



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: February 25, 2016 **REPORT NO.** PC-16-021

ATTENTION: Planning Commission, Agenda of March 3, 2016

SUBJECT: NGALA RESIDENCE - PROJECT NO. 395794. PROCESS 4.

**OWNER/
APPLICANT:** Ngala, Inc., Owner/Mark Brencick, Applicant

SUMMARY

Issue: Should the Planning Commission grant approvals to allow a lot line adjustment between seven existing properties within the La Jolla Community Plan area?

Staff Recommendation - Approve Planned Development Permit No. 1611271 and Coastal Development Permit No. 1611273.

Community Planning Group Recommendation - The La Jolla Community Planning Association voted on January 7, 2016 to unanimously recommend approval of the project.

Environmental Review - This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19 Section 15305 on October 20, 2015. This project is not pending an appeal of the environmental determination. The opportunity to appeal that determination ended November 3, 2015.

Fiscal Impact Statement - All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The project site is within an existing single dwelling unit subdivision at the density recommended by the current community plan. The site involves seven existing lots. The project would have no impact upon the housing supply within the City of San Diego.

BACKGROUND

The La Jolla Community Plan Land Use map designates the site for Low Density Residential development (Attachment 1). The site is located at 5612, 5622, 5632, 5646 Rutgers Road, 1511 Copa de Oro Drive and 1550 Via Corona within the La Jolla Community Plan area (Attachment 2). The site is zoned RS-1-4 for single dwelling unit development. The existing site and neighboring properties are developed with single dwelling unit residential housing (Attachment 3).

The seven lots involved with this project, Lots 78 thru 81, 83, 89 & 90, were all created by a subdivision map recorded on September 19, 1958 as Map No. 3966. At that time, all of the lots met the requirements of the existing zoning regulations. In 1963, the owners of Lots 89 & 90, obtained an easement from the owners of Lots 78, 79, 80, 81 & 83 over portions of those lots for the "exclusive use, possession, and enjoyment" of the owners of Lots 89 & 90. Inclusive in the easement were rights to "planting, replanting, cultivating, irrigation" and "the further right...to erect and maintain fencing...to protect the right of exclusive use." The easement was primarily over a generally level area at the rear of Lots 78, 79, 80, 81 & 83 which was separated from the remaining useable areas of these lots by a twenty to thirty foot high slope. This is presumably why the exclusive use easement was given to the owners of Lots 89 & 90. From 1963 on, the owners of Lots 89 & 90 fenced off and used the easement area of Lots 78, 79, 80, 81 & 83 as an extension of their private rear yard.

In 2007-2008, the current owner of Lots 89 & 90 at 1550 Via Corona obtained a Coastal Development Permit (Attachment 4), grading permit and building permit to construct a new house on Lots 89 & 90. During the course of construction, the owners of Lots 78, 79, 80, 81 & 83 objected to these improvements. A dispute among the neighbors ensued. Some of the property owners of Lots 78, 79, 80, 81 & 83 mutually agreed with the owner of Lot 89 & 90 upon terms of a settlement agreement, while others resorted to litigation to resolve their dispute. After several years of litigation, the remaining property owners involved with the litigation agreed to terms to resolve their dispute. The owner of Lots 89 & 90 agreed to pay the owners of Lots 78, 79, 80, 81 & 83 for the exclusive use of the easement on their properties. In return, the owners of Lots 78, 79, 80, 81 & 83 agreed to cooperate with a lot line adjustment to transfer the area of the exclusive use easement to Lots 89 & 90 (Attachments 5-9).

DISCUSSION

Project Description

The Ngala Residence project (Project) proposes a Coastal Development Permit and Planned Development Permit to amend the previously approved Coastal Development Permit to allow a lot line adjustment of approximately 6,327 square feet between seven properties (Attachment 10). One of the resulting lots would be substandard as to the minimum lot area required by the RS-1-4 zone regulations.

Required Approvals

A Coastal Development Permit is required because the lots are located in the Coastal Overlay Zone. The Coastal Development Permit is not appealable to the California Coastal Commission. Lot 78 is presently 9,794.4 square feet and is smaller than the minimum 10,000 square foot lot size required in the RS-1-4 zone. The lot line adjustment for Lot 78 would result in a lot size of 8,820 square feet, therefore a Planned Development Permit is required for a deviation to allow an existing non-conforming lot to become smaller.

The applicant requests the Coastal Development Permit and Planned Development Permit as a means to satisfy an agreement between all the parties. If these permits are approved, the applicant may then submit for a lot line adjustment, which is a ministerial approval.

Deviation

All of the parcels will meet the minimum standards of the RS-1-4 zone with one exception on Lot 78. Lot 78 is presently 9,795 square feet in area and the minimum lot area of the RS-1-4 zone is 10,000 square feet. The non-conformity of lot size of Lot 78 currently exists.

Currently there is an existing fifteen foot high manufactured slope at the rear of Lots 78, 79, 80 and 81 and a more level area at the top of this manufactured slope within these lots along the shared property line with Lots 89 and 90. The proposed Coastal Development Permit and Planned Development Permit will allow a Parcel Map to be filed adjusting the property lines so that the level area at the rear of Lots 78, 79, 80, 81 and 83 will be within Lots 89 and 90. The practical result will resolve an unusual situation.

Standard engineering practice is to create the top of manufactured slopes during grading operations such that the top of slope is conterminous with the property lines of two adjoining properties. Approval of the Coastal Development Permit and Planned Development Permit will resolve an anomaly in the neighborhood and create lots in greater conformance with standard engineering practice.

Community Plan Analysis

The La Jolla Community Plan (Plan) designates the seven properties for Very Low Density Residential development at a density range of zero to five dwelling units per acre. All of the seven sites were previously developed with single dwelling unit development. The Plan does not specify any public views to scenic resources located in the community from these seven properties or from the public streets adjacent to these sites. The use of the properties would not change as a result of this project and would be consistent with the land use designation and relevant policies of the Plan for single dwelling unit development.

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 11) and draft conditions of approval (Attachment 12). Staff recommends the Planning Commission approve the Project as proposed.

ALTERNATIVES

1. **Approve** Planned Development Permit No. 1611271 and Coastal Development Permit No. 1611273, **with modifications.**
2. **Deny** Planned Development Permit No. 1611271 and Coastal Development Permit No. 1611273, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Elyse 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. Coastal Development Permit No. 430215
5. Doc#2012-0360274 (Lot 78)
6. Doc#2012-0360275 (Lot 79)
7. Doc#2010-0164199 (Lot 80)
8. Doc#2012-0360276 (Lot 81)
9. Doc#2012-0526024 (Lot 83)
10. Project plan
11. Draft Permit Resolution with Findings
12. Draft Permit with Conditions
13. La Jolla Community Planning Association recommendation
14. Ownership Disclosure statements

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



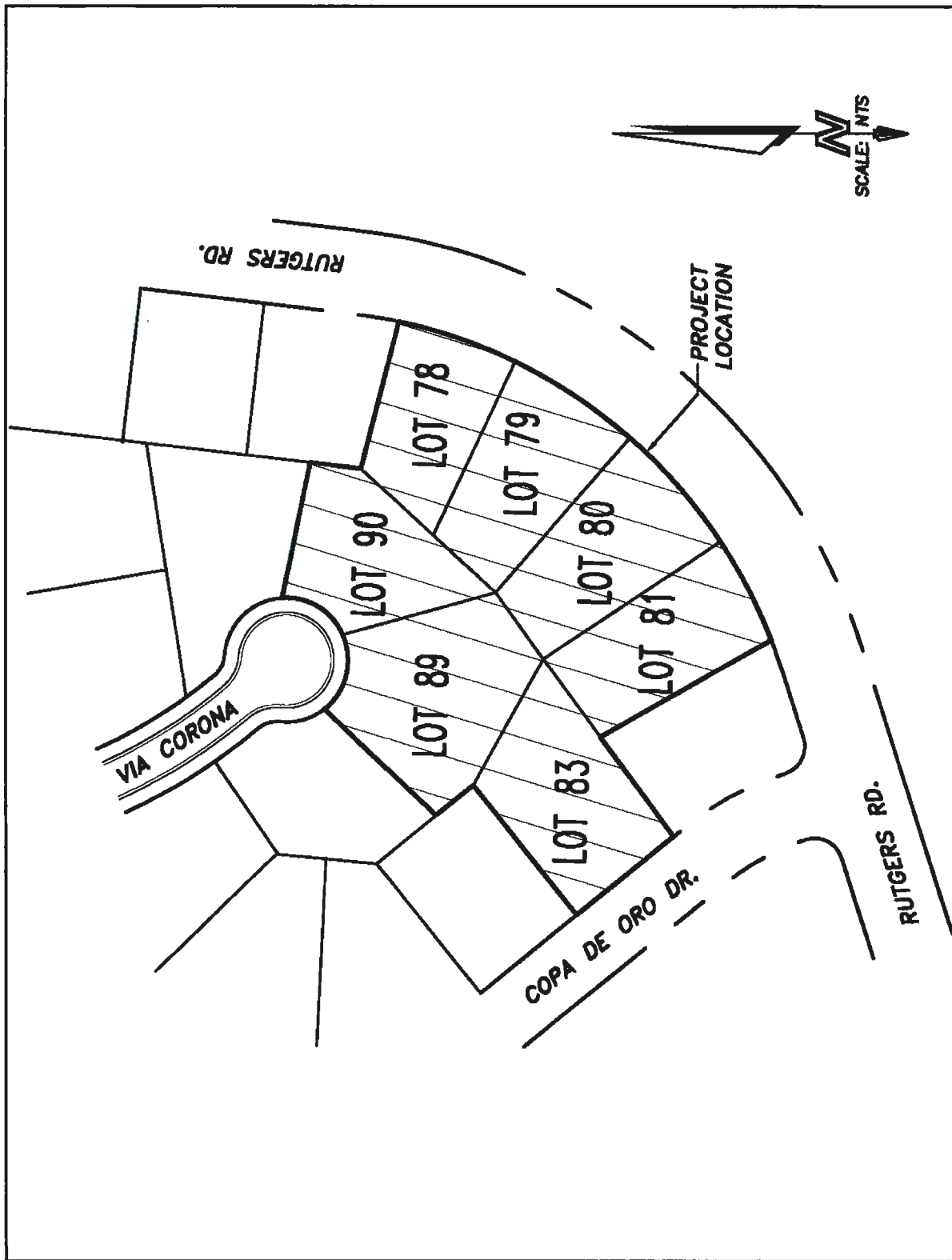
Community Land Use Map



La Jolla Community Plan
City of San Diego • Planning Department



Figure 1





C.C.# 2007-0738269

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OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 26.00

PAGES: 7

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

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-7562

DEVELOPMENT SERVICES DEPARTMENT
COASTAL DEVELOPMENT PERMIT NO. 430215
NGALA RESIDENCE - PROJECT NO. 125575

This Coastal Development Permit is granted by the DEVELOPMENT SERVICES DEPARTMENT of the City of San Diego to NGALA INCORPORATED, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0708. The 0.602-acre site is located at 1550 Via Corona within the RS-1-4 Zone of the La Jolla Community Plan, Coastal Height Limit, Coastal (non-appealable). The project site is legally described as Lots 89 and 90, La Jolla Palisades, Unit 1, Map No. 3966.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee, NGALA INCORPORATED to demolish an existing one-story single family residence and construct a new 9,843 square-foot one-story single family residence with an attached 1,054 square-foot two-car garage and a 4,248 square-foot basement, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 5, 2007, on file in the Development Services Department.

The project shall include:

- a. Demolition of existing development; and
- b. Construct a 9,843 square-foot one-story single family residence with a 4,248 square-foot basement;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. Exterior pool and jacuzzi;

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- f. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action following all appeals.
3. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
5. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

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

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

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

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" 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.

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

ENGINEERING REQUIREMENTS:

12. Prior to the issuance of any construction permits, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2,

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Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

13. Prior to the issuance of any construction permits, the applicant shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

14. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the replacement of the existing curb cut with a new curb cut to current City standards, satisfactory to the City Engineer.

15. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Maintenance and Removal Agreement for landscaping and a D-25 curb outlet in Via Corona, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

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

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

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

INFORMATION ONLY:

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

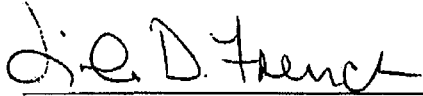
APPROVED by the Development Services Department of the City of San Diego on October 5, 2007 by Resolution No. CM-5860.

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Coastal Development Permit No. 430215
Date of Approval: October 5, 2007

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT



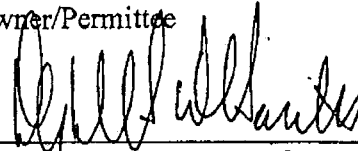
Linda D. French
Development Project Manager

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

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

Owner/Permittee

By



Dwight H. DeSantis, Secretary
Ngala Incorporated

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

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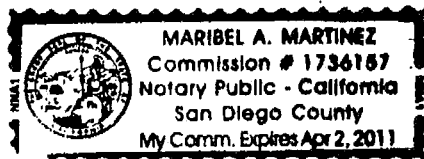
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
 County of San Diego } ss.

On November 27, 2007 before me, Maribel A. Martinez, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
 personally appeared Linda French
Name(s) of Signer(s)

☒ personally known to me
☐ proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by its/his/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Maribel A. Martinez
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: CDP NO. 430215/NGALA RESIDENCE/PROJECT NO. 125575

Document Date: October 5, 2007 Number of Pages: 5

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____



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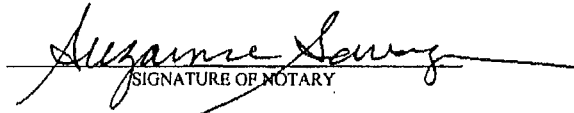
ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On November 15, 2007, before me, Suzanne Savage, Notary Public, personally appeared Dwight DeSantis 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.




SIGNATURE OF NOTARY

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DOC # 2012-0360274

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Blanchard, Krasner & French
Michael Weitz, Esq.
800 Silverado Street, 2nd Floor
La Jolla, CA 92037

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OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
Ernest J. Dronenburg, Jr., COUNTY RECORDER

FEES: 188.50

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PAGES: 9



SPACE ABOVE THIS LINE FOR RECORDER'S USE

**AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT,
WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT**

The undersigned Grantor declares: Documentary Transfer Tax is \$148.50 (computed on the full consideration paid, exclusive of liens or encumbrances).
APN: 358-232-08

THIS AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT, WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT is entered into between the Donald K. Dewhurst and Patricia D. Coleman, Co-Trustees of Dewhurst Family Trust dated October 30, 1980 ("Grantor") on the one hand; and Ngala, Incorporated, a California corporation ("Grantee") on the other.

RECITALS

A. Grantor is the owner of the servient tenement commonly known as 5646 Rutgers Road, La Jolla, CA 92037, and further described as Lot 78 in La Jolla Palisades Unit No. 1 in the City of San Diego, County of San Diego, State of California, according to Map No. 3966 filed in the Office of the County Recorder of San Diego County, September 19, 1958 ("Lot 78").

B. Grantee is the owner of the dominant tenement commonly known as 1550 Via Corona, La Jolla, CA 92037, and further described as Lots 89 and 90 in La Jolla Palisades Unit No. 1 in the City of San Diego, County of San Diego, State of California, according to Map No. 3966 filed in the Office of the County Recorder of San Diego County, September 19, 1958 ("Lots 89 and 90").

C. Grantor disputed the legal validity of an easement burdening Lot 78 for the benefit of Lots 89 and 90, dated January 9, 1963, and recorded on February 25, 1963, in the Office of the County Recorder of San Diego County, as Instrument No. 32206 ("Easement"). To resolve the dispute, Grantee has paid compensation to Grantors in part for these terms.

NOW THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. **Partial Extinguishment of Easement.** Grantee releases and conveys to Grantor any and all interest it has under the Easement in the area defined below as the "Disputed Southern Easement Area." All other rights under the Easement are expressly reserved by Grantee. Except

as to the rights released and extinguished herein, Grantee intends on preserving the Easement and the Easement shall remain in full force and effect as of the date of its original recording.

2. **Easement Area Rights.** To avoid further dispute over the validity, interpretation and / or scope of the Easement, Grantor confirms and acknowledges the grant to Grantee of the Easement (as partially extinguished) in perpetuity, which burdens Lot 78, and runs with the land for the benefit of and being appurtenant to Lots 89 and 90. Grantor further amends the Easement (as partially extinguished) to clarify that Grantee has the following perpetual rights in the Easement Area which burden Lot 78 and run with the land for the benefit of and being appurtenant to Lots 89 and 90:

a. Grantee is entitled to sole and exclusive use of the "Easement Area" for the purpose of extending the residential home backyard of Lots 89 and 90. This purpose expressly includes but is not limited to recreation, changing the elevation of the grade, landscaping the area, and irrigating the area, all in Grantee's discretion. This purpose also expressly includes but is not limited to properly draining the Easement Area using a City approved drainage system.

b. In regards to permanently built structures, Grantee is only permitted but not obligated within the "Easement Area" to construct: (a) stairs; (b) terraces; (c) walkways; (d) planters; (e) decks; and (f) retaining walls, with the closest retaining wall to the "Easement Border" being no greater than 6 feet in height, and no closer than 4 feet to the "Easement Border." Grantors' consent to construction permits shall not be unreasonably withheld.

c. Grantee is further permitted but not obligated to construct its own fence on the "Easement Border" to protect its right to sole and exclusive use.

d. Grantee shall not be permitted to place noisy equipment, including but not limited to pool motors or air conditioning systems in the "Easement Area" either long-term or permanently.

3. **Lot-Line Adjustment.** Following recording, Grantee may apply for a lot-line adjustment (or similar City process to approve the alteration of property lines) at its own expense. The new lot-line shall be the "Easement Border." Grantor shall fully cooperate in the process and, where required, Grantor's consent shall not be unreasonably withheld. Grantee is expressly authorized pursuant to San Diego Municipal Code Section 112.0102(a)(3) to apply for the lot line adjustment. Upon approval of the lot-line adjustment by applicable authorities, Grantor shall convey to Grantee fee simple absolute title to "Easement Area." Grantee shall not be required to reapply for a lot-line adjustment if it applies for a lot-line adjustment and it is denied. However, should Grantee in its sole discretion decide to reapply at a later time, Grantee shall be so permitted.

a. During any lot-line adjustment process, Grantee shall fully disclose to the City of San Diego the before and after proposed lot size for Lot 78. Specifically, Grantee shall disclose to the City of San Diego that the proposed lot size will be less than 10,000 square feet. Grantor agrees to cooperate and assist Ngala, Inc. in obtaining the necessary approvals, consents and / or variances required by the City of San Diego to complete the lot-line adjustment even if the resulting lot is less than 10,000 square feet. Grantee is expressly authorized pursuant to San Diego Municipal Code Section 112.0102(a)(3) to apply for such approvals, consents and / or variances.

b. Notwithstanding any other provision of this Paragraph 3, any approval, consent, and / or variance from the City of San Diego which permits the lot size of Lot 78 to be less than 10,000 square feet must not impose any additional condition which would prohibit the lawful use, improvement or replacement of the residential structure on Lot 78.

4. Definitions.

a. "Easement Area."

See legal description attached hereto and incorporated herein as Exhibit "A," and depicted in the exhibit attached hereto and incorporated herein as Exhibit "B."

b. "Easement Border."

Described and depicted in Exhibits "A" and "B" as "A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 266.22 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH 73°53'20" WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°40'46" FOR A DISTANCE OF 68.21 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 78 WHICH BEARS A DISTANCE OF 23.21 FEET FROM SAID WESTERLY CORNER THEREOF."

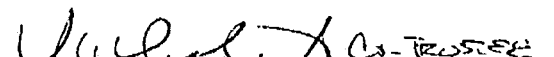
c. "Disputed Southern Easement Area."


See legal description attached hereto and incorporated herein as Exhibit "C," and depicted in the exhibit attached hereto and incorporated herein as Exhibit "D."


Grantor and Grantee, intending to legally bind themselves, their successors, heirs and assigns, have caused this instrument to be duly executed and delivered on May 24, 2012.

Grantor:

Grantee:


Donald K. Dewhurst,
as Co-Trustee of Dewhurst Family Trust dated
October 30, 1980


Ngala Incorporated
By: Dwight DeSantis
Its: Officer


Patricia Dewhurst
as Co-Trustee of Dewhurst Family Trust dated
October 30, 1980

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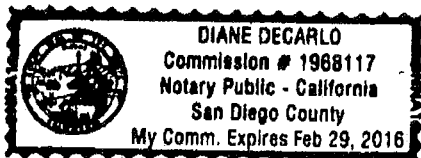
ACKNOWLEDGMENTS TO
AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT,
WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On May 24, 2012, before me, Diane DeCarlo, Notary Public, personally appeared Donald K. Dewhurst, and 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 she executed the same in her authorized capacity, and that by her signature on the instrument the person, and/or the entity upon behalf of which she acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.



Diane DeCarlo
Signature of Notary

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On May 24, 2012, before me, Diane DeCarlo, Notary Public, personally appeared Patricia D. Coleman, and 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 she executed the same in her authorized capacity, and that by her signature on the instrument the person, and/or the entity upon behalf of which she acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.



Diane DeCarlo
Signature of Notary

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STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On ~~May~~ June 5, 2012, before me, Anna Lisa Vega, Notary Public, personally appeared Dwight DeSantis, and 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, and/or the entity upon behalf of which he acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.



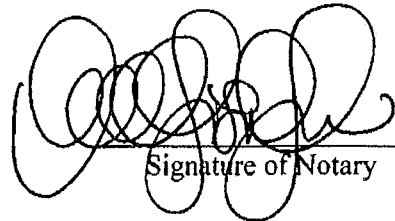

Signature of Notary

EXHIBIT 'A'

A PORTION OF LOT 78, OF PARCEL MAP 3966, RECORDED AS FILE NO. 155031 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, SEPTEMBER 19, 1958 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

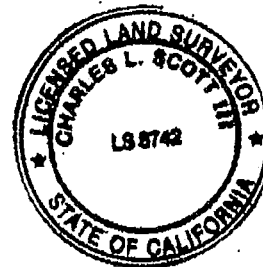
COMMENCING AT THE WESTERLY CORNER OF LOT 78 OF SAID PARCEL MAP 3966, BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE WESTERLY LINE THEREOF NORTH $42^{\circ}30'38''$ EAST A DISTANCE OF 71.03 FEET TO THE NORTHWEST CORNER OF SAID LOT 78, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 266.22 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH $73^{\circ}53'20''$ WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $14^{\circ}40'46''$ FOR A DISTANCE OF 68.21 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 78 WHICH BEARS A DISTANCE OF 23.21 FEET FROM SAID WESTERLY CORNER THEREOF; THENCE ALONG THE SAID SOUTH LINE THEREOF NORTH $64^{\circ}22'01''$ WEST FOR A DISTANCE OF 23.21 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 887.86 SQ. FT., MORE OR LESS

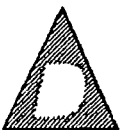
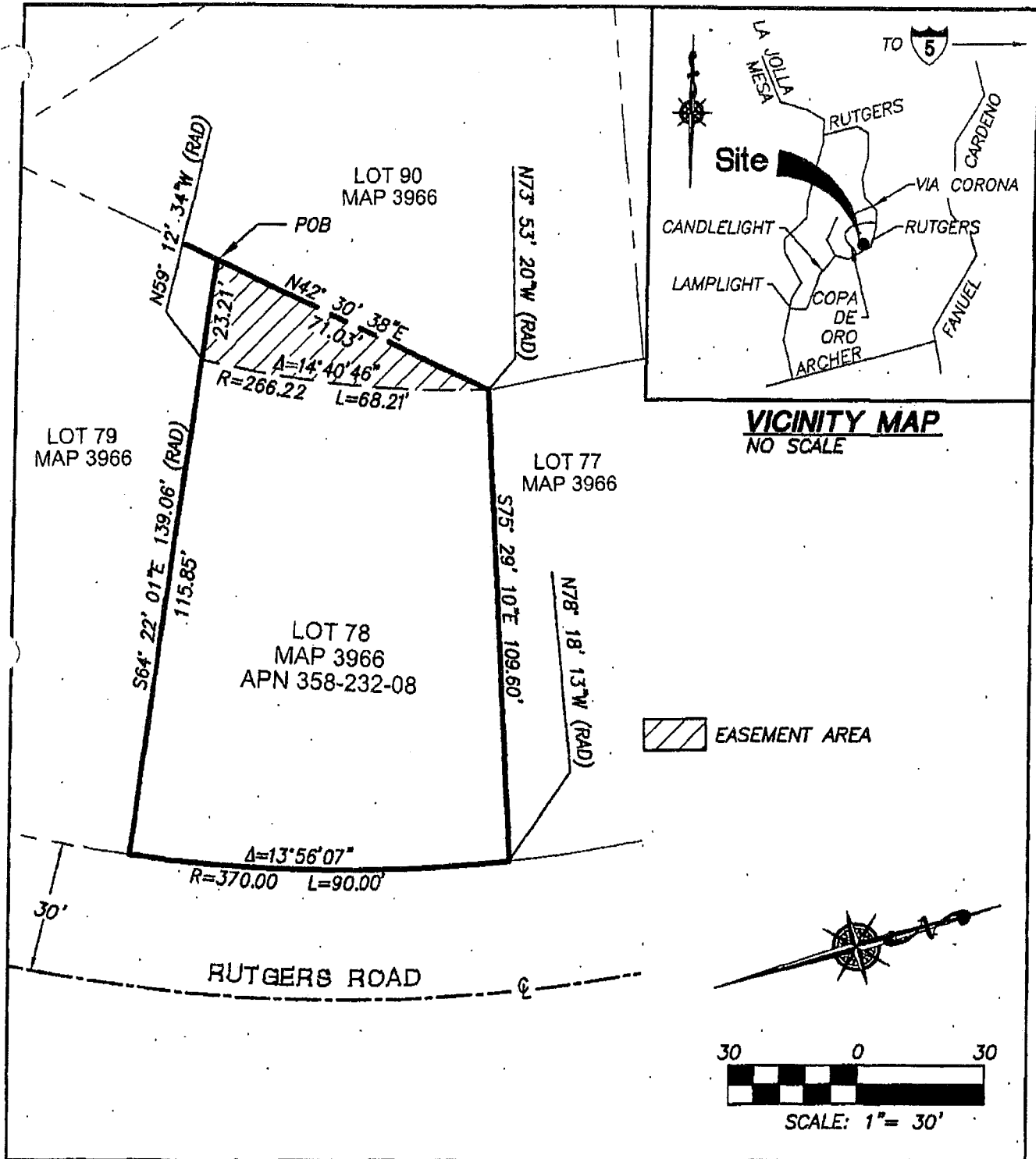


Charles L. Scott III
L.S. 8742
Exp. 12/31/12



10861

EXHIBIT 'B'



**Tri-Dimensional
Engineering Inc**

12527 KIRKHAM CT. POWAY, CA. 92074
(858)748-8333 FAX (858)748-8412

PROJECT

NGALA EASEMENT REVISION

EASEMENT EXHIBIT

JOB NO	2012-005
DATE	04/09/12
SCALE	1:30

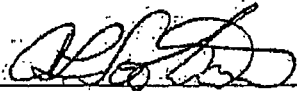
EXHIBIT 'C'

A PORTION OF LOT 78, OF PARCEL MAP 3966, RECORDED AS FILE NO. 155031 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, SEPTEMBER 19, 1958 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

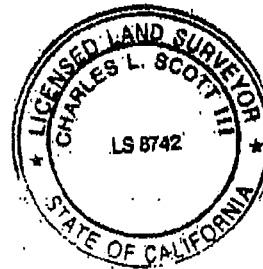
COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 78 OF SAID PARCEL MAP 3966, BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL SOUTH $75^{\circ}29'10''$ EAST A DISTANCE OF 20.00 FEET; THENCE SOUTH $20^{\circ}15'42''$ WEST A DISTANCE OF 72.14 FEET TO THE SOUTHWESTERLY BOUNDARY OF SAID LOT, THENCE NORTH $64^{\circ}22'01''$ WEST A DISTANCE OF 23.79 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF SAID LOT TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 266.22 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH $59^{\circ}12'34''$ WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $14^{\circ}40'46''$ FOR A DISTANCE OF 68.21 FEET TO THE NORTHWESTERLY CORNER OF LOT 78 BEING THE TRUE POINT OF BEGINNING.

CONTAINING 1,427.26 SQ. FT., MORE OR LESS

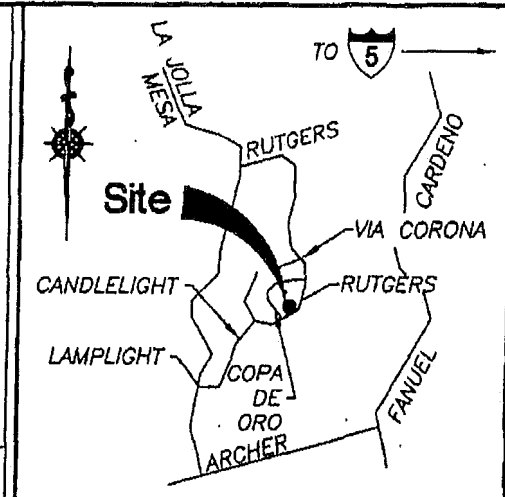
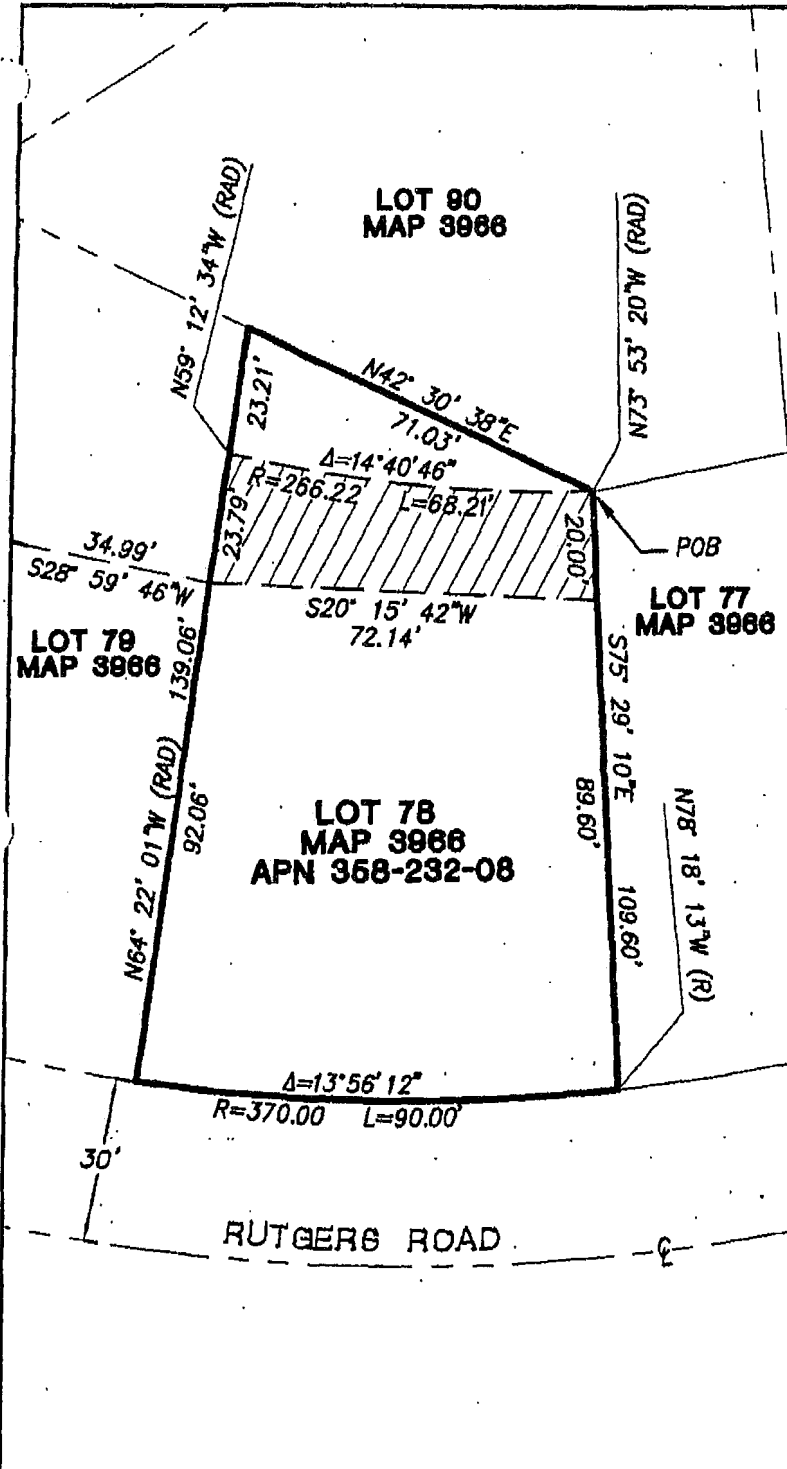


Charles L. Scott III
L.S. 8742
Exp. 12/31/12



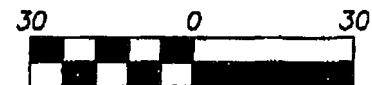
10863

EXHIBIT 'D'



VICINITY MAP
NO SCALE

DISPUTED SOUTHERN EASEMENT AREA



SCALE: 1" = 30'



**Tri-Dimensional
Engineering Inc**

12627 KIRKHAM CT. POWAY, CA. 92074
(858)748-8333 FAX (858)748-8412

PROJECT

NGALA EASEMENT REVISION

EASEMENT EXHIBIT

JOB NO	2012-005
DATE	04/09/12
SCALE	1:30

DOC # 2012-0360275

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Blanchard, Krasner & French
Michael Weitz, Esq.
800 Silverado Street, 2nd Floor
La Jolla, CA 92037

fl
gp
ocba
1067
TT

JUN 20, 2012 3:33 PM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
Ernest J. Dronenburg, Jr., COUNTY RECORDER
FEES: 276.50
OC: NA

10864

PAGES: 9



SPACE ABOVE THIS LINE FOR RECORDER'S USE

AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT,
WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT

The undersigned Grantors declare: Documentary Transfer Tax is \$236.50 (computed on the full consideration paid, exclusive of liens or encumbrances).
APN: 358-232-07

THIS AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT, WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT is entered into between Raghavendra Rau and Pamela Singha ("Grantors") on the one hand; and Ngala, Incorporated, a California corporation ("Grantee") on the other.

RECITALS

A. Grantors are owners of the servient tenement commonly known as 5632 Rutgers Road, La Jolla, CA 92037, and described as Lot 79 in La Jolla Palisades Unit No. 1 in the City of San Diego, County of San Diego, State of California, according to Map No. 3966 filed in the Office of the County Recorder of San Diego County, September 19, 1958 ("Lot 79").

B. Grantee is the owner of the dominant tenement commonly known as 1550 Via Corona, La Jolla, CA 92037, and described as Lots 89 and 90 in La Jolla Palisades Unit No. 1 in the City of San Diego, County of San Diego, State of California, according to Map No. 3966 filed in the Office of the County Recorder of San Diego County, September 19, 1958 ("Lots 89 and 90").

C. Grantors disputed the legal validity of an easement burdening Lot 79 for the benefit of Lots 89 and 90, dated January 31, 1963, and recorded on February 6, 1963, in the Office of the County Recorder of San Diego County, as Instrument No. 22252, which was again granted on February 23, 1966, and recorded on March 1, 1966, in the Office of the County Recorder of San Diego, as Instrument No. 34668 ("Easement"). To resolve the dispute, Grantee has paid compensation to Grantors in part for these terms.

NOW THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. **Partial Extinguishment of Easement.** Grantee releases and conveys to Grantors any and all interest it has under the Easement in the area defined below as the "Disputed Southern Easement Area." All other rights under the Easement are expressly reserved by Grantee. Except as to the rights released herein, Grantee intends on preserving the Easement and the Easement shall remain in full force and effect as of the date of its original recording.

2. **Easement Area Rights.** To avoid further dispute over the validity, interpretation and / or scope of the Easement, Grantor confirms and acknowledges the grant to Grantee of the Easement in perpetuity, which Easement burdens Lot 79, and runs with the land for the benefit of and being appurtenant to Lots 89 and 90. Grantor further amends the Easement to clarify that Grantee has the following perpetual rights in the Easement Area which burden Lot 79 and run with the land for the benefit of and being appurtenant to Lots 89 and 90:

a. Grantee is entitled to sole and exclusive use of the "Easement Area" for the purpose of extending the residential home backyard of Lots 89 and 90. This purpose expressly includes but is not limited to recreation, changing the elevation of the grade, landscaping the area, and irrigating the area, all in Grantee's discretion. This purpose also expressly includes but is not limited to properly draining the Easement Area using a City approved drainage system.

b. In regards to permanently built structures, Grantee is only permitted but not obligated within the "Easement Area" to construct: (a) stairs; (b) terraces; (c) walkways; (d) planters; (e) decks; and (f) retaining walls, with the closest retaining wall to the Easement Border being no greater than 6 feet in height, and no closer than 4 feet to the Easement Border. Grantors' consent to construction permits shall not be unreasonably withheld.

c. Grantee is further permitted but not obligated to construct its own fence on the "Easement Border" to protect its right to sole and exclusive use.

d. Grantee shall not be permitted to place noisy equipment, including but not limited to pool motors or air conditioning systems in the "Easement Area" either long-term or permanently.

3. **Lot-Line Adjustment.** Following recording, Grantee shall apply for a lot-line adjustment (or similar City process to approve the alteration of property lines) at its own expense so long as the associated costs appear reasonable. The new lot-line shall be the "Easement Border." Grantors shall fully cooperate in the process and, where required, Grantor's consent shall not be unreasonably withheld. Grantee is expressly authorized pursuant to San Diego Municipal Code Section 112.0102(a)(3) to apply for the lot line adjustment. Upon approval of the lot-line adjustment by applicable authorities, Grantors shall convey to Grantee fee simple absolute title to "Easement Area." Grantee shall not be required to reapply for a lot-line adjustment if it applies for a lot-line adjustment and it is denied. However, should Grantee in its sole discretion decide to reapply at a later time, Grantee shall be so permitted.

a. During the lot-line adjustment process, the currently existing view deck on the backyard slope of Lot 79 which is directly south-east of the Easement Border shall be disclosed to the City of San Diego by Grantee. If as a result of the disclosure the City requires a variance or other application, both Grantors and Grantee will fully cooperate with the process to ensure the currently existing view deck on the backyard slope of Lot 79 will not need to be removed or

altered in anyway as a result of the proposed property line change. Any additional processing fees or application fees will be borne by Grantee.

4. Definitions.

a. "Easement Area."

See legal description attached hereto and incorporated herein as Exhibit "A," and depicted in the exhibit attached hereto and incorporated herein as Exhibit "B."

b. "Easement Border."

Described and depicted in Exhibits "A" and "B" as "A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 405.66 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH 56°40'54" WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 9°36'32" FOR A DISTANCE OF 68.03 FEET TO THE SOUTHWESTERLY LINE OF LOT 79."

c. "Disputed Southern Easement Area."

See legal description attached hereto and incorporated herein as Exhibit "C," and depicted in the exhibit attached hereto and incorporated herein as Exhibit "D."

Grantors and Grantee, intending to legally bind themselves, their successors, heirs and assigns, have caused this instrument to be duly executed and delivered on May 16, 2012.

Grantors:

Raghavendra Rau
Raghavendra Rau

Pamela Singha
Pamela Singha

Grantee:

Dwight DeSantis
Ngala Incorporated
By: Dwight DeSantis
Its: Officer

10867

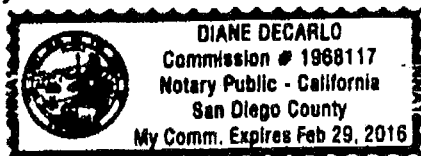
ACKNOWLEDGMENTS TO
AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT,
WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On May 18, 2012, before me, Diane DeCarlo, Notary Public, personally appeared Raghavendra Rau, and 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, and/or the entity upon behalf of which he acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.



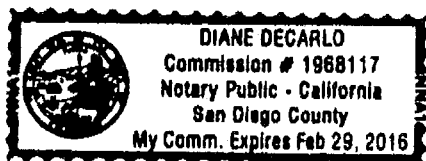
Diane DeCarlo
Signature of Notary

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On May 18, 2012, before me, Diane DeCarlo, Notary Public, personally appeared Pamela Singha, and 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 she executed the same in her authorized capacity, and that by her signature on the instrument the person, and/or the entity upon behalf of which she acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.



Diane DeCarlo
Signature of Notary

10868

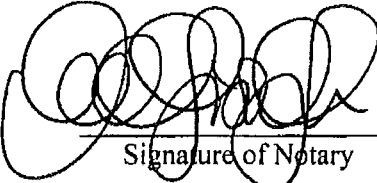
STATE OF CALIFORNIA)
) ss:
COUNTY OF SAN DIEGO)

On ~~May~~ June 5, 2012, before me, Anna Lisa Vega, Notary Public,
personally appeared Dwight DeSantis, and 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, and/or the entity upon behalf of which he acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

Witness my hand and official seal.





Signature of Notary

10869

EXHIBIT 'A'

A PORTION OF LOT 79, OF PARCEL MAP 3966, RECORDED AS FILE NO. 155031 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, SEPTEMBER 19, 1958 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

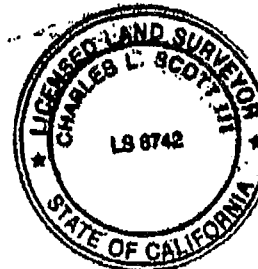
COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 79 OF SAID PARCEL MAP 3966, BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE NORTHWESTERLY LINE THEREOF NORTH 42°30'38" EAST A DISTANCE OF 61.68 FEET; THENCE SOUTH 64°22'01" EAST FOR A DISTANCE OF 23.21 FEET ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 405.66 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH 56°40'54" WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 9°36'32" FOR A DISTANCE OF 68.03 FEET TO THE SOUTHWESTERLY LINE OF LOT 79; THENCE ALONG THE BOUNDARY LINE THEREOF NORTH 48°52'54" WEST FOR A DISTANCE OF 27.42 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,679.93 SQ. FT., MORE OR LESS

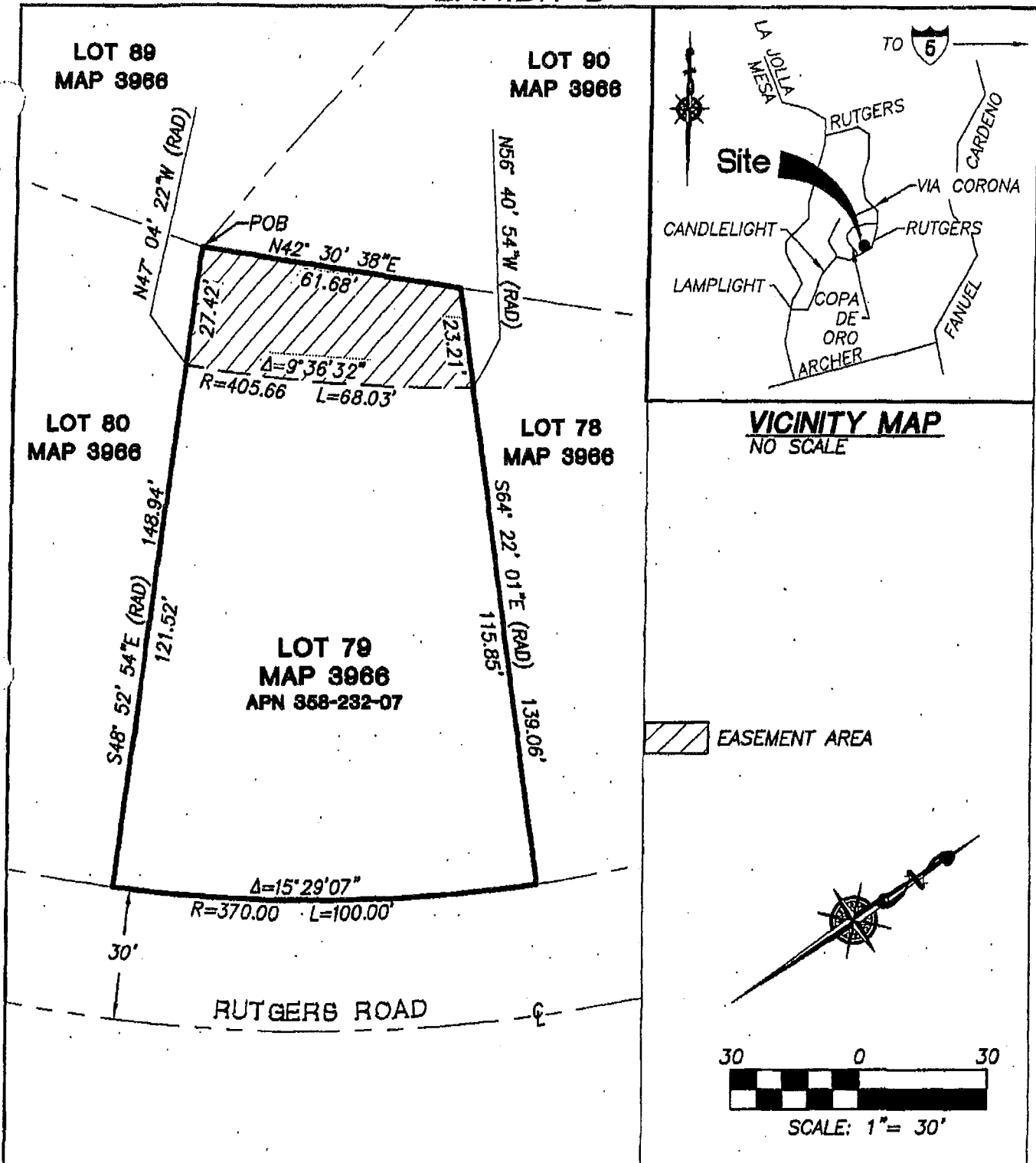


Charles Scott
L.S. 8742
Exp. 12/31/12



10870

EXHIBIT 'B'



**Tri-Dimensional
Engineering Inc**

12527 KIRKHAM CT. POWAY, CA. 92074
(858)748-8333 FAX (858)748-8412

PROJECT

NGALA EASEMENT REVISION

EASEMENT EXHIBIT

JOB NO	2012-005
DATE	04/09/12
SCALE	1:30

10871

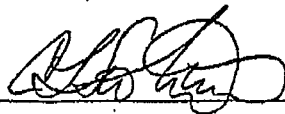
EXHIBIT 'C'

A PORTION OF LOT 79, OF PARCEL MAP 3966, RECORDED AS FILE NO. 155031 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, SEPTEMBER 19, 1958 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY CORNER OF LOT 79 OF SAID PARCEL MAP 3966; THENCE NORTH 42°30'38" EAST A DISTANCE OF 61.68 FEET ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID LOT; THENCE SOUTH 64°22'01" EAST FOR A DISTANCE OF 23.21 ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL SOUTH 64°22'01" EAST A DISTANCE OF 23.79 FEET; THENCE SOUTH 29°00'00" WEST A DISTANCE OF 35.00 FEET, THENCE SOUTH 34°11'21" WEST A DISTANCE OF 40.28 FEET TO THE SOUTHWESTERLY LINE OF LOT 79; THENCE NORTH 48°52'54" WEST A DISTANCE OF 31.58 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF SAID LOT TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 405.66 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH 47°04'22" WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 9°36'32" FOR A DISTANCE OF 68.03 FEET TO THE NORTHEASTERLY LINE OF LOT 79 BEING THE TRUE POINT OF BEGINNING.

CONTAINING 1960.11 SQ. FT., MORE OR LESS



Charles L. Scott III
L.S. 8742
Exp. 12/31/12

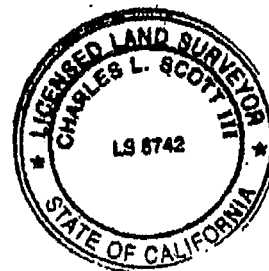
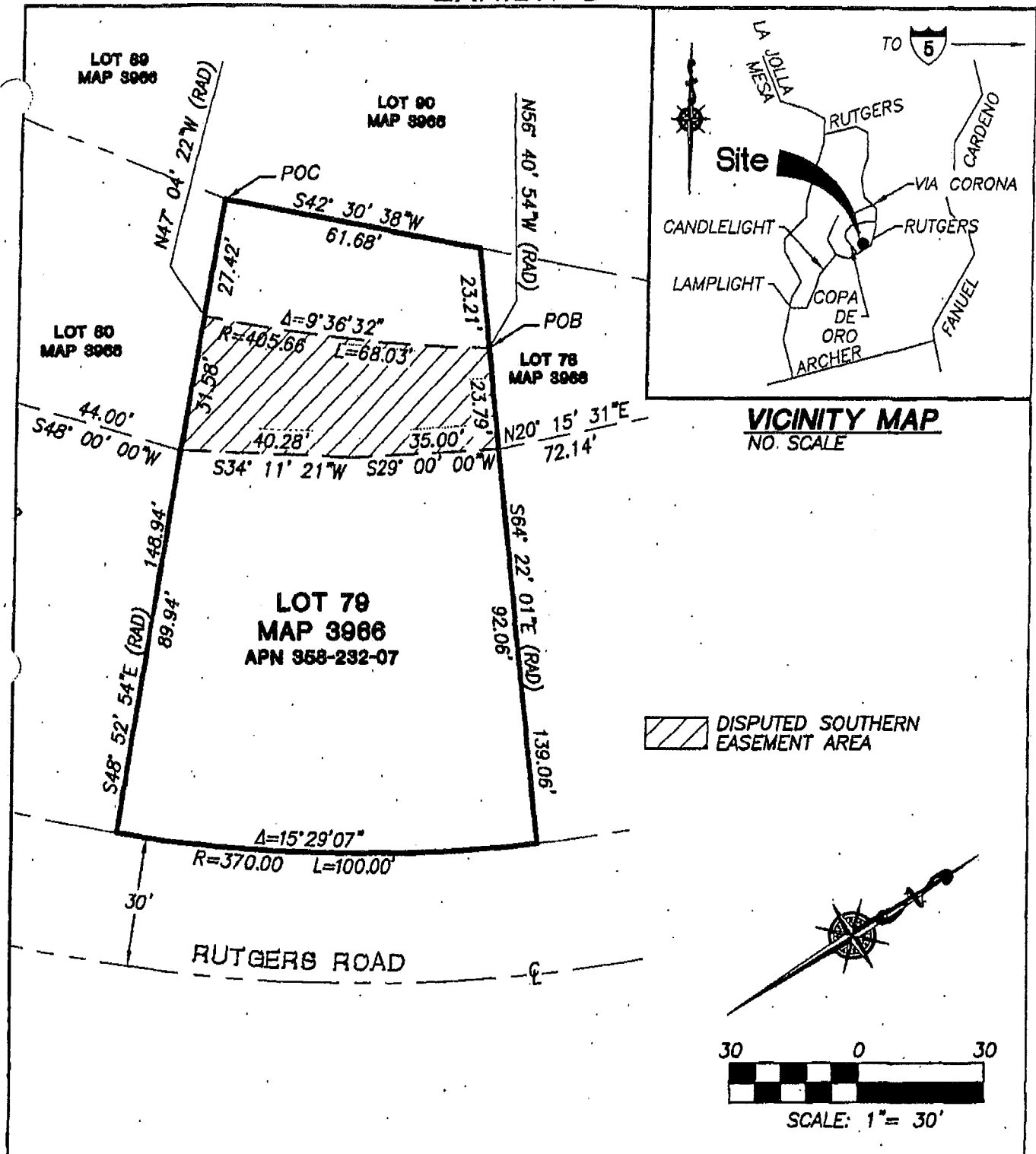


EXHIBIT 'D'



**Tri-Dimensional
Engineering Inc**

12527 KIRKHAM CT. POWAY, CA. 92074
(858)748-8333 FAX (858)748-8412

PROJECT

NGALA EASEMENT REVISION

EASEMENT EXHIBIT

JOB NO	2012-005
DATE	04/09/12
SCALE	1:30

DOC # 2010-0164199

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Blanchard, Krasner & French
Michael Weitz, Esq.
800 Silverado Street, 2nd Floor
La Jolla, CA 92037

13487

APR 02, 2010 1:10 PM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
DAVID L. BUTLER, COUNTY RECORDER
FEES: 33.00
OC: OC

PAGES: 9



SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT OF EASEMENT

The undersigned Grantors declare: Documentary Transfer Tax is \$0.00.

THIS GRANT OF EASEMENT ("Easement") is entered into between Barry Francis and Janet Francis ("Grantors"), and Ngala Incorporated, a California corporation ("Grantee").

RECITALS

A. Grantors are owners of the servient tenement commonly known as 5622 Rutgers Road, La Jolla, CA 92037, and described as Lot 80 in La Jolla Palisades Unit No. 1 in the City of San Diego, County of San Diego, State of California, according to Map No. 3966 filed in the Office of the County Recorder of San Diego County, September 19, 1958 ("Lot 80").

B. Grantee is the owner of the dominant tenement commonly known as 1550 Via Corona, La Jolla, CA 92037, and described as Lots 89 and 90 in La Jolla Palisades Unit No. 1 in the City of San Diego, County of San Diego, State of California, according to Map No. 3966 filed in the Office of the County Recorder of San Diego County, September 19, 1958 ("Lots 89 and 90").

NOW THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. **Grant of Easement.** Grantors convey and grant to Grantee the following perpetual easement to burden Lot 80 and to run with the land for the benefit of and being appurtenant to Lots 89 and 90:

a. Grantee is entitled to sole and exclusive use of the "Easement Area" for the purpose of extending the residential home backyard of Lots 89 and 90.

b. In regards to permanently built structures, Grantee is only permitted but not obligated within the "Easement Area" to: (a) construct retaining walls, with the closest retaining wall to the "Easement Border" being no greater than 6 feet in height, and no closer than 4 feet to the "Easement Border;" (b) construct stairs; (c) construct terraces; and (d) construct swimming pools. Those portions of the swimming pools which extend into the "Easement Area" shall not be more than ten (10) feet over the current boundary line between Lots 80 and 89. Grantors' consent to construction permits shall not be unreasonably withheld.

13488

c. Grantee is further permitted but not obligated to construct and maintain its own fence on the "Easement Border" to protect its right to sole and exclusive use.

d. Grantee shall not be permitted to place noisy equipment, including but not limited to pool motors or air conditioning systems, in the "Easement Area" either long-term or permanently.

2. **Partial Release of Existing Easement.** There currently exists an easement burdening Lot 80 for the benefit of Lots 89 and 90, dated January 31, 1963, and recorded on February 6, 1963, in the Office of the County Recorder of San Diego County, as Instrument No. 22252 ("Existing Easement"). Grantee releases and conveys to Grantors any and all interest it has under the Existing Easement for the area designated as the "Existing Southern Easement Area." All other rights under the Existing Easement are expressly reserved by Grantee. Except as to the rights released herein, Grantee intends on preserving the Existing Easement. Apart from this Easement, the Existing Easement shall remain in separate full force and effect as of the date of its original recording.

3. **Lot-Line Adjustment.** Following the recording of this Easement, Grantee shall apply for a lot-line adjustment at its own expense so long as the associated costs appear reasonable. The new lot-line shall be the "Easement Border." Grantors shall fully cooperate in the process and, where required, Grantors' consent shall not be unreasonably withheld. Upon approval of the lot-line adjustment by applicable authorities, Grantors shall convey to Grantee fee simple absolute title to "Easement Area." Grantee shall not be required to reapply for a lot-line adjustment if it applies for a lot-line adjustment and it is denied. However, should Grantee in its sole discretion decide to reapply at a later time, Grantee shall be so permitted.

4. **Definitions.**

a. **"Easement Area."**

Description attached as Exhibit "A" and reflected in Exhibit "B," both incorporated herein.

b. **"Easement Border."**

Described in Exhibits "A" and "C" as the "NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 246.73 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH 44°19'18" WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°29'11" FOR A DISTANCE OF 66.69 FEET TO THE SOUTHEASTERLY LINE OF LOT 80."

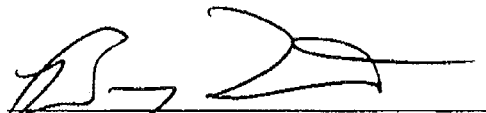
c. **"Existing Southern Easement Area."**

Description attached as Exhibit "C" and reflected in Exhibit "D," both incorporated herein.

13489

Grantors and Grantee, intending to legally bind themselves, their successors, heirs and assigns, have caused this instrument to be duly executed and delivered on March 25, 2010.

Grantors:

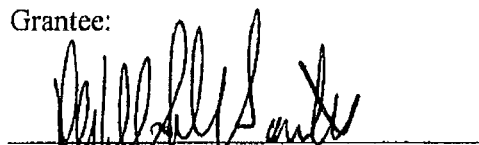


Barry Francis



Janet Francis

Grantee:



Ngala Incorporated

By: Dwight DeSantis

Its: Treasurer

[illegible]

Witness my hand and official seal.



Signature of Notary

[illegible]

On March 25, 2010, before me, Roman Cedillo, Notary Public, personally appeared **Janet Francis**, and 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 she executed the same in her authorized capacity, and that by her signature on the instrument the person, ~~and~~ or the entity upon behalf of which she acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.



Signature of Notary

13491

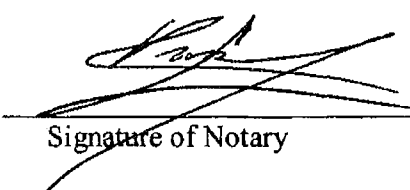
STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On March 25, 2010, before me, Roman Cedillo, Notary Public, personally appeared Dwight DeSantis, and 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, ~~and~~ or the entity upon behalf of which he acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.




Signature of Notary

13492

EXHIBIT 'A'

A PORTION OF LOT 80, OF PARCEL MAP 3966, RECORDED AS FILE NO. 155031 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, SEPTEMBER 19, 1958 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 80 OF SAID PARCEL MAP 3966, BEING THE TRUE **POINT OF BEGINNING**;

THENCE ALONG THE NORTHWESTERLY LINE THERE OF NORTH $53^{\circ}46'37''$ EAST A DISTANCE OF 59.09 FEET; THENCE SOUTH $48^{\circ}52'54''$ EAST FOR A DISTANCE OF 27.59 FEET ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 246.73 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH $44^{\circ}19'18''$ WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $15^{\circ}29'11''$ FOR A DISTANCE OF 66.69 FEET TO THE SOUTHEASTERLY LINE OF LOT 80; THENCE ALONG THE BOUNDARY LINE THEREOF NORTH $33^{\circ}23'47''$ WEST FOR A DISTANCE OF 27.36 FEET TO THE TRUE **POINT OF BEGINNING**.

CONTAINING 1,802.83 SQ. FT., MORE OR LESS

Robert R. Wallace

Robert R. Wallace
L.S. 5202
Exp. 06/30/11

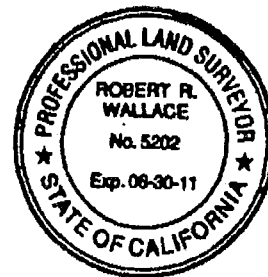
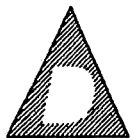
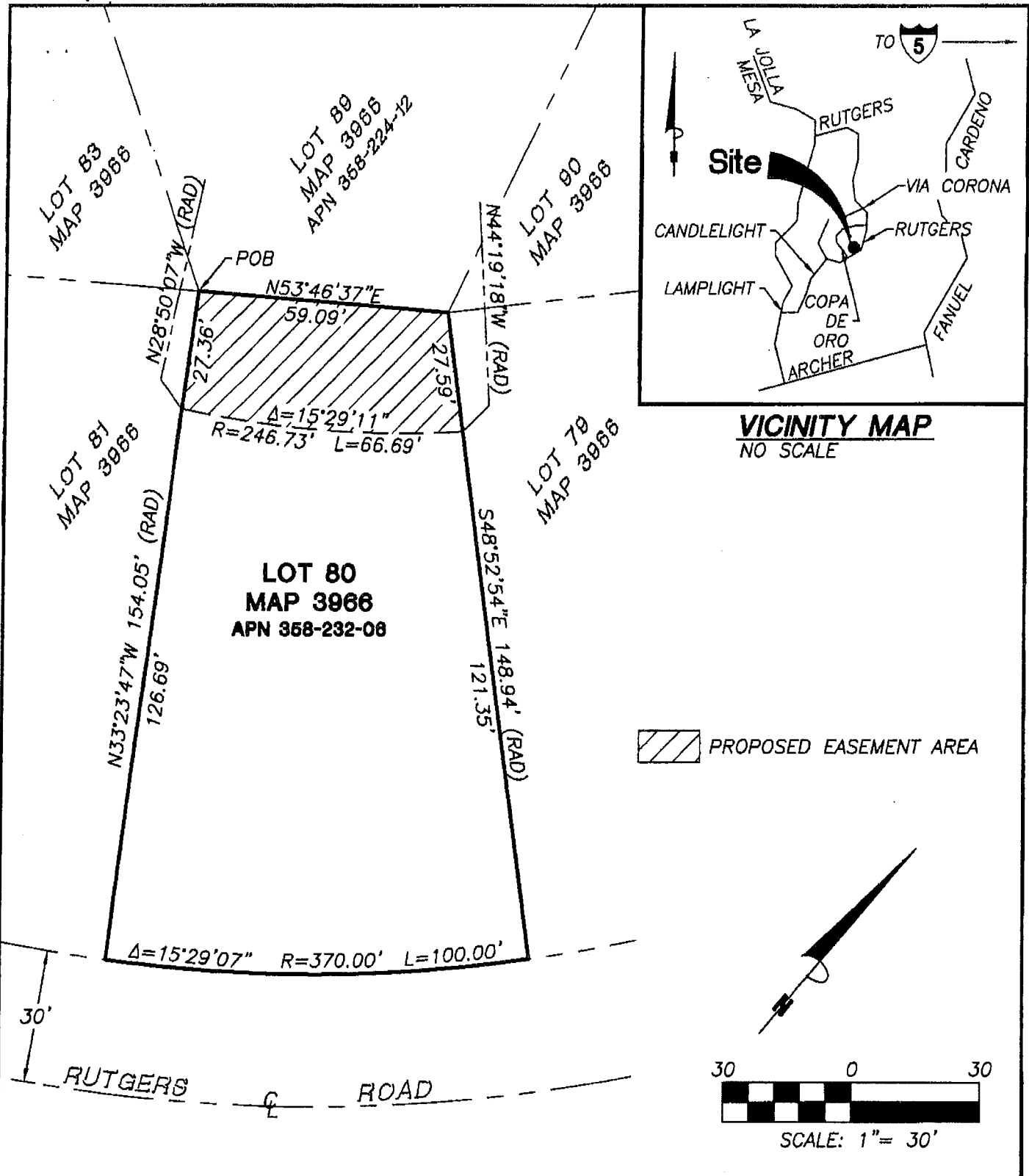


EXHIBIT 'B'



Tri-Dimensional Engineering Inc

P.O. BOX 791 POWAY, CA 92074
(858)748-8333 FAX (858)748-8412

13494

EXHIBIT 'C'

A PORTION OF LOT 80, OF PARCEL MAP 3966, RECORDED AS FILE NO. 155031 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, SEPTEMBER 19, 1958 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 80 OF SAID PARCEL MAP 3966; THENCE NORTH 53°46'37" EAST A DISTANCE OF 59.09 FEET ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID LOT; THENCE SOUTH 48°52'54" EAST FOR A DISTANCE OF 27.59 ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL SOUTH 48°52'54" EAST A DISTANCE OF 31.41 FEET; THENCE SOUTH 48°00'00" WEST A DISTANCE OF 44.00 FEET, THENCE SOUTH 59°23'55" WEST A DISTANCE OF 31.30 FEET TO THE SOUTHWESTERLY LINE OF LOT 80; THENCE NORTH 33°23'47" WEST A DISTANCE OF 31.64 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF SAID LOT TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 246.73 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH 28°50'07" WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°29'11" FOR A DISTANCE OF 66.69 FEET TO THE NORTHEASTERLY LINE OF LOT 80 BEING THE TRUE **POINT OF BEGINNING**.

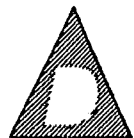
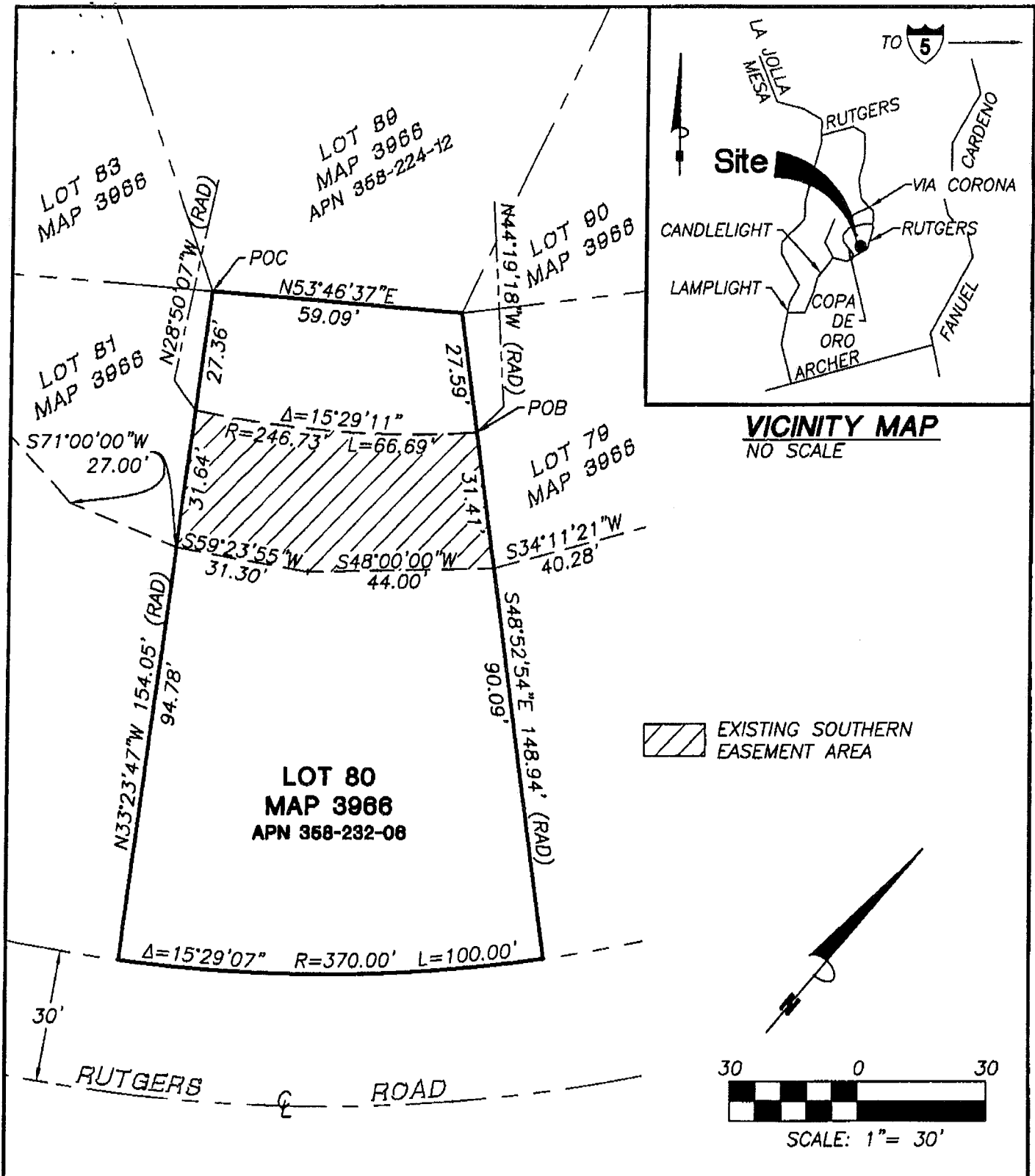
CONTAINING 2,251.08 SQ. FT., MORE OR LESS

Robert R. Wallace

Robert R. Wallace
L.S. 5202
Exp. 06/30/11



EXHIBIT 'D'



**Tri-Dimensional
Engineering Inc**

P.O. BOX 791 POWAY, CA 92074
(858)748-8333 FAX (858)748-8412

DOC # 2012-0360276



**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

Blanchard, Krasner & French
Michael Weitz, Esq.
800 Silverado Street, 2nd Floor
La Jolla, CA 92037

*File
Tap
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100
TT*

JUN 20, 2012 3:33 PM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
Ernest J. Dronenburg, Jr., COUNTY RECORDER
FEES: 89.50
DC: NA

10873

PAGES: 9



SPACE ABOVE THIS LINE FOR RECORDER'S USE

**AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT,
WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT**

The undersigned Grantor declares: Documentary Transfer Tax is \$49.50 (computed on the full consideration paid, exclusive of liens or encumbrances).
APN: 358-232-05

THIS AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT, WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT is entered into between Van Stephen Vincent and Barbara Burry Huey Vincent, as Trustees of the Vincent Family Inter Vivos Trust Agreement Dated 7-12-91 ("Grantor") on the one hand; and Ngala, Incorporated, a California corporation ("Grantee") on the other.

RECITALS

A. Grantor is the owner of the servient tenement commonly known as 5612 Rutgers Road, La Jolla, CA 92037, and described as Lot 81 in La Jolla Palisades Unit No. 1 in the City of San Diego, County of San Diego, State of California, according to Map No. 3966 filed in the Office of the County Recorder of San Diego County, September 19, 1958 ("Lot 81").

B. Grantee is the owner of the dominant tenement commonly known as 1550 Via Corona, La Jolla, CA 92037, and described as Lots 89 and 90 in La Jolla Palisades Unit No. 1 in the City of San Diego, County of San Diego, State of California, according to Map No. 3966 filed in the Office of the County Recorder of San Diego County, September 19, 1958 ("Lots 89 and 90").

C. Grantor disputed the legal validity of an easement burdening Lot 81 for the benefit of Lots 89 and 90, dated January 31, 1963, and recorded on February 6, 1963, in the Office of the County Recorder of San Diego County, as Instrument No. 22252, which was again granted on February 23, 1966, and recorded on March 1, 1966, in the Office of the County Recorder of San Diego, as Instrument No. 34668 ("Easement"). To resolve the dispute, Grantee has paid compensation to Grantor in part for these terms.

NOW THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. **Partial Extinguishment of Easement.** Grantee releases and conveys to Grantor any and all interest it has under the Easement in the area defined below as the "Disputed Southern Easement Area." All other rights under the Easement are expressly reserved by Grantee. Except as to the rights released herein, Grantee intends on preserving the Easement and the Easement shall remain in full force and effect as of the date of its original recording.

2. **Easement Area Rights.** To avoid further dispute over the validity, interpretation and / or scope of the Easement, Grantor confirms and acknowledges the grant to Grantee of the Easement in perpetuity, which Easement burdens Lot 81, and runs with the land for the benefit of and being appurtenant to Lots 89 and 90. Grantor further amends the Easement to clarify that Grantee has the following perpetual rights in the Easement Area which burden Lot 81 and run with the land for the benefit of and being appurtenant to Lots 89 and 90:

a. Grantee is entitled to sole and exclusive use of the "Easement Area" for the purpose of extending the residential home backyard of Lots 89 and 90. This purpose expressly includes but is not limited to recreation, changing the elevation of the grade, landscaping the area, and irrigating the area, all in Grantee's discretion. This purpose also expressly includes but is not limited to properly draining the Easement Area using a City approved drainage system.

b. In regards to permanently built structures, Grantee is only permitted but not obligated within the "Easement Area" to construct: (a) stairs; (b) terraces; (c) walkways; (d) planters; (e) decks; and (f) retaining walls, with the closest retaining wall to the Easement Border being no greater than 6 feet in height, and no closer than 4 feet to the Easement Border. Grantors' consent to construction permits shall not be unreasonably withheld.

c. Grantee is further permitted but not obligated to construct its own fence on the "Easement Border" to protect its right to sole and exclusive use.

d. Grantee shall not be permitted to place noisy equipment, including but not limited to pool motors or air conditioning systems in the "Easement Area" either long-term or permanently.

3. **Lot-Line Adjustment.** Following recording, Grantee shall apply for a lot-line adjustment (or similar City process to approve the alteration of property lines) at its own expense so long as the associated costs appear reasonable. The new lot-line shall be the "Easement Border." Grantor shall fully cooperate in the process and, where required, Grantor's consent shall not be unreasonably withheld. Grantee is expressly authorized pursuant to San Diego Municipal Code Section 112.0102(a)(3) to apply for the lot line adjustment. Upon approval of the lot-line adjustment by applicable authorities, Grantor shall convey to Grantee fee simple absolute title to "Easement Area." Grantee shall not be required to reapply for a lot-line adjustment if it applies for a lot-line adjustment and it is denied. However, should Grantee in its sole discretion decide to reapply at a later time, Grantee shall be so permitted.

4. **Definitions.**

a. **"Easement Area."**

10875

See legal description attached hereto and incorporated herein as Exhibit "A," and depicted in the exhibit attached hereto and incorporated herein as Exhibit "B."

b. "Easement Border."

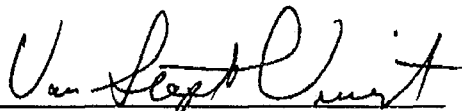
Described and depicted in Exhibits "A" and "B" as "A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 57.36 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH 10°33'16" WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°19'18" FOR A DISTANCE OF 35.36 FEET TO THE NORTHWESTERLY LINE OF LOT 81."

c. "Disputed Southern Easement Area."

See legal description attached hereto and incorporated herein as Exhibit "C," and depicted in the exhibit attached hereto and incorporated herein as Exhibit "D."

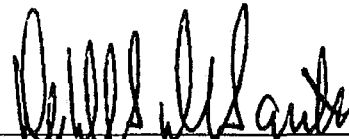
Grantor and Grantee, intending to legally bind themselves, their successors, heirs and assigns, have caused this instrument to be duly executed and delivered on May 17, 2012.

Grantor:

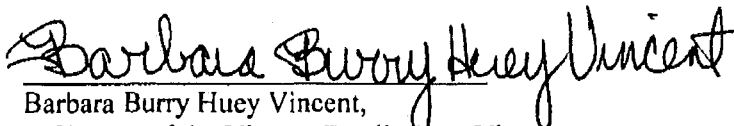


Van Stephen Vincent,
as Trustee of the Vincent Family Inter Vivos
Trust Agreement Dated 7-12-91

Grantee:



Ngala Incorporated
By: Dwight DeSantis
Its: Officer



Barbara Burry Huey Vincent,
as Trustee of the Vincent Family Inter Vivos
Trust Agreement Dated 7-12-91

10876

ACKNOWLEDGMENTS TO
AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT,
WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On May 17, 2012, before me, Diane DeCarlo, Notary Public, personally appeared Van Stephen Vincent, and 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 she executed the same in her authorized capacity, and that by her signature on the instrument the person, and/or the entity upon behalf of which she acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.



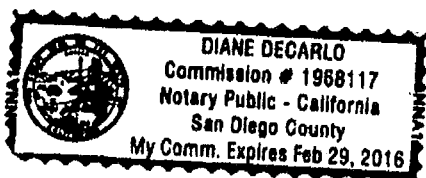
Diane DeCarlo
Signature of Notary

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On May 17, 2012, before me, Diane DeCarlo, Notary Public, personally appeared Barbara Burry Huey Vincent, and 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 she executed the same in her authorized capacity, and that by her signature on the instrument the person, and/or the entity upon behalf of which she acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.



Diane DeCarlo
Signature of Notary

10877

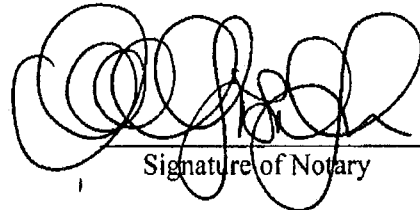
STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On ~~May~~ June 5, 2012, before me, Anna Lisa Vega, Notary Public,
personally appeared Dwight DeSantis, and 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, and/or the entity upon behalf of which he acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

Witness my hand and official seal.




Signature of Notary

10878

EXHIBIT 'A'

A PORTION OF LOT 81, OF PARCEL MAP 3966, RECORDED AS FILE NO. 155031 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, SEPTEMBER 19, 1958 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

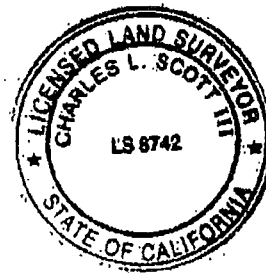
COMMENCING AT THE NORTHEASTERLY CORNER OF LOT 81 OF SAID PARCEL MAP 3966, BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE NORTHEASTERLY LINE THEREOF SOUTH $33^{\circ}23'47''$ EAST A DISTANCE OF 23.91 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 57.36 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH $10^{\circ}33'16''$ WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $35^{\circ}19'18''$ FOR A DISTANCE OF 35.36 FEET TO THE NORTHWESTERLY LINE OF LOT 81; THENCE ALONG THE BOUNDARY LINE THEREOF SOUTH $53^{\circ}46'37''$ WEST FOR A DISTANCE OF 26.49 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 379.34 SQ. FT., MORE OR LESS

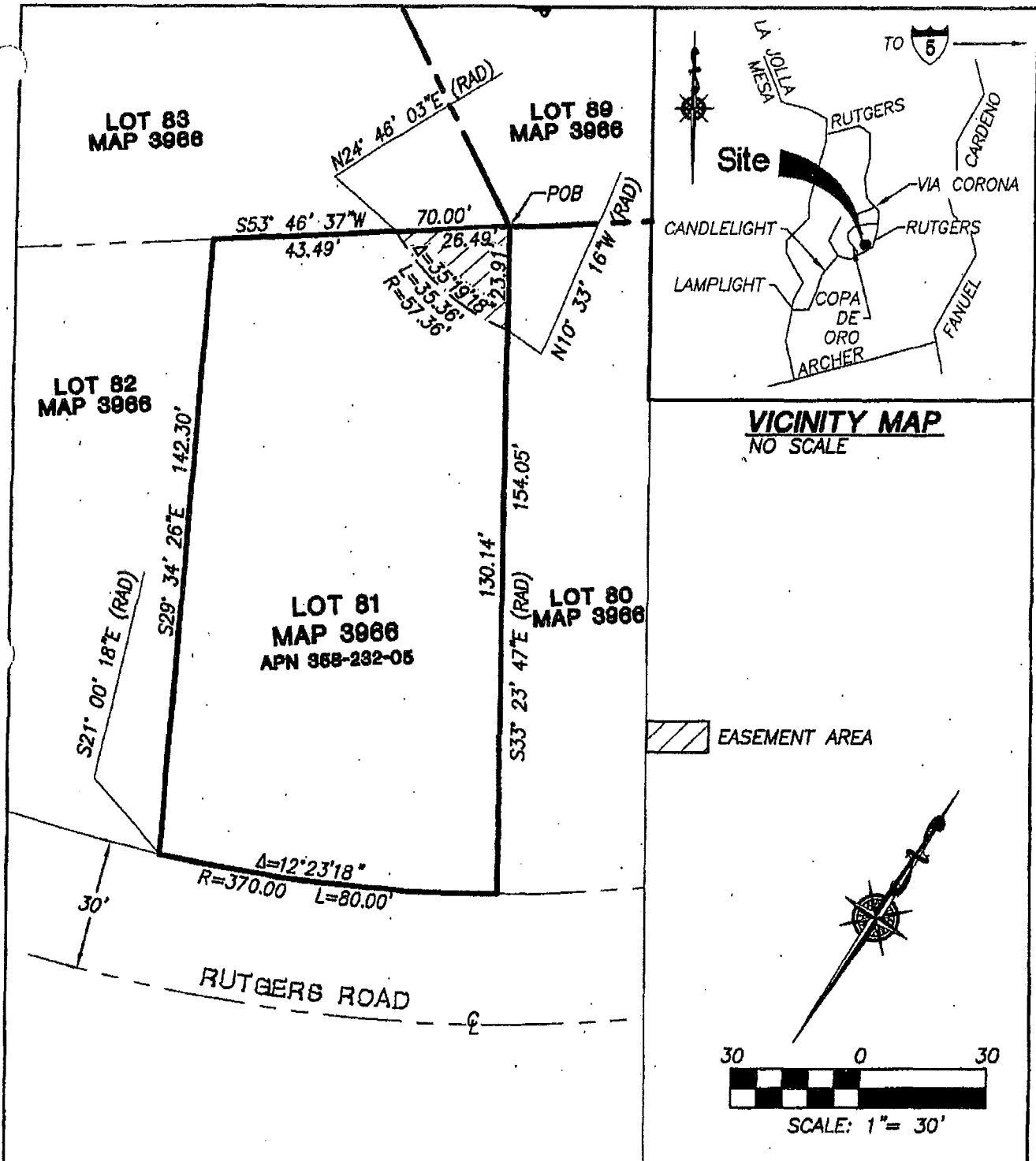


Charles L. Scott III
L.S. 8742
Exp. 12/31/12



10879

EXHIBIT 'B'



10880

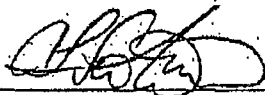
EXHIBIT 'C'

A PORTION OF LOT 81, OF PARCEL MAP 3966, RECORDED AS FILE NO. 155031 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, SEPTEMBER 19, 1958 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

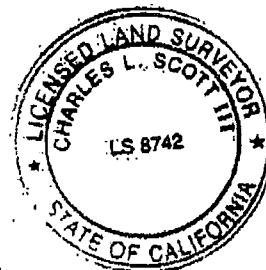
COMMENCING AT THE NORTHERLY CORNER OF LOT 81 OF SAID PARCEL MAP 3966; THENCE SOUTH 33°23'47" EAST A DISTANCE OF 23.91 FEET ALONG THE NORTHEASTERLY BOUNDARY TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL SOUTH 33°23'47" EAST A DISTANCE OF 35.09 FEET; THENCE SOUTH 71°00'00" WEST A DISTANCE OF 27.00 FEET, THENCE NORTH 83°00'12" WEST A DISTANCE OF 58.42 FEET TO THE SOUTHWESTERLY LINE OF LOT 81; THENCE NORTH 29°34'26" WEST A DISTANCE OF 11.00 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF LOT 81 TO THE WESTERLY CORNER OF SAID LOT; THENCE NORTH 53°46'37" EAST A DISTANCE OF 43.49 FEET ALONG THE NORTHEASTERLY BOUNDARY OF LOT 81 TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 57.36 FEET AND HAVING A RADIAL LINE WHICH BEARS NORTH 24°46'03" EAST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°19'18" FOR A DISTANCE OF 35.36 FEET TO THE NORTHEASTERLY LINE OF LOT 81 BEING THE TRUE POINT OF BEGINNING.

CONTAINING 2,431.72 SQ. FT., MORE OR LESS

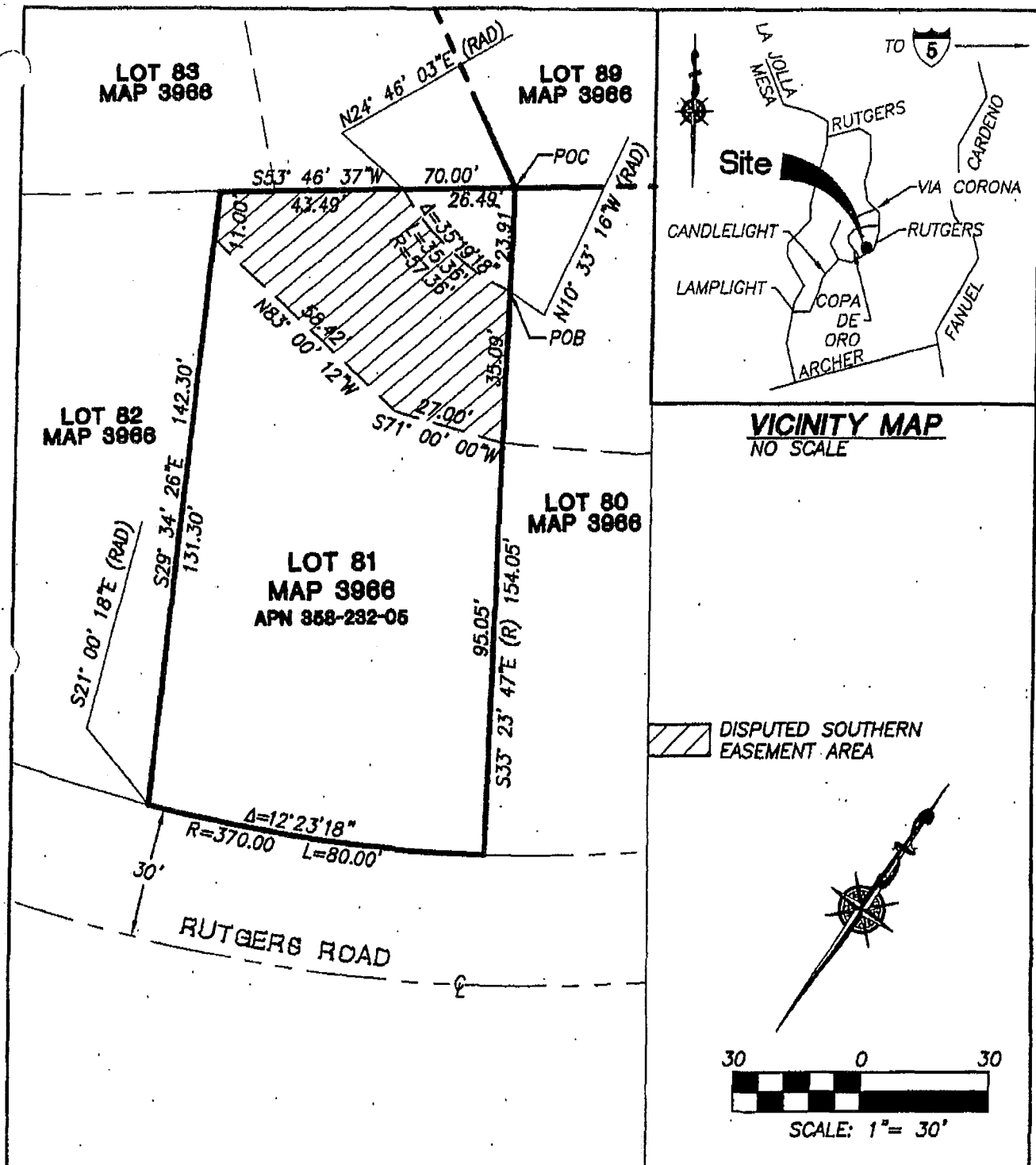


Charles L. Scott III
L.S. 8742
Exp. 12/31/12



10881

EXHIBIT 'D'



**Tri-Dimensional
Engineering Inc**

12627 KIRKHAM CT. POWAY, CA. 92074
(858)748-8333 FAX (858)748-8412

PROJECT

NGALA EASEMENT REVISION

EASEMENT EXHIBIT

JOB NO	2012-005
DATE	04/09/12
SCALE	1:30

DOC # 2012-0526024

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

Blanchard, Krasner & French
Michael Weitz, Esq.
800 Silverado Street, 2nd Floor
La Jolla, CA 92037

20051

AUG 31, 2012 1:00 PM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
Ernest J. Dronenburg, Jr., COUNTY RECORDER
FEES: 101.50 WAYS: 2
OC: DC

PAGES: 8



SPACE ABOVE THIS LINE FOR RECORDER'S USE

**AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT,
WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT**

The undersigned Grantor declares: Documentary Transfer Tax is \$49.50 (computed on the full consideration paid, exclusive of liens or encumbrances).
APN: 358-232-03

THIS AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT, WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT is entered into between Joan W. Bie ("Grantor"), and Ngala, Incorporated, a California corporation ("Grantee").

RECITALS

A. Grantor is the owner of the servient tenement commonly known as 1511 Copa De Oro Drive, La Jolla, CA 92037, and described as Lot 83 in La Jolla Palisades Unit No. 1 in the City of San Diego, County of San Diego, State of California, according to Map No. 3966 filed in the Office of the County Recorder of San Diego County, September 19, 1958 ("Lot 83").

B. Grantee is the owner of the dominant tenement commonly known as 1550 Via Corona, La Jolla, CA 92037, and described as Lots 89 and 90 in La Jolla Palisades Unit No. 1 in the City of San Diego, County of San Diego, State of California, according to Map No. 3966 filed in the Office of the County Recorder of San Diego County, September 19, 1958 ("Lots 89 and 90").

C. A dispute arose concerning the legal validity of an easement burdening Lot 83 for the benefit of Lots 89 and 90, dated January 31, 1963, and recorded on February 6, 1963, in the Office of the County Recorder of San Diego County, as Instrument No. 22252, which was again granted on February 23, 1966, and recorded on March 1, 1966, in the Office of the County Recorder of San Diego, as Instrument No. 34668, and further referenced and incorporated into the Corporation Grant Deed conveying title to Lot 83 to Grantor ("Easement"). To resolve the dispute, Grantee has paid compensation to Grantor for these terms.

NOW THEREFORE, for the consideration of \$45,000, receipt of which is hereby acknowledged, the parties agree as follows:

20052

1. **Partial Extinguishment of Easement.** Grantee releases and conveys to Grantor any and all interest it has under the Easement in the area defined below as the "Disputed Southern Easement Area." All other rights under the Easement are expressly reserved by Grantee. Except as to the rights released herein, Grantee intends on preserving the Easement and the Easement shall remain in full force and effect as of the date of its original recording.

2. **Easement Area Rights.** To avoid further dispute over the validity, interpretation and / or scope of the Easement, Grantor confirms and acknowledges the grant to Grantee of the Easement in perpetuity, which Easement burdens Lot 83, and runs with the land for the benefit of and being appurtenant to Lots 89 and 90. Grantor further amends the Easement to clarify that Grantee has the following perpetual rights in the "Easement Area" which burden Lot 83 and run with the land for the benefit of and being appurtenant to Lots 89 and 90:

a. Grantee is entitled to sole and exclusive use of the Easement Area for the purpose of extending the residential home backyard of Lots 89 and 90. This purpose expressly includes but is not limited to recreation, changing the elevation of the grade, landscaping the area, and irrigating the area, all in Grantee's discretion. This purpose also expressly includes but is not limited to properly draining the Easement Area using a City approved drainage system. The drainage system shall be designed to divert water away from Lot 83 (as opposed to allowing water to flow from the Easement Area down and over the top of the slope on Lot 83).

b. In regards to permanently built structures, Grantee is only permitted but not obligated within the Easement Area to construct: (a) stairs; (b) terraces; (c) walkways; (d) planters; (e) decks; and (f) retaining walls, with the closest retaining wall to the Easement Border being no greater than 6 feet in height, and no closer than 4 feet to the Easement Border. Grantors' consent to construction permits shall not be unreasonably withheld.

c. Grantee is further permitted but not obligated to construct its own fence on the "Easement Border" to protect its right to exclusive use.

d. Grantee shall not be permitted to place noisy equipment, including but not limited to pool motors or air conditioning systems, in the Easement Area either long-term or permanently.

3. **Lot-Line Adjustment.** Following the recording, Grantee shall apply for a lot-line adjustment (or similar City process to approve the alteration of property lines) at its own expense. The new lot-line shall be the "Easement Border." Grantor shall fully cooperate in the process and, where required, Grantor's consent shall not be unreasonably withheld. Grantee is expressly authorized pursuant to San Diego Municipal Code Section 112.0102(a)(3) to apply for the lot line adjustment. Upon approval of the lot-line adjustment by applicable authorities, Grantor shall convey to Grantee fee simple absolute title to Easement Area. Grantee shall make every reasonable effort to get the lot-line adjustment completed. Grantee shall be entitled to reapply for the lot-line adjustment if the lot-line adjustment is initially denied. If the lot-line adjustment occurs and fee simple absolute title to the Easement Area is conveyed to Grantee, all easement rights of the Grantee and Grantor under the Easement shall be extinguished.

4. **Definitions.**

20053

a. "Easement Area."

See legal description attached hereto and incorporated herein as Exhibit "A," and depicted in the exhibit attached hereto and incorporated herein as Exhibit "B."

b. "Easement Border."

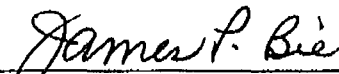
Described and depicted in Exhibits "A" and "B" as "A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 57.36 FEET AND HAVING A RADIAL LINE WHICH BEARS SOUTH 24°46'03" WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17°42'56" FOR A DISTANCE OF 17.73 FEET TO A POINT OF COMPOUND CURVATURE BEING A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 3390.53 FEET AND HAVING A RADIAL LINE WHICH BEARS SOUTH 44°44'55" WEST, A CENTRAL ANGLE OF 1°20'44" AND AN ARC DISTANCE OF 79.63 FEET TO THE NORTHWESTERLY LINE OF LOT 83."

c. "Disputed Southern Easement Area."

See legal description attached hereto and incorporated herein as Exhibit "C," and depicted in the exhibit attached hereto and incorporated herein as Exhibit "D."

Grantors and Grantee, intending to legally bind themselves, their successors, heirs and assigns, have caused this instrument to be duly executed and delivered on August 14, 2012.

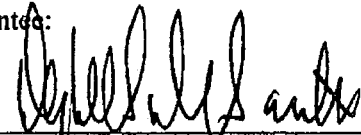
Grantor:


Joan W. Bie

By: James P. Bie

Her: Attorney in Fact

Grantee:


Ngala, Incorporated

By: Dwight DeSantis

Its: Officer

20054

ACKNOWLEDGMENTS TO
AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT,
WITH RIGHT TO APPLY FOR LOT LINE ADJUSTMENT

ARIZONA
STATE OF CALIFORNIA)
MARICOPA) ss.
COUNTY OF SAN DIEGO)

On Aug 14th, 2012, before me, Marilyn J McKenzie Notary Public,
personally appeared James P. Bie, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

Witness my hand and official seal.



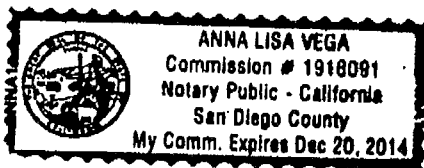
Marilyn J McKenzie
Signature of Notary

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On August 28, 2012, before me, Anna Lisa Vega Notary Public,
personally appeared Dwight DeSantis, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

Witness my hand and official seal.



Anna Lisa Vega
Signature of Notary

20055


EXHIBIT 'A'

A PORTION OF LOT 83, OF PARCEL MAP 3966, RECORDED AS FILE NO. 155031 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, SEPTEMBER 19, 1958 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 83 OF SAID PARCEL MAP 3966, BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE NORTHEASTERLY LINE THEREOF SOUTH 60°41'06" EAST A DISTANCE OF 104.81 FEET; THENCE SOUTH 53°46'37" WEST FOR A DISTANCE OF 26.49 FEET ALONG THE SOUTHEASTERLY BOUNDARY OF SAID LOT TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 57.36 FEET AND HAVING A RADIAL LINE WHICH BEARS SOUTH 24°46'03" WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17°42'56" FOR A DISTANCE OF 17.73 FEET TO A POINT OF COMPOUND CURVATURE BEING A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 3390.53 FEET AND HAVING A RADIAL LINE WHICH BEARS SOUTH 44°44'55" WEST, A CENTRAL ANGLE OF 1°20'44" AND AN ARC DISTANCE OF 79.63 FEET. TO THE NORTHWESTERLY LINE OF LOT 83; THENCE ALONG THE BOUNDARY LINE THEREOF NORTH 51°09'02" EAST FOR A DISTANCE OF 0.75 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,464.19 SQ. FT., MORE OR LESS



Charles L. Scott III
L.S. 8742
Exp. 12/31/12

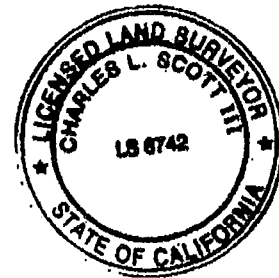
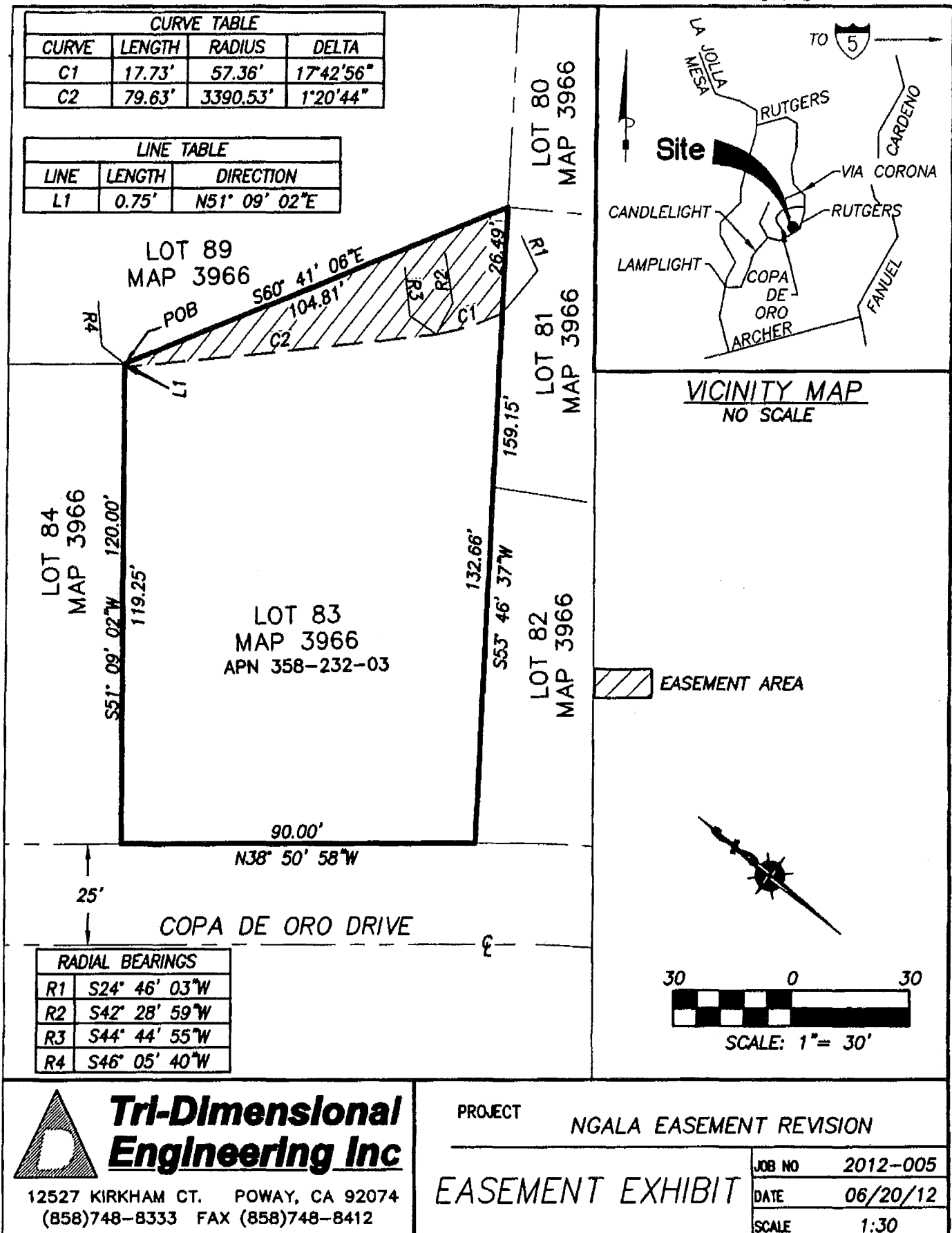


EXHIBIT 'B'

20056



20057

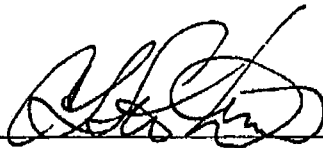
EXHIBIT 'C'

A PORTION OF LOT 83, OF PARCEL MAP 3966, RECORDED AS FILE NO. 155031 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, SEPTEMBER 19, 1958 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY CORNER OF LOT 83 OF SAID PARCEL MAP 3966; THENCE SOUTH 60°41'06" EAST A DISTANCE OF 104.81 FEET ALONG THE NORTHEASTERLY BOUNDARY LINE OF SAID LOT; THENCE SOUTH 53°46'37" WEST FOR A DISTANCE OF 26.49 ALONG THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL SOUTH 53°46'37" WEST A DISTANCE OF 30.49 FEET; THENCE NORTH 46°41'41" WEST A DISTANCE OF 95.57 FEET TO THE NORTHWESTERLY LINE OF LOT 83; THENCE NORTH 51°09'02" EAST A DISTANCE OF 30.23 FEET ALONG THE NORTHWESTERLY BOUNDARY OF SAID LOT TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 3390.53 FEET AND HAVING A RADIAL LINE WHICH BEARS SOUTH 46°05'40" WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 1°20'44" FOR A DISTANCE OF 79.63 FEET TO A POINT OF COMPOUND CURVATURE BEING A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 57.36 FEET AND HAVING A RADIAL LINE WHICH BEARS SOUTH 42°28'59" WEST, A CENTRAL ANGLE OF 17°42'56" AND AN ARC DISTANCE OF 17.73 FEET TO THE SOUTHEASTERLY LINE OF LOT 83 BEING THE TRUE **POINT OF BEGINNING.**

CONTAINING 2,720.50 SQ. FT., MORE OR LESS



Charles L. Scott III
L.S. 8742
Exp. 12/31/12

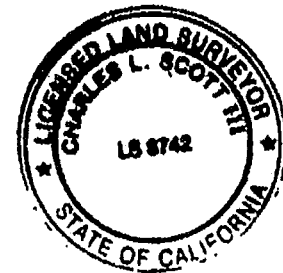
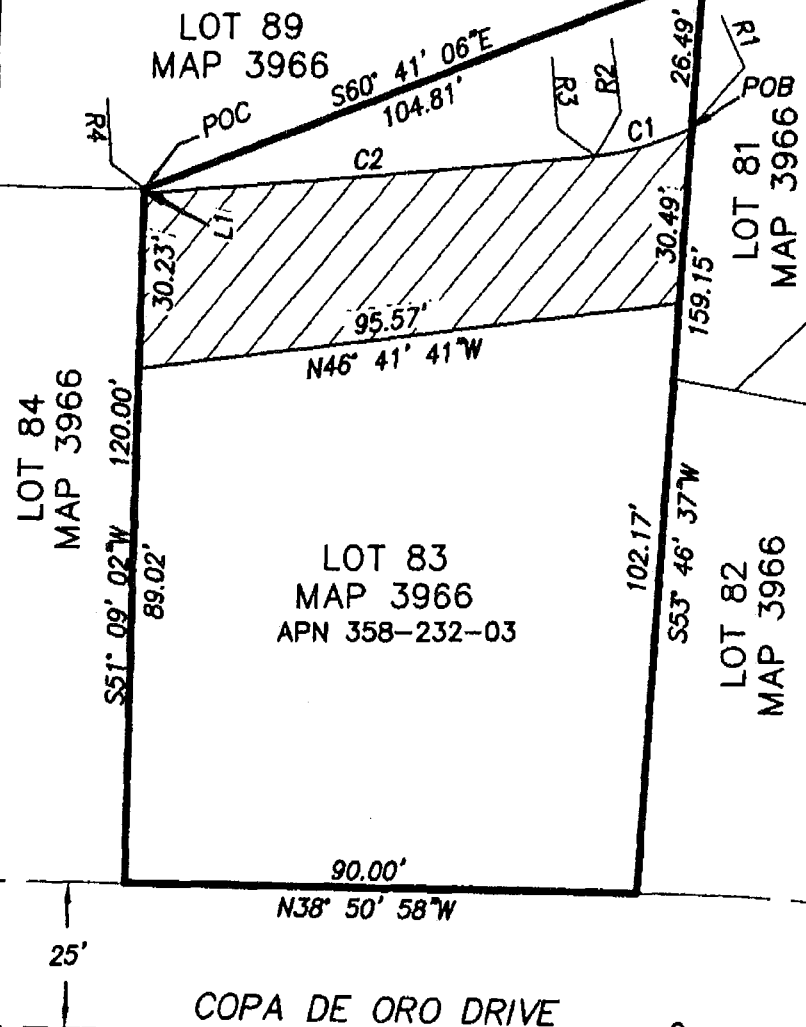


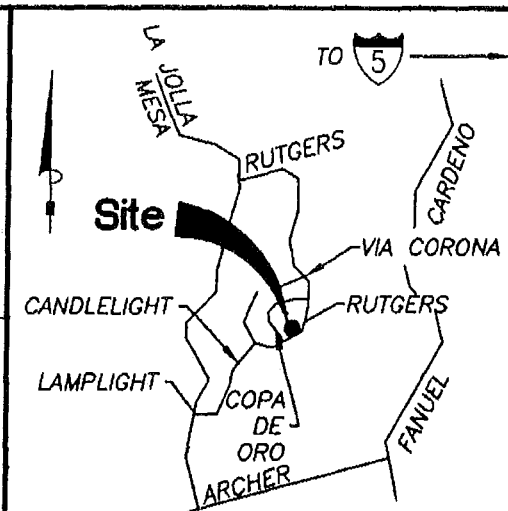
EXHIBIT 'D'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	17.73'	57.36'	17°42'56"
C2	79.63'	3390.53'	1°20'44"

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	0.75'	N51° 09' 02"E

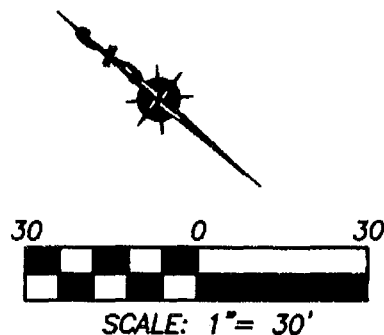


RADIAL BEARINGS	
R1	S24° 46' 03"W
R2	S42° 28' 59"W
R3	S44° 44' 55"W
R4	S46° 05' 40"W



VICINITY MAP
NO SCALE

DISPUTED SOUTHERN
EASEMENT AREA



**Tri-Dimensional
Engineering Inc**

12527 KIRKHAM CT. POWAY, CA 92074
(858)748-8333 FAX (858)748-8412

PROJECT

NGALA EASEMENT REVISION

EASEMENT EXHIBIT

JOB NO	2012-005
DATE	06/20/12
SCALE	1:30

COASTAL DEVELOPMENT PERMIT EXHIBIT "A" NGALA RESIDENCE

LEGEND

EX. CENTER LINE	---	BLDG.	BUILDING FOOTPRINT
EX. RIGHT OF WAY	---	ESMNT.	CENTER LINE
EX. PROPERTY LINE	---	EX.	EASEMENT
PR. PROPERTY LINE	---	O.R.	EXISTING
PR. LOT LINE ADJUSTMENT	---	PR.	OFFICIAL RECORDS
PR. SETBACK	---	REC.	PROPERTY LINE
EX. EASEMENT	---	ROW	PROPOSED
EX. SETBACK	---	SB	RECORDED
EX. BUILDING	---	S/W	RIGHT-OF-WAY
EX. HARDSCAPE	---	TYP.	SETBACK
EX. WALL	---		SIDEWALK
EX. CURB & GUTTER	---		TYPICAL
EX. FENCE	---		
EX. CHAIN LINK FENCE	---		
EX. WATER MAIN	---		
EX. SEWER MAIN	---		
EX. STAIRS	---		
EX. CONTOURS	---		

EX. LOT DIMENSION	(139')
PROP. LOT DIMENSION	115'

PROJECT TABLE

PROJECT DESCRIPTION: Coastal Development Permit for proposed Lot Line Adjustment between Lots 78 through 81, 83, 89 and 90 of La Jolla Palisades, Unit No. 1, Map No. 3966.	
PROJECT TEAM: Civil Engineer: LANDMARK CONSULTING 9555 GENESEE AVE. SUITE 200 SAN DIEGO, CA 92121 (858) 857-8070 Surveyor: SCOTT GEOMATICS 4891 HAIGHT TRAIL SAN DIEGO, CA 92123 (858) 204-6473	PROJECT DATA Zoning: RS-1-4 Overlay Zones: Coastal Overlay EXISTING SETBACK: Front: 10' MIN. Side (.08 x LOT WIDTH): 8' MIN. Rear: 20' MIN. COASTAL HEIGHT LIMIT OVERLAY: Overlay Building Height: 30' MAX. Existing Building Height: 26.75' MINIMUM LOT DIMENSIONS: Width: 65' MIN. Street Frontage: 65' MIN. Depth: 100' MIN. SURVEYOR'S BENCHMARK Location: S.W.B.P. OF Copa De Oro Dr./ Rutgers Rd. Elevation: 419.628' Datum: City of San Diego Mean Sea Level TOPOGRAPHY SOURCE: Method: Aerial Survey, Hand Survey, June 20, 2010 Source: Tri-Dimensional Engineering, Inc. COORDINATES: NAD 83: 1878-6251 LAMBERT COORDINATES: 238-1691 PROJECT OWNER: NGALA INCORPORATED, A CALIFORNIA CORPORATION 1550 Via Corona San Diego, CA 92037
PROJECT ADDRESS: 1550 Via Corona San Diego, CA 92037 1511 Copa De Oro San Diego, CA 92037 5612 Rutgers Road San Diego, CA 92037 5622 Rutgers Road San Diego, CA 92037 5632 Rutgers Road San Diego, CA 92037 5646 Rutgers Road San Diego, CA 92037	
PERMITS REQUIRED COASTAL DEVELOPMENT PERMIT	
ASSESSOR'S PARCEL NO: 358-224-12, 358-232-03, 358-232-05, 358-232-06, 358-232-07 and 358-232-08.	
LEGAL DESCRIPTION: Lots 78-81, 83, 89 and 90 of La Jolla Palisades, Unit No. 1, in the City of San Diego, State of California, according to Map thereof No. 1966, filed in the Office of the County Recorder of San Diego County, September 19, 1958.	

EASEMENTS CONT'D

- AN EASEMENT FOR SEWER, WATER, DRAINAGE, AND PER MAP NO. 3966. RECORDED IN THE COUNTY OF SAN DIEGO ON SEPT. 19, 1958.
- AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT, RECORDED: JUNE 20, 2012. AS INSTRUMENT NO. 2012-0360275.
- AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT, RECORDED: JUNE 20, 2012. AS INSTRUMENT NO. 2012-0360276.
- AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT, RECORDED: AUG. 31, 2012. AS INSTRUMENT NO. 2012-0526024.
- GRANT OF DRAINAGE EASEMENT RECORDED: DEC. 21, 2010. AS INSTRUMENT NO. 2012-0360253 OF O.R.

SHEET INDEX

COASTAL DEVELOPMENT PERMIT EXHIBIT "A" ... SHEET 1 OF 1

COASTAL DEVELOPMENT PERMIT - EXHIBIT "A"		
NGALA RESIDENCE		
LOTS 89 & 90 OF MAP NO. 1966		
NO.	DATE	REVISION
1	02/25/2015	ORIGINAL SUBMITTAL
2	08/18/2015	2ND SUBMITTAL

EASEMENTS

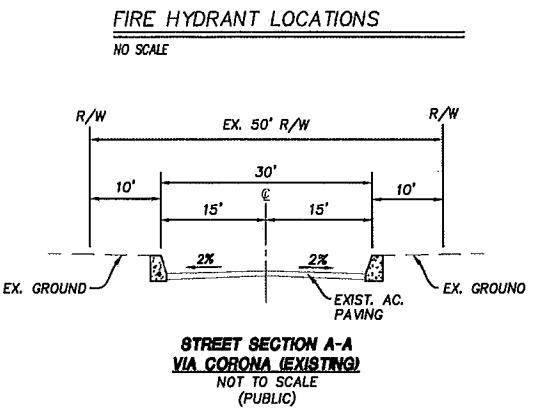
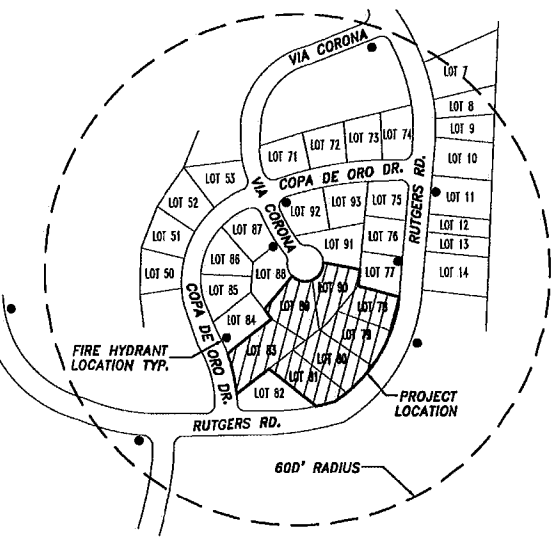
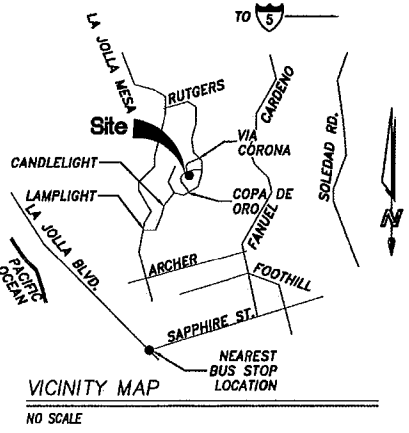
- AN EASEMENT FOR THE TRANSMISSION OF LIGHT, AIR AND FENCE ACCESS. RECORDED: AUG. 18, 1961 AS INSTRUMENT NO. 140869 OF O.R.
- DECLARATION OF RESTRICTIVE EASEMENTS AND COVENANTS, RECORDED: FEB. 6, 1963. AS INSTRUMENT NO. 22252 OF O.R.
- GRANT OF EASEMENT AND COVENANTS RECORDED: DEC. 21, 2010. AS INSTRUMENT NO. 32206 OF O.R.
- GRANT OF EASEMENT AND COVENANTS RECORDED: MAR. 21, 1966. AS INSTRUMENT NO. 34668 OF O.R.
- GRANT OF EASEMENT AND PARTIAL RELEASE OF EASEMENT RECORDED: APR. 2, 2010. AS INSTRUMENT NO. 2010-0164199 OF O.R.
- NOTICE OF INTENT TO PRESERVE EASEMENT. RECORDED: OCT. 26, 2010. AS INSTRUMENT NO. 2010-0577346 OF O.R.
- NOTICE OF INTENT TO PRESERVE EASEMENT. RECORDED: DEC. 21, 2010. AS INSTRUMENT NO. 2010-0642596 OF O.R.
- AMENDMENT AND PARTIAL EXTINGUISHMENT OF EASEMENT. RECORDED: JUN. 20, 2012. AS INSTRUMENT NO. 2012-0360274 OF O.R.

MAPPING NOTE

TWO (2) LOT LINE ADJUSTMENT PARCEL MAPS ARE PROPOSED TO ADJUST THE LOTS SHOWN HEREON. IN ADDITION, LOT 89 AND LOT 90 OF MAP NO. 3966 WILL BE CONSOLIDATED AND ADJUSTED.

FLOOR AREA RATIO

Lot	Lot Area	Floor Area	FAR
Lot 78	Ex. 9,794 SF. Pr. 8,820 SF.	2,928 SF.	Ex. 0.30 Pr. 0.33 Max 0.55
Lot 79	Ex. 11,682 SF. Pr. 10,000 SF.	3,002 SF.	Ex. 0.26 Pr. 0.30 Max 0.53
Lot 80	Ex. 12,123 SF. Pr. 10,328 SF.	3,055 SF.	Ex. 0.25 Pr. 0.30 Max 0.52
Lot 81	Ex. 11,176 SF. Pr. 10,801 SF.	2,892 SF.	Ex. 0.26 Pr. 0.27 Max 0.53
Lot 83	Ex. 12,991 SF. Pr. 11,538 SF.	4,955 SF.	Ex. 0.38 Pr. 0.43 Max 0.52
Lot 89 & 90	Ex. 26,082 SF. Pr. 32,409 SF.	11,142 SF.	Ex. 0.43 Pr. 0.34 Max 0.45



DECLARATION OF RESPONSIBLE CHARGE

I HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT, THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 6703 OF THE BUSINESS AND PROFESSIONS CODE, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.

I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF SAN DIEGO IS CONFINED TO A REVIEW ONLY AND DOES NOT RELIEVE ME, AS ENGINEER OF WORK, OF MY RESPONSIBILITIES FOR PROJECT DESIGN.



MARK A. BRENCICK R.C.E. NO. 48153 EXP. 06-30-16 DATE

PLANNING COMMISSION RESOLUTION NO.
COASTAL DEVELOPMENT PERMIT NO. 1611273 and
PLANNED DEVELOPMENT PERMIT NO. 1611271
Amending Coastal Development Permit No. 430215
NGALA PROJECT NO. 395794

WHEREAS, NGALA INCORPORATED, a California corporation, Owner/Permittee, SONZA FAMILY 2004 TRUST, RAU RAGHAVENDRA and PAMELA SINGHA, Husband and Wife, ALEX C SNOEREN and CHRISTINE J. ALVARADO, Husband and Wife, VINCENT FAMILY TRUST, and FLIPPINBIZ INVESTMENTS, INC., a California corporation, Owners, filed an application with the City of San Diego for a permit to allow a lot line adjustment of approximately 6,327 square feet between seven properties (as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval for the associated Permit Nos. 1611273 and 1611271), on portions of an approximately 1.92 acre site;

WHEREAS, the project site is located at 5612, 5622, 5632 and 5646 Rutgers Road, 1511 Copa de Oro Drive and 1550 Via Corona in the RS-1-4 zone of the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Lots 78, 79, 80, 81, 83, 89 and 90 of La Jolla Palisades, Unit No. 1, according to Map thereof No. 1966, filed September 19, 1958;

WHEREAS, on March 3, 2016, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 1611273 and Planned Development Permit No. 1611271 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on October 20, 2015 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; 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 March 3, 2016.

FINDINGS:

Coastal Development Permit Findings

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 proposes a lot line adjustment of approximately 6,327 square feet between seven properties. No physical development or new construction will result from the approval of the Coastal Development Permit and Planned Development Permit. The seven properties presently do not have any existing physical accessway legally used by the public across these sites. The Local Coastal Program land use plan does not identify any proposed public accessways across these seven sites nor does the land use plan specify any public views to and or along the ocean or other scenic coastal areas and no such views from the seven sites to these resources exist. 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 have no effect upon 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 proposes a lot line adjustment of approximately 6,327 square feet between seven properties. No physical development or new construction will result from the approval of the Coastal Development Permit and Planned Development Permit. The seven properties presently do not have any existing environmentally sensitive lands on any of the properties. 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 proposes a lot line adjustment of approximately 6,327 square feet between seven properties. No physical development or new construction will result from the approval of the Coastal Development Permit and Planned Development Permit. The certified Local Coastal Program land use plan specifies the seven properties for very low density single dwelling unit development. All of the seven sites are developed with single dwelling unit development. The proposed Coastal Development Permit and Planned Development Permit comply with all regulations of the certified Implementation Program, as allowed through the approval of a Planned Development Permit.

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 proposes a lot line adjustment of approximately 6,327 square feet between seven properties. The seven properties are approximately one mile from the Pacific Ocean and there is no other shoreline of any other body of water in the proximate area. Mission Bay is located approximately 1.89 miles to the south. The seven properties are not between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone and there is no access to the shoreline of the Pacific Ocean or Mission Bay from these properties. Therefore, the proposed Coastal Development Permit is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

Planned Development Permit Findings**1. The proposed development will not adversely affect the applicable land use plan.**

The Project proposes a lot line adjustment of approximately 6,327 square feet between seven properties. The La Jolla Community Plan designates the seven properties for very low density single dwelling unit development at a density range of zero to five dwelling units per acre. All of the seven sites are developed with single dwelling unit development. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The Project proposes a lot line adjustment of approximately 6,327 square feet between seven properties. No physical development or new construction will result from the approval of the Coastal Development Permit and Planned Development Permit. The existing physical conditions on the seven properties will not change as a result of the lot line adjustment. The proposed lot line adjustment will have no effect upon the public health, safety and or welfare. Therefore, the proposed development 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 proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The Project will comply with the regulations of the Land Development Code including the proposed deviation, as allowed by the Planned Development Permit regulations. All of the parcels will meet the minimum standards of the RS-1-4 zone with one exception on Lot 78. Lot 78 is presently 9,795 square feet in area and the minimum lot area of the RS-1-4 zone is 10,000 square feet. The non-conformity of lot size of Lot 78 currently exists. The lot line adjustment on Lot 78 would result in a lot size of 8,820 square feet. Currently there is an existing fifteen foot high manufactured slope at the rear of Lots 78, 79, 80 and 81 and a more level area at the top of this manufactured slope within these lots along the shared property line with Lots 89 and 90. The proposed Coastal Development Permit and Planned Development Permit will allow a Parcel Map to be filed adjusting the property lines so that the level area at the rear of Lots 78, 79, 80, 81 and 83 will be within Lots 89 and 90. The practical result will resolve an unusual situation. Standard engineering practice is to create the top of manufactured slopes during grading operations such that the top of slope is conterminous with the property lines of two adjoining properties. Approval of the Coastal Development Permit and Planned Development Permit will resolve an anomaly in the neighborhood, create lots in greater conformance with standard engineering practice. For these reasons, the proposed development will comply with the regulations of the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 1611273 and Planned Development Permit No. 1611271 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form,

exhibits, terms and conditions as set forth in Permit Nos. 1611273 and 1611271 a copy of which is attached hereto and made a part hereof.

John S. Fisher
Development Project Manager
Development Services

Adopted on: March 3, 2016

SAP No. 24005279

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24005279

COASTAL DEVELOPMENT PERMIT NO. 1611273 and
PLANNED DEVELOPMENT PERMIT NO. 1611271
NGALA PROJECT NO. 395794
Amending Coastal Development Permit No. 430215
PLANNING COMMISSION

This Coastal Development Permit No. 1611273 and Planned Development Permit No. 1611271, amending Coastal Development Permit No. 430215, is granted by the Planning Commission of the City of San Diego to NGALA INCORPORATED, a California corporation, Owner/Permittee, SONZA FAMILY 2004 TRUST, RAU RAGHAVENDRA and PAMELA SINGHA, Husband and Wife, ALEX C SNOEREN and CHRISTINE J. ALVARADO, Husband and Wife, VINCENT FAMILY TRUST, FLIPPINBIZ INVESTMENTS, INC., a California corporation, Owners, pursuant to San Diego Municipal Code [SDMC] sections 126.0708 and 126.0604. The approximately 1.92 acre site is located at 5612, 5622, 5632 and 5646 Rutgers Road, 1511 Copa de Oro Drive and 1550 Via Corona in the RS-1-4 zone of the La Jolla Community Plan area. The project site is legally described as Lots 78, 79, 80, 81, 83, 89 and 90 of La Jolla Palisades, Unit No. 1, according to Map thereof No. 1966, filed September 19, 1958.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to allow a lot line adjustment of approximately 6,327 square feet between seven properties described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 3, 2016, on file in the Development Services Department.

The project shall include:

- a. A lot line adjustment of approximately 6,327 square feet between seven properties;
- b. A deviation from the RS-1-4 zone minimum lot size for Lot 78 to be approximately 8,820 square feet;

- c. 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 March 17, 2019.
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. 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.

8. 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.

MAPPING REQUIREMENTS

9. Prior to application of a Lot Line Adjustment, taxes must be paid on these properties pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid liens against the subdivision must be recorded in the Office of the San Diego County Recorder.

10. Prior to the expiration of the Coastal Development Permit and Planned Development Permit, application of a Lot Line Adjustment to adjust property lines between seven lots shall be recorded in the office of the County Recorder.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use 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 Planning Commission of the City of San Diego on March 3, 2016 by Resolution No. PC-016-XYZ.

Permit Type/PTS Approval No.: CDP No. 1611273 and PDP No. 1611271
Date of Approval: March 3, 2016

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.

NGALA INCORPORATED,
a California Corporation
Owner/Permittee

By _____
Dwight H. DeSantis
Treasurer/Secretary

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

SONZA FAMILY 2004 TRUST
Owner

By _____
Johnny B. Sonza
Trustee

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

RAU RAGHAVENDRA and PAMELA SINGHA
Owner

By _____
Rau Raghavendra
Husband

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

ALEX C. SNOEREN and CHRISTINE J. ALVARADO
Owner

By _____
Alex C. Snoeren
Husband

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

VINCENT FAMILY TRUST
Owner

By _____
Van Stephne Vincent
Trustee

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

FLIPPINBIZ INVESTMENTS, INC.
Owner/Permittee

By _____
Fay P. Bullitt
President

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

Fisher, John

From: info@lajollacpa.org
Sent: Wednesday, January 13, 2016 11:13 PM
To: Fisher, John
Subject: Ngala Residence, # 395794

John, in regard to the aforementioned, please note that this project was unanimously approved by La Jolla Community Planning Association on January 7, 2016.

Thank you,

Cindy

NGALA RESIDENCE 5612-5646 Rutgers Road CDP and SDP

ACTION ITEM (Process 2) Coastal Development Permit for proposed Lot Line Adjustments of approximately 6327 sq ft from 5612- 5646 Rutgers Rd and 1511 Copa de Oro to 1550 Via Corona. The 26,082 sq ft site is located in the La Jolla Community Plan area and the Coastal Non-Appealable Overlay zone.

DPR Recommendation: Findings **CAN** be made that the proposed project conforms to the La Jolla Community Plan for a Coastal Development Permit and Site Development Permit for proposed Lot Line Adjustments of approximately 6327 SF from 5612- 5646 Rutgers Rd and 1511 Copa de Oro to 1550 Via Corona 5-3-1.

Approved Motion: To ratify the action of the DPR Committee that the findings CAN be made that the proposal for the Ngala residence, 5612-5646 Rutgers Road, conforms to the La Jolla Community Plan for a Coastal Development Permit and Site Development Permit for proposed Lot Line Adjustments of approximately 6327 SF from 5612 - 5646 Rutgers Rd and 1511 Copa de Oro to 1550 Via Corona. (Fitzgerald, Will: 13-0-1)



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

Lot 78

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

Ngala Residence - Lot Line Adjustment

Project No. For City Use Only

395794

Project Address:

5646 Rutgers Road, San Diego, 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):

John SONZA

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

5646 Rutgers Rd

City/State/Zip:

LA JOLLA, CA 92037

Phone No:

760-353-4989

Fax No:

760-353-7470

Signature:

[Signature]

Date:

12-17-14

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):

Michelle Sonza

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

5646 Rutgers Rd

City/State/Zip:

LA JOLLA, CA 92037

Phone No:

760-353-4989

Fax No:

760-353-7470

Signature:

[Signature]

Date:

12-17-14

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Project Title: Ngala Residence - Lot Line Adjustment	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? _____ Corporate Identification No. _____
☐ 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): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature : _____ Date: _____	Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature : _____ Date: _____
Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature : _____ Date: _____	Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature : _____ Date: _____
Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature : _____ Date: _____	Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature : _____ Date: _____



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

Ownership Disclosure Statement

Lot 79

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

Ngala Residence - Lot Line Adjustment

Project No. For City Use Only

325774

Project Address:

5632 Rutgers Road, San Diego, 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):

RAGHAVENDRA RAU

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

5632 RUTGERS ROAD

City/State/Zip:

LA JOLLA, CA 92037

Phone No:

8585310059

Fax No:

Signature:

Raghavendur

Date:

Feb 18, 2015

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):

PAMELA SINGHA

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

5632 RUTGERS ROAD

City/State/Zip:

LA JOLLA, CA 92037

Phone No:

8585310059

Fax No:

Signature:

Pamela Singha

Date:

Feb 18, 2015

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Project Title: Ngala Residence - Parcel Map - Lot Line Adjustment	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? _____ Corporate Identification No. _____
☐ 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): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature: _____ Date: _____ <hr/>	Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature: _____ Date: _____ <hr/>
Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature: _____ Date: _____ <hr/>	Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature: _____ Date: _____ <hr/>
Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature: _____ Date: _____ <hr/>	Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <hr/> City/State/Zip: <hr/> Phone No: _____ Fax No: _____ <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature: _____ Date: _____ <hr/>



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

Lot 80

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

Ngala Residence - Lot Line Adjustment

Project No. For City Use Only

395794

Project Address:

5622 Rutgers Road, San Diego, 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):

ALEX C. SNOBLEN

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

5622 RUTGERS RD

City/State/Zip:

LA JOLLA, CA 92037

Phone No:

858 230-6868

Fax No:

Signature:

Date:

12/1/14

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):

CHRISTINE ALVARADO

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

5622 RUTGERS RD

City/State/Zip:

LA JOLLA, CA 92037

Phone No:

858 230-6868

Fax No:

Signature:

Date:

12/1/14

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Project Title: Ngala Residence - Lot Line Adjustment	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? _____ Corporate Identification No. _____
☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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: _____



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

Lot 81

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

Ngala Residence - Lot Line Adjustment

Project No. For City Use Only

395794

Project Address:

5612 Rutgers Road, San Diego, 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):

Vince Family Trust

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

5612 Rutgers Rd

City/State/Zip:

LA Jolla CA 92037

Phone No:

858 454 6503

Fax No:

Signature:

Date:

12/10/2014

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:

See attached email chain stating understand that old easements shown as 7-5-4-2 and 9 on my property were released in 2012

Project Title: Ngala Residence - Lot Line Adjustment	Project No. (For City Use Only) 395794
----------------------------------------------------------------	--------------------------------------------------

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? _____ Corporate Identification No. _____
☐ 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): <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: _____	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: _____



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

Ownership Disclosure Statement

Lot 83

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

Project No. For City Use Only

NGALA RESIDENCE - LOT LINE ADJUSTMENT

Project Address:

1511 COPA DE ORO, SAN DIEGO, 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: _____

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:
Ngala Residence - Parcel Map Lot Line Adjustment

Project No. (For City Use Only)

395794

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? _____ Corporate Identification No. _____
☐ 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):

FLIPPIN BIZ INVESTMENTS, INC.

☒ Owner ☐ Tenant/Lessee

Street Address:

848 PROSPECT STREET UNIT C/D

City/State/Zip:

LA JOLLA CA 92037

Phone No:

760 930-0505

Fax No:

Name of Corporate Officer/Partner (type or print):

EAT BULLITT

Title (type or print):

PRESIDENT

Signature:

EAT BULLITT

Date:

2/10/15

Corporate/Partnership Name (type or print):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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:



State of California Secretary of State

S

Statement of Information

(Domestic Stock and Agricultural Cooperative Corporations)

FEES (Filing and Disclosure): \$25.00.

If this is an amendment, see instructions.

IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

FB46340

FILEDIn the office of the Secretary of State
of the State of California

JAN-21 2016

This Space for Filing Use Only

1. CORPORATE NAME

FLIPPINBIZ INVESTMENTS, INC

2. CALIFORNIA CORPORATE NUMBER

C3742057

No Change Statement (Not applicable if agent address of record is a P.O. Box address. See instructions.)

3. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.

☐ If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 17.
Complete Addresses for the Following (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE	CITY	STATE	ZIP CODE
848 PROSPECT STREET STE C, LAJOLLA, CA 92037			

5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY	CITY	STATE	ZIP CODE
848 PROSPECT STREET STE C, LA JOLLA, CA 92037			

6. MAILING ADDRESS OF CORPORATION, IF DIFFERENT THAN ITEM 4	CITY	STATE	ZIP CODE

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

7. CHIEF EXECUTIVE OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
FAY P. BULLITT	848 PROSPECT STREET STE C, LA JOLLA, CA 92037			

8. SECRETARY	ADDRESS	CITY	STATE	ZIP CODE
FAY P. BULLITT	848 PROSPECT STREET STE C, LA JOLLA, CA 92037			

9. CHIEF FINANCIAL OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
FAY P. BULLITT	848 PROSPECT STREET STE C, LA JOLLA, CA 92037			

Names and Complete Addresses of All Directors, Including Directors Who are Also Officers (The corporation must have at least one director. Attach additional pages, if necessary.)

10. NAME	ADDRESS	CITY	STATE	ZIP CODE
FAY P. BULLITT	848 PROSPECT STREET STE C, LA JOLLA, CA 92037			

11. NAME	ADDRESS	CITY	STATE	ZIP CODE

12. NAME	ADDRESS	CITY	STATE	ZIP CODE

13. NUMBER OF VACANCIES ON THE BOARD OF DIRECTORS, IF ANY:

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 15 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 15 must be left blank.14. NAME OF AGENT FOR SERVICE OF PROCESS
MARTIN A BENOWITZ

15. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL	CITY	STATE	ZIP CODE
6930 LOS VIENTOS SERENOS, ESCONDIDO, CA 92029			

Type of Business16. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION
REAL ESTATE INVESTMENT

17. BY SUBMITTING THIS STATEMENT OF INFORMATION TO THE CALIFORNIA SECRETARY OF STATE, THE CORPORATION CERTIFIES THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

01/21/2016

FAY P. BULLITT

PRESIDENT

DATE

TYPE/PRINT NAME OF PERSON COMPLETING FORM

TITLE

SIGNATURE



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

Ownership Disclosure Statement

Lots 89 & 90

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

NGALA RESIDENCE - LOT LINE ADJUSTMENT

Project No. For City Use Only

395794

Project Address:

1550 VIA CORONA, SAN DIEGO, CA 92037

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

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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):

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Street Address:

City/State/Zip:

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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:

NGALA RESIDENCE - LOT LINE ADJUSTMENT

Project No. (For City Use Only)

Part II - To be completed when property is held by a corporation or partnership**Legal Status (please check):**

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☐ Partnership

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Corporate/Partnership Name (type or print):

☒ Owner ☐ Tenant/Lessee
Dwight H. DeSantis, CPA, APC

2255 Avenida de la Playa, Ste 6

La Jolla, CA 92037

T: 858.459.1040 F: 858.459.3372

Dwight@DeSantisCPA.com

Title (type or print):

Signature :

Date:

TREASURER / SEC.
10/23/14

Corporate/Partnership Name (type or print):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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):

☐ Owner ☐ 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:

Ownership Disclosure

Ngala Inc.

Officers:

Jean-Samuel Leuba - President, Secretary, CFO

Dwight H. DeSantis - Treasurer

Directors:

Jean-Samuel Leuba

Dwight H. DeSantis