

(O-91-112)

ORDINANCE NUMBER O- 17597 (NEW SERIES)

ADOPTED ON FEB 04 1991

AN ORDINANCE SETTING ASIDE AND DEDICATING A PORTION OF PUEBLO LOT 211 OF THE PUEBLO LANDS OF SAN DIEGO, AND PARCEL 3 OF PARCEL MAP NO. 12389, IN THE CITY OF SAN DIEGO, CALIFORNIA, COMMONLY KNOWN AS "FAMOSA SLOUGH," AND LOCATED AT THE SOUTHEAST CORNER OF FAMOSA BOULEVARD AND WEST POINT LOMA BOULEVARD, FOR A PUBLIC PARK.

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

Section 1. That a portion of Pueblo Lot 211 of the Pueblo Lands of San Diego, and Parcel 3 of Parcel Map No. 12389, commonly known as "Famosa Slough," and located at the southeast corner of Famosa Boulevard and West Point Loma Boulevard, 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.

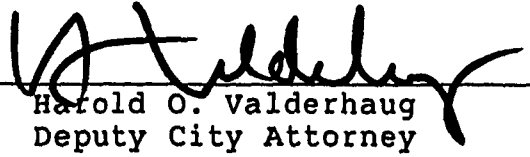
Section 2. That the City Council of The City of San Diego hereby specifically reserves the right to establish underground public service easements through and across the dedicated property so long as the construction and maintenance of the subject easements do not substantially negatively impact the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

Section 3. That the 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
12/31/90
Or.Dept:Prop.
Job:921058
O-91-112
Form=o.sapp

Famosa Channel Parcel

The land referred to herein is situated in the State of California, County of San Diego, and is described as follows:

Parcel 3 of Parcel Map No. 12389, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, October 22, 1982, Recorder's File No. 82-325813 of Official Records.

JPA:mr

ATTACHMENT A

0 17597

FAMOSA SLOUGH
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PORTION OF PUEBLO LOT 211 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, AND IS KNOWN AS MISCELLANEOUS MAP NO. 36, AND A PORTION OF BLOCK "D" OF LOMA ALTA NO. 2, ACCORDING TO MAP THEREOF NO. 1082, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF LOMA PALISADES UNIT NO. 3, ACCORDING TO MAP THEREOF NO. 3798, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 5, 1958, WITH THE SOUTHERLY LINE OF WEST POINT LOMA BOULEVARD AS SAID INTERSECTION IS SHOWN ON SAID MAP NO. 3798; THENCE ALONG THE WESTERLY AND NORTHWESTERLY BOUNDARY OF SAID MAP NO. 3798 AS FOLLOWS: SOUTH $06^{\circ}11'20''$ EAST, 710.65 FEET; AND SOUTH $36^{\circ}09'50''$ WEST, 495.24 FEET TO AN ANGLE POINT THEREIN; BEING ALSO A POINT IN THE SOUTHEASTERLY LINE OF SAID BLOCK "D" OF SAID LOMA ALTA NO. 2; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK "D" AND THE SOUTHWESTERLY PROLONGATION THEREOF, SOUTH $36^{\circ}09'50''$ WEST, 689.91 FEET TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID BLOCK "D"; THENCE ALONG THE BOUNDARY OF SAID BLOCK "D" AS FOLLOWS: NORTH $53^{\circ}50'00''$ WEST, 86.60 FEET TO AN ANGLE POINT THEREIN; AND NORTH $00^{\circ}49'00''$ EAST, 1547.80 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID WEST POINT LOMA BOULEVARD; THENCE ALONG SAID SOUTHERLY LINE AS FOLLOWS: NORTH $84^{\circ}54'00''$ EAST, 664.47 FEET TO THE WESTERLY TERMINUS OF A CURVE THEREIN HAVING A RADIUS OF 1950.00 FEET AS SHOWN ON SAID MAP NO. 3798; AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $00^{\circ}12'08''$, A DISTANCE OF 13.13 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF THE ABOVE-DESCRIBED PARCEL, LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT POINT "A"; AS HEREAFTER SHOWN IN PARCEL B; THENCE SOUTH $84^{\circ}54'00''$ WEST, 606.98 FEET; THENCE NORTH $05^{\circ}16'00''$ WEST, 433.13 FEET TO THE POINT OF TERMINUS BEING ON THE SOUTHERLY LINE OF WEST POINT LOMA BOULEVARD.

PARCEL B:

THAT PORTION OF PUEBLO LOT 211 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, AND IS KNOWN AS MISCELLANEOUS MAP NO. 36, AND A PORTION OF BLOCK "D" OF LOMA ALTA NO. 2, ACCORDING TO MAP THEREOF NO. 1082, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF LOMA PALISADES UNIT NO. 3, ACCORDING TO MAP THEREOF NO. 3748, FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 5, 1958, WITH THE SOUTHERLY LINE OF WEST POINT LOMA BOULEVARD AS SAID INTERSECTION IS SHOWN ON SAID MAP NO. 3798 AS FOLLOWS: SOUTH $06^{\circ}11'20''$ EAST, 433.29 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE CONTINUING ALONG SAID BOUNDARY OF SAID MAP NO. 3798, SOUTH $06^{\circ}11'20''$ EAST, 277.36 FEET AND SOUTH $36^{\circ}09'50''$ WEST, 495.24 FEET TO AN ANGLE POINT THEREIN; BEING ALSO A POINT IN THE SOUTHEASTERLY LINE OF SAID BLOCK "D" OF SAID LOMA ALTA NO. 2; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK "D" AND THE SOUTHWESTERLY PROLONGATION THEREOF, SOUTH $36^{\circ}09'50''$ WEST, 689.91 FEET TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID BLOCK "D"; THENCE ALONG THE BOUNDARY OF SAID BLOCK "D" AS FOLLOWS: THENCE NORTH $53^{\circ}50'00''$ WEST, 86.60 FEET TO AN ANGLE POINT THEREIN; THENCE NORTH $00^{\circ}49'00''$ EAST, 1,547.80 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID WEST POINT LOMA BOULEVARD; THENCE ALONG SAID SOUTHERLY LINE AS FOLLOWS: NORTH $84^{\circ}54'00''$ EAST, 664.47 FEET TO THE WESTERLY TERMINUS OF A CURVE THEREIN HAVING A RADIUS OF 1,950.00 FEET AS SHOWN ON SAID MAP NO. 3798, AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $0^{\circ}23'09''$ (RECORD, $00^{\circ}12'08''$ PER DEED RECORDED DECEMBER 11, 1968 AS FILE NO. 229499 OF OFFICIAL RECORDS, A DISTANCE OF 13.13 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF THE ABOVE-DESCRIBED PARCEL LYING SOUTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT SAID POINT "A"; THENCE SOUTH $84^{\circ}54'00''$ WEST, 606.98 FEET; THENCE NORTH $05^{\circ}16'00''$ WEST, 433.13 FEET TO THE POINT OF TERMINUS BEING ON THE SOUTHERLY LINE OF WEST POINT LOMA BOULEVARD.

#5B

FEB 0 4 1991

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"/>
John Hartley	<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"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Linda Sugano*, 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

JAN 2 2 1991

FEB 0 4 1991

....., 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 *Linda Sugano*, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number 0-17397	FEB 0 4 1991
Number	Adopted

RECEIVED

FEB 04 1981

91 JAN -9 PM 2:18

COMMUNICATIONS DIVISION
SAN DIEGO, CA

JAN 8 5 1981

FEB 04 1981

FEB 04 1981

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
91 FEB 27 AM 10:29
SAN DIEGO, CALIF.

CITY CLERK'S OFFICE
CITY ADMN. BLDG.
202 C ST.
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE SETTING ASIDE AND DEDICATING A PORTION
OF PUEBLO LOT 211 OF THE PUEBLO LANDS OF SAN DIEGO,
AND PARCEL 3 OF PARCEL MAP NO. 12389, IN THE CITY OF SAN...

ORDINANCE NUMBER O-17597

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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 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
Passed and adopted by the Council of The City of San Diego on February 4, 1991, by the following vote:

YEAS: Wolfshelmer, Roberts, Hartley, Pratt, Bernhardt, Henderson, Filner, Mayor O'Connor.

NAYS: None.

NOT PRESENT: McCarty.

AUTHENTICATED BY:

Maureen O'Connor
Mayor of The City of San Diego, California
Charles Abdelnour
City Clerk of The City of San Diego, California

(Seal)

By Linda Lugano, 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 January 22, 1991, and on February 4, 1991.

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 Abdelnour
City Clerk of The City of San Diego, California

(Seal)

By Linda Lugano, Deputy.

Pub. February 18

209463

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-17597

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:

FEB. 18

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

Dated at San Diego, California this 18TH day of FEB, 1991.

(Signature)

Page 1 of 1 1044 = 127.68