

APR 28 1976

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RESOLUTION NO. _____

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, TOGETHER WITH EARTH EXCAVATIONS AND EMBANKMENTS, SLOPE OR SLOPES AND INCIDENTS THERETO AND STORM DRAIN OR DRAINS AND ALL APPURTENANCES THERETO, IN PORTIONS OF SECTION 23, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, PORTIONS OF SAID PROPERTY BEING SITUATED WITHIN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND OTHER PORTIONS OF SAID PROPERTY BEING SITUATED SOLELY WITHIN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF EASEMENTS IN AND FEE TITLE TO SAID PROPERTY FOR SAID PUBLIC STREET AND INCIDENTS THERETO, TOGETHER WITH EARTH EXCAVATIONS AND EMBANKMENTS, SLOPE OR SLOPES AND INCIDENTS THERETO AND STORM DRAIN OR DRAINS AND ALL APPURTENANCES THERETO; AND DECLARING THE INTENTION OF THE CITY OF SAN DIEGO TO ACQUIRE SAID FEE SIMPLE AND EASEMENT INTERESTS IN THE REAL 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 FEE SIMPLE AND EASEMENT INTERESTS.

WHEREAS, the Council of The City of San Diego has provided notice to those persons designated in Section 1245.235, Code of Civil Procedure and also has provided all persons a reasonable opportunity to appear and be heard on the matters referred to in Section 1240.030, Code of Civil Procedure; NOW, THEREFORE,

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

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thereof, require the construction, operation and maintenance of a public street and incidents thereto, together with earth excavations and embankments, slope or slopes and incidents thereto and storm drain or drains and all appurtenances thereto in portions of Section 23, Township 18 South, Range 2 West, San Bernardino 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 in and fee title to said property for the construction, operation and maintenance of a public street and incidents thereto, together with earth excavations and embankments, slope or slopes and incidents thereto and storm drain or storm drains and all appurtenances thereto, and the taking of the surplusage in fee simple, portions of said property being situated within the City of San Diego, County of San Diego, State of California, and other portions being situated solely within the County of San Diego, State of California.

Section 3. That Sections 1240.010 and 1240.120, Code of Civil Procedure, Section 220, the Charter of The City of San Diego and various Streets and Highways Code provisions permit the acquisitions referenced herein.

Section 4. That the parcels of real property and the interests sought to be condemned are described as follows:

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All those portions of the Southwest Quarter of Section 23, Township 18 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, more particularly described as follows:

PARCEL 6 - Beyer Way

Commencing at the Northwest corner of Lot 131, Montgomery Palisades Unit No. 2, according to Map thereof No. 4422, on file in the San Diego County Recorder's Office; thence North $89^{\circ}28'15''$ West (Rec $N89^{\circ}54'10''W$ per said Map No. 4422), a distance of 65.00 feet to the TRUE POINT OF BEGINNING; being also a point in the arc of a non-tangent 1,046.00 foot radius curve concave Westerly, a radial to said point bears South $81^{\circ}50'47''$ East; thence continuing North $89^{\circ}28'15''$ West (Rec. $N89^{\circ}54'10''W$ per said Map 4422), a distance of 55.15 feet to a point in the Easterly line of said Beyer Way as said Beyer Way is located and established as of the date of this Instrument; said point being also a point in the arc of a non-tangent 530.00 foot radius curve concave Westerly, a radial to said point bears South $71^{\circ}05'57''$ East; thence Northeasterly and Northerly along the arc of said curve and along said Easterly line of Beyer Way, through a central angle of $19^{\circ}25'09''$, an arc length of 179.64 feet; thence North $00^{\circ}31'06''$ West, 56.22 feet to the beginning of a tangent 530.00 foot radius curve concave, Westerly; thence Northerly along the arc of said curve, through a central angle of $02^{\circ}20'55''$, an arc length of 21.73 feet; thence leaving said curve and said Easterly line of Beyer Way, South $25^{\circ}13'13''$ East, 89.17 feet to a point designated Point "A" for purposes of this description, said point being also a point in the arc of a non-tangent 1,046.00 foot radius curve concave Westerly; thence Southerly and Southwesterly along the arc of said curve, through a central angle of $09^{\circ}34'21''$, an arc length of 174.75 feet, returning to the TRUE POINT OF BEGINNING.

PARCEL 6-A - Slope

Beginning at the TRUE POINT OF BEGINNING in Parcel 6 above; thence South $89^{\circ}28'15''$ East (Rec $S89^{\circ}54'10''E$), 17.31 feet to a point in the Westerly line of Road Survey 294; thence North $29^{\circ}18'45''$ East, along said Westerly line, 16.93 feet; thence leaving said westerly line, North $06^{\circ}08'45''$ East, 45.09 feet; thence North $02^{\circ}22'45''$ East, 48.23 feet to a point in said Westerly line of Road Survey 294; thence North $10^{\circ}18'13''$ West, along said westerly line, 32.37 feet; thence leaving said westerly line, North $25^{\circ}13'13''$ West, 38.45 feet to Point "A" designated in Parcel 6 above, being a point in the arc of a 1,046.00 foot radius curve concave westerly; thence southerly along the arc of said curve, through a central angle of $09^{\circ}34'21''$, an arc length of 174.75 feet, returning to the Point of Beginning.

PARCEL 6-B- Excess

Beginning at the TRUE POINT OF BEGINNING in Parcel 6 above, being also a point in the arc of a non-tangent 1,046.00 foot radius curve concave westerly, a radial to said point bears South $81^{\circ}50'47''$ East; thence leaving said curve, South $89^{\circ}28'15''$ East, (Rec $S89^{\circ}54'10''E$ per said Map 4422, along the northerly line of the South half of the Southwest Quarter of said Section 23, a distance of 17.31 feet to the TRUE POINT OF BEGINNING; thence leaving said northerly line North $29^{\circ}18'45''$ East, 16.93 feet; thence North $06^{\circ}08'45''$ East, 45.09 feet; thence North $02^{\circ}22'45''$ East, 48.23 feet to a point in the westerly line of said Road Survey 294; thence North $10^{\circ}18'13''$ West, along said westerly line, a distance of 32.37 feet; thence leaving said westerly line South $25^{\circ}13'13''$ East, 155.10 feet to a point

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in the northerly boundary of said Lot 131, Montgomery Palisades Unit No. 2; thence North 89°28'15" West (Rec N89°54'10" W per said Map No. 4422) along said northerly boundary of said Lot 131 and along the northerly boundary of the South half of the Southwest Quarter of said Section 23, a distance of 72.69 feet, more or less, returning to the TRUE POINT OF BEGINNING.

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All those portions of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of the Northwest Quarter, and the Southeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 23, Township 18 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, more particularly described as follows:

PARCEL 7 -Beyer Way

Commencing at the northwest corner of Lot 131, Montgomery Palisades Unit No. 2, according to Map thereof No. 4422, on file in the Office of the San Diego County Recorder; thence North $89^{\circ}28'15''$ West (Rec $N89^{\circ}54'10''W$) per said Map No. 4422), a distance of 120.15 feet to a point in the arc of a 530.00 foot radius curve concave Westerly, being also a point in the easterly line of Beyer Way as said Beyer Way is located and established as of the date of this instrument per Road Survey 407, a radial to said point bears South $71^{\circ}05'57''$ East; thence northeasterly and northerly along the arc of said curve, through a central angle of $19^{\circ}25'09''$, an arc length of 179.64 feet; thence North $00^{\circ}31'06''$ West, 56.22 feet to the beginning of a tangent 530.00 foot radius curve, concave Westerly; thence Northerly along the arc of said curve, through a central angle of $02^{\circ}20'55''$, an arc length of 21.73 feet to the TRUE POINT OF BEGINNING; thence continuing northerly and northwesterly along the arc of said curve and said Easterly line of Beyer Way; through a central angle of $17^{\circ}37'17''$, an arc length of 163.00 feet to the intersection of said Easterly line of Beyer Way with the Southwesterly line of Road Survey 294, being a point to which a radial bears North $69^{\circ}30'42''$ East, being also a point in the arc of a non-tangent 130.00 foot radius curve, concave Southwesterly, a radial to said point bears North $35^{\circ}31'57''$ East; thence Southeasterly along the arc of said curve, through a central angle of $44^{\circ}09'50''$, an arc length of 100.20 feet to a point to which a radial bears North $79^{\circ}41'47''$ East; thence South $10^{\circ}18'13''$ East, 70.79 feet to the beginning of a non-tangent 1,046.00 foot radius curve, concave Westerly, a radial to said point bears North $83^{\circ}46'37''$ East; thence Southerly along the arc of said curve, through a central angle of $04^{\circ}48'15''$, an arc length of 87.71 feet; thence North $25^{\circ}13'13''$ West, 89.17 feet, returning to the TRUE POINT OF BEGINNING.

PARCEL 7-A Beyer Way

Beginning at the intersection of the easterly line of said Beyer Way (R.S. 407) with the northerly line of Road Survey 294, being a point in the arc of a 170.00 foot radius curve, concave southwesterly, a radial to said point bears North $17^{\circ}50'17''$ East; thence southeasterly along the arc of said curve and the Northerly line of said Road Survey 294, through a central angle of $20^{\circ}08'54''$, an arc length of 59.78 feet to a point in the arc of a 1,046.00 foot radius curve, concave southwesterly, a radial to said point bears North $37^{\circ}59'11''$, East, said point being designated Point "A" for purposes of this description; thence northwesterly along the arc of said curve, through a central angle of $08^{\circ}03'59''$, an arc length of 147.26 feet to a point to which a radial bears North $65^{\circ}37'22''$ East; thence North $24^{\circ}22'38''$ West, 234.16 feet; thence at right angles North $65^{\circ}37'22''$ East, 41.00 feet; thence at right angles North $24^{\circ}22'38''$ West, 70.00 feet; thence at right angles South $65^{\circ}37'22''$ West, 36.00 feet; thence at right angles North $24^{\circ}22'38''$ West, 419.00 feet; thence at right angles North $65^{\circ}37'22''$ East, 36.00 feet; thence at right angles North $24^{\circ}22'38''$ West, 44.00 feet to a point designated Point "B" for purposes of this description; thence at right angles South $65^{\circ}37'22''$ West, 41.00 feet to a point in the arc of a 3,033.20 foot radius curve concave Southwesterly; a radial bears North $65^{\circ}37'22''$ East to said point; thence Northwesterly along the arc of said curve, through a central

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angle of $00^{\circ}58'34''$, an arc length of 51.67 feet to the northerly boundary of the City of San Diego; thence North $89^{\circ}16'44''$ West, along said Northerly boundary, a distance of 34.36 feet to a point in the Easterly line of said Beyer Way; thence leaving said northerly boundary South $25^{\circ}31'20''$ East, 38.16 feet along said Easterly line of Beyer Way; thence South $23^{\circ}21'26''$ East, 895.13 feet, returning to the Point of Beginning.

PARCEL 7-B - Beyer Way

Commencing at Point "B" in Parcel 7A above; thence South $65^{\circ}37'22''$ West, 41.00 feet to a point in the arc of a non-tangent 3,033.20 foot radius curve concave Southwesterly a radial bears North $65^{\circ}37'22''$ East to said point, thence northwesterly along the arc of said curve, through a central angle of $00^{\circ}58'34''$, an arc length of 51.67 feet to a point in said northerly boundary of the City of San Diego; thence North $89^{\circ}16'44''$ West, along said northerly boundary, a distance of 34.36 feet to a point in the easterly line of said Beyer Way; thence continuing along said northerly boundary line, North $89^{\circ}16'44''$ West, a distance of 40.70 feet to the Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 23; thence continuing North $89^{\circ}16'44''$ West, along said northerly boundary line, 26.20 feet to a point in the westerly line of said Beyer Way, said point being designated Point "C" for purposes of this description; thence leaving said northerly boundary line, and along said westerly line of Beyer Way, South $25^{\circ}31'20''$ East, 12.90 feet to the TRUE POINT OF BEGINNING; thence continuing South $25^{\circ}31'20''$ East, 1.28 feet to a point designated Point "D" for purposes of this description; thence leaving said westerly line South $00^{\circ}27'16''$ West, along the northwesterly line of said Road Survey 294, a distance of 75.43 feet; thence leaving said northwesterly line South $65^{\circ}37'22''$ West, 3.96 feet; thence North $25^{\circ}31'20''$ West, 69.00 feet; thence at right angles, North $64^{\circ}28'40''$ East, 37.00 feet, returning to the TRUE POINT OF BEGINNING.

PARCEL 7-C - Beyer Way

Commencing at Point "D" designated in Parcel 7B above; thence South $25^{\circ}31'20''$ East, 45.86 feet to the TRUE POINT OF BEGINNING, being the point of intersection of the southwesterly line of said Beyer Way and the southeasterly line of said Road Survey 294; thence South $25^{\circ}31'20''$ East, along said Southwesterly line of Beyer Way, a distance of 6.76 feet; thence South $23^{\circ}21'26''$ East, along said southwesterly line of Beyer Way, a distance of 16.05 feet; thence leaving said southwesterly line of Beyer Way South $65^{\circ}37'22''$ West, 10.40 feet to a point in said southeasterly line of Road Survey 294; thence North $00^{\circ}27'16''$ East, along said southeasterly line, 25.13 feet, returning to the TRUE POINT OF BEGINNING.

PARCEL 7-D - Beyer Way

Commencing at the TRUE POINT OF BEGINNING in Parcel 7C above; thence South $25^{\circ}31'20''$ East, 6.76 feet along said southwesterly line of Beyer Way; thence South $23^{\circ}21'26''$ East, along said southwesterly line, a distance of 436.12 feet to the TRUE POINT OF BEGINNING; thence continuing South $23^{\circ}21'26''$ East, along said southwesterly line, a distance of 81.00 feet; thence leaving said southwesterly line South $65^{\circ}37'22''$ West, 34.56 feet; thence at right angles North $24^{\circ}22'38''$ West, 81.00 feet; thence at right angles North $65^{\circ}37'22''$ East, 36.00 feet, returning to the TRUE POINT OF BEGINNING.

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PARCEL 7-E - Drain

A strip of land 18.00 feet in width, lying 9.00 feet measured at right angles on each side of the following described centerline:

Commencing at Point "A" designated in Parcel 7A above, being a point in the northeasterly line of said Road Survey 294, and being a point in the arc of a 1,046.00 foot radius curve concave southwesterly; a radial bears North $73^{\circ}41'21''$ East to said point; thence Northwesterly along the arc of said curve, through a central angle of $05^{\circ}32'54''$, an arc length of 101.29 feet to the TRUE POINT OF BEGINNING, being also a point of reverse curvature with a 120.00 foot radius curve concave southeasterly, a radial to said point bears North $78^{\circ}22'29''$ West; thence northeasterly along the arc of said curve, through a central angle of $11^{\circ}51'51''$, an arc length of 24.85 feet; thence tangent to said curve, North $23^{\circ}29'22''$ East, 63.00 feet to a terminus.

The sidelines of said strip of land shall be prolonged or shortened so as to terminate in the northeasterly line of Parcel 7A herein described.

PARCEL 7-F - Slope

Beginning at Point "A" designated in Parcel 7A above, being also a point in the northeasterly line of said Road Survey 294, and being also a point in the arc of a 170.00 foot radius curve concave southwesterly; a radial to said point bears North $37^{\circ}59'11''$ East; thence southeasterly along the arc of said curve, through a central angle of $21^{\circ}15'33''$, an arc length of 63.08 feet; thence leaving said northeasterly line, North $05^{\circ}13'15''$ West, 17.92 feet; thence North $23^{\circ}22'45''$ East, 26.00 feet; thence North $13^{\circ}00'15''$ West, 110.00 feet; thence North $23^{\circ}55'15''$ West, 106.00 feet; thence North $25^{\circ}54'15''$ West, 150.00 feet; thence North $38^{\circ}02'50''$ West, 43.86 feet to a point in the Easterly boundary of Parcel 7A herein described; thence South $65^{\circ}37'22''$ West, along a southeasterly boundary of said Parcel 2, a distance of 41.00 feet; thence at right angles and along said easterly boundary of Parcel 7A. South $24^{\circ}22'38''$ East, 234.16 feet to the beginning of a tangent 1,046.00 foot radius curve concave southwesterly; a radial to said point bears North $65^{\circ}37'22''$ East; thence southeasterly along the arc of said curve, through a central angle of $08^{\circ}03'59''$, an arc length of 147.26 feet, returning to the Point of Beginning.

PARCEL 7-G- Slope

Beginning at Point "B" designated in Parcel 7A above; thence North $24^{\circ}22'38''$ West, 32.26 feet to a point in said northerly boundary of the City of San Diego; thence North $89^{\circ}16'44''$ West, along said northerly boundary, a distance of 45.76 feet to a point in said easterly line of Parcel 7A herein described being also a point in the arc of a non-tangent 3,033.00 foot radius curve concave southwesterly, a radial to said point bears North $64^{\circ}38'48''$ East; thence southeasterly along the arc of said curve and along said easterly line of Parcel 7A. through a central angle of $00^{\circ}58'34''$, an arc length of 51.67 feet; thence North $65^{\circ}37'22''$ East, 41.00 feet, returning to the Point of Beginning.

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PARCEL 7-H - Slope

Beginning at Point "C" designated in Parcel 7B above, being a point in said northerly boundary of the City of San Diego; thence North $89^{\circ}16'44''$ West, along said northerly boundary, a distance of 41.25 feet; thence leaving said northerly boundary South $25^{\circ}31'20''$ East, 31.15 feet to a point in the southwesterly line of Parcel 7B above; thence North $64^{\circ}28'40''$ East, along the northwesterly line of said Parcel 7B, a distance of 37.00 feet to the most northerly corner of said Parcel 7B; thence at right angles, North $25^{\circ}31'20''$ West, 12.90 feet, returning to the Point of Beginning.

PARCEL 7-I - Slope

Commencing at the Northwest corner of said Lot 131, Montgomery Palisades Unit No. 2, being a point in the arc of a non-tangent 1,046.00 foot radius curve concave westerly, a radial to said point bears South $81^{\circ}50'47''$ East; thence northerly along the arc of said curve, through a central angle of $09^{\circ}34'21''$, an arc length of 174.75 feet to the TRUE POINT OF BEGINNING; thence continuing northerly along the arc of said curve, through a central angle of $04^{\circ}48'15''$, an arc length of 87.71 feet to a point to which a radial bears North $83^{\circ}46'37''$ East; thence South $10^{\circ}18'13''$ East, along the Westerly line of Road Survey 294, a distance of 124.28 feet; thence leaving said Westerly line, North $25^{\circ}13'13''$ West, 38.45 feet, returning to the TRUE POINT OF BEGINNING.

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All those portions of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter, and the Southeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 23, Township 18 South, Range 2 West, San Bernardino Meridian, in the County of San Diego, State of California, more particularly described as follows:

PARCEL 8 - Beyer Way

Beginning at the Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 23, being a point in the northerly boundary of the City of San Diego and in the easterly line of Road Survey 294; thence North $00^{\circ}28'29''$ East (Rec. North $00^{\circ}03'00''$ West), along said easterly line, a distance of 0.21 feet; thence leaving said easterly line, South $89^{\circ}17'11''$ East, (Rec. $S89^{\circ}48'00''E$), a distance of 63.04 feet; thence north $23^{\circ}24'41''$ West, 155.68 feet to a point in said easterly line of Road Survey 294; thence continuing North $23^{\circ}24'41''$ West, to a point in the westerly line of said Road Survey 294; thence continuing North $23^{\circ}24'41''$ West, 74.05 feet to the beginning of a tangent 851.00 foot radius curve concave southwesterly, said point being designated Point "A" for purposes of this description; thence northwesterly along the arc of said curve, through a central angle of $01^{\circ}24'02''$, an arc length of 20.80 feet to a point to which a radial bears North $65^{\circ}11'17''$ East; thence at right angles to said radial line, South $24^{\circ}48'43''$ East, 90.46 feet to a point in the westerly line of said Road Survey 294; thence continuing South $24^{\circ}48'43''$ East, to a point in the easterly line of said Road Survey 294; thence continuing South $24^{\circ}48'43''$ East, 166.17 feet to a point in said northerly boundary of the City of San Diego, said point being designated Point "B" for purposes of this description; thence North $89^{\circ}17'11''$ West, (Rec $N89^{\circ}48'00''$ West), a distance of 70.98 feet, returning to the Point of Beginning.

Excepting any portion thereof lying within said Road Survey 294.

PARCEL 8-A - Beyer Way

Beginning at the intersection of said Westerly line of said Road Survey 294 with said northerly boundary of the City of San Diego; thence North $89^{\circ}17'11''$ West (Rec. $N89^{\circ}48'00''$ W), along said northerly boundary, a distance of 28.63 feet to a point designated Point "C" for purposes of this description; thence leaving said northerly boundary North $23^{\circ}24'41''$ West, 0.23 feet; thence South $89^{\circ}17'11''$ East, 28.72 feet to a point in said Westerly line of Road Survey 294; thence South $00^{\circ}28'29''$ West, along said westerly line, a distance of 0.21 feet; returning to the Point of Beginning.

PARCEL 8-B - Slope

Beginning at Point "B" designated in Parcel 8 above, being a point in said northerly boundary of the City of San Diego; thence leaving said northerly boundary, and along the northeasterly boundary of Parcel 8 above, North $24^{\circ}48'43''$ West, a distance of 0.23 feet; thence leaving said northeasterly boundary of Parcel 8, South $89^{\circ}17'11''$ East (Rec $S89^{\circ}48'00''E$), a distance of 19.55 feet; thence North $23^{\circ}24'41''$ West, 223.33 feet to a point in the easterly line of said Road Survey 294; thence continuing North $23^{\circ}24'41''$ West, to a point in the westerly line of said Road Survey 294; thence continuing North $23^{\circ}24'41''$ West, 17.60 feet to a point to which a radial bears North $66^{\circ}35'19''$ East; thence South $33^{\circ}37'05''$ East, 12.71 feet to a point in the westerly line of said Road Survey 294; thence South $00^{\circ}28'29''$

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West, 5.57 feet; thence leaving said westerly line and retracing South 23°24'41" East, to a point in the easterly line of said Road Survey 294; thence North 00°28'29" East, 16.15 feet; thence leaving said easterly line, South 24°48'43" East, 244.00 feet to a point in said northerly boundary of the City of San Diego; thence North 89°17'11" West (Rec N89°48'00W) along said northerly boundary, 33.25 feet, returning to the Point of Beginning.

PARCEL 8-C - Slope

Commencing at Point "A" designated in Parcel 8 above, being a point in the arc of a 851.00 foot radius curve, concave southwesterly; a radial to said point bears North 66°35'19" East; thence northwesterly along the arc of said curve, through a central angle of 04°41'12", an arc length of 69.61 feet to the TRUE POINT OF BEGINNING; a radial to said point bears North 61°54'07" East; thence continuing northeasterly along the arc of said curve, through a central angle of 13°40'16", an arc length of 203.05 feet to a point to which a radial bears North 48°13'51" East; thence North 25°24'16" West, 10.14 feet to a point to which a radial bears North 47°34'40" East; thence South 78°02'32" East, 12.07 feet to the beginning of a non-tangent 861.00 foot radius curve concave southwesterly a radial bears North 48°13'51" East to said point; thence southeasterly along the arc of said curve, through a central angle of 13°40'16" an arc length of 205.44 feet to a point to which a radial bears North 61°54'07" East; thence South 61°54'07" West, along said radial line, a distance of 10.00 feet, returning to the TRUE POINT OF BEGINNING.

PARCEL 8-D - Slope

Beginning at Point "C" designated in Parcel 8A above, being a point in said northerly boundary of the City of San Diego; thence North 89°17'11" West (Rec N89°48'00W) along said northerly boundary, a distance of 32.87 feet; thence leaving said northerly boundary, North 23°24'41" West, 0.23 feet; thence South 89°17'11" East (Rec S89°48'00E) a distance of 32.87 feet; thence South 23°24'41" East, 0.23 feet, returning to the Point of Beginning.

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Section 5. That the taking and acquiring by said City of the fee simple and easement interests hereinabove described are deemed necessary for the construction, operation and maintenance of a public street and incidents thereto, together with earth excavations and embankments, slope or slopes and incidents thereto and storm drain or storm drains and all appurtenances thereto, by The City of San Diego and the inhabitants thereof, for municipal purposes; that such uses are public uses authorized by law (Section 220, Charter of The City of San Diego; Sections 1238(3) and 1243.4, Code of Civil Procedure); that for such public uses it is necessary that The City of San Diego condemn and acquire said fee simple and easement interests; that said fee simple and easement interests are to be used for the construction, operation and maintenance of a public street and incidents thereto, together with earth excavations and embankments, slope or slopes and incidents thereto and storm drain or storm drains 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 6. 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

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property, for the purpose of condemning and acquiring the
fee simple and easement interests as above-described, for
the use of said City.

APPROVED: JOHN W. WITT, City Attorney

By DW Detisch
Donald W. Detisch, Deputy

rb/4-6-76
Orig.Dept.: Property

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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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jess D. Haro	<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.

(Seal)

By *Kathleen Martinez*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 215859 Adopted APR 28 1976

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