

(O-88-43)

ORDINANCE NUMBER O- 16944 (NEW SERIES)

ADOPTED ON SEP 28 1987

AN ORDINANCE SETTING ASIDE AND DEDICATING THE MARSTON HOUSE IN THE CITY OF SAN DIEGO, CALIFORNIA, FOR PUBLIC PARK PURPOSES AND INCORPORATING SAME INTO BALBOA PARK

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

Section 1. That the Marston House, located on the northeast corner of Seventh Avenue and Upas Street on the west side of Balboa Park, and known as 3525 Seventh Avenue, which is more particularly described in Attachment A hereto which is by this reference incorporated herein, is hereby set aside and dedicated in perpetuity for park and recreational purposes.

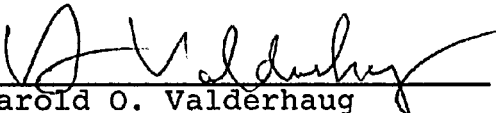
Section 2. That the City Council of The City of San Diego hereby specifically reserves the right to establish underground public service easements through and across the dedicated property so long as the construction and maintenance of the subject easements do not substantially negatively impact the 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 incorporated into Balboa 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 January 1, 1988.

APPROVED: John W. Witt, City Attorney

By 
Harold O. Valderhaug
Deputy City Attorney

HOV:ps
09/01/87
Or.Dept:Prop.
Job:919506
O-88-43
Form=o.sapp

O-16944

MARSTON HOUSE

LEGAL DESCRIPTION

All that property situated in the City of San Diego, County of San Diego, State of California, described as follows:

All of Parcel 4 as delineated and designated on Record of Survey Map 558 filed in the Office of the County Recorder of San Diego County, February 3, 1937, being also all of Block 10 and portions of Blocks 9, 11 and 12 of Crittenden's Addition, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 303 filed in the Office of the County Recorder of San Diego County, October 5, 1886, TOGETHER WITH a portions of 8th Avenue (formerly 8th Street) between said Block as vacated and closed to public use June 20, 1904 by Resolution 820 of the Common Council of the City of San Diego, of the alleys in and between said Block as vacated and closed to public use June 20, 1904 by Resolutions 821, 822 and 823 of the Common Council of the City of San Diego, and of Park Place as shown on said Map 303 as vacated and closed to public use on February 25, 1924 by Resolution 30862 of the Common Council of the City of San Diego.

EXCEPTING therefrom that portion lying Easterly of the Westerly boundary of that portion of California State Highway X1-SD-77-SD (Cabrillo Freeway) as described in deed to the State of California, recorded November 4, 1942 in Book 1417, Page 425 of Official Records.

Total Area: 4.5 acres, more or less.

SEP 28 1987

Passed and adopted by the Council of The City of San Diego on....., 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"/>	
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VACANT
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 *Rhonda R. Barnes*, 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

SEP 14 1987

SEP 28 1987

....., 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 *Rhonda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-16944** Adopted SEP 28 1987

#51

SEP 28 1987

Passed and adopted by the Council of The City of San Diego on ,
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"/>
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struikma	<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"/>

VACANT

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 *Bhonda R. Burnes*, 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 SEP 14 1987, and on SEP 28 1987.

~~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 *Bhonda R. Burnes*, Deputy.

Office of the City Clerk, San Diego, California

SEP 28 1987

Ordinance Number **0-16944** Adopted

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1987 OCT 29 PM 12:18
SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: ELLEN BOVARD

IN THE MATTER OF

NO.

AN ORDINANCE SETTING ASIDE ANE DEDICATING THE MARSTON HOUSE IN THE CITY OF SAN DIEGO, CALIFORNIA, FOR PUBLIC PARK PURPOSES AND INCORPORATING SAME INTO BALBOA PARK

ORDINANCE NUMBER O-16944 (NEW SERIES)

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Section 3. That the hereinafter described real property be and the same is hereby incorporated into Balboa 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 January 1, 1988.

Passed and adopted by the Council of The City of San Diego on September 28, 1987, by the following vote:

YEAS: Wolfshelmer, Cleator, McColi, Strulkama, Gotch, McCarty, Ballestros, O'Connor.

NAYS: None.

NOT PRESENT: Nonr. District 4 - vacant.

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 ELLEN BOVARD, 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 September 14, 1987, and on September 28, 1987.

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 ELLEN BOVARD, Deputy.

Pub. October 26

94213

I, THOMAS D. KELLEHER, 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-16944 (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:

OCT. 26

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

Dated at San Diego, California this 26 day of OCT., 19 87.

Thomas D. Kelleher

(Signature)

(54 Lines x .58 x 2 = \$105.84)

5" x 2 + 10.78 = \$107.80