

RECORDED REQUEST OF  
*First American Title*  
SUBDIVISION MAPPING DEPT.

7913

DOC # 2004-0001301

WHEN RECORDED MAIL TO:

JAN 02, 2004 11:15 AM

State of California  
Wildlife Conservation Board  
Attn: D. Townsend  
1807 13th Street, Suite 103  
Sacramento, CA 95814-7117

OFFICIAL RECORDS  
SAN DIEGO COUNTY RECORDER'S OFFICE  
GREGORY J. SMITH, COUNTY RECORDER  
FEES: 0.00  
OC: NA



2004-0001301

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**Grant Deed**

Agency: Department of Fish and Game  
Wildlife Conservation Board  
Project: Otay Lakes, (Village 15)  
San Diego County  
APN: APN 647-020-13; 647-030-06, 07, 09  
& 10; 647-080-03; 647-090-05;  
647-100-04 & 07

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, MCMILLIN OTAY RANCH, LLC, a Delaware Limited Liability Company, hereby GRANTS to the STATE OF CALIFORNIA the following described real property in the County of San Diego, State of California:

See Exhibit A attached hereto and  
made a part hereof.

GRANTOR:

McMILLIN OTAY RANCH, LLC  
a Delaware limited liability company  
By: McMillin Companies, LLC  
a Delaware limited liability company  
Its: Manager

Dated: 10/28/03

By: Tom Tomlinson  
Tom Tomlinson

Its: Vice President

By: David Gatzke  
David Gatzke

Its: V.P.

82 2061.

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

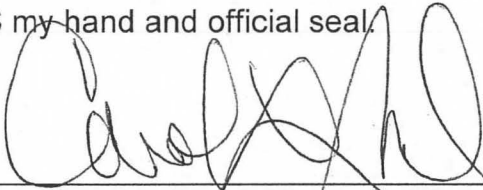
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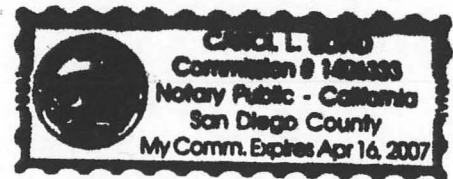
On October 28, 2003, before me, Carol L. Bond personally appeared

**Tom Tomlinson and David Gatzke**, 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

  
Carol L. Bond, Notary Public



**EXHIBIT A**

## LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO, AND IS DESCRIBED AS FOLLOWS:

## PARCEL 1:

THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF.

## PARCEL 2:

LOT 3 IN SECTION 7, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF.

## PARCEL 3:

THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 8 AND THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF.

## PARCEL 4:

THE EAST HALF OF THE WEST HALF OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF.

## PARCEL 5:

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5; THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4; AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, ALL IN TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

EXCEPTING FROM THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN, BEARS NORTH  $89^{\circ}15'$  WEST, 1273.20 FEET; THENCE SOUTH  $15^{\circ}38'$  EAST, 926.10 FEET; THENCE SOUTH  $44^{\circ}52'$  WEST, 136.30 FEET; THENCE NORTH  $45^{\circ}52'$  WEST, 938 FEET; THENCE SOUTH  $81^{\circ}55'$  WEST, 760.90 FEET; THENCE NORTH 458.87 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN; THENCE SOUTH  $89^{\circ}15'$  EAST, 1273.20 FEET TO THE POINT OF BEGINNING.

PARCEL 6:

LOT 3 AND THE NORTH 23.75 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF.

PARCEL 7:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF.

PARCEL 8:

THE WEST HALF OF THE NORTHEAST QUARTER AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF.

PARCEL 9:

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION, RUNNING THENCE NORTH ALONG THE CENTER LINE OF SAID SECTION 4, 112.5 RODS TO THE SOUTHERLY LINE OF THE NORTHERLY 23.75 ACRES OF THE NORTHWEST QUARTER OF THE SAID SOUTHEAST QUARTER; THENCE AT RIGHT ANGLES EAST 80 RODS; THENCE AT RIGHT ANGLES SOUTH 112.5 RODS; THENCE AT RIGHT ANGLES WEST 80 RODS TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM PARCELS 3, 4 AND 8 OF THE FOLLOWING:

ALL OF THOSE PORTIONS OF SECTION 9, T.18 S., R. 1 E., S.B.M., IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST 1/16 CORNER COMMON TO SECTIONS 9 AND 16, T.18 S., R. 1 E., S.B.M.; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID SECTION 9, S.89°07'36"W. 2681.24 FEET MORE OR LESS TO THE WEST 1/16 CORNER COMMON TO SAID SECTIONS 9 AND 16; THENCE NORTHERLY ALONG THE WESTERLY LINE OF THE EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 9, N.00°06'30"W. 2615.78 FEET MORE OR LESS TO THE WEST 1/16 CORNER OF SAID SECTION 9; THENCE WESTERLY ALONG THE CENTER SECTION LINE OF SAID SECTION 9, N.89°47'44"W. 672.76 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 9; THENCE ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER, NORTH 655.57 FEET MORE OR LESS TO THE NORTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 9; THENCE EASTERLY ALONG THE NORTHERLY LINE OF THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 9, S.89°38'46"E. 1331.67 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 9; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID NORTHEAST ONE-QUARTER, N.00°31'01"W. 652.14 FEET MORE OR LESS TO THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 9; THENCE EASTERLY ALONG THE NORTHERLY LINE OF THE SOUTHERLY ONE-HALF OF THE NORTHERLY ONE-HALF OF SAID SECTION 9, S.89°29'44"E. 1401.64 FEET MORE OR LESS; THENCE DEPARTING SAID NORTHERLY LINE, SOUTHERLY, S.00°57'57"E. 648.55 FEET MORE OR LESS TO THE INTERSECTION WITH THE NORTHERLY LINE OF THE SOUTHERLY ONE-HALF OF THE SOUTHERLY ONE-HALF OF THE NORTHERLY ONE-HALF OF SAID SECTION 9; THENCE EASTERLY ALONG SAID NORTHERLY LINE, S.89°38'47"E. 580.09 FEET MORE OR LESS TO THE INTERSECTION WITH THE EASTERLY LINE OF THE WESTERLY ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 9; THENCE SOUTHERLY ALONG SAID EASTERLY LINE S.01°11'32"E. 647.10 FEET MORE OR LESS TO THE EAST 1/16 CORNER OF SAID SECTION 9; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF THE WESTERLY ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 9, S.00°35'56"E. 2565.57 FEET MORE OR LESS TO THE BEGINNING.

Project: Otay Lakes, (Village 15)  
San Diego County

### CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by Grant Deed, dated October 28, 2003, from MCMILLIN OTAY RANCH, LLC, A Delaware Limited Liability Company, to the STATE OF CALIFORNIA, is hereby accepted by the undersigned officer on behalf of the State of California, pursuant to authority conferred by authorization of the Wildlife Conservation Board, Department of Fish and Game, Resources Agency, State of California, adopted on May 14, 2003, and the grantee consents to the recordation thereof by its duly authorized officer.



STATE OF CALIFORNIA  
Resources Agency  
Department of Fish and Game

By: *Al Wright*  
Al Wright  
Executive Director  
Wildlife Conservation Board

Date: 11/5/03