

(R-89-883)

RESOLUTION NUMBER R- 272225

ADOPTED ON OCT 31 1988

WHEREAS, the Council of The City of San Diego adopted Resolution Number R-270418 on February 23, 1988; and,

WHEREAS, Resolution Number R-270418 is a "Resolution of Necessity" that authorized the acquisition of three parcels of land for open space purposes through the condemnation process; and,

WHEREAS, one of the parcels that was to be taken through condemnation proceedings was identified as "Parcel 4- Morales"; and

WHEREAS, circumstances have changed such that condemnation of the Morales parcel is no longer sought; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows: That Resolution Number R-270418, adopted by the Council of The City of San Diego on February 23, 1988, is rescinded as to the Morales property only. The Morales property is more specifically described on Exhibit A attached hereto and incorporated herein by reference.

APPROVED: JOHN W. WITT, City Attorney

By Avita M. Noone
Avita M. Noone
Deputy City Attorney

AMN:hk:Lit
10/19/88
Or.Dept: Litigation
Aud.Cert: None
R-89-883
Form=r.none

Parcel 4 - Morales

Parcel A:

That portion of Lot 46 of the Partition of the Rancho Ex-Mission of San Diego, according to Partition Map thereof on File in the Office of the County Clerk of San Diego County in Superior Court Case 348 entitled "Juan M. Luco, et al vs. the Commercial Bank of San Diego, et al, described as follows:

Beginning at a point on the Northerly line of Lot "M" of Mountain View Manor according to the Map thereof No. 1879, filed in the Office of the county Recorder of San Diego County; distant along said Northerly line South 88°54'29" East, 86.57 feet from the Northwest corner of said Lot "M"; thence (1) along said Northerly line South 88°54'29" East, 145.25 feet; thence (2) leaving said Northerly line North 41°10'55" West, 217.05 feet to the Westerly line of land conveyed to the State of California by deed recorded February 26, 1974 as File/Page 74-046837 of Official Records of said County; thence (3) along said Westerly line South 0°49'15" West, 160.61 feet to the Point of Beginning.

Parcel B:

That portion of Lot "M" of Mountain View Manor, according to the Map thereof No 1879, filed in the Office of the County Recorder of San Diego County, February 2, 1926, described as follows:

Beginning at the Westerly extremity of the most Northerly line of said Lot "M"; thence along the west line of said Lot, South 0°09'00" East 225.54 feet to an angle point in said line; thence South 89°46'05" East 234.78 feet more or less to the Northeast corner of land conveyed to Albert V. Thomas, et ux, by deed recorded May 6, 1944 in Book 1676, Page 223 of Official Records; thence South 89°45'49" East 235.11 feet more or less to the East line of said Lot "M" thence along said East line North 0°14'00" East 225.54 feet to the Northeast corner of said lot; thence along the North line of said lot North 89°46'00" West 471.4 feet to the Point of Beginning.

Excepting therefrom that portion thereof described in deed to the State of California, recorded October 30, 1958 as File/Page 181116 of Official Records as follows:

Beginning at a 3/4-inch iron pin set for the Northeast corner of said Lot "M"; thence along the Easterly line thereof South 0°35'41" West 50.08 feet; thence leaving said Easterly line North 58°39'47" West 97.89 feet to the Northerly line of said Lot "M"; thence thereon South 89°26'01" East 84.14 feet to the Point of beginning.

Also excepting therefrom that portion lying Northeasterly of the following described line:

Beginning at the Northwest corner of said State land; thence along the Northerly line of said land South 88°54'29" East, (Rec. South 89°46'00" East), 231.82 feet; thence leaving said line South 70°20'21" East, 251.67 feet to the Easterly line of said State land.

EXHIBIT A

R 272225

OCT 31 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 Struiksma	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-272225* Adopted *OCT 31 1988*

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CITY CLERKS OFFICE
SAN DIEGO, CA