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2021

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Recording Requested By  
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Mr. A. John Hecht  
Suite 1100, Great American Building  
600 "B" Street  
San Diego, California 92101

OFFICIAL RECORDS  
SAN DIEGO COUNTY RECORDER'S OFFICE  
ANNETTE EVANS, COUNTY RECORDER  
RF: 13.00 FEES: 31.00  
AF: 16.00  
MF: 2.00

**NOTICE OF  
DECLARATION OF ANNEXATION  
Mt. Woodson Phase 3**

THIS NOTICE OF DECLARATION OF ANNEXATION is made as of this  
3rd day of August, 1992, by DAVIDSON COSCAN PARTNERS, a general  
partnership, hereinafter called "Declarant", with reference to  
the following

**RECITALS:**

A. Declarant is the Declarant under that certain Declara-  
tion of Restrictions for Mt. Woodson Residential Community  
("Declaration") which was recorded on the 22nd day of May, 1991  
with the Office of the County Recorder of San Diego County,  
California, as Document No. 1991-0242593, initially covering all  
of that real property located in the County of San Diego, State  
of California, described as:

Lots 1 through 23, inclusive, Lots 25 through  
27, inclusive, Lots 32 through 49, inclusive,  
and Lots 54, 58, 59 and 60 of COUNTY OF SAN  
DIEGO TRACT NO. 4626-1, in the County of San  
Diego, State of California, according to Map  
thereof No. 12601, filed with the County  
Recorder of San Diego County on April 18,  
1990;

Parcels A, B, C and D shown on Certificate of  
Compliance re-recorded July 19, 1990 as  
File/Page No. 90-391873, Official Records of  
San Diego County, California (being adjust-

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ments of former lots 28, 29, 30 and 31 of TRACT NO. 4626-1); and

Non-exclusive easements for ingress, egress and utilities over, under, upon and across Parcel D shown on that certain Certificate of Compliance re-recorded March 28, 1991 as Document No. 1991-0138480, Official Records of San Diego County, California (Parcel D is an adjustment to the boundaries of former lot 57 of TRACT NO. 4626-1).

Lots 1 through 23, 25 through 27 and 32 through 49 described above and Parcels A, B, C and D shown on Certificate of Compliance re-recorded July 19, 1990 as File/Page No. 90-391873, Official Records of San Diego County, California, are defined in the Declaration as "Lots," and lots 54, 58, 59 and 60 and the easement to Parcel D described above are defined in the Declaration as "Common Area".

B. The Declaration was amended by: (i) a First Amendment to Declaration of Restrictions And To Phase 2 Annexation for Mt. Woodson Residential Community ("First Amendment") which was recorded on November 12, 1991 with the Office of the County Recorder of San Diego County, California, as Document No. 1991-0583459; and (ii) a Second Amendment to Declaration of Restrictions And To Phase 2 Annexation for Mt. Woodson Residential Community ("Second Amendment") which was recorded on February 24, 1992 with the Office of the County Recorder of San Diego County, California, as Document No. 1992-0096855. The First Amendment and Second Amendment changed the phasing of the "Properties" (as such term is defined in the Declaration).

C. The Declaration provides that Declarant may annex additional property as described in the Declaration to the Lots and Common Area described in the Declaration and thereby make such additional property subject to the Declaration and subject to the jurisdiction of MT. WOODSON HOMEOWNERS ASSOCIATION, a California non-profit mutual benefit corporation, which is defined in the Declaration as the "Association".

D. Declarant is the owner of the real property located in the County of San Diego, California, described as

Lots 117 through 208, inclusive, and Lots 210 through 219, inclusive, of COUNTY OF SAN DIEGO TRACT NO. 4626-3, in the County of San Diego, State of California, according to Map thereof No. 12754, filed in the Office of the County Recorder of San Diego County, December 10, 1990;

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Parcels A and B shown on Certificate of Compliance recorded July 25, 1991 as Document No. 1991-0366313, Official Records of San Diego County, California, and legally described on Exhibit "1" attached hereto (being a division of former lot 104 of TRACT NO. 4626-2)

("Phase 3"), which property is a part of the property described in the Declaration which may be annexed to the Lots, Common Area and jurisdiction of the Association.

E. Declarant now wishes to annex the property described in Recital D above to the property covered by the Declaration and to the jurisdiction of the Association and thereby make the property described in Recital D above subject to the terms, conditions and restrictions of the Declaration.

NOW, THEREFORE, Declarant declares as follows:

1. Pursuant to the terms of the Declaration, Declarant, as the owner of Phase 3, declares that all of Phase 3 is hereby annexed to and made a part of the property encumbered by the Declaration, with the following portions of Phase 3 being Lots and Common Area, respectively:

Lots:

Lots 117 through 208, inclusive, of COUNTY OF SAN DIEGO TRACT NO. 4626-3, in the County of San Diego, State of California, according to Map thereof No. 12754, filed in the Office of the County Recorder of San Diego County, December 10, 1990; and

Parcels A and B shown on Certificate of Compliance recorded July 25, 1991 as Document No. 1991-0366313, Official Records of San Diego County, California, and legally described on Exhibit "1" attached hereto (being a division of former lot 104 of TRACT NO. 4626-2).

Common Area:

Lots 210 through 219, inclusive, of COUNTY OF SAN DIEGO TRACT NO. 4626-3, in the County of San Diego, State of California, according to Map thereof No. 12754, filed in the Office of the County Recorder of San Diego County, December 10, 1990.

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All of Phase 3 shall be held, sold, leased, transferred, occupied and conveyed subject to the terms, provisions, covenants, conditions, restrictions and easements of the Declaration as it may hereafter be amended.

2. Phase 3 constitutes a separate Phase as "Phase" is defined in the Declaration. The obligation of Owners of Lots within Phase 3 to pay assessments to the Association, and their right to vote as members of the Association shall commence as set forth in the Declaration as it may be amended from time to time.

IN WITNESS WHEREOF, the undersigned has executed this instrument as of the day and year first hereinabove written.

DAVIDSON COSCAN PARTNERS, a general partnership

By: THE DAVIDSON COMPANY, a  
California corporation, a  
general partner

By: \_\_\_\_\_

  
George W. Walker II,  
Vice President

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STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN DIEGO )

On January 29, 1992, before me, Cathy L. Samuels,  
Notary Public, personally appeared \_\_\_\_\_  
George W. Walker II

~~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 Cathy L. Samuels



**PARCEL A:**

THAT PORTION OF LOT 104 OF COUNTY OF SAN DIEGO TRACT 4626-2, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 12686, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 16, 1990, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT 104; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 104, SOUTH 65°00'00" EAST 78.40 FEET TO AN ANGLE POINT ON SAID NORTHERLY LINE; THENCE LEAVING SAID NORTHERLY LINE SOUTH 18°00'00" WEST 136.00 FEET TO A POINT ON THE NORTHERLY SIDELINE OF SOUTH WOODSON DRIVE (PRIVATE STREET) HAVING A WIDTH OF 40.00 FEET PER SAID MAP NO. 12686; SAID POINT ALSO BEING ON THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 420.00 FEET, A RADIAL LINE OF SAID CURVED TO SAID POINT BEARS NORTH 28°00'00" EAST; THENCE NORTHWESTERLY ALONG SAID SIDELINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°30'00" AN ARC LENGTH OF 76.97 FEET; THENCE LEAVING SAID SIDELINE ALONG THE WESTERLY LINE OF SAID LOT 104 NORTH 17°30'00" EAST 139.19 FEET TO THE POINT OF BEGINNING.

**PARCEL B:**

THAT PORTION OF LOT 104, OF COUNTY OF SAN DIEGO TRACT 4626-2, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 12686, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 16, 1990, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 104; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 104 SOUTH 37°16'00" WEST 130.37 FEET TO A POINT ON THE NORTHERLY SIDELINE OF SOUTH WOODSON DRIVE (PRIVATE STREET) HAVING A WIDTH OF 40.00 FEET PER SAID MAP NO. 12686; SAID POINT ALSO BEING ON THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 420.00 FEET, A RADIAL LINE OF SAID CURVE TO SAID POINT BEARS NORTH 37°16'00" EAST; THENCE NORTHWESTERLY ALONG SAID SIDELINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 9°16'00" AN ARC LENGTH OF 67.93 FEET; THENCE LEAVING SAID SIDELINE NORTH 18°00'00" EAST 136.00 FEET TO AN ANGLE POINT ON THE NORTHERLY LINE OF SAID LOT 104; THENCE ALONG SAID NORTHERLY LINE SOUTH 56°32'00" EAST 112.76 FEET TO THE POINT OF BEGINNING.

**SUBORDINATION AGREEMENT**

RT HOLDINGS, INC., a Delaware Corporation  
being the beneficiary under that certain deed of trust recorded  
June 14, 1990 as Document No. 90-321859  
with the Office of the County Recorder of the County of San  
Diego, California, hereby declares that the lien and charge of  
said deed of trust are and shall be subordinate and inferior to  
the Declaration of Restrictions referred to in the Notice of  
Declaration of Annexation to which this Subordination Agreement  
is attached, and to the Notice of Declaration of Annexation.

RT HOLDINGS, INC., a Delaware Corporation  
*RT Holdings, Inc., a Delaware corporation*

By *Leandra A. Dixon*  
Title *attorney-in-fact*

By \_\_\_\_\_  
Title \_\_\_\_\_

STATE OF CALIFORNIA        )  
  ) ss.  
COUNTY OF SAN DIEGO     )

On \_\_\_\_\_, before me, \_\_\_\_\_,  
Notary Public, personally appeared \_\_\_\_\_

\_\_\_\_\_ personally known to me (or proved to me on the basis of satisfac-  
tory evidence) to be the person(s) whose name(s) is/are sub-  
scribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized capaci-  
ty(ies), and that by his/her/their signature(s) on the instru-  
ment, the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

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STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN DIEGO )

On December 20, 1991, before me, the undersigned, a Notary Public in and for said state, personally appeared Linda G.H. Prosi, known to me to be the person whose name is subscribed to the within instrument as the attorney-in-fact of RT Holdings, Inc., a Delaware corporation, and acknowledged to me that she subscribed the name of RT Holdings, Inc., a Delaware corporation, thereto as principal and her own name as attorney-in-fact.

WITNESS my hand and official seal.

*Karen L. Balmer*  
Notary Public in and for said state.



Karen L. Balmer  
Name typed or printed