

Recording Requested by and
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DOC # 1999-0790108

DEC 02, 1999 3:44 PM

City Clerk
City of Chula Vista
P.O. Box 1087
Chula Vista, CA 91912

6491

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 0.00

*This Instrument Benefits City and County
Only. No fee is required.*

Th



1999-0790108

APN(s) 643-060-08

C.V. File No. _____

Permit: _____

FB
GP
NF
1002

**IRREVOCABLE OFFER
OF DEDICATION OF FEE INTEREST**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

OTAY PROJECT L.P., a California limited partnership

represents that, as the owner(s) of herein-described real property, *(in the case of multiple owners, collectively referred to as "Grantor")*, hereby make(s) an Irrevocable Offer of Dedication of fee interest, pursuant to Section 7050 of the Government Code of the State of California, to **THE CITY OF CHULA VISTA, a municipal corporation**, and the **COUNTY OF SAN DIEGO, a political subdivision of the State of California, AS JOINT TENANTS**, the hereinafter described real property for the following public purpose:

OPEN SPACE AND OTHER PUBLIC PURPOSES.

The real property referred to above is situated in the City of Chula Vista, County of San Diego, State of California and is more particularly described as follows:

PARCEL A OF EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

RESERVING UNTO GRANTOR, its successors and assigns, together with the right to grant and transfer same, an easement for sewer, water and/or drainage pipelines and facilities necessary to serve adjacent development as required by the City of Chula Vista. Such sewer, water and/or drainage pipelines shall be sited in locations defined and approved by the City of Chula Vista consistent with the provisions of the City of Chula Vista MSCP Sub Area Plan. This easement includes the right, but not the obligation, to construct, install, maintain, repair and reconstruct such infrastructure, and an easement for ingress and egress over the property conveyed hereby to the extent reasonably necessary to hook into such lines and facilities and to effect any such construction, installation, maintenance, repair, or reconstruction. This easement, when conveyed and transferred by Grantor, shall be appurtenant to any real property owned by Grantor that is designated in the instrument by which any such easement is conveyed by Grantor as all or a portion of the real property to which such easement is appurtenant. Grantor shall repair, at its own expense, any damage to the real property described herein arising from the exercise of the easement rights reserved hereby. Grantor's rights hereunder shall be subject to all applicable ordinances and requirements of the City of Chula Vista concerning the real property described herein, and the exercise of the easement

rights described herein, including without limitation the Chula Vista Habitat Loss and Incidental Take Permit ordinances.

(Contains 2.28 Acres, more or less)

This Offer of Dedication is made pursuant to Section 7050 of Government Code of the State of California and may be accepted at any time by the City of Chula Vista and County of San Diego.

This Offer of Dedication of fee interest shall be irrevocable and shall be binding on the Grantor, its heirs, executors, administrators, successors and assigns.

Notwithstanding the foregoing, Grantor shall have the right to substitute other real property for portions of the real property described herein, subject to the approval of the grantees and the satisfaction of all conditions imposed by the grantees, including but not limited to the grantees' approval of the real property to be substituted, in connection with any substitution of real property; in such event, any portion of the real property described herein for which other real property has been substituted shall be released from this Irrevocable Offer of Dedication of fee interest and, if the grantees have previously accepted this Irrevocable Offer of Dedication of fee interest, such released property shall be reconveyed to Grantor by the grantees subject to the same matters of record affecting such property immediately prior to the recordation of this Irrevocable Offer of Dedication of fee interest.

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SIGNATURE PAGE

Signed this 2nd day of December, 19 99

Grantor Signatures: Otay Project L.P., a California limited partnership, as owner:
By: Otay Project, LLC, a California limited liability company,
General Partner.
By: Otay Ranch Development, LLC, a Delaware limited
liability company, authorized member.

By: [Signature]
Kim Kilkenny, Vice President



This is to certify that the interest in real property offered herein to the City of Chula Vista, a governmental agency, is hereby acknowledged by the undersigned, City Clerk, on behalf of the Chula Vista City Council pursuant to authority conferred by Resolution No. 15645 of the Chula Vista City Council adopted on June 5, 1990, and the grantee(s) consent(s) to the recordation thereof by its duly authorized officer.

SUSAN BIGELOW
CITY CLERK

By: [Signature] Date: 12/2/99

This is to certify that the interest in real property conveyed by the foregoing deed or grant to the County of San Diego, a political subdivision, is hereby acknowledged on behalf of the Board of Supervisors of said County of San Diego pursuant to authority conferred by Resolution of said Board adopted of January 7, 1992, and the Grantee consents to recordation thereof by its duly authorized officer.

John Kross, Deputy Director
Real Property Division
Department of General Services

By: [Signature] Dated: 12/2/99
WILLIAM A. KING
SENIOR LAND SURVEYOR

(Notary Acknowledgement Required for Each Signatory)

State of California }
County of San Diego } SS.

On December 2, 1999, before me, Jolie E. Mayo Notary Public,
Date Name and Title of Officer (e.g. "Jane Doe, Notary Public)

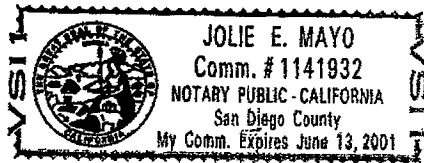
Personally appeared Kim Kilkenny,
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

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

WITNESS my hand and official seal.

Jolie E. Mayo
Signature of Notary Public



State of California }
County of _____ } SS.

On _____, before me, _____,
Date Name and Title of Officer (e.g. "Jane Doe, Notary Public)

Personally appeared _____,
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

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

WITNESS my hand and official seal.

Signature of Notary Public

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EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL A:

IN THE CITY OF CHULA VISTA, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, THAT PORTION OF LOT 29 OF OTAY RANCH, ACCORDING TO MAP THEREOF NO. 862, FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER ON JUNE 4, 1915, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 29 AS SHOWN ON RECORD OF SURVEY MAP. NO. 12371, FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER ON OCTOBER 12, 1989; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 29, AND THE EASTERLY LINE OF LOT 32 OF SAID MAP NO. 862, SOUTH 18°39'04" EAST, 540.39 FEET TO THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED IN PARCEL "B" OF IRREVOCABLE OFFER OF DEDICATION OF FEE INTEREST RECORDED ON NOVEMBER 10, 1999 IN DOCUMENT NO. 1999-0748994, OF OFFICIAL RECORDS AS "NORTH 18°39'04" WEST, 220.50 FEET', SAID POINT BEING THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID WESTERLY LINE ALONG THE FOLLOWING 28 COURSES:

1. NORTH 62°06'10" EAST, 14.82 FEET;
2. NORTH 50°55'21" EAST, 98.55 FEET;
3. NORTH 54°39'56" EAST, 52.10 FEET;
4. NORTH 47°14'45" EAST, 36.09 FEET;
5. NORTH 42°07'04" EAST, 54.42 FEET;
6. NORTH 33°20'59" EAST, 35.47 FEET;
7. NORTH 28°38'48" EAST, 35.46 FEET;
8. NORTH 32°45'20" EAST, 42.51 FEET;
9. NORTH 48°07'48" EAST, 43.64 FEET;
10. NORTH 57°24'56" EAST, 41.54 FEET;
11. NORTH 67°14'37" EAST, 80.79 FEET;
12. NORTH 77°00'48" EAST, 32.84 FEET;
13. SOUTH 32°07'30" EAST, 50.77 FEET;
14. SOUTH 27°45'31" EAST, 53.68 FEET;
15. SOUTH 07°14'55" WEST, 35.67 FEET;
16. SOUTH 18°19'26" WEST, 60.43 FEET;
17. SOUTH 30°15'23" WEST, 13.89 FEET;
18. SOUTH 50°19'25" WEST, 40.93 FEET;

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19. SOUTH 46°18'30" WEST, 50.48 FEET;
20. SOUTH 48°12'19" WEST, 88.53 FEET;
21. SOUTH 45°46'54" WEST, 90.69 FEET;
22. SOUTH 43°21'48" WEST, 37.14 FEET;
23. SOUTH 85°25'34" WEST, 11.04 FEET;
24. SOUTH 89°09'27" WEST, 17.00 FEET;
25. SOUTH 63°26'06" WEST, 21.24 FEET;
26. SOUTH 59°41'18" WEST, 70.08 FEET;
27. SOUTH 70°46'29" WEST, 37.60 FEET;
28. SOUTH 65°56'59" WEST, 42.24 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 29 AND SAID PARCEL B; THENCE NORTHERLY ALONG SAID WESTERLY LINE NORTH 18°39'04" WEST, 137.64 FEET TO THE **TRUE POINT OF BEGINNING.**

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE SAN DIEGO PIPELINE GRANTED PER BOOK 598, PAGE 54 OF DEEDS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 31, 1913, AND LYING WITHIN THE EASEMENT GRANTED TO THE UNITED STATES OF AMERICA PER DOCUMENT NO. 80-137651 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 23, 1980 AND IN DOCUMENT RECORDED APRIL 27, 1982 AS FILE NO. 82-120168, BOTH OF OFFICIAL RECORDS.

LESS AND EXCEPTING THEREFROM ANY PORTION OF THE LAND LYING WITHIN THE EXISTING ROADWAY ON THE SOUTHERN BOUNDARY LINE OF SAID LAND; AND TO THE USE OF SAID ROADWAY FOR ACCESS, INGRESS, EGRESS AND OTHER PURPOSES.

CONTAINS 2.28 ACRES MORE OR LESS.

JOHN W. HILL, JR. L.S. 5669
HUNSAKER & ASSOCIATES SAN DIEGO, INC.

