

RESOLUTION NO. R- 258357

APR 26 1983

A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE CITY OF SAN DIEGO REQUIRE THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A PUBLIC STREET OR STREETS AND INCIDENTS THERETO, TOGETHER WITH EARTH EXCAVATIONS OR EMBANKMENTS, SLOPE OR SLOPES, STORM DRAIN OR DRAINS AND INCIDENTS THERETO, IN A PORTION OF SECTIONS 26 and 29 THROUGH 36, TOWNSHIP 18 SOUTH, RANGE 1 WEST AND A PORTION OF LOTS 2 AND 3 IN SECTION 1, TOWNSHIP 19 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF SAID PROPERTY FOR SAID PUBLIC STREET OR STREETS AND INCIDENTS THERETO, TOGETHER WITH EARTH EXCAVATIONS OR EMBANKMENTS, SLOPE OR SLOPES AND INCIDENTS THERETO, AND A STORM DRAIN OR DRAINS; AND DECLARING THE INTENTION OF THE CITY OF SAN DIEGO TO ACQUIRE SAID PROPERTY AND EASEMENTS UNDER EMINENT DOMAIN PROCEEDINGS; AND DIRECTING THE CITY ATTORNEY OF THE CITY OF SAN DIEGO TO COMMENCE AN ACTION IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SAN DIEGO, FOR THE PURPOSE OF CONDEMNING AND ACQUIRING SAID PROPERTY AND EASEMENTS

WHEREAS, the Council of the City of San Diego has provided notice to those persons designated in Section 1245.235, Code of Civil Procedure and also has provided all persons a reasonable opportunity to appear and be heard on the matters referred to in Section 1240.030, Code of Civil Procedure; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

Section 1. That the public interest, convenience and necessity of the City of San Diego and the inhabitants thereof, require the construction, operation and maintenance of a public

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street or streets and incidents thereto, together with earth excavations or embankments, slope or slopes, drain or drains and incidents thereto, in a portion of Sections 26 and 29 through 36, Township 18 South, Range 1 West and a portion of Lots 2 and 3 in Section 1, Township 19 South, Range 1 West, San Bernardino Base and Meridian, in the City of San Diego, County of San Diego, State of California, as more particularly described hereinafter.

Section 2. That the public interest, convenience and necessity of said City, and the inhabitants thereof, demand the acquisition and taking of fee title to and easements in said property for the construction, operation and maintenance of a public street or streets and incidents thereto, together with earth excavations or embankments, slope or slopes and incidents thereto, and a storm drain or drains, said real property lying within the City of San Diego, County of San Diego, State of California.

Section 3. That Section 220, the Charter of The City of San Diego; Sections 1240.010, 1240.110, 1240.120, 1240.610 and 1255.410, Code of Civil Procedure; Sections 4090, 5101(d) and 5102, Streets & Highways Code; and Sections 37350.5 and 40404, Government Code permit the acquisitions referenced herein.

Section 4. That the parcels of real property and the interests sought to be condemned are described as follows:

LEGAL DESCRIPTION

Parcel 1 - Otay Mesa Road

The Northerly 40.00 feet of the Northeast Quarter of the Northeast Quarter of Section 31, Township 18 South, Range 1 West, San Bernardino Base and Meridian according to United States Government Survey.

Parcel 1A- Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Northeast Quarter of the Northeast Quarter of Section 31 described as follows:

Commencing at the Northeast Corner of said Section 31; thence North 88°40'59" West, along the Northerly line of Section 31, a distance of 800.02 feet; thence Southerly at right angles to the last described line, a distance of 40.00 feet to the Southerly line of Parcel 1 described above and the TRUE POINT OF BEGINNING; thence North 88°40'59" West along said Southerly line, a distance of 522.67 feet to the Westerly line of said Northeast Quarter of the Northeast Quarter; thence South 88°40'59" East, 200.00 feet; thence South 89°15'22 East, 300.02 feet returning to the TRUE POINT OF BEGINNING.

Parcel 2 - Otay Mesa Road

The Southerly 40.00 feet of the Southeast Quarter of the Southeast Quarter of Section 30, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to Official Plat thereof.

Excepting therefrom, all that portion lying Westerly of the following described line:

Commencing at the Southwest Corner of the Southeast Quarter of the Southeast Quarter thence South 88°40'59" East, along the Southerly line of said Section 30, a distance of 361.36 feet to the TRUE POINT OF BEGINNING; thence North 01°19'06" East per deed 51.00 feet to a terminus.

Parcel 2A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Southeast Quarter of the Southeast Quarter of said Section 30 as follows:

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Commencing at the Southeast Corner of Section 30, thence 88°40'59" West, along the Southerly line of said Section 30, a distance of 300.02 feet; thence Northerly at right angles to the last described line, a distance of 40.00 feet to the Northerly line of the Southerly 40.00 feet of said Section 30 and the TRUE POINT OF BEGINNING; thence North 87°53'00" East, 100.18 feet; thence South 88°40'59" East, 150.00 feet; thence South 87°24'48" East, 49.88+ feet, to the Easterly line of said Section 30; thence Southerly along said Easterly line, a distance of 4.80+ feet to said Northerly line of said Southerly 40.00 feet of Section 30; thence North 88°40'59" West, along said Northerly line, a distance of 300.02 feet returning to the TRUE POINT OF BEGINNING.

Parcel 3 - Otay Mesa Road

The Northerly 40.00 feet of the Northwest Quarter of the Northwest Quarter of Section 32, Township 18 South, Range 1 West, San Bernardino and Meridian, according to official Plat thereof.

Parcel 3A - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said Section 32 described as follows:

A strip of land 18.00 feet wide lying 9.00 feet on each side of the following described centerline:

Commencing at the Northwest Corner of said Section 32; thence South 88°48'52" East along the Northerly line of Section 32, a distance of 49.98 feet; thence South 01°11'08" West, 40.00 feet to the Southerly line of Parcel 3 described above and the TRUE POINT OF BEGINNING; thence continuing South 01°11'08" West, 10.00 feet to a terminus.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 4 - Otay Mesa Road

The Southerly 40.00 feet of the Southwest Quarter of the Southwest Quarter of Section 29, Township 18 South, Range 1 West, San Bernardino and Meridian, according to official Plat thereof of said land filed in the District Land Office December 28, 1879.

Parcel 4A - Otay Mesa Road

The Southerly 40.00 feet of the Westerly 198.00 feet of the Southeast Quarter of the Southwest Quarter of Section 29, Township 18 South, Range 1 West, San Bernardino and Meridian according to official Plat thereof.

Parcel 4B - Otay Mesa Road

The Southerly 40.00 feet of the West Half of the Southeast Quarter of Section 29, Township 18 South, Range 1 West, San Bernardino and Meridian, according to official Plat thereof.

Parcel 4C - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Section 29 as follows:

Commencing at the Southwesterly Corner of said Section 29; thence Northerly along the Westerly line of said Section 29 to an intersection with the Northerly line of Parcel 4 described above and the TRUE POINT OF BEGINNING; thence South $88^{\circ}48'52''$ East along said Northerly line a distance of 19.98 feet; thence North $87^{\circ}24'48''$ West, 200.18+ feet to said Westerly line of Section 29; thence Southerly along said Westerly line, a distance of 4.80+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 4D - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Section 29 as follows:

Commencing at the Southwesterly Corner of said West Half of the Southeast Quarter; thence Northerly along the Westerly line of said West Half, a distance of 40.00 feet to an intersection with the Northerly line of Parcel 4B described above; thence South $88^{\circ}48'52''$ East along said Northerly line, a distance of 45.86 feet to the TRUE POINT OF BEGINNING; thence North $01^{\circ}11'48''$ East, 25.00 feet; thence South $88^{\circ}48'52''$ East, 290.00 feet; thence South $74^{\circ}46'42''$ East, 103.08 feet to said Northerly line of said Parcel 4B; thence North $88^{\circ}48'52''$ West, along said Southerly line, a distance of 390.00 feet returning to the TRUE POINT OF BEGINNING.

Parcel 4E - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said Section 29 described as follows:

A strip of land 12.00 feet wide lying 6.00 feet on each side of the following described centerline:

Commencing at the Southwest Corner of said Section 29; thence South 88°48'52" East, along the Southerly line of said Section 29, a distance of 49.98 feet; thence North 01°11'08" East, 40.00 feet to the Northerly line of Parcel 4 described above being the TRUE POINT OF BEGINNING; thence continuing North 01°11'08" East, 35.00 feet to a terminus.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions: The erecting of buildings, masonry walls, masonry fences and ther structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 4F - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said Section 29 described as follows:

Commencing at the Southwest Corner of the East Half of the Southeast Quarter of said Section 29; thence South 88°48'52" East along the Northerly line of said West Half, a distance of 743.36 feet; thence North 01°11'08" East, 40.00 feet to the Northerly line of Parcel 4B described above and the TRUE POINT OF BEGINNING; thence continuing North 01°11'08" East, 5.00 feet; thence North 88°48'52" West, 15.00 feet; thence South 01°11'08" West, 5.00 feet to said Northerly line of said Parcel 4B; thence South 88°48'52" East along said Northerly line, a distance of 15.00 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and ther structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 5 - Otay Mesa Road

The Northerly 40.00 feet of the Northeast Quarter of the Northeast Quarter of Section 32, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey.

Parcel 5A - Otay Mesa Road

The Northerly 40.00 feet of the West Quarter of the Northwest Quarter of the Northeast Quarter of Section 32, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey, approved September 11, 1879.

Parcel 5B - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said Section 32 described as follows:

Commencing at the Northwest Corner of said Northeast Quarter of the Northwest Quarter of Section 32; thence South 88°48'52" East along the Northerly line of said Northwest quarter, a distance of 450.42 feet; thence South 01°11'08" West, 40.00 feet to the Southerly line of Parcel 5 described above and the TRUE POINT OF BEGINNING; thence continuing South 01°11'08" West, 10.00 feet; thence North 88°48'52" West, 15.00 feet; thence North 01°11'08" East, 10.00 feet to said Southerly line; thence South 88°48'52" East, along said Southerly line, a distance of 15.00 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 5C - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said Section 29 described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 32, thence South 88°48'52" East, along the Northerly line of said Section 32, a distance of 73.36 feet; thence South 01°11'08" East to the Southerly line of Parcel 5A described above and the TRUE POINT OF BEGINNING; thence continuing South 01°11'08" East, 30.00 feet; thence North 88°48'52" West, 15.00 feet; thence North 01°11'08" West, 30.00 feet to said Southerly line; thence South 88°48'52" East, along said Southerly line, a distance of 15.00 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 6 - Otay Mesa Road

The Southerly 40.00 feet of the West 2-1/2 acres of the South 5 acres of the East 22-1/2 acres of the South 26-1/2 acres of the Southeast Quarter of the Southwest Quarter of Section 29, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to Official Plat thereof.

Parcel 6A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said West 2-1/2 acres described as follows:

Commencing at the Southwest Corner of said West 2-1/2 acres; thence Northerly along the Westerly line of said West 2-1/2 acres to an intersection with the Northerly line of Parcel 6 described above and the TRUE POINT OF BEGINNING; thence North 89°54'44" East, 269.99 feet; thence South 85°22'51" East, 100.18 feet to said Northerly line; thence North 88°48'52" West along said Northerly line, a distance of 369.92 feet returning to the TRUE POINT OF BEGINNING.

Parcel 6B - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said West 2-1/2 acres as follows:

Commencing at said Southwest Corner of the West 2-1/2 acres; thence South 88°48'52" East along the Southerly line of said Section 29, a distance of 239.82 feet; thence Northerly at right angles to the last described line, a distance of 40.00 feet to said Northerly line of Parcel 6 described above and the TRUE POINT OF BEGINNING; thence North 18°55'49" East, 28.92 feet; thence South 71°04'11" East, 12.00 feet; thence South 18°55'49" West, 25.08 feet to said Northerly line; thence North 88°48'52" West, 12.60 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and ther structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 8 - Otay Mesa Road

The Southerly 40.00 feet of the West 1 acre of the East 2-1/2 acres of the South 5 acres of the East 22-1/2 acres of the South 26-1/2 acres of the Southeast Quarter of the Southwest Quarter of Section 29, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey approved September 11, 1879.

Parcel 9 - Otay Mesa Road

The Northerly 40.00 feet of the Westerly 30.00 feet of the North Quarter of the East Half of the West Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey approved September 11, 1879.

Parcel 10 - Otay Mesa Road

The Southerly 40.00 feet of the East 1-1/2 acres of the South 5 acres of the East 22-1/2 acres of the South 26-1/2 acres of the Southeast Quarter of the Southwest Quarter of Section 29, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to Official Plat thereof.

Parcel 11 - Otay Mesa Road

The Northerly 40.00 feet of the North Quarter of the East Half of the West Half of the Northwest Quarter, Section 32, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey.

Excepting therefrom any portion lying within the Westerly 30 feet thereof, and any portion lying within the East Half of the East Half of said North Quarter.

Parcel 12 - Otay Mesa Road

The Southerly 40.00 feet of the Southeast Quarter of the Southeast Quarter of Section 29, Township 18 South, Range 1 West, San Bernardino and Meridian, according to official plat thereof.

Parcel 12A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Section 29 as follows:

Commencing at the Southeast Corner of Section 29; thence Northerly along the Easterly line of said Section 29, a distance of 40.00 feet to the Northeast corner of Parcel 12 described above; thence North 88°48'52" West, 30.00 feet to the Westerly line of Heritage Road, as located and established on the date of this instrument, being the TRUE POINT OF BEGINNING; thence north 88°48'52" West along the Northerly line, a distance of 528.26 feet; thence North 01°11'08" East, 25.00 feet; thence South 85°31'09" East, 330.55 feet; thence South 88°48'52" East, 198.26+ feet to said Westerly line of Heritage Road; thence Southerly along said Westerly line a distance of 6.00+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 13 - Otay Mesa Road

The Northerly 40.00 feet of the East One-half of the East One-half of the Northeast One-quarter of the Northwest One-quarter of the Northwest Quarter of the Northeast Quarter of Section 32, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey approved September 11, 1879.

Parcel 15 - Otay Mesa Road

The Northerly 40.00 feet of the North 330.00 feet of the West Half of the East Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey.

Parcel 17 - Otay Mesa Road

The Northerly 40.00 feet of the East Quarter of the Northwest Quarter of the Northeast Quarter of Section 32, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to Official Plat thereof.

Parcel 19 - Otay Mesa Road

The Northerly 40.00 feet of the West Half of the Northeast Quarter of the Northeast Quarter of Section 32, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey.

Parcel 19A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Section 32 described as follows:

Commencing at the Northwest Corner of the West Half of the Northeast Quarter of the Northeast Quarter of Section 32; thence South $88^{\circ}48'52''$ East, along the Northerly line of said Section 32, a distance of 73.80 feet; thence Southerly at right angles to the last described line, a distance of 40.00 feet to the Southerly line of Parcel 19 described above and the TRUE POINT OF BEGINNING; thence South $88^{\circ}48'52''$ East along said Southerly line, a distance of 180.00 feet; thence South $88^{\circ}53'42''$ West, 100.08 feet; thence North $85^{\circ}57'07''$ West, 80.10 feet returning to the TRUE POINT OF BEGINNING.

Parcel 19B - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said West Half of the Northeast Quarter of the Northeast Quarter of Section 32 described as follows:

Commencing at the Northeast Corner of said West Half; thence Southerly along the Easterly line of said West Half, a distance of 40.00+ feet to an intersection with the Southerly line of said Parcel 19 and the TRUE POINT OF

BEGINNING; thence North 88°48'52" West along said Southerly line, a distance of 112.33 feet; thence South 86°54'24" East, 112.39 feet to the Easterly line of said West Half; thence Northerly along said Easterly line, a distance of 3.74+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 23 - Otay Mesa Road

The Northerly 40.00 feet of the Northwest Quarter of the Northwest Quarter of Section 33, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey approved September 11, 1879.

Parcel 23A - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said West 2-1/2 acres as follows:

Commencing at the Northwesterly Corner of said Section 33; thence South 01°24'30" East (per Record of Survey 4035) along the Westerly line of said Section 33, a distance of 40.00 feet to an intersection with the Southerly line of Parcel 23 described above; thence South 88°42'18" East, along said Southerly line, a distance of 12.00 feet to the TRUE POINT OF BEGINNING; thence South 01°24'30" West, 625.00 feet; thence North 88°35'30" West, 5.00 feet; thence South 01°24'30" West, 25.00 feet; thence South 88°35'30" East, 20.00 feet; thence North 01°24'30" East, 25.00 feet; thence South 88°35'30" East, 20.00 feet; thence North 01°24'30" East, 25.00 feet; thence North 88°35'30" West, 5.00 feet; thence North 01°24'30" East 625.00 feet to said Southerly line, a distance of 10.00 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 24 - Otay Mesa Road

The Northerly 40.00 feet of the Northeast Quarter of the Northwest Quarter of Section 33, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey approved September 11, 1879.

Parcel 25 - Otay Mesa Road

The Northerly 30.00 feet of the Northwest Quarter of the Northeast Quarter Section 33, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey thereof together with the Northerly 10.00 feet of Parcel 1 of Parcel Map 6564 filed in the Office of the County Recorder of San Diego County November 17, 1977 as File No. 77-476982 of Official Records.

Excepting therefrom any portion lying Easterly of the Northerly extension of the Easterly line of said Parcel 1 of Parcel Map 6564.

Parcel 25A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Parcel 1 of Parcel Map 6564, as follows:

Commencing at the Northwest Corner of the Northwest Quarter of the Northeast Quarter of said Section 33; thence Southerly along the Westerly line of said Northwest Quarter of the Northeast Quarter, a distance of 40.00 feet to an intersection with the Southerly line of Parcel 25 described above; thence South 88°26'19" East, 20.00 feet to the Easterly line of Cactus Road, as located and established on the date of this instrument and the TRUE POINT OF BEGINNING; thence Southerly along said Easterly line, a distance of 3.00 feet; thence South 88°26'19" East 502.38 feet; thence South 88°34'55" East, 154.46 feet to the Easterly line of Parcel 1 of Parcel Map 6564; thence Northerly along the Easterly line of Parcel 1 of Parcel Map 6564, a distance of 2.61+ feet to the Southerly line of Parcel 25 described above; thence North 88°26'19" West along said Southerly line, a distance of 656.84+ feet to the Southerly line of Parcel 25 described above; thence North 88°26'19" West along said Southerly line, a distance of 656.84+ returning to the TRUE POINT OF BEGINNING.

Parcel 26 - Otay Mesa Road

The Northerly 30.00 feet of the Northwest Quarter of the Northeast Quarter of Section 33, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey thereof, together with the Northerly 10.00 feet of Parcel 2, of Parcel Map 6564 filed in the Office of the County Recorder of San Diego County, November 17, 1977, as File 77-476982 of Official Records.

Excepting therefrom any portion lying Westerly of the Northerly extension of the Westerly line of said Parcel 2.

Parcel 26A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Parcel 2 of Parcel Map 6564, as follows:

Beginning at the Southwest Corner of Parcel 26 described above; thence South 88°26'19" East along the Southerly line of said Parcel 26 above, a distance of 395.54 feet; thence North 89°12'09" West, 150.01 feet; thence North 88°34'55" West, 245.54+ feet to the Westerly line of said Parcel 2 of Parcel Map 6564; thence Northerly along said Westerly line, a distance of 2.61+ feet returning to the Point of Beginning.

Parcel 27 - Otay Mesa Road

The Northerly 40.00 feet of the East Half of the Northeast Quarter of Section 33, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to the United States Government Survey approved September 11, 1879.

Excepting the Easterly 165.00 feet thereof.

Parcel 28 - Otay Mesa Road

The Northerly 40.00 feet of the Easterly 165.00 feet of the Northeast Quarter of Section 33, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey thereof.

Parcel 29 - Otay Mesa Road

The Northerly 40.00 feet of the Northwest Quarter of Section 34, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey, approved September 11, 1879.

Parcel 29A - Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said Section 34, as follows:

Commencing at the Northwest Corner of said Section 34; thence South 88°53'39" East along the Northerly line of said Section 34, a distance of 1,330.04 feet, thence South 01°06'21" West, 40.00 feet to the Southerly line of Parcel 29 described above being the TRUE POINT OF BEGINNING; thence South 88°53'39" East along said Southerly line, a distance of 23.00 feet; thence South 25°55'02" East, 55.00 feet; thence South 68°53'55" West, 28.77 feet; thence North 25°55'02" West, 47.00 feet; thence North 01°06'21" East, 18.00 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 31 - Otay Mesa Road

The Northerly 40.00 feet of the Northwest Quarter of the Northeast Quarter of Section 34, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey thereof.

Excepting therefrom the Easterly 20 acres thereof.

Parcel 32 - Otay Mesa Road

The Northerly 40.00 feet of the Easterly 20 acres of the Northwest Quarter of the Northeast Quarter of Section 34, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey thereof.

Parcel 33 - Otay Mesa Road

The Northerly 40.00 feet of the Northwest Quarter of the Northeast Quarter of Section 34, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey thereof.

Excepting therefrom, any portion lying within the East Half of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of said Section 34.

Parcel 33A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Northeast Quarter as follows:

Commencing at the Northeast Corner of said Northeast Quarter; thence North $88^{\circ}53'54''$ West along the Northerly line of said Section 34, a distance of 333.75 feet to the Northwest Corner of said East Half of the Northeast Quarter of the Northeast Quarter of Section 34; thence Southerly along the Westerly line of said East Half a distance of 40.00+ feet to an intersection with the Southerly line of Parcel 33 described above and the TRUE POINT OF BEGINNING; thence North $88^{\circ}53'54''$ West, along said Southerly line a distance of 531.14 feet; thence South $88^{\circ}02'20''$ East, 200.02 feet; thence South $88^{\circ}36'43''$ East, 331.15+ feet to the Westerly line of said East Half of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter; thence Northerly along said Westerly line, a distance of 4.66+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 34 - Otay Mesa Road

The Northerly 40.00 feet of the East Half of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 34, Township 18 South, Range 1 West, according to Official Plat thereof.

Parcel 34A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said East Half as follows:

Commencing at the Northwest corner of said East Half; thence Southerly along the Westerly line of said East Half, a distance of 40.00 feet+ to an intersection with the Southerly line of Parcel 34 described above being the TRUE POINT OF BEGINNING; thence South $88^{\circ}53'54''$ East, along said Southerly

line of said Parcel 34, a distance of 303.75+ feet to the Westerly line of La Media Road as said road exists on the date of this instrument; thence Southerly along the Westerly line of said La Media Road, a distance of 7.00 feet; thence North 88°24'38" West, 234.90 feet; thence North 88°24'38" West, 234.90 feet; thence North 88°36'43" West, 68.86+ feet to the Westerly line of said East Half; thence Northerly along said Westerly line, a distance of 4.66+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 35 - Otay Mesa Road

The Northerly 40.00 feet of the Northwest Quarter of the Northwest Quarter of Section 35, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey thereof.

Parcel 35A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Section 26, as follows:

Commencing at the Northwest Corner of Section 35; thence Southerly along the Westerly line of Section 35, a distance of 40.00 feet to an intersection with the Southerly line of Parcel 35 described above; thence South 88°51'13" East along said Southerly line, a distance of 30.00 feet to the Easterly line of La Media Road as located and established on the date of this instrument being the TRUE POINT OF BEGINNING; thence South 88°51'13" East, along said Southerly line, a distance of 605.11 feet; thence North 89°59'58" West, 200.04 feet; thence South 89°08'31" West, 200.12 feet; thence North 87°44'11" West, 205.15+ feet to said Easterly line of La Media Road; thence Northerly along said Easterly line a distance of 7.00+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 35B - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said Section 34, as follows:

Commencing at said Northwest Corner of Section 35; thence South 88°51'13" East, along the Northerly line of said Section 35, a distance of 190.11 feet; thence South 01°08'47" West, 40.00 feet to the Southerly line of said Parcel 35 and the TRUE POINT OF BEGINNING; thence continuing South 01°08'47" West, 20.00 feet; thence South 47°37'47" West, 65.15 feet; thence North 55°38'11" West, 20.00 feet; thence North 25°07'30" East, 58.99 feet to said Southerly line of Parcel 35; thence South 88°51'13" East, along said Southerly line, a distance of 40.00 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 36 - Otay Mesa Road

The Southerly 40.00 feet of the Southwest Quarter of Section 26, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey thereof.

Parcel 36A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Section 26, as follows:

Commencing at the Southwesterly Corner of said Section 26; thence Northerly along the Westerly line of said Section 26, a distance of 40.00 feet to the Northerly line of Parcel 36 described above; thence South 88°51'13" East, along said Northerly line, a distance of 30.00 feet to the Easterly line of La Media Road as located and established on the date of this instrument being the TRUE POINT OF BEGINNING; thence South 88°51'13" East, along said Northerly line, a distance of 605.11 feet; thence North 87°06'37" West, 230.11 feet; thence North 01°08'47" East, 23.00 feet; thence North 85°40'26" West, 270.42 feet; thence South 01°08'47" West, 32.00 feet; thence North 85°02'37" West, 105.34+ feet to said Easterly line of La Media Road; thence Southerly along said Easterly line, a distance of 20.00+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 36B - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said Section 26, described as follows:

Commencing at said Southwesterly Corner of Section 26; thence Northerly along the Westerly line of said Section 26, a distance of 58.50 feet; thence South 88°51'13" East, 30.00 feet to said Easterly line of said La Media Road and the TRUE POINT OF BEGINNING; thence continuing South 88°51'13" East, 10.00 feet; thence Southerly and parallel to said Easterly line of La Media Road, a distance of 5.00 feet; thence North 88°51'13" West, 10.00 feet to said Easterly line; thence Northerly along said Easterly line, a distance of 5.00 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 36C - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said Section 26, as follows:

Commencing at said Southwesterly Corner of Section 26; thence South 88°51'13" East, along the Southerly line of said Section 26, a distance of 190.11 feet; thence North 01°08'47" East, 40.00 feet to the Notherly line of said Parcel 36, and the TRUE POINT OF BEGINNING; thence North 88°51'13" West along said Northerly line, a distance of 40.00 feet; thence North 01°08'47" East, 15.00 feet thence South 88°51'13" East, 40.00 feet; thence South 01°08'47" West, 15.00 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 37 - Otay Mesa Road

The Northeast Quarter of the Northwest Quarter of Section 35, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey thereof.

Parcel 37A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes; through, over, along and across all that portion of said Northeast Quarter of the Northwest Quarter, as follows:

Commencing at the Northeast Corner of said Northeast Quarter of the Northwest Quarter; thence Southerly along the Easterly line of said Northeast Quarter of the Northwest Quarter, a distance of 40.00+ feet to the Southerly line of Parcel 37 described above and the TRUE POINT OF BEGINNING; thence North 88°51'13" West, along said Southerly line, a distance of 434.59 feet; thence South 87°16'42" East, 400.15 feet; thence North 87°08'32" East, 34.68+ feet to said Easterly line of the Northeast Quarter of the Northwest Quarter; thence Northerly along said Easterly line, a distance of 8.58+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 38 - Otay Mesa Road

The Southerly 40.00 feet of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 26, Township 18 South, Range 1 West, San Bernardino Base and Meridian, according to United States Government Survey thereof.

Excepting therefrom the Easterly 300.00 feet.

Parcel 38A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Section 26, as follows:

Commencing at the Southeast Corner of the Southwest Quarter of Section 26; thence Northerly along the North-South Quarter Section line of said Section 26, a distance of 40.00 feet to the Northerly line of the Southerly 40.00 feet of said Section 26; thence North 88°51'13" West, 300.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said Northerly line, North 88°51'13" West, 594.59 feet; thence North 01°08'47" West, 6.00 feet; thence South 89°30'53" East, 260.02 feet; thence South 87°59'39" East, 200.02 feet; thence South 88°51'13" East, 134.59+ feet to the Westerly line of the Easterly 300.00 feet of the Southwest Quarter of said Section 26; thence Southerly along said Westerly line, a distance of 6.00+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 39 - Otay Mesa Road

All that portion of the West Half of the Northeast Quarter of Section 35, Township 18 South, Range 1 West, SBM, according to United States Government Survey, described as follows:

Beginning at the Northwesterly Corner of said West Half; thence Southerly along the Westerly line of said West Half, a distance of 40.00+ feet; thence South 88°51'13" East along the Southerly line of the Northerly 40.00 feet of said West Half, a distance of 1,176.91 feet to the beginning of a tangent 1460.00-foot radius curve, concave Southwesterly; thence Easterly along the arc of said curve through a central angle at 06°12'37", a distance of 158.25+ feet to the Easterly line of said West Half; thence Northerly along said Easterly line, a distance of 48.57+ feet to the Northeasterly corner of said West Half; thence North 88°51'13" West along the Northerly line of said West Half, a distance of 1,334.85 feet returning to the Point of Beginning.

Parcel 39A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said West Half described as follows:

Commencing at the Northeast corner of said West Half; thence Southerly along the Easterly line of said West Half, to the Southerly line of Parcel 39 described above and the TRUE POINT OF BEGINNING; being a point on the arc of a 1,460.00-foot radius curve, concave Southerly; thence Westerly along said Southerly line, and along the arc of said curve, through a central angle of 06°14'10", a distance of 158.25 feet; thence North 88°51'13" West, 211.50 feet; thence South 87°08'07" East, 200.09 feet; thence South 88°51'13" East, 11.50 feet; to the beginning of a tangent 1,454.00-foot radius curve, concave Southerly; thence Easterly along the arc of said curve through a central angle of 06°14'10", a distance of 158.25+ feet the Easterly line of said West Half; thence Northerly along said Easterly line, a distance of 6.04+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 39B - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said West Half described as follows:

Commencing at the Northwest corner of said West Half, thence Southerly along the Westerly line of said West Half, a distance of 40.00 feet to the Southerly line of Parcel 39 described above; and the TRUE POINT OF BEGINNING; thence South 88°51'13" East, along said Southerly line, a distance of 465.41 feet; thence North 89°59'58" West, 200.04 feet; thence North 88°51'13" West, 200.00 feet; thence South 87°08'32" West, 65.57+ feet to the Westerly line of said West Half; thence Northerly along said Westerly line, a distance of 8.58+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 41 - Street continued

A strip of land 80.00 feet wide lying 40.00 feet on each side of the following described centerline:

Beginning at a point on the Northly line of said Section 35 lying North 88°51'13" West, 157.94 feet from the Northwest corner of the East Half of the Northeast Quarter, being the beginning of a 1,500.00-foot radius curve concave Southwesterly, a radial bears North 01°08'47" East to said point; thence Southeasterly along the arc of said curve through a central angle of 26°33'54", a distance of 695.47 feet to a point hereby set out as "Point A" for the purpose of this description, a radial bears North 27°42'41" East to said point; thence continuing Southeasterly along the arc of said curve through a central angle of 63°09'32", a distance of 1,653.50 feet to a point in the Easterly line of said Section 35; thence South 00°52'13" West along said Easterly line, a distance of 289.48 feet to the beginning of a tangent 2,000-foot radius curve, concave Northeasterly; thence Southeasterly along the arc of said curve through a central angle of 25°23'19", a distance of 886.23 feet to a terminus in the Northerly line of the Southwest Quarter of Section 36, Township 18, Range 1 West, S.B.M.

Parcel 41A Street

All that portion of said East Half of said Northeast Quarter of Section 35 as follows:

Commencing at Point A as set out in Parcel 41 described above; thence North 27°42'41" East 177.05 feet to the Northerly line of said Section 35 and the TRUE POINT OF BEGINNING; thence North 88°51'13" West along said Northerly line, a distance of 75.90 feet; thence South 01°08'47" West along a radial line, a distance of 20.00 feet to a point on the arc of a 20.00-foot radius curve concave Westerly, a radial bears North 01°08'47" East to said point; thence Southeasterly and Southerly along the arc of said curve through a central angle of 116°33'54", a distance of 40.69 feet; thence South 27°42'41" West, 48.13 feet to the beginning of a tangent 20.00-foot radius curve, concave Northwesterly; thence Southwesterly and Westerly along the arc of said curve through a central angle of 88°09'48", a distance of 30.77 feet to a point on the Northeasterly line of Parcel 41 described above being a point in the arc of a 1,540.00-foot radius curve, concave Southwesterly, a radial bears North 25°52'29" East to said point, thence Southeasterly along the arc of said curve through a central angle of 03°40'24", a distance of 98.73 feet to a point of cusp with the arc of a 20.00-foot radius curve, concave Easterly, a radial bears South 29°32'53" West to said point; thence Northwesterly, Northerly and Northeasterly along the arc of said curve through a central angle of 88°09'48", a distance of 30.77 feet; thence tangent to said curve North 27°42'41" East, 98.13 feet to a point in the arc of a tangent 20.00-foot radius curve, concave Southeasterly; thence Northeasterly along the arc of said curve through a central angle of 63°26'06", a distance of 22.14 feet; thence North 01°08'47" East along a radial line a distance of 20.00 feet to the Northerly line of said Section 35; thence Westerly along said Northerly line returning to the TRUE POINT OF BEGINNING.

Parcel 41B - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through over, along and across all that portion of the said Section 35, as follows:

Beginning at the intersection of the Northeasterly side line of Parcel 41, described above with the Southerly line of the Northerly 20.00 feet of said Section 35; thence South 88°51'13" East along said Southerly line a distance of 41.55 feet; thence South 68°18'53" East, 195.24 feet to the beginning of a tangent 20.00-foot radius curve, concave Northerly; thence Northeasterly and Easterly along the arc of said curve through a central angle of 65°10'23", a distance of 22.75 feet; thence North 36°49'49" East 31.55 feet to the Northwesternly line of Parcel 41A described above; thence South 27°42'41" West, along said Northwesternly line, a distance of 40.80 feet to the beginning of a tangent 20.00-foot radius curve concave Northerly; thence continuing along the boundary line of said Parcel 41A, Southwesterly and Westerly along the arc of said curve through a central angle of 88°09'48", a distance of 30.77 feet to said Northeasterly line of said Parcel 41; and a point in the arc of a 1,540-foot radius reverse curve concave Southwesterly, a radial bears North 25°52'29" East to said point; thence Northwesternly along said Northeasterly line of said Parcel 41 and along the arc of said curve through a central angle of 08°40'56", a distance of 233.36 feet returning to the Point of Beginning.

Parcel 41C - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Section 35 described as follows:

Beginning at the intersection of the Northeasterly side line of said Parcel 41 with the Westerly line of the Westerly 20.00 feet of Section 35, being also the Westerly line of Harvest Road as located and established on the date of this document, being a point in the arc of a 1,540.00-foot radius curve, concave Southwesterly; a radial to said point bears North 74°49'27" East thence Northwesternly along the arc of said curve through a central angle of 45°16'34", a distance of 1,056.20 feet to an intersection with the Southeasterly line of said Parcel 41A and the beginning of a reverse 20.00-foot radius curve, concave Easterly; a radial to said point bears South 29°32'53" West; thence Northwesternly and Northerly along the Southeasterly line of said Parcel 41A and along the arc of said curve through a central angle of 88°09'48", a distance of 30.77 feet; thence North 27°42'41" East along said Southeasterly line of Parcel 41A, a distance of 40.80 feet; thence South 22°12'37" West, 31.29 feet to the beginning of a 20.00-foot radius curve, concave Easterly; thence Southerly along the arc of said curve through a central angle of 70°04'18", a distance of 24.46 feet; thence South 56°55'15" East, 150.02 feet; thence South 52°27'07" East, 103.42 feet; thence South 48°37'55" East, 103.35 feet; thence South 44°15'26" East, 103.27 feet; thence South 40°59'29" East, 103.15 feet to the beginning of a tangent 1,500-foot radius curve concave Southwesterly, thence Southeasterly along the arc of said curve through a central angle of 23°05'42", a distance of 604.63 feet to the Westerly line of said Harvest Road; thence South 00°52'13" West, along said Westerly line, a distance of 61.11 feet returning to the Point of Beginning.

Parcel 41D - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Section 35 described as follows:

Beginning at the intersection of the Westerly line of said East Half of the Northeasterly Quarter with the Southerly side line of Parcel 41 described above; being a point in the arc of a 1,460.00-foot radius curve, concave Southwesterly; thence Southeasterly along the Southerly Southwesterly and Westerly side line of Parcel 41 and along the arc of said curve through a central angle of 83°30'49", a distance of 2,128.07 feet to a point hereby set out as Point B for the purpose of this description; thence South 00°52'13" West along the Westerly line of said Parcel 41, a distance of 289.48 feet to the beginning of a tangent 2,040-foot radius curve concave Northeasterly, thence Southerly along the arc of said curve through a central angle of 08°01'47", a distance of 285.90 feet to the Westerly line of said Harvest Road; thence South 00°52'13" West, along said Westerly line, a distance of 87.64 feet; thence North 12°51'32" West, 15.19 feet to the beginning of a tangent 2,055.00-foot radius curve concave Easterly, thence Northerly along the arc of said curve through a central angle of 10°01'41", a distance of 359.67 feet thence tangent to said curve North 00°52'13" East, 289.48 feet to the beginning of a tangent 1,445.00-foot radius curve, concave Southwesterly; thence Northwesterly along the arc of said curve through a central angle of 13°46'08", a distance of 347.25 feet; thence North 15°59'54" West, 96.27 feet to the beginning of a 1,500-foot radius curve concave Southwesterly, a radial bears North 73°51'25" East to said point; thence Northwesterly along the arc of said curve through a central angle of 22°07'01", a distance of 579.02 feet; thence North 41°32'47" West, 96.85 feet; thence North 47°52'02" West, 193.47 feet; thence North 55°48'13" West, 193.15 feet; to the beginning of a tangent 1,448.00-foot radius curve, concave Southwesterly; thence Northwesterly along the arc of said curve through a central angle of 19°05'55", a distance of 482.67 feet; thence North 77°23'31" West, 121.26+ feet to the Westerly line of said East Half; thence Northerly along said Westerly line, a distance of 6.04+ feet returning to the Point of Beginning.

Parcel 41E - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress over, under, along and across all that portion of said East Half of the Northeast Quarter Section 35 described as follows:

A strip of land 10.00-feet-wide lying 5.00 feet on each side of the following described centerline:

Commencing at Point A as set out in Parcel 41 above; thence North 27°42'41" East, 68.85 feet; thence North 62°17'19" West to the Northwesterly line of Parcel 41A described above and the TRUE POINT OF BEGINNING; thence North 62°17'19" West 20.00 feet to a terminus.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easements subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately-owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 41F - Drain Easement

The permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said East Half of the Northwest Quarter Section 35 as follows:

A strip of land 10.00-feet-wide lying 5.00 feet on each side of the following described centerline:

Commencing at said Point A; thence North 27°42'41" East, 68.85 feet; thence South 62°17'19" East to the Southeasterly line of Parcel 41A described above and the TRUE POINT OF BEGINNING; thence South 62°17'19" East, 5.00 feet to a terminus.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easements subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately-owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 41G - Drain Easement

The permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said East Half of the Northeast Quarter of Section 35 as follows:

Commencing at said Point A, being a point on the arc of a 1,500.00-foot radius curve, concave Southwesterly, thence Northwesterly along the centerline of said Parcel 41 and along the arc of said curve through a central angle of 03°42'51", a distance of 97.24 feet to a point to which a radial bears North 23°59'50" East; thence North 23°59'50" East along said radial line, a distance of 40.00 feet to the Northeasterly line of said Parcel 41 and the TRUE POINT OF BEGINNING, thence North 23°37'31" East, 15.03 feet; thence North 26°22'29" West, 20.00 feet; thence South 23°37'31" West, 15.03 feet to said Northeasterly side line of said Parcel 41, and a point in the arc of a 1,540.00-foot radius curve, concave Southwesterly; thence Southeasterly along said Northeasterly sideline and along the arc of said curve through a central angle of Easterly sideline and along the arc of said curve through a central angle of 00°44'38", a distance of 19.99 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easements subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately-owned pipe lines shall be prohibited except by written permission from the City of San Diego.

Parcel 41H - Drain Easement

The permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said East Half of the Northeast Quarter of Section 35 as follows:

Commencing at said Point A; being a point on the arc of said 1,500.00-foot radius curve, concave Southwesterly; thence Northwesterly along said centerline of Parcel 41, and along the arc of said curve through a central angle of $04^{\circ}44'11''$, a distance of 124.00 feet to a point to which a radial bears North $22^{\circ}58'30''$ West; thence South $22^{\circ}58'30''$ West along said radial line, a distance of 40.00 feet to the Southwesterly line of said Parcel 41 and the TRUE POINT OF BEGINNING; thence South $19^{\circ}44'19''$ West, 60.04 feet; thence South $66^{\circ}22'29''$ East, 25.00 feet; thence North $19^{\circ}44'19''$ East, 60.11 feet to said Southwesterly line of said Parcel 41; being a point in the arc of said 1,460.00-foot radius curve, concave Southwesterly; thence Northwesterly along said Southwesterly line and along the arc of said curve, through a central angle of $00^{\circ}58'52''$, a distance of 25.00 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easements subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately-owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 41I - Drain Easement

The permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said East Half of the Northeast Quarter of Section 35 as follows:

Commencing at a point on the Westerly sideline of said Parcel 41 designated Point B in Parcel 41D described above; being a point in the arc of a 1,460.00-foot radius curve, concave Southwesterly; a radial bears South $89^{\circ}07'47''$ East to said point; thence Northerly along said Westerly sideline and along the arc of said curve through a central angle of $00^{\circ}22'05''$, a

Parcel 41I - Drain Easement continued

distance of 9.38 feet to the TRUE POINT OF BEGINNING; thence South 89°35'45" East, 20.00 feet; thence North 00°24'15" East, 5.00 feet; thence North 89°35'45" West, 20.00 feet to a point on said Westerly line, a radial bears South 89° 41'38" East to said point; thence Southerly along said Westerly line and along the arc of said curve through a central angle of 04°11'46", a distance of 5.00 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easements subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately-owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 41J - Drain Easement

The permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said East Half of the Northeast Quarter of Section 35 as follows:

Commencing at said Point B as set out in Parcel 41D above, being a point on the Westerly line of said Parcel 41 and a point in the arc of a 1,460.00-foot radius curve, concave Southwesterly; thence Northwesterly along said Westerly line and along the arc of said curve through a central angle of 09°19'10", a distance of 237.48 feet to the TRUE POINT OF BEGINNING; thence North 77°57'02" West, 60.70 feet; thence North 12°02'58" East, 30.00 feet; thence South 77°57'02" East, 49.11 feet to said Westerly line of Parcel 41 and the arc of said 1,460.00-foot radius curve, concave Southwesterly to which a radial bears North 80°17'19" East; thence Southerly along said Westerly line and along the arc of said curve through a central angle of 01°15'44", a distance of 32.16 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor(s) herein, their heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately-owned pipe lines shall be prohibited except by written permission from the City of San Diego.

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Parcel 42 - Otay Mesa Road

All that portion of West Half of the Southeast Quarter of Section 6, Township 18 South, Range 1 West, San Bernardino Meridian, according to Official Plat thereof described in these parcels as follows:

Beginning at the Southwest Corner of said West Half of the Southeast Quarter; thence Northerly along the Westerly line of said West Half, a distance of 40.00 feet; thence South $88^{\circ}51'13''$ East 1,176.91 feet to the beginning of a tangent 1,540.00-foot radius curve, concave Southwesterly, a radial bears North $01^{\circ}08'47''$ East to said point; thence Southeasterly along the arc of said curve through a central angle of $05^{\circ}53'11''$, a distance of 158.21+ feet to the Easterly line of said West Half; thence Southerly along the Westerly line of said West Half, a distance of 31.88+ feet to the Southerly line of Section 26; thence North $88^{\circ}51'13''$ West, along said Southerly line, a distance of 1,334.85 feet returning to the TRUE POINT OF BEGINNING.

Parcel 42A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said West Half of the Southeast Quarter, as follows:

Commencing at said Southwest Corner of said West Half; thence Northerly along the Westerly line of said West Half, a distance of 40.00 feet to an intersection with the Northerly line of Parcel 42 described above; and the TRUE POINT OF BEGINNING; thence South $88^{\circ}51'13''$ East, along said Northerly line, a distance of 250.41 feet; thence North $01^{\circ}08'47''$ East, 6.00 feet; thence North $88^{\circ}51'13''$ West, 250.41+ feet to the Westerly line of said West Half; thence Southerly along said Westerly line, a distance of 6.00+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 42B - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said West Half of the Southeast Quarter, as follows:

Commencing at the Southeast Corner of said West Half; thence Northerly along the Easterly line of said West Half, a distance of 31.88+ feet to an intersection with the Northerly line of said Parcel 42 and the TRUE POINT OF BEGINNING; said point being a point in the arc of a 1,540.00-foot radius curve, concave Southeasterly; thence Westerly along said Northerly line, and along the arc of said curve, through a central angle of $05^{\circ}53'11''$, a distance of 158.21 feet; thence North $88^{\circ}51'13''$ West along said Northerly line, a distance of 211.50 feet; thence North $89^{\circ}42'51''$ East, 200.06 feet; to the beginning of a tangent 1,545.00-foot radius curve, concave Southeasterly; thence Easterly along the arc of said curve through a central angle of $05^{\circ}52'02''$, a distance of 158.21+ feet to the Easterly line of said West Half; thence Southerly along said Easterly line, a distance of 5.03+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 43 - Street

All that portion of the Southeast Quarter of the Southeast Quarter of Section 26, Township 18 South, Range 1 West, San Bernardino Meridian, according to official plat thereof more particularly described as follows:

Beginning at the Southwest Corner of said Southeast Quarter of the Southeast Quarter; thence South 88°51'13" East along the Southerly line of said Southeast Quarter, a distance of 190.77 feet to a point in the arc of a 1,540.00-foot radius curve, concave Southwesterly, a radial bears North 14°14'01" East to said point; thence Northwesterly along the arc of said curve through a central angle of 13°05'14", a distance of 351.76 feet; thence South 01°08'47" West along a radial line, a distance of 40.00 feet to the Southerly line of said Section 26; thence South 88°51'13" East along said Southerly line, a distance of 157.94 feet returning to the Point of Beginning.

Excepting therefrom any portion lying within the Southwest Quarter of said Southeast Quarter of Section 26.

Parcel 43A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Southeast Quarter of the Southeast Quarter of Section 26, as follows:

Commencing at the Southwest Corner of said Southeast Quarter of the Southeast Quarter; thence Northerly along Westerly line of said Southeast Quarter of the Southeast Quarter and along the Westerly line of Parcel 43 described above a distance of 31.88 feet to an intersection with the Northerly line of said Parcel 43 and the TRUE POINT OF BEGINNING; being a point on the arc of a 1,540.00-foot radius curve, concave Southwesterly; thence Southeasterly along the arc of said curve and along said Northerly line, a distance of 90.25+ feet to the Northerly line of the Southerly 20.00 feet of said Section 26; thence South 88°51'13" East along said Northerly line, a distance of 45.71 feet; thence North 81°30'36" West, 100.28 feet to the beginning of 1,545.00-foot radius curve, concave Southwesterly, a radial bears South 08°20'47" East to the beginning of said curve, thence Westerly along the arc of said curve through a central angle of 01°19'58", a distance of 35.94+ feet to said Westerly line of the said Southeast Quarter of the Southeast Quarter; thence Southerly along said Westerly line, a distance of 5.03+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 44 - Street

All that portion of the Northwest Quarter of Section 36, Township 18 South, Range 1 West, San Bernardino Meridian, according to official plat thereof described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 36; thence North 00°52'13" East along the Westerly line of said Northwest Quarter, a distance of 659.63 feet to the Southwest Corner of the North Half of the Southwest Quarter of the Northwest Quarter of said Section 36 and the TRUE POINT OF BEGINNING; thence continuing North 00°52'13"

Parcel 44 - Street continued

East along said Westerly line, a distance of 834.82 feet to a point on the arc of a 1,540.00-foot radius curve concave Southwesterly, a radial bears North 77°46'59" East to said point; thence Southeasterly and Southerly along the arc of said curve through a central angle of 13°05'14", a distance of 351.76 feet; thence South 00°52'13" West, 289.48 feet to the beginning of a tangent 1,960.00-foot radius curve, concave Easterly; thence Southerly along the arc of said curve through a central angle of 05°45'28", a distance of 196.96+ feet to the Southerly line of the Northerly Half of the Southwest Quarter of the Northwest Quarter of Section 36; thence North 89°12'29" West, along said Southerly line, a distance of 49.89+ feet returning to the TRUE POINT OF BEGINNING.

Parcel 44A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Section 36 as follows:

Beginning at the intersection of the Northeasterly line of Parcel 44 described above with the Easterly line of Harvest Road as located and established on the date of this instrument; thence North 00°52'13" East along said Easterly line, a distance of 85.38 feet to the beginning of 1,556.00-foot radius curve, concave Southwesterly, a radial bears North 78°31'17" East to the beginning of said curve; thence Southeasterly along the arc of said curve through a central angle of 05°56'46", a distance of 161.48+ feet to the Northerly line of the Southwest Quarter of the Northwest Quarter of said Section 36; thence continuing along the arc of said curve through a central angle of 04°05'35", a distance of 111.16 feet to a point to which a radial bears North 88°33'38" East; thence South 03°22'06" West, 62.77 feet; thence South 00°52'13" West, 289.48 feet to the beginning of a tangent 1,948.00-foot radius curve, concave Easterly; thence Southeasterly along the arc of said curve through a central angle of 05°47'36", a distance of 196.97+ feet to said Southerly line of the North Half of the Southwest Quarter of the Northwest Quarter of said Section 36; thence North 89°12'29" West along said Southerly line, a distance of 12.07+ feet to the Easterly line of said Parcel 44, being a point in the arc of a 1,960.00-foot radius curve, concave Easterly; thence Northerly along said Easterly line and along the arc of said curve through a central angle of 05°45'28", a distance of 196.96+ feet to a point to which a radial bears North 89°07'47" West; thence North 00°52'13" East along said Easterly line, a distance of 112.45 feet to a point hereby set out as Point A for the purpose of this description; thence continuing North 00°52'13" East along said Easterly line, a distance of 177.03 feet to the beginning of a tangent 1,540.00-foot radius curve, concave, Southwesterly; thence continuing Northerly along said Easterly line and along the arc of said curve through a central angle of 06°28'10", a distance of 173.89 feet to said Northerly line of said Southwest Quarter of the Northwest Quarter of Section 36; thence continuing along said Easterly line of Parcel 44 and along the arc of said curve through a central angle of 02°46'29", a distance 74.58 feet returning to the TRUE POINT OF BEGINNING.

Parcel 44B - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress over, under, along and across all that portion of said North Half of the Southwest Quarter of the Northwest Quarter of Section 36, described as follows:

Beginning at the intersection of the Northeasterly line of Parcel 44 described above with said Easterly line of said Harvest Road; thence North 81°37'34" East, 18.84 feet; thence South 07°55'59" East, 33.83 feet; thence North 77°57'02" West, 20.08 feet to said Northeasterly line of Parcel 44; thence Northwesterly along said Northeasterly line, a distance of 26.83 feet returning to the Point of Beginning.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easements subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately-owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 44C - Drain Easement

The permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said North Half of the Southwest Quarter of the Northwest Quarter of Section 36, as follows:

Beginning at Point A as set out in Parcel 41A above; thence South 89°07'47" East, 20.00 feet; thence South 00°52'13" West, 5.00 feet; thence North 89°07'47" West, 20.00 feet to said Easterly line of Parcel 44; thence North 00°52'13" East, along said Easterly line, a distance of 5.00 feet returning to the Point of Beginning.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easements subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately-owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 45 - Street

All that portion of the South Half of the Southwest Quarter of the Northwest Quarter of Section 36, Township 18 South, Range 1 West, San Bernardino Meridian, according to United States Government Survey approved September 11, 1879, decribed as follows:

Parcel 45 - Street

Beginning at the Southwesterly Corner of the Northwest Quarter of said Section 36; thence South 88°45'28" East, along the Southerly line of said Northwest Quarter, a distance of 237.68 feet to a point in the arc of a 1,960-foot radius curve, concave Northeasterly, a radial bears South 64°54'57" West to said point; thence Northwesterly along the arc of said curve through a central angle of 20°11'48", a distance of 690.90 feet to the Northerly line of the South Half of said Southwest Corner of the Northwest Quarter; thence North 89°12'29" West along said Northerly line to the Northwest corner of said South Half; thence Southerly along the Westerly line of said South Half, a distance of 294.49 feet; thence Easterly at a right angle to the last described line, a distance of 20.00 feet to the Easterly line of Harvest Road as located and established on the date of this instrument, said point hereby set out as Point A for the purpose of this description, being also a point in the arc of a 2,040.00-foot radius curve, concave Northeasterly; a radial bears South 76°56'23" West to said point; thence Southeasterly along the arc of said curve through a central angle of 08°44'44", a distance of 311.38 feet to the beginning of a 20.00-foot radius reverse curve, concave Northwesterly, a radial bears North 68°11'39" East to said point; thence Southeasterly and Southwesterly along the arc of said curve through a central angle of 89°16'32", a distance of 31.16 feet to a point in the arc of a compound 170.00-foot radius curve, concave Northerly, a radial bears South 22°31'49" East to said point; thence Westerly along the arc of said curve through a central angle of 23°46'21", a distance of 70.53 feet; thence tangent to said curve North 88°45'28" West, 38.56 feet to the Westerly line of said Section 36; thence South 00°52'13" West along said Westerly line, returning to the Point of Beginning.

Parcel 45A - Slope Easement

An Easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Northwest Quarter of Section 36, described as follows:

Commencing at said Southwest Corner of the Northwest Quarter of Section 36; thence South 88°45'28" East along the Southerly line of said Northwest Quarter, a distance of 237.68 feet to the TRUE POINT OF BEGINNING; said point being the Southeasterly corner of said Parcel 45 described above; thence continuing along said Southerly line, South 88°45'28" East, 22.92 feet; thence North 26°43'00" West, 162.11 feet to the beginning of a 1,950.00-foot radius curve, concave Northeasterly; a radial bears South 69°22'59" West to said point; thence Northwesterly along the arc of said curve through a central angle of 05°43'46", a distance of 195.00 feet; thence North 12°16'47" West, 97.46 feet to the beginning of a 1,948.00-foot radius curve, concave Easterly, a radial bears South 77°58'38" West to the beginning of said curve; thence Northerly along the arc of said curve through a central angle of 07°05'59", a distance of 241.38+ feet to the Northerly line of the South Half of the Southwest Quarter of the Northeast Quarter of Section 36; thence North 89°12'29" West along said Northerly line, a distance of 12.07+ feet to the

Easterly line of Parcel 45 described above and to a point in the arc of a 1,960.00-foot radius curve, concave Northeasterly; thence Southeasterly along said Easterly line and along the arc of said curve through a central angle of 20°11'48", a distance of 690.90+ feet returning to the TRUE POINT OF BEGINNING and to a point to which a radial bears South 64°54'57" West.

Parcel 45B - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Northwest Quarter of Section 36 as follows:

Beginning at Point A as set out in Parcel 45 above; being a point of intersection of the Westerly line of said Parcel 45 with the Easterly line of said Harvest Road; being also a point in the arc of a 2,040.00-foot radius curve concave Easterly; thence Southeasterly along said Westerly line of Parcel 45 and along the arc of said curve through a central angle of 08°44'44", a distance of 311.38 feet to a point of reverse curvature having a radius of 20.00 feet, a radial bears North 68°11'39" East to said point; thence Southwesterly and Westerly along the arc of said curve through a central angle of 89°16'32", a distance of 31.16 feet; thence North 04°10'43" East, 22.25 feet; thence North 18°48'33" West 247.51 feet; thence North 12°51'32" West, 21.56 feet to the Easterly line of said Harvest Road; thence North 00°52'13" East, along said Easterly line, a distance of 45.20 feet returning to the Point of Beginning.

Parcel 46 - Street

All that portion of Section 36, Township 18 South, Range 1 West, San Bernardino Meridian, and all that portion of Lot 3 in Section 1, Township 19 South, Range 1 West, San Bernardino Meridian, according to Official Plat thereof more particularly described as follows:

Beginning at the Northwestern Corner of the Southwest Quarter of Section 36; thence South 88°45'28" East along said Northerly line, a distance of 237.68 feet to a point in the arc of a 1,960.00-foot radius curve, concave Northeasterly, a radial bears South 64°54'57" West to said point; thence Southeasterly along the arc of said curve through a central angle of 16°58'05", a distance of 580.45 feet to a point hereby set out as Point A for the purpose of this description; thence tangent to said curve South 42°03'08" East, 1,177.33 feet to the beginning of a tangent 2,040.00-foot radius curve, concave Westerly; thence Southerly along the arc of said curve through a central angle of 28°32'21", a distance of 1,016.13 feet; thence tangent to said curve South 13°30'47" East 589.52 feet to the Northerly line of the Otay Mesa Border Station land; thence North 88°24'51" West, 144.17 feet along the Northerly line of said land; thence North 05°19'57" West, 275.88 feet to the beginning of a tangent 1,960.00-foot radius curve concave Westerly; thence Northerly along the arc of said curve through a central angle of 36°43'21", a distance of 1,256.13 feet; thence North 42°03'08" West, 1,177.33 feet to a point hereby set out as Point B for the purpose of this description and the beginning of a tangent 2,040.00-foot radius curve, concave Easterly; thence Northwesterly along the arc of said curve through a central angle of

Parcel 46 - Street

17°27'53", a distance of 621.82 feet to the beginning of a reverse 20.00-foot radius curve concave Southwesterly, a radial bears North 65°24'45" East to the beginning of said curve; thence Northwesterly and Westerly along the arc of said curve through a central angle of 88°12'34", a distance of 30.79 feet to the beginning of a 230.00-foot radius reverse curve, concave Northerly, a radial bears South 22°47'49" East to the beginning of said reverse curve; thence Westerly along the arc of said curve through a central angle of 02°17'39", a distance of 9.21 feet to a point hereby set out as Point C, for the purpose of this description; thence continuing Westerly along the arc of said curve through a central angle of 21°44'42" a distance of 87.29 feet; thence tangent to said curve North 88°45'28" West, 38.18 feet to the Westerly line of said Southwest Quarter; thence North 00°52'13" East along said Westerly line returning to the Point of Beginning.

Parcel 46A - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, over, under, along and across all that portion of said Section 36 and said Lot 3, as follows:

Commencing at said Northwesterly Corner; thence South 88°45'28" East along said Northerly line, a distance of 237.68 feet to the TRUE POINT OF BEGINNING; thence continuing South 88°45'28" East, along said Northerly line, a distance of 22.92 feet; thence South 26°43'00" East, 32.57 feet; thence South 29°33'09" East, 96.91 feet; thence South 31°29'07" East, 193.63 feet; thence South 36°57'53" East, 96.87 feet; thence South 39°28'09" East, 295.50 feet; thence South 42°03'08" East, 100.00 feet; thence South 40°20'02" East, 100.05 feet; thence South 42°03'08" East, 100.00 feet; thence South 40°54'23" East, 200.04 feet; thence South 45°29'09" East, 100.18 feet; thence South 41°28'45" East, 300.02 feet; thence South 43°20'57" East, 202.15 feet; thence South 38°26'40" East, 205.93 feet to the beginning of a 2,062.00-foot radius curve, concave Westerly, a radial bears North 55°48'36" East to the beginning said curve; thence Southerly along the arc of said curve through a central angle of 08°35'40", a distance of 309.30 feet; thence South 21°20'28" East, 205.92 feet; thence South 17°52'36" East, 102.83 feet; thence South 13°53'46" East, 102.76 feet; thence South 13°18'19" East, 614.73 feet to said Northerly line of the Otay Mesa Border Station; thence North 88°24'51" West along said Northerly line, a distance of 11.00 feet to an intersection with the Easterly line of said Parcel 46; thence North 13°30'47" West along said Easterly line, a distance of 589.52 feet to the beginning of a tangent 2,040.00-foot radius curve concave Westerly; thence continuing Northerly along said Easterly line and along the arc of said curve through a central angle of 28°32'21", a distance of 1,016.13 feet; thence tangent to said curve North 42°03'08" West along said Easterly line 1,177.33 feet to a point hereby set out as Point D for this description being a point in the arc of a tangent 1,960.00-foot radius curve, concave Easterly; thence continuing Northerly along said Easterly line, and along the arc of said curve through a central angle of 16°58'05", a distance of 580.45 feet returning to the TRUE POINT OF BEGINNING.

Parcel 46B - Slope Easement

An easement and right-of-way for earth embankment or excavation, slope or slopes, through, over, along and across all that portion of said Section 36 and said Lot 3 as follows:

Beginning at Point C as set out in Parcel 46 described above; being a point in the arc of 230.00-foot radius curve, concave Northerly, a radial bears South 20°30'10" East to said point; thence Easterly along the arc of said curve through a central angle of 02°17'39", a distance of 9.21 feet to the beginning of a 20.00-foot radius reverse curve, a radial bears North 22°47'49" West to the beginning of said curve; thence continuing along the boundary line of said Parcel 46 and along the arc of said curve through a central angle of 88°12'34", a distance of 30.79 feet to the beginning of a 2,040.00-foot radius reverse curve, concave Easterly, a radial bears South 65°24'45" West to the beginning of said curve; thence Southeasterly along the Westerly line of said Parcel 46 and along the arc of said curve through a central angle of 17°27'53", a distance of 621.82 feet; thence tangent to said curve South 42°03'08" East along said Westerly line, a distance of 1,177.33 feet to the beginning of a tangent 1,960.00-foot radius curve, concave Westerly; thence continuing Southerly along said Westerly line and along the arc of said curve through a central angle of 36°43'21", a distance of 1,256.13 feet; thence tangent to said curve South 05°19'57" East along said Westerly line a distance of 275.88 feet to said Northerly line of the Otay Mesa Border Station land; thence North 88°24'51" West along said Northerly line, a distance of 2.00 feet; thence North 05°45'05" West, 275.65 feet; thence North 09°25'27" West, 202.50 feet; thence North 13°17'28" West, 97.57 feet; thence North 17°52'56" West, 194.90 feet; thence North 22°08'36" West, 194.82 feet; thence North 25°51'13" West, 97.56 feet; thence North 30°26'46" West, 195.30 feet; thence North 35°02'11" West, 97.77 feet; thence North 38°29'14" West, 97.80 feet; thence North 42°31'39" West, 198.35 feet; thence North 42°03'08" West, 100.00 feet; thence North 41°11'34" West, 200.20 feet; thence North 42°03'08" West, 100.00 feet; thence North 46°37'34" West, 100.32 feet; thence North 43°11'53" West, 100.02 feet; thence North 12°03'08" West, 200.00 feet; thence North 38°37'07" West, 100.18 feet; thence North 42°27'07" West, 201.21 feet; thence North 35°19'32" West, 102.55 feet; thence North 39°10'18" West, 102.38 feet; thence North 35°44'34" West, 102.57 feet; to the beginning of a 2,052.00-foot radius curve, concave Easterly a radial bears South 57°55'26" West to said point; thence Northerly along the arc of said curve through a central angle of 07°29'19", a distance of 268.20 feet; thence North 63°35'26" West, 26.33 feet returning to the Point of Beginning.

Parcel 46C - Drain Easement

A permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said Section 36 described as follows:

Parcel 46C - Drain Easement continued

Commencing at Point B as set out in Parcel 46 above, being a point on the Westerly line of said Parcel 46, being also a point in the arc of a 2,040.00-foot radius curve, concave Easterly; thence Northerly along said Westerly line, and along the arc of said curve through a central angle of $01^{\circ}05'16''$, a distance of 38.73 feet to the TRUE POINT OF BEGINNING; thence South $66^{\circ}31'46''$ West, 37.32 feet; thence North $23^{\circ}28'14''$ West, 15.00 feet; thence North $66^{\circ}31'46''$ East, 32.65 feet to said Westerly line of Parcel 1 and a point on the arc of said 2,040.00-foot radius curve, concave Easterly a radial bears South $49^{\circ}28'37''$ West to said point; thence Southerly along said Westerly line, and along the arc of said curve through a central angle at $00^{\circ}26'29''$, 15.72 feet returning to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor herein, its heirs and assigns, the continued use of the above-described drain easements subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately-owned pipelines shall be prohibited except by written permission from the City of San Diego.

Parcel 46D - Drain Easement

The permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a storm drain or drains including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of said Section 36 as follows:

Beginning at Point D as set out in Parcel 46 above; being a point on the Easterly line of said Parcel 46 and a point on the arc of said 1,960.00-foot radius curve, concave Easterly; thence Northerly along said Easterly line, and along the arc of said curve through a central angle of $01^{\circ}14'16''$, a distance of 42.34 feet to a point to which a radial bears South $49^{\circ}11'08''$ West; thence North $49^{\circ}11'08''$ East, 25.00 feet; thence South $41^{\circ}26'00''$ East, 41.80 feet; thence South $47^{\circ}56'52''$ West, 25.00 feet returning to the Point of Beginning.

Reserving unto the Grantor(s) herein, its heirs and assigns, the continued use of the above-described drain easement, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately-owned pipelines shall be prohibited except by written permission from the City of San Diego.

Section 5. That the taking and acquiring by said City of the real property and easements hereinabove described are deemed necessary for the construction, operation and maintenance of a public street or streets and incidents thereto, together with earth excavations or embankments, slope or slopes and incidents thereto, and a storm drain or drains by The City of San Diego and the inhabitants thereof, for municipal purposes; that such uses are public uses authorized by law (Section 220, Charter of The City of San Diego; Sections 1240.010, 1240.110, 1240.120, 1240.610, and 1255.410, Code of Civil Procedure; Sections 4090, 5101(d) and 5102, Streets & Highways Code; and Sections 37350.5 and 40404, Government Code); that for such public uses it is necessary that the City of San Diego condemn and acquire said real property and easements; that said property and easements are to be used for the construction, operation and maintenance of a public street or streets and incidents thereto, together with earth excavations or embankments, slope or slopes and incidents thereto, and a storm drain or drains which are planned and located in a manner most compatible with the greatest public good and the least private injury.

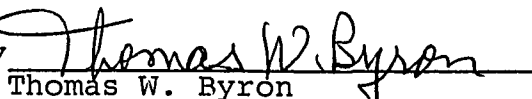
Section 6. The Council hereby makes the following specific findings in support of the above-referenced findings contained in Paragraph 5 herein: (a) The proposed project for which the acquisition is being sought is to widen (to 80 feet) Otay Mesa Road to accommodate the increased traffic volume from the Second Border Crossing with Mexico on Otay Mesa. This Second Border Crossing is scheduled to be completed by the Federal

Government in April, 1984. Such a Second Border Crossing is needed to relieve the traffic congestion at the existing Border Crossing in San Ysidro and to provide for future Border Crossing traffic needs. The widening of Otay Mesa Road is needed to service the traffic needs of this Second Border Crossing.

Section 7. That the City Attorney of The City of San Diego be, and he is authorized and directed to commence an action in the Superior Court of the State of California, in and for the County of San Diego, in the name and on behalf of The City of San Diego, against all owners and claimants to an interest in the above-described real property, for the purpose of condemning and acquiring the fee interests and easements as above-described and obtaining immediate possession of said parcels for the use of said City.

APPROVED:

JOHN W. WITT, City Attorney

By 
Thomas W. Byron
Deputy City Attorney

APR 26 1983

Passed and adopted by the Council of The City of San Diego on
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible	
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gloria McCall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ed Struikma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VACANT

AUTHENTICATED BY:

BILL CLEATOR

Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Marjell L. Pontecorvo*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number *R-258357* Adopted **APR 26 1983**