

ORDINANCE NO. 2015-17R

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A MASTER AND PRECISE DEVELOPMENT PLAN FOR A 112-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON APPROXIMATELY 3.44 ACRES OF LAND LOCATED ON THE NORTHEASTERN CORNER OF THE INTERSECTION OF CENTRE CITY PARKWAY AND WASHINGTON AVENUE, ADDRESSED AS 382, 426, 429, 430 AND 444 W. WASHINGTON AVENUE

Planning Case No. SUB 15-0003

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN as follows:

SECTION 1. That proper notices of a public hearing have been given and a public hearing has been held before the City Council on this issue.

SECTION 2. On July 28, 2015, the Planning Commission recommended approval of the proposed Master and Precise Development Plan to develop 112 residential condominium units on the 3.44-acre subject site.

SECTION 3. That the City Council has reviewed and considered the Mitigated Negative Declaration (City File No. SUB 15-0003) and Mitigation Monitoring Report and has determined that all environmental issues associated with the project have been addressed and no significant environmental impacts will result from approving the project.

SECTION 4. That upon consideration of the Findings of Fact, attached as Exhibit "A" and incorporated by this reference, the staff report, Planning Commission

recommendation, and all public testimony presented at the hearing held on this project, this City Council finds this Master and Precise Development Plan is consistent with the General Plan and all applicable specific plans of the City of Escondido.

SECTION 5. That the City Council desires at this time and deems it to be in the best public interest to approve the requested Master and Precise Development Plan to develop 112 residential condominium units on approximately 3.44 acres of land located on the northeastern corner of the intersection of Centre City Parkway and Washington Avenue, addressed as 382, 426, 429, 430, and 444 W. Washington Avenue, more particularly described in the attached Exhibit "C," and subject to the Conditions of Approval and Mitigation Monitoring Report attached as Exhibit "B," both of which are attached to this Ordinance and are incorporated by this reference.

SECTION 6. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be prepared in accordance with Government Code section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 26th day of August, 2015 by the following vote to wit:

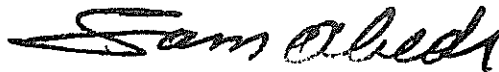
AYES : Councilmembers: DIAZ, GALLO, MORASCO, ABED

NOES : Councilmembers: NONE

ABSTAIN : Councilmembers: MASSON

ABSENT : Councilmembers: NONE

APPROVED:



SAM ABED, Mayor of the
City of Escondido, California

ATTEST:



DIANE HALVERSON, City Clerk of the
City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, DIANE HALVERSON, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2015-17R passed at a regular meeting of the City Council of the City of Escondido held on the 26th day of August, 2015, after having been read at the regular meeting of said City Council held on the 19th day of August, 2015.



DIANE HALVERSON, City Clerk of the
City of Escondido, California

ORDINANCE NO. 2015-17R

EXHIBIT "A"
FINDINGS OF FACT
SUB 15-0003

Tentative Subdivision Map

1. The proposed Tentative Subdivision Map is consistent with the maximum density of 100 dwelling units per acre permissible in the Centre City Urban District since the proposed development includes 32.6 dwelling units per acre.
2. The design and improvement of the proposed subdivision is consistent with the General Plan and the Downtown Specific Plan since the proposed residential land use is permitted in Centre City Urban District of Specific Planning Area #9 and the development is consistent with the development standards established for the Centre City Urban District of the Downtown Specific Plan, except where noted and analyzed in this staff report.
3. The site is suitable for the residential type of development proposed since the Centre City Urban District permits high-density multi-family residential development and the site is part of the city's urban core with commercial services and cultural venues located within walking distance of the proposed development. Adequate access and utilities can be provided to the site.
4. The site is physically suitable for the proposed density of development since the project is a high-density redevelopment of a blighted property in the central area of the city that will assist in the ongoing revitalization of the downtown retail core by establishing a permanent customer base in the downtown area.
5. The design of the map and type of improvements are not likely to cause substantial environmental problems or substantially and avoidably injure fish or wildlife or their habitat since no stream courses or endangered wildlife occurs on the property as determined during Environmental Review, City Log No. SUB 15-0003.
6. The design of the map and the type of improvements are not likely to cause serious public health problems since the project will not degrade the levels of service on the adjoining streets or drainage system and city sewer and water is available or can be provided with minor extension of nearby facilities.
7. The design of the map and type of improvements will not conflict with easements of record, or easements established through court judgment, or acquired by the population at large, for access through, or use of property within the proposed map once all required quitclaims and easement relocations have been accomplished. This was based on a review of all available maps and a preliminary title report submitted by the applicant. Neither the City of Escondido, nor its employees assume any responsibility for the completeness or accuracy of these documents.
8. All of the requirements of the California Environmental Quality Act have been met since it was found that the project will not have a significant effect on the environment as demonstrated in the Mitigated Negative Declaration issued on June 25, 2015, for the proposed Tentative Subdivision Map and Master and Precise Development Plan. Mitigation measures were developed to reduce potential air

quality, biological resources, hazards and hazardous materials and transportation/traffic impacts to a less than significant level.

9. The design of the map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The subdivision configuration provides opportunities for passive/solar heating and landscaping will provide opportunities for the shading of each unit.

Master and Precise Development Plan

1. The location and design of the proposed planned development is consistent with the goals and policies of the Escondido General Plan since high-density residential development is permitted and encouraged in Specific Planning Area #9. The proposed infill residential project would be in conformance with General Plan Housing Goals and Policies to expand the stock of all housing; increase homeownership; plan for quality managed and sustainable growth; and encourage a compact, efficient urban form that promotes transit, supports nearby commercial establishments and takes advantage of infrastructure improvements installed to accommodate their intended intensities.
2. The proposed location of the development allows the development to be well integrated with its surroundings near residentially and commercially developed properties because adequate parking, circulation, utilities and access would be provided for the development of the residential project (as detailed in the staff report). The residential project also would not be out of character for the area which contains other multi-story residential developments. The overall mass and scale of the buildings has been mitigated through the quality of the design, use of a variety of building materials and exterior colors; varied wall planes, roof lines and towers; as well as balconies.
3. All vehicular traffic generated by the proposed development would be accommodated safely and without causing undue congestion upon adjoining streets, according to the Mitigated Negative Declaration, issued June 25, 2015 (City File No. SUB 15-0003), the traffic study completed for the project by Pirzadeh & Associates on June 10, 2015, and the Engineering Division.
4. The overall design of the proposed residential development would produce an attractive, efficient and stable environment for living, since adequate residential amenities, parking, and landscaping would be provided, and the design of the development is consistent with a high quality, urban infill project that will provide ownership housing within walking distance of downtown commercial and retail services consistent with the City's vision for the downtown area. The project includes a variety of amenities such as a resort style pool area, fitness room, club room and individual patios or balconies for all units.
5. The proposed development would be well integrated into its surroundings, since the new structures would incorporate compatible and integrated architecture, materials and colors, the project would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties, and the development would provide an attractive pedestrian access through the site allowing convenient access for residents to nearby commercial services. The proposed grading design would not result in any manufactured slopes or pad that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views. Extensive grading is not required to support the project, and the project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because the site is not located on a skyline or intermediate ridge, and the site does not contain any significant topographical features.

6. Utilizing the Planned Development process allows flexibility from the Specific Plan requirements to achieve a high-density residential project in the urban core. The project would provide residential ownership opportunities integrated into a comprehensive and self-contained development, which creates an environment of sustained desirability and stability through the controls offered and regulated through the Planned Development process.
7. The project would provide an environment of sustained desirability and stability since city services and adequate access would be provided, adequate parking would be provided, the proposed architecture would be integrated into its surroundings, and the project could serve as a catalyst for further revitalization efforts in the area.

EXHIBIT "B"
CONDITIONS OF APPROVAL
SUB 15-0003

Project Mitigation Measures

1. **MM AQ-1** – To ensure the projected construction emissions are all below the significance thresholds established by the City for painting emissions, the project will be conditioned to use paint with a low VOC rating of 75 g/l or less during construction.
2. **MM BIO-1** - To ensure compliance with the MBTA, clearing of potential nesting habitat shall, to the maximum extent feasible, occur outside of the breeding season for birds and raptors, which is defined as January 15 to September 15. If activities must occur during the general breeding season, clearing could occur if it is determined that no nesting birds (or birds displaying breeding or nesting behavior) are present within three days prior to clearing. A pre-grading survey shall be conducted by a qualified biologist prior to any clearing or grading to determine if breeding or nesting avian species occur within areas that would be directly affected by grading or indirectly affected by construction noise. If any of these birds are observed nesting or displaying breeding/nesting behavior within the area, construction shall be postponed until (1) the nest is abandoned or the young have fledged or (2) after September 15.
3. **MM BIO-2** - To compensate for the loss of 0.39 acres of NNG, the applicant shall purchase 0.2 mitigation credits (0.5:1 ratio) from the Daley Ranch Bank or other approved mitigation bank.
4. **MM HAZ-1** - The applicant shall record a deed restriction on the title for the project site that prohibits the use of groundwater at the project site for any purpose including, without limitation, any extraction of groundwater.
5. **MM HAZ-2** - In the event groundwater is encountered during construction, all construction activities in that area will halt until groundwater has been sampled by a qualified professional to determine the presence or absence of MTBE. If MTBE is present in excess of established thresholds, the professional shall coordinate preparation of dewatering or disposal plan with DTSC and the RQWCB.
6. **MM T-1** - Prior to the issuance of grading permits, the applicant shall pay a fair share contribution to the satisfaction of the City Engineer for the addition of a third northbound lane to Centre City Parkway from the intersection with Mission Avenue to the on-ramp to SR 78. The fair share contribution is estimated to be \$6,770.

Planning Division Conditions

1. This approval terminates the previous Tentative Map (TR 935) approval for the project site.
2. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Building Official, and the Fire Chief.
3. Access for use of heavy firefighting equipment as required by the Fire Marshal shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshal.

4. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when permits are issued, including any applicable City-Wide Facilities fees
5. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
6. All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program
7. All habitable buildings shall be noise-insulated to maintain interior noise levels not to exceed 45 dBA or less. An Acoustical Analysis shall be submitted with the building plans for the project. Any measures recommended in the study shall be incorporated into the building plans with appropriate notes/specifications.
8. Solid 5'-6" masonry screen walls, with graffiti-resistant coating, shall be constructed along the perimeter property lines as depicted on the Master Development Plan. Appropriate sight distance shall be maintained at driveways and intersections, to the satisfaction of the Engineering Division. Any walls (retaining and screen) shall be constructed with split-face or slump stone masonry.
9. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75). A copy of the lighting plan shall be included as part of the building plans, to the satisfaction of the Planning Division.
10. Three (3) copies of a revised tentative map, reflecting all modification and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading and landscape plans and the final map.
11. A Final Map shall be recorded prior to the issuance of building permits for the site.
12. Any parcels not associated with this Tentative Map shall be labeled "Not a Part."
13. No street names are part of this approval. A separate request shall be submitted prior to Final Map, if required or proposed.
14. Copies of the CC&Rs shall be submitted to the Planning Division for review and approval prior to Final Map. The CC&Rs shall detail the responsibility for the maintenance of any parkway landscaping, landscape easements, bio-retention basins, exterior walls/fencing, slopes/landscaping, utility easements, driveways, roads, parking areas, structures, and any common drainage facilities. The CC&Rs also shall contain a provision indicating the garages shall be maintained to accommodate up to one vehicle. Any storage shall not restrict the parking of vehicles within the garage. A homeowners' association shall be established in accordance with Department of Real Estate requirements.
15. Permitted animals/pets shall be allowed in conformance with the R-4 standards, unless CC&Rs are more restrictive.
16. All vehicular access to the project site shall be provided from the primary driveway on Centre City Parkway. Both residential gates between the pool area and Buildings 4 and 5 shall remain open seven days per week from 7 a.m. to 8 p.m. Emergency exit gates on Centre City Parkway and Washington Avenue shall remained closed at all times except in the event of an emergency. Prior to the Final Map approval and issuance of building permits, a gate and parking management plan shall

be included with the CC&Rs which details gate management, assigned parking spaces, overflow, access for deliveries, on-site vehicular maintenance and guest parking.

17. As proposed, the buildings, architecture, colors and materials, and the conceptual landscaping of the proposed development shall be in accordance with the Master and Precise Development Plan, staff report, exhibits and the project's Details of Request, to the satisfaction of the Planning Division. Any major modifications to the exterior architectural building elements or lessening of the quality of the exterior design shall require approval by the Director of Community Development, and or the Planning Commission as may be recommended by the Director.
18. All trash enclosures must be designed and installed per the Master and Precise Development Plan and in coordination with Engineering Department storm water control requirements.
19. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building, to the satisfaction of the Director of Community Development. The final building plans shall clearly indicate that any proposed rooftop equipment is properly screened. A cross section and roof plan shall be included (which details the location and height of all rooftop equipment) to demonstrate that the height of the parapet is sufficient to screen the mechanical equipment. Ground mounted equipment should be located to avoid conflict with pedestrian circulation and access, as well as to screen the equipment from view as much as possible.
20. Open and carport spaces shall be striped in accordance with the Zoning Code. Driveways and fire lanes do not allow for parking (except where designated on the Master Development Plan), and curb markings and fire lane signs are required, to the satisfaction of the Fire Marshall. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage.
21. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
22. Any decorative pavement, driveways and sidewalks shall be indicated on the building and landscape plans, including appropriate notes regarding type and color of materials. Decorative paving, colored concrete or other decorative materials shall be incorporated at the project entry drive, along with appropriate landscaping consistent with the Master and Precise Development Plan.
23. Balconies and patios shall be kept in a neat and orderly manner. Items stored on balconies should be kept out of view or properly screened. Items shall not be hung over, across or on balconies or patios (such a towels, clothing, etc.). This condition shall be included in the CC&Rs.
24. All new utilities shall be underground.
25. Appropriate backup/kicker areas shall be provided at the terminus of drive isles. These areas shall be identified on the grading and site plans per the Master and Precise Development Plan.
26. This Tentative Subdivision Map (SUB15-0003) shall expire three years after the date of final approval if a final map has not been approved or an extension of time has not been granted. The term of the Master and Precise Development Plan shall be the same as the corresponding Tentative Subdivision Map, and shall expire according to the same schedule and procedure as the Tentative Subdivision Map.
27. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping, identification of handicap parking stalls and required signage, perimeter walls and landscaping, trash enclosure, as well as any other conditions of approval. Everything should be installed prior to calling for an inspection, although

preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.

28. The City of Escondido hereby notifies the applicant that State Law (AB 3158) effective January 1, 1991, requires certain projects to pay fees for purposes of funding the California Department of Fish and Wildlife. If the project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with State law, the applicant should remit to the City of Escondido Planning Division, within two (2) working days of the effective date of this approval ("the effective date" being the end of the appeal period, if applicable) a certified check payable to the "County Clerk," in the amount of \$2,260 for a project with a Negative Declaration. In addition, these fees escalate annually and include an additional authorized County administrative handling fee of \$50.00. Failure to remit the required fees in full within the specified time noted above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. In addition, Section 21089(b) of the Public Resources Code, and Section 711.4(c) of the Fish and Game Code provide that no project shall be operative, vested, or final until all the required filing fees are paid.
29. Prior to issuance of a grading permit, the emergency exit pavement and gate specifications shall be reviewed and approved by the Fire Department.
30. The property owner or HOA assumes all responsibility for maintaining landscaping and bio-retention basins within the Centre City Parkway right-of-way.
31. All signs shall be approved by a separate sign permit. Proposed signage is limited to monument signs located on a freestanding tower at the southwestern corner of the project site. Maximum sign height on the tower shall be 20 feet per the Downtown Specific Plan. Signs for the proposed project and adjacent off-site motel business are permitted (up to 80% of tower width) on the southern and western sides of the monument as shown on the Master Development Plan. Off-premise signage for the motel will only be permitted in the event the project applicant acquires the 450 SF triangular property where the motel pole sign is currently located. All other potential signs for the condominium development shall be consistent with the sign standards for the Downtown Specific Plan.
32. A minimum of 80 cubic feet of private storage shall be provided in each residential unit. Said storage shall be in addition to typical cabinets and closets.
33. Prior to or concurrent with the recordation of the final map and prior to issuance of a building permit, the applicant shall provide documentation to the Planning and Engineering Divisions that the 24-foot wide road easement located on the project site along the southerly 229.39 feet of the eastern property line (Doc. File No. 1971-198183 of official records) has been quitclaimed.
34. A minimum of 112 covered parking spaces shall be provided to meet the Downtown Specific Plan requirement of one covered parking space per unit.
35. Prior to issuance of building permits, the applicant shall provide copies of a signed maintenance access agreement or record an ingress and egress easement in favor of the adjacent motel property owner for pole sign maintenance purposes if the affected property where the sign is located has not been acquired by the applicant.

Landscaping Conditions

1. Prior to occupancy, all perimeter, slope and parking lot landscaping shall be installed. All vegetation (including existing vegetation required as part of previous project approvals) shall be maintained in a

flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.

2. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading or building permits, and shall be equivalent or superior to the concept plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code. The plans shall be prepared by, or under the supervision of a licensed landscape architect.
3. In accordance with the Tree Preservation Ordinance, the 31 mature trees removed from the site to facilitate the project shall be replaced at a 1:1 ratio with 31 box-size replacement trees. The required replacement trees shall be incorporated into the landscape planting plan to the satisfaction of the Planning Division.
4. The landscape plan for the Centre City Parkway right-of-way shall be modified to include additional shrub materials that enhance the aesthetic appearance of the parkway in this area and complement other nearby Centre City Parkway landscape areas, to the satisfaction of the Planning Division.
5. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
6. Street trees shall be provided along each of the site's street frontages, in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.
7. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.
8. As directed by the Planning Commission, proposed landscaping along the western side of the Escondido Inn property shall be reviewed by staff to ensure the number of trees and vertical shrub plantings allow the motel to maintain visibility from the adjacent street.

Fire Department Conditions

1. The final project design for the proposed residential development shall be in accordance with the fire notes and Fire Master Plan that have been incorporated into the civil plan set for the Tentative Map SUB 15-0003, to the satisfaction of the Fire Marshal.

Engineering Department Conditions

GENERAL

1. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of Grading Permit and/or Final Subdivision Map.
2. Project entrance from Centre City Parkway requires City Council approval for removal of access restriction and allowance of new access for the project. The project developer shall sign an agreement in a form acceptable to the City Attorney for their continued maintenance of facilities along project frontage, within the Centre City Parkway right-of-way and annual access lease fee consistent with previous agreements executed with other properties with access along Centre City Parkway corridor.
3. The project developer is required to construct a north bound through traffic lane along project frontage on Centre City Parkway which is eligible for Traffic Impact Fee credit towards the project's local and regional traffic impact fees.
4. No building Permits shall be issued prior to recordation of Final Map unless appropriate securities are deposited and agreements executed as approved by the City Engineer and City Attorney.
5. Grading Permit may be issued prior to approval of the Final Map, upon completion of the following requirements; a) City Engineer and Planning Director completion of the review of Grading & Erosion Control, Drainage, Water Quality Technical Report (WQTR) and Landscaping & Irrigation Plan; b) Compliance with all Planning requirements related to project Grading; c) Post bonds and fees for, Erosion Control, Grading, Drainage and Landscaping and Irrigation improvements. Private access and utilities easements shall be quit claimed prior to approval of the Grading Plans or satisfactory documentation to allow the developer to grade in the areas encumbered by easements shall be provided to the City Engineer.
6. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
7. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
8. The engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public streets improvements shall be designed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Private Street improvements shall be designed in accordance with the requirements of the City Engineer, Fire Marshal and Planning Director.

2. The developer shall construct public and private street improvements for the following streets:

<u>STREET</u>	<u>CLASSIFICATION</u>
Centre City Parkway	Super Major
Washington Avenue	Collector

3. The Developer's engineer shall prepare and submit for approval by the City Engineer a complete final Signing and Striping plan for all improved roadways and traffic related improvements on and off site. The developer will be responsible for removal of all existing signing and striping and construction of all new signing and striping to the satisfaction of the City Engineer.
4. The developer shall be responsible for design and construction of frontage improvements on Centre City Parkway, consisting of addition of one lane of north bound traffic and a project entry access in accordance with the City of Escondido Design Standards, requirements of the City Engineer and approved project tentative map.
5. The project developer shall be responsible for design and construction of widening of Washington Avenue to accommodate for a 20 foot wide through/right lane and reconstruction of curb return and modification of traffic signal system to accommodate for the required widening to the satisfaction of the City Engineer.
6. The developer shall be responsible for design and construction of traffic signal relocation and modification at the intersection of Centre City Parkway and Washington Avenue to provide for the widening of Washington Avenue and addition of third lane on Centre City Parkway to the satisfaction of the City Engineer. The developer shall provide the City Engineer with traffic signal modification and signing and striping plans for the intersection of subject to review and approval by the City Engineer. The developer shall be responsible for construction of traffic signal modification and signing and striping to the satisfaction of the City Engineer. In addition, the developer is responsible for development of timing plan for the intersection and coordination of the intersection signal system with the intersections to the north, south, east and west to the satisfaction of the City Engineer. All work shall be completed prior to issuance of occupancy permit.
7. The developer shall be required to install a no Left-Turn signing and striping at the project exit gate on Washington Avenue.
8. All onsite streets are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. Home owners' association will be responsible for the maintenance of all onsite streets.
9. The developer shall be required to design an onsite signing and striping plan that includes signage and striping at the project entrance/exit areas, including a left turn restriction form the exit driveway on Washington Avenue.
10. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.
2. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.
3. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
4. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
5. A General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one (1) or more acres.
6. The proposed walls along the easterly property line shall be designed to allow for the drainage from the existing properties to the east as required by the project drainage report.
7. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
8. Unless specifically permitted to remain by the County Health Department, any existing wells within the project shall be abandoned and capped, and all existing septic tanks within the project shall be pumped and backfilled per County Health Department requirements.
9. Prior to approval of final plans, the developer will be required to obtain permission from adjoining property owners for any off-site improvements, grading and slopes necessary to construct the project and/or the required improvements.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on the approved drainage study prepared by the Developer's engineer. Drainage system design for the project shall include capture and conveyance of the drainage from the existing properties to the east to the public storm drain system. Drainage easements shall be secured for all structures installed offsite, or the design shall be modified such that all drainage structures are installed on the project site.
2. The proposed drainage design for the project requires drainage improvements within an adjacent property to the east. In the event that the developer is not able to secure the easement and permission to enter the adjacent property to construct improvements, drainage design for the project shall be modified to place all drainage improvements within the project site.

3. A portion of the project lie within the FEMA flood zone "X", as designated on current flood insurance rate maps. All buildings within this zone shall conform to the City's Floodplain Ordinance. A Letter of Map Revision (LOMR-F) may be required by FEMA prior to final occupancy of the units within designated flood zone area, unless the developer provides the City Engineer satisfactory documentation prior to occupancy.
4. A Final Water Quality Technical Report in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted for approval together with the final improvement and grading plans. The Water Quality Technical Report shall include hydro-modification calculations, post construction storm water treatment measures and maintenance requirements. All onsite cistern or other hydro-modification facilities for treatment facilities shall be located outside public easements.
5. All proposed onsite drainage system, storm water treatment and retention facilities and their drains shall be maintained by home owners' association. Provisions stating this shall be included in the CC&Rs.
6. All frontages landscaping along Washington Avenue and Centre City parkway, including bio retention areas and related drainage systems shall be maintained by home owners' association. Provisions stating this shall be included in the CC&Rs.
7. The developer will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement by the home owners' association to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

WATER SUPPLY

1. The project developer is required to design and construct an eight (8) inch public water main from Washington Avenue extended through the project site and along Centre City Parkway to join the existing water main on Mission Avenue. All water related improvements shall be designed and constructed to the requirements of the Utilities Engineer.
2. Fire hydrants together with adequate water supply shall be installed at locations approved by the Fire Marshal.
3. All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer.

SEWER

1. The developer is required to design and construct an onsite public sewer system in accordance with the City of Escondido Design Standards and to the requirements of Utilities Engineer. The developer is required to relocate an existing 10 inch sewer main within the project site to provide for the development related improvements. The existing public sewer main is currently serving multiple properties along the easterly property line. Due to relocation of the existing 10 " public sewer main all active sewer laterals are required to be relocated and connected to the new sewer main. The developer is required to grant new sewer easements for the new sewer laterals for the properties to the east. The developer shall be responsible for making all arrangements with other property owners for quit claim of the existing sewer easements granting new sewer easements and relocation of sewer laterals and provide said documentation with letters of permission from each property owner to the Utilities Engineer for approval, prior to work on any of the sewer laterals or relocation of the existing 10" public sewer main.

2. The project developer shall be required to protect in place and secure access to the existing sewer lines and sewer laterals within the project site during project construction, unless approval granted by the Utilities Engineer.
3. Sewer design for the project shall be modified to allow for access to all proposed and existing sewer lines and manholes, including the existing sewer manhole located in the pool deck area and at the easterly property corner on Washington Avenue to the satisfaction of the Utilities Engineer.
4. All sewer laterals within the project are private and shall be maintained by the home owners' association.
5. The project developer is required to design and construct a sewer system for the project in accordance with the City of Escondido Design Standards and to the requirements of the Utilities Engineer.

CC&R's

1. Copies of the CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.
2. The developer shall make provisions in the CC&R's for maintenance by the home owners' association of all, lightings, signing and striping, parkway landscaping and irrigation, storm water treatment basins and facilities, sewer laterals, common open spaces, public utilities easement area and emergency access road and internal streets. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
3. CC&R shall make provisions for maintenance frontage landscaping, irrigation, fencing, retaining walls along project frontages on Centre City Parkway and Washington Avenue by the home owners' association.
4. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Water Quality Technical Report for the project.
5. The CC&R's must state that the home owners' association assumes liability for damage and repair to City utilities in the event that damage is caused by the Property Owners' Association when repair or replacement of private utilities is done.
6. The CC&R's must state that (if stamped concrete or pavers are used in the private street) the home owners' association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street or within public utilities easements for repair or replacement of an existing utilities.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The developer shall make all necessary dedications for public rights-of-way for public streets or public utilities and emergency access easements for the private streets according to the following street classifications.

STREET

Washington Avenue

CLASSIFICATION

Collector Street

2. All necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.
3. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.
4. The developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to approval of the final map. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Final Map. If an easement of record contains an existing access that could not be quit claimed, Grading permit will not be issued for lots in which construction will conflict with existing access rights unless the developer provides the City Engineer satisfactory documentation prior to issuance of Grading Permit or Final Map approval.
5. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

REPAYMENTS, FEES AND CASH SECURITIES

1. The developer shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.
2. The developer is eligible for traffic impact fee credit towards project's local and regional traffic impact fees, for design and construction of third north bound lane along project frontage on Centre City Parkway, intersection improvements and modification of the existing traffic signal system at the intersection of Centre City Parkway and Washington Avenue. The development fee credit is in the amount of not to exceed \$252,247.00. The fee will be credited towards project's local and regional traffic impact fees. The developer shall provide documentation of construction cost to the credit amount to the City Engineer prior to occupancy.
3. The developer is required to pay fair share traffic mitigation fee in the amount of \$6,770 towards future widening of Centre City parkway between Mission and HWY 78. Payment of the fair share contribution shall be prior to recordation of Final Map.
4. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be \$50,000.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along frontage of the fronting streets shall be relocated underground as required by the Subdivision Ordinance. The developer will not be responsible for undergrounding of overhead utilities on the other side of the fronting streets.
2. All new dry utilities to serve the project shall be constructed underground.

3. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

Mitigation Monitoring Program
City of Escondido

SUB 15-0003 Residential Project

MITIGATION MONITORING PROGRAM

Issue	Potential Impact	Mitigation Measure	Implementing Entity	Implementation Timing	Certified Initial/ Date
III. Air quality	Project emissions during construction.	AQ-1 The project will be conditioned as a project design feature to use paint with a low VOC rating of 75 g/l or less during construction and the project will be conditioned accordingly.	Applicant	During project construction	
IV. Biology	Raptor Nests Nesting Birds	BIO-1 To ensure compliance with the federal Migratory Bird Treaty Act (MBTA), clearing of potential nesting habitat shall, to the maximum extent feasible, occur outside of the breeding season for birds and raptors, which is defined as January 15 to September 15. The tree removal is planned to occur prior to January 1. If activities must occur during the general breeding season, clearing could occur if it is determined that no nesting birds (or birds displaying breeding or nesting behavior) are present within three days prior to clearing. A pre-grading survey shall be conducted by a qualified biologist prior to any clearing or grading to determine if breeding or nesting avian species occur within areas that would be directly affected by grading or indirectly affected by construction noise. If any of these birds are observed nesting or displaying breeding/nesting behavior within the area, construction shall be postponed until (1) the nest is abandoned or the young have fledged or (2) after September 15.	Applicant	Prior to commencement of tree removal or grading	
IV. Biology	Loss of non-native grassland	BIO-2 To compensate for the loss of 0.39 acres of non-native grassland, the applicant shall purchase 0.2 mitigation credits from the Daley Ranch Bank or other approved mitigation bank.	Applicant	Prior to issuance of grading permit	

<p>VIII. Hazards and Hazardous Materials</p>	<p>Presence of MTBE in groundwater</p>	<p>HAZ-1 The applicant shall record a deed restriction on the title for the project site that prohibits the use of groundwater at the project site for any purpose including, without limitation, any extraction of groundwater.</p> <p>HAZ-2 In the event groundwater is encountered during construction, all construction activities in that area will halt until groundwater has been sampled by a qualified professional to determine the presence or absence of MTBE. If MTBE is present in excess of established thresholds, the professional shall coordinate preparation of dewatering or disposal plan with DTSC and the RQWCB.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p> <p>During construction activities</p>	
<p>XVI. Transportation & Traffic</p>	<p>Cumulative decrease in service to the segment of Centre City Parkway from Mission Avenue to SR 78</p>	<p>MIM T-1 Applicant shall pay a fair share contribution to the satisfaction of the City Engineer for the addition of a third northbound lane to Centre City Parkway from the intersection with Mission Avenue to the on-ramp to SR 78.</p>	<p>Applicant</p>	<p>Prior to issuance of grading permit</p>	

EXHIBIT "C"
LEGAL DESCRIPTION
SUB 15-0003

Ordinance No. 2015-171
Exhibit C
Page 1 of 5

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PORTION OF LOT 3, BLOCK 148 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 349, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 10, 1886, LYING NORTHEASTERLY OF THE NORTHEASTERLY LINE OF THE 160.00 FEET RIGHT OF WAY OF THE STATE FREEWAY AS SAID RIGHT OF WAY IS DESCRIBED IN FINAL ORDER OF CONDEMNATION, RECORDED NOVEMBER 3, 1948 IN BOOK 3004, PAGE 486 OF OFFICIAL RECORDS. SAID PORTION OF SAID LOT 3 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT ENGINEER'S STATION 83 PLUS 84.24 ON THE CENTER LINE OF THE DEPARTMENT OF PUBLIC WORK SURVEY, IN THE CITY OF ESCONDIDO, ROAD XI-SD-77 ESCONDIDO, SAID STATION BEING A POINT ON THE NORTHWESTERLY LINE OF LOT 2 IN SAID BLOCK 148, DISTANT THEREON NORTH 69° 43' 56" EAST 301.73 FEET FROM A 1 INCH IRON PIPE SET FOR THE MOST WESTERLY CORNER OF SAID LOT 2; THENCE ALONG SAID NORTHWESTERLY LINE OF SAID LOTS 2 AND 3, NORTH 69° 43' 56" EAST 80.12 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND DISTANT 80.00 FEET EASTERLY AT RIGHT ANGLES FROM THE CENTER LINE OF SAID SURVEY. SAID INTERSECTION BEING THE TRUE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE ALONG SAID PARALLEL LINE BEING ALONG SAID NORTHEASTERLY LINE OF SAID FREEWAY RIGHT OF WAY, SOUTH 23° 23' 00" EAST 620.07 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 3; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT, NORTH 69° 43' 20" EAST 249.76 FEET, MORE OR LESS, TO THE MOST EASTERLY CORNER OF SAID LOT 3; THENCE ALONG THE NORTHEASTERLY LINE OF SAID LOT, NORTH 20° 24' 35" WEST 619.05 FEET, MORE OR LESS, TO THE MOST NORTHERLY CORNER OF SAID LOT 3; THENCE ALONG SAID NORTHWESTERLY LINE OF SAID LOT 3, SOUTH 69° 43' 56" WEST 278.24 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID LOT 3 IN THE NORTHEASTERLY LINE OF ROAD XI-SD-77 ESCONDIDO, DESCRIBED IN FINAL ORDER OF CONDEMNATION, RECORDED IN BOOK 3004, PAGE 486 OF OFFICIAL RECORDS; THENCE NORTH 69° 35' 25" EAST ALONG THE SOUTHEASTERLY LINE OF SAID LOT, 30.00 FEET; THENCE NORTH 23° 23' 00" WEST ALONG A LINE PARALLEL WITH THE EASTERLY LINE OF SAID ROAD XI-SD-77, A DISTANCE OF 60.00 FEET; THENCE NORTHWESTERLY IN A STRAIGHT LINE TO A POINT IN THE EASTERLY LINE OF SAID ROAD XI-SD-77, DISTANT THEREON 90.00 FEET FROM THE POINT OF COMMENCEMENT; THENCE SOUTH 23° 23' 00" EAST ALONG SAID LINE 90.00 FEET TO THE POINT OF COMMENCEMENT.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF SAID LOT 3, DISTANT THEREON NORTH 69° 35' 25" EAST 60.00 FEET FROM THE NORTHEASTERLY LINE OF ROAD XI-SD-77, ESCONDIDO, AS DESCRIBED IN FINAL ORDER OF CONDEMNATION, RECORDED IN BOOK 3004, PAGE 486 OF OFFICIAL RECORDS; THENCE NORTH 23° 23' 00" WEST ALONG A LINE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID ROAD, 100.00 FEET; THENCE SOUTH 69° 35' 25" WEST 30.00 FEET TO AN INTERSECTION WITH A LINE THAT IS PARALLEL WITH AND DISTANT NORTHEASTERLY 30.00 FEET; MEASURED AT RIGHT ANGLES FROM THE NORTHEASTERLY LINE OF SAID ROAD XI-SD-77 ABOVE REFERRED TO;

THENCE NORTH 23° 23' 00" WEST ALONG SAID LINE 85.00 FEET; THENCE NORTH 69° 35' 25" EAST 125.00 FEET; THENCE SOUTH 23° 23' 00" EAST 85.00 FEET TO THE NORTHERLY LINE OF THE LAND CONVEYED TO RICHARD C. SMITH AND WIFE, BY DEED RECORDED IN BOOK 5762, PAGE 497 OF OFFICIAL RECORDS; THENCE ALONG SAID NORTHERLY LINE NORTH 69° 35' 25" EAST 25.00 FEET, MORE OR LESS, TO THE NORTHEASTERLY CORNER THEREOF; THENCE ALONG THE EASTERLY LINE OF SAID SMITH'S LAND SOUTH 20° 24' 35" EAST 100.00 FEET, MORE OR LESS, TO THE SOUTHEASTERLY LINE OF SAID LOT 3; THENCE ALONG SAID SOUTHEASTERLY LINE, SOUTH 69° 35' 25" WEST 115.00 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID LOT 3 WITH THE NORTHEASTERLY LINE OF THE STATE HIGHWAY ROAD XI-SD-77 ESCONDIDO, DESCRIBED IN FINAL ORDER OF CONDEMNATION RECORDED IN BOOK 3004, PAGE 486 OF OFFICIAL RECORDS; THENCE ALONG THE SOUTHEASTERLY LOT LINE NORTH 69° 35' 25" EAST 60.00 FEET; THENCE PARALLEL WITH SAID NORTHEASTERLY LINE OF THE STATE HIGHWAY, NORTH 23° 23' WEST 100.00 FEET; THENCE SOUTH 69° 35' 25" WEST 30.00 FEET TO A LINE WHICH IS PARALLEL WITH AND 30.00 FEET NORTHEASTERLY AT RIGHT ANGLES FROM SAID NORTHEASTERLY LINE OF THE STATE HIGHWAY; THENCE ALONG SAID PARALLEL LINE, NORTH 23° 23' 00" WEST 85.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 23° 23' 00" WEST 110.00 FEET; THENCE NORTH 69° 35' 25" EAST 105.00 FEET; THENCE SOUTH 23° 23' 00" EAST 110.00 FEET TO A LINE WHICH BEARS NORTH 69° 35' 25" EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 69° 35' 25" WEST 105.00 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THAT PORTION DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 3, IN BLOCK NO. 148 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 349, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID LOT 3 WITH THE NORTHEASTERLY LINE OF THE STATE HIGHWAY ROAD XI-SD-77 ESCONDIDO, DESCRIBED IN FINAL ORDER OF CONDEMNATION, RECORDED IN BOOK 3004, PAGE 486 OF OFFICIAL RECORDS; THENCE ALONG SAID SOUTHEASTERLY LOT LINE, NORTH 60° 35' 25" EAST 60.00 FEET; THENCE PARALLEL WITH SAID NORTHEASTERLY LINE OF THE STATE HIGHWAY NORTH 23° 23' WEST 100.00 FEET; THENCE SOUTH 69° 35' 25" WEST 30.00 FEET TO A LINE WHICH IS PARALLEL WITH AND 30.00 FEET NORTHEASTERLY AT RIGHT ANGLES FROM SAID NORTHEASTERLY LINE OF THE STATE HIGHWAY; THENCE ALONG SAID PARALLEL LINE, NORTH 23° 23' 00" WEST 85.00 FEET; THENCE NORTH 69° 35' 25" EAST 105.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 23° 23' 00" WEST 110.00 FEET; THENCE NORTH 69° 35' 25" EAST TO A LINE WHICH IS PARALLEL WITH AND 73.19 FEET WESTERLY MEASURED AT RIGHT ANGLES FROM THE EASTERLY LINE OF SAID LOT 3; THENCE SOUTHERLY ALONG SAID PARALLEL LINE TO A LINE WHICH BEARS NORTH 69° 35' 25" EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 69° 35' 25" WEST TO THE TRUE POINT OF BEGINNING.

PARCEL B:

THAT PORTION OF LOT 3 IN BLOCK 148 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO.

349, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID LOT 3, WITH THE NORTHEASTERLY LINE OF ROAD XI-SD-77 ESCONDIDO, AS DESCRIBED IN FINAL ORDER OF CONDEMNATION RECORDED IN BOOK 3004, PAGE 486 OF OFFICIAL RECORDS. THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 3, NORTH 69°35'25" EAST, 30.00 FEET; THENCE ALONG A LINE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID ROAD 100.00 FEET WIDE, NORTH 23°23'00" WEST, 60.00 FEET; THENCE PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 3, SOUTH 69°35'25" WEST, 30.00 FEET TO THE NORTHEASTERLY LINE OF SAID ROAD, 100.00 FEET WIDE; THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 23°23'00" EAST, 60.00 FEET TO THE POINT OF BEGINNING.

PARCEL C:

THAT PORTION OF LOT 3 IN BLOCK 148 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 349, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID LOT 3 WITH THE NORTHEASTERLY LINE OF ROAD XI-SD-77 ESCONDIDO, AS DESCRIBED IN FINAL ORDER OF CONDEMNATION RECORDED IN BOOK 3004, PAGE 486 OF OFFICIAL RECORDS; THENCE NORTH 69°35'25" EAST ALONG THE SOUTHEASTERLY LINE OF SAID LOT 60.00 FEET; THENCE NORTH 23°23'00" WEST ALONG A LINE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID ROAD 100.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 69°35'25" WEST, 30.00 FOOT TO AN INTERSECTION WITH A LINE THAT IS PARALLEL WITH AND DISTANT NORTHEASTERLY 30.00 FEET, MEASURED AT RIGHT ANGLES PROM THE NORTHEASTERLY LINE OF SAID ROAD XI-SD-77 ABOVE REFERRED TO; THENCE NORTH 23°23'00" WEST ALONG SAID LINE 35.00 FEET; THENCE NORTH 69°35'25" EAST, 125.00 FEET; THENCE SOUTH 23°23'00" EAST, 85.00 FEET; THENCE SOUTH 69°35'25" WEST, 95.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL D:

AN EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS FOR ROAD PURPOSES AND FOR THE INSTALLATION AND MAINTENANCE OF WATER AND SEWER LINES, TO BE USED IN COMMON WITH OTHERS OVER THAT PORTION OF LOT 3 IN BLOCK 148 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 349, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID LOT 3 WITH THE NORTHEASTERLY LINE OF ROAD XI-SD-77, ESCONDIDO, AS DESCRIBED IN FINAL ORDER OF CONDEMNATION RECORDED IN BOOK 3004, PAGE 486 OF OFFICIAL RECORDS; THENCE NORTH 69°35'25" EAST ALONG THE SOUTHEASTERLY LINE OF SAID LOT 60.00 FEET; THENCE NORTH 23°23'00" WEST ALONG A LINE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID ROAD 100.00 FEET; THENCE SOUTH 69°35'25" WEST, 30.00 FEET TO AN INTERSECTION WITH A LINE THAT IS PARALLEL WITH AND DISTANT NORTHEASTERLY 30.00 FEET MEASURED AT RIGHT ANGLES FROM THE NORTHEASTERLY LINE OF SAID ROAD XI-SD-77 ABOVE REFERRED TO; THENCE NORTH 23°23'00" WEST ALONG SAID LINE TO A POINT DISTANT THEREON NORTH 23°23'00" WEST, 380.00 FEET FROM THE CENTER LINE OF WEST WASHINGTON AVENUE; THENCE SOUTH 69°35'25" WEST, 30.00 FEET TO A

POINT ON THE NORTHEASTERLY LINE OF SAID ROAD XI-SD-77; THENCE SOUTH 23°23'00" EAST ALONG SAID LINE 340.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS COMMENCING AT THE SOUTHWESTERLY CORNER OF THE ABOVE DESCRIBED LAND; THENCE NORTH 69°35'25" EAST ALONG THE NORTHWESTERLY LINE OF WEST WASHINGTON AVENUE 30.00 FEET; THENCE NORTH 23°23'00" WEST ALONG A LINE PARALLEL WITH THE EASTERLY LINE OF SAID ROAD XI-SD-77, A DISTANCE OF 60.00 FEET; THENCE NORTHWESTERLY IN A STRAIGHT LINE TO A POINT IN THE EASTERLY LINE OF SAID ROAD XI-SD-77 DISTANT THEREON 90.00 FEET FROM THE POINT OF COMMENCEMENT; THENCE SOUTH 23°23'00" EAST ALONG SAID LINE 90.00 FEET TO THE POINT OF COMMENCEMENT.

PARCEL E:

AN EASEMENT AND RIGHT OF WAY FOR SEWER PIPE LINES OVER, UNDER, ALONG AND ACROSS A STRIP OF LAND 6.00 FEET IN WIDTH LYING LOT 3, BLOCK 148 IN RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 349, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, THE CENTER LINE OF WHICH BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN SAID LOT 3 WHICH IS DISTANT 20.00 FEET NORTHEASTERLY (MEASURED AT RIGHT ANGLES) FROM THE NORTHEASTERLY LINE OF SAID STATE HIGHWAY 100.00 FEET WIDE AND 14.00 FEET NORTHWESTERLY MEASURED AT RIGHT ANGLES TO THE SOUTHEASTERLY LINE OF SAID LOT 3; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE TO A POINT WHICH IS 50.00 FEET NORTHEASTERLY, MEASURED AT RIGHT ANGLES TO THE NORTHEASTERLY LINE OF SAID ABOVE MENTIONED STATE HIGHWAY; AND 100.00 FEET NORTHWESTERLY, MEASURED AT RIGHT ANGLES TO THE SOUTHEASTERLY LINE OF SAID LOT 3; THENCE CONTINUING NORTHEASTERLY ALONG A LINE PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 3, TO THE NORTHEASTERLY LINE OF SAID LOT 3.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN PARCEL B ABOVE DESCRIBED

PARCEL F:

THAT PORTION OF LOT 3 IN BLOCK 148 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 349, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID LOT 3 WITH THE NORTHEASTERLY LINE OF THE STATE HIGHWAY ROAD XI-SD-77 ESCONDIDO, DESCRIBED IN FINAL ORDER OF CONDEMNATION RECORDED IN BOOK 3004, PAGE 486 OF OFFICIAL RECORDS; THENCE, ALONG SAID SOUTHEASTERLY LOT LINE, NORTH 69°35'25" EAST, 60.00 FEET; THENCE PARALLEL WITH SAID NORTHEASTERLY LINE OF THE STATE HIGHWAY, NORTH 23°23'00" WEST, 100 FEET; THENCE SOUTH 69°35'25" WEST, 30.00 FEET TO A LINE WHICH IS PARALLEL WITH AND 30.00 FEET NORTHEASTERLY AT RIGHT ANGLES FROM SAID NORTHEASTERLY LINE OF THE STATE HIGHWAY; THENCE, ALONG SAID PARALLEL LINE, NORTH 23°23'00" WEST, 85.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 23°23'00" WEST, 110.00 FEET; THENCE NORTH 69°35'25" EAST TO A LINE WHICH IS PARALLEL WITH AND 71.19 FEET WESTERLY, MEASURED AT RIGHT ANGLES FROM THE EASTERLY LINE OF SAID LOT 3; THENCE SOUTHERLY, ALONG SAID PARALLEL LINE, TO A LINE WHICH BEARS NORTH 69°35'25" EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 69°35'25" WEST TO THE TRUE POINT OF BEGINNING.

PARCEL G:

AN EASEMENT AND RIGHT OF WAY FOR ROAD PURPOSES, TO BE USED IN COMMON WITH THE GRANTORS AND OTHERS, OVER THAT PORTION OF LOT 3 IN BLOCK 148 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 349, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID LOT 3 WITH THE NORTHEASTERLY LINE OF THE STATE HIGHWAY ROAD XI-SD-77 ESCONDIDO DESCRIBED IN FINAL ORDER OF CONDEMNATION RECORDED IN BOOK 3004, PAGE 486 OF OFFICIAL RECORDS; THENCE ALONG SAID SOUTHEASTERLY LOT LINE NORTH 69°35'25" EAST 30.00 FEET THENCE PARALLEL WITH SAID NORTHEASTERLY LINE OF THE STATE HIGHWAY NORTH 23°23' WEST 60.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE RETRACING SOUTH 23°23' EAST 60.00 FEET TO SAID SOUTHERLY LINE OF LOT 3; THENCE ALONG SAID SOUTHEASTERLY LOT LINE NORTH 69°35'23" EAST 30.00 FEET; THENCE NORTH 23°23' WEST 100.00 FEET; THENCE SOUTH 69°35'23" WEST 30.00 FEET TO A LINE WHICH IS PARALLEL WITH AND 30.00 FEET NORTHEASTERLY AT RIGHT ANGLES FROM SAID NORTHEASTERLY LINE OF THE STATE HIGHWAY; THENCE ALONG SAID PARALLEL LINE NORTH 23°23' WEST 195.00 FEET; THENCE SOUTH 69°35'25" WEST 30.00 FEET TO SAID NORTHEASTERLY LINE OF THE STATE HIGHWAY; THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 23°23' EAST 205.00 FEET TO A POINT WHICH IS DISTANT THEREON NORTH 23°23'; WEST 90.00 FEET FROM THE SOUTHEASTERLY LINE OF LOT 3; THENCE SOUTHEASTERLY IS A STRAIGHT LINE TO THE POINT OF BEGINNING.