

FEB 15 1972

RESOLUTION NO. 204879

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 LOT 1, BLOCK 26, LOT 6, BLOCK 25, LOT 7, BLOCK 62 AND LOT 7, BLOCK 12 OF ROSEVILLE, 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.

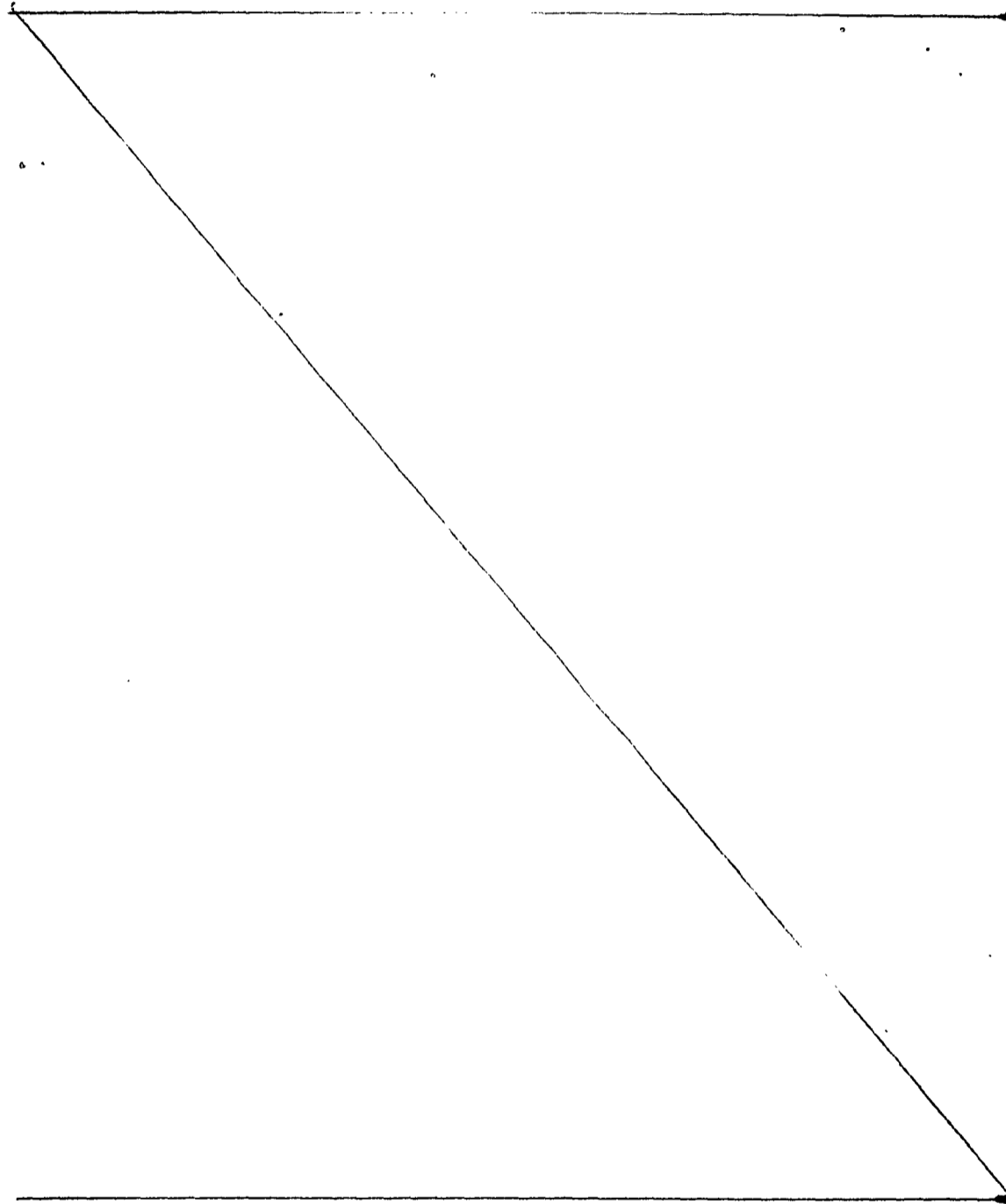
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

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 Lot 1, Block 26, Lot 6, Block 25, Lot 7, Block 62, and Lot 7, Block 12 of Roseville, 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:

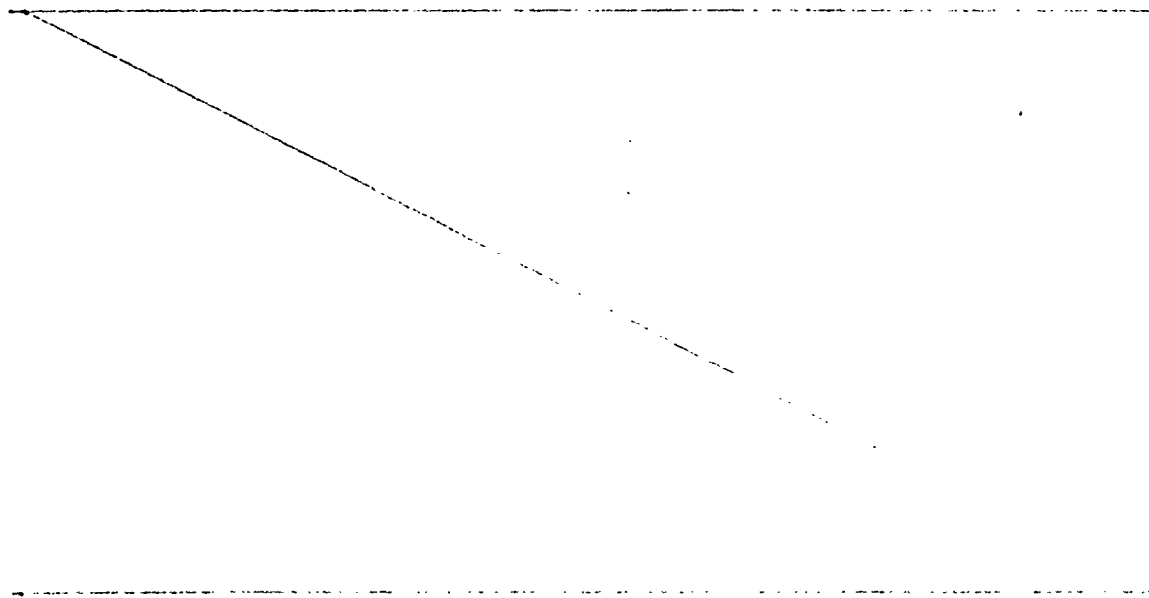


PARCEL 1:

An easement and right of way for a public street and incidents thereto, through, over, under, along and across all that portion of Lot 7 in Block 62 of Roseville, according to Map thereof No. 165, filed in the office of the San Diego County Recorder, more particularly described as follows:

Commencing at the South corner of said Lot 7, being a point on the northwesterly line of Scott Street, 70.00 feet wide as dedicated and established on the date of this document; thence North $35^{\circ} 44' 40''$ East along said westerly line and along the southeasterly line of said Lot, a distance of 70.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said westerly line North $35^{\circ} 44' 40''$ East, 20.00 feet to an intersection with the southwesterly line of North Harbor Drive as dedicated and established on the date of this document; thence North $54^{\circ} 14' 50''$ West along said southwesterly line, a distance of 20.00 feet to a point of cusp with the beginning of a tangent 20.00 foot radius curve, concave westerly; thence southeasterly, southerly and southwesterly along the arc of said curve through a central angle of $89^{\circ} 59' 30''$, a distance of 31.41 feet to the northwesterly line of said Scott Street being the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying below the ordinary high tide line of the San Diego Bay.

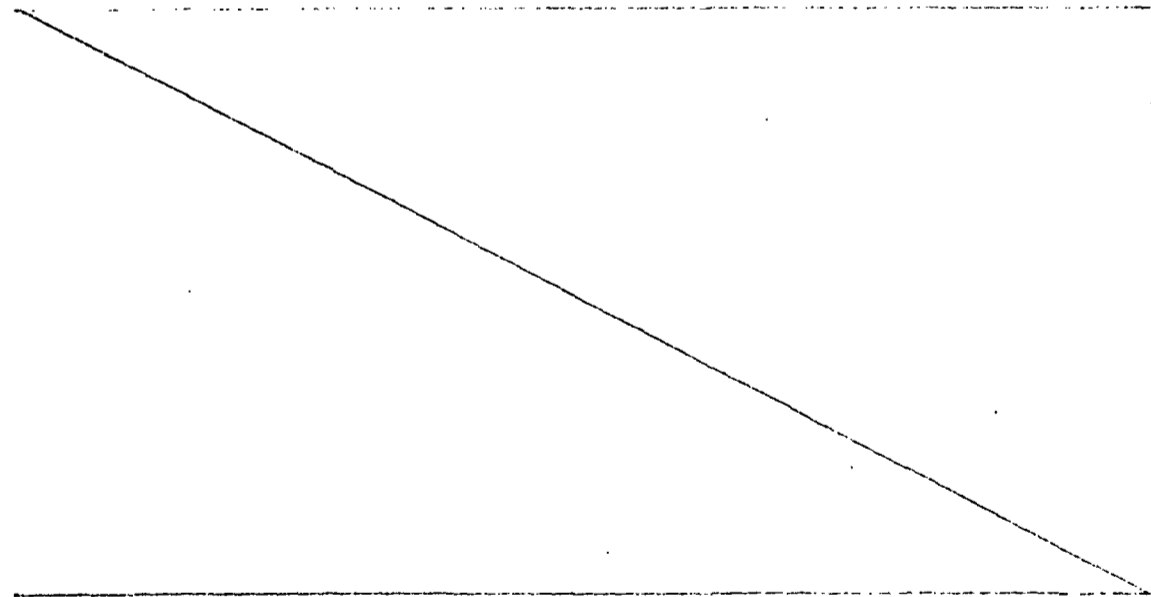


PARCEL 2:

An easement and right of way for a public street and incidents thereto, through, over, under, along and across all that portion of Lot 7 in Block 62 of Roseville, according to Map thereof No. 165, filed in the office of the San Diego County Recorder, more particularly described as follows:

Commencing at the South corner of said Lot 7, being a point on the northwesterly line of Scott Street, 70.00 feet wide as dedicated and established on the date of this document; thence North $35^{\circ} 44' 40''$ East along said westerly line and along the southeasterly line of said Lot, a distance of 70.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said westerly line North $35^{\circ} 44' 40''$ East, 20.00 feet to an intersection with the southwesterly line of North Harbor Drive as dedicated and established on the date of this document; thence North $54^{\circ} 14' 50''$ West along said southwesterly line, a distance of 20.00 feet to a point of cusp with the beginning of a tangent 20.00 foot radius curve, concave westerly; thence southeasterly, southerly and southwesterly along the arc of said curve through a central angle of $89^{\circ} 59' 30''$, a distance of 31.41 feet, returning to the TRUE POINT OF BEGINNING being a point of cusp with said westerly line of Scott Street.

EXCEPTING THEREFROM any portion lying above the ordinary high tide line of the San Diego Bay.

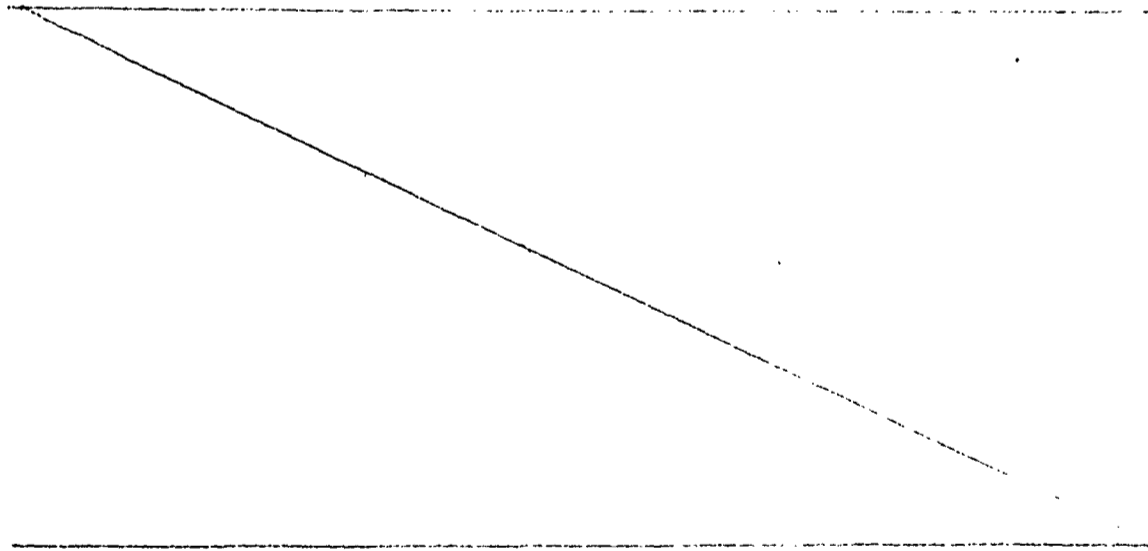


PARCEL 3:

An easement and right of way for a public street and incidents thereto, through, over, under, along and across all that portion of Lot 6, Block 25 of Roseville, according to Map thereof No. 165, on file in the office of the San Diego County Recorder, more particularly described as follows:

Beginning at the South corner of said Lot 6; thence northeasterly along the northwesterly line of Scott Street, 70.00 feet wide as dedicated and established on the date of this document, and along the southeasterly line of said Lot, a distance of 20.00 feet to a point of cusp with the beginning of a tangent 20.00 foot radius curve, concave northerly; thence southwesterly, westerly and northwesterly along the arc of said curve through a central angle of $90^{\circ} 00' 00''$, a distance of 31.42 feet to a point of cusp with the northeasterly line of Shelter Island Drive, 70.00 feet wide as dedicated and established on the date of this document; said point being also a point on the southwesterly line of said Lot; thence southeasterly along said northwesterly line of Shelter Island Drive and along the southwesterly line of said Lot, a distance of 20.00 feet, returning to the POINT OF BEGINNING.

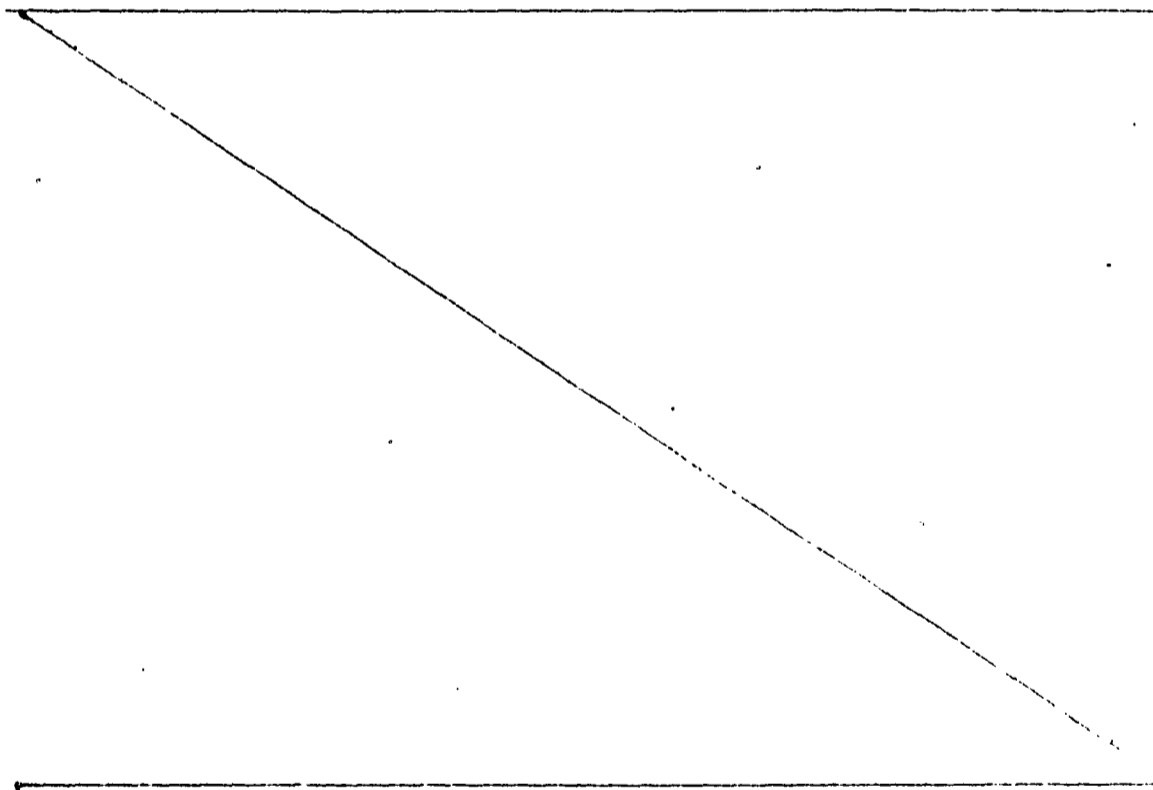
EXCEPTING THEREFROM any portion lying within that certain street easement granted to The City of San Diego by easement deed filed April 9, 1956 in Book 6050, Page 358, in the office of said San Diego County Recorder.



PARCEL 4:

An easement and right of way for a public street and incidents thereto, through, over, under, along and across all that portion of the southwesterly 53.00 feet of Lot 1, Block 26 of Roseville, according to Map thereof No. 198, on file in the office of the San Diego County Recorder, more particularly described as follows:

Beginning at the West corner of said Lot 1; thence southeasterly along the southwesterly line of said Lot and along the northeasterly line of Shelter Island Drive, 70.00 feet wide as dedicated and established on the date of this document, a distance of 20.00 feet to a point of cusp with a tangent 20.00 foot radius curve, concave easterly; thence northwesterly, northerly and northeasterly along the arc of said curve through a central angle of $90^{\circ} 00' 00''$, a distance of 31.42 feet to a point of cusp with the southeasterly line of Scott Street, 70.00 feet wide, as dedicated and established on the date of this document; thence southwesterly along said southeasterly line of Scott Street and along the northwesterly line of said Lot, a distance of 20.00 feet, returning to the POINT OF BEGINNING.

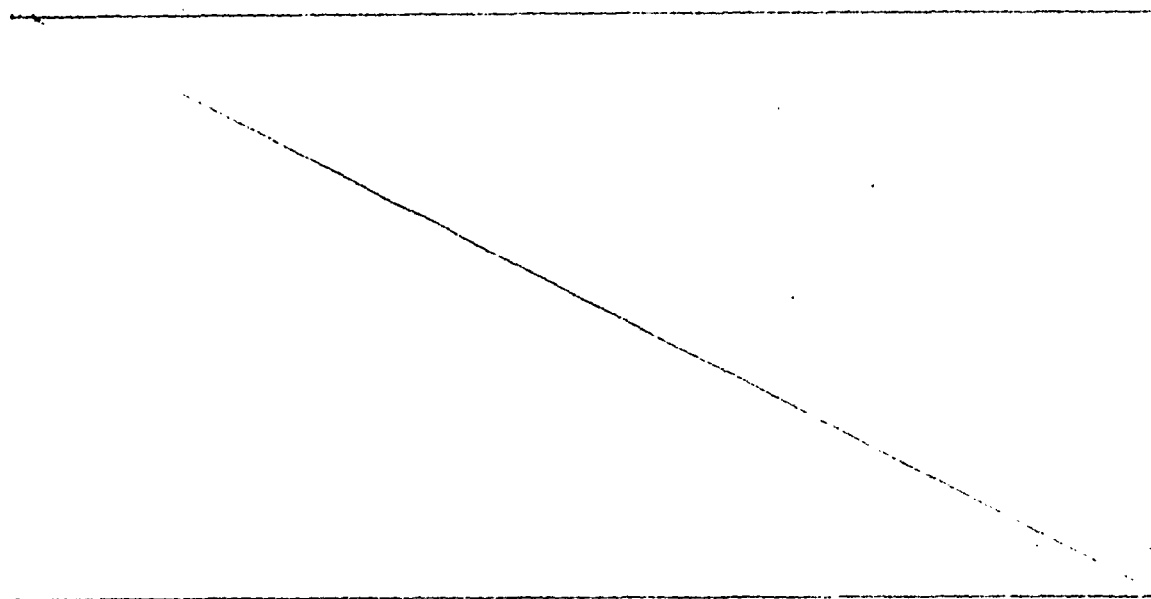


PARCEL 5:

An easement and right of way for a public street and incidents thereto, through, over, under, along and across all that portion of Lot 7, Block 12 of Roseville, according to Map thereof No. 165, on file in the office of the San Diego County Recorder, more particularly described as follows:

Beginning at the East corner of said Lot 7; thence northwesterly along the southwesterly line of Shelter Island Drive 70.00 feet wide as dedicated and established on the date of this document and along the northeasterly line of said Lot, a distance of 20.00 feet to a point of cusp with a tangent 20.00 foot radius curve, concave westerly; thence southeasterly, southerly and southwesterly along the arc of said curve through a central angle of 90° 00' 00" a distance of 31.42 feet to a point of cusp with the northwesterly line of Scott Street, 70.00 feet wide as dedicated and established on the date of this document; said point being also a point on the southeasterly line of said Lot; thence northeasterly along said northwesterly line of Scott Street and the southeasterly line of said Lot, a distance of 20.00 feet, returning to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion of that certain street easement granted to The City of San Diego by easement deed filed April 9, 1956 in Book 6050, Page 361, in the office of said San Diego County Recorder.



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 a 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 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 
Larry L. Marshall, Deputy

rb/1-24-72

FEB 15 1972

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

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

By *James A. Dillon*, Deputy.

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CITY CLERK'S OFFICE
1972 JAN 26 PM 12:47 (Seal)
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **204879** Adopted FEB 15 1972
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