

Draft

LATHAM & WATKINS

ATTORNEYS AT LAW

555 SOUTH FLOWER STREET
LOS ANGELES, CALIFORNIA 90071-2466
TELEPHONE (213) 485-1234
TELECOPIER (213) 614-8763
TLX 590773
ELN 62793268
CABLE ADDRESS LATHWAT

PAUL R. WATKINS (1899-1973)
DANA LATHAM (1898-1974)

CHICAGO OFFICE

SEARS TOWER, SUITE 6900
CHICAGO, ILLINOIS 60608
TELEPHONE (312) 876-7700
TELECOPIER (312) 993-9767

NEWPORT BEACH OFFICE

660 NEWPORT CENTER DRIVE, SUITE 1400
NEWPORT BEACH, CALIFORNIA 92660-6415
TELEPHONE (714) 752-9100
TELECOPIER (714) 759-8881

NEW YORK OFFICE

53RD AT THIRD, SUITE 1000
885 THIRD AVENUE
NEW YORK, NEW YORK 10022-4802
TELEPHONE (212) 906-1200
TELECOPIER (212) 751-4864

SAN DIEGO OFFICE

701 "B" STREET, SUITE 2100
SAN DIEGO, CALIFORNIA 92101-8197
TELEPHONE (619) 236-1234
TELECOPIER (619) 696-8281

WASHINGTON, D.C. OFFICE

1333 NEW HAMPSHIRE AVE., N.W., SUITE 1200
WASHINGTON, D.C. 20036-1594
TELEPHONE (202) 828-4400
TELECOPIER (202) 828-4415

September __, 1986

Maurice Fredericks, Esq.
6950 Commerce Boulevard
Rohnert Park, California 94928

Re: John Medica's Rock Castle

Dear Mr. Fredericks:

I am an attorney in Los Angeles that has done work from time to time for Saving and Preserving Arts and Cultural Environments ("SPACES"), a charitable organization involved in the preservation of historic sites like John Medica's Rock Castle.

As Seymour Rosen of SPACES has described to you previously, SPACES has made, and continues to make, a substantial commitment to the preservation of folk art environments like Mr. Medica's Rock Castle and would like to assist Mr. Medica in preserving Rock Castle as a perpetual monument to his hard work and artistic creativity.

You might recall that approximately five months ago I talked to you by telephone concerning the ways in which John Medica might accomplish the preservation of his Rock Castle while retaining the remainder of his property for his own benefit and the benefit of his heirs. Although it was my understanding that you would contact me to discuss this matter in more detail, because I had not heard from you since that time, I thought it might help if I summarized what has transpired to date.

Seymour Rosen has talked to Mr. Medica and understands that Mr. Medica is in complete agreement with SPACES that his Rock Castle should be preserved. However, Mr. Medica has indicated that the preservation effort must not bind him to an agreement that might have the effect of causing him to have to move from his land or of preventing

Draft

Maurice Fredericks, Esq.
September __, 1986
Page 2

him from realizing any economic benefits from the property he might desire to realize during his lifetime.

A number of things were discussed in my conversation with you a few months ago, but the idea to which you seemed to think Mr. Medica might be most receptive, and which it would appear is consistent with Mr. Medica's goals, involved having Mr. Medica create a negative easement in favor of a charitable organization to take effect upon his death for the purpose of preventing the Rock Castle from being demolished or changed. In addition, to protect the Rock Castle from deterioration, the easement document could require the owner of the easement to maintain the Rock Castle in substantially the same condition that exists when it takes effect as a condition to the right of the preservation organization to enforce the easement. Finally, the easement document would need to contain a grant of such access rights as will be necessary to permit the Rock Castle to be exhibited to the public.

Please give me a call to permit us to discuss this matter further.

Sincerely,

John B. Sherrell
of LATHAM & WATKINS

cc: Mr. John Medica
Mr. Seymour Rosen
Ms. Sandy Elder
California State Office of Historic Preservation
Mr. John Merritt
California Preservation Foundation
Ms. Susan Richter
Sonoma County Arts Council
Mr. Dayton Lummis
Sonoma County Museum
Ms. Suzanne Palmer