

RESOLUTION NO. 220894

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WHEREAS, on October 5, 1977, this Council adopted Resolution No. 219449 which found and determined that the public interest, convenience and necessity require the acquisition of approximately 46 parcels of real property, more particularly described therein for flood control and related purposes; and

WHEREAS, through inadvertence, the legal descriptions for Parcels 2, 2-A, 2-B, 2-C, 2-E, 4, 4-A, 8, 8-A, 46, 46-A, 46-B, 46-C and 47 contained in Resolution No. 219449 were in error; and

WHEREAS, subsequent to the adoption of Resolution No. 219449, the U.S. Army Corps of Engineers has requested that Parcels 4-B and 47-A be increased in size for slope right purposes adjacent to Dairy Mart Road; and

WHEREAS, this City Council is desirous of correcting and amending the legal descriptions for the parcels referenced above and authorizing the condemnation of the additional lands requested by the U.S. Army Corps of Engineers; and

WHEREAS, the effect of said revisions and amendments are described in "Exhibit A," attached hereto and made a part hereof; and

WHEREAS, this Council has provided notice to those persons designated in Section 1245.235, Code of Civil Procedure, and also has provided all persons a reasonable

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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:

1. That Resolution No. 219449, adopted October 5, 1977, which determined and declared inter alia that the public interest, convenience and necessity of The City of San Diego require the construction, operation and maintenance of flood control structures and improvements, including sedimentation basins and any and all appurtenances thereto, a public street or streets and incidents thereto, together with earth excavations or embankments, and slope or slopes and incidents thereto in Acre Lot 12 and portions of Acre Lot 11, Blocks 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34, and that Certain Unnumbered Block lying East of Block 34 and South of Block 26, in Tia Juana City, according to Map thereof No. 562, and portions of Sections 1, 2, 3 and 11, Township 19 South, Range 2 West, San Bernardino Base and Meridian, and portions of Section 35, Township 18 South, Range 2 West, San Bernardino Base and Meridian, according to Official Plat thereof, in the City of San Diego, County of San Diego, State of California, be and the same is hereby amended as follows:

a. Delete the legal descriptions for Parcels 2, 2-A, 2-B, 2-C, 2-D, 2-E, 4, 4-A, 4-B, 8, 8-A, 46, 46-A, 46-B, 46-C, 47 and 47-A in their entirety and substitute instead and in place thereof in their entirety

those legal descriptions affixed and attached hereto as "Exhibits B, C, D, E and F."

2. That the City Council reaffirms its findings and determinations contained in Resolution No. 219449 and specifically finds and determines with respect to any additional lands referenced herein and sought to be condemned that:

a. The public use for which the property is to be taken is for the construction, operation and maintenance of flood control structures and improvements, including sedimentation basins, and any and all appurtenances thereto, a public street or streets and incidents thereto, together with earth excavations or embankments, and slope or slopes and incidents thereto. Those provisions which permit the acquisition are Section 220, the Charter of The City of San Diego; Sections 1240.010, 1240.110, 1240.120, 1240.420, 1240.610 and 1255.410, Code of Civil Procedure; Section 4090, Street & Highways Code; Sections 5100, 5101, 5102, 5023, 5023.1 and 40404, Government Code.

b. The property to be taken is described in "Exhibits B, C, D, E and F," attached hereto and made a part hereof.

c. That the public interest and necessity require the taking and acquiring of said parcels of real property described herein for the purposes described herein and in Resolution No. 219449; that such uses are public uses authorized by law (Section 220, Charter of

The City of San Diego; Sections 1240.010, 1240.110, 1240.120, 1240.420, 1240.610 and 1255.410, Code of Civil Procedure; Section 4090, Streets & Highways Code; Sections 5100, 5101, 5102, 5023, 5023.1 and 40404, Government Code); that for such public uses it is necessary that The City of San Diego condemn and acquire said real property and easements; that said real property and easements are to be used for the construction, operation and maintenance of flood control structures and improvements, including sedimentation basins, and any and all appurtenances thereto, a public street or streets and incidents thereto, together with earth excavations or embankments, and slope or slopes and incidents thereto, which are planned and located in a manner most compatible with the greatest public good and the least private injury.

3. That the City Attorney of The City of San Diego is hereby authorized and directed to amend the action in all necessary particulars heretofore commenced entitled, "The City of San Diego v. Homer A. Dumas, et al.," Superior Court Case No. 407361, for the purpose of condemning and acquiring the additional lands and correcting legal descriptions.

APPROVED: JOHN W. WITT, City Attorney

By 
Donald W. Detisch, Deputy

DWD:rb Lit.
5-3-78
Orig.Dept.: Property

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In connection with the larger and remainder parcels for Parcel 2, the index sheet or first sheet of the "Exhibit B" drawings affixed to the complaint will correct errors in areas. The area of the whole parcel was revised downward to reflect a net change of -12.598 acres. The area of the remainder parcel was revised downward to reflect a net change of -12.598 acres.

A change was made in the Preamble of the legal for Parcels 2 through 2E to properly describe all of the property affected by these parcels. This change does not increase or decrease the size of the area described by these parcels.

PARCEL 2

Minor corrections to Parcel 2 legal. No change in area.

PARCEL 2A

Redescribed Parcel 2A legal to correct error. No change in area.

PARCEL 2B

Redescribed Parcel 2B legal to correct error. No change in area.

PARCEL 2C

Deleted Parcel 2C. This area was included in the description of Parcel 2. No change to area of Parcel 2 due to this deletion.

PARCEL 2D

No change.

PARCEL 2E

Redescribed Parcel 2E to correct error. No change in area.

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PARCEL 4

Redescribed Parcel 4 legal. No change in area.

PARCEL 4A

Redescribed Parcel 4A legal. No change in area.

PARCEL 4B

Enlarged Parcel 4B. New description and increase in area of .127 acres.

Change in configuration of Parcel 6 precipitated change in Parcels 8 and 8A.

PARCEL 8

Changed legal in "exception" portion of Parcel 8.

Reduced area of Parcel 8 by .024 acres.

PARCEL 8A

Changed legal of Parcel 8A. Increased area of Parcel 8A by .024 acres.

PARCEL 46

Redescribed Parcel 46 to correct error. No change in area.

PARCEL 46A

Redescribed Parcel 46A to correct error. No change in area.

PARCEL 46B

Redescribed Parcel 46B to correct error. No change in area.

PARCEL 46C

Redescribed Parcel 46C to correct error. No change in area.

PARCEL 47

Redescribed Parcel 47. No change in area.

PARCEL 47A

Enlarged Parcel 47A. New description and increase in area of .107 acres.

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LEGAL DESCRIPTION

All that portion of the Northwest Quarter and Southwest Quarter of Section 2, and the Northeast Quarter and the Southeast Quarter of Section 3, Township 19 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to United States Government Survey approved February 25, 1870 being more particularly described as follows:

Parcel 2:

Beginning at the Southeast corner of the Northwest Quarter of the Southwest Quarter of said Section 2; thence North $89^{\circ}20'03''$ West along the South line of said Northwest Quarter of the Southwest Quarter, 1,069.12 feet; thence North $66^{\circ}29'37''$ West, 1,317.99 feet to a point in the arc of a 1,030.00 foot radius curve concave Northwesterly, a radial to said point bears South $32^{\circ}25'08''$ East; thence Northeasterly along the arc of said curve through a central angle of $11^{\circ}59'37''$, a distance of 215.61 feet; thence North $45^{\circ}35'15''$ East, 2,814.53 feet to a point on the arc of a tangent 530.00 foot radius curve concave Northwesterly; thence Northeasterly along the arc of said curve through a central angle of $01^{\circ}14'17''$, a distance of 11.45 feet to a point on the North line of the Southwest Quarter of said Northwest Quarter; thence South $89^{\circ}24'50''$ East along said North line, 117.22 feet to the Northeast corner of said Southwest Quarter of the Northwest Quarter; thence South $00^{\circ}35'14''$ East along the East line of said Southwest Quarter of the Northwest Quarter, 1,323.32 feet to the Southeast corner of said Southwest Quarter of the Northwest Quarter, being also the Northeast corner of said Northwest Quarter of said Southwest Quarter; thence South $00^{\circ}34'12''$ West along the East line of said Northwest Quarter of the Southwest Quarter, 1,325.23 feet returning to the Point of Beginning.

Parcel 2A:

Commencing at the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 3; thence South $89^{\circ}37'17''$ East, along the North line of said Southeast Quarter of the Northeast Quarter, 930.04 feet to the TRUE POINT OF BEGINNING; thence South $47^{\circ}01'52''$ East, 1,085.87 feet; thence North $45^{\circ}35'15''$ East, 175.18 feet; thence North $47^{\circ}01'52''$ West, 903.50 feet to a point on said North line; thence North $89^{\circ}37'17''$ West along said North line, 258.59 feet returning to the TRUE POINT OF BEGINNING.

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EXHIBIT B

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Parcel 2B: - Dairy Mart Road

Commencing at the Northeast corner of the Southwest Quarter of the Northwest Quarter of said Section 2; thence North $89^{\circ}24'50''$ West along the North line of said Southwest Quarter of the Northwest Quarter, 117.22 feet to a point on the arc of a 530.00 foot radius curve concave Northwesterly, a radial to said point bears South $45^{\circ}39'02''$ East, said point being also the TRUE POINT OF BEGINNING; thence Southwesterly along the arc of said curve through a central angle of $01^{\circ}14'17''$ a distance of 11.45 feet; thence South $45^{\circ}35'15''$ West, 2,814.53 feet to the beginning of a tangent 1,030.00 foot radius curve concave Northwesterly; thence Southwesterly along the arc of said curve through a central angle of $30^{\circ}46'44''$ a distance of 553.31 feet to a point of reverse curvature of a 50.00 foot radius curve concave Southeasterly, a radial to said point bears North $13^{\circ}38'01''$ West; thence Southwesterly along the arc of said curve through a central angle of $74^{\circ}21'17''$, a distance of 64.89 feet; thence South $02^{\circ}00'42''$ West, 203.70 feet to a point of cusp with a 225.00 foot radius curve concave Southwesterly, a radial to said point bears South $87^{\circ}59'18''$ East; thence Northwesterly along the arc of said curve through a central angle of $30^{\circ}47'49''$, a distance of 120.94 feet to a point on the West line of the Northeast Quarter of said Southeast Quarter of said Section 3, a radial to said point bears North $61^{\circ}12'53''$ East; thence North $00^{\circ}27'42''$ East, along the West line of the Northeast Quarter of the Southeast Quarter of said Section 3, 180.39 feet to a point on the arc of a 970.00 foot radius curve concave Northwesterly, a radial to said point bears South $10^{\circ}10'04''$ East; thence Northeasterly along the arc of said curve through a central angle of $34^{\circ}14'41''$, a distance of 579.75 feet; thence North $45^{\circ}35'15''$ East, 2,766.12 feet to a point on said North line of said Southwest Quarter of said Northwest Quarter; thence South $89^{\circ}24'50''$ East along said North line, 84.68 feet returning to the TRUE POINT OF BEGINNING.

Parcel 2D:

An easement and right-of-way for Earth Excavation or Embankment, Slope or Slopes and incidents thereto over, under, upon, along and across all that portion of real property situated in the City of San Diego, County of San Diego, State of California, described as follows:

Commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 3; thence South $00^{\circ}27'42''$ West along the Westerly line of said Northeast Quarter of the Southeast Quarter, a distance of 868.40 feet to the TRUE POINT OF BEGINNING; thence North

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77°06'02" East, 149.51 feet; thence North 65°28'09" East, 163.78 feet; thence North 57°29'41" East, 252.15 feet to an intersection with a 970.00 foot radius curve concave Northwesterly, a radial to said point bears South 44°24'45" East; thence Southwesterly along the arc of said curve through a central angle of 34°14'41", a distance of 579.75 feet to a point on said Westerly line of the Northeast Quarter of the Southeast Quarter; thence North 00°27'42" East along said Westerly line 25.00 feet returning to the TRUE POINT OF BEGINNING.

Parcel 2E:

An easement and right-of-way for Earth Excavation or embankment, slope or slopes and incidents thereto over, under, upon, along and across all that portion of real property situated in the City of San Diego, County of San Diego, State of California, described as follows:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of said Section 3; thence South 89°38'39" East along the Southerly line of said Northeast Quarter of the Southeast Quarter, a distance of 25.01 feet to the TRUE POINT OF BEGINNING; thence North 10°27'55" East, 340.11 feet; thence North 65°37'54" East, 317.93 feet; thence North 37°22'22" East, 49.50 feet; thence North 66°29'37" West, 24.02 feet to a point on the arc of a 1030.00 foot radius curve concave Northwesterly, a radial to said point bears South 32°25'08" East; thence Southwesterly along the arc of said curve through a central angle of 18°47'07", a distance of 337.70 feet to a point of reverse curvature of a 50.00 foot radius curve concave Southeasterly, a radial to said point bears North 13°38'01" West; thence Southwesterly along the arc of said curve through a central angle of 74°21'17", a distance of 64.89 feet; thence South 02°00'42" West, a distance of 336.42 feet returning to the TRUE POINT OF BEGINNING.

Job 12419/Dwg. 17170-8, 9, 11, 12, 14-D/Parcel 2/STEFFEN/td/Rev. 3-23-78

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LEGAL DESCRIPTION

PARCEL 4:

All that portion of the Southeast Quarter of the Southwest Quarter of Section 35, Township 18 South, Range 2 West, San Bernardino Base and Meridian, in the City of San Diego, County of San Diego, State of California, according to Official Plat thereof, more particularly described as follows:

Commencing at the Southwest corner of said Southeast Quarter of the Southwest Quarter, being also a point on the centerline of Dairy Mart Road 40.00 feet wide as said Street is located and established on September 22, 1977; thence Easterly along the Southerly line of said Southwest Quarter, 40.00 feet more or less to a point on a line which line is 40.00 feet Easterly of and parallel to said centerline, which centerline is also the Easterly line of said Southeast Quarter of the Southwest Quarter, said point being the TRUE POINT OF BEGINNING; thence Northerly along said parallel line, 41.88 feet; thence leaving said parallel line South $62^{\circ}53'01''$ East, 93.24 feet to a point on the Southerly line of said Southwest Quarter which point is 83.36 feet Easterly along said Southerly line from the TRUE POINT OF BEGINNING; thence Westerly along said Southerly line, 83.36 feet returning to the TRUE POINT OF BEGINNING.

PARCEL 4A - (Dairy Mart Road):

All that portion of the Southeast Quarter of the Southwest Quarter of Section 35, Township 18 South, Range 2 West, San Bernardino Base and Meridian, in the City of San Diego, County of San Diego, State of California, according to Official Plat thereof, more particularly described as follows:

Beginning at the Southwest corner of said Southeast Quarter of the Southwest Quarter, being a point on the centerline of Dairy Mart Road 40.00 feet wide as said Street is located and established on September 22, 1977; thence Northerly along said Centerline which is also the Westerly line of said Southeast Quarter of the Southwest Quarter, 680.22 feet to the Southerly line of California State Highway XI-SD-5 which line bears South $89^{\circ}29'56''$ East as described in Deed to the State of California dated January 19, 1970 and recorded July 13, 1970 as File/Page No. 121428 in the Office of the County Recorder of the County of San Diego; thence South $89^{\circ}29'56''$ East along said South line of said Highway as described in said Deed, 20.00 feet; thence North $11^{\circ}14'24''$ East along

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the Easterly line of said Highway as described in said Deed, 107.35 feet; thence leaving said Easterly line of said Highway, Southerly along a line which is parallel with and 40.00 feet Easterly of the centerline of said Dairy Mart Road, which centerline is also the Westerly line of said Southeast Quarter of the Southwest Quarter, 785.65 to the South line of said Southwest Quarter; thence Westerly along said South line, 40.00 feet more or less returning to the POINT OF BEGINNING.

PARCEL 4B:

An easement and right-of-way for Earth Excavation or Embankment, Slope or Slopes and incidents thereto, over, under, along and across all that portion of real property more particularly described as follows:

All that portion of the Southeast Quarter of the Southwest Quarter of Section 35, Township 18 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, being a strip of land 35.00 feet in width, lying 35.00 feet Easterly of and adjacent to the following described line:

Commencing at the Southwest corner of said Southeast Quarter of the Southwest Quarter; thence Easterly along the Southerly line of said Southwest Quarter Section, 40.00 feet more or less to a point on a line which is 40.00 feet Easterly of and parallel to the centerline of Dairy Mart Road 40.00 feet wide as said Street is located and established on September 22, 1977, said point being the TRUE POINT OF BEGINNING; thence North 00°30'05" East parallel with and 40.00 feet Westerly of said centerline, 945.40 feet to the point of terminus.

EXCEPTING THEREFROM that portion thereof lying within State of California Highway XI-SD-5.

ALSO EXCEPTING THEREFROM that portion thereof lying within Parcel 4 described above.

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Job 12419/DWG 17170-D/Parcel 4/Tia Juana Flood Control/STEFFEN/td/Rev. 3-23-78

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Parcel B:

All that portion of Section 2, Township 19 South, Range 2 West, San Bernardino Meridian in the City of San Diego, County of San Diego, State of California according to Official United Government Survey, conveyed to Pacific Lands, a limited partnership from Title Insurance and Trust Company, a California corporation, as Trustee under Holding Agreement No. 73, by deed recorded July 17, 1969 by document No. 129075 filed in the Office of the County Recorder of said County lying Westerly of the following described line:

Commencing at the intersection of the Quarter Section Line of Section 1, Township 19 South, Range 2 West with a point on the International Boundary between the United States of America and the Republic of Mexico; thence Northeasterly along said Boundary line 1276.93 feet to the TRUE POINT OF BEGINNING, having coordinates of 137,393.11782 North and 1,757,790.86772 East, Zone 6, said point being also a point on the arc of a 3,225.00 foot radius curve concave Southwesterly, a radial to said point bears North 26°10'50" East; thence Northwesterly along the arc of said curve through a central angle of 19°50'50", a distance of 1,117.14 feet, a radial to said point bears North 06°20'00" East; thence North 00°34'24" East, 21.23 feet; thence North 89°25'36" West, 621.92 feet, distant thereon North 89°25'36" West, 68.54 feet from the Easterly line of Lot 18 of Tia Juana City, according to Map No. 562 filed in the Office of said County Recorder; thence North 83°08'58" West, 2,515.06 feet; thence North 89°25'36" West, 1,075.34 feet to a point on the Westerly line of Lot 1 of Section 2, Township 19 South, Range 2 West, San Bernardino Base and Meridian; thence continuing North 89°25'36" West, 82.17 feet to the beginning of a tangent 150.00 foot radius curve, concave Northeasterly; thence Northwesterly along the arc of said curve through a central angle of 85°31'28", a distance of 223.91 feet; thence South 86°05'52" 10.00 feet; thence North 03°54'08" West, 1,786.70 feet to the beginning of a tangent 1,840.00 foot radius curve, concave Southwesterly; thence Northwesterly along the arc of said curve through a central angle of 56°34'28", a distance of 1,816.84 feet to a point to which a radial bears North 29°31'24" East, being a point on the Westerly line of the Northwest Quarter of the Northeast Quarter of Section 2, Township 19 South, Range 2 West, S.B.B.M.; thence North 00°36'00" East along said Westerly line, 24.17 feet; thence North 62°53'01" West, 1,347.74 feet to a point on the Northerly line of the Northeast Quarter of the Northwest Quarter of said Section 2; thence North 89°34'16" West, 123.36 feet to a point of terminus on the centerline of Dairy Mart Road as said street is located and established on September 22, 1977.

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EXCEPTING THEREFROM the following described Parcel: Commencing at the Southwest corner of the Northeast Quarter of the Northwest Quarter of said Section 2; thence North 00°35'14" East along the Westerly line of said Northeast Quarter of the Northwest Quarter, 190.79 feet to the TRUE POINT OF BEGINNING being a point in the arc of a 530.00 foot radius curve concave Northwesterly, a radial to said point bears South 70°02'32" East; thence Northwesterly along the arc of said curve through a central angle of 19°22'04", a distance of 179.16 feet; thence North 00°35'14" East, 164.80 feet to a point on the South line of North 2 acres of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter distant thereon 30.00 feet Easterly along said South line from Southwest corner of said North 2 acres; thence Easterly along said South line 30.00 feet; thence South 00°35'14" West along said Westerly line of said Northeast Quarter of the Northwest Quarter, 340.56 feet returning to the TRUE POINT OF BEGINNING.

Parcel 8A - Dairy Mart Road

All that portion of the Northeast Quarter of the Northwest Quarter of Section 2, Township 19 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to Official United States Government Survey, more particularly described as follows:

Commencing at the Southwest corner of the Northeast Quarter of the Northwest Quarter of said Section 2; thence North 00°35'14" East along the Westerly line of said Northeast Quarter of the Northwest Quarter, 190.79 feet to the TRUE POINT OF BEGINNING being a point in the arc of a 530.00 foot radius curve concave Northwesterly, a radial to said point bears South 70°02'32" East; thence Northwesterly along the arc of said curve through a central angle of 19°22'04", a distance of 179.16 feet; thence North 00°35'14" East 164.80 feet to a point on the South line of North 2 acres of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter distant thereon 30.00 feet Easterly along said South line from Southwest corner of said North 2 acres; thence Easterly along said South line 30.00 feet; thence South 00°35'14" West along said Westerly line of said Northeast Quarter of the Northwest Quarter, 340.56 feet returning to the TRUE POINT OF BEGINNING.

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EXHIBIT D

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LEGAL DESCRIPTION

Parcel 46

All that portion of the West Half of the Northeast Quarter of Section 3, Township 19 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to Official Plat thereof, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 3; thence South $00^{\circ}27'49''$ West along the Easterly line of said Northwest Quarter of the Northeast Quarter of Section 3, a distance of 356.02 feet to the TRUE POINT OF BEGINNING, said point being a point on the arc of a 550.00 foot radius curve concave Southerly, a radial to said point bears North $17^{\circ}36'19''$ East; thence Westerly along the arc of said curve through a central angle of $27^{\circ}32'27''$, a distance of 264.37 feet; thence North $09^{\circ}56'08''$ West, 40.00 feet to a point on the arc of a 590.00 foot radius curve concave Southeasterly a radial to which point bears North $09^{\circ}56'08''$ West; thence Southwesterly along the arc of said curve through a central angle of $04^{\circ}10'01''$, a distance of 42.91 feet; thence South $14^{\circ}06'09''$ East, a distance of 180.00 feet to a point in the arc of a 410.00 foot radius curve concave Southeasterly a radial to which point bears North $14^{\circ}06'09''$ West; thence Northeasterly along the arc of said curve through a central angle of $05^{\circ}35'23''$, a distance of 40.00 feet; thence North $08^{\circ}30'46''$ West, a distance of 40.00 feet to a point in the arc of a 450.00 foot radius curve concave Southerly a radial to which point bears North $08^{\circ}30'46''$ West; thence Easterly and Southeasterly along the arc of said curve through a central angle of $30^{\circ}05'27''$, a distance of 236.33 feet to a point in said Easterly line of the Northwest Quarter of the Northeast Quarter of Section 3; thence North $00^{\circ}27'49''$ East along said Easterly line 105.78 feet returning to the TRUE POINT OF BEGINNING.

Parcel 46A

All that portion of the Northwest Quarter of the Southeast Quarter of Section 3, Township 19 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to Official Plat thereof, being more particularly described as follows:

Commencing at the Southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 3; thence North $00^{\circ}27'42''$ East along the Easterly line of said Northwest Quarter of the Southeast Quarter of Section 3, a distance of 248.73 feet to the TRUE POINT OF BEGINNING said point being a point on the arc of a 225.00 foot radius curve concave Southwesterly, a radial to said point bears North $61^{\circ}12'53''$ East; thence Northwesterly along the arc of said curve through a central angle of $08^{\circ}08'44''$, a distance of 31.99 feet, a radial to said point bears North $53^{\circ}04'09''$ East; thence North $02^{\circ}00'42''$ East, 31.54 feet to the beginning

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of a tangent 50.00 foot radius curve concave Southwesterly; thence Northwesterly and Westerly along the arc of said curve through a central angle of $97^{\circ}30'55''$, a distance of 85.10 feet to a point of reverse curvature of a 1030.00 foot radius curve concave Northerly, a radial to said point bears South $05^{\circ}30'13''$ East, thence Westerly along the arc of said reverse curve through a central angle of $03^{\circ}12'58''$, a distance of 57.82 feet to a point on the arc of a 225.00 foot radius curve concave Southwesterly, a radial to said point bears North $17^{\circ}43'50''$ East; thence Northwesterly along the arc of said curve through a central angle of $01^{\circ}13'08''$, a distance of 4.79 feet, a radial to said point bears North $16^{\circ}30'42''$ East; thence North $73^{\circ}29'18''$ West, 327.13 feet; thence radially North $16^{\circ}30'42''$ East, 5.00 feet to a point on the arc of a 970.00 foot radius curve concave Northerly; thence Easterly and Northeasterly along the arc of said curve through a central angle of $26^{\circ}40'46''$, a distance of 451.67 feet to a point on said East line, a radial to said point bears South $10^{\circ}10'04''$ East; thence South $00^{\circ}27'42''$ West along said East line, 180.39 feet returning to the TRUE POINT OF BEGINNING.

Parcel 46B-Slope

An easement and right of way for Earth Excavation or Embankment, Slope or Slopes and incidents thereto over, under, upon, along and across all that portion of real property situated in the Northwest Quarter of the Southeast Quarter of Section 3, Township 19 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to Official Plat thereof, described as follows:

Commencing at the Northeasterly corner of the Northwest Quarter of the Southeast Quarter of said Section 3; thence South $00^{\circ}27'42''$ West, along the Easterly line of said Northwest Quarter of the Southeast Quarter 868.40 feet to the TRUE POINT OF BEGINNING; thence South $82^{\circ}18'49''$ West, 199.05 feet; thence North $83^{\circ}58'14''$ West, 251.25 feet to a point on the arc of a 970.00 foot radius curve concave Northerly a radial to which point bears South $16^{\circ}30'42''$ West; thence Easterly along the arc of said curve through a central angle of $26^{\circ}40'46''$, a distance of 451.67 feet to a point on the Easterly line of said Northwest Quarter of the Southeast Quarter; thence North $00^{\circ}27'42''$ East along said Easterly line, 25.00 feet returning to the TRUE POINT OF BEGINNING.

Parcel 46C-Slope

An easement and right of way for Earth Excavation or Embankment, Slope or Slopes and incidents thereto over, under, upon, along and across all that portion of real property situated in the Northwest Quarter of the Southeast Quarter of Section 3, Township 19 South, Range 2 West, San

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Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to Official Plat thereof, described as follows:

Commencing at the Southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 3; thence North $00^{\circ}27'42''$ East along the Easterly line of said Northwest Quarter of the Southeast Quarter, 248.73 feet to a point on the arc of a 225.00 foot radius curve concave Southwesterly, a radial to said point bears North $61^{\circ}12'53''$ East; thence Northwesterly along the arc of said curve through a central angle of $08^{\circ}08'44''$, a distance of 31.99 feet to the TRUE POINT OF BEGINNING, a radial to said point bears North $53^{\circ}04'09''$ East; thence South $02^{\circ}00'42''$ West, 275.53 feet to a point on the Southerly line of said Northwest Quarter of the Southeast Quarter; thence North $07^{\circ}14'06''$ West, a distance of 311.17 feet; thence North $86^{\circ}30'42''$ West, 174.73 feet; thence North $70^{\circ}53'44''$ West, 234.84 feet; thence North $16^{\circ}30'42''$ East, 5.00 feet; thence South $73^{\circ}29'18''$ East 101.37 feet, to a point in the arc of a 1030.00 foot radius curve concave Northerly, a radial to said point bears South $14^{\circ}04'48''$ West; thence Easterly along the arc of said curve through a central angle of $16^{\circ}22'03''$, a distance of 294.24 feet; thence continuing Easterly along the arc of said 1030.00 foot radius curve through a central angle at $03^{\circ}12'58''$, a distance of 57.82 feet to a point of reverse curvature of a 50.00 foot radius curve concave Southwesterly, a radial to said point bears North $05^{\circ}30'13''$ West; thence Southeasterly and Southerly along the arc of said curve through a central angle of $97^{\circ}30'55''$, a distance of 85.10 feet; thence South $02^{\circ}00'42''$ West, 31.54 feet returning to the TRUE POINT OF BEGINNING.

00137

MICROFILMED

Job 12419/Dwg. 17170-9, 15, 18-D/Parcel 46/Tia Juana Flood Control/Steffen/td

220894

MAY 23 1973

LEGAL DESCRIPTION

Parcel 47:

All that portion of the Southwest Quarter of the Southwest Quarter of Section 35, Township 18 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to Official Plat thereof, being more particularly described as follows:

Beginning at the Southeast corner of said Southwest Quarter of the Southwest Quarter, being a point on the centerline of Dairy Mart Road 40.00 feet wide as said Street is located and established on September 22, 1977; thence Northerly along said centerline which is also the Easterly line of said Southwest Quarter of the Southwest Quarter, 680.22 feet to the Southerly line of California State Highway 11-SD-5, which line bears North 89°29'56" West as described in Deed to the State of California dated July 31, 1970, and recorded November 9, 1970 as File/Page No. 203907; thence North 89°29'56" West along said Southerly line, 20.00 feet; thence North 12°29'37" West along the Westerly line of said Highway as described in said Deed, 88.94 feet; thence leaving said Westerly line of said Highway Southerly along a line which is parallel with and 40.00 feet Westerly of the Centerline of said Dairy Mart Road, which centerline is also the Easterly line of said Southwest Quarter of the Southwest Quarter, 766.83 feet more or less to a point on the South line of said Southwest Quarter or the Southwest Quarter; thence Easterly along said South line 40.00 feet more or less returning to the POINT OF BEGINNING.

PARCEL 47A:

An easement and right-of-way for Earth Excavation or embankment, slope or slopes and incidents thereto, over, under, along and across all that portion of real property more particularly described as follows:

All that portion of the Southwest Quarter of the Southwest Quarter of Section 35, Township 18 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to Official Plat thereof, being a strip of land 40.00 feet in width, lying 40.00 feet Westerly of and adjacent to the following described line:

Commencing at the Southeast corner of said Southwest Quarter of the Southwest Quarter, being a point on the centerline of Dairy Mart Road 40.00 feet wide as said Street is located and established on September 22, 1977; thence Westerly along the Southerly line of said Southwest Quarter of the Southwest Quarter, 40.00 feet more or less to a point on a line which line is 40.00 feet Westerly of and parallel to the centerline of said Dairy Mart Road, said point being the TRUE POINT OF BEGINNING; thence North 00°30'05" East parallel with and 40.00 feet Westerly of said centerline, 810.15 feet to a point of terminus.

00138

MAY 28 1978

220894

EXHIBIT E

MICROFILMED

EXCEPTING THEREFROM that portion thereof lying within State of California Highway XI-SD-5.

ALSO EXCEPTING THEREFROM the Southerly 505.00 feet of the Westerly 30.00 feet thereof.

ALSO EXCEPTING THEREFROM the Northerly 105.15 feet of the Westerly 30.00 feet thereof.

220894

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Job: 12419/Dwg: 17 170-17-D/Parcel 47/STEFFEN/td/Rev. 3-23-78

00139
MAY 23 1978

Passed and adopted by the Council of The City of San Diego on MAY 23 1978,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<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"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<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.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By *Ray Page*, Deputy.

(Seal)

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Office of the City Clerk, San Diego, California

Resolution Number 220894 Adopted MAY 23 1978