

RESOLUTION NUMBER R- 296764

ADOPTED ON JUL 08 2002

WHEREAS, on October 22, 1999, the City took title to a 2.48 acre parcel of land in compliance with a Development Agreement approved by the Mayor and Council on May 15, 1989 (Document No. 00-17300), which required dedication, at no cost to the City, of the necessary right-of-way required for the I-5/805 widening; and

WHEREAS, the right-of-way acquired pursuant to this agreement was intended to be transferred to CalTrans [the Project] to support necessary slopes for the Project; and

WHEREAS, the adjacent property owner, Torrey View, LLC, [Torrey] has redesigned its development project, and has proposed that in exchange for the easterly 1.541 acres of the 2.48 acre parcel, they can eliminate the need for the slope originally required by CalTrans; and

WHEREAS, in addition, Torrey would grant the necessary right-of-way for the street widening of Carmel Mountain Road required for the north-bound ramp to I-5, and provide an irrevocable offer of dedication for a 0.425 acre parcel for the proposed Light Rail Transit (see attached exhibits); and

WHEREAS, CalTrans concurs with this proposal; NOW, THEREFORE,

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

1. That the acceptance by the City Manager of that Grant Deed-Public Street Easement of Torrey View, LLC, a California limited liability company, executed in favor of the City of San Diego, conveying to said City a public street easement, as more particularly described in said deed, substantially in the form attached as Exhibit "A" to this resolution, is approved.

2. That the acceptance by the City Manager of an irrevocable offer of dedication of Torrey View, LLC, a California limited liability company, executed in favor of the City of San Diego, substantially in the form attached as Exhibit "B" to this resolution, granting to the City an irrevocable offer of dedication for light rail transit purposes in a portion of Section 31, Lot 1 and 2, Township 14 South, Range 3 West, San Bernardino Meridian in the City of San Diego, as shown on Drawing No. 13932-B and as more particularly described in the deed, is approved.

3. That upon receipt of fully executed deeds for the easement and irrevocable offer of dedication, the City Manager or his designee is authorized and empowered to execute, for and on behalf of the City of San Diego, a quitclaim deed, a copy of which is on file in the office of the City Clerk as Document No. RR-296764, quitclaiming to Torrey View, LLC, all of the City's right, title and interest in 1.541 acres of City-owned land, as more particularly described in the quitclaim deed.

4. That the City Clerk is authorized and directed to deliver a certified copy of this resolution, attested by him under seal, to the Real Estate Assets Department for recording with the County Recorder along with the fully executed deeds and irrevocable offer of dedication.

APPROVED: CASEY GWINN, City Attorney

By


Prescilla Dugard
Deputy City Attorney

PD:cdk
06/20/02
Or.Dept:REA
Job:522408
R-2002-1791
Form=exr.frm

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

THE CITY OF SAN DIEGO

AND WHEN RECORDED MAIL TO:

**CITY CLERK
CITY OF SAN DIEGO
MAIL STATION 2A**

(THIS SPACE FOR RECORDER'S USE ONLY)

W.O. NO: _____

ASSESSOR'S PARCEL NO: 310-040-28

NO DOCUMENT TAX DUE
R & T 11922 (Amended)
Presented for record by the City of San Diego

**NO FEE FOR GOVT. AGENCY
CODE 27383**

GRANT DEED - PUBLIC STREET EASEMENT

For and in consideration of a valuable consideration: Torrey View, LLC, A California Limited Liability Company

HEREBY GRANT(S) to the City of San Diego, a municipal corporation, in the County of San Diego, State of California, all that real property situated in the City of San Diego, County of San Diego, State of California, a permanent easement and right-of-way for public street and incidents and appurtenances thereto, over, under, along and across all that real property described as follows:

See legal description attached as Exhibit "A" and as shown on Exhibit "B" for illustrative purposes

Date: _____

Owners: _____

By: _____

This is to certify that the interest in real property conveyed by this instrument to the City of San Diego, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City of San Diego, pursuant to authority conferred by Resolution No. _____, adopted by the Council of the City of San Diego on June 25, 2002, and the grantee consents to recordation thereof by its duly authorized officer.

Date: _____

By: _____
Deputy

NOTE: NOTARY ACKNOWLEDGMENTS (FOR ALL SIGNATURES) MUST BE ATTACHED, PER CIVIL CODE SEC. 1180 ET. SEQ.

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To request this information in alternative format, call (619) 236-7703 or (800) 735-2929 (TT).

EXHIBIT A

R-296764

EXHIBIT "A"

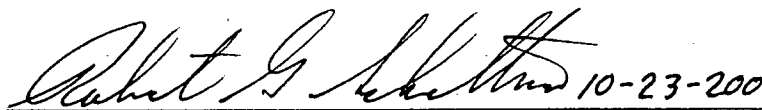
J-13932

STREET DEDICATION - CARMEL MOUNTAIN ROAD

Those portions of Lots 1 and 2 of Section 31, Township 14 South, Range 3 West, San Bernardino Meridian according to the Official Plat thereof in the City of San Diego, County of San Diego, State of California, being more particularly described as follows:

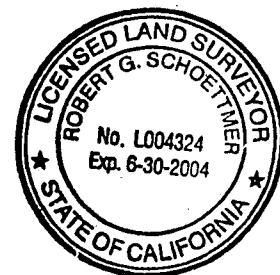
Beginning at a point at the most Southeasterly corner of Lot 125 per Torrey View Map No. 13297, said point being on the Northwesterly Right-of-way of Carmel Mountain Road as dedicated per document recorded March 13, 1990 as File/Page No. 90-133889 of Official Records in the Office of the Recorder of San Diego County, State of California; thence Southerly along said Right-of-way South $41^{\circ}07'31''$ West 152.40 feet to the TRUE POINT OF BEGINNING; thence continuing along said Right-of-way South $41^{\circ}07'31''$ West 30.20 feet to the beginning of a tangent 1139.00 foot radius curve concave Northwesterly; thence Southwesterly along the arc of said curve through a central angle of $13^{\circ}37'49''$ a distance of 270.96 feet; thence South $54^{\circ}45'20''$ West 229.36 feet to an angle point in the Easterly boundary of that certain parcel of land deeded to the City of San Diego October 22, 1999 as File/Page No. 1999-0710493 of Official Records; thence leaving said Right-of-way North $35^{\circ}14'40''$ West 8.00 feet along the boundary of said City land; thence leaving said boundary North $54^{\circ}45'20''$ East 229.36 feet to the beginning of a tangent 1131.00 foot radius curve concave Northwesterly; thence Northeasterly along the arc of said curve through a central angle of $11^{\circ}53'59''$ a distance of 234.90 feet; thence North $48^{\circ}39'49''$ East 64.91 feet to the TRUE POINT OF BEGINNING.

Said parcel containing 0.092 acres, more or less.

 10-23-2001

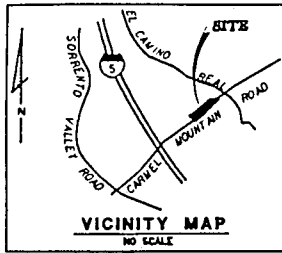
Robert G. Schoettmer

L.S. 4324



jb/13932.001

R-296764



TORREY VIEW
MAP NO. 13297
LOT 125

P.D.B.
PARCEL "A"
MOST SOUTHEASTERLY
CORNER LOT 125

N89°1'25"W

BASIS OF BEARINGS

POR. SECTION 31;
LOT 1 AND 2
T14S; R3W
S.B.M.

LEGEND

- INDICATES STREET DEDICATION AREA
PARCEL "A" - 0.092 ACRES
- P.D.B. INDICATES POINT OF BEGINNING
- T.P.O.B. INDICATES TRUE POINT OF BEGINNING
- (R) INDICATES RADIAL BEARING

BASIS OF BEARINGS

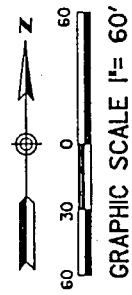
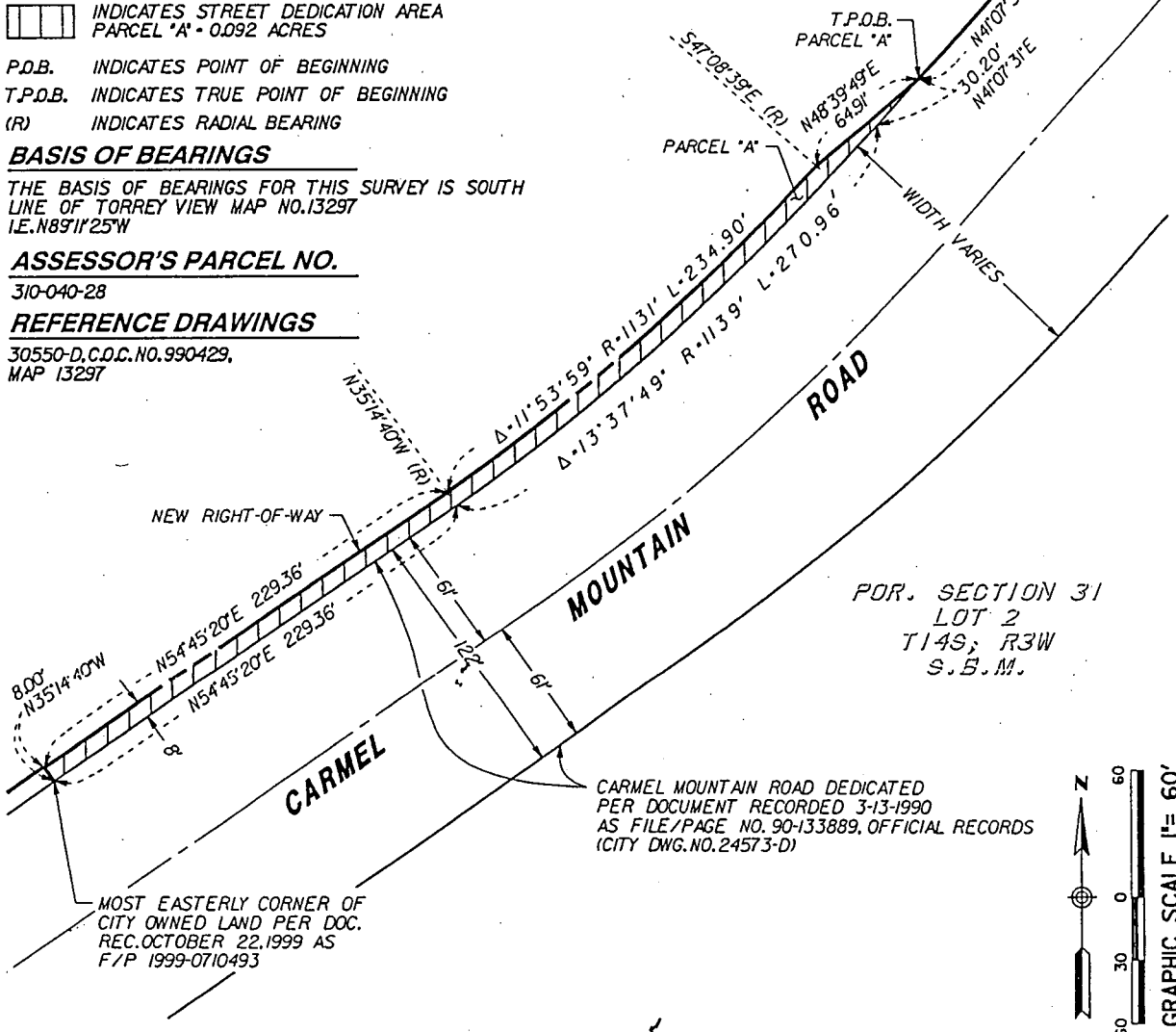
THE BASIS OF BEARINGS FOR THIS SURVEY IS SOUTH
LINE OF TORREY VIEW MAP NO.13297
I.E. N89°1'25"W

ASSESSOR'S PARCEL NO.

310-040-28

REFERENCE DRAWINGS

30550-D.C.D.C.NO.990429,
MAP 13297



rick
ENGINEERING
COMPANY

Robert G. Schoettmer

ROBERT G. SCHOETTMER
DATE 10-23-2001

STREET DEDICATION - CARMEL MOUNTAIN ROAD
SECTION 31, TOWNSHIP 14 SOUTH,
RANGE 3 WEST,
SAN BERNARDINO MERIDIAN IN THE
CITY OF SAN DIEGO

R-296764

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL					SHEET 1 OF 1 SHEET	1914-6257
					FOR CITY ENGINEER	NAD 83 COORDINATES
					DATE	274-697
						LAMBERT COORDINATES
					STATUS	-B

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:
THE CITY OF SAN DIEGO
PLANNING AND DEVELOPMENT REVIEW DEPT
Land Development Review Division
1222 First Avenue, M.S. 502
San Diego, CA 92101 -4155

(THIS SPACE FOR RECORDER'S USE ONLY)

Assessor's Parcel No: 310-040-28

W.O. No : _____

Dwg No: _____

IRREVOCABLE OFFER TO DEDICATE IN FEE TITLE - LIGHT RAIL TRANSIT PURPOSED

City of San Diego
County of San Diego, State of California

TORREY VIEW , LLC, A CALIFORNIA LIMITED LIABILITY COMPANY,

the undersigned, being the present title owner(s) of record of the herein described parcel of land, do hereby make an **IRREVOCABLE OFFER TO DEDICATE FEE TITLE** to the City of San Diego, a California Municipal Corporation, and its successors or assigns, of a permanent right-of-way for light rail transit purposes, and incidents and appurtenances thereto over, under, along and across the real property situated in the City of San Diego, County of San Diego, State of California more particularly described in Exhibit "A" and as shown on Exhibit "B", both attached hereto.

It is understood and agreed that the City of San Diego and its successors and assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein, until such offer has been accepted by action of the San Diego City Council, or its authorized designee. The Provisions hereof shall inure to the benefit of and be binding upon heirs, successors, assigns, and personal representatives of the respective parties hereto.

IN WITNESS WHEREOF, these presents have executed this instrument this _____ day of _____, 19 _____.

NOTE: NOTARY ACKNOWLEDGMENTS (FOR ALL SIGNATURES) MUST BE ATTACHED, PER CIVIL CODE SEC. 1180 ET. SEQ.

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EXHIBIT B *RL* 296764

J-13932

IRREVOCABLE OFFER OF DEDICATION

Those portions of Lots 1 and 2 of Section 31, Township 14 South, Range 3 West, San Bernardino Meridian according to the Official Plat thereof in the City of San Diego, County of San Diego, State of California being more particularly described as follows:

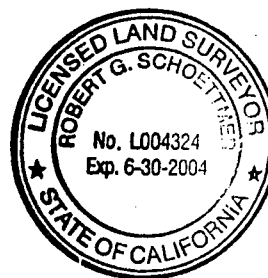
Beginning at the most Southerly corner of Parcel "A" of that certain deed to the City of San Diego recorded October 22, 1999 as Document No. 1999-0710493; thence along the Westerly line of said deed North 81°46'53" West 40.31 feet; thence North 44°20'44" West 66.61 feet; thence North 12°54'16" West 210.95 feet; thence North 21°14'44" West 69.39 feet to the TRUE POINT OF BEGINNING; thence continuing North 21°14'44" West 94.04 feet to the beginning of a non-tangent 2858.56 foot radius curve concave Northeasterly to which a radial line bears South 40°59'20" West; thence leaving the Westerly line of said City Land Southeasterly along the arc of said curve through a central angle of 05°02'16" a distance of 251.34 feet; thence South 54°02'56" East 208.73 feet; thence South 54°45'20" West 38.12 feet; thence North 89°09'31" West 15.49 feet; thence North 54°02'56" West 183.77 feet to the beginning of a tangent 2903.56 foot radius curve concave Northeasterly; thence Northwesterly along the arc of said curve through a central angle of 03°23'44" a distance of 172.07 feet to the TRUE POINT OF BEGINNING.

Said parcel containing 0.425 acres, more or less.

Robert G. Schoettmer 10-23-2001

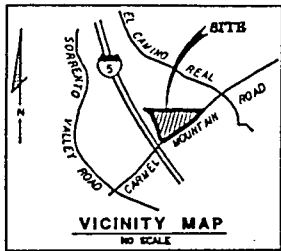
Robert G. Schoettmer

L.S. 4324




jb/13932.001

R 296764



LEGEND

-  INDICATES IRREVOCABLE OFFER OF DEDICATION, FOR LIGHT RAIL TRANSIT, TO THE CITY OF SAN DIEGO
PARCEL "A" - 0.425 ACRES
- T.P.O.B. INDICATES TRUE POINT OF BEGINNING
- P.O.B. - INDICATES POINT OF BEGINNING
- (R) INDICATES RADIAL BEARING

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS AN EASTERN BOUNDARY OF CERTIFICATE OF COMPLIANCE NO. 990429 RECORDED OCTOBER 22, 1999 AS DOCUMENT NO. 1999-072642J OF OFFICIAL RECORDS, I.E. S5445'20"W

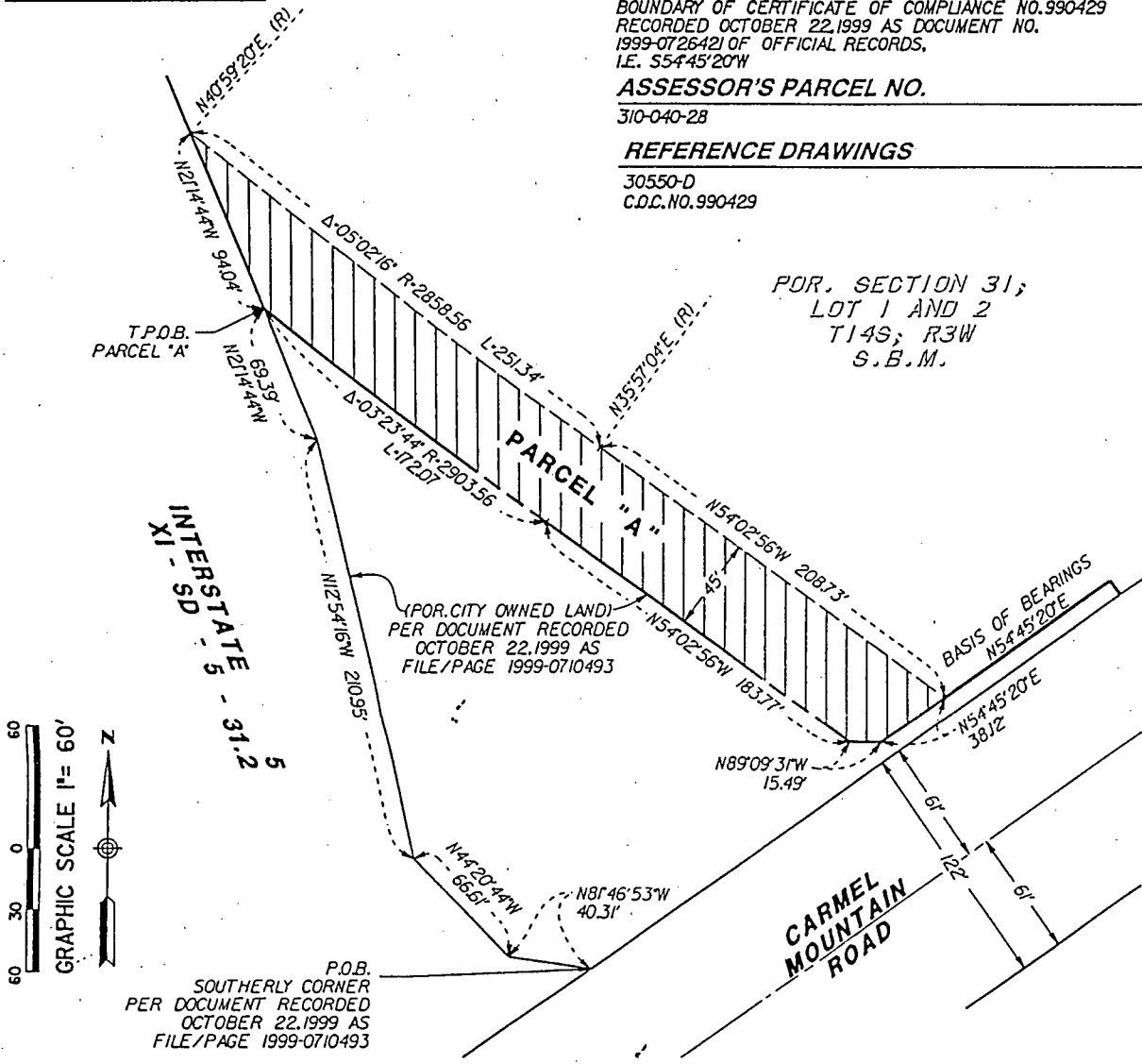
ASSESSOR'S PARCEL NO.


310-040-28

REFERENCE DRAWINGS

30550-D
C.D.C. NO. 990429

POR. SECTION 31;
LOT 1 AND 2
T14S; R3W
S.B.M.



 **RICK ENGINEERING COMPANY**
Robert G. Schoettmer
 ROBERT G. SCHOETTNER L.S. 4324
 DATE 10-23-2001

IRREVOCABLE OFFER OF DEDICATION, FOR LIGHT RAIL TRANSIT, TO THE CITY OF SAN DIEGO
 SECTION 31, TOWNSHIP 14 SOUTH,
 RANGE 3 WEST,
 SAN BERNARDINO MERIDIAN IN THE
 CITY OF SAN DIEGO

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL					SHEET 1 OF 1 SHEET	1914-6257
					FOR CITY ENGINEER	NAD 83 COORDINATES
					DATE	274-697
						LAMBERT COORDINATES
					STATUS	-B

After recording mail to:

City Clerk
City of San Diego
Mail Station 2A

				ALL
				PTN

SPACE ABOVE THIS LINE FOR RECORDER'S USE
NO DOCUMENTARY TAX DUE - R&T 11922 (amended)
Presented for record by the CITY OF SAN DIEGO

QUITCLAIM DEED

The City of San Diego, a municipal corporation,
in the County of San Diego, State of California

for a valuable consideration, does hereby Remise, Release and QUITCLAIM to

Torrey View, LLC, a California Limited Liability Company

All Right, Title and Interest in and to the following described Real Property situated in the City of San Diego, County of San Diego, State of California:

See attached Exhibit "A"

IN WITNESS WHEREOF, the City of San Diego has caused this deed to be executed by its City Manager, pursuant to resolution of the Council is authorizing such execution, this _____ day of _____, 2002.

R - 296764

EXHIBIT "A"

J-13932

FEE TITLE ACQUISITION

Those portions of Lots 1 and 2 of Section 31, Township 14 South, Range 3 West, San Bernardino Meridian, according to the Official Plat thereof in the City of San Diego, County of San Diego, State of California, being more particularly described as follows:

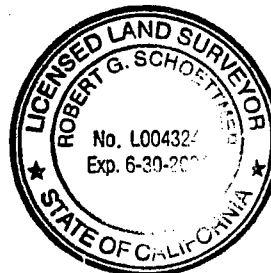
Beginning at the most Easterly corner of that certain parcel of land deeded to the City of San Diego October 22, 1999 as File/Page 1999-0710493; thence along the boundary of said City land North $35^{\circ}14'40''$ West 8.42 feet; thence South $54^{\circ}45'20''$ West 99.44 feet; thence leaving said City land continuing South $54^{\circ}45'20''$ West 37.20 feet; thence North $89^{\circ}09'31''$ West 15.49 feet; thence North $54^{\circ}02'56''$ West 183.77 feet to the beginning of a tangent 2903.56 foot radius curve concave Northeasterly; thence Northwesterly along the arc of said curve through a central angle of $03^{\circ}23'44''$ a distance of 172.07 feet to a point on the Westerly line of said City land; thence North $21^{\circ}14'44''$ West 246.56 feet along the boundary of said land; thence North $51^{\circ}49'40''$ West 154.96 feet; thence South $89^{\circ}13'36''$ East 143.39 feet; thence South $00^{\circ}43'20''$ East 67.54 feet; thence South $44^{\circ}37'30''$ East 59.84 feet to the beginning of a tangent 131.23 foot radius curve concave Southwesterly; thence Southeasterly along the arc of said curve through a central angle of $12^{\circ}55'22''$ a distance of 29.60 feet to the beginning of a reverse 65.62 foot radius curve concave Northeasterly; thence Southeasterly along the arc of said curve through a central angle of $23^{\circ}23'21''$ a distance of 26.79 feet; thence South $55^{\circ}05'29''$ East 19.47 feet to the beginning of a tangent 65.62 foot radius curve concave Northeasterly; thence Southeasterly along the arc of said curve through a central angle of $15^{\circ}34'10''$ a distance of 17.83 feet to the beginning of a reverse 65.62 foot radius curve concave Southwesterly; thence Southeasterly along the arc of said curve through a central angle of $29^{\circ}44'32''$ a distance of 34.06 feet; thence South $39^{\circ}53'13''$ East 22.08 feet; thence South $48^{\circ}38'33''$ East 95.97 feet to the beginning of a tangent 32.81 foot radius curve concave Northeasterly; thence Southeasterly along the arc of said curve through a central angle of $18^{\circ}46'06''$ a distance of 10.75 feet; thence South $67^{\circ}24'39''$ East 50.98 feet to the beginning of a tangent 49.21 foot radius curve concave Southwesterly; thence Southeasterly along the arc of said curve through a central angle of $41^{\circ}16'15''$ a distance of 35.45 feet to the beginning of a reverse 17.39 foot radius curve concave Northeasterly; thence Southeasterly along the arc of said curve through a central angle of $31^{\circ}30'24''$ a distance of 9.56 feet; thence South $57^{\circ}38'47''$ East 8.52 feet; thence South $55^{\circ}46'08''$ East 32.75 feet; thence South $14^{\circ}17'10''$ West 139.47 feet; thence South $70^{\circ}44'08''$ East 90.92 feet to the TRUE POINT OF BEGINNING.

R- 296764

Said parcel containing 1.541 acres, more or less.

Robert G. Schoettmer 10-23-2001
Robert G. Schoettmer L.S. 4324

jb/13932.001



SAN DIEGO CO
PLA OFFICE
05 11 2004 10 23 11

R- 296764