REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: October 12, 2021

SUBJECT: Resolution of the City of La Mesa to Approve the Quit Claim of Remnant Parcels, Summary Vacate Excess Public Right of Way and Accept the Dedication of Public Right of Way Fronting 4243 Summit Drive

ISSUING DEPT: Public Works

SUMMARY:

Issues:
Should the City of La Mesa approve the Resolution to Quit Claim Remnant Parcels, Summary Vacate Excess Public Right of Way and Accept the Dedication of Public Right of Way Fronting 4243 Summit Drive?

Recommendation:
Staff recommends that the City of La Mesa approve the Resolution to Quit Claim Remnant Parcels, Summary Vacate Excess Public Right of Way and Accept the Dedication of Public Right of Way Fronting 4243 Summit Drive.

Fiscal Impact:
No General Fund money will be used for this project. All fees associated with this Resolution are paid by the property owner.

City’s Strategic Goals:
- Continue to improve high quality municipal services
- Effective and efficient traffic circulation and transportation

BACKGROUND:
The owner and future developer of 4243 Summit Drive (Attachment B - Parcel F) recently purchased the property from Helix Water District. At the time of purchase the owner began their due diligence and inquired about the adjacent City owned triangular remnant parcels and whether the City would be interested in selling them, (Attachment B - Parcels A, B and C, highlighted in yellow).
At the time City Staff began researching the properties in question it was determined that the owner's parcel extended over the existing right of way of Summit Drive, (Attachment B - Parcels D and E, highlighted green), also there was additional area of Summit Drive that was dedicated for public use but was excess in nature as it exists outside the designed right of way width of Summit Drive (Attachment B - Parcel G, highlighted in red).

DISCUSSION:

Given the nature of the property owner's request and the existing mapping conditions described above, the City has reviewed the request and determined that the most straight forward and streamlined approach for the best interest of all parties involved would be:

- Have the owner dedicate the two small rectangular parcels labeled "D" and "E", and
- Have the City quit claim the three larger triangular parcels labeled "A", "B" and "C" and sell them to the owner of 4243 Summit Drive, and
- Have the City summary vacate the curved wedge of excess right of way parcel labeled "G".

In order to accomplish the above the following process is recommended:

- Parcels labeled "D" and "E" - The dedicated parcels can be accepted by the City Engineer and no City Council action is required.
- Parcels labeled "A", "B" and "C" - The quit claimed parcels require an appraisal of the properties, which has been performed (Attachment C), and City Council action preceded by the proper public noticing requirements.
- Parcel labeled "G" - The parcel is summarily vacated by the City Council under sections 8331 and 8334 of the California Streets and Highway Code.
CONCLUSION:

Staff recommends that the City of La Mesa approve the resolution to Quit Claim remnant parcels, summary vacate excess Public Right of Way and accept the dedication of Public Right of Way fronting 4243 Summit Drive.

Reviewed by:  
Greg Humora  
City Manager

Respectfully submitted by:  
Leon Firsht  
Director of Public Works/City Engineer

Dahn Marquardt, P.E.  
Associate Engineer

Attachments:  
A. Resolution  
B. Summit Parcels Exhibit  
C. Appraisal  
D. Grant Deed  
E. Quit Claim  
F. Vacation
RESOLUTION NO. 2021-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA TO APPROVE THE QUIT CLAIM OF REMNANT PARCELS, SUMMARY VACATE EXCESS PUBLIC RIGHT OF WAY AND ACCEPT THE DEDICATION OF PUBLIC RIGHT OF WAY FRONTING 4243 SUMMIT DRIVE, PER WINDSOR HILLS MAP NO. 1970, RECORDED DECEMBER 10, 1926

WHEREAS, an easement and right-of-way for public road purposes was granted to the City of La Mesa on Windsor Hills, Map No. 1970, recorded on December 10, 1926 in the office of the San Diego County Recorder, San Diego California;

WHEREAS, the surrounding property owner, T&S Summit, LLC, has requested the following related to Attachment “B”; the City to quit claim parcels A, B, and C, accept the dedication of parcels D and E and the City to summary vacate parcel G, all to facilitate development and use of their property;

WHEREAS, the City of La Mesa holds parcels A, B and C of public property in fee title and it is required by law to have the property appraised prior to vacation;

WHEREAS, parcels A, B and C have been appraised and the developer has agreed to pay $8,152.00;

WHEREAS, the City has agreed to accept the dedication of parcels D and E for public use as general utility easements and public right of way;

WHEREAS, Section 8331, et seq., of the California Streets and Highways Code provides the criteria for summary vacation of public right of way, parcel G, or easements in both of the following cases:

(a) For a period of five consecutive years, the street or highway has been impassable for vehicular travel.

(b) No public money was expended for maintenance on the street or highway during such period.

WHEREAS, Section 8334, et seq., of the California Streets and Highways Code provides the criteria for summary vacation of public right of way in any of the following cases:

(a) Excess right-of-way of a street or highway is not required for street or highway purposes.

(b) A portion of a street or highway lies within property under one ownership and that does not continue through such ownership or end touching property of another.

WHEREAS, the City Council finds that:

a) No public money was expended for maintenance on the street or highway during such period.
b) There is no present or prospective use for the right of way for which it was originally acquired or for any other public use of a like nature that can be anticipated;

c) The right-of-way for public road purposes has been determined to be excess and there are no other public facilities located within the easement and right of way considered to be vacated;

d) The surrounding property owner will benefit from the vacation through improved utilization of the land; and

e) The vacation is consistent with the general plan or an approved community plan.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa, as follows:

1. Parcels A, B and C of Attachment "B" are Quitclaimed, dedication of Parcels D and E are accepted as public right-of-way for road purposes and that the right-of-way for public road purposes by deed recorded on March 6, 1991, Document No. 1991-0096875 and as described in Attachment "B", be ordered vacated.

2. That the City Clerk of the City of La Mesa, California shall cause a certified copy of this resolution, attested to under the seal of the City of La Mesa, with exhibits, to be recorded in the office of the County Recorder of San Diego County, State of California.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 12th day of October 2021, by the following vote, to wit:

AYES:

NOES:

ABSENT:

CERTIFICATE OF THE CITY CLERK

I, MEGAN WEIGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2021-__, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MEGAN WEIGELMAN, CMC, City Clerk

(SEAL OF CITY)
August 11, 2021

Dann Marquardt, P.E.
Associate Engineer
City of La Mesa
8130 Allison Avenue
La Mesa, California 91942

RE: Six Areas to be sold/dedicated/vacated
4200 Block of Summit Drive
La Mesa, California 91941

Dear Mr. Marquardt:

As requested, we have completed an appraisal of six areas located in the 4200 block of Summit Drive, La Mesa California. The areas are identified in this appraisal by letters and include three areas to be sold (Areas A, B and C), two areas to be dedicated (Areas D and E) and one area to be vacated (Area G). The purpose of the appraisal is to provide an opinion of the “as is” market value of each of the six identified areas.

The two areas to be dedicated (Areas D and E) are currently a part of a privately owned 5,625 square foot lot which may be identified by Assessor’s Parcel 470-680-16. The remaining four areas are owned by the City of La Mesa. Areas A, B, and C may be identified by Assessor’s Parcel 470-680-46 and are adjacent to the west, south and east of APN 470-680-16. Area G is located along the northerly boundary of APN 470-680-16 and is part of the Summit Drive right-of-way. The date of value is June 23, 2021.

As specifically requested by the client, Areas A, B, C and G will be valued as remnant parcels while Areas D and E will be valued as part of APN 470-680-16. As agreed, our findings and conclusions are set forth in a Restricted Appraisal Report format as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). Thus, it is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of USPAP. The following report contains a brief description of the subject properties and valuation analysis. As a restricted report, it may not contain all of the supporting rationale for the opinions and conclusions set forth in the report. However, additional details regarding the subject properties and support for the value conclusions have been retained in our files.
Identification of the Property Appraised

The subject property is comprised of six separate areas that are summarized as follows:

<table>
<thead>
<tr>
<th>SUMMARY OF SUBJECT AREAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
</tr>
</tbody>
</table>
| Area A - To Be Sold       | Triangle| 993 sq. ft.
| Area B - To Be Sold       | Triangle| 1,034 sq. ft.
| Area C - To Be Sold       | Triangle| 1,394 sq. ft.
| Area D - To Be Dedicated  | Triangle| 168 sq. ft.
| Area E - To Be Dedicated  | Triangle| 1 sq. ft.
| Area G - To Be Vacated    | Dome    | 165 sq. ft.

Areas A, B and C are owned by the City of La Mesa and comprise Assessor’s Parcel 470-680-46 with an approximate combined area of 3,418 square feet. Areas D and E are part of a privately owned 5,625 square foot lot that may be identified by Assessor’s Parcel 470-680-16 and is square in shape. Area G is a part of the Summit Drive Right-of-way. A plat map showing both Assessor’s Parcels as well as a map illustrating the site configuration of all six areas appraised has been attached to this report.

Legal Description

Areas A, B and C which comprise Assessor’s Parcel 470-680-46 can briefly be legally described as follows:

All that certain portion of an unnamed part in Block C, Windsor Hills, in the City of La Mesa, County of San Diego, State of California, according to Map thereof No. 1970, filed in the office of the Recorder of said San Diego County December 10, 1926.

Areas D and E are a portion of a 5,650 square foot parcel (APN 470-680-16) that can briefly be legally described as follows:

All that portion of Lot T of Lookout Park, in the City of La Mesa, County of San Diego, State of California, according to Map No. 1085, filed in the office of the County Recorder of San Diego County, California.

A legal description was not provided for Area G. It is located along the northerly boundary of Assessor’s Parcel 470-680-16 and is part of the right-of-way for Summit Drive.

Property Rights Appraised

We have estimated the market value of the fee interest in the herein described property.

Anderson & Brabant, Inc.
\textbf{Intended Use and Users}

It is understood that this appraisal will be used by the client as a basis for establishing the value the six separate areas described in the previous paragraphs. Ultimately Areas A, B and C will be sold while Areas D and E will be dedicated and Area G will be vacated. The client is the City of La Mesa, the owner of four of the areas (Areas A, B, C and G). Any other party who may receive this report is not an intended user, and we are not responsible for unauthorized use of this report.

\textbf{Purpose of the Assignment}

The purpose of the appraisal is to provide an opinion of the “as is” market value of six separate areas. The areas include three to be sold (Areas A, B and C), two to be dedicated (Areas D and E), and one to be vacated (Area G).

In our analysis, we have appraised them as six individual stand-alone areas. Areas A, B, C and G have been appraised as separate remnant parcels while Areas D and E are a part of the adjacent vacant lot and we have estimated their contributory value to APN 470-680-16.

\textit{Market Value} is a type of value, stated as an opinion, that presumes the transfer of a property (i.e., a right of ownership or a bundle of such rights), as of a certain date, under specific conditions set forth in the value definition that is identified by the appraisers as applicable in an appraisal. As used in this report, Market Value is defined as:

\begin{quote}
The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming the neither is under undue duress.\footnote{The Appraisal of Real Estate, 15th ed. (Chicago: Appraisal Institute, 2020), p. 48}
\end{quote}

The market value estimate reflects a reasonable exposure time for the subject property estimated at up to 6 months. According to the Uniform Standards of Professional Appraisal Practice, Exposure Time reflects the appraisers' opinion, based on supporting market data, of the length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.

\textbf{Effective Date of Value Opinion and Date of Report}

The effective date of the opinions of market value expressed herein is June 23, 2021, and the date of this appraisal report is August 11, 2021.
Extraordinary Assumptions

An extraordinary assumption is defined as an assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser’s opinions or conclusions. Our value conclusion for Area G assumes that the City has the right to charge an adjoining land owner for the vacated area of street right-of-way. This is an extraordinary assumption that is necessary for analysis.

Hypothetical Conditions

A hypothetical condition is defined as a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. No hypothetical conditions were considered in our analysis.

Scope of Work

In preparing this appraisal, the following steps were taken.

- Discussed the project with the client.
- Set forth the purpose/objective of the appraisal assignment.
- Onsite inspections of the subject areas and the adjoining parcel as well as the surrounding neighborhood were conducted on June 9, 2021 and June 23, 2021.
- Set forth all assumptions and limiting conditions affecting the appraisal.
- Investigated and analyzed legal characteristics such as zoning, the general plan land use designation and title information.
- Estimated highest and best use of the properties appraised. However, as specifically requested by the client, Areas A, B, C and G will be valued as remnant parcels while Areas D and E will be valued as part of APN 470-680-16.
- A thorough search of the market was performed in order to collect data considered relevant to the current valuation. This included a search for sales of remnant parcels with limited or no independent development potential.
- After review of all available data and appropriate analyses, the applicable valuation methodology was determined to be the Sales Comparison Approach. The Income and Cost Approaches to value are not considered applicable in the valuation of vacant land and were not utilized.
- Sources of market data included the County Recorder’s office, various market data services, published reports, and personal contacts.
- Arrived at value conclusions considering the stated definition of market value.
- Drafted the appraisal report in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) and Appraisal Institute Standards.
Ownership

Title to Areas A, B, C which comprise Assessor’s Parcel 470-680-46 and Area G which is part of the Summit Drive right-of-way, is held in the name of the City of La Mesa. Areas D and E are part of Assessor’s Parcel 470-680-16 which is held in the name of T & S Summit LLC.

Sales History of the Subject Property

There have been no transfers involving the six areas appraised (Areas A, B, C, D, E and G) in the three years prior to the date of value. In addition, none of these areas are currently listed for sale on the open market.

According to public records, Helix Water District sold APN 470-680-16 which includes Areas D and E, on April 27, 2021 to T & S Summit LLC. Public records and the listing agent both reported a selling price of $208,000.

Past Appraisal Services

We previously completed an appraisal of the six subject areas with a date of value of June 23, 2021 and a date of report of June 29, 2021. Our previous report analyzed the value of these six areas as what they would contribute to the adjoining 5,625 square foot lot (APN 470-680-16). For this analysis, we appraised four of the areas (A, B, C and G) as remnant parcels. We have performed no other services, as appraisers or in any other capacity, regarding the property that is the subject of this report within the three (3) year period immediately preceding the agreement to perform this assignment.

Tax and Assessment Data

The tax rate for any given area reflects a 1.0 percent base to which is added voter approved assessments and any service/municipal fees that may be applicable. Property taxes in the state of California are typically based upon transfer value at the time of sale.

According to the San Diego County Assessor’s Office, none of the six subject areas are currently assessed. Areas A, B, C and G are owned by the City of La Mesa and Areas D and E are part of APN 470-680-16 which up until two months ago was owned by Helix Water District. Neither of these public agencies are subject to property taxes. Although, APN 470-680-16 was purchased in April 2021 by a private party, assessment data and property tax information is not yet available for this parcel.

Anderson & Brabant, Inc.
Highest and Best Use

Highest and Best Use is an important concept in real estate valuation as it represents the premise upon which value is based. Highest and Best Use is defined in The Dictionary of Real Estate Appraisal as:

"The reasonably probable use of property that results in the highest value." 

The conclusion of highest and best use is determined by social, economic, governmental, and physical forces. The concept addresses the question of legally permissible, physically possible, financially feasible, and maximally productive uses that reflect the degree of profitability. Potential alternative uses of the property must be considered in the highest and best use analysis. Once the legally allowable and physically possible uses have been identified, the economic viability of the various uses must be determined. The use is financially feasible if it provides a positive return to the land. The highest and best use is that use that provides the highest overall return.

As Vacant Land

We have appraised four of the subject areas (Areas A, B, C and G) as individual stand-alone parcels and the remaining two areas (D and E) as to their contribution to the larger 5,625 square foot lot (APN 470-680-16) that they are a part of. They all have a zoning classification of R1 that allows single family residential development with a 6,000 square foot minimum lot size. Areas A through E are triangular in shape while Area G is dome shaped. Generally, the topography of the six areas appraised ranges from a mostly level building pad area to moderately sloping and all necessary utilities including gas, electricity, water and sewer are available. In addition, Area B does not have direct access from Summit Drive; however, there is a recorded easement that provides access over Area C from Summit Drive and appears to allow access to the City’s adjacent property (Area B). However, individual development of Areas A, B, C and G are constrained by their small sizes that range from only 165 to 1,394 square feet. Areas D and E are currently a part of a privately owned 5,625 square foot lot identified by Assessor’s Parcel 470-680-16.

Based on our review of all known factors, it is our opinion that the highest and best use of Subject Areas A, B, C and G is limited due to their small sizes and configuration and they could not be developed independently. Areas D and E are to be dedicated and are currently part of a larger parcel (APN 470-680-16). This 5,625 square foot lot could be developed with a single family home that is compatible with the surrounding neighborhood.

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Anderson & Brabant, Inc.
Valuation Methodology

As previously discussed, we have appraised four of the subject areas (Areas A, B, C and G) as individual stand-alone parcels. Areas D and E are already part of APN 470-80-16 and we have valued them based on their contribution to the larger 5,625 square foot lot.

The three traditional approaches to value include the Cost, Sales Comparison, and Income Approaches. Of these three, only the Sales Comparison Approach was considered to have specific applicability in the valuation of the vacant residential land. The Sales Comparison Approach relies on the concept that a prudent purchaser would pay no more to buy a property than it would cost to acquire a comparable substitute. Sales of similar properties are analyzed based on a direct comparison with the subject to arrive at an indication of value.

The methodology applied in this analysis follows these steps. First the value of Areas A, B, C and G are valued as separate stand-alone parcels. Next, the value of the adjacent vacant lot (APN 470-680-16) is estimated based on its current land area of 5,625 square feet. Finally, Areas D and E are valued giving consideration to the contribution they each add on a per square foot basis as part of APN 470-680-16 and whether they contribute proportionately on a per square foot basis.

Sales Comparison Approach

Valuation of Areas A, B, C and G

The Sales Comparison Approach relies on the concept that a prudent purchaser would pay no more to buy a property than it would cost to acquire a comparable substitute. Sales of similar properties are compared directly to the subject to arrive at an indicated value. A thorough search was conducted in the immediate and extended area for data that could be used in this analysis. Six comparable sales of limited use land have been identified and used for direct comparison to the four subject areas. The data range in size from 1,351 to 48,352 square feet while the four subject areas (Areas A, B, C and G) range in size from 165 to 1,394 square feet. A summary of the land data used in the valuation analysis of Areas A, B, C and G follows.

Anderson & Brabant, Inc.
<table>
<thead>
<tr>
<th>Comp No</th>
<th>Subject</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Areas A, B, C and O</td>
<td>Between Palm Ave and Q Ave National City</td>
<td>E. side of Wildcat Canyon Rd Lakeside</td>
<td>4456 Botelho Road Del Mar</td>
<td>N. side of Vista Way E of Jefferson Crescent</td>
<td>E. side of Lilac Road Rancho Santa Anita Drive Spring Valley</td>
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<tr>
<td>APN's</td>
<td>4300 100-06-06 Part of Summit Dr B/W</td>
<td>557, 040-47</td>
<td>552-450-47</td>
<td>502-210-65</td>
<td>515-120-62</td>
<td>219, 104-06</td>
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<td>Sale Date</td>
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<td>Mar 20</td>
<td>Jan 18</td>
<td>Jun 21</td>
<td>Feb 17</td>
<td>Apr 17</td>
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<td>213, 104-06</td>
<td>452, 48</td>
<td>151, 53, 04</td>
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<td></td>
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<td>Guarantors</td>
<td>City Capital, LLC</td>
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<td>Seller</td>
<td>City of La Mesa (Tax Owner)</td>
<td>Joseph Americas</td>
<td>San Diego County</td>
<td>Contractors Planning Designers, LLC</td>
<td>Hered 7345, LLC</td>
<td>Own Water District</td>
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<td>Land Area (SF)</td>
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<td>Topography</td>
<td>Level to moderately sloping</td>
<td>Level to gently sloping</td>
<td>Level to gently sloping</td>
<td>Level to moderately sloping</td>
<td>Level to moderately sloping</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access</td>
<td>Areas A and C have paved access Areas B has encompassing zoning Area G none</td>
<td>No legal access</td>
<td>Paved road frontage</td>
<td>Paved road frontage</td>
<td>Paved road frontage</td>
<td>Paved road frontage</td>
<td>No legal access</td>
</tr>
<tr>
<td>Utilities</td>
<td>Gas electricity, gas and water in street in areas of property.</td>
<td>In the area</td>
<td>Water and electricity in the area</td>
<td>In the area</td>
<td>Water and electricity in the area</td>
<td>Water and electricity in the area</td>
<td>Two water main easements based on property. Electricity nearby</td>
</tr>
<tr>
<td>Improvements</td>
<td>Concrete driveway, base of former communications tower, low retaining wall with hedges, fencing, and vegetation</td>
<td>None</td>
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<td>Price</td>
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</tr>
<tr>
<td>Comments</td>
<td>Four separate stand-alone areas that range from 160 to 1,394 square feet in size. None of these areas are independently developable. The property is landlocked with no legal access and is located between Palm Avenue and Q Avenue, south of lilac Street in National City. The buyer reportedly purchased it for speculative purposes.</td>
<td>This was a tax sale involving a triangular shaped parcel acquired through public auction. This was purchased by the owner of an adjacent single family residence.</td>
<td>This was a tax sale that involved a triangular shaped parcel acquired through public auction. This was purchased by the owner of an adjacent single family residence.</td>
<td>This was a tax sale that involved a triangular shaped parcel acquired through public auction. This was purchased by the owner of an adjacent single family residence.</td>
<td>This was a tax sale that involved a triangular shaped parcel acquired through public auction. This was purchased by the owner of an adjacent single family residence.</td>
<td>This triangular shaped parcel was sold by the City Water District as a landlocked parcel with no legal access.</td>
<td></td>
</tr>
</tbody>
</table>
Valuation - Area A

Area A is to be sold and comprises an area approximately 993 square feet in size and is triangular in shape. It is located immediately west of APN 470-680-16 with frontage along Summit Drive and has topography ranging from level to moderately sloping.

After consideration of all factors, it is our opinion that a value of $3.50 per square foot is reasonable for the “as is” market value of the fee interest in Area A, as of June 23, 2021. This equates to a total value as follows:

$$993 \text{ sq. ft.} \times $3.50 \text{ per sq. ft.} = $3,476$$

Valuation - Area B

Area B is to be sold and comprises an area approximately 1,034 square feet in size and is triangular in shape. It is located immediately south of APN 470-680-16 and has topography ranging from level to gently sloping that is at a higher elevation than the building pad on the adjacent site. In addition, there are visible overhead electrical lines that bisect this area. There is no direct access from Summit drive; however, there is a recorded easement that provides access over Area C from Summit Drive and appears to allow access to this area.

After consideration of all factors, it is our opinion that a value of $2.50 per square foot is reasonable for the “as is” market value of the fee interest in Area B, as of June 23, 2021. This equates to a total value as follows:

$$1,034 \text{ sq. ft.} \times $2.50 \text{ per sq. ft.} = $2,585$$

Valuation - Area C

Area C is to be sold and comprises an area approximately 1,394 square feet in size and is triangular in shape. It is located immediately east of APN 470-680-16 with frontage along Summit Drive and has moderately sloping topography. Area C is bisected by a concrete driveway that provides access to the adjacent residence located at 4255 Summit Drive. There is a recorded easement that allows access over Area C and is conditional upon the continued right of the City of use said driveway as a means of ingress and egress to and from its adjoining property (Area B). The access easement significantly impairs the use of this area.

After consideration of all factors, it is our opinion that a value of $1.50 per square foot is reasonable for the “as is” market value of the fee interest in Area C, as of June 23, 2021. This equates to a total value as follows:

$$1,394 \text{ sq. ft.} \times $1.50 \text{ per sq. ft.} = $2,091$$

Valuation - Area G

Area G is to be vacated and is currently part of the right-of-way for Summit Drive along the northerly boundary of APN 470-680-16. It comprises an area approximately 165 square feet
in size and is dome shaped. The topography is mostly level and at street grade. There is a low retaining wall near the southerly boundary of Area G with a small level area beyond.

After consideration of all factors, it is our opinion that a value of $3.50 per square foot is reasonable for the “as is” market value of the fee interest in Area C, as of June 23, 2021. This equates to a total value as follows:

\[
165 \text{ sq. ft.} \times $3.50 \text{ per sq. ft.} = $578
\]

**Valuation of Assessor’s Parcel 470-680-16**

As previously discussed, we have valued the adjacent vacant lot which is 5,625 square feet in size, that includes Areas D and E. After carefully investigating the marketplace, we selected three items of market data for purposes of analysis. In addition, we have analyzed the recent sale of APN 470-680-16. The selected data are considered to be the best available to properly analyze the value of the property by the Sales Comparison Approach.

Two of the comparable sales sold between September 2020 and April 2021 while the third comparable involves a site that is currently in escrow. In addition, APN 470-680-16 sold in April 2021, two months prior to the date of value. The three items of data range in size from 6,000 to 7,908 square feet. A summary of the data may be found on the following page.
### Summary of Comparable Land Sales

<table>
<thead>
<tr>
<th>Comp No</th>
<th>Subject Land</th>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>4200 Block Summit Drive S. side of Marie Ave., E of Parks Ave., La Mesa</td>
<td>6031 Howell Drive La Mesa</td>
<td>6234 E. Lake Drive San Diego (San Carlos Area)</td>
<td></td>
</tr>
<tr>
<td>APN's</td>
<td>470-680-16</td>
<td>470-262-13</td>
<td>485-512-23, 24, 26 and 27</td>
<td></td>
</tr>
<tr>
<td>Sale Date</td>
<td>Apr-21</td>
<td>Jan-21</td>
<td>Sep-20</td>
<td></td>
</tr>
<tr>
<td>Doc No</td>
<td>325477</td>
<td>51769</td>
<td>571567</td>
<td></td>
</tr>
<tr>
<td>Buyer/Owner</td>
<td>T &amp; S Summit LLC</td>
<td>Young LaMesa Land LLC</td>
<td>Max Brouard</td>
<td></td>
</tr>
<tr>
<td>Land Area (Ac)</td>
<td>5,625</td>
<td>7,908</td>
<td>6,000</td>
<td></td>
</tr>
<tr>
<td>Zone</td>
<td>R1</td>
<td>R1</td>
<td>R1</td>
<td></td>
</tr>
<tr>
<td>General Plan</td>
<td>Urban Residential</td>
<td>Urban Residential</td>
<td>Urban Residential</td>
<td></td>
</tr>
<tr>
<td>Topography</td>
<td>Generally level and area with moderate slopes to the south and east.</td>
<td>Level to gently sloping</td>
<td>Level to gently sloping</td>
<td></td>
</tr>
<tr>
<td>Shape</td>
<td>Square</td>
<td>Rectangular</td>
<td>Rectangular</td>
<td></td>
</tr>
<tr>
<td>Access</td>
<td>Paved frontage on public street</td>
<td>Paved frontage on public street</td>
<td>Paved frontage on public street</td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>Electricity, gas and water in street in front of property. Sewer available in front of 4255 Summit Dr.</td>
<td>Electricity, gas, water and sewer in street.</td>
<td>Electricity, gas and sewer to site; water meter available in front of 4255 Summit Dr.</td>
<td></td>
</tr>
<tr>
<td>Improvements</td>
<td>Concrete driveway, base of former communications tower, low retaining wall with hedges, fencing, and vegetation.</td>
<td>Remnants of an outdoor stone fireplace and patio</td>
<td>Concrete flatwork</td>
<td></td>
</tr>
<tr>
<td>Price</td>
<td>$208,000</td>
<td>$240,000</td>
<td>$292,500</td>
<td></td>
</tr>
<tr>
<td>Price/SF</td>
<td>$36.98</td>
<td>$30.35</td>
<td>$33.75</td>
<td></td>
</tr>
<tr>
<td>Sale Terms</td>
<td>All cash to seller</td>
<td>All cash to seller</td>
<td>All cash to seller</td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td>Lot was previously owned by the Helix Water District and used as a water tank for over 50 years ago. There is an easement for overhead electrical lines that bisect the property in a northerly/southerly direction. This lot has potential northernly view from second story.</td>
<td>There are remnants of an outdoor stone fireplace and patio that a neighbor had reportedly constructed. This lot does not offer any view.</td>
<td>This site was previously developed with a single family home that was removed approximately 15 years ago. Only the concrete flatwork remains. This lot does not offer any view.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>This site is comprised of four small lots when combined are approximately 6,331 square feet and triangular in shape. This lot does not offer any view.</td>
<td></td>
</tr>
</tbody>
</table>

After consideration of all factors, it is our opinion that a value of $210,000 is reasonable for the "as is" market value of the fee interest in Assessor's Parcel 470-680-16, as of June 23, 2021. This equates to a value of $37 per square foot (rounded).

**Valuation - Area D**

Area D is to be dedicated and become part of the right-of-way of Summit Drive. It comprises an area of approximately 168 square feet in size and is triangular in shape. It is located in the northwest corner of APN 470-680-16 and is level and at street grade. Dedicating Area D creates a slightly smaller lot thus reducing the area used in the calculation of coverage.
and setback requirements. An acquisition for dedication for a public street is typically valued at 100 percent of the per square foot value.

It is our opinion that Area D would contribute 100 percent of the per square foot value of APN 470-680-16. The “as is” market value of Area D calculates as follows:

\[
168 \text{ sq. ft.} \times 37 \text{ per sq. ft.} \times 100\% = 6,216
\]

**Valuation - Area E**

Area E is to be dedicated and become part of the right-of-way of Summit Drive. It comprises an area of approximately 1 square foot and is triangular in shape. It is located in the northeast corner of APN 470-680-16 and is level and at street grade. Any effect on APN 470-680-16 from the dedication of Area E is considered to be negligible due to its small size. An acquisition for dedication for a public street is typically valued at 100 percent of the per square foot value.

It is our opinion that Area E would contribute 100 percent of the per square foot value of APN 470-680-16. The “as is” market value of Area E calculates as follows:

\[
1 \text{ sq. ft.} \times 37 \text{ per sq. ft.} \times 100\% = 37
\]

**Value Conclusions**

We have totaled our value opinions for the four areas to be sold and vacated (Areas A, B, C and G) and then deducted our value opinions of the two areas to be dedicated (Areas D and E). The following is a summary of our value conclusions for each of the six subject areas as of June 23, 2021.

<table>
<thead>
<tr>
<th>Area Conclusions</th>
<th>Market Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area A (To be Sold)</td>
<td>3,476</td>
</tr>
<tr>
<td>Area B (To be Sold)</td>
<td>2,585</td>
</tr>
<tr>
<td>Area C (To be Sold)</td>
<td>2,091</td>
</tr>
<tr>
<td>Area D (To be Dedicated)</td>
<td>-6,216</td>
</tr>
<tr>
<td>Area E (To be Dedicated)</td>
<td>-37</td>
</tr>
<tr>
<td>Area G (To be Vacated)</td>
<td>578</td>
</tr>
<tr>
<td><strong>Total Market Value</strong></td>
<td>2,477</td>
</tr>
<tr>
<td><strong>Rounded</strong></td>
<td>2,500</td>
</tr>
</tbody>
</table>

*Anderson & Brabant, Inc.*
We appreciate the opportunity to be of service. Please feel free to contact us with any questions.

Respectfully submitted,
ANDERSON & BRABANT, INC.

James Brabant, MAI
State Certification No. AG002100

Attachments:
- Assumptions and Limiting Conditions
- Appraiser’s Signed Certification
- Aerial Photograph of the Subject Property
- Subject Property Photographs
- Plat Map
- Exhibit A (Map of Six Subject Areas)
- Qualifications of the Appraisers
ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal is subject to the following special assumptions and limiting conditions:

1. This is a Restricted Appraisal Report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Restricted Appraisal Report. As such, it does not include discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraisers’ opinions of value. Supporting documentation concerning the data, reasoning, and analyses has been retained in our file. Full understanding of the report requires additional information contained in our file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. Reliance on this report is limited to the client and it should not be distributed to any party not identified as an intended user. The appraisers are not responsible for unauthorized use of this report.

2. Information regarding the physical characteristics of the property appraised was obtained during two onsite inspections of the property conducted on June 9, 2021 and June 23, 2021. This analysis values the land plus any contributory value of improvements that are located within the six areas. As specifically requested by the client, Areas A, B, C and G will be valued as remnant parcels while Areas D and E will be valued as part of APN 470-680-16.

3. We were provided with a preliminary title report for APN 470-680-16 that includes Areas D and E. However, a title report was not provided for the remaining areas appraised (Areas A, B, C and G). We were able to visibly observe overhead electrical lines which bisect Area B and the owner of 4255 Summit Drive provided a copy of the recorded easement which allows for driveway access by said property owner over Area C. The impact of these easements are taken into consideration in our analysis. Our analysis assumes that the reciprocal access rights in the access driveway easement would transfer to any new owner should either party sell or transfer their ownership. In addition, our analysis assumes that there are no unidentified easements or encumbrances that would have a detrimental impact on the value or use of the subject areas, in accordance with its estimated highest and best use.

4. The City of La Mesa provided a map showing the location and approximate size of the six areas to be sold/dedicated/vacated. We have relied on the information provided by the client and have assumed that it is correct. Any change in the alignment or size of the areas could result in a change in our opinions of value.

5. Our value conclusion for Area G assumes that the City has the right to charge an adjoining land owner for the vacated area of street right-of-way. This is an extraordinary assumption that is necessary for analysis.
This appraisal is subject to the following general assumptions and limiting conditions:

1. It is assumed that information furnished to us by our client, including maps, and legal descriptions, is substantially correct.

2. No responsibility is assumed for matters legal in character, nor do we render an opinion as to title, which is assumed to be held in full fee interest, subject to easements and encumbrances of record, as of the date of valuation unless otherwise specified.

3. It is assumed that the property is readily marketable, free of all liens and encumbrances except any specifically discussed herein, and under responsible ownership and management.

4. Photographs, plat, and maps furnished in this appraisal are to assist the reader in visualizing the property. No surveys of the property have been made and no responsibility has been assumed in this matter.

5. It is assumed that there are no legitimate environmental or ecological reasons that would prevent the continued use of the property or orderly development of the land as though vacant to its highest and best use under economically feasible conditions.

6. We are not qualified to detect hazardous waste and/or toxic materials. Any comment by us that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property.

   Our value estimates are predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions, or for any expertise or engineering knowledge required to discover them. Our descriptions and resulting comments are the result of the routine observations made during the appraisal process.

7. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may be used for any purpose or by any person other than the party to whom it is addressed without the written consent of Anderson and Brabant, Inc., and in any event, only with proper written qualification and only in its entirety.

8. Disclosure of the contents of this appraisal report is governed by the by-laws and regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially reference to the Appraisal Institute or the MAI designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media, or any other public means of communication without prior written consent and approval of Anderson and Brabant, Inc.

9. The submission of this report constitutes completion of the services authorized. It is submitted on the condition that the client will provide the appraiser customary compensation.
relating to any subsequent required depositions, conferences, additional preparation or testimony.

10. The valuation estimate is of surface rights only and the mineral rights, if any, have been disregarded.

11. No warranty is made as to the seismic stability of the subject property.

12. It is assumed that all required licenses, or other legislative or administrative permits from any local, state, or national governmental or private entity or organization can be obtained for any use on which the value estimate contained in this report is based.
APPRAISER’S SIGNED CERTIFICATION

I do hereby certify that, to the best of my knowledge and belief ...

1. The statements of fact contained in this report are true and correct.

2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, are my personal, impartial, and unbiased professional analyses, opinions and conclusions.

3. I have no present or prospective future interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the property or parties involved with this assignment.

4. I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three (3) year period immediately preceding the agreement to perform this assignment.

5. My engagement in this assignment was not contingent upon developing or reporting predetermined results.

6. My compensation for completing this assignment is not contingent upon the developing or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

7. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice and the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute.

8. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

9. I made a personal inspection of the property that is the subject of this report.

10. Patricia L. Brabant Haskins provided significant real property appraisal assistance to the person signing this certification. This included property inspection, research and verification of comparable sales and report preparation.

11. As of August 11, 2021, the date of this report, I have completed the continuing education program for Designated Members of the Appraisal Institute.

James Brabant, MAI
Certified General Real Estate Appraiser
BREA Appraiser No. AG002100

Anderson & Brabant, Inc.
AERIAL PHOTOGRAPH OF THE SUBJECT PROPERTY

Areas A, B and C
Areas D and E
Area G
APN 470-680-16

Total area after Areas A, B and C are sold; Areas D and E are dedicated, Area G is vacated.

Anderson & Brabant, Inc.
SUBJECT PROPERTY PHOTOGRAPHS

Looking southeast toward Area A from Summit Drive.

Looking southeast along the southerly boundary of Area B.

Anderson & Brabant, Inc.
SUBJECT PROPERTY PHOTOGRAPHS

Looking northwest toward Area B from the driveway access to the adjacent residence located at 4255 Summit Drive. A portion of the level concrete pad area is located within Area B.

Looking south toward driveway which bisects Area C and provides access to 4255 Summit Drive.

Anderson & Brabant, Inc.
Looking southwesterly toward the southeast corner of APN 470-680-16 where it meets the southerly corner of Area C and the easterly corner of Area B. The orange cone has been placed on the marker located in the concrete. The driveway appears to be encroaching slightly onto APN 470-680-16.

Looking northeast along Summit Drive with Area D visible on the right.

*Anderson & Brabant, Inc.*
SUBJECT PROPERTY PHOTOGRAPHS

Looking southeast toward Area E from Summit Drive.

Looking northwest toward Area G from Summit Drive.

Anderson & Brabant, Inc.
SUBJECT PROPERTY PHOTOGRAPHS

Looking easterly across the northerly portion of Area B with APN 470-680-16 beyond. The photo was taken from the westerly boundary of Area B, outside the fence along Summit Drive.

Looking southerly across the eastern portion of the pad area of APN 470-680-16. The photo was taken from the northerly boundary of APN 470-680-16, outside the fence along Summit Drive.

Anderson & Brabant, Inc.
Summit Drive, La Mesa, Ca 91941
Assessor's Parcel Number: 470-680-16
Exhibit "A"

Please note, Buyer will be required to dedicate improved portions of Areas D and E to the City of La Mesa as Public Street; G to be vacated by City (165 sq ft.

CITY OF LA MESA PROPERTY
Area A = 993.10 square feet
Area B = 1034.26 square feet
Area C = 1393.86 square feet
TOTAL = 3421.22 square feet

HELIX WATER DISTRICT PROPERTY
Area D = 167.60 square feet
Area E = 1.48 square feet
Area F = 5456.12 square feet
TOTAL = 5625.20 square feet

Total Area outside Summit Dr. Right-of-Way
(A + B + C + F) = 8877.34 square feet (0.20 acres)

Anderson & Brabant, Inc.
QUALIFICATIONS OF THE APPRAISER

James Brabant, MAI
Anderson & Brabant, Inc.
353 W. Ninth Avenue
Escondido, CA 92025
(760) 705-1592 (Direct)
Email: jlbrabant@aol.com

I. Resident of San Diego County since 1977

II. Educational Background:
   A. University of Southern California, B.S. degree in Real Estate — 1960
   B. School of Theology at Claremont, Master of Theology — 1966
   C. Professional Education Completed:
      1. Appraisal Institute
         a. "Basic Appraisal Principles, Methods and Techniques" — Course I-A
         b. "Capitalization Theory and Techniques" — Course I-B
         c. "Urban Properties" — Course II
         d. "Investment Analysis" — Course IV
         e. "Standards of Professional Practice"
         f. "Litigation Valuation"
         g. Special Applications of Appraisal Analysis Course 301
      2. Lincoln Graduate Center
         a. Manufactured Housing Appraisal Course 669
      3. Continuing Education (Partial List):
         USPAP Course and Updates (every two years)
         Four Hour Federal and State Laws, 1/16
         Fundamentals of Separating Real Property, Personal Property, and Intangible
         Business Assets 4/12
         Eminent Domain Case Update, 10/95, 3/97, 10/07, 4/10
         Business Practice and Ethics, 6/07, 7/12
         San Diego Apartment & Housing Seminar, 10/98, 5/07, 9/11
         Appraiser as Expert Witness, 12/06
         Deal and Development Analysis — Downtown S.D., 9/05
         Litigation Seminar, 11/04, 11/07, 11/10
         Appraising Manufactured Housing, 1/04
         Economic and Real Estate Forum, 09/02
         Gramm-Leach-Bliley Act, 10/01
         Condemnation on Trial (Participant), 5/00
         Digging Into Ground Leases, 2/15
         Unique Appraisal Assignments (Participant), 2/14
         Appraisal of Partial Interests; 6/98
         Vineyard Valuation, 11/12
         Downtown San Diego Development, 9/15

Anderson & Brabant, Inc.
III. **Professional Affiliations:**
   A. Member, Appraisal Institute, MAI (1985 President, San Diego Chapter)
   B. Realtor Member, North County Association of Realtors
   C. Member, International Right of Way Association
   D. Real Estate Brokers License, State of California
   E. Teaching Credential, State of California, Community College Level
   F. Certified General Real Estate Appraiser (AG002100)
      Office of Real Estate Appraisers, State of California

IV. **Appraisal Experience:**
   Co-Owner — Anderson & Brabant, Inc., Since 1979
   Appraisal Manager — California First Bank, Huntington Beach, California, 1974 - 1977
   Staff Appraiser — California First Bank, San Diego, California, 1972 - 1974
   Staff Appraiser — O. W. Cotton Co., San Diego, California, 1970 - 1972
   Staff Appraiser — Davis Brabant, MAI, Huntington Park, California, 1960 - 1962

V. **Teaching Experience:**
   Southwestern College, Chula Vista, California, "Real Estate Appraisal"

VI. **Expert Witness:**
   Superior Court, San Diego, Los Angeles, Riverside, and San Bernardino Counties
   Rent Control Hearings: Cities of Oceanside, Escondido, Ventura, Concord, Yucaipa, Carpenteria,
   Palmdale, San Marcos, Carson, Watsonville
   Various Arbitration Hearings
   Assessment Appeals Boards of Riverside County, San Diego County and Orange County
   Federal Bankruptcy Courts in San Diego County & Santa Barbara County
   United States District Court – Northern District of California

VII. **Types of Appraisals:**
   Residential Property:
   Single-family residence, condominiums, apartments, subdivisions, existing and proposed
   Commercial Property:
   Office buildings, shopping centers, office condominiums, etc., existing and proposed
   Industrial Property:
   Single/multi-tenant, business parks, etc., existing and proposed
   Vacant Land:
   Industrial, commercial, residential, and rural
   Agricultural:
   Ranches, avocado and citrus groves, etc.
   Special Purpose Appraisals:
   Leasehold estates, possessory interest, historical appraisals, etc.
   Mobile Home Parks:
   For a variety of purposes including rent hearings, park closure, park conversions, failure to maintain litigation, eminent domain, etc.
Qualifications of the Appraiser — James Brabant, MAI
Page Three

VIII. Partial List of Appraisal Clients:

**Banks**
- Bank of America
- Bank of New York
- City National Bank
- Downey Savings
- Fidelity Federal Bank
- First Interstate Bank
- First Pacific National Bank
- Flagship Federal Savings
- Great Western Bank
- Industrial Bank of Japan
- Palomar Savings & Loan
- Redlands Federal Bank
- Union Bank of California
- Wells Fargo Bank

**Government Agencies and Municipalities**
- California Department of Transportation/Caltrans
- Carlsbad Municipal Water District
- City of Carlsbad
- City of Chula Vista
- City of Colton
- City of Concord
- City of Escondido
- City of Laguna Beach
- City of La Mesa
- City of Salinas
- City of San Bernardino
- City of San Diego
- City of San Marcos
- City of Vista
- City of Yucaipa
- County of San Diego
- Fallbrook Public Utility District
- Metropolitan Water District
- Oceanside Unified School District
- Pacific Telephone
- Poway Municipal Water District
- Ramona Unified School District
- SANDAG (San Diego Assoc. of Govts.)
- San Diego County Water Authority
- San Diego Unified Port District
- San Marcos Unified School District
- U.S. Depart. of the Interior  
  Bureau of Indian Affairs
- U.S. Department of Justice

**Law Firms**
- Aleshire & Wynder, LLP
- Asaro, Keagy, Freeland, & McKinley
- Best, Best & Krieger
- Daley & Heft
- Endeman, Lincoln, Turek & Heater
- Foley & Lardner, LLP
- Fulbright & Jaworski
- Gray, Cary, Ware & Freidenrich
- Higgs, Fletcher & Mack
- Latham & Watkins
- Lounsbery, Ferguson, Altona & Peak
- Luce, Forward, Hamilton & Scripps
- McDonald & Allen
- McInnis, Fitzgerald, Rees, Sharkey & McIntyre
- O'Melveny & Meyers
- Procopio, Cory, Hargreaves & Savitch
- Rutan & Tucker
- Singer, Richard
- Sullivan Wertz McDade & Wallace
- Tatro & Zamoyski
- Thorsnes Bartolotta & McGuire
- Woodruff, Spradlin & Smart
- Worden Williams, APC

**Title Companies**
- Chicago Title
- Fidelity National Title Insurance
- First American Title
- St. Paul Title
- Title Insurance & Trust

**Others**
- Avco Community Developers
- Coldwell Banker
- Dixieline Lumber
- Golden Eagle Insurance
- National Steel & Shipbuilding Co.
- Northern San Diego County Hospital District
- Prudential Insurance Corp.
- Rosenow, Spavecak, Group
- San Diego Gas & Electric Co.
- San Luis Rey Downs (Vessels)
- Steefel, Levitt & Weiss
- Tellwright-Campbell, Inc.
- Transamerica Relocation Service
- Vedder Park Management

*Anderson & Brabant, Inc.*

ATTACHMENT C
RECORDING REQUESTED BY:
La Mesa City Clerk
FEE EXEMPT PER
GOVERNMENT CODE SECTION 27383

WHEN RECORDED, RETURN TO:
Megan Wiegelman, City Clerk
City of La Mesa
P. O. Box 937
La Mesa, CA 91944-0937

GRANT DEED
Road & Public Utilities
A.P.N.: 470-680-16-00 • Address: 4243 Summit Drive

THE UNDERSIGNED GRANTOR(s) DECLARE(s)
DOCUMENTARY TRANSFER TAX is $ 0.00, and is
_____computed on full value of property conveyed, or
_____computed on full value less value of liens or encumbrances remaining at time of sale,
_____Unincorporated Area     X     City of La Mesa, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, T&S Summit, LLC, a California Limited Liability company, hereby GRANT(s) to the City of La Mesa, a Municipal Corporation for Road and Public Utilities, the following described real property in the City of La Mesa, County of San Diego, State of California:

(Refer Attached Exhibit “A” for Legal Description and Exhibit “B” for Plat)

Torre Crandall     Date
Manager, T&S Summit, LLC

Mail Tax Statements As Shown Above.

ATTACHMENT D
CERTIFICATE OF ACCEPTANCE
(Government Code Section 27281)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

This is to certify that the interest in the real property conveyed by the covenant, deed or grant dated ________________, 2021, from T&S Summit, LLC, a California Limited Liability company, as owners, to the City of La Mesa, A Municipal Corporation, is hereby accepted by the undersigned officer on behalf of the City Council pursuant to authority conferred by Resolution No. 12466 of the La Mesa City Council adopted on January 8, 1974 and the grantee consents to recordation thereof by its duly authorized officer.

Dated: ________________  By: ________________________________

Leon Firsht
Director of Public Works / City Engineer
City of La Mesa, California

GRANT DEED: (Road & Public Utilities)
T&S LLC
APN 470-680-16-00
ADDRESS: 4243 Summit Dr.
9/21
ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )
COUNTY OF SAN DIEGO ) ss.

On ________________________, 2021, before me, Megan Wiegelman, City Clerk, personally appeared Leon Firsht, Director of Public Works/City Engineer of the City of La Mesa, 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.

__________________________  (SEAL)

Megan Wiegelman, CMC
City Clerk of the City of La Mesa

GRANT DEED: (Road & Public Utilities)
T&S LLC
APN 470-680-16-00
ADDRESS: 4243 Summit Dr.
9/21

ATTACHMENT D
QUITCLAIM DEED

The undersigned Grantor(s) Declare(s)

Assessor’s Parcel No. N/A

- [ ] unincorporated area  
- [X] City of La Mesa
- [ ] computed on full value of property conveyed, or
- [ ] computed on full value less value of liens or encumbrances remaining at time of sale,

and

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the City of La Mesa, a Municipal Corporation, hereby REMISES, RELEASES AND FOREVER QUITCLAIMS any and all right, title and interest in that certain real property located in the City of La Mesa, County of San Diego, State of California, as more particularly described in “Exhibit A” and graphically depicted on “Exhibit B”, both attached hereto (the “Property”), to T&S Summit, LLC, a California Limited Liability company.

With regard to parcel B of said exhibit the following reservations of easement remain in effect;

Excepting and reserving an easement unto SDG&E, for rights of any public utility pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew and enlarge overhead or underground lines of pipe, conduits, cable, wires, poles, and other structures, equipment, and fixtures for the transmission and distribution of electrical or electronic energy and natural gas, together with the right of ingress thereto and egress therefrom, together with the right to maintain said easement, vacated and abandoned area free of any excavation or fills, the erection or construction of any building or other structures, the planting of any tree or trees thereon without the prior written consent of franchise holder or easement holder, and for incidental purposes to protect the property from all hazards in, upon, over, and across the above-described portions of streets to be vacated and abandoned.

This deed is being recorded to implement City’s concurrent approval of the sale of property. Neither City nor any of its officers or employees assumes responsibility for the accuracy of the attached legal description(s).
ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )
     SS)        COUNTY OF SAN DIEGO )

On _______________________, 2021, before me, Megan Wiegelman, CMC, City Clerk, personally appeared Mark Arapostathos, Mayor of the City of La Mesa, 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.

Megan Weigleman, CMC
City Clerk of the City of La Mesa

(SEAL)

ATTACHMENT E
RECORDING REQUESTED BY:
La Mesa City Clerk
FEE EXEMPT PER
GOVERNMENT CODE SECTION 27383

WHEN RECORDED, RETURN TO:
Megan Weigelman, City Clerk
City of La Mesa
P. O. Box 937
La Mesa, CA 91944-0937

VACATION OF RIGHT OF WAY
Public Right of Way – A Portion of Summit Drive

The undersigned Grantor(s) Declare(s)

(x) City of La Mesa

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the City of La Mesa, a Municipal Corporation, for a fee of $578.00 (Five Hundred Seventy Eight and no/100ths Dollars) hereby REMISES, RELEASES AND FOREVER VACATES any and all right, title and interest in that certain real property located in the City of La Mesa, County of San Diego, State of California, as more particularly described in "Exhibit A" hereto and graphically depicted on "Exhibit B" attached hereto (the "Property"), to T&S Summit, LLC, a California Limited Liability company, with the following exceptions:

Excepting and reserving an easement unto SDG&E, for rights of any public utility pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew and enlarge overhead or underground lines of pipe, conduits, cable, wires, poles, and other structures, equipment, and fixtures for the transmission and distribution of electrical or electronic energy and natural gas, together with the right of ingress thereto and egress therefrom, together with the right to maintain said easement, vacated and abandoned area free of any excavation or fills, the erection or construction of any building or other structures, the planting of any tree or trees thereon without the prior written consent of franchise holder or easement holder, and for incidental purposes to protect the property from all hazards in, upon, over, and across the above-described portions of streets to be vacated and abandoned.

This deed is being recorded to implement City's concurrent approval of a request to vacate excess public right of way. Neither City nor any of its officers or employees assumes responsibility for the accuracy of the attached legal description.

CITY OF LA MESA, A MUNICIPAL CORPORATION

Mark Arapostathis   Date
(Authorized By Resolution No. ___________________ )