

ORDINANCE NO. **12039**  
(New Series)

MAR 16 1977

AN ORDINANCE SETTING ASIDE AND DEDICATING CERTAIN PORTIONS OF BLOCKS 74, 61, 51, 52, 36, 37, 38 and 24 OF MIDDLETOWN ADDITION AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FOR A PUBLIC PARK AND NAMING SAID PARK "MISSION HILLS OPEN SPACE PARK".

WHEREAS, The City of San Diego is the owner of certain property in the Middletown Addition area in the City of San Diego; and

WHEREAS, it is the desire of the people of The City of San Diego to set aside and dedicate forever portions of said property in the Middletown Addition area, hereinafter described, for public use and enjoyment as and for a public park to be used by all the public for park and recreational purposes; NOW, THEREFORE,

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

Section 1. That the hereinafter described real property be, and the same is hereby set aside and dedicated in perpetuity as a public park to be used by all the public for park and recreational purposes.

Section 2. That the hereinafter described real property be and the same is hereby named "MISSION HILLS OPEN SPACE PARK".

Section 3. That the real property so dedicated and named is described in Exhibit A attached hereto and incorporated herein.

Section 4. That the City Clerk of said City be and he is hereby authorized and directed to file for record in the office of the Recorder of the County of San Diego, State of California, a

**MICROFILMED**

OCT 4 1978

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certified copy of this ordinance.

Section 5. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

OCT 4 1978

MICROFILMED

APPROVED: JOHN W. WITT, City Attorney

By *H. Valderhaug*  
Harold O. Valderhaug, Deputy

DV:sml  
2-2-77  
263.13

-2-

00773

12039

# EXHIBIT A

## LEGAL DESCRIPTION

### Parcel 1:

Fractional Block 74 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Northwest Half of Mission Hills Boulevard and the Northeast Half of Torrance Street which are adjacent to said Block.

### Parcel 2:

Lots 7 through 12 inclusive and Lots 17 through 24 inclusive in Block 61 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southwest Half of Torrance Street, the Northwest Half of Mission Hills Boulevard and the Northeast Half of Puterbaugh Street which are adjacent to said Lots.

### Parcel 3:

Lots 1 and 2 in Block 51 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Northeast Half of Guy Street and the Southeast Half of Mission Hills Boulevard adjacent to said Lots.

### Parcel 4:

Lots 7 through 12 inclusive and Lots 19 through 24 inclusive in Block 52 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southwest Half of Puterbaugh Street, the Northwest Half of Mission Hills Boulevard and the Northeast Half of Guy Street which are adjacent to said Lots.

### Parcel 5:

Lots 19 and 20 and the Northeasterly 75.00 feet of Lots 21, 22, 23 and 24 in Block 36 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southwest Half of Guy Street adjoining said Lots on the Northeast and the Northwest Half of Clark Street adjoining said Lots on the Southeast.

### Parcel 6:

Lots 1 through 24 inclusive in Block 37 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southeast Half of Clark Street, the Southwest Half of Guy Street, the Northwest Half of Mission Hills Boulevard and the Northeast Half of Linwood Street which are adjacent to said Lots.

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OCT 4 1978

12039

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EXHIBIT A

Parcel 7:

Lots 13 and 14 in Block 38 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southeast Half of Mission Hills Boulevard adjoining said Lots on the Northwest and the Southwest Half of Guy Street adjoining said Lots on the Northeast.

Parcel 8:

Lots 13 through 24 inclusive in Block 24 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southeast, Southwest and Northwest Halves of Clark Street, Linwood Street and Mission Hills Boulevard respectively that are adjacent to said Lots.

OCT 4 1978

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Passed and adopted by the Council of The City of San Diego on MAR 16 1977  
 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 Masterson Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 2 1977

MAR 16 1977

, and on \_\_\_\_\_

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

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

By Kathleen Masterson Deputy.

RECEIVED  
 CITY CLERK'S OFFICE  
 1977 FEB 18 AM 11: 57  
 SAN DIEGO, CALIF. (Seal)

**MICROFILMED**  
 OCT 4 1978

Office of the City Clerk, San Diego, California		
Ordinance Number	<b>12039</b>	Adopted <b>MAR 16 1977</b>
		<b>00776</b>

fw

ATTORNEYS:

San Diego, City of  
202 C St., 12th Floor  
San Diego, CA 92101  
Attn: Kathleen Martinez

**MICROFILMED**

OCT 4 1978

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

MISSION HILLS OPEN SPACE PARK

**ORDINANCE NO. 12039**

(New Series)

AN ORDINANCE SETTING ASIDE AND DEDICATING CERTAIN PORTIONS OF BLOCKS 74, 61, 51, 52, 36, 37, 38 and 24 OF MIDDLETOWN ADDITION AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FOR A PUBLIC PARK AND NAMING SAID PARK "MISSION HILLS OPEN SPACE PARK"

WHEREAS, The City of San Diego is the owner of certain property in the Middletown Addition area in the City of San Diego; and

WHEREAS, it is the desire of the people of The City of San Diego to set aside and dedicate forever portions of said property in the Middletown Addition area, hereinafter described, for public use and enjoyment as and for a public park to be used by all the public for park and recreational purposes; NOW, THEREFORE,

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

Section 1. That the hereinafter described real property be, and the same is hereby set aside and dedicated in perpetuity as a public park to be used by all the public for park and recreational purposes.

Section 2. That the hereinafter described real property be and the same is hereby named "MISSION HILLS OPEN SPACE PARK".

Section 3. That the real property so dedicated and named is described in Exhibit A attached hereto and incorporated herein.

Section 4. That the City Clerk of said City be and he is hereby authorized and directed to file for record in the office of the Recorder of the County of San Diego, State of California, a certified copy of this ordinance.

Section 5. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

LEGAL DESCRIPTION

Parcel 1:  
Fractional Block 74 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Northwest Half of Mission Hills Boulevard and the Northeast Half of Torrance Street which are adjacent to said Block.

Parcel 2:  
Lots 7 through 12 inclusive and Lots 17 through 24 inclusive in Block 61 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southwest Half of Torrance Street, the Northwest Half of Mission Hills Boulevard and the Northeast Half of Puterbaugh Street which are adjacent to said Lots.

Parcel 3:  
Lots 1 and 2 in Block 51 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Northeast Half of Guy Street and the Southeast Half of Mission Hills Boulevard adjacent to said Lots.

Parcel 4:  
Lots 7 through 12 inclusive and Lots 19 through 24 inclusive in Block 52 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southwest Half of Puterbaugh Street, the Northwest Half of Mission Hills Boulevard and the Northeast Half of Guy Street which are adjacent to said Lots.

PATRICIA M. DUTRA

I, Patricia M. Dutra, hereby certify that the San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California, that I am the principal clerk of said newspaper; and that

ORDINANCE NO. 12039

is a true and correct copy of which this certificate is annexed and was published in said newspaper on

March 30, 1977

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

March 30, 1977

*Patricia M. Dutra*  
(Signature)

00777

21" @ 5.08 = 106.68 ✓

Parcel 5:  
 Lots 13 through 24 inclusive in Block 24 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southeast Half of Clark Street adjoining said Lots on the northeast and the Northwest Half of Clark Street adjoining said Lots on the southeast.

Parcel 6:  
 Lots 1 through 24 inclusive in Block 37 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southeast Half of Clark Street, the Southwest Half of Guy Street, the Northwest Half of Mission Hills Boulevard and the Northeast Half of Linwood Street which are adjacent to said Lots.

Parcel 7:  
 Lots 13 and 14 in Block 38 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southeast Half of Mission Hills Boulevard adjoining said Lots on the Northwest and the Southwest Half of Guy Street adjoining said Lots on the Northeast.

Parcel 8:  
 Lots 13 through 24 inclusive in Block 24 of Middletown Addition, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof filed in the Office of the County Clerk of San Diego County, in action entitled William Roark et al vs. J. F. Forward et al, Superior Court Case No. 5014, together with the Southeast, Southwest and Northwest Halves of Clark Street, Linwood Street and Mission Hills Boulevard respectively that are adjacent to said Lots.

Passed and adopted by the Council of The City of San Diego on March 15, 1977, by the following vote:  
 YEAS: Johnson, O'Connor, Williams, Gade, Strobl, Haro.  
 NAYS: None.  
 ABSENT: Hubbard, Morrow, Wilson.  
 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 MARTINEZ, Deputy.

(SEAL)  
 I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on March 2, 1977, and was dispensed with by a vote of not less than a majority of the members present to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

EDWARD NIELSEN,  
 City Clerk of The City of San Diego, California.  
 By KATHLEEN MARTINEZ, Deputy.  
 Done and Passed March 20, 1977.

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Inv. No. 12039 ns

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