

LA TIMES MAY 22 2008

GUILLEMO LOPEZ 619 4769861

More deaths in state are linked to air pollution

By JANET WILSON
Times Staff Writer

As many as 24,000 deaths annually in California are linked to chronic exposure to fine particulate pollution, triple the previous official estimate of 8,200, according to state researchers.

The revised figures are based on a review of new research across the nation about the hazards posed by microscopic particles, which sink deep into the lungs.

"Our report concludes these particles are 70% more dangerous than previously thought, based on several major studies that have occurred in the last five years," said Bart Croes, chief researcher for the California Air Resources Board. Croes will present his findings at a board meeting in Fresno this morning.

The studies, including one by USC tracking 23,000 people in greater Los Angeles, and another by the American Cancer Society monitoring 300,000 people across the United States, have found rates of heart attacks, strokes and other serious disease increase exponentially after exposure to even slightly higher amounts of metal, dust or other fragments from tailpipes and smokestacks.

It is difficult to attribute individual deaths to particulate pollution, Croes conceded, but he said long-term studies that account for smoking, obesity and other risks have increasingly zeroed in on fine particu-

late pollution as a killer.

"There's no death certificate that says specifically someone died of air pollution, but cities with higher rates of air pollution have much greater rates of death from cardiovascular diseases," he said.

Californians exposed to high levels of fine particulates had their lives cut short on average by 10 years, the board staff found.

Researchers also found that when particulates are cut even temporarily, death rates fall.

"When Dublin imposed a coal ban, when Hong Kong imposed reductions in sulfur dioxide, when there was a steel mill strike in Utah... they saw immediate reductions in deaths," Croes said.

More measures will be needed, air board officials said, including eventually lowering the maximum permissible levels of soot statewide. California already has the lowest thresholds in the world, at 12 micrograms per cubic meter, but researchers say no safe level of exposure has been found. More regulations are being drafted, including one requiring cleaner heavy-duty trucks.

"We must work even harder to cut short these life-shortening emissions," Air Resources Board Chairwoman Mary Nichols said in a statement.

Clean air advocates said they would be watching closely.

"These numbers are shocking, they're incredible," said Tim Carmichael, senior policy director for the Coalition for Clean Air, a statewide group. He and others said the board

must strengthen a soot cleanup plan submitted to them by the San Joaquin Valley Air Pollution Control District. A hearing and vote on the plan is scheduled for today.

Numerous Central Valley public health groups wrote Nichols this week, urging bans on the use of industrial equipment on bad air days, tougher controls on boilers and crop drying equipment, and other

action. The economic cost attributed to premature deaths and illnesses linked to particulate exposure in the Central Valley has been estimated at \$3 billion a year, and \$70 billion statewide, according to separate studies. Those figure are expected to be revised upward based on the new report.

"We must clean up the air. We cannot afford further delay," the group wrote.

Agricultural and construction industry groups have fought such provisions, saying that they could cripple the region's economy, but have not publicly complained about the plan as proposed. Board spokesman Leo Kay said that given the new mortality findings, "I certainly don't expect a rubber-stamp approval."

janet.wilson@latimes.com

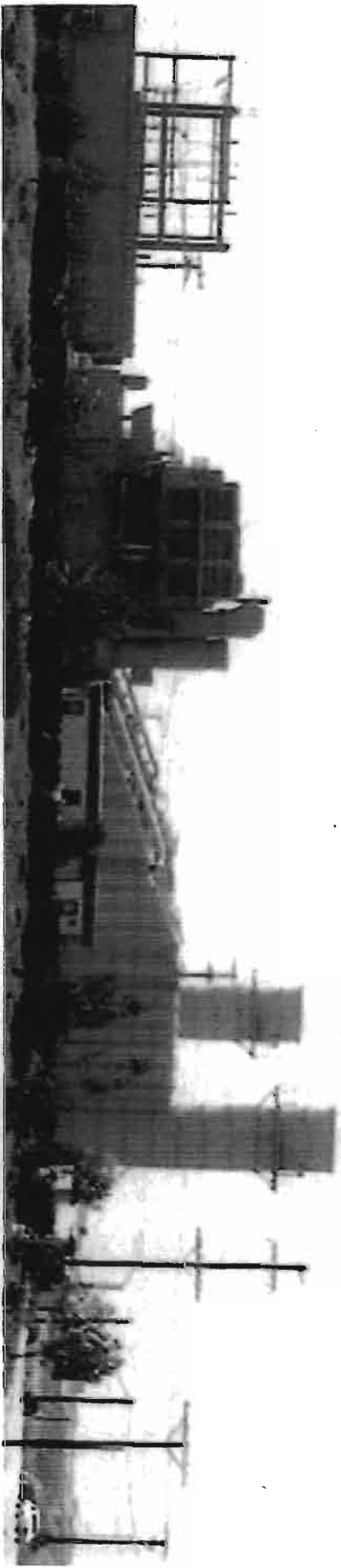
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DATE MAY 22 2008
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**THE BIGGEST FAILURE IN
LEADERSHIP
IS BEING UNWILLING TO
COMMIT TO
PROTECT CHILDRENS
HEALTH
YOU HAVE BEEN
ENTRUSTED WITH....**



Goggle measurements: nearest house 350', CVESD pre-K 1,200' 1, Albany Headstart 1,228' 2, Otay Elem. 1,338' 3, Otay Rec. 1,164' RC, Montgomery Headstart 2,640' 4, Montgomery Elementary 3,022' 5, Otay Community Health Clinic 2,386' 6, Montgomery High School 2,008' 7, closest San Diego house 1,638', Finney elem. 3,361' 8, Loma Verde Elem. 4,067' 9, Loma Verde pool and Rec Center RC, Otay Apostolic church and elem. school 2,074' 10, just inside of a mile: MAAC Charter School 11, MAAC Headstart 12, Castle Park Middle 13, Castle Park High 14, Montgomery Middle 15, Silverwing Elementary 16, South Chula Vista Library 17

Would you want this 350' from YOUR home? ¿Le gusta esto 350 pies de su casa?



Help us STOP the MMC Energy Plant! ¡Ayúdenos a detener la planta de energía de MMC!

✓

3

Fact Sheet MMC Energy Peaker, 3497 Main St., Chula Vista

1. The location is unacceptable-20 feet from front door of new businesses, 350 feet from people's homes, 1300 feet from Otay Elementary, 1200 feet from Otay Recreation, within one mile of 14 schools, a health clinic, a library, and two recreation centers.
2. A peaker should be, according to CV zoning ordinance, in a heavy industrial zone. This location is a light industrial zone. The existing peaker did not operate for more than 12 months, so it lost its conditional use permit, according to (CVMC:19.64.070).
3. New peaker will have two 70-foot tall smoke stacks, visible above surrounding buildings.
4. New peaker will use between 4.4 and 28 million gallons of water a year.
5. There is a 12,000- gallon tank of ammonia on site.
6. The new peaker would produce between 7 and 25% of the carbon monoxide in the entire city if approved, making reaching city's carbon reduction goal more difficult.
7. There is no connection with getting rid of Southbay Power Plant. (ISO wants peakers in north county or Orange county.) MMC has no contract with SDG&E and needs to install two cut-off breakers to ensure it won't overload existing lines.
8. It would be an awful precedent, because new General Plan says no power plants or heavy industrial uses within 1,000 feet of sensitive receptors.
9. The area within 1,000 feet of the plant is over 90% people of color.
10. The hourly emission rates are higher for SOx, VOC, and PM10/PM2.5 for the proposed plant, as compared to the old plant, and it will run more hours. Particulate Matter (cause of asthma, heart and lung diseases) is particularly high.

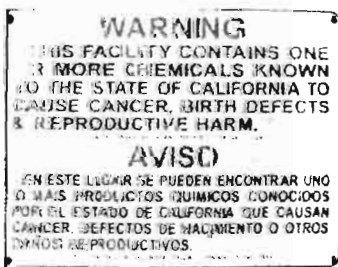
Existing peaker 44.5mw less than 200 hours per year		Proposed peaker 100 mw, 800+ hours/year	
Pollutant	lbs/hr	lbs/hour (2 turbines)	Pollutant
NOx	14.07	8.4	NOx
CO	108	12.4	CO
VOC	1.89	2.4	VOC
Sox	1.58	2.2	Sox
PM10/2.5	4.54	10	PM10/2.5

Southwest Chula Vista Civic Association

PO Box 6064, Chula Vista, CA 91909

(619) 425-5771, <http://swcvca.org>

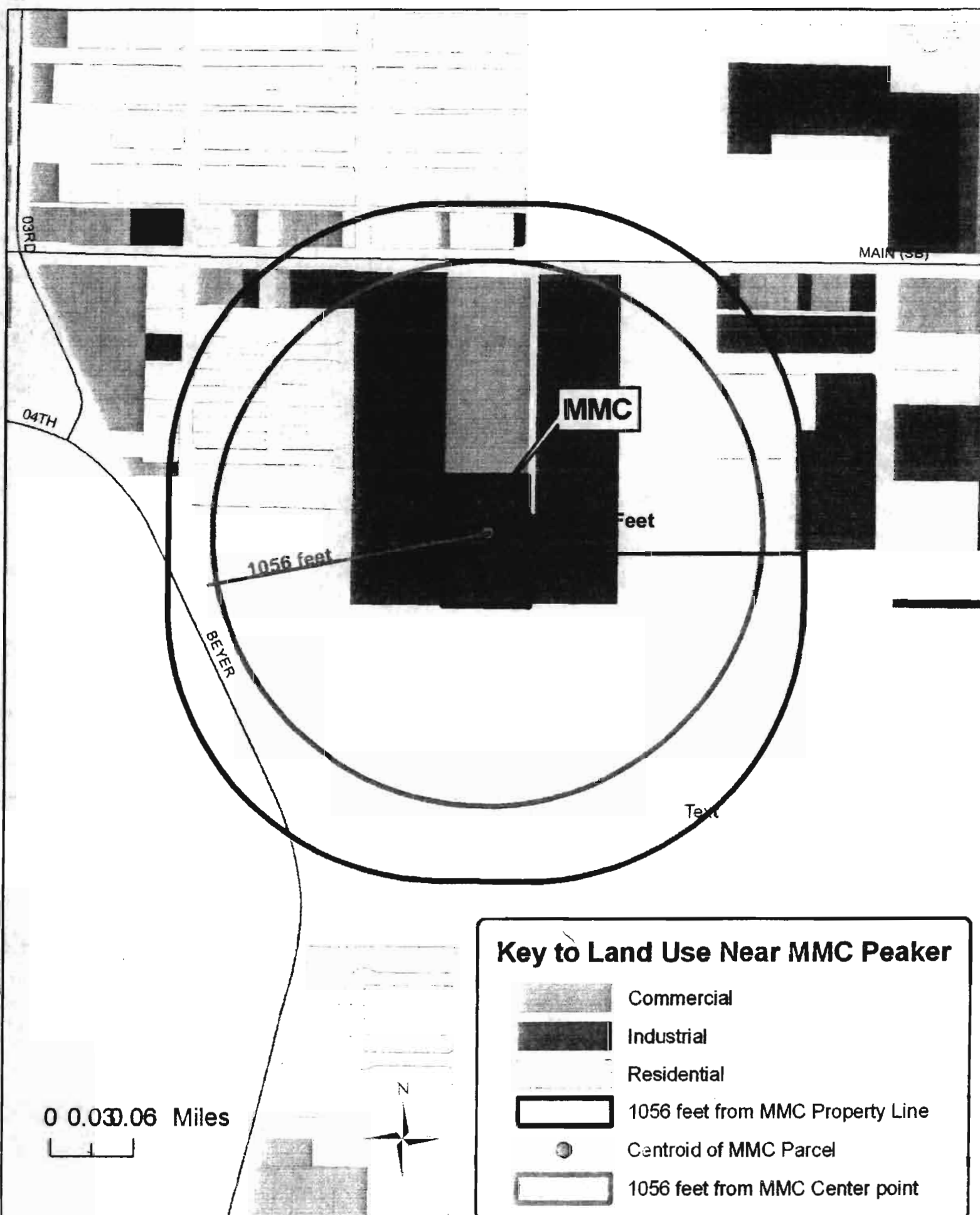
**More Information on the
peaker:**



<http://www.chulavistaissues.org/CVEUP.htm>

Name/location	MW	acres	Closest school	Closest residence	Around the plant
Larkspur Otay Mesa	90MW	3 ac.	More than a mile	2 1/2-3miles	Adjacent to 42 acre manufacturing
Calpeak Border O.M.	49.5MW	5.6 ac	More than a mile	3 homes 3,000 ft.	Industrial/open space 8,760 hr/yr.
Calpeak Escondido	49.5MW	2.95 ac	More than a mile	Over 2640 ft.	Surrounded by industrial park
Orange Grove S.D. County	100mw	8.5ac	More than a mile	More than a mile	In a 220 acre agricultural site
Sun Valley Riverside Co.	500mw	20 ac.	4752 ft., 4224 ft. 3168 ft	1,000 ft. east	Agricultural/industrial area
Walnut Creek Los Angeles	500Mw	11.8ac	1373 ft. 13 within a mile	1109 ft.	Industrial
Riverside Energy Resource Center	Two 96mw	12ac	More than a mile	More than a mile	Santa Ana River, Waste water Treatment Plant
Henrietta Kings Co.	96mw	20acres	1320 ft.	More than a mile	3/4mi Naval Air Station, agriculture
Calpine Gilroy	135 mw	7acres	More than a mile	1400 ft. n.	Adjacent another plant, agriculture, industrial Food Warehouse 3,900 hr/yr
Niland Imperial Co	96mw	22 ac	More than a mile	1600ft. (3)	Trailer park 2,600 ft. w.
Wildflower Indigo	135 mw	10 ac.	More than a mile	More than a mile	Undeveloped desert habitat
Sentinel Riverside	850 mw	37 ac.	More than a mile	1 mile ne	Business park se
Grand Terrace Highgrove	300mw	9.8 ac.	More than a mile	More than a mile	Industrial zone, decommissioned plant, agriculture, railroad,
Century, San Bernadino Co.	40mw	.67 ac.	More than a mile	2,640 ft.	Santa Ana River, railroad, motorcycle training facility
MMC Chula Vista	100mw	3.8 ac.	1200 ft.	350 ft.	16 schools within a mile including 4 HeadStarts, industrial zone with residential within 350 feet two new industrial buildings containining many commercial uses

Area Within Aqueous Ammonia Risk Zone



Comparison of Emissions from Existing and Proposed MMC Peakers

Pollutant	Existing Plant		Proposed Plant, with range of operating hours**		
	lbs/hr*	lbs per 200 hours	lbs/hour (2 turbines)	lbs per 500 hours	lbs per 4500 hours
NOx	14.07	2814	8.4	4200	37800
CO	108	21,600	12.4	6200	55800
VOC	1.89	378	2.4	1200	10800
Sox	1.58	316	2.2	1100	9900
PM10/2.5	4.54	908	10	5000	45000

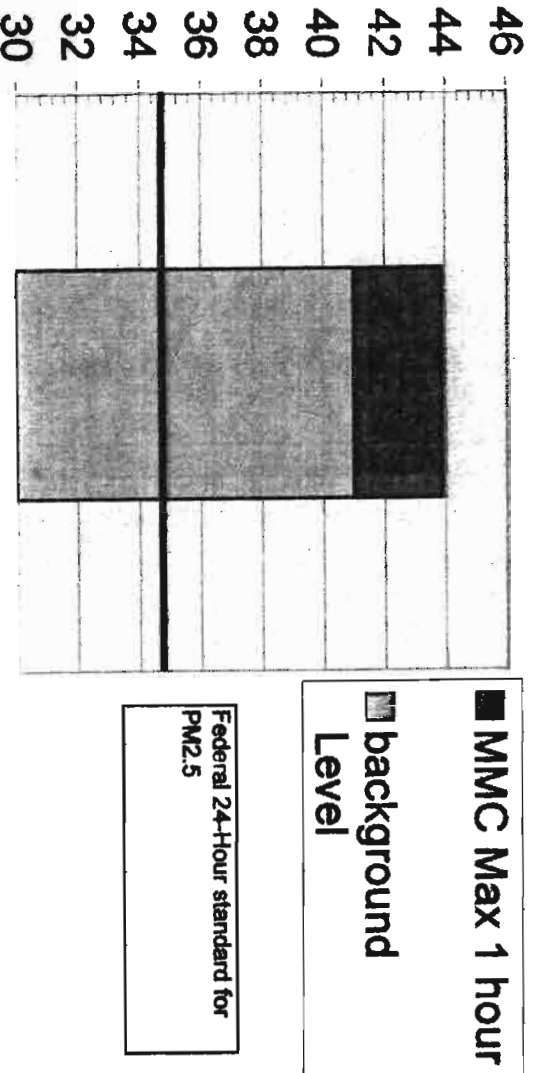
* Pounds per hour for existing facility taken from table 5.1-3 of air quality analysis.

**Pounds per hour for two turbines of proposed facility taken from table 5.1-5 of air quality analysis.

Note. The emissions per hour for the proposed facility are ONLY for the two turbines and do not include start up emissions. Much higher per-hour emission factors are in Table 5.1-7, but I do not know how they derived these and they seem too high.

Maximum 24-hour PM2.5 in MMC Downwash Zone

Difference: 500 vs. 200 hours	Difference: 4500 versus 200 hours
1386	3498
-15400	3420
822	1042
784	958
4092	4409



Environmental Health Coalition

COALICION de SALUD AMBIENTAL

101 Mile of Cars Way, Suite 310 • National City, CA 91960 • (619) 474 0220 • FAX: (619) 474 1210
ehc@environmentalhealth.org • www.environmentalhealth.org

MMC Talking Points Fact Sheet

Poor Location

- The new power plant, like the one it is replacing, remains in a very poor location. Roughly 1300 ft. from an elementary school and only 350 ft. from the nearest residential neighborhood.
- General plan policy E 6.4 expressly directs the city to “avoid siting new or re-powered energy facilities and other major toxic emitters within 1,000 ft. of a sensitive receptor
- The creation of a new facility on a previously empty portion of a lot with a 122% increase in capacity is basically a new power plant that is using a “limited amount” of recycled equipment.
- Another general plan policy violated by the siting of this proposed plant is E 6.15 “site industries in a way that minimizes the potential impacts of poor air quality on homes, schools, hospitals, and other land uses where people congregate.”
- The immediate area (within 1 mile of the proposed power plant) is made up of an environmental justice community (81% of residents are people of color and 16% are below the federal poverty level).

Inappropriate Land Use

- The site and adjacent parcels are both considered “limited industrial.” Power plants are not included on the list of permitted or conditional uses for this designation.
- CEC staff refers to the proposed power plant as an example of heavy industrial use which is not permitted under the current limited industrial designation.

Air Quality

- According to the AFC, the potential of PM emissions is higher and the source is closer to sensitive uses. Again, it is the location of the project that is a significant obstacle.
- There is insufficient information about the cumulative impacts to the surrounding community. The proposed new power plant, with the increase in the hours that it will run, will likely add more pollutants to the area.
- MMC has not given the public a good idea of how many hours we are likely to see from the new power plant. The proposed plant will have a technical capacity of 4500 hours.
- The AFC compared the emissions of the old plant with emissions of the proposed plant but for only 200 hours of operation. Though the old plant did run for 200 hours, the new plant will not run for such a small amount.
- In a comparison of emissions between 200 hours from the old power plant and more accurate hours of operation for the proposed plant- 500 and 4500, the proposed plant releases more emissions for each contaminant listed except for CO under the 500 hour analysis and for all contaminants under the 4500 hour analysis. (See related chart)

be removed (or not built in the first place), leaving room for another possible expansion.

- A dangerous new precedent could be created if the proposed plant is certified. If the City and CEC allow a 100 MW power plant in an area set aside for limited industrial, it would be difficult to limit future expansions.

Alternatives

- The Alternatives section of the AFC is incomplete and must include a more detailed analysis of why some of the alternatives were ruled out.
 - First, in regard to the alternative locations, none of the assessments of the alternative locations discussed proximity to communities and schools.
 - Closed sections of the landfill and site in the eastern areas should have been, but were not, analyzed.
 - There should be an analysis of alternative methods of cooling, which was not presented in the AFC.



SOUTHWEST CHULA VISTA
CIVIC ASSOCIATION

PO Box 8697, Chula Vista, CA 91912

9/18/08

Raoul Renauld, Hearing Officer
Christopher Myer, Project Manager
Members of the California Energy Commission

This is an unacceptable time and an unacceptable place if the CEC actually had any sincere desire to involve the public in this process. This building that is part of the city's 200 million dollar bond debt is a reminder to many of us of the financial irresponsibility of the city of Chula Vista. It also is a reminder of how the city prefers to look good to the outside world while it ignores environmental and social injustices that have only gotten worse in the last 24 years. It is inconveniently located for our growing population in the east and even for those of us who live in the southwest.

It is set up for convenience to the city staff and to inconvenience normal citizens who wish to present visual testimony. We are going to have to bring our own computer, speakers and projector in order to get into the public record the DVD testimony of business people and residents who are not able to take off and come down here at 3PM. The visual testimony is very important as well since it will visually document the alleys that look like a third world country. The streets that are a hazard to the disabled, mother's with strollers, and drivers of two wheeled vehicles, the lack of sidewalks that present safety hazards, the lack of sufficient well-maintained parks, the mosquitos, dust in dry weather and mud in rainy weather that have affected many southwest residents negatively for the 24 years we have been a part of the city of Chula Vista. The neighborhood within a mile of this proposed plant is suffering from environmental injustice now, as we will document in our video testimony, any increase becomes significant when viewed in the context of the particular circumstances of the area as required by the CEC guidelines.

The video testimony will take more than an hour.

These are some of our specific complaints and disagreements with the FSA, which clearly indicate that the CEC has totally ignored public comment. It still states in a number of places that MMC has a contract with SDGE. Their lawyer admitted they did not. This can not be used as a justification for the plant when it is not true. This electricity will be sold to the state when there is a need anywhere in the state. The little electrons may be used here, but only so that other electrons can be sent elsewhere. This is NOT an appropriate location for a regionally serving facility.

They still say that the property tax is over \$800,000, which would mean an assessed value of 80 million, which is ridiculous. Over half will not go to the RDA only 40% will in the southwest redevelopment area 20% goes to schools, 20% to the county, 20% to affordable housing, and 40% to the RDA. The city will only get around 14.5% of

or planned land uses, resulting in potentially significant impacts, if they create unmitigated noise, dust, or a public health or safety hazard or nuisance; results in adverse traffic or visual impacts; or precludes, interferes with, or unduly restricts existing or future uses. This use does interfere with and restrict future uses. It is incompatible with existing light industrial/commercial uses to the east and residential to the west, south and north.

Page 43 says the surrounding area is mixed use including heavy industrial uses. There are no heavy industrial uses in this immediate area, except cement plant, which is in the river bottom just over a half mile away to the west. This is an inappropriate use as our public testimony at the hearing will show, but actually has been around since the early 1900's. The existing peaker should never have been allowed in 2000. The fact that it was allowed highlights the environmental injustice that this area has been subjected to over the years by the County of San Diego and the cities of Chula Vista and San Diego. It definitely is a characteristic of this area that the County and cities of Chula Vista and San Diego have allowed uses incompatible with residential to be built over the years. This is not a valid reason for allowing the plant. It is a valid reason for denying its application. This injustice should **NOT** and must not be continued.

Page 44 says plant it can exceed emissions for over 400 hours during its starting up period. This is totally outrageous and not at all acceptable.

We think the project will contribute to **urban decay** as mentioned in the Bakersfield case because the heavy industrial nature of the project in close vicinity to residences, school and recreation center would contribute to a further devaluing of the local properties and the neighborhood in general.

It is adjacent to the OVRP in which millions of dollars of public funds have been invested in habitat restoration and a trail system. It is adjacent to 100% preserve area. It diminishes both the recreational value of the park and its value as a preserve. Certainly this is part of urban decay as well.

On Page 137 the trees listed are invasive and need to be removed. Pepper trees and Mexican Fan Palms are a big problem in the river bottom as are Eucalyptus.

Page 195 discusses how new ammonia tanks are safe, but there have been problems with old ones. Isn't the existing tank an old tank? Why are they not being required to replace it with a new tank?

Page 201 limited industrial does not even allow more than light auto repairs-major repair facilities are not allowed by zoning ordinance. How could a power plant using the same generators as the Larkspur plant be considered in any way compatible with light industrial zoning, especially since Chula Vista code clearly places all power plants in heavy industrial zones?

P 218 This is **not** consistent with existing or planned uses for this area. It better not be!!

Advance Paint and Body and Southbay Recycling have not been in business for well over a year. When staff did site reconnaissance neither was in operation. The parcels are obviously vacant and the sign makes it clear they are to be redeveloped as a use the person who buys or leases the property wishes. The land belongs to VOIT and is to be used for a similar warehouse building when the ground is remediated and the economy improves.

On Page 4.1-72 (pdf 95) of the Final Staff Assessment states: "Staff has clearly shown that there is an expectation of increased annual emissions." The chart shows for only one generator, but it does show hourly emissions are greater as we have been saying. People do not breathe per megawatt. That information is irrelevant!

The community is also concerned about the 18 ammonia trucks and the expansion of the substation. People, who can, already refuse to send their children to Otay Elementary because of the substation. No one wants to see it expanded!! We witnessed a fire in the high voltage lines, which will be part of video testimony at the hearing. This was followed by an explosion right in front of the school. We were told by SDGE employees it was a short in the line.

On p230 Lnt5.6 this does inhibit appropriate infill development This plant violates this part of the GPU because clearly appropriate infill development will not want to locate near a plant that looks like Larkspur. Pages 222-223 it is stated that CVEUP will minimize community impacts. This is not the issue. The issue is we want no more impacts. We have enough negative impacts in our neighborhood now without this plant. Any increase no matter how small is too much. The same goes for the risk of 12,000 gallons of ammonia and the 18 ammonia trucks. We want NO risk, which means NO trucks and NO plant!

On p.283 There is no acknowledgement of workers to the east who will be subjected to excessive noise, if pile driving takes place.

On p.301 the environmental definition of significance is way too narrow. There is acknowledgement that there are public health impacts. Whether they are at level of significance or not is not directly relevant to environmental justice nor the health of already sick people.

p.307 states that the background asthma rates are not higher than would be expected in an area with pollution found by monitoring stations. What is this supposed to mean???

On P307 they are again using MMC's 9 schools in 2 miles, which is NOT correct. There are 18 within one mile and this only includes the government run pre-schools and one private pre-school.

On P314 PM 2.5 is acknowledged as a risk factor, but not considered in APCD report, nor by staff even though on page 4.7-14 P78 this statement appears: "therefore staff concludes there are significant health impacts"

On P340 Staff's reliance upon this AFC and others is not reliable data. These are all made up figures. They are putting things in best possible light to get approval. They are not the actual operational data.

On P 336 the response totally ignores the other areas of the Redevelopment plan that this project is not in conformity with.

P341 staff admits that there are not peakers as close to homes as this one and very few schools. This is an environmental justice issue. A peaker by its nature, size and appearance is a negative impact, which needs to be located much further from homes and schools. All the others in SD County are located much further away.

p.369 the weather station is for Explorer Park in the east to somehow regulate water use is the east?? This is Otay Water District and that is supposed to help us how? We are Sweetwater District. P371 the 4 million gallons saved is in a different water district serving a different population.

To CEC Commissioners:

The letter that was read
to you is ~~not~~ correct.
When that letter appeared
we checked all of our petition
names. This name is not on
the petition. In fact we gave
this petition to the energy
commission in November.

At the fair we were
asking people to write
letters. We checked all
the letters which were sent
to the CEC. This name
was also not on any of
these. This person did
NOT sign anything for SWCC.

DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS, made this 19th day of January, 1950, by SECURITY TRUST AND SAVINGS BANK OF SAN DIEGO, designated as the "OWNER", the owner in fee simple of all that real property situated in the County of San Diego, State of California, and more particularly described as follows:

All lots in COUNTRY CLUB MANOR, according to Map thereof No. 2614, filed in the office of the County Recorder of San Diego County, January 18, 1950.

NOW, THEREFORE, this Declaration of Restrictions,

WITNESSETH:I

That for the purpose of designating and creating certain conditions and restrictions upon all of said above described parcels for the direct benefit of each of the other of said described parcels, the following terms, conditions, covenants, restrictions, will apply to the above described property and each of the separate parcels thereof as well before the execution and delivery of a deed to any buyer thereof conveying the title to said property to such buyer, as after said deed shall have been executed and delivered, and shall operate as covenants running with the land, being hereby created as mutual equitable servitudes in favor of each and every portion of said lots as against each and every other portion thereof as hereinabove described.

II

IT IS UNDERSTOOD AND AGREED that every conveyance of said property is, and shall hereafter be made and accepted, and said real property is and shall hereafter be granted only upon and subject to the express conditions, provisions, restrictions and covenants herein referred to and shall bind the parties hereto and their heirs, devisees, legatees, executors, administrators, successors and assigns.

III

Such conditions are imposed upon said real property as an obligation or charge against the same for the benefit of each and every lot hereinabove described, and the owner and owners thereof, and with the rights of enforcement of said conditions, and each of them, vested in the owner or owners of any one or more of said parcels of real property.

IV

Said conditions are to be as follows, to-wit:

FIRST: That none of the above parcels of real property shall be used in whole or in part for other than single private residential purposes.

SECOND: That no buildings shall be erected on any of said parcels of real property other than one detached single-family dwellings and garage and such out-buildings suitable and necessary for use in connection with such single-family dwelling.

BOOK 3481 PAGE 202

THIRD: No residence or dwelling house with a ground floor area of less than Seven Hundred (700) Square Feet, exclusive of porches, patios, attached garages, or exterior stairways shall be erected upon said lots.

FOURTH: That no residence or other building shall be erected nearer the front, side or rear line of any lot than established by ordinance.

FIFTH: No factory, trade or business shall ever be operated upon or carried on in such premises, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

SIXTH: That neither said premises or any portion thereof shall ever be used, lived upon, occupied by, owned or leased by persons of other than the Caucasian race, except that other persons may be kept thereon by a Caucasian occupant strictly in the capacity of servants or employees actually engaged in the service of the occupant or in the care of said premises for said occupant.

SEVENTH: That no farm or domestic animals, other than family dogs and cats, and no poultry, shall ever be kept or allowed to be kept on the premises herein described.

EIGHTH: That no outside lavatories or toilets shall be permitted upon said premises, but all lavatories or toilets shall be built in the interior of buildings erected thereon and shall be connected with Septic Tank and/or Cess Pool constructed according to County of San Diego regulations.

NINTH: That no tent, shack, trailer, basement, garage, or other out-building shall, at any time, be used as a residence, either temporary or permanent, and no residence of a temporary character shall be permitted, constructed or erected upon said property, and no building shall be occupied until fully completed and approved by final inspection by the Governing Body.

TENTH: That no prefabricated, prebuilt or preconstructed dwelling, garage or out-building either in whole or in part shall, at any time, be assembled, set or moved upon said property.

ELEVENTH: That all fences or structures of any nature, built or constructed of wood shall be painted with at least two coats of stain or paint upon completion. If such structures are constructed of stucco or cement, a finished coat shall be applied thereon upon completion.

TWELFTH: That no fence or hedge higher from the ground than five (5) feet shall ever be erected, or permitted to grow upon any lot or any portion thereof nearer than 30 feet from the front line of any lot nor higher than three (3) feet on the front 30 feet of any lot.

V

That the foregoing restrictions and covenants shall terminate and be of no further force and effect after January 1, 1980, but will automatically be renewed thereafter for successive periods of ten years unless the owners of fifty-one per cent (51%) of the above described parcels of real property shall file a protest or relinquishment of restrictions in the office of the County Recorder, within the year preceding the year 1979 or any other successive date, as provided herein.

2876-58

AMENDMENT OF RESTRICTIONS

Reference is hereby made to that certain Declaration of Restrictions, made January 19, 1950 by SECURITY TRUST & SAVINGS BANK OF SAN DIEGO, recorded February 2, 1950 in Book 3481, Page 201 of Official Records in the Office of the Recorder of San Diego County and affecting:

All Lots in COUNTRY CLUB MANOR, according to Map thereof No. 2614 filed in the Office of County Recorder of San Diego County, January 18, 1950.

WHEREAS, it is the desire of the owners of all the Lots in said COUNTRY CLUB MANOR, UNIT NO. 1, according to Map thereof No. 2614, to amend said Declaration of Restrictions by deleting the "tenth" paragraph shown on Page 2 of said Restrictions. Said "tenth" paragraph now reads as follows:

"That no prefabricated, prebuilt or preconstructed dwelling, garage or out-building either in whole or in part shall, at any time, be assembled, set or moved upon said property."

NOW, THEREFORE, the undersigned, being the owners of all the Lots in said COUNTRY CLUB MANOR, UNIT NO. 1, according to Map 2614, hereby agree that said "tenth" paragraph is hereby and will henceforth be considered of no force and/or effect.

This instrument is not to be considered as changing said Declaration of Restrictions in any way except as to the "tenth" paragraph thereof.

Dated at San Diego, California this 6th day of November, 1950,

Owners of Lots
1, 2, 3, &
27 to 33 Incl.

SECURITY TRUST & SAVINGS BANK OF SAN DIEGO

J. H. Hoff
Vice President & Trust Officer

Samuel K. Dixon
Assistant Trust Officer

Owners of Lots
4 to 14 Incl.
16, 18, 19, 22,
& 24 to 26 Incl.

Paul W. Dixon
Paul W. Dixon

Virginia K. Dixon
Virginia K. Dixon

Owners of
Lot 15

Charles W. Cook
Charles W. Cook

Frances M. Cook
Frances M. Cook

Owners of
Lot 17

Henry L. Wheeler
Henry L. Wheeler

Janice Wheeler
Janice Wheeler

Owners of
Lot 21

Owners of
Lot 23

Owners of
Lot 23

Clarence C. Justice
Clarence C. Justice

Glenn W. McDowell
Glenn W. McDowell

Mary C. McDowell
Mary C. McDowell

Clarence C. Justice

Sybil I. Justice

State of California } ss.
County of San Diego

On November 17, 1950, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Glenn W. McDowell and Mary C. McDowell, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

Glenn W. McDowell
Glenn W. McDowell

State of California } ss.
County of San Diego

On November 17, 1950, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Clarence C. Justice and Sybil I. Justice, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

(Seal)
Notary Public in and for said County and State
My Commission Expires Apr. 18, 1951

State of California } ss.
County of San Diego

On November 15, 1950, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Glenn W. McDowell and Mary C. McDowell, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

Glenn W. McDowell
Glenn W. McDowell

State of California } ss.
County of San Diego

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