

213889

RESOLUTION NO. _____

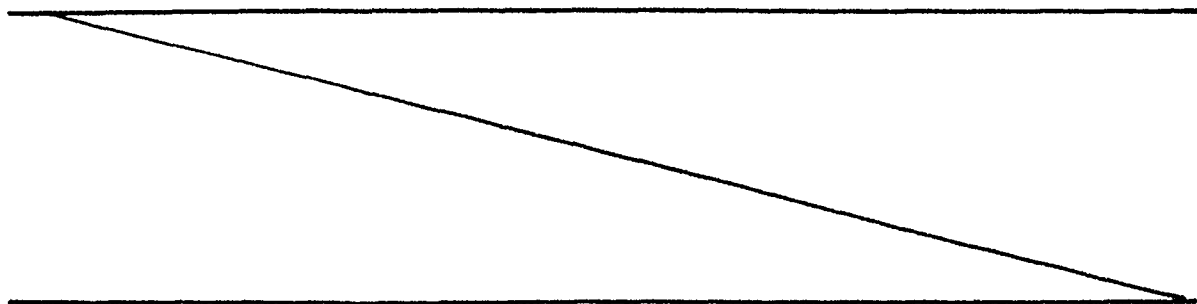
JUL 30 1975

A RESOLUTION AMENDING RESOLUTION NO. 209983, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON FEBRUARY 26, 1974, AND DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE CITY OF SAN DIEGO REQUIRE THE DELETION OF THE SLOPE EASEMENTS DESCRIBED IN SAID RESOLUTION NO. 209983, ACROSS PORTIONS OF SECTION 1, TOWNSHIP 15 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA; AND DECLARING THE INTENTION OF THE CITY OF SAN DIEGO TO DELETE SAID SLOPE EASEMENTS; AND DIRECTING THE CITY ATTORNEY OF THE CITY OF SAN DIEGO TO AMEND THAT ACTION HERETOFORE INSTITUTED IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SAN DIEGO, PURSUANT TO RESOLUTION NO. 209983, SO AS TO DELETE SAID SLOPE EASEMENTS.

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

That Resolution No. 209983, passed and adopted by the Council of The City of San Diego on February 26, 1974, be, and the same is hereby amended by adding thereto two new sections to be numbered Sections 6 and 7, which said amendment shall read as follows:

Section 6. That the slope easements to be deleted by said City are more particularly described as follows:



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PARCEL 2: Slope (Easement)

The permanent easement and right of way for an earth excavation or embankment, slope or slopes, and incidents thereto, over, under, upon, along and across all that real property described as follows:

Beginning at the intersection of the northeasterly sideline of Parcel 1 described above with said easterly line of said Section 1; said point being a point in the arc of a 1,800.00 foot radius curve, concave southwesterly, a radial bears North 38° 31' 26" East to said point; thence northwesterly along said northeasterly sideline of said Parcel 1 and along the arc of said curve through a central angle of 10° 36' 26", a distance of 342.68 feet to the beginning of a tangent line; thence North 62° 05' 00" West along said northeasterly sideline and along said tangent line a distance of 847.11 feet to a point on said northerly line of said parcel conveyed to Ruth Lane; thence North 89° 26' 01" East, along said northerly line, a distance of 50.33 feet; thence leaving said northerly line, South 62° 05' 00" East, 243.64 feet; thence South 54° 21' 45" East, 111.64 feet; thence South 72° 00' 10" East, 183.50 feet; thence South 50° 11' 30" East, 197.08 feet; thence South 68° 15' 30" East, 284.33 feet; thence South 48° 40' 55" East, 119.79 feet to the easterly line of said Section 1; thence South 02° 18' 12" West along said easterly line a distance of 38.20 feet returning to the POINT OF BEGINNING.

PARCEL 3: Slope (Easement)

The permanent easement and right of way for an earth excavation or embankment, slope or slopes, and incidents thereto, over, under, upon, along and across all that real property described as follows:

Beginning at the intersection of the southwesterly sideline of said Parcel 1 with the easterly line of said Section 1, said point being a point in the arc of a 1,749.00 foot radius curve, concave southwesterly, a radial bears North 41° 00' 42" East to said point; thence northwesterly along said southwesterly sideline and along the arc of said curve through a central angle of 13° 05' 42", a distance of 399.74 feet to the beginning of a tangent line; thence North 62° 05' 00" West along said southwesterly sideline and along said tangent line a distance of 1,035.11 feet to said northerly line of said parcel conveyed to

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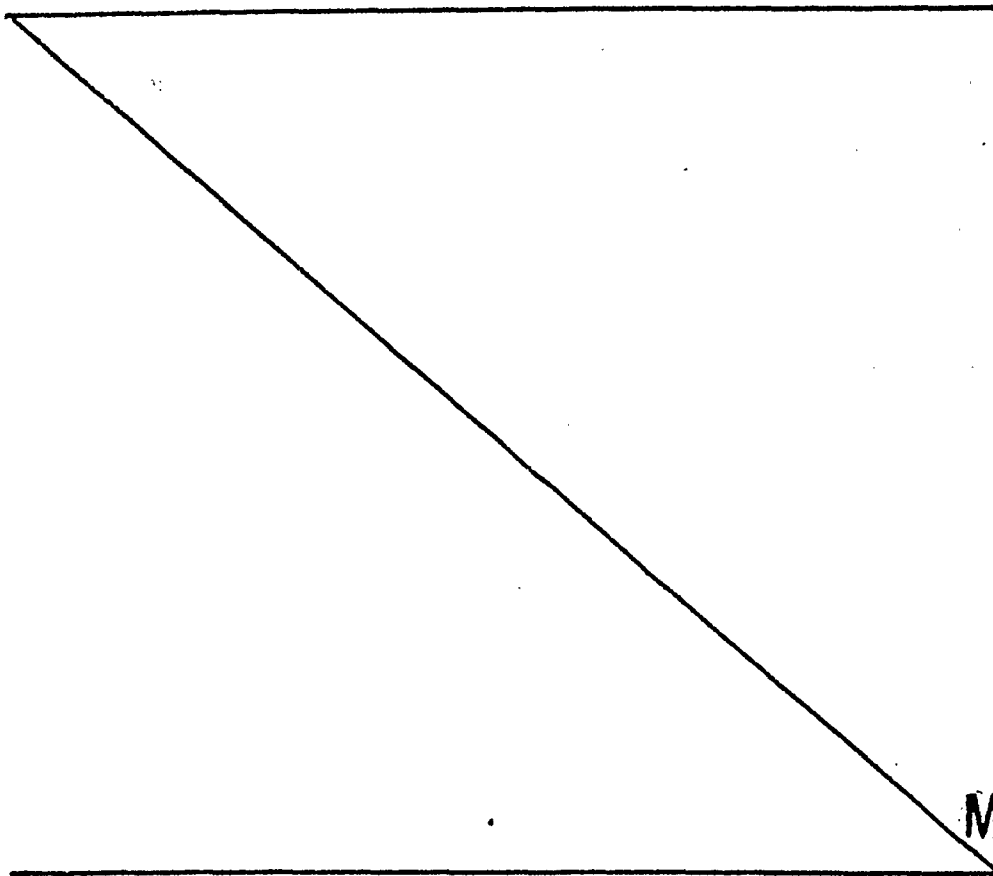
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Ruth Lane; thence South 89° 26' 01" West along said northerly line, a distance of 50.33 feet; thence leaving said northerly line, South 62° 05' 00" East, 520.10 feet; thence South 82° 51' 10" East, 45.84 feet; thence South 51° 48' 00" East, 185.15 feet; thence South 67° 31' 05" East, 335.72 feet; thence South 56° 27' 45" East, 335.08 feet; thence South 39° 19' 40" East, 82.85 feet to said easterly line of said Section 1; thence South 02° 18' 12" West, along said easterly line, a distance of 31.48 feet returning to the TRUE POINT OF BEGINNING.

RESERVING unto the owner in fee simple of record the continued use of Parcels 2 and 3 above, subject to the following conditions:

The erecting of buildings, masonry walls, masonry fences, and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately owned pipelines shall be prohibited except by written permission from The City of San Diego.



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Section 7. That the City Attorney of The City of San Diego be, and he is hereby authorized and directed to amend that action heretofore commenced by him in the Superior Court of the County of San Diego, State of California, pursuant to said Resolution No. 209983, for the purpose of deleting the slope easements across said property hereinabove described.

APPROVED: JOHN W. WITT, City Attorney

By *D. W. Detisch*
Donald W. Detisch, Deputy

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rb/7-17-75 Lit. File

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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"/>
Lee Hubbard	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Kathleen Martinig*, Deputy.

(Seal)

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1975 JUL 22 AM 8:44
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **213889** Adopted **JUL 30 1975**

CC-1276 (REV. 1-75)

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