

**CITY OF SAN DIEGO
M E M O R A N D U M**

DATE: July 10, 2007

TO: Elizabeth Maland, City Clerk

FROM: Gerri Bollenbach, Assistant Engineer

SUBJECT: Approval of the final map "Florida Gardens"

The City Engineer has examined and states that he can make the necessary findings to approve the final map "Florida Gardens". Pursuant to Section 125.0630 M.C., please place the following notice as an information item in the Council Docket for July 23, 2007.

NOTICE of Pending Final Map Approval

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "Florida Gardens" (T.M No. 237921 PTS No. 112387), located on the west side of Florida Street between El Cajon Boulevard and Howard Avenue in the Greater North Park Community Plan area in Council District 3, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.**
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.**
- (3) The map is technically correct.**

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Anne Hoppe at (619) 446-5290.

cc: W.O. 426919 PTS 112387

Attachment: Vicinity map, reduced copy of map

OWNER'S CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LAND EMBRACED WITHIN THE SUBDIVISION TO BE KNOWN AS FLORIDA GARDENS AND WE HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP, CONSISTING OF 2 SHEETS AND DESCRIBED IN THE CAPTION THEREOF.

WE HEREBY DEDICATE TO PUBLIC USE THOSE PORTIONS OF AN UNNAMED ALLEY FOR PUBLIC STREET PURPOSES AND APPURTENANCES THERETO, ALL AS SHOWN ON THIS MAP WITHIN THIS SUBDIVISION.

IT IS OUR INTENT TO SUBDIVIDE AND LATER CONVEY OUR ENTIRE INTEREST IN THE REAL PROPERTY SHOWN ON THIS MAP WITHIN THE HEAVY BORDER, INCLUDING ANY REVERSION RIGHTS THAT MAY EXIST WITHIN THE ADJOINING PUBLIC RIGHTS-OF-WAY. IT IS NOT OUR INTENT TO ALTER OR SEVER THE LEGITIMATE RIGHTS OF OTHERS WHO MAY HAVE A CLAIM ON THOSE REVERSION RIGHTS THROUGH PRIOR CONVEYANCES.

4224 FLORIDA STREET, LLC, AS OWNER

BY: [Signature] BY: [Signature]
RICK BENSON, MANAGING MEMBER

CHICAGO TITLE COMPANY, AS TRUSTEE OF DEEDS OF TRUST RECORDED NOVEMBER 14, 2005, AS INSTRUMENT NO. 2005-0885650 AND RECORDED NOVEMBER 14, 2006, AS INSTRUMENT NO. 2006-0885652-0-R.

BY: [Signature] BY: [Signature]
PRINT NAME: Thomas R. Vito Jr. PRINT NAME: Leslie Sienna
TITLE: Asst. Vice Pres TITLE: Asst. Vice Pres

FLORIDA GARDENS

BEING A CONSOLIDATION AND SUBDIVISION OF LOTS 25 AND 26 IN BLOCK 130 OF UNIVERSITY HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE AMENDED MAP THEREOF MADE BY G.A. D'HEMECOURT IN BOOK 8, PAGE 36 ET SEQ OF LIS PENDING, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

ALSO ALL THAT PORTION OF THE WEST 10 FEET OF FLORIDA STREET, ADJOINING SAID PROPERTY ON THE EAST AS CLOSED OCTOBER 9, 1911 BY RESOLUTION NO. 9385 OF THE COMMON COUNCIL OF THE CITY OF SAN DIEGO.

TOGETHER WITH THOSE PORTIONS OF FLORIDA STREET AND THE UNNAMED ALLEYS AS DEDICATED TO PUBLIC USE.

THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT, THE PLANNING COMMISSION RESOLUTION NO. 4096-PC, DATED JUNE 29, 2006, APPROVES TEN (10) RESIDENTIAL CONDOMINIUM UNITS.

SUBDIVISION GUARANTEE BY: FIRST AMERICA TITLE COMPANY
ORDER NO. 2178371 (22)

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) S.S.

ON December 6, 2006 BEFORE ME, LK Dayton
A NOTARY PUBLIC, PERSONALLY APPEARED Rick Benson
PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

[Signature]
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE
(PRINT NAME) LK Dayton

MY PRINCIPAL PLACE OF BUSINESS IS IN SAN DIEGO COUNTY

SURVEYOR'S CERTIFICATE

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF 4224 FLORIDA STREET, LLC, ON JUNE 14, 2005, AND I CERTIFY THAT SAID SURVEY IS TRUE AND COMPLETE AS SHOWN, AND THAT ALL MONUMENTS FOUND, TOGETHER WITH THOSE SET, ARE OF CHARACTER INDICATED AND OCCUPY THE POSITION SHOWN THEREON AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. (SEE LEGEND ON SHEET NO. 2)

I HEREBY STATE THAT THIS SUBDIVISION MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

[Signature] DATED: 12/06/06
LAWRENCE E. COLE L.S. 5087
LICENSE EXPIRES JUNE 30, 2007.



CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT THIS MAP WAS EXAMINED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP, IF ANY, AND ANY APPROVED ALTERATIONS THEREOF, THAT IT COMPLIES WITH THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP AND THAT IT IS TECHNICALLY CORRECT.

I ACCEPT THOSE ITEMS LISTED IN THE CERTIFICATE SIGNED BY THE OWNERS UNDER THE CONDITIONS EXPRESSED THEREIN.

I ALSO CERTIFY THAT THERE ARE NO UNPAID BONDS ISSUED UNDER THE STREET IMPROVEMENT ACTS OF THE STATE OF CALIFORNIA AGAINST THIS SUBDIVISION.

I ACCEPT THOSE ITEMS LISTED IN THE CERTIFICATE SIGNED BY THE OWNERS UNDER THE CONDITIONS EXPRESSED THEREIN.

MOSSEIN MUHI, CITY ENGINEER DATED: _____

BY: [Signature]
AIGNEE L. THOPPE, DEPUTY
P.L.S. 7196

CLERK OF THE BOARD OF SUPERVISORS STATEMENT

I, THOMAS PASTUSZKA, CLERK OF THE BOARD OF SUPERVISORS, HEREBY CERTIFY THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT (DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE) REGARDING: (A) DEPOSITS FOR TAXES, AND (B) CERTIFICATION OF THE ABSENCE OF LIENS FOR UNPAID STATE, COUNTY, MUNICIPAL, OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES EXCEPT THOSE NOT YET PAYABLE, HAVE BEEN COMPLIED WITH:

THOMAS PASTUSZKA
CLERK OF THE BOARD OF SUPERVISORS

BY: _____ DEPUTY DATE _____

RECORDER'S CERTIFICATE:

FILE NO. _____

I, GREGORY J. SMITH, COUNTY RECORDER OF THE COUNTY OF SAN DIEGO CALIFORNIA, HEREBY CERTIFY THAT I HAVE ACCEPTED FOR RECORDATION THIS MAP FILED AT THE REQUEST OF LAWRENCE E. COLE THIS _____ DAY OF _____ 2006, AT _____ O'CLOCK _____ AM

GREGORY J. SMITH COUNTY RECORDER BY: _____ DEPUTY COUNTY RECORDER

FEE: \$ 10.00

SIGNATURE OMISSIONS:

THE SIGNATURE OF THE CITY OF SAN DIEGO, OWNER OF AN EASEMENT AND RIGHT OF WAY FOR STREET PURPOSES AS DEDICATED BY THE AMENDED MAP THEREOF MADE BY G.A. D'HEMECOURT IN BOOK 8, PAGE 36 ET LIS PENDING, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY HAS BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436, SUBSECTION(a)(3)(A)(1) OF THE SUBDIVISION MAP ACT. THEIR INTEREST IS SUCH THAT THEY CANNOT RIPE INTO A FEE TITLE AND SAID SIGNATURE IS NOT REQUIRED BY THE GOVERNING BODY.

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) S.S.

ON December 12, 2006 BEFORE ME, Christina Morgan
A NOTARY PUBLIC, PERSONALLY APPEARED Thomas R. Vito Jr. And Leslie Sienna
PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

[Signature]
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE
(PRINT NAME) Christina Morgan

MY PRINCIPAL PLACE OF BUSINESS IS IN SAN DIEGO COUNTY
MY COMMISSION EXPIRES: MAY 10, 2010
COMMISSION # 1667295

CITY CLERK'S CERTIFICATE:

I, CITY CLERK OF THE CITY OF SAN DIEGO, CALIFORNIA HEREBY CERTIFY THAT THE CITY ENGINEER HAS APPROVED THIS SUBDIVISION MAP. I ALSO CERTIFY THAT PROPER PUBLIC NOTICE HAS BEEN GIVEN OF THAT APPROVAL ON _____ AND THAT THE LEGAL APPEAL PERIOD HAS EXPIRED.

IN WITNESS WHEREOF THESE PRESENTS, I HEREBY EXECUTE AND ATTEST BY SEAL
THIS _____ DAY OF _____ 2006.

ELIZABETH MALAND CITY CLERK BY: _____ DEPUTY

FLORIDA GARDENS

001056

STATION "150"
FOUND LEAD & CITY S.D. BRASS DISC
STAMPED "CITY S.D. ENG." LOCATED
AT THE NORTHWEST END OF STADIUM
WAY CROSSING OVER SAN DIEGO RIVER.
N=1882334.33
E=8287898.79

STATION "222"
FOUND 2.1" BRASS DISC IN WELL MONUMENT, NO
STAMP. LOCATED AT THE NORTH END OF ORCHARD
COURT.
N=1862884.08
E=8284805.87

LEGEND

- - DENOTES FOUND LEAD & DISC STAMPED "CITY ENGR" PER PER R.O.S. 13395, UNLESS OTHERWISE NOTED.
- - DENOTES FOUND LEAD & DISC STAMPED "ACE 26548" PER R.O.S. 13395.
- ▲ - DENOTES FOUND STREET WELL MONUMENT AS NOTED HEREON.
- - INDICATES SET LEAD, NAIL AND DISC STAMPED LS 5097 AS SHOWN HEREON
- - INDICATES SUBDIVISION MAP BOUNDARY
- () - DENOTES RECORD DATA PER AMENDED MAP OF UNIVERSITY HEIGHTS MADE BY G.A. D'HEMECOURT IN BOOK 8, PAGE 36.
- [] - DENOTES RECORD DATA PER R.O.S. 13395.
- | | - DENOTES RECORD DATA PER MAP NO. 9523

ALLEY - DENOTES UNNAMED ALLEY DEDICATED PER AMENDED MAP OF UNIVERSITY HEIGHTS
TOTAL MAP AREA: 0.261 ACRE TOTAL NUMBER OF LOTS: 1

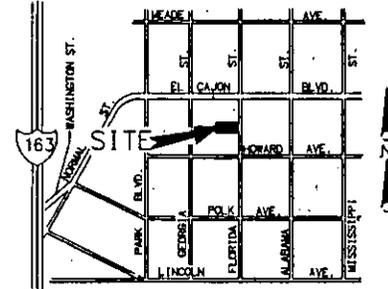
BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM (CCSAS), ZONE 8, EPOCH 1991.35. MEASUREMENTS TO POINTS "A" AND "B" ARE SHOWN HEREON. "A" AND "B" ARE ADJUSTED TO G.P.S. STATION 158 AND G.P.S. STATION 222 PER NOS 14492. A-B: N89°45'01"W.

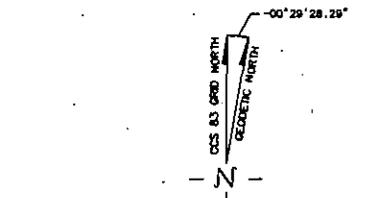
QUOTED BEARINGS FROM REFERENCE MAPS/DEEDS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM.

MONUMENTATION NOTES

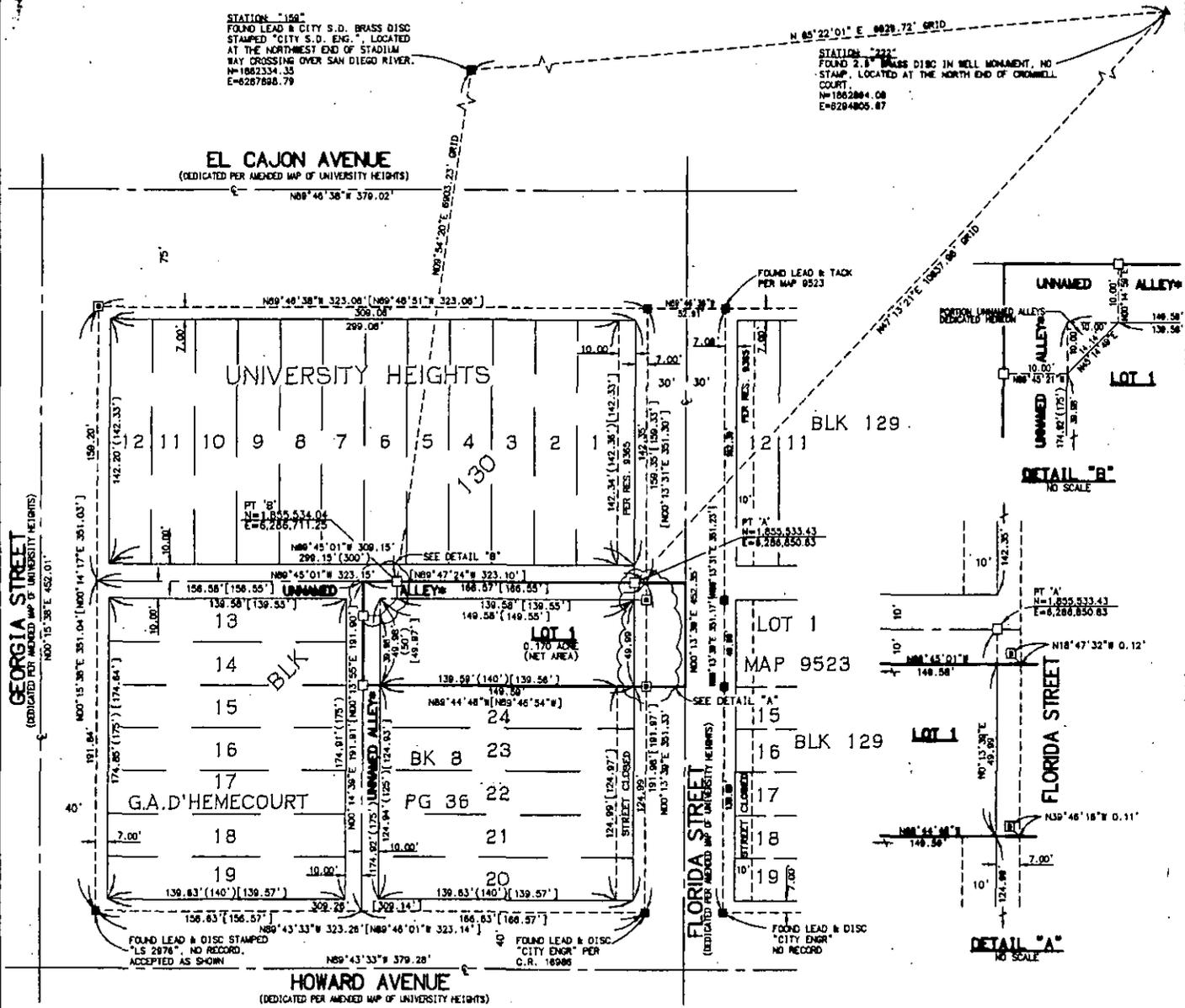
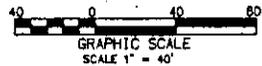
THE PROPERTY CORNERS SET ALONG THE CENTERLINE OF THE UNNAMED ALLEY ARE MONUMENTED BY A DISC STAMPED "L.S.: 5097". SET ALONG THE EXTENSION OF THE PROPERTY LINE AT AN OFFSET OF 10.00' IN THE CONCRETE ALLEY OR AS NOTED.

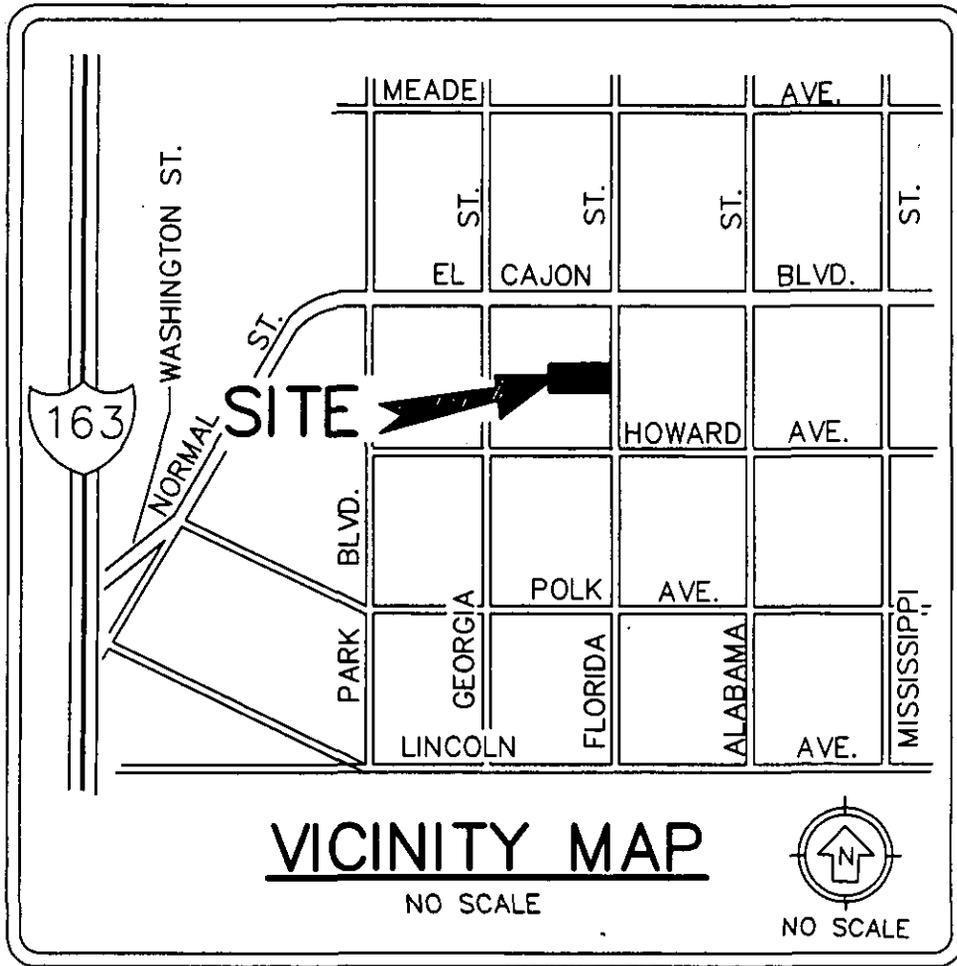


VICINITY MAP
NO SCALE



CONVERGENCE ANGLE AT STATION "A"
THE COMBINED SCALE FACTOR AT STATION "A" IS 0.99998578
GRID DISTANCE = GROUND DISTANCE X COMBINED SCALE FACTOR.





OWNER:

4224 FLORIDA STREET, LLC
4901 MORENA BLVD. #207
SAN DIEGO, CA 92117

PTS# 112387

VICINITY MAP



LANDMARK ENGINEERING CORPORATION
2605 CAMINO DEL RIO SOUTH
SUITE 321
SAN DIEGO, CA 92108
(619) 260-0420