

The San Ysidro/Beverly Park Haul Route Issue

By Robert Schlesinger



dump truck

Some of you may have noticed an increase in the number of construction vehicles using San Ysidro Drive in recent years to the present, in blatant violation of a Covenant & Agreement with Beverly Park Estates dated January 28, 1988 and recorded in the Hall of Records Downey California. That record states "That all construction vehicles be limited to taking access from Mulholland Drive and that covenants, conditions and restrictions be developed to provide for this restriction in perpetuity."

On September 8, 1989, another recorded document stated "All Construction Vehicles shall access the project from Mulholland Drive only". The same document reconfirms the use of South Gate Beverly Park construction vehicles going through the North Gate to and from Mulholland Drive only.

In 2006 Beverly Park North restricted entrance to Beverly Park South to owners only. On May 21, 2009, in the Los Angeles Superior Court, Judge Norman P. Tarle reaffirmed

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that Beverly Park South is entitled to access through Beverly Park North to Mulholland Drive by South Gate's owners, guests and invitees. Between 2010 & 2011, the Court of Appeals of the State of California concurred with the lower court's decision in favor of Beverly Park South.

First and foremost this is a safety issue for the residents of the San Ysidro Area. Portions of the covenant and agreements were implemented during the initial plans for the development of "Beverly Park" for the explicit purpose to protect the residents of San Ysidro. San Ysidro has been suffering the violations of these agreements with a continuous assault of heavy duty construction vehicles, going up and down two miles of a narrow, dangerous, steep winding street, causing one traffic jam after another.

Dump trucks, cement trucks and other construction trucks are vehicles with axles that can accommodate 65,000 to 70,000 pounds gross weight. This is another Loma Vista incident waiting to happen, when two off duty police officers were killed by cement trucks, within a month of each other.

This information has been submitted to the City Attorney's Office regarding enforcement of the covenant and agreements.

BCA CONTACT INFO

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Hotline: 310.553-4BCA (4222) Website: BenedictCanyonAssociation.org

Meeting: Monthly, 7pm, 2nd Monday of the month at the Beverly Hills Women's Club

(enter parking at Benedict Cyn South of Chevy Chase)

Carbon Monoxide Detector Law Revisited

by Marcy Braiker

LJS:ccc 08/28/89 LRE1630.0046.0.0

(Map Condition 15)

(f) Maintain and repair any other street within the Project, whether or not said street is dedicated to the City of Los Angeles for maintenance.

(g) Maintain and repair all other facilities and Improvements within, upon or under the Private Streets.

(h) Maintain the paved portions of the Private Streets free and clear of obstructions and in a safe condition for vehicular use at all times. Each Residential Lot and Open Space Lot shall be subject to non-exclusive easements for vehicular and pedestrian ingress and egress and for public utility and emergency service, but in each case only over that portion of the Residential Lot and Open Space Lot located within the Private Streets, such easements to be appurtenant to and for the benefit of each Residential Lot and Open Space Lot in the Project, and to provide for the use of the Private Streets for vehicular and pedestrian ingress and egress to and from the Project by all residents of the Project and their respective guests and invitees.

(Map Conditions 11 and 15)

(i) Maintain, repair and operate the Security System, or cause the Security System to be maintained and operated, to provide for the safety and security of all residents of the Project and BPH Members (as defined in Section 24.08 hereof), to restrict access to the Project, other than immediate emergency access, to traffic having business within the Project, namely residents, their guests, workmen, tradesmen and the like, and to bar use of the Private Streets to those without specific business in the Project who would use the Project in the course of crossing from San Ysidro Drive to Mulholland Drive, or vice versa, or would otherwise use the Project as part of a cross-mountain route, to the detriment of persons living on San Ysidro, Mulholland Drive, or other streets so employed in contravention of the provisions of that certain Declaration of Subdivision Gates, Covenants, Conditions and Restrictions recorded May 4, 1982 as Instrument No. 82-458267 Official Records of Los Angeles County (the "Gate Covenant"). The nature and extent of the Security System shall be determined by the Board from time to time, and may include such private security patrol as may be retained by the Board on behalf of the Association. The requirement that Gates be maintained and

not eliminated shall be an obligation of the Association which, in addition to the enforcement rights provided by this Declaration, shall also be for the benefit of, and enforceable by, the City of Los Angeles. With the

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On Dec 19, 2025, at 7:08 PM, David Kadin <dskadin1@gmail.com> wrote:

My iPhone does not show any red, but I think you mean section 2.16 on page 13 regarding construction vehicles entering only mulholland.
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