

RECOMMENDATIONS

COMMUNITY PLANNING GROUP/STAFF'S/PLANNING COMMISSION

Project Manager **must** complete the following information for the Council docket:

CASE NO. 115857

STAFF'S

Please indicate recommendation for each action. ie: resolution/ ordinance

Staff recommends approval of the resolution for Public Right-of-Way Vacation and Parcel Map No. 550438.

PLANNING COMMISSION (list names of Commissioners voting yea or nay)

The proposed project was determined to be a "Summary Vacation" and therefore in accordance with San Diego Municipal Code section 125.0910 does not require a recommendation from the Planning Commission.

COMMUNITY PLANNING GROUP (choose one)

LIST NAME OF GROUP: San Ysidro Planning & Development Group

- No officially recognized community planning group for this area.
- Community Planning Group has been notified of this project and has not submitted a recommendation.
- Community Planning Group has been notified of this project and has not taken a position.
- Community Planning Group has recommended approval of this project.
- Community Planning Group has recommended denial of this project.
- This is a matter of City-wide effect. The following community group(s) have taken a position on the item:

In favor: 11

Opposed: 0

By _____
Project Manager

001801

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER 347
(FOR AUDITOR'S USE OF) 05/27

TO: CITY ATTORNEY
2. FROM (ORIGINATING DEPARTMENT): Development Services
3. DATE: April 21, 2008

4. SUBJECT: Bolton Hall Road Vacation Project No. 115857

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) William Zounes, Development Project Manager
Phone: (619) 687-5942
6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) Sandra Teasley, Development Project Manager. Phone: (619) 446-5371
7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

8. COMPLETE FOR ACCOUNTING PURPOSES				9. ADDITIONAL INFORMATION / ESTIMATED COST:	
FUND					
DEPT.	1300				
ORGANIZATION	1671				
OBJECT ACCOUNT	4038				
JOB ORDER	427083				
C.I.P. NUMBER					
AMOUNT					

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	KELLY BROUGHTON	5/9/08	8	DEPUTY CHIEF	WILLIAM ANDERSON	5/8/08
2	EAS	TERRY BLUMGARDNER	5/6/08	9	COO		
3				10	CITY ATTORNEY		5/12/08
4	CFO			11	ORIG. DEPT	MIKE WESTLAKE	5/21/08
5				DOCKET COORD: _____ COUNCIL LIAISON _____			
6				<input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____ COUNCIL DATE: _____			
7							

11. PREPARATION OF: RESOLUTIONS ORDINANCE(S) AGREEMENT(S) DEED(S)

Council Resolution approving Parcel Map and Public Right-of-Way Vacation No. 550438.

11A. STAFF RECOMMENDATIONS:

Approve the Parcel Map and Resolution

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): 8

COMMUNITY AREA(S): SAN YSIDRO

ENVIRONMENTAL IMPACT: THIS ACTIVITY IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15060 OF THE STATE CEQA GUIDELINES (THE ACTIVITY IS NOT A PROJECT AS DEFINED IN SECTION 15378).

HOUSING IMPACT: NONE WITH THIS ACTION.

OTHER ISSUES: STANDARD 1472 SUPPORTING DOCUMENT INFORMATION ATTACHED (EXECUTIVE SUMMARY).

CITY CLERK INSTRUCTION

1. Ten (10) working day public notice required.
2. Return copies of the resolution to William Zounes, MS 402
3. Council action requires a majority vote.

001802

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED:

ATTENTION: Council President and City Council

ORIGINATING DEPARTMENT: Development Services Department

SUBJECT: Bolton Hall Road Vacation - Project No. 115857

COUNCIL DISTRICT: 8

STAFF CONTACT: William Zounes, (619) 687-5942, wzounes@sandiego.gov

REQUESTED ACTION: Should the City Council approve or deny a Parcel Map and Public Right-of-Way Vacation located at the northeast intersection of San Ysidro Boulevard and Bolton Hall Road, within the San Ysidro Community Planning area?

STAFF RECOMMENDATION: **APPROVE** Parcel Map and Public Right-of-Way a Vacation No. 550438.

EXECUTIVE SUMMARY: The project is a Parcel Map to consolidate ten remnant parcels of land into three parcels (Parcels 1 through 3) and to vacate a 40-foot wide segment of Bolton Hall Road and a portion of an adjacent alley. The property is located at the intersection of San Ysidro Boulevard and Border Village Road. Interstate 5 abuts the property along the south. The site is designated for commercial uses within the San Ysidro Community Plan and zoned CSR-3 of the San Ysidro Planned District. These properties are currently developed with a service station, a currency exchange business and a parking lot. The Parcel Map also identifies a "Not A Part" parcel of land currently developed with another currency exchange business and excluded from the boundaries of the map. The vacation will include a 130-foot long portion of Bolton Hall Road containing approximately 5,200 square feet and an unimproved alley approximately 80 feet long and containing approximately 1,200 square feet. Both public rights-of-way terminate at Interstate 5. The alley is unpaved and not utilized as a thoroughfare. No new development is proposed with this project.

The project will result in the following new lot configurations and existing developments: The service station will be located on Parcel 1. The currency exchange business will be located on Parcel 3. Parcel 2 is currently used as surplus (non-required) parking. Staff determined that Parcel 2 was originally developed as a stand-alone parking lot. The owner has indicated that Parcel 2 may become available for future development (Attachment 9).

Existing vehicular access to the developments occurs from Border Village Road and San Ysidro Boulevard and will remain unchanged: The service station is accessed from San Ysidro Boulevard. The currency exchange business and parking lot are accessed from Bolton Hall Road. Currently, a mutual access agreement exists between the owners of the parking lot site (proposed on Parcel 2) and the currency exchange business (proposed on Parcel 3), allowing ingress and egress between the existing developments. This agreement will be preserved as part of the Parcel Map. Additionally, a 25-foot wide portion of vacated Bolton Hall Road will be reserved as a general utility easement.

Regulatory Framework

The Land Development Code establishes a process for approving applications to vacate public rights-of-way and includes the applicable findings that a decision maker must make to approve the requested vacation (Attachment 5). The findings generally establish that there is no present or prospective public use for the right-of-way, either for the use for which it was intended, or any other public use of a similar nature; that the public will benefit from the vacation by the improved use of the land; that the vacation will not adversely affect the applicable land use plan; and, that the public facility for which the right-of-way was originally acquired will not be detrimentally affected by the vacation.

Staff has determined that the public rights-of-ways are no longer needed as they terminate adjacent to a freeway and do not provide a vehicular or pedestrian connection to another public right-of-way, nor are they a part of the current or proposed circulation plan for the San Ysidro Community Plan. The City has no future plans to improve the alley. The proposed Parcel Map will consolidate remnant parcels of land and rights-of-way into three parcels, facilitate future development pursuant to the San Ysidro Community plan and the underlying zoning and, reduce potential liability and maintenance concerns to the City.

As described in Section 125.0910(b) and 125.0940(c) of the Municipal Code, this section of right-of-way is eligible to be summarily vacated therefore a recommendation by the Planning Commission is not required.

FISCAL CONSIDERATIONS:

None associated with this action. All costs associated with the processing for this project are paid by the applicant.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

In 1996, the City Council approved the vacation of Bolton Hall Road and a portion of an alley by Resolution Number R-287283. However a certificate of compliance was not filed within the required three years of the approval date therefore, the vacation expired. The 1996 vacation was the only request and did not include a Parcel Map.

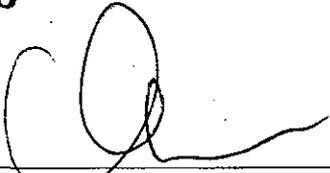
COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The San Ysidro Planning and Development Group voted 11-0-1 on August 21, 2007 to recommend approval of the project with no conditions.

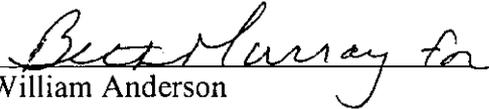
KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

SIMCO; BAROB GROUP, LTD; ELLIOT SIMONS & NANCY SIMONS TRUST; GIN-CAR LTD, LLC; SAN YSIDRO ASSOCIATES, LLC
(Ownership Disclosure Statement Attachment 7).

001805



Kelly Broughton
Director, Development Services Department



William Anderson
Deputy Chief Operating Officer:
Executive Director of City Planning
and Development

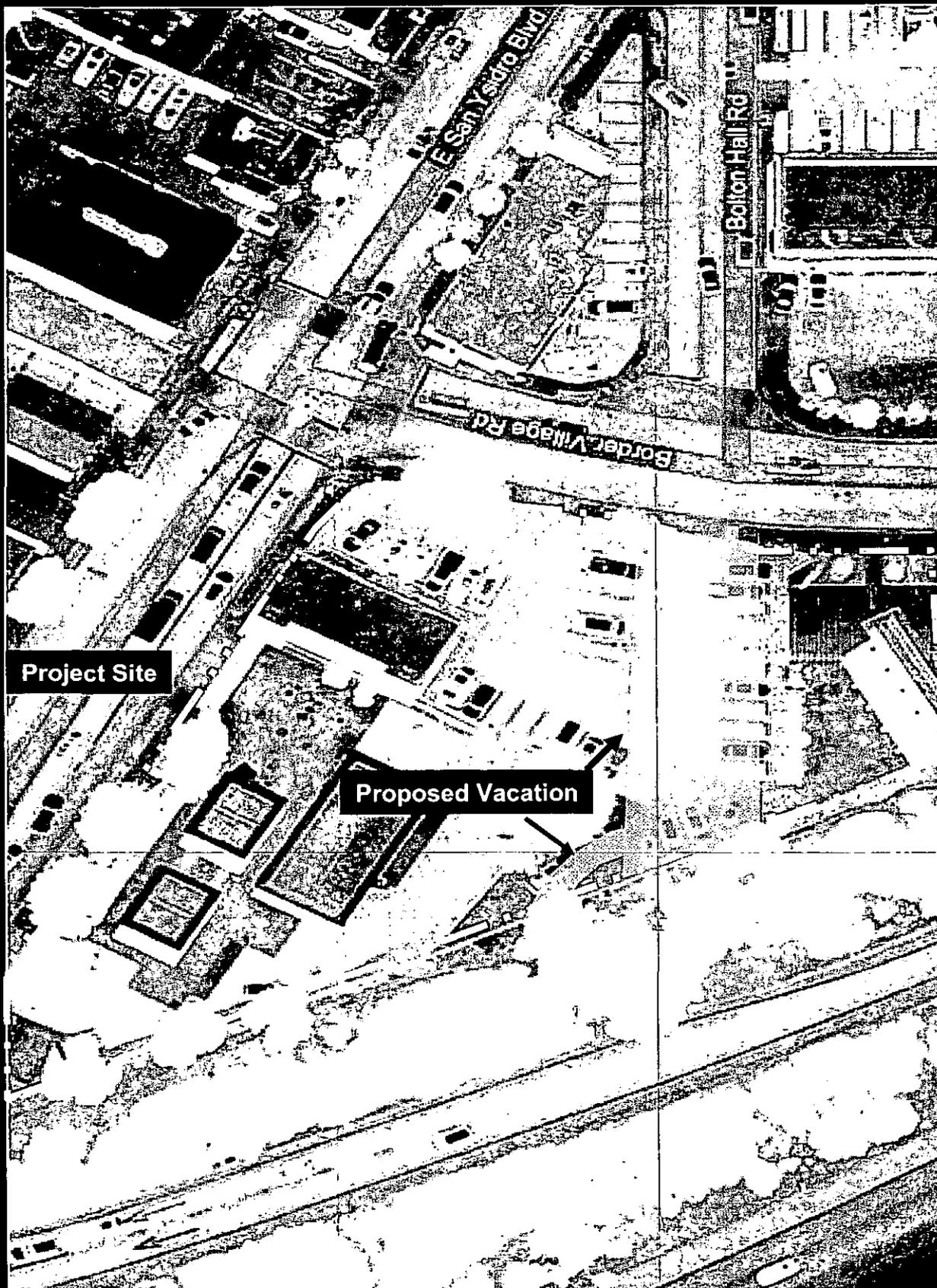
ATTACHMENTS:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Location Map
4. Parcel Map
5. Draft Resolution with Findings
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. Project Chronology
9. Parcel Map and Right-of-Way Vacation Identification Map

001807

Attachment 1

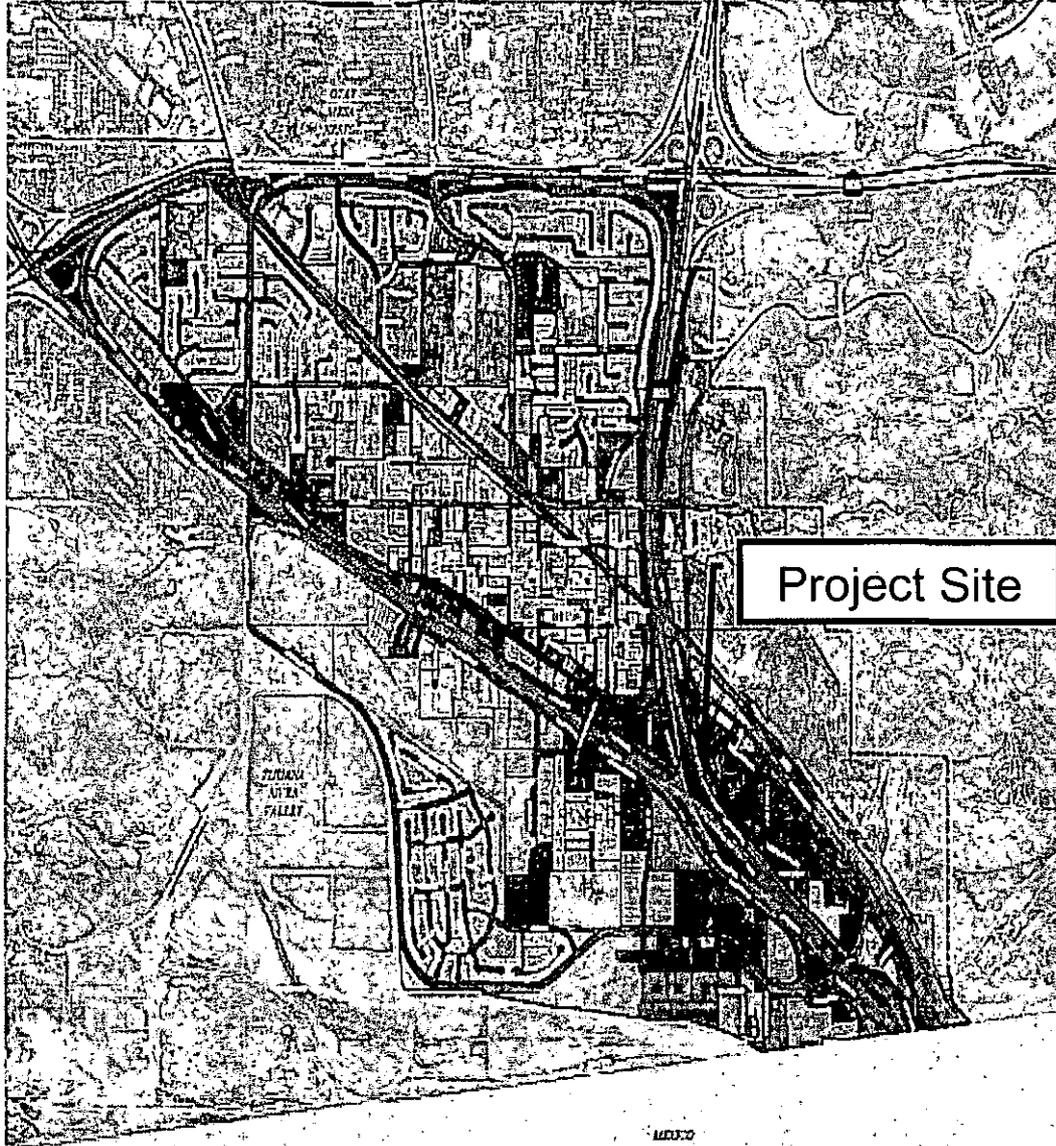
Aerial Photograph of Site



001808



Attachment 2 San Ysidro Community Plan



Map ONE

San Ysidro

Existing Conditions Land Use

Legend

- Large Open Space - River Basin
- Large Open Space - Other
- Medium Density Residential
- Low Density Residential
- Single-Family Residential
- Community Center
- Office/Professional
- Retail
- Industrial
- Public Open Space
- Public Services
- Agriculture
- Park Open Space
- Public Services
- Agriculture

Map prepared by the City of San Diego Planning Department, October 21, 2003. The map is a representation of the existing conditions and does not constitute a commitment or guarantee of any kind. The map is subject to change without notice. The map is not to be used for any purpose other than that for which it was prepared. The map is the property of the City of San Diego and all rights are reserved. No part of this map may be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the City of San Diego Planning Department.

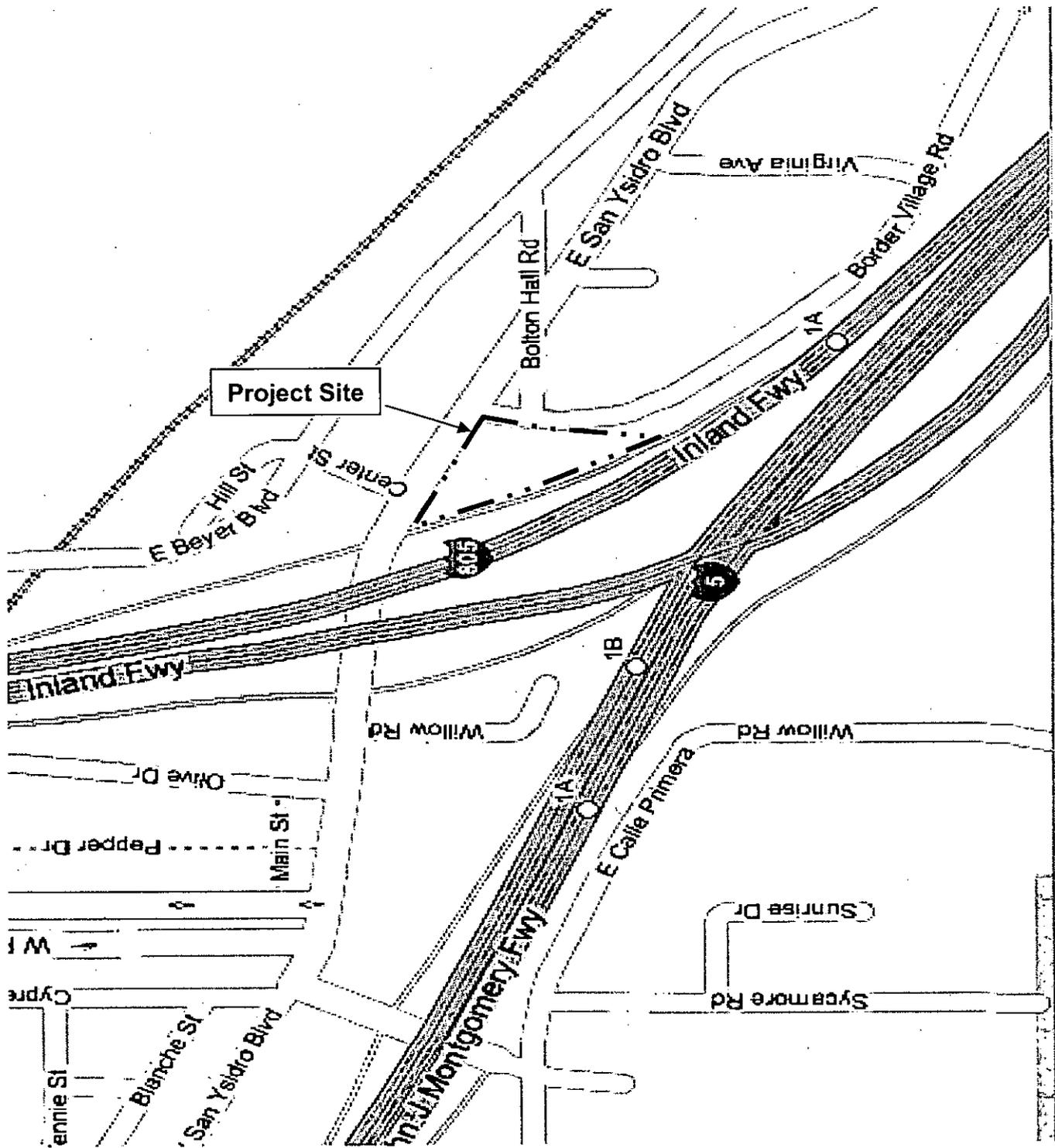
City of San Diego
Planning Department
October 21, 2003

NOV 11 2003

001809



Attachment 3 Project Location Map



PARCEL MAP NO. _____ SHE: _____

Attachment 4
Vacation Exhibits: Parcel Map
Page 1 of 4

OWNER'S STATEMENT

WE ARE THE OWNERS OF OR ARE INTERESTED IN THE PROPERTY COVERED BY THIS MAP HEREBY APPROVE SAID MAP AND FILING THEREOF.

WE HEREBY GRANT TO THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, THE EASEMENTS FOR GENERAL UTILITY AND ACCESS PURPOSES OVER, UNDER, UPON AND ACROSS PARCELS 2 AND 3 SHOWN ON THIS MAP WITHIN THIS SUBDIVISION AND IDENTIFIED AS "GENERAL UTILITY EASEMENT GRANTED HEREON", INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR THE REPAIR, MAINTENANCE, AND ALTERATION OF ANY UTILITY EQUIPMENT OR FACILITY SITUATED IN OR ON SAID EASEMENT, AND ALSO THE RIGHT OF INGRESS AND EGRESS OF EMERGENCY VEHICLES FOR ACCESS TO THE PROPERTIES WITHIN THIS SUBDIVISION OR THE OTHER ADJACENT LANDS FOR EMERGENCY PURPOSES; RESERVING, HOWEVER, TO THE OWNER OF THE FEE TITLE UNDERLYING SAID EASEMENT HEREIN GRANTED, (1) THE CONTINUED USE OF THE SURFACE OF SAID REAL PROPERTY SUBJECT TO THE FOLLOWING CONDITIONS: THE CHANGING OF THE SURFACE GRADE AND THE INSTALLATION OF PRIVATELY OWNED UTILITIES, WHICH MAY INCLUDE SEWER AND WATER MAINS, WATER SERVICES AND SEWER LATERALS, CONDUITS, STORM DRAINS, FIRE HYDRANTS, ELECTRICAL WIRING, ETC. SHALL BE PROHIBITED UNLESS AN ENFORCEMENT MAINTENANCE REMOVAL AGREEMENT IS FIRST REVIEWED AND APPROVED BY THE CITY ENGINEER PURSUANT TO THE MUNICIPAL CODE, AND (2) THE RIGHT TO GRANT EASEMENTS TO SAN DIEGO GAS AND ELECTRIC COMPANY, PACIFIC BELL, A COMMUNITY TELEVISION ANTENNA COMPANY, OR OTHER PUBLICLY FRANCHISED ENTITY PROVIDING A MASTER TELEVISION ANTENNA SYSTEM, PROVIDED THE LOCATION OF SUCH UTILITIES CONFORM TO THE LOCATION OF SIMILAR UTILITIES IN DEDICATED STREETS.

IT IS OUR INTENT TO SURRENDER 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 SEVERE THE LEGITIMATE RIGHTS OF OTHERS WHO MAY HAVE A CLAIM ON THOSE REVERSION RIGHTS PRIOR TO CONVEYANCES.

SIMCO, A PARTNERSHIP, AS OWNER

BY: D. Barry Simons 4/9/08
D. BARRY SIMONS, MANAGER OF G.P. DATE

BY: Virginia Newman 4/11/08
VIRGINIA NEWMAN, MANAGER DATE

BY: Nancy Simons 4/11/08
NANCY SIMONS, TRUSTEE DATE

SAN YSIDRO ASSOCIATES L.L.C., A CALIFORNIA LIMITED LIABILITY COMPANY, AS OWNER

BY: D. Barry Simons 4/9/08
D. BARRY SIMONS, MANAGER DATE

TED AND VIRGINIA NEWMAN LIVING TRUST DATED MAY 1, 1994, AS OWNER

BY: Virginia Newman 4/11/08
VIRGINIA NEWMAN, TRUSTEE DATE

CAROLE A. SIMONS TRUST DATED JULY 23, 1984, AS OWNER WHO ACQUIRED TITLE AS CAROL SIMONS TRUST DATED JULY 23, 1984.

BY: Virginia Newman 4/11/08
VIRGINIA NEWMAN, TRUSTEE DATE

BAROB GROUP LTD., A CALIFORNIA LIMITED PARTNERSHIP, AS OWNER

BY: D. Barry Simons 4/9/08
D. BARRY SIMONS, MANAGER OF G.P. DATE

SIMONS FAMILY TRUST DATED DECEMBER 18, 1984, AS OWNER WHO ACQUIRED TITLE AS SIMONS' TRUST DATED DECEMBER 18, 1984.

BY: Nancy Simons 4/11/08
NANCY SIMONS, TRUSTEE DATE



PARCEL MAP

BEING A LOT CONSOLIDATION AND LOT LINE ADJUSTMENT OF PORTIONS OF LOTS 9, 10, 11, 12, 13 AND 14 OF SCHULTZ'S ADDITION TO SAN YSIDRO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1758, FILED JULY 8, 1923 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY AND A PORTION OF BOUNDARY TRACT, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1890, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY.

ALSO THOSE PORTIONS OF LOTS A-150, A-151, A-152 AND A-153, AS SAID LOTS AS SHOWN ON "ADDITION NO. 1 TO SAN YSIDRO" IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1194 FILED JULY 13, 1909 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

TOGETHER WITH THOSE PORTIONS OF BOLTON HALL ROAD, SAN YSIDRO BOULEVARD, BORDER VILLAGE ROAD, AND THE UNNAMED ALLEY AS DEDICATED TO PUBLIC USE.

PORTIONS OF BOLTON HALL ROAD AND THE UNNAMED ALLEY DEDICATED PER MAP NO. 1758 AND MAP NO. 1194 ARE NOT SHOWN ON THIS MAP BECAUSE THEY HAVE BEEN VACATED PURSUANT TO SECTION 64445(2) OF THE SUBDIVISION MAP ACT.

PARCEL MAP GUARANTEE BY: FIRST AMERICAN TITLE INSURANCE COMPANY ORDER NO. ACS-168728-52

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF SIMCO ON JULY 28, 2008 AND AUGUST 3, 2008. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. (SEE LEGEND ON SHEET NO. 3)



BY: Michael S. Butcher 4/9/08
MICHAEL S. BUTCHER, P.L.S. 6822 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 COMPLES WITH THE SUBDIVISION MAP ACT AND 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.

AFSHIN OSKOLU
CITY ENGINEER

BY: _____
DEPUTY

DATE: _____

RECORDER'S STATEMENT

FILE NO. _____
FILED THIS _____ DAY OF _____ 2008 AT _____ O'CLOCK _____ A.M.
IN BOOK OF PARCEL MAPS AT PAGE _____ AT THE REQUEST OF
MICHAEL S. BUTCHER

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

FEES: \$14.00 65102.00

CITY CLERK CERTIFICATE

I, CITY CLERK OF THE CITY OF SAN DIEGO, CALIFORNIA, HEREBY CERTIFY THAT, BY RESOLUTION NO. _____, THE COUNCIL OF SAID CITY HAS APPROVED THIS MAP INCLUDING THE VACATION OF PORTIONS OF BOLTON HALL ROAD AND THE UNNAMED ALLEY AND THE ABANDONMENT OF THE EASEMENT AS INDICATED HEREON PURSUANT TO THE PROVISIONS OF SECTION 64445 (1) OF THE STATE SUBDIVISION MAP ACT, AND HAS ACCEPTED THOSE ITEMS LISTED IN THE CERTIFICATE SIGNED BY THE OWNERS UNDER THE CONDITIONS EXPRESSED THEREIN. IN WITNESS WHEREOF, SAID COUNCIL HAS CAUSED THESE PRESENTS TO BE EXECUTED BY THE CITY CLERK AND ATTESTED BY ITS SEAL THIS DAY OF _____ 20____.

CITY CLERK BY: _____ DEPUTY DATE

SIGNATURE OMISSION STATEMENT

THE SIGNATURES OF THE PARTIES LISTED BELOW, OWNERS OF EASEMENTS AND RIGHTS PER DOCUMENTS LISTED BELOW, HAVE BEEN OMITTED UNDER PROVISIONS OF SECTION 68436, SUBSECTION (a), (3), (A), (I) OF THE SUBDIVISION MAP ACT, SINCE THEIR INTEREST IS SUCH THAT IT CANNOT OPEN UP TO A FEE TITLE, AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

SAN DIEGO GAS AND ELECTRIC COMPANY, A CORPORATION, HOLDER OF EASEMENT PER DOCUMENTS RECORDED MAY 4, 1993 AS FILE NO. 1993-027783, O.R. RECORDED OCTOBER 28, 1928 IN BOOK 1251 OF DEEDS, PAGE 250.

THE CITY OF SAN DIEGO, OWNERS OF A RIGHT-OF-WAY FOR STREET PURPOSES AS DEDICATED PER MAP NO. 1680 AND MAP NO. 1194 OF SAN DIEGO COUNTY AND DOCUMENTS RECORDED FEBRUARY 14, 1977 AS INSTRUMENT NO. 1977-055278, O.R.

THE CITY OF SAN DIEGO, HOLDER OF EASEMENT PER DOCUMENTS RECORDED JUNE 14, 1973 AS INSTRUMENT NO. 1972-151426, O.R.

THE STATE OF CALIFORNIA, HOLDER OF EASEMENT PER DOCUMENTS RECORDED JUNE 11, 1971 AS INSTRUMENT NO. 123813, O.R., RECORDED JUNE 11, 1971 AS INSTRUMENT NO. 123812, O.R., RECORDED APRIL 7, 1972 AS INSTRUMENT NO. 68342, O.R., RECORDED APRIL 17, 1972 AS INSTRUMENT NO. 94147, O.R.

THE SOUTHERN CALIFORNIA MOUNTAIN WATER COMPANY, RIGHT TO CONSTRUCT DAMS, BY DEED RECORDED MAY 16, 1920 IN BOOK 434, PAGE 340 OF DEEDS.

COUNTY BOARD OF SUPERVISOR'S CERTIFICATE

I, THOMAS J. PASTUSZKA, CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, 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 J. PASTUSZKA BY: _____
CLERK OF THE BOARD OF SUPERVISORS DEPUTY DATE

PARCEL MAP NO. SHI

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA
COUNTY OF San Diego
ON April 9, 2008 BEFORE ME Jennifer Goudeau
A NOTARY PUBLIC, PERSONALLY APPEARED
D. Barry Simons Manager

WHO 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 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.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL
SIGNATURE Jennifer Goudeau

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.
PRINCIPAL COUNTY OF BUSINESS: San Diego
COMMISSION EXPIRES: March 22, 2012
COMMISSION # OF NOTARY: 1791974

STATE OF CALIFORNIA
COUNTY OF San Diego
ON April 18, 2008 BEFORE ME Jennifer Goudeau
A NOTARY PUBLIC, PERSONALLY APPEARED
Nancy Simons, Trustee

WHO 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 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.

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PRINCIPAL COUNTY OF BUSINESS: San Diego
COMMISSION EXPIRES: March 22, 2012
COMMISSION # OF NOTARY: 1791974

STATE OF CALIFORNIA
COUNTY OF San Luis Obispo
ON April 11, 2008 BEFORE ME Judy A. Schulz
A NOTARY PUBLIC, PERSONALLY APPEARED
Virginia Newman

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WITNESS MY HAND AND OFFICIAL SEAL
SIGNATURE Judy A. Schulz

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.
PRINCIPAL COUNTY OF BUSINESS: San Luis Obispo
COMMISSION EXPIRES: February 10, 2009
COMMISSION # OF NOTARY: 1551379

STATE OF CALIFORNIA
COUNTY OF San Diego
ON April 9, 2008 BEFORE ME Jennifer Goudeau
A NOTARY PUBLIC, PERSONALLY APPEARED
D. Barry Simons Manager

WHO 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 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.

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COUNTY OF San Luis Obispo
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A NOTARY PUBLIC, PERSONALLY APPEARED
Virginia Newman

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COUNTY OF San Luis Obispo
ON April 11, 2008 BEFORE ME Judy A. Schulz
A NOTARY PUBLIC, PERSONALLY APPEARED
Virginia Newman

WHO 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 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.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL
SIGNATURE Judy A. Schulz

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.
PRINCIPAL COUNTY OF BUSINESS: San Luis Obispo
COMMISSION EXPIRES: February 10, 2009
COMMISSION # OF NOTARY: 1551379

STATE OF CALIFORNIA
COUNTY OF San Diego
ON April 18, 2008 BEFORE ME Jennifer Goudeau
A NOTARY PUBLIC, PERSONALLY APPEARED
Nancy Simons, Trustee

WHO 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 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.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL
SIGNATURE Jennifer Goudeau

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.
PRINCIPAL COUNTY OF BUSINESS: San Diego
COMMISSION EXPIRES: March 22, 2012
COMMISSION # OF NOTARY: 1791974



PARCEL MAP NO. _____

EASEMENT NOTES

- 15' WIDE SEWER EASEMENT GRANTED TO THE STATE OF CALIFORNIA, RECORDED JUNE 11, 1971 AS INSTRUMENT NO. 123813 OF OFFICIAL RECORDS.
- 15' WIDE SEWER EASEMENT GRANTED TO THE CITY OF SAN DIEGO, RECORDED JUNE 14, 1972 AS INSTRUMENT NO. 1972-151424 OF OFFICIAL RECORDS.
- A PERMANENT EASEMENT AND RIGHT OF WAY FOR PUBLIC STREET GRANTED TO THE CITY OF SAN DIEGO RECORDED FEBRUARY 14, 1977 AS INSTRUMENT NO. 1977-055279 OF OFFICIAL RECORDS.
- A PERMANENT EASEMENT FOR SEWER PURPOSES GRANTED TO THE STATE OF CALIFORNIA RECORDED JUNE 11, 1971 AS INSTRUMENT NO. 123812 OF OFFICIAL RECORDS.
- A PERMANENT EASEMENT FOR SEWER PURPOSES GRANTED TO THE STATE OF CALIFORNIA RECORDED APRIL 7, 1972 AS INSTRUMENT NO. 86342 OF OFFICIAL RECORDS.
- A PERMANENT EASEMENT FOR SEWER PURPOSES GRANTED TO THE STATE OF CALIFORNIA RECORDED APRIL 17, 1972 AS INSTRUMENT NO. 84147 OF OFFICIAL RECORDS.

THE FOLLOWING EASEMENTS HAVE NO EXACT LOCATION SET FORTH AND THEREFORE CANNOT BE PLOTTED ON THIS MAP.

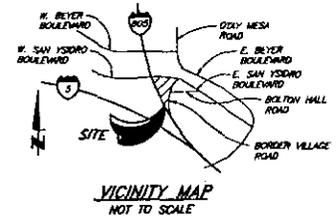
1. AN EXISTING EASEMENT GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED MAY 4, 1993 AS FILE NO. 1993-017783 OF OFFICIAL RECORDS.
2. THE RIGHT TO CONSTRUCT DAMS ACROSS PINE AND COTTONWOOD CREEKS, AS GRANTED TO SOUTHERN CALIFORNIA MOUNTAIN WATER COMPANY BY DEED RECORDED MAY 16, 1908 IN BOOK 431, PAGE 340 OF DEEDS.
3. AN EXISTING EASEMENT GRANTED TO SAN DIEGO GAS & ELECTRIC COMPANY PER DOCUMENT RECORDED OCTOBER 26, 1926 IN BOOK 1251 OF DEEDS, PAGE 230.

NO.	BEARING	RADIUS	LENGTH
1	N89°39'35"W		18.62'
2	S01°21'21"E	20.00'	27.83'
3	N30°20'29"E		30.00'
4	S74°09'08"E	488.34'	5.72'
5	N89°39'35"W		41.72'
6	N30°20'29"E		15.77'
7	N89°34'07"W		28.61'

GRANT DEED AND QUITCLAIM NOTES

- GRANT DEED TO SIMCO, A PARTNERSHIP, RECORDED FEBRUARY 5, 1975 AS F/P 1975-028805 OF O.R.
- GRANT DEED TO SIMCO, A PARTNERSHIP, RECORDED FEBRUARY 5, 1975 AS F/P 1975-028800 OF O.R.
- QUITCLAIM DEED TO SAN YSIDRO ASSOCIATES, L.L.C., A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED JANUARY 21, 2003 AS DOCUMENT NO. 2003-0071053 OF O.R.
- QUITCLAIM DEED TO SAN YSIDRO ASSOCIATES, L.L.C., A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED JANUARY 21, 2003 AS DOCUMENT NO. 2003-0071054 OF O.R.
- GRANT DEED TO SIMCO, RECORDED NOVEMBER 2, 1973 AS F/P 1973-307999 OF O.R.
- GRANT DEED TO TED AND VIRGINIA NEWMAN TRUST DATED MAY 1, 1990, ET. AL. RECORDED JUNE 17, 1994 AS DOCUMENT NO. 1994-0389808 OF O.R.
- GRANT DEED TO TED AND VIRGINIA NEWMAN TRUST DATED MAY 1, 1990, ET. AL. RECORDED JUNE 17, 1994 AS DOCUMENT NO. 1994-0389807 OF O.R.
- GRANT DEED TO TED AND VIRGINIA NEWMAN TRUST DATED MAY 1, 1990, ET. AL. RECORDED JUNE 17, 1994 AS DOCUMENT NO. 1994-0389808 OF O.R.
- GRANT DEED TO TED AND VIRGINIA NEWMAN TRUST DATED MAY 1, 1990, ET. AL. RECORDED JUNE 17, 1994 AS DOCUMENT NO. 1994-0389808 OF O.R.
- GRANT DEED TO SIMCO, RECORDED NOVEMBER 2, 1973 AS F/P 1973-307999 O.R.

PROCEDURE OF SURVEY



LEGEND

- PARCEL MAP BOUNDARY
- CENTERLINE
- ACCESS RIGHTS RELINQUISHED PER DOCUMENT RECORDED JUNE 11, 1971 AS INSTRUMENT NO. 123813 O.R. DOCUMENT RECORDED AUGUST 5, 1953 BOOK 4944 PAGE 115 O.R., DOCUMENT RECORDED APRIL 7, 1972 AS INSTRUMENT NO. 86342 O.R. AND DOCUMENT RECORDED APRIL 17, 1972 AS INSTRUMENT NO. 1972-84147 O.R.
- RECORD DATA PER R.O.S. NO. 18951 (UNLESS NOTED OTHERWISE).
- RECORD OR CALCULATED DATA PER M.S. NO. 742.
- FOUND LEAD AND CITY ENGINEER TAG PER R.O.S. NO. 18951 (UNLESS NOTED OTHERWISE).
- FOUND STANDARD STREET MONUMENT WITH 3" BRASS DISK STAMPED "CITY ENGINEER 1895" PER R.O.S. NO. 18951 (UNLESS NOTED OTHERWISE).
- FOUND 1" PIPE AND TAG DIV. HMTS PER M.S. NO. 742.
- FOUND PK NAIL AND SAN DIEGO CITY ENGINEER SHNER PER R.O.S. NO. 18951 (UNLESS NOTED OTHERWISE).
- SET 2" x 24" IRON PIPE WITH DISC MARKED "L.S. 6922".
- SET 3/4" x 18" IRON PIPE WITH DISC MARKED "L.S. 6922".

SURVEYOR'S NOTES

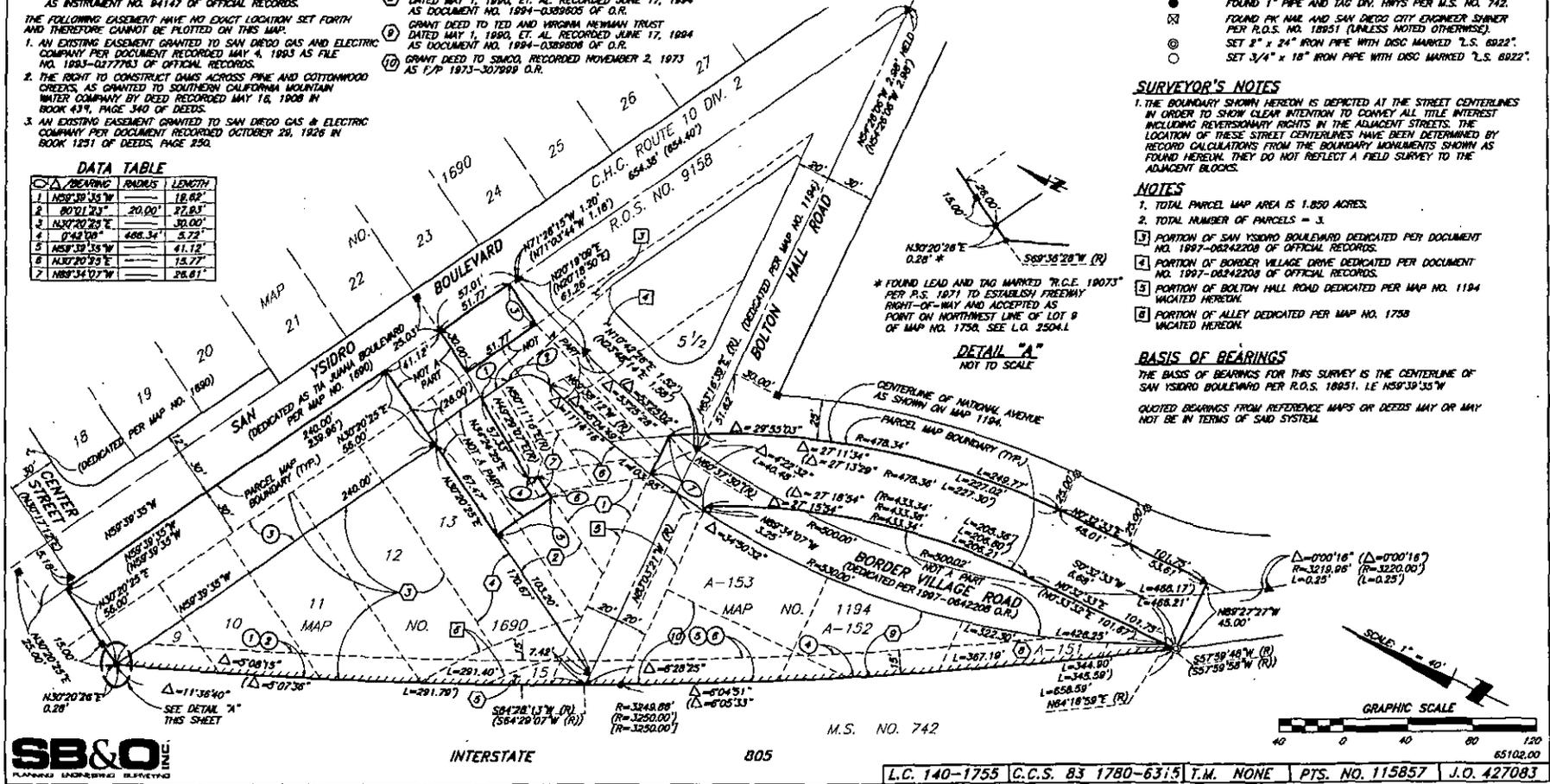
1. THE BOUNDARY SHOWN HEREON IS DEPICTED AT THE STREET CENTERLINES IN ORDER TO SHOW CLEAR INTENTION TO CONVEY ALL TITLE INTEREST INCLUDING REVERSIONARY RIGHTS IN THE ADJACENT STREETS. THE LOCATION OF THESE STREET CENTERLINES HAVE BEEN DETERMINED BY RECORD CALCULATIONS FROM THE BOUNDARY MONUMENTS SHOWN AS FOUND HEREON. THEY DO NOT REFLECT A FIELD SURVEY TO THE ADJACENT BLOCKS.

NOTES

- TOTAL PARCEL MAP AREA IS 1.850 ACRES.
- TOTAL NUMBER OF PARCELS = 3.
- PORTION OF SAN YSIDRO BOULEVARD DEDICATED PER DOCUMENT NO. 1997-0624208 OF OFFICIAL RECORDS.
- PORTION OF BORDER VILLAGE DRIVE DEDICATED PER DOCUMENT NO. 1997-0624208 OF OFFICIAL RECORDS.
- PORTION OF BOLTON HALL ROAD DEDICATED PER MAP NO. 1194 LOCATED HEREON.
- PORTION OF ALLEY DEDICATED PER MAP NO. 1758 LOCATED HEREON.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF SAN YSIDRO BOULEVARD PER R.O.S. 18951. LE N89°39'35"W
QUOTED BEARINGS FROM REFERENCE MAPS OR DEEDS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM.



SB&O INC.
PLANNING ENGINEERING SURVEYING

INTERSTATE

805

M.S. NO. 742

PARCEL MAP NO.

Attachment 4

SJ Vacation Exhibits: Parcel Map
Page 4 of 4

BEARING	RADIUS	LENGTH
N89°39'35"W	19.02	19.02
S80°01'23"E	20.00	27.83
N82°20'25"E	30.00	30.00
0°42'08"	468.34	5.72
N89°39'35"W	41.12	41.12
N82°20'25"E	15.77	15.77
N89°34'07"W	26.81	26.81
S70°43'	530.00	10.13
S58°13'	530.00	15.14

LEGEND

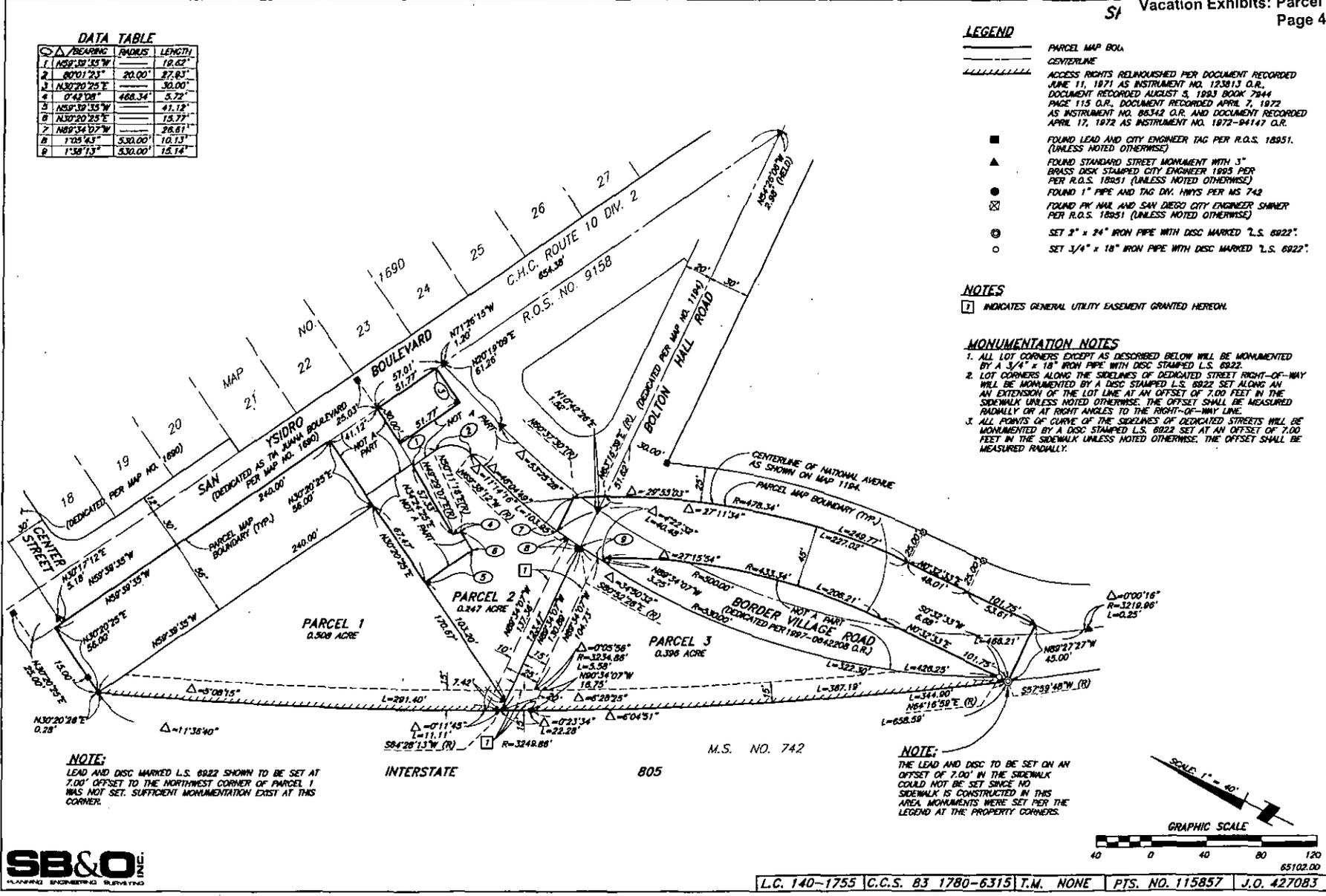
- ▬ PARCEL MAP BDL.
- ▬ CENTERLINE
- ACCESS RIGHTS RELINQUISHED PER DOCUMENT RECORDED JUNE 11, 1971 AS INSTRUMENT NO. 123813 O.R., DOCUMENT RECORDED AUGUST 3, 1981 BOOK 7844 PAGE 115 O.R., DOCUMENT RECORDED APRIL 7, 1972 AS INSTRUMENT NO. 86342 O.R. AND DOCUMENT RECORDED APRIL 17, 1972 AS INSTRUMENT NO. 1872-84147 O.R.
- FOUND LEAD AND CITY ENGINEER TAG PER R.O.S. 18951. (UNLESS NOTED OTHERWISE)
- ▲ FOUND STANDARD STREET MONUMENT WITH 3" BRASS DISK STAMPED CITY ENGINEER 1895 PER R.O.S. 18951 (UNLESS NOTED OTHERWISE)
- FOUND 1" PIPE AND TAG DIV. HMYS PER MS 743
- ⊗ FOUND PK NAIL AND SAN DIEGO CITY ENGINEER SHIMMER PER R.O.S. 18951 (UNLESS NOTED OTHERWISE)
- ⊙ SET 2" x 24" IRON PIPE WITH DISC MARKED "L.S. 6922"
- SET 3/4" x 18" IRON PIPE WITH DISC MARKED "L.S. 6922"

NOTES

- 1 INDICATES GENERAL UTILITY EASEMENT GRANTED HEREON.

MONUMENTATION NOTES

1. ALL LOT CORNERS EXCEPT AS DESCRIBED BELOW WILL BE MONUMENTED BY A 3/4" x 18" IRON PIPE WITH DISC STAMPED L.S. 6922.
2. LOT CORNERS ALONG THE SIDELINES OF DEDICATED STREET RIGHT-OF-WAY WILL BE MONUMENTED BY A DISK STAMPED L.S. 6922 SET ALONG AN EXTENSION OF THE LOT LINE AT AN OFFSET OF 7.00 FEET IN THE SIDEWALK UNLESS NOTED OTHERWISE. THE OFFSET SHALL BE MEASURED RADIALLY OR AT RIGHT ANGLES TO THE RIGHT-OF-WAY LINE.
3. ALL POINTS OF CURVE OF THE SIDELINES OF DEDICATED STREETS WILL BE MONUMENTED BY A DISK STAMPED L.S. 6922 SET AT AN OFFSET OF 7.00 FEET IN THE SIDEWALK UNLESS NOTED OTHERWISE. THE OFFSET SHALL BE MEASURED RADIALLY.



NOTE:
LEAD AND DISK MARKED L.S. 6922 SHOWN TO BE SET AT 7.00' OFFSET TO THE NORTHWEST CORNER OF PARCEL 1 WAS NOT SET. SUFFICIENT MONUMENTATION EXIST AT THIS CORNER.

NOTE:
THE LEAD AND DISK TO BE SET ON AN OFFSET OF 7.00' IN THE SIDEWALK COULD NOT BE SET SINCE NO SIDEWALK IS CONSTRUCTED IN THIS AREA. MONUMENTS WERE SET PER THE LEGEND AT THE PROPERTY CORNERS.

SB&O
PLANNING ENGINEERING SURVEYING

001815

(R-[Reso Code])

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

WHEREAS, California Streets and Highways Code section 8300 et seq., including sections 8330, 8340 and 8350, and San Diego Municipal Code section 125.0910, in conjunction with the findings of Section 125.0941, provide a procedure for the summary vacation of a public right-of-way by City Council resolution; and

WHEREAS, the Applicant Ted and Virginia Newman Living Trust [Applicant] are the owners of Lots 9, 10, 11, 12, 13, 14 and 15 of the Schulz's Addition to San Ysidro, located adjacent to Bolton Hall Road, as found on Map No. 1758, and the owners of a portion of Boundary Tract, as shown on Map No. 1690, as more particularly shown on the Parcel Map identified as PTS No. 115857, marked as Exhibit "A," [collectively, the Subject Property]; and

WHEREAS, the Applicant, as the affected property owner, has requested vacation of two public rights-of-way [collectively, the Public Rights-of-Way to be Vacated or Public Right-of-Way Vacations] comprising a 130-foot long portion of Bolton Hall Road containing approximately 5,200 square feet and an unimproved alley which is connected or adjacent to Bolton Hall Road and which is approximately 80 feet long and contains approximately 1,200 square feet. Bolton Hall Road is west of Border Village Drive and the alley is adjacent to Lots 11, 12, 13, and 15 of the Schulz Addition San Ysidro, as shown on Map No. 1758, and as more particularly shown on the Parcel Map identified as PTS No. 115857, marked as Exhibit "A," and on file in the office of the City Clerk as Document No. RR-_____; and

001816

(R-[Reso Code])

WHEREAS, these portions of the public rights-of-way are excess public rights-of-way and are not required for street or highway purposes; and

WHEREAS, the Applicant has also requested a lot consolidation and lot line adjustment to consolidate ten parcels adjacent to Bolton Hall Road into three parcels, including consolidation of portions of Lots 9, 10, 11, 12, 13, and 14 of Schulz's Addition to San Ysidro, as shown on Map No. 1758, and a portion of Boundary Tract, as shown on Map No. 1690, as more particularly shown on the Parcel Map identified as PTS No. 115857, marked as Exhibit "A," and on file in the office of the City Clerk as Document No. RR-_____; and

WHEREAS, although the Public Rights-of-Way to be Vacated do contain public utility facilities and public utility easements, said facilities, uses or public works are not affected by these Public Right-of-Way Vacations because of certain reservation of rights expressed herein; and

WHEREAS, in connection with these Public Right-of-Way Vacations, the City desires and shall by this Resolution reserve to itself certain public utility easements and rights located or to be located in, under, over, upon, along and across the Public Rights-of Way to be Vacated, as more full described herein below; and

WHEREAS, the City of San Diego hereby reserves and excepts, from these vacations described herein, the right, easement, and privilege of placing, constructing, repairing, replacing, maintaining, using, and operating public utilities of any kind or nature, and appurtenant structures thereto, including, but not limited to, general utilities and all necessary and proper fixtures and equipment for use in connection therewith, in, through, over, under, upon, along, and across the Public Rights-of-Way to be Vacated, together with the right of ingress thereto and egress there from, together with the right to maintain the public utility easements free and clear

of any excavation or fills, the erection or construction of any building or other structures, the planting of any tree or trees thereon, or the drilling or digging of any well or wells thereon, together with the right to otherwise protect from all hazards the operation and use of any right hereby reserved. If the owner of the underlying fee obtains approval for an encroachment permit from the City Engineer pursuant to the San Diego Municipal Code, then the owners of the underlying fee may utilize the Subject Property for structures, the planting or growing of trees or the installation of privately owned pipelines; and

WHEREAS, the City of San Diego hereby reserves and excepts, from these vacations described herein, the easements and rights of any public utility pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew, and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles, and other structures, equipment, and fixtures for the transportation and distribution of *electrical or electronic energy and natural gas, and the transportation and distribution of* communication signals and for incidental purposes including access to protect these public works from all hazards in, upon, over, and across the Public Rights-of-Way to be Vacated; and

WHEREAS, granting of these Public Right-of-Way Vacations does not free the Subject Property from any other easements for vehicular or nonvehicular trail use that the City had previously transferred or granted to the state or other public agency nor does it affect any existing private easements or other rights of a person (including, but not limited to, a public utility, the state, a public corporation, or a political subdivision, other than the City) in, to, or over the Subject Property, regardless of the manner in which the private easement or other right was acquired; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City 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; and

WHEREAS, the matter was set for public hearing on _____, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Public Rights-of Way Vacation Nos. _____:

1. There is no present or prospective public use for these public rights-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated in that this portion of the street is not needed for road purposes.
2. The public will benefit from the action through improved use of the land made available by these vacations.
3. These vacations do not adversely affect any applicable land use plan and are consistent with the General Plan and approved Community Plan.
4. The public street system and the other public purposes for which these public rights-of-way were originally acquired will not be detrimentally affected by these vacations.
5. Public convenience and necessity require the City to make certain reservations and exceptions from these vacations as fully described herein in order to maintain, operate, replace, remove, renew or construct public utilities.

(R-[Reso Code])

BE IT FURTHER RESOLVED, as follows:

1. That these Public Rights-of-Way to be Vacated, more particularly described in the legal description marked as Exhibit "A," and on file in the office of the City Clerk as Document Nos. RR _____ are ordered vacated as conditioned herein.

2. That these vacations ordered by this Resolution shall not become effective unless and until the Parcel Map has been approved by City Council action and recorded in the office of the County Recorder by the City Clerk.

2. That the City Clerk shall cause a certified copy of this Resolution, with attached exhibits, attested by her under seal, to be recorded in the office of the County Recorder upon the approval of the Parcel Pam by City Council.

BE IT FURTHER RESOLVED, that this activity is exempt from the California Environmental Quality Act [CEQA] pursuant to Section _____ of the State CEQA Guidelines.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By _____
Shirley R. Edwards
Chief Deputy City Attorney

SRE:pev
05/05/08
Or.Dept:DSD
R-2008-Draft
MMS #6186

9/18/07: APPROVED WITH CORRECTIONS AFTER RECONSIDERATION (9-0)

SAN YSIDRO PLANNING & DEVELOPMENT GROUP

Minutes from August 21, 2007

1. Call to order: 5:35 p.m. Chairman David Flores called meeting to order.**Roll Call: Present:** I. Adato (5:40 pm); L. Alvarez; T. Currie; D. Flores; M. Freedman; S. Gonzalez ; J. Goudeau; R. Moran; S. Otto; M. Paul (5:55 pm); A. Perez; F. Sanchez (5:45 pm);**Excused:** J. Barajas; J. Serhan**Unexcused:** None

Quorum of 9 present 5:35 pm (vote on Item 2)

Quorum of 10 present 5:40 pm

Quorum of 9 present 5:41 pm (vote on Item 3) R. Moran stepped out of room.

Quorum of 11 present 5:45 pm

Quorum of 12 present 5:55 pm (vote on Items 6(a), 6(b), 6(c))

2. Approval of Minutes of Previous Meeting:**Motion by T. Currie and seconded by A. Perez to approve Minutes of July 17, 2007 with corrections "Add R. Moran as excused; and Unexcused: None": Motion Passed (8-0-1). Yeas: L. Alvarez, T. Currie, D. Flores, M. Freedman, J. Goudeau, S. Otto, R. Moran, A. Perez. Noes: None. Abstain: S. Gonzalez.****3. Agenda Modifications:****Motion by M. Freedman and seconded by S. Gonzalez to add as item 6(c) the San Ysidro Community Planning Group Bylaws. Motion passed (9-0-0): Yeas: I. Adato, L. Alvarez, T. Currie, D. Flores, M. Freedman, S. Gonzalez, J. Goudeau, S. Otto, A. Perez. Noes: None. Abstain: None.****4. Announcements:****a. Vacancies:** One. Item will be continued to next meeting.**b. Chairman:** Two announcements on published agenda. Additional announcements:

1. San Ysidro Transportation Collaborate will meet Friday August 24th at Noon at the Community Service Center. All are welcome. Call Steve Otto (619) 428-5200 for more information.
2. General Plan Update Status Report – There have been significant edits so public hearing has been postponed.
3. Public Meeting regarding Mini-Dorms (Rooming House Ordinance) to be on September 6th @ the Planning Commission Room located at 202 C Street, San Diego. Contact Marianne Green (619) 533-5822 or Amanda Lee (619) 446-5367 for additional information.
4. San Ysidro Foreclosures in zip 92173 are at 27.95% versus 12.26% for San Diego County.
5. San Ysidro Chamber of Commerce Breakfast is Tuesday August 29th @ 8 am at the Home town Buffet. Congressman Bob Filner will be the guest speaker.

9/18/07: APPROVED WITH CORRECTIONS AFTER RECONSIDERATION (9)

c. Group Members:

1. Hearts & Hands Annual Dinner will be October 19th @ 6pm. Contact Alicia Jimenez at (619) 690-7706.
2. Fiesta Piedras will be held at Larsen Field on September 15 & 16 from 10 am to 9pm. Sponsored by the Parks and Rec Dept.

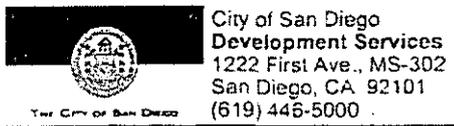
d. City Officials Announcements:

1. Officer Bertha MacTiernan reported gang violence/activity has increased in San Ysidro. San Ysidro is ranked # 3 in the City, but not much difference between #1 to 3. Please call SDPD non emergency # (619) 531-2000 to report any observed gang presence.

e. Members of the Public: None5. **Public Comment:** None.**6. Docket Items:**

- a. **San Ysidro Public Facilities Financing Plan** - The Plan will be going before the Land Use and Housing Committee in September, and City Council in October. Copies of the Plan were distributed at the July meeting for all to review. **Motion was made by M. Freedman and seconded by S. Otto to recommend that the Land Use and Housing (LU&H) Committee of the City Council approve the August 2007 draft San Ysidro Public Facilities Financing Plan (PFFP), with the understanding that only minor and non-substantial technical edits are made from the draft provided to the planning group by Facilities Financing Division. Motion Passed (12-0-0). Yeas: I. Adato, L. Alvarez, T. Currie, D. Flores, M. Freedman, S. Gonzalez, J. Goudeau, R. Moran, S. Otto, M. Paul, A. Perez, F. Sanchez. Noes: None. Abstain/Recuse: None.**
- b. **Bolton Hall Road Vacation** - J. Goudeau recused herself. Application for a (Process 5) Parcel Map to vacate a portion of an alley dedicated on Map Nos. 1194 and 1758. The property is located at 320 Bolton Hall Road between Border Village and Interstate 805 in the SYIO_CSR-3 Zone. Mr. Michael Pallamary presented. **Motion was made by I. Adato and Seconded by T. Currie to approve the Parcel Map to vacate Bolton Hall Road (between Border Village and Interstate 805) and adjacent alley. Motion Passed (11-0-1). Yeas: I. Adato, L. Alvarez; T. Currie; D. Flores; M. Freedman; S. Gonzalez; R. Moran; S. Otto; M. Paul; A. Perez; F. Sanchez. Noes: None. Abstain/Recuse: J. Goudeau.**
- c. **San Ysidro Community Planning Group Bylaws** - Drafts of the Bylaws were mailed or e-mailed to all Planning Group elected members to review before this meeting. I. Adato suggested that San Ysidro have a mini-COW meeting to educate the group members in the new requirements once officially approved by the City. **Motion was made by M. Freedman and seconded by J. Goudeau To adopt the August 9, 2007 draft of the Amended and Restated Bylaws as recommended by the unanimous vote of the Bylaws Subcommittee together with the inclusion of the changes in the Errata dated August 20, 2007 finding that they are consistent with Council Policy 600-24 and to forward the document with the changes made to the City Planning & Community Investment Department for approval.**

001823



Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other

Project Title: BOLTON HALL LOT LINE CONSOLIDATION PARCEL MAP Project No. For City Use Only

Project Address: BOLTON HALL ROAD & 314 E. SAN YSIDRO BLVD

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of Individual (type or print): _____

Owner Tenant/Lessee Redevelopment Agency

Street Address: _____

City/State/Zip: _____

Phone No: _____ Fax No: _____

Signature: _____ Date: _____

Name of Individual (type or print): _____

Owner Tenant/Lessee Redevelopment Agency

Street Address: _____

City/State/Zip: _____

Phone No: _____ Fax No: _____

Signature: _____ Date: _____

Name of Individual (type or print): _____

Owner Tenant/Lessee Redevelopment Agency

Street Address: _____

City/State/Zip: _____

Phone No: _____ Fax No: _____

Signature: _____ Date: _____

Name of Individual (type or print): _____

Owner Tenant/Lessee Redevelopment Agency

Street Address: _____

City/State/Zip: _____

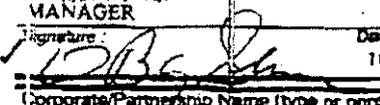
Phone No: _____ Fax No: _____

Signature: _____ Date: _____

001824

10-05-2006 2:38AM FROM
10/05/2006 10:20 7609439541

KAPLUB GROUP

Project Title:		Project No. (For City Use Only)	
Part II - To be completed when property is held by a corporation or partnership			
Legal Status (please check):			
<input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Limited Liability -or- <input type="checkbox"/> General) What State? CA Corporate Identification No. _____ <input checked="" type="checkbox"/> Partnership			
By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Corporate/Partnership Name (type or print): SIMCO		Corporate/Partnership Name (type or print): GIN-CAR LTD. LLC	
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee		<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	
Street Address: 1330 NEPTUNE AVE.		Street Address: 1933 PACIFIC AVE	
City/State/Zip: LEUCADIA, CA 92024		City/State/Zip: CAYUCOS, CA 93430	
Phone No: (760-942-3437)		Phone No: 805-995-1982	
Fax No: 760-943-9541		Fax No: 805-995-1982	
Name of Corporate Officer/Partner (type or print): D. BARRY SIMONS		Name of Corporate Officer/Partner (type or print): VIRGINIA NEWMAN	
Title (type or print): GENERAL PARTNER		Title (type or print): MANAGER	
Signature: 		Signature: _____	
Date: 10/5/06		Date: 10/5/06	
Corporate/Partnership Name (type or print): BAROB GROUP LTD.		Corporate/Partnership Name (type or print): SAN YSIDRO ASSOCIATES LLC	
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee		<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	
Street Address: 1330 NEPTUNE AVE.		Street Address: 1330 NEPTUNE AVE.	
City/State/Zip: LEUCADIA, CA 92024		City/State/Zip: LEUCADIA, CA 92024	
Phone No: 760-942-3437		Phone No: 760-942-3437	
Fax No: 760-943-9541		Fax No: 760-943-9541	
Name of Corporate Officer/Partner (type or print): D. BARRY SIMONS		Name of Corporate Officer/Partner (type or print): D. BARRY SIMONS	
Title (type or print): GENERAL PARTNER		Title (type or print): MANAGER	
Signature: 		Signature: 	
Date: 10/5/06		Date: 10/5/06	
Corporate/Partnership Name (type or print): ELLIOT SIMONS & NANCY SIMONS TRUST		Corporate/Partnership Name (type or print):	
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee		<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	
Street Address: 3311 CAMINITO CABO VIEJO		Street Address:	
City/State/Zip: DEL MAR, CA 92014		City/State/Zip:	
Phone No: 858-259-4470		Phone No:	
Fax No:		Fax No:	
Name of Corporate Officer/Partner (type or print): NANCY SIMONS		Name of Corporate Officer/Partner (type or print):	
Title (type or print): TRUSTEE		Title (type or print):	
Signature: _____		Signature: _____	
Date: 10/5/06		Date:	

FROM : SIMONS

PHONE NO. : 619 2594470

Project Title:	Project No. (For City Use Only)
Part II - To be completed when property is held by a corporation or partnership	
Legal Status (please check):	
<input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Limited Liability -or- <input type="checkbox"/> General What State? <u>CA</u> Corporate Identification No. _____ <input checked="" type="checkbox"/> Partnership	
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Corporate/Partnership Name (type or print): <u>SIMCO</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	Corporate/Partnership Name (type or print): <u>GIN-CAR LTD. LLC</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address: <u>1330 NEPTUNE AVE.</u> City/State/Zip: <u>LEUCADIA, CA 92024</u> Phone No: (<u>760-942-3437</u>) Fax No: <u>760-943-9541</u>	Street Address: <u>1933 PACIFIC AVE</u> City/State/Zip: <u>CAYUCOS, CA 91430</u> Phone No: <u>805-995-1982</u> Fax No: <u>805-995-1982</u>
Name of Corporate Officer/Partner (type or print): <u>D. BARRY SIMONS</u> Title (type or print): <u>GENERAL PARTNER</u> Signature: _____ Date: <u>10/5/06</u>	Name of Corporate Officer/Partner (type or print): <u>VIRGINIA NEWMAN</u> Title (type or print): <u>MANAGER</u> Signature: _____ Date: <u>10/5/06</u>
Corporate/Partnership Name (type or print): <u>BAROB GROUP LTD.</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	Corporate/Partnership Name (type or print): <u>SAN YSIDRO ASSOCIATES LLC</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address: <u>1330 NEPTUNE AVE.</u> City/State/Zip: <u>LEUCADIA, CA 92024</u> Phone No: <u>760-942-3437</u> Fax No: <u>760-943-9541</u>	Street Address: <u>1330 NEPTUNE AVE.</u> City/State/Zip: <u>LEUCADIA, CA 92024</u> Phone No: <u>760-942-3437</u> Fax No: <u>760-943-9541</u>
Name of Corporate Officer/Partner (type or print): <u>D. BARRY SIMONS</u> Title (type or print): <u>GENERAL PARTNER</u> Signature: _____ Date: <u>10/5/06</u>	Name of Corporate Officer/Partner (type or print): <u>D. BARRY SIMONS</u> Title (type or print): <u>MANAGER</u> Signature: _____ Date: <u>10/5/06</u>
Corporate/Partnership Name (type or print): <u>ELLIOT SIMONS & NANCY SIMONS TRUST.</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address: <u>3311 CAMINITO CABO VIEJO</u> City/State/Zip: <u>DEL MAR, CA 92014</u> Phone No: <u>858-259-4470</u> Fax No: _____	Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____
Name of Corporate Officer/Partner (type or print): <u>NANCY SIMONS</u> Title (type or print): <u>TRUSTEE</u> Signature: <u>Nancy Simons, Jr.</u> Date: <u>10/5/06</u>	Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature: _____ Date: _____

Project Title:	Project No. (For City Use Only)
Part II - To be completed when property is held by a corporation or partnership	
Legal Status (please check):	
<input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Limited Liability -or- <input type="checkbox"/> General What State? CA Corporate Identification No. _____ <input checked="" type="checkbox"/> Partnership	
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Corporate/Partnership Name (type or print): SIMCO <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	Corporate/Partnership Name (type or print): GIN-CAR LTD, LLC <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address: 1330 NEPTUNE AVE. City/State/Zip: LEUCADIA, CA 92024 Phone No: (760-942-3437) Fax No: 760-943-9541	Street Address: 1933 PACIFIC AVE City/State/Zip: CAYUCOS, CA 93430 Phone No: 805-995-1982 Fax No: 805-995-1982
Name of Corporate Officer/Partner (type or print): D. BARRY SIMONS Title (type or print): GENERAL PARTNER Signature: _____ Date: 10/5/06	Name of Corporate Officer/Partner (type or print): VIRGINIA NEWMAN Title (type or print): MANAGER <i>Virginia Newman</i> Signature: <i>Virginia Newman</i> Date: 10/5/06
Corporate/Partnership Name (type or print): BAROB GROUP LTD. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	Corporate/Partnership Name (type or print): SAN ISIDRO ASSOCIATES LLC <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address: 1330 NEPTUNE AVE. City/State/Zip: LEUCADIA, CA 92024 Phone No: 760-942-3437 Fax No: 760-943-9541	Street Address: 1330 NEPTUNE AVE. City/State/Zip: LEUCADIA, CA 92024 Phone No: 760-942-3437 Fax No: 760-943-9541
Name of Corporate Officer/Partner (type or print): D. BARRY SIMONS Title (type or print): GENERAL PARTNER Signature: _____ Date: 10/5/06	Name of Corporate Officer/Partner (type or print): D. BARRY SIMONS Title (type or print): MANAGER Signature: _____ Date: 10/5/06
Corporate/Partnership Name (type or print): ELLIOT SIMONS & NANCY SIMONS TRUST <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address: 3311 CAMINITO CABO VIEJO City/State/Zip: DEL MAR, CA 92014 Phone No: 858-259-4470 Fax No:	Street Address: City/State/Zip: Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): NANCY SIMONS Title (type or print): TRUSTEE Signature: _____ Date: 10/5/06	Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: _____ Date:

Member:
Simco Group, Inc.

Manager
Bear Realty LLC

001827

SIMCO GROUP INC., a California "S" Corporation

Tax ID #33-0550774

Officers & Shareholders

- | | | | |
|---|----------------|--|----------------|
| <p>1 <u>Chief Executive Officer Nancy Simons</u>
Elliot Simons & Nancy Simons Trust dated 12/18/84
3311 Caminito Cabo Viejo
Del Mar CA 92014
(858) 259-4470</p> | <p>33.33%</p> | <p>2 <u>Chief Financial Officer D. Barry Simons</u>
D. Barry Simons Trust dated 8/20/84
1330 Neptune Ave.
Leucadia, CA 92024
(760)942-3437, Fax: (760)943-9541</p> | <p>16.667%</p> |
| <p>3 Robbi Simons Trust dated 2/21/92
1330 Neptune Ave.
Leucadia, CA 92024
(760)942-3437, Fax: (760)943-9541</p> | <p>16.67%</p> | <p>4 <u>Secretary Virginia Newman</u>
Ted B. & Virginia Newman Living Trust, dated 5/1/90
Ted Newman & Virginia Newman, Trustees
1933 Pacific Ave
Cayucos CA 93430
(805)995-1982; Fax: (805)995-1240</p> | <p>16.667%</p> |
| <p>4 Carol Simmons Trust 7/23/84
Virginia Newman, Trustee
1933 Pacific Ave
Cayucos CA 93430
(805)995-1982; Fax: (805)995-1240</p> | <p>16.667%</p> | | |

1 General Partner
Bear Realty LLC, a Delaware limited liability company
1330 Neptune Ave. 1.00%
Leucadia, CA 92024
(760)942-3437; Fax: (760) 943-9541

2 Limited Partner
Robbi Simons Trust dated 2/21/92 50.00%
1311 Rubenstein
Cardiff, CA 92007
(760)942-3645; cell (510)918-5020

3 Limited Partner
D. Barry Simons Trust dated 8/20/84 49.000%
1330 Neptune Ave.
Leucadia, CA 92024
(760)942-3437; Fax: (760) 943-9541

BEAR REALTY LLC, a Delaware limited liability company as of 7/26/01

Tax ID#563-70-8838

Secretary of State Corporation #: 010358584-3417898

1 Member and Manager
D. Barry Simons, Trustee of the D. Barry Simons Trust dated 8/20/84 100.000%
1330 Neptune Ave.
Leucadia, CA 92024
(760)942-3437; Fax: (760) 943-9541

001828

GIN-CAR LTD, LLC

1 Member

Ted B. & Virginia Newman Living
Trust, dated 5/1/90

50%

Ted Newman & Virginia Newman, Trustees
1933 Pacific Ave
Cayucos CA 93430
(805)995-1982; Fax: (805)995-1240

2 Member

Carol Simmons Trust 7/23/84
Virginia Newman, Trustee

50%

1933 Pacific Ave
Cayucos CA 93430
(805)995-1982; Fax: (805)995-1240

Manager

Virginia Newman
1933 Pacific Ave
Cayucos CA 93430
(805)995-1982; Fax: (805)995-1240

001629

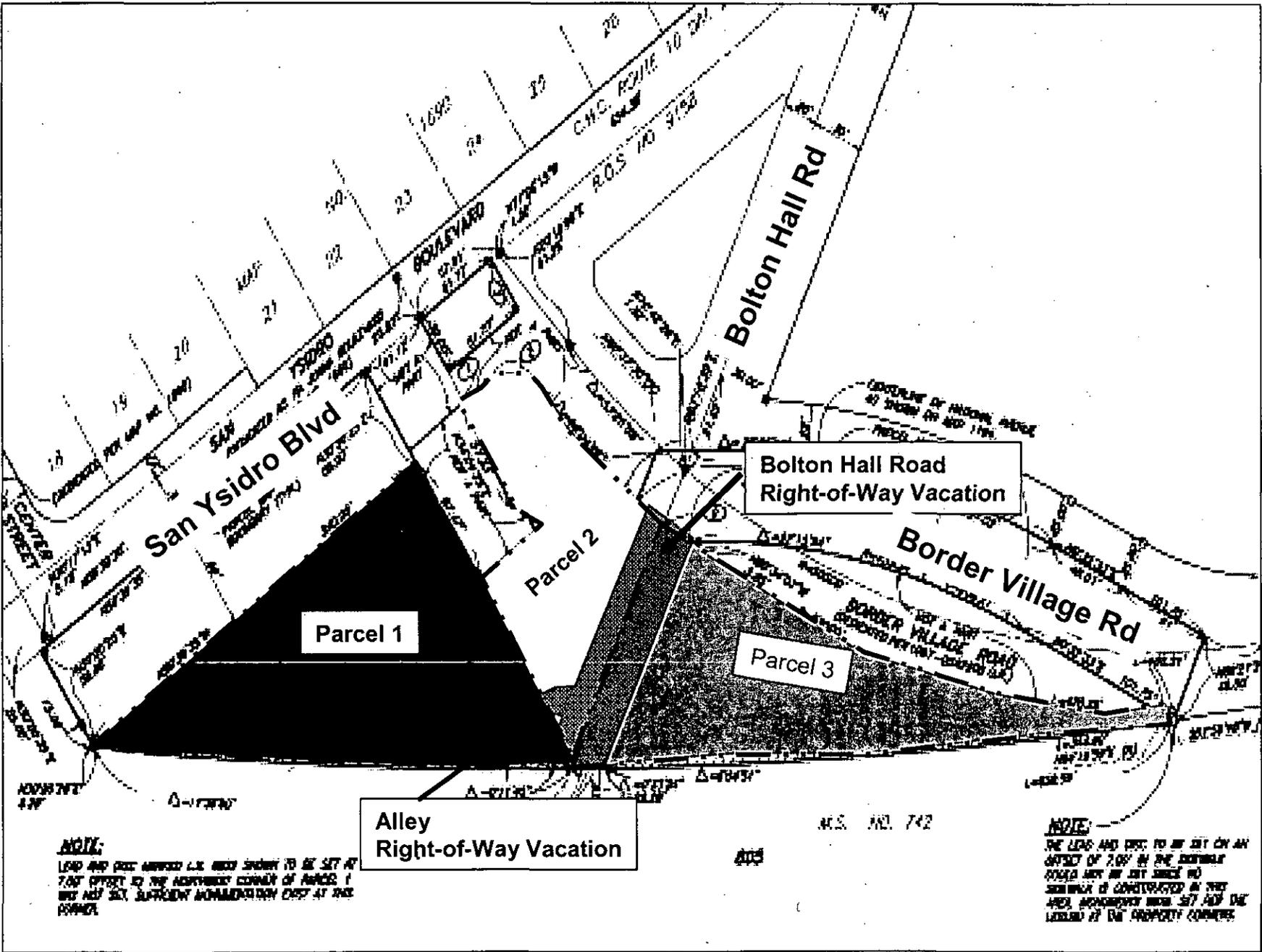
001830

DEVELOPMENT SERVICES
Project Chronology
256 RITCHEY ST
PROJECT NO. 102256

Date	Action	Description	City Review Time	Applicant Response
7/10/07	First Full Submittal	Project Deemed Complete & distributed		
8/26/07	First Submittal Assessment Letter out		47ays	
11/29/07	Second Full submittal In	Normal Submittal		95 days from First Assessment Letter
1/14/08	Second Full Submittal Assessment Letter out		46 days	
2/27/08	Third Full Submittal	Normal Submittal		44 days from second assessment letter
3/27/08	Third Full Submittal Assessment letter out		29 days	
5/27/08	City Council Hearing		61 days from Hearing Officer Hearing	
TOTAL STAFF TIME**			6 months 3 days	
TOTAL APPLICANT TIME**				4 months 19 days
TOTAL PROJECT RUNNING TIME**		From Deemed Complete to HO Hearing	10 months 22 day	

**Based on 30 days equals to one month.

Parcel Map and Right-of-Way Vacation Identification Map



NOTE:
 LEAS AND DIST OFFSET L.S. MUST SHOW TO BE SET AT
 7.00' OFFSET TO THE ADJACENT CORNER OF PARCELS 1
 AND 2. SET, SUFFICIENT INFORMATION MUST AT THE
 CORNER.

NOTE:
 THE LEAS AND DIST TO BE SET ON AN
 OFFSET OF 7.00' IN THE EXISTING
 RECORD MAY BE SET SINCE NO
 SIDEWALK IS CONSTRUCTED IN THIS
 AREA, HOWEVER MUST SET THE
 LEAS AT THE PROPERTY CORNER.

001833

DETERMINATION OF ENVIRONMENTAL EXEMPTION

Pursuant to the California Environmental Quality Act (CEQA) and State CEQA Guidelines

Agency: CITY OF SAN DIEGO

Project No. 115857
Job Order No. 42-7083

Date: 8/7/07

Action/Permit(s): Vacation

Description of Activity: Bolton Hall Road Vacation: Parcel Map to vacate a portion of Bolton Hall Road and alley, located between Border Village Road and Interstate 805, as dedicated on Map No. 1194 and 1758.

Location of Activity: Project is located between Border Village Road and Interstate 805 in the SYIO-CSR-3 Zone in the San Ysidro Community Plan, in the City of San Diego, County of San Diego, and State of California. Applicant: Augustin Valadez (Agent), SB&O Inc., 3990 Ruffin Road, Suite 120, San Diego, California, 92123, 858-560-1141

(CHECK BOXES BELOW)

- 1. [X] This activity is EXEMPT FROM CEQA pursuant to:
[X] Section 15060(c) (3) of the State CEQA Guidelines (the activity is not a project as defined in Section 15378).
2. [] This project is EXEMPT FROM CEQA pursuant to State CEQA Guidelines Section checked below:

ARTICLE 19 of GUIDELINES
CATEGORICAL EXEMPTIONS
(Incomplete list)

Table with 2 columns: Section, Short Name. Lists various exemption categories like Existing Facilities, Replacement or Reconstruction, etc.

ARTICLE 18 of GUIDELINES
STATUTORY EXEMPTIONS
(Incomplete list)

Table with 2 columns: Section, Short Name. Lists statutory exemptions like Ongoing Project, Feasibility and Planning Studies, etc.

It is hereby certified that the City of San Diego has determined the above activity to be exempt:

Signature of Senior Planner
Senior Planner
Environmental Analysis Section

Distribution:

Sandra Teasley, Project Manager
MMC
EAS file

001834

NOTICE OF EXEMPTION

TO: X RECORDER/COUNTY CLERK
P.O. BOX 1750, MS A-33
1600 PACIFIC HWY, ROOM 260
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE, MS 501
SAN DIEGO, CA 92101

 OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

PROJECT NO.: 115857

PROJECT TITLE: **BOLTON HALL ROAD VACATION**

PROJECT LOCATION-SPECIFIC: Located between Border Village Road and Interstate 805, as dedicated on Map No. 1194 and 1758.

PROJECT LOCATION-CITY/COUNTY: San Diego

DESCRIPTION OF PROJECT: Parcel Map to vacate a portion of Bolton Hall Road and alley, located between Border Village Road and Interstate 805, as dedicated on Map No. 1194 and 1758.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Agustin Valadez (Agent), SB&O Inc., 3990 Ruffin Road, Suite 120, San Diego, CA 92123, (858) 560-1141

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL (SEC. 15268)
- DECLARED EMERGENCY [SEC. 15269 (A)]
- EMERGENCY PROJECT [SEC. 15269 (B) AND (C)]
- CATEGORICAL EXEMPTION (STATE TYPE AND SECTION NUMBER):
- OTHER (STATE TYPE AND SECTION NUMBER): Section (15060 (c) (3))

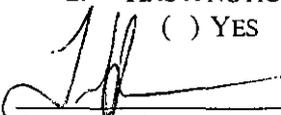
REASONS WHY PROJECT IS EXEMPT: The proposed activity would not have the potential for causing a significant effect on the environment.

CONTACT PERSON: Rhonda Benally

TELEPHONE: (619) 446-5468

IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
 YES NO



SIGNATURE/TITLE

8/7/07

DATE

CHECK ONE:

- SIGNED BY LEAD AGENCY
- SIGNED BY APPLICANT

DATE RECEIVED FOR FILING: _____

001835

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

WHEREAS, California Streets and Highways Code section 8300 et seq., including sections 8330, 8340 and 8350, and San Diego Municipal Code section 125.0910, in conjunction with the findings of Section 125.0941, provide a procedure for the summary vacation of a public right-of-way by City Council resolution; and

WHEREAS, the Applicant Ted and Virginia Newman Living Trust [Applicant] are the owners of Lots 9, 10, 11, 12, 13, 14 and 15 of the Schulz's Addition to San Ysidro, located adjacent to Bolton Hall Road, as found on Map No. 1758, and the owners of a portion of Boundary Tract, as shown on Map No. 1690, as more particularly shown on the Parcel Map identified as PTS No. 115857, marked as Exhibit "A," [collectively, the Subject Property]; and

WHEREAS, the Applicant, as the affected property owner, has requested vacation of two public rights-of-way [collectively, the Public Rights-of-Way to be Vacated or Public Right-of-Way Vacations] comprising a 130-foot long portion of Bolton Hall Road containing approximately 5,200 square feet and an unimproved alley which is connected or adjacent to Bolton Hall Road and which is approximately 80 feet long and contains approximately 1,200 square feet. Bolton Hall Road is west of Border Village Drive and the alley is adjacent to Lots 11, 12, 13, and 15 of the Schulz Addition San Ysidro, as shown on Map No. 1758, and as more particularly shown on the Parcel Map identified as PTS No. 115857, marked as Exhibit "A," and on file in the office of the City Clerk as Document No. RR-_____; and

WHEREAS, these portions of the public rights-of-way are excess public rights-of-way and are not required for street or highway purposes; and

001836

WHEREAS, the Applicant has also requested a lot consolidation and lot line adjustment to consolidate ten parcels adjacent to Bolton Hall Road into three parcels, including consolidation of portions of Lots 9, 10, 11, 12, 13, and 14 of Schulz's Addition to San Ysidro, as shown on Map No. 1758, and a portion of Boundary Tract, as shown on Map No. 1690, as more particularly shown on the Parcel Map identified as PTS No. 115857, marked as Exhibit "A," and on file in the office of the City Clerk as Document No. RR-_____ ; and

WHEREAS, although the Public Rights-of-Way to be Vacated do contain public utility facilities and public utility easements, said facilities, uses or public works are not affected by these Public Right-of-Way Vacations because of certain reservation of rights expressed herein; and

WHEREAS, in connection with these Public Right-of-Way Vacations, the City desires and shall by this Resolution reserve to itself certain public utility easements and rights located or to be located in, under, over, upon, along and across the Public Rights-of Way to be Vacated, as more full described herein below; and

WHEREAS, the City of San Diego hereby reserves and excepts, from these vacations described herein, the right, easement, and privilege of placing, constructing, repairing, replacing, maintaining, using, and operating public utilities of any kind or nature, and appurtenant structures thereto, including, but not limited to, general utilities and all necessary and proper fixtures and equipment for use in connection therewith, in, through, over, under, upon, along, and across the Public Rights-of-Way to be Vacated, together with the right of ingress thereto and egress there from, together with the right to maintain the public utility easements free and clear of any excavation or fills, the erection or construction of any building or other structures, the planting of any tree or trees thereon, or the drilling or digging of any well or wells thereon,

together with the right to otherwise protect from all hazards the operation and use of any right hereby reserved. If the owner of the underlying fee obtains approval for an encroachment permit from the City Engineer pursuant to the San Diego Municipal Code, then the owners of the underlying fee may utilize the Subject Property for structures, the planting or growing of trees or the installation of privately owned pipelines; and

WHEREAS, the City of San Diego hereby reserves and excepts, from these vacations described herein, the easements and rights of any public utility pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew, and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles, and other structures, equipment, and fixtures for the transportation and distribution of electrical or electronic energy and natural gas, and the transportation and distribution of communication signals and for incidental purposes including access to protect these public works from all hazards in, upon, over, and across the Public Rights-of-Way to be Vacated; and

WHEREAS, granting of these Public Right-of-Way Vacations does not free the Subject Property from any other easements for vehicular or nonvehicular trail use that the City had previously transferred or granted to the state or other public agency nor does it affect any existing private easements or other rights of a person (including, but not limited to, a public utility, the state, a public corporation, or a political subdivision, other than the City) in, to, or over the Subject Property, regardless of the manner in which the private easement or other right was acquired; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City 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

001038

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; and

WHEREAS, the matter was set for public hearing on _____, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Public Rights-of Way Vacation Nos. _____:

1. There is no present or prospective public use for these public rights-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated in that this portion of the street is not needed for road purposes.
2. The public will benefit from the action through improved use of the land made available by these vacations.
3. These vacations do not adversely affect any applicable land use plan and are consistent with the General Plan and approved Community Plan.
4. The public street system and the other public purposes for which these public rights-of-way were originally acquired will not be detrimentally affected by these vacations.
5. Public convenience and necessity require the City to make certain reservations and exceptions from these vacations as fully described herein in order to maintain, operate, replace, remove, renew or construct public utilities.

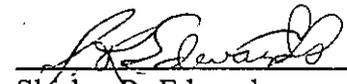
BE IT FURTHER RESOLVED, as follows:

1. That these Public Rights-of-Way to be Vacated, more particularly described in the legal description marked as Exhibit "A," and on file in the office of the City Clerk as Document Nos. RR-_____ are ordered vacated as conditioned herein.
2. That these vacations ordered by this Resolution shall not become effective unless and until the Parcel Map has been approved by City Council action and recorded in the office of the County Recorder by the City Clerk.

2. That the City Clerk shall cause a certified copy of this Resolution, with attached exhibits, attested by her under seal, to be recorded in the office of the County Recorder upon the approval of the Parcel Pam by City Council.

BE IT FURTHER RESOLVED, that this activity is exempt from the California Environmental Quality Act [CEQA] pursuant to Section 15378 of the State CEQA Guidelines.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Shirley R. Edwards
Chief Deputy City Attorney

SRE:pev
05/12/08
Or.Dept:DSD
R-2008-1050
MMS #6186

PARCEL MAP NO. _____

SHEET 4 OF 4 SHEETS

DATA TABLE

NO.	BEARING	RADIUS	LENGTH
1	N89°30'35"W		18.82
2	N07°12'31"E	20.00'	27.83
3	N07°20'25"E		30.00
4	0°42'02"	488.34'	5.72'
5	N89°30'35"W		41.12'
6	N07°20'25"E		15.77'
7	N89°34'07"W		26.81'
8	1°05'43"	538.00'	10.13'
9	1°38'13"	538.00'	13.14'

LEGEND

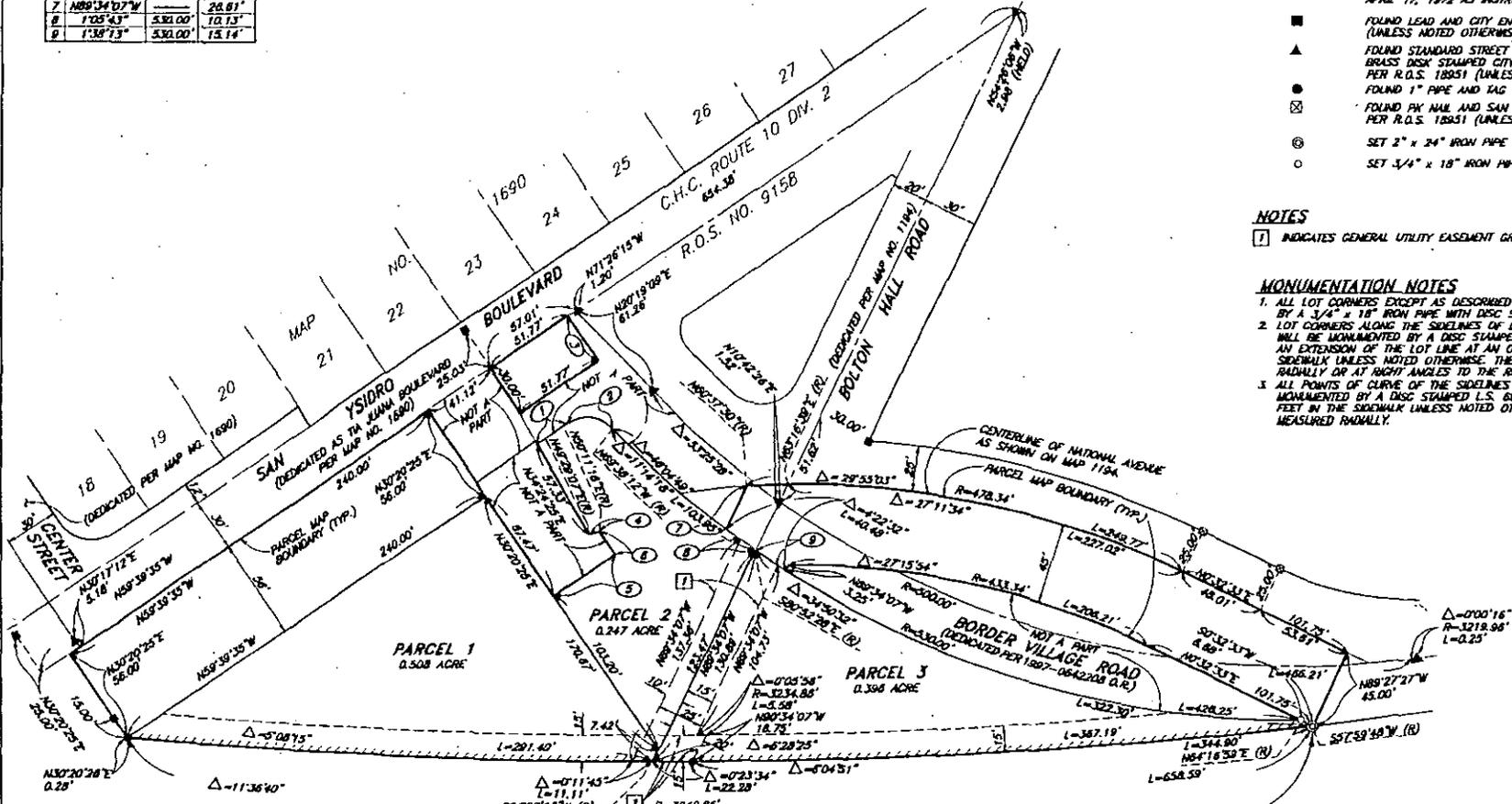
- PARCEL MAP BOUNDARY
- CENTERLINE
- ACCESS RIGHTS RELINQUISHED PER DOCUMENT RECORDED JUNE 11, 1971 AS INSTRUMENT NO. 123813 O.R., DOCUMENT RECORDED AUGUST 3, 1983 BOOK 7944 PAGE 115 O.R., DOCUMENT RECORDED APRIL 7, 1973 AS INSTRUMENT NO. 84342 O.R. AND DOCUMENT RECORDED APRIL 17, 1972 AS INSTRUMENT NO. 1872-84147 O.R.
- FOUND LEAD AND CITY ENGINEER TAG PER R.O.S. 18951. (UNLESS NOTED OTHERWISE)
- ▲ FOUND STANDARD STREET MONUMENT WITH 3" BRASS DISC STAMPED CITY ENGINEER 1895 PER R.O.S. 18951 (UNLESS NOTED OTHERWISE)
- FOUND 1" PIPE AND TAG ON. 1895 PER MS 742
- ⊗ FOUND PK NAIL AND SAN DIEGO CITY ENGINEER SHINER PER R.O.S. 18951 (UNLESS NOTED OTHERWISE)
- ⊙ SET 2" x 24" IRON PIPE WITH DISC MARKED T.S. 6822'
- SET 3/4" x 18" IRON PIPE WITH DISC MARKED T.S. 6822'

NOTES

- [?] INDICATES GENERAL UTILITY EASEMENT GRANTED HEREOF.

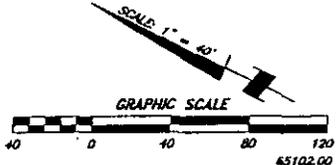
MONUMENTATION NOTES

1. ALL LOT CORNERS EXCEPT AS DESCRIBED BELOW WILL BE MONUMENTED BY A 3/4" x 18" IRON PIPE WITH DISC STAMPED L.S. 6822.
2. LOT CORNERS ALONG THE SIDELINES OF DEDICATED STREET RIGHT-OF-WAY WILL BE MONUMENTED BY A DISC STAMPED L.S. 6822 SET ALONG AN EXTENSION OF THE LOT LINE AT AN OFFSET OF 7.00 FEET IN THE SIDEWALK UNLESS NOTED OTHERWISE. THE OFFSET SHALL BE MEASURED RADIALLY OR AT RIGHT ANGLES TO THE RIGHT-OF-WAY LINE.
3. ALL POINTS OF CURVE OF THE SIDELINES OF DEDICATED STREETS WILL BE MONUMENTED BY A DISC STAMPED L.S. 6822 SET AT AN OFFSET OF 7.00 FEET IN THE SIDEWALK UNLESS NOTED OTHERWISE. THE OFFSET SHALL BE MEASURED RADIALLY.



NOTE:
LEAD AND DISC MARKED L.S. 6822 SHOWN TO BE SET AT 7.00' OFFSET TO THE NORTHWEST CORNER OF PARCEL 1 WAS NOT SET. SUFFICIENT MONUMENTATION EXIST AT THIS CORNER.

NOTE:
THE LEAD AND DISC TO BE SET ON AN OFFSET OF 7.00' IN THE SIDEWALK COULD NOT BE SET SINCE NO SIDEWALK IS CONSTRUCTED IN THIS AREA. MONUMENTS WERE SET PER THE LEGEND AT THE PROPERTY CORNERS.



001541

SB&O INC.
PLANNING ENGINEERING SURVEYING

(R-[Reso Code])

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

WHEREAS, California Streets and Highways Code section 8300 et seq., including sections 8330, 8340 and 8350, and San Diego Municipal Code section 125.0910, in conjunction with the findings of Section 125.0941, provide a procedure for the summary vacation of a public right-of-way by City Council resolution; and

WHEREAS, the Applicant Ted and Virginia Newman Living Trust [Applicant] are the owners of Lots 9, 10, 11, 12, 13, 14 and 15 of the Schulz's Addition to San Ysidro, located adjacent to Bolton Hall Road, as found on Map No. 1758, and the owners of a portion of Boundary Tract, as shown on Map No. 1690, as more particularly shown on the Parcel Map identified as PTS No. 115857, marked as Exhibit "A," [collectively, the Subject Property]; and

WHEREAS, the Applicant, as the affected property owner, has requested vacation of two public rights-of-way [collectively, the Public Rights-of-Way to be Vacated or Public Right-of-Way Vacations] comprising a 130-foot long portion of Bolton Hall Road containing approximately 5,200 square feet and an unimproved alley which is connected or adjacent to Bolton Hall Road and which is approximately 80 feet long and contains approximately 1,200 square feet. Bolton Hall Road is west of Border Village Drive and the alley is adjacent to Lots 11, 12, 13, and 15 of the Schulz Addition San Ysidro, as shown on Map No. 1758, and as more particularly shown on the Parcel Map identified as PTS No. 115857, marked as Exhibit "A," and on file in the office of the City Clerk as Document No. RR-_____;

and