

Item 621A  
12/17/24

(R-2025-244)

RESOLUTION NUMBER R- 315963

DATE OF FINAL PASSAGE DEC 17 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING CONDITIONAL USE PERMIT NO. PMT-3234656, SITE DEVELOPMENT PERMIT NO. PMT-3234657 AND PLANNED DEVELOPMENT PERMIT NO. PMT-3302312, AMENDMENT TO CONDITIONAL USE PERMIT NO. 1605027 AND SITE DEVELOPMENT PERMIT NO. 1831047, FOR THE UNIVERSITY OF SAN DIEGO MASTER PLAN AMENDMENT PROJECT NO. PRJ-1099954.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. The University of San Diego (USD), a California Corporation, Owner, submitted an application to the City of San Diego for Conditional Use Permit No. PMT-3234656, Site Development Permit No. PMT-3234657, and Planned Development Permit No. PMT-3302312, amendment to Conditional Use Permit No. 1605027 and Site Development Permit No. 1831047, to increase student housing capacity, permit deviations to building height and floor area ratios of the underlying base zones, vacate public easements (water and storm drain), add 5701 Josephine Street (APN No. 436-390-01) to the USD Master Plan area, and amend the USD Master Plan Design Guidelines to reflect plan revisions (as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval), for the USD Master Plan Amendment - Project No. PRJ-1099954 (Project).

B. The approximately 180-acre Project site is located on the USD campus at 5998 Alcalá Park, within the Linda Vista Community Plan area, in the OP-2-1, OR-1-1, RS-1-7, RM-1-1, RM-3-7, CC-4-2, CC-4-5, and CC-5-4 Zones, Airport Influence Area (San Diego International Airport and Montgomery Field), Community Plan Implementation Overlay Zone

(CPIOZ) Type A, and the Parking Impact Overlay Zone (Campus Impact Area). USD is located on a mesa with steep slopes leading to Tecolote Canyon Natural Park to the north of the campus. Morena Boulevard is located to the west, with Via Las Cumbres bordering the campus on the east, and Linda Vista Road to the south. The Project site is legally described within Attachment A to the attached Permits incorporated here by reference.

C. The City as Lead Agency has reviewed and accepted a California Environmental Quality Act (CEQA) Guidelines, 14 California Code of Regulations section 15162 – Subsequent Environmental Impact Reports and Negative Declarations consistency evaluation prepared for the Project. The consistency evaluation was performed to determine if conditions specified in CEQA Guidelines section 15162 would require preparation of additional CEQA review for the Project. Staff determined that the Project is consistent with the USD Master Plan Update Subsequent Environmental Impact Report (SEIR; SCH No. 1993121032) certified by the Council on September 11, 2017, San Diego Resolution R-311298. Pursuant to California Public Resources Code section 21166 and CEQA Guidelines section 15162, there is no change in circumstance, additional information, or project changes to warrant additional environmental review for this action.

D. On September 26, 2024, the Planning Commission of the City of San Diego considered Conditional Use Permit No. PMT-3234656, Site Development Permit No. PMT-3234657, and Planned Development Permit No. PMT-3302312, amendment to Conditional Use Permit No. 1605027 and Site Development Permit No. 1831047, and voted 5-0-1 to recommend Council approval of the Project pursuant to Resolution No. 5315-PC.

E. On December 17, 2024, the Council considered Conditional Use Permit No. PMT-3234656, Site Development Permit No. PMT-3234657, and Planned Development Permit

No. PMT-3302312, amendment to Conditional Use Permit No. 1605027 and Site Development Permit No. 1831047, pursuant to the City's Land Development Code.

F. The Office of the City Attorney prepared this Resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete and accurate.

G. Under San Diego 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.

#### ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council adopts the following findings with respect to Conditional Use Permit No. PMT-3234656, Site Development Permit No. PMT-3234657, and Planned Development Permit No. PMT-3302312, amendment to Conditional Use Permit No. 1605027 and Site Development Permit No. 1831047:

A. **CONDITIONAL USE PERMIT – San Diego Municipal Code (SDMC) Section 126.0305**

**1. The proposed development will not adversely affect the applicable land use plan.**

The University of San Diego (USD) Master Plan Amendment (Project) is a continuation of the existing use at the USD campus, which is designated for Institutional, Residential, and Open Space land uses within the City's General Plan and the Linda Vista Community Plan (Community Plan) area. Previous amendments to discretionary permits have been issued to allow for development and growth of the campus, which operates under Conditional Use Permit/Resource Protection Ordinance (CUP/RPO) No. 92-0568, approved by the Council in October 1996, and Conditional Use Permit (CUP) No. 1605027/Site Development Permit (SDP) No. 1831047, approved by the Council in September 2017. The existing discretionary permits provide for the orderly development and implementation of 30 future

building and landscape projects and improvements on the campus to accommodate anticipated growth over a 20-year period. The existing Master Plan allows for an on-campus full-time equivalent (FTE) student population of 10,000. The Project proposes no changes to the FTE student population.

The Project is consistent with the Community Plan goals of expanding on-campus housing opportunities for students and retaining regional facilities, such as its educational institutions (Residential Land Use Element, Goal No. 8; Community Facilities Element, Goal No. 3). The Project provides for increased student housing opportunities on campus and results in an increase from 1,262 student housing beds (approved under the existing entitlements) to 3,101 student housing beds to serve the existing and future on-campus FTE student population. The additional on-campus student housing will help the university remain competitive for attracting and retaining students and reduce the demand for off-campus housing available to the community, which is consistent with the Community Plan policy of encouraging students, faculty, and staff to live on or near campus to reduce commuting distances (Community Facilities Element, USD Policy No. 4).

Specifically, the Project modifies six of the 30 previously approved project building sites. The modifications include an increase in gross and assignable building square footages, building stories, and number of beds for five of the future project building sites (Project Nos. 11, 15, 23, 27, and 30), and modifications to Project No. 22 consisting of a decrease in lot area and an increase in lot coverage. The modifications to the six projects will result in an increase in overall gross building square footage by an additional 769,395 gross square feet and an increase of 1,839 student housing beds. The Project also includes adding a 0.32-acre site at 5701 Josephine Street to the USD Master Plan.

The Project is consistent with the Community Plan policies of providing on-campus parking for students, faculty, and employees and minimizing impacts to the circulation system and on-street parking by accommodating for projected parking demand (Community Facilities Element, USD Policy No. 3; Specific Proposal No. 5) triggered by the approved growth in student FTE with a combination of on-campus parking structures and surface parking. The Project also provides for a range of circulation improvements and landscaping to enhance mobility and the pedestrian experience.

Additionally, the Project includes updating the approved Master Plan Design Guidelines (Design Guidelines) to reflect revisions to the future project building sites. The Design Guidelines provide a framework for the future development of the university campus architecture, landscaping, circulation, parking, lighting, signage, and sustainability features, which is consistent with the Community Plan. Compliance with the updated Design Guidelines shall ensure that future development is compatible with not only the existing buildings and landscaping on campus, but also the surrounding Linda Vista neighborhood.

The Community Plan does not designate the Project site as having visual access and the Project site is not identified as a physical access point. The Project will not adversely impact the character of the neighborhood due to the size, scale, architectural style, color, and exterior details of the future buildings and facilities which are required to be consistent with existing campus development.

Specifically, the Project is consistent with the Community Plan policy of maintaining the existing 16th Century Spanish Renaissance architectural theme since the structures will be designed in similar architectural style, color, and exterior detail to the existing structures on the university campus (Community Facilities Element, USD Specific Proposal No. 3; Urban Design Element, Site Specific Recommendation No. 5). Additionally, the siting of future facilities and massing of project building sites will be implemented in a manner that maintains views of iconic landmarks, such as the Church of the Immaculata from locations on and off-campus.

The Design Guidelines are intended to protect views of open space areas, and the implementation of each future project site shall require conformance with these policies. The Project is consistent with the Community Plan policy of not encroaching into designated open space and includes maintaining scenic hillsides and sensitive vegetation (Community Facilities Element, USD Specific Proposal No. 4) through an existing recorded Covenant of Easement. Steep slopes and sensitive habitat areas around the perimeter of the campus mesa will also be retained as important resources.

The Project does not contain land uses that are incompatible with the Airport Land Use Compatibility Plans associated with San Diego International Airport and Montgomery Field. Additionally, none of the project sites will be exposed to noise levels that exceed the City's General Plan Noise Element standards, nor will the Project cause noise sensitive land uses to be exposed to noise levels that exceed the City's 65 dBA (A-weighted decibel) standard. Therefore, the proposed development will not adversely affect the applicable land use plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.**

A California Environmental Quality Act (CEQA) consistency evaluation was performed for the Project to determine if conditions specified in CEQA Guidelines section 15162 would require preparation of additional CEQA review for the Project. Staff determined that the Project is consistent with the USD Master Plan Update Subsequent Environmental Impact Report (SEIR; SCH No. 1993121032) certified by the Council on September 11, 2017, San Diego Resolution R-311298, and would not result in any significant direct, indirect, or cumulative impacts over and above those disclosed in the previously certified USD Master Plan Update SEIR.

The Project will not adversely impact the Multi-Habitat Planning Area (MHPA) and shall comply with policies protecting environmental resources in the MHPA, as specified in the MSCP Subarea Plan. The Project will not result in the encroachment into designated open space and shall maintain scenic hillsides and sensitive

vegetation through an existing recorded Covenant of Easement. Steep slopes and sensitive habitat areas around the perimeter of the campus mesa will also be retained as important resources. The Project shall also comply with the maintenance, usage, and development guidelines of the Tecolote Canyon Natural Park Plan.

Conformance with the Design Guidelines for grading, slopes, and hillsides, including applicable regulatory guidelines, shall be required for each future building project of the Master Plan. Additionally, compliance with the City's Environmental Land Use Adjacency Guidelines will avoid potential impacts to the resources in the MHPA related to grading/land development, drainage and toxics, lighting, public access, barriers, invasive species, brush management, and noise. The Project is not located within or adjacent to mapped 100-year floodplains or dam inundation zones.

A Water Supply Assessment was prepared for the Project and demonstrated that there is sufficient water supply over a 20-year planning horizon to meet the projected demand of the future project building sites, as well as existing and other planned development projects within the service area in normal, dry, and multiple dry year forecasts. The Project does not contain land uses that are incompatible with the Airport Land Use Compatibility Plans associated with San Diego International Airport and Montgomery Field. Additionally, none of the project sites will be exposed to noise levels that exceed the City's General Plan Noise Element standards, nor will the Project result in noise sensitive land uses to be exposed to noise levels that exceed the City's 65 dBA (A-weighted decibel) standard.

The Project permit also contains specific conditions of approval with the intent that the use be developed to fully protect the public health, safety and welfare. Permit requirements include: a project specific drainage study to ensure that peak flows are properly mitigated; all public water and sewer facilities shall be designed and constructed in accordance with the approved Addendum Water and Sewer Study; buildings contributing wastewater to the Linda Vista Road Sewer Basin shall demonstrate that the existing downstream sewer facilities meet City standards and should City standards not be met, construction shall be required to upsize the existing public sewer mains along the Azusa Street and Gaines Street public right-of-way; implementation of the Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines; all grading shall conform to SDMC requirements; all proposed driveways shall provide visibility area triangles; developing City standard curbs, gutters and sidewalks; implementation of a site-specific Storm Water Quality Management Plan and Storm Water Pollution Prevention Plan; maintenance of all landscape improvements; all public water lines serving the project must pass through a private backflow prevention device; and a geotechnical investigation report shall be submitted that specifically addresses the proposed construction plans. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

**3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.**

The Project complies with the regulations of the San Diego Municipal Code with the exception of requested deviations for height and floor area ratio (FAR) for the future development in the RS-1-7, RM-1-1, and RM-3-7 Zone. Staff has reviewed and provides justification for the following requested deviations to the zoning regulations:

<b>Description</b>	<b>Required</b>	<b>Proposed</b>
Height limit: RS-1-7 Zone	24/30 feet	65 feet maximum
Floor area ratio: RS-1-7 Zone	0.45	1.0
Height limit: RM-1-1 Zone	30 feet	65 feet maximum
Height limit: RM-3-7 Zone	40 feet	65 feet maximum

**Building Height Deviations:** Deviation to SDMC Section 131.0431 and Tables 131-04D and 13104G to allow up to a maximum height of 65 feet for future buildings within the university campus located within the RS and RM zones, where the zone limits the height to 24, 30, and 40 feet, respectively.

**Justification:** The deviations to increase the buildings heights are necessary to support an institutional use located within the RS and RM zones. The deviations will result in a more desirable Project since the design is consistent with the existing buildings located within the university campus, including architectural style and landscaping character. Additionally, the Project will not result in any impacts to visual resources and does not adversely impact the character of the neighborhood due to the size, scale, architectural style, color, and exterior details of the future buildings and facilities. Building massing will be stepped and terraced to integrate into the hillsides while taking advantage of existing slopes and topography. Breaks in the facades would be provided to reduce the visual bulk and scale of buildings. Additionally, the siting and massing of future facilities will be implemented in a manner that maintains views of iconic landmarks, such as the Church of the Immaculata from locations on and off-campus.

**Floor Area Deviation:** Deviation to SDMC Section 131.0431 and Table 131-04D to allow a floor area ratio (FAR) of 1.0, where the zone has a FAR limit of 0.45.

**Justification:** The proposed FAR is required to facilitate the development of future buildings that increase student housing opportunities on campus to serve the existing and future on-campus student population. The deviations will result in a more desirable Project since the design results in minimizing expansion of the development footprint and provides for more energy efficient structures. The USD Master Plan requires that all new buildings on the university campus meet a LEED Silver

Equivalent or greater, requires integrating active solar, and encourages the use of natural light and ventilation.

Additionally, the Project will not encroach into designated open space and includes maintaining scenic hillsides and sensitive vegetation through an existing recorded Covenant of Easement. The Design Guidelines will also ensure that future development is consistent not only with the USD Master Plan, but also the surrounding Linda Vista neighborhood. The additional on-campus student housing will help the university remain competitive for attracting and retaining students and reduce the demand for off-campus housing available to the community. Therefore, the proposed development will comply with the regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

**4. The proposed use is appropriate at the proposed location.**

USD has existed at its present location since its establishment in 1949 and has operated on the Project site under various City-issued CUPs since 1960. The Project is a continuation of the existing use, which is designated for Institutional, Residential, and Open Space land uses within the City's General Plan and the Linda Vista Community Plan area. Previous amendments to discretionary permits have been issued to allow for growth of the campus, which operates under Conditional Use Permit/Resource Protection Ordinance (CUP/RPO) No. 92-0568, approved by the Council in October 1996, and Conditional Use Permit (CUP) No. 1605027 / Site Development Permit (SDP) No. 1831047, approved in September 2017.

The existing discretionary permits provide for the orderly development and implementation of 30 future building and landscape projects and improvements on the campus to accommodate anticipated growth over an approximate 20-year period. The existing Master Plan allows for an on-campus full-time equivalent (FTE) student population of 10,000. The Project proposes no changes to the FTE student population. The Project is consistent with the Community Plan goals of expanding on-campus housing opportunities for students and retaining regional facilities, such as its educational institutions (Residential Land Use Element, Goal No. 8; Community Facilities Element, Goal No. 3). The Project also provides for increased student housing opportunities on campus and results in an increase from 1,262 student housing beds (approved under the existing entitlements) to 3,101 student housing beds to serve the existing and future on-campus FTE student population.

The additional on-campus student housing will help the university remain competitive for attracting and retaining students and reduce the demand for off-campus housing available to the community, which is consistent with the Community Plan policy of encouraging students, faculty, and staff to live on or near campus to reduce commuting distances (Community Facilities Element, USD Policy No. 4). Specifically, the Project modifies six of the 30 previously approved Master Plan project sites. The modifications include an increase in gross and assignable building square footages, building stories and number of beds for Project Nos. 11, 15, 23, 27, and 30, and modifications to Project No. 22 consisting of a decrease in lot area and an



increase in lot coverage. The modifications to the six projects will result in an increase in overall gross building square footage by an additional 769,395 gross square feet and an increase of 1,839 student housing beds. The Project also includes adding a 0.32-acre site at 5701 Josephine Street to the USD Master Plan.

The Project is consistent with the Community Plan policies of providing on-campus parking for students, faculty, and employees and minimizing impacts to the circulation system and on-street parking by accommodating for projected parking demand (Community Facilities Element, USD Policy No. 3; Specific Proposal No. 5) triggered by the approved growth in student FTE with a combination of on-campus parking structures and surface parking. The Project also provides for a range of circulation improvements and landscaping to enhance mobility and the pedestrian experience.

The Project includes updating the approved Master Plan Design Guidelines (Design Guidelines) to reflect revisions to the future project building sites. The Design Guidelines provide a framework for the future development of the university campus architecture, landscaping, circulation, parking, lighting, signage, and sustainability features which is consistent with the Community Plan. Compliance with the updated Design Guidelines shall ensure that future development is not only compatible with existing buildings and landscaping on campus, but also with the surrounding Linda Vista neighborhood.

The Community Plan does not designate the Project area as having visual access and the Project site is not identified as a physical access point. The Project will not adversely impact the character of the neighborhood due to the size, scale, architectural style, color, and exterior details of the future buildings and facilities which are required to be consistent with the existing university campus.

The Project is consistent with the Community Plan policy of maintaining the existing 16th Century Spanish Renaissance architectural theme since the structures will be designed in similar architectural style, color, and exterior detail to the existing structures on the university campus (Community Facilities Element, USD Specific Proposal No. 3; Urban Design Element, Site Specific Recommendation No. 5). Additionally, the siting and massing of future facilities will be implemented in a manner that maintains views of iconic landmarks, such as the Church of the Immaculata from locations on and off-campus.

The Project is consistent with the Community Plan policy (Community Facilities Element, USD Specific Proposal No. 4) of not encroaching into designated open space and includes maintaining scenic hillsides and sensitive vegetation through an existing recorded Covenant of Easement. Steep slopes and sensitive habitat areas around the perimeter of the campus mesa will also be retained as important resources. The Project shall also comply with the maintenance, usage, and development guidelines of the Tecolote Canyon Natural Park Plan.

Additionally, compliance with the City's Environmental Land Use Adjacency Guidelines is required to avoid potential impacts to the resources in the MHPA related to grading/land development, drainage and toxics, lighting, public access, barriers, invasive species, brush management, and noise. The Project is not located within or adjacent to mapped 100-year floodplains or dam inundation zones.

A Water Supply Assessment was prepared for the Project and demonstrated that there is sufficient water supply over a 20-year planning horizon to meet the projected demand, as well as existing and other planned development projects within the service area in normal, dry, and multiple dry year forecasts. The Project does not contain land uses that are incompatible with the Airport Land Use Compatibility Plans associated with San Diego International Airport and Montgomery Field. Additionally, none of the project sites will be exposed to noise levels that exceed the City's General Plan Noise Element standards, nor will the Project result in noise sensitive land uses to be exposed to noise levels that exceed the City's 65 dBA (A-weighted decibel) standard.

The Project permit also contains specific conditions of approval with the intent that the use be developed to fully protect the public health, safety and welfare. Permit requirements include: a project specific drainage study to ensure that peak flows are properly mitigated; all public water and sewer facilities shall be designed and constructed in accordance with the approved Addendum Water and Sewer Study; buildings contributing wastewater to the Linda Vista Road Sewer Basin shall demonstrate that the existing downstream sewer facilities meet City standards and should City standards not be met, construction shall be required to upsize the existing public sewer mains along the Azusa Street and Gaines Street public right-of-way; implementation of the Multi-Habitat Planning Area Land Use Adjacency Guidelines; all grading shall conform to SDMC requirements; all proposed driveways shall provide visibility area triangles; developing City standard curbs, gutters and sidewalks; implementation of a site-specific Storm Water Quality Management Plan and Storm Water Pollution Prevention Plan; maintenance of all landscape improvements; all public water lines serving the project must pass through a private backflow prevention device; and a geotechnical investigation report shall be submitted that specifically addresses the proposed construction plans.

A California Environmental Quality Act (CEQA) consistency evaluation was performed for the Project to determine if conditions specified in CEQA Guidelines section 15162 would require preparation of additional CEQA review. Staff determined that the Project is consistent with the USD Master Plan Update Subsequent Environmental Impact Report (SEIR; SCH No. 1993121032) certified by the Council on September 11, 2017, San Diego Resolution No. R-311298, and would not result in any significant direct, indirect, or cumulative impacts over and above those disclosed in the previously certified USD Master Plan Update SEIR. Therefore, the proposed use is appropriate at the proposed location.

**B. SITE DEVELOPMENT PERMIT - SDMC Section 126.0505**

**1. Findings for all Site Development Permits**

- a. The proposed development will not adversely affect the applicable land use plan.**

See Conditional Use Permit finding A.1. incorporated here by reference.

- b. The proposed development will not be detrimental to the public health, safety, and welfare.**

See Conditional Use Permit finding A.2. incorporated by reference.

- c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.**

See Conditional Use Permit finding A.3. incorporated by reference.

**2. Supplemental Findings – Environmentally Sensitive Lands:**

- a. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.**

USD has existed at its present location since its establishment in 1949 and has operated on the Project site under various City-issued CUPs since 1960. The Project is a continuation of the existing use, which is designated for Institutional, Residential, and Open Space land uses within the City's General Plan and the Linda Vista Community Plan area. Previous amendments to discretionary permits have been issued to allow for growth and development of the campus, which operates under Conditional Use Permit/Resource Protection Ordinance (CUP/RPO) No. 92-0568, approved by the Council in October 1996, and CUP No. 1605027/Site Development Permit (SDP) No. 1831047, approved in September 2017.

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student housing opportunities on campus and results in an increase from 1,262 student housing beds (approved under the existing entitlements) to 3,101 student housing beds to serve the existing and future on-campus FTE student population.

The additional on-campus student housing will help the university remain competitive for attracting and retaining students and reduce the demand for off-campus housing available to the community, which is consistent with the Community Plan policy of encouraging students, faculty, and staff to live on or near campus to reduce commuting distances (Community Facilities Element, USD Policy No. 4).

Specifically, the Project modifies six of the 30 previously approved project building sites. The modifications include an increase in gross and assignable building square footages, building stories, and number of beds for Project Nos. 11, 15, 23, 27, and 30, and modifications to Project No. 22 consisting of a decrease in lot area and an increase in lot coverage. The modifications to the six projects will result in an increase in overall gross building square footage by an additional 769,395 gross square feet and an increase of 1,839 student housing beds. The Project also includes adding a 0.32-acre site at 5701 Josephine Street to the USD Master Plan.

The Project is consistent with the Community Plan policies of providing on-campus parking for students, faculty, and employees and minimizing impacts to the circulation system and on-street parking by accommodating for projected parking demand (Community Facilities Element, USD Policy No. 3; Specific Proposal No. 5). triggered by the approved growth in student FTE with a combination of on-campus parking structures and surface parking. The Project also provides for a range of circulation improvements and landscaping to enhance the mobility and pedestrian experience.

Additionally, the Project includes updating the approved Master Plan Design Guidelines (Design Guidelines) to reflect revisions to the future building project sites. The Design Guidelines provide a framework for the future development of the university campus architecture, landscaping, circulation, parking, lighting, signage, and sustainability features which is consistent with the Community Plan. Compliance with the updated Design Guidelines shall ensure that future development is not only compatible with the existing buildings and landscaping on campus, but also the surrounding Linda Vista neighborhood.

The Community Plan does not designate the Project site as having visual access or the Project is not identified as a physical access point. The Project will not adversely impact the character of the neighborhood due to the size, scale, architectural style, color, and exterior details of the future buildings and facilities which are required to be consistent with existing university campus development.

The Project is consistent with the Community Plan policy of maintaining the existing 16th Century Spanish Renaissance architectural theme since the structures shall be designed in similar architectural style, color, and exterior detail to the existing structures on the university campus (Community Facilities Element, USD Specific Proposal No. 3; Urban Design Element, Site Specific Recommendation No. 5). Additionally, the siting and massing of future facilities will be implemented in a manner that maintains views of iconic landmarks, such as the Church of the Immaculata from locations on and off-campus.

While the Project will result in minor increases in impacts to steep slope areas (an additional 700 square feet) and sensitive habitats (an additional 0.15 acre) outside the MHPA, the Project will not result in any new land use impacts and shall comply with the SDMC, including ESL regulations. The Project is consistent with the Community Plan policy (Community Facilities Element, USD Specific Proposal No. 4) of not encroaching into designated open space and includes maintaining scenic hillsides and sensitive vegetation through an existing recorded Covenant of Easement. Steep slopes and sensitive habitat areas around the perimeter of the campus mesa will also be retained as important resources. The Project shall also comply with the maintenance, usage, and development guidelines of the Tecolote Canyon Natural Park Plan.

Additionally, compliance with the City's Environmental Land Use Adjacency Guidelines is required to avoid potential impacts to the resources in the MHPA related to grading/land development, drainage and toxics, lighting, public access, barriers, invasive species, brush management, and noise. The Project is not located within or adjacent to mapped 100-year floodplains or dam inundation zones.

The Project does not contain land uses that are incompatible with the Airport Land Use Compatibility Plans associated with San Diego International Airport and Montgomery Field. Additionally, none of the project sites will be exposed to noise levels that exceed the City's General Plan Noise Element standards, nor will the Project result in noise sensitive land uses that will be exposed to noise levels that exceed the City's 65 dBA (A-weighted decibel) standard.

The Project permit also contains specific conditions of approval with the intent that the use be developed to fully protect the public health, safety, and welfare. Permit requirements include: a project specific drainage study to ensure that peak flows are properly mitigated; all public water and sewer facilities shall be designed and constructed in accordance with the approved Addendum Water and Sewer Study; buildings contributing wastewater to the Linda Vista Road Sewer Basin shall demonstrate that the existing downstream sewer facilities meet City standards and should City standards not be met, construction shall be required to upsize the existing public sewer mains along the Azusa Street and Gaines Street public right-of-way; implementation of the Multi-Habitat Planning Area Land Use Adjacency Guidelines; all grading shall conform to SDMC requirements; all proposed driveways shall provide visibility area triangles; developing City

standard curbs, gutters, and sidewalks; implementation of a site-specific Storm Water Quality Management Plan and Storm Water Pollution Prevention Plan; maintenance of all landscape improvements; all public water lines serving the Project must pass through a private backflow prevention device; and a geotechnical investigation report shall be submitted that specifically addresses the proposed construction plans.

A California Environmental Quality Act (CEQA) consistency evaluation was performed for the Project to determine if conditions specified in CEQA Guidelines section 15162 would require preparation of additional CEQA review. Staff determined that the Project is consistent with the USD Master Plan Update Subsequent Environmental Impact Report (SEIR; SCH No. 1993121032) certified by the Council on September 11, 2017, San Diego Resolution No. R-311298, and would not result in any significant direct, indirect, or cumulative impacts over and above those disclosed in the previously certified USD Master Plan SEIR. Therefore, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

**b. The proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.**

The Project is not located within or adjacent to mapped 100-year floodplains or dam inundation zones. Compliance with the City's Environmental Land Use Adjacency Guidelines is required to avoid potential impacts to the resources in the MHPA related to grading/land development, drainage and toxics, lighting, public access, barriers, invasive species, brush management, and noise.

The Project permit also contains specific conditions of approval with the intent that the use be developed to fully protect the public health, safety, and welfare. Permit requirements include: a project specific drainage study to ensure that peak flows are properly mitigated; all public water and sewer facilities shall be designed and constructed in accordance with the approved Addendum Water and Sewer Study; buildings contributing wastewater to the Linda Vista Road Sewer Basin shall demonstrate that the existing downstream sewer facilities meet City standards and should City standards not be met, construction shall be required to upsize the existing public sewer mains along the Azusa Street and Gaines Street public right-of-way; implementation of the Multi-Habitat Planning Area Land Use Adjacency Guidelines; all grading shall conform to SDMC requirements; all proposed driveways shall provide visibility area triangles; developing City standard curbs, gutters, and sidewalks; implementation of a site-specific Storm Water Quality Management Plan and Storm Water Pollution Prevention Plan; maintenance of all landscape improvements; all public water lines serving the project must pass through a private backflow prevention device; and a geotechnical investigation report shall be submitted that specifically addresses the proposed construction plans.

Therefore, the proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

**c. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.**

The Project is consistent with the Community Plan policy of not encroaching into designated open space and includes maintaining scenic hillsides and sensitive vegetation through an existing recorded Covenant of Easement. While the Project will result in minor increases in impacts to steep slope areas (an additional 700 square feet) and sensitive habitats (an additional 0.15 acre) outside the MHPA, the Project will not result in any new land use impacts and shall comply with the SDMC, including ESL regulations. Steep slopes and sensitive habitat areas around the perimeter of the campus mesa will be retained as important resources. The Project shall comply with the maintenance, usage, and development guidelines of the Tecolote Canyon Natural Park Plan. Additionally, compliance with the City's Environmental Land Use Adjacency Guidelines is required to avoid potential impacts to the resources in the MHPA related to grading/land development, drainage and toxics, lighting, public access, barriers, invasive species, brush management, and noise. The Project is not located within or adjacent to mapped 100-year floodplains or dam inundation zones. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

**d. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and Vernal Pool Habitat Conservation Plan (VPHCP).**

Compliance with the City's Environmental Land Use Adjacency Guidelines shall be required to avoid potential impacts to the resources in the MHPA related to grading/land development, drainage and toxics, lighting, public access, barriers, invasive species, brush management, and noise. The Project is not located within the Vernal Pool Habitat Conservation Plan area.

Therefore, the proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and Vernal Pool Habitat Conservation Plan (VPHCP).

**e. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.**

The USD campus is located approximately a mile east of Mission Bay within an urbanized area within the Linda Vista community. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

- f. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.**

Compliance with the City's Environmental Land Use Adjacency Guidelines is required to avoid potential impacts to the resources in the MHPA related to grading/land development, drainage and toxics, lighting, public access, barriers, invasive species, brush management, and noise. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program (MMRP) outlined in the USD Master Plan Amendment (PRJ 1099954) California Environmental Quality Act Guidelines section 15162 Evaluation apply to the Project and are incorporated into the Project permit. The Project permit also contains specific conditions of approval with the intent that the use be developed to fully protect the public health, safety, and welfare. Permit requirements include: a project specific drainage study to ensure that peak flows are properly mitigated; all public water and sewer facilities shall be designed and constructed in accordance with the approved Addendum Water and Sewer Study; buildings contributing wastewater to the Linda Vista Road Sewer Basin shall demonstrate that the existing downstream sewer facilities meet City standards and should City standards not be met, construction shall be required to upsize the existing public sewer mains along the Azusa Street and Gaines Street public right-of-way; implementation of the Multi-Habitat Planning Area Land Use Adjacency Guidelines; all grading shall conform to SDMC requirements; all proposed driveways shall provide visibility area triangles; developing City standard curbs, gutters and sidewalks; implementation of a site-specific Storm Water Quality Management Plan and Storm Water Pollution Prevention Plan; maintenance of all landscape improvements; all public water lines serving the Project must pass through a private backflow prevention device; and a geotechnical investigation report shall be submitted that specifically addresses the proposed construction plans.

Additionally, a California Environmental Quality Act (CEQA) evaluation was performed for the Project to determine if conditions specified in CEQA Guidelines Section 15162 would require preparation of additional CEQA analysis for impacts. Staff determined that the Project is consistent with the original USD Master Plan Environmental Impact Report (EIR) and Subsequent Environmental Impact Report (SEIR) that was certified by the Council in September 2017, and would not result in any significant direct, indirect, or cumulative impacts over and above those disclosed in the previously certified USD Master Plan EIR and SEIR. Therefore, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

**C. PLANNED DEVELOPMENT PERMIT - SDMC Section 126.0605(a)**

- 1. The proposed development will not adversely affect the applicable land use plan.**

See Conditional Use Permit finding A.1. incorporated here by reference.



2. **The proposed development will not be detrimental to the public health, safety, and welfare.**

See Conditional Use Permit finding A.2. incorporated here by reference.

3. **The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.**

The Project complies with the regulations of the SDMC with the exception of deviations for height and floor area ratio (FAR) for the future development in the RS-1-7, RM-1-1, and RM-3-7 Zone. Staff has reviewed and provides justification for the following requested deviations to the zoning regulations:

<b>Description</b>	<b>Required</b>	<b>Proposed</b>
Height limit: RS-1-7 Zone	24/30 feet	65 feet maximum
Floor area ratio: RS-1-7 Zone	0.45	1.0
Height limit: RM-1-1 Zone	30 feet	65 feet maximum
Height limit: RM-3-7 Zone	40 feet	65 feet maximum

**Building Height Deviations:** Deviation to SDMC Section 131.0431 and Tables 131-04D and 13104G to allow up to a maximum height of 65 feet for future buildings within the university campus located within the RS and RM zones, where the zone limits the height to 24, 30 and 40 feet, respectively.

**Justification:** The deviations to increase the buildings heights are necessary to support an institutional use located within the RS and RM zones. The deviations will result in a more desirable Project since the design is consistent with the existing buildings located within the university campus, including architectural style and landscaping character. Additionally, the Project will not result in any impacts to visual resources and does not adversely impact the character of the neighborhood due to the size, scale, architectural style, color, and exterior details of the future buildings and facilities. Building massing will be stepped and terraced to integrate into the hillsides while taking advantage of existing slopes and topography. Breaks in the facades would be provided to reduce the visual bulk and scale of buildings. Additionally, the siting and massing of future facilities will be implemented in a manner that maintains views of iconic landmarks, such as the Church of the Immaculata from locations on and off-campus.

**Floor Area Deviation:** Deviation to SDMC Section 131.0431 and Table 131-04D to allow a floor area ratio (FAR) of 1.0, where the zone has a FAR limit of 0.45.

**Justification:** The proposed FAR is required to facilitate the development of future buildings that increase student housing opportunities on campus to serve the existing and future on-campus student population. The deviation will result in a more desirable Project since the design results in minimizing expansion of the development footprint and provides for more energy efficient structures. The USD Master Plan requires that all new buildings on the university campus meet LEED Silver Equivalent or greater, requires integrating active solar, and encourages the use of natural light and ventilation.

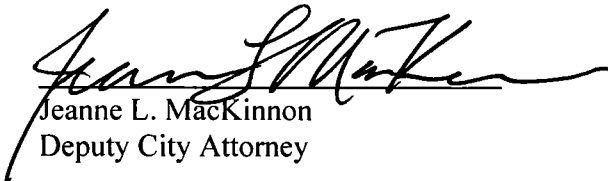
Additionally, the Project will not result in encroaching into designated open space and includes maintaining scenic hillsides and sensitive vegetation through an existing recorded Covenant of Easement. The Design Guidelines will also ensure that future development is consistent not only with the USD Master Plan, but also the surrounding Linda Vista neighborhood. The additional on-campus student housing will help the university remain competitive for attracting and retaining students and reduce the demand for off-campus housing available to the community. Therefore, the proposed development will comply with the regulations of the Land Development Code, including the proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations pursuant to the Land Development Code.

2. The above findings are supported by the minutes, maps, and exhibits, all of which are incorporated by this reference.

3. Based upon these findings adopted by the Council, Conditional Use Permit No. PMT-3234656, Site Development Permit No. PMT-3234657 and Planned Development Permit No. PMT-3302312, amendment to Conditional Use Permit No. 1605027 and Site Development Permit No. 1831047, are granted to the University of San Diego, a California Corporation,

Owner/Permittee, in the form, exhibits, terms, and conditions as set forth in the attached permit which is made a part of this Resolution by this reference.

APPROVED: HEATHER FERBERT, City Attorney


By   
Jeanne L. MacKinnon  
Deputy City Attorney

JLM:amt  
November 7, 2024  
Or.Dept: DSD  
Doc. No. 3856343

ATTACHMENT: Conditional Use Permit No. PMT-3234656, Site Development Permit  
No. PMT-3234657 and Planned Development Permit No. PMT-3302312

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on  
DEC 17 2024

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk  
for Gil Sanchez

**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
PERMIT INTAKE, MAIL STATION  
501

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

INTERNAL ORDER NUMBER: 24009630

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. PMT-3234656  
SITE DEVELOPMENT PERMIT NO. PMT-3234657  
PLANNED DEVELOPMENT PERMIT NO. PMT-3302312  
AMENDMENT TO CONDITIONAL USE PERMIT NO. 1605027  
AND SITE DEVELOPMENT PERMIT NO. 1831047  
**UNIVERSITY OF SAN DIEGO MASTER PLAN AMENDMENT**  
**PROJECT NO. PRJ-1099954**  
CITY COUNCIL

This Conditional Use Permit No. PMT-3234656, Site Development Permit No. PMT-3234657, and Planned Development Permit No. PMT-3302312, an amendment to Conditional Use Permit (CUP) No. 1605027 and Site Development Permit (SDP) No. 1831047 is granted by the City Council of the City of San Diego to the UNIVERSITY OF SAN DIEGO, a California Corporation, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0602, 126.0502 and 126.0303. The University of San Diego campus occupies approximately 180 acres and is located at 5998 Alcalá Park in the OP-2-1, OR-1-1, RS-1-7, RM-1-1, RM-3-7, CC-4-2, CC-4-5 and CC-5-4 Zones, Airport Influence Area (San Diego International Airport and Montgomery Field), Community Plan Implementation Overlay Zone (CPIOZ) Type A and the Parking Impact Overlay Zone (Campus Impact Area) within the Linda Vista Community Plan area. The project site is legally described within Attachment A.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the University of San Diego (USD) Master Plan Amendment as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 17, 2024, on file in the Development Services Department.

The project shall include:

- a. Amending Project Site Numbers 11, 15, 22, 23, 27 and 30 of the USD Master Plan area to add 769,395 square feet of school facilities and student housing on campus, add 5701 Josephine Street (APN No. 436-390-01) within the USD Master Plan area, and amend the USD Master Plan Design Guidelines to reflect the plan amendments;

- b. Deviations from the SDMC regulations for building height and floor area ratio (FAR) for development in the RS-1-7, RM-1-1, and RM-3-7 Zones:

Description	SDMC Requirement	Permitted Deviation
Height limit: RS-1-7 Zone	24/30 feet	65 feet maximum
Floor area ratio: RS-1-7 Zone	0.45	1.0
Height limit: RM-1-1 Zone	30 feet	65 feet maximum
Height limit: RM-3-7 Zone	40 feet	65 feet maximum

- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by December 17, 2027.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the federal Endangered Species Act (ESA) and by the California Department of Fish and Wildlife (CDFW) pursuant to California Fish and Wildlife Code section 2835 as part of the Multiple Species Conservation Program (MSCP), the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement (IA), executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. 00-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFW, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.ID of the IA.
8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
9. The projects identified in this Permit may be developed in any order. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
10. All other applicable conditions of Conditional Use Permit/Resource Protection Ordinance 92-0568 and CUP No. 1605027/SDP No. 1831047 shall remain in full force and effect, unless otherwise specified by the Development Services Department.
11. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

12. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

**ENGINEERING REQUIREMENTS:**

13. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

14. The drainage system proposed for this development, as shown on the site plan, is subject to approval by the City Engineer.

15. Prior to the issuance of any building permits, the Owner/Permittee shall provide adequate replacement easements for all public storm drain facilities which are located outside of the public rights of way, satisfactory to the City Engineer.

16. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code, in a manner satisfactory to the City Engineer.

17. Prior to the issuance of any building permits for Project Site No. 17, 18 and 19, as shown on Exhibit "A," the Owner/Permittee shall assure by permit and bond the replacement of the existing curb ramps with City standard curb ramps with truncated domes, adjacent to the site on the northwest corner of Linda Vista Road and Marion Way, satisfactory to the City Engineer.

18. Prior to the issuance of any building permits for Project Site No. 17, 18 and 19, as shown on Exhibit "A," the Owner/Permittee shall assure by permit and bond the closures of all non-utilized driveways with a City standard curb, gutter and sidewalk, adjacent to the site on Cushman Place, satisfactory to the City Engineer.

19. Prior to the issuance of any building permits for Project Site No. 17, 18 and 19, as shown on Exhibit "A," the Owner/Permittee shall assure by permit and bond, to construct a minimum five foot wide City standard sidewalk, adjacent to the site on Cushman Place, satisfactory to the City Engineer.

20. Prior to the issuance of any building permits for Project Site No. 27, 28, 29 and 30, as shown on Exhibit "A," the Owner/Permittee shall assure by permit and bond the reconstruction of the existing driveway to current City standards, adjacent to the site on Via Las Cumbres, satisfactory to the City Engineer.

21. Prior to the issuance of any building permits for Project Site No. 27, 28, 29 and 30, as shown on Exhibit "A," the Owner/Permittee shall assure by permit and bond the reconstruction of all non-signalized driveway entrances with a City standard driveway on Linda Vista Road, satisfactory to the City Engineer.

22. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the reconstruction of damaged portions of sidewalks with a current City standard sidewalk, satisfactory to the City Engineer.

23. The slopes for driveways may have a maximum of 14 percent grade without transitions, or a maximum 20 percent of grade provided that transitions of a minimum eight foot length at half of the ramp slope are installed at both ends of the ramp.

24. All proposed driveways shall provide visibility area triangles, per San Diego Municipal Code Diagram 13-02SS. No obstruction including solid walls in the visibility area shall exceed three feet in height. Plant material other than trees within the public right-of-way that is located within the visibility areas shall not exceed 24 inches in height measured from the top of the adjacent curb.

25. Prior to the issuance of any construction permits, the Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

26. The applicant shall submit a site specific Storm Water Quality Management Plan during the Substantial Conformance Review process for each project, as shown on Exhibit "A."



27. Prior to the issuance of any construction permits, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.

28. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit Order No. 2009-00090DWQ or subsequent order, and the Municipal Storm Water Permit Order No. R9-2013-0001 or subsequent order. In accordance with Order No. 2009-00090DWQ or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

29. Prior to issuance of any construction permits, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

30. The construction and operation of new storm drains must occur prior to the recordation of Easement Vacation No. 3304405, in a manner satisfactory to the Development Services Director and the City Engineer.

31. Prior to the issuance of any construction permits, a project specific drainage study shall demonstrate all peak flow attenuation calculations based upon a hydrograph analysis. To simulate detention basin routing, the post-project 100-year peak flow must be transformed into a six hour detention basin inflow hydrograph. The procedure for developing a six hour Rational Method hydrograph is detailed in Chapter 6 of the County of San Diego Hydrology Manual. The Manual includes a detailed example of the process near the end of the Manual in Workbook B.5.

32. Prior to the issuance of any construction permits, a project specific drainage study must demonstrate that each project mitigates the 100-year post-project peak flow below the 100-year pre-project peak flow for each project, satisfactory to the City Engineer. Details of the inflow and outflow hydrographs, including the 100-year routed peak flow and the resultant 100-year water surface elevation in the basin shall be included in the drainage study. Runoff from areas offsite of the project limits shall be diverted around the project site or otherwise bypass the proposed project conveyance system. If not feasible, or if any of the individual projects of the Master Plan do not provide proper project-specific peak flow mitigation, then a cumulative analysis at the downstream end of the Master Plan area shall be required to ensure that the 100-year peak flows are properly mitigated, satisfactory to the City Engineer.

**LANDSCAPE REQUIREMENTS:**

33. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro seeding of all disturbed land in

accordance with the City's Landscape Standards, Stormwater Design Manual and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit "A," on file in the Office of the Development Services Department.

34. Prior to issuance of any engineering permits for public right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for public right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed to not prohibit the placement of street trees.

35. In the event that a foundation only permit is requested, the Owner/Permittee shall submit a site plan or staking layout plan identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol noted with dimensions and labeled as "landscaping area."

36. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall show, label and dimension a 40 square-foot area around each tree which is unencumbered by hardscape and utilities as set forth under SDMC Section 142.0403(b)(5).

37. Prior to issuance of any construction permits for structures over 500 square feet that include landscaping, the Owner/Permittee shall submit a water budget in accordance with the Water Conservation Requirements per SDMC Section 142.0413 Table 142-04I to be included with the construction documents. An irrigation audit shall be submitted consistent with Section 2.7 of the Landscape Standards of the Land Development Manual at final inspection. The irrigation audit shall certify that all irrigation systems have been installed and operational as approved by the Development Services Department.

38. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans including in the public right-of-way consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscaping shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

39. If any required landscaping (including existing or new plantings, hardscape, landscape features, shade structures, etc.) as shown on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace it in kind and in an equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

40. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program as shown on Exhibit "A" Brush Management Plan on file in the Office of the Development Services Department.

41. Whereas a standard Brush Management Program consists of a Zone One of 35 feet in width with Zone Two of 65 feet in width extending out from the structure towards the native/naturalized vegetation, existing conditions require a modified Brush Management Program per Brush Management Regulations of SDMC Section 142.0412. Zone One shall range from three feet to 80 feet with a corresponding Zone Two of 97 feet to zero feet respectively exercising Zone Two reduction options, per SDMC Section 142.0412(f) as shown on Exhibit "A."

42. Whereas existing structures are adjacent to Environmentally Sensitive Lands, a modified Zone One may not extend past the CUP Boundary or the MHPA Boundary, whichever is closest to the structure, and the balance of Zone Two may extend into the native/naturalized vegetation, consistent with SDMC Section 142.0412(h).

43. Whereas redevelopment is proposed at Master Plan Project Site No. 20 and 27, Brush Management must be fully contained within the boundary of the CUP and shall integrate alternative compliance measures if a full 100 feet of defensible space is not provided, per SDMC Section 142.0412(i). Zone One may not extend beyond the boundary of the MHPA.

44. Prior to the issuance of any engineering permits for grading, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."

45. Prior to the issuance of any building permits, a complete set of Brush Management Plans shall be submitted for approval to the Development Services Department. The construction documents shall be in substantial conformance with Exhibit "A" and shall comply with the Landscape Standards and Brush Management Regulations as set forth under SDMC Section 142.0412.

46. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while accessory structures of non-combustible, one-hour fire-rated, and/or heavy timber construction may be approved within the designated Zone One area subject to the Fire Marshal approval.

47. The following note shall be provided on the Brush Management Construction Documents: It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program.

48. The Brush Management Program shall be maintained at all times in accordance with the City's Landscape Standards.

**PLANNING/DESIGN REQUIREMENTS:**

49. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

50. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

51. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

**TRANSPORTATION REQUIREMENTS:**

52. Prior to issuance of the building permit for each Master Plan project, the Owner/Permittee shall provide a parking assessment demonstrating that parking is provided at a rate of 0.539 vehicular parking spaces per on-campus full time equivalent (FTE) enrollment, satisfactory to the City Engineer.

53. Annual FTE Report: Owner/Permittee shall submit on-campus full time equivalent (FTE) enrollment numbers to the City, Director of the Development Services Department or designee by May 1st of each year for the life of this Permit, and shall comply with all requirements of the Mitigation, Monitoring, and Reporting Program (MMRP) outlined in the USD Master Plan Amendment (PRJ 1099954) California Environmental Quality Act Guidelines Section 15162 Evaluation.

**WATER AND SEWER DEVELOPMENT REQUIREMENTS:**

54. All public water and sewer facilities shall be designed and constructed in accordance with the approved Addendum Water and Sewer Study, dated November 15, 2023.

55. Prior to the issuance of any construction permits for buildings contributing wastewater to the Linda Vista Road Sewer Basin (Project Site No. 22, 23, 25, and 26), the Owner/Permittee shall demonstrate that the existing downstream sewer facilities (i.e., Lines 10-13) shall meet City standards. If City standards cannot be met, the Owner/Permittee shall assure by permit and bond the design and construction to upsize the existing eight inch public sewer mains (Lines 10-13) to 10 inches along the Azusa Street and Gaines Street public right-of-way, as shown on the approved Addendum Sewer Study, in a manner satisfactory to the Public Utilities Department and the City Engineer.

56. Prior to the recordation of Easement Vacation No. 3304403, the Owner/Permittee shall assure by permit the abandonment and relocation of all associated public water facilities, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

57. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention devices (BFPD) on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. The BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the public right-of-way. The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

58. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond, the design and construction of all public water and sewer facilities in accordance with established criteria in the most current City of San Diego Water and Sewer Design Guidelines.

59. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

60. No new trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

61. Prior to the issuance of occupancy for the first residential building permits, the Owner/Permittee shall assure by permit and bond to cap (abandon) at the property line any existing unused sewer lateral and install new sewer laterals which must be located outside of any driveway or vehicular use area.

62. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond to remove (kill) at the main any existing unused water service.

63. All public water and sewer facilities are to be in accordance with the approved Water and Sewer Studies.

**AIRPORT REQUIREMENTS:**

64. Prior to the issuance of any construction permits, the Owner/Permittee shall provide a copy of the signed agreement (DS-503) and show certification on the building plans verifying that the structures do not require Federal Aviation Administration (FAA) notice for Determination of No Hazard to Air Navigation or provide an FAA Determination of No Hazard to Air Navigation.

**ENVIRONMENTAL SERVICES:**

65. Prior to the issuance of construction permits for each project, the Owner/Permittee shall demonstrate consistency with the Waste Management Plan dated March 2024. Should the construction plans contain projects that exceed the assumptions in the approved Waste

Management Plan then an updated Waste Management Plan shall be prepared and implemented to ensure compliance with all applicable SDMC, State, and Federal regulations at the time of project implementation, in a manner satisfactory to the Environmental Services Department.

**GEOLOGY REQUIREMENTS:**

66. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a geotechnical investigation report that specifically addresses the proposed construction plans. The geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services.

67. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's Guidelines for Geotechnical Reports following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of Development Services prior to exoneration of the bond and grading permit close-out.

**ENVIRONMENTAL MITIGATION REQUIREMENTS:**

68. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] outlined in the USD Master Plan Amendment (PRJ 1099954) California Environmental Quality Act Guidelines Section 15162 Evaluation shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

69. The mitigation measures specified in the MMRP and outlined in the CEQA Guidelines Section 15162 Evaluation Memo for PRJ 1099954 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS. The Owner/Permittee shall comply with the MMRP as specified in 15162 Evaluation Memo for PRJ 1099954 to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permits, all conditions of the MMRP shall be adhered to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas: **BIOLOGICAL RESOURCES, TRANSPORTATION & CIRCULATION, HISTORICAL RESOURCES, AIR QUALITY, PUBLIC UTILITIES, VISUAL EFFECTS & NEIGHBORHOOD CHARACTER, AND PALEONTOLOGY.**

70. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Owner/Permittee shall make payment to the City of San Diego Habitat Acquisition Fund (HAF) to mitigate for the loss of 0.15 acre of Diegan coastal sage scrub (includes disturbed Diegan coastal sage scrub) (Tier II). This fee is based on mitigation ratios, per the City of San Diego Biology Guidelines of 1:1 ratio if mitigation would occur inside of the Multi-Habitat Planning Area (MHPA) and a 1.5:1 ratio should mitigation occur outside of the MHPA. Therefore, the resulting total mitigation required for direct project impacts to Diegan coastal sage scrub (including disturbed Diegan coastal sage scrub) would be 0.15 acre inside the MHPA or 0.225 acres outside the MHPA equivalent contribution to the City's Habitat Acquisition Fund (HAF) plus a 10 percent administrative fee.

**MULTI HABITAT PLANNING AREA (MHPA) ADJACENCY REQUIREMENTS:**

71. The following permit conditions are required to be placed on the construction documents and plans for Project Site No. 27:

Prior to the issuance of any construction permits or notice to proceed, City staff shall verify that the applicant has accurately represented the Project's design in or on the construction documents in conformance with the associated discretionary permit conditions and Exhibit "A", including the City's Multi-Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines (LUAG). The applicant shall provide an implementation plan and include references on the construction documents of the measures listed below under the **bolded heading** for each item.

**Grading/Land Development/MHPA Boundaries:** Prior to the issuance of any construction permits or notice to proceed, City staff shall verify that MHPA boundaries onsite and adjacent properties are delineated on the construction documents. City staff shall ensure that all grading is included within the approved development/construction footprint, specifically manufactured slopes, disturbance, and development within or adjacent to the MHPA. For projects within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.

**Drainage:** Prior to issuance of any construction permits or notice to proceed, City staff shall verify all new and proposed parking lots, staging areas, and developed areas in and adjacent to the MHPA are designed to not drain directly into the MHPA. All staging and developed/paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved temporary and permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.

**Toxics/Project Staging Areas/Equipment Storage:** Prior to the issuance of any construction permits or notice to proceed, City staff shall verify projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactful to native habitats/flora/fauna (including water) and shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note on the construction documents that states: *"All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."*

**Lighting:** Prior to the issuance of any construction permits or notice to proceed, City staff shall verify that lighting within or adjacent to the MHPA is directed away/shielded from the MHPA, or limited to the immediate area and is in compliance with City's Outdoor Lighting Regulations, SDMC Section 142.0740.

**Barriers:** Prior to the issuance of any construction permits or notice to proceed, City staff shall verify that construction and new development within or adjacent to the MHPA includes barriers (e.g., non-

invasive vegetation, rocks/boulders, six foot high vinyl-coated chain link or equivalent fences/walls, and signage) along the MHPA boundaries to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction, where needed.

**Invasives:** Prior to the issuance of any construction permits or notice to proceed, City staff shall verify that no invasive non-native plant species are being introduced into areas within or adjacent to the MHPA.

**Noise:** Prior to the issuance of any construction permits or notice to proceed, City staff shall verify (due to the site's location adjacent to or within the MHPA) where the Qualified Biologist has identified potential nesting habitat for listed avian species. Construction noise that exceeds the maximum levels allowed (60 dB or greater at the beginning edge of the habitat) shall be avoided during the breeding seasons for the California Coastal Gnatcatcher (3/1-8/15). If construction is proposed during the breeding season for the species, USFWS protocol surveys shall be required to determine species presence/absence. If protocol surveys are not conducted in suitable habitat during the breeding season for the species listed above, their presence shall be assumed and noise attenuation and biological monitoring shall be implemented. If species are present or assumed present due to surveys not being performed, then appropriate mitigation shall be utilized to reduce noise impacts to 60dB or below at the edge of the occupied habitat.

**INFORMATION ONLY:**

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on December 17, 2024 and [Resolution No.]

**K-315963**



Conditional Use Permit No. PMT-3234656  
Site Development Permit No. PMT-3234657  
Planned Development Permit No. PMT-3302312  
December 17, 2024

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

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Xavier Del Valle  
Development Project Manager

**NOTE: Notary acknowledgment  
must be attached per Civil Code  
section 1189 et seq.**

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**The undersigned Owner/Permittee**, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

**UNIVERSITY OF SAN DIEGO, a California  
Corporation, Owner/Permittee**

By \_\_\_\_\_  
NAME  
TITLE

**UNIVERSITY OF SAN DIEGO, a California  
Corporation, Owner/Permittee**

By \_\_\_\_\_  
NAME  
TITLE

**NOTE: Notary acknowledgments  
must be attached per Civil Code  
section 1189 et seq.**

**LEGAL DESCRIPTION**

Real property in the City of San Diego, County of San Diego, State of California, described as follows:

PARCEL A: (APN 437-010-22)

PARCEL 1 OF PARCEL MAP NO. 17820, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 13, 1997 AS INSTRUMENT NO. 1997-43710, OF OFFICIAL RECORDS.

PARCEL B: (APN 437-010-21)

PARCEL 4 OF PARCEL MAP NO. 14519, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 17, 1986.

PARCEL C: (PORTION 437-010-06)

THAT PORTION OF PUEBLO LOT 1176 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY JAMES PASCOE IN 1870, A COPY OF WHICH MAP WAS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 14, 1921 AND IS KNOWN AS MISCELLANEOUS MAP NO. 36, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY LINE OF SAID PUEBLO LOT 1176 DISTANT THEREON SOUTH 1° 02' 45" WEST 947.01 FEET FROM THE NORTHWEST CORNER THEREOF; THENCE SOUTH 88° 57' 15" EAST 355.00 FEET; THENCE SOUTH 58° 14' 41" EAST 255.41 FEET; THENCE SOUTH 1° 02' 45" WEST 199.49 FEET; THENCE SOUTH 41° 19' 23" WEST 98.12 FEET TO A POINT IN THE 850 FOOT RADIUS CURVE, CONCAVE SOUTHERLY, IN THE NORTHERLY LINE OF THE 100 FOOT RIGHT OF WAY (KNOWN AS "LINDA VISTA ROAD") DESCRIBED IN PARCEL A-1 OF DEED TO THE CITY OF SAN DIEGO, RECORDED JUNE 27, 1947 AS FILE NO. 66831 IN BOOK 2442, PAGE 83 OF OFFICIAL RECORDS; THENCE WESTERLY ALONG SAID CURVE 204.14 FEET TO THE END THEREOF; THENCE SOUTH 62° 57' 05" WEST, ALONG THE NORTHERLY LINE OF SAID RIGHT OF WAY, 364.23 FEET TO A POINT IN THE WESTERLY LINE OF SAID PUEBLO LOT; THENCE NORTH 1° 02' 45" EAST, ALONG SAID WESTERLY LINE, 650.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THAT PORTION LYING WITHIN UNIVERSITY KNOLLS, ACCORDING TO MAP THEREOF NO. 3900, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 29, 1958.

ALSO EXCEPTING THEREFROM ALL URANIUM, THORIUM, AND ALL OTHER MATERIAL DETERMINED PURSUANT TO SECTION 5 (B) (1) OF THE ATOMIC ENERGY ACT OF 1946 (60 STAT. 761) TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF FISSIONABLE MATERIAL, CONTAINED, IN WHATEVER CONCENTRATION, IN DEPOSITS IN THE LAND COVERED BY THIS INSTRUMENT ARE HEREBY RESERVED FOR THE USE OF THE GOVERNMENT, TOGETHER WITH THE RIGHT OF THE GOVERNMENT THROUGH ITS AUTHORIZED AGENTS OR REPRESENTATIVES AT ANY TIME TO ENTER UPON THE LAND AND PROSPECT FOR, MINE, AND REMOVE THE SAME, MAKING JUST COMPENSATION FOR ANY DAMAGE OR INJURY OCCASIONED THEREBY. HOWEVER, SUCH LAND MAY BE USED, AND ANY RIGHTS OTHERWISE ACQUIRED BY THIS DISPOSITION MAY BE EXERCISED, AS IF NO RESERVATION OF SUCH MATERIALS HAD BEEN

MADE; EXCEPT THAT, WHEN SUCH USE RESULTS IN THE EXTRACTION OF ANY SUCH MATERIAL FROM THE LAND IN QUANTITIES WHICH MAY NOT BE TRANSFERRED OR DELIVERED WITHOUT A LICENSE UNDER THE ATOMIC ENERGY ACT OF 1946, AS IT NOW EXISTS OR MAY HEREAFTER BE AMENDED, SUCH MATERIAL SHALL BE THE PROPERTY OF THE UNITED STATES ATOMIC ENERGY COMMISSION, AND THE COMMISSION MAY REQUIRE DELIVERY OF SUCH MATERIAL TO IT BY ANY POSSESSOR THEREOF AFTER SUCH MATERIAL HAS BEEN SEPARATED AS SUCH FROM THE ORES IN WHICH IT WAS CONTAINED. IF THE COMMISSION REQUIRES THE DELIVERY OF SUCH MATERIAL TO IT, IT SHALL PAY TO THE PERSON MINING OR EXTRACTING THE SAME, OR TO SUCH OTHER PERSONS AS THE COMMISSION DETERMINES TO BE ENTITLED THERETO, SUCH SUMS, INCLUDING PROFITS AS THE COMMISSION DEEMS FAIR AND REASONABLE FOR THE DISCOVERY, MINING, DEVELOPMENT, PRODUCTION, EXTRACTION, AND OTHER SERVICES PERFORMED WITH RESPECT TO SUCH MATERIAL PRIOR TO SUCH DELIVERY, BUT SUCH PAYMENT SHALL NOT INCLUDE ANY AMOUNT ON ACCOUNT OF THE VALUE OF SUCH MATERIAL BEFORE REMOVAL FROM ITS PLACE OF DEPOSIT IN NATURE. IF THE COMMISSION DOES NOT REQUIRE DELIVERY OF SUCH MATERIAL TO IT, THE RESERVATION HEREBY MADE SHALL BE OF NO FURTHER FORCE OR EFFECT, AS RESERVED BY THE UNITED STATES OF AMERICA IN DEED RECORDED FEBRUARY 26, 1954 AS DOCUMENT NO. 25371 IN BOOK 5155, PAGE 40, OFFICIAL RECORDS.

PARCEL D: (PORTION 437-010-06)

THOSE PORTIONS OF SANTA ANA DRIVE AND MARIAN WAY AS VACATED BY RESOLUTION NO. 223301 OF THE COUNCIL OF THE CITY OF SAN DIEGO AND AS SHOWN ON DRAWING 17770-D ON FILE IN THE OFFICE OF THE CITY CLERK AS DOCUMENT NO. 765855, A CERTIFIED COPY OF WHICH RECORDED APRIL 23, 1979 AS FILE/PAGE NUMBER 79-165250, OFFICIAL RECORDS.

EXCEPTING FROM A PORTION THEREFROM ALL URANIUM, THORIUM, AND ALL OTHER MATERIAL DETERMINED PURSUANT TO SECTION 5 (B) (1) OF THE ATOMIC ENERGY ACT OF 1946 (60 STAT. 761) TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF FISSIONABLE MATERIAL, CONTAINED, IN WHATEVER CONCENTRATION, IN DEPOSITS IN THE LAND COVERED BY THIS INSTRUMENT ARE HEREBY RESERVED FOR THE USE OF THE GOVERNMENT, TOGETHER WITH THE RIGHT OF THE GOVERNMENT THROUGH ITS AUTHORIZED AGENTS OR REPRESENTATIVES AT ANY TIME TO ENTER UPON THE LAND AND PROSPECT FOR, MINE, AND REMOVE THE SAME, MAKING JUST COMPENSATION FOR ANY DAMAGE OR INJURY OCCASIONED THEREBY. HOWEVER, SUCH LAND MAY BE USED, AND ANY RIGHTS OTHERWISE ACQUIRED BY THIS DISPOSITION MAY BE EXERCISED, AS IF NO RESERVATION OF SUCH MATERIALS HAD BEEN MADE; EXCEPT THAT, WHEN SUCH USE RESULTS IN THE EXTRACTION OF ANY SUCH MATERIAL FROM THE LAND IN QUANTITIES WHICH MAY NOT BE TRANSFERRED OR DELIVERED WITHOUT A LICENSE UNDER THE ATOMIC ENERGY ACT OF 1946, AS IT NOW EXISTS OR MAY HEREAFTER BE AMENDED, SUCH MATERIAL SHALL BE THE PROPERTY OF THE UNITED STATES ATOMIC ENERGY COMMISSION, AND THE COMMISSION MAY REQUIRE DELIVERY OF SUCH MATERIAL TO IT BY ANY POSSESSOR THEREOF AFTER SUCH MATERIAL HAS BEEN SEPARATED AS SUCH FROM THE ORES IN WHICH IT WAS CONTAINED. IF THE COMMISSION REQUIRES THE DELIVERY OF SUCH MATERIAL TO IT, IT SHALL PAY TO THE PERSON MINING OR EXTRACTING THE SAME, OR TO SUCH OTHER PERSONS AS THE COMMISSION DETERMINES TO BE ENTITLED THERETO, SUCH SUMS, INCLUDING PROFITS AS THE COMMISSION DEEMS FAIR AND REASONABLE FOR THE DISCOVERY, MINING, DEVELOPMENT, PRODUCTION, EXTRACTION, AND OTHER SERVICES PERFORMED WITH RESPECT TO SUCH MATERIAL PRIOR TO SUCH DELIVERY, BUT SUCH PAYMENT SHALL NOT INCLUDE ANY AMOUNT ON ACCOUNT OF THE VALUE OF SUCH MATERIAL BEFORE REMOVAL FROM ITS PLACE OF DEPOSITS IN NATURE. IF THE COMMISSION DOES NOT REQUIRE DELIVERY OF SUCH MATERIAL TO IT, THE RESERVATION HEREBY MADE SHALL BE OF NO FURTHER FORCE OR EFFECT, AS RESERVED BY THE UNITED STATES OF AMERICA IN DEED RECORDED FEBRUARY 26, 1954 AS DOCUMENT NO. 25371 IN BOOK 5155, PAGE 40, OFFICIAL RECORDS.

PARCEL E: (APN 437-010-19)

PARCEL 1 OF PARCEL MAP NO. 14519, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 17, 1986.

PARCEL F: (APN 437-640-27)

PARCEL 1 OF PARCEL MAP NO. 14447, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, ON SEPTEMBER 04, 1986 AS INSTRUMENT NO. 86-388843, OF OFFICIAL RECORDS.

PARCEL G1: (APN 437-640-33)

PARCEL 1 OF PARCEL MAP 18069, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JULY 09, 1998 AS INSTRUMENT NO. 1998-425766 OF OFFICIAL RECORDS.

PARCEL G2:

AN EASEMENT AND RIGHT OF WAY FOR THE PASSAGE OF PERSONS AND VEHICLES, TO CONSTRUCT, INSTALL, UTILIZE, MAINTAIN, IMPROVE, ALTER AND/OR REMOVE PUBLIC UTILITY LINES AND SERVICES, SEWER, WATER AND DRAINAGE SYSTEMS, AND APPURTENANCES THERETO.

A STRIP OF LAND IN PARCELS 1, 2 AND 3 OF PARCEL MAP NO. 7526, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SAID PARCEL MAP NO. 7526 BEING OF UNIVERSITY KNOLLS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 3900, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SAID STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY NORTHEAST CORNER OF SAID PARCEL 1, BEING A POINT OF CUSP WITH A 20.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY IN THE WESTERLY LINE OF SANTA PAULA DRIVE; THENCE SOUTH 00° 29' 41" WEST ALONG THE EAST LINE OF SAID PARCEL 1, A DISTANCE OF 39.3 FEET TO THE BEGINNING OF A TANGENT 80.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE BEING THE NORTHEASTERLY BOUNDARY OF SAID PARCELS 1 AND 2, THROUGH A CENTRAL ANGLE OF 31° 43' 46" A DISTANCE OF 44.30 FEET TO INTERSECTION WITH A LINE THAT IS PARALLEL WITH 2.50 FEET SOUTHWESTERLY AT RIGHT ANGLES FROM THE NORTHEASTERLY LINE OF SAID PARCEL 2; THENCE NORTH 66° 34' 57" WEST ALONG SAID PARALLEL LINE 165.01 FEET TO INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF THE 20.00 FOOT WIDTH GENERAL UTILITY EASEMENT WITHIN SAID PARCEL 3; THENCE NORTH 0° 29' 41" EAST ALONG SAID SOUTHERLY PROLONGATION TO AND ALONG SAID WESTERLY LINE 468.23 FEET TO AN ANGLE POINT IN THE NORTH BOUNDARY LINE OF SAID PARCEL 3; THENCE SOUTH 89° 30' 19" EAST ALONG SAID NORTH LINE OF PARCEL 3, A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 0° 29' 41" WEST ALONG THE EAST LINE OF SAID PARCEL 3 TO AND ALONG THE EAST LINE OF SAID 20.00 FOOT WIDE GENERAL UTILITY EASEMENT 423.92 FEET TO THE POINT OF TANGENCY WITH A 10.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY AND WHICH CURVE IS ALSO TANGENT TO THE SOUTHWESTERLY LINE OF SAID PARCEL 3; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 67° 04' 38" A DISTANCE OF 11.71 FEET TO SAID POINT OF TANGENCY ON THE SOUTHWESTERLY LINE OF PARCEL 3; THENCE SOUTH 66° 34' 57" EAST ALONG SAID SOUTHWESTERLY LINE 93.49

FEET TO THE POINT OF TANGENCY WITH THE 20.00 FOOT RADIUS CURVE FORMING THE POINT OF CUSP AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 112° 55' 22" A DISTANCE OF 39.42 FEET TO SAID POINT OF CUSP AND POINT OF BEGINNING.

**PARCEL H1:**

A PERPETUAL EXCLUSIVE EASEMENT FOR FOOTINGS OF WALL AND OTHER IMPROVEMENTS CONSISTING OF A THREE (3) FOOT WIDE STRIP OF PARCEL 1 OF PARCEL MAP NO. 18069, ALONG A PORTION OF SAID PARCEL 1 WHICH ADJOINS PARCEL 2 OF SAID PARCEL MAP NO. 18069, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JULY 09, 1998 AS FILE NO. 1998-0425766 OF OFFICIAL RECORDS, AS MORE PARTICULARLY SHOWN ON EXHIBIT "B" ATTACHED TO AND INCORPORATED IN QUITCLAIM DEED EXECUTED BY THE ROMAN CATHOLIC BISHOP OF SAN DIEGO, A CORPORATE SOLE, RECORDED AUGUST 10, 1998 AS DOCUMENT NO. 1998-0498737, OFFICIAL RECORDS, WITHOUT LIMITATION THE RIGHT TO CONSTRUCT, MAINTAIN, REPAIR AND REPLACE SUCH WALL AND OTHER IMPROVEMENT FOOTINGS WITHIN THE AREA OF SUCH EASEMENT.

**PARCEL H2:**

A PERPETUAL RIGHT, EASEMENT AND RIGHT OF WAY, IN COMMON WITH OTHERS (A) FOR THE PASSAGE OF PERSONS AND VEHICLES, (B) TO CONSTRUCT, INSTALL, UTILIZE, MAINTAIN, REPAIR, REPLACE, IMPROVE, ALTER AND/OR REMOVE PUBLIC UTILITY LINES AND SERVICES, SEWER, WATER AND DRAINAGE SYSTEMS, AND APPURTENANCES THERETO, TO SERVE PARCEL 2 OF PARCEL MAP NO. 18069, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 09, 1998 AND (C) TO ENJOY THE RIGHT OF INGRESS AND EGRESS AT ANY TIME FOR ANY PURPOSES, INCLUDING, BUT NOT LIMITED TO, THE EXERCISE OF THE RIGHTS AND PRIVILEGES GRANTED UNDER THIS EASEMENT, ON, UPON, ACROSS, TO, FROM, ABOVE, OVER, IN, UNDER AND BENEATH THAT CERTAIN PORTION OF PARCEL 1 OF PARCEL MAP NO. 17255, PARCELS 1 AND 2 OF PARCEL MAP NO. 14447, AND PARCEL 1 OF PARCEL MAP NO. 18069, ALL ON FILE IN THE OFFICE OF THE COUNTY RECORDER, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT AN ANGEL POINT ON THE EASTERLY BOUNDARY OF PARCEL 1 OF SAID PARCEL MAP NO. 18069, BEING THE NORTHERLY TERMINUS OF THAT COURSE AND DISTANCE DESIGNATED AS "NORTH 00° 29' 41" EAST 239.09 FEET"; THENCE ALONG SAID BOUNDARY SOUTH 00° 29' 41" WEST 239.09 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 32.00 FEET; THENCE SOUTH ALONG SAID CURVE 45.42. FEET THROUGH A CENTRAL ANGLE OF 81° 19' 07" TO A POINT OF COMPOUND CURVE, HAVING A RADIUS OF 132.00 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 09° 10' 34" WEST, THENCE EAST ALONG SAID CURVE 20.00 FEET THROUGH A CENTRAL ANGLE OF 08° 40' 53"; THENCE SOUTH 89° 30' 19" EAST 103.81 FEET TO AN ANGLE POINT ON THE EASTERLY BOUNDARY OF SAID PARCEL 1; THENCE ALONG SAID BOUNDARY SOUTH 00° 29' 41" WEST 8.00 FEET; THENCE LEAVING SAID BOUNDARY NORTH 89° 30' 19" WEST 14.94 FEET; THENCE SOUTH 00° 29' 41" WEST 38.52 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 29.00 FEET; A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 61° 52' 15" EAST; THENCE SOUTH ALONG SAID CURVE 14.49 FEET THROUGH A CENTRAL ANGLE OF 28° 37' 26"; THENCE SOUTH 00° 29' 41" WEST 208.52 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 163.50

FEET; THENCE SOUTH ALONG SAID CURVE 55.18 FEET THROUGH A CENTRAL ANGLE OF 19° 20' 08" TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 3.00 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF NORTH 70° 10' 11" WEST; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG SAID CURVE 5.86 FEET THROUGH A CENTRAL ANGLE OF 111° 55' 13" TO A POINT OF REVERSE CURVE, HAVING A RADIUS OF 44.00 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF NORTH 02° 05' 24" WEST; THENCE EAST ALONG SAID CURVE 18.01 FEET THROUGH A CENTRAL ANGLE OF 23° 27' 01" TO A POINT ON THE EASTERLY BOUNDARY OF SAID PARCEL 1, A RADIAL LINE TO SAID POINT BEARS NORTH 21° 21' 37" EAST, THENCE ALONG SAID BOUNDARY SOUTH 00° 29' 41" WEST 50.70 FEET TO THE BEGINNING OF A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 190.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE 45.26 FEET THROUGH A CENTRAL ANGLE OF 13° 38' 51" TO A POINT OF NON-TANGENCY, A RADIAL LINE TO SAID POINT HAVING A BEARING SOUTH 75° 51' 28" EAST; THENCE SOUTH 79° 02' 58" WEST 5.54 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 6.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 7.12 FEET THROUGH A CENTRAL ANGLE OF 68° 00' 50" TO A POINT OF REVERSE CURVE, HAVING A RADIUS OF 194.31 FEET A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 78° 57' 52" EAST, THENCE SOUTH ALONG SAID CURVE 76.59 FEET THROUGH A CENTRAL ANGLE OF 22° 35' 09" TO A POINT OF NON-TANGENCY, A RADIAL LINE TO SAID CURVE HAVING A BEARING OF SOUTH 56° 22' 43" EAST; THENCE SOUTH 39° 57' 20" WEST 31.43 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 20.00 FEET; THENCE SOUTH ALONG SAID CURVE 4.97 FEET THROUGH A CENTRAL ANGLE OF 14° 13' 42" TO A POINT OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 194.31 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 45° 38' 41" EAST; THENCE SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE 214.70 FEET THROUGH A CENTRAL ANGLE OF 63° 18' 31" TO A POINT OR REVERSE CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 242.10 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF NORTH 17° 39' 49" EAST; THENCE WESTERLY ALONG SAID CURVE 179.71 FEET THROUGH A CENTRAL ANGLE OF 42° 31' 56" TO A POINT OF COMPOUND CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF NORTH 24° 52' 07" WEST; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG SAID CURVE 48.55 FEET THROUGH A CENTRAL ANGLE OF 92° 42' 52"; THENCE SOUTH 27° 34' 59" EAST 119.34 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET; THENCE SOUTH ALONG SAID CURVE 35.81 FEET THROUGH A CENTRAL ANGLE OF 68° 23' 24" TO A POINT OF NON-TANGENCY, A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 05° 58' 23" EAST, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT OF WAY OF LINDA VISTA ROAD AS DEDICATED PER DEED RECORDED JUNE 27, 1947 IN BOOK 2442, PAGE 83 OF OFFICIAL RECORDS; THENCE ALONG SAID RIGHT OF WAY SOUTH 62° 25' 01" WEST 94.51 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 28.50 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 84° 42' 29" EAST; THENCE NORTH ALONG SAID CURVE 16.72 FEET THROUGH A CENTRAL ANGLE OF 33° 36' 28"; THENCE NORTH 27° 34' 59" WEST, 45.49 FEET TO THE BEGINNING OF CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 60.00 FEET; THENCE NORTHWEST ALONG SAID CURVE 27.06 FEET THROUGH A CENTRAL ANGLE OF 25° 50' 31" TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 60.00 FEET; THENCE NORTHWEST ALONG SAID CURVE 27.06 FEET THROUGH A CENTRAL ANGLE OF 25° 50' 31"; THENCE NORTH 27° 34' 59" WEST 48.82 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 20.00 FEET; THENCE NORTHWEST ALONG SAID CURVE 15.71 FEET THROUGH A CENTRAL ANGLE OF 44° 59' 50" TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 50.00 FEET; A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 17° 25' 12" WEST; THENCE NORTHERLY, EASTERLY AND SOUTHEASTERLY ALONG SAID CURVE 187.09 FEET THROUGH A CENTRAL ANGLE OF 214° 23' 13" TO A POINT OF REVERSE CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 20.00 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 51° 48' 25" WEST; THENCE EAST ALONG SAID CURVE 26.41 FEET THROUGH A CENTRAL ANGLE OF 75° 38' 46" TO A POINT OF REVERSE CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 269.00 FEET, A RADIAL LINE TO SAID

POINT HAVING A BEARING OF NORTH 23° 50' 22" EAST, THENCE EAST ALONG SAID CURVE 195.33 FEET THROUGH A CENTRAL ANGLE OF 41° 36' 16" TO A POINT OF REVERSE CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 166.00 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 17° 45' 55" WEST; THENCE EAST ALONG SAID CURVE 278.88 FEET THROUGH A CENTRAL ANGLE OF 96° 15' 24" TO A POINT OF COMPOUND CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 10.00 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF NORTH 78° 29' 29" WEST; THENCE NORTH ALONG SAID CURVE 11.43 FEET THROUGH A CENTRAL ANGLE OF 65° 30' 50" TO A POINT OF REVERSE CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 50.00 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 35° 59' 41" WEST; THENCE NORTH ALONG SAID CURVE 83.86 FEET THROUGH A CENTRAL ANGLE OF 96° 05' 28" TO A POINT OF REVERSE CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 10.00 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 47° 54' 51" EAST; THENCE NORTH ALONG SAID CURVE 7.26 FEET THROUGH A CENTRAL ANGLE OF 41° 35' 28"; THENCE NORTH 00° 29' 41" EAST 268.29 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 31.00 FEET; THENCE NORTHERLY, NORTHWESTERLY AND WESTERLY ALONG SAID CURVE 48.69 FEET THROUGH A CENTRAL ANGLE OF 90° 00' 00"; THENCE NORTH 89° 30' 19" WEST 43.21 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 63.00 FEET; THENCE WESTERLY, NORTHWESTERLY AND NORTHERLY ALONG SAID CURVE 98.96 FEET THROUGH A CENTRAL ANGLE OF 90° 00' 00"; THENCE NORTH 00° 29' 41" EAST 179.75 FEET TO THE BEGINNING OF CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 54.00 FEET; THENCE NORTHERLY ALONG SAID CURVE 28.43 FEET THROUGH A CENTRAL ANGLE OF 30° 10' 02" TO A POINT OF REVERSE CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 35.00 FEET, A RADIAL LINE TO SAID POINT HAVING A BEARING OF SOUTH 59° 20' 17" EAST; THENCE NORTH ALONG SAID CURVE 18.43 FEET THROUGH A CENTRAL ANGLE OF 30° 10' 02"; THENCE NORTH 00° 29' 41" EAST 22.76 FEET TO THE BOUNDARY OF SAID PARCEL 1; THENCE ALONG SAID BOUNDARY SOUTH 89° 30' 19" EAST 27.45 FEET TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NUMBER: 437-640-32

PARCEL I: (APN: 437-640-28)

PARCEL 2, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO PARCEL MAP THEREOF NO. 14447, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON SEPTEMBER 04, 1986 AS FILE NO. 1986-0388843 OF OFFICIAL RECORDS.

PARCEL J: (APN: 436-280-09)

PARCEL 2 OF PARCEL MAP NO. 14126, BEING A DIVISION OF A PORTION OF PARCEL B OF PARCEL MAP NO. 319, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 21, 1970 AS FILE NO. 150454 OF OFFICIAL RECORDS

PARCEL K: (APN: 436-280-13)

PARCEL 1 OF PARCEL MAP NO. 17255, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 23, 1993.

Parcel M: (APN 436-280-10)

That Parcel of land including Pueblo Lots 287, 288, 294, 295, 296, the Southeasterly Half of Pueblo Lot 286, the Northeasterly Half of Pueblo Lot 297, portions of Pueblo Lots 267, 289, 292, 293 and 1177 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof by James Pascoe in 1870, a copy of said Map having been filed as Miscellaneous Map No. 36 on November 14, 1921 in the Office of County Recorder of San Diego County, said portions of Pueblo Lots including also portions of Silver Terrace, according to Map thereof No. 434 filed in the Office of County Recorder of San Diego County, December 24, 1887 and being more particularly described as a whole as follows:

Beginning at the intersection of the Easterly prolongation of the Northerly line of Josephine Street (formerly Post Street) with the Northerly prolongation of the Westerly line of Block 20 of said Silver Terrace, Map No. 434, (said Westerly Block line being also the Easterly line of Brunner Street, formerly Silver Street) as said streets and said Block 20 are shown on said Map No. 434, thence along said prolongation and along said Northerly line of said Josephine Street, South  $75^{\circ}19'30''$  West 246.04 feet to the true point of beginning of the property herein described, thence along said Northerly line of Josephine Street, South  $75^{\circ}19'30''$  West 194.83 feet to the beginning of a curve (concave Southeasterly) in said Josephine Street (formerly Post Street) as shown on Amended Map No. 695 of Silver Terrace, filed in the Office of County Recorder of San Diego County, December 12, 1891, said curve as it exists in January 1950, having a radius of 500 feet and from said curve, beginning a line radial thereto bears North  $43^{\circ}32'52''$  West, thence Southwesterly along said curve 319.22 feet through an angle of  $36^{\circ}34'48''$  to a line which is parallel with and 50 feet Northerly at right angles from the Northerly right of way line of the State Highway as said right of way is shown on Map thereof designated XI-SD-Linda Vista Road DA-NR 39 on file in the Office of the District State Highway Engineer's Office, thence along said parallel line South  $75^{\circ}18'30''$  West 207.06 feet to the Northerly prolongation of the Easterly line of Benicia Street (formerly Second Street) as said Street is shown on said Map Nos. 434 and 695 of said Silver Terrace, thence along said prolongation, North  $15^{\circ}13'30''$  West 30 feet to a line which is parallel with and 80 feet Northerly at right angles, from said Northerly right of way line of said State Highway, thence along said parallel line, South  $75^{\circ}18'30''$  West, 56 feet to a point in the Southerly line of Block 23 of said Silver Terrace (said Southerly line being also the Northerly line of Ruby Street, formerly May Street, as shown on said Map Nos. 434 and 695), thence along said Southerly line of said Block 23, South  $74^{\circ}33'10''$  West, 448.27 feet to the common line, being said Pueblo Lots 296 and 1177, thence along said common line, South  $35^{\circ}09'20''$  West, 128.00 feet to the Northerly line of Block "A" of said Silver Terrace, Map Nos. 434 and 695, thence along said Northerly block line (being also along the Southerly line of said Ruby Street above mentioned) North  $74^{\circ}33'10''$  East 80.95 feet to the most Northerly corner of said Block "A", thence along the Easterly line of said Block "A" (being also along the Westerly line of Azusa Street, recorded as First Street, later known as Auburn) South  $15^{\circ}13'30''$  East 83.77 feet to a point in the 1030 foot radius curve (concave Southeasterly) of a portion of said Northerly right of way line of said State Highway as said portion is described in Deed to the State of California, recorded May 25, 1944 in Book 1684, Page 180 of Official Records, thence Southwesterly along said curve of said right of way line 349.57 feet through an angle of  $19^{\circ}26'43''$  to the common line between said Block "A" and said Pueblo Lot 297, thence along said common line, North  $36^{\circ}09'20''$  East 99.39 feet to the most Southerly corner of said Northeasterly Half of said Pueblo Lot 297, thence Northwesterly along the Southwesterly line of said Northeasterly Half of said Pueblo Lot 297 to the most Westerly corner thereof, in the Southeasterly line of said Southeasterly Half of Pueblo Lot 286, thence Southwesterly along said Southeasterly line to the most Southerly corner of said Pueblo Lot 286, thence Northwesterly along the Southwesterly line of said Southeasterly Half of Pueblo Lot 286 to the most Westerly corner thereof, thence Northeasterly along the Northwesterly line of said Southeasterly Half of Pueblo Lot 286 to the most Northerly corner thereof, in the Southwesterly line of said Pueblo Lot 287, thence Northwesterly along said Southwesterly line to the most Westerly corner of said



Pueblo Lot 287, thence Northeasterly along the Northwesterly line of said Pueblo Lots 287 and 288 to the most Southerly corner of said Pueblo Lot 267, being an angle point in the boundary of land described in Deed to the County of San Diego, recorded September 29, 1975 as instrument no. 75-264395 of Official Records, thence along the boundary of said land North 08°07'50" West 32.00 feet and South 65°34'44" East 933.00 feet to the most Easterly corner of said land, thence South 11°36' East 1178.21 feet to the true point of beginning.

Excepting therefrom that portion thereof described as follows:

That portion of Pueblo Lots 286, 287 294, 295, 296, 297 and 1177 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof by James Pascoe in 1870, a copy of said Map having been filed as Miscellaneous Map No. 36 on November 14, 1921 in the Office of the County Recorder of San Diego County, said portions of Pueblo Lots including also portions of Silver Terrace, according to Map thereof No. 434, filed in the Office of the County Recorder of San Diego County December 24, 1887 and being more particularly described as a whole as follows:

Beginning at the intersection of the Easterly prolongation on of the Northerly line of Josephine Street (formerly Post Street) with the Northerly prolongation of the Westerly line of Block 20 of said Silver Terrace, Map No. 434 (said Westerly Block line being also the Easterly line of Brunner Street, formerly Silver Street), as said streets and said Block 20 are shown on said Map No. 434; thence along said prolongation and along said Northerly line of said Josephine Street, South 75°19'30" West 246.04 feet; thence North 11°36' West 488.02 feet; thence South 73°42'30" West 18.28 feet to the beginning of a tangent 1000 foot radius curve (concave Northerly); thence Westerly along said curve 81.88 feet through an angle of 4°41'30"; thence tangent to said curve South 78°24' West 518.33 feet to the beginning of a tangent 596.30 foot radius curve (concave Northerly) ; thence Westerly along said curve 46.92 feet through an angle of 4°30' 30"; thence radial to said curve South 2°05'30" East 40 feet to the true point of beginning of the property herein described, said true point of beginning being also in a 636.30 foot radius curve (concentric with said 596.30 foot radius curve above mentioned) ; thence Westerly along said curve 56.39 feet through an angle of 5°04'40"; thence tangent to said curve South 87°59'10" West 242.94 feet to the beginning of a tangent 460 foot radius curve (concave Southeasterly); thence Southwesterly along said curve 293.06 feet through an angle of 36°30'10"; thence tangent to said curve South 51°29' West 272.61 feet to the beginning of a tangent 235 foot radius curve (concave Easterly) ; thereon Southerly along said curve 433.24 feet through an angle of 105°37'42"; thence North 78°24' East 890.18 feet to a line which bears South 11°36' East from the true point of beginning thence North 11°36' West 487.90 feet to the true point of beginning.

Parcel N: (APN 436-280-02)

That portion of Pueblo Lots 286, 287 294, 295, 296, 297 and 1177 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof by James Pascoe in 1870, a copy of said Map having been filed as Miscellaneous Map No. 36 on November 14, 1921 in the Office of the County Recorder of San Diego County, said portions of Pueblo Lots including also portions of Silver Terrace, according to Map thereof No. 434, filed in the Office of the County Recorder of San Diego County December 24, 1887 and being more particularly described as a whole as follows:

Beginning at the intersection of the Easterly prolongation on of the Northerly line of Josephine Street (formerly Post Street) with the Northerly prolongation of the Westerly line of Block 20 of said Silver Terrace, Map No. 434 (said Westerly Block line being also the Easterly line of Brunner Street, formerly Silver Street), as said streets and said Block 20 are shown on said Map No. 434; thence along said prolongation and along said Northerly line of said Josephine Street, South 75°19'30" West 246.04 feet; thence North 11°36' West 488.02 feet; thence South 73°42'30"

West 18.28 feet to the beginning of a tangent 1000 foot radius curve (concave Northerly); thence Westerly along said curve 81.88 feet through an angle of 4°41'30"; thence tangent to said curve South 78°24' West 518.33 feet to the beginning of a tangent 596.30 foot radius curve (concave Northerly) ; thence Westerly along said curve 46.92 feet through an angle of 4°30' 30"; thence radial to said curve South 2°05'30" East 40 feet to the true point of beginning of the property herein described, said true point of beginning being also in a 636.30 foot radius curve (concentric with said 596.30 foot radius curve above mentioned) ; thence Westerly along said curve 56.39 feet through an angle of 5°04'40"; thence tangent to said curve South 87°59'10" West 242.94 feet to the beginning of a tangent 460 foot radius curve (concave Southeasterly); thence Southwesterly along said curve 293.06 feet through an angle of 36°30'10"; thence tangent to said curve South 51°29' West 272.61 feet to the beginning of a tangent 235 foot radius curve (concave Easterly) ; thereon Southerly along said curve 433.24 feet through an angle of 105°37'42"; thence North 78°24' East 890.18 feet to a line which bears South 11°36' East from the true point of beginning thence North 11°36' West 487.90 feet to the true point of beginning.

Parcel O: (APN 436-320-01)

The Northwesterly one-half of Pueblo Lot 286 of the Pueblo Lands of San Diego, in the City of San Diego, State of California, according to Map thereof made by James Pascoe in 1870.

PARCEL P: (APN 436-370-19)

PARCEL 1 OF PARCEL MAP NO. 16480, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MAY 23, 1991 AS INSTRUMENT NO. 91-244450 OF OFFICIAL RECORDS.

PARCEL Q: (APNS 436-390-02, 436-390-03, 436-390-04, 436-390-05, 436-390-06, 436-390-07, 436-390-08, 436-390-20, 436-390-11 AND 436-390-19)

LOTS 1 THROUGH 19, INCLUSIVE OF BLOCK "C" OF SILVER TERRACE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 695, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 12, 1891.

EXCEPTING FROM SAID LOT 9, THAT PORTION THEREOF DESCRIBED IN FINAL ORDER OF CONDEMNATION TO THE STATE OF CALIFORNIA, RECORDED JUNE 06, 1946, IN BOOK 2117, PAGE 226 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 9; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 9, SOUTH 75° 19' 30" WEST, 50 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 9; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 9, NORTH 15° 13' 30" WEST, 65.89 FEET; THENCE NORTH 62° 29' EAST, 51.17 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 9; THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 15° 13' 30" EAST, 77.26 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING FROM SAID LOT 10, THAT PORTION THEREOF DESCRIBED IN DEED TO THE STATE OF CALIFORNIA, RECORDED JUNE 10, 1944, IN BOOK 1703, PAGE 11 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 10; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 10, SOUTH 75° 19' 30" WEST, 50 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 10; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 10, NORTH 15° 13' 30" WEST, 54.51 FEET; THENCE NORTH 62° 29' EAST, 51.17 FEET TO

**ATTACHMENT A**

THE NORTHEASTERLY LINE OF SAID LOT 10; THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 15° 13' 30" EAST, 65.89 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING FROM SAID LOT 11, THAT PORTION THEREOF DESCRIBED IN DEED TO THE STATE OF CALIFORNIA, DATED APRIL 05, 1944, AND RECORDED SEPTEMBER 27, 1944, IN BOOK 1756, PAGE 35 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 11; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 11, SOUTH 75° 19' 30" WEST, 50 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 11; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 11, NORTH 15° 13' 30" WEST, 43.14 FEET; THENCE NORTH 62° 29' EAST, 51.17 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 11; THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 15° 13' 30" EAST, 54.51 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 12; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 12, SOUTH 75° 19' 30" WEST, 50 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 12; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 12, NORTH 15° 13' 30" WEST, 31.76 FEET; THENCE NORTH 62° 29' EAST, 51.17 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 12; THENCE ALONG SAID EASTERLY LINE SOUTH 15° 13' 30" EAST, 43.14 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 13; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 13, 14 AND 15, SOUTH 75° 19' 30" WEST, 139.63 FEET; THENCE NORTH 62° 29' EAST, 142.90 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 13; THENCE ALONG SAID NORTHEASTERLY LINE, SOUTH 15° 13' 30" EAST, 31.76 FEET TO THE POINT OF BEGINNING.

**LEGAL DESCRIPTION**

Real property in the City of San Diego, County of San Diego, State of California, described as follows:

Parcel 1:

The Northeasterly 1/2 of Pueblo Lot 298, in the City of San Diego, County of San Diego, State of California, according to partition map thereof on file with the County Clerk of San Diego County, in Action Entitled Steele Vs Steele, by the Superior Court under Case No. 5620, of San Diego County.

Excepting therefrom that portion described in Deed to the State of California, recorded August 2, 1947 in Book 1719, Page 260 of Official Records.

Portion of Parcel 4:

Portion of Lot 1 of Gue Subdivision, excepting the Southeasterly 150 feet thereof, in the City of San Diego, State of California, according to the Map thereof No. 4722, filed in the Office of the County Recorder of San Diego County, February 23, 1961.

Portion of Parcel 5:

Portion of the Southeasterly 150 feet of Lot 1 of Gue Subdivision in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 4722, filed in the Office of the County Recorder of San Diego County, February 23, 1961.

Parcel 5A:

An easement for road purposes 12 feet wide across a portion of Lot 1 of Gue Subdivision, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 4722, filed in the Office of the County Recorder of San Diego County, February 23, 1961, the center line of said easement being described as follows:

Beginning at a point on the Northwesterly line of said Lot 1 which is South 36°27'40" West 2 feet from the Southeasterly terminus of the center line of Cushman Place as shown on said Map No. 4722; thence due South along the easement described in Deed to Galen B. Gue et ux recorded February 28, 1962 as instrument no. 34571 of Official Records, 72 feet and South 53°46'20" East 135 feet to the Northwesterly line of the Southeasterly 150 feet of said Lot 1.

Parcel 6:

That portion of Lot "A" of Pueblo Lot 285 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, as shown on the Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled "Steele vs. Steele" Case No. 5620 of the Superior Court of the State of California, in and for the County of San Diego, described as follows:

Beginning at a point on the Northwestern line of said Lot "A" distant thereon 165.00 feet Northeasterly from the most Westerly corner of said Lot; thence Southeasterly along a line parallel with the Southwesterly line of said Lot, 330.00 feet, more or less, to a point on the Southeasterly line thereof; thence Northeasterly along said Southeasterly 165.00 feet, more or less, to the most Easterly corner of said Lot, being designated as "Poole 285 No. 2"; thence Northwesternly along the Northeasterly line of said Lot, 330.00 feet, more or less, to the most Northerly corner thereof, being designated as "Poole 285, No. 1"; thence Southwesterly along the Northwesternly line of said Lot, 165.00 feet, more or less, to the Point of Beginning.

Excepting therefrom that portion lying Northwesternly of a line described as follows:

Commencing at the most Westerly corner of said Lot "A" of Pueblo Lot 285; thence Northeasterly along the Northwesternly line of said Lot, 165.00 feet; thence Southeasterly parallel with the Southwesterly line of said Lot "A", 155.00 feet to the most Southerly corner of that parcel of land conveyed to James E. Bignell, by deed dated June 17, 1941 and recorded in Book 1198, Page 92 of Official Records; thence continuing Southeasterly parallel with the Southwesterly line of Lot "A" 50.00 feet to the True Point of Beginning; thence Northeasterly parallel with the Northwesternly line of said Pueblo Lot 285 a distance of 165.00 feet, more or less, to the Northeasterly line of said Lot.

Parcel 7:

That portion of Lot "A" of Pueblo Lot 285 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, as shown on the Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled "Steele vs. Steele" Case No. 5620 of the Superior Court of the State of California, in and for the County of San Diego, described as follows:

Commencing at the most Westerly corner of said Lot "A" of Pueblo Lot 285; thence Northeasterly along the Northwesternly line of said Lot, 165.00 feet; thence Southeasterly parallel with the Southwesterly line of said Lot "A", 155.00 feet to the True Point of Beginning being the most Southerly corner of that land conveyed to James E. Bignell, by deed dated June 17, 1941 and recorded in Book 1198, Page 92 of Official Records; thence continuing Southeasterly parallel with the Southwesterly line of Lot "A" 50.00 feet; thence Northeasterly parallel with the Northwesternly line of said Pueblo Lot 285, a distance of 165 feet, more or less, to the Northeasterly line of said Lot; thence Northwesternly along said Northeasterly line 50 feet to a point on the Northeasterly prolongation of the Southeasterly line of said parcel conveyed to Bignell; thence Southwesterly along said Northeasterly prolongation, and said Southeasterly line, 165 feet, more or less, to the True Point of Beginning.

Josephine Street property (APN 437-010-22):

Real property in the City of San Diego, County of San Diego, State of California, described as follows: PARCEL A: (APN 437-010-22) PARCEL 1 OF PARCEL MAP NO. 17820, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 13, 1997 AS INSTRUMENT NO. 1997-43710 OF OFFICIAL RECORDS. PARCEL B: APN 436-390-01-00 LOT "0" IN BLOCK "C" OF SILVER TERRACE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 695, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 12, 1891. ALSO THAT PORTION OF JOSEPHINE STREET AS VACATED BY RESOLUTION NO. 260424 AND RECORDED APRIL 24, 1984, AS INSTRUMENT NO. 84-149496, OF OFFICIAL RECORDS.

Passed by the Council of The City of San Diego on DEC 17 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 17 2024.

**(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:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 315963