

LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL A:

PARCELS 2 OF PARCEL MAP NO. 18446, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, MARCH 24, 2000 AS FILE NO. 2000-0149438 OF OFFICIAL RECORDS, AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED AUGUST 30, 2002 AS FILE NO. 2002-743445, OF OFFICIAL RECORDS.

PARCEL B:

EXCLUSIVE USE EASEMENT FOR PRIVATE DRIVEWAY, FOR VEHICULAR, PEDESTRIAN, INGRESS AND EGRESS FOR ACCESS AND UTILITIES AND APPURTENANCES THERETO OVER, UNDER AND UPON ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 18446, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, MARCH 24, 2000 AS FILE NO. 2000-0149438 OF OFFICIAL RECORDS OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL 1; THENCE CONTINUING ALONG THE EAST LINE OF SAID PARCEL 1, NORTH 14° 11' 38" WEST A DISTANCE OF 24.77 FEET; THENCE LEAVING SAID LINE AND CONTINUING SOUTH 62° 20' 49" WEST A DISTANCE OF 31.13 FEET; THENCE ALONG A LINE PARALLEL TO THE EAST LINE OF SAID PARCEL 1, SOUTH 14° 11' 38" EAST A DISTANCE OF 17.21 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID PARCEL 1, SAID POINT BEING LOCATED ON THE ARC OF A 1460.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY, A RADIAL TO SAID LINE BEARS SOUTH 13° 00' 21" EAST; THENCE CONTINUING IN AN EASTERLY DIRECTION ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01° 11' 17" AN ARC LENGTH OF 30.28 FEET TO THE POINT OF BEGINNING, ALL AS SPECIFIED IN DOCUMENT ENTITLED "PRIVATE DRIVEWAY EASEMENT" RECORDED MAY 21, 2002 AS FILE NO. 2002-0430300 OF OFFICIAL RECORDS.

PARCEL C:

A NONEXCLUSIVE EASEMENT OF JOINT USE FOR PRIVATE DRIVEWAY FOR REASONABLE VEHICULAR, PEDESTRIAN INGRESS AND EGRESS FOR ACCESS AND UTILITIES AND APPURTENANCES THERETO OVER, UNDER AND UPON ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 18446, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, MARCH 24, 2000 AS FILE NO. 2000-0149438 OF OFFICIAL RECORDS OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL 1; THENCE CONTINUING ALONG THE EAST LINE OF SAID PARCEL 1, NORTH 14° 11' 38" WEST A DISTANCE OF 24.77 FEET; THENCE LEAVING SAID LINE AND CONTINUING SOUTH 62° 20' 49" WEST A DISTANCE OF 31.13 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 75° 05' 54" WEST A DISTANCE OF 22.82 FEET; FILE NO. 310381573 THENCE NORTH 77° 46' 17" WEST A DISTANCE OF 19.10 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID PARCEL 1, SAID POINT BEING LOCATED ON THE ARC OF A 310.00 FOOT RADIUS CURVE, CONCAVE WESTERLY; THENCE CONTINUING IN A SOUTHERLY AND EASTERLY DIRECTION ALONG THE WEST AND SOUTH LINE OF SAID PARCEL 1 THE FOLLOWING COURSES AND DISTANCE: CONTINUING ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02° 23' 10" AN ARC LENGTH OF 12.91 FEET TO A POINT OF REVERSE CURVATURE WITH A 30.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A RADIAL TO SAID POINT BEARS NORTH 60° 11' 07" EAST; THENCE CONTINUING IN A SOUTHERLY DIRECTION ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 26° 48' 52" AN ARC LENGTH OF 14.04 FEET TO A POINT OF CUSP WITH A 1460.00 FOOT RADIUS CURVE CONCAVE NORTHERLY, A RADIAL TO SAID POINT BEARS SOUTH 11° 50' 59" EAST; THENCE CONTINUING IN AN EASTERLY DIRECTION ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01° 09' 22" AN ARC LENGTH OF 29.46 FEET TO A POINT THAT BEARS SOUTH 14° 11' 38" EAST FROM THE TRUE POINT OF BEGINNING; THE RADIAL TO SAID POINT BEARS SOUTH 13° 00' 21" EAST; THENCE LEAVING SAID SOUTH LINE, NORTH 14° 11' 38" WEST A DISTANCE OF 17.21 FEET TO THE TRUE POINT OF BEGINNING, ALL AS SPECIFIED IN DOCUMENT ENTITLED "PRIVATE DRIVEWAY EASEMENT" RECORDED MAY 21, 2002 AS FILE NO. 2002-0430300 OF OFFICIAL RECORDS.

ASSESSOR'S PARCEL NUMBER: 350-141-16

LEGEND:

- SUBJECT PROPERTY
- LOT LINE
- RIGHT OF WAY LINE
- EXIST. STORM DRAIN
- INDICATES LIMITS OF EXISTING STRUCTURE
- EXIST. RETAINING WALL
- EXIST. STORM DRAIN MANHOLE

EASEMENTS/EXCEPTIONS/ENCUMBRANCES:

SEE PRELIMINARY TITLE REPORT BY LAWYERS TITLE COMPANY, FILE NO. 310381573 DATED OCTOBER 7, 2010. ITEMS LISTED BELOW ARE SHOWN IN THE PRELIMINARY TITLE REPORT AND PLOTTABLE ITEMS ARE DENOTED THUS: [X] WITH LOCATIONS KEYED THE SAME HEREON.

A-B. TAX MATTERS.

1. EASEMENTS AND RIGHTS OF WAY FOR ROAD AND PUBLIC UTILITIES, AND APPURTENANCES THERETO, AS RESERVED AND CONVEYED BY VARIOUS DEEDS OF RECORD.
AFFECTS: SUBJECT PROPERTY; NOT OF A PLOTTABLE NATURE.

2. ANY ADVERSE CLAIM BASED UPON THE ASSERTION THAT SOME PORTION OF SAID LAND IS TIDE OR SUBMERGED LANDS, OR HAS BEEN CREATED BY ARTIFICIAL MEANS OR HAS ACCRETED TO SUCH PORTION SO CREATED.

3. ANY RIGHTS IN FAVOR OF THE PUBLIC WHICH MAY EXIST ON SAID LAND IF SAID LAND OR PORTIONS THEREOF ARE OR WERE AT ANY TIME USED BY THE PUBLIC.

4. RIGHTS AND EASEMENTS FOR COMMERCE, NAVIGATION AND FISHERY.

5. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: CITY OF SAN DIEGO
PURPOSE: STORM DRAIN
RECORDED: IN BOOK 881 PAGE 184, OF DEEDS
AFFECTS: SAID LAND MORE PARTICULARLY DESCRIBED THEREIN

6. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: CITY OF SAN DIEGO
PURPOSE: STORM DRAIN
RECORDED: IN BOOK 1029 PAGE 242, OF DEEDS
AFFECTS: SAID LAND MORE PARTICULARLY DESCRIBED THEREIN

7. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: CITY OF SAN DIEGO
PURPOSE: PUBLIC STREET
RECORDED: JULY 16, 1948 IN BOOK 2875 PAGE 487, OF DEEDS
AFFECTS: DOES NOT AFFECT SUBJECT PROPERTY; LIES WITHIN A PORTION OF TORREY PINES ROAD.

8. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: CITY OF SAN DIEGO
PURPOSE: SLOPE AND DRAINAGE
RECORDED: OCTOBER 25, 1951 IN BOOK 4272 PAGE 524, OF OFFICIAL RECORDS
AFFECTS: DOES NOT AFFECT SUBJECT PROPERTY; LIES WITHIN A PORTION OF TORREY PINES ROAD.

SAID INSTRUMENT ALSO GRANTS THE RIGHT TO EXTEND AND MAINTAIN DRAINAGE STRUCTURES AND EXCAVATION AND EMBANKMENT SLOPES BEYOND THE LIMITS OF SAID RIGHT OF WAY WHERE REQUIRED FOR THE CONSTRUCTION AND MAINTENANCE.

9. THE MATTERS CONTAINED IN A DOCUMENT ENTITLED "AGREEMENT TO REMOVE PERMISSIVE EXISTING ENCROACHMENT" RECORDED MAY 31, 1973 AS INSTRUMENT NO. 73-148212, OF OFFICIAL RECORDS.

AFFECTS: SUBJECT PROPERTY; NOT OF A PLOTTABLE NATURE. LOCATION SHOWN HEREON.

10. THE MATTERS CONTAINED IN A DOCUMENT ENTITLED "AGREEMENT" RECORDED SEPTEMBER 19, 1984 AS INSTRUMENT NO. 84-354487, OF OFFICIAL RECORDS.

REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

11. THE MATTERS CONTAINED IN A DOCUMENT ENTITLED "DECLARATION OF COVENANTS FOR PUBLIC IMPROVEMENTS" RECORDED SEPTEMBER 27, 1984 AS INSTRUMENT NO. 84-366896, OF OFFICIAL RECORDS.

REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

12. THE MATTERS CONTAINED IN A DOCUMENT ENTITLED "PRIVATE DRIVEWAY EASEMENT" RECORDED MAY 21, 2002 AS INSTRUMENT NO. 2002-0430300, OF OFFICIAL RECORDS.

REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

13. ALL EASEMENTS, OFFERS AND DEDICATIONS AS SHOWN ON THE OFFICIAL MAP.

TRACT OF: PARCEL MAP NO. 18446

14. THE RIGHT OF THE PUBLIC IN AND TO THAT PORTION OF HEREIN DESCRIBED LYING WITHIN ANY PORTION LYING OUTSIDE OF THE BOUNDARY OF MAP NO. 959.

15. COASTAL DEVELOPMENT PERMIT NO. 10577, SITE DEVELOPMENT PERMIT NO. 10582, CWS RESIDENCE-PROJECT NO. 6400 (MMRP), IS GRANTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO TO CWS INC., A CALIFORNIA CORPORATION OWNER/PERMITTEE, PURSUANT TO SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 126.0701 AND 126.0501, RECORDED JUNE 23, 2006 AS FILE NO. 2006-0445223 AND CORRECTED BY DOCUMENT RECORDED AUGUST 23, 2006 AS FILE NO. 2006-0600989, BOTH OF OFFICIAL RECORDS.

16. COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN THE DOCUMENT RECORDED: SEPTEMBER 27, 2007 AS INSTRUMENT NO. 2007-0630063, OF OFFICIAL RECORDS

17. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: CITY OF SAN DIEGO
PURPOSE: DRAINAGE
RECORDED: OCTOBER 5, 2007 AS INSTRUMENT NO. 2007-0646480, OF OFFICIAL RECORDS
AFFECTS: SUBJECT PROPERTY; PLOTTED HEREON.

18. THE MATTERS CONTAINED IN A DOCUMENT ENTITLED "ENCROACHMENT MAINTENANCE AND REMOVAL AGREEMENT" RECORDED JANUARY 2, 2008 AS INSTRUMENT NO. 2008-0000637, OF OFFICIAL RECORDS OF OFFICIAL RECORDS.

AFFECTS: SUBJECT PROPERTY; NOT OF A PLOTTABLE NATURE. LOCATION SHOWN HEREON.

19. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: CITY OF SAN DIEGO
PURPOSE: VIEW CORRIDOR EASEMENT
RECORDED: APRIL 13, 2009 AS INSTRUMENT NO. 2009-0185506, OF OFFICIAL RECORDS
AFFECTS: SUBJECT PROPERTY; PLOTTED HEREON.

20. A CLAIM OF MECHANIC'S LIEN
AMOUNT: \$8,835.00
CLAIMANT: WESTERN FOUNDATIONS & SHORING, INC.
RECORDED: JANUARY 27, 2010 AS INSTRUMENT NO. 2010-0043483, OF OFFICIAL RECORDS

21. A CLAIM OF MECHANIC'S LIEN
AMOUNT: \$40,122.11
CLAIMANT: WESTERN FOUNDATIONS & SHORING, INC.
RECORDED: JANUARY 28, 2010 AS INSTRUMENT NO. 2010-0046359, OF OFFICIAL RECORDS

22. A CLAIM OF MECHANIC'S LIEN
AMOUNT: \$84,228.00
CLAIMANT: MARENGO MORTON ARCHITECTS, INC.
RECORDED: APRIL 20, 2010 AS INSTRUMENT NO. 2010-0195701, OF OFFICIAL RECORDS

23. ANY OTHER CLAIMS FOR MECHANIC'S LIEN THAT MAY BE RECORDED BY REASON OF A WORK OF IMPROVEMENT AS DISCLOSED BY AN INSPECTION OF SAID LAND.

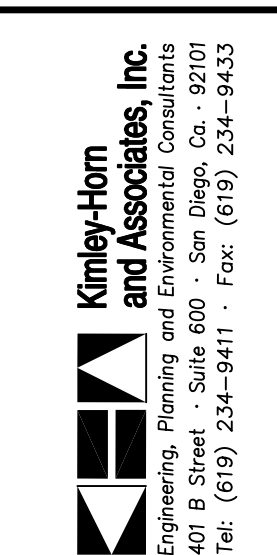
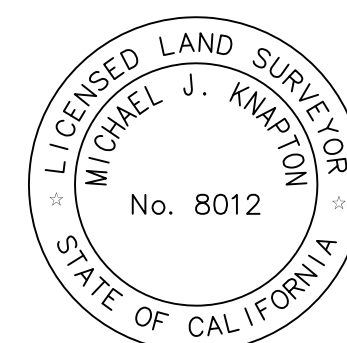
24. ANY RIGHTS, INTERESTS OR CLAIMS OF PARTIES IN POSSESSION OF THE LAND NOT SHOWN BY THE PUBLIC RECORDS.

25. TITLE SEARCH DISCLOSES NO OPEN DEEDS OF TRUST. PLEASE CONFIRM PRIOR TO CLOSE OF ESCROW.

DATE OF LAST REVISION: 11/01/2010

MICHAEL J. KNAPTON P.L.S. NO. 8012

11/01/2010
DATE



NO.	DATE	REVISIONS	BY

BOUNDARY & ENCUMBRANCE EXHIBIT
PARCEL NO. 2 OF PARCEL MAP NO. 18446
SAN DIEGO COUNTY, CALIFORNIA

SCALE: 1" = 20'
DESIGNED BY: E.R.L.
DRAWN BY: E.R.L.
CHECKED BY: M.J.K.
DATE: 11/01/2010
PROJECT NO. 095807000

SHEET
1 OF 1
SHEETS