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ADVANCED WATER PURIFICATION
7 JOINT POWERS AUTHORITY

EXEMPT FROM FILING FEES PURSUANT
TO GOVERNMENT CODE SECTION 6103

8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF SAN DIEGO - CENTRAL DIVISION

11 EAST COUNTY ADVANCED WATER
PURIFICATION JOINT POWERS
12 AUTHORITY,

13 Plaintiff,

14 v.

15 CITY OF SAN DIEGO, a municipal
corporation of the State of California; and
16 DOES 1 through 50, inclusive,

17 Defendants.

Case No.
Judge:

COMPLAINT IN EMINENT DOMAIN

(Code Civ. Proc., § 1250.010, et seq.)

[Assessor Parcel Nos. 383-080-05, a portion
of 383-080-03, and a portion of 383-080-04]

Action Filed:
Trial Date:

1 Plaintiff, East County Advanced Water Purification Joint Powers Authority (the “JPA”),
2 alleges as follows:

3 **INTRODUCTION**

4 1. In this eminent domain action, the JPA is seeking to acquire portions of real property
5 owned by the Defendant the City of San Diego (“City”) [the real property is described in full below
6 in Paragraph 12, and the easements are described in full below in Paragraph 13, and collectively
7 they are referred to herein generally as the “Subject Property”] for the East County Advanced Water
8 Purification Project (the “Project”). The Project is a collaborative partnership between Padre Dam
9 Municipal Water District, County of San Diego, the City of El Cajon and Helix Water District that
10 will create a new, local, sustainable and drought proof drinking water supply using state-of-the-art
11 technology to purify recycled water and diversify East County’s water supply while reducing
12 dependence on imported water. The Project will provide up to 30 percent of East County’s drinking
13 water demands while at the same time reduce wastewater discharge into the Pacific Ocean.

14 2. The real property sought to be acquired includes the East Mission Gorge Pump Station
15 and other improvements (“Mission Gorge Pump Station”) which was constructed by the City in 1992
16 as part of its Clean Water Program that contemplated constructing a water reclamation plant in East
17 County (the “East County Plant”) to convey recycled water to customers in the City of San Diego.
18 The East County Plant was eliminated when the City of San Diego downsized the Clean Water
19 Program. When the East County Plant was eliminated, the Mission Gorge Pump Station became a
20 stranded asset to the City. The Mission Gorge Pump Station currently is used by the City to convey
21 peak wastewater flows to its Point Loma Wastewater Treatment Plant for treatment and ocean
22 discharge.

23 3. The Project will retrofit the Mission Gorge Pump Station and the JPA will use it to
24 divert untreated wastewater to the new JPA-owned Water Recycling Facility for treatment and
25 production of purified water. The Project will treat wastewater generated in the service areas of Padre
26 Dam Municipal Water District, the City of El Cajon, and the San Diego County Sanitation District
27 and recycle the water using state-of-the-art technology to create a sustainable supply of drinking
28 water. The Project will capture and treat approximately 15 million gallons per day (mgd) of

1 wastewater generated within the East County area to produce approximately 11.5 mgd of drought-
2 resistant and locally controlled water supply, which will be further treated and delivered to the
3 customers of Helix Water District and Padre Dam Municipal Water District as drinking water.

4 4. The JPA has been collaborating with the City since at least 2018 to coordinate the
5 planning and development of the Project, including the transfer of the Subject Property and
6 repurposing of the Mission Gorge Pump Station for use by the Project. In September of 2021, the
7 City declared the real property portions of the Subject Property exempt surplus land for sale to the
8 JPA for the Project and a joint appraisal was completed and the parties negotiated a purchase and
9 sale agreement. The City has now refused to complete the sale until the JPA agrees to amendments
10 to an existing Residuals Management and Disposal Agreement between the JPA and the City. The
11 City's refusal to complete the sale in time for construction on the Project to commence has
12 necessitated the filing of this action.

13 **NAMES OF ALL PLAINTIFFS AND DEFENDANTS**

14 **(Code Civ. Proc., § 1250.310, subs. (a) and (c))**

15 5. The JPA is, and at all times mentioned herein was, a joint powers agency organized
16 pursuant to Government Code sections 6500, et seq., and located in the County of San Diego,
17 California.

18 6. The JPA is empowered to use its powers of eminent domain to acquire real and
19 personal property of every kind necessary to the full and convenient exercise of its powers pursuant
20 to Government Code sections 6502 and 37350.5 and Code of Civil Procedure sections 1240.110
21 and 1240.120.

22 7. The JPA is informed and believes and, on that basis, alleges that Defendants have
23 or claim to have some right, title or interest in or to the Subject Property sought to be acquired by
24 the JPA.

25 8. The individually named Defendants are the record owners, named on the last
26 equalized assessment roll as the record owners, or known to the JPA to have or claim some right,
27 title or interest in or to the Subject Property. For the convenience of the Court and the parties, and
28 not as allegations to which the JPA intends to be bound, the JPA has set out the name of each

1 Defendant and, opposite each name, a statement of the respective interest or claimed interest in the
2 Property, as more fully described below.

3 **Defendants**

Interests

4 THE CITY OF SAN DIEGO

Fee Simple; Access Easement

5 9. The JPA is informed and believes, and upon such information and belief alleges,
6 that DOES 1 through 50, inclusive, have or claim to have some right, title or interest in the Subject
7 Property sought to be acquired, the exact nature of which is unknown to the JPA at this time. The
8 true names and capacities of these Defendants are unknown to the JPA, and, therefore, the JPA sues
9 them by fictitious names. The JPA will seek leave to amend this Complaint to show the true names
10 and capacities for DOES 1 through 50, inclusive, when the same have been ascertained.

11 10. The JPA also names as defendants all persons unknown claiming an interest in the
12 Property.

13 **DESCRIPTION OF PROPERTY SOUGHT TO BE TAKEN**

14 **(Code Civ. Proc., § 1250.310, subd. (b))**

15 11. The real property sought to be acquired is located in the City of San Diego and the
16 City of Santee, in the County of San Diego, California, and is bounded on the north by Forester
17 Creek, on the east by Mission Gorge Road, on the west by Forester Creek, and on the south by an
18 on-ramp to State Highway 52, and identified as Assessor's Parcel Numbers ("APN") 383-080-03,
19 383-080-04, and 383-080-05 (the "City Property"). An aerial showing the City Property and
20 portions sought to be acquired is attached hereto as **Exhibit 1**.

21 12. The JPA seeks to acquire fee title to real property located northwest of Mission Gorge
22 Road and generally identified as Assessor's Parcel Numbers ("APN") 383-080-05, a portion of 383-
23 080-03, and a portion of 383-080-04, including related improvements, and a nearby 174-foot long,
24 48-inch diameter gravity sewer pipe; a permanent easement, approximately 3,773 sq. ft. in size, over
25 APN 383-080-04 and a permanent easement, approximately 48,575 sq. ft. in size, over APN 383-
26 080-03 for wastewater treatment and sewer purposes; and temporary construction easements on
27 portions of APNs 383-080-03 and 383-080-04 for twelve months to construct, install, reconstruct,
28 operate, maintain, repair and replace conveyance and communications facilities between Mission

1 Gorge Pump Station and the proposed advanced water purification facility, including the
2 improvements to be installed in Permanent Easement areas (the “Improvements”). The legal
3 description of the Subject Property sought to be acquired is more fully described in **Exhibit 2**.

4 13. The Easements are located on portions of the property generally identified as APNs
5 383-080-03 and -04 and commonly known as the Carlton Oaks Country Club Golf Course and
6 Forester Creek, and extend in a northwesterly direction from the southeast corner of APNs 383-
7 080-03 and -04 through these properties until terminating at the northeast corner of APN 383-080-
8 03. The permanent easements, two 50-foot wide tunnel easements, are needed for the purpose of
9 placing the Improvements 50-feet below the surface of the ground and will not disturb any of the
10 currently permitted at-grade activities. The temporary construction easements, 25-foot wide strips
11 on either side of the permanent easements, are needed for foot passage on the surface for 12 months
12 during construction of the Improvements on the Subject Property.

13 14. The JPA does not claim any current interest in the Subject Property.

14 **STATEMENT OF RIGHT TO TAKE PROPERTY BY EMINENT DOMAIN**

15 **(Code Civ. Proc., § 1250.310, subd. (d))**

16 15. The JPA is seeking to acquire the Subject Property for the Project which will treat
17 wastewater generated in the service areas of Padre Dam Municipal Water District, the City of El
18 Cajon, and the San Diego County Sanitation District and recycle the water using state-of-the-art
19 technology to create a sustainable supply of drinking water.

20 16. Pursuant to Code of Civil Procedure section 1245.235, the JPA provided notice of a
21 public hearing to the City and all persons whose names appear on the last equalized San Diego
22 County Assessment Roll for the properties affected by the Project, held said public hearing on May
23 19, 2022, at 2:00 p.m., in the Board Room of the Padre Dam Municipal Water District located at
24 9300 Fanita Parkway, Santee, CA 92071, and gave each person a reasonable opportunity to appear
25 and be heard on the matters referred to in Code of Civil Procedure section 1240.030 before holding
26 a hearing and adopting a resolution of necessity.

27 17. On May 19, 2022, by at least a two-thirds vote of its members, and after due notice
28 and opportunity to be heard, the Board of Directors of the East County Advanced Water Purification

1 Joint Powers Authority approved and adopted Resolution Number 2022-08 (hereafter,
2 “Resolution”), authorizing the JPA to acquire the Subject Property and Easements by eminent
3 domain. A copy of the Resolution is attached hereto as **Exhibit 3** and incorporated by reference
4 herein.

5 18. As established in the Resolution, the public interest and necessity require the
6 Project; the Project is planned and located in the manner that will be most compatible with the
7 greatest public good and least private injury; the Subject Property is necessary for the Project; and
8 the offer required by Government Code section 7267.2 was made.

9 19. The proposed Project is compatible with any existing public use of the Subject
10 Property, and will not unreasonably interfere with or impair the continuance of the public use as it
11 now exists or may reasonably be expected to exist in the future pursuant to Code of Civil Procedure
12 section 1240.510, as set forth in the Resolution attached hereto as **Exhibit 3**.

13 20. The proposed Project is a more necessary public use pursuant to California Code of
14 Civil Procedure sections 1240.610, et seq., as set forth in the Resolution attached hereto as
15 **Exhibit 3**.

16 21. The JPA and the City have engaged in extensive negotiations and discussions
17 regarding the transfer of the Subject Property since 2018. As part of these negotiations, the JPA
18 and the City established a mutually agreeable method of appraisal for the Subject Property and its
19 deteriorating appurtenant improvements, including the Mission Gorge Pump Station. This
20 methodology was used by a jointly retained appraiser to complete an appraisal of the Subject
21 Property.

22 22. Following this appraisal, the JPA and the City extensively negotiated a draft
23 Purchase and Sale Agreement and Joint Escrow Instructions (“Purchase Agreement”).

24 23. In September of 2021, the City declared the real property portions of the Subject
25 Property exempt surplus land for sale to the JPA for the Project through City Resolution R-313714,
26 which is attached hereto as **Exhibit 4** and incorporated herein by reference.

27 24. On November 18, 2021, Board of Directors of the JPA approved the Purchase
28 Agreement and authorized the JPA’s Administrator to complete negotiations and execute the

1 Purchase Agreement, based on representations from City Staff that the City would take the final
2 Purchase Agreement to City Council for approval in or around December 2021.

3 25. Despite the JPA’s numerous attempts via e-mail, meetings, and letters to the City
4 since November 2021 inquiring as to the status of the Purchase Agreement and requesting that the
5 City finalize and vote on the Purchase Agreement due to the risk of delays to the Project, the City
6 has not finalized the Purchase Agreement, sent it back to the JPA with revisions, or placed it on the
7 City Council’s agenda.

8 26. In April 2022, the JPA became aware that the City was intentionally failing to act
9 on the Purchase Agreement to withhold the Subject Property as leverage to renegotiate the terms
10 of the Residuals Management and Disposal Agreement (“Residuals Agreement”) which was
11 executed by the City on February 2, 2021, and included provisions requiring the City “cooperate in
12 good faith regarding the City’s transfer of the East Mission Gorge Pump Station [a.k.a. the Subject
13 Property], East Mission Gorge Force Main, necessary easements, and a portion of the 42-inch
14 gravity sewer. . . to the JPA.”

15 27. By this action, the JPA intends to acquire, take, condemn, and own the interests in
16 the Subject Property described in Paragraphs 11, 12, and 13 and **Exhibit 2**, for the purpose set forth
17 in this Complaint and the accompanying Resolution.

18 WHEREFORE, the JPA prays for judgment as follows:

19 1. That the Subject Property herein described be condemned to the JPA for the purpose
20 set forth in this Complaint and in the Resolution;

21 2. That just compensation for said Subject Property be ascertained, assessed, and
22 awarded as provided by law;

23 3. That all liens and encumbrances against the Subject Property areas be deducted from
24 the judgment; and

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4. That the Court allow for such other and further relief as the Court may deem proper.

Dated: July 5, 2022

BEST BEST & KRIEGER LLP

By: 

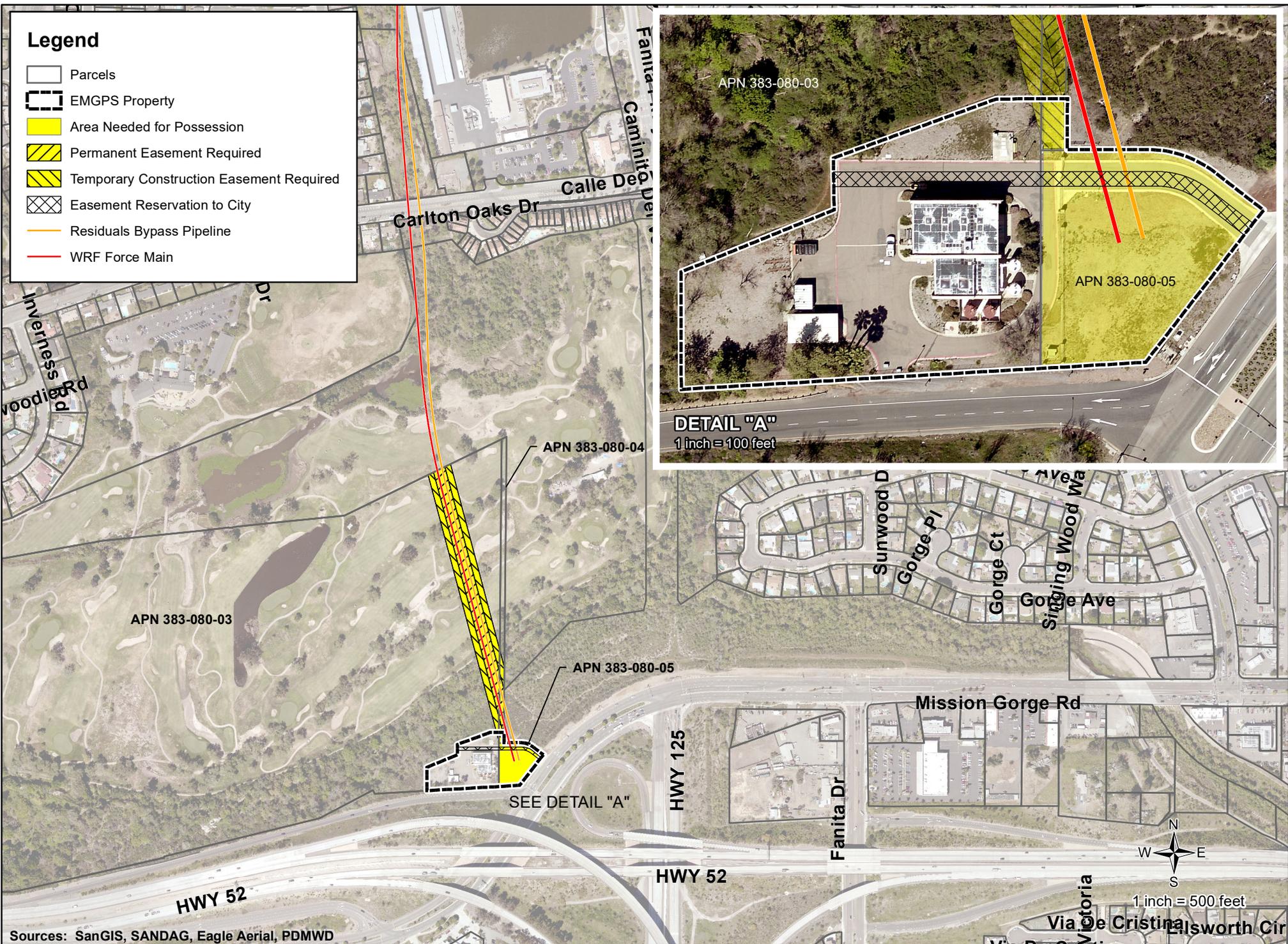
JAMES B. GILPIN
DAVID E. LLOYD
Attorneys for Plaintiff
EAST COUNTY ADVANCED WATER
PURIFICATION JOINT POWERS
AUTHORITY

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW
655 WEST BROADWAY, 15TH FLOOR
SAN DIEGO, CALIFORNIA 92101

EXHIBIT 1

Legend

-  Parcels
-  EMGPS Property
-  Area Needed for Possession
-  Permanent Easement Required
-  Temporary Construction Easement Required
-  Easement Reservation to City
-  Residuals Bypass Pipeline
-  WRF Force Main



Sources: SanGIS, SANDAG, Eagle Aerial, PDMWD

**EAST MISSION GORGE PUMP STATION AND ASSOCIATED EASEMENTS
AREAS NEEDED FOR POSSESSION**

Printed Date: 6/30/2022
This map is provided for general information only without warranty of any kind.



EXHIBIT 2

EXHIBIT "A"
LAND SALE AND ACCESS EASEMENT RESERVATION

THAT PORTION OF LOT 1 OF THE RESUBDIVISION OF PART OF FANITA RANCHO, ACCORDING TO MAP NO. 1703, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, FEBRUARY 28, 1918 AND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA AS FILE NO. 72380, RECORDED MARCH 28, 1972 IN THE OFFICE OF SAID RECORDER, ALONG WITH THAT PORTION OF TRACT T OF RANCHO EL CAJON BEING ALSO A PORTION OF LOT 7 OF FANITA RANCHO, ACCORDING TO MAP THEREOF NO. 790, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 21, 1894, DESCRIBED AS PARCEL 28057-2, IN FINAL ORDER OF CONDEMNATION TO THE STATE OF CALIFORNIA AS DOCUMENT NO. 1995-0079132, RECORDED FEBRUARY 23, 1995, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS DISC STAMPED "CALTRANS BM 52-13.6 1984", BEING POINT NO. 147 ACCORDING TO RECORD OF SURVEY MAP NO. 14492, FILED IN THE OFFICE OF THE COUNTY RECORDER ON MARCH 31, 1994, WHICH BEARS NORTH 71°00'53" WEST 19755.94 FEET FROM A BRASS DISK STAMPED "USC&GS G 281 1955", BEING POINT NO. 54 ACCORDING TO SAID RECORD OF SURVEY MAP NO. 14492; THENCE SOUTH 72°59'42" EAST 5767.29 FEET TO A 1" IRON PIPE WITH BRASS DISC STAMPED "CAL DOT" PER RECORD OF SURVEY MAP NO. 16019, FILED IN THE OFFICE OF THE COUNTY RECORDER ON JANUARY 8, 1999, SAID POINT BEING THE NORTHWEST TERMINUS OF COURSE NO. 1 OF PARCEL 28057-1 IN FINAL ORDER OF CONDEMNATION TO THE STATE OF CALIFORNIA RECORDED FEBRUARY 23, 1995 AS DOCUMENT NO. 1995-0079132 OF OFFICIAL RECORDS, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF PARCEL 28057-2 IN SAID FINAL ORDER OF CONDEMNATION AND THE SOUTHEAST CORNER OF LAND PER DEED TO THE CITY OF SAN DIEGO RECORDED AUGUST 8, 1997 AS DOC. NO. 1997-1380426 OF OFFICIAL RECORDS (CITY LAND), SAID POINT HEREINAFTER REFERRED TO AS POINT "A" AND ALSO BEING THE **TRUE POINT OF BEGINNING**;

1. THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 28057-1 AND THE SOUTHERLY LINE OF SAID PARCEL 28057-2 AND SAID CITY LINE SOUTH 86°39'57" WEST (RECORD SOUTH 86°40'21" WEST) 381.59 FEET
2. THENCE LEAVING SAID NORTHERLY LINE NORTH 00°06'23" WEST 96.24 FEET;
3. THENCE NORTH 67°54'04" EAST 135.63 FEET;
4. THENCE NORTH 00°56'01" WEST 42.44 FEET;
5. THENCE NORTH 70°06'48" EAST 142.36 FEET;
6. THENCE NORTH 89°49'39" EAST 58.22 FEET TO THE CENTER MERIDIAN LINE OF SECTION 29 IN TOWNSHIP 15 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN;
7. THENCE ALONG SAID CENTER MERIDIAN LINE SOUTH 0°28'47" WEST 41.54 FEET TO THE NORTHERLY LINE OF SAID PARCEL 28057-2 AND SAID CITY LAND;
8. THENCE LEAVING SAID CENTER MERIDIAN LINE ALONG SAID NORTHERLY LINE SOUTH 89°54'24" EAST 67.00 FEET TO THE BEGINNING OF A TANGENT 88.00-FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY;

9. THENCE CONTINUING ALONG SAID NORTHERLY LINE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°38'10" A DISTANCE OF 57.80 FEET;
10. THENCE CONTINUING ALONG SAID NORTHERLY LINE SOUTH 52°16'14" EAST 51.18 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 28057-2 AND SAID CITY LAND AND THE BEGINNING OF A NON-TANGENT 930.00-FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 51°03'00" WEST;
11. THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 28057-2 AND SAID CITY LAND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 1°13'14" A DISTANCE OF 19.81 FEET;
12. THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE SOUTH 37°43'46" WEST 138.08 FEET TO THE **TRUE POINT OF BEGINNING**.

AREA = 75,187 SQUARE FEET (1.726 ACRES), MORE OR LESS

RESERVING THEREFROM AN ACCESS EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT "A"; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 28057-2 NORTH 37°43'46" EAST 132.08 FEET TO THE **TRUE POINT OF BEGINNING**;

1. THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE NORTH 37°43'46" EAST 6.00 FEET TO THE BEGINNING OF A TANGENT 930.00-FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY;
2. THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°22'11" A DISTANCE OF 6.00 FEET;
3. THENCE LEAVING SAID SOUTHEASTERLY LINE NORTH 52°13'30" WEST 45.97 FEET TO THE BEGINNING OF A TANGENT 69.00-FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY;
4. THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°52'25" A DISTANCE OF 45.61 FEET;
5. THENCE SOUTH 89°54'05" WEST 265.42 FEET;
6. THENCE SOUTH 00°56'01" EAST 12.00 FEET;
7. THENCE NORTH 89°54'05" EAST 265.24 FEET TO THE BEGINNING OF A TANGENT 57.00-FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY;
8. THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°52'25" A DISTANCE OF 37.68 FEET;
9. THENCE SOUTH 52°13'30" EAST 45.96 FEET TO THE **TRUE POINT OF BEGINNING**.

AREA = 4,235 SQUARE FEET (0.097 ACRES), MORE OR LESS

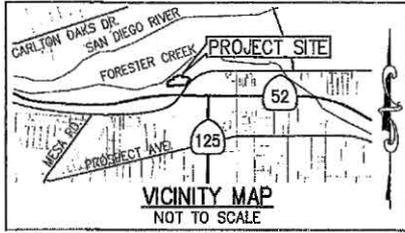
THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE VI (UNLESS OTHERWISE NOTED). MULTIPLY DISTANCES SHOWN BY 1.0000198 TO OBTAIN GROUND DISTANCES.

ATTACHED HERETO IS CITY OF SAN DIEGO DRAWING NO. 41361-B LABELED EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

SIGNATURE Joel D. Riipinen 9/16/21
JOEL D. RIIPINEN DATE
PLS 7942



EXHIBIT "B"

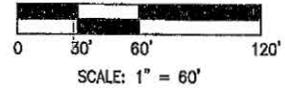


BASIS OF BEARINGS

THE GRID BEARING BETWEEN POINT NO. 54 AND POINT NO. 147 PER ROS 14492. I.E., N 71°00'53" W

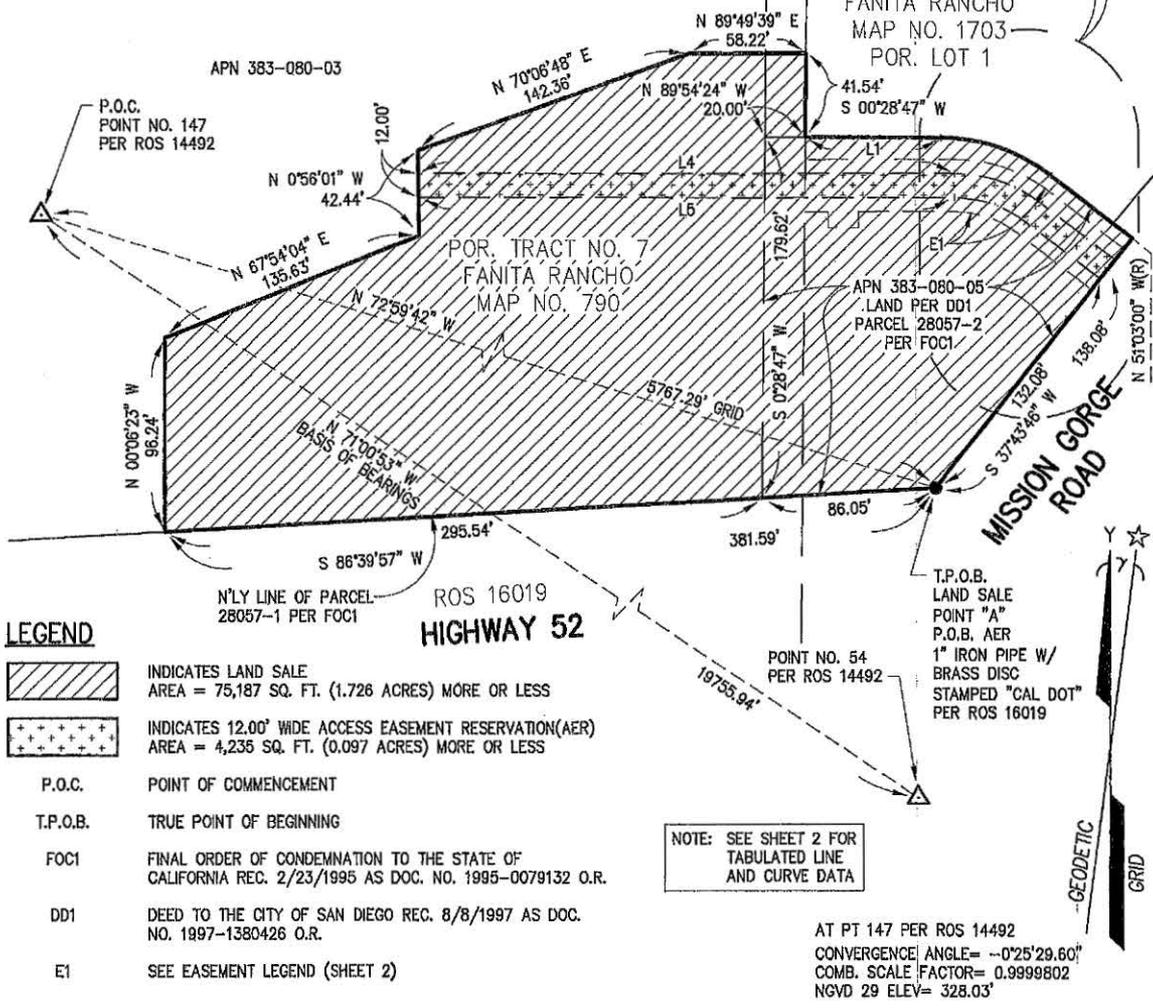
REFERENCES

MAP NO. 790
MAP NO. 1703
ROS 14492
ROS 16019

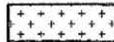


CENTER MERIDIAN LINE OF SECTION 29 IN TOWNSHIP 15 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN

SEE DETAIL SHEET 2



LEGEND

-  INDICATES LAND SALE
AREA = 75,187 SQ. FT. (1.726 ACRES) MORE OR LESS
-  INDICATES 12.00' WIDE ACCESS EASEMENT RESERVATION (AER)
AREA = 4,235 SQ. FT. (0.097 ACRES) MORE OR LESS
- P.O.C. POINT OF COMMENCEMENT
- T.P.O.B. TRUE POINT OF BEGINNING
- FOC1 FINAL ORDER OF CONDEMNATION TO THE STATE OF CALIFORNIA REC. 2/23/1995 AS DOC. NO. 1995-0079132 O.R.
- DD1 DEED TO THE CITY OF SAN DIEGO REC. 8/8/1997 AS DOC. NO. 1997-1380426 O.R.
- E1 SEE EASEMENT LEGEND (SHEET 2)

NOTE: SEE SHEET 2 FOR TABULATED LINE AND CURVE DATA

AT PT 147 PER ROS 14492
CONVERGENCE ANGLE = -0°25'29.60"
COMB. SCALE FACTOR = 0.9999802
NGVD 29 ELEV = 328.03'

AGUIRRE & ASSOCIATES
8363 CENTER DRIVE, SUITE 5A
LA MESA CA 91942 (619) 464-6978
Joel D. Riipinen 9/16/21
JOEL D. RIIPINEN L.S. 7942 DATE



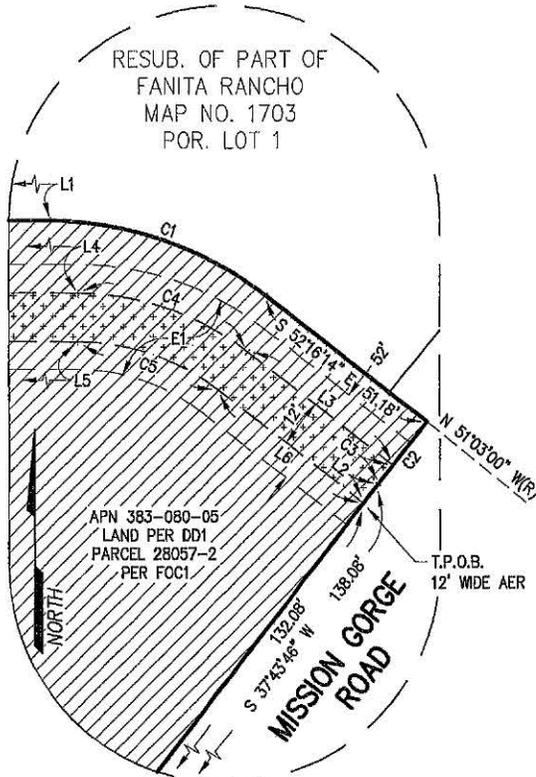
RESOLUTION No. _____
RECORDED _____
DOCUMENT No. _____
RECORDED _____

LAND SALE AND ACCESS EASEMENT RESERVATION

PORTION OF LOT 1 OF RESUB. FANITA RANCHO, MAP 1703, ALONG WITH THAT PORTION OF TRACT T RANCHO EL CAJON, BEING A PORTION OF TRACT 7 OF FANITA RANCHO MAP 790

DESCRIPTION	BY	APPROVED DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS 633065
ORIGINAL	JR			SHEET 1 OF 2 SHEETS	L.O. 21004705
				FOR CITY LAND SURVEYOR	DATE
					1885-6329
					CCS 83 COORDINATES
					242-1767
					NAD 27 COORDINATES
					41361-1-B
STATUS					

EXHIBIT "B"



LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	N 89°54'24" W	67.00'
L2	N 37°43'46" E	6.00'
L3	N 52°13'30" W	45.97'
L4	S 89°54'05" W	285.42'
L5	N 89°54'05" E	285.24'
L6	S 52°13'30" E	45.96'

CURVE TABLE			
CURVE NO.	DELTA	RADIUS	LENGTH
C1	37°38'10"	88.00'	57.80'
C2	1°13'14"	930.00'	19.81'
C3	0°22'11"	930.00'	6.00'
C4	37°52'25"	69.00'	45.61'
C5	37°52'25"	57.00'	37.68'

DETAIL
SCALE: 1" = 30'

EASEMENT LEGEND

E1 A RIGHT-OF-WAY EASEMENT IN FAVOR OF PADRE DAM MUNICIPAL WATER DISTRICT REC. 5/3/2001 AS DOC. NO. 2001-0279319 O.R.

AN ACCESS EASEMENT IN FAVOR OF THE CITY OF SAN DIEGO REC. 10/25/2012 AS INST. NO. 2012-0658045 O.R. IS NOT PLOTTABLE.

NO OTHER EASEMENTS APPEAR TO BE IN THE VICINITY OF THE PERMANENT ACQUISITION AREA.

EASEMENT DATA HEREON IS DISCLOSED IN BNT TITLE COMPANY OF CALIFORNIA PRELIMINARY REPORT ORDER NO. CA18143433 A DATED DECEMBER 28, 2018 AT 7:30 AM.

AGUIRRE & ASSOCIATES
8363 CENTER DRIVE, SUITE 5A
LA MESA CA 91942 (619) 464-6978

Joel D. Riipinen 9/16/21
JOEL D. RIIPINEN L.S. 7942 DATE



RESOLUTION No. _____
RECORDED _____
DOCUMENT No. _____
RECORDED _____

LAND SALE AND ACCESS EASEMENT RESERVATION

PORTION OF LOT 1 OF RESUB. FANITA RANCHO, MAP 1703, ALONG WITH THAT PORTION OF TRACT T RANCHO EL CAJON, BEING A PORTION OF TRACT 7 OF FANITA RANCHO MAP 790

DESCRIPTION	BY	APPROVED DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS 633065
ORIGINAL	JR			SHEET 2 OF 2 SHEETS	I.O. 21004705
				FOR CITY LAND SURVEYOR	1885-6329
				DATE	CCS 83 COORDINATES
					242-1767
					NAD 27 COORDINATES
					41361-2-B
STATUS					

EXHIBIT A

ALL THAT PORTION OF TRACT 7 OF FANITA RANCHO ACCORDING TO MAP NO. 790, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 21, 1894, O.R., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND BEING 50 FEET IN WIDTH LYING 25 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE EASTERLY TERMINUS OF COURSE 43 OF PARCEL MAP NO. 16978, IN THE CITY OF SANTEE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY OCTOBER 19, 1992 AS FILE NO. 92-0665040, O.R.; THENCE, SOUTH $64^{\circ}09'19''$ WEST 304.58 FEET ALONG SAID COURSE 43 TO THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING BEING A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2,786.58 FEET, A RADIAL LINE TO SAID TRUE POINT OF BEGINNING BEARS SOUTH $77^{\circ}23'55''$ WEST; THENCE SOUTHERLY 113.11 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $2^{\circ}19'33''$; THENCE SOUTH $14^{\circ}55'38''$ EAST 935.07 FEET TO A POINT ON COURSE 44A OF SAID PARCEL MAP NO. 16978.

THE SIDELINES OF SAID STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED TO TERMINATE ON THE EAST AT SAID COURSE 44A OF PARCEL MAP NO. 16978, AND ON THE NORTH AT SAID COURSE 43 OF PARCEL MAP 16978.

AREA EQUALS 52,409 SQUARE FEET, MORE OR LESS.

APN: 383-080-03 (48,689 SQUARE FEET) AND 383-080-04 (3,720 SQUARE FEET)



Brian G. Faraci 6-27-22

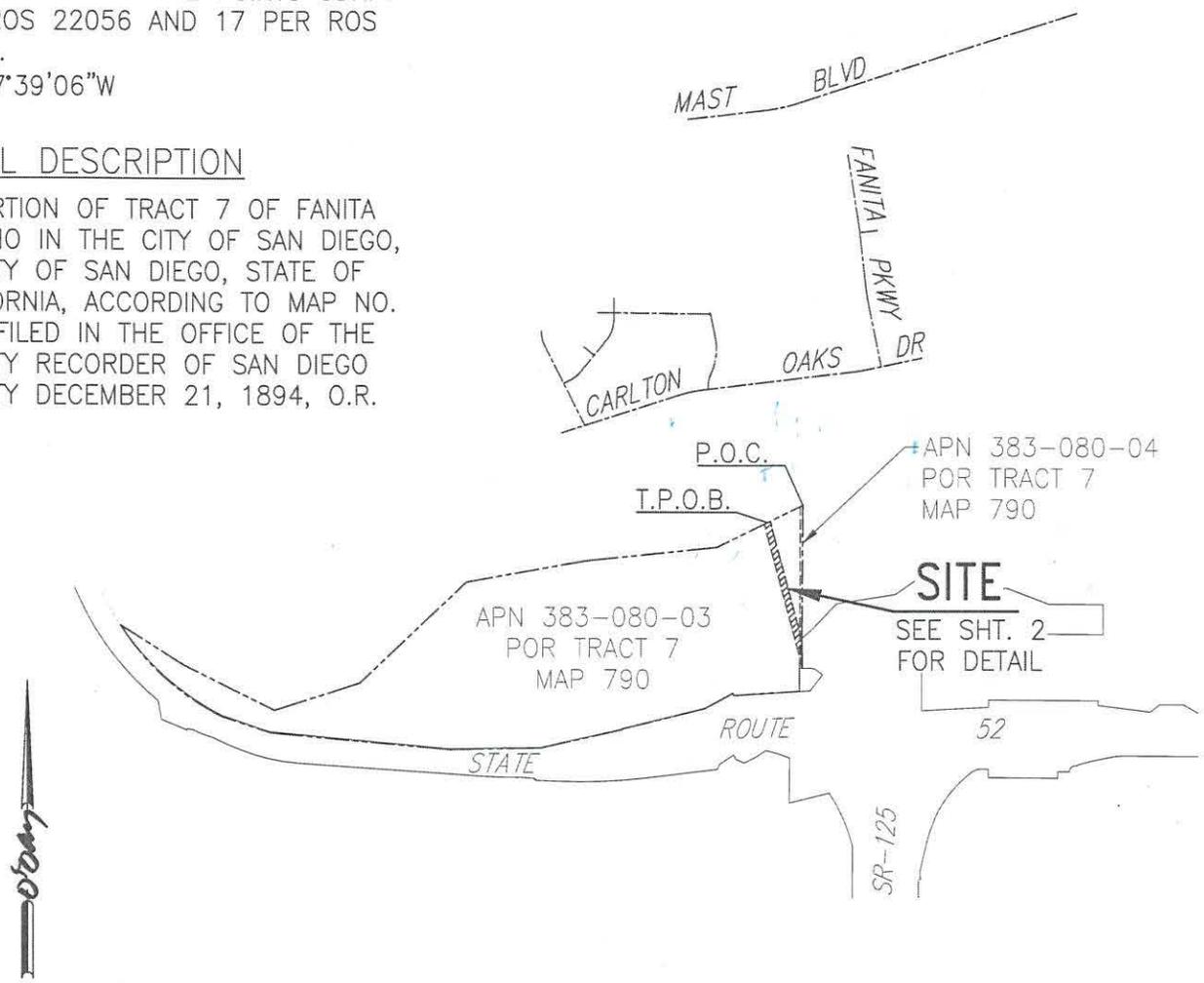
EXHIBIT B

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAN IS THE CALIFORNIA COORDINATE SYSTEM (CCS 83), ZONE 6, EPOCH 1991.35, CONSTRAINING TO HORIZONTAL CONTROL POINTS SDRF1 PER ROS 22056 AND 17 PER ROS 14492.
IE S77°39'06"W

LEGAL DESCRIPTION

A PORTION OF TRACT 7 OF FANITA RANCHO IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 790, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY DECEMBER 21, 1894, O.R.



VICINITY MAP

NO SCALE

LEGEND:

- PROPOSED SEWER EASEMENT 
- EASEMENT CENTERLINE 
- SUBDIVISION BOUNDARY 
- EXISTING LOT/PARCEL LINES 
- TEMPORARY CONSTRUCTION EASEMENT PER SEPARATE DOCUMENT 
- RIGHT-OF-WAY (R/W) 
- EXISTING EASEMENT LINES 
- MUNICIPAL BOUNDARY 

AREA

383-080-03: 48689 SF
383-080-04: 3720 SF



Prepared by:

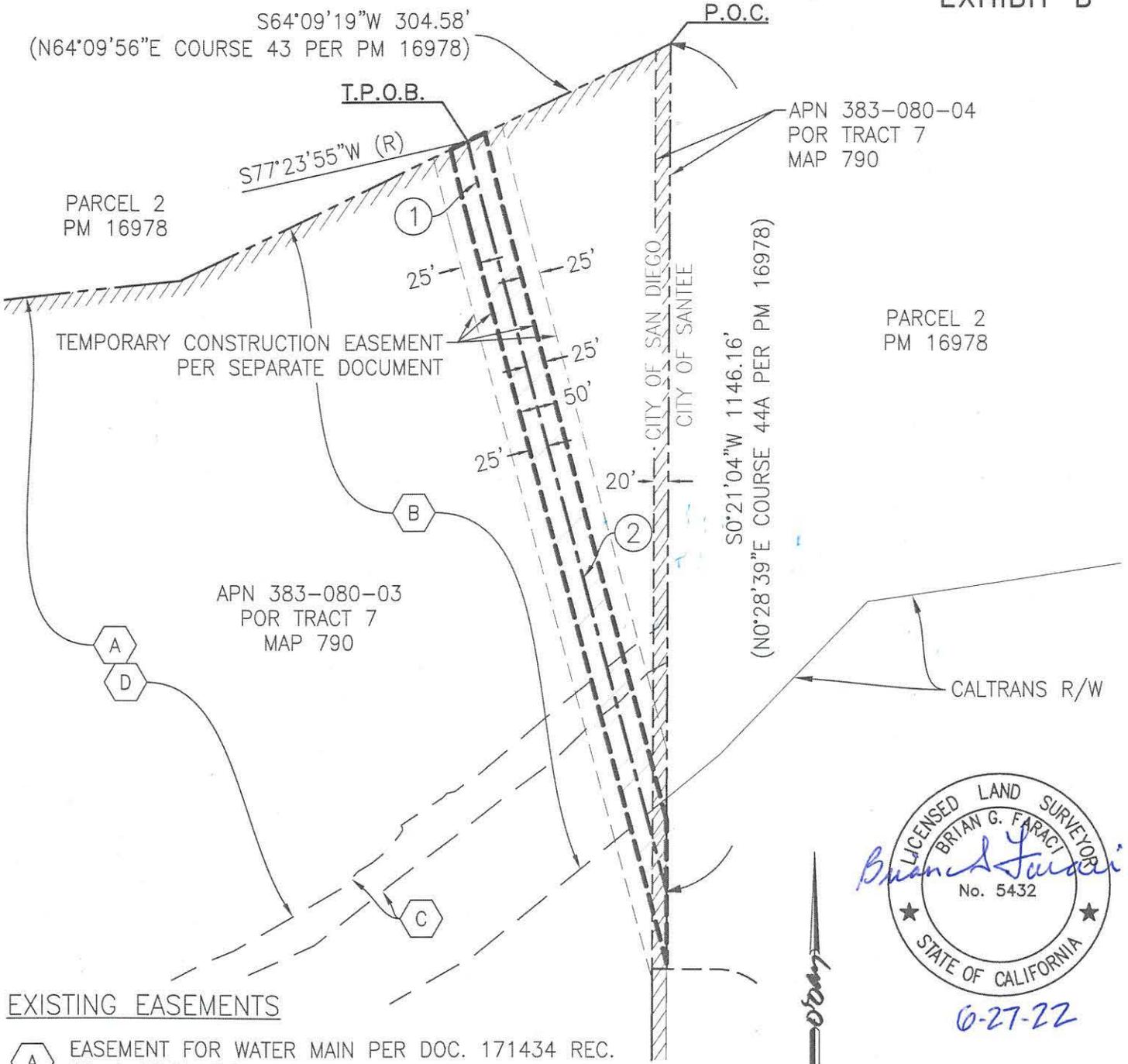


6/17/2022
Date

PLAT TO ILLUSTRATE SEWER EASEMENT ACROSS PORTION TRACT 7 FANITA RANCHO MAP NO. 790

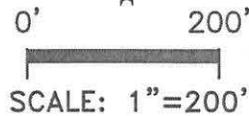
EASEMENT

APN 383-080-03
APN 383-080-04
DOC. NO. -
SHEET: 1 OF 2



EXISTING EASEMENTS

- A** EASEMENT FOR WATER MAIN PER DOC. 171434 REC. 10-4-1962, O.R.
- B** MEMORANDUM OF LEASE PER DOC. 2000-0482119 REC. 9-7-2000, O.R., AND DOC. 2000-0497293 REC. 9-15-2000, O.R.
- C** EASEMENT FOR BERM MAINTENANCE PER DOC. 2012-0658046 REC. 10-25-2012, O.R.
- D** MEMORANDUM OF GROUND LEASE PER DOC. 2014-0252193 REC. 6-18-2014, O.R.



NO	DELTA/BEARING	RADIUS	LENGTH
1	$\Delta=2^{\circ}19'33''$	2786.58'	113.11'
2	S14°55'38"E	---	935.07'

Prepared by:



6/17/2022
Date

**PLAT TO ILLUSTRATE SEWER EASEMENT
ACROSS PORTION TRACT 7
FANITA RANCHO MAP NO. 790**

EASEMENT
APN 383-080-03
APN 383-080-04
DOC. NO. --
SHEET: 2 OF 2

EXHIBIT A

ALL THAT PORTION OF TRACT 7 OF FANITA RANCHO ACCORDING TO MAP NO. 790, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 21, 1894, O.R., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND BEING 100 FEET IN WIDTH LYING 50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE EASTERLY TERMINUS OF COURSE 43 OF PARCEL MAP NO. 16978, IN THE CITY OF SANTEE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY OCTOBER 19, 1992 AS FILE NO. 92-0665040, O.R.; THENCE, SOUTH $64^{\circ}09'19''$ WEST 304.58 FEET ALONG SAID COURSE 43 TO THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING BEING A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2,786.58 FEET, A RADIAL LINE TO SAID TRUE POINT OF BEGINNING BEARS SOUTH $77^{\circ}23'55''$ WEST; THENCE SOUTHERLY 113.11 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $2^{\circ}19'33''$; THENCE SOUTH $14^{\circ}55'38''$ EAST 935.07 FEET TO A POINT ON COURSE 44A OF SAID PARCEL MAP NO. 16978.

THE NORTHEASTERLY SIDELINE OF SAID STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED TO TERMINATE ON THE EAST AT SAID COURSE 44A OF PARCEL MAP NO. 16978, AND ON THE NORTH AT SAID COURSE 43 OF PARCEL MAP 16978. THE SOUTHWESTERLY SIDELINE OF SAID STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED TO TERMINATE ON THE EAST AT A LINE LYING 20 FEET WEST OF MEASURED AT A RIGHT ANGLE TO AND PARALLEL WITH SAID COURSE 44A OF PARCEL MAP NO. 16978, AND ON THE NORTH AT SAID COURSE 43 OF PARCEL MAP 16978.

EXCEPTING THEREFROM A STRIP OF LAND BEING 50 FEET IN WIDTH LYING 25 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE EASTERLY TERMINUS OF COURSE 43 OF PARCEL MAP NO. 16978, IN THE CITY OF SANTEE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY OCTOBER 19, 1992 AS FILE NO. 92-0665040, O.R.; THENCE, SOUTH $64^{\circ}09'19''$ WEST 304.58 FEET ALONG SAID COURSE 43 TO THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING BEING A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2,786.58 FEET, A RADIAL LINE TO SAID TRUE POINT OF BEGINNING BEARS SOUTH $77^{\circ}23'55''$ WEST; THENCE SOUTHERLY 113.11 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $2^{\circ}19'33''$; THENCE SOUTH $14^{\circ}55'38''$ EAST 935.07 FEET TO A POINT ON COURSE 44A OF SAID PARCEL MAP NO. 16978.

THE SIDELINES OF SAID STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED TO TERMINATE ON THE EAST AT SAID COURSE 44A OF PARCEL MAP NO. 16978, AND ON THE NORTH AT SAID COURSE 43 OF PARCEL MAP 16978.

AREA EQUALS 51,427 SQUARE FEET, MORE OR LESS.

APN: 383-080-03 (48,726 SQUARE FEET) AND 383-080-04 (2,701 SQUARE FEET)

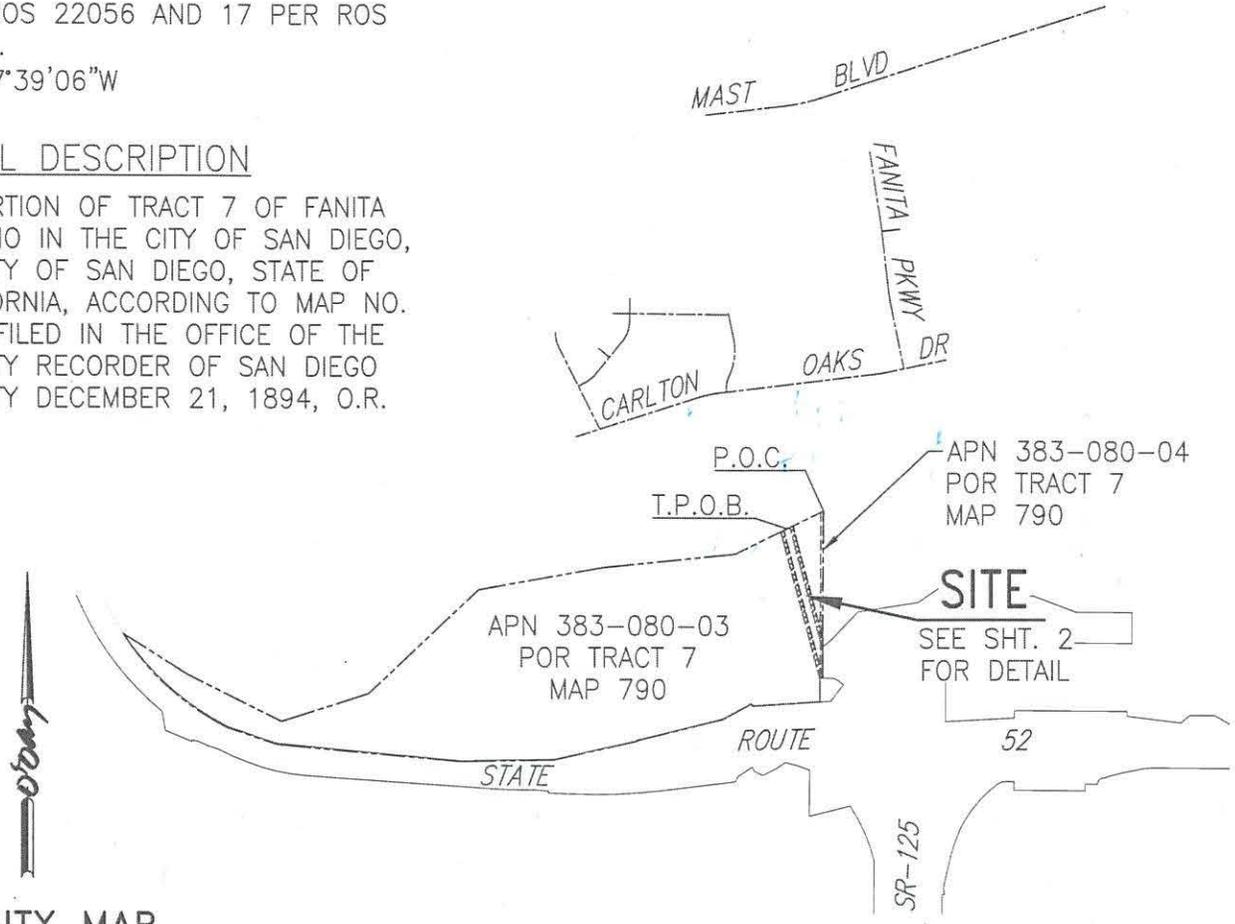
EXHIBIT B

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAN IS THE CALIFORNIA COORDINATE SYSTEM (CCS 83), ZONE 6, EPOCH 1991.35, CONSTRAINING TO HORIZONTAL CONTROL POINTS SDRF1 PER ROS 22056 AND 17 PER ROS 14492.
IE S77°39'06"W

LEGAL DESCRIPTION

A PORTION OF TRACT 7 OF FANITA RANCHO IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 790, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY DECEMBER 21, 1894, O.R.



VICINITY MAP
NO SCALE

LEGEND:

- TEMPORARY CONSTRUCTION EASEMENT
- EASEMENT CENTERLINE
- SUBDIVISION BOUNDARY
- EXISTING LOT/PARCEL LINES
- 50' WIDE SEWER EASEMENT PER SEPARATE DOCUMENT
- RIGHT-OF-WAY (R/W)
- EXISTING EASEMENT LINES
- MUNICIPAL BOUNDARY

	AREA
	383-080-03: 48726 SF
	383-080-04: 2701 SF



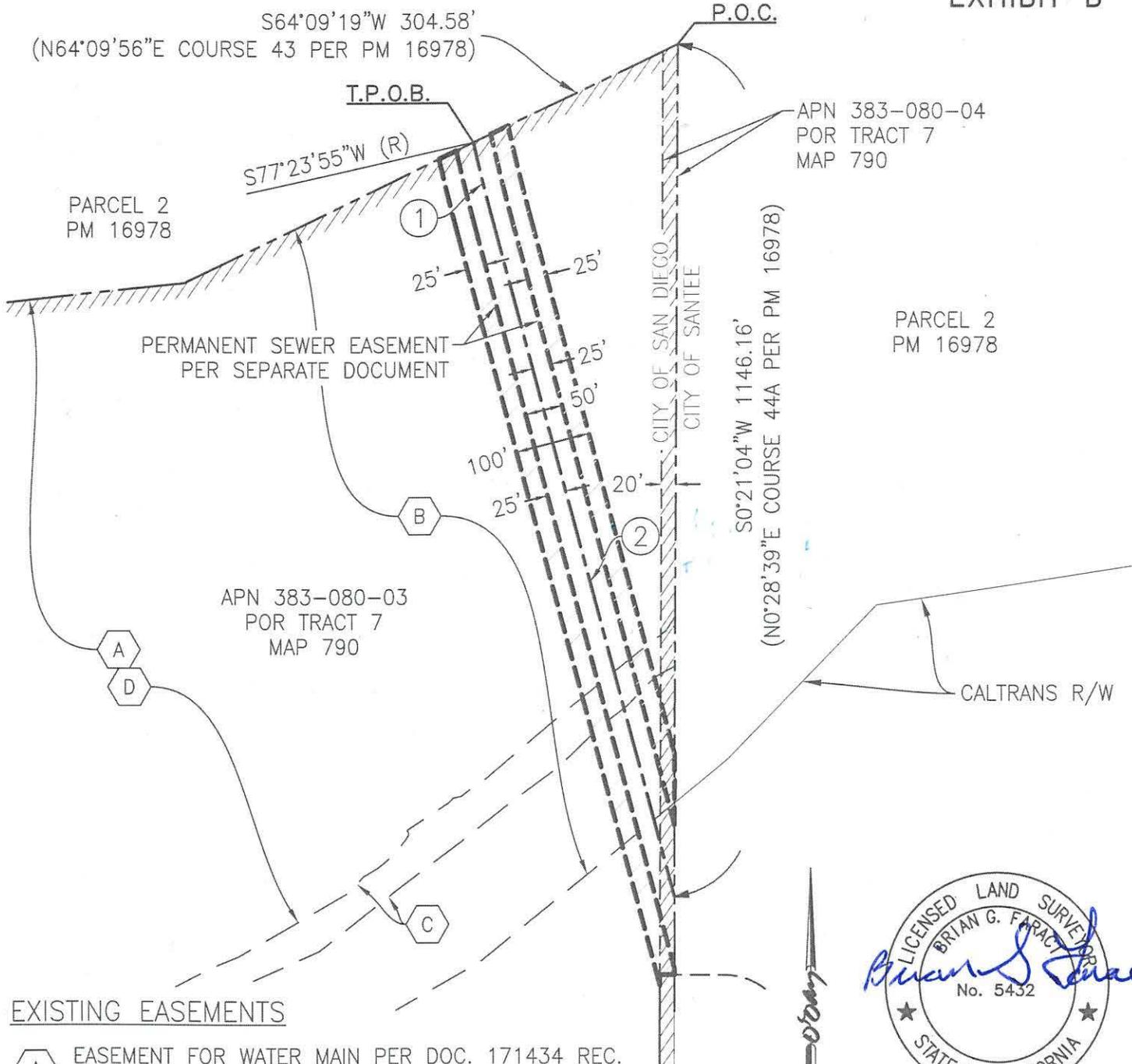
Prepared by:



6/17/2022
Date

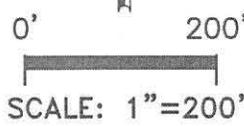
PLAT TO ILLUSTRATE TEMPORARY CONSTRUCTION EASEMENT ACROSS PORTION TRACT 7 FANITA RANCHO MAP NO. 790

EASEMENT
APN 383-080-03
APN 383-080-04
DOC. NO. -
SHEET: 1 OF 2



EXISTING EASEMENTS

- A** EASEMENT FOR WATER MAIN PER DOC. 171434 REC. 10-4-1962, O.R.
- B** MEMORANDUM OF LEASE PER DOC. 2000-0482119 REC. 9-7-2000, O.R., AND DOC. 2000-0497293 REC. 9-15-2000, O.R.
- C** EASEMENT FOR BERM MAINTENANCE PER DOC. 2012-0658046 REC. 10-25-2012, O.R.
- D** MEMORANDUM OF GROUND LEASE PER DOC. 2014-0252193 REC. 6-18-2014, O.R.



6-27-22

NO	DELTA/BEARING	RADIUS	LENGTH
1	$\Delta=2^{\circ}19'33''$	2786.58'	113.11'
2	S14°55'38"E	---	935.07'

Prepared by:



6/17/2022
Date

**PLAT TO ILLUSTRATE TEMPORARY
CONSTRUCTION EASEMENT ACROSS
PORTION TRACT 7
FANITA RANCHO MAP NO. 790**

EASEMENT
APN 383-080-03
APN 383-080-04
DOC. NO. -
SHEET: 2 OF 2

EXHIBIT 3

RESOLUTION 2022-08

RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST COUNTY ADVANCED WATER PURIFICATION JOINT POWERS AUTHORITY DECLARING THAT ACQUISITION OF REAL PROPERTY GENERALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS 383-080-05, -03 (PORTION), AND -04 (PORTION), INCLUDING RELATED IMPROVEMENTS, A NEARBY 174-FOOT LONG, 48-INCH DIAMETER GRAVITY SEWER PIPE, AND PERMANENT EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS ON 383-080-03 AND -04 IS NECESSARY FOR THE EAST COUNTY ADVANCED WATER PURIFICATION PROJECT

WHEREAS, the East County Advanced Water Purification Joint Powers Authority ("JPA") is a California joint powers authority established pursuant to the Joint Exercise of Powers Act (Gov. Code § 6500 et seq.) and a Joint Exercise of Powers Agreement effective November 1, 2019; and

WHEREAS, pursuant to Government Code Section 6509 and Section 1.5.1 of the Joint Exercise of Powers Agreement, the JPA has all powers common to its member agencies, subject to the restrictions upon the manner of exercising powers possessed by the City of El Cajon, a charter city; and

WHEREAS, the JPA proposes to acquire real property owned by the City of San Diego ("City") generally identified as Assessor's Parcel Numbers ("APN") 383-080-05, -03 (portion), and -04 (portion), including related improvements, and a nearby 174-foot long, 48-inch diameter gravity sewer pipe (collectively, the "Subject Property"), permanent easements on portions of APNs 383-080-03 and -04 ("Permanent Easements"), and temporary construction easements on portions of APNs 383-080-03 and -04 (the "TCEs," and together with the Permanent Easements, the "Easements") for the East County Advanced Water Purification ("AWP") Project ("Project"), pursuant to Government Code section 37350.5 and Code of Civil Procedure section 1240.040; and

WHEREAS, pursuant to Code of Civil Procedure section 1245.235, the JPA scheduled a public hearing for May 19, 2022, at 2:00 p.m. in the Board Room of Padre Dam Municipal Water District, 9300 Fanita Parkway, Santee, CA 92071, and gave to each person whose property is to be acquired and whose name and address appears on the last equalized county assessment roll, notice and a reasonable opportunity to appear at said hearing and be heard on the matters referred to in Code of Civil Procedure section 1240.030; and

WHEREAS, said hearing has been held by the JPA and each person whose property is to be acquired by eminent domain was afforded the opportunity to be heard on said matters; and

WHEREAS, the JPA may adopt a resolution of necessity pursuant to Code of Civil Procedure section 1240.040.

NOW THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED, by a vote of two-thirds or more of all members of the Board of the JPA as follows:

Section 1. Notice and Hearing Compliance.

The JPA has provided notice of this hearing as required by Code of Civil Procedure section 1245.235.

Section 2. Compliance with the California Environmental Quality Act.

The Padre Dam Municipal Water District (the "District"), as lead agency for the Project, prepared an Initial Study/Mitigated Negative Declaration ("MND"; SCH No. 2018091029) that analyzed the Project's

potential environmental impacts under the California Environmental Quality Act (“CEQA”) and concluded that the Project would have less than significant impacts with the implementation of identified mitigation measures. On December 5, 2018, the District adopted the MND and approved the Project. Thereafter, the JPA reviewed and considered the MND as a responsible agency for the Project. On February 20, 2020, the JPA adopted the MND for the Project under CEQA, adopted a Mitigation Monitoring and Reporting Program (“MMRP”) for the Project, and approved the Project. Shortly thereafter, the JPA filed a Notice of Determination documenting its adoption of the MND and MMRP, and its approval of the Project.

No additional environmental review is necessary for the Project under State CEQA Guidelines section 15162, as none of the conditions set forth in State CEQA Guidelines section 15162(a) exist. Notably, the Subject Property and Easements that JPA seeks to acquire are within the project alignment analyzed in the MND. Accordingly, the acquisition of the Subject Property and Easements does not constitute a substantial change in the Project that will require major revisions of the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The potential environmental impacts of the Project’s alignment, which this acquisition would not alter, have already been analyzed. The JPA’s acquisition of the Subject Property and Easements is merely a subsequent approval for an already-approved Project for which an MND has already been adopted under CEQA.

Section 3. Public Use.

The public use for which the real property is to be acquired is for the JPA’s proposed Project to create a new, local, sustainable and drought proof drinking water supply for East San Diego County. The Project will purify East County’s recycled water using advanced water purification technologies before sending the purified water through a proposed pipeline to Lake Jennings. The Subject Property and Permanent Easements are needed for various conveyance facilities of influent to and effluent from wastewater treatment and advanced water purification facilities that are part of the Project. The TCEs are needed for construction of the above-described facilities. The JPA is authorized to acquire by eminent domain property necessary for such a purpose in accordance with Government Code section 37350.5 and Code of Civil Procedure section 1240.040.

Section 4. Description of Property.

The Subject Property is generally described as APNs 383-080-05, -03 (portion), and -04 (portion), including related improvements and nearby 174-foot long, 48-inch diameter gravity sewer pipe. The Easements are described as permanent easements on APNs 383-080-03 and 383-080-04 and temporary construction easements on APNs 383-080-03 and 383-080-04. Attached hereto as Exhibits A through G are the legal descriptions and depictions of the real property interests required for the Project, which describe the general location of the Subject Property and Easements to be acquired by the JPA with sufficient detail for reasonable identification.

Section 5. Findings.

The JPA hereby finds and determines the following:

- a. The public interest and necessity require the proposed Project; and
- b. The proposed Project is planned or located in the manner that will be the most compatible with the greatest public good and least private injury; and
- c. The Subject Property and Easements are necessary for the proposed Project; and
- d. The offer required by Government Code section 7267.2 was made.

Section 6. Use Not Unreasonably Interfering with Existing Public Use(s).

Some of the property includes existing public facilities. The proposed acquisition of those facilities with the proposed improvements will not unreasonably interfere with or impair the public use as it now exists or may reasonably be expected to exist in the future, as the JPA will continue to use the facilities for the same or similar purposes, in addition to the enhanced uses for the Project. Some or all of the real property to be acquired is subject to easements and rights-of-way appropriated to existing public uses. The legal descriptions of these easements and rights-of-way are on file with the JPA and describe the general location and extent of the easements and rights-of-way with sufficient detail for reasonable identification. In the event the herein described use or uses will not unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, counsel for the JPA is authorized to acquire the real property subject to such existing public use(s) pursuant to section 1240.510 of the California Code of Civil Procedure.

Section 7. More Necessary Public Use.

Some or all of the real property to be acquired may be devoted to other public uses or easements and rights-of-way appropriated to existing public uses. To the extent that the herein described use or uses will unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, the JPA finds and determines that the herein described use or uses are more necessary than said existing public use. Counsel for the JPA is authorized to acquire the real property appropriated to such existing public use(s) pursuant to section 1240.610 of the California Code of Civil Procedure. The JPA Administrator is further authorized to make such improvements to the real property being acquired that it determines is reasonably necessary to mitigate any adverse impact upon the existing public use.

Section 8. Further Activities.

Best Best & Krieger LLP (“BBK”), as counsel for the JPA, is hereby authorized to acquire the described real property in the name of and on behalf of the JPA by eminent domain. BBK is further authorized to institute and prosecute such legal proceedings as may be required. BBK may take such steps as may be authorized and required by law, and make such deposits as may be required, to permit the JPA to take possession of and use said real property at the earliest possible time. BBK is further authorized to correct any errors or to make or agree to non-material changes in the legal descriptions of the real property that is deemed necessary for the conduct of the condemnation action, or any other proceedings or transactions required to acquire the Subject Property and Easements.

Section 9. Severability.

If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are severable. The Board of Directors hereby declares that it would have adopted this resolution irrespective of the invalidity of any particular portion thereof.

Section 10. Effective Date.

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the East County Advanced Water Purification Joint Powers Authority on May 19, 2022, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:



Board Chair

ATTEST:



Board Secretary

EXHIBITS: EXHIBITS A - G

EXHIBIT A

EXHIBIT "A"
LAND SALE AND ACCESS EASEMENT RESERVATION

THAT PORTION OF LOT 1 OF THE RESUBDIVISION OF PART OF FANITA RANCHO, ACCORDING TO MAP NO. 1703, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, FEBRUARY 28, 1918 AND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA AS FILE NO. 72380, RECORDED MARCH 28, 1972 IN THE OFFICE OF SAID RECORDER, ALONG WITH THAT PORTION OF TRACT T OF RANCHO EL CAJON BEING ALSO A PORTION OF LOT 7 OF FANITA RANCHO, ACCORDING TO MAP THEREOF NO. 790, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 21, 1894, DESCRIBED AS PARCEL 28057-2, IN FINAL ORDER OF CONDEMNATION TO THE STATE OF CALIFORNIA AS DOCUMENT NO. 1995-0079132, RECORDED FEBRUARY 23, 1995, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS DISC STAMPED "CALTRANS BM 52-13.6 1984", BEING POINT NO. 147 ACCORDING TO RECORD OF SURVEY MAP NO. 14492, FILED IN THE OFFICE OF THE COUNTY RECORDER ON MARCH 31, 1994, WHICH BEARS NORTH 71°00'53" WEST 19755.94 FEET FROM A BRASS DISK STAMPED "USC&GS G 281 1955", BEING POINT NO. 54 ACCORDING TO SAID RECORD OF SURVEY MAP NO. 14492; THENCE SOUTH 72°59'42" EAST 5767.29 FEET TO A 1" IRON PIPE WITH BRASS DISC STAMPED "CAL DOT" PER RECORD OF SURVEY MAP NO. 16019, FILED IN THE OFFICE OF THE COUNTY RECORDER ON JANUARY 8, 1999, SAID POINT BEING THE NORTHWEST TERMINUS OF COURSE NO. 1 OF PARCEL 28057-1 IN FINAL ORDER OF CONDEMNATION TO THE STATE OF CALIFORNIA RECORDED FEBRUARY 23, 1995 AS DOCUMENT NO. 1995-0079132 OF OFFICIAL RECORDS, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF PARCEL 28057-2 IN SAID FINAL ORDER OF CONDEMNATION AND THE SOUTHEAST CORNER OF LAND PER DEED TO THE CITY OF SAN DIEGO RECORDED AUGUST 8, 1997 AS DOC. NO. 1997-1380426 OF OFFICIAL RECORDS (CITY LAND), SAID POINT HEREINAFTER REFERRED TO AS POINT "A" AND ALSO BEING THE **TRUE POINT OF BEGINNING**;

1. THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 28057-1 AND THE SOUTHERLY LINE OF SAID PARCEL 28057-2 AND SAID CITY LINE SOUTH 86°39'57" WEST (RECORD SOUTH 86°40'21" WEST) 381.59 FEET
2. THENCE LEAVING SAID NORTHERLY LINE NORTH 00°06'23" WEST 96.24 FEET;
3. THENCE NORTH 67°54'04" EAST 135.63 FEET;
4. THENCE NORTH 00°56'01" WEST 42.44 FEET;
5. THENCE NORTH 70°06'48" EAST 142.36 FEET;
6. THENCE NORTH 89°49'39" EAST 58.22 FEET TO THE CENTER MERIDIAN LINE OF SECTION 29 IN TOWNSHIP 15 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN;
7. THENCE ALONG SAID CENTER MERIDIAN LINE SOUTH 0°28'47" WEST 41.54 FEET TO THE NORTHERLY LINE OF SAID PARCEL 28057-2 AND SAID CITY LAND;
8. THENCE LEAVING SAID CENTER MERIDIAN LINE ALONG SAID NORTHERLY LINE SOUTH 89°54'24" EAST 67.00 FEET TO THE BEGINNING OF A TANGENT 88.00-FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY;

9. THENCE CONTINUING ALONG SAID NORTHERLY LINE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°38'10" A DISTANCE OF 57.80 FEET;
10. THENCE CONTINUING ALONG SAID NORTHERLY LINE SOUTH 52°16'14" EAST 51.18 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 28057-2 AND SAID CITY LAND AND THE BEGINNING OF A NON-TANGENT 930.00-FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 51°03'00" WEST;
11. THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 28057-2 AND SAID CITY LAND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 1°13'14" A DISTANCE OF 19.81 FEET;
12. THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE SOUTH 37°43'46" WEST 138.08 FEET TO THE **TRUE POINT OF BEGINNING**.

AREA = 75,187 SQUARE FEET (1.726 ACRES), MORE OR LESS

RESERVING THEREFROM AN ACCESS EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT "A"; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 28057-2 NORTH 37°43'46" EAST 132.08 FEET TO THE **TRUE POINT OF BEGINNING**;

1. THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE NORTH 37°43'46" EAST 6.00 FEET TO THE BEGINNING OF A TANGENT 930.00-FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY;
2. THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°22'11" A DISTANCE OF 6.00 FEET;
3. THENCE LEAVING SAID SOUTHEASTERLY LINE NORTH 52°13'30" WEST 45.97 FEET TO THE BEGINNING OF A TANGENT 69.00-FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY;
4. THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°52'25" A DISTANCE OF 45.61 FEET;
5. THENCE SOUTH 89°54'05" WEST 265.42 FEET;
6. THENCE SOUTH 00°56'01" EAST 12.00 FEET;
7. THENCE NORTH 89°54'05" EAST 265.24 FEET TO THE BEGINNING OF A TANGENT 57.00-FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY;
8. THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°52'25" A DISTANCE OF 37.68 FEET;
9. THENCE SOUTH 52°13'30" EAST 45.96 FEET TO THE **TRUE POINT OF BEGINNING**.

AREA = 4,235 SQUARE FEET (0.097 ACRES), MORE OR LESS

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE VI (UNLESS OTHERWISE NOTED). MULTIPLY DISTANCES SHOWN BY 1.0000198 TO OBTAIN GROUND DISTANCES.

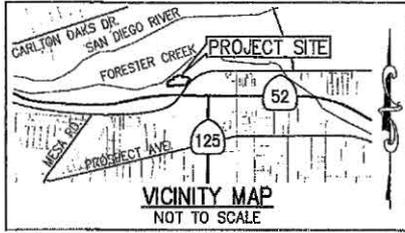
ATTACHED HERETO IS CITY OF SAN DIEGO DRAWING NO. 41361-B LABELED EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

SIGNATURE Joel D. Riipinen 9/16/21
JOEL D. RIIPINEN DATE
PLS 7942



EXHIBIT B

EXHIBIT "B"

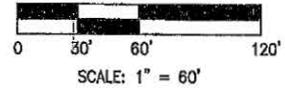


BASIS OF BEARINGS

THE GRID BEARING BETWEEN POINT NO. 54 AND POINT NO. 147 PER ROS 14492. I.E., N 71°00'53" W

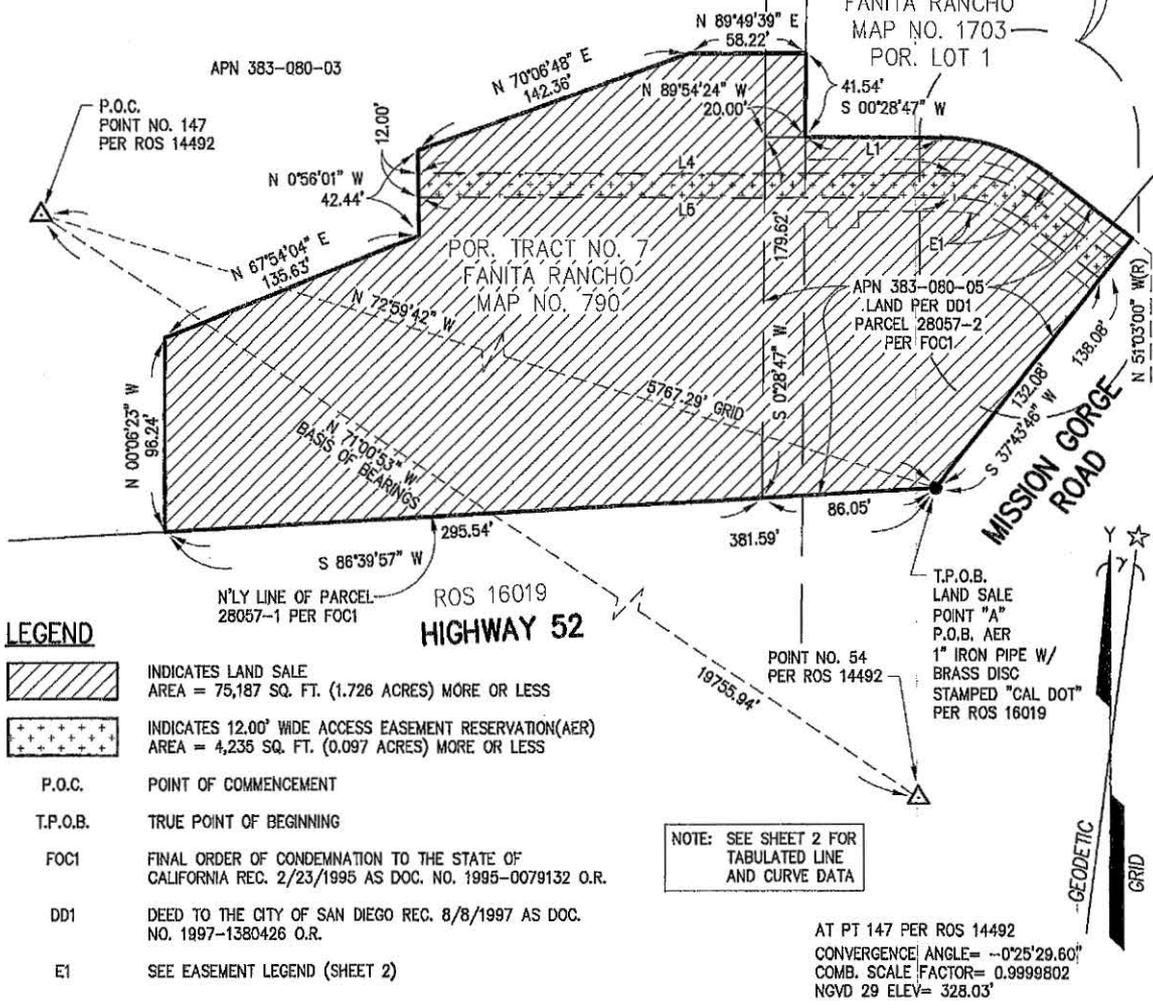
REFERENCES

MAP NO. 790
MAP NO. 1703
ROS 14492
ROS 16019

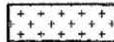


CENTER MERIDIAN LINE OF SECTION 29 IN TOWNSHIP 15 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN

SEE DETAIL SHEET 2



LEGEND

-  INDICATES LAND SALE
AREA = 75,187 SQ. FT. (1.726 ACRES) MORE OR LESS
-  INDICATES 12.00' WIDE ACCESS EASEMENT RESERVATION (AER)
AREA = 4,235 SQ. FT. (0.097 ACRES) MORE OR LESS
- P.O.C. POINT OF COMMENCEMENT
- T.P.O.B. TRUE POINT OF BEGINNING
- FOC1 FINAL ORDER OF CONDEMNATION TO THE STATE OF CALIFORNIA REC. 2/23/1995 AS DOC. NO. 1995-0079132 O.R.
- DD1 DEED TO THE CITY OF SAN DIEGO REC. 8/8/1997 AS DOC. NO. 1997-1380426 O.R.
- E1 SEE EASEMENT LEGEND (SHEET 2)

NOTE: SEE SHEET 2 FOR TABULATED LINE AND CURVE DATA

AT PT 147 PER ROS 14492
CONVERGENCE ANGLE= -0°25'29.60"
COMB. SCALE FACTOR= 0.9999802
NGVD 29 ELEV= 328.03'

AGUIRRE & ASSOCIATES
8363 CENTER DRIVE, SUITE 5A
LA MESA CA 91942 (619) 464-6978
Joel D. Riipinen 9/16/21
JOEL D. RIIPINEN L.S. 7942 DATE



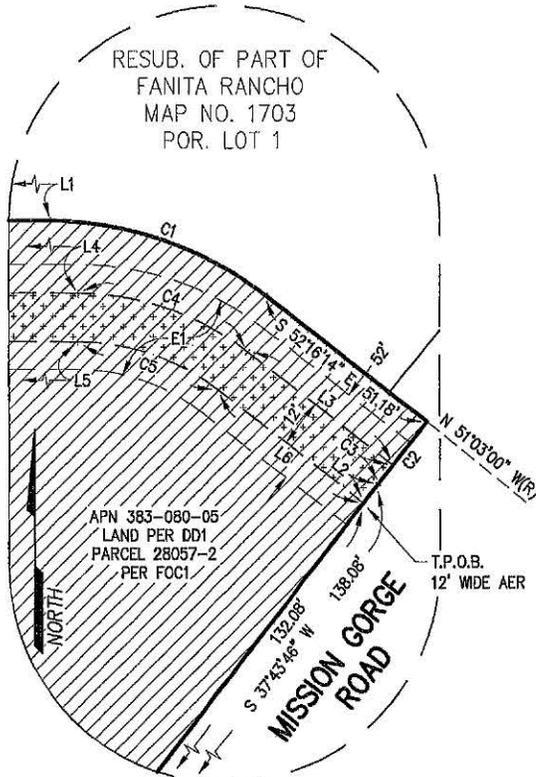
RESOLUTION No. _____
RECORDED _____
DOCUMENT No. _____
RECORDED _____

LAND SALE AND ACCESS EASEMENT RESERVATION

PORTION OF LOT 1 OF RESUB. FANITA RANCHO, MAP 1703, ALONG WITH THAT PORTION OF TRACT T RANCHO EL CAJON, BEING A PORTION OF TRACT 7 OF FANITA RANCHO MAP 790

DESCRIPTION	BY	APPROVED DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS 633065
ORIGINAL	JR			SHEET 1 OF 2 SHEETS	L.O. 21004705
				FOR CITY LAND SURVEYOR	DATE
					1885-6329
					CCS 83 COORDINATES
					242-1767
					NAD 27 COORDINATES
					41361-1-B
STATUS					

EXHIBIT "B"



DETAIL
SCALE: 1" = 30'

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	N 89°54'24" W	67.00'
L2	N 37°43'46" E	6.00'
L3	N 52°13'30" W	45.97'
L4	S 89°54'05" W	285.42'
L5	N 89°54'05" E	285.24'
L6	S 52°13'30" E	45.96'

CURVE TABLE			
CURVE NO.	DELTA	RADIUS	LENGTH
C1	37°38'10"	88.00'	57.80'
C2	1°13'14"	930.00'	19.81'
C3	0°22'11"	930.00'	6.00'
C4	37°52'25"	69.00'	45.61'
C5	37°52'25"	57.00'	37.68'

EASEMENT LEGEND

E1 A RIGHT-OF-WAY EASEMENT IN FAVOR OF PADRE DAM MUNICIPAL WATER DISTRICT REC. 5/3/2001 AS DOC. NO. 2001-0279319 O.R.

AN ACCESS EASEMENT IN FAVOR OF THE CITY OF SAN DIEGO REC. 10/25/2012 AS INST. NO. 2012-0658045 O.R. IS NOT PLOTTABLE.

NO OTHER EASEMENTS APPEAR TO BE IN THE VICINITY OF THE PERMANENT ACQUISITION AREA.

EASEMENT DATA HEREON IS DISCLOSED IN BNT TITLE COMPANY OF CALIFORNIA PRELIMINARY REPORT ORDER NO. CA18143433 A DATED DECEMBER 28, 2018 AT 7:30 AM.

AGUIRRE & ASSOCIATES
8363 CENTER DRIVE, SUITE 5A
LA MESA CA 91942 (619) 464-6978

Joel D. Riipinen 9/16/21
JOEL D. RIIPINEN L.S. 7942 DATE



RESOLUTION No. _____
RECORDED _____
DOCUMENT No. _____
RECORDED _____

LAND SALE AND ACCESS EASEMENT RESERVATION

PORTION OF LOT 1 OF RESUB. FANITA RANCHO, MAP 1703, ALONG WITH THAT PORTION OF TRACT T RANCHO EL CAJON, BEING A PORTION OF TRACT 7 OF FANITA RANCHO MAP 790

DESCRIPTION	BY	APPROVED DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS 633065
ORIGINAL	JR			SHEET 2 OF 2 SHEETS	I.O. 21004705
				FOR CITY LAND SURVEYOR DATE	1885-6329
					CCS 83 COORDINATES
					242-1767
					NAD 27 COORDINATES
					41361-2-B
STATUS					

EXHIBIT C

EXHIBIT A

ALL THAT PORTION OF TRACT 7 OF FANITA RANCHO ACCORDING TO MAP NO. 790, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 21, 1894, O.R., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND BEING 50 FEET IN WIDTH LYING 25 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE EASTERLY TERMINUS OF COURSE 43 OF PARCEL MAP NO. 16978, IN THE CITY OF SANTEE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON OCTOBER 19, 1992 AS FILE NO. 92-0665040, O.R.; THENCE, SOUTH 64°09'19" WEST 304.58 FEET ALONG SAID COURSE 43 TO THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING BEING A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2,786.58 FEET, A RADIAL LINE TO SAID TRUE POINT OF BEGINNING BEARS SOUTH 77°23'55" WEST; THENCE SOUTHERLY 113.11 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°19'33"; THENCE SOUTH 14°55'38" WEST 935.07 FEET TO A POINT ON COURSE 44A OF SAID PARCEL MAP NO. 16978.

THE SIDELINES OF SAID STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED TO TERMINATE ON THE EAST AT COURSE 44A OF SAID PARCEL MAP NO. 16978, AND ON THE NORTH AT COURSE 43 OF SAID PARCEL MAP 16978.

AREA EQUALS 52,409 SQUARE FEET, MORE OR LESS.

APN: 383-080-03 (48,689 SQUARE FEET) AND 383-080-04 (3,720 SQUARE FEET)

EXHIBIT D

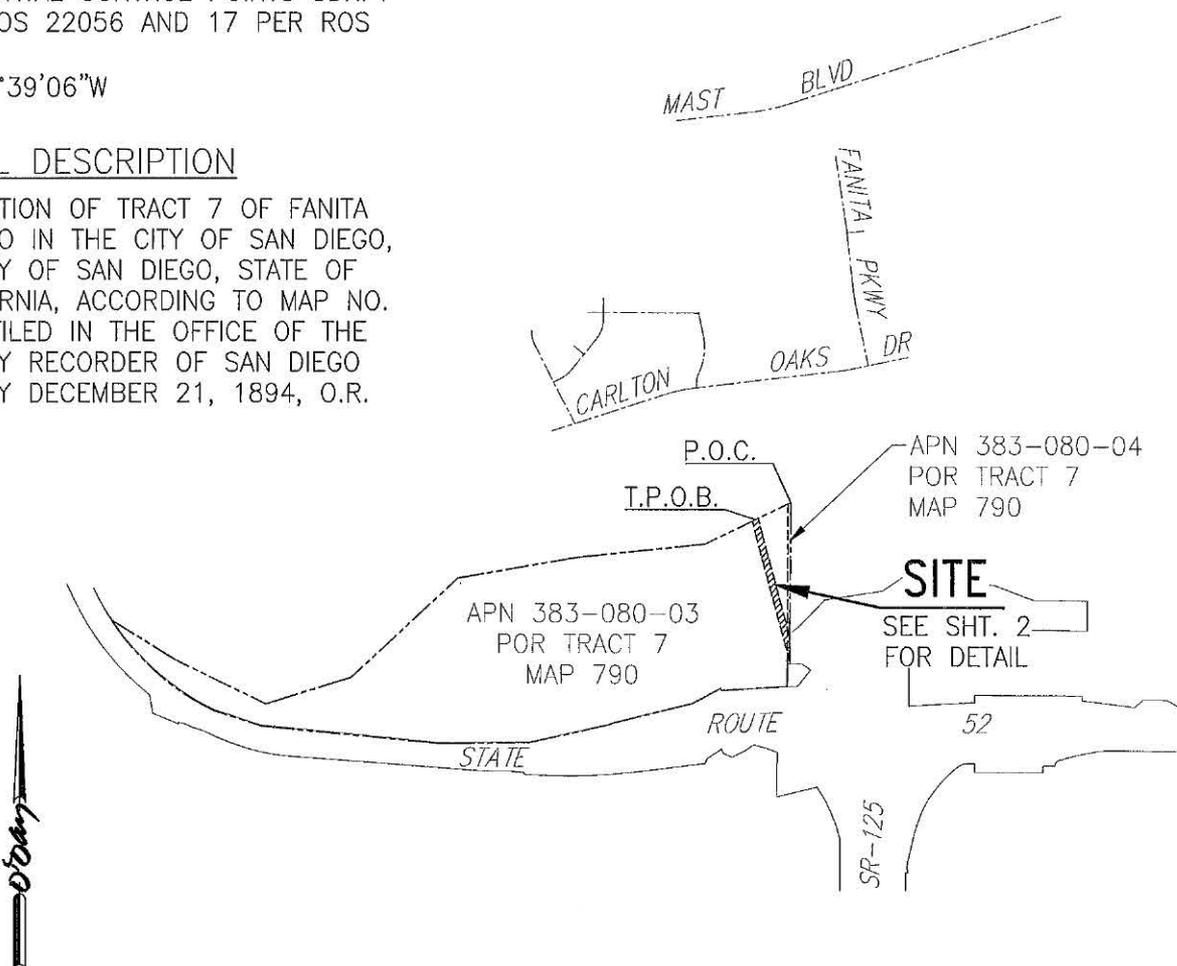
EXHIBIT B

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAN IS THE CALIFORNIA COORDINATE SYSTEM (CCS 83), ZONE 6, EPOCH 1991.35, CONSTRAINING TO HORIZONTAL CONTROL POINTS SDRF1 PER ROS 22056 AND 17 PER ROS 14492.
IE S77°39'06"W

LEGAL DESCRIPTION

A PORTION OF TRACT 7 OF FANITA RANCHO IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 790, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY DECEMBER 21, 1894, O.R.



VICINITY MAP
NO SCALE



LEGEND:

- PROPOSED SEWER EASEMENT EASEMENT CENTERLINE
- SUBDIVISION BOUNDARY
- EXISTING LOT/PARCEL LINES
- TEMPORARY CONSTRUCTION EASEMENT PER SEPARATE DOCUMENT
- RIGHT-OF-WAY (R/W)
- EXISTING EASEMENT LINES
- MUNICIPAL BOUNDARY

AREA

383-080-03: 48689 SF
383-080-04: 3720 SF

Prepared by:

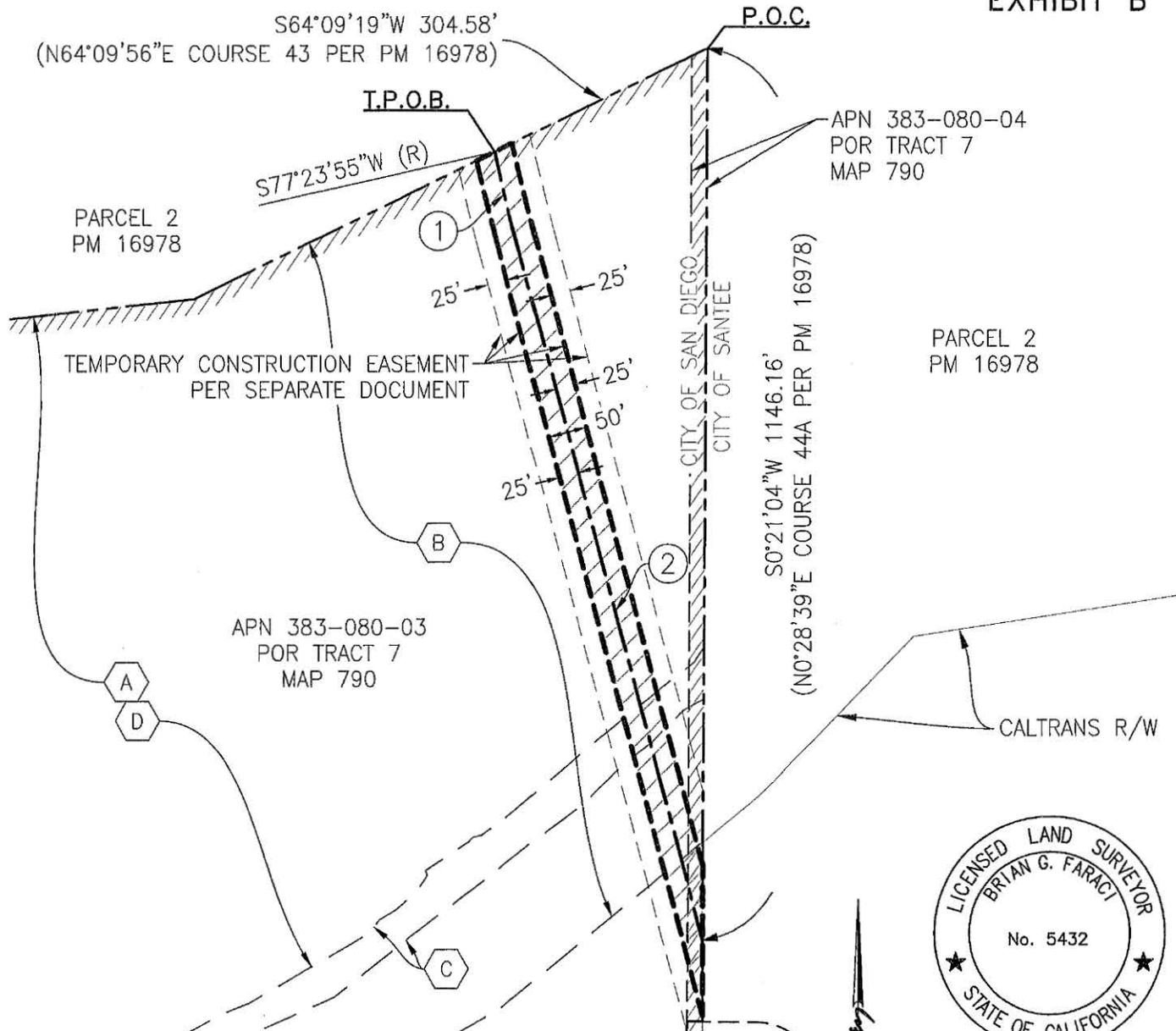
O'Day
CONSULTANTS

5/3/2022
Date

**PLAT TO ILLUSTRATE SEWER EASEMENT
ACROSS PORTION TRACT 7
FANITA RANCHO MAP NO. 790**

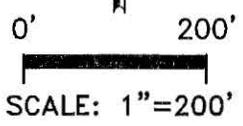
EASEMENT

APN 383-080-03
APN 383-080-04
DOC. NO. -
SHEET: 1 OF 2



EXISTING EASEMENTS

- A** EASEMENT FOR WATER MAIN PER DOC. 171434 REC. 10-4-1962, O.R.
- B** MEMORANDUM OF LEASE PER DOC. 2000-0482119 REC. 9-7-2000, O.R., AND DOC. 2000-0497293 REC. 9-15-2000, O.R.
- C** EASEMENT FOR BERM MAINTENANCE PER DOC. 2012-0658046 REC. 10-25-2012, O.R.
- D** MEMORANDUM OF GROUND LEASE PER DOC. 2014-0252193 REC. 6-18-2014, O.R.



NO	DELTA/BEARING	RADIUS	LENGTH
1	Δ=2°19'33"	2786.58'	113.11'
2	S14°55'38"E	---	935.07'

Prepared by:

 Date: 5/3/2022

**PLAT TO ILLUSTRATE SEWER EASEMENT
 ACROSS PORTION TRACT 7
 FANITA RANCHO MAP NO. 790**

EASEMENT
 APN 383-080-03
 APN 383-080-04
 DOC. NO. -
 SHEET: 2 OF 2

EXHIBIT E

EXHIBIT A

ALL THAT PORTION OF TRACT 7 OF FANITA RANCHO ACCORDING TO MAP NO. 790, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 21, 1894, O.R., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND BEING 100 FEET IN WIDTH LYING 50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE EASTERLY TERMINUS OF COURSE 43 OF PARCEL MAP NO. 16978, IN THE CITY OF SANTEE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON OCTOBER 19, 1992 AS FILE NO. 92-0665040, O.R.; THENCE, SOUTH 64°09'19" WEST 304.58 FEET ALONG SAID COURSE 43 TO THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING BEING A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2,786.58 FEET, A RADIAL LINE TO SAID TRUE POINT OF BEGINNING BEARS SOUTH 77°23'55" WEST; THENCE SOUTHERLY 113.11 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°19'33"; THENCE SOUTH 14°55'38" WEST 935.07 FEET TO A POINT ON COURSE 44A OF SAID PARCEL MAP NO. 16978.

THE NORTHEASTERLY SIDELINE OF SAID STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED TO TERMINATE ON THE EAST AT COURSE 44A OF SAID PARCEL MAP NO. 16978, AND ON THE NORTH AT COURSE 43 OF SAID PARCEL MAP 16978. THE SOUTHWESTERLY SIDELINE OF SAID STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED TO TERMINATE ON THE EAST AT A LINE LYING 20 FEET WEST OF MEASURED AT A RIGHT ANGLE TO AND PARALLEL TO SAID COURSE 44A OF SAID PARCEL MAP NO. 16978, AND ON THE NORTH AT COURSE 43 OF SAID PARCEL MAP 16978.

EXCEPTING THEREFROM A STRIP OF LAND BEING 50 FEET IN WIDTH LYING 25 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE EASTERLY TERMINUS OF COURSE 43 OF PARCEL MAP NO. 16978, IN THE CITY OF SANTEE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON OCTOBER 19, 1992 AS FILE NO. 92-0665040, O.R.; THENCE, SOUTH 64°09'19" WEST 304.58 FEET ALONG SAID COURSE 43 TO THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING BEING A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2,786.58 FEET, A RADIAL LINE TO SAID TRUE POINT OF BEGINNING BEARS SOUTH 77°23'55" WEST; THENCE SOUTHERLY 113.11 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°19'33"; THENCE SOUTH 14°55'38" WEST 935.07 FEET TO A POINT ON COURSE 44A OF SAID PARCEL MAP NO. 16978.

THE SIDELINES OF SAID STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED TO TERMINATE ON THE EAST AT COURSE 44A OF SAID PARCEL MAP NO. 16978, AND ON THE NORTH AT COURSE 43 OF SAID PARCEL MAP 16978.

AREA EQUALS 51,427 SQUARE FEET, MORE OR LESS.

APN: 383-080-03 (48,726 SQUARE FEET) AND 383-080-04 (2,701 SQUARE FEET)

EXHIBIT F

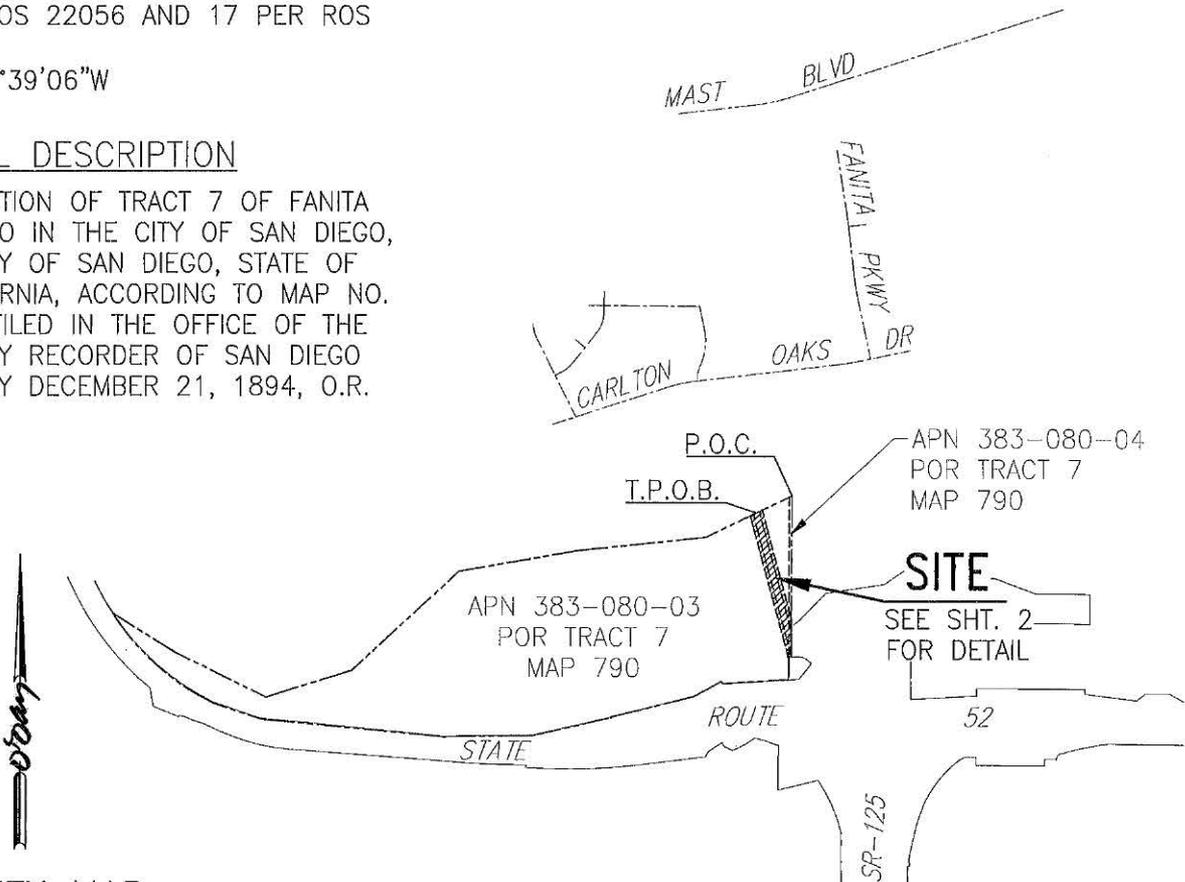
EXHIBIT B

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAN IS THE CALIFORNIA COORDINATE SYSTEM (CCS 83), ZONE 6, EPOCH 1991.35, CONSTRAINING TO HORIZONTAL CONTROL POINTS SDRF1 PER ROS 22056 AND 17 PER ROS 14492.
IE S77°39'06"W

LEGAL DESCRIPTION

A PORTION OF TRACT 7 OF FANITA RANCHO IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 790, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY DECEMBER 21, 1894, O.R.



VICINITY MAP
NO SCALE

LEGEND:

- TEMPORARY CONSTRUCTION EASEMENT
- EASEMENT CENTERLINE
- SUBDIVISION BOUNDARY
- EXISTING LOT/PARCEL LINES
- 50' WIDE SEWER EASEMENT PER SEPARATE DOCUMENT
- RIGHT-OF-WAY (R/W)
- EXISTING EASEMENT LINES
- MUNICIPAL BOUNDARY

	AREA
383-080-03:	48726 SF
383-080-04:	2701 SF



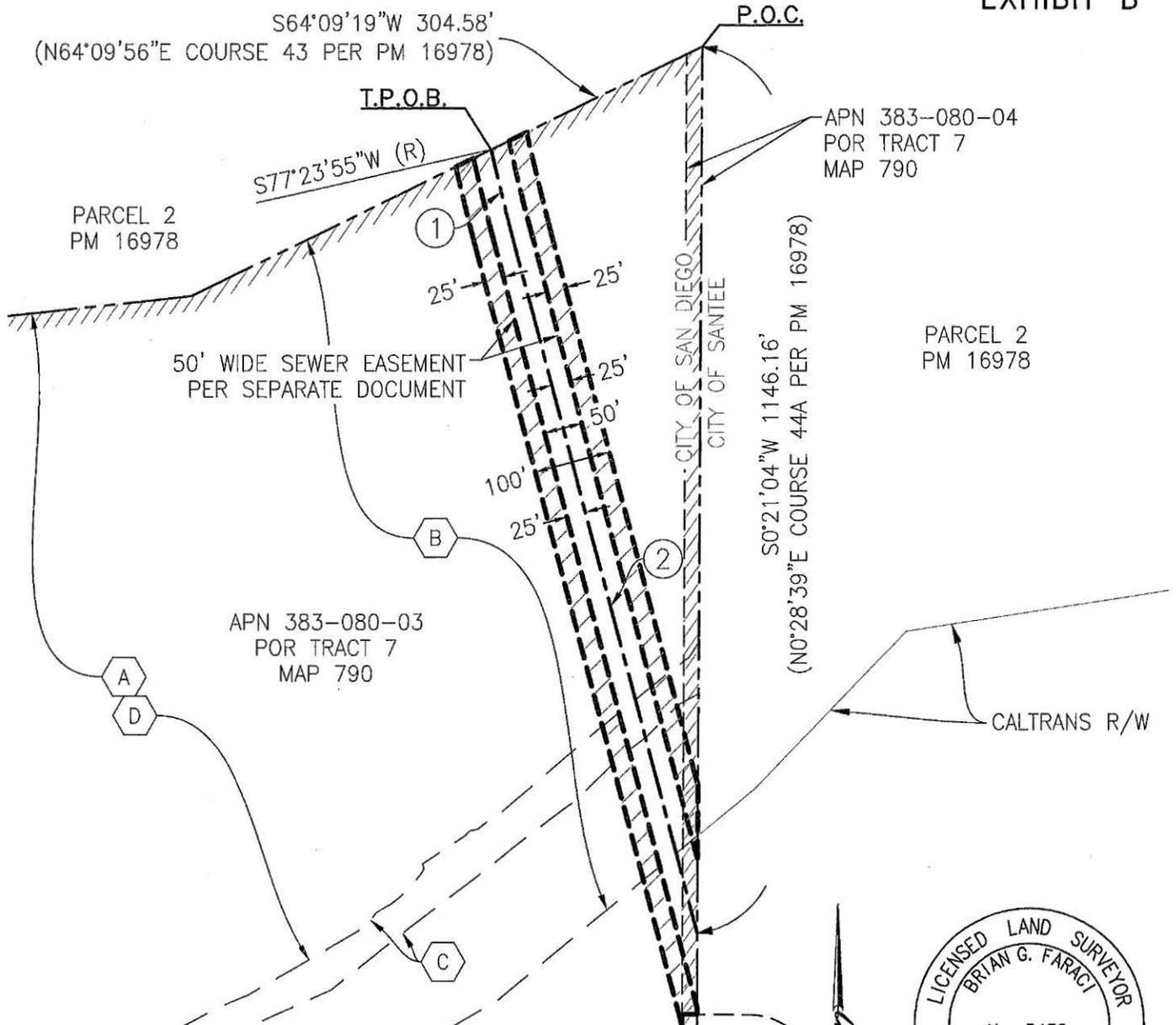
Prepared by:

O'Day
CONSULTANTS

5/3/2022
Date

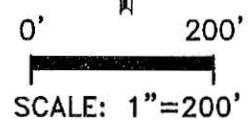
**PLAT TO ILLUSTRATE TEMPORARY
CONSTRUCTION EASEMENT ACROSS
PORTION TRACT 7
FANITA RANCHO MAP NO. 790**

EASEMENT
APN 383-080-03
APN 383-080-04
DOC. NO. -
SHEET: 1 OF 2



EXISTING EASEMENTS

- A** EASEMENT FOR WATER MAIN PER DOC. 171434 REC. 10-4-1962, O.R.
- B** MEMORANDUM OF LEASE PER DOC. 2000-0482119 REC. 9-7-2000, O.R., AND DOC. 2000-0497293 REC. 9-15-2000, O.R.
- C** EASEMENT FOR BERM MAINTENANCE PER DOC. 2012-0658046 REC. 10-25-2012, O.R.
- D** MEMORANDUM OF GROUND LEASE PER DOC. 2014-0252193 REC. 6-18-2014, O.R.



NO	DELTA/BEARING	RADIUS	LENGTH
1	$\Delta=2^{\circ}19'33''$	2786.58'	113.11'
2	S14°55'38"E	---	935.07'

Prepared by:

 Date: 5/3/2022

**PLAT TO ILLUSTRATE TEMPORARY
 CONSTRUCTION EASEMENT ACROSS
 PORTION TRACT 7
 FANITA RANCHO MAP NO. 790**

EASEMENT
 APN 383-080-03
 APN 383-080-04
 DOC. NO. -
 SHEET: 2 OF 2

EXHIBIT G



EAST MISSION GORGE
PUMP STATION

48-INCH RCP

DIVERSION STRUCTURE



1 inch = 80 feet

Sources: SanGIS, SANDAG, Eagle Aerial, PDMWD

EXHIBIT 4

#1016
9/21/2021

(R-2022-66)

RESOLUTION NUMBER R- 313714

DATE OF FINAL PASSAGE OCT 01 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING THAT THE CITY-OWNED REAL PROPERTY LOCATED AT 8810 MISSION GORGE ROAD, SANTEE, CALIFORNIA, IS EXEMPT SURPLUS LAND.

WHEREAS, the City of San Diego (City) owns the real property located at 8810 Mission Gorge Road, Santee, California, which is more specifically identified as a portion of Assessor's Parcel Number 383-080-03, a portion of Assessor's Parcel Number 383-080-04, and all of Assessor's Parcel Number 383-080-05 (collectively, the Property); and

WHEREAS, the Property was reviewed by pertinent City departments and none of these City departments requested retention of the Property for a City municipal use; and

WHEREAS, the Surplus Land Act (California Government Code sections 54220 through 54234) is generally intended to make a local agency's surplus land (*i.e.*, land not needed for the local agency's use) available for potential acquisition by affordable housing sponsors or other local public entities; and

WHEREAS, Government Code section 54221(b)(1) requires the Council to take formal action at a regular public meeting to declare the Property surplus land or exempt surplus land, as supported by written findings, before the City may take any action to dispose of the Property; and

WHEREAS, the written findings supporting an exempt surplus land declaration must be provided to the California Department of Housing and Community Development (HCD) for

review at least thirty (30) days before the City's disposition of the land pursuant to Section 400(e) of the HCD's Surplus Land Act Guidelines (SLA Guidelines); and

WHEREAS, the East County Advanced Water Purification Joint Powers Authority (East County Water JPA), which is a "local agency" as defined in California Government Code section 54221(a)(1), seeks to acquire the Property to facilitate the construction and operation of public facilities that will create a sustainable, drought-proof drinking water supply; and

WHEREAS, if the City sells the Property to the East County Water JPA for this public purpose, the Property will be exempt surplus land pursuant to California Government Code section 54221(f)(1)(D) because the City will be disposing of the Property by transferring it to another local agency for that agency's use; and

WHEREAS, declaring the Property exempt surplus land, contingent upon the City's sale of the Property to the East County Water JPA, does not require that the City sell the Property to the East County Water JPA, nor does it require that such a sale contain any specific term or condition; and

WHEREAS, a declaration that the Property is exempt surplus land is contingent upon the City's sale of the Property to the East County Water JPA, and if for any reason the City does not sell the Property to the East County Water JPA, the Council does not intend for this declaration to have any force or effect; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Property is exempt surplus land pursuant to California Government Code section 54221(f)(1)(D), contingent upon the Council's future discretionary approval of a sale of the Property to the East County Water JPA and the completion of that sale transaction.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Julie Gough Inman
Julie Gough Inman
Deputy City Attorney

JGI:jdf
08/31/2021
Or. Dept: READ
Doc. No.: 2749791

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 21 2021.

ELIZABETH S. MALAND
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 10/1/21
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on SEP 21 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 01 2021.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 313714