

RECORDING REQUESTED BY

CHICAGO TITLE COMPANY

AFTER RECORDING MAIL TO:

Garden Homes
7689 Palmilla Drive #1303
San Diego, CA 92122

968969-50

1353
[Handwritten initials]

DOC # 1995-0006622
06-JAN-1995 10:38 AM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY SMITH, COUNTY RECORDER
RF: 13.00 FEES: 58.00
AF: 17.00
MF: 1.00
MISC: 27.00

**CERTIFICATE UNDER CALIFORNIA
CIVIL CODE SECTION 1351
PHASE VI**

We the undersigned, being a record holder[s] of security interests in, the real property described in the documents hereinafter mentioned, do hereby certify that:

We hereby consent to the recordation of the plan of condominium, pursuant to Chapter 1350 et seq of California Civil Code, consisting of: [i] the description or survey map of the surface of the land included with the project, as such description is set forth upon or constituted by

Lot 6 of Parcel Map No. 17235 filed in the Office of the San Diego County Recorder on October 21, 1993.

of which description is hereby by reference incorporated herein; [ii] the diagrammatic floor plans of the building or buildings built or to be built on said land, as said diagrammatic floor plans are shown on said plan, and which diagrammatic floor plans are hereby by reference incorporated herein; and [iii] this Certificate.

DATE: 10.1.94

RECORD OWNER

Cape La Jolla Gardens, Inc., a California corporation

BY: *[Signature]*
Stuart Posnock, Vice-President

IMPORTANT PLEASE SIGN YOUR NAME, EXACTLY AS IS IS TYPEWRITTEN, AND ACKNOWLEDGE THIS DOCUMENT IN THE PRESENCE OF A NOTARY PUBLIC.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

1354

No. 5907

State of CALIFORNIA

County of LOS ANGELES

On OCTOBER 1, 1994 before me, JS PETERSON

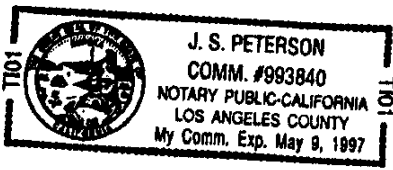
DATE

NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared STUART POSNOCK

NAME(S) OF SIGNER(S)

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.

[Handwritten Signature]
SIGNATURE OF NOTARY

OPTIONAL

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

CAPACITY CLAIMED BY SIGNER

INDIVIDUAL
 CORPORATE OFFICER
VP
TITLE(S)

PARTNER(S) LIMITED
 GENERAL

ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

DESCRIPTION OF ATTACHED DOCUMENT

RECORDATION CONSENT
TITLE OR TYPE OF DOCUMENT

1+
NUMBER OF PAGES

10-1-94
DATE OF DOCUMENT

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
CUT INC

NO OTHER SIGNERS
SIGNER(S) OTHER THAN NAMED ABOVE

1355

Condominium Consent
Lot 6 of Parcel Map No. 17235

LIEN HOLDER

Bank of America National Trust and Savings Association,
a National Banking Association

BY: Ronald V. Munton V.P.

DATE: 12-21-94

1356
GENERAL ACKNOWLEDGMENT

State of California

County of San Diego

On Dec. 21, 1994 before me, Marlene A - Concepcion
personally appeared Ronald V. Montoro

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

Marlene A - Concepcion

OPTIONAL

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

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL
- CORPORATE OFFICER

TITLE(S)

- PARTNER(S)
- LIMITED
- GENERAL

- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE



CAPE LA JOLLA GARDENS PHASE VI CONDOMINIUM PLAN

LEGAL DESCRIPTION

LOT 6, P.M. NO. 17235 FILED IN THE OFFICE OF SAN DIEGO COUNTY RECORDER, OCTOBER 21, 1983

BASIS OF ELEVATIONS

CITY OF SAN DIEGO BRASS PLUG AT THE NORTHEAST CORNER ON THE INTERSECTION OF VIA MALLORCA AND VIA ALICANTE
ELEV. = 318.283 M.S.L.

NOTES

- 1 THIS CONDOMINIUM PROJECT IS COMPOSED OF A COMMON AREA AND 8 UNITS NUMBERED U143 THROUGH U150 INCLUSIVE, TOGETHER WITH EXCLUSIVE USE AREAS TO BE ASSIGNED TO INDIVIDUAL UNITS.
- 2 THE COMMON AREA OF THIS PROJECT IS THE LAND AND REAL PROPERTY, INCLUDING ALL IMPROVEMENTS TO BE CONSTRUCTED THEREON, WITHIN THE BOUNDARY LINES OF PARCEL 1 OF P.M. 17235 EXCEPT THEREFROM THOSE PORTIONS SHOWN AND DEFINED HEREIN AS UNITS 143 TO 150 INCLUSIVE, AND OTHER EXCLUSIVE USE AREAS DEFINED HEREIN.
- 3 THE FOLLOWING ARE NOT PART OF A UNIT: BEARING WALLS, COLUMNS, VERTICAL SUPPORTS, FLOOR ROOF'S FOUNDATIONS, BEAMS, BALCONY RAILINGS, PUMPS, DUCTS, FLUES, CHIMNEYS, CONDUITS, WIRES, AND OTHER UTILITY INSTALLATIONS, EXCEPT THE OUTLETS THEREOF WHEN LOCATED WITHIN THE UNITS, AND EXCEPT ANY SURFACE NOTED THEREIN AS FORMING A PART OF AN ELEMENT OF A UNIT.
- 4 THIS PLAN AND THE DIMENSIONS SHOWN HEREON ARE INTENDED TO CONFORM TO CIVIL CODE SECTION 1331 WHICH REQUIRES DIAGRAMMATIC FLOOR PLANS OF THE BUILDING BUILT OR TO BE BUILT THEREON IN SUFFICIENT DETAIL TO IDENTIFY EACH UNIT, ITS RELATIVE LOCATION, APPROXIMATE DIMENSIONS, THE DIMENSIONS SHOWN HEREON ARE NOT TO BE SUFFICIENTLY ACCURATE TO USE FOR COMPUTATION OF FLOOR AREA OR AIRSPACE VOLUME IN ANY OR ALL OF THE UNITS.
- 5 THESE DIAGRAMMATIC PLANS INTENTIONALLY OMIT DETAILED INFORMATION OF INTERNAL PARTITIONING WITHIN THE INDIVIDUAL UNITS, LIKEWISE, SUCH DETAILS AS PROTRUSIONS OF VENTS, BEAMS, COLUMNS, WINDOW CASINGS AND OTHER SUCH FEATURES ARE NOT INTENDED TO BE REFLECTED ON THIS PLAN.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP IS THE NAD83, ZONE 8, GRID BEARING BETWEEN CALTRANS MAD 83 STATION "MOUNT SOLEDAD ECCENTRIC" AND STATION "SEA WORLD TOWER" AS SAID STATION IS PUBLISHED IN THE SAN DIEGO COUNTY HORIZONTAL CONTROL BOOK, N 1031'32" W

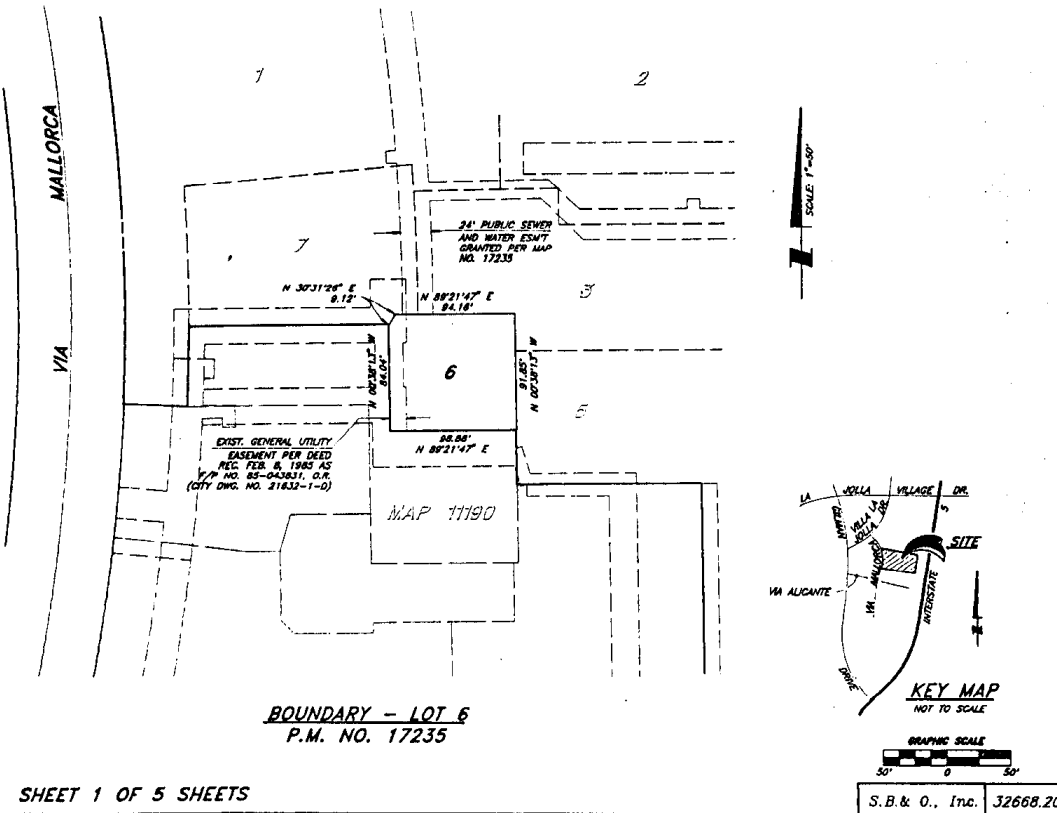
ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED CIVIL ENGINEER OF THE STATE OF CALIFORNIA, AND THIS CONDOMINIUM PLAN CONSISTING OF 3 SHEETS REPRESENTS A TRUE AND COMPLETE SURVEY OF THE BOUNDARIES OF THE LAND SHOWN HEREON, MADE UNDER MY SUPERVISION AND THE RELATION OF THE UNITS SHOWN HEREON TO SAID BOUNDARIES.

Samuel F. Safino
SAMUEL F. SAFINO R.C.E. 13177

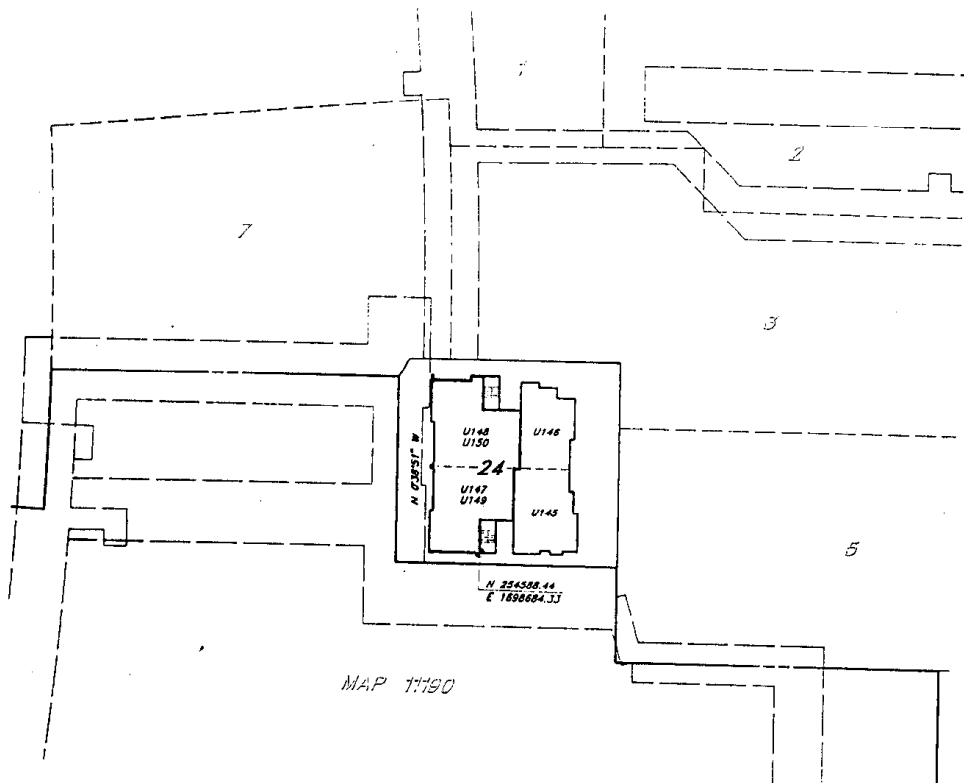


4-6-84
DATE



CAPE LA JOLLA GARDENS PHASE VI

CONDOMINIUM PLAN



MAP 11190

PLOT PLAN LOT 6 - PHASE VI

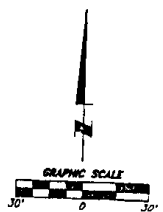
NOTES:

1 ALL BUILDING TIE POINTS FROM LOT LINES ARE TO EXTERIOR FACE OF STILES/BLOCK AT BUILDING CORNER INDICATED. COORDINATES FOR ALL TIE POINTS ARE PER CALIFORNIA COORDINATE SYSTEM, ZONE 8, NAD 83.

LEGEND

INDICATES BUILDING NUMBER
INDICATES GARAGE DESIGNATION
INDICATES COORDINATE TIE POINT OF BUILDING TO BOUNDARY

2
B
3



SHEET 2 OF 5 SHEETS

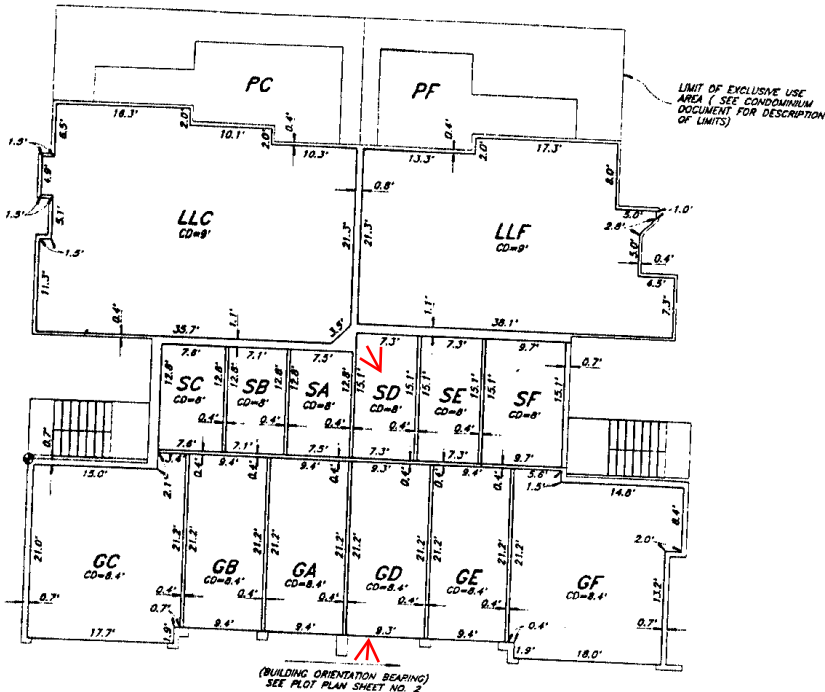
4-8-84

S. B. & O., Inc. 32668.20

CAPE LA JOLLA GARDENS PHASE VI CONDOMINIUM PLAN

NOTES:

- THE UNITS OF THIS PROJECT ARE NUMBERED U143 TO U152 INCLUSIVE. A UNIT CONSISTS OF ALL THOSE ELEMENTS BEARING AN IDENTICAL NUMBER DESIGNATION. THE NUMBER DESIGNATION OF AN ELEMENT COINCIDES WITH THE NUMBER OF THAT UNIT OF WHICH IT IS A PART, WHENEVER REFERENCE IS MADE TO ANY OF SAID UNITS, IT SHALL BE CONSTRUCTED THAT REFERENCE IS MADE TO THE UNIT AS A WHOLE AND TO EACH AND ALL OF ITS COMPONENT ELEMENTS.
- EACH OF THOSE AREAS SHOWN ON THIS PLAN BEARING THE LETTER DESIGNATION "L" IS AN ELEMENT OF A UNIT CONSISTING OF DWELLING AREAS. THE LATERAL BOUNDARIES OF EACH SUCH ELEMENT ARE THE INTERIOR SURFACES OF THE PERIMETER WALLS, WINDOWS AND DOORS THEREOF. THE LOWER VERTICAL BOUNDARY OF EACH SUCH ELEMENT IS THE INTERIOR SURFACE OF THE FLOOR THEREOF. THE UPPER VERTICAL BOUNDARY OF EACH SUCH ELEMENT INCLUDES THE RESPECTIVE PORTIONS OF THE BUILDING AND IMPROVEMENTS LYING WITHIN SAID BOUNDARIES (EXCEPT AS STATED IN NOTE 3, SHEET NO. 1), THE AIRSPACE SO ENCOMPASSED, AND THE SURFACES SO DESCRIBED.
- EACH OF THOSE AREAS SHOWN ON THIS PLAN BEARING THE LETTER DESIGNATION "U" IS AN EXCLUSIVE EASEMENT CONSISTING OF BALCONY ELEMENTS ARE THE EXTERIOR SURFACES OF EACH SUCH WINDOWS AND DOORS OF THE ADJACENT BUILDING STRUCTURE WHERE SUCH PERIMETER WALLS, FLOORS AND CEILINGS OF THE INTERIOR SURFACES OF VERTICAL AND HORIZONTAL PLANES AT THE DIMENSIONS AND ELEVATIONS NOTED HEREON FOR EACH SUCH ELEMENT INCLUDES ONLY THE AIRSPACE ENCOMPASSED BY SAID BOUNDARIES. THE VERTICAL LIMITS OF ALL BALCONIES ARE HORIZONTAL PLANES HAVING LOWER AND UPPER ELEVATIONS OF 8.0 FOOT ABOVE THEREOF.
- EACH OF THOSE AREAS SHOWN ON THIS PLAN BEARING THE LETTER DESIGNATION "P" IS AN EXCLUSIVE EASEMENT CONSISTING OF PARKING SPACES (P). THE LATERAL BOUNDARIES OF EACH SUCH ELEMENT ARE THE INTERIOR SURFACES OF THE PERIMETER WALLS, WINDOWS AND DOORS THEREOF AT AN ADJACENT BUILDING STRUCTURE WHERE SUCH SURFACES ADJOIN SUCH ELEMENT, AND THE INTERIOR SURFACES OF PERIMETER WALLS, FLOORS AND CEILINGS OF EACH SUCH ELEMENT, WHERE SUCH SURFACES EXIST. OTHERWISE, THE LATERAL AND VERTICAL BOUNDARIES OF EACH SUCH ELEMENT ARE VERTICAL AND HORIZONTAL PLANES AT THE DIMENSIONS AND ELEVATIONS NOTED HEREON FOR EACH SUCH ELEMENT. EACH SUCH ELEMENT INCLUDES ONLY THE AIRSPACE ENCOMPASSED BY SAID BOUNDARIES.
- EACH OF THOSE AREAS SHOWN ON THIS PLAN BEARING THE LETTER DESIGNATION "S" IS PART OF BASIC UNIT CONSISTING OF STORAGE AREAS ("S"). THE LATERAL BOUNDARIES OF EACH SUCH ELEMENT ARE THE INTERIOR SURFACES OF THE PERIMETER WALLS, WINDOWS AND DOORS THEREOF AT AN ADJACENT BUILDING STRUCTURE WHERE SUCH SURFACES ADJOIN SUCH ELEMENT, AND THE INTERIOR SURFACES OF PERIMETER WALLS, FLOORS AND CEILINGS OF EACH SUCH ELEMENT, WHERE SUCH SURFACES EXIST. OTHERWISE, THE LATERAL AND VERTICAL BOUNDARIES OF EACH SUCH ELEMENT ARE VERTICAL AND HORIZONTAL PLANES AT THE DIMENSIONS AND ELEVATIONS NOTED HEREON FOR EACH SUCH ELEMENT. EACH SUCH ELEMENT INCLUDES ONLY THE AIRSPACE ENCOMPASSED BY SAID BOUNDARIES.
- ANGLES BETWEEN ALL BOUNDARY PLANES AND LINES ARE 90°, OR 45°, UNLESS OTHERWISE NOTED.
- ALL DISTANCES BETWEEN FLOOR ELEVATIONS AND FINISHED SURFACE OF CEILING ARE 8.0' UNLESS OTHERWISE NOTED. THE VERTICAL LIMITS OF ALL UNITS ARE HORIZONTAL PLANES HAVING ELEVATIONS SHOWN AS P.C. ON THE RESPECTIVE PORTIONS THEREOF, EXCEPT PORTIONS HAVING INCLINED PLANES ON THE RESPECTIVE PORTIONS THEREOF, IF ANY.
- ALL WALL THICKNESS BETWEEN ADJACENT UNITS ARE 0.8 FEET UNLESS OTHERWISE SHOWN. ALL WALL THICKNESSES BETWEEN UNITS AND ADJACENT BALCONIES, PATIOS OR WALKWAYS ARE 0.4 FEET UNLESS OTHERWISE SHOWN.
- FLOOR PLANS OF CERTAIN UNITS ARE REVERSED AS SHOWN ON THE PLOT PLAN.
- G & F PLANS ARE TOWN HOUSE UNITS.
- A, B, D, & E ARE ONE-STORY FLATS.
- FINISH FLOOR ELEVATION OF PATIO AREA IS APPROXIMATELY 0.2' BELOW THE FLOOR ELEVATION OF THE NEAREST ADJACENT LIVING AREA.
- FINISHED FLOOR ELEVATION OF BALCONY AREA IS APPROXIMATELY 0.1' BELOW THE FLOOR ELEVATION OF THE NEAREST ADJACENT LIVING AREA.
- GARAGE FLOOR ELEVATION REPRESENTS SLAB AT REAR OF GARAGE. GARAGE SLAB SLOPES 0.4' FROM REAR TO FRONT.

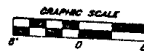


FIRST FLOOR AREAS

LEGEND

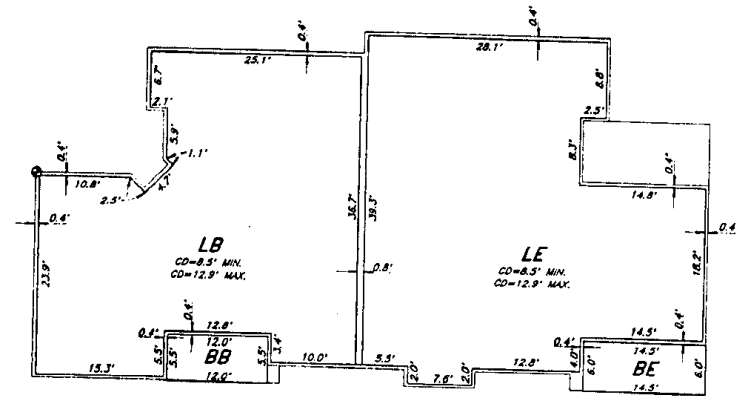
- LL - DENOTES LOWER LIVING AREA
- L - DENOTES LIVING AREA
- UL - DENOTES UPPER LIVING AREA
- FE - DENOTES FINISHED FLOOR ELEVATION
- CD - DENOTES CEILING DIMENSION
- G - DENOTES GARAGE AREA
- B - DENOTES BALCONY AREA
- P - DENOTES PATIO AREA AND EXCLUSIVE USE AREA
- S - DENOTES STORAGE AREA
- ⊙ - DENOTES COORDINATE TIE POINT TO BOUNDARY OF PHASE / LOT

SHEET 3 OF 5 SHEETS

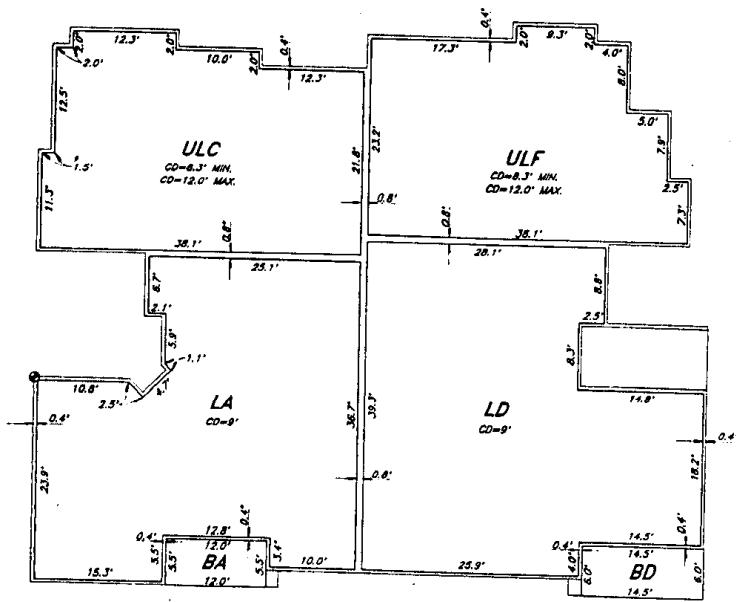


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CAPE LA JOLLA GARDENS PHASE VI CONDOMINIUM PLAN



UPPER LEVEL FLOOR PLAN



MID LEVEL FLOOR PLAN

SHEET 4 OF 5 SHEETS



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CAPE LA JOLLA GARDENS PHASE VI

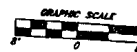
CONDOMINIUM PLAN

TABLE OF CONDOMINIUM UNITS - PHASE VI

BLDG 24	AIR SPACES CONTAINED IN UNIT		UNIT FE	GARAGE FE	STORAGE FE
	UNIT	AREA			
U145	LLC145, ULC145, PC145, OC145, SC145	328.10	338.10	323.10	323.40
U146	LL146, UL146, PL146, OF146, SF146	328.10	338.10	323.10	323.40
U147	LA147, BA147, CA147, SA147	332.80	-	323.10	323.40
U148	LD148, BD148, OD148, SD148	332.80	-	323.10	323.40
U149	LB149, BB149, OB149, SB149	342.70	-	323.10	323.40
U150	LE150, BE150, OE150, SE150	342.80	-	323.10	323.40



SHEET 5 OF 5 SHEETS



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