



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: January 21, 2021 REPORT NO. PC-21-002

HEARING DATE: January 28, 2021

SUBJECT: Fay Avenue and West Muirlands Drive Right-of-Way Vacation, Process Five Decision

PROJECT NUMBER: [545519](#)

OWNER/APPLICANT: Mary Carlson, City of San Diego Real Estate Assets Department

SUMMARY

Issue: Should the Planning Commission recommend City Council approval of a Coastal Development Permit and Public Right-of-Way Vacation for the vacation of an unimproved 0.42-acre portion of Fay Ave in the La Jolla Community Plan and Local Coastal Program Land Use Plan area?

Staff Recommendations:

1. Recommend the City Council Approve Coastal Development Permit 2287959; and
2. Recommend the City Council Approve Public Right-of-Way Vacation 2287960

Community Planning Group Recommendation: On May 3, 2018, the La Jolla Community Planning Association voted on consent 14-0-1 to deny the application (Attachment 10).

Environmental Review: This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 (minor alterations in land use limitations). In addition to the project, the project's CEQA Exemption will be considered by City Council during the subsequent City Council's public hearing (Attachment 7).

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid from an internal order account maintained by the applicant department. No City expenditures are being approved with this action. The portions of vacated right-of-way will revert to the City of San Diego as the fee owner.

BACKGROUND

The 0.42-acre project site is located at the south-east corner of Fay Avenue and West Muirlands Drive (Attachment 1). The City of San Diego acquired five lots for public street purposes in the late 1960's. Fay Avenue has since been re-aligned along this corridor to improve traffic flow and pedestrian access and now these lots are not needed. Therefore, the use of the land for public right-of-way purposes is no longer required and it is in the public interest to vacate the right-of-way. A City-owned duplex and underlying land use within the Public Right-of-Way (PROW) will retain its current zoning and Community Plan designations in compliance with the *Fay Avenue Precise Plan* (Adopted 1980) recommendations as noted per the Local Coastal program.

DISCUSSION

Project Description:

The proposed coastal development is the vacation of an existing PROW. The project site and immediately adjacent properties are zoned RS-1-7 and designated Low Medium Residential (9-15 du/ac) within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Attachment 2). The unimproved section of PROW to be vacated is a remnant at the south-east corner of Fay Avenue and W. Muirlands Drive, across the street from La Jolla High School and north of 7021-7023 Fay Avenue (Attachment 3). An existing City-owned one-story duplex sits in the middle of this portion of Public Right-of-Way (PROW) identified in the 1980 Fay Avenue Precise Plan as affordable housing for low-to moderate-income families. The new alignment of Fay Avenue is consistent with the adopted La Jolla Community Plan and has been constructed to its ultimate width. This portion of PROW is no longer required for street purposes.

Community Plan Analysis:

The unimproved portion of Fay Avenue proposed to be vacated is a remnant portion of improved Fay Avenue. To improve traffic flow and pedestrian access along this corridor, Fay Avenue was realigned, and portions of PROW along Fay Avenue between West Muirlands Drive and Nautilus Street are no longer required for street purposes. The new alignment of Fay Avenue has been constructed to its ultimate width and is consistent with the La Jolla Community Plan in compliance with the Fay Avenue Plan recommendations as noted per the Local Coastal program.

Project-Related Issues:

The portion of vacated PROW will revert to the City of San Diego as the fee owner. The PROW Vacation was initiated by the City's Real Estate Assets Department to remove street PROW status first and then offer the property for sale. There are no current developers or interested properties with plans for the parcel. The La Jolla Community Planning Association's subcommittee, La Jolla Community Development Permit Review Committee (Committee), recommended to the La Jolla Community Planning Association to deny the application and allow the property to continue to be held as PROW or be held in abeyance for future public use. Fay Avenue is classified as a 2-lane collector street and has been constructed to its ultimate width and is consistent with the La Jolla

Community Plan in compliance with the Fay Avenue Plan recommendations as noted per the Local Coastal program.

Conclusion:

The PROW proposed for vacation will not result in a physical change to the property. City staff recommends the Planning Commission recommend the City Council approve Coastal Development Permit 2287959 and Public Right-of-Way Vacation 2287960.

ALTERNATIVES

1. Recommend the City Council APPROVE Coastal Development Permit 2287959 and Public Right-of-Way Vacation 2287960, with modifications.
2. Recommend the City Council DENY Coastal Development Permit 2287959 and Public Right-of-Way Vacation 2287960, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Tim Daly
Assistant Deputy Director
Development Services Department



Catherine Rom
Development Project Manager
Development Services Department

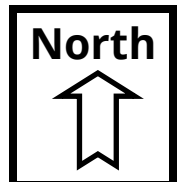
Attachments:

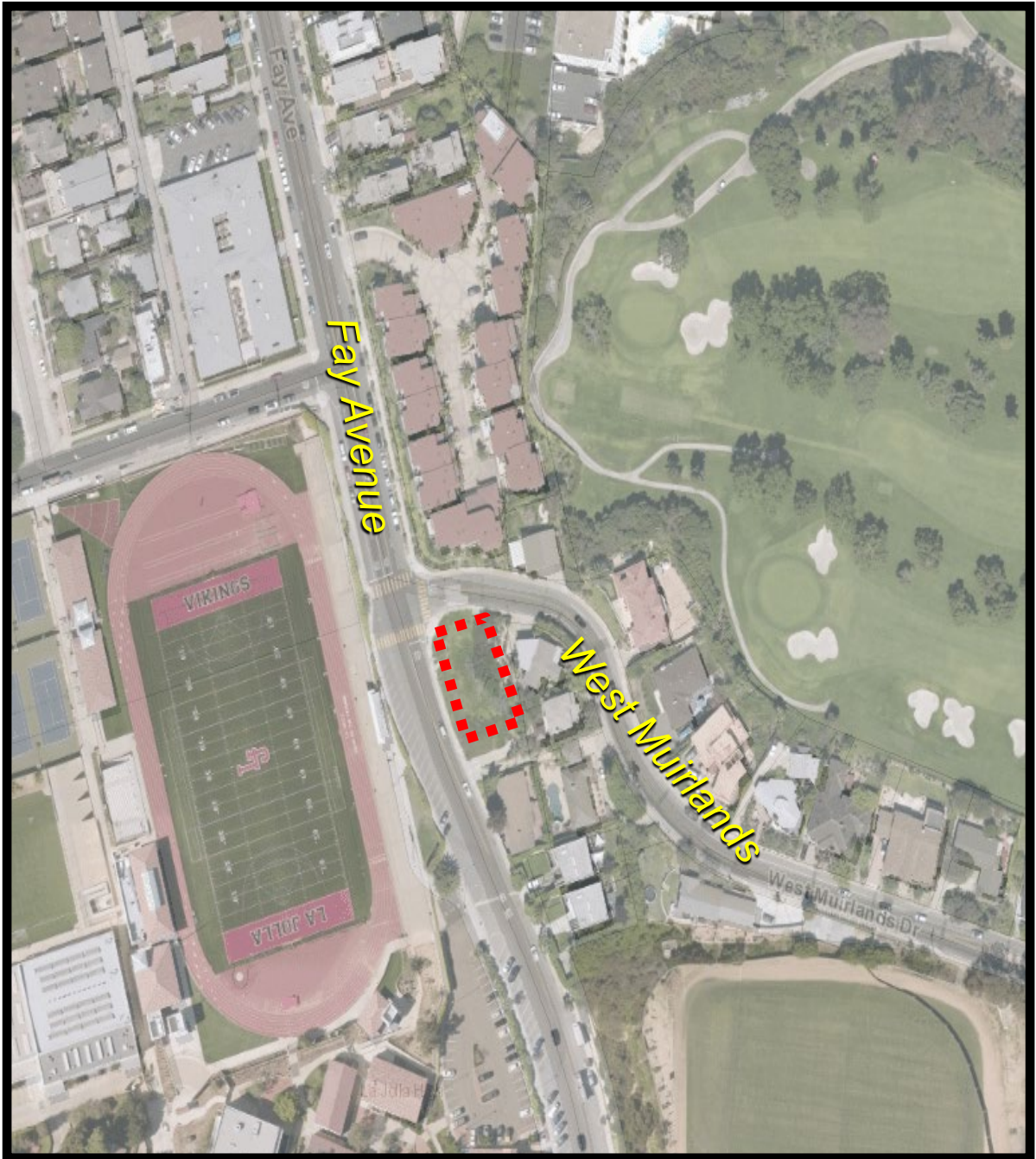
1. Project Location Map
2. Aerial Photograph
3. Community Plan Land Use Map
4. Draft Vacation Resolution with Findings
5. Draft Permit Resolution with Findings
6. Draft Permit
7. Environmental Exemption
8. Exhibit A-Legal Description
9. Exhibit B- Drawing
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement



Project Location

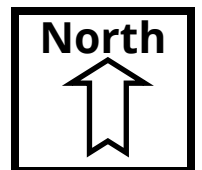
Fay Avenue & West Muirlands Drive
Public Right-of-Way Vacation, Project No. 545519





Aerial Photo

Fay Avenue & West Muirlands Drive
Public Right-of-Way Vacation, Project No. 545519





- Legend
- Very Low Density Residential (0-5 DU/AC)
 - Low Density Residential (5-9 DU/AC)
 - Low Medium Residential (9-15 DU/AC)**
 - Medium Residential (15-30 DU/AC)
 - Medium High Residential (30-45 DU/AC)
 - Commercial/Mixed Use
 - Parks, Open Space
 - Schools
 - Cultural
 - Community Facilities
 - E** Elementary School
 - J** Junior High School
 - H** High School
 - S** School
 - L** Library
 - F** Fire Station
 - PO** Post Office

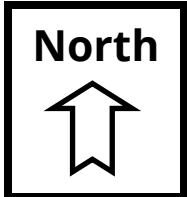


Project Site



La Jolla Land Use Map

Fay Avenue & West Muirlands Drive
Public Right-of-Way Vacation, Project No. 545519



RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION TO VACATE A PORTION OF FAY AVENUE, RIGHT-OF-WAY VACATION NO. 2287960 - PROJECT NO. 545519.

WHEREAS, California Streets and Highways Code section 8320 *et seq.* and San Diego Municipal Code section 125.0901 *et seq.* provide a procedure for the vacation of public rights-of-way by City Council resolution; and

WHEREAS, THE CITY OF SAN DIEGO REAL ESTATE ASSETS DEPARTMENT filed an application to vacate Lots 11 through 16, according to Map thereof no. 1750, filed in the office of the County Recorder on March 16, 1923, and a portion of Fay Avenue (formerly Fay Street) according to Map thereof no. 1307, filed in the office of the County recorder on January 26, 1911, both in the City of San Diego, County of San Diego, State of California, being described as Right-of-Way Vacation No. 2287960 (as described in Exhibit A attached hereto); and

WHEREAS, Right-of-Way Vacation No. 2287960 is located on property owned by The City of San Diego; and

WHEREAS, under San Diego 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, a public hearing was required by law implicating due process rights of individuals affected by the decision, and 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 with respect to Right-of-Way Vacation No. 2287960 the Council finds (pursuant to San Diego Municipal Code section 125.0941) that:

(a) There is no present or prospective public use for the public right-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 order to improve traffic flow and pedestrian access along this corridor, Fay Avenue was realigned, and portions of public right-of-way along Fay Avenue between West Muirlands Drive and Nautilus Street are no longer required for street purposes. The new alignment of Fay Avenue has been constructed to its ultimate width and is consistent with the La Jolla Community Plan. Therefore, there is no present or prospective public use for this portion of public right-of-way, or for any other public use of a like nature that can be anticipated.

(b) The public will benefit from the action through improved use of the land made available by the vacation.

Presently the public right-of-way limits the use of this land to only public right-of-way purposes and public utility, those being the purpose for which the public right-of-way was originally acquired. In that the use of the land for public right-of-way purposes is no longer required since Fay Avenue has been realigned, it is in the public interest to vacate the right-of-way. The public will benefit by the reduction of liability to the City of San Diego from land it controls yet gains no benefit or use.

(c) The vacation does not adversely affect any applicable land use plan.

The land which is the subject of the public right-of-way vacation is in the RS-1-7 Zone within the adopted La Jolla Community Plan (Community Plan). The Community Plan designates the land use for this area as to accommodate residential single dwelling units. The vacation will allow future development in compliance with the Community Plan. The vacation will not change the zoning or land use for the project site. Therefore, the vacation does not adversely affect any applicable land use plan.

(d) The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

The proposed project will not detrimentally affect the City's public rights and facilities within the existing Right-of-Way. Public facilities were relocated as needed during the realignment of Fay Avenue to be within the current public Right-of-Way and continue to serve the public in the same manner as originally intended. Therefore, the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

BE IT FURTHER RESOLVED, that Right-of-Way Vacation No. 2287960, in connection with Coastal Development Permit No. 2287959, as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 20918-B, marked as Exhibit "B," which are by this reference incorporated herein and made a part hereof, is ordered vacated.

BE IT FURTHER RESOLVED, the said Right-of-Way Vacation No. 2287960 is conditioned upon the following:

1. Prior to recordation of the right-of way vacation the Owner/Permittee shall remove existing encroachments within the development area or brought into compliance with allowable uses as permitted within the public right-of-way, satisfactory to the City Engineer;

BE IT FURTHER RESOLVED, that the Development Services Department shall record a certified copy of this resolution with attached exhibits, attested by the City Clerk under seal, in the Office of the County Recorder.

APPROVED: MARA ELLIOTT, City Attorney

By

[Attorney]
Deputy City Attorney

CR:CR
[Month]/[Day]/[Year]
Development Services Department
IO No. 21004216

Attachments - Exhibit A, Legal Descriptions
Exhibit B, Map No. 20918-B

CITY COUNCIL RESOLUTION NO. [REDACTED]
COASTAL DEVELOPMENT PERMIT NO. 2287959
FAY AVENUE AND WEST MUIRLANDS DRIVE
PUBLIC RIGHT OF WAY SUMMARY VACATION - PROJECT NO. 545519

WHEREAS, City of San Diego Real Estate Assets Department, Owner and Permittee, filed an application with the City of San Diego for a Coastal Development Permit to summarily vacate unimproved portions of Fay Avenue known as the Fay Avenue and West Muirlands Drive Public Right of Way Vacation project, located at the south-east corner of Fay Avenue and West Muirlands Drive and is across the street from La Jolla High School and located north of 7021-7023 Fay Ave, and legally described as Lots 11 through 16, according to Map thereof no. 1750, filed in the office of the County Recorder on March 16, 1923, and a portion of Fay Avenue (formerly Fay Street) according to Map thereof no. 1307, filed in the office of the County recorder on January 26, 1911, both in the City of San Diego, County of San Diego, State of California, in the La Jolla Community Plan area, in the RS-1-7 base zone, non-appealable Coastal Overlay zone (as described in Exhibit A attached hereto); and

WHEREAS, on [INSERT Date], the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act [CEQA] (Public Resources Code section 21000 et. seq.) under CEQA Guideline section 15305 (Minor alterations and land use limitations); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

WHEREAS, on January 28, 2021, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 2287959 and pursuant to Resolution No. XXXX-PC voted to recommend City Council Approval of the Permit; and

WHEREAS, under San Diego 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 Coastal Development Permit No. 2287959:

A. COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]

Findings for all Coastal Development Permits:

- 1. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The project is an approximate 241 feet x 76 feet vacation of public right-of-way. The 0.42-acre (18,316 square feet [sf]) project site is located at the south-east corner of Fay Avenue and W. Muirlands Drive and is across the street from La Jolla High School and located north of 7021-7023 Fay Avenue in La Jolla. The project site is zoned RS-1-7 and designated Low Medium Residential (9-15 density units/acre [du/ac]) in the La Jolla Community Plan and Local Coastal Land Use Plan (Community Plan). The project site is surrounded by existing multi-family, single-family, and institutional-school uses.

The proposed site does not contain any existing physical accessway utilized by the general public to and along the ocean and other scenic coastal areas. The proposed site is not identified in the Community Plan as a proposed accessway to be utilized by the general public for providing access to the ocean or other scenic coastal area, nor is the proposed site identified as a public view resource. The project site is approximately one-half mile east of the Pacific Ocean and the beaches and bluffs located there. The action is the vacation of unimproved portion of Fay Avenue, no obstruction to views to and along the ocean and other scenic coastal areas will occur as a result of the street vacation.

The Community Plan does not identify this segment of Fay Avenue for physical access to the beach and coastline, nor does it designate any public view resources along Fay Avenue relative to the project site. The unimproved portion of Fay Avenue proposed to be vacated is a remnant portion of improved Fay Avenue. The portions of vacated right-of-way will revert to the City of San Diego as the fee owner. The City acquired the property for public street purposes in the 1950 and 1960's to re-align Fay Avenue. The realignment was completed many years ago and this portion is not needed for Fay Avenue.

Therefore, the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

2. The proposed coastal development will not adversely affect environmentally sensitive lands.

The project is an approximate 241 feet x 76 feet vacation of public right-of-way. The 0.42-acre (18,316 sf) project site is located at the south-east corner of Fay Avenue and W. Muirlands Drive and is across the street from La Jolla High School and located north of 7021-7023 Fay Avenue in La Jolla. The project site and immediately adjacent properties are zoned RS-1-7 and designated Low Medium Residential (9-15 du/ac) within the La Jolla Community Plan and Local Coastal Program Land Use Plan.

The proposed activity is exempt from CEQA section 15305 (Minor alterations and land use limitations) of the State CEQA Guidelines.

The proposed coastal development is the vacation of an existing public right-of-way. The vacation will not result in a physical change to the property underlying the public right-of-way. There are no Environmentally Sensitive Lands located on or adjacent to the project site, which is located in an urbanized and developed area. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The project is an approximate 241 feet x 76 feet vacation of public Right-of-Way. The 0.42-acre (18,316 sf) project site is located at the south-east corner of Fay Avenue and W. Muirlands Drive and is across the street from La Jolla High School and located north of 7021-7023 Fay Avenue in La Jolla. The project site and immediately adjacent properties are zoned RS-1-7 and designated Low Medium Residential (9-15 du/ac) within the La Jolla Community Plan and Local Coastal Program Land Use Plan.

The proposed coastal development is the vacation of unimproved public right-of-way. The vacation will not result in a physical change to the property. The adopted La Jolla Community Plan designates the site for residential use, and does not identify this portion of Right-of-Way as an arterial street, major street, nor coastal access facility. The right-of-way

ownership will revert to the City of San Diego. The City-owned duplex and underlying land use within the right-of-way will retain its current zoning and Community Plan designations in compliance with the Fay Avenue Plan recommendations as noted per the Local Coastal program.

Therefore, the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The project is an approximate 241 feet x 76 feet vacation of public right-of-way. The 0.42-acre (18,316 sf) project site is located at the south-east corner of Fay Avenue and W. Muirlands Drive and is across the street from La Jolla High School and located north of 7021-7023 Fay Avenue in La Jolla. The project site and immediately adjacent properties are zoned RS-1-7 and designated Low Medium Residential (9-15 du/ac) within the La Jolla Community Plan and Local Coastal Program Land Use Plan.

The project site is not located between the nearest public road and the sea or the shoreline of any body of water; therefore, this finding does not apply. Therefore, the proposed coastal development does not require to demonstrate conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

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

BE IT FURTHER RESOLVED, that Coastal Development Permit No. 2287959 is granted to City of San Diego Real Estate Asset Department, Owner/, Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

INTERNAL ORDER NUMBER: 21004216

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2287959
FAY AVENUE AND WEST MUIRLANDS DRIVE STREET VACATION PROJECT NO. 545519
CITY COUNCIL

This Coastal Development Permit No. 2287959 is granted by the City Council of the City of San Diego to the City of San Diego Real Estate Assets Department, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0707. The 0.42-acre project site is located at the south-east corner of Fay Ave and W. Muirlands Drive and is across the street from La Jolla High School and located north of 7021-7023 Fay Ave in the RS-1-7 Base zone, Coastal (Non-Appealable) Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan. The project site is legally described as Lots 11 through 16, according to Map thereof no. 1750, filed in the office of the County Recorder on March 16, 1923, and a portion of Fay Avenue (formerly Fay Street) according to Map thereof no. 1307, filed in the Office of the County Recorder on January 26, 1911, both in the City of San Diego, County of San Diego, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for a Public Right-of-Way Vacation for six parcels described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated XXXX, 2021, on file in the Development Services Department.

The project shall include:

- The vacation of an approximate 241-foot x 76-foot of public right-of-way within Fay Avenue, as approved by Right-of-Way Vacation No. 2287960 and described on Exhibit "A" and as shown on Exhibit "B."
- A City-owned duplex will remain and the underlying land use within the right-of-way will retain its current zoning and Community Plan designations.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has

been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by XXXX, 2021

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each condition in order to maintain the entitlements that are granted by this Permit.
10. This Permit herein is subject to the recordation of the Summary Public Right-of-Way Vacation No. 2287960

PLANNING REQUIREMENTS

1. No construction work or alterations are proposed for the existing building structures within the development site as part of this permit.

INFORMATION ONLY:

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

APPROVED by the City Council of the City of San Diego on [INSERT Approval Date] and [Approved Resolution Number].

Coastal Development Permit/PTS Approval No.: 545519

Date of Approval: XX

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Catherine Rom
Development Project Manager

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

**REAL ESTATE ASSETS DEPARTMENT OF THE
CITY OF SAN DIEGO**
Owner/Permittee

By _____
MARY CARLSON
TITLE

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

NOTICE OF EXEMPTION*(Check one or both)*

TO: 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.: 545519

Project Title: Fay and Muirlands ROW Vacation

PROJECT LOCATION-SPECIFIC: 921 Muirlands Drive, San Diego, CA 92037PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: The proposed Coastal Development Permit (CDP) and Vacation would allow for the vacation of existing public right-of-way (PROW). The PROW is undeveloped and is a remnant parcel at the south-east corner of Fay Ave and W. Muirlands Drive, across the street from La Jolla High School and north of 7021-7023 Fay Ave. The City acquired the property for public street purposes to re-align Fay Avenue. In order to improve traffic flow and pedestrian access along this corridor. Fay Avenue was realigned, and portions of public right-of-way are no longer required for street purposes. The project site and immediately adjacent properties are zoned RS-1-7 and designated Low Medium Residential (9-15 du/ac) within the La Jolla Community Plan and Local Coastal Program Land Use.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San DiegoNAME OF PERSON OR AGENCY CARRYING OUT PROJECT: City of San Diego, Real Estate Assets- Mary Carlson, 1200 Third Avenue Suite 1700, San Diego CA, 92101. (619) 236-4685EXEMPT 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)..
- CATEGORICAL EXEMPTION: Exemption 15305 (Minor Alterations in Land Use Limitations)
- STATUTORY EXEMPTION:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review and determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15305 (Minor Alterations in Land Use Limitations). 15305 allows for the minor alterations in land use limitations as long as the area does not contain average slopes greater than 20 percent and would not result in changes in land use density. Since the project is vacating an easement on land that does not contain slopes greater than 20 percent and would not increase density the exemption is appropriate. Because the project lacks sensitive resources the exceptions listed in section 15300.2 do not apply.

LEAD AGENCY CONTACT PERSON: Jeffrey Szymanski

TELEPHONE: 619 446-5324

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

SIGNATURE/TITLE

x/xx/2021

DATE

CHECK ONE:

SIGNED BY LEAD AGENCY

DATE RECEIVED FOR FILING WITH COUNTY

CLERK OR OPR:

DRAFT

EXHIBIT 'A'
LEGAL DESCRIPTION
STREET VACATION

ALL THOSE PORTIONS OF LOTS 11 THROUGH 16 OF MIRAMAR TERRACE, ACCORDING TO MAP THEREOF NO. 1750, FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER ON MARCH 16, 1923, AND A PORTION OF FAY AVENUE (FORMERLY FAY STREET) ACCORDING TO MAP THEREOF NO. 1307, FILED IN THE OFFICE OF THE COUNTY RECORDER ON JANUARY 26, 1911, BOTH IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTHERLY LINE OF LOT 18, DISTANT THEREON NORTH 75°04'40" EAST (RECORD NORTH 75°01'30" EAST PER SAID MAP 1750), 72.00 FEET FROM THE SOUTHWEST CORNER THEREOF, BEING **ALSO** THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SEPTEMBER 28, 1956 IN BOOK 6277, PAGE 318 OF OFFICIAL RECORDS; THENCE LEAVING SAID POINT ALONG THE EASTERLY LINE THEREOF

1. NORTH 22°38'53" WEST 98.10 FEET TO A POINT IN THE SOUTHERLY LINE OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, OCTOBER 2, 1959 IN BOOK 7914, PAGE 129 OF OFFICIAL RECORDS, SAID POINT LYING ON THE SOUTHERLY LINE OF SAID LOT 16, DISTANT THEREON NORTH 74°54'30" EAST, 59.10 FEET (RECORD NORTH 74°54'20" EAST, 59.10 FEET PER SAID DEED) FROM THE SOUTHWESTERLY CORNER THEREOF, ALSO BEING THE **TRUE POINT OF BEGINNING**; THENCE ALONG SAID SOUTHERLY LINE
2. NORTH 74°54'30" EAST 28.90 FEET TO THE SOUTHEASTERLY CORNER OF SAID CITY LAND, BEING A POINT DISTANT 88.00 FEET (RECORD 88 FEET PER SAID DEED) EASTERLY MEASURED AT A RIGHT ANGLE FROM THE WESTERLY LINE OF SAID LOT 16; THENCE ALONG THE EASTERLY LINE OF SAID CITY LAND, PARALLEL WITH SAID WESTERLY LINE OF LOT 16 AND THE WESTERLY LINE OF SAID LOT 15
3. NORTH 15°05'30" WEST 70.96 FEET TO AN ANGLE POINT IN SAID EASTERLY LINE; THENCE CONTINUING ALONG SAID EASTERLY LINE OF SAID CITY LAND
4. NORTH 59°32'38" WEST 0.55 FEET TO AN ANGLE POINT IN THE SOUTHERLY LINE OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, JUNE 1, 1960 AS FILE NO.

112614 OF OFFICIAL RECORDS; THENCE
ALONG THE EASTERLY LINE THEREOF

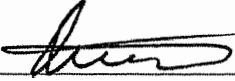
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|-----|---|------------|---|
| 5. | NORTH 12°30'10" WEST (RECORD NORTH 12°33'29" WEST, 20.67' PER SAID DEED) | 20.67 FEET | TO THE NORTHEASTERLY CORNER OF SAID CITY LAND, BEING A POINT IN THE NORTHERLY LINE OF SAID LOT 15 DISTANT EASTERLY 88.55 FEET (PER SAID DEED) FROM THE NORTHWESTERLY CORNER THEREOF, SAID POINT BEING ALSO THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MAY 16, 1961 AS FILE NO. 84071 OF OFFICIAL RECORDS; THENCE CONTINUING ALONG THE EASTERLY LINE OF SAID CITY LAND |
| 6. | NORTH 12°30'10" WEST (RECORD NORTH 12°33'29" WEST, 46.04 FEET PER SAID DEED) | 46.05 FEET | TO THE NORTHEASTERLY CORNER OF SAID CITY LAND, BEING A POINT IN THE NORTHERLY LINE OF SAID LOT 14, DISTANT EASTERLY 90.63 FEET (PER SAID DEED) FROM THE NORTHWESTERLY CORNER THEREOF, SAID POINT BEING ALSO THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, APRIL 25, 1962 AS FILE NO. 70566 OF OFFICIAL RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID CITY LAND |
| 7. | NORTH 12°30'38" WEST (RECORD NORTH 12°33'29" WEST PER SAID DEED) | 78.92 FEET | ; THENCE LEAVING SAID EASTERLY LINE |
| 8. | NORTH 78°53'43" WEST | 14.54 FEET | TO THE BEGINNING OF A TANGENT 185.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY; THENCE ALONG THE ARC OF SAID CURVE |
| 9. | WESTERLY | 15.81 FEET | THROUGH A CENTRAL ANGLE OF 04°53'51"; THENCE |
| 10. | SOUTH 64°53'32" WEST | 4.90 FEET | TO THE BEGINNING OF A NON-TANGENT 182.50 FOOT RADIUS CURVE CONCAVE SOUTHERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 04°53'32" EAST; THENCE ALONG THE ARC OF SAID CURVE |
| 11. | WESTERLY | 15.81 FEET | THROUGH A CENTRAL ANGLE OF 04°57'47"; THENCE |

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|-----|-------------------------------|-------------|---|
| 12. | NORTH 60°04'15" WEST | 4.90 FEET | TO THE BEGINNING OF A NON-TANGENT 185.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 00°04'15" WEST; THENCE ALONG THE ARC OF SAID CURVE |
| 13. | WESTERLY | 1.67 FEET | THROUGH A CENTRAL ANGLE OF 00°30'57" TO THE BEGINNING OF A COMPOUND 130.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY; THENCE ALONG THE ARC OF SAID CURVE |
| 14. | WESTERLY | 12.05 FEET | THROUGH A CENTRAL ANGLE OF 05°18'39" TO THE BEGINNING OF A COMPOUND 30.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE |
| 15. | WESTERLY AND SOUTHWESTERLY | 50.91 FEET | THROUGH A CENTRAL ANGLE OF 97°13'44" ;THENCE TANGENT TO SAID CURVE |
| 16. | SOUTH 14°26'29" EAST | 7.65 FEET | TO THE BEGINNING OF A TANGENT 315.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE |
| 17. | SOUTHEASTERLY | 80.06 FEET | THROUGH A CENTRAL ANGLE OF 14°33'42" ;THENCE TANGENT TO SAID CURVE |
| 18. | SOUTH 29°00'11" EAST | 126.97 FEET | TO A POINT IN SAID SOUTHERLY LINE OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, OCTOBER 2, 1959 IN BOOK 7914, PAGE 129 OF OFFICIAL RECORDS, SAID POINT LYING ON THE SOUTHERLY LINE OF SAID LOT 16, DISTANT THEREON NORTH 74°54'30" EAST, 35.39 FEET (RECORD NORTH 74°54'20" EAST, 59.10 FEET PER SAID DEED) FROM THE SOUTHWESTERLY CORNER THEREOF; THENCE ALONG SAID SOUTHERLY LINE |
| 19. | NORTH 74°54'30" EAST | 23.71 FEET | TO THE TRUE POINT OF BEGINNING. |

CONTAINS 20,373.65 S.F., 0.468 ACRES MORE OR LESS.

ATTACHED HERETO IS A DRAWING NO. 20918-B LABELED EXHIBIT 'B' AND BY THIS REFERENCE MADE A PART HEREOF

PREPARED BY:
ALTA LAND SURVEYING, INC.


MIGUEL A. MARTINEZ
L.S. 7443, LIC. EXP. 06/30/22

08/21/2020
DATE



I.O. NO. 21004216
PTS NO. 545519
DRAWING NO. 20918-B

EXHIBIT 'A'
LEGAL DESCRIPTION
SEWER EASEMENTS

ALL THOSE PORTIONS OF LOTS 12 THROUGH 16 OF MIRAMAR TERRACE, ACCORDING TO MAP THEREOF NO. 1750, FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER ON MARCH 16, 1923, AND A PORTION OF FAY AVENUE ACCORDING TO MAP THEREOF NO. 1307, FILED IN THE OFFICE OF THE COUNTY RECORDER ON JANUARY 26, 1911, BOTH IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEING A STRIP OF LAND 10.00 FEET IN WIDTH, THE CENTERLINE THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTHERLY LINE OF LOT 18, DISTANT THEREON NORTH 75°04'40" EAST (RECORD NORTH 75°01'30" EAST PER SAID MAP 1750), 72.00 FEET FROM THE SOUTHWEST CORNER THEREOF, BEING ALSO THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SEPTEMBER 28, 1956 IN BOOK 6277, PAGE 318 OF OFFICIAL RECORDS; THENCE LEAVING SAID POINT ALONG THE EASTERLY LINE THEREOF

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|----|---|------------|---|
| 1. | NORTH 22°38'53" WEST (RECORD NORTH 22°42'30" WEST, 97.99 FEET PER SAID DEED) | 98.10 FEET | TO A POINT IN THE SOUTHERLY LINE OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, OCTOBER 2, 1959 IN BOOK 7914, PAGE 129 OF OFFICIAL RECORDS, SAID POINT LYING ON THE SOUTHERLY LINE OF SAID LOT 16, DISTANT THEREON NORTH 74°54'30" EAST, 59.10 FEET (RECORD NORTH 74°54'20" EAST, 59.10 FEET PER SAID DEED) FROM THE SOUTHWESTERLY CORNER THEREOF; THENCE ALONG SAID SOUTHERLY LINE |
| 2. | NORTH 74°54'30" EAST | 28.90 FEET | TO THE SOUTHEASTERLY CORNER OF SAID CITY LAND, BEING A POINT DISTANT 88.00 FEET (RECORD 88 FEET PER SAID DEED) EASTERLY MEASURED AT A RIGHT ANGLE FROM THE WESTERLY LINE OF SAID LOT 16; THENCE ALONG THE EASTERLY LINE OF SAID CITY LAND, PARALLEL WITH SAID WESTERLY LINE OF LOT 16 AND THE WESTERLY LINE OF SAID LOT 15 |
| 3. | NORTH 15°05'30" WEST | 70.96 FEET | TO AN ANGLE POINT IN SAID EASTERLY LINE; THENCE CONTINUING ALONG SAID EASTERLY LINE OF SAID CITY LAND |
| 4. | NORTH 59°32'38" WEST | 0.55 FEET | TO AN ANGLE POINT IN THE SOUTHERLY LINE OF LAND CONVEYED TO THE CITY OF |

SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, JUNE 1, 1960 AS FILE NO. 112614 OF OFFICIAL RECORDS; THENCE ALONG THE EASTERLY LINE THEREOF

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|-----|---|------------|---|
| 5. | NORTH 12°30'10" WEST (RECORD NORTH 12°33'29" WEST, 20.67' PER SAID DEED) | 20.67 FEET | TO THE NORTHEASTERLY CORNER OF SAID CITY LAND, BEING A POINT IN THE NORTHERLY LINE OF SAID LOT 15 DISTANT EASTERLY 88.55 FEET (PER SAID DEED) FROM THE NORTHWESTERLY CORNER THEREOF, SAID POINT BEING ALSO THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MAY 16, 1961 AS FILE NO. 84071 OF OFFICIAL RECORDS; THENCE CONTINUING ALONG THE EASTERLY LINE OF SAID CITY LAND |
| 6. | NORTH 12°30'10" WEST (RECORD NORTH 12°33'29" WEST PER SAID DEED) | 21.04 FEET | TO A POINT HEREINAFTER REFERRED TO AS POINT 'B' ; THENCE CONTINUING |
| 7. | NORTH 12°30'10" WEST | 25.01 FEET | TO THE NORTHEASTERLY CORNER OF SAID CITY LAND, BEING A POINT IN THE NORTHERLY LINE OF SAID LOT 14, DISTANT EASTERLY 90.63 FEET (PER SAID DEED) FROM THE NORTHWESTERLY CORNER THEREOF, SAID POINT BEING ALSO THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, APRIL 25, 1962 AS FILE NO. 70566 OF OFFICIAL RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID CITY LAND |
| 8. | NORTH 12°30'38" WEST (RECORD NORTH 12°33'29" WEST PER SAID DEED) | 33.02 FEET | TO THE TRUE POINT OF BEGINNING OF SAID CENTERLINE ; THENCE LEAVING SAID EASTERLY LINE |
| 9. | NORTH 89°29'49" WEST | 66.13 FEET | ; THENCE |
| 10. | SOUTH 82°31'44" WEST | 14.27 FEET | ; THENCE |
| 11. | SOUTH 76°26'33" WEST | 18.56 FEET | TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF FAY AVENUE AS SUBJECT TO THE STREET VACATION PER CITY RESOLUTION NO. _____, RECORDED _____ AS DOC. NO. |

_____ AND BEING THE TERMINUS OF
SAID CENTERLINE

THE SIDELINES OF SAID 10.00 FOOT STRIP TO BE EXTENDED OR SHORTENED SO AS TO TERMINATE WESTERLY IN SAID RIGHT-OF-WAY OF FAY AVENUE, AND EASTERLY IN SAID EASTERLY LINE OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, APRIL 25, 1962 AS FILE NO. 70566 OF OFFICIAL RECORDS

EXCEPTING ANY PORTION OF SAID 10.00 FOOT STRIP LYING WITHIN THE FOOTPRINT OF THE EXISTING BUILDING STRUCTURE PROTRUDING ONTO THE EASEMENT FROM THE NEIGHBORING PROPERTY TO THE EAST.

CONTAINING 989.50 SQUARE FEET MORE OR LESS

PARCEL 2

ALL THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTHERLY LINE OF SAID LOT 18, DISTANT THEREON NORTH 75°04'40" EAST (RECORD NORTH 75°01'30" EAST PER SAID MAP 1750), 72.00 FEET FROM THE SOUTHWEST CORNER THEREOF, BEING **ALSO** THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SEPTEMBER 28, 1956 IN BOOK 6277, PAGE 318 OF OFFICIAL RECORDS; THENCE ALONG THE SOUTHERLY LINE THEREOF

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|----|--|------------|---|
| 1. | SOUTH 75°04'40" WEST (RECORD NORTH 75°01'30" WEST PER SAID DEED) | 13.08 FEET | TO A POINT ON A NON-TANGENT 1,096 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, A RADIAL LINE TO SAID POINT OF CURVE BEARS NORTH 62°46'39" EAST; THENCE LEAVING SAID SOUTHERLY LINE ALONG THE ARC OF SAID CURVE BEING ALSO THE NORTHEASTERLY LINE OF THE RIGHT OF WAY LINE OF FAY AVENUE AS SUBJECT TO THE STREET VACATION PER CITY RESOLUTION NO. _____, RECORDED _____ AS DOC. NO. _____; THENCE |
| 2. | NORTHWESTERLY | 34.06 FEET | THROUGH A CENTRAL ANGLE OF 01°46'50"; THENCE TANGENT AND CONTINUING ALONG SAID VACATED RIGHT-OF-WAY LINE |
| 3. | NORTH 29°00'11" WEST | 65.97 FEET | TO THE TRUE POINT OF BEGINNING ; THENCE CONTINUING |
| 4. | NORTH 29°00'11" WEST | 94.78 FEET | ; THENCE |
| 5. | NORTH 74°34'30" EAST | 75.95 FEET | ; THENCE |
| 6. | SOUTH 12°30'10" EAST | 20.67 FEET | ; THENCE |
| 7. | SOUTH 59°32'38" EAST | 0.55 FEET | ; THENCE |

- 8. SOUTH 15°05'30" EAST 70.96 FEET ; THENCE
- 9. SOUTH 74°54'30" WEST 52.61 FEET TO THE TRUE POINT OF BEGINNING

CONTAINING 5,890.04 SQUARE FEET MORE OR LESS

PARCEL 3

BEING A STRIP OF LAND 10.00 FEET IN WIDTH, THE CENTERLINE THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT AFORMENTIONED POINT 'B'; THENCE


- 1. SOUTH 73°02'39" WEST 35.09 FEET ; THENCE
- 2. SOUTH 73°02'54" WEST 26.62 FEET ; THENCE
- 3. SOUTH 74°29'41" WEST 19.27 FEET ; THENCE
- 4. SOUTH 71°07'40" WEST 0.62 FEET TO A POINT IN THE EASTERLY RIGHT OF WAY LINE OF FAY AVENUE AS SUBJECT TO THE STREET VACATION PER CITY RESOLUTION NO. _____, RECORDED _____ AS DOC. NO. _____ AND BEING THE TERMINUS OF SAID CENTERLINE

THE SIDELINES OF SAID 10.00 FOOT STRIP TO BE EXTENDED OR SHORTENED SO AS TO TERMINATE SOUTHWESTERLY IN SAID VACATED RIGHT-OF-WAY OF FAY AVENUE, AND NORTHEASTERLY AT THE EASTERLY LINE OF SAID LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, APRIL 16, 1961 PER FILE NO. 84071 OF OFFICIAL RECORDS

CONTAINING 815.96 SQUARE FEET MORE OR LESS

ATTACHED HERETO IS DRAWING NO. 20918-B AND BY THIS REFERENCE MADE A PART HEREOF PREPARED BY:

ALTA LAND SURVEYING, INC.



 MIGUEL A. MARTINEZ
 L.S. 7443
 LIC. EXP. 06/30/22

8/21/2020

 DATE



PTS. NO. 545519
 I.O. NO. 21004216
 DWG. NO. 20918-B

EXHIBIT 'A'
LEGAL DESCRIPTION
WATER EASEMENTS

ALL THOSE PORTIONS OF LOTS 12 THROUGH 16, ACCORDING TO MAP THEREOF NO. 1750, FILED IN THE OFFICE OF THE COUNTY RECORDER ON MARCH 16, 1923, AND A PORTION OF FAY AVENUE ACCORDING TO MAP THEREOF NO. 1307, FILED IN THE OFFICE OF THE COUNTY RECORDER ON JANUARY 26, 1911, BOTH IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEING A STRIP OF LAND 10.00 FEET IN WIDTH, THE CENTERLINE THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTHERLY LINE OF LOT 18, DISTANT THEREON NORTH 75°04'40" EAST (RECORD NORTH 75°01'30" EAST PER SAID MAP 1750), 72.00 FEET FROM THE SOUTHWEST CORNER THEREOF, BEING ALSO THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SEPTEMBER 28, 1956 IN BOOK 6277, PAGE 318 OF OFFICIAL RECORDS; THENCE LEAVING SAID POINT ALONG THE EASTERLY LINE THEREOF

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|----|---|------------|---|
| 1. | NORTH 22°38'53" WEST (RECORD NORTH 22°42'30" WEST, 97.99 FEET PER SAID DEED) | 98.10 FEET | TO A POINT IN THE SOUTHERLY LINE OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, OCTOBER 2, 1959 IN BOOK 7914, PAGE 129 OF OFFICIAL RECORDS, SAID POINT LYING ON THE SOUTHERLY LINE OF SAID LOT 16, DISTANT THEREON NORTH 74°54'30" EAST, 59.10 FEET (RECORD NORTH 74°54'20" EAST, 59.10 FEET PER SAID DEED) FROM THE SOUTHWESTERLY CORNER THEREOF; THENCE ALONG SAID SOUTHERLY LINE |
| 2. | NORTH 74°54'30" EAST | 28.90 FEET | TO THE SOUTHEASTERLY CORNER OF SAID CITY LAND, BEING A POINT DISTANT 88.00 FEET (RECORD 88 FEET PER SAID DEED) EASTERLY MEASURED AT A RIGHT ANGLE FROM THE WESTERLY LINE OF SAID LOT 16; THENCE ALONG THE EASTERLY LINE OF SAID CITY LAND, PARALLEL WITH SAID WESTERLY LINE OF LOT 16 AND THE WESTERLY LINE OF SAID LOT 15 |
| 3. | NORTH 15°05'30" WEST | 0.54 FEET | TO A POINT HEREINAFTER REFERRED TO AS POINT 'A'; THENCE CONTINUING |
| 4. | NORTH 15°05'30" WEST | 70.42 FEET | TO AN ANGLE POINT IN SAID EASTERLY LINE; THENCE CONTINUING ALONG SAID |

EASTERLY LINE OF SAID CITY LAND

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|-----|---|------------|---|
| 5. | NORTH 59°32'38" WEST | 0.55 FEET | TO AN ANGLE POINT IN THE SOUTHERLY LINE OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, JUNE 1, 1960 AS FILE NO. 112614 OF OFFICIAL RECORDS; THENCE ALONG THE EASTERLY LINE THEREOF |
| 6. | NORTH 12°30'10" WEST (RECORD NORTH 12°33'29" WEST, 20.67' PER SAID DEED) | 20.67 FEET | TO THE NORTHEASTERLY CORNER OF SAID CITY LAND, BEING A POINT IN THE NORTHERLY LINE OF SAID LOT 15 DISTANT EASTERLY 88.55 FEET (PER SAID DEED) FROM THE NORTHWESTERLY CORNER THEREOF, SAID POINT BEING ALSO THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MAY 16, 1961 AS FILE NO. 84071 OF OFFICIAL RECORDS; THENCE CONTINUING ALONG THE EASTERLY LINE OF SAID CITY LAND |
| 7. | NORTH 12°30'10" WEST (RECORD NORTH 12°33'29" WEST, 46.04 FEET PER SAID DEED) | 24.87 FEET | TO A POINT HEREINAFTER REFERRED TO AS POINT 'B'; THENCE CONTINUING |
| 8. | NORTH 12°30'10" WEST | 21.18 FEET | TO THE NORTHEASTERLY CORNER OF SAID CITY LAND, BEING A POINT IN THE NORTHERLY LINE OF SAID LOT 14, DISTANT EASTERLY 90.63 FEET (PER SAID DEED) FROM THE NORTHWESTERLY CORNER THEREOF, SAID POINT BEING ALSO THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, APRIL 25, 1962 AS FILE NO. 70566 OF OFFICIAL RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID CITY LAND |
| 9. | NORTH 12°30'38" WEST (RECORD NORTH 12°33'29" WEST PER SAID DEED) | 31.20 FEET | TO THE TRUE POINT OF BEGINNING OF SAID CENTERLINE; THENCE LEAVING SAID EASTERLY LINE |
| 10. | NORTH 84°04'11" WEST | 19.17 FEET | ; THENCE |
| 11. | NORTH 42°07'23" WEST | 7.21 FEET | ; THENCE |

12. SOUTH 85°06'09" WEST 3.95 FEET ; THENCE
13. SOUTH 78°35'06" WEST 37.81 FEET ; THENCE
14. SOUTH 75°51'24" WEST 18.67 FEET ; THENCE
15. SOUTH 65°53'49" WEST 14.76 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF FAY AVENUE AS SUBJECT TO THE STREET VACATION PER CITY RESOLUTION NO. _____ RECORDED _____ AS DOC. NO. _____ AND BEING THE TERMINUS OF SAID CENTERLINE

THE SIDELINES OF SAID 10.00 FOOT STRIP TO BE EXTENDED OR SHORTENED SO AS TO TERMINATE WESTERLY IN SAID RIGHT-OF-WAY OF FAY AVENUE, AND EASTERLY IN SAID EASTERLY LINE OF LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, APRIL 25, 1962 AS FILE NO. 70566 OF OFFICIAL RECORDS

EXCEPTING ANY PORTION OF SAID 10.00 FOOT STRIP LYING WITHIN THE FOOTPRINT OF THE EXISTING BUILDING STRUCTURE PROTRUDING ONTO THE EASEMENT FROM THE NEIGHBORING PROPERTY TO THE EAST.

CONTAINING 1,015.59 SQUARE FEET MORE OR LESS

PARCEL 2

BEING A STRIP OF LAND 10.00 FEET IN WIDTH, THE CENTERLINE THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT AFORMENTIONED POINT 'A'; THENCE

1. SOUTH 74°54'30" WEST 35.93 FEET ; THENCE
2. SOUTH 28°23'05" WEST 19.38 FEET TO A POINT IN THE EASTERLY RIGHT OF WAY LINE OF FAY AVENUE AS SUBJECT TO THE STREET VACATION PER RESOLUTION NO. _____ RECORDED _____ AS DOC. NO. _____ AND BEING THE TERMINUS OF SAID CENTERLINE

THE SIDELINES OF SAID 10.00 FOOT STRIP TO BE EXTENDED OR SHORTENED SO AS TO TERMINATE SOUTHWESTERLY IN SAID RIGHT-OF-WAY OF FAY AVENUE, AND NORTHEASTERLY AT THE EASTERLY LINE OF SAID LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, OCTOBER 2, 1959 IN BOOK 7914, PAGE 129 OF OFFICIAL RECORDS

EXCEPTING THEREFROM ANY PORTION OF SAID 10.00 FOOT STRIP LYING WITHIN SAID LOT 17 EASTERLY OF THE EASTERLY LINE OF SAID LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SEPTEMBER 28, 1956 IN BOOK 6277, PAGE 318 OF OFFICIAL RECORDS

CONTAINING 425.34 SQUARE FEET MORE OR LESS

PARCEL 3

BEING A STRIP OF LAND 10.00 FEET IN WIDTH, THE CENTERLINE THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT AFORMENTIONED POINT 'B'; THENCE

- 1. SOUTH 70°12'46" WEST 2.59 FEET ; THENCE
- 2. SOUTH 60°10'00" WEST 20.51 FEET ; THENCE
- 3. SOUTH 51°08'18" WEST 11.84 FEET ; THENCE
- 4. SOUTH 61°56'58" WEST 5.94 FEET ; THENCE
- 5. SOUTH 75°30'02" WEST 39.88 FEET ; THENCE
- 6. NORTH 27°34'29" WEST 11.45 FEET ; THENCE
- 7. SOUTH 59°45'19" WEST 1.80 FEET TO A POINT IN THE NORTHEASTERLY RIGHT OF WAY LINE OF FAY AVENUE AS SUBJECT TO THE STREET VACATION PER CITY RESOLUTION NO. _____ RECORDED _____ AS DOC. NO. _____ AND BEING THE TERMINUS OF SAID CENTERLINE

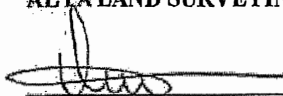
THE SIDELINES OF SAID 10.00 FOOT STRIP TO BE EXTENDED OR SHORTENED SO AS TO TERMINATE SOUTHWESTERLY IN SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF FAY AVENUE, AND NORTHEASTERLY AT THE EASTERLY LINE OF SAID LAND CONVEYED TO THE CITY OF SAN DIEGO BY GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MAY 16, 1961 AS FILE NO. 84071 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ANY PORTION OF SAID 10.00 FOOT STRIP LYING SOUTHWESTERLY OF SAID PROPOSED NORTHEASTERLY RIGHT-OF-WAY LINE OF FAY AVENUE.

CONTAINING 903.08 SQUARE FEET MORE OR LESS

ATTACHED HERETO IS A DRAWING NO. 20918-B AND BY THIS REFERENCE MADE A PART HEREOF

PREPARED BY:
ALTA LAND SURVEYING, INC.



 MIGUEL A. MARTINEZ DATE 8/13/2020
 L.S. 7443 LIC. EXP. 06/30/22



PTS. NO. 545519
I.O. NO. 21004216
DWG. NO. 20918-B

EXHIBIT 'B'

A.P.N.

PORTION OF 351-250-STREET

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS PROJECT IS THE 7' OFFSET LINE ALONG THE W'LY RIGHT-OF-WAY OF FAY AVE. (80' WIDE) PER RECORD OF SURVEY MAP NO. 15145. IE: N15°05'30"W

LEGEND



PORTIONS OF FAY AVENUE DEEDED TO THE CITY OF SAN DIEGO OVER LOTS 11 THRU 16, PER MAP NO. 1750, & FAY AVE, PER MAP NO. 1307, VACATED AREA: 20,373.65 S.F. (0.468 ACRES)

() RECORD DATA PER VARIOUS DEEDS OF RECORD

DD1 RECORD DATA PER GRANT DEED RECORDED 9/28/1956 IN BOOK 6277, PAGE 318 OF OFFICIAL RECORDS

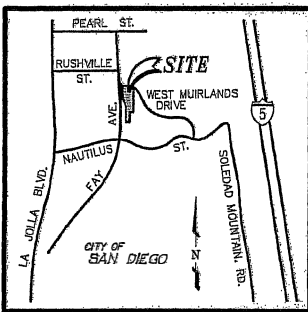
DD2 RECORD DATA PER GRANT DEED RECORDED 10/2/1959 IN BOOK 7914, PAGE 129 OF OFFICIAL RECORDS

DD3 RECORD DATA PER GRANT DEED RECORDED 6/1/1960 AS FILE NO. 112614 OF OFFICIAL RECORDS

DD4 RECORD DATA PER GRANT DEED RECORDED 5/16/1961 AS FILE NO. 84071 OF OFFICIAL RECORDS

DD5 RECORD DATA PER GRANT DEED RECORDED 4/25/1962 AS FILE NO. 70566 OF OFFICIAL RECORDS

ABUTTERS RIGHTS OF ACCESS RELINQUISHED PER DD3, DD4, & DD5 ABOVE



VICINITY MAP
NO SCALE

SEE SHEET 2 FOR STREET VACATION

PORTIONS OF EXISTING CITY OF SAN DIEGO DEED ACQUISITIONS BEING VACATED

- ① GRANT DEED RECORDED 4/25/1962 AS FILE NO. 70566 OF OFFICIAL RECORDS (POR LOTS 11, 12, & 13)
- ② GRANT DEED RECORDED 10/5/1959 IN BOOK 7916/PAGE 522 OF OFFICIAL RECORDS (POR LOTS 11, 12, & 13)
- ③ GRANT DEED RECORDED 5/16/1961 AS FILE NO. 84071 OF OFFICIAL RECORDS (POR LOT 14)
- ④ GRANT DEED RECORDED 9/2/1955 AS FILE NO. 115953. BK 5779 PG 575 OF OFFICIAL RECORDS (POR LOT 14)
- ⑤ GRANT DEED RECORDED 6/1/1960 AS FILE NO. 112614 OF OFFICIAL RECORD (POR LOT 15)
- ⑥ GRANT DEED RECORDED 10/2/1959 IN BOOK 7914/PAGE 129 OF OFFICIAL RECORDS (POR LOTS 15 & 16)

EXISTING EASEMENTS

- 1 CENTERLINE OF EASEMENT TO SAN DIEGO GAS & ELECTRIC FOR GAS LINE PURPOSES, RECORDED AUGUST 18, 1936, IN BK 565, PG 15 OF OFFICIAL RECORDS. (WIDTH NOT SPECIFIED)
- 2 CENTERLINE OF EASEMENT TO SAN DIEGO GAS & ELECTRIC FOR POWER LINE AND DISTRIBUTION PURPOSES, RECORDED APRIL 03, 1945, IN BK 1839, PG 486 OF OFFICIAL RECORDS. (WIDTH NOT SPECIFIED)

REFERENCE DWGS:

MAP NO. 1307
MAP NO. 1750
MAP NO. 2664
PARCEL MAP NO. 17907
RECORD OF SURVEY 15274
RECORD OF SURVEY 15145
DWG. NO. 30966-D



Alta Land Surveying

9517 GROSSMONT SUMMIT DR.
LA MESA, CA 91941
PHONE: (619) 713-2582
3524-B-SHT1 J.N. 17-3524 DATE: 03/13/2020

RESOLUTION NO. _____

RECORDED: _____

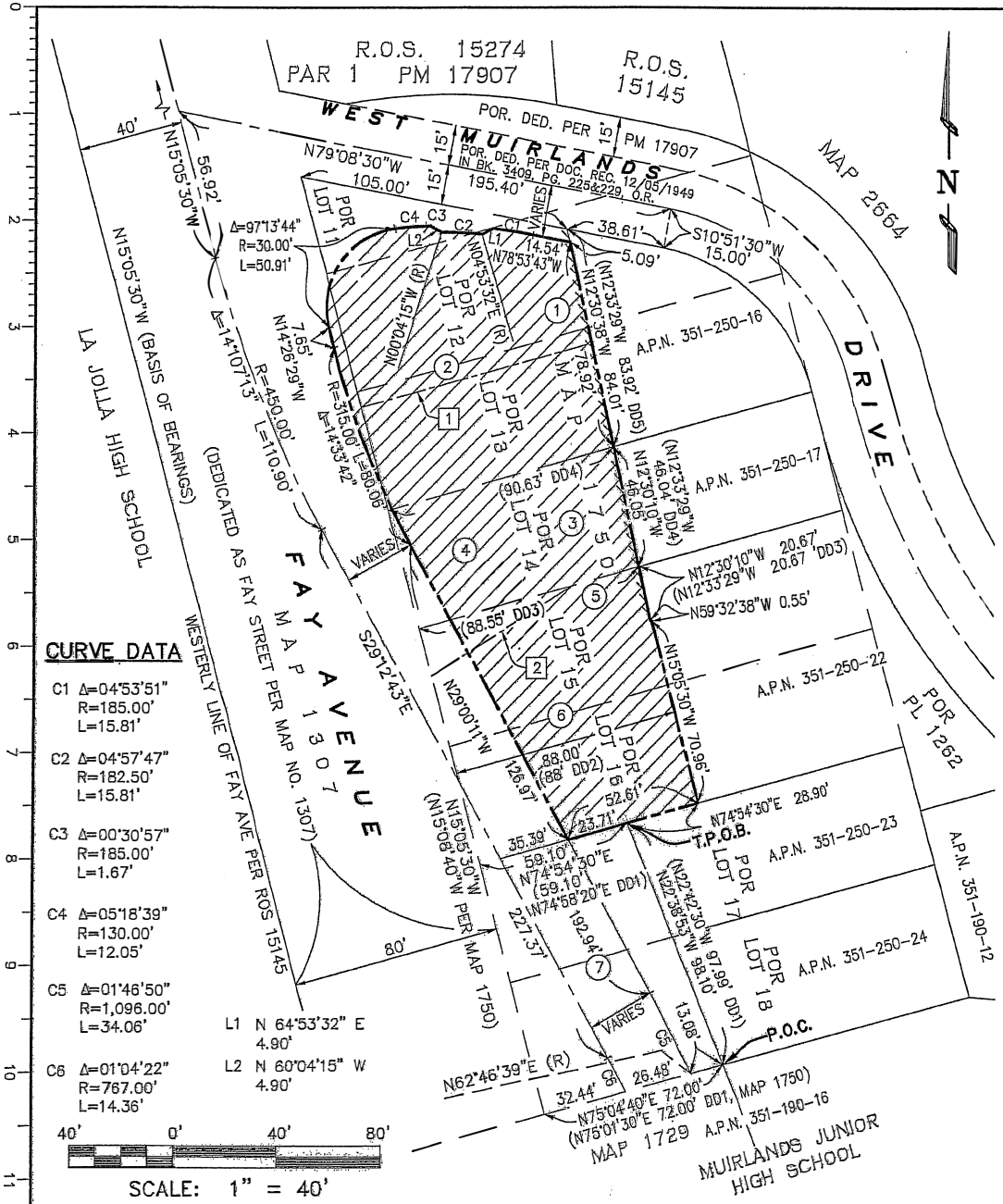
DOCUMENT NO. _____

STREET VACATION

PORTIONS OF FAY AVENUE AND LOTS 11 THROUGH 16 IN MIRAMAR TERRACE, MAP NO. 1750 LOCATED AT FAY AVENUE & WEST MUIRLANDS DR.

| DESCRIPTION | BY | APPROVED | DATE | FILMED | CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 6 SHEETS | P.T.S. NO. 545519 J.O. NO. 21004216 |
|-------------|----|----------|------|--------|--|--|
| ORIGINAL | | | | | | |
| | | | | | <i>APPROVED</i> 9/11/2020 FOR CITY LAND SURVEYOR DATE | 1884-6245 CCS 83 COORDINATES |
| | | | | | | 244-1685 LAMBERT COORDINATES |
| | | | | | | 20918-B |

EXHIBIT 'B'



Alta Land Surveying
9517 GROSSMONT SUMMIT DR.
LA MESA, CA 91941
PHONE: (619) 713-2582
3524-B-SHT2 J.N. 17-3524 DATE: 08/13/2020




RESOLUTION NO. _____
RECORDED: _____
DOCUMENT NO. _____

STREET VACATION
PORTIONS OF FAY AVENUE AND LOTS 11 THROUGH 16 IN MIRAMAR TERRACE, MAP NO. 1750
LOCATED AT FAY AVENUE & WEST MUIRLANDS DR.

| DESCRIPTION | BY | APPROVED | DATE | FILMED | CITY OF SAN DIEGO, CALIFORNIA SHEET 2 OF 6 SHEETS | P.T.S. No. 545519 J.O. No. 21004216 |
|-------------|----|----------|------|--------|--|--|
| ORIGINAL | | | | | <i>John R. J.</i> CITY LAND SURVEYOR | 1884-6245 CCS 83 COORDINATES |
| | | | | | <i>9/14/2020</i> DATE | 244-1685 LAMBERT COORDINATES |
| | | | | | | 20918-B |

EXHIBIT 'B'

PRIVATE SEWER EASEMENTS

-  PARCEL 1 -10' WIDE SEWER EASEMENT AREA: 989.50 S.F.
-  PARCEL 2 -SEWER LATERAL UNABLE TO BE LOCATED - 5,890.04 S.F.
-  PARCEL 3 -10' WIDE SEWER EASEMENT AREA: 815.96 S.F.

LEGEND

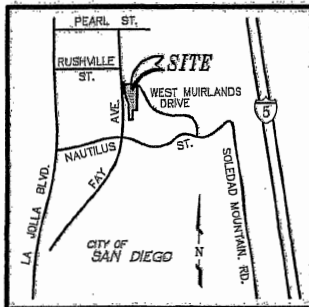
- INDICATES CENTERLINES
- (R) INDICATES RADIAL BEARING
- P.O.C.** INDICATES POINT OF COMMENCEMENT
- T.P.O.B.** INDICATES TRUE POINT OF BEGINNING
- BOUNDARY OF PORTION OF FAY AVENUE AS DEEDED TO THE CITY OF SAN DIEGO OVER LOTS 11 THRU 18, PER MAP NO. 1750, & FAY AVE PER MAP NO. 1307 TO BE VACATED PER RESOLUTION NO. _____
- () RECORD DATA PER VARIOUS DEEDS OF RECORD
- DD1 RECORD DATA PER GRANT DEED RECORDED 9/28/1956 IN BOOK 6277, PAGE 318 OF OFFICIAL RECORDS
- DD2 RECORD DATA PER GRANT DEED RECORDED 10/2/1959 IN BOOK 7914, PAGE 129 OF OFFICIAL RECORDS
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- DD4 RECORD DATA PER GRANT DEED RECORDED 5/16/1961 AS FILE NO. 84071 OF OFFICIAL RECORDS
- DD5 RECORD DATA PER GRANT DEED RECORDED 4/25/1962 AS FILE NO. 70566 OF OFFICIAL RECORDS

PORTIONS OF EXISTING CITY OF SAN DIEGO DEED ACQUISITIONS TO BE VACATED

- ① GRANT DEED RECORDED 4/25/1962 AS FILE NO. 70566 OF OFFICIAL RECORDS (POR LOTS 11, 12, & 13)
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- ③ GRANT DEED RECORDED 5/16/1961 AS FILE NO. 84071 OF OFFICIAL RECORDS (POR LOT 14)
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- ⑤ GRANT DEED RECORDED 6/1/1960 AS FILE NO. 112614 OF OFFICIAL RECORD (POR LOT 15)
- ⑥ GRANT DEED RECORDED 10/2/1959 IN BOOK 7914/PAGE 129 OF OFFICIAL RECORDS (POR LOTS 15 & 16)
- ⑦ GRANT DEED RECORDED 9/28/1956 IN BOOK 6277/PAGE 318 OF OFFICIAL RECORDS (POR LOTS 17 & 18)

EXISTING EASEMENTS

- ① CENTERLINE OF EASEMENT TO SAN DIEGO GAS & ELECTRIC FOR GAS LINE PURPOSES, RECORDED AUGUST 18, 1936, IN BK 565, PG 15 OF OFFICIAL RECORDS. (WIDTH NOT SPECIFIED)
- ② CENTERLINE OF EASEMENT TO SAN DIEGO GAS & ELECTRIC FOR POWER LINE AND DISTRIBUTION PURPOSES, RECORDED APRIL 03, 1945, IN BK 1839, PG 466 OF OFFICIAL RECORDS. (WIDTH NOT SPECIFIED)



VICINITY MAP
NO SCALE

A.P.N.
N/A



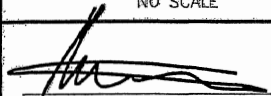
BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS PROJECT IS THE 7' OFFSET LINE ALONG THE W'LY RIGHT-OF-WAY OF FAY AVE. (80' WIDE) PER RECORD OF SURVEY MAP NO. 15145. IE: N15°05'30"W

REFERENCE DWGS:

MAP NO. 1307
MAP NO. 1750
MAP NO. 2664
PARCEL MAP NO. 17907
RECORD OF SURVEY 15274
RECORD OF SURVEY 15145
DWG. NO. 30966-D

SEE SHEET 4 FOR SEWER EASEMENTS


MIGUEL A. MARTINEZ LS 7443
ALTA LAND SURVEYING, INC.
 9517 Grossmont Summit Dr., La Mesa, CA 91941
 Phone/fax: (619) 713-2582
 altaandsurveying.com 3524 PROP-SWR_ESMT.DWG

RESOLUTION NO: _____
 DOCUMENT NO: _____
 RECORDED: _____

08/13/2020
DATE

PRIVATE SEWER EASEMENTS
 PORTIONS OF FAY AVENUE AND LOTS 12 THROUGH 16 IN MIRAMAR TERRACE, MAP NO. 1750
 LOCATED AT FAY AVENUE & WEST MUIRLANDS DR.

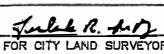
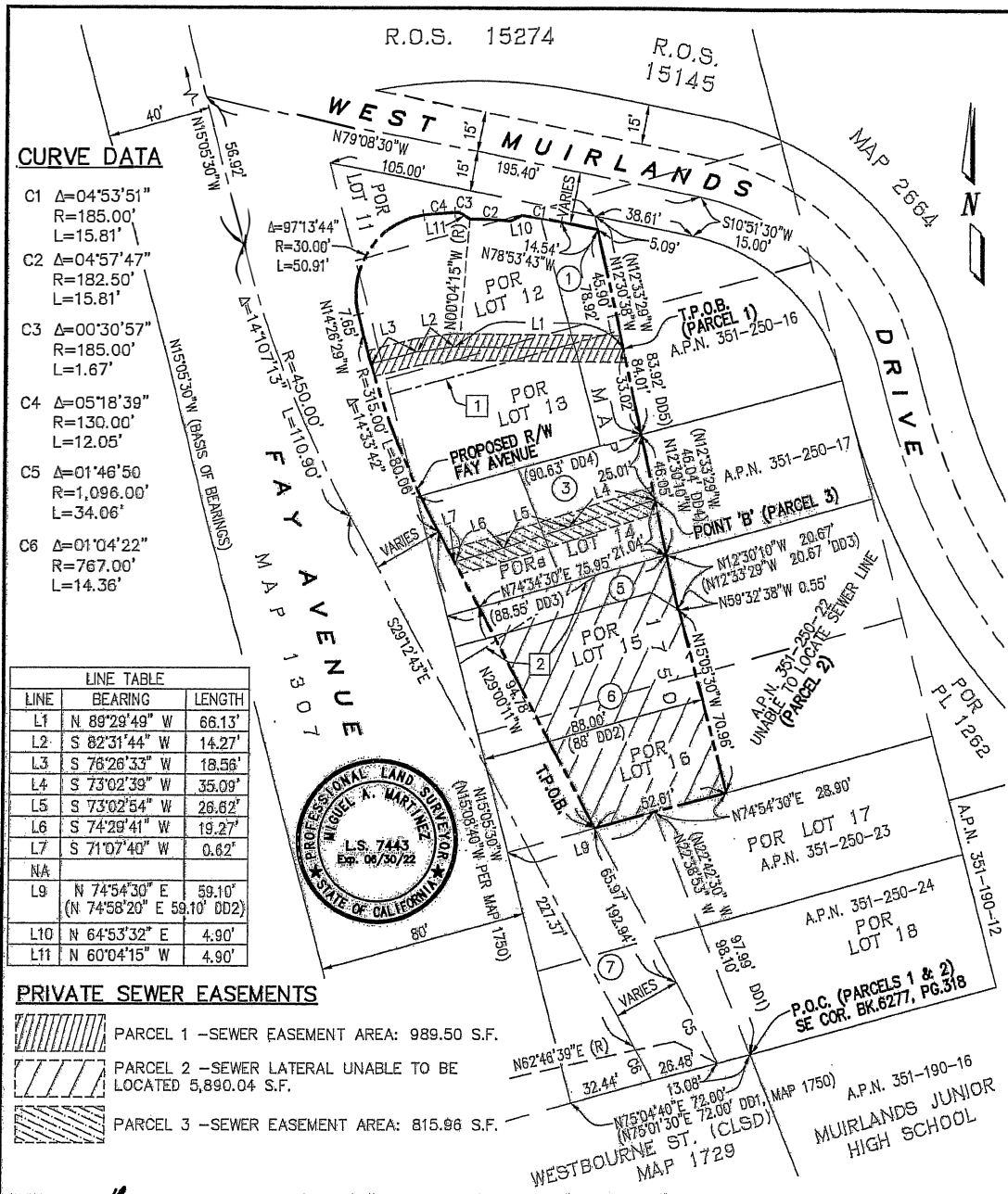
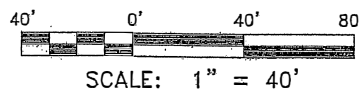
| DESCRIPTION | BY | APPROVED | DATE | FILMED | CITY OF SAN DIEGO, CALIFORNIA DEVELOPMENT SERVICES DEPARTMENT SHEET 3 OF 6 SHEET | | PTS NO. 545519 |
|-------------|------|----------|------|--------|---|--|----------------------------------|
| ORIGINAL | R.G. | | | |  FOR CITY LAND SURVEYOR | | I.O. NO. 21004216 |
| | | | | | DATE 9/11/2020 | | 1884-6245 CCS '83 COORDINATES |
| | | | | | | | 244-1685 LAMBERT COORDINATES |
| | | | | | | | 20918-B |

EXHIBIT 'B'



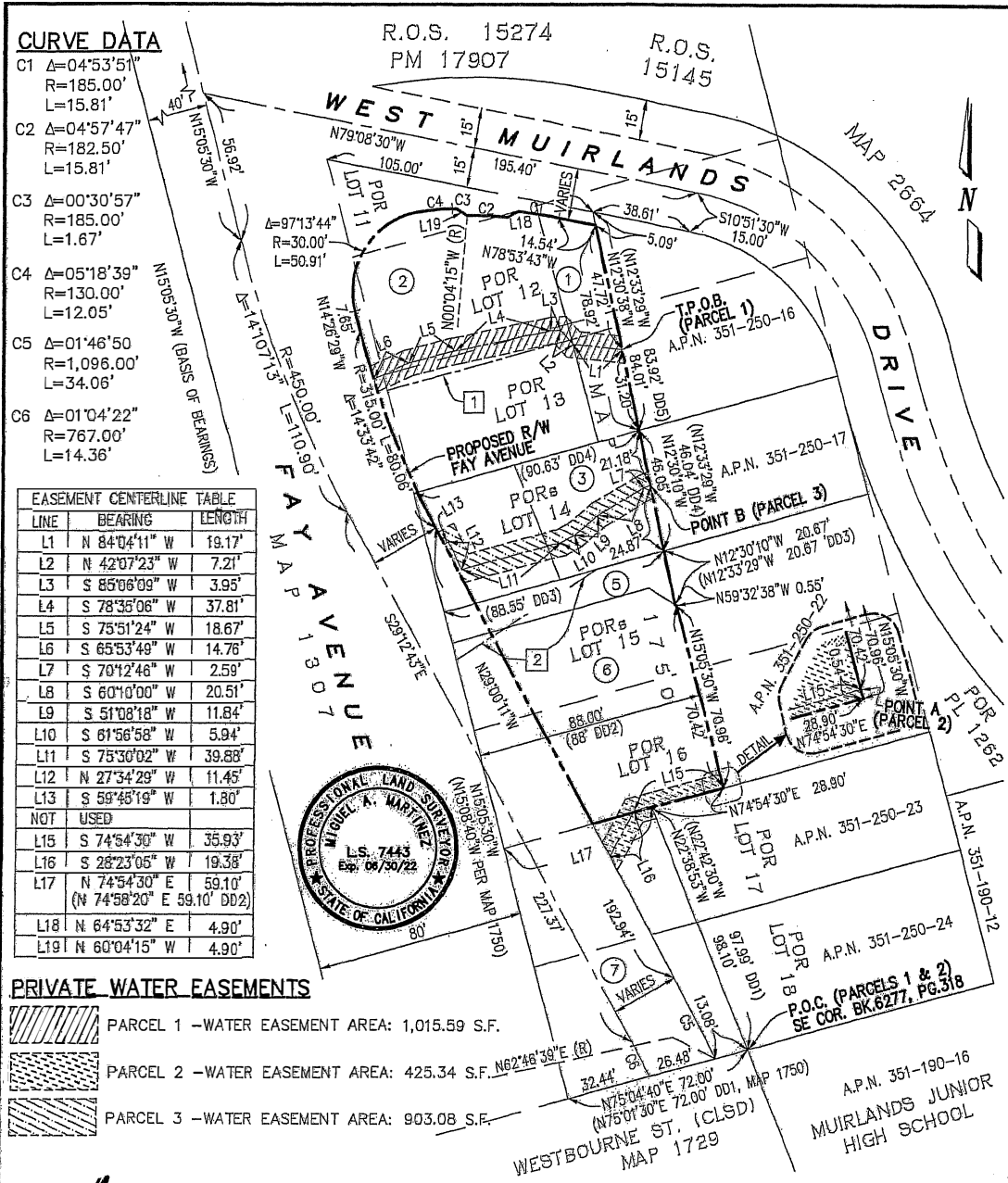
Miguel A. Martinez
 08/13/2020
 MIGUEL A. MARTINEZ LS 7443 DATE
 ALTA LAND SURVEYING, INC.
 9517 Grossmont Summit Dr., La Mesa, CA 91941
 Phone/fax: (619) 713-2582
 altalandsurveying.com 3524 PROP-SWR ESMT.DWG



PRIVATE SEWER EASEMENTS
 PORTIONS OF FAY AVENUE AND LOTS 12 THROUGH 16 IN MIRAMAR TERRACE, MAP NO. 1750
 LOCATED AT FAY AVENUE & WEST MUIRLANDS DR.

| DESCRIPTION | BY | APPROVED | DATE | FILMED | CITY OF SAN DIEGO, CALIFORNIA | PTS NO. |
|-------------|------|----------|------|--------|---------------------------------|---------------------|
| ORIGINAL | R.G. | | | | DEVELOPMENT SERVICES DEPARTMENT | 545519 |
| | | | | | SHEET 4 OF 6 SHEETS | I.O. NO. 21004216 |
| | | | | | <i>For City Land Surveyor</i> | 1884-6245 |
| | | | | | <i>Miguel A. Martinez</i> | CCS '83 COORDINATES |
| | | | | | DATE | 244-1685 |
| | | | | | | LAMBERT COORDINATES |
| | | | | | | 20918-B |

EXHIBIT 'B'



CURVE DATA

- C1 Δ=04°53'51"
R=185.00'
L=15.81'
- C2 Δ=04°57'47"
R=182.50'
L=15.81'
- C3 Δ=00°30'57"
R=185.00'
L=1.67'
- C4 Δ=05°18'39"
R=130.00'
L=12.05'
- C5 Δ=01°46'50"
R=1,096.00'
L=34.06'
- C6 Δ=01°04'22"
R=767.00'
L=14.36'

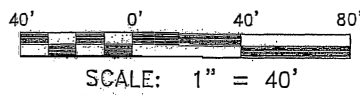
| LINE | BEARING | LENGTH |
|----------|--|--------|
| L1 | N 84°04'11" W | 19.17' |
| L2 | N 42°07'23" W | 7.21' |
| L3 | S 85°06'09" W | 3.95' |
| L4 | S 78°38'06" W | 37.81' |
| L5 | S 75°51'24" W | 18.67' |
| L6 | S 65°53'49" W | 14.76' |
| L7 | S 70°12'46" W | 2.59' |
| L8 | S 60°10'00" W | 20.51' |
| L9 | S 51°08'18" W | 11.84' |
| L10 | S 61°56'58" W | 5.94' |
| L11 | S 75°30'02" W | 39.88' |
| L12 | N 27°34'29" W | 11.45' |
| L13 | S 59°48'19" W | 1.80' |
| NOT USED | | |
| L15 | S 74°54'30" W | 35.93' |
| L16 | S 28°23'05" W | 19.38' |
| L17 | N 74°54'30" E 59.10' (N 74°58'20" E 59.10' DD2) | |
| L18 | N 64°53'32" E | 4.90' |
| L19 | N 60°04'15" W | 4.90' |

PRIVATE WATER EASEMENTS

- PARCEL 1 - WATER EASEMENT AREA: 1,015.59 S.F.
- PARCEL 2 - WATER EASEMENT AREA: 425.34 S.F.
- PARCEL 3 - WATER EASEMENT AREA: 903.08 S.F.

Miguel A. Martinez
 MIGUEL A. MARTINEZ LS 7443
 ALTA LAND SURVEYING, INC.
 9517 Grossmont Summit Dr., La Mesa, CA 91941
 Phone/fax: (619) 713-2582
 altalandsurveying.com 3524 PROP-WTR ESMT.DWG

08/13/20
DATE



PRIVATE WATER EASEMENTS
 PORTIONS OF FAY AVENUE AND LOTS 12 THROUGH 16 IN MIRAMAR TERRACE, MAP NO. 1750
 LOCATED AT FAY AVENUE & WEST MUIRLANDS DR.

| DESCRIPTION | BY | APPROVED | DATE | FILED | CITY OF SAN DIEGO, CALIFORNIA DEVELOPMENT SERVICES DEPARTMENT SHEET 6 OF 6, SHEET | PTS NO. 545519 I.O. NO. 21004216 1884-6245 CCS '83 COORDINATES 244-1685 LAMBERT COORDINATES |
|-------------|------|----------|------|-------|---|--|
| ORIGINAL | R.G. | | | | <i>Timothy R. Kelly</i> FOR CITY LAND SURVEYOR | 9/11/2020 DATE |
| | | | | | | 20918-B |



La Jolla Community Planning Association

Date: May 3, 2018

To: Dena T. Boylan]

RE: **Fay Avenue & West Muirlands Drive PROW Vacation**--LJCPA Vote

On April 5, 2018] at the Regular Meeting of the La Jolla Community Planning Association (LJCPA) Trustees reviewed **Fay Avenue & West Muirlands Drive PROW Vacation** as an Action item on the Consent Agenda.

10.1 Fay Avenue & West Muirlands Drive PROW Vacation Project No.:545519 I.O. # 13001949 - PROCESS 5 - Summary Street Vacation for the 8 parcels located on the southwest intersection of Fay Ave and West Muirlands Drive as shown in Drawing No. 20918-B. Council District 1.

DPR Motion: DENY application so that the property may continue to be held as PROW or held in abeyance for future public use. (Costello/Kane 7-1-1)

The LJCPA voted on consent *14-0-1*] to accept the recommendation of the DPR Committee to deny the application.

Sincerely,

Helen Boyden, (s)
Vice President

PO Box 889, La Jolla, CA 92038 ♦ 858.456.7900 ♦ <http://www.LaJollaCPA.org> ♦ info@LaJollaCPA.org



La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month | La Jolla Recreation Center, 615 Prospect Street

Contact Us:

Mail: PO Box 889, La Jolla, CA 92038

Web: www.lajollacpa.org

Voicemail: 858.456.7900

Email: info@lajollacpa.org

President: Bob Steck

Vice President: Helen Boyden

2nd Vice President: Brian Will

Secretary:

Treasurer:

DRAFT AGENDA – Regular Meeting | Thursday, 5 April, 2018

6:00pm

1.0 Welcome and Call to Order: *Please turn off or silence mobile device. Meeting is being recorded*

2.0 Adopt the Agenda

3.0 Meeting Minutes Review and Approval

4.0 Officer Reports:

4.1 Treasurer

4.2 Secretary

April: Scheduled Minutes taker: Greatrex

5.0 Elected Officials – Information Only

5.1 Council District 1: Councilmember Barbara Bry –

Rep: **Mauricio Medina**, 619-236-6611, mauriciom@sandiego.gov

5.2 78th Assembly District: Assemblymember Todd Gloria

Rep: **Javier Gomez** 619-645-3090 javier.gomez2@asm.ca.gov

5.3 39th Senate District: State Senator Toni Atkins

Rep: **Chevelle Newell Tate**, 619-645-3133, Chevelle.Tate@sen.ca.gov

6.0 President's Report – Information only unless otherwise noted

6.1 Oath of office: Trustees Elected in March Election: Ahern, Brady, Kane, Little, Mangano, Shannon, Weissman.

6.2 2018-2019 LJCPA Officers Election. ACTION ITEM To elect: President, Vice President, Second Vice President, Secretary, Treasurer to serve through March 2019.

6.3 The Audit Report showing adherence to 600-24 and Administrative guidelines was filed and acknowledged.

6.4 Melinda Merryweather has requested deferral of the Princess Street cul de sac paving item until the Coastal Commission has weighed in.

6.5 At the May meeting the LJCPA President will present for ratification the LJCPA appointees to the Subcommittees and Boards, Membership Committee and UCSD Long Range Planning Committee at the May meeting. Please write info@LaJollacpa.org to indicate your interest in continuing or to be appointed for the first time.

6.6 La Jolla Shores Association appoints the following to LJCPA Committees: Traffic & Transportation (2) Brian Earley (1 to be determined); La Jolla Shores Permit Review Committee (5) Matt Edwards, Janie Emerson, Dave Gordon Angie Preisendorfer (1 to be determined) **ACTION ITEM for ratification**

If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.

7.0 Non-Agenda Public Comment

Opportunity for public to speak on matters not on the agenda, 2 minutes or less.

7.1 City of San Diego – Community Planner: Marlon Pangilinan, mpangilinan@sandiego.gov

7.2 UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://commplan.ucsd.edu/>

7.3 General Public

8.0 Non-Agenda Trustee Comment

Opportunity for trustees to comment on matters not on the agenda, 2 minutes or less.

9.0 Reports from Ad Hoc and non-LJCPA Committees - Information only unless noted.

**9.1 Community Planners Committee <http://www.sandiego.gov/planning/community/cpc/index.shtml>-
John Shannon, Rep.**

9.2 Coastal Access & Parking Board <http://www.lajollacpa.org/cap.html>

**9.3 UC San Diego Long Range Development Plan CAG, one of LJCPA delegates, will report on
discussion <http://lrpd.ucsd.edu>**

10.0 Consent Agenda- Action Items

The public is encouraged to attend and participate in Community Joint Committee & Board meetings before the item/project is considered by the LJCPA.

PDO – Planned District Ordinance Committee, Chair Deborah Marengo, 2nd Monday, 4:00 pm

DPR – Development Permit Review Committee, Chair Brian Will, 2nd & 3rd Tuesday, 4:00 pm

PRC – La Jolla Shores Permit Review Committee, Chair David Gordon, 3rd Monday, 4:00 pm

T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Wednesday, 4:00 pm

The Consent Agenda allows the LJCPA to ratify recommendations of the community joint committees and boards in a single vote with no presentation or debate. It is not a decision regarding the item but a decision whether to accept the recommendation of the committee/board as the recommendation of the LJCPA. The public may comment on consent items.

- See Committee minutes and/or agenda for description of projects, deliberations, and vote.**
- Anyone may request a consent item be pulled for full discussion by the LJCPA.**
- Items “pulled” from Consent Agenda are trailed to the next LJCPA meeting**

10.1 Fay Avenue & West Muirlands Drive PROW Vacation Project No.:545519 I.O. # 13001949 - PROCESS 5 - Summary Street Vacation for the 8 parcels located on the southwest intersection of Fay Ave and West Muirlands Drive as shown in Drawing No. 20918-B. Council District I.

DPR Motion: DENY application to allow property to continue to be held as PROW or held in abeyance for future public use. (Costello/Kane 7-1-1)

10.2 Country Club & Mimulus Retaining Walls 7116 Country Club Drive & 1601 Mimulus Way. Project #564514

(Process 3) Coastal Development Permit and Site Development Permit to install temporary erosion control and remove an existing retaining wall and garden walls, install tied-back shotcrete wall and counterforts, this site contains Environmentally Sensitive Lands in the form of Steep Hillsides located at 7116 Country Club Dr. and 1601 Mimulus Way. The 0.88-acre site is within the Coastal Overlay Zone (Non-Appealable) in the RS-1-4 zone(s) of the La Jolla Community Plan area.

DPR Motion: Findings CAN be made for a (Process 3) Coastal Development Permit and Site Development Permit for the proposed project (Costello/Collins 6-0-1).

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

Report March, 2018

Attending 3/13/18: Collins, Costello, Gaenzle, Kane, Leira, Ragsdale, Welsh, Will, Zynda
Attending 3/20/18: Collins, Costello, Kane, Ragsdale, Welsh, Will, Zynda

1. NON-AGENDA PUBLIC COMMENT 3/13/18

- none

NON-AGENDA PUBLIC COMMENT 3/20/18

- Kane – Process on Liaghat, we were doing environmental review, asked to provide mitigation to identified impacts to community. Suggest we follow environmental documents on controversial projects during public review of doc.

2. APPROVAL OF MEETING MINUTES

Meeting Feb 20, 2018 and Mar 13, 2018

3. SUMMARY OF DECISIONS

- a. **Item 4:** Fay Ave & West Muirlands PROW Vacation
 - i. Findings **CANNOT** be made to support the PROW Vacation. **Pass 7-1-1**
- b. **Item 7:** Draft 50% Demolition Memo
 - i. Motion to send letter. **Pass 8-0-1**
- c. **Item 10:** Mimulus and Country Club Retaining Wall
 - i. Findings **CAN** be made for the CDP/SDP. **Pass 6-0-1**

4. FINAL REVIEW 3/13/18

Project Name: Fay Avenue & West Muirlands Drive PROW Vacation

| | | | |
|--------------|--------|------------|-----------------|
| Project No.: | 545519 | Permits: | Initial Review |
| Zone: | RM-1-1 | DPM: | Angela Nazareno |
| | | Applicant: | Dena Boylan |

I.O. # 13001949 - PROCESS 5 - Summary Street Vacation for the 8 parcels located on the southwest intersection of Fay Ave and West Muirlands Drive as shown in Drawing No. 20918-B. Council District 1.

APPLICANT PRESENTATION AND QUESTIONS (2/20/2018) Dena Boylan, Mary Carlson

- From SD Real Estate Assets Dept. – will be presented to city council.
- Fay Ave already re-aligned, Land no longer needed for street re-alignment
- PROW to be vacated. Property will be made available for future uses.
- .469 acres in RS-1-7.
- Current duplex in ROW is vacant and in poor shape
- Pre-disposition was done 2 years ago, done again before finalization, no offers within city
- Request to keep width along W Muirlands Dr.
- Easements will be reserved for existing utility laterals at no cost to owners.
- Looking to sell, possible to lease but prefer to sell

- Neighbors were noticed in April 2017, posted on April 21, 2017
- No comments reported by city from concerned neighbors
- Property acquired in late 60s.
- In communication with the Storms regarding existing driveway that crosses PROW
- Twin buildings at South end will be offered access first
- Vacation was initiated by staff to remove street status first and then offer property for sale.
- There are no current developers or interested properties with plans for the parcel
- Land is a single parcel, no longer 8 separate parcels
- Property further South is still city land, still part of Fay ave ROW?

PUBLIC COMMENTS (2/20/2018)

- Storm: What is situation for the houses on the South? offered property for sale. What will happen to us? Driveway would not be safe on W Muirlands, driveway off Fay? predates the city ever owning the property. Garage off this drive. Possible to make a parking area for school? School would be offered.

COMMITTEE DELIBERATION (2/20/2018)

- Costello: We received a letter from a US Navy Lieutenant whose home is affected by this potential Vacation. Since he is presently deployed to Iraq I would ask this action not be completed until after his return. If this was during WWII or the Korean Action, this Vacation would be suspended for the duration.
- Leira: Concerned about pedestrian usage/ traffic and relationship to schools
- Kane: Can support vacation, what is the next reincarnation of this area? Makes sense to enhance the multi-modal transportation needs, parking, encourage city to look at transportation related uses, parking, or park land.
- Costello: Can you get the square footage of the parcel. And then what square footage would be set aside for neighbor A, B, C, What is left? And then what would be next? Please provide areas.
- Welsh: Please outline the original 8 parcels if still exist
- Leira: Been here too long, I don't think city property should be disposed of unless a specific project will do significant good for the community that it cannot be resisted. The site is a gateway to LJHS and MJHS. Condos on North side of Fay used to be city property. The criteria should be: 1. Look for public purpose project. Locals like to have some urban relief space. 2. What private uses if any within this public use are possible. 3. Prefer lease rather than a sale.
- Zynda: Could a traffic engineer project the future, city streets dept have already looked at this and they will look at it again prior to a sale.
- Welsh: Would like to see further context
- Kane: Where are sidewalks and bicycle lanes? It is a shared vehicle lane
- Leira: Some months ago, issue related to community use of HS fields. Walk/Run. HS does not want to allow community use. This property could fill public need. Community workshop to gather ideas for use.

DELIVER FOR NEXT PRESENTATION (2/20/2018)

- Provide square footage of parcel and subdivision areas allocated for potential neighbor purchase/easement to continue utility service and vehicular access.
- Outline the original 8 parcels
- Investigate options to maintain as city property and develop (or preserve for future) park or suitable public use. Maybe sponsor a public workshop?
- Site context map showing further North and South along Fay, include bike lines, parking, ...

APPLICANT PRESENTATION AND QUESTIONS (3/13/2018) Dena Boylan, Mary Carlson

- Mapping action. No longer needed for street purposes
- .469 acres, terminates public's right to use land as street, RS-1-7 zone with minimum 5,000sf lot size
- 2016, city departments including park and rec were contacted to determine if use desired
 - None except city streets request to keep some sidewalk area at boundaries
- Sloped lot, signs posted April and June 2016
- Original plot map with 8 lots provided, currently consolidated to 1 lot.
- Easement, EMRAs in place for two southerly neighbors to access across property
- Will the original 8 lots still exist? No, currently one lot

- Will any proposed development come back here? We prefer it remain city owned. No city department is interested in this land. What might happen next?
- Public hearing required prior to selling property, but this is not a sale yet. Just vacation.
- Community has a need for parking. Opportunity to provide more parking.
- This is our only opportunity to keep the land. Housing commission is not interested.
- Duplex will remain until/unless a new owner tears it down. Immediate plan to lock-up. Currently non-conforming
- Quite often there is parking in the ROW
- Can something be done within that right of way to improve parking? We need to think of the future.

PUBLIC COMMENTS (3/13/2018)

- Miller – domino effect, cannot control future, alternatively what happens if we turn it down? Are there plans for the rest of Fay avenue extension from Nautilus to Bird Rock? Unknown.
 - If vote no, likely still seek authorization (group is advisory)
- Little – past interest in skateboard park. La Jolla deserves a skatepark.
- Storm – no feedback from residential. How to guarantee neighbors rights to purchase an easement?
 - If vacation approved, offer entire property for sale. Would only consider as a sales option.
- Miller – does this cascade and kill future Fay Ave extension

COMMITTEE DELIBERATION (3/13/2018)

- Costello: Suggest the Storms submit formal request. Concerned purchaser will outbid neighbors.
 - Suspicious as to why this is initiated in the first place
 - Community has a shortage of parks. This is short sighted.
- Applicant: city has issues with duplex and no funds to correct. EMRA with neighbors
- Costello: urge committee to vote against
- Kane: Is there an opinion from council woman Bry's office? None
 - Keep it ROW while we think about it
- Leira: North side of W Muirlands, ROW and proposed project were tied together. Community had some certainty of what was proposed.
- Zynda: problems should be solved first before vacation.
 - Cannot grant easement in ROW
- Kane: not opposed to vacation of portion in front of two houses on south end with access EMRAs.
- Leira: opposed to piecemeal. Wait for a decision on what to do. Then vacate along with plan for future.
- Zynda: resolve issues with utilities.
- Mapping and engineering
- Ragsdale, community plan recommends more parks
- Ragsdale – request department to consider more community and neighborhood input.

SUBCOMMITTEE MOTION (3/13/2018)

- Motion to deny application *so that the property may* continue to be held as PROW or held in abeyance for future public use. (Costello/Kane 7-1-1)
 - In Favor: Costello, Gaenzle, Kane, Leira, Ragsdale, Welsh, Zynda
 - Opposed: Collins
 - Abstain: Will (chair)
- **Motion Passes**

5. PRELIMINARY REVIEW 3/13/18

Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

| | | | |
|---------------|---------------------|------------|----------------------|
| Project Name: | Waverly Residence | Permits: | CDP, SDP |
| | 5543 Waverly Avenue | | |
| Project No.: | 577309 | DPM: | Glenn Gargas |
| Zone: | RS-1-7 | Applicant: | Brian Yamagat, Golba |



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 Summary St. Vacation

Project Title **Project No.** *For City Use Only*
 Fay Ave and W. Muirlands ROW Vacation

Project Address:
 Fay Ave and W. Muirlands Rd, La Jolla, CA 92037

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: _____

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