



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: August 8, 2012 REPORT NO. HO 12-066
ATTENTION: Hearing Officer
SUBJECT: **MAZON EOT**
PTS PROJECT NUMBER: 283102
LOCATION: 7921 El Paseo Grande
OWNER/
APPLICANT: Ana Maria Mazon, Owner/
Ricardo Torres, Applicant

SUMMARY

Issue(s): Should the Hearing Officer approve an Extension of Time for the previously approved project formerly known as the Mazon Residence project?

Staff Recommendation(s) – **Approve** Extension of Time No. 994342.

Community Planning Group Recommendation – Upon the printing of this report the La Jolla Community Planning Association had not voted to make a recommendation on the Extension of Time. The recommendation of the planning group will be orally reported to the decision maker at the hearing.

Environmental Review: The Extension of Time No. 283102 is covered under Mitigated Negative Declaration No. 159909. The previously approved project is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. The prior environmental documents adequately covered this activity as part of the previously approved project pursuant to CEQA Guidelines Section 15162.

BACKGROUND

The site is located within the La Jolla Community Plan area and is designated for Low Density residential use at a density range of 5-9 dwelling units per acre (Attachment 1). The site is located at 7921 El Paseo Grande (Attachment 2). The Mazon Residence project (Project No. 159909) was approved by the Hearing Officer on May 13, 2009. The time allowed in the original development permit to construct the Mazon Residence project is nearly expired. The Site

Development Permit No. 569853 and Coastal Development Permit No. 569852 are valid for 36 months. The proposed EOT was submitted on May 15, 2012. The proposed EOT complies with the extension of time requirements in LDC, Section 126.0111.

The previously approved project required a Site Development Permit and Coastal Development Permit to demolish an existing structure and construct an approximately 4,461 square foot, two-story single family residence on a 0.14 acre site located at 7921 El Paseo Grande in the La Jolla Shores Planned District SF Zone within the La Jolla Community Plan. The present development pattern in the neighborhood is shown in Attachment 3. The approved project required no deviations or variance from the regulations of the Land Development Code.

DISCUSSION

Project Description

The present application is requesting approval of an Extension of Time to the previously approved project of a similar name, the Mazon Residence project [Project No. 159909]. No changes to the original project are proposed. To approve an Extension of Time for the Site Development Permit No. 569853 and Coastal Development Permit No. 569852 (Attachment 4) requires the Hearing Officer to make a total of five findings of fact. The findings are addressed in the draft resolution (Attachment 5).

Environmental Analysis

The proposed Extension of Time is covered under Mitigated Negative Declaration No. 159909. The previously approved project is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. The prior environmental document adequately covered this activity as part of the previously approved project and the activity is not a separate project for the purpose of California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15162.

Project-Related Issues

In accordance with the regulations of the Land Development Code, requests for Extensions of Time have a limited review. The Land Development Code (LDC) §126.0111; Extension of Time of a Development Permit, regulates the circumstances under which a previous approval may be extended. The LDC addresses; the expiration date for a development permit and the maximum amount of time which may be granted through the Extension of Time (EOT) process; timing of when an EOT may requested; review of an EOT application; the decision process for an EOT; and the required findings of approval; findings for conditional approval; findings for an EOT for a Site Development Permit and Coastal Development Permit; and findings for denial.

In LDC Section 126.0111(e) the findings for approval state:

“An extension of time, except for a Coastal Development Permit, may be approved without new conditions if the decision maker makes both of the following findings;

- (1) The project as originally approved and without any new conditions would not place the occupants of the proposed *development* or the immediate community in a condition dangerous to their health or safety; and
- (2) No new condition is required to comply with state or federal law.

In LDC Section 126.0111(f) the findings for conditional approval state:

“An extension of time, except for a Coastal Development Permit, may be approved with new conditions if the decision maker makes one of the following *findings*:

- (1) New conditions are necessary to protect the health or safety of the residents of the development or the immediate community; or
- (2) New conditions are necessary to comply with applicable state or federal law.”

In the Coastal Overlay Zone additional findings are required. LDC Section 126.0111(g) the findings for approval state:

“An extension of time for a Coastal Development Permit may be approved only if the decision maker makes all of the following findings:

- (1) The project as originally approved would not place the occupants of the proposed development or the immediate community in a condition dangerous to their health and safety;
- (2) There are no changed circumstances which would affect the project’s consistency with the Local Coastal Program; and
- (3) No new condition is required to comply with state or federal law.

These findings are the legal basis for approving an EOT with or without conditions. The law limits the decision maker to these considerations. The decision maker may only add new conditions where to do otherwise would place occupants or the immediate community in a situation dangerous to their health or safety, or where omitting new conditions would result in a breach of state or federal law.

The basis for denial of an EOT is found in LDC Section 126.0111(h) which states: “The decision maker shall deny the extension of time if the project, even as conditioned, would place the residents of the proposed development or the immediate community in a condition dangerous to their health or safety, or would not comply with state or federal law.”

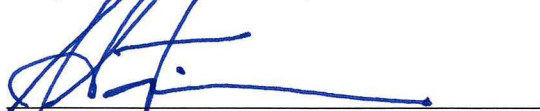
Conclusion

Staff has reviewed the proposed extension of time and determined the project would not place residents of the proposed development or the immediate community in a condition dangerous to their health or safety, and the project would comply with all state and federal laws without new conditions added to the approval. Staff has provided draft findings to support approval of the extension of time (Attachment 5). Staff recommends the Hearing Officer approve the extension of time as proposed (Attachment 6)

ALTERNATIVES

1. **Approve** Extension of Time No. 994342, **with modifications.**
2. **Deny** Extension of Time No. 994342, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



John S. Fisher,
Development Project Manager
Development Services Department

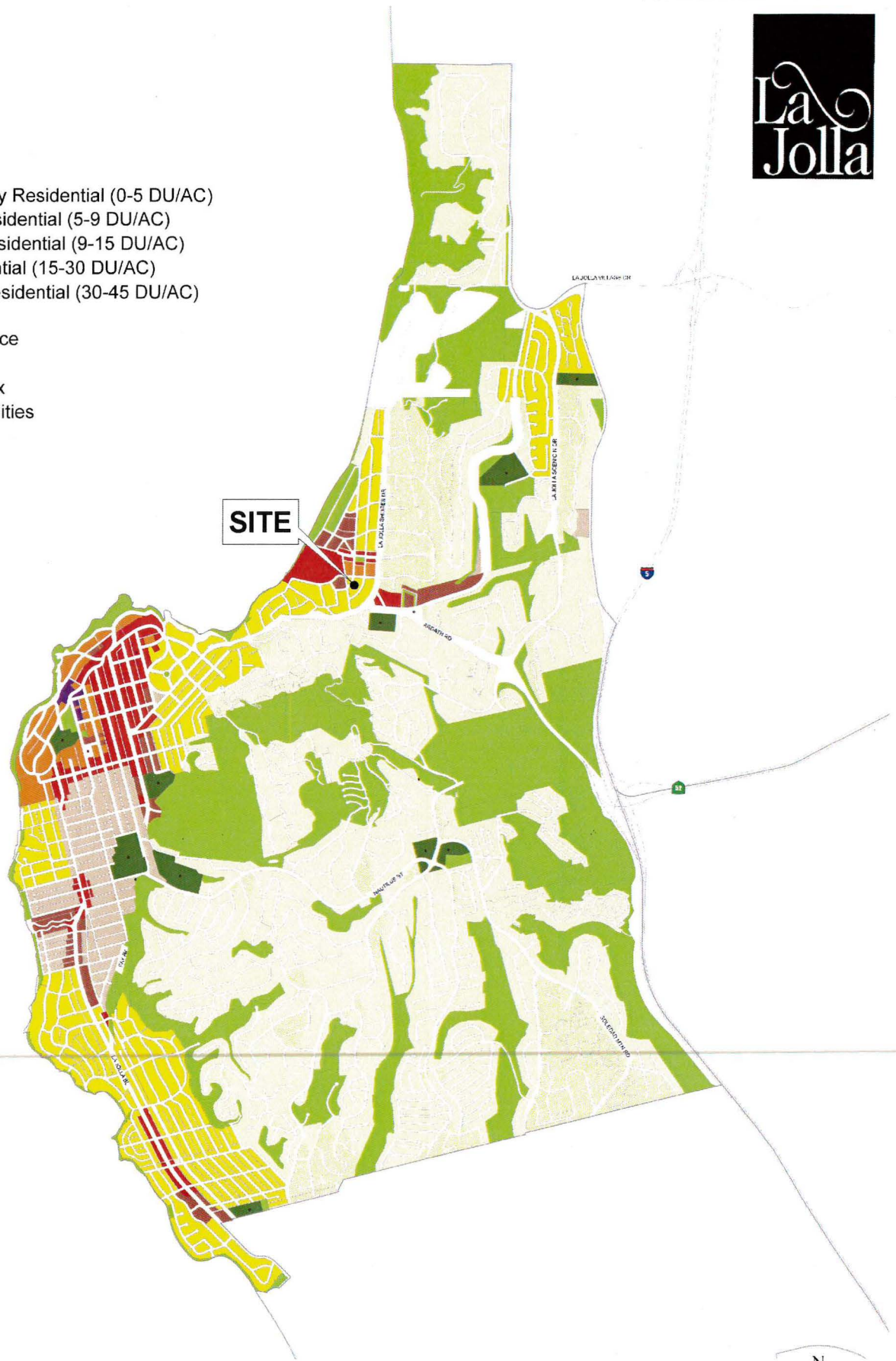
Attachments:

1. La Jolla Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Copy of Document No. 2009-0287608
5. Draft EOT Resolution with Findings
6. Draft EOT Permit
7. Ownership Disclosure Statement



Legend

- Very Low Density Residential (0-5 DU/AC)
- Low Density Residential (5-9 DU/AC)
- Low Medium Residential (9-15 DU/AC)
- Medium Residential (15-30 DU/AC)
- Medium High Residential (30-45 DU/AC)
- Commercial
- Parks, Open Space
- Schools
- Cultural Complex
- Community Facilities



Community Land Use Map



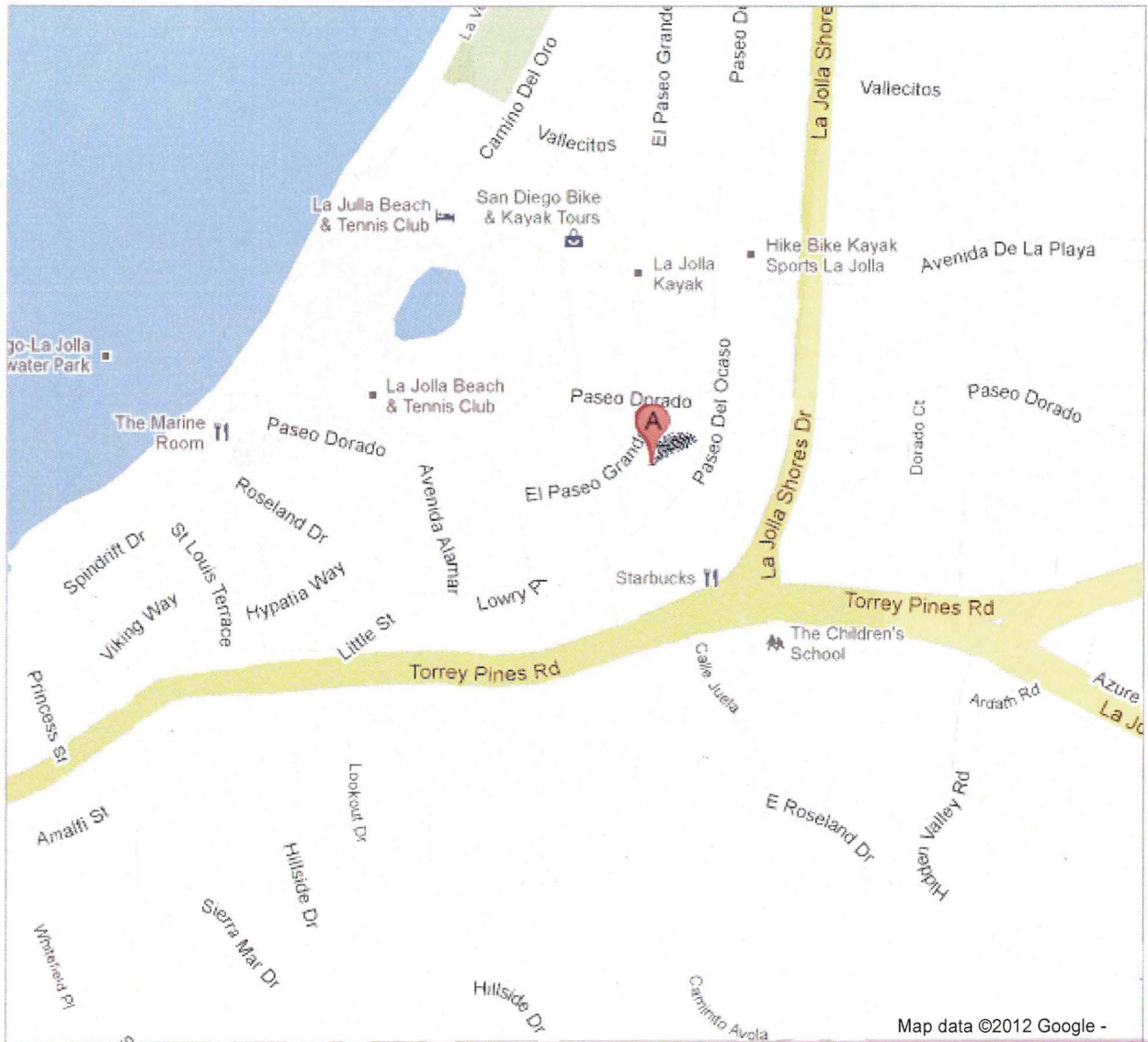
La Jolla Community Plan
City of San Diego Planning Department



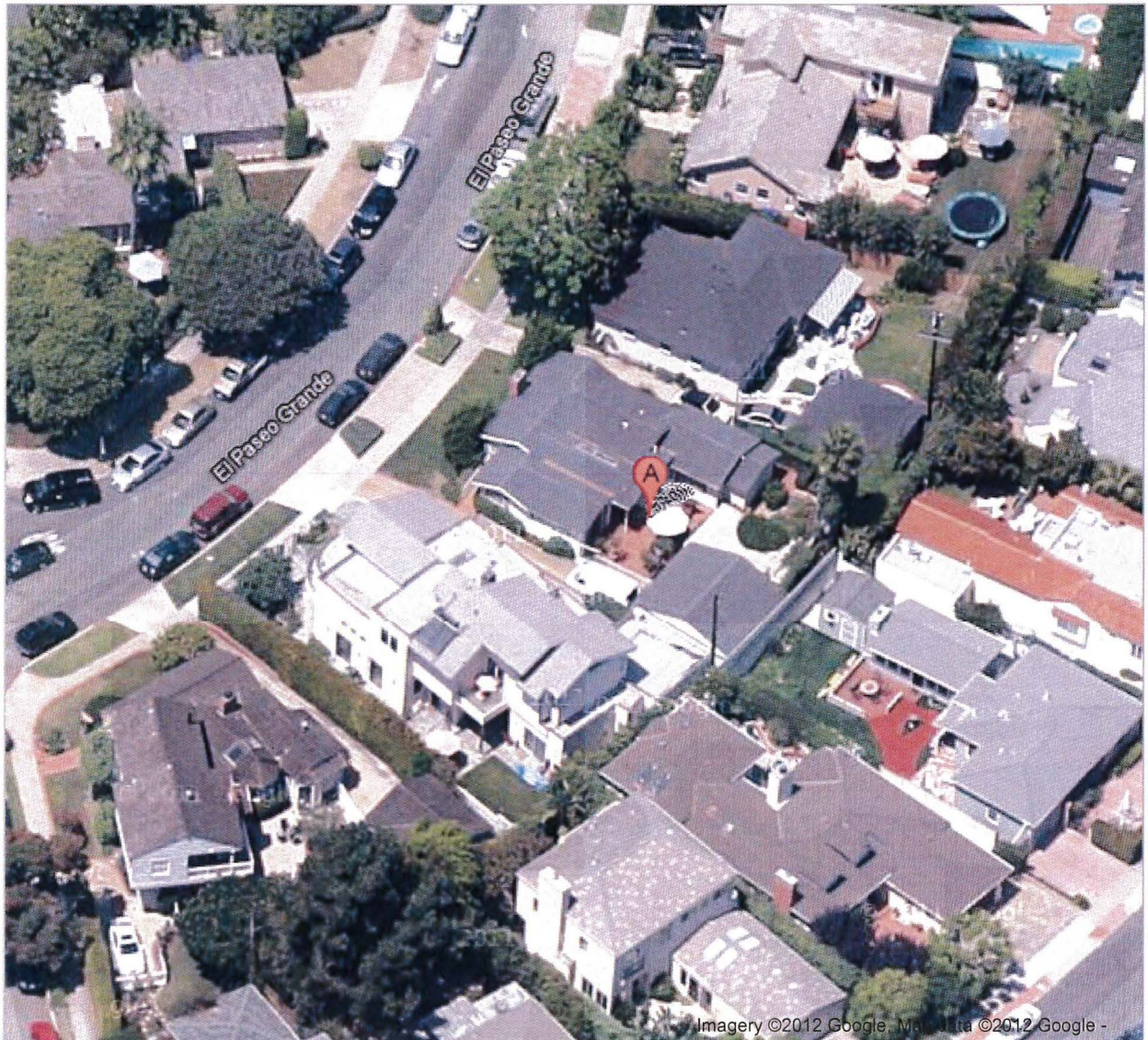
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ATTACHMENT 2

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To see all the details that are visible on the screen, use the "Print" link next to the map.



THE ORIGINAL OF THIS DOCUMENT
WAS RECORDED ON MAY 29, 2009
DOCUMENT NUMBER 2009-0287608
DAVID L. BUTLER, COUNTY RECORDER
SAN DIEGO COUNTY RECORDER'S OFFICE
TIME: 10:13 AM

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 431226

SITE DEVELOPMENT PERMIT NO. 569853 and
COASTAL DEVELOPMENT PERMIT NO. 569852
MAZON RESIDENCE PROJECT NO. 159909 [MMRP]
HEARING OFFICER

This Site Development Permit [SDP] No. 569853 and Coastal Development Permit [CDP] No. 569852 is granted by the Hearing Officer of the City of San Diego to ANA MARIA MAZON, a married woman as her sole and separate property, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504, 126.0708 and 1510.0101. The 0.14 acre site is located at 7921 El Paseo Grande in the La Jolla Shores Planned District SF Zone of the La Jolla Community Plan. The project site is legally described as Lot 4, Block 5 of La Jolla Shores Unit No. 1, according to Map thereof No. 1913, filed June 3, 1926, in the office of the San Diego County Recorder.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing structure and construct a 4,461 square foot single family residence, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 13, 2009, on file in the Development Services Department.

The project shall include:

- a. Demolition of an existing structure and construction a 4,461 square foot single family residence;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and
- d. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the proposed project's projected energy consumption, as established by Council Policy 900-14; and

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

STANDARD REQUIREMENTS:

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

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

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

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project

12. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration No. 159909, shall be noted on the construction

plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration No. 159909, satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Historical Resources (Archaeology)

14. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

ENGINEERING REQUIREMENTS:

15. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.

16. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

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

18. Prior to foundation inspection, the Owner/Permittee shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is in accordance with the approved plans.

19. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the replacement of damaged sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on El Paseo Grande, satisfactory to the City Engineer.

20. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the closure of the existing driveway with full height curb and gutter and construction of a new twelve foot wide City Standard driveway, adjacent to the site on El Paseo Grande, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

21. Prior to issuance of construction permits for grading or building, the Owner/Permittee shall submit a landscape plan consistent with Approved Exhibit "A". The planting plan shall show the required 30% landscaped area in a crosshatch pattern and labeled "Landscape Plan" in accordance with LDC Section 1510.0304(h). The plan shall also show the location of the required street trees in accordance with LDC Section 142.0610, Public Facility Regulations.
22. Provide the following note on the Landscape Plan: "All of the landscape to meet the 30% area requirement shall be installed as required by the La Jolla Shores Planned District Ordinance [LDC 1510.0304(h)] prior to final inspection."
23. Modifications or changes to the landscape plan, existing or proposed plant material, as shown on the approved Exhibit "A," are permitted provided the resulting landscape meets the minimum area requirements of the La Jolla Shores Planned District Ordinance [LDC 1510.0304(h)].
24. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.
25. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards.
26. If any required landscape, including existing or new plantings, hardscape, landscape features, indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

PLANNING/DESIGN REQUIREMENTS:

27. No fewer than two off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.
28. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
29. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to

generate at least 50 percent of the proposed project's projected energy consumption, as established by Council Policy 900-14.

30. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

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

INFORMATION ONLY:

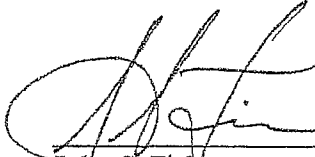
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California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

APPROVED by the Hearing Officer of the City of San Diego on May 13, 2009 by Hearing Officer Resolution No. HO-6189.

Permit Type/PTS Approval No.: SDP No. 569853
and CDP No. 569852

Date of Approval: May 13, 2009

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

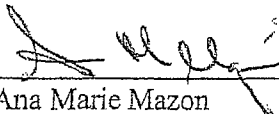


John S. Fisher
Development Project Manager

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

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

ANA MARIA MAZON
Owner/Permittee

By 

Ana Marie Mazon
Owner

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

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Diego

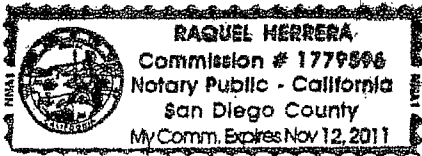
On May 27, 2009 before me, Raquel Herrera, Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared John S. Fisher

Name(s) of Signer(s)



who 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 signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature

Raquel Herrera

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Mazon Residence; Project No. 159909

Document Date: May 13, 2009

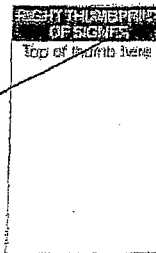
Number of Pages: 7

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

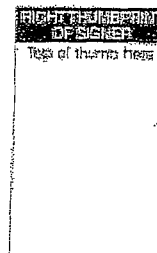
- Individual
- Corporate Officer -- Title(s): _____
- Partner -- Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer is Representing: _____

Signer's Name: _____

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



Signer is Representing: _____

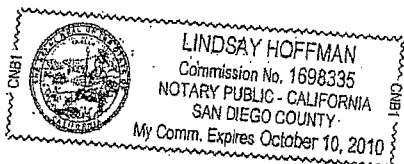
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Diego

On May 26th 2009 before me, Lindsay Hoffman, Notary Public

personally appeared Ana Maria Mazon



who 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 signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

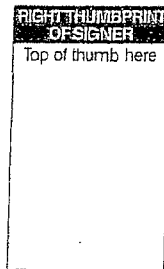
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

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



Signer Is Representing: _____

HEARING OFFICER RESOLUTION NO. HO-6189
SITE DEVELOPMENT PERMIT NO. 569853 and COASTAL DEVELOPMENT PERMIT NO. 569852
MAZON RESIDENCE PROJECT NO. 159909

WHEREAS, ANA MARIA MAZON, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing structure and construct a 4,461 square foot single family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 569853 and 569852), on portions of a 0.14 acre site;

WHEREAS, the project site is located at 7921 El Paseo Grande in the in the SF Zone of La Jolla Shores Planned District within the La Jolla Community Plan;

WHEREAS, the project site is legally described as Lot 4, Block 5 of La Jolla Shores Unit No. 1, according to Map thereof No. 1913, filed June 3, 1926;

WHEREAS, on May 13, 2009, the Hearing Officer of the City of San Diego considered Site Development Permit No. 569853 and Coastal Development Permit No. 569852 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated May 13, 2009.

FINDINGS:

Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The La Jolla Community Plan designates the proposed site for low density residential development. The proposed project is consistent with this designation and all other design recommendations of the La Jolla Community Plan relevant for residential uses and development. In these ways the proposed project will not adversely affect the La Jolla community plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The site is located at 7921 El Paseo Grande in the La Jolla Community in the La Jolla Shores Planned District area. The La Jolla Shores Planned District regulations requires the project not adversely affect public health, safety, and welfare and requires the proposed design protect other properties in the area from impairment in value and that the distinctive residential character and the open seascape orientation of the La Jolla Shores Area is retained and enhanced. The proposed development will protect and enhance the area's unique ocean-oriented setting, architectural character, and natural terrain and enable the area to maintain its distinctive identity as part of one of the outstanding residential areas of the Pacific Coast. The proposed development is in keeping with the objectives and proposals of the General Plan for the City of San Diego, of the La Jolla Community Plan, and of the La Jolla Shores Precise Plan.

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The proposed development will include the minor improvement of right-of-way; will incorporate construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 of the San Diego Municipal Code; will prepare and implement a Water Pollution Control Plan in accordance with the guidelines in Appendix E of the City's Storm Water Standards; will enter into a Maintenance Agreement for the ongoing permanent BMP maintenance; and will comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity and will prepare an updated geotechnical report as building plans are developed for the project. The updated geotechnical report will indicate the required safe slope setback recommendations for the project and the geotechnical consultant will review the building plans and state that the building plans are in accordance with their recommendations. All structures constructed will be reviewed by professional staff for compliance with all relevant and applicable building, electrical, plumbing, and mechanical and fire codes to assure the structures will meet or exceed the current regulations. In addition, all construction will be monitored and inspected in the field by certified field inspectors. As such and because of the foregoing, the proposed development will not be detrimental to the public health, safety, and welfare.

The permit controlling the development and continued use of the development proposed for this site contains conditions addressing the project compliance with the City's regulations and other regional, state and federal regulations to prevent detrimental impacts to the health, safety, and general welfare of persons residing and/or working in the area. Conditions of approval require compliance with several operational constraints and development controls intended to assure the continued health, safety and general welfare of persons residing or working in the area. All Building, Fire, Plumbing, Electrical, Mechanical Code and the City regulations governing the construction and continued operation of the development apply to this site to prevent adverse affects to those persons or other properties in the vicinity. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code. The project has been determined to comply with the La Jolla Community Plan and the development regulations relevant to the Mazon property. The La Jolla Shores Planned District regulations requires the project not adversely affect public health, safety, and welfare and requires the proposed design protect other properties in the area from impairment in value and that the distinctive residential character and the open seascape orientation of the La Jolla Shores Area is retained and enhanced. To preserve the seaside character of the community each building shall be sited and designed so as to protect public views from public rights-of-way and public places and provide for see-through to the ocean. There are no views to the ocean crossing the site from any public right-of-way or other public vantage point. There are no views to the ocean from within the site. The design of the project will not obscure any public views from public rights-of-way or public places.

All lighting which highlights architectural features of a structure will unobtrusive and shielded so as not to fall on adjacent properties. The design has no appurtenances on the roof and therefore no enclosure or other shielding is required for the roof to be attractive. The building will not exceed a height greater than thirty feet. The building will not be cover more than sixty percent of

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the lot. In these ways the project will be consistent with the requirements and regulations contained in the La Jolla Shores Planned District for residential development.

The proposed development complies with all relevant regulations of the Land Development Code and no variances or deviations are required to approve the proposed project. Specific conditions of approval require the continued compliance with all relevant regulations of the City of San Diego effective for this site and have been written as such into Site Development Permit No. 569853 and Coastal Development Permit No. 569852. Development of the property will meet all requirements of these regulations. Concept plans for the project identify other development criteria in effect for the site. All relevant regulations shall be complied with at all times for the life of the project. In these ways the proposed development will comply with the applicable and relevant regulations of the Land Development Code.

B. Supplemental Findings--Environmentally Sensitive Lands

- 1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.** The site is presently developed with a single family structure, garage, and landscaping. These improvements were constructed forty-five years earlier and have exhibited no adverse impacts resulting from any physical unsuitability of the site. Furthermore, professional engineering, planning, and environmental staff have reviewed the proposed development and found nothing in the record to suggest the site may be unsuitable for the proposed development. There are no earthquake faults or geologic instability present, no sensitive habitat or animal species present, no susceptibility to erosion, flooding or wildfire risks present on the site. The proposed project will be designed and constructed in a manner which is the most sensitive given the absence of any environmentally sensitive lands present on the site. The site is, therefore, physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.
- 2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The site is presently a developed property and the proposed project will not materially alter the existing grades on the site. All earthwork associated with the proposed project will be limited to the excavation necessary to dig new footings for the new structure. The site is reasonably level and the proposed project will require no significant amount of grading. The site possesses no natural land forms of any sensitivity. There are no earthquake faults or geologic instability, no sensitive habitat or animal species, no susceptibility to erosion, flooding or wildfire risks present on the site. The proposed project will be designed and constructed in a manner which is the most sensitive given the absence of any environmentally sensitive lands present on the site. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.
- 3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** The site is not adjacent to any environmentally sensitive lands. The proposed project will be designed and constructed in a manner which is the most sensitive given the absence of any environmentally sensitive lands present on the site. The project will therefore be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

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4. **The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.** The site is not located within the Multiple Species Conservation Program (MSCP) Subarea Plan or the Multiple Habitat Preservation Area and will have no affect upon the MSCP or MHPA. As such, the proposed project will be entirely consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and the Multiple Habitat Preservation Area.

5. **The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.** The proposed project will incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications, will submit a Water Pollution Control Plan (WPCP). The WPCP will be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards. Due to careful and deliberate construction practices to limit any sediment from leaving the site during and after construction and due to the conditions of approval required for the construction and continued use the project, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. **The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.** The project requires the monitoring of construction during excavation and other construction activities to protect any potential cultural artifacts which may be present on the site. The Mitigation Monitoring and Reporting Program require archaeological monitoring of the project based upon other sites in the area which have been known to possess cultural resources. The mitigation is reasonably related to the potential for cultural resources to be present on the site and only discovered during the construction process. The required monitoring and reporting program will alleviate any potential impacts created by the project to cultural resources.

Coastal Development Permit - Section 126.0708

1. **The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.** The 0.14 acre site is located approximately one quarter miles due east from the Pacific Ocean. No physical accessway legally used by the public or proposed public accessway will be compromised or encroached upon with the approval of the project. No existing or proposed physical accessway exists or is designated on or across the site. From the site at 7921 El Paseo Grande no public views to or along the ocean or other scenic coastal areas presently exist and none will be impacted from the approval of the project.

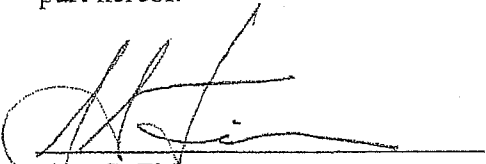
2. **The proposed coastal development will not adversely affect environmentally sensitive lands.** The proposed development, an addition to an existing single family structure, will not impact sensitive areas of the site as none exist. The Environmentally Sensitive Lands regulations do not apply to the subject property.

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3. **The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.** The certified Local Coastal Program, the La Jolla Community Plan, designates this site for residential development. The proposed development, the addition to an existing single family structure, will comply with the certified Local Coastal Program and the regulations of the Implementation Program. No variances or deviations are required to approve the project as proposed.

4. **For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.** The site at 7921 El Paseo Grande is not between the nearest public road and the sea or shoreline of any body of water within the Coastal Overlay Zone. The site is located at 7921 El Paseo Grande in the La Jolla Community. The addition to an existing single family structure will have no affect upon the public's access to coastal resources or recreation policies of Chapter 3 of the Coastal Act. The site does not contain any existing or planned access routes to the sea or shoreline of any body of water within the Coastal Overlay Zone and will have no affect upon the recreation policies of Chapter 3 of the Coastal Act in that all necessary parking is provided on the site for employees and visitors. Being determined that the proposed project will have no affect upon the access or recreational policies of the Coastal Act, the proposed project is therefore in conformance with the policies of such act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Site Development Permit No. 569853 and Coastal Development Permit No. 569852 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 569853 and 569852, a copy of which is attached hereto and made a part hereof.


John S. Fisher
Development Project Manager
Development Services

Adopted on: May 13, 2009

Job Order No. 431226

cc: Legislative Recorder, Planning Department

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HEARING OFFICER RESOLUTION NO. HO-XXXX
EXTENSION OF TIME NO. 994342
EXTENSION OF TIME TO SITE DEVELOPMENT PERMIT NO. 569853 AND
COASTAL DEVELOPMENT PERMIT NO. 569852
MAZON EOT - PROJECT NO. 283102

WHEREAS, ANA MARIA MAZON, a married woman as her sole and separate property, Owner/Permittee, filed an application with the City of San Diego for a three-year Extension of Time No. 994342 to previously approved Site Development Permit No. 569853 and Coastal Development Permit No. 569852 for the demolition of an existing an existing structure and construct an approximately 4,461 square foot, two-story single family residence on a 0.14 acre site located at 7921 El Paseo Grande in the La Jolla Shores Planned District SF Zone within the La Jolla Community Plan. The project site is legally described as Lot 4, Block 5 of La Jolla Shores Unit No. 1, according to Map thereof No. 1913, filed June 3, 1926, in the office of the San Diego County Recorder; and

WHEREAS, all associated permits shall conform to the previously approved Exhibit "A" and conditions on file with the Development Services Department pursuant to Site Development Permit No. 569853 and Coastal Development Permit No. 569852, with the exception of the expiration date; and

WHEREAS, the Site Development Permit No. 569853 and Coastal Development Permit No. 569852 is valid for an additional 36 months from the date of the original approval March 13, 2009; and

WHEREAS, the Extension of Time No. 994342 hereby grants three more years to the Site Development Permit No. 569853 and Coastal Development Permit No. 569852; and

WHEREAS, the Extension of Time No. 994342 is covered under Mitigated Negative Declaration No. 159909. The previously approved project is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. The prior environmental documents adequately covered this activity as part of the previously approved project and the activity is not a separate project for the purpose of California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15162; and

BE IT FURTHER RESOLVED, by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to the Extension of Time No. 994342:

Land Development Code Section 126.0111(e):

- 1. The project as originally approved and without any new conditions would not place the occupants of the proposed development or the immediate community in a condition dangerous to their health or safety.** There are no substantive changes proposed in the project which will place the occupants or immediate community in a condition dangerous to their health or safety. The physical conditions of the site under which the project was previously approved have not materially changed and no new conditions are required to address public health or safety. All previous conditions of Site Development Permit No. 569853 and Coastal Development Permit No. 569852 shall remain in full force and effect.

- 2. No new condition is required to comply with state or federal law.** No recent state or federal legislation has been enacted which will require a new condition to be added to the approval of the extension of time for this project. All previous conditions of Site Development Permit No. 569853 and Coastal Development Permit No. 569852 shall remain in full force and effect.

Land Development Code Section 126.0111(g):

- 1. The project as originally approved and without any new conditions would not place the occupants of the proposed development or the immediate community in a condition dangerous to their health or safety.** There are no substantive changes proposed in the project which will place the occupants or immediate community in a condition dangerous to their health or safety. For additional information, see 126.0111(e), Finding Number 1 above.
- 2. There are no changed circumstances which would affect the project's consistency with the Local Coastal Program.** The extension of time allows the originally approved permit to be valid for another three years and no changes to the project design are proposed or are approved. The original project was determined to be consistent with the La Jolla Community Plan and the Local Coastal Program. Therefore, there are no changes in circumstances which would affect the project's consistency with the La Jolla Community Plan and the Local Coastal Program.
- 3. No new condition is required to comply with state or federal law.** No recent state or federal legislation has been enacted which will require a new condition to be added to the approval of the extension of time for this project. For additional information, see 126.0111(e), Finding Number 2 above.

The above findings are supported by the minutes and exhibits, all of which are herein incorporated by reference; and

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Extension of Time No. 994342 to Site Development Permit No. 569853 and Coastal Development Permit No. 569852 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Site Development Permit No. 569853 and Coastal Development Permit No. 569852, a copy of which is attached hereto and made a part hereof.

PASSED AND ADOPTED BY THE HEARING OFFICER OF THE CITY OF SAN DIEGO,
CALIFORNIA, ON JUNE 13, 2012.

By

John S. Fisher
Development Project Manager
Development Services Department

Job Order No. 24002739

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

JOB ORDER NUMBER: 24002739

SPACE ABOVE THIS LINE FOR RECORDER'S USE

EXTENSION OF TIME NO. 994342
MAZON EOT - PROJECT NO. 283102
EXTENSION OF TIME TO SITE DEVELOPMENT PERMIT NO. 569853 AND
COASTAL DEVELOPMENT PERMIT NO. 569852
HEARING OFFICER

This Extension of Time No. 994342 to the previously approved Site Development Permit No. 569853 and Coastal Development Permit No. 569852, is hereby granted by the Hearing Officer of the City of San Diego to ANA MARIA MAZON, a married woman as her sole and separate property, Owner/Permittee, pursuant to San Diego Municipal Code Section 126.0111. The 0.14 acre site located at 7921 El Paseo Grande in the La Jolla Shores Planned District SF Zone within the La Jolla Community Plan. The project site is legally described as Lot 4, Block 5 of La Jolla Shores Unit No. 1, according to Map thereof No. 1913, filed June 3, 1926, in the office of the San Diego County Recorder.

Subject to the terms and conditions set forth in this Permit, and previously approved Site Development Permit No. 569853 and Coastal Development Permit No. 569852, permission is granted to Owner/Permittee, to demolish an existing structure and construct an approximately 4,461 square foot, two-story single family residence, described and identified by size, dimension, quantity, type, and location on the previously approved exhibits [Exhibit "A"] and conditions on file in the Development Services Department. Site Development Permit No. 569853 and Coastal Development Permit No. 569852 approved by the Hearing Officer on March 13, 2009, is hereby extended as indicated within this permit until March 13, 2015.

The current approval includes:

- a. A three year extension of time for the previously approved Site Development Permit No. 569853 and Coastal Development Permit No. 569852.

STANDARD REQUIREMENTS:

1. Site Development Permit No. 569853 and Coastal Development Permit No. 569852 [Project No. 159909] were approved on March 13, 2009. Site Development Permit No. 569853

and Coastal Development Permit No. 569852 is valid for an additional 36 months. The proposed EOT submittal date was on May 15, 2012. The proposed EOT complies with the extension of time requirements in LDC, Section 126.0111. This permit must be utilized prior to March 13, 2015, which does not exceed thirty-six (36) months from the expiration date of the original permit as allowed by City Council Ordinance, effective October 2011. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit.

2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. No further Extension of Time may be granted pursuant to SDMC Section 126.0111(a).

4. Construction plans shall be in substantial conformity to Exhibit "A," per the previously approved Exhibits and conditions on file with Development Services for Site Development Permit No. 569853 and Coastal Development Permit No. 569852, Recorded with the County of San Diego Recorder on May 29, 2009 as Document Number 2009-0287608, with the exception of the expiration dates. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

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

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed

on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

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

APPROVED by the Hearing Officer of the City of San Diego on June 13, 2012 by Hearing Officer Resolution HO-6531.

DRAFT

EXTENSION OF TIME NO. 994342
EXTENSION OF TIME TO SITE DEVELOPMENT PERMIT NO. 569853 AND
COASTAL DEVELOPMENT PERMIT NO. 569852
June 13, 2012

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

John S. Fisher
Development Project Manager

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

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

ANA MARIA MAZON, a married woman
as her sole and separate property
Owner

By _____
Ana Maria Mazon

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



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

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other **EXTENSION OF TIME**

Project Title _____ **Project No. For City Use Only** _____

MAZON RESIDENCE

Project Address: _____

7921 EL PASEO GRANDE

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

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of Individual (type or print):

ANA MARCO MAZON

Owner Tenant/Lessee Redevelopment Agency

Street Address:

1419 CAMINITO DIADORA

City/State/Zip:

LA JOLLA CA. 92037

Phone No: _____ Fax No: _____

Signature: _____ Date: _____

x [Signature] 5-15-2002

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Signature: _____ Date: _____

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Signature: _____ Date: _____

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Signature: _____ Date: _____

DOC # 1999-0205260

Mar 29, 1999 4:59 PM

Recording requested by:
CHICAGO TITLE COMPANY

13616

When Recorded Mail to:)
)
)
)
Jose and Ana Maria Mazon)
2211 Calle Guaymes)
La Jolla, CA 92037)

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 697.50
OC: OC



Title Order # 98015634 P07)
Escrow No: 98015634 PJ)

APN 346-503-03

Space Above for Recorder's Use Only

GRANT DEED

The undersigned declares that the documentary transfer tax is \$ 687.50 and
 is computed on the full value of the interest or property conveyed or
___ is computed on the full value less the value of liens or encumbrances remaining thereon at the time of
sale.

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

**Fleet Trust Company, trustee under Trust Indenture Agreement dated September
8, 1967, as amended, of which Gertrude C. S. Sitzenstatter is the Grantor**

hereby GRANT(S) to

Jose Mazon and Ana Maria Mazon, husband and wife as community property

the following described real property in the County of San Diego, State of California:

Lot 4 in Block 5 of La Jolla Shores Unit No. 1, in the City of San Diego,
County of San Diego, State of California, according to the Map thereof
No. 1913, filed in the Office of the County Recorder of San Diego County,
June 3, 1926.

Dated: March 22, 1999

Fleet Trust Company, trustee under Trust Indenture
Agreement dated September 8, 1967, as amended,
of which Gertrude C. S. Sitzenstatter is the Grantor

By: Samuel A. Curtis, Jr.
Samuel A. Curtis, Jr.

MAIL TAX STATEMENTS TO ADDRESS ABOVE

File
2P
1/1

#7

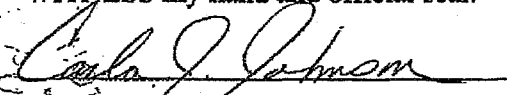
13617

State of New York)
County of *MONROE*)

On March 23, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Samuel A. Curtis, Jr.

_____ personally known to me or proven 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 signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.


CARLA J. JOHNSON
NOTARY PUBLIC, STATE OF NEW YORK
NOTARY PUBLIC, MONROE COUNTY
COMMISSION EXPIRES 7/30/99

RECORDING REQUESTED BY
CHICAGO TITLE COMPANY
AND WHEN RECORDED MAIL TO

18042

DOB # 2003-1258378

OCT 13, 2003 3:25 PM

ANA MARIA MAZON
2211 CALLE GUAYMAS
LA JOLLA, CA 92037

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

FEES: 7.00
OC: 00



Escrow No.
Order No.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

346-503-03

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX IS NONE-

unincorporated area City of

computed on the full value of the interest or property conveyed, or is

computed on the full value less the value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
JOSE MAZON, HUSBAND OF THE WITHIN NAMED GRANTEE

hereby REMISE, RELEASE AND FOREVER QUITCLAIM to
ANA MARIA MAZON, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY

the following described real property in the _____
County of _____, State of California:

"THIS CONVEYANCE ESTABLISHES SOLE AND SEPARATE PROPERTY OF A SPOUSE, R&T 11911."
LOT 4 IN BLOCK 5 OF LA JOLLA SHORES UNIT NO. 1, IN THE CITY OF SAN DIEGO, COUNTY OF
SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1913, FILED IN THE OFFICE
OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, JUNE 3, 1926

Dated September 29, 2003

STATE OF CALIFORNIA
COUNTY OF San Diego) SS.

On September 29, 2003 before me,

the undersigned
a Notary Public in and for said County and State, personally appeared

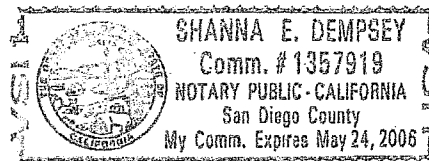
Jose Mazon

JOSE MAZON

personally known to me (or 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
signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary



FOR NOTARY SEAL OR STAMP

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name

Street Address

City, State & Zip