

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

DATE: October 5, 2007
TO: Elizabeth Maland, City Clerk
FROM: Gerri Bollenbach, Assistant Engineer
SUBJECT: Approval of the final map "The Vista at Rancho Bernardo"

The City Engineer has examined and states that he can make the necessary findings to approve the final map "The Vista at Rancho Bernardo". Pursuant to Section 125.0630 M.C., please place the following notice as an information item in the Council Docket for October 22, 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 "the Vista at Rancho Bernardo" (T.M No. 8529 PTS No. 93304) located on the southeasterly of Rancho Bernardo Road and Via del Campo in the Rancho Bernardo Community Plan area in Council District 5, 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.

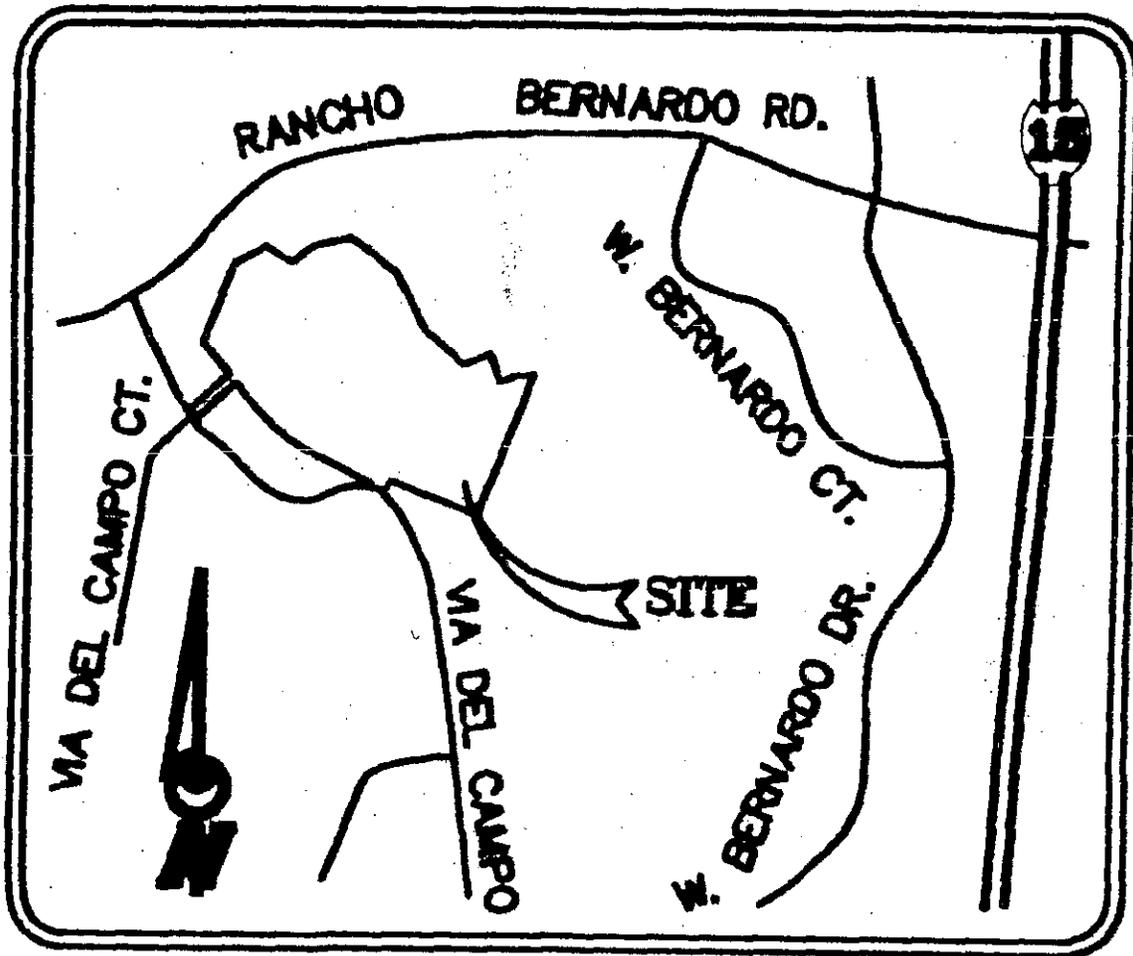
cc: W.O. 425857 PTS 93304

Attachment: Vicinity map, reduced copy of map

000247

THE VISTA AT RANCHO BERNARDO

FINAL MAP



VICINITY MAP

The Vista at Rancho Bernardo

OWNER'S STATEMENT

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF, OR ARE INTERESTED IN THE LAND EMBRACED WITHIN THE SUBDIVISION KNOWN AS THE VISTA AT RANCHO BERNARDO, AND WE HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP CONSISTING OF 8 SHEETS AS DESCRIBED IN THE CAPTION THEREOF.

WE HEREBY GRANT TO THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, THE EASEMENT(S) WITH THE RIGHT OF INGRESS AND EGRESS FOR THE CONSTRUCTION AND MAINTENANCE OF WATER FACILITIES, ALL AS SHOWN ON THIS MAP WITHIN THIS SUBDIVISION DESIGNATED AS "WATER EASEMENT GRANTED HEREON," RESERVING, HOWEVER, TO THE OWNER OF THE FEE UNDERLYING SAID EASEMENT HEREIN GRANTED THE CONTINUED USE OF THE SURFACE OF SAID REAL PROPERTY; AND SUBJECT TO THE FOLLOWING CONDITIONS: THE ERECTING OF BUILDINGS, MASONRY WALLS, MASONRY FENCES AND OTHER STRUCTURES; OR THE PLANTING OR GROWING OF TREES OR SHRUBS; OR CHANGING THE SURFACE GRADE; OR THE INSTALLATION OF PRIVATELY OWNED PEELINGS SHALL BE PROHIBITED UNLESS AN ENCROACHMENT PERMIT IS FIRST OBTAINED FROM THE CITY ENGINEER PURSUANT TO THE MUNICIPAL CODE.

WE HEREBY DEDICATE TO PUBLIC USE THE PEDESTRIAN AND NON-MOTOR VEHICULAR RIGHT OF WAY, ALL AS SHOWN ON THIS MAP, WITHIN THIS SUBDIVISION.

WE HEREBY GRANT TO THE CITY OF SAN DIEGO AN EASEMENT FOR ENVIRONMENTALLY SENSITIVE LAND, 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 RIGHT 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.

MCR CORPORATION, A MARYLAND CORPORATION, AS OWNER

BY: _____ BY: _____
TITLE: _____ TITLE: _____

FIRST AMERICAN TITLE INSURANCE COMPANY, A CALIFORNIA CORPORATION, AS TRUSTEE UNDER DEED OF TRUST RECORDED MARCH 25, 2004 AS DOC. NO. 2004-0247537

BY: _____ BY: _____
TITLE: _____ TITLE: _____

L17087, LLC A DELAWARE LIMITED LIABILITY COMPANY, AS LESSEE, RECORDED MARCH 25, 2004 AS DOC. NO. 2004-0247536

BY: _____ BY: _____
TITLE: _____ TITLE: _____

SIGNATURE OMISSION STATEMENT

THE SIGNATURES OF THE PARTIES LISTED BELOW, OWNERS OF EASEMENTS PER DOCUMENTS NOTED BELOW HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 88438, SUBSECTION (a)(3)(A)(i) OF THE SUBDIVISION MAP ACT. SINCE THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

SAN DIEGO GAS & ELECTRIC COMPANY, A CORPORATION FOR EASEMENTS RECORDED SEPTEMBER 12, 1967 AS FILE NO. 138888, SEPTEMBER 12, 1967 AS FILE NO. 138902, SEPTEMBER 22, 1967 AS FILE NO. 145725, AND MAY 3, 1993 AS FILE NO. 1993-0272553, ALL OF OFFICIAL RECORDS.

SLOPE EASEMENT AGREEMENTS TO RANCHO BERNARDO CORPORATE CENTER LIMITED, A LIMITED PARTNERSHIP, FORMERLY KNOWN AS RANCHO BERNARDO TECH CENTER LIMITED FOR AN EASEMENT RECORDED NOVEMBER 30, 1993 AS FILE NO. 83-433622, 83-433623, 83-433624, 83-433625, 83-433626, AND 83-433627 OF OFFICIAL RECORD.

RANCHO BERNARDO CORPORATE CENTER PROPERTY OWNERS ASSOCIATION, A CALIFORNIA NONPROFIT MUTUAL BENEFIT CORPORATION, FOR A MAINTENANCE EASEMENT RECORDED MARCH 14, 1984 AS FILE NO. 84-092776 OF OFFICIAL RECORDS.

DRAINAGE EASEMENT GRANTED TO THE CITY OF SAN DIEGO ON MAP 10480.

BEING A SUBDIVISION OF PARCEL 2 OF PARCEL MAP NO. 13441, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY ON AUGUST 24, 1984 AS FILE NO. 84-324480 OF OFFICIAL RECORD.

A PORTION OF EXISTING EASEMENT GRANTED TO THE CITY OF SAN DIEGO FOR SEWER AND WATER RECORDED DECEMBER 17, 1992 AS DOCUMENT NO. 1992-0806775 OF OFFICIAL RECORDS IS NOT SHOWN WITHIN THIS MAP BECAUSE IT HAS BEEN VACATED PURSUANT TO SECTION 88434(g) OF THE STATE SUBDIVISION MAP ACT.

SUBDIVISION GUARANTEE BY LAND AMERICA COMMONWEALTH AS ORDER NO. 03207252-609-611W DATED

STATE OF CALIFORNIA } S.S.
COUNTY OF _____
ON _____ BEFORE ME, _____
A NOTARY PUBLIC, PERSONALLY

APPEARED _____ AND _____
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 HIS/HER/ THEIR SIGNATURE(S) ON THE INSTRUMENT, THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.
WITNESS MY HAND

SIGNATURE : _____
PRINT NAME : _____
MY COMMISSION EXPIRES ON _____
MY PRINCIPAL PLACE OF BUSINESS IS IN _____ COUNTY.

STATE OF CALIFORNIA } S.S.
COUNTY OF _____
ON _____ BEFORE ME, _____
A NOTARY PUBLIC, PERSONALLY

APPEARED _____ AND _____
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 HIS/HER/ THEIR SIGNATURE(S) ON THE INSTRUMENT, THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.
WITNESS MY HAND

SIGNATURE : _____
PRINT NAME : _____
MY COMMISSION EXPIRES ON _____
MY PRINCIPAL PLACE OF BUSINESS IS IN _____ COUNTY.

CITY CLERK'S STATEMENT

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 _____, 20____, AND THAT THE LEGAL APPEAL PERIOD HAS EXPIRED. I FURTHER CERTIFY THAT THE EASEMENT LISTED HEREON AS BEING VACATED OR ABANDONED PURSUANT TO SECTION 88434(g) OF THE SUBDIVISION MAP ACT ARE HEREBY VACATED OR ABANDONED BY THE RECORDATION OF THIS MAP ACCORDING TO CITY COUNCIL RESOLUTION _____.

IN WITNESS WHEREOF, SAID COUNCIL HAS CAUSED THESE PRESENTS TO BE EXECUTED BY THE CITY CLERK AND ATTESTED BY ITS SEAL THIS _____ DAY OF _____, 2007.

ELIZABETH MALAND, _____ BY: _____ DEPUTY
CITY CLERK

SURVEYOR'S STATEMENT

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: MCR CORPORATION, A MARYLAND CORPORATION IN JANUARY 2008. I HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND THAT THEY WILL BE SET IN THOSE POSITIONS WITHIN TWO YEARS OF THE RECORDATION OF THIS MAP UNLESS EXTENDED BY THE CITY ENGINEER, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

JAMES L. MEYER LS 4307
EXPIRATION: 6-30-2008

DATE: _____



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 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.

HOSSEN RUH, CITY ENGINEER

BY: ANNE L. HOPPE, L.S. 7168, DEPUTY

DATED _____

CLERK OF BOARD OF SUPERVISORS STATEMENT

I, THOMAS J. PASTUSZKA, CLERK OF 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 DEBTS FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT THOSE NOT YET PAYABLE, HAVE BEEN COMPLIED WITH.

DATE: _____ THOMAS J. PASTUSZKA
CLERK OF THE BOARD OF SUPERVISORS

DEPUTY

RECORDER'S STATEMENT

I, GREGORY J. SMITH, RECORDER OF THE COUNTY OF SAN DIEGO, HEREBY CERTIFY THAT I HAVE ACCEPTED FOR RECORDATION THIS MAP AT THE REQUEST OF JAMES L. MEYER FILED THIS _____ DAY OF _____, 2007, AT _____ O'CLOCK, AM/PM.

FILED: \$ 22.00 GREGORY J. SMITH, COUNTY RECORDER

BY: _____ DEPUTY

Burkett & Wong Engineers

PTS 93304 CS83 1952-6303 LC 310-1741 TN 8529 J04 425837

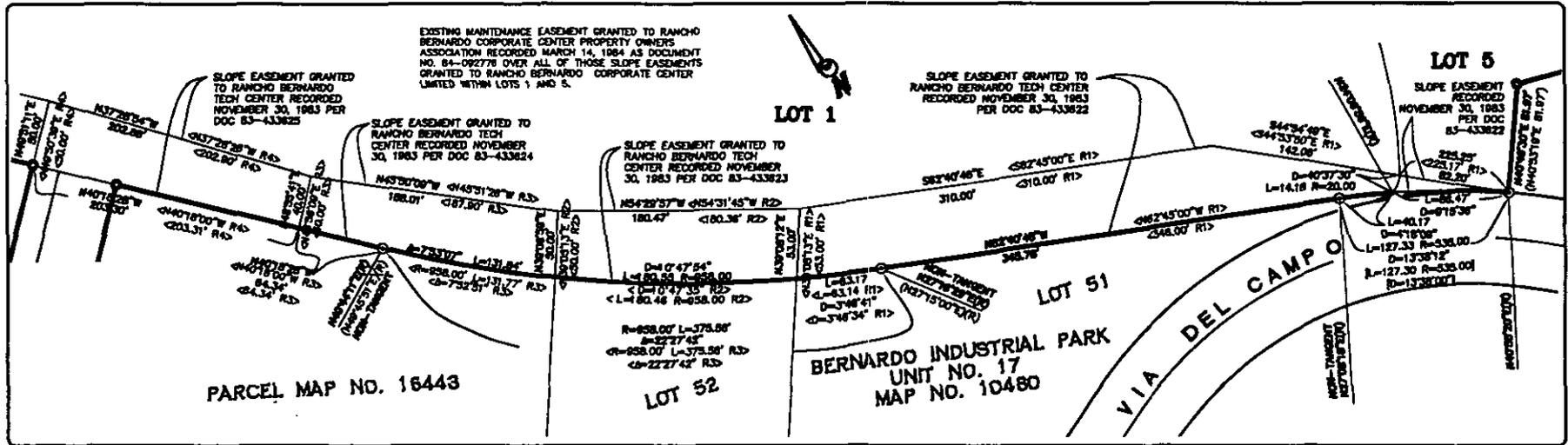
MAP NO. _____

SHEET 3 OF 8 SHEETS

The Vista at Rancho Bernardo

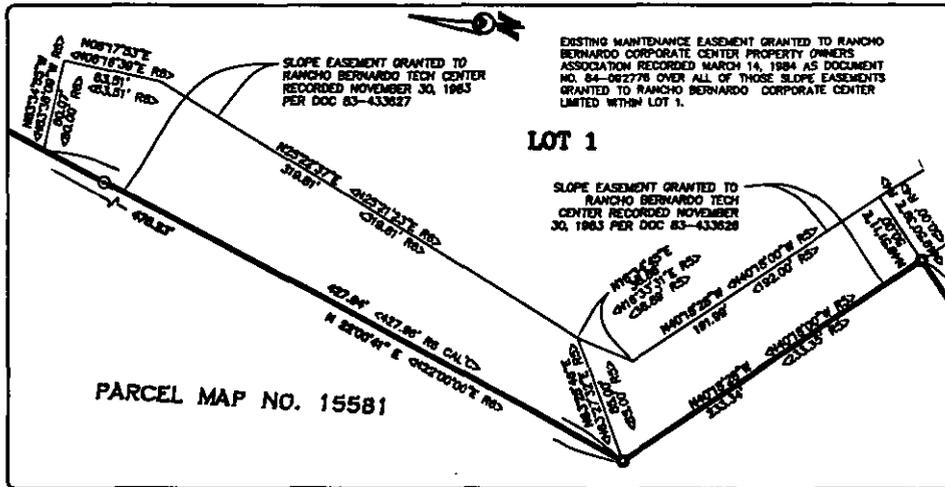
EASEMENT DETAIL

SCALE: 1" = 50'



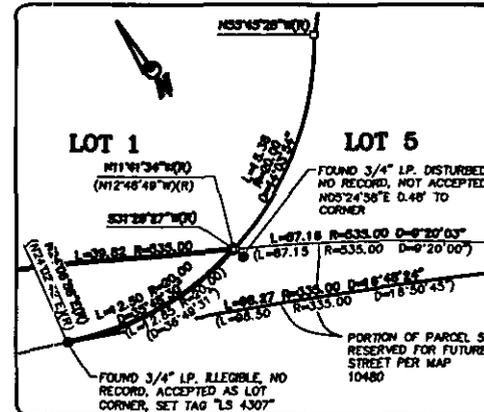
EASEMENT DETAIL

SCALE: 1" = 50'



DETAIL 'A'

SCALE: 1" = 5'



EASEMENT NOTES:

- RECORD DATA PER DEED RECORDED NOVEMBER 30, 1983 PER DOC 83-433822. < R1 >
- RECORD DATA PER DEED RECORDED NOVEMBER 30, 1983 PER DOC 83-433823. < R2 >
- RECORD DATA PER DEED RECORDED NOVEMBER 30, 1983 PER DOC 83-433824. < R3 >
- RECORD DATA PER DEED RECORDED NOVEMBER 30, 1983 PER DOC 83-433825. < R4 >
- RECORD DATA PER DEED RECORDED NOVEMBER 30, 1983 PER DOC 83-433826. < R5 >
- RECORD DATA PER DEED RECORDED NOVEMBER 30, 1983 PER DOC 83-433827. < R6 >

EXISTING MAINTENANCE EASEMENT GRANTED TO RANCHO BERNARDO CORPORATE CENTER PROPERTY OWNERS ASSOCIATION RECORDED MARCH 14, 1984 AS DOCUMENT NO. 84-092778 OVER ALL OF THOSE SLOPE EASEMENTS GRANTED TO RANCHO BERNARDO CORPORATE CENTER LIMITED WITHIN LOT 1.

NON-PLOTTABLE EASEMENTS
AN EASEMENT GRANTED TO SAN DIEGO GAS & ELECTRIC COMPANY FOR MAINTENANCE OF GAS FACILITIES RECORDED SEPTEMBER 12, 1987 AS FILE NO. 138688 OF OFFICIAL RECORDS HAS NO SPECIFIC LOCATION SET FORTH IN THE DEED AND CANNOT BE PLOTTED HEREON.

AN EASEMENT GRANTED TO SAN DIEGO GAS & ELECTRIC COMPANY FOR MAINTENANCE OF ELECTRICAL FACILITIES RECORDED SEPTEMBER 12, 1987 AS FILE NO. 145725 OF OFFICIAL RECORDS HAS NO SPECIFIC LOCATION SET FORTH IN THE DEED AND IS NOT PLOTTED HEREON.

AN EASEMENT GRANTED TO SAN DIEGO GAS & ELECTRIC COMPANY, RECORDED MAY 3, 1993 AS FILE NO. 1993-0272553 OF OFFICIAL RECORDS IS DEPENDENT ON THE LOCATION OF FACILITIES AND IS NOT PLOTTED HEREON.

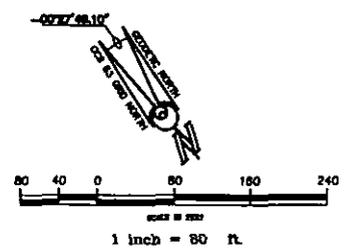
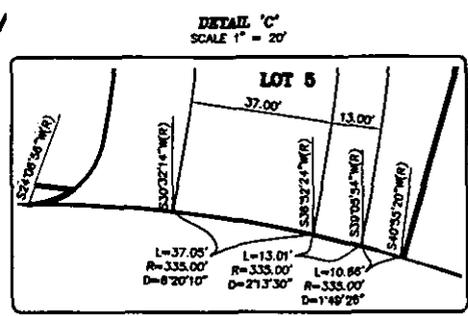
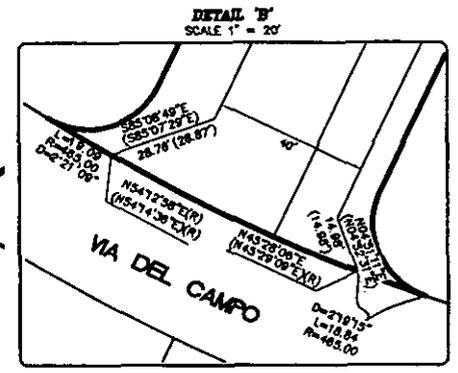
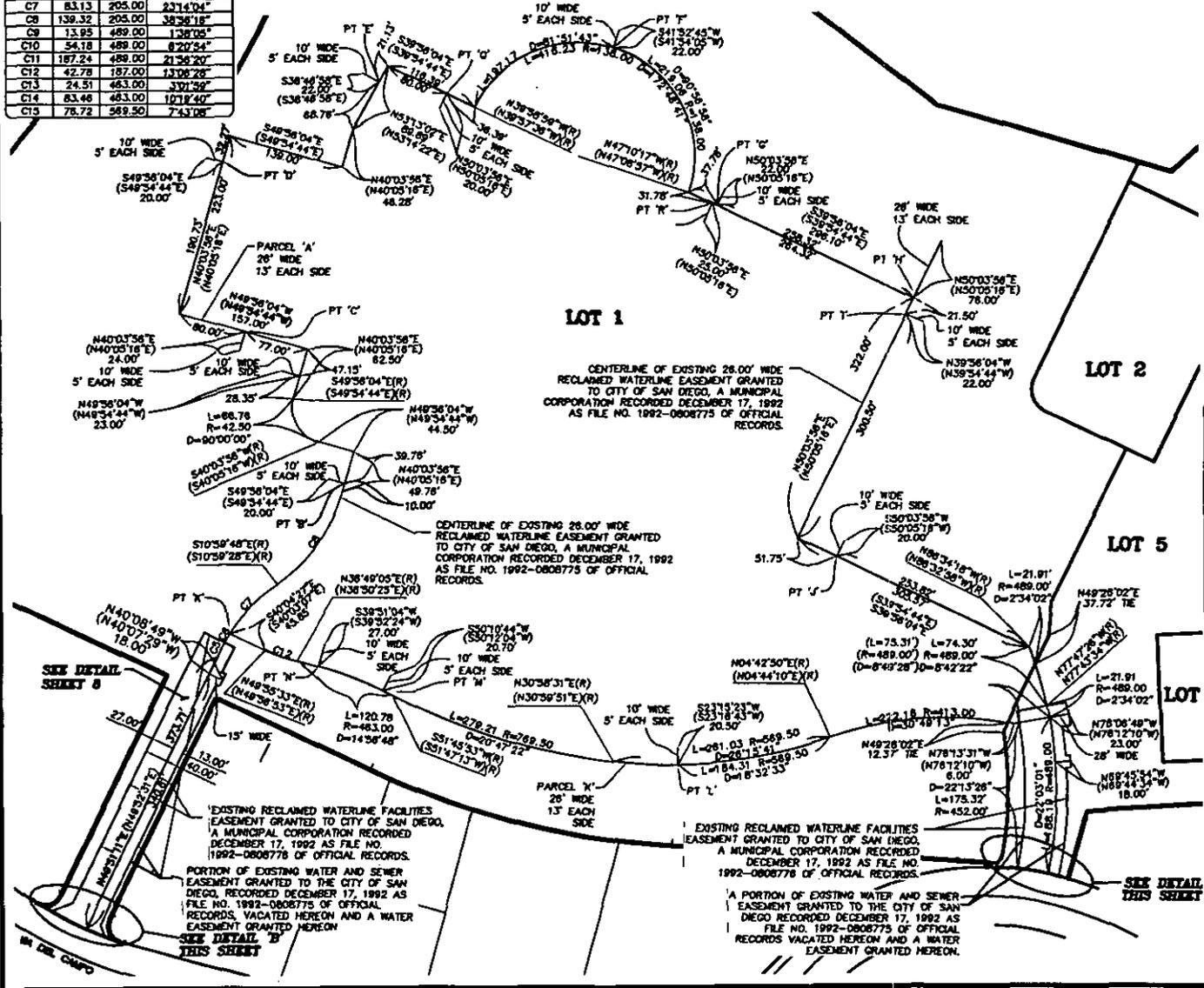
000252

MAP NO.

SHEET 4 OF 8 SHEETS

The Vista at Rancho Bernardo EASEMENT DETAILS

CURVE	LENGTH	RADIUS	DELTA
C5	8.67	205.00	2°25'18"
C6	12.50	205.00	3°29'39"
C7	83.13	205.00	23°14'04"
C8	139.32	205.00	38°28'18"
C9	13.95	489.00	1°28'05"
C10	54.18	489.00	6°20'54"
C11	187.24	489.00	21°56'20"
C12	42.78	187.00	13°28'28"
C13	24.51	483.00	3°01'59"
C14	83.48	483.00	10°19'40"
C15	78.72	569.50	7°43'08"



Burkett & Wong Engineers

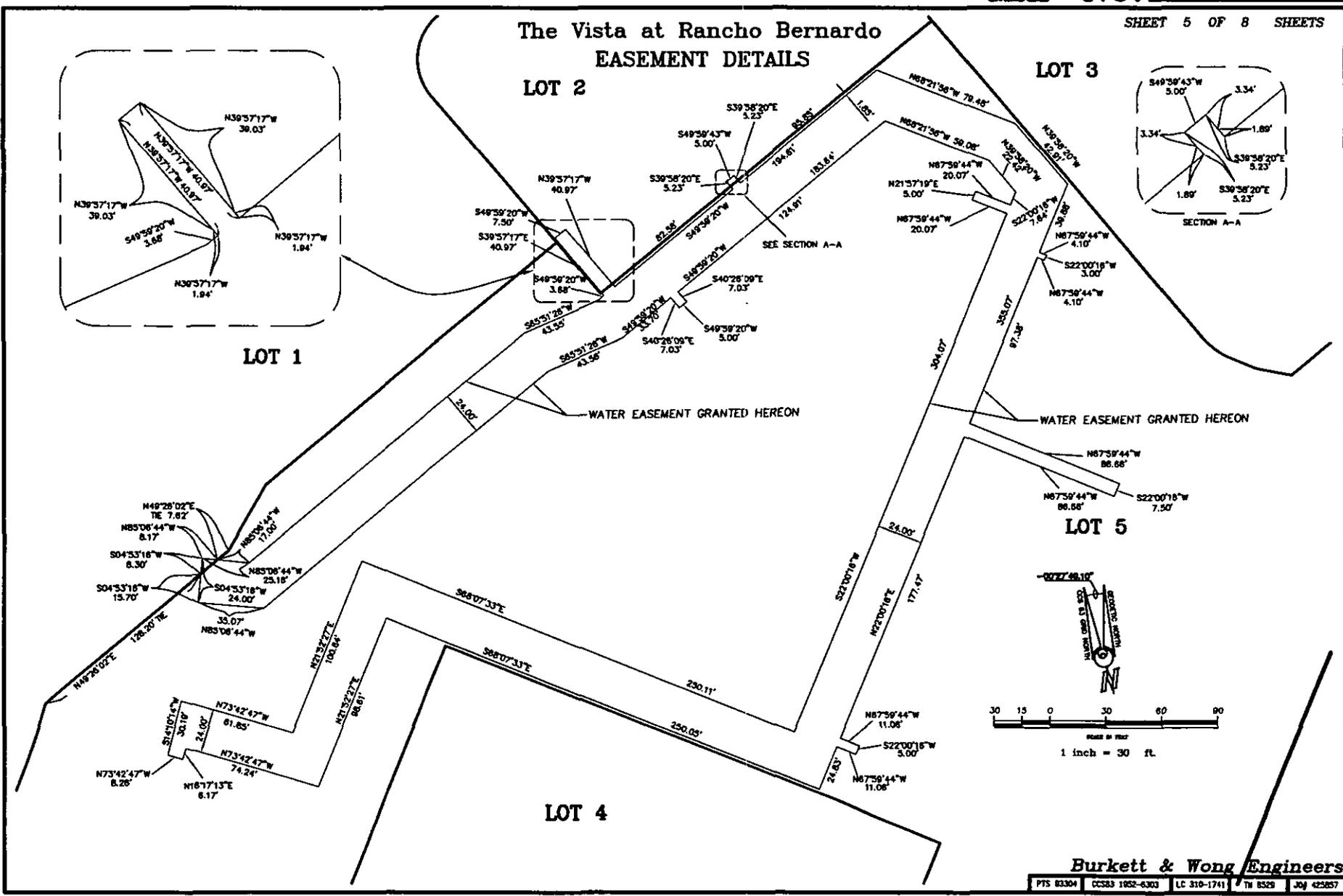
PTS 83304 CCS83 1052-6303 LC 310-1741 TN 8529 J04 425857

000253

MAP NO.

SHEET 5 OF 8 SHEETS

The Vista at Rancho Bernardo EASEMENT DETAILS



Burkett & Wong Engineers

PTS 83304 CCS23 1852-6303 LC 310-1741 TN 8329 JOJ 425857

100254

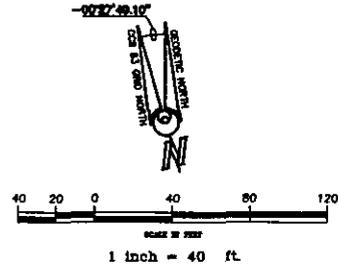
The Vista at Rancho Bernardo
EASEMENT DETAILS
LOT 2

LOT 3

LOT 5

LOT 4

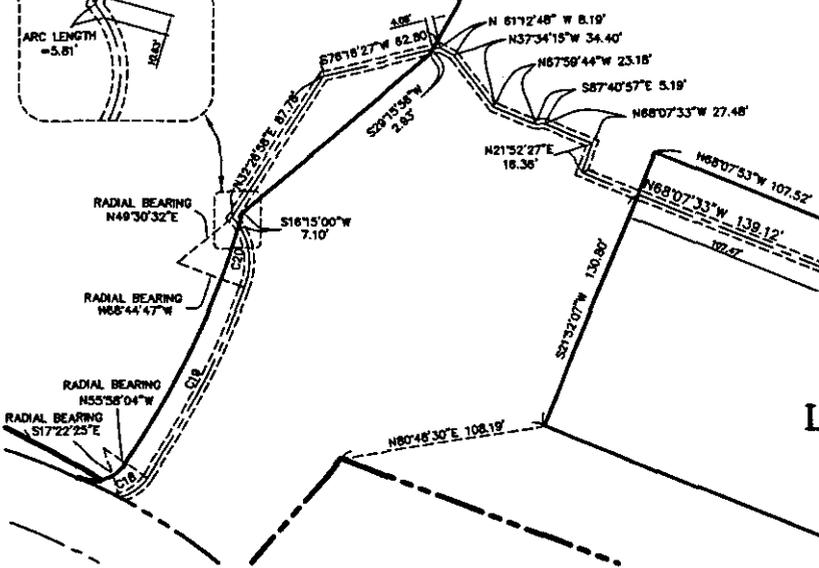
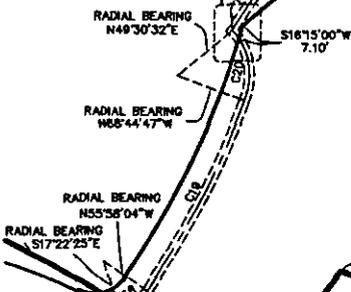
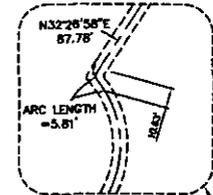
LOT 1



CENTERLINE OF 5.00' WIDE
PEDESTRIAN AND NON-MOTOR
VEHICULAR ACCESS EASEMENT
GRANTED HERON

PM NO. 13441
PARCEL 1

	LENGTH	DELTA	RADIUS	CHORD BEARING
C18	L=18.02	$\Delta=36^{\circ}35'40''$	R=28.78	N3319'45"E
C19	L=111.48	$\Delta=14^{\circ}13'47''$	R=448.88	S28'55'19"W
C20	L=39.88	$\Delta=81^{\circ}44'41''$	R=37.00	S09'37'07"E



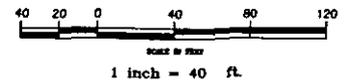
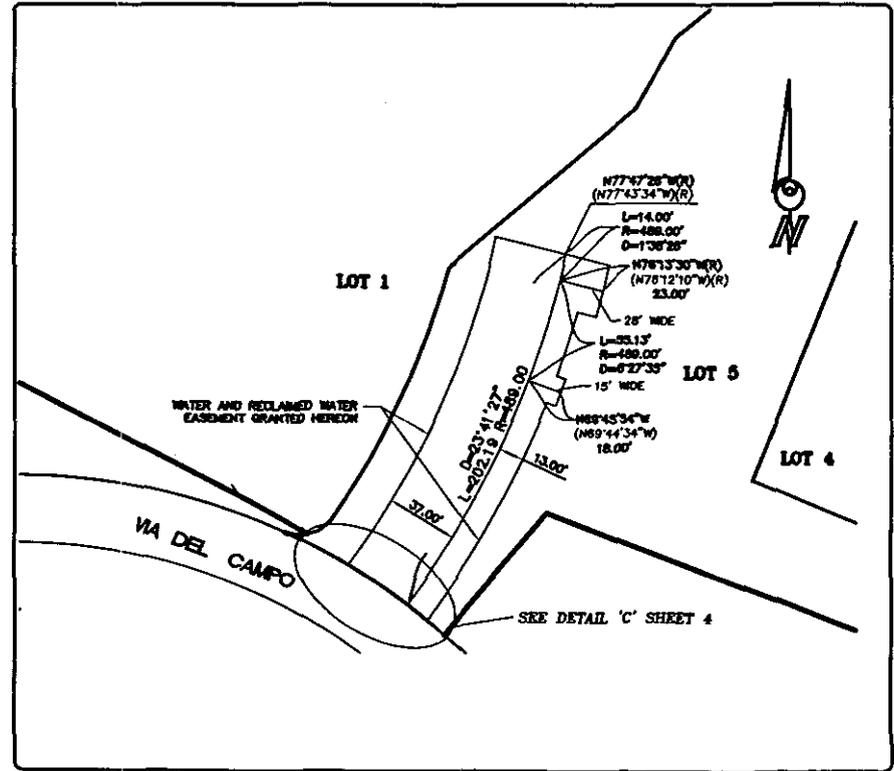
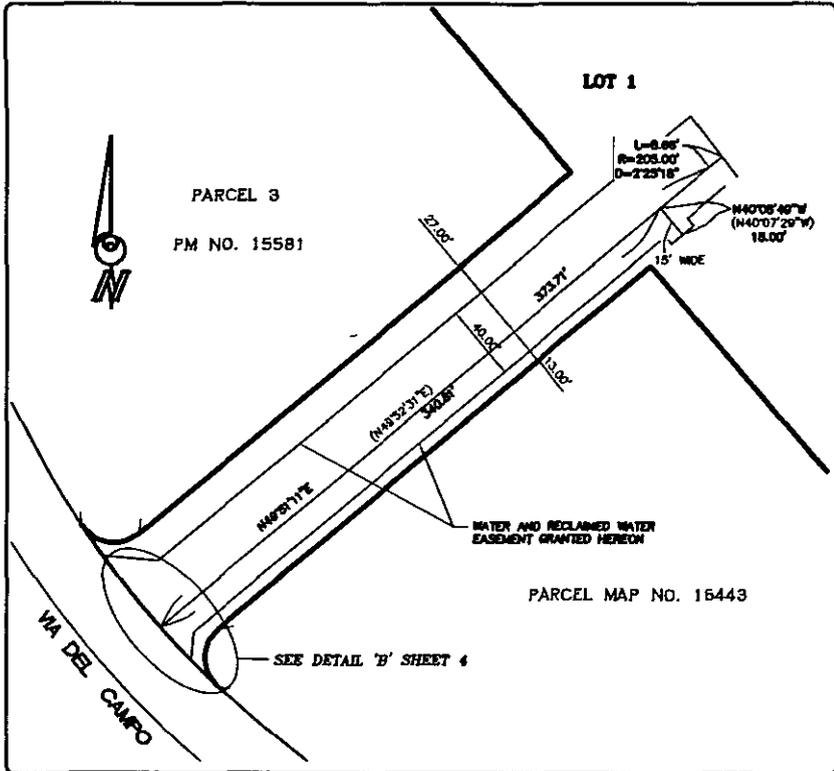
Burkett & Wong Engineers

000256

MAP NO.

SHEET 8 OF 8 SHEETS

The Vista at Rancho Bernardo EASEMENT DETAILS



Burkett & Wong Engineers

PTS 93304 CCS83 1952-6303 LC 510-1741 TN 6529 JO# 425857