

SANTA MONICA MOUNTAINS CONSERVANCY

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Court Rejects City of Malibu's Attempt to Claim Nearly Four-Decade-Old Public Trail Easements on Winding Way near Escondido Canyon Park in Malibu

Judge calls City's ownership claim a "creative legal argument" and says the City's claim that it had no notice "strains credulity"

LOS ANGELES (September 1, 2026)— The Los Angeles County Superior Court today ruled in favor of the Santa Monica Mountains Conservancy (Conservancy) and the Mountains Recreation and Conservation Authority (MRCA), rejecting a lawsuit brought by the City of Malibu seeking to establish ownership of public trail easements on Winding Way near Escondido Canyon Park that date back nearly four decades.

The court sustained demurrers filed by the Conservancy and MRCA and dismissed the City's complaint without leave to amend in *City of Malibu v. Santa Monica Mountains Conservancy, a public agency, et al.* (Los Angeles County Superior Court Case No. 26SMCV02052).

"This is a significant victory for the public trails of the Santa Monica Mountains," said Miguel A. Luna, Chair of the Santa Monica Mountains Conservancy. "These trails have been managed for public use for decades, and the court has recognized that the City of Malibu cannot now assert a new claim of ownership based on a legal theory that does not apply to recreational trails."

The City filed the lawsuit in April, claiming that it acquired ownership of the trail easements when Malibu incorporated in 1991. The case involved public hiking and equestrian trail easements along Winding Way and Murphy Way near the popular Escondido Canyon Park that were originally granted to the County of Los Angeles in the late 1980s.

At the heart of the City's lawsuit was its argument that the recreational trails qualified as "county highways" under California Streets and Highways Code Section 989, a law that provides for county interests in qualifying highways to transfer to a city when territory is incorporated or annexed. The judge found that recreational hiking and equestrian trails are fundamentally different from the types of roads covered by the law.

The judge also found that the City waited too long to assert its claims. The ruling notes that the City had worked with the Conservancy and MRCA for decades regarding management and maintenance of the trails while treating the agencies as the owners of the property. The judge further noted that the City's ownership theory was not asserted until 2024.

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In addressing the City's claim that it only recently discovered that it owned the trails, the judge described the City's position as a "creative legal argument" and said the contention that the City had no actual or constructive notice of who owned the trails "strains credulity."

The ruling also found that the City's claims were barred by the statute of limitations and/or laches. It rejected the idea that a governmental entity could wait decades to assert ownership after treating another entity as the owner. As the judge wrote, public policy would be undermined if a governmental entity could "suddenly assert legal ownership" after roughly 30 years of treating another entity as the true owner.

"The court's ruling recognizes the longstanding relationship between the City and the agencies in managing these trails," said George Lange, Chair of the Governing Board of the Mountains Recreation and Conservation Authority. "This decision provides clarity about the ownership and management of these public trails and allows us to continue our work protecting these lands and maintaining public access."

The judge also rejected the City's request for an opportunity to amend its complaint, finding that the additional facts proposed by the City would not cure the deficiencies identified in the ruling.

The Conservancy and MRCA were directed to lodge proposed orders and judgments by September 14, 2026. The case management conference has been continued to October 22, 2026.

The Santa Monica Mountains Conservancy is a State Agency that was established by the Legislature in 1980. Since that time, it has helped preserve more than 80,000 acres of parkland in both wilderness and urban settings. The Conservancy's mission is to strategically buy back, preserve, protect, restore, and enhance treasured pieces of Southern California to form an interlinking system of urban, rural, and river parks, open space, trails, and wildlife habitat that are easily accessible to the general public.

The Mountains Recreation and Conservation Authority (MRCA) is a local government public entity exercising joint powers with the Santa Monica Mountains Conservancy, Conejo Recreation and Park District, and Rancho Simi Recreation and Park District. The MRCA is dedicated to preserving and managing local open space and parkland, wildlife habitat, coastal access, watershed lands, and trails in both wilderness and urban settings, while ensuring public access to these lands. The MRCA works with the Santa Monica Mountains Conservancy and local government partners on land acquisition, planning, wildfire resilience, habitat connectivity, and other efforts to protect and enhance public lands. The MRCA manages more than 85,000 acres, including land it owns and land owned by the Santa Monica Mountains Conservancy.

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