

RESOLUTION NO. 199092

A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE CITY OF SAN DIEGO REQUIRE THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A PUBLIC STREET AND INCIDENTS THERETO OVER PORTIONS OF PUEBLO LOT 1215 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF EASEMENTS FOR SAID PUBLIC STREET AND INCIDENTS THERETO; AND DECLARING THE INTENTION OF SAID CITY TO ACQUIRE SAID EASEMENTS UNDER EMINENT DOMAIN PROCEEDINGS; AND DIRECTING THE CITY ATTORNEY OF THE CITY OF SAN DIEGO TO COMMENCE AN ACTION IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SAN DIEGO, FOR THE PURPOSE OF CONDEMNING AND ACQUIRING SAID EASEMENTS.

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

Section 1. That the public interest, convenience and necessity of The City of San Diego and the inhabitants thereof, require the construction, operation and maintenance of a public street and incidents thereto across portions of Pueblo Lot 1215 of the Pueblo Lands of San Diego, according to the Partition Map thereof, made in Superior Court Case No. 17586, a certified copy of the Decree in said suit having been filed in the office of the San Diego County Recorder in Book 608, page 29 of Deeds, as more particularly described hereinafter.

Section 2. That the public interest, convenience and necessity of said City and the inhabitants thereof demand the acquisition and taking of easements and rights of way for the construction, operation and maintenance of a public street and incidents thereto, said easements lying within the City of San Diego, County of San Diego, State of California.

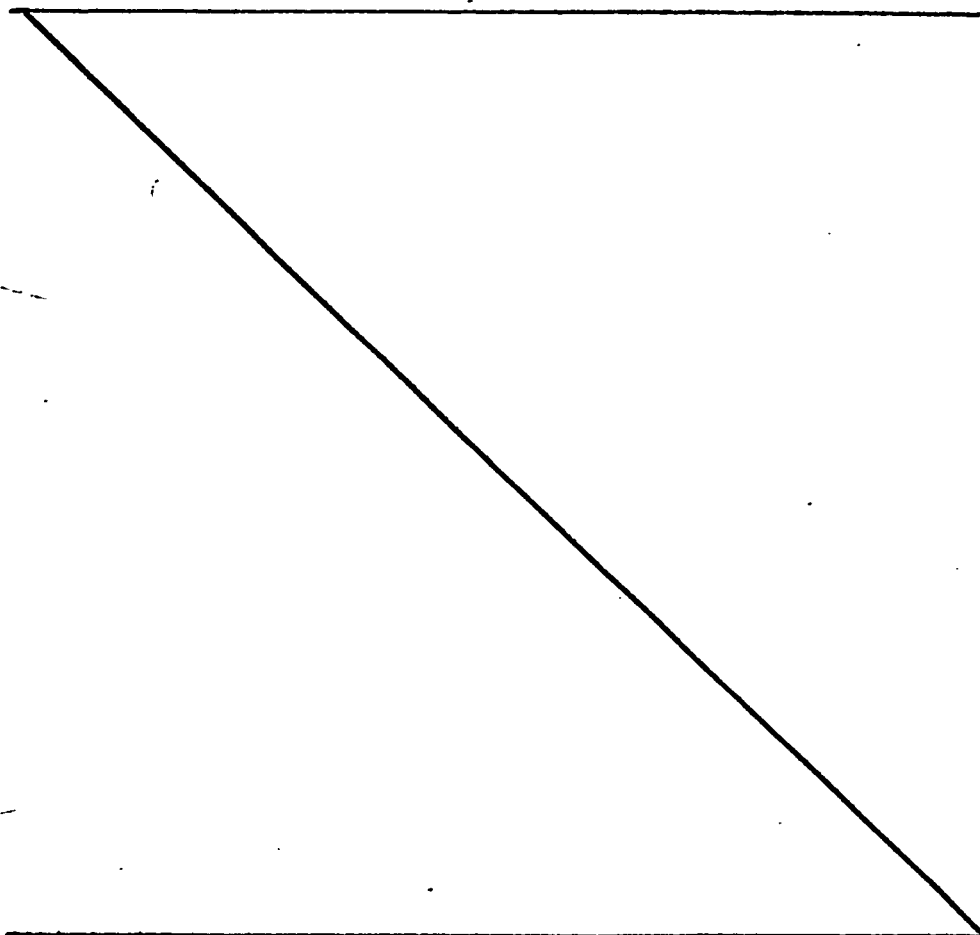
Section 3. That the parcels of real property and the interests therein sought to be condemned are described as follows:

PARCEL 1:

An easement and right of way for a public street and incidents thereto, through, over, under, along and across a portion of the West One-Half of Pueblo Lot 1215 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to the Partition Map thereof, made in Superior Court Case No. 17586, a certified copy of the Decree in said suit having been filed in the office of the San Diego County Recorder in Book 608, page 29 of Deeds, further described as:

Beginning at the southwesterly corner of said Pueblo Lot 1215; thence North  $00^{\circ} 49' 36''$  East, a distance of 28.00 feet; thence South  $89^{\circ} 10' 24''$  East, a distance of 80.00 feet to the beginning of a tangent 20.00 foot radius curve, concave northwesterly; thence northeasterly, along the arc of said curve, through a central angle of  $90^{\circ} 00' 00''$ , an arc length of 31.42 feet; thence South  $00^{\circ} 49' 36''$  West, a distance of 48.00 feet; thence North  $89^{\circ} 10' 24''$  West, along a portion of the southerly boundary of said Pueblo Lot 1215, a distance of 100.00 feet, returning to the point or place of beginning.

Basis of Bearings: The southerly line of Grace Manor (Map No. 3655), i.e., North  $89^{\circ} 10' 24''$  West.

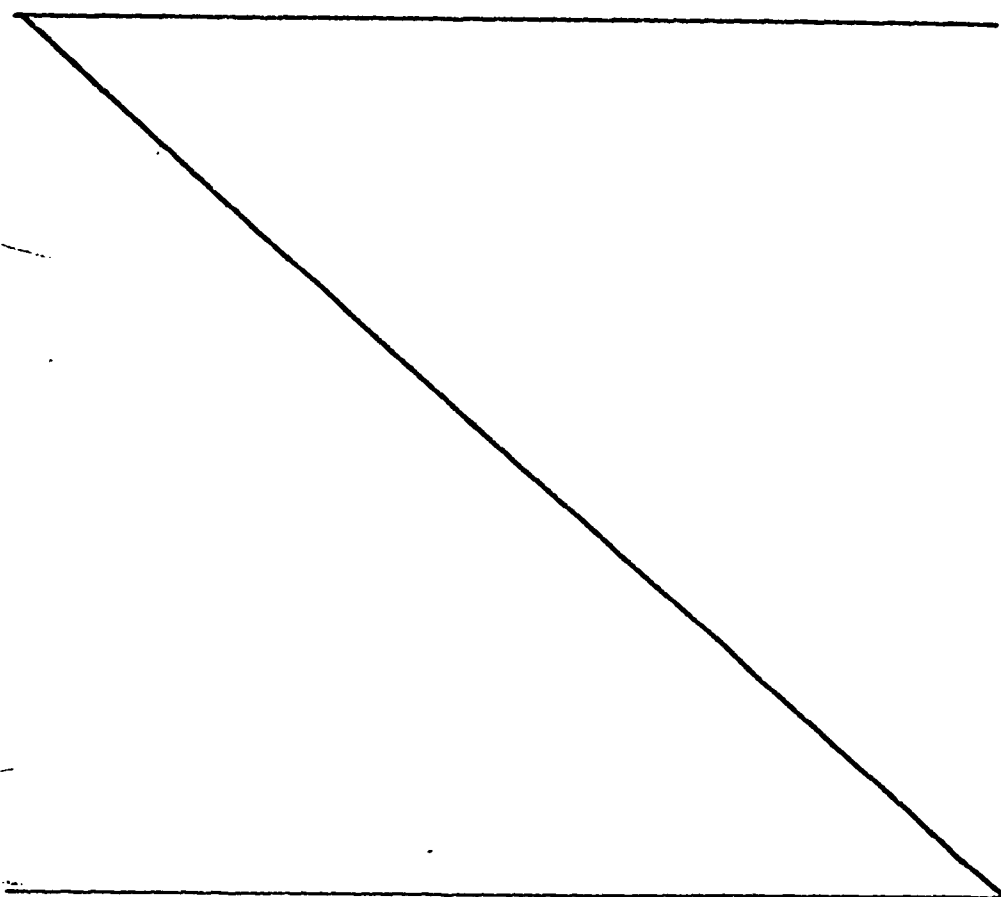


PARCEL 2:

An easement and right of way for a public street and incidents thereto, through, over, under, along and across a portion of the West One-Half of Pueblo Lot 1215 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to the Partition Map thereof, made in Superior Court Case No. 17586, a certified copy of the Decree in said suit having been filed in the office of the San Diego County Recorder in Book 608, page 29 of Deeds, further described as:

Beginning at the southwesterly corner of said Pueblo Lot 1215; thence South  $89^{\circ} 10' 24''$  East, along a portion of the southerly boundary of said Pueblo Lot 1215, a distance of 278.43 feet to the TRUE POINT OF BEGINNING; thence North  $00^{\circ} 43' 27''$  East, 28.00 feet; thence North  $89^{\circ} 10' 24''$  West, 102.38 feet to the beginning of a tangent 20.00 foot radius curve, concave northeasterly, thence northwesterly, along the arc of said curve, through a central angle of  $90^{\circ} 00' 00''$ , an arc length of 31.42 feet; thence South  $00^{\circ} 49' 36''$  West, a distance of 48.00 feet; thence South  $89^{\circ} 10' 24''$  East, a distance of 122.43 feet, returning to THE TRUE POINT OF BEGINNING.

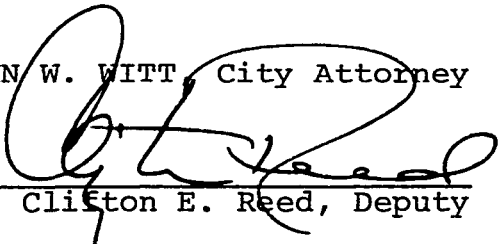
Basis of Bearings: The southerly line of Grace Manor (Map No. 3655), i.e., North  $89^{\circ} 10' 24''$  West.



Section 4. That the taking and acquiring by said City of those certain property interests hereinabove described is deemed necessary for the construction, operation and maintenance of a public street and incidents thereto by The City of San Diego and the inhabitants thereof, for municipal purposes; that such a use is a public use authorized by law; that for such public use it is necessary that The City of San Diego condemn and acquire said easements; that said easements are to be used for the construction, operation and maintenance of a public street and incidents thereto, which is planned and located in a manner most compatible with the greatest public good and the least private injury.

Section 5. That the City Attorney of The City of San Diego be, and he is hereby authorized and directed to commence an action in the Superior Court of the State of California, in and for the County of San Diego, in the name and on behalf of The City of San Diego, against all owners and claimants to an interest in the above-described real property, for the purpose of condemning and acquiring the easements as above-described in said parcels of property for the use of said City.

APPROVED: JOHN W. WITT, City Attorney

By   
Clifton E. Reed, Deputy

rb/2-16-70

RECEIVED  
CITY CLERK'S OFFICE

1970 FEB 17 AM 8:02

SAN DIEGO, CALIF.

Passed and adopted by the Council of The City of San Diego on FEB 17 1970,  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN  
Mayor of The City of San Diego, California.

JOHN LOCKWOOD  
City Clerk of The City of San Diego, California.

(Seal)

By Elfa M. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 199092 Adopted FEB 17 1970

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