

ORDINANCE NUMBER O- 15917 (New Series)

Adopted on 1983 08 21 1983

AN ORDINANCE SETTING ASIDE AND DEDICATING CERTAIN PROPERTY IN THE BALBOA PARK AREA, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FOR PUBLIC PARK PURPOSES.

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

Section 1. That those portions of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Miscellaneous Maps thereof No. 36, by James Pascoe, filed in the Office of the County Recorder of said County, being portions of Pueblo Lot 1136 and Pueblo Lot 1143 of said Pueblo Lands according to Miscellaneous Maps thereof No. 35, by Charles H. Poole, filed in the office of the County Recorder of said County and being more particularly described as follows:

PARCEL 1. Beginning at the most northerly corner of that certain tract of land conveyed to the United States of America by the City of San Diego by deed dated September 3, 1919, and recorded in Book 867 of Deeds, at page 302, Records of said County Recorder; thence South 70 degrees 31'49" East along the Northerly line of said land to the United States of America a distance of 7.14 feet; thence South 0 degrees 03'49" East 1171.17 feet; thence North 89 degrees 56'11" East 111.16 feet; thence South 0 degrees 01'56" East 404.56 feet to a point on a curve concaved Northeasterly having a radius of 200.00 feet; thence Southerly along said curve through a central angle of 44 degrees 17'11" a distance of 154.59 feet; thence South 44 degrees 19'07" East 86.65 feet to a point on a curve concaved Southwesterly having a radius of 200.00 feet; thence Southerly along said curve through a central angle of 53 degrees 07'56" a distance of 185.47 feet; thence South 8 degrees 48'49" West 78.00 feet to a point on a curve concaved Northeasterly having a radius of 115.00 feet; thence Southeasterly along said curve through a central angle of 76 degrees 47'55" a distance of 154.15

feet; thence South 67 degrees 59'06" East 153.28 feet to a point on a curve concaved Northerly having a radius of 70.00 feet; thence Easterly and Northeasterly along said curve through a central angle of 71 degrees 45'08" a distance of 87.66 feet; thence North 40 degrees 15'46" East 669.59 feet; thence North 3 degrees 05'37" West 629.84 feet; thence North 44 degrees 56'11" East 169.71 feet; thence South 0 degrees 03'49" East 686.77 feet to a point on the Southeasterly line of the land described in a deed to the United States of America dated July 17, 1940, and recorded in Book 1384, page 397 of Official Records of said San Diego County; thence along said Southeasterly line South 29 degrees 15'52" West 211.88 feet to the beginning of a curve concaved Northwesterly having a radius of 500.00 feet; thence Southwesterly along said curve through a central angle of 10 degrees 59'54" a distance of 95.98 feet; thence South 40 degrees 15'46" West 987.17 feet to the beginning of a curve concaved Northerly having a radius of 200.00 feet; thence Southerly and Westerly along said curve through a central angle of 73 degrees 46'18" a distance of 257.51 feet; thence North 65 degrees 57'56" West 133.93 feet to the beginning of a curve concaved Northeasterly having a radius of 200.00 feet; thence departing from said Southeasterly line and along said curve through a central angle of 42 degrees 34'56" a distance of 148.64 feet; thence North 23 degrees 23'00" West 425.34 feet; thence North 27 degrees 19'00" West 207.76 feet; thence North 30 degrees 58'00" West 203.42 feet; thence South 63 degrees 02'59" East 138.58 feet; thence North 0 degrees 03'49" West 1643.44 feet to a point on the Northerly line of said land to the United States of America dated September 3, 1919; thence North 64 degrees 14'11" East along said Northerly line 456.04 feet to the point of beginning, containing 34.534 acres more or less.

Parcel 2. Commencing at the corner common to Pueblo Lots 1143, 1144, 1147 and 1148 of the Pueblo Lands of San Diego, according to map thereof made by James Pascoe in 1870, a certified copy of which is on file as Miscellaneous Map No. 36, in the office of the County Recorder of San Diego County, California; thence north 0 degrees 01'40" east along the west line of Pueblo Lot 1143, a distance of 1500 feet to a point; thence south 89 degrees 58'20" east, a distance of 622.5 feet to the southwest corner of that certain tract of land conveyed to the United States of America by The City of San Diego by deed dated September 3rd, 1919, and recorded in Book 867 of Deeds at page 302, Records of said County Recorder, the true point of beginning, and being also the northwest corner of that certain tract of land conveyed to the United States of America by The City of San Diego by deed dated February 27th, 1926, and recorded in Book 1332 of Deeds, at page 323, et seq., Records of said County Recorder; thence south 0 degrees 1'40" west, along the west line of said last described tract of land a distance of 400 feet to the southwest corner thereof; thence north 62 degrees 58'10"

west, a distance of 391 feet to a point; thence north 23 degrees 53'50" west, a distance of 606.9 feet to a point; thence north 10 degrees 15'40" east, a distance of 327.51 feet to the beginning of a tangent curve concave to the southeast and having a radius of 655 feet; thence northeasterly along the arc of said curve a distance of 617.70 feet to a point of tangency; thence north 64 degrees 17'40" east, tangent to said curve, a distance of 195.5 feet to an intersection with the west line of that certain tract of land hereinabove mentioned and conveyed to the United States of America by The City of San Diego by deed dated September 3rd, 1919, and recorded in Book 867 of Deeds, at page 302, Records of said County Recorder; thence in a southerly direction along the westerly line of said last mentioned tract of land, a distance of 1213.13 feet to the true point of beginning, containing 15.6 acres, more or less;

are hereby set aside and dedicated in perpetuity for park and recreational purposes.

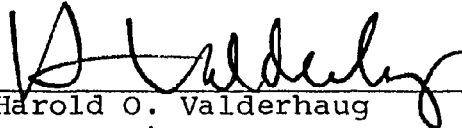
Section 2. That with regard to Parcel 1 hereinabove described this dedication shall be and become effective specifically reserving out and subject to the temporary right of continued use of said parcel by the United States of America, as more particularly described in that Final Judgment in the case of United States of America v. 35.934 Acres of Land, etc., a copy of which Final Judgment is on file in the office of the City Clerk as Document No. 00- 15917; and with regard to Parcel 2 hereinabove described this dedication shall be and become effective specifically reserving out and subject to the temporary right of the United States of America as described in said Final Judgment to the continued use of an approximately 7.26-acre portion of said Parcel 2 and also subject to the terms of that existing operating agreement between the City and Parking Company of America which operating agreement expires as of July 31, 1984, a copy of which operating agreement is on file in the office of the City Clerk as Document No. 766924.

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

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By

  
\_\_\_\_\_  
Harold O. Valderhaug  
Deputy City Attorney

HOV:ps

3/4/83

Or.Dept:Councilman Jones

Form=o.none

Passed and adopted by the Council of The City of San Diego on MAR 21 1983  
 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"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmā	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY: BILL CLEATOR  
 Deputy Mayor of The City of San Diego, California.

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

(Seal)

By Barbara Berridge 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 7 1983, and on MAR 21 1983

~~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.

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

(Seal)

By Barbara Berridge Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-15917</u>	Adopted <u>MAR 21 1983</u>

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 'C' St. Twelfth Floor  
San Diego, CA 92101  
Attn: Barbara Berridge Re: Ord. #o-15917

IN THE MATTER OF

NO.

ORDINANCE NUMBER O-15917

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(New Series)

AN ORDINANCE SETTING ASIDE AND DEDICATING CERTAIN PROPERTY IN THE BALBOA PARK AREA, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FOR PUBLIC PARK PURPOSES.

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

Section 1. That those portions of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Miscellaneous Maps thereof No. 35, by James Pease, filed in the Office of the County Recorder of said County, being portions of Pueblo Lot 1138 and Pueblo Lot 1143 of said Pueblo Lands according to Miscellaneous Maps thereof No. 35, by Charles H. Poole, filed in the office of the County Recorder

of said County and being more particularly described as follows:

PARCEL 1. Beginning at the most northerly corner of the certain tract of land conveyed to the United States of America by the City of San Diego by deed dated September 3, 1919, and recorded in Book 887 of Deeds, at page 302, Records of said County Recorder; thence South 78 degrees 31'48" East along the Northerly line of said land to the United States of America a distance of 7.14 feet; thence South 0 degrees 03'49" East 1171.17 feet; thence North 89 degrees 58'11" East 111.18 feet; thence South 0 degrees 01'58" East 404.55 feet to a point on a curve concaved Northeasterly having a radius of 200.00 feet; thence Southerly along said curve through a central angle of 44 degrees 17'11" a distance of 154.59 feet; thence South 44 degrees 19'07" East 86.85 feet to a point on a curve concaved Southwesterly having a radius of 200.00 feet; thence Southerly along said curve through a central angle of 53 degrees 07'56" a distance of 185.47 feet; thence South 8 degrees 48'49" West 78.00 feet to a point on a curve concaved Northeasterly having a radius of 115.00 feet; thence Southeasterly along said curve through a central angle of 76 degrees 47'55" a distance of 154.15 feet; thence South 87 degrees 59'06" East 153.28 feet to a point on a curve concaved Northerly having a radius of 70.00 feet; thence Easterly and Northeasterly along said curve through a central angle of 71 degrees 45'08" a distance of 87.68 feet; thence North 40 degrees 15'46" East 688.59 feet; thence North 3 degrees 05'37" West 629.84 feet; thence North 44 degrees 56'11" East 166.71 feet; thence South 0 degrees 03'49" East 686.77 feet to a point on the Southeasterly line of the land described in a deed to the United States of America dated July 17, 1940, and recorded in Book 1384 page 397 of Official Records of said San Diego County; thence along said Southeasterly line

I, Charlene Land, 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

ORDINANCE NUMBER O-15917  
(New Series)

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:

April 4, 1983

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

Dated at San Diego, California this 4th day of Apr, 1983.

Charlene Land  
(Signature)

28 3/4" x 2 x 8.87 = 255.01  
Page 1 of 200

So. 3 degrees 15'52" West 211.88 feet to the beginning of a curve concaved Northwesterly having a radius of 500.00 feet; thence Southwesterly along said curve through a central angle of 10 degrees 59'54" a distance of 95.98 feet; thence South 40 degrees 15'48" West 887.17 feet to the beginning of a curve concaved Northerly having a radius of 200.00 feet; thence Southerly and Westerly along said curve through a central angle of 73 degrees 48'18" a distance of 257.51 feet; thence North 65 degrees 57'56" West 133.93 feet to the beginning of a curve concaved Northeasterly having a radius of 200.00 feet; thence departing from said Southeastly line and along said curve through a central angle of 42 degrees 34'56" a distance of 148.64 feet; thence North 23 degrees 27'00" West 425.34 feet; thence North 27 degrees 19'00" West 207.78 feet; thence North 30 degrees 58'00" West 203.42 feet; thence South 83 degrees 02'59" East 138.58 feet; thence North 0 degrees 03'49" West 1643.44 feet to a point on the Northerly line of said land to the United States of America dated September 3, 1919; thence North 64 degrees 14'11" East along said Northerly line 456.04 feet to the point of beginning, containing 34.534 acres more or less.

Parcel 2. Commencing at the corner common to Pueblo Lots 1143, 1144, 1147, and 1148 of the Pueblo Lands of San Diego, according to map thereof made by James Pascoe in 1870, a certified copy of which is on file as Miscellaneous Map No. 38, in the office of the County Recorder of San Diego County, California; thence north 0 degrees 01'40" east along the west line of Pueblo Lot 1143, a distance of 1500 feet to a point; thence south 89 degrees 58'20" east, a distance of 822.5 feet to the southwest corner of that certain tract of land conveyed to the United States of America by The City of San Diego by deed dated September 3rd, 1919, and recorded in Book 867 of Deeds at page 302, Records of said County Recorder, the true point of beginning, and being also the northwest corner of that certain tract of land conveyed to the United States of America by The City of San Diego by deed dated February 27th, 1926, and recorded in Book 1332 of Deeds, at page 323, et seq., Records of said County Recorder; thence south 0 degrees 1'40" west, along the west line of said last described tract of land a distance of 400 feet to the southwest corner thereof; thence north 62 degrees 58'10" west, a distance of 391 feet to a point; thence north 23 degrees 53'50" west, a distance of 606.9 feet to a point; thence north 10 degrees 15'40" east, a distance of 327.51 feet to the beginning of a tangent curve concave to the southeast and having a radius of 655 feet; thence northeasterly along the arc of said curve a distance of 817.70 feet to a point of tangency; thence north 64 degrees 17'40" east, tangent to said curve, a distance of 195.5 feet to an intersection with the west line of that certain tract of land hereinabove mentioned and conveyed to the United States of America by The City of San Diego by deed dated September 3rd, 1919, and recorded in Book 867 of Deeds, at page 302, Records of said County Recorder; thence in a southerly direction along the westerly line of said last mentioned tract of land, a distance of 1213.13 feet to the true point of beginning, containing 15.8 acres, more or less;

are hereby set aside and dedicated in perpetuity for park and recreational purposes.

Section 2. That with regard to Parcel 1 hereinabove described this dedication shall be and become effective specifically reserving out and subject to the temporary right of continued use of said parcel by the United States of America, as more particularly described in that Final Judgment in the case of United States of America v. 35.934 Acres of Land, etc., a copy of which Final Judgment is on file in the office of the City Clerk as Document No. 00-15817; and with regard to Parcel 2 hereinabove described this dedication shall be and become effective specifically reserving out and subject to the temporary right of the United States of America as described in said Final Judgment to the continued use of an approximately 7.26-acre portion of said Parcel 2 and also subject to the terms of that existing operating agreement between the City and Parking Company of America which operating agreement expires as of July 31, 1984, a copy of which operating agreement is on file in the office of the City Clerk as Document No. 768924.

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

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Passed and adopted by the Council of The City of San Diego on MAR 21 1983, by the following vote:

YEAS: Mitchell, Cleator, Jones, Struiksma, Gotch, Murphy, Martinez.

NAYS: None.  
NOT PRESENT: None.  
VACANT: District 3, Mayor.  
BILL CLEATOR Deputy Mayor of The City of San Diego, California.  
AUTHENTICATED BY:  
CHARLES G. ABDELNOUR, City Clerk of The City of San Diego, California.

(SEAL)

By BARBARA BERRIDGE, 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 7 1983, and on MAR 21 1983.

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.

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

(SEAL)

By BARBARA BERRIDGE, Deputy.

Publish April 4, 1983

80-3781

28 3/4" x 2 x 8.87 =  
255.01