

January 31, 2013

Contacts: Bruce Hagen 707.338.7363  
Matt Maguire 707.769.1556

Friends of Lafferty Park (FLP) today announced that they are taking legal steps to clarify the public right of way access issue to City-owned Lafferty Ranch on Sonoma Mountain. The “quiet title” lawsuit asks the court to confirm that historic maps approved by the Sonoma County Board of Supervisors show clear public access onto Lafferty from Sonoma Mountain Road.

“This action will resolve once and for all that the public has a clear right of access to this publicly-owned treasure at the top of the mountain that defines us,” said Larry Modell, a member of FLP. Modell observed that it was threats of litigation from Lafferty neighbors that have prevented the City from allowing citizens to hike on their own property for the past decade or more.

In the filing, FLP notes that the City of Petaluma purchased the 270 acre property in 1959 for a water supply, and that since 1962 the City has planned for Lafferty to be a public park. In 1992, after new earthquake standards forced the City to abandon the water works, the City began proceedings to open the park for passive recreation. That effort, unfortunately, was stalled by an intense campaign mounted by a couple of the adjacent property owners.

One of the obstructions created by these neighbors was their claim that Lafferty was landlocked. They assert that a 30 by 30 foot patch of dirt and gravel separating the pavement of Sonoma Mountain Road from the Lafferty gate was their private property, which effectively blocks public access from a public road. This “Disputed Property” has been raised repeatedly by lawyers representing the neighbors, preventing park supporters and the City from obtaining grants, performing restoration projects with school kids, and conducting supervised public tours.

The lawsuit simply seeks to “quiet title” – settle the dispute on the dirt patch in favor of full legal access, based on official historic maps dating from the 1800s, County road right of ways and legal precedent. It does not obligate any action or expenditure by the City, County, or State. What the public decides to do with the Lafferty Park property will still remain to be resolved.

Petaluma attorney and City Councilmember Mike Healy, who helped devise the legal strategy for FLP but is not counsel of record in the lawsuit, put it this way: “Lafferty is a public treasure that has been under lock and key for over a decade. This lawsuit will unlock its full potential, without costing taxpayers a penny.” Other local attorneys providing pro bono assistance include Larry King and Pamela Asselmeier.

###