

(O-85-17)

ORDINANCE NUMBER O- 16315 (NEW SERIES)

ADOPTED ON NOV 5 1984

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 62.0101, 62.0102, 62.0103, 62.0104, 62.0105, 62.0106, 62.0107, 62.0108, 62.0109, 62.0110, 62.0111 and 62.0112; AND BY ADDING SECTION 62.0115; AND BY REPEALING SECTION 62.0113, RELATING TO PUBLIC RIGHTS-OF-WAY AND LAND DEVELOPMENT.

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

Section 1. That Chapter VI, Article 2, Division 1, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 62.0101, 62.0102, 62.0103, 62.0104, 62.0105, 62.0106, 62.0107, 62.0108, 62.0109, 62.0110, 62.0111 and 62.0112, to read as follows:

SEC. 62.0101 PURPOSE AND INTENT

It is the purpose of this Article to provide for the orderly administration of private contract work in the public right-of-way and to protect the public interest and safety in the development of private property by:

Regulating grading, private encroachments on public rights-of-way or public property, and construction within the the public right-of-way, and establishing standards therefor.

SEC. 62.0102 DEFINITIONS

Whenever the following words are used in this Article, they shall have the meaning ascribed to them in this section:

(a) "Architect" shall mean an architect, registered by the State of California, who is engaged in the practice of architecture and associated site development.

(b) "Centre City" shall mean all of that area included within the boundaries of the Centre City San Diego Community Plan as adopted by the City Council on May 12, 1976, and as from time to time amended by the City Council, said plan being on file in the office of the City Clerk.

(c) "Centre City Review Board" shall mean that Board established by Section 62.0209 of this Code.

(d) "Certify" or "Certification" shall mean a signed written statement that the specific inspections and tests which were required have been performed and that the works comply with the applicable requirements of this Article.

(e) "Civil Engineer" shall mean an engineer registered by the State of California to practice in the field of civil engineering.

(f) "Contractor" shall mean a contractor licensed by the State of California to do work covered by this

Article. A contractor may be authorized to act for a property owner in doing such work.

(g) "Cut" - See "Excavation."

(h) "Drought Resistant Plantings" shall mean the type plant materials, either seeds, cuttings, and/or rooted plants used for ground cover or erosion control which are suitable for the climatic conditions of the project site, are relatively resistant to damage during normal summer seasons, and require a minimum of long-term maintenance.

(i) "Embankment" or "Fill" shall be any act by which earth, sand, gravel, rock or any other material is deposited, placed, pushed, dumped, pulled, transported, or moved to a new location and the conditions resulting therefrom.

(j) "Encroachment" or "Encroachment Structure" shall mean privately owned facilities or structures in the public rights-of-way or in other public property, constructed and maintained by a property owner.

(k) "Engineering Geologist" shall mean a geologist, registered by the State of California, who is engaged in the practice of applying geological principles and data to engineering problems dealing with naturally occurring rock and soils for the purpose of assuring that geological factors are recognized and adequately interpreted in engineering practice.

(l) "Excavation" or "Cut" shall be any act by which earth, sand, gravel, rock, or any similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and the conditions resulting therefrom.

(m) "Fill" - See "Embankment."

(n) "Grading" shall mean any excavating or embankment or combination thereof.

(o) "Land Development" shall mean the making of excavations and embankments on private property including the construction of slopes and facilities incidental thereto. Land development shall also mean clearing and grubbing by motorized grading equipment which includes the removal of vegetation, the removal of roots, and/or the clearing or breaking up the surface of the land by digging.

(p) "Land Development Advisory Board" shall mean the advisory board established pursuant to this Article.

(q) "Landscape Architect" shall mean a landscape architect, registered by the State of California, who performs professional work in physical land planning and integrated land development, including the design of landscape planting programs.

(r) "Landscape Contractor" shall mean a contractor licensed by the State of California to do landscaping work and who has at least five years of responsible experience in erosion control planting.

(s) "Permittee" shall mean any person to whom a permit is issued pursuant to this Article.

(t) "Private Contract" shall mean an agreement between a property owner, or an agent therefor, and the City for construction by the property owner or agent in the public rights-of-way, or other public property, or for land development work.

(u) "Property Owner" shall mean the owner of real property which will be benefitted by public improvements, encroachments, or land development work and who makes application to do such work.

(v) "Public Improvement" shall mean publicly owned structures or facilities including the construction thereof, in the public rights-of-way designed for the public use, safety, or general welfare, and maintained by the City.

(w) "Public Property" shall mean property owned in fee by the City or dedicated for public use.

(x) "Public Rights-of-Way" shall mean public easements for streets, alleys and/or other use.

(y) "Public Utility" shall mean a person, firm, corporation or other legal entity furnishing gas, electric, or communication services to the citizens of San Diego under a franchise granted by the City or by the State of California.

(z) "Reservation" shall mean an unaccepted offer of dedication of real property for public rights-of-way, such offer remaining open for future acceptance.

(aa) "Slope" shall mean the inclined exposed surface of an embankment, excavation, or natural terrain.

(bb) "Soils Engineer" shall mean a registered civil engineer who (1) is engaged in the practice of civil engineering and spends a majority of his time in the field of applied soil mechanics and foundation engineering, (2) has at least four years of responsible practical experience in the field of applied soil mechanics, and (3) maintains an adequately equipped soils testing laboratory.

(cc) "Uncontrolled Embankment" shall mean any embankment constructed as land development on which no soil testing was performed or no compaction reports or other soils reports were prepared or submitted.

(dd) "Urban Design Program" shall mean that program of urban design standards adopted by the City Council on October 25, 1983, and as from time to time amended by the City Council, including all technical supplements thereto, said program and supplements being on file in the office of the City Clerk.

SEC. 62.0103 GENERAL REQUIREMENTS

(a) No person shall do or cause to be done any work covered under this Article without first having obtained a permit, City contract, or City franchise to do such work.

(b) All work done under this Article shall be done in accordance with the approved plans and the conditions of the required permits, City contract, or City franchise. The work shall conform to the standards of the City of San Diego as set forth and contained in standard drawings, specifications and general conditions, on file in the office of the City Clerk and available for public distribution in the office of the City Engineer.

(c) This Article shall not affect the requirements of any other section of the Code requiring permits, fees, or other charges, including those for water and sewer mains and services, or affect any provisions concerning the granting of franchises.

(d) Any person or entity performing work covered by this Article shall provide a bond as described in Sections 62.0110 and 62.0111 of this Code and shall comply with the requirements of said section.

SEC. 62.0104 ADMINISTRATION

(a) The City Engineer shall enforce the provisions of this Article. He shall, upon application by qualified persons, issue permits for the work under this

Article when all applicable conditions established by this Article for such permits have been met.

(b) The City Engineer shall determine the extent, type, and requirements of the work to be done under this Article, the type of application and permit required and the fees applicable under the provisions of this Article.

(c) When the nature of the work requested is such that it is subject to other requirements of this Code or Administrative Regulations issued pursuant thereto or affects the operations of any other department of the City, the City Engineer shall adhere to the other requirements and shall be guided by the recommendations of such departments in determining the disposition of the application. Applications which are not in the interest of the public health, safety, or general welfare or do not constitute a reasonable use of land as indicated by the existing zoning or an approved land use plan, shall be denied.

(d) The City Engineer shall fix the time for completion of the work when a permit is issued. The City Engineer may, upon request of the permittee, and for good cause shown, extend the period of time for completion for a sufficient time which, in the opinion of the City Engineer, will enable the permittee to complete the work.

(e) The City Engineer shall cause to be inspected all work done under this Article to insure compliance with the provisions of the permit and shall certify when such work is properly completed.

(f) The City Engineer may cancel a permit or may require the plans to be amended when it is in the interest of public health, safety or general welfare and under, but not limited to, any of the following situations:

(1) Upon the request of the permittee.

(2) When the facts are not as presented by the permittee in application.

(3) When work as constructed or as proposed to be constructed creates a hazard to public health, safety, or general welfare.

(g) Where work subject to the provisions of this Article is undertaken without a permit, the City Engineer shall:

(1) Order the work to be stopped.

(2) Report the violation to the Contractors' Licensing Board.

(3) Assess a fee of double the normal City processing and inspection fee for the permit.

If a permit is not promptly obtained, the City Engineer shall cause building permits to be suspended or certificates of occupancy withheld, and shall cause to be stopped all administrative action toward processing

of any project for which the issuance of a permit pursuant to this Article is a prerequisite until the property is restored to its original condition or to a condition satisfactory to the City Engineer at sole cost of the applicant, or until an appeal of such requirement is heard by the Committee of the City Council having jurisdiction over such matters at that time.

Should restoration or such other resolution as determined by the Council Committee not begin promptly, the City Attorney shall begin prosecution and shall record a notice against the property prohibiting development until satisfactory resolution is attained.

(h) Refer to Section 62.0115 regarding appeals.

SEC. 62.0105 APPLICATIONS FOR PERMITS

(a) Applications for permits authorizing work under this Article shall be made in accordance with procedures established by the City Engineer. Applications shall be accompanied by such detailed plans, specifications, schedules, and estimates as may be required by the City Engineer in determining the nature and extent of the work and applicable fees.

Detailed plans shall be prepared on material and to the size and in the manner designated by the City Engineer.

(b) When proposed work or inquiries concerning the public rights-of-way necessitates investigation, the City Engineer may require a special investigation

application and fee. Special investigation fees shall be in addition to other fees and are not refundable.

(c) The permittee shall notify all public utilities of his request to construct improvements or encroachments within the rights-of-way and shall coordinate with the public utilities in order that any necessary relocations of existing facilities may be done in an orderly fashion without interrupting the continuity of service or endangering life or property.

SEC. 62.0106 ISSUANCE OF PERMITS

The City Engineer shall issue permits authorizing work under this Article upon approval of the application and plans, receipt of the prescribed fees, and posting of the required bond. The permits shall include, or refer, to the conditions, plans, and specifications which shall govern the work authorized.

SEC. 62.0107 PERMITS FOR PROJECT WITHIN THE COASTAL ZONE

No land development permit, public improvement permit or encroachment permit will be issued by The City of San Diego for projects or developments within the California Coastal Zone as established by the California Coastal Act of 1976 as amended until such time as a development permit or certificate of exemption has been obtained from the California Coastal Commission, or a court of competent jurisdiction authorizing such development, except that public improvement permits or

encroachment permits considered as repairs or improvements to single-family dwellings of less than \$7,500 which are not located between the mean high-tide line as defined by the Coastal Commission and the nearest improved public street will not be subject to this provision. Procedures to be followed when application is submitted for a permit in the Coastal Zone are: The application, plans and specifications filed by an applicant for a permit shall be reviewed by the City Engineer. Such plans shall be reviewed by other City departments to ensure compliance with the laws and ordinances under their jurisdiction. If the City Engineer is satisfied that the work described in the application for a permit, and the plans and specifications filed therewith conform to the requirements of this Code, and other pertinent laws and ordinances, he shall issue to the applicant a letter stating that he is prepared to issue a permit, therefore, to the applicant when the appropriate fees have been paid and the applicant presents an approved permit or certificate of exemption granted by the California Coastal Commission, or a court of competent jurisdiction authorizing construction for which the application was filed; provided, however, that the application, plans and specifications comply with all laws and ordinances in effect at the time of the presentation of such permit or certificate of exemption

and payment of the fee specified in Section 62.0108 of this Code is made.

SEC. 62.0108 FEES

Permit fees or deposits required by this Article shall be collected by the City Engineer or other designated persons in accordance with procedures established by the City Auditor and Comptroller. A schedule of fees and deposits to cover the costs of processing the various types of work referred to in this Article shall be established by the City Council and filed in the office of the City Clerk. Fixed charges may be established to cover portions of the City costs. Such fixed charges may include but are not limited to the cost for driveway permits, encroachment permits, and update of City records. No permit shall be issued and no work in the public rights-of-way or land development shall be permitted until the fees applicable under this Article have been received by the City Engineer.

Any portion of said deposit not used to cover the actual costs of the City in processing a permit application will be refunded, but no funds will be released until all billings are in, and until final acceptance of the work by the City Engineer. In determining the actual costs incurred by the City in connection with the processing of final maps and improvement plans, the costs as recorded by the City Auditor and Comptroller shall be prima facie evidence of actual costs of services performed by the City.

The State of California, its political subdivisions or other governmental agencies shall file applications for permits and shall be issued permits as required by this Article; provided, however, that no fees shall be required for work to be performed directly by the State of California, its political subdivisions or other governmental agencies. Contractors working for the State of California, its political subdivisions, or other governmental agencies shall obtain a permit and shall pay the permit fee.

SEC. 62.0109 REFUNDS

In the event a permit fee refund is requested by permittee and the City Engineer has determined that it is in the public interest to allow the permittee to abandon the work, the City Engineer shall cancel the permit and refund the refundable portion of the fee.

SEC. 62.0110 BOND REQUIRED

Persons performing work under a permit issued in accordance with this Article shall furnish a performance and materialman's bond, cash deposit, or other security acceptable to the City Engineer in accordance with the following provisions:

- (a) The bond shall be issued by a surety company authorized to do business in the State of California and shall be approved by the City. The bond shall be in favor of The City of San Diego and shall be conditioned upon the completion, free of

liens, of the work authorized by the permit in accordance with the requirements of this Article and the conditions prescribed by the permit.

(b) The bond shall be conditioned upon the payment to the City of any costs incurred by the City in completing the required work or in employing a contractor to complete such work. Whenever the City Engineer finds that a default has occurred in the performance of any term or condition of work authorized by a permit, he shall give written notice of such default to the principal and surety of the bond. Such notice shall state the work remaining to be done, the estimated cost of completion and the time estimated by the City Engineer to be necessary for the completion of the work. After receipt of such notice, the principal or the surety must, within the time specified, either complete the work satisfactorily or deposit with The City of San Diego an amount equal to the City Engineer's estimate of the completion cost plus an additional sum equal to 25% of such cost.

(c) In the event the principal or surety fails to complete such work within the time specified in the notice, or fails to deposit the estimated cost plus 25% with the City, the City Engineer may cause the required work to be

completed. The principal and the surety shall be liable for the cost of completing such work.

(d) If the principal or surety deposits the estimated cost plus 25% as set forth in the notice, the City Engineer shall cause the required work to be completed. The unexpended money shall be returned to the depositor at the completion of such work, together with an itemized accounting of the cost. The principal and surety shall hold the City harmless from any liability in connection with the work so performed by the City or contractor employed by the City. The City shall not be liable in connection with such work other than for the expenditure of said money.

(e) In lieu of a bond, the permittee may post a cash deposit or other acceptable security with the City Treasurer in an amount equal to the required bond. In the event of a default, the notice of default as provided above shall be given to the principal and if the default is not corrected within the time specified, the City Engineer shall proceed without delay and without further notice of proceedings whatever to use the cash deposit or other security or any portion of such deposit or security to complete the required work. The balance, if any, of such cash deposit shall, upon completion of the work, be returned to

the depositor or to his successors or assigns after deducting the cost of the work.

(f) No bond under the provisions of this Article shall be required from the State of California or any of its political subdivisions or any governmental agency.

(g) Permits issued directly to a contractor pursuant to an approved application by the State of California or any of its political subdivisions or any governmental agency shall require a bond unless proof is submitted that the work is covered by a bond inuring to the benefit of the State or agency.

(h) The bond may be for a specific project or an annual and continuing bond may be filed with the City covering the costs of several projects. The amount of the bond covering a specific project shall be based on the amount of the estimate submitted by the person doing the work and approved by the City Engineer and in accordance with the schedule in Section 62.0111 of the Article.

A person may utilize an annual and continuing bond for more than one permit provided the aggregate bonded amount of the permits outstanding do not exceed the total amount of the bond. Annual and continuing bonds shall contain a clause providing the City Engineer with 30 days' notice prior to cancellation.

SEC. 62.0111 AMOUNT OF BOND REQUIRED

The bond, cash deposit, or other security amount shall be based on an estimate of the cost of work approved by the City Engineer and in accordance with the following schedule:

(a) Public Improvements: 110% of the estimated cost of the work.

(b) Encroachments: 110% of the estimated cost of repair and restoration of the right-of-way to its original condition.

(c) Land Development:

(1) Appurtenances: 100% of the estimated cost of retaining walls, drainage structures, or other grading appurtenances.

(2) Slope planting and and irrigation systems: 50% of the estimated cost of slope planting and irrigation systems.

(3) Grading:

100% of the cost estimate in an amount up to \$5,000;
\$5,000 plus 50% of the cost estimated above \$5,000 and up to \$50,000;
\$27,000 plus 25% of the cost estimate in an amount above \$50,000.

Any notice of cancellation shall be sent to the City Engineer.

SEC. 62.0112 QUALIFICATIONS TO DO WORK

(a) All work under this Article shall be performed by a contractor who is licensed by the State of California to do the work proposed under the permit; provided, however, that any person occupying property as that person's own home or constructing a house to be occupied as that person's own home may present an application to personally construct improvements or encroachments in the public right-of-way adjacent to that person's property or to do land development work on the property.

(b) Plans for public improvement and major work involving encroachment or land development authorized under this Article shall be prepared by a civil engineer. Where soils reports or soils investigations and/or geologic reports or geologic investigations are required, the reports and investigations shall be prepared and conducted by a soils engineer or engineering geologist.

Section 2. That Chapter VI, Article 2, Division 1, of the San Diego Municipal Code be and the same is hereby amended by adding Section 62.0115, to read as follows:

SEC. 62.0115 APPEALS FROM DECISIONS OF THE CITY
ENGINEER

In the event that anyone is dissatisfied with any decision of the City Engineer, an appeal as provided for herein may be directed to the Committee of the City

Council having jurisdiction over such matters at the time of the appeal by filing a notice thereof with the City Clerk within 15 days following such action.

Appeals shall be filed in writing with and on forms provided by the City Clerk. Such appeals shall state the nature and basis of the appeal. The City Clerk shall immediately transmit a copy of said notice to the Committee Consultant who shall place the matter on the Committee docket for a hearing within 15 days or at the next succeeding regular Committee meeting unless the applicant consents to a continuance.

At the hearing, the Committee shall hear testimony of the appellant or any other persons desiring to be heard. Upon the conclusion of the hearing, unless the Committee and the appellant mutually agree that additional time is needed for further consideration, the Committee shall, within seven days, declare its findings based on the testimony and documents placed before it. The Committee may sustain, modify, reject, or overrule the recommendations or the rulings of the City Engineer and may make such findings as are not inconsistent with state or local laws. The action of the Committee shall be final unless a hearing is set before the City Council pursuant to Section 22.0101, Rule 4 of the Code.

Section 3. That Chapter VI, Article 2, Division 1, of the San Diego Municipal Code be and the same is hereby amended by repealing Section 62.0113, as follows:

SEC. 62.0113 PROPERTY OWNER'S APPLICATION

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By



John K. Riess
Deputy City Attorney

JKR:ta:710.3
7/23/84
Or.Dept:Plan.
O-85-17
Form=o.none

NOV 5 1984

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 McColl | <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 Struiksma | <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 Roger Hedgecock | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By June A. Blackwell, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

OCT 23 1984

NOV 5 1984

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By June A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number

0-16315

Adopted

NOV 5 1984

NOV 2 1984

RECEIVED
CITY CLERK'S OFFICE

1984 AUG 15 PM 3:11

SAN DIEGO, CALIF.

NOV 2 1984

OCT 30 1984

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1984 NOV 21 AM 9:58
SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C Street, 12th Floor
San Diego, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NUMBER O-16315

**ORDINANCE NUMBER O-16315
(NEW SERIES)**

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 62.0101, 62.0102, 62.0103, 62.0104, 62.0105, 62.0106, 62.0107, 62.0108, 62.0109, 62.0110, 62.0111 and 62.0112, AND BY ADDING SECTION 62.0113; AND BY REPEALING SECTION 62.0113, RELATING TO PUBLIC RIGHTS-OF-WAY AND LAND DEVELOPMENT.

This ordinance makes numerous revisions in the City's procedures relating to work in the public rights-of-way. It would also add provisions defining the Centre City area, the Urban Design Program and creating a Centre City Review Board. Other definitions are clarified. Minor changes in grammar are made to clarify the duties of the City Engineer. The provisions for sanctions where work has been undertaken without a permit have been revised to make it clear that no further work will be permitted until a permit is issued. Provisions are made for forms of security other than cash or a performance bond. The procedures for appeal are now included in this division.

A complete copy of the ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th floor, City Administration Building, 202 "C" Street, San Diego, CA 92101. Introduced on OCT 23 1984.

Passed and adopted by the Council of The City of San Diego on NOV 5 1984.

AUTHENTICATED BY:
ROGER HEDGECOCK,
Mayor of The City of San Diego, California.
CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.
(SEAL)
By JUNE A. BLACKNELL, Deputy.
Pub. Nov. 19 8731

I, Linda S. Lawson, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-16315

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

November 19, 1984

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 19th day of Nov., 19 84.

Linda S. Lawson
(Signature)

01807

6 1/4" X 9 7/8" = 61-00