

RESOLUTION NO. 208030 MAY 24 1973

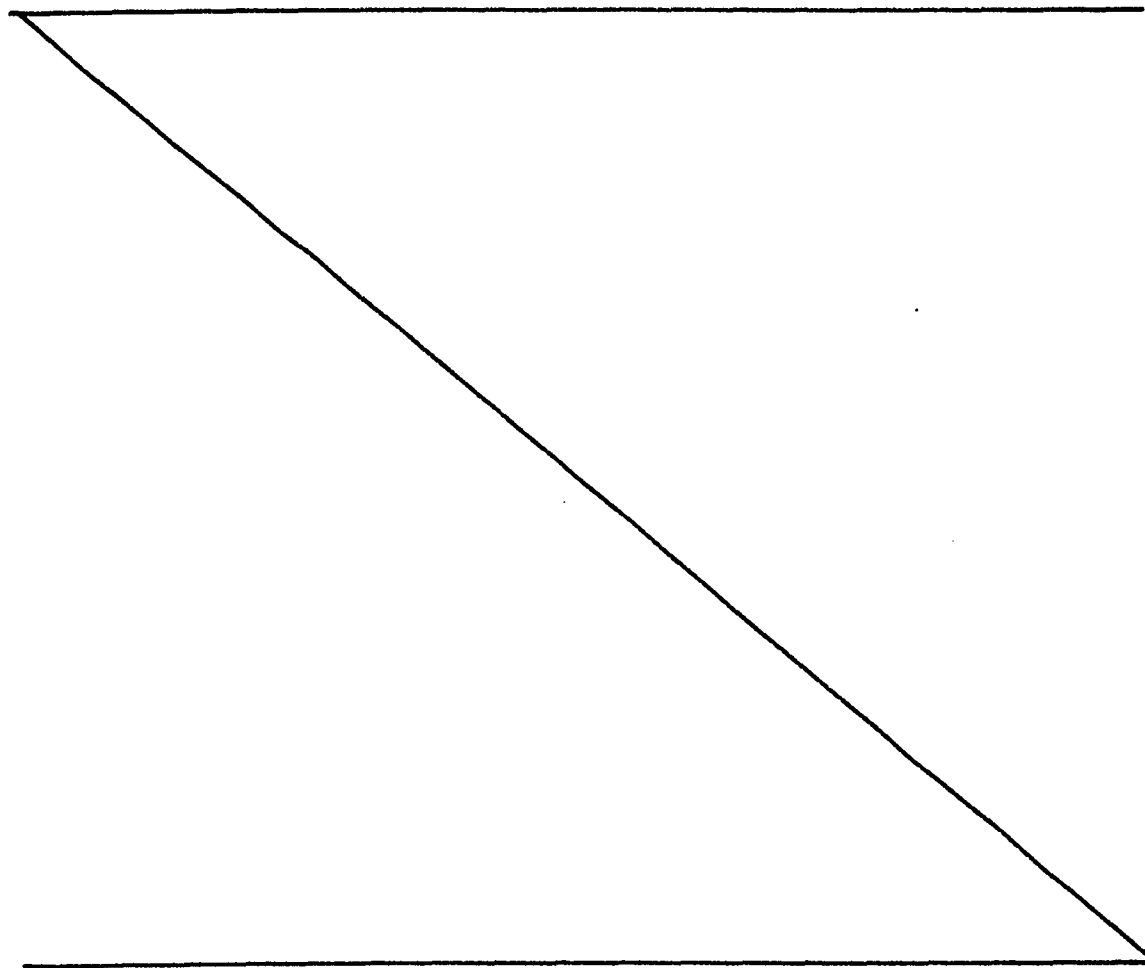
A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE CITY OF SAN DIEGO REQUIRE THE PRESERVATION AND DEVELOPMENT OF THE AREA FOR PARK AND RECREATION PURPOSES IN PORTIONS OF PUEBLO LOTS 1191, 1195, 1206, 1207, 1210, 1211, 1222, 1223 AND UNNUMBERED PUEBLO LOT BEING KNOWN AS MORROW TRACT OR FOS' ADDITION, ACCORDING TO MAP THEREOF NO. 629, TOGETHER WITH PORTIONS OF AVENUES AND STREETS AS SHOWN ON SAID MAP NO. 629, 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 FEE TITLE TO SAID PROPERTY FOR SAID PARK AND RECREATION PURPOSES; 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 CONDEMNING AND ACQUIRING SAID PROPERTY.

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 preservation and development of the area for park and recreation purposes in portions of Pueblo Lots 1191, 1195, 1206, 1207, 1210, 1211, 1222, 1223 and Unnumbered Pueblo Lot being known as Morrow Tract or Fos' Addition, according to Map thereof No. 629, together with portions of avenues and streets as shown on said Map No. 629, 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 fee title to said property for the preservation and development of the area for park and recreation purposes, said real property lying within the City of San Diego, County of San Diego, State of California.

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



PARCEL 1:

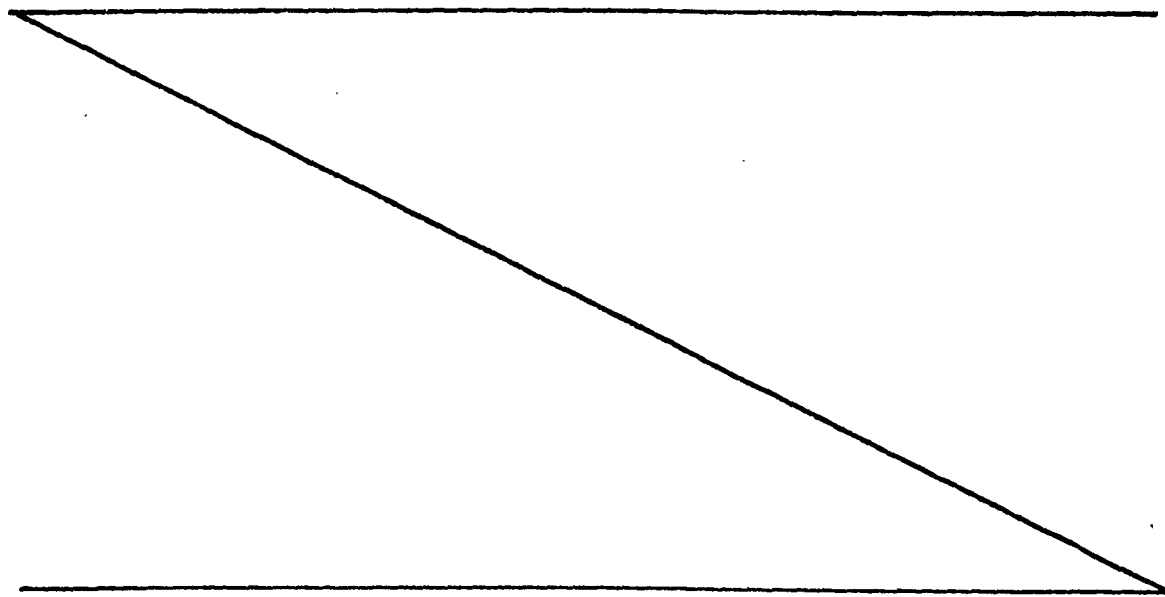
Those portions of Pueblo Lots 1206, 1207, 1210 and 1211, in the City of San Diego, County of San Diego, State of California, according to Map of the Pueblo Lands of San Diego, made by Charles H. Poole in 1856, as described in deed to Conner, recorded in Book 5, page 191 of Deeds, records of San Diego County, as follows:

Beginning at a point 3 chains East of the Southwest corner of Pueblo Lot 1211; thence North 27° West, 40 chains; thence South 67° West, 20 chains; thence South 23° East, 40 chains; thence northeasterly to the Point of Beginning.

EXCEPTING therefrom that portion lying westerly of the most easterly boundary line of the Subdivision of Clairemont Unit No. 7, according to Map thereof No. 2872, filed in the office of the County Recorder of San Diego County, on May 20, 1952.

ALSO EXCEPTING that portion lying within the boundary of East Clairemont Unit No. 7, according to Map thereof No. 4006, filed in the office of the County Recorder of said County, November 7, 1958.

AND ALSO EXCEPTING therefrom that portion lying within Fairway Park Unit No. 2, according to Map thereof No. 5885, filed in the office of the County Recorder of San Diego County, March 25, 1971.



208030

PARCEL 2:

All that real property in the City of San Diego, County of San Diego, State of California, being portions of Pueblo Lots 1191, 1195, 1206 and 1207 of the Pueblo Lands of San Diego, according to Map thereof made by James Pascoe in 1870, a certified copy of which was recorded November 14, 1921 in the office of the County Recorder of said San Diego County, as Miscellaneous Map No. 36, and that portion of the unnumbered Pueblo Lot bounded by Pueblo Lots 1194, 1195, 1206 and 1207 of said Pueblo Lands of San Diego (said unnumbered Lot being known as Morrow Tract, or Fos' Addition, according to Map thereof No. 629, filed in said County Recorder's Office April 26, 1890, together with portions of Avenues and Streets as shown on said Map No. 629, bounded and described as follows:

Beginning at a point in the southerly line of said Pueblo Lot 1191, distant thereon South 89° 06' 00" East, 371.18 feet from the southeasterly corner of Clairemont Unit No. 2, according to Map thereof No. 2757, filed in the office of the County Recorder of San Diego County; thence North 26° 25' 30" West, 665.47 feet; thence North 15° 38' 00" West, 695.30 feet; thence North 36° 49' 50" West, 484.65 feet; thence North 08° 44' 30" West, 168.03 feet; thence North 01° 49' 10" West, 332.65 feet; thence North 24° 55' 30" West, 575.06 feet; thence North 09° 24' 00" West, 470.55 feet; thence North 31° 31' 30" West, 452.57 feet to a point in a 530 foot radius curve concave northerly, a radial line to said point bearing South 16° 37' 13" East, said point being an angle point in the boundary line of land described in deed to Clairemont Company, recorded January 22, 1953 as Document No. 9011, in Book 4724, page 548, of Official Records; thence along the boundary line of said Clairemont Company's land as follows:

Leaving said curve North 73° 22' 47" East, 85.23 feet; North 24° 30' 10" East, 675.90 feet and North 16° 57' 20" West, 818.24 feet to an angle point in the easterly line of the land described under Parcel 2 in deed to Air Parks, Inc., recorded December 21, 1951 as Document No. 154406 in Book 4326, Page 101 of Official Records; thence along the easterly line of said Parcel 2, North 16° 57' 20" West to and along the boundary of Clairemont Garden, according to Map thereof No. 2047, filed in the office of the County Recorder of said County on January 14, 1953, a distance of 848.60 feet to an angle point therein; thence continuing along the

208030

PARCEL 2 (Cont'd):

boundary of said Map No. 2047, North 38° 24' 00" West, 631.92 feet; North 18° 47' 00" West, 1,124.87 feet and North 27° 26' 10" West, 393.84 feet to the southeasterly line of land described in deed to Conner, recorded in Book 5, page 191 of Deeds; thence northeasterly along the boundary of said land to the northerly line of said Pueblo Lot 1206; thence easterly along said northerly line to the northeasterly corner of said Pueblo Lot 1206; thence southerly along the easterly line of said Pueblo Lots 1206, 1195 and 1191 to the southerly line of said Pueblo Lot 1190; thence North 89° 06' 00" West along said southerly line of said Pueblo Lot 1191 to the Point of Beginning.

EXCEPTING FROM Parcel 2 above the following described property:

Clairemont Park Unit No. 1, according to Map No. 3535, filed in the office of the County Recorder of San Diego County, October 30, 1956.

Clairemont Park Unit No. 2, according to Map No. 3698, filed in the office of the County Recorder of San Diego County, August 23, 1957.

East Clairemont Unit No. 23, according to Map thereof No. 4644, filed in the office of the County Recorder of San Diego County, September 30, 1960.

Fairway Park Unit No. 1, according to Map thereof No. 6778, filed in the office of the County Recorder of San Diego County, November 6, 1970.

AND ALSO EXCEPTING from said Parcel 2 above that portion thereof lying easterly and southeasterly of the westerly and northwesterly boundary of that portion of Mt. Acadia Boulevard as described in deed to The City of San Diego, recorded August 22, 1957 in Book 6719, Page 380 of Official Records.

208030

PARCEL 3:

Those portions of Pueblo Lots 1210, 1211, 1222 and 1223 in the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of said Map having been filed in the office of the County Recorder, November 14, 1921, as Miscellaneous Map No. 36, described as follows:

Beginning at the Lot corner common to Lot 1266 and Lot 1267 on Clairemont Unit No. 14, according to Map thereof No. 3914, on file in the office of the County Recorder of said County, said point also being on the easterly right of way line of Balboa Avenue; thence from said point along the boundary of East Clairemont Unit No. 14, as follows:

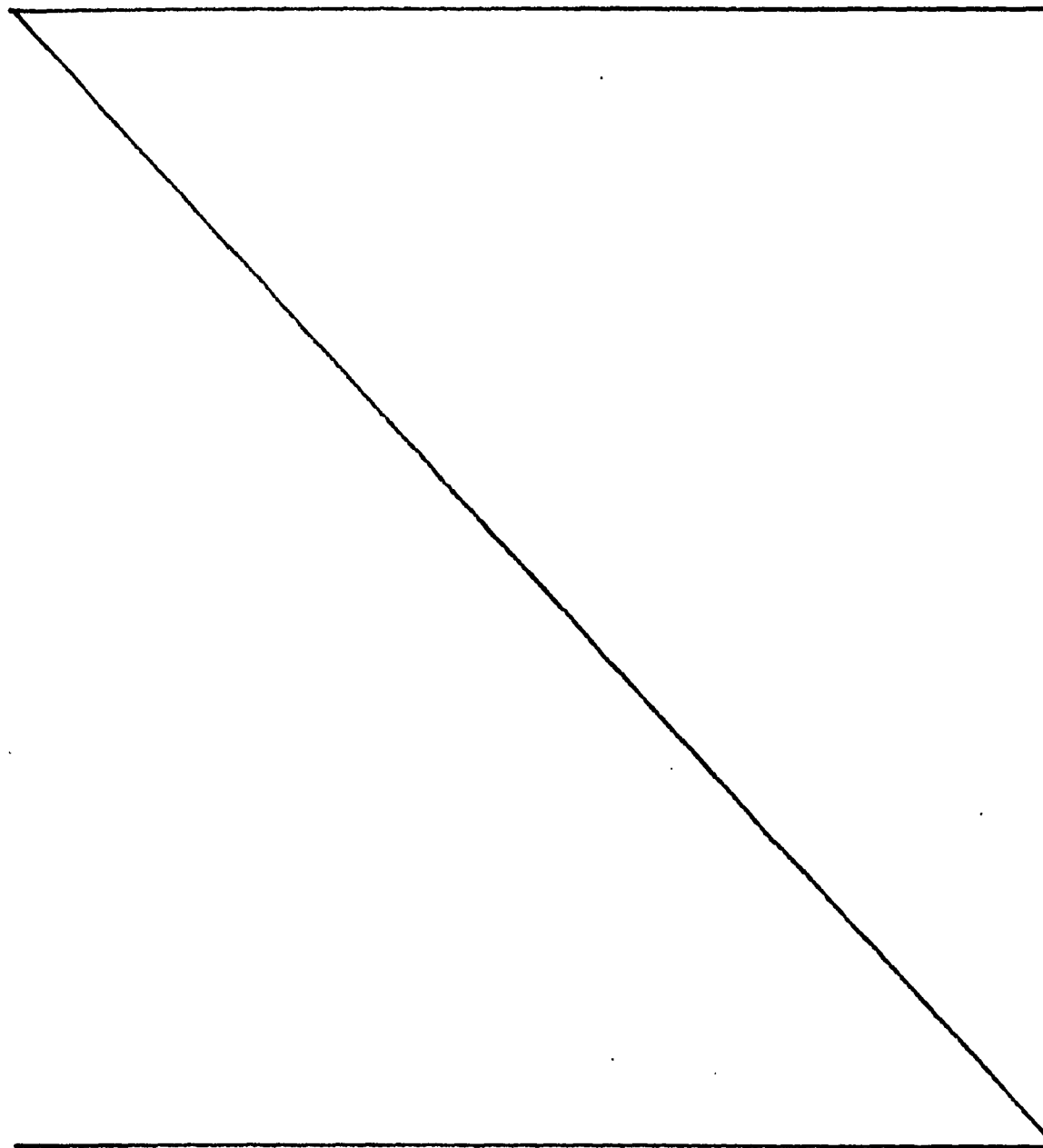
South 44° 57' 30" East, 347.39 feet; South 09° 38' 10" East, 75.36 feet; South 69° 32' 20" West, 117.14 feet; South 25° 00' 00" West, 147.00 feet; South 13° 34' 10" East, 104.24 feet; to a point on the Subdivision boundary of East Clairemont Unit No. 15, according to Map thereof No. 3970, on file in the office of the County Recorder of said County; thence along the Subdivision boundary of East Clairemont Unit No. 15, as follows:

South 85° 55' 25" West, 159.83 feet; South 73° 18' 40" West, 348.75 feet; South 16° 41' 20" East, 724.00 feet to the most southerly corner of Lot 1298 of said Subdivision; thence southerly in a straight line to the most westerly corner of Lot 947 of East Clairemont Unit No. 7, according to Map thereof No. 4006, on file in the office of the County Recorder of San Diego County; thence along the Subdivision boundary of the East Clairemont Unit No. 7, as follows:

South 16° 45' 50" East, 269.27 feet; North 73° 14' 10" East, 393.70 feet; South 24° 13' 30" East, 161.97 feet; South 34° 19' 00" West, 177.26 feet and South 73° 14' 10" West, a distance of 256.33 feet to an intersection with the north-easterly line of the Unnumbered Pueblo Lot known as the Conner Tract; thence along said northeasterly line North 26° 59' 32" West, a distance of 1,764.85 feet to the most north-easterly corner of said Conner Tract; thence South 63° 00' 32" West, a distance of 465.15 feet along the northwesterly line of the Conner Tract to its intersection with the easterly line of the Northwest One-Quarter of Pueblo Lot 1210; thence along said line North 01° 03' 12" West, a distance of 71.77 feet to the southeasterly right of way line of Balboa Avenue;

PARCEL 3 (Cont'd):

thence along said right of way line in a northeasterly direction along the arc of a curve of radius 2,051 feet, concave northwesterly, a radial line to said point bears South  $22^{\circ} 03' 35''$  East, an arc distance of 906.10 feet through a central angle of  $25^{\circ} 18' 55''$  East, thence continuing along a tangent line North  $42^{\circ} 37' 30''$  East, a distance of 507.09 feet to the Point of Beginning.

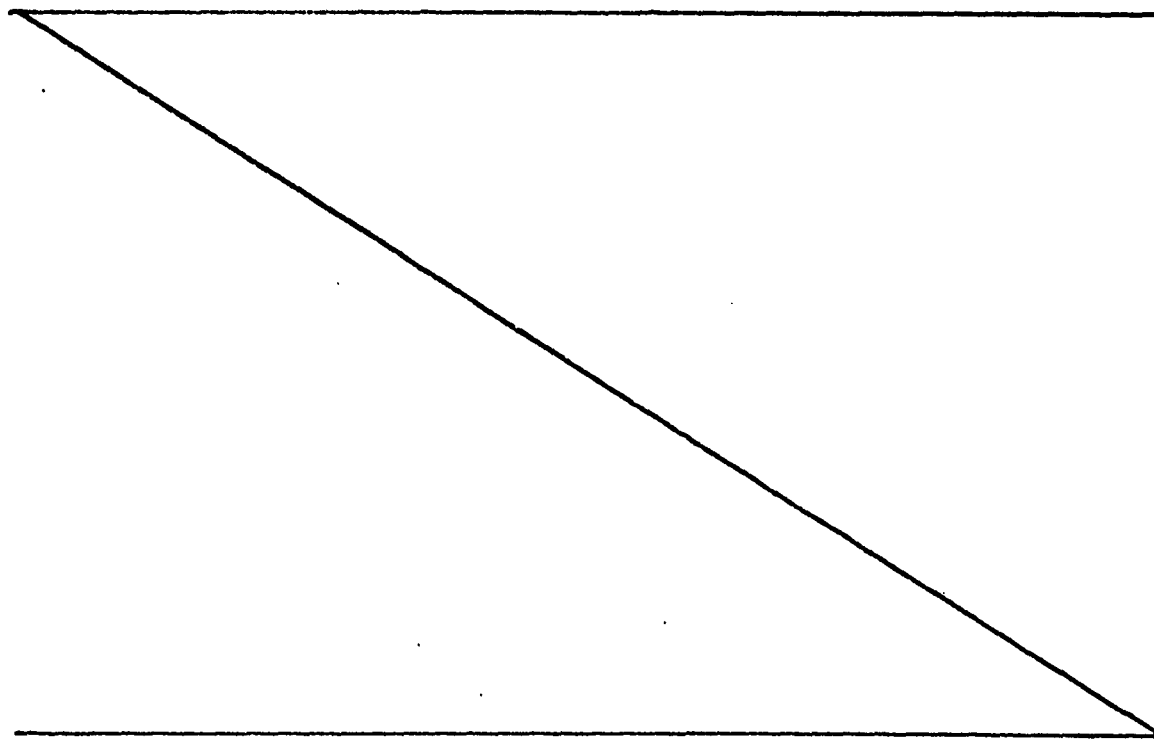


208030

PARCEL 4:

All that portion of Pueblo Lot 1210 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of said Map having been filed in the County Recorder's Office, November 14, 1921, as Miscellaneous Map No. 36, described as follows:

Beginning at the Southwest corner of the Northeast Quarter of the Northwest Quarter of said Pueblo Lot 1210, said point being also the Southwest corner of Parcel 2-B of the land conveyed to The City of San Diego, by deed recorded April 3, 1958 in Book 7021, Page 511 of Official Records; thence South  $89^{\circ} 21' 24''$  East along the South line of said land 371.52 feet to a point in the northwesterly line of the Unnumbered Pueblo Lot known as Conner Tract; thence South  $63^{\circ} 00' 32''$  West along said northwesterly line to an intersection with the northeasterly line of Clairemont Unit No. 7, according to Map thereof No. 2872, filed in the County Recorder's office, May 20, 1952; thence northwesterly along said northeasterly line to an intersection with the West line of the Southeast Quarter of the Northwest Quarter of said Pueblo Lot 1210; thence North along said West line to the Point of Beginning.



208030

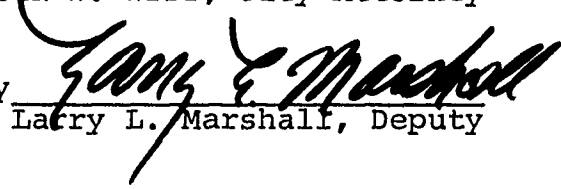


Section 4. That the taking and acquiring by said City of the real property hereinabove described is deemed necessary for the development of a park by The City of San Diego and the inhabitants thereof, for municipal purposes; that such use is a public use and that for such public use it is necessary that The City of San Diego condemn and acquire said real property; that said real property is to be used for the preservation and development of the area for park and recreation purposes, which are planned and located in a manner most compatible with 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 fee interest as above-described, for the use of said City.

APPROVED: JOHN W. WITT, City Attorney

By

  
Larry L. Marshall, Deputy

rb/5-23-73

MAY 24 1973

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 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 checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Mary Anne Mease, Deputy.

RECEIVED  
CITY CLERK'S OFFICE  
1973 MAY 24 PM 4:27  
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution  
Number 208030 Adopted MAY 24 1973