Willits Weekly | Edition 12 | July 13, 2017

REALESTATE SECTION







332 Redwood Avenue

Restoration of 1905 'Hathaway House' brings history to life

Full Spectrum Realtor Peter Smith has a serious love and passion for old homes and buildings. "Houses contain the stories and the memories of the people who created the community," he explained.

Ree Slocum
Features Writer
ree@willitsweekly.com

"I like to save old houses 'cause it's the bones of the town. If you just bulldoze and throw a tract [house] on

it, nobody knows who lived there. It's a shell without feelings until people give it life. There's a feeling in a house when you know the story of who's been ahead of you."

As a boy, Smith roamed the farmland and orchards of Cupertino, wandering through abandoned, old Spanishstyle villas, homes and farm houses. He looked at many of the old houses and dreamed of one day buying one of his favorites and bringing it back to life. In the 1960s, because of modernization and the very beginnings of Silicon Valley, Smith watched buildings he'd dreamed about owning being bulldozed and flattened. It must have been heartbreaking to the 19-year-old who wanted to save at least one of them.

So young Smith made his dream come true and bought his first house – the Ohio Exhibition Hall from San Francisco's Panama-Pacific International Exhibition of 1915. How in the world did that building get to Cupertino? Soon after the

exhibition, many of the spectacular buildings and gardens were being razed. People in the greater Bay Area who wanted to save the buildings bought them and had them barged to other locations, and the Ohio Exhibition Hall was relocated to Cupertino.

Smith had been saving his money, and buying the building was quite a spectacular investment for someone so young. It was a five-bedroom house that he was fixing up with bits and pieces of wood he recycled – sometimes driftwood from the beaches where he partied. His monthly mortgage payments were \$100. "And I wish I never would have sold it," he admitted.

In 1989, after 18 years in his Cupertino home, he sold it for \$180,000, moved to property outside of Willits and built a "Mountain Gothic" family home. His daughter's room was a second-floor tower with a 20-foot ceiling and stained-glass windows housing a very large chandelier. Most of the house was redesigned each morning on a paper plate, so the plan for the roof or the rooms could change every few days.

Smith had many jobs after moving to Willits: postman, cook at Bilbo's, yardman for Mendo Mill, mountain farmer, employee of Mendocino County Youth Project and Child Protective Services, and counselor for the Family Center in Willits. He

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Read the rest of **Redwood**

Over on Page RE3

At top, left: Peter Smith and his wife, Heidi Gundlach. At top, right: One of the brick fireplaces with a modern woodstove insert. Smith added the beautiful period piece with a mirror on

Far left: View of the Smiths' entryway as seen from the dining room. Notice one of Peter Smith's many chandeliers, the original leaded-glass windows, redwood paneling and detail work.

At left: While not originally in the home, this light fixture was added as another period piece, staying true to the era.

Photos by Ree Slocum



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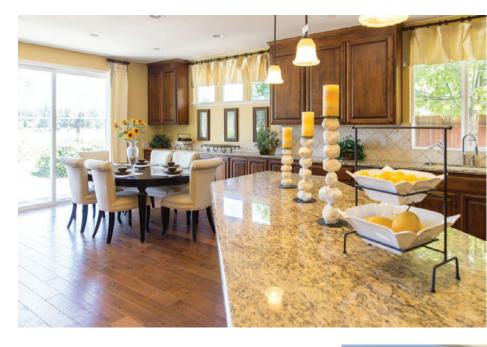
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Agent Profile

Barbara Mitchell

Realtor and Broker

Seasoned real estate agent and co-owner of Haehl Creek subdivision, Barbara Mitchell, started her prestigious real estate career in Sonoma in 1978. It was a time when there was a lot of competition and real estate was predominantly a man's game. Mitchell worked hard, got her broker's license, and started Tara Properties in 1980 with five other women. Later she had 13 agents working with her at Tara Properties.

Ree Slocum Features Writer ree@willitsweekly.com

In 1985 Ed Mitchell was a contractor and needed a realtor to work with to sell his various projects, including a 36-unit condo venture. He went to Tara Properties. That was

the start of Barbara and Ed getting to know one another on a professional level. In about three years, the two combined forces and married. Barbara Mitchell sold Tara Properties after her second son was born. Because of her experience with the company, she was called upon frequently as an advisor to the business.

Though she wasn't using it as she was raising her children, Mitchell continued renewing her broker's license ranch projects. and also worked with her husband on many of his ventures in Sonoma County. By the time she'd left Tara Properties, thoroughly enjoyed working with people. "Home ownership she had sold real estate in Sonoma for 15 years.

She and her husband ended up understanding real estate pretty thoroughly. "Sometimes when Ed and I are talking about different aspects of the Haehl Creek subdivision, ownership has given her a lot of satisfaction. I'm amazed and have to chuckle. We've gained so much experience. We have extensive knowledge about land. housing, development and financing," she smiled.

She also said that they find it fun to work together as a

In 1990, they were planning ahead for semi-retirement and bought a ranch eight miles up Sherwood Road. They still had business ties in Sonoma so didn't move onto the looking forward to retiring so she can focus on home and she finds that sometimes it's still more than a full-time job, see this project become a reality!"



At top, left: Countertops, flooring and paint schemes work together to make a beautiful kitchen and dining area at the Haehl Creek subdivision. At top, right: The dining area, complete with beautiful accessories and paint, at one of the Haehl Creek model homes. Above: Barbara Mitchell, who co-owns Haehl Creek subdivision with her husband, Ed, in front of one of the model homes that also

From the beginning of her career, Barbara Mitchell has is still one of the major dreams in our country," she said. "It's the largest single investment a person makes in their lifetime." Helping people accomplish their dream of home

While Ed Mitchell is the more gregarious one in the relationship and the perfect salesperson, Barbara Mitchell sits down with couples and helps them determine the fine details about the new adventure they're embarking upon. couple even though it can be challenging to work with a Getting to know couples on an almost intimate level, finding out their likes and dislikes, and knowing them as people is what she most enjoys and is best at.

She helps them choose which homes would suit their needs, the types of flooring, paint colors, countertops, ranch until 1997. It wasn't until 2007 that the Mitchell team and additions to the footprint. Barbara Mitchell then goes began the long and involved Haehl Creek subdivision. The through the paperwork, making sure details are changed large project demanded quite a bit of time, so many of the on work orders and orders are placed. Most of the lots and Francisco in the 1950s and '60s, where she had a huge projects on their ranch got put on hold. Barbara Mitchell is homes at Haehl Creek are already sold at this point, yet territory to roam safely and freely. "It's so very satisfying to

while at other times there's more spaciousness to spend time working on their ranch.

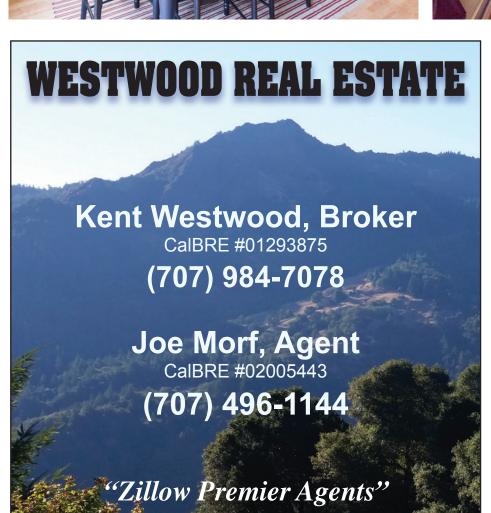
The Mitchells are committed to providing beautiful homes in a neighborhood setting for people in Willits. The couple and Margie Handley of the Howard Foundation donated land along Haehl Creek to the city in order to create a walking and workout path for Willits residents. Barbara Mitchell also sees children on bicycles, scooters and tricycles feeling free to explore their neighborhoods. Families work and play together outdoors, and neighbors keep an eve on each other and the children. She enjoys watching folks achieving

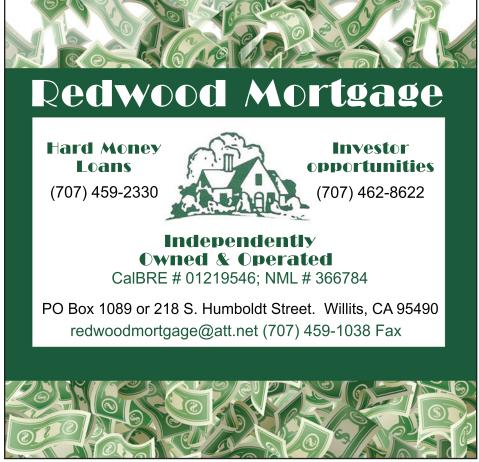
"I think about Haehl Creek [subdivision] all the time," she said. "Almost every day when I'm in town, I drive through and check it out. I see a residential neighborhood where neighbors live their daily lives in a community, in a beautiful place where they feel safe." This is the feeling she remembers from her own childhood growing up in San

Far left: Many options have been available to new homeowners in the Haehl Creek subdivision - like the hardwood flooring

At left: Choosing the type of flooring and paint colors for a new home is one of Barbara Mitchell's enjoyable jobs when helping new home buyers.

Photos by Ree Slocum





The rest of Redwood

From Page RE1

was buying old houses and buildings during those times and maintained his realtor's license, helping friends who were looking for houses in the area.

After a stint in England where Smith was learning new techniques of working with families, his family moved back to Willits where he continued restoring old houses. It didn't take long for him to find the house that has become his life's restoration project – the "Hathaway House" at 332 Redwood Avenue. He told Pete Hathaway he'd buy it if it ever came on the market. Smith got his wish in 2005. He has renamed it the "Selfridge House" in honor of the first owner, Captain Selfridge from San Francisco.

The Smiths' home on Redwood Avenue was built in 1905 for Captain of the Northwestern Redwood Company, which was a branch of the Northwestern Railroad. In 1903 the railroad came to the tiny town of Willits. It became the easiest way to get lumber from Willits to San Francisco.

The house was constructed from and finished with, selected old-growth redwood milled by the company to showcase the mill's redwood products. It was built in the Craftsman or "Prairie" style with wide panels of dark-stained redwood throughout the interior as well as, according to Antique Home, "low-pitched gabled roofs with broad eaves, large front porches, and exposed wooden structural elements." It was most likely one of a very few homes built to that design in Willits at that time, since the style was from the latter part of the 19th century and relatively new.

The house has had five owners since Selfridge moved to Washington, D.C. to work in government. The next owners were the Pettys. Joan Petty stopped by once with her grandchildren to show them where she was born, where she had written her name in cement as a child. She was able to show the Smiths the house's original layout before the changes made by her family and others.

The next owners were Judge Galen Hathaway and his family. Most Willits residents refer to it still as the Hathaway House, perhaps because of fond memories of parties and social gatherings held there. Barbara Page purchased it from Hathaway and began renovations of her own. At some point the house was divided into apartments, and after Page moved away, it began a slow decline.

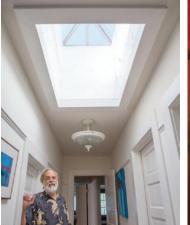
After being condemned by the city, the Smiths purchased it and began a labor of love to restore it to its historic beginnings. The first five years was spent making the house livable again. All electrical and plumbing was replaced, and individual apartments were removed. The interior redwood trim and floors were sanded and returned to their original color. With a few exceptions, the interior woodwork, lighting and furniture has been returned to how it may have looked 100 years ago.

It is the Smiths' hope that future generations can walk back in time and get a sense of how Willits developed. There are so many residents of Willits who share a history with the house that they feel an obligation to preserve those memories. The family would be honored if people would send them any history or photos of the house, to 332 Redwood Avenue, Willits, CA 95490, so that its story can be told in full.



Selfridge from San Francisco, president At top, from left: An inset hutch with leaded-glass doors in the dining room. Its twin is in the opposite corner. Notice many of the period dishes and glassware. The dining room at 332 Redwood Avenue. The original – and only – bathroom for many years. The sink and mirror are believed to be the actual ones installed in 1905. Below, from left: The Smiths' kitchen was an add-on at some point in the house's history. Smith added the wooden beams which showcase his pots and pans collection as well as three of his restored crystal chandeliers. Smith in the upstairs hallway with the many doors of what used to be separate apartments. Smith has changed the rooms, taking out the kitchenettes and making them bedrooms for his daughters and guests. The skylight he's standing under is original to the home and was constructed with metal. There have been no signs of leakage all these years. The corner of the entryway showcases the beautiful, burled old-growth redwood trim framing the redwood panels, a portrait of their daughter, Bonnie Devon Smith, by local artist Walt Ayers, and original light fixture.









permission fron the 1988 book Architectura Heritage of Willits," by Nelson A. Streib and Susan commissioned by the City of

332 Redwood

Reprinted with

In addition to its large and imposing architecture, the house at 332 Redwood Avenue is important because of its first owner and first resident. The Northwestern Redwood Company was incorporated in 1901 and was an off shoot of A. W. Foster's Northwestern Railroad. The president of the newly formed lumber company was E. A. Selfridge originally from San Francisco. In 1902 the company subdivided a large tract of land that was added to the town and began to sell off lots. At this time the company's main operations were at Northwestern, west of town, but in 1903 they moved the main mill operations into town, near the mill. Two years later the company built a house for its president, Selfridge, on Redwood Avenue. The house cost \$3,000 to build, and according to the Willits News, was "designed to be a showcase of locally milled redwood". Redwood Avenue was one of the most desirable sections of their new addition.

A one and a half story brown shingle house resting on a raised foundation, the house at 332 Redwood Avenue is rectangular in plan. The front porch, also covered in redwood shingles, runs 3/4 of the front entrance and is covered by a hipped roof identical to the main roof. Two dormer windows face the street directly above the main entrance. The house is a blending of the craftsmen stick style and the craftsmen bungalow that was prevalent near the turn of the century in Willits.

Of special note are the windows, both the dormer windows and the large paned window facing the street are divided into smaller panes while there are sixteen in the large downstairs window and it is flanked by two rectangular windows that are divided into three panes, the top two being smaller than the long bottom one. Built to display the uses of redwood, the entire structure is covered in redwood shingles and is built back into the lot.



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Buying Land to Grow Medical Cannabis in Mendocino County

A Fact Sheet for Buyers and Real Estate Agents

This document summarizes key facts in the Mendocino in areas zoned Rangeland. A permitted cultivator may Medical Cannabis Ordinance that are relevant to relocate to a site in Rangeland only if it is already a purchasing real estate for cannabis cultivation. Interested parties would do well to consult the full Ordinance for more details and/or call the Mendocino County Agriculture Department: 707-234-6830. The Ordinance can be found at www.co.mendocino.ca.us/bos/pdf/Ordinance_4381.pdf

Limitations on Cannabis Cultivation

- 1. The cultivation of more than six marijuana plants and/ or 100 square feet of medical cannabis on a parcel* of land in Mendocino County requires a Medical Cannabis Cultivation Permit issued by the Mendocino County Agricultural Commissioner (MCAC). See Permits and Requirements below. In 2018, Cultivators will need to obtain an additional license from the State of California along with their local permit.
- 2. During Phase 1 of the permitting process, which extends until December 31, 2017, only persons that can prove cultivation on a specific site prior to January 1 2016 will qualify for a cultivation permit under the Medical Cannabis Cultivation Ordinance (MCCO). Proof of prior cultivation will need to be verified by submitting satellite images of cultivation site or other methods described on p.14 of the MCCO.
- 3. Phase 2 of the permitting process, which begins on January 1, 2018, will allow new cultivation permits to be issued only for indoor cultivation, Type 1A and Type 2A, as described on p. 10 of the MCCO, in the following zoning districts: Limited Industrial, General Industrial, and Pinoleville Industrial. Proof of prior cultivation will not be
- 4. PHASE 3: APPLICATIONS FOR NEW PERMITS OTHER THAN THOSE IN THE INDUSTRIAL ZONES MENTIONED ABOVE, WILL NOT BE ACCEPTED UNTIL JANUARY 1, 2020.
- 5. The removal of true oaks, tanoaks, and commercial tree species, such as Douglas fir or Redwood, for the purpose of cultivating cannabis is prohibited
- 6. New cannabis cultivation sites may not be established

To Real Estate Agents in and around the Mendocino Area:

cultivating in Mendocino County prior to January 1, 2016.

very important component of the new ordinance is a phase-in process.

COUNTY OF MENDOCINO

DEPARTMENT OF AGRICULTURE

Ukiah CA 95482

It has come to my attention that real estate agents in the county may be unaware of the new requirements regarding the commercial cultivation of medical cannabis. Attached is a Fact

Sheet, put together by a group of concerned citizens, that briefly synopsizes the county's Medical Cannabis Cultivation Regulation. I approve of the content of the Fact Sheet. One

Phase 1: Only persons with prior proof of cultivation on a specific parcel in Mendocino County will be able to apply for a cultivation permit this year. A person must have been

Phase 2: Starting January 1, 2018, applications for new cultivation permits for Type 1A and

Phase 3: Starting January 1, 2020, applications will be accepted for new cultivators on new

I would urge everyone to become familiar with the ordinance in its entirety. The ordinance is

Editor's Note: This fact sheet about Mendocino County's new medical cannabis cultivation

available on our website and if you have any question please contact the Department

DIANE CURRY

PHONE (707) 234-6830

May 18, 2017

will be accepted.

cultivation sites.

Sincerely,

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B-1, C-2, C-

Diane Curry

Interim Agricultural Commissioner

Mendocino Department of Agriculture

previous cultivation site.

- 7. New cannabis cultivation sites may not be established in areas R1, R2, R3, SR, RC, RR1, RR2, or on RR5 parcels that are less than 5 acres. Existing cultivation sites in those areas must be moved or abated by 2020 (with possible exceptions in communities such as Laytonville and Fort Bragg that may apply for an exemption). See Table 2, below, for more on zoning,
- 8. Water may not be diverted from a spring, wetland. creek, stream, or river without a permit
- 9. Cannabis cultivation will not be allowed within 1,000 feet of a youth-oriented facility, school, park, church, or residential treatment facility.
- 10. Setback requirements of 100-200 feet from other residences, and restrictions based on visibility and odor, are found on p. 7 of the MCCO. Note that some setbacks change from 100 feet to 200 feet in 2020. Indoor cultivation sites may have additional setbacks based on zoning.
- 11. Cannabis cultivation is compatible with the Williamson Act but is not a qualifying land use. Landowners would have to maintain qualifying agricultural activities to receive Williamson Act benefits.

*A parcel is defined on Page 3 as "...a lot of real property created pursuant to the Subdivision Map Act prior to January 1, 2016 or for which a Certificate of Compliance was recognized and recorded prior to January 1, 2016.")

Permits and Other Requirements

- 1. To obtain and maintain a Mendocino County Medical Cannabis Cultivation Permit, qualified applicants must:
- a. File a Permit Application, which includes a Cultivation and Operations Plan, Property Owner Consent Form, Fingerprint Worksheet and DOJ Live Scan Form, Site Plan Checklist, Property profile, Cultural Resource Brochure, Fee Schedule, and County Tax Information.
- b. Receive a site inspection by agents of the Mendocino

ARIF KEVER

EMAIL agcomm@co.mendocino.ca.us

Assistant Agricultural Com Assistant Sealer of Weights & Measure County Agriculture Department

- c. Submit to Live Scan
- d. Pay all applicable fees.
- e. File a Notice of Intent to Grow Cannabis with North Coast Regional Water Quality Control Board (NCRWQCB), with required fees.
- f. Obtain building permits and bring all structures up to applicable codes. Hoop houses that are supplied with electricity are considered greenhouses and must be
- g. If required, receive inspection and be granted a permit by CalFire for fire safety compliance.
- h. Provide a well permit from County of Mendocino, if applicable.
- i. Obtain a water diversion permit or water right from California State Water Resources Control Board (SWRCB),
- . Obtain a storm water permit from SWRCB if cannabis cultivation disturbs more than one acre.
- k. Obtain a permit from Army Corps of Engineers and NCRWQCB if any work is to be done in wetlands or
- I. Obtain permit from California Department of Fish and Wildlife (CDFW) if any work is to be done in streambeds.
- m. Participate in Track and Trace system approved by the County.
- n. Expect to pay taxes for every growing cycle.
- o. For cannabis to be labeled "Certified Mendocino County Grown," it must be produced following standards used in the production of crops labeled as organic. Such crops will be subject to ongoing inspections by the Mendocino County Agriculture Department. See p. 25 of the MCCO
- p. All permits are non-transferable to another person, except that a permit may be transferred to spouse/domestic partner, child or trust.

TABLE 2

Zoning Permit Requirement for New Medical Cannabis Cultivation by Zoning District and Medical Cannabis Cultivation Ordinance Permit Type

MCCO		С	C-A		C-B	1	1-A	1-B	2	2-A	2-B	4
Permit Type Min Parcel Area (ac) Cultivation Area Limit (sf)		Small Outdoor	Small Indoor, Artificial Light		Small	Medium Outdoor	Medium	Medium Mixed	Large	Large	Large Mixed	Nursery 10
		2										
		2,500	500	501 -	2 500	2,501-	2,501-	2,501-	5,001-	5,001-	5,001-	22,000
				2,500		5,000	5,000	5,000	10,000	10,000	10,000	
	RR 5*	ZC	AP	UP	ZC	ZC		ZC				
	RR 10	ZC	AP	UP	ZC	ZC		ZC	ZC		ZC	ZC
<u>i</u>	AG	ZC	AP	UP	ZC	ZC		ZC	ZC		ZC	ZC
District	UR	ZC	AP	UP	ZC	ZC		ZC	ZC		ZC	ZC
g G	11	ZC	ZC	ZC	ZC		ZC	ZC		ZC	ZC	ZC
D				70	70		ZC	ZC		ZC	ZC	ZC
6	12	ZC	ZC	ZC	ZC		20	20		20	20	20

* Parcels in the RR-5 zoning district must have a minimum parcel size of five (5) acres.

This table is found on p. 34 of the Ordinance. "PI" refers to Pinoleville Industrial. For further land use regulations, go to p. 32 of the MCCO: www.co.mendocino.ca.us/bos/pdf/Ordinance_4381.pdf.

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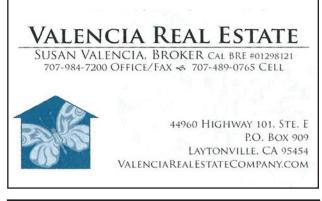
ordinance was provided to area realtors by the Mendocino County Agriculture Department. These rules apply to unincorporated areas in Mendocino County; the City of Willits is still working on its updated cannabis ordinance, which is slated to be heard at the Willits City Council's July 26 meeting.

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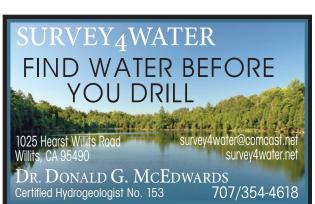
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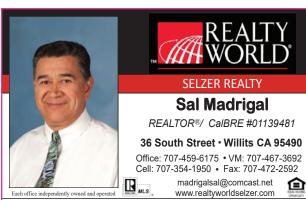
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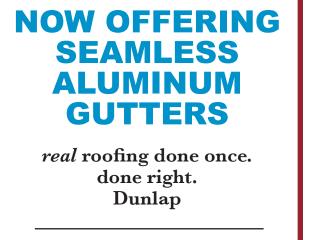
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Easements can be 'thorny'

By Bill Barksdale, GRI Realtor

Let me begin by making it clear that I am not an attorney and am not providing legal advice, just an introduction to the fascinating subject of easements as they affect real estate. If you need legal or survey advice, consult a qualified expert. I am not a qualified expert in this area.

I've been told an easement is essentially a legal right to use property owned by someone else, for a specific purpose. One attorney told me an easement is what's called a "non-possessory" interest in the property of someone else. This is a huge area of real estate law that cannot be covered in a short article. There are attorneys that practice nothing but easement law. It's big and thorny.

When you read the legal description of your property, always look for any easement language. In my experience, it's also wise to look at the deeds and legal descriptions of adjoining land owners to make sure there isn't something that impacts your property. Always consult your title insurance title officer or your attorney who has expertise in easement law with any

Easements are normally created by a "written instrument" like a contract or deed. This is called an "easement by express grant," or an "express easement." I've seen such express easements in real estate legal descriptions attached to deeds.

In my opinion, a well-written easement description should be clear and unambiguous so that the intentions of the agreeing parties can only be interpreted in one way regardless of who is reading it. This is true of any well-written contract. I'm not sure if such an agreement exists, but we can always strive for clarity.

A seminar I took advised the purpose of an express easement is often to allow one, or sometimes more than one, party to cross over property owned by someone else. This can be an "appurtenant" easement in the case of a specific piece of property. or an "easement in gross" when it belongs to a specific individual or group. The attorney speaker said he often sees this in the case of a parcel of land that might be otherwise landlocked and therefore inaccessible to a public roadway.

I've seen easements in deeds and legal descriptions created to allow a party access to a spring or well, so that waterlines can cross another's property and those waterlines can be maintained. Sometimes it's a "utility easement" for other utilities like power lines or gas lines. When a power company or other utility provider runs services to your house or property, I've observed, they commonly have a utility easement agreement of some sort with that property owner.

In our area I've seen something called a "slope easement" in documents, which gives another party, like Brooktrails Township, the right to maintain a sliding or crumbling slope next to the public roadway.

One type of easement I've been advised to be wary of is called an "easement by prescription." This is a touchy type of easement and frequently requires a legal action and hearing before a judge. I've been advised that California law requires that the party claiming to have an easement by prescription show they have used someone else's property openly, notoriously and continuously for at least five years. If the owner has given that party permission to use their land, normally a prescriptive easement cannot be created.

Land owners should become familiar with how easements by prescription are created and, if you give someone permission to use your land in any way, I've been told to always put that permission in writing and have the party you are giving permission to sign that agreement, so if there's a claim you can prove you gave your permission. I've been told that someone just taking a shortcut across your lot may create such an easement. If you feel you've got a problem in this area, I strongly suggest you contact a qualified attorney immediately for advice.

I've seen documents over the years showing easements created in many other ways for various purposes, including by reference on a recorded map or other document, by implication, by reservation (sometimes in a deed or legal description), and by other means. This is such a complex area of real estate law that it requires, as I mentioned, the counsel of a qualified legal expert like an attorney who specializes in easement law. There is a huge body of legal decisions that provide opinions and decisions about easement law. It's an interesting topic to study. Bill Barksdale has been a real estate agent in Mendocino County for

over 25 years. Contact him at Coldwell Banker Mendo Realty Inc.: 707-489-2232 or bark@pacific.net.

Being a good landlord

Owning a home isn't right for everyone, which is why many people invest in rental properties. Here's how to prepare a home to be rented, and what it means to be a good landlord.

- 1. Really clean your house. We all know that other people's dirt is dirtier than our dirt, so make sure your place is CLEAN. I'm talking about a "mother-in-law visit" clean, not the old dust-and-vacuum clean. Have carpets and window treatments professionally cleaned.
- 2. Make sure the house is in good repair. Fix leaks. Replace broken parts. Deferring maintenance can actually cost you money. Problems from an unfixed leak can get very expensive.
- 3. Put in attractive, hardy, low-maintenance landscaping that's appropriate for the property. A dirt patch is hardy and low-maintenance, but hardly attractive or appropriate for most properties. A field of delicate flowers is beautiful, but not hardy or easy to maintain.
- 4. Make sure all door and window locks are in good repair, and re-key locks between tenants. Paying \$50 to re-key locks is a small price to protect your new tenants from someone who might have an old key to the property.
- 5. Take pictures of your property. Good pictures make for good marketing. They also serve as a record of the condition of your property before it was rented.
- 6. Consider who would be happy living in the property in its current condition. If the house is in good shape, then responsible renters will likely be interested in renting from you. If the house isn't in good shape, consider maintenance that would attract the applicants you're looking for.

Now that the house is ready to rent, here's how to be a good landlord:

1. Start with a thorough application. Ask the potential renters to provide information about their income, credit, rental history, and other relevant details. Then verify it. As a long-time property manager, I have seen some interesting attempts at deception.

On rental history, for example, if a tenant isn't paying in a timely manner, or is a complainer, or isn't taking care of the property, the current landlord might be motivated to give that tenant a sparkling recommendation. Why? Because if someone else will rent to the tenant, that tenant will vacate the current property. That's the reason you should talk to the last two or three landlords.

On employment verification, even if you call and speak to a representative from ABC Company who provides a stellar recommendation, consider further research if you're unfamiliar with the company. Call back in a few days and see if ABC Company answers or if Joe (the prospective renter's brother-in-law) answers.

Run a credit check, and then read it. If you don't know how to interpret it, ask someone who does.

2. Use a well-written rental agreement. Be clear about who is responsible for what. Include more than just the financial details (security deposit, monthly rent, length of the lease). Be explicit about who pays for utilities. Are you pruning the roses or is the tenant expected to do so? How many people can live in the home? Are pets OK? Do you have a pool or hot tub? Is it mentioned in the agreement? If you Google "residential rental agreement," you'll find lots of sample rental agreements. Review them to find an agreement that's right for you.

On the utilities issue, you should require the tenant to show proof that they've put the utilities in their name as soon as they occupy the property. Trying to get back payments is a hassle.

- 3. Rely on a move-in checklist. A checklist protects you and the new tenant. The tenant has the opportunity to note any deficiencies, while a landlord can later refer to a signed checklist that indicates the tenants didn't see anything amiss when they took occupancy.
- 4. Install carbon monoxide and smoke alarms, and brace the water heater before you rent the property. Protect your investment and your tenant with these inexpensive and legally required safety precautions.
- 5. Maintain the property. Stay on top of regular maintenance. Don't wait for a change in tenants to keep everything in good working order.
- 6. Be responsive. Being responsive doesn't mean giving in on every issue or being at a tenant's beck and call. It means responding appropriately when your tenant requests information or repairs.

This column wouldn't be complete if I didn't mention how much to charge, and yet, there's no easy formula. I charge a security deposit and first month's rent. I don't charge first and last month's rent because the rent can only be used for rent and no other reason. Be aware that the security deposit cannot be more than twice the monthly rent for an unfurnished property. If you're not sure what to charge, find out what other properties in the area rent for.

If you have questions about real estate or property management, please contact me at rselzer@selzerrealty.com or visit www. realtyworldselzer.com. If I use your suggestion in a column, I'll send you a \$5 gift card to Roland's Bakery. If you'd like to read previous articles, visit my blog at www.richardselzer.com.

Dick Selzer is a real estate broker who has been in the business for more than 40 years.



