

(R-89-741)

RESOLUTION NUMBER R- 272187

ADOPTED ON OCT 25 1988

A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE CITY OF SAN DIEGO REQUIRE THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A PUBLIC STREET OR STREETS AND INCIDENTS THERETO, TOGETHER WITH EARTH EXCAVATIONS OR EMBANKMENTS, SLOPE OR SLOPES AND INCIDENTS THERETO AND A STORM DRAIN OR DRAINS AND INCIDENTS THERETO IN A PORTION OF PARCELS 1 AND 2 OF PARCEL MAP NO. 11933, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 29, 1982, AS FILE NO. 82-26480 OF THE OFFICIAL RECORDS; A PORTION OF PUEBLO LOT 1109 OF PUEBLO LANDS OF SAN DIEGO ACCORDING TO THE MAP MADE BY JAMES PASCOE IN 1870 AND FILED IN THE RECORDERS OFFICE NOVEMBER 14, 1921 AS MISCELLANEOUS MAP NO. 36 AND IN A PORTION OF LOT 2 OF LION MISSION VALLEY NO. 3 ACCORDING TO MAP NO. 10292 FILED DECEMBER 18, 1981; AND A PORTION OF PARCELS 1 AND 2 OF PARCEL MAP NO. 13432 FILED ON AUGUST 17, 1984 WITH THE SAN DIEGO COUNTY RECORDER; ALL IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO; STATE OF CALIFORNIA; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF FEE TITLE TO AND EASEMENTS IN SAID PROPERTY FOR SAID PUBLIC STREET OR STREETS AND INCIDENTS THERETO, TOGETHER WITH EARTH EXCAVATIONS OR EMBANKMENTS, SLOPE OR SLOPES AND INCIDENTS THERETO AND A STORM DRAIN OR DRAINS AND INCIDENTS THERETO; AND THAT THE PROPOSED PROJECT IS PLANNED IN A MANNER THAT WILL BE MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AND THAT AN OFFER TO ACQUIRE THE PROPERTY AT THE APPRAISED FAIR MARKET VALUE HAS BEEN MADE TO THE OWNERS OF RECORD OF THE PROPERTY AND REJECTED; AND DECLARING THE INTENTION OF THE CITY OF SAN DIEGO TO ACQUIRE SAID PROPERTY AND EASEMENTS UNDER EMINENT DOMAIN PROCEEDINGS; AND DIRECTING THE CITY ATTORNEY OF THE CITY OF SAN DIEGO AND/OR HIS DESIGNATED REPRESENTATIVES OF THE CITY ATTORNEY 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 AND EASEMENTS AND TAKING IMMEDIATE
POSSESSION THEREOF:

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; and

WHEREAS, the City of San Diego desires to acquire the property hereinafter described for the construction, operation, and maintenance of a public street or streets and incidents thereto together with earth excavations or embankments, slope or slopes and incidents thereto and a storm drain or drains and incidents thereto in a portion of Parcels 1 and 2 of Parcel Map No. 11933, filed in the office of the County Recorder of San Diego County, January 29, 1982, as File No. 82-26480 of the Official Records; a portion of Pueblo Lot 1109 of Pueblo Lands of San Diego according to the map made by James Pascoe in 1870 and filed in the recorders office November 14, 1921 as Miscellaneous Map No. 36 and in a portion of Lot 2 of Lion Mission Valley No. 3 according to Map No. 10292 filed December 18, 1981; and a portion of Parcels 1 and 2 of Parcel Map No. 13432 filed on August 17, 1984 with the San Diego County Recorder, all in the City of San Diego, County of San Diego, State of California as more particularly described hereinafter; and

WHEREAS, the City of San Diego has the power of eminent domain pursuant to, inter alia, Sections 1240.010, 1240.110,

1240.120, 1240.420, 1240.610 and 1255.410 of the California Code of Civil Procedure; Section 220, The Charter of the City of San Diego; Sections 37350.5 and 40404 of the Government Code and Sections 4090, 5101, 5102, 5023 and 5023.1 of the Streets and Highways Code.

WHEREAS, it is in the public interest and necessity to acquire the subject real property as hereinafter described for the purpose of the construction, operation and maintenance of a public street or streets and incidents thereto together with earth excavations or embankments, slope or slopes and incidents thereto and a storm drain or drains and incidents thereto;

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 the construction, operation and maintenance of a public street or streets and incidents thereto, together with earth excavations or embankments, slope or slopes and incidents thereto and a storm drain or drains and incidents thereto in a portion of Parcels 1 and 2 of Parcel Map No. 11933, filed in the office of the County Recorder of San Diego County, January 29, 1982, as File No. 82-26480 of the Official Records; a portion of Pueblo Lot 1109 of Pueblo Lands of San Diego according to the map made by James Pascoe in 1870 and filed in the Recorders office November 14, 1921 as Miscellaneous Map No. 36 and a portion of Lot 2 of Lion Mission Valley No. 3 according to Map No. 10292

filed December 18, 1981; and a portion of Parcels 1 and 2 of Parcel Map No. 13432 filed on August 17, 1984 with the San Diego County Recorder; all in the City of San Diego, County of San Diego, State of California, and as more particularly described hereinafter.

Section 2. That the public interest, convenience and necessity of the City of San Diego, and the inhabitants of the City of San Diego, demand the acquisition and taking of fee title to and easements in said property for the construction, operation and maintenance of a public street or streets and incidents thereto, together with earth excavations or embankments, slope or slopes and incidents thereto and a storm drain or drains and incidents thereto; said real property lying within the City of San Diego, County of San Diego, State of California.

Section 3. That Sections 1240.010, 1240.110, 1240.120, 1240.420, 1240.610 and 1255.410 of the California Code of Civil Procedure; Section 220, Charter of City of San Diego; Sections 37350.5 and 40404 of the Government Code and Sections 4090, 5101, 5102, 5023 and 5023.1 of the Streets and Highways Code; inter alia, permit the acquisitions referenced herein.

Section 4. That the parcels of real property and the interests sought to be condemned are described and set forth in Exhibit "A" attached hereto and made a part hereof.

Section 5. That the taking and acquiring by the City of San Diego of the real property herein described is deemed necessary for the construction, operation and maintenance of a public

street or streets and incidents thereto, together with earth excavations or embankments, slope or slopes and incidents thereto and a storm drain or drains and incidents thereto by the City of San Diego and the inhabitants thereof, for municipal purposes; that such use is a public use authorized by law (inter alia, Sections 1240.010, 1240.110, 1240.120, 1240.420, 1240.610 and 1255.410 of the California Code of Civil Procedure; Section 220, the Charter of the City of San Diego; Sections 37350.5 and 40404 of the Government Code and Sections 4090, 5101, 5102, 5023 and 5023.1 of the Streets and Highways Code); that for such public uses it is necessary for the City of San Diego to condemn and acquire said real property.

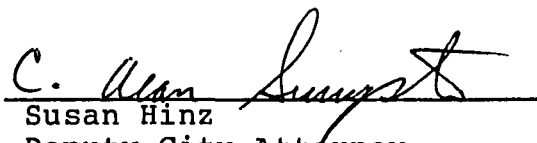
Section 6. That said real property is to be used for the construction, operation and maintenance of a public street or streets and incidents thereto together with earth excavations or embankments, slope or slopes and incidents thereto and a storm drain or drains and incidents thereto which are planned and located in a manner most compatible with the greatest public good and the least private injury.

Section 7. That an offer to acquire the property at the appraised fair market value required by Government Code Section 7267.2 has been made to the owners of record of the property.

Section 8. That the City Attorney of The City of San Diego or his designated representative be, and hereby is 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 certain real property and existing improvements as hereinbefore described in fee simple and easements, for the use of the City of San Diego and to take immediate possession thereof.

APPROVED: John W. Witt, City Attorney

By 
for Susan Hinz
Deputy City Attorney

DD:dr:Lit
10/11/88
Or.Dept:Prop
R-89-741
Aud.Cert: 8900326 Form=r.stimprov

LEGAL DESCRIPTION

All that portion of Parcel 1 and 2 of Parcel Map 11933 filed in the Office of the County Recorder of San Diego County on January 29, 1982 as File No 82-26480 of Official Records, described as follows:

Parcel 1A - Camino del Rio North

Beginning at a intersection of the Easterly line of Stadium Way with the Northerly line of Camino del Rio North as conveyed to the State of California by documents recorded August 15, 1958 in Book 7214, page 381, of Official Records and September 30, 1968 as File/Page No. 168599 of Official Records and relinquished to the City of San Diego by document recorded June 29, 1972 as File/Page No. 167394 of Official Records, being the Southwesterly corner of said Parcel 1; thence North $09^{\circ}12'31''$ West along said Easterly line of Stadium Way, a distance of 21.49 feet to a point of cusp with a 20.00-foot radius curve, concave Northeasterly; thence Southerly and Easterly along the arc of said curve through a central angle of $90^{\circ}02'29''$, a distance of 31.43 feet to a point to which a radial bears South $09^{\circ}15'07''$ East being a point of reverse curvature of a 1,963.00-foot radius curve concave Southerly; thence Easterly along the arc of said curve through a central angle of $05^{\circ}06'44''$, a distance of 175.15 feet to a point to which a radial bears North $04^{\circ}08'24''$ West, being a point of compound curvature of a 300.00-foot radius curve concave Southerly; thence Easterly along the arc of said curve through a central angle of $13^{\circ}25'40''$, a distance of 70.31 feet; thence South $80^{\circ}42'44''$ East, 19.81 feet to the beginning of a tangent 200.00-foot radius curve, concave Northerly; thence Easterly along the arc of said curve through a central angle of $09^{\circ}48'57''$, a distance of 34.26 feet to the beginning of a reverse curve, concave Southerly, having a radius of 1,949.00 feet; thence Easterly along the arc of said curve through a central angle of $07^{\circ}38'06''$, a distance of 259.72 feet; thence South $82^{\circ}53'35''$ East, 69.03 feet to a point hereby set out as Point A; thence continuing South $82^{\circ}53'35''$ East, 125.32 feet to the beginning of a tangent 951.00-foot radius curve concave Northerly; thence Easterly along the arc of said curve through a central angle of $21^{\circ}38'17''$, a distance of 359.15 feet to the Easterly line of said Parcel 2 of Parcel Map 11933; thence South $14^{\circ}31'34''$ East along said Easterly line, a distance of 98.00 feet to a point on a 1,049.00-foot radius curve concave Northerly, a radial to said point bears South $14^{\circ}31'51''$ East; thence Westerly along the arc of said curve through a central angle of $19^{\circ}56'46''$, a distance of 365.18 feet; thence North $84^{\circ}35'04''$ West, 279.87 feet to the beginning of a tangent 1,844.00-foot radius curve, concave Southerly; thence Westerly along the arc of said curve through a central angle of $05^{\circ}20'16''$, a distance of 171.80 feet to a point to which a radial bears North $00^{\circ}04'40''$ East; thence North $59^{\circ}31'52''$ West, 66.85 feet to the beginning of a tangent 430.00-foot radius curve concave Southwesterly; thence Northwesterly along the arc of said curve through a central angle of $38^{\circ}45'15''$, a distance of 290.85 feet returning to the Point of Beginning.

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EXHIBIT A

R-272187

LEGAL DESCRIPTION

All that portion of Parcel 1 and 2 of Parcel Map 11933 filed in the Office of the County Recorder of San Diego County on January 29, 1982 as File No 82-26480 of Official Records, described as follows:

Parcel 1A - Camino del Rio North

Beginning at a intersection of the Easterly line of Stadium Way with the Northerly line of Camino del Rio North as conveyed to the State of California by documents recorded August 15, 1958 in Book 7214, page 381, of Official Records and September 30, 1968 as File/Page No. 168599 of Official Records and relinquished to the City of San Diego by document recorded June 29, 1972 as File/Page No. 167394 of Official Records, being the Southwesterly corner of said Parcel 1; thence North 09°12'31" West along said Easterly line of Stadium Way, a distance of 21.49 feet to a point of cusp with a 20.00-foot radius curve, concave Northeasterly; thence Southerly and Easterly along the arc of said curve through a central angle of 90°02'29", a distance of 31.43 feet to a point to which a radial bears South 09°15'07" East being a point of reverse curvature of a 1,963.00-foot radius curve concave Southerly; thence Easterly along the arc of said curve through a central angle of 05°06'44", a distance of 175.15 feet to a point to which a radial bears North 04°08'24" West, being a point of compound curvature of a 300.00-foot radius curve concave Southerly; thence Easterly along the arc of said curve through a central angle of 13°25'40", a distance of 70.31 feet; thence South 80°42'44" East, 19.81 feet to the beginning of a tangent 200.00-foot radius curve, concave Northerly; thence Easterly along the arc of said curve through a central angle of 09°48'57", a distance of 34.26 feet to the beginning of a reverse curve, concave Southerly, having a radius of 1,949.00 feet; thence Easterly along the arc of said curve through a central angle of 07°38'06", a distance of 259.72 feet; thence South 82°53'35" East, 69.03 feet to a point hereby set out as Point A; thence continuing South 82°53'35" East, 125.32 feet to the beginning of a tangent 951.00-foot radius curve concave Northerly; thence Easterly along the arc of said curve through a central angle of 21°38'17", a distance of 359.15 feet to the Easterly line of said Parcel 2 of Parcel Map 11933; thence South 14°31'34" East along said Easterly line, a distance of 98.00 feet to a point on a 1,049.00-foot radius curve concave Northerly, a radial to said point bears South 14°31'51" East; thence Westerly along the arc of said curve through a central angle of 19°56'46", a distance of 365.18 feet; thence North 84°35'04" West, 279.87 feet to the beginning of a tangent 1,844.00-foot radius curve, concave Southerly; thence Westerly along the arc of said curve through a central angle of 05°20'16", a distance of 171.80 feet to a point to which a radial bears North 00°04'40" East; thence North 59°31'52" West, 66.85 feet to the beginning of a tangent 430.00-foot radius curve concave Southwesterly; thence Northwesterly along the arc of said curve through a central angle of 38°45'15", a distance of 290.85 feet returning to the Point of Beginning.

EXHIBIT A

R-272187

Parcel 1B - Slope Easement

An easement and right-of-way for earth excavation or embankment, slope or slopes, through, over, upon, along and across all that real property described as follows:

Beginning at a point on the Easterly line of said Stadium Way distant thereon 118.54 feet from its intersection with the Northerly line of Camino del Rio North, as conveyed to the State of California by documents recorded August 15, 1958 in Book 7214, page 381, of Official Records and September 30, 1968 as File/Page No. 168599 of Official Records and relinquished to the City of San Diego by document recorded June 29, 1972 as File/Page No. 167394 of Official Records; thence South 18°38'33" East 98.86 feet; thence South 88°10'13" East, 70.93 feet; thence North 54°46'28" East, 37.88 feet; thence North 83°56'06" East, 100.51 feet; thence South 76°41'02" East, 54.28 feet; thence South 85°38'40" East, 411.08 feet; thence South 86°11'31" East, 192.21 feet; thence North 78°20'36" East, 92.95 feet; thence North 89°56'08" East, 161.38 feet to the Easterly line of said Parcel 2 of Parcel Map 11933; thence South 14°31'34" East, along said Easterly line, a distance of 16.23 feet to the Northeasterly corner of Parcel 1A described above being a point of the arc of a 951.00-foot radius curve, concave Northerly, a radial to said point bears South 14°31'52" East; thence Westerly along the Northerly line of Parcel 1A described above and along the arc of said curve through a central angle of 21°38'17", a distance of 359.15 feet; thence continuing along said Northerly line North 82°53'35" West, 194.35 feet to the beginning of a tangent 1,949.00-foot radius curve, concave Southerly; thence continuing Westerly along said Northerly line of Parcel 1A and along the arc of said curve through a central angle of 07°38'06", a distance of 259.72 feet to the beginning of a 200.00-foot radius reverse curve, concave Northerly; thence Westerly along the arc of said curve, through a central angle of 09°48'57", a distance of 34.26 feet; thence North 80°42'44" West, 19.81 feet to the beginning of a tangent 300.00-foot radius curve, concave Southerly; thence Westerly along said Northerly line and along the arc of said curve through a central angle of 13°25'40", a distance of 70.31 feet to a point to which a radial bears North 04°08'24" West; said point being the beginning of a compound 1,963.00-foot radius curve, concave Southerly; thence Westerly along the arc of said curve through a central angle of 05°06'44", a distance of 175.15 feet to the beginning of a reverse 20.00-foot radius curve concave Northeasterly, a radial bears South 09°15'07" East to said point; thence North Westerly along the arc of said curve through a central angle of 90°02'29", a distance of 31.43 feet; thence North 09°12'31" West, a distance of 97.05 feet returning to the Point of Beginning.

Parcel 1C - Slope Easement

A permanent easement and right-of-way for earth excavation or embankment, slope or slopes, through, over, upon, along and across all that real property described as follows:

Commencing at the intersection of the Easterly line of said Parcel 2 of Parcel Map 11933 with the Southerly line of Parcel 1A described above, being a point on the arc of a 1,049.00-foot radius curve, concave Northerly; thence Westerly along the Southerly line of said Parcel 1A and along the arc of said curve through a central angle of 13°04'53", a distance of 239.50 feet to the TRUE POINT OF BEGINNING; thence South 88°33'02" East, 109.00 feet; thence South 53°50'56" East, 25.57 feet; thence South 67°10'39" West, 39.67 feet; thence North 88°49'49" West, 194.12 feet; thence North 85°20'54" West, 154.21 feet; thence North 81°02'59" West, 172.18 feet; thence North 87°18'30" West, 120.79 feet to the Northeasterly line of Camino del Rio North as conveyed to the State of California by documents recorded August 15, 1958 in Book 7214, page 381 of Official Records and September 30, 1968 as File/Page No. 168599 of Official Records and relinquished to the City of San Diego by document recorded June 29, 1972 as File/Page No. 167394 of Official Records; thence along said Northeasterly line North 59°31'54" West, 35.05 feet to a point on the Southerly line of Parcel 1A described above and a point on the arc of a 1,844.00-foot radius curve concave Southerly, a radial to said point bears North 00°04'40" East; thence along said Southerly line of Parcel 1A described above and Easterly along the arc of said curve through a central angle of 05°20'16", a distance of 171.80 feet; thence continuing along said Southerly line tangent to said curve South 84°35'04" East, 141.64 feet to a point hereby set out as Point B for purposes of this description; thence continuing along said Southerly line South 84°35'04" East, 138.23 feet to the beginning of a tangent 1,049.00-foot radius curve concave Northerly; thence Easterly along the arc of said curve through a central angle of 06°51'53", a distance of 125.68 feet returning to the TRUE POINT OF BEGINNING.

Parcel 1D - Drain Easement

A permanent easement and right-of-way for the construction operation and maintenance of a storm drain or drains and appurtenances thereto, through, over, upon, along and across all that real property described as follows:

Beginning at Point A as set out in Parcel 1A described above; thence North 10°18'35" West, 20.20 feet; thence North 79°41'25" East, 10.00 feet; thence South 10°18'35" East, 23.34 feet to a point on the Northerly line of Parcel 1A described above; thence along said Northerly line North 82°53'35" West, 10.48 feet returning to the Point of Beginning.

Parcel 1E - Drain Easement

A permanent easement and right-of-way for the construction, operation and maintenance of a storm drain or drains and appurtenances thereto, through, over, upon, along and across all that real property described as follows:

Beginning at Point B set out in Parcel 1C above; thence South $07^{\circ}06'25''$ West, 27.38 feet; thence South $82^{\circ}53'35''$ East, 10.00 feet; thence North $07^{\circ}06'25''$ East, 27.67 feet to a point on the Southerly line of Parcel 1A described above; thence along said Southerly line North $84^{\circ}35'04''$ West, 10.00 feet returning to the Point of Beginning.

Job 519740(A)/Dwg. 23662-1-D/GLENN:jw(109-3)/9-27-88

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EXHIBIT A

R 272187

C O R R E C T I O N

T H E F O R E G O I N G

D O C U M E N T I S

R E P H O T O G R A P H E D

T O I N S U R E

L E G I B I L I T Y



**CITY OF
SAN DIEGO
CITY CLERK**

**202 C STREET
San Diego, CA 92101-3860**



LEGAL DESCRIPTION

All that portion of Parcel 1 and 2 of Parcel Map 11933 filed in the Office of the County Recorder of San Diego County on January 29, 1982 as File No 82-26480 of Official Records, described as follows:

Parcel 1A - Camino del Rio North

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EXHIBIT A

R-272187

LEGAL DESCRIPTION

All that portion of Parcel 1 and 2 of Parcel Map 11933 filed in the Office of the County Recorder of San Diego County on January 29, 1982 as File No 82-26480 of Official Records, described as follows:

Parcel 1A - Camino del Rio North

Beginning at a intersection of the Easterly line of Stadium Way with the Northerly line of Camino del Rio North as conveyed to the State of California by documents recorded August 15, 1958 in Book 7214, page 381, of Official Records and September 30, 1968 as File/Page No. 168599 of Official Records and relinquished to the City of San Diego by document recorded June 29, 1972 as File/Page No. 167394 of Official Records, being the Southwesterly corner of said Parcel 1; thence North 09°12'31" West along said Easterly line of Stadium Way, a distance of 21.49 feet to a point of cusp with a 20.00-foot radius curve, concave Northeasterly; thence Southerly and Easterly along the arc of said curve through a central angle of 90°02'29", a distance of 31.43 feet to a point to which a radial bears South 09°15'07" East being a point of reverse curvature of a 1,963.00-foot radius curve concave Southerly; thence Easterly along the arc of said curve through a central angle of 05°06'44", a distance of 175.15 feet to a point to which a radial bears North 04°08'24" West, being a point of compound curvature of a 300.00-foot radius curve concave Southerly; thence Easterly along the arc of said curve through a central angle of 13°25'40", a distance of 70.31 feet; thence South 80°42'44" East, 19.81 feet to the beginning of a tangent 200.00-foot radius curve, concave Northerly; thence Easterly along the arc of said curve through a central angle of 09°48'57", a distance of 34.26 feet to the beginning of a reverse curve, concave Southerly, having a radius of 1,949.00 feet; thence Easterly along the arc of said curve through a central angle of 07°38'06", a distance of 259.72 feet; thence South 82°53'35" East, 69.03 feet to a point hereby set out as Point A; thence continuing South 82°53'35" East, 125.32 feet to the beginning of a tangent 951.00-foot radius curve concave Northerly; thence Easterly along the arc of said curve through a central angle of 21°38'17", a distance of 359.15 feet to the Easterly line of said Parcel 2 of Parcel Map 11933; thence South 14°31'34" East along said Easterly line, a distance of 98.00 feet to a point on a 1,049.00-foot radius curve concave Northerly, a radial to said point bears South 14°31'51" East; thence Westerly along the arc of said curve through a central angle of 19°56'46", a distance of 365.18 feet; thence North 84°35'04" West, 279.87 feet to the beginning of a tangent 1,844.00-foot radius curve, concave Southerly; thence Westerly along the arc of said curve through a central angle of 05°20'16", a distance of 171.80 feet to a point to which a radial bears North 00°04'40" East; thence North 59°31'52" West, 66.85 feet to the beginning of a tangent 430.00-foot radius curve concave Southwesterly; thence Northwesterly along the arc of said curve through a central angle of 38°45'15", a distance of 290.85 feet returning to the Point of Beginning.

EXHIBIT A

R 272187

Parcel 1B - Slope Easement

An easement and right-of-way for earth excavation or embankment, slope or slopes, through, over, upon, along and across all that real property described as follows:

Beginning at a point on the Easterly line of said Stadium Way distant thereon 118.54 feet from its intersection with the Northerly line of Camino del Rio North, as conveyed to the State of California by documents recorded August 15, 1958 in Book 7214, page 381, of Official Records and September 30, 1968 as File/Page No. 168599 of Official Records and relinquished to the City of San Diego by document recorded June 29, 1972 as File/Page No. 167394 of Official Records; thence South $18^{\circ}38'33''$ East 98.86 feet; thence South $88^{\circ}10'13''$ East, 70.93 feet; thence North $54^{\circ}46'28''$ East, 37.88 feet; thence North $83^{\circ}56'06''$ East, 100.51 feet; thence South $76^{\circ}41'02''$ East, 54.28 feet; thence South $85^{\circ}38'40''$ East, 411.08 feet; thence South $86^{\circ}11'31''$ East, 192.21 feet; thence North $78^{\circ}20'36''$ East, 92.95 feet; thence North $89^{\circ}56'08''$ East, 161.38 feet to the Easterly line of said Parcel 2 of Parcel Map 11933; thence South $14^{\circ}31'34''$ East, along said Easterly line, a distance of 16.23 feet to the Northeasterly corner of Parcel 1A described above being a point of the arc of a 951.00-foot radius curve, concave Northerly, a radial to said point bears South $14^{\circ}31'52''$ East; thence Westerly along the Northerly line of Parcel 1A described above and along the arc of said curve through a central angle of $21^{\circ}38'17''$, a distance of 359.15 feet; thence continuing along said Northerly line North $82^{\circ}53'35''$ West, 194.35 feet to the beginning of a tangent 1,949.00-foot radius curve, concave Southerly; thence continuing Westerly along said Northerly line of Parcel 1A and along the arc of said curve through a central angle of $07^{\circ}38'06''$, a distance of 259.72 feet to the beginning of a 200.00-foot radius reverse curve, concave Northerly; thence Westerly along the arc of said curve, through a central angle of $09^{\circ}48'57''$, a distance of 34.26 feet; thence North $80^{\circ}42'44''$ West, 19.81 feet to the beginning of a tangent 300.00-foot radius curve, concave Southerly; thence Westerly along said Northerly line and along the arc of said curve through a central angle of $13^{\circ}25'40''$, a distance of 70.31 feet to a point to which a radial bears North $04^{\circ}08'24''$ West; said point being the beginning of a compound 1,963.00-foot radius curve, concave Southerly; thence Westerly along the arc of said curve through a central angle of $05^{\circ}06'44''$, a distance of 175.15 feet to the beginning of a reverse 20.00-foot radius curve concave Northeasterly, a radial bears South $09^{\circ}15'07''$ East to said point; thence North Westerly along the arc of said curve through a central angle of $90^{\circ}02'29''$, a distance of 31.43 feet; thence North $09^{\circ}12'31''$ West, a distance of 97.05 feet returning to the Point of Beginning.

Parcel 1C - Slope Easement

A permanent easement and right-of-way for earth excavation or embankment, slope or slopes, through, over, upon, along and across all that real property described as follows:

Commencing at the intersection of the Easterly line of said Parcel 2 of Parcel Map 11933 with the Southerly line of Parcel 1A described above, being a point on the arc of a 1,049.00-foot radius curve, concave Northerly; thence Westerly along the Southerly line of said Parcel 1A and along the arc of said curve through a central angle of 13°04'53", a distance of 239.50 feet to the TRUE POINT OF BEGINNING; thence South 88°33'02" East, 109.00 feet; thence South 53°50'56" East, 25.57 feet; thence South 67°10'39" West, 39.67 feet; thence North 88°49'49" West, 194.12 feet; thence North 85°20'54" West, 154.21 feet; thence North 81°02'59" West, 172.18 feet; thence North 87°18'30" West, 120.79 feet to the Northeasterly line of Camino del Rio North as conveyed to the State of California by documents recorded August 15, 1958 in Book 7214, page 381 of Official Records and September 30, 1968 as File/Page No. 168599 of Official Records and relinquished to the City of San Diego by document recorded June 29, 1972 as File/Page No. 167394 of Official Records; thence along said Northeasterly line North 59°31'54" West, 35.05 feet to a point on the Southerly line of Parcel 1A described above and a point on the arc of a 1,844.00-foot radius curve concave Southerly, a radial to said point bears North 00°04'40" East; thence along said Southerly line of Parcel 1A described above and Easterly along the arc of said curve through a central angle of 05°20'16", a distance of 171.80 feet; thence continuing along said Southerly line tangent to said curve South 84°35'04" East, 141.64 feet to a point hereby set out as Point B for purposes of this description; thence continuing along said Southerly line South 84°35'04" East, 138.23 feet to the beginning of a tangent 1,049.00-foot radius curve concave Northerly; thence Easterly along the arc of said curve through a central angle of 06°51'53", a distance of 125.68 feet returning to the TRUE POINT OF BEGINNING.

Parcel 1D - Drain Easement

A permanent easement and right-of-way for the construction operation and maintenance of a storm drain or drains and appurtenances thereto, through, over, upon, along and across all that real property described as follows:

Beginning at Point A as set out in Parcel 1A described above; thence North 10°18'35" West, 20.20 feet; thence North 79°41'25" East, 10.00 feet; thence South 10°18'35" East, 23.34 feet to a point on the Northerly line of Parcel 1A described above; thence along said Northerly line North 82°53'35" West, 10.48 feet returning to the Point of Beginning.

Parcel 1E - Drain Easement

A permanent easement and right-of-way for the construction, operation and maintenance of a storm drain or drains and appurtenances thereto, through, over, upon, along and across all that real property described as follows:

Beginning at Point B set out in Parcel 1C above; thence South $07^{\circ}06'25''$ West, 27.38 feet; thence South $82^{\circ}53'35''$ East, 10.00 feet; thence North $07^{\circ}06'25''$ East, 27.67 feet to a point on the Southerly line of Parcel 1A described above; thence along said Southerly line North $84^{\circ}35'04''$ West, 10.00 feet returning to the Point of Beginning.

Job 519740(A)/Dwg. 23662-1-D/GLENN:jw(109-3)/9-27-88

-4-

EXHIBIT A

R 272187

LEGAL DESCRIPTION

All that portion of Pueblo Lot 1109 of the Pueblo Lands of San Diego according to Map thereof made by James Pascoe in 1870, a copy of which was filed in the Office of the County Recorder of San Diego County on November 14, 1921 and is known as Miscellaneous Map 36, more particularly described as follows:

Parcel 2A - Camino del Rio North

Commencing at the Southwesterly corner of Parcel 1 of Parcel Map No. 11933 at a terminus of a 430.00-foot radius curve concave Southwesterly, a radial to said point bears North 08°17'07" West; thence along said curve through a central angle of 38°45'15", a distance of 290.85 feet along the Southerly boundary of the aforementioned Parcel 1; thence leaving said Southerly boundary and the arc of said curve South 30°28'08" West, 60.00 feet to the Southerly right-of-way line of Camino del Rio North, acquired by the State of California by documents recorded August 15, 1958 in Book 7214, page 381, of Official Records and September 30, 1968 as File/Page No. 168599 of Official Records and relinquished to the City of San Diego by document recorded June 29, 1972 as File/Page No. 167394 of Official Records, said point being the beginning of a 370.00-foot radius curve concave Southwesterly, a radial to said point bears North 30°28'08" East; thence Northwesterly along the arc of said curve through a central angle of 04°43'49", a distance of 30.55 feet to THE TRUE POINT OF BEGINNING, a radial to said point bears North 25°44'19" East; thence continuing along the arc of said curve through a central angle of 32°57'16", a distance of 212.81 feet to a point, a radial to said point bears North 07°12'57" West; thence South 14°33'11" East, 8.57 feet; thence North 80°47'02" East, 50.25 feet; thence South 13°48'49" East, 49.40 feet to a point on a 1,844.00-foot radius curve concave Southerly, a radial to said point bears North 07°58'28" West; thence along the arc of said curve through a central angle of 04°29'08", a distance of 144.37 feet to the TRUE POINT OF BEGINNING.

Parcel 2B - Slope Easement

A permanent easement and right-of-way for earth excavation or embankment, slope or slopes, through, over, upon, along and across all that real property described as follows:

Commencing at the Southwesterly corner of Parcel 1 of Parcel Map No. 11933 at a terminus of a 430.00-foot radius curve concave Southwesterly, a radial to said point bears North 08°17'07" West; thence Southeasterly along the arc of said curve through a central angle of 38°45'15", a distance of 290.85 feet; thence leaving the Southerly boundary and the arc of said curve South 30°28'08" West, 60.00 feet to said Southerly right-of-way line of Camino del Rio North, said point being THE TRUE POINT OF BEGINNING being also the

EXHIBIT A

l- 272187

beginning of a 370.00-foot radius curve concave Southwesterly, a radial to said point bears North 30°28'08" East; thence along the arc of said curve through a central angle of 04°43'49", a distance of 30.55 feet to a point on a 1,844.00-foot radius curve concave Southerly, a radial to said point bears North 03°29'50" West; thence along the arc of said curve through a central angle of 04°29'09", a distance of 144.37 feet to a point, a radial to said point bears North 07°58'28" West, said point hereby set out as Point C for purpose of this description; thence South 13°48'50" East, 15.00 feet; thence North 85°10'43" East, 168.35 feet to a point on said Southerly line of Camino del Rio North; thence North 59°31'52" West, 0.92 feet along said Southerly line to the TRUE POINT OF BEGINNING.

Parcel 2C - Drain Easement

A permanent easement and right-of-way for the construction, operation and maintenance of a storm drain or drains and appurtenances thereto, through, over, upon, along and across all that real property described as follows:

Commencing at Point C set out in Parcel 2B described above being a point on the arc of a 1,844.00-foot radius curve concave Southerly, a radial to said point bears North 07°58'59" West; thence Easterly along the arc of said curve through a central angle of 02°20'59", a distance of 75.62 feet to the TRUE POINT OF BEGINNING; thence continuing along the arc of said 1,844.00-foot radius curve through a central angle of 00°39'57", a distance of 21.43 feet; thence leaving the arc of said curve South 67°28'41" East, 36.48 feet; thence South 22°31'19" West, 10.00 feet; thence North 67°28'41" West, 55.43 feet returning to the TRUE POINT OF BEGINNING.

Job 519740(C)/Dwg. 23662-1-D/GLENN/jw(109-3)/9-27-88

LEGAL DESCRIPTION

All that portion of Parcel 1 and 2 of Parcel Map 11933 filed in the Office of the County Recorder of San Diego County on January 29, 1982 as File No 82-26480 of Official Records, described as follows:

Beginning at the Southeast corner of said Parcel 2 of Parcel Map 11933 being also a point on the Northwesterly line of Camino del Rio North acquired by the State of California per documents recorded August 15, 1958 in Book 7214, page 381, of Official Records and September 30, 1968 as File/Page No. 168599 of Official Records and relinquished to the City of San Diego per document recorded June 29, 1972 as File/Page No. 167394 of Official Records; thence along said Northwesterly line, South 65°26'59" West (record South 65°27'50" West), 93.79 feet; thence North 53°50'56" West, 61.38 feet; thence North 88°33'02" West, 109.00 feet to a point of cusp with a 1,049.00-foot radius curve concave Northwesterly, a radial to said point bears South 01°26'58" East; thence Northeasterly along the arc of said curve through a central angle of 13°04'53", a distance of 239.50 feet to a point on the Easterly line of said Parcel 2 of Parcel Map 11933; thence along said Easterly line South 14°31'34" East (record South 14°28'06" East), 28.61 feet returning to the Point of Beginning.

Job 519740(B)/Dwg. 23662-1/GLENN/jw(109-2)/9-14-88

EXHIBIT A

LEGAL DESCRIPTION

All that portion of Parcel 1 and 2 of Parcel Map No. 13432 filed in the Office of the County Recorder of San Diego County on August 17, 1984, more particularly described as follows:

Parcel 3A - Camino del Rio North

Beginning at the Southwest corner of said Parcel 1 of Parcel Map 13432; thence along the Westerly line of said Parcel 1, North 14°31'34" West (record North 14°28'06" West), 98.25 feet to a point on the arc of a 951.00-foot radius curve concave Northwesterly, a radial to said point bears South 14°31'51" East; thence leaving said Westerly line and Easterly along the arc of said curve through a central angle of 13°11'00", a distance of 218.82 feet; thence tangent to said curve North 62°17'08" East, 340.49 feet to a point of cusp with a 844.00-foot radius curve concave Southeasterly, being also a point as the Northwesterly line of Camino del Rio North as said street was dedicated on Map 10292 filed in the Office of said County Recorder of San Diego County; thence Southwesterly along said Northwesterly line and the arc of said curve through a central angle of 09°59'13", a distance of 147.11 feet; thence continuing along said Northwesterly line as follows: tangent to said curve South 52°17'55" West, 271.85 feet to the beginning of a tangent 756.00-foot radius curve concave Northwesterly; Southwesterly along the arc of said curve through a central angle of 12°30'19", a distance of 165.00 feet returning to the Point of Beginning.

Parcel 3B - Slope Easement

A permanent easement and right-of-way for earth excavation or embankment, slope or slopes, through, over, upon, along and across all that real property described as follows:

Commencing at said Southwest corner of Parcel 1, Parcel Map 13432; thence along the Westerly line of said Parcel 1, North 14°31'34" West (record North 14°28'06" West), 98.25 feet to the TRUE POINT OF BEGINNING, being a point on the arc of a 951.00-foot radius curve concave Northwesterly, a radial to said point bears South 14°31'51" East; thence leaving said Westerly line and North-easterly along the arc of said curve through a central angle of 02°24'57", a distance of 40.10 feet to a point of cusp, a radial to said point bears South 16°56'50" East; thence leaving the arc of said curve, North 80°49'56" West, 30.44 feet; thence South 89°56'08" West, 12.61 feet to a point on said Westerly line of Parcel 1, Parcel Map 13432; thence along said Westerly line South 14°31'34" East, 16.23 feet returning to the TRUE POINT OF BEGINNING.

EXHIBIT A

Job 519740(D)/Dwg. 23662-1-D/GLENN/jw(109-3)/9-27-88

LEGAL DESCRIPTION

All that portion of Lot 2, Lion Mission Valley No. 3, according to Map thereof No. 10292 filed in the Office of the County Recorder of San Diego County, more particularly described as follows:

Commencing at the Southeast corner of Parcel 2 of Parcel Map 11933 filed in the Office of the County Recorder of San Diego County on January 29, 1982 as File No. 82-26480 of Official Records; thence along the Southeasterly line of said Parcel 2, South $65^{\circ}26'59''$ West, 93.79 feet; thence leaving said Southeasterly line, South $05^{\circ}19'24''$ East, 63.54 feet to a point on the Southeasterly line of Camino del Rio, as acquired by the the State of California per documents recorded August 15, 1958 in Book 7214, page 381, of Official Records and September 30, 1968 as File/Page No. 168599 of Official Records and relinquished to the City of San Diego per document recorded June 29, 1972 as File/Page No. 167394 O.R.; thence along said Southeasterly line and the Northeasterly extension thereof, North $65^{\circ}26'59''$ East, 172.16 feet to a point of intersection of the Northwesterly and Southeasterly lines of said Lot 2, Lion Mission Valley #3 and the Southeasterly line of Camino del Rio North as said street is located on August 1, 1988, being the TRUE POINT OF BEGINNING; thence continuing North $65^{\circ}26'59''$ East, 130.10 feet along the Southeasterly line of said Lot 2; thence leaving said Southeasterly line North $60^{\circ}47'27''$ West, 22.93 feet to a point on the arc of a 844.00-foot radius curve concave Northwesterly, a radial to said point bears South $36^{\circ}36'01''$ East; thence Southwesterly along the arc of said curve through a central angle of $06^{\circ}49'44''$, a distance of 100.60 feet to a point of compound curvature of a 45.00-foot radius curve concave Northwesterly, a radial to said 45.00-foot radius curve bears South $46^{\circ}57'11''$ East and to said 844.00-foot radius curve a radial bears South $29^{\circ}46'17''$ East; thence Southwesterly along the arc of said 45.00-foot radius curve through a central angle of $22^{\circ}24'10''$, a distance of 17.60 feet returning to the TRUE POINT OF BEGINNING.

Job 519740(E)/Dwg. 23662-1-D/GLENN/jw(109-3)/9-27-88

EXHIBIT A

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8900326

ORIGINATING DEPT. NO.: 070

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ 1,222,000.00 Fund 63020

Purpose Authorizing the expenditure of funds for Camino del Rio North - Realignment

Date October 6, 19 88

By: *Tracy McManus*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		63020	6320	102	4279	650004				\$1,222,000.00
TOTAL AMOUNT										\$1,222,000.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ _____

Vendor _____

Purpose _____

Date _____, 19 _____

By: _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

AC-361 (REV 3-86)

FUND OVERRIDE

OCT 25 1988

R 272187

AC 8900326

#335A

OCT 25 1988

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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<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.

(Seal)

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

By *Jana Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-272187* Adopted *OCT 25 1988*

RECEIVED
88 OCT 12 PM 3:16
CITY CLERKS OFFICE
SAN DIEGO, CA