

RESOLUTION NO. 201132 OCT 29 1970

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 SEWER OR SEWERS AND ALL APPURTENANCES THERETO ACROSS PORTIONS OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 1, PORTIONS OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION 1, PORTIONS OF THE SOUTHEAST QUARTER, SECTION 1, PORTIONS OF THE SOUTHWEST QUARTER, SECTION 2, PORTIONS OF THE SOUTHEAST QUARTER, SECTION 2, PORTIONS OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 3, PORTIONS OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION 4, AND PORTIONS OF THE SOUTHWEST QUARTER, SECTION 5, ALL IN TOWNSHIP 15 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ALL WITHIN 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, TOGETHER WITH THE PRIVILEGE AND RIGHT OF TEMPORARY USE OF ADJACENT WORKING AREAS TO BE USED BY THE CITY FOR THE CONSTRUCTION OF SAID PUBLIC SEWER OR SEWERS AND ALL APPURTENANCES THERETO WITHIN THE AREA AFORESAID; AND DECLARING THE INTENTION OF THE CITY OF SAN DIEGO TO ACQUIRE SAID PROPERTY 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 ACQUIRING SAID EASEMENTS, TOGETHER WITH THE PRIVILEGE AND RIGHT OF TEMPORARY USE OF ADJACENT WORKING AREAS.

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

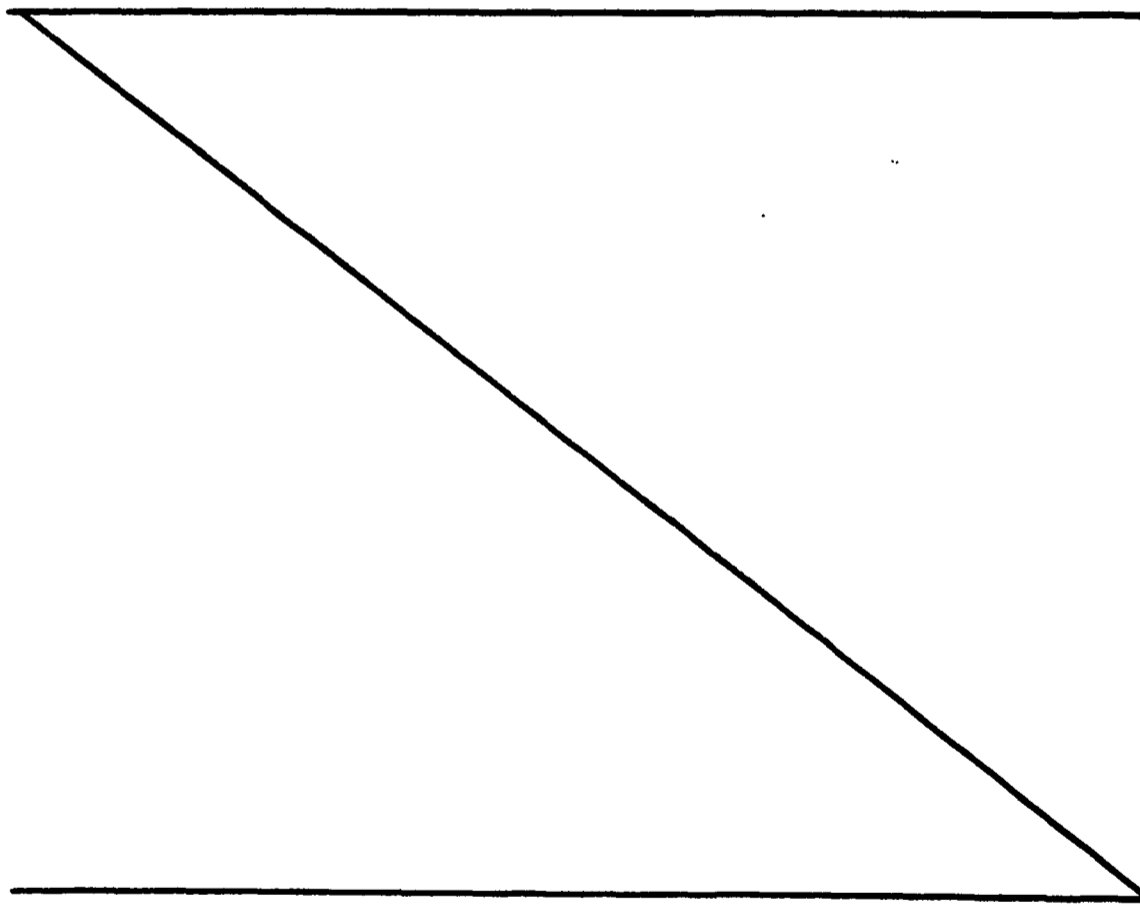
Section 1. That the public interest, convenience and necessity of The City of San Diego and the inhabitants thereof, require the construction, operation and maintenance of a public sewer or sewers and all appurtenances thereto across portions of the Northwest Quarter of the Southwest Quarter, Section 1, portions of the Northeast Quarter of the Southwest Quarter, Section 1, portions of the Southeast Quarter, Section 1, portions of the Southwest Quarter, Section 2, portions of the Southeast Quarter, Section 2, portions of the Southeast Quarter of the Southeast Quarter, Section 3, portions of the East Half of the

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Southeast Quarter of the Southeast Quarter of the Southeast Quarter, Section 4, and portions of the Southwest Quarter, Section 5, all in Township 15 South, Range 3 West, San Bernardino Base and Meridian, 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 for the purpose of rights of way for the construction, operation and maintenance of a public sewer or sewers and all appurtenances thereto, together with the privilege and right of temporary use of adjacent working areas, 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:



PARCELS 1 AND 1-A:

PARCEL 1:

An easement and right of way to construct, reconstruct, maintain, operate and repair a public sewer or sewers, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that real property situated in the City of San Diego, County of San Diego, State of California, described as follows:

All that portion of the East Half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 4, Township 15 South, Range 3 West, San Bernardino Base and Meridian, according to the Official Plat thereof, lying within a strip of land 20.00 feet wide which lies 10.00 feet on each side of the following described center line:

Commencing at the Southeast corner of said Section 4; thence along the southerly line of said Section 4, South 88° 23' 45" West 327.56 feet to the intersection of the westerly line of said East Half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 4; thence along the West line North 01° 40' 01" East 408.96 feet to the TRUE POINT OF BEGINNING; thence South 68° 12' 45" East 29.85 feet; thence North 82° 08' 48" East 380.57 feet.

EXCEPTING from said description that portion lying northerly of the center line of the traveled road as shown on exhibit attached to Judgment entered in Richard C. Levi, et al., v. El Camino Memorial Park, et al., San Diego County Superior Court No. 304283.

ALSO EXCEPTING from said description that portion lying within the boundaries of the County road as granted to the County of San Diego by deed recorded February 4, 1932 in Book 76, Page 323, Official Records, in the office of the San Diego County Recorder.

PARCEL 1-A:

The privilege and right of temporary use of a portion of said Section 4 as above-described, described as follows:

A strip of land 50.00 feet wide which lies 25.00 feet on each side of the following described center line:

Commencing at the Southeast corner of said Section 4; thence along the southerly line of said Section 4, South 88° 23' 46" West, 327.56 feet to the intersection of the westerly line of said East Half of the Southeast Quarter of the Southeast

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PARCELS 1 AND 1-A (Cont'd):

PARCEL 1-A (Cont'd):

Quarter of the Southeast Quarter of Section 4;
thence along the West line North $01^{\circ} 40' 01''$
East 408.96 feet to the TRUE POINT OF BEGINNING;
thence South $68^{\circ} 12' 45''$ East 29.85 feet; thence
North $82^{\circ} 08' 48''$ East 308.57 feet.

EXCEPTING from said description that portion
lying northerly of the center line of the traveled
road as shown on exhibit attached to Judgment
entered in Richard C. Levi, et al., v. El Camino
Memorial Park, et al., San Diego County Superior
Court No. 304283.

ALSO EXCEPTING from said description that
portion lying within the boundaries of the County
road as granted to the County of San Diego by deed
recorded February 4, 1932 in Book 76, Page 323,
Official Records in the office of the San Diego
County Recorder.

The aforementioned temporary use is for the
purpose of the construction of a public sewer or
sewers, and the privilege and right of use is to
remain in force and continue during the construc-
tion of said sewer or sewers, ceasing and termina-
ting upon completion of the construction thereof.



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PARCELS 2 AND 2-A:

PARCEL 2:

An easement and right of way to construct, reconstruct, maintain, operate and repair a public sewer or sewers, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that real property situated in the City of San Diego, County of San Diego, State of California, described as follows:

All those portions of the Southeast Quarter of the Southeast Quarter of Section 3; the Southwest Quarter of Section 2; the Southeast Quarter of Section 2 and the Northwest Quarter of the Southwest Quarter of Section 1, all being in Township 15 South, Range 3 West, San Bernardino Base and Meridian, according to Official Plat thereof, lying within a strip of land 20.00 feet in width, the center line of said strip being described as follows:

Beginning at a point on the West line of said Southeast Quarter of the Southeast Quarter of Section 3, distant thereon North 02° 06' 23" East 15.14 feet from the Southwest corner thereof; thence South 88° 38' 04" East 742.66 feet; thence North 73° 01' 09" East 380.07 feet; thence North 76° 02' 12" East 381.27 feet; thence North 89° 46' 20" East 755.00 feet; thence North 65° 45' 43" East 760.00 feet; thence North 61° 56' 31" East 351.85 feet; thence North 64° 21' 28" East 548.75 feet; thence North 62° 28' 40" East 354.96 feet; thence North 65° 09' 01" East 360.98 feet; thence North 68° 58' 19" East 1436.08 feet; thence North 69° 41' 42" East 1806.51 feet; thence North 72° 36' 09" East 355.44 feet.

Also the northerly 30.00 feet of the easterly 211.15 feet of the Northwest Quarter of the Southwest Quarter of said Section 1.

PARCEL 2-A:

The privilege and right of temporary use of portions of said Sections 1, 2 and 3 as above-mentioned, described as follows:

The southerly 50.00 feet of the westerly 742.60 feet of the Southeast Quarter of the Southeast Quarter of Section 3, Township 15 South, Range 3 West, San Bernardino Base and Meridian, according to Official Plat thereof.

Also all those portions of the Southeast Quarter of the Southeast Quarter of Section 3; the Southwest Quarter of Section 2; the Southeast Quarter of Section 2 and the Northwest Quarter of the Southwest Quarter of Section 1, all being in Township 15 South, Range 3 West, San Bernardino Base and Meridian, according to Official Plat thereof, lying within a strip of land 50.00 feet in width, the center line of said strip being described as follows:

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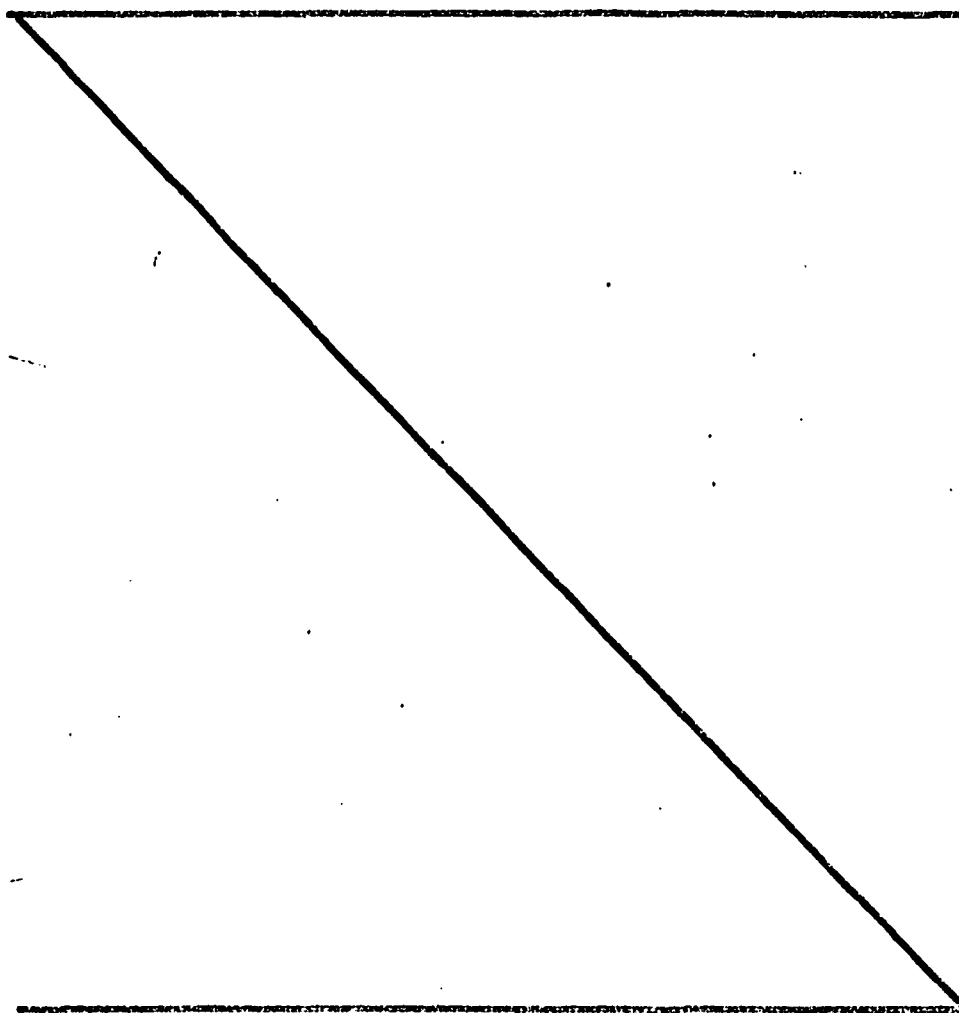
PARCELS 2 AND 2-A (Cont'd):

PARCEL 2-A (Cont'd):

Beginning at a point on the West line of said Southeast Quarter of the Southeast Quarter of Section 3, distant thereon North 02° 06' 23" East 15.14 feet from the Southwest corner thereof; thence South 88° 38' 04" East 742.66 feet to the TRUE POINT OF BEGINNING of the herein described strip; thence North 73° 01' 09" East 380.07 feet; thence North 76° 02' 12" East 381.27 feet; thence North 89° 46' 20" East 755.00 feet; thence North 65° 45' 43" East 760.00 feet; thence North 61° 56' 31" East 351.85 feet; thence North 64° 21' 28" East 548.75 feet; thence North 62° 28' 40" East 354.96 feet; thence North 65° 09' 01" East 360.98 feet; thence North 68° 58' 19" East 1436.08 feet; thence North 69° 41' 42" East 1806.51 feet; thence North 72° 36' 09" East 355.44 feet.

Also the northerly 50.00 feet of the easterly 211.15 feet of the Northwest Quarter of the Southwest Quarter of Section 1, Township 15 South, Range 3 West, San Bernardino Base and Meridian, according to Official Plat thereof.

The aforementioned temporary use is for the purpose of the construction of a public sewer or sewers, and the privilege and right of use is to remain in force and continue during the construction of said sewer or sewers, ceasing and terminating upon completion of the construction thereof.



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PARCELS 3 AND 3-A:

PARCEL 3:

An easement and right of way to construct, reconstruct, maintain, operate and repair a public sewer or sewers, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that real property situated in the City of San Diego, County of San Diego, State of California, described as follows:

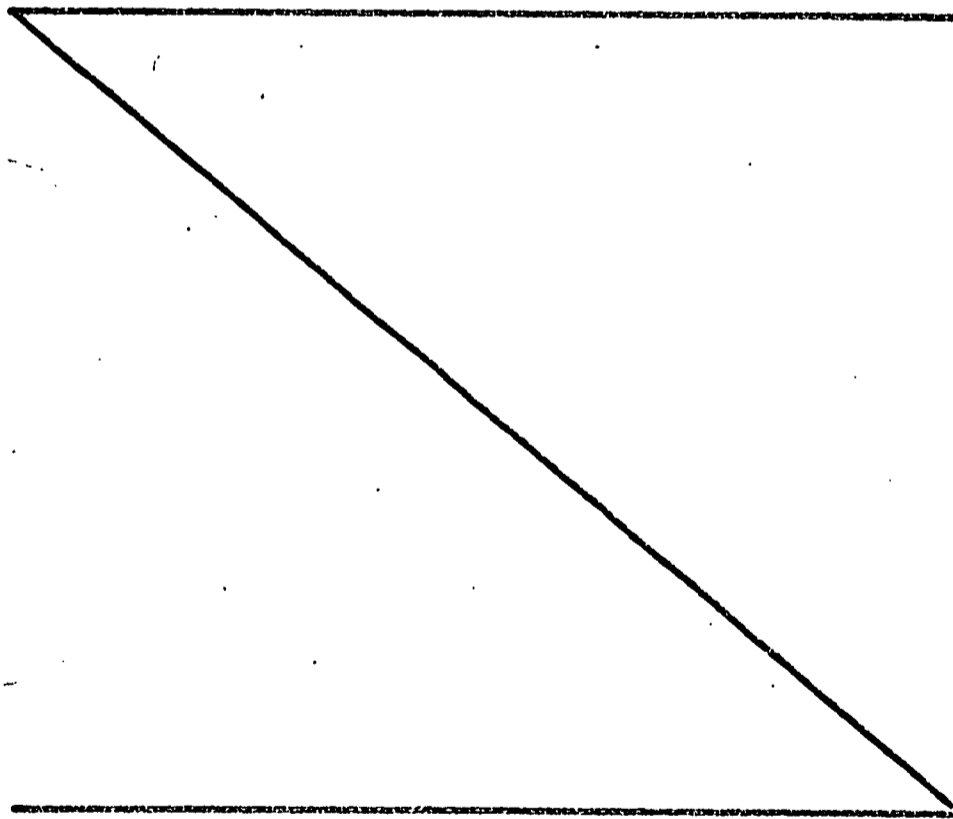
The northerly 30.00 feet of the Northeast Quarter of the Southwest Quarter; and the northerly 30.00 feet of the Southeast Quarter of Section 1, Township 15 South, Range 3 West, San Bernardino Base and Meridian, according to Official Plat thereof.

PARCEL 3-A:

The privilege and right of temporary use of a portion of said Section 1 as above-mentioned, described as follows:

The northerly 50.00 feet of the Northeast Quarter of the Southwest Quarter; and the northerly 50.00 feet of the Southeast Quarter of Section 1, Township 15 South, Range 3 West, San Bernardino Base and Meridian, according to Official Plat thereof.

The aforementioned temporary use is for the purpose of the construction of a public sewer or sewers, and the privilege and right of use is to remain in force and continue during the construction of said sewer or sewers, ceasing and terminating upon completion of the construction thereof.



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PARCELS 4 AND 4-A:

PARCEL 4:

An easement and right of way to construct, reconstruct, maintain, operate and repair a public sewer or sewers, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that real property situated in the City of San Diego, County of San Diego, State of California, described as follows:

That portion of the Southwest Quarter of Section 5, Township 15 South, Range 2 West, San Bernardino Base and Meridian, according to Official Plat thereof, lying within a strip of land 30.00 feet in width, the center line of said strip being described as follows:

Beginning at a point on the West line of said Section 5, distant thereon South 03° 12' 44" West 487.65 feet from the West Quarter corner of said Section 5; thence South 49° 03' 12" East to the westerly line of land conveyed to the State of California by deed recorded February 28, 1964 as File No. 37844 of Official Records.

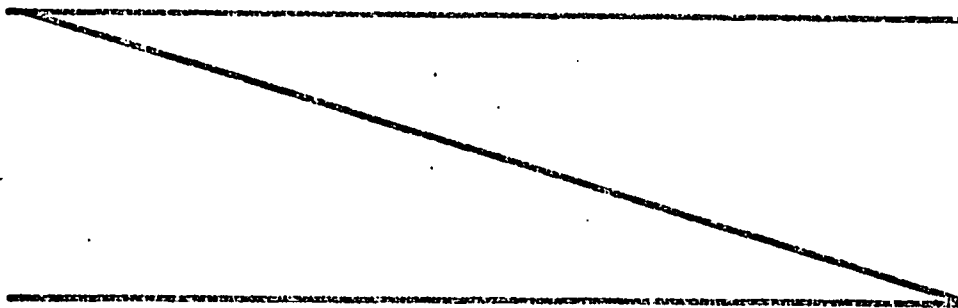
PARCEL 4-A:

The privilege and right of temporary use of a portion of said Section 5 as above-mentioned, described as follows:

That portion of the Southwest Quarter of Section 5, Township 15 South, Range 2 West, San Bernardino Base and Meridian, according to Official Plat thereof, lying within a strip of land 50.00 feet in width, the center line of said strip being described as follows:

Beginning at a point on the West line of said Section 5, distant thereon South 03° 12' 44" West 487.65 feet from the West Quarter corner of said Section 5; thence South 49° 03' 12" East to the westerly line of land conveyed to the State of California, by deed, recorded February 28, 1964 as File No. 37844 of Official Records.

The aforementioned temporary use is for the purpose of the construction of a public sewer or sewers, and the privilege and right of use is to remain in force and continue during the construction of said sewer or sewers, ceasing and terminating upon completion of the construction thereof.



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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 sewer or sewers and all appurtenances thereto, together with the privilege and right of temporary use of adjacent working areas, by The City of San Diego and the inhabitants thereof, for municipal purposes; that such uses are public uses authorized by law; that for such public uses 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 sewer or sewers and all appurtenances thereto, which are 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

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OCT 29 1970

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

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CITY CLERK'S OFFICE
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- Councilmen
- Helen Cobb
- Sam T. Loftin
- Henry L. Landt
- Leon L. Williams
- Floyd L. Morrow
- Bob Martinet
- Allen Hitch
- Mike Schaefer
- Mayor Frank Curran

Yeas	Nays	Excused	Absent
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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AUTHENTICATED BY:

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

(Seal)

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

By *Arthur J. ...*, Deputy. *KE*

Office of the City Clerk, San Diego, California

Resolution Number 201132 Adopted OCT 29 1970

FORM CC-1276 (1-69)

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