

RESOLUTION NUMBER R- 311845

DATE OF FINAL PASSAGE JUN 25 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE ACQUISITION OF REAL PROPERTY INTERESTS FOR THE CONSTRUCTION OF THE OTAY TRUCK ROUTE-PHASE IV-EAST PHASE PROJECT; AUTHORIZING THE CITY ATTORNEY TO COMMENCE PROCEEDINGS IN EMINENT DOMAIN AND TO OBTAIN AN ORDER FOR IMMEDIATE POSSESSION; AND AUTHORIZING EXPENDITURE OF FUNDS FOR THE REAL PROPERTY INTERESTS TO BE ACQUIRED.

WHEREAS, in 2001, the City of San Diego (City) entered into a Memorandum of Agreement (MOA) allowing Siempre Viva Business Park LLC to develop an industrial business park and acknowledging that the City would be constructing a permanent truck route along the southern boundary of the planned business park to relieve significant congestion near the Truck Border Crossing. The MOA also acknowledged that the City would construct three exclusive access points from the planned business park that would provide direct access to the truck route and agreed that the construction of the truck route would be a mutually beneficial project; and

WHEREAS, the construction of the truck route project was anticipated to occur in phases. Phase I developed La Media Road, Siempre Viva Road, Drucker Lane and the corridor section paralleling the international border. Phase II extended the corridor section from Drucker Lane to La Media Road. Phase III extended the limits from Drucker Lane to the Port of Entry. The current project is a segment of Phase IV of this overall truck route project; and

WHEREAS, the construction of the first three phases of the truck route project has not fully alleviated the significant congestion at the Truck Border Crossing and the City has determined that an additional lane along .09 miles of the truck route along the southern boundary of the now built out business park is needed to further alleviate the congestion; and

WHEREAS, the existing truck route utilizes a shared truck and emergency vehicle lane that requires diversion of normal traffic into a single lane whenever it is necessary for emergency vehicles to use the emergency lane that is otherwise shared with trucks, causing further congestion and potentially slowing down emergency response times; and

WHEREAS, the Otay Truck Route Phase IV-East Phase Project (Project) proposes to construct an additional truck lane to allow dedicated lanes for laden trucks, unladen trucks and emergency vehicles respectively; and

WHEREAS, the Project further proposes (in addition to the road widening for a new lane) to construct curb and gutter improvements, k-rails, a retaining wall, and a storm water retention basis adjacent to the proposed widened truck route; and

WHEREAS, on January 28, 2011, the Council of the City of San Diego (Council) accepted federal funds for the construction of the Otay Truck Route Phase IV Project (Resolution RR 306552); and

WHEREAS, on September 19, 2017, the Council adopted a Mitigated Negative Declaration and Associated Errata No. 202998/SCH No. 2015051020 and Mitigation, Monitoring, and Reporting Program for the Project (Resolution RR 311325) in compliance with the California Environmental Quality Act of 1970 (CEQA) (Pub. Res. Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) and the time to appeal that action has expired; and

WHEREAS, the acquisition of the property interests set forth in Exhibits 1 through 5 attached hereto (Acquisition Areas) is part of a series of subsequent discretionary actions necessary to implement the Project and is not considered a separate project under CEQA; and

WHEREAS, on September 19, 2017, the Council approved the Site Development Permit No. 733102 for the Project (Resolution RR-311326); and

WHEREAS, the Project requires acquisition of permanent and temporary easements over a portion of Assessor's Parcel Numbers (APNs) 667-071-20, -21, -22 & -23; 667-071-24 & 25; 667-071-26; 667-071-28 & 29; 667-071-30 & 33, as more specifically described in Exhibits 1 through 5 attached hereto, to provide for the widened right-of-way along the existing truck route and associated construction components; and

WHEREAS, the City obtained fair market value appraisals of the Acquisition Areas and determined that the total probable compensation to be paid for acquisition of the real property interests sought is \$718, 901.00; and

WHEREAS, the City negotiated with the property owners and made offers to purchase the Acquisition Areas necessary for the Project at an amount consistent with the appraised fair market value of each of the properties in compliance with California Government Code section 7267.2(a), and the negotiations with the property owners have not been successful as of the date of this Resolution; and

WHEREAS, funds are available to acquire the necessary real property interests sought for the Project from CIP S-11060 – Otay Truck Route Phase IV (S-11060), Fund 400169 (TransNet) and Fund 600000 (Grant Fund – Federal); and

WHEREAS, the City is vested with the power of eminent domain by Article I, Section 19 of the California Constitution, California Government Code section 37350.5, and San Diego Charter section 220, to acquire real property interests necessary for a public purpose; and

WHEREAS, the acquisition of the real property interests proposed is the least amount of real property necessary to complete the Project; and

WHEREAS, on May 18, 2018, the City mailed a notice of hearing, and of its intent to adopt this Resolution of Necessity, to the record owners of the Acquisition Areas, and all other persons who may have an ownership interest in the property interests sought; which notice of

hearing advised said persons of their right to appear and be heard on the matters referred to therein, on the date and at the time and the place stated therein, and that a waiver of their right to appear and be heard will result upon their failure to file a written request to appear and be heard within 15 days after the date the City mailed the notice, all in compliance with California Code of Civil Procedure section 1245.235; and

WHEREAS, the hearing set out in said notice of hearing was held on June 25, 2018, at the time and place stated in the notice, and all interested parties were given an opportunity to appear and be heard on the following matters: (a) whether the public interest and necessity require the Project; (b) whether the Project is planned or located in a manner which is most compatible with the greatest public good and the least private injury; (c) whether the property interests proposed to be acquired are necessary for the Project; (d) whether an offer meeting the requirements of California Government Code section 7267.2 has been given; and (e) whether all other prerequisites for the exercise of eminent domain to acquire the property rights have been met; and

WHEREAS, the Council, as a result of said hearing, has determined that the public health, safety and welfare require the City to acquire the property interests described in Exhibits 1 through 5 attached hereto for the permanent and temporary easements over portions of APNs 667-071-20, -21, -22 & -23; 667-071-24 & 25; 667-071-26; 667-071-28 & 29; 667-071-30 & 33 needed for the Project; and

WHEREAS, under Charter section 280(a)(2), this Resolution is not subject to veto by the Mayor because this matter requires the Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the public interest and necessity require acquisition of the property interests as set forth in Exhibits 1 through 5 attached hereto consisting of permanent and temporary easements over a portion of APNs 667-071-20, -21, -22 & -23; 667-071-24 & 25; 667-071-26; 667-071-28 & 29; 667-071-30 & 33 to implement the Project.

BE IT FURTHER RESOLVED, that the Project is planned or located in a manner most compatible with the public good and the least private injury.

BE IT FURTHER RESOLVED, that the property interests proposed to be acquired as set forth in Exhibits 1 through 5 attached hereto are necessary for the Project and that such use is a public use authorized by law (inter alia, Charter section 220, California Code of Civil Procedure sections 1240.010, 1240.020, 1240.030, 1240.040, 1240.110, 1240.120, 1240.140, 1240.510, 1240.610 and 1255.410; California Government Code section 5023.1).

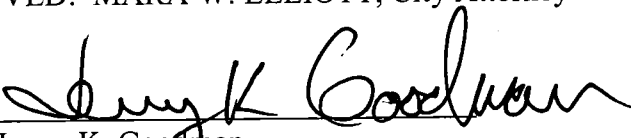
BE IT FURTHER RESOLVED, that an offer to acquire the real property interests, pursuant to California Government Code section 7267.2, at the appraised fair market value, has been made to each party claiming an ownership interest(s) in the property interests sought.

BE IT FURTHER RESOLVED, that the City Attorney of the City of San Diego is hereby 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 of and on behalf of the City of San Diego, against all claimants with any interest(s) in the real property interests sought, and to seek immediate possession of the real property interests sought pursuant to California Code of Civil Procedure section 1255.410 *et seq.*

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend funds as required from CIP S-11060 – Otay Truck Route Phase IV (S-11060), Fund 400169 (TransNet) and Fund 600000 (Grant Fund – Federal) to acquire the property interests found

necessary for the Project, and to deposit into the State Treasury's State Condemnation Fund, as necessary, the amount of \$718, 901.00 as the probable amount of compensation owed to the property owners to obtain possession of the Acquisition Areas. This is the probable amount of compensation to be paid by the City for the necessary real property interests to be acquired. The Chief Financial Officer is further authorized to deposit, if necessary, additional funds that the Court or the parties in the anticipated eminent domain action deem necessary to increase the probable amount of compensation due to the property owner(s) as a result of the acquisition of the property interests set forth herein and the resulting eminent domain litigation.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Jenny K. Goodman  
Deputy City Attorney

JKG:nja  
05/29/18  
07/18/18 Cor. Copy  
Or. Dept: READ  
Doc. No. 1796107

Office of  
The City Attorney  
City of San Diego

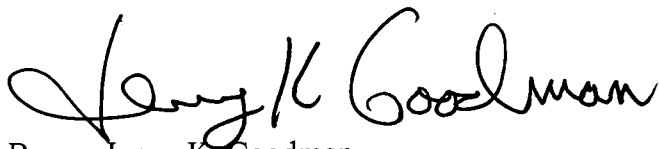
MEMORANDUM

**DATE:** July 18, 2018  
**TO:** City Clerk  
**FROM:** City Attorney  
**SUBJECT:** Resolution No. R-311845 Corrected Copy

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I am submitting a corrected copy of Resolution No. R-311845, which was approved by City Council on June 25, 2018. Several exhibits attached to the original resolution contained the following typographical error: an incorrect assessor parcel number (APN) in the title to the legal descriptions, specifically "671" should have been "667". These changes are typographical changes only. The correct APN was identified in the Resolution itself and in the legal plats but four pages within the exhibits each contained the typographical error. Therefore, the Corrected Resolution includes the exhibits that contain the corrected APN and does not change the substance or text of the resolution itself.

MARA W. ELLIOTT, CITY ATTORNEY



By Jenny K. Goodman  
Deputy City Attorney

JKG  
Attachments

cc: Barry Slotten, Real Estates Assets Department

EXHIBIT 1



**EXHIBIT "A"**  
**Public Street Easement**

**APN: 667-071-20, 21, 22, 23**

**PARCEL 1**

All that portion of Lots 20, 21, 22, and 23 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

**Beginning** at the southeast corner of said Lot 23; Thence along the southerly line of said Lot 23 South  $84^{\circ}39'53''$  West 331.40 feet to the southeast corner of said Lot 22; Thence along the southerly line of said Lot 22 South  $84^{\circ}39'53''$  West 331.40 feet to the southeast corner of said Lot 21; Thence along the southerly line of said Lot 21 South  $84^{\circ}39'53''$  West 331.40 feet to the southeast corner of said Lot 20; Thence along the southerly line of said Lot 20 South  $84^{\circ}39'53''$  West 318.61 feet to a point on the easterly right of way of La Media Road as dedicated to the County San Diego for public highway per deed filed in the said Office of the County Recorder on March 03, 1931, in Book 1880 Page 61 of Official Records, said point also being the southwest corner of said Lot 20; Thence leaving the said southerly line of Lot 20 and continuing along easterly right of way of said La Media Road North  $00^{\circ}43'25''$  West 54.64 feet to the beginning of a non-tangent 70.00 foot radius curve, concave northwesterly, a radial bears South  $26^{\circ}06'03''$  East, said curve being a portion of the easterly right of way of La Media Road dedicated to the City of San Diego per said Map 12659; Thence leaving the said easterly right of way of La Media Road and continuing northeasterly along the said easterly right of way of La Media Road dedicated per Map 12659 and continuing along the arc of said curve through a central angle of  $20^{\circ}11'20''$  a distance of 24.67 feet, a radial bears South  $46^{\circ}17'23''$  East, to a point of cusp of a 135.00 foot radius curve, concave northeasterly, a radial bears South  $50^{\circ}04'12''$  West; Thence leaving the said easterly right of way of La Media Road dedicated per Map 12659 and continuing southeasterly along the arc of said curve through a central angle of  $55^{\circ}32'30''$  a distance of 130.87 feet, a radial bears South  $05^{\circ}28'18''$  East; Thence North  $84^{\circ}31'42''$  East 182.81 feet to a point on the easterly line of said Lot 20; Thence continuing North  $84^{\circ}31'42''$  East 331.50 feet to a point on the easterly line of said Lot 21; Thence continuing North  $84^{\circ}31'42''$  East 331.50 feet to a point on the easterly line of said Lot 22; Thence continuing North  $84^{\circ}31'42''$  East 331.50 feet to a point on the easterly line of said Lot 23; Thence along the easterly line of said Lot 23 South  $01^{\circ}33'02''$  West 11.58 feet to the **"Point of Beginning"**.

Said Parcel contains 16160.86 Square Feet, 0.3710 Acres.

**PARCEL 2**

All that portion of Lot 23 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the map thereof No. 12659 filed in the Office of the

County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

**Beginning** at the southeast corner of said Lot 23; Thence along the easterly line of said Lot 23 North 01°33'02" East 23.62 feet to the **True Point of Beginning**; Thence leaving said easterly line North 64°32'29" West 28.38 feet; Thence North 88°01'11" West 10.68 feet; Thence North 01°58'49" East 12.87 feet; Thence South 88°01'11" East 15.29 feet; Thence South 01°58'49" West 2.34 feet; Thence South 64°32'29" East 18.25 feet to a point on said easterly line of Lot 23; Thence southerly along said easterly line South 01°33'02" West 12.58 feet to the **True Point of Beginning**.

Said Parcel contains 411.92 Square Feet, 0.0095 Acres.

Exhibit "B" (City of San Diego Drawing No. 38692-B), attached and by this reference is made a part hereto.

*Richard T. McCormick* 8-03-2016

Richard T. McCormick LS 7450 Date  
Senior Land Surveyor, Field Engineering  
My Registration Expires 12-31-2018




File: APN 667-071-20thru23 St-Esmt legal.docx  
WBS S-11060-July 2016

APN: 667-071-20, 21, 22 & 23  
 Owner: Siempre Viva Industrial, LLC,  
 a Delaware Limited Liability Company

**LEGEND**

( ) Indicates Record Data Per Map 12659  
 POB Point of Beginning  
 TPOB True Point of Beginning

 Indicates Public Street Easement "Parcels"  
 Parcel 1 Area = 16160.86 Sq. Ft. 0.3710 Acres  
 Parcel 2 Area = 411.92 Sq. Ft. 0.0095 Acres

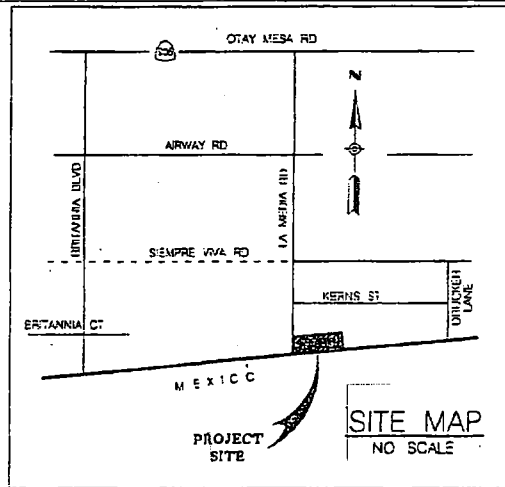
Total Parcel Area = 16572.78 Sq. Ft. 0.3805 Acres

**REFERENCES**

Map 12659  
 Record of Survey 16826

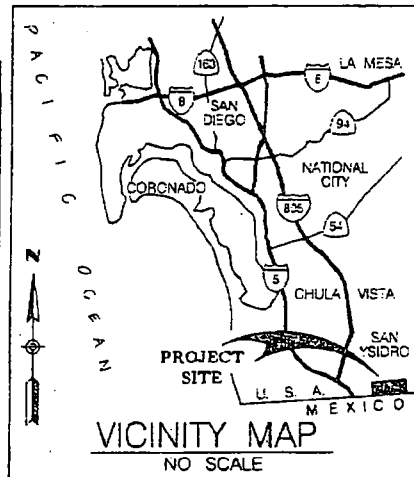
**BASIS OF BEARING**

The Basis of Bearing for this Survey is the grid bearing  
 from City GPS Stations 001 and 209 per ROS 14492  
 IE: S 72°44'30" E



**EASEMENT NOTES**

- 1 Indicates a 30' wide Easement for Public Highway dedicated to the County of San Diego per Book 1880 Page 61 Rec. 3/3/1931 of Deeds O.R.
- 2 Indicates a Portion of Lot "A" granted to the United States of America per Doc. No. 2000-0705053, Rec. 12/26/2000 O.R.
- 3 Indicates a 5' wide Street dedicated to the City of San Diego per Map 12659.
- 4 Indicates an Easement in favor of San Diego Gas & Electric Co per Doc. No. 2005-0379709, Rec. 05/05/2005 O.R. The exact location & extent of said Easement is not disclosed of record & is not plotted hereon.



**PREPARED BY:**

THE CITY OF SAN DIEGO PUBLIC WORKS DEPARTMENT  
 FIELD DIVISION - SURVEY SECTION, UNDER THE  
 DIRECTION OF RICHARD T. McCORMICK, LS 7450,  
 SENIOR LAND SURVEYOR



*Richard T. McCormick* 8-03-2016  
 RICHARD T. McCORMICK P.L.S. 7450 DATE

RESOLUTION No. \_\_\_\_\_

ADOPTED: \_\_\_\_\_

DOC. No. \_\_\_\_\_

RECORDED: \_\_\_\_\_

**PUBLIC STREET EASEMENT - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 20-23 MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		05/15		SHEET 1 OF 3 SHEETS	w.B.S. S-11060.03.01
REVISED	GAN		07/16		<i>Richard T. McCormick</i> 8-03-2016 FOR CITY LAND SURVEYOR DATE	1778-6334 NAD83 COORDINATES
						138-1773 NAD27 COORDINATES
					STATUS	38692-1-B

(04)

KERNS ST

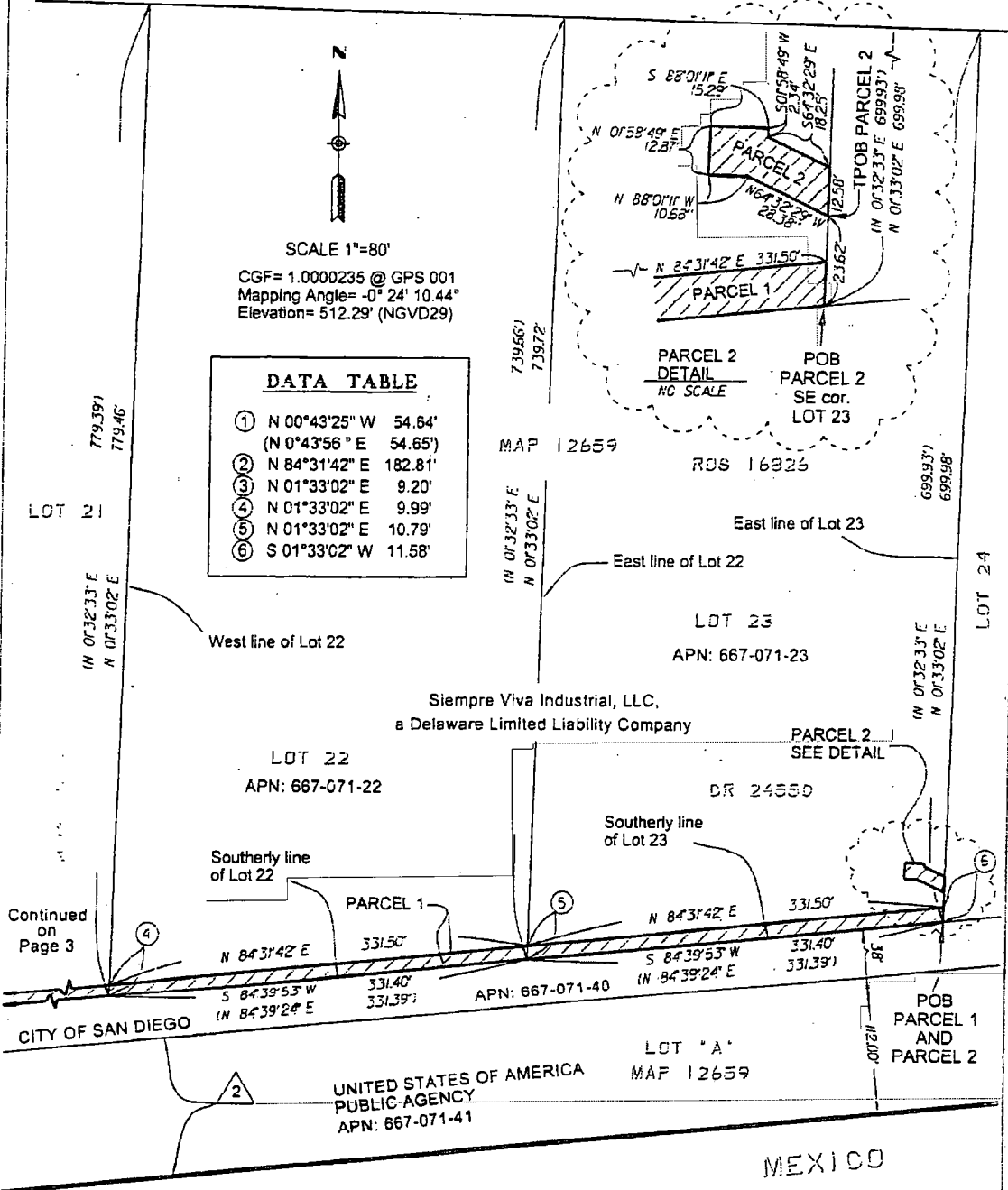


SCALE 1"=80'

CGF= 1.0000235 @ GPS 001  
Mapping Angle= -0° 24' 10.44"  
Elevation= 512.29' (NGVD29)

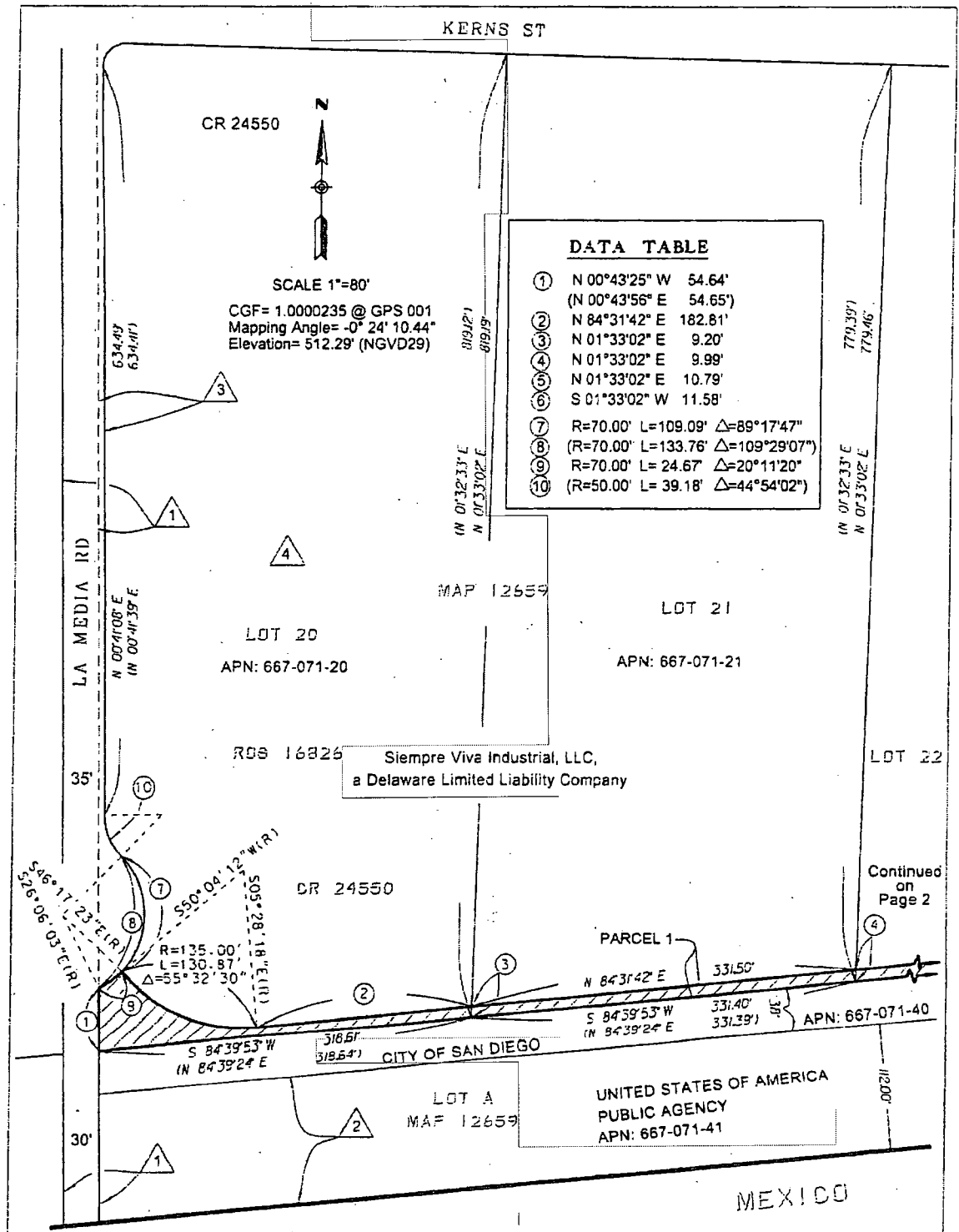
**DATA TABLE**

- ① N 00°43'25" W 54.64'  
(N 0°43'56" E 54.65')
- ② N 84°31'42" E 182.81'
- ③ N 01°33'02" E 9.20'
- ④ N 01°33'02" E 9.99'
- ⑤ N 01°33'02" E 10.79'
- ⑥ S 01°33'02" W 11.58'



**PUBLIC STREET EASEMENT - OTAY TRUCK ROUTE PHASE 4:  
IN A PORTION OF LOTS 20-23 MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL	TAM		05/15		T.M.	
REVISED	GAN		07/16		W.B.S. S-11060.03.01	
					SHEET 2 OF 3 SHEETS	
					<i>Richard D. McLaughlin</i> 8-03-2016 FOR CITY LAND SURVEYOR DATE	
					1778-6334 NAD83 COORDINATES 138-1773 NAD27 COORDINATES	
STATUS					38692-2-B	



**DATA TABLE**

- ① N 00°43'25" W 54.64'  
(N 00°43'56" E 54.65')
- ② N 84°31'42" E 182.81'
- ③ N 01°33'02" E 9.20'
- ④ N 01°33'02" E 9.99'
- ⑤ N 01°33'02" E 10.79'
- ⑥ S 01°33'02" W 11.58'
- ⑦ R=70.00' L=109.09' Δ=89°17'47"
- ⑧ (R=70.00' L=133.76' Δ=109°29'07")
- ⑨ R=70.00' L= 24.67' Δ=20°11'20"
- ⑩ (R=50.00' L= 39.18' Δ=44°54'02")

**PUBLIC STREET EASEMENT - OTAY TRUCK ROUTE PHASE 4:  
IN A PORTION OF LOTS 20-23 MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		05/15		SHEET 3 OF 3 SHEETS	W.B.S. S-11060.03.01
REVISED	GAN		07/16		<i>Richard J. M... 8-05-2016</i> FOR CITY LAND SURVEYOR DATE	1778-6334 NAD83 COORDINATES
						138-1773 NAD27 COORDINATES
						<b>38692-3-B</b>
					STATUS	

## Temporary Construction Area

APN: 667-071-20, 21, 22, 23

All that portion of Lots 20, 21, 22, and 23 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

**Beginning** at the southeast corner of said Lot 23; Thence along the easterly line of said Lot 23 North 01°33'02" East 11.58 feet to the **True Point of Beginning**; Thence continuing along the said easterly line of Lot 23 North 01°33'02" East 12.04 feet; Thence leaving said easterly line of Lot 23 North 64°32'29" West 23.38 feet; Thence North 88°01'11" West 10.68 feet; Thence North 01°58'49" East 12.87 feet; Thence South 88°01'11" East 15.29 feet; Thence South 01°58'49" West 2.34 feet; Thence South 64°32'29" East 18.25 feet to a point on the said easterly line of Lot 23; Thence along the said easterly line of Lot 23 North 01°33'02" East 1.09 feet; Thence leaving the said easterly line of Lot 23 North 64°32'29" West 17.15 feet; Thence North 01°58'49" East 2.68 feet; Thence North 88°01'11" West 17.29 feet; Thence South 01°58'49" West 16.51 feet to the beginning of a non-tangent 12.00 foot radius curve concave southeasterly, a radial bears North 01°42'50" East; Thence southwesterly along the arc of said curve through a central angle of 93°45'28" a distance of 19.64 feet; Thence South 05°28'18" East 5.89 feet; Thence South 84°31'42" West 64.68 feet to a point hereinafter referred to as point "A"; Thence continuing South 84°31'42" West 76.60 feet to a point hereinafter referred to as point "B"; Thence continuing South 84°31'42" West 76.44 feet to a point hereinafter referred to as point "C"; Thence continuing South 84°31'42" West 57.88 feet to a point on the easterly line of said Lot 22; Thence leaving said easterly line of Lot 22 and continuing South 84°31'42" West 6.49 feet to a point hereinafter referred to as point "D"; Thence continuing South 84°31'42" West 76.68 feet to a point hereinafter referred to as point "E"; Thence continuing South 84°31'42" West 76.46 feet; Thence North 05°28'18" West 13.00 feet to the beginning of a tangent 5.00 foot radius curve concave southwesterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 84°31'42" West 2.00 feet to the beginning of a tangent 5.00 foot radius curve concave southeasterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 05°28'18" East 14.00 feet; Thence South 84°31'42" West 64.68 feet; Thence North 05°28'18" West 23.00 feet; Thence South 84°31'42" West 92.97 feet to a point on the easterly line of said Lot 21; Thence leaving said easterly line of Lot 21 South 84°31'42" West 331.50 feet to a point on the easterly line of said Lot 20; Thence leaving said easterly line of Lot 20 South 84°31'42" West 203.70 feet; Thence North 82°58'16" West 10.97 feet; Thence North 68°16'20" West 16.90 feet; Thence South 79°25'51" West 36.19 feet to the beginning of a non-tangent 132.00 foot radius curve, concave northeasterly, a radial bears South 31°44'45" West; Thence continuing northwesterly along the arc of said curve through a central angle of 18°29'52" a distance of 42.62 feet, a radial bears South 50°14'37" East, to a point on the arc of a non-tangent 70.00 foot radius curve, concave northwesterly, a radial bears South 48°46'04" East, said curve being a portion of the easterly right of way of La Media Road dedicated to the City of San Diego per said Map 12659; Thence southerly along the arc of said curve and along the said easterly right of way of La Media Road through a central angle 02°28'41" a distance of 3.03 feet, a radial bears South 46°17'23" East, to

a point of cusp of a 135.00 foot radius curve, concave northeasterly, a radial bears South 50°04'12" West; Thence leaving the said easterly right of way of La Media Road and continuing southeasterly along the arc of said curve through a central angle of 55°32'30" a distance of 130.87 feet, a radial bears South 05°28'18" East; Thence North 84°31'42" East 182.81 feet to a point on the said easterly line of Lot 20; Thence leaving said easterly line of Lot 20 and continuing North 84°31'42" East 331.50 feet to a point on the said easterly line of Lot 21; Thence leaving said easterly line of Lot 21 and continuing North 84°31'42" East 331.50 feet to a point on the said easterly line of Lot 22; Thence leaving said easterly line of Lot 22 and continuing North 84°31'42" East 331.50 feet to the **True Point of Beginning**.

**Together with those portions described as follows:**

**Beginning** at the hereinabove described Point "A"; Thence North 05°28'18" West 13.00 feet to the beginning of a tangent 5.00 foot radius curve concave southwesterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 84°31'42" West 2.00 feet to the beginning of a tangent 5.00 foot radius curve concave southeasterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 05°28'18" East 13.00 feet; Thence North 84°31'42" East 12.00 feet to the **Point of Beginning**;

**Beginning** at the hereinabove described Point "B"; Thence North 05°28'18" West 13.00 feet to the beginning of a tangent 5.00 foot radius curve concave southwesterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 84°31'42" West 2.00 feet to the beginning of a tangent 5.00 foot radius curve concave southeasterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 05°28'18" East 13.00 feet; Thence North 84°31'42" East 12.00 feet to the **Point of Beginning**;

**Beginning** at the hereinabove described Point "C"; Thence North 05°28'18" West 13.00 feet to the beginning of a tangent 5.00 foot radius curve concave southwesterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 84°31'42" West 2.00 feet to the beginning of a tangent 5.00 foot radius curve concave southeasterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 05°28'18" East 13.00 feet; Thence North 84°31'42" East 12.00 feet to the **Point of Beginning**;

**Beginning** at the hereinabove described Point "D"; Thence North 05°28'18" West 13.00 feet to the beginning of a tangent 5.00 foot radius curve concave southwesterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 84°31'42" West 2.00 feet to the beginning of a tangent 5.00 foot radius curve concave southeasterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 05°28'18" East 13.00 feet; Thence North 84°31'42" East 12.00 feet to the **Point of**

**Beginning;**

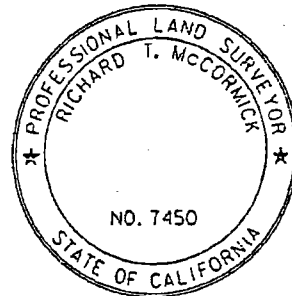
**Beginning** at the hereinabove described Point "E"; Thence North 05°28'18" West 13.00 feet to the beginning of a tangent 5.00 foot radius curve concave southwesterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 84°31'42" West 2.00 feet to the beginning of a tangent 5.00 foot radius curve concave southeasterly; Thence along said curve through a central angle of 90°00'00" a distance of 7.85 feet; Thence South 05°28'18" East 13.00 feet; Thence North 84°31'42" East 12.00 feet to the **Point of Beginning;**

Said Parcel contains 20491.03 Square Feet, 0.4704 Acres.

Exhibit "B" (City of San Diego Drawing No. 39220-B), attached and by this reference is made a part hereto.

*Richard T. McCormick* 2-08-2018

Richard T. McCormick LS 7450 Date  
Senior Land Surveyor, Field Engineering  
My Registration Expires 12-31-2016




File: APN 667-071-20thru23 TCA legal.docx  
WBS S-11060-Jan 2018



APN: 667-071-20, 21, 22 & 23  
 Owner: Siempre Viva Industrial, LLC,  
 a Delaware Limited Liability Company

**LEGEND**

( ) Indicates Record Data Per Map 12659  
 POB Point of Beginning  
 TPOB True Point of Beginning

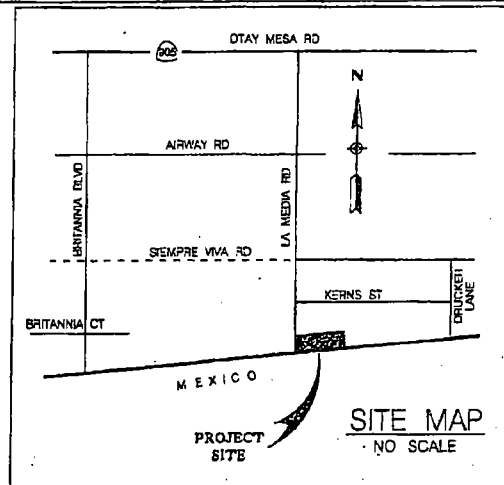
 Indicates Temporary Construction Area  
 Parcel Area = 20491.03 Sq. Ft. 0.4704 Acres

**REFERENCES**

Map 12659  
 Record of Survey 16826  
 City Dwg: 38692-B

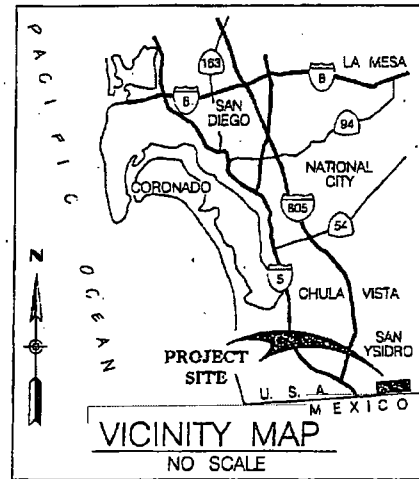
**BASIS OF BEARING**

The Basis of Bearing for this Survey is the grid bearing from City GPS Stations 001 and 209 per ROS 14492  
 IE: S 72°44'30" E



**EASEMENT NOTES**

- 1 Indicates a 30' wide Easement for Public Highway dedicated to the County of San Diego per Book 1880 Page 61 Rec. 3/3/1931 of Deeds C.R.
- 2 Indicates a Portion of Lot "A", granted to the United States of America per Doc. No. 2000-0705053, Rec. 12/26/2000 O.R.
- 3 Indicates a 5' wide Street dedicated to the City of San Diego per Map 12659.
- 4 Indicates an Easement in favor of San Diego Gas & Electric Co per Doc. No. 2005-0379709, Rec. 05/05/2005 O.R. The exact location & extent of said Easement is not disclosed of record & is not plotted hereon.
- 5 A Proposed Public Street Easement to be granted to the City of San Diego per City Drawing 38692-B



**PREPARED BY:**

THE CITY OF SAN DIEGO PUBLIC WORKS DEPARTMENT  
 FIELD DIVISION - SURVEY SECTION, UNDER THE  
 DIRECTION OF RICHARD T. McCORMICK, LS 7450,  
 SENIOR LAND SURVEYOR



*Richard T. McCormick 2-08-2018*  
 RICHARD T. McCORMICK P.L.S. 7450 DATE

RESOLUTION No. \_\_\_\_\_  
 ADOPTED: \_\_\_\_\_  
 DOC. No. \_\_\_\_\_  
 RECORDED: \_\_\_\_\_

**TEMPORARY CONSTRUCTION AREA - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 20-23 MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		1/16		SHEET 1 OF 3 SHEETS	W.B.S. S-11060.03.01
REVISED	GAN		7/16		<i>Richard T. McCormick 2-08-2018</i>	1778-6334
REVISED	RLM		2/18		FOR CITY LAND SURVEYOR DATE	NAD83 COORDINATES
						138-1773
						NAD27 COORDINATES
						<b>39220-1-B</b>
STATUS						

SCALE 1"=80'

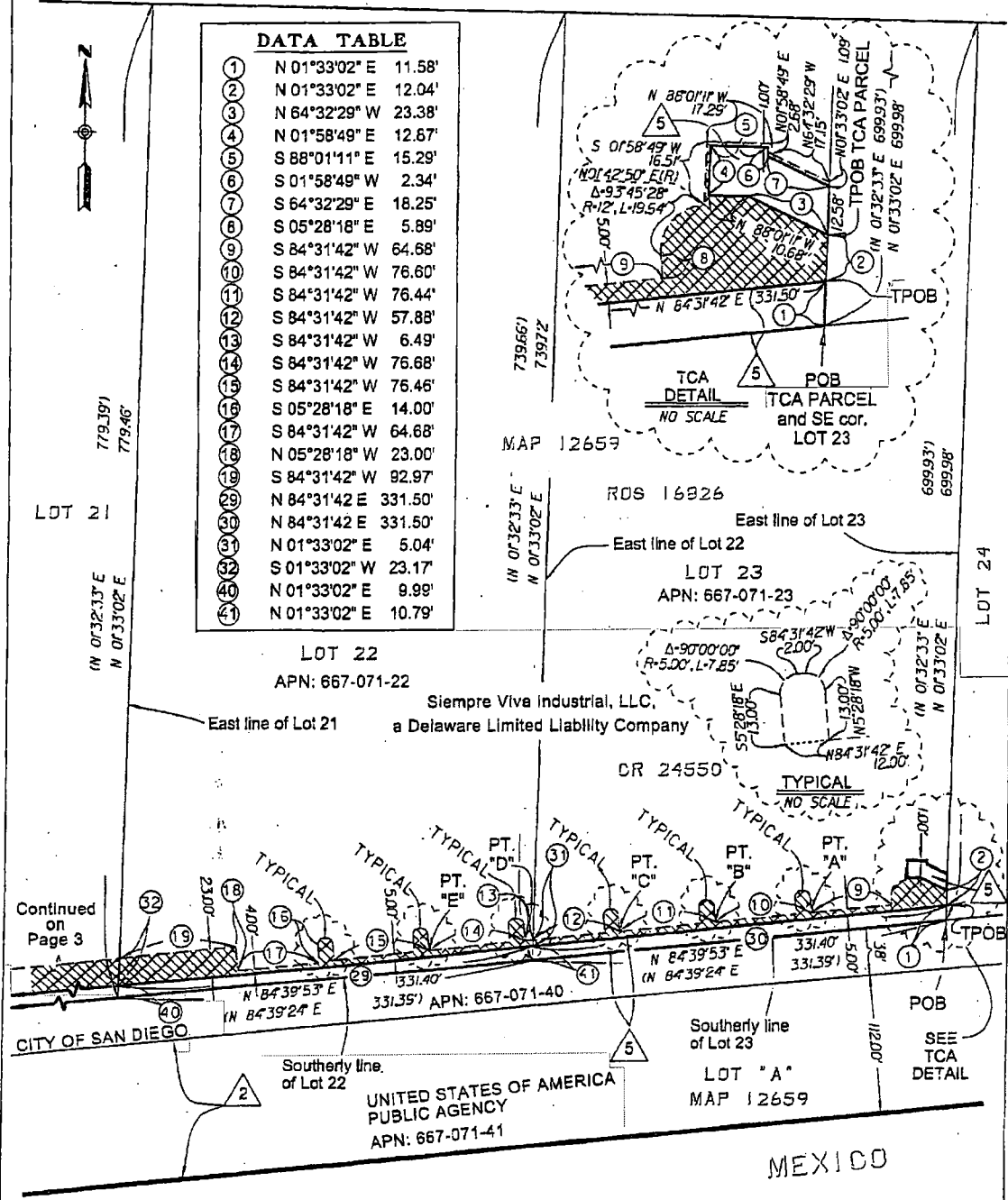
CGF= 1.0000235 @ GPS 001  
 Mapping Angle= -0° 24' 10.44"  
 Elevation= 512.29' (NGVD29)

KERNS ST

(84)



DATA TABLE	
1	N 01°33'02" E 11.58'
2	N 01°33'02" E 12.04'
3	N 64°32'29" W 23.38'
4	N 01°58'49" E 12.67'
5	S 88°01'11" E 15.29'
6	S 01°58'49" W 2.34'
7	S 64°32'29" E 18.25'
8	S 05°28'18" E 5.89'
9	S 84°31'42" W 64.68'
10	S 84°31'42" W 76.60'
11	S 84°31'42" W 76.44'
12	S 84°31'42" W 57.88'
13	S 84°31'42" W 6.49'
14	S 84°31'42" W 76.68'
15	S 84°31'42" W 76.46'
16	S 05°28'18" E 14.00'
17	S 84°31'42" W 64.68'
18	N 05°28'18" W 23.00'
19	S 84°31'42" W 92.97'
20	N 84°31'42" E 331.50'
21	N 84°31'42" E 331.50'
22	N 01°33'02" E 5.04'
23	S 01°33'02" W 23.17'
24	N 01°33'02" E 9.99'
25	N 01°33'02" E 10.79'

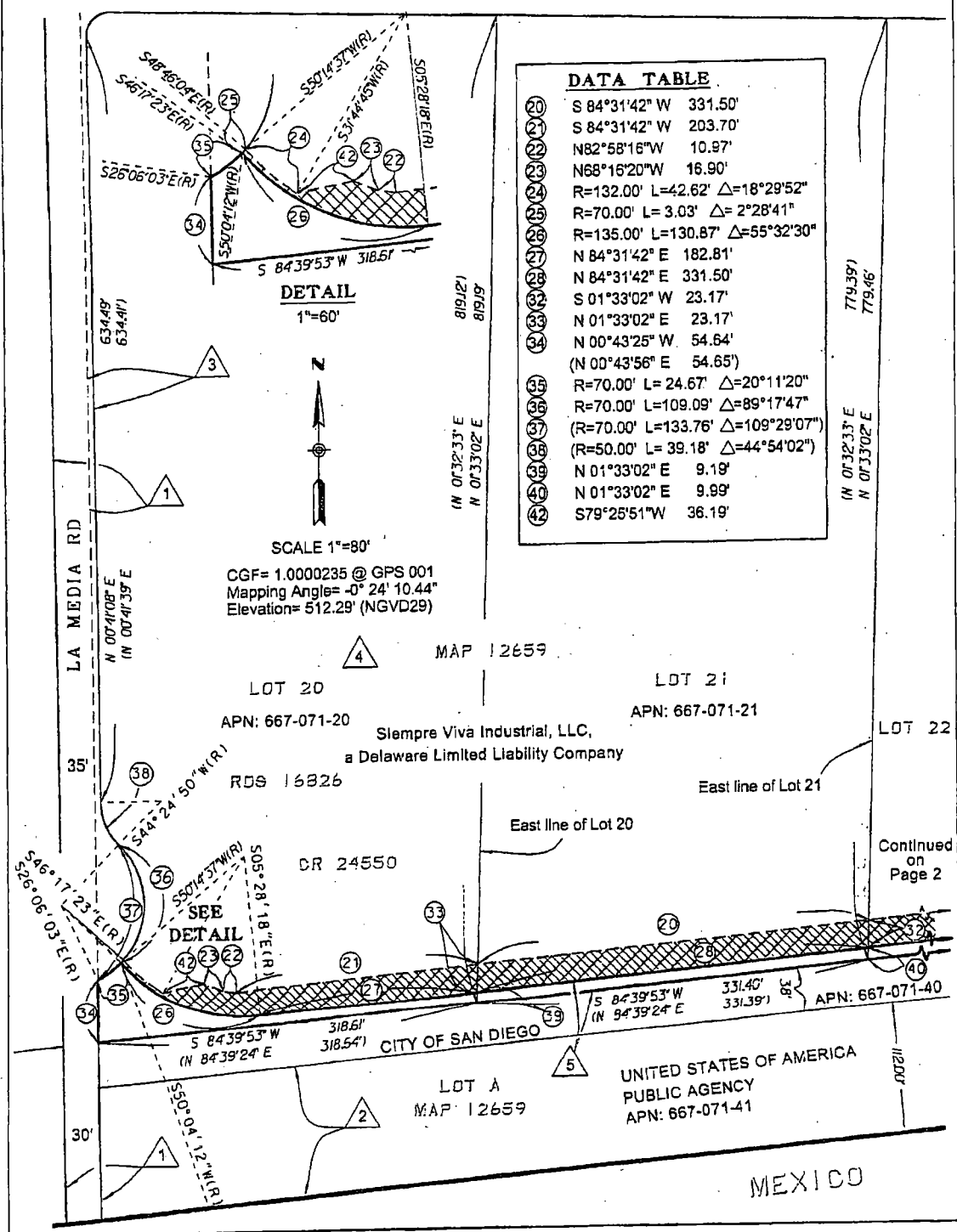


TEMPORARY CONSTRUCTION AREA - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 20-23 MAP 12659

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		1/16		SHEET 2 OF 3 SHEETS	W.B.S. S-11060.03.01
REVISED	GAN		7/16		<i>Richard W. McDaniel</i>	1778-6334
REVISED	RLM		2/18		FOR CITY LAND SURVEYOR	NAD83 COORDINATES
					DATE	138-1773
						NAD27 COORDINATES
						39220-2-B

STATUS

KERNS ST



**DATA TABLE**

20	S 84°31'42" W	331.50'
21	S 84°31'42" W	203.70'
22	N 82°58'16" W	10.97'
23	N 68°16'20" W	16.90'
24	R=132.00' L=4.262' Δ=18°29'52"	
25	R=70.00' L=3.03' Δ=2°28'41"	
26	R=135.00' L=130.87' Δ=55°32'30"	
27	N 84°31'42" E	182.81'
28	N 84°31'42" E	331.50'
29	S 01°33'02" W	23.17'
30	N 01°33'02" E	23.17'
31	N 00°43'25" W	54.64'
32	(N 00°43'56" E 54.65')	
33	R=70.00' L=24.67' Δ=20°11'20"	
34	R=70.00' L=109.09' Δ=89°17'47"	
35	(R=70.00' L=133.76' Δ=109°29'07")	
36	(R=50.00' L=39.18' Δ=44°54'02")	
37	N 01°33'02" E	9.19'
38	N 01°33'02" E	9.99'
39	S 79°25'51" W	36.19'
40		
41		
42		

**DETAIL**  
1"=60'

SCALE 1"=80'

CGF= 1.0000235 @ GPS 001  
Mapping Angle= -0° 24' 10.44"  
Elevation= 512.29' (NGVD29)

MAP 12659

LOT 20  
APN: 667-071-20

LOT 21  
APN: 667-071-21

Siempre Viva Industrial, LLC,  
a Delaware Limited Liability Company

RD# 16226

DR 24550

LOT A  
MAP 12659

UNITED STATES OF AMERICA  
PUBLIC AGENCY  
APN: 667-071-41

**TEMPORARY CONSTRUCTION AREA - OTAY TRUCK ROUTE PHASE 4:  
IN A PORTION OF LOTS 20-23 MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA		T.M.
ORIGINAL	TAM		1/16		SHEET 3 OF 3 SHEETS		W.B.S. S-11060.03.01
REVISED	GAN		7/16		<i>Ruth D. McDaniel</i> 2-08-2018		1778-6334
REVISED	RLM		2/18		FOR CITY LAND SURVEYOR DATE		NAD83 COORDINATES
							138-1773
							NAD27 COORDINATES
							<b>39220-3-B</b>
STATUS							

EXHIBIT 2

**EXHIBIT "A"**  
**Public Street Easement**

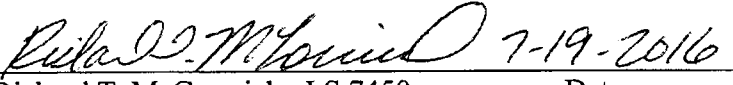
**APN: 667-071-24 and 25**

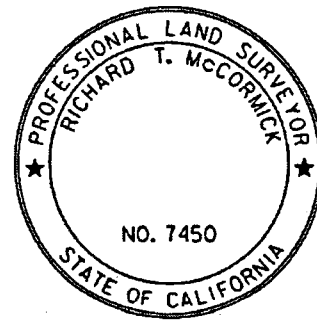
All that portion of Lots 24 and 25 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

**Beginning** at the southeast corner of said Lot 25; Thence along the southerly line of said Lot 25 South 84°41'53" West 331.45 feet to the southeast corner of said Lot 24; Thence along the southerly line of said Lot 24 South 84°41'53" West 331.42 feet to the southwest corner of said Lot 24; Thence leaving the said southerly line of Lot 24 and continuing along the westerly line of said Lot 24 North 01°33'02" East 36.20 feet; Thence leaving said westerly line of Lot 24 South 64°32'29" East 13.62 feet; Thence North 05°28'18" West 10.07 feet; Thence North 84°31'42" East 109.91 feet; Thence South 74°55'03" East 37.03 feet; Thence North 84°43'37" East 174.00 feet to a point on the westerly line of said Lot 25; Thence leaving said westerly line of Lot 25 North 84°44'29" East 30.18 feet; Thence South 05°15'31" East 14.50 feet; Thence North 84°44'29" East 299.50 feet to a point on the easterly line of said Lot 25; Thence along the said easterly line of Lot 25 South 01°35'02" West 11.72 feet to the "**Point of Beginning**".

Said Parcel contains 14811.11 Square Feet, 0.3400 Acres.

Exhibit "B" (City of San Diego Drawing No. 38693-B), attached and by this reference is made a part hereto.

  
Richard T. McCormick LS 7450 Date  
Senior Land Surveyor, Field Engineering  
My Registration Expires 12-31-2018




File: APN 667-071-24+25 St-Esmt\_REV legal.docx  
WBS S-11060-July 2016

APN: 667-071-24 & 25  
 Owner: Iron Mountain Information Management, LLC,  
 a Delaware Limited Liability Company

**LEGEND**

( ) Indicates Record Data Per Map 12659  
 POB Point of Beginning.

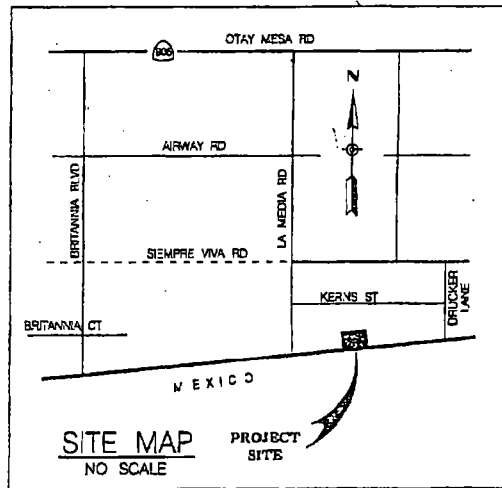
 Indicates Public Street Easement "Parcel"  
 Parcel Area = 14811.11 Sq. Ft. 0.3400 Acres

**REFERENCES**


Map 12659

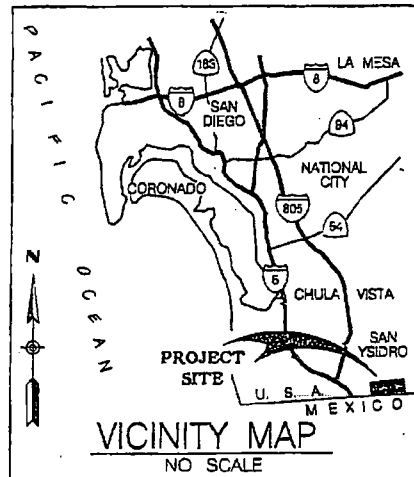
**BASIS OF BEARING**

The Basis of Bearing for this Survey is the grid bearing  
 from City GPS Stations 001 and 209 per ROS 14492  
 IE: S 72°44'30" E.



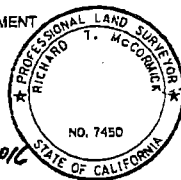
**EASEMENT NOTE**

 Indicates a Portion of Lot "A" granted to the United States of  
 America per Doc. No. 2000-0705053, Rec. 12/26/2000 O.R.



**PREPARED BY:**

THE CITY OF SAN DIEGO PUBLIC WORKS DEPARTMENT  
 FIELD DIVISION - SURVEY SECTION, UNDER THE  
 DIRECTION OF RICHARD T. McCORMICK, LS 7450,  
 SENIOR LAND SURVEYOR



*Richard T. McCormick 7-19-2016*  
 RICHARD T. McCORMICK P.L.S. 7450 DATE

RESOLUTION No. \_\_\_\_\_  
 ADOPTED: \_\_\_\_\_  
 DOC. No. \_\_\_\_\_  
 RECORDED: \_\_\_\_\_

**PUBLIC STREET EASEMENT - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 24 & 25 MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		05/15		SHEET 1 OF 2 SHEETS	S-11060.03.01
REVISED	GAN		07/16			
					<i>Richard T. McCormick 7-19-2016</i>	1778-8334
					FOR CITY LAND SURVEYOR DATE	NAD83 COORDINATES
						138-1773
						NAD27 COORDINATES
						<b>38693-1-B</b>
STATUS						

MELKSEE ST

MAP 12659

KERNS ST

(84')

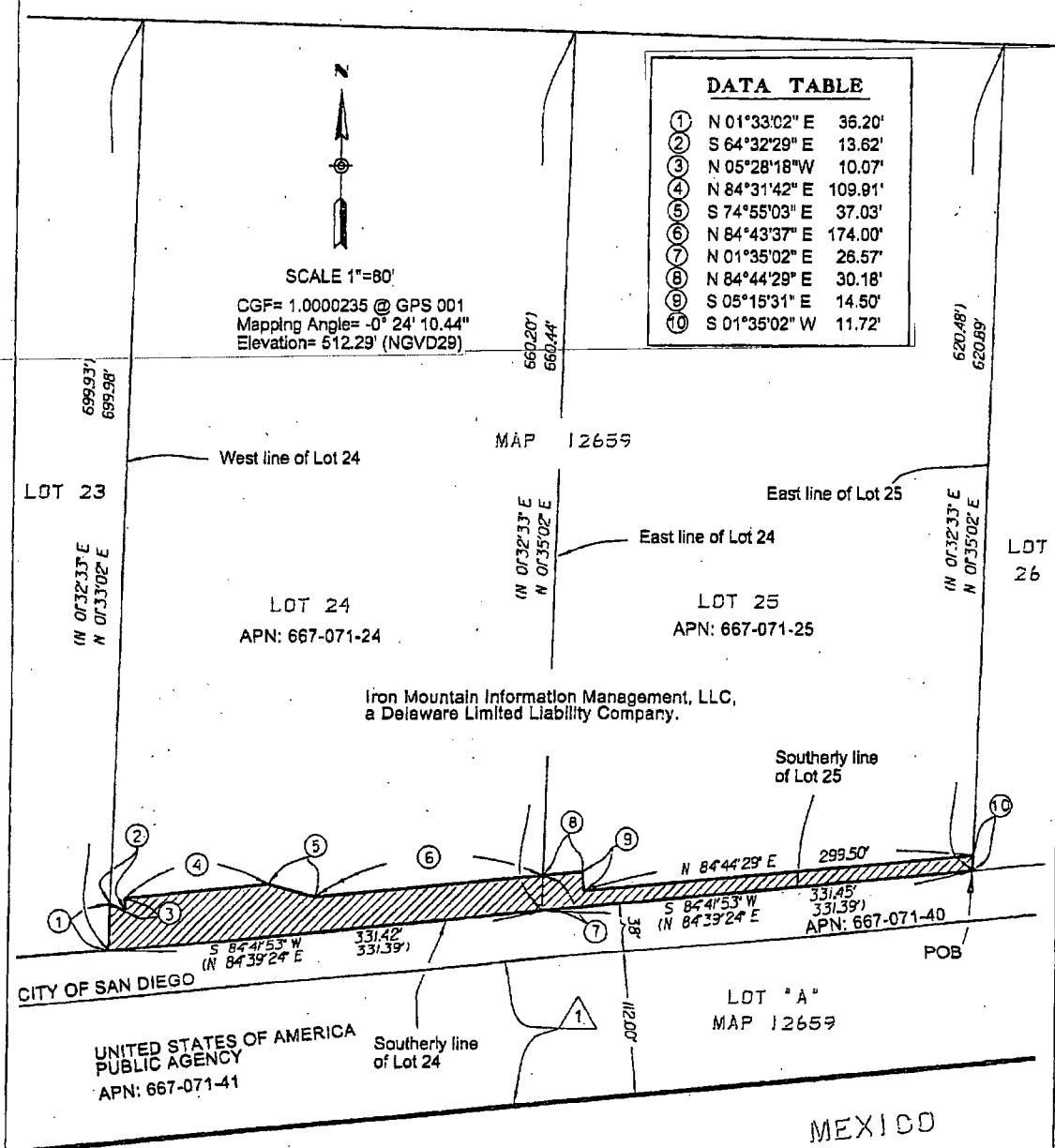


SCALE 1"=80'

CGF= 1.0000235 @ GPS 001  
Mapping Angle= -0° 24' 10.44"  
Elevation= 512.29' (NGVD29)

**DATA TABLE**

①	N 01°33'02" E	36.20'
②	S 64°32'29" E	13.62'
③	N 05°28'18"W	10.07'
④	N 84°31'42" E	109.91'
⑤	S 74°55'03" E	37.03'
⑥	N 84°43'37" E	174.00'
⑦	N 01°35'02" E	26.57'
⑧	N 84°44'29" E	30.18'
⑨	S 05°15'31" E	14.50'
⑩	S 01°35'02" W	11.72'



**PUBLIC STREET EASEMENT - OTAY TRUCK ROUTE PHASE 4:  
IN A PORTION OF LOTS 24 & 25 MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		05/15		SHEET 2 OF 2 SHEETS	S-11060.03.01
REVISED	GAN		07/16			
					<i>Richard D. McManis</i> 7-19-2016 FOR CITY LAND SURVEYOR DATE	1778-6334 NAD83 COORDINATES
						138-1773 NAD27 COORDINATES
					STATUS	38693-2-B

## Slope Easement

APN: 667-071-24 and 25

All that portion of Lots 24 and 25 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

Commencing at the southeast corner of said Lot 25; Thence along the easterly line of said Lot 25 North  $01^{\circ}35'02''$  East 11.72 feet; Thence leaving said easterly line of Lot 25 South  $84^{\circ}44'29''$  West 298.50 feet to the **True Point of Beginning**; Thence South  $84^{\circ}44'29''$  West 1.00 feet; Thence North  $05^{\circ}15'31''$  West 14.50 feet; Thence South  $84^{\circ}44'29''$  West 30.18 feet to a point on the easterly line of said Lot 24; Thence leaving said easterly line of Lot 24 South  $84^{\circ}44'29''$  West 162.14 feet; Thence North  $74^{\circ}55'03''$  West 37.03 feet; Thence South  $84^{\circ}31'42''$  West 109.91 feet; Thence South  $05^{\circ}28'18''$  East 10.07 feet; Thence North  $64^{\circ}32'29''$  East 4.93 feet; Thence North  $03^{\circ}48'38''$  West 13.12 feet; Thence North  $21^{\circ}13'24''$  East 5.14 feet; Thence North  $78^{\circ}57'03''$  East 17.38 feet; Thence North  $84^{\circ}22'50''$  East 93.69 feet; Thence South  $71^{\circ}03'16''$  East 45.41 feet; Thence South  $87^{\circ}46'23''$  East 18.77 feet; Thence North  $85^{\circ}39'14''$  East 149.35 feet to a point on the said easterly line of Lot 24; Thence leaving said easterly line of Lot 24 North  $85^{\circ}39'14''$  East 31.00 feet; Thence South  $05^{\circ}15'31''$  East 15.50 feet to the **True Point of Beginning**.

Said Parcel contains 2337.94 Square Feet, 0.0537 Acres.

Exhibit "B" (City of San Diego Drawing No. 39618-B), attached and by this reference is made a part hereto.

*Richard T. McCormick* 8-04-2016  
Richard T. McCormick LS 7450 Date

Senior Land Surveyor, Field Engineering  
My Registration Expires 12-31-2016


File: APN 671-071-24+25 TCA legal\_REV.docx  
WBS S-11060-August 2016





APN: 667-071-24 & 25  
 Owner: Iron Mountain Information Management, LLC,  
 a Delaware Limited Liability Company

**LEGEND**

- ( ) Indicates Record Data Per Map 12659
- TPOB True Point of Beginning
- POC Point of Commencement
-  Indicates Slope Easement Area
- Parcel Area = 2337.94 Sq. Ft. 0.0537 Acres



**REFERENCES**

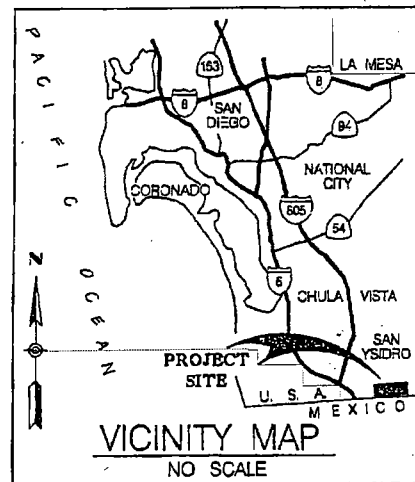
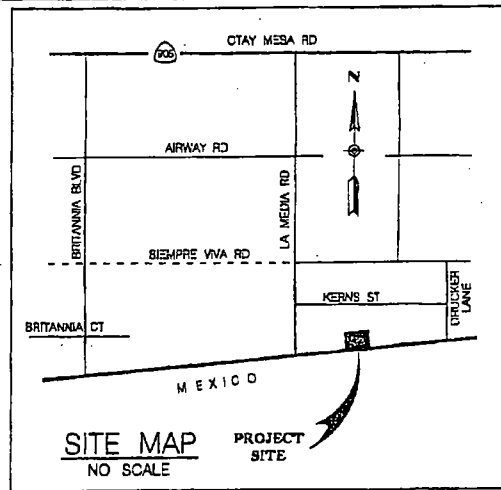
Map 12659  
 City Dwg: 38693-B

**BASIS OF BEARING**

The Basis of Bearing for this Survey is the grid bearing from City GPS Stations 001 and 209 per ROS 14492  
 IE: S 72°44'30" E

**EASEMENT NOTES**

-  Indicates a Portion of Lot "A" granted to the United States of America per Doc. No. 2000-0705053, Rec. 12/26/2000 O.R.
-  A Proposed Public Street Easement to be granted to the City of San Diego per City Drawing 38693-B



PREPARED BY:  
 THE CITY OF SAN DIEGO PUBLIC WORKS DEPARTMENT  
 FIELD DIVISION - SURVEY SECTION, UNDER THE  
 DIRECTION OF RICHARD T. McCORMICK, LS 7450,  
 SENIOR LAND SURVEYOR

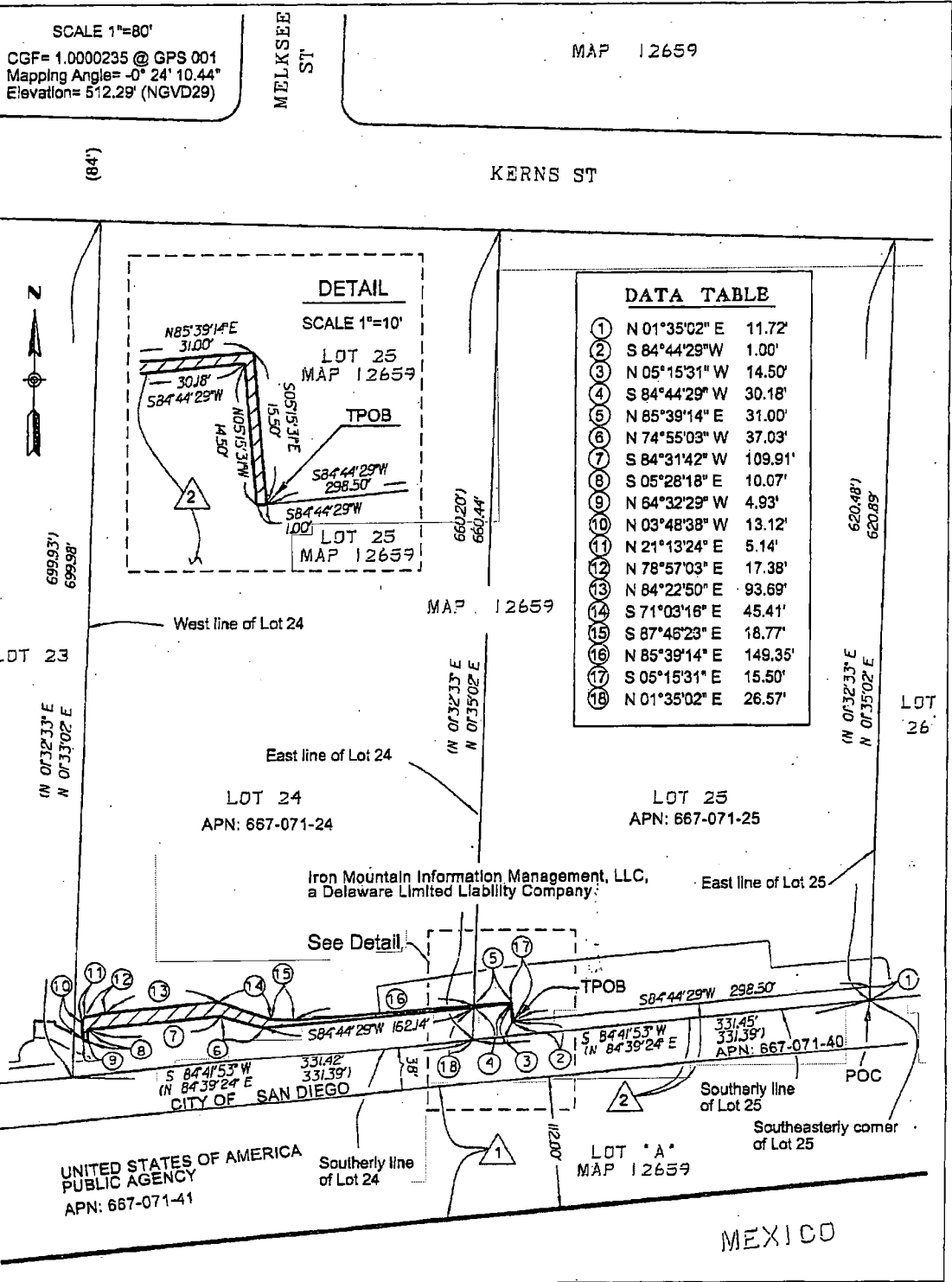
*Richard T. McCormick* 8-02-2016  
 RICHARD T. McCORMICK P.L.S. 7450 DATE



RESOLUTION No. \_\_\_\_\_  
 ADOPTED: \_\_\_\_\_  
 DOC. No. \_\_\_\_\_  
 RECORDED: \_\_\_\_\_

**SLOPE EASEMENT - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 24 & 25 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		1/16		SHEET 1 OF 2 SHEETS	S-11080.03.01
REVISED	TAM		3/16			
REVISED	GAN		7/16		<i>Richard T. McCormick</i> 8-02-2016 FOR CITY LAND SURVEYOR DATE	1778-6334 NAD83 COORDINATES
REVISED	MR		8/16			138-1773 NAD27 COORDINATES
STATUS						39618-1-B



**SLOPE EASEMENT - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 24 & 25 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		1/16		SHEET 2 OF 2 SHEETS	W.B.S. S-11060.03.01
REVISED	TAM		3/16		<i>Rickie D. McManis</i> 8-09-2016	1778-6334
REVISED	GAN		7/16		FOR CITY LAND SURVEYOR	NAD83 COORDINATES
REVISED	MR		8/16		DATE	138-1773
						NAD27 COORDINATES
						<b>39618-2-B</b>
STATUS						

**EXHIBIT "A"**  
**Temporary Construction Area**

**APN: 667-071-24 and 25**

Parcel A:

All that portion of Lots 24 and 25 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

**Commencing** at the southeast corner of said Lot 25; Thence along the easterly line of said Lot 25 North 01°35'02" East 11.72 feet to the **True Point of Beginning**; Thence continuing along said easterly line of Lot 25 North 01°35'02" East 23.16 feet; Thence leaving said easterly line of Lot 25 South 84°44'29" West 83.29 feet; Thence North 05°15'31" West 21.48 feet; Thence North 35°19'20" West 1.41 feet; Thence North 80°19'20" West 1.13 feet; Thence South 84°44'29" West 199.46 feet; Thence South 81°52'44" West 125.97 feet; Thence South 05°15'31" East 22.47 feet; Thence North 85°39'14" East 109.12 feet; Thence South 05°15'31" East 15.50 feet; Thence North 84°44'29" East 298.50 feet to the **True Point of Beginning**.

Said Parcel contains 14746.88 Square Feet, 0.3385 Acres.

**APN: 667-071-24**

Parcel B:

All that portion of Lot 24 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

**Commencing** at the southwest corner of said Lot 24; Thence along the westerly line of said Lot 24 North 01°33'02" East 36.20 feet to the **True Point of Beginning**; Thence continuing along said westerly line of Lot 24 North 01°33'02" East 1.09 feet; Thence leaving said westerly line of Lot 24 South 64°32'29" East 8.57 feet; Thence South 03°48'38" East 1.15 feet; Thence North 64°32'29" West 8.69 feet to the **True Point of Beginning**.

Said Parcel contains 8.63 Square Feet, 0.0002 Acres.

Exhibit "B" (City of San Diego Drawing No. 39221-B), attached and by this reference is made a part hereto.

*Richard T. McCormick* 8-09-2016

Richard T. McCormick LS 7450 Date  
Senior Land Surveyor, Field Engineering  
My Registration Expires 12-31-2018





File: APN 667-071-24+25 TCA legal\_REV.docx  
WBS S-11060-July 2016

APN: 667-071-24 & 25  
 Owner: Iron Mountain Information Management, LLC,  
 a Delaware Limited Liability Company

**LEGEND**

( ) Indicates Record Data Per Map 12659  
 TPOB Point of Beginning  
 POC Point of Commencement

-  Parcel A  
 Indicates Temporary Construction Area  
 Parcel Area = 14746.88 Sq. Ft. 0.3385 Acres
-  Parcel B  
 Indicates Temporary Construction Area  
 Parcel Area = 8.63 Sq. Ft. 0.0002 Acres

**REFERENCES**

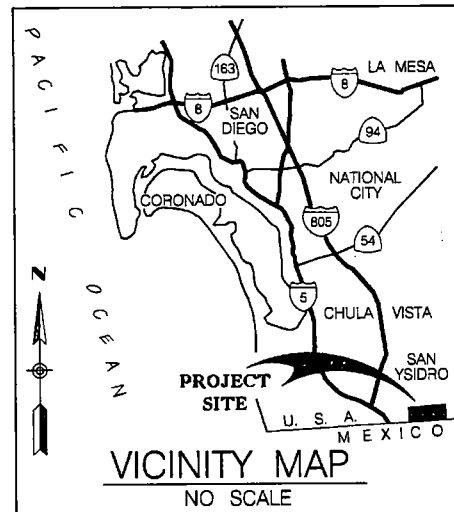
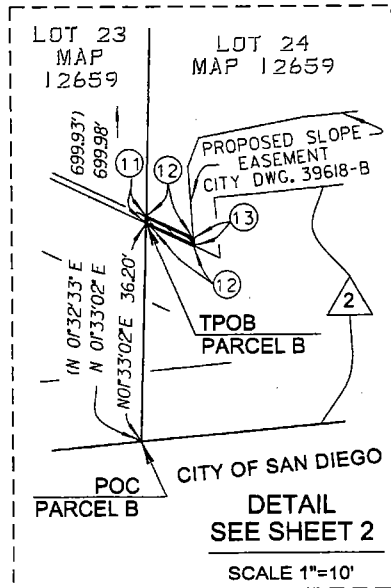
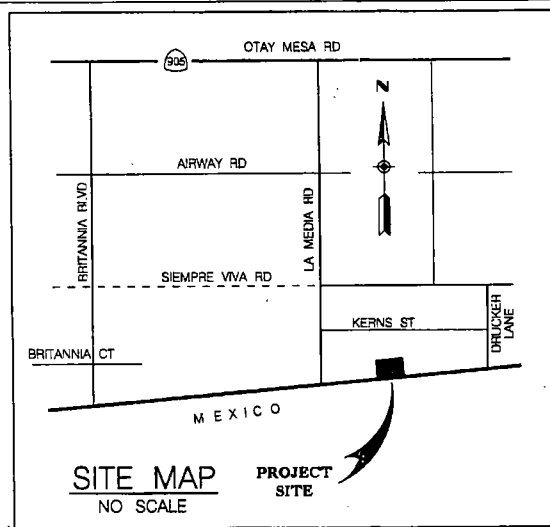
Map 12659  
 City Dwg: 38693-B

**BASIS OF BEARING**

The Basis of Bearing for this Survey is the grid bearing from City GPS Stations 001 and 209 per ROS 14492  
 IE: S 72°44'30" E

**EASEMENT NOTES**

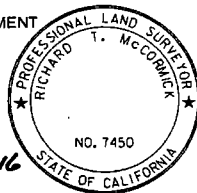
- 1 Indicates a Portion of Lot "A" granted to the United States of America per Doc. No. 2000-0705053, Rec. 12/26/2000 O.R.
- 2 A Proposed Public Street Easement to be granted to the City of San Diego per City Drawing 38693-B



**PREPARED BY:**

THE CITY OF SAN DIEGO PUBLIC WORKS DEPARTMENT  
 FIELD DIVISION - SURVEY SECTION, UNDER THE  
 DIRECTION OF RICHARD T. McCORMICK, LS 7450,  
 SENIOR LAND SURVEYOR

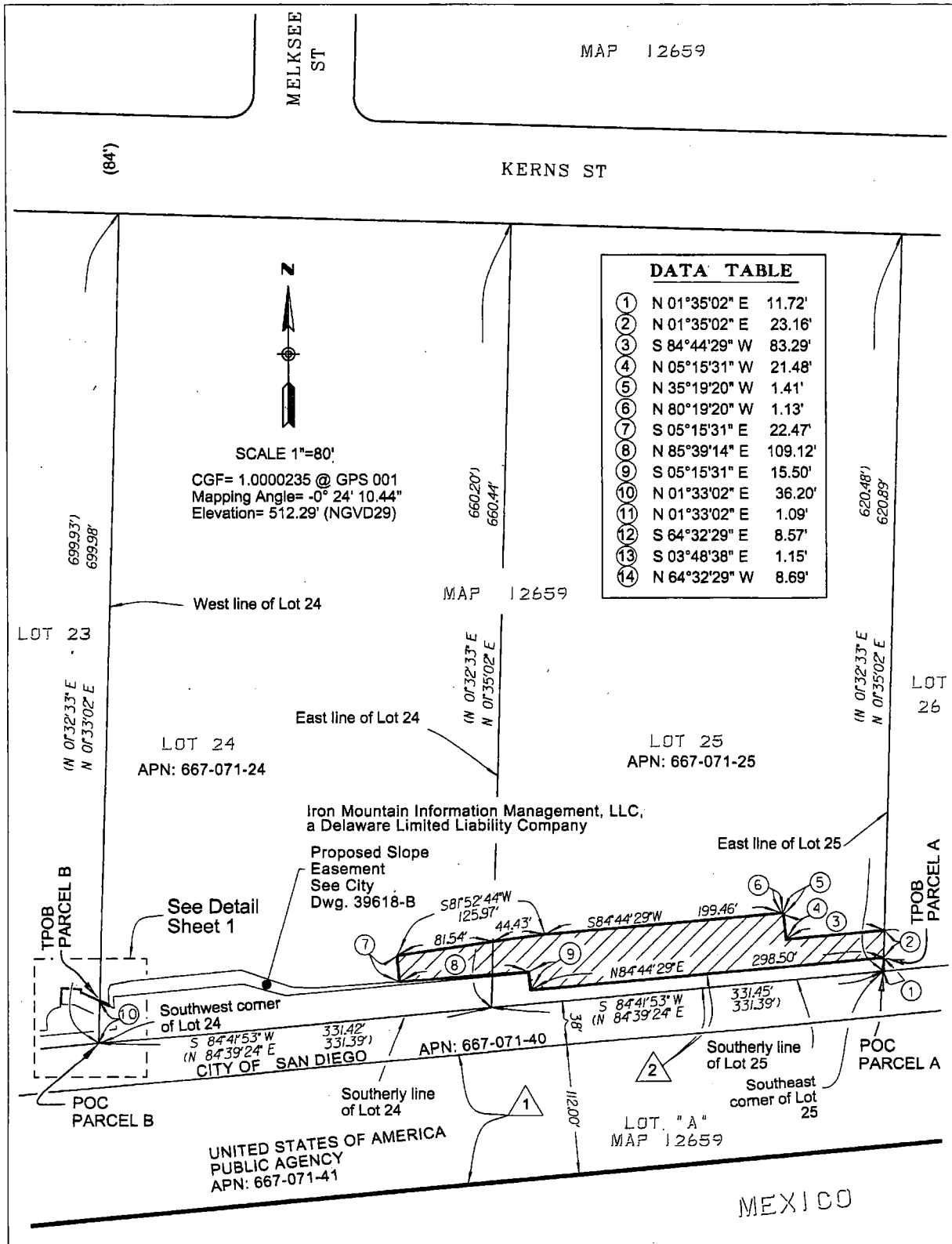
*Richard T. McCormick* 8-09-2016  
 RICHARD T. McCORMICK P.L.S. 7450 DATE



RESOLUTION No. \_\_\_\_\_  
 ADOPTED: \_\_\_\_\_  
 DOC. No. \_\_\_\_\_  
 RECORDED: \_\_\_\_\_

**TEMPORARY CONSTRUCTION AREA - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 24 & 25 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		1/16		SHEET 1 OF 2 SHEETS	W.B.S. S-11060.03.01
REVISED	TAM		3/16		<i>Richard T. McCormick</i> 8-09-2016 FOR CITY LAND SURVEYOR DATE	1778-6334 NAD83 COORDINATES
REVISED	GAN		7/16			138-1773 NAD27 COORDINATES
REVISED	MR		8/16			39221-1-B
STATUS						



①	N 01°35'02" E	11.72'
②	N 01°35'02" E	23.16'
③	S 84°44'29" W	83.29'
④	N 05°15'31" W	21.48'
⑤	N 35°19'20" W	1.41'
⑥	N 80°19'20" W	1.13'
⑦	S 05°15'31" E	22.47'
⑧	N 85°39'14" E	109.12'
⑨	S 05°15'31" E	15.50'
⑩	N 01°33'02" E	36.20'
⑪	N 01°33'02" E	1.09'
⑫	S 64°32'29" E	8.57'
⑬	S 03°48'38" E	1.15'
⑭	N 64°32'29" W	8.69'

TEMPORARY CONSTRUCTION AREA - OTAY TRUCK ROUTE PHASE 4:  
IN A PORTION OF LOTS 24 & 25 OF MAP 12659

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 2 OF 2 SHEETS	T.M.
ORIGINAL	TAM		1/16			<i>Richard J. McManis</i> FOR CITY LAND SURVEYOR DATE <u>8-09-2016</u>
REVISED	TAM		3/16		1778-6334	
REVISED	GAN		7/16		NAD83 COORDINATES	
REVISED	MR		8/16		138-1773	
STATUS						NAD27 COORDINATES
						<b>39221-2-B</b>

EXHIBIT 3

**EXHIBIT "A"**  
**Public Street Easement**

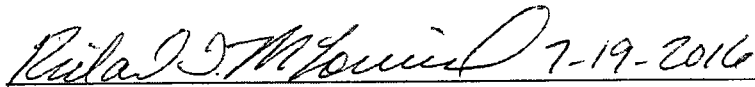
**APN: 667-071-26**

All that portion of Lot 26 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

**Beginning** at the southeast corner of said Lot 26; Thence along the southerly line of said Lot 26 South  $84^{\circ}39'07''$  West 331.40 feet to the southwest corner of said Lot 26; Thence leaving the said southerly line of Lot 26 and continuing along the westerly line of said Lot 26 North  $01^{\circ}35'02''$  East 11.72 feet; Thence leaving the said westerly line of Lot 26 North  $84^{\circ}44'29''$  East 331.33 feet to easterly line of said Lot 26; Thence continuing along the said easterly line of Lot 26 South  $01^{\circ}32'16''$  West 11.19 feet to the **"Point of Beginning"**.

Said Parcel contains 3768.50 Square Feet, 0.0865 Acres.

Exhibit "B" (City of San Diego Drawing No. 38694-B), attached and by this reference is made a part hereto.

 7-19-2016

Richard T. McCormick LS 7450 Date  
Senior Land Surveyor, Field Engineering  
My Registration Expires 12-31-2018




File: APN 667-071-26 St-Esmt legal.docx  
WBS S-11060-July 2016



APN: 667-071-26  
 Owner: Johnson Warehouse - Otay LLC,  
 a Colorado limited liability company

**LEGEND**

( ) Indicates Record Data Per Map 12659  
 POB Point of Beginning

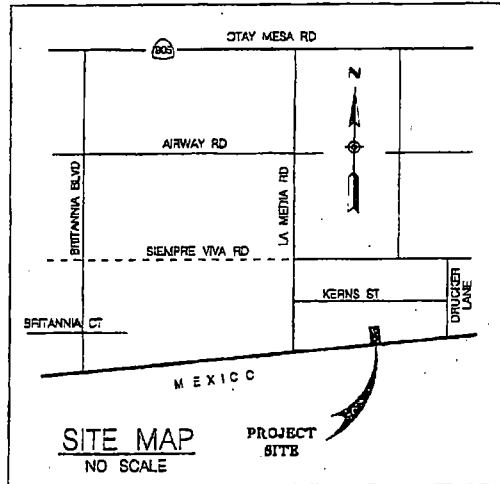
 Indicates Public Street Easement "Parcel"  
 Parcel Area = 3768.50 Sq. Ft. 0.0865 Acres

**REFERENCES**


Map 12659  
 Record of Survey 17617

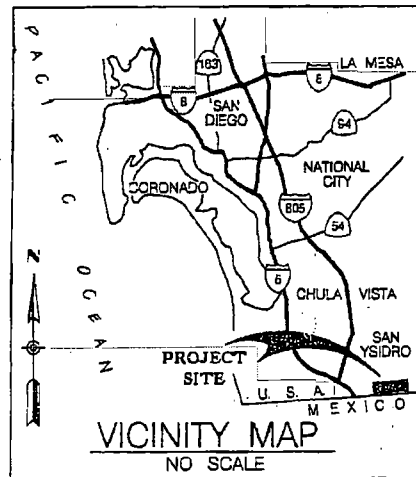
**BASIS OF BEARING**

The Basis of Bearing for this Survey is the grid bearing  
 from City GPS Stations 001 and 209 per ROS 14492  
 IE: S 72°44'30" E



**EASEMENT NOTE**

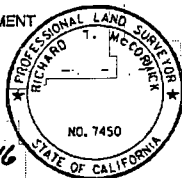
 Indicates a Portion of Lot "A" granted to the United States of  
 America per Doc. No. 2000-0705053, Rec. 12/26/2000 O.R.



**PREPARED BY:**

THE CITY OF SAN DIEGO PUBLIC WORKS DEPARTMENT  
 FIELD DIVISION - SURVEY SECTION, UNDER THE  
 DIRECTION OF RICHARD T. McCORMICK, LS 7450,  
 SENIOR LAND SURVEYOR

*Richard T. McCormick* 7-19-2016  
 RICHARD T. McCORMICK P.L.S. 7450 DATE



RESOLUTION No. \_\_\_\_\_

ADOPTED: \_\_\_\_\_

DOC. No. \_\_\_\_\_

RECORDED: \_\_\_\_\_

**PUBLIC STREET EASEMENT - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOT 26 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		05/15		SHEET 1 OF 2 SHEETS	S-11060.03.01
REVISED	GAN		07/16		<i>Richard T. McCormick</i> 7-19-2016 FOR CITY LAND SURVEYOR DATE	1778-6334 NAD83 COORDINATES
						138-1773 NAD27 COORDINATES
						38694-1-B
STATUS						

MAP 12659

(84')

KERNS ST



SCALE 1"=80'

CGF= 1.0000235 @ GPS 001  
Mapping Angle= -0° 24' 10.44"  
Elevation= 512.29' (NGVD29)

DATA TABLE	
①	S 84°39'07" W 331.40' (S 84°39'24" W 331.39')
②	N 01°35'02" E 11.72'
③	N 84°44'29" E 331.33'
④	S 01°32'16" W 11.19'

ROS 17617

620.89'  
620.89'

580.74'  
580.08'

West line of Lot 26

East line of Lot 26

MAP 12659

LOT 26

-APN: 667-071-26

Johnson Warehouse - Otay LLC,  
a Colorado limited liability company

LOT 25

(N 01°32'33" E  
N 01°35'02" E

(N 01°32'33" E  
N 01°32'16" E

LOT 27

Southerly line  
of Lot 26

④

②

③

①

APN: 667-071-40

CITY OF SAN DIEGO

POB

LOT "A"  
MAP 12659

UNITED STATES OF AMERICA  
PUBLIC AGENCY  
APN: 667-071-41

MEXICO

**PUBLIC STREET EASEMENT - OTAY TRUCK ROUTE PHASE 4:  
IN A PORTION OF LOT 26 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		05/15		SHEET 2 OF 2 SHEETS	W.B.S. S-11060.03.01
REVISED	GAN		07/16		<i>Richard J. McNeill</i> 7-19-2016 FOR CITY LAND SURVEYOR DATE	1778-6334 NAD83 COORDINATES
						138-1773 NAD27 COORDINATES
						38694-2-B
STATUS						

Temporary Construction Area

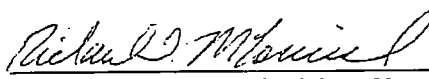
APN: 667-071-26

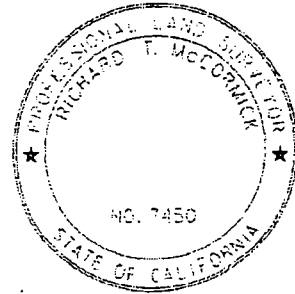
All that portion of Lot 26 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

Commencing at the southeast corner of said Lot 26; Thence along the easterly line of said Lot 26 North  $01^{\circ}32'16''$  East 11.19 feet to the **True Point of Beginning**; Thence continuing along said easterly line of Lot 26 North  $01^{\circ}32'16''$  East 3.02 feet; Thence leaving said easterly line of Lot 26 South  $84^{\circ}44'29''$  West 6.45 feet; Thence North  $01^{\circ}05'44''$  East 17.99 feet; Thence North  $89^{\circ}48'05''$  West 17.85 feet to the beginning of a tangent 6.00 foot radius curve, concave southeasterly; Thence southwesterly along the arc of said curve through a central angle of  $95^{\circ}27'26''$  a distance of 10.00 feet; Thence South  $05^{\circ}15'31''$  East 11.61 feet; Thence South  $84^{\circ}44'29''$  West 286.58 feet; Thence North  $05^{\circ}15'31''$  West 12.00 feet to the beginning of a tangent 6.00 foot radius curve, concave southwesterly; Thence northwesterly along the arc of said curve through a central angle of  $90^{\circ}00'00''$  a distance of 9.42 feet; Thence South  $84^{\circ}44'29''$  West 7.55 feet to a point on the westerly line of said Lot 26; Thence along the said westerly line of Lot 26 South  $01^{\circ}35'02''$  West 23.17 feet; Thence leaving the said westerly line of Lot 26 North  $84^{\circ}44'29''$  East 331.33 feet to the **True Point of Beginning**.

Said Parcel contains 2290.57 Square Feet, 0.0526 Acres.

Exhibit "B" (City of San Diego Drawing No. 39222-B), attached and by this reference is made a part hereto.


 8.09.2016  
Richard T. McCormick LS 7450 Date  
Senior Land Surveyor, Field Engineering  
My Registration Expires 12-31-2016



File: APN 671-071-26 TCA legal.docx  
WBS S-11060-August 2016

APN: 667-071-26  
 Owner: Johnson Warehouse - Otay LLC,  
 a Colorado limited liability company

**LEGEND**

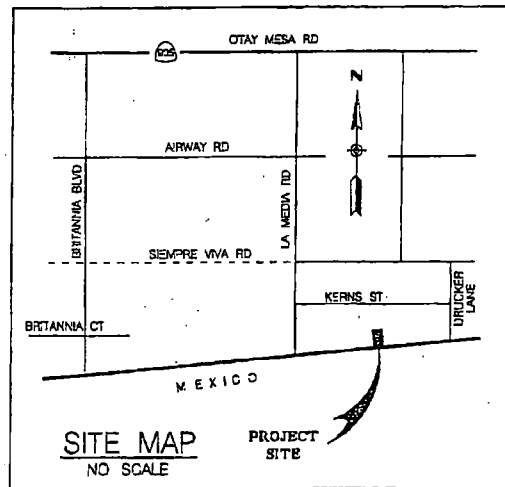
- ( ) Indicates Record Data Per Map 12659
- TPOB True Point of Beginning
- POC Point of Commencement
-  Indicates Temporary Construction Area  
 Parcel Area = 2290.57 Sq. Ft. 0.0526 Acres

**REFERENCES**

Map 12659  
 Record of Survey 17617  
 City Dwg: 38694-B

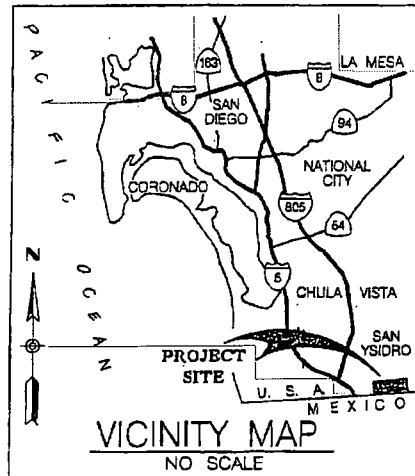
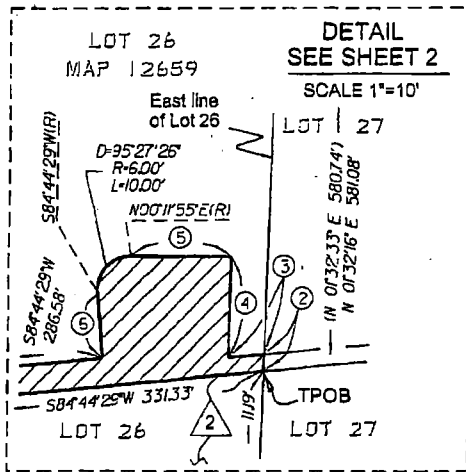
**BASIS OF BEARING**

The Basis of Bearing for this Survey is the grid bearing from City GPS Stations 001 and 209 per ROS 14492  
 IE: S 72°44'30" E



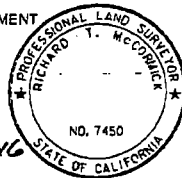
**EASEMENT NOTES**

- ① Indicates a Portion of Lot "A" granted to the United States of America per Doc. No. 2000-0705053, Rec. 12/26/2000 O.R.
- ② A Proposed Public Street Easement to be granted to the City of San Diego per City Drawing 38694-B



**PREPARED BY:**

THE CITY OF SAN DIEGO PUBLIC WORKS DEPARTMENT  
 FIELD DIVISION - SURVEY SECTION, UNDER THE  
 DIRECTION OF RICHARD T. McCORMICK, LS 7450,  
 SENIOR LAND SURVEYOR



*Richard T. McCormick 8-09-2016*  
 RICHARD T. McCORMICK P.L.S. 7450 DATE

RESOLUTION No. \_\_\_\_\_

ADOPTED: \_\_\_\_\_

DOC. No. \_\_\_\_\_

RECORDED: \_\_\_\_\_

**TEMPORARY CONSTRUCTION AREA - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOT 26 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		1/16		SHEET 1 OF 2 SHEETS	w.e.s. S-11060.03.01
REVISED	GAN		7/16		<i>Richard T. McCormick 8-09-2016</i>	1778-6334
REVISED	MR		8/16		FOR CITY LAND SURVEYOR DATE	NAD83 COORDINATES
						138-1773
						NAD22 COORDINATES
						<b>39222-1-B</b>
STATUS						

MAP 12659

(64')

KERNS ST

**DATA TABLE**

①	N 01°32'16" E	11.19'
②	N 01°32'16" E	3.02'
③	S 84°44'29" W	6.45'
④	N 01°05'44" E	17.99'
⑤	N 89°48'05" W	17.85'
⑥	S 05°15'31" E	11.61'
⑦	N 05°15'31" W	12.00'
⑧	S 64°44'29" W	7.55'
⑨	S 01°35'02" W	11.72'
⑩	N 84°39'07" E	331.40'
	(N 84°39'24" E	331.39')



SCALE 1"=80'

CGF= 1.0000235 @ GPS 001  
Mapping Angle= -0° 24' 10.44"  
Elevation= 512.29' (NGVD29)

ROS 17617

LOT 25

West line of Lot 26 East line of Lot 26

MAP 12659

LOT 26

APN: 667-071-26

Johnson Warehouse - Otay LLC,  
a Colorado limited liability company

LOT 27

See Detail  
Sheet 1

620.48'  
620.89'

560.74'  
581.08'

N 01°32'33" E  
N 01°35'02" E

N 01°32'33" E  
N 01°32'16" E

N 05°15'31" W

D=90°00'00"  
R=6.00'  
L=5.42'

N 84°44'29" E (R)

S 84°44'29" W

N 84°44'29" E

S 01°35'02" W  
23.17'

CITY OF SAN DIEGO

UNITED STATES OF AMERICA  
PUBLIC AGENCY  
APN: 667-071-41

APN: 667-071-40

Southeast corner  
of Lot 26

Southerly line  
of Lot 26

LOT "A"  
MAP 12659

MEXICO

**TEMPORARY CONSTRUCTION AREA - OTAY TRUCK ROUTE PHASE 4:  
IN A PORTION OF LOT 26 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		1/16		SHEET 2 OF 2 SHEETS	W.B.S. S-11060.03.01
REVISED	GAN		7/16		<i>Robert J. McManis</i> 8-09-2016	1778-6334
REVISED	MR		8/16		FOR CITY LAND SURVEYOR DATE	NAD83 COORDINATES
						138-1773
						NAD27 COORDINATES
						39222-2-B
STATUS						

EXHIBIT 4

Public Street Easement

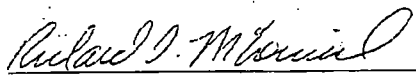
APN: 667-071-28 and 29

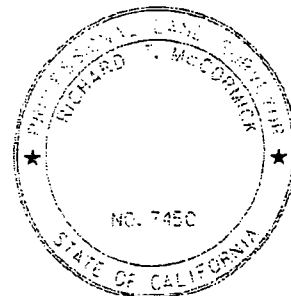
All that portion of Lots 28 and 29 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

**Beginning** at the southeast corner of said Lot 29; Thence along the southerly line of said Lot 29 South 84°39'44" West 331.39 feet to the southeast corner of said Lot 28; Thence along the southerly line of said Lot 28 South 84°39'07" West 331.40 feet to the southwest corner of said Lot 28; Thence leaving the said southerly line of Lot 28 and continuing along westerly line of said Lot 28 North 01°32'16" East 10.67 feet; Thence leaving the said westerly line of Lot 28 North 84°44'29" East 331.34 feet to a point on the westerly line of said Lot 29; Thence leaving said westerly line of Lot 29 and continuing North 84°44'29" East 331.33 feet to a point on the easterly line of said Lot 29; Thence continuing along the said easterly line of Lot 29 South 01°32'53" West 9.69 feet to the "**Point of Beginning**".

Said Parcel contains 6689.03 Square Feet, 0.1536 Acres.

Exhibit "B" (City of San Diego Drawing No. 38696-B), attached and by this reference is made a part hereto.

 7-14-2016  
Richard T. McCormick LS 7450 Date  
Senior Land Surveyor, Field Engineering  
My Registration Expires 12-31-2016




File: APN 671-071-28+29 St-Esmt legal.docx  
WBS S-11060-July 2016

APN: 667-071-28 & 29  
 Owner: Niceride1, LLC, a California limited liability company

**LEGEND**

( ) Indicates Record Data Per Map 12659  
 POB Point of Beginning

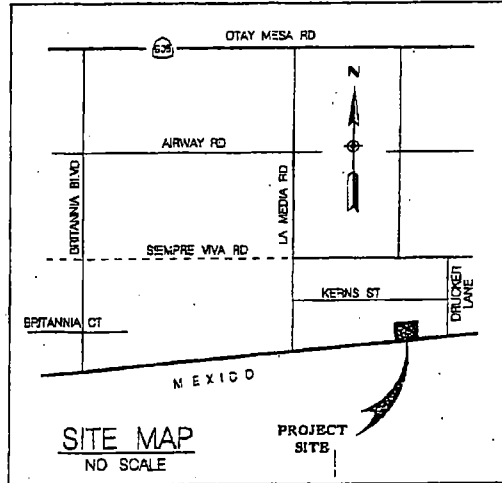
 Indicates Public Street Easement "Parcel"  
 Parcel Area = 6689.03 Sq. Ft. 0.1536 Acres

**REFERENCES**


Map 12659  
 Record of Surveys 16826 & 17617

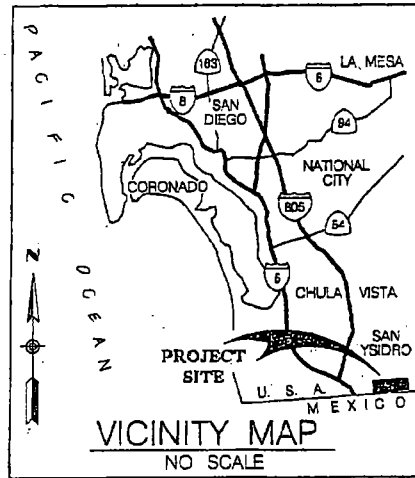
**BASIS OF BEARING**

The Basis of Bearing for this Survey is the grid bearing from City GPS Stations 001 and 209 per ROS 14492  
 IE: S 72°44'30" E



**EASEMENT NOTE**

 Indicates a Portion of Lot "A" granted to the United States of America per Doc. No. 2000-0705053, Rec. 12/25/2000 O.R.



**PREPARED BY:**

THE CITY OF SAN DIEGO PUBLIC WORKS DEPARTMENT  
 FIELD DIVISION - SURVEY SECTION, UNDER THE  
 DIRECTION OF RICHARD T. McCORMICK, LS 7450,  
 SENIOR LAND SURVEYOR

*Richard T. McCormick* 7-14-2016  
 RICHARD T. McCORMICK P.L.S. 7450 DATE



RESOLUTION No. \_\_\_\_\_

ADOPTED: \_\_\_\_\_

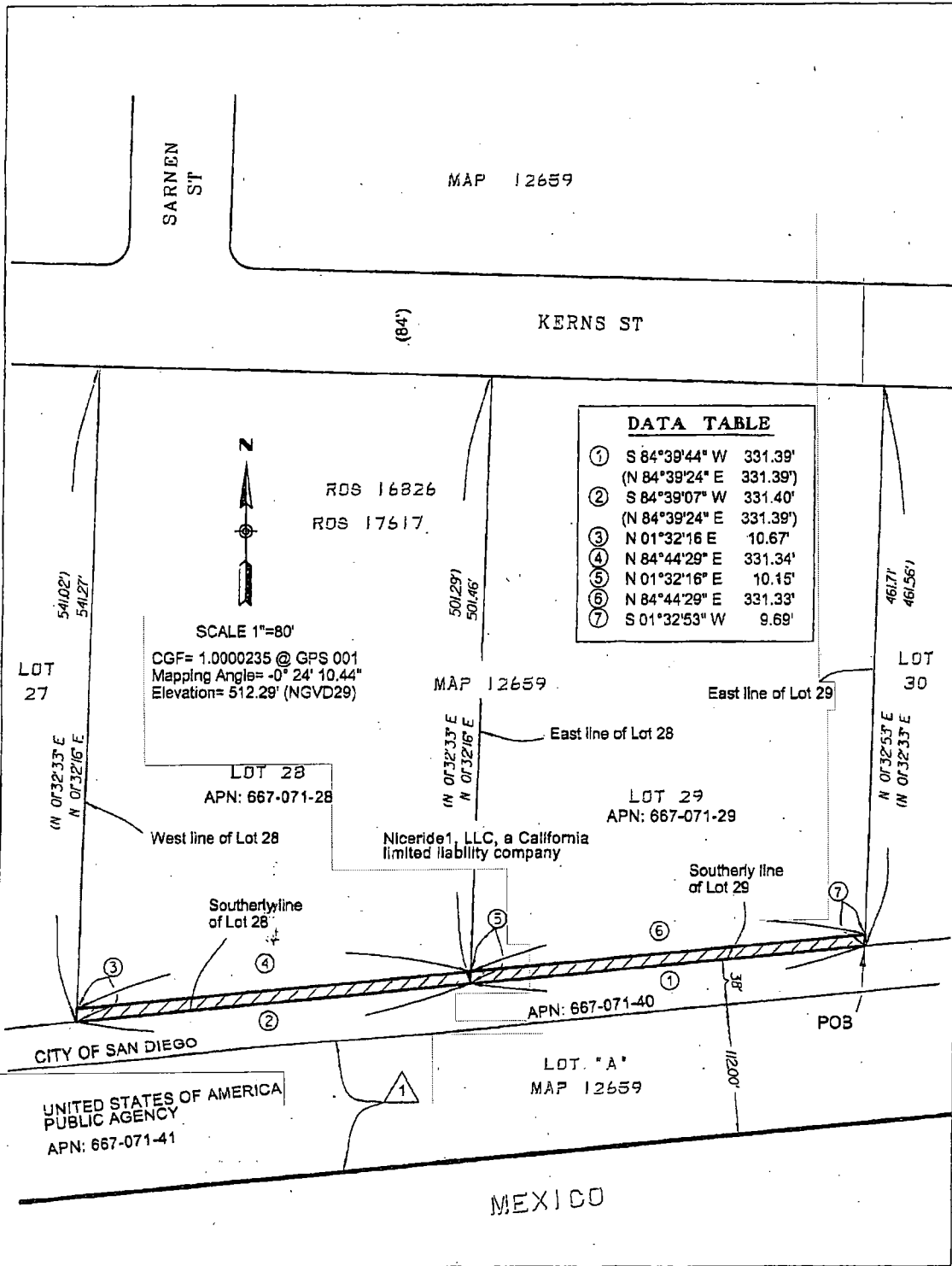
DOC. No. \_\_\_\_\_

RECORDED: \_\_\_\_\_

**PUBLIC STREET EASEMENT- OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 28 & 29 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		05/15		SHEET 1 OF 2 SHEETS	S-11060.03.01
REVISED	GAN		07/16			
					<i>Richard T. McCormick</i> 7-14-2016 FOR CITY LAND SURVEYOR DATE	1778-5334 NAD83 COORDINATES
						138-1773 NAD27 COORDINATES
					STATUS	38696-1-B





**DATA TABLE**

- ① S 84°39'44" W 331.39'  
(N 84°39'24" E 331.39')
- ② S 84°39'07" W 331.40'  
(N 84°39'24" E 331.39')
- ③ N 01°32'16" E 10.67'
- ④ N 84°44'29" E 331.34'
- ⑤ N 01°32'16" E 10.15'
- ⑥ N 84°44'29" E 331.33'
- ⑦ S 01°32'53" W 9.69'

N  
 SCALE 1"=80'  
 CGF= 1.0000235 @ GPS 001  
 Mapping Angle= -0° 24' 10.44"  
 Elevation= 512.29' (NGVD29)

LOT 27  
 541.021  
 541.27'  
 (N 01°32'33" E  
 N 01°32'16" E

LOT 28  
 APN: 667-071-28  
 West line of Lot 28  
 Southerly line of Lot 28

LOT 29  
 APN: 667-071-29  
 East line of Lot 28  
 East line of Lot 29  
 Southerly line of Lot 29  
 APN: 667-071-40  
 POB

LOT 30  
 461.71'  
 461.561'  
 (N 01°32'33" E  
 N 01°32'33" E

RDS 16826  
 RDS 17517

MAP 12659

Niceride1, LLC, a California limited liability company

CITY OF SAN DIEGO

UNITED STATES OF AMERICA  
 PUBLIC AGENCY  
 APN: 667-071-41

LOT. 'A'  
 MAP 12659

MEXICO

**PUBLIC STREET EASEMENT- OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 28 & 29 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		05/15		SHEET 2 OF 2 SHEETS	W.B.S. S-11060.03.01
REVISED	GAN		07/16		<i>Richard J. McManis</i> 7-14-2016 FOR CITY LAND SURVEYOR DATE	1778-6334 NAD83 COORDINATES
						138-1773 NAD27 COORDINATES
						38696-2-B
STATUS						

Temporary Construction Area

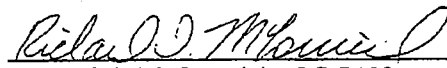
APN: 667-071-28 and 29

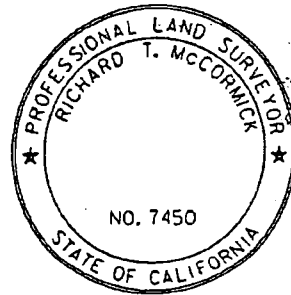
All that portion of Lots 28 and 29 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

Commencing at the southeast corner of said Lot 29; Thence along the easterly line of said Lot 29 North  $01^{\circ}32'53''$  East 9.69 feet to the **Point of Beginning**; Thence continuing along the said easterly line of Lot 29 North  $01^{\circ}32'53''$  East 7.93 feet; Thence leaving the said easterly line of Lot 29 South  $64^{\circ}49'13''$  West 6.16 feet; Thence North  $51^{\circ}03'06''$  West 74.90 feet; Thence South  $84^{\circ}44'29''$  West 204.14 feet; Thence South  $24^{\circ}03'28''$  West 63.08 feet; Thence South  $84^{\circ}44'29''$  West 37.41 feet to a point on the easterly line of said Lot 28; Thence leaving said easterly line of Lot 28 South  $84^{\circ}44'29''$  West 331.34 feet to a point on the westerly line of said Lot 28; Thence along the said westerly line of Lot 28 South  $01^{\circ}32'16''$  West 3.02 feet; Thence leaving said westerly line of Lot 28 North  $84^{\circ}44'29''$  East 331.34 feet to a point on the said easterly line of said Lot 28; Thence leaving said easterly line of Lot 28 North  $84^{\circ}44'29''$  East 331.33 feet to the **Point of Beginning**.

Said Parcel contains 15637.34 Square Feet, 0.3590 Acres.

Exhibit "B" (City of San Diego Drawing No. 39224-B), attached and by this reference is made a part hereto.


 1-16-2018  
Richard T. McCormick LS 7450 Date  
Senior Land Surveyor, Field Engineering  
My Registration Expires 12-31-2016



File: APN 671-071-28+29 TCA legal.docx  
WBS S-11060-January 2018

APN: 667-071-28 & 29  
 Owner: Niceride1, LLC, a California limited liability company

**LEGEND**

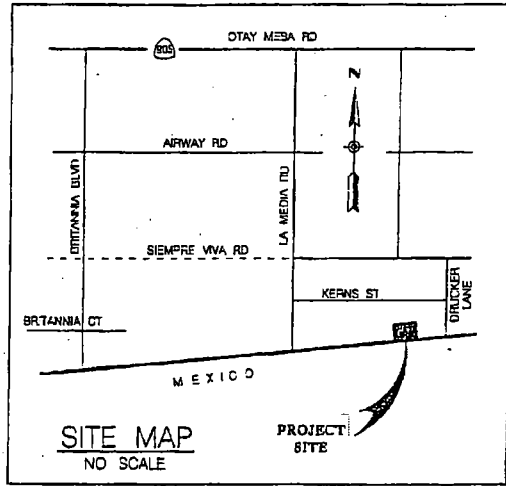
- ( ) Indicates Record Data Per Map 12659
- POB Point of Beginning
- POC Point of Commencement
-  Indicates Temporary Construction Area  
 Parcel Area = 15637.34 Sq. Ft. 0.3590 Acres

**REFERENCES**



Map 12659  
 Record of Surveys 16826 & 17617  
 City Dwg: 38696-B

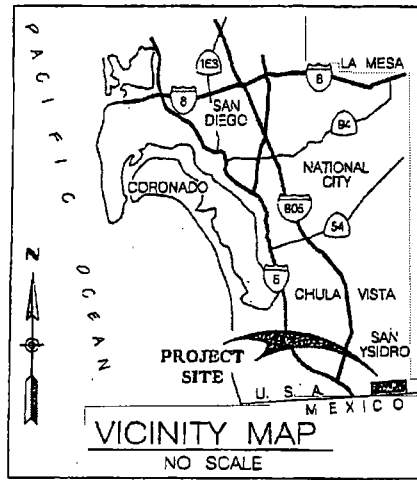
**BASIS OF BEARING**

The Basis of Bearing for this Survey is the grid bearing from City GPS Stations 001 and 209 per ROS 14492  
 IE: S 72°44'30" E



**EASEMENT NOTES**

-  Indicates a Portion of Lot "A" granted to the United States of America per Doc. No. 2000-0705053, Rec. 12/26/2000 O.R.
-  A Proposed Public Street Easement to be granted to the City of San Diego per City Drawing 38696-B



**PREPARED BY:**

THE CITY OF SAN DIEGO PUBLIC WORKS DEPARTMENT  
 FIELD DIVISION - SURVEY SECTION, UNDER THE  
 DIRECTION OF RICHARD T. McCORMICK, LS 7450,  
 SENIOR LAND SURVEYOR

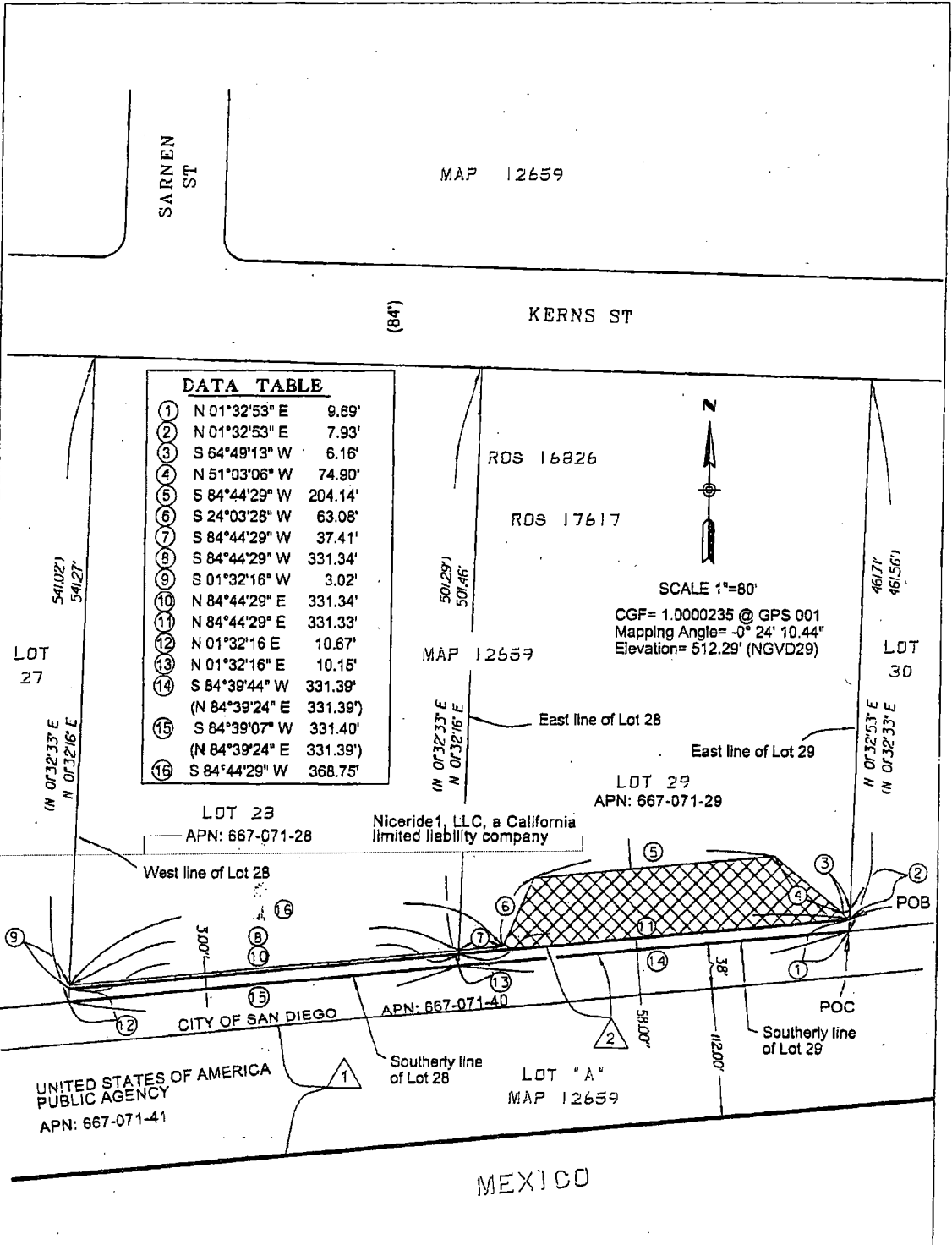


*Richard T. McCormick* 01-16-2018  
 RICHARD T. McCORMICK P.L.S. 7450 DATE

RESOLUTION No. \_\_\_\_\_  
 ADOPTED: \_\_\_\_\_  
 DOC. No. \_\_\_\_\_  
 RECORDED: \_\_\_\_\_

**TEMPORARY CONSTRUCTION AREA - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 28 & 29 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL	TAM		1/16		SHEET 1 OF 2 SHEETS	T.M. _____
REVISED	GAN		7/16			W.B.S. S-11060.03.01
REVISED	DRW		1/18		<i>Richard T. McCormick</i> 1-16-2018 FOR CITY LAND SURVEYOR DATE	1778-6334 NAD83 COORDINATES
						138-1773 NAD27 COORDINATES
						39224-1-B
STATUS						



DATA TABLE		
①	N 01°32'53" E	9.69'
②	N 01°32'53" E	7.93'
③	S 64°49'13" W	6.16'
④	N 51°03'06" W	74.90'
⑤	S 84°44'29" W	204.14'
⑥	S 24°03'28" W	63.08'
⑦	S 84°44'29" W	37.41'
⑧	S 84°44'29" W	331.34'
⑨	S 01°32'16" W	3.02'
⑩	N 84°44'29" E	331.34'
⑪	N 84°44'29" E	331.33'
⑫	N 01°32'16" E	10.67'
⑬	N 01°32'16" E	10.15'
⑭	S 84°39'44" W	331.39'
⑮	(N 84°39'24" E 331.39')	
⑯	S 84°39'07" W	331.40'
⑰	(N 84°39'24" E 331.39')	
⑱	S 84°44'29" W	368.75'

**TEMPORARY CONSTRUCTION AREA - OTAY TRUCK ROUTE PHASE 4:  
IN A PORTION OF LOTS 28 & 29 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL	TAM		1/16		SHEET 2 OF 2 SHEETS	
REVISED	GAN		7/16		T.M. _____ W.B.S. S-11060.03.01	
REVISED	DRW		1/18		1778-6334 NAD83 COORDINATES	
					138-1773 NAD27 COORDINATES	
					39224-2-B	
STATUS						

EXHIBIT 5

Public Street Easement

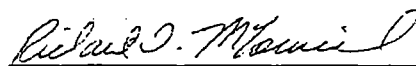
APN: 667-071-30 and 33

All that portion of Lots 30 and 31 in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

Commencing at the southeast corner of said Lot 31; Thence along the southerly line of said Lot 31 South 84°39'44" West 42.15 feet to the westerly right of way of Drucker Lane as granted to the said City of San Diego per grant deeds recorded July 25, 1994 as Instrument No. 94-0458224, 94-0458225 and 94-0458226 of Official Records, said point being the "Point of Beginning"; Thence leaving the said westerly right of way of Drucker Lane and continuing South 84°39'44" West 307.65 feet to the southeast corner of said Lot 30; Thence along the southerly line of said Lot 30 South 84°39'44" West 331.41 feet to the southwest corner of said Lot 30; Thence leaving the said southerly line of Lot 30 and continuing along westerly line of said Lot 30 North 01°32'53" East 9.69 feet; Thence leaving the said westerly line of Lot 30 North 84°44'29" East 278.76 feet; Thence North 85°04'34" East 52.55 feet to a point on the westerly line of said Lot 31; Thence leaving the said westerly line of Lot 31 and continuing North 85°04'34" East 307.15 feet to a point on the said westerly right of way of Drucker Lane; Thence continuing along the said westerly right of way of Drucker Lane South 00°30'51" East 6.66 feet to the "Point of Beginning".

Said Parcel contains 5486.29 Square Feet, 0.1259 Acres.

Exhibit "B" (City of San Diego Drawing No. 38697-B), attached and by this reference is made a part hereto.

  
Richard T. McCormick LS 7450 Date 7-27-2016  
Senior Land Surveyor, Field Engineering  
My Registration Expires 12-31-2016





File: APN 671-071-30+33 St-Esmt legal.docx  
WBS S-11060-July 2016

APN: 667-071-30 & 33  
 Owner: 8917 Kerns Street Investors LLC,  
 a Delaware limited liability company

**LEGEND**

- ( ) Indicates Record Data Per Map 12659
- [ ] Indicates Record Data Per Record of Survey 16826
- POB Point of Beginning
- POC Point of Commencement

 Indicates Public Street Easement "Parcel"  
 Parcel Area = 5486.29 Sq. Ft. 0.1259 Acres

Overlap with  = 125.70 Sq. Ft.




**REFERENCES**

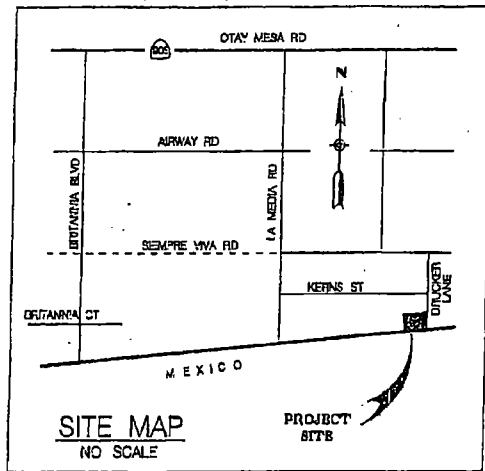
Map 12659  
 Record of Surveys 16826 & 17617

**BASIS OF BEARING**

The Basis of Bearing for this Survey is the grid bearing  
 from City GPS Stations 001 and 209 per ROS 14492  
 IE: S 72°44'30" E

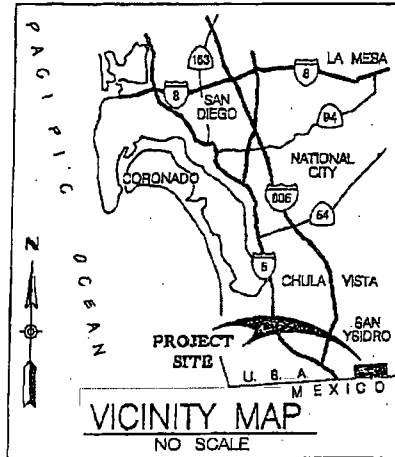
**EASEMENT NOTE**

-  Indicates a Portion of Lot "A" granted to the United States of America per Doc. No. 2000-0705053, Rec. 12/26/2000 O.R.
-  Indicates a Drainage Easement granted to the City of San Diego per Doc. No. 2003-0468201 Rec. 4/21/2003 O.R. City Drawing 19930-B
-  Indicates a 42' wide street dedicated to the City of San Diego per Doc. No. 94-0458224, Rec. 07/25/1994 O.R. per Doc. No. 94-0458225, Rec. 07/25/1994 O.R. per Doc. No. 94-0458226, Rec. 07/25/1994 O.R. City Drawing 27284-D



**SITE MAP**  
NO SCALE

**PROJECT SITE**



**VICINITY MAP**  
NO SCALE

**PREPARED BY:**

THE CITY OF SAN DIEGO PUBLIC WORKS DEPARTMENT  
 FIELD DIVISION - SURVEY SECTION, UNDER THE  
 DIRECTION OF RICHARD T. McCORMICK, LS 7450,  
 SENIOR LAND SURVEYOR



*Richard T. McCormick 7-27-2016*  
 RICHARD T. McCORMICK P.L.S. 7450 DATE

RESOLUTION No. \_\_\_\_\_

ADOPTED: \_\_\_\_\_

DOC. No. \_\_\_\_\_

RECORDED: \_\_\_\_\_

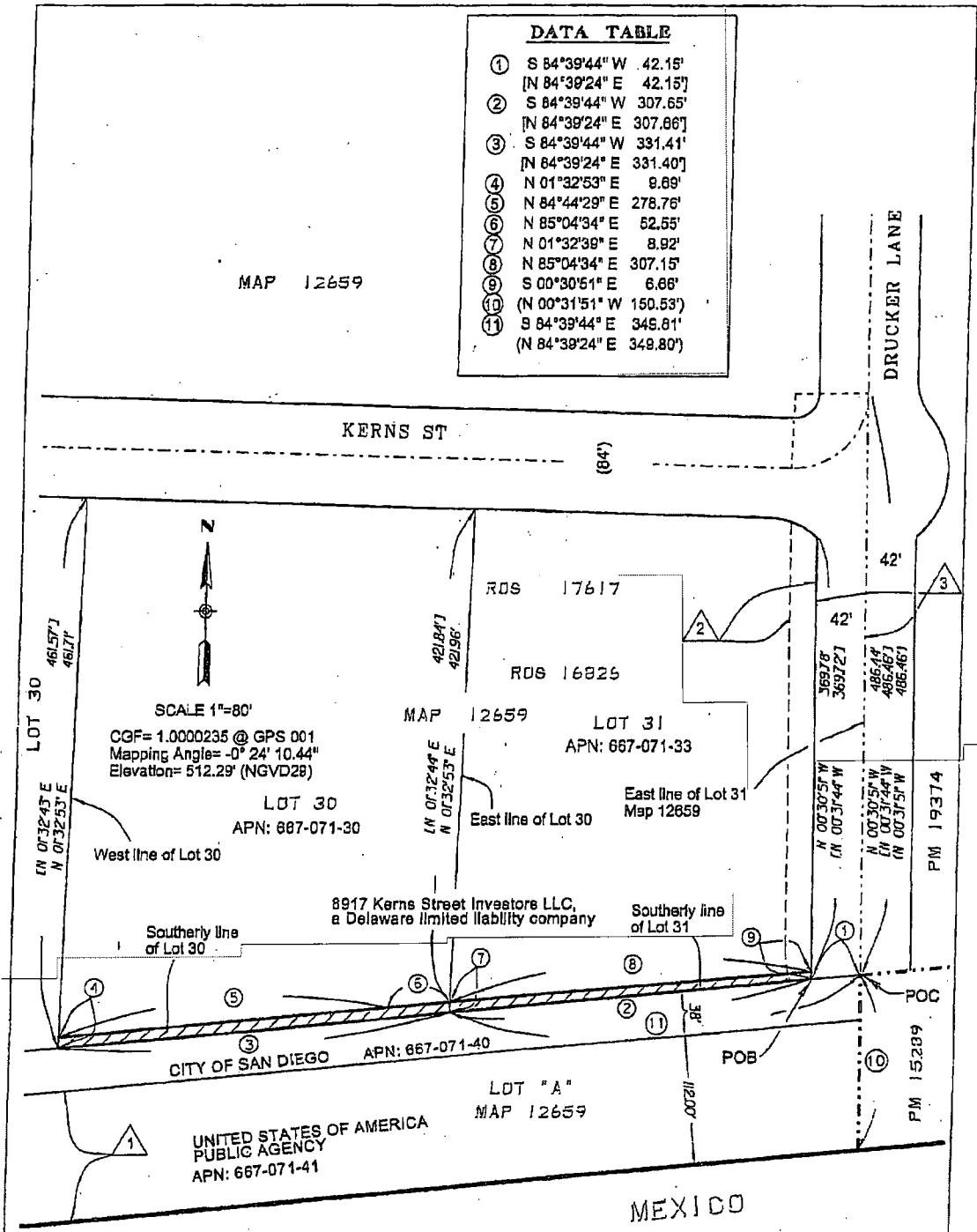
**PUBLIC STREET EASEMENT - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 30 & 31 MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		05/15		SHEET 1 OF 2 SHEETS	W.B.S. S-11060.03.01
REVISED	GAN		07/18		<i>Richard T. McCormick 7-27-2016</i> FOR CITY LAND SURVEYOR DATE	1778-6334 NAD83 COORDINATES
						138-1773 NAD27 COORDINATES
						38697-1-B
STATUS						

**DATA TABLE**

- ① S 84°39'44" W 42.15'  
[N 84°39'24" E 42.15']
- ② S 84°39'44" W 307.65'  
[N 84°39'24" E 307.66']
- ③ S 84°39'44" W 331.41'  
[N 84°39'24" E 331.40']
- ④ N 01°32'53" E 8.89'
- ⑤ N 84°44'29" E 278.76'
- ⑥ N 85°04'34" E 52.55'
- ⑦ N 01°32'39" E 8.92'
- ⑧ N 85°04'34" E 307.15'
- ⑨ S 00°30'51" E 6.66'
- ⑩ (N 00°31'51" W 150.53')
- ⑪ S 84°39'44" E 348.81'  
(N 84°39'24" E 349.80')

MAP 12659



**PUBLIC STREET EASEMENT - OTAY TRUCK ROUTE PHASE 4:  
IN A PORTION OF LOTS 30 & 31 MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		05/15		SHEET 2 OF 2 SHEETS	W.B.S. S-11080.03.01
REVISED	GAN		07/18		<i>Richard J. McNeill</i> 7-27-2016	1778-6934
					FOR CITY LAND SURVEYOR DATE	NAD83 COORDINATES
						138-1773
						NAD27 COORDINATES
						38697-2-B
					STATUS	



## TEMPORARY CONSTRUCTION AREA

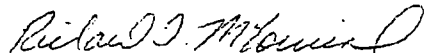
APN: 667-071-30 and 33

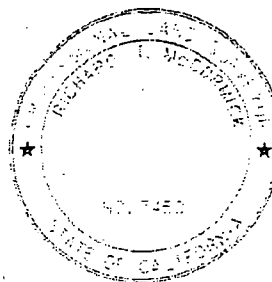
All that portion of Lots 30 and 31 of Siempre Viva Business Park, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 12659 filed in the Office of the County Recorder of said San Diego County on July 5, 1990, being more particularly described as follows:

**Commencing** at the southeast corner of said Lot 31; Thence along the southerly line of said Lot 31 South  $84^{\circ}39'44''$  West 42.15 feet to a point on the westerly right of way of Drucker Lane as granted to the said City of San Diego per grant deeds recorded July 25, 1994 as Instrument No. 94-0458224, 94-0458225 and 94-0458226 of Official Records; Thence leaving said southerly line of Lot 31 and continuing along said westerly right of way of Drucker Lane North  $00^{\circ}30'51''$  West 6.66 feet to the **Point of Beginning**; Thence leaving said westerly right of way of Drucker Lane South  $85^{\circ}04'34''$  West 307.15 feet to a point on the easterly line of said Lot 30; Thence leaving said easterly line of Lot 30 South  $85^{\circ}04'34''$  West 52.55 feet; Thence South  $84^{\circ}44'29''$  West 278.76 feet to a point on the westerly line of said Lot 30; Thence along said westerly line of Lot 30 North  $01^{\circ}32'53''$  East 7.93 feet; Thence leaving said westerly line of Lot 30 North  $64^{\circ}49'13''$  East 41.46 feet; Thence North  $84^{\circ}47'01''$  East 273.45 feet; Thence North  $79^{\circ}57'06''$  East 10.99 feet to the beginning of a tangent 4.50 foot radius curve concave southerly; Thence easterly along the arc of said curve through a central angle of  $41^{\circ}28'45''$ , a distance of 3.26 feet; Thence South  $58^{\circ}34'09''$  East 7.52 feet to a point on the westerly line of said Lot 31; Thence leaving said westerly line of Lot 31 and continuing South  $58^{\circ}34'09''$  East 21.36 feet; Thence North  $85^{\circ}04'34''$  East 288.33 feet to a point on said westerly right of way of Drucker Lane; Thence continuing along the said westerly right of way of Drucker Lane South  $00^{\circ}30'51''$  East 5.02 feet to the **Point of Beginning**.

Said Parcel contains 8670.05 Square Feet, 0.1990 Acres.

Exhibit "B" (City of San Diego Drawing No. 39225-B), attached and by this reference is made a part hereto.


 7-27-2016  
Richard T. McCormick LS 7450 Date  
Senior Land Surveyor, Field Engineering  
My Registration Expires 12-31-2016




File: APN 671-071-30+33 TCA legal.docx  
WBS S-11060-July 2016

APN: 667-071-30 & 33  
 Owner: 8917 Kerns Street Investors, LLC,  
 a Delaware limited liability company

**LEGEND**

- ( ) Indicates Record Data Per Map 12659
- [ ] Indicates Record Data Per Record of Survey 16826
- POB Point of Beginning
- POC Point of Commencement
-  Indicates Temporary Construction Area  
 Parcel Area = 8670.05 Sq. Ft. 0.1990 Acres

Overlap with  = 100.50 Sq. Ft.





**REFERENCES**

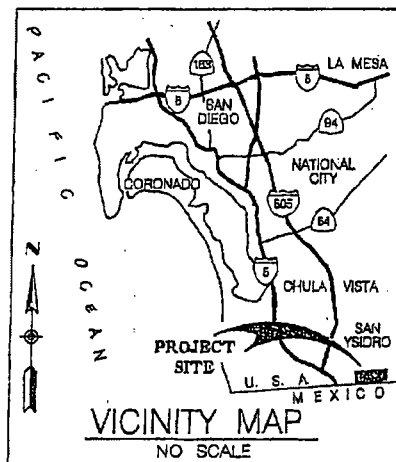
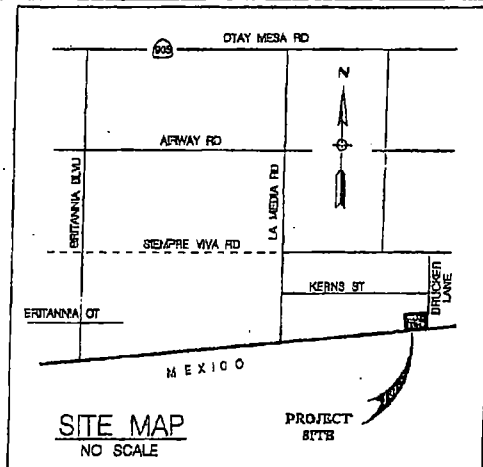
Map 12659  
 Record of Surveys 16826 & 17617  
 City Dwg: 38697-B

**BASIS OF BEARING**

The Basis of Bearing for this Survey is the grid bearing from City GPS Stations 001 and 209 per ROS 14492 IE: S 72°44'30" E

**EASEMENT NOTES**

-  Indicates a Portion of Lot "A" granted to the United States of America per Doc. No. 2000-0705053, Rec. 12/26/2000 O.R.
-  Indicates a Drainage Easement granted to the City of San Diego per Doc. No. 2003-0458201 Rec. 4/21/2003 O.R. City Drawing 19930-B
-  Indicates a 42' wide street dedicated to the City of San Diego per Doc. No. 94-0458224, Rec. 07/25/1994 O.R. per Doc. No. 94-0458225, Rec. 07/25/1994 O.R. per Doc. No. 94-0458226, Rec. 07/25/1994 O.R. City Drawing 27284-D
-  A Proposed Public Street Easement to be granted to the City of San Diego per City Drawing 38697-B



**PREPARED BY:**

THE CITY OF SAN DIEGO PUBLIC WORKS DEPARTMENT  
 FIELD DIVISION - SURVEY SECTION, UNDER THE  
 DIRECTION OF RICHARD T. McCORMICK, LS 7450,  
 SENIOR LAND SURVEYOR



*Richard T. McCormick 7-27-2016*  
 RICHARD T. McCORMICK P.L.S. 7450 DATE

RESOLUTION No. \_\_\_\_\_  
 ADOPTED: \_\_\_\_\_  
 DOC. No. \_\_\_\_\_  
 RECORDED: \_\_\_\_\_

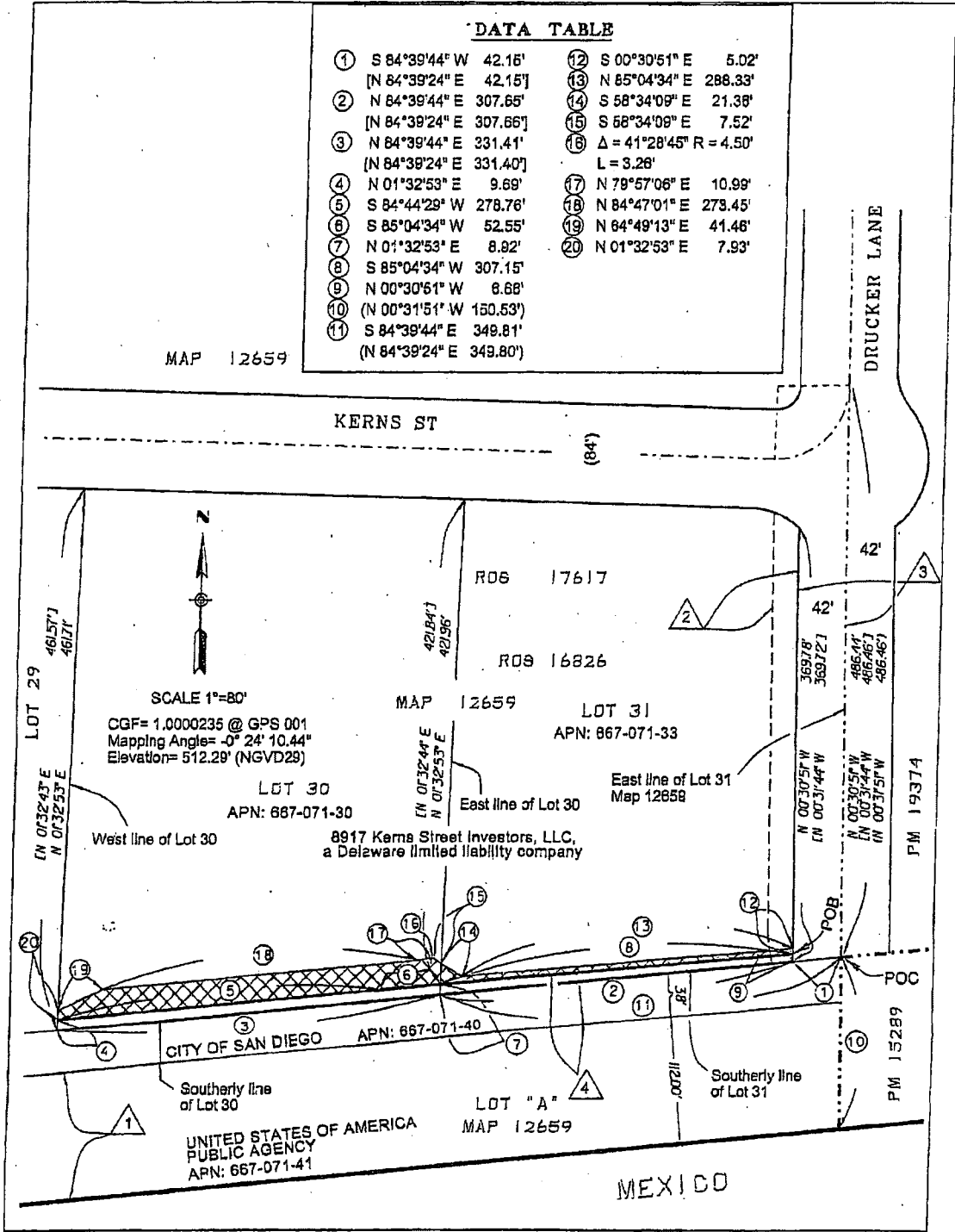
**TEMPORARY CONSTRUCTION AREA - OTAY TRUCK ROUTE PHASE 4:  
 IN A PORTION OF LOTS 30 & 31 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL	TAM		1/16		T.M.	
REVISED	GAN		7/16		W.B.B.	S-11080_03_01
					SHEET 1 OF 2 SHEETS	
					<i>Richard T. McCormick 7-27-2016</i>	
					FOR CITY LAND SURVEYOR DATE	
					1778-6334	
					NAD83 COORDINATES	
					138-1773	
					NAD27 COORDINATES	
					39225-1-B	
STATUS						

**DATA TABLE**

- |  |  |
|--|--|
| ① S 84°39'44" W 42.15'<br>[N 84°39'24" E 42.15']   | ⑫ S 00°30'51" E 5.02'                  |
| ② N 84°39'44" E 307.65'<br>[N 84°39'24" E 307.65'] | ⑬ N 85°04'34" E 288.33'                |
| ③ N 84°39'44" E 331.41'<br>[N 84°39'24" E 331.40'] | ⑭ S 58°34'09" E 21.38'                 |
| ④ N 01°32'53" E 9.69'                              | ⑮ S 58°34'09" E 7.52'                  |
| ⑤ S 84°44'29" W 278.76'                            | ⑯ Δ = 41°28'45" R = 4.50'<br>L = 3.26' |
| ⑥ S 85°04'34" W 52.55'                             | ⑰ N 79°57'06" E 10.99'                 |
| ⑦ N 01°32'53" E 8.92'                              | ⑱ N 84°47'01" E 273.45'                |
| ⑧ S 85°04'34" W 307.15'                            | ⑲ N 84°49'13" E 41.46'                 |
| ⑨ N 00°30'51" W 8.68'                              | ⑳ N 01°32'53" E 7.93'                  |
| ⑩ (N 00°31'51" W 150.53')                          |  |
| ⑪ S 84°39'44" E 349.81'<br>(N 84°39'24" E 349.80') |  |

MAP 12659



**TEMPORARY CONSTRUCTION AREA - OTAY TRUCK ROUTE PHASE 4:  
IN A PORTION OF LOTS 30 & 31 OF MAP 12659**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	TAM		1/16		SHEET 2 OF 2 SHEETS	W.S.B. S-11080.03.01
REVISED	GAN		7/16		<i>Richard J. M. [Signature]</i> 7-27-2016 FOR CITY LAND SURVEYOR DATE	1778-5334 NAD83 COORDINATES
						138-1773 NAD27 COORDINATES
						39225-2-B
STATUS						

Passed by the Council of The City of San Diego on JUN 25 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 25 2018

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 311845