailto:mmcdonough01@hotmail.com]
Sent: Monday, February 09, 2009 7:12 PM
To: Kiff, Dave
Subject: Yellowstone Group Homes, West Santa Ana Heights

Mr. Kiff,

I own 1562 Pegasus Street, Newport Beach. My wife and I are opposed to the granting of use permits for the Group homes in our neighborhood. We have resided at this location for 36 years, my four children grew up on this street, playing with the children of other long time residents. We have always felt safe in the past but now don't allow our grandchildren play in the front yard.

On a daily basis we observe individuals wandering the neighborhood, often in groups of 3 or 4, with no apparent business or destination. Trash, bottles, and cigarette butts on the street and parkways has increased, parking of vehicles for several days at a time is common, and groups from meetings mill about talking loudly. All these issues cause a negative impact on the neighborhood. In the last 2 years my vehicle has been entered at least twice and property stolen. Are the thefts related? No way to know for sure.

Four sober living homes are within 100 yards of my front door. I have been advised by a real estate agent that I must disclose, to prospective buyers, the location of Sober Living Group homes close to my property. This has a negative impact on property values and if these properties are allowed to house, expand or increase the number of clients property values will continue to fall.

Another consideration is the cost of city services to these locations. The NBFd has responded several times on medical aid calls to sober living homes in the neighborhood. These drug and alcohol related medical calls are time consuming, costly in relation to personnel and equipment, and disruptive to the community.

I urge the City to deny the use permits for these property and return our neighborhood to a family oriented community.

Thank you,

Mike McDonough
1562 Pegasus Street
Newport Beach, Ca

Brown, Janet

From: Brian Wecklich [bwecklich@hotmail.com]
Sent: Thursday, February 12, 2009 9:04 AM
To: Brian Wecklich; Brown, Janet
Subject: Public hearing for use permits

Hello

I'm writing about the public hearing regarding the 4 rehab houses in the area of Pegasus St. Newport Beach. My house is located at 1552 Pegasus st. Newport Beach. I have not had any issues with the houses you are trying to address at this time. At the same time I do not want to see any issues in the future. The issue that comes to attention is parking in our neighborhood. Where these houses do not contribute to the problem at present I want to make sure they do not in the future. There is a rehab house at the corner of Pegasus and Santa Ana Ave that is run by another group. I do not know what the name of that group is. They are a major problem as far as parking goes. There are so many vehicles from that house that they park in front of four or five houses up the street. They have inadequate parking for their operation. If these type houses are going to operate in our neighborhood I want to make sure they do not infringe on the others in the neighborhood. So I guess I am saying that some sort of parking regulation or enforcement should go along with the Use Permits they are requesting.

Thank You

Brian Wecklich
1552 Pegasus St
Newport Beach, California

714 609 1441
BWecklich@Live .com

Brown, Janet

From: Michelle Rosenthal [shoppingfenatic143@yahoo.com]
Sent: Thursday, February 12, 2009 4:45 PM
To: Brown, Janet
Subject: PUBLIC HEARING 2/20: USE PERMITS FOR REHAB HOUSES

To City of Newport Beach:

My name is Michelle Rosenthal. I am a homeowner living at 1661 Indus Street. My husband and I just moved to this neighborhood in November 2007. It was not until after we moved into our neighborhood and began asking questions that we learned of these "rehab businesses" in our area. It was rather disappointing to find this out and it wasn't something that was disclosed at the time we purchased our home.

The scenario is quite simple. These are not homes...they are businesses:

- Cars and people are constantly coming and going
- These addicts wander from home to home without any regard for traffic
- Their shuttle vans are parked all over the neighborhood
- They host weekly meetings inviting more people like themselves into the neighborhood, parking all over the streets, smoking, and hanging in the streets
- They take no pride in their homes and do not maintain them to the standards as a homeowner normally would
- People congregate and smoke in their front yards
- They generate massive amounts of trash with more people than a normal family living under one roof

Bottom line, they depreciate the value of our neighborhood, I am not an addict, I am not in rehab, and do not wish to have these people living a few doors down from me.

I paid FULL PRICE for my home, am a decent citizen and homeowner....why do I have 4 homes being ran as businesses in my neighborhood, making a profit off people who are "recovering" from drug/alcohol abuse? "Halfway house" is what they call it and half way is how they maintain it and portray the neighborhood. My husband and I want to live in a family environment. If we stepped up the prestige of our community and became part of the city of Newport Beach, clean house and get the riff-raff out. PULL THEIR PERMITS AND GET THEM OUT OF OUR NEIGHBORHOOD PLEASE.

Thank you for your time and attention to my strong feelings on this issue.

Exhibit No. 7
Reasonable Accommodation
Application dated August 22, 2008



DAVIS • RAYBURN
A PROFESSIONAL LAW CORPORATION

RECEIVED BY
PLANNING DEPARTMENT

AUG 26 2008

CITY OF NEWPORT BEACH

August 22, 2008

8005-003

VIA FIRST CLASS MAIL

Ms. Janet Brown
CITY OF NEWPORT BEACH
3300 Newport Boulevard
Newport Beach, CA 92658-8915

Re: Notice of Incomplete Application: 20172 Redlands Dr.

Dear Ms. Brown:

As you know, this firm is general counsel for **Yellowstone Women's First Step House, Inc. ("Yellowstone")**. We are in receipt of the City of Newport Beach's Notice of Incomplete Application for the property located at 20172 Redlands Dr. (the "Property").

In response to that notice, we provide herewith the following:

1. Application Form 100, Item 2, Property Owner Information: the requested information is enclosed herewith.
2. Item 3B: We have no information regarding other similar uses and we appreciate the City's offer to provide this information.
3. Item 4: We cross-reference and incorporate the other applications, which are being provided concurrently under separate cover.
4. Item 5: We have no information regarding other conditional uses and we appreciate the City's offer to provide this information.
5. Item 6: A site plan is enclosed herewith.
6. Item 8B: Resident capacity is 16. Total capacity is 18.
7. Item 8C: A floor plan is enclosed herewith.
8. Item 8L: The acknowledgement re secondhand smoke is enclosed herewith.
9. Item 10D: Dr. Thames is the facility Director.
10. Form 200: A board resolution is enclosed herewith.
11. Form 850: Fire Marshall Clearance is enclosed herewith.
12. Request for reasonable accommodation: See the enclosed form.

The one item that we have not included in this correspondence is the requested \$2,200.00 fee. After reviewing the code, we have been unable to locate any discussion of such fee. We mention this not to question the City's authority to impose such a fee, but rather because we have not seen any statutory scheme that should provide for a hardship exception. We would respectfully request that the City furnish such authority, and also provide us with any exemption

City of Newport Beach
August 22, 2008
Page 2

application. Alternatively, we would request an extension of time to remit such fee so that we might be able to raise the funds necessary to accommodate the City's request.

As a final note, it is worth mentioning that it is our understanding that the Property is still currently located in an unincorporated area of Orange County known as Santa Ana Heights, and that the Newport Beach annex of the property is not yet complete. If this is true, then we would submit that the city of Newport Beach does not have jurisdiction over this property. Any response that the City can provide regarding this matter would be greatly appreciated. To the extent that our understanding is correct, we would ask that the City simply hold our application until such time as the annexation is complete, so that the parties are not required to reinitiate this process.

Please accept our apologies for the delay in providing the enclosed information. As always, if you have any questions regarding these applications, please feel free to contact us.

Very truly yours,



ISAAC R. ZFATY

IRZ/jmk

cc: Yellowstone (attn: Dr. Anna Marie Thames)

RECORDING REQUESTED BY:
Anna Thames

AND WHEN RECORDED MAIL TO:
Anna Thames

28 IMA LOA
Newport Beach
Cal 92663

Recorded in Official Records, Orange County
Tom Daly, Clerk-Recorder

2006000539234 03:45pm 08/11/06
106 200 G02 2
0.00 0.00 0.00 0.00 3.00 0.00 0.00 0.00

A.P.N. 119-362-07

(SPACE ABOVE THIS LINE IS FOR RECORDER'S USE)

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS \$.00
(X) computed on full value of property conveyed, or
() computed on full value less liens or encumbrances remaining at time of sale
(X) City of Santa Ana

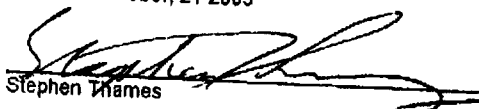
FOR A VALUABLE CONSIDERATION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED,

Stephen Thames, an unmarried man

hereby GRANT(S) to Anna Thames, an unmarried woman and Stephen Thames, an unmarried man as joint tenants
the following described real property in the City of Santa Ana, County of Orange, State of California:

See Exhibit A attached hereto and made a part hereof

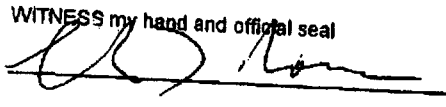
DATED: October, 21 2005

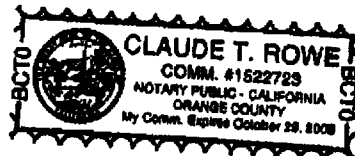

Stephen Thames

STATE OF CALIFORNIA
COUNTY OF Orange

On 11/14/05 before me, the undersigned, a notary public in and for said County and State,
personally appeared Stephen Thames
Personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or entity upon behalf of
which the person acted, executed the instrument.

WITNESS my hand and official seal


Claude T. Rowe



MAIL TAX STATEMENTS TO RETURN ADDRESS ABOVE

ORANGE, CA Document: DD 2006.539234

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1048
YS 01048

EXHIBIT "A"

All that certain real property situated in the County of Orange, State of California, described as follows:

Lot 36 of Tract No. 4307, in the County of Orange, State of California, as per map recorded in Book 153, Pages 18 through 20, inclusive, of Miscellaneous Maps, in the Office of the County Recorder of said County.

Assessor's Parcel Number: **119-362-07**

TO: CITY OF NEWPORT BEACH
FROM: STEPHEN THAMES
RE: AUTHORIZATION

THIS IS AN OFFICIAL AUTHORIZATION TO MAKE
APPLICATIONS FOR MY RESIDENCE AT
20172 REDLANDS
SANTA ANA HEIGHTS, CAL

IT IS CURRENTLY LICENSED WITH THE STATE OF
CALIFORNIA, ALOCOHOL AND DRUG PROGRAMS

DATE AUTHORIZED: APRIL 30, 2008


SIGNATURE