



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: January 19, 2017 [REPORT NO. PC-17-011](#)

HEARING DATE: January 26, 2017

SUBJECT: Fiber Build. Process Four Decision.

PROJECT NUMBER: [486137](#)

APPLICANT: 3855 Ruffin Road, LLC, Applicant

SUMMARY:

Issue: Should the Planning Commission approve an encroachment within the public right-of-way located adjacent to and from 3855 and to 4033 Ruffin Road?

Staff Recommendation: Approve Site Development Permit No. 1733642.

Community Planning Group Recommendation: On July 20, 2016 the Kearny Mesa Planning Group voted 12:0:0 to recommend approval of the project.

Environmental Review: The project as proposed is exempt from CEQA in accordance with CEQA Guidelines Section 15303, New construction. This exemption allows for the installation of small new equipment and facilities, including but not limited to sewage, electrical, gas and other utility extensions. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 28, 2016, and the opportunity to appeal that determination ended November 14, 2016.

Fiscal Impact Statement: All costs associated with the processing of this project are recovered through a deposit account maintained by the applicant.

Housing Impact Statement: None. The use of the public right-of-way for a fiber optic system, conduit and pull box vaults will have no impact upon the provision of affordable housing.

BACKGROUND

The Kearny Mesa Community Plan circulation element designates Ruffin Road as a four-lane major roadway (Attachment 1). The Kearny Mesa Community Plan land use map designates the properties

at 3855 and 4033 Ruffin Road for Industrial and Business Park uses (Attachment 2). The properties are zoned IL-2-1 zone and developed with industrial uses (Attachment 3).

DISCUSSION

Project Description

The Fiber Build project (Project) proposes an encroachment within the public right-of-way with approximately 1,250 linear feet of telecommunication fiber optic lines, conduit and two twenty-four inch by thirty-six inch pull box vaults for the exclusive use of the businesses at 3855 and 4033 Ruffin Road (Attachment 4). Installation would require approximately 1, 250 feet of trenching and resurfacing of the public right-of-way for the installation of the Project. Appropriate improvement and traffic control permits would be required prior to the initiation of any work. The communication system and improvements would be for the sole, private benefit of the business at 3855 and 4033 Ruffin Road.

Community Plan Analysis

The Kearny Mesa Community Plan does not specifically address the use of the public right-of-way for private purposes. The Site Development Permit regulations of the San Diego Municipal Code provides for a process of review to consider such private uses within the right-of-way. The uses of the properties at 3855 and 4033 Ruffin Road are consistent with the land use of Industrial Business Park designated for these sites in the community plan. While the Plan does not address the proposed use, it neither precludes nor recommends against such a use.

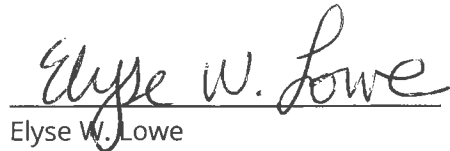
Conclusion

Staff has reviewed the proposed Project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the Project (Attachment 5) and draft conditions of approval (Attachment 6). Staff recommends the Planning Commission approve the Project as proposed.

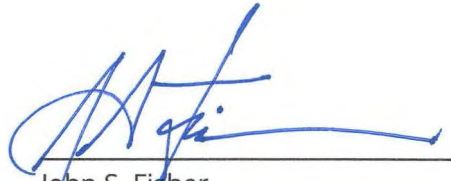
ALTERNATIVES

1. Approve Site Development Permit No. 1733642, with modifications.
2. Deny Site Development Permit No. 1733642, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Elyse W. Lowe
Deputy Director
Development Services Department



John S. Fisher
Development Project Manager
Development Services Department

VACCHI/JSF

Attachments:

1. Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Project Plans
5. Draft Site Development Permit Resolution with Findings
6. Draft Site Development Permit No. 1733642
7. CEQA Exemption
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Project Data Sheet



KEARNY MESA COMMUNITY PLAN LAND USE

- LEGEND**
- Industrial and Business Parks
 - General Commercial
 - Low Density Residential (5-9 DU/AC)
 - Low Medium Residential
 - Mixed Use Commercial
 - Residential
 - General Aviation Airport
 - Fire/Police Stations
 - County Facilities
 - Community Parks
 - Open space
 - Utility

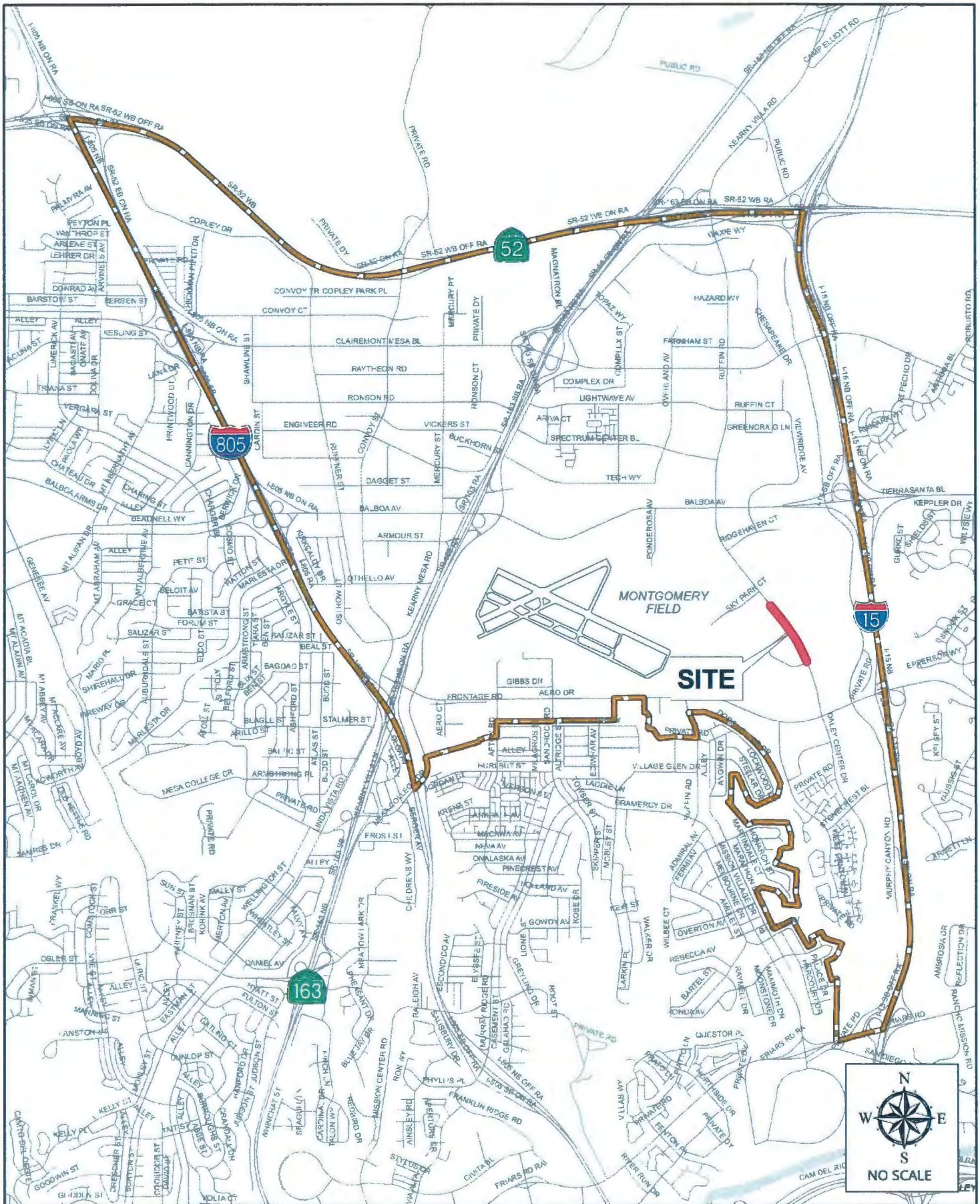


0 800 1,600 3,200 Feet

VICINITY MAP



DRAFT
This map is for illustrative purposes only.
Refer to the Adopted Community Plan document for official land use boundaries.
No substantive changes have been intentionally made.
Map is intended to reflect land use designations depicted in the community plan document and should not be used for site planning purposes.



Vicinity Map

CITY OF SAN DIEGO • DEVELOPMENT SERVICE DEPARTMENT

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THE CITY OF SAN DIEGO AND THE SAN DIEGO COUNTY REGIONAL WATER TREATMENT PLANT DISTRICT (RWTD) ARE THE SOLE OWNERS OF THE INFORMATION CONTAINED HEREIN. THE INFORMATION IS PROVIDED FOR YOUR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE CITY OF SAN DIEGO AND THE RWTD ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE INFORMATION IS PROVIDED AS IS AND WITHOUT WARRANTY. THE CITY OF SAN DIEGO AND THE RWTD ARE NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING OUT OF THE USE OF THE INFORMATION. THE INFORMATION IS PROVIDED FOR YOUR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE CITY OF SAN DIEGO AND THE RWTD ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE INFORMATION IS PROVIDED AS IS AND WITHOUT WARRANTY. THE CITY OF SAN DIEGO AND THE RWTD ARE NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING OUT OF THE USE OF THE INFORMATION.




Aerial Map

CITY OF SAN DIEGO • DEVELOPMENT SERVICES DEPARTMENT

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THIS MAP IS A PUBLIC WORKS PRODUCT OF THE CITY OF SAN DIEGO. IT IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND. THE CITY OF SAN DIEGO DOES NOT WARRANT THE ACCURACY, COMPLETENESS, OR TIMELINESS OF THE INFORMATION CONTAINED HEREIN. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE USEFUL FOR ANY PARTICULAR PURPOSE. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE FREE OF ERRORS. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE UPDATED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE REPRODUCED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE DISTRIBUTED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE MAINTAINED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE PRESERVED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE RESTORED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE RECOVERED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE REPRODUCED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE DISTRIBUTED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE MAINTAINED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE PRESERVED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE RESTORED. THE CITY OF SAN DIEGO DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN WILL BE RECOVERED.

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DRAWN BY: JANNET BARRON

CHECKED BY: JANNET BARRON

APPROVED BY: SAL PADULA

PLAN PREPARED BY:



3831 E. LASALLE ST.
PHOENIX, ARIZONA 85040

TEL:(858)658-0830

FAX:(858)658-0625

LOOP:

SEGMENT:

SITE ADDRESS: SEE SCAN INC
3855 RUFFIN RD
IN SAN DIEGO CA-92123

TITLE: SP253687 FIBER BUILD

CONTRACT NO: 251601117

SITE PLAN

PROJECT NO: 486137

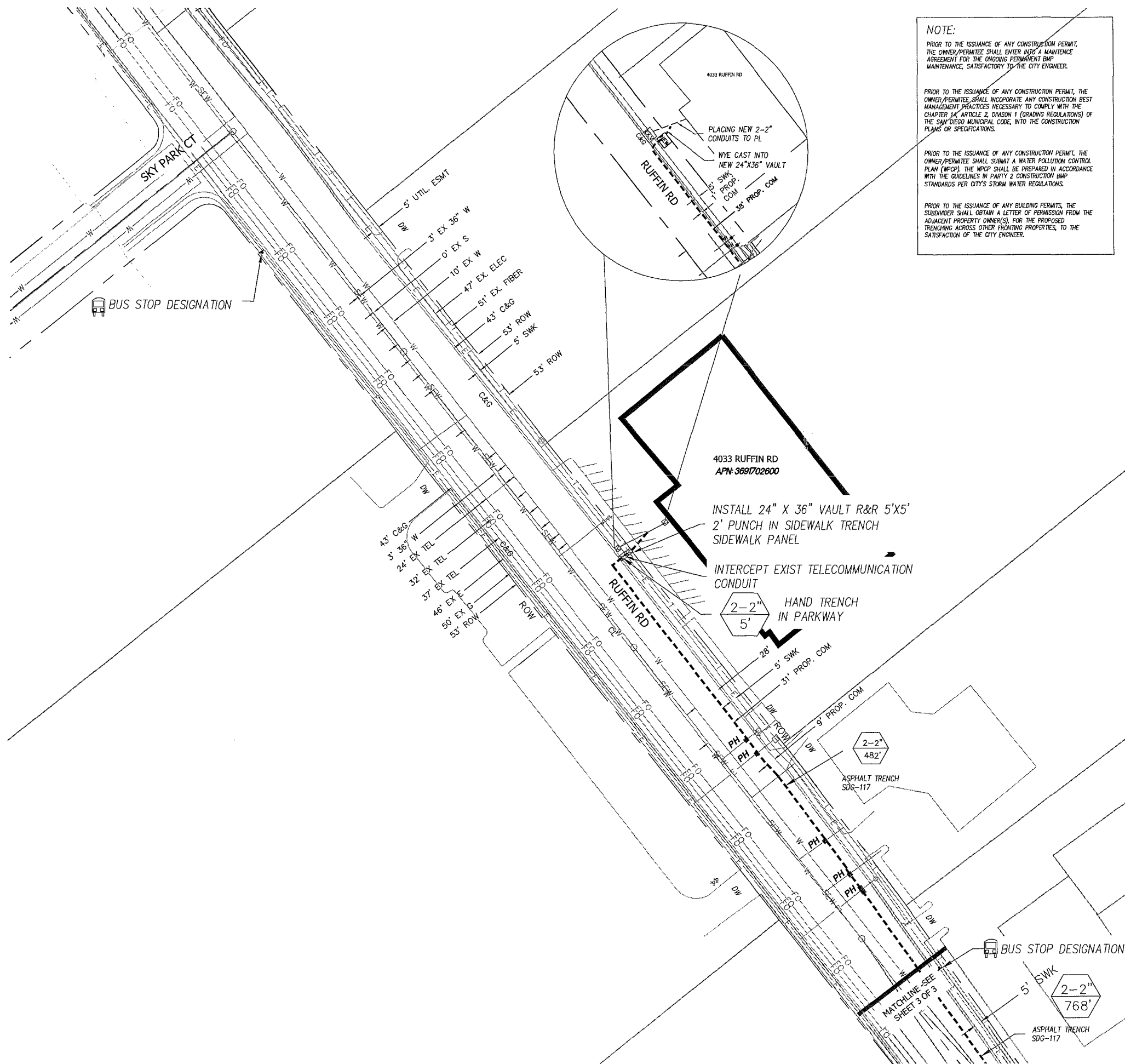
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PLOT DATE:

SHEET:

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SHEET: 2 OF: 3



NOTE:

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/PERMITEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER.

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH THE CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCCP). THE WPCCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN PARTY 2 CONSTRUCTION BMP STANDARDS PER CITY'S STORM WATER REGULATIONS.

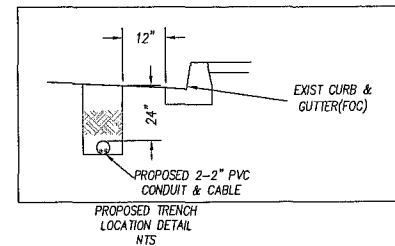
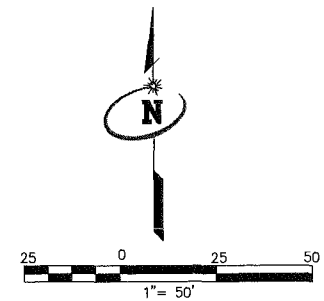
PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, THE SUBMMOER SHALL OBTAIN A LETTER OF PERMISSION FROM THE ADJACENT PROPERTY OWNER(S), FOR THE PROPOSED TRENCHING ACROSS OTHER FRONTING PROPERTIES, TO THE SATISFACTION OF THE CITY ENGINEER.

CONSTRUCTION NOTES

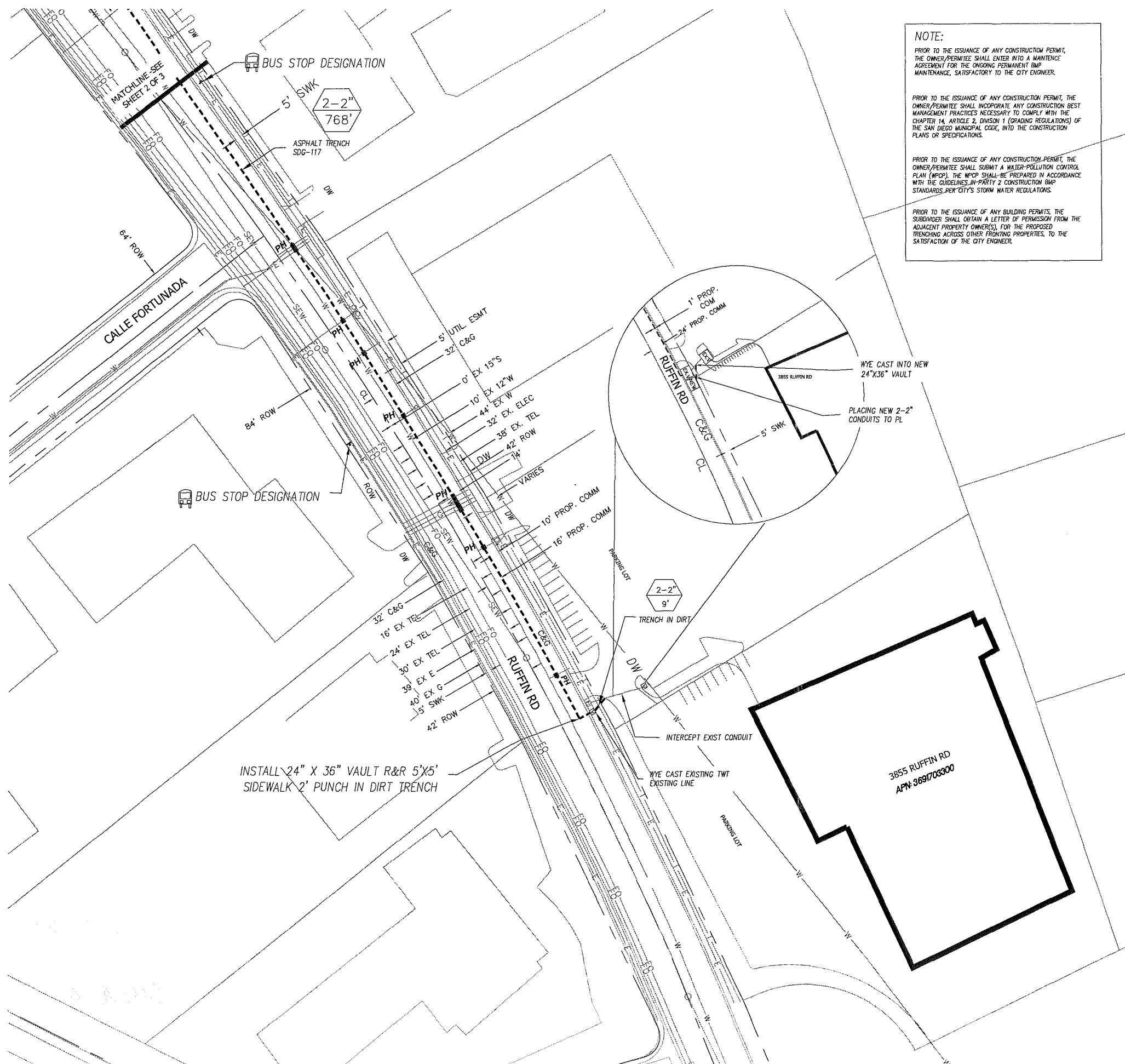
1. SIDEWALK REPAIR SHALL BE CONSTRUCTED PER CITY OF SAN DIEGO STANDARDS: SDG-100, SDG-105, SDG-150-156, AND SHALL MATCH EXISTING SIDEWALK PATTERN.
2. THE CONTRACTOR SHALL RESTORE THE ROADWAY BACK TO ITS ORIGINAL CONDITION SATISFACTORY TO THE CITY ENGINEER INCLUDING, BUT NOT LIMITED TO PAVING, STRIPING, BIKE LANES, PAVEMENT LEGENDS, SIGNS AND TRAFFIC LOOP DETECTORS.
3. PROPOSED TRENCH WIDTH IS 6" INCH.
4. NO VOID SHALL BE ALLOWED AROUND CONDUITS FOR ANY BORING OR DIRECTIONAL DRILLING.
5. TRENCHING THROUGH PUBLIC IMPROVEMENTS SUCH AS SIDEWALKS, CURBS AND GUTTER, AND DRIVEWAYS MUST BE REMOVED AND REPLACED FROM JOINT TO JOINT.

NOTE:

THE CONTRACTOR SHALL BE RESPONSIBLE TO POTHOLE,
VERIFY & LOCATE HORIZONTALLY AND VERTICALLY ALL
EXISTING UNDERGROUND UTILITIES PRIOR TO COMMENCING ANY
PROPOSED EXCAVATION AND/OR DIRECTIONAL DRILL
CONSTRUCTION.



NOTE:
BUILDING ADDRESS: PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (UFC 901.4.4)



NOTE:

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/PERMITEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER.

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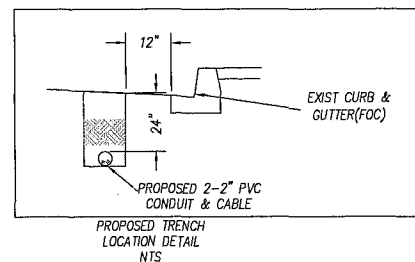
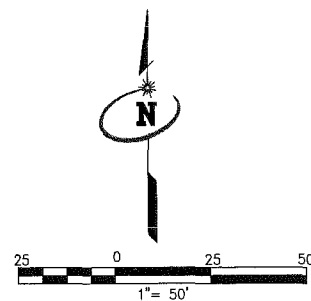
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CONSTRUCTION NOTES

1. SIDEWALK REPAIR SHALL BE CONSTRUCTED PER CITY OF SAN DIEGO STANDARDS, SDG-100, SDG-109, SDG-155, SDG-156, AND SHALL MATCH EXISTING SIDEWALK PATTERN.
2. THE CONTRACTOR SHALL RESTORE THE ROADWAY BACK TO ITS ORIGINAL CONDITION SATISFACTORY TO THE CITY ENGINEER INCLUDING, BUT NOT LIMITED TO PAVING, STRIPING, BIKE LANES, PAVEMENT LEGENDS, SIGNS AND TRAFFIC LOOP DETECTORS.
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PLANNING COMMISSION RESOLUTION NO. _____
SITE DEVELOPMENT PERMIT NO. 1733642
FIBER BUILD PROJECT NO. 486137

WHEREAS, OLSSON-TAPP FAMILY TRUST UTA, Mark Olsson and Kami Olsson, Trustees, Owner/Permittee, filed an application with the City of San Diego for a permit to encroach within the public right-of-way with approximately 1,250 linear feet of telecommunication fiber optic, conduit and two twenty-four inch by thirty-six inch pull box vaults for the exclusive use of the private properties at 3855 and 4033 Ruffin Road (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1733642), within portions of the public right-of-way of Ruffin Road;

WHEREAS, the project site is located within Ruffin Road between 3855 and 4033 Ruffin Road in the IL-2-1 zone of the Kearny Mesa Community Plan area;

WHEREAS, the project site is legally described as public right-of-way within Ruffin Road and Parcel 1 as shown on Parcel Map recorded August 19, 1977, in Book of Parcel Maps at Page 6287, and Parcel 1 of Parcel Map 4434, in the City of San Diego, County of San Diego, State of California, filed February 4, 1976 as Instrument No. 76-034044 of Official Records, all in the office of the County Recorder of San Diego County;

WHEREAS, on January 26, 2017, the Planning Commission of the City of San Diego considered Site Development Permit No. 1733642 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on October 28, 2016, 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 Guidelines Section 15303 and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated January 26, 2017.

FINDINGS:

Site Development Permit \$126.0504

1. The proposed development will not adversely affect the applicable land use plan.

The Fiber Build project (Project) proposes an encroachment within the public right-of-way with approximately 1,250 linear feet of telecommunication fiber optic, conduit and two twenty-four inch by thirty-six inch pull box vaults for the exclusive use of the private properties at 3855 and 4033 Ruffin Road. The installation of the Project will require approximately 1,250 feet of trenching and resurfacing of the public right-of-way.

The Kearny Mesa Community Plan does not specifically address the use of the public right-of-way for private purposes. The Site Development Permit regulations of the San Diego Municipal Code provides a process of review to consider such private uses within the right-of-way. While the Kearny Mesa Community Plan does not specifically address the proposed use, it neither precludes nor recommends against such a use. The uses of the properties at 3855 and 4033 Ruffin Road are consistent with the land use of Industrial Business Park designated for these sites in the community plan. As such, the proposed development will not adversely affect the Kearny Mesa Community Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The Fiber Build project (Project) proposes an encroachment within the public right-of-way with approximately 1,250 linear feet of telecommunication fiber optic, conduit and two twenty-four inch by thirty-six inch pull box vaults for the exclusive use of the private properties at 3855 and 4033 Ruffin Road. The installation of the Project will require approximately 1,250 feet of trenching and resurfacing of the public right-of-way. Appropriate improvement and traffic control permits will be required prior to the initiation of any work. The communication system and improvements will be for the sole, private benefit of the businesses at 3855 and 4033 Ruffin Road.

The Project will not be detrimental to public health, safety and welfare because the permit controlling the development and continued use of the proposed project for this site contains specific conditions addressing the project compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require compliance with several operational constraints and development controls, the review of all construction plans by professional staff to determine construction will comply with all regulations and the inspection of construction to assure construction permits are implemented in accordance with the approved plans and the final construction will comply with all regulations, will assure the continued health, safety and general welfare of persons residing or working in the area. Therefore, the Project will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The Fiber Build project (Project) proposes an encroachment within the public right-of-way with approximately 1,250 linear feet of telecommunication fiber optic, conduit and two twenty-four inch by thirty-six inch pull box vaults for the exclusive use of the private properties at 3855 and 4033 Ruffin Road. The installation of the Project will require approximately 1,250 feet of trenching and resurfacing of the public right-of-way. Appropriate improvement and traffic control permits will be required prior to the initiation of any work. The communication system and improvements will be for the sole, private benefit of the businesses at 3855 and 4033 Ruffin Road. The Project will require the Owner/Permittee to obtain encroachment maintenance and removal agreements for the private encroachments in accordance with the regulations to the satisfaction of the City Engineer. No deviations or variance is required to approve the proposed Project. The proposed project will comply with all local, state and federal regulations. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 1733642 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1733642, a copy of which is attached hereto and made a part hereof.

John S. Fisher
Development Project Manager
Development Services

Adopted on: January 26, 2017

IO#: 24006660

DRAFT

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

INTERNAL ORDER NUMBER: 24006660

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. 1733642
FIBER BUILD PROJECT NO. 486137
PLANNING COMMISSION

This Site Development Permit No. 1733642 is granted by the Planning Commission of the City of San Diego to OLSSON-TAPP FAMILY TRUST UTA, Mark Olsson and Kami Olsson, Trustees, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504. The site is located within Ruffin Road between 3855 and 4033 Ruffin Road in the IL-2-1 zone of the Kearny Mesa Community Plan area. The project site is legally described as Parcel 1 as shown on Parcel Map recorded August 19, 1977, in Book of Parcel Maps at Page 6287, in the office of the County Recorder of San Diego County.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for an encroachment within the public right-of-way with approximately 1,250 linear feet of telecommunication fiber optic, conduit and two twenty-four inch by thirty-six inch pull box vaults for the exclusive use of the private properties at 3855 and 4033 Ruffin Road described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated January 26, 2017, on file in the Development Services Department.

The project shall include:

- a. An encroachment within the public right-of-way of approximately 1,250 linear feet with telecommunication fiber optic, conduit and two twenty-four inch by thirty-six inch pull box vaults for the exclusive use of the private properties at 3855 and 4033 Ruffin Road;
- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

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 February 10, 2020.
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 construction permits. The Owner/Permittee is informed that to secure these permits, substantial 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 of 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 and every condition in order to maintain the entitlements that are granted by this Permit.

If 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" condition(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.

10. The Owner/Permittee 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, relating to the issuance of this permit including, but not limited 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 Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee 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, Owner/Permittee 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 Owner/Permittee 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 Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

11. The project proposes to export no material from the project site. Any excavated material that is exported shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

12. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the portion of proposed telecommunication service connection located along Ruffin Road within public right-of-way where the Permittee is not the owner of the property fronting the encroachment.

13. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the portion of proposed telecommunication service connection located below the sidewalk, curb and gutter within public right-of-way where the Permittee is the owner of the property fronting the encroachment.

14. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for each of the two proposed at-grade telecommunication service access vaults located behind the sidewalk within the public right-of-way where the Permittee is the owner of the property fronting the encroachment.
15. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct any damaged portions of curb, gutter and sidewalk with current City Standards, maintaining the existing sidewalk scoring pattern and preserving the contractor's stamp, adjacent to the project site on Ruffin Road, satisfactory to the City Engineer.
16. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
17. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan. The Water Pollution Control Plan shall be prepared in accordance with the guidelines in Part 2 Construction Best Management Practices Standards, Chapter 4 of the City's Storm Water Standards.

INFORMATION ONLY:

- 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 Planning Commission of the City of San Diego on January 26, 2017 by Resolution No. PC- [Approved Resolution Number].

Permit Type/PTS Approval No.: Site Development Permit No. 1733642
Date of Approval: January 26, 2017

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

John S. Fisher
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.

OLSSON-TAPP FAMILY TRUST UTA
Owner

By _____
Mark Olsson, Trustee

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

NOTICE OF EXEMPTION

ATTACHMENT 7

TO: X Recorder/County Clerk
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2400

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.: **486137**Project Title: **Fiber Build SDP**

Project Location-Specific: 3855 TO 4033 RUFFIN ROAD, SAN DIEGO, CA 92123

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: The project proposes a Site Development Permit (SDP) for an encroachment within the public right of way for 1,250 linear feet of telecommunications conduit and two (2) 24" x 36" pull box vaults for the exclusive use of 3855 Ruffin Rd and 4033 Ruffin Rd. The site is in the IL-2-1 zone within the Kearny Mesa Community Plan Area.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Jannet Barron, Team Fichel, 5878 Autoport Mall, San Diego, CA 92121; 858-658-0830.

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))
(☒) Categorical Exemption: Section 15303, Class 3, New Construction of Small Structures

Reasons why project is exempt: This Class 3 exemption allows for the installation of small new equipment and facilities, including but not limited to, sewage, electrical, gas and other utility extensions. None of the exceptions listed in CEQA Guidelines Section 15003.2 apply, therefore these exemptions are applicable to the proposed project.

Lead Agency Contact Person: M. Blake

Telephone: (619) 446-5375

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

M. Blake / Senior Planner
Signature/Title

January 9, 2017
Date

Check One:

- (X) Signed By Lead Agency
() Signed by Applicant

Date Received for Filing with County Clerk or OPR:

Minutes of the Monthly Meeting of the
Kearny Mesa Planning Group
July 20, 2016
Serra Mesa/Kearny Mesa Library
9005 Aero Drive, San Diego, CA 92123

Planning Group Members in Attendance: Paul Yung, Kate Phin, John Turpit, Buzz Gibbs, Ray Richmond, Jim McCollum, Mark Olsson, Richard Vernon, Mark Stevens, Todd Matcher, Jacob Hensel, Brian Gates

Community Members in Attendance: Mike Huntoon, Joy Hagin, Jack Shu, Melissa from Jack in the box, Ray Richmond, Randy from Voit, Elizabeth Dickson, Jeff Diltz, Eric Hicks, Ping Wong, Andrea Rosati, Tom Story, Wesley Quach, Hoan Troong, Allen Chan, Rosa Kwon

The Meeting was brought to order at 12:05 PM by Jeff Sallen, chair of the Kearny Mesa Planning Group. Copies of the Minutes of the April 20th meeting were distributed and discussed. After the members reviewed the minutes, Jeff asked for any changes or corrections. There were none and the minutes were approved 12-0-0.

Public comments:

Sierra Mesa will be having a Farmers Market on Wednesday from 3-7.

Agenda Items:

Elections of the KMPG Officers:

- Chair Jeff Sallen
- Vice Chair: Buzz Gibbs
- Secretary: Kate Phin

Approved 12-0-0

KM Community Plan Update:

Consultants are working on an economic study and will be conducting outreach and public comment in the near future. Subcommittee will address KMPG members in Sept/Oct. Possible update to the bylaw (600-24), draft will be provided to the KMPG for vote at a future meeting (only minor changes/clarification will be made).

SeeScan (project #486137):

Mark Olsen from See-Scan wants to install fiber cabling between 2 buildings with in their property. This will cross link they systems and is a private utility. Approved 12-0-0

M&M Telecom (project #428180):

Project to install a new 73' tower with 16 antennas for Sprint location in KM. Existing tower is 120 ft. Plan was to design the tower to look like an airport control tower. KMPG disagrees with plan and recommended that Sprint/M&M Telecom to design a smaller lattice style tower with minimal impact and less obtrusive. KMPG asked them to return with new design.

Allen Young (Councilman Cate's Office):

- Spoke to the community about the new fiscal year
- Stated that the Convoy District San Diego Night market was a huge success
- Stated the city is looking at adding angled parking on Convoy and additional Side streets
- Discussed the KM sign. He stated that the city has funds to do this, however, they need a company or possible the KMPG to pay for the sign and installation and then be reimbursed for the costs. Options are needed for the signs.

Tom Bostedt (City of San Diego Community Relations Officer):

- New to this position and wanted to introduce himself to the group
- He is best reached via email: Tbostedt@pd.sandiego.gov

Jeff Sallen concluded the meeting at 1:00 pm.



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

Project Name: SP253687 Fiber Build - SDP		Project Number: 486137	Distribution Date: 06/13/2016
Project Scope/Location: Kearny Mesa SAP No. 24006660 (Process 3) Site Development Permit for an encroachment within the public right of way with 1,250 linear feet of telecommunication conduit and (2) 24" x 36" pull box vaults for the exclusive use of 3855 Ruffin Rd and 4033 Ruffin Rd. The site is in the IL-2-1 zone within the Kearny Mesa Community Plan Area. Council District 6.			
Applicant Name: MARK OLSSON		Applicant Phone Number: 858-244-3300	
Project Manager: John Fisher	Phone Number: (619) 446-5231	Fax Number: (619) 446-5245	E-mail Address:
Committee Recommendations (To be completed for Initial Review):			
<input checked="" type="checkbox"/> Vote to Approve	Members Yes 12	Members No 0	Members Abstain 1
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS:			
NAME: JEFFREY SAIEN		TITLE: KMPG CHAIR	
SIGNATURE: <i>[Signature]</i>		DATE: 7.20.16	
Attach Additional Pages If Necessary.		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			



THE CITY OF SAN DIEGO

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

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

Project Title

SP253687 Fiber Build

Project No. For City Use Only**Project Address:**

3855 Ruffin Rd. San Diego, CA 92123

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

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

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

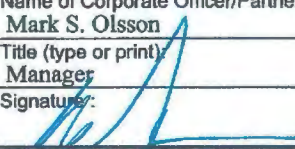
Project Title: SP253687 Fiber Build	Project No. (For City Use Only)
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Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

☐ Corporation
 ☒ Limited Liability -or-
 ☐ General) What State? CA
 Corporate Identification No. 33-0864319
☐ Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached**
 ☐ Yes
 ☒ No

Corporate/Partnership Name (type or print): 3855 Ruffin Road, LLC <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: 3855 Ruffin Rd. City/State/Zip: San Diego, CA 92123 Phone No: (858)244-3300 Fax No: (858)836-3400 Name of Corporate Officer/Partner (type or print): Mark S. Olsson Title (type or print): Manager Signature:  Date: 05/16/2016	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:
Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:
Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:

RECORDED AT THE REQUEST OF
CHICAGO TITLE CO.

8732

DOC # 1999-0521061

Jul 28. 1999 4:13 PM

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL THIS DEED
AND, UNLESS OTHERWISE SHOWN
BELOW, MAIL TAX STATEMENTS TO:

Attn: 3855 Ruffin Road, LLC
Attn: Mark Olsson
4819 Ronson Court
San Diego, California 92111-1803

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER

FEES: 34.00
DC: AFNF

TAX: N.D.

369-170 - 33

THIS SPACE ABOVE FOR RECORDER'



1999-0521061

DOCUMENTARY TRANSFER TAX \$ _____

**GRANT
DEED**

Computed on the full value less the value of liens or encumbrances
remaining thereon at the time of sale.

Signature of Declarant or Agent Determining Tax

THIS GRANT DEED is made this ____ day of July, 1999, by PMSI KEARNY MESA, LLC, a California limited liability company ("Grantor"), to 3855 Ruffin Road LLC, a California limited liability company ("Grantee").

WHEREAS, Grantor holds legal title to certain property more particularly described in Exhibit A attached hereto and incorporated herein by this reference ("Property"), and

WHEREAS, Grantor desires to convey to Grantee all of its right, title and interest in and to the Property.

NOW THEREFORE for such good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto the Grantee the Property.

TOGETHER WITH all rights of way, easements, rights, privileges and appurtenances thereto or in any way appertaining, all improvements thereon and all the estate, right, title, interest and claim, either at law or in equity, of Grantor in the said Property. However, this conveyance is made subject to the liens securing payment of ad valorem taxes for the current and all subsequent years, as well as to those matters of record.

IN WITNESS WHEREOF, Grantor has caused this Grant Deed to be executed by its representative thereunto duly authorized as of the day and year first above written.

PMSI KEARNY MESA, LLC
a California limited liability company

By: Pacific Management Services, Inc.
(Manager)

By:
Andrew M. Kaplan,
President

File
3P
ND
OC
TH
1002

8733

STATE OF CALIFORNIA)

COUNTY OF San Diego) ss.

On July 27, 1999, before me, Juana Camberos, a Notary Public in and for said state, personally appeared Andrew H. Kaplan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public in and for said




County and State

8734

EXHIBIT "A"

PARCEL A:

PARCEL 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP RECORDED AUGUST 19, 1977, IN BOOK OF PARCEL MAPS AT PAGE 6287, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

PARCEL B:

AN EASEMENT FOR INGRESS AND EGRESS FOR ROAD PURPOSES OVER, ALONG AND ACROSS THAT PORTION OF LOT 3 OF THE CITY OF SAN DIEGO INDUSTRIAL PARK UNIT NO. 5, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 6031, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 23, 1968, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF PARCEL 1 HEREINABOVE DESCRIBED, BEING A POINT ON THE ARC OF A 4,042.00 FOOT RADIUS CURVE IN THE SOUTHWESTERLY LINE OF SAID LOT 3, THE CENTER OF SAID CURVE BEARS SOUTH 62° 05' 10" WEST FROM SAID POINT; THENCE ALONG SAID SOUTHWESTERLY LINE, NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01° 25' 03" A DISTANCE OF 100.00 FEET; THENCE LEAVING SAID SOUTHWESTERLY LINE SOUTH 64° 06' 42" EAST, 118.64 FEET TO THE NORTHWESTERLY LINE OF SAID PARCEL 1 ABOVE; THENCE ALONG SAID NORTHWESTERLY LINE SOUTH 58° 33' 10" WEST, 68.96 FEET TO THE POINT OF BEGINNING.



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

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

Project Title

SP253687 Fiber Build

Project No. For City Use Only

Project Address:

4033 Ruffin Rd. San Diego, CA 92123

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

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

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

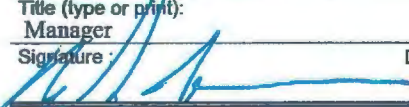
Project Title: SP253687 Fiber Build	Project No. (For City Use Only)
---	--

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

☐ Corporation
 ☒ Limited Liability -or-
 ☐ General) What State? CA
 Corporate Identification No. 20-3969056
☐ Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached**
 ☐ Yes
 ☒ No

Corporate/Partnership Name (type or print): 4033 Ruffin Road, LLC <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: 4033 Ruffin Rd. City/State/Zip: San Diego, CA 92123 Phone No: (858)244-3300 Fax No: (858)836-3400 Name of Corporate Officer/Partner (type or print): Mark S. Olsson Title (type or print): Manager Signature:  Date: 05/16/2016	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:
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DOC # 1999-0196246

MAR 25, 1999 4:59 PM

PREPARED BY ASSETLINK
PROCESS SERVICES
WHEN RECORDED MAIL TO:
AssetLink Process Services
620 S. Woodruff Ave.
Idaho Falls, ID 83401

12931

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 12.00

RECORDING REQUESTED BY
FLAGSTAR BANK, FSB A FEDERALLY CHARTERED SAVINGS BANK



1999-0196246

Assignment-Interv.-Recorded

CALIFORNIA

FL
LOAN NO. 980070166 [188647481 FILMC]
POOL NO.
COUNTY SAN DIEGO



Loan No.

CORPORATION ASSIGNMENT OF DEED OF TRUSTFOR VALUE RECEIVED, FLAGSTAR BANK, FSB A FEDERALLY CHARTERED SAVINGS BANK, A MICHIGAN CORPORATION

(Assignor)

located at 2600 TELEGRAPH ROAD, BLOOMFIELD HILLS, MI 48302
transfers to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., P.O. BOX 2026, FLINT,
MI 48501-2026, A DELAWARE CORPORATION

all beneficial interest under that certain Deed of Trust dated
APRIL 21, 1998 executed by JOHN F. SCANLON AND LISA R. SCANLON,
HUSBAND AND WIFE AS JOINT TENANTS

Trustor, to JOAN H. ANDERSON

Trustee, and recorded as Instrument No. 1998-0245083, on
APRIL 29, 1998, in Book _____, Page _____, of
of Official Records in the County Recorder's Office of the County of
SAN DIEGO, State of California, describing land therein as:
AS DESCRIBED ON SAID DEED OF TRUST REFERRED TO HEREIN.

MIN# 100026600036189673 MERS VRU PHONE #: 1-888-679-6377
J=FS780A.S.01796

Loan No. 980070166 [188647481 FHLMC]

12932

TOGETHER with the note or notes therein described or referred to, the money due and to become with interest.

DATED: MARCH 12, 1999, BUT EFFECTIVE MARCH 16, 1999.

FLAGSTAR BANK, FSB A FEDERALLY CHARTERED SAVINGS BANK
FORMERLY KNOWN AS FIRST SECURITY SAVINGS BANK, FSB A FEDERALLY
CHARTERED SAVINGS BANK

STATE OF IDAHOCOUNTY OF BONNEVILLE

SS

CLAUDIA SCHENK
VICE PRESIDENT

DIANA ANDERSON
SECRETARY

On this 12th day of MARCH, 19 99 before me, the undersigned, a Notary Public in and for said State, personally appeared CLAUDIA SCHENK who executed the within instrument as VICE PRESIDENT, and DIANA ANDERSON as SECRETARY personally known to me (or proved to me on the basis on satisfactory evidence) to be the persons who executed the within Instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

Signature

RUANA RANSOM (COMMISSION EXP. 02-13-03)

Name (Typed or Printed)

NOTARY PUBLIC

RUANA RANSOM
★ NOTARY PUBLIC ★
STATE OF IDAHO

PROJECT DATA SHEET

PROJECT NAME:	Fiber Build (Project No. 486137)	
PROJECT DESCRIPTION:	Encroachment within the public right-of-way with approximately 1,250 linear feet of telecommunication fiber optic lines, conduit and two twenty-four inch by thirty-six inch pull box vaults for the exclusive use of the businesses at 3855 and 4033 Ruffin Road.	
COMMUNITY PLAN AREA:	Kearny Mesa	
DISCRETIONARY ACTIONS:	Site Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Industrial Business Park	
<p style="text-align: center;"><u>ZONING INFORMATION</u></p> <p>ZONE: IL-2-1</p> <p>HEIGHT LIMIT: N/A</p> <p>LOT SIZE: N/A</p> <p>FLOOR AREA RATIO: N/A</p> <p>FRONT SETBACK: N/A</p> <p>SIDE SETBACK: N/A</p> <p>STREETSIDE SETBACK: N/A</p> <p>REAR SETBACK: N/A</p> <p>PARKING: N/A</p>		
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Industrial Business Park, IL-2-1	Industrial Business Park
SOUTH:	Industrial Business Park/Government use, IL-2-1	Industrial Business Park/County Housing Authority
EAST:	Industrial Business Park, IL-2-1	Industrial Business Park
WEST:	Industrial Business Park, IL-2-1	Industrial Business Park
DEVIATIONS OR VARIANCES REQUESTED:	No deviations or variance required.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On July 20, 2016 the Kearny Mesa Planning Group voted 12:0:0 to recommend approval of the project.	