



Neigh...borhood News

FUNDAMENTALS OF EQUINE LIABILITY LAW

by Gerald (Gary) Peters

Many horse owners are concerned about their liability if a horse escapes and causes damage. The most common claims arise out of horse vs. car accidents. Food and Agriculture Code Section 16904 provides that in a lawsuit arising out of a collision between a motor vehicle and a horse, it is not presumed that the collision was due to the horse owner's negligence. Rather, the horse owner's negligence in allowing the horse to escape must be proven. Although there is no comparable statute for claims which do not concern motor vehicle accidents, the same rule would likely apply. Some examples of conduct which might be considered negligent are: failing to repair dilapidated fencing; failing to close a gate; or using a bridle which, obviously deteriorated, falls apart in use, thereby allowing a horse to escape.

Often, lawsuits result when a horse escapes after an act of vandalism. Typically, the owner would not be liable if there is no prior history of vandalism. However, in situations where there are repeated instances of such trouble, the owner's potential liability increases. For example, in one case in which I was involved, vandals cut a paddock's barbed wire fence, allowing two horses to wander onto Interstate 5. A serious accident resulted. The horse owner was aware of prior acts of fence-cutting (the paddock was located next to a levee which was a popular recreation area for

[see pg. 3] ... "EQUINE LIABILITY"



Goodbye Andy Gump - hello NEW outhouse

Custom and Horse Property Specialist

Nona Green

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Fred Sands



My internet friends don't know I'm a dog.

NEIGH...BORHOOD NEWS CIRCULATION

- Directly sent to approximately 1900 property owners, agents, and Select Equestrian Property Network members.

- Available at finer feed and tack stores in L.A. and Ventura counties.

Let NEIGH...BORHOOD NEWS help market your horse property in the next issue!

AGOURA Horse Property.COM

Why Agoura Horse Property.com?

The typical visitor to our web site had the unpleasant experience of looking for home with a local real estate agent professing to know the neighborhood. The agent did not know a dressage arena from a bull pen, the pommel from the cantle, the hindquarters from a hole in the ground - if you get my drift.

Fortunately, they searched on the web for keyword: horse property. They met Nona Green who knew that the right property for them was also the right property for their style of riding and the number of horses they have.

So whether you own a back yard pony or are a renown trainer and need to accommodate a huge clientele, it is important to have a fellow horse person save you from a frustrating experience.

In addition to hosting Agoura Horse Property.com, Nona Green is also the representative for Select Equestrian Properties Network which has their own website. That network directs horse people to her from exposure at horse shows, magazine and periodical advertising as well.

Agoura Horse Property.com includes links to SelectEquestrian.com, REALTOR.com, Ranch and Country.com, Homes.com and Fred Sands.com. How's that for links in the internet chain!?

We have seen over and over that people looking for horse property do not all have horses, or sheep, or goats, or even dogs. They have observed that horse zoned property by definition has larger yards, and is usually not in a planned subdivision. Visitors to our web site may just want to contact someone who knows the inventory of homes that have features in common with horse zoned property.

A FERTILE PROBLEM

A horse produces about a wheelbarrow full of manure everyday. Multiply that by 1000 (the unofficial horse count in Agoura) and we have a theory of where the sludge in Malibu

[cont. on pg 3]... "PROBLEM"

This is not intended as a solicitation if your property is currently listed with another broker.

NEW SINCE THE LAST NEWSLETTER ...

CURRENTLY MARKETED

The listings and sales referenced on this flyer may not have been listed or sold by Fred Sands Realtors, but represent a compilation of listings and sales activity derived from the San Fernando Valley Association of Realtors Multiple Listing Service as of November 25, 1998.

Area	Current List Price	List Date	Bdrm/Bath	Lot Size (approx. sqft per MLS)
Old Agoura	299,950	9/27/99	1/1	21780
Old Agoura	432,000	9/22/99	3/3	20928
Old Agoura	519,000	8/8/99	4/2	43000
Cornell Rd.	570,000	2/26/99	4/4	14397
Old Agoura	739,000	8/9/99	5/5	21658
Old Agoura	795,000	8/12/99	4/3	42249
Medea Valley	798,000	10/25/99	4/3	36155
Old Agoura	849,000	8/8/99	6/4.5	34400
Malibou Lake	929,000	10/18/99	4/4	37462
Old Agoura	1,399,000	8/11/99	4/3	60000
Wagon Rd. Ranchos	1,995,000	9/20/99	8/7	87547
Wagon Rd. Ranchos	2,795,000	8/4/99	4/4.5	692604

NEW ESCROWS PENDING

Area	Final List Price	Comments
Malibou Lake	375,000	Ranch style home on approx. 1/2 acre adjacent Malibu Creek State Park. Woodsy feel, horse facilities.
Triunfo Canyon	599,000	New construction. 5 bedroom home with great views.
Mulholland Corridor	1,395,000	Developers dream or perfect site for equestrian state. 12.5 acre lot.
Cornell Rd. Ranchos	1,795,000	Gated Cornell Rd. Ranchos. One of only 13 ten acre estates.

NEW CLOSED ESCROWS

Address	Final ListPrice	Sale Price	Sale Date	Comments
1827 OLIVERA	499,000	471,500	10/14/99	Very private Malibu Lake retreat on 3.25 Acres. Newer home and fruit orchard.
30070 TRIUNFO	775,000	760,000	6/28/99	Newer 4000+ sqft in secluded area near Peter Strauss Ranch trails.
6018 CHESEBRO	784,999	770,000	10/4/99	Excellent location deep into Old Agoura. Horse facilities and pool.
6045 FAIRVIEW	895,000	800,000	9/15/99	Private hilltop location. 2.5 acres of landscaped paradise. Older unique home.
32069 LOBO CANYON	1,295,000	1,115,000	9/30/99	Exquisite Santa Fe 10 acre estate.

Data obtained from DataQuick information reporting services and C.R.I.S. multiple listing service - it is not guaranteed.

PROBLEM...[cont. from page 1]

Lake comes from, not to mention a lot of flies, and the distinctive aroma of livestock - strong on a summer day.

Hillside Rubbish is willing to recycle manure in Old Agoura, just as they presently provide such service to Hidden Hills. The following caveats apply: 1) manure must be pure, other debris must be sorted out. 2) 100% of the community must participate at the rate of \$45 per household per month for a pick up every Tuesday.

Until we commit to that program, another method of handling manure is composting. Beneficial insects can be added to composting piles of manure to feed on fly larvae. Or, flies are sterilized by ingesting the manure produced by horses given a fee-through type pesticide. These methods might not be effective unless every neighbor also feeds the pesticide.

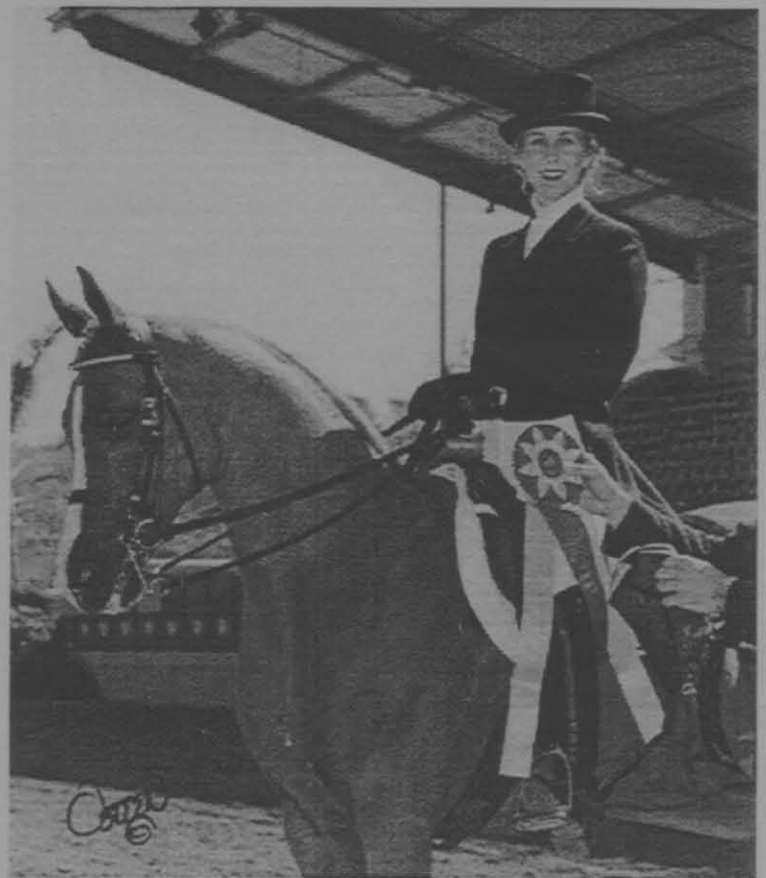
A rumor heard at the recent 4H livestock auction was that pigs will eat all the horse dung. (Then what to do with the pig dung??)



EQUINE LIABILITY... [cont. from pg 1]

ATVs). Because of this knowledge, the owner's liability increased because he failed to move the horses from the paddock or take other steps to prevent an escape. The case settled prior to trial. From a legal standpoint, because of the prior acts of fence-cutting, it was foreseeable that a vandal would again cut the fence and that a horse would escape onto the freeway. Therefore, the owner was negligent in failing to take preventative measures.

This article does not constitute legal advice. When questions are based on specific situations, an attorney should be consulted. I can be reached at the Law Office of Gerald Philip Peters (818) 706-1278 or gppeterslaw@mindspring.com to answer you legal questions.



LOCAL EQUESTRIAN WINS NATIONALS

Old Agoura resident Hillarie Roope Benz and her horse (pictured) Abiento placed in the top 10 at the U.S. National Arabian and Half-Arabian Championship Horse Show. She was a vision in reds and gold of the Native Costume she wore for her victorious showing. The event was held in New Mexico and is the most prestigious in the Arab horse world.

Hillarrie and her husband Paul and son Davis recently moved from Medea Valley Estates to a larger home in Old Agoura. They have three Arabians (one is available for sale) and a Quarter horse.

Featured New Listings

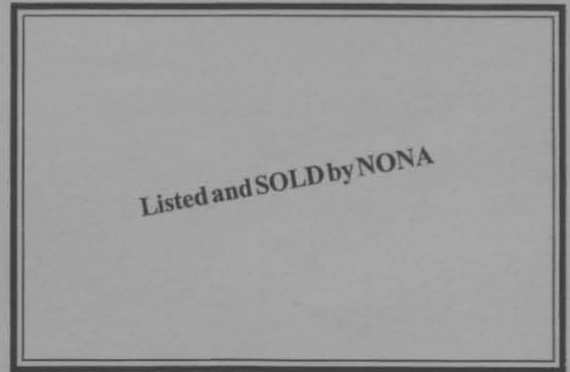
Custom Ranch home with LAND to Spare!

5427 Colodny Drive • Old Agoura • Agoura Hills

Great horse property in desirable Old Agoura. Behind the private gates, this SUNNY 4 bedroom, one story ranch house is located in an area of expensive homes and acclaimed schools. Off 101 fwy, 15 minutes to beaches.

Asking \$549,000 >>>>>>

- Close to public arena, trails.
- Flat, full 1 acre lot - will accomodate 8 horses & facilities.
- Beautiful pool and spa.
- Central air conditioning, woodburning fireplace, great floor plan.



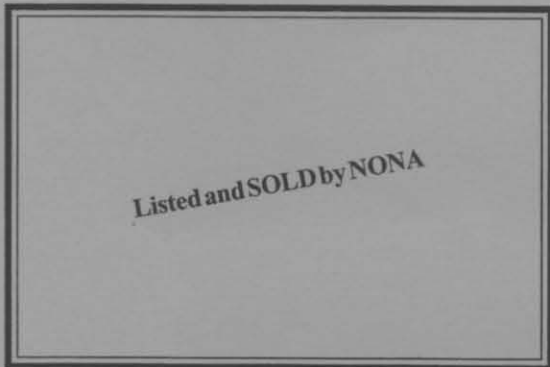
Country Charmer!

29948 Triunfo Drive • Agoura

Vintage two bedroom home with unlimited potential. Wood beams, knotty pine, stone fireplace, redwood deck are just some of the features. Complete one bedroom guest house with bath and garage.

<<<<<< Asking \$489,900

- One-half acre lot
- Best Las Virgenes schools
- Adjacent great riding trails
- Superb horse facilities



Select Equestrian Properties

NONA GREEN
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