

A.L.T.A./A.C.S.M. LAND TITLE SURVEY

EXCEPTION NOTES

PER: FIRST AMERICAN TITLE INSURANCE COMPANY
ORDER NO.: NCS-338148-SD
DATED: January 30, 2008 (Amended: March 10, 2008)

LEGAL DESCRIPTION

Real property in the City of San Diego, County of San Diego, State of California, described as follows:

PARCEL 1:

THOSE PORTIONS OF THE TRICE SUBMERGED OR FILLED LANDS OF THE BAY OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING A PORTION OF THOSE LANDS CONVEYED TO THE CITY OF SAN DIEGO BY THE STATE OF CALIFORNIA UNDER THE PROVISIONS OF THE CHERMAN ACT OF THE LEGISLATURE OF THE DESCRIBED LAND.

PARCEL 2:

ALL THAT CERTAIN PORTION OF LAND CONVEYED TO THE SAN DIEGO UNITED PORT DISTRICT BY THAT CERTAIN ACT OF EXTRAORDINARY SESSION, AS AMENDED, AND DELIVERED ON THAT CERTAIN MISCELLANEOUS MAP NO. 564, FILED MAY 28, 1976, FILE NO. 76-16466, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF SAN DIEGO, CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- (1) The conditions, restrictions and limitations and rights, powers, duties, and trusts contained in the applicable grants, and by law, as to the land, or any portion thereof, acquired by the City of San Diego, and San Diego Unified Port District by virtue of legislative grants from the State of California, and such reversionary rights and other rights and interests, if any, or by law.
- (2) "ADJUTANT GENERAL'S MAP NO. 564" SHALL BE CONSIDERED AS PART OF THIS SURVEY.
- (3) The conditions, restrictions and limitations and rights, powers, duties, and trusts contained in the San Diego Unified Port District terms and provisions of said above act and by law.
- (4) "ADJUTANT GENERAL'S MAP NO. 564" SHALL BE CONSIDERED AS PART OF THIS SURVEY.
- (5) The location of the easement cannot be determined from record information.
- (6) The fact that the land lies within the boundaries of the North Bay Redevelopment Project Area, as declared by the document recorded June 05, 1998 as instrument No. 1998-033996, and September 17, 1998 as instrument No. 1998-052229 and June 21, 2007 as instrument No. 2007-029554, shall not be considered as a condition of this survey.
- (7) "ADJUTANT GENERAL'S MAP NO. 564" SHALL BE CONSIDERED AS PART OF THIS SURVEY.
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SITE ADDRESS: 5000, 5050 & 5060 NORTH HARBOR DRIVE, SAN DIEGO, CA

PROPERTY AREA: 1,548 ACRES (67,421 SQ. FT.) LAND
5,010 ACRES (154,719 SQ. FT.) WATER

ZONE: "CR" (COMMERCIAL RECREATION)
TOTAL PARKING: 106 SPACES (INCLUDING 6 HANDICAP SPACES)
FLOOD ZONE: "X" MAP NO.: 060 73C (1876 F, DATED: 6/19/97)

ZONING NOTES

THERE ARE NO DEVELOPMENT STANDARDS PER CURRENT PORT AUTHORITY REGULATIONS.

GENERAL NOTES

-ALL DOCKS ON SUBJECT PROPERTY ARE FLOATING AND THEREFORE THE ACCURACY IS +/- 0.25' OF MEASURED VALUES SHOWN.

ENCROACHMENT NOTE

-THE TRASH WALL AT THE NORTH SIDE OF THE PROPERTY ENCRACHES INTO THE RIGHT-OF-WAY OF HARBOR DRIVE BY 0.32'.
-THERE ARE NO OTHER ENCROACHMENTS ONTO OR FROM SAID PROPERTY.

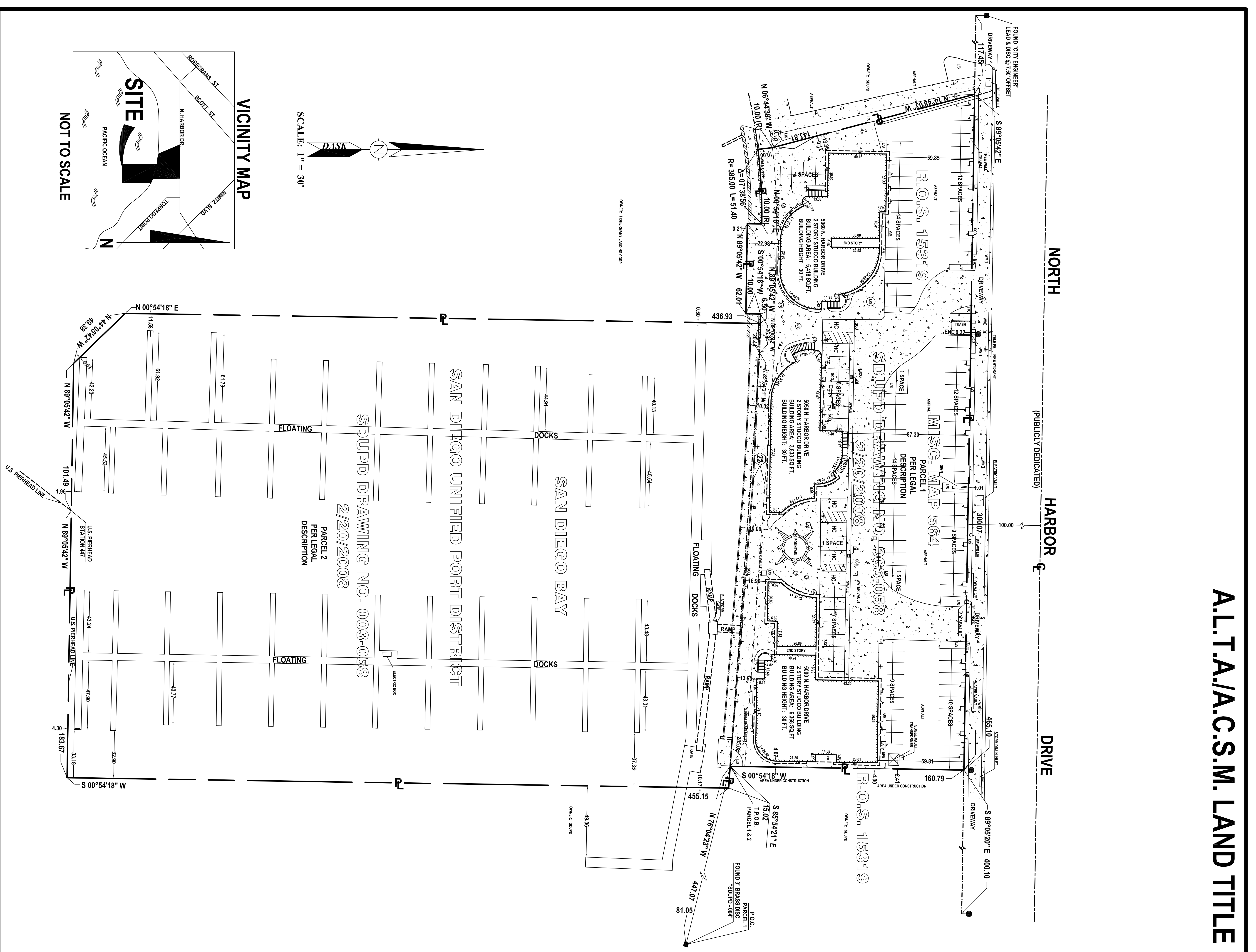
SURVEYORS CERTIFICATE

TO: Alstate Investments LLC, Sun Harbor Marina, a California general partnership and First American Title Insurance Company

I, Solomon S. Hardy, Professional Land Surveyor do hereby certify to the address and parties, as of the date set forth herein, that I am the duly qualified and licensed Surveyor of the State of California, and that I am duly sworn with the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS in 2005, and includes items 1, 2, 3, 4, 5, 7(a) (b) (c), 8, 9, 10, and 11(a) of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of California, the Relative Positional Accuracy of this survey does not exceed that which is specified therein. 2. The accompanying survey was made on the ground and correctly shows the location of all buildings, structures and other improvements situated on the above premises; there are no visible encroachments on the subject property or adjacent property as shown hereon, and was made in accordance with the Minimum Standards of the State of California. 3. The property described hereon is the same as the property described in First American Title Insurance Company Commitment No. NCS-338148-SB with an effective date of January 30, 2008 (renamed March 10, 2008) and that all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site or otherwise known to me have been plotted hereon or otherwise noted as to their effect on the subject property. 4. Said described property is located within an area having a Zone Designation "X" by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 200 73C (1876 F, with a date of identification of 6/19/97) and is in a Special Flood Hazard Area (SFHA) of the State of California, which is the current Flood Insurance Rate Map for the community in which said premises is situated. 5. The Property has direct access to Harbor Drive, a dedicated public street or highway. 6. The total number of stippled parking spaces on the subject property is 106, including 6 designated handicap spaces.

SIGNED: SOLOMON S. HARDY
REGISTRATION NO.: S. 7594
DATED: FEBRUARY 05, 2008

LEGEND	DESCRIPTION
[Symbol]	BUILDING LINE
[Symbol]	CONCRETE
[Symbol]	PROPERTY LINE
[Symbol]	CENTER LINE
[Symbol]	LIGHT
[Symbol]	POWER POLE
[Symbol]	WALL
[Symbol]	FENCE LINE
[Symbol]	LOT LINE
[Symbol]	EDGE OF ASPHALT
[Symbol]	GAS METER
[Symbol]	OH
[Symbol]	SEWER CLEAN OUT
[Symbol]	PULL BOX
[Symbol]	DI
[Symbol]	BRAIN INLET
[Symbol]	MH
[Symbol]	MANHOLE
[Symbol]	WATER METER
[Symbol]	GREASE MANHOLE
[Symbol]	EPB
[Symbol]	ELECTRIC PULLBOX
[Symbol]	LS
[Symbol]	LANDSCAPE AREA
[Symbol]	HC
[Symbol]	HANDICAP PARKING
[Symbol]	FOUND MONUMENT AS NOTED
[Symbol]	FOUND LEAD & DISC - HARBOR ENGINEER @ 500' OFFSET



REVISSED: MARCH 11, 2008
REVISED: FEBRUARY 12, 2008
JOB NO. 32-011-08

DASK LAND SURVEYING
960 RANCHEROS DRIVE SUITE J
SAN MARCOS, CA 92069
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FAX: 760-740-1384