

**OHLONE COMMUNITY COLLEGE DISTRICT
MEMORANDUM**

TO: Board of Trustees

FROM: Douglas Treadway

DATE: May 10, 2006

SUBJECT: Proposed Process for Granting Access for Neighbors to Anza Road

The Board of Trustees approved a modified easement agreement with the Leahy family last August, broadening their access rights. In February 2006, staff shared a letter from Mr. Norm Hughes of the City Planning Department with the Board. In the letter, Mr. Hughes stated that the old Witherly Lane was established as a private roadway in 1945. In his opinion, the District Board of Trustees had a responsibility to file a private street application designating Anza Road, the replacement road for the old Witherly Lane, as a private street. The Board of Trustees had a number of questions related to Mr. Hughes' letter. Staff forwarded the matter to its real estate attorney, Mr. Jim Eller. Mr. Eller's staff has researched the subject.

In February, the Allen family, residing at 830 Witherly Lane, has secured an attorney to assist them in resolving their access rights to Anza Road. The President has received several communications from Mr. Bernard King, the Allen's attorney, requesting that the District grant his client access without conditions. A communication is attached from the District's legal counsel, Mr. Jim Eller, outlining the process he believes the District should follow to resolve this matter. Mr. Eller will be present at the Board meeting to answer questions.