

MINUTE ITEM

This Calendar Item No. C78 was approved as
Minute Item No. 78 by the California State Lands
Commission by a vote of 3 to 0 at its
5/12/97 meeting.

**CALENDAR ITEM
C78**

A 74
S 38

05/12/97
PRC 7242.9
W 20725.206
AD 75
AD 309
A. Scott
J. Smith
C. Fossum
C. Perez

**AUTHORIZATION TO ACCEPT CERTAIN PROPERTY INTERESTS
AND TO MODIFY AND EXCHANGE CERTAIN ACCESS EASEMENTS
IN AND ADJACENT TO BATIQUITOS LAGOON
PROPOSED TO BE LEASED TO THE
CALIFORNIA DEPARTMENT OF FISH AND GAME FOR INCLUSION IN THE
BATIQUITOS LAGOON ECOLOGICAL RESERVE,
CITY OF CARLSBAD, SAN DIEGO COUNTY**

APPLICANTS:

California Coastal Commission
3111 Camino Del Rio North, Suite 200
San Diego, California 92108-1725
Attn: Sherilyn Sarb

City of Carlsbad
Attn: John Cahill
2075 Las Palmas Drive
Carlsbad, California 92009

Aviara Land Associates, a Limited Partnership
% Larry Clemens, Vice President/ general Manager
2011 Palomar Airport Road, Suite 206
Carlsbad, California 92009

By Chapter 1415, Statutes of 1986, section 1 (Public Resources Code section 6306.1)
the California Legislature authorized the California State Lands Commission (CSLC)
and Board of Harbor Commissioners of the City of Los Angeles to "take all actions
necessary for mitigation of expansion of the Port of Los Angeles by the enhancement,

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restoration, and management of Batiquitos Lagoon in the County of San Diego." This law also provides that "if any interests in property are acquired as part of the Batiquitos Lagoon mitigation project, these interests are to be held in trust for the public as sovereign lands by the State Lands Commission." Public Resources Code section 6306.1 further specifically authorizes the Board of Harbor Commissioners to "expend harbor revenue funds to enhance, restore, and manage Batiquitos Lagoon."

On September 23, 1987, the Commission, by Minute Item No. 39, authorized the execution of a Memorandum of Agreement (MOA) between the CSLC, City of Los Angeles, California Department of Fish and Game (DFG), City of Carlsbad, United States Fish and Wildlife Service, and National Marine Fisheries Service. This MOA provides for the enhancement of Batiquitos Lagoon as a coastal estuarine marine wetland habitat through the restoration of tidal action, protection of existing habitat values and creation of other wildlife habitat, as mitigation for impacts which would be caused by proposed harbor fill and development within the Port of Los Angeles. The MOA contains provisions, which among other things, designate: 1) the City of Carlsbad "to design and construct the Lagoon Enhancement Project"; 2) the CSLC "to hold the necessary property rights for construction and maintenance of the Project"; and 3) the DFG "to assume responsibility for management, operation, maintenance and monitoring of the Project upon completion of construction."

The CSLC, over a period of many years and pursuant to several title settlement agreements and dedications, has obtained title to most of the lagoon proper. In addition, the CSLC has accepted certain public access easements adjacent to the lagoon. One of these easements, authorized by the CSLC in 1988 to be accepted, involves an area in which the public access improvements, due to local governmental requirements, were placed outside of the easement area. This agenda item seeks modification of the access easements to include the constructed area and exclude the area originally intended but not used.

CURRENT SITUATION:

In addition to the modification and exchange of easement areas described above, the DFG, California Coastal Commission, City of Carlsbad, and Aviara Land Associates support the CSLC accepting the Offer of Dedication of a 100 foot Open Space Easement which is directly adjacent to the lagoon property deeded to the Commission by Aviara. This 100 foot buffer includes portions of the north shore access trail easement previously accepted by the CSLC. Finally, the City of Carlsbad will deed to the CSLC an area that includes the current lagoon inlet under Carlsbad Blvd., thereby

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connecting the lagoon proper to the Pacific Ocean. All of these interests are proposed to be included in the DFG's Batiquitos Lagoon Ecological Reserve, as described in more detail in Calendar Item #92 of this meeting.

PERMIT STREAMLINING ACT DEADLINE:

N/A

OTHER PERTINENT INFORMATION:

1. Pursuant to the CSLC's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 25, Transfers of Ownership of Interest In Land to Preserve Open Space. Title 14, California Code of Regulations, section 15325.
Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

2. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq. Based upon the staff's consultation with the entity nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Location Map
- B. Site Map
- C. Open Space Easement Legal Description
- D. Lagoon Inlet Legal Description
- E. Trailhead Access Easements Legal Descriptions (new)
- F. Trailhead Access Easements Legal Descriptions (old)
- G. Map Showing Lagoon Inlet
- H. Map Showing Trailhead Access Easements (new)
- I. Map Showing Trailhead Access Easements (old)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 25,

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TRANSFERS OF OWNERSHIP OF INTEREST IN LAND TO PRESERVE OPEN SPACE; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15325.

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.
3. AUTHORIZE ACCEPTANCE OF PROPERTY INTERESTS DESCRIBED IN EXHIBIT C & D, AND EXECUTION AND RECORDATION OF ALL NECESSARY DOCUMENTS ASSOCIATED THEREWITH.
4. FIND THAT, WITH RESPECT TO THE EXCHANGE OF THE STATE'S INTEREST WITHIN THE AREA DESCRIBED IN EXHIBIT F OF THIS CALENDAR ITEM FOR AN ACCESS EASEMENT IN THE LANDS DESCRIBED IN EXHIBIT E:
 - A. THE EXCHANGE IS IN THE BEST INTERESTS OF THE STATE AND CONSISTENT WITH PUBLIC TRUST NEEDS.
 - B. THAT THE ACCESSWAY EASEMENT DESCRIBED IN EXHIBIT E IS EQUAL TO, OR GREATER THAN, THE VALUE OF THE INTEREST IN THE LANDS BEING RELINQUISHED BY THE STATE AS DESCRIBED IN EXHIBIT F.
 - C. THE AREA OF INTERESTS IN LANDS BEING RELINQUISHED , WHICH IS A RELATIVELY SMALL AREA (APPROXIMATELY 0.1± ACRE OF EASEMENT) IS NOT AVAILABLE OR SUSCEPTIBLE OF BEING USED FOR NAVIGATION AND FISHING AND IS NOT IN FACT TIDELANDS OR SUBMERGED LANDS, BUT RATHER A PROPOSED BUT UNUSED AREA ORIGINALLY DESIGNATED FOR PARKING AND ACCESS.
 - D THE EXCHANGE OF INTERESTS PROPOSED WILL NOT INTERFERE WITH THE PUBLIC'S RIGHTS OF ACCESS.
 - E. ON THE DATE OF RECORDATION OF THE NEW EASEMENT DESCRIBED IN EXHIBIT E, THE OLD EASEMENT DESCRIBED IN EXHIBIT F WILL BE FOUND TO NO LONGER BE NECESSARY OR USEFUL FOR THE PURPOSES OF THE PUBLIC TRUST AND ITS STATUS AS AN ASSET OF THE SOVEREIGN PUBLIC TRUST WILL BE

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TERMINATED.

5. APPROVE AND AUTHORIZE THE EXECUTION, ACKNOWLEDGMENT, AND RECORDATION ON BEHALF OF THE CALIFORNIA STATE LANDS COMMISSION OF A QUITCLAIM OF THE STATE'S SOVEREIGN INTERESTS IN THE LANDS DESCRIBED IN EXHIBIT F SUBSTANTIALLY IN THE FORM OF THE COPY OF SUCH DEED ON FILE WITH THE COMMISSION.
6. AUTHORIZE AND DIRECT THE STAFF OF THE CALIFORNIA STATE LANDS COMMISSION AND/OR THE CALIFORNIA ATTORNEY GENERAL TO TAKE ALL NECESSARY OR APPROPRIATE ACTION ON BEHALF OF THE CALIFORNIA STATE LANDS COMMISSION, INCLUDING THE EXECUTION, ACKNOWLEDGMENT, ACCEPTANCE, AND RECORDATION OF ALL DOCUMENTS AS MAY BE NECESSARY OR CONVENIENT TO CARRY OUT THE ABOVE APPROVED ACTIONS; AND TO APPEAR ON BEHALF OF THE COMMISSION IN ANY LEGAL PROCEEDINGS RELATING TO THE SUBJECT MATTER OF THIS APPROVAL.

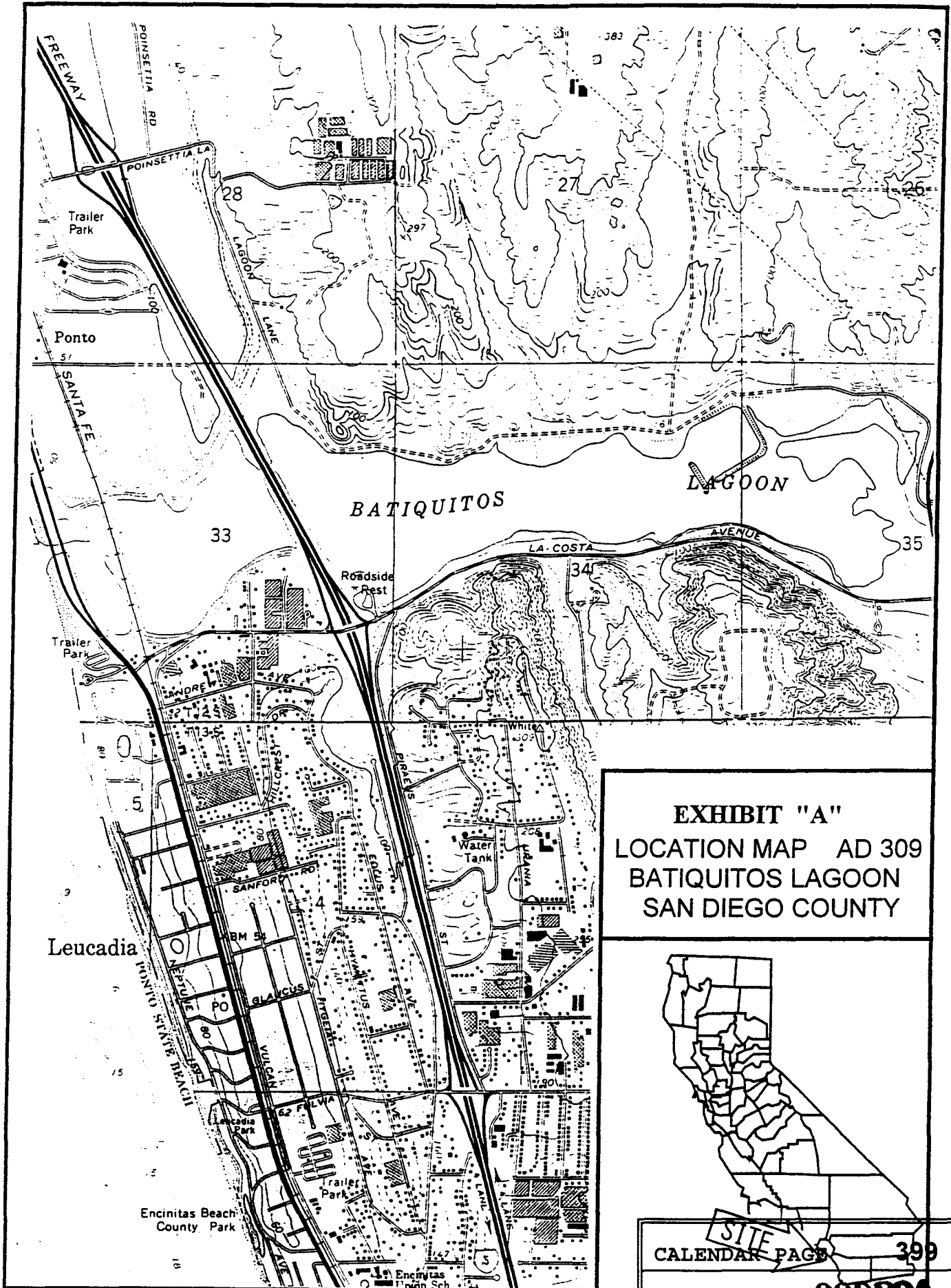
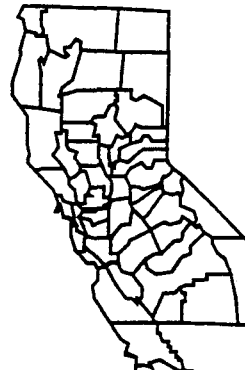
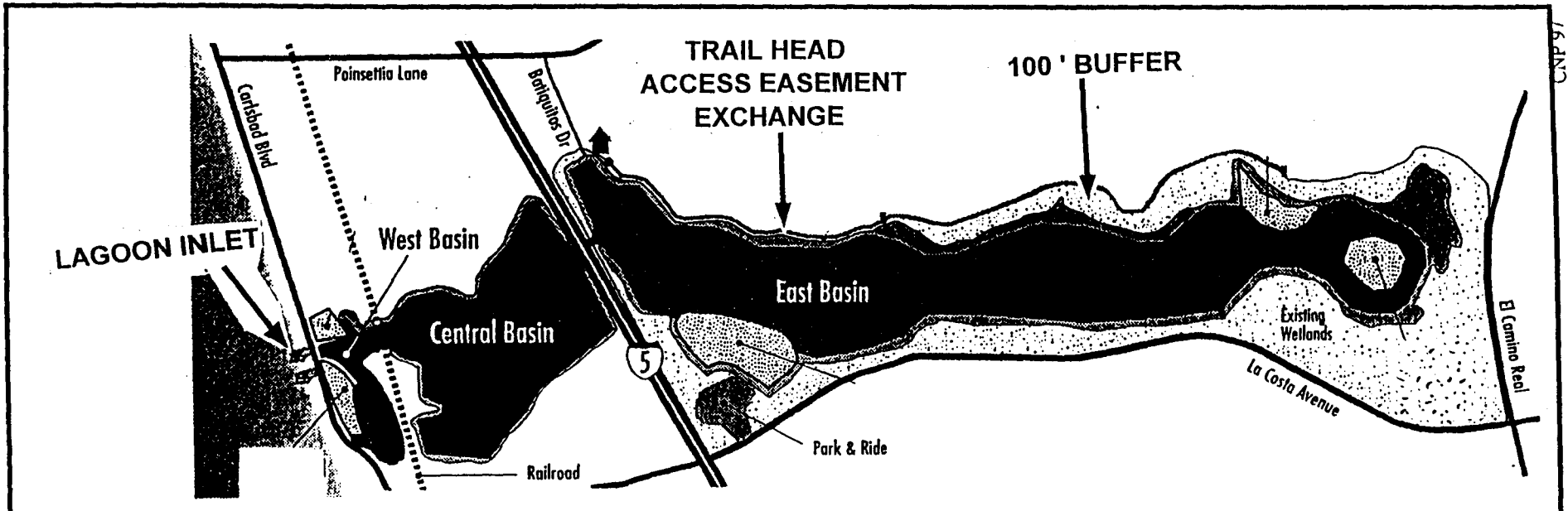


EXHIBIT "A"
LOCATION MAP AD 309
BATIQUITOS LAGOON
SAN DIEGO COUNTY



SITE
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CNP 97



EXHIBIT "B"
 SITE MAP AD 309
 BATIQUITOS LAGOON
 SAN DIEGO COUNTY



BATIQUITOS LAGOON
 ENHANCEMENT PROJECT

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EXHIBIT "C"
OPEN SPACE EASEMENT
LAND DESCRIPTION

AD 309

THOSE PORTIONS OF SECTIONS 33 AND 34 IN TOWNSHIP 12 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 34 AS SHOWN ON RECORD OF SURVEY MAP NO. 10774 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY OCTOBER 30, 1986 AS FILE NO. 86-494180; THENCE ALONG THE EASTERLY LINE OF SAID SECTION, SOUTH 00° 32' 01" WEST 326.28 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00° 32' 01" WEST 100.47 FEET; THENCE LEAVING SAID EASTERLY LINE, THE FOLLOWING COURSES:

NORTH 83° 55' 00" WEST 164.81 FEET;
SOUTH 51° 22' 00" WEST 518.00 FEET;
SOUTH 67° 22' 00" WEST 140.00 FEET;
SOUTH 60° 44' 00" WEST 295.00 FEET;
SOUTH 39° 25' 00" EAST 163.00 FEET;
SOUTH 21° 11' 00" WEST 214.00 FEET;
SOUTH 49° 15' 00" WEST 119.00 FEET;
NORTH 89° 45' 00" WEST 186.00 FEET;
NORTH 58° 00' 00" WEST 132.00 FEET;
NORTH 72° 30' 00" WEST 187.00 FEET;
NORTH 05° 14' 00" EAST 201.00 FEET;
NORTH 51° 53' 00" WEST 63.00 FEET;
NORTH 74° 45' 00" WEST 193.00 FEET;
NORTH 89° 42' 00" WEST 218.00 FEET;
SOUTH 59° 00' 00" WEST 156.00 FEET;
NORTH 75° 10' 00" WEST 113.00 FEET;
SOUTH 22° 30' 00" WEST 88.00 FEET;
SOUTH 81° 22' 00" WEST 57.00 FEET;
SOUTH 61° 54' 00" WEST 195.00 FEET;
NORTH 82° 00' 00" WEST 114.00 FEET;
NORTH 89° 00' 00" WEST 120.00 FEET;
SOUTH 01° 00' 00" EAST 36.00 FEET;
SOUTH 62° 50' 00" WEST 318.00 FEET;
SOUTH 28° 00' 00" EAST 35.00 FEET;
SOUTH 54° 10' 00" WEST 148.00 FEET;
SOUTH 79° 35' 00" WEST 155.00 FEET;
NORTH 54° 10' 00" WEST 370.00 FEET;
NORTH 74° 30' 00" WEST 86.00 FEET;
NORTH 35° 30' 00" WEST 141.00 FEET;
NORTH 11° 10' 00" EAST 110.00 FEET;

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NORTH 20° 30' 00" WEST 128.00 FEET;
 NORTH 85° 00' 00" WEST 71.00 FEET;
 SOUTH 25° 30' 00" WEST 223.00 FEET;
 SOUTH 10° 45' 00" EAST 53.00 FEET;
 SOUTH 33° 30' 00" WEST 146.00 FEET;
 SOUTH 55° 30' 00" WEST 52.00 FEET;
 SOUTH 77° 30' 00" WEST 358.00 FEET;
 SOUTH 55° 10' 00" WEST 167.00 FEET;
 SOUTH 75° 58' 00" WEST 42.00 FEET;
 NORTH 83° 56' 00" WEST 117.00 FEET;
 NORTH 73° 50' 00" WEST 99.00 FEET;
 NORTH 70° 50' 00" WEST 147.00 FEET;
 NORTH 74° 10' 00" WEST 190.00 FEET;
 NORTH 68° 56' 02" WEST 346.00 FEET;
 NORTH 73° 16' 26" WEST 174.03 FEET;
 NORTH 84° 00' 00" WEST 124.00 FEET;
 SOUTH 78° 00' 00" WEST 447.00 FEET;
 NORTH 83° 00' 00" WEST 123.73 FEET TO THE BOUNDARY LINE OF SAID RECORD OF SURVEY MAP, THENCE ALONG SAID BOUNDARY LINE, NORTH 32° 17' 46" WEST 129.22 FEET; THENCE LEAVING SAID BOUNDARY LINE, THE FOLLOWING COURSES:
 SOUTH 83° 00' 00" EAST 188.83 FEET;
 NORTH 78° 00' 00" EAST 446.10 FEET;
 SOUTH 84° 00' 00" EAST 149.23 FEET;
 SOUTH 73° 16' 26" EAST 187.20 FEET;
 SOUTH 68° 56' 02" EAST 345.22 FEET;
 SOUTH 74° 10' 00" EAST 180.48 FEET;
 SOUTH 79° 50' 00" EAST 147.29 FEET;
 SOUTH 73° 50' 00" EAST 95.40 FEET;
 SOUTH 83° 56' 00" EAST 90.44 FEET;
 NORTH 75° 58' 00" EAST 5.92 FEET;
 NORTH 55° 10' 00" EAST 168.39 FEET;
 NORTH 77° 30' 00" EAST 358.30 FEET;
 NORTH 55° 30' 00" EAST 13.12 FEET;
 NORTH 33° 30' 00" EAST 85.91 FEET;
 NORTH 10° 45' 00" WEST 45.08 FEET;
 NORTH 25° 30' 00" EAST 255.73 FEET TO THE BEGINNING OF A TANGENT 100.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 69° 30' 00" A DISTANCE OF 121.30 FEET; TANGENT TO SAID CURVE, SOUTH 85° 00' 00" EAST 71.00 FEET TO THE BEGINNING OF A TANGENT 100.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY; SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 64° 30' 00" A DISTANCE OF 112.57 FEET;
 TANGENT TO SAID CURVE SOUTH 20° 30' 00" EAST 156.36 FEET;
 SOUTH 11° 10' 00" WEST 95.22 FEET;
 SOUTH 35° 30' 00" EAST 62.45 FEET;
 SOUTH 74° 30' 00" EAST 68.52 FEET;

SOUTH 54° 10' 00" EAST 345.23 FEET;
NORTH 79° 35' 00" EAST 89.74 FEET;
NORTH 37° 27' 43" EAST 105.95 FEET TO THE BEGHHNING OF A TANGENT 100.00 FOOT
RADIUS CURVE CONCAVE SOUTHEASTERLY; NORTHEASTERLY ALONG SAID CURVE
THROUGH A CENTRAL ANGLE OF 25° 22' 17" A DISTANCE OF 44.28 FEET;
NORTH 62° 50' 00" EAST 260.27 FEET TO THE BEGINNING OF A NON-TANGENT 100.00
FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A RADIAL LINE BEARS NORTH
74° 33' 55" WEST; NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL
ANGLE OF 75° 33' 55" A DISTANCE OF 131.89 FEET;
SOUTH 89° 00' 00" EAST 126.12 FEET;
SOUTH 82° 00' 00" EAST 87.53 FEET;
NORTH 61° 54' 00" EAST 179.56 FEET;
NORTH 81° 22' 00" EAST 17.73 FEET;
NORTH 22° 30' 00" EAST 31.58 FEET TO THE BEGINNING OF A TANGENT 100.00 FOOT
RADIUS CURVE CONCAVE SOUTHEASTERLY; NORTHEASTERLY ALONG SAID CURVE
THROUGH A CENTRAL ANGLE OF 82° 20' 00" A DISTANCE OF 143.70 FEET;
SOUTH 75° 10' 00" EAST 70.72 FEET;
NORTH 59° 00' 00" EAST 141.74 FEET;
SOUTH 89° 42' 00" EAST 259.14 FEET;
SOUTH 74° 45' 00" EAST 226.34 FEET;
SOUTH 51° 53' 00" EAST 83.22 FEET TO THE BEGINNING OF A TANGENT 100.00 FOOT
RADIUS CURVE CONCAVE SOUTHWESTERLY; SOUTHEASTERLY ALONG SAID CURVE
THROUGH A CENTRAL ANGLE OF 57° 07' 00" A DISTANCE OF 99.69 FEET;
SOUTH 05° 14' 00" WEST 120.41 FEET;
SOUTH 72° 30' 00" EAST 119.13 FEET;
SOUTH 58° 00' 00" EAST 116.28 FEET;
SOUTH 89° 45' 00" EAST 120.17 FEET;
NORTH 49° 15' 00" EAST 56.62 FEET;
NORTH 21° 11' 00" EAST 130.57 FEET;
NORTH 39° 25' 00" WEST 104.56 FEET TO THE BEGINNING OF A TANGENT 100.00 FOOT
RADIUS CURVE CONCAVE EASTERLY; NORTHERLY ALONG SAID CURVE THROUGH
A CENTRAL ANGLE OF 100° 09' 00" A DISTANCE OF 174.79 FEET;
NORTH 60° 44' 00" EAST 300.80 FEET;
NORTH 67° 22' 00" EAST 131.74 FEET;
NORTH 51° 22' 00" EAST 503.95 FEET TO THE BEGINNING OF A TANGENT 100.00 FOOT
RADIUS CURVE CONCAVE SOUTHERLY; EASTERLY ALONG SAID CURVE THROUGH
A CENTRAL ANGLE OF 44° 43' 00" A DISTANCE OF 78.05 FEET;
SOUTH 83° 55' 00" EAST 155.09 FEET TO THE TRUE POINT OF BEGINNING.

END DESCRIPTION

PREPARED BY REGINALD D. HARVEY JR. LS 5292, RETYPED BY SOUTHERN CALIFORNIA TEAM, STATE LANDS COMMISSION.

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EXHIBIT D
LAGOON INLET
LAND DESCRIPTION

AD 309

That portion of Lot 20 of Section 33, in Township 12 South, Range 4 West, San Bernardino Meridian lying within Batiquitos Lagoon (San Marcos Creek) ocean inlet and the Public Right of Way of Carlsbad Boulevard (Highway 101) as shown on State of California Right of Way Map No. X1-SD-2-B LO 9627. Said portion is bounded to the North and South by rock slope channel protection at the Mean High Tide Level (+2.13 N.G.V.D.), bounded to the East by the easterly Right of Way of said Carlsbad Boulevard and to the West by the Mean High Tide Line per said Map LO 9627.

RESERVING TO City of Carlsbad, Easement Rights for public highway and Public Utilities.

PREPARED BY CECILE E. RYALS, P.L.S. 3997, RETYPED BY SOUTHERN CALIFORNIA TEAM, STATE LANDS COMMISSION.

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EXHIBIT E
TRAILHEAD ACCESS EASEMENT
LAND DESCRIPTION

AD 75

That portion of Section 34, Township 12 South, Range 4 West, San Bernardino Meridian, in the City of Carlsbad, County of San Diego, State of California, according to the Official Plat thereof, as shown on Record of Survey Map No. 10774, filed in the Office of the County Recorder of said County, October 30, 1986, being more particularly described as follows:

COMMENCING at the northwest corner of Lot 309 of City of Carlsbad Tract 85-35, Phase I, Unit "E", Map No. 12413, filed in the Office of the County Recorder, June 30, 1989, said corner being on the southerly Right of Way line of Batiquitos Drive, as shown on said Map No. 12413; thence leaving said southerly Right of Way line, along the westerly boundary line of said Lot 309, South 14°29'30" West, 206.90 feet; thence leaving said westerly boundary line, along the northerly line of the Batiquitos Lagoon Wetlands Boundary as described in Exhibit "A" of Document No. 88-278452, recorded June 10, 1988, the following: North 20°30'00" West, 117.43 feet; thence North 85°00'00" West, 71.00 feet to the POINT OF BEGINNING; thence continuing along the northerly line of the Batiquitos Lagoon Wetlands Boundary South 25°30'00" West, 34.59 feet to a point on the northerly sideline of a 40.00 foot wide Public Access Easement as described in Exhibit "F" of Document No. 88-278452, recorded June 10, 1988, said point also being on the arc of a 140.00 foot radius curve, concave to the southeast, a radial line to said point bears North 26°09'09" West; thence leaving said northerly line of the Batiquitos Lagoon Wetlands Boundary along the northerly sideline of said 40 foot wide Public Access Easement, southwesterly along the arc of said 140.00 foot radius curve through a central angle of 03°16'45" a distance of 8.01 feet; thence, leaving said northerly sideline on a radial line, North 29°25'54" West, 148.95 feet; thence North 32°01'32" East, 40.33 feet; thence North 50°39'45" West, 26.40 feet; thence North 02°54'51" West, 56.14 feet; thence South 75°17'10" East, 92.00 feet to the beginning of a tangent 266.00 foot radius curve concave to the South; thence easterly along the arc of said curve through a central angle of 14°47'18" a distance of 68.66 feet to the beginning of a non-tangent 28.00 foot radius curve concave to the northeast, a radial line to said point bears South 62°01'30" West; thence southeasterly along the arc of said curve through a central angle of 37°40'27" a distance of 18.41 feet; thence South 65°38'57" East, 26.31 feet; thence South 09°14'02" West, 36.71 feet; thence South 40°28'18" West, 47.10 feet; thence South 89°49'23" West, 28.85 feet; thence South 25°30'00" West, 63.41 feet to the point of beginning.

END LAND DESCRIPTION

PREPARED BY SOUTHERN CALIFORNIA TEAM, STATE LANDS COMMISSION, MAY 6, 1997.

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EXHIBIT F
TRAILHEAD ACCESS EASEMENT
LAND DESCRIPTION

AD 75

All of Parcel "D", together with that portion of Parcel "C" being a 20.00 foot strip of land, both described in deed to the State of California acting by and through the State Lands Commission recorded June 10, 1988 in the Office of the County Recorder of San Diego County as File/Page No. 88-278452 of Official Records located within a portion of Section 34, Township 12 South, Range 4 West, San Bernardino Meridian, in the City of Carlsbad, County of San Diego, State of California, said strip lying 10.00 feet on each side of the following described line:

COMMENCING at the Northwesterly corner of Lot 309 of City of Carlsbad Tract 85-35, Aviara Phase I - Unit E, according to the Map thereof No. 12413, said corner being on the Southerly line of the Right of Way of Batiquitos Drive as dedicated and shown on said Map No. 12413; thence leaving said corner and said Southerly line South 43°19'57" West, 324.55 feet to a point on the Southerly line of that certain Parcel "A" of the aforementioned deed No. 88-278452, being a 40.00 foot strip of land for Public Access Easement purposes, said point being at the Northerly terminus of the course bearing South 25°59'35" West, 126.71 feet; thence along said Southerly line South 25°59'35" West, 126.71 feet to Point "D" designated within said Parcel "A"; thence leaving said Southerly line the following courses described within Parcel "C" of said deed No. 88-278452: North 64°00'25" West, 40.00 feet; thence North 84°10'25" West, 4.48 feet, to the beginning of a tangent 50.00 foot radius curve concave to the Northeast; then Northeasterly and Northerly along the arc of said curve through a central angle of 111°50'28" a distance of 97.60 feet to the TRUE POINT OF BEGINNING, a line radial to said point bears North 62°19'57" West; thence continuing Northerly and Northeasterly along the arc of said 50.00 foot radius curve and said courses described in said Parcel "C" of said deed No. 88-278452 through a central angle of 33°25'06" a distance of 29.16 feet; thence North 61°25'09" East, 8.49 feet, to the beginning of a tangent 15.00 foot radius curve concave to the West; thence Northerly along the arc of said curve through a central angle of 113°03'11" a distance of 29.60 feet; thence North 51°58'02" West, 29.92 feet, to the beginning of a tangent 20.00 foot radius curve concave to the East; thence Northerly along the arc of said curve through a central angle of 113°53'41" a distance of 39.76 feet; thence North 61°55'39" East, 13.00 feet, to the beginning of a tangent 15.00 foot radius curve concave to the West; thence Northerly along the arc of said curve through a central angle of 124°28'44" a distance of 32.59 feet; thence North 62°33'05" West, 26.85 feet, to the beginning of a tangent 15.00 foot radius curve concave to the East; thence Northerly along the arc of said curve through a central angle of 150°24'10" a distance of 39.28 feet; thence North 87°51'05" East, 8.76 feet, to the beginning of a tangent 15.00 foot radius curve concave to the Northwest; thence Northeasterly along the arc of said curve through a central angle of 75°21'05" a distance of 19.73 feet; thence North 12°30'00" East, 2.00 feet to the POINT OF TERMINUS;

Then sidelines of said strip are to be prolonged or shortened so as to terminate in the North in the sidelines of that certain Parcel "D" described in said deed No. 88-278452, O.R., and on the South in a line radial at the True Point Of Beginning.

END DESCRIPTION

PREPARED BY DALE E. DAVIS L.S. 5894, RETYPED BY SOUTHERN CALIFORNIA TEAM, STATE LANDS COMMISSION

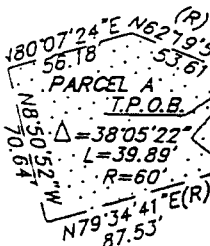
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POR. SEC. 34
T12S R4W S.B.M.

P.O.C., PARCEL A =
NWLY CORNER LOT 309
MAP NO. 12413

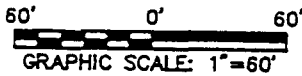
BATIQUITOS
DRIVE

LOT 309
CARLSBAD TRACT 85-351
AVIARA PHASE I - UNIT E
MAP NO. 12413

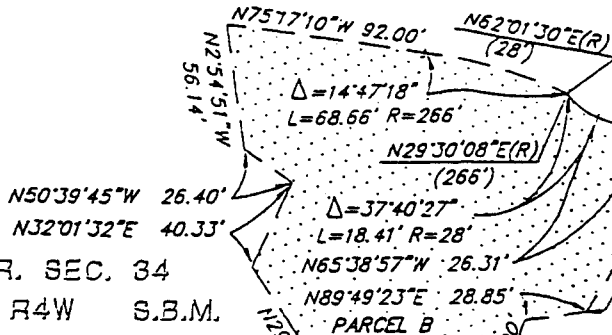


$\Delta = 111^{\circ}50'28''$
L=97.60'
R=50'

N84°10'25"W 4.48'



P&D P&D TECHNOLOGIES
401 WEST "A" STREET, SUITE 2500
SAN DIEGO, CALIFORNIA 92101
(619) 237-4466 FAX 232-3022



$\Delta = 37^{\circ}40'27''$
L=18.41' R=28'

N65°38'57"W 26.31'

N89°49'23"E 28.85'

$\Delta = 43^{\circ}78'16''$
L=105.81'
R=140'

N20°32'35"E 13.53'

$\Delta = 52^{\circ}7'00''$
L=15.22' R=160'

N62°19'57"W (R)
10.00'

NLY LINE OF
BATIQUITOS LAGOON WETLANDS
PER EXHIBIT "A" OF FILE NO.
88-278452, REC. JUNE 10, 1988.

NLY LINE OF PARCEL "A" OF PUBLIC
ACCESS EASEMENT TO THE STATE
LANDS COMMISSION, STATE OF
CALIFORNIA, RECORDED JUNE 10,
1988 AS FILE NO. 88-278452 O.R.

CENTERLINE OF PARCEL "C" OF
PUBLIC ACCESS EASEMENT TO THE
STATE LANDS COMMISSION, STATE OF
CALIFORNIA, RECORDED JUNE 10, 1988
AS FILE NO. 88-278452, O.R.

EXHIBIT "H"
SITE MAP AD 75
TRAILHEAD ACCESS
EASEMENT
BATIQUITOS LAGOON
SAN DIEGO COUNTY



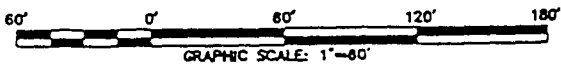
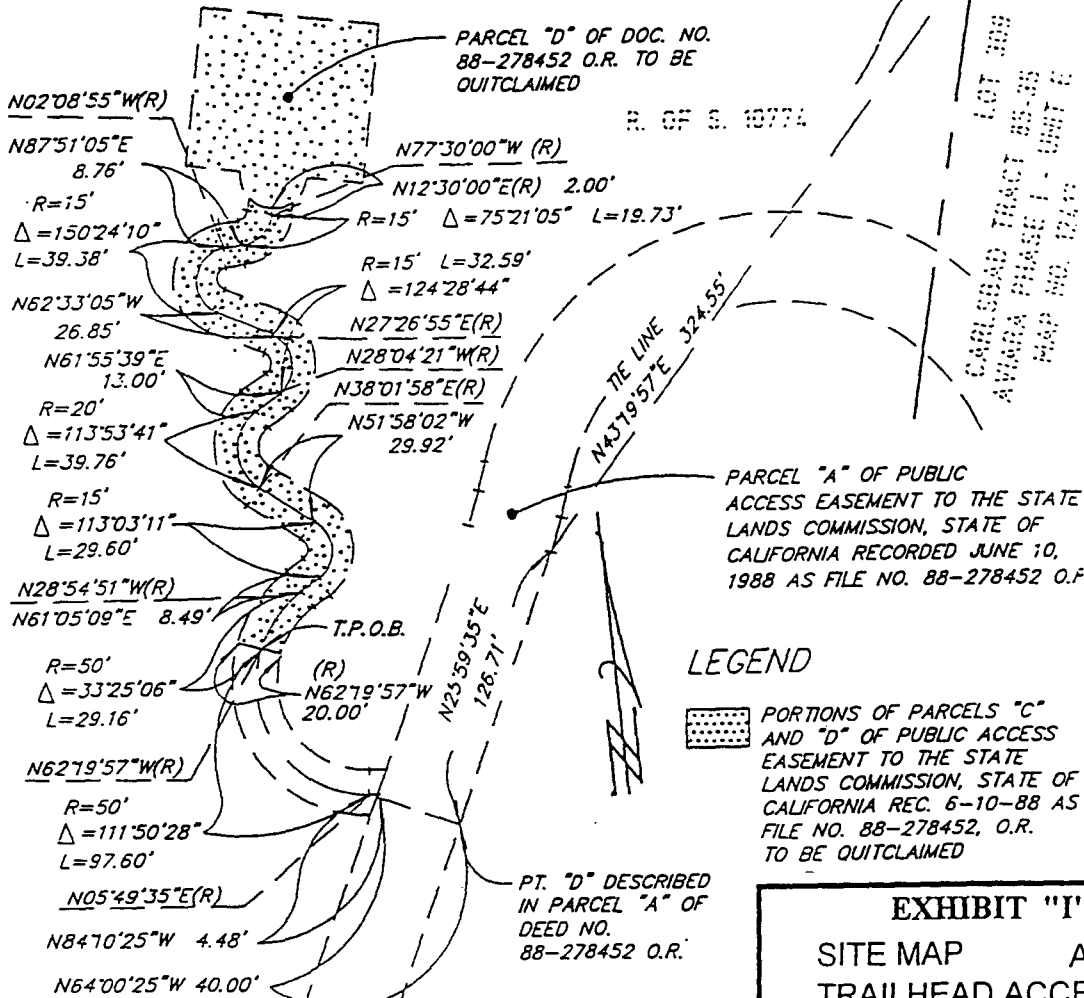
SITE
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T125 RAW S.B.M.
FOR. SEC. 34

P.O.C. =
NWLY CORNER LOT 309
MAP NO. 12413

BATIQUITOS
DRIVE



P&D TECHNOLOGIES
401 WEST "A" STREET, SUITE 2500
SAN DIEGO, CALIFORNIA 92101
TELE: (619) 232-4486
15671.00 PRA21 (42.17) PHASE 2 OF 2

EXHIBIT "I"

SITE MAP AD 75
TRAILHEAD ACCESS
EASEMENT
BATIQUITOS LAGOON
SAN DIEGO COUNTY



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