

RESOLUTION NO. 223094

MAR 19 1979

A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE CITY OF SAN DIEGO REQUIRE LOTS 1, 2, 3 AND 4, BLOCK 93, MANNASSE AND SCHILLER'S SUBDIVISION, ACCORDING TO MAP THEREOF NO. 209, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA FOR PARK PURPOSES; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF FEE TITLE TO SAID PROPERTY FOR SAID PARK 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

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 thereof, require Lots 1, 2, 3 and 4, Block 93, Mannasse and Schiller's Subdivision, according to Map thereof No. 209, as more particularly described hereinafter, for park purposes.

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

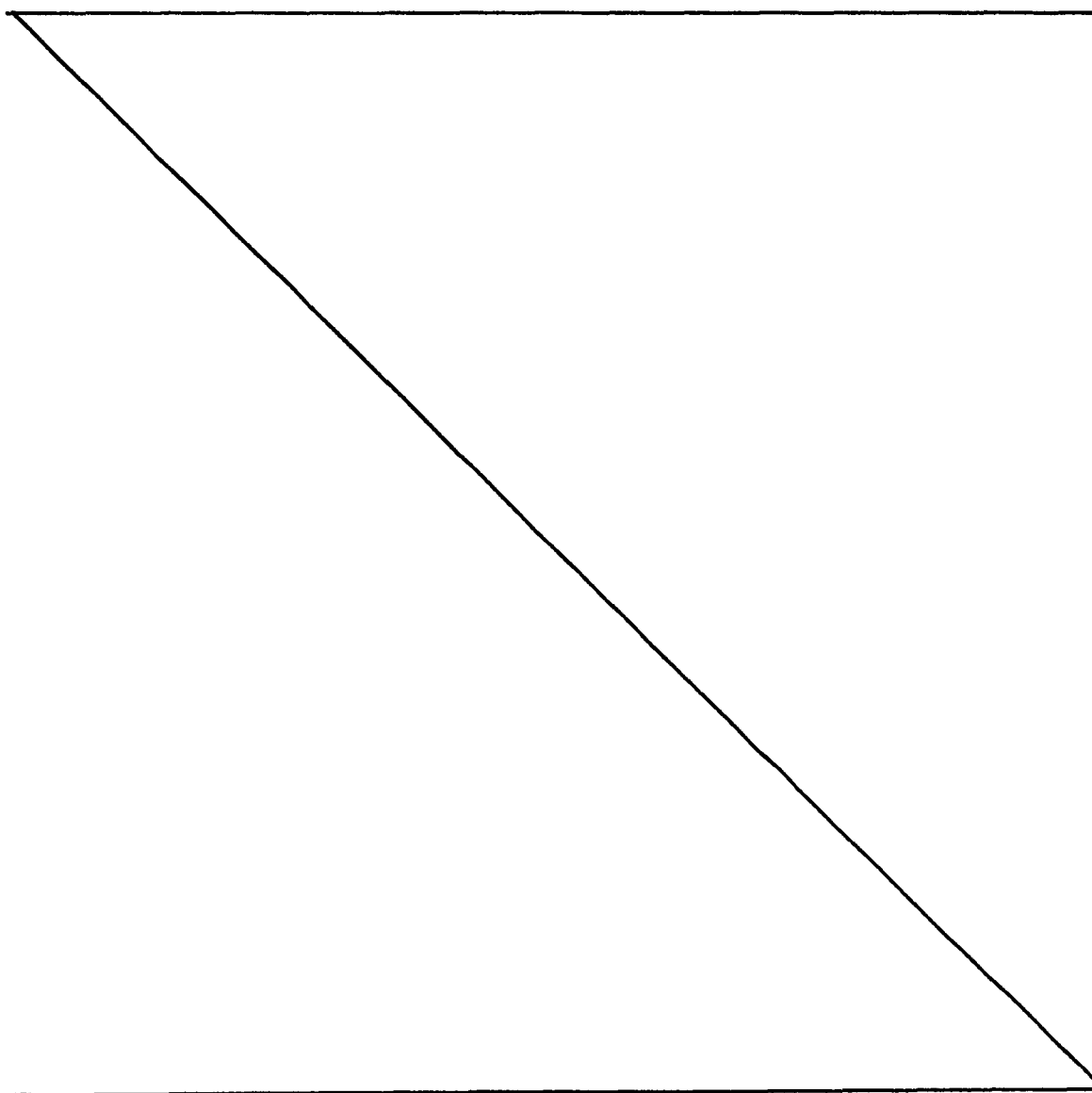
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park purposes, said real property lying within the City of San Diego, County of San Diego, State of California.

Section 3. That Section 220, the Charter of The City of San Diego; Sections 38002, 38010, 39732 and 40401(b), Government Code, permit the acquisition referenced herein.

Section 4. That the parcel of real property sought to be condemned is described as follows:

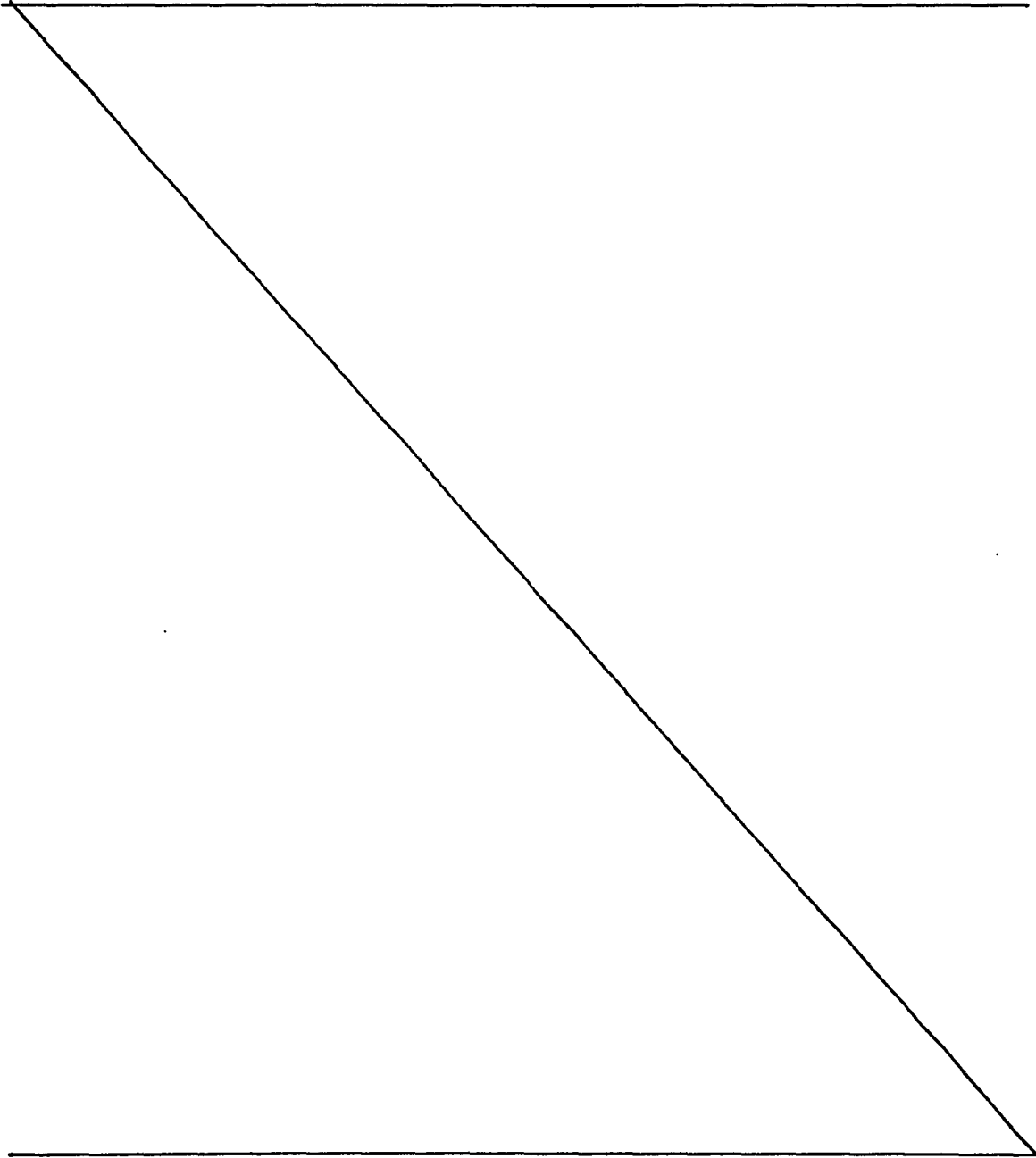


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All that real property situate in the City of San Diego,
County of San Diego, State of California, more particularly
described as follows:

Lots 1, 2, 3 and 4, Block 93 of the Subdivision of Pueblo
Lot 1157, commonly known as Mannasse and Schiller's
Subdivision, according to Map thereof No. 209, filed in
the office of the County Recorder of San Diego County,
July 11, 1870.



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Section 5. That the taking and acquiring by said City of the real property hereinabove described is deemed necessary for park purposes by The City of San Diego and the inhabitants thereof, for municipal purposes; that such use is a public use authorized by law (Section 220, Charter of The City of San Diego; Sections 38002, 38010, 39732 and 40401(b), Government Code); 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 a park and park purposes which is 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 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 
Donald W. Detisch, Deputy

rb/l-26-79
Orig.Dept.: Property

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Passed and adopted by the Council of The City of San Diego on MAR 19 1979,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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.

(Seal)

By Ellen Bovard, Deputy.

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Office of the City Clerk, San Diego, California	
Resolution Number <u>223094</u>	Adopted <u>MAR 19 1979</u>

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