NOTICE OF EXEMPTION

FROM: CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT

1222 FIRST AVENUE, MS 501

SAN DIEGO, CA 92101

(Check one or both)

TO:

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

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

PROJECT NO.: 297548

PROJECT TITLE: Afghan Community Center

PROJECT LOCATION-SPECIFIC: 3333 SandRock Road, San Diego, CA 92123 (Portion of Lot 5 of Cabrillo Heights Business Center Unit No. 2, Map No. 3608)

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: A Conditional Use Permit (CUP) amendment for CUP Number 331621 to extend the expiration date. No interior or exterior modifications are proposed. The project is located at 3333 SandRock Road in the CN-1-2 zone within the Serra Mesa Community Planning Area in Council District 7 of the City of San Diego.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Hamidullah Hamidy

3333 SandRock Road San Diego, CA 92123 858-560-9191

EXEMPT STATUS: (CHECK ONE)

() MINISTERIAL (SEC. 21080(b)(1); 15268);

() DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));

() EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))

(X) CATEGORICAL EXEMPTION: 15301, Existing Facilities

REASONS WHY PROJECT IS EXEMPT This project is exempt because the structure is existing, and no sensitive resources exist on or around the site, it would result in no adverse visual effects, and no grading or construction would occur. In addition the project meets the criteria set forth in CEQA section 15301 which allows for existing facilities and the exceptions listed in CEQA section 15300.2 would not apply. Therefore, no adverse impacts would occur.

LEAD AGENCY CONTACT PERSON: Lizzi

TELEPHONE: (619) 619-446-5159

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

IT IS HEREBA CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA

SIGNATURE/TITLE

CHECK ONE: (X) SIGNED BY LEAD AGENCY () SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



Submittal 4/Sheet1 dgn 2/3/2014 7:41:12 PM

HMENT 8





EXISTING PLAN





LEGEND

CONCRETE WALL FULL MENGING FRANZD GALL FARTIAL HEIGHT FRANZD WALL FULL MZIGHT FRANFD WALL

ATTACHMENT 9

THE ORIGINAL OF THIS DOCUMENT WAS RECORDED ON NOV 09, 2007 DOCUMENT NUMBER 2007-0712715 GREGORY J. SMITH, COUNTY RECORDER SAN DIEGO COUNTY RECORDER'S OFFICE TIME: 10:48 AM

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

WHEN RECORDED MAIL TO

PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-6347

CONDITIONAL USE PERMIT NO. 331621 AFGHAN COMMUNITY CENTER – PROJECT NO. 100999 PLANNING COMMISSION

This Conditional Use Permit No. 331621 is granted by the Planning Commission of the City of San Diego to Afghan Community Islamic Center, Inc., Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0301. The 0.79-acre site is located at 3333 Sandrock Road in the CN-1-2 zone within the Serra Mesa Community Plan area. The project site is legally described as that portion of Lot 5 of Cabrillo Heights Business Center, Unit No. 2, Map No. 3608.

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner and Permittee to allow an existing commercial structure to be utilized for religious assembly, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 18, 2007, on file in the Development Services Department.

The project shall include:

- Utilization of an existing 7,187-square-foot commercial structure for religious assembly uses, including a 1,800-square-foot assembly hall, offices, restrooms and storage areas with hours of operation from 10 AM to 10 PM;
- A maximum weekday capacity of 40 people and any one time and a maximum weekend capacity of 165 persons at any one time OR a maximum weekend capacity of 189 persons with the implementation of the Transportation Demand Management (TDM) Plan described in the Staff Report and Condition No. 26;
- c. The provision of 55 off-street parking spaces; and
- d. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and

Page 1 of 6

private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.

2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on October 18, 2012. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit unless the applicant applies for and receives a CUP extension prior to the expiration date.

3. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

4. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.

5. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.

6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).



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8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

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

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

ENGINEERING REQUIREMENTS:

12. Prior to building occupancy, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, for the sidewalk underdrains in the Sandrock Road right-of-way.

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13. Prior to building occupancy, the applicant shall replace the cracked and/or uplifted portions of sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on Sandrock Road and Gramercy Drive, satisfactory to the City Engineer.

14. Prior to building occupancy, the applicant shall reconstruct 3 existing curb tamps to current City Standards, 1 at the intersection of Sandrock Road and Gramercy Drive and 2 at the alley entrance on Gramercy Drive, adjacent to the site, satisfactory to the City Engineer.

15. Prior to building occupancy, the applicant shall close 2 non-utilized driveways with full height curb, gutter, and sidewalk, adjacent to the site on Sandrock Road and Gramercy Drive, satisfactory to the City Engineer.

16. Prior to building occupancy, the applicant shall remove the two existing driveways and replace with two - 24' wide City Standard (G-14A) driveways, adjacent to the site on Sandrock Road, satisfactory to the City Engineer.

17. Prior to building occupancy, the applicant shall dedicate an additional one foot of right-ofway, adjacent to the site on Gramercy Drive, satisfactory to the City Engineer.

18. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the applicant to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.

19. Prior to building occupancy, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, for the sidewalk underdrains in the Sandrock Road and Gramercy Drive rights-of-way.

PLANNING/DESIGN REQUIREMENTS:

20. No fewer than 55 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.

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

22. All signs associated with this development shall be consistent with sign criteria established by the City-wide sign regulations.

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

TRANSPORTATION REQUIREMENTS

24. No fewer than 55 automobile parking spaces (including 3 accessible spaces, one of which must be van accessible), 2 motorcycle spaces (3 motorcycle spaces are shown on Exhibit "A"), and 2 bicycle spaces with racks shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A". All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the City Manager.

25. The use of the office portion of the facility shall be limited to the hours of 10:00 a.m. to 10:00 p.m. daily.

26. The Afghan Islamic Center may accommodate a maximum of 40 people, including staff, on weekdays at any given time. This facility may accommodate a maximum of 165 persons on the weekends unless a Transportation Demand Management (TDM) Plan is utilized. If a TDM Plan is utilized, then the facility may accommodate a maximum of 190 persons on the weekends at any given time. This TDM Plan shall employ techniques such as carpooling, vanpooling, transit, bicycling, and walking. Annually or in response to Code Enforcement activities, the applicant shall ensure that the TDM Plan adequately meets the proposed reduction in automobile parking, satisfactory to the City Engineer. The TDM has been made a part of the approved "Exhibit A".

27. No wedding or birthday parties or day care/child care facilities or school shall be permitted on the site.

28. The religious assembly area and the office areas shall not be concurrently used.

29. Prior to the issuance of the first building permit, the applicant shall assure by permit and bond, the closure of the existing driveway along Gramercy Drive and an existing driveway along Sandrock Road; and, replacement of each driveway to be closed with full-height curb, gutter, and sidewalk, satisfactory to the City Engineer.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Planning Commission of the City of San Diego on October 18, 2007, Resolution No. 4328-PC.

Permit Type/PTS Approval No.: CUP No. 331621 Date of Approval: October 18, 2007

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Paul Godwin Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1180 et seq.

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

Afghan Community Islamic Center, Inc. Owner/Permittee

44 Abdul Q. Qargh

Vice President

NOTE: Notary acknowledgments must be attached per Civil Code section 1180 et seq.

Gridinal

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Godwin, Paul

From: Sent: To: Subject: Serra Mesa Planning Group [smpg@serramesa.org] Friday, October 18, 2013 4:17 PM Godwin, Paul Re: Afghan Community Center - PTS 297548 - 2nd Assessment Letter

Paul,

SMPG voted at last night's meeting, October 17, 2013, on the Afghan Community Islamic Center CUP. Motion made and seconded to approve the extension of the CUP to 20 years and to remove the restrictions of the hours for assembly. **Vote:** 10-1-0

Cindy Moore Serra Mesa Planning Group Chair

On Tue, Jul 23, 2013 at 10:28 AM, Godwin, Paul < PGodwin@sandiego.gov > wrote:

Hello All -

Please find attached the second Assessment Letter and attachments for this project. Please let me know if you have any questions.

Thank you,

Paul

Paul B. Godwin

Development Project Manager City of San Diego, Development Services Department 1222 First Avenue, MS 501, San Diego, CA 92101 Phone: (619) 446-5190, Fax: (619) 446-5499 City Website: www.sandiego.gov Email: pgodwin@sandiego.gov

Notice of Public Meeting and Agenda Serra Mesa Planning Group

A Recognized San Diego City Planning Group Serving the Citizens of Serra Mesa

Members of the public are encouraged to attend and to speak on matters before the Planning Group.

Speakers from the audience are requested to state their names and whether they represent any organization.

Thursday, October 17, 2013 - 7:00 PM - 9:00PM

Serra Mesa - Kearny Mesa Library Community Room, 9005 Aero Drive

Voting Members

Jim Baldrica, Bob Crider, David Dalton, Dicken Hall, Matt Hendry, Mark Larsen, Bob McDowell (Vice Chair), Cindy Moore (Chair), Barbara Ryan, Brad Savall, Tom Wright

A. Attendance - Review of Agenda

B. Approval of minutes from September 2013

II. COMMUNITY FORUM and ANNOUNCEMENTS (10 min.)

This is an opportunity for members of the audience to discuss issues not on the agenda and present information items of concern to the community. Please keep your comments or presentation to less than 3 minutes.

III. Representatives: (5 min. each if present)

- Liz Saidkhanian, Staff Representative, Councilmember Scott Sherman, District 7
- Brian Schoenfisch, Long Range Planning Office
- Jonathan Hardy, Staff Representative, Congresswoman Susan Davis, 53rd District

IV. Information and Action Items

- Election, Action Item Fill one opening on SMPG
- Afghan Community Islamic Center (ACIC) CUP, 3333 Sandrock Rd, Action Item (Continuation from September Meeting). Renewal of CUP with following changes:
 - Extension of CUP time period to 20 years
 - Removing the restrictions on weekday hours and number of attendees to allow fuller use of the building for cultural and religious gatherings
- Hickman Field General Development Plan (GDP), Possible Action Item Ana Del Ricon, Project Manager, Public Works Department, City of San Diego. Scope of work includes amending GDP of the 44-acre athletic area to include additional sports field, recreation center, multi-use aquatic complex, parking, security and parking lot lighting, children's play area and comfort station/concession stands which funding is reflected in various community financing plans (Serra Mesa's plan indicates 10%).
- Pipeline Rehabilitation Phase K-2 Sewer Laterals Project, Information Item Sal Castillo, Project Design Engineer and Project Mgr. Regan Owen, City of San Diego. Serra Mesa streets affected by the project: Goshawk, Hornbill, Seagull, Teebird, Finch, Cardinal, Talo, Canary, Meadow Lark, Sprig, Pheasant, Harton, Ainsley, Polizzi, Kaplan, Ron, Phyllis, Abbotshill, Eames, and Fensmuir. Refer to http://docs.sandiego.gov/citybulletin_publicnotices/CEQA_appeal/NORA%25208-09-13%2520Pipeline%2520Rehabilitation%2520Phase%2520K-2.pdf.

V. Chair's Reports: Cabrillo Hts Turf Renovation; Broadstone at Kearny Mesa

VI. Vice Chair's Report – Community Planners Committee, Historical Buildings, MCAS Miramar, Traffic Signal at Aquatera on Mission Center Road

VI. Committee Reports - Maintenance Assessment District for Serra Mesa

Next meeting will be November 21, 2013

E-mail: smpg@serramesa.org www.serramesa.org/smpg Address: SMPG, P.O. Box 23315, San Diego, CA, 92193

City of San Diago		HME
City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 THE CITY OF BAN DIEGO (619) 446-5000	Ownership Disclos Statem	
Approval Type: Check appropriate box for type of approval (s) reques Neighborhood Development Permit Site Development Permit Variance Tentative Map Vesting Tentative Map Map M Project Title AF6HAN COHMUNIT Project Address: 3333 SANDROCK ROAD, SAN L	nit Planned Development Permit Waiver Land Use Plan Amendment Other 2975 48 Project No. For City Use On TY ISLAMIC CENTER (ACIC	nly
y signing the Ownership Disclosure Statement, the owner(s) acknowle pove, will be filed with the City of San Diego on the subject property elow the owner(s) and tenant(s) (if applicable) of the above reference ho have an interest in the property, recorded or otherwise, and state t dividuals who own the property). A signature is required of at least of om the Assistant Executive Director of the San Diego Redevelopmen evelopment Agreement (DDA) has been approved / executed by the anager of any changes in ownership during the time the application i e Project Manager at least thirty days prior to any public hearing o formation could result in a delay in the hearing process.	y, with the intent to record an encumbrance against the property. Pleaced property. The list must include the names and addresses of all p the type of property interest (e.g., tenants who will benefit from the per one of the property owners. Attach additional pages if needed. A sign t Agency shall be required for all project parcels for which a Dispositine City Council. Note: The applicant is responsible for notifying the is being processed or considered. Changes in ownership are to be g	ase list persons rmit, all gnature on and Project jiven to
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DS-318 (5-05)

ATTACHMENT 11

			ATTACHME	
Project Title: AFGHAN C	OMMUTIT ISLAMI	C CENTER (ALI	C Project No. (For City Use Only)	
Part II - To be completed wh	en property is held by a corpora	tion or partnership		
Legal Status (please check):		4		
Corporation Limited Li Partnership	ability -or- 🦵 General) What Sta	te? Corporate Identif	cation No.	
as identified above, will be file the property. Please list below otherwise, and state the type of in a partnership who own the p property. Attach additional pag ownership during the time the Manager at least thirty days pr	v the names, titles and addresses of property interest (e.g., tenants w property). <u>A signature is required</u> ges if needed. Note: The applicant application is being processed or	subject property with the interposed of all persons who have an introduction of the permitted of all persons of the permitted of all persons who have a person of the permitted of all persons who have a person of the permitted of all persons who have a person of the permitted of all persons who have a persons who have a person of the permitted of all persons who have a person of the permitted of all persons who have a person of the permitted of all persons who have a person of the permitted of all persons who have a persons who have a person of the persons who have a person of the permitted of all persons who have a person of the permitted of all persons who have a person of the permitted of all persons who have a person of the permitted of all persons who have a person of the permitted of all persons who have a person of the permitted of all persons who have a person of the permitted of all persons who have a person of the person of the persons who have a person of the person of the person of the person of the persons who have a person of the person of the persons who have a person of the person of the persons who have a person of the	nt to record an encumbrance against erest in the property, recorded or , all corporate officers, and all partners e officers or partners who own the e Project Manager of any changes in rship are to be given to the Project ride accurate and current ownership	
Corporate/Partnership Name HAMIDULLAH	HAMLDY PRESIDE		SAMADY SECRETARY	
Charact Addresses		Owner Tenant/	Lessee	
City/State/Zip: 51		City/State/Zip:		
Phone No:	EGO CA 92/23	Phone No:	Fax No:	
	per (type or print):	Name of Corporate Officer/Pa		
Name of Corporate Officer/Partner (type or print):		Title (type or print):		
Title (type or print):	Date: 1/201/2012	Signature :	Date:	
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