

646

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RECORDING REQUESTED BY:

Recorded Request Of
FIDELITY NATIONAL TITLE

WHEN RECORDED, MAIL TO:

C.C.I.
Attn: PACIFIC BAY
2130 Fourth Avenue
San Diego, California 92101-2110
(619) 231-1606

9301138-SM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
ANNETTE EVANS, COUNTY RECORDER
RF: 12.00 FEES: 32.00
AF: 19.00
MF: 1.00

CERTIFICATE OF CONSENT TO RECORDATION

OF

PACIFIC BAY CONDOMINIUM PLAN

The undersigned, **WAYNE SCHRIER, JON G. WAYNE AND TERESA L. WAYNE and CURTIS J. McBRIDE**, being the record owners of the property hereinbelow described, do hereby consent to the recordation of the hereinafter described Condominium Plan pursuant to California Civil Code Section 1351(e).

Said property is situated in the City of **San Diego**, County of **San Diego**, State of California, and is described as:

LEGAL DESCRIPTION

Lots 25 and 26 in Block 299 of **PACIFIC BEACH**, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 946, filed in the Office of the County Recorder of San Diego County, April 17, 1905.

Said property shall be a Condominium Project and a Common Interest Development.

Attached hereto, and by reference made a part hereof, is a diagrammatic plan ("Condominium Plan") of the Condominium Project ("Project") and the separate interests therein, consisting of (i) a description of the Project that refers to or shows monumentation on the ground, and (ii) a three-dimensional description of the Project in sufficient detail to identify the Common Areas and each separate interest.

The Condominium Plan comprises **four (4)** Condominium Units, each containing the separate interests and the appurtenances as set forth in said Condominium Plan.

The symbols used in the Condominium Plan are defined as follows:

- L** Means and refers to Living Unit or Unit, the terms being synonymous.
- B** Means and refers to Balcony Exclusive Use Common Area.
- P** Means and refers to Patio Exclusive Use Common Area.
- S** Means and refers to Storage Exclusive Use Common Area.
- G** Means and refers to Garage Exclusive Use Common Area.

The Project and Condominium Plan are subject to the terms and conditions stated in the **Declaration for PACIFIC BAY** recorded concurrently herewith.

IN WITNESS WHEREOF, this Certificate of Consent has been executed
at San Diego, California this 12th day of March, 1993.

RECORD OWNERS:

Wayne Schrier
WAYNE SCHRIER

Jon G. Wayne
JON G. WAYNE

Teresa L. Wayne
TERESA L. WAYNE

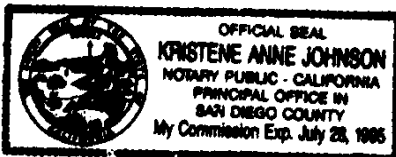
Curtis J. McBride
CURTIS J. McBRIDE

STATE OF CALIFORNIA

COUNTY OF San Diego

} ss.

On this 12th day of March, in the year 1993,
before me, the undersigned, a Notary Public in and for said State, personally appeared
Curtis J. McBride



_____, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person XX whose name _____
subscribed to the within instrument, and acknowledged to me that he XX
executed it. in his capacity, and that his signature on the
instrument the person, or the entity upon behalf of
WITNESS my hand and official seal. which the person acted, executed
the instrument.

Kristene Anne Johnson / California

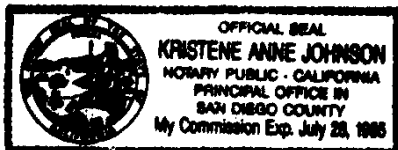
Notary Public in and for said State.

STATE OF CALIFORNIA

COUNTY OF San Diego

} ss.

649



Kristene Anne Johnson

ACKNOWLEDGMENT—General—Wolcotts Form 233CA—Rev. 5-82
©1982 WOLCOTTS, INC. (price class 8-2)

On this 12th day of March, in the year 1993,
before me, the undersigned, a Notary Public in and for said State, personally appeared
Wayne Schrier

_____, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person XX whose name _____
subscribed to the within instrument, and acknowledged to me that he XX
executed it. in his authorized capacity, and that by his
signature on the instrument the person, or the entity
WITNESS my hand and official seal. upon behalf the person acted,
executed the instrument.

Kristene Anne Johnson / California

Notary Public in and for said State.

STATE OF CALIFORNIA

COUNTY OF San Diego

} ss.



Kristene Anne Johnson

ACKNOWLEDGMENT—General—Wolcotts Form 233CA—Rev. 5-82
©1982 WOLCOTTS, INC. (price class 8-2)

On this 12th day of March, in the year 1993,
before me, the undersigned, a Notary Public in and for said State, personally appeared
Jon G. Wayne

_____, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person XX whose name _____
subscribed to the within instrument, and acknowledged to me that he XX
executed it. in his authorized capacity, and that by his
signature on the instrument the person, or the entity
WITNESS my hand and official seal. upon behalf of which the person
acted, executed the instrument.

Kristene Anne Johnson / California

Notary Public in and for said State.

STATE OF CALIFORNIA

COUNTY OF San Diego

} ss.



Kristene Anne Johnson

ACKNOWLEDGMENT—General—Wolcotts Form 233CA—Rev. 5-82
©1982 WOLCOTTS, INC. (price class 8-2)

On this 12th day of March, in the year 1993,
before me, the undersigned, a Notary Public in and for said State, personally appeared
Teresa L. Wayne

_____, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person XX whose name _____
subscribed to the within instrument, and acknowledged to me that he XX
executed it. in her authorized capacity, and that by his/her
signature on the instrument the person, or the entity
WITNESS my hand and official seal. upon behalf of which the person
acted, executed the instrument.

Kristene Anne Johnson / California

Notary Public in and for said State.

ACKNOWLEDGMENT BY BENEFICIARY

The undersigned, **THE BANK OF SAN DIEGO**, being the beneficiary under that certain Deed of Trust dated April 14, 1992 and recorded April 17, 1992 as File/Page No. 92-0223809 of Official Records in the Office of the County Recorder of San Diego County, California, does hereby acknowledge by signature below, pursuant to California Civil Code Section 1351(e), the recordation of the foregoing Certificate.

DATED: 3/15/93

THE BANK OF SAN DIEGO

By: Betty Dominguez, Vice President

By: _____

State of California

SS.

County of San Diego

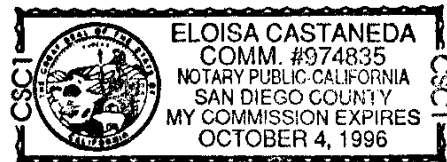
On March 15, 1993 before me, Eloisa Castaneda,
Notary Public, personally appeared Betty A Dominguez,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose
name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed 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 Eloisa Castaneda

Eloisa Castaneda

(Seal)



FD-1 (12/90)

PACIFIC BAY CONDOMINIUM PLAN

LEGAL DESCRIPTION:

LOTS 25 AND 26, IN BLOCK 299, OF PACIFIC BEACH, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 946, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 17, 1905.

SURVEYOR'S STATEMENT:

I HEREBY STATE THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA AND THAT THIS PLAN CONSISTING OF 5 SHEETS, CORRECTLY SHOWS THE BOUNDARIES OF THE LAND AND THE RELATION THEREOF TO THE UNITS REFERRED TO HEREIN; THAT ALL BUILDINGS AND ALL UNITS ARE AS SHOWN AND CONFORM WITH SAID CONDOMINIUM PLAN.

Herman W. Bateman
HERMAN W. BATEMAN L.S. 4603 DATE: 3-4-1993



BASIS OF ELEVATION:

NORTHWEST BRASS PLUG
PACIFIC BEACH DRIVE AND EVERTS STREET
ELEVATION = 13.209 M.S.L.

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF OLIVER AVENUE AS SHOWN ON R. OF S. NO. 9613, i.e. N 75°26'23" E

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	SHEET NO.
COVER SHEET	1
PLAT PLAN AND ELEVATIONS	2
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SAN DIEGO LAND SURVEYING & ENGINEERING INC.
9474 CHESAPEAKE DRIVE, SUITE 907
SAN DIEGO, CALIFORNIA 92123
(619) 565-8362 FAX: (619) 565-4354

LEGEND

INDICATES BOUNDARY OF THIS CONDOMINIUM PLAN.

INDICATES EXTERIOR OF BUILDING.

INDICATES BOUNDARY OF EXCLUSIVE USE AREA.

INDICATES LIVING UNIT AND NUMBER.

INDICATES BALCONY EXCLUSIVE USE COMMON AREA.

INDICATES PATIO EXCLUSIVE USE COMMON AREA.

INDICATES STAIRWAY EXCLUSIVE USE COMMON AREA.

INDICATES GARAGE EXCLUSIVE USE COMMON AREA.

INDICATES COMMON BUILDING CORNER.

NOTES AND DEFINITIONS

1. "LIVING UNITS" ARE NUMBERED L-1 THRU L-4, INCLUSIVE. TOTAL NUMBER OF LIVING UNITS IS 4.

2. "CONDOMINIUM" SHALL MEAN AND REFER TO AN ESTATE IN THE REAL PROPERTY SHOWN HEREON, AS DEFINED IN CIVIL CODE SECTION 1351(f), AND SHALL CONSIST OF AN UNDIVIDED INTEREST AS TENANT-IN-COMMON IN A PORTION OF THE REAL PROPERTY COUPLED WITH A SEPARATE INTEREST IN SPACE CALLED A LIVING UNIT, THE BOUNDARIES OF WHICH ARE DESCRIBED ON THIS PLAN WITH SUFFICIENT DETAIL TO LOCATE ALL BOUNDARIES THEREOF.

3. "LIVING UNIT" SHALL MEAN AND REFER TO THE SEPARATE INTEREST IN SPACE IN THE CONDOMINIUM PROJECT WHICH IS NOT OWNED IN COMMON WITH THE OTHER OWNERS OF OTHER CONDOMINIUMS IN THE PROJECT. SAID LIVING UNITS ARE SHOWN AND DESCRIBED BY FLOOR PLAN ON SHEETS 3 THRU 5 HEREIN.

A. THE BOUNDARIES OF EACH LIVING UNIT ARE THE INTERIOR UNFINISHED SURFACES (NOT INCLUDING PAINT, PAPER, GLASS, BEARING WALLS, TILE, ENAMEL, OR OTHER FINISHES) OF THE PERIMETER WALLS, FLOORS, DOORS, WINDOWS AND CEILING THEREOF WHERE THEY EXIST.

B. FOR LIVING UNIT FINISHED FLOOR ELEVATIONS FOR FIRST AND SECOND FLOORS REFER TO SHEET 2 HEREIN.

C. THE FOLLOWING ARE NOT A PART OF THE LIVING UNIT: BEARING WALLS, COLUMNS, FLOORS, ROOFS, FOUNDATIONS, CENTRAL HEATING AND OTHER CENTRAL SERVICES, PIPES, DUCTS, FLUES, CHUTES, CONDUITS, WIRES AND OTHER UTILITY INSTALLATIONS, WHENEVER LOCATED EXCEPT OUTLETS THEREOF WHEN LOCATED WITHIN THE BOUNDARIES OF THE LIVING UNIT OR USED OR OPERATED EXCLUSIVELY BY SUCH LIVING UNIT.

4. "COMMON AREA" SHALL MEAN AND REFER TO THE ENTIRE COMMON INTEREST DEVELOPMENT, EXCEPT THE SEPARATE INTEREST SHOWN HEREON. COMMON AREAS INCLUDE, WITHOUT LIMITATION: LAND, PARKING AND DRIVING AREAS, CONDOMINIUM BUILDINGS, COMMON EXTERIOR STAIRS, PERIMETER WALLS AND FENCES, PATIOS, BALCONIES, AIR CONDITIONER PADS, YARDS, POLES, SIGNS, BEARING WALLS, COLUMNS, GIRDERS, SUBFLOORS, UNFINISHED FLOORS, COMMON

TRASH RECEPTACLES, ROOFS, SLAB FOUNDATIONS, RESERVOIRS, TANKS, PUMPS, ON-SITE SEWER LATERALS, DRAINS, CONDUITS, PIPES, PLUMBING, WIRES AND OTHER UTILITY INSTALLATIONS (EXCEPT THE OUTLETS THEREOF WHEN LOCATED WITHIN A LIVING UNIT) OR USED OR OPERATED EXCLUSIVELY FOR SUCH LIVING UNIT) OR USED TO PROVIDE COMMON POWER, LIGHT, GAS, WATER, SEWAGE, DRAINAGE AND HEAT; LANDSCAPING, SPRINKLERS AND SPRINKLER PIPES; CABLE TELEVISION SYSTEM.

5. "EXCLUSIVE USE COMMON AREA" MEANS THAT PORTION OF THE COMMON AREA DESIGNATED BY THE DECLARATION FOR THE EXCLUSIVE USE OF ONE OR MORE, BUT FEWER THAN ALL OF THE OWNERS OF THE SEPARATE INTEREST IN SPACE AND WHICH WILL BE APPURTENANT TO THESE SEPARATE INTERESTS. EACH BALCONY, PATIO, STAIRWAY AND GARAGE EXCLUSIVE USE COMMON AREA IS ASSIGNED AND APPURTENANT TO ITS CORRESPONDINGLY NUMBERED LIVING UNIT.

A. THE LOWER HORIZONTAL BOUNDARY OF A BALCONY EXCLUSIVE USE COMMON AREA IS EQUAL TO THE FINISHED SURFACE OF ITS FLOOR. THE UPPER HORIZONTAL BOUNDARY SHALL EXTEND UP TO A HORIZONTAL PLANE 8.00 FEET ABOVE THE LOWER HORIZONTAL BOUNDARY.

B. THE LOWER HORIZONTAL BOUNDARY OF EACH PATIO EXCLUSIVE USE COMMON AREA WILL BE AT ITS FINISHED UPPER SURFACE. THE UPPER HORIZONTAL BOUNDARY SHALL EXTEND UP TO A HORIZONTAL PLANE 8.00 FEET ABOVE THE LOWER HORIZONTAL BOUNDARY.

C. THE LOWER HORIZONTAL BOUNDARY OF EACH STAIRWAY EXCLUSIVE USE COMMON AREA WILL BE AT ITS FINISHED UPPER SURFACE. THE UPPER HORIZONTAL BOUNDARY SHALL EXTEND UP TO THE FINISHED CEILING ABOVE THE LOWER HORIZONTAL BOUNDARY.

D. THE LOWER HORIZONTAL BOUNDARY OF EACH GARAGE EXCLUSIVE USE COMMON AREA WILL BE AT ITS FINISHED UPPER SURFACE. THE UPPER HORIZONTAL BOUNDARY SHALL EXTEND UP TO THE FINISHED CEILING ABOVE THE LOWER HORIZONTAL BOUNDARY.

6. ALL REAL PROPERTY SHOWN HEREON, NOT LOCATED WITHIN A LIVING UNIT, IS A PART OF THE COMMON AREA.

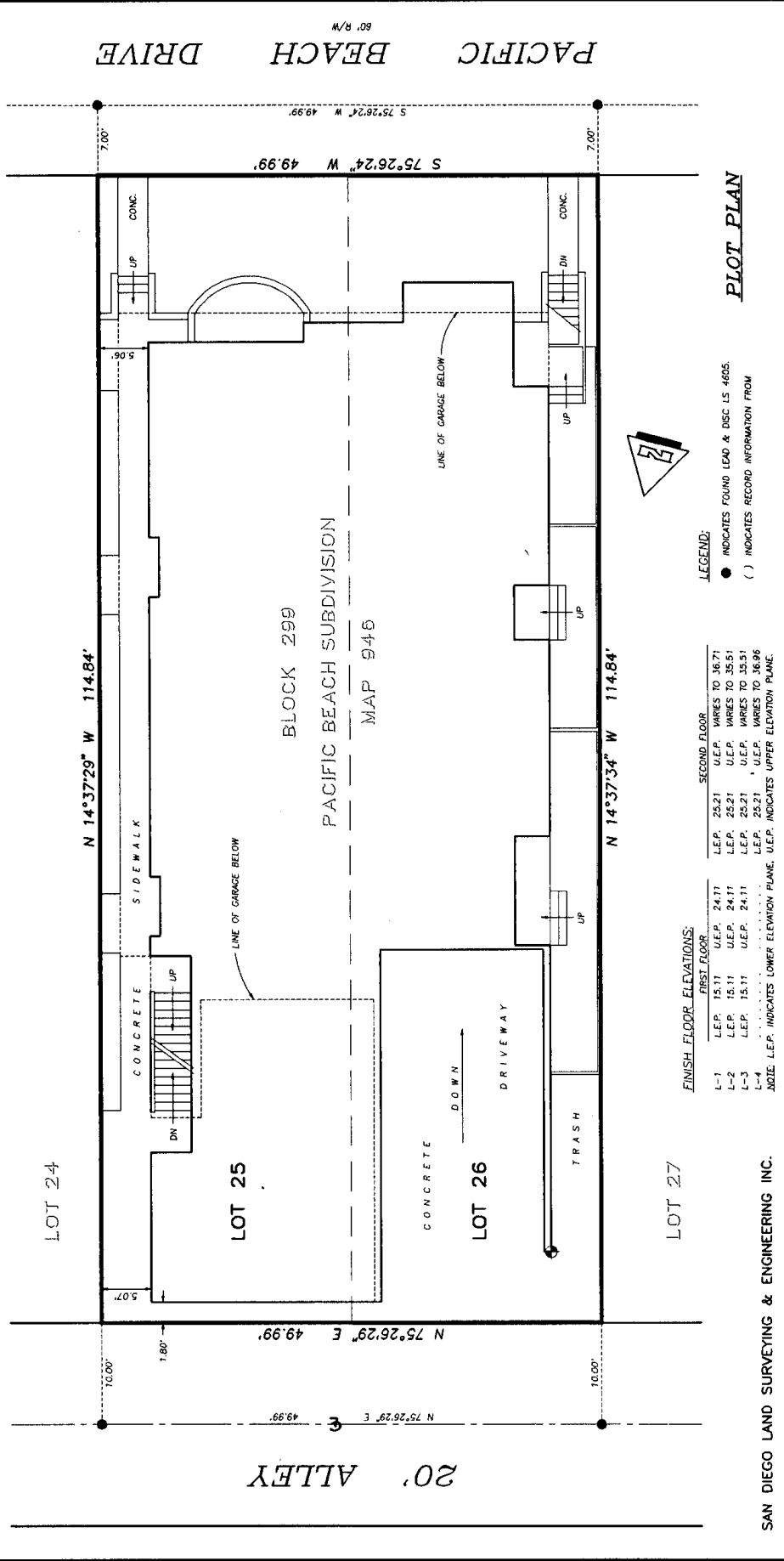
7. DIMENSIONS LABELED HEREIN SHALL HAVE PRECEDENCE OVER DISTANCES SCALED FROM PLANS.

8. ALL VERTICAL AND HORIZONTAL LINES INTERSECT AT RIGHT ANGLES, UNLESS OTHERWISE NOTED OR APPARENT, ON THIS CONDOMINIUM PLAN.

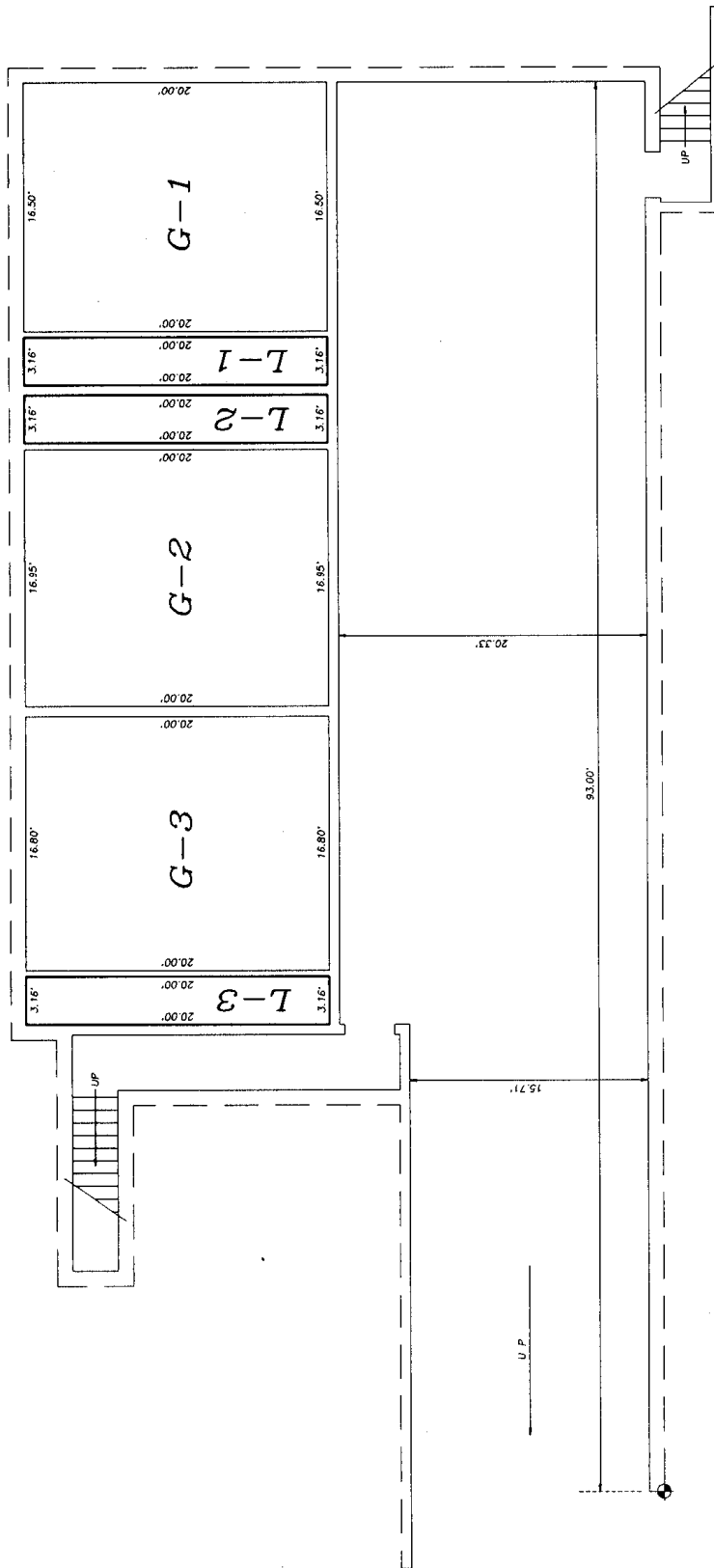
9. IN INTERPRETING THE DEEDS AND PLANS, THE THEN EXISTING PHYSICAL BOUNDARIES OF A LIVING UNIT AND/OR EXCLUSIVE USE COMMON AREA, WHETHER IN ITS ORIGINAL STATE OR RECONSTRUCTED IN SUBSTANTIAL ACCORDANCE WITH THE ORIGINAL PLANS THEREOF, SHALL BE CONCLUSIVELY PRESUMED TO BE ITS BOUNDARIES RATHER THAN THE DESCRIPTION EXPRESSED IN THE DEED, LEASE, DECLARATION OR THIS PLAN, REGARDLESS OF SETTLING OR LATERAL MOVEMENT OF THE BUILDING AND REGARDLESS OF MINOR VARIANCE BETWEEN THE BOUNDARIES SHOWN ON THIS PLAN AND THOSE OF THE BUILDING AS ACTUALLY PHYSICALLY CONSTRUCTED.

SHEET 1 OF 5 SHEETS

SHEET 2 OF 5 SHEETS



PACIFIC BAY CONDOMINIUM PLAN

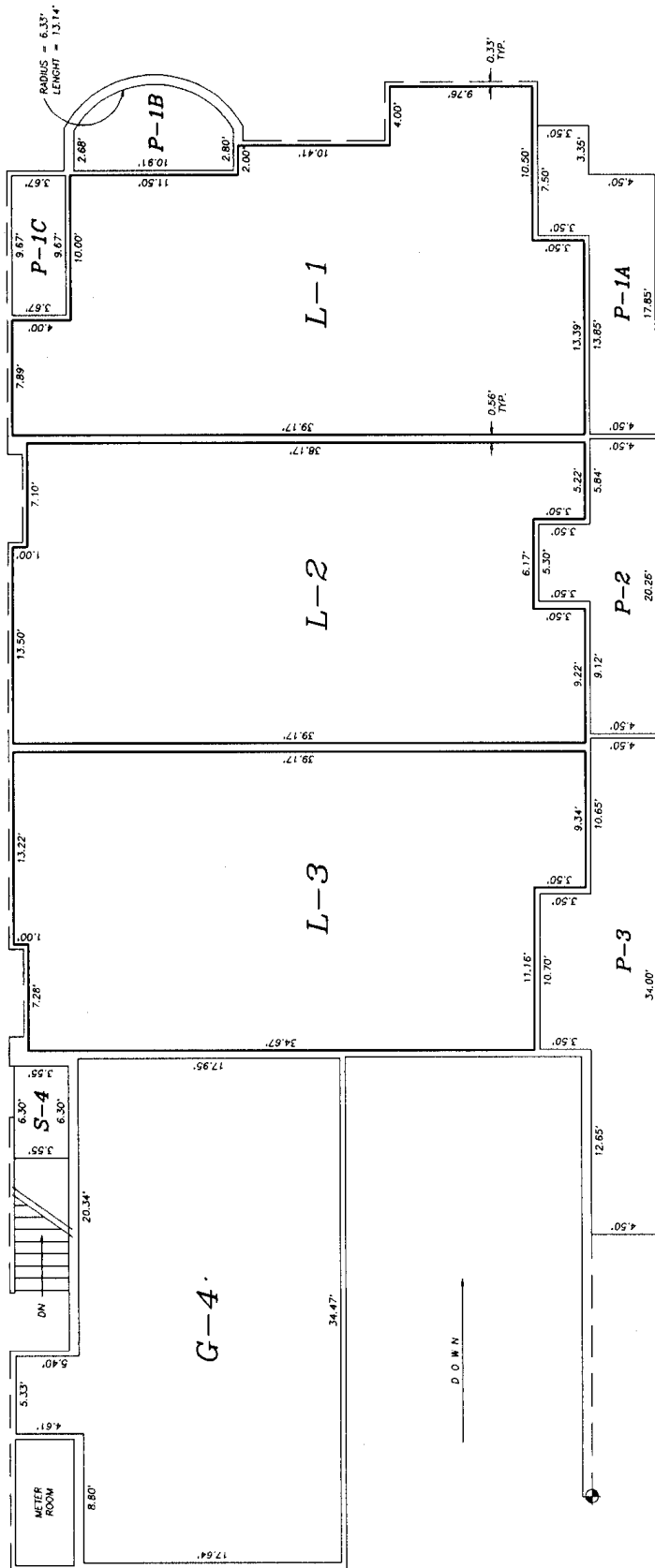


GARAGE PLAN

SAN DIEGO LAND SURVEYING & ENGINEERING INC.

SHEET 3 OF 5 SHEETS

PACIFIC BAY CONDOMINIUM PLAN

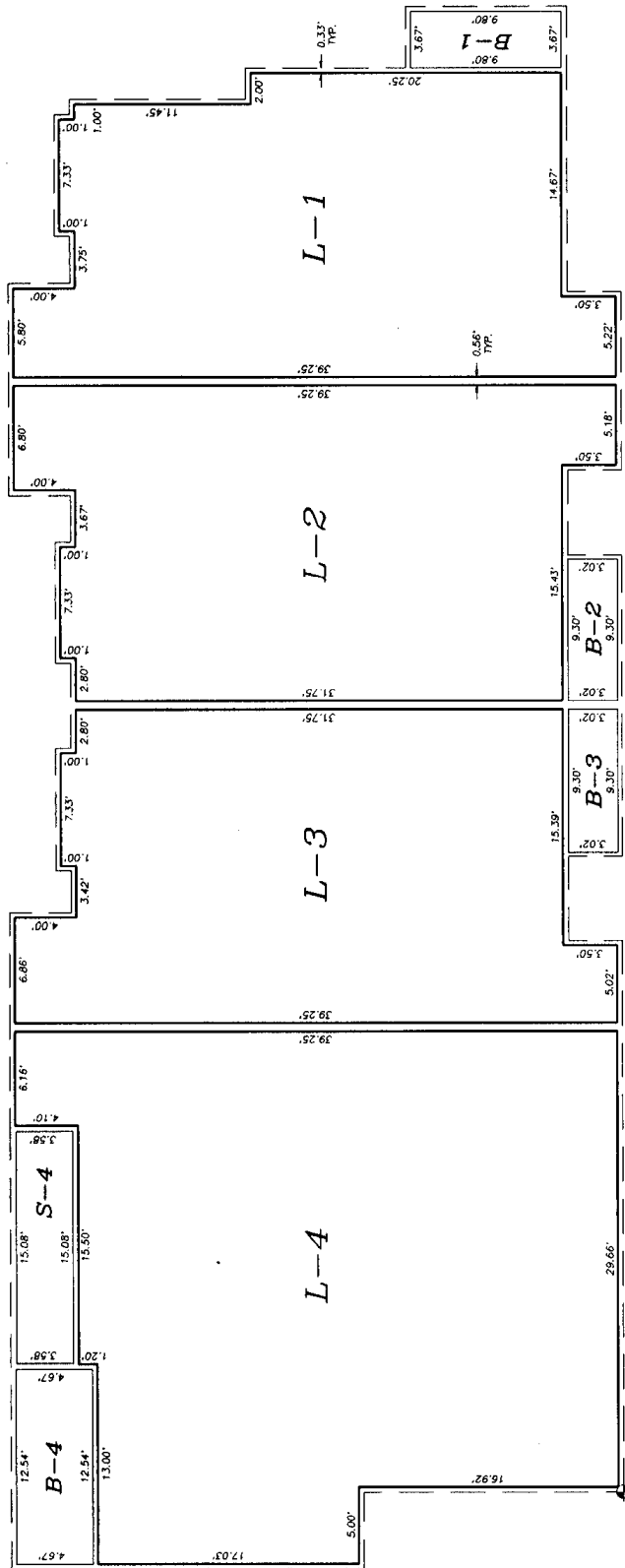


FIRST FLOOR PLAN

SAN DIEGO LAND SURVEYING & ENGINEERING INC.

SHEET 4 OF 5 SHEETS

PACIFIC BAY CONDOMINIUM PLAN



SECOND FLOOR PLAN

SAN DIEGO LAND SURVEYING & ENGINEERING INC.

SHEET 5 OF 5 SHEETS