

RESOLUTION NO. 202444 APR 15 1971

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 A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 15 SOUTH, RANGE 2 WEST, S.B.B.&M., 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 A CERTAIN EASEMENT FOR SAID PUBLIC SEWER OR SEWERS AND ALL APPURTENANCES THERETO; AND DECLARING THE INTENTION OF THE CITY OF SAN DIEGO TO ACQUIRE SAID EASEMENT 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 EASEMENT.

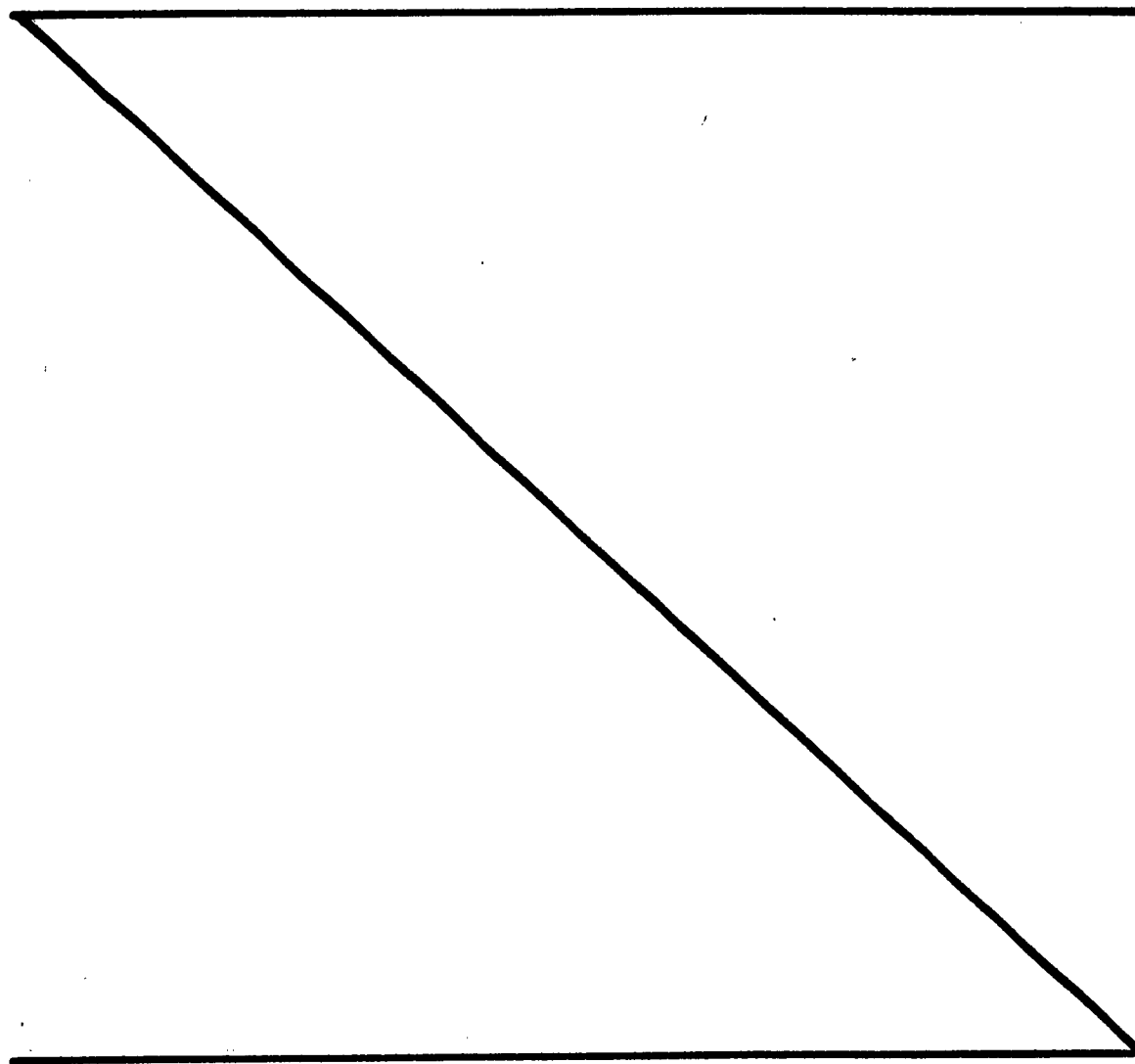
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

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 a portion of the Northeast Quarter of the Southeast Quarter of Section 6, Township 15 South, Range 2 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 an easement and right 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 easement lying within the City of San Diego, County of San Diego, State of California.

Section 3. That the parcel of real property and the interest therein sought to be condemned is described as follows:



PARCEL 35:

An easement and right of way to construct, reconstruct, maintain, operate and repair a public sewer or sewers, and any and 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 Northeast Quarter of the Southeast Quarter of Section 6, Township 15 South, Range 2 West, San Bernardino Base and Meridian, according to the Official Plat thereof, being a strip of land 30.00 feet wide, lying 15.00 feet on each side of the following described center line:

Commencing at the East Quarter corner of said Section 6, thence along the Easterly line of said Section, South 03° 12' 44" West, 487.65 feet; thence North 49° 03' 12" West, 280.73 feet to the TRUE POINT OF BEGINNING; thence continuing North 49° 03' 12" West, 444.29 feet to a point of termination.

PARCEL 35-B:

The privilege and right of temporary use of additional lands. Said temporary use is for the purpose of the construction of a public sewer and the privilege and right of use is to remain in force and continue during the construction of said sewer, ceasing and terminating upon the completion of the construction thereof. Said temporary working strip, located in said Section 6, being a strip of land 10.00 feet wide, lying adjacent to and northeasterly of the northeasterly line of the above described sewer easement.

PARCEL 35-C:

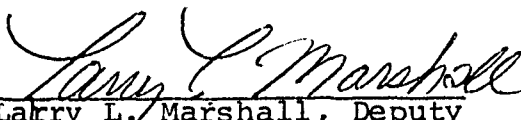
The privilege and right of temporary use of additional lands. Said temporary use is for the purpose of the construction of a public sewer and the privilege and right of use is to remain in force and continue during the construction of said sewer, ceasing and terminating upon the completion of the construction thereof. Said temporary working strip, located in said Section 6,, being a strip of land 10.00 feet wide, lying adjacent to and southwesterly of the southwesterly line of the above described sewer easement.

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Section 4. That the taking and acquiring by said City of that certain property interest hereinabove described is deemed necessary for the construction, operation and maintenance of a public sewer or sewers and all appurtenances thereto by The City of San Diego and the inhabitants thereof, for municipal purposes; that such 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 easement; that said easement is 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 easement as above-described in said parcel of property for the use of said City.

APPROVED: JOHN W. WITT, City Attorney

By 
Larry L. Marshall, Deputy

rb/3-26-71

LB

6 votes

Passed and adopted by the Council of The City of San Diego on APR 15 1971
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1971 APR -9 PM 12:10
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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,
EDWARD NIELSEN

City Clerk of The City of San Diego, California .

(Seal)

By *Elfa P. Hamel*, Deputy *KE*

Office of the City Clerk, San Diego, California

Resolution Number 202444 Adopted APR 15 1971