

RESOLUTION NO. 223950 r.79-2353

JUL 9 1979

RESOLUTION APPROVING THE ANNEXATION TO THE CITY OF SAN DIEGO OF CERTAIN UNINCORPORATED, UNINHABITED TERRITORY IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, KNOWN AND DESIGNATED AS "FENTON MATERIALS ANNEXATION."

WHEREAS, an application for the annexation of certain unincorporated, uninhabited territory to The City of San Diego, known and designated as "FENTON MATERIALS ANNEXATION," has been filed with the Local Agency Formation Commission, pursuant to Government Code, Section 54791; and

WHEREAS, the Executive Officer of this Commission has filed a report relative to said proposed annexation, which report has been reviewed and considered by the Commission, and said Commission has found and determined that:

1. The territory proposed to be annexed (hereinafter referred to as the Territory) is as described in Exhibit A attached hereto.
2. The description of the boundaries of the Territory is not definite and certain, but may be made so if modified to conform to Exhibit B attached hereto.
3. The description of the boundaries of the Territory does conform to lines of assessment and ownership.
4. All owners of land within the Territory have consented in writing to the proposed annexation.
5. The Territory includes 18.88 acres and is uninhabited.
6. The Territory proposed to be annexed is hereby designated the "Fenton Materials Annexation."

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7. The Commission certifies that it has reviewed and considered the information contained in the Negative Declaration prepared by The City of San Diego.

8. The Commission hereby approves the proposed annexation subject to the proposed conditions, if any as stated on Exhibit C attached hereto.

9. The Commission hereby designates The City as the conducting authority and authorizes the Legislative Body of said City to initiate annexation proceedings in compliance with this resolution, without notice and hearing and without an election.

10. The Executive Officer of this Commission is directed to mail and file certified copies of this resolution in accordance with Government Code, Section 35159.

WHEREAS, all of the provisions of the Government Code of the State of California with reference to annexation of territory to a municipality have been complied with, including the provisions for the taxation of the property within said territory to pay its proportionate share of any indebtedness or liability of The City of San Diego contracted prior to or existing at the time of the annexation of said territory; NOW, THEREFORE,

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

That the Council of The City of San Diego hereby approves the annexation to The City of San Diego of that certain territory in the County of San Diego, State of California, designated as "FENTON MATERIALS ANNEXATION," and more particularly described as follows:

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FENTON MATERIALS ANNEXATION

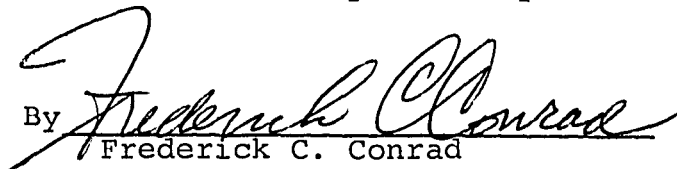
All of Lots 1 and 2 and a portion of Lots 3 and 4 and adjacent street in Block 45 of Grantville and out lots, in the County of San Diego, State of California, according to Map thereof No. 776, filed in the San Diego County Recorder's office, lying within the following described boundaries:

Beginning at the intersection of the easterly line of Lot 48, Rancho Mission of San Diego, according to Partition Map thereof in Superior Court Case No. 348, and filed in said County Recorder's office as Map 330, with the southerly right-of-way line of 60 foot wide County Road Survey No. 891, (known as San Diego Mission Road, formerly Friars Road), as shown on Map thereof on file in the County Engineer's office of said County, being also an angle point in the boundary of the City of San Diego, established by their Resolution 195965, adopted February 4, 1969, by the San Diego City Council; thence along said city boundary northeasterly along said southerly right-of-way line of said Road Survey No. 891, to the westerly line of Fairmount Avenue, 60.00 feet wide, (formerly Powers Street), being also the boundary of the City of San Diego, established by their Ordinance 6449 (New Series), adopted March 17, 1955, by the San Diego City Council; thence northerly along said City Boundary and along the easterly line of said Lots 3, 2 and 1 to the northerly line of said Lot 1 in Block 45; thence leaving said City Boundary westerly along said northerly line of Lot 1 to the westerly line of said

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Lot 1, being also the boundary of The City of San Diego, established by their Resolution No. 199953, adopted June 4, 1970 by the San Diego City Council; thence southerly along said City boundary and along said westerly line of Lot 1 and continuing along the westerly lines of Lots 2, 3 and 4 to the Point of Beginning.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

CORRECTED COPY

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Legal Description

The Land referred to in this report is situated in the State of California, County of San Diego, and is described as follows:

Lots 1, 2 and 3, Block 45, Grantville and Outlots, in the County of San Diego, State of California, according to Map thereof No. 776, filed in the Office of the County Recorder of San Diego County, February 16, 1894, together with that portion of Twain Avenue (formerly Hancock Avenue) as shown on said Map lying East of the Southerly prolongation of the West line of Lot 2, Block 45 of said subdivision and lying Westerly of the Westerly line of County Road Survey 891 (60 feet wide) as vacated by Resolution of Board of Supervisors of San Diego County by Resolution dated March 28, 1961, a plat of which is on file in the Office of the County Surveyor of said County.

Excepting therefrom that portion of said Lot 3 lying Southeasterly of the center line of County Road Survey 891 (60 feet wide).

CA78-15

"Fenton Materials Annexation" to the City of San Diego

All of Lots 1 and 2 and a portion of Lots 3 and 4 and adjacent street in Block 45 of Grantville and out lots, in the County of San Diego, State of California, according to Map thereof No. 776, filed in the San Diego County Recorder's office, lying within the following described boundaries:

Beginning at the intersection of the easterly line of Lot 48, Rancho Mission of San Diego, according to Partition Map thereof in Superior Court Case No. 348, and filed in said County Recorder's office as Map 330, with the southerly right-of-way line of 60 foot wide County Road Survey No. 891, (known as San Diego Mission Road, formerly Friars Road), as shown on Map thereof on file in the County Engineer's office of said County, being also an angle point in the boundary of the City of San Diego, established by their Resolution 195965, adopted February 4, 1969, by the San Diego City Council;

1. Thence along said city boundary northeasterly along said southerly right-of-way line of said Road Survey No. 891, to the westerly line of Fairmount Avenue, 60.00 feet wide, (formerly Powers Street), being also the boundary of the City of San Diego, established by their Ordinance 6449 (New Series), adopted March 17, 1955, by the San Diego City Council;
2. Thence northerly along said City Boundary and along the easterly line of said Lots 3, 2 and 1 to the northerly line of said Lot 1 in Block 45;
3. Thence leaving said City Boundary westerly along said northerly line of Lot 1 to the westerly line of said Lot 1, being also the boundary of the City of San Diego, established by their Resolution No. 199953, adopted June 4, 1970 by the San Diego City Council;
4. Thence southerly along said City Boundary and along said westerly line of Lot 1 and continuing along the westerly lines of Lots 2, 3 and 4 to the Point of Beginning.

rm:na

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EXHIBIT B
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Re: CA78-5

CONDITION(S)

The description of the boundaries shall be modified to conform to Exhibit B attached hereto.

EXHIBIT C

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Passed and adopted by the Council of The City of San Diego on JUL 9 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<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"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input 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 *Peta Anderson*, Deputy.

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Office of the City Clerk, San Diego, California

Resolution Number 223950 Adopted JUL 9 1979

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RECEIVED
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1979 JUN -7 AM 9:59
SAN DIEGO, CALIF.

12

ATTORNEY(S)

City of San Diego
12th floor, City Admin. Bldg.
202 C Street
San Diego, CA 92101

Attn: Rita Andrews

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CITY CLERK'S OFFICE

1979 JUL 26 PM 4:06
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

"FENTON MATERIALS ANNEXATION"

RESOLUTION NO: 223950

RESOLUTION APPROVING THE ANNEXATION TO THE CITY OF SAN DIEGO OF CERTAIN UNINCORPORATED, UNINHABITED TERRITORY IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, KNOWN AND DESIGNATED AS "FENTON MATERIALS ANNEXATION."

WHEREAS, an application for the annexation of certain unincorporated, uninhabited territory to The City of San Diego, known and designated as "FENTON MATERIALS ANNEXATION," has been filed with the Local Agency Formation Commission, pursuant to Government Code, Section 54781; and

WHEREAS, the Executive Officer of this Commission has filed a report relative to said proposed annexation, which report has been reviewed and considered by the Commission, and said Commission has found and determined that:

1. The territory proposed to be annexed (hereinafter referred to as the Territory) is as described in Exhibit A attached hereto.
2. The description of the boundaries of the Territory is not definite and certain, but may be made so if modified to conform to Exhibit B attached hereto.
3. The description of the boundaries of the Territory does conform to lines of assessment and ownership.
4. All owners of land within the Territory have consented in writing to the proposed annexation.
5. The territory includes 18.89 acres and is uninhabited.
6. The Territory proposed to be annexed is hereby designated the "Fenton Materials Annexation."
7. The Commission certifies that it has reviewed and considered the information contained in the Negative Declaration prepared by The City of San Diego.
8. The Commission hereby approves the proposed annexation subject to the proposed conditions, if any as stated on Exhibit C attached hereto.
9. The Commission hereby designates The City as the conducting authority and authorizes the Legislative Body of said City to initiate annexation proceedings in compliance with this resolution, without notice and hearing and without an election.
10. The Executive Officer of this Commission is directed to mail and file certified copies of this resolution in accordance with Government Code, Section 35159.

WHEREAS, all of the provisions of the Government Code of the State of California with reference to annexation of territory to a municipality have been complied with, including the provisions for the taxation of the property within said territory to pay its proportionate share of any indebtedness or liability of The City of San Diego contracted prior to or existing at the time of the annexation of said territory; NOW, THEREFORE,

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

That the Council of The City of San Diego hereby approves the annexation to The City of San Diego of that certain territory in the County of San Diego, State of California, designated as "FENTON MATERIALS ANNEXATION," and more particularly described as follows:

I, Paula J. Santonocito, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

RESOLUTION NO. 223950

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is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to-wit:

July 23, 1979

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 25th day of July, 1979.


(Signature)

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17 1/2" - \$ 106.23

FENTON MATERIALS ANNEXATION

All of Lots 1 and 2 and a portion of Lots 3 and 4 and adjacent street in Block 45 of Grantville and out lots, in the County of San Diego, State of California, according to Map thereof No. 778, filed in the San Diego County Recorder's office, lying within the following described boundaries:

Beginning at the intersection of the easterly line of Lot 48, Rancho Mission of San Diego, according to Partition Map thereof in Superior Court Case No. 348, and filed in said County Recorder's office as Map 330, with the southerly right-of-way line of 60 foot wide County Road Survey No. 891, (known as San Diego Mission Road, formerly Friars Road), as shown on Map thereof on file in the County Engineer's office of said County, being also an angle point in the boundary of the City of San Diego, established by their Resolution 195965, adopted February 4, 1969, by the San Diego City Council; thence along said city boundary northeasterly along said southerly right-of-way line of said Road Survey No. 891, to the westerly line of Fairmount Avenue, 60.00 feet wide, (formerly Powers Street), being also the boundary of the City of San Diego, established by their Ordinance 6449 (New Series), adopted March 17, 1955, by the San Diego City Council; thence northerly along said City Boundary and along the easterly line of said Lots 3, 2 and 1 to the northerly line of said Lot 1 in Block 45; thence leaving said City Boundary westerly along said northerly line of Lot 1 to the westerly line of said Lot 1, being also the boundary of The City of San Diego, established by their Resolution No. 199953, adopted June 4, 1970 by the San Diego City Council; thence southerly along said City Boundary and along said westerly line of Lot 1 and continuing along the westerly lines of Lots 2, 3 and 4 to the Point of Beginning.

The herein described parcel of land encompasses 4.839 acres of land.

Passed and adopted by the Council of The City of San Diego on July 9, 1979, by the following vote:

YEAS: Mitchell, O'Connor, Williams, Schnaubelt, Gade, Stirling, Killea, and Mayor Wilson.

NAYS: None.

NOT PRESENT: Lowery.

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 RITA ANDREWS, Deputy.

Published July 23, 1979

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