

RESOLUTION NO. 201135 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 NORTH HALF OF LOT 1, SECTION 30, PORTIONS OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 19, PORTIONS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 19, PORTIONS OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 19, AND PORTIONS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 19, ALL IN TOWNSHIP 14 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:

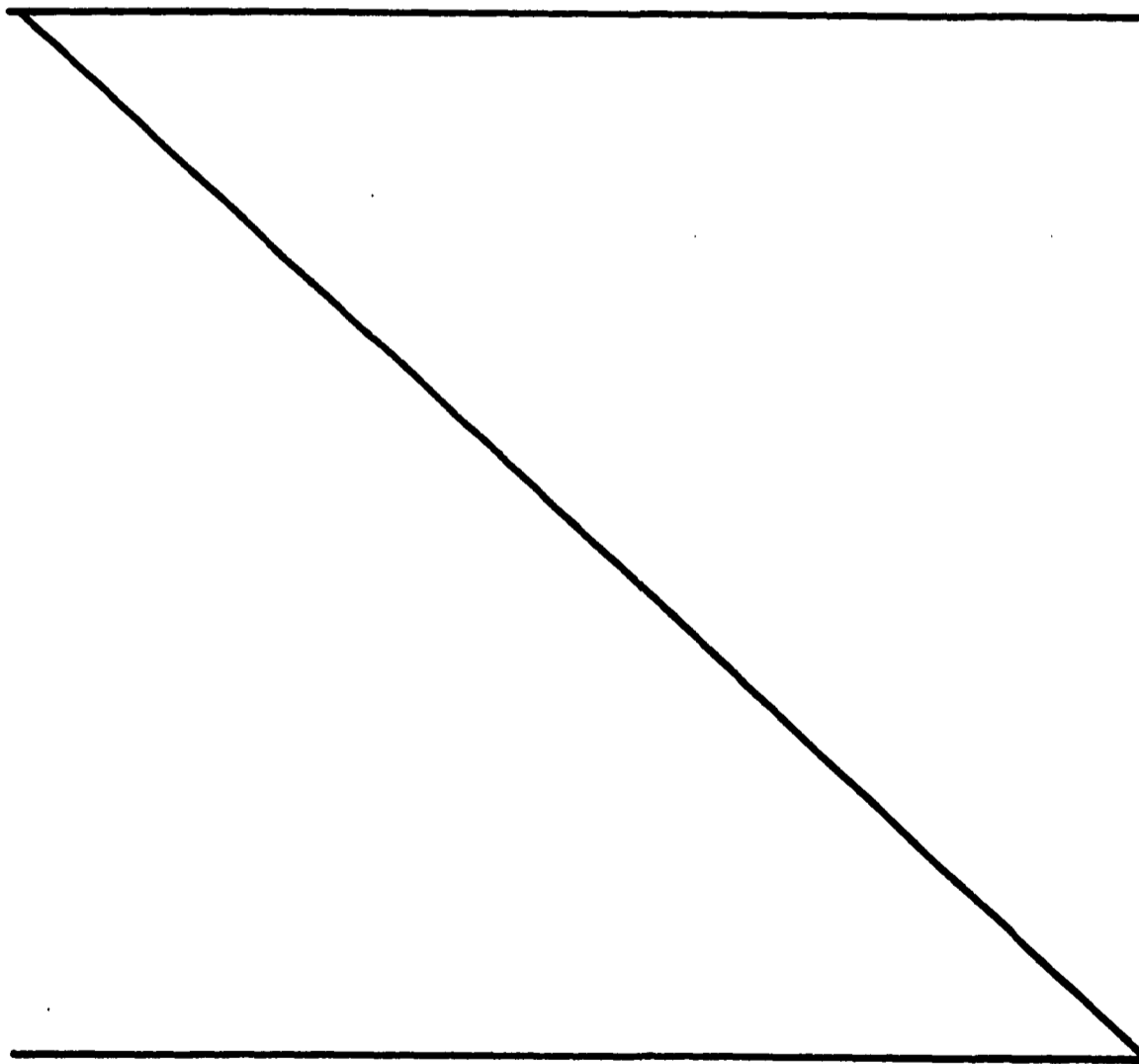
Section 1. That the public interest, convenience and necessity of The City of San Diego and the inhabitants thereof, require the construction, operation and maintenance of a public sewer or sewers and all appurtenances thereto across portions of the North Half of Lot 1, Section 30, portions of the West Half of the Southwest Quarter of the Southwest Quarter, Section 19, portions of the East Half of the Southwest Quarter of the Southwest Quarter, Section 19, portions of the West Half of the Southeast Quarter of the Southwest Quarter, Section 19, and portions of the East Half of the Southeast Quarter of the Southwest Quarter, Section 19, all in Township 14 South, Range 3

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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:

That portion of the North Half of Lot 1 (Northwest Quarter of Northwest Quarter) in Section 30, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to United States Government Survey approved May 20, 1884.

A strip of land 20.00 feet wide which lies 10.00 feet on each side of the following described center line:

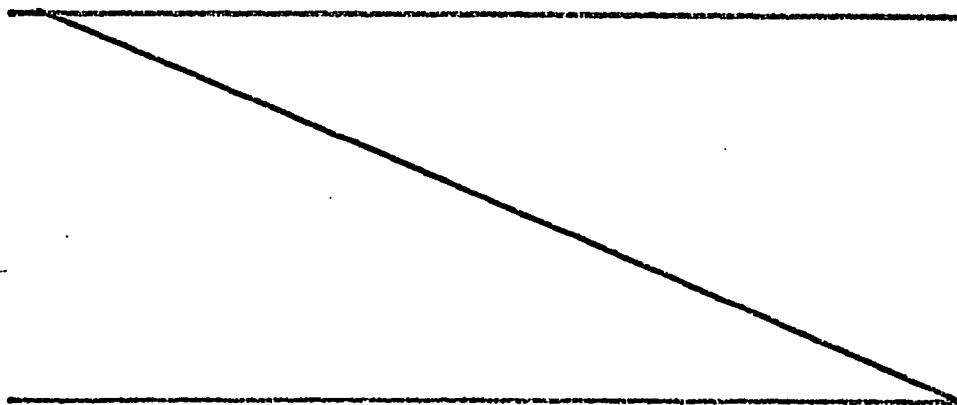
Beginning at a point on the West line of said Section 30, distant thereon South 00° 45' 08" West (Record South 00° 43' 17" West) 325.92 feet from the Northwest corner thereof as per State Highway Right of Way Map No. XI-SD-5-32.5, Sheet 72A, Survey of 1959; thence North 56° 30' 31" East 576.91 feet to the northerly line of said Section 30. Bearings and distances are based upon the California Coordinate System, Zone 6.

PARCEL 1-A:

The privilege and right of temporary use of a portion of said Section 30 as above-mentioned, described as follows:

A strip of land 20.00 feet wide lying southeasterly of and adjacent to a line 10.00 feet southeasterly of the above-described center line.

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 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:

That portion of the West Half (West 20 acres of Lot 4) of the Southwest Quarter of the Southwest Quarter in Section 19, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to United States Government Survey thereof, lying southerly of the southerly right of way line as shown on Road Survey 758 (New Survey No. 190) as filed in the office of the County Engineer, County of San Diego.

A strip of land 20.00 feet wide which lies 10.00 feet on each side of the following described center line:

Beginning at a point on the West line of Section 30, Township 14 South, Range 3 West, San Bernardino Base and Meridian, distant thereon South $00^{\circ} 45' 08''$ West (Record South $00^{\circ} 43' 17''$ West) 325.92 feet from the Northwest corner thereof as per State Highway Right of Way Map No. XI-SD-5-32.5, Sheet 72A, Survey of 1959; thence North $56^{\circ} 30' 31''$ East 576.91 feet to a point on the northerly line of said Section 30. Said point being the TRUE POINT OF BEGINNING; thence continuing North $56^{\circ} 30' 31''$ East 80.96 feet; thence North $83^{\circ} 57' 31''$ East to a point of intersection with the easterly line of said West Half. Bearings and distances are based upon the California Coordinate System, Zone 6.

PARCEL 2-A:

The privilege and right of temporary use of a portion of said Section 19 as above-mentioned, described as follows:

A strip of land 20.00 feet wide lying southerly of and adjacent to a line 10.00 feet southerly of the above-described center line.

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:

That portion of the East Half (East 21.26 acres of Lot 4) of the Southwest Quarter of the Southwest Quarter in Section 19, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to the United States Government Survey thereof, lying southerly of the southerly right of way line of Road Survey 758, as filed in the office of the County Engineer, County of San Diego.

A strip of land 20.00 feet wide which lies 10.00 feet on each side of the following described center line:

Beginning at a point on the West line of Section 30, Township 14 South, Range 3 West, San Bernardino Base and Meridian, distant thereon South $00^{\circ} 45' 08''$ West (Record South $00^{\circ} 43' 17''$ West) 325.92 feet from the Northwest corner thereof as per State Highway Right of Way Map No. XI-SD-5-32.5, Sheet 72A, Survey of 1959; thence North $56^{\circ} 30' 31''$ East 657.87 feet; thence North $83^{\circ} 57' 31''$ East to a point of intersection with the westerly line of said East Half. Said point also being the TRUE POINT OF BEGINNING; thence continuing North $83^{\circ} 57' 31''$ East to a point of intersection with the easterly line of said East Half. Bearings and distances are based upon the California Coordinate System, Zone 6.

PARCEL 3-A:

The privilege and right of temporary use of a portion of said Section 19 as above-mentioned, described as follows:

A strip of land 20.00 feet wide lying southerly of a line 10.00 feet southerly of and adjacent to the above described center line.

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 West Half of the Southeast Quarter of the Southwest Quarter in Section 19, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to the United States Government Survey, approved May 20, 1884, lying southerly of the southerly right of way line of Road Survey 758, as filed in the office of the County Engineer, County of San Diego.

A strip of land 20.00 feet wide which lies 10.00 feet on each side of the following described center line:

Beginning at a point on the West line of Section 30, Township 14 South, Range 3 West, San Bernardino Base and Meridian, distant thereon South $00^{\circ} 45' 08''$ West (Record South $00^{\circ} 43' 17''$ West) 325.92 feet from the Northwest corner thereof as per State Highway Right of Way Map No. XI-SD-5-32.5, Sheet 72A, Survey of 1959; thence North $56^{\circ} 30' 31''$ East 657.87 feet to a point A; thence North $83^{\circ} 57' 31''$ East to a point of intersection with the westerly line of said West Half. Said point also being the TRUE POINT OF BEGINNING; thence continuing North $83^{\circ} 57' 31''$ East, distant thereon 1,083.16 feet from said point A; thence North $69^{\circ} 28' 25''$ East to a point of intersection with the easterly line of said West Half. Bearings and distances based upon the California Coordinate System, Zone 6.

PARCEL 4-A:

The privilege and right of temporary use of a portion of said Section 19 as above-mentioned, described as follows:

A strip of land 20.00 feet wide lying southerly of and adjacent to a line 10.00 feet southerly of the above described center line.

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 5 AND 5-A:

PARCEL 5:

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 East Half of the Southeast Quarter of the Southwest Quarter in Section 19, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to United States Government Survey approved August 14, 1876, lying southerly of the southerly right of way line of Road Survey No. 758, as filed in the office of the County Engineer, County of San Diego.

A strip of land 20.00 feet wide which lies 10.00 feet on each side of the following described center line:

Beginning at a point on the West line of Section 30, Township 14 South, Range 3 West, San Bernardino Base and Meridian, distant thereon South $00^{\circ} 45' 08''$ West (Record South $00^{\circ} 43' 17''$ West) 325.92 feet from the Northwest corner thereof as per State Highway Right of Way Map No. XI-SD-5-32.5, Sheet 72A, Survey of 1959; thence North $56^{\circ} 30' 31''$ East 657.87 feet; thence North $83^{\circ} 57' 31''$ East 1083.16 feet to a Point A; thence North $69^{\circ} 28' 25''$ East to a point of intersection with the westerly line of said East Half. Said point also being the TRUE POINT OF BEGINNING; thence continuing North $69^{\circ} 28' 25''$ East, distant thereon 1139.13 feet from Point A, to a point of intersection with the easterly line of said East Half and end of said center line. Said point of intersection being North $00^{\circ} 34' 57''$ East (Record North $00^{\circ} 06' 56''$ West according to Record of Survey Map No. 4268, filed in the office of the County Recorder of San Diego County) 593.02 feet thereon from the Southeast corner of said East Half. Said Southeast corner being North $89^{\circ} 05' 37''$ West 2639.11 feet from the Southeast corner of said Section 19. Bearings and distances based upon the California Coordinate System, Zone 6.

PARCEL 5-A:

The privilege and right of temporary use of a portion of said Section 19 as above-mentioned, described as follows:

A strip of land 40.00 feet wide lying southerly of and adjacent to a line 10.00 feet southerly of the above described center line.

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.

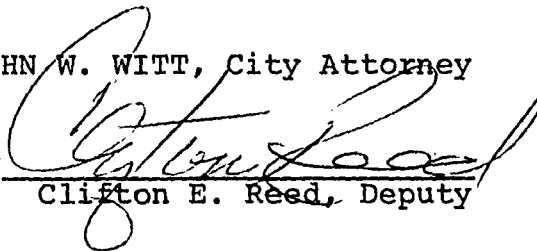
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Section 4. That the taking and acquiring by said City of those certain property interests hereinabove described is deemed necessary for the construction, operation and maintenance of a public sewer or sewers and all appurtenances thereto, together 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

rb/10-15-70

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SAN DIEGO, CALIF.

Passed and adopted by the Council of The City of San Diego on OCT 29 1970
by the following vote:

- 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
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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 *Dorlene Villani*, Deputy *cc*

Office of the City Clerk, San Diego, California

Resolution 201135 OCT 29 1970
Number Adopted

FORM CC-1276 (1-69)

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