

(O-87-119)

ORDINANCE NUMBER O- 16793 (NEW SERIES)

ADOPTED ON JAN 12 1987

AN ORDINANCE SETTING ASIDE AND DEDICATING LOT 29 OF BILTMORE VALE, MAP NO. 8580; LOT 12 OF JAMESTOWN POINT, MAP NO. 8663; LOT 11 OF NOAH WAY POINT, MAP NO. 8664; AND PORTIONS OF PUEBLO LOTS 1243, 1244 AND 1246, MISCELLANEOUS MAP NO. 36, LOCATED IN THE NORTH CLAIREMONT AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FOR A PUBLIC PARK AND NAMING SAID PARK "MARIAN BEAR MEMORIAL PARK."

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

Section 1. That Lot 29 of Biltmore Vale, Map No. 8580; Lot 12 of Jamestown Point, Map No. 8663; Lot 11 of Noah Way Point, Map No. 8664; and portions of Pueblo Lots 1243, 1244 and 1246, Miscellaneous Map 36, which parcels are more particularly described in Attachment A hereto which is by this reference incorporated herein, are hereby set aside and dedicated in perpetuity for park and recreational purposes.

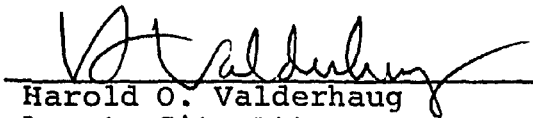
Section 2. That the City Council of The City of San Diego hereby specifically reserves the right to establish underground public service easements through and across the dedicated property so long as the construction and maintenance of the subject easements do not substantially negatively impact the availability of the property for use for park and recreational purposes.

Section 3. That the hereinafter described real property be and the same is hereby named MARIAN BEAR MEMORIAL PARK.

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 San Diego County Recorder 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.

APPROVED: John W. Witt, City Attorney

By 
Harold O. Valderhaug
Deputy City Attorney

HOV:ps
11/19/86
Or.Dept:Prop.
Job:919228
O-87-119
Form=o.sapp

**LEGAL DESCRIPTIONS OF CITY-OWNED LAND
BEING DEDICATED AS MARIAN BEAR MEMORIAL PARK**

Parcel 1

Lot 29 of Biltmore Vale, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 8580, filed in the Office of the County Recorder of San Diego County on May 20, 1977.

Parcel 2

Lot 12 of Jamestown Point, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 8663 filed in the Office of the County Recorder of San Diego County on September 13, 1977.

Parcel 3

Lot 11 of Noah Way Point, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 8664 filed in the Office of the County Recorder of San Diego County on September 13, 1977.

Parcel 4

That portion of Pueblo Lot 1243 of Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof, a copy of which was filed in the Office of the County Recorder of San Diego County November 14, 1921 and is known as Miscellaneous Map 36, being described as follows:

Beginning at a point on the Easterly line of said Pueblo Lot 1243, being the Northeasterly corner of Clairemont Villas Unit 4, according to Map thereof No. 3228, filed in the Office of the County Recorder of San Diego County, Map 5, 1955; thence along the Northerly boundary of said Clairemont Villas Unit 4, North 89°15'07" West 467.14 feet to an angle point in the boundary of Clairemont Mesa North Unit 1, according to Map thereof No. 5103, filed in the Office of the County Recorder of San Diego County, December 28, 1962; thence along the boundary of said Clairemont Mesa North Unit 1, North 53°26'40" East 103.54 feet; thence North 8°11'53" East 119.22 feet; thence North 31°00'45" West 59.93 feet; thence North 44°43'25" East 202.21 feet; thence North 15°00'00" East 98.38 feet; thence North 18°01'37" West 101.32 feet; thence North 80°00'00" West 72.84 feet; thence North 70°00'00" West 52.90 feet; thence South 68°34'00" West 157.68 feet; thence North 85°21'05" West 143.75 feet to the most Southerly corner of Clairemont Mesa North Unit 2, according to Map thereof No. 5212, filed in the Office of the County Recorder of San Diego County, July 10, 1963; thence along the boundary of said Clairemont Mesa North Unit 2, North 43°48'33" East 259.34 feet; thence North 32°09'32" East 152.69 feet; thence South 83°00'00" East

69.01 feet; thence South 69°19'00" East 61.75 feet; thence North 89°18'12" East 92.94 feet; thence North 45°00'00" East 288.00 feet to an angle point in said boundary said point being on the Easterly line of said Pueblo Lot 1243; thence along said Easterly line, South 0°35'10" West 1,050.00 feet, more or less, to the Point of Beginning.

Parcel 5

That portion of Pueblo Lot 1244 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which said Map being filed in the Office of County Recorder of San Diego County, and is known as Miscellaneous Map 36, which lies Northerly of the South line of the North Half of the North Half of the South 160 acres of said Pueblo Lot 1244.

Except therefrom the above-described portion of Pueblo Lot 1244, that portion thereof which lies Westerly of the Easterly line of the land described in deed to the San Diego Gas & Electric Company, recorded April 2, 1958 as File 52298 of Official Records.

Also except therefrom the above-described portion of said Pueblo Lot 1244, that portion thereof which lies Easterly of the location and prolongation of a line described as follows:

Beginning at the Southeasterly corner of said Pueblo Lot 1244; thence along the Easterly line of said Pueblo Lot, North 0°17'00" East 1,985.19 feet; thence parallel with the Westerly line of said Pueblo Lot, North 89°40'00" West 870 feet to the TRUE POINT OF BEGINNING: thence North 29°53'30" West 312.18 feet; thence North 37°10'00" West 245 feet; thence South 85°00'00" West 212.61 feet; thence North 23°00'00" West 347.59 feet; thence North 4°13'00" West 139.18 feet; thence South 89°53'00" East 119.00 feet; thence North 23°46'00" East 135.74 feet; thence North 36°34'53" West 173.19 feet to an intersection with the Northerly line of Pueblo Lot 1244.

Also excepting therefrom that portion which lies within University View Estates Unit 3, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 5068, filed in the Office of the County Recorder of San Diego County.

Parcel 6

That portion of Pueblo Lot 1244 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which said Map being filed in the Office of County Recorder of San Diego County, is known as Miscellaneous Map 36, described as follows:

Beginning at the intersection of the Northerly line of said Pueblo Lot with the line shown on City of San Diego Operating Department Drawing 5265-L on file in the Office of the City Engineer and designated hereon "Shaw Line"; thence along said Northerly line South 75°18'30" West to an angle point in the Northeasterly boundary line of the land described in deed to Title Insurance and Trust Company, recorded January 15, 1959 under Document 9017 of Official Records; thence along said boundary line South 29°00'00" West, 240.00 feet; thence South 13°00'00" West, 216.42 feet; thence South 10°00'00" East, 315.54 feet; thence North 70°30'00" East, 284.06 feet; thence North 52°30'30" East, 542.66 feet; thence North 10°29'00" East, 110.00 feet; thence South 82°07'00" East, 170.81 feet to the line shown on City of San Diego Operating Department Drawing 5265-L on file in the Office of the City Engineer's and designated thereon "Shaw Line"; thence Northwesterly along said Shaw Line to the Point of Beginning.

EXCEPTING THEREFROM that portion described in Parcel 9 of that certain final order of condemnation, recorded August 27, 1970 as Document 155336 of Official Records, being that portion lying Northeasterly of the following described line:

Beginning at a point distant South 63°13'00" West, 252.74 feet left of Engineer's Station 1274 plus 92.78 P.O.T. on the "A" line of the Interstate Freeway, Route 805, based on a survey by the Department of Public Works between 0.4 of a mile North of Route 395 and 0.6 of a mile North of Route 52; thence North 30°02'32" West, 209.76 feet; thence North 30°03'24" West, 532.11 feet to a point distant South 63 13'00" West, 295.05 feet left of Engineer's Station 1282 plus 33.44 P.O.T. on said "A" line.

Parcel 7

Area A:

That portion of Pueblo Lot 1246 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which said Map was filed in the Office of the County Recorder of San Diego County, November 14, 1921 and is known as Miscellaneous Map 36, lying Easterly of the East line of the Westerly 30 acres and Southerly and Westerly of a line described as follows:

Commencing at the Northeasterly corner of said Pueblo Lot 1246, according to Drawing 5265-L on file in the Office of the City Engineer of the City of San Diego; thence along the following numbered courses; (1) along the Northerly line of said Lot 1246, South 76°06'29" West, 517.65 feet; (2) leaving said Northerly line South 21°55'43" East, 686.59 feet; (3) South 42°09'04" West, 490.71 feet; (4) South 85°38'18" West, 580.38 feet to the Easterly line of that portion of said Lot 1246

conveyed to the San Diego Gas & Electric Company by deed recorded January 2, 1958 in Book 6890, Page 333 of Official Records of San Diego County; (5) along said Easterly line South 00°30'46" West, 310.70 feet to the Easterly line of the Westerly 30 acres of said Lot 1246; (6) along said Easterly line South 13°54'30" East, 222.18 feet to the TRUE POINT OF BEGINNING of said line; (7) leaving said Easterly line South 88°45'55" East 268.02 feet; (8) South 82°32'25" East, 860.51 feet; (9) South 66°16'23" East, 347.95 feet; to Point "A" of this description; (10) South 32°27'16" East, 700.79 feet to the Southerly line of said Lot 1246.

EXCEPTING THEREFROM that portion described as follows:

Beginning at the Southerly terminus of course (6) as described in deed to the State of California recorded October 7, 1964 as Instrument 182666 of Official Records of said County; thence (1) along the Southwesterly boundary of said State Land South 88°44'55" East, (Record South 88°45'55" East) 268.02 feet; thence (2) South 82°32'25" East, 860.51 feet; thence (3) South 66°16'23" East, 130.24 feet; thence (4) leaving said Southwesterly boundary South 70°20'54" West 320.91 feet; thence (5) South 88°30'00" West, 556.93 feet; thence (6) South 75°15'00" West, 300.00 feet to the Easterly line of the Westerly 30 acres of said Pueblo Lot 1246; thence (7) along said Easterly line North 13°54'29" West, 380.00 feet to the Point of Beginning.

Area "B":

That portion of Pueblo Lot 1246 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which said Map was filed in the Office of the County Recorder of San Diego County, November 14, 1921 and is known as Miscellaneous Map 36 described as follows:

Beginning at Point "A" described in Parcel 1 above; thence South 66°16'23" East, 202.26 feet to the Westerly line of that certain easement to the City of San Diego described as Parcel 6 in Final Order of Condemnation recorded June 8, 1964 as Document 102978 of Official Records of said County; thence along said Westerly line South 24°58'10" East, 110.81 feet, South 24°59'32" East, 212.91 feet and South 30°03'37" East, 231.19 feet to the Southerly line of said Pueblo Lot 1246; thence along said Southerly line South 75°59'41" West, 64.12 feet to the Southeast corner of said Parcel 1; thence along the Easterly line thereof North 32°27'16" West, 699.71 feet to the Point of Beginning.

Parcel 8

That part of that portion of Pueblo Lot 1246 of the Pueblo Lands of San Diego, according to Map made by James Pascoe in 1870, lying Southwesterly of the Southwesterly right-of-way line of State freeway 11-SD-805 - 23.5, as said portion is described in deed to the State of California recorded October 7, 1964, File 182666 of San Diego County Official Records; said part hereby conveyed described as follows:

Beginning at the Easterly terminus of that course described as "S.82°32'25"E., 860.51 feet," in said deed to the State of California recorded October 7, 1964; thence along said right-of-way line the following five courses: (1) N.40°18'04"E., 52.17 feet; (2) S.66°16'23"E., 554.37 feet; (3) S.25°00'05"E., 129.34 feet; (4) S.24°56'39"E., 210.84 feet; (5) S.30°03'24"E., 243.38 feet to the Southerly line of said State land described in deed recorded October 7, 1964; (6) along last said line S.75°59'41"W., 52.04 feet; (7) leaving said Southerly line N.30°03'37"W., 231.19 feet; (8) N.24°59'32"W., 212.91 feet; (9) N.24°58'10"W., 110.81 feet to the Easterly prolongation of course (9) of said deed to the State of California; (10) along said prolongation and along said course (9) of said deed N.66°16'23"W., 550.22 feet to the Point of Beginning.

ANTHONY/st-b(108-2)/10-31-86

Passed and adopted by the Council of The City of San Diego on JAN 12 1987,
 by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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"/>
Gloria McColl	<input checked="" 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 Struiksma	<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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
 Mayor of The City of San Diego, California.

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

(Seal)

By *June G. Blackwell*, 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

DEC 8 1986

JAN 12 1987

, and on _____, 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.

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

(Seal)

By *June G. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16793 Adopted JAN 12 1987

Ordinance O-16793 (01/12/1987)

The Certificate of Publication was unavailable at the time of filming.

(12/29/1987)